

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 63-31983
Date Received: 3/1/1990
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

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

2. Date of Priority: 01/15/1963

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	0.07	13.5

7. Total Quantity Appropriated is:
0.07 C.F.S. and/or 13.5 A.F.A.

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	26	SW	SW	IRRIGATION	3
Section Acres						3
Total Acres						3

11. Place of use in counties: CANYON

12. Do you own the property listed above as place of use? No

13. Other Water Rights Used:

14. Remarks:

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This right is a split from former right 63-31765.

15. Basis of Claim: License

WATER RIGHT NO. 63-31983
As Modified by Transfer No. 71490

In accordance with the approval of Transfer No. 71490, Water Right No. 63-31983 is now described as follows.

Right Holder: CLARENCE D COOK
9610 OAKRIDGE DR
SUN CITY AZ 85351

Priority Date: January 15, 1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/15	0.07 CFS	13.5 AF
			0.07 CFS	13.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNE Sec. 35 Twp 04N Rge 04W CANYON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 04W 26												3.0					3.0

Total Acres: 3

CONDITIONS OF APPROVAL

1. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 2nd day of February, 20 05


Chief, Water Allocation Bureau

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71490**

This is to certify that: FRED CHADWICK
19355 HUSKY LN
CALDWELL ID 83607
(208)250-2331

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-31765	AJC/License	01/15/1963	0.14 cfs	32.1 af	N/A	7.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-31765	YES	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-31765	63-31984	0.07 cfs	15.8 af	N/A	3.5	63-31983	0.07 cfs	13.5 af	N/A	3.0
COMBINED										
TOTALS		0.07 cfs	15.8 af	N/A	3.5		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 2nd day of February, 2005


Chief, Water Allocation Bureau

SUPPORT DATA

IN FILE # 63-31765

(Internet)

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 71490

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Call 250-2331
764-3153Name of applicant Fred Chadwick Phone _____
Post Office address 2725 Allen Ln. Boise Id 83716

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other split Right
2. Describe the reason for the proposed changes change pld to shared well for my portion of water Right

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number 63-31765 Priority 1/15/1963 Amount (cfs/ac-ft) .07/16 Nature of Use IRR Period of Use 4/1 to 10/15
(Portion) _____ to _____
_____ to _____
_____ to _____
2. Total amount of water being transferred .07 cubic feet per second and/or 16 acre-feet per annum.
3. Source of water ground water tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SE	35	4N	4W	Canyon	well (Existing)

5. Lands irrigated or place of use: my Portion

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	4W	35																3.5	3.5

Total acres 3.5

PART 1

6. General information:

a. Description of diversion system 2 Hp 2" line 8" cast well

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes no No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

N/A

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Transfer No. _____

Receipt No. _____

Current Water Right No. 63-31765

Priority Date: 01/15/1963

Origin: Adjudication Recommendation

Basis: License

Status: Active

Source: GROUND WATER**Tributary to:**

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01	10/15	0.14 CFS	32.1 AFA	
	Total Diversion		0.14 CFS	32.1 AFA	

Source and Point(s) of Diversion:

GROUND WATER SWNE 04N 04W 35 CANYON

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 04W 28											3.0						3.0
04N 04W 35															4.0		4.0

Total Acres: 7

Conditions/Remarks:

1. 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.
2. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

No other rights are used.

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
N If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount .07 for IRR purposes from 4/1 10/15 to _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion: N/C

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use: My portion

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>4N</u>	<u>4W</u>	<u>35</u>															<u>3.5</u>		<u>3.5</u>

Total acres 3.5

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change) Balance

1. amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT**

PART 3 *See maps*

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**

[illegible]

SCALE: 2 inches equal 1 mile. Draw plan in ink.

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

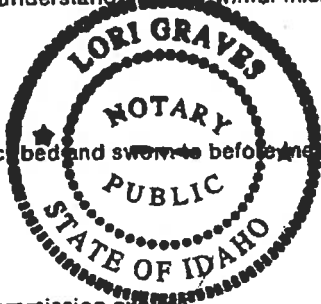
2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 11th day of May, 2004



Fred Clement
(Signature of Applicant)

Lori Graves
(Notary Public)

My commission expires 6/18/04**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and 2 attachmentsReceived by g Date 5/11/04 Protest filed by _____Prelim. check by _____ Fee \$100Received by g Date 5/11/04 # W031683

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

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 63-31765
Date Received: 3/1/1990
Receipt No: X777777
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

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

2. Date of Priority: 01/15/1963

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	0.14	32.1

7. Total Quantity Appropriated is:
0.14 C.F.S. and/or 32.1 A.F.A.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
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04N	04W	26	SW	SW	IRRIGATION	3
					Section Acres	3
04N	04W	35	NW	SE	IRRIGATION	4
					Section Acres	4
					Total Acres	7

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 63-31252. Refer to recommendation for this number. DH 9/9/2003

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.

15. Basis of Claim: License

RECEIVED

OCT 01 2003

WATER RESOURCES
WESTERN REGION

Snake River Basin Adjudication
Change in Address of Notice of Claim

31765

Claim Number(s):

63-31765, 63-31442, 63-21312

Previous Mailing Address:

14614 Bolivar Dr

SUN CITY, AZ 85351

New Mailing Address:

9610 Oak Ridge 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

SS
ADDRESS FM
Revised 12/13/1999

IDWR Use Only:
Data Entry: _____

Date: _____

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31765

WATER RIGHT NUMBER: 63-31765

Owner Type Name and Address
 Current Owner CLARENCE D COOK
 14614 BOLIVAR DR N
 SUN CITY, AZ 85351
 (602) 933-2264

Priority Date: 01/15/1963

Basis: License

Status: See Remarks

Source Tributary
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/15	0.150 CFS	34.60 AF
	<u>Total Diversion:</u>	0.150 CFS	34.60 AF

Location of Point(s) of Diversion

GROUND WATER SW1/4NE1/4
 CANYON County

Place of UseIRRIGATION Within CANYON County

T04N R04W S26 SWSW 3.0 T04N R04W S35 NWSE 4.0

Total Acres: 7

Conditions of Approval:

1. C18 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.
2. T09 Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

Remarks:

1. General This claim is the result of a split due to change in ownership for a portion of 63-31252. Refer to recommendation for this number. DH 9/9/2003

Comments:Dates and Other Information:

63-31767

OK

.06 OK

14.8
13.76

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

per review of Syme
claims on OS visit
1/30/04

3 total

20 03897

RECEIVED

SEP 05 2003 PC32697

WATER RESOURCES
WESTERN REGION

"READ AND APPROVED"

By Coe

DEED OF TRUST

THIS DEED OF TRUST, Made this 24th day of January, 2000 BETWEEN Scott A. Syme and Patti N. Syme, husband and wife herein called GRANTOR, whose address is 17498 Allendale Road, Wilder, ID 83676.

PIONEER TITLE COMPANY OF CANYON COUNTY, an Idaho corporation, herein called TRUSTEE, whose address is 423 SOUTH KIMBALL AVENUE, Caldwell, Idaho 83605, and Clarence D. Cook, a married man, as his sole and separate property herein called BENEFICIARY, whose address is 14614 N. Bolivar Drive, Sun City, AZ 85351.

WITNESSETH: That Grantor does hereby irrevocably GRANT, BARGAIN, SELL AND CONVEY TO TRUSTEE IN TRUST, WITH POWER OF SALE, that property in the County of Canyon State of Idaho, described as follows, and containing not more than twenty acres:

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

TOGETHER WITH the rents, issues and profits thereof, SUBJECT, HOWEVER, to the right, power and authority hereinafter given to and conferred upon Beneficiary to collect and apply such rents, issues and profits,

For the Purpose of Securing payment of the indebtedness evidenced by a promissory note, of even date herewith, executed by Grantor in the sum of FIFTY FIVE THOUSAND NINE HUNDRED TWENTY & NO/100 Dollars, (\$ 55,920.00) final payment due January 28th, 2020 and to secure payment of all such further sums as may hereafter be loaned or advanced by the Beneficiary herein to the Grantor herein, or any or either of them, while record owner of present interest, for any purpose, and of any notes, drafts or other instruments representing such further loans, advances or expenditures together with interest on all such sums at the rate therein provided. Provided, however, that the making of such further loans, advances or expenditures shall be optional with the Beneficiary, and provided, further, that it is the express intention of the parties to this Deed of Trust that it shall stand as a continuing security until paid for all such advances together with interest thereon.

