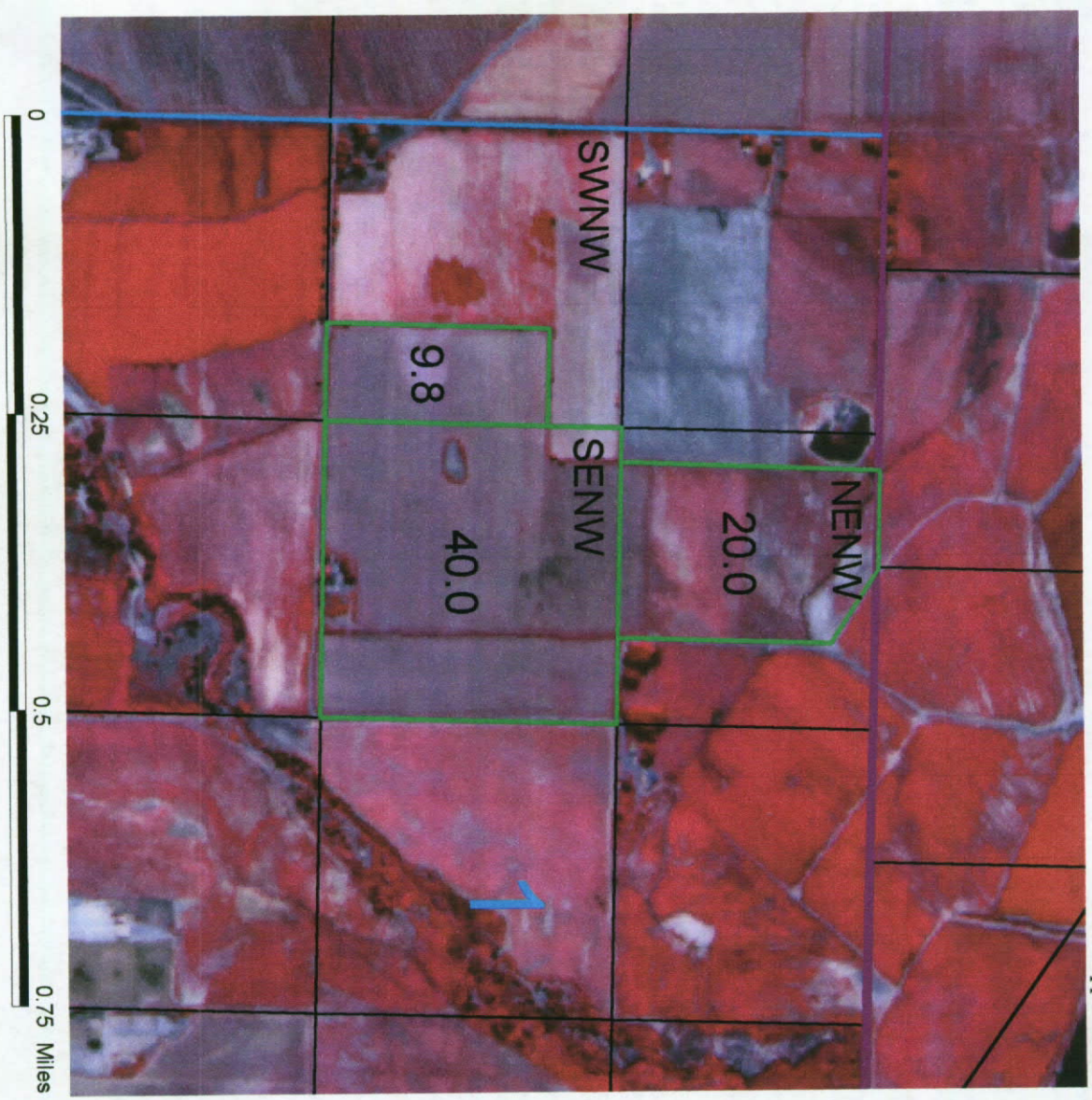


Idaho Department of Water Resources

Claim Number: 57-00275
Legal: T01S, R03W, S01
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

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: A57-00275
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: ALVIN BENSON 208-495-2228
Address: HC 79 BOX 94
MELBA, ID 83641

AND/OR

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

AND/OR

Name: THOMAS BENSON
Address:

2. Date of Priority: OCT 28, 1887

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

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	03W	2	SE	SW	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	1.400		
STOCKWATER	01/01	12/31	0.030		1.40

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/100 DAIRY.

