

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 63-31442
Date Received: 3/1/1990
Receipt No:
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

CLARENCE D COOK
9610 OAKRIDGE DR
SUN CITY AZ USA 85351

Phone: (602)933-2264

2. Date of Priority: 01/08/1949

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	SW NE	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	0.8	
STOCKWATER	01/01	12/31	0.02	

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	SW	NE	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:

This claim is the result of a split due to change in ownership for a portion of 63-2751. DB 3/18/2002

Address change by DH 10/1/2003

15. Basis of Claim: License

RECEIVED

OCT 01 2003

**SNAKE RIVER BASIN ADJUDICATION
CHANGE IN ADDRESS OF NOTICE OF CLAIM**

WATER RESOURCES
WESTERN REGION

Claim Number(s):

63-31767, 63-31442, 63-21312

Previous Mailing Address:

14614 BOLIVAR DR

SUN CITY, AZ 85351

New Mailing Address:

9610 OAKRIDGE DR

SUN CITY, AZ 85351

Telephone Number:

(623) 933-2264

Signature of Claimant(s):

Clarence D. J. Cook

Please return this completed form to:

Adjudication Bureau
Idaho Dept. of Water Resources
1301 N. Orchard St.
Boise, ID 83706-2237
Ph. 1/800/451-4129 or
FAX 208/327-5400

Adjudication Bureau
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705-5082
Ph. 208/334-2190 or
FAX 208/334-2348

Adjudication Bureau
Idaho Dept. of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380 or
FAX 208/736-3037

Adjudication Bureau
Idaho Dept. of Water Resources
900 N. Skyline, Ste. A
Idaho Falls, ID 83402-3653 or
FAX 208/525-7177

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

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Receipt No:
Received By:

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

1. Name of Claimant(s): CLARENCE D COOK
14614 BOLIVAR DR N
SUN CITY AZ USA 85351

Phone: (602)933-2264

2. Date of Priority: 01/08/1949

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	SW NE	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	0.8	
STOCKWATER	01/01	12/31	0.02	

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	SW NE		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:

This claim is the result of a split due to change in ownership for a portion of 63-2751. DB 3/18/2002

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

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): A-63-03074, A-63-02790, A-63-02873, A-63-02846, A-63-02751, A-63-03326

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 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.

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.

Split Tree A63-02751

A63-2751 N/O Cook

DR: IRR = 1.80 cfs

Stck = .05

POB: 4N, 4W, S35, SWNE + NESW

POU: 4N, 4W, S35, SWNE - 40ac SENW - 40ac

NESW - 10 ac

90ac

A63-31442 N/O Cook.

DR: In = .80 cfs.

Stck = .02 cfs

POB: 4N, 4W, S35, SWNE

POU: 4N, 4W, S35, SWNE - 40ac

40ac

A63-31443 N/O Silvers

DR: In = 1.0 cfs.

Stck = .03 cfs.

POB: 4N, 4W, S35, NESW

POU: 4N, 4W, S35, SENW - 40ac

NESW - 10ac

50ac

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 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

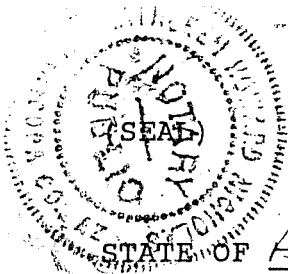


EXHIBIT "A"

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;

D.S. C.S.

INITIAL



009949498

RECORDED

99 DEC 22 PM 1 16

G NOEL HALES

CANYON COUNTY RECORDER

BY

REQUEST PIONEER — CALDWELL

TYPE Dec 9.2

PACK

PC 30345

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.
C.C.C.

009949499

RECORDED

99 DEC 22 PM 1 16

G NOEL HALES

CANYON COUNTY RECORDER

BY

[Signature]

REQUEST PIONEER — CALDWELL

TYPE

[Signature]

PER

9-03

[Signature]
pck

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 Justice 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, 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. CS. CBC

009949500

RECORDED

99 DEC 22 PM 1 16

G NOEL HALES

CANYON COUNTY RECORDER

BY

[Signature]

RECEIVED PIONEER — CALDWELL

TYPE *[Signature]* 9.00

FAX

[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.

