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MAR 09 2016

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
<u>57-00272</u>	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐
	Yes ☐		Yes ☐		Yes ☐

2. Previous Owner's Name:

SANDRA J BENSON

Name of current water right holder/claimant

3. New Owner(s)/Claimant(s):

BRUCE A. BENSON & SCOTT J. BENSON &

Name of each new owner as listed on the conveyance document

JEFFREY R. BENSON

New owner continued

Name connector

☒ and☐ or☐ and/or12154 St Hwy 78

Mailing address

MELBA

City

State

ZIP

ID 83641208-495-2706

Telephone

Email

gravedigger@frontiernet.net

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: MARCH 6th 1998.

6. 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.
 - \$100 per *split* water right.
 - No fee is required for pending adjudication claims.

7. Signature:

Bruce A. Benson
Jeffrey R. Benson

Signature of new owner/claimant

Title, if applicable

3-7-163-7-16

Date

- Signature:

Scott J. Benson

Signature of new owner/claimant

Title, if applicable

3-7-16

Date

For IDWR Office Use Only:

Received by

Date

3/9/16

Receipt No.

W043955

Receipt Amt.

25.00

Approved by

Processed by

Date

8/14/17

GIGRAY, MILLER & DOWNEN
ATTORNEYS AT LAW
9TH AND DEARBORN STS. - P.O. BOX 640
CALDWELL, IDAHO 83608-0640
TELEPHONE 208-459-0091

PERSONAL REPRESENTATIVES' DEED

THIS INDENTURE, Made and entered into this 6th day of March, 1998, by and between BRUCE A. BENSON, SCOTT J. BENSON and JEFFREY R. BENSON, the duly appointed and acting joint personal representatives of the estate of Sandra J. Benson, deceased, hereinafter referred to as Parties of the First Part, and BRUCE A. BENSON, SCOTT J. BENSON and JEFFREY R. BENSON, of 273 Tauscher Road, Onalaska, Washington 98570, hereinafter referred to for convenience as Parties of the Second Part, WITNESSETH:

WHEREAS, On December 7, 1994, the Parties of the First Part were appointed as the joint personal representatives of the estate of Sandra J. Benson, deceased, by the District Court of the Third Judicial District of the State of Idaho, in and for the County of Owyhee, Magistrate Division, and are now the duly qualified and acting joint personal representatives of said deceased;

NOW, THEREFORE, The Parties of the First Part, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS, lawful money of the United States of America, and other good and valuable considerations, to them in hand paid by the Parties of the Second Part, the receipt whereof is hereby acknowledged, have granted, bargained, sold and conveyed, and by these presents do hereby grant, demise and convey unto the said Parties of the Second Part, BRUCE A. BENSON, SCOTT J. BENSON and JEFFREY R. BENSON, their heirs and assigns forever, an undivided one-half (1/2) interest, being all of the estate's right, title and interest in and to that certain real property, situated in the said County of Owyhee, State of Idaho, more particularly described as follows, to-wit:

A tract of land located in Lot 1 of Section 22, Township 1 North, Range 3 West of the Boise Meridian, and Lots 2 and 3, the West Half of the Northwest Quarter and the Southeast Quarter of the Northwest Quarter of Section 27, Township and Range aforesaid, described by metes and bounds as follows:

Beginning at the center of Section 27, thence North 89°48' West 1301.2 feet along the South boundary of the Southeast Quarter of the Northwest Quarter of Section 27 to the Southwest corner of the Southeast Quarter of the Northwest Quarter of Section 27; thence North 0°12' East along the West boundary of the Southeast Quarter of the Northwest Quarter of Section 27, 612.0 feet;

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1 thence North 32°43' West 564.7 feet;
2 thence North 31°49' West 486.0 feet;
3 thence North 1°24' West 474.6 feet;
4 thence North 45°07' East 1721.9 feet;
5 thence North 44°06' East 464.3 feet, to a point on the
6 bank of the Snake River;
7 thence following the bank of the Snake River in a
8 Southeasterly direction as follows:

9 South 40°04' East 645.4 feet;
10 thence South 2°35' East 457.8 feet;
11 thence South 35°25' East 1494.5 feet;
12 thence South 12°29' East 989.8 feet;
13 thence South 30°07' East 465.0 feet to a point on the
14 bank of the Snake River where the South boundary line of
15 Lot 2 of Section 27 intersects the bank of the Snake
16 River; thence North 89°48' West along the South boundary
17 line of Lot 2, 1422.5 feet to the center of Section 27,
18 the place of beginning.

