

11/04/2005

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

RIGHT NUMBER: 22-13278

NAME AND ADDRESS: THE RALPH R AND BETH POCOCK FAMILY LTD PARTNERSHIP
2964 N 5000 E
SUGAR CITY ID 83448

RAY R POCOCK
2068 N 5000 E
REXBURG ID 83441

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.510 CFS
1,095.500 AFY

The rights listed below are limited to a total combined diversion rate of 7.05 cfs and to a total combined annual diversion volume of 2,436 AF. Combined Right Nos.: 22-13278, 22-13280, and 22-2195A.

PRIORITY DATE: 08/12/1965

POINT OF DIVERSION:

T06N R41E S15 NESWNE Within MADISON County
T06N R41E S16 SESESE Within MADISON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04/01 11/01	2.510 CFS 1,095.50 AFY

PLACE OF USE: IRRIGATION Within MADISON County

T06N R41E S15	NENE	39.0	T06N R41E S15	NWNE	39.0
T06N R41E S15	SWNE	39.0	T06N R41E S15	SENE	39.0
T06N R41E S15	NENW	39.0	T06N R41E S15	NWNW	36.0
T06N R41E S15	SWNW	39.0	T06N R41E S15	SENW	40.0
T06N R41E S15	NESW	40.0	T06N R41E S15	NWSW	35.0
T06N R41E S15	SWSW	38.0	T06N R41E S15	SESW	40.0
T06N R41E S16	NENE	37.0	T06N R41E S16	SENE	39.0
T06N R41E S22	NENW	40.0	T06N R41E S22	NWNW	38.0
T06N R41E S22	SWNW	39.0	T06N R41E S22	SENW	40.0

696 ACRES TOTAL

This right is limited to the irrigation of 313 acres within the place of use described above in a single irrigation season.

The rights listed below are limited to the irrigation of a combined total of 696 acres in a single irrigation season. Combined Right Nos.: 22-13278, 22-13280, and 22-2195A.

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 22-2256B through Transfer No. 71017.

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

The following rights are also diverted through points of diversion described above: 22-13280 and 22-2195A.

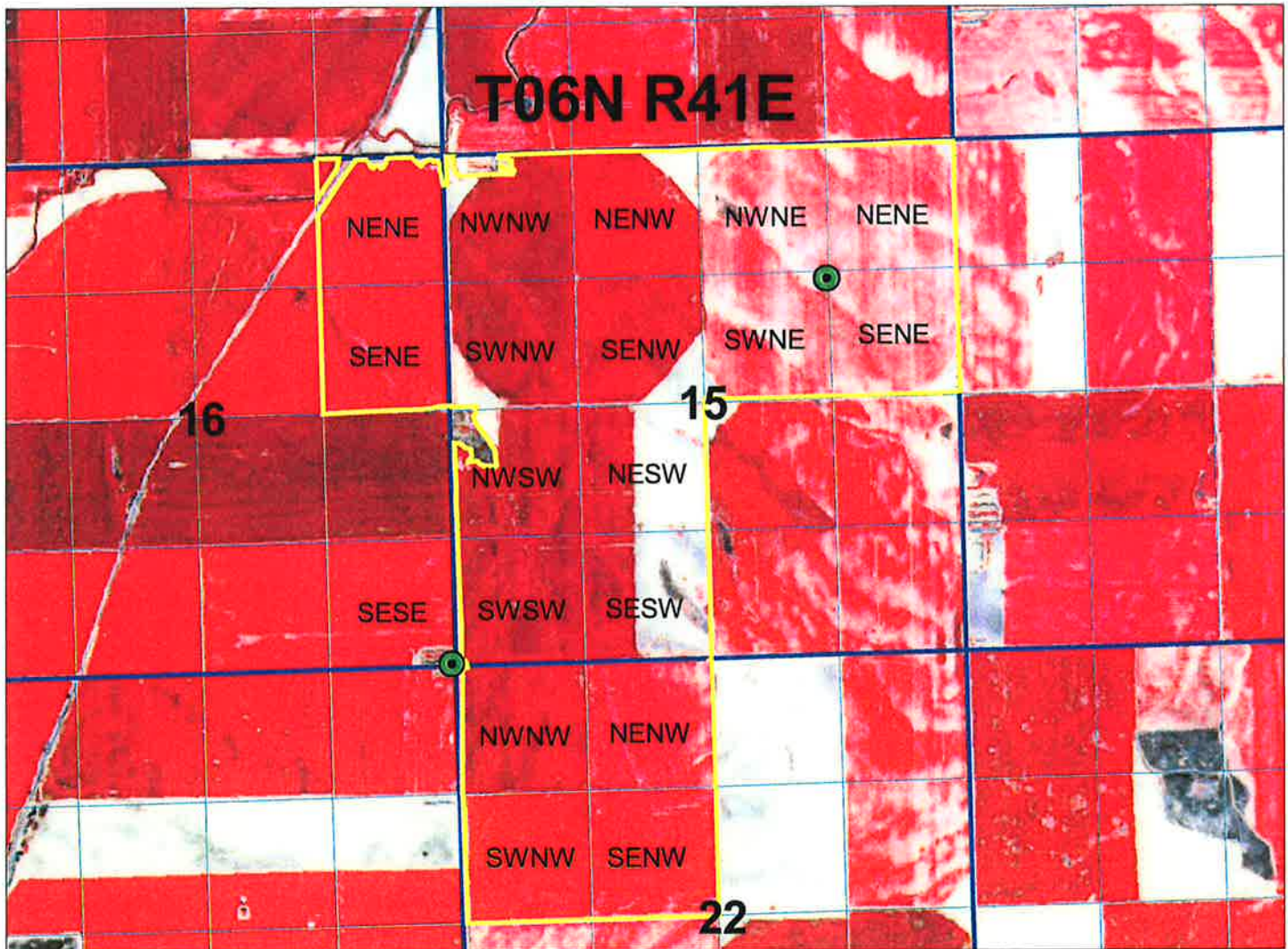
Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

