

05/09/2006

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

RIGHT NUMBER: 22-7088
NAME AND ADDRESS: B & B FARMS LTD
5975 W 3800 S
REXBURG ID 83440

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 0.640 CFS
276.20 AFY

PRIORITY DATE: 03/04/1974

POINT OF DIVERSION:
T06N R40E S32 SENWSW 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	0.640 CFS 276.20 AFY

PLACE OF USE: IRRIGATION Within MADISON County

T06N R40E S31	SENE	1.80	T06N R40E S31	NESE	0.50
T06N R40E S32	NWNW	38.00	T06N R40E S32	SWNW	38.00
T06N R40E S32	SENW	35.00	T06N R40E S32	NWSW	27.00

140.3 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

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

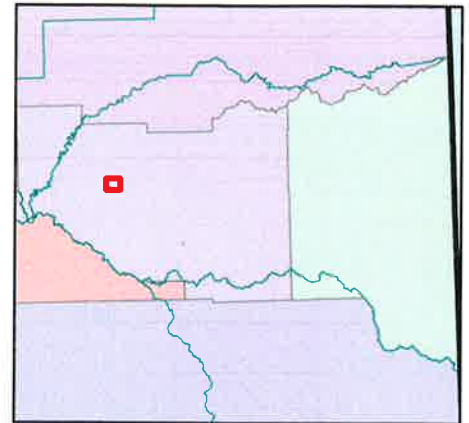


Idaho Department of Water Resources

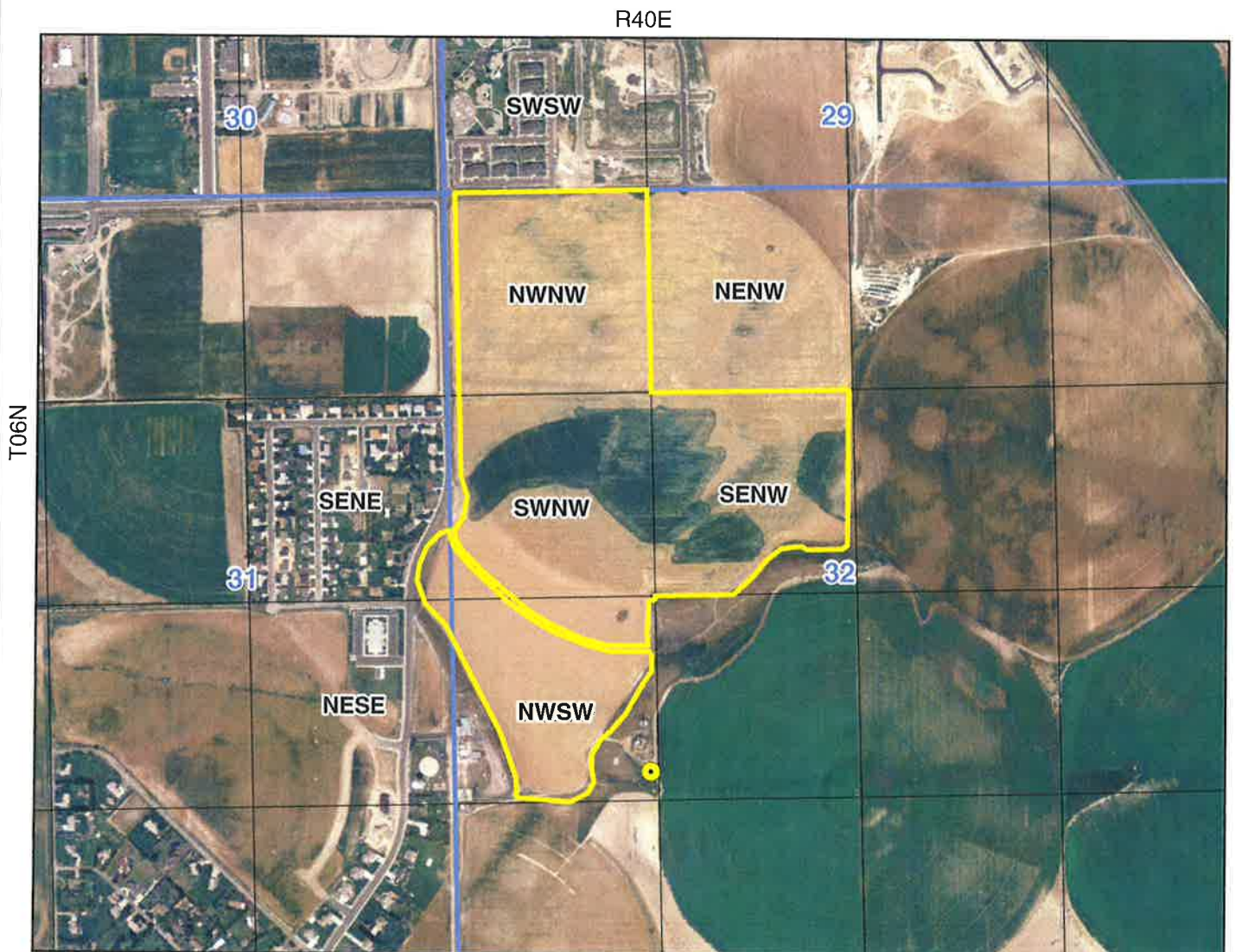
Adjudication Recommendation 22-13958 & 22-13797 (IRRIGATION)

Legend

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



Madison County
IDWR Basin 22





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098
Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

DAVID R. TUTHILL, JR.
Director

November 30, 2007

B & B FARMS
C/O BYRON JENSEN
5975 W 3800 S
REXBURG ID 83440

RECEIVED

DEC 05 2007

Department of Water Resources
Eastern Region

Re: Snake River Basin Adjudication (SRBA)
Notice of Claim to a Water Right #22-13797
Identification Number Change

Dear Claimant:

The identification number of your water right has been changed from #22-7088 to 22-13797. Nothing else on your water right has been changed. Please use the new number in future inquiries or correspondence you may have with our Department.

