

RECEIVED

JUL 05 2005

WATER RESOURCES
WESTERN REGIONName of applicant D. Michael and Sue E. ClarkePhone (208) 495-2700Post Office address 11798 Good Day Road, Melba, ID 83641STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Please direct all inquiries to Ed Squires at 342-8369

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☒ Other Change Ownership

2. Describe reason for the proposed changes: To change point of diversion to new pump from which new owner of property can divert water for irrigation purposes; To change ownership into name of new owner. Proposed new point of diversion is on applicant's property riparian to the Snake River.

B. DESCRIPTION OF RIGHT(S), OR PORTIONS THEREOF, AFTER THE REQUESTED CHANGE

1.	Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
	<u>02-7189</u>	<u>03/11/1975</u>	<u>.11 cfs</u>	<u>Irrigation</u>	<u>03/15</u> to <u>11/15</u>
					to
					to
					to

2. Total amount of water being transferred .11 cubic feet per second and /or 27 acre-feet per annum.

3. Source of water Snake River tributary to Columbia River

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>2</u>		<u>NW</u>	<u>NE</u>	<u>20</u>	<u>1S</u>	<u>2W</u>	<u>Owyhee</u>	<u>Private Diversion</u>

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>1S</u>	<u>2W</u>	<u>20</u>		<u>5.332</u>															<u>5.332</u>

Total Acres 5.332

Part 1

6. General information:

a. Description of diversion system Lift pump into pressurized irrigation system.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust mortgages or contracts? Yes NA No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
NA no change

d. Remarks

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 20____.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED Please See Attached Copy of License

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- a. License No. _____ issued by the Idaho Department of Water Resources.
- b. Claim No. _____ on file with the Idaho Department of Water Resources.
- c. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☒ Warranty Deed

☐ Other _____

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purpose:

amount _____ (cfs/ac-ft)	for _____	purposes from _____	to _____
amount _____ (cfs/ac-ft)	for _____	purposes from _____	to _____
amount _____ (cfs/ac-ft)	for _____	purposes from _____	to _____

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse?
No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1.	amount	<u>.11cfs/27 AFA</u>	for	<u>Irrigation</u>	purposes from	<u>3/15</u>	to	<u>11/15</u>
	(cfs/ac-ft)							
	amount		for		purposes from		to	
	(cfs/ac-ft)							
	amount		for		purposes from		to	
	(cfs/ac-ft)							

2. Point(s) of diversion:

[illegible]

3. Lands irrigated or place of use:

[illegible]

Total acres 5.332

C. DESCRIPTION OF UNCHANGED PROTION OF RIGHT *(omit if there is no change)* Balance of Right

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

2. Point(s) of diversion:

[illegible]

