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11-2
Numbered Copy

~~Original can be found in this same file.~~

In the District Court of the United States for the
District of Idaho, Eastern Division.

UTAH POWER & LIGHT COMPANY,

Plaintiff

vs.

THE LAST CHANCE CANAL COMPANY,

Limited, et. al.

Defendants.

In Equity

No. 203.

FINAL DECREE

Before HON. F. S. DIETRICH,
District Judge.

Filed July 14, 1920.

W. D. McREYNOLDS,
Clerk.

By PEARL ZANGER,
Deputy.

RECORDED

MAY 14 1996

DATE OF
PRIORITY

AMOUNT IN
SECOND FEET

POINT OF DIVERSION AND
PLACE OF USE

is to be used for the irrigation of 16,000 acres of land in Sections 1, 11, 12, 14, 15, 22, 23, 25, 26, 27, 34, 35 and 36, Township 14 South, Range 38 East; Sections 6, 7, 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, 27, 28, 29, 30, 31, 32, 33 and 34, Township 14 South, Range 39 East; Sections 19, 20 and 30, Township 14 South, Range 40 East; Sections 1, 2, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35 and 36, Township 15 South, Range 38 East; Sections 4, 5, 6, 7, 8, 18, 19, 29, 30, 31 and 32, Township 15 South, Range 39 East; Sections 1, 2, 10, 11, 12, 13, 14, 15, 23, 24, 25 and 26, Township 16 South, Range 38 East, and Sections 5, 6, 7, 18, 19 and 30, Township 16 South, Range 39 East, B.B.M.

To be diverted through either or both of the two canals last above described known as the Oneida Canal and the Preston-Riverdale & Mink Creek Canal, diverting from said Mink Creek in the Southeast quarter of Section 1, Township 14 South, Range 40 East, B.M., for the irrigation of 279 acres in Sections 1, 11, 12, 14, 15 and 22, said Township and Range.

To be diverted from the said Mink Creek through a ditch diverting therefrom in Section 27, Township 13 South, Range 41 East, for the irrigation of 39 acres in the South half of the Northeast quarter, the Northwest quarter of the Northwest quarter, the Southeast quarter of the Northwest quarter and the Northwest quarter of the Northeast quarter of Section 27, and the Southeast quarter of the Northeast quarter of Section 28, Township 14 South, Range 41 East.

To be diverted from said Mink Creek in Section 8, Township 14 South, Range 41 East, for the irrigation of 16 acres in said Section 8.

To be diverted from the said Mink Creek and used for the irrigation of 3 acres of land in Section 12, Township 14 South, Range 40 East.

~~11-0844~~ 13-0902
470. *Glencoe Irrigation Company,*
substituted for Ezra Larsen,
et al:

1882—May 1
Apr. 20 to July 25 5.58 c.f.s.
July 25 to Sept. 1 3.72 c.f.s.
Sept. 1 to Sept 30 2.79 c.f.s.

~~11-0844~~ 13-0903
471. *Lorenzo Baird and James M.*
Keller:

1890—May 1
July 20 to July 25 0.78 c.f.s.
July 25 to Sept. 1 0.52 c.f.s.
Sept. 1 to Sept 30 0.39 c.f.s.

~~11-0844~~ 0904
472. *Fred Barfus:*

1882—May 1 0.1 c.f.s.
1897—May 1 0.12 c.f.s.
1915—May 1 0.1 c.f.s.

~~11-0844~~ 0907
473. *Marinus Jepson:*

1882—May 1 0.06 c.f.s.

MAY 1 4 1996

9 9

All the foregoing reservations of jurisdiction shall extend after the term at which this decree is entered, and during any subsequent term prior to January 1, 1924, at which time, or at such earlier time as the court may determine these matters, this decree shall be closed. In all other respects this decree shall be final.

The court further retains jurisdiction, however, at all times, and from time to time, to make all reasonable rules touching the manner of diverting, measuring and distributing the waters, and the devices to be installed and used for such purposes where it may be impracticable to fully comply with the terms of this decree, and to direct that the parties keep accurate and detailed records of the amounts of water diverted, and to require reports to be filed from time to time of the amount so diverted, and generally to make such orders as may be found reasonably necessary to give effect to the decree, and to appoint commissioners or water masters to make distribution in accordance with its terms, and to punish the parties hereto, their officers, agents and employes, and their grantees and successors in interest, for any violation of the provisions thereof.

Done in open court this 14th day of July, 1920.

FRANK S. DIETRICH,
Judge.

