

RECEIVED

JUN 16 2021

DEPARTMENT OF
WATER RESOURCESSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 27 2021

WATER RESOURCES
WESTERN REGION

Notice of Change in Water Right Ownership

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 #6 of the instructions.

Water Right/Claim No.	Split?	Leased to Water Supply Bank?	Water Right/Claim No.	Split?	Leased to Water Supply Bank?
57-1000	Yes ☐	Yes ☐		Yes ☐	Yes ☐
57-10297	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐
	Yes ☐	Yes ☐		Yes ☐	Yes ☐

2. Previous Owner's Name: BENSON, JACQUELINE L McKEE; BENSON, THOMAS EDWARD
Name of current water right holder/claimant
3. New Owner(s)/Claimant(s): TODD MATTHEW CALDWELL
New owner(s) as listed on the conveyance document Name connector ☐ and ☐ or ☐ and/or
- 80361 BANKS LANE HERMISTON OR 97838
Mailing address City State ZIP
- 1-541-561-1167 D/A
Telephone 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: 4-11-2017
6. If the water right is leased to the Water Supply Bank changing ownership of a water right will reassign to the new owner any Water Supply Bank leases associated with the water right. Payment of revenue generated from any rental of a leased water right requires a completed IRS Form W-9 for payment to be issued to an owner. A new owner for a water right under lease shall supply a W-9. Water rights with multiple owners must specify a designated lessor, using a completed Lessor Designation form. Beginning in the calendar year following an acknowledged change in water right ownership, compensation for any rental will go to the new owner(s).
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):
☐ \$25 per *undivided* water right. \$50.00
☐ \$100 per *split* water right.
☐ 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

8. Signature: Todd Caldwell Title, if applicable: _____ Date: 05/20/2021
Signature of new owner/claimant

Signature: _____ Title, if applicable: _____ Date: _____
Signature of new owner/claimant

For IDWR Office Use Only:

Received by LE Date 05/27/2021 Receipt No. W049439 \$50.00
 Active in the Water Supply Bank? Yes ☐ No ☐ If yes, forward to the State Office for processing
 Name on W-9 _____ Approved by _____ Processed by dj W-9 received? Yes ☐ No ☐
 Date 7/6/2021

Instrument # 202464

MURPHY, OWYHEE, IDAHO

4-11-2017 11:39:25 AM No. of Pages: 3

Recorded for : DEFORD LAW, PC

ANGELA BARKELL

Fee: 16.00

Ex-Officio Recorder Deputy

Index to: DEED, QUIT-CLAIM

QUITCLAIM DEED

With Reservation of Life Estate

For value received, **THOMAS E. BENSON AND JACQUELINE L. BENSON**, husband and wife, hereinafter called the first party, does by these presents remise, release and forever QUITCLAIM unto **TODD MATTHEW CALDWELL**, a married man, as his sole and separate property, hereinafter called the second party, of 80361 Banks Lane, Hermiston, OR 97838, and to his heirs and assigns, their interest, right, title and privilege to the following described real property, situated in Owyhee County, State of Idaho, to wit:

See **Exhibit A**, attached hereto and incorporated herein by reference.

Subject to and Reserving:

A life estate in the lives of **THOMAS E. BENSON AND JACQUELINE L. BENSON** which life estate is granted for the purpose of allowing **THOMAS E. BENSON AND JACQUELINE L. BENSON** to inhabit, use and benefit from the above described real property during their natural lifetimes. Upon the death of both **THOMAS E. BENSON AND JACQUELINE L. BENSON** the above-described real property shall revert to **TODD MATTHEW CALDWELL**.

Also subject to:

Any encumbrances of record

Together with all water, water rights, ditches and rights of way for ditches thereunto belonging or in anywise appertaining.

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto the second party, and to her heirs and assigns forever.

IN WITNESS WHEREOF, The said first party has hereunto set their hand and seal.

Date this 28 day of March, 2017.

Thomas E. Benson
THOMAS E. BENSON

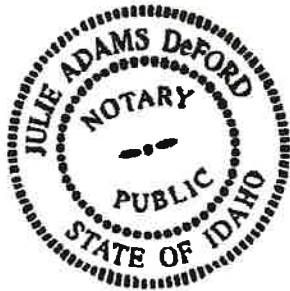
Jacqueline L. Benson
JACQUELINE L. BENSON

STATE OF Idaho)
 : s
County of Canyon)

On this 28 day of March, 2017, before me, the undersigned, a Notary Public in and for said State, personally appeared, **THOMAS E. BENSON AND JACQUELINE L. BENSON**, husband and wife, and proved to me by sufficient evidence to be the persons who executed the foregoing document and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(Seal)



Julie Adams DeFord
Notary Public for Idaho
Residing at: Nampa, Idaho
My commission expires: 8/11/2022

LEGAL DESCRIPTION
FOR
ADJUSTED PARCEL 1

MS 24 T.B.

