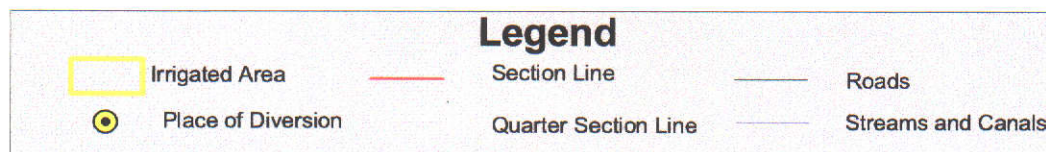


Water Right Claim Number 47-04450
Township , 10S17E

01/24/2001

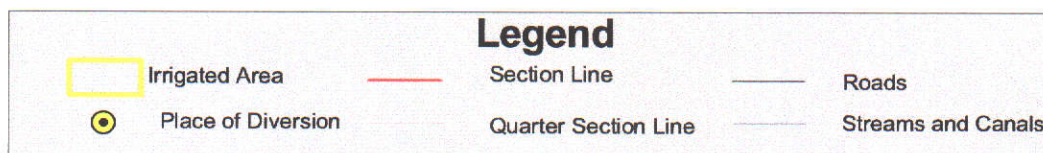


400 0 400 800 Feet



Water Right Claim Number 47-04450
Township , 10S17E

01/24/2001



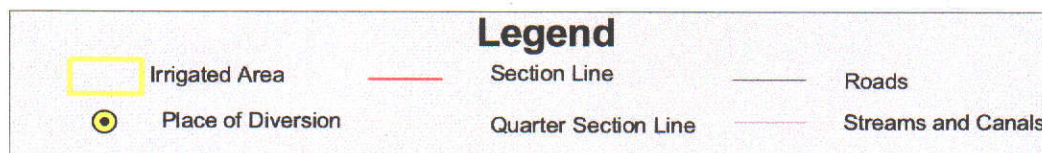
400 0 400 800 Feet



 SPATIAL
DYNAMICS

Water Right Claim Number 47-04450
Township , 10S17E

01/24/2001



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: A47-04450
Date Received: 6/29/1988
Receipt No: 5000625
Received By: Am

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PARKS DEVELOPMENT CO., INC. 208-733-5743
Address: DBA SUNSET MEMORIAL PARK
P.O. BOX 368
TWIN FALLS, ID 833030000

2. Date of Priority: JAN 01, 1957

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	17E	23	NW	NW	NW		TWIN FALLS

5. Description of diverting works:
WELL, PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
COMMERCIAL	01/01	12/31	0.200		
IRRIGATION	03/15	11/15	1.500		

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

8. Total consumptive use is 105.0 Acre Feet Per Annum.

9. Non-irrigation uses:
C/ WATER FOR CEMETARY USES INCLUDING FILLING POND, ECT.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
10S	17E	23				COMMER	

A47-04450

Page 1

Date: 06/29/88

MICROFILMED

MAR 11 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
10S	17E	23	NW	NW	IRR	35.0
Section Acres						35.0
Total Acres						35.0

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:
NONE

14. Remarks:

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 ☒ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 1

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): Betty Jo Harney ^{BID} Date: 6/29/88
Park's Development Co, Inc Date: _____

State of Idaho)
County of Blaine Falls) SS.

