

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 63-31443
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): 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: 01/08/1949

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	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	
STOCKWATER	01/01	12/31	0.03	

7. Total Quantity Appropriated is:
1 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	SE NW		IRRIGATION	40
			NE SW		IRRIGATION	10
Section Acres						50
Total Acres						50

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

New Mailing Address

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

19850 Ustick

and/or Candy K Silveria

City, State and ZIP Code

Caldwell, ID

83607

New Telephone Number

(208) 455-1128

5. Date you acquired the property

1995 + 1999

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners.** If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

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

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

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

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

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 - 10ac 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 Silver

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
99494198

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.

^{COX}
Clarence Elizabeth M. Cook
Cook

STATE OF ARIZONA)
County of MARICOPA) :SS

On this 2 day of July, in the year 1995, before me, KATHLEEN HOWARD NICHOLAS, a Notary Public, personally appeared ELIZABETH M. COOK, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

STATE OF ARIZONA)
County of MARICOPA) :SS

On this 2 day of July, in the year 1995, before me, KATHLEEN HOWARD NICHOLAS, a Notary Public, personally appeared CLARENCE D. COOK, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

EXHIBIT "A"

PARCEL:

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

Q.S. C.S.

INITIAL



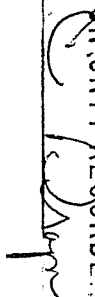
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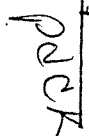
39 DEC 22 PM 1 16

G NOEL HALES

CANYON CNTY RECORDER

BY 

REQUEST PIONEER — CALDWELL

TYPE  PER 9.2

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.
CCL

009949499

RECORDED

99 DEC 22 PM 1 16

G NOEL HALES

CANYON CNTY RECORDER
BY *[Signature]*

REQUEST PIONEER — CALDWELL
TYPE *[Signature]* 9-03
PER *[Signature]*

pack

D

9949500

PC 32345

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 5 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 5 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. CBC

009949500

RECORDED

99 DEC 22 PM 1 16

G NOEL HALES

CANYON COUNTY RECORDER

BY

[Signature]

PIONEER — CALDWELL

REQUIRE TYPE *[Signature]* 9.00

PAID

[Signature] pd OK

PC32345

2000 1917

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
CLARENCE D. COOK

STATE OF ARIZONA

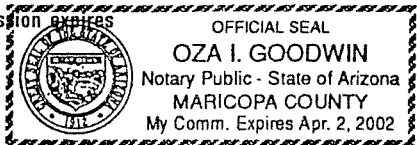
COUNTY OF MARICOPA

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.

Oza I. Goodwin
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

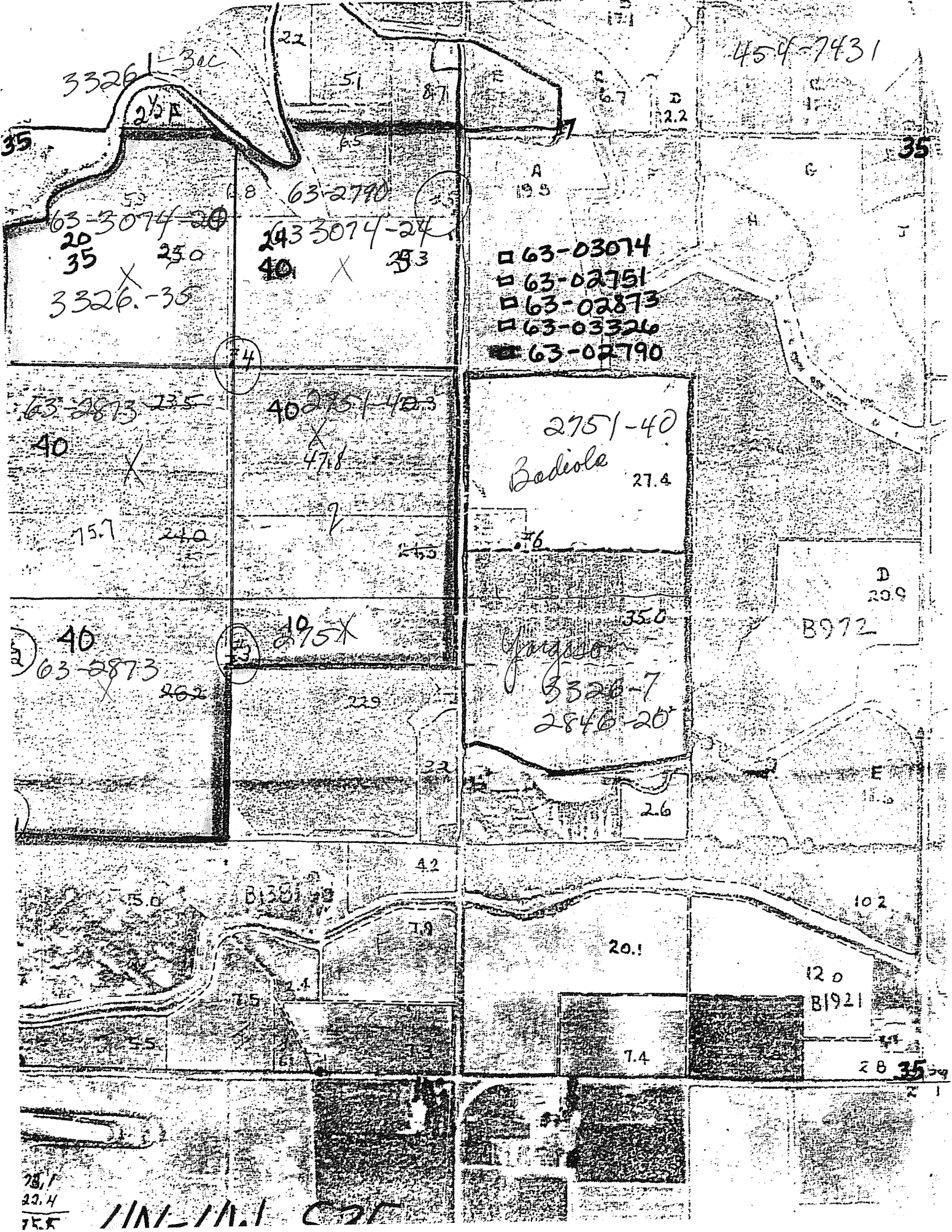
G NOEL HALES

CANYON COUNTY RECORDER

BY

[Signature]

