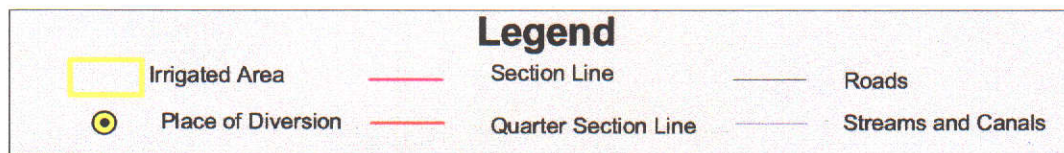
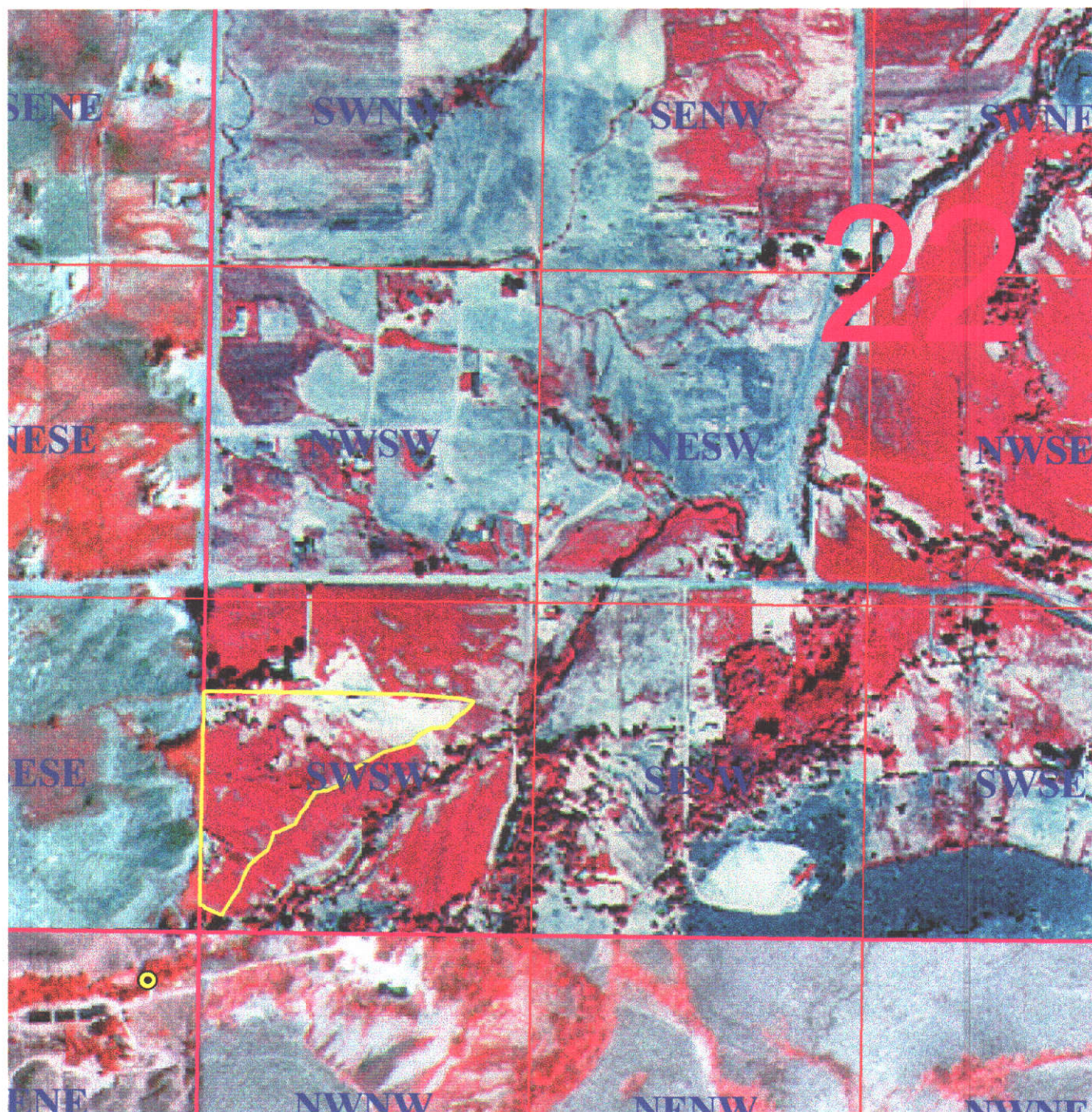


Water Right Claim Number 47-04149
Township , 9S14E

02/21/2001

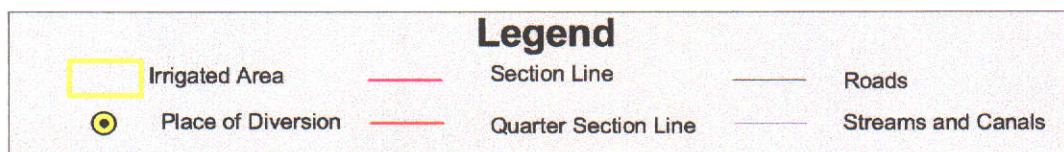
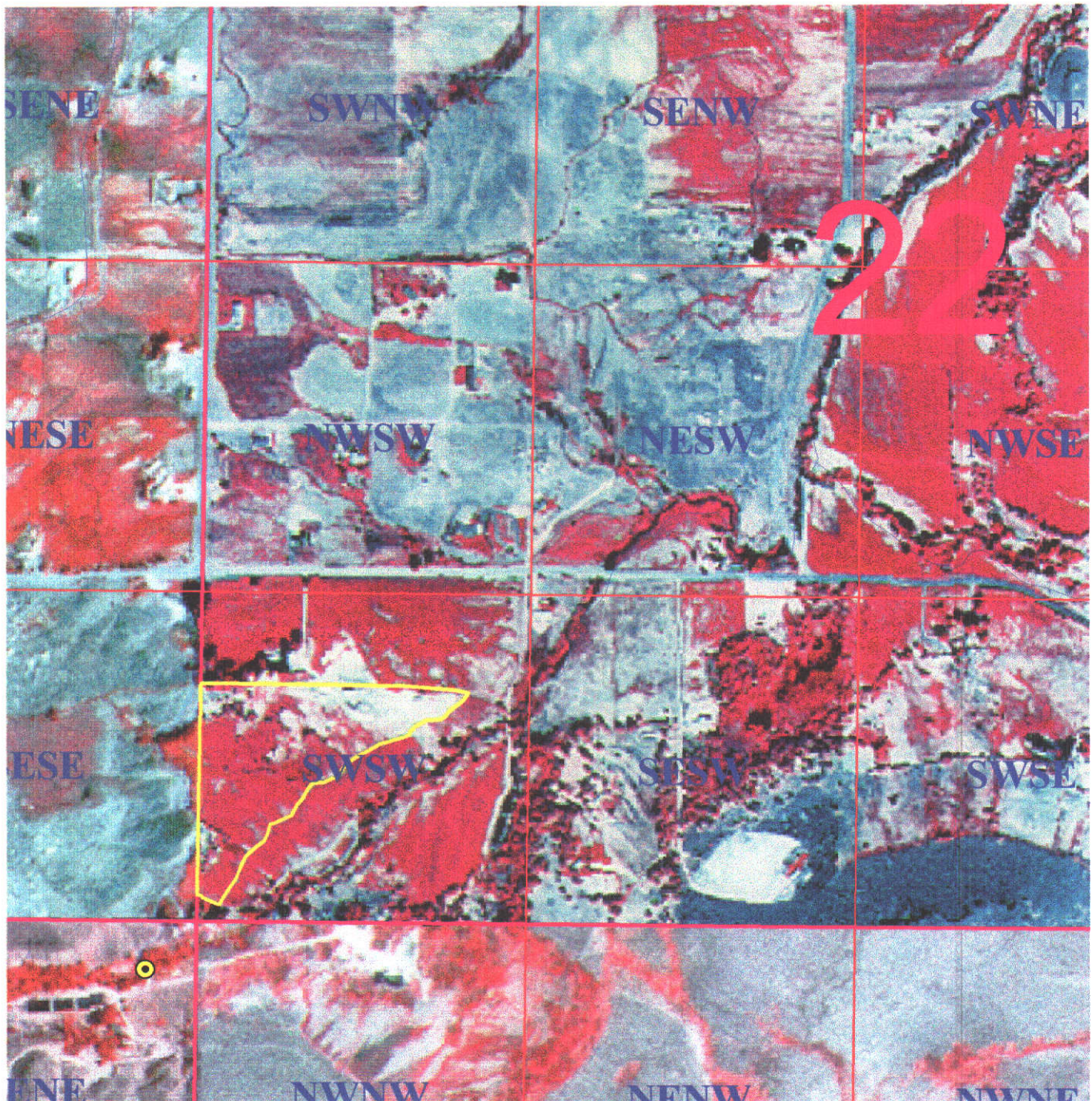


