

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 12 2026

DEPT. OF WATER RESOURCES
EASTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT

GENERAL INFORMATION AND INSTRUCTIONS

Pursuant to Section 42-222(1), *Idaho Code*, a transfer application may be filed to change the point of diversion, place of use, period of use, or nature of use of all or part of an established water right. Any person proposing to make such a change is required to file a transfer application with the Department. "Such application shall be upon forms furnished by the department and shall describe the [water right] to be changed and the changes which are proposed and shall be accompanied by the statutory filing fee." *Idaho Code* § 42-222(1).

The Department has developed this application form to assist applicants in satisfying the requirements of Section 42-222(1). This application form requests information about the applicant's authority to file (Part 1), information about the current elements of the water right(s) to be changed (Part 2), information about the proposed changes (Part 3), information about the validity of the water right(s) and the effects of the proposed changes (Part 4), and confirmation that the information provided is truthful (Part 5).

The applicant or their representative must provide a response for all applicable questions, any additional information required, and the proper filing fee before this application will be considered complete. If an application is incomplete or more information is required, the Department will notify the applicant or representative and allow time for the application to be completed. An application that remains incomplete will be returned to the applicant and the filing fee will be refunded.

An application for transfer is limited to the changes proposed for a single water distribution system. A proposal to change two or more separate water distribution systems, that will remain separate after the transfer, must be filed as separate applications. Applicants may provide additional pages to supplement their responses to the questions posed on this application form. Supplemental forms for listing additional water rights, points of diversion, or places of use can be found on the Department's website (idwr.idaho.gov). If you need assistance understanding the questions on this form, generating current water right reports, determining legal descriptions, or accessing water measurement records feel free to contact the nearest regional office of the Department.

PART 1 – CONTACT INFORMATION, OWNERSHIP RECORDS, AUTHORITY TO FILE

Name(s) of Applicant(s) Steven and Michelle VanOrdenMailing Address 891 W 100 N Blackfoot, ID 83221Email* VANORDEN5150@GMAIL.COM Phone 208-317-4450

Name of Representative (if any) _____

Mailing Address _____

Email* _____ Phone _____

*If an email address is provided, Department staff will use email as the primary method for corresponding with the applicant and representative about the application.

A. Representative. If the representative is authorized to sign or amend the application on behalf of the applicant, attach documents confirming that authority. Label documents as Attachment 1A.

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B. Current Owner. If the applicant is not the current owner of record for all water rights included in this application, attach documents showing that the applicant has the authority to make the proposed changes. Label documents as Attachment 1B.

C. Updating Ownership Records. Applicants needing to update the ownership records for any of the water rights included in this application must attach documents supporting the ownership change. Such documents must trace ownership of the subject water rights or the current place of use for the subject water rights from the current owner of record for the water rights to the applicant. Label documents as Attachment 1C.

D. Business Entities. If the applicant is a business entity (corporation, LLC, partnership, trust, etc.), is the entity currently registered with the Idaho Secretary of State?

☐ Yes. If this application is signed by someone other than a person listed on the most recent annual report filed with the Idaho Secretary of State, attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

☐ No. Attach documents confirming the authority of the signer to sign on behalf of the business entity. Label documents as Attachment 1D.

E. Approval of Irrigation Delivery Entity. Section 42-108, *Idaho Code*, states that a transfer application proposing to change water rights held by an irrigation company or district requires the consent of the irrigation entity. If this application proposes to change water rights held by an irrigation entity, attach a letter of consent from the entity (labeled as Attachment 1E) or have an authorized representative of the entity co-sign the application.

F. Encumbered Properties. If the current place of use for the water rights included in this application is subject to a lien, deed of trust, mortgage, or contract and the application proposes to change the nature of use of the water rights or to move water rights off the current place of use, attach a statement of consent for the change signed by the lien holder, trustee, mortgagor or contract holder. Label documents as Attachment 1F.

G. Legal Access. If the applicant is not the current owner of the proposed point(s) of diversion, conveyance system, or place(s) of use, provide evidence of legal access to the land or infrastructure not owned by the applicant. Label documents as Attachment 1G. For example, an applicant may provide a letter of consent from the owner of the land or conveyance system or may have the owner co-sign the application. For applications proposing to divert water on or convey water across federal land, an applicant is not required to demonstrate legal access to the federal land prior to approval. Instead, if the transfer application is approved, the applicant must obtain access authorization from the relevant federal agency prior to diverting water under the subject water rights.

