

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 63-3074
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: 01/16/1956

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	
STOCKWATER	1/01	12/31	0.05	

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	NW NW		IRRIGATION	20
			NE NW		IRRIGATION	24
					Section Acres	44
					Total Acres	44

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 change by DB 3/18/2002

UNRECORDED TRANSFER: TRANSFERRED 20 ACRES FROM SESW, SECTION 26 TO NWNW, SECTION 35. PROPERTY IN SECTION 26 SOLD TO ANOTHER PARTY.
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, 63-03326
 Adjudication Claim No(s): A63-03074, A-63-03074, A-63-02873, A63-02846, A63-02751, A63-03326

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
 Name Connector (Check one): [] and, [] or, [] and/or and/or
 New Mailing Address 19850 Ustick 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 <u>204</u>	Number and type of stock <u>600</u>
Diversion rate in CFS <u>4.9</u>	Number of homes you acquired <u>0</u> Other uses <u>Cropland Irrigation</u>

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.

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

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 Wustick 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.

Clarence Elizabeth M. Cook
Cook

STATE OF ARIZONA)
County of MARICOPA) :ss

On this 7 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 7 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;

D.S. C.S.

+ p. 8
+ p. 7

INITIAL



009949498

RECORDED

99 DEC 22 PM 1 16

G NOEL HALES

CANYON COUNTY RECORDER
BY *[Signature]*

REQUEST PIONEER — CALDWELL

TYPE

[Signature] 9.2*[Signature]* pack

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.

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 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

(SEAL)

WARRANTY DEED-2

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.

V.S.
CSC

009949499

RECORDED

99 DEC 22 PM 1 16

C NOEL HALES

CANYON COUNTY RECORDER

BY



REQUIREMENT PIONEER - CALDWELL

TYPE Doc 9.00pack

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 115th Rd Lakewood, UT 84005, 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)
) : ss
County of MARICOPA)

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)
) : ss
County of MARICOPA)

On this 1 day of July, in the year 1995, before me, CLARENCE D. COOK, 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

only 19^{.53} Acres

009949500

RECORDED

99 DEC 22 PM 1 16

G NOEL HALES

CANYON COUNTY RECORDER

BY

[Signature]

REQUEST PIONEER — CALDWELL

TYPE

[Signature]

FOR

9.00

[Signature] 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

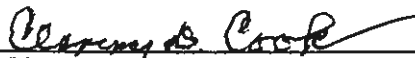
the Grantees, whose address is 19850 Ustic Road, Caldwell, ID, 83605

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.