A57-00275

Page 1

Date: 01/25/89

MICROFILMED
OCT 06 1992

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
01S	03W	1	NE		NW	3	IRR	24.0
			SW		NW		IRR	12.0
			SE		NW		IRR	39.0
Section Acres								75.0
Total Acres								75.0

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: 57-00275 Date: 2-6-03

	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	15	3W	1					-3												75
GIS								24		12	39									69.8
								20		9.8	40									
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

Number of POD's 1

Total Claimed Acres: 75

Overlapping FOU Claim #'s:

Total GIS Acres: 69.8

COMMENTS:

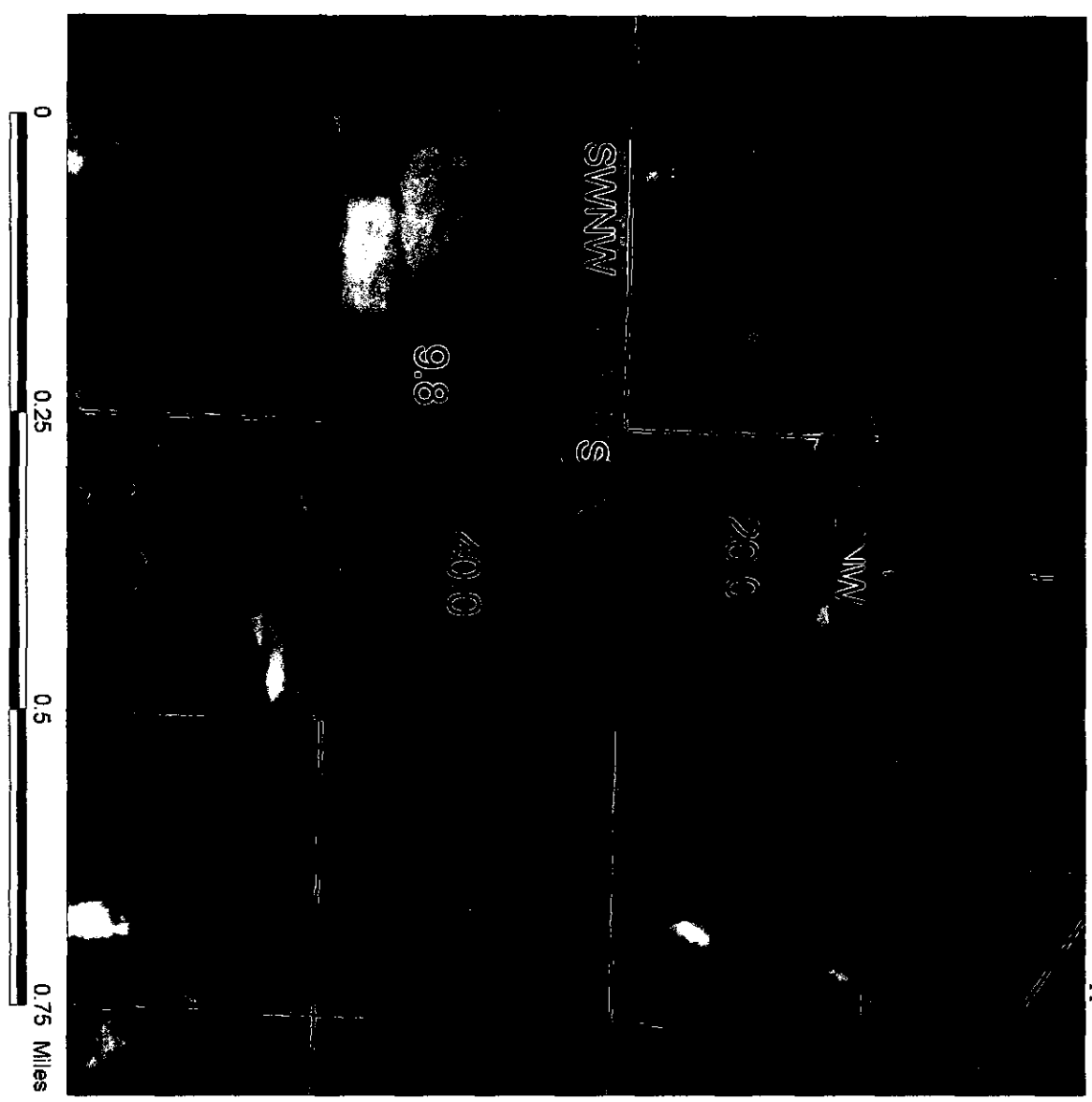
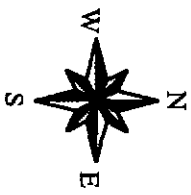
County data indicates a different owner for these parcels. There was no claim map. I mapped per county boundaries and image interpretation. I couldn't see where I could pick up more acreage.

POD estimated.