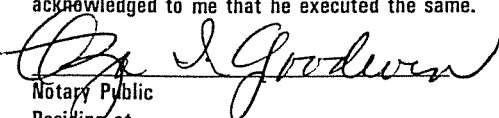
DATED: January 5, 2000


CLARENCE D. COOK

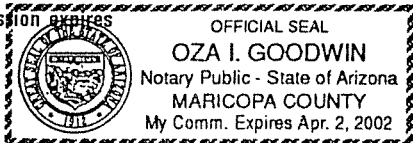
STATE OF ARIZONA

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

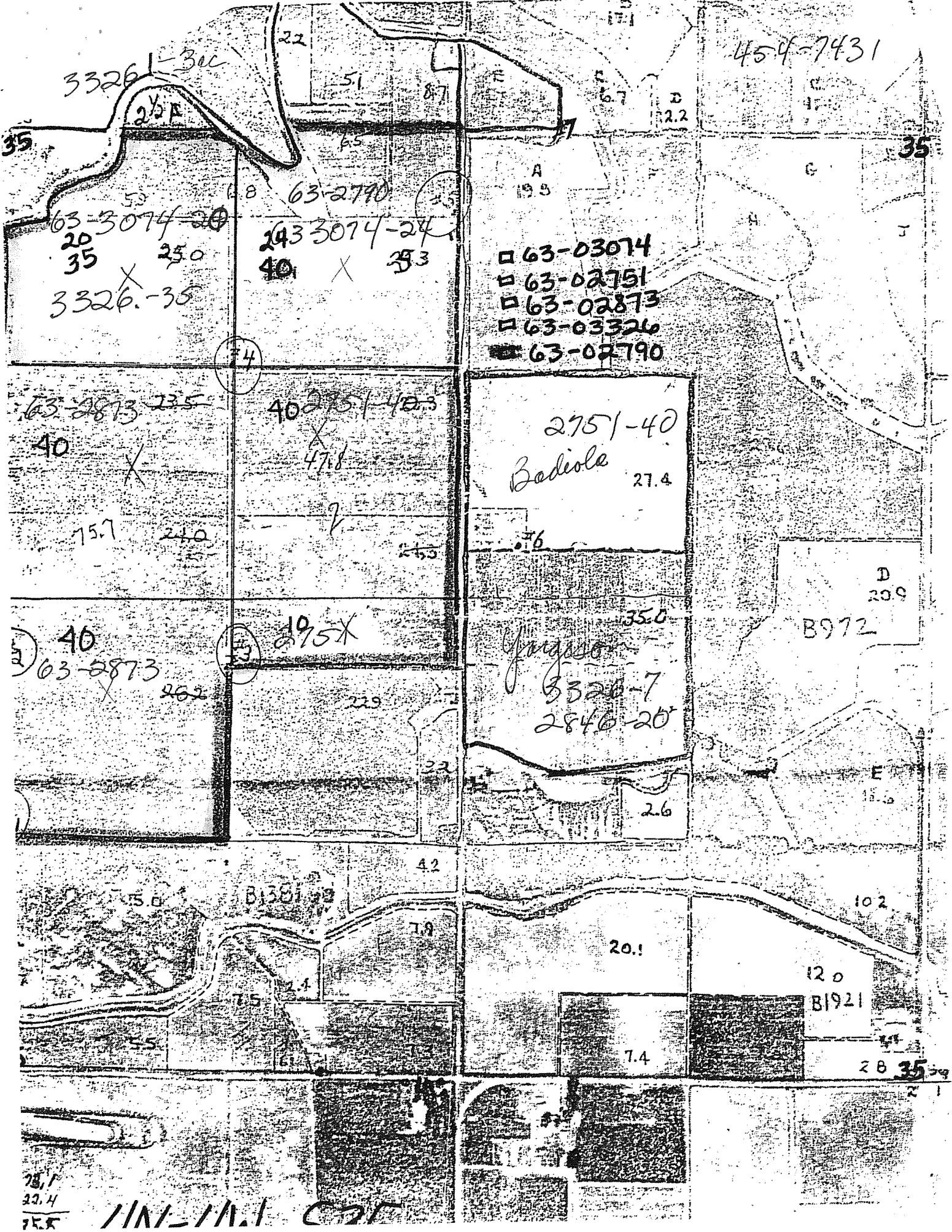
00 JAN 18 PM 3 56

G NOEL HALES

CANYON CNTY RECORDER

RY

RECEIVED PIONEER CALDWELL
TYPE



454-7431

33261-300

63-3074-20
35 X 250
3326.-35

63-2790
243 3074-24
40 X 353

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

63-2873-235
40 X

402751-403
47.6

2751-40
Badiola
27.4

40
63-2873
262

295X

35.0
Yargiso
3326-7
2846-20

D
20.9
B972

5.0
B1381
7.5
2.4
5.5

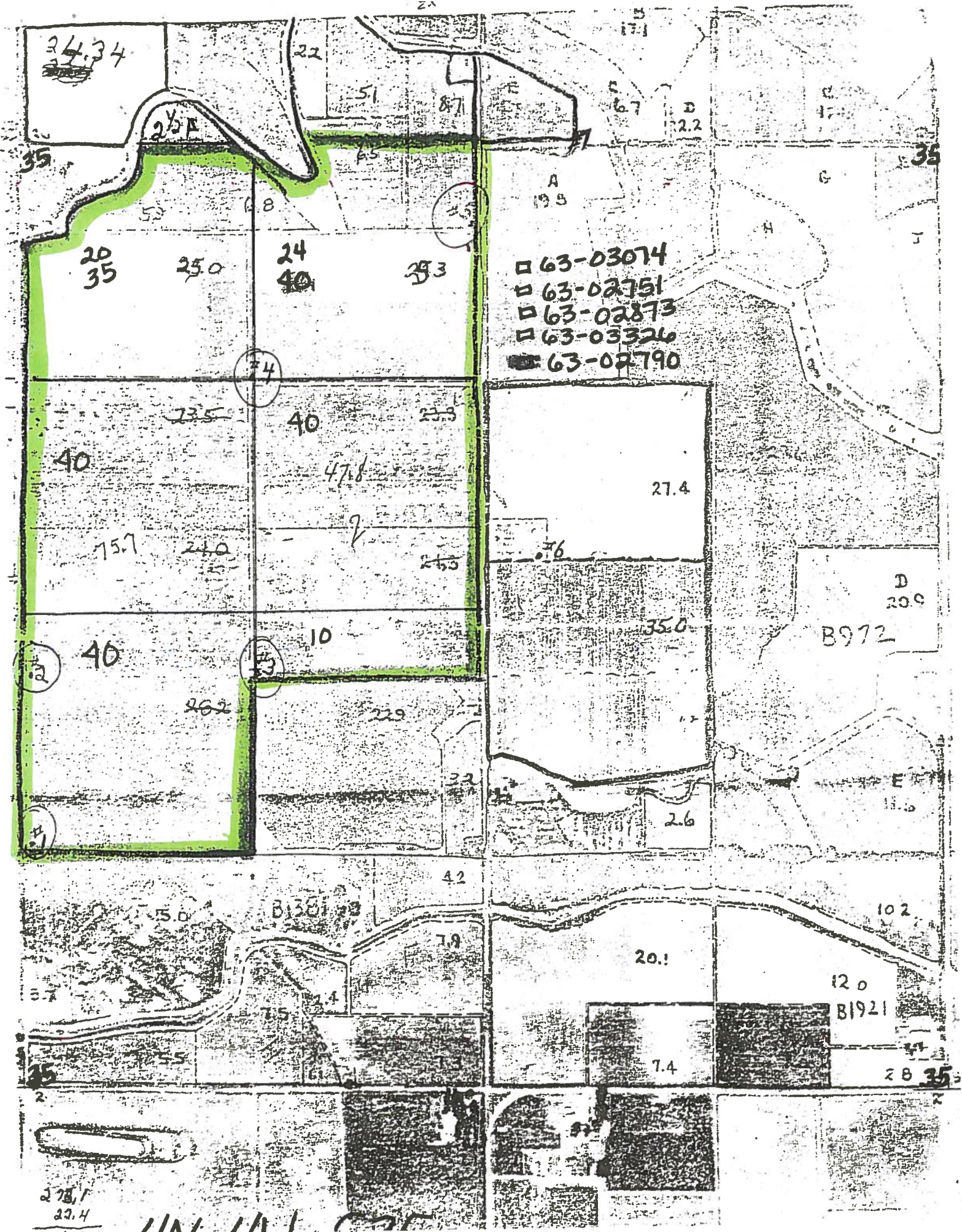
4.2
7.9
2.4
6.1

20.1
7.4

10.2
12.0
B1921
28 35

28.4
22.4
75.5

11N-11E C25
4N 4W S-35



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

B972

120
B1921

UNI UW S-25

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: A63-02751
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: JAN 8, 1949

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04N	04W	35	SW	NE			CANYON
			NE	SW			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	1.800		
STOCKWATER	01/01	12/31	0.050		

7. Total Quantity Appropriated is:
1.800 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 of	Lot	Use	Acres
04N	04W	35	SW	NE		IRR	40.0
			SE	NW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
04N	04W	35	NE SW		IRR	10.0
Section Acres						90.0
Total Acres						90.0

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:
NONE

14. Remarks:
TRANS. 1640.
ADDRESS CHANGE BY CLAIMANT NOTE 2/9/99 SS.

15. Basis of Claim: LICENSE

Water Right Number: 20878

RECEIVED

OCT 19 2006

WATER RESOURCES
WESTERN REGION

63-31983

63-31442

10-10-06

to inform you of
the death of Clarence
Cook 4-05

The Property was
sold to ^{Reynolds} Freely

several years ago and
to my knowledge has
been developed into
homes.