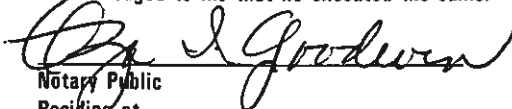
DATED: January 5, 2000

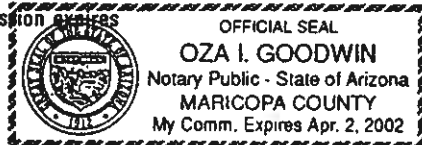

CLARENCE D. COOK

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 JUN 18 PM 3 56

G NOEL HALES

CANYON COUNTY RECORDER
BY *[Signature]*

RECEIVED PIONEER-CALDWELL
TYPE *[Signature]*

3326

454-7431

NW1/4

NE1/4

63-3074-20

63-2790-40

2433074-24

~~3326-35~~

- 63-03074
- 63-02751
- 63-02873
- ~~63-03326~~
- 63-02790

closed

63-2873-235

402751-40

2751-40
Badiola

40
63-2873

2751

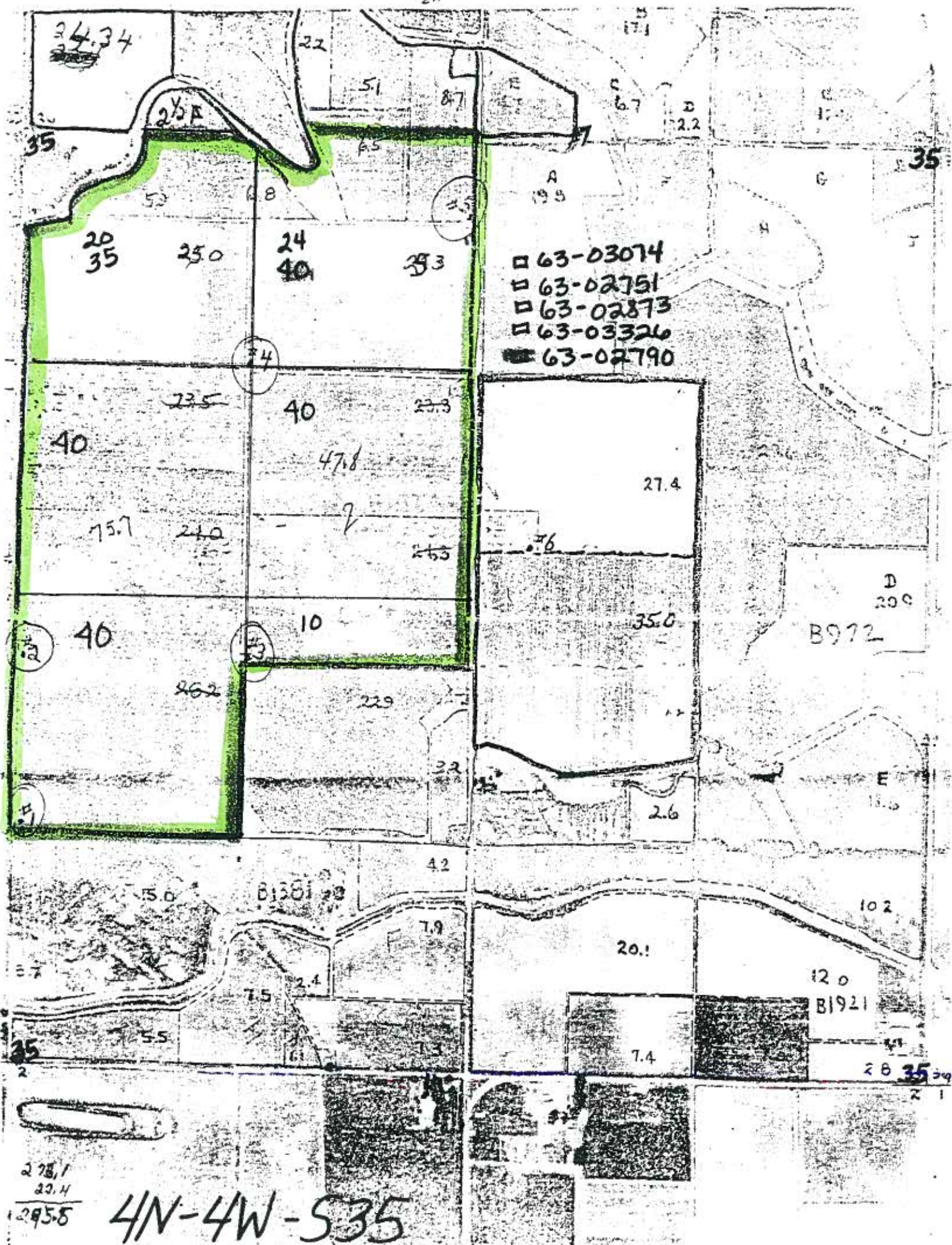
3326-7
2846-20

B972

B1381

B1921

4N-4W-S35



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: **A63-03074**
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 85351 602-933-2264

2. Date of Priority: JAN 16, 1956

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		
STOCKWATER	01/01	12/31	0.050		

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:
S/200 BEEF STOCK

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	04W	35	NE	NW		IRR	24.0
			NW	NW		IRR	20.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	44.0
					Total Acres	44.0

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:
A63-02790, 03326

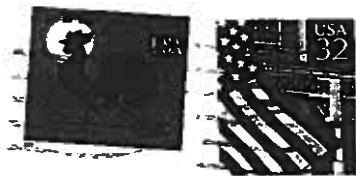
14. Remarks:

UNRECORDED TRANSFER:
TRANSFERRED 20 ACRES FROM SESW, SECTION 26 TO NWNW, SECTION 35.
PROPERTY IN SECTION 26 SOLD TO ANOTHER PARTY.
ADDRESS CHANGE BY CLAIMANT NOTE 2/9/99 SS.

15. Basis of Claim: LICENSE

Water Right Number: 26150

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



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



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

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

A6302790 cc: W.A.

A63-02846

A63-02873

A63-03074

A63-03326

A63-02751

RECEIVED

FEB 08 1999

Department of Water Resources

63-21312
modified records
NAP prepared.
2-9-99, m

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: A63-03074

Date Received: 3/01/1990

Receipt No: S011360

Received By: _____

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

602-933-2264

2. Date of Priority: JAN 16, 1956

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		

Department of Water Resources
Western Regional Office

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		
STOCKWATER	01/01	12/31	0.050		

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:
S/200 BEEF STOCK

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	04W	35	NE	NW		IRR	24.0
			NW	NW		IRR	20.0

Section Acres 44.0

A63-03074

Page

1

Date: 03/01/90

MICROFILMED
AUG 18 1992

10. Place of Use: Continued

Total Acres 44.0

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:
 A63-02790, 03326

14. Remarks:

 UNRECORDED TRANSFER:

 TRANSFERRED 20 ACRES FROM SESW, SECTION 26 TO NWNW, SECTION 35.
 PROPERTY IN SECTION 26 SOLD TO ANOTHER PARTY.

