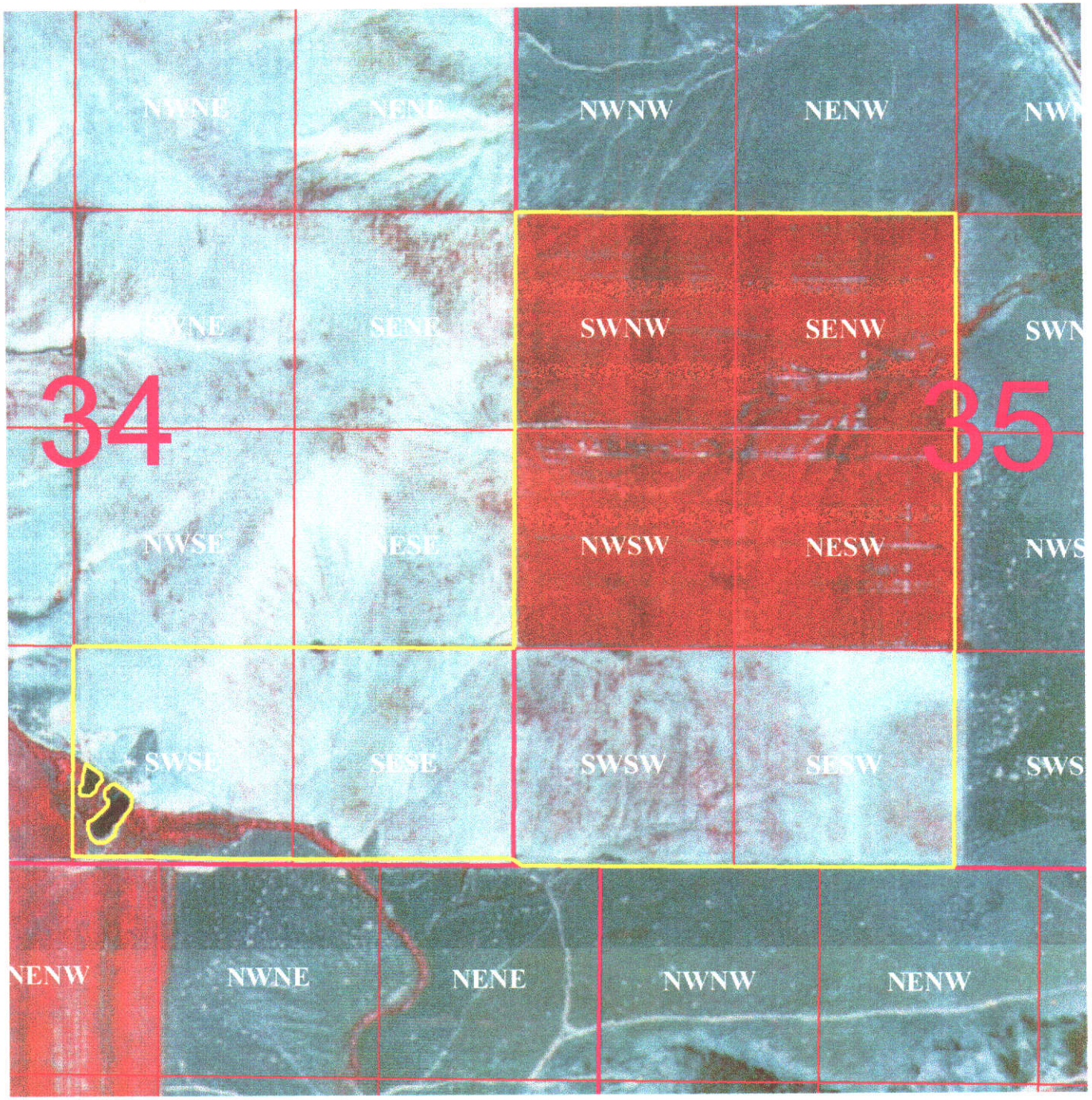
Water Right Claim Number 47-07615

03/01/2001

Townships , 9S13E, 10S13E



Legend

Irrigated Area	Section Line	Roads
Place of Diversion	Quarter Section Line	Streams and Canals

N

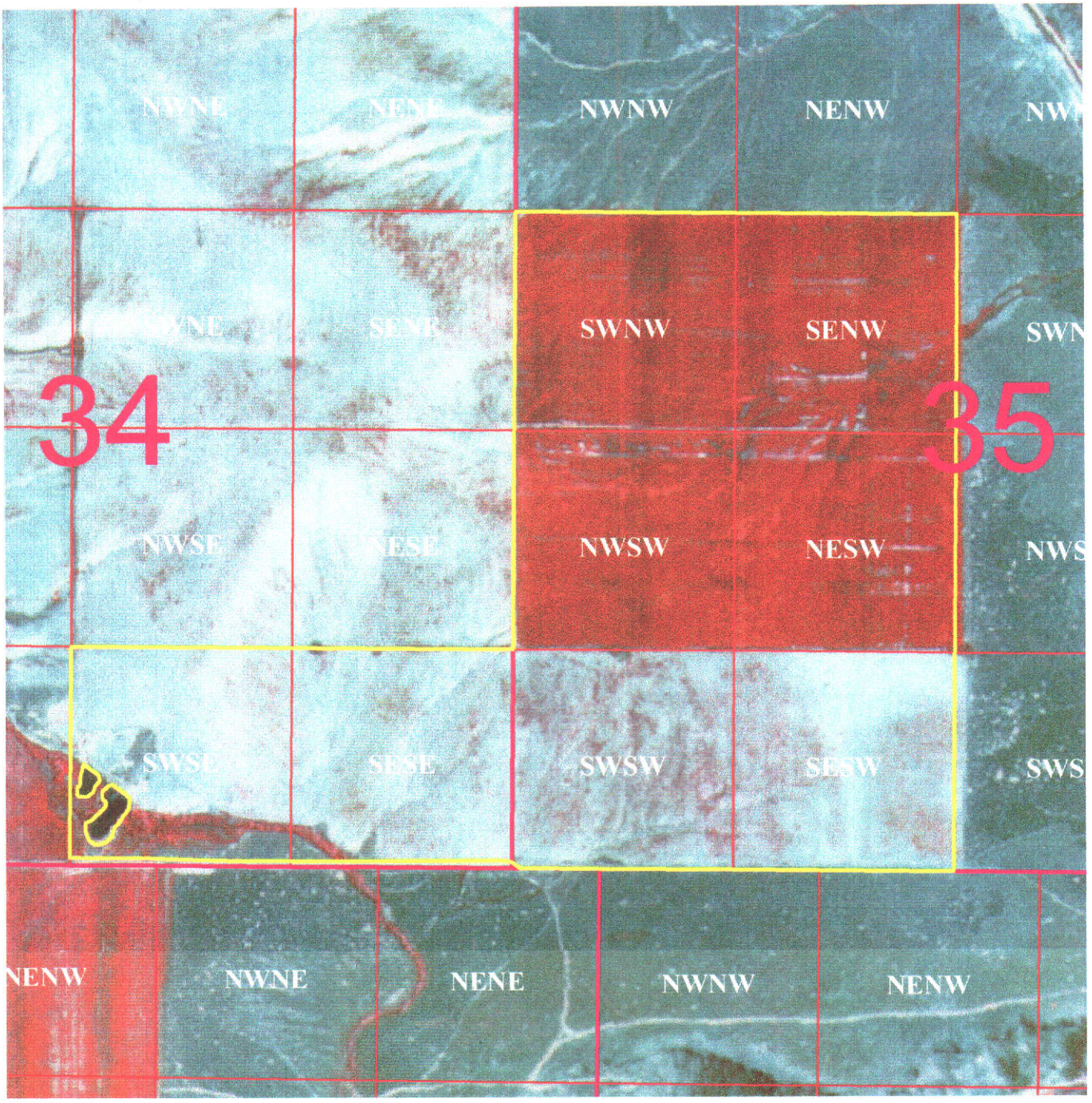
600 0 600 1200 Feet

SPATIAL DYNAMICS

Water Right Claim Number 47-07615

03/01/2001

Townships , 9S13E, 10S13E



Legend

Irrigated Area	Section Line	Roads
Place of Diversion	Quarter Section Line	Streams and Canals

N

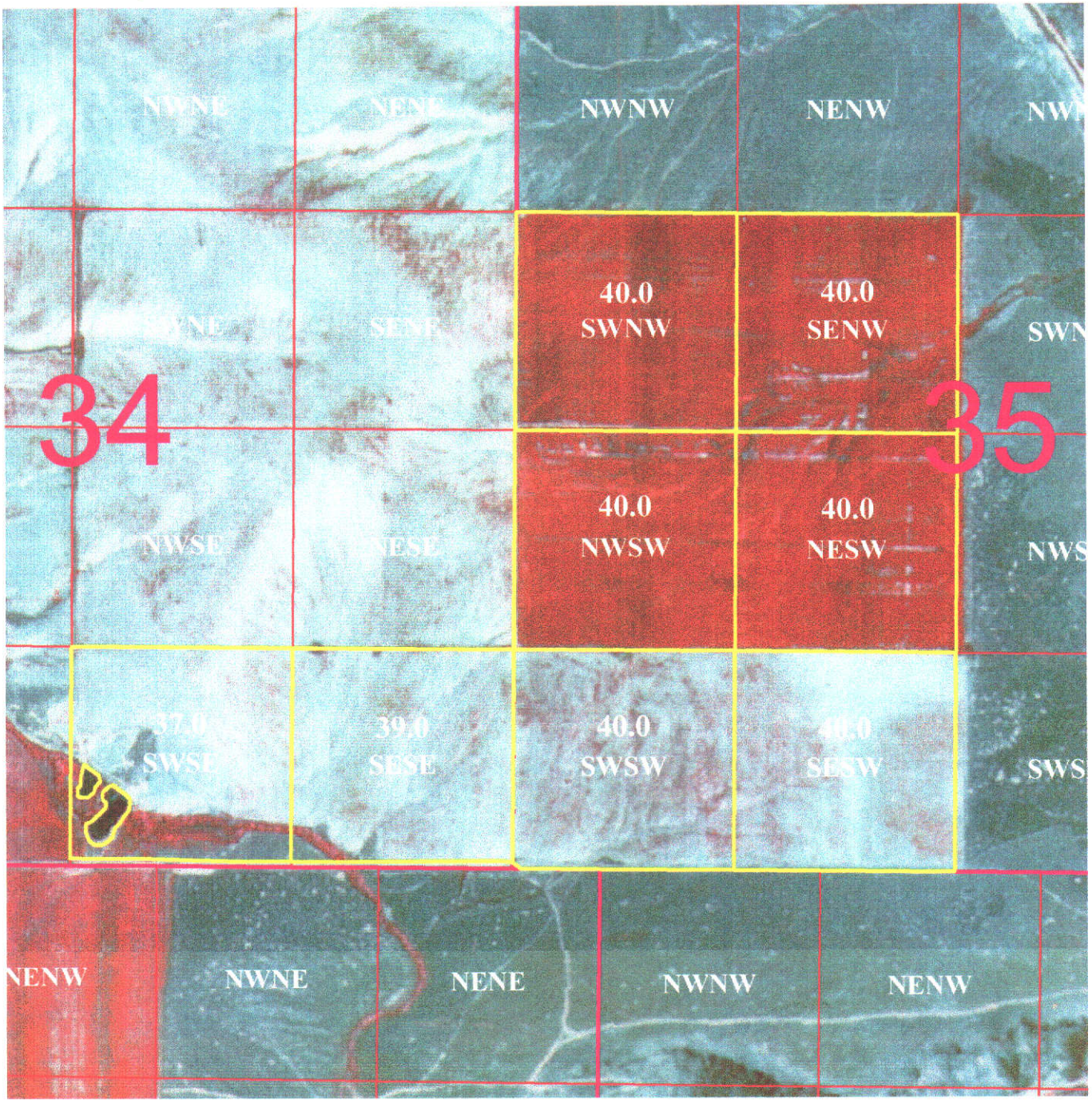
600 0 600 1200 Feet

SPATIAL DYNAMICS

Water Right Claim Number 47-07615

03/01/2001

Townships , 9S13E, 10S13E



Legend

- Irrigated Area
- Place of Diversion
- Section Line
- Quarter Section Line
- Roads
- Streams and Canals

N

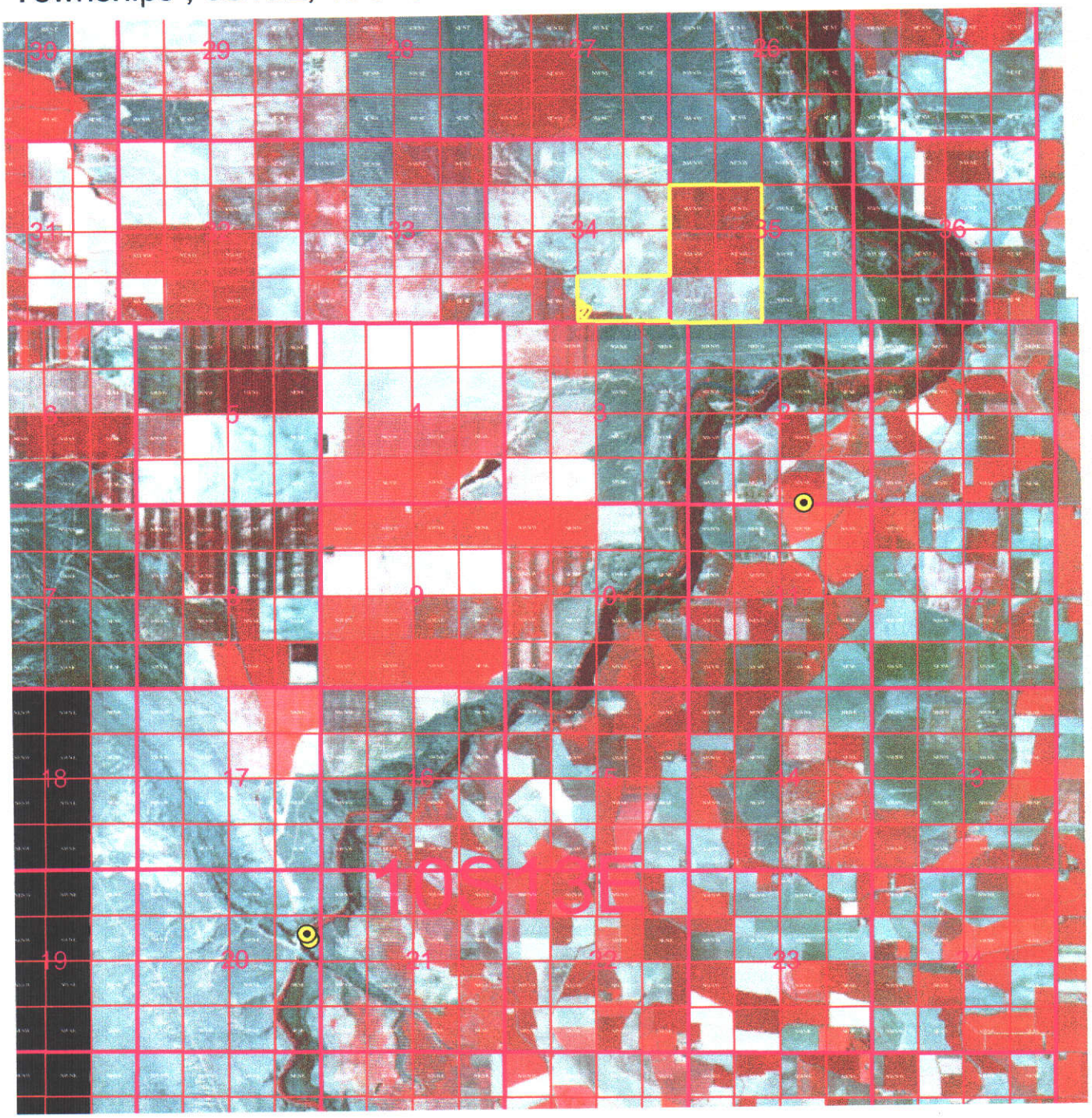
600 0 600 1200 Feet

SPATIAL DYNAMICS

Water Right Claim Number 47-07615

03/01/2001

Townships , 9S13E, 10S13E



Legend

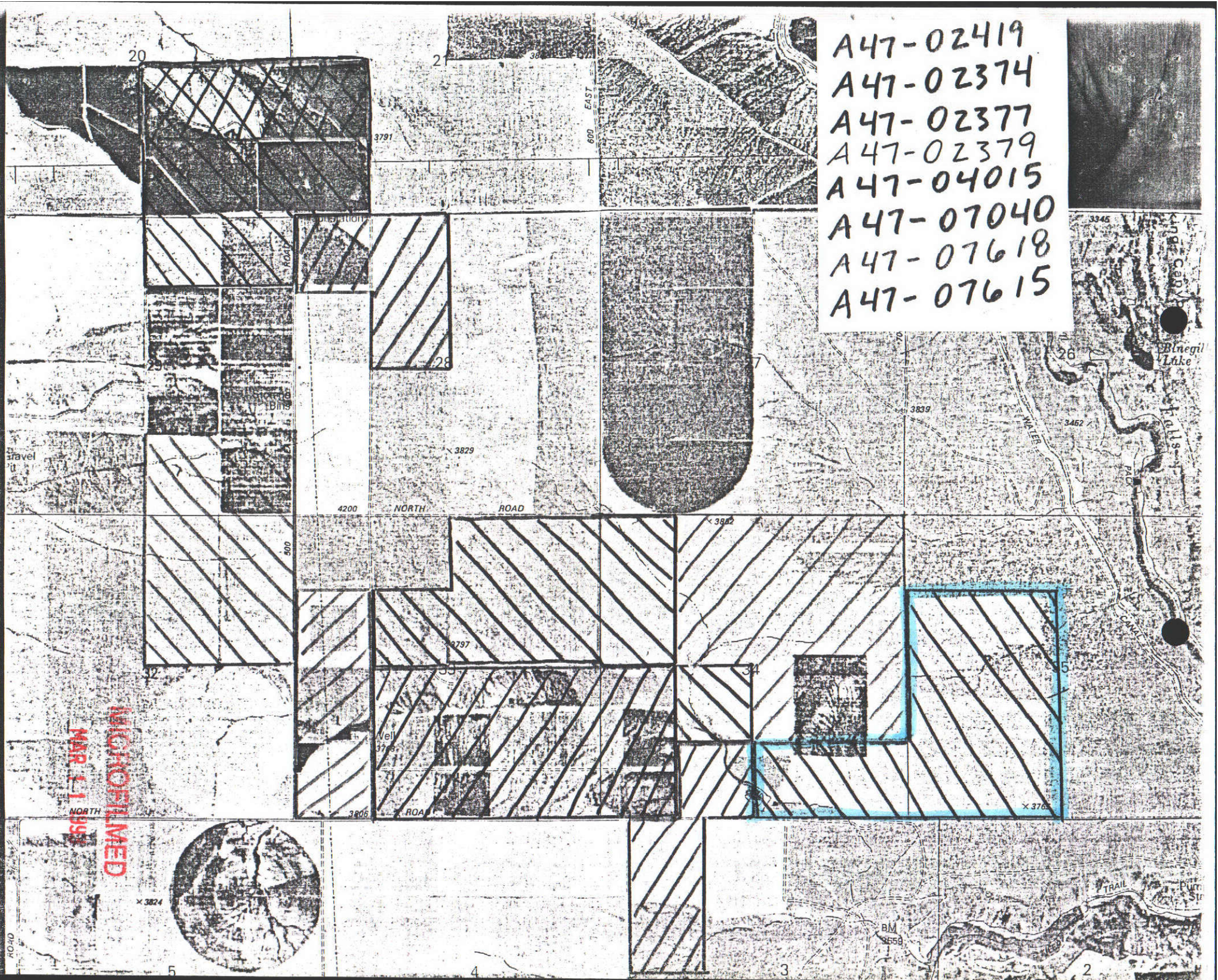
- Irrigated Area
- Place of Diversion
- Section Line
- Quarter Section Line
- Roads
- Streams and Canals

N

3000 0 3000 6000 Feet

SPATIAL DYNAMICS

A47-02419
A47-02374
A47-02377
A47-02379
A47-04015
A47-07040
A47-07618
A47-07615



MICROFILMED
MAR 1 1 1995

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: **A47-07615**
Date Received: 1/10/1989
Receipt No: S005807
Received By: _____

COPY FOR YOUR FILES | **NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW** | **COPY FOR YOUR FILES**

1. Name: DRISCOLL BROTHERS PARTNERSHIP 208-226-2168
   Address: 2250 S 3200 W
   ABERDEEN ID 83210

2. Date of Priority: JAN 4, 1980

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	13E	2		SW	SE		TWIN FALLS
		20		SE	NE		TWIN FALLS
				SE	NE	R	TWIN FALLS

5. Description of diverting works:
   WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	6.400		

7. Total Quantity Appropriated is:
   6.400 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	13E	34	SW	SE		IRR	40.0
			SE	SE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
				Section Acres		80.0
		35	SW	NW	IRR	40.0
			SE	NW	IRR	40.0
			NE	SW	IRR	40.0
			NW	SW	IRR	40.0
			SW	SW	IRR	40.0
			SE	SW	IRR	40.0
				Section Acres		240.0
				Total Acres		320.0

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:
    02-7100

14. Remarks:
    DLE I-2011.
    THE WELL MUST BE CASED WITH UNPERFORATED CASING INTO A CONFINING LAYER BELOW THE FIRST AQUIFER IN ORDER TO PREVENT INTERFERENCE WITH SURFACE FLOWS IN SALMON FALLS CREEK.
    PT. OF INJECTION INTO SALMON FALLS CREEK: SENE, S20, T10S, R13E.
    ****
    2/25/2000 TF; OWNERSHIP CHANGED EASTERDAY TO DRISCOLL BROS PARTNERSHIP PER 1409(6) AND WARRANTY DEED REC'D 12/11/1998.
    IDAHO AGRICULTURAL CREDIT ASSN ALSO ADDED AS LIENHOLDER.

15. Basis of Claim: LICENSE

Form 42-248/42-1409(3) February 3, 1997

RECEIVED
DEC 11 1998
Department of Water Resources
Southern Region

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page. Incomplete forms will be returned.