Department of Water Resources

Eastern Region

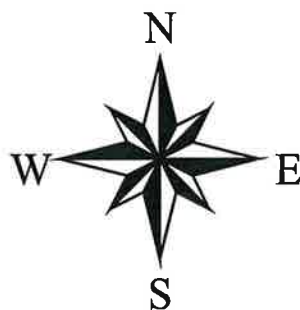


Claim No.: 22-13278, 22-13280,
& 22-2195A



0 1320 2640 3960 5280 Feet

- Point of Diversion
- Place of Use
- Township/Range
- Sections
- QQ



GIS Place of Use Illustration
1987/88 NAPP Photography
Prepared by: Kristin Moore
Date Prepared: October 2005

U.S. POSTAGE
1071 PB3523907
8962 \$00.630 NOV 28 2006
5998 MAILED FROM ZIP CODE 83402



NO SUCH
NUMBER

S SERVICE
QUESTED



NO SUCH
NUMBER

RAY R POCOCK
2068 N 5000 E
REXBURG ID 83441

Called
Ralph +
Beth -
no
answer
12/15/06

Corrected address & JC
Waiting for ownership
change because
Ralph is deceased per
Beth Pocock. JC

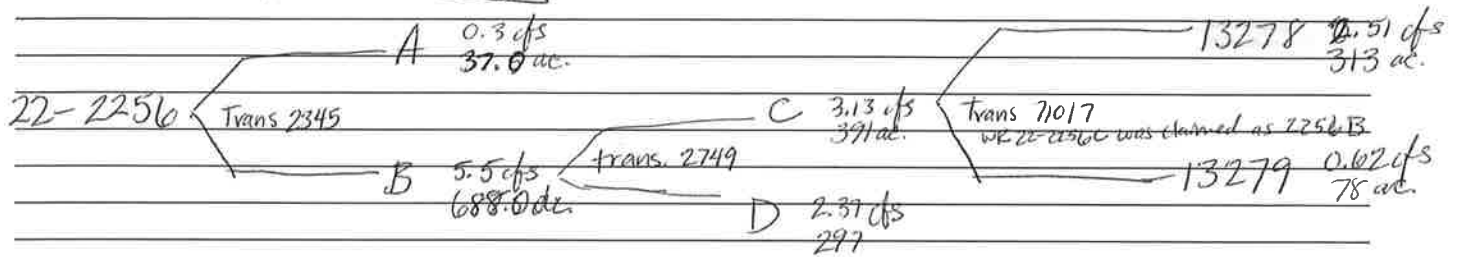
1-17-07

22-21957
22-13278
22-13280

Sugar City ID 83440

NOTES

Split History



Water Right No(s). A22-2195A, A22-13278 & A22-13280

See Attached Photos

GPS DATA:

Tag # A0015904 Location: on exit cap on mainline
GPS data - 2692604 1408294 GPS File # 222195

Diversion Data:

Source: Groundwater Trib to: _____

MOTOR

Make: U.S. Motors Model: _____ Hp: 200
SN: 1259823

PUMP

Make: Schuster Model: _____ Disch: _____
SN: NA.