15. Basis of Claim: LICENSE
 Water Right Number: 26150

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.

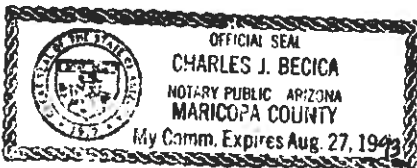
Signature of Claimant(s): Clarence D. Cook Date: 3/5/90

Date: _____

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

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

Seal



Residing at _____
My Commission Expires _____

850+21

Water Right Number - 63-03074

Adj. Flag Translation: Standard Water Right Number Old (D) Number - 26150

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

*** C - CURRENT OWNER ***
BENEDICT

HUGH C.

1 - RT. 2
2 -
3 -
City- CALDWELL
Phone -

State- ID Zip- 83605

+ - - Priority Date - - + + - - - Region - - - + + - - Stage - - - + + - - Status - - - +
01/16/1956 14 L - LICENSE

+ - - Source - - - - - + + - - - Tributary - - - - - +

GROUNDWATER

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

Twn Rng Sec Tract Lot RFlg County

04N 04W 35 NE NW (27) CANYON

+ - - - - Description - - - - - Water Use - - - - - Diversion Rate - - - - - Diversion Volume - - - - -

01 - IRRIGATION
43 - DOMESTIC

0.800

+ - - Total Div. Rate - + + - - Total Div. Volume - + + - - Total Div. Capacity - +
0.800

+ - - - - Tract - - - - - Lot - - - - - Acres - - - - - Description - - - - - County - - - - -

(27) CANYON
(27) CANYON

01 IRRIGATION
01 IRRIGATION

SE-SW 20.0
NE NW 24.0
NW 20

Total Acres: 44.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - No Remarks found.

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

+ - - - - Decree Plaintiff - - - - + - - - - Decree Defendant - - - - + - - Decree Date - - +

MICROFILMED

AUG 18 1992

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

RIGHT NUMBER: 63-3074

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~~
~~GALDWELL ID 83607~~

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.750 CFS
158.700 AFY

PRIORITY DATE: 01/16/1956

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	0.700 CFS 157.50 AFY
STOCKWATER	01/01 12/31	0.050 CFS 1.20 AFY

PLACE OF USE: IRRIGATION in CANYON County

T04N R04W S35 NWNW 35.00

STOCKWATER in CANYON County

T04N R04W S35 NWNW

35 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

Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.

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

Stockwater use is for 200 range cattle.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

**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	)	Water Rights: 63-2790, 63-2873
	)	63-3074, 63-31443, 63-31766
Case No. 39576	)	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	☐ overnight mail
Snake River Basin Adjudication	☒ regular mail
P.O. Box 2707	☐ hand-delivered
Twin Falls, ID 83303-2707	☐ facsimile

2. Copies to:

Clive Strong	☐ overnight mail
Off ice of the Attorney General	☒ regular mail
P.O. Box 44449	☐ hand-delivered
Boise, ID 83711-4449	☐ facsimile

United States Dept of Justice	☐ overnight mail
Environment & Natural Resource Div	☒ regular mail
550 West Fort Street MSC 033	☐ hand-delivered
Boise ID 83724	☐ facsimile

3. Copies to all parties to the subcase:

Creative Real Estate Development Corp.	☐ overnight mail
6885 139 th Lane Northwest Ste 100	☒ regular mail
Ramsey MN 55303	☐ 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 42-246-12-1409(6)

FEB 14 2008

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

FEB 13 2008

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: _____

5. Date you acquired the property

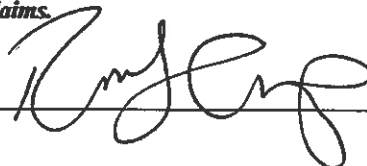
09/01/2006

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 MGR

(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 Aaron Marshall Date 02/13/08
 Received by [Signature] Date 2-19-08
 Processed by [Signature] AJ Date 2-19-08

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

11a



3 HOTEL MILES
CANYON WILL RECORD
AP

2006 SEP 1 9 59 AM

RECORDED

200671626

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

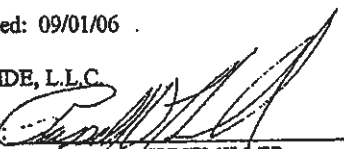
the Grantee(s), the following described premises, in Canyon County, Idaho, TO WIT:
SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

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

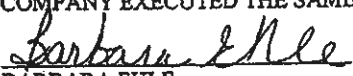
PRIDE, L.L.C.