1. Water Right No(s).: A47-02379, A47-02419, A47-02374, A47-07040, A47-02376, A47-02377
   Adjudication Claim No(s).: 47-13176, 47-13173, A47-04205, A47-04015, A47-04174

2. The following REQUIRED information must be submitted with this form:

   A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

   AND

   B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

   OR

   C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant: R&L Farms 3874 N 1300 E. Buhl, ID 83316
   AND OR KARAY & JANET EASTERDAY

4. New Owner/Claimant(s): Driscoll Brothers Partnership
   Name Connector (Check one): [ ] and, [ ] or, [ ] and/or
   New Mailing Address: 2250 S. 3200 W.
   City, State and ZIP Code: Aberdeen, ID 83210
   New Telephone Number: (208) 226-2168

5. Date you acquired the property: JULY 2, 1998

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

   Number of acres you irrigate _____ Number and type of stock _____

   Diversion rate in CFS _____ Number of homes _____ Other uses _____

   If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s): Driscoll Brothers by: [signature]

   (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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

   date entered 6/28/99 CT

40869
TitleFact, Inc.
163 Fourth Avenue North
P.O. Box 486
Twin Falls, Idaho 83303

***** *SPACE ABOVE FOR RECORDER* *****

WARRANTY DEED

FOR VALUE RECEIVED **LENARD D. EASTERDAY AND LORENE I. EASTERDAY, husband and wife; LARAY EASTERDAY AND JANET EASTERDAY, husband and wife; RONALD D. EASTERDAY AND MARY EASTERDAY, husband and wife; R & L FARMS, a general partnership** hereinafter called the grantor, hereby grants, bargains, sells and conveys unto **DRISCOLL BROTHERS PARTNERSHIP, an Idaho General Partnership, BY Wallace B. Driscoll and Martin D. Driscoll, General Partners** hereinafter called grantee, whose address is: 22505 3200 W, Aberdeen, ID 83210, the following described premises, in **Twin Falls County,** Idaho, to-wit:

See Attached Exhibit "A" attached hereto and made a part thereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and 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 are free from all encumbrances except as described above and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: July 2, 1998

LENARD D. EASTERDAY

LORENE I. EASTERDAY

LARAY L. EASTERDAY

JANET EASTERDAY

RONALD D. EASTERDAY

MARY EASTERDAY

R & L FARMS, a general partnership

LARAY L. EASTERDAY, partner

RONALD D. EASTERDAY, partner

* * * * *

STATE OF IDAHO
County of Twin Falls

On this 2nd day of July, 1998, before me, a Notary Public in and for said State, personally appeared **LENARD D. EASTERDAY AND LORENE I. EASTERDAY, husband and wife; LARAY EASTERDAY AND JANET EASTERDAY, husband and wife; RONALD D. EASTERDAY AND MARY EASTERDAY, husband and wife**, known or identified to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that they executed the same.

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

Marta R. LeMoyne

Notary Public for Idaho
Residing at: Buhl
Commission Expires: 9-8-99

STATE OF IDAHO
County of Twin Falls

On this 2nd day of July, 1998, before me, a Notary Public, personally appeared **LARAY L. EASTERDAY AND RONALD D. EASTERDAY**, known or identified to me to be the General Partner or partners in **R & L FARMS**, a general partnership, and the partners who subscribed said partnership name to the foregoing instrument and acknowledged to me that they executed the same in said partnership name.

Marta R. LeMoyne

Notary Public for Idaho
Residing in Buhl
Commission Expires 9-8-99

EXHIBIT "A"

PARCEL NO. 1
Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho
Section 28: NW¼NW¼
SUBJECT TO: Twin Falls County Highway Right of Way

EXCEPT a parcel of land 250 feet by 400 feet located in the Northwest corner of the NW¼NW¼ of Section 28, more particularly described as follows:
BEGINNING at the Northwest corner of said Section 28 and which is the TRUE POINT OF BEGINNING;
THENCE South 89°55' East 400 feet;
THENCE South 00°03' East 250 feet;
THENCE North 89°55' West 400 feet;
THENCE North 00°03' West 250 feet to the TRUE POINT OF BEGINNING.

PARCEL NO. 2
Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho
Section 20: SE¼
Section 21: W½SW¼
Section 29: N½NE¼
Section 33: SW¼NW¼; W½SW¼
SUBJECT TO: Twin Falls County Highway Right of Way

PARCEL NO. 3
Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho
Section 33: E½SW¼; SE¼
SUBJECT TO: Twin Falls County Highway Right of Way

PARCEL NO. 4
Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho
Section 34: E½SW¼
SUBJECT TO: Twin Falls County Highway Right of Way

Township 10 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho
Section 3: Lots 3 and 4; S½NW¼; N½SW¼
SUBJECT TO: Twin Falls County Highway Right of Way

PARCEL NO. 5
Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho
Section 34: S½SE¼
Section 35: S½NW¼; SW¼
SUBJECT TO: Twin Falls County Highway Right of Way

PARCEL NO. 6
Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho
Section 33: NE¼; SE¼NW¼
Section 34: W½NW¼
SUBJECT TO: Twin Falls County Highway Right of Way

PARCEL NO. 7
Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho
Section 34: NE¼; E½NW¼; N½SE¼
SUBJECT TO: Twin Falls County Highway Right of Way

PARCEL NO. 8
Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho
Section 28: E½NW¼

AND the following described easement:
A 30 foot strip of land as it affects the following described parcels of ground in Section 28, Township 9 South, Range 13 E., B.M., the SW¼NW¼, NE¼SW¼, and SE¼SW¼; in Section 33, the NW¼NW¼, NE¼NW¼, and SE¼NW¼, more particularly described as follows:
BEGINNING at a point that lies North 40°19' East 940.1 feet and North 39°51'30" East 1,096.7 feet of the Southwest corner of Section 33;
THENCE describing a 30 foot strip of land being 15 feet left and right of the following described easement centerline due North 825.2 feet;
THENCE North 00°13'30" West 1,585.6 feet;
THENCE North 00°03'30" West 1,795.3 feet;
THENCE North 00°10'30" East 8.3 feet;
THENCE North 00°10'30" East 3,500.7 feet to a point that lies approximately South 3°37' East 131.4 feet and South 47°12'30" East 1,760.0 feet of the Northwest corner of said Section 28.

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho
Section 28: NW¼SW¼
EXCEPT that part of the NW¼SW¼ being more particularly described as follows:
BEGINNING at the Northwest corner of said NW¼SW¼;
THENCE East along the North line of said NW¼SW¼ for 210 feet;
THENCE South and parallel to the West line of said NW¼SW¼ for 225 feet;
THENCE West parallel to the North line of said NW¼SW¼ for 210 feet to the West line of said NW¼SW¼;
THENCE North along said West line for 225 feet to the POINT OF BEGINNING.

Section 29: S½NE¼; N½SE¼; N½S½SE¼

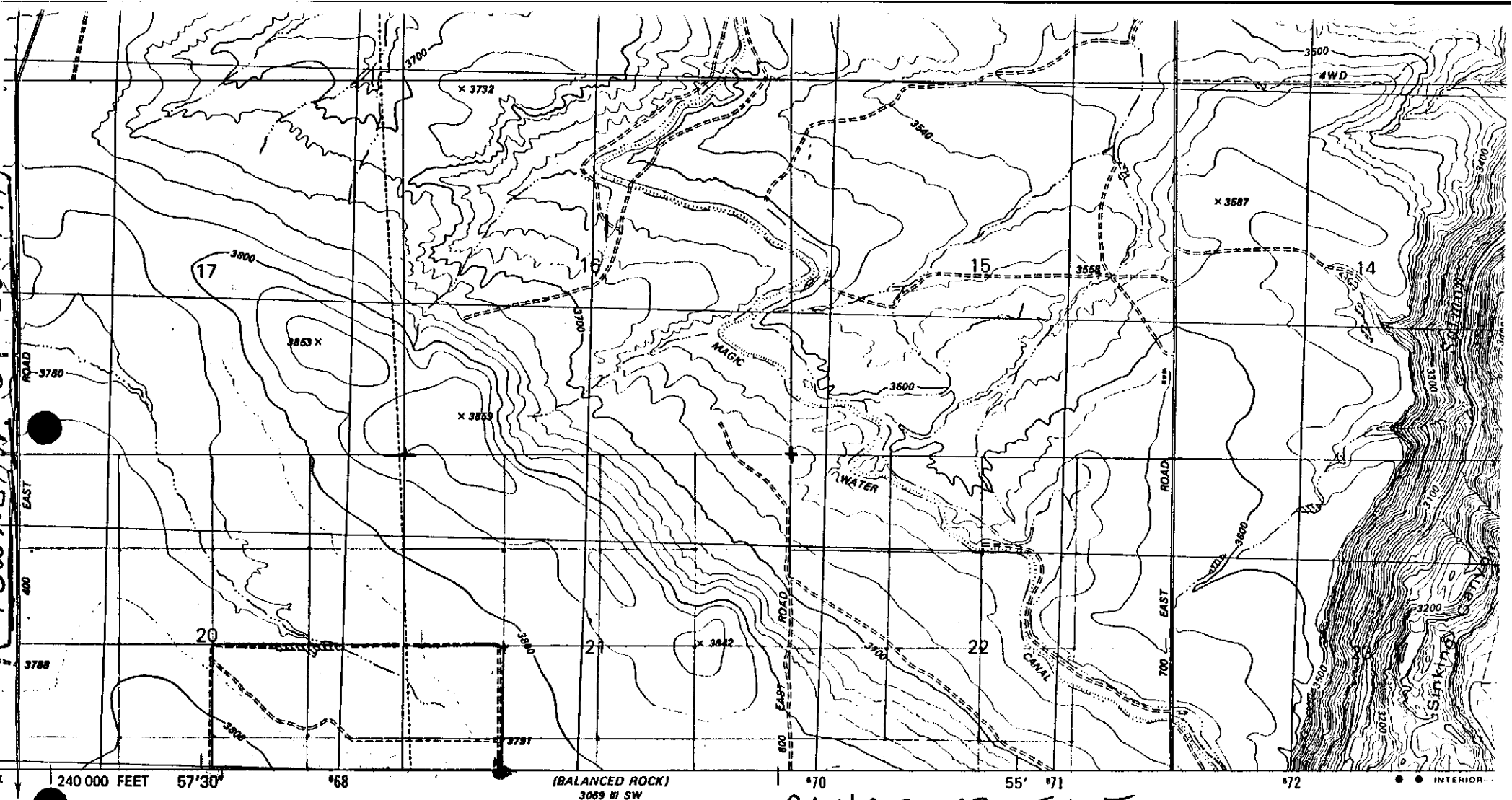
Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho
Section 28: SW¼SW¼
Section 29: S½S½SE¼
Section 32: NE¼

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho
Section 28: That part of the NW¼SW¼ being more particularly described as follows:
BEGINNING at the Northwest corner of said NW¼SW¼;
THENCE East along the North line of said NW¼SW¼ for 210 feet;
THENCE South and parallel to the West line of said NW¼SW¼ for 225 feet;
THENCE West parallel to the North line of said NW¼SW¼ for 210 feet to the West line of said NW¼SW¼;
THENCE North along said West line for 225 feet to the POINT OF BEGINNING.

SUBJECT TO: Twin Falls Highway District right of way

Township 9 South, Range 13 East, Boise Meridian, Twin Falls County, Idaho
Section 34: NW¼SW¼; SW¼SW¼

SUBJECT TO: Twin Falls Highway District right of way



RANGE 13 EAST

SCALE 1:24 000

1 ½ 0 1 MILE

1000 0 1000 2000 3000 4000 5000 6000 7000 FEET

1 .5 0 1 KILOMETER

CONTOUR INTERVAL 20 FEET
SUPPLEMENTARY CONTOUR INTERVAL 10 FEET
NATIONAL GEODETIC VERTICAL DATUM OF 1929

GN MN 17½° 311 MILS

1980 MAGNETIC NORTH AT CENTER OF SHEET

IDAHO

QUADRANGLE LOCATION

R

Primary highway, hard surface

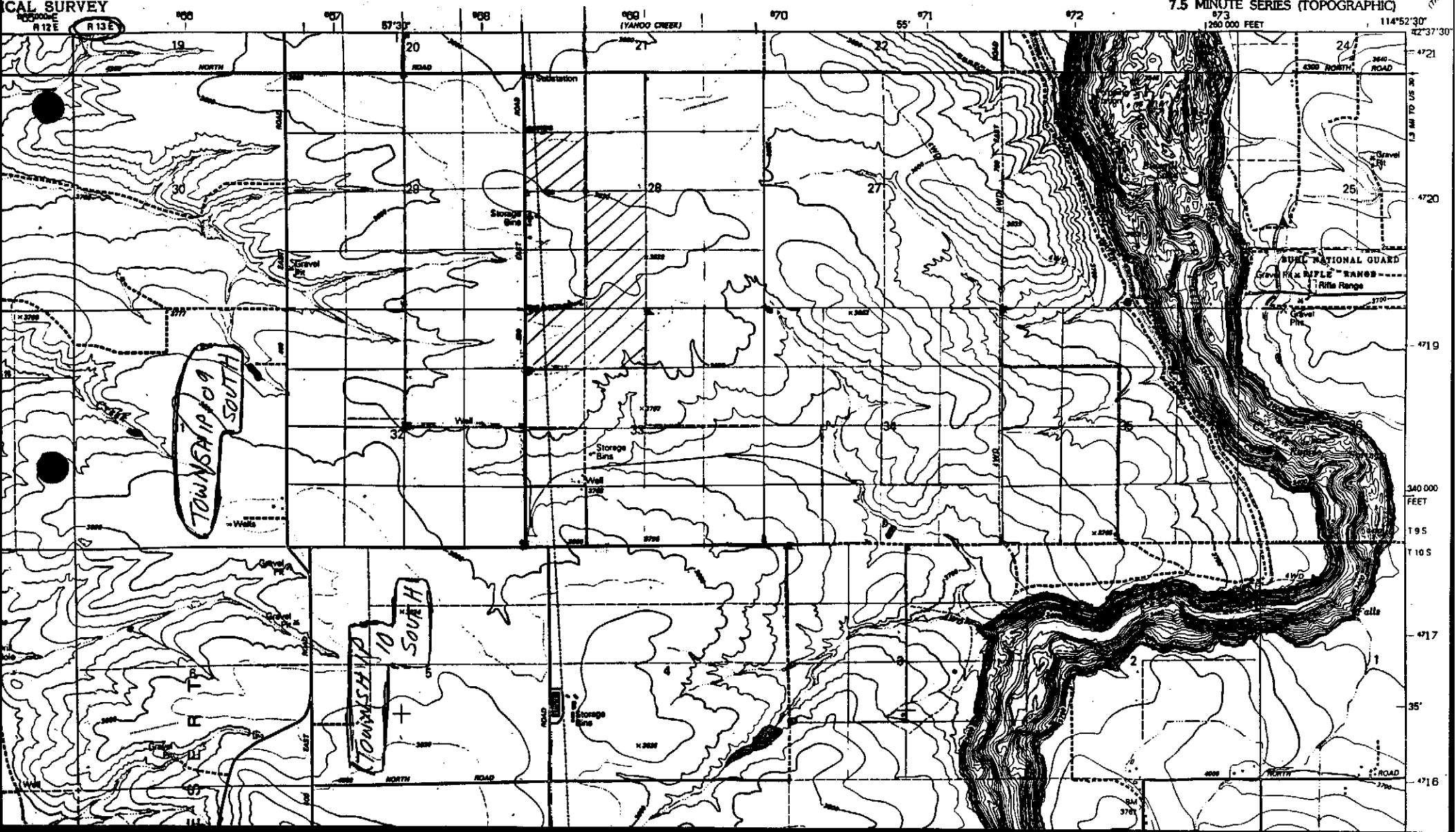
Secondary highway, hard surface

Interstate Rou

THIS MAP COMPLIES WITH NATIONAL MAP ACCURACY STANDARDS
FOR SALE BY U. S. GEOLOGICAL SURVEY, DENVER, COLORADO 80225, OR RESTON, VIRGINIA 22092
A FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

D STATES
OF THE INTERIOR
ICAL SURVEY

BALANCED ROCK QUADRANGLE
IDAHO-TWIN FALLS CO.
7.5 MINUTE SERIES (TOPOGRAPHIC)



State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

March 9, 2000

ATTN DEANNA L CURRY
IDAHO AGRICULTURAL CREDIT ASSOCIATION
AMERICAN FALLS BRANCH
PO BOX 300
AMERICAN FALLS ID 83211

RE: SRBA Claim(s) 47-02316A, 47-02353, 47-02369, 47-02374, 47-02376, 47-02377, 47-02379, 47-02419, 47-04015, 47-04099, 47-04174, 47-04205, 47-07040, 47-07252, 47-07565, 47-07569, 47-07615, 47-07618

Dear Deanna,

This letter is confirmation that Idaho Agricultural Credit Association has been added to our records as 'lienholder' on the Driscoll Brothers Partnership adjudication claims listed above. Should you have any questions or need further assistance, please feel free to contact this office.

Sincerely,

Trish Fawcett

Trish Fawcett
Technical Records Specialist

Enc.

cc: Driscoll Brothers Partnership

Idaho Agricultural Credit Association

American Falls Branch
127 Idaho
P.O. Box 300
American Falls, ID 83211
Bus: 208/226-5251
Toll Free: 1-800-831-5143
Fax: 208/226-5063

RECEIVED
FEB 22 2000
Department of Water Resources
Southern Region

February 16, 2000

Idaho Dept. of Water Resources – Southern Region
1341 Fillmore, Suite 200
Twin Falls, ID 83301-3380

Dear Trish,

Please find enclosed a copy of the recorded Real Estate Mortgage between Driscoll Brothers, A Partnership and Idaho Agricultural Credit Association f.k.a. Eastern Idaho Agricultural Credit Association. We are providing a copy of the mortgage as proof of security interest in the following Water License #'s: 47-02353, 47-02369, 47-02374, 47-02376, 47-02377, 47-02379, 47-02419, 47-04205, 47-04174, 47-07040, 47-07565, 47-07615, 47-07618, 47-02316A, 47-04015, 47-04099, 47-07252, and 47-07569. Please acknowledge Idaho Agricultural Credit Association, f.k.a. Eastern Idaho Agricultural Credit Association, at the address shown above, as lender or co-owner of the referenced water licenses. Please send confirmation of the assignment to the above address as well. If you have any questions please call 1-800-831-5143. Thank you for your attention to this matter.

Sincerely,
Idaho Agricultural Credit Association

Deanna L. Curry

Deanna L. Curry
Operations Assistant

Encl.

See 47-02316A for copy of real estate mortgage
3/9/2000

$ 370.00

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: **A47-07615**
Date Received: 12/22/1988
Receipt No: 500580 7
Received By: LW

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: LENARD D. EASTERDAY
   Address: RT. 2 BOX 85
   BUHL, ID 83316

2. Date of Priority: JAN 04, 1980

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
10S	13E	2	SW	SE			TWIN FALLS
		20	SE	NE			TWIN FALLS
			SE	NE		R	TWIN FALLS

5. Description of diverting works:
   WELL & PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	6.400		

7. Total Quantity Appropriated is:
   6.400 C.F.S. (and/or) A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	13E	34	SW	SE		IRR	40.0
			SE	SE		IRR	40.0

Section Acres 80.0

MICROFILMED
MAR 1 1 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
09S	13E	35	SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	40.0
			SE	SW		IRR	40.0
						Section Acres	240.0
						Total Acres	320.0

11. Place of use in counties: TWIN FALLS

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

13. Other Water Rights Used:
    02-7100

14. Remarks:
    DLE I-2011.
    THE WELL MUST BE CASED WITH UNPERFORATED CASING INTO A CONFINING LAYER BELOW THE FIRST AQUIFER IN ORDER TO PREVENT INTERFERENCE WITH SURFACE FLOWS IN SALMON FALLS CREEK.
    PT. OF INJECTION INTO SALMON FALLS CREEK: SENE, S20, T10S, R13E.

15. Basis of Claim: PERMIT

MICROFILMED
MAR 1 1 1993

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do ____ do not ✓ wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Lenard D. Easterday Date: 1/10/89

_____ Date: _____

State of Idaho)
) SS.
County of TF)

Subscribed and sworn (or affirmed) before me this 10th day of Jan 19 89

Lori White
Notary Public

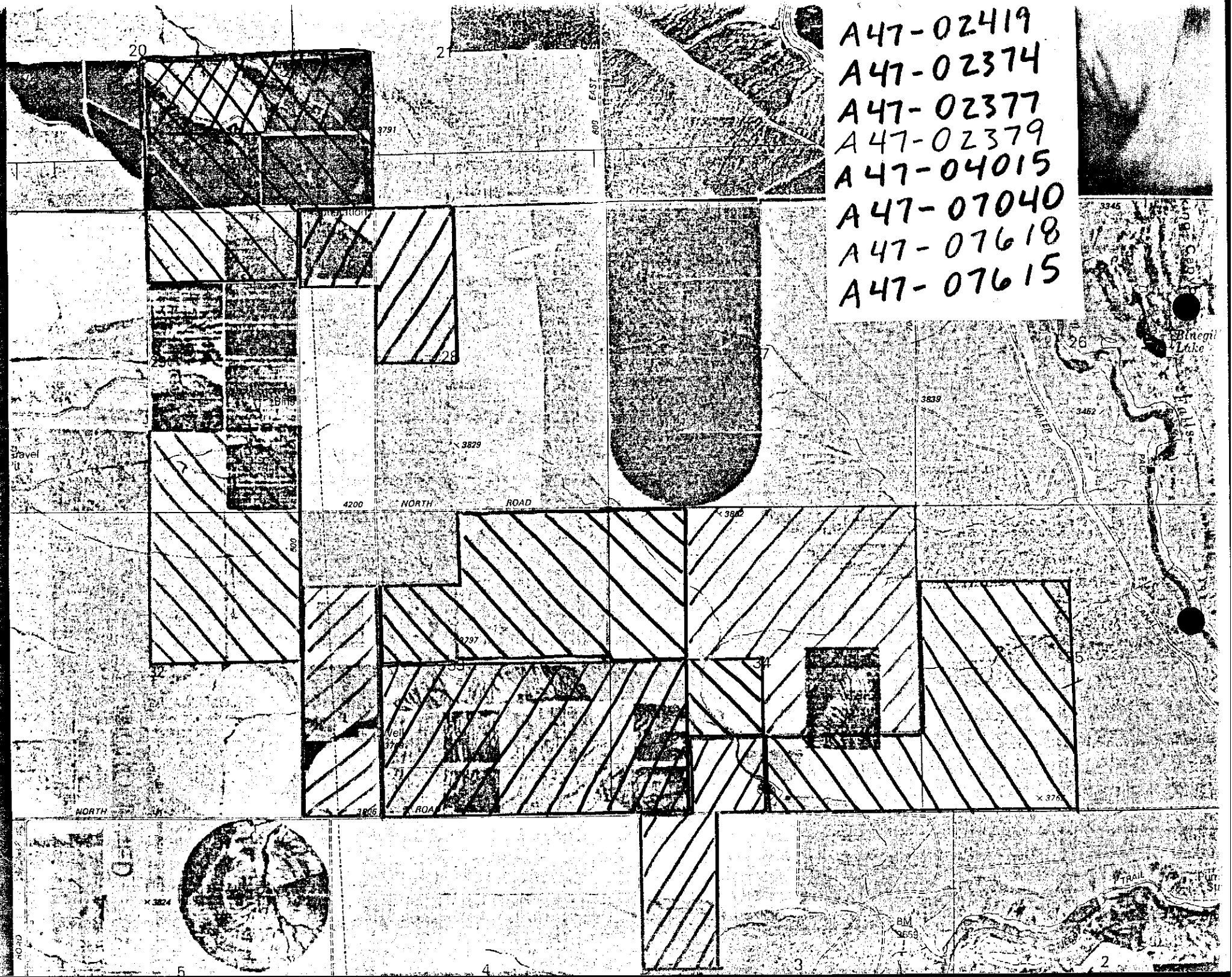
Seal

Residing at TF

My Commission Expires 5/94

MICROFILMED
MAR 1 1 1993

A47-02419
A47-02374
A47-02377
A47-02379
A47-04015
A47-07040
A47-07618
A47-07615



State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

April 5, 1991

RECEIVED
APR 8 1991
Department of Water Resources
Eastern District Office

Lenard I. Easterday
Rt. 2
Buhl, ID 83316

RE: Snake River Basin Adjudication (SRBA)
Twin Falls County - #A47-07615

Dear Mr. Easterday:

This letter is to advise you that payment on the water right referenced above has not been received from LaRay and Janet Easterday as directed in the certified letter they received February 19, 1991. You may want to pay the fees for this claim.

