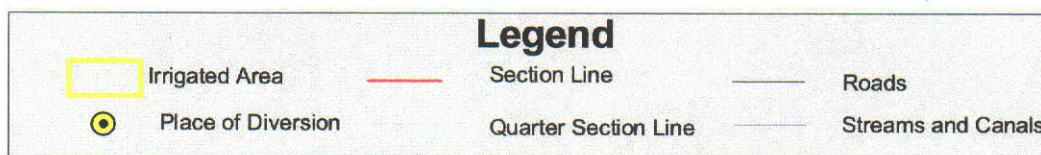
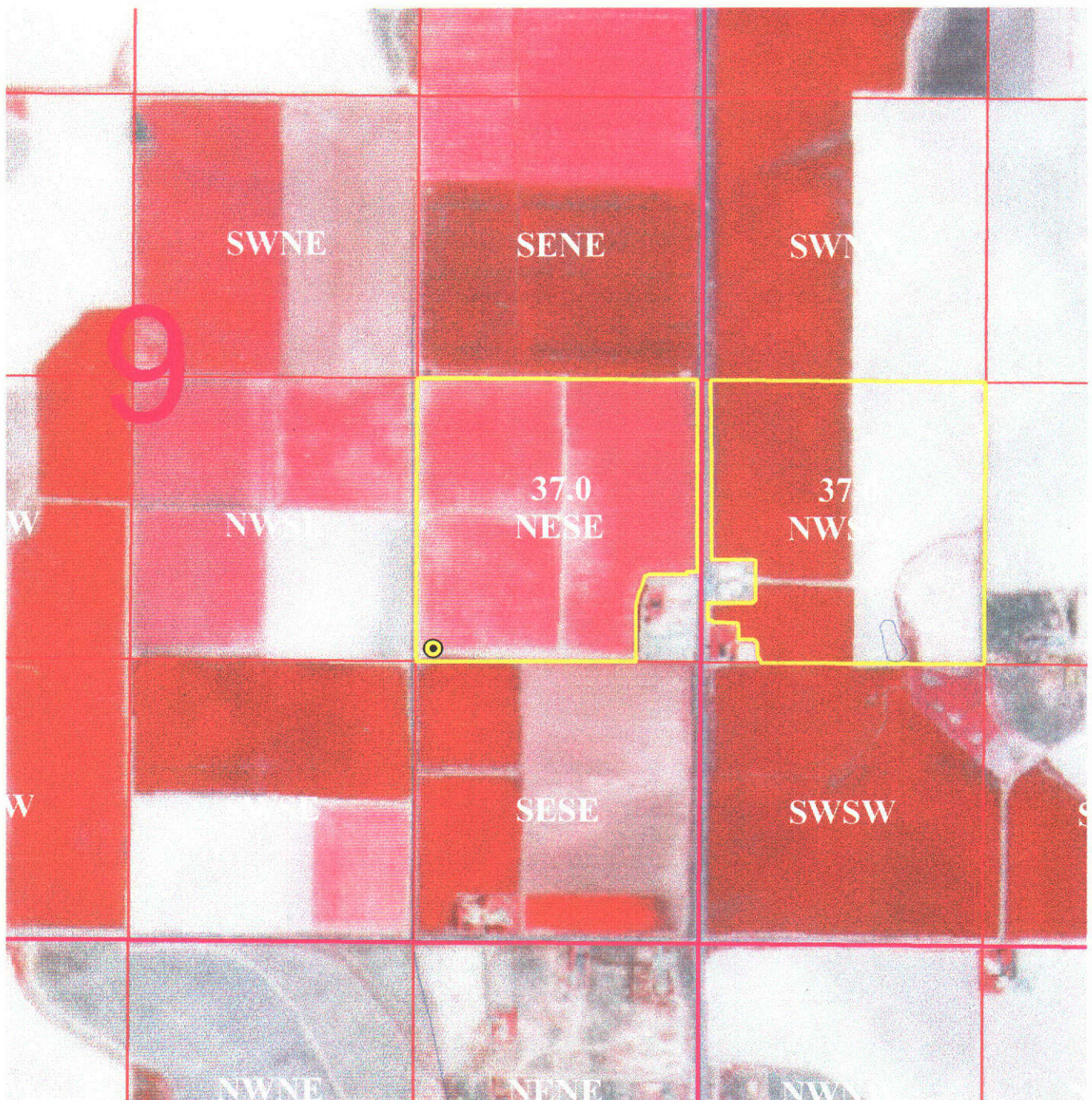