BY: 

RUSSELL D. HUNEMILLER,
MANAGING MEMBER

STATE OF IDAHO
COUNTY OF CANYON

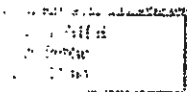
ON THIS 28 DAY OF AUGUST, IN THE YEAR 2006, BEFORE ME, THE
UNDERSIGNED, PERSONALLY APPEARED RUSSELL D. HUNEMILLER, KNOWN OR
IDENTIFIED TO ME TO BE THE MANAGER OR MEMBER OF THE LIMITED LIABILITY
COMPANY THAT EXECUTED THE INSTRUMENT OR THE PERSON(S) WHO
EXECUTED THE INSTRUMENT ON BEHALF OF SAID LIMITED 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
TIME: 1:00 PM
DATE: 09/01/06

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:

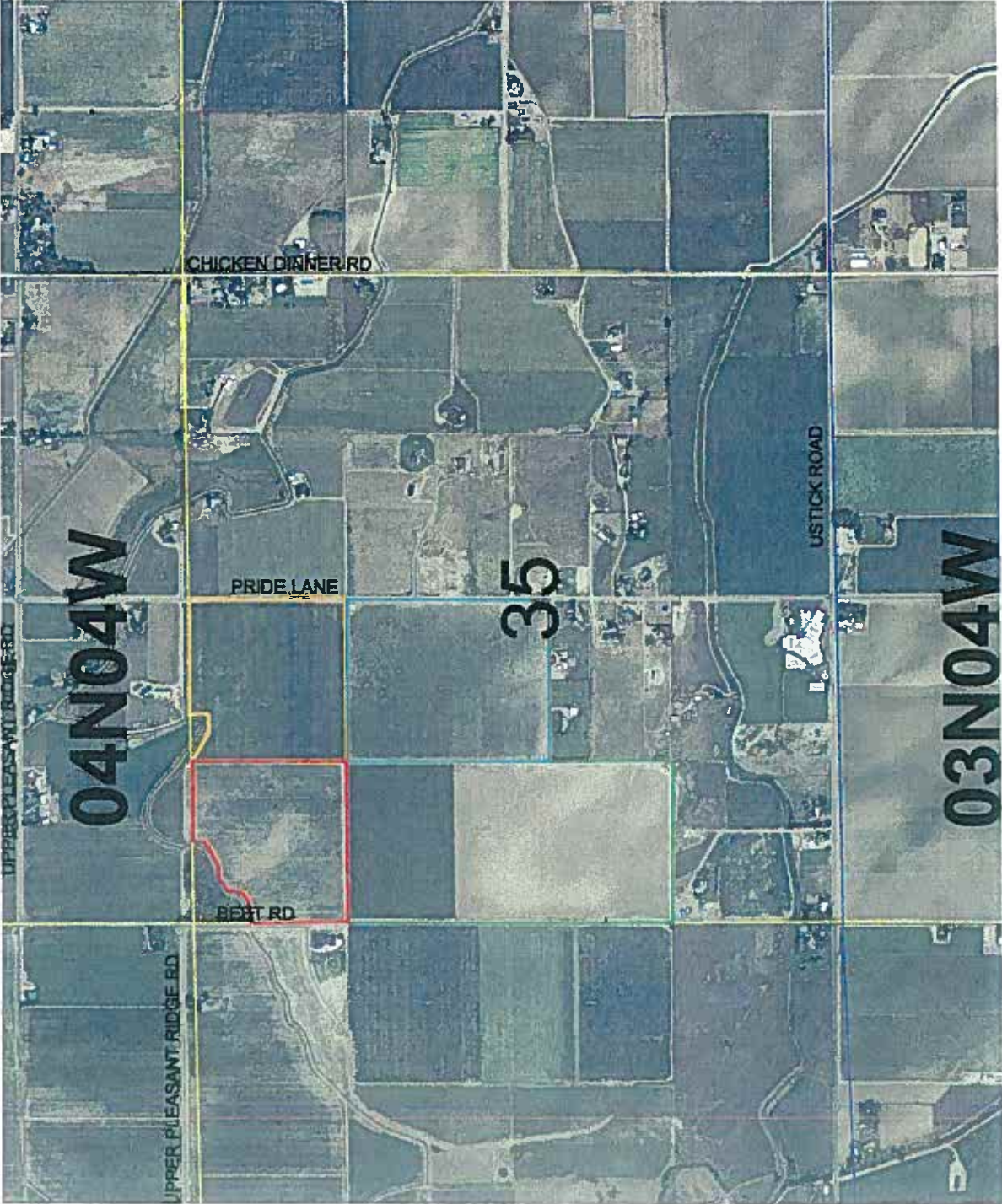
The following described tract situated in the South half of the Southwest Quarter of Section 26 and the East half of the Northwest Quarter of Section 35, Township 4 North, Range 4 West of the Boise Meridian, Canyon County, Idaho, and more particularly described as follows:

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 299.78 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 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 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



Aerial Photo Source: NAIP 2004



04/14/2006

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

RIGHT NUMBER: 63-3074

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: 0.750 CFS
158.700 AFY

PRIORITY DATE: 01/16/1956

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	0.700 CFS 157.50 AFY
STOCKWATER	01/01 12/31	0.050 CFS 1.20 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T04N R04W S35 NWNW 35.00

STOCKWATER Within CANYON County

T04N R04W S35 NWNW

35 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

Right includes accomplished change in purpose of use pursuant to Section 42-1425, Idaho Code.

