



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

February 1, 2012

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

Clyde Cook
PO Box 566
Ririe ID 83443

SUPPORT DATA

IN FILE # 25-14058

RE: Notice of Change in Water Right Ownership
Water Rights: 25-14058, 25-14060, 25-14062, 35-14064 & 35-14065

Dear Mr. Cook:

On May 3, 2011, you filed a Notice of Change in Water Right Ownership (ownership change) with the Idaho Department of Water Resources (IDWR), seeking to update the ownership records for the water rights listed above. After an initial review, we determined that you needed to provide additional evidence of ownership or fees, specifically a deed for the water rights, the legal description received does not cover the entire place of use of the water rights listed above. In order for the department to complete a division of the water rights additional fees are required. In August 2011 the department talked to you and you indicated that an amendment to the deeds would be completed. On November 28, 2011, we sent a letter requesting the additional information. The additional information was to be provided within 30 days.

IDWR has never received a response to the request for additional information. Without the requested documents, we cannot verify ownership of the water right and cannot complete the ownership change. We are therefore returning your original ownership change and have initiated a refund of your filing fee (\$200.00). The refund from the state of Idaho will arrive at the address listed above within a couple of weeks.

Please feel free to re-file your ownership change any time in the future when you have collected the requested documentation of ownership. Because your filing fee is being refunded, you will need to determine and provide the proper filing fee at the time you re-file the ownership change.

If you have any questions, feel free to contact me at (208) 525-7161.

Respectfully submitted,

Jonie Barg
Technical Records Specialist

Enclosure(s)

RECEIVED

MAY 03 2011

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Notice of Change in Water Right Ownership

1. List the numbers of all water rights and/or adjudication claim records to be changed. If you only acquired a portion of the water right or adjudication claim, check "Yes" in the "Split?" column.

Water Right/Claim No.	Split?	Water Right/Claim No.	Split?	Water Right/Claim No.	Split?
2514060	Yes ☒		Yes ☐		Yes ☐
2514064	Yes ☒		Yes ☐		Yes ☐
2514062	Yes ☒		Yes ☐		Yes ☐
2514058	Yes ☒		Yes ☐		Yes ☐
25-140606	Yes ☒		Yes ☐		Yes ☐

2. Previous Owner's Name: Lovell and Cook - Clyde Cook and Ren Lovell
Name of current water right holder/claimant

3. New Owner(s)/Claimant(s): Clyde Cook
Name of each new owner as listed on the conveyance document

New owner continued Name connector ☐ and ☐ or ☐ and/or
P.O. Box 566
Mailing address
Ririe ID 83443
City State ZIP
208-681-7214
Telephone Email

4. If the water rights and/or adjudication claims were split, how did the division occur?
- ☐ The water rights or claims were divided as specifically identified in a deed, contract, or other conveyance document.
- ☐ The water rights or claims were divided proportionately based on the portion of their place(s) of use acquired by the new owner.

5. Date you acquired the water rights and/or claims listed above: Jan 1. 2009

6. This form must be signed and submitted with the following **REQUIRED** items:

- A copy of the conveyance document – warranty deed, quitclaim deed, court decree, contract of sale, etc. The conveyance document must include a legal description of the property or description of the water right(s) if no land is conveyed.
- Plat map, survey map or aerial photograph which clearly shows the place of use and point of diversion for each water right and/or claim listed above (if necessary to clarify division of water rights or complex property descriptions).
- Filing fee (see instructions for further explanation):
 - \$25 per *undivided* water right.
 - \$100 per *split* water right.
 - No fee is required for pending adjudication claims.

