

NORTH

Bogus

Creek

11N3E

ZIMMERMAN

Decreased P.D.
here

Existing P.D.'s

New
P.D.'s
(3)

LOT 3
3.15
1.8
P.W.

Smiths
Ferry

NORTH

FORK

Cougar
Mountain

Creek

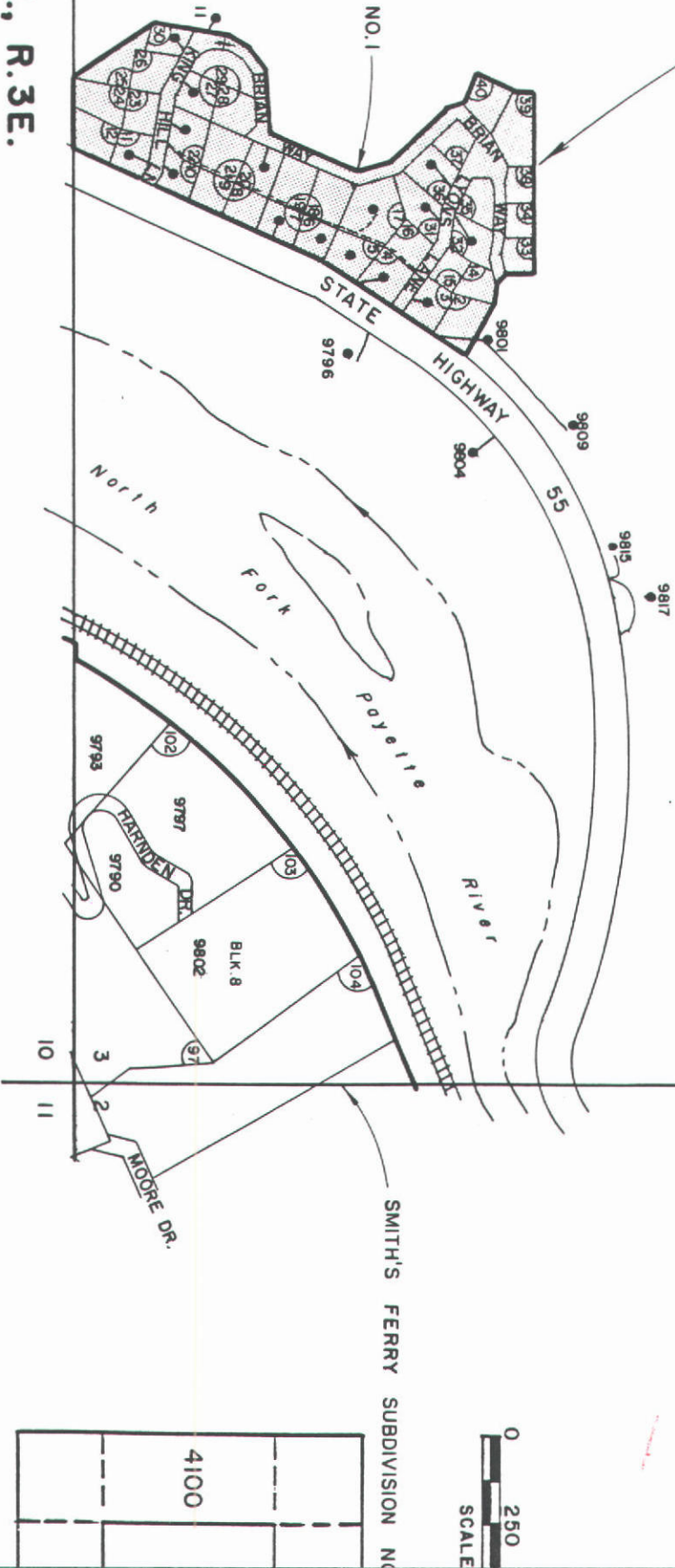
Tripod
Reservoir

2007 10 20 10:00

001 2 0 1994

05.599

SEC. 3, T.11N., R.3E.



Pg. 6 of 9

OCT 26 1994

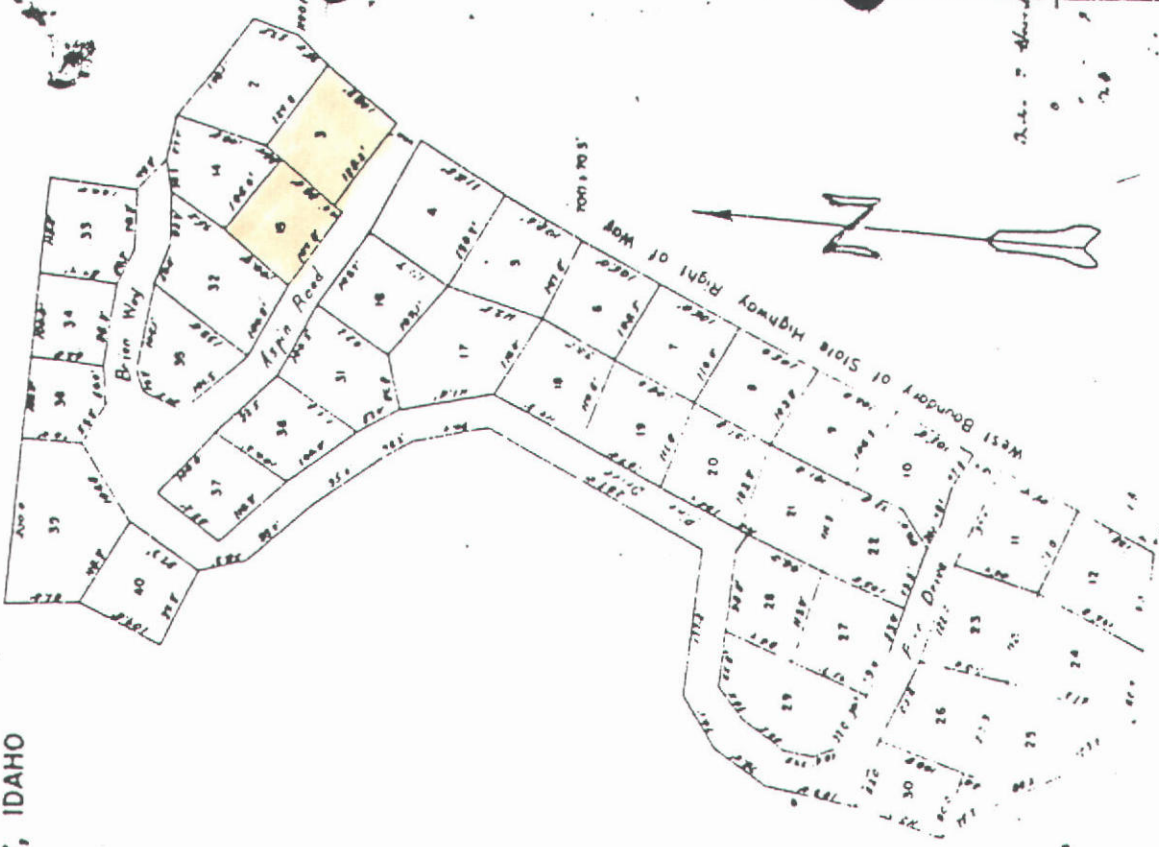
Meridian, Idaho.



Pg. 7 of 9

Supplemental map XFER 4360³⁻³⁻

PLAT OF COUGAR MT. SUBDIVISION NO. I IN E 1/2 OF SE 1/4 OF SW 1/4 AND LOT 8 OF SEC. 3 T11N R3E BM VALLEY COUNTY, IDAHO



ENGINEER'S CERTIFICATE

STATE OF IDAHO } ss
COUNTY OF VALLEY }

I, George W. Henshaw, do hereby certify that the following is a correct description of the land in the accompanying plat to-wit: From the S 1/4 corner of Section 3 T11N R3E BM, run 48.0 ft west along section line to point of beginning Thence N 24° 22' E for 770.8 ft along State Highway Right of Way Thence N 31° 53' E 413.5 ft Thence N 17° 5' E 572 ft Thence N 58° 30' W 148.1 ft Thence N 83° 54' W 577 ft Thence N 50° 28' W 48.9 ft Thence due north 100.0 ft Thence east parallel to the section line between sections 3 and 10, 815.0 ft Thence S 70° 28' E 80.0 ft Thence S 24° 28' W 924.8 ft Thence S 89° 18' E 97.3 ft Thence S 19° 2' E 98.3 ft Thence S 47° 40' E 98.0 ft Thence S 41° 07' E 90.0 ft Thence S 34° 24' E 48.2 ft Thence S 83° 44' E 90.4 ft Thence S 24° 14' W 287.0 ft Thence S 88° 17' 17.2 ft Thence S 80° 52' W 70.1 ft Thence S 31° 47' W 78.0 ft Thence S 89° 19' W 103.0 ft Thence S 12° 49' W 10.0 ft Thence S 34° 50' E 75.7 ft Thence S 89° 24' E 84.2 ft Thence S 41° 3' E 103.8 ft Thence east along the section line 205.9 ft to the point of beginning.

And I do further certify that the plat was made from an actual survey under my direction in August, 1943, and that all the lot stakes were set by me as shown on the plat.

Subscribed and sworn to before me this _____ day of _____, 1943.

George W. Henshaw
810 W. Knappa C E 339 Emmett Sam Co Idaho
Notary Public

OWNERS' CERTIFICATE

STATE OF IDAHO } ss
COUNTY OF VALLEY }

We, Burton O. Henshaw and Edna Henshaw do hereby certify that we are the owners of the land described in the engineer's certificate hereto attached, and that we intend to include the same in the plat, and that we do hereby plat the said land as described on Cougar Mt. Subdivision No. I according to the plat hereto attached, and do hereby certify that all the lots and streets are correct as shown on the plat and we do hereby dedicate to the use of the public the right of way over the streets hereon.

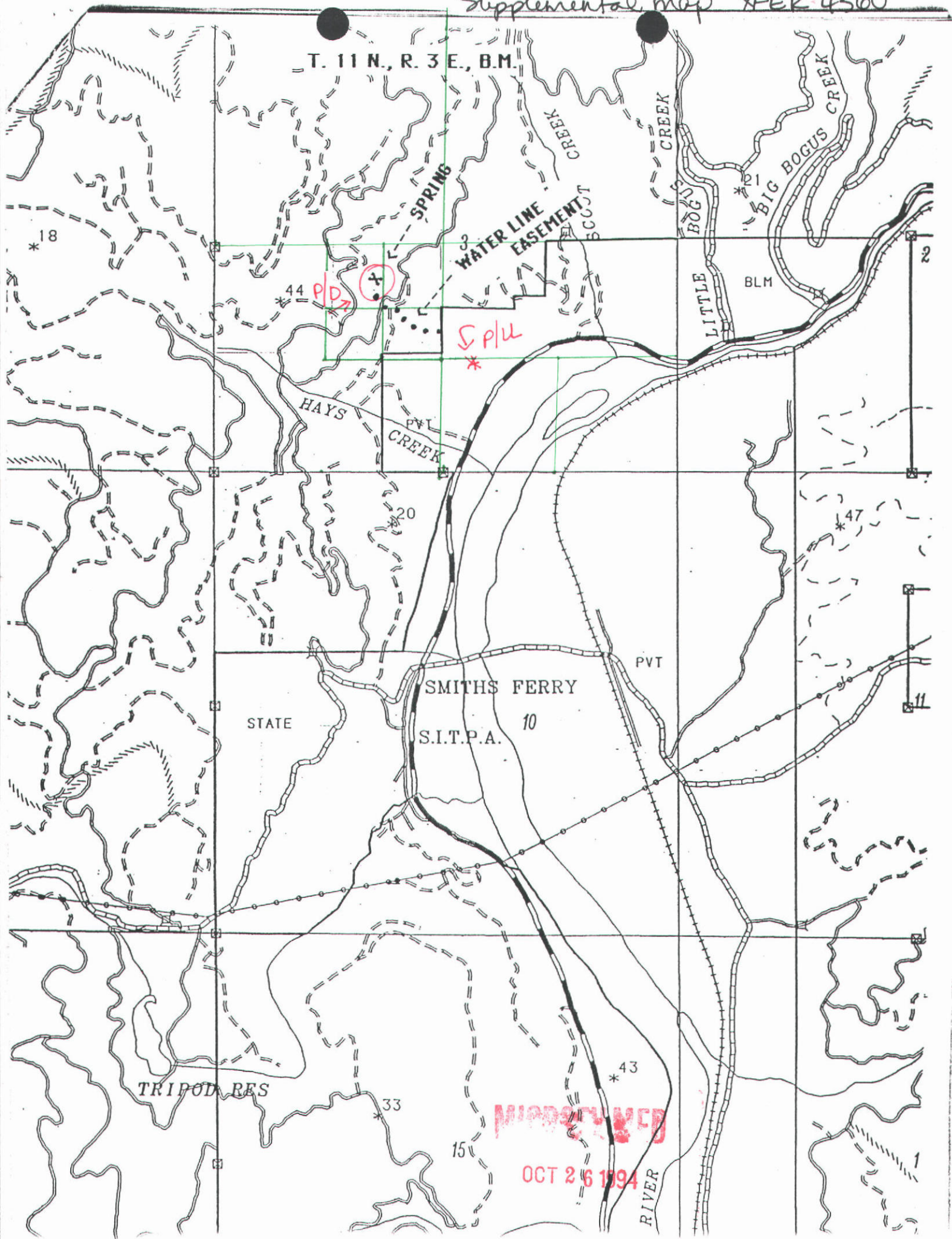
In witness whereof we have set our hand and seal this 30th day of September, 1943.