REQUESTED BY
PIONEER CALDWELL
[Signature]



454-7431

33261-300

25A

63-3074-20
20
35
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

402751-423
X
47.8

2751-40
Bediolo
27.4

15.7 240

40
63-2873
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105X

35.0
Bargasso
3326-7
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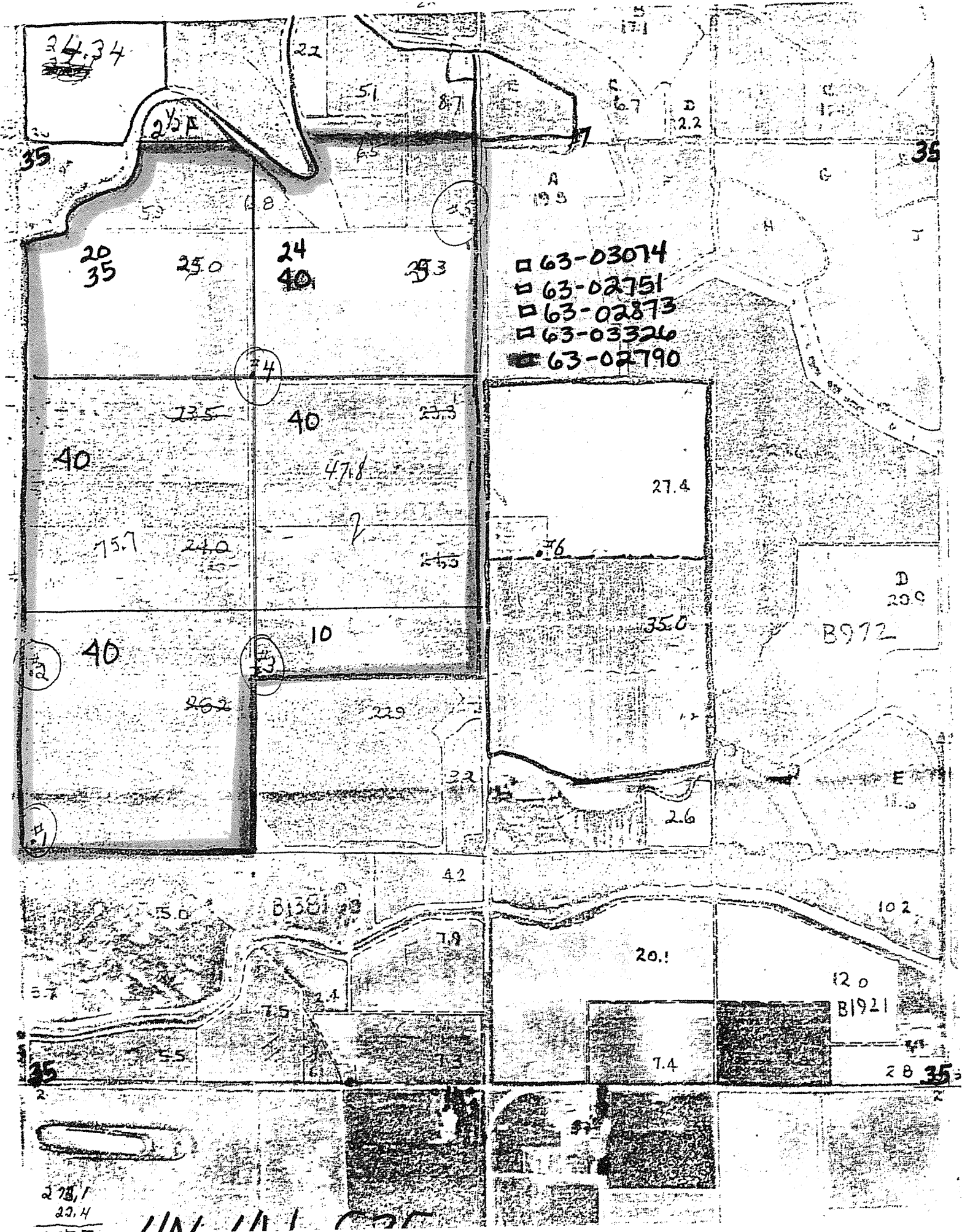
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209
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28.1
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111-111 C25
4X1 411 S-35



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

B972

B1351

B1921

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1111 1111 025

1111 1111 S-35

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	NE		CANYON
			NE	SW	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

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

RIGHT NUMBER: 63-31443

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

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.000 CFS
225.700 AFY

PRIORITY DATE: 01/08/1949

POINT OF DIVERSION:

T04N R04W S35 NESW 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	1.000 CFS 225.00 AFY
STOCKWATER	01/01 12/31	0.030 CFS 0.70 AFY

PLACE OF USE: IRRIGATION in CANYON County

T04N R04W S35	SENW	40.00	T04N R04W S35	NESW	10.00
---------------	------	-------	---------------	------	-------

STOCKWATER in CANYON County

T04N R04W S35	SENW	T04N R04W S35	NESW
---------------	------	---------------	------

50 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 111 range cattle.