I have enclosed a copy of our Preliminary Recommendation that you may retain for your records.

Please be sure to tell us if your address changes in any way or if you have sold the property connected with this water right claim.

Do not hesitate to contact this office toll-free at 1/800-452-4129 if you have any questions or concerns.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:

Copy of Preliminary Recommendation

SCANNED

NOV 30 2007

Initial hearing.

22-13797

- Need to add another split right for cook portion
in Sec ~~4.5~~ 4.5
Same POU as 22-22368-?

$$\frac{2.35 \text{ d/s}}{493.3 \text{ ac}} = 0.00477 \text{ d/s/ac}$$

22-13747- Ricks,
(late)

22-13797

BEB- OKAY - $0.68 \times 1.9835 \times 214 = 288.6 \text{ AF}$
140.3 0.68 d/s. $140.3 \times 3.5 = 491 \text{ AF}$

new number. (cook).

After recommendation - use exclusivity clause
to reduce POU. for 22-13797 to 117 acres
and then send another NCAP for
P.D.

05/09/2006

NOTICE OF ERROR
REPLY

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS:

Water right number: 22-7088

B & B FARMS LTD

5975 W 3800 S

REXBURG ID 83440

Telephone Number: (208) 356-3521

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):
2. Describe the changes you wish to make in the proposed recommendation:
3. Give a brief explanation as to why you disagree with these portions:

X I AGREE with this proposed recommendation: no changes need to be made.

DATE: 10-25-06

SIGNATURE: Byron Jensen

Please print your name: Byron Jensen

IDWR Regional Office, 900 N Skyline Dr Ste A, Idaho Falls, ID 83402, 2085257161

SCANNED

JUL 11 2007

KMD
12/17

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 (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
22-7088	B & B Farms	☒			
22-2236A	COOK	☒			

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)

Stephen & Nancy B. Cook

4. New Owner/Claimant(s)

B & B Farms

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

New Mailing Address

5975 W 3800 S

City, State and ZIP Code

Rexburg Idaho 83440

New Telephone Number

(208) 356-3521 cell

5. Date you acquired the property

Aug 15, 2003 390-7100

SCANNED

JUL 11 2007

RECEIVED
 MAR 03 2006

Department of Water Resources
 Eastern Region

per
 Eric
 5/6/06
 don't split -
 just modify
 place of use.
 JC ✓
 5/8/06

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) *Byron Jensen*
(include title if applicable) _____

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 _____
 Receipted by _____ Date _____ Receipt No. _____
 Processed by _____ AJ Date _____ WR _____ Date _____

SCANNED

JUL 11 2007

WARRANTY DEED

For Value Received **Stephen Blair Cook and Nancy B. Cook, husband and wife,**

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

Byron Jensen and Bradley Jensen, d.b.a. B&B Farms

whose address is: **5975 West 3800 South, Rexburg, Idaho 83440**

Hereinafter called the Grantee, the following described premises situated in Madison County, Idaho, to-wit:

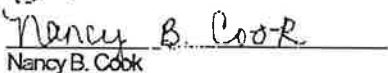
SEE ATTACHED LEGAL DESCRIPTION

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

TO HAVE AND TO HOLD the said premises, with its appurtenances unto the said Grantee and to the Grantee's heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: August 15th, 2003


Stephen Blair Cook


Nancy B. Cook

Instrument # 306080

REXBURG, MADISON, IDAHO

2003-08-18

04:28:00 No. of Pages: 2

Recorded for: FIRST AMERICAN TITLE

MARILYN R. RASMUSSEN

Fee: 8.00

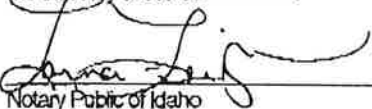
Ex-Officio Recorder Deputy

STATE OF IDAHO

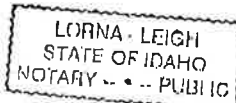
Yes.

COUNTY OF MADISON

On this 15th day of August, 2003, before me, Lorna Leigh, personally appeared Stephen Blair Cook and Nancy B. Cook, 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.


Notary Public of Idaho

Residing at: Grant, Jefferson County, Idaho
Commission Expires: 02/16/07



SCANNED

JUL 17 2007

SCANNED
JUL 11 2007

(RX32014.PFD/RX32014/24)

Township 6 North, Range 40 E.B.M., Madison County, Idaho.

Section 32: $W\frac{1}{2}NW\frac{1}{2}$, $SE\frac{1}{2}NW\frac{1}{2}$, $NW\frac{1}{2}SW\frac{1}{2}$.

EXCEPT: Commencing at the SW corner of the $NW\frac{1}{2}SW\frac{1}{2}$ of said Section 32, Township 6 North, Range 40 E.D.M., Madison County, Idaho, and running thence North 700 feet; thence East 50 feet; thence S. 33° E. 834.51 feet to the 1/16 line; thence West 504.56 feet, more or less to the Point of Beginning.

ALSO EXCEPT: Beginning at the NW corner of Section 32, Township 6 North, Range 40 E.B.M., Madison County, Idaho, running thence N. 89°44'04" E. along the section line 1104.15 feet to a point of curve with a radius of 613.25 feet and a chord bearing S. 85°22'14" W. 93.33 feet; thence to the left along said curve 93.42 feet through a central angle of 8°43'41"; thence S. 81°00'23" W. 170.00 feet to a point of curve with a radius of 613.25 feet and a chord bearing S. 85°22'14" W. 93.33 feet; thence to the right along said curve 93.42 feet through a central angle of 8°43'41"; thence S. 89°44'04" W. 750.00 feet to the West line of said Section 32; thence N. 00°15'35" W. 40.00 feet to the Point of Beginning.

