

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: **A72-02302**
Date Received: 1/18/1990
Receipt No: S011000
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: PARKINSON FOUNDATION SEED FARM 208-652-7340
Address: C/O BOB PARKINSON
BOX 65
ELLIS ID 83235

2. Date of Priority: AUG 15, 1955

3. Source: SALMON RIVER Trib. to: SNAKE RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	20E	3		SE	NE		CUSTER

5. Description of diverting works:
HEADGATE & WEIR IN RIVER, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.200		

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

8. Total consumptive use is 480.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	20E	36	NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	20.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	20E	36	SE	SW		IRR	20.0
Section Acres							160.0
Total Acres							160.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A73-10057, A73-02138

14. Remarks:
772 ACRE FARM, 760 OF THAT ACTUALLY IRRIGATED.
AMENDED BY TRANSFER 4459

15. Basis of Claim: LICENSE

Water Right Number: 25956



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

17-Feb-1994

FEB 18 1994

Department of Water Resources
Eastern District

PARKINSON FOUNDATION SEED FARM
C/O BOB PARKINSON
PO BOX 65
ELLIS ID 83235

RE: ADJUDICATION CLAIM(S) A72-10418 & A72-2138
EARL DEAN & BETTY W. STOKES

Dear Claimant(s):

Pursuant to the notification that you have purchased property with the above-referenced Adjudication Claim, we have changed the Department's record(s) as you have requested. Please review the record(s) for accuracy.

Please be advised that A73-02146B & A73-10057 are not in our area, therefore, I will send them on to the Eastern Regional Office to be processed. When they complete the Change of Ownership on these two Claims, you will receive a acknowledgement letter.

Should you have any questions, please feel free to contact me at this office.

Sincerely,

Judy Givens
Adjudication Secretary

/jg

Enclosures

c.c. ~~Eastern~~ Region - A73-02146B & A73-10057
Original Change of Ownership

APR 18 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

DATE OF CLOSING: January 31, 1994

FEB 02 1994

LEGAL DESCRIPTION OF PROPERTY: Township 15 & 16 Range 20 E Department of Water Resources
Section 2, 35, & 36 1/4 of 1/4 of 1/4 Govt. Lot , BLM Southern Region
Lot , Block , Subdivision/Townsite
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)

FEB 18 1994

☐ Water Right Number(s) A73-02146B A72-10418
Assigned by IDWR: A73-10057 B72-02138

Department of Water Resources
Eastern District

☐ Name and Address of Former Owner/Claimant(s)(Seller): Earl Dean and Betty W. Stokes
Rt. 1, Box 20
Salmon, ID 83467

☐ New Owner/Claimant (Purchaser): ~~Seed~~ Parkinson Foundation ~~Seed~~ Farm
a/o Bob Parkinson

☐ New Mailing Address: Box 65
Ellis, ID 83235

☐ New Telephone Number: (208) 652-7340

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes x 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: Warranty 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) *Deirdre Roberts Parkinson* Date _____
Aprilyn Parkinson Date _____

☐ Signature of Former Owner/Claimant(s): *Earl Stokes* Date 1-31-94
Betty Stokes Date 1-31-94

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

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: 2/11/94 By: LS

Further Action Needed:

Date: 2/17/94

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

MICROFILMED

APR 18 1994

POOR ORIGINAL

WARRANTY DEED

For Value Received

EARL DEAN STOKES and BETTY W. STOKES, husband and wife,
the grantors, do hereby grant, bargain, sell and convey unto
KEITH ROBERTS PARKINSON and MARILYN PARKINSON, husband and wife,

whose current address is Box 326
St. Anthony, Idaho

the grantees, the following described premises, in CUSTER County Idaho, to wit:

SEE EXHIBIT "A" ATTACHED.

RECEIVED

FEB 18 1994

Department of Water Resources
Eastern District Office

RECEIVED

FEB 02 1994

Department of Water Resources
Southern Region Office

TOGETHER WITH WATER RIGHTS AND SUBJECT TO ALL EASEMENTS OF
SIGHT AND RECORD.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
their heirs and assigns forever. And the said Grantors do hereby covenant to and
with the said Grantee s, that they the owners in fee simple of said premises; that they are free
from all incumbrances

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

Dated:

Earl Dean Stokes
EARL DEAN STOKES

Betty W. Stokes
BETTY W. STOKES

STATE OF IDAHO, COUNTY OF Custer
On this 3 day of Jan, 19 94,
before me, a notary public and for said State, personally

0205758

APR 18 1994

POOR ORIGINAL

EXHIBIT "A"

TOWNSHIP 15 NORTH, RANGE 20 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

SECTION 2; LOTS 2, 3, AND 4.

TOWNSHIP 16 NORTH, RANGE 20 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO.