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

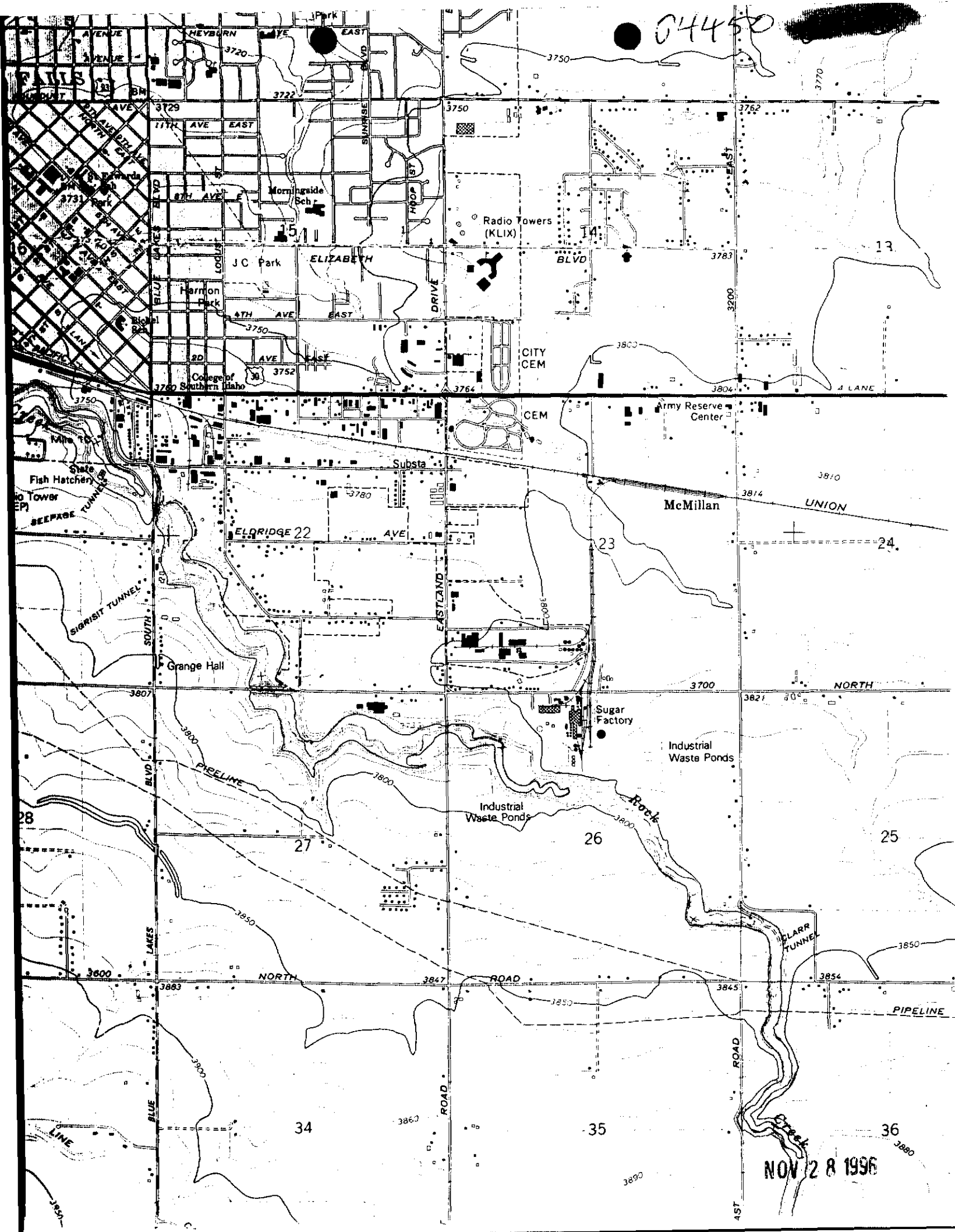
of June 19 88

Mary A. Baldwin
Notary Public

Seal

Residing at Gooding, ID

My Commission Expires 10-16-1992



January 18, 1995

Idaho Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301

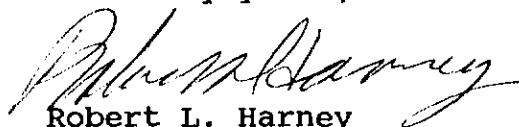
Attention: Douglas Jones

Dear Mr. Jones:

I am responding to your adjudication claim profile report regarding water right #A47-04450. I am the major stockholder in Parks Development Company, Inc. dba Sunset Memorial Park and I was the president of this corporation in 1957. At that time, I retained Mr. Jim Moore of Twin Falls, Idaho to drill an irrigation well for me. He drilled this well in the NW1/4 NW1/4 NW1/4 of Section 23, Township 10 South, Range 17 EBM. I have used this well for irrigation purposes every year since that time and am continuing to use the well.

