

IDWR

T02S, R05E

Claim(s) :

61-07264A &

61-07264B

Owner(s) :

A = Desert Sea Farms

B = Hickey, Carl

Date: 23 Sep 98

Prepared by:

Ron Howerton

Total Acres:

A = 537

B = 20

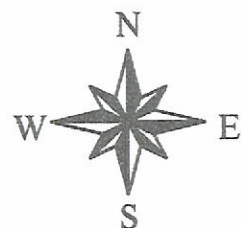
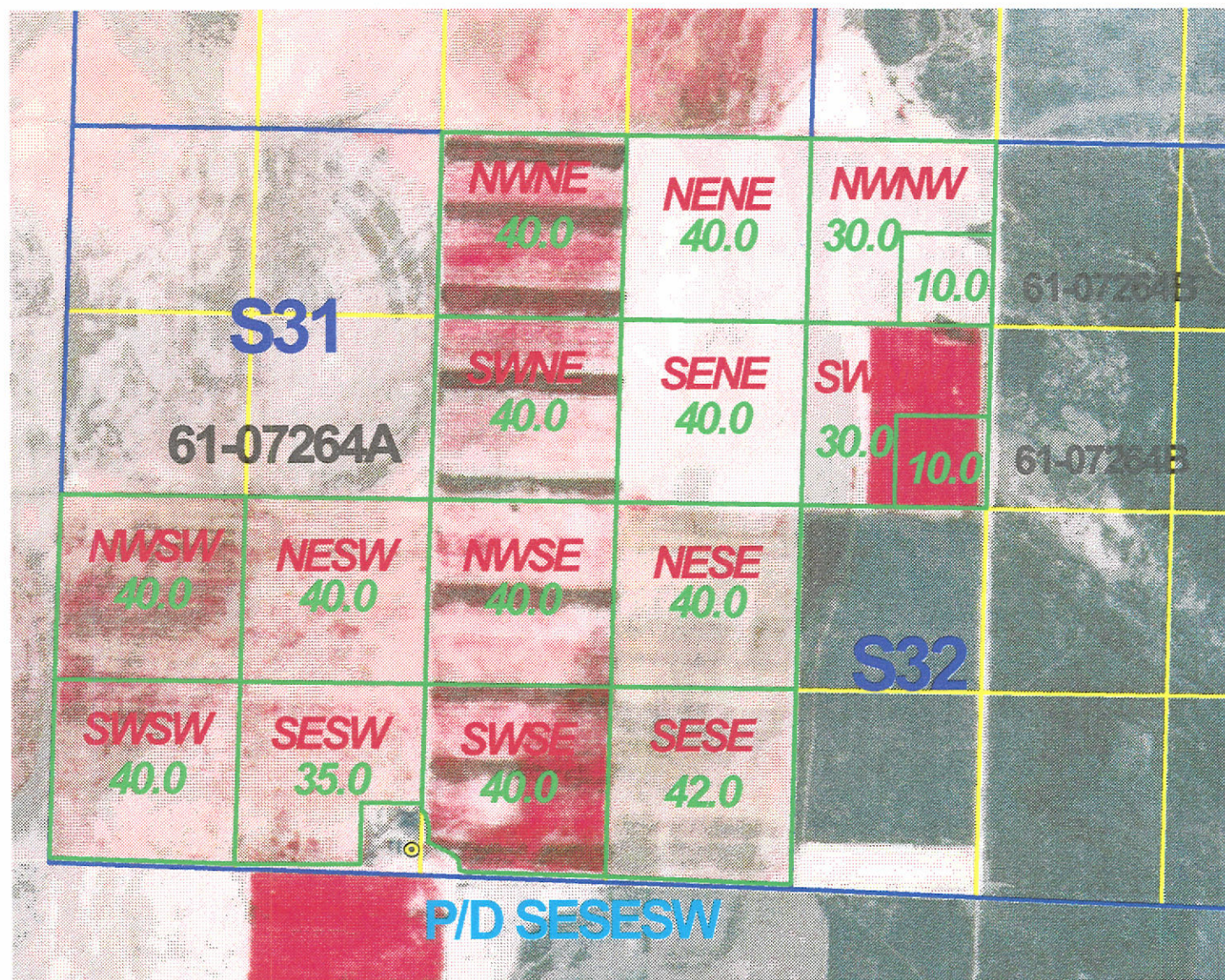
 POU