SECTION 35: S1/2, S1/2NE1/4, SE1/4NW1/4, EXCEPTING THAT PART OF THE NW1/4SW1/4 DESCRIBED AS:

COMMENCING AT THE WEST ONE QUARTER CORNER OF SAID SECTION 35, AND THE POINT OF BEGINNING OF THE LAND TO BE DESCRIBED; THENCE ALONG THE NORTH LINE OF THE NW1/4SW1/4 OF SAID SECTION 35 NORTH 89 DEGREES 56' 34" EAST A DISTANCE OF 357.16 FEET TO A POINT ON THE NORTHWESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 93; THENCE ALONG SAID RIGHT-OF-WAY LINE SOUTH 32 DEGREES 17' 42" WEST, A DISTANCE OF 22.59 FEET TO A STATE RIGHT-OF-WAY MONUMENT; THENCE SOUTH 86 DEGREES 51' 25" EAST, A DISTANCE OF 57.09 FEET TO A STATE RIGHT-OF-WAY MONUMENT; THENCE SOUTH 32 DEGREES 17' 42" WEST, A DISTANCE OF 624.06 FEET TO A STATE RIGHT-OF-WAY MONUMENT; THENCE NORTH 57 DEGREES 45' 35" WEST A DISTANCE OF 49.88 FEET TO A STATE RIGHT-OF-WAY MONUMENT; THENCE SOUTH 32 DEGREES 17' 42" WEST, A DISTANCE OF 52.03 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 35; THENCE LEAVING SAID RIGHT-OF-WAY LINE ALONG THE WEST LINE OF SAID SECTION 35, NORTH 00 DEGREES 08' 00" EAST A DISTANCE OF 566.75 FEET TO THE POINT OF BEGINNING.

SECTION 36: W1/2SW1/4, SW1/4NW1/4, AND A FRACTION OF THE SE1/4SW1/4 DESCRIBED AS:

BEGINNING AT A POINT WEST 660 FEET FROM THE NORTHEAST CORNER OF SAID SE1/4SW1/4; THENCE SOUTHEAST 1190 FEET TO A POINT 990 FEET SOUTH FROM SAID NORTHEAST CORNER; THENCE SOUTH TO THE SOUTHEAST CORNER OF SAID SE1/4SW1/4; THENCE WEST 1320 FEET TO THE SOUTHWEST CORNER OF SAID SE1/4SW1/4; THENCE NORTH 1320 FEET TO THE NORTHEAST

MICROFILMED
APR 18 1954

POOR ORIGINAL

A PARCEL OF LAND LOCATED IN THE SE1/4SW1/4, SECTION 36, TOWNSHIP 16 NORTH, RANGE 20 EAST, BOISE MERIDIAN, CUSTER COUNTY, IDAHO, MORE SPECIFICALLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST SECTION CORNER OF SAID SECTION 36, A DISTANCE OF 2639.13 FEET ON A BEARING OF NORTH 89 DEGREES 56' 11" WEST TO THE SOUTH QUARTER CORNER AND THE REAL POINT OF BEGINNING; THENCE NORTH 0 DEGREES 16' 06" EAST, 333.57 FEET ALONG THE CENTER OF SECTION LINE; THENCE NORTH 33 DEGREES 29' 40" WEST, 1019.79 FEET; THENCE SOUTH 48 DEGREES 01' 26" WEST, 573.92 FEET; THENCE SOUTH 18 DEGREES 08' 54" WEST, 840.59 FEET TO A POINT ON THE SOUTH BOUNDARY OF SECTION 36; THENCE SOUTH 89 DEGREES 56' 11" EAST, 1,249.70 FEET TO THE REAL POINT OF BEGINNING.

A FRACTION OF THE N1/2NE1/4, SECTION 35 AND THE NW1/4NW1/4, SECTION 36, SAID TOWNSHIP AND RANGE DESCRIBED AS:

BEGINNING AT THE SOUTHWEST CORNER OF THE NW1/4NE1/4 OF SAID SECTION 35; THENCE THE FOLLOWING 10 COURSES ALONG THE SOUTHERLY BOUNDARY LINE OF THE LAND DESCRIBED IN THE DEEDS TO WORTH BOGGEMAN, ET. UX, RECORDED IN BOOK 34 OF DEEDS, PAGE 600, AND IN BOOK 33 OF DEEDS, PAGE 221, RECORDS OF CUSTER COUNTY, IDAHO; THENCE NORTH 59 DEGREES 30' EAST, 1,532.0 FEET TO A POINT NORTH 777 FEET FROM THE SOUTHEAST CORNER OF SAID NW1/4NE1/4; THENCE NORTH 67 DEGREES 40' EAST, 1,092 FEET; THENCE SOUTH 24 DEGREES 00' EAST 157 FEET; THENCE NORTH 52 DEGREES 34' EAST, 363.0 FEET; THENCE NORTH 82 DEGREES 00' EAST, 299.0 FEET; THENCE SOUTH 60 DEGREES 45' EAST, 247.0 FEET; THENCE SOUTH 83 DEGREES 24' EAST, 204.0 FEET; THENCE SOUTH 76 DEGREES 10' EAST, 134.0 FEET; THENCE SOUTH 61 DEGREES 15' EAST, 349.0 FEET; THENCE NORTH 48 DEGREES 00' EAST, 160.0 FEET, MORE OR LESS, TO A POINT 253.0 FEET SOUTH OF THE NORTHEAST CORNER OF THE NW1/4NW1/4 OF SAID SECTION 36; THENCE SOUTH TO THE SOUTHEAST CORNER OF SAID NW1/4NW1/4 OF SAID SECTION 36; THENCE WEST TO THE POINT OF BEGINNING.

