

01/10/2003

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

RIGHT NUMBER: 29-10074

NAME AND ADDRESS: EVELYN J BENHAM
5312 W TUCANNON
KENNEWICK WA 99336

RAY D BENHAM
5312 W TUCANNON
KENNEWICK WA 99336

SOURCE: SPRING

TRIBUTARY: PORTNEUF RIVER

QUANTITY: 0.200 CFS

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

PRIORITY DATE: 04/01/1946

POINT OF DIVERSION:

T09S R38E S10 NENWSW Lot 1 Within BANNOCK County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 10/31	0.200 CFS
STOCKWATER	01/01 12/31	0.020 CFS

PLACE OF USE:

IRRIGATION Within BANNOCK County

T09S R38E S10 Lot 1 NWSW 8.2 T09S R38E S10 Lot 2 SWSW 1.8

STOCKWATER same as IRRIGATION

10 ACRES TOTAL

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

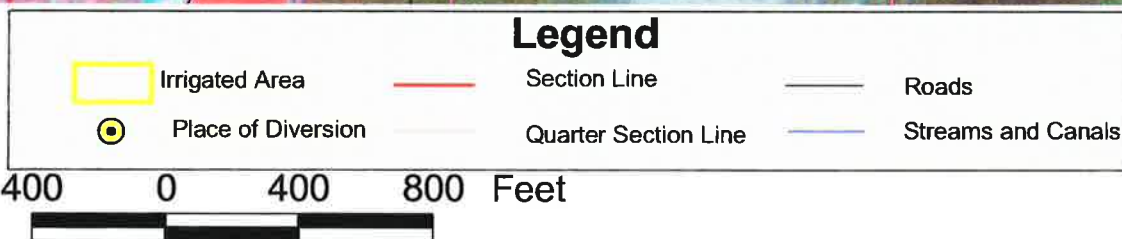
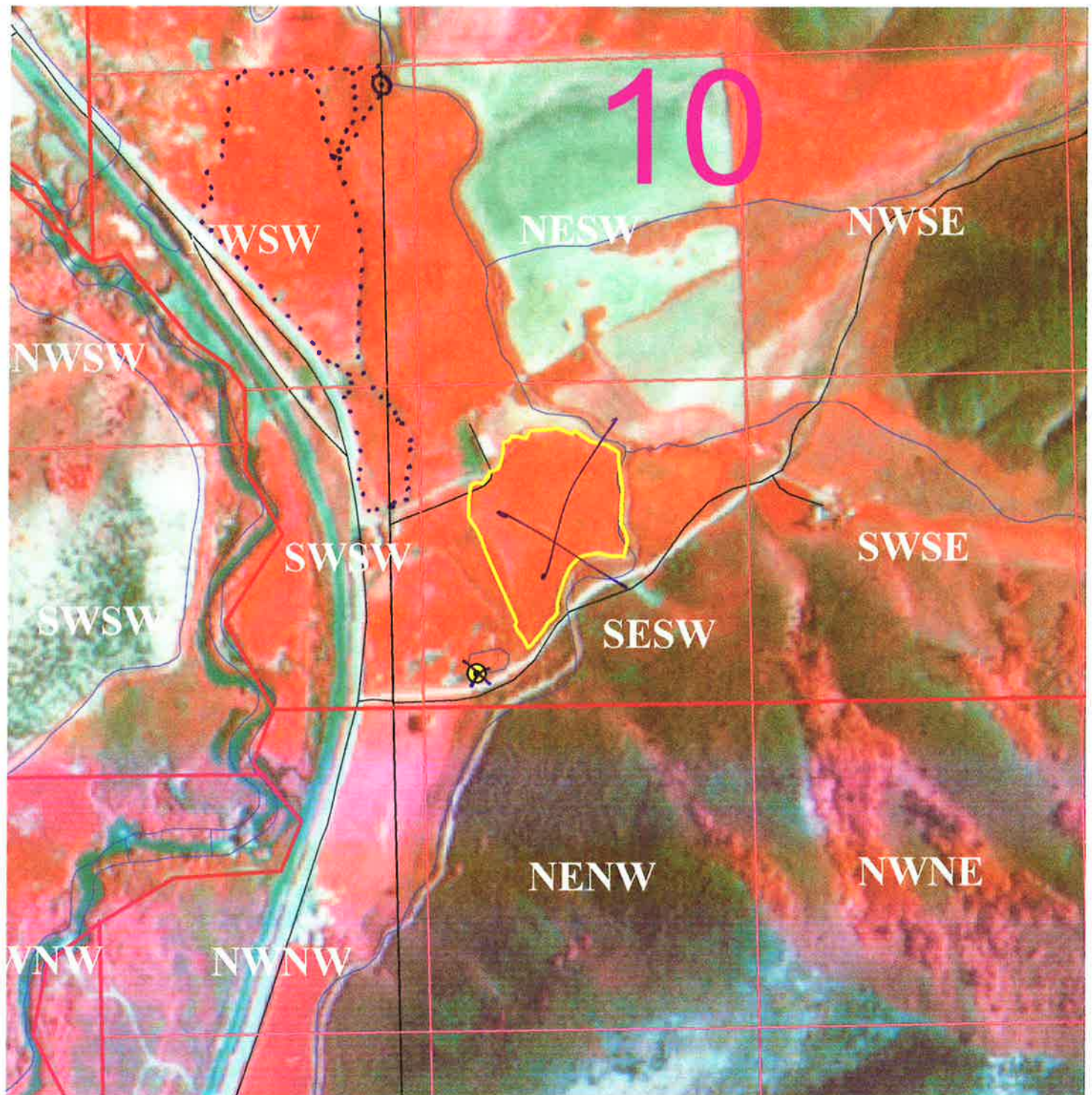
This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