 POD

 SECTION LINES

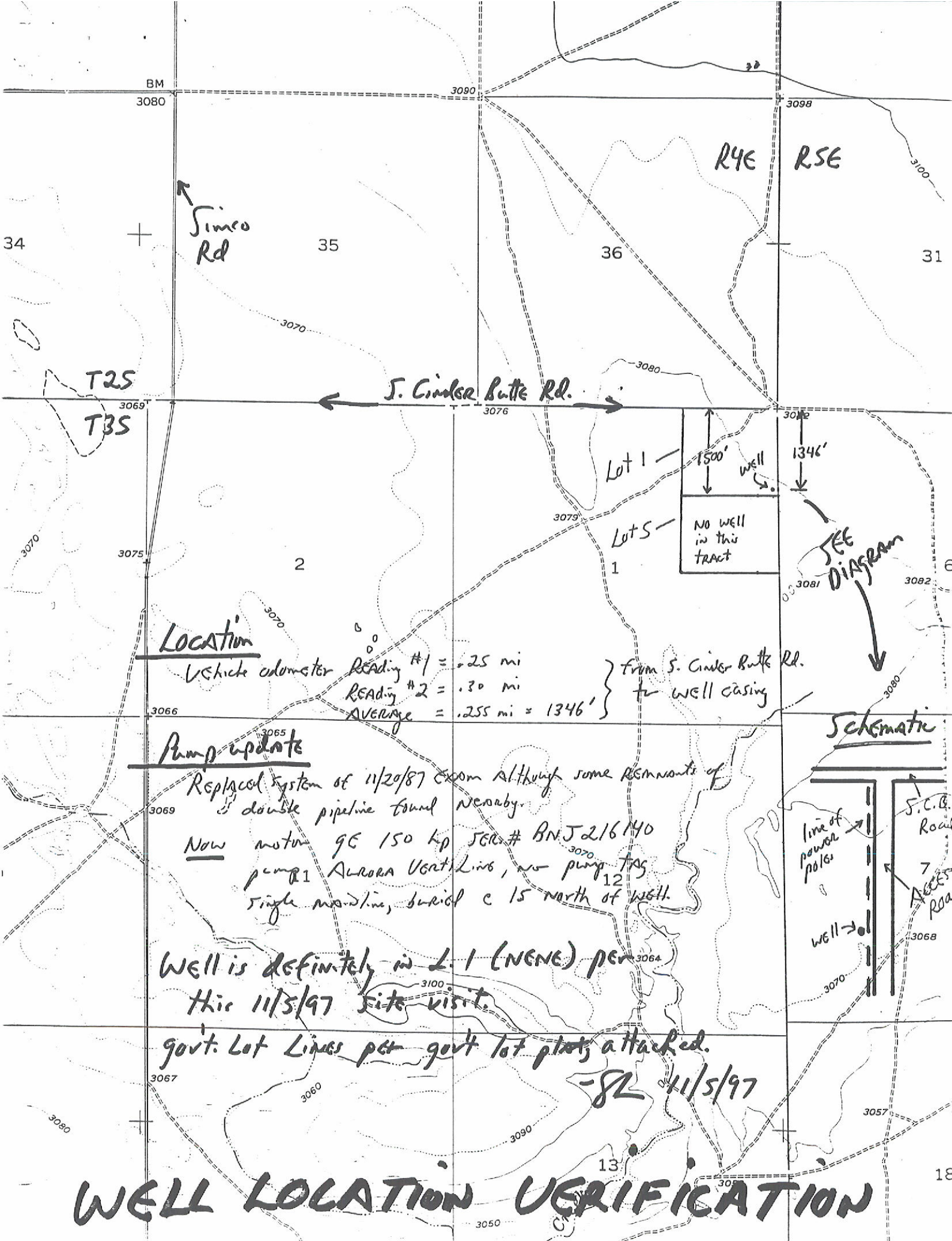
 1/4 1/4

ACRES



1987 NAPP

0 0.25 0.5 0.75 1 Miles



Location

Vehicle odometer Reading #1 = .25 mi
Reading #2 = .30 mi
Average = .255 mi = 1346' } from S. Cinder Butte Rd.
to well casing

Pump update

Replaced system of 11/20/87 Exam Although some remnants of double pipeline found nearby.

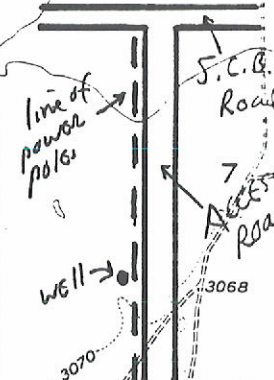
Now motor GE 150 hp JGR # BNJ216140
pump 1 Aurora Vert. Line, no pump tag
single mainline, burial c 15 north of well.

Well is definitely in L-1 (NENE) per
this 11/5/97 site visit.

