

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 63-2790
Date Received: 3/1/1990
Receipt No: S011360
Received By:

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

1. Name of Claimant(s): DANIEL J SILVERIA Phone: (208)455-1128
19850 W USTICK
CALDWELL ID USA 83607

CANDACE K SILVERIA Phone: (208)455-1128
19850 W USTICK
CALDWELL ID USA 83607

2. Date of Priority: 12/05/1949

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
04N	04W	35	NE NW	CANYON	

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	10/15	0.8	

7. Total Quantity Appropriated is:
0.8 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	04W	35	NE NW		IRRIGATION	40
					Section Acres	40
					Total Acres	40

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

14. Remarks:

Ownership changed by DB 3/18/2002

ADDRESS CHANGE BY CLAIMANT NOTE 2/9/99 SS.

15. Basis of Claim: License

RECEIVED

RECEIVED

MAR 21 2000

MAR 21 2000

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

INTERESTS
WESTERN REGION

Department of Water Resources

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): 63-03074, 63-02790, 63-02873, 63-02846, 63-02751, 63-03321
Adjudication Claim No(s): A-63-03074, A-63-02790, A-63-02873, A-63-02846, A-63-02751, A-63-03321
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** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)
 - OR
 - C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.
3. Name and Address of Former Owner/Claimant Clarence D. Cook
14614 N. Bolivar Drive
4. New Owner/Claimant(s) Sun City, AZ 85351 / Daniel J. Silveria
New Mailing Address 19850 Ustick and/or Candy K. Silveria
City, State and ZIP Code Caldwell, ID 83607
New Telephone Number (208) 455-1128
5. Date you acquired the property 1995 + 1999
6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. 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.

Number of acres you irrigate with this water right 204 Number and type of stock 600

Diversion rate in CFS 4.9 Number of homes you acquired 0 Other uses Cropland Irrigation

7. Signature of New Owner(s) Daniel J. Silveria
or Claimant(s)

Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

3. 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.

B
PC 32345
9949498

WARRANTY DEED

CLARENCE D. COOK, a married man dealing with his sole and separate property, Grantor, hereby conveys, grants and warrants to DANIEL J. SILVERIA and CANDACE K. SILVERIA, husband and wife, Grantees, whose address is 19850 W. 1st Rd. Caldwell ID 83605, for the sum of TEN DOLLARS and other good and valuable consideration, the following described real property, to-wit:

See Exhibit "A" attached hereto, and by this reference made a part hereof.

TOGETHER WITH 3 electric motors and 3 turbine irrigation pumps.

SUBJECT TO taxes and assessments for the year 1995 and all subsequent years, together with any and all existing easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

This conveyance shall include any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, rights-of-way and water rights in anywise appertaining to the property herein described.

The Grantor covenants to the Grantees that he is the owner in fee simple of said premises; that the premises are free from all encumbrances, excepting those as may be herein set forth, and excepting those of record, and that he will warrant and defend the same from all lawful claims.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 5 day of July, 1995.

Clarence D. Cook
Clarence D. Cook

DISCLAIMER

The undersigned is the spouse of CLARENCE D. COOK. The undersigned acknowledges the above-described real property and fixtures are the sole and separate property of CLARENCE D. COOK and disclaims any interest in or rights to said property.

^{COX}
Clarence Elizabeth M. Cook
Cook

STATE OF ARIZONA)
County of MARICOPA) :ss

On this 2 day of July, in the year 1995, before me, KATHLEEN HOWARD NICHOLAS, a Notary Public, personally appeared ELIZABETH M. COOK, 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.

Kathleen Howard Nicholas
Notary Public for
Commission expires: My Commission Expires Jan. 1, 1999

STATE OF ARIZONA)
County of MARICOPA) :ss

On this 2 day of July, in the year 1995, before me, KATHLEEN HOWARD NICHOLAS, a Notary Public, personally appeared CLARENCE D. COOK, 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.

Kathleen Howard Nicholas
Notary Public for
Commission expires My Commission Expires Jan. 1, 1999



EXHIBIT "A"

PARCEL:

The Southeast Quarter of the Northwest Quarter and the North Half of the North Half of the Northeast Quarter of the Southwest Quarter; all in Section 35, Township 4 North, Range 4 West of the Boise Meridian, Canyon County, Idaho;

P.S. C.S.

INITIAL



009949498

RECORDED

99 DEC 22 PM 1 16

G NOEL HALES

CANYON COUNTY RESORDER

BY

J.M.

REQUEST

PIONEER — CALDWELL

TYPE

DATE

9.2

PC 32345

9949499

WARRANTY DEED

CLARENCE D. COOK, a married man dealing with his sole and separate property, Grantor, hereby conveys, grants and warrants to DANIEL J. SILVERIA and CANDACE K. SILVERIA, husband and wife, Grantees, whose address is 19850 W Ustick Rd Caldwell ID 83605, for the sum of TEN DOLLARS and other good and valuable consideration, the following described real property, to-wit:

See Exhibit "A" attached hereto, and by this reference made a part hereof.

TOGETHER WITH 3 electric motors and 3 turbine irrigation pumps.

SUBJECT TO taxes and assessments for the year 1995 and all subsequent years, together with any and all existing easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

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The Grantor covenants to the Grantees that he is the owner in fee simple of said premises; that the premises are free from all encumbrances, excepting those as may be herein set forth, and excepting those of record, and that he will warrant and defend the same from all lawful claims.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 1 day of July, 1995.

Clarence D. Cook
Clarence D. Cook

DISCLAIMER

The undersigned is the spouse of CLARENCE D. COOK. The undersigned acknowledges the above-described real property and fixtures are the sole and separate property of CLARENCE D. COOK and disclaims any interest in or rights to said property.

Elizabeth M. Cook
Cook

STATE OF ARIZONA)
County of MARICOPA) :ss

On this 5 day of July, in the year 1995, before me, KATHLEEN HOWARD NICHOLAS, a Notary Public, personally appeared ELIZABETH M. COOK, 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.

Kathleen Howard Nicholas
Notary Public for

Commission expires: My Commission Expires Jan. 1, 1999



STATE OF ARIZONA)
County of MARICOPA) :ss

On this 5 day of July, in the year 1995, before me, KATHLEEN HOWARD NICHOLAS, a Notary Public, personally appeared CLARENCE D. COOK, 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.

Kathleen Howard Nicholas
Notary Public for

Commission expires: My Commission Expires Jan. 1, 1999



EXHIBIT "A"PARCEL II:

The Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter in Section 35, Township 4 North, Range 4 West, Boise Meridian, Canyon County, Idaho. *AS*

D.S.
CAL

009949499

RECORDED

99 DEC 22 PM 1 16

C NOEL HALES

CANYON CNTY RECORDER

BY

C. Hales

REQUIRE PIONEER — CALDWELL

TYPE *Doc* *9-02**pack*

PC 32345

9949500

WARRANTY DEED

CLARENCE D. COOK, a married man dealing with his sole and separate property, Grantor, hereby conveys, grants and warrants to DANIEL J. SILVERIA and CANDACE K. SILVERIA, husband and wife, Grantees, whose address is 19850 W. Ustick Rd Caldwell, ID 83605, for the sum of TEN DOLLARS and other good and valuable consideration, the following described real property, to-wit:

See Exhibit "A" attached hereto, and by this reference made a part hereof.

TOGETHER WITH 3 electric motors and 3 turbine irrigation pumps.

SUBJECT TO taxes and assessments for the year 1995 and all subsequent years, together with any and all existing easements, rights-of-way, reservations, restrictions and encumbrances of record, to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

This conveyance shall include any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, rights-of-way and water rights in anywise appertaining to the property herein described.