MICROFILMED

MAY 14 1996

117

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

RECEIVED

NOV 25 2002

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
<u>13-903</u>	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___
_____	_____	___	_____	_____	___

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) **Ruth W. Benson, Individually (see attachment)**
4. New Owner/Claimant(s) **Benson Ranch Properties, L.L.C.**
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address **1677 North 1515 East**
- City, State and ZIP Code **North Logan, UT 84341**
- New Telephone Number **(435) 753-7969**
5. Date you acquired the property **December 20, 2000**

RECEIVED

NOV 12 2002

Department of Water Resources
Eastern Region

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s)
(include title if applicable)

[Signature] Operating Manager

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

For Office Use Only

Received by JLC Date 11-19-02 Fee \$25
 Received by JLC Date 11-19-02 Receipt No. 5028322
 Processed by _____ AJ Date _____ WR _____ Date _____

Additional Warranty Deeds

Name and Address of Former Owner/Claimant(s)	<u>Valdo D. Benson</u>
New Owner/Claimant(s)	<u>Valdo D. and Ruth W. Benson</u>
New Mailing Address	<u>58 South 4th East</u>
City, State and ZIP Code	<u>Logan, Utah 84321</u>
New Telephone Number	<u></u>
Date you acquired property	<u>Aug. 12, 1983</u>

Name and Address of Former Owner/Claimant(s)	<u>Allen H. and Pearl H. Christensen</u>
New Owner/Claimant(s)	<u>Valdo D. Benson</u>
New Mailing Address	<u>58 South 4th East</u>
City, State and ZIP Code	<u>Logan, Utah 84321</u>
New Telephone Number	<u></u>
Date you acquired property	<u>Mar. 11, 1980</u>

163763

WARRANTY DEED

For Value Received VALDO D. BENSON

Recorded at the request of

Valdo D. Benson

AUG 12 1983 2:00 p.m.

MICHAEL D. KUNZ, RECORDER

By P. Griffith Deputy
FRANKLIN COUNTY, IDAHO

the grantor , does hereby grant, bargain, sell and convey unto

VALDO D. BENSON and RUTH W. BENSON,
husband and wife,whose current address is 58 South 4th East
Logan, Utah 84321

the grantee s, the following described premises, in Franklin County Idaho, to wit:

Township 13 South, Range 41 East of the Boise Meridian

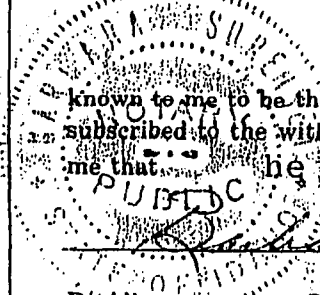
Section 21: SE $\frac{1}{4}$ SE $\frac{1}{4}$.Section 22: S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$.Section 27: N $\frac{1}{2}$.Section 28: N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$.TOGETHER WITH 300 shares of water in Mink Creek Ditch #4, and
TOGETHER WITH all decreed water.TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s,
their heirs and assigns forever. And the said Grantor does hereby covenant to and
with the said Grantee s, that he is the owner in fee simple of said premises; that they are free
from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: August 12, 1983

Valdo D. BensonSTATE OF IDAHO, COUNTY OF FRANKLIN
On this 12th day of August, 1983,
before me, a notary public in and for said State, personally
appeared

VALDO D. BENSON

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged to
me that he executed the same.Notary Public
, IdahoResiding at Swan Lake
Comm. Expires Lifetime

USDA - FHA
Form FHA 427-11 Idaho
(1-5-62)
(JOINT TENANCY)

152422

Warranty Deed
(IDAHO)

Recd. at the request of
Arvid Little Co.

1:31 p.m. MAR 11 1980

MICHAEL D. KUNZ, RECORDER
By *John E. Kohnen*, Deputy
FRANKLIN COUNTY, IDAHO

KNOW ALL MEN BY THESE PRESENTS, That

ALLEN H. CHRISTENSEN and PEARL H. CHRISTENSEN, his wife,
of the County of FRANKLIN, State of IDAHO,
parties of the first part, for and in consideration of the sum of Ten

Dollars (\$10.00),

in lawful money of the United States of America, and other valuable consideration, to us

in hand paid by VALDO D. BENSON and

his wife, party of the second part, do hereby GRANT, BARGAIN, SELL and CONVEY unto the

party of the second part, not as tenants in common and not as a community property estate, but as joint tenants with right of survivorship, their assigns, and the heirs and assigns of the survivor, all of the

following-described real property situate, lying and being in the County of FRANKLIN
State of Idaho, to wit:

Township 13 South, Range 41 EBM

Section 21: SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 22: S $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 27: N $\frac{1}{4}$
Section 28: N $\frac{1}{4}$ NE $\frac{1}{4}$, S E $\frac{1}{4}$ NE $\frac{1}{4}$

Together with 300 shares of water in Mink Creek Ditch #1, and
Together with all decreed water

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining and all improvements, water and water rights appurtenant thereto or reasonably necessary to the use of the real property, and the rents, issues and profits thereof.

