

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

CLAIM TO A WATER RIGHT

Under the provisions of Section 42-243, *Idaho Code*, any person claiming a water right established by diversion and application of water to beneficial use must file a claim with the Department of Water Resources. **The filing of this claim does not confirm the water right claimed.** Water rights represented by a valid permit, license, decree, or previous claim are exempt from this requirement, as are uses of water for domestic purposes as defined in Section 42-111, *Idaho Code*. A filing fee must be submitted with this claim. See the instruction sheet to determine the appropriate fee.

Notice is hereby given that CLYDE COOK
(Name of Claimant)
Mailing Address: 530 S 1ST W, BERN, ID 83220
Telephone No: 208-599-0570 Email: _____

claims a right to the diversion and beneficial use of surface or ground water. The extent and nature of said claim is as follows:

1. Date of Priority: (When the water was first applied to beneficial use) 4/15/1909
A claim is not acceptable for the use of surface water with a priority later than May 20, 1971. A claim is not acceptable for the use of ground water with a priority date later than March 25, 1963, unless the water is used for domestic purposes as defined in Section 42-111, Idaho Code.

2. Describe the source of water: (Name of stream, lake, spring, etc., or ground water)
UNNAMED SPRING tributary to BEAR HOLLOW CREEK
BEAR HOLLOW CREEK TRIB TO SINKS

3. Describe the purpose for which the water has been used and the time during the year when you have used the right claimed:

(cfs or af)	(Irrigation, Domestic, Stock, Etc.)	(Both dates inclusive) (MM/DD) (MM/DD)
Quantity <u>0.54 cfs</u>	Use <u>IRRIGATION</u>	Period of Use From <u>4/15</u> to <u>10/31</u>
Quantity _____	Use _____	Period of Use From _____ to _____
Quantity _____	Use _____	Period of Use From _____ to _____
Quantity _____	Use _____	Period of Use From _____ to _____

4. 0.54 cfs TOTAL QUANTITY USED.
(cfs or af)

5. A) Location of point of diversion is SW ¼ of SW ¼ of NW ¼, Govt. Lot _____
Sec. 35 Township 12S Range 43E B.M., BEAR LAKE County; additional points
of diversion, if any: 12S 43E 35 NWSE

B) Describe means of diversion of water: (Pump and pipeline, well, diversion dam, reservoir, length of ditch etc.). Give sizes and capacities. Be specific. Describe any changes in the system and give the date of the change.
SPRING BOX TO 3 INCH PIPE TO SPRINKLER IRRIGATION.
ALSO, 30 INCH WIDE, 12 INCH DEEP DITCH, 1000 FEET IN
LENGTH TO FLOOD AND SPRINKLER IRRIGATION.

6. A) Describe the place of use within each 40-acre tract in the appropriate box using the symbols listed below. If the use is for irrigation, describe the location by listing the number of irrigated acres within each 40-acre tract.

D - domestic, S - stockwater, M - municipal, C - Commercial, I - Industrial, X - other

Twp	Rge	Sec	NE¼				NW¼				SW¼				SE¼				TOTAL ACRES
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12S	43E	35			7	7.2									2.4	1.5			18.1

TOTAL ACRES 18.1

- B) If water is used for purposes other than irrigation, fully describe the use. Be specific.

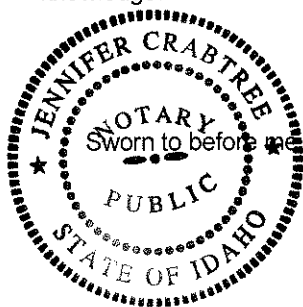
NOTE: Include here the type and number of stock watered: _____

7. Remarks: PERMIT G-30117 PROVIDES ADDITIONAL EVIDENCE RELATED TO THIS RIGHT.
-
-

8. **Map** -- Attach an 8½"x11" map clearly identifying the point of diversion and the place of use by 40-acre subdivisions, section, township and range of the public land survey system. (A photocopy of a USGS 7½ minute topographic quadrangle map is preferred.) Attach an **aerial photograph** of the place of use if available.

State of Idaho)
) ss.
 County of Bonneville)

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the forgoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiant's knowledge.



[Signature]
 Claimant's Signature (and title if claim is for an organization)

Sworn to before me this 19 day of October, 2007.