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

EXPLANATORY MATERIAL: Beneficial Use

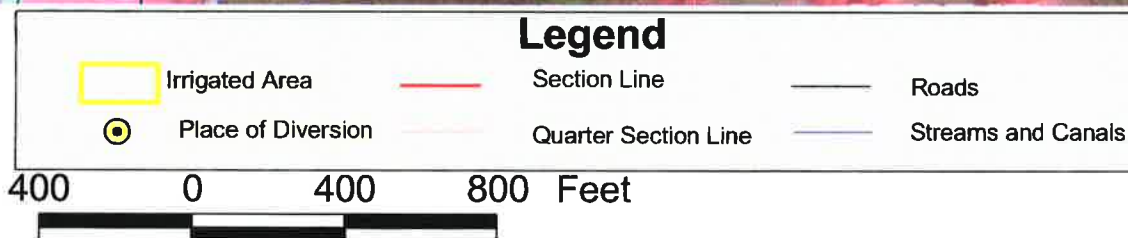
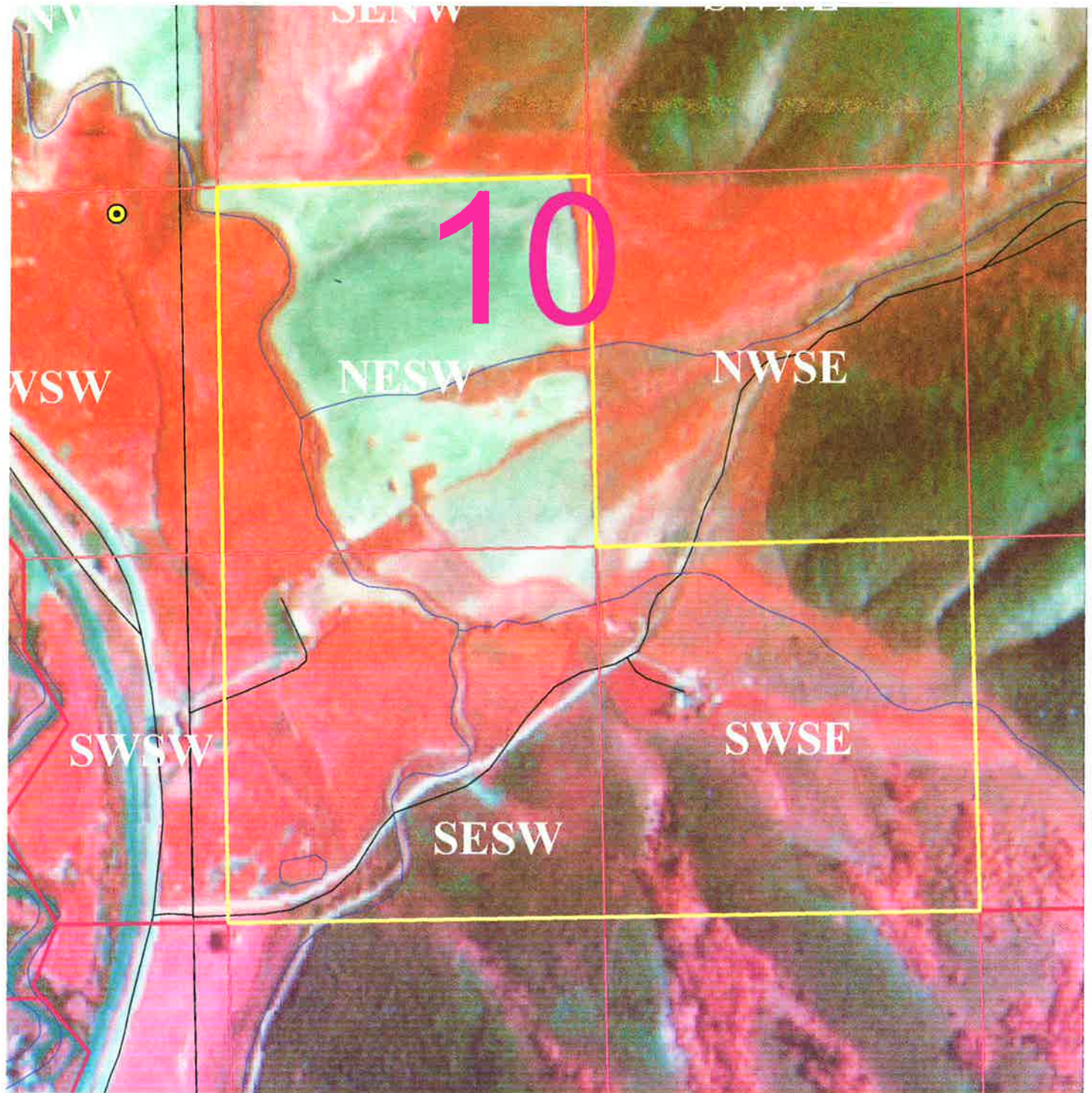
Water Right Claim Number A29-10073
Township , 9S38E