400 0 400 800 Feet

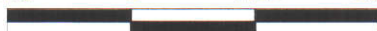


Water Right Claim Number 47-04149
Township , 9S14E

02/21/2001

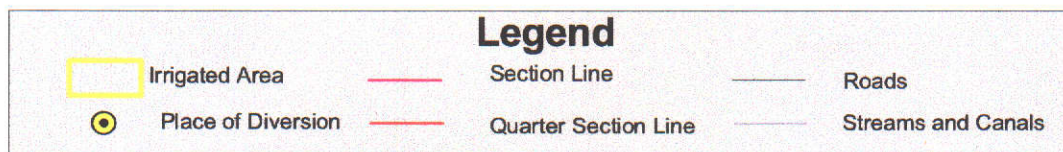
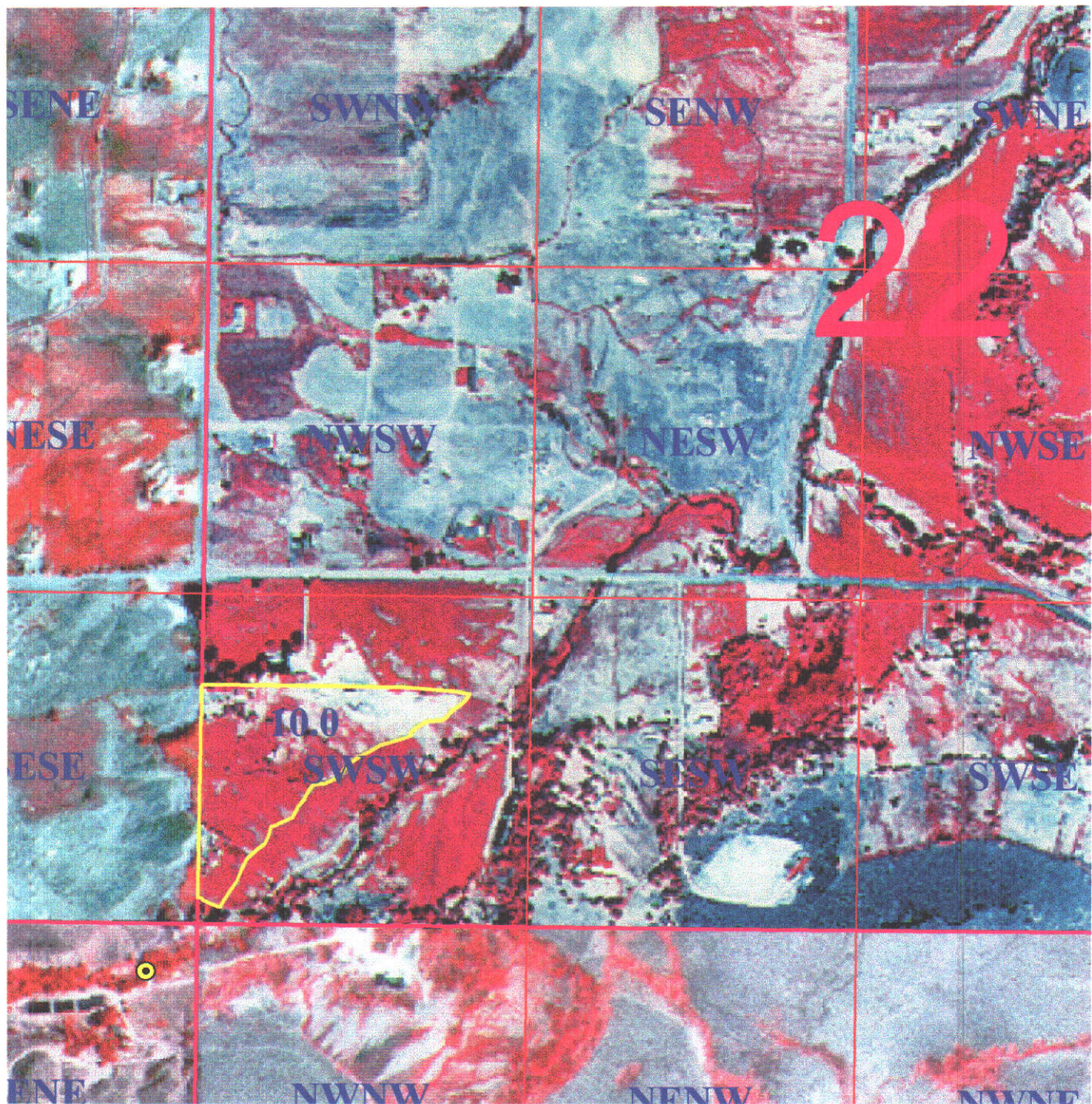


400 0 400 800 Feet



Water Right Claim Number 47-04149
Township , 9S14E

02/21/2001



400 0 400 800 Feet



SPATIAL
DYNAMICS

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: A47-04149
Date Received: 6/29/1988
Receipt No: S000634
Received By: A. Sen

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DANIEL JOHN WRAY 208-543-6595
Address: RT 4 BOX 330
BUHL ID 83316

AND/OR

Name: RITA WRAY 208-543-6595
Address: RT 4 BOX 330
BUHL ID 83316

2. Date of Priority: APR 1, 1935

3. Source: MUD CREEK Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	14E	28	NE	NE			TWIN FALLS

5. Description of diverting works:
DAM, HEADGATE & DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.200		
STOCKWATER	01/01	12/31	0.040		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
S/25 RANGE.

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10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	14E	22	SW	SW		STOCK IRR	10.0
Section Acres							10.0
Total Acres							10.0

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:

14. Remarks:

P/U OVERLAPS WITH THAT UNDER CLAIM A47-07007A; TOTAL LAND IRRIGATED IS ABOUT 28 ACRES.

OWNERSHIP CHANGE 6/25/91 BY JG.

15. Basis of Claim: STATUTORY CLAIM

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 _____



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

DATE OF CLOSING: _____

OCT 19 1992

LEGAL DESCRIPTION OF PROPERTY: Township 9S Range 14E
Section 22, 1/4 of SW 1/4 of SW 1/4, Govt. Lot Department, BM.
Lot _____, Block _____, Subdivision/Townsite _____, Southern Region Office
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
- ☐ Water Right Number(s) A47-07159, A47-07456
Assigned by IDWR: A47-10068, A47-04149, A47-07449, A47-07007A
- ☐ Name and Address of Former Owner/Claimant(s)(Seller): RUTH ZACK TRUSTEE
24450 KIRBY ST SP 63
HEMET, CA 92545
- ☐ New Owner/Claimant (Purchaser): DANIEL JOHN AND/OR RITA WRAY
- ☐ New Mailing Address: RT 4 Box 330
BuHL ID 83316
- ☐ New Telephone Number: (208) 543-6595
- ☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

- ☐ Attach proof of ownership, describe proof attached: TRUSTEE'S DEED
(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)
- ☐ Signature of New Owner/Claimant(s): Daniel J. Wray Date Oct 19
Date _____
- ☐ Signature of Former Owner/Claimant(s): _____ Date _____
Date _____

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 12-7-92 By: See

Further Action Needed:

NONE

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

T-13174 E8887RJG

TRUSTEE'S DEED

For Value Received RUTH E. ZACK, as testamentary trustee, to be held in trust pursuant to the Last Will and Testament of Glenn W. Zack, deceased, dated June 5, 1975, as to an undivided one-half interest; AND RUTH E. ZACK, Trustee under Declaration of Trust dated December 12, 1989, Trustee of The Ruth E. Zack Trust of 1989, as to an undivided one-half interest

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
DANIEL JOHN WRAY and RITA WRAY, husband and wife
whose address is: 501 Elm
Buhl ID 83316

Hereinafter called the Grantee, the following described premises situated in Twin Falls County, Idaho, to-wit:

Township 9 South, Range 14, East of the Boise Meridian, Twin Falls County, Idaho, as shown on the records of the County Recorder for Twin Falls County, Idaho.

SECTION 22: SW 1/4 SW 1/4, sometimes referred to as Rolling Meadows recorded September 20, 1977 in Book 28 of Miscellaneous, page 1751, records of Twin Falls County, Idaho.

TOGETHER WITH 29 Shares of Mud Creek Water Users Association.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: October 5th, 1992

Ruth E. Zack

RUTH E. ZACK, as testamentary trustee pursuant to the Last Will and Testament of Glenn W. Zack, deceased

Ruth E. Zack

RUTH E. ZACK, Trustee under Declaration of Trust dated December 12, 1989, Trustee of The Ruth E. Zack Trust of 1989

MICROFILMED

MAR 11 1993

STATE OF CALIFORNIA)
 : SS
COUNTY OF X RIVERSIDE)

On this X 5th day of X October, in the year 1992,
before me, a Notary Public in and for said State, personally appeared RUTH
E. ZACK, known or identified to me to be the person whose name is
subscribed to the within instrument as Testamentary Trustee pursuant to the
Last Will and Testament of Glenn W. Zack, and acknowledged to me that she
executed the same as such Testamentary Trustee.

WITNESS my hand and official seal.

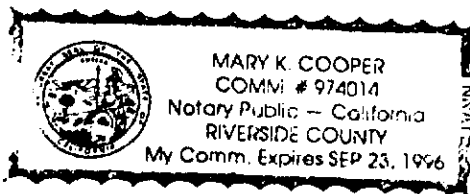


Mary K Cooper
Notary Public of California
Residing at: X Hemet, California
Commission Expires: X 9-23-96

STATE OF CALIFORNIA)
 : SS
COUNTY OF X RIVERSIDE)

On this X 5th day of X October, in the year 1992,
before me, a Notary Public in and for said State, personally appeared RUTH
E. ZACK, known or identified to me to be the person whose name is
subscribed to the within instrument as Trustee under Declaration of Trust
dated December 12, 1989, Trustee of The Ruth E. Zack Trust of 1989, and
acknowledged to me that she executed the same as such Trustee.

WITNESS my hand and official seal.



Mary K Cooper
Notary Public of California
Residing at: X Hemet, California
Commission Expires: X 9-23-96

MICROFILMED

MAR 11 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

DECEMBER 7, 1992

R. KEITH HIGGINSON
Director

DANIEL JOHN AND/OR RITA WRAY
RT 4 BOX 330
BUHL ID 83316

RE: CHANGE IN OWNERSHIP FOR SRBA CLAIM NOS. A47-04149, A47-07159,
A47-07007A, A47-07449, A47-07456 & A47-10068

DEAR MR. & MRS. WRAY,

PURSUANT TO YOUR REQUEST FOR A CHANGE IN OWNERSHIP AND/OR THE NOTIFICATION THAT YOU PRESENTLY OWN THE PROPERTY IN WHICH THE ABOVE-REFERENCED ADJUDICATION CLAIM(S) IS APPURTENANT, THE DEPARTMENT HAS CHANGED THE RECORD OF THE CURRENT OWNERS AS YOU REQUESTED. PLEASE FIND ENCLOSED A COPY OF YOUR ADJUDICATION CLAIMS AS THEY NOW APPEAR IN OUR RECORDS.

IF YOU HAVE ANY FURTHER CORRECTIONS OR QUESTIONS PLEASE CONTACT OUR OFFICE.

SINCERELY,

STEVE CLELLAND
WATER RESOURCE AGENT

ENC:
SCC

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A47-04149

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Jeanie Robertson Date 3/16/95

Contact Person(s) Rita Wray

Nature of Contact phone call

Substance of Communication she called regarding Evidence of Priority. Said she thought a previous owner had already sent in an affidavit for priority for this claim. I checked our micro-film records and found an affidavit from a Frank Charlton. Made a copy for our file and sent her a copy as she requested.

MICROFILMED

NOV 29 1996

A47-04149

January 31, 1980

RECEIVED

JAN 31 1980

Department of Agriculture
Southern District Office

I, Frank Charlton, have resided on property located at Sec. 22T9 R14 SW of SW, from April 1, 1935. At that time ten inches of water was used from Mud Creek for irrigation and stock - as it is being used now.

