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WATER RESOURCES
WESTERN REGIONDEPARTMENT OF
WATER RESOURCESPage 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 73560

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Dave & Judy ClasonPhone (208) 695-5771
414-759-5237Post Office address P. O. Box 465, Airway Heights, Washington 99001

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 _____

2. Describe the reason for the proposed changes Saving pumping costs, increase efficiency and convenience

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>A03-04018</u>	<u>06/01/1947</u>	<u>4.11 cfs</u>	<u>irrigation</u>	<u>03/15</u> to <u>11/15</u>
<u>03-10197</u>		<u>0.26 cfs</u>		<u>3/1</u> to _____
				to _____
				to _____

2. Total amount of water being transferred 1.11 cubic feet per second and/or 194.6 acre-feet per annum.3. Source of water Snake River tributary to Columbia

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	<u>SE</u>	<u>SE</u>	<u>SE</u>	<u>8</u>	<u>7N</u>	<u>5W</u>	<u>Payette</u>	<u>Sump Pump</u>
<u>5</u>	<u>N/E</u>			<u>5</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>7N</u>	<u>5W</u>	<u>5</u>																<u>13.0</u>	<u>13.0</u>
																		<u>2.5</u>	

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WATER RESOURCES
WESTERN REGIONTotal acres 13.0

PART 1

6. General Information:

Centrifical pump with electrical motor mounted on bank with intake

- a. Description of diversion system _____
 in slough. Pumps into pipe system to sprinkler, gatted pipe and open ditch.

- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? yes Yes ~~no~~ 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:
 No change except a different location for the pump diversion.

- 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 _____, 19 _____.

IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

Current Water Right No. 3-10197

Priority Date: 06/01/1947

Origin: Adjudication Recommendation

Basis: Beneficial Use

Status: Active

Source: SNAKE RIVER**Tributary to:** COLUMBIA RIVER

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	03/01	11/15	0.26 CFS		
Total Diversion			0.26 CFS		

Source and Point(s) of Diversion:

SNAKE RIVER L1 (NENENE) 07N 05W 8 PAYETTE

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
07N	05W	5																	13.0	13.0
																			L 5	

Total Acres: 13

Conditions/Remarks:

1. This right is a split from former right 03-04018.
2. 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.
3. The following rights are also diverted through point of diversion described above: 3-10219 & 3-10236.

Documentation of Ownership of the Current Place of Use

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

YES

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

None

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

*Yes No**Dec
4/25/07*

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED ALL OF RIGHT

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

1. amount 0.26 cfs for IRRIGATION purposes from 3/1 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
1	NE	NE	NE	8	7N	5W	PAYETTE	ORIGINAL POINT

3. 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	
7N	5W	5																13	13
																		L5	

Total acres 13

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

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:

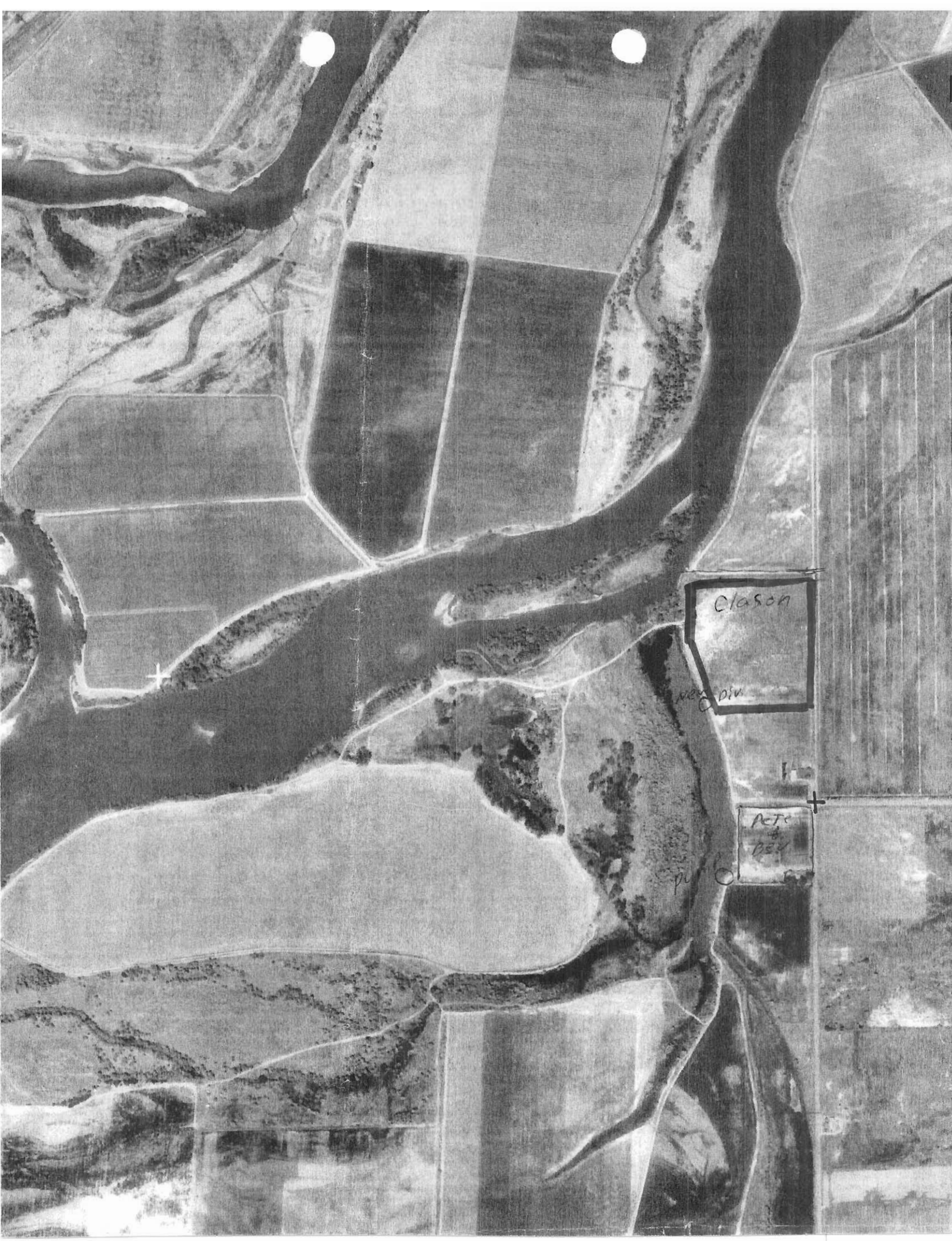
Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. 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	