PART 2 – WATER RIGHTS BEFORE PROPOSED CHANGES

A. Current Water Rights. For each water right proposed to be changed, attach a current water right report obtained from any Department office or from the Department's website (idwr.idaho.gov). Label water right reports as Attachment 2A.

B. Map of Current System. Attach a map of the current point(s) of diversion and place(s) of use for the water rights to be changed. The map should clearly depict the elements of the water rights to be changed. For example, if the application proposes to change the point of diversion for a water right, the map should display the current location of the point of diversion. For irrigation water rights, the map should also identify the location of the irrigated acres to be changed. Label map as Attachment 2B.

C. Current Location of Irrigated Acres. If this application proposes to change the place of use or nature of use for only a portion of an irrigation water right, use the following table to identify the current location of the irrigated acres to be changed. If additional pages are required, label additional pages as Attachment 2C. If this application proposes to change or rearrange the entire place of use for irrigation water right(s), skip to Part 3.

☒ **N/A.** This application does not propose to change the place of use or nature or use of an irrigation water right or this application proposes to change the place of use or nature of use for an entire irrigation right.

Current Location of Irrigated Acres to be Changed

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

Total Irrigated Acres to be Changed: _____

PART 3 – DESCRIPTION OF PROPOSED CHANGES

A. Purpose of Transfer. Section 42-222(1), *Idaho Code*, states that transfer applications may only be filed to change the point of diversion, place of use, period of use, or nature of use of an established water right. Section 42-248(3), *Idaho Code*, authorizes water right ownership changes to be described on a transfer application. Identify the changes proposed in this application:

- | | |
|--|--|
| ☒ Change point(s) of diversion | ☐ Change place of use |
| ☐ Add point(s) of diversion | ☐ Change period of use |
| ☐ Change nature of use | ☒ Update water right ownership records |

B. Proposed Changes. Describe the proposed changes in narrative form:

Applicant proposes to split water right 35-13858 for the proportionate 4 acres and water rights purchased from the previous owner. Application will update ownership of the split portion to the named applicant. Applicant also proposes to transfer the POD to the domestic well as they do not have access to the original POD

C. Summary of Proposed Changes.

1. Water Rights. Use the following table to list all water rights, or portions thereof, that are proposed to be changed as they would appear after the proposed changes. In the Amount column, list the volume in acre-feet (af) for storage uses or the rate in cubic feet per second (cfs) for all other uses.

All or Part	Right Number	Amount (cfs/af)	Nature of Use	Period of Use	Source
☐ ☒	35-13858	.16cfs/16AF	Irrigation	04/01 to 10/31	Groundwater
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

2. Total Amounts. Calculate the total quantity, in cfs or af, of water rights that are proposed to be changed through this application. For an application proposing to only change the place of use for irrigation rights, the total quantity of water is calculated by comparing the current place of use to the proposed place of use, summing the number of acres increased in each legal subdivision, and quantifying the proportional amount of diversion rate for the increased acres. For an application proposing to change or add points of diversion for irrigation or any other beneficial use, the total amount is the total diversion rate for the changed portion of the right.

Total Amount of Water Rights Proposed to be Changed: .16 cfs and/or 16 af.

3. Point(s) of Diversion. Use the following table to list all the proposed points of diversion for the water rights to be changed, including any current points of diversion that will continue to be used as part of the proposed water distribution system.

The legal description for the proposed point(s) of diversion must be to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System (PLSS). PLSS information is typically available from USGS topo maps, property deeds, tax bills or various mapping tools on the Department's website.

For points of diversion within platted subdivisions, list the lot and block number in the "Diversion Name/Number" column. An application proposing an injection into a stream and a re-diversion from that stream must list the source for the original diversion as the source for the injection and re-diversion points. If this application proposes construction of a new diversion structure (for example, a new ground water well or a new pump station on a creek), please indicate the status in the appropriate column.

☐ N/A. This application does not propose to add or change any points of diversion.

Proposed Points of Diversion

New?	Twp	Rge	Sec	Lot	1/4	1/4	1/4	County	Source	Diversion Name/Number
Y	02S	34E	34			NW	NW	Bingham	Groundwater	

4. Place of Use. The proposed place of use must be described to the nearest 40-acre subdivision (QQ) or U.S. Government Lot of the Public Land Survey System. Government lot numbers can be noted in parenthesis below the approximate quarter-quarter location of the government lot. For water rights held by irrigation districts, municipal providers or irrigation companies, the proposed place of use may be generally described as authorized by Sections 42-202B, 42-219 and 42-222B, *Idaho Code*.