NOTES:

System is 2 wells & pumps to pivot & sprinklers
Ray Beack address is now: 2720 N. 5000 E., Sugar City, ID 83448.
Ray's cell phone is 201-2101

Field Exam Date: 6-27-2005 Agent: H.W. Jones

Water Right No(s). A22-13278, A22-13280, A22-2195A

See attached photos

GPS DATA:

Tag # A 0015903 Location: on Power Pole
GPS Lat/Long 2691430 GPS File - 221327
1407691

Diversion Data:

Source: Groundwater Trib to: _____

MOTOR

Make: G.E. Model: _____ Hp: 300Hp
SN: D45407003

PUMP

Make: ProLiss Model: _____ Disch: _____
SN: 208539

NOTES:

Only two wells on this system (interconnected) & irrigator
all property under the above 3 rights (claims). Ray Percelle
address has been changed to: 2720 N. 5000 E., Sugar City, ID 83448.
Ray's cell phone is 201-2101. Maps of P.R. verified with
one small addition (see maps)

Field Exam Date: 6-27-2005 Agent: J. Wilson

GPS
Tag



A22-021954, Looking North

Aaa-1327A, Looking West



605
Tag

222195

15

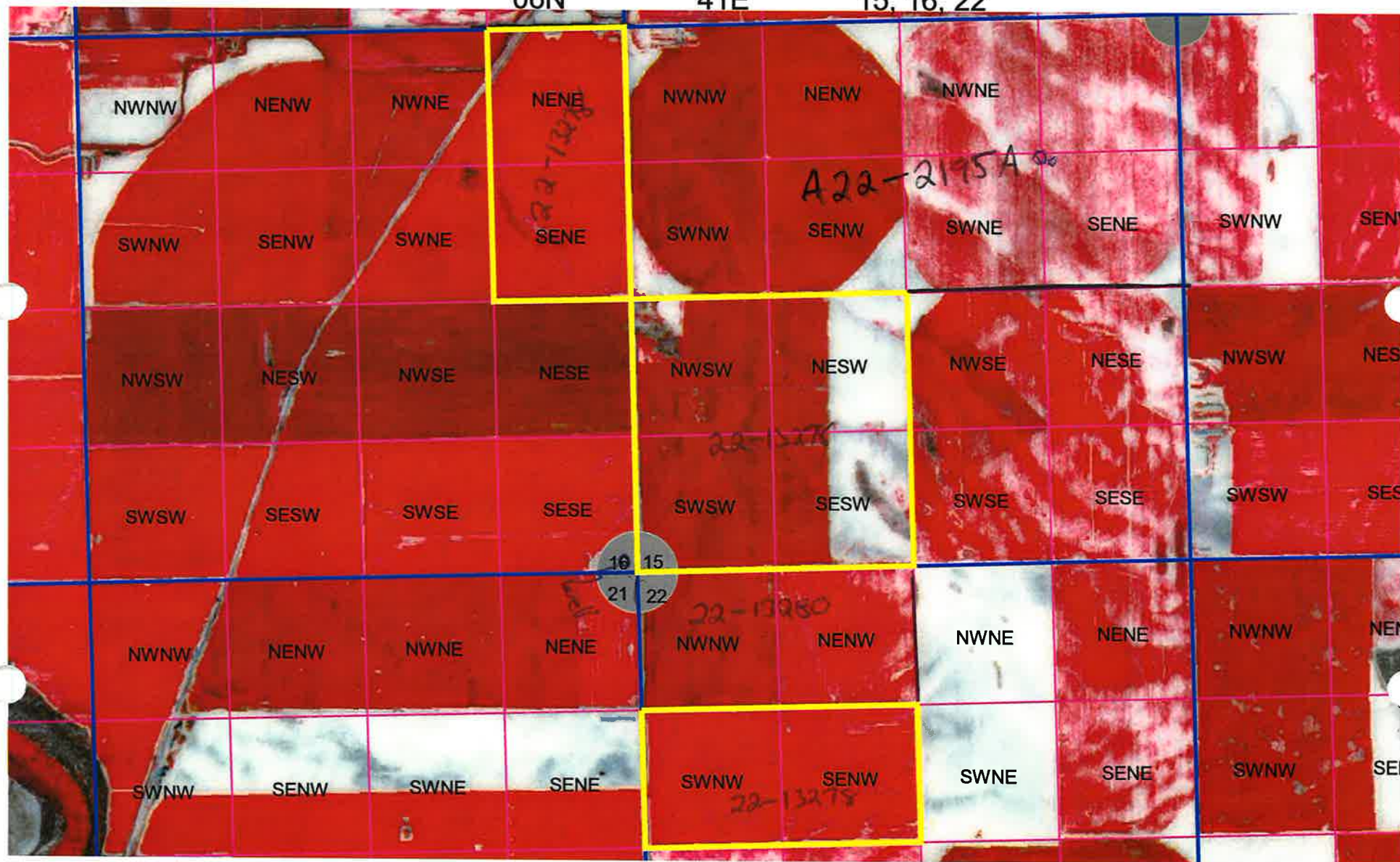
2213278

13280

Township
06N

Range
41E

Section
15, 16, 22



Notes:



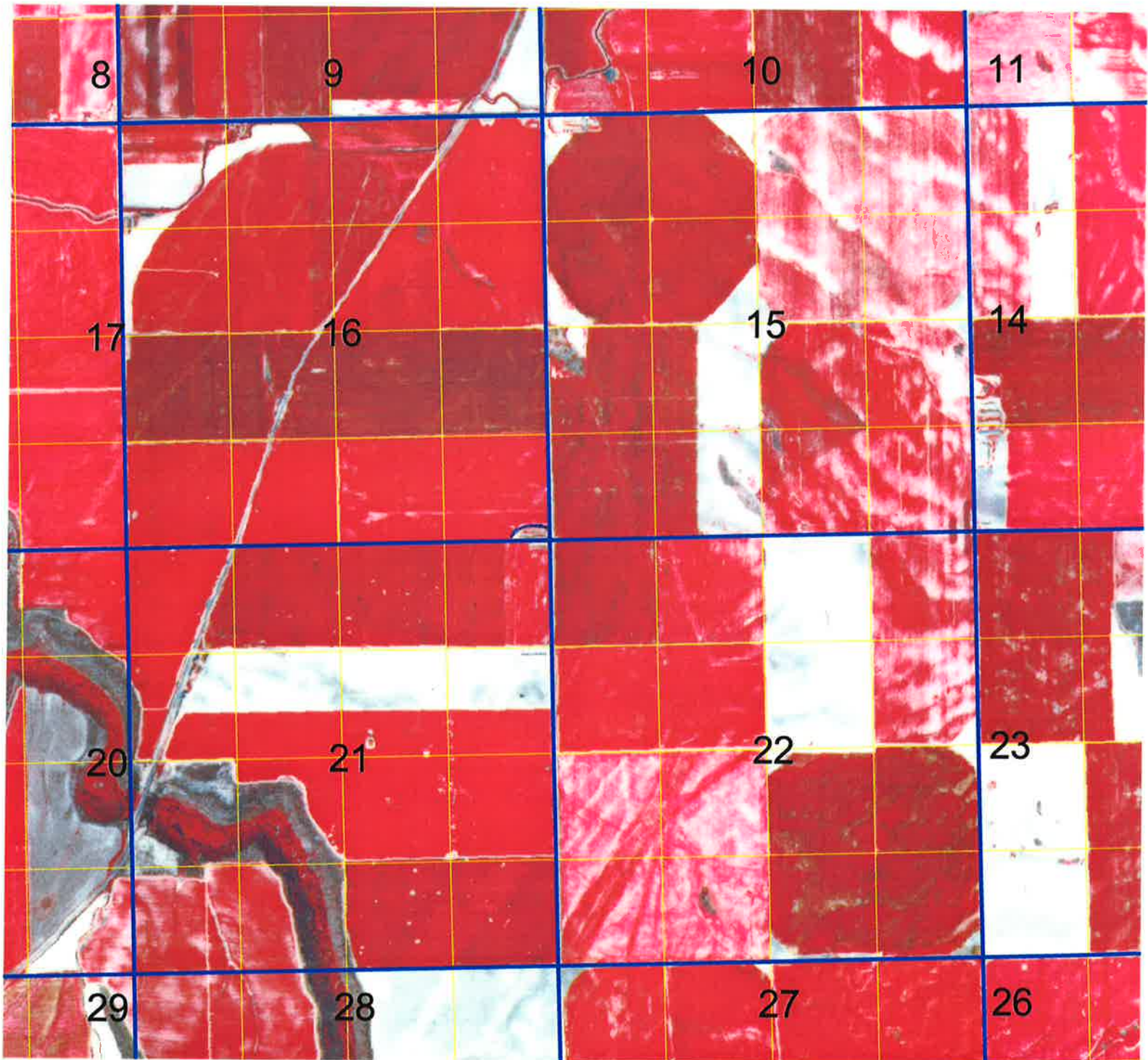
0.2 0 0.2 0.4 Miles

Water Right #: 2213278

Examiner:

Date:

22-13278
6N 41E



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 71017

This is to certify that: HELEN F ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448
(208)356-3533

And

BOYD B ASHCRAFT SHELTER TRUST
1195 E 1100 N
SHELLEY ID 83274
(208)357-7751

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>
22-13279	AJC/License	08/12/1965	0.62 cfs	N/A	N/A	78.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

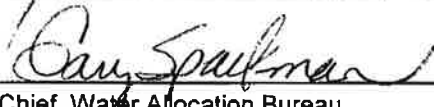
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
22-13279	NO	YES	NO	YES	NO	NO

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>
22-13279	22-13279	0.62 cfs	273 af	N/A	78.0		N/A	N/A	N/A	N/A
COMBINED										
TOTALS		0.62 cfs	273 af	N/A	78.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 1st day of May, 2004



Chief, Water Allocation Bureau

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32479/22-2256 Priority August 12, 1965 Amount 5.80 cfs

THIS IS TO CERTIFY, that Donald Staker & Warren Walters
of Newdale, Idaho, have ~~xxx~~ complied with the terms and conditions of Permit
No. 32479/22-2256 issued pursuant to Application for Permit dated August 12, 1965
and has submitted proof to the Department of Water Administration on July 17, 1970
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 5.80 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 5.80 cfs for Irrigation from April 1 to Nov. 1 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 5.80 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 16, Twp. 6 N, Rge. 41 E, B.M.

in the county of Madison; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 2,457.5 acre feet per year or _____
3.5 acre feet per acre.

Description and location of place of use:

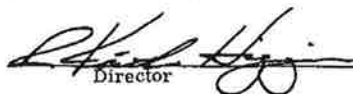
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6 N	41 E	15									40	39	39	40					158
		16	37	37		39											40	38	191
		22							39	40	40	39	39	40					237
		27					40	39	30	30									139

Total number of acres irrigated 725

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands
or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 28 day of

December, 19 73.


Director

22 2256

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

Permit No. G-32479/22-2256

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

1. Name of applicant DONALD STAKER AND WARREN WALTERS, Newdale, Idaho

2. Source of water supply: ground water

3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 16

T. 6 N R. 41 E County of Madison

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

16" pump 300 HP main and 150 HP booster 16" well casing 725' deep well

390' casing

GE 300 Hp Motor Ser# DAJ 407003 Bstr Mtr US Motors 150 HP

Peebles Pump Ser# 208539 Ser# 1380711

Bstr Pump Ser# K22K102654

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):

Proof: Section 15, T. 6 N., R. 41 E., SW $\frac{1}{4}$ 160 acres

Section 16, T. 6 N., R. 41 E., NE $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ 200

Section 22, T. 6 N., R. 41 E., W $\frac{1}{2}$ 320

27 NW $\frac{1}{4}$ 600 TOTAL

Permit: Section 15, T. 6 N., R. 41 E., (S $\frac{1}{2}$) 298 acres

Section 16, T. 6 N., R. 41 E., NE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$ 225

Section 21, T. 6 N., R. 41 E., NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40

Section 22, T. 6 N., R. 41 E., NE $\frac{1}{4}$, SW $\frac{1}{4}$ 474

(Submit map on attached plat, showing location and details of above description.) 1037 TOTAL

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

Remarks: Land List:

Sec 15 T6N R41E SW $\frac{1}{4}$ 158 Ac

Sec 16 T6N R41E NE $\frac{1}{2}$ NE $\frac{1}{4}$ 74 Ac

" " " " SE $\frac{1}{4}$ NE $\frac{1}{4}$ 39 Ac

" " " " S $\frac{1}{2}$ SE $\frac{1}{4}$ 78 Ac

Sec 22 T6N R41E S $\frac{1}{2}$ NW $\frac{1}{4}$ 79 Ac

" " " " SW $\frac{1}{4}$ 158 Ac

Sec 27 T6N R41E NE $\frac{1}{2}$ NW $\frac{1}{4}$ 79 Ac

" " " " S $\frac{1}{2}$ NW $\frac{1}{4}$ 60 Ac

This examination was made on the 29 day of July, 1973

(Signed) William Rhoads
Examiner.

9 Lines $\frac{5}{32}$ No. 2 62/lw

44 psi Aug = 4.67 gal/min

4.67 gal K(558) = 2605 gal

$\frac{2605 \text{ gal}}{448.8} = 5.80 \text{ cfs}$

37 37

16 39

15

40 39 40

39 40

39 40

39 40

39 40

39 40

21

22

39 40

27

30 measured 5.80 cfs ✓

Q recommended 5.80 cfs

Volume 3.5 AF/yr 2496 AF/yr = (1.9835) (217 days) (5.80 cfs)

Acreage

Found 725

recommended 725

Subv.

