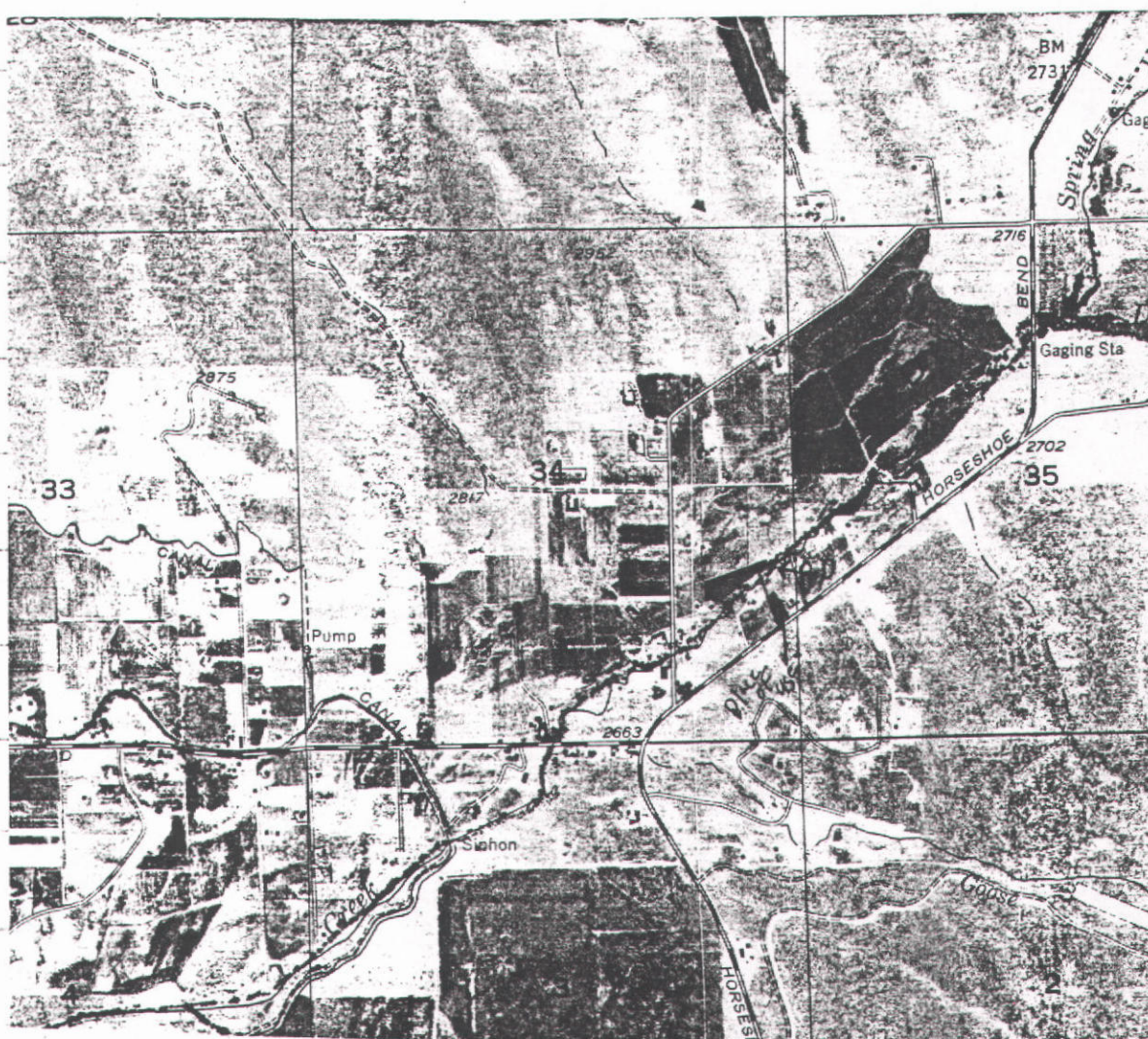


**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**



SCALE: 2 inches equal 1 mile. Draw plan in ink.

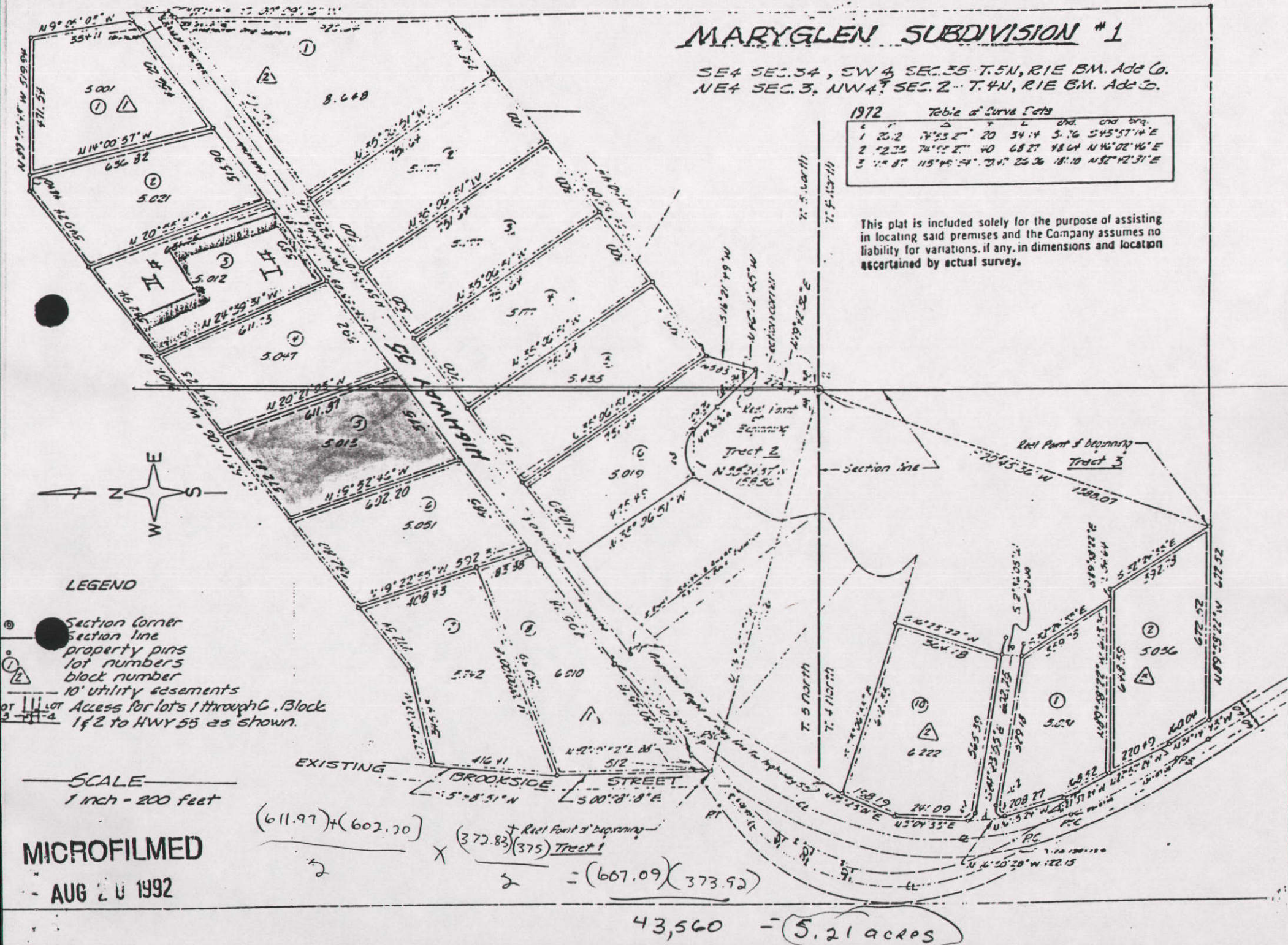
MARYGLEN SUBDIVISION #1

SE4 SEC.34, SW4 SEC.35 T.5N, R.1E BM. Adm Co.
NE4 SEC.3, NW4 SEC.2 T.4N, R.1E BM. Adm Co.