08/23/2000



Water Right Claim Number A29-10074
Township , 9S38E

08/23/2000



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-10074

WATER RIGHT NUMBER: 29-10074

Owner Type Name and Address
 Current Owner EVELYN J BENHAM
 5312 W TUCANNON
 KENNEWICK, WA 99336
 (509)783-3829
 Current Owner RAY D BENHAM
 5312 W TUCANNON
 KENNEWICK, WA 99336
 (509)783-3829

Priority Date: ~~10/15/1898~~ **4-1-1946**
 Basis: ~~Statutory Claim~~ **B.C.**
 Status: Active

Source Tributary
 SPRING PORTNEUF RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to ~~11/01~~ 10/31	~~0.200~~ CFS	
STOCKWATER	1/01 to 12/31	~~0.050~~ CFS 0.02	
<u>Total Diversion:</u>		~~0.200~~ CFS	

Location of Point(s) of Diversion
 SPRING **Lot 1** **NE NW SW**
 SE 1/4 SW 1/4 NW 1/4 Sec. 10, Twp 09S, Rge 38E, B.M.
 BANNOCK County

Place of Use
 IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
09S 38E 10									2.0	8.2	1.8	4.0			4.0		10.0
									Lot 1 Lot 2								

Total Acres: 10

STOCKWATER same as IRRIGATIONConditions of Approval:Remarks:Comments:Dates and Other Information:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 29-10074

Dates and Other Information:

Claim Received Date: 3/7/1990
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: AND
Water District Number: 29
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
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Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
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NOTICE OF ERROR
REPLY

02/08/2003

allen

RECEIVED
APR 07 2003
Department of Water Resources
Eastern Region

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: April 21, 2003

Water right number: 29-10074

EVELYN J BENHAM
5312 W TUCANNON
KENNEWICK WA 99336
Telephone Number: (509)783-3829

RAY D BENHAM
5312 W TUCANNON
KENNEWICK WA 99336
Telephone Number: (509)783-3829

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

 I AGREE with this proposed recommendation: no changes need to be made.