This is an IRC Section 1031 Tax Deferred Like-Kind Exchange

APR 18 1994

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: **A73-02146B**
Date Received: 1/18/1990
Receipt No: S011000
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: PARKINSON FOUNDATION SEED FARM 208-652-7340
Address: C/O BOB PARKINSON
BOX 65
ELLIS ID 83235

2. Date of Priority: AUG 15, 1955

3. Source: SPRING CREEK Trib. to: PAHSIMEROI RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	21E	26	SW	SE			CUSTER

5. Description of diverting works:
HEADGATE & WEIR IN RIVER, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.200		

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

8. Total consumptive use is 480.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	20E	36	NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	20.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
16N	20E	36	SE	SW		IRR	20.0
Section Acres							160.0
Total Acres							160.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A73-10057, A73-02138

14. Remarks:
772 ACRE FARM, 760 OF THAT ACTUALLY IRRIGATED.

15. Basis of Claim: LICENSE

Water Right Number: 25956



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - FAX: (208) 525-7177

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

AUGUST 11, 1994

PARKINSON FOUNDATION SEED FARM
C/O BOB PARKINSON
BOX 65
ELLIS ID 83235

RE: CHANGE IN OWNERSHIP FOR A73-02146B AND -10057

Dear Mr. Parkinson:

The request for Change in Ownership concerning your Notice(s) of Claim in the above reference has been processed and the Notice(s) modified to reflect you as the new owner.

Enclosed are typed Notices with your name shown as the current owner. Review the forms and if there are other corrections or questions, feel free to contact this office.

If there are no questions or corrections, please keep these Notices for your records.

Respectfully submitted,

A handwritten signature in cursive script that reads 'Jo Thompson'.

Jo Thompson
Secretary, Adjudications

Enclosure: Notice(s) of Claim

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

Renumbered: A72-02302
Ident. Number: ~~A73-02146B~~ *2/46*
Date Received: 1/11/1990 *SL*
Receipt No: 504000
Received By: TL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EARL DEAN STOKES 208-756-2460
Address: RT 1 BOX 20
SALMON, ID 83467

Name: BETTY W. STOKES 208-756-2460
Address: RT 1 BOX 20
SALMON, ID 83467

2. Date of Priority: AUG 15, 1955

3. Source: SPRING CREEK Trib. to: PAHSIMEROI RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
15N	21E	26	SW	SE			CUSTER

5. Description of diverting works:
HEADGATE & WEIR IN RIVER, DITCH

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	3.200		

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

8. Total consumptive use is 480.0 Acre Feet Per Annum.

9. Non-irrigation uses:

A7302146B



10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
16N	20E	36	NW		NW		IRR	40.0
			SW		NW		IRR	40.0
			NW		SW		IRR	40.0
			SW		SW		IRR	20.0
			SE		SW		IRR	20.0
Section Acres								160.0
Total Acres								160.0

11. Place of use in counties: CUSTER

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

13. Other Water Rights Used:
A73-10057, A73-02138

14. Remarks:
772 ACRE FARM, 760 OF THAT ACTUALLY IRRIGATED.

15. Basis of Claim: LICENSE
Water Right Number: 25956

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: _____

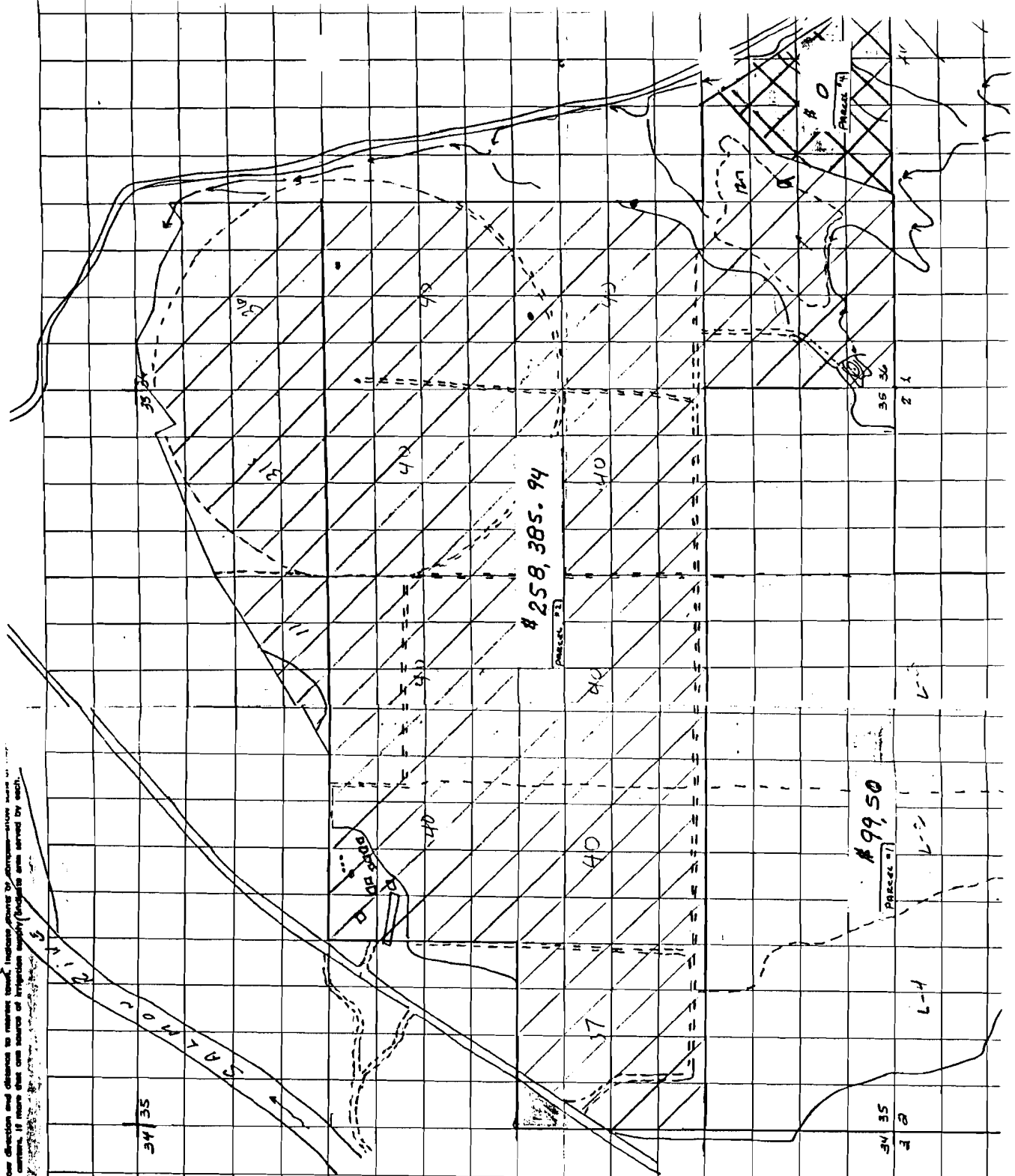
State of Idaho)
County of _____) SS.

