

09/25/2006

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

RIGHT NUMBER: 67-2273

NAME AND ADDRESS: COVE ROAD LLC
C/O GROOM AND CAVE LLP
1570 THE ALAMEDA STE 100
SAN JOSE CA 95126

SOURCE: COVE CREEK

TRIBUTARY: WEISER RIVER

QUANTITY: 0.520 CFS
200.000 AFY

PRIORITY DATE: 05/27/1959

POINT OF DIVERSION:

T10N R04W S11 NESWNW Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
WILDLIFE STORAGE	01/01 12/31	10.00 AFY
WILDLIFE	01/01 12/31	0.520 CFS 190.00 AFY
DIVERSION TO STORAGE	01/01 12/31	0.520 CFS

PLACE OF USE:

WILDLIFE Within WASHINGTON County

T10N R04W S11 NWNW

WILDLIFE STORAGE Within WASHINGTON County

T10N R04W S11 NWNW

DIVERSION TO STORAGE Within WASHINGTON County

T10N R04W S11 NWNW

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

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The diversion works shall be constructed in a manner that will protect stream values and not interfere with other Cove Creek diversions.

Injection of water from Cove Creek into any well is specifically prohibited.

Single point of diversion is located on or near the line between SWNW and SENW, S11, T10N, R04W.

Injection of water from Cove Creek into any well is specifically prohibited.

The right holder shall accomplish the change authorized by this transfer by 4 December 1996.



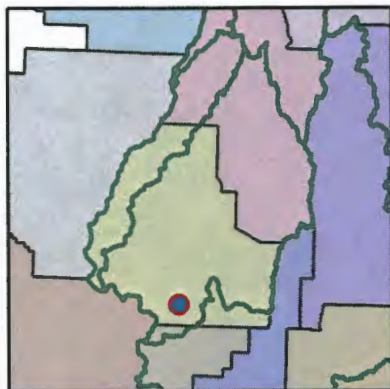
Idaho Department of Water Resources

SRBA Recommendation:

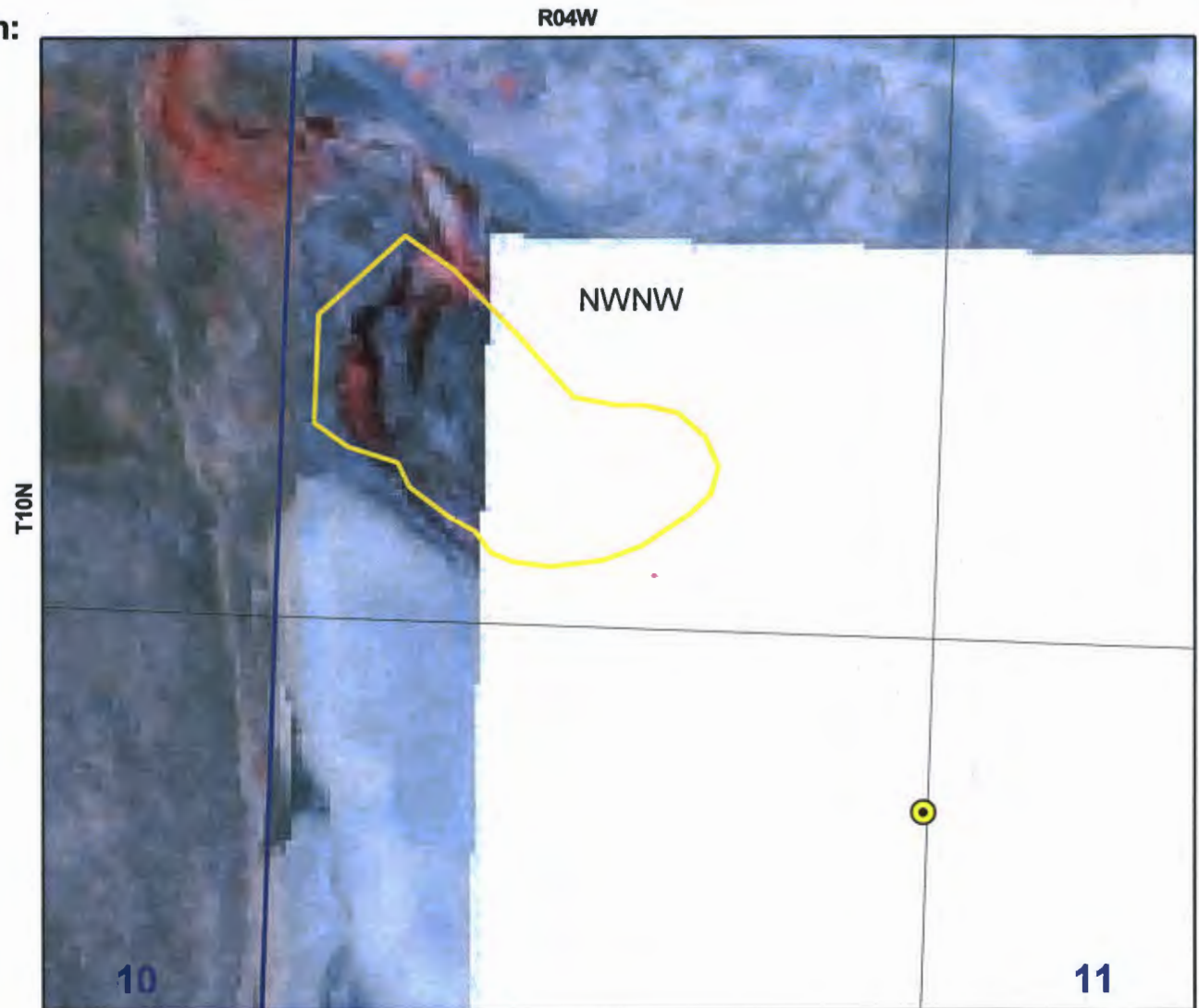
67-2273

Legend

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



Washington County
IDWR Basin 67



0 0.1 0.2 Miles



Prepared by J. Dean
On Monday, September 25, 2006
1987/88 Aerial Photography

Adjudication Recommendation Report 67-2273 V1

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	COVE ROAD LLC C/O GROOM AND CAVE LLP 1570 THE ALAMEDA STE 100 SAN JOSE, CA 95126 (408)286-3300
Original Owner	CLYDE S GRAFE 2279 COVE RD WEISER, ID 83672 (208)549-3405
Original Owner	CLAIR K KIRK BOX 1595 WEISER, ID 83672

Status: Active

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
WILDLIFE STORAGE	01/01 to 12/31		10.00 AF
WILDLIFE	01/01 to 12/31	0.520 CFS	190.00 AF
DIVERSION TO STORAGE	01/01 to 12/31	0.520 CFS	
	Total Diversion:	0.520 CFS	200.00 AF

Place of Use
WILDLIFE STORAGE

[illegible]

WILDLIFE

[illegible]

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2273 V1

DIVERSION TO STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
10N 04W 11						X											

Conditions of Approval:

1. R43 The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
2. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. The diversion works shall be constructed in a manner that will protect stream values and not interfere with other Cove Creek diversions.
Injection of water from Cove Creek into any well is specifically prohibited.
Single point of diversion is located on or near the line between SWNW and SENW, S11, T10N, R04W.
4. Injection of water from Cove Creek into any well is specifically prohibited.
5. T07 The right holder shall accomplish the change authorized by this transfer by 4 December 1996.
6. 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.