Amendments

☒ None

☐ P.D.

☐ Change of use

☐

April 1 - NOV 1

Appears fault is agree with the proof with the perm. NCS



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 5, 2002

THE RALPH R & BETH POCOCK FAMILY LTD PARTNERSHIP
2964 N 5000 E
SUGAR CITY ID 83448

RE: NOTICE(S) OF CHANGE OF WATER RIGHT OWNERSHIP
NOTICE(S) OF CLAIM TO A WATER RIGHT 22-13278 & 22-
13280

Dear Mr. & Mrs. Pocock:

The request for Change of Water Right Ownership concerning the above-referenced Notice(s) of Claim has been processed and the Department's records updated to reflect you as the new claimant.

The enclosed report shows this change along with listing the elements of the water right being claimed. Please review this report and contact this office if there are corrections or questions.

Respectfully yours,

Jennifer Crabtree
Technical Records Specialist

Enclosure

cc: Ray L. Pocock

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.

OK JC
 2/12/04
RECEIVED
FEB 11 2004
 Department of Water Resources
 Eastern Region

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case 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
	22-13278				
	~~22-13286~~				

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) 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(s)

Donald or Delilah Staker

4. New Owner/Claimant(s)

Ralph R. and Beth Pocock Family Limited Partnership and Ray Pocock
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address

2964 N. 5000 E. Sugar City, Id. 83448

City, State and ZIP Code

New Telephone Number

(208) 356-3555 (home)
351-3550 (cell)

5. Date you acquired the property

ALLIANCE TITLE & ESCROW
P.O. BOX 732
REXBURG, ID 83440

QUITCLAIM DEED

ORDER NO.: 3040211507-L1

FOR VALUE RECEIVED, The Ralph R. and Beth Pocock Family Limited Partnership

Do(es) hereby convey, release, remise and forever quit claim unto

The Ralph R. and Beth Pocock Family Limited Partnership and Ray Pocock
whose current address is:
2964 north 5000 East Sugar City, Idaho 83448

the following described premises:

Township 6 North, Range 41 East, Boise Meridian, Madison County, Idaho.

Tract 1: Section 15: SW¼

Tract 2: Section 16 E ¼ NE ¼ South of railroad. Also less that portion deeded to Madison County for Moody-Newdale Road as referenced in Instrument No. 216007.

Tract 3: Section 16: S¼ SE¼

Tract 4: Section 22: S¼ NW¼

TO HAVE AND TO HOLD the said premises, unto the said grantees, heirs and assigns forever.

March 15, 2002

Ralph R. Pocock
Ralph R. Pocock

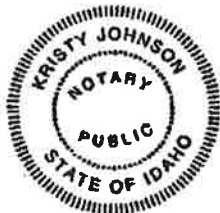
Beth Pocock
Beth Pocock

State of Id)
County of Madison) ss.

On this 19th day of March, 2002, before me, a Notary Public in and for said state, personally appeared Ralph R. Pocock and Beth Pocock, known or identified to me to be the partner(s) that executed the foregoing instrument, and acknowledged to me that they executed the same in said Partnership name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Kristy Johnson
Notary Public for the State of
Residing at: Regis
Commission Expires: 1-11-2008