TO HAVE AND TO HOLD the said premises together with the appurtenances thereto unto the part of the second part, as such joint tenants, and to their assigns, and to the survivor of them, and to the heirs and assigns of such survivor forever.

The parties of the first part, for themselves and for their heirs, executors and administrators, do hereby covenant to and with the party of the second part, their assigns, and the survivor of them, and the heirs and assigns of the survivor, that they are lawfully seized in fee simple of said premises, that they are free from all encumbrances, and that they will and their heirs, executors and administrators shall warrant and forever defend the title thereto against all lawful claims and demands whatsoever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hand(s) and seal(s) this 19th day of October, 1970

WITNESSES:

Reed H. Watkins

Allen H. Christensen [SEAL]
(Husband)

Pearl H. Christensen [SEAL]
(Wife)

ACKNOWLEDGMENT

STATE OF IDAHO

COUNTY OF FRANKLIN

On this 19th day of October, 1970, before me, a Notary Public in and for said County and State, personally appeared Allen H. Christensen and Pearl H. Christensen, his wife, to me known to be the identical individual(s) described in and who executed the within and foregoing instrument and whose name(s) subscribed thereto, and acknowledged to me that they signed, sealed and executed the same as their free and voluntary act and deed, for the uses and purposes therein mentioned.



Recorded in _____
County, Idaho, on _____
_____ in Book _____
at Page _____

Notary Public in and for the State of _____
Residing at _____
My commission expires: _____

Send Tax notice to:

Valdo B. Hanson
58 South 4th St.
Logan, Utah 84301

Additional Quit Claim Deeds

Name and Address of Former Owner/Claimant(s)	<u>Ruth W. Benson, Individually and as</u> <u>Trustee of the Benson Family Trusts</u>
New Owner/Claimant(s)	<u>Benson Ranch Properties, L.L.C.</u>
New Mailing Address	<u>1677 North 1515 East</u>
City, State and ZIP Code	<u>North Logan, Utah 84341</u>
New Telephone Number	<u>(435) 753-7969</u>
Date you acquired property	<u>Dec. 30, 2000</u>

Name and Address of Former Owner/Claimant(s)	<u>Ruth W. Benson, as Trustee of the</u> <u>Benson Family Trusts</u>
New Owner/Claimant(s)	<u>Benson Ranch Properties, L.L.C.</u>
New Mailing Address	<u>1677 North 1515 East</u>
City, State and ZIP Code	<u>North Logan, Utah 84341</u>
New Telephone Number	<u>(435) 753-7969</u>
Date you acquired property	<u>Dec. 30, 2000</u>

Name and Address of Former Owner/Claimant(s)	<u>Lauralie B. and Gary R. Tanner, John T. and Kathleen</u> <u>P. Benson, Ralph V. and Louise M. Benson,</u>
New Owner/Claimant(s)	<u>Benson Ranch Properties, L.L.C.</u>
New Mailing Address	<u>1677 North 1515 East</u>
City, State and ZIP Code	<u>North Logan, Utah 84341</u>
New Telephone Number	<u>(435) 753-7969</u>
Date you acquired property	<u>Dec. 20, 2000</u>

Name and Address of Former Owner/Claimant(s) Rebecca B. Smith and Steven C. Smith

New Owner/Claimant(s) Benson Ranch Properties, L.L.C.

New Mailing Address 1677 North 1515 East

City, State and ZIP Code North Logan, Utah 84341

New Telephone Number (435) 753-7969

Date you acquired property Dec. 11, 2000

Name and Address of Former Owner/Claimant(s) Joann B. Steele and Rex G. Steele

New Owner/Claimant(s) Benson Ranch Properties, L.L.C.