Water Right Claim Number 47-02362A
Township , 11S16E

01/12/2001

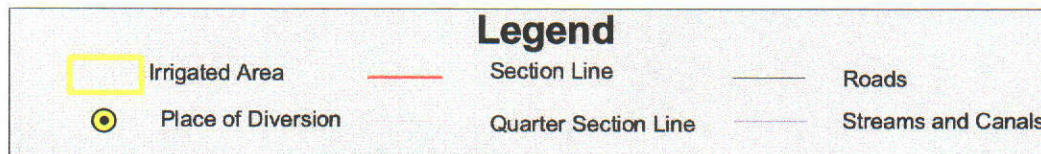
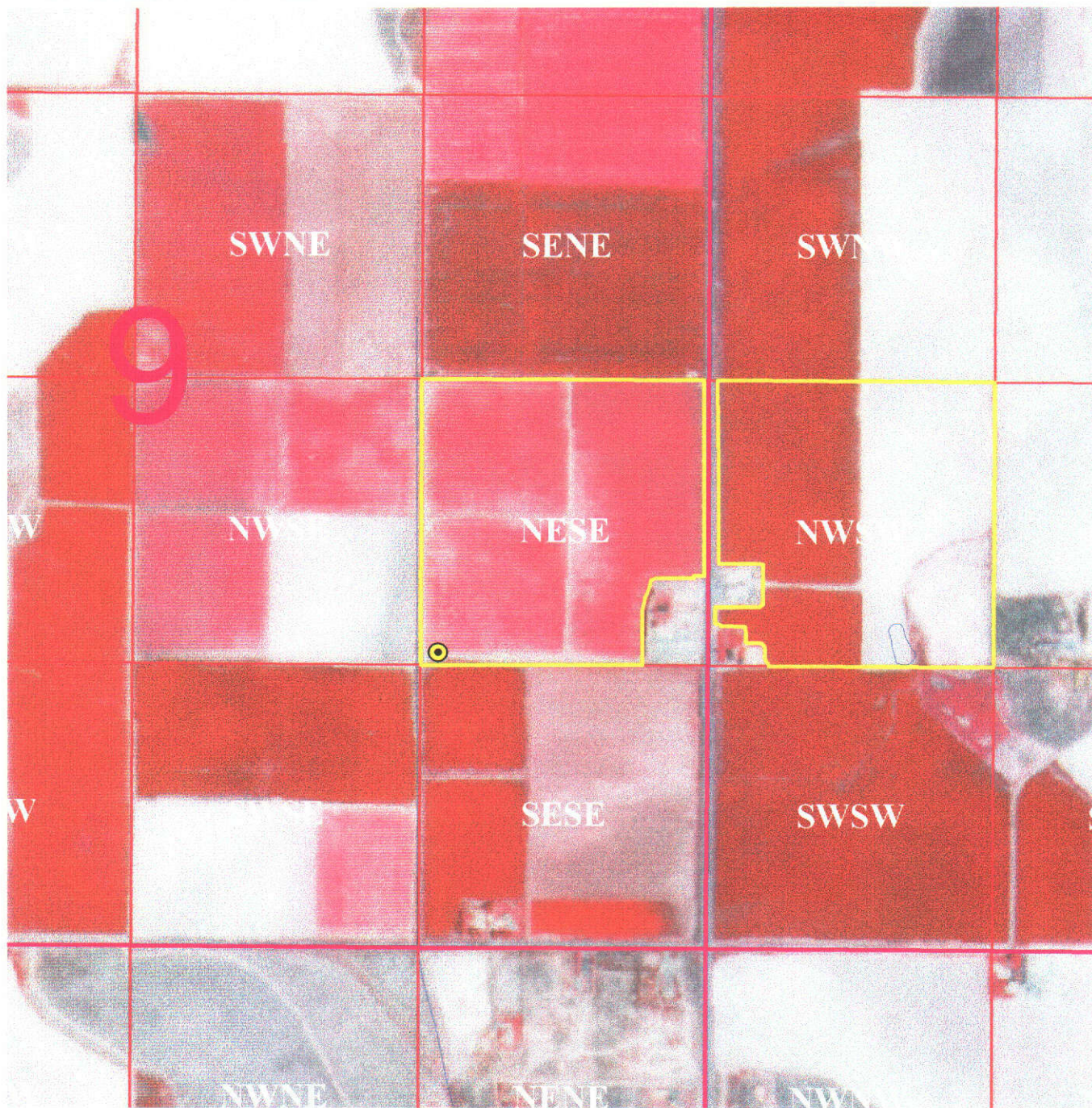


