



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

May 16, 2002

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

D STEVE BENSON
4025 GEORGES RD
AMERICAN FALL ID 83211

RE: Decreed Water Rights 41-4030, 41-7029A, 41-7029B,
41-10115, 41-10116
Change of Address Notification

Dear Water Right Holder:

Thank you for notifying us of your change in address on the water
right referenced above. Our records have been updated accordingly.

If you have any questions, please feel free to contact this office.

Sincerely,

Trish Fawcett
Technical Records Specialist

/tf



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

DIRK KEMPTHORNE
GOVERNOR

KARL J DREHER
DIRECTOR

RECEIVED

APR 30 2002

Department of Water Resources
Southern Region

CHANGE IN ADDRESS

☐ Water Right Number(s): 41-07029B, 41-04030, 41-10115
41-10116 41-07029A

☐ Old Mailing Address:

D. Steve BENSON

2785 BENSON Rd

Rockland, Id. 83271

☐ New Mailing Address:

D. Steve BENSON

4025 Gages Rd

Am. Falls Id. 83211

☐ New Telephone Number: (208) 548-2330

☐ Signature of Claimant(s):

[Signature]

Date: 4-29-02

FOR IDWR USE ONLY
Initial Review and Data Entry
Date: By:
Further Action Needed:

Further Action Taken
Date: By:

Final Review and Data Entry
Date: By:

5/16/02 [Signature]

CID 91354

COPY

200 JUN 23 PM 1: 57

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

41-10116
In Re SRBA

) SUBCASE NO. 41-10116
)
)

Case No. 39576
)
)
_____)

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING

IDWR has completed the following Administrative proceeding: **CHANGE OF ADDRESS**

Name and New Address of Claimant:

Don Benson
231 Polk
American Falls ID 83211

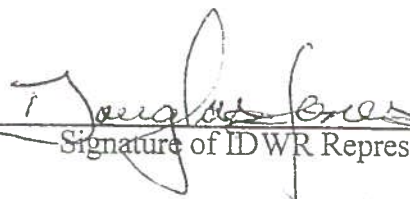
D Steve (Steven) Benson
2785 Benson Rd
Rockland ID 83271

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Reports* for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

Dated:

6/22/00


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on 6/23, 2000, I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls ID 83303-2707
2. One Copy to:
Claimant or attorney of record:
Don Benson
231 Polk
American Falls ID 83211
D Steve Benson
2785 Benson Rd
Rockland ID 83271
3. One Copy to:
Each party in the subcase or attorney of record:
4. One Copy to:
Chief Natural Resources Division
Office of the Attorney General
PO Box 44449
Boise ID 83711-4449
5. One Copy to:
United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724



Signature of person or attorney mailing the form

AJ5856NP

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

DATE: JUN-21-2000
PAGE: A-4

RIGHT NUMBER: 41-10116

NAME & ADDRESS: DON BENSON
231 POLK
AMERICAN FALLS ID 83211

D STEVE BENSON
2785 BENSON ROAD
ROCKLAND ID 83271

SOURCE: GROUNDWATER

QUANTITY: 0.04 CFS

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

PRIORITY DATE: 12/31/1910

POINT OF DIVERSION: T12S R31E S21 SESWSW Within POWER County

PURPOSE AND

PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	DOMESTIC 1 HOUSE	01-01 12-31	0.04 CFS

PLACE OF USE: DOMESTIC Within POWER County
T12S R31E S21 SWSW

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

THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT 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. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - BENEFICIAL USE



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

June 23, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

D STEVE BENSON
2785 BENSON RD
ROCKLAND ID 83271

RE: SRBA Claim(s) 41-04030, 41-10115, 41-07029B, 41-10116

Dear Claimant:

Please find the enclosed copy of the Notice of Completed Administrative Proceeding, which the department has filed with the SRBA Court regarding the above referenced claims. You have received this notice pursuant to SRBA Court Administrative Order 11 requiring IDWR to report to the court and interested parties any pending changes to adjudication claims in basins for which a Director's Report has been filed with the court.

Please contact this office if you have any questions about the notice or the administrative process.