A parcel of land located in the Southeast 1/4 and the Southwest 1/4 of Section 14, Township 2 South, Range 4 West, Boise Meridian, Owyhee County, Idaho. Being further described as follows:

BASIS OF BEARINGS:

The West line of Section 14, Township 2 South, Range 4 West, Boise Meridian, derived from found monuments and taken as North 00°22'10" East and distance between found monuments to be 2637.52 feet.

BEGINNING at a point on the East line of the Southwest 1/4 of said Section 14, Township 2 South, Range 4 West, Boise Meridian, from which the Center 1/4 of said Section 14 bears North 00°34'08" East a distance of 709.93 feet also from which the Southwest Section corner bears South 53°56'41" West a distance of 3296.86 feet; thence along said East line South 00°34'08" West a distance of 398.66 feet to a point from which the South 1/4 corner of said Section 14 bears South 00°34'08" West a distance of 1535.92 feet; thence leaving said East line along a line on the West side of Salmon Creek Road the following two (2) courses:
South 12°50'00" East a distance of 425.00 feet;
South 18°24'00" East a distance of 86.19 feet;
thence leaving said West line South 89°52'17" West a distance of 613.55 feet;
thence North 00°34'08" East a distance of 893.87 feet;
thence North 89°43'21" East a distance of 487.03 feet to the
POINT OF BEGINNING.

Said Parcel containing 465,231 square feet or 10.68 acres, more or less and is subject to all existing easements and rights-of-ways of record or implied.

END OF DESCRIPTION

Russell Badgley, PLS 12458
Timberline Surveying
847 Park Centre Way, Suite 3
Nampa, Idaho 83651
(208) 465-5687



EXHIBIT

A

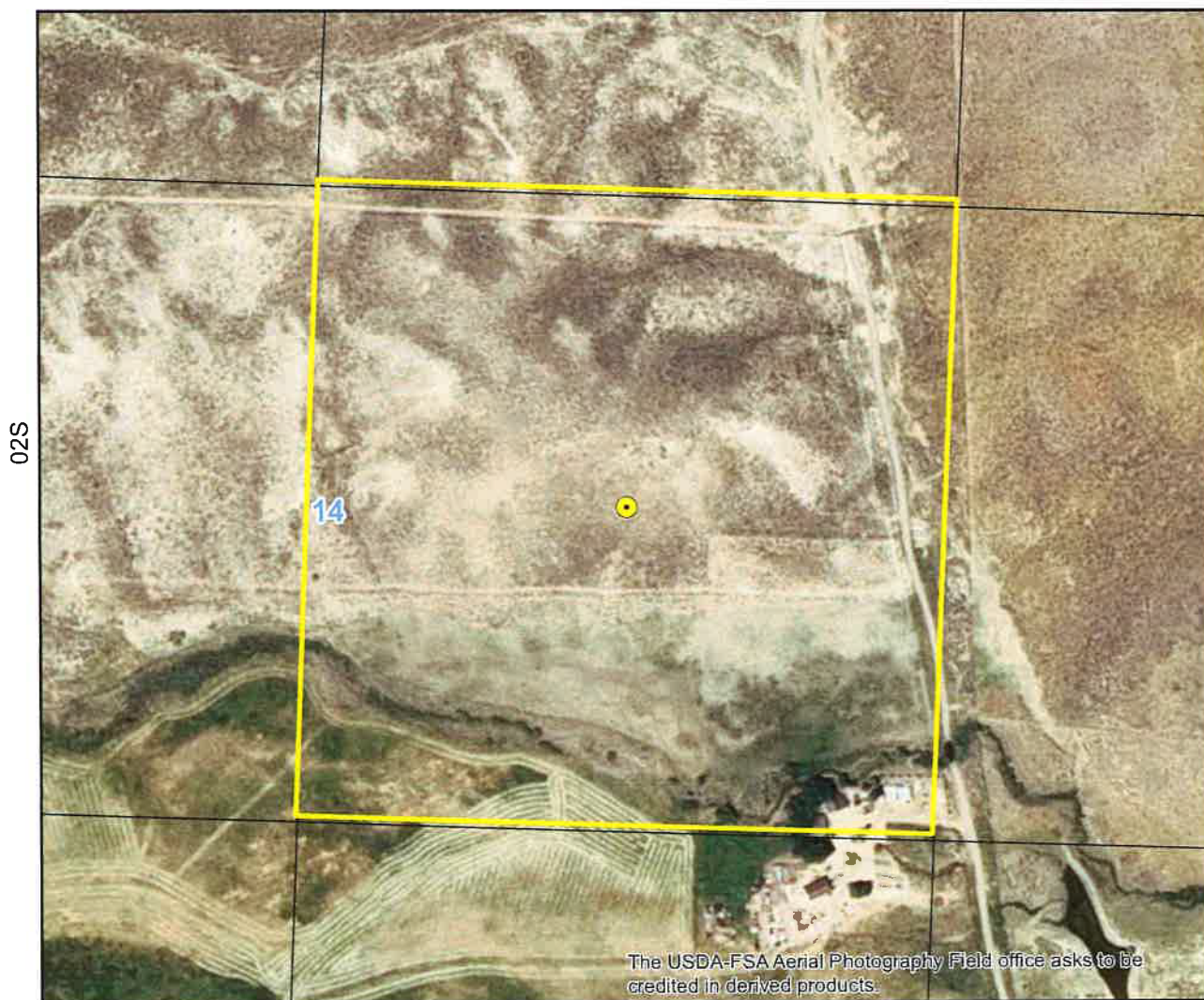
State of Idaho
Department of Water Resources