**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

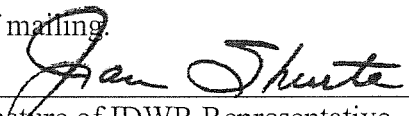
IDWR has completed the following administrative proceeding:

- ☐ 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:

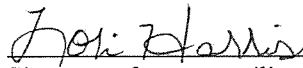
Clive Strong	☐ overnight mail
Off ice of the Attorney General	☒ regular mail
P.O. Box 44449	☐ hand-delivered
Boise, ID 83711-4449	☐ facsimile

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 42-248-42-1409(6)

FEB 14 2008

WATER RESOURCES
WESTERN REGION

FEB 13 2008

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

Department of Water Resources

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

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

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

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).

OR

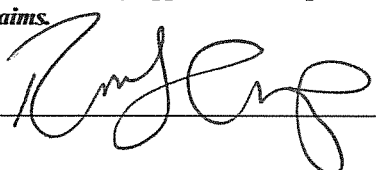
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Daniel and Candace Silveria
19850 W. Ustick
Caldwell, ID 83607
4. New Owner/Claimant(s) Creative Real Estate Development Corp.
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address 6885 134th 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 Baron Marshall Date 02/13/08
 Received by JPT Date 2-19-08
 Processed by JPT AJ Date 2-19-08

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

200671626

SEP 1 PM 4 30

CANYON COUNTY RECORDER

3 MONTH FILES



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

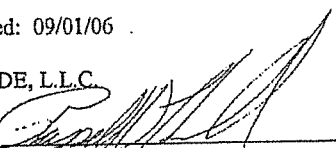
the Grantee(s), the following described premises, in Canyon County, Idaho, TO WIT:
SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

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

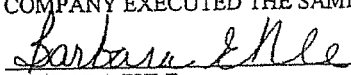
PRIDE, L.L.C.

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

RECEIVED
TWO
2006
SEP 1
PRIDE, L.L.C.

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:

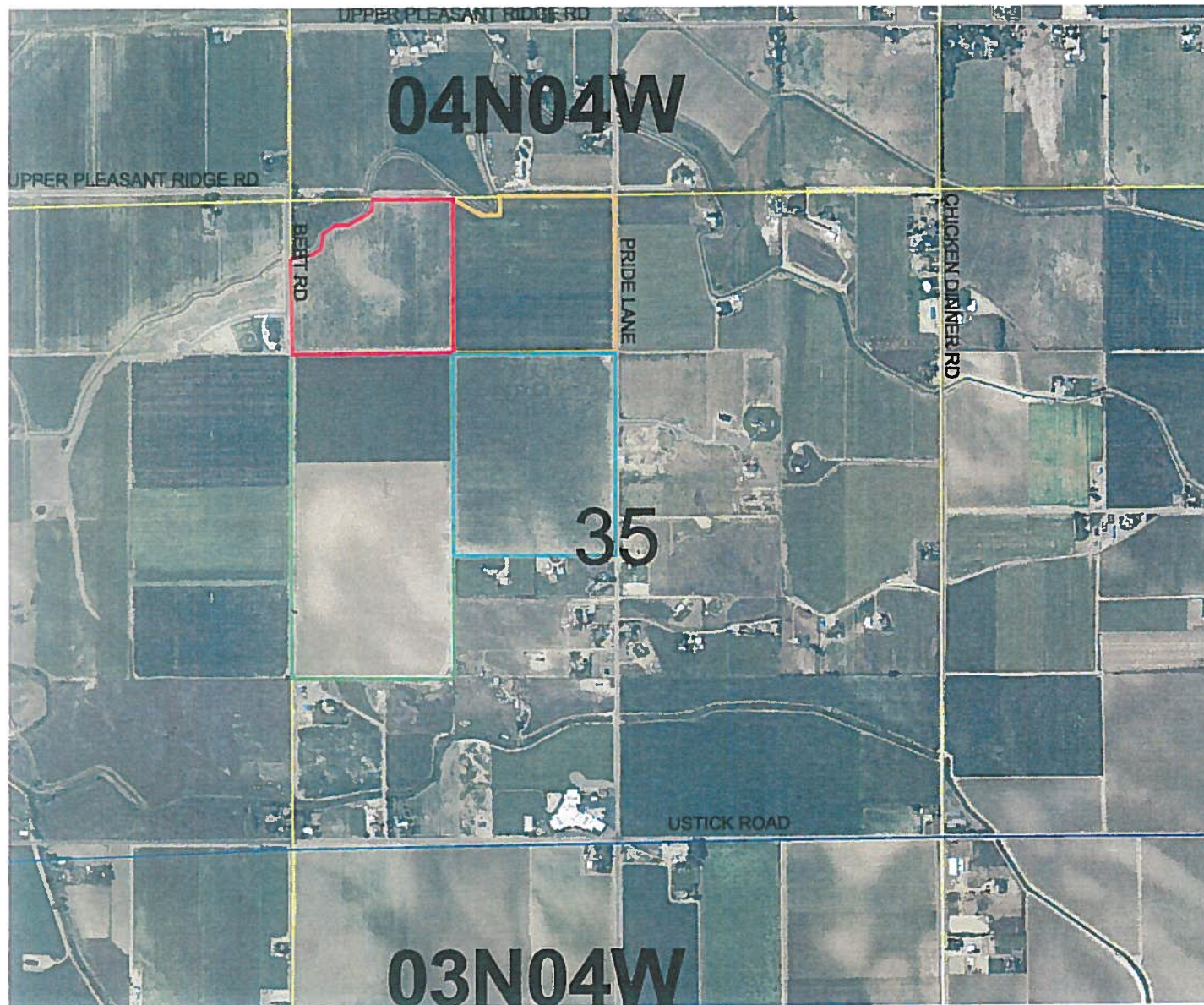
The following described tract situated in the South half of the Southwest Quarter of Section 26 and the East half of the Northwest Quarter of Section 35, Township 4 North, Range 4 West of the Boise Meridian, Canyon County, Idaho, and more particularly described as follows:

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

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



0.5 0 0.5 1 Miles

06/15/2006

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

RIGHT NUMBER: 63-31443

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: 1.000 CFS
225.700 AFY

PRIORITY DATE: 01/08/1949

POINT OF DIVERSION:

T04N R04W S35 NESW 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	1.000 CFS 225.00 AFY
STOCKWATER	01/01 12/31	0.030 CFS 0.70 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T04N R04W S35 SENW 40.00 T04N R04W S35 NESW 10.00

STOCKWATER Within CANYON County

T04N R04W S35 SENW T04N R04W S35 NESW

50 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 111 range cattle.



Idaho Department of Water Resources

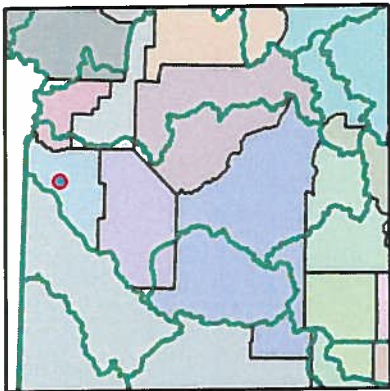
Adjudication Claim:

63-31443

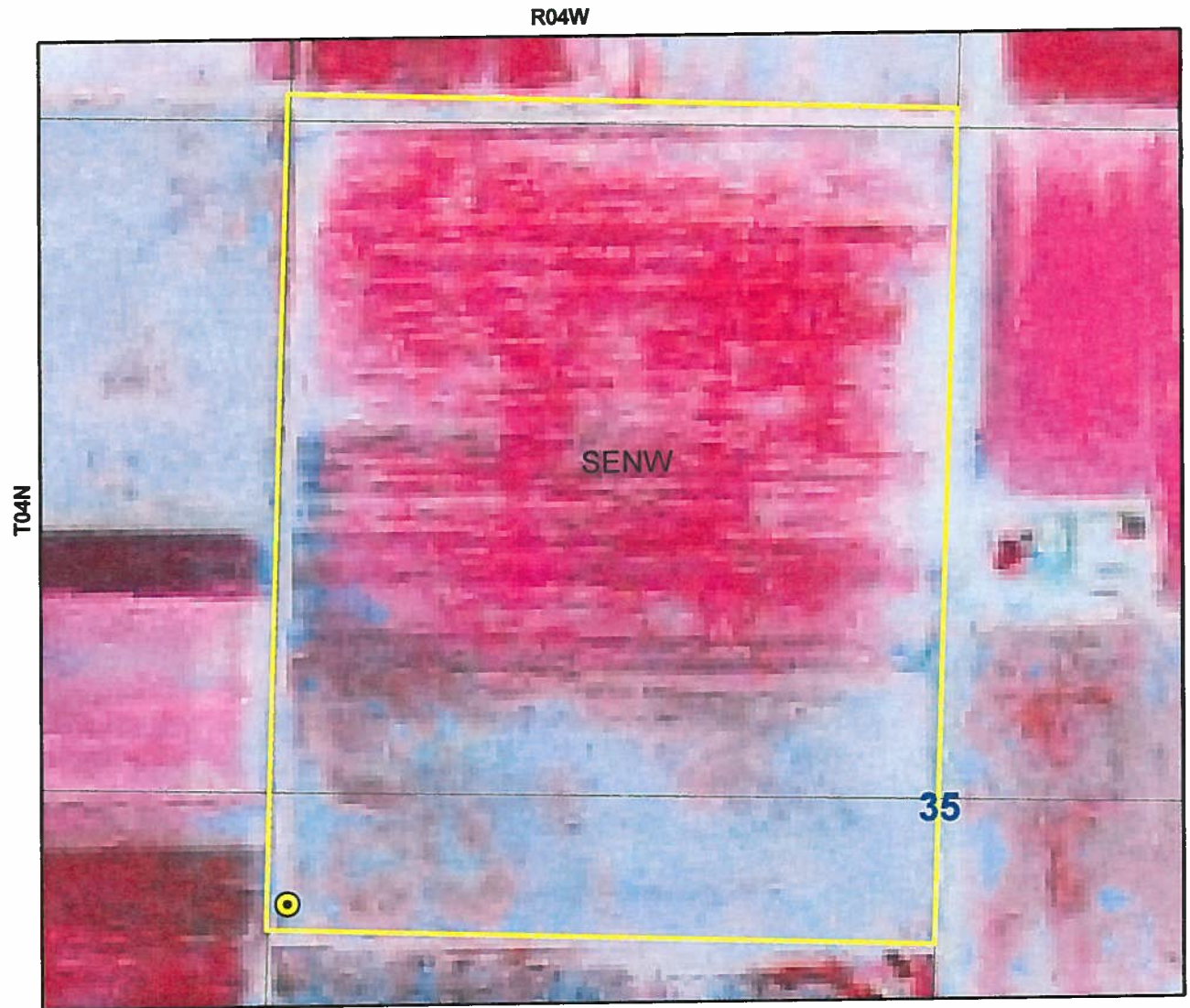
acres = 50

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, April 14, 2006
1987/88 Aerial Photography

P/U Review

63-31443	50 ac	1.00 cfs
63-2790	37 ac	0.74 cfs
63-3074	35 ac	0.70 cfs
63-2873	80 ac	1.60 cfs
	<u>202 ac</u>	<u>4.04 cfs</u>