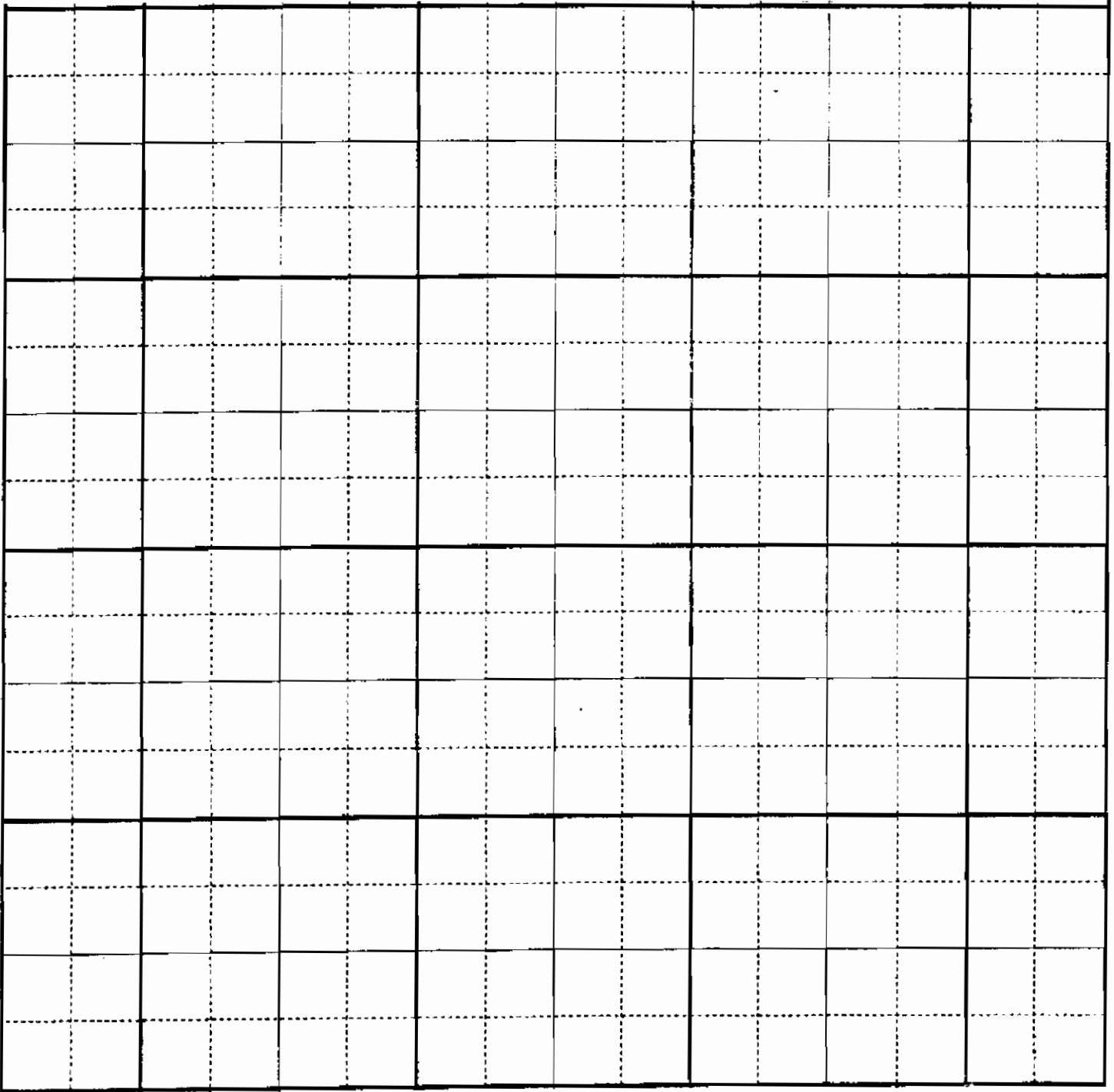
Total acres _____

He
4/25/07



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 place of use for rights described in part 1. Clearly depict the land by section, township and range number.



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

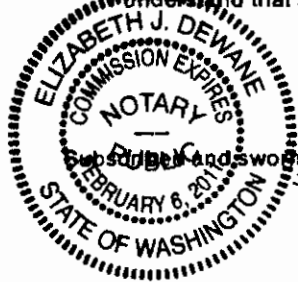
PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	NONE			_____ to _____ _____ to _____
2. Quantity and quality of return flows and location of discharge: NONE				
3. Describe effects on other water uses resulting from the proposed change: NONE				

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

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



[Signature] Judy M. Clason
(Signature of Applicant)

Subscribed and sworn to before me this 18 day of May 2007

[Signature] Elizabeth J. Dewane
(Notary Public)

My commission expires February 6, 2011

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments	
Received by <u>SL</u> Date <u>11/1/02</u>	Protest filed by _____
Prelim. check by <u>DAN</u> Fee <u>\$ 290.00</u>	
* Received by <u>DAN FOR L.G.</u> Date <u>5-3-2005</u> <u>W032825</u>	
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 _____	

* No fee submitted e 11/1/02 - Fee Received 5-3-02
DAN.
5-3-02.

April 29, 2007

Daniel A Nelson
Sr. Water Right Agent

Transfer for water right Dave and Judy Clason

On page two section B6 Snake river Basin Adjudication process, Peter J McCabe, & Paul E McCabe
Security Interest in the proterty.

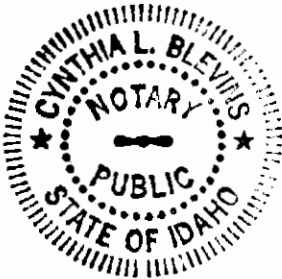
We agree to the changes ,but we retain a security interest on the water rights of this transfer released.

Peter J McCabe

Peter J McCabe

Paul E McCabe

Paul E McCabe



State of Idaho
County of Payette

Peter J McCabe and Paul E. McCabe

Personally appeared before me this

30th day of April, 2007

Notary: Cynthia L. Blevins

My Commission Expires: 12-08-2010

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WATER RESOURCES
WESTERN REGION

FA 13267 9/11-2

COPY

292933

State of Idaho, County of Payette

FIRST AMERICAN TITLE CO.