Burton O. Henshaw
Edna Henshaw
Subscribed and sworn to before me this 30th day of September, 1943.
Notary Public

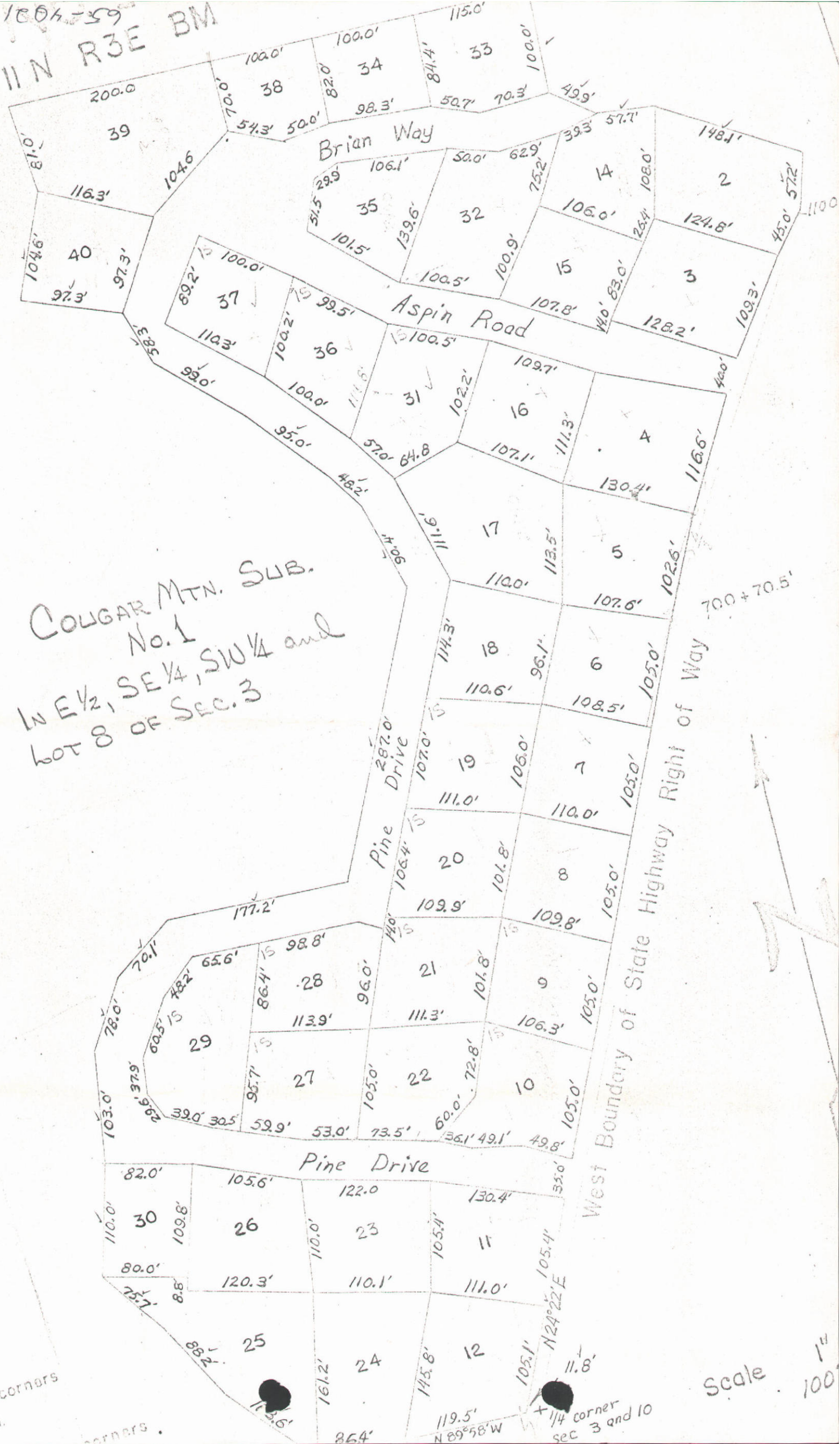
Approved by the County Commissioners of Valley County this _____ day of _____, 1943.

John B. Hill
Chairman
A. J. Coffey
Rep. 4

2" pole used on all corners around the subdivision
3/4" pole used on all lot corners



1804-59
T11N R3E BM



Scale 1" = 100'

GENERAL INFO

NAME: *MARIANNE CARTWRIGHT*

ERMIT #: *TRANSFER # 4360*

PHONE #: *377-8524*

ASING: *NA*

P: *NA* *Spring*

DYNAMIC: }
STATIC: } *GRAVITY FED*
DEPTH: }

PSI:

ACRES IRRIGATED: *NA*

SPRINKLER INFO: }
LATERALS: } *Domestic*
SIZE: } *only*
LENGTH: }

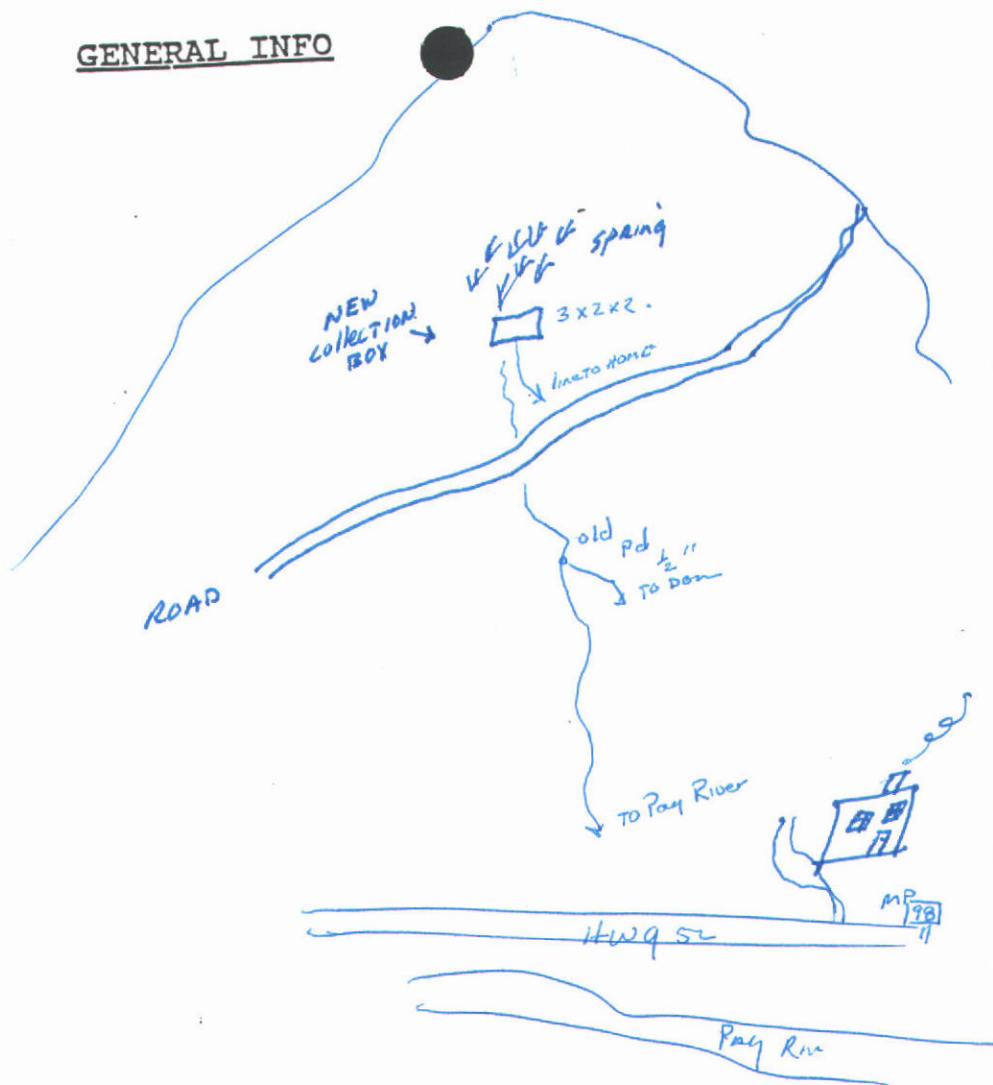
STOCK: *3*

DOMESTICS: *3*

OTHER USES:

OTHER RTS:

DIRECTIONS: *1/2 MILE N PAST COUGAR MNT Lodge is MP98*
TAKE A SHARP LEFT - CABIN #2 ZIMMERMAN



EXAM DATE: *9/28/94 @ 10:00 A.M.*

MIDWESTERN

OCT 26 1994

OCT 26 1994

NEW

OLD

PERMIT _____ INIT _____
T. R. S. Q/Q
P/D 11W 3E 3 NW NESW New Div.-Spring
SCALE - SE NESW Old Div.-Creek
PHOTO ID. -



x 4360
9/28/94
(Dave Gray)

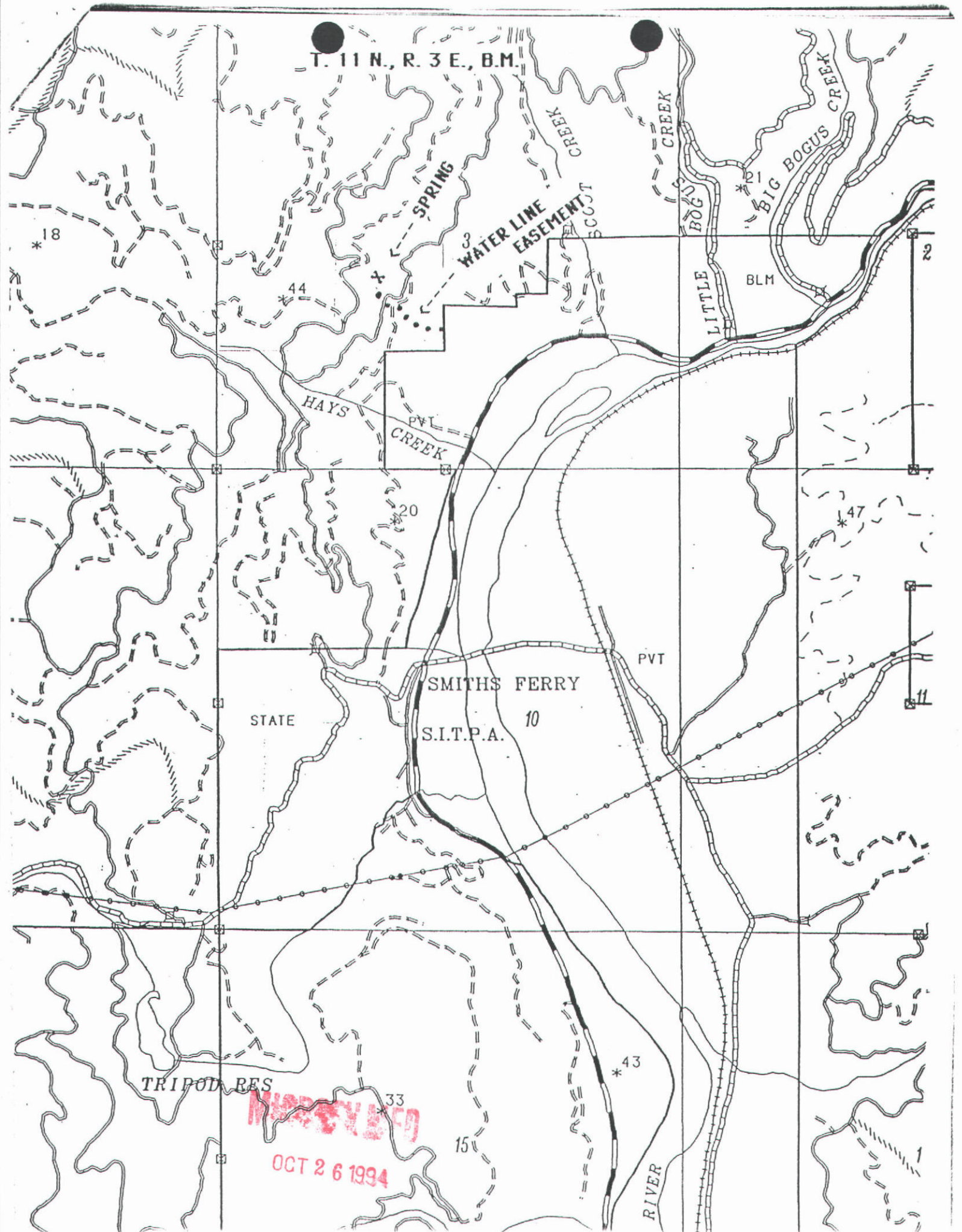
> OLD P/O (one point)



NEW P/O (one point)
under construction

OCT 26 1994

T. 11 N., R. 3 E., B.M.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4360
WATER RIGHT NO. 65-04021

This is to certify that: **MARY ANN CARTWRIGHT**
10006 MILCLAY CT
BOISE ID 83704

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.02 CFS	1.2 AF

SOURCE

SPRING
UNNAMED STREAM

TRIBUTARY OF

PAYETTE RIVER, NORTH FORK
PAYETTE RIVER, NORTH FORK

Priority: 07/11/1963

LOCATION OF POINT(S) OF DIVERSION:

NWNESW , Sec. 3, Township 11N, Range 03E
SENESEW , Sec. 3, Township 11N, Range 03E
VALLEY County

PLACE OF USE: DOMESTIC

TWN RGE SEC

11N 03E 3 Lot 8(SWSE)

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
2. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.

EX-100
OCT 26 1994

TRANSFER NO. 4360
WATER RIGHT NO. 65-04021

CONDITIONS/REMARKS:

6. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
7. The total instantaneous diversion of water from all points of diversion under Transfer No. 4360 shall not exceed 0.02 cfs, nor total combined annual volume of 1.2 af.
8. Domestic use is for 1 home.
9. Place of use is located within Lots 3 and 15, Cougar Mountain Subdivision No. 1.