Jennifer Crabtree
 Notary Public
 Residing at: Idaho Falls, Idaho
 My commission expires: 9/23/09

FOR DEPARTMENT USE ONLY

Received by M HOLLIDAY Date 10/19/2007
 Prelim. check by _____ Date _____
 Fee \$500 Receipt # E033504
 Receipt prepared by MWH Date 10/19/2007

Published in News Examiner
 Publication dates 11/14 & 11/21/07
 Publication checked by _____ Date _____
 Exceptions filed by _____

12S 43E 35

SWNW

SENW

SWNE

SENE

NWSW

NESW

NWSE

NESE



RELEASE OF MORTGAGE.

I, James H. Brady, Governor of the State of Idaho and ex-officio President of the State Board of Land Commissioners, the public corporation described and which executed the within instrument, do certify that a certain Mortgage, bearing date of February 1, 1909, made and executed by Alfred Budge and Ella H. Budge, his wife, of Paris, Idaho, covering the following described property, to-wit:

Commencing at a point 26.05 chains east, and 14 chains South from the N. E. corner of the N. W. 1/4 of Sec. 15, Twp. 14 S., R. 43 E. of B. M. in Idaho, and running thence West 6.05 chains, thence South 10.03 chains; thence East 10.50 chains to large canal; thence in a Northerly direction following the windings of said ditch to place of beginning, containing 10 acres, more or less.

Also, commencing at the N. E. corner of the S.W. 1/4 of Sec. 28, Twp. 13 S., R. 44 E. B. M., running thence South 35 rods; thence West 320 rods; thence North 35 rods; thence east 320 rods to place of beginning.

This deed is given and intended to convey all the interest of said Geo J. Taylor in the above described property, excepting about ten acres on the East of said tract sold by Sarah E. Taylor to L. J. Dalrymple. Commencing at the N. W. Corner of the S. W. 1/4 of the N. E. 1/4 of Sec. 15, Twp. 14 S., R. 43 E. B.M. running thence North 20 rods; thence East 80 rods; thence South 20 rods; thence West 80 rods, to the place of beginning, containing 10 acres more or less.

Also, the N. 1/2 S W 1/4 NE 1/4 of Sec. 15, T. 14 S. R. 43 E. B.M. Also the S 1/2 SW 1/4 NE 1/4 Sec. 15, T. 14 S., R. 43 E. B. M.

Together with seventy-three shares of the capital stock of the West Fork Irrigation Company, and the Southfield Irrigation Company, which said shares have been assigned to the State of Idaho.

The amount of said Mortgage being One Thousand Six Hundred (\$1600.00) Dollars, is Fully Paid, Satisfied And Discharges.

IN WITNESS WHEREOF, The State of Idaho, acting by the State Board of Land Commissioners, has caused these presents to be signed and delivered by James H. Brady, Governor of the State of Idaho and ex-officio President of the State Board of Land Commissioners, and the official seal of said Board to be hereunto affixed, and attested by M. I. Church, Register, this 1st day of June, 1909.

STATE BOARD OF LAND COMMISSIONERS.

By J. H. Brady President.

Attest

M. I. Church Register.

STATE OF IDAHO)

: ss.

County of Ada,)

On this 1st day of June, 1909, before me, I. W. Hart, Clerk of the Supreme Court of the State of Idaho, personally appeared James H. Brady, known to me to be the Governor of the State of Idaho and ex-officio President of the State Board of Land Commissioners, the public corporation that executed the instrument, and acknowledged to me that such corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the Supreme Court of Idaho the day and year in this certificate first above written.

(Seal)

I. W. Hart

Clerk of Supreme Court, State of Idaho.

Recorded at the request of Alfred Budge the 25th day of Aug. 1909 at 10-20 A.M.

By Ernest Deoluis Deputy.

H. B. Deoluis Recorder.

4083

IDAHO MORTGAGE.