I certify that this instrument was filed for record at the request of

Time 4:34 P M Date April 4, 2001 Instrument 292933 445
Laura L. Stigile, Ex-Officio Recorder by Larkspur Turner Deputy Fee \$12.00

DEED OF TRUST

Cheson THIS DEED OF TRUST, Made and entered into this 1st day of March, 2001, by and between DAVID C. ~~GLASEN~~ and JUDITH M. ~~GLASEN~~, husband and wife, herein called the Grantors, whose address is P. O. Box 370167, Milwaukee, Wisconsin 53237, and First American Title of Payette County, an Idaho Corporation, hereinafter called the Trustee, and PETER McCABE AND PAUL McCABE BROTHERS, L.L.C., and Idaho Limited Liability Company, whose address is 5951 Whitley Drive, Fruitland, Idaho 83619, hereinafter called the Beneficiary,

W I T N E S S E T H

That Grantors do hereby irrevocably GRANT, BARGAIN, SELL AND CONVEY TO THE TRUSTEE, IN TRUST, WITH POWER OF SALE, that property in the County of Payette, State of Idaho, described as follows, and containing not more than forty (40) acres, to-wit:

A parcel of land situated in Government Lot 5 of Section 5, Township 7 North, Range 5 West, Boise Meridian, Payette County, Idaho, and being more particularly described as follows:

Commencing at the Southeast corner of said Section 5, marked by a G.L.O. Brass Cap Monument;

thence along the East line of said Section and Lot, North 0°00'00" West, a distance of 537.84 feet to a 5/8" rebar with a plastic cap stamped LS 6605, and the POINT OF BEGINNING;

thence North 89°20'21" West, a distance of 580.64 feet to a 5/8" rebar with a plastic cap stamped LS 6605;

thence North 19°50'10" West, a distance of 568.92 feet to a 5/8" rebar with a plastic cap stamped LS 6605, also being a point on the mean high water line of the Snake River as shown on Record of Survey Instrument No. 281945;

thence along said mean high water line, North 03°24'28" West, a distance of 155.46 feet; to a 5/8" rebar with a plastic cap stamped LS 6605;

thence continuing along said mean high water line, North 22°38'12" East, a distance of 92.21 feet to a 5/8" rebar with a plastic cap stamped LS 6605, said point also being on the

292933

North line of said Government Lot 5;
thence along said North line, North 89°59'58"
East, a distance of 747.40 feet; to the North-
east corner of said Government Lot 5 (S 1/16th
corner of Sections 5 and 4, Township 7 North,
Range 5 West, Boise Meridian);
thence along the East line of said Lot and
Section 5, South 00°00'00" East a distance of
782.16 feet to the POINT OF BEGINNING.

TOGETHER WITH an Ingress-egress Easement,
30.00 feet in width, 15 feet, when measured at
right angles, of the following described line:

Beginning at a point on the East line of said
Section and Lot, 15.00 feet North of the
Southeast corner of said Section 5, marked by
a G.L.O. Brass Cap Monument;
thence West along the South line of said
Section 5, a distance of 468.29 feet;
thence North 09°47'14" West, a distance of
0338.37 feet;
thence North 19°50'10" West, a distance of
759.76 feet to the POINT OF ENDING for this
description.

TOGETHER WITH sufficient water rights to
irrigate the irrigable portions of the above
described property.

Also TOGETHER WITH a River access Easement.

Together with any and all water, water rights,
ditches, ditch rights, minerals, mineral
leases and any and all irrigation rights
appurtenant to said lands or in anywise con-
nected therewith.

Subject to all outstanding reservations, ease-
ments, rights-of-way, restrictions, dedica-
tions, mineral leases, mineral reservations
and mineral conveyances of record.

TOGETHER WITH the rents, issues and profits thereof,
SUBJECT, HOWEVER, to the right, power and authority hereinafter
given to and conferred upon Beneficiary to collect and apply such
rents, issues and profits, for the purpose of securing payment of
the indebtedness evidenced by a Promissory Note, of even date
herewith, executed by Grantors in the sum of FORTY EIGHT THOUSAND
SEVEN HUNDRED SIXTY AND NO/100 Dollars (\$48,760.00), final pay-

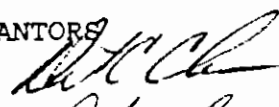
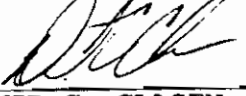
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ment due May 1st, 2021, and to secure payment of all such further sums as may hereafter be loaned or advanced by the Beneficiary herein to the Grantors herein, or any or either of them, while the record owner of present interest, for any purpose, and of any notes, drafts or other instruments representing such further loans, advances or expenditures, together with interest on all such sums at the rate therein provided. Provided, however, that the making of such further loans, advances or expenditures shall be optional with the Beneficiary, and provided, further, that it is the express intention of the parties to this Deed of Trust that it shall stand as continuing security until paid for all such advances, together with interest thereon.