1972 Table of Curve Data

Sta.	Chord	Angle	Chord	Angle
1 25.2	74°53'2"	20	34.4	54°57'14"E
2 72.35	74°53'2"	40	68.27	48°04'N 46°02'46"E
3 114.87	115°45'54"	20	26.26	18°10'N 58°42'31"E

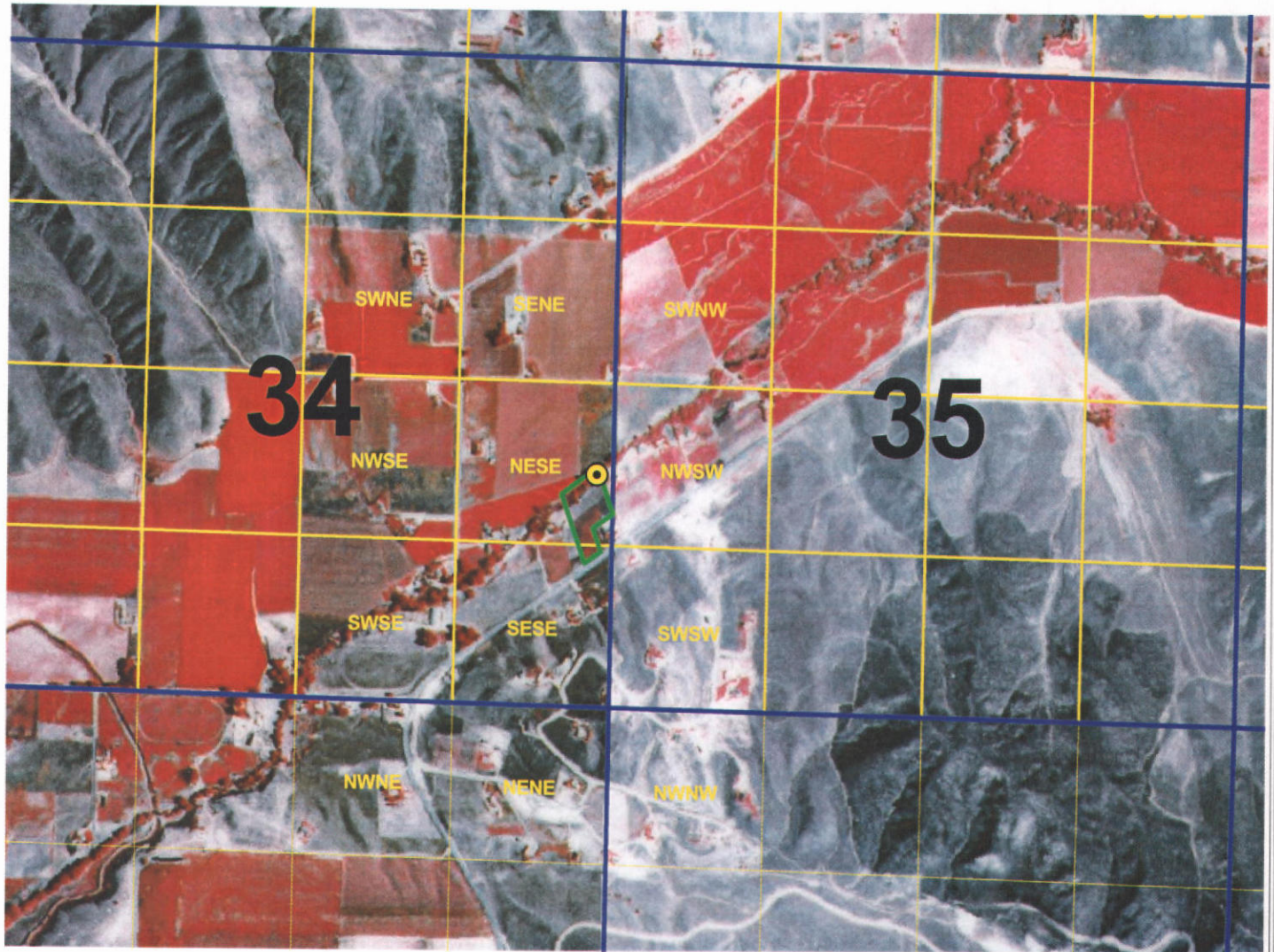
This plat is included solely for the purpose of assisting in locating said premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.





State of Idaho
Idaho Department of Water Resources
Western Region

T5N R1E SECTION 34
Water Right (s): 63-4219E



2000 0 2000 4000 Feet



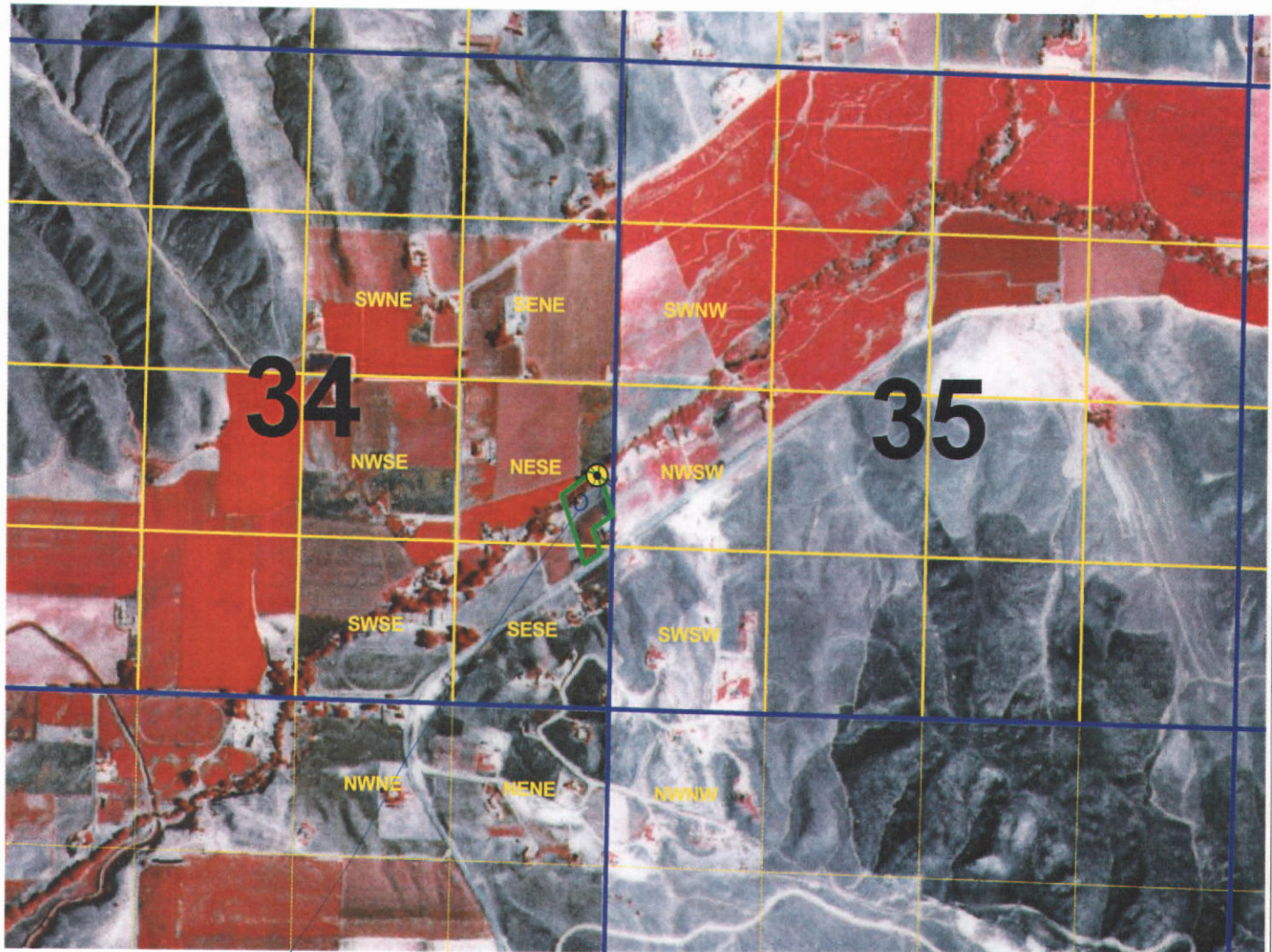
-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: May 2005