Idaho Department of Water Resources

Claim Number: 57-00275
Legal: T01S, R03W, S01
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

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

2002 DEC 23 PM 3 36

AMENDED

In Re SRBA

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

Case No. 39576

Water Right 57-00275

NAME AND ADDRESS: J LAVAR YOUNG
JANET B YOUNG
M DEAN YOUNG
HC 79 BOX 58
MELBA, ID 83641

SOURCE: REYNOLDS CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 1.40 CFS

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

PRIORITY DATE: 10/28/1887

POINT OF DIVERSION: T01S R03W S02 SESWSE Within Owyhee County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	03-15 TO 11-15	1.40 CFS
	Stockwater	01-01 TO 12-31	0.03 CFS

PLACE OF USE: Irrigation Within Owyhee County
T01S R03W S01 LOT 3 (NENW) 24.0
SENW 39.0
75.0 Acres Total
Stockwater Within Owyhee County
Same as Stockwater

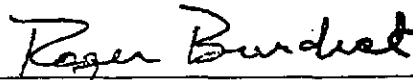
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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
Presiding Judge of the
Snake River Basin Adjudication

RECEIVED

JAN 10 2003

WATER RESOURCES
WESTERN REGION

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 57-00275

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 57-00275 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

SCANNED

DEC 24 2002

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)

CERTIFICATE OF MAILING

Case No. 39576)
_____)

Water Right(s): 57-00275

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 57-00275 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

J LAVAR YOUNG
JANET B YOUNG
M DEAN YOUNG
HC 79 BOX 58
MELBA, ID 83641

THOMAS BENSON
HC 88, BOX 1050
MURPHY, ID 83650
Phone: 208-495-2270

ROBBIN HALL
Chief Deputy Clerk

CERTIFICATE OF MAILING

SCANNED
DEC 24 2002

PAGE 1
12/23/02

~~Shelley~~

03/26/2002

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

RIGHT NUMBER: 57-275

NAME AND ADDRESS: J LAVAR YOUNG
HC 79 BOX 58
MELBA ID 83641

JANET B YOUNG
HC 79 BOX 58
MELBA ID 83641

M DEAN YOUNG
HC 79 BOX 58
MELBA ID 83641

SOURCE: REYNOLDS CREEK

TRIBUTARY: SNAKE RIVER

QUANTITY: 1.40 CFS

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

PRIORITY DATE: 10/28/1887

POINT OF DIVERSION:

T01S R03W S2 SESWSE Within OWYHEE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	1/01 12/31	0.030 CFS
IRRIGATION	3/15 11/15	1.400 CFS

DIVERTING WATER BEFORE OR AFTER THE PERIOD OF USE UNDER THIS RIGHT IS ALLOWED PROVIDED: A. THE WATERS SO DIVERTED ARE APPLIED TO A BENEFICIAL USE, AND B. THE EXISTING RIGHTS AND FUTURE APPROPRIATIONS ARE FIRST SATISFIED.

PLACE OF USE: IRRIGATION Within OWYHEE County

T01S R03W S01 Lot 3 NENW	24.0	T01S R03W S01	SWNW	12.0
T01S R03W S01	SENW	39.0		

STOCKWATER same as IRRIGATION

75 ACRES TOTAL

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.

EXPLANATORY MATERIAL: Decreed

STOCKWATER, 100 DAIRY CATTLE
USE OF THIS RIGHT IS COMBINED WITH WATER FROM WEST REYNOLDS IRRIGATION DISTRICT.

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

*Should questions arise during the processing of this application please contact:
David Shaw - ERO Resources Corp. (208) 373-7983*

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>57-275</u>	<u>57-11571</u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions): **PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Thomas Benson, Alvin Benson, Jerry Benson
HC 79, Box 94, Melba, Idaho, 83641
4. New Owner/Claimant(s) J. LaVar Young, Janet Young, M. Dean Young
Name Connector (Check one): [] and, [] or, [XX] and/or
- New Mailing Address HC 79, Box 58
- City, State and ZIP Code Melba, Idaho, 83644
- New Telephone Number (208) 495-1133
5. Date you acquired the property March 12, 1998

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc.)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Janet Young

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by R Brown Date 3/26/03 Fee n/a
 Received by _____ Date _____ Receipt No. _____
 Processed by R Brown AJ Date 3/26/03 WR _____ Date _____

WARRANTY DEED

FOR VALUE RECEIVED ALVIN B. BENSON, A SINGLE PERSON, LITA HOAGLAND, A MARRIED PERSON, THOMAS E. BENSON AND JACQUELINE L. BENSON, HUSBAND AND WIFE, JERRY L. BENSON, A MARRIED PERSON, BRUCE A. BENSON, A MARRIED PERSON, SCOTT J. BENSON, A SINGLE PERSON AND JEFFREY R. BENSON, A SINGLE PERSON

the Grantors, do hereby grant, bargain, sell and convey unto

M. DEAN YOUNG, A SINGLE PERSON AND J. LAVAR YOUNG AND JANET YOUNG, HUSBAND AND WIFE

the Grantees, whose address is HC 79 Box 58
the following described premises, to-wit: Melba, ID 83644

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF BY THIS REFERENCE:

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances, except for general taxes and assessments for the year 1998 and subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: March 12, 1998

Alvin B. Benson Lita Hoagland Thomas E. Benson
ALVIN B. BENSON LITA HOAGLAND THOMAS E. BENSON
Jacqueline L. Benson Jerry L. Benson Bruce A. Benson
JACQUELINE L. BENSON JERRY L. BENSON BRUCE A. BENSON
Scott J. Benson Jeffrey R. Benson
SCOTT J. BENSON JEFFREY R. BENSON

STATE OF ~~IDAHO~~ WASHINGTON
COUNTY OF ~~CANYON~~ LEWIS

On this 27 day of March, 1998, before me a notary public, personally appeared

BRUCE A. BENSON

known or identified to me to be the person(s) who(se) name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they have executed the same.