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

Stockwater use is for 200 range cattle.

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.



Idaho Department of Water Resources

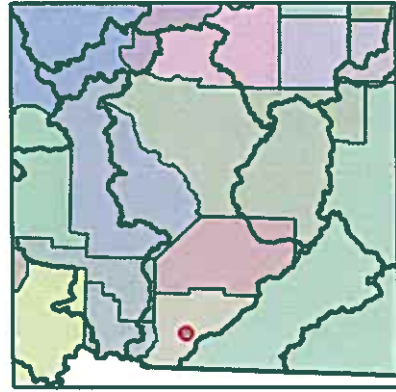
Adjudication Claim:

63-3074

Acres = 35

Legend

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



Canyon County
IDWR Basin 63



Prepared by K. Walker
On Friday, April 14, 2006
1987/88 Aerial Photography

Basin	Sequence	Suffix	Basis	Priority Date	Rate(cfs)	Volume(af)	Source Table
63	2790		License	12/5/1949 ⁽²⁾	0.80		wrAdjudicationClaim
63	2873		License	8/16/1951 ⁽³⁾	1.60		wrAdjudicationClaim
63	3074		License	1/16/1956 ⁽⁴⁾	0.80		wrAdjudicationClaim
63	31443		License	1/8/1949 ⁽¹⁾	1.00		wrAdjudicationClaim
63	31766		License	<u>1/15/1963⁽⁵⁾</u>	0.70	160.4	wrAdjudicationClaim

Latest

4-14-06
 Claimant has 4.9 cfs for 202 acres of irrigation (all above from groundwater source).

Rts. 63-3074 & 63-31766 both cover lands in NWNW;

Rts. 63-2790 & 63-63-31766 both cover lands in NENW.

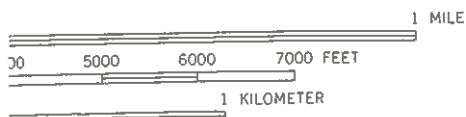
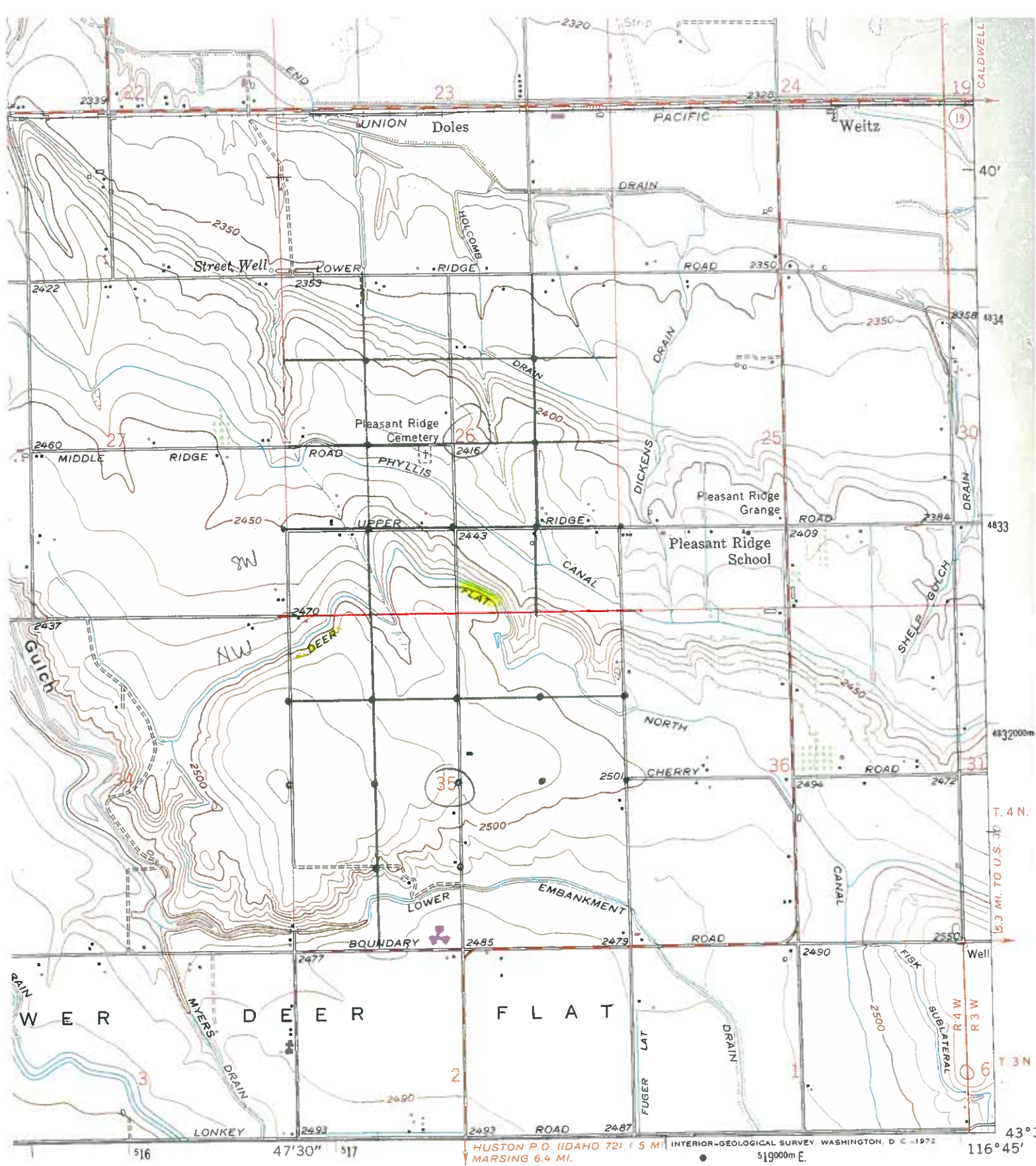
Since 63-31766 has junior priority date recommend it be disallowed & senior rights be decreed on these lands. Recommended 63-3074 be decreed