I now reside at Route 2, Box 272-B, Kimberly, Idaho 83341. My occupation is principal at Twin Falls High School, Twin Falls, Idaho.

Frank Charlton
Signature

Helen A. Houston JAN 31 1980
History, Twin Falls, Idaho

MICROFILMED
NOV 29 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES
 Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

GOVERNOR PHILIP E. BATT

R. KEITH HIGGINSON
 Director

January 10, 1995

A47-04149
 DANIEL JOHN WRAY
 RITA WRAY
 RT 4 BOX 330
 BUHL

ID 83316

RE: Evidence of Priority

Dear Claimant:

 * RESPONSE DEADLINE *
 * MARCH 15, 1995 *

The Notice of Claim identified with the number shown above your name on the mailing label has been filed in the Snake River Basin Adjudication (SRBA). The Notice indicates your water usage is based on "Beneficial Use" or a "Statutory Claim". Water rights of this type are established by the historical use of water, dating back to when water was first used for the purpose claimed. The date of first use, known as the priority date, has not been confirmed by a License, Decree or Permit. The Department will, at a later date, conduct reviews &/or field exams for the claims in your area. Since the priority date of a beneficial use water right can not be confirmed by field examination, **proof must be provided by the claimant supporting the priority date claimed.**

If you no longer own the property to which the claim is appurtenant please forward this correspondence to the present owner, or return it to the department. If you have received this correspondence from the previous owner of the property it is recommended that you file a Change of Ownership form with the Department in order to receive future mailings and to continue to be a party in the adjudication.

Please find enclosed a computer printout of your Notice of Claim and the pamphlet entitled "Evidence of Priority". The pamphlet describes the types of evidence required and suggests which documents will fulfill this requirement.

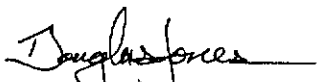
SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in the form of a

January 10, 1995
 page 2

notarized affidavit.

Please submit the required evidence supporting the priority date by March 15, 1995, referencing all documents with the corresponding Notice number. If you have any questions not covered by this letter or the enclosed pamphlet, please contact this office.

Sincerely,


 Douglas Jones, P.E.
 Water Rights Supervisor

Enc.

MICROFILMED

NOV 29 1996

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: ~~A47-04149~~
Date Received: 6/29/1988
Receipt No: S000634
Received By: _____

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

1. Name: RUTH E. ZACK, TRUSTEE 208-652-7349
Address: 24450 KIRBY #63
HEMET, CA 82343
2. Date of Priority: APR 1, 1935
3. Source: MUD CREEK Trib. to: SNAKE RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|------------|
| 09S | 14E | 28 | NE | NE | | | TWIN FALLS |
5. Description of diverting works:
DAM, HEADGATE & DITCH.
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.200 | | |
| STOCKWATER | 01/01 | 12/31 | 0.040 | | |
7. Total Quantity Appropriated is:
0.200 C.F.S. (and/or) A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
S/25 RANGE.
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	14E	22	SW	SW		STOCK IRR	10.0

10. Place of Use: Continued

Section Acres 10.0

Total Acres 10.0

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:

14. Remarks:

P/U OVERLAPS WITH THAT UNDER CLAIM A47-07007A; TOTAL LAND IRRIGATED IS ABOUT 28 ACRES.

OWNERSHIP CHANGE 6/25/91 BY JG.

15. Basis of Claim: STATUTORY CLAIM

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

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

25-Jun-1991 16:06

R. E. Rayborn
RAYBORN & RAYBORN
P O BOX 321
FIRST INTERSTATE BANK BLDG.
Twin Falls, ID 83303-0321

Re: Change of Ownership Adjudication Claim(s) A47-4149, 7007A,
A47-7449, 7456, 7159

Dear Mr. Rayborn:

Pursuant to the notification that you are representing the new claimants on the above-referenced Adjudication Claim(s), 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,

Judy Givens
Adjudication Secretary

/jg

Enclosures

MICROFILMED

MAR 11 1993

SD-36 Township: 09S		Range: 14E		Section: 22		Tract:		Lot:	
S	L	Water	Name	O	S	Max #	Records	100	
E	O			W	T	Priority	Use		
L	Tract T	Right No.	Last, First	N	AC	G	Date	Code	Desc
-	-	-	-	-	-	-	-	-	-
-	SWSW	A47-07449	ZACK, RUTH	C		P	01/09/1978		
-	SWSW	A47-07456	ZACK, GLENN W.	C		L	04/11/1978	19	FISH
-			ZACK, RUTH	C					
-	SWSW	A47-10068	ZACK, GLENN W.	C		J	01/01/1908	43	DOMEST
-			ZACK, RUTH	C					
-	SWSW	A47-07007	MUD CREEK WATER USER'S	C	29	L	08/24/1967	01	IRR
-	SESW	A47-14988	WISEMAN, TOM	C	4	J	03/15/1920	01	IRR
-			WISEMAN, KELLY	C					
-	SESW	A47-10749	HEDQUIST, GREGORY L.	C		J	12/31/1972	43	DOMEST
-			HEDQUIST, SUSAN M.	C				04	STOCK
-	SESW	A47-10750	HEDQUIST, GREGORY L.	C	4	J	04/01/1920	01	IRR
-			HEDQUIST, SUSAN M.	C					
-	SESW	A47-12000	LAWRENCE, LEO	C		J	12/31/1980	43	DOMEST
-			LAWRENCE, EILEEN D.	C				04	STOCK
-	SESW	A47-04083A	HOPPLE, WILLIAM	C	5	S	04/01/1920	01	IRR
-	SESW	A47-04083B	LAWRENCE, LEO	C	5	S	04/01/1920	01	IRR

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

MICROFILMED

MAR 11 1993

SD-33

Last Name: ZACK

STATE

S	First	O	Water	Priority		Total	Use
E	Name	W	Right No.	Date	Source	Diversion	Code Desc
L		N					
-	ZACK						
-	GLENN W.	C A47-04149	04/01/1935	MUD CREEK	0.200	01	IRR
-						04	STOCK
-	RUTH	C A47-04149	04/01/1935	MUD CREEK	0.200	01	IRR
-						04	STOCK
-	GLENN W.	C A47-07007A	08/24/1967	MUD CREEK	0.540	01	IRR
-	RUTH	C A47-07007A	08/24/1967	MUD CREEK	0.540	01	IRR
-	GLENN W.	C A47-07159	10/10/1972	WILSON CREE	0.140	01	IRR
-	RUTH	C A47-07159	10/10/1972	WILSON CREE	0.140	01	IRR
-	GLENN W.	C A47-07449	01/09/1978	MUD CREEK	30.000	19	FISH
-	RUTH	C A47-07449	01/09/1978	MUD CREEK	30.000	19	FISH
-	GLENN W.	C A47-07456	04/11/1978	WILSON CREE	7.060	19	FISH
-	RUTH	C A47-07456	04/11/1978	WILSON CREE	7.060	19	FISH
-	GLENN W.	C A47-10068	01/01/1908	GROUNDWATER	0.040	43	DOMEST
-	RUTH	C A47-10068	01/01/1908	GROUNDWATER	0.040	43	DOMEST

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

MICROFILMED
MAR 11 1993

SD-36		Township: 09S		Range: 14E		Section: 22		Tract:		Lot:	
S	L	STATE		O		S	Max # Records	100			
E	O	Water		Name		W	T	Priority	Use		
L	Tract	T	Right No.	Last, First		N	AC	G	Date	Code	Desc
---	---	---	---	---	---	---	---	---	---	---	---
---	NWSW		A47-14756	FRANSON, ROGER		C		J	07/01/1979	43	DOMEST
---				FRANSON, MARY		C				04	STOCK
---	NWSW		A47-13692	HUDSON, JIMMARY MACKEY		C		J	05/01/1976	43	DOMEST
---										04	STOCK
---	NWSW		A47-13692	HUDSON, JIMMARY MACKEY		C		J	05/01/1976	43	DOMEST
---										04	STOCK
---	NWSW		A01-00209Z0	TWIN FALLS CANAL CO.		C	3	D	10/11/1900	01	IRR
---	NWSW		R47-10907	BERNSTEIN, BETTY M.		C			01/01/1978	43	DOMEST
---				BERNSTEIN, ALLEN		C					
---	SWSW		A47-04149	ZACK, GLENN W.		C	10	S	04/01/1935	01	IRR
---				ZACK, RUTH		C				04	STOCK
---	SWSW		A47-07007A	ZACK, GLENN W.		C	27	L	08/24/1967	01	IRR
---				ZACK, RUTH		C					
---	SWSW		A47-07159	ZACK, GLENN W.		C	7	L	10/10/1972	01	IRR
---				ZACK, RUTH		C					
---	SWSW		A47-07449	ZACK, GLENN W.		C		P	01/09/1978	19	FISH

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

MICROFILMED

MAR 11 1993

Rayborn & Rayborn

ATTORNEYS AT LAW

P.O. BOX 321

FIRST INTERSTATE BANK BLDG.

TWIN FALLS, IDAHO 83303-0321

208-733-2600

Fax 733-2602

E. L. RAYBORN (1893-1970)

E. M. RAYBORN (1901-1986)

R. E. RAYBORN

PARALEGAL
KAREN J. MATTICE
CERTIFIED P.L.S.

April 9, 1991

RECEIVED

APR 11 1991

Department of Water Resources
Southern Region Office

State of Idaho
Department of Water
Resources
2148 Fourth Avenue East
Twin Falls, ID 83301

Re: Water Right Numbers 47-4149,
47-7007, 47-7449, 47-7456, and 47-7159

*

Ladies and Gentlemen:

Enclosed for filing is Change in Ownership of Notice of
Claim for the above-captioned water right numbers.

Thank you for your assistance.

Sincerely yours,



R. E. RAYBORN

RER/kjm

Enclosures

6/25/91 - I (jg) called the above-office in reference to A47-7007 s/b A47-7007A.