☒ N/A. This application does not propose to change the place of use.

Proposed Place of Use

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

Total Irrigated Acres: _____

5. Map of Proposed System. Attach a map showing the location of the points of diversion, reservoirs, dams, canals, ditches, pipelines and other works proposed to divert and convey water. Also show the location of the place of use, including any lands to be irrigated. The map should delineate the legal subdivisions including townships, ranges, sections, quarter-quarters and government lots. Label map as Attachment 3C.

PART 4 – ADDITIONAL INFORMATION

Section 42-222(1), *Idaho Code*, establishes the criteria used to evaluate transfer applications. An applicant bears the burden of demonstrating that the water right to be changed is a valid right, that the proposed use is a beneficial use, and that the proposed changes will not injure other water rights, will not enlarge the use of the original rights, are in the local public interest, and are consistent with the conservation of water resources within the state of Idaho. To satisfy this burden, an applicant must provide sufficient data and information for the

Department to evaluate the effects of the proposed change. The Department may deny an application if the applicant fails to provide sufficient data and information to determine whether the criteria from Section 42-222(1) are satisfied. In addition to the information requested in Parts 1-3 of this application, the following information must be provided for an application to be considered complete. Department staff may request additional information or clarification as the application is processed.

A. Validity of Water Rights

1. If one or more of the water rights proposed to be changed is a statutory claim, established pursuant to Section 42-248, *Idaho Code*, attach evidence supporting the priority date claimed. Label documents as Attachment 4A-1. For statutory claims, the Department may conduct a field inspection as part of the application review process to evaluate the water right elements listed on the statutory claim.

2. Has any portion of the water right(s) proposed to be changed undergone a period of five or more consecutive years of non-use?

☐ Yes. Attach a statement describing the portion of the right(s) that were not used and the length of time of the non-use. In addition, identify any exception or defense to forfeiture and provide a detailed description as to why the water rights have not been lost and forfeited for non-use. Label documents as Attachment 4A-2. Statutory exceptions or defenses to forfeiture are set forth in Section 42-223, *Idaho Code*.

☒ No.

B. Injury to Other Water Rights

1. Identify any other water right(s) diverted at the current point(s) of diversion.

35-2737C, 35-13858, 35-13859, 35-14773

2. Identify any other water right(s) diverted at the proposed point(s) of diversion.

Domestic well

3. Is the proposed point of diversion within a state water district? ☒ Yes. Water District # 120. ☐ No.

4. If already constructed and in use, are the proposed points of diversion equipped with Department-approved measuring devices? ☒ Yes. ☐ No.

5. If this application proposes to divert a surface water right from a ground water well, attach a technical analysis evaluating the hydraulic connection between the proposed ground water point of diversion and the source of water listed on the right to be changed. Label technical analysis as Attachment 4B-5.

6. If this application proposes changing the point of diversion for a ground water right in the Eastern Snake Plain Aquifer (ESPA), attach a technical analysis of the anticipated depletions to reaches of the Snake River that are hydraulically connected to the ESPA using the Department's current ground water model for the ESPA. The technical analysis must evaluate depletion impacts in a time-series format at transient and steady state time steps. To assist applicants in preparing the required technical analysis, the Department has developed a transfer tool interface for the ESPA model. The transfer tool and user instructions can be downloaded from the Department's website (idwr.idaho.gov). If the proposed and current points of diversion are in the same or adjacent model cells, no technical analysis is required, unless specifically requested by the Department. Label technical analysis as Attachment 4B-6.

C. Enlargement in Use

1. Identify any other water rights used at the current place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

N/A

2. Identify any other water rights used at the proposed place of use, including the number of shares in a canal company or acres assessed by an irrigation district.

N/A

3. If this application proposes changing the place of use or nature of use for irrigation water rights, will the current place of use, for the portion of the right to be changed, continue to be irrigated?

☐ Yes. Identify the water right(s) to be used for the continued irrigation.

☐ No. The place of use for the portion to be changed will no longer be irrigated.

☒ N/A. The application does not propose to change the place of use for irrigation rights.