Rather than returning the claim, the record of the claim will go into a rejected status and remain in that category until payment is received. The account will continue to accrue interest, and any fees will not be returned whether the claim is investigated or not.

This will be your only notice until such time as the findings of the Director are included in his report to the Court of the water right claims in that area. Without further payment on the claim fee account, the findings of the claim will be that the claim was rejected for insufficient fees.

Sincerely,

Donald V. Shaff
Manager, Adjudication Section

DVS:sf:AR:east

RECEIVED
APR 10 1991
Department of Water Resources
Southern Region Office

MICROFILMED
MAR 11 1993

From: DWR03::FRAZEE 31-MAR-1992 10:52:30.03
To: DWR60::MERRITT
CC: FRAZEE
Subj: REJECTED CLAIMS AR #S000018/LA RAY EASTERDAY

MORNIN' ALLEN. AT DON'S INSTRUCTION, I'VE GONE INTO EACH OF THE FOLLOWING CLAIMS AND CORRECTED HIS DATA ENTRY OF 4/4/91 WHEN HE REJECTED THE CLAIMS FOR INSUFFICIENT FEES.

I ADDED "REJECTED" IN SOURCE AND "DVS 4/4/91" AFTER HIS REMARK OF INSUFFICIENT FEES. I ALSO CORRECTED DATA ENTRY OF ADDRESS FOR CURRENT OWNER(S) WHERE NECESSARY. THIS IS ALL I'VE DONE TO THESE CLAIMS.

A47-04174	A47-04205	A47-02376	A47-02419	A47-02374
A47-02377	A47-02379	A47-04015	A47-07040	A47-07618
A47-07615	A47-13173	A47-13176	A47-13178	

SO AGENT(S) DON'T GET UPSET WHEN THEY SEE MY NAME AS THE LAST ON THE AUDIT TRAIL, YOU MIGHT HAVE JEANE PUT A COPY OF THIS MAIL MESSAGE IN EACH OF THE ABOVE FILES.

MICROFILMED
MAR 1 1 1993

From: DWR60::MERRITT 16-DEC-1993 10:05:34.75
To: ROBERTSON
CC: MERRITT
Subj: FYI

From: DWR03::FRAZEE 16-DEC-1993 10:04:03.19
To: DWR60::MERRITT
CC: FRAZEE
Subj: UN-REJECTED CLAIMS OF AR #S000018/LA RAY EASTERDAY

MORNING, ALLEN. I JUST UN-REJECTED EASTERDAY'S CLAIMS PER PAYMENT YESTERDAY TO JIM STANTON. PLEASE GIVE JUDY OR JEANE A COPY OF THIS E-MAIL TO INSERT IN EASTERDAY'S CLAIM FILES.

A47-04174	A47-04205	A47-02376	A47-02419	A47-02374
A47-02377	A47-02379	A47-04015	A47-07040	A47-07618
A47-07615	A47-13173	A47-13176	A47-13178	

THANX, ALLEN!

MICROFILMED
OCT 27 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 12, 1997

MR BROCK DRISCOLL
DRISCOLL BROTHERS PARTNERSHIP
2250 S 3200 W
ABERDEEN, ID 83210

RE: OWNERSHIP CHANGE FOR CLAIM A47-07615 FILED IN THE SRBA BY EASTERDAY SUBJECT TO AGREEMENT SIGNED WITH DRISCOLL.

Dear Brock:

As the Agreement between yourself and Easterday states the ownership change will be completed as part of the final approval of the pending transfer based, in part, on A47-07615. The other water right in the Agreement, A47-07618, was changed into your name based on the Ownership Change form you turned in to this office last July 25, 1996 signed by both parties in the Agreement.

I have been keeping my office partner Georgia Satterlee who has worked on the transfer involved with your claims changes. The transfer has been completed by her and was sent to the state office in Boise for review. The Boise office will make their decision and if they approve the application A47-07615 as well as A47-07618 will be changed.

The ownership of A47-07615 will be changed into the partnership name at that time. I will schedule a review of A47-07615 on my calender at three-month intervals if I don't have word before each review date. Georgia Satterlee will keep me informed of any contacts she gets from the state office about the transfer.

I hope that this is a clear description of the bureaucratic back and forth. We seen to be falling behind a little more each time we contact you but this is the latest information on A47-07615 still in the name of Easterday pending the transfer approval.

Best Wishes,

Francis G. Hitchcock
Water Resource Agent

enclosures

FH/ABH

CC: 02-12-97
GA
TRISH
SHS

Form 42-1408/42-1409(6) 8/30/96

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

COPY

Please print or type. Attach pages with additional information. Instructions are on the back of this page. Incomplete forms will be returned.

B.D. B.D.

1. Water Right Number(s) No. 47-07565 47-07615, 47-0774, 47-07618 47-07569

Adjudication Claim Number(s) _____

2. The following **REQUIRED** information must be submitted with this form.

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question. WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s)
JEAN L GIUFFRE
RT. 4 BOX 160
AUSTIN, WA. 99402
KEN MARSHALL
185 BLAIR DRIVE
TWIN FALLS, ID. 83301

4. New Owner/Claimant(s) DRISCOLL BROTHERS PARTNERSHIP

Name connector (Check one): [ ] AND, [ ] OR, [ ] AND/OR

New Mailing Address 2250 So. 3200 W.

City, State and ZIP Code ABERDEEN, ID. 83210

New Telephone Number (208) 226-2168

5. Date you acquired the property JUNE 3, 1996

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated 276 Number and type of stock _____

Diversion rate in CFS 4.47 (cubic feet per second) Number of homes 0 Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) Frank Driscoll Date 11-6-96

_____ Date _____

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

COPY

RECEIVED
JAN 13 1997
Department of Water Resources
Southern Region

AGREEMENT

THIS AGREEMENT is made and entered into by and between Driscoll Brothers Partnership, hereinafter referred to as "Driscoll" and Lenard Easterday and Lorene Easterday, hereinafter collectively referred to as "Easterday".

RECITALS:

1. Easterday is the owner of Idaho State Water Rights Nos. 47-07615 and 47-07618, hereinafter referred to as "Water Rights", and an irrigation pipeline used to deliver said water to its place of beneficial use, hereinafter referred to as "Pipe".

2. By Option Agreement dated February 5, 1992, and amended by an Addendum to Agreement dated November 17, 1995, Easterday agreed to sell the Water Rights to Dale Wright.

3. Driscoll has also agreed to purchase the Pipe for $10,000 from Easterday.

4. Driscoll pursuant to the Real Estate Purchase and Sale Agreement and Receipt for Earnest Money dated April 4, 1996, contracted to purchase, among other things, the Water Rights for the total purchase price of $100,000 which, according to said contract, was in turn to be paid to Easterday.

4. The parties have continued to negotiate the manner in which said $110,000 shall be paid to Easterday, and desire to herein set forth their final agreement with respect to thereto.

NOW, THEREFORE, the parties hereto agree as follows:

1. The parties acknowledge and agree that Driscoll has obtained from Dale Wright and/or Easterday, the right to purchase the Water Rights and Pipe for a total sum of $110,000, $100,000 representing the agreed upon value of the Water Rights, and $10,000 representing the agreed upon value of the Pipe.

2. Driscoll shall pay said $110,000 to Easterday in the following manner:

a. A down payment of $20,000 has already been paid, and the receipt thereof is hereby acknowledged.

b. The final payment of $90,000 shall be made on January 6, 1997.

RECEIVED
JAN 22 1997
Department of Water Resources
Southern Region

COPY

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT
(REGIONAL)

Water Right Number - R47-07615 Prefix Translation: RESEARCH Old (D) Number -

Last Name	First Name	Address
*** C - CURRENT OWNER ***		
EASTERDAY	LENARD D	1 - RT 2 BOX 85 2 - 3 - City- BUHL State- ID Zip- 83316 Phone - 208-000-0000

Priority Date	Region	Stage	Status
01/04/1980	17 SOUTHERN	P - PERMIT	

Source: GROUNDWATER

Tributary:

Point of Diversion

Twn	Rng	Sec	Tract	Lot	RFlg	County
10S	13E	2	SW SE			(83) TWIN FALLS
		20	SE NE			(83) TWIN FALLS
			SE NE		R	(83) TWIN FALLS

Water Use

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01	IRRIGATION	03/15	11/15	6.400	

Total Div. Rate: 6.400
Total Div. Volume:
Total Consumptive Use: 0.0
KW Usage:

Place of Use

Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
09S	13E	34	SW SE		40.0	01	IRRIGATION	(83) TWIN FALLS
09S	13E	34	SE SE		40.0	01	IRRIGATION	(83) TWIN FALLS
09S	13E	35	SW NW		40.0	01	IRRIGATION	(83) TWIN FALLS
09S	13E	35	SE NW		40.0	01	IRRIGATION	(83) TWIN FALLS
09S	13E	35	NE SW		40.0	01	IRRIGATION	(83) TWIN FALLS
09S	13E	35	NW SW		40.0	01	IRRIGATION	(83) TWIN FALLS
09S	13E	35	SW SW		40.0	01	IRRIGATION	(83) TWIN FALLS
09S	13E	35	SE SW		40.0	01	IRRIGATION	(83) TWIN FALLS

Total Acres: 320.0

Diversion Means - WELL & PUMP

Non-Irrigation Use -

Other Rights for Same Use - 02-7100

COPY

Water right number - R47-07615 Prefix Translation: RESEARCH

+ - Remarks - +

GEN DLE I-2011.
THE WELL MUST BE CASED WITH UNPERFORATED CASING INTO A CONFINING LAYER BELOW THE FIRST AQUIFER IN ORDER TO PREVENT INTERFERENCE WITH SURFACE FLOWS IN SALMON FALLS CREEK.
PT. OF INJECTION INTO SALMON FALLS CREEK: SENE, S20, T10S, R13E.
****
THIS CLAIM IS THE SUBJECT OF A TRANSFER THAT WAS SENT TO THE S.O. ON 01-22-1997. THE BUYER OF THIS USAGE HAS SIGNED AN AGREEMENT STATING THAT OWNERSHIP WILL NOT BE CHANGED UNTIL THE TRANSFER HAS BEEN COMPLETED ON OR BEFORE 01-31-1998. THE ORIGINAL CLAIMANT IS STILL OF RECORD UNTIL THE TRANSFER IS APPROVED AT WHICH TIME THIS OFFICE (SOUTHERN REGION) WILL COMPLETE THE CHANGE OF OWNERSHIP IN A REASONABLE TIME FRAME. THE BUYER (DRISCOLL BROTHERS, A PARTNER SHIP OF ABERDEEN) HAS OTHER BASIN 47 CLAIMS IN THEIR NAME FROM THIS PURCHASE. THIS IS THE ONLY OWNERSHIP CHANGE NOT COMPLETED. SEE CORRESPONDENCE TO BUYER DRISCOLL THIS DATE. FH 02-12-1997.

+ - Old Water Right Numbers - +

No Old Water Right Numbers Found

+ - Conditions of Approval - +

01C - A flow measurement port or other device as specified by the
- Department shall be installed by the right holder to provide for
- the installation of measuring equipment and the determination of
- the rate of diversion by the Department.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ -Comments- +

No Comments Found

+ - - Audit Fields - - +
02/12/97 FHITCHCO

+ - Adjudication Rights Dates and Flags Area - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 00/00/0000	Old Judicial District	-
Claim Received Date	- 01/10/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
		Receipt Number	- S005807	Water District	- 47G
		POU Ownership Flag	- Y	Federal/State Indicator	- S
		Name Connector	-	Presumption Flag	-
				Notice of Error Flag	-

COPY

SD-0601-2 Last Name: DRISCOLL BROTHERS PARTNERSHIP STATE

SEL	First Name	OWN	Water Right No.	Priority Date	Source	Total Diversion	Use Code	Desc
_	DRISCOLL BROTHERS PARTNERSHIP							
_		C	A47-02316A	01/12/1959	LITTLE SALM	10.500	01	IRR
_		C	A47-02353	08/17/1961	GROUNDWATER	1.250	01	IRR
_		C	A47-04099	06/01/1966	SALMON FALL	8.200	01	IRR
_		C	A47-07618	01/07/1980	GROUNDWATER	6.400	01	IRR
_		C	A47-12971	05/20/1959	GROUNDWATER	0.100	43	DOMEST
_							04	STOCK
_							01	IRR
_		C	A47-12972	05/20/1978	GROUNDWATER	0.040	43	DOMEST
_								
_								
_								
_								
_								
_								

END OF DATA...ENTER MENU OPTION AND/OR PRESS ENTER TO CONTINUE
(Enter=Continue) (GOLD7=This Query) (Menu _____)

COPY

State of Idaho
DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 5, 1997

MR BROCK DRISCOLL
DRISCOLL BROTHERS PARTNERSHIP
2250 S 3200 W
ABERDEEN, ID 83210

RE: ASSIGNED WATER RIGHT FROM MARSHALL, THOMAS AND GIUFFRE'
47-0774 (SIC) AS OF 06-05-1996.

Dear Brock:

I have finally gotten to your file again as promised. As I told you last year I would research the incorrectly identified water right from the assignment to see if I could locate it in our records.

Please note the correct number as **47-07774**. I enclose a copy of the file that is here in Twin Falls. I also enclose the only other document in the file at the state vault in the Boise office. When I found the records I called the legal assistant at Mr Robertson's office to let her know and have mailed her a copy of the application and the letter for their records.

As this number is one of the water right numbers listed on your Notice of Change of Water Right Ownership filed 11-06-1996 we will now go ahead with making the change in our records to include this corrected right number. I enclose a copy of the form for your records.

I will now begin the review of the status of all the water rights that you have identified to us and forward to you an accounting for your inspection. As mentioned before, time is a problem here and I have the best of intentions. If you have questions please call me at your convenience or contact me by facsimile with a cover sheet. Best wishes.

Sincerely Yours,

CC:
① CORRESP SENT-02-05.
② TRISH 02-10-97

Francis G. Hitchcock
Water Resource Agent

enclosures

COPY

INTER-DEPARTMENT MEMO

TO: INS

A47-07774

SUBJECT: Brown

FROM: 7

DATE: 02-05-1997

At last, the missing, around until right.
As we discussed yesterday on the phone.
I will mail a copy to Peter Brown with
a note with a message on it to the
working attorney Corge for the Agreement.
The matter will be closed as soon as we
get to it.

(X) For your information

( ) Response required

signature

Form 42-1408/42-1409(6) 8/30/96

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

COPY

Please print or type. Attach pages with additional information. Instructions are on the back of this page. Incomplete forms will be returned.

B.D. B.D.

1. Water Right Number(s) No. 47-07565 47-07615, 47-0774, 47-07618, 47-07569 47-07569

   Adjudication Claim Number(s) _____

2. The following **REQUIRED** information must be submitted with this form.

   A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

   AND

   B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

   OR

   C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s)
   JEAN L. GIUFFRE
   RT. 4 BOX 100
   ASSTIN, WA. 99402

   KEN MARSHALL
   185 BLAIR DRIVE
   TWIN FALLS, ID. 83301

4. New Owner/Claimant(s) DRISCOLL BROTHERS PARTNERSHIP

   Name connector (Check one): [ ] AND, [ ] OR, [ ] AND/OR

   New Mailing Address 2250 So. 3200 W.

   City, State and ZIP Code ABERDEEN, ID 83210

   New Telephone Number (208) 226-2168

5. Date you acquired the property JUNE 3, 1996

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

   Number of acres actually irrigated 276 Number and type of stock _____

   Diversion rate in CFS 4.47 (cubic feet per second) Number of homes 0 Other uses _____

   If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) Frank Driscoll Date 11-6-96

   _____ Date _____

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

COPY

TELEPHONE CONVERSATION

MEMORANDUM

____ INCOMING CALL

✓ OUTGOING CALL 2 40/2 50

____ RETURNING CALL

TO: CINDY (gone) Patty (new sec) Cindy Bird

DATE: 02-04-1997

FROM: H

FILE: DRISCOLL BROS - MUN. CONS

FILE NO: HOLD FILE -

SUBJECT: 47-07774

REMARKS: anything more than I have
usual scrutiny
on note / review
filing not DISCUSSED - ask her to send
you a fax to my attention of same.
255 IT SHS @ RASHOLT'S: TEN - send her
a cc of final version of the newly
found Union - then I w/ contact Burke

ROUTING INSTRUCTIONS:

CALENDER DATES:

FH/ABH

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A47-07615

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Frank Hitchcock

◇◇

January 22, 1997 1:52pm

NAME:	RE:
FRANK HITCHCOCK	**A47-07615 CLAIM FILE**

AS A FOLLOWUP TO STATUS OF OWNERSHIP CHANGES I PULLED THE FILE TO REVIEW THE NOTES TO FILE.

I FOUND NO DATE SEQUENCE TO ANY OF THE PAPERS SO I TOOK THE FILE APART AND REASSEMBLED IT. IT APPEARS THAT MICROFILMERS DIDN'T KEEP THE PAPERWORK IN ORDER.

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A47-07615/-07618

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Frank Hitchcock

January 22, 1997 1:10pm

NAME:
SHARON STRICKLAND, LEGAL ASST.
ROSHOLT ROBERTSON TUCKER

RE:
DRISCOLL BROTHERS
PARTNERSHIP

TT HER AT 2:00 PM 01-15-1997 RE: BURKE IN OFFICE THIS AFTERNOON ABOUT THE STATUS OF CHANGE(S). I WILL REVIEW THE FAX THAT TURNED OUT TO HAVE BEEN SENT AS HE ARRANGED TO 01-13-1997 BUT WAS NOT FILED TO ME SINCE IT CAME IN W/O A BANNER SHEET.

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A47-07615/-07618

—

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Frank Hitchcock

◇◇◇

January 22, 1997 12:36pm

NAME:
DRISCOLL BROS PARTNERSHIP

RE:
OWNERSHIP CHANGE RE: EASTERDAY WATER RIGHTS PER AGREEMENT.

THIS IS A FOLLOW-UP TO THE 01-13-1997 JOURNAL ENTRY AS A RESULT OF A PHONE CALL FROM BURKE DRISCOLL ABOUT THE STATUS OF OWNERSHIP CHANGES AS A RESULT OF RECENT PROPERTY CLOSINGS.

I NEVER RECIEVED THE PROMISED FAX OF THE AGREEMENT THAT WOULD DOCUMENT THE TRANSACTION. FAX WAS TO HAVE BEEN SENT THE AFTERNOON OF THE PHONE CONVERSATION. I HAD SAID THAT I WOULD RESPOND WITH THE STATUS OF THE CHANGE OF OWNERSHIP WHEN THE FAX CAME IN.

ON 01-15-1997, BURKE DRISCOLL WAS IN AT 1:45 PM INQUIRING ABOUT THE STATUS OF HIS FAX/OWNERSHIP CHANGE(S). I EXPLAINED ABOUT NO FAX AND HE SAID THAT HE HAD SENT IT TIMELY AFTER OUR CONVERSATION. MARY BALDWIN HEARD THE CONVERSATION AND PRODUCED THE FAX WHICH HAD COME IN W/O A BANNER SHEET.

I TOLD BURKE THAT I WOULD REVIEW THE AGREEMENT FOR THE LANGUAGE AND LET HIM KNOW HOW IT AFFECTED THE OWNERSHIP CHANGE(S).

I COULDN'T GET TO THE PAPERWORK UNTIL THIS MORNING. AFTER READING THE LANGUAGE I CHECKED WITH ALLEN MERRIT AND GAVE HIM MY OPINION OF THE AGREEMENT. WE HAVE TO HOLD THE CHANGE OF OWNERSHIP UNTIL THE REQUEST FOR TRANSFER IS APPROVED AND THE PLACE OF USE CHANGE IS IN PLACE.

IN ORDER TO BE CERTAIN I CALLED CHARLEY HONSIGER AND HE AGREED WITH MY INTERPRETATION OF THE LANGUAGE. I THEN CALLED SHARON STRICKLAND OF THE ROSHOLT ROBERTSON TUCKER FIRM WHO PREPARED THE AGREEMENT AND

EXPLAINED TO HER. SHE ASKED ME TO REVIEW IT WITH J. EVAN ROBERTSON WHO DRAFTED THE AGREEMENT. HE AND I WENT THROUGH THE LANGUAGE AND HE AGREED THAT WE WOULD COMPLETE THE CHANGEOVER UPON RECEIPT OF THE APPROVED TRANSFER AND THAT I COULD CONTACT BURKE TO THAT EFFECT.

I WILL PULL THE CLAIM FILES THIS AFTERNOON AND REVIEW EACH WATER RIGHT BEFORE CALLING BURKE DRISCOLL.