Karen M. Emerson

Notary Public
Residing at Chehalis, WA
My commission expires: 5/9/98

NOTARY PUBLIC
STATE OF WASHINGTON
KAREN M. EMERSON
My Appointment Expires MAY 9, 1998

STATE OF IDAHO
COUNTY OF CANYON

On this 16th day of March, 1998, before me a notary public, personally appeared

ALVIN B. BENSON, LITA HOAGLAND
THOMAS E. BENSON, JACQUELINE L. BENSON, JERRY L.

BENSON, BRUCE A. BENSON, SCOTT J. BENSON, JEFFREY R. BENSON

known or identified to me to be the person(s) who(se) name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they have executed the same.

Dorinda E. [Signature]

Notary Public
Residing at GREENLEAF, ID
My commission expires: 9-1-99



224431

REQUEST OF

Thompson

FILED - RECORDED

98 MAR 32 PM 4:42

JIM HUNTLEY JR.
OWYHEE COUNTY RECORDER

BY Butler
DEPUTY

Exhibit "A"

✓ The N1/4 SE1/4 NW1/4 of Section 1 in Township 1 South, Range 3 West, B. M., Owyhee County, Idaho; and a parcel of land in Lot 3 of Section 1, Township 1 South, Range 3 West, B. M., described as follows:

BEGINNING at a point 330 feet West of the Northeast corner of said Lot 3;

Thence running West a distance of 822.6 feet;

✓ Thence South 1171.5 feet to the South line of said Lot 3;

Thence East along said South line of Lot 3, 822.6 feet;

Thence North 1171.5 feet to the POINT OF BEGINNING.

EXCEPTING THEREFROM the following described parcel

This parcel is a portion of Government Lot 3 of Section 1, Township 1 South, Range 3 West of the Boise Meridian and is more particularly described as follows:

COMMENCING at the Northeast corner of said Government Lot 3;

✓ Thence South 89°35'25" West along the North boundary of said Government Lot 3 a distance of 330.00 feet to the TRUE POINT OF BEGINNING;

Thence South 0°26'56" West a distance of 235.95 feet;

Thence North 59°09'27" West a distance of 466.36 feet to a point on said North boundary;

Thence South 89°33'03" East along said North boundary a distance of 402.27 feet to the TRUE POINT OF BEGINNING.

All that part of the S1/2 NW1/4 of Section 1, Township 1 South, Range 3 West, B. M., particularly described as follows, to-wit:

✓ COMMENCING at the center of said Section 1, and running thence North on the half section line a distance of 990 feet;

Thence running West a distance of 1760 feet;

Thence running South 990 feet to the East and West half section line;

Thence running East a distance of 1760 feet to the POINT OF BEGINNING

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 57-00275

1998 FEB -9 PM 1:04

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: THOMAS BENSON
ALVIN BENSON
JERRY BENSON
HC 79 BOX 94
MELBA ID 83641

SOURCE: REYNOLDS CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 1.4 CFS

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

PRIORITY DATE: 10/28/1887

POINT OF DIVERSION: T01S R03W S02 SESWSE Within OWYHEE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		Irrigation Season	1.4 CFS
STOCKWATER		01-01 12-31	0.03 CFS

PLACE OF USE: IRRIGATION Within OWYHEE County
T01S R03W S01 Lot 3 (NENW)24 SWNW 12 SENW 39
75 ACRES TOTAL

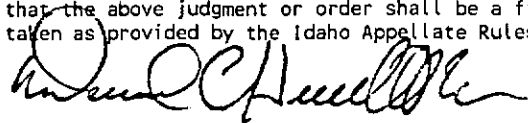
Place of use for STOCKWATER is same as IRRIGATION

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



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

DIRK KEMPTHORNE
GOVERNOR

September 6, 2000

KARL J. DREHER
DIRECTOR

Tom Benson
HC 88, Box 1050
Murphy, ID 83650

RE: Snake River Basin Adjudication (SRBA)
Change in Water Right Ownership
Water Rights #57-00271, 57-00275, 57-01125, 57-02041

Dear Mr. Benson:

Alvin Benson advised me there have been some changes in ownership of some of the water rights referenced above. He told me you retain a water right on Cattel Creek, tributary to Reynolds Creek, and gave me your address.

You and Alvin Benson are the current owners of the water rights referenced above. I'm writing to let you know we can't change our records to reflect your separate ownership of a water right without a Notice of Change of Water Right Ownership form being completed. I have enclosed that form for your possible use. Since these water rights are still pending before the SRBA Court, there is no fee for an ownership change.