The Grantor covenants to the Grantees that he is the owner in fee simple of said premises; that the premises are free from all encumbrances, excepting those as may be herein set forth, and excepting those of record, and that he will warrant and defend the same from all lawful claims.

IN WITNESS WHEREOF, the Grantor has executed this instrument on this 5 day of July, 1995.

Clarence D. Cook
Clarence D. Cook

DISCLAIMER

The undersigned is the spouse of CLARENCE D. COOK. The undersigned acknowledges the above-described real property and fixtures are the sole and separate property of CLARENCE D. COOK and disclaims any interest in or rights to said property.

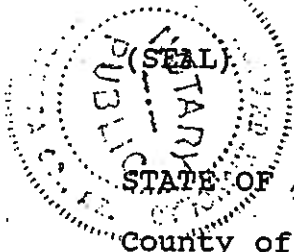
Elizabeth M. Cook
Cook

STATE OF ARIZONA)
County of MARICOPA) :ss

On this 1 day of July, in the year 1995, before me, KATHLEEN HOWARD NICHOLAS, a Notary Public, personally appeared COOK, 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.

Kathleen Howard Nicholas
Notary Public for

Commission expires My Commission Expires Jan. 1, 1999



STATE OF ARIZONA)
County of MARICOPA) :ss

On this 1 day of July, in the year 1995, before me, KATHLEEN HOWARD NICHOLAS, a Notary Public, personally appeared CLARENCE D. COOK, 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.

Kathleen Howard Nicholas
Notary Public for

Commission expires My Commission Expires Jan. 1, 1999

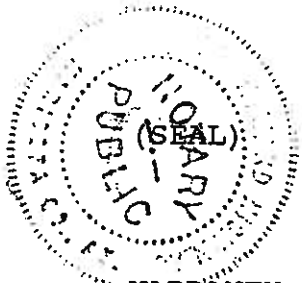


EXHIBIT "A"PARCEL III:

All that part of the Northwest Quarter of the Northwest Quarter lying South and East of Deer Flat North Canal as now located and constructed in Section 35, Township 4 North, Range 4 West, Boise, Meridian, Canyon County, Idaho.

AS. CB. CAC

009949500

RECORDED

99 DEC 22 PM 1 16

G NOEL HALES

CANYON COUNTY RECORDER

BY

[Signature]

REQUEST

PIONEER — CALDWELL

TYPE

[Signature]

91.00

pd OK

PC32345

WARRANTY DEED

FOR VALUE RECEIVED CLARENCE D. COOK, a married man

the Grantor, does hereby grant, bargain, sell and convey unto DANIEL J. SILVERIA and CANDACE K. SILVERIA, husband and wife

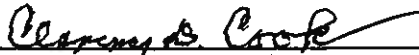
the Grantees, whose address is 19850 Ustic Road, Caldwell, ID, 83605

the following described premises, to-wit:

See attached Exhibit "A", which by this reference is made a part hereof and is comprised of one (1) page.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees, that he the owner in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 1999 and subsequent years, covenants, conditions, restrictions and easements of record; and that he will warrant and defend the same from all lawful claims whatsoever.

DATED: January 5, 2000


CLARENCE D. COOK

STATE OF ARIZONA

COUNTY OF MARICOPA

On this 11 day of January in the year 2000, before me, a Notary Public, personally appeared Clarence D. Cook 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 at

My commission expires



PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

PARCEL III

The Northeast Quarter of the Northwest Quarter in Section 35, Township 4 North, Range 4 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM

The following described tract situated in the South Half of the Southwest Quarter of Section 26 and the East Half of the Northwest Quarter of Section 35, Township 4 North, Range 4 West, Boise Meridian, Canyon County, Idaho, and more particularly described as follows:

COMMENCING at the Northwest corner of the Southwest Quarter of the Southwest Quarter of said Section 26; thence

East a distance of 807.00 feet along the North boundary of the South Half of said Southwest Quarter to the TRUE POINT OF BEGINNING; thence continuing

East a distance of 727.10 feet along the North boundary of the South Half of said Southwest Quarter; thence

South 36° 41' East a distance of 299.78 feet; thence

South 15° 11' West a distance of 61.36 feet to a point on the centerline of the Deer Flat North Irrigation Canal; thence traversing the centerline of said irrigation canal as follows: Continuing

South 15° 11' West a distance of 219.59 feet; thence

South 27° 54' West a distance of 158.27 feet; thence

South 7° 30' West a distance of 207.06 feet; thence

South 9° 10' East a distance of 293.15 feet; thence

South 19° 38' East a distance of 365.87 feet; thence

South 66° 51' West a distance of 90.76 feet; thence

North 57° 00' West a distance of 366.57 feet; thence

North 50° 14' West a distance of 444.76 feet; thence

North 89° 10' West a distance of 127.56 feet; thence leaving the centerline of said irrigation canal and running

North 2° 15' West a distance of 1,041.19 feet to the TRUE POINT OF BEGINNING.