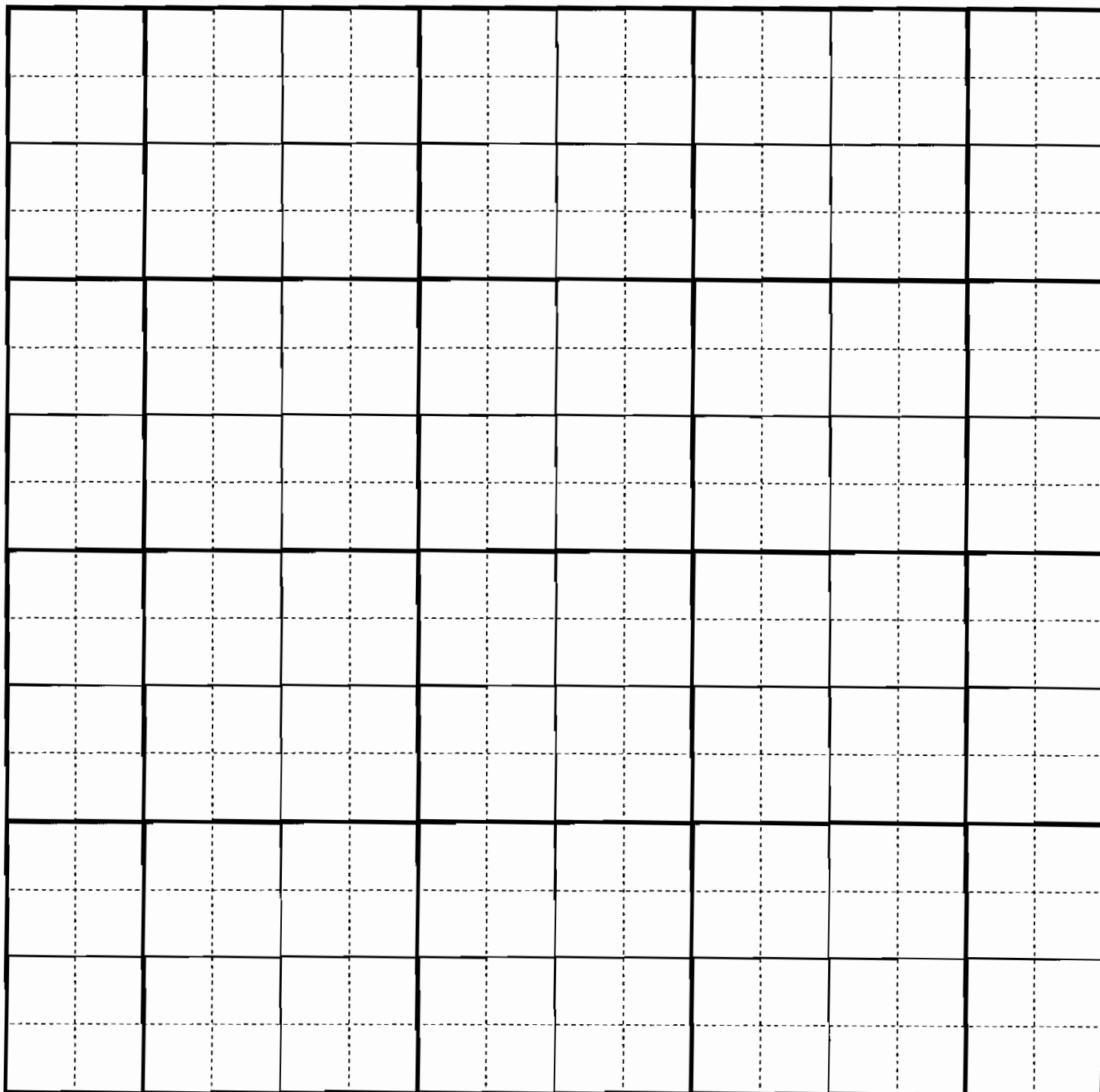
3. Lands irrigated or place of use:

[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and /or the new places of use for rights described in part 1. Clearly depict the land by section, township and range number. **Please See Attached Map.**



Scale: 2 inches equal 1 mile. Draw plan in ink.

B. CHANGES IN NATURE OF USE

1.	<u>New Nature of Use</u>	<u>Amount</u> (cfs/ac-ft)	<u>Hours/days/year</u>	<u>Period of Use</u>
	_____	_____	_____	to _____
	_____	_____	_____	to _____

2. Quantity and quality of return flows of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Sue C Clarke

Michael Clarke

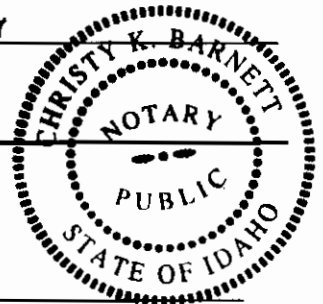
(Signature of Applicant)

Subscribed and sworn to before me this 15TH day of JUNE, 2005.

Christy K. Barnett

(Notary Public)

My commission expires 1-9-2010



FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 3 attachments

Received by DB Date 7-5-05

Protest filed by _____

Prelim. Check by VWM Fee \$250-

Receipted by DB W033141 Date 7-5-05

Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____


A Pioneer Company
PIONEER TITLE COMPANY
OF ADA COUNTY
8151 W. Milliken Ave. / Boise, Idaho 83704
(208) 377-2700

Instrument # 242386
BOISE, Owyhee, IDAHO
240-00-07 060825 No. of Pages: 1
Recorded for: PIONEER TITLE
CHARLOTTE SHENBURN
Charlotte Shemburn Deputy
Notary Public, Owyhee County

Fee: 2.00

WARRANTY DEED

For Value Received EDWARD D. FRISBIE and BARBARA J. FRISBIE, husband and wife

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

SC
D. MICHAEL CLARKE and SUE R. CLARKE, husband and wife

hereinafter referred to as Grantee, whose current address is, 8098 N. JULLION WAY BOISE, IDAHO 83704
the following described premises, to-wit:

LOTS 2 & 3, AS SHOWN ON THE PLAT OF FERRY HEIGHTS SUBDIVISION, Owyhee County, Idaho, recorded March 26, 2001 as Instrument No. 234510, Owyhee County Records.

