

RECEIVED

MAY 25 2022

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

MAY 16 2022

MAY 09 2022

DEPARTMENT OF
WATER RESOURCES

NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

DEPT OF WATER RESOURCES
SOUTHERN REGIONDepartment of Water Resources
Eastern Region

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column. If the water right is leased to the Water Supply Bank, check "Yes". If you are not sure if the water right is leased to the Water Supply Bank, see #7 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
41-4030	Yes ☐	Yes ☐		Yes ☐	Yes ☐
41-7029 A	Yes ☐	Yes ☐		Yes ☐	Yes ☐
41-7029 B	Yes ☐	Yes ☒		Yes ☐	Yes ☐
41-10115	Yes ☐	Yes ☐		Yes ☐	Yes ☐
41-10116	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: Steve Benson (A.K.A. Donald Steven Benson or D. Steve Benson)
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): D. Steve Benson and Terri I. Benson, Trustees of the Benson Ranch Trust dated April 2, 2021, and any amendments thereto
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or

1590 Calico Circle
Mailing address
(208) 548-2330
Telephone

Pocatello ID 83201
City State Zip
Terri.Benson@bpx.com
Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.
5. Date you acquired the water rights and/or claims listed above: 06/23/2021
6. Do you own the land identified as the water right place of use? Yes ☒ No ☐
 o If no, attach evidence that written notice of the change of water right ownership has been delivered to the landowner of record.
7. This form must be signed and submitted with the following **REQUIRED** items:

- ☒ A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- ☒ Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- ☒ Filing fee (see instructions for further explanation):
 o \$25 per undivided water right.
 o \$100 per split water right.
 o No fee is required for pending adjudication claims.
- ☐ If water right(s) are leased to the Water Supply Bank AND there are multiple owners, a Lessor Designation form is required.
- ☒ If water right(s) are leased to the Water Supply Bank, the individual owner or designated lessor must complete, sign and submit an IRS Form W-9.

SUPPORT DATA

IN FILE # 41-4030

8. Signature: Terri I. Benson
Signature of new owner/claimant
Terri I. Benson
Print name

Signature: D. Steve Benson
Signature of new owner/claimant
D. Steve Benson
Print name

Trustee of the Benson Ranch Trust dated April 2, 2021 5-2-22
Title, if applicable Date

Trustee of the Benson Ranch Trust dated April 2, 2021 5-2-20
Title, if applicable Date

Received by JB Date 5/9/2022 For IDWR Office Use Only: Receipt No. E048112 Receipt Amt. \$125 -

Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing W-9 received? Yes ☐ No ☐

Name on W-9 _____ Approved by _____ Processed by gph Date 6-1-22



ESTATE PROTECTION
& PLANNING PLLC

Curry D. Andrews
Attorney at Law
202 Idaho Street
American Falls, ID 83211
(208) 226-5138 Office
curryandrews@gmail.com

NOTICE OF OWNERSHIP CHANGE: BENSON RANCH TRUST FUNDING

Attached to Notice of Change in Water Right Ownership Form

<u>Water Right No.</u>	<u>Deed No.</u>	<u>Parcel No.</u>
41-4030	218267	RPD1535-00 RPD1538-00 RPD1556-01 RPD1561-00
	218266	RPD1557-01
41-7029A	218267	RPD1561-00
41-7029B	218267	RPD1556-01
41-10115	218267	RPD1561-00
41-10116	218269	RPD2807-01

Enclosures:

Certificate of Trust and Trustee Affidavit (showing Trustee authority);
Print out from IDWR website – Water Reports & Maps (using map tool);
IRS Form W-9 (Water Right No. 41-7029B Lease to Water Supply Bank);
Instrument Nos. 21866, 21867, 21869 (conveyance documents);
Check for \$125.00 (\$25 per water right).

*For questions or additional information, please contact Estate Protection & Planning, PLLC.
202 Idaho Street, American Falls, ID 83211
(208) 226-5138*

Certification of Trust for the Benson Ranch Trust dated April 2, 2021

Pursuant to Idaho Code Ann. § 68-114, this Certification of Trust is signed by all the currently acting Trustees of the Benson Ranch Trust dated April 2, 2021, who declare:

1. The Grantors are D. Steve Benson, also known as Donald Steven Benson, and Terri I. Benson, also known as Teresa Ilene Benson. The trust is revocable by the Grantors, acting jointly and not separately.
2. The Trustees of the trust are D. Steve Benson (whose address is 4025 Georges Rd., American Falls, Idaho 83211) and Terri I. Benson (whose address is 4025 Georges Rd., American Falls, Idaho 83211). The signature of one Trustee is sufficient to exercise the powers of the Trustee.
3. The Successor Trustees of the trust are:

Upon Incapacity or Death:

The non-incapacitated or surviving spouse will serve as sole Trustee. If he or she is unable to serve or to continue to serve for any reason, then the following will serve as successor Trustee, in the order named:

Brian Roy Benson
Bradley Steven Benson

4. The tax identification number of the trust is the Social Security number of D. Steve Benson.
5. Title to assets held in the trust will be titled as:

D. Steve Benson and Terri I. Benson, Trustees of the Benson Ranch Trust dated April 2, 2021, and any amendments thereto.
6. An alternative description will be effective to title assets in the name of the trust or to designate the trust as a beneficiary if the description includes the name of at least one initial or successor Trustee, any reference indicating that property is being held in a fiduciary capacity, and the date of the trust.
7. Excerpts from the trust document that establish the trust, designate the Trustee, and set forth the powers of the Trustee will be provided upon request. The powers of the Trustees include the power to acquire, sell, assign, convey, pledge, encumber, lease, borrow, manage, and deal with real and personal property interests.
8. The terms of the trust provide that a third party may rely upon this Certification of Trust as evidence of the existence of the trust and is specifically relieved of any obligation to inquire

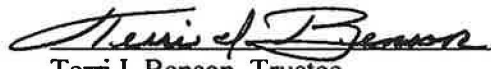
into the terms of this trust or the authority of my Trustee, or to see to the application that my Trustee makes of funds or other property received by my Trustee.