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

Notary Public

Seal

Residing at _____
My Commission Expires _____



This map applies to all
Water Claims to Water
Rights contained in this
enclosure.

Deem Stokes.

[illegible]

DEC 14 1992

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 73-02146
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

Signature of Claimant (s) Earl Dean Stokes Date X 12-7-89

_____ Date _____

For Organizations: I do solemnly swear or affirm that I am _____

Title

of _____, that I have signed the foregoing

Organization

document in the space below as _____ of _____

Title

Organization

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____

Title and Organization _____ Date _____

State of Idaho/or _____)
County of Custer) SS.

Subscribed and sworn (or affirmed) before me this 7th day of December 19 89

SEAL

Notary Public

Residing at

My Commission Expires

Please Print Name

17. Notice of Appearance:

Notice is hereby given that I, _____ will be acting as attorney at law on behalf of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

MICROFILMED

DEC 14 1992

Last Name Stokes Ident. Number A73-02146

Copies White-State, Yellow-Claimant

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - R72-02302

Prefix Translation: RESEARCH

Old (D) Number - 25956

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

PARKINSON FOUNDATION SEED FARM

1 - C/O BOB PARKINSON
2 - BOX 65
3 -
City- ELLIS
Phone - 208-652-7340

State- ID Zip- 83235

*** O - ORIGINAL OWNER ***

GABERT

EDWARD R

1 -
2 -
3 -
City- ELLIS
Phone - 208-000-0000

State- ID Zip- 83235

STOKES

BETTY W

1 - RT 1 BOX 20
2 -
3 -
City- SALMON
Phone - 208-756-2460
1 - RT 1 BOX 20
2 -
3 -
City- SALMON
Phone - 208-756-2460

State- ID Zip- 83467

STOKES

EARL DEAN

State- ID Zip- 83467

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
08/15/1955 17 SOUTHERN L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
SALMON RIVER SNAKE RIVER

+ - - - - Point of Diversion - - - - - +
TwN Rng Sec Tract Lot RFlg County
15N 20E 3 *NW* SE NE *6* (37) CUSTER

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/15 10/15 3.200

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
3.200 0.0

+ - - - - Place of Use - - - - - +
TwN Rng Sec Tract Lot Acres Code Description County
16N 20E 35 NE NE 40.0 01 IRRIGATION (37) CUSTER
16N 20E 35 NW NE 13.0 01 IRRIGATION (37) CUSTER
16N 20E 35 SW NE 40.0 01 IRRIGATION (37) CUSTER
16N 20E 35 SE NE 40.0 01 IRRIGATION (37) CUSTER
16N 20E 35 SE NW 35.0 01 IRRIGATION (37) CUSTER
16N 20E 35 NE SW 40.0 01 IRRIGATION (37) CUSTER
16N 20E 35 NW SW 37.0 01 IRRIGATION (37) CUSTER

Water right number - R72-02302

Prefix Translation: RESEARCH

+ - - - - - Place of Use - - - - - +								
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
16N	20E	35	NE SE		40.0	01	IRRIGATION	(37) CUSTER
16N	20E	35	NW SE		40.0	01	IRRIGATION	(37) CUSTER
16N	20E	36	NW NW		40.0	01	IRRIGATION	(37) CUSTER
16N	20E	36	SW NW		40.0	01	IRRIGATION	(37) CUSTER
16N	20E	36	NW SW		40.0	01	IRRIGATION	(37) CUSTER
16N	20E	36	SW SW		9.0	01	IRRIGATION	(37) CUSTER
16N	20E	36	SE SW		4.0	01	IRRIGATION	(37) CUSTER

Total Acres: 458.0

+ - - Diversion Means - HEADGATE & WEIR IN RIVER, DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - - +

QNT USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 10.6 CFS. COMBINED RIGHT NOS.: 72-02302,
72-16498A, 72-16498B, 72-16498C, AND 72-16498D.