ALSO EXCEPT: Beginning at a point that is N. 00°14'15" W. 1764.93 feet along the West line of Section 32, Township 6 North, Madison County, Idaho and N. 89°45'45" E. 1129.61 feet from the SW corner of said Section 32 and running thence N. 00°14'15" W. 150.00 feet; thence N. 89°45'45" E. 150 feet; thence S. 00°14'15" E. 150 feet; thence S. 89°45'45" W. 150.00 feet to the Point of Beginning.

ALSO EXCEPT: A 30 foot access utility easement being 15 feet each side of the following described centerline in Section 32, Township 6 North, Range 40 E.B.M., Madison County, Idaho: Beginning at a point that is N. 00°14'15" W. 1296.24 feet along the West line of Section 32 from the SW corner of said Section 32 and running thence the following ten courses: (1) S. 88°21'49" E. 194.99 feet; (2) thence N. 77°02'02" E. 120.33 feet; (3) thence N. 80°22'57" E. 180.56 feet; (4) thence N. 86°23'26" E. 353.46 feet; (5) thence N. 09°33'38" E. 264.44 feet; (6) thence N. 29°28'57" E. 78.11 feet; (7) thence N. 78°19'16" E. 72.19 feet; (8) thence S. 66°44'18" E. 78.96 feet; (9) thence S. 38°56'12" E. 46.86 feet; (10) thence N. 26°31'58" E. 137.07 feet to the end of said easement.

ALSO EXCEPT: A 12 foot wide utility easement described as follows: Part of Section 32, Township 6 North, Range 40 East, Boise Meridian, Madison County, Idaho, being 6 feet both sides of the following described centerline: Beginning at a point that is N. 00°14'15" W. 1480.23 feet along the section line and S. 89°45'45" E. 1294.25 feet from the SW corner of said Section 32 and running thence along said centerline the following two courses: (1) N. 00°12'23" E. 186.15 feet; (2) thence N. 12°41'19" W. 107.07 feet to the end of said easement.

Received Time May 9:42AM

Water Resources Field Services
P.O. Box 94
Iona, ID 83427
208-681-9100

November 6, 2004

Brad Jensen
2509 S 5500 W
Rexburg ID 83440

Byron Jensen
5975 W 3800 S
Rexburg ID 83440

Re: Purchase of Stephen Cook farm

Dear Water Users:

Enclosed is a Notice of Change of Ownership for two water rights associated with a farm you apparently have purchased from Stephen Cook. Please fill out the highlighted items and send it with a copy of ownership documentation (with a complete legal description) to:

IDWR
900 N Skyline Ste A
Idaho Falls ID 83402

Please call me if you have questions.

Sincerely,

Bryce A. Contor

*10/16/05 - APPARENTLY NO RESPONSE TO
THIS LETTER. NO DOCUMENTATION,
NO \$, NO NOTHING.*

[Signature]

*CAN'T SPLIT ANYWAY IN-LINE OF
PARENTAL DECISION.*

SCANNED
JUL 11 2007

A22-7088 Contact Log
11/3/04 356-5928 7:26 AM - sold to Brad Hyman
City water tower - straight east 1/4 mile
Call on cell 390-5929 (12:30-1:30 not good).

11/5/04 Met Steve Cook @ South Pass.

Split History

From identical land lists it appears that 22-2236 and 22-7088 were intended to have a combined limitation of 509 acres but NEITHER LICENSE CARRIES THIS.

Prior to filing A1 claims, 78 acres were sold to Grant Richs. He filed A22-2236 B for a proportional share of 22-2236 4/5 and 78 acres. Cook filed A22-2236A and A22-7088 for 461 acres in a permissible place of use basis. The sum now is 539 acres. In the context of A22-2236 A 1 B I proposed A22-2236A be limited to 431 acres within PPR. Since Richs did not file on any part of 22-7088, it is now unclaimed. Because neither license carried a combined use limitation I propose letting these claims stand w/o requiring an enlargement claim.

A22-7088 p 2

Since filing of claims, the 461 acre pole claimed by Cook has been split, with the North piece sold to Feneans. Please see Map of discussion in A22-2236A. Split of A22-7088 should be as follows:

22-7088	2.13 g/s	509 acres
A22-7088	2.13 g/s	461 acres
N. Split (Feneans)	0.80 g/s	186 acres
S. Split (Cook)	1.33 g/s	275 acres

Combined w/ the proposed splits of A22-2236A, the water-rights should be as follows:

North	1.76 g/s from A22-2236A
	0.80 g/s from A22-7088
	<u>2.56 g/s total</u> (0.0138/acre)

174 acres from A22-2236A
186 acres from A22-7088
186 acres combined w/ limitation

SCANNED

JUL 11 2007

A22-7058 p 3

Priority license shows 6 March 1974

POD N POD (Jensen Split) - see A22-2236A
S POD (Cook Split) - see A22-2236A

POU See A22-2236A

Seaman & Quamby license shows 2.35 gs 4/1-11/1
see split proposal above.

qBar 11/6/2004

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 22-7088 Priority March 4, 1974 Amount 2.35 cfs

THIS IS TO CERTIFY, that AIRCO FARMS, INC.

of Rexburg, Idaho, has complied with the terms and conditions of Permit No. 22-7088 issued pursuant to Application for Permit dated March 4, 1974 and has submitted proof to the Department of Water Resources on February 22, 1977 that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity for the diversion of 2.35 cfs of water from a groundwater source tributary to _____, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from April 1 to November 1	at 2.35 cfs	and 1002 acre feet
	from _____ to _____	at _____ cfs	and _____
	from _____ to _____	at _____ cfs	and _____

(both dates inclusive)

Subject, however, to the condition that no more than 2.35 cfs of water be diverted at any one time, and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 1002 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, Twp. 6N, Rge. 40E, B. M. in the County of Madison

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 $\frac{1}{4}$	
6N	40E	32					40	40	40		36								156
5N	40E	4					13	64	L.4	L.3	39	40	40	39					234
		5				L.1			39						40			40	119

C05 SWSW Sec. 32 6/40 from 2236A

Total number of acres irrigated 509

$$\frac{2.35}{509} = 0.00461$$

$$\frac{509^2}{431^2} = 1.458^2$$

w/ 458² ac as per w/ 2236A

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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 26 day of June, 19 79.

