

RECEIVED

JAN 16 2004

Page 1 of 5Department of Water Resources
Eastern Region
STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Transfer No. 71017

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant Helen F. Ashcraft & Boyd B. Ashcraft Shelter Trust
c/o Helen F. Ashcraft Phone (208) 356-3533
Post Office address 2983 E 2000 N, Sugar City, ID 83448

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 Ownership change and change in irrigation
System for better utilization of water

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

1. Right Number 22-13279 Priority 8/12/1965 Amount 0.62 cfs Nature of Use IRRIGATION Period of Use 4/1 to 11/1
2. Total amount of water being transferred 0.62 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water GROUND WATER tributary to _____
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NW	SW	16	6N	41E	Madison	
	SE	NE	NE	21	6N	41E	Madison	

5. 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	
6N	41E	16															40	38	78.0

Total acres 78.0

T71017

PART 1

6. General Information:

a. Description of diversion system two wells, pumps to mainline to lateral with sprinklers

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

d. Remarks:
Points of Diversion will also deliver water for rights 22-4052, 22-13279 and 22-2168.

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. 22-13279

Priority Date: 08/12/1965
Origin: Adjudication Claim
Basis: License
Status: Active

Source: GROUND WATER

Tributary to:

Beneficial Use	From To	Diversion Rate	Volume	Subuse Code
IRRIGATION	04/01 11/01	0.62 CFS		
Total Diversion		0.62 CFS		

Source and Point(s) of Diversion:

GROUND WATER SESESE 06N 41E 16 MADISON

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	
06N 41E 16															40.0	38.0	78.0

Total Acres: 78

Conditions/Remarks:

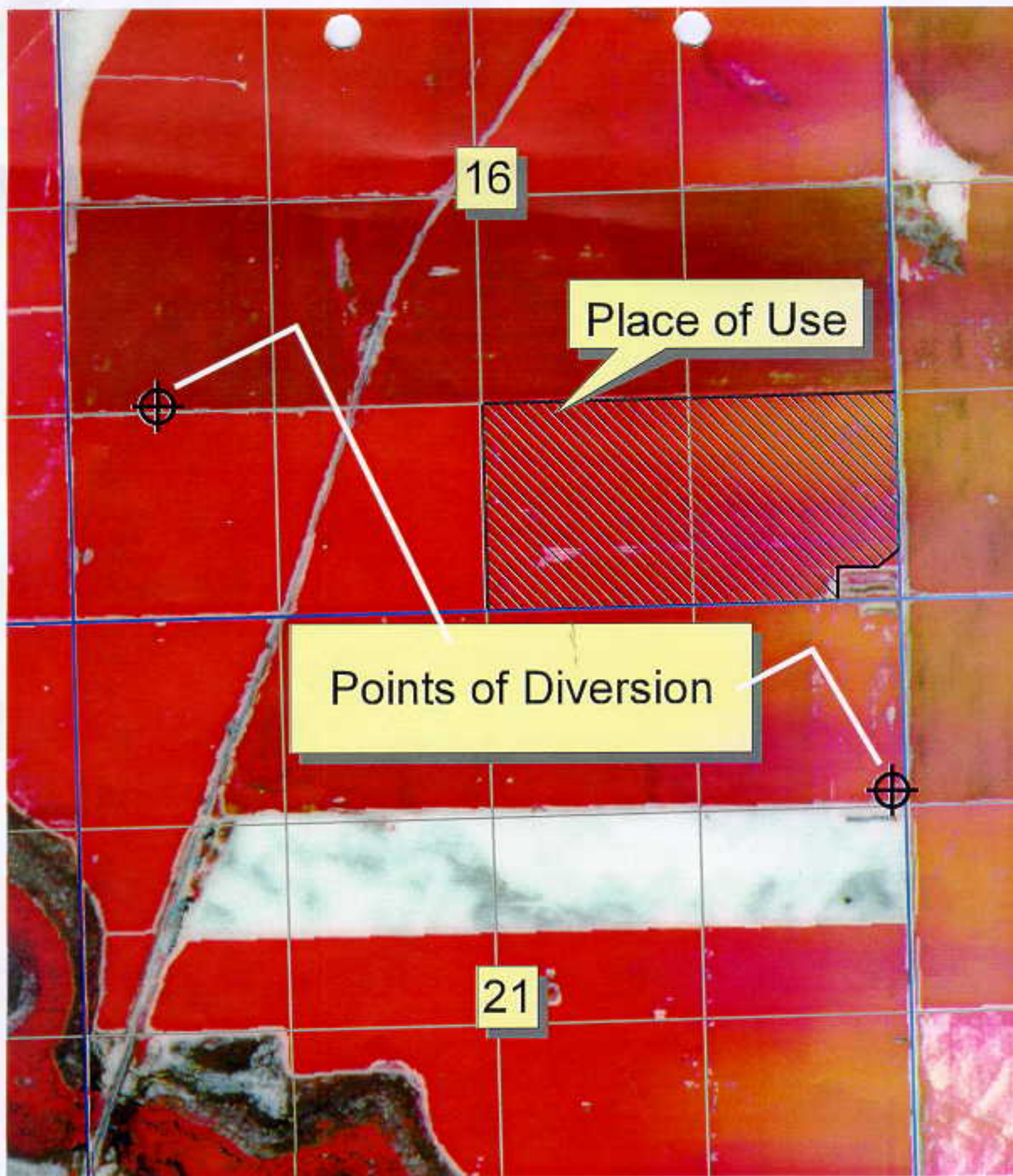
- THIS RIGHT IS A SPLIT FROM FORMER RIGHT 22-2256B