TOGETHER with a 25.5% interest in Good Day Road as shown on the plat of FERRY HEIGHTS SUBDIVISION, Owyhee County, Idaho, recorded March 26, 2001 as Instrument No. 234510, Owyhee County records.

ALL WATER RIGHTS ALLOCATED TO GROUND.

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

Dated: January 31, 2003

Edward D. Frisbie
Edward D. Frisbie

Barbara J. Frisbie
Barbara J. Frisbie

No warranties of any kind are implied
not representation made by Pioneer
Title Company regarding this document
or its effect on the land it involves.

STATE OF IDAHO, County of Ada, ss.

On this 31st day of January, in the year of 2003, before me The Undersigned, notary public personally appeared Edward D. Frisbie ~~and Barbara J. Frisbie~~ known or identified to me to be the person/persons whose name/s are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



JOHN HANSEN
Notary Public
9-21-2007

Jane L. Hansen
Jane L. Hansen
Notary Public of Idaho
Residing at Boise
Commission expires: June 11, 2007

Attachment A

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 2-10319 V1

WATER RIGHT NUMBER: 2-10319 V1

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ARLENE M TRIPLET HC 79 BOX 27AB MELBA, ID 83641 (208)495-2288
Previous Owner	EDWARD D FRISBIE 15919 STATE HWY 78 MELBA, ID 83641 (208)495-2191
Previous Owner	BARBARA J FRISBIE 15919 STATE HWY 78 MELBA, ID 83641 (208)495-2191
Previous Owner	TRANS CONTINENTAL TRANSPORT INC PO BOX 7583 BOISE, ID 83707 (208)343-6400
Current Owner	D MICHAEL CLARKE 11798 GOOD DAY RD MELBA, ID 83641 (208)495-2700
Current Owner	SUE E CLARKE 11798 GOOD DAY RD MELBA, ID 83641 (208)495-2700
Original Owner	KENNETH L TRIPLET STAR RT BOX 27AD MELBA, ID 83641

Priority Date: 03/11/1975

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
SNAKE RIVER	COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	03/15 to 11/15	0.100 CFS	26.50 AF
	<u>Total Diversion:</u>	0.100 CFS	26.50 AF

Location of Point(s) of Diversion

SNAKE RIVER	L1 (SE1/4SE1/4NE1/4)	Sec. 20, Twp 01S, Rge 02W, B.M.
OWYHEE County		

Place of UseIRRIGATION Within OWYHEE County

T01S R02W S20 Lot 2 NWNE 5.3

Total Acres: 5.3

Attachment B
(1 of 3)

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommendation Report 2-10319 V1

Conditions of Approval:

1. P21 This right is a split from former right 2-7189B.
2. 129 Place of use is within the area served by Reynolds Irrigation District.
3. S39 The use of water for irrigation under this right may begin as early as March 1 and may continue to as late as November 15, provided other elements of the right are not exceeded. The use of water before March 15 and after November 15 under this remark is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date a partial decree is entered for this right.
4. E53 Right Nos. 2-7189A, 2-10319, 2-10320, and 2-10321 are limited to a total combined annual diversion volume of 505 AF.
5. 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.
6. F06 The following rights are diverted through point of diversion described above: 2-7189A, 2-10319, 2-10320, 2-10321.

Remarks:

Comments:

Water Supply Bank:

B (2 of 3)

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that KENNETH L. &/or PATRICIA A. TRIPLET