Dated this 6th day of October, 1994.

J. Glen Saylor
Chief, Water Alloc. Bureau

RECEIVED

OCT 26 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4360

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant MARY ANN CARTWRIGHT MOLLIE K. ZIMMERMAN Phone 377-8524 365-4529
 Post Office address 609 E 2ND ST EMMETT ID 83617
10006 MILCLAY CT BOISE ID 83704
 A. PURPOSE OF TRANSFER

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 Below
2. Describe the reason for the proposed changes To develop Spring Sources to replace Stream source for domestic use, and to correct a point of diversion error made during Payette decree. See map & remarks.

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 |
|-----------------|-----------|-----------------------|------------------|---------------|
| 65-4021 | 7/11/1963 | .02 | DOM | 1/1 to 12/31 |
| | | | | to |
| | | | | to |
| | | | | to |
| | | | | to |
2. Total amount of water being transferred .02 cubic feet per second and/or 1.2 acre-feet per annum.
3. Source of water Springs tributary to Payette River, North Fork
4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total acres _____

PART 1

6. General Information:

a. Description of diversion system Two gravel pack collectors in Spring head
to pipeline to place of use.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or
N/A contracts? _____ Yes _____ 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:

N/A P/D never at this site.
→ P/D location likely decreed incorrectly. Map shows decreed location,
existing location, & new location. Existing & new locations are
along same drainage. No net change. Existing P/D Shared w/ 65-4020.

d. Remarks:

P/u aka lots 3 & 15, Cougar Mtn Sub #1
P/D's to be Shared with (Application) 65-13415 via common
pipeline.
See also pipeline easement ("waterline easement") w/ Boise Cascade Corp.

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____.

OCT 26 1934

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 65-04021

STAGE: DECREED

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
DOMESTIC	01/01 to 12/31	0.02 CFS	1.2 AF

SOURCE

UNNAMED STREAM

TRIBUTARY OF

PAYETTE RIVER, NORTH FORK

Priority: 07/11/1963

LOCATION OF POINT(S) OF DIVERSION:SENW , Sec. 3, Township 11N, Range 03E
VALLEY CountyPLACE OF USE: DOMESTICTWN RGE SEC

11N 03E 3 Lot 8()

CONDITIONS/REMARKS:

1. LOTS 3 & 15, COUGAR MOUNTAIN SUBDIVISION #1.

OCT 26 1994

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

1. Right evidenced by

a. Decree No. 65-4021 Decreed to Clare G. & Mollie K. Zimmerman
 In case of A & C Corp vs State of Idaho (#65)
 dated 1/21/1986 in _____ county of _____

b. License No. _____ issued by the Idaho Department of Water Resources

SRBA Claim No. AGS-4021 on file with the Idaho Department of Water Resources.

d. 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 unnamed stream tributary to Payette River, North Fork

4. Date or priority 7/11/1963

5. Water is used for the following purpose

amount .02 for DOM purposes from 1/1 to 12/31
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right .02 cubic feet per second and/or 1.2 acre-feet per annum

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge.	County	Local name for diversion
		SE	NW	3	11N	3E	Valley	

8. 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	
11N	3E	3															Lot 8		

Total acres _____

9. Describe any other water rights used for the same purpose as described above None

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 N/A

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

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	1/4	1/4	1/4	Sec	Twp.	Rge.	County	Local name for diversion

3. 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	

Total acres _____

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:

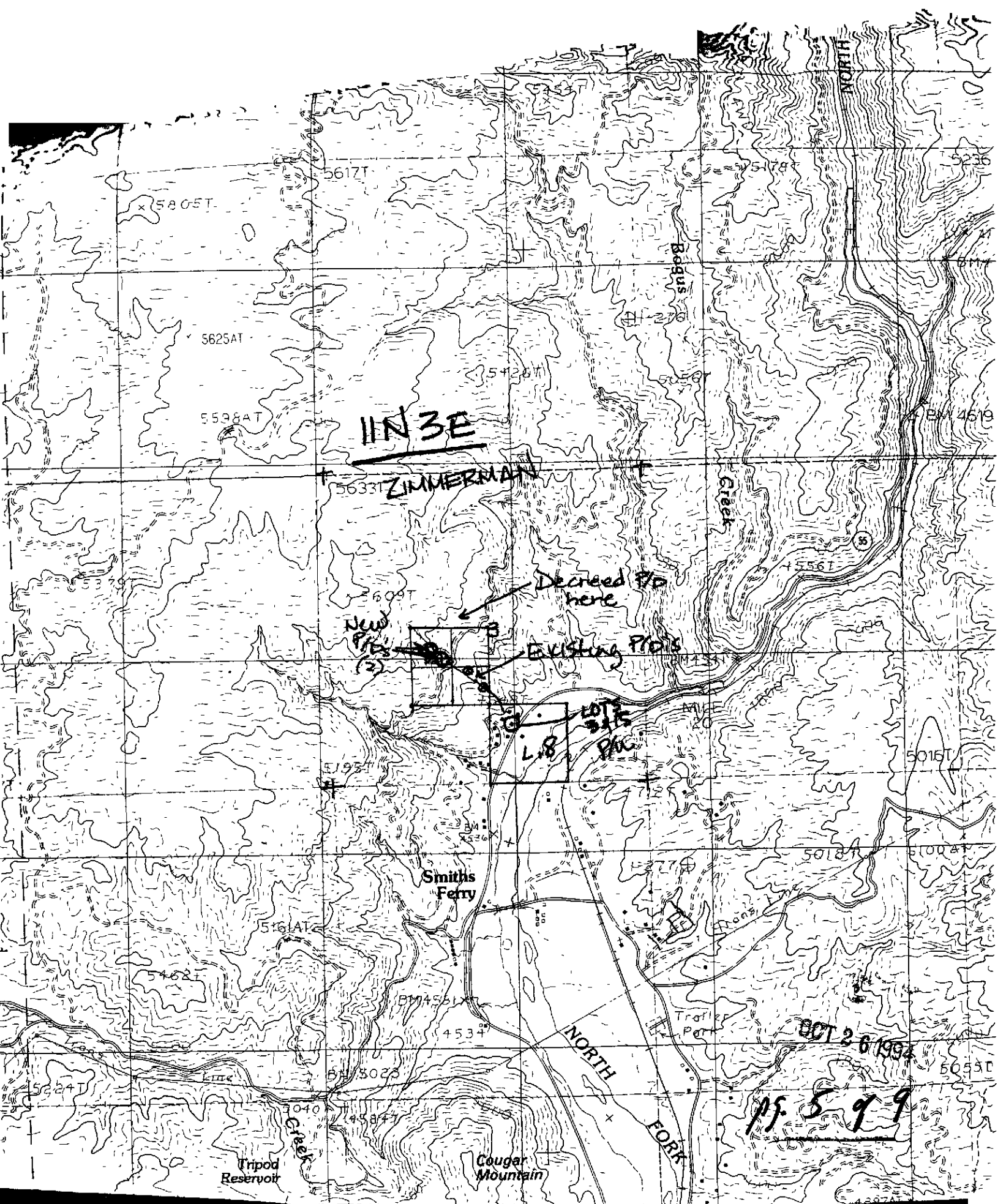
Lot	1/4	1/4	1/4	Sec.	Twp	Rge	County	Local name for diversion

3 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	

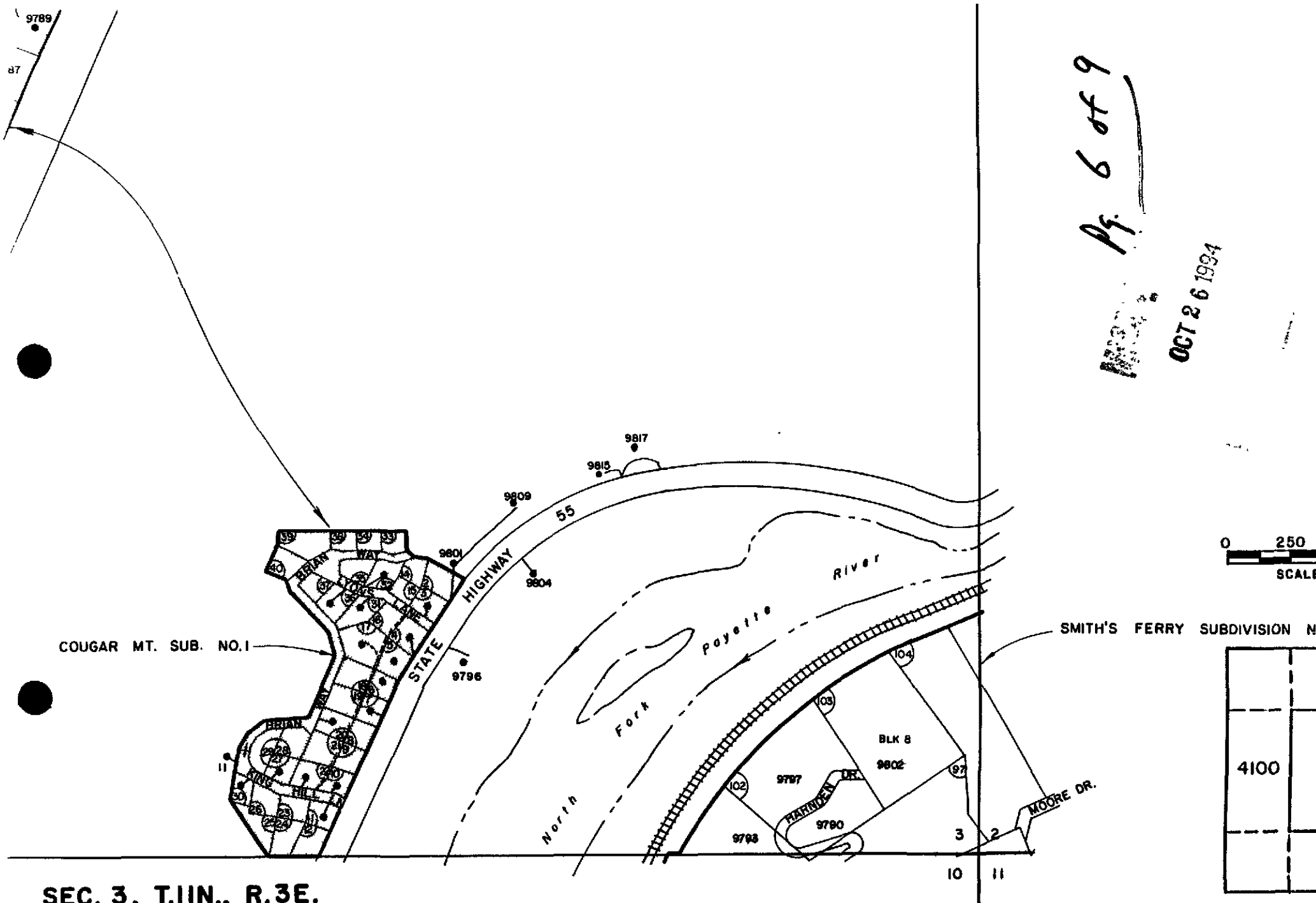
OCT 26 1981

Total acres _____



Pg. 6 of 9

OCT 26 1994



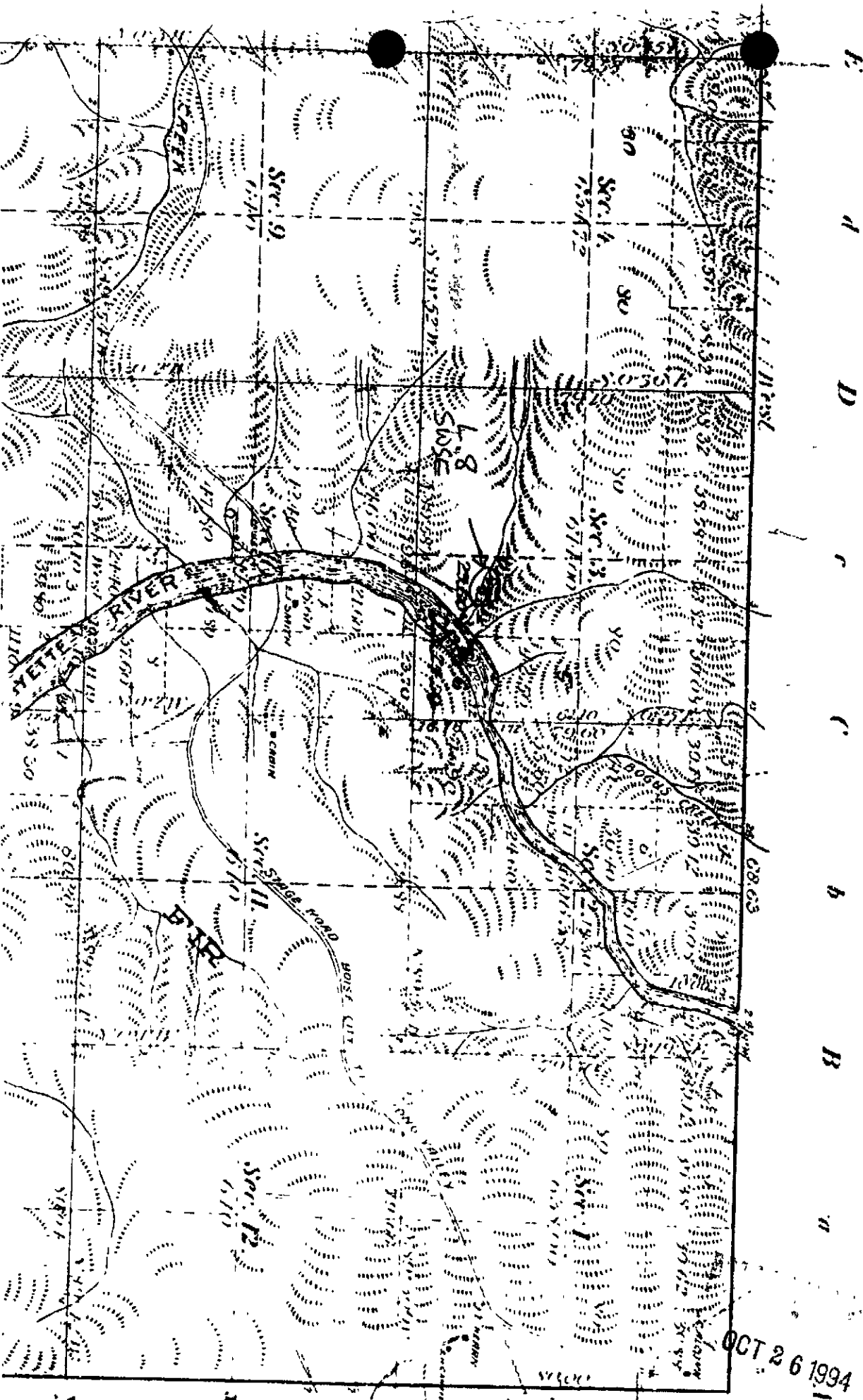
SEC. 3, T.11N., R.3E.