Widace
Elizabeth Cook
9610 Oak Ridge
Sun City, AZ
85351

06/16/2006

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

RIGHT NUMBER: 63-31442

NAME AND ADDRESS: CLARENCE D COOK
9610 OAKRIDGE DR
SUN CITY AZ 85351

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.800 CFS
180.500 AFY

PRIORITY DATE: 01/08/1949

POINT OF DIVERSION:

T04N R04W S35 SWNE 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	0.800 CFS 180.00 AFY
STOCKWATER	01/01 12/31	0.020 CFS 0.50 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T04N R04W S35 SWNE 40.00
40 ACRES TOTAL

STOCKWATER Within CANYON County

T04N R04W S35 SWNE

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

This claim is the result of a split due to change in ownership for a portion of 63-2751. DB 3/18/2002

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

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

Right No. 63-31983 is also diverted through point of diversion described above.

Stockwater use is for 89 range cattle.



Idaho Department of Water Resources

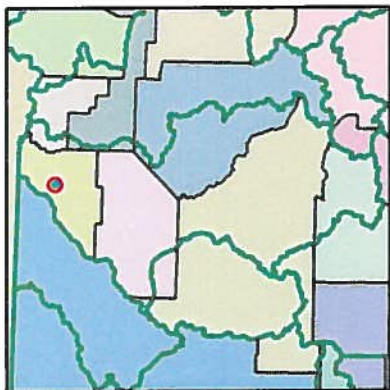
SRBA Recommendation:

63-31442

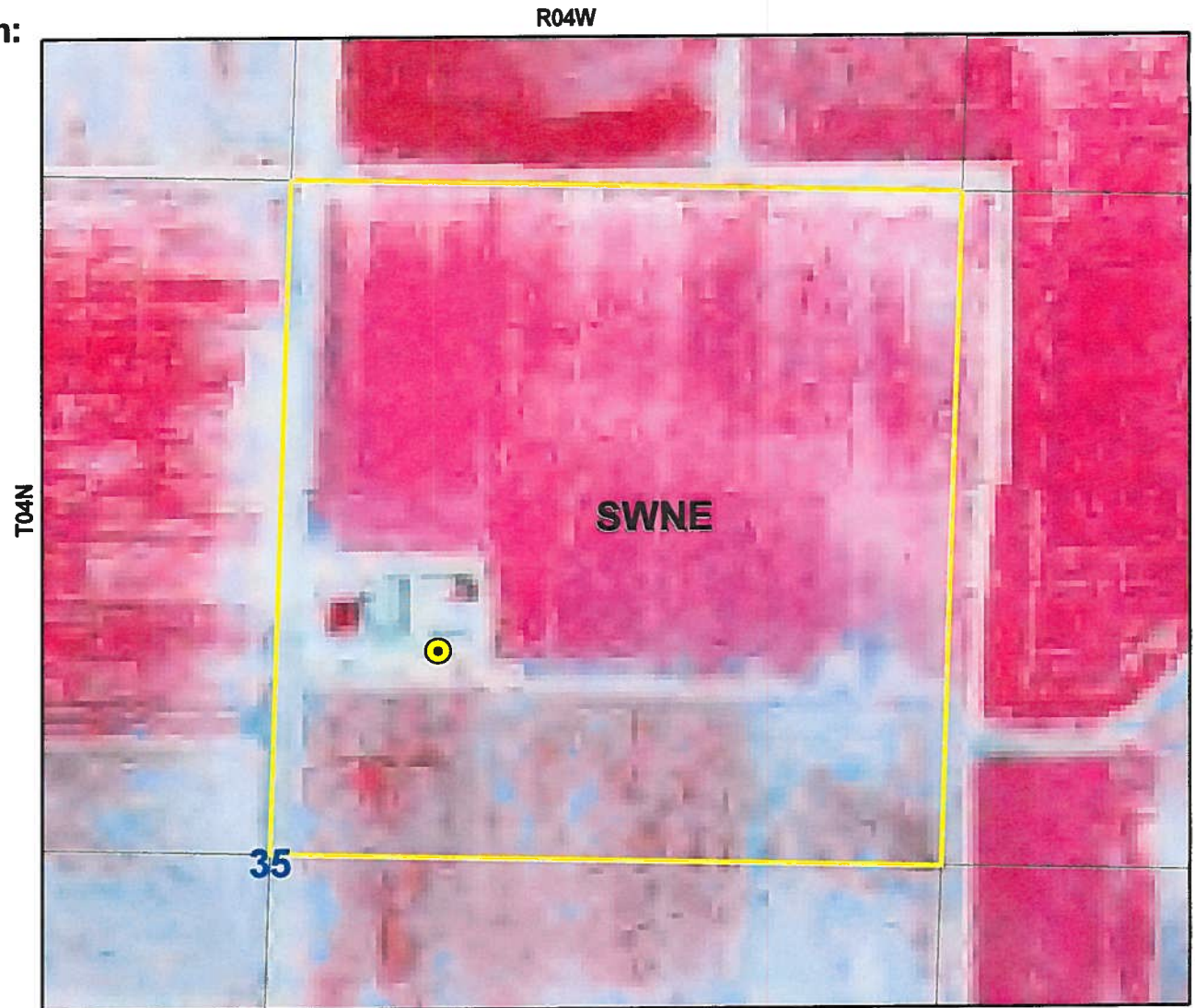
Acres = 40

Legend

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



Canyon County
IDWR Basin 63



0 0.1 0.2 Miles



Prepared by K. Walker
On Friday, June 16, 2006
1987/88 Aerial Photography

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-31442

WATER RIGHT NUMBER: 63-31442

Owner Type

Current Owner

Name and Address

CLARENCE D COOK
9610 OAKRIDGE DR
SUN CITY, AZ 85351
(602)933-2264

Priority Date: 01/08/1949

Basis: License

Status: Active

Source

GROUND WATER

Beneficial Use

STOCKWATER

IRRIGATION

From To

01/01 to 12/31

04/01 to 10/15

Diversion Rate

0.020 CFS

0.800 CFS

0.800 CFS

Annual Volume

0.5 AF

180.0

180.5 AF

Location of Point(s) of Diversion

GROUND WATER

CANYON County

SW1/4NE1/4

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

~~NE SW~~ not claimed.Place of Use

STOCKWATER

Twp Rge Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals

Total Acres: 45

IRRIGATION

Twp Rge Sec | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | Totals

04N 04W 35 | 40.0 | 40.0

Total Acres: 40

Conditions of Approval:

1. This claim is the result of a split due to change in ownership for a portion of 63-2751. DB 3/18/2002
2. Address change by DH 10/1/2003

Remarks:

Stock = 200 hd/90ac
= 2.22 hd/ac x
Cook → 40 ac = 89
Silveria → 50 ac = 111
(No indication
on change of
owner how
to split
stock use)

Not on
License
use standard
season

Tributary

on 4/1-11/15
transfer

COA used
to be
domestic

702-89 hd.

(F05
63-31983)

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-2751

WATER RIGHT NUMBER: 63-2751

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ELLA MAE CARTER
	, ZZ
Current Owner	CLARENCE D COOK RT 3 CALDWELL, ID 83605

Priority Date: 01/08/1949

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>
DOMESTIC	1/01 to 12/31		
IRRIGATION	4/01 to 11/15	1.800 CFS	
	<u>Total Diversion:</u>	1.800 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4SW1/4	Sec. 35, Twp 04N, Rge 04W, B.M.
CANYON County		
GROUND WATER	SW1/4NE1/4	Sec. 35, Twp 04N, Rge 04W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp Rge Sec	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N 04W 35	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	90.0
			40.0				40.0	10.0					

Total Acres: 90

DOMESTIC same as IRRIGATIONConditions of Approval:

1. TRANS. 1640.

Remarks:Comments:

NO OL
same
right

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-31442

02/03/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
31442	Claim	04N	04W	35	SW	NE		IRRIGATION	40/40	CLARENCE D COOK
2751	Water Right	04N	04W	35	SW	NE		IRRIGATION	40/90	CLARENCE D COOK
21312	Water Right	04N	04W	35	SW	NE		DOMESTIC		JOHN BADIOLA

Identification No. 63-2751

Transfer No. 1640

**STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION**

APPROVED

**APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use**

1. Name of Right Holder Clarence Cook
Post office address Rte. 3, Caldwell, Idaho
2. Right obtained by:
 - a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court. County of _____.
 - b. License No. 63-2751 issued by the State of Idaho, Department of Reclamation.
3. Source of water ground-water tributary to _____
(Name of stream or source)
4. Date of Priority 1-8-49
5. Amount of water a. 1.8 c.f.s. and/or
b. _____ acre feet/annum
6. Water is used for Domestic from Jan. 1 to Dec. 31
Irrigation from April 1 to Nov. 15
(Month, Day) (Month, Day)
7. Original location of point of diversion is NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35,
Township 4 N, Range 4 W, B.M., in Canyon County;
Additional points of diversion, if any _____

8. Lands presently irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4 N	4 W	35			✓				✓	✓									90

Total number of acres presently irrigated 90

63 2751

Purchase of land see evidence of ownership in 65-2846

a. Quantity to be diverted at new point: 1.8 c.f.s. and/or _____ acre feet

b. New point of diversion: SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 35, Township 4 N

_____, Range 4 W, B.M. & NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 35, T. 4 N., R. 4 W., B.M.

c. Description of method of diversion and conveyance from new points of diversion:_____

drilled wells, pumps, motors, and pipe

d. Is water to be conveyed to the lands previously irrigated? Yes X No _____.

If not, the place of use should be changed below.

e. Describe the reasons for applying for a change in the point of diversion:

Existing well production is declining and this makes a better farming operation

f. Do you intend to make the transfer permanent? Yes

g. Do you intend to abandon completely the old point of diversion? No

h. Indicate on the above plat the new point of diversion and lands to be irrigated.