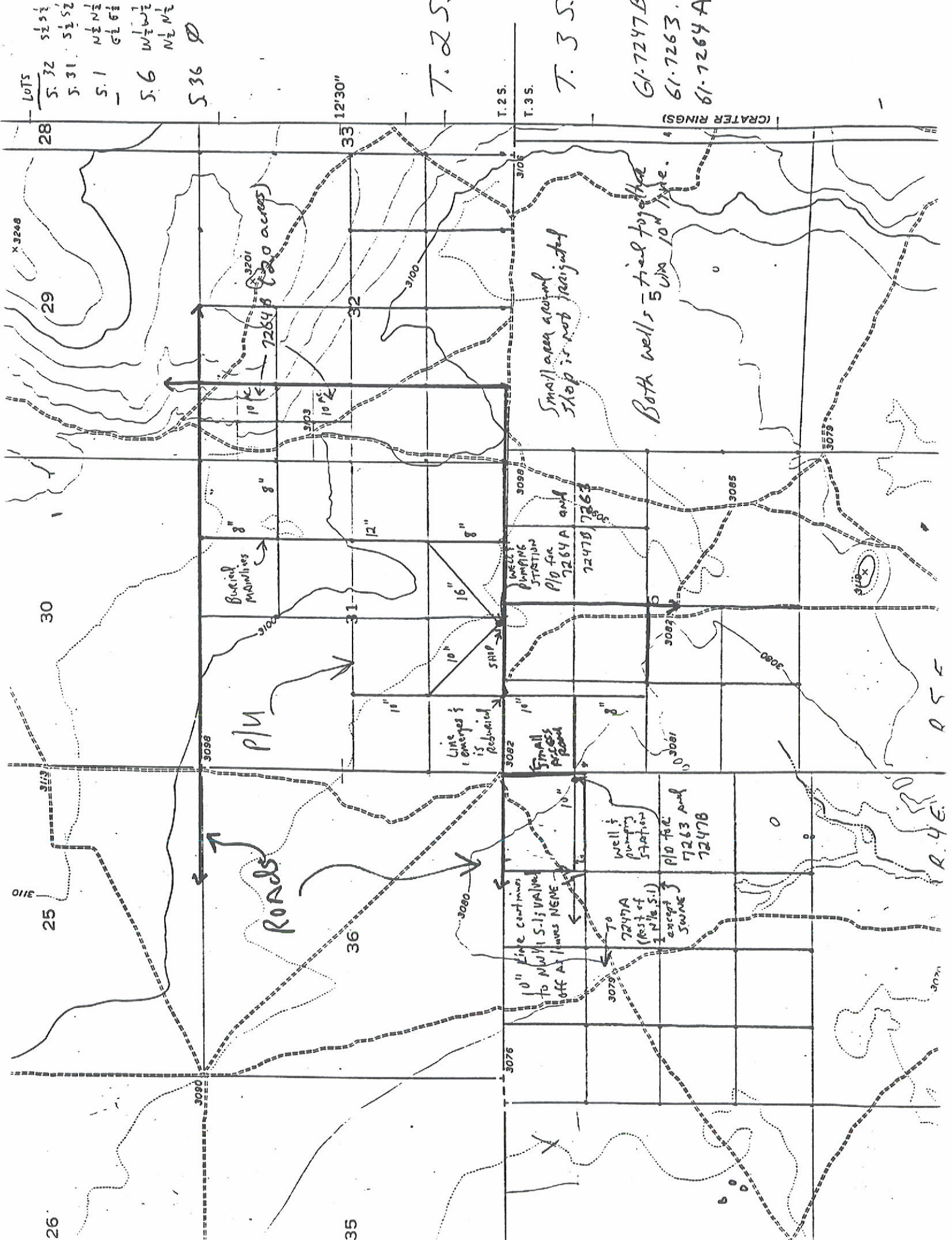
govt. Lot Lines per govt lot plots attached.

-82 11/5/97

Schematic



WELL LOCATION VERIFICATION



LOTS
S. 32 5.5
S. 31 5.5
S. 1 N. 1/2 N. 1/2
S. 6 W. 1/2 W. 1/2
S. 36 N. 1/2 N. 1/2

T. 25.

T. 35.

61-7247B
61-7263.
61-7264A

(CRATER RINGS)

Buried
Manholes

plu

Roads

Line
emerges &
is
Reburied

Well
pumping
station
P10 for
7264A and
7247B, 7263

Small
area
around
shop

Well &
pumping
station
P10 for
7263 and
7247B

To
7247A
(rest of
2 N. 1/2 S. 1)
except
SWNE

10" line continues
to NW 1/4 S. 1; valve
off at lines NENE

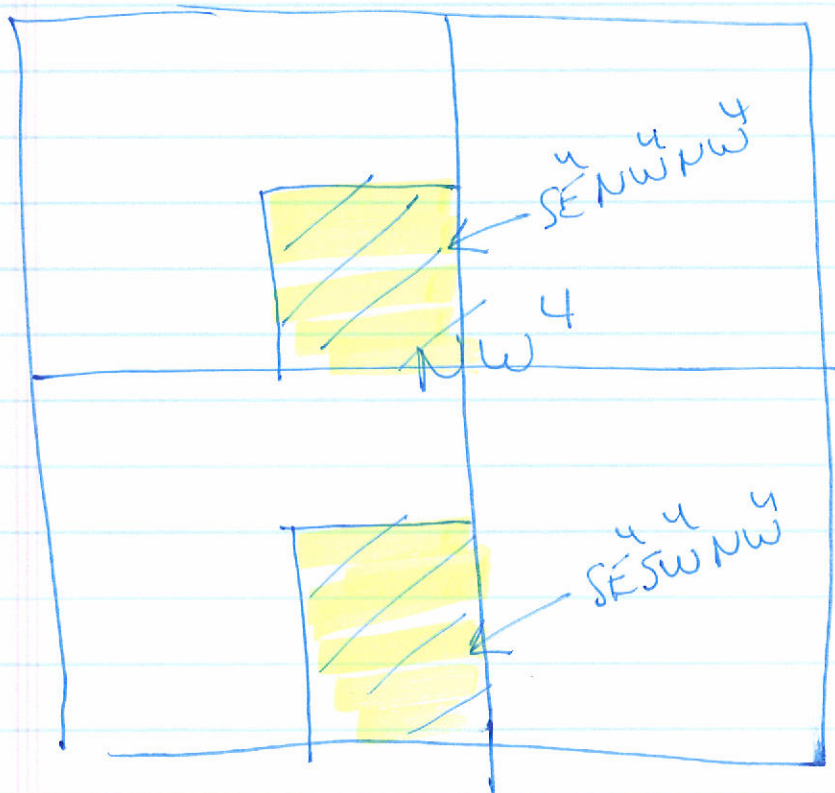
DSE

R. 4E.

OK FOR OWNERSHIP CHANGE

Ref: 61-72648

TRACT II COVERS OWNERSHIP CHG.
S32, T25, R5E



6-15-01

- Conversation with Cheryl Reymont of GUARANTY TITLE 587-9091 warranty Deed for TRACT II COVERS OWNERSHIP CHANGE.

