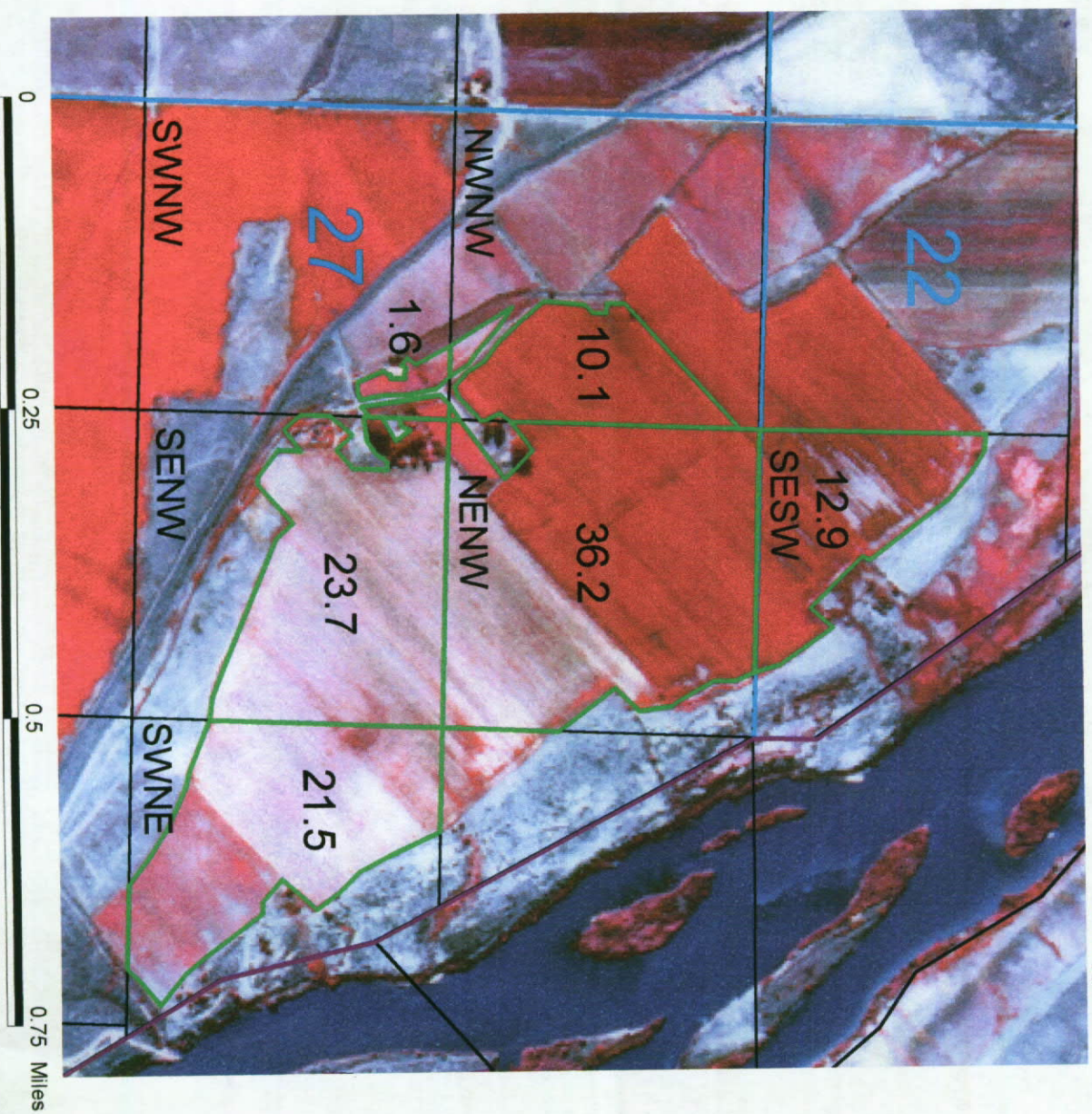
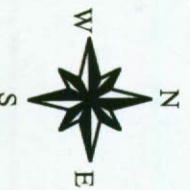


Idaho Department of Water Resources

Claim Number: 57-00272
Legal: T01N, R03W, S22 & 27
Reviewed By:

-  Point of Diversion
(located outside view)
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines
-  Township/Range Lines