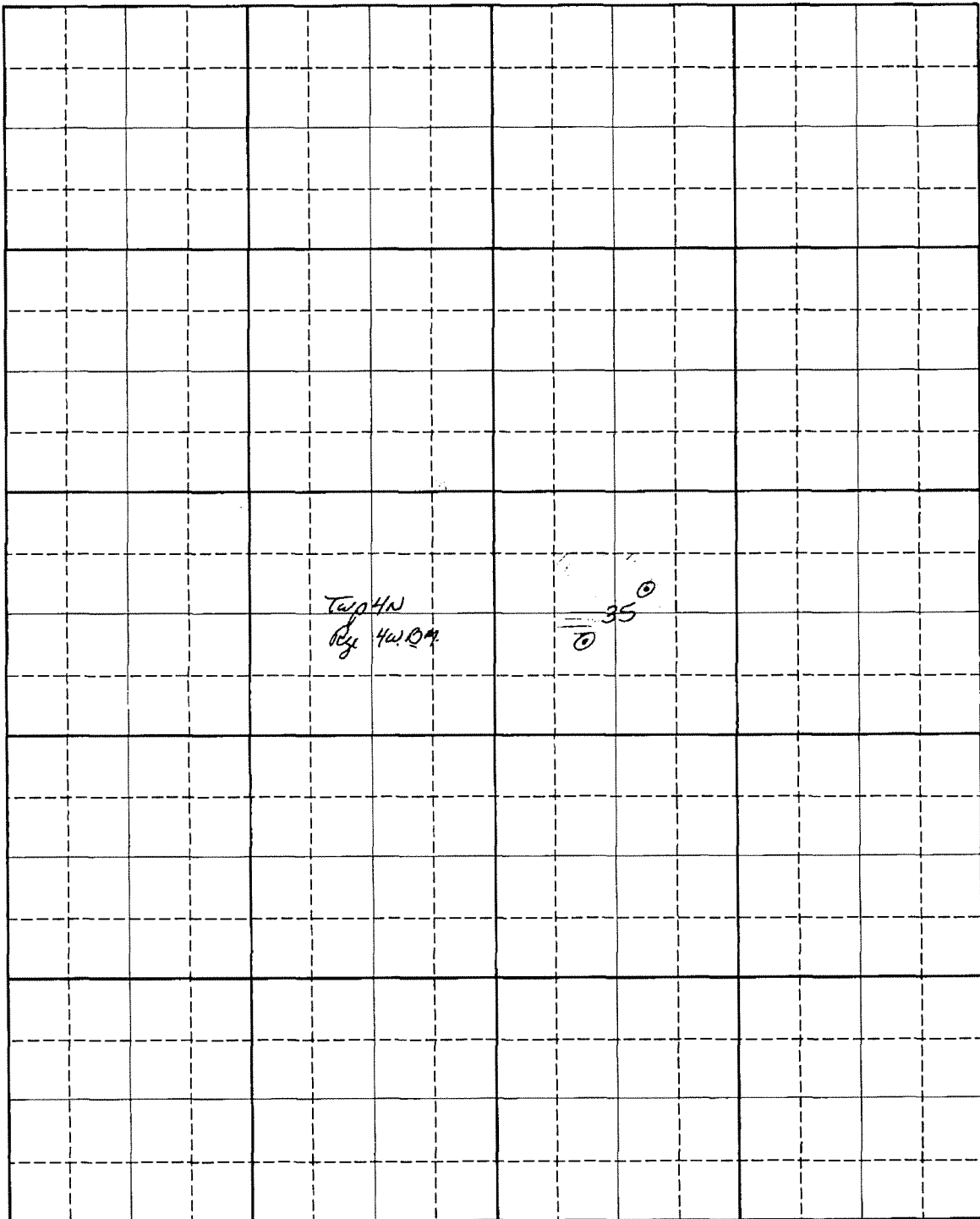
11. CHANGE IN PLACE OF USE No change

a. Describe the new lands on which you wish to use your right.

[illegible]

Total number of acres to be irrigated_____

63 2751



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

- b. Do you intend to make the transfer permanent? _____
- c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

- d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right: _____

- e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Maxine Cook
 (signature of applicant)

Subscribed and sworn to before me this 8 day of June, 19 70

Donald W. Edger
 (notary public)

My commission expires 2-18-1974

APPROVED

**ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER**

This is to certify that I have examined Application for Transfer of Water Rights No. 63-2751,
and said application is hereby APPROVED

1. Approval of said application is subject to the following limitations and conditions:

2. Denial of said application is for the following reasons: _____

Witness my hand this 13th day of July, 19 70

Stephen Ellard
 Deputy State Reclamation Engineer

State of Idaho

License and Certificate of Water Right

Water License No. 20878

Amount 1.8 second foot

Water District No. _____

Priority January 8, 1949

THIS IS TO CERTIFY that E. M. CARTER
of Caldwell, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 8, 1949; that Permit No. 20878
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.8 second feet, was issued thereunder on June 8, 1950, showing that said works
were completed on the 7th day of May, 1950; and that on the 10th
day of July, 1950,