USE THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE [APRIL 15] AND AFTER [OCTOBER 15] UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED
EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE
DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

POU1 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 458 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-02302, 72-16498A, 72-16498B, 72-16498C,
AND 72-16498D.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

GEN THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT NO 73.

DIVERSION OF WATER FROM THE SALMON RIVER IS LIMITED TO THOSE
TIMES WATER IS AVAILABLE FOR DIVERSION UNDER THESE RIGHTS FROM
THE ORIGINAL SOURCE(S): SPRING CREEK UNDER RIGHT NO 72-02302,
SPRING CREEK AND DUCK SPRING UNDER RIGHT NOS. 72-16498A AND
72-16498C, AND PAHSIMEROI RIVER UNDER RIGHTS NOS. 72-16498B AND
72-16498D.

AJ0743NP
(00-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

01/13/99 16:21:49
Page 3

Water right number - R72-02302

Prefix Translation: RESEARCH

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +
A7302146

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +
Date: 01/13/1999 User Id: KCHRISTE Subject: COPIED FROM REMARKS
772 ACRE FARM, 760 OF THAT ACTUALLY IRRIGATED. AMENDED BY TRANSFER 4459

+ - - Audit Fields - - +
01/13/99 KCHRISTE

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 01/18/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S011000	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - R72-02302

Prefix Translation: RESEARCH

Old (D) Number - 25956

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***

PARKINSON FOUNDATION SEED FARM

1 - C/O BOB PARKINSON

2 - BOX 65

3 -

City- ELLIS

State- ID Zip- 83235

Phone - 208-652-7340

*** O - ORIGINAL OWNER ***

GABERT

EDWARD R

1 -

2 -

3 -

City- ELLIS

State- ID Zip- 83235

Phone - 208-000-0000

STOKES

BETTY W

1 - RT 1 BOX 20

2 -

3 -

City- SALMON

State- ID Zip- 83467

Phone - 208-756-2460

STOKES

EARL DEAN

1 - RT 1 BOX 20

2 -

3 -

City- SALMON

State- ID Zip- 83467

Phone - 208-756-2460

+ - - Priority Date - - + + - - - Region - - - + + - - - Stage - - - + + - - - Status - - - +
08/15/1955 17 SOUTHERN L - LICENSE+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
SALMON RIVER SNAKE RIVER

+ - - - - Point of Diversion - - - - - +

Trwn	Rng	Sec	Tract	Lot	RFlg	County
15N	20E	3	NW SE NE	6	(37)	CUSTER

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		04/15	10/15	3.200	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
3.200 0.0

Trwn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
16N	20E	35	NE NE		40.0	01	IRRIGATION	(37) CUSTER
16N	20E	35	NW NE		13.0	01	IRRIGATION	(37) CUSTER
16N	20E	35	SW NE		40.0	01	IRRIGATION	(37) CUSTER
16N	20E	35	SE NE		40.0	01	IRRIGATION	(37) CUSTER
16N	20E	35	SE NW		35.0	01	IRRIGATION	(37) CUSTER
16N	20E	35	NE SW		40.0	01	IRRIGATION	(37) CUSTER
16N	20E	35	NW SW		37.0	01	IRRIGATION	(37) CUSTER

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water right number - R72-02302

Prefix Translation: RESEARCH

+ - - - - Place of Use - - - - - +								
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
16N	20E	35	NE SE		40.0	01	IRRIGATION	(37) CUSTER
16N	20E	35	NW SE		40.0	01	IRRIGATION	(37) CUSTER
16N	20E	36	NW NW		40.0	01	IRRIGATION	(37) CUSTER
16N	20E	36	SW NW		40.0	01	IRRIGATION	(37) CUSTER
16N	20E	36	NW SW		40.0	01	IRRIGATION	(37) CUSTER
16N	20E	36	SW SW		9.0	01	IRRIGATION	(37) CUSTER
16N	20E	36	SE SW		4.0	01	IRRIGATION	(37) CUSTER

Total Acres: 458.0

+ - - Diversion Means - HEADGATE & WEIR IN RIVER, DITCH

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - - +

QNT USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 10.6 CFS. COMBINED RIGHT NOS.: 72-02302,
72-16498A, 72-16498B, 72-16498C, AND 72-16498D.

USE THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS
EARLY AS APRIL 1 AND MAY CONTINUE TO AS LATE AS OCTOBER 31,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE [APRIL 15] AND AFTER [OCTOBER 15] UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED
EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE
DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

POU1 USE OF THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION
OF A COMBINED TOTAL OF 458 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 72-02302, 72-16498A, 72-16498B, 72-16498C,
AND 72-16498D.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 160 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

GEN THIS RIGHT IS SUBJECT TO REGULATION BY THE WATERMASTER OF
WATER DISTRICT NO 73.

DIVERSION OF WATER FROM THE SALMON RIVER IS LIMITED TO THOSE
TIMES WATER IS AVAILABLE FOR DIVERSION UNDER THESE RIGHTS FROM
THE ORIGINAL SOURCE(S): SPRING CREEK UNDER RIGHT NO 72-02302,
SPRING CREED AND DUCK SPRING UNDER RIGHT NOS. 72-16498A AND
72-16498C, AND PAHSIMEROI RIVER UNDER RIGHTS NOS. 72-16498B AND
72-16498D.

