

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 37-7517
Date Received: 9/7/1988
Receipt No: S002080
Received By: JCL

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name of Claimant(s)

JANICE CENARRUSA

Phone: (208) 823-4633

PO BOX 164

CAREY ID USA 83320

JERRY CENARRUSA

Phone: (208) 823-4633

PO BOX 164

CAREY ID USA 83320

2. Date of Priority: 09/07/1976

3. Source: GROUND WATER

Trib. to: ,

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot			County	Type
01S	21E	34	SW	SE	SW	BLAINE	R
01S	21E	34	NW	NW	NE	BLAINE	I

5. Description of diverting works:

PUMP & DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	2.04	306

7. Total Quantity Appropriated is:
2.04 C.F.S. and/or 306 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
01S	21E	34	SW	NE	IRRIGATION	19
			NW	SE	IRRIGATION	33
			NW	NE	IRRIGATION	12
			Section Acres			64
02S	21E	3	SW	SE	IRRIGATION	18
			SE	SE	IRRIGATION	20
			Section Acres			38
Total Acres						102

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

14. Remarks:

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: **A37-07517**

Date Received: 9/ 7/1988

Receipt No: S002080

Received By: *OJC ALB*

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

1. Name: BRUCE K RATHKE 208-823-4311
Address: PO BOX 325
CAREY ID 83320

2. Date of Priority: SEP 7, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	21E	34	NW	NW	NE	I	BLAINE
			SW	SE	SW	R	BLAINE

5. Description of diverting works:
PUMP & DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.040		306.00

7. Total Quantity Appropriated is:
2.040 C.F.S. (and/or) 306.00 A.F.A.

8. Total consumptive use is 255.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	21E	34	NW	NE		IRR	12.0
			SW	NE		IRR	19.0
			NW	SE		IRR	33.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	64.0
02S	21E	3	SW	SE	IRR	18.0
			SE	SE	IRR	20.0
					Section Acres	38.0
					Total Acres	102.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

LITTLE WOOD RES., LITTLE WOOD CANAL & DECREES 1884 & 1894.

14. Remarks:

THE MAXIMUM RATE OF DIVERSION UNDER THIS LICENSE WHEN COMBINED WITH LICENSE NO. 37-7593 SHALL NOT EXCEED 5.45 CFS. IN ADDITION TO PUMPING DIRECTLY FROM THE WELL, WATER IS INJECTED INTO THE EAST CANAL AND THE WATERMASTER DELIVERS WATER TO THE P/U OUT OF THE WEST CANAL INTO A PRIVATE DITCH. WELL IS SHARED BY THREE USER'S.

OWNERSHIP CHANGE MADE 6/7/95 BY TLB. PATTERSON-FORMER OWNER, RATHKE-NEW OWNER. WARRANTY DEED INCLUDED.

15. Basis of Claim: LICENSE

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 _____

Water Right Number - R37-07517

Prefix Translation: RESEARCH

Old (D) Number -

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

*** C - CURRENT OWNER ***

RATHKE

BRUCE K

1 - PO BOX 325

2 -

3 -

City- CAREY

State- ID Zip- 83320

Phone - 208-823-4311

*** O - ORIGINAL OWNER ***

PATTERSON

ALTON D

1 - PO BOX 32

2 -

3 -

City- CAREY

State- ID Zip- 83320

Phone - 208-823-4539

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
09/07/1976 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County
01S 21E 34 NW NW NE I (13) BLAINE
SW SE SW R (13) BLAINE+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume
01 - IRRIGATION 04/01 11/01 2.040 306.00+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Consumptive Use - + + - KW Usage - +
2.040 306.00 255.0+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County
01S 21E 34 NW NE 12.0 01 IRRIGATION (13) BLAINE
01S 21E 34 SW NE 19.0 01 IRRIGATION (13) BLAINE
01S 21E 34 NW SE 33.0 01 IRRIGATION (13) BLAINE
02S 21E 3 SW SE 18.0 01 IRRIGATION (13) BLAINE
02S 21E 3 SE SE 20.0 01 IRRIGATION (13) BLAINE

Total Acres: 102.0

+ - - Diversion Means - PUMP & DITCH.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - LITTLE WOOD RES., LITTLE WOOD CANAL & DECREES 1884 & 1894.

Water right number - R37-07517

Prefix Translation: RESEARCH

+ - - - - Remarks - - - - - +

THE MAXIMUM RATE OF DIVERSION UNDER THIS LICENSE WHEN COMBINED
WITH LICENSE NO. 37-7593 SHALL NOT EXCEED 5.45 CFS.
IN ADDITION TO PUMPING DIRECTLY FROM THE WELL, WATER IS INJECTED
INTO THE EAST CANAL AND THE WATERMASTER DELIVERS WATER TO THE P/U
OUT OF THE WEST CANAL INTO A PRIVATE DITCH. WELL IS SHARED BY
THREE USER'S.