New Mailing Address 1677 North 1515 East

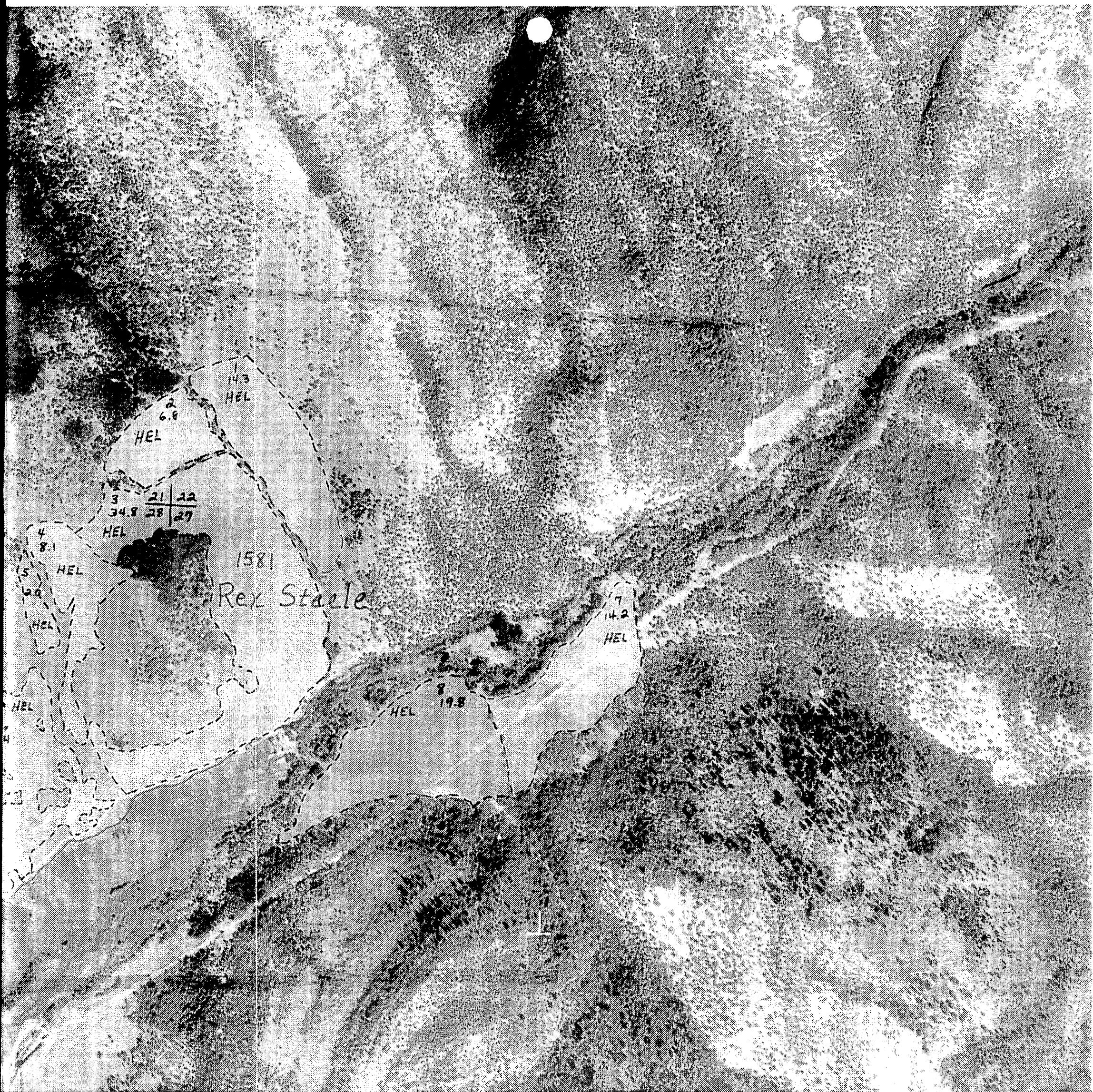
City, State and ZIP Code North Logan, Utah 84341

New Telephone Number (435) 753-7969

Date you acquired property Feb. 12, 2001

T 17329





Return to: Benson Ranch Properties L.L.C.
c/o John T. Benson
1677 N. 1515 E.
Logan, UT 84341

217103

Recorded at the request of

John Benson

11:25

AM MAY 01 2002 PM

V. ELLIOTT LARSEN, RECORDER
By SHAUNA T. GEDDES Deputy
FRANKLIN COUNTY, IDAHO

QUIT CLAIM DEED

For Value received RUTH W. BENSON, a widow, of Ogden, Weber County, Utah, as Trustee of the Benson Family Trust, Trust "A", dated February 3, 1984, and as Trustee of the Benson Family Trust, Trust "B", dated February 3, 1984, Grantor, does hereby convey, release, remise and forever quit claim unto BENSON RANCH PROPERTIES L.L.C., a limited liability company organized under the laws of the State of Utah, whose registered office is in Logan, Cache County, Utah, Grantee, her interest in and to the following described premises in Franklin County, Idaho:

Township 13 South, Range 41 East
Boise Meridian

Section 21: SE 1/4 SE 1/4

Section 22: S 1/2 SW 1/4

SW 1/4 SE 1/4

Section 27: N 1/2

Section 28: N 1/2 NE 1/4

SE 1/4 NE 1/4

Together with 300 shares of water in Mink Creek Ditch #4, and together with all decreed water.