Rch

30 29
31 32

708

CR
82

SE 1/4 NW 1/4 NW 1/4
Hickory

T811
718
110.0 NHEL

1 YHEL
160.0

T811
718
NHEL
58.9 2 10.0

31 32 BEET DUMP

6 5

4 YHEL

143.5

30	29
31	32

708

CR
82-

1 YHE
160.0

Nickoy

T811
718
110.0 HEL

CRP
8' 57"
2-529
2 AFK
58.9
T811
718
NH
210.0

3-97
4-1914

4 YHEL

31 32 BEET DUMP

6 5

13.5

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: A61-07264B
Date Received: 11/ 9/1989
Receipt No: X777777
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CARL D HICKEY 208-796-2127
Address: PO BOX 243
MOUNTAIN HOME ID 83647

2. Date of Priority: JUN 10, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	05E	31	SE	SE	SW	3	ELMORE
03S	04E	1	NE	SE	NE	5	ELMORE

5. Description of diverting works:
WELL, 20" X 522', 400 HP MAIN PUMP, 4 BOOSTER PUMPS, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.400		

7. Total Quantity Appropriated is:
0.400 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
02S	05E	32	NW	NW		IRR	10.0
			SW	NW		IRR	10.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	20.0
					Total Acres	20.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
NONE

14. Remarks:

THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION
OF CLAIM NO. A61-07264, FEE PAID UNDER RECEIPT NO. C012769
RDH 09/24/98.

15. Basis of Claim: LICENSE

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): _____ Date: _____
_____ Date: _____

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 19, 2002

LONE PINE DAIRY
5592 W KUNA RD
KUNA ID 83634

Dear Sirs:

Enclosed is a copy of the Notice of Completed Administrative Procedure and pertinent water right(s) recently sent to the Snake River Basin Adjudication Court in Twin Falls. These documents are now required to be filed by the Department in order to notify the Court of any changes to your water right(s).

The change to your water right(s) was a result of an approved transfer. This notification to the Court does not affect the previous approval of this transfer or your water right(s). You will be notified of any future action on your water right(s) by the SRBA Court or Water Resources.

Please contact this office if you have any questions concerning this notification.

Sincerely,

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

JS:lh
Enclosures

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA

Case No. 39576

Water Rights: 61-7264B

**NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING**

IDWR has completed the following administrative proceeding:

- ☐ Address change
- ☐ Substitution of Party
- XX IC § 42-222 transfer

- | | | | |
|--------------------------|------------------------------|--------------------------|---------------------|
| XX | Point of diversion | XX | Place of use |
| ☐ | Period of use | ☐ | Nature of use |
| ☐ | Split of water right | ☐ | Change in ownership |
| XX | Other – Remarks & Conditions | | |

- ☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: April 19, 2002



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on April 19, 2002, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Off ice of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Lone Pine Dairy
5592 W. Kuna Rd
Kuna, ID 83634

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

☐ overnight mail
☐ regular mail
☐ hand-delivered
☐ facsimile


Signature of person mailing this document

RECEIVED

APR 11 2002

WATER RESOURCES
WESTERN REGION

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF TRANSFER NO. 68468)
)
OF WATER RIGHTS 61-7263, 61-7264A &)
)
61-7264B IN THE NAME OF DESERT SEA)
)
FARMS LLC)
_____)

ORDER GRANTING
EXTENSION OF TIME TO
COMPLETE TRANSFER

On March 29, 2001 the Department approved Application for Transfer 5784 (renumbered to 68468) with a condition that:

The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

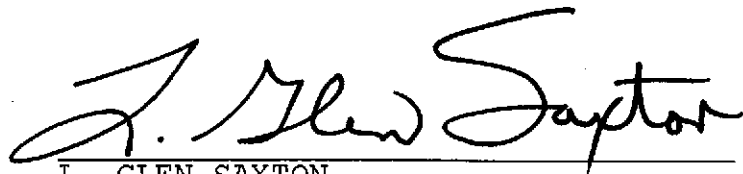
The right holder has notified the Department that the transfer has not yet been accomplished.

The right holder has requested an extension of time for completion of the transfer and has shown reasonable cause for the delay.

IT IS, THEREFORE, HEREBY ORDERED that the right holder of Transfer No. 68468 is granted an extension to March 29, 2003 in which to accomplish the transfer.

IT IS FURTHER HEREBY ORDERED that this extension does not stay the accumulation of the 5 year period associated with forfeiture of a water right for non-use.

Dated this 29th day of March, 2002.