Sincerely,

Trish Fawcett
Technical Records Specialist

cc: Don Benson
Norm Semanko

RECEIVED

MAR 17 2000

Department of Water Resources
Bureau of WaterSTATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

Water Right No(s): 41-10116

Adjudication Claim No(s): _____

The following REQUIRED information must be submitted with this form:

- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
- AND
- B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
- OR
- C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

Name and Address of Former Owner/Claimant STEVEN BENSON
DON BENSON
5800 BENSON ROAD
ROCKLAND ID 83271

New Owner/Claimant(s) DON BENSON D. STEVE BENSON
Name Connector (Check one): [] and, [] or, ☒ and/or

New Mailing Address 231 POLK 2785 BENSON ROAD

City, State and ZIP Code AMERICAN FALLS ID 83271 ROCKLAND ID 83271

New Telephone Number (208) 548-2331

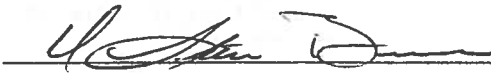
Date you acquired the property MAY 9, 1997

If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS 0.40 Number of homes 1 Other Uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Signature of New Owner 
or Claimant(s) BY: D. STEVE BENSON

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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

SRBA DIRECTORS REPORT 41-10116

[Return to SRBA Home Page](#)

IWT072

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

Right Number: 41-10116

Name and Address: STEVEN BENSON
DON BENSON
5800 BENSON ROAD
ROCKLAND, ID 83271

Source: GROUNDWATER

Quantity: .04 CFS

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

Priority Date: 12-31-1910

Diversion Point: T12S R31E S21 SESWSW Within Power County

Purpose and Period of Use:	Purpose of Use	Period of Use	Quantity
	Domestic 1 HOUSE	01-01 TO 12-31	.04 CFS

Place of Use:	Domestic	Within Power County
	T12S R31E S21	SWSW

Other Provisions Necessary for Definition / Administration of this Water Right:

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

Explanatory Material: Basis of Claim - Beneficial Use

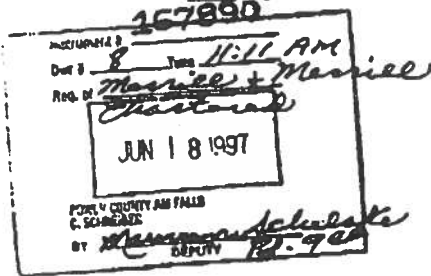
[Return to SRBA Home Page](#)

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CORRECTION QUIT CLAIM DEED

For Value Received, DONALD BENSON (aka Donald S. Benson, a.k.a. D.S. Benson) and ALENE BENSON, husband and wife ("transferors"), hereby convey, release and forever quit claim unto DONALD STEVEN BENSON and TERESA BENSON ("transferees"), whose address is 1590 Calico Circle, Pocatello, Idaho, 83201 an undivided 50% interest in the real property described in Exhibit A, together with any and all tenements, hereditaments and appurtenances thereto belonging or in any way appertaining and the rents, issues and profits thereof.

This deed is executed by transferors and recorded in the records of Power County for the purpose of correcting errors in the legal description contained in that certain Quit Claim Deed which transferors executed in favor of transferees and recorded in the records of Quit Claim Power County, Idaho on December 30, 1994 as instrument no. 162800 ("Original Deed"). This deed also identifies the extent of the interest that transferors transferred to transferees, which transferors inadvertently omitted from the Original Deed. This deed replaces and supersedes said Original Deed.

DATED this 9th day of May, 1997.



Donald Benson
Donald Benson

Alene Benson
Alene Benson

The undersigned, Donald Steven Benson and Teresa Benson, who are the named grantees in the Correction Quit Claim Deed ("Correction Deed"), and in the instrument identified therein ("Original Deed"), hereby agree that the Correction Deed should amend and supersede the Original Deed.

DATED this 9th day of May, 1997.

Donald Steven Benson
Donald Steven Benson

Teresa Benson
Teresa Benson

283

STATE OF IDAHO)

:ss.

County of Bannock)

On this 9th day of May, 1997, before me, a Notary Public in and for said State, personally appeared DONALD and ALENE BENSON, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.



Nancy Quarel
NOTARY PUBLIC STATE OF IDAHO
Residing at: Pocatello, ID
Commission expires: 2-23-99

STATE OF IDAHO)

:ss.

County of Bannock)

On this 9th day of May, 1997, before me, a Notary Public in and for said State, personally appeared DONALD STEVEN and TERESA BENSON, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.