9. The trust has not been revoked, modified, or amended in any way that would cause the representations in this Certification of Trust to be incorrect.

April 2, 2021


D. Steve Benson, Trustee

April 2, 2021


Terri I. Benson, Trustee

STATE OF IDAHO

)

) ss.

COUNTY OF POWER

)

On this day, April 2, 2021, before me Curry D. Andrews, a notary public, personally appeared D. Steve Benson and Terri I. Benson, as Trustees, personally known to me (or proved to me on the basis of satisfactory evidence) to be the persons whose names are subscribed to the within Certification of Trust, and acknowledged that they executed the same.

[Seal]




Curry D. Andrews, Notary Public
202 Idaho St
American Falls, Idaho 83211-1236
My commission expires: June 23, 2021

Trustee Affidavit

D. Steve Benson and Terri I. Benson being first duly sworn upon oath, depose and say:

1. Affiants are the Trustees of the Revocable Living Trust named below and as such have the authority to execute this Trustee Affidavit.
2. This Trustee Affidavit relates to the Benson Ranch Trust, dated April 2, 2021.
3. The names of the currently serving Trustees of the above-described trust are:

D. Steve Benson

Terri I. Benson

4. Selected provisions of the trust, including the pages naming the initial Trustees, creating the trust, stating the relevant trustee powers, stating the revocability of the trust, designating successor Trustees, as well as a copy of the signature pages, may be attached to this Trustee Affidavit or are available upon request.
5. Under the terms of the trust, any person may rely upon this Trustee Affidavit as evidence of the existence of the trust and is relieved of any obligation to verify that any transaction entered into by a Trustee or successor Trustee is consistent with the terms and conditions of the trust.
6. The other provisions of the trust are of a personal nature and set forth the distribution of trust property. They do not modify the powers of the Trustee.
7. The trust has not been revoked.

Dated: April 2, 2021


D. Steve Benson, Trustee

Terri I. Benson, Trustee

)

) SS.

)

[Seal]



Curry D. Andrews, Notary Public

202 Idaho St

American Falls, Idaho 83211-1236

My commission expires: June 23, 2021

AFTER RECORDING, PLEASE RETURN TO:

Curry D. Andrews & Macy M. Sprague, Attorneys at Law
Estate Protection & Planning, PLLC
202 Idaho St., American Falls, ID 83211
(208) 226-5138 Office

Send Tax Statements to:

The Benson Ranch Trust
Attn. Steve & Terri Benson
1590 Calico Circle, Pocatello, ID 83201
(208) 548-2330

Instrument # 218266

POWER COUNTY, IDAHO
06-23-2021 09:24:01 AM No. of Pages: 2
Recorded for: ESTATE PROTECTION & PLANNING,
SHAREE SPRAGUE Fee: \$15.00
Ex-Officio Recorder Deputy: Flor Cardona
Electronically Recorded by Simplifile

GRANTORS: Steven Benson and Teresa Benson
GRANTEE: D. Steve Benson and Terri I. Benson, Trustees of the Benson Ranch Trust dated April 2, 2021, and any amendments thereto
PARCEL NO: RPD1557-01 (3.4 acres at Benson Ranch)

WARRANTY DEED

THE UNDERSIGNED Grantors, Steven Benson and Teresa Benson, hereby grant, bargain, sell, convey and confirm to D. Steve Benson and Terri I. Benson, Trustees of the Benson Ranch Trust dated April 2, 2021, and any amendments thereto, the following property formerly conveyed under instrument no. 206722, a Warranty Deed, located in Power County, Idaho, to wit:

SEE EXHIBIT "A" LEGAL DESCRIPTION

TOGETHER WITH ALL APPURTENANCES. SUBJECT TO: TAXES, EASEMENTS, RESTRICTIONS, COVENANTS, ENCUMBRANCES AND ASSESSMENTS AS SHOWN OF RECORD.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that the premises are free from all encumbrances and that the said Grantors will warrant and defend the same from all lawful claims whatsoever.

DATED this 22 day of June, 2021.

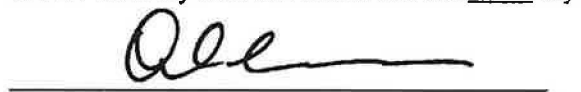

STEVEN BENSON, GRANTOR


TERESA BENSON, GRANTOR

STATE OF IDAHO)
) ss.
COUNTY OF POWER)

On this day personally appeared before me STEVEN BENSON and TERESA BENSON, THE GRANTORS, to me known to be the individuals described herein and who executed the within and foregoing instrument, and acknowledged that he and she signed the same as his and her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 22nd day of June, 2021.