Remarks:Comments:

1. mcase 4/20/2004 Water Use
Comment: Water use transferred from irrigation to Wildlife, Wildlife Storage, and Diversion to Storage.
2. mcase 4/20/2004 POD
Comment: Claimed 2 PODs because one point of diversion straddles QQ line. I created one shape for POD, but left other without a shape. Should there be two points?
3. mcase 4/20/2004 Period of Use
Comment: Licensed use is irrigation, transferred use is Wildlife, so Period of Use changes.
4. jdean 9/25/2006 POD
Comment: Only recommended 1 POD. Spatial data will show the POD is on the line between the two QQ.
5. jdean 9/25/2006 Recommended as Transferred
Comment: The recommendation for this claim was based on the transfer.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2273 V1

Dates and Other Information:

Decreed Date:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 Defendant:
 Plaintiff:
 Civil Case Number:
 Judicial District:
 Notice of Error Flag:
 State or Federal: S
 Owner Name Connector:
 Water District Number: 67
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Combined Use Limits:Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	4/20/2004 9:30:23 AM	mcase			Active
POD	4/20/2004 9:49:14 AM	mcase			Active
Source	4/20/2004 9:49:23 AM	mcase			Active
POU	4/20/2004 9:52:57 AM	mcase			Active
Use	4/20/2004 9:54:15 AM	mcase			Active
Season	4/20/2004 9:57:15 AM	mcase			Active
Quantity	4/20/2004 9:58:26 AM	mcase			Active
Summary			09/25/2006	jdean	Active

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	9/25/2006 3:23:05 PM	jdean	Updated shape
POD	9/25/2006 3:23:20 PM	jdean	Updated PLS
POU	9/25/2006 3:25:31 PM	jdean	Updated PLS for Active POU
POU	9/25/2006 3:27:25 PM	jdean	Updated PLS for Active POU
POU	9/25/2006 3:27:49 PM	jdean	Updated PLS for Active POU
POU	9/25/2006 3:28:12 PM	jdean	Updated shape for Active POU
POU	9/25/2006 3:28:21 PM	jdean	Updated PLS for Active POU

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2273 V1

Summary	9/25/2006 3:40:34 PM	jdean	(Yes) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (No) 2. Does any evidence indicate a five year period of continuous nonuse occurred that could result in recommending forfeiture or partial forfeiture? (No) 5. Does this right have any combined use limits with other rights? (Yes) 6. Is an additional remark and/or condition required? (Yes) 7. Would you like to view the recommended right? (No) 8. Is this a split or combined right? (No) 9. Do you have documents you would like to attach or link to the file? (Yes) 10. Would you like to set the verification date?
POU	9/25/2006 3:25:56 PM	jdean	Updated PLS for Active POU
POU	9/25/2006 3:26:39 PM	jdean	Updated shape for Active POU
POU	9/25/2006 3:26:47 PM	jdean	Updated PLS for Active POU
POU	9/25/2006 3:27:16 PM	jdean	Updated shape for Active POU
POU	9/25/2006 3:27:40 PM	jdean	Updated shape for Active POU
POD	4/20/2004 9:38:50 AM	mcase	Edited point location
Source	4/20/2004 9:49:23 AM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
POU	4/20/2004 9:52:31 AM	mcase	Edited shape boundary
Use	4/20/2004 9:54:15 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
Season	4/20/2004 9:57:15 AM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (No) 14. Is irrigation claimed as a Purpose of Use?
Priority Date	4/20/2004 9:30:23 AM	mcase	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2273 V1

POD	4/20/2004 9:49:14 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?
POU	4/20/2004 9:52:58 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file?
Quantity	4/20/2004 9:58:27 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (No) 10. Is a irrigation a purpose of use? Description for Question 10 - Diversion licensed for 200 AF.
POU	9/25/2006 3:25:22 PM	jdean	Updated shape for Active POU
POU	9/25/2006 3:26:14 PM	jdean	Updated shape for Active POU
POU	9/25/2006 3:26:22 PM	jdean	Updated PLS for Active POU
POU	9/25/2006 3:27:58 PM	jdean	Updated PLS for Active POU

Water Supply Bank:

RECEIVED

SEP 28 2005

RECEIVED

SEP 23 2005

WATER RESOURCES
WESTERN REGION

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

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, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
67-2273 AJ		NO			
67-14292 AJ		NO			
67-10663 WR-PD		NO			
67-10664 WR-PD		NO			
67-10665 WR-PD		NO			

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 usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are 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(s) CLYDE S. GRAFE
2279 COVE ROAD, WEISER, ID 83672
4. New Owner/Claimant(s) COVE ROAD LLC
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
- New Mailing Address C/O GROOM AND CAVE, LLP
1570 THE ALAMEDA, SUITE 100
City, State and ZIP Code SAN JOSE, CA 95126
- New Telephone Number (408) 286-3300
5. Date you acquired the property 9/1/05

OKAY TO CHANGE

67-2273 + -14292

DLN

10/31/05

FEES UNPAID

FOR PARTIALLY - DECREED RIGHTS?

SCANNED

NOV - 2 2005

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 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 (one water right per box, you may copy this page as 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(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) COVE ROAD, LLC
(include title if applicable)

BY: _____

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.

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by <u>Sherman</u>	Date <u>11-02-05</u>	WR _____ Date _____

SCANNED
NOV - 2 2005



198428

Instrument # 198428

WEISER, WASHINGTON, IDAHO

2005-09-01

03:47:00 No. of Pages: 3

Recorded for : AMERITITLE

SHARON WIDNER

Ex-Officio Recorder Deputy

Index to: DEED

Fee: 9.00
Lisa M. Knight

WARRANTY DEED

For Value Received,

Clyde Grafe, an unmarried man,

the Grantor, does hereby grant, bargain, sell and convey unto

Cove Road, LLC

the Grantee whose address is

the following described premises in WASHINGTON COUNTY, IDAHO, to-wit:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

TO HAVE AND TO HOLD the premises with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises that said premises are free from all encumbrances except the 2005 taxes and assessments and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: 8-30-05

Clyde Grafe
Clyde Grafe

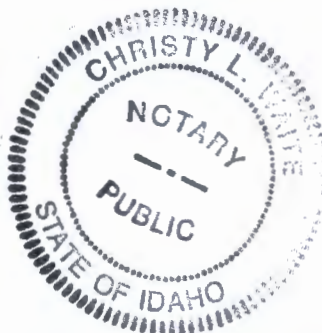
State of Idaho)

ss

County of WASHINGTON)

On this 30th day of August, 2005 before me Christy L. White a notary public in and for said State, personally appeared Clyde Grafe 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.