on NWNW & 63-2790 on NENW.

w/accomplished
 1/Plu change

"CO5"

Walt
 Key in office
 verification



0 FEET
30 FT CONTOURS
ELEV



QUADRANGLE LOCATION

ROAD CLASSIFICATION

Medium-duty ——— Light-duty ———
Unimproved dirt - - - - -
U. S. Route □ State Route ○

NOTUS, IDAHO

N 42275 W 11645/75



ANDARDS
CALIF. 94025

NOTUS, IDAHO
N4337.5—W11645/7.5

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-3074

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~~
~~3074~~	~~Claim~~	~~04N~~	~~04W~~	~~35~~	~~NW~~	~~NW~~		~~IRRIGATION~~	~~20/44~~	~~DANIEL J SILVERIA~~
31766	Claim	04N	04W	35	NW	NW		IRRIGATION	35/35	DANIEL J SILVERIA
27268	Water Right	04N	04W	35	NW	NW		DOMESTIC		BEVERLY A HARPER

pod OLW/ 63-2790 - No, different wells
-2830 ← not claimed in SRBA

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

State of Idaho **License and Certificate of Water Right**

Water License No. G-26150Amount .8 c.f.s.

Water District No. _____

Priority January 16, 1956

THIS IS TO CERTIFY that HUGH C. BENEDICT
of Caldwell, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 16, 19 56; that Permit No. G-26150
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
.8 second feet, was issued thereunder on September 16, 19 57, showing that said works
were completed on the 15th day of July, 19 57; and that on the 15th
day of July, 19 57, 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
a tributary of subterranean, for the purpose of Irrigation and domestic
use, under Use Permit No. G-26150 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
10 of Licenses at page 6102, on the 16th day of September, 19 57;
The right hereby confirmed dates from January 16, 19 56;

The Point of Diversion is located
in the NE 1/4 NW 1/4, Sec. 35, Twp. 4 N., R. 4 W., B. M. County Canyon

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 .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
<u>4 N.</u>	<u>4 W.</u>	<u>26</u> <u>35</u>	<u>SE 1/4 SW 1/4</u> <u>NE 1/4 NW 1/4</u>	<u>40</u> <u>--</u>	<u>20</u> <u>24</u>
Total number of acres irrigated				- - -	<u>44</u>

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, affixed at Boise, Idaho, this
16th day of September, 19 57.

/s/ Mark R. KulpState Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 34033
Permit No. G- 26150
District No.

1. Name of Applicant: HUGH C. BENEDICT
Postoffice address: Rt. 2, Caldwell County: Canyon State: Idaho
2. Quantity of water claimed: .80 cubic feet per second
 - (a) Rate of withdrawal in cubic feet per second. .80 or Idaho
Miners' inches 40 or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean Flow (well)
4. Location of point of diversion or well is in the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 35
Twp. 4 N. , Rge. 4 W. , B.M., County of Canyon
5. Water is to be used for: Irrigation and domestic purposes
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Well, Pump and ditches
8. Estimated cost of works: \$ 1,000.00
9. (a) Is reservoir to be used?
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is Five years.
11. If applicant is a corporation, give:
 - I. (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 onhand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: Water right under Wilder
Irrigation District for 20 acres.
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

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

Applicant.