DATE: 23 Mar 03 SIGNATURE: Ray D Benham
Please print your name: RAY D Benham

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

SCANNED

MAY 17 2006

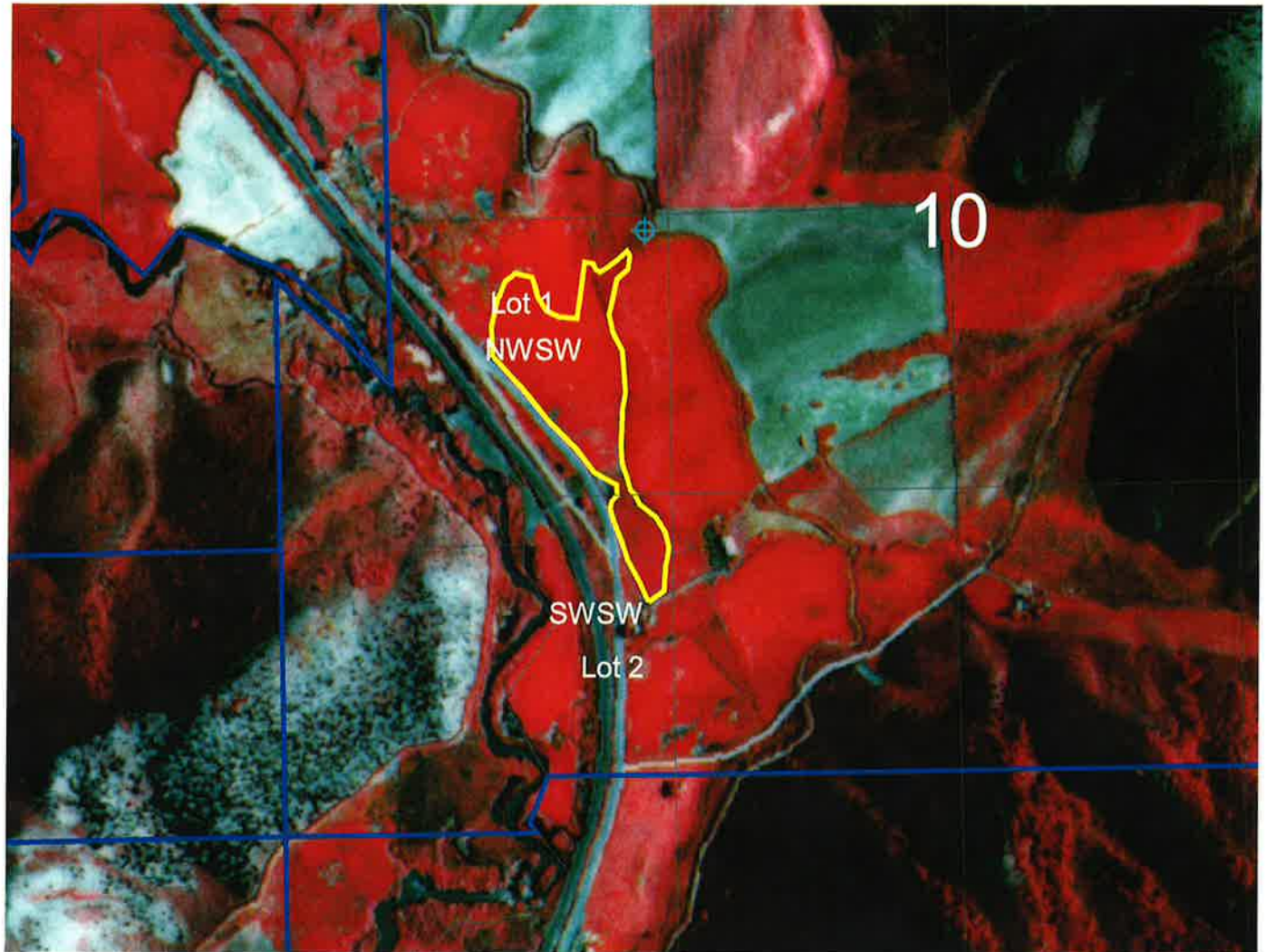
PROFILE



Department of Water Resources

Claim No.: 29-10074

Twps 09S, Rge 38E



0 1320 2640 3960 Feet

Irrigated Acres = 10

- GCDB09S38E GCDB
- Place of use.shp
- Diversion.shp
- Sections
- QQ



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepare by: E. Carlsen
Date: January 2003

MAY 16 2001

MEASURES RECD'D

29-10074

- Q's: 1.) Whom is this POD. Really? (see GRS)
- 2.) How does flood irrigation happen across the canal and up hill?
- 3.) What is 29-04272 about/relate?

