

09/25/2006

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

RIGHT NUMBER: 67-14292

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.050 CFS

The quantity of water under this right shall not exceed 13,000 gallons per day.

PRIORITY DATE: 04/01/1965

POINT OF DIVERSION:

T10N R04W S27 NESWNE Within WASHINGTON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
STOCKWATER	01/01 12/31	0.050 CFS

PLACE OF USE: STOCKWATER Within WASHINGTON County

T10N R04W S27 SWNE

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.

The quantity of water decreed for this water right is not a determination of historical beneficial use.

EXPLANATORY MATERIAL: BASIS OF CLAIM - Beneficial Use

Stockwater use is for 100-200 range cattle.

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14292 V1

WATER RIGHT NUMBER: 67-14292 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

Priority Date: 04/01/1965

Basis: Beneficial Use

Status: Active

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

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
STOCKWATER	01/01 to 12/31	0.050 CFS	
	<u>Total Diversion:</u>	0.050 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4SW1/4NE1/4	Sec. 27, Twp 10N, Rge 04W, B.M.
WASHINGTON County		

Place of Use

STOCKWATER

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	27			X														

Conditions of Approval:

1. N13 The quantity of water under this right shall not exceed 13,000 gallons per day.
2. X02 Stockwater use is for 100-200 range cattle.
3. 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.
4. N11 The quantity of water decreed for this water right is not a determination of historical beneficial use.

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 67-14292 V1

Comments:

1. jdean 9/25/2006 Small Stockwater

Comment: This claim was recommended as claimed for small stockwater.

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:

Owner Name Connector:

Water District Number:

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>
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 11:27:29 AM	jdean	Updated shape
POU	9/25/2006 11:28:27 AM	jdean	Updated shape for Active POU
POD	9/25/2006 11:27:45 AM	jdean	Updated PLS
POU	9/25/2006 11:28:37 AM	jdean	Updated PLS for Active POU
Summary	9/25/2006 11:31:33 AM	jdean	(No) 1. Is the basis of this claim a Decree, License, Permit, Application or Posted Notice? (Yes) 3. Is the water being used for all of the purposes claimed and to the extent claimed? (No) 5. Does this right have any combined use limits with other rights? (No) 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?

Water Supply Bank:

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 67-14292
Date Received: 2/11/2002
Receipt No:
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: 04/01/1965

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
10N	04W	27	SW NE	WASHINGTON	

5. Description of diverting works:

Drilled well with stock tanks.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.05	

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

8. Total consumptive use:

9. Non-irrigation uses:
Number of other uses: 100-200 Range Cattle

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
10N	04W	27	SW NE	STOCKWATER	

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:

15. Basis of Claim: Beneficial Use

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 67-14292
Date Received: 2/11/2002
Receipt No: W028733
Received By:

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

1. Name of Claimant(s)

CLYDE S GRAFE Phone: (208)549-3405
2279 COVE RD
WEISER ID USA 83672

2. Date of Priority: 04/01/1965

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
10N	04W	27	SW NE	WASHINGTON	

5. Description of diverting works:

Drilled well with stock tanks.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
STOCKWATER	01/01	12/31	0.05	

7. Total Quantity Appropriated is:

0.05 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

Number of other uses: 100-200 Range Cattle

10. Place of use:

Township	Range	Section	1/4 of 1/4 Lot	Use	Acres
10N	04W	27	SW NE	STOCKWATER	

SCANNED
APR 12 2004
APR 12 2004

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:

15. Basis of Claim: Beneficial Use

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

Identification No. AL67-14292
Date Received 2/11/02
Receipt Number W028733

NOTICE OF CLAIM
TO A
WATER RIGHT

RECEIVED

FEB 11 2002

WATER RESOURCES
WESTERN REGION

ACQUIRED UNDER STATE LAW
For Domestic and/or Stockwater Purposes
Where Daily Use is less than 13,000 gallons per day.

Filing Fee \$25

Please type or print clearly

- Name of Claimant (s) Clyde S. Gnate Phone (208) 549-3405
Mailing Address 2279-Cove Rd Zip 83672
- Date of Priority (Only one per claim) 4-1-65 Month/Day/Year
- Source of water supply (Check one) (☒ Groundwater or Other () (a) _____
which is tributary to (b) _____
Name or kind of source
- Location of point of diversion is: Township 10 N Range 4 W
Section 27 , _____ 1/4 of SW 1/4 of NE 1/4, Govt. Lot _____, BM.,
County of Washington
Additional points of diversion if any: _____
- Description of existing diversion works (Ditches, Wells, Pumps, Pipelines, Headgate Etc.), including the dates of any changes or enlargements in use, the dimensions of the diversion works as constructed and as enlarged and the depth of each well. Drilled well with stock tanks
- Water is claimed for the following: (limited to Domestic and/or Stockwater only. See Instructions.)
For Stock water purposes from 1-1 Month/Day to 12-31 Month/Day amount .05 (cfs)
(Both dates are inclusive)
For _____ purposes from _____ to _____ amount _____
- Total quantity claimed .05 (cfs)
- Total consumptive use claimed is de minimus
- Non-irrigation uses. Describe fully. (Domestic: give number of households served if single ownership; Stockwater: Type and Number of livestock) 100 to 200 Head Cattle

10. Place of use is: Township: 10 N Range 4 W

Section 27, 1/4 of SW 1/4, Govt. Lot NE, B.M.,

for (Circle One) Domestic Stock Domestic and Stock
Additional places of use, if any X

11. In which county (ies) are lands listed above as place of use located? WASHINGTON

12. Do you own the property listed above as place of use? Yes ✓ No ✗
If your answer is No, describe in Remarks below the authority you have to claim this water right.

13. Describe any other water rights used at the same place and for the same purposes as described above.
() None or _____

14. Remarks: _____

15. Basis of Claim (Circle One) Beneficial Use Posted Notice License Permit Decree

Court _____ Decree Date _____ Plaintiff vs Defendant _____

If applicable provide IDWR Water Right Number _____

16. Signature (s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understood 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 do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant (s) [Signature] Date 2-11-02
Date _____

For Organizations: I do solemnly swear or affirm that I am _____

of _____, that I have signed the foregoing

document in the space below as _____ of _____

and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent _____ Date _____

Title and Organization _____

State of Idaho/or _____)

County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 11 day of February 19 2002

State of Idaho/or _____)

County of Ada)

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

State of Idaho/or _____)

County of _____)

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

State of Idaho/or _____)

NOTARIZATION REQUIRED FOR EACH CLAIM

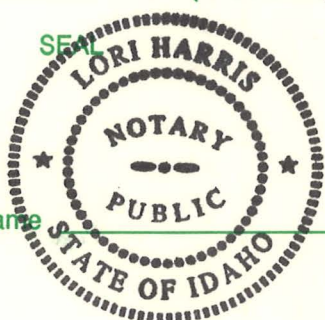
Notary Public Lori Harris

Residing at Boise, Idaho

My Commission Expires 12-8-06

Last Name _____ Ident No. _____

Copies: White-State, Yellow-Claimant



Idaho Department of Water Resources Receipt

Receipt ID W028733

Payment Amount Date Received Region Status

Payment Type Check Number

Payer Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$25.00	PERMITS	0229	21	62103	1155

Signature Line (Dept. Representative)

E-mailed Debbie Allen 2/12/02
to fix.