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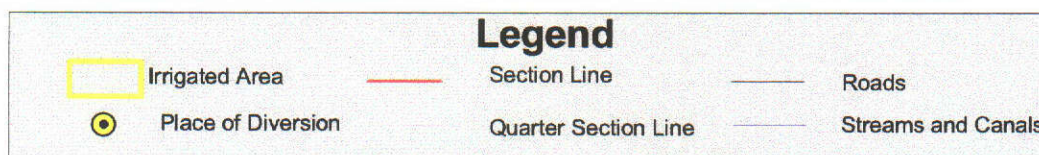
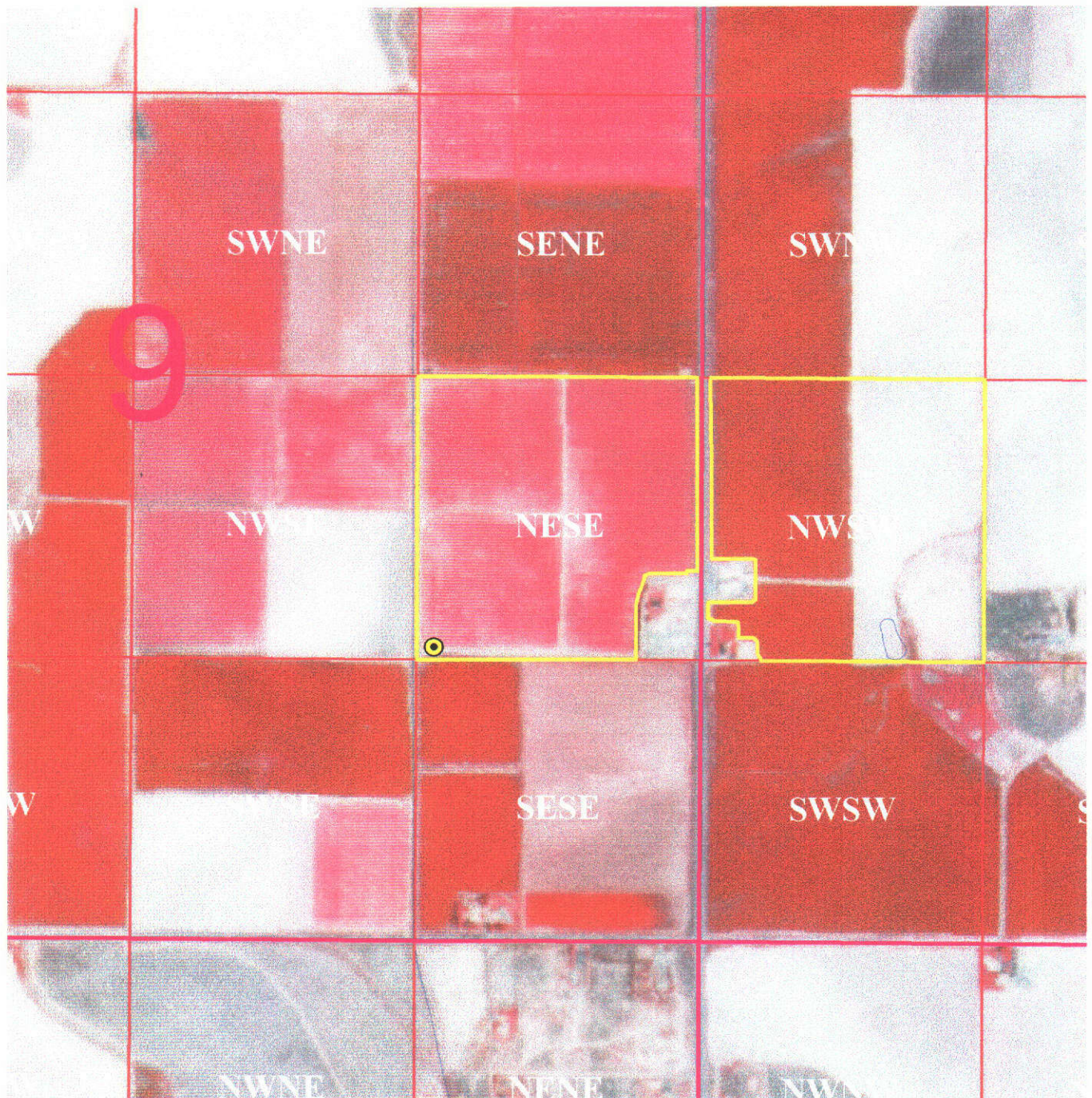
Water Right Claim Number 47-02362A
Township , 11S16E

01/12/2001



Water Right Claim Number 47-02362A
Township , 11S16E

01/12/2001



500 0 500 1000 Feet



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A47-02362A**
Date Received: 6/11/1991
Receipt No: X777777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JONATHAN AND ANN COSBY TRUST 208-734-1224
Address: C/O JOHN R. COLEMAN
ATTORNEY AT LAW
P.O. BOX 525
TWIN FALLS ID 83301

2. Date of Priority: MAR 8, 1962

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11S	16E	9	NE	SE			TWIN FALLS

5. Description of diverting works:
550'WELL & 75 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	10/01	1.090		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
11S	16E	9	NE	SE		IRR	40.0

MICROFILMED

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	40.0
		10	NW	SW	IRR	40.0
					Section Acres	40.0
					Total Acres	80.0

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:
A47-02362B

14. Remarks:

CHANGE OF OWNERSHIP 6/11/91 BY JG.
THIS RT. WHEN COMBINED WITH A47-02362B SHALL NOT EXCEED MORE THAN
1.09 CFS.

15. Basis of Claim: LICENSE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

MICROFILMED

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: **A47-02362A**
Date Received: 6/11/1991
Receipt No: X777777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: JONATHAN AND ANN COSBY TRUST 208-734-1224
Address: C/O JOHN R. COLEMAN
ATTORNEY AT LAW
P.O. BOX 525
TWIN FALLS, ID 83301

2. Date of Priority: MAR 8, 1962

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	16E	9	NE	SE			TWIN FALLS

5. Description of diverting works:
550'WELL & 75 HP PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	05/01	10/01	1.090		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
----------	-------	---------	--------	-----	-----	-----	-------

11. Place of use in counties:

MICROFILMED

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

13. Other Water Rights Used:
A47-02362B

14. Remarks:
CHANGE OF OWNERSHIP 6/11/91 BY JG.
THIS RT. WHEN COMBINED WITH A47-02362B SHALL NOT EXCEED MORE THAN
1.09 CFS.