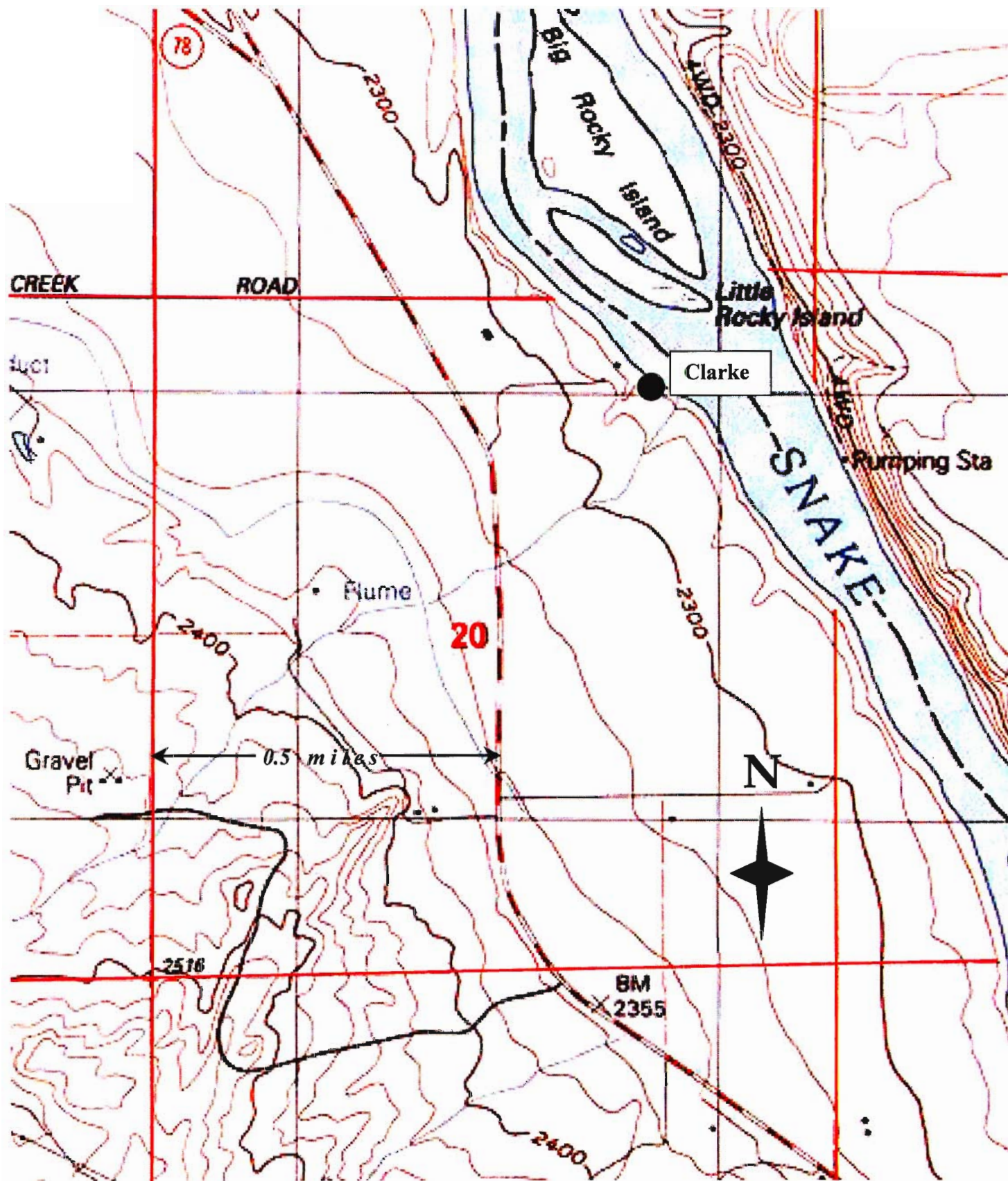
Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from March 15 to November 15	at 2.0 cfs and	505 acre feet
	from _____ to _____	_____ cfs and	_____
	from _____ to _____	_____ cfs and	_____

Description and location of place of use:

[illegible]

Director

B(3 of 3)

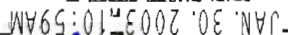


Clarke
Location Map
T1S, R2W, Section 20

Attachment C (of 3)

5.332 Acres Total

NO. 536 P. 18



THIS SKETCH IS MADE SOLELY TO ASSIST IN LOCATING THE PROPERTY. THE COMPANY ASSUMES NO LIABILITY FOR VARIATION IF ANY WITH ACTUAL SURVEY.