200001917

RECORDED

00 JAN 18 PM 3 56

G NOEL HALES

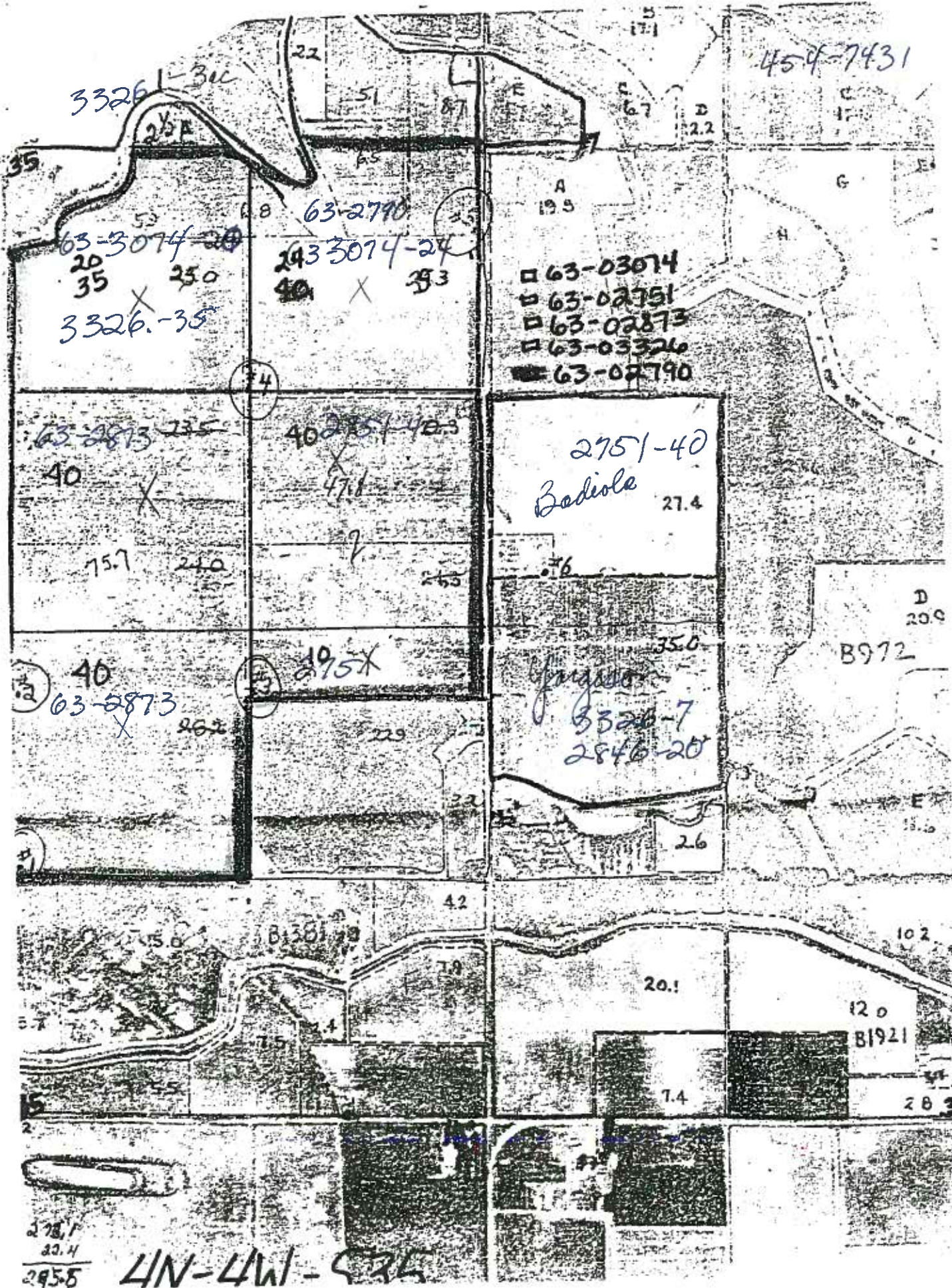
CANYON CNTY RECORDER

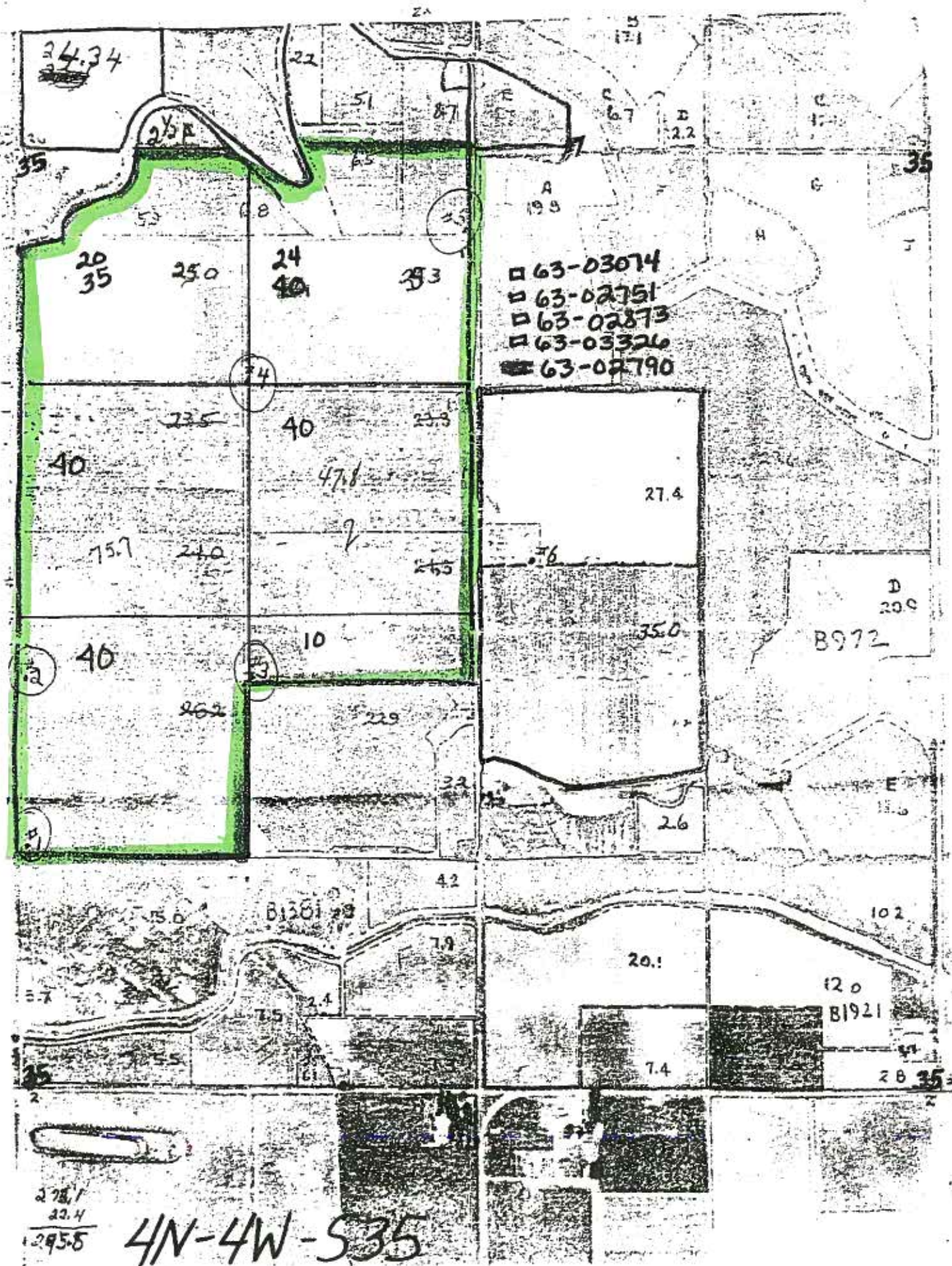
BY

[Signature]

REGULATORY PIONEER CALDWELL

TYPE *[Signature]*





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: **A63-02790**
Date Received: 3/ 1/1990
Receipt No: S011360
Received By: _____

**COPY FOR
YOUR FILES**

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

**COPY FOR
YOUR FILES**

1. Name: CLARENCE D COOK
Address: 14614 BOLIVAR DR N
SUN CITY AZ

602-933-2264

85351

2. Date of Priority: DEC 5, 1949

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	04W	35	NE	NW			CANYON

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.800		

7. Total Quantity Appropriated is:
0.800 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
04N	04W	35	NE	NW		IRR	40.0
Section Acres							40.0

10. Place of Use: Continued

Total Acres 40.0

11. Place of use in counties: CANYON

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

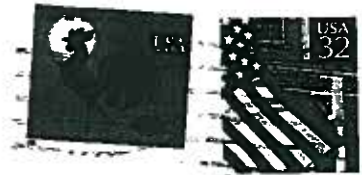
13. Other Water Rights Used:
A63-03074

14. Remarks:
ADDRESS CHANGE BY CLAIMANT NOTE 2/9/99 SS.

15. Basis of Claim: LICENSE

Water Right Number: 21305

Mr. Clarence Cook
14614 Bolivar Drive
Sun City, AZ 85351



State of Idaho
Dept of Water Resources
1301 A Orchard St PO 93720
Boise, Id 83720-0098



Please change my
mailing address from:
Clarence Cook
9318 Bearwood Circle
Sun City, Az. 85351

To: Clarence Cook
14614 Bolivar Dr N.
Sun. City, Az 85351

A6302790 cc: W.A.

A63-02846

A63-02873 - 63-21312

A63-03074

A63-03326

A63-02751

RECEIVED

FEB 08 1999

Department of Water Resources

modified records
NAP prepared
2-9-99

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: A63-02790
Date Received: 3/01/1990
Receipt No: S011360
Received By: _____

RECEIVED

MAR 8 1990

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLARENCE D. COOK
Address: 9318 BRIARWOOD CIRCLE
SUN CITY, AZ

85351

2. Date of Priority: DEC 05, 1949

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot
04N	04W	35	NE	NW		

County
CANYON

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	10/15	0.800		

7. Total Quantity Appropriated is:
0.800 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
04N	04W	35	NE	NW		IRR	40.0

Section Acres 40.0

Total Acres 40.0

A63-02790

Page 1

Date: 03/01/90

MICROFILMED

AUG 18 1992

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
A63-03074

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 21305

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: Clarence D. Cook

For Individuals:

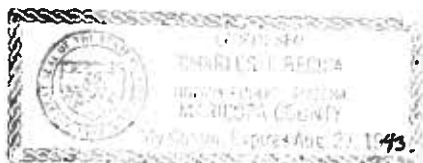
I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Clarence D. Cook Date: 3/5/90
Date:

State of ~~Idaho~~ ARIZONA)
County of MARICOPA) SS.