I. EVIDENCE of Priority can be found in A29-10073.

A.) Use April 1, 1946 (begin of irrig season).

Log for claim A29-10074

Spatial Dynamics PJM

8/23/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s38e	10	NESW	2	39	Indiscernible
09s38e	10	SESW	4	40	Indiscernible
09s38e	10	SWSE	4	40	Indiscernible
Totals:			10	119	

SUB GPS ILLUSTRATION - wrong POD Location



IDAHO DEPARTMENT OF WATER RESOURCES

SNAKE RIVER BASIN ADJUDICATION - BASIN 29



RIGHT ID
POD ID
Quad
Claim Type
Easting
Northing
GPSID

Diversion Description

DITCH TO FLOOD IRRIGATION. 4 foot diameter corrugated, galvanized, steel culvert (smashed to an elliptical shape measuring 6 feet across).

Assumptions

Assume diversion is used for seasonal irrigation. Assume a water depth during irrigation season to be 1.5 feet (average). Assume elliptical pipe

Invoice #

Phase-0 (No Attention)
Phase-I (Ready to Go to Field)
Phase-II (Site Visit - Data Missin)
Phase-III (Complete w/issues)
Phase-IV (Total Complete)

Linked
Photos

OD ID 200007 01.JPG

EPE (ft)

Date (M/D/Y)

Time

Flow Rate (CFS)

4.06363636363636

Open Channel Flow

☒ Complete one box from both Area and Calculation sections

Cross Sectional Area

☐ Circular Channel

- ☐ Less than half full
- ☐ Half full
- ☐ More than half full
- ☐ Full

Diameter

Depth

☒ Rectangular Channel

Width

Depth

Flow Calculation

☐ Continuity

Velocity

☐ Orifice

(Use only for head over a pipe flowing full with free discharge)

Depth of Water above orifice centerline

☐ Weir

(Use only for water flowing freely over weir)

Height of water above nappe

Width of weir

☒ Manning (If used, include photo of representative channel section)

Channel Slope

Channel Description	Concrete lined	.016
	Smooth earth	.025
	Earth	.033
	Rough bed, weeds on sides	.04
	Smooth natural stream	.033
	Rough natural stream	.1

Pumped System

HP

Pressure Head (psi)

Elevation Head (ft)

Motor Mfg

Motor Serial #

Pump Type

Pump Mfg

Pump Serial#

New Contact Information

New Contact Comments

*This is the Dompoy -
Topaz Canal Culvert
NOT An Undammed Spring*

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DATE: 05/22/00
PAGE: 180

Audit: 03/08/90 THOMPSON 07/29/94 THOMPSON 03/29/95 POST-STD 05/10/00 CVANDERM

MAY 18 2001

650⁰⁰

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

RECEIVED

Ident. Number: A29-10074
Date Received: 7/20/1989
Receipt No: E012255
Received By: S.M.

MAR 7 - 1990

Department of Water Resources
Eastern District Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: RAY D. BENHAM 509-783-3829
Address: 5312 W. TUCANNON
KENNEWICK, WA 99336
AND/OR
Name: EVELYN J. BENHAM 509-783-3829
Address: 5312 W. TUCANNON
KENNEWICK, WA 99336

A2910074



2. Date of Priority: OCT 15, 1898
3. Source: UNNAMED SPRING Trib. to: PORTNEUF RIVER
4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
09S	38E	10	SE	SW	NW		BANNOCK

5. Description of diverting works:
DITCH TO FLOOD IRRIGATION

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	0.200		
STOCKWATER	01/01	12/31	0.050		

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

8. Total consumptive use is 25.0 Acre Feet Per Annum.

9. Non-irrigation uses:
STOCKWATER - 200 CATTLE

A29-10074

Page 1

Date: 07/20/89

MICROFILMED

NOV 13 1992

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09S	38E	10	NE SW		IRR	2.0
			SE SW		IRR	4.0
			SW SE		IRR	4.0

Section Acres 10.0

Total Acres 10.0

11. Place of use in counties: BANNOCK

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

13. Other Water Rights Used:

22.5 SHARES IN DEMPSEY CANAL COMPANY, A29-10073/04272

14. Remarks:

15. Basis of Claim: STATUTORY CLAIM

MICROFILMED
NOV 13 1992

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: 2

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): Ray P Benham Date: 20 July 1989

Date: _____

State of Idaho)
County of BONNEVILLE) SS.