A. To protect the security of this Deed of Trust, Grantor agrees:

1. To keep said property in good condition and repair; not to remove or demolish any building thereon; to complete or restore promptly and in good and workmanlike manner any building which may be constructed, damaged or destroyed thereon and to pay when due all claims for labor performed and materials furnished therefor; to comply with all laws affecting said property or requiring any alterations or improvements to be made thereon; not to commit or permit waste thereof; not to commit, suffer or permit any act upon said property in violation of law; to cultivate, irrigate, fertilize, fumigate, prune and do all other acts which from the character or use of said property may be reasonably necessary, the specific enumerations herein not excluding the general.

2. To provide, maintain and deliver to Beneficiary fire insurance satisfactory to and with loss payable to Beneficiary. The amount collected under any fire or other insurance policy may be applied by Beneficiary upon any indebtedness secured hereby and in such order as Beneficiary may determine, or at option of Beneficiary the entire amount so collected or any part thereof may be released to Grantor. Such application or release shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.

3. To appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of Beneficiary or Trustee; and to pay all costs and expenses, including cost of evidence of title and attorney's fees in a reasonable sum, in any such action or proceeding in which Beneficiary or Trustee may appear.

4. To pay at least ten days before delinquency all taxes and assessments affecting said property, when due, all encumbrances, charges and liens, with interest, on said property or any part thereof, which appear to be prior or superior hereto; all costs, fees and expenses of this Trust. In addition to the payments due in accordance with the terms of the note hereby secured the Grantor shall at the option, and on demand of the Beneficiary, pay each month 1/12 of the estimated annual taxes, assessments, insurance premiums, maintenance and other charges upon the property, nevertheless in trust for Grantor's use and benefit and for the payment by Beneficiary of any such items when due. Grantor's failure so to pay shall constitute a default under this trust.

5. To pay immediately and without demand all sums expended by Beneficiary or Trustee pursuant to the provisions hereof, with interest from date of expenditure at eight per cent per annum.

6. Should Grantor fail to make payment or to do any act as herein provided, then Beneficiary or Trustee, but without obligation so to do and without notice to or demand upon Grantor and without releasing Grantor from any obligation hereof, may make or do the same in such manner and to such extent as either may deem necessary to protect the security hereof, Beneficiary or Trustee being authorized to enter upon said property for such purposes; appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of Beneficiary or Trustee; pay, purchase, contest or compromise any encumbrance, charge or lien which in the judgment of either appears to be prior or superior hereto; and, in exercising any such powers, or in enforcing this Deed of Trust by judicial foreclosure, pay necessary expenses, employ counsel and pay his reasonable fees.

B. It is mutually agreed that:

1. Any award of damages in connection with any condemnation for public use of or injury to said property or any part thereof is hereby assigned and shall be paid to Beneficiary who may apply or release such moneys received by him in the same manner and with the same effect as above provided for disposition of proceeds of fire or other insurance.

2. By accepting payment of any sum secured hereby after its due date, Beneficiary does not waive his right either to require prompt payment when due of all other sums so secured or to declare default for failure so to pay.

3. At any time from time to time, without liability therefor and without notice, upon written request of Beneficiary and presentation of this Deed and said note for endorsement, and without affecting the personal liability of any person for payment of the indebtedness secured hereby, Trustee may: reconvey all or any part of paid property; consent to the making of any map or plat thereof; join in granting any easement thereon; or join in any extension agreement or any agreement subordinating the lien or charge hereof.

4. Upon written request of Beneficiary stating that all sums secured hereby have been paid, and upon surrender of this Deed and said note to Trustee for cancellation and retention and upon payment of its fees, Trustee shall reconvey, without warranty, the property then held hereunder.

Legal

The recitals in any reconveyance executed under this deed of trust, of any matters or facts shall be conclusive proof of the truthfulness thereof. The grantees in such reconveyance may be described as "the person or persons legally entitled thereto."

5. As additional security, Grantor hereby gives to and confers upon Beneficiary the right, power and authority, during the continuance of these Trusts, to collect the rents, issues and profits of said property, reserving unto Grantor the right, prior to any default by Grantor in payment of an indebtedness secured hereby or in performance of any agreement hereunder, to collect and retain such rents, issues and profits as they become due and payable. Upon any such default, Beneficiary may at any time without notice, either in person, by agent, or by a receiver to be appointed by a court and without regard to the adequacy of any security for the indebtedness hereby secured, enter upon and take possession of said property or any part thereof, in his own name sue for or otherwise collect such rents, issues and profits, including those past due and unpaid, and apply the same, less costs and expenses of operation and collection, including reasonable attorney's fees, upon any indebtedness secured hereby, and in such order as Beneficiary may determine. The entering upon and taking possession of said property, the collection of such rents, issues and profits and the application thereof as aforesaid, shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.

6. Upon default by Grantor in payment of any indebtedness secured hereby or in performance of any agreement hereunder, all sums secured hereby shall immediately become due and payable at the option of the Beneficiary. In the event of default, Beneficiary shall execute or cause the Trustee to execute a written notice of such default and of his election to cause to be sold the herein described property to satisfy the obligations hereof, and shall cause such notice to be recorded in the office of the recorder of each county wherein said real property or some part thereof is situated.

Notice of sale having been given as then required by law, and not less than the time then required by law having elapsed, Trustee, without demand on Grantor, shall sell said property at the time and place fixed by it in said notice of sale, either as a whole or in separate parcels and in such order as it may determine, at public auction to the highest bidder for cash in lawful money of the United States, payable at time of sale. Trustee shall deliver to the purchaser its deed conveying the property so sold, but without any covenant or warranty express or implied. The recitals in such deed of any matters or facts shall be conclusive proof of the truthfulness thereof. Any person, including Grantor, Trustee, or Beneficiary, may purchase at such sale.

After deducting all costs, fees and expenses of Trustee and of this Trust, including cost of evidence of title and reasonable counsel fees in connection with sale, Trustee shall apply the proceeds of sale to payment of: all sums expended under the terms hereof, not then repaid, with accrued interest at eight per cent per annum; all other sums then secured hereby; and the remainder, if any, to the persons or persons legally entitled thereto.

7. This Deed applies to, inures to the benefit of, and binds all parties hereto, their heirs, legatees, devisees, administrators, executors, successors and assigns. The term Beneficiary shall mean the holder and owner of the note secured hereby; or, if the note has been pledged, the pledges thereof. In this Deed whenever the context so requires, the masculine gender includes the feminine and/or neuter, and the singular number includes the plural.

8. Trustee is not obligated to notify any party hereto of pending sale under any other Deed of Trust or of any action or proceeding in which Grantor, Beneficiary or Trustee shall be a party unless brought by Trustee.

9. In the event of dissolution or resignation of the Trustee, the Beneficiary may substitute a trustee or trustees to execute the trust hereby created, and when any such substitution has been filed for record in the office of the Recorder of the county in which the property herein described is situated, it shall be conclusive evidence of the appointment of such trustee or trustees, and such new trustee or trustees shall succeed to all of the powers and duties of the trustee or trustees named herein.

Request is hereby made that a copy of any Notice of Default and a copy of any Notice of Sale hereunder be mailed to the Grantor at his address hereinbefore set forth.