Please call me if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Sally'.

Sally Sherman
Technical Records Specialist
Adjudication Technical Section

SS:region
Enclosure:

Form 42-248/42-1409(6)



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

RECEIVED

July 18, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JUL 20 2000

Alvin Benson

~~Thomas Benson~~

Department of Water Resources

512 4th St.

Melba, ID 83641-5161

Re: Snake River Basin Adjudication (SRBA) *see Bx 20037*
Water Rights #57-00271, 57-00275, 57-01125, 57-01126 & 57-02041
son son = status son

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

Sally Sherman
Technical Records Specialist
Adjudication Bureau

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

Alvin P. Benson
Water Right Holder's Signature

Telephone No. *222 8*
495-1133

we sell one parcel to Lavin Young (Melba) 495-2712 called Hook 9-6-00, another to Tom Hook also Melba. Broke in phone Bud son form - 20

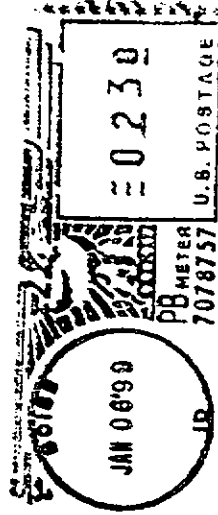
**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

~~Return Service Requested~~

PRESORTED
FIRST CLASS

~~STATISTICAL~~

ES
57-00271 SWS
~~57-60275 SWS~~
✓ - 011265 DWS
✓ - 02041 SWS
~~✓ - 02041 SWS~~
~~57-01125 SWS~~

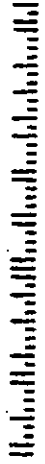


RECEIVED
JAN 11 1999
BENS
Department of W

ALVIN BENSON
THOMAS BENSON
HC 79 BOX 94
MEL BENSON

BENS079* 036412017 1890 05 01/06/94
RETURN TO SENDER
BENSON, ALVIN B
5124TH ST
MELBA ID 83641-5161

ಅನುಬಂಧ-೨





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.

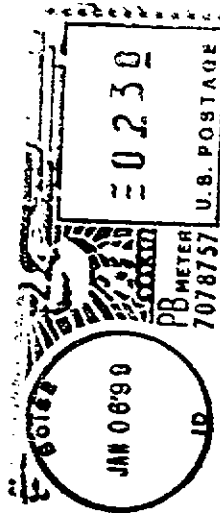
Water Right Holder's Signature

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:
1001-57-0272 (a) (son)
→ - 00275 (a) 5m
1-10603
1-10604

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
MURPHY ID 83650-9601

1001-57-0272 (a) (son)

1001-57-0272 (a) (son)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	THOMAS BENSON	10/28/1987	IRRIGATION	03-15 11-15	1.40 CFS	
C	ALVIN BENSON HC 79 BOX 94		STOCKWATER	01-01 12-31	0.03 CFS	
	MELBA ID 83641					
	(208) 495-2228			TOTAL DIVERSION:	1.40 CFS	

Water Source:	REYNOLDS CREEK	Tributary to:	SNAKE RIVER	Stage:	DECREED
Point of Diversion:	T01S R03W S02		SESWSE		OWYHEE County

Place of use Legal Description for: IRRIGATION

AN EN

T		R		S		NENE		NWNE		SUNE		SENE		NENW		SUNW		SESW		NWSW		SWSW		SESE		SUM	
Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac	
---		---		---		---		---		---		---		---		---		---		---		---		---		---	
01S		03W		1				03-24		12		39															
								</																			

Other Rights: NONE

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

N05 - THE QUANTITY OF WATER UNDER THIS RIGHT FOR STOCKWATER USE
- SHALL NOT EXCEED 13,000 GALLONS PER DAY.

N08 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
- STOCKWATER USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
- USE.

Misc: Water District Number: 57R Field Inspection Flag: Presumption Flag:

AJ0749NP
No. R57-00275

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 12/08/97
PAGE: 2

Comments: Date: 01/23/1996 User-ID: DSMITH Subject: NAME AND/OR ADDRESS CHANGE
THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE
ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A
K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT
OWNER CHANGE.
*NAME/ADDRESS CONFORMED TO AVOID DUPLICATE MAILING LABELS

Audit: 12/08/97 KWALKER

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: DEC-08-1997
PAGE: A-1-----
RIGHTS FROM: SOURCE: REYNOLDS CREEK TRIBUTARY: SNAKE RIVER

RIGHT NUMBER: 57-00275

NAME AND ADDRESS: THOMAS BENSON
ALVIN BENSON
JERRY BENSON
HC 79 BOX 94
MELBA ID 83641

SOURCE: REYNOLDS CREEK TRIBUTARY: SNAKE RIVER

QUANTITY: 1.4 CFS

THE QUANTITY FOR NON-IRRIGATION USE IS LIMITED TO THE AMOUNT BENEFICIALLY
USED FOR STOCKWATER, 100 HEAD DAIRY CATTLE

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

PRIORITY DATE: 10/28/1887

POINT OF DIVERSION: T01S R03W S02 SESWSE Within Owyhee County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	<u>Irrigation Season</u>	1.4 CFS
		03/18 11/18	
	STOCKWATER	01-01 12-31	0.03 CFS

PLACE OF USE: IRRIGATION Within Owyhee County
T01S R03W S01 Lot 3 (NENW)24 S4NW 12 SENW 39
75 ACRES TOTAL

Place of use for STOCKWATER is same as IRRIGATION

CONSUMPTIVE USE: 27713 AFT

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.