VALLEY
ENGINEERING

Range No 3 East of the Boise

Meridian, Idaho.

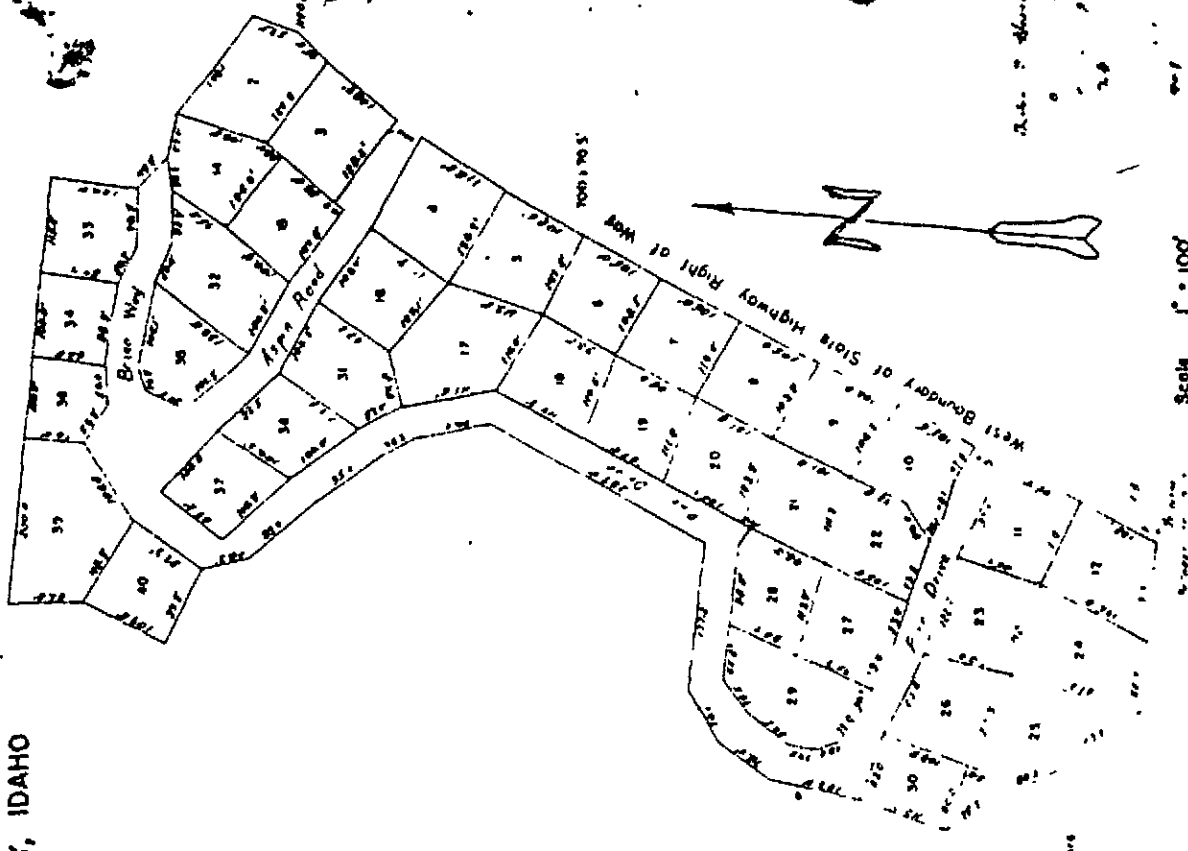
pg. 7 of 9



ROUND VALLEY

Supplemental map XFER 4360³⁻²

PLAY OF COUGAR MT. SUBDIVISION NO. 1 IN E 1/2 OF SE 1/4 OF SW 1/4 AND LOT 8 OF SEC. 3 T11N R3E BM VALLEY COUNTY, IDAHO



ENGINEER'S CERTIFICATE

STATE OF IDAHO }
COUNTY OF VALLEY } ss
I, George W. Thomas, do hereby certify that the following is a correct description of the land in the accompanying plat located from the S 1/4 corner of Section 3, T11N R3E E 1/2 of SE 1/4 of SW 1/4 of Lot 8 of Sec. 3, T11N R3E BM, and 4.0 ft. west along section line to point of beginning. Thence N 20° 22' E for 770.5 ft. along State Highway Right of Way. Thence N 31° 33' E 613.5 ft. Thence N 17° 53' E 572 ft. Thence N 50° 30' W 1481 ft. Thence N 63° 54' W 577 ft. Thence N 30° 28' W 485 ft. Thence east north 100.0 ft. Thence east parallel to the section line between sections 3 and 10, 815.0 ft. Thence S 70° 28' E 860 ft. Thence S 34° 58' W 845 ft. Thence S 80° 40' E 973 ft. Thence S 10° 22' E 58.5 ft. Thence S 47° 47' E 98.0 ft. Thence S 47° 47' E 96.0 ft. Thence S 34° 58' E 98.0 ft. Thence S 80° 40' E 90.4 ft. Thence S 20° 40' W 2870 ft. Thence S 60° 17' 1772 ft. Thence S 50° 32' W 701 ft. Thence S 37° 47' W 78.0 ft. Thence S 81° 10' W 1030 ft. Thence S 12° 48' W 90.0 ft. Thence S 34° 58' E 751 ft. Thence S 80° 40' E 84.8 ft. Thence S 47° 32' E 1038 ft. Thence east along the section line 208.9 ft. to the point of beginning.
And I do further certify that the plat was made from an actual survey under my direction in August, 1963 and that all the lot areas were set by me as shown on the plat.

George W. Thomas
Subscribed and sworn to before me this 1st day of August, 1963
at Valley, Idaho
Notary Public

OWNERS CERTIFICATE

STATE OF IDAHO }
COUNTY OF VALLEY } ss
We, Barton O. Haverfield and Edna Haverfield do hereby certify that we are the owners of the land described in the engineer's certificate hereto attached, and that we intend to include the same in the plat, and that we do hereby plat the said land as described on Cougar Mt. Subdivision No. 1 according to the plat hereto attached, and do hereby certify that all the lots and strips are correct as shown on the plat and we do hereby dedicate to the use of the public the right of way across the streets herein.
In witness whereof we have set our hand and seal this 2nd day of August, 1963
Barton O. Haverfield
Edna Haverfield
Subscribed and sworn to before me this 2nd day of August, 1963
at Valley, Idaho
Notary Public

Approved by the County Commissioners of Valley County this 1st day of August, 1963
at Valley, Idaho
Chairman
County Commissioners

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.

See attached (pgs. 5-7)

OCT 26 1994

PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location 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.

Mary Ann Courtwright
(Signature of Applicant)

Subscribed and sworn to before me this 16 day of May, 19 94

Jodi Harris

(Notary Public)

My commission expires 12-8-94

FOR DEPARTMENT USE ONLY

Transfer contains 9 pages and _____ attachments

Received by SL Date 5/16/94 Protest filed by _____

Prelim. check by ly Fee 30.00

Receipted by BLM Date 9/21/92 CO25527*

Published in Idaho Statesman Copies of protest forwarded by _____

Pub. dates 6-2 & 9, 1994 Hearing held by _____ Date _____

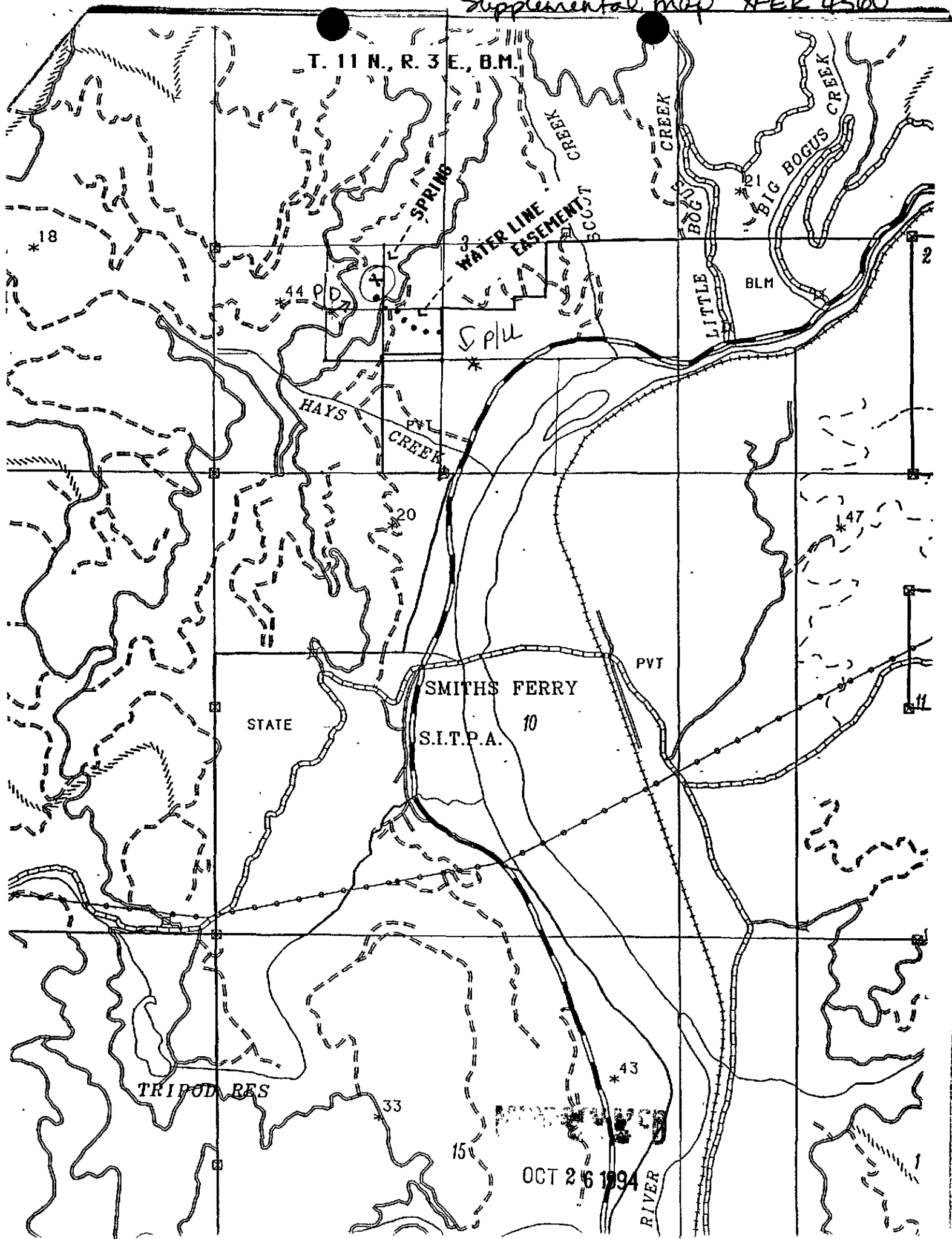
Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

_____ rec'd. by DET

Copy of transfer sent to lien holder _____

* 1992 Appl. for Permit (NO # assigned) withdrawn
& replaced by Appl. for Transfer - apply funds
from former to latter - SL
Same fee for both.

SEP 26 1994



T. 11 N., R. 3 E., B.M.

WATER LINE EASEMENT

SMITHS FERRY
S.I.T.P.A. 10

TRIPOD RES

OCT 26 1994

RIVER

Identification No. _____
Claim No. 65-4021 P
Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT
Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Clare G. Zimmerman and Mollie K. Zimmerman
post office address P. O. Box 612, Emmett, Idaho 83617

2. The point of diversion is in S.E. $\frac{1}{4}$ of 1.W. $\frac{1}{4}$ Section 3 Township 11 N
Range 3 E B.M. located on Innamed Stream
(name of source)
tributary to North Fork of Payette River Valley County.

3. Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed:

July 11, 1963 amount: .02 c.f.s. or --- acre feet
amount: _____ c.f.s. or _____ acre feet
amount: _____ c.f.s. or _____ acre feet
Total claimed .02 c.f.s. or ---- acre feet.