OWNERSHIP CHANGE MADE 6/7/95 BY TLB. PATTERSON-FORMER OWNER,
RATHKE-NEW OWNER. WARRANTY DEED INCLUDED.

+ - - - - Old Water Right Numbers - - - - - +

No Old Water Right Numbers Found

+ - - - - Conditions of Approval - - - - - +

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +

00/00/0000

+ - - - - Comments - - - - - +

Date: 06/07/1995 User Id: TBACKLUN Subject: COPIED FROM REMARKS
THE MAXIMUM RATE OF DIVERSION UNDER THIS LICENSE WHEN COMBINED
IN ADDITION TO PUMPING DIRECTLY FROM THE WELL, WATER IS INJECTED
OUT OF THE WEST CANAL INTO A PRIVATE DITCH. WELL IS SHARED BY

RATHKE-NEW OWNER. WARRANTY DEED INCLUDED.

WITH LICENSE NO. 37-7593 SHALL NOT EXCEED 5.45 CFS.
INTO THE EAST CANAL AND THE WATERMASTER DELIVERS WATER TO THE P/U
THREE USER'S.

OWNERSHIP CHANGE MADE 6/7/95 BY TLB. PATTERSON-FORMER OWNER,

+ - - Audit Fields - - +

06/07/95 TBACKLUN

+ - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 09/07/1988	Last Amended Date	- 00/00/0000	Temporary Right	- T
		Receipt Number	- X777777	Water District	-
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

RECEIVED

DEC 2 1994

DATE OF CLOSING: 9/23/94

Department of Water Resources

LEGAL DESCRIPTION OF PROPERTY: Township 2 S Range 21 E
Section 3, 1/4 of 1/4 of 1/4 of 1/4 Govt. Lot , BM.
Lot , Block , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet.

J G E U V

[] Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis) **DEC 07 1994**

[] Water Right Number(s) Assigned by IDWR: _____ Department of Water Resources
Southern Region Office

[] Name and Address of Former Owner/Claimant(s) (Seller): Alton D. Patterson

[] New Owner/Claimant (Purchaser): Bruce K. Rathke

[] New Mailing Address: P.O. Box 325
May, ID. 83320

[] New Telephone Number: 208 823 - 4311

[] Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

[] Attach proof of ownership, describe proof attached: Copy of Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

[] Signature of New Owner/Claimant(s) X. Bruce K. Rathke Date 11-30-94

[] Signature of Former Owner/Claimant(s): _____ Date _____

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: 6/18/95 By: HSB

Claim Numbers of Split, if any:

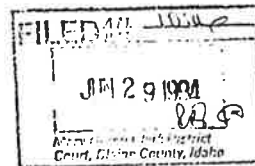
Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

BCT#94006285

FILED 6-29-94



JOHN R. COLEMAN
Coleman, Ritchie & Robertson
Attorneys at Law
156 2nd Avenue West
P. O. Box 525
Twin Falls, ID 83303-0525
Telephone: (208) 734-1224



IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BLAINE
MAGISTRATE DIVISION

In the Matter of the Estate of,
BLANCHE E. PATTERSON,
Deceased.

Case No. SP-94-518
LETTERS OF ADMINISTRATION

ALTON D. PATTERSON is hereby appointed Personal Representative of the Estate of BLANCHE E. PATTERSON.

STATE OF IDAHO)
WITNESS: Robert Elger, Magistrate of
the District Court, County of Blaine, State of Idaho, with the seal
of the Court affixed the 29 day of June, 1994.
full, true and correct copy of the original
thereof.

Robert Elger
MAGISTRATE JUDGE

STATE OF IDAHO)
County of Twin Falls) ss.

I, ALTON D. PATTERSON, hereby accept the duties of
Personal Representative of the Estate of BLANCHE E. PATTERSON,
deceased, and do solemnly swear that I will perform, according to
law, the duties of Personal Representative of the Estate of

LETTERS OF ADMINISTRATION - 1

DEC 07 1994
Department of Water Resources
Southern Region Office

11/10/94
Blaine
Blaine, Idaho

DISTRICT OF
BLAINE

SIX

ISTRATION

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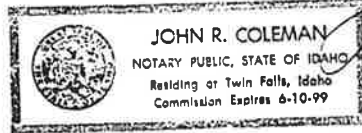
agistrate of
with the seal
1994.

duties of
PATTERSON,
according to
Estate of

1 BLANCHE E. PATTERSON, deceased.

2 Alton D. Patterson
3 ALTON D. PATTERSON

4 SUBSCRIBED and SWORN to before me this 20th day of June,
5 1994.



8 John R. Coleman
9 NOTARY PUBLIC

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22 BLAINE CLERK REQUEST

23 BLAINE COUNTY TITLE

24 SEP 23 P 2:12

25 Mary Green CLERK

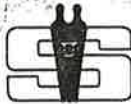
26 370943

27 misc

28 (46)