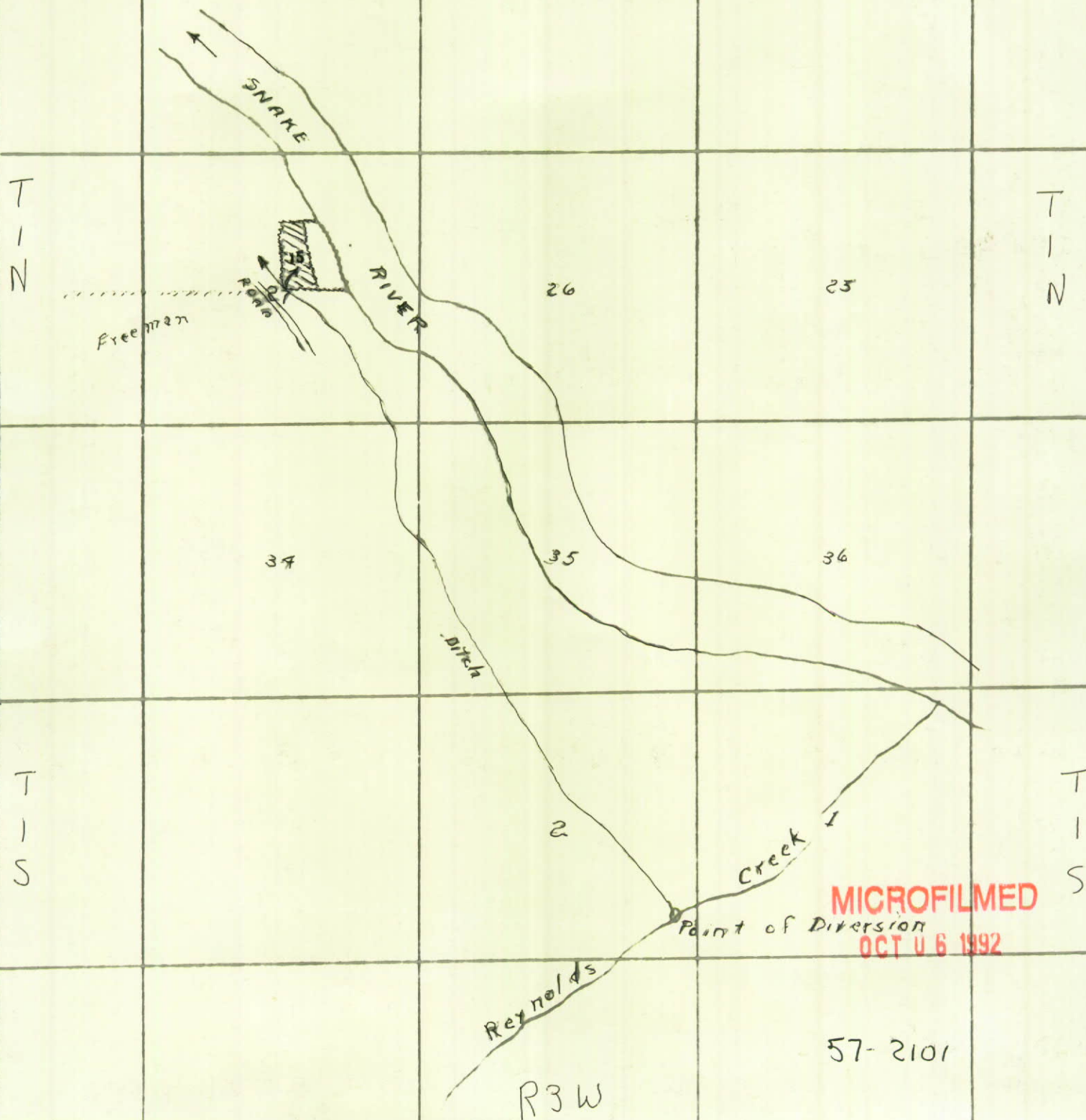
R3W

OLD # 12699 DRA KELLY

57-2101

PRIOR: 5/24/1918

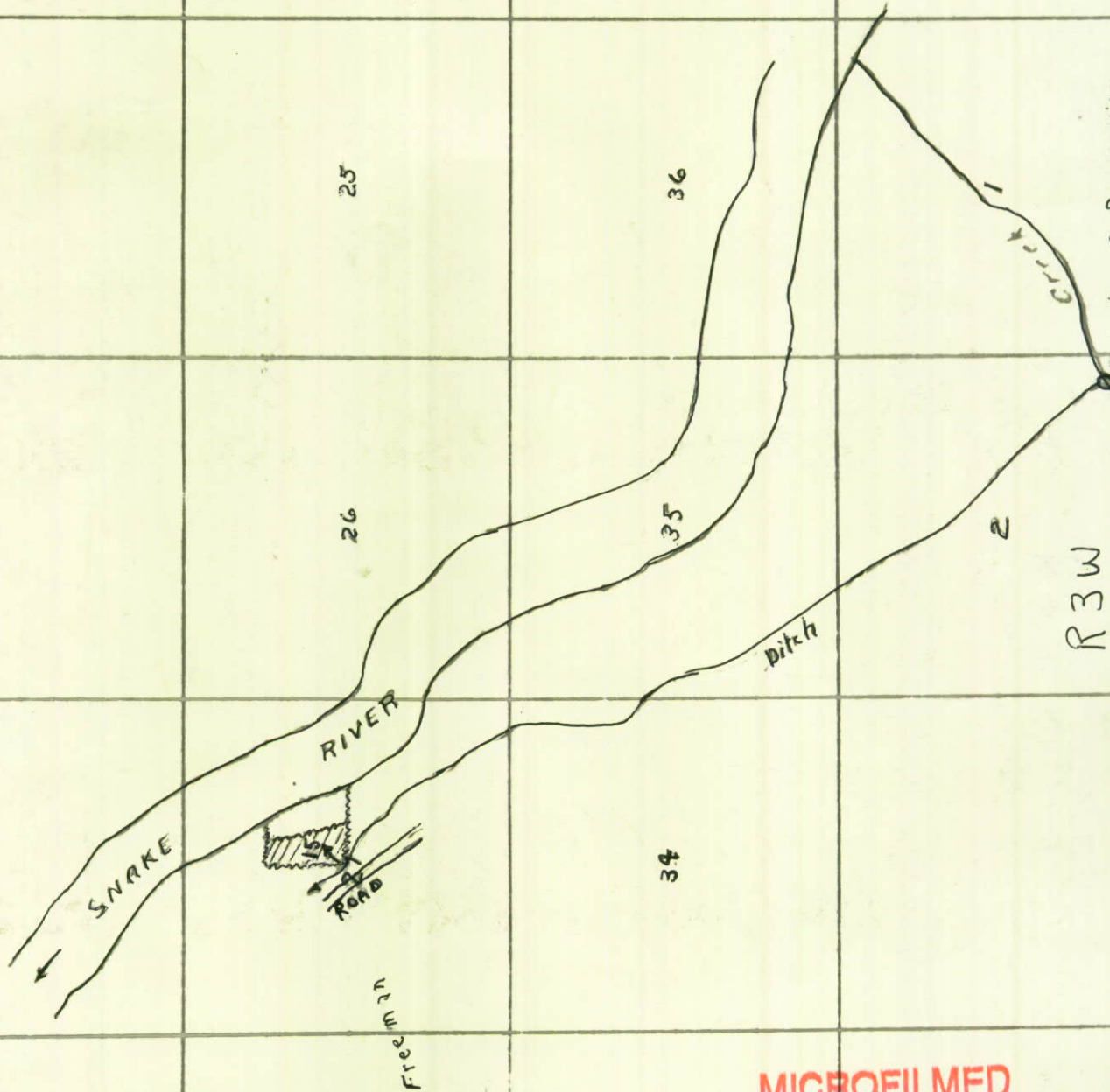
APP. DATE Dec, 1916



R3W

OLD # 12699 Ora Kelly
57-2101
Prior: 5/24/1918

RPP, DATE: Dec 1, 1916

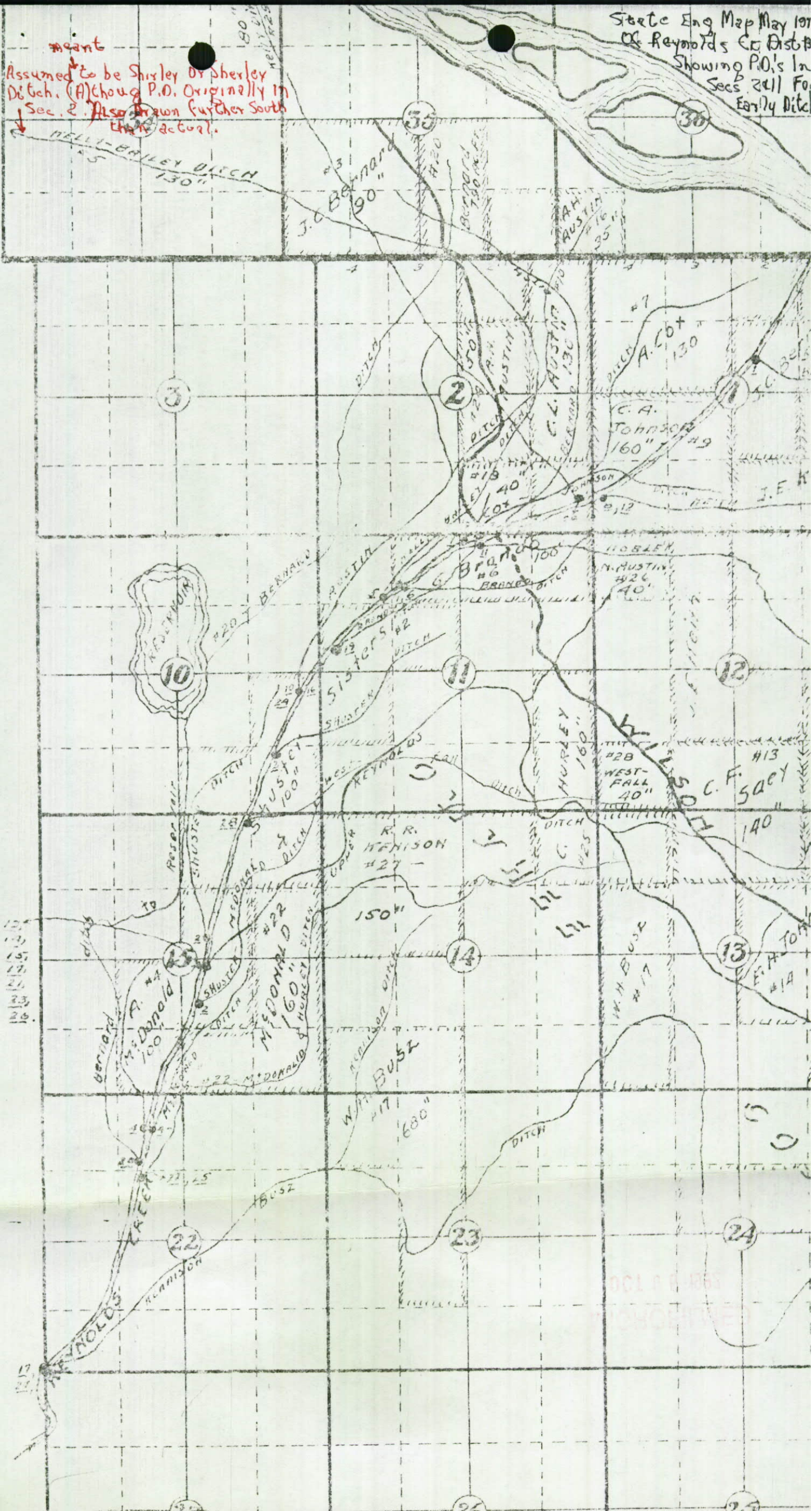


MICROFILMED
OCT 06 1992

57-2101

R3W

State Eng Map May 1971
of Reynolds Co Dist
Showing P.O.'s In
Secs 2411 Fo
Early Date



R3W

VS-1D
CVS-100-118
(CVS 4KK-47-150)

Lot 2

Lot 1

Lot 3

Lot 2

21 22
28 27

22 23
27 26

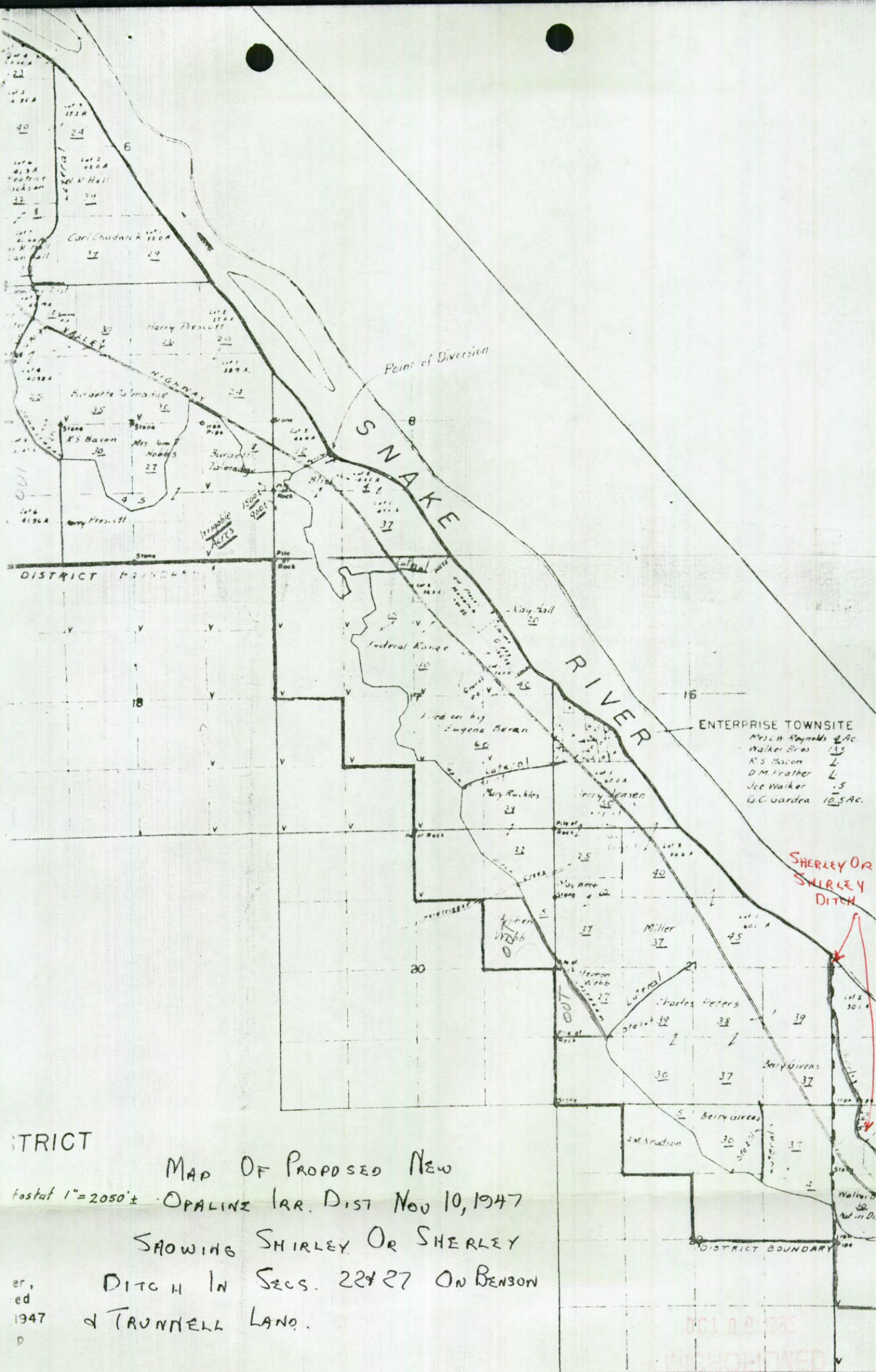
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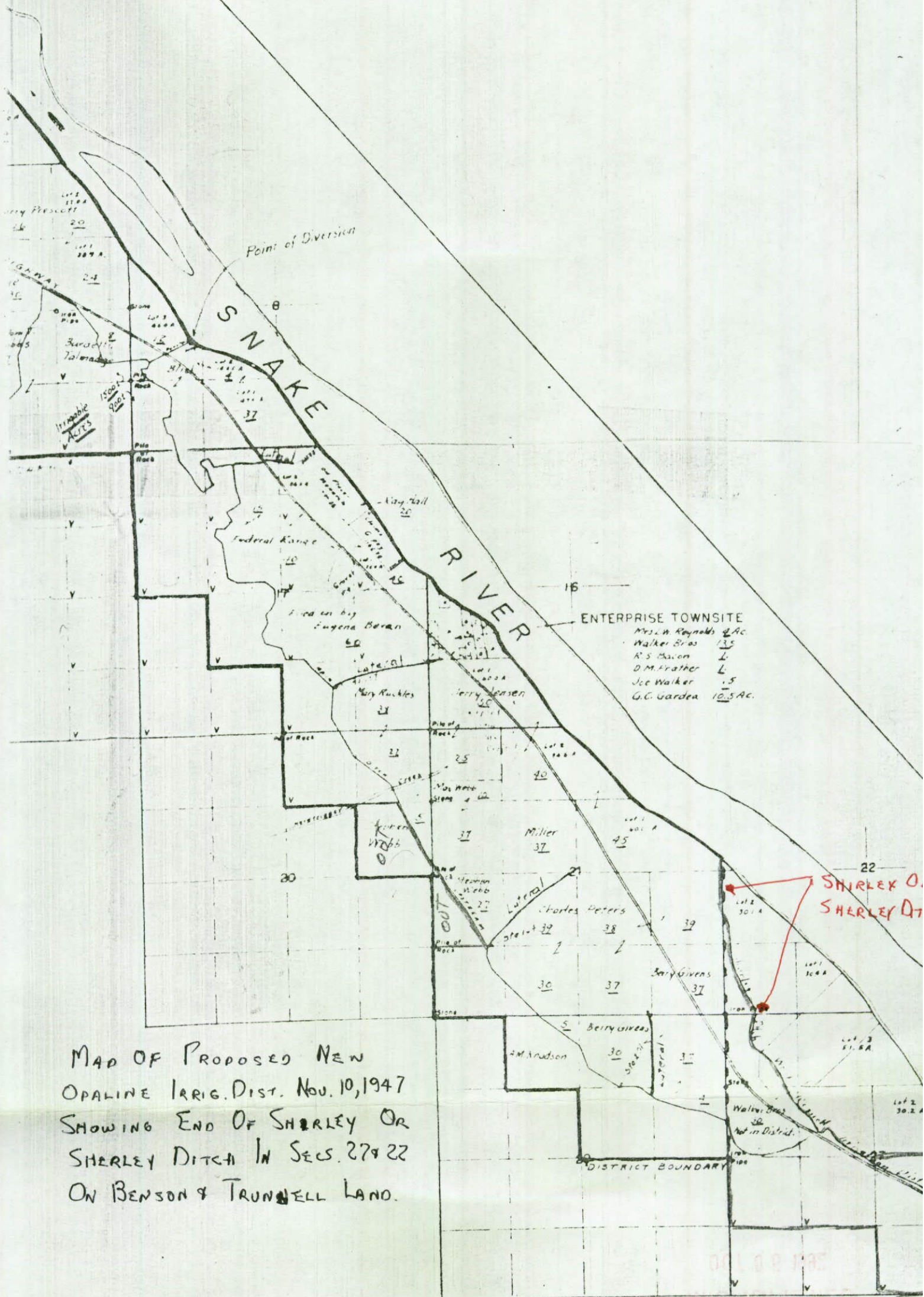
T
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28 27
33 34

27 26
34 35

R3W





MAP OF PROPOSED NEW
OPALINE IRRIG. DIST. NOV. 10, 1947
SHOWING END OF SHERLEY OR
SHERLEY DITCH IN SECS. 27 & 22
ON BENSON & TRUNNELL LAND.