Documentation of Ownership of the Current Place of Use *warranty Deed & Tax Notice*

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances? **NO**

Describe the effect on the current place of use for this water right if the place of use is changed pursuant to this transfer *Better distribution of water*

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use? **NO**



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22-13279

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.

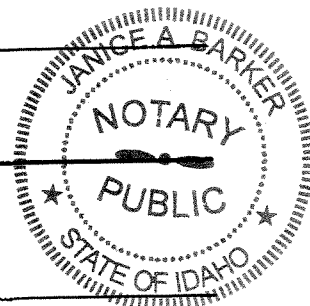
I understand that any willful misrepresentations made in this application may result in voiding its approval.

Steven J. Ashcroft
Trustee
 (Signature of Applicant)

Subscribed and sworn to before me this 15th day of January, 192004.

Janice A. Barker
 (Notary Public)

My commission expires 11/6/2006



FOR DEPARTMENT USE ONLY

Transfer contains 5 pages and 8 attachments

Received by _____ Date 1/16/04 Protest filed by _____

Prelim. check by KCW 1/2/04 Fee 250.00 EO29474 & EO29475

Received by se Date 1/20/04

Published in Rexburg Standard Journal (Wed) 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 _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 12, 2003

HELEN ASHCRAFT
2983 E 2000 N
SUGAR CITY ID 83448

RE: CHANGE IN OWNERSHIP FOR 22-2256B

Dear Mrs. Ashcraft:

The request for Change in Ownership for a portion of the above-referenced Notice(s) of Claim has been processed with the new Notice(s) reflecting you as one of the claimants.

Since the Change in Ownership involved just a portion of the Notice(s) of Claim, the right was split as follows:

22-2256B split into:

22-13278: 2.51 cfs, 313 acres, Staker

22-13279: 0.62 cfs, 78 acres, Ashcraft

Enclosed for your records is a typed Notice(s) reflecting your portion of the right. Review the Notice(s) and if you have other corrections or questions, please contact this office.

Respectfully submitted,

Jennifer Crabtree

Technical Records Specialist

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

AUG 14 2003

Department of Water Resources
Eastern Region

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
22-2256C	22-2256B	Y			

12/11/03
 Wait for Transfer to
 Split 22-2256B
 in to 10000 #5
 then Transfer
 Ashcroft to
 New Pt.