Agent.

Corrected application received:

MARK R. KULP
State Reclamation Engineer.

STATE OF IDAHO

12.

Twp.	Range	Sec.	NE¼	NW¼	SW¼	SE¼	Totals
			NE¼NW¼SW¼SE¼	NE¼NW¼SW¼SE¼	NE¼NW¼SW¼SE¼	NE¼NW¼SW¼SE¼	
4 N.	4 W.	26					40
Application for Amendment To Permit to appropriate the Public Waters of the State of Idaho, No. <u>G-26150</u>							
Come now HUGH C. BENEDICT, and represents to the State Reclamation Engineer of the State of Idaho, That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-26150, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: SE¼SW¼ of Section 26 and the NE¼NW¼ of Section 35, Township 4 North, Range 4 West, B.M., making a total of 44 acres. That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.							
Signed at Boise, Idaho, this 13th day of September, 1957 /s/ Hugh C. Benedict							
Date of receipt at office of Department of Reclamation September 13, 1957							
APPROVAL OF STATE RECLAMATION ENGINEER							
I, MARK R. KULP, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-26150. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.							
/s/ Mark R. Kulp State Reclamation Engineer							
Approved and recorded: September 13, 1957.							

Permit No. G-26150
Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that HUGH C. BENEDICT of Caldwell, County of Canyon, and State of Idaho, the holder of Permit No. G-26150, issued upon Application No. G-34033 bearing date of priority of January 16, 1956, authorizing the diversion of .80 second feet of the waters of subterranean flow from a well, County of Canyon, and State of Idaho, for Irrigation and domestic 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 .8 second feet of the waters of subterranean flow from a well that the point of diversion of said waters NE $\frac{1}{4}$ of 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: SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, all in Township 4 North, Range 4 West, B.M. Proof of Completion of Works made: July 15, 1957

Witness my hand this 16th day of September, A.D. 1957

/s/ Mark R. Kulp
State Reclamation Engineer

Proof of Completion of Works made: July 15, 1957
Certificate of Completion of Works issued: September 16, 1957

LICENSE ISSUED FOR 0.8 SEC. FT

p. 6102

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

Permit No. G-26150This proof is for Completion of Works & Beneficial Use In Water District No. _____1. Name of applicant Hugh C. Benadict2. Source of water supply: Subterranean flow from a well3. Location of point of diversion: Is in the SE 1/4 of Section 35T. 4 N. R. 4 W., B.M. County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same: Well: Drilled 135' x 10"
Static Water level 50' - draws down to 101' - Pump: Layzer Bailer #23804 - Col. 1 1/2" x 6" - 3 stages -
10" bowls. - Motor: U.S. #1101750 - TP 15 - 220 V. - Pump 40 - Motor 6F. 38049778 - Demand
144 x 10 - Plant well housed.

5. Water is used for: Irrigation and domestic6. 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):

20
40 acres in SE 1/4 of Sec. 26, Twp. 4 N., Rge. 4 W., B.M.
24 " " NE 1/4 NW 1/4 " 35, " 4 N., " 7 W. "