NOTARY PUBLIC in and for the STATE OF IDAHO,
Residing in: AMERICAN FALLS, IDAHO
My Commission Expires: JUNE 23, 2021



WARRANTY DEED - 1

EXHIBIT "A"
LEGAL DESCRIPTION

A Parcel of Land of approximately 3.4 acres in the Southwest corner of the Southwest Quarter of the NW Quarter (SW¼NW¼) of Section 28, Township 9 South, Range 29, East of the Boise Meridian lying South and West of Fall Creek.

AFTER RECORDING, PLEASE RETURN TO:

Curry D. Andrews & Macy M. Sprague, Attorneys at Law
Estate Protection & Planning, PLLC
202 Idaho St., American Falls, ID 83211
(208) 226-5138 Office

Send Tax Statements to:

The Benson Ranch Trust
Attn. Steve & Terri Benson
1590 Calico Circle, Pocatello, ID 83201
(208) 548-2330

Instrument # 218267

POWER COUNTY, IDAHO
06-23-2021 09:24:01 AM No. of Pages: 2
Recorded for: ESTATE PROTECTION & PLANNING,
SHAREE SPRAGUE Fee: \$15.00
Ex-Officio Recorder Deputy: Flor Cardona
Electronically Recorded by Simplifile

GRANTORS: Donald Steven Benson and Teresa Benson, Husband and Wife
GRANTEE: D. Steve Benson and Terri I. Benson, Trustees of the Benson Ranch Trust dated April 2, 2021, and any amendments thereto
PARCEL NO: RPD1535-00; RPD1538-00; RPD1554-00; RPD1561-00 (Fall Creek Ranch Parcels)

WARRANTY DEED

THE UNDERSIGNED Grantors, Donald Steven Benson and Teresa Benson, Husband and Wife, hereby grant, bargain, sell, convey and confirm to D. Steve Benson and Terri I. Benson, Trustees of the Benson Ranch Trust dated April 2, 2021, and any amendments thereto, the following property formerly conveyed under instrument no. 178894, a Warranty Deed, located in Power County, Idaho, to wit:

SEE EXHIBIT "A" LEGAL DESCRIPTION

TOGETHER WITH ALL APPURTENANCES. SUBJECT TO: TAXES, EASEMENTS, RESTRICTIONS, COVENANTS, ENCUMBRANCES AND ASSESSMENTS AS SHOWN OF RECORD.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that the premises are free from all encumbrances and that the said Grantors will warrant and defend the same from all lawful claims whatsoever.

DATED this 22 day of June, 2021.


DONALD STEVEN BENSON, GRANTOR


TERESA BENSON, GRANTOR

STATE OF IDAHO)
) ss.
COUNTY OF POWER)

On this day personally appeared before me DONALD STEVEN BENSON and TERESA BENSON, THE GRANTORS, to me known to be the individuals described herein and who executed the within and foregoing instrument, and acknowledged that he and she signed the same as his and her free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 22nd day of June, 2021.


NOTARY PUBLIC in and for the STATE OF IDAHO,
Residing in: AMERICAN FALLS, IDAHO
My Commission Expires: JUNE 23, 2021



WARRANTY DEED - 1

EXHIBIT "A"
LEGAL DESCRIPTION

The Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$) and the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$) and the South Half of the Northwest Quarter (S $\frac{1}{2}$ NW $\frac{1}{4}$), all in Section 28, Township 9 South, Range 29 East, Boise Meridian, EXCEPTING AND EXCLUDING THEREFROM a parcel of land of approximately 3.4 acres in the Southwest Corner of the Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$), Section 28, Township 9 South, Range 29 East, Boise Meridian, lying South and West of Fall Creek.

All in Township Nine (9) South, Range Twenty-Nine (29) East,

Section 21: East Half of the Northeast Quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$); Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$); South Half (S $\frac{1}{2}$); Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$);

Section 22: Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$); South Half of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$);

Section 27: Southeast Quarter of the Northwest Quarter (SE $\frac{1}{4}$ NW $\frac{1}{4}$); West Half of the Northwest Quarter (W $\frac{1}{2}$ NW $\frac{1}{4}$); North Half of the Southwest Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$);

Section 28: East Half of the Northeast Quarter (E $\frac{1}{2}$ NE $\frac{1}{4}$); Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$); North Half of the South Half (N $\frac{1}{2}$ S $\frac{1}{2}$); Southwest Quarter of the Northeast Quarter (SW $\frac{1}{4}$ NE $\frac{1}{4}$);

Section 29: North Half of the Northeast Quarter (N $\frac{1}{2}$ NE $\frac{1}{4}$); Southeast Quarter of the Northeast Quarter (SE $\frac{1}{4}$ NE $\frac{1}{4}$); Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$).

AFTER RECORDING, PLEASE RETURN TO:

Curry D. Andrews & Macy M. Sprague, Attorneys at Law
Estate Protection & Planning, PLLC
202 Idaho St., American Falls, ID 83211
(208) 226-5138 Office

Send Tax Statements to:

The Benson Ranch Trust
Attn. Steve & Terri Benson
1590 Calico Circle, Pocatello, ID 83201
(208) 548-2330

Instrument # 218269

POWER COUNTY, IDAHO
06-23-2021 09:24:01 AM No. of Pages: 3
Recorded for: ESTATE PROTECTION & PLANNING,
SHAREE SPRAGUE Fee: \$15.00
Ex-Officio Recorder Deputy: Flor Cardona
Electronically Recorded by Simplifile