Christy L. White
Notary Public
Residing at: Weiser, Idaho
Commission Expires: 4/4/09



SCANNED

NOV - 2 2005

File Number: W11109

EXHIBIT "A"

PARCEL I:

Township 10 North, Range 4 West of the Boise Meridian, Washington County, Idaho:

Section 14: NE $\frac{1}{4}$ NW $\frac{1}{4}$;Section 23: S $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$ NW $\frac{1}{4}$;Section 26: W $\frac{1}{2}$ SW $\frac{1}{4}$;Section 27: SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$;Section 34: N $\frac{1}{2}$ NE $\frac{1}{4}$.**PARCEL II:**

Township 10 North, Range 3 West of the Boise Meridian, Washington County, Idaho:

Section 30: Lots 1 and 2;

Township 10 North, Range 4 West of the Boise Meridian, Washington County, Idaho:

Section 11: E $\frac{1}{2}$ SE $\frac{1}{4}$;Section 12: NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$;

Section 13: All, **SAVE AND EXCEPT** that portion of the E $\frac{1}{2}$ NE $\frac{1}{4}$ and NE $\frac{1}{4}$ SE $\frac{1}{4}$ lying North and East of Northeast side of the watermark in the draw of the tributary to Cove Creek traversing said property;

Section 14: E $\frac{1}{2}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ and a tract described as follows:Beginning at a point 1182 feet East of the Northwest corner of the SW $\frac{1}{4}$ of said Section 14;Thence running South to the North bank of the Highland Ditch; to a point 1279 feet East of the West boundary line of the said SW $\frac{1}{4}$;

Thence Southwesterly along the North bank of said ditch;

Thence South to the South line of said Section 14 at a point 1279 feet East of the Southwest corner of the said SW $\frac{1}{4}$;Thence East to the Southeast corner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 14;Thence North along the East line of the W $\frac{1}{2}$ SW $\frac{1}{4}$ to the Northeast corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 14;

Thence West to the Point of Beginning.

CONTINUED

SCANNED

NOV - 2 2005

File Number: W11109

EXHIBIT "A" CONTINUED

Section 23: Lots 1 and 2, S $\frac{1}{2}$;

Section 24: All;

Section 25: Lots 1,2,3, and 4, W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$;

Section 26: NE $\frac{1}{4}$ NE $\frac{1}{4}$.

PARCEL III:

Township 10 North, Range 4 West of the Boise Meridian, Washington County, Idaho:

Section 11: SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, and all that part of the NW $\frac{1}{4}$ lying southerly of the right-of-way for Cove Road.

Township 10 North, Range 4 West of the Boise Meridian, Washington County, Idaho:

Section 12: SW $\frac{1}{4}$ SW $\frac{1}{4}$.

SCANNED

NOV - 2 2005



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street, P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 287-4800 Fax: (208) 287-6700 Web Site: www.idwr.idaho.gov

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 2, 2005

COVE ROAD LLC
C/O GROOM AND CAVE LLP
1570 THE ALAMEDA STE 100
SAN JOSE CA 95126

RE: Snake River Basin Adjudication (SRBA)
Notices of Claim to a Water Right #67-2273 and 67-14292 and Decrees
#67-10663, 67-10664 and 67-10665

Dear Claimant:

We have processed your change in ownership of the Notices of Claim referenced above. Thank you for your patience.

Enclosed are copies of your Notices of Claim for your file. Please refer to these record numbers in any future inquiries or correspondence.

A copy of your ownership change document has been forwarded to our Water Allocations Bureau to handle the decreed rights.

If your mail delivery address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your claims.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Technical Section

SS:region
Enclosures:

Copies of Notices of Claim Referenced Above

SCANNED

NOV - 2 2005

NOV - 2 2005

SCANNED

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 67-2273
Date Received: 10/10/1989
Receipt No: M004858
Received By:

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

1. Name of Claimant(s)

COVE ROAD LLC Phone:

C/O GROOM AND CAVE LLP
1570 THE ALAMEDA STE 100
SAN JOSE CA USA 95126

2. Date of Priority: 05/27/1959

3. Source: COVE CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
10N	04W	11	SW NW	WASHINGTON	
10N	04W	11	SE NW	WASHINGTON	

5. Description of diverting works:

HEADGATE & DITCH TO POND.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
WILDLIFE	1/01	12/31	0.52	190
WILDLIFE STORAGE	1/01	12/31		10
DIVERSION TO STORAGE			1/01 12/31 0.52	

7. Total Quantity Appropriated is:
0.52 C.F.S. and/or 200 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
10N	04W	11	NW	NW	WILDLIFE	

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

14. Remarks:

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

CLAIM AMENDED PER TRANSFER NO. 4670 APPROVED 12/4/1995.

AFTER SPECIFIC NOTIFICATION BY THE DEPT., THE RT. HOLDER SHALL ANNUALLY REPORT THE AMOUNT OF WATER DIVERTED TO THE DEPARTMENT. A SEPARATE STREAM ALTERATION PERMIT FROM THE IDWR IS REQUIRED FOR ANY ACTIVITY IN THE STREAM CHANNEL OTHER THAN CONSTRUCTION AND/OR MAINTENANCE OF THE DIVERSION STRUCTURE. IF THE PROPOSED CONSTRUCTION OR OPERATION INVOLVES CONSTRUCTION OF AN OUTFALL OR ANY OTHER WORK IN THE STREAM CHANNEL OTHER THAN A WATER DIVERSION THE RT. HOLDER SHALL CONTACT THE DEPT. AND OBTAIN A STREAM CHANNEL ALTERATION PERMIT PRIOR TO THE START OF CONSTRUCTION.

THE DIVERSION WORKS SHALL BE CONSTRUCTED IN A MANNER THAT WILL PROTECT STREAM VALUES AND NOT INTERFERE WITH OTHER COVE CREEK DIVERSIONS.

INJECTION OF WATER FROM COVE CREEK INTO ANY WELL IS SPECIFICALLY PROHIBITED.

SINGLE POINT OF DIVERSION IS LOCATED ON OR NEAR THE LINE BETWEEN SWNW AND SENW, S11, T10N, R04W.

SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY OF APPROVED TRANSFER NO. 4670 IN FILE. KW 3/25/96

Use of water under this water right will be regulated by the watermaster of State Water District No. &DISTRICT.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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

15. Basis of Claim: License

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

08/24/2005

WATER RIGHT NO. 67-2273

No Fee

Owner Type	Name and Address
Current Owner	CLYDE S GRAFE 2279 COVE RD WEISER, ID 83672 (208)549-3405
Original Owner	CLAIR K KIRK BOX 1595 WEISER, ID 83672

Priority Date: 05/27/1959

Basis: License

Status: Active

Source	Tributary
COVE CREEK	WEISER RIVER

Do not
scare

Beneficial Use	From	To	Diversion Rate	Volume
WILDLIFE	1/01	12/31	0.52 CFS	190 AFA
WILDLIFE STORAGE	1/01	12/31		10 AFA
DIVERSION TO STORAGE	1/01	12/31	0.52 CFS	
Total Diversion			0.52 CFS	

Location of Point(s) of Diversion:

COVE CREEK	SWNW	Sec. 11	Township 10N	Range 04W	WASHINGTON County
COVE CREEK	SENW	Sec. 11	Township 10N	Range 04W	WASHINGTON County

Place(s) of use:

Place of Use Legal Description: WILDLIFE WASHINGTON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
10N	04W	11		NWNW										

Conditions of Approval:

1.	T08	Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
2.	R43	The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
3.		CLAIM AMENDED PER TRANSFER NO. 4670 APPROVED 12/4/1995. AFTER SPECIFIC NOTIFICATION BY THE DEPT., THE RT. HOLDER SHALL ANNUALLY REPORT THE AMOUNT OF WATER DIVERTED TO THE DEPARTMENT. A SEPARATE STREAM ALTERATION PERMIT FROM THE IDWR IS REQUIRED FOR ANY ACTIVITY IN THE STREAM CHANNEL OTHER THAN CONSTRUCTION AND/OR MAINTENANCE OF THE DIVERSION STRUCTURE. IF THE PROPOSED CONSTRUCTION OR OPERATION INVOLVES CONSTRUCTION OF AN OUTFALL OR ANY OTHER WORK IN THE STREAM CHANNEL OTHER THAN A WATER DIVERSION THE RT. HOLDER SHALL CONTACT THE DEPT. AND OBTAIN A STREAM CHANNEL ALTERATION PERMIT PRIOR TO THE START OF CONSTRUCTION. THE DIVERSION WORKS SHALL BE CONSTRUCTED IN A MANNER THAT WILL PROTECT STREAM VALUES AND NOT INTERFERE WITH OTHER COVE CREEK DIVERSIONS. INJECTION OF WATER FROM COVE CREEK INTO ANY WELL IS SPECIFICALLY PROHIBITED. SINGLE POINT OF DIVERSION IS LOCATED ON OR NEAR THE LINE BETWEEN SWNW AND SENW, S11, T10N, R04W. SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY OF APPROVED TRANSFER NO. 4670 IN FILE. KW 3/25/96
4.	R04	Use of water under this water right will be regulated by the watermaster of State Water District No, 67 .
5.	T07	The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6.	T09	Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

Dates:

Licensed Date: 10/03/1973

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number: 67

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

08/24/2005

WATER RIGHT NO. 67-14292

No Fee

Owner Type	Name and Address
Current Owner	CLYDE S GRAFE 2279 COVE RD WEISER, ID 83672 (208)549-3405

Priority Date: 04/01/1965
Basis: Beneficial Use
Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
STOCKWATER	01/01	12/31	0.05 CFS	
Total Diversion			0.05 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SWNE	Sec. 27	Township 10N	Range 04W	WASHINGTON County
--------------	------	---------	--------------	-----------	-------------------

STOCKWATER Use:
Number of other uses: 100-200 Range Cattle

Place(s) of use:

Place of Use Legal Description: STOCKWATER WASHINGTON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
10N	04W	27		SWNE										

Dates:
Licensed Date:
Claim Received Date:
Decreed Date:

Enlargement Use Priority Date:
Enlargement Statute Priority Date:

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

08/24/2005

WATER RIGHT NO. 67-10663

\$25⁰¹ Fee

Owner Type	Name and Address
Current Owner	CLYDE S GRAFE 2279 COVE RD WEISER, ID 83672 (208)549-3405

Priority Date: 01/01/1910
Basis: Decreed
Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
DOMESTIC	1/01	12/31	0.08 CFS	
Total Diversion			0.08 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWNESE	Sec. 14	Township 10N	Range 04W	WASHINGTON County
--------------	--------	---------	--------------	-----------	-------------------

Place(s) of use:

Place of Use Legal Description: DOMESTIC WASHINGTON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
10N	04W	14		NESE										

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.	N13	THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.
3.	N11	THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.
4.		PARCEL NO. RP 002212T

Dates:

Licensed Date:

Decreed Date: 12/15/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

08/24/2005

WATER RIGHT NO. 67-10664

\$ 250 Fee

Owner Type	Name and Address
Current Owner	CLYDE S GRAFE 2279 COVE RD WEISER, ID 83672 (208)549-3405

Priority Date: 01/01/1951
Basis: Decreed
Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
STOCKWATER	1/01	12/31	0.03 CFS	
Total Diversion			0.03 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SWNE	Sec. 27	Township 10N	Range 04W	WASHINGTON County
--------------	------	---------	--------------	-----------	-------------------

Place(s) of use:

Place of Use Legal Description: STOCKWATER WASHINGTON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
10N	04W	27		SWNE										

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. | N13 | THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY. |
| 3. | N11 | THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE. |
| 4. | | STOCKWATER, 75 RANGE CATTLE PARCEL NO. RP 002239T |

Dates:

Licensed Date:

Decreed Date: 12/15/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

Close

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

08/24/2005

WATER RIGHT NO. 67-10665

#25⁰⁰ Fee

Owner Type	Name and Address
Current Owner	CLYDE S GRAFE 2279 COVE RD WEISER, ID 83672 (208)549-3405

Priority Date: 01/01/1940
Basis: Decreed
Status: Active

Source	Tributary
SPRING	COVE CREEK

Beneficial Use	From	To	Diversion Rate	Volume
STOCKWATER	1/01	12/31	0.03 CFS	
Total Diversion			0.03 CFS	

Location of Point(s) of Diversion:

SPRING	SESWNE	Sec. 23	Township 10N	Range 04W	WASHINGTON County
--------	--------	---------	--------------	-----------	-------------------

Place(s) of use:

Place of Use Legal Description: STOCKWATER WASHINGTON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
10N	04W	23		SWNE										

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. | N13 | THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY. |
| 3. | N11 | THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE. |
| 4. | | STOCKWATER, 75 RANGE CATTLE PARCEL NO. RP 002230T |

Dates:

Licensed Date:

Decreed Date: 12/15/2000

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal: S

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

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: **A67-02273**
Date Received: 10/10/1989
Receipt No: M004858
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: CLYDE S GRAFE 208-549-3405
Address: 2279 COVE RD
WEISER ID 83672

2. Date of Priority: MAY 27, 1959

3. Source: COVE CREEK Trib. to: WEISER RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
10N	04W	11	SW	NW			WASHINGTON
			SE	NW			WASHINGTON

5. Description of diverting works:
HEADGATE & DITCH TO POND.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
WILDLIFE	01/01	12/31	0.520		190.00
WILDLIFE STORAGE	01/01	12/31			10.00
DIVERSION TO STORAGE	01/01	12/31	0.520		

7. Total Quantity Appropriated is:
0.520 C.F.S. (and/or) 200.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:
WILDLIFE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
10N	04W	11	NW	NW		WILDLF	

SCANNED
MAY 10 2004

MICROFILMED
OCT 22 1996

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:

67-07987

14. Remarks:

CLAIM AMENDED PER TRANSFER NO. 4670 APPROVED 12/4/1995.