AJ0743NP
(00-124)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

01/13/99 16:21:49
Page 3

Water right number - R72-02302

Prefix Translation: RESEARCH

+ - - - - Old Water Right Numbers - - - - - +

+ - - - - Old Water Right Numbers - - - - - +

A7302146

+ - - - - Conditions of Approval - - - - - +

No Conditions of Approval found.

+ - - - Decree Plaintiff - - - +

+ - - - Decree Defendant - - - +

+ - Decree Date - +
00/00/0000

+ - - - - Comments - - - - - +

Date: 01/13/1999 User Id: KCHRISTE Subject: COPIED FROM REMARKS
772 ACRE FARM, 760 OF THAT ACTUALLY IRRIGATED.

AMENDED BY TRANSFER 4459

+ - - Audit Fields - - +

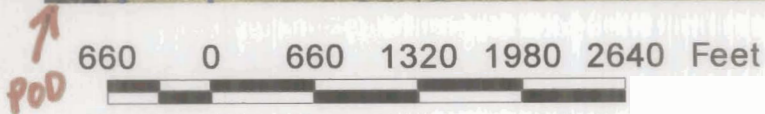
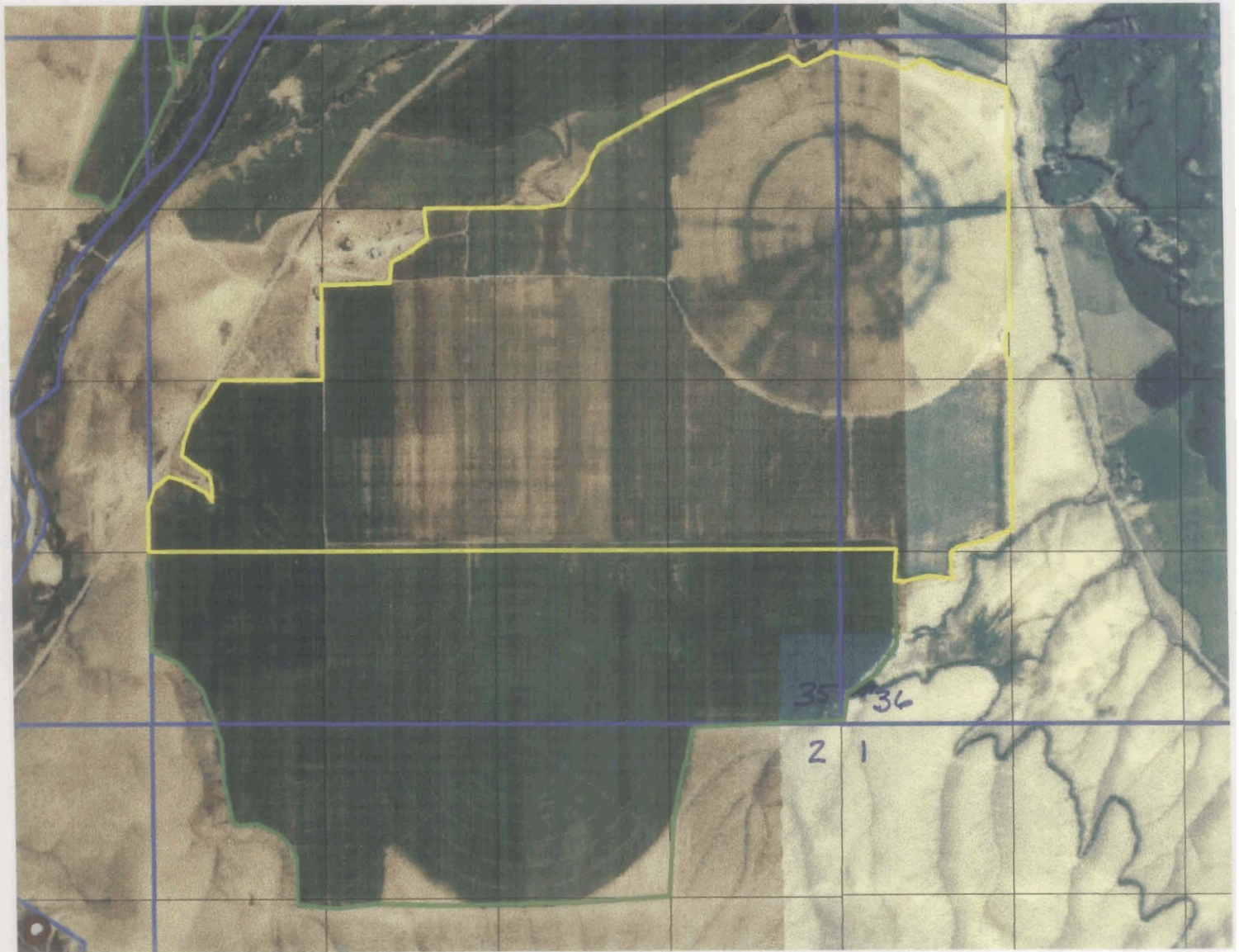
01/13/99 KCHRISTE

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 01/18/1990	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S011000	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