I am enclosing an affidavit made by Harry LeMoyne of Twin Falls, Idaho who has been familiar with this particular property since the time I drilled the well. I am also enclosing other affidavits from regarding the use of this well. The requested priority date of January 1, 1957 is a valid claim.

Sincerely yours,



Robert L. Harney
For Parks Development Company, Inc.

STATE OF IDAHO

COUNTY OF TWIN FALLS)ss

On this 13th day of the year 1995, before me, a Notary Public, personally appeared Robert L. Harney, known or identified 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
Residing in Twin Falls, Idaho

Commission expires 1/27/2000

RECEIVED

MAR 13 1995

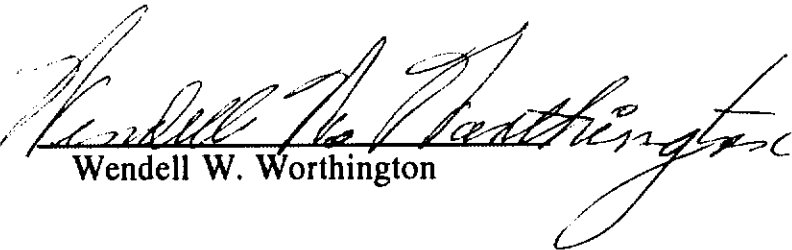
Department of Water Resources
Southern Region

NOV 28 1996

My name is Wendell Worthington. I presently reside on Heyburn Ave. W. in Twin Falls, Idaho. I was in and out of Sunset Memorial Park continually during the 1950's and 1960's and I remember when this well was drill in 1957. In 1969 I went to work for Sunset Memorial Park

and have been in charge of irrigating this property ever since. This irrigation well has been used for this purpose since 1957. The well is located at the NW 1/4 of Section 23, Township 10 South, Range 17 EBM.

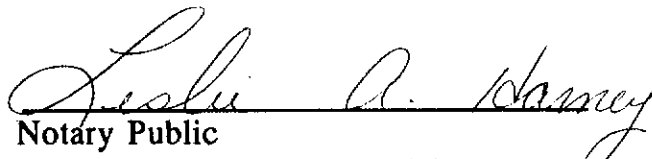
IN WITNESS WHEREOF I have set my hand and seal this 9th day of January 1995.


Wendell W. Worthington

STATE OF IDAHO)

COUNTY OF TWIN FALLS)ss.

On this 9th day of January in the year 1995, before me, a Notary Public, personally appeared Wendell W. Worthington, known or identified 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
Residing in Twin Falls, Idaho

Commission expires 1/27/2000

RECEIVED
MAR 13 1995
Department of Water Resources
Southern Region

NOV 28 1996

AFFIDAVIT

My name is Harry LeMoyne. I presently reside at 1130 Lawndale Drive, Twin Falls, Idaho. I have been actively involved in buying, selling, and appraising real estate since 1946. During the late 1950s I worked as a fee appraiser for the Idaho Department of Highways and in 1957 I was hired to appraise the property now owned by Parks Development Company, Inc. of Twin Falls, Idaho. Robert L. Harney was the president of Parks Development Company, Inc. at that time and he had recently had a deep well drilled for irrigation purposes in the NW 1/4 of Section 23, Township 10 South, Range 17 EBM. In the course of my appraisal I observed that he was irrigating the NW1/4 NW1/4 of Section 23 with water from this well.

I have had occasion to observe this same property over the years since then and have noted that he has continued to use this well for irrigation purposes.

IN WITNESS WHEREOF I have set my hand and seal this 25 day of January, 1995.

Harry LeMoyne
Harry LeMoyne

STATE OF IDAHO)
) ss.
COUNTY OF TWIN FALLS)

On this 25th day of January in the year 1995, before me, a Notary Public, personally appeared Harry LeMoyne, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

Mary Lou Gustafson
Notary Public
Residing at Twin Falls, Idaho

RECEIVED

MAR 13 1995

Department of Water Resources
Southern Region

NOV 28 1996

GOVERNOR PHILIP E. BATT
Governor PHILIP E. BATTR. KEITH HIGGINSON
Director

January 10, 1995

A47-04450
PARKS DEVELOPMENT CO., INC.
DBA SUNSET MEMORIAL PARK
P.O. BOX 368
TWIN FALLS ID 83303-0000

RE: Evidence of Priority

* RESPONSE DEADLINE *
* MARCH 15, 1995 *

Dear Claimant:

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.