Nancy Quarel
NOTARY PUBLIC STATE OF IDAHO
Residing at: Pocatello, ID
Commission expires: 2-23-99

3 7 3

EXHIBIT A

Property located in Power County and described as follows:

Township Twelve (12) South, Range Thirty (30) East of the Boise Meridian.

Section 25: Southeast Quarter of the Northwest Quarter (SE1/4NW1/4), South Half of the Northeast Quarter (S1/2NE1/4), East Half of the Southwest Quarter (E1/2SW1/4), Southeast Quarter (SE1/4),

Section 36: Northeast Quarter of the Northwest Quarter (NE1/4NW1/4), Northeast Quarter (NE1/4), East Half of the Southeast Quarter (E1/2SE1/4).

Township Twelve (12) South, Range Thirty-One (31) East, Boise Meridian.

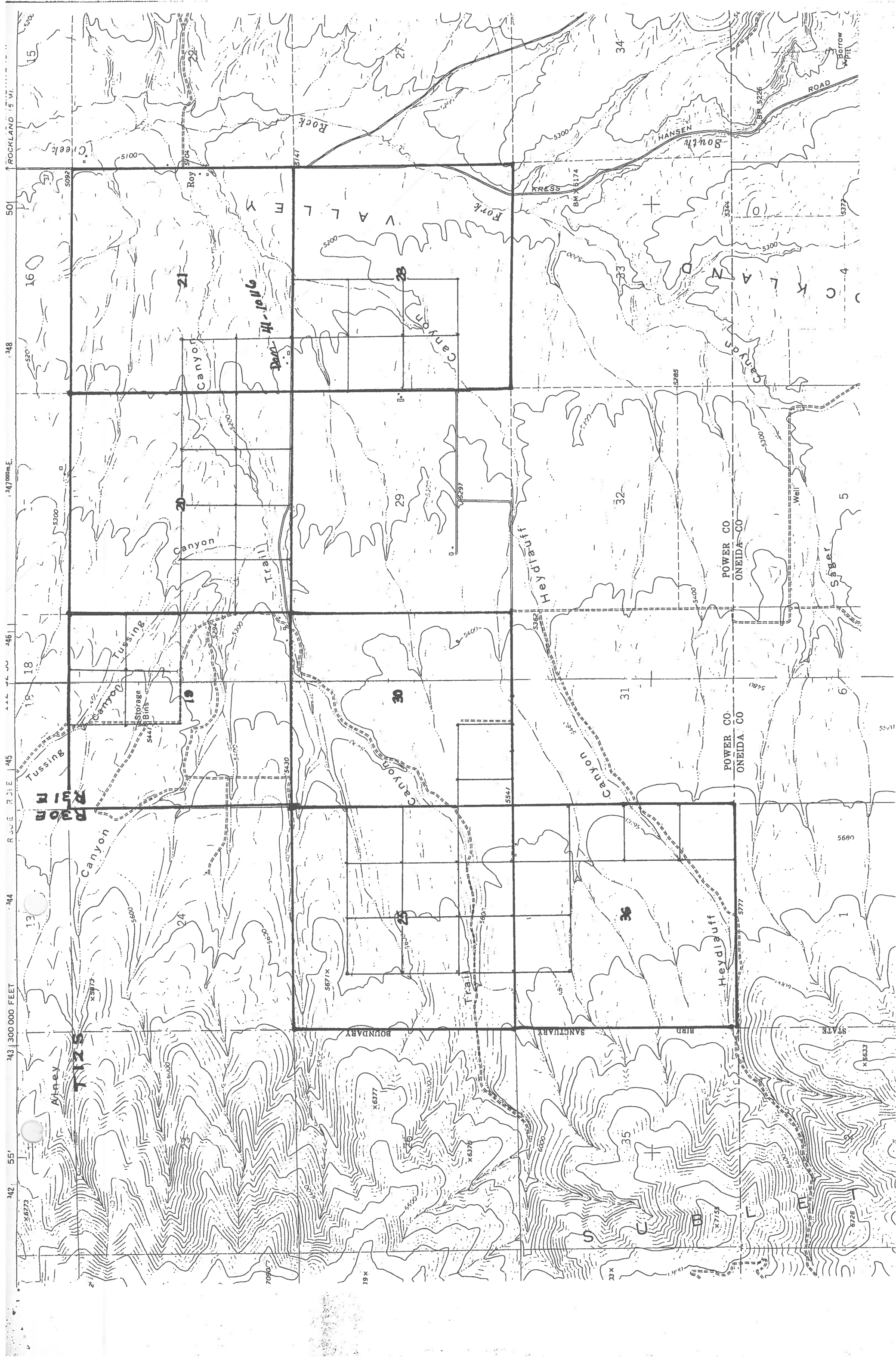
Section 19: Northeast Quarter (NE1/4),

Section 20: South Half (S1/2),

Section 21: West Half of the Southwest Quarter (W1/2SW1/4),

Section 28: Northwest Quarter (NW1/4), North Half of the Southwest Quarter (N1/2SW1/4),

Section 30: Lot Four (4) and the Southeast Quarter of the Southwest Quarter (SE1/4SW1/4).



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: A41-10116
Date Received: 3/27/1990
Receipt No: S011691
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DON BENSON 208-548-2330
Address: 5800 BENSON ROAD
ROCKLAND, ID 83271

OR
Name: STEVEN BENSON 208-548-2330
Address: 5800 BENSON ROAD
ROCKLAND, ID 83271

2. Date of Priority: DEC 31, 1910

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