19 EXCEPTING THEREFROM, A parcel situated in the SW¼NW¼ and
20 the NW¼NW¼ and Government Lot 3 all of Section 27, and
21 Government Lot 1 of Section 22, all in Township 1 North,
22 Range 3 West, B.M., and is more particularly described
23 as follows:

24 Commencing at the Southeast corner of the SW¼NW¼ of
25 said Section 27; thence North 0°42'01" East along the
26 Eastern boundary of the SW¼NW¼ of said Section 27, a
27 distance of 612.00 feet to the TRUE POINT OF BEGINNING;
28 thence North 32°12'59" West, a distance of 564.70 feet;
29 thence North 31°18'59" West, a distance of 486.00 feet;
30 thence North 0°53'59" West, a distance of 474.63 feet;
31 thence North 45°37'01" East, a distance of 1721.54
32 feet;
33 thence North 44°36'01" East, a distance of 483.04 feet
34 to a point on the South bank of the Snake River and the
35 Northerly boundary of Government Lot 1 of said Section
36 22;
37 thence South 30°38'59" East along the Northerly boundary
38 of said Government Lot 1, a distance of 5.70 feet;
39 thence South 44°12'33" West, a distance of 481.60 feet;
40 thence South 45°21'26" West, a distance of 772.16 feet;
41 thence South 45°07'35" West, a distance of 932.52 feet;
42 thence South 1°23'46" East, a distance of 473.32 feet;
43 thence South 31°37'49" East, a distance of 468.95 feet;
44 thence South 32°31'44" East, a distance of 458.49 feet;

thence South 39°43'51" East, a distance of 49.34 feet to a point on the Eastern boundary of the SW¼NW¼ of said Section 27;

thence South 0°42'01" West along the Eastern boundary of the SW~~1~~⁴ of said Section 27, a distance of 68.00 feet to the TRUE POINT OF BEGINNING.

together with all the tenements, hereditaments and appurtenances whatsoever to the same belonging or in anywise appertaining.

TO HAVE AND TO HOLD All and singular the above mentioned and described premises, together with the appurtenances thereunto appertaining, unto the said Parties of the Second Part, their heirs and assigns forever.

IN WITNESS WHEREOF, The said Parties of the First Part,
as joint personal representatives of the estate of Sandra J.
Benson, deceased, have hereunto set their hands and seals the day
and year first above written.

Bruce A. Benson (SEAL)
Bruce A. Benson

Scott J. Benson (SEAL)

Jeffrey R. Benson (SEAL)
Jeffrey R. Benson
Joint Personal Representatives
of the Estate of Sandra J. Benson,
Deceased

1 STATE OF Washington)
2 County of Lewis) ss.

3 On this 2ND day of March, 1998, before me, the
4 undersigned, a Notary Public in and for said State, personally
5 appeared BRUCE A. BENSON, one of the joint personal representa-
6 tives of the estate of Sandra J. Benson, deceased, known to me to
and acknowledged to me that he executed the same.

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



9 Debbie Bearse
10 Notary Public for Washington
11 Residing at Winlock
12 My commission expires 7-17-01

13 STATE OF IDAHO)
14 County of Canyon) ss.

15 On this 6th day of March, 1998, before me, the
16 undersigned, a Notary Public in and for said State, personally
17 appeared SCOTT J. BENSON, one of the joint personal representa-
18 tives of the estate of Sandra J. Benson, deceased, known to me to
and acknowledged to me that he executed the same.

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

21 David E. Pomeroy
22 Notary Public for Idaho
23 Residing at Caldwell, Idaho
24 My commission expires 11-21-2003

GIGRAY, MILLER & DOWNEN
ATTORNEYS AT LAW
9TH AND DEARBORN STS. - P.O. BOX 640
Caldwell, IDAHO 83608-0640
TELEPHONE 208-458-0091

1 STATE OF IDAHO)
2 County of Canyon) ss.

3 On this 6th day of March, 1998, before me, the
4 undersigned, a Notary Public in and for said State, personally
5 appeared JEFFREY R. BENSON, one of the joint personal representa-
6 tives of the estate of Sandra J. Benson, deceased, known to me to
be the person whose name is subscribed to the within instrument
and acknowledged to me that he executed the same.

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

9 Donald E. Downen
10 Notary Public for Idaho
11 Residing at Caldwell, Idaho
12 My commission expires 11-21-2003



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EST OF
GIGRAY, MILLER & DOWNEN
BY J. McPherson
JIM HILL
CITY OF CALDWELL
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FILED-RECORDED

224217





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region • 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

August 14, 2017

BRUCE A BENSON, SCOTT J BENSON & JEFFREY R BENSON
12154 ST HWY 78
MELBA ID 83641

RE: Notice of Ownership Change in Water Right No. 57-272

Dear Applicants,

The Department acknowledges the receipt of correspondence changing ownership of the above referenced water right to you. The Department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Updating the ownership record for a water right does not reconfirm the validity of the right. When processing an ownership change notice, the department does not review the history of water use to determine if the right has been forfeited 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 Sections 42-222 and 42-223, Idaho Code.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right, to the Department. Notice of the change must be provided to the Department within 120 days of the change. Change reporting forms are available from any office of the Department, or at www.idwr.idaho.gov.

If you have any questions concerning the enclosed information, please feel free to contact this office at 208-334-2190.

Sincerely,

Chad Jones
Office Specialist II
Western Regional Office

Enclosures

Cc: JERRY L BENSON
3719 WHEELER CIR
NAMPA ID 83686