AFTER SPECIFIC NOTIFICATION BY THE DEPT., THE RT. HOLDER SHALL ANNUALLY REPORT THE AMOUNT OF WATER DIVERTED TO THE DEPARTMENT.

A SEPARATE STREAM ALTERATION PERMIT FROM THE IDWR IS REQUIRED FOR ANY ACTIVITY IN THE STREAM CHANNEL OTHER THAN CONSTRUCTION AND/OR MAINTENANCE OF THE DIVERSION STRUCTURE. IF THE PROPOSED CONSTRUCTION OR OPERATION INVOLVES CONSTRUCTION OF AN OUTFALL OR ANY OTHER WORK IN THE STREAM CHANNEL OTHER THAN A WATER DIVERSION THE RT. HOLDER SHALL CONTACT THE DEPT. AND OBTAIN A STREAM CHANNEL ALTERATION PERMIT PRIOR TO THE START OF CONSTRUCTION.

THE DIVERSION WORKS SHALL BE CONSTRUCTED IN A MANNER THAT WILL PROTECT STREAM VALUES AND NOT INTERFERE WITH OTHER COVE CREEK DIVERSIONS.

INJECTION OF WATER FROM COVE CREEK INTO ANY WELL IS SPECIFICALLY PROHIBITED.

SINGLE POINT OF DIVERSION IS LOCATED ON OR NEAR THE LINE BETWEEN SWNW AND SENW, S11, T10N, R04W.

SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY OF APPROVED TRANSFER NO. 4670 IN FILE. KW 3/25/96

15. Basis of Claim: LICENSE

Water Right Number: 28061

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): _____ Date: _____

_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT

TRANSFER NO. 4670
WATER RIGHT NO. 67-02273

RECEIVED

DEC 07 1995

WATER RESOURCES
WESTERN REGION

This is to certify that: **CLYDE S GRAFE**
2279 COVE RD
WEISER ID 83672

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
WILDLIFE	01/01 to 12/31	0.52 CFS	190.0 AF
WILDLIFE STORAGE	01/01 to 12/31		10.0 AF
DIVERSION TO STORA	01/01 to 12/31	0.52 CFS	
	Totals	0.52 CFS	200.0 AF

SOURCE

COVE CREEK

TRIBUTARY OF

WEISER RIVER

Priority: 05/27/1959

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 11, Township 10N, Range 04W
SEnw , Sec. 11, Township 10N, Range 04W
WASHINGTON County

PLACE OF USE: WILDLIFE

TWN RGE SEC

10N 04W 11

NWNW

CONDITIONS OF APPROVAL AND REMARKS

- R04 1. Use of water under this water right will be regulated by the watermaster of State Water District No. (67).
- R43 2. A measuring device and lockable controlling works of a type approved by this Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.

MICROFILMED

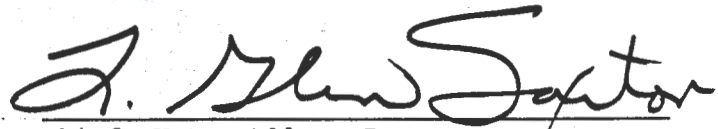
OCT 22 1996

TRANSFER NO. 4670
WATER RIGHT NO. 67-02273

CONDITIONS OF APPROVAL AND REMARKS

- 3. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
- 4. A separate stream alteration permit from the IDWR is required for any activity in the stream channel other than construction and/or maintenance of the diversion structure. If the proposed construction or operation involves construction of an outfall or any other work in the stream channel other than a water diversion, the right holder shall contact the Department and obtain a Stream Channel Alteration permit prior to the start of construction.
- TO 5. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- TO 6. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- TO 7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- 8. The diversion works shall be constructed in a manner that will protect stream values and not interfere with other Cove Creek diversions.
- 9. Injection of water from Cove Creek into any well is specifically prohibited.
- 10. Single point of diversion is located on or near the line between SWNW and SENW, S11, T10N, R04W.

Dated this 4th day of December, 1995.


Chief, Water Alloc. Bureau

MICROFILMED
OCT 22 1996

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

Transfer No. 4670
RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

JUL 17 1995
PART 1
POOR ORIGINAL
**WATER RESOURCES
WESTERN REGION**

Name of applicant Clyde Graft Phone 549-3405
Post Office address 2279 Cove Rd. Weiser ID 83672
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 _____

2. Describe the reason for the proposed changes This right was originally used on/NEAR proposed location but was transferred several miles east in 1989. Now, propose retransferring right to its original general site and changing use to wildlife pond all year. Minimal consumptive use outside of irrigation season and lack of storage facilities on Weiser River system suggest that expansion/improvement will not occur.

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
<u>67-02273</u>	<u>5/27/1959</u>	<u>.52 cfs</u>	<u>Wildlife</u>	_____ to _____
_____	_____	<u>.52 cfs</u>	<u>Div. to Storage</u>	<u>1/1</u> to <u>12/31</u>
_____	_____	<u>10 AF</u>	<u>Wildlife Storage</u>	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred .52 cubic feet per second and/or 10 acre-feet per annum.
3. Source of water Cove Creek tributary to Weiser River (Storage)
4. Point(s) of Diversion: _____

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		<u>SW</u>	<u>NW</u>	<u>11</u>	<u>10N</u>	<u>4W</u>	<u>Washington</u>	<u>} single point on/NEAR RR line</u>
		<u>SE</u>	<u>NW</u>					

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
10N	4W	11						W										—	

MICROFILMED
OCT 22 1996

Total acres _____

ALSO SEE REMARKS - PG. 2

PART 1

6. General Information:

a. Description of diversion system headgate & ditch to pond, co-mingle water (via ditch) from Well ID 67-07987 for wildlife use; return flows from pond to creek (will need Stream Channel Alteration Permit for return flows).

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. 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:

There is a McGhee water right and still two wells on site. Records of well CFS should be at your office. Note McGhee water right should also be at office.

d. Remarks:

Appl. 67-07987 proposed creek plus well to pond. Application is protested - Applicant seeks replacement of creek water via transfer in efforts to resolve protest & proceed with HIP project with IDFIG assistance. 67-07987 will only cover the well as amended. Total water use under 67-02273 & 67-07987 limited to 1.00 cfs and 10 at storage pond.

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 _____.