L. GLEN SAXTON
Chief, Water Allocation Bureau

Harris, Lori

From: Shurte, Jan
Sent: Tuesday, April 02, 2002 4:24 PM
To: Harris, Lori
Subject: FW: FYI

Lori - could you stick this in the file and add the comment to the claim. Thanks, Jan

-----Original Message-----

From: Skaggs, Pam
Sent: Monday, April 01, 2002 7:47 AM
To: Shurte, Jan
Subject: FYI

Hi Jan,

An Order was issued to extend the completion date of a transfer. One of the records is still an AJ recommendation & I couldn't add the comment to the right. Perhaps you can. It's just a notice for future reference. This is what my comment says, "An Order was issued 03-29-2002 granting an extension to complete Transfer 5784/68468 until 03-29-2003." *

Thanks, Pam

61- 9263 } PD issued
61- 7264A }
61- 7264B

Comment added to recommendation



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 15, 2001

LONE PINE DAIRY
5592 W KUNA RD
KUNA ID 83634

RE: Water Right No. 61-7264B

Dear Property Owner(s):

Enclosed is a copy of the above referenced water right, which reflects the change in ownership of the land and appurtenant water rights covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

Thank you for your patience and cooperation, as we have had several ownership changes to process. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB:db

Enclosures

cc: Desert Sea Farms LLC



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 6, 2001

LONE PINE DAIRY
5592 W KUNA RD
KUNA ID 83634

RE: Notice of Change of Water Right Ownership No. 61-07264B

Dear Property Owner(s):

Enclosed is a copy of your Notice of Change of Water Right Ownership form that you recently submitted to our office. However, we cannot continue to process the ownership change, as the legal descriptions on the deed submitted do not match the legal descriptions on the water right, for the Place of Use claimed.

If you have additional information regarding this change of ownership, please submit that information to our office, and we will be able to complete the ownership change.

Thank you for your patience and cooperation, as we have had several ownership changes to process. If you have further questions, please contact Ron Howerton at this office.

Sincerely,

Adjudication Section
Western Region
(208) 334-2190

DB:db

Enclosures



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

September 27, 2000

STEVE BOSCHMA
5592 KUNA RD
KUNA ID 83634

Dear Mr. Boschma:

Enclosed is a copy of the Notice of Administrative Proceeding regarding your water right(s) that have been sent to the Snake River Basin Adjudication Court in Twin Falls. These documents are required to be filed by the Department in order to notify the Court of any contemplated changes to your water right(s).

The SRBA Court or Water Resources will notify you of any future action on your water right(s).

Please contact this office if you have any questions concerning this notification.

Sincerely,

A handwritten signature in cursive script that reads 'Lori Harris'.

Lori Harris
Technical Records Specialist
Adjudication Section
Western Region Office

JS:lh
Enclosure

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)

Water Rights: 61-07263, 61-07264A,
61-07264B

NOTICE OF ADMINISTRATIVE
PROCEEDING

IDWR has received an application for an Administrative Proceeding for the above water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

☐ Substitution of Party (waiting for documentation)

☐ Substitution of Party/Split Water Right

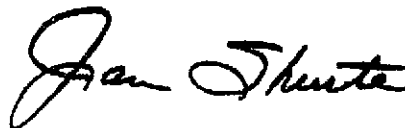
☒ I.C. § 42-222 transfer

☒ point of diversion ☐ place of use

☒ period of use ☒ nature of use

IDWR projects the Administrative Proceeding shall be completed not later than:

Dated September 27, 2001



Signature of IDWR Representative

INSTRUCTIONS FOR MAILING

Mail this form to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. **FAX filings will not be accepted by the SRBA Clerk of the Court.**

CERTIFICATE OF MAILING

I certify that on September 27, 2000, I mailed the original and copies of this form to the following persons, postage prepaid, and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
N/A
3. One copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
N/A
4. One copy to:
Each party in the subcase, or attorney of record:

Steve Boschma
5592 Kuna Rd
Kuna ID 83634



Signature of person or attorney mailing the form

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5784

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Name of applicant: Steve BoschmaPhone: (208) 870- 1763, 467-2816Post Office address: 5592 Kuna Rd. Kuna ID 83634**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: Applicant wishes to construct a new dairy facility on the site, and drill a new well to supply stockwater and process water for the dairy. In addition, applicant wishes to recombine rights 61-07264A and 61-07264B and to correct a diversion point.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>61-07264C</u>	<u>06/10/76</u>	<u>9.87 / 2144</u>	<u>irrigation</u>	<u>04/01 to 10/31</u>
		<u>.74 / 127</u>	<u>stockwater</u>	<u>01/01 to 12/31</u>
<u>61-07263</u>	<u>04/01/1976</u>	<u>.53 / 91</u>	<u>commercial</u>	<u>01/01 to 12/31</u>
		<u>2.4/660</u>	<u>irrigation</u>	<u>4/01 to 10/31</u>

2. Total amount of water being transferred 11.36 cubic feet per second and/or 3022 acre-feet per annum.

3. Source of water groundwater tributary to

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp	Rge.	County	Local Name for diversion
3	SE	SE	SW	31	T02S	R05E	Elmore	irrigation well
		NW	NE	31	T02S	R05E	Elmore	New Dairy Well
4	SW	NW	NW	6	T03S	R05E	Elmore	Irrigation Well

5. Lands irrigated or place of use

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
61-0764:																			
02S	05E	31	39			40					40	40	39	33	40	40	35	42	
			C	X	X	C					C	C	C	C	C	C	C	C	
02S	05E	32						39	39										466
								C	C										
61-0763:																			
							39	43	45	38									165
							C	C	C	C									

Total acres

631

PART 1

6. General Information:

- a. Description of diversion system: A new well will be drilled near the new milking parlor for dairy use. Pumps, pressure tanks and distribution system will be installed per engineer's specifications for a dairy of this size and style.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes X 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:
Land now irrigated will be covered with corrals, feed storage and building sites for new dairy buildings.
- d. Remarks:
See attachments:
- A. Statement from landowner on existence of contract and proof of ownership.
 - B. Daily Fresh Water Requirement For Dairy Facility Worksheet
 - C. Flow, Volume, and Allocation Calculations
 - D. Crop history and calculation of consumptive use
 - E. Lagoon sizing calculations
 - F. Memorandum addressing the four issues raised in the Idaho code 42-222