15. Basis of Claim: BENEFICIAL USE

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

MICROFILMED

MAR 11 1993

SD-36 Township: 11S Range: 16E Section: 9 Tract: Lot: 19
 S L STATE O S Max # Records
 E O Water Name W T Priority Use
 L Tract T Right No. Last, First N AC G Date Code Desc

Tract	T	Right No.	Name Last, First	N	AC	G	Date	Code	Desc
SESW		A47-00010Z0			40	D	12/29/1906	02	IRR S
NESE		~~A47-00010Z0~~	GLAVIN & GLAVIN FARMS,	C	40	L	03/08/1962	03	IRR FS
NESE		A47-00010Z0	SALMON RIVER CANAL CO.	C	40	D	12/29/1906	01	IRR
								43	DOMEST
								01	IRR
								55	DIV S
								02	IRR S
NWSE		A47-00010Z0	SALMON RIVER CANAL CO.	C	39	D	12/29/1906	03	IRR FS
								01	IRR
								55	DIV S
								02	IRR S
SWSE		A47-00010Z0	SALMON RIVER CANAL CO.	C	39	D	12/29/1906	03	IRR FS
								01	IRR
								55	DIV S
								02	IRR S
								03	IRR FS

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

SD-33 Last Name: GLAVIN STATE
 S O
 E First W Water
 L Name N Right No. Priority Date Source Total Use
 Code Desc

First Name	N	Right No.	Priority Date	Source	Total Diversion	Use Code	Desc
GLAVIN							
LORENE	C	A47-13090	10/20/1951	GROUNDWATER	0.040	43	DOMEST
GLAVIN & GLAVIN FARMS, INC.		~~A47-00010Z0~~	03/08/1962	GROUNDWATER	1.090	01	IRR
						43	DOMEST

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

MICROFILMED
 MAR 11 1993

LAW OFFICES
DECKER AND HOLLIFIELD, P.A.

FRED D. DECKER
WILLIAM R. HOLLIFIELD

249-THIRD AVENUE EAST
P. O. BOX 66
TWIN FALLS, IDAHO 83303-0066
TELEPHONE (208) 734-5610 • 734-2950

March 5, 1991

RECEIVED

MAR - 6 1991

Southern Regional Office
222 Shoshone Street East
Twin Falls, Idaho 83301

Department of Water Resources
Southern Region Office

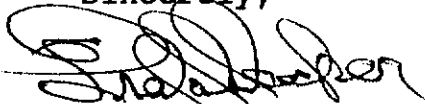
Dear Sir:

RE: Glavin & Glavin Farms, Inc. / Jonathan and Ann Cosby
Trust

Enclosed are the Change in Ownership of Notice of Claim and
Change in Ownership and accompanying attachment in the above
referenced matter.

If you have any questions, please give me a call.

Sincerely,



FRED D. DECKER

:dsa
Enclosures

MICROFILMED
MAR 11 1993

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM
SNAKE RIVER ADJUDICATION TWIN FALLS COUNTY CASE NO. 39576

Water Right Number: A 47-02362

Name and Address of
Former Claimant: Glavin & Glavin Farms, Inc.
3580 Highway 93
Route No. 1, Box 4193
Twin Falls, Idaho 83301

New Claimant: Jonathan and Ann Cosby Trust
Dated February 6, 1983

New Mailing Address: c/o John R. Coleman
P.O. Box 525
Twin Falls, Idaho 83301

New Telephone Number: 208/734-1224

Does the change in ownership result in a splitting of the
water right claimed? x yes no

If yes, then describe the portion of the water right that
is now claimed by the new owner:

1.09 cfs for irrigation only appurtenant to the NE $\frac{1}{4}$ SE $\frac{1}{4}$
of Section 9, Township 11 South, Range 16 East, B.M.,
in Twin Falls County, Idaho.

Attach Proof of Ownership
Describe Proof Attached: Assignment of Water License

Signature of New
Claimants:

JONATHAN COSBY
ANN COSBY
Jonathan Cosby and Ann Cosby
By: *John R. Coleman*
John R. Coleman, Attorney-
in-fact for Jonathan and
Ann Cosby
Date: March 5, 1991

FOR IDWR USE ONLY:
Initial Review and Data-Entry
Date: By:
Further Action Needed:
Further Action Taken
Date: By:
Final Review and Data-Entry
Date: By:
Claim Numbers of Split, if any:

MICROFILMED

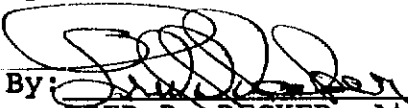
MAR 11 1993

RECEIVED

MAR - 6 1991

CHANGE IN OWNERSHIP

Signature of Former Claimant: GLAVIN & GLAVIN FARMS, INC.
By: Don Glavin, President

By: 
FRED D. DECKER, Attorney-
in-fact

Date: March 5, 1991

(Signature of former claimant is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

After form has been completed, please return to
the nearest IDWR office below:

WESTERN REGIONAL OFFICE
2735 Airport Way
Boise, Idaho 83705
(208) 334-2190

EASTERN REGIONAL OFFICE
150 Shoup Suite #15
Idaho Falls, Idaho 83402
(208) 525-7161

STATE OFFICE
1301 N. Orchard St.
Statehouse Mail
Boise, Idaho 83720
(208) 327-7906

SOUTHERN REGIONAL OFFICE
222 Shoshone Street East
Twin Falls, Idaho 83301
(208) 734-3578

NORTHERN REGIONAL OFFICE
1910 Northwest Blvd. Suite 210
Coeur d'Alene, Idaho 83814
(208) 765-4639

RECEIVED

MAR - 6 1991

Department of Water Resources
Southern Region Office

MICROFILMED

MAR 11 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF WATER LICENSE

GLAVIN & GLAVIN FARMS, INC., hereby assigns to the JONATHAN AND ANN COSBY TRUST dated February 6, 1983, whose address is P.O. Box 525 Twin Falls, Idaho, all its irrigation right, title and interest in and to 1.09 c.f.s portion of Department of Water Resources No. License G-30405, dated March 8, 1962, to appropriate the public waters of the State of Idaho.