THIS MORTGAGE, Made by John Kunz and Louise W. Kunz and Magdalena Kunz of Bear Lake County, Idaho, mortgagors, and The Union Central Life Insurance Company, a corporation of Cincinnati, Hamilton County, Ohio, Mortgagee:

WITNESSETH: That the said mortgagors in consideration of Eight Hundred (\$800.00) no/100 Dollars, the receipt whereof is hereby acknowledged, do hereby grant, bargain, sell and convey unto the said mortgagee, its successors and assigns forever, the following described real estate situated in Bear Lake County, Idaho, to wit:

The South East quarter (S. E. 1/4) of the North-West Quarter (N. W. 1/4) of Section Thirty Six (36); also the following described piece of land:

Commencing at a point Forty (40) rods North of the center of Section Thirty Five (35); thence running South Forty (40) rods to said center of Section Thirty Five (35); thence East Eighty (80) rods; thence South Eighty (80) rods; thence East Eighty (80) rods to the East line of said Section Thirty Five (35); thence North along said line One Hundred Thirty Five (135) rods to channel of North Spring; Thence Westerly One Hundred Sixty (160) rods more or less to place of beginning; all being in Township Twelve (12) South range Forty Three (43) East of the Boise Meridian, and containing in all One Hundred Twenty Seven and 50/100 (127.50) acres.

Together with all my right, title, and interest in and to the waters of Bear Hollow Springs, also a certain Spring arising on aforesaid land used by me for culinary purposes.

This Mortgage is made in aid and correction of a former mortgage made by John Kunz and Louise Kunz dates January 18, 1909, recorded in Book 7 of Mortgages at page 406 of the records of Bear Lake County.

TOGETHER WITH all the improvements, privileges and appurtenances thereunto belonging and all rights of homestead exception; together with all ditch and water rights,

Satisfied & Discharged Feb. 26 " 1919.

W. H. Recorder.

S. H. H. H.

See Book 12 Indgo. p. 128.

457
Book 10 pg. 457

of every nature, however evidenced, used on the said land or belonging to same or said mortgagor, or which may be hereafter acquired or used upon said land. Said mortgagor hereby warrant the title to said land and water rights against all persons whomsoever, and agree to defend the same.

THIS CONVEYANCE is intended as a mortgage to secure the payment of one certain promissory note for Eight Hundred and no/100 Dollars, dated January 18, 1909 signed by said John Kunz and Louisa W. Kunz payable to said mortgagee or order at its Home Office in Cincinnati, Ohio, Ten (10) years after date with interest until paid, at the rate therein specified, interest until maturity being evidenced by interest coupon notes of even date herewith.

The said mortgagors hereby covenant and agree to pay all taxes and assessments upon said premises, or on this mortgage or the debt secured hereby, laid or assessed in Idaho, also personal taxes, also all dues, rents or assessments upon ditch or water rights or water stock, and to deliver to said mortgagee receipts of the proper officers for the payment hereof; to keep the buildings located upon said premises insures for the insurable value in some company to be approved by said mortgagee, delivering all policies and renewal receipts to it, and upon satisfaction of this mortgage, to accept a duly executed release of the same, pay the cost thereof and have it recorded.

Also in case of foreclosure, or in case the mortgage is made a party to any action involving the land described herein, to pay a reasonable attorney's fee.

Also that the failure to pay when due any sum herein covenanted to be paid, or the failure to comply with any one of the agreements hereof, shall cause the whole debt to become due and collectible at the option of the mortgagee without notice; that all money paid by said mortgagee for insurance, taxes or water or ditch dues, rents or assessments, or any sum paid in protection of the lien of this mortgage, shall bear interest from date of such payment at the rate of twelve per cent per annum, payable annually, and shall be secured hereby and collectible with said principal note.

This mortgage and the note secured hereby shall be governed and construed according to the laws of the State of Idaho, at the date of execution.

IN WITNESS WHEREOF, The said mortgagors hereunto subscribe their names this Sixth day of July in the year of our lord One Thousand Nine Hundred and Nine

John Kunz
Louisa W. Kunz
Magdalena Kunz.

STATE OF IDAHO)

: ss.

County of Blaine)

0

On this 7th day of August in the year One thousand Nine hundred and nine before me, W. H. Chester a Notary Public in and for said County, personally appeared John Kunz and Louise W. Kunz known 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 in this certificate first above written.

My commission expires April 13, 1912.

(Seal)

A. H. Chester

Notary Public.

Address Henry Idaho.

State of Idaho)

:

County of Oneida)

On this 16th day of August in the year One Thousand Nine Hundred and Nine before me, a Notary Public in and for said County, personally appeared Magdalena Kunz known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same;

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

(Seal)

John J. Evans

Clerk of District Court.

Recorded at the request of Walter Hoge the 28th day of August 1909 at 10 A.M.

W. A. Hoge

Recorder.

By *Emma M. Hoge* Deputy.