MICROFILMED

MAR 11 1993

RECEIVED

APR 11 1991

CHANGE IN OWNERSHIP OF NOTICE OF CLAIM Department of Water Resources

[] Water Right Number(s): 47-4149, 47-7007, 47-7449, 47-7456, 47-7159 Southern Region Office

[] Name and Address of Former Claimant: Glenn W. Zack and Ruth E. Zack
24450 Kirby, #63
Hemet, California 92343

[] New Claimant(s): Ruth E. Zack, and
Ruth E. Zack, Trustee

[] New Mailing Address: 24450 Kirby, #63
Hemet, California 82343

New Telephone Number: (714) 652-7349

[] Does the change in ownership result in a splitting of the water right claimed? yes X no

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

[] Attach proof of ownership. Copy of Death Certificate
Describe proof attached: Corrected Personal Representative's Deed

[] Signature of New Claimant(s): Ruth E. Zack
Ruth E. Zack Trustee

Date: MAR 14 1991

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 6/25/91 By: X

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: 6/25/91 By: X

Claim Numbers of Split, if any:

6/25/91 - I(jg) called Mr. Rayborn to draw attention the Claim NO. 47-07007
s/b A47-07007A.

MICROFILMED

MAR 11 1993

SD-36		Township: 09S		Range: 14E		Section: 22		Tract:		Lot:	
S	L			STATE	O	S	Max #	Records	100		
E	O	Water		Name	W	T	Priority	Use			
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc	
				ZACK, GLENN W.	C		S	04/01/1935	01	IRR	
				ZACK, RUTH	C				04	STOCK	
	A47-10544			ELLISON, FRANK	C		J	01/01/1984	04	STOCK	
				ELLISON, VERA E.	C				43	DOMEST	
				FARNWORTH, MARION M.	C						
	A47-10749			HEDQUIST, GREGORY L.	C		J	12/31/1972	43	DOMEST	
				HEDQUIST, SUSAN M.	C				04	STOCK	
	A47-12000			LAWRENCE, LEO	C		J	12/31/1980	43	DOMEST	
				LAWRENCE, EILEEN D.	C				04	STOCK	
	A47-12091			PEARSON, JON L.	C		J	04/30/1978	43	DOMEST	
				PEARSON, HOLLY L.	C				04	STOCK	
	A47-13933			FEATHERSTON, FRED W.	C		J	12/31/1950	43	DOMEST	
									04	STOCK	
	A47-14092			SPARKS, DONALD R.	C		J	08/01/1977	43	DOMEST	
				SPARKS, MILDRED J.	C				04	STOCK	
	A47-14094			THOMPSON, ARCHIE L.	C		J	12/31/1935	43	DOMEST	

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

MICROFILMED

MAR 11 1993

SD-36		Township: 09S		Range: 14E		Section: 22		Tract:		Lot:	
S	L			STATE	O	S	Max #	Records	100		
E	O	Water	Name		W	T	Priority	Use			
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc	
---	---	---	---	-----	---	---	---	-----	---	-----	
---	NWSW		A47-14756	FRANSON, ROGER	C		J	07/01/1979	43	DOMEST	
---				FRANSON, MARY	C				04	STOCK	
---	NWSW		A47-13692	HUDSON, JIMMARY MACKEY	C		J	05/01/1976	43	DOMEST	
---									04	STOCK	
---	NWSW		A47-13692	HUDSON, JIMMARY MACKEY	C		J	05/01/1976	43	DOMEST	
---									04	STOCK	
---	NWSW		A01-00209Z0	TWIN FALLS CANAL CO.	C	3	D	10/11/1900	01	IRR	
---	NWSW		R47-10907	BERNSTEIN, BETTY M.	C			01/01/1978	43	DOMEST	
---				BERNSTEIN, ALLEN	C						
---	SWSW		[REDACTED]	ZACK, GLENN W.	C	10	S	04/01/1935	01	IRR	
---				ZACK, RUTH	C				04	STOCK	
---	SWSW		[REDACTED]	ZACK, GLENN W.	C	27	L	08/24/1967	01	IRR	
---				ZACK, RUTH	C						
---	SWSW		[REDACTED]	ZACK, GLENN W.	C	7	L	10/10/1972	01	IRR	
---				ZACK, RUTH	C						
---	SWSW		[REDACTED]	ZACK, GLENN W.	C		P	01/09/1978	19	FISH	

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

PROFILMED

APR 11 1993

SD-33	Last Name: ZACK				STATE	
S	First	O	Water	Priority	Total	Use
E	Name	W	Right No.	Date	Diversion	Code Desc
L		N				
-	ZACK					
-	GLENN W.	C A47-04149	04/01/1935	MUD CREEK	0.200	01 IRR
-						04 STOCK
-	RUTH	C A47-04149	04/01/1935	MUD CREEK	0.200	01 IRR
-						04 STOCK
-	GLENN W.	C A47-07007A	08/24/1967	MUD CREEK	0.540	01 IRR
-	RUTH	C A47-07007A	08/24/1967	MUD CREEK	0.540	01 IRR
-	GLENN W.	C A47-07159	10/10/1972	WILSON CREE	0.140	01 IRR
-	RUTH	C A47-07159	10/10/1972	WILSON CREE	0.140	01 IRR
-	GLENN W.	C A47-07449	01/09/1978	MUD CREEK	30.000	19 FISH
-	RUTH	C A47-07449	01/09/1978	MUD CREEK	30.000	19 FISH
-	GLENN W.	C A47-07456	04/11/1978	WILSON CREE	7.060	19 FISH
-	RUTH	C A47-07456	04/11/1978	WILSON CREE	7.060	19 FISH
-	GLENN W.	C A47-10068	01/01/1908	GROUNDWATER	0.040	43 DOMEST
-	RUTH	C A47-10068	01/01/1908	GROUNDWATER	0.040	43 DOMEST

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

MICROFILMED
MAR 11 1993

SD-36		Township: 09S		Range: 14E		Section: 22		Tract:		Lot:	
S	L			STATE	O	S	Max # Records	100			
E	O	Water		Name	W	T	Priority	Use			
L	Tract	T	Right No.	Last, First	N	AC	G	Date	Code	Desc	
-	-	-	-	-	-	-	-	-	-	-	-
-	SWSW			ZACK, RUTH	C		P	01/09/1978			
-	SWSW			ZACK, GLENN W.	C		L	04/11/1978	19	FISH	
-				ZACK, RUTH	C						
-	SWSW		A47-10068	ZACK, GLENN W.	C		J	01/01/1908	43	DOMEST	
-				ZACK, RUTH	C						
-	SWSW		A47-07007	MUD CREEK WATER USER'S	C	29	L	08/24/1967	01	IRR	
-	SESW		A47-14988	WISEMAN, TOM	C	4	J	03/15/1920	01	IRR	
-				WISEMAN, KELLY	C						
-	SESW		A47-10749	HEDQUIST, GREGORY L.	C		J	12/31/1972	43	DOMEST	
-				HEDQUIST, SUSAN M.	C				04	STOCK	
-	SESW		A47-10750	HEDQUIST, GREGORY L.	C	4	J	04/01/1920	01	IRR	
-				HEDQUIST, SUSAN M.	C						
-	SESW		A47-12000	LAWRENCE, LEO	C		J	12/31/1980	43	DOMEST	
-				LAWRENCE, EILEEN D.	C				04	STOCK	
-	SESW		A47-04083A	HOPPLE, WILLIAM	C	5	S	04/01/1920	01	IRR	
-	SESW		A47-04083B	LAWRENCE, LEO	C	5	S	04/01/1920	01	IRR	

(Enter=Continue)

(GOLD7=This Query)

(MENU _____)

MICROFILMED
MAR 11 1993

Rayborn & Rayborn

ATTORNEYS AT LAW

P.O. BOX 321

FIRST INTERSTATE BANK BLDG.

TWIN FALLS, IDAHO 83303-0321

208-733-2600

Fax 733-2602

E. L. RAYBORN (1893-1970)

E. M. RAYBORN (1901-1966)

R. E. RAYBORN

PARALEGAL

KAREN J. MATTICE

CERTIFIED P.L.S.

April 9, 1991

RECEIVED

APR 11 1991

Department of Water Resources
Southern Region Office

State of Idaho
Department of Water
Resources
2148 Fourth Avenue East
Twin Falls, ID 83301

Re: Water Right Numbers 47-4149,
47-7007, 47-7449, 47-7456, and 47-7159

*

Ladies and Gentlemen:

Enclosed for filing is Change in Ownership of Notice of
Claim for the above-captioned water right numbers.

Thank you for your assistance.

Sincerely yours,



R. E. RAYBORN

RER/kjm

Enclosures

6/25/91 - I (jg) called the above-office in reference to A47-7007 s/b A47-7007A.