4. Unstacking Water Rights for Irrigation. If this application proposes to change the place of use for an irrigation water right that is combined with other irrigation rights at the current place of use but does not propose to change the place of use for all the stacked irrigation rights, attach evidence of the historical consumptive use occurring under all water rights at the current place of use. For irrigation rights, this should include at least five years of diversion data and/or crop data and estimates of evapotranspiration. Label the information as Attachment 4C-4. Evapotranspiration data may be available on the Department's website (<http://et-idwr.idaho.gov>)

5. If the application proposes to change the nature of use for a water right, attach evidence of the historical consumptive use occurring under the portion of the water right to be changed. For irrigation rights, this should include diversion data, crop data and estimates of evapotranspiration. Label the information as Attachment 4C-5. Evapotranspiration data may be available on the Department's website (<http://et-idwr.idaho.gov>)

6. If the application proposes to change the nature of use of a water right to municipal use for reasonably anticipated future needs, complete the form titled "Municipal Water Right Application Checklist" found on the Department's website (idwr.idaho.gov). Label the form as Attachment 4C-6.

7. To your knowledge, are any portions of the water rights proposed to be changed:

Yes

☐

No

☒

currently leased to the Water Supply Bank?

If yes, complete the form titled "Application for Transfer of Water Right Attachment WSB" found on the Department's website (idwr.idaho.gov). Label the Form as Attachment 4C-7.

☐
☒

currently used in a mitigation plan limiting the use of water under the right?

☐
☒

subject to an agreement not to divert (CREP)?

☐
☒

currently enrolled in a federal set-aside program (CRP)?

D. Local Public Interest

The department must consider whether the proposed changes are in the local public interest as defined in Section 42-202B(3), *Idaho Code*. Some of the local public interest factors that may be considered in conjunction with a transfer application are (1) Recreation, fish, and wildlife impacts, (2) Water quality or contamination concerns, (3) Local and state ordinances, regulations, or policies related to water use, (4) Goals, requirements and limits set forth in the State Water Plan. If you choose to provide information about local public interest factors, label the information as Attachment 4D.

E. Conservation of Water Resources

Describe the diversion works and water delivery system. This may include sizes and dimensions of pumps, pipelines, headgates, ditches, dams, impoundments and irrigation equipment.

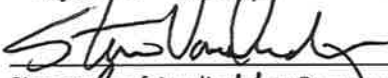
Water will be diverted from the domestic well into the mainline irrigation system

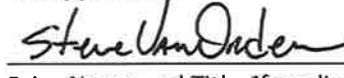
PART 5 – FILING FEE AND SIGNATURE

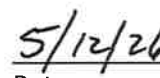
A. Filing Fee. Filing fees for transfer applications are set forth in Section 42-221.O, *Idaho Code*. A table summarizing the filing fees for transfer applications is also found on the Department's website (idwr.idaho.gov). Any application proposing to change the nature of use for one or more rights requires an additional filing fee of \$250. Applications proposing to update the ownership records for water rights must also include the appropriate filing fee to update the ownership records. For any application relying on the filing fee set forth in Section 42-221.O.8, *Idaho Code*, attach a statement describing how the application qualifies under Section 42-221.O.8. Label documents as Attachment 5A.

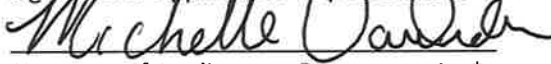
B. Affidavit of Applicant or Representative:

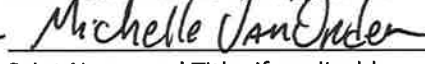
I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

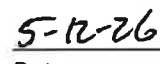

Signature of Applicant or Representative*


Print Name and Title, if applicable


Date


Signature of Applicant or Representative*


Print Name and Title, if applicable


Date

*If water rights included in this application are owned by multiple people or entities, each owner must sign the application form.

FOR DEPARTMENT USE ONLY

Tranf 200.00
o/c 100.00

Fee Paid: \$ 300.00 Receipt #: E051642 Date: 5-12-26 Received by: M. Petho
Add'l Paid: \$ _____ Receipt #: _____ Date: _____ Received by: _____

WARRANTY DEED

Order No.:3020002094-L

FOR VALUE RECEIVED

503736

THIRD CLASS REGISTER
BLACKFOOT, IDAHO

Fee 3.00

2001 SEP -4 PM 12:01

RECORDED AT THE REQUEST OF

ALLIANCE OF THE S. J. J. Corp.