Together with their appurtenances.

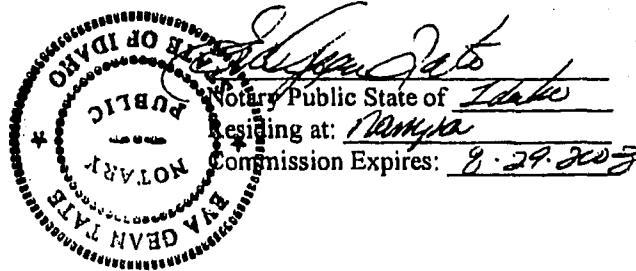
Dated this 30th day of December, 2000.

Ruth W. Benson

Ruth W. Benson
As Trustee of the Benson Family Trust,
Trust "A" and Trust "B"

State of Idaho
County of Weber ss.

On this 30th day of December, 2000, before me, a Notary Public in and for said State, personally appeared RUTH W. BENSON, a widow, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same. In witness whereof I have set my hand and affixed my official seal the day and year in this certificate first above written.



Return to: Benson Ranch Properties L.L.C.
c/o John T. Benson
1677 N. 1515 E.
Logan, UT 84341

217104

Recorded at the request of
John Benson

11:38
a.m. MAY 01 2002 p.m.

V. ELLIOTT LARSEN, RECORDER
By SHARINA T. GENDER Deputy
FRANKLIN COUNTY, IDAHO

QUIT CLAIM DEED

For Value received RUTH W. BENSON, a widow, of Ogden, Weber County, Utah, Individually and as Trustee of the Benson Family Trust, Trust "A", dated February 3, 1984, and as Trustee of the Benson Family Trust, Trust "B", dated February 3, 1984, Grantor, does hereby convey, release, remise and forever quit claim unto BENSON RANCH PROPERTIES L.L.C., a limited liability company organized under the laws of the State of Utah, whose registered office is in Logan, Cache County, Utah, Grantee, her interest in and to the following described premises in Franklin County, Idaho:

Township 13 South, Range 41 East
Boise Meridian

Section 21: SE 1/4 SE 1/4

Section 22: S 1/2 SW 1/4
SW 1/4 SE 1/4

Section 27: N 1/2

Section 28: N 1/2 NE 1/4
SE 1/4 NE 1/4

Together with 300 shares of water in Mink Creek Ditch #4, and together with all decreed water.

Together with their appurtenances.

Dated this 30th day of December, 2000.

Ruth W. Benson
Ruth W. Benson, Individually and as
Trustee of the Benson Family Trust, Trust
"A" and Trust "B"

Idaho
State of Utah)
County of Weber) ss.
Idaho

On this 30th day of December, 2000, before me, a Notary Public in and for said State, personally appeared RUTH W. BENSON, a widow, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same. In witness whereof I have set my hand and affixed my official seal the day and year in this certificate first above written.

[Signature]
Notary Public State of Idaho
Residing at: Idaho
Commission Expires: 8-29-2003

Return to: Benson Ranch Properties L.L.C.
c/o John T. Benson
1677 N. 1515 E.
Logan, UT 84341

217105

Recorded at the request of

John Benson

11:35

a.m. MAY 01 2002 p.m.

V. ELLIOTT LARSEN, RECORDER
By SHAUNA T. GEDDES Deputy
FRANKLIN COUNTY, IDAHO

QUIT CLAIM DEED

For Value received RUTH W. BENSON, a widow, of Ogden, Weber County, Utah, Grantor, does hereby convey, release, remise and forever quit claim unto BENSON RANCH PROPERTIES L.L.C., a limited liability company organized under the laws of the State of Utah, whose registered office is in Logan, Cache County, Utah, Grantee, her interest in and to the following described premises in Franklin County, Idaho:

Township 13 South, Range 41 East
Boise Meridian

Section 21: SE 1/4 SE 1/4

Section 22: S 1/2 SW 1/4
SW 1/4 SE 1/4

Section 27: N 1/2

Section 28: N 1/2 NE 1/4
SE 1/4 NE 1/4

Together with 300 shares of water in Mink Creek Ditch #4, and together with all decreed water.

Together with their appurtenances.

Dated this 30th day of December, 2000.

Ruth W. Benson
Ruth W. Benson

State of Utah)
County of Weber) ss.

On this 20th day of December, 2000, before me, a Notary Public in and for said State, personally appeared RUTH W. BENSON, a widow, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same. In witness whereof I have set my hand and affixed my official seal the day and year in this certificate first above written.