12S	31E	21	SW	SW	SW		POWER

5. Description of diverting works:
6" X 160' WELL, 1.5 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
D/1 HOUSE

A41-10116

Page 1

Date: 03/27/90

MICROFILMED

MAR 02 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
12S	31E	21	SW	SW		DOMEST	

11. Place of use in counties: POWER

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

13. Other Water Rights Used:
NONE

14. Remarks:

15. Basis of Claim: BENEFICIAL USE

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): X Donald L. Benson Date: X 3-27-90

Date: _____

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 27th day
of March 19 90
Robert V. Borstall
Notary Public

Seal

Residing at Twin Falls, Idaho
My Commission Expires January 16, 1995

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

DATE: 05/29/99
PAGE: 1

DEFEND

5

Water Source: GROUNDWATER

Tributary to:

Stage: BENEFICIAL USE

Point(s) of Diversion: T12S R31E S21

SESM

POWER County

Place of use Legal Description for: DOMESTIC

[illegible]

POU County: POWER

Non-Irrigation Uses: 1 HOUSE

Other Rights: NONE

Conditions of Approval:

N11 - THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

N13 - THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 15,000 GALLONS PER DAY.

Dates: **Exam Made Date:** 06/20/1994 **Verified Date:** 05/29/1999 **Objection Filed Date:**

Misc: **Water District Number:**

Field Inspection Flag:
Presumption Flag:

State of Idaho

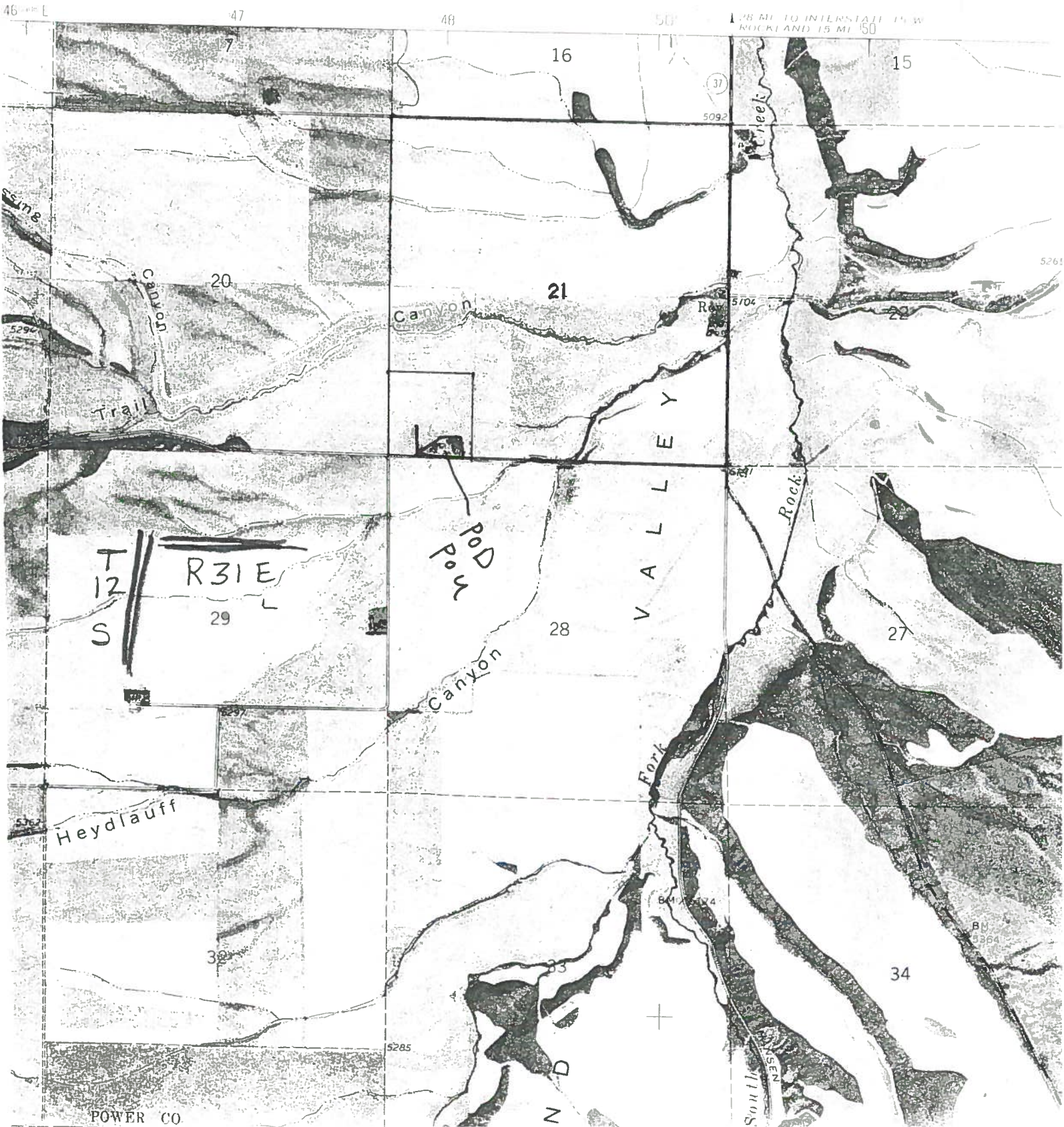
DEPARTMENT OF WATER RESOURCES

UNITED STATES

DEPARTMENT OF THE INTERIOR

GEOLOGICAL SURVEY

CLAIM A41-10116 INIT See
T. R. S. Q/Q 6-20-94
P/D 12S 31E 21 SWSW
PHOTO CC 86
DT.&ID. 8-20-76



CLAIM NO. A41-10116

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
CLAIM VERIFICATION EXAM SHEET
FOR DOMESTIC AND STOCKWATER CLAIMS IN PLACE OF A CVR

1. ☒ No Change NAME:
☐ NEW OWNER: _____
☒ No Change ADDRESS:
☐ NEW ADDRESS: _____
- ☒ DATA ENTRY STANDARDS CHECKED?
2. ☒ No Change - DATE OF PRIORITY: No Field Verification Needed.
☐ CHANGE- Priority date, per claimant, is _____.
(if the priority date, based on your exam, seems questionable,
explain in COMMENTS.)
3. ☒ No Change - SOURCE:
☐ CHANGE - Different Source found: _____
4. ☒ No Change - POINT OF DIVERSION:
☒ Point of diversion is different than the claim
New P/D: Twp. _____, Rge. _____, Sec. _____, SE 1/4 _____ 1/4 _____ 1/4
- Note: If the 10-acre tract is shown on the claim, then
verification of the 10-acre parcel is needed. Otherwise the
10-acre tract is not required, unless the source is a spring.
5. ☒ No Change - DESCRIPTION OF DIVERTING WORKS:
☐ Incomplete desc., complete items missing, IF KNOWN.
HP of pump _____ Static water level _____ Well depth _____
Casing size _____ Pumping water level _____ Gravity flow _____
Method of irr. _____
6. ☒ No Change - WATER USES:
☐ Different uses, (list uses found).
- | | | | | |
|-----------|------------|----------|------------------|----------|
| Use _____ | From _____ | To _____ | Amount _____ cfs | _____ af |
| Use _____ | From _____ | To _____ | Amount _____ cfs | _____ af |
7. ☒ No Change - TOTAL VOLUME:
☐ Change found, The new total is, -- -- -- _____ cfs _____ af
8. N/A
9. ☒ No Change - NON-IRRIGATION USES: Completed on claim
☐ Incomplete on claim - Exam found:
Domestic - No. of homes _____ Stockwater - No. of head _____
Other: _____
- ☒ DATA ENTRY STANDARDS (correct to..)