DATED: January 24, 2000

Scott A. Syme
Scott A. Syme

Patti N. Syme
Patti N. Syme

STATE OF IDAHO

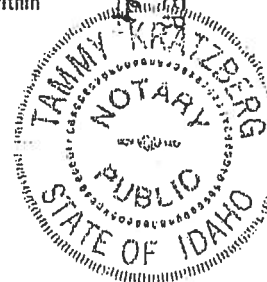
COUNTY OF CANYON

On this 2nd day of February in the year 2000, before me, a Notary Public, personally appeared Scott A. Syme and Patti N. Syme known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Tammy Kratzberg
Notary Public

Residing at Caldwell

My commission expires 2/3/04



NOEL HALES
CANYON COUNTY RECORDER
BY *[Signature]*

DO FEB 2 PM 4 10

RECORDED

200003897

REQUEST PIONEER - CALDWELL
TYPE *Reg Day T* FEE *6.00*

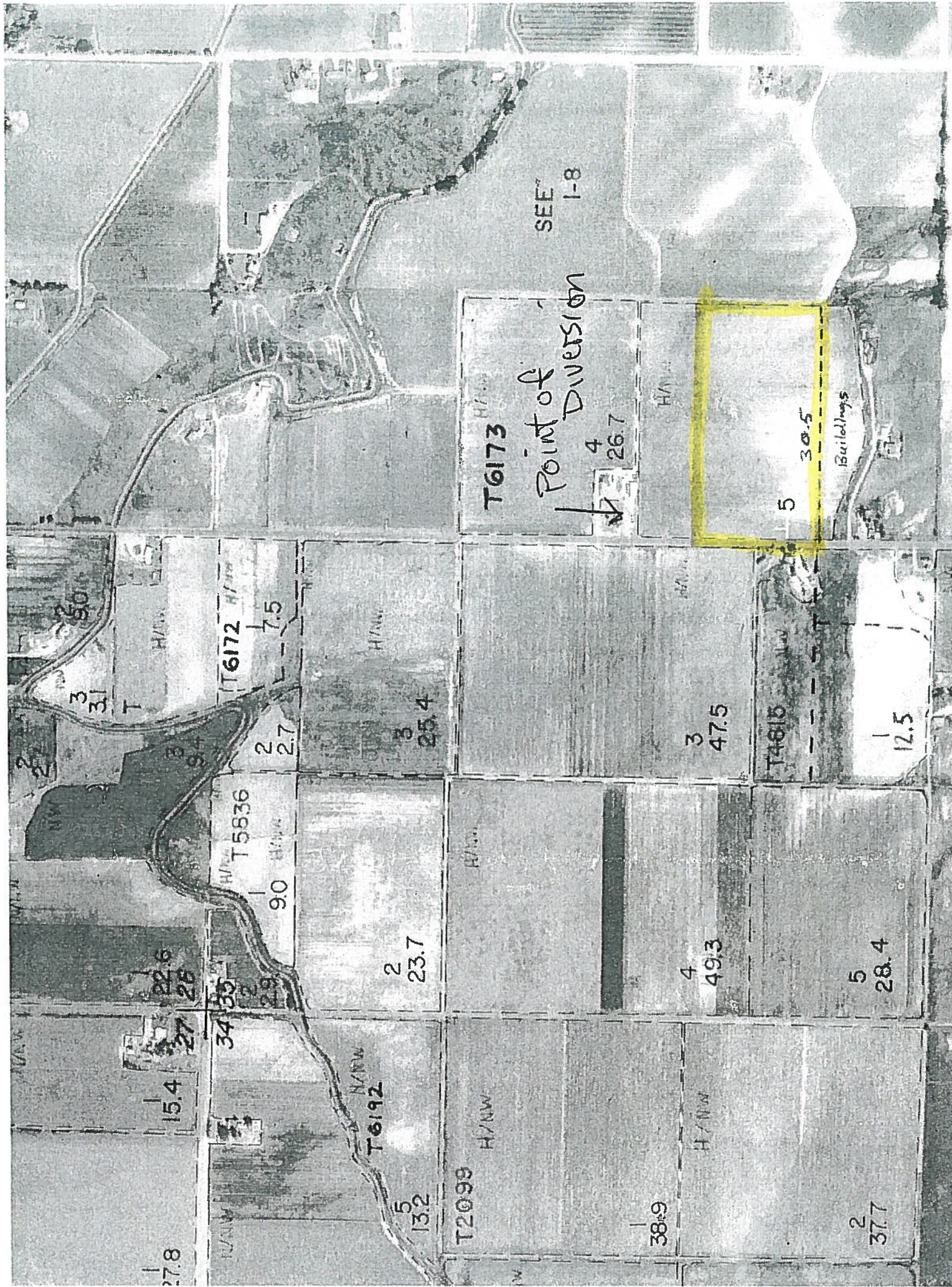


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CALDWELL
610 S. Kimball
Caldwell, ID 83605
Ph: 208.459.1651
Fax: 208.459.6635



Map By: Regional Geographic Services, Inc.



T6173

SEE 1-8
Point of Diversion

4 26.7

5 30.5

Buildings

T6172

2.7 7.5

T5836

9.0

3 25.4

2 23.7

T6192

5 13.2

T2098

H/NW

4 49.3

T4615

1 12.5

5 28.4

2 37.7

38.9

27.8

15.4

22.6

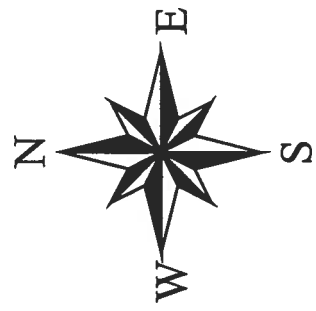
31

30

Syme

4N 4W

-  Owner name & acres
-  Section Line
-  QQ Line
-  Tax Lot data



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 63-31765
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
14614 BOLIVAR DR N
SUN CITY AZ USA 85351

Phone: (602)933-2264

2. Date of Priority: 01/15/1963

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	0.15 114	~~34.6~~ 32.1

7. Total Quantity Appropriated is:
0.15 C.F.S. and/or 34.6 A.F.A.

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	26	SW SW	IRRIGATION	3
				Section Acres	3
04N	04W	35	NW SE	IRRIGATION	4

See remarks in
63-31765
(mis calculated during split)

Section Acres 4
Total Acres 7

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 63-31252. Refer to recommendation for this number. DH 9/9/2003

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.

Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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, 63-0353
Adjudication Claim No(s): A-63-03074, A-63-02790, A-63-02873, A-63-02846, A-63-02751, A-63-0353

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

4. New Owner/Claimant(s)

14614 N. Bolivar Drive

New Mailing Address

Sun City, AZ 85351 / Daniel J. Silver
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
19850 Ustick Candy K Silverio

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 complaint irrigation

7. Signature of New Owner(s) or Claimant(s)

Daniel J. Silverio

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.

63-3326

split per X-far to
63-31252 + 63-31253.

63-31252 "Cook"

Cook keeps

63-31765

new #

S-26	3 ac	SWSW
S-35	4 ac	NWSE

7 total

~~15 cfs~~
14

~~34.6 cfs~~
32.1

*(See remarks on 63-31765)

Syme obtains ~~the~~ the acres in 63-31250
from Cook.

* Need to determine if Syme obtains
any from 63-31252^{split} also.

63-31766

Silveria gets

new #

S-35

35 ac NWNE

~~75 cfs~~ 70
~~173 cfs~~
160.4

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-31252 V1

WATER RIGHT NUMBER: 63-31252 V1

Owner Type

Current Owner

Name and Address

CLARENCE D COOK
14614 BOLIVAR DR N
SUN CITY, AZ 85351
(602)933-2264

Priority Date: 01/15/1963

Basis: License

Status: Active

Source

GROUND WATER

TributaryBeneficial Use

IRRIGATION

From To

04/01 to 10/15

Diversion Rate

0.840 CFS

Annual Volume

192.50 AF

Total Diversion:

0.840 CFS

192.50 AF

Location of Point(s) of Diversion

GROUND WATER

CANYON County

SW1/4NE1/4

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

GROUND WATER

CANYON County

NW1/4SW1/4

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

Place of Use

IRRIGATION

per OD visit + review of Syne claim
1/30/04

Twp Rge Sec	NE				NW				SW				SE				Totals
04N 04W 26	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	3.0
04N 04W 35							35.0								4.0		39.0

Conditions of Approval:

1. T09 Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

Remarks:



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 WILSTON 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.

^{COE}
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;

4 acres

D.S. C.B.

INITIAL



009949498

RECORDED

99 DEC 22 PM 1 16

G NOEL HALES

CANYON COUNTY RECORDER
RY *[Signature]*

REQUIRE PIONEER — CALDWELL

TYPE *[Signature]* 9.2

[Signature] pack

PC 32345

9949499

WARRANTY DEED

CLARENCE D. COOK, a married man dealing with his sole and separate property, Grantor, hereby conveys, grants and warrants to DANIEL J. SILVERIA and CANDACE K. SILVERIA, husband and wife, Grantees, whose address is 19850 W Ustick Rd Caldwell ID 83605, for the sum of TEN DOLLARS and other good and valuable consideration, the following described real property, to-wit: 1/2 S. C.