EXPLANATORY MATERIAL: BASIS OF CLAIM - DECREE

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

DATE: DEC-08-1997

PAGE: A-2

57-00275 (CONT.)

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

STOCKWATER, 100 DAIRY CATTLE

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)**

MICROFILMED
OCT 06 1994

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A 57-00275

"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
NR ELEMENT							
PRIORITY	N	6	N/A	N	B.A.S.		
PT. OF DIV.							
SOURCE							
PL. OF USE							
DIV. AMOUNT CFS/AF							
CONSUMPTIVE USE							
NATURE OF USE							
PERIOD OF USE							
BASIS OF CLAIM							
REMARKS							

VERIFICATION CODES

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

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

MICROFILMED
 OCT 1992

COMMENTS: *6 - based on Reynolds, creek decreed of 1988.
 See overlap map in A 57-010271

CLAIM NUMBER:

D. RATE/VOLUME CALCULATIONS: (IRRIGATION) 1b. CALCULATIONS

1a. IRRIGATION RATE
ACRES 75 x 0.02 CFS/ACRE = 1.5 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 75 x CONSUMPTIVE VOL. AF/A FOR AREA 3.7 VS 1.5 cfs x 1.9835 AF x 246 days = 731.9 AF/A

TOTAL CONSUMPTIVE USE (277.5) AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 15 x DIVERSION VOL. AF/A FOR AREA 5.0 =

TOTAL DIVERSION VOLUME 375 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y(X) N() →

Stock = 180 Acre x .0391 = 3.91

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

App. Condition: u09

MICROFILMED
OCT 06 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

14:58:31
05/22/90

PAGE: 2
QUICKLOOK INFORMATION

CLAIM NUMBER: 275-00000

WR ELEMENT	PRIORITY DATE	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
POINT OF DIV	10/20/1987	N					CH 11/15/88		
SOURCE	15 3W 2	N					"		
PLAGE OF USE	Reynolds Creek	N					"		
DIV. AMOUNT	15 3W 1	N					"		
CFS/VOLUME	1,400	N					"		
CONSUMPTIVE USE	242.5	N					"		
PURPOSES	I/S	N					"		
PERIOD OF USE	11, 12/31	N					"		
BASIS OF CLAIM	Revised	N					"		

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAEP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