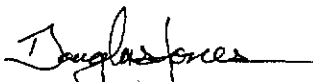
SPECIAL NOTE: The Department will not recommend the Notice be decreed by the court as claimed if no evidence of a priority date is submitted. It will be to your advantage to provide clear and convincing evidence. If you choose to submit statements from individuals as evidence, the statement must be in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

NOV 28 1996

Log for claim 47-04450

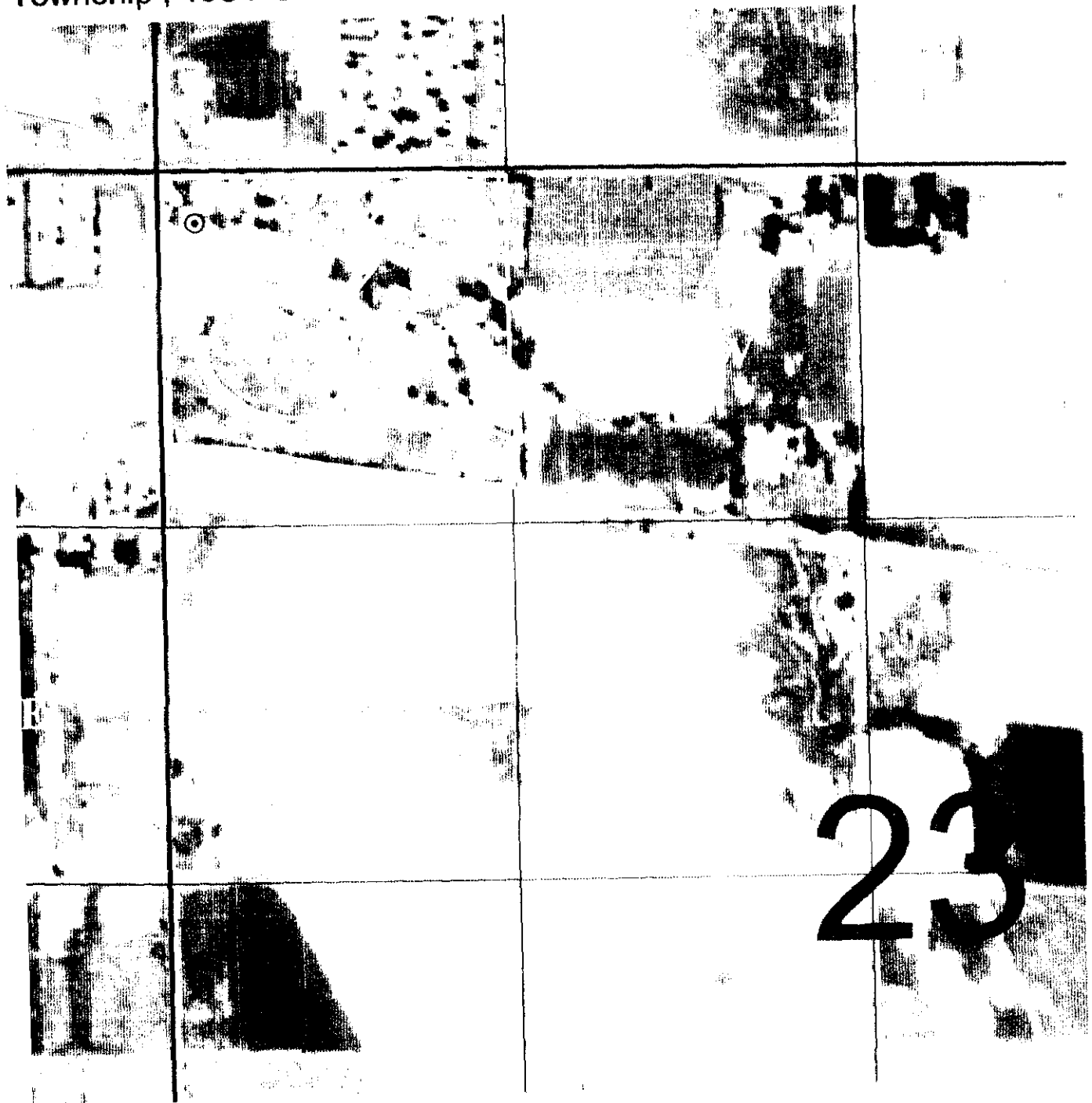
Spatial Dynamics BTD

1/24/01

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
10s17e	23	NWNW	35	27	
Totals:			35	27	