GRANTOR: Donald Steven Benson, a married man as his sole and separate property
GRANTEE: D. Steve Benson and Terri I. Benson, Trustees of the Benson Ranch Trust dated April 2, 2021, and any amendments thereto
PARCEL NOS: RPD2799-00; RPD2805-00; RPD2807-01; RPD2825-00; RPD2836-00; RPD2754-12
(Ranch at Roy)

WARRANTY DEED

THE UNDERSIGNED Grantor, Donald Steven Benson, a married man, hereby grants, bargains, sells, conveys and confirms to D. Steve Benson and Terri I. Benson, Trustees of the Benson Ranch Trust dated April 2, 2021, and any amendments thereto, the following property formerly conveyed under instrument no. 216841, a Quit Claim Deed, located in Power County, Idaho, to wit:

SEE EXHIBIT "A" LEGAL DESCRIPTION

TOGETHER WITH ALL APPURTENANCES. SUBJECT TO: TAXES, EASEMENTS, RESTRICTIONS, COVENANTS, ENCUMBRANCES AND ASSESSMENTS AS SHOWN OF RECORD.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that the premises are free from all encumbrances and that the said Grantors will warrant and defend the same from all lawful claims whatsoever.

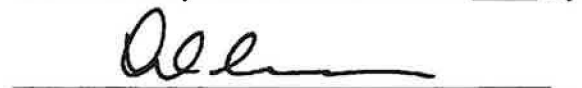
DATED this 22nd day of June, 2021.


DONALD STEVEN BENSON, GRANTOR

STATE OF IDAHO)
) ss.
COUNTY OF POWER)

On this day personally appeared before me DONALD STEVEN BENSON, THE GRANTOR, to me known to be the individual described herein and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

GIVEN under my hand and official seal this 22nd day of June, 2021.


NOTARY PUBLIC in and for the STATE OF IDAHO,
Residing in: AMERICAN FALLS, IDAHO
My Commission Expires: JUNE 23, 2021

WARRANTY DEED - 1



EXHIBIT "A"
LEGAL DESCRIPTION

RPD2799-00

All of the Northeast $\frac{1}{4}$ of Section 19, Township 12 South, Range 31 East, Boise Meridian, Power County, Idaho.

RPD2805-00

All of the South $\frac{1}{2}$ of Section 20, Township 12 South, Range 31 East, Boise Meridian, Power County, Idaho.

RPD2807-01

All of the West $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 21, Township 12 South, Range 31 East, Boise Meridian, Power County, Idaho, less the following described parcel.

Part of the West $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 21, Township 12 South, Range 31 East, Boise Meridian, Power County, Idaho, described as:

COMMENCING at the Southwest corner of said Section 21;
Thence South $89^{\circ}22'20''$ East 342.00 feet to the POINT OF BEGINNING;
Thence North $00^{\circ}37'40''$ East 203.85 feet;
Thence South $89^{\circ}22'20''$ East 213.69 feet;
Thence South $00^{\circ}37'40''$ West 203.85 feet to the South line of said Section;
Thence along said South line North $89^{\circ}22'20''$ West 213.69 feet to the POINT OF BEGINNING.

RPD2825-00

All of the Northwest $\frac{1}{4}$ and the North $\frac{1}{2}$ of the Southwest $\frac{1}{4}$ of Section 28, Township 12 South, Range 31 East, Boise Meridian, Power County, Idaho.

RPD2836-00

All of Government Lot 4 and the Southeast $\frac{1}{4}$ of the Southwest $\frac{1}{4}$ of Section 30, Township 12 South, Range 31 East, Boise Meridian, Power County, Idaho.

RPD 2754-12

Part of the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ and the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 25, Township 12 South, Range 30 East, Boise Meridian, Power County, Idaho, described as:

COMMENCING at the Southwest corner of said Section 25;
Thence North $89^{\circ}35'04''$ East along the South line of Section 25, 3377.33 feet to the POINT OF BEGINNING;
Thence along a field edge for the following (13) thirteen courses;
1) North $09^{\circ}42'23''$ East 53.35 feet to the beginning of a curve;
2) Thence along said curve to the right for 193.82 feet, a Delta of: $44^{\circ}25'16''$, Radius: 250.00 feet, Chord Bearing North $31^{\circ}55'01''$ East 189.01 feet;
3) Thence North $54^{\circ}07'39''$ East 164.45 feet;
4) Thence North $52^{\circ}25'12''$ East 119.57 feet;
5) Thence North $40^{\circ}08'55''$ East 184.84 feet;

- 6) Thence North $36^{\circ}40'37''$ East 177.48 feet to the beginning of a curve;
 - 7) Thence along said curve to the right 340.81 feet a Delta of: $43^{\circ}23'37''$, Radius: 450.00 feet, Chord Bearing North $58^{\circ}22'26''$ East 332.73 feet;
 - 8) Thence North $80^{\circ}04'15''$ East 162.16 feet to the beginning of a curve
 - 9) Thence along said curve to the left 229.48 feet a Delta of: $19^{\circ}28'45''$, Radius: 675.00 feet, Chord Bearing North $70^{\circ}19'52''$ East 228.38 feet;
 - 10) Thence North $60^{\circ}35'30''$ East 364.72 feet;
 - 11) Thence North $58^{\circ}33'50''$ East 296.19 feet;
 - 12) Thence North $62^{\circ}04'52''$ East 78.43 feet;
 - 13) Thence North $70^{\circ}13'37''$ East 62.39 feet to the East line of said Section;
- Thence South $00^{\circ}09'00''$ East along said East Section line 1322.69 feet to the South line of said Section;
- Thence South $89^{\circ}35'04''$ West along said South Section line 1922.18 feet to the POINT OF BEGINNING.