State of Idaho
Idaho Department of Water Resources
Western Region

T5N R1E SECTION 34
Water Right (s): 63-4219E



2000 0 2000 4000 Feet

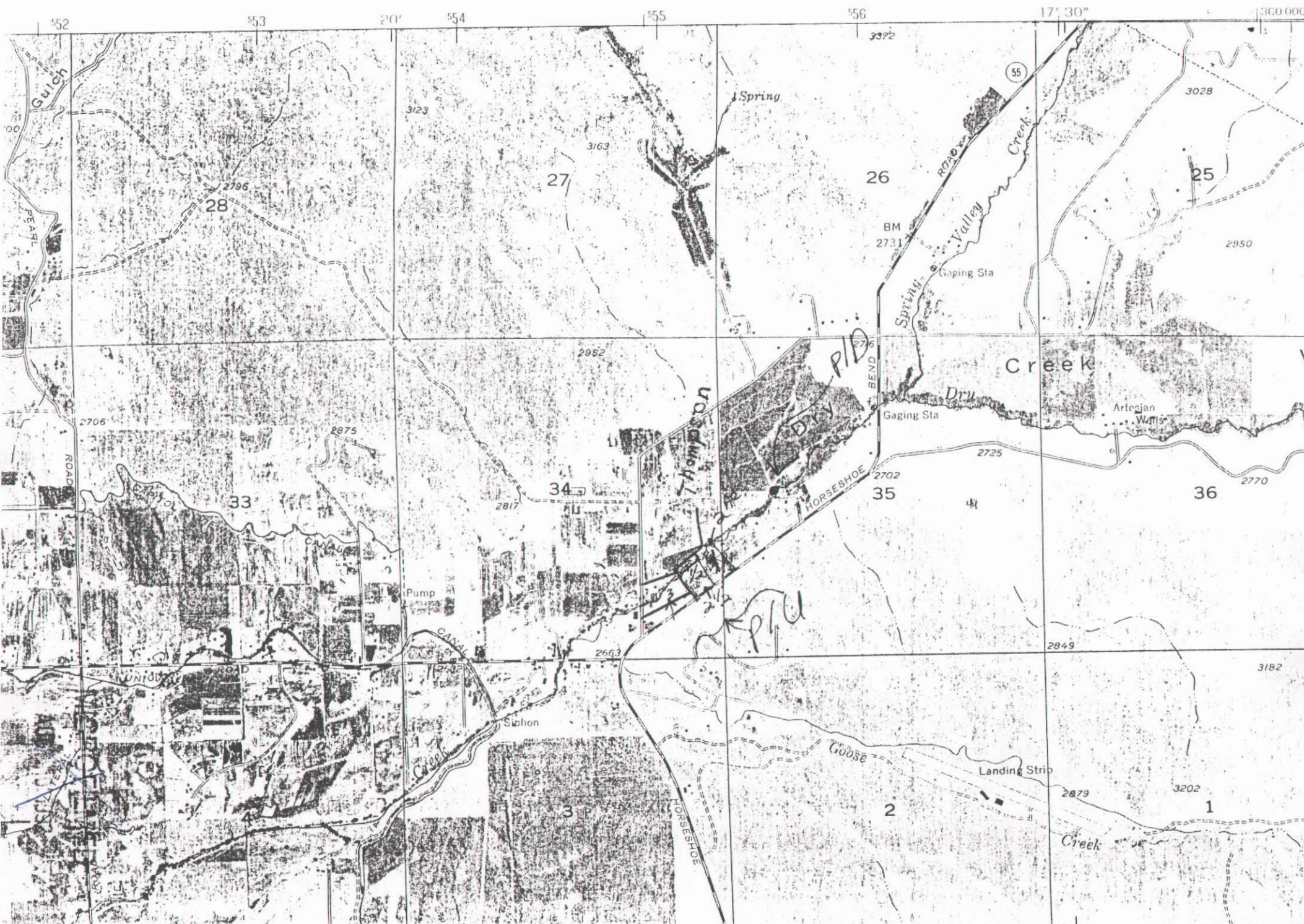
TOTAL IRRIGATED ACRES = 3

*pop changed per
contribution
w/ Clint
6-21-05*

-  Point of Diversion
-  Place of Use
-  Section Lines
-  Quarter Quarter Lines



GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: May 2005



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: **A63-04219E**
Date Received: 7/19/1989
Receipt No: X999999
Received By: _____

AMENDED

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

AMENDED

1. Name: ISABEL N FLOOK 208-983-9479
Address: 13153 N HORSESHOE BEND RD
BOISE ID 83703
AND/OR
Name: PERRY R FLOOK 208-983-9479
Address: 13153 N HORSESHOE BEND RD
BOISE ID 83703

2. Date of Priority: JUN 1, 1910

3. Source: DRY CREEK Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	01E	34	NE	SE			ADA

5. Description of diverting works:
DAM, PIPELINE, DITCH, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.060		

7. Total Quantity Appropriated is:
0.060 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
05N	01E	34	NE	SE		IRR	2.5

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	01E	34	SE	SE		IRR	0.5
Section Acres							3.0
Total Acres							3.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
LOT 7-SUPPLEMENTARY WELL

14. Remarks:
LOTS 5, MARYGLEN SUB.
CLAIM AMENDED PER TRANSFER APPROVED 9/27/99.
FOR TRANSFER CONDITIONS OF APPROVAL AND REMARKS SEE COPY OF
TRANSFER IN ADJUDICATION FILE.

15. Basis of Claim: STATUTORY CLAIM

Western AJ

See A63-04219E

RECEIVED

OCT 01 1999

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5445
WATER RIGHT NO. 63-04219B

This is to certify that: PERRY R FLOOK
ISABEL N FLOOK
13153 N HORSESHOE BEND RD
BOISE ID 83703

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.06 CFS	13.5 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
DRY CREEK	BOISE RIVER

Priority: 06/01/1910

LOCATION OF POINT(S) OF DIVERSION: NESE , Sec. 34, Township 05N, Range 01E
ADA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05N	01E	34	NESE 2.5	SESE 0.5		3.0
Total number of acres irrigated:						3.0

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

TRANSFER NO. 5445
WATER RIGHT NO. 63-04219B

CONDITIONS OF APPROVAL AND REMARKS

5. Approval of Transfer 5445 does not confirm Claimed
Right 63-04219B.

6. Place of use is located within Lot 5, Maryglen Subdivision No. 1.

JOH ✓
Dated this 27 day of September, 1999

J. Glen Saylor
Chief, Water Allocation Bureau

MEMORANDUM

TO: File 63-04219

FROM: Pam Skaggs^{PS}/State Office

SUBJECT: Transfer 5445

DATE: September 27, 1999

Transfer 5445 changes the point of diversion under a portion of Right 63-04219, splitting the right into Parts A and B. The applicant owns a portion of the land claimed under this right, and wants to add a point of diversion on his property since the original point of diversion has been destroyed and not repaired.

The transfer was processed in the region using the SRBA Claim A63-04219E, which is the applicant's portion of this right as claimed in the adjudication. The transfer approval reflects a portion of the original statutory claim identified as Part B, that reflects the SRBA claim except for the changed point of diversion.

Recommended conditions include non-confirmation of the claim, irrigation overlap and standard transfer conditions.

Page 1 of 6

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5445

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant Perry R and/or Label N Flook Phone 208 938 9479
Post Office address 13153 NORTH Horsehair Bend Rd Boise ID 83703

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes. D/O Diversion Destroyed and not repaired
wanted to relocate to stream bed on my property

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>A03-04219E</u>	<u>06/01/1910</u>	<u>.06</u>	<u>irrigation</u>	<u>04-01 to 10-31</u> ^{PM}
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred .06 cubic feet per second and/or _____ acre-feet per annum

3. Source of water DRY CREEK tributary to BOISE RIVER ^{PM}

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	S-E	N-E	S-E	34	5N	1-E	AOA	Dry Creek

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
5N	01-E	34													2.5			.5	2.5 3
5N	1-E	35																	5

PART 1

6. General Information:

- a. Description of diversion system Pump From creek
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes ☒ (No) If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Water will be available where now it is not Because of
old diversion damms
- d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
 And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

AJ0749NP
No. A63-04219C

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 04/23/9
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ISABEL N FLOOK	06/01/1910	IRRIGATION	04-01 10-31	0.06 CFS	
C	PERRY R FLOOK					
	13153 N HORSESHOE BEND RD					
	BOISE ID 83703					
	(208) 983-9479					
				TOTAL DIVERSION:	0.06 CFS	

Water Source: DRY CREEK

Tributary to: BOISE RIVER

Stage: STATUTORY CLAIM

Point(s) of Diversion: T05N R01E S35

SWNW

ADA County

Place or 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	
05N	01E	34	:																	
																02			.5	3.0
																				TOTAL ACRES 3.0

POU County: ADA

Other Rights: LOT 7-SUPPLEMENTARY WELL

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A63-04219C

Other Water Rights Listing Overlapping Place(s) of Use:
A63-04219 A63-04219C A63-04247 A63-07163 A63-16781

Remarks: GEN LOTS 5, MARYGLEN SUB.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