The following described portion the irrigation right, title, and interest in and to Department of Water Resources License No. G-30405 to appropriate the public waters of the State of Idaho.

(Describe portion of the License assigned listing the number of acres in each 40 acre subdivision, point of diversion location, and the amount of water in cubic feet per second.)

1.09 c.f.s irrigation of DWR License No. G-30405 appurtenant to the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 9, Township 11 S., Range 16, E., B.M., and NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 10, Township 11 South, Range 16 E., B.M. in Twin Falls County, Idaho.

MADE This 5th day of March, 1991.

GLAVIN & GLAVIN FARMS, INC.

By Don Glavin, President

By 

Fred D. Decker, Attorney-in-
fact for Don Glavin

MICROFILMED
RECEIVED
MAR 4 1993

MAR - 6 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 734-3578

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

11-Jun-1991 16:21

Fred D. Decker
DECKER and HOLLIFIELD, P.A.
249 THIRD AVE EAST
P O BOX 66
Twin Falls, ID 83303-0066

Re: Change of Ownership Adjudication Claim A47-02362 -
Glavin & Glavin Farms Inc.

Dear Mr. Decker:

Pursuant to the notification that you are representing the new claimants on the above-referenced Adjudication Claim, the Department has changed the record(s) of the current owner as you requested. I am enclosing a copy of the computerized claim.

Please review the record(s) and should you have any questions, please feel free to call this office.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Judy Givens'.

Judy Givens
Adjudication Secretary

/jg

Enclosures

MICROFILMED
MAR 11 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

March 8, 1996

PHILIP E. BATT
Governor

KARL J. DREHER
Director

JOHN ROSHOLT
ROSHOLT, ROBERTSON & TUCKER
PO BOX 1906
TWIN FALLS ID 83303-1906

RE: Glavin, A47-02362B

Dear John:

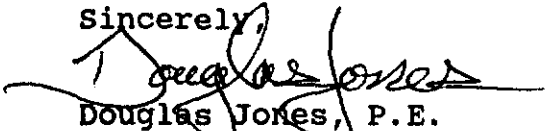
I have reviewed the original license and claim, the instrument conveying ownership and splitting the claim, and the resulting two claims. As you indicated, the original license did not identify separate rates of diversion for the uses. However, the original claim, filed in 1988, explained that the domestic uses were not linked by pipe to the well, but that water was trucked to the cisterns supplying the houses. The claim limited the number of acres to which it was identified as appurtenant and specified diversion rates for the individual beneficial uses, albeit specifying the IDWR standard for the domestic use. The domestic water was diverted with the irrigation pump which had a capacity of 1.09 cfs, less any losses in the piping and connections used to route the flow to the truck. Perhaps there was more than 0.08 cfs diverted to fill the truck, but as long as the total diversion rate did not exceed 1.09 cfs and the were one system then there was no problem. (y)

The instruments conveying the irrigation usage to Cosby specifically identifies a rate of 1.09 cfs. The change in ownership form and "Assignment of Water License" are both signed by Glavin & Glavin Farms, Inc's Attorney-in-Fact Fred Decker. The two resulting claims indicate that the combined diversion rate for the two parts can not exceed 1.09 cfs. As long as the system remains as it is described (as it was developed) then there does not appear to be a problem - the situation is status quo.

In retrospect, it may have been beneficial to have amended the claim prior to distribution to more clearly establish the interrelationships. At this point it may require a shared use agreement to clearly set forth the conditions of use, if one has not been developed.

I will place copies of your letter and my response in the files and take steps to prevent the claim from going to the contractor. As always, if you have further questions please do not hesitate to contact me.

Sincerely,


Douglas Jones, P.E.
Water Rights Supervisor

A47-02362A

ROSHOLT, ROBERTSON & TUCKER

**Chartered
ATTORNEYS AT LAW**

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
JOHN K. SIMPSON
PATRICK D. MADIGAN
PAUL W. SAMUELSON
TIMOTHY J. STOVER
NORMAN M. SEMANKO

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

March 7, 1996

RECEIVED

MAR 08 1996

Doug Jones
Adjudication Supervisor
Idaho Department of Water Resources
222 Shoshone St. East
Twin Falls, ID 83301

Department of Water Resources
Southern Region

RE: SRBA CLAIM #A36-02362B/GLAVIN

Dear Doug:

My client, Don Glavin, is concerned that his adjudication claim, A36-02362B, for 0.08 c/f/s for domestic use, may be adversely affected by the claim filed by the Cosby Trust on the split portion of the claim, A36-02362A for irrigation use. Specifically, the license for the right prior to the division of property was for 1.09 c/f/s for a combination of irrigation and domestic use, with no specific quantity allocated for either use. When the land was sold by my client to the Cosby Trust, the domestic use for the 3 homes remained with my client. Thus, the split and the two separate SRBA claims. However, the Cosby claim has been filed for the entire 1.09 c/f/s for irrigation use.