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. OWN CHANGES

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Frank Hitchcock

◇◇

January 13, 1997 2:57pm

NAME:	RE:
BURKE DRISCOLL, DRISCOLL BROS	**OWNERSHIP CHANGES;11-96.**
ABERDEEN, ID	**STATUS OF PROCESSING**

TF AT 2:30-TCW. REVIEWED MY JCOM NOTES FROM OUR FIRST MTG 11-06-1996 AND THE VISIT 11-26-1996 WHEN HE SIGNED ANOTHER OWN CHNG FOR CLAIMS FILED BY/IN THE NAME OF DALE WRIGHT.

HE WILL SEND BY FACSIMILE DOCUMENTS RE: EASTERDAY OWNERSHIP. I WILL CHECK ON STATUS OF PREVIOUS OWN CHNG FILINGS. REVIEWED WITH TRISH. TF CLAIMANT: GAVE ME HIS FAX NUMBER.

fax to Burke
Driscoll - do
call [illegible] (5)

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A47-07565

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Frank Hitchcock

◇◇

November 19, 1996 11:00am

NAME:
BROCK DRISCOLL-DRISCOLL BROTHERS

RE:
OWNERSHIP CHANGES: ESP A47-07615 (NO PAPER) FROM SELLER TO BUYER.

TT/TCW SHARON STRICKLAND RE: ANY FOLLOWUP WITH THE CLAIMANT AFTER HE WAS HERE ON 11-06-1996. CLAIMANT WAS IN THEIR OFFICE SAME DATE AND EVAN ROBERTSON WILL FOLLOW UP ON THE PAPER NEEDED TO IDENTIFY THE TRANSACTION.

DURING THE CONVERSATION SHARON REFERRED TO BUYING THE PROPERTY OR THE WATER FIGHTS FROM WRIGHT. I SAID THAT I DIDN'T KNOW OF ANYONE BY THAT NAME IN THE TRANSACTION.

AFTERWARDS, I CHECKED WITH GEORGIA WHO HAD STARTED THE TRANSFER(S) ON THESE RIGHTS AND REVIEWED WITH HER WHAT THE STATUS OF THE CHANGE OF OWNERSHIP WAS (ISN'T) AND MENTIONED THE POSSIBILITY OF WRIGHT AS A PROPERTY OWNER.

CC: GEORGIA

Form 42-248/42-1409(6) 8/30/96

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

NOV 2 8 1996

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

1. Water Right Number(s) 47-07252, 47-02316A, 47-02353, 47-12971, 47-12972 47-04099 B.D.

   Adjudication Claim Number(s) _____

2. The following **REQUIRED** information must be submitted with this form.

   A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

   AND

   B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

   OR

   C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Dale Wright

   891 Briarwood Drive, Twin Falls, ID 83301

4. New Owner/Claimant(s) Driscoll Brothers Partnership

   Name connector (Check one): [ ] AND, [ ] OR, [ ] AND/OR

   New Mailing Address 2250 So. 3200 W.

   City, State and ZIP Code Aberdeen, ID 83210

   New Telephone Number (208) 226 - 2168

5. Date you acquired the property October 11, 1996

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

   Number of acres actually irrigated 1220 Number and type of stock _____

   Diversion rate in CFS _____ (cubic feet per second) Number of homes _____ Other uses _____

   If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) Patrick D Driscoll - Partner Date 11-26-96

   _____ Date _____

   COPY

   (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

Order No. **T960371**

WARRANTY DEED

For Value Received

Dale M. Wright and Diane T. Wright, husband and wife

the grantor(s), do(es) hereby Grant, Bargain Sell, and Convey unto

Driscoll Brothers Partnership

the grantee(s), whose current address is: **2250 South 3200 West - Aberdeen, ID 83210**

the following described real estate, situated in TWIN FALLS County, Idaho, to-wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) 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 he/she/they will warrant and defend the same from all lawful claims whatsoever.

Dated: 10/07/96

Dale M. Wright
Dale M. Wright

Diane T Wright
Diane T. Wright

State of **IDAHO** }
}ss.
County of TWIN FALLS }

On this 11th day of October, in the year 1996, before me, Jeannette S. Warth personally appeared **Dale M. Wright and Diane T. Wright**, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Jeannette S. Warth
Notary Public
Residing At: Gooding, ID
Commission Expires: 07-29-99

JEANNETTE S. WARTH NOTARY PUBLIC STATE OF IDAHO

Copy

COPY

EXHIBIT A

T960371/DRISCOL

Township 9 South, Range 13, East of the Boise Meridian, Twin Falls County, Idaho

Section 32: The Southeast Quarter.

Township 10 South, Range 13, East of the Boise Meridian, Twin Falls County, Idaho

Section 4: Lots 1, 2, 3 and 4; the South one-half of the North one-half; the North one-half of the South one-half; the South one-half of the Southwest Quarter; and the Southwest Quarter of the Southeast Quarter.

Section 5: Lots 1, 2 and 3; the Southeast Quarter of the Northwest Quarter; the South one-half of the Northeast Quarter; the Southeast Quarter; and the East one-half of the Southwest Quarter.

SUBJECT TO Twin Falls County Highway Right of Way.

Copy

COPY

-0601-2 Last Name: WRIGHT

STATE

SEL	First Name	OWN	Water Right No.	Priority Date	Source	Total Diversion	Use Code	Desc
	WRIGHT							
	BLAYNE D.	C	A47-13953	12/31/1909	GROUNDWATER WITHDRAWN	0.06	41	DOMEST
	BLAYNE D.	C	R47-13953	12/31/1909	GROUNDWATER	0.06	41	DOMEST
	DALE M	C	A47-02316A	01/12/1959	LITTLE SALM	10.50	01	IRR
	DALE M	C	A47-02353	08/17/1961	GROUNDWATER	1.25	01	IRR
	DALE M	C	A47-04099	06/01/1966	SALMON FALL	8.20	01	IRR
	DALE M	C	A47-07252	04/02/1974	SALMON FALL	20.00	02	IRR S
							03	IRR FS
							56	DIV S
	DALE M	C	A47-12971	05/20/1959	GROUNDWATER	0.10	41	DOMEST
							04	STOCK
							01	IRR
	DALE M	C	A47-12972	05/20/1978	GROUNDWATER	0.04	41	DOMEST
	DALE M	C	R47-12972	05/20/1978	GROUNDWATER	0.04	41	DOMEST
	DIANE T	C	A47-02316A	01/12/1959	LITTLE SALM	10.50	01	IRR

(Enter=Continue) (GOLD7=This Query) (Menu _____)

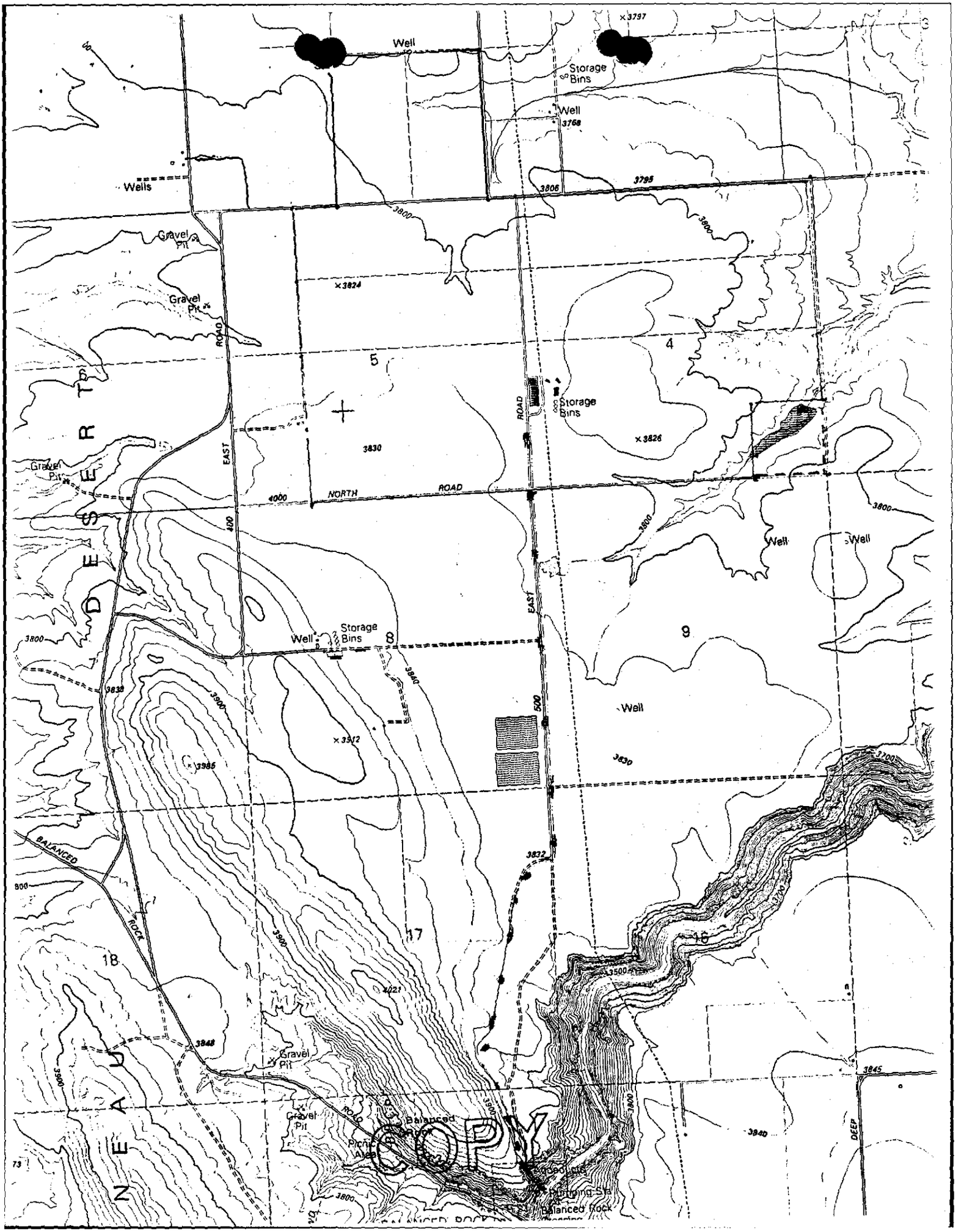
COPY

601-2 Last Name: WRIGHT STATE

EL	First Name	OWN	Water Right No.	Priority Date	Source	Total Diversion	Use Code	Desc
WRIGHT								
	DIANE T	C	A47-02353	08/17/1961	GROUNDWATER	1.250	01	IRR
	DIANE T	C	A47-04099	06/01/1966	SALMON FALL	8.200	01	IRR
	DIANE T	C	A47-07252	04/02/1974	SALMON FALL	20.000	02	IRR S
							03	IRR FS
							55	DIV S
	DIANE T	C	A47-12971	05/20/1959	GROUNDWATER	0.100	43	DOMEST
							04	STOCK
							01	IRR
	DIANE T	C	A47-12972	05/20/1978	GROUNDWATER	0.040	43	DOMEST
	DIANE T	C	R47-12972	05/20/1978	GROUNDWATER	0.040	43	DOMEST
	DON C	C	A47-11740	12/31/1925	GROUNDWATER	0.120	43	DOMEST
							04	STOCK
	DON C	C	A47-11741	12/31/1925	GROUNDWATER	0.070	43	DOMEST
							04	STOCK
	DONALD L	C	A47-13813	02/15/1970	GROUNDWATER	0.040	43	DOMEST

(Enter=Continue) (GOLD7=This Query) (Menu _____)

COPY


Well
Storage Bins
Well
3768
3797
Wells
3806
3795
3800
Gravel Pit
Gravel Pit
3824
ROAD
5
4
Storage Bins
3826
3830
EAST
Gravel Pit
4000
NORTH
ROAD
400
3800
Well
Well
Well
Storage Bins
8
9
3840
3838
500
Well
3812
3985
3830
3700
BALANCED
800
ROCK
3832
17
16
18
3500
4021
3848
Gravel Pit
3845
Gravel Pit
ROAD
Balanced Rock
Picnic Area
3840
DEEP
Picnic Area
Balanced Rock
3800
COPY

6/9/94

COMMUNICATION DOCUMENTATION

Claim No. A47-07565 ET AL

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Frank Hitchcock

◇◇◇

November 6, 1996 1:13pm

NAME:
BROCK DRISCOLL-DRISCOLL BROTHERS PARTNERSHIP ABERDEEN, ID

RE:
OWNERSHIP CHANGE(S)

CAME IN AFTER TCW 11-05-96 THIS DATE TO CHANGE OWNERSHIP ON A47-07565. TODAY HE PRESENTED AN ASSIGNMENT FOR SEVERAL WATER RIGHTS IN ADDITION TO THE NUMBER QUOTED (AND RESEARCHED) YESTERDAY. SEE THE ATTACHED COPY OF THE ASSIGNMENT.

NO NUMBERS WERE SHOWN AS SRBA CLAIMS AND MR DRISCOLL DIDN'T HAVE ANY KNOWLEDGE AS TO THEIR STATUS IN THE SRBA.

RESEARCH TURNED UP THE FOLLOWING STATUS OF THE NUMBERS FROM THE ASSIGNMENT DOCUMENT:

✓ 47-07615 CLAIMED IN THE NAME OF EASTERDAY IN THE SRBA-NO PAPER EASTERDAY TO DRISCOLL.

47-07618 CLAIMED IN THE NAME OF EASTERDAY IN THE SRBA-1409(6) TO DRISCOLL DONE 11-06-1996.

47-07565 CLAIMED IN THE NAME OF GIUFFRE' IN THE SRBA-ASSIGNED TO DRISCOLL BY DOCUMENT.

47-07569 CLAIMED IN THE NAME OF GIUFFRE' IN THE SRBA-ASSIGNED TO DRISCOLL BY DOCUMENT.

47-0774 UNABLE TO LOCATE-DRISCOLL DOESN'T KNOW WHAT IT REPRESENTS.

WE DID A 1409(6) FOR 47-07565 AND 47-07569. DRISCOLL WILL FOLLOW UP ON PAPER FOR THE 47-07615 USAGE TO SHOW OWNERSHIP AND ATTEMPT TO

NOV 28 1996

FIND OUT WHAT THE 47-0774 NUMBER REPRESENTS IF POSSIBLE.

CC TO GEORGIA SATTERLEE IN ALLOCATIONS WHO HAS WORKED ON SEVERAL OF THESE RIGHTS FOR A TRANSFER AND BECAUSE DRISCOLL WANTS TO DO A FUTURE TRANSFER ONCE THE RIGHTS ARE CORRECTLY CHANGED OVER TO HIM.

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ASSIGNMENT OF WATER RIGHTS

FOR VALUABLE CONSIDERATION, receipt of which is acknowledged, the undersigned assigns, quitclaims and transfers to Driscoll Brothers Partnership, the following described water rights:

a. State of Idaho Water License No. 47-07565; (5)

b. The following ground and surface water filings made with the Idaho Department of Water Resources: (1) 47-07615, (2) 47-0774, 47-07618, (3) 47-07569, (4) and L47-07569.

DATED June 5th, 1996.

(1) in name of FIRSTBRAY
(2) unknown —
(3) already transferred 11-06-96 by TRISH.
(4) GIUFFRE
(5) GIUFFRE

Kenneth W. Marshall
KENNETH W. MARSHALL

Helen L. Marshall
HELEN L. MARSHALL

Wayne R. Marshall
WAYNE R. MARSHALL

Douglas Marshall
DOUGLAS MARSHALL

Mary Thomas
MARY THOMAS

Jean L. Giuffre
JEAN L. GIUFFRE

James V. Giuffre
JAMES V. GIUFFRE

Jean L. Giuffre
JEAN L. GIUFFRE, as custodian for Jess Giuffré under the Idaho Uniform Transfers to Minors Act

RECEIVED
NOV 06 1996
Department of Water Resources
Southern Region

COPY

NOV 28 1996

COPY

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Georgia Satterlee

DATE
June 24, 1996 3:05pm

CUSTOMER
EASTERDAY/WRIGHT

SUBJECT: 47-07615/47-07618
phone call (X) walk-in (.)

I talked to Cindy Zimmerman. She has not reviewed the file for said water right permit. I updated her on what Shelley Keen informed me on. She agrees with Shelley's target date of 31July. We discussed Mr. Wright's desire to transfer 47-07615 and 47-07618 all in his name (although Mr. Wright says the name won't be Wright). Cindy suggested to let Mr. Wright know that an Assignment of Permit (to change names) would be $25.00 and less hoops to jump than changing the name once the permit is a license.
4:00 pm Called Mr. Wright and left a message @ 420-3340. Informed him of the Assignment of Permit & update on the status of 47-07615.
4:20 pm Called Mrs. Easterday. Said the same thing to her as the message I left for Mr. Dale Wright.

NOV 28 1996

From: DWR60::GSATTERL 24-JUN-1996 08:20:57.35
To: DWR03::SKEEN
CC: GSATTERL
Subj: 47-07615

Shelley,
Thank you for your prompt response regarding 47-07615. I will be in contact with Cindy Zimmerman to get an update on the contents of the file.
Georgia Satterlee

NOV 28 1996

From: DWR03::SKEEN 24-JUN-1996 08:05:20.49
To: DWR60::GSATTERL
CC: SKEEN
Subj: 47-07615

Georgia,

On Friday I pulled the file for 47-07615. There appear to be some complex issues involved. Therefore, I predict that it will take a little while to complete our review and issue a license. My target date is July 31. Cindy Zimmerman will be conducting the initial licensing review. If you want to discuss the contents of the file, please contact Cindy.

Shelley Keen

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6/9/94

COMMUNICATION DOCUMENTATION

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IDWR Employee/Agent Georgia Satterlee

DATE
June 21, 1996 2:20 pm

CUSTOMER
Easterday/Wright

SUBJECT: #47-07615
phone call (X) walk-in (.)

Called Sharla Curtis to get an update on #47-07615. Sharla says Cindy is focusing on licenses for Southern Region. Cindy wasn't there and Shelley Keen helped me. He is going to pull the file and see what hoops would be needed to be jumped to get the permit licensed. Shelley said I will be contacted by E-Mail on Monday to get updated information.

NOV 28 1996

(A) 47-07615
(A) 47-07618

6/9/94

COMMUNICATION DOCUMENTATION

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IDWR Employee/Agent Georgia Satterlee

DATE
June 19, 1996 2:45pm

CUSTOMER
Easterday and Wright

SUBJECT:
phone call (X) walk-in (.)

As of 1:30 pm today, Sharla Curtis had not looked over the status of #47-07615. I felt it unneccesary to meet with the parties until the information is clear on the status of #47-07615. I called the parties involved to cancel the appointment. I contacted Mrs. Easterday and explained the situation. I said I would inform her when there was clarification.

I tried calling Mr. Wright at the different phone numbers (see 18 June) and finally left a message on the machine at his home. He showed up promptly at 2:00 pm. I updated him on the situation. He said, "If it will be a hassle to get the permit licensed, then they choose the process that they utilized in the past (amendment of the permit and transfer of the license)".

I told him I would find out the status and options and contact them. He asked if I could have this information by the first of next week. All I can do is my best.

NOV 28 1996

(A) 47-07615
(A) 47-07618

6/9/94

COMMUNICATION DOCUMENTATION

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IDWR Employee/Agent Georgia Satterlee

DATE
June 18, 1996 2:00pm

CUSTOMER
Lorene and Lenard Easterday
home 543-5841
Dale Wright home 734-5927
mobile #'s (208)326-5759
message " 420-3340

SUBJECT:
phone call (.) walk-in (X)

Lorene and Lenard Easterday with Mr. Dale Wright came in to begin a transfer regarding water right numbers #47-07615 and #47-07618. They want to change the place of use and change the name. There was an amendment for #47-07615 and transfer, T#3904, for #47-07618 was implemented 24 Jan 1994 (changed only the place of use on a temporary basis). The period of authorization under the amendment and transfer ended on 01 November 1995.

Before proceeding with a transfer, I have questions because although #47-07618 is licensed, #47-07615 is still a permit even though an exam for #47-07615 was done in July 1987 and the information was sent to State Office September 1987. I would like to find out why #47-07615 wasn't licensed.

The Easterdays and Mr. Wright will come back 19 June at 2:00 to conclude this matter.

Doug Jones called Sharla Curtis to see what the status is regarding the implementation of a license for #47-07615.

NOV 28 1996

6/9/94

COMMUNICATION DOCUMENTATION

This form is to be used to document public record information requests regarding any SRBA claim or claims. The form may also be used to document IDWR communications requesting information regarding any SRBA claim or claims when the request is not made in writing or the claim verification report is not readily available to document the request. This form is to be filed in all relevant claim files or a central office file.

IDWR Employee/Agent Kelly K Christensen

DATE
December 22, 1995 3:59pm

CUSTOMER
TINA PETTIE

SUBJECT: SEARCH FOR LEONARD EASTERDAY CLAIMS IN TNS 10S; RNG 13E; SEC 2 & 11; B.M.
phone call (.) walk-in (.)FAX REQUEST

I did an ajq1 search on Easterday in basin 47. I found a47-07615 and A47-13178. Neither claim was in the requested place of use. I did a wrq4 search on the above legals but did not find any rights relating to Easterday. I generated profile reports for the two above claims for her.

NOV 28 1996

A47-07615

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDMENT OF WATER RIGHT

WATER RIGHT NO. 47-07615

FEB 01 1996

This is to certify that: **LENARD D EASTERDAY**
RT 2 BOX 85
BUHL ID 83316

has requested a change to the above captioned water right(s). This change in water right(s) is approved, provided the conditions listed below are met.

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE
IRRIGATION	04/01 to 10/31	4.88 CFS

SOURCE

GROUNDWATER

Priority: 01/04/1980

LOCATION OF POINT(S) OF DIVERSION: SENE , Sec. 20, Township 10S, Range 13E
Injection SENE , Sec. 20, Township 10S, Range 13E
Rediversion SENE , Sec. 20, Township 10S, Range 13E
TWIN FALLS County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
09S	13E	32	NESE	40	NWSE	40	SWSE	40	
			SESE	40					160
10S	13E	4	NENE	38.7	NWNE	38.8	SWNE	40	
			SENE	40	NENW	38.8	NWNW	38.8	
			SWNW	40	SENW	40	NESW	40	
			NWSW	40	SWSW	40	SESW	40	
			NESE	40	NWSE	40	SWSE	40	595.1
		5	NENE	38.9	NWNE	39.1	SWNE	40	
			SENE	40	SENW	40	NESW	39.4	
			NESW	40	SESW	40	NESE	40	
			NWSE	40	SWSE	40	SESE	40	477.4
					Total number of acres irrigated:				1232.5

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 47G.