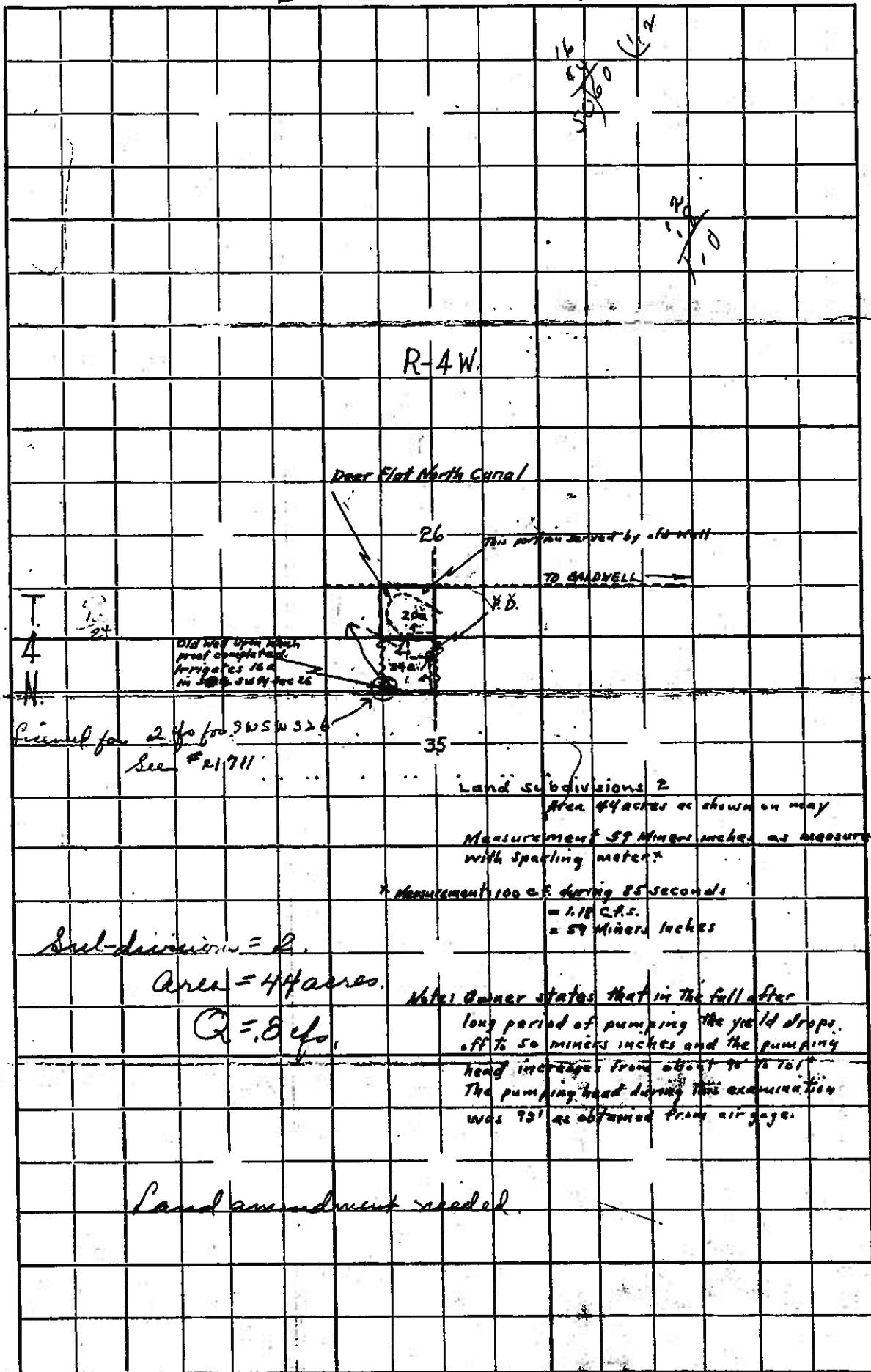
(Submit map on attached plat, showing location and details of above description.)

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

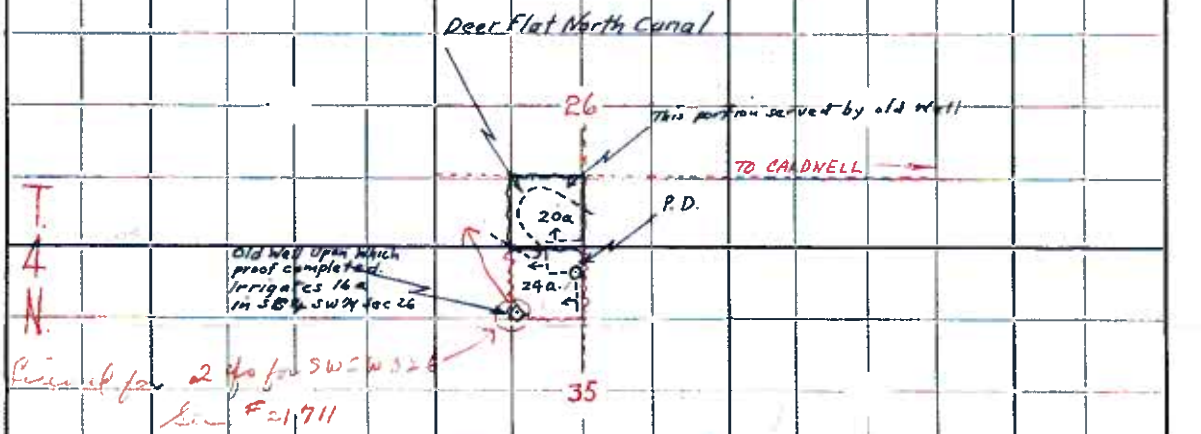
Remarks: _____

This examination was made on the 30th day of July, 1957(Signed) James H. Hark Examiner.

P26150



R-4W.



Land subdivisions 2

Area 44 acres as shown on map

Measurement 59 Miners inches as measured with Sparling meter*

* Measurement 100 c.f. during 85 seconds

= 1.18 C.F.S.

= 59 Miners inches

but shown = 2

Area = 44 acres

Q = .8 cfs

Note: Owner states that in the fall after long period of pumping the yield drops off to 50 miners inches and the pumping head increases from about 90' to 101'. The pumping head during this examination was 93' as obtained from air gage.

Land amendment needed



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