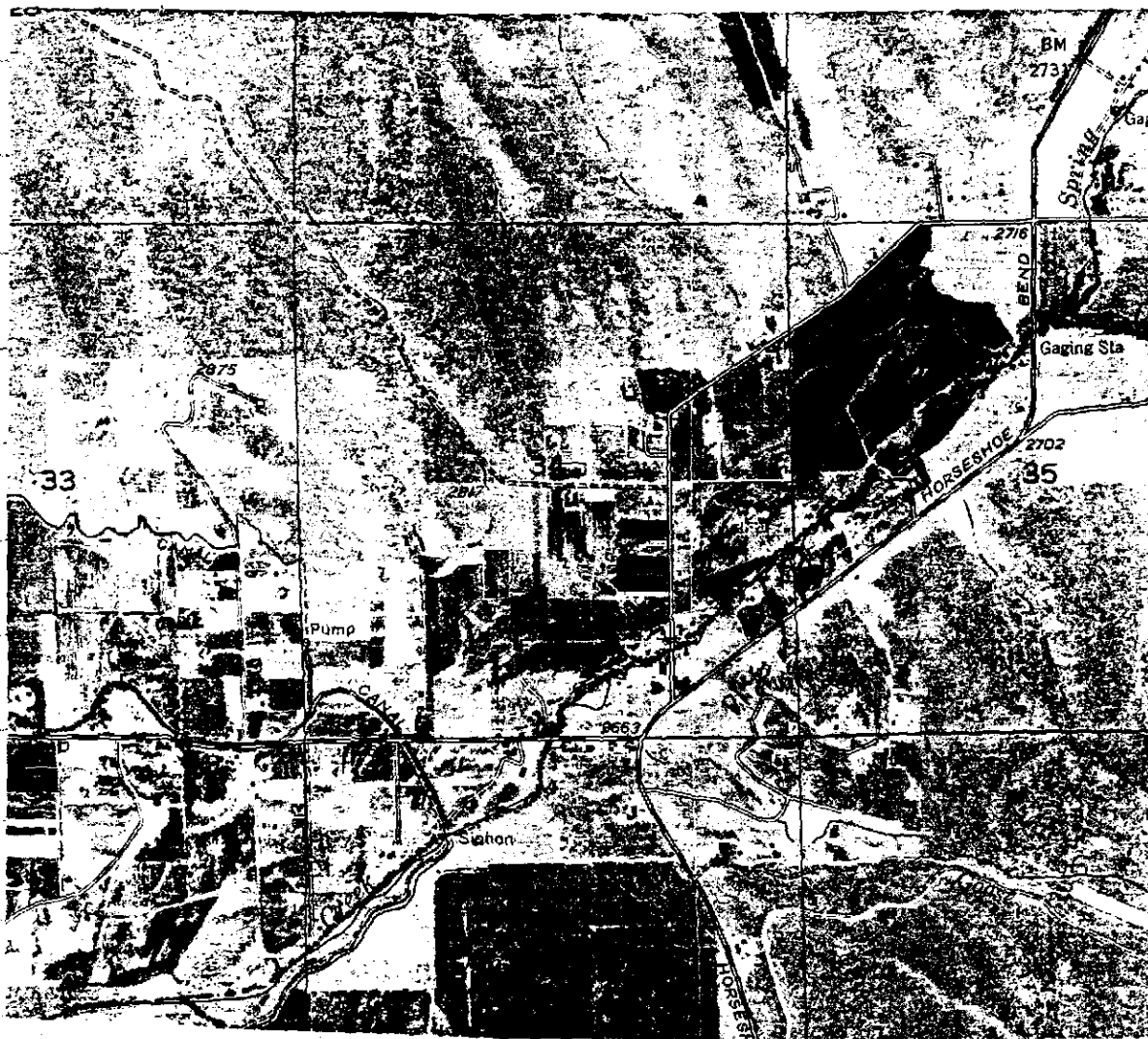
3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to _____
				to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 3rd day of Feb, 19 99.

(Signature of Applicant)

Lori Graves

(Notary Public)

My commission expires 6/18/04**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and 1 attachmentsReceived by DAN Date 2-1-99 Protest filed by _____Prelim. check by L Fee \$100.00 W24764Receipted by DAN Date 2/1/1999Published in Id. Statesman Copies of protest forwarded by _____Pub. dates 5-6+13-99 Hearing held by _____ Date _____Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

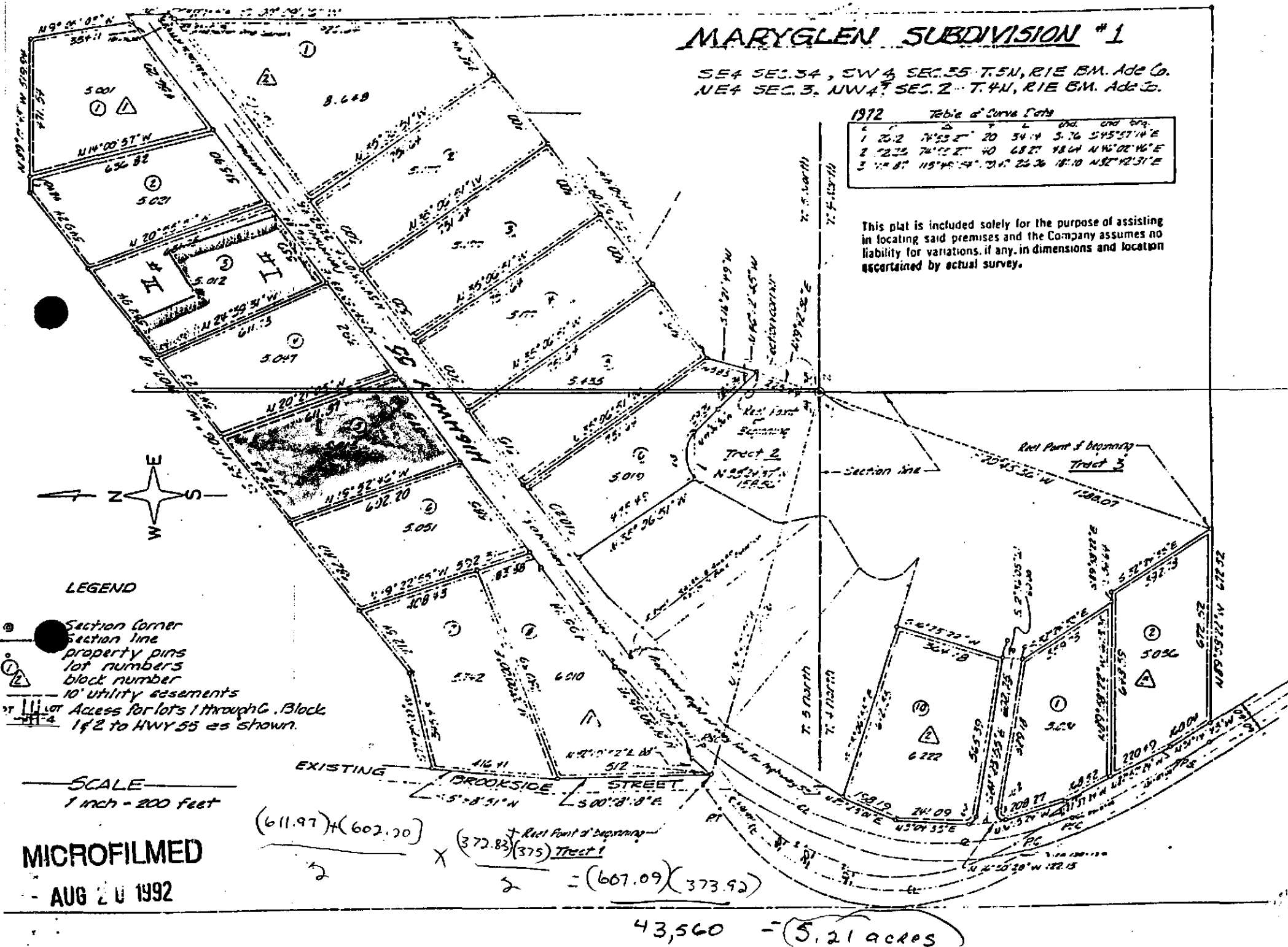
MARYGLEN SUBDIVISION #1

SE4 SEC. 34, SW4 SEC. 35 T. 5N, R. 1E BM. Add Co.
NE4 SEC. 3, NW4 SEC. 2 T. 4N, R. 1E BM. Add Co.

1972 Table of Curve Data

Curve No.	Length	Angle	Radius	Chord	Offset
1	25.2	74°55'20"	34.14	5.76	54°57'14"E
2	22.25	74°55'20"	40	6.87	48°04'16"E
3	14.87	115°45'54"	20.6	22.26	18°10'43"E

This plat is included solely for the purpose of assisting in locating said premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.