10. ☒ No Change - PLACE OF USE: (If changed, list below.)
Use Twp. Rge. Sec. 1/4, 1/4, 1/4

11. ☐ Checked: N/A

12. ☐ Checked: N/A

13. ☒ No change - OTHER RIGHTS FOR SAME USE:
☐ CHANGE: _____

14. ☐ None REMARKS: (copy existing remarks to comments in "R")
☒ Add the following standard remarks:
LIST STANDARD REMARKS FOR THE RECOMMENDATION:

N11 N13

15. ☒ BASIS OF CLAIM VERIFIED AS: D - L - P - S - ☒ J (circle one)

COMMENTS: (pertinent to field examination)

ATTACHMENTS: Attached to This Form. Attachments are in Permit File.

PHOTOS ☐

MAP ☒

SYSTEM DIAGRAM ☐

DATE EXAM CONDUCTED: 6-20-94

FIELD EXAMINER: STEVE CLELLAND

Signature Steve Clelland

REVIEWED BY/DATE: see 5/29/99

DATA ENTRY BY/DATE: _____

VERIFICATION BY/DATE: _____

Water Right Number - A41-10116 Prefix Translation: ADJUDICATION CLAIM Old (D) Number - + - - - - Last Name - - - - + + - - - - First Name - - - - + + - - - - Address - - - - - +

*** C - CURRENT OWNER *** BENSON DON

1 - 5800 BENSON ROAD
2 -
3 -
City- ROCKLAND
Phone - 208-548-2330
State- ID Zip- 83271
1 - 5800 BENSON ROAD
2 -
3 -
City- ROCKLAND
Phone - 208-548-2330
State- ID Zip- 83271

Priority Date - - - + 12/31/1910 Region - - - + 17 SOUTHERN Stage - - - + J - BENEFICIAL USE Status - - - +
Source - - - - - + Tributary - - - - - +

GROUNDWATER

Tw n Rng Sec Tract Lot RFlg County Point of Diversion Stream Index (Blank if no Index Code)
12S 31E 21 SW SW SW (77) POWER
Code Description Period From Period To Water Use Diversion Rate Diversion Volume
43 - DOMESTIC 01/01 12/31 0.040
+ - - - - Total Div. Rate - - + + - - - Total Div. Volume - - + + - - - Total Consumptive Use - - + + - - - KW Usage - - +

Tw n Rng Sec Tract Lot Acres Place of Use Code Description County
12S 31E 21 SW SW 43 DOMESTIC (77) POWER

+ - - - - Diversion Means - 6" X 160' WELL, 1.5 HP PUMP
+ - - - - Non-Irrigation Use - D/1 HOUSE
+ - - - - Other Rights for Same Use - NONE

+ - - - - Remarks - - - - - No Remarks found.
+ - - - - Old Water Right Numbers - - - - - No Old Water Right Numbers found.
+ - - - - Conditions of Approval - - - - - No Conditions of Approval found.

MICROFILMED
MAR 02 1993

Court Report Filing	00/00/0000	Field Inspection Made	-	00/00/0000	Civil Case Number	-	39570
Objection Filed Date	00/00/0000	Field Inspection Flag	-		Old Case Number	-	
Response Filed Date	00/00/0000	Verified Date	-	00/00/0000	Old Judicial District	-	
Claim Received Date	03/27/1990	Last Amended Date	-	00/00/0000	Temporary Right	-	P
Proof Due Date	00/00/0000	Proof Made Date	-	00/00/0000	Water District	-	
Licensed Date	00/00/0000	Receipt Number	-	S011691	Federal/State Indicator	-	S
Claims Tape Error Flag		POU Ownership Flag	-	Y	Presumption Flag	-	
Fee Exempt Flag	-	Name Connector	-	OR			

MICROFILMED
MAR 02 1993