NOV 28 1996

47 07615

AMENDMENT
WATER RIGHT NO. 47-07615

CONDITIONS/REMARKS:

3. The maximum combined rate of diversion under Right Nos. 47-07615 and 47-07618 shall not exceed 4.88 cfs.
4. The combined annual volume of water under Right Nos. 47-07615 and 47-07618 shall not exceed 2371.5 acre feet.
5. Flow from the well is only authorized when rediversion pumps from Salmon Falls Creek are operating. Likewise, rediversion pumps can only be operated when the well is flowing.
6. Right No. 47-07615 is limited to the irrigation of 303 acres in the place of use described above in a single irrigation season.
7. Right No. 47-07618 is limited to the irrigation of 320 acres in the place of use described above in a single irrigation season.
8. The period of authorization under this amendment ends on November 1, 1995. On that date, the place of use shall revert back to lands identified prior to the amendment approval.
9. Point of rediversion is from Salmon Falls Creek.

Dated this 24th day of January, 1994.

L. Blew Saxton
Chief, Water Alloc. Bureau

Form 5/78

Date Sent to S.O.
MAY 7 1992

Ident. No. 47-07615

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

RECEIVED
MAY 05 1992
Department of Water Resources
Southern Region Office

To change the point of diversion and/or the place of use.

Comes now Leonard and/or Lorene Easterday

of (address) Rt. 2 Box 85, Buhl, ID 83316, and represents to the Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 47-07615, and requests that the permit and permit map be changed as follows:

1. Point of diversion: _____ ¼ _____ ¼, Section _____, Township _____, Range _____, B.M., County of _____. Other points of diversion: _____

   No Change

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.) No Change

   Amount ** 4.88 (cfs or acre feet per annum) for Irrig. purposes from 3-15 to 11-15 (both dates inclusive)

   Amount _____ (cfs or acre feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

   Amount _____ (cfs or acre feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

   Amount _____ (cfs or acre feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

   ** Capacity of Well including Lic. 47-7618

3. Place of use or land to be irrigated: * Number of Acres Found on licensing exam.

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10S	13E	4				23					40	40	40	40	40	40	40		303*

Total number of acres to be irrigated = 303

4. a. Who owns the property at the point of diversion? Permittees via easement from Ken & Wayne Marshall

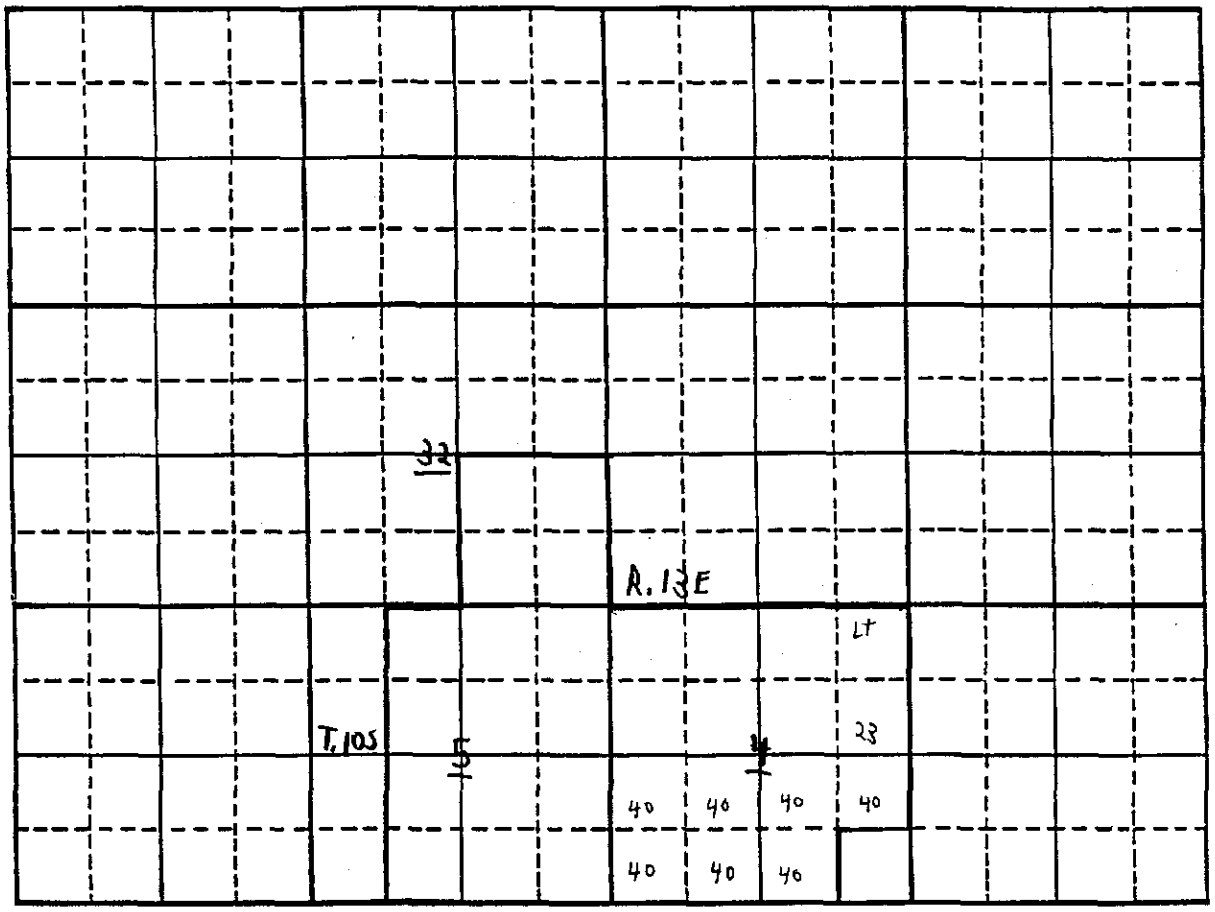
   b. Who owns the land to be irrigated or the place of use? Dale Wright

   c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: While original P/U is in the CRP Program (until Nov. 15, 1995) water is being leased to Dale Wright to supplement existing surface rights.

47-7615

NOV 28 1996

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Twin Falls, ID, this 5th day of February, 1992.

(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = $20.00 Receipted by _____ Date 2-5-92 5014181

Publication prepared by MB Date 2-27-92 Published in Times News

Publication dates 3/12 + 3/19/92

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, _____, Director of the Department of Water Resources hereby

Witness my hand this _____ day of _____, 19 ____.

Director

NOV 28 1996

Form 1[illegible]
5/78

Ident. No. 47-7615

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

RECEIVED
APR 29 1982
Department of Water Resources
Southern District Office

Comes now Lenard D. Easterday

of (address) RR. 2 Buhl, Idaho 83316, and represents to the Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 47-7615, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE ¼ NE ¼, Section 20, Township 10S, Range 13E, B.M., County of Twin Falls. Other points of diversion: SW¼SE¼, SEc. 2 T10S, R13E

   Water diverted in the SE¼NE¼, Sec. 20- T10S,R13E is to be injected into Salmon Falls Cree from a flowing well and rediverted by a pumping plant approximately 500 ft down stream from the injection point.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.) NO CHANGE

   Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
   (cfs or acre feet per annum)

   Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
   (cfs or acre feet per annum)

   Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
   (cfs or acre feet per annum)

   Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
   (cfs or acre feet per annum)

3. Place of use or land to be irrigated: NO CHANGE

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated = _____

4. a. Who owns the property at the point of diversion? Ken & Wayne Marshall

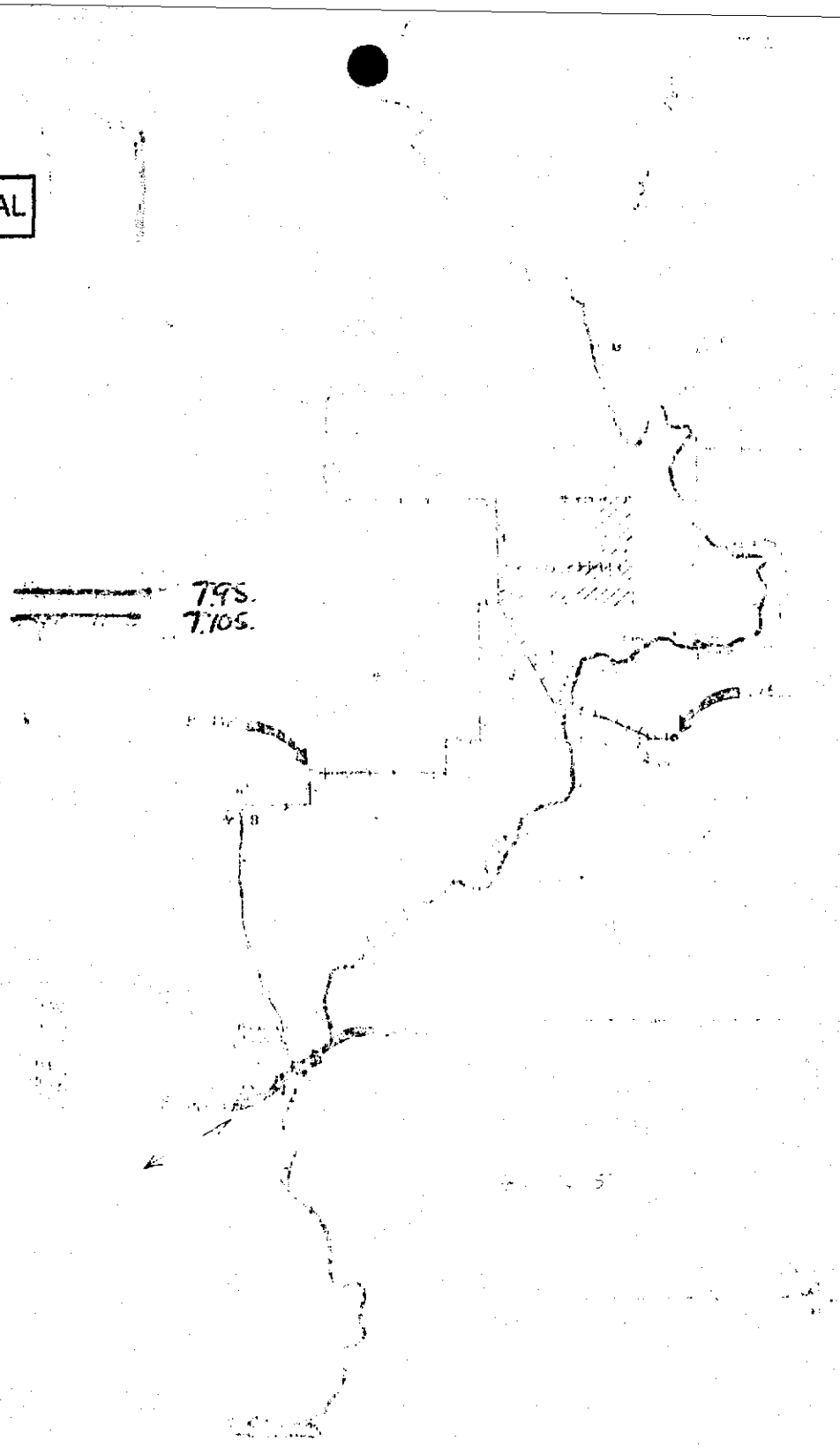
   b. Who owns the land to be irrigated or the place of use? BLM

   c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Allowed BLF I-2011

47-7615

NOV 28 1996

POOR ORIGINAL



I, L. GLEN SAXTON of the Department of Water Resources hereby

APPROVE the above application provided that 1. provisions of Memorandum Decision issued 12/3/1980 are met. 2. Measuring devices of a type approved by the Department shall be installed at the point of injection and at the point of rediversion from Salmon Falls Creek. 3. The use of water under this right is subject to the control of the water master of State Water District No. 47G, Salmon Falls Creek.

Witness my hand this 19 day of April, 19 82

Chief, Operations Bureau

NOV 28 1996

Form 2
5/78

Ident. No. 47-7615

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

APPROVED

Comes now Lenard D. Easterday

of (address) Rt. 2 Buhl, ID 83316, and represents to the Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 47-7615, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE ¼ NE ¼, Section 20, Township 10S, Range 13E, B.M., County of Twin Falls. Other points of diversion: SW¼NE¼ Sec 2 T10S R13E

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.) NO CHANGE

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated: NO CHANGE

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated = _____

4. a. Who owns the property at the point of diversion? Ken & Wayne Marshall

b. Who owns the land to be irrigated or the place of use? BLM

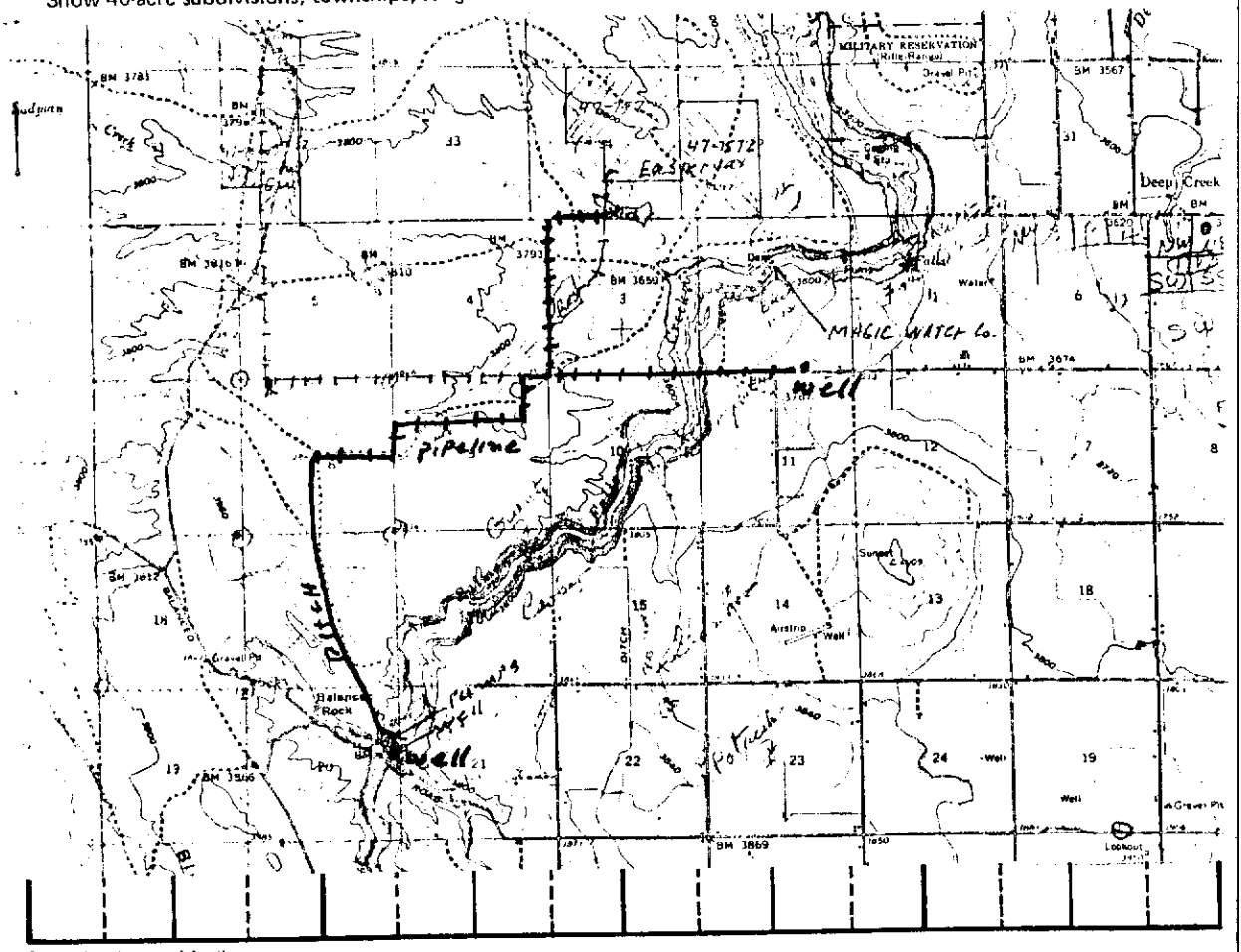
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Allowed DLE I-2011

NOV 28

47-7615

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Twin Falls, ID, this 10th day of April, 1981.

(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by ADM Fee = $20.00 Receipted by [illegible] Date 4/10/81 #16957

Publication prepared by _____ Date _____ Published in _____

Publication dates _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON Chief, Operations Bureau of the Department of Water Resources hereby

APPROVE the above referenced Amendment provided that:

1) All water encountered above 3100 feet elevation (330 Ft. hole depth) must be cased out

2) Permit must be under watermaster control if water is comingled with Salmon Falls Creek

Witness my hand this 6th day of August, 19 81.

L. Glen Saxton

Chief, Operations Bureau

NOV 28 1996

RECEIVED
APR 8 1981
Department of Water Resources
Southern District Office

MEMO:

TO: Bob Fleenor & Files

RE: Inspection of Ken Marshall Well - Permit #47-7565
and Easterday well - Permits #47-7614, 47-7615, 47-7616, 47-7617, 47-7618

Date of Inspection: February 26, 1981

The Ken Marshall well is being drilled by Elsing Drilling with a cable tool rig in the Salmon Falls Creek Canyon just downstream from the Balanced Rock crossing. When inspected by Allen and I, the rig was being operated by Ray Gramer. He reported the well depth as 350 feet, drilling in hard, gray rhyolite and obtaining no water.

The well has a 26" casing down to 30 feet. A 20" casing is grouted inside this fro the surface down to a depth of 90 feet. The well is 20" open hole from 90 to 200 f and 12 inch open hole from 200 feet to the bottom.

The operator says artesian water was encountered in the first 90 feet of hole, and this has been sealed out except for a small amount of leakage. Two 3/4 inch pipes have been grouted into the annular space between the 26" and 20" casings to tap some of the artesian flow for possible domestic use. The combined flow of the two taps and the leakage out of the well is no more than 20 gpm.

Gramer said he thought the leakage could be sealed off with additional grout after the well is completed.

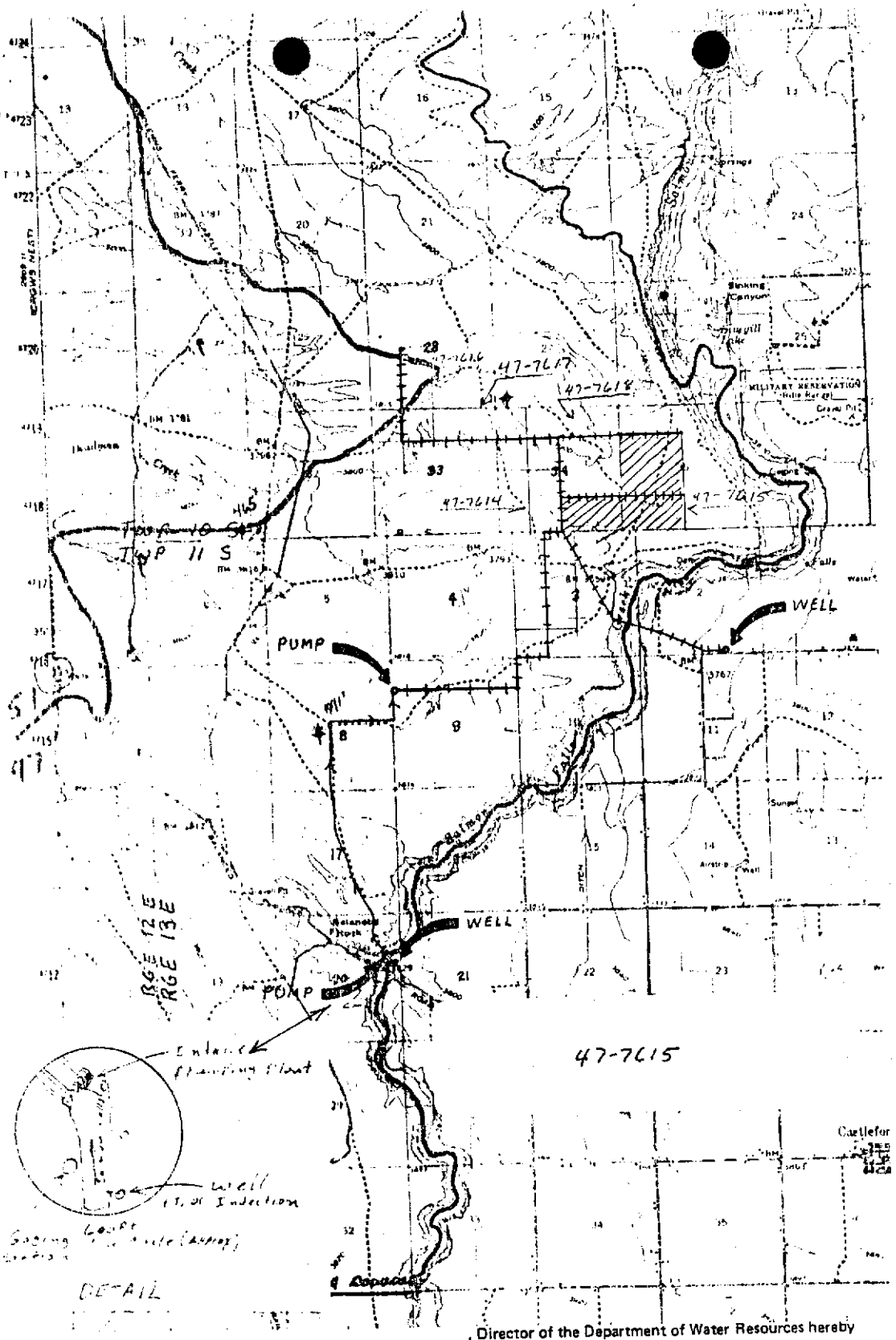
We also inspected a well being drilled for La Ray Easterday under Permits # 47-76 15, 16, 17, 18, in the SWSE, Sec. 2 T10S, R13E. The well is being drilled by Elsing Drilling with a rotary rig.

The driller reported the depth as 725 feet, drilling in gray rhyolite.

Wthe well has 512 feet of 12" casing installed. The operator said that only 125 gpm of water had been encountered and that this was cased out. He is currently drilling in a dry hole.

Both the Marshall and Easterday wells have hole bottom elevations of less than 3100 feet and therefore any water now encountered can be appropriated under the permits.

NOV 28 1996



I, _____, Director of the Department of Water Resources hereby

_____

_____

_____

Witness my hand this _____ day of _____, 19 ____.