SCANNED

Deputy Director

MICROFILMED

@ 1.97 AFA
x 431
849.07

7088 - only
22-2236B

Recommend

$$\frac{2.35}{431} = 0.00545$$

0.005 cfs/ac

per 2236A

431² w/ 458²
460²

849.07 AFA
Comb w/ 2236A
1610 @ 3.5

MAR 14

Department of Water Resources

Phone 356-5928

Person to contact T. Blair Cook, Pres. Phone

(name spring, stream, etc.)

Amount 3.00 c.f.s. for Irrigation
 AF/Annum (nature of use)

Period of Use: from Apr. 1 to Nov. 1
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Max Rate of Diversion 3.00 cubic feet per second and annual volume _____ AF/Annum.

Township 6N N/S, Range 40E E/W, B.M., Section 32, Subdivision NW 1/4 SW 1/4 Madison

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$ _____

Other Points of Diversions: _____

Description of diverting works: 16" x 400', 200 hp 12" bowles

Measuring device required: yes ☒ no ☐

[illegible]**TOTAL ACREAGE**

509

Permit No. 22-7088
Examination for b/u

DATE OF EXAM 6/21/77

ACREAGE

Found 509

Recommended 509

Irrigation Requirement 3.5 Ac Ft/Ac

USE

Irrigation Q = 2.35 c.f.s. V = 1002.16 AF/Ann. from April 1 to Nov 1

Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no X

Name source: _____

Twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____

County _____

Exchange? yes _____ no X

Name source exchanged with: _____

Twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____

County _____

Point of injection: N/A

Twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____

County _____

Point of exchange: N/A

Twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____

County _____

Total Q measured 2.35 cfs. Method of measurement In line meter

Total Q recommended 2.35 Meter No. 76-8-208 Type MC PRISMETER Condition STD.

Total V recommended 1002.16 AF/yr

Recommended Amendments:

P.D. _____

Place of Use _____

Other _____

None

MEASUREMENT CALCULATION:

Direct reading = 1000 gpm.

Timed reading = 101 AF in 185 sec. = $435.6 \div 185 = 2.35$ cfs.

$V = 3.5 \times 509 = 1781.5$ AF/ann. $\rightarrow 216 \times 1.9835 \times 2.35 = 1002.16$ cfs.

SYSTEM DESCRIPTION:

200 HP. U.S. 3-phase motor serial # 85-115-19 1/2 Johnston two line
pump no I.D. plate. System operates 15.78 mile & 9.74 mile hard lines
with 9/16" diameter nozzles.

REMARKS:

System described by Blair Cook 4/21/77 emc.

T# 22-2236 covers the 509 ac under this permit for 5.14 cfs. P.D. is in
NW 1/4 SW 1/4 Sec 4 Twp 5N, Rge 4E.

Examiner's Signature Ernest M. Carlson Date 6/21/77

Checked by Anthony R. Kozlowski Date 2/8/78

Approved by _____ Date _____

SCANNED

JUL 11 2007

RECEIVED**SEP 11 1997**Department of Water Resources
Eastern RegionSTATE 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 Number(s) _____
Adjudication Claim Number(s) A22 07088^{OK}, A22-02236A^{OK} MT.
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 for parcel of ten acres or less. (These are usually on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) VERLA R. COOK & Son
244 W 1st S REXBURG ID 83440
4. New Owner/Claimant(s) AND/OR NANCY STEPHEN COOK
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 2914 W Hwy 33
City, State and ZIP Code REXBURG ID 83440
New Telephone Number (208) 356-5928
5. Date you acquired the property 10-23-91
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second

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.