TRUE
PROBABLY CLOSER TO ROUTE
OF ~~TRUE~~ EARLY DITCH

R3W.

STATE ENG. MAP
MAY 1917 OF REYNOLDS
CK DIST 13-A
SHOWING P.D.'S IN
SEC 24 FOR
EARLY DITCHES

MEANT
ASSUMED TO BE EARLIER
SHIRLEY OR SHERLEY DITCH
(ALTHOUGH P.D. ORIGINALLY IN SEC 2 AND
DRAWN FURTHER SOUTH THAN ACTUAL.)

T
I
N

T
I
S

WELL-BAILLY DITCH
130"

J.C. BERNARD
90"

35

36

3

2

10

11

12

15
16
17
23
26

14

13

22

23

24

17

REYNOLDS
LAKE

McDONALD
100"

SHUSTER
100"

WEST
FALL
40"

W. H. BUSE
160"

W. H. BUSE
160"

W. H. BUSE
160"

W. H. BUSE
160"

W. H. BUSE
160"

McDONALD
100"

SHUSTER
100"

WEST
FALL
40"

W. H. BUSE
160"

W. H. BUSE
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W. H. BUSE
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W. H. BUSE
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W. H. BUSE
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W. H. BUSE
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McDONALD
100"

SHUSTER
100"

WEST
FALL
40"

W. H. BUSE
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W. H. BUSE
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W. H. BUSE
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W. H. BUSE
160"

W. H. BUSE
160"

W. H. BUSE
160"

R3W

CVS-100-118 (1964)

1D

(CVS-4KK-97-190)

Lot 2

Lot 1

Lot 3

Lot 2

T
1
N

OPALINE
DITCH

28 27
33 34

27 26
34 35

R3W

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A57-00272
Date Received: 11/15/1988
Receipt No: W002061
Received By: DE JH

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JERRY L. BENSON 208-495-2228
Address: HC 79 BOX 94
MELBA, ID 83641

AND/OR

Name: SANDRA J. BENSON 208-495-2228
Address: HC 79 BOX 94
MELBA, ID 83641

2. Date of Priority: SEP 26, 1884

3. Source: REYNOLDS CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	03W	10	SE	SE	SE		OWYHEE

5. Description of diverting works:
DIVERSION DAM, CONVEYING DITCH TO POU, GRAVITY IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	2.600		
STOCKWATER	01/01	12/31	0.050		2.70

7. Total Quantity Appropriated is:
2.600 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/150 DAIRY.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01N	03W	22	SE	SW	1	IRR	5.0
						Section Acres	5.0
		27	SW	NE	2	IRR	22.0
			NE	NW	3	IRR	33.0
			NW	NW		IRR	13.0
			SW	NW		IRR	1.0
			SE	NW		IRR	32.0
						Section Acres	101.0
						Total Acres	106.0

11. Place of use in counties: OWYHEE

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
SOURCE(S) OUTSIDE BASIN.

14. Remarks:

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date:

Decree Plaintiff

vs

Decree Defendant

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____
My Commission Expires _____

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM/ID: 57-00272

Date: 1-22-03

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	1N	3W	22												5					5
GIS															12.9					12.9
Claim			27			2		3												
GIS						22		33	1.3	1	32									10.1
						21.5		36.2	10.1	1.6	23.7									93.7
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 106

Overlapping FOU Claim #'s:

Total GIS Acres: 106

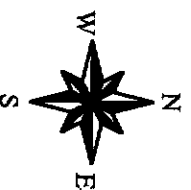
COMMENTS:

County data indicates claimant owns only acres in NW 1/4 + part of the NW 1/4 in Sec 27. Per County data + image interpretation.

Idaho Department of Water Resources

Claim Number: 57-00272
Legal: T01N, R03W, S22 & 27
Reviewed By:

- ☐ Point of Diversion
(located outside view)
- ☐ Place of Use
- ☐ Section Lines
- ☐ Quarter Quarter Lines
- ☐ Township/Range Lines



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

2002 DEC 23 PM 3 36

In Re SRBA)
)
Case No. 39576)

AMENDED
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 57-00272

NAME AND ADDRESS: SANDRA J & JERRY L BENSON
HC 79 BOX 94
MELBA, ID 83641

SOURCE: REYNOLDS CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 2.60 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 09/26/1884

POINT OF DIVERSION: T01S R03W S10 SESESE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	2.60 CFS
	Stockwater	01-01 TO 12-31	0.05 CFS

PLACE OF USE: Irrigation Within Owyhee County
T01N R03W S22 LOT 1 (SESW) 5.0
S27 LOT 2 (SWNE) 22.0 LOT 3 (NENW) 33.0
NWNW 13.0 SNNW 1.0
SENE 32.0
106.0 Acres Total

Stockwater Within Owyhee County
Same as Irrigation

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Roger Burdick

Roger Burdick
Presiding Judge of the
Snake River Basin Adjudication

SCANNED
DEC 24 2002

RECEIVED

JAN 10 2003

WATER RESOURCES
WESTERN REGION

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

2002 DEC 23 PM 3 34

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

ORDER OF AMENDED PARTIAL DECREE

For Water Right 57-00272

On October 28, 2002, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this Court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 57-00272 is hereby decreed as set forth in the attached *Amended Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED: December 23, 2002



ROGER S. BURDICK

Presiding Judge

Snake River Basin Adjudication

2002 DEC 23 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Case No. 39576)
_____)

CERTIFICATE OF MAILING

Water Right(s): 57-00272

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 57-00272 was mailed
on December 23, 2002, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

SANDRA J & JERRY L BENSON
HC 79 BOX 94
MELBA, ID 83641
Phone: 208-495-2228

ROBBIN HALL
Chief Deputy Clerk

CERTIFICATE OF MAILING

SCANNED

DEC 24 2002

PAGE 1
12/23/02



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

July 18, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Jerry L. Benson
Sandra J. Benson
HC 88 Box 1050
Murphy, ID 83650-9601

*10-27-00
response
-10*

Re: Snake River Basin Adjudication (SRBA)
Water Rights #57-00272, 57-00275, 57-10603 & 57-10604

Dear Water Right Holders:

We have been advised the address for you presently in our records is incorrect. Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your water right(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and **list any other water rights you may have before returning** this letter by **August 14, 2000**. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water rights referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right records.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

The address is correct as shown above or as otherwise changed.

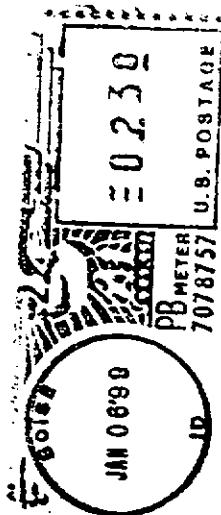
Water Right Holder's Signature

Telephone No.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Return Service Requested

PRESORTED
FIRST CLASS



Handwritten:
JERRY L BENSON
SANDRA J BENSON
HC 79 BOX 94
MELBA ID 83641

RECEIVED
JAN 13 1999
Department of Water Resources

BENSON JERRY L
RETURN TO SENDER
BENSON
HC 79 BOX 94
MELBA ID 83641

1301 NORTH ORCHARD STREET
BOISE, IDAHO 83720-0098

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 57-00272

1997 DEC 15 AM 10: 50

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: SANDRA J BENSON
JERRY L BENSON
HC 79 BOX 94
MELBA ID 83641

SOURCE: REYNOLDS CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 2.6 CFS

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 09/26/1884

POINT OF DIVERSION: T01S R03W S10 SESESE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	IRRIGATION	Irrigation Season	2.6 CFS
STOCKWATER	STOCKWATER	01-01 12-31	0.05 CFS

PLACE OF USE: IRRIGATION Within Owyhee County
T01N R03W S22 Lot 1 (SESW) 5
S27 Lot 2 (SWNE)22 Lot 3 (NENW)33 NWNW 13 SWNW 1
SENW 32
106 ACRES TOTAL

Place of use for STOCKWATER is same as IRRIGATION

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.



DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

DATE: 11/10/97
PAGE: 1

Audit: 11/10/97 KWALKER

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: NOV-10-1997
PAGE: A-1

RIGHTS FROM: SOURCE: REYNOLDS CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 57-00272

NAME AND ADDRESS: SANDRA J BENSON
JERRY L BENSON
HC 79 BOX 94
MELBA ID 83641

SOURCE: REYNOLDS CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 2.6 CFS

THE QUANTITY FOR NON-IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIALLY
USED FOR STOCKWATER, 150 HD DAIRY CATTLE

THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 09/26/1884

POINT OF DIVERSION: T01S R03W S10 SESESE Within Owyhee County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		<u>Irrigation Season</u>	2.6 CFS
		<u>03/15 11/15</u>	
STOCKWATER		01-01 12-31	0.05 CFS

PLACE OF USE: IRRIGATION Within Owyhee County

T01N R03W S22	Lot 1 (SESW) 5		
S27	Lot 2 (SWNE)22	Lot 3 (NENW)33	NWNW 13 SWNW 1
	SENW 32		

106 ACRES TOTAL

Place of use for STOCKWATER is same as IRRIGATION

CONSUMPTIVE USE: 39212 AFY

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

DATE: NOV-10-1997
PAGE: A-2

57-00272 (CONT.)

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 57-00271 AND 57-02041

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

USE OF THIS RIGHT IS COMBINED WITH WATER FROM
WEST REYNOLDS IRRIGATION DISTRICT.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 57-00271 & 57-02041
STOCKWATER, 150 DAIRY CATTLE

OWNER CODE NAME & ADDRESS PRIORITY DATE WATER USE USE PERIOD FROM TO DIVERSION RATE DIVERSION VOLUME
C SANDRA J BENSON 09/26/1884 IRRIGATION 03-15 11-15 2.60 CFS
C JERRY L BENSON 01-01 12-31 0.05 CFS
HC 79 BOX 94
MELBA ID 83641
(208) 495-2228
TOTAL DIVERSION: 2.60 CFS
CONSUMPTIVE USE: 392.2 AFA

Water Source: REYNOLDS CREEK Tributary to: SNAKE RIVER Stage: DECREED
TOLS R03W S10 SESESE OWYHEE County

Place of use Legal Description for: IRRIGATION									
NE NW SW SE									
T	R	S	NE	SE	NE	SW	SE	SE	SUM
01N	03W	22	: Lt	Ac	Lt	Ac	Lt	Ac	: Lt
01N	03W	27	: Lt	Ac	Lt	Ac	Lt	Ac	: Lt
02-22 : 03-33 13 01 32 : 01-05 : 5.0									
TOTAL ACRES 101.0									

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

POU County: OWYHEE
Non-Irrigation Uses: STOCKWATER, 150 HD DAIRY CATTLE
Other Rights: NONE

Conditions of Approval:
W09 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- WEST REYNOLDS IRRIGATION DISTRICT.