Subscribed and sworn (or affirmed) before me this 5 day
of MARCH 1990
Charles D. Senior
Notary Public

Seal



Residing at
My Commission Expires

Old (D) Number - 21305

AUG 18 1992

MICROFILMED
AUG 18 1992

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

RIGHT NUMBER: 63-2790

NAME AND ADDRESS: CREATIVE REAL ESTATE DEVELOPMENT CORP
6885 139TH LANE NORTHWEST STE 100
RAMSEY MN 55303

~~DANIEL J SILVERIA~~
~~CANDACE K SILVERIA~~
~~19850 W USTICK~~
~~CALDWELL ID 83607~~

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.740 CFS
166.500 AFY

PRIORITY DATE: 12/05/1949

POINT OF DIVERSION:

T04N R04W S35 NENW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.740 CFS 166.50 AFY

PLACE OF USE: IRRIGATION in CANYON County

T04N R04W S35 NENW 37.00

37 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: BASIS OF CLAIM - License

Use of this right is combined with water from Wilder Irrigation District.

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

In Re SRBA

Case No. 39576

)
)
)
)
)

Water Rights: 63-2790, 63-2873
63-3074, 63-31443, 63-31766
**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following administrative proceeding:

☐ Address change

XX Substitution of Party

☐ IC § 42-222 transfer

☐ Point of diversion

☐ Place of use

☐ Period of use

☐ Nature of use

☐ Split of water right

☐ Change in ownership

☐ Other

☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: February 22, 2008



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on February 22, 2008, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

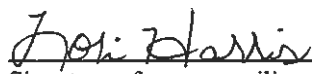
☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Creative Real Estate Development Corp.
6885 139th Lane Northwest Ste 100
Ramsey MN 55303

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

☐ overnight mail
☐ regular mail
☐ hand-delivered
☐ facsimile



Signature of person mailing this document



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

February 22, 2008

CREATIVE REAL ESTATE DEVELOPMENT CORP
6885 139TH LANE NORTHWEST STE 100
RAMSEY MN 55303

Re: Water Right Nos. 63-2790, 63-2873, 63-3074, 63-31443, 63-31766

Dear Sir or Madam:

Enclosed are copies of the above referenced water rights, which reflect the change in ownership of the land and appurtenant water rights, covered under the original filings. Also enclosed is a copy of the Notice of Completed Administrative Proceedings, which has been sent to the Snake River Basin Court as notification of the change.

If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Lori Harris".

Lori Harris
Technical Records Specialist 2
Adjudication Section
Western Region Office

LH:l
Enclosures

cc: Jason Romrell (e-mail)

RECEIVED

RECEIVED

Form 42-248/42-1409(6)

FEB 14 2008

WATER RESOURCES
WESTERN REGION

FEB 13 2008

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s)	Adjudication Claim No(s)	Split(s)	Water Right No(s)	Adjudication Claim No(s)	Split(s)
63-31443		N			
63-2790		N			
63-2873		N			
63-3074		N			
63-31766		N			

2. The following **REQUIRED** information must be submitted with this form:

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
- OR**
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Daniel and Candace Silveria
19850 W. Ustick
Caldwell, ID 83607
4. New Owner/Claimant(s) Creative Real Estate Development Corp.
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 6885 139th Lane Northwest, Suite 100
- City, State and ZIP Code Ramsey, MN 55303
- New Telephone Number (763) 421-4446 Email: _____

Attorney Jason Romrell
(208) 322-2722

romrjas@hotmail.com

5. Date you acquired the property 09/01/2006

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s)  OPS m 6R
(title if applicable)
(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by Amor Marshall Date 02/13/08
 Received by JPT Date 2-19-08
 Processed by AJ

Receipt Amt. N/A
 Receipt No. _____
 WR _____ Date _____

11a



CANYON COUNTY RECORDER
J. HOFFMANN
AP

SEP 1 PM 4 00

200671826

Order No.: C0511621

WARRANTY DEED

FOR VALUE RECEIVED,
PRIDE, L.L.C.

The Grantor(s), do(es) hereby grant, bargain sell and convey unto

CREATIVE REAL ESTATE DEVELOPMENT CORP.

whose current address is 1011 OSBORNE RD NE, STE 2, SPRING LAKE PARK, MN 55432

the Grantee(s), the following described premises, in Canyon County, Idaho, TO WIT:
SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

TOGETHER WITH ALL WATER AND WATER RIGHTS, DITCHES AND DITCH RIGHTS
USED THEREON OR APPURTENANT THERETO.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they 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 all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: 09/01/06

PRIDE, L.L.C.

BY:

RUSSELL D. HUNEMILLER,
MANAGING MEMBER

STATE OF IDAHO
COUNTY OF CANYON

ON THIS 28 DAY OF AUGUST, IN THE YEAR 2006, BEFORE ME, THE
UNDERSIGNED, PERSONALLY APPEARED RUSSELL D. HUNEMILLER, KNOWN OR
IDENTIFIED TO ME TO BE THE MANAGER OR MEMBER OF THE LIMITED LIABILITY
COMPANY THAT EXECUTED THE INSTRUMENT OR THE PERSON(S) WHO
EXECUTED THE INSTRUMENT ON BEHALF OF SAID LIMITED LIABILITY
COMPANY, AND ACKNOWLEDGED TO ME THAT SUCH LIMITED LIABILITY
COMPANY EXECUTED THE SAME.

BARBARA EHLE

COMMISSION EXPIRES: 06/12/09

RESIDING AT:

RESIDING AT MIDDLETON, IDAHO
COMMISSION EXPIRES 06-12-2009

REQUEST
FILED
2006
SEP 1
PM 4 00
CANYON COUNTY RECORDER

EXHIBIT "A"

PARCEL 1

The Southeast Quarter of the Northwest Quarter and the North half of the North half of the Northeast Quarter of the Southwest Quarter; all in Section 35, Township 4 North, Range 4 West of the Boise Meridian, Canyon County, Idaho.

PARCEL 2

The Southwest Quarter of the Northwest Quarter and the Northwest Quarter of the Southwest Quarter and all that part of the Northwest Quarter of the Northwest Quarter lying South and East of Deer Flat North Canal as now located and constructed in Section 35, Township 4 North, Range 4 West of the Boise Meridian, Canyon County, Idaho.