MICROFILMED

MAR 11 1993

CERTIFICATION OF VITAL RECORD

COUNTY OF RIVERSIDE

RIVERSIDE, CALIFORNIA

APR 11 1991

Department of Water Resources
Southern Region Office

CERTIFICATE OF DEATH

STATE OF CALIFORNIA

USE BLACK INK ONLY

LOCAL REGISTRATION DISTRICT AND CERTIFICATE NUMBER

STATE FILE NUMBER		1A. NAME OF DECEDENT—FIRST (GIVEN)		1B. MIDDLE	1C. LAST (FAMILY)	2A. DATE OF DEATH—MO. DAY, YR		2B. HOUR	3. SEX
		Glenn		W.	Zack	October 15, 1989		1810	M
4. RACE		5. SPANISH/HISPANIC—SPECIFY		6. DATE OF BIRTH—MO. DAY, YR		7. AGE IN YEARS	IF UNDER 1 YEAR MONTHS DAYS		IF UNDER 24 HOURS HOURS MINUTES
White		☐ YES ☒ NO		July 26, 1915		74			
8. STATE OF BIRTH		9. CITIZEN OF WHAT COUNTRY		10A. FULL NAME OF FATHER		10B. STATE OF BIRTH	11A. FULL MAIDEN NAME OF MOTHER		11B. STATE OF BIRTH
IL		U.S.A.		John A. Zack		PA	Vera Port		IL
12. MILITARY SERVICE?		13. SOCIAL SECURITY NO.		14. MARITAL STATUS		15. NAME OF SURVIVING SPOUSE (IF WIFE, ENTER MAIDEN NAME)			
1D. To 1E. ☒ NONE		347-05-5435		Married		Ruth E. Jones			
16A. USUAL OCCUPATION		16B. USUAL KIND OF BUSINESS OR INDUSTRY		16C. USUAL EMPLOYER		16D. YEARS IN OCCUPATION		17. EDUCATION—YEARS COMPLETED	
Owner		Auto Service Station		Self-employed		28		12	
18A. RESIDENCE—STREET AND NUMBER OR LOCATION		18B. CITY		18C. ZIP CODE					
24450 Kirby #63		Hemet		92343					
18D. COUNTY		18E. NUMBER OF YEARS IN THIS COUNTY		18F. STATE OR FOREIGN COUNTRY		20. NAME, RELATIONSHIP, MAILING ADDRESS AND ZIP CODE OF INFORMANT			
Riverside		4		California		Ruth E. Zack - Wife 24450 Kirby #63 Hemet, CA 92343			
19A. PLACE OF DEATH		19B. IF HOSPITAL, SPECIFY ONE: IP, ER/OP, DOA		19C. COUNTY					
Hemet Valley Medical Center		ER/OP		Riverside					
19D. STREET ADDRESS—STREET AND NUMBER OR LOCATION		19E. CITY				22. WAS DEATH REPORTED TO CORONER? REFERRAL NUMBER			
1117 E. Devonshire Avenue		Hemet				☒ YES 89M1369 ☐ NO			
21. DEATH WAS CAUSED BY: (ENTER ONLY ONE CAUSE PER LINE FOR A, B, AND C)		23. WAS BIOPSY PERFORMED?		24A. WAS AUTOPSY PERFORMED?		24B. WAS IT USED IN DETERMINING CAUSE OF DEATH?			
IMMEDIATE CAUSE (A) Cardio pulmonary Arrest		☒ YES ☐ NO		☐ YES ☒ NO		☐ YES ☒ NO			
DUE TO (B) Prostate Cancer				years					
DUE TO (C) Bone metastases				years					
25. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RELATED TO CAUSE GIVEN IN 21		26. WAS OPERATION PERFORMED FOR ANY CONDITION IN ITEM 21 OR 25? IF YES, LIST TYPE OF OPERATION AND DATE.		Trans urethral Resection of Prostate Yes					
None									
I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE DEATH OCCURRED AT THE HOUR, DATE AND PLACE STATED FROM THE CAUSES STATED.		27B. SIGNATURE AND DEGREE OR TITLE OF PHYSICIAN		27C. PHYSICIAN'S LICENSE NUMBER		27D. DATE SIGNED			
27A. DECEDENT ATTENDED SINCE MONTH, DAY, YEAR		27E. TYPE ATTENDING PHYSICIAN'S NAME AND ADDRESS		A328390		10-16-1989			
9-5-1986		WASEF Y. ATIYA 750 E. Latham Hemet CA							
I CERTIFY THAT IN MY OPINION DEATH OCCURRED AT THE HOUR, DATE AND PLACE STATED FROM THE CAUSES STATED.		28A. SIGNATURE AND TITLE OF CORONER OR DEPUTY CORONER		28B. DATE SIGNED					
29. MANNER OF DEATH—specify one: natural, accident, suicide, homicide, pending investigation or could not be determined		30A. PLACE OF INJURY		30B. INJURY AT WORK		30C. DATE OF INJURY MONTH, DAY, YEAR		31. HOUR	
				☐ YES ☐ NO					
32. LOCATION (STREET AND NUMBER OR LOCATION AND CITY)		33. DESCRIBE HOW INJURY OCCURRED (EVENTS WHICH RESULTED IN INJURY)							
34A. DISPOSITION(S)		34B. PLACE OF FINAL DISPOSITION—NAME AND ADDRESS		34C. DATE MO. DAY, YEAR		35A. SIGNATURE OF EMBALMER		35B. LICENSE NUMBER	
Cremation/Residence		24450 Kirby #63, Hemet, CA 92343		Oct. 17, 1989		Not Embalmed			
36A. NAME OF FUNERAL DIRECTOR (OR PERSON ACTING AS SUCH)		36B. LICENSE NO.		37. SIGNATURE OF LOCAL REGISTRAR		38. REGISTRATION DATE			
McWane Family Funeral Home		FD998		Benjamin		Oct. 16, 1989			
STATE REGISTRAR		A. B. C. D. E. F.		G. H. I. J. K. L. M. N. O. P. Q. R. S. T. U. V. W. X. Y. Z.		CENSUS TRACT			

B-11 (REV. 3-89)

MAKE NO ERASURES, WHITEOUTS, OR OTHER ALTERATIONS

068241

CERTIFIED COPY OF VITAL RECORDS

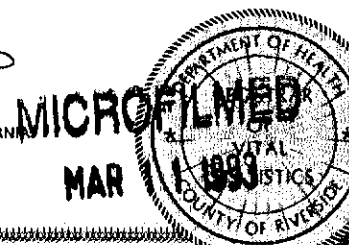
STATE OF CALIFORNIA
COUNTY OF RIVERSIDE

DATE ISSUED OCT 18 1989

This is a true and exact reproduction of the document officially registered and placed on file in the office of County of Riverside, Department of Health.

Local Registrar
RIVERSIDE COUNTY, CALIFORNIA

This copy not valid unless prepared on engraved border displaying seal and signature of Registrar.



ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE

RECEIVED

APR 11 1991

Department of Water Resources
Southern Region Office

CORRECTED PERSONAL REPRESENTATIVE'S DEED

THIS DEED, made by RUTH E. ZACK, as personal representative of the estate of GLENN W. ZACK, deceased, Grantor, to RUTH E. ZACK, as testamentary trustee, to be held in trust pursuant to the Last Will and Testament of Glenn W. Zack, deceased, dated June 5, 1975, a copy of which is attached hereto and incorporated hereby by reference. RUTH E. ZACK's address is 24450 Kirby Street, #63, Hemet, California, 92343.

WHEREAS, Grantor is the qualified personal representative of said estate, filed as Probate Number SP 90-422, in Twin Falls County, Idaho.

THEREFORE, for valuable consideration received, Grantor sells and conveys to Grantee, as testamentary trustee, to be held in trust pursuant to the Last Will and Testament of Glenn W. Zack, deceased, dated June 5, 1975, a copy of which is attached hereto and incorporated herein by reference all of GLENN W. ZACK's interest in the following described real property in Twin Falls County, Idaho:

The Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section 22, Township 9 South, Range 14, E., B.M., Twin Falls County, Idaho, as shown on the records of the County Recorder for Twin Falls County, Idaho,

TOGETHER WITH all water and water rights appurtenant thereto as set forth in statutory claim number 47-4149 water licenses numbered

RAYBORN & RAYBORN
ATTORNEYS AT LAW
P.O. BOX 321
FIRST INTERSTATE BANK BLDG.
TWIN FALLS, IDAHO 83301
(208) 733-2600

MICROFILMED

MAR 11 1993

47-7007, 47-7159, 47-7449, and 47-7456 issued
by the Idaho Department of Water Administra-
tion

together with all appurtenances.

EXECUTED this 14th day of March, 1991.

Ruth E. Zack

RUTH E. ZACK
Personal Representative of the
Estate of GLENN W. ZACK, Deceased

STATE OF CALIFORNIA)
) ss.
County of Riverside)

On the 14th day of March, 1991, before me, the undersigned, a Notary Public in and for said State, personally appeared RUTH E. ZACK, in her capacity as personal representative of the Estate of GLENN W. ZACK, known to me to be the signer of the foregoing instrument, who duly acknowledged to me that she executed the same on behalf of said estate.



Lawrence M. Daugherty
NOTARY PUBLIC
Residence: Hemet, California
My Commission Expires: 11-20-91

RAYBORN & RAYBORN
ATTORNEYS AT LAW
P.O. BOX 521
FIRST INTERSTATE BANK BLDG.
TWIN FALLS, IDAHO 83301
(208) 733-2600

000028

RECORDED FOR: *Rayborn & Rayborn*
TWIN FALLS COUNTY, IDAHO
1991 MAR 26 P 2:57
LINDA E. WRIGHT
EX-OFFICIO RECORDED
FEE: 6.00
DEPUTY

MICROFILMED
MAR 11 1993

1 RECEIVED

2 APR 11 1991

3 Department of Water Resources
4 Southern Region Office

LAST WILL AND TESTAMENT

OF

GLENN W. ZACK

RECEIVED A. PERCE
APR 19 1991
DISTRICT COURT
TWIN FALLS CO. IDAHO
CLERK
By: [Signature]

5 I, Glenn W. Zack, a legal resident of Buhl, Idaho,
6 being of sound mind and of the age of 59 years, do make, publish
7 and declare this to be my Last Will and Testament, hereby revoking
8 all Wills and Codicils heretofore made by me.

9 FIRST: I am married. My wife's name is Ruth E. Zack.
10 I hereby declare that at the date of execution hereof I have
11 the following children who are living: Cheryl Kay Yakan and
12 Pamela Sue Garnos and that Cheryl's children are Alexander and
13 JoAnna and that Pamela's children are Heather and Shannon.

14 SECOND: I hereby declare that all property of which
15 I am possessed is the community property of my wife, Ruth E. Zack,
16 and myself, and that I intend to affect only my share of
17 said community property. Provided, however, that should my wife,
18 Ruth E. Zack, predecease me, it is my intent that this Will
19 affect all property of which I die possessed. It is intended that
20 all property retain the character of community property, even
21 though we may place any or all property in joint tenancy between
22 ourselves and others for matters of convenience.

23 THIRD: I direct that all of my just debts including
24 charitable pledges whether or not the same are enforceable obliga-
25 tions of my estate and funeral expenses be paid as soon as
26 practicable after my death.

27 FOURTH: I direct that all estate, inheritance, transfer
28 legacy, succession, and other death taxes and duties of any nature

LAW OFFICES
HEPWORTH
NUNGSTER
PELTON
AND
HART
BOISE, IDAHO

[Signature of Glenn W. Zack]

1 by reason of my death which may be assessed or imposed upon or with
2 respect to property passing under this Will shall be paid out of
3 my estate as an expense of administration and no part of said taxes
4 shall be apportioned or prorated to any legatee or devisee under
5 this Will or any person owning or receiving any property, including
6 life insurance, not passing under this Will.

7 FIFTH: It is my intention to make a separate written
8 instrument, leaving items of tangible personal property to various
9 people as allowed by I.C. 15-2-513. If I leave no such separate
10 written instrument, then said property shall pass as it would
11 under my will without such instrument.