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

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.

009949499

RECORDED

99 DEC 22 PM 1 16

G NOEL HALES
CANYON CNTY RECORDER
BY *[Signature]*REQUEST PIONEER — CALDWELL
TYPE *[Signature]* 9-03
pack

PC 32345

9949500

WARRANTY DEED

CLARENCE D. COOK, a married man dealing with his sole and separate property, Grantor, hereby conveys, grants and warrants to DANIEL J. SILVERIA and CANDACE K. SILVERIA, husband and wife, Grantees, whose address is 19850 W 15th 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]

RECEIVED PIONEER — CALDWELL

TYPE

[Signature]

PAID

91.00

[Signature]

B
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.

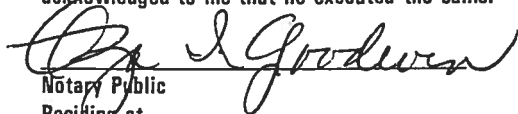
DATED: January 5, 2000


CLARENCE D. COOK

STATE OF ARIZONA

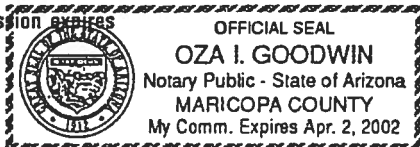
COUNTY OF MARICOPA

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

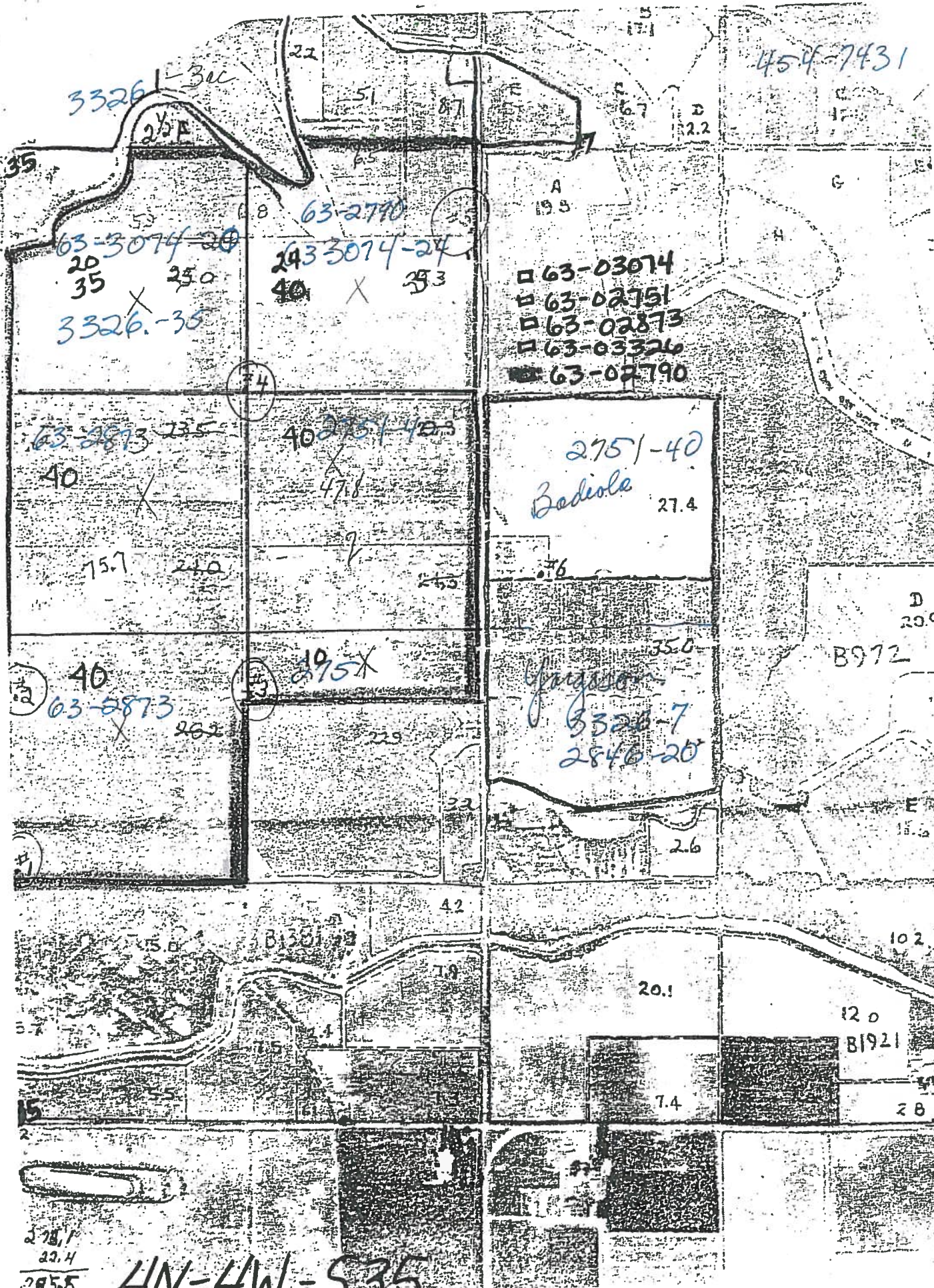
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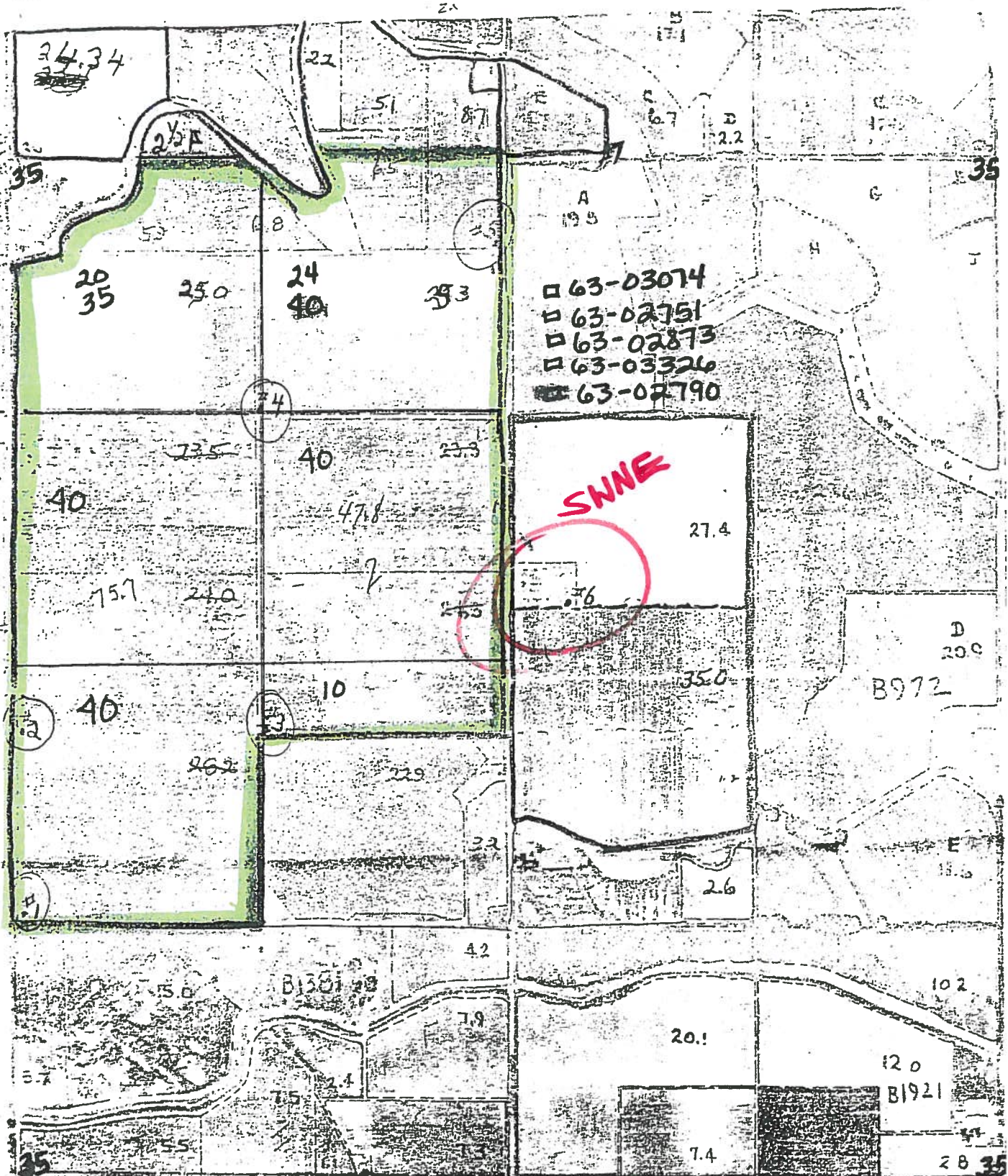
G NOEL HALES