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 _____

AJ0749NP
No. 61-07263

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/31/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DESERT SEA FARMS LLC 905 E 13TH N MOUNTAIN HOME ID 83647 (208) 587-9271	04/01/1976	IRRIGATION	04-01 10-31	2.400 CFS	
TOTAL DIVERSION:					2.400 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T02S R05E S31 Lot01(SESESW) ✓
T03S R05E S06 Lot04(SWNWNW)

ELMORE County
ELMORE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM	
03S	05E	6	:															:	165.0	
																			TOTAL ACRES	165.0

POU County: ELMORE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
61-07247B A61-07247B A61-07263

Other Water Rights Listing Overlapping Place(s) of Use:
A61-07263

Conditions of Approval:

- C15 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN BASIN 61:
- WATER RIGHT NO. SOURCE
- NONE NONE
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN THE SNAKE RIVER BASIN:
- WATER RIGHT NO. SOURCE
- NONE NONE
- ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES
- OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
- CONJUNCTIVELY.

Remarks: QNT

THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF
DIVERSION UNDER TRANSFER 5145 SHALL NOT EXCEED 3.60 CFS, NOR
TOTAL COMBINED ANNUAL VOLUME OF 900.0 AF.
RIGHT 61-07263 WHEN COMBINED WITH RIGHTS 61-07247B AND
61-07264A & 61-07264B SHALL NOT EXCEED 11.36 CFS.

USE

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS

Part of pg 4 of 6

AJ0749NP
No. 61-07263

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/31/00
PAGE: 2

Remarks:

EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15,
PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE
OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS
REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED
EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE
DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

EXP

RIGHT NO. 61-07247B IS ALSO DIVERTED THROUGH POINTS OF
DIVERSION DESCRIBED ABOVE.

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED AS T02S, R05E, S31, SESESW: 61-07264A AND
61-07264B.

Dates:

Exam Made Date: 10/05/1998

Verified Date:

Objection Filed Date:

Misc:

Water District Number:

Field Inspection Flag:
Presumption Flag:

AJ0749NP
No. 61-07264A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/31/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DESERT SEA FARMS LLC 905 E 13TH E MOUNTAIN HOME ID 83647 (208) 587-9271	06/10/1976	IRRIGATION	03-15 11-15	10.740 CFS	2416.50 AFA
TOTAL DIVERSION:					10.740 CFS	2416.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T02S R05E S31 Lot03(SESESW)

ELMORE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE							
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM		
02S	05E	31	:	39		39		40		40		:				40		40		04-39	03-39	:	479.0
02S	05E	32	:	:		:		:		29		29	:	:		:		:		:	:	:	58.0
																				TOTAL ACRES	:	537.0	

POU County: ELMORE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):

61-07264B A61-07247B A61-07263 A61-07264A A61-07264B

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

61-07264B A61-07264 A61-07264A A61-07264B

Conditions of Approval:

- C15 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 61:
 - WATER RIGHT NO. SOURCE
 - NONE NONE
 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
 - IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE RIVER BASIN:
 - WATER RIGHT NO. SOURCE
 - NONE NONE
 - ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES
 - OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED CONJUNCTIVELY.

Remarks: EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 61-07247B, 61-07263 & 61-07264B.

Dates: Exam Made Date: 10/02/1998 Verified Date: 10/02/1998 Objection Filed Date:

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

Part of pg 4 of 6

AJ0749NP
No. 61-07264B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/31/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DESERT SEA FARMS LLC 905 E 13TH N ST MOUNTAIN HOME ID 83647	06/10/1976	IRRIGATION	03-15 11-15	0.400 CFS	90.00 AFA
TOTAL DIVERSION:					0.400 CFS	90.00 AFA

D CARL D HICKEY
PO BOX 243
MOUNTAIN HOME ID 83647
(208) 796-2127

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T02S R05E S31 Lot03(SESESW)

ELMORE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
02S	05E	32	:							10	10									20.0
TOTAL ACRES																			20.0	

POU County: ELMORE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
61-07264A 61-07247B 61-07263 61-07264A 61-07264B

Other Water Rights Listing Overlapping Place(s) of Use:
61-07264A 61-07264 61-07264A 61-07264B

Conditions of Approval:

- C15 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN BASIN 61:
- WATER RIGHT NO. SOURCE
- NONE NONE
- THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
- RIGHTS IN THE SNAKE RIVER BASIN:
- WATER RIGHT NO. SOURCE
- NONE NONE
- ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES
- OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
- CONJUNCTIVELY.

Remarks: EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 61-07247B, 61-07263 & 61-7264A.

part of pg 4 of 6

AJ0749NP
No. 61-072648

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 05/31/00
PAGE: 2

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Dates:	Exam Made Date: 10/02/1998	Verified Date:	Objection Filed Date:
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Misc:	Water District Number:	Field Inspection Flag:
		Presumption Flag:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5784

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

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	
	for		purposes from		to	
	for		purposes from		to	
	for		purposes from		to	

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

C. Description of unchanged portion of right

1.