Remarks: THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION
DESCRIBED ABOVE: 57-00271 AND 57-02041

Dates: Exam Made Date: 02/24/1992
Misc: Water District Number: 57R Field Inspection Flag:
Presumption Flag:

Audit: 09/09/91 WERNER 09/10/91 WERNER 11/22/91 WERNER 01/08/92 WERNER
02/24/92 WERNER 07/29/92 PR-PROD 10/13/92 CP SHAW 12/05/92 ADT-SHAW

MICROFILMED
JUL 20 1994

DATE: 08/19/92
PAGE: 1

MICROFILMED
OCT 06 1992

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A57-00272

"R" RECORD

FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	IN-OFFICE VERIFICATION WHOM/DATE	VERIFIED BY CODE (SEE BELOW)	FIELD EXAM BY WHOM/DATE	CLAIMANT CONTACT NEEDED - Y/N*	REVIEW COMPLETED WHOM/DATE	DATA ENTRY COMPLETED WHOM/DATE	FINAL VERIFICATION DATE ENTERED WHOM/DATE
WR ELEMENT							
PRIORITY	N	C	N/A	N	B.A. 9-90		
PT. OF DIV.	N						
SOURCE	N						
PL. OF USE	N						
DIV. AMOUNT CFS/AF	added AF 100K						
CONSUMPTIVE USE	added AF						
NATURE OF USE	N						
PERIOD OF USE	N						
BASIS OF CLAIM	None						
REMARKS							

VERIFICATION CODES

TOPO MAP/ORTHO-PG = 1
 ASCS MAP = 2
 WATERMASTER RECORDS = 3
 NAPP PHOTOS = 4
 FIELD EXAM = 5
 OTHER(SEE COMMENTS) = 6

*IF CLAIMANT CONTACT IS NEEDED, COMPLETE CLAIMANT CONTACT CHECKLIST AND ATTACH.

MICROFILMED
 OCT 1992

COMMENTS: *Go Unifield based on previous degree
 Stock/Unifield based on degree along with consumptive use addition
 Sw and overlap map in A57-00272

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1b. CALCULATIONS

1a. IRRIGATION RATE
ACRES 106 x 0.02 CFS/ACRE = 2.12 CFS
(Taken from P/u review)

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(X)

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = AF/A

ACRES 106 x CONSUMPTIVE VOL. AF/A FOR AREA 3.7 =

TOTAL CONSUMPTIVE USE 392.2 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 106 x DIVERSION VOL. AF/A FOR AREA 5.0 =

TOTAL DIVERSION VOLUME 530 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(X) N() - stock 150 Dairy x .0391 = 5.9 AF/A

REMARKS: (Include limitations on CONSUMPTIVE USE for combined rights.)

FOG: Other rights w/ same POD: 57-00271 x 57-00271.

App. Condition: w09

MICROFILMED
OCT 06 1992

WATER RIGHT NUMBER 57-0272

QUINER LIST NAME - BENJAMIN

DINNER LIST NAME - BEASLEY

ADDRESS LINE 2

ADDRESS LINE 2 -
CITY - NEW YORK

STATE - IN THE NAME - 03244

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STAFF

PRIORITY - 100-476

SECRET

TOTAL OF:

2-60333-07-2

DIVERSION POINT = 5535 10 375 03W LOT, REDDY →
FROM 3 1/2 MI TO 1 1/2 MI. INTERSECTION

REF ID: A67089

SECRET

STUDY NOTE

07/3 DEC 8

1156 - DEFECTION ✓

01 07 75

TOLSON - WATKINS

TEST 5

新加坡

2

100

1

SECRET

AC 100

SHR LOT AC 61

DEGREE NAME

三三三

TOTAL PAGES

145

NON TRIG USE - 5/15/59 DMIR

PROOF DUE - /
PERMIT/DENIED - /

ROUTES 1

REPORT

090

DIVERSION MEANS - /

6/81

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM
REPORT OF EXAMINERS

Claim No. 57-0272

1. Name of Applicant Jerry L. Benson & Sandra J. Benson
2. Priority Sept 26, 1984 DeWee (Benson vs. Branda, 1973)
3. Source of Water Reynolds Creek
4. (Quantity) (Domestic, Irri., Stock Water, etc.) (Period of Use)
2.6 cfs Use Irrigation From 3/15 to 11/15
.05 cfs Use Stockwater From 1/1 to 12/31
 _____ cfs Use _____ From _____ to _____

Total 2.6 cfs

5. Location of Point of Diversion: Se Se of Section 10
 Twp. 1S, Rge. 3W, County of Owyhee
6. Describe Diversion Works: Diversion Dam & Ditches

7. Describe Location of Use:

TWP	RGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SE $\frac{1}{4}$				SW $\frac{1}{4}$				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	3W	22																5	5
		27			22			33	13	1	32								101
TOTAL																			106

TWP. 1N RGE. 3W COUNTY Owyhee SCALE: 1" = 1 MILE

+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+
+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+	+
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8. Purpose other than irrigation: Stock water for 150 Hd Dairy Cattle
9. Remarks: Ditch also served by West Reynolds Irrigation District (Snake River) Water.

This examination was made on the 1 day of May, 1982.

(Signed)



Examiner

State of Idaho
Department of Water Resources

ADJUDICATION CLAIM ANALYSIS SHEET

Review by [Signature]Date 2/3/82Right No. 57-0272Claimant Jerry L. & Sandra J. Benson

Recommendation differs from claim: ☒ Yes ☐ No ☐ Disallow
(Document any differences)

Claim Details Verified Against:

Check (X or ✓) those searched. Circle records used for recommendation.
Include copies or memos where applicable to explain findings.

- ☒ License 57-2101 (See Maps On Microfilm & att'd.)
- ☐ Previous Statutory Claim. Number if different than above _____
- ☐ Permits, valid or lapsed. Number(s) if different than above _____
- ☒ Decree. Name & date 57-0273 (Benson vs. Brendaw, 1973)
- ☐ Conveyance Loss Calculations. See printout included.
- ☐ Title abstract. ☐ In file. Or, Name & location _____
- ☐ County records. ☐ In file. Or, Name & location _____
- ☐ Affidavits. ☐ In file.
- ☒ Posted Notices, Water Locations Notices. ☒ In File. Or, Name & location _____
- ☐ Deed Records. ☐ In file. Or, Name & location _____
- ☐ Patent Records. ☐ In file. Or, Name & location _____
- ☐ Metzker Maps. Identify _____
- ☒ A.S.C.S. Records. Year & Photograph No. CVS-100-118
- ☒ Irrigation Company/District Records. ☐ In File. Or Name & location See Maps (State Eng. 1917) Reynolds CK Dist. 13-A Also Proposed New Opaline Irrig Dist 1947-5
- ☐ Historical Books. Name(s) & location _____
- ☐ Interview(s). Attach conversation memorandum.
- ☐ Other _____
- ☐ _____

Field Exam Made Yes Date May 1, 1982

Measurement _____ cfs. Amount recommended _____ cfs.
Meter Type _____ No. _____ Condition _____
Date _____ Time _____

Adjudication Photographs Used No. _____

Field Photographs Taken ☐ Yes ☐ NoMemorandum in file ☐ Yes ☐ No

Remarks Agreed reduced by recommending portion of land for this right under 57-1118. No reduction in diversion rate recommended.

H. TRUNNELL CLM. 57-1118 IRRIG. ON '64 AERIAL CVS 100-11.9

TWP	RGE SECT	LOT	IRR. CLMD.	IRR. FOUND	CHANGE
1N	3W	22 LT 2 (NWSW)	30	24	-6
"	"	" SWSW	35	35	OK
"	"	" LT 1 (SESW)	10	12	+2
"	"	" 27 NWNW	22	13	-9
"	"	" SW NW	3	-	-3
			100	84	-16

TRUNNELL - DENSON INFO

MICROFILMED

OCT 06 1992

57-0272 J. BENSON IRRIG ON 64 AERIAL

CVS-100-118

Twp.	Range	Sec.	Tot. Or Lt.	Irr. C.L.M.D.	Irrig Found	Chg.
1 N	3 W	22	LT 1 (SESW)	40	5	-35
"	"	27	LT 2 & LT 3 (SWNE) (NENW NE)	200 (COMBIN.)	LT 2 (SWNE) 22	?
"	"	"			LT 3 (NENW NE) 33	?
"	"	"	NW NW	?	13	?
"	"	"	SW NW	?	1	?
"	"	"	SE NW	?	32	
					106 Ac	

106 Ac @ 130" = 1.226" / Ac.

MICROFILMED
OCT 06 1992

APPROVAL OF STATE ENGINEER

Old # 12699

ORA KELLY
57-2101

PRICE: 5/24/1918

APP DATE: Dec. 1, 1916

The number of this permit is 12699

Recorded in Book 44 Page 12699 Approved December 23, 1916.

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of _____ to be filed on or before _____
Work to begin on or before February 21, 1917 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before June 23, 1918

The whole of said work to be completed on or before December 23, 1919.

Beneficial use of water appropriated in accordance herewith, to be made on or before December 23, 1919.

Witness my hand this 23rd day of December, 1916.

J.H. Smith.

State Engineer.

Remarks:

14. The land to be irrigated is described in the following tabulation:

Tab. Range Sec. NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ -NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ -NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ -NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ -Totals.

1 N. 3 W. 27

-30-

-66-

86

Is reservoir to be used: No.

The ditch known as the Shirley ditch, now owned by Patrick Kelly is an old established ditch and water right was the first water right or filing taken out of Reynolds Creek at a place of diversion at a point near the center corner of the SE $\frac{1}{4}$ Sec. 2 about 20 rods of the NE $\frac{1}{4}$ corner of said 40 and I intend to enlarge said ditch to the capacity named in my application.

In the Matter of the Reinstatement of Permit No. 12699, under the Provisions of Section 5304, Compiled Statutes.

ORDER REINSTATING PERMIT 12699.

WHEREAS, Permit No. 12699 lapsed through failure of the holder to make proof of completion of the works of diversion within the time specified in the permit, to-wit: December 23, 1919; and,

WHEREAS, Notice that such proof was due was regularly given the holder on September 8th, 1919; and,

WHEREAS, on the 12th day of April, 1921, Notice to show cause why said permit should not be cancelled, under the provisions of Section 5304, Idaho Compiled Statutes, was duly served on the holder of said permit; and,

WHEREAS, on the 13th day of April, 1921, the holder filed notice of appearance to offer proof to show that the works of diversion under said permit were fully completed within the time required; and,

WHEREAS, on the 7th day of July, 1921, depositions of the holder and two witnesses were received at the Department of Reclamation showing the works of diversion were completed within the time required in the permit, and,

WHEREAS, after examination of the said depositions, the Commissioner of Reclamation of the State of Idaho is fully satisfied that the