LETTERS OF ADMINISTRATION - 2

DEC 07 1994
Department of Water Resources
Southern Region Office



Order No. 94006287
This form furnished by
Blaine County Title Associates

WARRANTY DEED

For Value Received **ALTON D. PATTERSON, a widower and ALTON D. PATTERSON, as
Personal Representative of the Estate of Blanche E. Patterson,
Deceased**

the Grantor hereby grants, bargains, sells, conveys and warrants unto **BRUCE K. RATHKE, A SINGLE MAN**

the Grantee whose current address is: **P.O. BOX 325, CAREY, ID 83320**

the following described premises, to-wit:

**SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE
INCORPORATED HEREIN.**

12 6 12 11 V

DEC 07 1994

Department of Water Resources
Southern Region Office

BLAINE COUNTY TITLE
370944
Mary Green, CLERK
6

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it is the owner in fee simple of said premises; that said premises are free from all incumbrances and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: September 22, 1994

Alton D. Patterson
ALTON D. PATTERSON

Alton D. Patterson
ALTON D. PATTERSON, PERSONAL REPRESENTATIVE
OF THE ESTATE OF BLANCHE E. PATTERSON, DECEASED

State of IDAHO

ss.

County of BLAINE

On this 23rd day of September, 1994, before me, the undersigned, a Notary Public, in and for said State, personally appeared ALTON D. PATTERSON, PERSONALLY AND ALTON D. PATTERSON AS PERSONAL REPRESENTATIVE OF THE ESTATE OF BLANCHE E. PATTERSON, DECEASED, known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that he executed the same.

WITNESS MY HAND AND OFFICIAL SEAL.

Marla G. Hend

Notary Public
Residing at: BELLEVUE
Commission Expires: 12/01/94



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MAN

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simple of said
from all lawful

161
REPRESENTATIVE
PERSON, DECEASED

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DEC 07 1994

Department of Water Resources
Southern Region Office

before me, the

OF
on the basis of
wledged to me



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301-6105 (208) 736-3033
Fax (208) 736-3037

PHILIP E. BATT
Governor

KARL J. DREHER
Director

JUNE 7, 1995

BRUCE RATHKE
PO BOX 325
CAREY, ID 83320

RE: SRBA CLAIMS A37-01236A, A37-07517, & A37-11260
PATTERSON

DEAR CLAIMANT:

PURSUANT TO THE NOTIFICATION THAT YOU HAVE PURCHASED PROPERTY WITH THE ABOVE-REFERENCED ADJUDICATION CLAIMS, WE HAVE CHANGED THE DEPARTMENT'S RECORDS AS YOU HAVE REQUESTED. **THIS COPY IS FOR YOUR RECORDS.** PLEASE REVIEW THE RECORDS THE ACCURACY.

IF YOU HAVE ANY QUESTIONS, PLEASE FEEL FREE TO CONTACT ME AT THIS OFFICE.

SINCERELY,

TARA L BACKLUND
SNAKE RIVER BASIN ADJUDICATION
RECORDS CLERK

/TLB
ENCLOSURES

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: A37-07517
Date Received: 9/07/1988
Receipt No: 500 2080
Received By: SCC

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: ALTON D. PATTERSON
Address: P.O. BOX 32
CAREY, ID 83320
208-823-4539

2. Date of Priority: SEP 07, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	21E	34	NW	NW	NE	I	BLAINE
			SW	SE	SW	R	BLAINE

5. Description of diverting works:
PUMP & DITCH.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	2.040		306.00

7. Total Quantity Appropriated is:
2.040 C.F.S. (and/or) 306.00 A.F.A.

8. Total consumptive use is 255.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	21E	34	NW	NE		IRR	12.0
			SW	NE		IRR	19.0
			NW	SE		IRR	33.0

Section Acres 64.0

A37-07517

Page 1

Date: 09/07/88

MICROFILMED

FEB 24 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	21E	3	SW	SE		IRR	18.0
			SE	SE		IRR	20.0
						Section Acres	38.0
						Total Acres	102.0

11. Place of use in counties: BLAINE

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

13. Other Water Rights Used:

LITTLE WOOD RES., LITTLE WOOD CANAL & DECREES 1884 & 1894.

14. Remarks:

THE MAXIMUM RATE OF DIVERSION UNDER THIS LICENSE WHEN COMBINED WITH LICENSE NO. 37-7593 SHALL NOT EXCEED 5.45 CFS. IN ADDITION TO PUMPING DIRECTLY FROM THE WELL, WATER IS INJECTED INTO THE EAST CANAL AND THE WATERMASTER DELIVERS WATER TO THE P/U OUT OF THE WEST CANAL INTO A PRIVATE DITCH. WELL IS SHARED BY THREE USER'S.

15. Basis of Claim: LICENSE

(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.