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: A63-04219E
Date Received: 7/19/1989
Receipt No: X999999
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: ISABEL N FLOOK 208-983-9479
Address: 13153 N HORSESHOE BEND RD
BOISE ID 83703
AND/OR
Name: PERRY R FLOOK 208-983-9479
Address: 13153 N HORSESHOE BEND RD
BOISE ID 83703

2. Date of Priority: JUN 1, 1910

3. Source: DRY CREEK Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
05N	01E	35	SW	NW			ADA

5. Description of diverting works:
DAM, PIPELINE, DITCH, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.060		

7. Total Quantity Appropriated is:
0.060 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
05N	01E	34	NE	SE		IRR	2.5

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	01E	34	SE	SE		IRR	0.5
Section Acres							3.0
Total Acres							3.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
LOT 7-SUPPLEMENTARY WELL

14. Remarks:
LOTS 5, MARYGLEN SUB.

15. Basis of Claim: STATUTORY CLAIM

RECEIVED

FEB 01 1999

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right No(s).: A-63-04219 C, A 63-16461
Adjudication Claim No(s).: Split into D + E
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant William E & Barbara Thompson
4. New Owner/Claimant(s) Perry R Flook 1 Subal N Flook
 Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
 New Mailing Address 13153 N Horse Shoe Bend Road
 City, State and ZIP Code Boise ID 83703
 New Telephone Number (208) 938 9479
5. Date you acquired the property April 10th 1998
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
 Number of acres you irrigate 3 AC Number and type of stock _____
 Diversion rate in CFS .10 Number of homes 1 Other uses irrigation
 If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) Perry R Flook
 (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

Title File No.: T98-50230 *3014*

WARRANTY DEED

FOR VALUE RECEIVED

BARBARA C. THOMPSON, as her sole and separate property

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto: PERRY R. FLOOK AND ISABEL FLOOK, husband and wife

GRANTEES(s), whose current address is: 13153 N. Horseshoe Bend Road, Boise, Idaho 83704
the following described real property in Ada County, State of Idaho,
more particularly described as follows, to wit:

SEE EXHIBIT "A" ATTACHED
(Continued)

TRANSACTION TITLE & ESCROW

ADA COUNTY RECORDER
J. DAVID NAVARRO
BOISE, IDAHO

1998 AP 22 PM 4:25

RECORDED - REQUEST OF

FEE *18* DEPUTY *[Signature]*

98038248

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: April 15, 1998

Barbara C. Thompson
Barbara C. Thompson

STATE OF Idaho, County of Ada, ss.

On this 16th day of April in the year of 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared Barbara C. Thompson

known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

Signature: *[Signature]*

Name: Sharon M. Wilson

Residing at: Boise, Idaho

My commission expires: 05/13/00

Transnation Title & Escrow, Inc. *317 3190*

Sicky Thanks For a' your
help. Perry & Isabel Flook

05/31/2005

RECEIVED

JUL 13 2005

WATER RESOURCES
WESTERN REGION

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: July 15, 2005

Water right number: 63-4219E

PERRY R FLOOK
13153 N HORSESHOE BEND RD
BOISE ID 83703
Telephone Number: (208)938-9479

ISABEL N FLOOK
13153 N HORSESHOE BEND RD
BOISE ID 83703
Telephone Number: (208)938-9479

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

☒ I AGREE with this proposed recommendation: no changes need to be made.

DATE: 7-05-05

SIGNATURE: Perry R Flook

Please print your name: Perry R Flook

IDWR Regional Office, 2735 Airport Wy, Boise, ID 83705, 2083342190

06/23/2005

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-4219E

NAME AND ADDRESS: PERRY R FLOOK
13153 N HORSESHOE BEND RD
BOISE ID 83703

ISABEL N FLOOK
13153 N HORSESHOE BEND RD
BOISE ID 83703

SOURCE: DRY CREEK

TRIBUTARY: BOISE RIVER

QUANTITY: 0.060 CFS

PRIORITY DATE: 06/01/1910

POINT OF DIVERSION:

T05N R01E S34 NESE Within ADA County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.060 CFS

PLACE OF USE: IRRIGATION Within ADA County

T05N R01E S34	NESE	2.5	T05N R01E S34	SESE	0.5
---------------	------	-----	---------------	------	-----

3 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

EXPLANATORY MATERIAL: Beneficial Use

Failure of the right holder to comply with the conditions of Transfer No. 5445 is cause for the Director to rescind approval of the transfer.

Property is also known as Lot 5, Maryglen Subdivision No. 1.

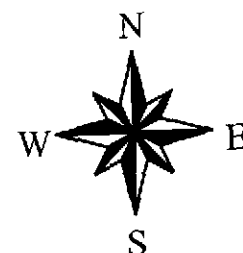
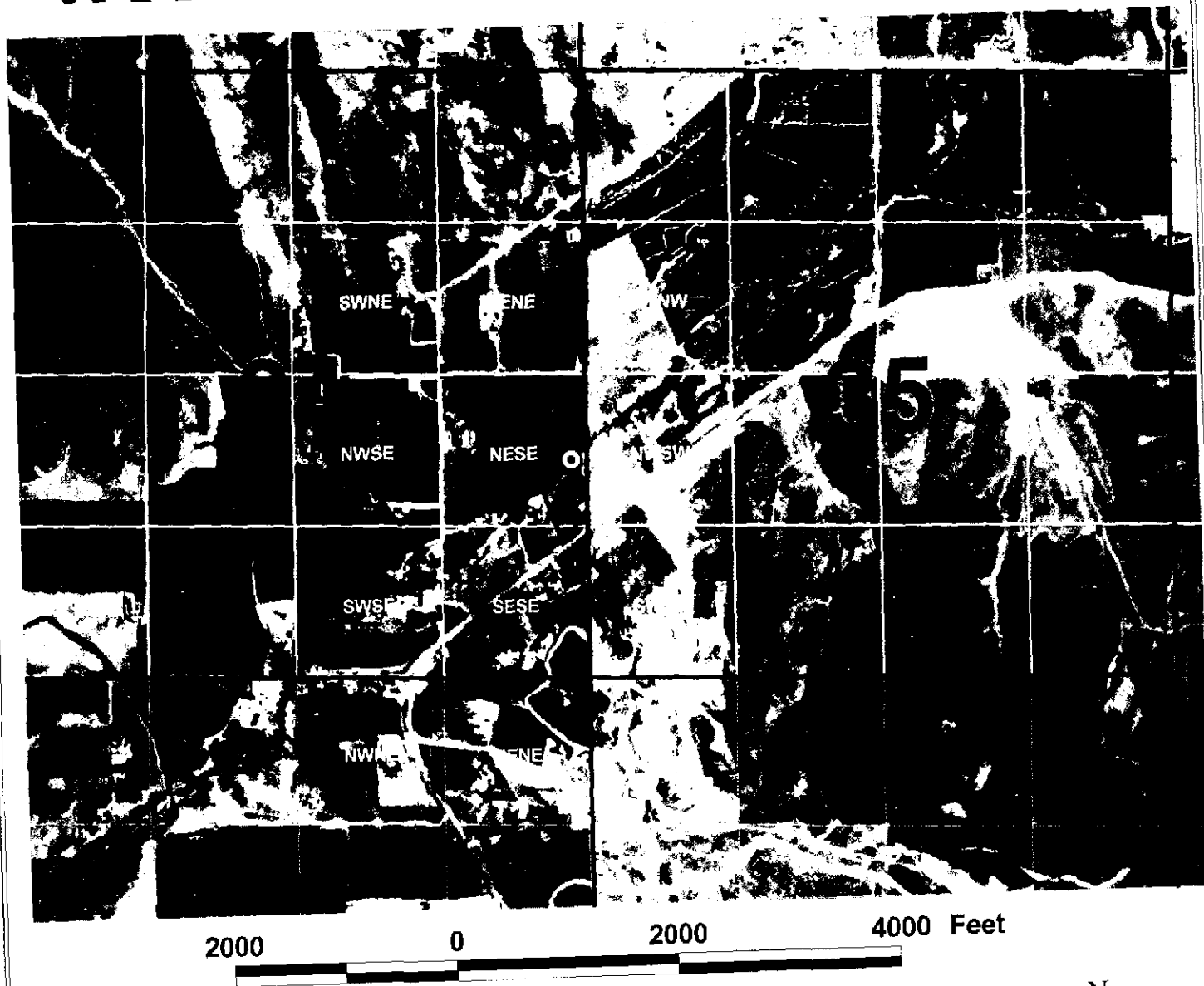
Parcel No. R5488500120.

The right holder shall accomplish the change authorized by Transfer No. 5445 within one year of the date of the transfer approval.



State of Idaho
Idaho Department of Water Resources
Western Region

T5N R1E SECTION 34
Water Right (s): 63-4219E



- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: May 2005

May 25,2005

Vicky L.Music
Water Resource Agent
Dept. of Water Resources
State of Idaho

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-4219E

Current owner: Perry and Isabel Flook
13153 N Horseshoe Bend Rd.
Boise ID 83714

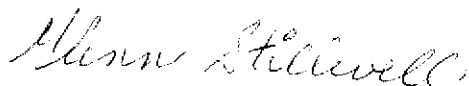
EVIDENCE AFFIDAVIT:

Mr. Glenn Stillwell provides this statement of evidence. Mr. Stillwell is the previous owner of said property and Claims.

The Mary Glenn Subdivisions present point of diversion (off Dry Creek) for irrigation purposes is at the same location on the creek, and has been in use for irrigation since the land was originally homesteaded. This was prior to 1900.

My Family (STILLWELLS), rented /leased this property from the original homesteaders the Clemmens family, before the turn of the century. I latter purchased the said property along dry creek. Myself and my Grand parents before me have always irrigated the land adjoining Dry Creek from that "point of diversion" on Dry creek at its present location, (which is now, Helen Yeagers property),

Sincerely

A handwritten signature in cursive script that reads "Glenn Stillwell".