CANYON CNTY RECORDER

RY

RECEIVED
PIONEER
COLDWELL
TYPE
CU





27.1
23.4
29.5

4N-4W-535

MEMORANDUM

DATE: June 13, 2001

FROM: Lori Graves *LG*

TO: Transfer File No. 69220

RE: 63-2846, 63-3326

Brief

Applicant proposes to change the ownership and add an existing point of diversion to his portion of the above listed water rights.

Attachments

- A. Aerial Photos
- B. Tax Notice
- C. Survey Map

Review

The rights were claimed in the SRBA as licensed. Applicant provided 1997, 1998, and 1999 FSA photos of the property showing the progression of development. Irrigation of applicant's portion was evident in the 1997 photo.

Applicant's 3 acre portion is located in the NWSE S35. Right 63-2846 was licensed for 20 acres in the NWSE and right 63-3326 was licensed for 7 acres in the NWSE. After researching the files, it was evident, per the original maps, that the acres licensed on both rights included applicant's 3 acres.

No overlaps were found except for surface water right 63-2388. Applicant stated that the property in question was high ground and that surface water had never been used. Applicant stated that they do not have or use canal shares.

Recommendations

Approve the transfer as filed.

Applicant's portion of 63-2846 is 63-31251.

Applicant's portion of 63-3326 is 63-31253.

When combined, applicant's three acres are limited to .06 cfs.

IDWR WESTERN REGION TRANSFER ANALYSIS

Applicant Anderson Transfer No. 69220
Reviewed by Ly Date 6/13/01
Data entered by Ly

1. Right number(s) 63-2846, 63-3326

2. Type of right ☐ Decree ☒ License ☐ Stat. Claim ☐ BU Claim

3. Purpose of transfer ☐ Change P/D ☒ Add P/D ☐ Change P/U
☐ Change N/U ☐ Change Period ☒ Split Right
☐ Other: _____

4. Check Existing Right

☒ Source	☒ Priority	☒ Amount
☒ Purpose	☒ Period	☒ SRBA Claim
☒ Description of original point(s) of diversion		
☒ Description of original place of use		
☒ Overlapping rights for original P/D &/or P/U		

5. Check Proposed Right for amount of land &/or water transferred:

- a. ☒ Analysis memo – always include unless justify why not needed
- b. ☒ All of right
- c. ☒ Part of right – Note: Part B should normally be completed only if part of right is owned by applicant
- d. ☒ Description of point(s) of diversion
- e. ☒ Description of place of use
- f. ☒ Map showing proposed P/D &/or P/U
- g. ☒ Correct notarized signature and fee – see Transfer Memo #23 about fees if necessary
- h. ☒ Proof of ownership of right &/or land from which water is transferred
- i. ☒ Expansion in use of right: check rate of flow, diversion volume and consumptive volume. Discuss in memo.
- j. ☒ Surface water source: IDFG letter; notify Water Planning Bureau if protected river or minimum flow reach.

k. ☒ Overlapping rights for current & proposed scenariosCurrent 63-2388Proposed "l. ☒ SRBA Claim(s) "m. ☒ Comment letters ☒ No ☐ Yes as follows: Water District # IDFG Other per attached**PUBLICATION REVIEW**

1. Comment Letters

Watermaster comments requested on _____, received on _____

Other comment letters received ☐ Yes ☐ No2. Affidavit of publication received: ☐ Yes3. Published correctly: ☒ Yes ☐ NoIf No, re-publication required: ☐ Yes ☐ No4. Protests received: ☐ Yes ☒ No ☐ If yes, acknowledgement sent**RECOMMENDATIONS**1. ☒ Approve ☐ See attached memo2. ☐ Deny due to _____3. Conditions of Approval standards4. Recommended by Loi Brewer Date 7/31/01**FORWARDING FILE TO S.O.**

1. Copies made for Region file (see attached supplemental page):

☒ Yes2. File forwarded to S.O. by JSDate 7-31-01

RECEIVED

JUL 13 2001

WATER RESOURCES
WESTERN REGION

e0100285 04504275
1 Idaho Dept. of Water Resources
2735 Airport Way
BOISE ID 83705

**NOTICE OF PROPOSED
CHANGE OF WATER**

RIGHTS, TRANSFER NO. 69220
DANA L. ANDERSON of 19385
Husky Ln, Caldwell ID 83607 has
applied to the Department of Water
Resources to add a Point of Diver-
sion pursuant to I.C. § 42-222 for
ground water rights recorded as fol-
lows in T4N R4W Canyon County:
LICENSE 63-2846, priority
1/30/1951, .20 cfs, diverted in the
SWNE, NESW for irrigation of 20
acres and stockwater in the NWSE
S35.

LICENSE 63-3326, priority
1/15/1963, .9 cfs, diverted in the
SWNE, NWSW for irrigation of 45
acres in the SWSW S26 and NW
S35.

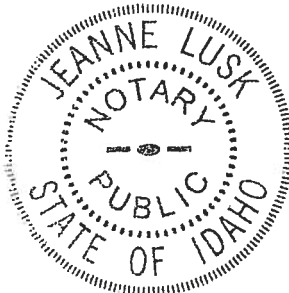
PROPOSED CHANGE

Add and use a separate existing
well for stockwater and irrigation
uses on applicant's 3 acre portion of
the licenses in the NWSE S35.

Any protest against approval of the
proposed change must be filed with
the Department of Water Resources,
Western Region, 2735 Airport Way,
Boise, ID 83705-5082, together with
a protest fee of \$25 for each applica-
tion on or before July 23, 2001. The
protestant must also send a copy of
the protest to the applicant.

Karl J. Dreher, Director
July 5, 12, 2001.

4275



AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)

County of Canyon)

SS.

Patrica D. Admire
of Nampa, Canyon County, Idaho, being
first duly sworn, deposes and says:

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.
2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of this notice, a copy of which is hereto attached.
3. That the notice, of which the annexed is a printed copy, was published in said newspaper 2 time(s) in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.
4. That said notice was published the following:
07/05/2001, 07/12/2001

Patricia D. Admire

STATE OF IDAHO)

County of Canyon)

On the 12th day of July in the year of 2001,
before me, a Notary Public, personally appeared
Patrica D. Admire,
known or identified to me to be the person
whose name is subscribed to the within
instrument, and being by me first duly sworn,
declared that the statements therein are true, and
acknowledge to me that he/she executed the same.

Jeanne Lusk

Notary Public for Idaho

Residing at Nampa

My commission expires June 21, 2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31252

WATER RIGHT NUMBER: 63-31252

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CLARENCE D COOK 14614 BOLIVAR DR N SUN CITY, AZ 85351 (602)933-2264

Priority Date: 01/15/1963

Basis: License

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/15	0.840 CFS	192.50 AF
	<u>Total Diversion:</u>	0.840 CFS	192.50 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 35, Twp 04N, Rge 04W, B.M.
CANYON County		
GROUND WATER	NW1/4SW1/4	Sec. 35, Twp 04N, Rge 04W, B.M.
CANYON County		

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N	04W	26											3.0						3.0
04N	04W	35						35.0								4.0			39.0

Total Acres: 42

Conditions of Approval:

1. T09 Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 63-31252

Comments:

1. pskaggs 6/20/2002 9:30:48 AM Transferred Right
Comment: This is now an approved transfer, transfer number = 69220

Dates and Other Information:

Claim Received Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre: 0.02
Generic Max Volume Per Acre: 4.5
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

WATER RIGHT NO. 63-31252
As Modified by Transfer No. 69220

In accordance with the approval of Transfer No. 69220, Water Right No. 63-31252 is now described as follows.