ROBERT A. NELSON P.L.S.
MERRIDEN, IDAHO

SHEET NO. 2

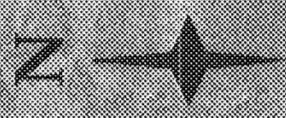
CURVE	SLURRY	LENGTH	LAGGERS	DEPTH	CHORE NUMBER
C-1	104.77	101.17	101.11	101.07	101.07
C-2	104.77	101.14	101.08	101.04	101.04
C-3	104.77	101.13	101.10	101.08	101.07
C-4	104.77	101.13	101.11	101.09	101.08
C-5	104.77	101.15	101.12	101.10	101.09
C-6	104.77	101.15	101.13	101.11	101.10
C-7	104.77	101.16	101.14	101.12	101.11
C-8	104.77	101.17	101.15	101.13	101.12
C-9	104.77	101.18	101.16	101.14	101.13
C-10	104.77	101.19	101.17	101.15	101.14
C-11	104.77	101.20	101.18	101.16	101.15
C-12	104.77	101.21	101.19	101.17	101.16
C-13	104.77	101.22	101.20	101.18	101.17
C-14	104.77	101.23	101.21	101.19	101.18
C-15	104.77	101.24	101.22	101.20	101.19
C-16	104.77	101.25	101.23	101.21	101.20
C-17	104.77	101.26	101.24	101.22	101.21
C-18	104.77	101.27	101.25	101.23	101.22
C-19	104.77	101.28	101.26	101.24	101.23
C-20	104.77	101.29	101.27	101.25	101.24
C-21	104.77	101.30	101.28	101.26	101.25
C-22	104.77	101.31	101.29	101.27	101.26
C-23	104.77	101.32	101.30	101.28	101.27
C-24	104.77	101.33	101.31	101.29	101.28
C-25	104.77	101.34	101.32	101.30	101.29
C-26	104.77	101.35	101.33	101.31	101.30
C-27	104.77	101.36	101.34	101.32	101.31
C-28	104.77	101.37	101.35	101.33	101.32
C-29	104.77	101.38	101.36	101.34	101.33
C-30	104.77	101.39	101.37	101.35	101.34
C-31	104.77	101.40	101.38	101.36	101.35
C-32	104.77	101.41	101.39	101.37	101.36
C-33	104.77	101.42	101.40	101.38	101.37
C-34	104.77	101.43	101.41	101.39	101.38
C-35	104.77	101.44	101.42	101.40	101.39
C-36	104.77	101.45	101.43	101.41	101.40
C-37	104.77	101.46	101.44	101.42	101.41
C-38	104.77	101.47	101.45	101.43	101.42
C-39	104.77	101.48	101.46	101.44	101.43
C-40	104.77	101.49	101.47	101.45	101.44
C-41	104.77	101.50	101.48	101.46	101.45
C-42	104.77	101.51	101.49	101.47	101.46
C-43	104.77	101.52	101.50	101.48	101.47
C-44	104.77	101.53	101.51	101.49	101.48
C-45	104.77	101.54	101.52	101.50	101.49
C-46	104.77	101.55	101.53	101.51	101.50
C-47	104.77	101.56	101.54	101.52	101.51
C-48	104.77	101.57	101.55	101.53	101.52
C-49	104.77	101.58	101.56	101.54	101.53
C-50	104.77	101.59	101.57	101.55	101.54
C-51	104.77	101.60	101.58	101.56	101.55
C-52	104.77	101.61	101.59	101.57	101.56
C-53	104.77	101.62	101.60	101.58	101.57
C-54	104.77	101.63	101.61	101.59	101.58
C-55	104.77	101.64	101.62	101.60	101.59
C-56	104.77	101.65	101.63	101.61	101.60
C-57	104.77	101.66	101.64	101.62	101.61
C-58	104.77	101.67	101.65	101.63	101.62
C-59	104.77	101.68	101		