IDAHO DEPARTMENT OF WATER RESOURCES

72-02302



-  RECOMMENDED PLACE OF USE
-  RECOMMENDED POINT OF DIVERSION
-  SECTION LINES
-  QUARTER-QUARTER LINES
-  STREAMS & DITCH CHANNELS

TWN: 16N
RNG: 20E
SEC: 35



GIS PLACE OF USE PRESENTATION
USFS AERIAL PHOTOGRAPHY, 1988
BY STEVE CLELLAND

DATE: JAN. 12, 1999

CLAIM NUMBER

A72-02302

DATE

12/8/98

TRANSFER NUMBER

AGENT

sa

CLAIMED ACRE TOTAL 160

GIS ACRE TOTAL

	TWP	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
CLAIM	16N	20E	36					40	40			40	20	20					160
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			
CLAIM																			
GIS																			
RECOM																			

B72-DBPOU.SHP

* See transfer # 4459 of 6/6/95

SHAPE NOS.

492

458 Ac pou

B72-DBPOD.SHP

NOS. DESCRIPTION

337

(T15N, R20E S3, NUBENE, Lot 6) pump in River

DBF TABLES UPDATED

B72-DBPOU.DBF

see 12/8/98

B72-DBPOD.DBF

JPEG LAYOUT

✓ 72-02302.jpg



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Executive

A. KENNETH DUNN

Director

Mailing address:
Storehouse
Boise, Idaho 83720
(208) 334-4440

June 27, 1984

Dean Stokes
818 Main Street
Salmon, ID 83467

Dear Mr. Stokes:

This correspondence is in reference to your past correspondence attempting to record that you are the proper owner of certain water rights appurtenant to the property you bought from First Security Bank of Idaho.

I have reviewed our water right files thoroughly and have reached a conclusion that there are a couple of major errors on your Warranty Deed which you should have corrected.

First, item 1 on the Warranty Deed stating "230 inches out of the Pahsimeroi River according to license #72-2132 on file with the Idaho Water Resources Board, Boise, Idaho," is in error. The Department of Water Resources (not Water Resources Board) does not show that 72-2132 is a valid water right and is of no force or effect.

Second, the addendum lists 73-0073 (along with other water rights) as being appurtenant to the lands described in Warranty Deed 170712. This water right is not shown in the records of the Department of Water Resources as appurtenant to the lands that you own.

If you have recently acquired this right, then you need to file an application for transfer of a water right to change the place of use of the water from the location that it is presently described as being used. Also, you need to show proof of ownership of the said water right. Reference to it in the addendum is not satisfactory for showing proof of ownership.

You mentioned in your letter of June 12, 1984 that you believed right 72-0073 was included with your land because First Security Bank had listed it as part of their water rights and that you had bought the farm from them. Our records show that on 2/17/1983 this Department sent correspondence to Mr. Sherman Furey, attorney representing First Security Bank, a listing of water rights found appurtenant to the "Amar Farms" which was acquired by First Security Bank and later bought by you. This listing did not include water right 73-0073. Therefore, I am not certain why you say that First Security Bank included this right in the Warranty Deed (note that the copy of the

Copies from microfiche 72-02302 file.

*12/8/98
su*

Dean Stokes
June 27, 1984
Page 2

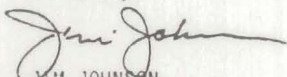
Warranty Deed you provided us does not show 73-0073, only the addendum to the Warranty Deed filed by you shows this number).

In summary, the Department records show rights 73-2172, 73-0074 A & B, 73-0075 A & B and 73-2146 appurtenant to the lands described in "Order No. 5643", a copy of which was sent to this Department by Mr. Harry Urell. We assume that the land description is the same as the land you bought from First Security Bank.

The Department, however, cannot officially accept the above referenced document as proof of ownership because there is no reference between it and your Warranty Deed. We assume that the "Exhibit A" referred to on the Warranty Deed contains the land legal description, a copy of which we have not yet received. Therefore, we still cannot acknowledge the change in ownership that you have requested.

If you have any further questions on this matter, I would suggest that you call me at 334-4162.

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:sc



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

A. KENNETH DUHN



Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

June 18, 1984

Department of Water Resources

Dean Stokes
818 Main Street
Salmon, ID 83467

Dear Mr. Stokes:

I am in receipt of your letter of June 12, 1984, and will attempt to answer the questions you address with reference to the correspondence from our office included with your letter.

With regard to the splitting of decreed rights 73-0074 and 73-0075, the rights were split only for the purposes of clarifying the decreed rights that were allotted specific amounts of water with diversions from the separate sources and to facilitate data entry of the water rights. Please be assured that the splitting of the rights did not in any way affect the water rights as decreed. A listing of the split rights has been placed in the decree file to clearly identify the rights that were split.

I did not include decreed right No. 73-0073 in my letter of June 8, 1984, since the lands identified under the right were not included in the lands described in "Order 5643." Enclosed is a copy of "Order 5643" and decreed right No. 73-0073 for your review of the lands. Please note the description of the lands underscored in red ink for comparison purposes.

I wish to emphasize that "Idaho Code" does provide that a water right in the form of a license, claim, or decreed right shall become appurtenant to and shall pass with a conveyance of the land for which the right of use is granted. Therefore, a conveyance of land, together with the appurtenances, carries with it the water rights appurtenant to the land at the time of the conveyance, unless such water rights were specifically reserved in the deed.