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

4/18/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 41-4030

Owner Type	Name and Address
Current Owner	STEVE BENSON 4025 GEORGES RD AMERICAN FLS, ID 83211-5504 2085482330
Directors Report Owner	DON BENSON 1233 IDANHA AMERICAN FALLS, ID 83271 2085482330

Priority Date: 04/01/1924

Basis: Decreed

Status: Active

Source	Tributary
FALL CREEK	SNAKE RIVER

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	2 CFS	
Total Diversion			2 CFS	

Location of Point(s) of Diversion:

FALL CREEK | NENE | Sec. 29 | Township 09S | Range 29E | POWER County

IRRIGATION Use:

Acre Limit: 107.5

Place(s) of use:

Place of Use Legal Description: IRRIGATION POWER County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
09S	29E	21		SENW	38									
				NESW	38		NWSW	38		SWSW	38		SESW	39
				NESE	39		NWSE	39		SWSE	39		SESE	39
		22		NWSW	40		SWSW	40						
		28		NENE	39		NWNE	39		SWNE	39			
				NENW	39		NWNW	39		SWNW	35		SENW	39
				NESW	39		NWSW	39						
		29		NENE	39		NWNE	39		SENE	39			
				NESE	39									

Total Acres: 930

Conditions of Approval:

- 206 This right is limited to the irrigation of a specific 107.5 acres within the 930 acre place of use authorized by this right in a single irrigation season. The specific 107.5 acres to be irrigated by the right holder are shown in the electronic shape file associated with this right in the geographic information system component of the water rights database maintained by the department. Before changing the 107.5 acres to be irrigated within the 930 acre place of use, the right holder shall submit a new land list and representative electronic shape file or map to the Department prior to the irrigation season in which the change will occur.
- X27 This right is limited to the irrigation of 107.5 acres within the authorized place of use in a single irrigation season.
- 01M After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
- R64 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the place of use.
- T07 The right holder shall accomplish the change authorized by this transfer within one year of the date of this approval.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

Dates:

Licensed Date:

Decreed Date: 05/01/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: Or

Water District Number: NWD

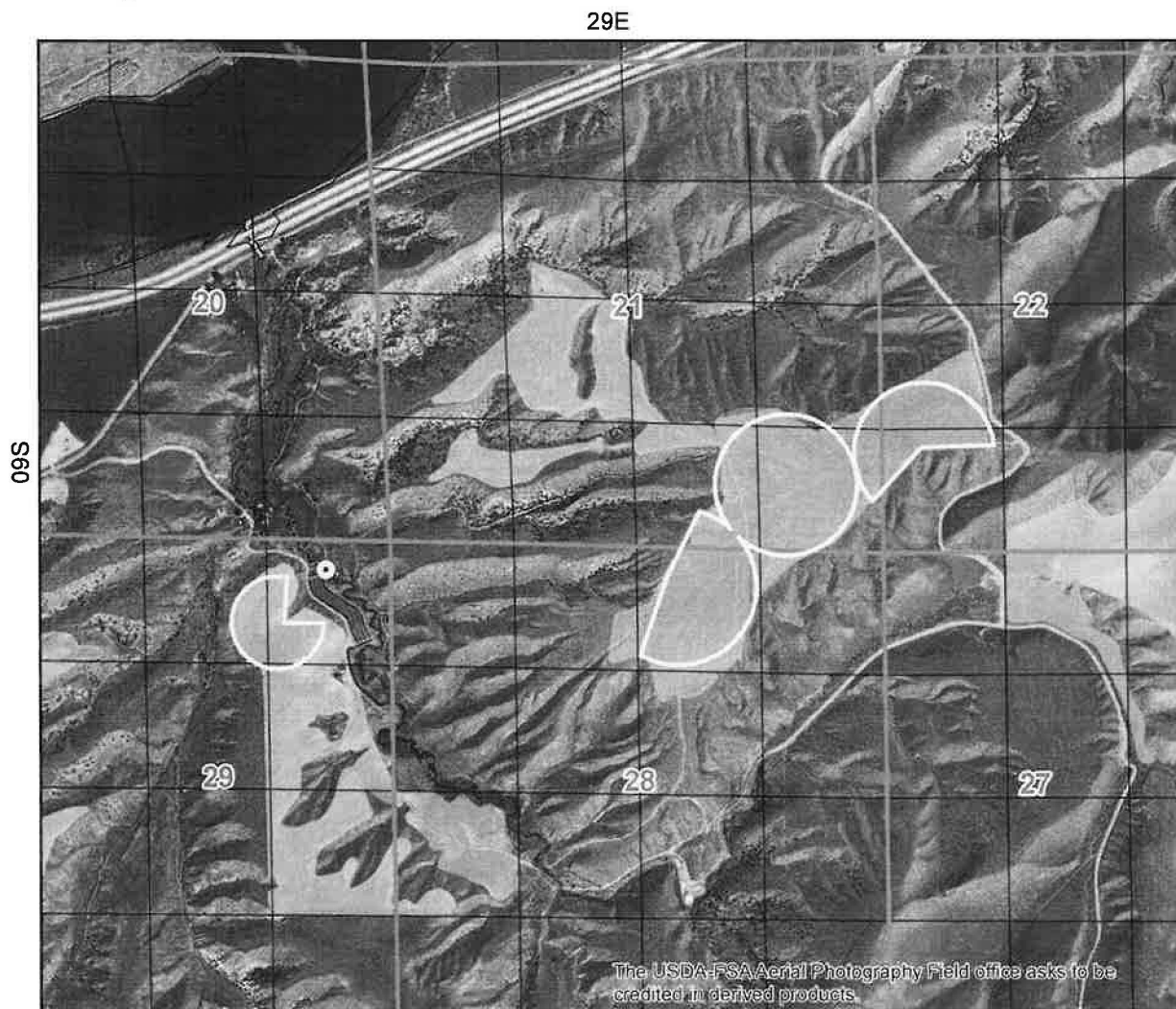
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust: N
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