Gary A. Ternus and Brenda Ternus, Husband and Wife

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

Jeff Cook, an unmarried man

whose current address is

862 W. 100 S. Blackfoot, ID 83221

the grantee(s), the following described premises, in Bingham County, Idaho. TO WIT:

A portion of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34, Township 2 South, Range 34 East, Boise Meridian, Bingham County, Idaho, described as:

Beginning at a point that North 576 feet along the Section line and East 286 feet along the prolongation of the South line of the property described in Bingham County Instrument Numbers 426543 and 425142 to the Real Point of Beginning all from the Southwest corner of said NW $\frac{1}{4}$ NW $\frac{1}{4}$, and running thence North 167 feet parallel to the West line of said Section 34; thence West 9.00 feet along the North line of said property described in Instrument No. 426543; thence North 347 feet along the East line of the property described in Instrument No. 429591; thence East 257.20 feet; thence South 514.00 feet more or less parallel to the West line of said Section 34; thence West 248.20 feet along the prolongation of the North line of the property described in Instrument No. 425142 to the Point of Beginning

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

Dated: 8/31/2001

Gary A. Ternus
Gary A. Ternus

Brenda Ternus
Brenda Ternus

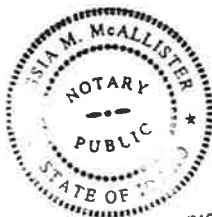
State of Idaho

County of Bingham

On this 8/31/01, before me, a Notary Public in and for said state, personally appeared Gary A. Ternus and Brenda Ternus

known or identified to me to be the person(s) whose name(s) subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

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



My Commission Expires 04/04/2003

Lisa M. McAllister
Notary Public for the State of Idaho
Residing at: Blackfoot
Commission Expires: 4/4/03

503736

WARRANTY DEED

Instrument # 735776

BINGHAM COUNTY

8-10-2021 11:46:24 AM No. of Pages: 1

Recorded for: STEVEN VANORDEN

PAMELA W. ECKHARDT

Ex-Officio Recorder Deputy Fee: 15.00

For Value Received Jeff Cook and Janice Cook, husband and wife

do hereby convey, release, remise and forever quit claim unto

Steven VanOrden and Michelle VanOrden, husband and wife

whose address is: 891 West 100 North, Blackfoot, ID 83221

Hereinafter called the Grantee, the following described premises situated in Bingham County, Idaho, to-wit:

A portion of the NW1/4 NW 1/4 of Section 34 T. 2 S. R. 34 E.B.M., in Bingham County, Idaho described as:

Beginning at a point that is North 576 feet along the West line of said Section 34, and East 534.20 feet along the South line of the properties described in Bingham County Instrument Numbers 426543 and 425142 and 503796 to the TRUE POINT OF BEGINNING all from the Southwest corner of said NW1/4 NW1/4, and running thence North 514.00 feet along the East line of the property described in instrument number 503796 parallel to the West line of said Section 34; thence East 96.80 feet; thence South 514.00 feet more or less to the Northeast corner of the property described in instrument number 425142 and parallel to the West line of said Section 34; thence West 96.80 feet more or less along the North line of the property described in Instrument number 425142 to the POINT OF BEGINNING.

Parcel contains 1.14 Acres more or less and is subject to a county road Right-of-way along the North side of said parcel.

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

DATED THIS 25 day of March, 2021

Jeff Cook
Grantor

Janice K Cook
Grantor

STATE OF Idaho

} ss.

COUNTY OF Bingham

On this 25th day of March, 2021, before me the undersigned, a Notary Public in and for said State personally appeared Jeff Cook known or identified to me to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that they executed the same.

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



Julie Martin
Notary Public for Idaho
Residing at: Blackfoot
My Commission Expires: 1/22/2025

90461

735776

THIS INSTRUMENT IS AN
FIRST AMERICAN TITLE COMPANY'S AN
ACCOMMODATION ONLY AND HAS NOT BEEN
EXAMINED AS TO ITS EXECUTION OR AS
TO ITS EFFECT UPON THE TITLE

WARRANTY DEED

(Dual Grantors)

FOR VALUE RECEIVED, Tracy & Rebecca Hawker, the
Grantors, hereby grant, bargain, sell and convey unto STEVEN & Michelle VanOrden, the
Grantee(s), whose address is 891 W 100N BLACKFOOT, ID 83201, the following
described real property, to wit: See Attached legal description

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s),
and Grantee(s) heirs, successors and assigns forever. And the said Grantors do hereby covenant to and with
the said Grantee(s), that Grantors are the owners in fee simple of said premises; that said premises are free
from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made,
suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights
of way and agreements, if any of record, and general taxes and assessments, including irrigation and utility
assessments, if any for the current year, which are not yet due and payable, and that Grantors will warrant
and defend the same from all lawful claims whatsoever.