R. John Penrod
Notary Public State of _____
Residing at: _____
Commission Expires: _____

Return to: Benson Ranch Properties L.L.C.
c/o John T. Benson
1677 N. 1515 E.
Logan, UT 84341

217106

Recorded at the request of

John Benson

11:40
a.m. MAY 01 2002 p.m.

QUIT CLAIM DEED

V. ELLIOTT LARSEN, RECORDER
By SHAUNA T. GEDDES Deputy
FRANKLIN COUNTY, IDAHO

For Value received LAURALIE B. TANNER and GARY R. TANNER, wife and husband, of Ogden, Weber County, Utah; JOHN T. BENSON and KATHLEEN P. BENSON, husband and wife, of Logan, Cache County, Utah; RALPH V. BENSON and LOUISE M. BENSON, husband and wife, of Bountiful, Davis County, Utah; and JOANN B. STEELE, who took title as JOANN BENSON, a single woman, and REX G. STEELE, wife and husband, of Preston, Franklin County, Idaho, Grantors, do hereby convey, release, remise and forever quit claim unto BENSON RANCH PROPERTIES L.L.C., a limited liability company organized under the laws of the State of Utah, whose registered office is in Logan, Cache County, Utah, Grantee, their interest in and to the following described premises in Franklin County, Idaho:

Township 13 South, Range 41 East
Boise Meridian

Section 21:	SE 1/4	SE 1/4
Section 22:	S 1/2	SW 1/4
	SW 1/4	SE 1/4
Section 27:	N 1/2	
Section 28:	N 1/2	NE 1/4
	SE 1/4	NE 1/4

Together with 300 shares of water in Mink Creek Ditch #4, and together with all decreed water.

Together with their appurtenances.

Dated this 20th day of December, 2000.

Lauralie B. Tanner
Lauralie B. Tanner

John T. Benson
John T. Benson

Ralph V. Benson
Ralph V. Benson

JoAnn B. Steele
JoAnn B. Steele

Gary R. Tanner
Gary R. Tanner

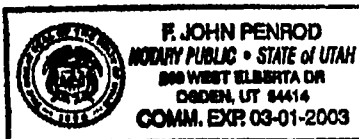
Kathleen P. Benson
Kathleen P. Benson

Louise M. Benson
Louise M. Benson

Rex G. Steele
Rex G. Steele

State of Utah)
County of Weber) ss.

On this 20th day of December, 2000, before me, a Notary Public in and for said State, personally appeared LAURALIE B. TANNER and GARY R. TANNER; JOHN T. BENSON and KATHLEEN P. BENSON; RALPH V. BENSON and LOUISE M. BENSON; and ~~JOANN B. STEELE~~ and ~~REX G. STEELE~~, 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. In witness whereof I have set my hand and affixed my official seal the day and year in this certificate first above written.



F. John Penrod
Notary Public State of _____
Residing at: _____
Commission Expires: _____

Return to: Benson Ranch Properties L.L.C.
c/o John T. Bl
1677 N. 1515 E.
Logan, UT 84341

217107

Recorded at the request of
John Benson

11:45
a.m. MAY 01 2002 p.m.

V. ELLIOTT LARSEN, RECORDER
By MAIINA T. GEDDES Deputy
FRANKLIN COUNTY, IDAHO

QUIT CLAIM DEED

For Value received REBECCA B. SMITH and STEVEN C. SMITH, wife and husband, of Eagle, Ada County, Idaho, Grantors, do hereby convey, release, remise and forever quit claim unto BENSON RANCH PROPERTIES L.L.C., a limited liability company organized under the laws of the State of Utah, whose registered office is in Logan, Cache County, Utah, Grantee, their interest in and to the following described premises in Franklin County, Idaho:

Township 13 South, Range 41 East
Boise Meridian

Section 21: SE 1/4 SE 1/4
Section 22: S 1/2 SW 1/4
SW 1/4 SE 1/4
Section 27: N 1/2
Section 28: N 1/2 NE 1/4
SE 1/4 NE 1/4

Together with 300 shares of water in Mink Creek Ditch #4, and together with all decreed water.

Together with their appurtenances.

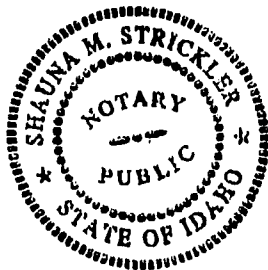
Dated this 11th day of December, 2000.

Rebecca B. Smith
Rebecca B. Smith

Steven C. Smith
Steven C. Smith

State of Idaho)
County of Ada) ss.