Presumably, a site inspection would reveal the split uses, resulting in the recommendation of my client's 0.08 c/f/s for domestic use and a recommendation of the Cosby Trust claim at 1.01 c/f/s for irrigation. I note that the Department's own guidelines recommend an amount of 0.08 c/f/s for 3 households.

While this letter may be somewhat premature, I wanted to alert someone in your office to this situation, in light of the fact that the Department contracts much of its domestic claims review to an outside contractor. I'd like to make sure that the Cosby claim is not reviewed in a vacuum, but in relation to the domestic use my client retained.

Your reply would be appreciated.

Respectfully submitted,

John A. Rosholt
JOHN A. ROSHOLT

Log for claim 47-02362A

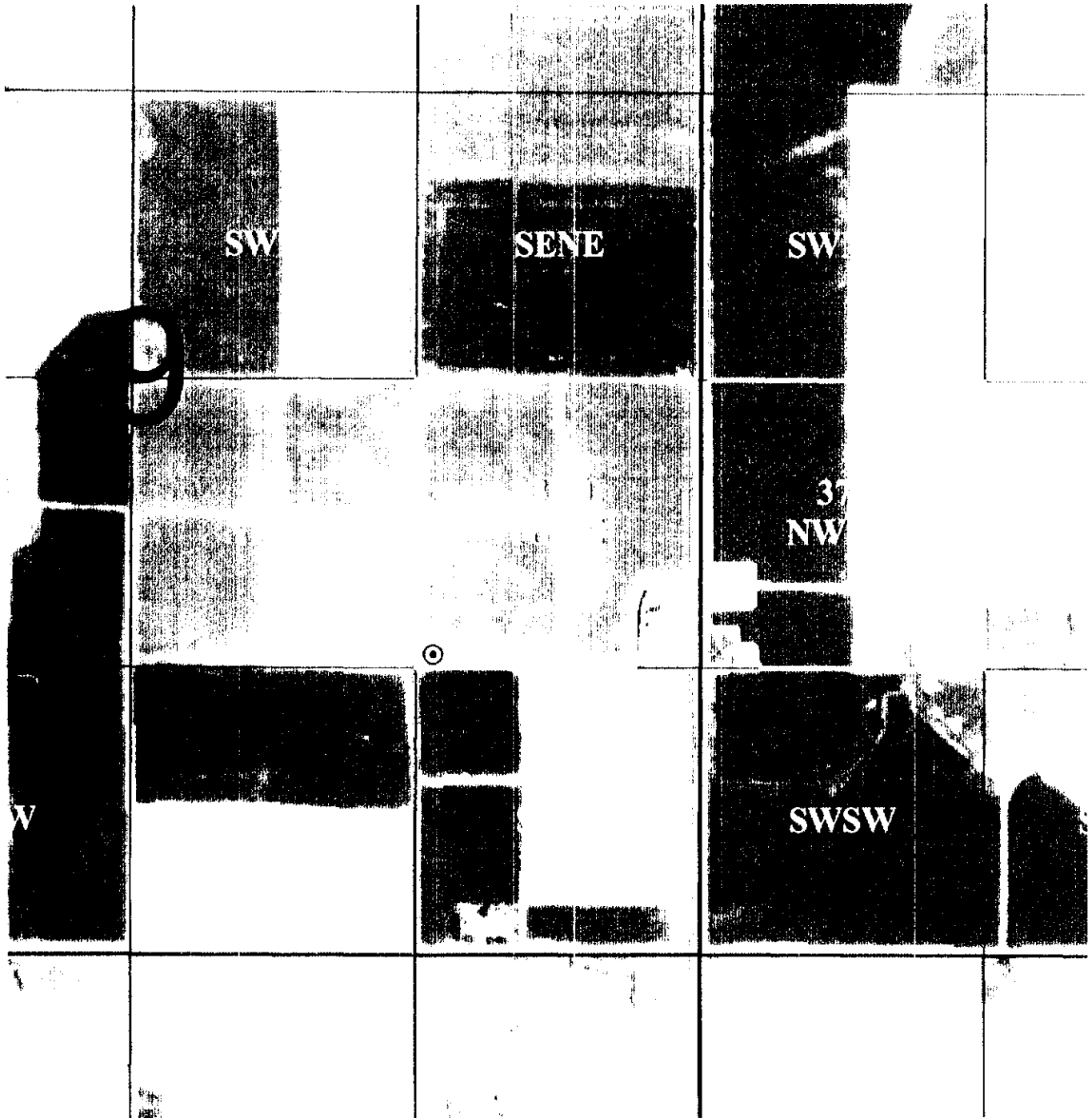
Spatial Dynamics BTD

1/12/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s16e	9	NESE	40	37	
11s16e	10	NWSW	40	37	
Totals:			80	74	