NOTES

- 3) SOME REORGANIZATION OF THE PULP MILL COUNTY WITH THE APPLICABLE COUNTY REORGANIZATION IN EFFECT AT THE TIME OF REORGANIZATION.
- 4) A CANTON REORGANIZATION WOULD BE UTILIZED, HOWEVER, THE REORGANIZATION WOULD BE LIMITED TO THE PULP MILL COUNTY AND NOT THE ENTIRE CANTON.
- 5) A CANTON REORGANIZATION WOULD BE UTILIZED, HOWEVER, THE REORGANIZATION WOULD BE LIMITED TO THE PULP MILL COUNTY AND NOT THE ENTIRE CANTON. IN ADDITION, A 15-YEAR AGREEMENT WILL BE ENTERED ON ALL INTERIOR LOT LINES AS A LOT LINE IS MOVED THE LANDLORDS WILL WORK WITH THE LOT LINE, PROVIDED THAT UTILITIES MAY NOT BE MOVED INSTALLED WITHIN THE PARCELS.
- 6) THE INTERIOR LOT LINES ARE 60 FT. FEET, 120 FT. FEET, 180 FT. FEET, 240 FT. FEET, 300 FT. FEET, 360 FT. FEET, 420 FT. FEET, 480 FT. FEET, 540 FT. FEET, 600 FT. FEET, 660 FT. FEET, 720 FT. FEET, 780 FT. FEET, 840 FT. FEET, 900 FT. FEET, 960 FT. FEET, 1020 FT. FEET, 1080 FT. FEET, 1140 FT. FEET, 1200 FT. FEET, 1260 FT. FEET, 1320 FT. FEET, 1380 FT. FEET, 1440 FT. FEET, 1500 FT. FEET, 1560 FT. FEET, 1620 FT. FEET, 1680 FT. FEET, 1740 FT. FEET, 1800 FT. FEET, 1860 FT. FEET, 1920 FT. FEET, 1980 FT. FEET, 2040 FT. FEET, 2100 FT. FEET, 2160 FT. FEET, 2220 FT. FEET, 2280 FT. FEET, 2340 FT. FEET, 2400 FT. FEET, 2460 FT. FEET, 2520 FT. FEET, 2580 FT. FEET, 2640 FT. FEET, 2700 FT. FEET, 2760 FT. FEET, 2820 FT. FEET, 2880 FT. FEET, 2940 FT. FEET, 3000 FT. FEET, 3060 FT. FEET, 3120 FT. FEET, 3180 FT. FEET, 3240 FT. FEET, 3300 FT. FEET, 3360 FT. FEET, 3420 FT. FEET, 3480 FT. FEET, 3540 FT. FEET, 3600 FT. FEET, 3660 FT. FEET, 3720 FT. FEET, 3780 FT. FEET, 3840 FT. FEET, 3900 FT. FEET, 3960 FT. FEET, 4020 FT. FEET, 4080 FT. FEET, 4140 FT. FEET, 4200 FT. FEET, 4260 FT. FEET, 4320 FT. FEET, 4380 FT. FEET, 4440 FT. FEET, 4500 FT. FEET, 4560 FT. FEET, 4620 FT. FEET, 4680 FT. FEET, 4740 FT. FEET, 4800 FT. FEET, 4860 FT. FEET, 4920 FT. FEET, 4980 FT. FEET, 5040 FT. FEET, 5100 FT. FEET, 5160 FT. FEET, 5220 FT. FEET, 5280 FT. FEET, 5340 FT. FEET, 5400 FT. FEET, 5460 FT. FEET, 5520 FT. FEET, 5580 FT. FEET, 5640 FT. FEET, 5700 FT. FEET, 5760 FT. FEET, 5820 FT. FEET, 5880 FT. FEET, 5940 FT. FEET, 6000 FT. FEET, 6060 FT. FEET, 6120 FT. FEET, 6180 FT. FEET, 6240 FT. FEET, 6300 FT. FEET, 6360 FT. FEET, 6420 FT. FEET, 6480 FT. FEET, 6540 FT. FEET, 6600 FT. FEET, 6660 FT. FEET, 6720 FT. FEET, 6780 FT. FEET, 6840 FT. FEET, 6900 FT. FEET, 6960 FT. FEET, 7020 FT. FEET, 7080 FT. FEET, 7140 FT. FEET, 7200 FT. FEET, 7260 FT. FEET, 7320 FT. FEET, 7380 FT. FEET, 7440 FT. FEET, 7500 FT. FEET, 7560 FT. FEET, 7620 FT. FEET, 7680 FT. FEET, 7740 FT. FEET, 7800 FT. FEET, 7860 FT. FEET, 7920 FT. 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FEET, 19260 FT. FEET, 19320 FT. FEET, 19380 FT. FEET, 19440 FT. FEET, 19500 FT. FEET, 19560 FT. FEET, 19620 FT. FEET, 19680 FT. FEET, 19740 FT. FEET, 19800 FT. FEET, 19860 FT. FEET, 19920 FT. FEET, 19980 FT. FEET, 20040 FT. FEET, 20100 FT. FEET, 20160 FT. FEET, 20220 FT. FEET, 20280 FT. FEET, 20340 FT. FEET, 20400 FT. FEET, 20460 FT. FEET, 20520 FT. FEET, 20580 FT. FEET, 20640 FT. FEET, 20700 FT. FEET, 20760 FT. FEET, 20820 FT. FEET, 20880 FT. FEET, 20940 FT. FEET, 21000 FT. FEET, 21060 FT. FEET, 21120 FT. FEET, 21180 FT. FEET, 21240 FT. FEET, 21300 FT. FEET, 21360 FT. FEET, 21420 FT. FEET, 21480 FT. FEET, 21540 FT. FEET, 21600 FT. FEET, 21660 FT. FEET, 21720 FT. FEET, 21780 FT. FEET, 21840 FT. FEET, 21900 FT. FEET, 21960 FT. FEET, 22020 FT. FEET, 22080 FT. FEET, 22140 FT. FEET, 22

2015

Clarke
Aerial Photo
T1S, R2W, Section 20



Clarke

Scale:
0.5 miles

N ¼ corner of Section 20