On this 11th day of December, 2000, before me, a Notary Public in and for said State, personally appeared REBECCA B. SMITH and STEVEN C. SMITH, 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. In witness whereof I have set my hand and affixed my official seal the day and year in this certificate first above written.



Shauna M. Strickler
Notary Public State of Ada
Residing at: Meridian, ID
Commission Expires: 12/20/02

Return to: Benson Ranch Properties L.L.C.
c/o John T. Benson
1677 N. 1515 E.
Logan, UT 84341

217108

Recorded at the request of

John Benson

11:50
a.m. MAY 01 2002 p.m.

V. ELLIOTT LARSEN RECORDER
By SHAUNA T. GEDDES Deputy
FRANKLIN COUNTY, IDAHO

QUIT CLAIM DEED

For Value received JOANN B. STEELE, having taken title as JOANN BENSON, a single woman, and REX G. STEELE, wife and husband, of Preston, Franklin County, Idaho, Grantors, do hereby convey, release, remise and forever quit claim unto BENSON RANCH PROPERTIES L.L.C., a limited liability company organized under the laws of the State of Utah, whose registered office is in Logan, Cache County, Utah, Grantee, their interest in and to the following described premises in Franklin County, Idaho:

Township 13 South, Range 41 East
Boise Meridian

Section 21: SE 1/4 SE 1/4

Section 22: S 1/2 SW 1/4

SW 1/4 SE 1/4

Section 27: N 1/2

Section 28: N 1/2 NE 1/4

SE 1/4 NE 1/4

Together with 300 shares of water in Mink Creek Ditch #4, and together with all decreed water.

Together with their appurtenances.

Dated this 12 day of ~~January~~ ^{February}, 2001.

JoAnn B. Steele
JoAnn B. Steele

Rex G. Steele
Rex G. Steele

State of Utah
County of Salt Lake ss.

On this 12 day of ~~January~~ ^{February}, 2001, before me, a Notary Public in and for said State, personally appeared JOANN B. STEELE and REX G. STEELE, 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. In witness whereof I have set my hand and affixed my official seal the day and year in this certificate first above written.

Samuel Spencer
Notary Public State of Utah
Residing at: Salt Lake City, Ut
Commission Expires June 15, 2001

CLYDE SNOW SESSIONS & SWENSON

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW

ONE UTAH CENTER

THIRTEENTH FLOOR

201 SOUTH MAIN STREET

SALT LAKE CITY, UTAH 84111-2216

CLARK W. SESSIONS

RODNEY G. SNOW

STEVEN E. CLYDE

HAL N. SWENSON

WILLIAM VOGEL

E. BARNEY GESAS

EDWIN C. BARNES

GARY L. PAXTON

NEIL A. KAPLAN*

D. BRENT ROSE

CHARLES R. BROWN

J. SCOTT HUNTER

PERRIN R. LOVE*

DEAN C. ANDREASEN

ANNELI R. SMITH

GAINER M. WALDBILLIG

WALTER A. ROMNEY, JR.

MATTHEW A. STEWARD

T. MICKELL JIMENEZ ROWE

WENDY B. CROWTHER

JAMES P. ALDER

JENNIFER A. JAMES†

* ALSO ADMITTED IN WASHINGTON, D.C.

† ALSO ADMITTED IN COLORADO

EDWARD W. CLYDE

(1917-1991)

TELEPHONE

(801) 322-2516

FAX (801) 521-6280

css@clydesnow.com

RECEIVED

NOV 25 2002

Department of Water Resources

November 7, 2002

Idaho Department of Water Resources
Eastern Regional Office
900 North Skyline Drive
Idaho Falls, Idaho 83402

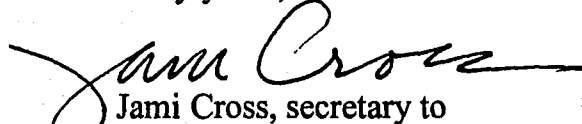
Re: Benson Ranch Properties, LLC Notice of Change in Water Right Ownership

To Whom it May Concern:

Please find the enclosed Notice of Change in Water Right Ownership and payment regarding Ruth W. Benson/Benson Ranch Properties, LLC. At your convenience, I am requesting the enclosed copy to be date-stamped, or receipt-stamped, and returned to me in the self-addressed envelope provided.

I appreciate your assistance in this matter, please contact me if you have any questions.

Truly yours,


Jami Cross, secretary to
James P. Alder, Esq.

Enclosure

RECEIVED
NOV 12 2002
Department of Water Resources
Eastern Region

INTER-DEPARTMENT MEMO--1

FROM S. Keen

DATE April 18, 2003

TO File 13-903

SUBJECT Ownership Change

Today I responded to a phone call from attorney Jim Alder about the ownership change notice he submitted for water right 13-903. During the conversation, I informed Mr. Alder that the quit claim deeds he submitted would not be sufficient. I asked him to supply a warranty deed. He said he would.