1" / acre on entire p/u

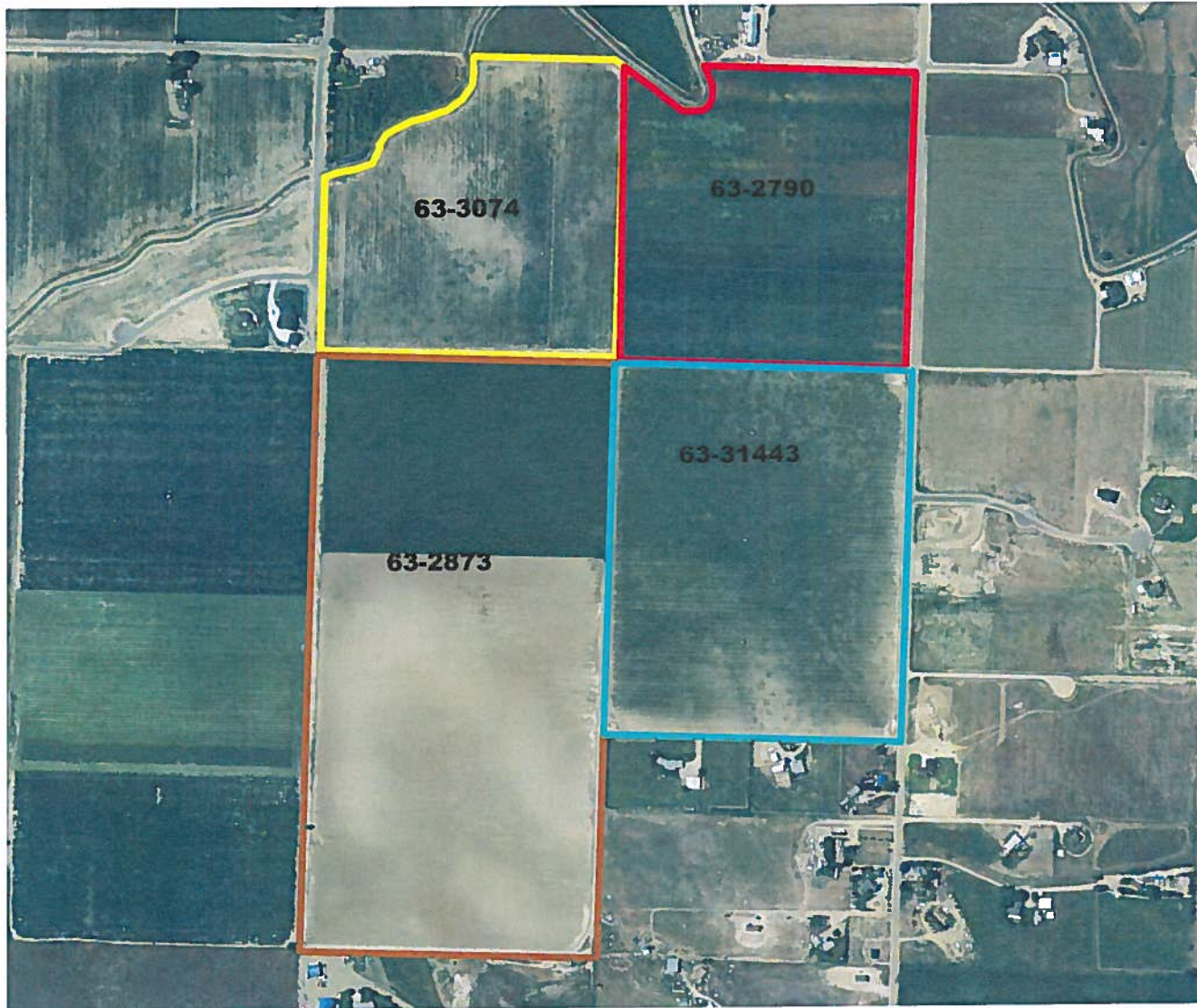
63-31443	50 ac	225.0 AF
63-2790	37 ac	166.5 AF
63-3074	35 ac	157.5 AF
63-2873	80 ac	360.0 AF
	<u>202 ac</u>	<u>909.0 AF</u>

4.5 AF / AC

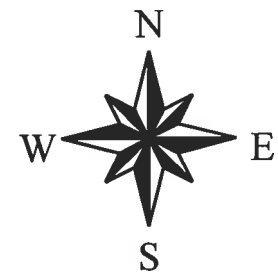
63-31766 not needed for acres,
rate or volume -
Rec. Disallow