MICROFILMED
FEB 24 1993

WEST
CANAL

P/O
Rediversion

PRIVATE DITCH —

FAST
CANAL

~~ACT ON~~ ^{ImJ} PATTENSON



Prepared by SOIL CONSERVATION SERVICE * UNITED STATES DEPARTMENT of AGRICULTURE
cooperating with

BLAINE

S.C. DISTRICT AND AGENCIES COOPERATING JUL SURVEY

OWNER PATTERSON, ALTON
OPERATOR SAME
BLAINE COUNTY IDAHO STATE

FARM NO. DATE 8-7-75
SCALE 8" = 1 MILE ACRES
PHOTO NO. CV0-5G-115 # 115

A37-07517

P/D

Well Location

R. 21 E.

point of injection

WEST CANAL



Clelland, Steve

From: Skinner, Corey
Sent: Thursday, August 01, 2002 4:26 PM
To: Shaff, Don
Cc: Clelland, Steve
Subject: Pending Transfer 70077

Transfer 70077 proposes changes to the following rights.

AJC 37-7517

This transfer, filed today by Jerry &/or Janice Cenarrusa, proposes to change the place of use of right 37-751. The right involved with the transfer is a groundwater right, south of Carey, and part of the pending Basin 37 Director's Report (one of Steve's). The new proposed place of use is located in the east 1/2 of the NW 1/4 and the west 1/2 of the NE 1/4 of Section 34 (T01S, R21E). The proposed place of use identifies 160 acres, with the right being limited to 102 acres per season.

COMMUNICATION DOCUMENTATION

We finally connected by phone... she wanted to know what was needed to complete the transfer of the water to their lands. I explained they had only filed the Change of Ownership and not the Transfer. She understood the difference and will meet with Corey S. in Twin Falls at a later date. I suggested she take a copy of the paperwork submitted with the COO to speed up the transfer process.

07/16/2002

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

RIGHT NUMBER: 37-7517

NAME AND ADDRESS: JANICE CENARRUSA
PO BOX 164
CAREY ID 83320

JERRY CENARRUSA
PO BOX 164
CAREY ID 83320

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.04 CFS
306.0 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 5.45 CFS. COMBINED RIGHT NOS.: 37-7593A &
37-7593B.

PRIORITY DATE: 09/07/1976

POINT OF DIVERSION:

T01S R21E S34 NWNWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	2.040 CFS 306.00 AFY

PLACE OF USE: IRRIGATION Within BLAINE County

T01S R21E S34	NWNE	14.0	T01S R21E S34	SWNE	15.0
T01S R21E S34	NWSE	35.0	T02S R21E S03	SWSE	19.0
T02S R21E S03	SESE	19.0			

102 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: License

IN ADDITION TO PUMPING DIRECTLY FROM THE WELL, WATER IS INJECTED
INTO THE EAST CANAL AND THE WATERMASTER DELIVERS WATER TO
THE P/U OUT OF THE WEST CANAL INTO A PRIVATE DITCH.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.
USE OF THIS RIGHT IS COMBINED WITH WATER FROM LITTLE WOOD RIVER
CANAL CO.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

JULY 16, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JERRY CENARRUSA
JANICE CENARRUSA
PO BOX 164
CAREY ID 83320

RE: Change of Ownership of SRBA Claim 37-7517

Dear Mr. & Mrs. Cenarrusa,

Pursuant to your request for a change in ownership and/or the notification that you recently purchased the water right from the property to which the above-referenced adjudication claim(s) is appurtenant, the department has changed the record of the current owner as requested for right listed above.

Please find enclosed a copy of your adjudication claim and recommendation as it now appears in our records. Please refer to this number, **37-7517**, in your future correspondence with IDWR.

I would encourage you to pursue your transfer to move this right off the Rathke property and onto lands you own.

If you have any further corrections or questions please contact me at our office.

Sincerely,

STEVE CLELLAND
Sr. Water Resource Agent

ENC :

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

RECEIVED

JUL 16 2002

Please print or type. Attach pages with additional information. Instructions are on the back of this page. Department of Water Resources
Incomplete forms will be returned.

1. Water Right or Adjudication Claim No(s): 37-7517
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 attached to your deed or on file with the county.)
OR
C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency **AERIAL PHOTO** with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Bruce K Rathke
P.O. Box 325, Carey, ID 83320
4. New Owner/Claimant(s) Jerry or Janice Cenarrusa
Name Connector (Check one): ☐ and, ☒ or, ☐ and/or
New Mailing Address P.O. Box 164
City, State and ZIP Code Carey, ID 83320
New Telephone Number 208 823-4633
5. Date you acquired the property 7/6/92
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 you irrigate _____ Number and type of stock _____
- Diversion rate in CFS _____ Number of homes _____ Other uses _____
- 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 or Claimant(s) Janice M Cenarrusa
- Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign this form.
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

✓ 7/16/02 sec (Transfer needed to move POU)