Glenn Stillwell



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 20, 2005

PERRY AND ISABEL FLOOK
13153 N HORSESHOE BEND RD
BOISE, ID 83703

RE: EVIDENCE OF PRIORITY
Snake River Basin Claim No(s): A63-4219E

Dear Claimant(s),

In the past, you submitted the above referenced claim(s) during the Snake River Basin Adjudication (SRBA) claims taking. Enclosed is a printout of the claim(s) for your reference only. You indicated, when these claims were filed, that the water right(s) was based on either a "Statutory Claim" or "Beneficial Use" of the water. Water rights of this type are established by historical use of the water for a beneficial use purpose, dating back to the time the water was first used; this date being the "Priority Date" as shown on the enclosed print-out. This claim(s) has not been confirmed by a previous filing with the Idaho Department of Water Resources (IDWR) since there is no decree, license, or permit on file to verify the use of this water. For this reason, IDWR is required to gather evidence from claimants supporting the date of priority for claims based on historical beneficial use of water.

Enclosed is a pamphlet entitled "**Evidence of Priority**" which describes why evidence of the priority date is necessary, along with examples of types of evidence that can be submitted to fulfill this requirement. While I encourage you to read the entire pamphlet, I direct your attention to the two sections entitled "**What Kind of Evidence is Required**" and "**Some Examples of Documents Which May Be Evidence of the Priority Date.**"

If no evidence of this priority date is submitted, or we do not hear from you within the time limit below, your priority date, as claimed, may not be recommended to the SRBA court for decree. This could jeopardize your water use under this right(s) if water availability problems arise in the future. Please submit the required evidence supporting the priority date(s) by May 27, 2005.

Please let me know if have questions not covered by this letter and the enclosed pamphlet, by the date indicated above.

Sincerely,

Vicky L. Music
Water Resource Agent

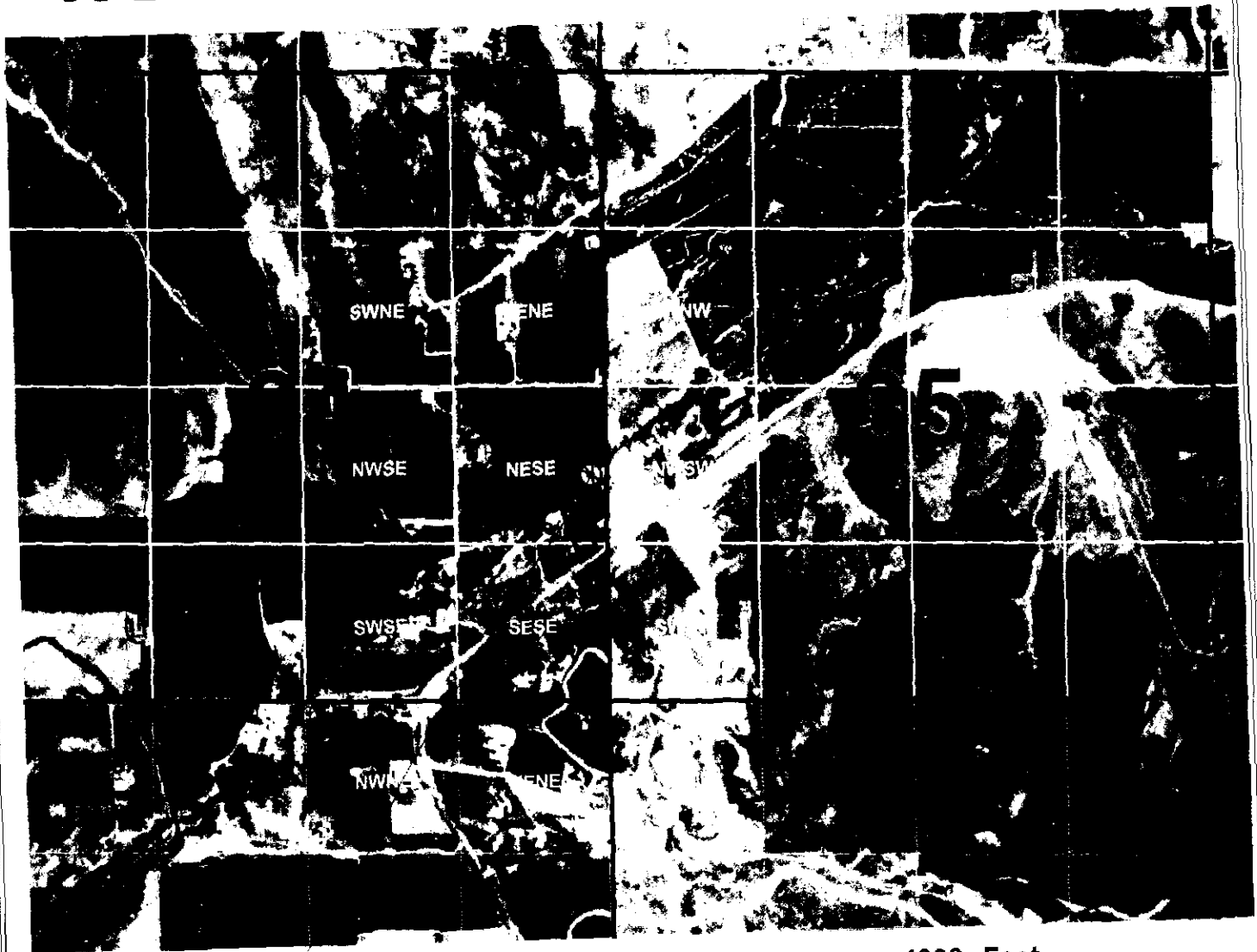
Enclosures: Notice of claim report for A63-4219E and "Evidence of Priority" brochure

NOTE: If you no longer own the property upon which this claim was filed, please contact this office immediately. Idaho State law requires that the Department be notified of a change of owner or address on a water right.



State of Idaho
Idaho Department of Water Resources
Western Region

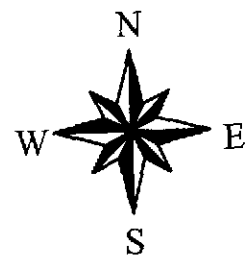
T5N R1E SECTION 34
Water Right (s): 63-4219E



2000 0 2000 4000 Feet

POP
changed per
computation
with
6-21-05

TOTAL IRRIGATED ACRES = 3



- Point of Diversion
- Place of Use
- Section Lines
- Quarter Quarter Lines

GIS Place of Use Illustration
1987 NAPP Photography
Prepared By: Vicky Music
Date: May 2005

EXHIBIT "A"

PARCEL I

A portion of Lot 5 in Block 1 of MARYGLEN SUBDIVISION NO. 1, according to the official plat thereof, filed in Book 29 of Plats at Page 1781, records of Ada County, Idaho, more particularly described as follows:

Commencing at the Southeasterly corner of said Lot 5, a corner common to Lots 4 and 5; thence
North 20°21'03" West along the line common to said Lots 4 and 5 a distance of 208.71 feet to a point; thence
South 54°53'09" West parallel to Highway 55 a distance of 208.71 feet to a point; thence
South 20°21'03" East parallel to the lot line common to said Lots 4 and 5 a distance of 208.71 feet to a point; thence
North 54°53'09" East along the Northerly boundary of Highway 55 a distance of 208.71 feet to the REAL POINT OF BEGINNING.

PARCEL II

Lot 5 in Block 1 of MARYGLEN SUBDIVISION NO. 1, according to the official plat thereof, filed in Book 29 of Plats at Page 1781, records of Ada County, Idaho.

EXCEPT

Commencing at the Southeasterly corner of said Lot 5 a corner common to Lots 4 and 5; thence
North 20°21'03" West along the line common to said Lots 4 and 5 a distance of 208.71 feet to a point; thence
South 54°53'09" West parallel to Highway 55 a distance of 208.71 feet to a point; thence
South 20°21'03" East parallel to the lot line common to said Lots 4 and 5 a distance 208.71 feet to a point; thence
North 54°53'09" East along the Northerly boundary of Highway 55 a distance of 208.71 feet to the REAL POINT OF BEGINNING.