Water Right Claim Number 47-04450
Township , 10S17E

01/24/2001



Legend

Irrigated Area



Place of Diversion

Section Line

Quarter Section Line

Roads

Streams and Canals

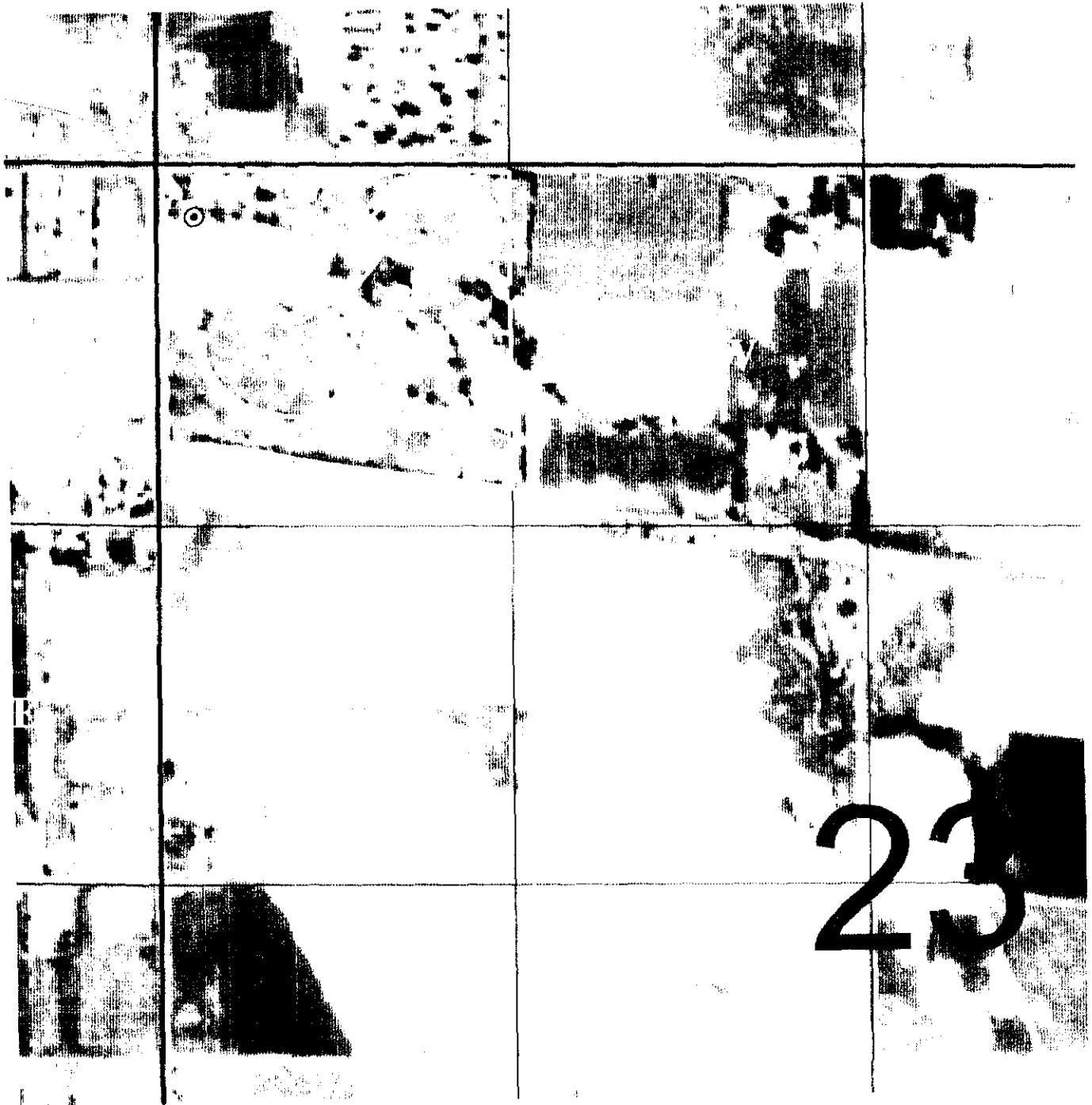


400 0 400 800 Feet

SPATIAL
DYNAMICS

Water Right Claim Number 47-04450
Township , 10S17E

01/24/2001



Legend

Irrigated Area



Place of Diversion

Section Line

Quarter Section Line

Roads

Streams and Canals

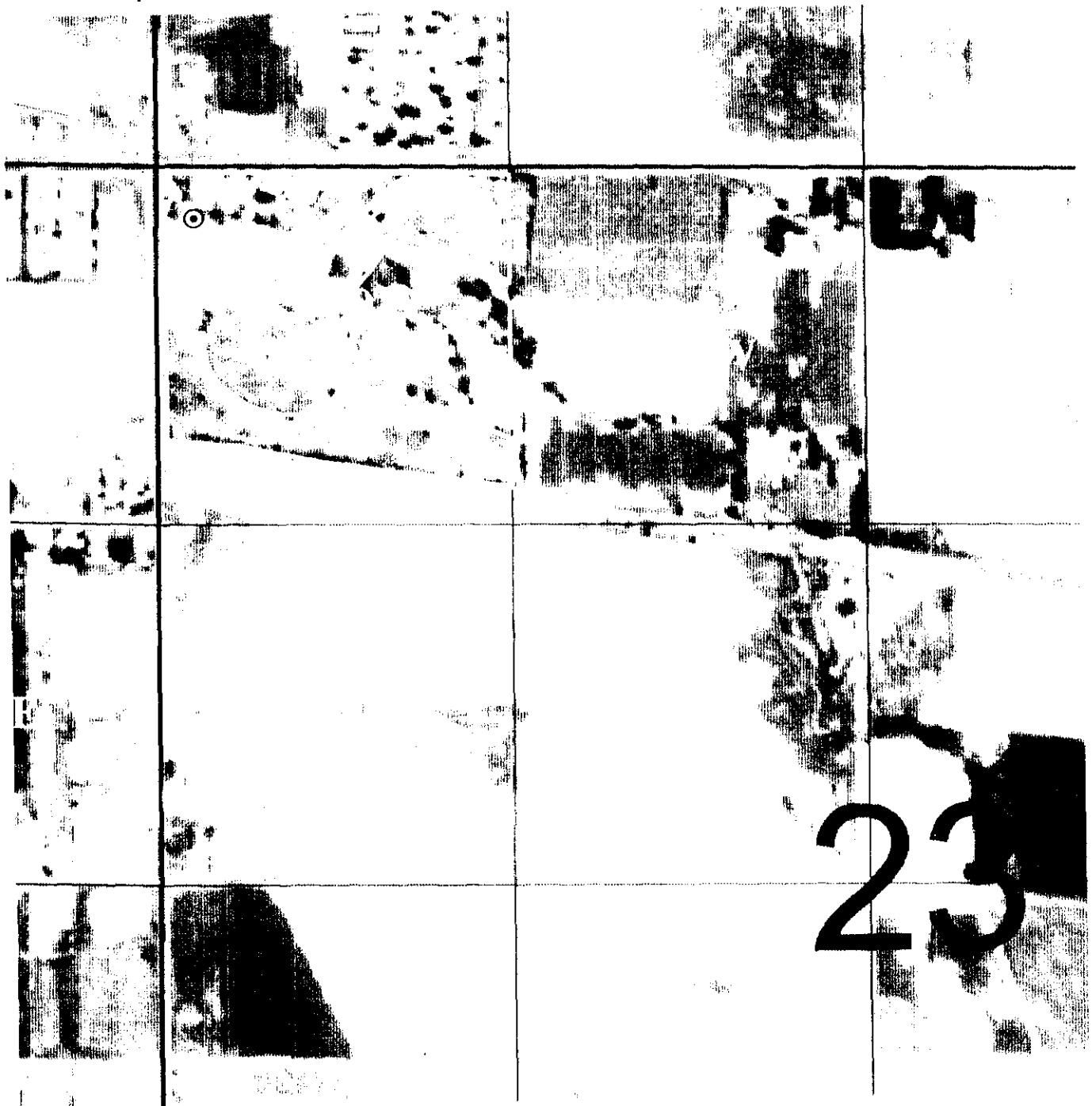


400 0 400 800 Feet

*Spatial
Dynamics*

Water Right Claim Number 47-04450
Township , 10S17E

01/24/2001



Legend

Irrigated Area

Section Line

Roads

⊙ Place of Diversion

Quarter Section Line

Streams and Canals



400 0 400 800 Feet

*SPATIAL
DYNAMICS*

AJ5809NP
No. A47-04450

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 12/06/00
PAGE: 136

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	PARKS DEVELOPMENT CO INC DBA SUNSET MEMORIAL PARK PO BOX 368 TWIN FALLS ID 833030000 (208) 733-5743	01/01/1957	IRRIGATION COMMERCIAL	03-15 11-15 01-01 12-31	1.500 CFS 0.200 CFS	
TOTAL DIVERSION:					1.500 CFS	
CONSUMPTIVE USE:						105.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion: T10S R17E S23 NWNWNW

TWIN FALLS County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