QUITCLAIM DEED

For Value Received, **BRUCE K RATHKE**,
whose address is: P. O. Box 325, Carey, Idaho 83320,
does hereby convey, release, remise and forever quit claim unto
JERRY CENARRUSA and JANICE CENARRUSA, Husband and Wife,
whose address is P. O. Box 164, Carey, Idaho 83320
the following described, to-wit:

WATER RIGHT NUMBER: 37-7517

DATED: 7-10-02


Bruce K Rathke
BRUCE K RATHKE

Instrument # 467789
HAILEY, BLAINE, IDAHO
2002-07-10 12:19:00 No. of Pages: 1
Recorded for: JANICE CENARRUSA
MARSHA RIEMANN Fee: 3.00
Ex-Officio Recorder Deputy
Index to: WTY/QC/CORP DEED

STATE OF IDAHO, COUNTY OF BLAINE

On this 10th day of July, 2002
before me, a notary public and for said State,
personally appeared

Bruce K Rathke

known to me to be the person whose name is
subscribed to the within instrument, and acknowledged
to me that he executed the same.

Linnia A. Simpson
Notary Public
Residing at Carey, Idaho
Commission Expires: 10/26/2002



Well

BLAINE C. REQUEST

OF BLAINE COUNTY TITLE

1992 JUL -7 P 2: 52

342546

MEMORANDUM AGREEMENT

GREEN, CLERK

1800

MP

agreement

THIS AGREEMENT, made and entered into this 6th day of July, 1992, by and between ALTON D. PATTERSON and BLANCHE E. PATTERSON, husband and wife, parties of the first part, hereinafter referred to as "Sellers," and JERRY L. CENARRUSA and JANICE M. CENARRUSA, husband and wife, parties of the second part, hereinafter referred to as "Buyers."

WHEREAS, the Sellers are the owners of a License of Water Right issued by the State of Idaho Department of Water Resources as License Number 37-7517, with a priority date of September 7, 1976, to appropriate 2.04 cfs of water from an irrigation well located in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 34, Township 1 South, Range 21 East of the Boise Meridian, Blaine County, Idaho, near the Northeast corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 34, and

WHEREAS, the Sellers have heretofore transferred an undivided one-half (1/2) interest in said Water License and well to Leo Peterson, who in turn has made various transfers of said undivided one-half interest, and

WHEREAS, the other undivided one-half (1/2) interest in said Water License and well is presently owned as follows: An undivided one-fourth (1/4) interest by the Buyers herein and an undivided one-fourth (1/4) interest by John L. Cenarrusa and Teresa Cenarrusa, husband and wife, and

WHEREAS, the 1992 turn-on fee and the power bills for 1992 have been paid by Sellers.

1 FOR AND IN CONSIDERATION of the covenants and agreements
2 herein contained it is hereby agreed as follows:

3 1. Sellers agree to sell to the Buyers and Buyers agree
4 to buy from the Sellers all of the remaining right, title, and
5 interest of the Sellers in Water License Number 37-7517, together
6 with the pump, motor, and electrical panel situated thereon, and
7 together with a sufficient easement and right of way for the
8 operation and maintenance of said pump and for the transportation
9 of irrigation water therefrom to the lands of the Buyers herein,
10 subject, however, to the rights in said Water License, pump, motor,
11 panel, and transmission works claimed by John L. Cenarrusa and
12 Teresa Cenarrusa.

13 2. Buyers agree to pay therefor the sum of \$12,000.00,
14 payable in cash on the execution of this Agreement or on or before
15 July 1, 1992.

16 3. Buyers agree to reimburse Sellers for Buyers' share
17 of power costs paid by Sellers for 1992 to date. Sellers shall be
18 entitled to the refund of the full turn-on fee for 1992 paid by them
19 to Idaho Power for the turn on of this well.

20 4. Sellers are making no warranties concerning the con-
21 dition of the pump, motor, and electrical panel and are selling the
22 same on an as-is basis.

23 5. It is recognized between the parties hereto that none
24 of the prior transfers of Water License Number 37-7517 have been
25 made a matter of record with the Idaho Department of Water
26 Resources. However, the Snake River Adjudication filing has been

1 made by the Sellers in Sellers' name, and on such filing have
2 indicated that the water under said right is used by three separate
3 users.

4 6. Buyers and Sellers agree to cooperate mutually to
5 complete the necessary transfer of documents and other papers to
6 accomplish the transfer of this right with the Department of Idaho
7 Water Resources. All such fees and costs for the transfer of the
8 same shall be paid by the Buyers.

9 7. It is recognized and agreed that the Sellers are not
10 selling any of the land whereon the well, pump, motor, and
11 electrical panel are located, nor are they selling any of their land
12 across which said water is transported to the land of the Buyers.
13 Sellers are merely granting easements and rights of way to the
14 Buyers to accomplish the purposes of the operation of said well and
15 the transportation of irrigation water from said well to the lands
16 of the Buyers. Sellers do hereby grant to the Buyers an easement
17 to operate and maintain said well and to convey water therefrom to
18 the canal lateral adjacent thereto. Said easement to be 10 feet by
19 10 feet, with said well in the center thereof, and a pipe from the
20 well east to the canal lateral.