MICROFILMED

57-210

R3W

Doc # 12699 DRA KELLY

57-2101

PRIOR 5/24/1918

APP. DATE Dec 1, 1916

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Point of Diversion

MICROFILMED

OCT 6 1992

Reynolds

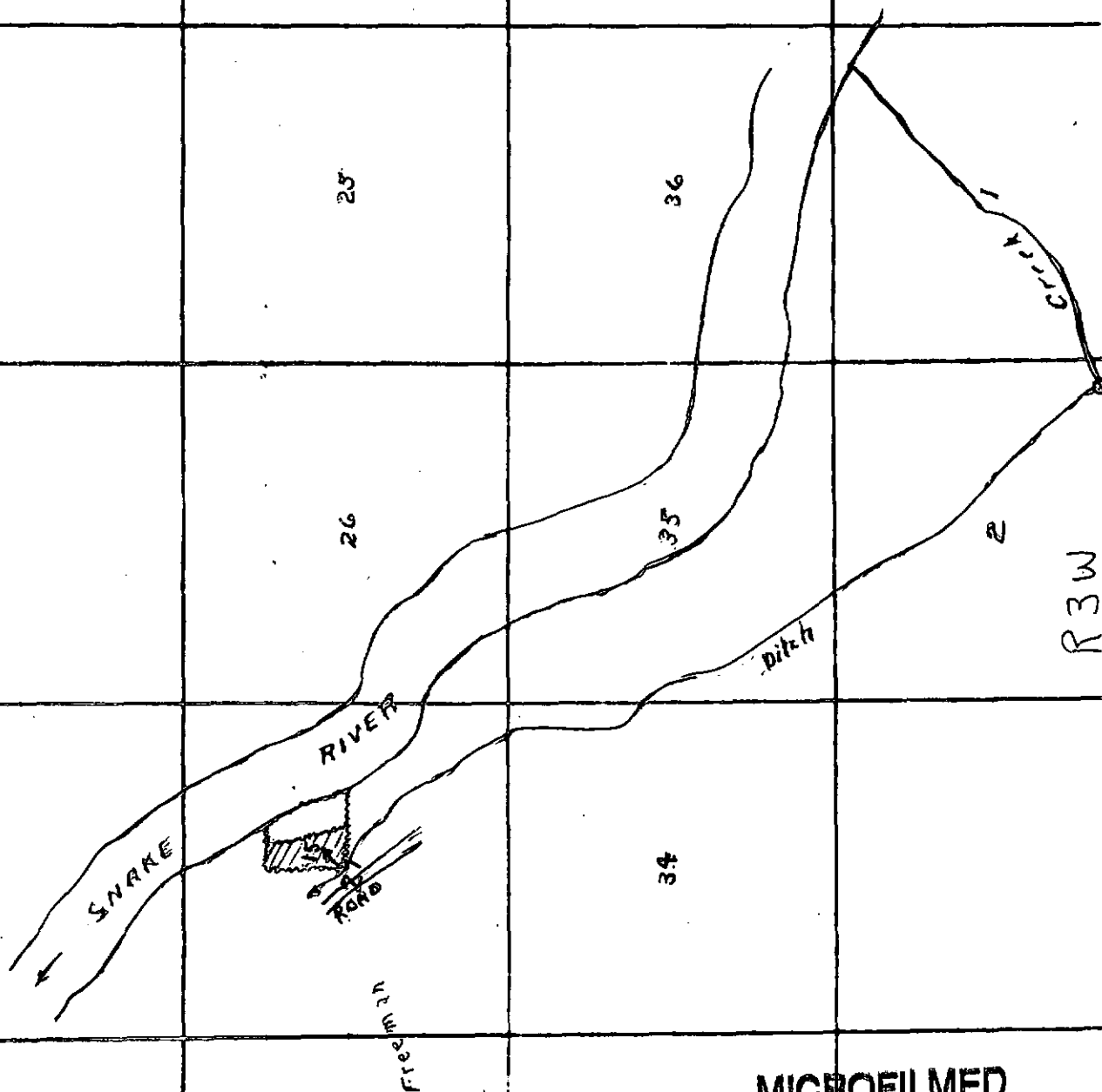
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57-2101

OLD # 12699 Ora Kelly
57-2101
Prior: 5/24/1918

R.P.P. DATE: Dec 1, 1916

R3W



MICROFILMED
OCT 6 1992

57-2101

R3W

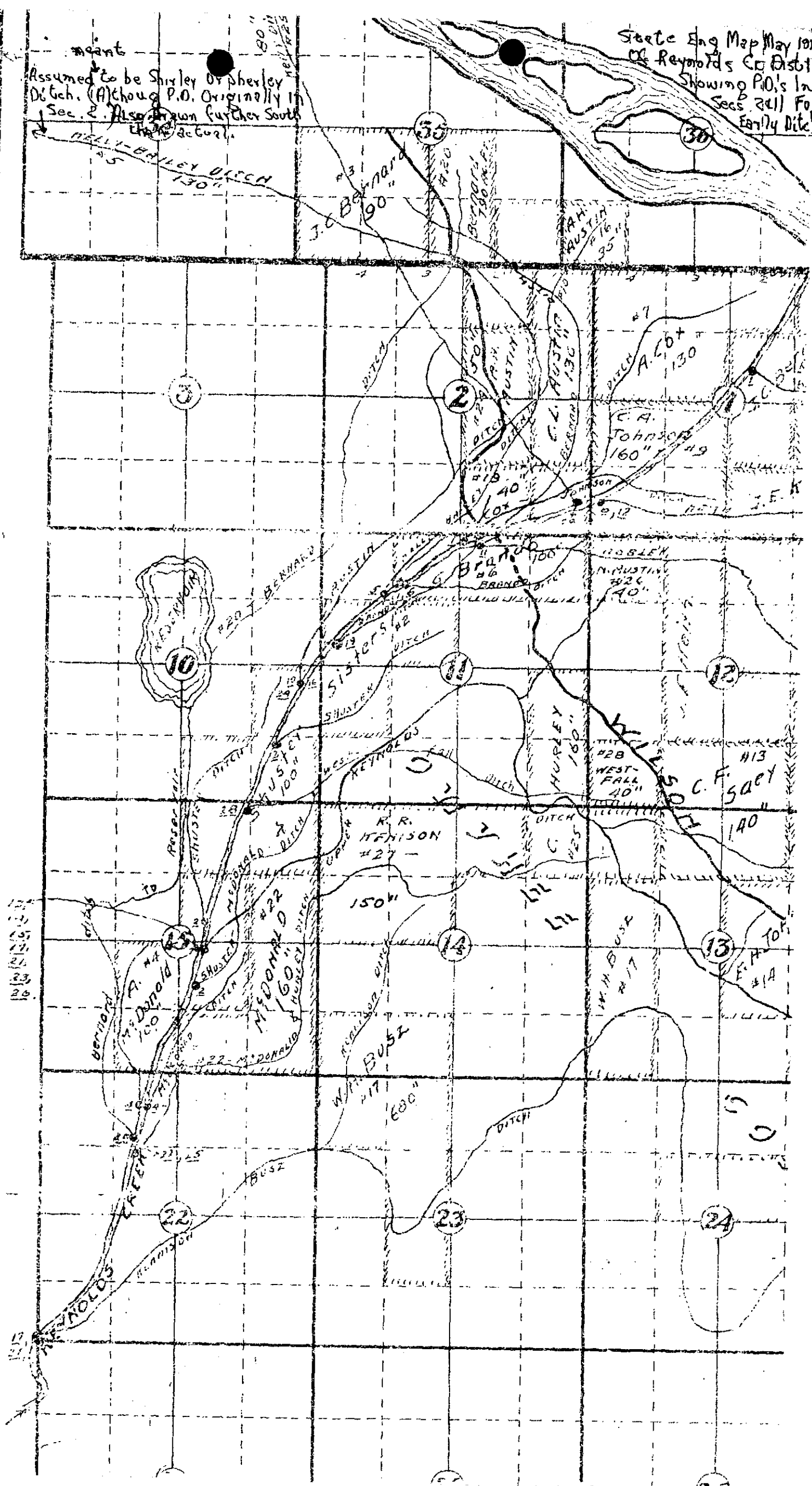
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Remarks

meant
Assumed to be Shirley or Pherry
Ditch. (Although P.O. Originally in
Sec. 2. Also shown further South
than actual.

State Eng Map May 1901
of Reynolds Co Dist
Showing P.O.'s in
Secs. 2 & 11 For
Early Date



R3W

CVS-100-1181

1D

(CVS-4K-97-96)

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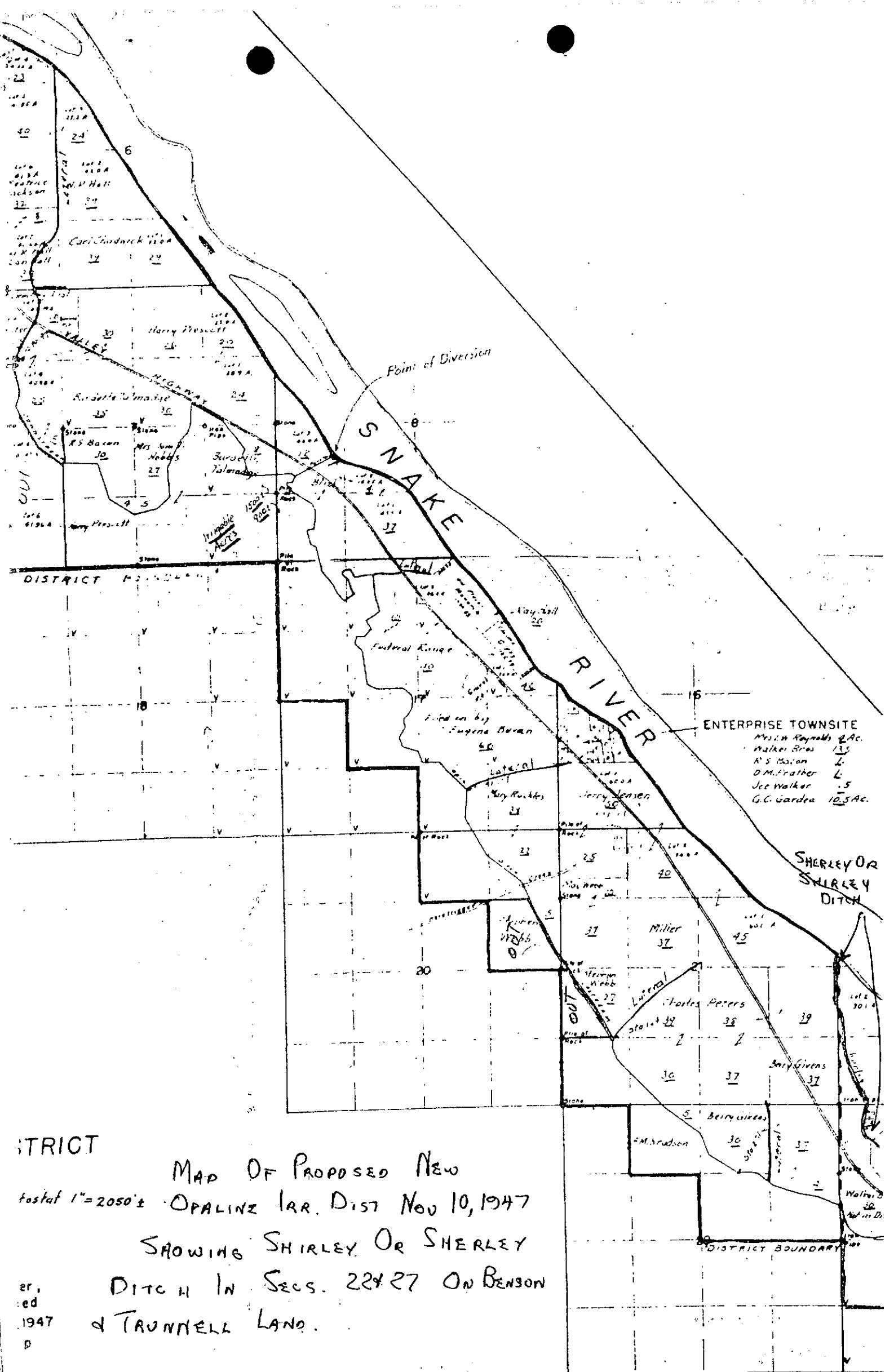
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Work Copy IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

Work Copy

IN THE MATTER OF THE GENERAL DETERMINATION OF RIGHTS TO THE USE OF
REYNOLDS CREEK
DRAINAGE BASIN.

NOTICE OF CLAIM TO A WATER RIGHT

57-0272	I.D. No.	Map No.
\$ 10	Fee Paid	14464
		Receipt No.

Notice is hereby given that Jerry L. Benson and Sandra J. Benson

(Name of Claimant)

Melba, Idaho 83641

(Mailing Address)

Telephone No. 495-2412

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) September 26, 1884, Benson v. Brandau, Shirley filing

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Reynolds Creek
tributary to

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity 2.6 cfs Use irrigation and stock Period of Use From 3/1/55 To 11/1/55
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

2⁷ AFA Quantity .05 cfs Use Stockwater Period of Use From 1/1 To 12/31
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 2.6 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source SE SE
Sec. 10, Twp. 1 South, Rge. 3 West, B.M., Owyhee County
Additional Points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
diversion dam

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
1N	3W	22				Lot 1													40 5
1N	3W	27	Lots 2 and 3					X	X	X									200
					Lot 2		Lot 3												
					22		33		13		32								101

OTHER Rts: Source(s) Outside Basin.