7. Signature: Clyde Cook Owner 4/27/2011
Signature of new owner/claimant Title, if applicable Date

Signature: _____
Signature of new owner/claimant Title, if applicable Date

For IDWR Office Use Only:

Received by JB Date 5/3/2011 Receipt No. E036617 Receipt Amt. \$100.-
Approved by _____ Processed by _____ Date _____

Late fee. E036736 \$100.-

Title : Farm #3267
Tract # 3379



Prepared by FSA

Date: 01/30/2006



11/11/09 2008122159

Mail Property Tax Notice To:
Clyde Cook
P.O. Box 566
Ririe, Idaho 83443

Instrument # 1350670
IDAHO FALLS, BONNEVILLE, IDAHO
2009-12-02 10:21:05 AM No. of Pages: 7
Recorded for: MOUNTAIN WEST TITLE & ESC
RONALD LONGMORE Fee: 21.00
Ex-Officio Recorder Deputy SSolis
Index To: DEED
Electronically Recorded by Simplifile

GRANT DEED
(Home Place - Bonneville County)

RONALD L. LOVELL, also known as RONALD LOVELL, and TAMMY LOVELL, also known as TAMARA LOVELL, husband and wife, Grantors, hereby grant and convey to CLYDE A. COOK and LARAE L. COOK, husband and wife, Grantees, whose mailing address is P.O. Box 566, Ririe, Idaho 83443, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, all of their interest in the following described real property located in BONNEVILLE County, Idaho:

Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho

Section 4: Government Lots 1, 2, 3 and 4
S1/2 N1/2
E1/2 SE1/4
N1/2 SW1/4
NW1/4 SE1/4
S1/2 SW1/4
SW1/4 SE1/4

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTIES:

- a. Beginning at the Northeast Corner of Section 4, Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho; running thence West 180.00 feet to the True Point of Beginning; thence South 460.00 feet; thence West 105.00 feet; thence North 460.00 feet; thence East 105.00 feet to the true point of beginning.
- b. That certain property conveyed to Bonneville County for roadway purposes by that certain Quitclaim Deed recorded in Book 7 of Deeds at Page 155 also by that certain Quitclaim Deed recorded in Book 7 of Deeds at Page 146, records of Bonneville County, Idaho.
- c. That certain property conveyed to the State of Idaho for roadway purposes by that certain Warranty Deed recorded as Instrument No.

11/07 2008120154
Mail Property Tax Notice To:
Clyde Cook
P.O. Box 566
Ririe, Idaho 83443

RECORDED ELECTRONICALLY
NUMBER: 1350670
BONNEVILLE COUNTY
DATE: 12/02/2009 TIME: 10:21 am
SIMPLIFILE.COM 1-800-460-5657

GRANT DEED
(Home Place - Bonneville County)

RONALD L. LOVELL, also known as RONALD LOVELL, and TAMMY LOVELL, also known as TAMARA LOVELL, husband and wife, Grantors, hereby grant and convey to CLYDE A. COOK and LARAE L. COOK, husband and wife, Grantees, whose mailing address is P.O. Box 566, Ririe, Idaho 83443, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, all of their interest in the following described real property located in BONNEVILLE County, Idaho:

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b. That certain property conveyed to Bonneville County for roadway purposes by that certain Quitclaim Deed recorded in Book 7 of Deeds at Page 155 also by that certain Quitclaim Deed recorded in Book 7 of Deeds at Page 146, records of Bonneville County, Idaho.

c. That certain property conveyed to the State of Idaho for roadway purposes by that certain Warranty Deed recorded as Instrument No.

390678, records of Bonneville County, Idaho.

d. That certain property conveyed to the State of Idaho for roadway purposes by that certain Warranty Deed recorded as Instrument No. 390827, records of Bonneville County, Idaho.

Section 5: Government Lots 1 and 2
S1/2 NE1/4
NE1/4 SE1/4
SE1/4 SE1/4

ALSO: All of the Northwest Quarter of the Southeast Quarter and a Northerly portion of the Southwest Quarter of the Southeast Quarter of Section 5, Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho. The commencing point lying roughly 901.00 feet North of the State of Idaho survey marker Station 1 + 50 P O T (said Station located near the Southwest Corner of the SW1/4 SE1/4), at the intersection of an existing irrigation system electrical power pole line and the East boundary of Highway 48 (Ririe Business Loop) and herein identified as the point of beginning. From the point of beginning running North approximately 1570.00 feet to the established Center Section line; thence East approximately 1220.00 feet to the established One – Sixteenth (1/16) Section line; thence South approximately 1570.00 feet to the before mentioned power pole line; thence West approximately 1220.00 feet along the pole line, more or less, to the point of beginning.