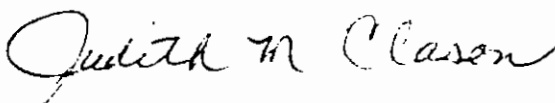
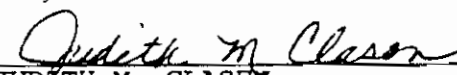
TO PROTECT THE SECURITY OF THIS DEED OF TRUST, GRANTORS HAVE AGREED AS FOLLOWS: That Grantors, jointly and severally, shall take certain steps to keep the property in good condition and repair. The Grantors give notice that the specific terms of Grantor's agreement are contained in a portion of this Deed of Trust which is not recorded, but which is incorporated by reference hereat as if set out in full verbatim, and which terms remain binding upon the Grantors and any assignee of Grantors.

By the execution of the Deed of Trust and the Promissory Note hereby secured, the parties have agreed that by entering into the agreements the Grantors cannot make any use of the land which is prohibited by any applicable land use planning laws or regulations. It is up to the Grantors to confirm from the appropriate land use planning agency the land use regulations to see how those regulations affect the above described property. The Beneficiary herein cannot give to the Grantors any rights which would violate the applicable land use planning regulations. Request is hereby made that a copy of any Notice of Default and a copy of any Notice of Sale hereunder be mailed to the Grantors at Grantor's address hereinbefore set forth.

GRANTORS

DAVID C. CLASEN
De Clasen

JUDITH M. CLASEN
De Clasen

STATE OF IDAHO)
 : ss.
County of Payette)

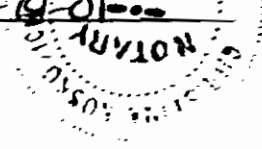
DEED OF TRUST
gsb 01-111 deedoft

292933

On this 30 day of March, 2000, before me, the under signed, a Notary Public in and for said State, personally appeared DAVID C. CLASEN and JUDITH M. CLASEN, husband and wife, known to me to be the persons whose names are subscribed to the foregoing Deed of Trust and acknowledged to me that they executed the same as the Grantors.

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

Christina Koslovich
Notary Public for Idaho
Residing at: St. Francis
Comm. Expires: 5-1-01



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19A

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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: A03-04018
Date Received: 4/09/1990
Receipt No: _____
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: PAUL E. MC CABE 208-452-3919
Address: 5945 WHITLEY DR.
FRUITLAND, ID 83619

AND/OR

Name: PETER J. MC CABE 208-452-4475
Address: 5951 WHITLEY DR.
FRUITLAND, ID 83619

2. Date of Priority: JUN 01, 1947

3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
07N	05W	8	NE	NE	NE		PAYETTE

5. Description of diverting works:

5 HP PUMP IN SLOUGH WITH SPRINKLER SYSTEM = *The Pump Near the House*

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	1.540		

7. Total Quantity Appropriated is:

1.540 C.F.S. (and/or) A.F.A.

8. Total consumptive use is 269.5 Acre Feet Per Annum.

9. Non-irrigation uses:

NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
07N	05W	5	SE	SE		IRR	18.0
						Section Acres	18.0
		8	NE	NE		IRR	19.0
						Section Acres	19.0
		9	NW	NW		IRR	40.0
						Section Acres	40.0
						Total Acres	77.0

11. Place of use in counties: PAYETTE

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

13. Other Water Rights Used:
NONE

14. Remarks:
ACTUAL DIV. IS FROM A SLOUGH.

15. Basis of Claim: STATUTORY CLAIM

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: _____
Judy M Clason Date: 5-22-07

State of ~~Idaho~~ WASHINGTON)
County of Spokane) SS.

Subscribed and sworn (or affirmed) before me this 22 day
of May 18 2007

Jm Bailey
Notary Public

Seal



Residing at MEDICAL LAKE
My Commission Expires 2-7-08