Total no. of acres 240 106

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
stock water

NOTE: Include here the type and number of stock watered: 5/150 Dairy

(7) If you are claiming water as a member of an organization, list name of organization: Lower Reynolds

(8) Remarks Water Resource #57-0272

(9) Basis of Claim (Check one)

☐ A) Right based on diversion and beneficial use.

☒ B) Right decreed by court, cite title of case. Benson v. Brandau

☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No.

Department of Water Resources

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

July 19, 1979

(Date)

State of Idaho

Organization

County of Canyon

ss.

Seal

(Signature of Authorized Agent)

On this 19th day of July

, in the year seventy-nine

before me

a notary public, personally appeared Jerry L. Benson and Sandra J. Benson

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, it, etc.) executed the same.

My commission expires

9/23/79

Notary Public residing at

Caldwell, Idaho

4/27/81

IN THE DISTRICT COURT OF THE _____ JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF _____IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF _____NOTICE OF CLAIM
TO A
WATER RIGHT

DRAINAGE BASIN. _____

57-0272	
I.D. No.	Map No.
\$	
Fee Paid	Receipt No.

Notice is hereby given that JERRY L. (Name of Claimant)BENSON

Telephone No. _____

(Mailing Address)

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 9/26/1884(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) REYNOLDS CREEK tributary to _____

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity 2.6 Use IRR Period of Use From 3/15 To 11/15
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)Quantity .05 Use STK WTR Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)(4) 2.6 TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)(5) A) Point of Diversion: Give location of point where water is diverted from its source _____ ¼ _____ ¼
Sec. _____, Twp. _____, Rge. _____, B.M., _____ County

Additional Points: _____

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. _____

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
														Gr. 1					
10	3W	22												5					5
					Gr. 2		Gr. 3												
		27			22		33	16	1	29									101
							13			32									

Total no. of acres 106

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: _____

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____

- (9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. _____
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

(Signature of Claimant)

(Date)

(Signature of Spouse)

Organization

State of _____

Organization

County of _____

ss,

Seal

(Signature of Authorized Agent)

On this _____ day of _____, in the year _____ before me
a notary public, personally appeared _____known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation,
partnership or _____) executed the same.

My commission expires _____

Notary Public residing at _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

A. KENNETH DUNN
Director

(208) 334-2190

February 5, 1982

Jerry L. &/or Sandra J. Benson
Melba
Idaho 83641

file copy

Dear Mr. and Mrs. Benson:

Acting at the request of Alvin Benson, a series of actions was undertaken by the Department of which you should be aware.

First, Mr. Herschel Trunnell, your neighbor, a portion of whose land you apparently manage, was assisted in filing a protest against the Department's Preliminary Proposed Finding of Water Rights in the Reynolds Creek Drainage Basin. Also filed with the protest was a Claim to a Water Right for a beneficial use right from Reynolds Creek on the Trunnell land.

Second, a review of the claim filed by Mr. Trunnell, 57-1118, in conjunction with Claim 57-0272, filed by yourselves, revealed the need for some changes in the Department's Proposed Finding to be presented to the Court. These changes are reflected on the attached sheet. We are recommending a total of 84 acres of irrigation with a diversion rate of 1.68 cfs for the Trunnell right. A portion of the irrigated acres recommended for this right was originally recommended for the Benson right. The result of this change is a recommendation for the reduction in the number of irrigated acres for the Benson right (57-0272) to 106 acres. We are recommending no change in the rate of diversion for this decreed right thus producing approximately 1.226 inches per acre.

If you have any questions concerning this or other water related matters, please contact me.

Sincerely,

FORREST E. LUTHY
Senior Water Resource Agent

FEL:aje

MICROFILMED

OCT 06 1992

PROPOSED FINDING OF WATER RIGHTS

INDICATES TOTAL

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
-----------------	---------------------	------------------	-----	-----------------------	------------------------	--------------------	-----------------------------	--------------------

SOURCE: REYNOLDS CREEK

TRIBUTARY TO: SNAKE RIVER

57-1118 TRUNNELL, HERSCHEL 03/15/1935 IRRIGATION 03/15 11/15 1.68 CFS SESE S10 Lt01(SESW) (12) BENEFICIAL
1714 HOWARD Lt02(NWSW) (24) USE
CALDWELL, ID 83605 SMSN(35)
S22 TOIN R03W
NMNW(13)
S27 TOIN R03W
84 ACRES

*-----*AFA
*1.68*CFS

57-0272 BENSON, JERRY L. 09/26/1884 IRRIGATION 03/15 11/15 2.60 CFS SESE S10 Lt01(SESW) (5) DEGREE
BENSON, SANDRA J. S22 TOIN R03W
MELBA, ID 83641 Lt02(SWNE) (22)
Lt03(NENW) (33)
NMNW(13) Lt03(SWNW) (01)
SESW(32) S27 TOIN R03W
*144 106 ACRES *

PROPOSED FINDING OF WATER RIGHTS

INDICATES TOTAL

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
-----------------	---------------------	------------------	-----	-----------------------	------------------------	--------------------	-----------------------------	--------------------

SOURCE: REYNOLDS CREEK

TRIBUTARY TO: SNAKE RIVER

57-1118	TRUNNELL, HERSCHEL 1714 HOWARD CALDWELL, ID 83605	03/15/1935	IRRIGATION	03/15 11/15	1.68 CFS	SESE S10 TO1S R03W	Lt01(SESW)(12) Lt02(NWSW)(24) SWSW(35) S22 TO1N R03W NMNW(13) S27 TO1N R03W *84* ACRES	BENEFICIAL USE
---------	---	------------	------------	-------------	----------	-----------------------	--	-------------------

*-----*AFA
*1.68*CFS

57-0272	BENSON, JERRY L. BENSON, SANDRA J. MELBA, ID 83641	09/26/1884	IRRIGATION	03/15 11/15	2.60 CFS	SESE S10 TO1S R03W	Lt01(SESW)(5)†16‡ S22 TO1N R03W Lt02(SWNE)(22) Lt03(NENW)(33) NMNW(13)†35‡SWNW(01)†09‡ SENW(32)†29‡ S27 TO1N R03W *144 106 ACRES *	DECREE
---------	--	------------	------------	-------------	----------	-----------------------	---	--------

TO: File 57-0272

FROM: Don Shaff

DATE: 4/29/81

The claiming of the water right by Trunnell may reduce the number of acres recommended in the preliminary report for 57-0272. This reduction would appear to confirm the description in the 1973 Benson Decree. This may also explain why Benson was reluctant to make a beneficial use right claim. The reduction in the number of irrigated acres for 57-0272 will bring the number of miners inches per acre to about 1.25.

In reviewing the Trunnell claim an investigation should be made of the following points:

- 1) Whether some of the claimed acres are irrigated solely by Opaline Irrigation District water;
- 2) If all the lands claimed can be irrigated by Reynolds Creek water;
- 3) Is the irrigation of this land the result of pooling of rights in connection with the West Reynolds Irrigation District and the extension of Snake River water, or is the irrigation of this land the result of the irrigation district delivery system being expanded and Reynolds Creek water actually reaching the claimed land? The 1935 date, I believe, coincides with the establishment of the West Reynolds irrigation District.

The property boundaries have been drawn on 1964 aerial photograph CVS-1DD-118. The heavy, blue boundary outlines Trunnell's land, and a green pencil line outlines that of Jerry Benson. No lines appear where the Snake River is the property boundary.

Note: On Accompanying Xerox Copies Of Aerial CVS-1DD-118, The Green Outlines Trunnell Property.

MICROFILMED

OCT 06 1992

Work Copy

IN THE DISTRICT COURT OF THE Third

JUDICIAL DISTRICT

OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF Owyhee

Work Copy

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
Surface & Groundwaters of the
Reynolds Creek DRAINAGE BASIN.

NOTICE OF CLAIM TO A WATER RIGHT

571118 ~~57-0272~~	
I.D. No.	Map No.
\$ 65	18901
Fee Paid	Receipt No.

Notice is hereby given that HERSCHEL
~~Herschel~~ Trunnell

(Name of Claimant)

1714 Howard, Caldwell, ID 83605

(Mailing Address)

Telephone No. 454-1998

(Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 3/15/1935(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Reynolds Creek tributary to Snake River(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity 2.0 cfs Use Irrigation Period of Use From 3/15 To 11/15
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)Quantity _____ Use _____ Period of Use From _____ To _____
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)(4) 1.68
2.0 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)(5) A) Point of Diversion: Give location of point where water is diverted from its source SE $\frac{1}{4}$ SE $\frac{1}{4}$
Sec. 10, Twp. 1S, Rge. 3W, B.M., Owyhee County
Additional Points: _____B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
Diversion dam and ditches.

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1N	3W	22										20	35	20					75
												24		12					71
		27						22	2										28
								13											13

Total no. of acres 100.84

B) If water is used for other than irrigation, fully describe that use, being as specific as possible: _____

NOTE: Include here the type and number of stock watered: _____

(7) If you are claiming water as a member of an organization, list name of organization: _____

(8) Remarks _____

(9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.☐ B) Right decreed by court, cite title of case. _____☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

Individual

(Signature of Claimant)

(Date)

(Signature of Spouse)

State of _____

Organization

County of _____

Seal

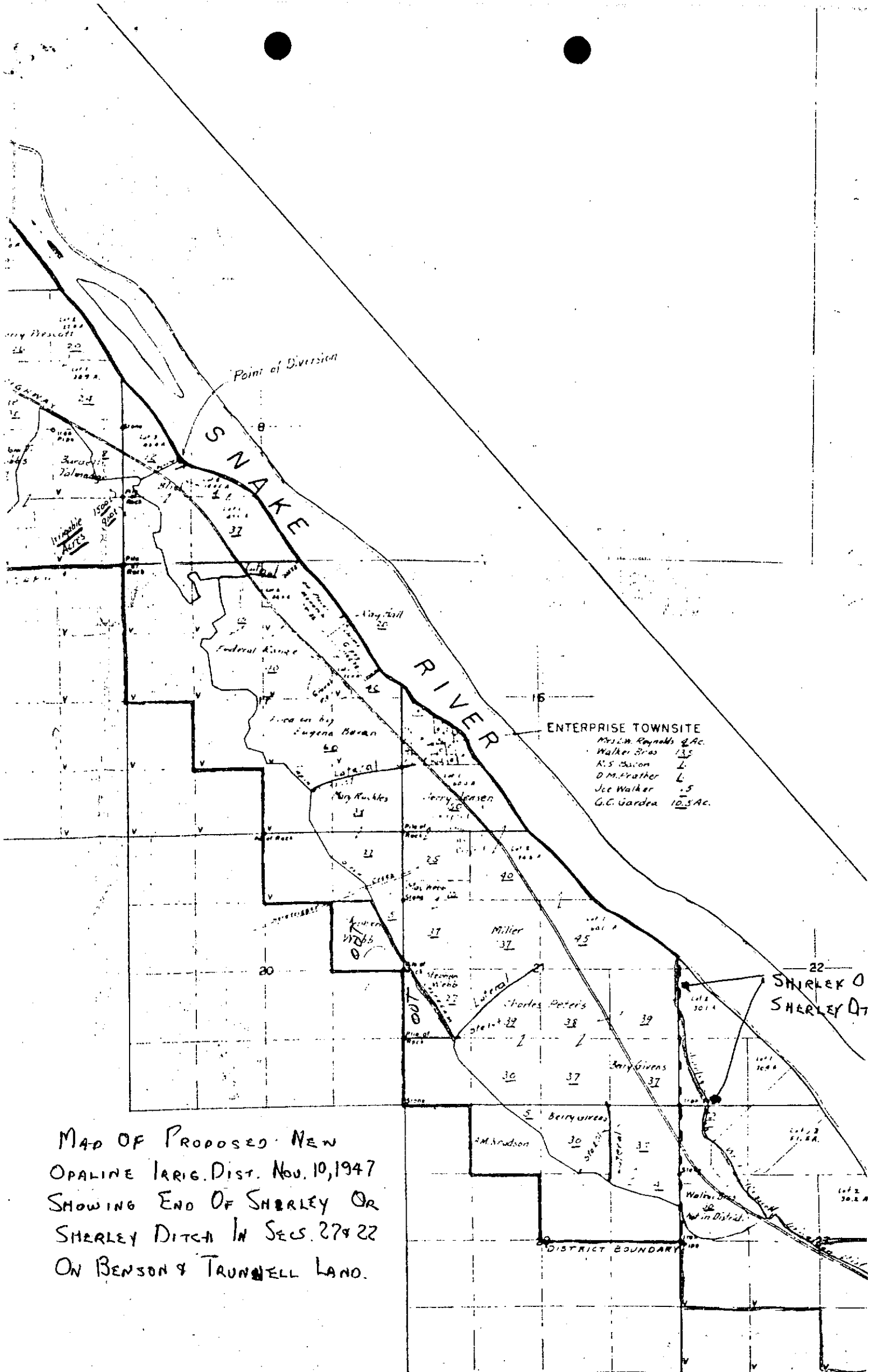
(Signature of Authorized Agent)