Right Holder: CLARENCE D COOK
 14614 BOLIVAR DR N
 SUN CITY AZ 85351

Priority Date: 01/15/1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/15	0.84 CFS	192.5 AF
			0.84 CFS	192.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNE Sec. 35 Twp 04N Rge 04W CANYON County

GROUND WATER NWSW Sec. 35 Twp 04N Rge 04W CANYON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 04W 26											3.0						3.0
04N 04W 35							35.0								4.0		39.0

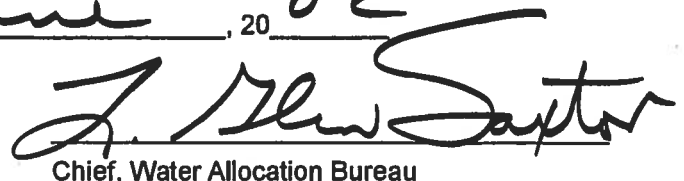
Total Acres: 42

CONDITIONS OF APPROVAL

1. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 20th day of June, 2002


 Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69220

RECEIVED

JUN 21 2002

WATER RESOURCES
WESTERN REGION

This is to certify that: DANA L ANDERSON
19385 HUSKY LN
CALDWELL ID 83607
(208)455-8933

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
63-2846	AJC/License	01/30/1951	0.20 cfs			20.0	GROUND WATER
63-3326	AJC/License	01/15/1963	0.90 cfs	206.0 af		45.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
63-2846	YES	YES	NO	NO	NO	NO
63-3326	YES	YES	NO	NO	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acre Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
63-2846	63-31251	0.03 cfs	13.9 af	N/A	3.0	63-31250	0.17 cfs	N/A	N/A	17.0
63-3326	63-31253	0.06 cfs	13.5 af	N/A	3.0	63-31252	0.84 cfs	192.5 af	N/A	42.0
TOTALS		0.09 cfs	13.9 af	N/A	3.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 20th day of June, 2002

[Signature]
Chief, Water Allocation Bureau

(Internet)

Page 1 of 8

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 69220

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

RECEIVE

MAY 25 20

WATER RESOURCES
WESTERN REGION

Name of applicant DANA L ANDERSON Phone (208) 455-8933
Post Office address 19385 HUSKY LANE CALDWELL ID 83607

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other SPLIT RIGHT
2. Describe the reason for the proposed changes CHANGE OF OWNERSHIP AND USE
OF OWN WELL FOR IRRIGATION.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|---|------------|-----------------------|------------------|---------------|
| 63-2846 | 01/30/1951 | .03 | IRR | 4/1 to 10/15 |
| 63-2846 | 01/30/1951 | .01/.3 | STOCKWTR | 1/1 to 12/31 |
| 63-3326 | 01/15/1963 | .06/13.7 | IRR | 4/1 to 10/15 |
| | | | | to |
| 2. Total amount of water being transferred <u>.07</u> cubic feet per second and/or <u>14</u> acre-feet per annum. | | | | |
| 3. Source of water <u>EXISTING WELL</u> tributary to _____ | | | | |
| 4. Point(s) of Diversion: _____ | | | | |

[illegible]

5. Lands irrigated or place of use:

[illegible]

PART 1**6. General Information:**a. Description of diversion system 1 1/2 HP PUMP, 2" LINE IN 8" CASE WELLb. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? X Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

NO CHANGE.

d. Remarks:

DUE TO DIVISION OF PROPERTY, LAND WILL BE DRY
IF RIGHTS ARE NOT TRANSFERED.**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____.

pg 3 of 8

05/22/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 63-2846

Owner Type Name and Address
 Current Owner CLARENCE D COOK
 14614 BOLIVAR DR N
 SUN CITY, AZ 85351
 (602)933-2264

Original Owner R C FISHER

Priority Date: 01/30/1951
Basis: License
Status: Active

Source Tributary to
 GROUND WATER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	10/15	0.2 CFS		
STOCKWATER	1/01	12/31	0.05 CFS		

Total Diversion 0.2 CFS

Location of Point(s) of Diversion:

GROUND WATER	SWNE	Sec. 35	Township 04N	Range 04W	CANYON County
GROUND WATER	NESW	Sec. 35	Township 04N	Range 04W	CANYON County

IRRIGATION Use:
 Acre Limit: 20

Place(s) of use:

Place of Use Legal Description: IRRIGATION CANYON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	04W	35		NWSE	20									

Place of Use Legal Description: STOCKWATER same as IRRIGATION

Total Acres: 20

Remarks:

I. General TRANS. 1639.
 ADDRESS CHANGE BY CLAIMANT NOTE 2/9/99 RS.

Dates:

Licensed Date: 08/28/1979
 Claim Received Date:
 Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:

Water Right 63-2846

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
N If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED 63-2846

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount .03 for IRRIGATION purposes from 4/1 to 10/15
 (cfs/ac-ft)
 amount .01/.3 for STOCK WATER purposes from 1/1 to 12/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: N/C

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>4N</u>	<u>4W</u>	<u>35</u>														<u>3</u>			<u>3</u>
																<u>5</u>			

Total acres 3

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount .17 for IRRIGATION purposes from 4/1 to 10/15
 (cfs/ac-ft)
 amount .04 for STOCK WATER purposes from 1/1 to 12/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion: N/C

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>4N</u>	<u>4W</u>	<u>35</u>														<u>17</u>			

Total acres 17

Pg 5 of 8

05/22/2001

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

WATER RIGHT NO. 63-3326

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	CLARENCE D COOK 14614 ROJVAR DR N SUN CITY, AZ 85351 (602)933-2264

Priority Date:	01/15/1963
Basis:	License
Status:	Active

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

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01	10/15	0.9 CFS	206 AFA	
Total Diversion			0.9 CFS	206 AFA	

Location of Point(s) of Diversion:

GROUND WATER	SWNE	Sec. 35	Township 04N	Range 04W	CANYON County
GROUND WATER	NWSW	Sec. 35	Township 04N	Range 04W	CANYON County

IRRIGATION Use:
Acre Limit: 45

Place(s) of use:

Place of Use Legal Description: IRRIGATION CANYON County

<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
04N	04W	26		SWSW	3									
		35		NWNW	35									
				NWSE	7									

Total Acres: 45

Remarks:

1. General TRANS. 1638.
ADDRESS CHANGE BY CLAIMANT NOTE 2/9/99 SS.

Dates:

Licensed Date: 08/28/1979
Claim Received Date:
Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:

Other Information:

Receipt Number(s): S011360

Water Right 63-3326

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
N If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED 63-3326

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount .06/13.7 for IRRIGATION purposes from 4/1 to 10/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion: N/C

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>4N</u>	<u>4W</u>	<u>35</u>														<u>3</u>			<u>3</u>

Total acres 3

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount .84/192.3 for IRRIGATION purposes from 4/1 to 10/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion: N/C

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>4N</u>	<u>4W</u>	<u>26</u>											<u>3</u>						<u>3</u>
		<u>35</u>					<u>35</u>									<u>4</u>			<u>39</u>

Total acres 42

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

The grid map shows a 10x10 section grid. Handwritten annotations include:

- R-4W**: Range 4 West, located in the upper right quadrant.
- T-4N**: Township 4 North, located in the middle left.
- 35**: Section 35, located in the center.
- PD**: Point of Diversion, indicated by a wavy line pointing to the right from the section number 35.