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

use Domestic period of use from Jan. 1st to Dec. 31st (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works.

a. Surface water diversion dam and/or headgate: material is composed of _____
_____ ; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; with at top is _____ feet; explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

b. Underground water diverting works: is well flowing or pumped _____ ; depth of well is _____ feet; diameter of well is _____ inches; type of pump is _____
capacity of pump is _____ g.p.m.; name and address of well driller is _____
_____ ;

65-4021

if feeder canal is used give maximum carrying capacity_____c.f.s.; if reservoir is off stream, describe location of reservoir by 40-acre subdivisions_____

[illegible]

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

b. Do you get water through a ditch owned by several users? _____ If yes, give the name of the ditch _____ The other users and their respective interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered _____

7. Where water is used for domestic or municipal purposes give number of families served two name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities _____

9. Remarks: please explain any details of your claim which you feel need clarification or additional explanation _____

This domestic water diversion has been in effect since July 11, 1963 and is composed of a two foot square wooden box, buried in stream bed. From this box a two inch plastic pipe diverts the water for 900 feet and falls 60 feet. From this point the water line is reduced to $\frac{1}{2}$ inch plastic pipe. This $\frac{1}{2}$ inch line is 200 feet long and falls 100 feet.

This domestic water is being used for general household use on Lots 3 and 15 of Cougar Mountain Subdivision No. 1 as recorded in the official plat in office of Recorder of Valley County, State of Idaho.

BE IT KNOWN that the undersigned hereby makes claim to a water right as described above together with all attached information and certifies that all statements are true and accurate to the best of his knowledge.

Aug. 26, 1969
(Date)

Clare J. Zimmerman
(Signature of Claimant)
Mollie J. Zimmerman

State of Idaho }
County of Jem } ss.

On this 26th day of August 1969, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Mary E. Irving
Notary Public residing at Emmett, Idaho

My commission expires April 9, 1971

For Department Use Only

Received by <u>Den</u>	Date <u>8-27-69</u>	Exception filed by <u>heir 3554 given</u>	Forwarded to claimant by:	Date
Prelim. check by <u>Den</u>	Date <u>8-27-69</u>			
Fee received by <u>ej</u>	Date <u>8-27-69</u>	Fee <u>\$10.00</u>		
Approved for publication by				
Published in <u>Star News</u>	Dates <u>9-11-18-69</u>			

65-4021

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	<u>May 18, 1871</u>	amount:	<u>0.8</u> c.f.s. or	<u> </u> acre feet
	<u>June 1, 1901</u>	amount:	<u>0.4</u> c.f.s. or	<u> </u> acre feet
		Total claimed:	<u>1.2</u> c.f.s. or	<u> </u> acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows:

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

11 CORNERS

1204-59 BM
T 11 N R 3 E

COUGAR MTN. SUB.
No. 1
1/4 E 1/2, SE 1/4, SW 1/4 and
Lot 8 of Sec. 3



Scale

100'

IN THE MATTER OF:)
)
Proof of Water)
to Beneficial Use)
)
)
)

State of Idaho)
County of Valley)

AFFIDAVIT
Department of Information

Everett J. Christison being first duly sworn,

deposes and says: _____

I, the undersigned, have known that Clare and Mollie
Zimmerman have used ^{since July 11, 1963} continuously water from spring which
helps feed the unnamed creek which flows thru Lots 35,32,
15 and 3 of Cougar Mountain subdivision No. 1, as recorded
by official plat by the Recorder of Valley County, Idaho

Everett J. Christison
(signature)

Subscribed and sworn to before me this 29th day of August 19 69.

Paul W. Easterbrook
(Notary Public)

Residing at Boise, Idaho.
My commission expires Dec. 1, 1971.

IN THE MATTER OF:)

Proof of Water)
to Beneficial Use)

AFFIDAVIT

State of Idaho)
County of Valley)

Harold E. Brown being first duly sworn,

deposes and says:

I, the undersigned, have known that Clare and Mollie
Zimmerman have used continuously ^{since July, 1963} water from spring which
helps feed the unnamed creek which flows through Lots 35,
32, 15 and 3 of Cougar Mountain subdivision No. 1, as
recorded by official plat by the Recorder of Valley
County, Idaho.

Harold E. Brown
(signature)

Subscribed and sworn to before me this 21st day of August 19 69.

Mary E. Spring
(Notary Public)

Residing at Emmett, Idaho.
My commission expires 4-9-71.

IN THE MATTER OF:)

Proof of Water)
To Beneficial Use)

AFFIDAVIT

State of Idaho)
County of Valley)

Roy W. Welch

being first duly sworn,

deposes and says: _____

I, the undersigned, have known that Clare and Mollie
since July 11, 1963
Zimmerman have used continuously water from spring which
helps feed the unnamed creek which flows through Lots 35,
32, 15 and 3 of Cougar Mountain subdivision No. 1, as
recorded by official plat by the Recorder of Valley
County, Idaho.

Roy W. Welch
(signature)

Subscribed and sworn to before me this 19th day of August 19 69.

Mary E. Irving
(Notary Public)

Residing at Emmett, Idaho.

My commission expires 4-9-71.

IN THE MATTER OF:)

Proof of Water)
to Beneficial Use)

AFFIDAVIT

State of Idaho)
County of Valley)

Paul P. King being first duly sworn,
deposes and says: I, the undersigned, have known Mr. & Mrs. Clare G.
Zimmerman since August 28, 1966.

During this period of time I have, on numerous occasions,
observed the above mentioned Zimmermans using water from conveyance
improvements.

These improvements divert water from stream that flows
through Lots 35, 32, 15 and 3 of Cougar Mountain subdivision
No. 1, as recorded by official plat by the Recorder of Valley
County, Idaho

Paul P. King
(signature)

Subscribed and sworn to before me this 4 day of August 1969.

Stan J. Swartz
(Notary Public)

Residing at Boiss, Idaho.
My commission expires June 1970.

IN THE MATTER OF:)

Proof of Water)
to Beneficial Use)

AFFIDAVIT

State of Idaho)
County of Valley)

Walter H. Carr being first duly sworn,

deposes and says: _____

I, the undersigned, have known that Clare and Mollie
Zimmerman have used continuously ^{since July 11, 1963} water from spring which
helps feed the unnamed creek which flows through Lots 35,
32, 15 and 3 of Cougar Mountain subdivision No. 1, as
recorded by official plat by the Recorder of Valley County, Idaho.

Walter H. Carr
(signature)

Subscribed and sworn to before me this 26th day of August 1969.

Wm. B. Kyb
(Notary Public)

Residing at Emmett, Idaho.
My commission expires 9-26-69.

PUBLISHER'S AFFIDAVIT

STATE OF IDAHO)

County of Valley)

ss.

.....Donald E. McMahan, being first duly sworn, deposes and

says: That he is the publisher..... of the Star-
News, a Weekly newspaper published at Cascade and McCall, in the County
of Valley, State of Idaho; that said newspaper is in general circulation
in the county aforesaid and is a legal newspaper; that the advertise-
ment, a copy of which is hereto attached, was published in said news-

paper once a week for two..... consecutive weeks in
the regular and entire issue of every number thereof during the period
and time of publication, and was published in the newspaper proper
and not in a supplement; and that publication of such notice began

.....September 11 1969, and ended September 18 1969

Donald E. McMahan

Subscribed and sworn to before me, a Notary Public in and for
the County of Valley, and the State of Idaho, this .. 23 ..
day of .. Sept .., 1969

Samuel J. Harris

Notary Public.

My commission expires .. 9-23 .., 1972

65-4021
Bill published
9-29-69
H



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 6, 1994

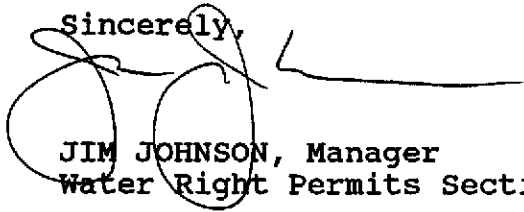
MARY ANN CARTWRIGHT
10006 MILCLAY CT
BOISE ID 83704

RE: Transfer of Water Right No. 65-04021

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 4360). Please be sure to thoroughly review the "CONDITIONS/REMARKS:" as listed on the transfer.

Sincerely,


JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosure

OCT 26 1994

MEMORANDUM

TO: FILE NO. 65-04021

FROM: PAM SKAGGS/²STATE OFFICE

SUBJECT: TRANSFER NO. 4360

DATE: October 5, 1994

ok JLV

=====

Transfer No. 4360 was filed to correct the legal description of the original point of diversion in an Unnamed Stream, and to add a point of diversion from the stream source Spring located northwesterly along the stream drainage.

A field check to verify the exact location of the points of diversion was done since the applicant stated that the right had been decreed in error. The stream diversion has never been moved and apparently was decreed incorrectly. This transfer approval will correctly identify the old diversion and add the new diversion and source.

Recommended conditions include watermaster control, measuring devices for multiple points of diversion, right-of-way and standard transfer conditions.

[Handwritten initials]

OCT 26 1994

WR0749NP
No. T65-04021

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/05/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARY ANN CARTWRIGHT 10006 MILCLAY CT BOISE ID 83704 (208) 377-8524	07/11/1963	DOMESTIC	01-01 12-31	0.02 CFS	1.20 AFA
TOTAL DIVERSION:					0.02 CFS	1.20 AFA

Water Source: SPRING
UNNAMED STREAM

Tributary to: PAYETTE RIVER, NORTH FORK
PAYETTE RIVER, NORTH FORK

Stage: DECREED

Point(s) of Diversion: T11N R03E S03 NWNESW SENESW VALLEY County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE					
NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
11N	03E	3	:							:											:
																				08-D	:

Lots Without 1/4 1/4 Description: DOMESTIC
11N 03E 3 08-D

Data Entry problems

Pou County: VALLEY

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
- T04 - Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
- T07 - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- T17 - Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Remarks: The total instantaneous diversion of water from all points of diversion under Transfer No. 4360 shall not exceed 0.02 cfs, nor total combined annual volume of 1.2 af.
Domestic use is for 1 home.
Place of use is located within Lots 3 and 15, Cougar Mountain Subdivision No. 1.

WR0749NP
No. T65-04021

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 10/05/94
PAGE: 2

=====

Dates:	App. Received:	Priority Date:	07/11/1963
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:		

Misc: Water District Number: 65 Field Exam Fee:

Comments: Date: 05/18/1994 User-ID: HODGES Subject: TRANSFER NO. 4360
Filed 5/18/94 to change P/D and clarify source.
Transfer No. 4360 clarifies the legal description of the original
p/d in the Unnamed Stream and adds a p/d and source with the
addition of a collection box for the spring that is the stream
source. (Updated 10-05-94 Skaggs)

Audit: 05/18/94 HODGES 09/07/94 PSKAGGS 10/05/94 PSKAGGS

CONVERSATION MEMORANDUM

DATE 9-28-94FILE Transfer # 4360

NAME OF PARTY

MARY ANN CARTWRIGHT

EMPLOYEE

Dave [Signature]

RE: THE NEW POINT OF DIVERSION IS LOCATED N. OF
THE OLD ONE. LOCATIONS OF THE NEW/OID
PERMITS ARE VERY EASY TO RECOGNIZE BECAUSE OF
THEIR LOCATIONS IN RELATION TO THE ROAD. THE
ROAD IS VISIBLE ON THE ORTHO MAP IN THE NFSW
1/4 1/4 OF SECTION 3, WHERE IT CROSSES THE CREEK.
THE TWO POINTS ARE ON EACH SIDE. THE NEW POINT
OF DIVERSION IS NW OF THE RD WHILE THE OLD DIVERSION
IS SE OF THE RD.

ALSO NOTED IS THAT THE NEW DIVERSION
USES A COLLECTION BOX FROM A SPRING (LICK SOURCE)
WHILE THE OLD DIVERSIONS' LINES ARE IN THE
CREEK.

NO OTHER DIVERSIONS ARE PRESENT OR FUNCTIONING.
THE OWNER DID SAY THAT THERE USED TO BE A
DIVERSION TO THE S. OF THE OLD DIVERSION (SE
OF RD.) BUT THAT THE BOX HAD ROTTED OUT
AND NOTHING WAS LEFT.

RECEIVED

OCT 04 1994

Department of Water Resources

OCT 26 1994

GENERAL INFO

NAME: *MARIANNE CARTWRIGHT*

ERMIT #: *TRANSFER # 4360*

PHONE #: *377-8524*

ASING: *NA*

P: *NA* *SPRING*

DYNAMIC: }
STATIC: } *GRAVITY FED*
DEPTH: }

PSI:

ACRES IRRIGATED: *NA*

SPRINKLER INFO: }
LATERALS: } *DOMESTIC*
SIZE: } *ONLY*
LENGTH: }

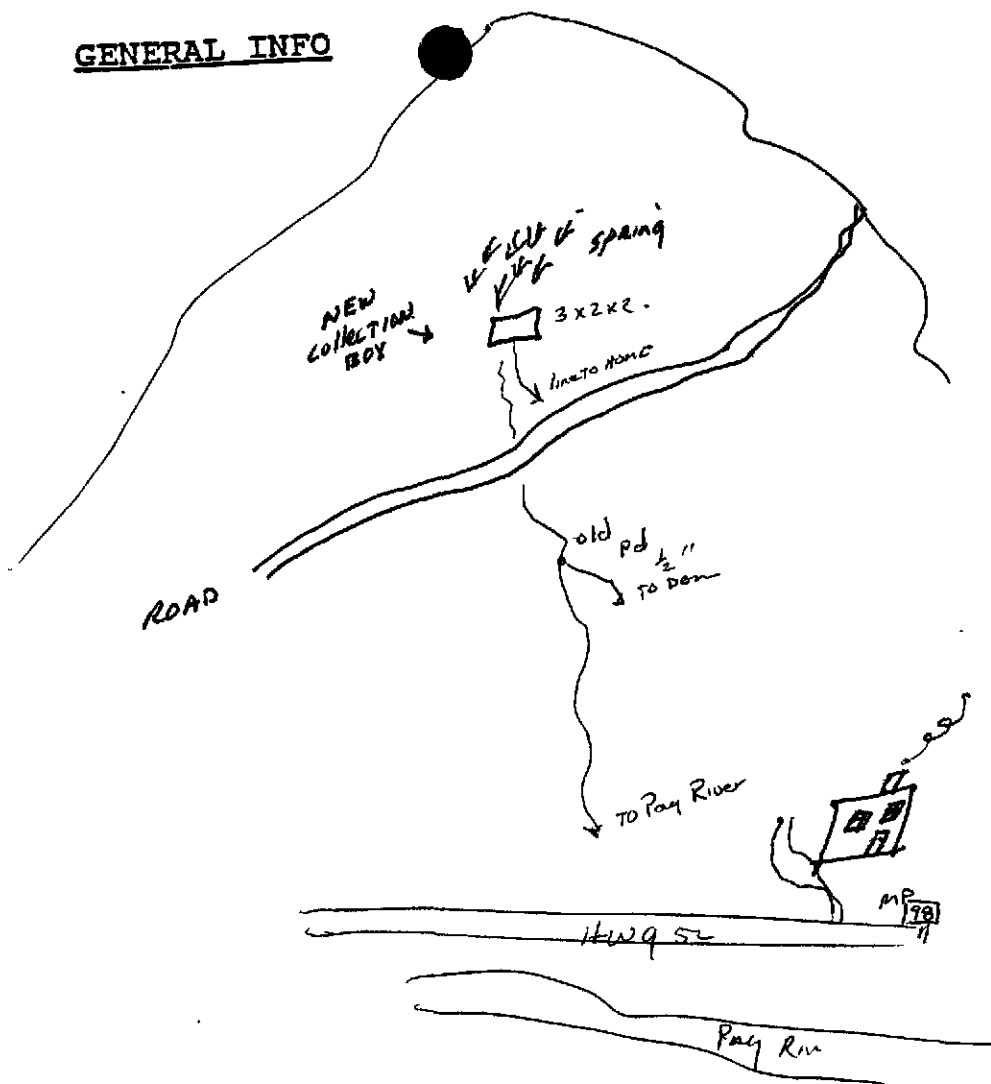
STOCK: *3*

DOMESTICS: *3*

OTHER USES:

OTHER RTS:

DIRECTIONS: *1/2 MILE N PAST COUGAR MNT LODGE IS MP 98*
TAKE A SHARP LEFT - CABIN # 2 ZIMMERMAN



EXAM DATE: *9/28/94 @ 10:00 A.M.*

OCT 26 1994

OCT 26 1994

NEW
OLD

PERMIT

INIT

T. R. S. Q/Q

P/D 11W 3E 3 NW NESW New Div.-Spring

SCALE - SE NESW old Div.-Creek

PHOTO ID. -

X 4360
9/28/94
(Dave Gray)

> OLD P/O (one point)

NEW P/O (one point)
under construction

OCT 26 1994

ACTION REQUIRED

9-7-94

FROM: Sam Skaggs/State Office

RECEIVED

TO: Cindy Hodges/Western Region

SEP 08 1994

WATER RESOURCES
WESTERN REGION

Here is a copy of the transfer information we talked about. Please confirm location of existing, decreed P/O. Maybe there has been an AS exam already? No a file in database. Thanks for your help and let me know so I can finish up Transfer #4360.

Received Back
at SA 10-4-94
with new info.

TRANSFER REVIEW SHEET

Transfer # 4360

Date Reviewed 9-6-94 28

Right(s) 65-04021 _____

B:Change P/D C:Add P/D D:Change P/U E:Change Nature of Use
F:Change Period of Use G:Other P/D H:Change P/D & Add P/D
I:Change P/D & P/U Source J:Add P/D & Change P/U

Proof of Ownership NA - No Change P/U

Transfer All of Right Portion of Right (Part B)

Resulting Split(s) NONE

Check Transfer Against Right

(1) Priority (2) Use (3) Season (4) Rate (5) Volume
(6) Source (7) P/D (8) P/U (9) NA Proof/Owner (10) Map
(11) 65 Water District (12) NO Pertinent Conditions (13) NO Expansion

⑥ Per field check ^{Correct legal} PD in original source, unnamed stream + new P/D collection box for spring that is source of unnamed stream. - Same drainage/sewer water - OK
⑦ The P/D decreed appears to be decreed in wrong QQ due possibly due to maps etc. The new P/D is up the same drainage from existing diversions in unnamed stream.

Original P/D location as existing P/Ds by statement of applicant.

WB4 DOM/1 Home ~~Two P/Ds/100 PDS~~

Transfer Remarks P/U = Lots 3+15, Cougar Mountain Subdivision No. 1.

TOT Decreed
Conditions R04, T04, T07, T08, T09, T17

Database/Processing Notes T file
Updated 10-6-94 CJS

Carwright, L.S.

WR0749NP
No. T65-04021

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/07/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARY ANN CARTWRIGHT 10006 MILCLAY CT BOISE ID 83704 (208) 377-8524	07/11/1963	DOMESTIC	01-01 12-31	0.02 CFS	1.20 AFA
TOTAL DIVERSION:					0.02 CFS	1.20 AFA

Water Source: SPRINGS

Tributary to: PAYETTE RIVER, NORTH FORK

Stage: DECREED

Point(s) of Diversion: T11N R03E S03 NWNESW VALLEY County

Place of use Legal Description for: DOMESTIC

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
11N	03E	3	:															08-D	

Lots Without 1/4 1/4 Description: DOMESTIC
11N 03E 3 08-D

Pou County: VALLEY

Conditions of Approval:

- R04 - Use of water under this water right will be regulated by the watermaster of State Water District No. 65.
- T04 - Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
- T07 - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- T17 - Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Remarks: The total instantaneous diversion of water from all points of diversion under Transfer No. 4360 shall not exceed 0.02 cfs, nor total combined annual volume of 1.2 af.
Two points of diversion are located within NWNESW, S03, T11N, R03E.
Domestic use is for 1 home.
Place of use is located within Lots 3 and 15, Cougar Mountain Subdivision No. 1.

WR0749NP
No. T65-04021

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 09/07/94
PAGE: 2

=====
Dates: App. Received: Priority Date: 07/11/1963
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: 65 Field Exam Fee:

Comments: Date: 05/18/1994 User-ID: HODGES Subject: TRANSFER NO. 4360
Filed 5/18/94 to change P/D and clarify source.

Audit: 05/18/94 HODGES 09/07/94 PSKAGGS

DATE: 09/07/94
PAGE: 1

Audit: 10/10/92 HODGES 10/13/92 GARRETT 12/04/92 MILLER 12/09/92 MILLER

STATE OF IDAHO DEPARTMENT OF WATER RESOURCES TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: LGAPPLICANT Mary Ann Cartwright

1. Right number 65-04021
2. Type of right: ☒ Decree ☐ License ☐ Claim
3. Purpose of transfer: ☒ Change of point of diversion ☐ Add diversion point(s) ☐ Change of place of use
☐ Change nature of use ☒ Other see 2A
4. Check:
 - a. ☒ Source ☐ Priority ☐ Amount ☐ Purpose ☐ Period of use ☐ SRBA claim
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred.
 - h. ☒ Check for expansion in use of right. Comments _____
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) _____
 - j. ☒ SRBA claim. Comments _____
 - k. ☒ Is use within Water District? ☒ Yes ☐ No inactive area, do not directly
If yes, what district? 65 Comment letter sent ☐ Yes ☒ No N/A from RWR
 - l. ☒ Legal notice electronically transmitted to DWR03::Vault? at

FINAL PROCESSING REVIEW BY: Drs

1. Watermaster recommendation requested on NA (no delivery in this area) Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* _____

4. By Drs Date 7/21/99

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT NO.
65-04021 & A65-04021**

Notice is hereby given that Mary Ann Cartwright of Boise, ID has applied to the Department of Water Resources to change the following described water rights pursuant to section 42-222 of Idaho Code

WATER RIGHTS AS RECORDED
Water Right No. 65-04021
Basis Decree
Date of Priority 07/11/1963
Source Unnamed Stream
Amount .02 cfs
Use Domestic
Point of Div SENW, Sec 3,
T11N, R03E Li 8, Sec 3,
Place of Use
T11N, R03E

**WATER RIGHT CLAIMED IN THE
SNAKE RIVER BASIN ADJUDICA-
TION**

Water Right No. A65-04021
Basis 65-04021
Date of Priority 07/11/1963
Source Unnamed Stream
Amount .02 cfs
Use Domestic
Point of Div same as above
Place of Use same as above

**THE FOLLOWING PORTIONS OF
WATER RIGHT 65-04021 AND
ADJUDICATION CLAIM A65-04021
P/D AND SOURCE TO BE
CHANGED AS FOLLOWS**

Water Right No 65-04021 & A65-
04021
Source Springs
Point of Div NWNESE, Sec
3, T11N, R03E, (2pts)
Place of Use no change

Any protest against approval of the pro-
posed change of water right application
must be filed with the Department of
Water Resources, Western Region,
2735 Airport Way, Boise, ID 83705 on
or before June 20, 1994.

R. Keith Higginson
Director

Publish 6/1 and 6/8, 1994 - # 510

Affidavit of Publication

STATE OF IDAHO COUNTY OF VALLEY

I, Michael C. Stewart, being duly sworn deposes, and says, I am the Publisher of The Long Valley Advocate Subscriber, a weekly newspaper published at Cascade, in Valley County, Idaho; and having a general circulation therein and of legal status in said county.

The Notice of proposed change water right, a copy of which is attached hereto; was published in said newspaper once a week for 2 consecutive weeks in the regular and entire issue of every number thereof during the period and time of publication, and was published in the newspaper proper and not in a supplement; and that publication of such notice began 6/1, 1994, and ended 6/8, 1994.

Michael C. Stewart

Michael C. Stewart

Signed this the 6th day of July, 1994

STATE OF IDAHO)
: SS.
COUNTY OF VALLEY)

On this the _____ day of _____, 19____, before me, a Notary Public in and for said State, personally appeared Michael C. Stewart, known or identified to me to be the person whose name is subscribed to the within Instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Notary Public State of Idaho
Residing at: _____
Commission Expires: _____

RECEIVED

JUL 08 1994

WATER RESOURCES
WESTERN REGION

OCT 26 1994

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT NO.
65-04021 & A65-04021**

Notice is hereby given that Mary Ann Cartwright of Boise, ID has applied to the Department of Water Resources to change the following described water rights pursuant to section 42-222 of Idaho Code

WATER RIGHTS AS RECORDED

Water Right No	65-04021
Basis	Decree
Date of Priority	07/11/1963
Source	Unnamed Stream
Amount	.02 cfs
Use	Domestic
Point of Div	SENW, Sec 3,
T11N, R03E	
Place of Use	Lt 8, Sec 3,
T11N, R03E	

**WATER RIGHT CLAIMED IN THE
SNAKE RIVER BASIN ADJUDICA-
TION**

Water Right No.	A65-04021
Basis	65-04021
Date of Priority	07/11/1963
Source	Unnamed Stream
Amount	.02 cfs
Use	Domestic
Point of Div	same as above
Place of Use	same as above

**THE FOLLOWING PORTIONS OF
WATER RIGHT 65-04021 AND
ADJUDICATION CLAIM A65-04021
P/D AND SOURCE TO BE
CHANGED AS FOLLOWS**

Water Right No	65-04021 & A65-04021
Source	Springs
Point of Div	NWNESW, Sec
3, T11N, R03E, (2pts)	
Place of Use	no change

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before June 20, 1994.

R Keith Higginson
Director



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 25, 1994

LONG VALLEY ADVOCATE
PO BOX 1079
CASCADE ID 83611

Dear Legal Dept.:

Enclosed you will find A legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before June 20, 1994.

Yours truly,

A handwritten signature in cursive script, appearing to read 'Sue'.

Sue Taylor
Secretary, Office Coordinator

Enclosure

A faint, rectangular stamp, possibly a date or filing mark, located at the bottom right of the page.

OCT 26 1994

NOTICE OF PROPOSED CHANGE OF
WATER RIGHT NO.
65-04021 & A65-04021

Notice is hereby given that Mary Ann Cartwright of Boise, ID has applied to the Department of Water Resources to change the following described water rights pursuant to section 42-222 of Idaho Code.

WATER RIGHTS AS RECORDED

Water Right No.	65-04021
Basis	Decree
Date of Priority	07/11/1963
Source	Unnamed Stream
Amount	.02 cfs
Use	Domestic
Point of Div	SENW, Sec 3, T11N R03E
Place of Use	Lt 8, Sec 3, T11N, R03E

WATER RIGHT CLAIMED IN SNAKE RIVER BASIN ADJUDICATION

Water Right No.	A65-04021
Basis	65-04021
Date of Priority	07/11/1963
Source	Unnamed Stream
Amount	.02 cfs
Use	Domestic
Point of Div	same as above
Place of Use	same as above

THE FOLLOWING PORTIONS OF WATER RIGHT 65-04021 AND ADJUDICATION CLAIM A65-04021 P/D AND SOURCE TO BE CHANGED AS FOLLOWS

Water Right No.	65-04021 & A65-04021
Source	Springs
Point of Div.	NWNESE, Sec 3, T11N, R03E, (2 pts)
Place of Use.	no change

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before June 20, 1994.

R. Keith Higginson
Director

Published in the Long Valley Advocate on June 1 and 8, 1994.

OCT 26 1994

LAST WILL AND TESTAMENT

OF

MOLLIE K. ZIMMERMAN

* * * * *

KNOW ALL MEN BY THESE PRESENTS, that I, Mollie K. Zimmerman, of Emmett, Gem County, Idaho, being of legal age and knowing the uncertainties of this life, hereby exercise the right vested in me, by virtue of the laws of the State of Idaho, to make testamentary disposition of all property in which I may die owning any interest. I further certify and declare that I make this Will while acting under no influence, menace or fraud of any nature whatsoever, and by the execution of this instrument, I do hereby revoke any and all Wills and Codicils heretofore made by me.