7. Signature of New Owner/Claimant(s) Stephen Cook Date 9-10-97
Date _____

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

804
JUL 11 1997



A22-7088 N POD shared w/ A22-2236A

Bac 11/6/04

SCANNED

JUL 11 2007

SCANNED
JUL 11 2007

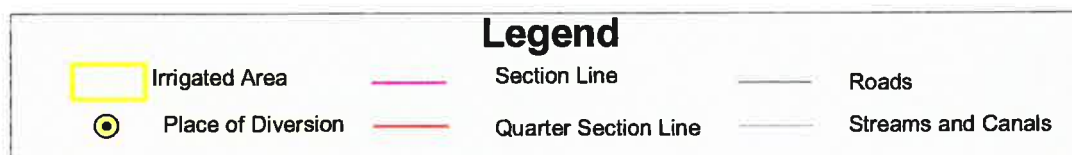
430c 11/6/04

A22-7085 5000 Stand w/ A22-2236A
and A22-2236B



Water Right Claim Number 22-07088
Townships , 6N40E, 5N40E

07/05/2001



1300 0 1300 2600 Feet



SPATIAL DYNAMICS

SCANNED
JUL 11 2007

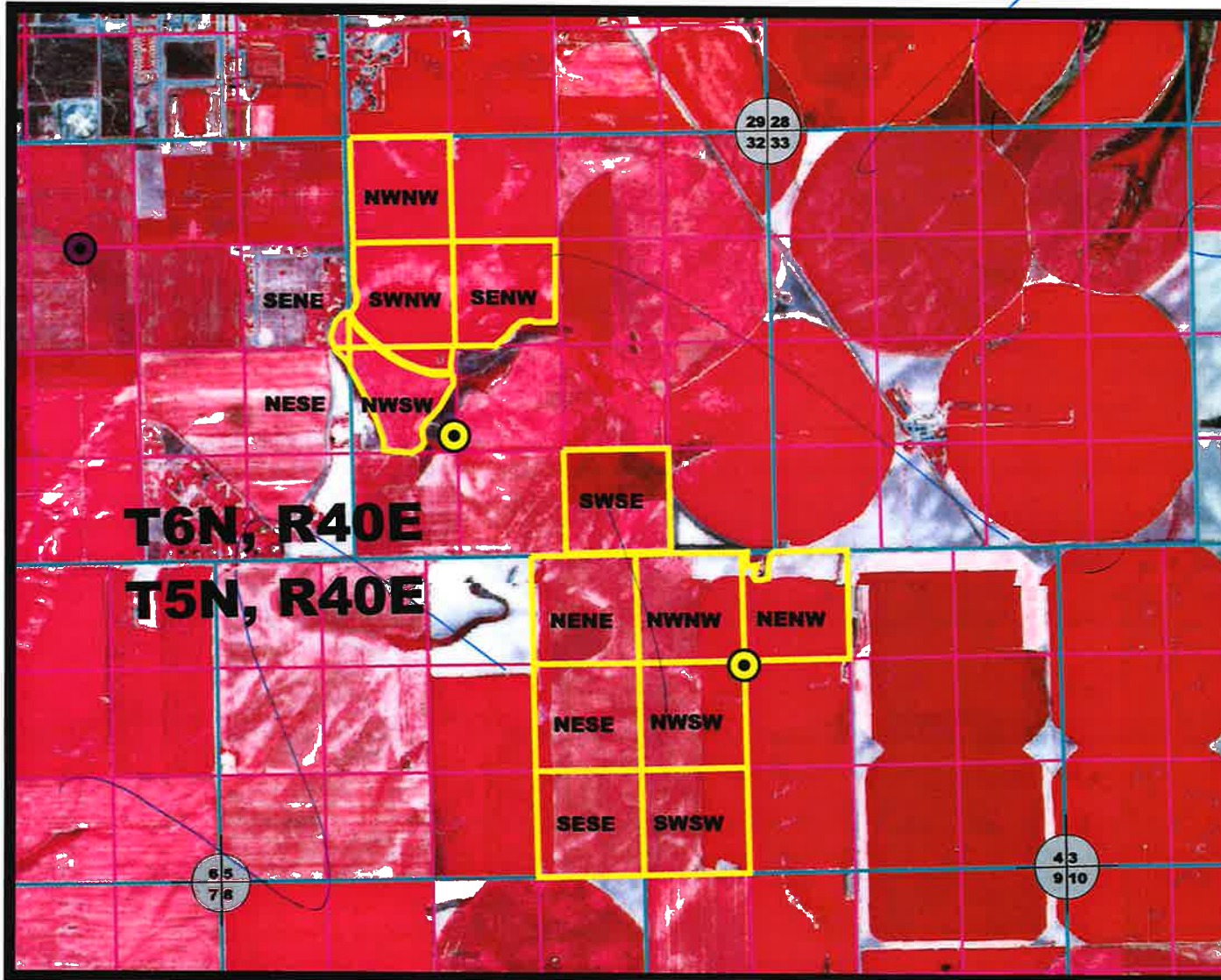


1002 1 2007
GOANWCO

State of Idaho

Department of Water Resources

Eastern Region



Water Right(s):

22-2236A,
22-7088

Point(s) of Diversion:

T6N, R40E
Sec. 32 SENWSW
T5N, R40E
Sec. 5 NENWSW

Place of Use: (parts of)

T5N, R40E
Sec. 31 SENE, NESE,
Sec. 32 W2NW, SENW, NWSW,
T6N, R40E
Sec. 4 N2NW, W2SW,
Sec. 5 E2E2

LEGEND



Point of Diversion



Place of Use



Section



Quarter-Quarter



GIS Place of Use Illustration
1987/1988 NAPP Photography
Prepared by: A. Ruberry
Date: October 2005

750 0 750 1500 2250 3000 3750 4500 5250 6000 6750 7500 8250 9000 9750 10500 11250 12000 Feet



Idaho Department of Water Resources

SRBA Recommendation:

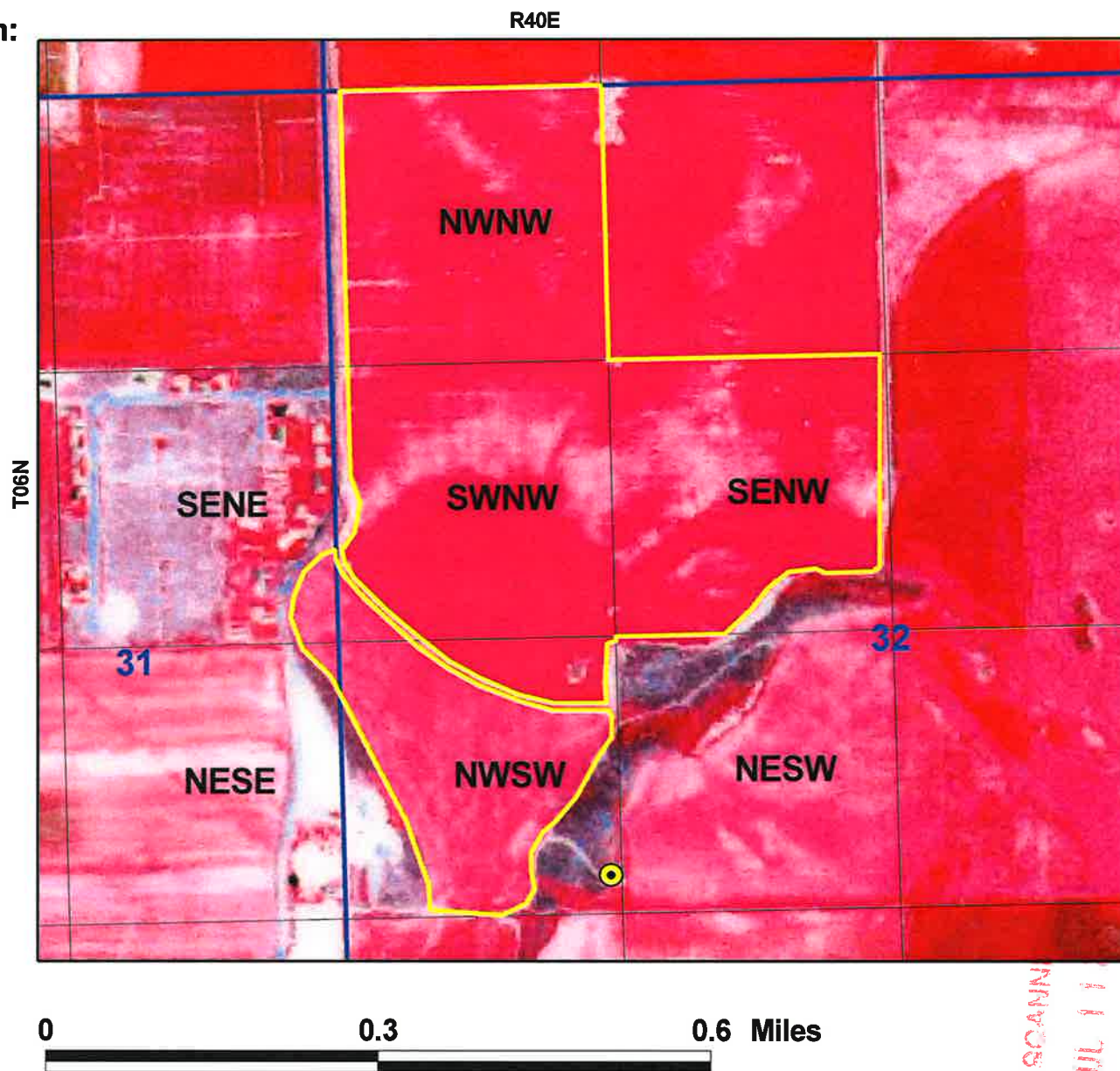
22-7088

Legend

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



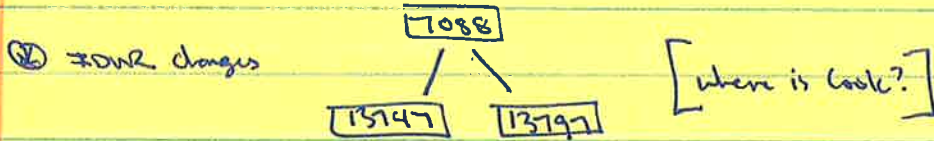
Madison County
IDWR Basin 22



Prepared by J. Crabtree
On Monday, May 8, 2006
1987/88 Aerial Photography

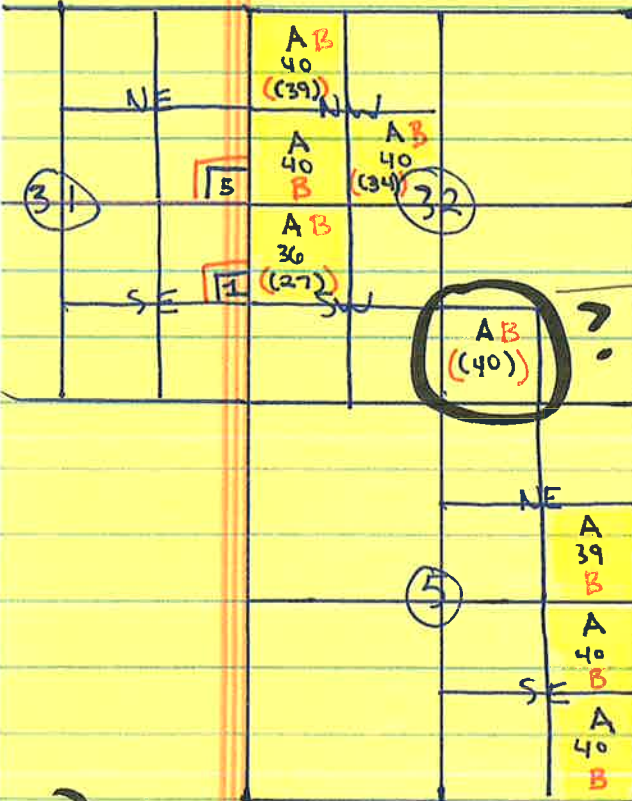
10/19/07

22-7088 - licensed for irrigation of 509 acres in 4, 5, & 32 (1974)
 - license is for 2.35 cfs of 509 acres = .0046 cfs/acre



claimed for .36 cfs on 78 acres = Ricks et al

L.B. & B. = Amended DE on 4/30/07 for .64 cfs for 140. ac



B & B filed late notice of claim... historically irrigated though never claimed or recently irrigated since 1965 well development

claim total of 461 acres, all same

7088 claim (Cook) = "A" 1988
 7088 claim (Cook) = "B" 1999

7088 unclaimed =

5N, 40E Sec. 4
 NESW (39)
 SESW (39)

78 acres @ .0046 cfs/acre
 = .358 cfs

Ricks late claim 13747

? =
 6N, 40E Sec. 32
 SWSE 40 acres
 never licensed
 under 2236 or
 7088

* cumulative acres = 539 acres claimed, while license is for 509
 Sec. 32 SWSE puts license over by 30 acres

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: **A22-07088**
Date Received: 7/21/1988
Receipt No: E000830
Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: STEPHEN COOK 208-356-5928
Address: 2914 W HWY 33
REXBURG ID 83440
AND/OR
Name: NANCY COOK 208-356-5928
Address: 2914 W HWY 33
REXBURG ID 83440

2. Date of Priority: MAR 4, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
06N	40E	4				3	MADISON
		32	NW	SW			MADISON