10S	17E	23	:					:					:					:					:	35.0
TOTAL ACRES																							35.0	

Place of use Legal Description for: COMMERCIAL

NE				NW				SW				SE												
T	R	S		NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		
10S	17E	23	:					:					:					:					:	

POU County: TWIN FALLS

Non-Irrigation Uses: C/ WATER FOR CEMETARY USES INCLUDING FILLING POND, ECT.

Other Rights: NONE

Other Water Rights Listing Overlapping Place(s) of Use:
A01-0020923

Dates:	Exam Made Date:	Verified Date:	03/07/1986	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:		
		Presumption Flag:		
Audit:	06/29/88 MERRITT	03/30/95 POST-STD		

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Department of Water Resources
Southern District Office

Under the provisions of Section 42-243, Idaho Code, any person using or claiming rights to the public waters of Idaho established by diversion and application to a beneficial use must file a claim with the Department of Water Resources on or before June 30, 1983. Exempted from this filing are single family domestic uses as defined in Section 42-230(d), Idaho Code. Also exempted are rights represented by a permit, license, decree, adjudicated right, or a previously filed claim.

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

Notice is hereby given that Parks Development Co., Inc. dba Sunset Memorial Park

(Name of Claimant)

P. O. Box 368 Twin Falls, Idaho 83301

(Mailing Address)

Telephone No. 733-5743

(Zip Code)

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) 1957

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) Deep well (groundwater)
tributary to _____

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

Quantity	(cfs, af)	Use	(Domestic, Irrigation, Stock, Etc.)	Period of Use From		To	
				(Mo., Day)	(Mo., Day)		
Quantity <u>1.5 cfs</u>		Use <u>Irrigation</u>		Period of Use From <u>Apr</u>	To <u>Oct</u>		
Quantity <u>0.2</u>		Use <u>Irrigation</u>		Period of Use From <u>June</u>	To <u>Dec 31</u>		
Quantity _____		Use _____		Period of Use From _____	To _____		
Quantity _____		Use _____		Period of Use From _____	To _____		
Quantity _____		Use _____		Period of Use From _____	To _____		

- (4) 1.5 TOTAL QUANTITY USED.
(cfs, af)

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

NW 1/4 NW 1/4, Sec. 23 Twp. 10S. Rge. 17E B.M., County of Twin Falls

Additional points of diversion: _____

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. pump 30 Horsepower

- (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.