I

I direct that my remains be disposed of as my daughter, Mary Ann Cartwright, may direct.

II

I direct that all my just debts, funeral expenses and expenses of administration, except mortgages or other debts secured by real property, be paid out of my estate as soon as practicable after my death.

III

I am a widow. I have one child and four grandchildren, to-wit:

Mary Ann Cartwright, daughter
Boise, Idaho

Douglas Everett Christison, grandson
Boise, Idaho

Dirk R. Christison, grandson
Boise, Idaho

Lisa Lynn Lee, granddaughter
Ellensburg, Washington

OCT 26 1994

Drew A. Christison, grandson
Boise, Idaho

IV

I hereby give, devise and bequeath all of my estate, both real and personal, and wheresoever the same may be located, to my daughter, Mary Ann Cartwright, to do with it as she may see fit.

V

I have intentionally omitted all other persons, heirs or relatives, if any, other than those specifically mentioned as taking under this Will; and I hereby and specifically disinherit each, any and all persons whomsoever claiming to be or who be lawfully determined to be my heir or heirs at law, except as specifically stated in this Will.

VI

I nominate and appoint as personal representative of this, my Last Will and Testament, my daughter, Mary Ann Cartwright, and it is my request that she serve in said capacity without bond. In the event that my daughter, Mary Ann Cartwright, is unable or unwilling to act, or in the event that she should predecease me, then I nominate and appoint as alternate personal representative of this, my Last Will and Testament, my grandson, Dirk Christison, and it is my request that he similarly serve in said capacity without bond.

I, Mollie K. Zimmerman, the testatrix, sign my name to this instrument this 23rd day of August, 1993, and being first duly sworn, do hereby declare to the undersigned authority that I sign and execute this instrument as my Last Will and that I sign it willingly (or willingly direct another to sign for me); that I execute it as my free and voluntary act for the purposes therein expressed, and that I am eighteen (18) years of age or older, of sound mind, and under no constraint or undue influence.

Mollie K. Zimmerman
Mollie K. Zimmerman

OCT 26 1994

COPY

RICHARD K. LINVILLE
Attorney at Law
316 East Main Street
P.O. Box 671
Emmett, Idaho 83617
Telephone: (208) 365-2106

MAR 1 1994

Wanda B. Kolodziej, Clerk
Van Stollney
Deputy

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF GEM

IN THE MATTER OF THE ESTATE OF)

MOLLIE K. ZIMMERMAN,)

Deceased.)

CASE NO. SP94-53

APPLICATION FOR INFORMAL
PROBATE OF WILL AND
INFORMAL APPOINTMENT OF
PERSONAL REPRESENTATIVE
(I.C. 15-3-301)

FEE CATEGORY: L.4
FEE: \$60.00

APPLICANT, MARY ANN CARTWRIGHT, STATES AND REPRESENTS TO THE COURT
THAT:

1. Applicant's interest in this matter is that of:

- (a) x an heir of the decedent.
- (b) x a child of the decedent.
- (c) x a devisee under the decedent's will.
- (d) the spouse of the decedent.
- (e) a creditor of the decedent.
- (f) x a person having priority for appointment as
personal representative.
- (g) a person having a property right in or a claim
against the decedent's estate.

MAR 1 1994

OCT 26 1994

RTIFICATION OF VITAL RECORD

STATE OF IDAHO

IDAHO DEPARTMENT OF HEALTH AND WELFARE
COOPERATIVE CENTER FOR HEALTH STATISTICS

CERTIFICATE OF DEATH

DATE FILED: JANUARY 19, 1994

STATE FILE NUMBER: 94-00203

DECEDENT: MOLLIE K. ZIMMERMAN

DATE OF DEATH: JAN. 13, 1994 PLACE OF DEATH: BOISE, IDAHO

DATE OF BIRTH: OCT. 23, 1909 PLACE OF BIRTH: IDAHO

AGE: 84 YEARS SEX: FEMALE VETERAN? NO

MARITAL STATUS: WIDOWED

SOCIAL SECURITY NUMBER: 519-20-1002 RESIDENCE: BOISE, IDAHO

FATHER: WILLIAM KING

FATHERS BIRTHPLACE: UNKNOWN

MOTHER (MAIDEN): EMMA C. CALDWELL

MOTHERS BIRTHPLACE: OREGON

MORTUARY: POTTER FUNERAL CHAPEL

MORTICIAN: WALTER F. POTTER

EMMETT, IDAHO

DISPOSITION: CREMATION

CERTIFYING PHYSICIAN: MARK J. SZENTES, MD

AUTOPSY: YES

1. CAUSE OF DEATH, UNDERLYING CAUSE LAST:

INTERVAL

PANCYTOPENIA
LIVER FAILURE

4 DAYS

2. OTHER CONDITIONS CONTRIBUTING TO DEATH BUT UNRELATED TO ABOVE CAUSES:

RENAL FAILURE

OCT 26 1994

I certify that this is a true and correct reproduction or abstract of an official
record filed with the IDAHO COOPERATIVE CENTER FOR HEALTH STATISTICS

JANUARY 20, 1994

DATE ISSUED

Jane S. Smith
JANE S. SMITH
State Registrar



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: A65-04021
Date Received: 9/30/1988
Receipt No: X999999
Received By: ERK

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: MOLLIE K. ZIMMERMAN 208-365-4529
Address: 609 E. 2ND ST.
EMMETT, ID 83617
2. Date of Priority: JUL 11, 1963
3. Source: UNNAMED STREAM Trib. to: PAYETTE RIVER, NORTH FORK
4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
11N	03E	3	SE NW		VALLEY
5. Description of diverting works:
SPRING BOX IN SPRING W/GRAVITY FLOW PIPELINE TO P.O.U.
6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
DOMESTIC	01/01	12/31	0.020		1.20
7. Total Quantity Appropriated is:
0.020 C.F.S. (and/or) 1.20 A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
D/1 HOUSEHOLD W/NO IRRIG.
10. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
11N	03E	3		8	DOMEST	
11. Place of use in counties: VALLEY

A65-04021

Page 1

Date: 09/30/88

OCT 26 1988

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

13. Other Water Rights Used:
NONE

14. Remarks:
LOTS 3 & 15, COUGAR MOUNTAIN SUBDIVISION #1.
PAGE 582, VOLUME 3-SURFACE WATER, PROPOSED FINDINGS PAYETTE RIVER
BASIN.

15. Basis of Claim: DECREED
Case Number:
Court :
Decree date: 1/21/1986

STATE OF IDAHO

Decree Plaintiff

vs

A & C CORP., ET AL.

Decree Defendant

OCT 26 1994

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 X 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): x Mollie A. Zimmerman Date: 09-30-88
_____ Date: _____

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 30th day

of Sept 19 88

Elden J. Roush
Notary Public

Seal

Residing at Boise

My Commission Expires 07/08/1997



OCT 26 1994

MICROFILMED

Rec'd from SC

9-26-92

CONVERSATION MEMORANDUM

DATE 9-28-93

CLIENT Dirk Christison

FILE NO(S). A65-04071

AGENT R. McCarthy

RE Legal location of source

Mr. Christison is the grandson of the claimant. He brought in the attached easement agreement and we discussed his new Permit and the need for a transfer for the claimant.

Apparently, the POD has not changed until now. The planned change would not move the POD from the '14'14 in which it has been. However, the POD may have been wrong in the prior decree due to a lack of good maps, etc. See attached map for apparent location.

SEP 26 1994

WATERLINE EASEMENT

THIS EASEMENT is made and executed this 30th day of June, 1992, from BOISE CASCADE CORPORATION, a Delaware corporation ("Grantor"), to DIRK R. CHRISTISON and RHONDA G. CHRISTISON, husband and wife, and MOLLIE ZIMMERMAN ("Grantees").

W I T N E S S E T H:

FOR AND IN CONSIDERATION of the sum of Ten Dollars cash in hand paid, the receipt of which is hereby acknowledged, Grantor has this day bargained and sold and by these presents does bargain, sell, convey, transfer, and deliver unto Grantees, a permanent non-exclusive easement and right-of-way, including the perpetual right to enter upon the real estate hereinafter described at any time Grantees see fit and construct, maintain, and repair underground water pipelines for the purpose of conveying water over, across, through, and under the lands hereinafter described, together with the right to excavate and refill a ditch and/or drainage for the location of the said pipeline. Said Pipeline will be hand-constructed, buried three feet in depth, and will be buried south of the existing culverts. Grantees shall repair any damage to Grantor's roads caused by Grantees' use in accessing, constructing, or maintaining a water box or pipeline.

The easement and right-of-way hereby granted cover a strip of land five feet in width from that certain spring located in the Northeast Quarter of the Southwest Quarter, Section 3, Township 11 North, Range 3 East, Boise Meridian, Valley County, Idaho. The termination of said easement shall be the dwelling houses of Grantees located in Cougar Mountain Subdivision No. 1, Lot Nos. 3, 15, and 34, Section 3, Township 11 North, Range 3 East, Boise Meridian, Valley County, Idaho ("Grantees' Property").

This Easement is granted to Grantees solely for the purpose of conveying water to the dwelling houses (not more than two dwelling houses) for domestic purposes.

Grantees shall have the right to develop said spring for the purposes herein described, but all such development must be approved by Grantor prior to the commencement of any such improvement. The spring is owned by Grantor, and the use herein granted shall not reduce and lessen the rights of Grantor in and to said spring.

Grantees may not sell or permit the use of the water or pipeline from the spring located on Grantor's property by any other party and shall not assign or transfer this Easement without the written consent of Grantor having been first obtained, which consent shall not be unreasonably withheld.

Grantor has and does hereby reserve all water from said spring in excess of that necessary for domestic use by Grantees on Grantees' property above described.

OCT 26 1994

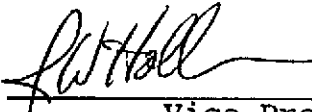
Grantor reserves the right to cross over and along and locate and maintain roads over and along the surface of the ground covered by said easement and shall not be liable for any loss or damage as a result thereof.

Grantor agrees that it will use reasonable care in conducting its operations on the Easement. Notwithstanding the foregoing, it is expressly agreed by Grantees that if damage to Grantees' property should result from operations on the part of Grantor, its agents, contractors, licensees, permittees, successors or assigns, neither Grantor, its agents, contractors, licensees, permittees, successors or assigns shall be held liable therefor.

In the event Grantees abandon or fail to use said pipeline and water conveyed therein for a period of five years, this Easement shall automatically terminate and will revert to Grantor.

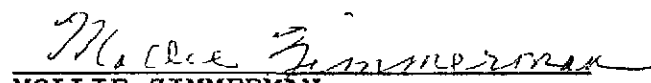
IN WITNESS WHEREOF, the parties hereto have executed this Easement the date first above written.

BOISE CASCADE CORPORATION

By 
Vice President


DIRK R. CHRISTISON


RHONDA G. CHRISTISON


MOLLIE ZIMMERMAN

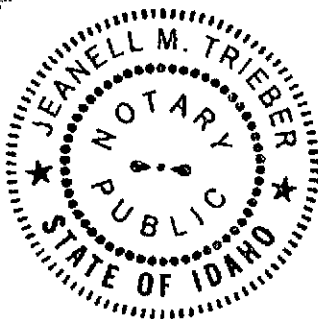
JL20615H

OCT 26 1994

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

On this 1st day of July, 1992, before me, the undersigned, a notary public in and for said state, personally appeared J. W. Holleran, known to me to be the Vice President of Boise Cascade Corporation, a Delaware corporation, that executed the above instrument on behalf of said corporation and acknowledged to me that said corporation 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.



Jeanell M. Trieber
Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires: 10/1/97

STATE OF IDAHO)
) ss.
COUNTY OF Idaho)

On this 19th day of July, 1992, before me, the undersigned, a notary public in and for said state, personally appeared Dirk R. Christison, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he 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.

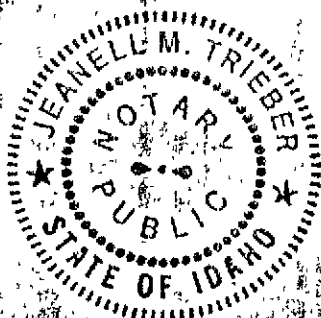
B. H. Seger
Notary Public for
Residing at: Idaho
My Commission expires: Life

OCT 26 1994

STATE OF IDAHO)
) SS.
COUNTY OF ADA)

On this 1st day of July, 1992, before me, the undersigned, a notary public in and for said state, personally appeared J. W. Holleran, known to me to be the Vice President of Boise Cascade Corporation, a Delaware corporation, that executed the above instrument on behalf of said corporation and acknowledged to me that said corporation 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.

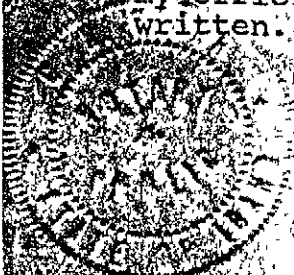


Jeanell M. Trieber
Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires: 10/1/97

STATE OF IDAHO)
) SS.
COUNTY OF *Ada*)

On this 1st day of July, 1992, before me, the undersigned, a notary public in and for said state, personally appeared Dirk R. Christison, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he 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.



Dirk R. Christison
Notary Public for Idaho
Residing at: *Boise, Idaho*
My Commission expires: *10/1/97*

STATE OF IDAHO)
COUNTY OF Gen) ss.

On this 19th day of July, 1992, before me, the undersigned, a notary public in and for said state, personally appeared Rhonda G. Christison, known to me to be the person whose name is subscribed to the foregoing 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.

C. H. Heger
Notary Public for
Residing at: Connet, Idaho
My Commission expires: Life

STATE OF IDAHO)
COUNTY OF Gen) ss.