21 8. It is recognized and agreed between the parties hereto
22 that the lands of the Buyers to which said water shall be made
23 appurtenant are described as follows, to-wit:
24
25
26

1
2
3
4
5
6 9. Buyers agree to sell water from said well, if avail-
7 able, to Sellers on an annual basis when needed by Sellers, at a
8 price to be agreed upon each year.

9 10. Time is of the essence of this Agreement and the
10 parties hereto agree to perform their respective duties and re-
11 sponsibilities in a timely manner. It is agreed that the approval
12 of the transfer of this right is not a condition to the closing of
13 the transaction and the transfer of the purchase price to the
14 Sellers.

15 IN WITNESS WHEREOF, the parties hereto have caused this
16 Agreement to be executed the day and year first above written.

17
18 Alton D. Patterson
19 ALTON D. PATTERSON

Jerry L. Cenarrusa
JERRY L. CENARRUSA

20 Blanche E. Patterson
21 BLANCHE E. PATTERSON

Janice M. Cenarrusa
JANICE M. CENARRUSA

1 STATE OF IDAHO)

2 County of Blaine)

ss.

3 On this 6th day of July, 1992, before me, the
4 undersigned, a Notary Public in and for said County and State,
5 personally appeared ALTON D. PATTERSON and BLANCHE E. PATTERSON,
6 husband and wife, known to me to be the persons whose names are
7 subscribed to the within instrument, and acknowledged to me that
8 they executed the same.

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

12 *Michael Adams*
13 NOTARY PUBLIC

14 Expires

15 *July 27, 1993*



16 STATE OF IDAHO)

17 County of Blaine)

ss.

18 On this 6th day of July, 1992, before me, the
19 undersigned, a Notary Public in and for said County and State,
20 personally appeared JERRY L. CENARRUSA and JANICE M. CENARRUSA,
21 husband and wife, known to me to be the persons whose names are
22 subscribed to the within instrument, and acknowledged to me that
23 they executed the same.

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

27 *Michael Adams*
28 NOTARY PUBLIC

29 Expires

30 *July 27, 1993*



COLEMAN, RITCHIE & ROBERTSON

ATTORNEYS AT LAW
156 SECOND AVE. WEST
P.O. BOX 525
TWIN FALLS, IDAHO 83303-0525

JOHN R. COLEMAN
JOHN S. RITCHIE
THOMAS M. ROBERTSON

TELEPHONE (208) 734-1224

OF COUNSEL
C. G. McINTYRE

FAX (208) 734-3983

July 1, 1992

Mr. Jerry L. Cenarrusa
Carey, ID 83320

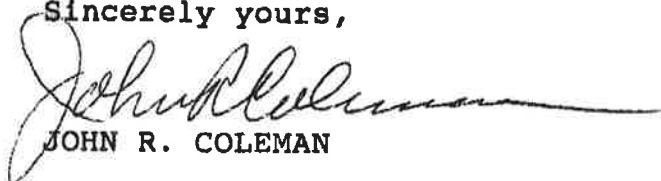
Dear Jerry:

I have changed the agreement between Mr. and Mrs. Patterson and you and your wife for the purchase of the well, to specifically describe the easement for the location of the well. As you will recall, when we discussed this matter a few days ago you indicated that you felt the bank would require that you have a deed to the property where the well is located rather than an easement. The agreement as I have changed it is for an easement, but I believe is sufficiently clear to give full authority to you to mortgage, if necessary, your interest in this well to raise the purchase price.

After discussing this matter again with Alton Patterson and clearing in my mind the actual situation on the ground, it would create too many problems to have him deed to you a 10 by 10 piece of ground on which the well is located. The canal lateral on the east side of Mr. Patterson's property is a right of way actually granted to the canal company off from his property. Thus, the well is located some distance from the real northeast corner of his property. Mr. Patterson also has a driveway from the road to his property which is east of the well and west of the canal right of way. Any attempt to convey the actual parcel of ground upon which the well is located without having the actual parcel surveyed would probably not cover the exact land where the well is located. By granting an easement surrounding the well, a less accurate description is required. Once the agreement has been signed by both you, your wife, and Mr. and Mrs. Patterson, a copy of the agreement may be recorded in the records of Blaine County and thus establish the easement as a matter of record, which should be sufficient protection to you. Also, by using an easement, should the well ever be abandoned for any reason, you would not want to be in the position of owning a 10 by 10 parcel of land completely surrounded by land owned by someone else.

If you have any questions, please feel free to call me.