The following **REQUIRED** information must be submitted with this form:

- The appropriate **FILING FEE**. See instructions for fee amounts.
- A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a **USDA Farm Service Agency AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

- Name and Address of Former Owner/Claimant(s)
Donald or Delilah Staker
P.O. Box 111, Newdale Id 83436
- New Owner/Claimant(s)
Helen F. Ashcraft & Boyd B. Ashcraft Shelter Trust, Linden Fielding
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or Trustee
- New Mailing Address
c/o Helen F. Ashcraft
2983E 2000 N
- City, State and ZIP Code
Sugar City, ID 83448
- New Telephone Number
(208) 356-3533
- Date you acquired the property
07/18/2003

T 71017
 ATTACHMENT 2 OF 8

If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number 22-2256C/22-2256B

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	<u>0.62 cfs</u>	<u>78 acres S 1/2 SE 1/4 Sec 16 T6N R4E</u>
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	<u>0.62 cfs</u>	

DESCRIPTION OF YOUR PORTION OF WATER RIGHT

(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other	_____	_____
Total	_____	

Signature of New Owner(s) or Claimant(s)
(include title if applicable)

Brandon J. Alder, Trustee

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by _____	Date _____	Fee _____
Received by _____	Date _____	Receipt No. _____
Processed by _____ AJ	Date _____	WR _____

T 71017
ATTACHMENT 3 OF 8

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 22-2256B

WATER RIGHT NUMBER: 22-2256B

Owner Type Name and Address
 Current Owner DONALD or DELILAH STAKER
 PO BOX 111
 NEWDALE, ID 83436
 (208)458-4387

Priority Date: 08/12/1965

Basis: License

Status: Active

SourceTributary

GROUND WATER

Beneficial Use From To Diversion Rate Annual Volume
 IRRIGATION 4/01 to 11/01 3.130 CFS

Total Diversion: 3.130 CFSLocation of Point(s) of Diversion

GROUND WATER SE1/4SE1/4SE1/4 Sec. 16,Twp 06N,Rge 41E, B.M. MADISON County

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	
06N 41E 15									40.0	39.0	39.0	40.0					158.0
06N 41E 16	37.0			39.0												40.0 38.0	154.0
06N 41E 22							39.0	40.0									79.0

Total Acres: 391

Conditions of Approval:Remarks:Comments:Dates and Other Information:

Claim Received Date: 8/19/1988
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal: S
 Owner Name Connector: OR
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

$$\frac{78}{391} (3.13 \text{ cfs}) = 0.62 \text{ cfs}$$

$$\frac{78}{x} (3.13) = .64$$

SEE X-5-H

1615
2122

2336
T-45E
NW

16.8
1 NHEL

1716
2021 T

62

R41E

69.1

WARRANTY DEED

THIS INDENTURE, Made this 18th day of July, 2003, between V. Grant Ashcraft and Dorothy S. Ashcraft, husband and wife, of 3930 East 2000 North, Sugar City, Idaho 83448, Sugar City, Idaho 83440, the party of the first part and, Helen F. Ashcraft, a widow as her sole and separate property, of 2983 East 2000 North, Sugar City, Idaho 83448 and Linden Fielding, of 1195 East 1100 North Shelley, Idaho 83274, as Trustee of the Boyd B. Ashcraft Shelter Trust, for such trust, the party of the second part,

WITNESSETH, That the said party of the first part, does by these presents grant, convey, transfer and confirm, unto the said party of the second part, and to their heirs and assigns forever as tenants in common, each holding an undivided one-half interest as tenants in common in the whole, in and to the following described real estate located in Madison County, Idaho:

TRACT 1:

NE1/4NE1/4 of Section 21, Township 6 North, Range 41 East, Boise Meridian, Madison County, Idaho.