DATED this 16 day of June 2021.

Instrument # 734119

BINGHAM COUNTY, IDAHO

2021-06-28 09:10:47 AM No. of Pages: 2

Recorded for: FIRST AMERICAN TITLE - POCATEL

PAMELA W. ECKHARDT Fee: \$15.00

Ex-Officio Recorder Deputy JPulley

Index To: WARRANTY DEED

Electronically Recorded by Simplifile

Tracy Hawker, Grantor

Becky Hawker, Grantor

STATE OF IDAHO

COUNTY OF Bingham }ss.

On this 16th day of June, 2021, before me, a Notary Public in and for said County and
State, personally appeared Tracy and Becky Hawker, Grantors, known or identified
to me to be the persons whose names are subscribed to the within and foregoing instrument and
acknowledged to me that they executed the same.

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



Julie Martin
Notary Public for Idaho
Residing at: Blackfoot
My Commission Expires: 1/22/2025

MAIL TAX NOTICE TO:

NAME: _____
ADDRESS: _____
CITY/STATE: _____

MAIL DEED TO:

NAME: _____
ADDRESS: _____
CITY/STATE: _____

RECORDER'S RECEIPT

The foregoing instrument was recorded this _____
day of _____, at _____ m. as
Instrument No. _____ at the request of

County Recorder
By _____
Deputy Recorder

THIS INSTRUMENT FILED FOR RECORD BY
FIRST AMERICAN TITLE COMPANY AS AN
ACCOMODATION ONLY AND HAS NOT BEEN
EXAMINED AS TO ITS EXECUTION OR AS
TO ITS EFFECT UPON THE TITLE.

2nd REVISED COMMITMENT

ATTACHED LEGAL DESCRIPTION

Order No.: B48934

A portion of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34, Township 2 South, Range 34 E.B.M., Bingham County, Idaho, described as: Beginning at a point that North is 576 feet along the Section line and East 286 feet along the prolongation of the South line of the property described in Bingham County Instrument Numbers 426543 and 425142 to the Real Point of Beginning all from the Southwest corner of said NW $\frac{1}{4}$ NW $\frac{1}{4}$, and running thence North 167 feet parallel to the West line of said Section 34; thence West 9.00 feet along the North line of said property described in Instrument No. 426543; thence North 347 feet along the East line of the property described in Instrument No. 429591; thence East 257.20 feet; thence South 514.00 feet more or less parallel to the West line of said Section 34; thence West 248.20 feet along the prolongation of the North line of the property described in Instrument No. 425142 to the Point of Beginning.

EXCEPTING THEREFROM THE FOLLOWING: Beginning at a point that North is 576 feet along the Section line and East 286 feet along the prolongation of the South line of the property described in Bingham County Instrument Numbers 426543 and 425142 and North 167 feet parallel to the West line of said Section 34 to the Real Point of Beginning all from the Southwest corner of said NW $\frac{1}{4}$ NW $\frac{1}{4}$, and running thence West 9.00 feet along the North line of said property described in Instrument No. 426543; thence North 347 feet along the East line of the property described in Instrument No. 429591; thence East 9.00 feet; thence South 347.00 feet more or less parallel to the West line of said Section 34, to the point of beginning.

ALTA Plain Language Commitment Legal Description
(B48934.PFD/B48934/29)

734119

90461

Property Sale

513359

The following undeveloped property as describe below is being sold by Jeff Cook to Thomas and Donna Bevan. The purchase price is six-hundred dollars.

Legal description.

893 West 100 North
Blackfoot Idaho

A portion of the NW1/4 NW1/4 of section 34 T. 2 S. R. 34 E.B.M., describe as:

Beginning at a point that is North 576 feet along the Section line and East 286 feet along the prolongation of the South line of the property described in Bingham County Instrument Numbers 426543 and 425142 and North 167 feet parallel to the West line of said Section 34 to the REAL POINT OF BEGINNING all from the Southwest corner of said NW1/4 NW1/4, and running thence West 9.00 feet along the North line of said property described in Instrument No. 426543; thence North 347 feet along the East line of the property described in Instrument No. 429591; thence East 9.00 feet; thence South 347.00 feet more or less parallel to the West line of said Section 34, to the POINT OF BEGINNING.

Parcel contains 0.075 Acre more or less and is subject to a county road Right-of-way along the North side of said parcel.