add Cons. Use

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

MICROFILMED

OCT 06 1992

WATER RIGHT NUMBER - 57-0275

FIRST NAME - ALVIN

FIRST NAME - JERRY

FIRST NAME - THOMAS

ORIG OWNER -

ORIG OWNER -

ORIG OWNER -

ADDRESS LINE 2 -

CITY -

STATE - ID - ZIP CODE - 83641

TRIBUTARY OF - SNAKE RIVER

PRIORITY - 10-28-1887

WRITER DIST. - 57R DLE/CREEK ACT -

RIGHT BASIS - B

TOTAL DIV. RATE - 1.4000 - CFS

DATE -

USE - IRRIGATION

FROM - 01-01 TO - 12-31

USE - STOCKWATER

PLACE OF USE - TWIN OLS RND OSM SEC 01

TRACT 5000 LOT

TRACT 5000 LOT

TRACT 5000 LOT

TRACT 5000 LOT

TRACT 5000 LOT

TRACT 5000 LOT

TRACT 5000 LOT

TRACT 5000 LOT

TRACT 5000 LOT

TRACT 5000 LOT

TRACT 5000 LOT

TRACT 5000 LOT

TRACT 5000 LOT

TRACT 5000 LOT

TRACT 5000 LOT

TRACT 5000 LOT

TRACT 5000 LOT

TRACT 5000 LOT

TRACT 5000 LOT

DEED NAME - BENSON VS BRANDAU

REMARKS -

NON IRRIG USE - SNAKE RIVER

OTHER RIGHTS FOR SAME USE - SOURCE(S) OUTSIDE BASIN

PROOF DUE -

PROOF MADE -

DIVERSION MEANS -

PERMIT/DENIED -

COND. OF APPROVAL -

PROTESTED -

HEARING -

OLD NO. -

DATE -

USE - IRRIGATION

FROM - 01-01 TO - 12-31

USE - STOCKWATER

PLACE OF USE - TWIN OLS RND OSM SEC 01

TRACT 5000 LOT

TRACT 5000 LOT

TRACT 5000 LOT

TRACT 5000 LOT

MEMO TO: 57-0275 FROM: F.E.L. DATE: 8/5/80

THIS DECREEED RT ORIGINALLY CLAIMED WITH PRIORITY OF 10/27/1887 WAS MODIFIED TO 10/28/1887 TO COINCIDE WITH THE DECREEED DATE. THE RT FITS REASONABLY WITH THE POSTED NOTICES & PATENT DATES OF ALFRED COX (SEE ATTACHED SMT.). THE DIVERSION RATE AS DECREEED PROVIDES APPROX. .93"/AC FOR THE 75 IRRIG ACRES FOUND UNDER THE SYSTEM.

MICROFILMED

OCT 06 1992

02

57-0275

Acres. 1/4 Sec. 1, T. 1 N., R. 3 W., S. 1

70", 10/28/1887

NW⁴, S1, T1S, R3W

It may be part of the 1/4 Sec. 1, T. 1 N., R. 3 W., S. 1, filed by Alfred Cox on 10/21/1887, as he responded to the 1882 suit but no description of the same is given.

Patented in 7/19/ 1893 by Alfred Cox

MICROFILMED

OCT 06 1992

GIGRAY, MILLER, DOWNEN & WESTON

LAWYERS

DEARBORN BUILDING

9TH & DEARBORN STS.

POST OFFICE BOX 640

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:

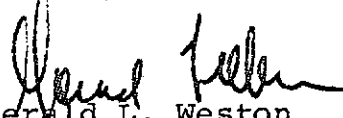
Enclosed herewith please find the following Notices
of Claim to a Water Right:

- ✓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

MICROFILMED

OCT 06 1982

GLW:cm
Enclosures

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>57-0275</u>	
I.D. No.	Map No.
\$ <u>10</u>	<u>14464</u>
Fee Paid	Receipt No.

Notice is hereby given that Alvin Benson; Jerry Benson and Thomas Benson

(Name of Claimant)

Star Route, Melba, Idaho 83641 Telephone No. 495-2228
(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) October 27, 1887, Benson v. Brandau and Alfred Cox 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 1.4 cfs Use irrigation and stock Period of Use From 3/15 To 11/30/5
(CFS, GPD, AF) (Domestic, irrigation, stock, etc.) (Mo., Day) (Mo., Day)
(Both dates inclusive)
- 19 AFA Quantity 1.03 Use Stock 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) 1.4 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)

(5) A) Point of Diversion: Give location of point where water is diverted from its source SW NW SE NE
Sec. 11 2, Twp. 1 South, Rge. 3 West, B.M., Owyhee 73 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.	NE%				NW%				SW%				SE%				TOTAL
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
1S	3W	11					X	X	X	X									160-75
							24	24	24	24									
							63	63	63	63									
									12										

OTHER USES: Source(s) Outside Basin.

Total no. of acres 160-75

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

100% stock water

NOTE: Include here the type and number of stock watered: 5/100 DAIRY.

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

(8) Remarks Water Resource #57-0275 (This is when combined with any other water shall provide no more than 1.2 cfs/ha)

(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 Alvin B. Benson
(Signature of Claimant)
Thomas E. Benson
(Signature of Claimant)

(Signature of Authorized Agent)

On this 19th day of July, in the year seventy-nine before me
a notary public, personally appeared Alvin Benson and Thomas Benson

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

9/23/79

Calvin A. McIntyre
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

<u>57-0275</u> I.D. No.	Map No. <u>14464</u>
\$ <u>10</u> Fee Paid	Receipt No.

Notice is hereby given that Alvin Benson; Jerry Benson and Thomas Benson
(Name of Claimant)

Star Route, Melba, Idaho
(Mailing Address)

83641
(Zip Code)

Telephone No. 495-2228

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) October 27, 1887, Benson v. Brandau and Alfred Cox 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 <u>1.4 cfs</u>
(CFS, GPD, AF) | Use <u>irrigation and stock</u>
(Domestic, irrigation, stock, etc.) | Period of Use From <u>2/15</u> To <u>11/30</u>
(Mo., Day) (Both dates inclusive) |
| Quantity _____ | Use _____ | Period of Use From _____ To _____
(Mo., Day) (Both dates inclusive) |
| Quantity _____ | Use _____ | Period of Use From _____ To _____
(Mo., Day) (Both dates inclusive) |
| Quantity _____ | Use _____ | Period of Use From _____ To _____
(Mo., Day) (Both dates inclusive) |
- (4) 1.4 cfs TOTAL QUANTITY CLAIMED.
(CFS, GPD, AF)
- (5) A) Point of Diversion: Give location of point where water is diverted from its source NW $\frac{1}{4}$ NE $\frac{1}{4}$
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. _____

- (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 $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			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 $\frac{1}{4}$	
1	3	1					X	X	X	X									160

Total no. of acres 160

- 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: _____

- (8) Remarks Water Resource 857-0275

RECEIVED

JUL 20 1979

Department of Water Resources, 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 my knowledge.