3
POOR ORIGINALSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 67-02273 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 3627 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:
☐ Tax Notice
 ☐ Warranty Deed
 ☐ Other _____
3. Source of water Cove Creek tributary to Weiser River4. Date or priority 5/27/1959

5. Water is used for the following purpose:

amount .52 for Irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right .52 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SE	8	10N	3W	Washington	

8. 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	
10N	3W	~~16~~ 17		40	4														44.5

MICROFILMED

OCT 22 1998

Total acres

44.5 (or 45 ac
per standard
rounding)

9. Describe any other water rights used for the same purpose as described above

67-04492 Cove Ck. (15 ac. NWNE) & 67-07541 (includes all 45 ac. listed above)

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

Yes

If yes, describe

CRP Canopy

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

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

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

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 67-02273

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.52 CFS	200.0 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
COVE CREEK	WEISER RIVER

Priority: 05/27/1959

LOCATION OF POINT(S) OF DIVERSION: SWSE , Sec. 8, Township 10N, Range 03W
WASHINGTON County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10N	03W	17	NWNE 40	SWNE 4.5		44.5
Total number of acres irrigated:						44.5

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 67.
2. The use of water on the lands to which the above referenced water rights were appurtenant is hereby abandoned and failure to put the water to beneficial use within five (5) years of the date of the approval of this transfer on the new land identified under item B.5 shall constitute loss or forfeiture of the water rights.
3. TRANS. 3627. INJECTION OF WATER FROM COVE CK. INTO ANY WELL IS SPECIFICALLY PROHIBITED. WATER SHALL BE DIVERTED UNDER THIS RT. AT THE NEW POINT OF DIVERSION IN THE SWSE, S8, T10N, R3W ONLY DURING PERIODS WHEN WATER WOULD HAVE BEEN AVAILABLE AT THE ORIGINAL LOCATION IN THE NWNW, S11, T10N, R4W. THE OWNER OF THIS RIGHT HAS THE RESPONSIBILITY TO PROVIDE ANY WEIRS NEEDED TO MAKE THIS DETERMINATION OF AVAILABILITY AS DESIGNATED BY THE DEPT. & BY THE WATERMASTER OF WATER DISTRICT 67. NO WATER SHALL BE DIVERTED UNDER THIS RIGHT UNTIL A MEASURING DEVICE & LOCKABLE CONTROLLING WORKS FOR USE BY THE WATERMASTER HAVE BEEN INSTALLED. THIS RIGHT IS SUBJECT TO ALL PRIOR WATER RIGHTS & DOWNSTREAM JUNIOR WATER RIGHTS FOR THE PURPOSE OF WATERING STOCK FROM THE STREAM BETWEEN THE ORIGINAL POINT OF DIVERSION AND THE NEW POINT OF DIVERSION.

MICROFILMED
OCT 22 1996

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.

See attached maps (3)

MICROFILMED
OCT 22 1996

POOR ORIGINAL

TION

Creek water to be transferred

WILDLife Pond to be served by:

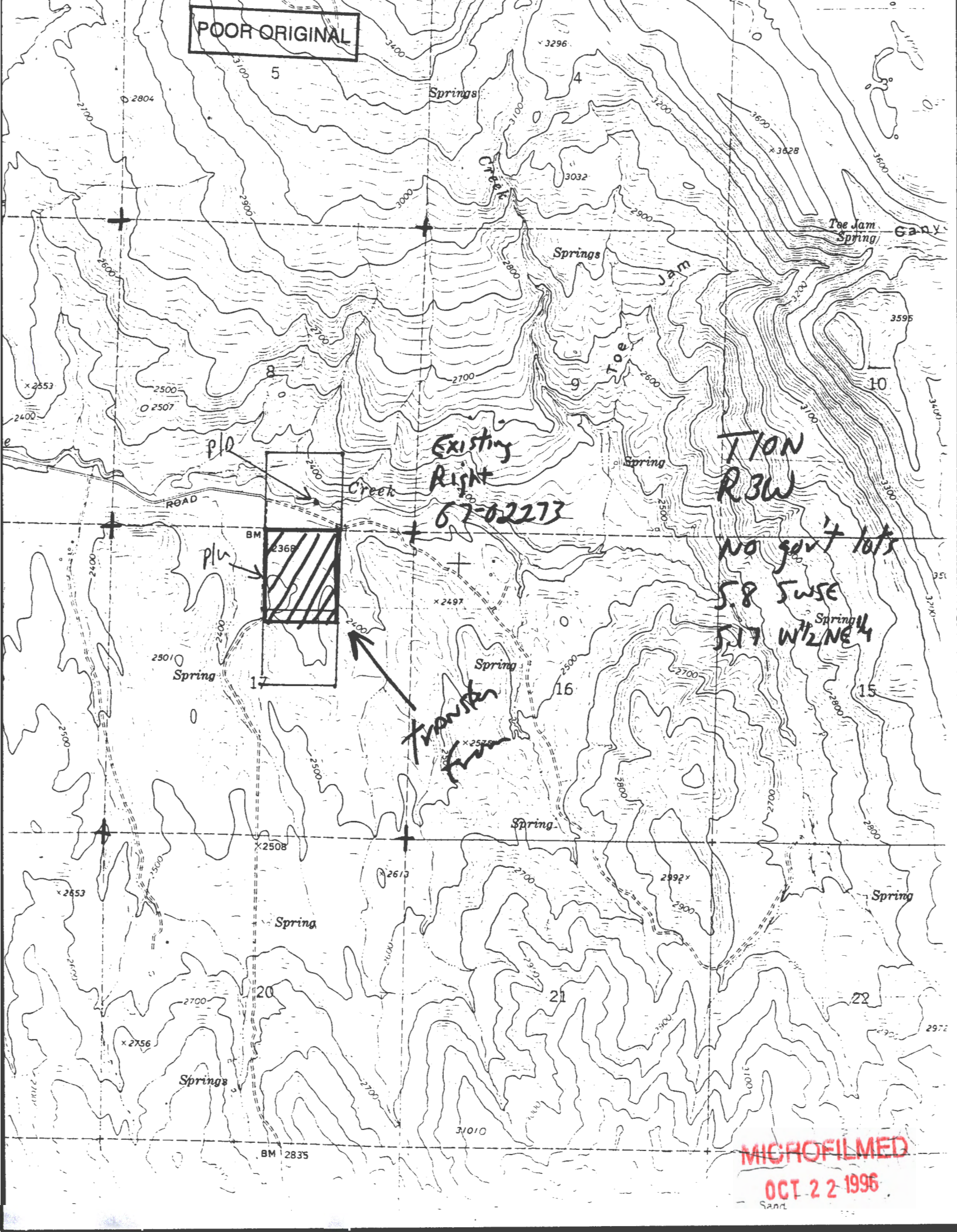
67-02273 CUBE Ck. (Transvaal) Creek

62-07987 well (permit; amend) (App)