Subscribed and sworn (or affirmed) before me this 20 day
of JULY 19 89

[Signature]
Notary Public

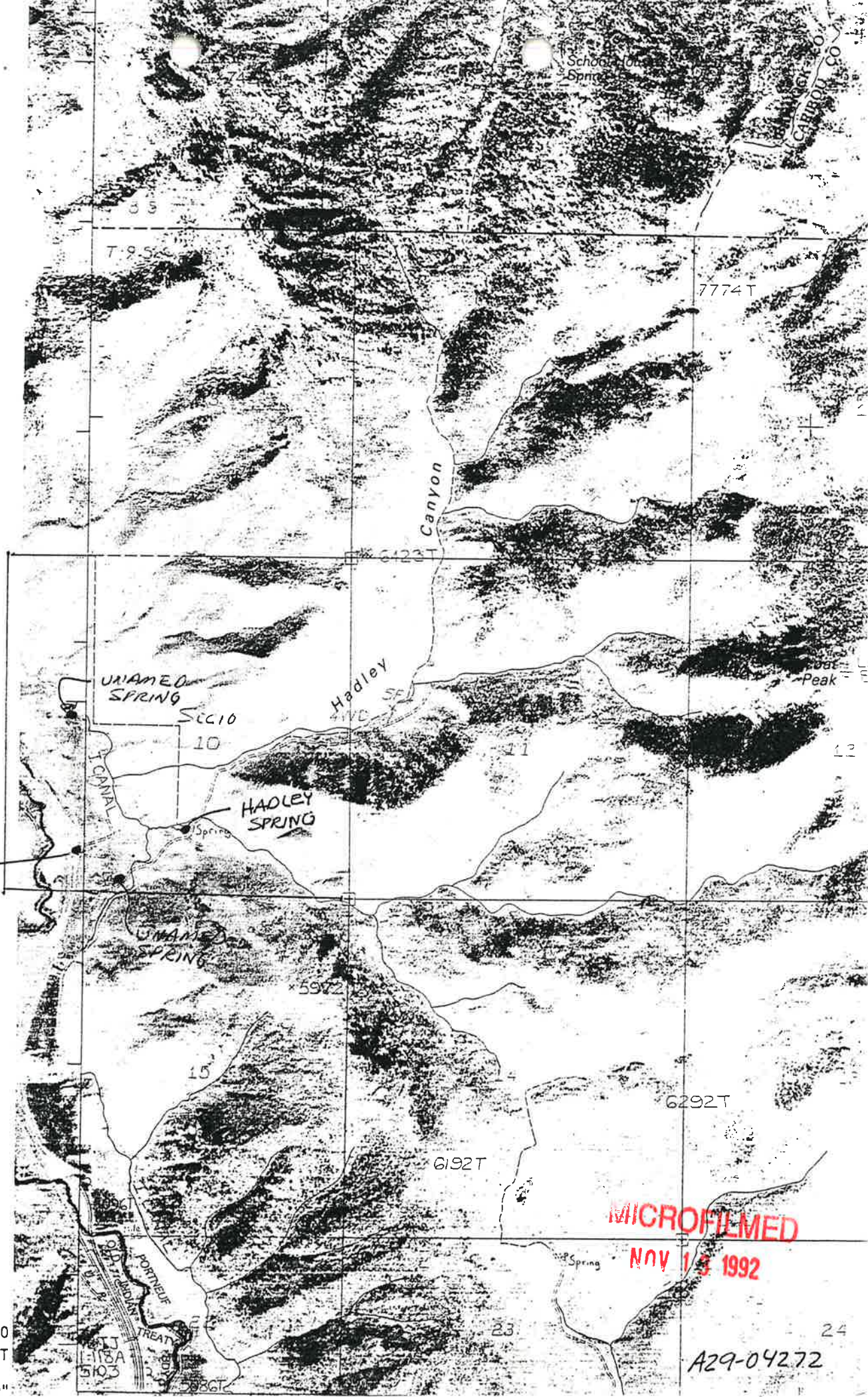
Seal

Residing at IDAHO FALLS
My Commission Expires 9-12-94

T8S
T9S

Home

350 000
FEET
42°37'30"



MICROFILMED
NOV 15 1992

A29-04272



T577
Ray Benham
#544

SEE
L13B

T303
Calvin Rowsett
#17.1

MICHAEL
NOV

A29-04272

A29-04012