T	R	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTAL
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>10S</u>	<u>17E</u>	<u>23</u>						X											<u>40</u>

No. of acres 40

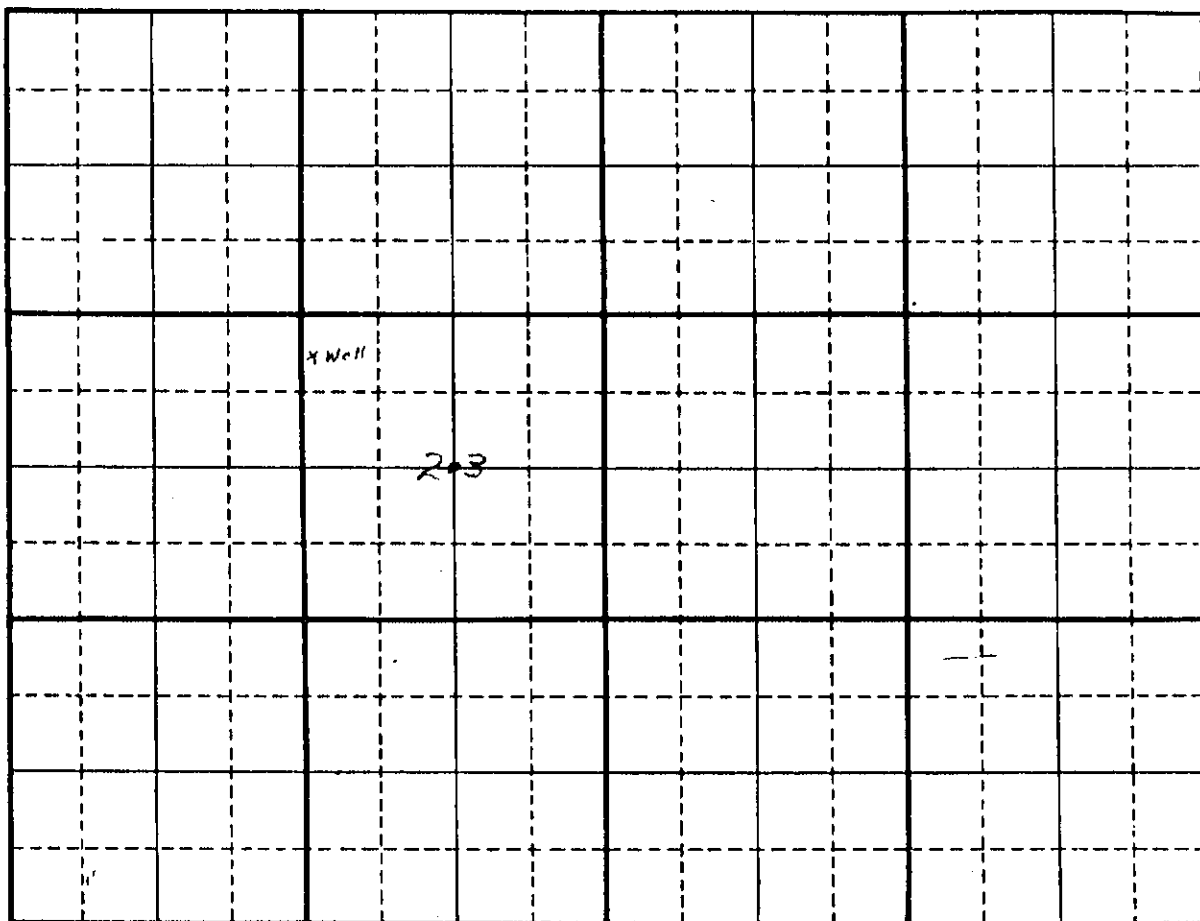
- B) If water is used for other than irrigation, fully describe that use, being as specific as possible:

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:

(B) Remarks Sec. 23, Twp. 10 S., R. 17 E. M.

Water is used in winter for filling a pond &
irrigation of some grounds.



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

County of Twin Falls

ss.

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 23 day of June

1983

Notary Public

Residing at Twin Falls

My commission expires _____

FOR DEPARTMENT USE ONLY

Received by Mary

Date 6/28/83

Exception filed by:

Forwarded to

Date

Prelim. check by Mary

Date 6/28/83

claimant by:

\$30.00 fee received by Mary

Date 6/28/83

29036

Published in Twin Falls

Dates 7/6 & 7/15/83