_____
Director

NOV 28 1995

Form 202
3/71

Ident. No. 47-7615

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES,
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Lenard D. Easterday Phone 543-5841

   Post office address Route 2, Buhl, Ida.

2. Source of water supply groundwater which is a tributary of _____

3. Location of point of diversion is SW ¼ of SE ¼ of Section 2 Township 10S

   Range 13E B.M. Twin Falls County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

   Amount 6.4 (cfs or acre-feet per annum) for irrigation purposes from Mar. 15 to Nov. 15 (both dates inclusive)

   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated:

   a. 6.4 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. A diesel powered turbine pump delivers water through a steel pipeline to a [illegible] pond where a pump lifts a sprinkler [illegible].

   b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

   Period of year when water will be diverted to storage _____ (Month/Day) to _____ (Month/Day) inclusive.

   c. Proposed well diameter is 20 inches; proposed depth of well is 400 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years *(minimum 1 year – maximum 5 years).*

8. Description of proposed uses:

   a. If water is not for irrigation:

      (1) Give the place of use of water: _____ ¼ of _____ ¼ of Section _____ Township _____

      Range _____ B.M.

      (2) Amount of power to be generated: _____ horsepower under _____ feet of head.

      (3) List number of each kind of livestock to be watered _____

      (4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

      (5) If water is to be used for other purposes describe: _____

47-7615

NOV 28 1975

POOR ORIGINAL

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SE¼	SW¼	
9S	13E	35							40	40	40	40	40	40					240
9S	13E	34															40	40	80

Total number of acres to be irrigated 320

c. Describe any other water rights used for the same purposes as described above. _____

9. a. Who owns the property at the point of diversion Lenard L. Easterday

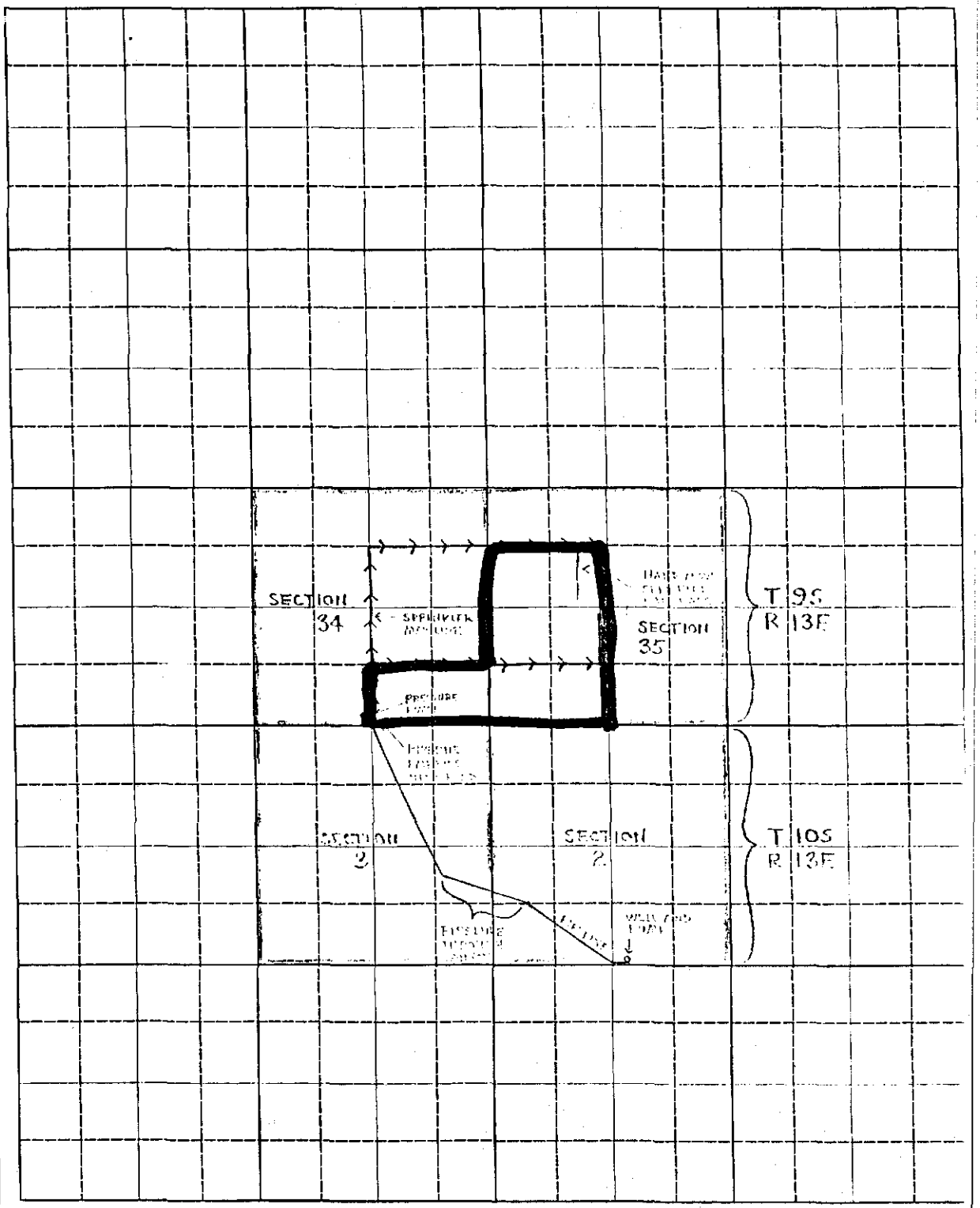
b. Who owns the land to be irrigated or place of use U.S. government

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing The subject 320 acres is an allowed [illegible] Entry filing No. I-2011 in the name of Lenard L. Easterday.

10. Remarks The application is made in conjunction with [illegible] from Leroy Easterday, Elden Easterday, Lenard Easterday and Lorene Easterday. The cost of the delivery system will be borne by the applicants.

NOV 28 1996

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Lenard W. Carstensen
(Applicant)

NOV 28 1996

Priority: January 4, 1[illegible]

Received by [illegible] Date 1-4-80 Time 3:50 pm

Preliminary check by [illegible] Fee $ 95

Receipted by [illegible] Date 1-4-80 17052

Publication prepared by ALM Date 1-8-80

Published in Times News

Publication dates 1/24 & 1/31/80

Publication approved [illegible] Date 1/15/80

Protests filed by: Magic Water Co, Inc - Murgoitio

Copies of protests forwarded by [illegible]

Hearing held by Decision stipulated Date

Recommended for (approval) denial by [illegible]

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 47-7615, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

   a. SUBJECT TO ALL PRIOR WATER RIGHTS.

   b. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 19 85.

   c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

   d. Other: PURSUANT TO MEMORANDUM DECISION AND ORDER

Witness my hand this 26 day of November, 19 80.

Stephen Allred

Director

NOV 28 1996

Log for claim 47-07615 **Spatial Dynamics BTD** **3/1/01**

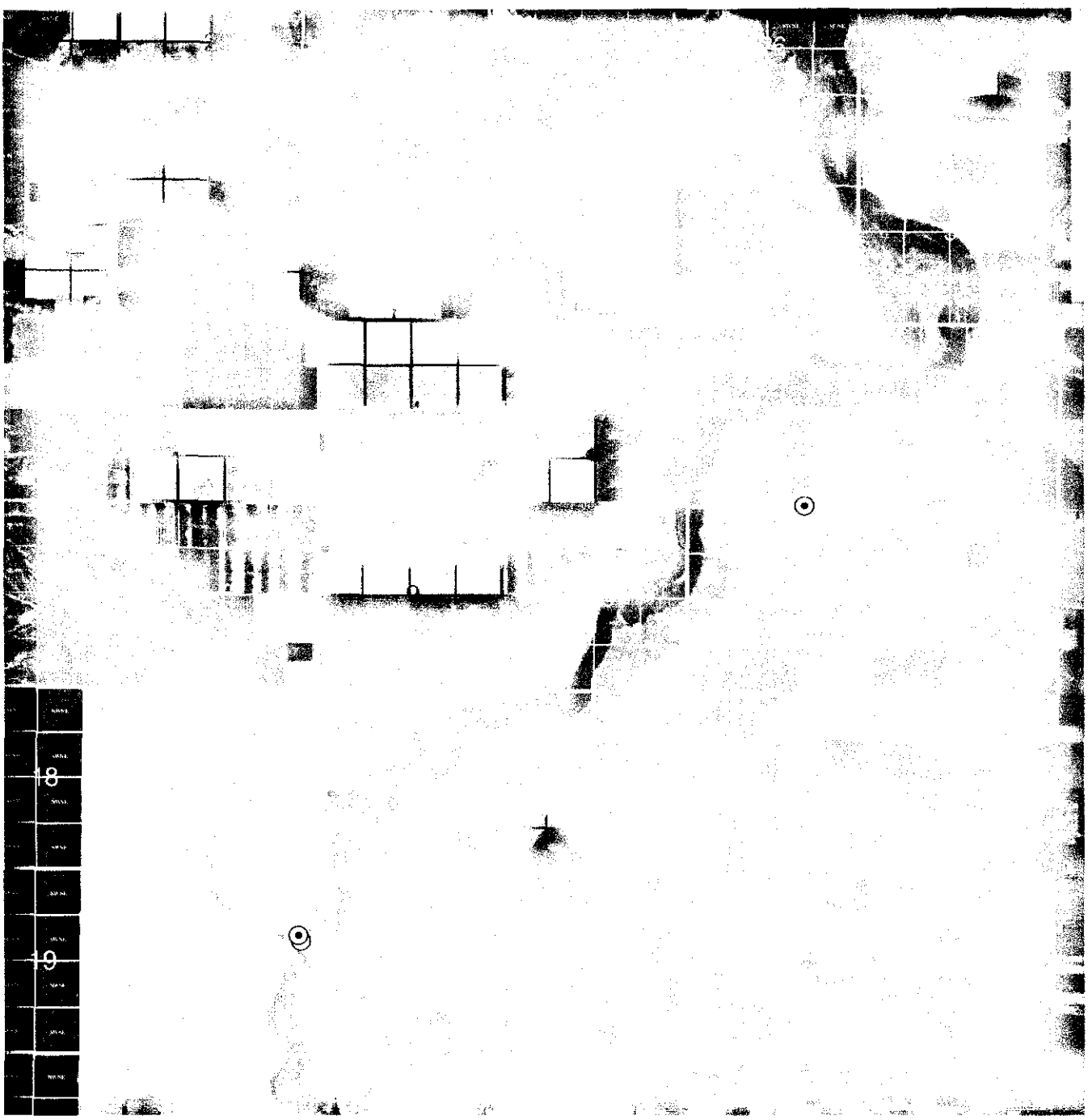
TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
09s13e	34	SWSE	40	37	
09s13e	34	SESE	40	39	
09s13e	35	SWNW	40	40	
09s13e	35	SENW	40	40	
09s13e	35	NESW	40	40	
09s13e	35	NWSW	40	40	
09s13e	35	SWSW	40	40	
09s13e	35	SESW	40	40	
Totals:			320	316	

SPATIAL DYNAMICS

Water Right Claim Number 47-07615

03/01/2001

Townships , 9S13E, 10S13E



Legend

	Irrigated Area		Section Line		Roads
⊙	Place of Diversion		Quarter Section Line		Streams and Canals

N

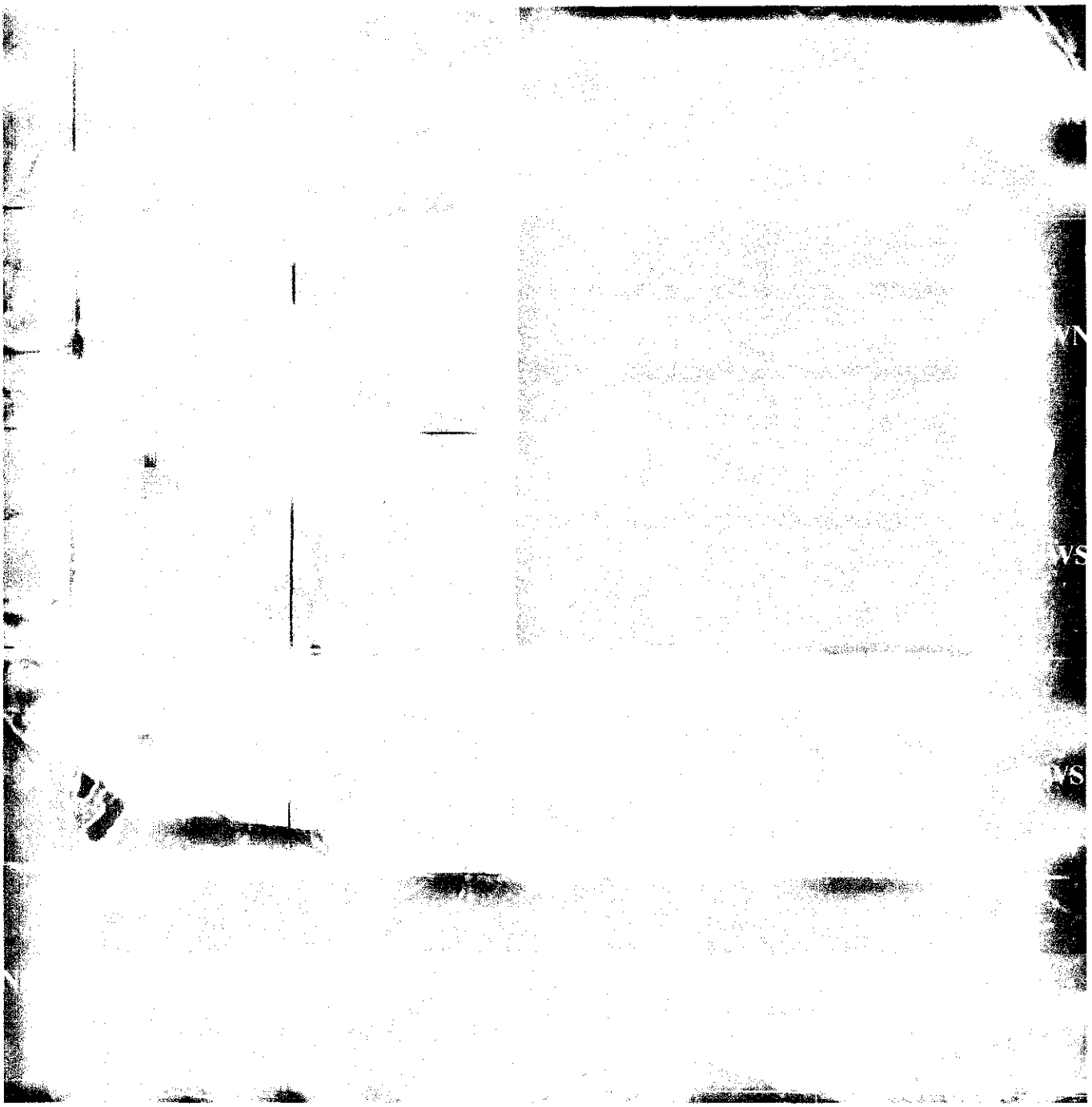
3000 0 3000 6000 Feet

SPATIAL DYNAMICS

Water Right Claim Number 47-07615

03/01/2001

Townships , 9S13E, 10S13E



Legend

	Irrigated Area		Section Line		Roads
⊙	Place of Diversion		Quarter Section Line		Streams and Canals

N

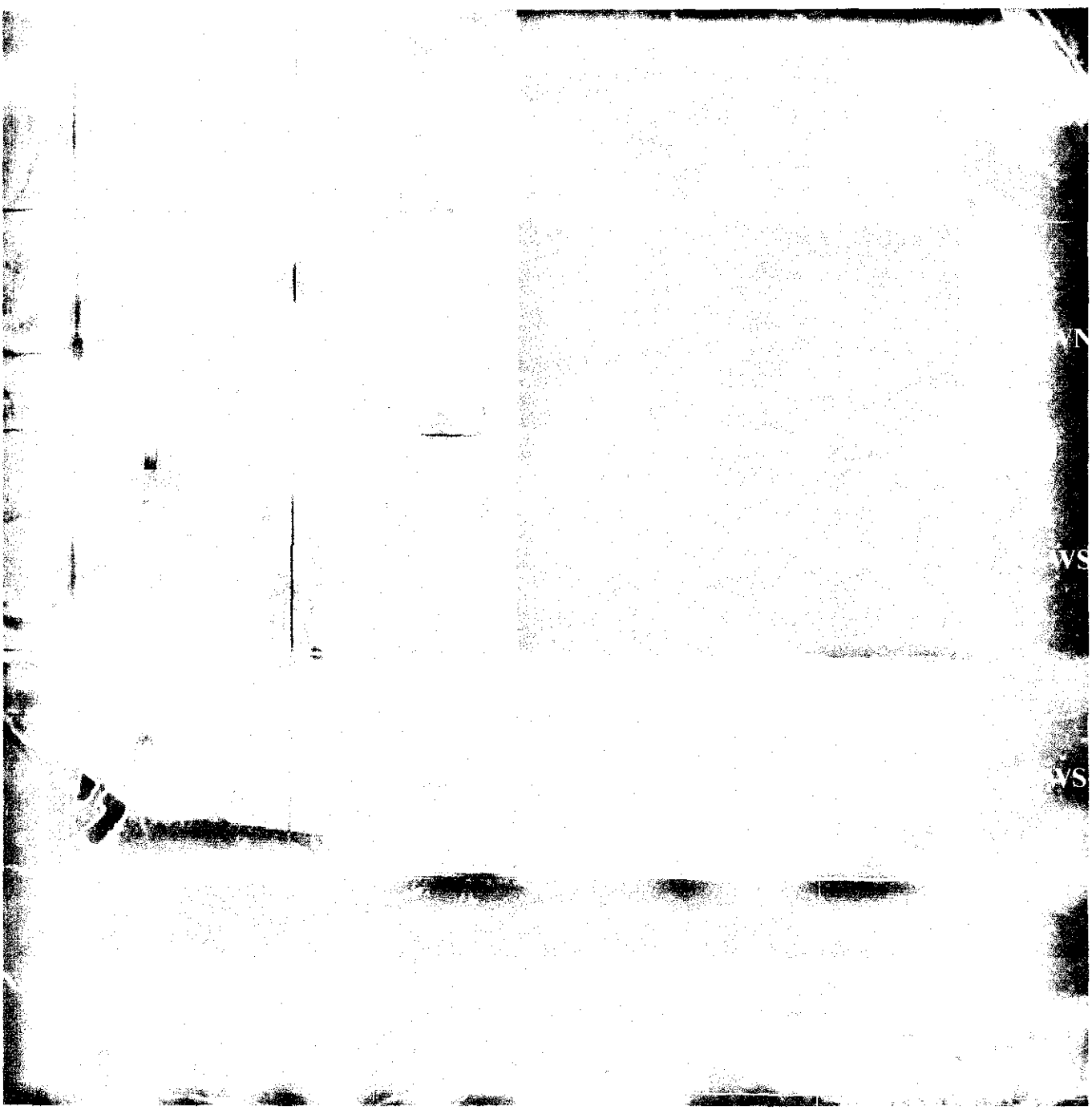
600 0 600 1200 Feet

SPATIAL DYNAMICS

Water Right Claim Number 47-07615

03/01/2001

Townships , 9S13E, 10S13E



Legend

	Irrigated Area		Section Line		Roads
⊙	Place of Diversion		Quarter Section Line		Streams and Canals

N

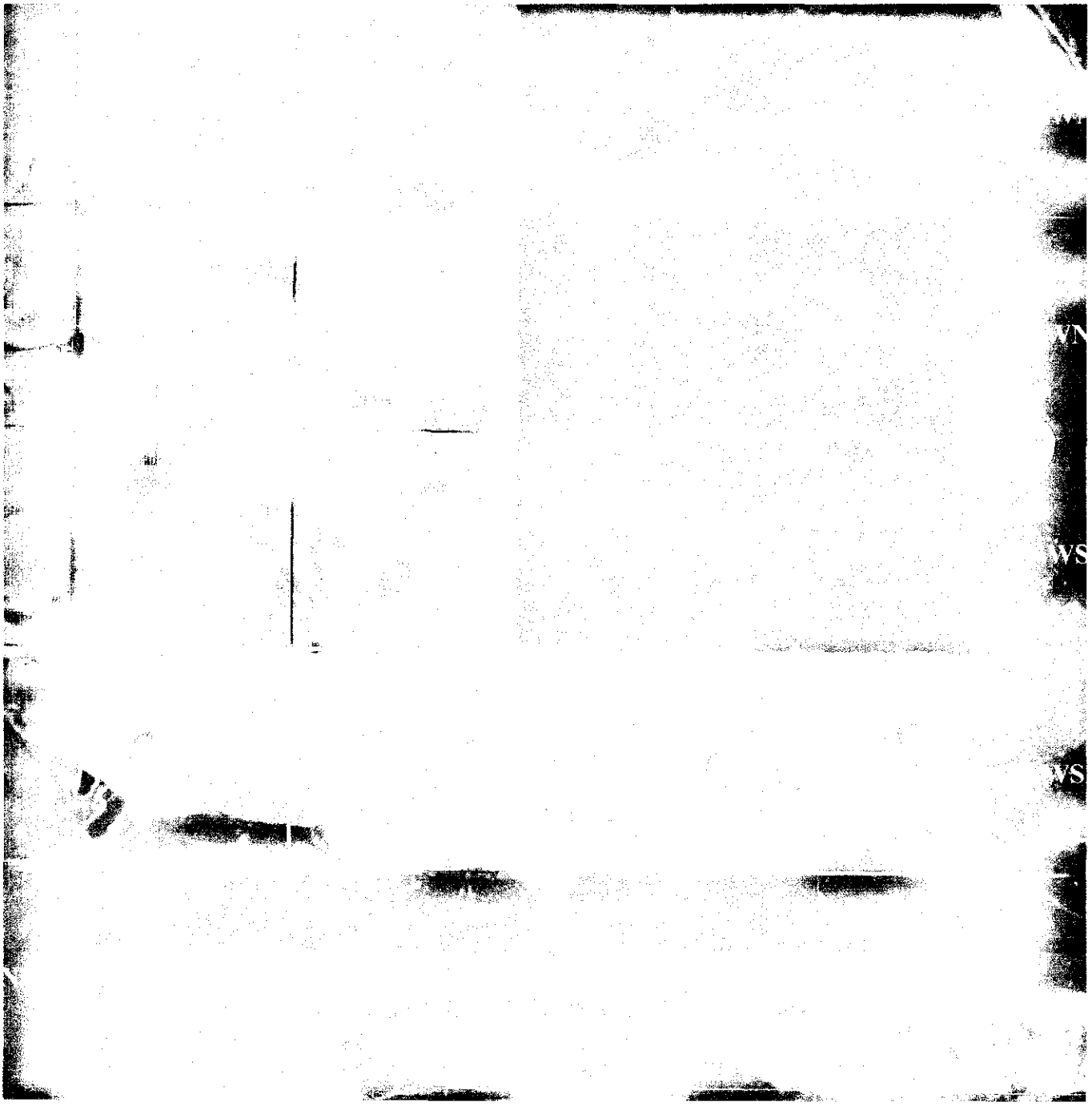
600 0 600 1200 Feet

SPATIAL DYNAMICS

Water Right Claim Number 47-07615

03/01/2001

Townships , 9S13E, 10S13E



Legend

	Irrigated Area		Section Line		Roads
⊙	Place of Diversion		Quarter Section Line		Streams and Canals

N

600 0 600 1200 Feet

SPATIAL DYNAMICS

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	TO	DIVERSION RATE	DIVERSION VOLUME
C	DRISCOLL BROTHERS PARTNERSHIP 2250 S 3200 W ABERDEEN ID 83210 (208) 226-2168	01/04/1980	IRRIGATION	03-15	11-15	6.400 CFS	
				TOTAL DIVERSION:		6.400 CFS	

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion:	T10S R13E S02	SWSE	TWIN FALLS County
	S20	SENE	TWIN FALLS County
Point(s) of Re-diversion:	T10S R13E S20	SENE	TWIN FALLS County

Place of use Legal Description for: IRRIGATION

	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	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
09S 13E 34															40	40	80.0
09S 13E 35							40	40	40	40	40	40					240.0
															TOTAL ACRES		320.0

POU County: TWIN FALLS

Other Rights: 02-7100

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A47-02316A A47-02402 A47-02417 A47-04099 A47-07252 A47-07565 A47-07569 A47-07618 A47-07642 A47-16773
R47-07252 R47-07565 R47-07569 R47-07615

Other Water Rights Listing Overlapping Place(s) of Use:
R47-07615

Conditions of Approval:
01C - A flow measurement port or other device as specified by the
- Department shall be installed by the right holder to provide for
- the installation of measuring equipment and the determination of
- the rate of diversion by the Department.