PART 3**B. CHANGES IN NATURE OF USE** *N/C.*

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this

24th

day of

May

, 19

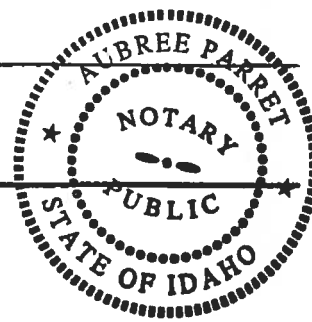
2001

(Signature of Applicant)

Aubree Parret

(Notary Public)

My commission expires

02/07/06**FOR DEPARTMENT USE ONLY**Transfer contains 8 pages and _____ attachmentsReceived by LM Date 5-25-01

Protest filed by _____

Prelim. check by LM Fee \$100.00Receipted by LM Date 5-25-01W027815Published in PRESS TRIBUNE

Copies of protest forwarded by _____

Pub. dates 7-5 & 12-01

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

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: A63-03326
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 15, 1963

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
04N	04W	35	SW	NE			CANYON
			NW	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	0.900		206.00

7. Total Quantity Appropriated is:
0.900 C.F.S. (and/or) 206.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	04W	26	SW	SW		IRR	3.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	3.0
		35	NW	NW	IRR	35.0
			NW	SE	IRR	7.0
					Section Acres	42.0
					Total Acres	45.0

11. Place of use in counties: CANYON

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

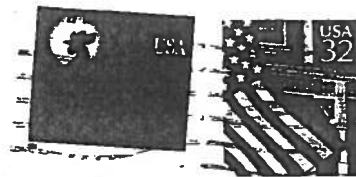
13. Other Water Rights Used:
A63-03074

14. Remarks:
TRANS. 1638.
ADDRESS CHANGE BY CLAIMANT NOTE 2/9/99 SS.

15. Basis of Claim: LICENSE

Water Right Number: 30908

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



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



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

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

A6302790 cc: W.A.

A63-02846

A63-02873

A63-03074

A63-03326

A63-02751

RECEIVED

FEB 08 1999

Department of Water Resources

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

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

RECEIVED

MAR 8 1990

Ident. Number: A63-03326
Date Received: 3/01/1990
Receipt No: S011360
Received By: _____

Department of Water Resources
Southern Region Office

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

85351

2. Date of Priority: JAN 15, 1963

3. Source: GROUNDWATER

Trib. to:

4. Point of Diversion:

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

County
CANYON
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	0.900		206.00

7. Total Quantity Appropriated is:
0.900 C.F.S. (and/or) 206.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
04N	04W	26	SW	SW		IRR	3.0

Section Acres 3.0

A63-03326

Page 1

Date: 03/01/90

MICROFILMED

AUG 19 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
04N	04W	35	NW	NW		IRR	35.0
			NW	SE		IRR	7.0
						Section Acres	42.0
						Total Acres	45.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
A63-03074

14. Remarks:
TRANS. 1638.

15. Basis of Claim: LICENSE
Water Right Number: 30908

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do _____ do not _____ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

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

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

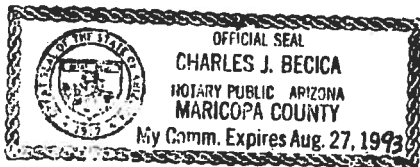
Date: _____

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

Subscribed and sworn (or affirmed) before me this 5 day
of MARCH 1990

Charles J. Becica
Notary Public

Seal



Residing at _____

My Commission Expires _____

Water Right Number - 63-03326

Adj. Flag Translation: Standard Water Right Number

Old (D) Number - 30908

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

*** C - CURRENT OWNER ***
COOK

CLARENCE D.

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

State- ID Zip- 83605

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
01/15/1963 14 L - LICENSE+ - - Source - - - - - + + - - - - Tributary - - - - - + + - - - - +
GROUNDWATER+ - - - - - - - - - - - - - - - Point of Diversion - - - - - - - - - - - +
Twn Rng Sec Tract Lot Rflg County04N 04W 35 SW NE (27) CANYON
04N 04W 35 NW SW (27) CANYON+ - - - - - - - - - - - - - - - Water Use - - - - - - - - - - - Diversion Rate Diversion Volume
Code Description Period From Period To

01 - IRRIGATION 04/01 10/15 0.900 206.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
0.900 206.00+ - - - - - - - - - - - - - - - Place of Use - - - - - - - - - - - County
Twn Rng Sec Tract Lot Acres Code Description04N 04W 26 SW SW 3.0 01 IRRIGATION (27) CANYON
04N 04W 35 NW NW 35.0 01 IRRIGATION (27) CANYON
04N 04W 35 NW SE 7.0 01 IRRIGATION (27) CANYON

Total Acres: 45.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - - - - - - - - - - - - Remarks - - - - - - - - - - - +
TRANS. 1638.+ - - - - - - - - - - - - - - - Conditions of Approval - - - - - - - - - - - +
No Conditions of Approval found.

MICROFILMED

AUG 19 1992

Adj. flag translation: Standard Water Right Number

+ - Decree Date - +
00/00/0000

+ - - - Decree Plaintiff - - - +

+ - - Audit Fields -

| | Water Rights | Dates | and | Flags | Area | |
|--|--------------|-------|-----|-------|------|---|
| | - | - | - | - | - | + |

| | | | | | | | | |
|---|------------------|---|------------|-----------------|---|------------|------------------|---|
| - | Proof Due Date | - | 00/00/0000 | Field Exam Made | - | 00/00/0000 | Field Exam Fee | - |
| - | Approved/Denied | - | 00/00/0000 | Protested Date | - | 00/00/0000 | Swan Falls | - |
| - | Proof Made Date | - | 00/00/0000 | Hearing Date | - | 00/00/0000 | Temporary Right | - |
| - | Start Work Date | - | 00/00/0000 | Verified Date | - | 06/03/1985 | DLE/Carey Act | - |
| - | Order Show Cause | - | 00/00/0000 | Receipt Number | - | | Water District | - |
| - | Licensed Date | - | 08/28/1979 | Appl Received | - | 00/00/0000 | Transfer/Amended | - |
| - | Decree Date | - | 00/00/0000 | | | | | |

MICROFILMED

AUG 19 1992

06/16/2006

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

RIGHT NUMBER: 63-31983

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.070 CFS
13.500 AFY

PRIORITY DATE: 01/15/1963

POINT OF DIVERSION:

T04N R04W S35 SWNE Within CANYON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE

PERIOD OF USE

QUANTITY

IRRIGATION

04/01 10/31

0.070 CFS

13.50 AFY

The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before April 1 and after October 31 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.

PLACE OF USE: IRRIGATION Within CANYON County

T04N R04W S26 SWSW 3.00

3 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

This right is a split from former right 63-31765.

This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

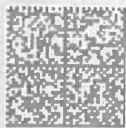
Right No. 63-31442 is also diverted through point of diversion described above.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGIONAL OFFICE
2735 AIRPORT WAY
BOISE, IDAHO 83705



VICE
REQUESTED

FIRST CLASS



UNITED STATES POSTAGE
02 1A
\$01.11
0004389393 FEB 02 2
MAILED FROM ZIP CODE 83

Refused

RECEIVED

FEB 13 2007

WATER RESOURCES
WESTERN REGION

CLARENCE D COOK
9610 OAKRIDGE DR
SUN CITY AZ 85351

REASON CHECKED
Undelivered
Returned
Attempted Not Known
Insufficient Address
No Such Street
No Such Number
Etc. Such Other

63-31983

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 ^{Ron} Frisby

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

Widace
Elizabeth Cook
9415 Oak Ridge Dr
Sun City, AZ
85351



Idaho Department of Water Resources

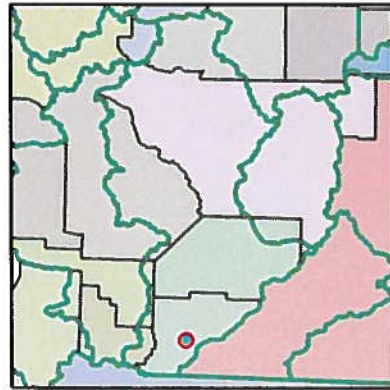
SRBA Recommendation:

63-31983

Acres = 3

Legend

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



Canyon County
IDWR Basin 63

Prepared by K. Walker
On Thursday, June 15, 2006
1987/88 Aerial Photography



0 0.2 0.4 Miles

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 63-31983

WATER RIGHT NUMBER: 63-31983 ✓

Owner Type

Current Owner

Name and AddressCLARENCE D COOK ✓
9610 OAKRIDGE DR ✓
SUN CITY, AZ 85351 ✓
(602) 933-2264 ✓

Priority Date: 01/15/1963 ✓

Basis: License ✓

Status: Active

Source

GROUND WATER ✓

Beneficial Use

IRRIGATION ✓

From To
04/01 to 10/15 ✓Diversion Rate

0.070 CFS ✓

Annual Volume

13.50 AF ✓

Total Diversion:

0.070 CFS ✓

13.50 AF ✓

Location of Point(s) of Diversion

GROUND WATER

SW1/4NE1/4 ✓

Sec. 35, ✓ Twp 04N, ✓ Rge 04W, ✓ S.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 | Totals |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|--------|
| 04N | 04W | 26 | | | | | | | | | | | | | | | | | 3.0 |

Total Acres: 3 ✓

Conditions of Approval:

- EXA 1. T09 Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
- EXP 2. P21 This right is a split from former right 63-31765.