On this 19th day of July, 1992, before me, the undersigned, a notary public in and for said state, personally appeared Mollie Zimmerman, known to me to be the person whose name is subscribed to the foregoing 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.

C. H. Heger
Notary Public for
Residing at: Connet, Idaho
My Commission expires: Life

OCT 26 1994

JL20615H

STATE OF IDAHO

COUNTY OF Ben

SS.

On this 19th day of July, 1992, before me, the undersigned, a notary public in and for said state, personally appeared Rhonda G. Christison, known to me to be the person whose name is subscribed to the foregoing 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.

C. N. Hegner
Notary Public for

Residing at: Emmett, Idaho

My Commission expires: life

STATE OF IDAHO

COUNTY OF Ben

SS.

On this 19th day of July, 1992, before me, the undersigned, a notary public in and for said state, personally appeared Mollie Zimmerman, known to me to be the person whose name is subscribed to the foregoing 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.

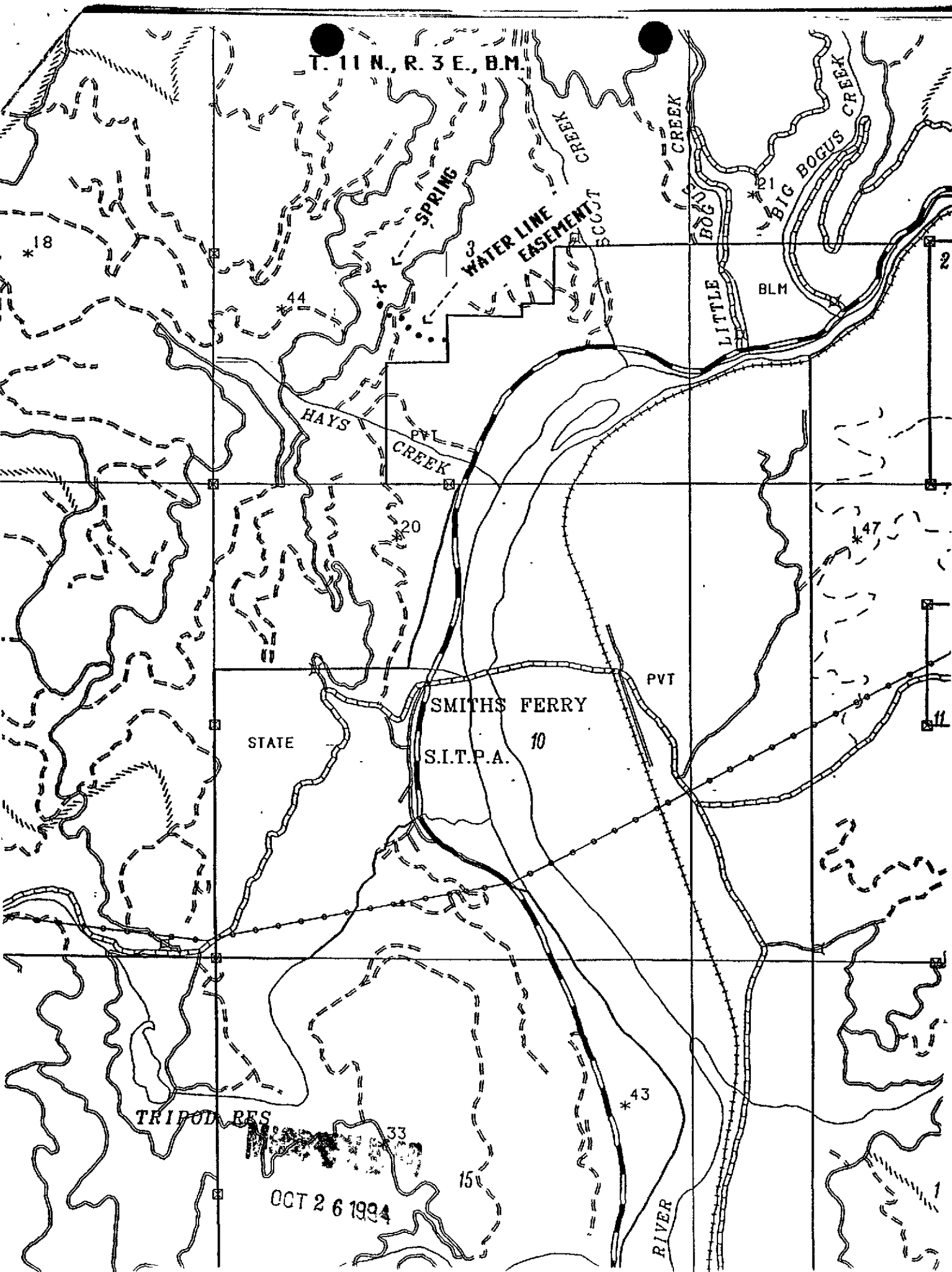
C. N. Hegner
Notary Public for

Residing at: Emmett, Idaho

My Commission expires: life

JL20615H

T. 11 N., R. 3 E., B.M.



STATE

SMITHS FERRY

S.I.T.P.A.

PVT

BLM

TRIPOD RES.

OCT 26 1994

Grantor reserves the right to cross over and along and locate and maintain roads over and along the surface of the ground covered by said easement and shall not be liable for any loss or damage as a result thereof.

Grantor agrees that it will use reasonable care in conducting its operations on the Easement. Notwithstanding the foregoing, it is expressly agreed by Grantees that if damage to Grantees' property should result from operations on the part of Grantor, its agents, contractors, licensees, permittees, successors or assigns, neither Grantor, its agents, contractors, licensees, permittees, successors or assigns shall be held liable therefor.

In the event Grantees abandon or fail to use said pipeline and water conveyed therein for a period of five years, this Easement shall automatically terminate and will revert to Grantor.

IN WITNESS WHEREOF, the parties hereto have executed this Easement the date first above written.

BOISE CASCADE CORPORATION

By *[Signature]*

[Signature]

Vice President

[Signature]

DIRK R. CHRISTISON

[Signature]

RHONDA G. CHRISTISON

[Signature]

MOLLIE ZIMMERMAN

1896652

REQUESTED BY: *[Signature]*
RECORDED

AUG 11 1 49 PM '92

TYPE: *[Signature]*
LELAND COUNTY
VALLEY COUNTY
BY: *[Signature]* DEPUTY
FEE: *[Signature]*

JL20615H

OCT 26 1994

Overlapping right

Identification No. 65-40208

Claim No. _____

Map No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. The filing of this claim does not confirm the water right but will serve for information purposes only. It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant DONALD E. SODERLING

post office address Route 1, Box 80, Emmett, Idaho

2. The point of diversion is in NE $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 3 Township 11 North

Range 3 East B.M. located on unnamed spring
(name of source)

tributary to Payette River in Valley County.

3. Dates of priority claimed List the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed-

August 1962 amount 202 c.f.s. or _____ acre feet

_____ amount _____ c.f.s. or _____ acre feet

_____ amount _____ c.f.s. or _____ acre feet

Total claimed _____ c.f.s. or _____ acre feet.

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed.

use domestic period of use from January 1 to December 31 (both dates inclusive)

use _____ period of use from _____ to _____ (both dates inclusive)

use _____ period of use from _____ to _____ (both dates inclusive)

use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works

a. Surface water diversion dam and or headgate material is composed of 2 x 6 red fir water

collecting box length is 2 feet, height is 2 feet,

width at bottom is 2 feet, with at top is 2 feet, explain any increase in diversion capacity since structure was first built giving dates and estimated capacities if known none

b. Underground water diverting works is well flowing or pumped _____, depth of well is

_____ feet, diameter of well is _____ inches; type of pump is _____

capacity of pump is _____ g.p.m., name and address of well driller is _____

007 2 6 1994

65-4020

_____, if so, give dates and explain _____

type of pipe plastic grade of pipe per 1000 feet is _____

approximately 300 ft.

is reservoir on or off stream _____ explain _____

location of reservoir by 40-acre subdivisions _____

describe _____

Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres

[illegible]

Total number of acres to be irrigated _____

Explain any significant increase in area irrigated since first use, give dates and acreages if known _____

OCT 26 1964

b. Do you get water through a ditch owned by several users? _____ If yes, give the name of the ditch
_____ The other users and their respective
interests in the ditch are (if known) _____

6 Where water is used for stock watering, give number of each kind of stock watered _____

7 Where water is used for domestic or municipal purposes give number of families served _____
name of town supplied _____

8 Where water is used for other purposes not above enumerated, give the nature of use, the extent of use,
and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible,
giving dates and quantities. _____

9 Remarks please explain any details of your claim which you feel need clarification or additional explanation
At the point where the galvanized tank is located, another 1 1/2" line takes off
to the back of my cabin in Lot 33, Conger Mt. Subdivision Number 1. At this
point, I have a faucet at the end of this pipe and a half inch line goes down
the hill to supply one other cabin. These boxes and the pipe were installed by
me. The boxes, galvanized tank and 300 ft. of 3/4" pipe were purchased by me and
the rest of the plastic pipe was supplied by the person subdividing the property.
This spring is on Boise Cascade Corp. land and permission was given to me verbally
by Mr. Ira Anderson.

State of Idaho

County of Idaho ss.

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

Donald E. Soderling
Claimant

Sworn to before me this 4th day of Aug, 1969

Robert A. Walker
Notary Public
Residing at Emmett, Idaho

My commission expires 2-21-70

OCT 26 1969

For Department Use Only

Received by	Date	Exception filed by	Forwarded to claimant by	Date
<u>if</u>	<u>9-6-69</u>			
Pres'n check by	<u>9-6-69</u>			
Fee received by	<u>9-6-69</u>	<u>\$10.00</u>		
Approved for publication by				
Published in	<u>Idaho Pioneer</u>	Dates <u>8-15-69</u>		

14 169

65-4021

Department of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705

ATTN: Cindy Hodges

Dear Cindy,

This is the project we were working on at the time of my grandmother, Mollie Zimmerman's, death. We would like to finish it up as soon as possible.

Maryann Cartwright, my mother, is the heir to the cabin. Please find enclosed a copy of the will and the death certificate. (Maryann is Mollie's daughter.)

Maryann's address is 10006 Milclay Ct. Boise, ID 83704.

If you have any questions or need anything else please let me know. My number is (208) 375-9127.

Thank you very much for your assistance in this matter.

Sincerely,



Dirk Christison
6803 Grunder
Boise, ID
83709



OCT 26 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 29, 1992

Dirk Christison
6803 Grunder
Boise ID 83709

RE: Application for Transfer, Mollie Zimmerman

Dirk:

Enclosed is the completed Application for Transfer for water right No. 65-04021. I still have copies of the waterline easement and supporting maps, which I will add to the transfer before I submit it.

Please review the application for transfer, and have the form signed and notarized on the back page. Also, return the water right application withdrawal form with the transfer so that I will be able to re-apply the fee.

Don't hesitate to call if you or your grandmother have additional questions.

Sincerely,

A handwritten signature in cursive script that reads 'Cindy Hodges'.

Cindy Hodges
Sr. Water Resource Agent

NOV 26 1994

September 30, 1969

Re: Claim to a Water Right No. 65-4021
Clare G. Zimmerman & Mollie K. Zimmerman

Clare G. Zimmerman
P. O. Box 612
Emmett, Idaho 83617

Dear Mr. Zimmerman:

Please be advised that the Department of Reclamation has received and processed your claim to a water right. We have enclosed a copy of the claim for your files; please refer to the claim number if you desire to add or change information in your claim.

You should be aware that the filing of the claim completes the Department's work in processing the claim. Under Idaho Statutes, no further processing is pending at this time. Your claim will merely be filed on record with the Department until such time you or a court may be in need of the information.

You were given departmental receipt number 3554 in our office, in the amount of \$10.00 covering the filing fee.

If we may be of assistance at any time, please feel free to contact the Department.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:sc
Enc. Copy of claim

65-4021

September 3, 1969

Re: Claim to a Water Right No. 65-4021 - Clare G. and Mollie K. Zimmerman

Star News
McCall,
Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation, along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

Signature of claimant

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR
Enc: Legal notice

65-4021

**NOTICE OF CLAIM TO A
WATER RIGHT**

No 65-4021

Notice is hereby given that Clare G. Zimmerman, Box 612, Emmett, Idaho, have filed a claim to a water right established by diversion and application to beneficial use of .02 cubic feet per second of water from an unnamed stream tributary of North Fork of Payette River with point of diversion in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 3, T.11N, R.3E, B.M., Valley County; the water is claimed to be used from January 1 to December 31 for domestic purposes with a priority of July 11, 1963; the place of use is within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 3, T.11N, R.3E, B.M. (Lots 3 and 15 of Cougar Mountain Subdivision No. 1).

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Star-News, McCall, Idaho, on September 11 and September 18, 1969.

NOTICE OF CLAIM TO A WATER RIGHT

No. 65-4021

Notice is hereby given that Clare G. Zimmerman and Mollie K. Zimmerman, Box 612, Emmett, Idaho. / ^{have} ~~filed~~ filed a claim to a water right established by diversion and application to beneficial use of 02 cubic feet per second ~~of water~~ of water from an unnamed stream tributary of North Fork of Payette River with point of diversion in SE1/4NW1/4 Sec. 3, T. 11 N, R. 3 E, B.M., Valley County; the water is claimed to be used from January 1 to December 31 for domestic purposes with a priority of July 11, 1963; the place of use is within the SE1/4NW1/4, Sec. 3, T. 11 N, R. 3 E, B.M. (Lots 3 and 15 of Cougar Mountain Subdivision # 1).

Any exception to this claim of water right may be filed with the Department of Reclamation.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Star News, McCall, Idaho,
on September 11 and September 18, 1960.

fk
65-4021