12 SIXTH: I devise and bequeath:

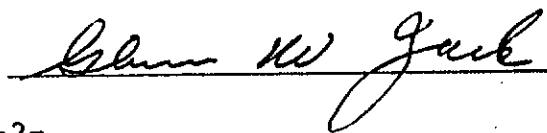
13 (a) All furniture, furnishings, household goods,
14 domestic articles and equipment owned by me;

15 (b) All of my automobiles, other than business or
16 commercial vehicles;

17 (c) All wearing apparel, jewelry and tangible articles
18 for my personal use or adornment, as follows:

19 A. To my wife, Ruth E. Zack, if she survives me:

20 B. If my wife does not survive me, then all of the
21 above described property shall be divided equally between my
22 two children. If such issue do not agree on the actual division
23 of such personal property among or between them, my personal
24 representative shall effect such division in such way as she deems
25 fair, in her discretion, including the power to sell such items
26 thereof as the personal representative deems advisable, all in
27 order that in value such personal property, including cash, if
28



1 any such sale is made will go to such issue, per stirpes and not
2 per capita.

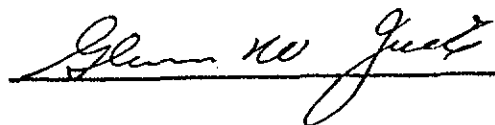
3 SEVENTH: All the rest, residue and remainder of my
4 estate, including all of my separate property, all of my own
5 share of community property, wheresoever situated including
6 property over which I have a power of appointment, and all lapsed
7 legacies and devises, I bequeath and devise to Ruth E. Zack as
8 trustee. Should she be unable or unwilling to act as trustee,
9 I nominate and appoint our two daughters as said co-trustees.
10 Should either co-trustee be unable or unwilling to act in said
11 capacity, then I nominate and appoint the survivor of them to
12 act in said capacity. Said property shall be held in trust,
13 however, upon the terms and conditions and for the uses and purposes
14 hereinafter set forth:

15 The trustee shall hold, manage and control the property
16 comprising the trust estate, collect the income therefrom, and out
17 of same, shall pay all taxes and other incidental expenses of the
18 trust, including its own commissions, and shall hold or distribute
19 the trust estate and the income therefrom as hereinafter provided.

20 a. In the event that my wife, Ruth E. Zack, shall
21 survive me:

22 (1) The trustee shall pay the entire net income, in
23 convenient installments not less frequently than quarterly, to my
24 wife, for and during her natural life.

25 (2) The successor trustee, but not my wife, may in
26 its discretion, pay over to my wife such amount or amounts out
27 of the principal of the trust as shall, in the judgment of the
28

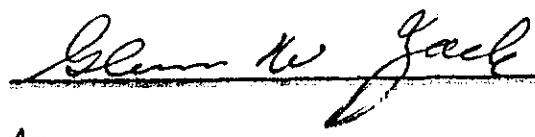


1 trustee, be necessary for the support, maintenance, and health
2 of my wife, but in no event shall said trustee release more than
3 FIVE THOUSAND AND NO/100 DOLLARS (\$5,000.00) or five percent (5%)
4 of principal, whichever is greater, in any one year. No princip-
5 pal may be used unless necessary after taking into consideration
6 all other income or funds available to my wife from all other
7 sources.

8 (3) The trustee, in exercising the discretion so
9 granted, shall take into consideration all amounts of income or
10 principal available to my wife from other sources. It is my
11 intent that my wife be allowed to maintain the standard of living
12 to which she has been accustomed.

13 b. Upon the death of my wife, or upon my death, in the
14 event that my wife shall not survive me, the trustee is directed
15 as follows:

16 The trustee shall divide the trust corpus and undistri-
17 buted income into four equal shares, one for each of my two child-
18 ren and one-fourth for my grandchildren Alexander and JoAnna Yakan
19 and one-fourth for my grandchildren Heather and Shannon Garnos,
20 and shall pay said share immediately to said children. If any
21 child or grandchild is under the age of 21 years at the time
22 of my death, then his share shall be held by the trustee until
23 said child reaches the age of 21. The trustee shall distribute
24 from the share of any grandchild under the age of 21, such amounts
25 as the trustee in her sole discretion deems necessary for the
26 support, education, maintenance and health of said child after
27 taking into consideration the other sources of income and support
28 available to said grandchild.

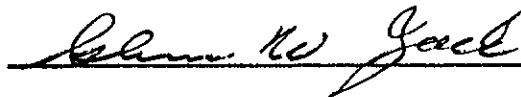


1 c. Neither the principal nor the income of the trust
2 herein created shall be liable for the debts of any beneficiary
3 nor shall the same be subject to seizure by any creditor of any
4 beneficiary under writ or proceedings at law or in equity, nor
5 bankruptcy proceedings, nor other legal process. No beneficiary
6 shall have power to sell, assign, transfer, encumber, or in any
7 other manner to anticipate disposition of his or her interest
8 in the trust estate or the income produced thereby.

9 d. All receipts and expenditures shall be administered
10 by the trustee, subject to any limitations stated elsewhere herein
11 and allocated as to principal and income as provided in the
12 Uniform Principal and Income Act, being Chapter 1 of Title 68,
13 Idaho Code.

14 e. To carry out the purposes of the trust created under
15 this trust agreement, and subject to any limitations stated else-
16 where herein, the trustee is vested with all of the powers and
17 authority as set forth in the Uniform Trustee's Powers Act, being
18 Chapter 1 of Title 68, Idaho, as now in effect and as it may here-
19 after be amended.

20 f. The trustee shall manage the trust estate and may sell,
21 exchange, lease for terms either within or beyond the duration
22 of the trust, lend, relend, invest and reinvest the trust estate
23 or any part thereof in any kind of property which men of prudence,
24 discretion and intelligence exercise for their own account,
25 specifically including, but not by way of limitation, acquisition
26 of corporate obligations of every kind and preferred and common
27

28 

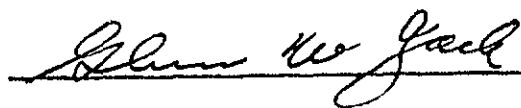
1 stocks, including any Common Trust Fund of which they are trustees.
2 The trustee shall have the same general powers that an individual
3 being the absolute owner of real and personal property possesses
4 not inconsistent with the purposes and intentions of the trust.
5 The trustee is authorized to retain in the trust, in the same form
6 as that in which they were received by the trustee, assets of any
7 kind, and to continue and operate any business or interest therein
8 which may be received hereunder as long as the same produces a
9 reasonable income, and it appears to the best interest and advantage
10 of the trust estate.

11 g. The trustee shall be entitled to receive reasonable
12 compensation for his or her services hereunder and such compensation
13 may be collected annually by the trustees, out of income or
14 principal or both, and shall be shown in accountings as are reason-
15 ably requested by the beneficiaries.

16 h. The trustee shall not be liable for any error in
17 judgment but shall be liable only for his or her willful misconduct
18 or negligence.

19 i. In the event a child of mine shall predecease me,
20 then her share of the proceeds of this trust shall be added to
21 the share of her children. Should a grandchild of mine predecease
22 me, then said grandchild's share shall pass to his or her sibling.

23 SEVENTH: I hereby nominate and appoint my wife, Ruth
24 E. Zack as personal representative of this, my Last Will and
25 Testament, and direct that she shall not be required to give bond
26 as such personal representative. Provided, that in the event my

27 
28

1 said wife shall predecease me or be unable or unwilling to act in
2 said capacity, then I nominate and appoint my daughters, Cheryl
3 Kay Yakan and Pamela Sue Garnos or the survivor of them, to act in
4 said capacity. No one so appointed shall be required to give bond
5 as said personal representative. I further direct that the person
6 named and appointed as personal representative serve in this capacity
7 without intervention of the Court and that such personal represen-
8 tative shall have the authority and power to sell at public or
9 private sale as they deem appropriate any real or personal property
10 of which I may die possessed. I further direct that such sales
11 may be made without notice to the Court or application thereto
12 and that the personal representative may employ real estate brokers
13 for the purpose of assisting with the sale of said property and a-
14 gree to pay the customary commission for such sales and that this,
15 in turn, may be done without notice or application to the court.
16 It is intended that this be a nonintervention will.

17 EIGHTH: If any legatee, devisee, or taker under this
18 will shall interpose objections to its probate or in any other way
19 contest it, such person shall forfeit his entire interest under
20 this will and the gift, bequest or devise made to such person
21 shall pass as part of the residue of my estate; provided, however,
22 that if such person is a residuary beneficiary, his or her interest
23 shall be divided proportionately among the remaining residuary bene-
24 ficiaries.

25 IN WITNESS WHEREOF, I have hereunto set my hand and seal
26 this 5 day of JUNE, 1975.

27 Glenn W. Judd
28

1 The foregoing instrument, consisting of these eight (8)
2 pages and the following page, was at the date thereof, signed,
3 sealed and declared by Glenn W. Zack, as and for his Last Will
4 and Testament in the presence of each of us, and we, in his
5 presence and in the presence of each other, have hereunto at his
6 request, signed our names as witnesses thereto.

7
8 Bernice J. Hatfield
9 Residing at Buhl, Idaho

10 Thorne J. J. J.
11 Residing at Buhl, Idaho

1 STATE OF IDAHO)
2) ss.
3 County of Twin Falls)

4 We, Glenn W. Zack, the above-named testator, and the
5 undersigned witnesses, respectively, whose names are signed to the
6 attached and foregoing instrument, being first duly sworn, do
7 hereby declare to the undersigned authority that the testator signed
8 and executed the instrument as his Last Will and Testament and
9 that he had signed willingly and that he executed it as his free
10 and voluntary act for the purposes therein expressed; and that
11 each of the witnesses, in the presence and hearing of the testator,
12 signed the will as witness and that to the best of his knowledge,
13 the testator was, at that time, an adult, of sound mind and under
14 no constraint or undue influence.

15 Glenn W. Zack
Glenn W. Zack - Testator

16 Bernice Hatfield
Witness

17 Marion Harris
Witness

19
20 SUBSCRIBED AND SWORN to and acknowledged before me by
21 Glenn W. Zack, testator and subscribed and sworn to before me by

22 Bernice Hatfield and Marion Harris
23 witnesses, this 5th day of June, 1975.

24 Alvin Gannon
25 Notary Public for Idaho
26 Residing at Buhl

27 RECEIVED

28 APR 11 1991

Department of Water Resources
Southern Region Office

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: A47-04149
Date Received: 6/29/1988
Receipt No: 5000634
Received By: JP

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: GLENN W. ZACK
Address: RT. 3 BOX 291
BUHL, ID

83316

AND/OR

Name: RUTH ZACK
Address: RT. 3 BOX 291
BUHL, ID

83316

2. Date of Priority: APR 01, 1935

3. Source: MUD CREEK

Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
09S	14E	28	NE	NE			TWIN FALLS

5. Description of diverting works:
DAM, HEADGATE & DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.200		
STOCKWATER	01/01	12/31	0.040		

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

A.F.A.