PARCEL 3

The Northeast Quarter of the Northwest Quarter in Section 35, Township 4 North, Range 4 West of the Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM:

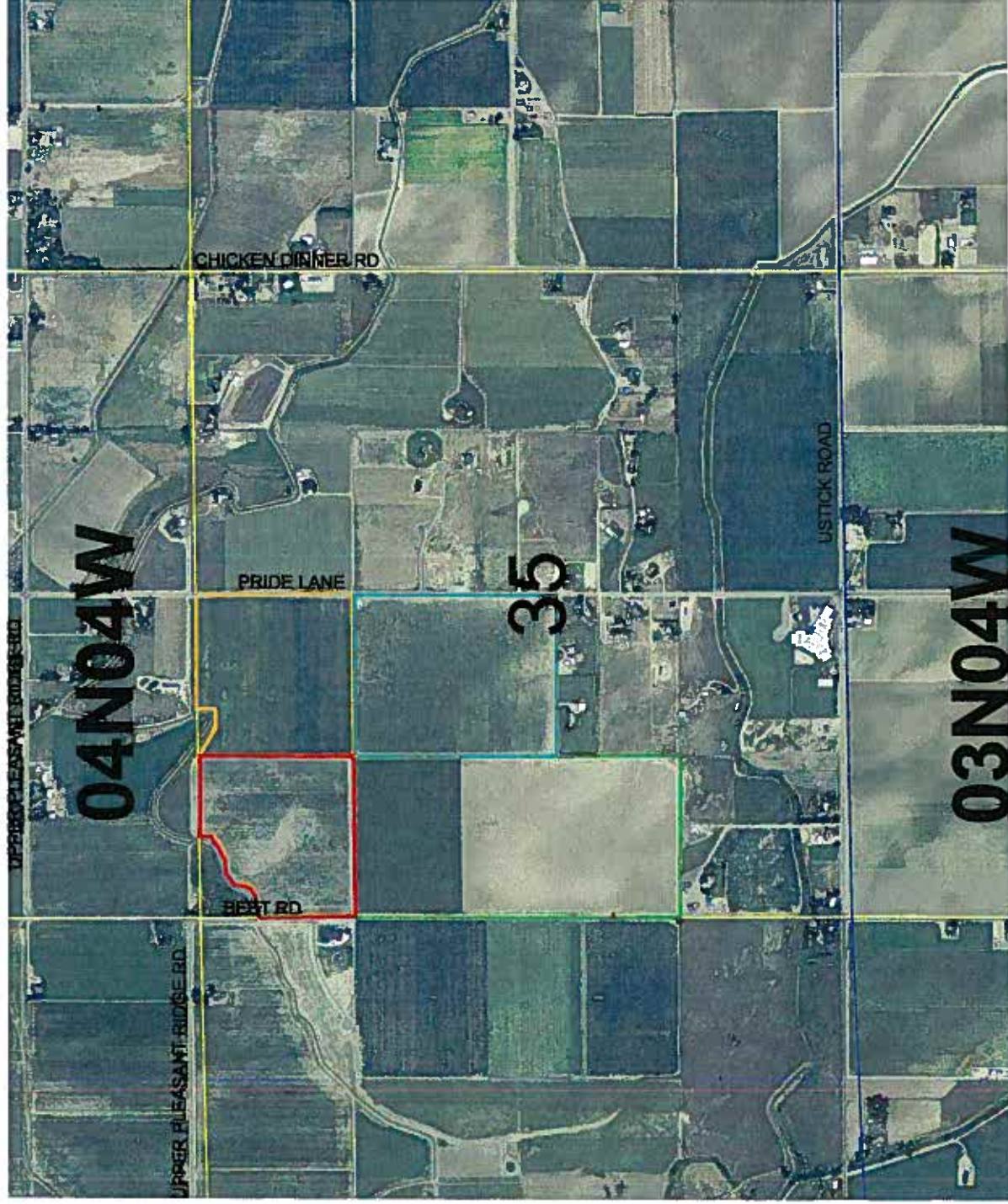
The following described tract situated in the South half of the Southwest Quarter of Section 26 and the East half of the Northwest Quarter of Section 35, Township 4 North, Range 4 West of the Boise Meridian, Canyon County, Idaho, and more particularly described as follows:

COMMENCING at the Northwest corner of the Southwest Quarter of the Southwest Quarter of said Section 26; thence East a distance of 807.00 feet along the North boundary of the South half of said Southwest Quarter of the TRUE POINT OF BEGINNING; thence continuing East a distance of 727.10 feet along the North boundary of the South half of said Southwest Quarter; thence South 36°41' East a distance of 289.78 feet; thence South 15°11' West a distance of 61.36 feet to a point on the centerline of Deer Flat North irrigation canal thence traversing the centerline of said irrigation canal as follows: continuing South 15°11' West a distance of 219.59 feet; thence South 27°54' West a distance of 158.27 feet; thence South 7°30' West a distance of 207.06 feet; thence South 9°10' East a distance of 293.15 feet; thence South 19°38' East a distance of 365.87 feet; thence South 68°51' West a distance of 90.76 feet; thence North 57°00' West a distance of 366.57 feet; thence North 50°14' West a distance of 444.76 feet; thence North 89°10' West a distance of 127.66 feet; thence leaving the centerline of said irrigation canal an running North 2°15' West a distance of 1,041.19 feet to the TRUE POINT OF BEGINNING.

Exhibit "A"

Legal Description

Location of Creative Real Estate Development's Property in T4N, R4W, Sec 35, Canyon County



- 63-31443
- 63-3074 & 63-31766
- 63-2873
- 63-2790
- Townships
- Sections

Aerial Photo Source: NAIP 2004



04/14/2006

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

RIGHT NUMBER: 63-2790

NAME AND ADDRESS: DANIEL J SILVERIA
19850 W USTICK
CALDWELL ID 83607

CANDACE K SILVERIA
19850 W USTICK
CALDWELL ID 83607

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.740 CFS
166.500 AFY

PRIORITY DATE: 12/05/1949

POINT OF DIVERSION:

T04N R04W S35 NENW Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	0.740 CFS 166.50 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T04N R04W S35 NENW 37.00

37 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: BASIS OF CLAIM - License

Use of this right is combined with water from Wilder Irrigation District.



Idaho Department of Water Resources

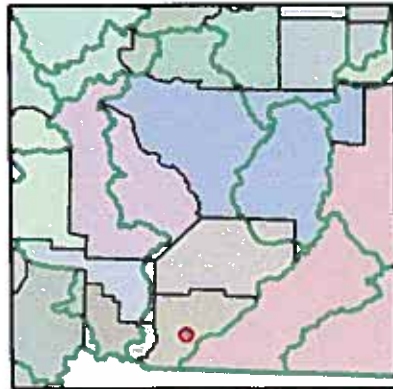
Adjudication Claim:

63-2790

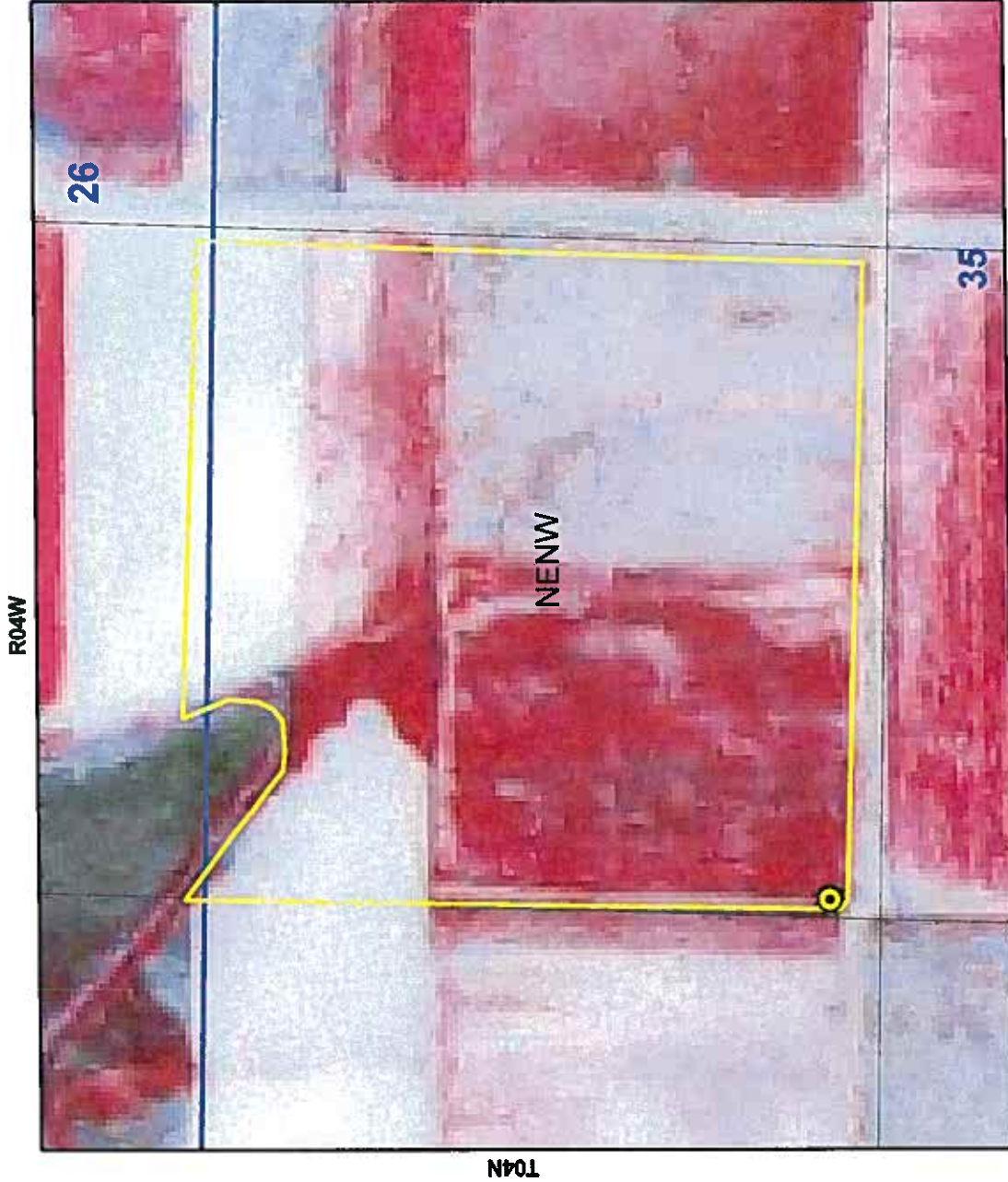
acres = 34

Legend

- Point of Diversion
- Place of Use
- Townships
- PLS Sections
- Quarter Quarters



Canyon County
IDWR Basin 63



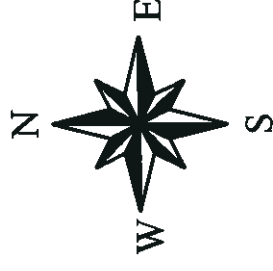
Prepared by K. Walker
On Wednesday, April 12, 2006
1987/88 Aerial Photography

2004 Naip Photo

63-2790



63-2790.shp
Sections
QQ



IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-2790

WATER RIGHT NUMBER: 63-2790

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	HUGH C BENEDICT RT 2 CALDWELL, ID 83605
Original Owner	CLARENCE D COOK 9610 OAKRIDGE DR SUN CITY, AZ 85351 (602)933-2264
Current Owner	DANIEL J SILVERIA 19850 W USTICK CALDWELL, ID 83607 (208)455-1128
Current Owner	CANDACE K SILVERIA 19850 W USTICK CALDWELL, ID 83607 (208)455-1128

Priority Date: 12/05/1949

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From To

4/01 to 10/15

Diversion Rate

0.800 CFS

Total Diversion:

0.800 CFS

Annual VolumeLocation of Point(s) of Diversion

GROUND WATER

CANYON County

NE1/4NW1/4

Sec. 35, Twp 04N, Rge 04W, B.M.

Place of Use

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	04W	35	NE	NW	SW	SE	40.0

Total Acres: 40

Conditions of Approval:

1. ADDRESS CHANGE BY CLAIMANT NOTE 2/9/99 SS.
2. Ownership changed by DB 3/18/2002

*no season on license
use standard*

*37 x 0.02 = 0.74 cfs
37 x 4.5 = 166.5 AF
vs 381.6*

need vol.

*canal located
in NW corner
of this 40 - not
within 5% rule*

*OL w/63-3074 NO
in office review
4/2/06*

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2790

WATER RIGHT NUMBER: 63-2790

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HUGH C BENEDICT RT 2 CALDWELL, ID 83605

Priority Date: 12/05/1949

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	/ to /	0.800 CFS	
	<u>Total Diversion:</u>	0.800 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4NW1/4	Sec. 35, Twp 04N, Rge 04W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	04W	35					40.0												40.0

Total Acres: 40

Conditions of Approval:Remarks:Comments:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-2790

01/31/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
2790	Claim	04N	04W	35	NE	NW		IRRIGATION	40/40	DANIEL J SILVERIA
3074 ✓	Claim	04N	04W	35	NE	NW		IRRIGATION	24/44	DANIEL J SILVERIA
2790	Water Right	04N	04W	35	NE	NW		IRRIGATION	40/40	HUGH C BENEDICT
3074 ✓	Water Right	04N	04W	35	NE	NW		IRRIGATION	24/44	HUGH C BENEDICT

OL w/ 63-3074?

Receipt Details for ID S011360

Status	Adjustment Type	Version
	Adjusted Receipt	1

General Information:

Date Received	Date Deposited	Region	Total Amount	Payment Type
3/1/1990 8:49:28 AM	3/1/1990	Southern	\$600.00	Check
Payer		DUNCAN, ARTHUR T.		

Account Information:

Check #	Account #	Credit Card Name	Authorization #
2730			
Card Expiration Date	Credit Card Transaction #		

Comment ADJUDICATION FEE

Fee Detail:

Amount	Description	PCA	Fund	Fund Detail	Subsidiary	Object
\$600.00	ADJUDICATION FEE	410162	9337	0	0	6490

Refund(s):

Amount	Payee	Date	Document Number
--------	-------	------	-----------------

Water Right Information:

Basin Number	Sequence Number	Split Suffix	Amount	Type
63	3074		\$50.00	Claim
63	2790		\$90.00	Claim
63	2873		\$130.00	Claim
63	2751		\$140.00	Claim
63	2846		\$70.00	Claim
63	3326		\$95.00	Claim
63	21312		\$25.00	Claim

OK



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

March 18, 2002

DANIEL J SILVERIA
CANDACE K SILVERIA
19850 W USTICK
CALDWELL ID 83607

Re: Notice of Claim to a Water Right No. 63-2790, 63-2873 & 63-3074

Dear Claimant(s):

Enclosed is a copy of the above referenced claim, which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

Thank you for your patience and cooperation, as we have had several water right changes to process. If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region Office

DB: db

Enclosure

State of Idaho

License and Certificate of Water Right

Water License No. 21305

Amount 0.8 cubic feet

Water District No.

Priority December 5, 1949

THIS IS TO CERTIFY that HUGH C. BENEDICT

of Route 2, Caldwell, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated December 5, 1949; that Permit No. 21305 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.8 second feet, was issued thereunder on May 4, 1951, showing that said works were completed on the 30th day of April, 1951; and that on the 11th day of June, 1951,

HUGH C. BENEDICT

of Caldwell, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, ~~underground~~ (subterranean flow), for the purpose of irrigation, under Use Permit No. 21305 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 8 of Licenses at page 4797, on the 21st day of July, 1951;

The right hereby confirmed dates from December 5, 1949;

The Point of Diversion is located

in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 35, Tp. 4 N., R. 4 E., B. M. Canyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.8 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
4 N.	4 W.	35	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	40

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, at Boise, Idaho, this

21st day of July, 1951.