P. 06/06

FAX NO. 208 377 0946

JOHN H. HARRIS 11112

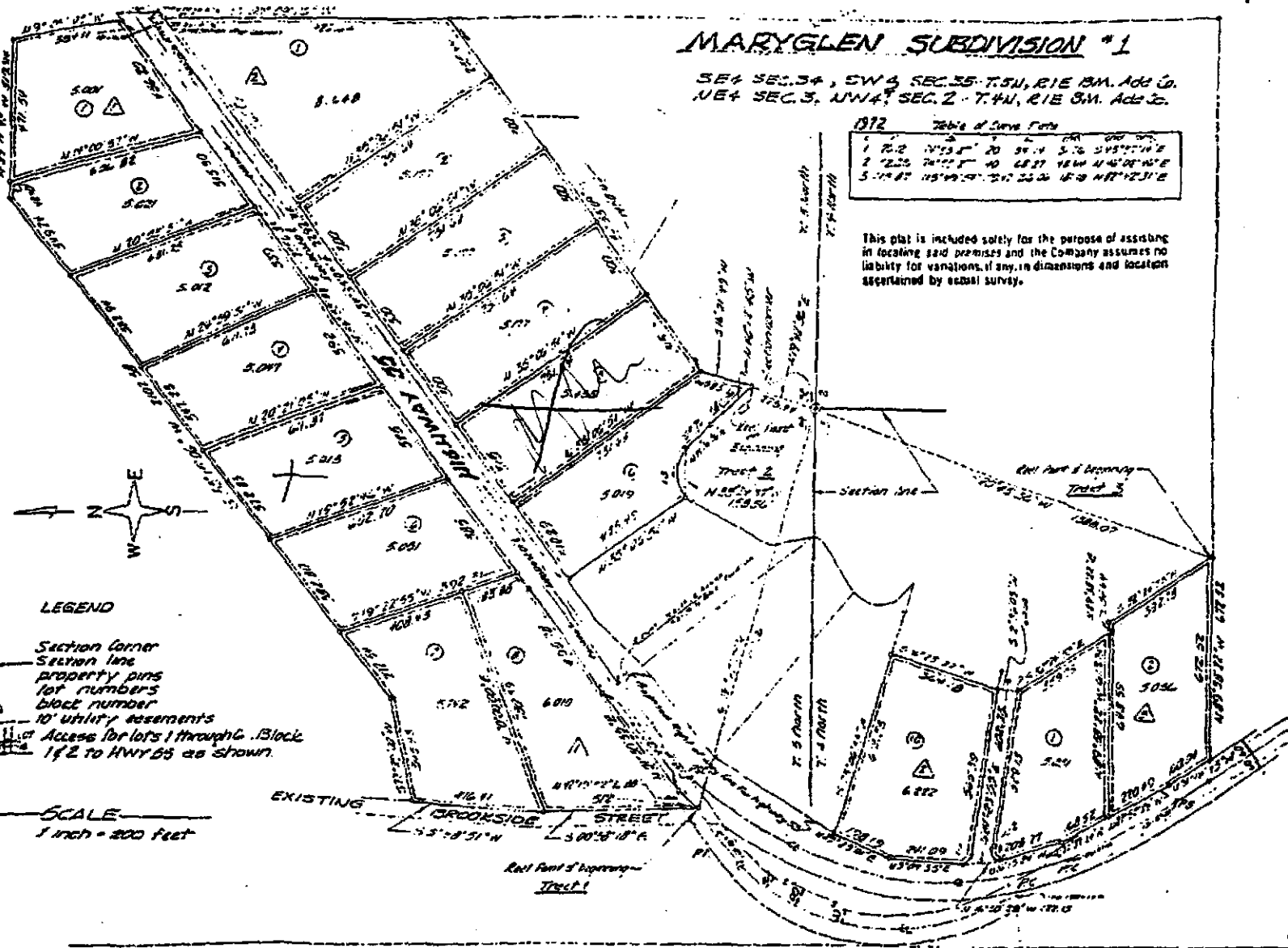
MARYGLEN SUBDIVISION #1

SE 1/4 SEC. 34, SW 1/4 SEC. 35, T. 5N, R. 1E BM. Adm. Co.
NE 1/4 SEC. 3, NW 1/4 SEC. 2, T. 4N, R. 1E BM. Adm. Co.

012 Table of Curve Data

Curve No.	Stationing	Angle	Radius	Chord	Area
1	75.2	115.5°	20	34.14	5.76
2	122.5	74.5°	40	68.27	18.64
3	148.8	115.5°	20	34.14	5.76

This plat is included solely for the purpose of assisting in locating said premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.



LEGEND

- Section corner
- Section line
- property pins
- lot numbers
- block number
- 10' utility easements
- Access for lots 1 through 6, Block 1 of 2 to HWY 65 as shown.

SCALE
1 inch = 200 feet

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Section 42-225a, Idaho Code

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

Notice is hereby given that GLENN STILLWELL &/or MARY STILLWELL
(name of claimant)
of Route #1, Boise, Idaho 83702, claims a right to the diversion and beneficial use of
(mailing address)
ground water or surface water tributary to Boise River

The extent and nature of said claim is as follows:

- (1) Describe source of water: (name of stream, lake, spring, etc., or ground water) Dry Creek
- (2) Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

Amount	<u>0.80</u>	Use	<u>Irrigation</u>	Period of Use:	From	<u>4/1</u>	To	<u>10/31</u>
Amount		Use		Period of Use:	From		To	
Amount		Use		Period of Use:	From		To	
	(cfs, gpm or a/f)		(dom., irri.. stock, etc.)					(both dates inclusive)

- (3) Total quantity of water claimed: 0.80 cubic feet per second, or _____ acre feet per annum, and/or _____ gallons per minute.

- (4) Priority claimed: (the date water was first applied to beneficial use) 1910
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 to this rule is that a claim may be filed on domestic use from a ground-water source.

- (5) A) Point of diversion: (give location of point where water is diverted from its source)
 NW ¼ SW ¼, Sec. 35 Twp. 5N Rge. 1E B. M. County of Ada
 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. Diversion dam and ditch 3 X 1½ about 2000' long

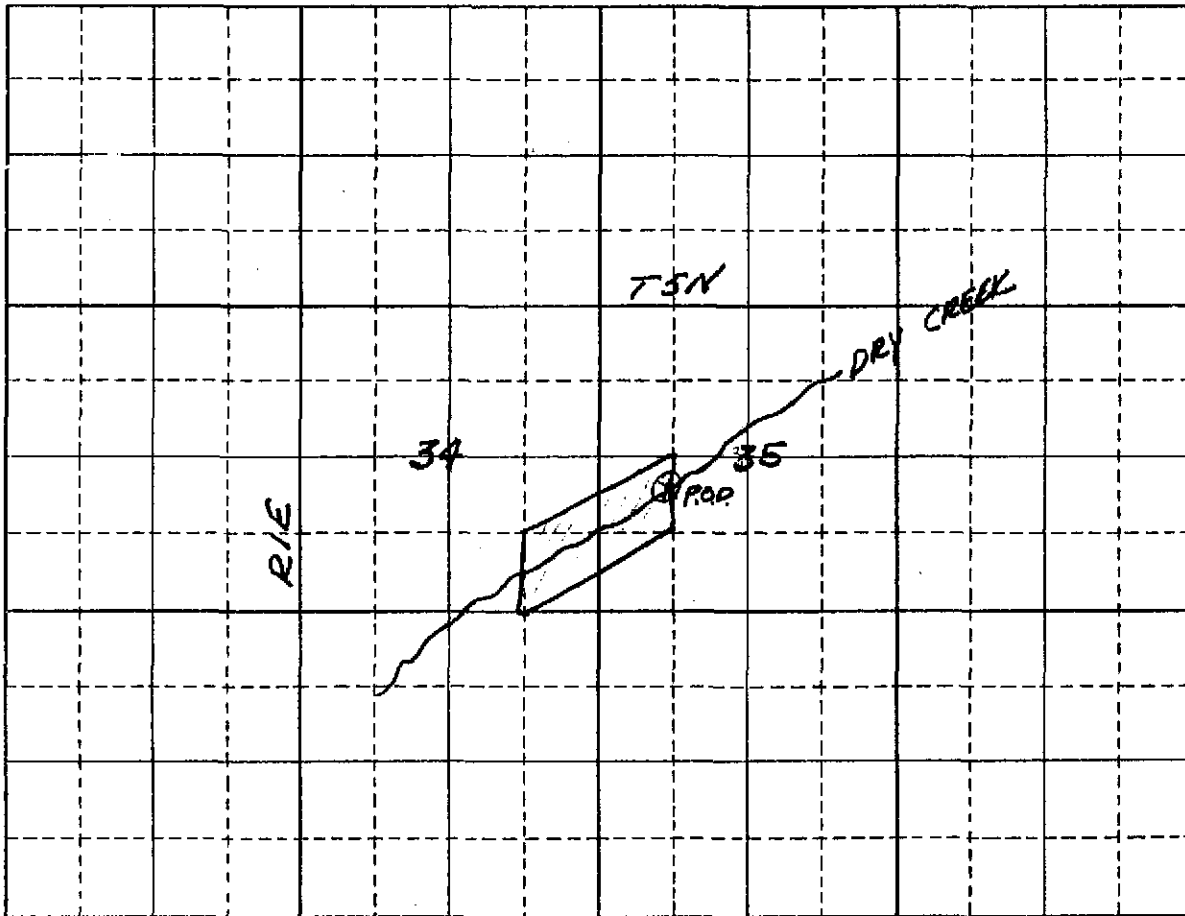
- (6) A) Describe location of use by listing number of irrigated acres within each 40-acre tract in appropriate box. If use is not for irrigation, place an "X" in appropriate box to show location.