8. Total consumptive use is

Acre Feet Per Annum.

9. Non-irrigation uses:
S/25 RANGE.

10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
09S	14E	22	SW	SW	STOCK IRR	10.0
Section Acres						10.0
Total Acres						10.0

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:

14. Remarks:

P/U OVERLAPS WITH THAT UNDER CLAIM A47-07007A; TOTAL LAND IRRIGATED IS ABOUT 28 ACRES.

15. Basis of Claim: STATUTORY CLAIM
Water Right Number:

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 x 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):

Glenn W. Zach

Date: 6-29-88

Date: _____

State of Idaho)

County of

Butte Falls

) SS.

Subscribed and sworn (or affirmed) before me this 29th day

of June 19 88

Mary A. Baldwin
Notary Public

Seal

Residing at Gooding, ID

My Commission Expires 10/16/1992

Log for claim 47-04149

Spatial Dynamics BTD

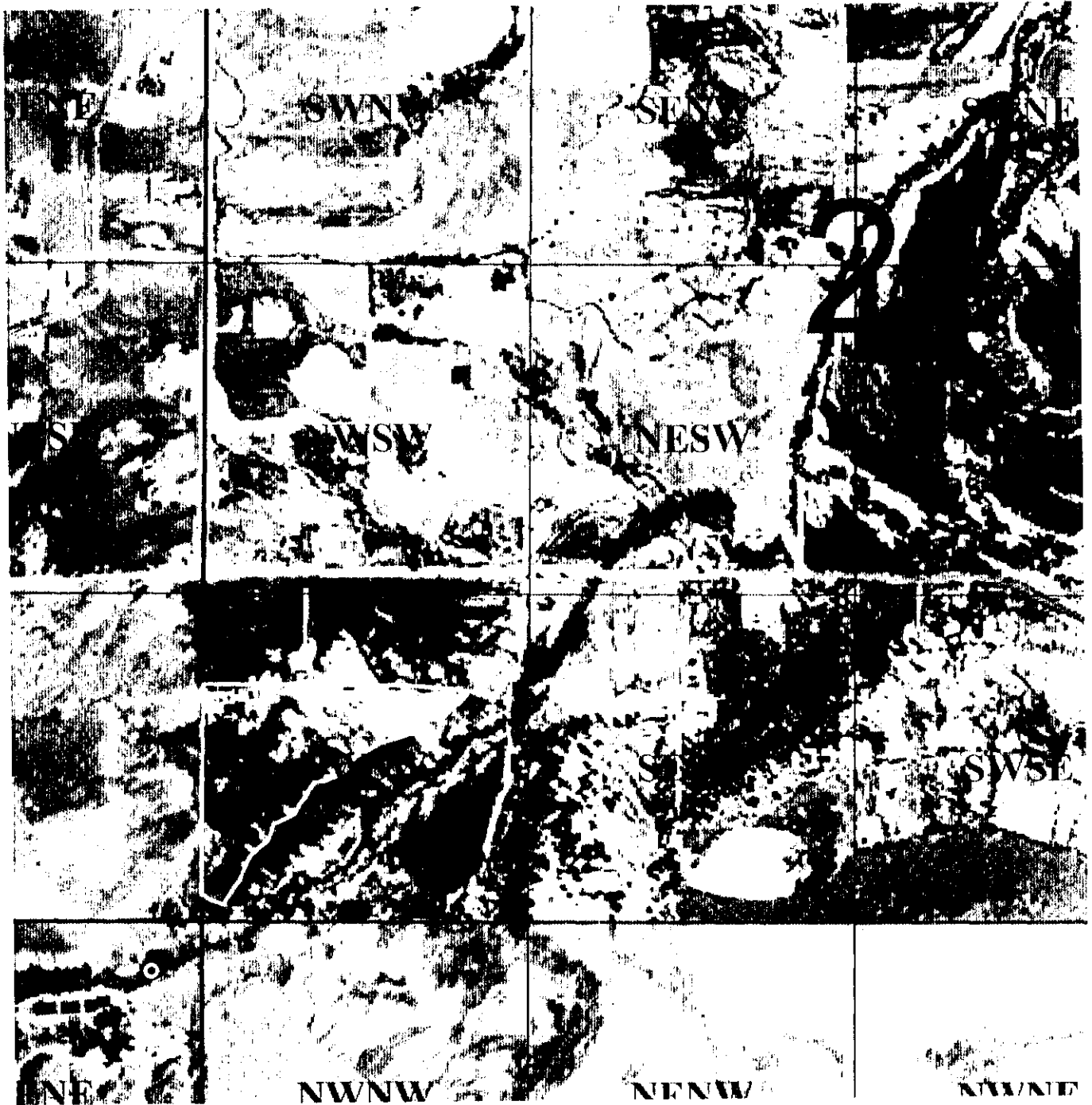
2/21/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s14e	22	SWSW	10	10	
Totals:			10	10	

 SPATIAL
DYNAMICS

Water Right Claim Number 47-04149
 Township , 9S14E

02/21/2001



Legend

- | | | |
|--------------------|----------------------|--------------------|
| Irrigated Area | Section Line | Roads |
| Place of Diversion | Quarter Section Line | Streams and Canals |