(Seal)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 21305This proof is for Beneficial use In Water District No. _____

1. Name of applicant Hugh G. Benedict, Route 2, Caldwell, Idaho
2. Source of water supply: Subterranean from a well
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35
T. 4 N. R. 4 W. County of Canyon
4. Describe works as they exist, giving dimensions and capacities of same: Well is 150' deep by 10" casing. Mr. Benedict says that the lower 16' have been filled in. It is cased down 126' and the pump bowl is down 120'. H. equals 80' and the drawdown is 15'. Well and pump are located in a pump house 6' x 8' x 6' high, wooden frame covered with galvanized sheeting. Shed type roof, door in the East, windows in North and South walls with screens. Floor is concrete.
5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: Yes.
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 35, Twp. 4 North, Range 4 West, B. M.
39.6 acres.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

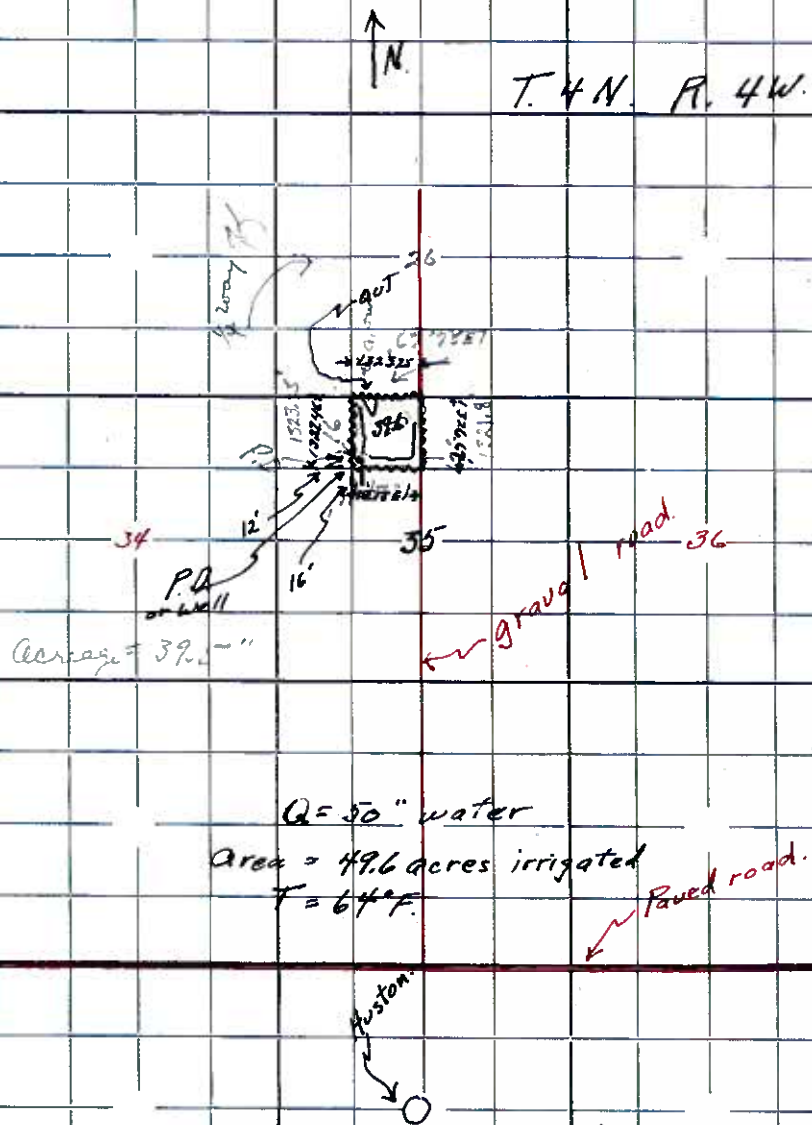
Remarks: Motor is a U. S. 15 h.p., Serial #859426. 220 v., 40 amps., 3 phase, 60 cycle, 1800 r.p.m. Pump is a Layne Bowler #15971. 4 stage, 10" bowls, 6" column 120' long. 10" of suction. Switches and controls are Trumbull, G. E. and Allen Bradley. They are mounted on the inside on the West wall. Meter is a C. E. 240 v., #25630365. It is mounted on a pole to the Southwest, close by the pump house. Power demand is 1.35 Kw. times 10. The discharge is to the South through a 6" pipe 5' long into a wooden trough into open dirt aump. Water was measured with a Y-notch weir close by the delivery, reading .68'. Allow 50 inches or l.s.f.s. to care for leakage and sub. T. equals 64° F. Point of diversion is 16' West of the 40 line and 12' North of the 40 line in the SW corner of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35.

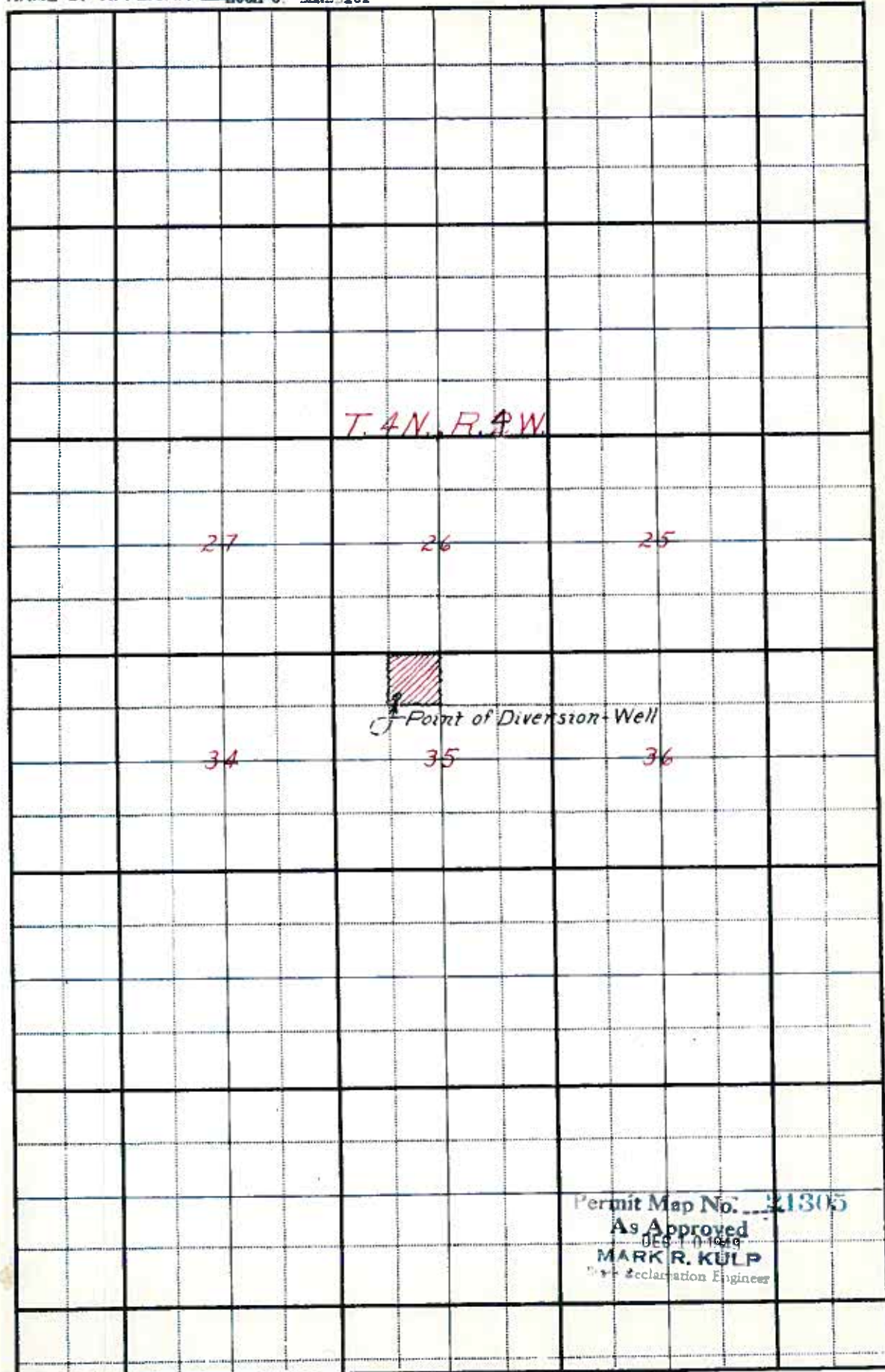
This examination was made on the 18th day of July, 1951.