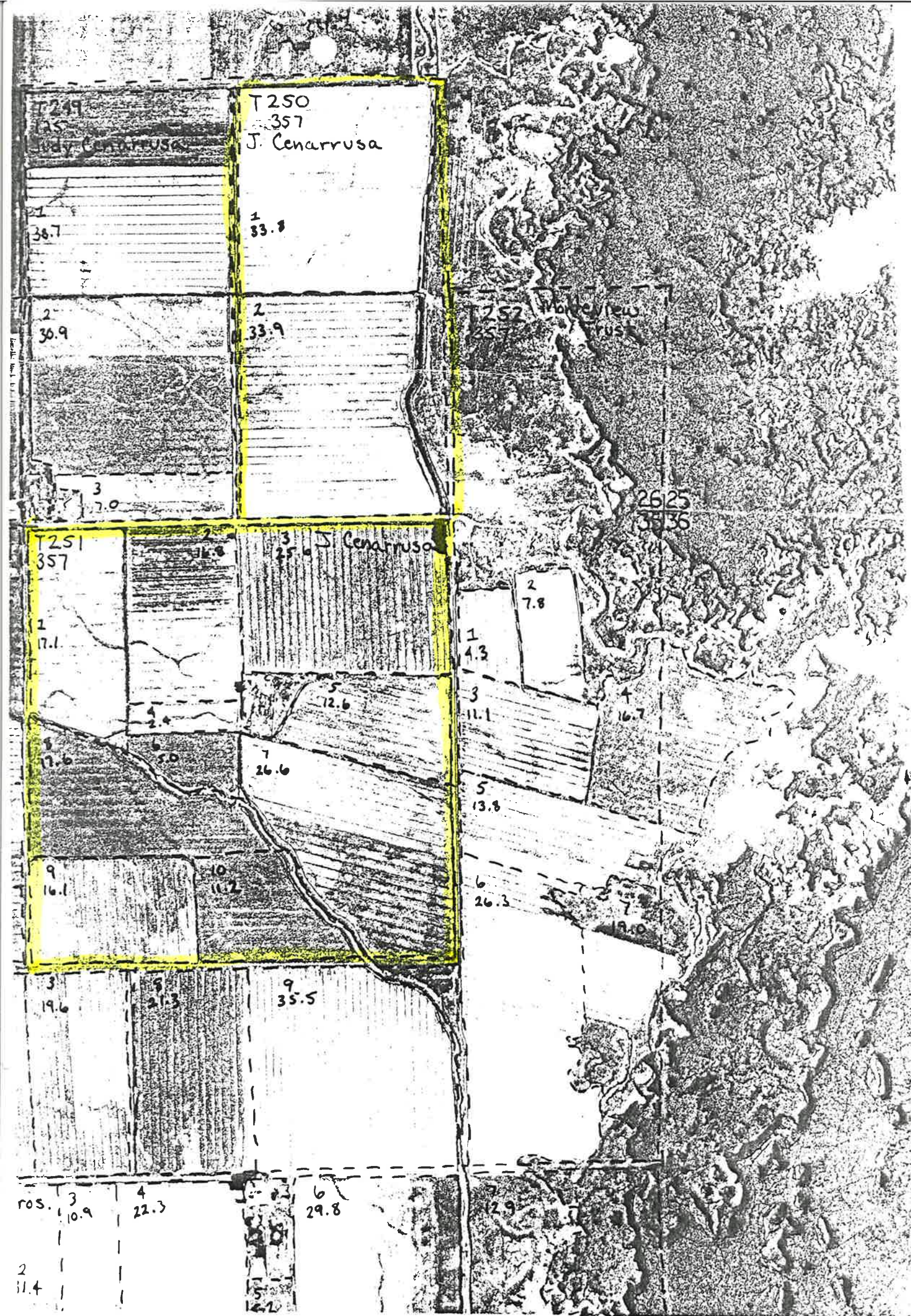
Sincerely yours,



JOHN R. COLEMAN

JRC\jlk

cc: Mr. and Mrs. Alton Patterson



IDAHO DEPARTMENT OF WATER RESOURCES 12/10/2001
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

Water Right **37-7517**

1

NAME AND ADDRESS: BRUCE K RATHKE
PO BOX 325
CAREY ID 83320

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 2.04 CFS
306.0 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL
COMBINED DIVERSION RATE OF 5.45 CFS. COMBINED RIGHT NOS.: 37-7593A &
37-7593B.

PRIORITY DATE: 09/07/1976

POINT OF DIVERSION:

T01S R21E S34 NWNWNE Within BLAINE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	4/01 11/01	2.040 CFS 306.00 AFY

PLACE OF USE: IRRIGATION Within BLAINE County

T01S R21E S34	NWNE	14.0	T01S R21E S34	SWNE	15.0
T01S R21E S34	NWSE	35.0	T02S R21E S03	SWSE	19.0
T02S R21E S03	SESE	19.0			

102 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.