State of Idaho
Department of Water Resources

Water Right
41-4030

IRRIGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- ▬ Townships
- ▬ PLS Sections
- ▬ Quarter Quarters

0 0.225 0.45 0.9 Miles



IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

4/18/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 41-7029A

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STEVE BENSON 4025 GEORGES RD AMERICAN FLS, ID 83211-5504 2085482330
Directors Report Owner	STAN BENSON 216 POLK AMERICAN FALLS, ID 83211 2085482330
Directors Report Owner	DON BENSON 231 POLK AMERICAN FALLS, ID 83211 2085482331

Priority Date: 10/03/1978

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
FALL CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>
FISH PROPAGATION	1/01 12/31	25.4 CFS	18295 AFA
Total Diversion		25.4 CFS	18295 AFA

Location of Point(s) of Diversion:

FALL CREEK|SENE|Sec. 29|Township 09S|Range 29E|POWER County

Place(s) of use:

Place of Use Legal Description: FISH PROPAGATION POWER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
09S	29E	29	NENE											

Conditions of Approval:

1. FACILITY VOLUME OF EPA SITE 324,000 CF.
2. C18 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.

Dates:

Licensed Date:

Decreed Date: 07/28/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: Or

Water District Number: NWD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

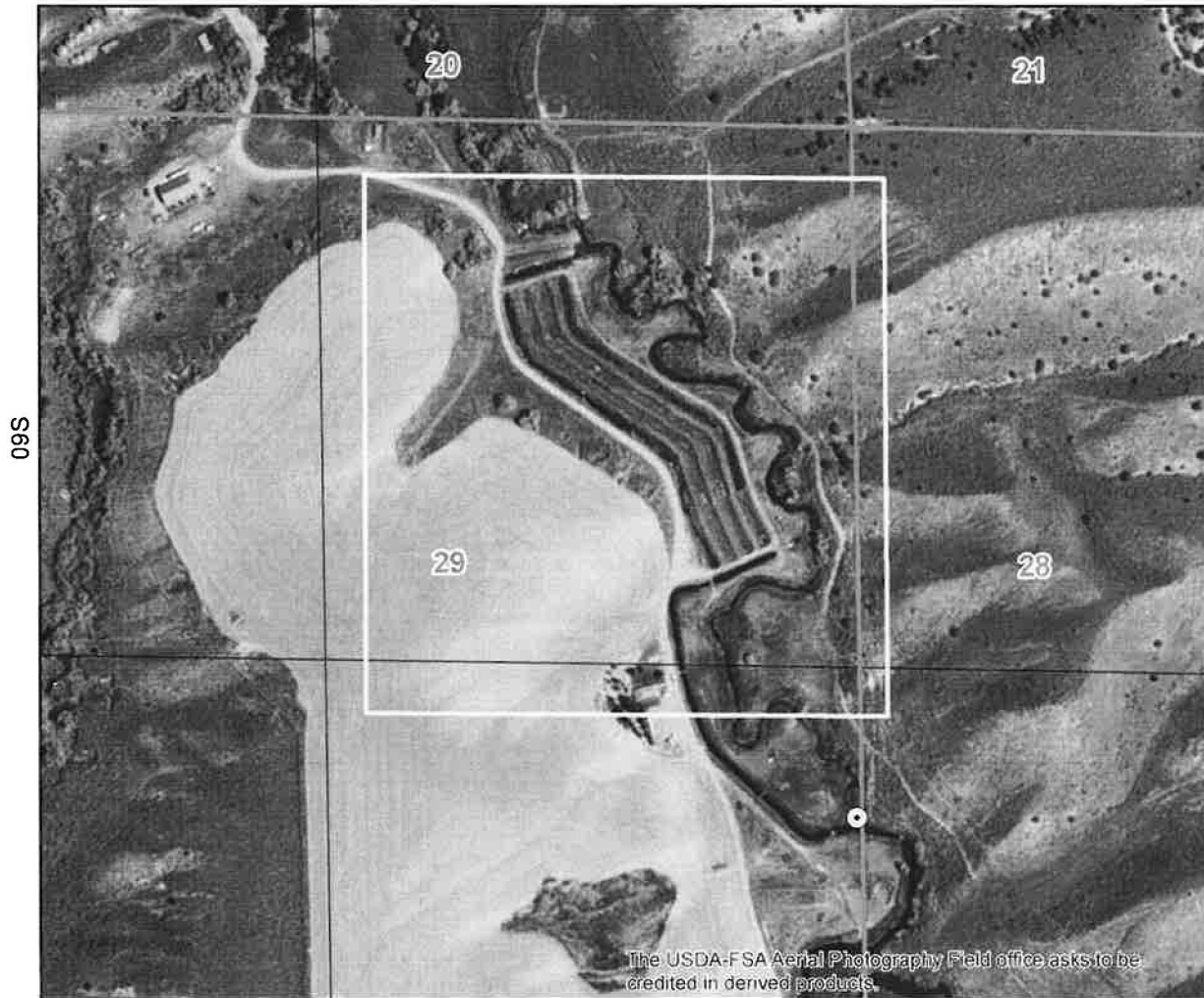
State of Idaho
Department of Water Resources