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTIES:

a. Beginning at a point N89°33'E along the Section line 650.00 feet and South 41.00 feet from the North Quarter Corner of Section 5, Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho; thence S89°53'W 125.50 feet; thence S51°55'W 205.40 feet; thence S1°29'W 139.30 feet; thence S87°40'E 284.50 feet; thence N1°20'E 278.00 feet to the point of beginning, and being part of the Northwest Quarter of the Northeast Quarter, Government Lot 2 of said Section 5.

b. Oregon Short Line Railroad right of way consisting of all that portion of Government Lot 2, Section 5, Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho, lying Northwesterly of the Progress Canal, and being more particularly described as follows:

Beginning at the Northwest Corner of said Government Lot 2; thence East along the North line of said Section 5, 345.00 feet, more or less, to the Northwesterly bank of the Progress Canal; thence

Southwesterly along the bank of said canal to a point in the North and South centerline of said Section 5; thence North along said North and South centerline 270.00 feet, more or less, to the point of beginning.

Canal Plot
c. That portion of Government Lot 2 lying North and West of the railroad.

d. That certain property conveyed to Bonneville County for roadway purposes by that certain Quitclaim Deed recorded in Book 7 of Deeds at Page 144, records of Bonneville County, Idaho.

e. That certain property conveyed to the State of Idaho for roadway purposes by that certain Quitclaim Deed recorded as Instrument No. 387779 and corrected by that certain Quitclaim Deed recorded as Instrument No. 407601, records of Bonneville County, Idaho.

f. That certain property conveyed to the State of Idaho for roadway purposes by that certain Warranty Deed recorded as Instrument No. 390733, records of Bonneville County, Idaho.

g. That certain property conveyed to the State of Idaho for roadway purposes by that certain Corporation Quitclaim Deed recorded as Instrument No. 390826, records of Bonneville County, Idaho.

h. That certain property conveyed to the State of Idaho for roadway purposes by that certain Warranty Deed recorded as Instrument No. 390827, records of Bonneville County, Idaho.

i. Part of the Northwest Quarter of the Northeast Quarter (NW1/4 NE1/4) of Section 5, Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho described as follows:

Beginning at the Northwest Corner of the property as described in Warranty Deed Instrument No. 664570 that is S89°52'52"E 361.52 feet along the Section line and S00°07'08"W 166.30 feet from the North Quarter Corner of Section 5, and running thence S02°03'08"W 150.43 feet along the West line of said property described in Warranty Deed Instrument No. 664570; thence N89°26'04"W 168.60 feet; thence N49°29'06"E 228.84 feet to the point of beginning.

j. Beginning at a point 66.00 feet South and 664.00 feet West of the Northeast Corner of Section 5, Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho; thence running South 218.40 feet; thence West 208.80 feet; thence North 177.60 feet; thence N67°42'E 108.00 feet; thence East 108.80 feet to the point of beginning.