82 7/5/95

MICROFILMED
OCT 22 1996

POOR ORIGINAL



T10N
R3W

No govt lots
S.8 SWSE
S.17 NW1/4

Existing
Right
67-02273

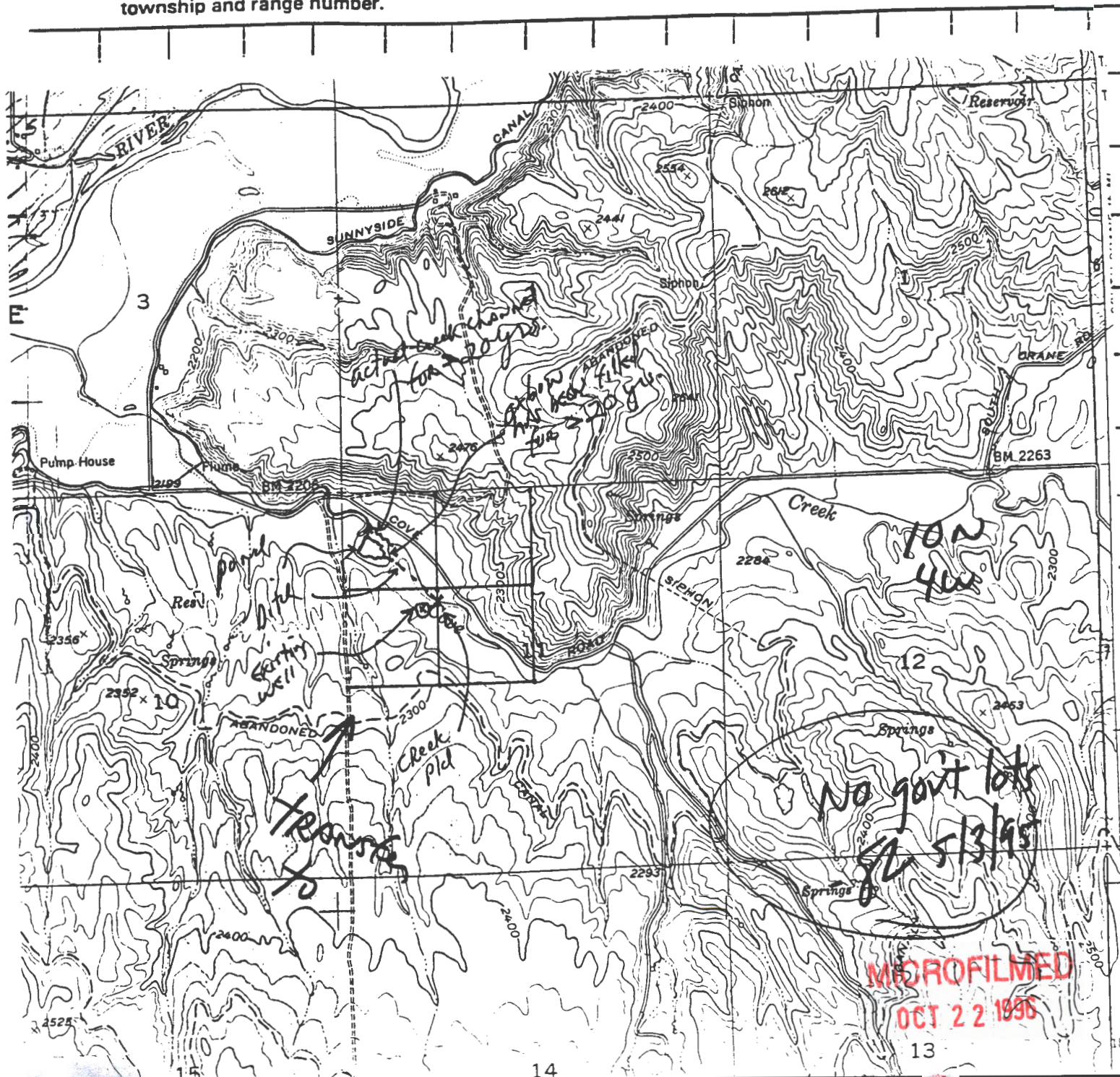
Transfer

MICROFILMED
OCT 22 1996

POOR ORIGINAL

Copy from Appl. for Permit 67-07987. Creek pld deleted
from 67-07987 and replaced with Transfer Application of
67-02273. Result: 67-02273 creek } to pond, all year,
67-07987 well } w/ 14 hr use

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

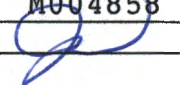


MICROFILMED
OCT 22 1996

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: A67-02273
Date Received: 10/10/1989
Receipt No: M004858
Received By: 

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CLYDE S. GRAFE 208-549-3405
Address: 2279 COVE RD.
WEISER, ID 83672
2. Date of Priority: MAY 27, 1959
3. Source: COVE CREEK Trib. to: WEISER RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 of | Lot | County |
|----------|-------|---------|--------|--------|--------|-----|------------|
| 10N | 03W | 8 | SW | | SE | | WASHINGTON |
5. Description of diverting works:
DIV. DAM IN CK. W/PUMP AND PIPELINE FOR SPRINKLER IRRIG.
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S. | (or) | A.F.A. |
|------------|-------|-------|--------|------|--------|
| IRRIGATION | 03/15 | 11/15 | 0.520 | | 200.00 |
7. Total Quantity Appropriated is:
0.520 C.F.S. (and/or) 200.00 A.F.A.
8. Total consumptive use is 157.5 Acre Feet Per Annum.
9. Non-irrigation uses:
NONE.
10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
10N	03W	17	NW	NE		IRR	40.0
			SW	NE		IRR	5.0
Section Acres							45.0

A67-02273

Page 1

Date: 10/10/89

MICROFILMED
OCT 01 1992

10. Place of Use: Continued

Total Acres 45.0

11. Place of use in counties: WASHINGTON

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

13. Other Water Rights Used:
NONE.

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: 28061

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 not wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 0

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): Chloe S. Jaffe Date: 10/10/89
Date: _____

State of Idaho)
County of AOA) SS.

Subscribed and sworn (or affirmed) before me this 10th day
of October 19 89
Jan Shute
Notary Public