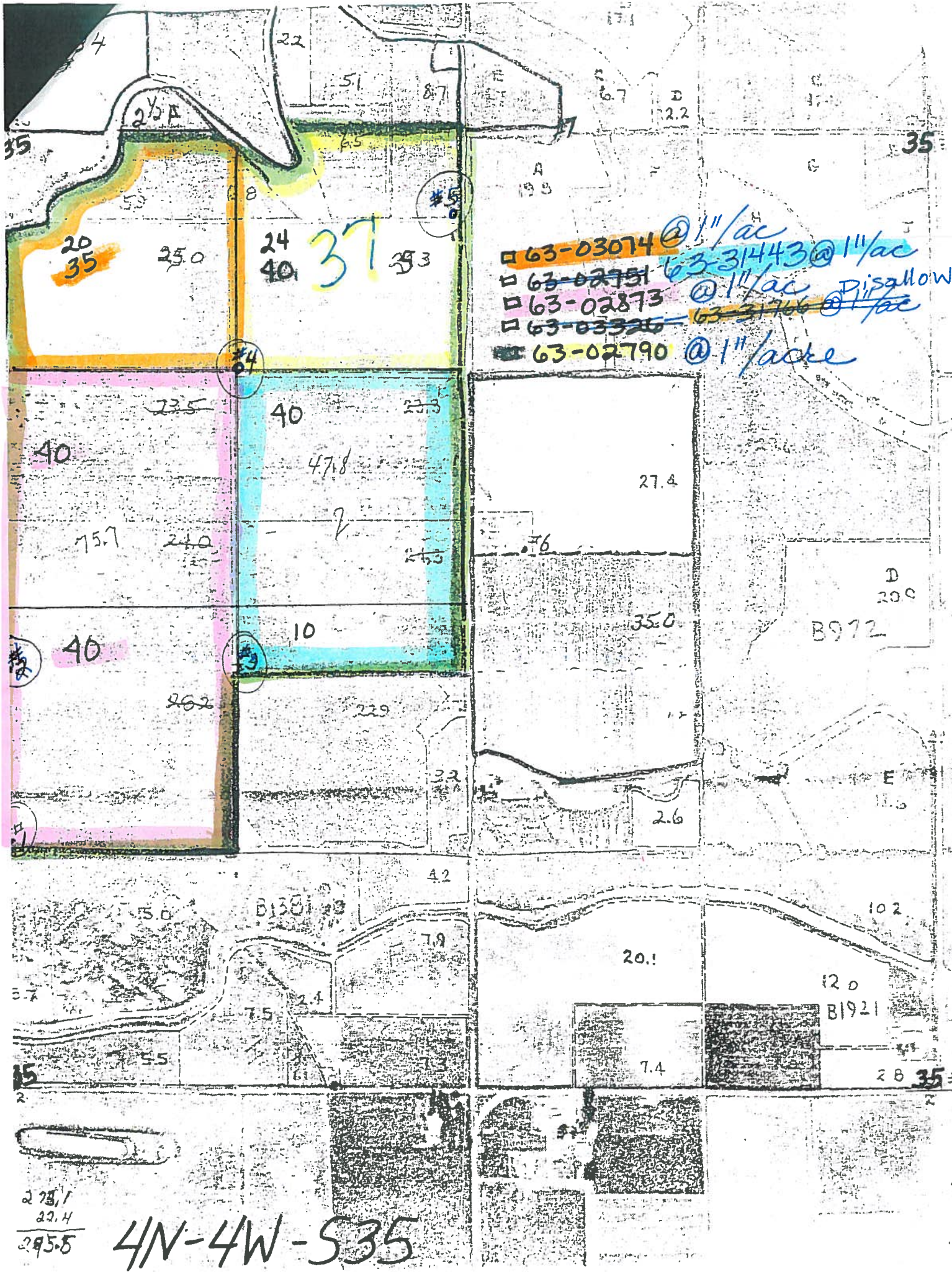
kw
4/14/2006

Silveria - 4N 4W S35



-  63-31443.shp
-  63-2873.shp
-  63-2790.shp
-  63-3074.shp





- 63-03074 @ 1 1/4 ac
- 63-31443 @ 1 1/4 ac
- 63-02751 @ 1 1/4 ac
- 63-02873 @ 1 1/4 ac
- 63-03326 @ 1 1/4 ac
- 63-02790 @ 1 1/4 ac

22.1
22.4
295.8
4N-4W-S35

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31443

WATER RIGHT NUMBER: 63-31443

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

Priority Date: 01/08/1949 ✓

Basis: License ✓

Status: Active

Source

GROUND WATER ✓

TributaryBeneficial Use

STOCKWATER ✓

IRRIGATION ✓

From To

01/01 to 12/31 ✓

04/01 to 40/15 ✓

Diversion Rate

0.030 CFS ✓

~~1.000 CFS~~ ✓

1.000 CFS ✓

Annual Volume

1.2 ✓

Location of Point(s) of Diversion

GROUND WATER

CANYON County

NE1/4SW1/4 ✓

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

35 4N 4W

Place of Use

STOCKWATER

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	04W	35	40.0	10.0	50.0		

~~Total Acres: 45~~

IRRIGATION

Twp	Rge	Sec	NE	NW	SW	SE	Totals
04N	04W	35	40.0	10.0	50.0		

Total Acres: 50 ✓

in office
review
4/14/06

for review:
P/U overlap
w/Wilder
Irrig. Dist

license issued
for 1" / ac - ~~per acre~~
~~per acre~~

use this to
avoid expansion
of dom use.

changed.
domestic
to stock
on claim
"CO4"

per
trans. → 11/15
no season
on lic-use standard for area.
not SWNE
claimed

per
trans.
1640

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-31443

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

Remarks:

Comments:

$V = \frac{1.2 \text{ AF} \text{ (111)}}{200 \text{ hd}} \approx 0.67 \text{ AF} \approx 0.7 \text{ AF}$
0.5 AF for Cook's
63-31442

Water Supply Bank:

6/15/04
For Stock Use:
no indication on owner change
request how to split this use -
took 90 ac & 200 hd &
determined they could
have 111 cattle under
this portion -
 $200/90 = 2.2 \text{ hd/ac} \times 50 \text{ ac}$
 $= 111 \text{ hd.}$
(other 89 hd.
under Cook's
63-31442)
KW

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	12/31		
IRRIGATION	4/01	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	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	04W	35			40.0				40.0	10.0									90.0

Total Acres: 90

DOMESTIC same as IRRIGATIONConditions of Approval:

1. TRANS. 1640.

Remarks:Comments:

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

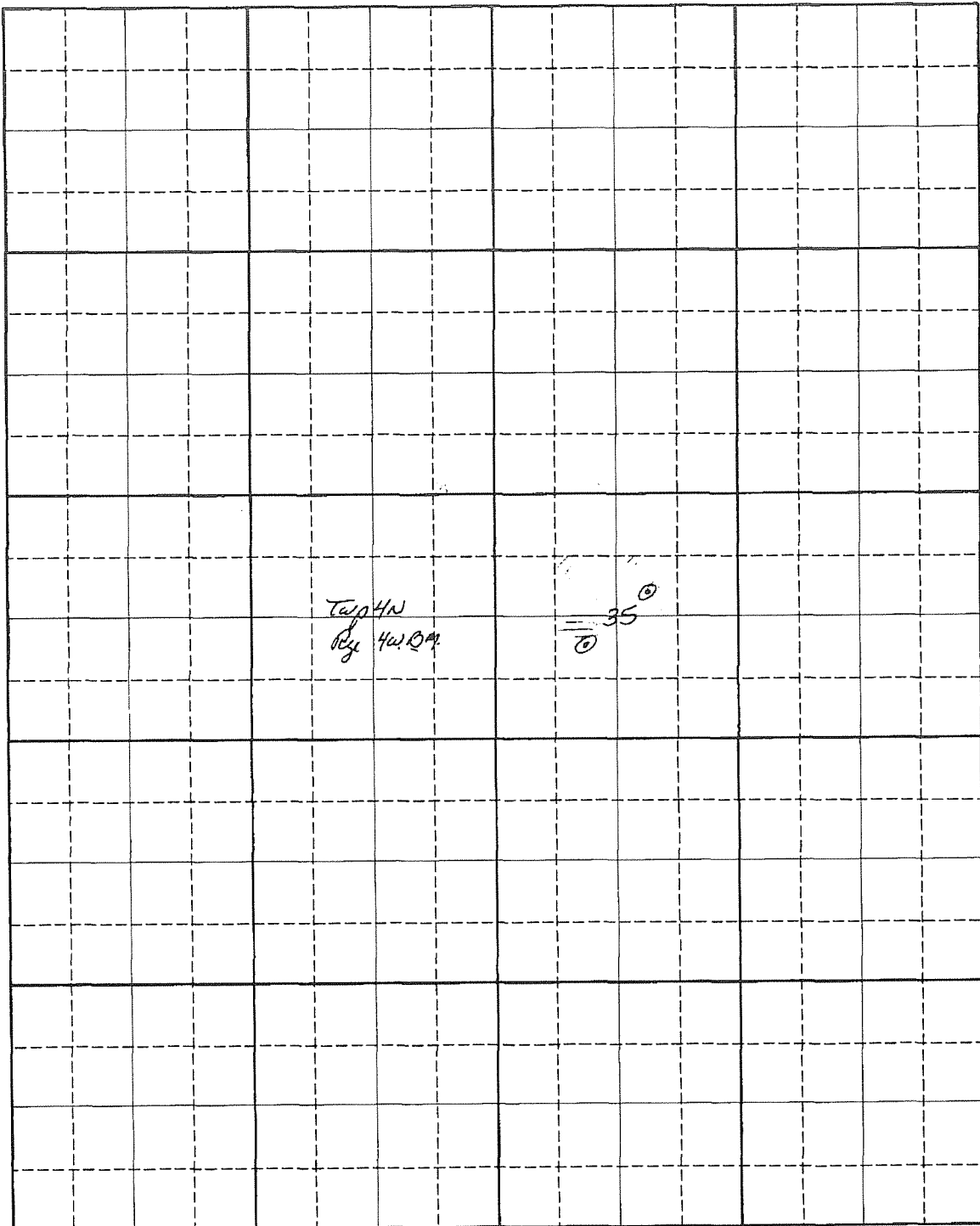
1. Name of Right Holder Clarence Cook
Post office address Rte. 3, Caldwell, Idaho
2. Right obtained by:
 - a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court, County of _____.
 - b. License No. 63-2751 issued by the State of Idaho, Department of Reclamation.
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 April 1 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



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

Purchase of land see evidence of ownership in 63-2846

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 $\frac{1}{4}$ Sec. 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

- 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.

Clarence Cook
 (signature of applicant)

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

Donald W. Eddins
 (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, Nampa, 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 N⁴E 1/4 SW 1/4, Sec. 35, Tp. 4 N., R. 4 W., 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)

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

63-2751

APPLICATION No. 28522
PERMIT No. 20878
DISTRICT No.

Assigned to R. C. Fisher
Idaho
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:
- (a) Cash on hand:
 - (b) Treasury stock:
 - (c) Bonds to be issued:
 - (d) Other resources:

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 ~~NE 1/4~~ SW 1/4
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 NE ¼ NE ¼ SW ¼ Sec- tion 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 SW ¼ NE ¼ 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 fore- going 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																			

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

See 21899

Permit No. 20878

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

1. Name of applicant E. M. Carter, Route 4, Caldwell, Idaho
2. Source of water supply: Subterranean flow from a well
3. Location of point of diversion: Is in the N $\frac{1}{2}$ NE $\frac{1}{2}$ SW $\frac{1}{2}$ Section 35, Twp. 4 N., R. 4 W. of Section 35 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 $4\frac{1}{2}$ 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 amps. 1800 r.p.m., 3 phase 60 cycle, No. 878616. There is a Mergerson 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 pool 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):

SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, and NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 35, Twp. 4 North, Range 4 West, B.M.