Remarks: GEN DLE I-2011.
THE WELL MUST BE CASED WITH UNPERFORATED CASING INTO A CONFINING
LAYER BELOW THE FIRST AQUIFER IN ORDER TO PREVENT INTERFERENCE
WITH SURFACE FLOWS IN SALMON FALLS CREEK.
PT. OF INJECTION INTO SALMON FALLS CREEK: SENE, S20, T10S, R13E.
****
2/25/2000 TF; OWNERSHIP CHANGED EASTERDAY TO DRISCOLL BROS
PARTNERSHIP PER 1409(6) AND WARRANTY DEED REC'D 12/11/1998.
IDAHO AGRICULTURAL CREDIT ASSN ALSO ADDED AS LIENHOLDER.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: 47G Field Inspection Flag:
Presumption Flag:

Audit: 12/22/88 WHITE 04/04/91 SHAFF 03/31/92 FRAZEE 12/16/93 FRAZEE
03/30/95 POST-STD 02/25/00 TFAWCETT

WATER RIGHT NUMBER	NAME	CFS
47-07615	DRISCOLL BROTHERS PARTNERSHIP	4.88

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4947 & 4946
WATER RIGHT NO(S). 47-07615 & 47-07618

This is to certify that: **DRISCOLL BROTHERS PARTNERSHIP**
2250 S 3200 W
ABERDEEN ID 83210

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.

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
Transfer No. 4947 :			
Right No. 47-07615 :			
IRRIGATION	04/01 to 10/31	4.88 CFS	1212.0 AF
Priority: 09/24/1980			
Transfer No. 4946 :			
Right No. 47-07618 :			
IRRIGATION	04/01 to 10/31	4.88 CFS	1280.0 AF
Priority: 01/07/1980			
	TOTAL:	* 4.88 CFS	* 2071.4 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:
Injection — SENE , Sec. 20, Township 10S, Range 13E
Rediversion — SENE , Sec. 20, Township 10S, Range 13E
SENE , Sec. 20, Township 10S, Range 13E
TWIN FALLS County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
09S	13E	32	NESE	40.0	NWSE	40.0	SWSE	40.0	
			SESE	40.0					160.0
10S	13E	4	NENE	38.7	NWNE	38.8	SWNE	40.0	
			SENE	40.0	NENW	38.8	NWNW	38.8	
			SWNW	40.0	SENW	40.0	NESW	40.0	
			NWSW	40.0	SWSW	40.0	SESW	40.0	
			NESE	40.0	NWSE	40.0	SWSE	40.0	595.1
		5	NENE	38.9	NWNE	39.1	SWNE	40.0	
			SENE	40.0	NENW	39.4	SENW	40.0	
			NESW	40.0	SESW	40.0	NESE	40.0	
			NWSE	40.0	SWSE	40.0	SESE	40.0	477.4

Total number of acres irrigated: ** 1232.5

MAY 2 1 1997

TRANSFER NO. 4947 & 4946
WATER RIGHT NO(S). 47-07615 & 47-07618

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 47G.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
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.

* 6. Right Nos. 47-07615 and 47-07618 when combined shall not exceed a total diversion rate of 4.88 cfs, a total annual diversion volume of 2071.4 af for the irrigation of 623.0 acres.

7. Right Nos. 47-07615 and 47-07618 when combined with Right Nos. 47-02316B, 47-02316C, 47-02407, 47-02417, 47-07565, 47-07569 and 47-07642 shall not exceed 24.71 cfs.
8. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works from the point of diversion, injection and rediversion that is acceptable to the watermaster and will provide suitable control of the diversions. Diversion is not authorized at any time accurate measurements are not available to the watermaster.
9. Water under this right is injected into and rediverted from Salmon Falls Creek.
10. Flow from the well is authorized only when the rediversion pumps from Salmon Falls Creek are operating. Rediversion from Salmon Falls Creek under Right Nos. 47-07615 and 47-07618 shall never exceed the rate at which water is diverted from the well and injected into Salmon Falls.

** 11. Right No. 47-07615 is limited to the irrigation of 303.0 acres in the place of use described above in a single irrigation season.

** 12. Right No. 47-07618 is limited to the irrigation of 320.0 acres in the place of use described above in a single irrigation season.

Dated this 2nd day of May, 1997.

L. Glen Saxton
Chief, Water Allocation Bureau

RECONSIDERED
MAY 21 1997

Form 1-222
12-92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4947

RECEIVED
JAN 23 1997
Department of Water Resources

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

Name of applicant: Driscoll Brothers Partnership — Phone: c/o J.Evan Robertson 208-734-0700

Post Office address: 2250 South 3200 West, Aberdeen, Idaho 83210

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: Original place of use in CRP program.

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		
47-07615	1/4/1980	4.88 cfs	irrigation	4/1	to	10/31
					to	
					to	
					to	

2. Total amount of water being transferred 4.88 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water: Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NE	20	10S	13E	Twin Falls	
		SE	NE	20	10S	13E	Twin Falls	Injected into Salmon Falls Creek
		SE	NE	20	10S	13E	Twin Falls	Rediversion

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	
9S	13E	32													40	40	40	40	160
10S	13E	4	38.7	38.8	40	40	38.8	38.8	40	40	40	40	40	40	40	40	40		595.1
10S	13E	5	38.9	39.1	40	40	39.4*			40	~~79.4~~ 40*			40	40	40	40	40	477.4

MICROFILMED
MAY 21 1997

* CORRECTED OR ADDED PER PHONE CONVERSATION W/ SHARON @ OFFICE OF ROSHOLT, ROBERTSON, TUCKER 25 SEPT 96 GLG

Total acres 1232.5

Transfer No. 4947

PART 1

6. General Information:

a. *Description of diversion system* Groundwater diverted in SENE Sec. 20,T.10S, R.13E, to be injected into Salmon Falls Creek and rediverted by a pumping plant 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 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:
Present place of use in CRP program.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 ____.

MICROFILMED
MAY 21 1997

TRANS NO. 4947

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 47-07615

STAGE: **LICENSE**

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
IRRIGATION	04/01 to 10/31	4.88 CFS	1212.0 AF

SOURCE

GROUNDWATER

Priority: 09/24/1980

LOCATION OF POINT(S) OF DIVERSION:

	SENE , Sec. 20, Township 10S, Range 13E
Injection	SENE , Sec. 20, Township 10S, Range 13E
Rediversion	SENE , Sec. 20, Township 10S, Range 13E
	TWIN FALLS County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
09S	13E	34	SWSE	25	SESE	38			63
		35	SWNW	40	SENW	40	NESW	40	
			NWSW	40	SWSW	40	SESW	40	240
					Total number of acres irrigated:				303

CONDITIONS/REMARKS:

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 47G.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
3. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
4. The total combined rate of diversion under this right and Right 47-07618 shall not exceed 4.88 cfs nor a combined annual This right when combined with Rights 47-02316B, 47-02316C, 47-02407, 47-02417, 47-07565, 47-07569, 47-07618, and 47-07642 shall not exceed 24.71 cfs.
5. Water under this right is injected into and rediverted from Salmon Falls Creek.
6. The right holder shall maintain measuring devices of a type approved by this department at the point of diversion and the

MICROFILMED
MAY 21 1997

Water Right No. 47-07615

point of rediversion. Diversion is not authorized at any time accurate measurements are not available to the watermaster.

7. Flow from the well is authorized only when the rediversion pumps from Salmon Falls Creek are operating. Rediversion from Salmon Falls Creek under this right shall never exceed the rate at which water is diverted from the well and injected into Salmon Falls Creek.

8. diversion volume of 2071.4 af.

MICROFILMED
MAY 2 1 1997

Transfer No. 4947

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. _____ Decreed to _____

   in case of _____ vs. _____

   dated _____ in _____ county of _____

   b. License No. 47-07615 issued by the Idaho Department of Water Resources.

   c. Claim No. 47-07615 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 Groundwater tributary to _____

4. Date or priority 1/4/1980

5. Water is used for the following purpose:

   amount 4.88 cfs (cfs/ac-ft) for irrigation purposes from 4/1 to 10/31

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

6. Total amount of water under right 4.88 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NE	20	10S	13E	Twin Falls	
		SE	NE	20	10S	13E	Twin Falls	Injected into Salmon Falls Creek
		SE	NE	20	10S	13E	Twin Falls	Rediversion

8. 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	
9S	13E	35							40	40	40	40	40	40		* ~~40~~	* ~~40~~		240
9S	13E	34															40	40	80

Total acres 320

9. Describe any other water rights used for the same purpose as described above _____

2 1 1987

PART 2

Transfer No. 4947

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

yes If yes, describe CRP Program

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

1. amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____
   amount _____ (cfs/ac-ft) for _____ purposes from _____ to _____

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

Transfer No. 4947

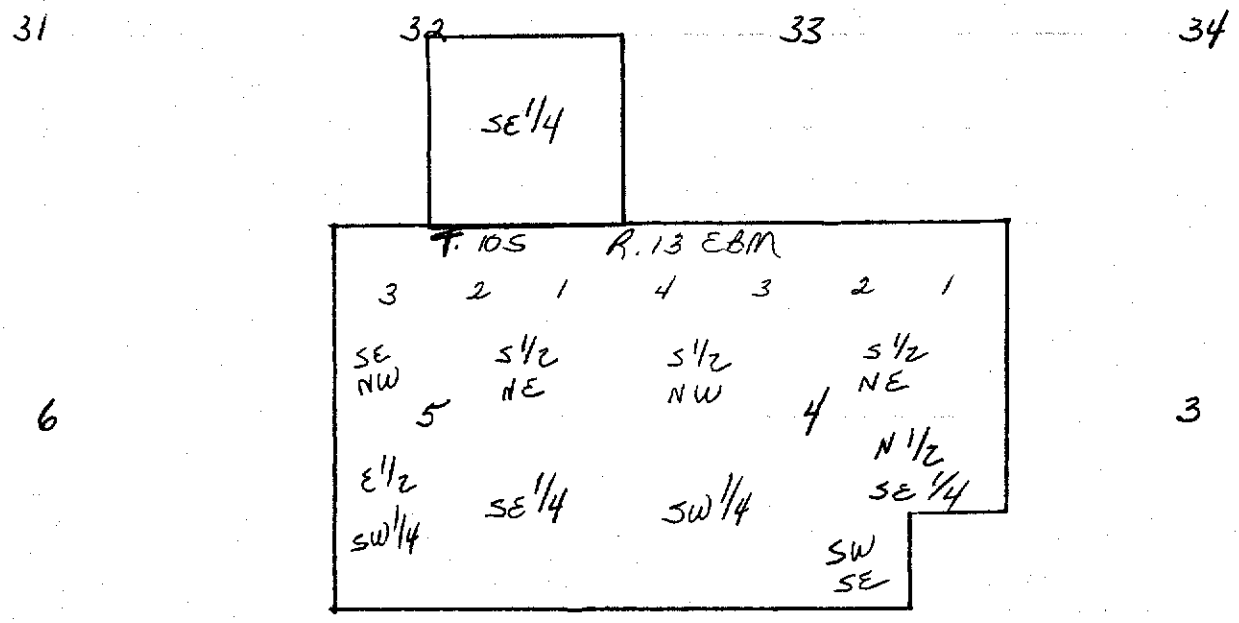
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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.

T. 9S R. 13 EBM



POINTS OF DIVERSION
REMAIN THE SAME

MICROFILMED
MAY 21 1997

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

Transfer No. 4947

PART 3

B. CHANGES IN NATURE OF USE

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

Driscoll Brothers Partnership By [signature]
(Signature of Applicant)

Subscribed and sworn to before me this 24 day of July, 19 96.

[signature]
(Notary Public)

My commission expires 12-20-2000

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 0 attachments

Received by SEE BELOW (RIGHT) Date

Protest filed by None

Prelim. check by GLS 30Sept96 Fee $100.00

Receipted by GLS (5019545) Date 25SEPT96

Published in Times News

Copies of protest forwarded by

Pub. dates 11/14 & 11/21/96

Hearing held by Date

Watermaster recommendation requested on ~~11/14~~ 10/31/96

Recommended for ☒ approval ☐ denial

12/5/96 rec'd. —

by ADM

Copy of transfer sent to lien holder

RECEIVED
MAY SEP 24 1996 3:25 pm
Department of Water Resources
Southern Region

Ck # 24984 $100.00

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 47-07615

Priority: September 24, 1980 Maximum Diversion Rate: 4.88 CFS
Maximum Diversion Volume: 1212.0 AF

This is to certify, that DRISCOLL BROTHERS PARTNERSHIP
2250 S 3200 W
ABERDEEN ID 83210 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 4, 1980; and has submitted Proof of Beneficial Use on February 7, 1985. An examination indicates that the works have a diversion capacity of 4.880 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	04/01 to 10/31	4.88 CFS	1212.0 AF

LOCATION OF POINT(S) OF DIVERSION:

Injection	SENE , Sec. 20, Township 10S, Range 13E
Rediversion	SENE , Sec. 20, Township 10S, Range 13E
	SENE , Sec. 20, Township 10S, Range 13E
	TWIN FALLS County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
09S	13E	34	SWSE	25	SESE	38			63
		35	SWNW	40	SENW	40	NESW	40	
			NWSW	40	SWSW	40	SESW	40	240

Total number of acres irrigated: 303

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 47G.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

RECEIVED
OCT 1 0 1996

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 47-07615

CONDITIONS OF APPROVAL AND REMARKS

7. A lockable device subject to the approval of the Department shall be maintained on the diverting works in a manner that will provide the watermaster suitable control of the diversion.
8. The total combined rate of diversion under this right and Right 47-07618 shall not exceed 4.88 cfs nor a combined annual diversion volume of 2071.4 af.
9. This right when combined with Rights 47-02316B, 47-02316C, 47-02407, 47-02417, 47-07565, 47-07569, 47-07618, and 47-07642 shall not exceed 24.71 cfs.
10. Water under this right is injected into and rediverted from Salmon Falls Creek.
11. The right holder shall maintain measuring devices of a type approved by this department at the point of diversion and the point of rediversion. Diversion is not authorized at any time accurate measurements are not available to the watermaster.
12. Flow from the well is authorized only when the rediversion pumps from Salmon Falls Creek are operating. Rediversion from Salmon Falls Creek under this right shall never exceed the rate at which water is diverted from the well and injected into Salmon Falls Creek.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 23RD day of SEPTEMBER, 1996.

Acting for KARL J. DREHER, Director

OCT 1 0 1996

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDMENT OF WATER RIGHT

WATER RIGHT NO. 47-07615

This is to certify that: LENARD D EASTERDAY
RT 2 BOX 85
BUHL ID 83316

has requested a change to the above captioned water right(s). This change in water right(s) is approved, provided the conditions listed below are met.

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE
IRRIGATION	04/01 to 10/31	4.88 CFS

SOURCE

GROUNDWATER

Priority: 01/04/1980

LOCATION OF POINT(S) OF DIVERSION:

	SENE , Sec. 20, Township 10S, Range 13E
Injection	SENE , Sec. 20, Township 10S, Range 13E
Rediversion	SENE , Sec. 20, Township 10S, Range 13E
	TWIN FALLS County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
09S	13E	32	NESE	40	NWSE	40	SWSE	40	
			SESE	40					160
10S	13E	4	NENE	38.7	NWNE	38.8	SWNE	40	
			SENE	40	NENW	38.8	NWNW	38.8	
			SWNW	40	SENW	40	NESW	40	
			NWSW	40	SWSW	40	SESW	40	
			NESE	40	NWSE	40	SWSE	40	595.1
		5	NENE	38.9	NWNE	39.1	SWNE	40	
			SENE	40	SENW	40	NENW	39.4	
			NESW	40	SESW	40	NESE	40	
			NWSE	40	SWSE	40	SESE	40	477.4
					Total number of acres irrigated:				1232.5

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
2. Use of water under this water right will be regulated by the watermaster of State Water District No. 47G.

APPROVED

FEB 2 2 1994

AMENDMENT
WATER RIGHT NO. 47-07615

CONDITIONS/REMARKS:

3. The maximum combined rate of diversion under Right Nos. 47-07615 and 47-07618 shall not exceed 4.88 cfs.
4. The combined annual volume of water under Right Nos. 47-07615 and 47-07618 shall not exceed 2371.5 acre feet.
5. Flow from the well is only authorized when rediversion pumps from Salmon Falls Creek are operating. Likewise, rediversion pumps can only be operated when the well is flowing.
6. Right No. 47-07615 is limited to the irrigation of 303 acres in the place of use described above in a single irrigation season.
7. Right No. 47-07618 is limited to the irrigation of 320 acres in the place of use described above in a single irrigation season.
8. The period of authorization under this amendment ends on November 1, 1995. On that date, the place of use shall revert back to lands identified prior to the amendment approval.
9. Point of rediversion is from Salmon Falls Creek.

Dated this 24th day of January, 1994.

Chief, Water Alloc. Bureau

FEB 22 1994

Form 211
5/78

Ident. No. 47-07615

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APPLICATION FOR AMENDMENT OF A PERMIT

FEB 05 1997

To change the point of diversion and/or the place of use.

Department of Water Resources
Southern Region Office

Comes now Legend c/o Lorene Easterday

of (address) Rt. 2 Box 85, Buhl, ID 83316, and represents to the Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 47-07615, and requests that the permit and permit map be changed as follows:

1. Point of diversion: _____ ¼ _____ ¼, Section _____, Township _____, Range _____, B.M., County of _____. Other points of diversion: _____

   No Change

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.) No Change

   Amount ** 4.88 (cfs or acre feet per annum) for Irrig. purposes from 3-15 to 11-15 (both dates inclusive)

   Amount _____ (cfs or acre feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

   Amount _____ (cfs or acre feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

   Amount _____ (cfs or acre feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

   ** Capacity of Well including Lic. 47-7618

3. Place of use or land to be irrigated: * Number of Acres found on licensing exam.

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10S	13E	4				33					40	40	40	40	40	40	40		303*

Total number of acres to be irrigated = 303

4. a. Who owns the property at the point of diversion? Permittees via easement from Ken & Wayne Marshall

   b. Who owns the land to be irrigated or the place of use? Dale Wright

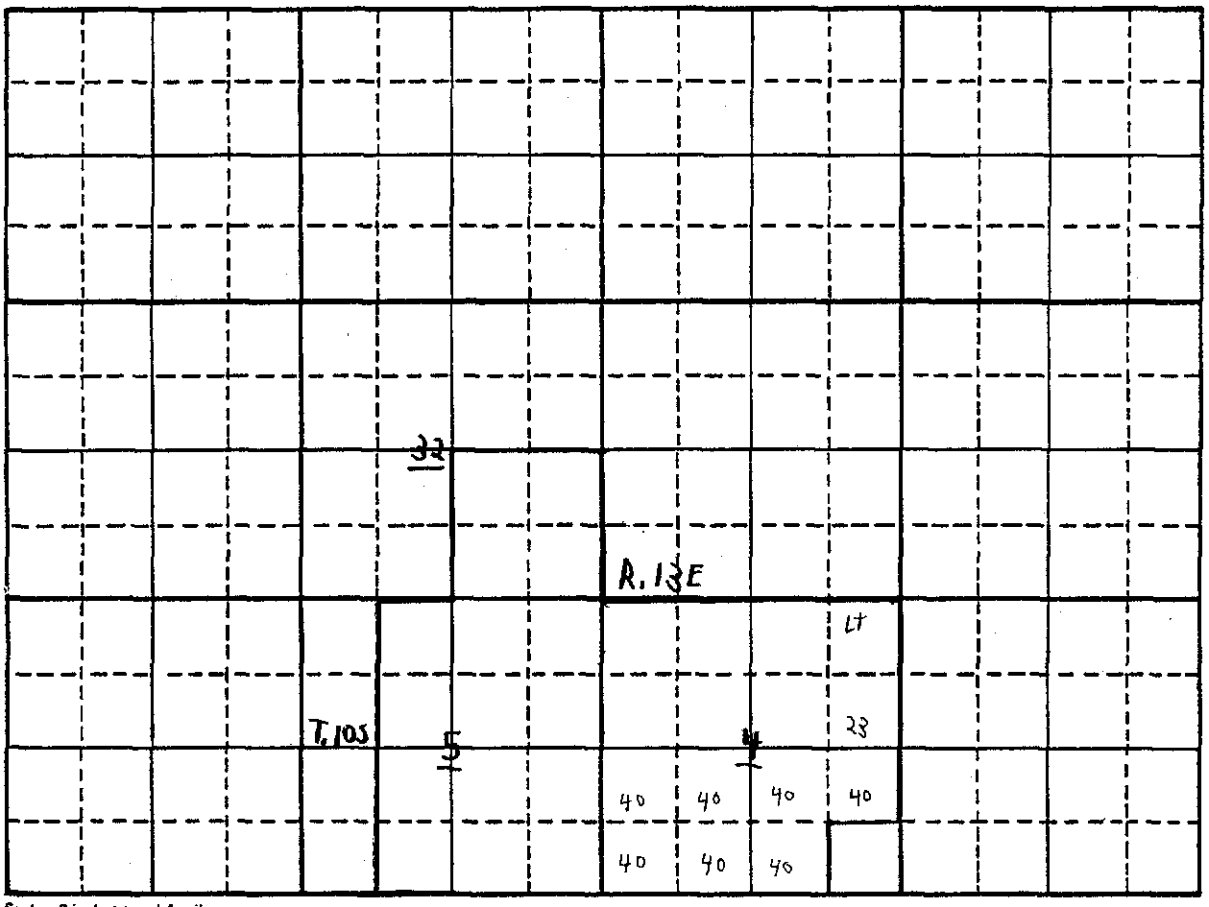
   c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: While original P/U is in the CRP Program (until Nov. 15, 1995) water is being leased to Dale Wright to supplement existing surface rights.