Water Right 57-1000

STOCKWATER

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.

04W



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

0 0.0475 0.095 0.19 Miles





IDWR offices are open to the public and following the CDC guidelines for wearing masks and observing social distancing. For in-person visits, we encourage you to [call ahead for an appointment](#).

WATER RIGHT REPORT

4/26/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 57-1000

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JACQUELINE L MCKEE BENSON
Current Owner	THOMAS EDWARD BENSON 10943 SALMON CREEK RD MURPHY, ID 83650 2083401006
Original Owner	ANN MC KEE
Original Owner	RUSSELL MC KEE RT 1 KUNA, ID 83634

Priority Date: 04/01/1932

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
SPRING	COTTLE CREEK

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01	12/31	0.02 CFS	0.4 AFA
DOMESTIC	1/01	12/31	0.02 CFS	1.2 AFA
Total Diversion			0.04 CFS	1.6 AFA

Location of Point(s) of Diversion:

SPRING | NESW | Sec. 14 | Township 02S | Range 04W | OWYHEE County

Place(s) of use:

Place of Use Legal Description: STOCKWATER OWYHEE 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>
02S	04W	14		NESW										

Conditions of Approval:

1. Stockwater use is for 25 range cattle.

Dates:

Licensed Date:

Decreed Date: 03/18/1988

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:

Owner Name Connector: AND

Water District Number: 57R

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

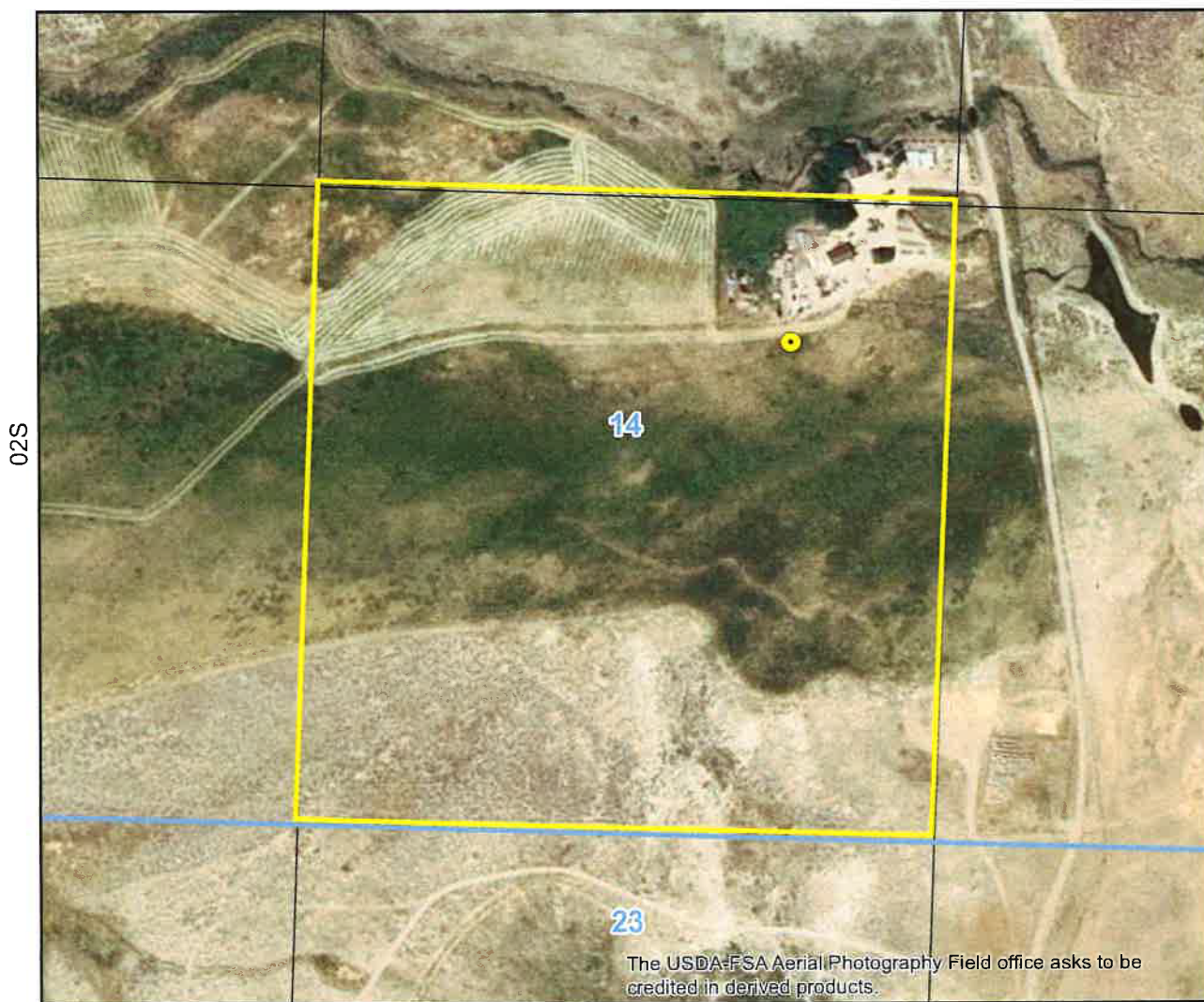
Water Right

57-10297

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.

04W



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

0 0.0475 0.095 0.19 Miles





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WATER RIGHT REPORT

4/26/2021

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report

WATER RIGHT NO. 57-10297

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JACQUELINE L MCKEE BENSON
Current Owner	THOMAS EDWARD BENSON 10943 SALMON CREEK RD MURPHY, ID 83650 2083401006
Original Owner	ANN E MC KEE 812 14TH AVE S NAMPA, ID 83651 2084663749

Priority Date: 08/07/1979

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|NESESW|Sec. 14|Township 02S|Range 04W|OWYHEE County

Place(s) of use:

Place of Use Legal Description: DOMESTIC OWYHEE 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>
02S	04W	14		SESW										

Conditions of Approval:

1. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
2. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
3. PARCEL NO. RP0094300.

Dates:

Licensed Date:

Decreed Date: 12/10/1996

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

Water District Number: TBD

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:



CatalogFavoritesVisibleSuper Tab

Identify Results

Features1Layers3Zoom to results

DETAILSIMPROVEMENTSPRINT PAGE

Parcel Details

PIN:
RP02S04W145200

Owner Name:
CALDWELL, TODD M

Situs Address:

Mailing Address:
10943 SALMON CREEK RD

Mailing City:
MURPHY, ID 83650

Mailing State:
ID

Display Description:
TAX 5 14 2S 2W BENSON, THOMAS & JACQUELINE
LIFE ESTATE

Acres:
10.4610

Assessment Value
0

END IDENTIFY





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 E FRONT ST STE 648 PO BOX 83720 • BOISE, ID 83720-0098

Phone: (208)287-4800 • Fax: (208)287-6700 • Website: www.idwr.idaho.gov

Brad Little
Governor
July 7, 2021

Gary Spackman
Director

TODD MATTHEW CALDWELL
80361 BANKS LN
HERMISTON OR 97838-6335

Re: Change in Ownership for Water Right Nos: 57-1000 and 57-10297

Dear Water Right Holder:

The Department of Water Resources (Department) acknowledges the receipt of correspondence changing ownership of the above referenced water rights 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 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) 287-4920 or debby.judd@idwr.idaho.gov.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Debby Judd'.

Debby Judd
Technical Records Specialist

Enclosures

c. Water District 57R – *via email*