On this _____ day of _____, in the year _____ before me
a notary public, personally appeared _____

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

2/3/82

Notary Public residing at _____



MAD OF PROPOSED NEW
OPALINE IRRIG. DIST. NOV. 10, 1947
SHOWING END OF SHERLEY OR
SHERLEY DITCH IN SECS. 27 & 22
ON BENSON & TRUNNELL LAND.

PROBABLY CLOSER TO ROUTE
OF ~~TRAIL~~ EARLY DITCH

R3W.

STATE ENG. MAP
MAY 1917 OF REYNOLDS
CR DIST 13-A

SHOWING P.D.'S IN
SEC 24 FOR
EARLY DITCHES

MEANT
ASSUMED TO BE EARLIER
SHIRLEY OR SHERLEY DITCH
(ALTHOUGH P.O. ORIGINALLY IN SEC 2 AND
DRAWN FURTHER SOUTH THAN A (TUAL))

#3
Bernard
J.C. 90

AMERICAN
INDUSTRIAL

V.C. A.
Johnson
160"

MOBILE,
INDUSTRIAL
#26
40

#28
WEST-
FALL
40"

1

1

1

T
I
N

T
i
S

15
17
21
25
29

A hand-drawn map on a grid. A path is drawn from a point labeled '17' at the bottom left to a point labeled '23' at the top right. The path is labeled 'HARRISON' in two places. A circular marker is placed on the path near the top right, containing the number '23'. The grid lines are dashed.

R3W

CVS-100-118

1D

(CNLS-4KK-97-130)

21
28

22

27

21

T
1
N

Lot 1

Lot 2

Lot 3

28
33

33

R3W

IN THE DISTRICT COURT OF THE Third JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF Owyhee

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
Surface & Groundwaters of the
Reynolds Creek DRAINAGE BASIN.

NOTICE OF CLAIM TO A WATER RIGHT

571118 ~~57-0272~~	
I.D. No.	Map No.
\$65	18901
Fee Paid	Receipt No.

Notice is hereby given that Herschel
~~Herschel~~ Trunnell
(Name of Claimant)

1714 Howard, Caldwell, ID 83605 Telephone No. 454-1998
(Mailing Address) (Zip Code)

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) 3/15/1935
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Reynolds Creek tributary to Snake River
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity <u>2.0 cfs</u> (CFS, GPD, AF)	Use <u>Irrigation</u> (Domestic, irrigation, stock, etc.)	Period of Use From <u>3/15</u> To <u>11/15</u> (Mo., Day) (Mo., Day) (Both dates inclusive)
Quantity _____	Use _____	Period of Use From _____ To _____ (Mo., Day) (Mo., Day) (Both dates inclusive)
Quantity _____	Use _____	Period of Use From _____ To _____ (Mo., Day) (Mo., Day) (Both dates inclusive)
Quantity _____	Use _____	Period of Use From _____ To _____ (Mo., Day) (Mo., Day) (Both dates inclusive)
- (4) 2.0 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source SE $\frac{1}{4}$ SE $\frac{1}{4}$
Sec. 10, Twp. 1S, Rge. 3W, B.M., Owyhee County
Additional Points: _____
B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. Diversion dam and ditches.
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1N	3W	22										L.2		L.1					75
		27						22	3										25

Total no. of acres 100

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization:

(8) Remarks

MAY 4 1981

- (9) Basis of claim (Check one) ☒ A) Right based on diversion and beneficial use.
☐ B) Right decreed by court, cite title of case. Department of Water Resources
Western Regional Office
☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

April 30, 1981

(Date)

State of Idaho

Organization

County of Canyon

ss.

Seal

(Signature of Authorized Agent)

On this 30th day of April, in the year 1981 before me
a notary public, personally appeared Herschel Trunnell & Beverly Trunnell

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or _____) executed the same.

Notary Public residing at Caldwell, Idaho

57-0272

Decree Holders - Jerry Benson

130", 9/26/1884

Lot 1, S22; Lots 2 & 3, W²NW, SE NW, S27, T1N, R3W.

Could be related to United States (A. filed by J. C. Bernard
on 7/05/1882, serial no. 57-0005 not for Benson
land; Bernard not described in file for 57-0005.

George Newell received patent on 10/22/1902 for
Lot 1, S22, & Lot 3, S27; Mary E. Shirley, a def. who
defaulted, received patent on 8/30/1899 for W²NW,
SE NW, S27; Ora A. Edwards received patent on
5/07/1924 for Lot 2, S27.

Did Shirley not respond saying they did not own the land?

5/27/80. S

Although this priority date precedes the decree date of the
Bernard decree, it is apparently valid. The Bernard suit was not
an adjudication of all the rights except to the extent that none
of the other defendants' rights precede the rights of Bernard
and Shuster (57-0005 to 57-0007). The 9/26/1884 priority
maintains that integrity and has sufficient evidence to
stand before 1899.

MICROFILMED

OCT 06 1992

Benson's acreage may need to be reduced, but Newell does
not apparently hold any of 57-0272.

MICROFILMED

OCT 06 1992

Memo To: 57-0272 From: F.E.L. DATE: 8/5/80

THIS DECREE RT ^(SEE ATTCHD. SHT. FOR PRIORITY EXPLANATION) WAS GRANTED 130 INCHES BY THE BENSON DECREE. WE HAVE FOUND 194 ACRES IRRIGATED UNDER THE SYSTEM WHICH ^{CALCULATES TO} ~~EXCEEDS~~ .90 "/AC. THE BENSONS HAVE NOT CLAIMED A BENEFICIAL USE RT TO BRING THE DIVERSION RT. TO A FULL 1"/AC, APPARENTLY FEELING THE AMOUNT DECREEED WAS AMPLE.

FROM: D. SHAFF

8/21/81

Alvin Benson was in the office today with a claim for Llewellyn Trunnell who owns land to the north and the west of Jerry Benson. If after investigation part of the water right # 57-0272 appearing in the Preliminary Report falls on Trunnell's land, Benson's acreage may need to be reduced, but Trunnell does not apparently hold any of 57-0272.

MICROFILMED

OCT 06 1992

352

GIGRAY, MILLER, DOWNEN & WESTON

LAWYERS

DEARBORN BUILDING

9TH & DEARBORN STS.

POST OFFICE BOX 840

CALDWELL, IDAHO 83605

TELEPHONE 208-459-0091

WM. F. GIGRAY, JR.
DEAN E. MILLER
DONALD E. DOWNEN
GERALD L. WESTON

WM. F. GIGRAY, III
DEAN J. MILLER
R. SCOTT PASLEY

July 19, 1979

Department of Water Resources
92 South Cole Road
Broadbent Business Park
Boise, ID 83705

Gentlemen:

Enclosed herewith please find the following Notices
of Claim to a Water Right:

- ✓1. Calvin C. Johnston, Water Resource #57-0273
- ✗2. Alvin Benson, Jerry Benson and Thomas Benson, Water Resource #57-0275
- ✓3. Jerry L. Benson and Sandra J. Benson Water Resource #57-0272
- ✓4. Winston Goering and Margaret Goering Water Resource #57-0274
- ✓5. Alvin Benson and Thomas Benson Water Resource #57-0271
- ✓6. Alvin Benson and Thomas Benson Water Resource #57-0241

Also enclosed herewith please find Benson Farms, Inc.
check in the amount of \$60.00 in payment of the filing fees.

Yours very truly,

GIGRAY, MILLER, DOWNEN & WESTON


Gerald L. Weston

GLW:cm
Enclosures

MICROFILMED

EST 06 1992
RECEIVED

JUL 20 1979

Department of Water Resources
Western Regional Office

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
REYNOLDS CREEK
DRAINAGE BASIN.

**NOTICE OF CLAIM
TO A
WATER RIGHT**

<u>57-0272</u>	
I.D. No.	Map No.
\$	
Fee Paid	Receipt No.

Notice is hereby given that Jerry L. Benson and Sandra J. Benson

(Name of Claimant)

Melba, Idaho 83641

(Mailing Address)

(Zip Code)

Telephone No. 495-2412

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) September 26, 1884, Benson v. Brandau, Shirley filing

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Reynolds Creek
tributary to

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Quantity 2.6 cfs Use Irrigation and stock Period of Use From 2/15 To 11/30
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

2.7 AFOP Quantity .05 Use Stock water Period of Use From 1/1 To 12/31
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)

(4) 2.6 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source SE NW $\frac{1}{4}$ SE NW $\frac{1}{4}$
Sec. 11 / 0, Twp. 1 South Rge. 3 West B.M., Owyhee County
Additional Points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
diversion dam

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL	
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%		
1	N	22				Lot 1													40	16
1	N	27	Lots 2 and 3					X	X	X									200	128
					422		433	40	29											
					42		43	20	9											
							435													

Total no. of acres 240 1.44

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
150 stock water

NOTE: Include here the type and number of stock watered: 3/150 DAIRY

(7) If you are claiming water as a member of an organization, list name of organization: Lower Reynolds

(8) Remarks Water Resource #57-0272 (This shall provide no more than .02 cfs/acre)

(9) Basis of claim (Check one) ☐ A) Right based on diversion and beneficial use.
☒ B) Right decreed by court, cite title of case. Benson v. Brandau

☐ C) Right based on application, permit, license, or previous statutory claim filed with the Idaho Department of Water Resources. Give No. _____

Department of Water Resources

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

July 19, 1979

(Date)

State of Idaho

Organization

County of Canyon

Seal

Individual
Jerry L. Benson
(Signature of Claimant)
Sandra J. Benson
(Signature of Spouse)
Organization
KEYSTONE
8-6-79 DH

(Signature of Authorized Agent)

On this 19th day of July, in the year seventy-nine

before me

a notary public, personally appeared Jerry L. Benson and Sandra J. Benson

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, it) executed the same.

My commission expires 9/23/79

9/23/79

Notary Public residing at

Caldwell, Idaho

IN THE DISTRICT COURT OF THE JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF

IN THE MATTER OF THE GENERAL DETER-
MINATION OF RIGHTS TO THE USE OF
REYNOLDS CREEK
DRAINAGE BASIN.

**NOTICE OF CLAIM
TO A
WATER RIGHT**

57-0272	
I.D. No.	Map No.
\$ 10	14464
Fee Paid	Receipt No.