Jeff Cook

Thomas Bevan

Donna Bevan

Dated Friday, May 31, 2002 at Blackfoot Idaho

STATE OF IDAHO, COUNTY OF BINGHAM, ss:

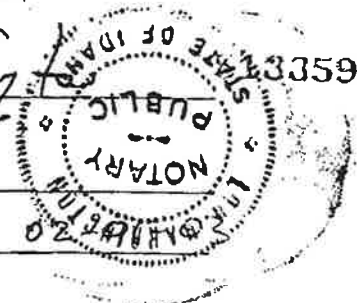
This instrument was acknowledged before me on this 31st day of May 2002 by LON HARRINGTON

Notary Public

Title (and Rank)

My commission expires

RECORDED AT THE REQUEST OF
Thomas Bevan
2002 JUN - 3 PM 12:50
FEE \$300 DEP. 218
BINGHAM COUNTY RECORDER
BLACKFOOT, IDAHO



596172

Water Right Report : 35-13858(Decreed/Active)

Water Right Owners

Owner Type	Name	Address	City	State	Postal Code
Current Owner	TERNUS, BRENDA	1981 SUNRISE WAY	POCATELLO	ID	83201
Current Owner	TERNUS, GARY A	1981 SUNRISE WAY	POCATELLO	ID	83201

Water Right Status

Priority Date : 4/27/1964
Basis : Decreed
Status : Active

Water Source

Source	Source Qualifier	Tributary	Tributary Qualifier
GROUND WATER			

Points Of Diversion (Location)

Source	Township	Range	Section	Govt. Lot	QQQ	QQ	Q	County	Diversion Type
GROUND WATER	02S	34E	34	0	NW	NE	NW	BINGHAM	

Water Uses

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	04/01	10/31	0.32 CFS	32.00 AFA
TOTAL			0.32 CFS	32.00 AFA

Places of Use



Place of Use Legal Description : IRRIGATION (BINGHAM county)

Township	Range	Section	Lot	QQQ	QQ	Q	Acres
02S	34E	34		NE	NW	0.3	
02S	34E	34		NW	NW	7.7	

Irrigation Totals

Total Acres Acre Limit
8.00

Conditions

Code Conditions

- T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
- X35 Rights 35-2737C, 35-13858, 35-13859 and 35-14773 when combined shall not exceed a total diversion rate of 1.66 cfs.
- E04 Use of this right is combined with water from Danskin Ditch Co.
- X36 Rights 35-2737C, 35-13859 and 35-14773 are also diverted through the point(s) of diversion described above.

Dates

Licensed Date :
Decreed Date : 2/25/2002
Permit Proof Due Date :
Permit Proof Made Date :
Permit Approved Date :
Permit Moratorium Expiration Date :
Enlargement Use Priority Date :

Other Information

State or Federal : S
Water District Number : 120
Generic Max Rate Per Acre : 0.02
Generic Max Volume Per Acre : 3.5
Combined Acre Limit :
Combined Volume Limit:
Combined Rate Limit: 1.66

VanOrden Transfer

Aerial Image
2025

 Split POU: 4 Acres Irrigation

 WaterRight Place of Use

 WaterRights Point of Diversion

 Township

 Sections

 QQ



533264

WARRANTY DEED

 BINGHAM COUNTY RECORDER
 BLACKFOOT, IDAHO
 FEE 3 DEP C
For Value Received **Jeff Cook and Janice Cook, husband and wife**

2003 OCT 14 PM 4:34

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

RECORDED AT THE REQUEST OF

 R. **Tracy/Hawker and Rebecca Hawker, husband and wife**
 W.

FIRST AMERICAN TITLE COMPANY

whose address is: 891 W 100 N, Blackfoot, ID 83221Hereinafter called the Grantee, the following described premises situated in **Bingham** County, Idaho, to-wit:

A portion of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 34, Township 2 South, Range 34 E.B.M., Bingham County, Idaho, described as: Beginning at a point that North is 576 feet along the Section line and East 286 feet along the prolongation of the South line of the property described in Bingham County Instrument Numbers 426543 and 425142 to the Real Point of Beginning all from the Southwest corner of said NW $\frac{1}{4}$ NW $\frac{1}{4}$, and running thence North 167 feet parallel to the West line of said Section 34; thence West 9.00 feet along the North line of said property described in Instrument No. 426543; thence North 347 feet along the East line of the property described in Instrument No. 429591; thence East 257.20 feet; thence South 514.00 feet more or less parallel to the West line of said Section 34; thence West 248.20 feet along the prolongation of the North line of the property described in Instrument No. 425142 to the Point of Beginning.