In compliance with "Idaho Code" we require that ownership of a water right be evidenced by proof of ownership of the lands to which the water right is appurtenant by a copy of the deed or other document of transfer of the lands. Kay Walker in her letter of June 6, 1984, requested that you provide us with a complete copy of your Warranty Deed, including "Exhibit A," and any other pertinent information you may have. "Order No. 5643" in itself does not provide the necessary proof of your ownership of the lands enabling us to make a change in our records to show that you and your wife are the present owners of the water rights.

RECEIVED
JUN 22 1984

Dean Stokes
June 18, 1984
Page 2

Department of Water Resources

Please be advised that there is no provision in "Idaho Code" for changing the name of the original owner of a license, claim or decreed right to that of a new owner on the Department's authentic water right document. However, the Department is very much interested in knowing the present owner of a water right to update our data entry records; and upon receiving acceptable proof of your ownership of the lands to which the water rights are appurtenant, we will then comply with your request to record your names, Earl Dean and Betty W. Stokes, as the present owners of the water rights in data entry.

I am returning the correspondence you sent dated June 6th and 8th, 1984. I hope this letter answers your questions satisfactory. If it does not or if you have additional questions that we can help you with, please feel free to contact us.

Sincerely,

Roberta Garrett

ROBERTA GARRETT
Records Supervisor

RG:ns

Enclosures

*Please return copy of
Warranty Deed and addendum.*

Dear Mrs. Garrett -

Thank you for the letter explaining my question. I am enclosing a copy of the Warranty Deed & exhibit "B" and an addendum. I have the addendum in my name on Dec # 732146 as it is listed out of the Salmon River. The title was in error on this as it should have been out of the ~~Salmon River~~ and Spring Creek a tributary of Selkirk River. I hope this is the info needed to transfer the water to the Stokes family.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4459
WATER RIGHT NO(S). 73-00074A/73-00074B/73-00075A
73-00075B/73-02146

AKA

72-2302

This is to certify that: PARKINSON FOUNDATION SEED FARM
C/O BOB PARKINSON
PO BOX 63
ELLIS ID 83235

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>
Right No. 73-00074A : IRRIGATION Priority: 04/01/1912	04/15 to 10/15	3.40 CFS	592.0 AF
Right No. 73-00074B : IRRIGATION Priority: 04/01/1912	04/15 to 10/15	1.60 CFS	280.0 AF
Right No. 73-00075A : IRRIGATION Priority: 04/01/1912	04/15 to 10/15	1.60 CFS	280.0 AF
Right No. 73-00075B : IRRIGATION Priority: 04/01/1912	04/15 to 10/15	0.80 CFS	140.0 AF
Right No. 73-02146 : IRRIGATION Priority: 08/15/1955	04/15 to 10/15	3.20 CFS	560.0 AF
TOTAL:		10.60 CFS	* 1,603.0 AF

A72-16498

> A72-02302

SOURCE

SALMON RIVER

TRIBUTARY OF

SNAKE RIVER

LOCATION OF POINT(S) OF DIVERSION:

SENE, Sec. 3, Township 15N, Range 20E
CUSTER County

TRANSFER NO. 4459
 WATER RIGHT NO(S). 73-00074A/73-00074B/73-00075A
 73-00075B/73-02146

PLACE OF USE: IRRIGATION

TWN RGE SEC	ACRES	ACRES	ACRES	TOTAL
10N 10E 35	NENE 40	NWNE 13	SWNE 40	
	SENE 40	SENE 35	NESW 40	
	NWSW 37	NESE 40	NWSE 40	325
35	NWNW 40	SNNW 40	NWSW 40	
	SWSW 9	SESW 4		133

Total number of acres irrigated: ** 458

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 71.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre for the lands above.
3. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. 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.
7. Diversion of water from the Salmon River is limited to those times water is available for diversion under these rights from the original sources; Spring Creek under Right No. 73-02146, Spring Creek and Luck Spring under Right No. 73-00074A and 73-00075A, and Park River under Right Nos. 73-00074B and 73-00075B.
8. Combined Right Nos. 73-00074A, 73-00074B, 73-00075A, 73-00075B and 73-02146 shall not exceed a total combined diversion rate of 10.50 cfs, a total combined annual diversion volume of 1,603.0 af nor combined annual irrigation of 458.0 total acres.
9. Upon request of the Department, a measuring device and lockable controlling works of a type approved by this Department shall be installed on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
- ** 10. Right No. 73-00074A is limited to the irrigation of 170 acres in the place of use described above in a single irrigation season.
- ** 11. Right No. 73-00074B is limited to the irrigation of 170 acres in the place of use described above in a single irrigation season.

3?
 ↓
 more

TRANSFER NO. 4459
WATER RIGHT NO(S). 73-00074A/73-00074B/73-00075A
73-00075B/73-02146

CONDITIONS/REMARKS:

- ** 12. Right No. 73-00075A is limited to the irrigation of 80 acres in the place of use described above in a single irrigation season.
- ** 13. Right No. 73-00075B is limited to the irrigation of 40 acres in the place of use described above in a single irrigation season.
- ** 14. Right No. 73-02146 is limited to the irrigation of 150 acres in the place of use described above in a single irrigation season.

Dated this 6th day of

June

1975

J. Blum Saxton

Chief, Water Alloc. Bureau