- k. Beginning at a point 107.00 feet South and 873.00 feet West of the Northeast Corner of Section 5, Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho; and running thence South 177.60 feet; thence West 208.80 feet; thence North 177.60 feet; thence East to the point of beginning.
- l. Beginning at a point West 1081.80 feet and South 284.60 feet from the Northeast Corner of Section 5, Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho; thence West 200.00 feet; thence North 148.00 feet; thence East 200.00 feet; thence South 148.00 feet to the point of beginning.
- m. Beginning at the Northeast Corner of the Northeast Quarter of Section 5, Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho; thence West 165 feet to the point of beginning; thence South 296.00 feet; thence West 498.00 feet; thence North 296.00 feet; thence East 498.00 feet to the point of beginning.
- n. Beginning at a point N89°33'E along the Section line 650.00 feet and South 41.00 feet from the North Quarter Corner of Section 5, Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho; running thence S1°20'W 278.00 feet; thence East 160.00 feet, more or less, to the a point which is 510.00 feet West of the East boundary line of Government Lot 2 of said Section 5; thence North 278.00 feet; thence West 160.00 feet, more or less, to the point of beginning.
- o. Beginning at a point 130.00 feet West and 46.00 feet South of the Northeast Corner of the Northwest Quarter of the Northeast Quarter, Government Lot 2 of Section 5, Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho; running thence West 200.00 feet; thence South 300.00 feet; thence East 200.00 feet; thence North 300.00 feet to the point of beginning.
- p. Beginning at a point on the East line of Government Lot 2 in Section 5, Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho, 300.00 feet South of the Northeast Corner of said Government Lot 2; thence West 130.00 feet; thence South 30.00 feet; thence East 130.00 feet; thence North 30.00 feet to the true point of beginning.
- q. Beginning at a point that is N89°33'E along the Section line 544.50 feet and South 41.00 feet from the North Quarter Corner of Section 5, Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho; thence S89°53'W 20.00 feet; thence S51°55'W 205.40

feet; thence S1°29'W 606.00 feet; thence S87°40'E 645.00 feet; thence N1°20'E 466.00 feet; thence West 360.50 feet; thence N1°20'E 278.00 feet; thence West 105.00 feet, more or less, to the point of beginning.

r. Beginning at a point that is West along the Section line 1319.34 feet and 46.00 feet South from the Northeast Corner of Section 5, Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho, said point of beginning being on the South right of way line of North County Line Road; running thence South 284.00 feet; thence West 130.00 feet; thence North 30.00 feet; thence West 30.00 feet; thence North 254.00 feet to said right of way line; thence East along said right of way line 160.00 feet to the point of beginning.

s. Part of Government Lot 2, Section 5, Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho described as follows:

Beginning at a point on the southerly right-of-way line of the East Ririe Highway that is S.89°52'52"E. 565.02 feet along the section line and S.00°07'08"W. 40.00 feet from the North Quarter corner of said Section 5 and running thence S.89°52'52"E. 159.12 feet along said southerly right-of-way line to Station 5+00 Federal Aid Project No. 140A; thence N.00°07'08"E. 7.00 feet to the southerly right-of-way line of said Federal Aid Project No. 140A; thence S.89°29'33"E. 152.13 feet along said southerly right-of-way line; thence S.00°00'00"W. 322.48 feet; thence N.89°56'11"W. 55.02 feet; thence N. 82°22'47"W. 253.59 feet to an existing fence corner; thence N.00°26'32"E. 136.04 feet along said existing fence line; thence N.01°20'26"E. 26.97 feet; thence S.89°10'50"W. 42.90 feet to the east line of the property as described in Instrument No. 1251529; thence along the boundary of said property the following two (2) courses: (1) N.02°46'57"W. 20.08 feet; thence (2) N.20°27'09"E. 106.75 feet; thence N.00°07'08"E. 1.00 feet to the point of beginning.

Parcel contains 2.224 acres

Section 9: N1/2NE1/4
NE1/4 NW1/4

EXCEPTING THEREFROM ALL OF THE FOLLOWING DESCRIBED PROPERTIES:

a. That certain property conveyed to the State of Idaho for roadway purposes by that certain Warranty Deed recorded as Instrument No. 390678, records of Bonneville County, Idaho.

b. That certain property conveyed to the State of Idaho for roadway purposes by that certain Quitclaim Deed recorded as Instrument No. 404925, records of Bonneville County, Idaho.

c. Part of the Northeast Quarter of the Northwest Quarter of Section 9, Township 3 North, Range 40 East of the Boise Meridian, Bonneville County, Idaho, described as follows:

Beginning at a point on the South right of way line of U.S. Highway No. 26 (Federal Aid Project F-6501(7)), said point of beginning being N89°18'56"E 1317.34 feet along the Section line and S0°13'23"E 49.43 feet from the Northwest Corner of said Section 9; running thence S73°10'06"E (shown of record to be S73°09'56"E) 0.16 feet along said right of way line to an angle point at Highway Station 826+94.07; thence N89°08'47"E 20.00 feet along said right of way line; thence S0°13'23"E 443.00 feet; thence S89°08'47"W 20.16 feet, more or less, to the West line of said Northeast Quarter of the Northwest Quarter; thence N0°13'23"W 443.05 feet along said West line to the point of beginning.

d. That certain property conveyed to Bonneville County for roadway purposes by that certain Quitclaim Deed recorded as Instrument No. 404928, records of Bonneville County, Idaho.

(The foregoing legal description was taken from Mountain West Title & Escrow Commitment No. 2008122159, dated December 29, 2008, and was referred to therein as "Tract 5", except that exception (s) under Section 5 was added to reflect property conveyed to Grantors by Grantees concurrently herewith.)

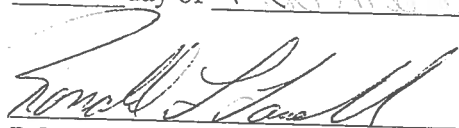
SUBJECT TO taxes and assessments for the year 2009 and all subsequent years, to any and all existing easements, rights-of-way, reservations, restrictions and encumbrances which are apparent or of record (including those identified in Commitment No. 2008122159), to any existing tenancies, to all zoning laws and ordinances, and to any state of facts an accurate survey or inspection of the premises would show.

As set forth in that certain Real Property Exchange and Division Agreement dated April 7, 2009 between Grantors and Grantees, this property is taken by Grantees SUBJECT TO the debt thereon (referred to in the Agreement as the Home Place Debt) which debt is also assumed in full by Grantees and Grantees have agreed to indemnify Grantors from all liability on such debt.

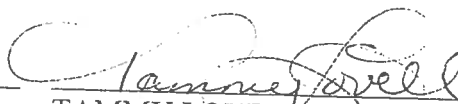
Together with any and all appurtenances, tenements, hereditaments, reversions, remainders, easements, water rights however evidenced, and rights-of-way in anywise appertaining to the property herein described.

Also specifically together with the buildings located thereon including the shop, the quonset, the labor houses, the bins, the shed with the office and the other shed, and all of the tools, furniture and similar items located therein except as specifically set forth in the Real Property Exchange and Division Agreement. The parties acknowledge as set forth in the Real Property Exchange and Division Agreement that a portion of the shop may not physically sit on the property conveyed herein but may be on property still owned by George Lovell, but which should eventually be conveyed to Grantees. However, if for any reason Grantors come into ownership of such property or any portion thereof, then such after-acquired title shall be considered conveyed by this deed, and Grantors agree that they will convey such interest in and around the shop to Grantees so as to fully effect the terms of the Real Property Exchange and Division Agreement.

IN WITNESS WHEREOF, the Grantors have executed this instrument on this 12th day of January, 2009.



RONALD L. LOVELL, also known as
RONALD LOVELL, grantor



TAMMY LOVELL, also known as TAMARA
LOVELL, grantor

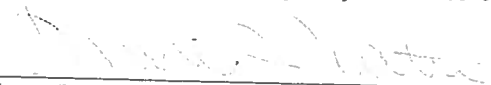
STATE OF IDAHO)

)ss.

County of Bonneville

On this 12th day of January, 2009, before me the undersigned, a Notary Public for Idaho, personally appeared RONALD L. LOVELL, also known as RONALD LOVELL, and TAMMY LOVELL, also known as TAMARA LOVELL, husband and wife, 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.

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



Notary Public for Idaho

Residing at: _____

My Commission Expires: _____

Residing at Idaho Falls, Idaho
My Commission Expires: 01/30/2015

L:\srp\6363\GrantDeed LovellToCook HomePlace wpd