TRACT 2:

Township 6 North, Range 41 East Boise Meridian, Madison County, Idaho.
Section 16: S1/2SE1/4 Less: Commencing at the SE corner of said Section 16, thence West 395 feet; thence North 205 feet; thence East 255 feet; thence North 50°35'58" East 181.18 feet along existing roadway to the East line of said Section; thence South 320 feet to the point of beginning.

Reserving unto the grantors an easement for ingress, egress and maintenance of buried mainline running along the East line of said S1/2SE1/4.

Together with all water rights of every kind and nature thereunto belonging or in anywise appertaining including a well and water right license #22-7007. Priority date April 4, 1968.

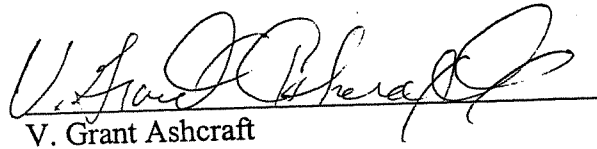
Together with the existing well, pump, irrigation system and all related equipment.

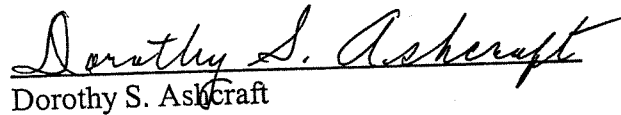
Also including 25 acres of wheat and 25 acres of barley USDA grain allotment or contract acres.

Subject to all roadways, easements, rights-of-way, power and transmission lines.

TO HAVE AND TO HOLD, all and singular, the said premises, together with the appurtenances, unto the said party of the second part, and to their heirs and assigns forever.

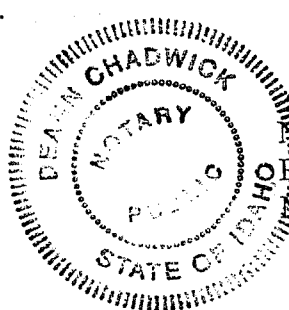
IN WITNESS WHEREOF, The said party of the first part, have, as aforesaid, hereunto set their hands the day and year first above written.


V. Grant Ashcraft


Dorothy S. Ashcraft

STATE OF IDAHO)
 ss.
County of Madison.)

On this 18th day of July, 2003, before me, the undersigned, a Notary Public in and for said State, personally appeared V. Grant Ashcraft and Dorothy S. Ashcraft, husband and wife, known to me to be persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.



Notary Public for Idaho
Residing at: Rexburg, Idaho
My Commission expires: 4/27/04

MAKE ~~CHECK~~ PAYABLE TO:
MADISON COUNTY TAX COLLECTOR
P O BOX 65 359-6200 EXT-217
REXBURG ID 83440

2ND HALF DUE
186.67

1ST HALF DUE
TAX 186.67

TAX	LATE	INT	COST	TOT
-----	------	-----	------	-----

TAX	LATE	INT	COST	TOT
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TAXING DISTRICT

ASHORAF, BOYD B SHELTER TR
ASHORAF, HELEN F ETAL TRSTE
2983 E 2000 N
SUGAR CITY ID 83448

•000000000	165.04
•005919496	156.14
•005600766	6.20
•000222396	26.48
•000949863	8.38
•000300751	.92
•000032822	10.18
•000365598	373.34
013391692	

STATE
COUNTY
SCH DIST 322
TETON CEM
MADISON CO FIRE
SUGAR COM LIB
MOSQ ABATE
MADISON CO AMB
AMOUNT DUE

CERT #23724
16-06N-41E S2SE4

★★★ IMPORTANT ★★★
PLEASE READ BOTH FRONT AND BACK
★★★ MONTHLY PAYMENTS ARE ACCEPTED ★★★

**PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.
TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.
KEEP TOP PORTION FOR YOUR RECORDS.
PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.**

ATTACHMENT T 71017
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