Remarks:Comments:

1. pskaggs 2/2/2005 7:35:35 AM Transferred Right
Comment: This is now an approved transfer, transfer number = 71490

in office
review -
Kw
6/15/06

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3326

WATER RIGHT NUMBER: 63-3326

| | |
|-------------------|---|
| <u>Owner Type</u> | <u>Name and Address</u> |
| Current Owner | CLARENCE D COOK
RT 3
CALDWELL, ID 83605 |

Priority Date: 01/15/1963

Basis: License

Status: Active Transferred

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

| | | | |
|-----------------------|-------------------------|-----------------------|----------------------|
| <u>Beneficial Use</u> | <u>From</u> <u>To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
| IRRIGATION | 4/01 to 10/15 | 0.900 CFS | 206.00 AF |
| | <u>Total Diversion:</u> | 0.900 CFS | 206.00 AF |

Location of Point(s) of Diversion

| | | |
|---------------|------------|---------------------------------|
| GROUND WATER | SW1/4NE1/4 | Sec. 35, Twp 04N, Rge 04W, B.M. |
| CANYON County | | |
| GROUND WATER | NW1/4SW1/4 | Sec. 35, Twp 04N, Rge 04W, B.M. |
| CANYON County | | |

Place of Use

IRRIGATION

| Twp | Rge | Sec | NE | | | | NW | | | | SW | | | | SE | | | | Totals |
|-----|-----|-----|----|----|----|----|----|------|----|----|----|----|-----|----|----|-----|----|----|--------|
| | | | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | |
| 04N | 04W | 26 | | | | | | | | | | | 3.0 | | | | | | 3.0 |
| 04N | 04W | 35 | | | | | | 35.0 | | | | | | | | 7.0 | | | 42.0 |

Total Acres: 45

Conditions of Approval:

1. TRANS. 1638.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-3326

Comments:

1. psdaggs 6/20/2002 9:30:39 AM Approved Transfer 69220

Comment: Approved transfer 69220 is associated with all or part of this Right and the following records.

Claim 63-31250 0.17 cfs afa 17 total acres

Claim 63-31251 0.03 cfs 13.9 afa 3 total acres

Claim 63-31252 0.84 cfs 192.5 afa 42 total acres

Claim 63-31253 0.06 cfs 13.5 afa 3 total acres

2. jpeppers 2/13/2004 transfer amendment

Comment: transfer approval 69220 was amended 2/12/2004 to remove water right 63-2846 and associated splits (63-31250 and 31251). See order for explanation.

Water Supply Bank:

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM POU REVIEW REPORT
ADJUDICATION CLAIM NUMBER: 63-31983

02/06/2006

1

| Right # | Type | Twp | Rge | Sec | QQ | Q | Lot | Purpose of Use | Acres/Total | Name |
|---------|-------------|-----|-----|-----|----|----|-----|-----------------------|-------------|-----------------------------|
| 31983 | Claim | 04N | 04W | 26 | SW | SW | | IRRIGATION | 3/3 | CLARENCE D COOK |
| 2830 | Water Right | 04N | 04W | 26 | SW | SW | | IRRIGATION | 24/24 | HUGH C BENEDICT |
| 33799 | Water Right | 04N | 04W | 26 | SW | SW | | ~~STOCKWATER~~ | | LARRY STACHLER |
| 33799 | Water Right | 04N | 04W | 26 | SW | SW | | DOMESTIC | | LARRY STACHLER |
| 30108 | Water Right | 04N | 04W | 26 | SW | SW | | ~~DOMESTIC~~ | | CATHY VELINDA OLSEN CORBELL |

no ol

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 |

63-3326

0.90 cfs / 45 ac
206 AF = 4,578 AF/AC

TUGRAO

63-31252
0.84 cfs / 42 ac
192.5 AF

63-31765
7 ac / 14 cfs
32.1 AF

owner
change

63-31253
0.96 cfs / 3.0 ac
13.5 AF

TUGRAO

63-31984
0.07 cfs / 3.5 ac
15.8 AF

63-31983
0.07 / 3.0 ac
13.5 AF

63-31766
35 ac / 0.70 cfs
166.4 AF

rw
6/15/04

0.90 cfs
44.5 ac
203.2 AF

State of Idaho

WATER LICENSE

Water License No. G-30908/63-3326 Priority January 15, 1963 Amount 0.9 c.f.s.

THIS IS TO CERTIFY, that CLARENCE D. COOK
of Caldwell, Idaho, made application for a permit to appropriate the public waters of
the State of Idaho, dated January 15, 1963; that Permit G-30908/63-3326 was issued pursuant
to said application; that the proposed works were completed on or about April 1963
with a storage/or carrying capacity of 1.22 c.f.s., said works consisting of
well, pump, motor, and earth ditches; and that on December 20, 1967
proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 206
acre feet per season, with a maximum rate of diversion of 0.9 cubic feet per second of the waters
of ground-water, tributary of
for the purpose of Irrigation from April 1 to October 31
and for from to ; and for
from to ; and that the use
of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
located in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T. 4 N, R. 4 W, B.M., and
other additional points, in the County of
Canyon; and that the amount of water to which such right is
entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
used for said purposes and shall not exceed 206 acre feet per year.

Description and location of 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 $\frac{1}{4}$ | |
| <u>4 N</u> | <u>4 W</u> | <u>26</u> | | | | | | | | | | | <u>3</u> | | | | | | <u>3</u> |
| | | <u>35</u> | | | | | | <u>35</u> | | | | | | | | <u>7</u> | | | <u>42</u> |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |
| | | | | | | | | | | | | | | | | | | | |

Total number of acres irrigated 45

The right to the use of the water 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

22nd day of December, 19 69.

[Signature]
State Reclamation Engineer

63 3326

30908

63-3326

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

Permit No. G-30908

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Clarence D. Cook

2. Source of water supply: subterranean

3. Location of point of diversion: Is in the NW 1/4 of Section 35
T. 4 N R. 4 W County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same:

70 HP v. s. ELCC MOTOR # 678516
LAUNE & BOWLER VERT TURBINE PUMP
8" DISCHARGE - THROUGH EARTH DITCHES -
GRAVITY IRRIGATION

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SW 1/4, sec. 26; NW 1/4, NW 1/4, sec. 35, T. 4 N. R. 4 W. B.M.

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

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

Remarks:

SPADING METER USED
 $Q = \frac{100 \text{ c.f.}}{82 \text{ sec}} = 1.22 \text{ c.f.s.}$
Q measured by perme water lifter Co. 1.25 c.f.s.
IRRIGATION REQUIREMENT = 1.5 AC-FT / ACRE / SEASON

This examination was made on the _____ day of JULY, 1968 DDR

(Signed) _____

Examiner.

30908 plat -
63-3326 mll

SECTIONS 26 + 35, Twp. 4N, Rge. 4W, E.M.

SEC. 26

DEER FLAT NORTH CANAL

SOUTH LINE OF N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$

SEC. 35

QUINN LATERAL

WELL →

WELL 10' SOUTH + 10'
EAST OF NW CORNER
OF NW $\frac{1}{4}$ SW $\frac{1}{4}$

Permit Map No.

30908

As Approved

GEO. N. CARTER

State Reclamation Engineer

JAN 17 1963