[illegible]

Total No. of acres 40

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

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



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 ADA

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 affiants knowledge.

Sworn to before me this

14th

day of

May

1973.

Kenneth Stillwell - Mary Stillwell

(Claimant)

Notary Public

Residing at

Boise, Idaho

My commission expires

May 26, 1974

Rec'd #10532

For Department Use Only

Received by

Date

5-24-73

Exception filed by:

Forwarded to

Date

Prelim. check by

R.W. H. J.

Date

5-24-73

claimant by:

\$10.00 fee received by

Date

5-24-73

Approved for publication by

Published in Idaho Statesman, Boise Id.

Dates May 31 & June 1, 1973

**IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-4219E**

03/21/2005

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
1219E	Claim	05N	01E	34	NE	SE		IRRIGATION	2.5/3	PERRY R FLOOK
1219H	Claim	05N	01E	34	NE	SE		IRRIGATION	0.5/3	ROBERT J HUNTINGTON
7163	Claim	05N	01E	34	NE	SE		IRRIGATION	4/4	CHARLOTTE A SNOW
16781	Claim	05N	01E	34	NE	SE		IRRIGATION	3/3	ROXANN C SCHAPER
4247	Water Right	05N	01E	34	NE	SE		IRRIGATION	40/40	DALE B TOMKINSON
7163	Water Right	05N	01E	34	NE	SE		IRRIGATION	4/4	MILDRED J TOMKINSON
7760	Water Right	05N	01E	34	NE	SE		IRRIGATION	4/4	PEARL C COMPTON
1219E	Claim	05N	01E	34	SE	SE		IRRIGATION	0.5/3	PERRY R FLOOK
1219G	Claim	05N	01E	34	SE	SE		IRRIGATION	2/	WILLIAM E THOMPSON
1219H	Claim	05N	01E	34	SE	SE		IRRIGATION	2.5/3	ROBERT J HUNTINGTON
10384	Water Right	05N	01E	34	SE	SE		IRRIGATION	1.1/1.4	RUTH E KELLY
10858	Water Right	05N	01E	34	SE	SE		IRRIGATION	1.3/1.3	NANCY HUFF

Receipt Details for ID W003721

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
7/19/1989 12:16:27 PM	7/19/1989	Western	\$83.00	Check
Payer		THOMPSON, WILLIAM		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
686			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$83.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
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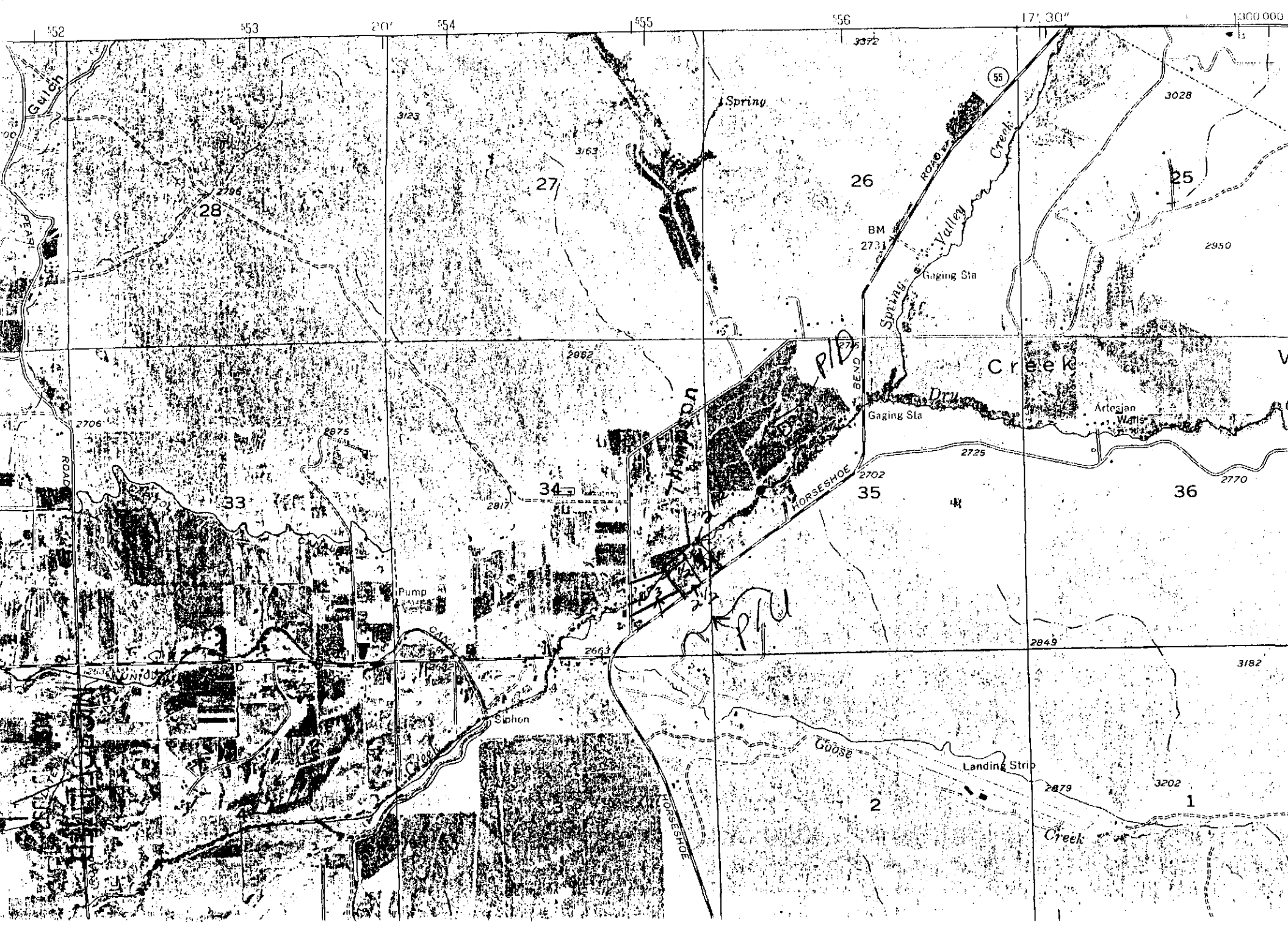
Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	4219	C	\$58.00	Claim
63	16461		\$25.00	Claim

Print Report

ERIOR

A63-04219 C





State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

April 27, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Perry R Flook
Isabel N Flook
13153 N Horseshoe Bend Rd
Boise ID 83703

Re: Original Notice of Claim to a Water Right No. A63-04219C

Renumbered Notice of Claim to a Water Right No. A63-04219E

Dear Claimant:

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This Change of Ownership required a split of the original claim resulting in renumbering this claim by adding alpha suffixes to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use, or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time. You will be notified of any future action taken on this claim.

Also enclosed is a copy of water right number 63-16461. A copy of the Notice of Completed Administrative Proceedings has also been sent to the Snake River Basin Adjudication Court as notification of the change.

Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

Adjudication Section
Western Region

DB:d

Enclosure

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: A63-04219C
Date Received: 7/19/1989
Receipt No: W003721
Received By: hlf

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: WILLIAM E. THOMPSON 208-939-7227
Address: 13153 HORSESHOE BEND RD.
BOISE, ID 83703
OR
Name: PHIL T. HUFF 208-939-8314
Address: 3502 BROOKSIDE
BOISE, ID 83703
OR
Name: MARLENE HARRIS 208-939-8763
Address: 13103 HWY 55
BOISE, ID 83703

2. Date of Priority: JUN 01, 1910

3. Source: DRY CREEK Trib. to: BOISE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
05N	01E	35	SW	NW			ADA

5. Description of diverting works:
DAM, PIPELINE, DITCH, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/31	0.160		

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

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

A63-04219C

Page 1

Date: 07/19/89

~~MICROFILMED~~
AUG 23 1992

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	01E	34	NE	SE		IRR	2.5
			SE	SE		IRR	5.5
					Section Acres		8.0
					Total Acres		8.0

11. Place of use in counties: ADA

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

13. Other Water Rights Used:
LOT 7-SUPPLEMENTARY WELL

14. Remarks:
SPLIT FROM 63-04219, SOME FLOOD IRR.
LOTS 5, 6, AND 7, ~~GLENMARY~~ SUB.
MaryGlen

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. *Linda A. Werner* 7-19-89

Signature of Claimant(s): *Thelma T. Hoff* Date: *7-19-89*
Marlene K. Hamb Date: *7-19-89*

State of Idaho)
County of *Ada*) SS.

Subscribed and sworn (or affirmed) before me this *19* day
of *July* 19 *89*
Seal *Linda A. Werner*
Notary Public

Linda A. Werner
Residing at _____ Residing at Boise, Idaho
My Commission Expires December 8, 1994
My Commission Expires _____

MICROFILMED
AUG 20 1992