Water Right Claim Number 47-02362A
Township , 11S16E

01/12/2001



Legend		
Irrigated Area	Section Line	Roads
⊙ Place of Diversion	Quarter Section Line	Streams and Canals

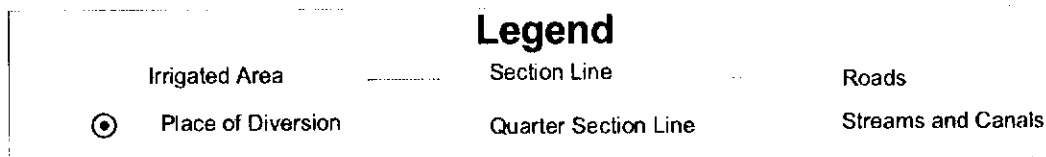
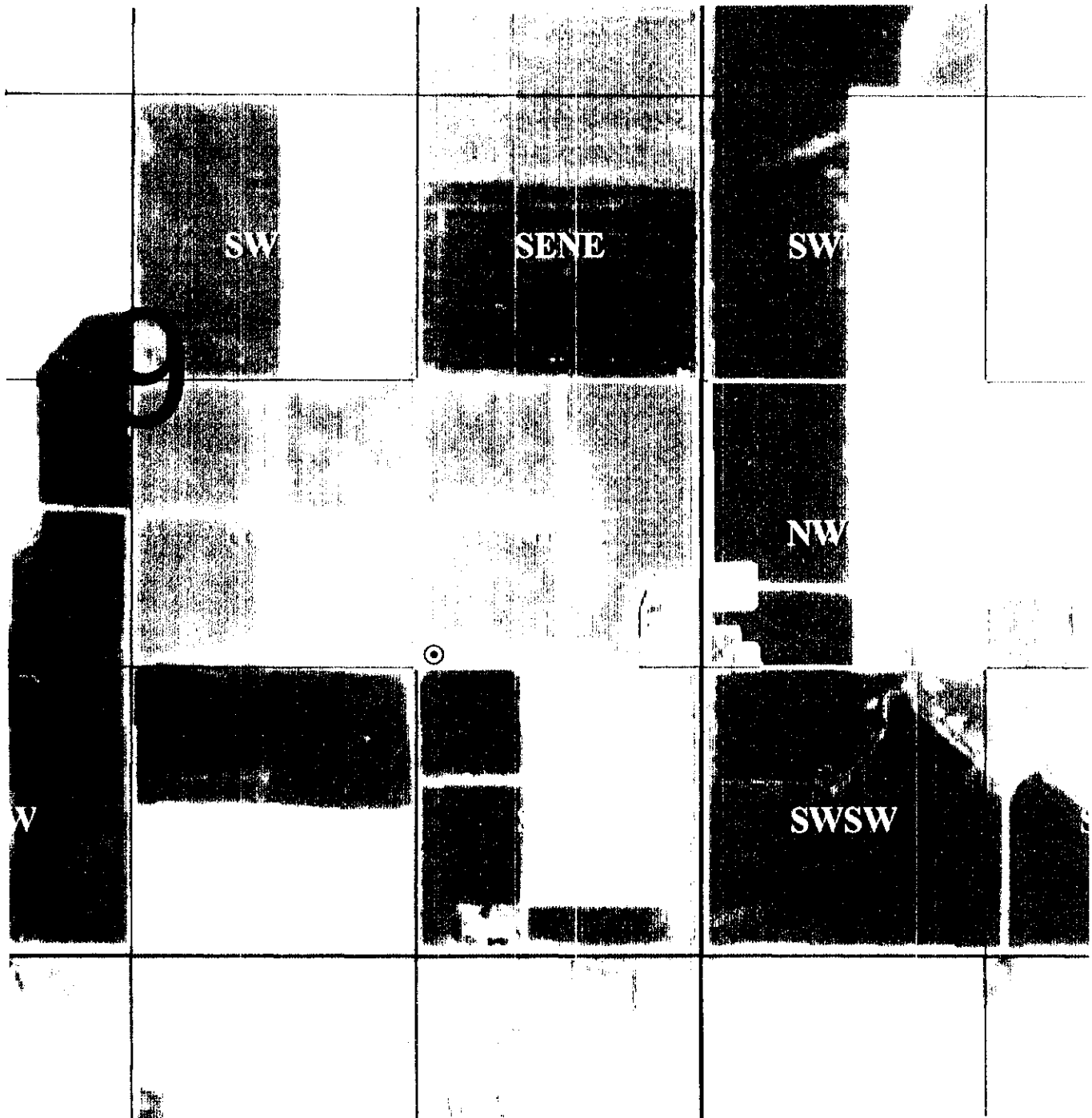
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SPATIAL
DYNAMICS