Instrument # 294700

REXBURG, MADISON, IDAHO

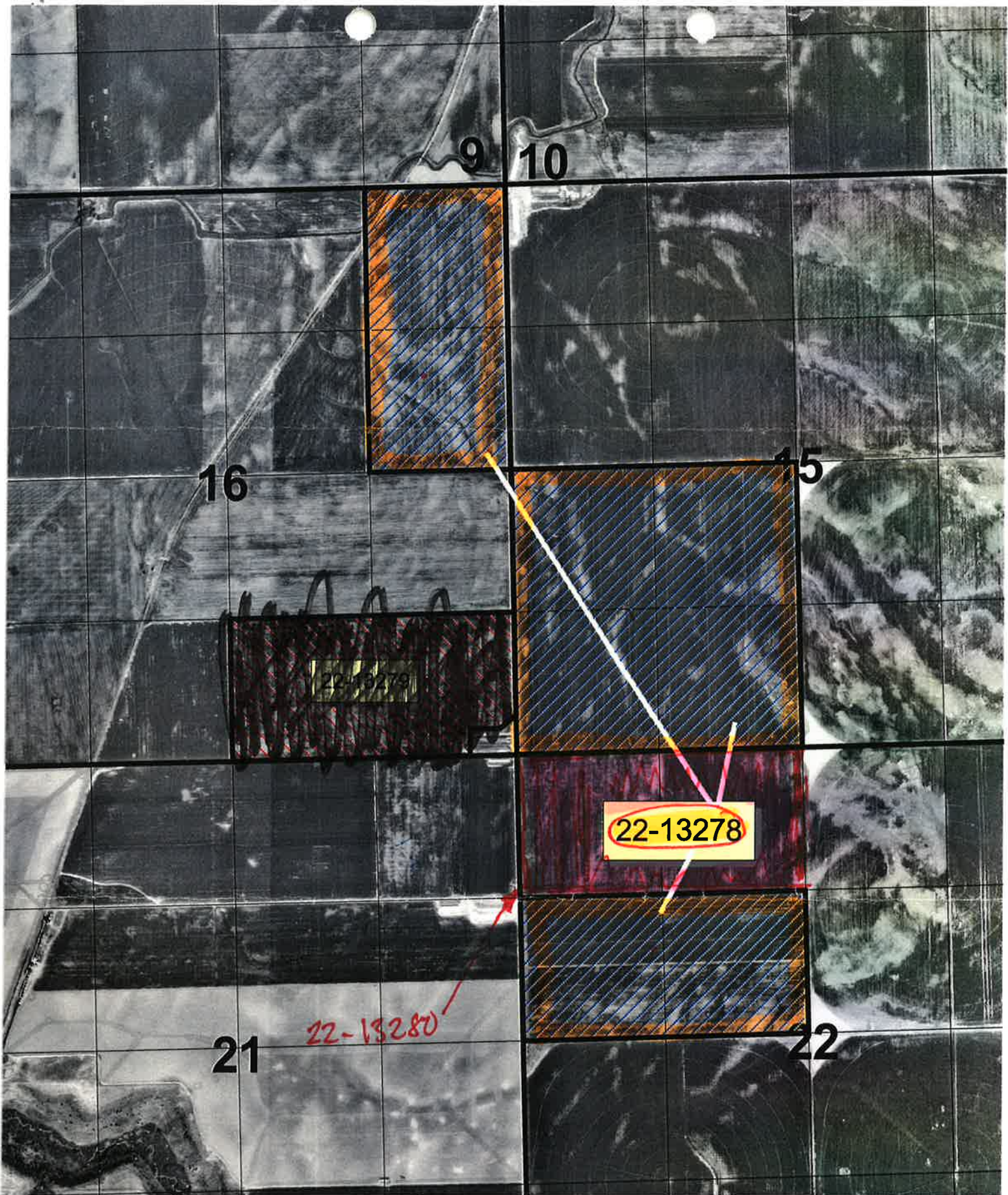
2002-03-20

04:28:00 No. of Pages: 1

Recorded for: ALLIANCE TITLE AND ESCROW

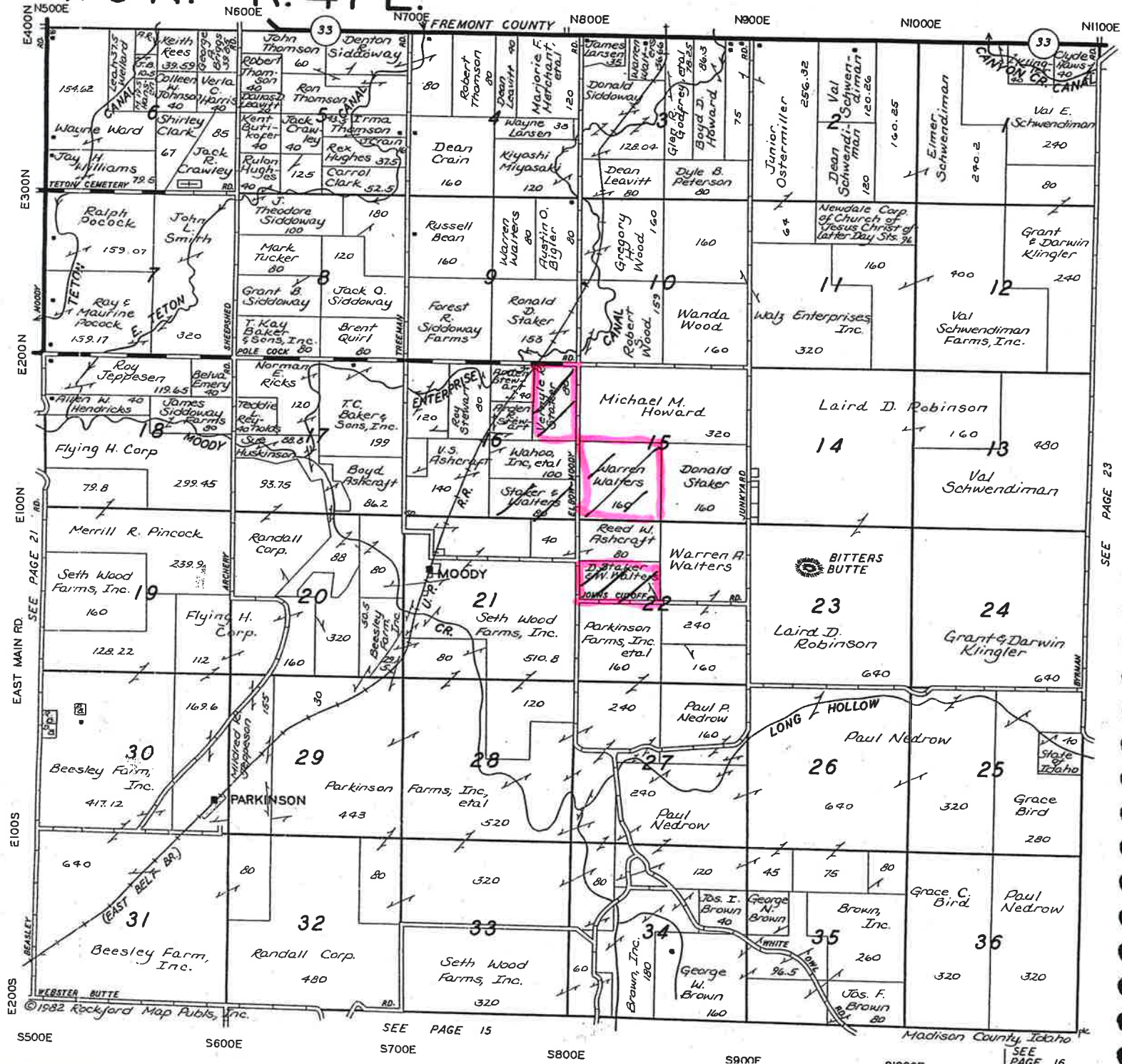
MARILYN R. RASMUSSEN Fee: 3.00

Ex-Officio Recorder Deputy



 S06n41e.shp
 T06n41e.shp

22 T. 6 N. - R. 41 E.



SEE PAGE 23

SEE PAGE 15

SEE PAGE 16

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 22-13278
Date Received: 12/12/2003
Receipt No:
Received By:

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



1. Name of Claimant(s)

DONALD STAKER Phone: (208)458-4387
PO BOX 111
NEWDALE ID USA 83436

DELILAH STAKER Phone: (208)458-4387
PO BOX 111
NEWDALE ID USA 83436

2. Date of Priority: 08/12/1965

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
06N	41E	16	SE SE SE	MADISON	

5. Description of diverting works:

WELL PUMP MAINLINE TO SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	2.51	

7. Total Quantity Appropriated is:
2.51 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
----------	-------	---------	----------------	-----	-------

06N	41E	15	NE	SW	IRRIGATION	40
			NW	SW	IRRIGATION	39
			SW	SW	IRRIGATION	39
			SE	SW	IRRIGATION	40
					Section Acres	158
06N	41E	16	NE	NE	IRRIGATION	37
			SE	NE	IRRIGATION	39
					Section Acres	76
06N	41E	22	SW	NW	IRRIGATION	39
			SE	NW	IRRIGATION	40
					Section Acres	79
					Total Acres	313

11. Place of use in counties: MADISON

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

13. Other Water Rights Used:

14. Remarks:

THIS RIGHT IS A SPLIT FROM FORMER RIGHT 22-2256B

15. Basis of Claim: License

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

RECEIVED

AUG 14 2003

Department of Water Resources
Eastern Region

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

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
22-2256 C	22-2256 B	Y			

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

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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**.

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OR

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3. Name and Address of Former
Owner/Claimant(s)

Donald or Delilah Staker

P.O. Box 111, Newdale Id 83436

4. New Owner/Claimant(s)

Helen F. Ashcraft & Boyd B. Ashcraft Shelter Trust, Linden Fielding
 Name Connector (Check one): [] and, [] or, [] and/or Trustee

New Mailing Address

4 Helen F. Ashcraft
0 2983E 2000 N

City, State and ZIP Code

Sugar City, ID 83448

New Telephone Number

(208) 356-3533

5. Date you acquired the property

07/18/2003