E. M. CARTER
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 tributary (subterranean flow) for the purpose of irrigation and domestic
use under Use Permit No. 20878 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,
to R. C. FISHER, Assignee, of E. M. Carter, Boise, Idaho
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
8 of Licenses at page 4837, on the 31st day of October, 1951;

The right hereby confirmed dates from January 8, 1949;

The Point of Diversion is located
in the N¹/₂ E 1/4 SW 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 1.8 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	SW 1/4 NE 1/4	40	40
			SE 1/4 SW 1/4	40	40
			NE 1/4 SW 1/4	10	10
			Number of Acres Actually Irrigated -	-	90

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

31st day of October, 1951,

MARK R. KULP
State Reclamation Engineer

(SEAL)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

See 21899

REPORT OF ENGINEER

Permit No. 20878

This proof is for Beneficial use In Water District No. _____1. Name of applicant E. M. Carter, Route 4, Caldwell, Idaho2. Source of water supply: Subterranean flow from a well3. Location of point of diversion: Is in the N¹/₂ NE¹/₄ SW¹/₄ Section 35, Twp. 4 N., Range 4 W. of Section 35T. 4 N. R. 4 W. County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same: There is no pump house nor other protection at present. Pump and motor set on a concrete base 29 in. by 25 in. by 12 in. high. Well was dug originally 190 ft. deep by 12 in. in diameter and cased 190 ft. with perforated casing. Depth now is 402 ft. by 12 in. in diameter. H. is 87 ft. Draws down to 113 ft. Pump sets down 160 ft. 3 stage 12 in. bowls, column size, 10 in. or 8 in. Pump is a Leyne Bowler No. 15431. Motor is 40 h.p. U.S. 440 volts, 49 emps. 1800 r.p.m., 3 phase 60 cycle, No. 878616. There is Longerson switch panel, 2 other panels on a pole south of the pump, approximately 4 ft. distance. Delivery is to the West through an 8 in. pipe 6 ft. into wooden trough, 12 in. by 12 in. by 32 ft. long into a pump sump approximately 50 ft. North and South, by 30 ft. East and West. Depth approximately 1 foot.

5. Water is used for: Irrigation and domestic purposes.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):

SW¹/₄ NE¹/₄, SE¹/₄ NW¹/₄, and NE¹/₄ SW¹/₄ Section 35, Twp. 4 North, Range 4 West, B.M.

See map

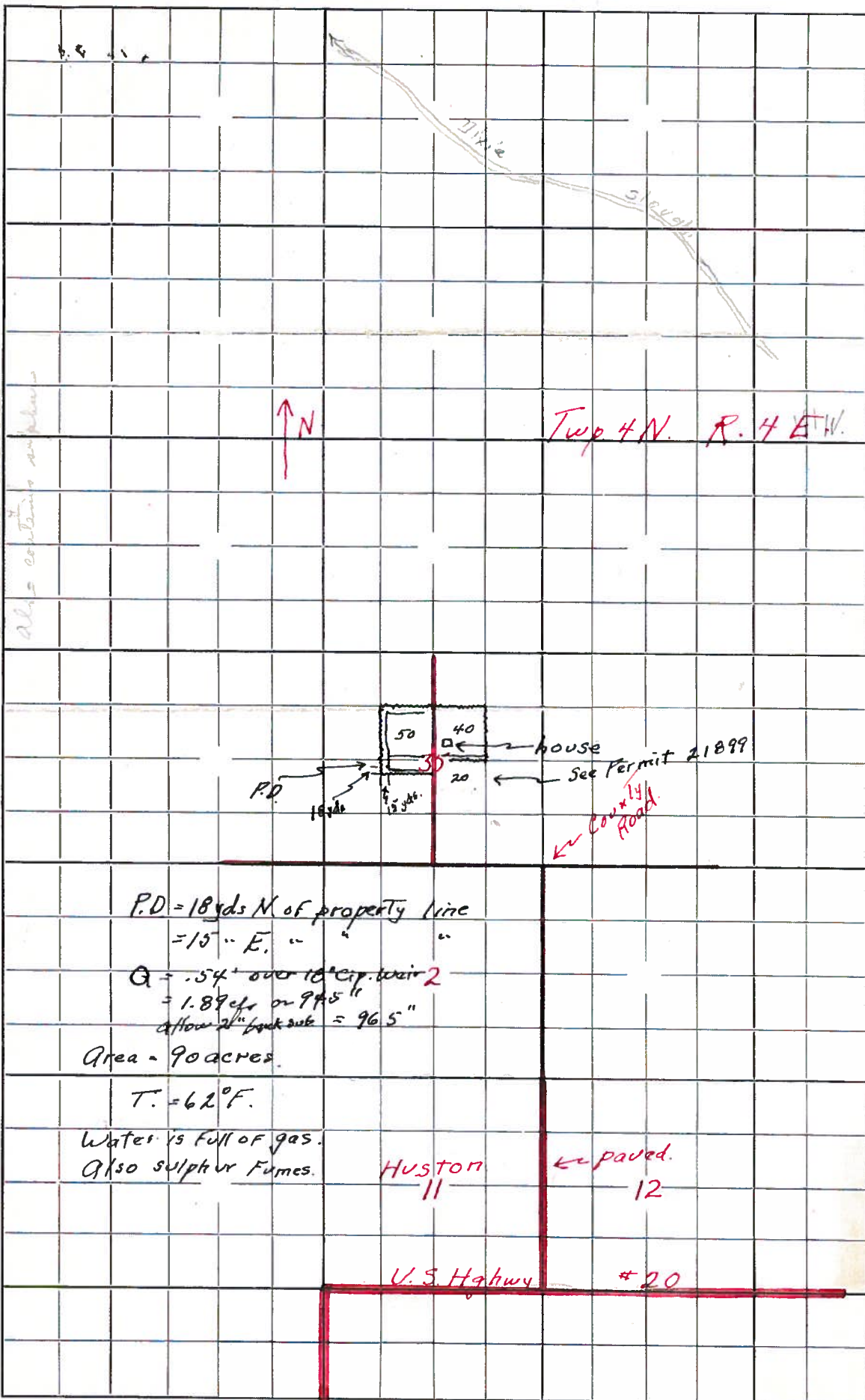
(Submit map on attached plat, showing location and details of above description.)