5. Description of diverting works:
2 WELLS TO SPRINKLER SYSTEMS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.130		

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

8. Total consumptive use is 1152.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres		
05N	40E	4	SW		NW	4	IRR	39.0		
			SE		NW	3	IRR	37.0		
			NW		SW		IRR	40.0		
			SW		SW		IRR	40.0		
								Section Acres	156.0	
		5	SE		NE	1	IRR	39.0		
			NE		SE		IRR	40.0		
			SE		SE		IRR	40.0		
								Section Acres	119.0	
		06N	40E	31	SE		NE		IRR	5.0
					NE		SE		IRR	1.0
										Section Acres
32	NW				NW		IRR	39.0		
	SW				NW		IRR	40.0		
	SE				NW		IRR	34.0		
	NW				SW		IRR	27.0		
	SW				SE		IRR	40.0		
								Section Acres	180.0	
								Total Acres	461.0	

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:
A22-2236.

14. Remarks:

15. Basis of Claim: LICENSE

Water Right Number: G32194

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 X 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): Nancy B. Cook Date: 10-8-97
Nancy B. Cook Date: 10-8-97

State of Idaho)
County of MADISON) SS.

Subscribed and sworn (or affirmed) before me this 8th day
of OCT. 19 97
Nancy R. Whyte
Notary Public

Seal

Residing at REXBURG
My Commission Expires 9-9-03

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: A22-07088
Date Received: 7/21/1988
Receipt No: E000830
Received By: S.M.

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: VERLA R. COOK & SON - 208-356-5928
Address: 244 W. 1ST S.
REXBURG, ID 83440

2. Date of Priority: MAR 04, 1974

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
06N	40E	4				3	MADISON
		32	NW	SW			MADISON

5. Description of diverting works:
2 WELLS TO SPRINKLER SYSTEMS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.170		

7. Total Quantity Appropriated is:
~~2.040~~ C.F.S. (and/or) A.F.A.

8. Total consumptive use is ^{2.17} 1152.5 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE.

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	40E	4	SW	NW	4	IRR	39.0
			SE	NW	3	IRR	37.0

A22-07088

Page 1

Date: 07/21/88

SCANNED

JUL 11 2007

MICROFILMED

OCT 29 1992



10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
05N	40E	4	NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			Section Acres				
06N	40E	5	SE	NE	1	IRR	39.0
			NE	SE		IRR	40.0
			SE	SE		IRR	40.0
		Section Acres					119.0
		31	SE	NE		IRR	5.0
			NE	SE		IRR	1.0
Section Acres					6.0		
32	NW	NW		IRR	39.0		
	SW	NW		IRR	40.0		
	SE	NW		IRR	34.0		
	NW	SW		IRR	27.0		
	SW	SE		IRR	40.0		
	Section Acres					180.0	
Total Acres					461.0		

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:
A22-2236.

14. Remarks:

15. Basis of Claim: LICENSE
Water Right Number: G32194

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: 2

For Organizations:

I do solemnly swear or affirm that I am General Partner of Verla R. Cook & Son, that I have signed the foregoing

Verla R. Cook & Son Organization document in the space below as General Partner of

Verla R. Cook & Son Organization and that the statements contained in the foregoing document are true and correct.