See map

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

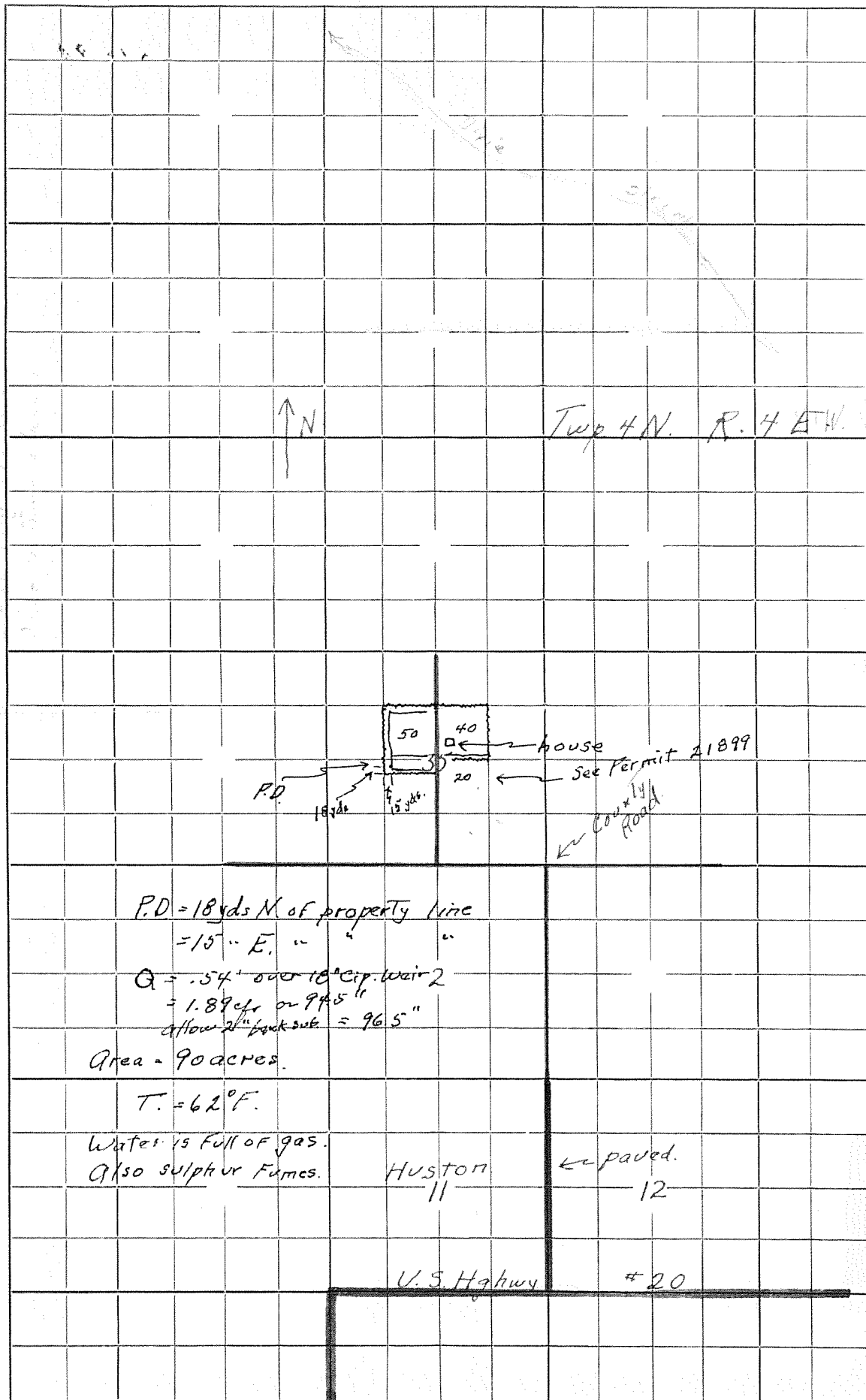
8. What large stream would the water here appropriated finally reach?

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. H. Humphrey Examiner.

20878



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

70872

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-31443

02/03/2006

1

Right #	Type	Twp	Rge	Sec	QQ	Q	Lot	Purpose of Use	Acres/Total	Name
31443	Claim	04N	04W	35	SE	NW		IRRIGATION	40/50	DANIEL J SILVERIA
2751	Water Right	04N	04W	35	SE	NW		IRRIGATION	40/90	CLARENCE D COOK
1256C	Claim	04N	04W	35	NE	SW		IRRIGATION	20/20	PRISCILLA ARMENTA
1256E	Claim	04N	04W	35	NE	SW		IRRIGATION	5/5	PAM GASTELECUTTO
31443	Claim	04N	04W	35	NE	SW		IRRIGATION	10/50	DANIEL J SILVERIA
31633	Claim	04N	04W	35	NE	SW		IRRIGATION	3/3	RICHARD E KUSHLAN
31634	Claim	04N	04W	35	NE	SW		IRRIGATION	2/2	JOHNNY L WILSON
2751	Water Right	04N	04W	35	NE	SW		IRRIGATION	10/90	CLARENCE D COOK
2876	Water Right	04N	04W	35	NE	SW		IRRIGATION	8/8	LESTER R HARRIS
4256	Water Right	04N	04W	35	NE	SW		IRRIGATION	30/110	TOBIAS BENDER
28602	Water Right	04N	04W	35	NE	SW		~~STOCKWATER~~		N C DONLEY
28181	Water Right	04N	04W	35	NE	SW		~~DOMESTIC~~		SANTIAGO ARMENTA
28602	Water Right	04N	04W	35	NE	SW		~~DOMESTIC~~		N C DONLEY
28735	Water Right	04N	04W	35	NE	SW		~~DOMESTIC~~		TERESA ARMENTA

DL w/ wilder irrig. Dist.
per arc view

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
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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

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

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

Renumbered Notice of Claim to a Water Right No. 63-31443

Dear Claimants:

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

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

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

Sincerely,

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB: db

Enclosure