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

Remarks: They have had difficulty in obtaining the desired flow from this well. It was drilled much deeper. Now he believes the bowl and impellers have been worn by sand until they are not delivering the amount of water possible. Water now has a strong sulphur odor and is carrying considerable gas.

This examination was made on the 5th day of October, 19 51(Signed) E. J. Humphrey Examiner.

20878



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

30878

Nº 20878

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

63-5751

APPLICATION No. 28522
 PERMIT No. 20878
 DISTRICT No.

Assigned to

State: Idaho

1. Name of Applicant: E. M. CARTER

Postoffice address: Rt. 4, Caldwell

County: Canyon

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:

- (b) Treasury stock:
- (d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: 1.8

cubic feet per second.

3. Source of water supply: Subterranean flow (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 ~~N 1/2 Sec 35~~

of Section 35 , T. 4 N. , R. 4 W. , B.M., County of Canyon

5. Water is to be used for Irrigation and domestic purposes

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: \$ 4,000.00

8. Kind of works: Well, pump and ditches

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 2 feet; width at water line 4 feet; depth of water 0.5 feet;

dimensions of flume:

Diameter of pipe inches; length of conduit 1/2 miles.

Average grade per mile feet.

12. The time required for the completion of such work is Three (3) years.

13. The time required for the complete application of the water to the proposed use is None 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

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				10								90
APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. 20878 Come now E.M. CARTER 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. 20878 That the point of diversion is described in said Permit as being located in the N½ N½ NE¼ SW¼ Section 35, Township 4 North, Range 4 West, B.M. That he now requests that the point of diversion be changed by adding an additional point located in the SW¼ NE¼ Section 35, Township 4 North, Range 4 West, B.M. That his reasons for desiring to make such change are as follows: He intends to put in a sprinkling system, and the new location seems more desirable for that purpost. However, he desires to retain the original location, as an alternative, in case there should not be sufficient water developed at the new location. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk. Signed at Boise, Idaho this 28th day of February, 1949. E. M. Carter Date of receipt at Department of Reclamation <u>February 28, 1949</u> 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. 20878. 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. MARK R. KULP State Reclamation Engineer																			

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

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

CLARENCE D COOK
14614 BOLIVAR DR N
SUN CITY AZ 85351

Re: Original Notice of Claim to a Water Right No. 63-2751

Renumbered to Notice of Claim to a Water Right No. 63-~~31142~~

31442 RW 6/15/06

Dear Claimant(s):

We have received and processed a Change of Ownership for a portion of your original Claim to a Water Right Number as referenced above. This change of ownership resulted in a split of your original claim.

When a portion of the original water right claim has been conveyed to another and the original right has been split, then the original claim number is renumbered by issuing a new water right number to represent each split. Each split contains only the portion of the original right for each separate owner. The above referenced new water right number reflects your remaining portion of the original claim after the change of ownership. Enclosed is a copy of this new claim for your records. Please refer to your new claim number when corresponding with our office. Also enclosed is a copy of the original claim for your reference.

If you have any questions concerning this ownership change, or the enclosed claim copy, 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