Water Right Claim Number 47-02362A
Township , 11S16E

01/12/2001



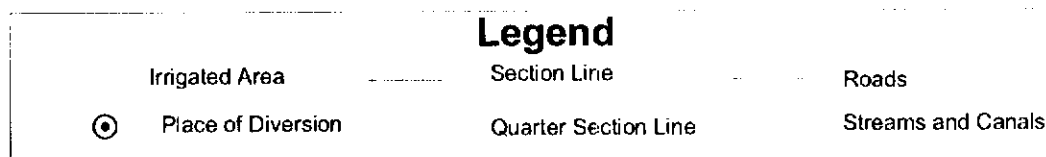
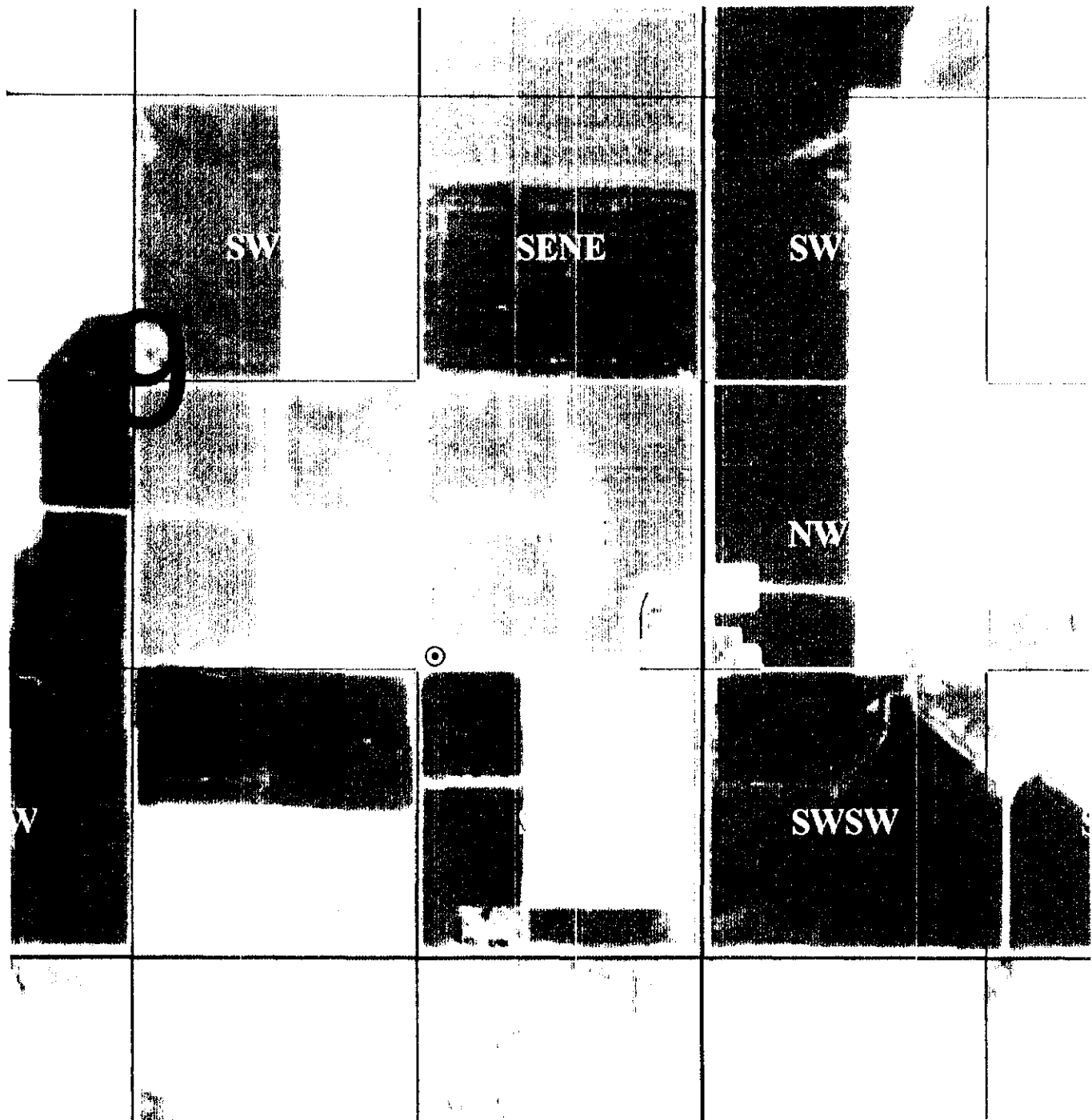
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*SPATIAL
DYNAMICS*

Water Right Claim Number 47-02362A
Township , 11S16E

01/12/2001



500 0 500 1000 Feet



SPATIAL
DYNAMICS

AJ5809NP
No. A47-02362A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/06/00
PAGE: 51

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	JONATHAN AND ANN COSBY TRUST C/O JOHN R COLEMAN ATTORNEY AT LAW PO BOX 525 TWIN FALLS ID 83301 (208) 734-1224	03/08/1962	IRRIGATION	05-01 10-01	1.090 CFS	
TOTAL DIVERSION:					1.090 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T11S R16E S09 NESE

TWIN FALLS County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
11S	16E	9	:																	:	40.0
11S	16E	10	:																	:	40.0
																				TOTAL ACRES	80.0

POU County: TWIN FALLS

Other Rights: A47-02362B

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
47-02362B A47-02362B

Other Water Rights Listing Overlapping Place(s) of Use:
A47-00010Z0 A47-02362

Remarks: GEN CHANGE OF OWNERSHIP 6/11/91 BY JG.
THIS RT. WHEN COMBINED WITH A47-02362B SHALL NOT EXCEED MORE THAN
1.09 CFS.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 06/11/91 GIVENS 01/11/93 MERRITT 03/30/95 POST-STD