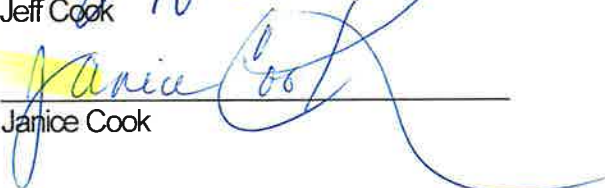
EXCEPTING THEREFROM THE FOLLOWING: Beginning at a point that North is 576 feet along the Section line and East 286 feet along the prolongation of the South line of the property described in Bingham County Instrument Numbers 426543 and 425142 and North 167 feet parallel to the West line of said Section 34 to the Real Point of Beginning all from the Southwest corner of said NW $\frac{1}{4}$ NW $\frac{1}{4}$, and running thence West 9.00 feet along the North line of said property described in Instrument No. 426543; thence North 347 feet along the East line of the property described in Instrument No. 429591; thence East 9.00 feet; thence South 347.00 feet more or less parallel to the West line of said Section 34, to the point of beginning.

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

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

Dated: October 3, 2003


 Jeff Cook


 Janice Cook

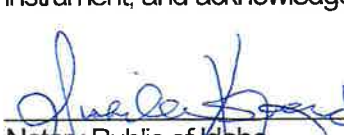
533264

STATE OF Idaho

)ss.

COUNTY OF BINGHAM

On this 3rd day of October, 2003, before me Michelle Kofoed, personally appeared Jeff Cook and Janice Cook, known or identified to me (or proved to me on the oath of), to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that they executed the same.


 Notary Public of Idaho
 Residing at: Blackfoot, Idaho
 Commission Expires: 04/14/06


90461



IDAHO DEPARTMENT OF
WATER RESOURCES

Eastern Region • 900 N Skyline Drive, Suite A • Idaho Falls, ID 83402-1718

Phone: 208-525-7161 • Fax: 208-525-7177 • Email: easterninfo@idwr.idaho.gov • Web: idwr.idaho.gov

Governor Brad Little

Director Mathew Weaver

May 20, 2026

STEVEN VAN ORDEN
MICHELLE VAN ORDEN
891 W 100 N
BLACKFOOT, ID 83221-5512

RE: Transfer No. 90461
Water Right No(s). 35-13858

Dear Applicant:

The Department of Water Resources has received your water right transfer application. Please refer to the transfer number referenced above in all future correspondence regarding this transfer.

A legal notice of the application has been prepared and is scheduled for publication in the BINGHAM NEWS CHRONICLE on 5/28/2026 and 6/4/2026. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the approval document.

Please contact this office if you have any questions regarding the application.

Sincerely,

Christina Henman
Administrative Assistant

Henman, Christina

From: Henman, Christina
Sent: Wednesday, May 20, 2026 2:56 PM
To: 'legalnotices@postregister.com'
Subject: Legal Notice for News Chronicle
Attachments: 90461 News Chronicle.docx

LEGAL NOTICE DEPARTMENT
BINGHAM NEWS CHRONICLE
PO BOX 70
BLACKFOOT, ID 83221-0070

RE: Transfer No. 90461
Water Right No(s). 35-13858

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before 6/15/2026. Your cooperation is appreciated.

Thank You,



Christina Henman
Administrative Assistant
IDWR, Eastern Region
900 N Skyline Ste. A
Idaho Falls, ID 83402
Phone: (208) 525-7161

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 90461**

STEVEN and MICHELLE VAN ORDEN, 891 W 100 N, BLACKFOOT, ID 83221-5512 has filed Application No. 90461 for changes to the following water rights within BINGHAM County(s): Right No(s). 35-13858; to see a full description of these rights and the proposed transfer, please see <https://research.idwr.idaho.gov/apps/waterrights/querynewtransfers>. The purpose of the transfer is to change a portion of the above rights as follows: change point of diversion. Proposed point of diversion is in NWNW Sec 34 T02S R34E for 0.16 cfs from Ground Water.

For additional information concerning the property location, contact Eastern Region office at (208)525-7161. Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N SKYLINE DR STE A, IDAHO FALLS ID 83402-1718 together with a protest fee of \$25.00 for each application on or before 6/15/2026. The protestant must also send a copy of the protest to the applicant.

MATHEW WEAVER, Director

Published on 5/27/2026 and 6/3/2026