Residing at Meridian ID
My Commission Expires 9-14-94



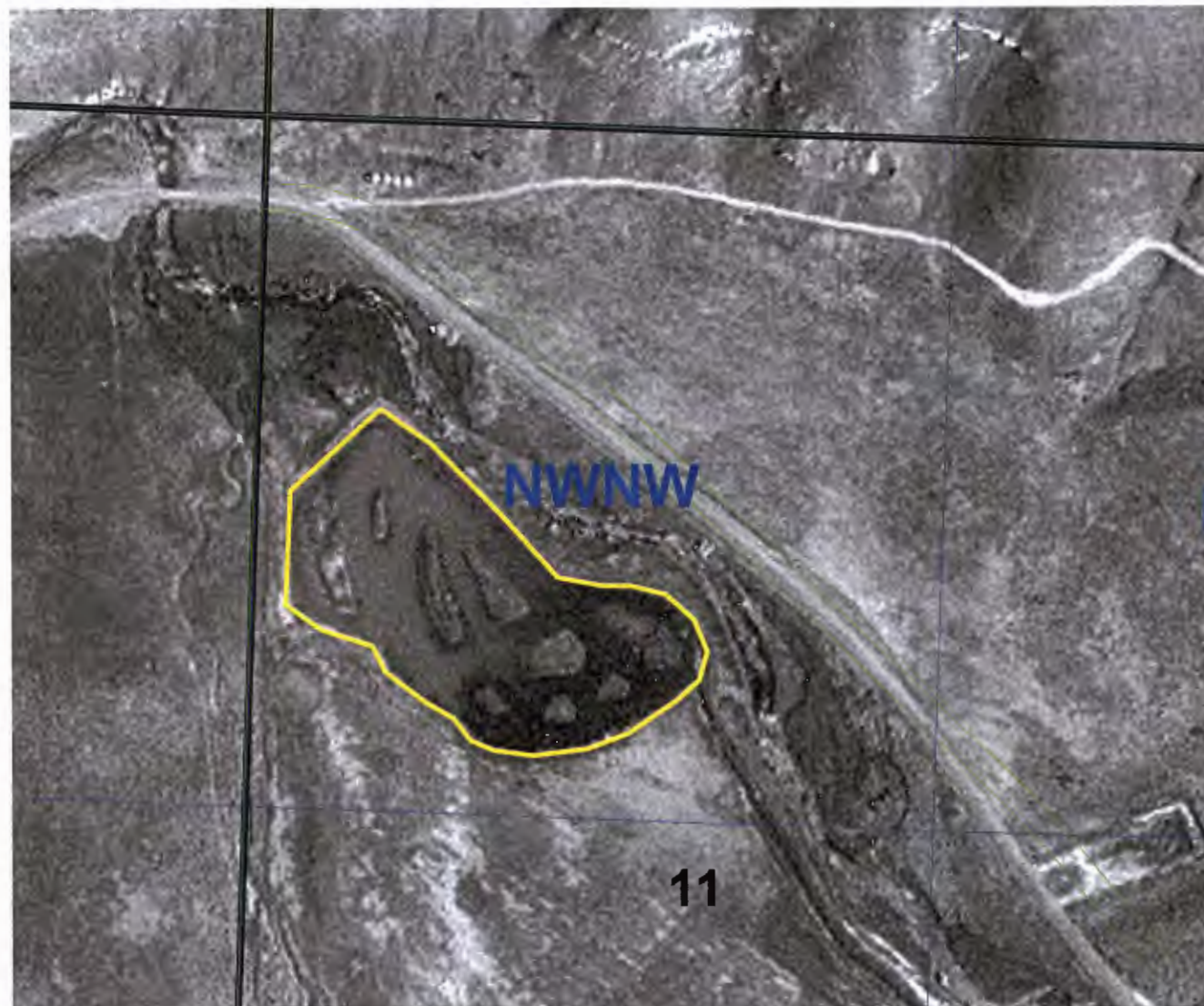
Idaho Department of Water Resources

67 - 2273

Legend

-  Claim 67-2273 POU
-  Washington taxlots
-  Sections
-  Quarter Quarter

T 10N, R 04W, Section 11



DO NOT
SCAN

Page 1

04/20/2004

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2273 V1

WATER RIGHT NUMBER: 67-2273 V1

Owner Type Name and Address
Current Owner CLYDE S GRAFE
 2279 COVE RD
 WEISER, ID 83672
 (208)549-3405
Original Owner CLAIR K KIRK
 BOX 1595
 WEISER, ID 83672

DRAFT

Priority Date: 05/27/1959

Basis:

Status:

Source Tributary
COVE CREEK WEISER RIVER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
WILDLIFE STORAGE	1/01 to 12/31		10.00 AF
WILDLIFE	1/01 to 12/31	0.520 CFS	190.00 AF
DIVERSION TO STORAGE	1/01 to 12/31	0.520 CFS	
	<u>Total Diversion:</u>	0.520 CFS	200.00 AF

Location of Point(s) of Diversion

COVE CREEK	SW1/4NW1/4	Sec. 11, Twp 10N, Rge 04W, B.M.
WASHINGTON County		
COVE CREEK	SE1/4NW1/4	Sec. 11, Twp 10N, Rge 04W, B.M.
WASHINGTON County		

Place of Use

WILDLIFE

Twp	Rge	Sec	NE	NW	SW	SE	Totals
10N	04W	11	X				

Conditions of Approval:

Remarks:

Page 2

04/20/2004

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 67-2273 V1

Comments:

1. mcase 4/20/2004 Water Use
Comment: Water use transferred from irrigation to Wildlife, Wildlife Storage, and Diversion to Storage.
2. mcase 4/20/2004 POD
Comment: Claimed 2 PODs because one point of diversion straddles QQ line. I created one shape for POD, but left other without a shape. Should there be two points?
3. mcase 4/20/2004 Period of Use
Comment: Licensed use is irrigation, transferred use is Wildlife, so Period of Use changes.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag:
State or Federal: S
Owner Name Connector:
Water District Number: 67
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

Combined Use Limits:

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
Priority Date	4/20/2004 9:30:23 AM	mcase			
POD	4/20/2004 9:49:14 AM	mcase			
Source	4/20/2004 9:49:23 AM	mcase			
POU	4/20/2004 9:52:57 AM	mcase			
Use	4/20/2004 9:54:15 AM	mcase			
Season	4/20/2004 9:57:15 AM	mcase			
Quantity	4/20/2004 9:58:26 AM	mcase			

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
POD	4/20/2004 9:38:50 AM	mcase	Edited point location
Source	4/20/2004 9:49:23 AM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a source? (Yes) 5. Can the claimed source be verified using the water right file?
POU	4/20/2004 9:52:31 AM	mcase	Edited shape boundary

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-2273 V1

Use	4/20/2004 9:54:15 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a Purpose of Use? (Yes) 5. Can the claimed Purpose of Use be verified using the water right file?
Season	4/20/2004 9:57:15 AM	mcase	(Yes) 1. Is the basis of claim Decree or License? (Yes) 4. Does the Decree or License have a Period of Use? (Yes) 5. Can the claimed Period of Use be verified using the water right file? (No) 14. Is irrigation claimed as a Purpose of Use?
Priority Date	4/20/2004 9:30:23 AM	mcase	(No) 1. Should this water use have been included in a later court decree of the water rights from this source? (Yes) 4. Is the basis of claim decree or license? (Yes) 5. Does the decree or license have a Priority Date? (Yes) 6. Did the Claimant claim the decreed or licensed Priority Date ? (Yes) 15. Is the basis of claim coded correctly? (No) 16. Is a Priority Date remark and/or condition required?
POD	4/20/2004 9:49:14 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a POD? (Yes) 5. Can the claimed POD be verified using the water right file?
POU	4/20/2004 9:52:58 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 2a. Is the POU required? (Yes) 5. Does the Decree or License have a POU? (Yes) 6. Can the claimed POU be verified using the water right file?
Quantity	4/20/2004 9:58:27 AM	mcase	(Yes) 1. Is the basis of this claim a Decree or License? (Yes) 4. Does the Decree or License have a diversion rate and/or volume? (Yes) 5. Can the claimed diversion rate and/or volume be verified using the water right file? (Yes) 8. Does the parent right have an annual diversion volume limit? (No) 10. Is a irrigation a purpose of use? Description for Question 10 - Diversion licensed for 200 AF.