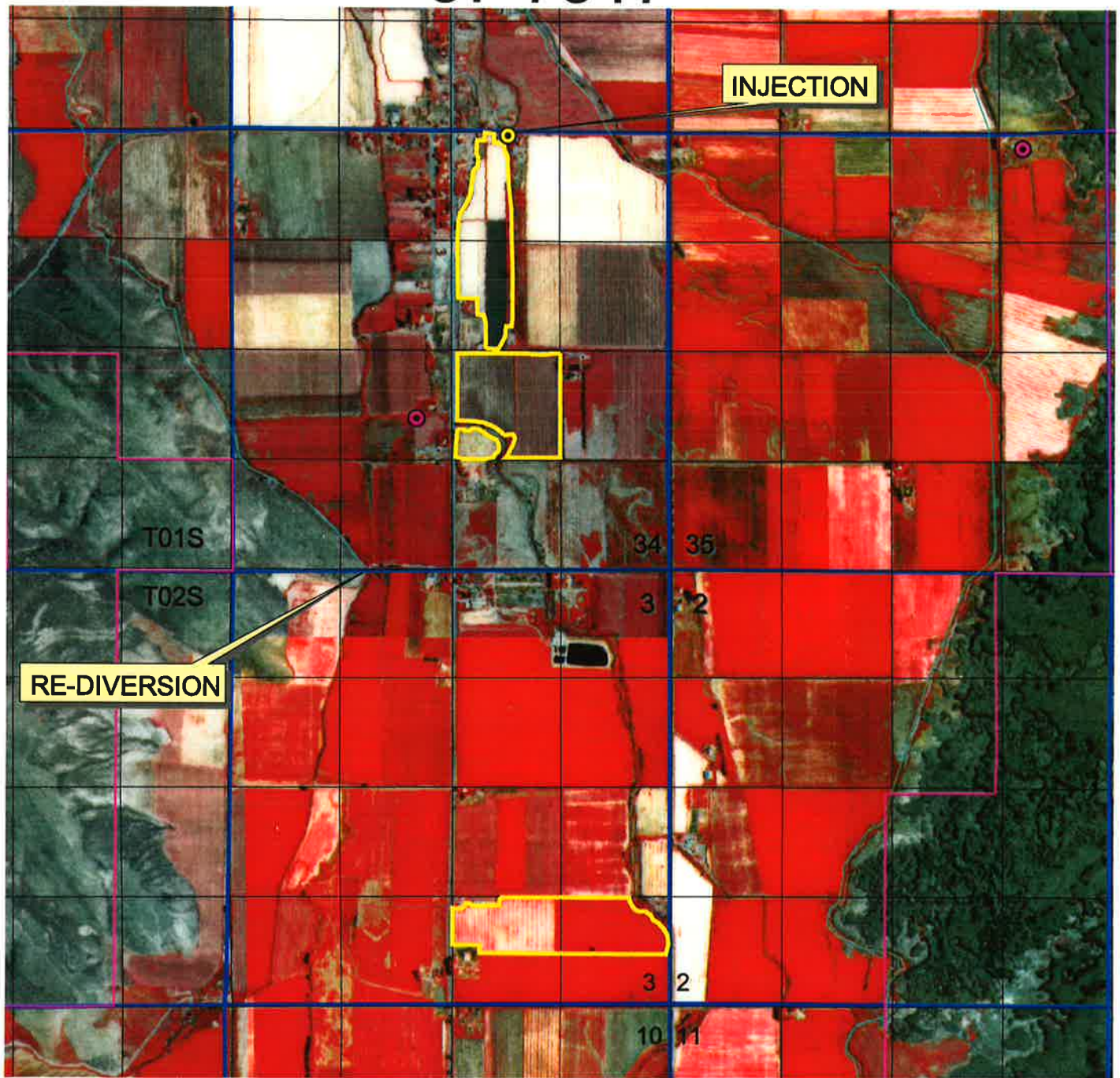
EXPLANATORY MATERIAL: License

IN ADDITION TO PUMPING DIRECTLY FROM THE WELL, WATER IS INJECTED
INTO THE EAST CANAL AND THE WATERMASTER DELIVERS WATER TO
THE P/U OUT OF THE WEST CANAL INTO A PRIVATE DITCH.

RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT
TO SECTION 42-1425, IDAHO CODE.
USE OF THIS RIGHT IS COMBINED WITH WATER FROM LITTLE WOOD RIVER
CANAL CO.

IDAHO DEPT OF WATER RESOURCES

37-7517



1320 0 1320 Feet

-  Basin 37 part 1-POU
-  Basin 37 part 1-POD
-  Ownership FED-Private
-  Streams
-  Section Lines
-  Quarter - Quarter lines

TWN: 1S & 2S
RNG: 21E
SEC: 34 & 3



GIS Place of Use Presentation
NAPP Aerial Photo 1987/1988
By Steve Clelland

Date: December 10, 2001