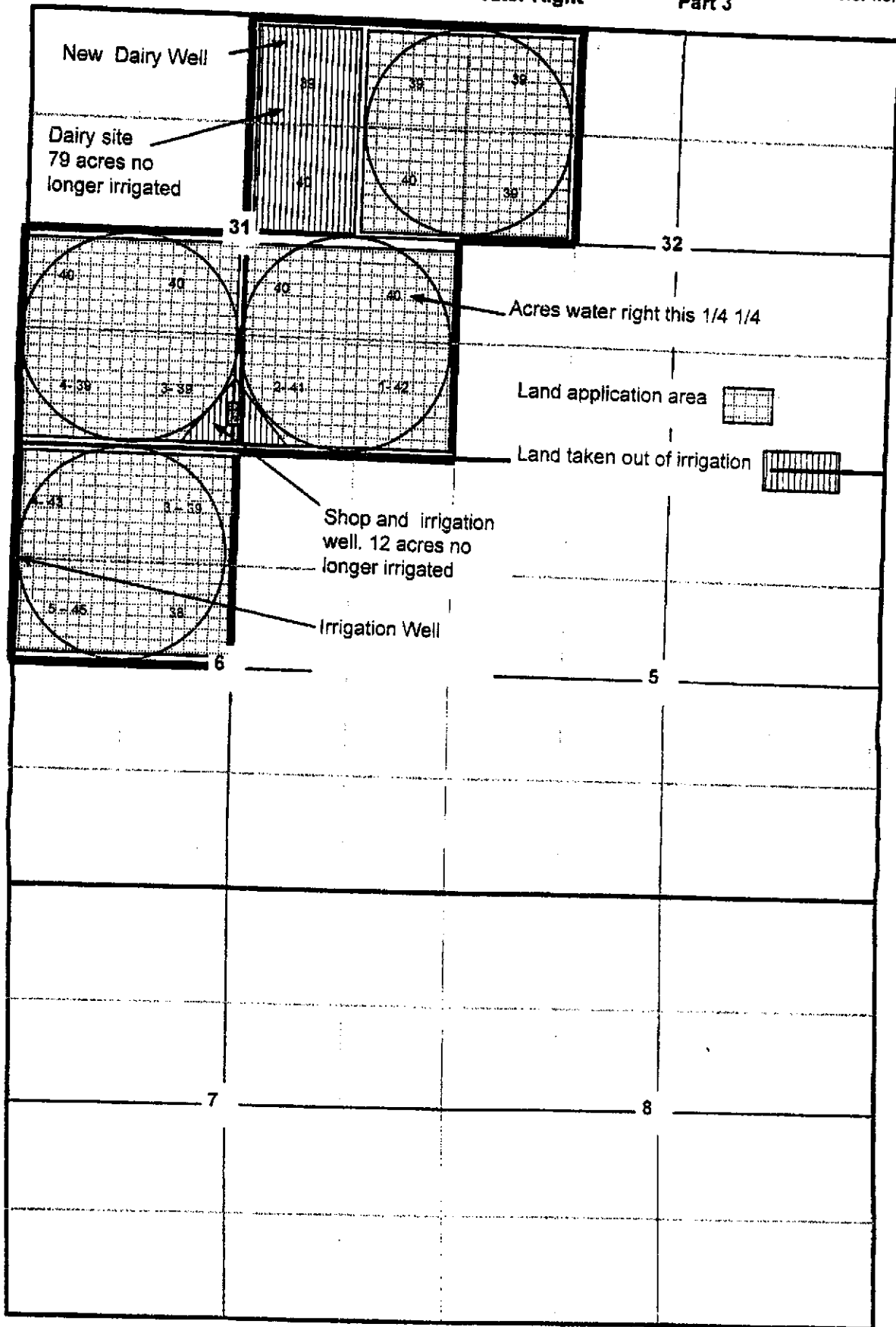
Amount (cfs/ac-ft)						
	for		purposes from		to	
	for		purposes from		to	
	for		purposes from		to	
	for		purposes from		to	

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

TWP.	RGE.	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	



Steve Boschma Dairy		
Elmore County, ID		Scale 3" = 1 mile
T 2 S, R 5 E, S. 31 & 32		Prepared by: Darwin Vander Stelt

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5784

PART 3

B. CHANGES IN NATURE OF USE

1. New Nature of use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use		
Stockwater	.74 / 127	365	01/01	to	12/31
Commercial	.53 / 91	365	01/01	to	01/01

2. Quantity and quality of return flows and location of discharge:

Used process and runoff to be contained in the lagoon on the NE 1/4 sec 31 T02S R05E

Estimated volume of return flow is 91 acre feet to be land applied during the growing season.

3. Describe effects on other water uses resulting from the proposed change:

See Attachment 5.

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.

Steve T. Berchma
(Signature of Applicant)

Subscribed and sworn to before me this 6 day of April, 19 2000

Ron Howerton
(Notary Public)

My commission expires _____ Ron Howerton
Residing at Boise, Idaho
My Commission Expires December 8, 2000

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and _____ attachments

Received by Rch Date 4/6/00 Protest filed by _____

Prelim. check by g Fee 100.00 W 026316

Receipted by Rch Date 4/6/00

Published in _____ Copies of protest forwarded by _____

Pub. Dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd _____ by _____

Copy of transfer sent to lien holder _____

Attachment A

Verification of pending Purchase and Sale Agreement

Buyer(s) Steve Boschma

Seller(s) Larry Essen *ESSON ZE*

The undersigned parties hereby verify that a Purchase and Sale agreement exists and is a valid contract for the sale of T02S,R05E, NE ¼ and S ½ sec 31, W ½ of W ½ sec 32, and T03S, R05E, NW ¼ sec 6, contingent upon buyer obtaining a change in the nature of use of a groundwater right, and also contingent on buyer obtaining other required permits relating to construction and operation of a dairy on the site.