Water Right
41-7029A

FISH PROPAGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

29E



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.05 0.1 0.2 Miles



IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

4/18/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 41-7029B

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STEVE BENSON 4025 GEORGES RD AMERICAN FLS, ID 83211-5504 2085482330
Directors Report Owner	STAN BENSON 216 POLK AMERICAN FALLS, ID 83211 2085482330
Directors Report Owner	DON BENSON 231 POLK AMERICAN FALLS, ID 83211 2085482331

Priority Date: 10/03/1978

Basis: Decreed

Status: Active

Water Supply Bank Status: Active

<u>Source</u>	<u>Tributary</u>
FALL CREEK	SNAKE RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
FISH PROPAGATION	1/01	12/31	22.3 CFS	16145 AFA
Total Diversion			22.3 CFS	16145 AFA

Location of Point(s) of Diversion:

FALL CREEK|NWSE|Sec. 28|Township 09S|Range 29E|POWER County

Place(s) of use:

Place of Use Legal Description: FISH PROPAGATION POWER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
09S	29E	28		NWSE										

Conditions of Approval:

1. FACILITY VOLUME OF DOMSEA SITE 115,720 CF.
2. C18 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.

Dates:

Licensed Date:

Decreed Date: 08/29/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: Or

Water District Number: NWD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Water Supply Bank:

Lessor Name(s): STEVE BENSON

Lease Status: Active

Lease Amount: All

Rental Availability: All

Date Received: 5/26/2005

Lease Begin Date: 1/15/2013
Expiration Date: 12/31/2018

State of Idaho
Department of Water Resources

Water Right
41-7029B

FISH PROPAGATION

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.

29E



- ⊙ Point of Diversion
- ▭ Place Of Use Boundary
- ▭ Townships
- ▭ PLS Sections
- ▭ Quarter Quarters

0 0.045 0.09 0.18 Miles





Water Right: 41-7029B

Priority Date	October 2, 1978
Contract Number	945
Contract Status	Active
Contract Start	December 31, 2018
Contract End	December 30, 2023
WR Owner	STEVE BENSON
Source	FALL CREEK
Source Qualifier	
Tributary Of	SNAKE RIVER
Tributary Of Qualifier	
Rate	22.30
Volume	16,145.00
Acres	0.00
Combined Rate Limit	22.30
Combined Volume Limit	16,145.00
Combined Total Acres	
Management Area	
SpatialDataID	428781
WRDocs	More info

[Zoom to](#)

Maxar, Microsoft

200ft

41.00442109 Degrees

All rights reserved

IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

4/18/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 41-10115

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	STEVE BENSON 4025 GEORGES RD AMERICAN FLS, ID 83211-5504 2085482330
Directors Report Owner	DON BENSON 216 POLK AMERICAN FALLS, ID 83211 2085482330

Priority Date: 12/31/1984

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	1/01	12/31	0.04 CFS	
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

GROUND WATER|NESENE|Sec. 29|Township 09S|Range 29E|POWER County

Place(s) of use:

Place of Use Legal Description: DOMESTIC POWER County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
09S	29E	29		SENE										

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. C18 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.
3. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Dates:

Licensed Date:

Decreed Date: 08/02/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: NWD

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

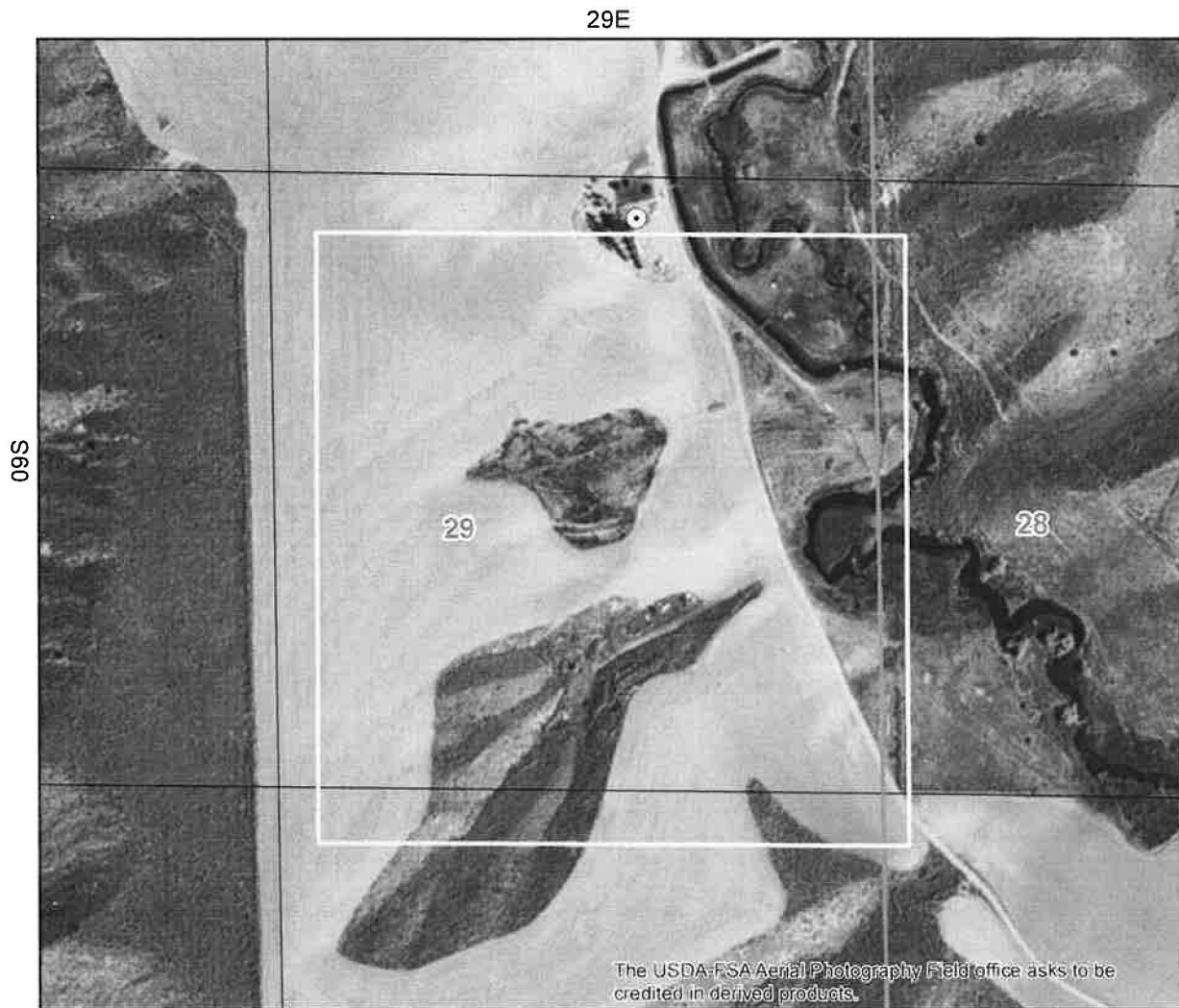
Mitigation Plan: False

State of Idaho
Department of Water Resources

Water Right
41-10115

DOMESTIC

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.0475 0.095 0.19 Miles



IDAHO DEPARTMENT OF WATER RESOURCES

WATER RIGHT REPORT

4/18/2022

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 41-10116

Owner Type	Name and Address
Current Owner	DON BENSON 231 POLK AMERICAN FALLS, ID 83211 2085482331
Current Owner	STEVE BENSON 4025 GEORGES RD AMERICAN FLS, ID 83211-5504 2085482330

Priority Date: 12/31/1910

Basis: Decreed

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
DOMESTIC	1/01	12/31	0.04 CFS	
Total Diversion			0.04 CFS	

Location of Point(s) of Diversion:

GROUND WATER|SESWW|Sec. 21|Township 12S|Range 31E|POWER County

Place(s) of use:

Place of Use Legal Description: DOMESTIC POWER County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
12S	31E	21		SWSW										

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. C18 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.
3. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

Dates:

Licensed Date:

Decreed Date: 06/07/2001

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector: AND/OR

Water District Number: EXC

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

State of Idaho
Department of Water Resources

Water Right
41-10116

DOMESTIC

The map depicts the place of use for the water use listed above and point(s) of diversion of this right as currently derived from interpretations of the paper records and is used solely for illustrative purposes. Discrepancies between the computer representation and the permanent document file will be resolved in favor of the actual water right documents in the water right file.



- ⊙ Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections
- Quarter Quarters

0 0.045 0.09 0.18 Miles





IDAHO DEPARTMENT OF
WATER RESOURCES

322 E Front Street, Suite 648, Boise ID 83702 • PO Box 83720, Boise ID 83720-0098
Phone: 208-287-4800 • Fax: 208-287-6700 • Email: idwrinfo@idwr.idaho.gov • Website: idwr.idaho.gov

Governor Brad Little

Director Gary Spackman

June 01, 2022

BENSON RANCH TRUST
1590 CALICO CIR
POCATELLO ID 83201-7121

Re: Change in Ownership for Water Right No(s): 41-4030, 41-7029A, 41-7029B, 41-10115 & 41-10116

Dear Water Right Holder(s):

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water right(s) to you. The Department has modified its records and has enclosed a computer-generated report for you.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing a Notice of Change in Water Right Ownership, the Department does not review the history of water use to determine if the right has been forfeited or deliberately abandoned through five years or more of non-use. To read more about water right forfeiture, including how to protect a water right from forfeiture, please see Idaho Code §§ 42-222 and 42-223.

Please note, water right(s) **41-7029B** was leased to the Water Supply Bank (bank) in **2019**. In accordance with the bank lease acceptance, the lessor/current right holder (right holder) may not use the right(s) while it is in the bank, even if the right(s) is not rented from the bank. The right(s) will remain in the bank until **December 31, 2023**, unless released earlier by the Water Resource Board or upon request by the right holder. To reduce the term of the lease, the right holder must submit a written request to the department. The department will verify if the right is rented or available for release and notify the right holder of the release date.

Please note, water right owners are required to report any change of water right ownership and any change of mailing address to the Department within 120 days of the change. Reporting forms are available from any office of the Department, or from the Department's website.

If you have any questions concerning the enclosed information, please contact me at (208) 287-4942.

Sincerely,

Jean Hersley
Technical Records Specialist 2

Enclosure(s)

c: Water Supply Bank