(Signed)

E. H. Humphrey
Examiner.

21305





Nº 21305
63-2790

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 28990
PERMIT No. 21305
DISTRICT No.

1116. John H. H. H. H.

1. Name of Applicant: HUGH C. BENEDICT

Postoffice address: Rt. 2, Caldwell

County: Canyon

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: 0.8 cubic feet per second.

3. Source of water supply: Subterranean flow from a well which is a tributary of

4. Location of point of diversion: feet distant from the
corner of Section , T. , R. , B.M., and is in the Southwest corner of NE $\frac{1}{4}$ NW $\frac{1}{4}$
of Section 35 , T. 4 N. , R. 4 W. , B.M., County of Canyon

5. Water is to be used for Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

- (a) Point of use of water: feet distant from corner of Section
T. , R. , B.M., in the of Section , T. , R. , B.M.
- (b) Amount of power generated: H.P., under feet head.
- (c) Water is to be returned to at a point feet
distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$2,500.00

8. Kind of works: Well and electric pump

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;
dimensions of flume:

Diameter of pipe inches; length of conduit miles.
Average grade per mile feet.

12. The time required for the completion of such work is Five (5) years.

13. The time required for the complete application of the water to the proposed use is Six (6) additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

16. (a) Is reservoir to be used? If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

BE IT KNOWN THAT The undersigned hereby makes application for permit to appropriate the public water of the State of Idaho as herein set forth.

HUGH C. BENEDICT Applicant.

By _____ Agent _____

Date of first receipt at Department of Reclamation: 3:15 P. M. December 5, 1949

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 21305

Recorded in Book 76 Page 21305 Approved December 10, 1949

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before February 10, 1950 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before June 10, 1952

The whole of said work to be completed on or before December 10, 1954

Beneficial use of water appropriated in accordance herewith, to be made on or before December 10, 1960

WITNESS My hand this 10th day of December, 1949

MARK R. KULP
State Reclamation Engineer.

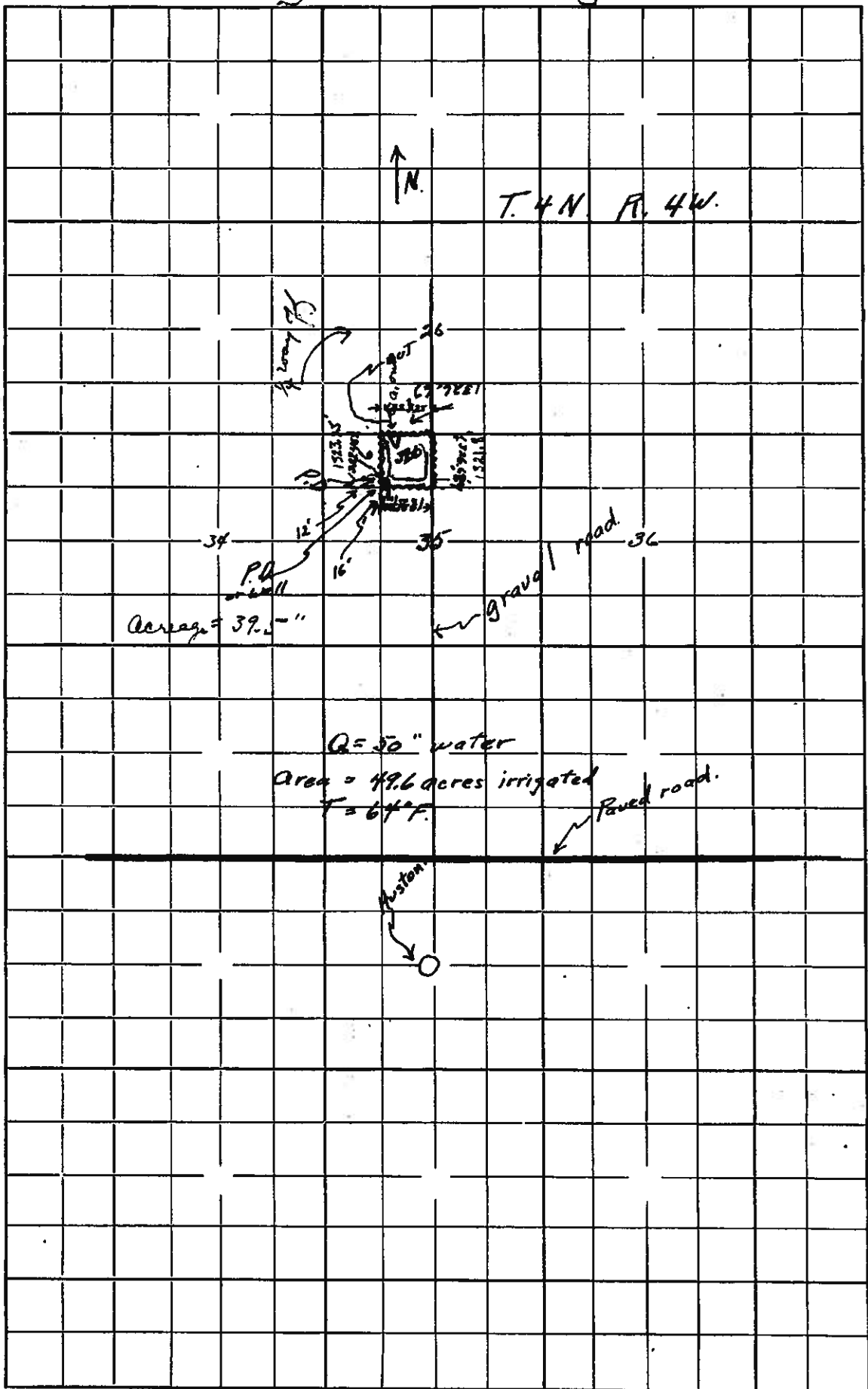
IN TESTIMONY WHEREOF, We, C. A. ROBINS, Governor of the State of Idaho,
and J. D. "CY" PRICE, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 10th
day of December, 19 49.
STATE OF IDAHO

By J. D. "CY" PRICE Secretary of State.

REMARKS:

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4 N.	4 W.	35					40												40
			Permit No. 21305 CERTIFICATE OF COMPLETION OF WORKS																
			TO ALL WHOM IT MAY CONCERN: This is to certify that HUGH C. BENEDICT of Route 2, Caldwell, County of Canyon, and State of Idaho, the holder of Permit No. 21305, issued upon Application No. 28990 bearing date of priority of December 5, 1949, authorizing the diversion of 0.8 second foot of the waters of subterranean flow from a well, County of Canyon, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho, relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 0.8 second foot of the waters of said well; that the point of diversion of said waters is in the Southwest corner of the NE¼ NW¼ Section 35, Township 4 North, Range 4 West, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NE¼ NW¼ Section 35, Township 4 North, Range 4 West, B.M. Witness my hand this 4th day of May, A. D. 1951. MARK R. KULP State Reclamation Engineer Proof of Completion of Works made April 30, 1951. Certificate of Completion of Works made May 4, 1951. LICENSE ISSUED FOR... SEC. 35 Page 4777																



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

21305