Verla R. Cook
Signature of Authorized Agent

General Partner of Verla R. Cook & Son
Title and Organization

July 21, 1988
Date

State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 21st day

of July 19 88

Seal

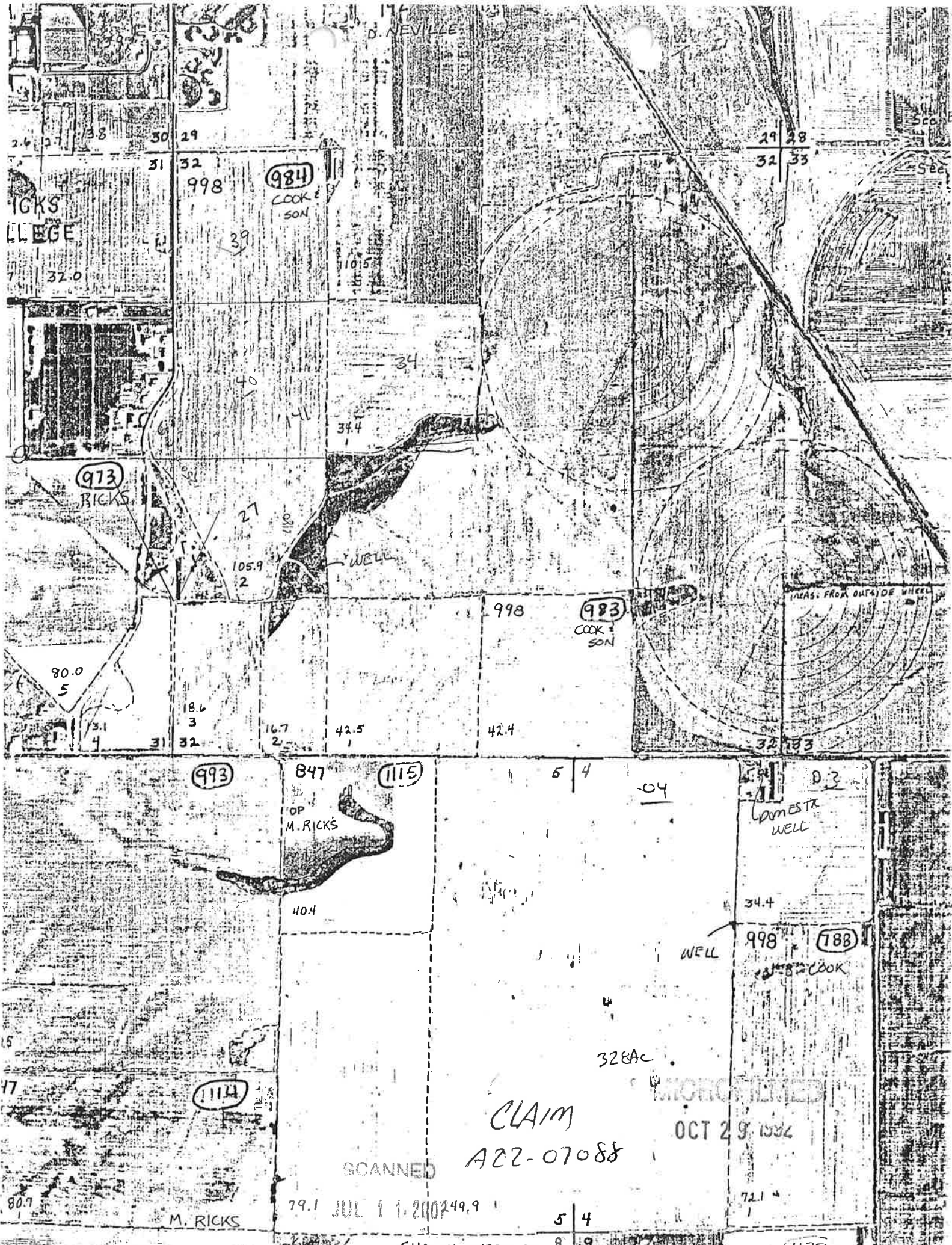
Betty J. Thompson
Notary Public

Residing at Idaho Falls

My Commission Expires 6-94

MICROFILMED

OCT 29 1992



D. NEVILLE

RICKS
LEGE

(973)
RICKS

(984)
COOK &
SON

(983)
COOK &
SON

(993)

(1115)

OP
M. RICKS

DOMESTIC
WELL

(788)

(1124)

(1127)

CLAIM

A22-07088

OCT 29 1934

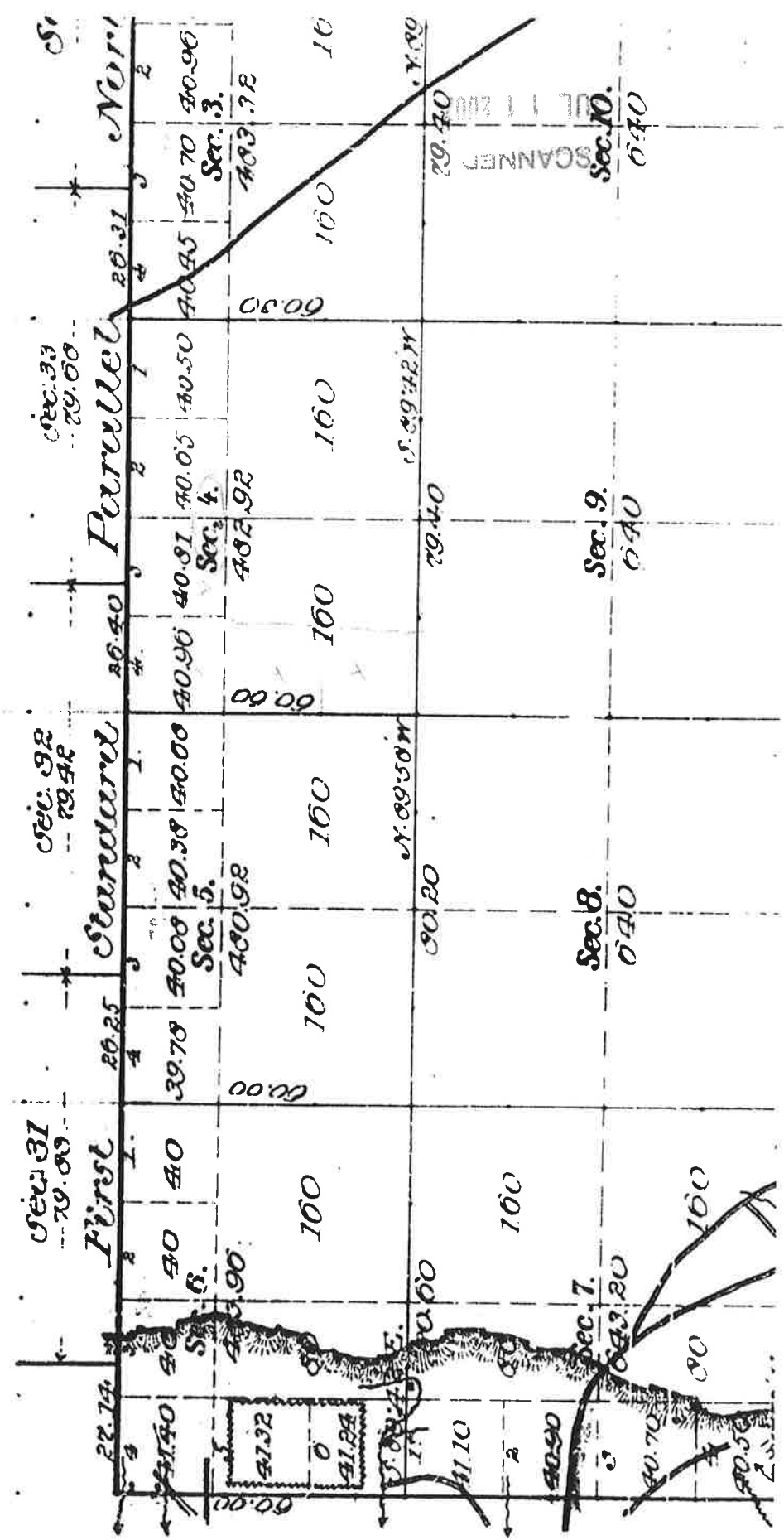
SCANNED

JUL 1 1940

SHAWN WEBSTER

Township No 5 North Range No 40 East of T

G F E D C



9

H

NOT FILMED
OCT 29 1992