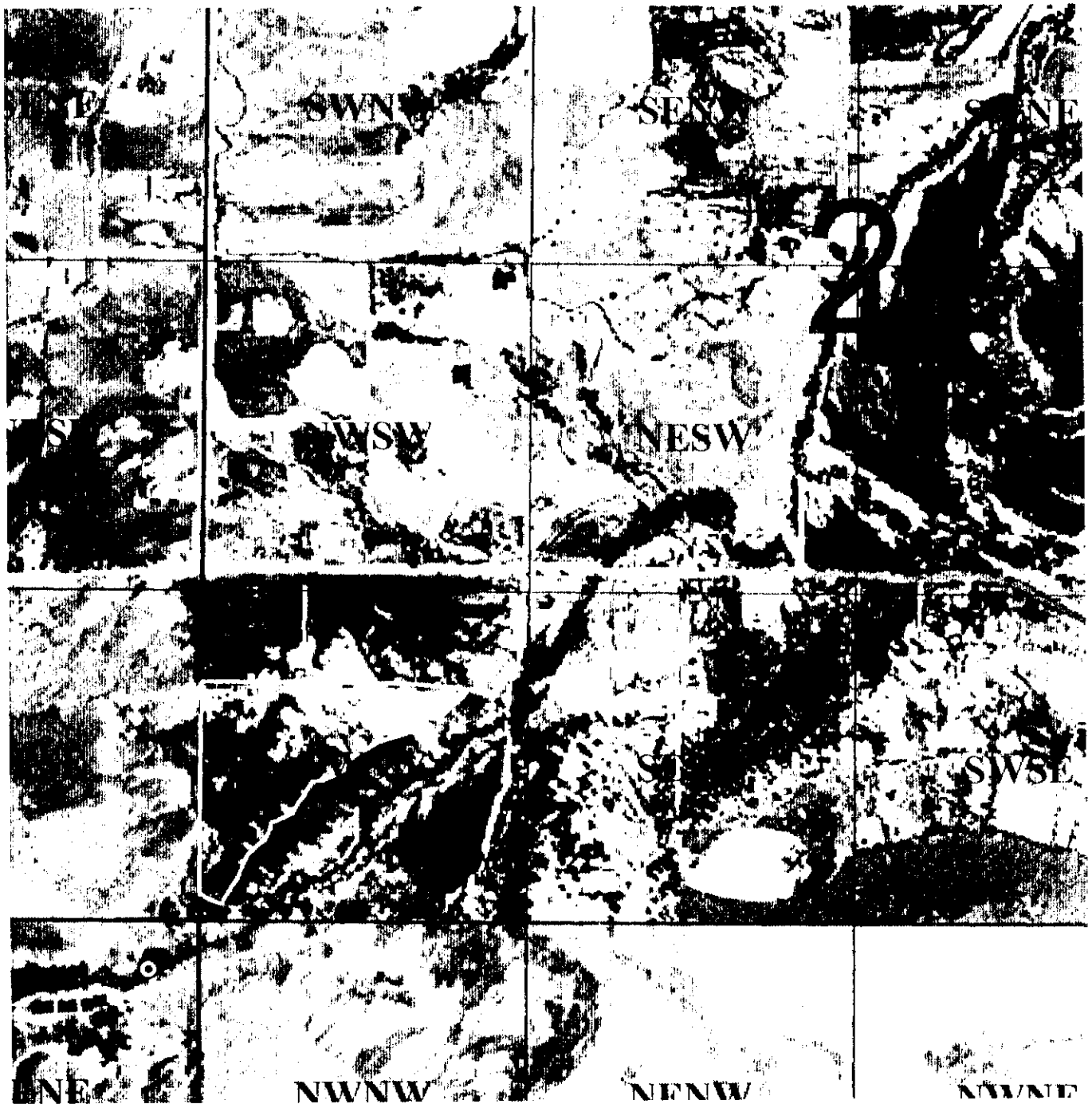
400 0 400 800 Feet



SPATIAL
DYNAMICS

Water Right Claim Number 47-04149
 Township , 9S14E

02/21/2001



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

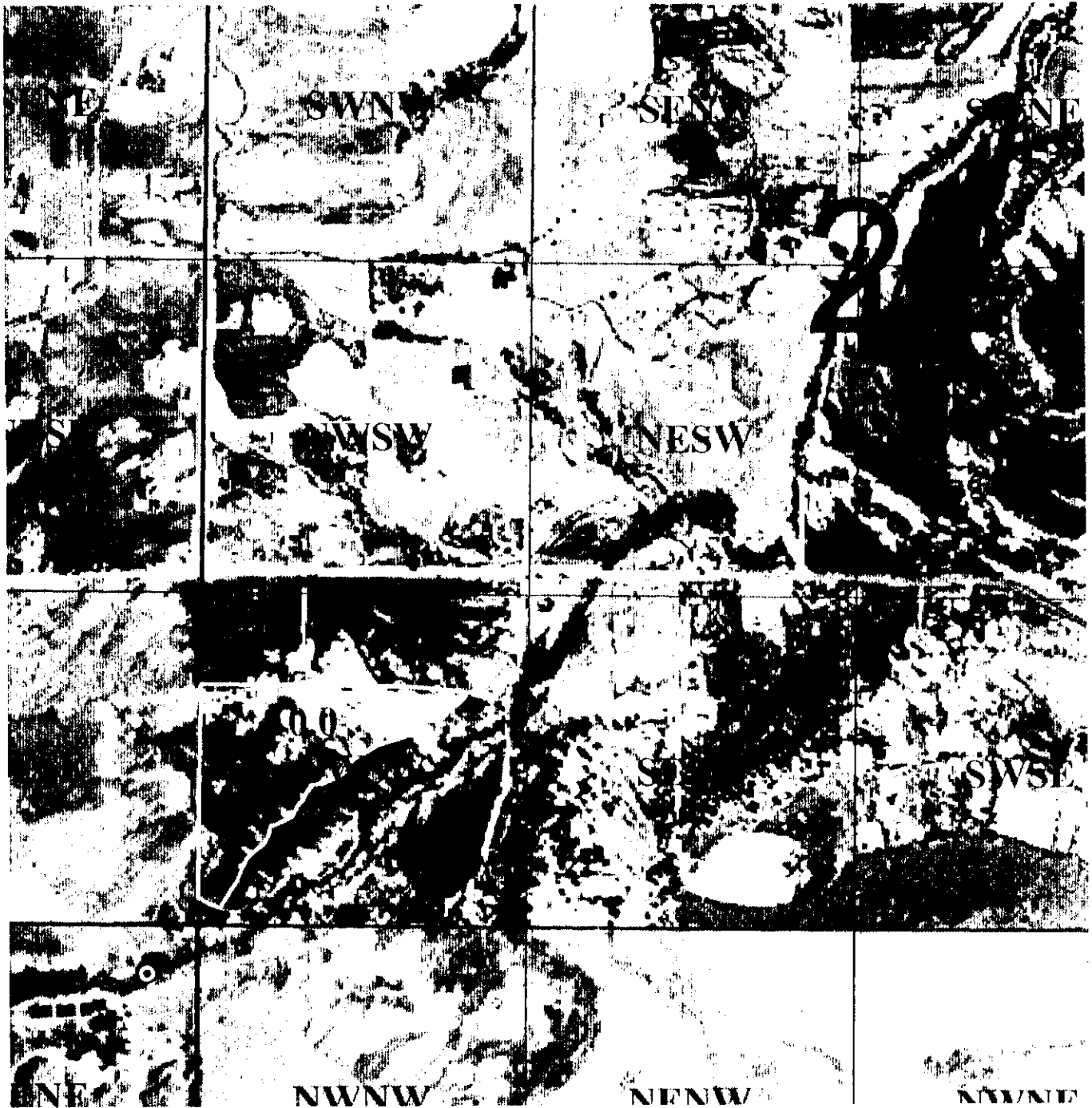
400 0 400 800 Feet



SPATIAL
DYNAMICS

Water Right Claim Number 47-04149
Township , 9S14E

02/21/2001



Legend

- | | | |
|--------------------|----------------------|--------------------|
| Irrigated Area | Section Line | Roads |
| Place of Diversion | Quarter Section Line | Streams and Canals |



400 0 400 800 Feet

SPATIAL
DYNAMICS

AJ5809NP
No. A47-04149

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 01/30/01
PAGE: 103

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DANIEL JOHN WRAY	04/01/1935	IRRIGATION	03-15 11-15	0.200 CFS	
C	RITA WRAY		STOCKWATER	01-01 12-31	0.040 CFS	
	RT 4 BOX 330					
	BUHL ID 83316					
	(208) 543-6595			TOTAL DIVERSION:	0.200 CFS	

Water Source: MUD CREEK

Tributary to: SNAKE RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion: T09S R14E S28

NENE

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
09S	14E	22	:																	:	10.0
																			TOTAL ACRES	10.0	

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
09S	14E	22	:																	:	

POU County: TWIN FALLS

Non-Irrigation Uses: S/25 RANGE.

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

47-04509 47-13872 A47-04048A A47-04509 A47-07450 A47-13872 A47-14225 R47-04149

Other Water Rights Listing Overlapping Place(s) of Use:

A47-07007 A47-07007A A47-07159 R47-04149 R47-07007A R47-07159

Remarks: GEN P/U OVERLAPS WITH THAT UNDER CLAIM A47-07007A; TOTAL LAND IRRIGATED IS ABOUT 28 ACRES.

OWNERSHIP CHANGE 6/25/91 BY JG.

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

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

Audit: 06/29/88 STANTON 06/25/91 GIVENS 12/07/92 CLELLAND 03/30/95 POST-STD

CLAIM TO A WATER RIGHT

The filing of this claim does not confirm the water right claimed but failure to file may result in forfeiture of a water right.

claims a right to the diversion and beneficial use of the surface or ground water. The extent and nature of said claim is as follows:

(1) Date of priority: (When was the water first applied to a beneficial use) APRIL 1, 1935

A claim is not acceptable on a ground water source with a priority later than March 25, 1963 or on a surface water source with a priority later than May 20, 1971. An exception is that a claim may be filed on single family domestic use from a ground water source.

(2) Describe the source of water: (Name of stream, lake, spring, etc., or ground water)

(3) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs, gpd, AFA)		(Domestic, Irrigation, Stock, Etc.)	(Both dates inclusive)	
			(Mo., Day)	(Mo., Day)
Quantity	0.20 C.F.S.	Use IRRIGATION	Period of Use From MARCH 15	To NOV. 15
Quantity	0.04 C.F.S.	Use LIVESTOCK	Period of Use From JAN. 1	To DEC 31
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To
Quantity		Use	Period of Use From	To

(4) 0.2 cfs TOTAL QUANTITY USED.
(cfs incl. AFA)

(5) A) Point of diversion: (Location of point where water is diverted from its source)

NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 28 Twp. 9S Rge. 14E B.M., County of TWIN FALLS

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch and field, etc.). Give sizes and capacities: be as specific as possible. Describe any changes in the system and give the date of the change. HEADGATE, 3' ROCK DAM, 3' DIRT DITCH

(6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

No. of acres 10.0

B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

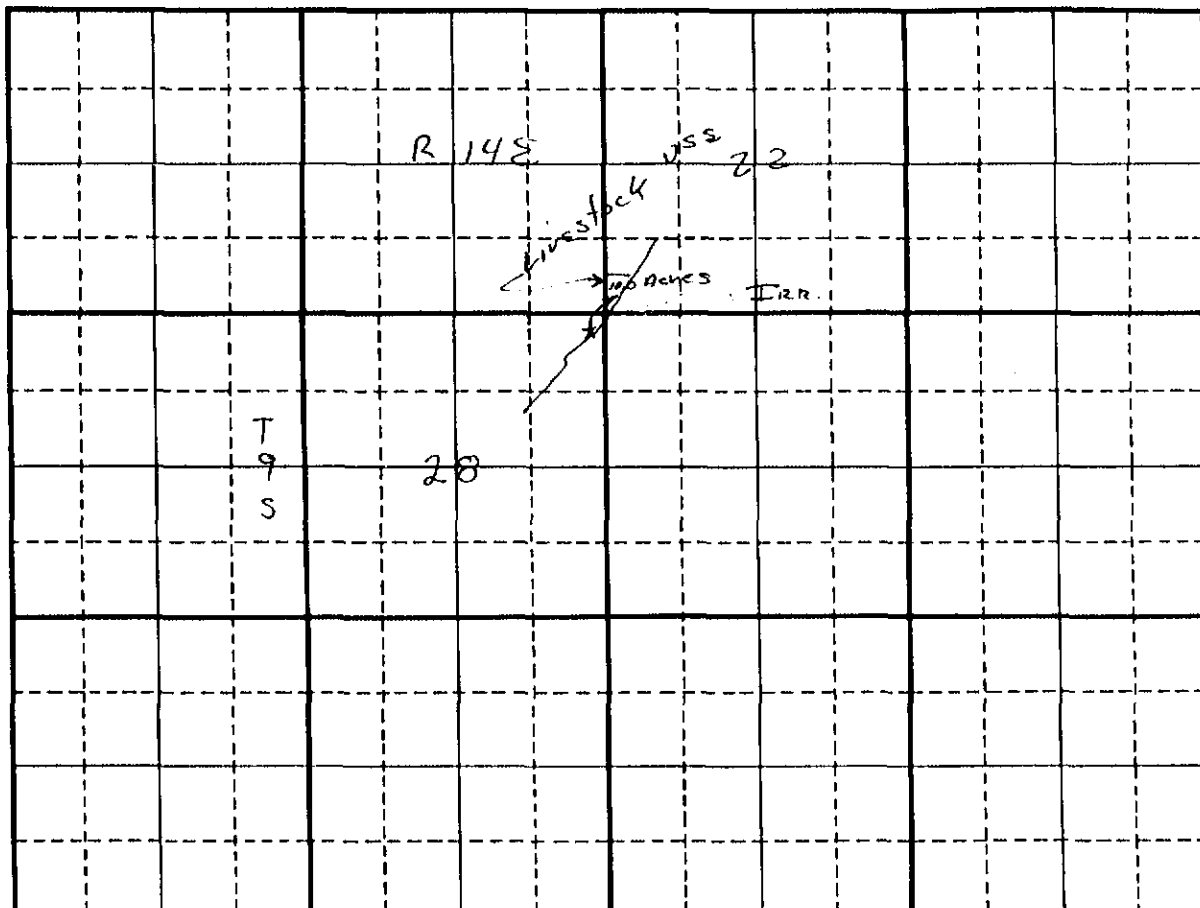
25 HEAD RANGE CATTLE

NOTE: Include here the type and number of stock watered:

(7) If you are claiming water as a member of an organization, list name of organization:

MICROFILMED

(8) Remarks



Scale: 2 inches equal 1 mile.

Map should show the location of the point of diversion and the place of use of the water by 40-acre subdivisions, section, township and range of the public land survey system.

State of Idaho)
) ss.
County of Twin Falls)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.

Sworn to before me this 28th day of January, 1980.

John W. Pede
(Claimant)

Loren O. Halmer
Notary Public
Residing at Twin Falls, ID

My commission expires Life

FOR DEPARTMENT USE ONLY

Received by GLF Date 1/28/80 Exception filed by: _____ Date _____
Prelim. check by ADM Date 1/31/80
\$20.00 fee received by M.A.H. Date 1/29/80 # 17089
Published in Times News
Dates 2/28 & 3/6/80