Shelley W. Keen
SIGNATURE

CLYDE SNOW SESSIONS & SWENSON

A PROFESSIONAL CORPORATION

ATTORNEYS AT LAW
ONE UTAH CENTER
THIRTEENTH FLOOR
201 SOUTH MAIN STREET
SALT LAKE CITY, UTAH 84111-2216

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JENNIFER A. JAMES†

* ALSO ADMITTED IN WASHINGTON, D.C.
† ALSO ADMITTED IN COLORADO

RECEIVED
APR 23 2003
Department of Water Resources
EDWARD W. CLYDE
(801) 322-2516
TELEPHONE
(801) 322-2516
FAX (801) 521-6280
cs@clydesnow.com

April 18, 2003

Karilynn Townsend
Idaho Dept. of Water Resources
1301 North Orchard Street
Boise, ID 83706

Re: Notice of Change in Water Right Ownership for Water Right No. 13-903

Dear Ms. Townsend:

Enclosed please find additional documents which need to be added to the Notice of Change in Water Right Ownership that I filed on behalf of Benson Ranch Properties, LLC, for water right number 13-903.

In following up on this filing, I initially consulted the online database, observing that the ownership information had not yet been updated. I then contacted the Eastern Regional Office, where I learned that it had been forwarded to your office for processing. In contacting your office, I was informed that there is a substantial backlog in the processing of these documents—a situation experienced by our state agency, as well. However, you may also wish to know of some inconsistent guidance I was given in preparing this Notice.

The gentleman from your office who assisted me (Shelly?), indicated that the documentation I had provided may be insufficient. He informed me that I would need to provide title documentation extending back from the current owners, at least until that point where a warranty deed appeared in the chain of title. I had only included with the submitted Notice a series of quit-claim deeds consolidating ownership in Benson Ranch Properties LLC, as personnel from the Eastern Regional Office had instructed me that the most recent deed(s) to the current owner would suffice.

This guidance seemed quite unusual, as I am required to always provide all title documentation from the current owner back to the record title owner evidenced by the files of

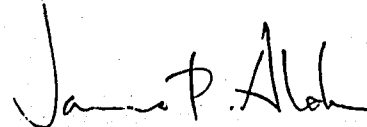
CLYDE SNOW SESSIONS & SWENSON

our State Engineer, whenever I submit a "Report of Water Right Conveyance" to the Utah Division of Water Rights. I inquired specifically as to this apparent difference in our agency procedures, but was assured that the more detailed work would not be necessary.

As I am now experiencing a different opinion on the issue and imposing additional costs to the client to complete this task, it would seem prudent that procedures are initiated to clarify among the various agency offices exactly what will be required to update ownership to water rights.

Yours truly,

CLYDE SNOW SESSIONS & SWENSON, P.C.



James P. Alder

cc: John Benson



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 23, 2003

BENSON RANCH PROPERTIES LLC
1677 N 1515 E
NORTH LOGAN UT 84341

RE: Change of Ownership for Water Right 13-903

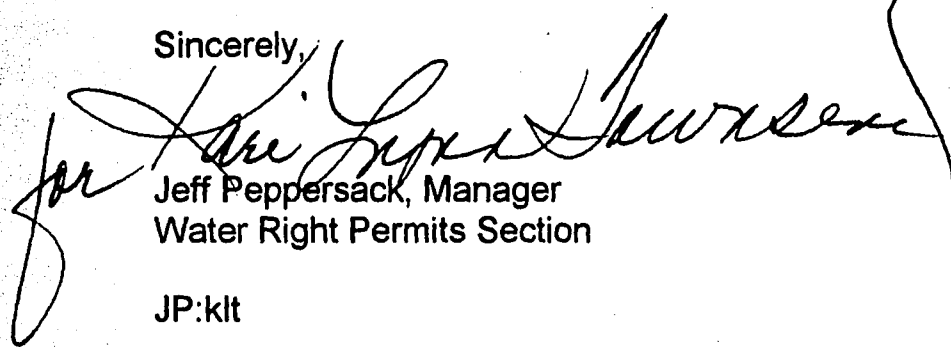
Dear Water Right Holder(s):

The department acknowledges 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.

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.

Please feel free to contact this office if you have any questions regarding this matter.

Sincerely,



Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

cc: JAMES P ADLER
CLYDE SNOW SESSIONS & SWENSON
201 S MAIN ST
SALT LAKE CITY UT 84111-2216