July 19, 1979
(Date)

State of Idaho

County of Canyon

ss.

Organization _____

Seal _____

Individual

Alvin B Benson
(Signature of Claimant)

Thomas E Benson
(Signature of Spouse)

Organization _____

(Signature of Authorized Agent)

On this 19th day of July, in the year seventy-nine before me
a notary public, personally appeared Alvin Benson and Thomas 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 9/23/79

Notary Public residing at Calo, Idaho

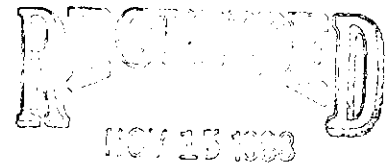
IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

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 757-00275Date Received 11-15-88Receipt Number W002061

NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW



Department of Water Resources
Western Regional Office

Please type or print clearly

1. Name of Claimant (s) Alvin + Jerry + Thomas Benson Phone (208) 495-2228

Mailing Address H.C 79 Box 94 Melba, Idaho Zip 83641

2. Date of Priority (Only one (1) per claim) 10/28/1987

3. Source of water supply (a) Reynolds Creek
which is tributary to (b) Snake River

4. a. Location of existing point of diversion is: Township 15 Range 3W Section 2,

SE 1/4 of SW 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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HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For irrigation purposes from 3/15 to 4/15 amount 1.4 or _____

For stockwater purposes from 1/1 to 12/31 amount 1.03 or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 1.4 (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.) 5/100 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	
15	340	1					24		12	39									75
							273												

Total number of acres irrigated 75

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

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.
outside basin or None ()

14. Remarks:

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Last Name Benson Ident No. A57-00275

Copies: White -State, Yellow-Claimant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

Scale: 2 inches equals 1 mile

[illegible]

Last Name Benson Ident No. R57-00275 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 A57-00275

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) Tom E. Benson

Date Nov. 14, 1988

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)

SS.

County of Canyon)

Subscribed and sworn (or affirmed) before me this 14 day of November 19 88

SEAL

Notary Public John K Moyer

Residing at 15470 Homedale Rd.

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 A57-00275

Copies White-State, Yellow-Claimant

12/22/1988

SRBA CLAIMS RECEIVING CHECKLIST

CLAIMANT'S NAME BENSONCLAIM IDENT. NO. AS7-00275DATE RECEIVED 11-15-88CK # 5470AMOUNT \$ 362.00

YES NO Required Info?

1. Is the name and address complete with zip code? X
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?

Claim checked by: VERIFIED RDH Date: 1-24-89Claim must be returned to claimant: (Yes) (No)Claimant must be sent a copy of amended claim for approval: (Yes) (No)Receipt Prepared by: Claim data entered by: Sent to claimant by: Date: Date: Date: Checked by: Date: Comments: REYNOLDS CREEK IRRIGATION

50.00

REYNOLDS CREEK IRRIGATION

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IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

05/22/90 18:33:47
Page 1

Water Right Number - A57-00275

Adj. Flag Translation: Adjudication Temporary Work Area Old (D) Number -

+ - - - - Last Name - - - - +

+ - - - - Address - - - - +

*** C - CURRENT OWNER ***
BENSON

ALVIN

1 - STAR RT.
2 -
3 -

BENSON

JERRY

City- MELBA
Phone -
1 - STAR RT.
2 -
3 -

State- ID Zip- 83641

BENSON

THOMAS

City- MELBA
Phone -
1 -
2 -
3 -
City-
Phone -

State- ID Zip- 83641

State- Zip-

+ - - Priority Date - - - - - 10/28/1887 ✓ + - - - Region - - - - + + - - - Stage - - - - +
D - DECREED

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

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

01S ✓ 03W 2 SW SE ✓ (73) OWYHEE

+ - - - - Code Description - - - - - Water Use - - - - - Diversion Rate Diversion Volume - - - - -
01 - IRRIGATION ✓ 03/15 11/15 ✓ 1.400 ✓
04 - STOCKWATER ✓ 01/01 12/31 ✓ 0.030 ✓ 1.40

+ - - Total Div. Rate - - - - - 1.400 ✓ + - - Total Div. Capacity - - - - - + - - Total Consumptive Use - - - - - + - - KW Usage - - - - -

+ - - - - Tract Lot Acres Place of Use - - - - - Description County - - - - -
01S 03W 1 NE NW 3 24.0 ✓ 01 IRRIGATION (73) OWYHEE
01S 03W 1 SW NW 12.0 ✓ 01 IRRIGATION (73) OWYHEE
01S 03W 1 SE NW 39.0 ✓ 01 IRRIGATION (73) OWYHEE

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Total Acres: 75.0 ✓

+ - - Diversion Means
+ - - Non-Irrigation Use - - - - - S/100 DAIRY. ✓