MICROFILMED

FEB 22 1994

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Twin Falls, ID, this 5th day of February, 19 92.

Gerald Lasterday
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = $20.00 Receipted by JH Date 2-5-92 5014181

Publication prepared by MB Date 2-27-92 Published in Times News

Publication dates 3/12 + 3/19/92

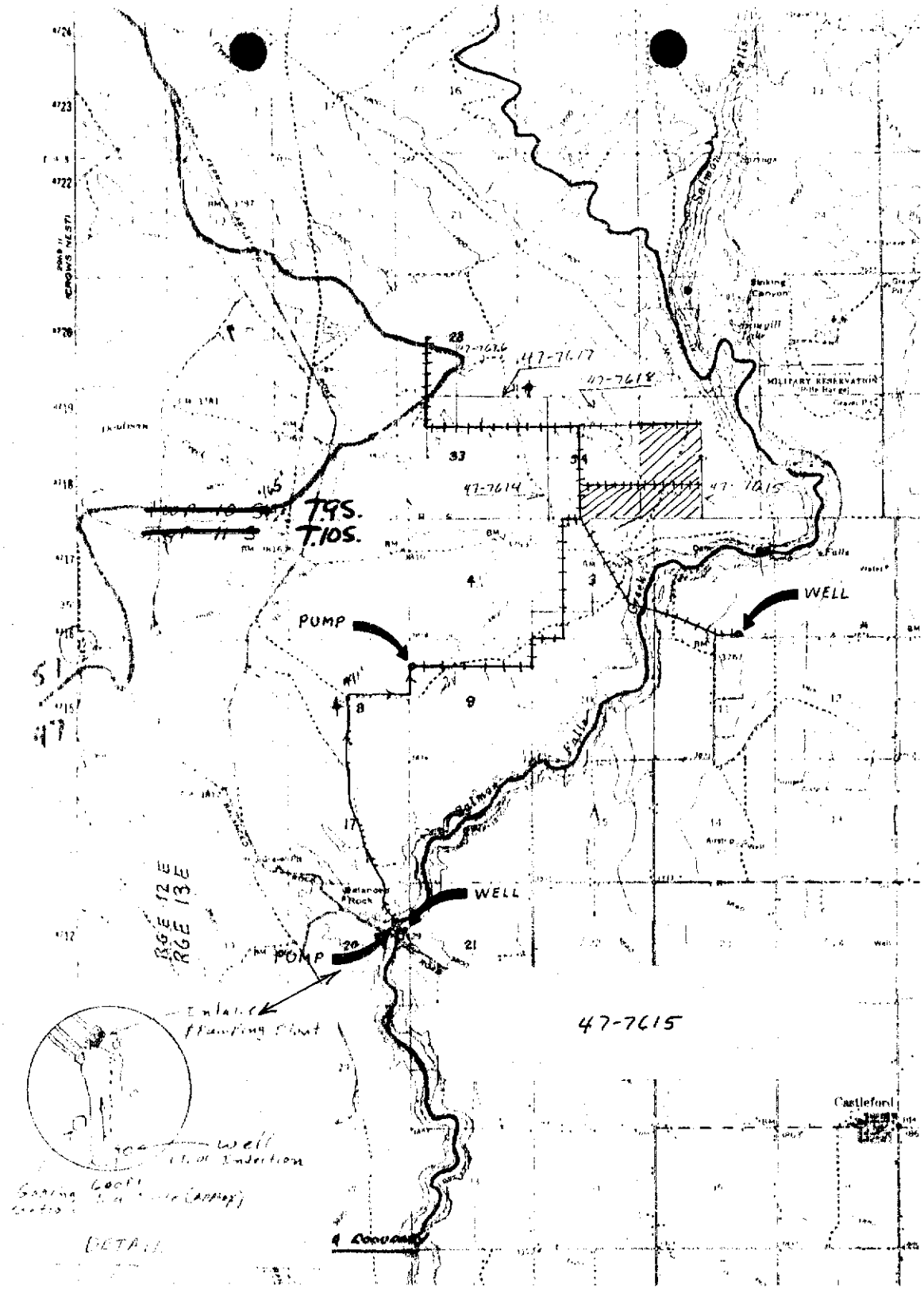
ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, _____, Director of the Department of Water Resources hereby

Witness my hand this _____ day of _____, 19 ____.

Director

FEB 22 1994



MICROFILMED

Form 211
5/78

Ident. No. 47-7615

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES **APPROVED**

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now Lenard D. Easterday

of (address) Rt. 2 Buhl, Idaho 83316, and represents to the Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 47-7615, and requests that the permit and permit map be changed as follows:

1. Point of diversion: WELL SE ¼ NE ¼, Section 20, Township 10S, Range 13E, B.M., County of Twin Falls. Other points of diversion: SW¼SE¼, SEc. 2 T10S, R13E
Water diverted in the INS & RED. SE¼NE¼, Sec. 20- T10S,R13E is to be injected into Salmon Falls Creek from a flowing well and rediverted by a pumping plant approximately 500 ft down stream from the injection point.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.) NO CHANGE

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated: NO CHANGE

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated = _____

4. a. Who owns the property at the point of diversion? Ken & Wayne Marshall

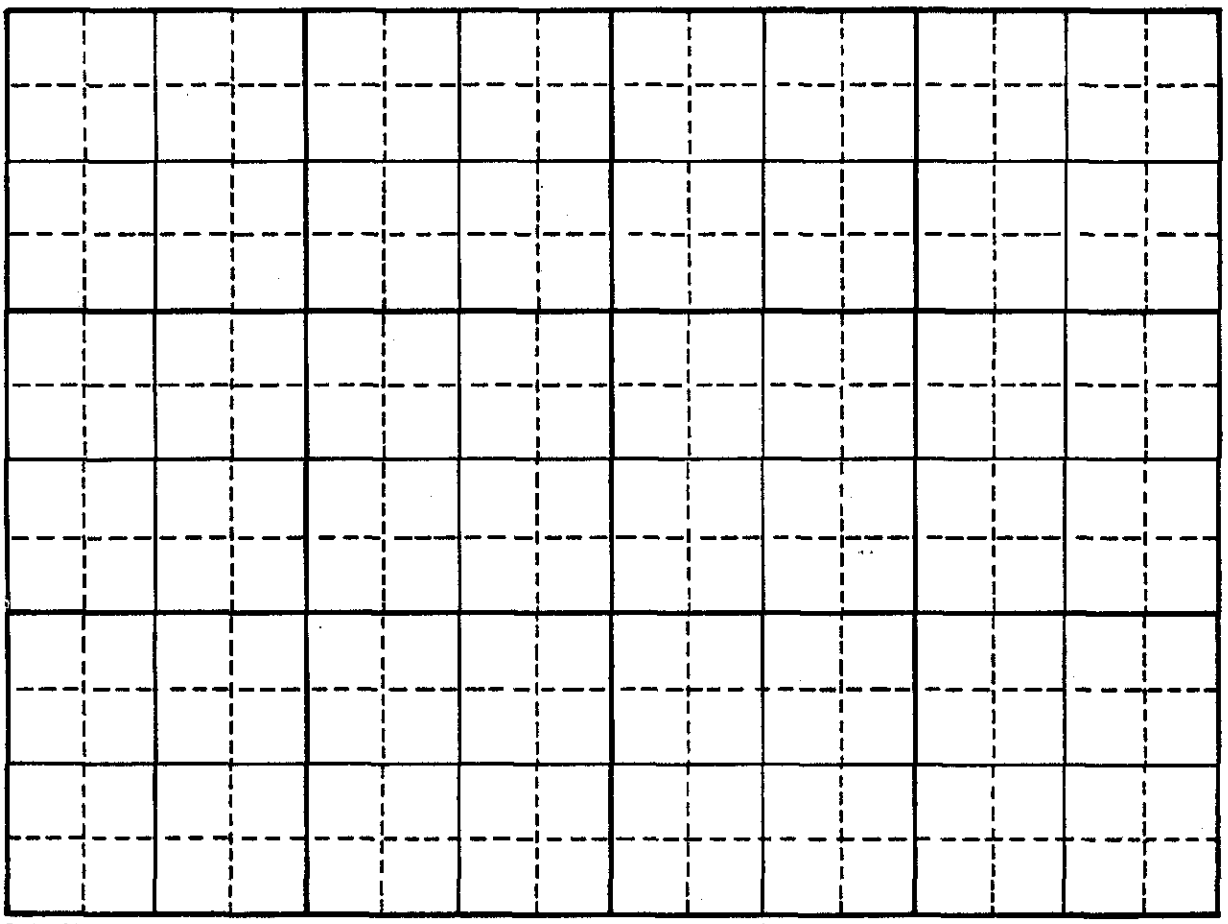
b. Who owns the land to be irrigated or the place of use? BLM

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Allowed DLE I-2011

MICROFILMED

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Twin Falls, this 30 day of October, 1981.

Gerald L. Castelaz
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by [illegible] Fee = $20.00

Receipted by [illegible] Date 10/30/81 # 206226

Publication prepared by [illegible]. Date

Published in Times News

Publication dates 11/26 + 12/3/81

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby

APPROVED

APPROVE the above application provided that 1. provisions of Memorandum Decision issued 12/3/1980 are met. 2. Measuring devices of a type approved by the Department shall be installed at the point of injection and at the point of rediversion from Salmon Falls Creek. 3. The use of water under this right is subject to the control of the water master of State Water District No. 47G, Salmon Falls Creek.

Witness my hand this 19th day of April, 19 82.

L. Glen Saxton
Chief, Operations Bureau

Form 211
5/78

Idaho No. 47-7615

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

APPROVED

Comes now Lenard D. Easterday

of (address) Rt. 2 Buhl, ID 83316, and represents to the Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 47-7615, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE ¼ NE ¼, Section 20, Township 10S, Range 13E, B.M., County of Twin Falls. Other points of diversion: SW¼NE¼ Sec 2 T10S R13E

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.) NO CHANGE

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated: NO CHANGE

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

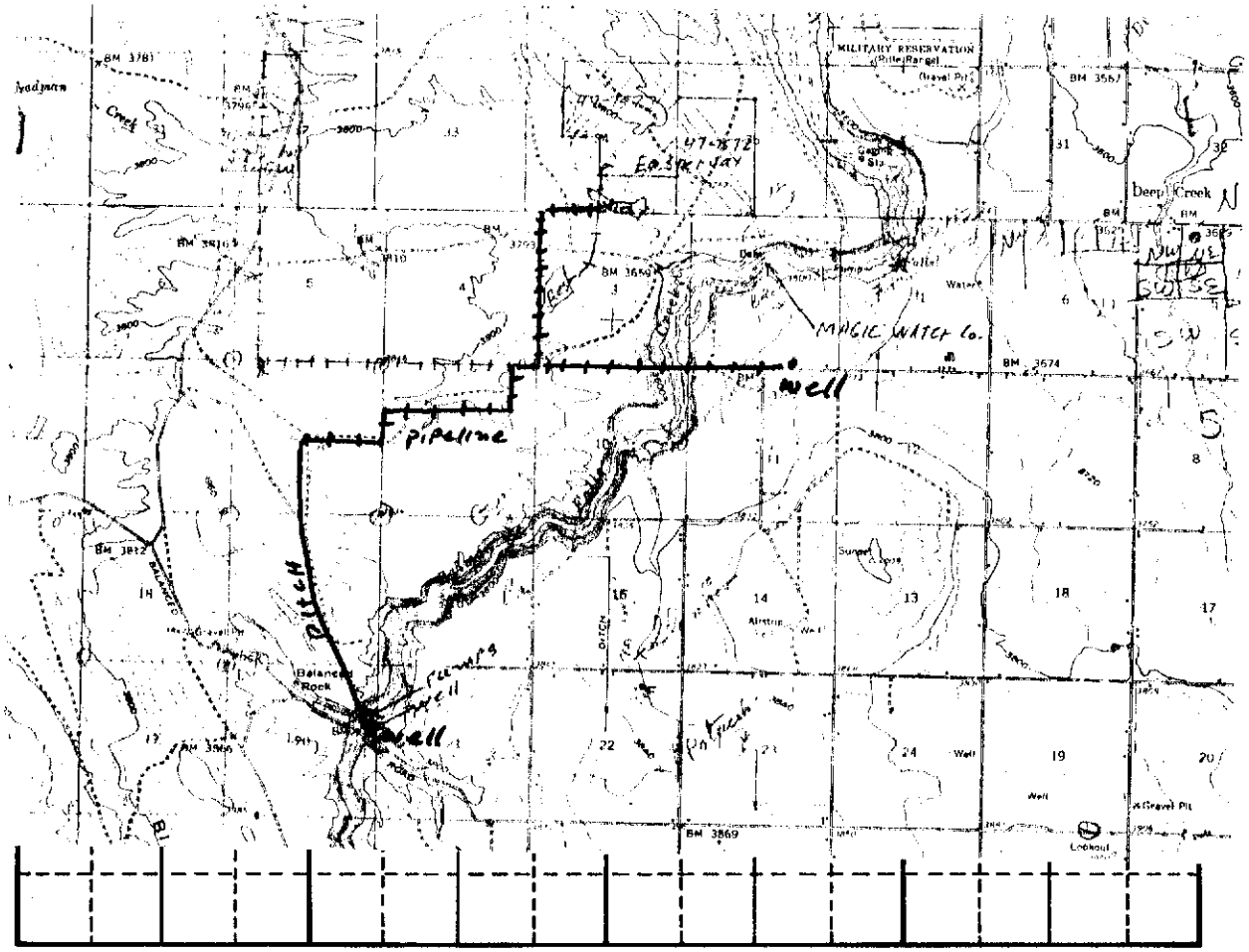
Total number of acres to be irrigated = _____

4. a. Who owns the property at the point of diversion? Ken & Wayne Marshall

b. Who owns the land to be irrigated or the place of use? BLM

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: Allowed DLE I-2011

Complete the following map by showing land and point of diversion as proposed by this amendment.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Twin Falls ID, this 10th day of April, 1981.

(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by ADM Fee = $20.00 Receipted by LH Date 4/10/81 #16957

Publication prepared by _____ Date _____ Published in _____

Publication dates _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON Chief, Operations Bureau of the Department of Water Resources hereby

APPROVE the above referenced Amendment provided that:

1) All water encountered above 3100 feet elevation (330 Ft. hole depth) must be cased out.

2) Permit must be under watermaster control if water is comingled with Salmon Falls Creek.

Witness my hand this 6th day of August, 19 81.

L. Glen Saxton

Chief, Operations Bureau

Form 202
3/78

Ident. No. 47-7615

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Lenard D. Easterday Phone 543-5841

   Post office address Route 2, Buhl, Ida.

2. Source of water supply groundwater which is a tributary of _____

3. Location of point of diversion is SW ¼ of SE ¼ of Section 2 Township 10S

   Range 13E B.M. Twin Falls County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

   Amount 6.4 (cfs ~~or acre-feet per annum~~) for irrigation purposes from Mar. 15 to Nov. 15 (both dates inclusive)

   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated:

   a. 6.4 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. A diesel powered turbine pump delivers water through a steel pipeline to a holding pond where it is pumped into a sprinkler mainline.

   b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

   Period of year when water will be diverted to storage _____ (Month/Day) to _____ (Month/Day) inclusive.

   c. Proposed well diameter is 20 inches; proposed depth of well is 400 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years *(minimum 1 year – maximum 5 years)*.

8. Description of proposed uses:
   a. If water is not for irrigation:
      (1) Give the place of use of water: _____ ¼ of _____ ¼ of Section _____ Township _____

      Range _____ B.M.

      (2) Amount of power to be generated: _____ horsepower under _____ feet of head.

      (3) List number of each kind of livestock to be watered _____

      (4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

      (5) If water is to be used for other purposes describe: _____

MICROFILMED

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SE¼	SW¼	
9S	13E	35							40	40	40	40	40	40					240
9S	13E	34															40	40	80

Total number of acres to be irrigated 320

c. Describe any other water rights used for the same purposes as described above. _____

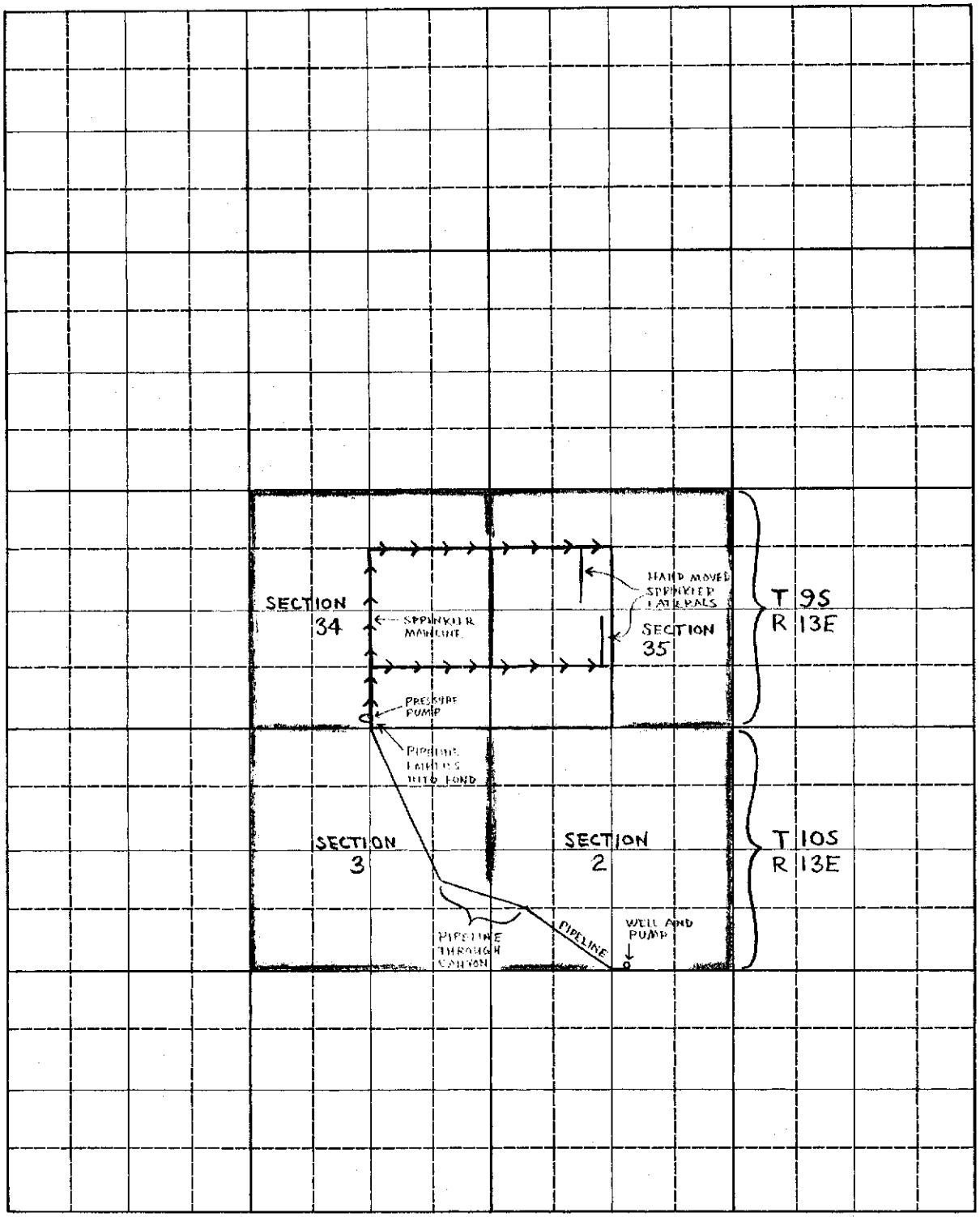
9. a. Who owns the property at the point of diversion Lenard D. Easterday

b. Who owns the land to be irrigated or place of use U.S. government

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing The subject 320 acres is an allowed Desert Entry filing No. I-2011 in the name of Lenard D. Easterday.

10. Remarks This application is made in conjunction with applications from LaRay Easterday, Elden Easterday, Janet Easterday, and Lorene Easterday. The cost of the delivery system will be shared by the applicants.

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Lenard W. Easterday
(Applicant)

Priority: January 4, 1980

Received by JR Date 1-4-80 Time 3:50 pm

Preliminary check by [illegible] Fee $ 95

Receipted by marya Date 1-4-80 17052

Publication prepared by ADM Date 1-8-80

Published in times news

Publication dates 1/24 + 1/31/80

Publication approved marya Date 1/15/80

Protests filed by: Magic Water Co, Inc - Murgoitio

Copies of protests forwarded by [illegible]

Hearing held by Decision stipulated Date

Recommended for (approval) denial by [illegible]

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 47-7615, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

   a. SUBJECT TO ALL PRIOR WATER RIGHTS.

   b. Proof of construction of works and application of water to beneficial use shall be submitted on or before November 1, 19 85.

   c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

   d. Other: PURSUANT TO MEMORANDUM DECISION AND ORDER

Witness my hand this 26 day of November, 19 80.

Stephen Allred

Director