Notice is hereby given that Jerry L. Benson and Sandra J. Benson
(Name of Claimant)

Melba, Idaho 83641
(Mailing Address)

(Zip Code)

Telephone No. 495-2412

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

- (1) Date of priority: (When was the water first applied to a beneficial use, or priority date of decreed, licensed or permit right) September 26, 1884, Benson v. Brandau, Shirley filing
- (2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water) Reynolds Creek
tributary to
- (3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:
Quantity, 2.6 cfs Use irrigation and stock Period of Use From 2/13 To 12/30
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
- Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
- Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
- Quantity Use Period of Use From To
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
- (4) 2.6 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

- (5) A) Point of Diversion: Give location of point where water is diverted from its source NW 1/4 Sec. 11 Twp. 1 South Rge. 3 West B.M., Owyhee County
Additional Points:

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change.
diversion dam

- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1	3	22					Lot 1												40
1	3	27	Lots 2 and 3					X	X	X									200

Total no. of acres 240

- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:
stock water

NOTE: Include here the type and number of stock watered:

- (7) If you are claiming water as a member of an organization, list name of organization: Lower Reynolds
- (8) Remarks Water Resource #57-0272

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Department of Water Resources

Western Regional Office

Be it known that the undersigned, after being duly sworn on oath, depose(s) and say(s) that all statements included herein are true and accurate to the best of (his, her, their) knowledge.

July 19, 1979

(Date)

State of Idaho

County of Canyon

ss.

Organization

Seal

On this 20th day of July

, in the year

seventy-nine

before me

a notary public, personally appeared Jerry L. Benson and Sandra J. Benson

known to me to be the person(s) whose name(s) are subscribed to the above instrument, and acknowledged to me that (he, she, they, corporation, partnership or) executed the same.

My commission expires

Notary Public residing at

Individual

Jerry L. Benson
(Signature of Claimant)

Sandra J. Benson
(Signature of Spouse)

Organization

(Signature of Authorized Agent)

JH 8/6/79

License and Certificate of Water Right

Water License No. 12699

Amount 0.3 sec. ft.

Water District No. 18-A

Priority 5-24-1918

THIS IS TO CERTIFY that Ora D. Kelly
of Wilson, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated December 1, 1916; that Permit No. 12699
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1 second feet, was issued thereunder on August 10, 1921, showing that said works
were completed on the 23d day of December, 1919; and that on the 16th
day of June, 1923,

Ora D. Edwards

of Hampa, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of Reynolds
Creek, a tributary of Mountain Gulches, for the purpose of irrigation
& domestic use, under Use Permit No. 12699 of the State Engineer
and that said right to the use of said waters has been perfected in accordance with the laws of
Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in
Volume 6 of Licenses, at page 3156, on the 2d day of April, 1924;

The right hereby confirmed dates from May 24, 1918;

The Point of Diversion is located
in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 2, Tp. 1 S., R. 3 W., B. M.

County of Owyhee.
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not
exceed 0.3 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 N.	3 W.	27	Lot 2	40	15

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of
use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
this 2d day of April, 1924.

J. G. SWENDSEN.
Commissioner of Reclamation.

(SEAL)

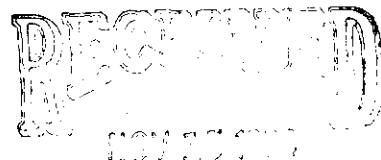
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM

CIVIL CASE NUMBER: 39576

Ident. Number 757-00272Date Received 11-15-88Receipt Number W002061

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW



Department of Water Resources
Western District Office

Please type or print clearly

1. Name of Claimant (s) Jerry L. Benson or Sandra J. Benson Phone (208) 495-2228Mailing Address HC 79 BOX 94 Melba, Idaho Zip 836412. Date of Priority (Only one (1) per claim) 9/26/19843. Source of water supply (a) Reynolds Creek
which is tributary to (b) Snake River4. a. Location of existing point of diversion is: Township 1S Range 3W Section 10,
SE 1/4 of SE 1/4 of SE 1/4, Govt. Lot, _____ B.M., County of Owyhee

Additional points of diversion if any: _____

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells, Pumps, Pipelines, Headgates, Etc),
including the dates of any changes or enlargements in use, the dimensions of the diversion works as
constructed and as enlarged and the depth of each well. Diversion dam +

conveying ditch to place of use. Gravity
irrigation.

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6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For gorgation purposes from 3/15 to 11/15 amount 2.6 or _____

For stockwater purposes from 1/1 to 12/31 amount .05 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 2.6 (cfs) and/or (b) _____ (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) 5/150 dairy

10. Description of place of use:

a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.

b. If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>052</u>																			
														<u>471</u>					
<u>1N</u>	<u>3W</u>	<u>22</u>												<u>5</u>					<u>5</u>
					<u>472</u>		<u>473</u>												
		<u>27</u>			<u>22</u>		<u>33</u>	<u>13</u>	<u>1</u>	<u>32</u>									<u>101</u>

Total number of acres irrigated 106

11. In which county (ies) are lands listed above as place of use located? 0 W Y / 4

12. Do you own the property listed above as place of use? Yes ☒ No ☐
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None ()

14. Remarks:

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Last Name J. Benson Ident No. A-67-00272

Copies: White -State, Yellow-Claimant

Scale: 2 inches equals 1 mile

R34

[illegible]

Last Name

Be 17

Ident No.

Ident No. A57-00272

Copies: White-State, Yellow-Claimant

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License _____ Permit _____

Decree ☒

If applicable provide IDWR Water Right Number A57-00282

Court 3rd Case Number 3456 Decree Date _____

Plaintiff vs Defendant A. Kenneth Dunn v. Larry Adams et al

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read, and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments _____

For Individuals: I do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

✓ Signature of Claimant (s) Sandra J. Benson Date 11/14/88

Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or Idaho)
County of Canyon) SS.

Subscribed and sworn (or affirmed) before me this 14 day of November 1988

SEAL

Notary Public John P. Meyer

Residing at 15470 Homedale R.d.
 Caldwell, Idaho

My Commission Expires Sept. 21, 1994

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

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Last Name Benson Ident. Number A57-00282

Copies White-State, Yellow-Claimant

SRBA CLAIMS RECEIVING CHECKLIST

CLAIM IDENT. NO. A57-00272

AMOUNT \$ 362

YES NO ^{Required} Info?

- | 1. | Is the name and address complete with zip code? | YES | NO | Info? |
|-----|---|--------|----|-------|
| 2. | Is a priority date entered? | | | * |
| | Is the priority date acceptable in view of mandatory filing dates? | | | * |
| 3. | (a) Is a source entered? | | | * |
| | (b) Is a tributary to entered? (if required) | N/A | | |
| 4. | Is the legal description of the p.d. sufficient? | | | * |
| 5. | Is there a description of the diverting works? | | | |
| 6. | Are the water uses appropriate for the form? The short form is limited to domestic and stockwater uses with direct diversion. All claims that include storage or instream stockwater must use long form. | | | |
| | Is the period of use included? | | | |
| | Is a quantity claimed for each use? | | | * |
| 7. | Is a total quantity claimed entered? | | | |
| 8. | If required is a consumptive use entered? | N/A | | |
| | Is the consumptive use correct? | N/A | | |
| 9. | Are the non-irrigation uses listed properly? If this claim is on the short form, and more than one domestic use is listed, single ownership must be stated. If not under single ownership, see Adjudication Memo # 4. | N/A | | * |
| 10. | Is (are) the place(s) of use and purpose(s) indicated? | | | * |
| 11. | Is (are) the county(ies) entered? | | | |
| 12. | Is the ownership of p.u. checked? | | | |
| 13. | Are other water rights listed or "none" indicated? | | | |
| 14. | If required, are remarks correct? (If the claimant does not own the place of use, authority for filing the claim must be explained in the remarks.) | N/A | | |
| 15. | Is the basis of the claim indicated? | | | |
| 16. | Has the claimant requested a monthly docket sheet? (If yes, describe payment status in "Comments" below.) | | | |
| 17. | Is the claim signed by the claimant, and is the signature appropriate? | | | * |
| 18. | Has the claim been signed, sealed, and dated by a notary? | | | * |
| 19. | Was this claim filed on time, or was an extension granted? | | | * |
| 20. | Is the fee enclosed correct? | Exempt | | * |
| 21. | If this claim is based on an existing water right, has the identification number been entered? | N/A | | |
| 22. | Should this claim be receipted and data entered? | | | X |

Claim must be returned to claimant: (Yes) (No)

Claimant must be sent a copy of amended claim for approval: (Yes)

Date:

Date:

Date:

Comments: ~~6624444444444444~~ 50.00 REYNOLDS 1 HWIG. DIST.

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(No)
OCT 06 1992

Water Right Number - A57-00272 Adj. Flag Translation: Adjudication Temporary Work Area Old (D) Number -
+ - - - - Last Name - - - - + + - First Name - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER ***
BENSON

JERRY L.

1 -
2 -
3 -

State- ID Zip- 83641

City- MELBA
Phone -

1 -
2 -
3 -

State- ID Zip- 83641

City- MELBA
Phone -

BENSON

+ - - Priority Date - - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
09/26/1884 14 D - DECREED +

+ - - Source - - - - - + + - - Tributary - - - - - +
REYNOLDS CREEK SNAKE RIVER

+ - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot Rflg County Stream Index (Blank if no Index Code)

01S / 03W / 10 / SE SE / (73) OWYHEE /

+ - - Description - - - - - + + - - Water Use - - - - - + + - - Diversion Rate - - - - - + + - - Diversion Volume - - - - - +
Code Period From Period To 2.600 2.70

01 - IRRIGATION / 03/15 11/15 2.600
04 - STOCKWATER / 01/01 12/31 0.050

+ - - Total Div. Rate - - - + + - - Total Div. Volume - - - + + - - Total Div. Capacity - - - + + - - Total Consumptive Use - - - + + - - KW Usage - - - +
2.600

+ - - Twn Rng Sec Tract Lot Acres Place of Use Code Description County

01N	03W	22	SE SW	1	5.0	01	IRRIGATION	(73)	OWYHEE
01N	03W	27	SW NE	2	22.0	01	IRRIGATION	(73)	OWYHEE
01N	03W	27	NE NW	3	33.0	01	IRRIGATION	(73)	OWYHEE
01N	03W	27	NW NW		13.0	01	IRRIGATION	(73)	OWYHEE
01N	03W	27	SW NW		1.0	01	IRRIGATION	(73)	OWYHEE
01N	03W	27	SE NW		32.0	01	IRRIGATION	(73)	OWYHEE

Total Acres: 106.0

+ - - Diversion Means -

+ - - Non-irrigation Use - S/150 DAIRY. ✓

+ - - Other Rights for Same Use - SOURCE(S) OUTSIDE BASIN. *Qute*

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Water right number - A57-00272	Adj. flag translation: Adjudication Temporary Work Area
+	Remarks - - - - -
	No Remarks found.
+	Old Water Right Numbers - - - - -
	No Old Water Right Numbers found.
+	Conditions of Approval - - - - -
	No Conditions of Approval found.
+	Decree Plaintiff - - - +
	+ - - - - Decree Defendant - - - +
	+ - Decree Date - - +
	00/00/0000
+	Audit Fields - 04/11/80
	05/01/88 CONVERT
+	Adjudication Rights Dates and Flags Area - - - - -
	Court Report Filing - 00/00/0000
	Field Inspection Made - 00/00/0000
	Field Inspection Flag - - - - -
	Verified Date - 00/00/0000
	Last Amended Date - 00/00/0000
	Receipt Number - - - - -
	POU Ownership Flag - - - - -
	Microfilm Roll Number - - - - -
	Presumption Flag - - - - -
	Civil Case Number - - - - -
	Old Case Number - - - - -
	Old Judicial District - - - - -
	Temporary Right - P
	Water District - 57R
	Federal/State Indicator - - - - -

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