Larry Essen

Seller

4/6/2000

Date

Desert Sea Farms LLC

Seller

4/6/2000

Date

Steve Boschma

Buyer

4/6/00

Date

Seller

Date

AJ0749NP
No. 61-07264B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 07/13/99
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DESERT SEA FARMS LLC 905 E 13TH N ST MOUNTAIN HOME ID 83647	06/10/1976	IRRIGATION	03-15 11-15	0.40 CFS	90.00 AFA
TOTAL DIVERSION:					0.40 CFS	90.00 AFA

D CARL D HICKEY
PO BOX 243
MOUNTAIN HOME ID 83647
(208) 796-2127

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T02S R05E S31 Lot03(SESESW)

ELMORE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
02S	05E	32	:							10	10									:	20.0
TOTAL ACRES																				20.0	

POU County: ELMORE

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
61-07264A 61-07247B 61-07263 61-07264A 61-07264B

Other Water Rights Listing Overlapping Place(s) of Use:
61-07264A 61-07264 61-07264A 61-07264B

Conditions of Approval:

- C15 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
- IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
 - RIGHTS IN BASIN 61:
 - WATER RIGHT NO. SOURCE
 - NONE NONE
 - THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
 - IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
 - RIGHTS IN THE SNAKE RIVER BASIN:
 - WATER RIGHT NO. SOURCE
 - NONE NONE
 - ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES
 - OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
 - CONJUNCTIVELY.

Remarks: EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 61-07247B, 61-07263 & 61-7264A.

AJ0749NP
No. 61-07264B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 07/13/99
PAGE: 2

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Dates:	Exam Made Date: 10/02/1998	Verified Date:	Objection Filed Date:
--------	----------------------------	----------------	-----------------------

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

Comments: Date: 10/02/1998 User-ID: RHOWERTO Subject: COPIED FROM REMARKS
THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION
OF CLAIM NO. 61-07264, FEE PAID UNDER RECEIPT NO. C012769
RDH 09/24/98.

Date: 11/21/1998 User-ID: AJU10-JS Subject: AJU10 CONDITION UPDATE
CONDITION CODE(S) C15 ADDED IF NOT ALREADY PART
OF RECORD THRU AJU10.

Date: 07/13/1999 User-ID: DBUFFING Subject: NAME CHANGE - OWNERSHIP CHANGE
THE DATA IN THE NAME FIELD WAS CHANGED TO SHOW THIS RIGHT HAS AN
OWNERSHIP CHANGE.

Audit: 07/13/99 DBUFFING



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

July 16, 1999

DIRK KEMPTHORNE
GOVERNOR

RE: Water Right No. 61-07264B

KARL J. DREHER
DIRECTOR

DESERT SEA FARMS LLC
905 E 13TH N ST
MOUNTAIN HOME ID 83647

Dear Property Owners:

Enclosed is a copy of the above referenced water right which reflects the change in ownership of the land and appurtenant water rights covered under the original filing. Also enclosed is a copy of the Notice of Completed Administrative Proceedings which has been sent to the Snake River Basin Court as notification of the change.

Thank you for your patience and cooperation. If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

Denise Buffington
Denise Buffington
Records Clerk
Adjudication Section
Western Region

DB:db

Enclosures

cc: Carl D Hickey

AJ0749NP
No. R61-07264B

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 10/02/98
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CARL D HICKEY PO BOX 243 MOUNTAIN HOME ID 83647 (208) 796-2127	06/10/1976	IRRIGATION	03-15 11-15	0.40 CFS	90.00 AFA
TOTAL DIVERSION:					0.40 CFS	90.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T02S R05E S31 Lot03(SESESW)

ELMORE 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	:	SUM		
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	
02S	05E	32	:					:						:											:	20.0
TOTAL ACRES																							:	20.0		

POU County: ELMORE

Remarks: EXP THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 61-07247B, 61-07263 & 61-7264A.

Dates: Exam Made Date: 10/02/1998 Verified Date: 10/02/1998 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag: N
Presumption Flag:

Comments: Date: 10/02/1998 User-ID: RHOWERTO Subject: COPIED FROM REMARKS
THIS CLAIM IS A RESULT OF A CHANGE IN OWNERSHIP FOR A PORTION
OF CLAIM NO. 61-07264, FEE PAID UNDER RECEIPT NO. C012769
RDH 09/24/98.

Audit: 10/02/98 RHOWERTO

IDWR

T02S, R05E

Claim(s):

61-07264A &

61-07264B

Owner(s):

A = Desert Sea Farms

B = Hickey, Carl

Date: 23 Sep 98

Prepared by:

Ron Howerton

Total Acres:

A = 537

B = 20

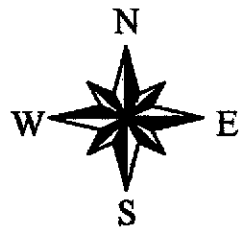
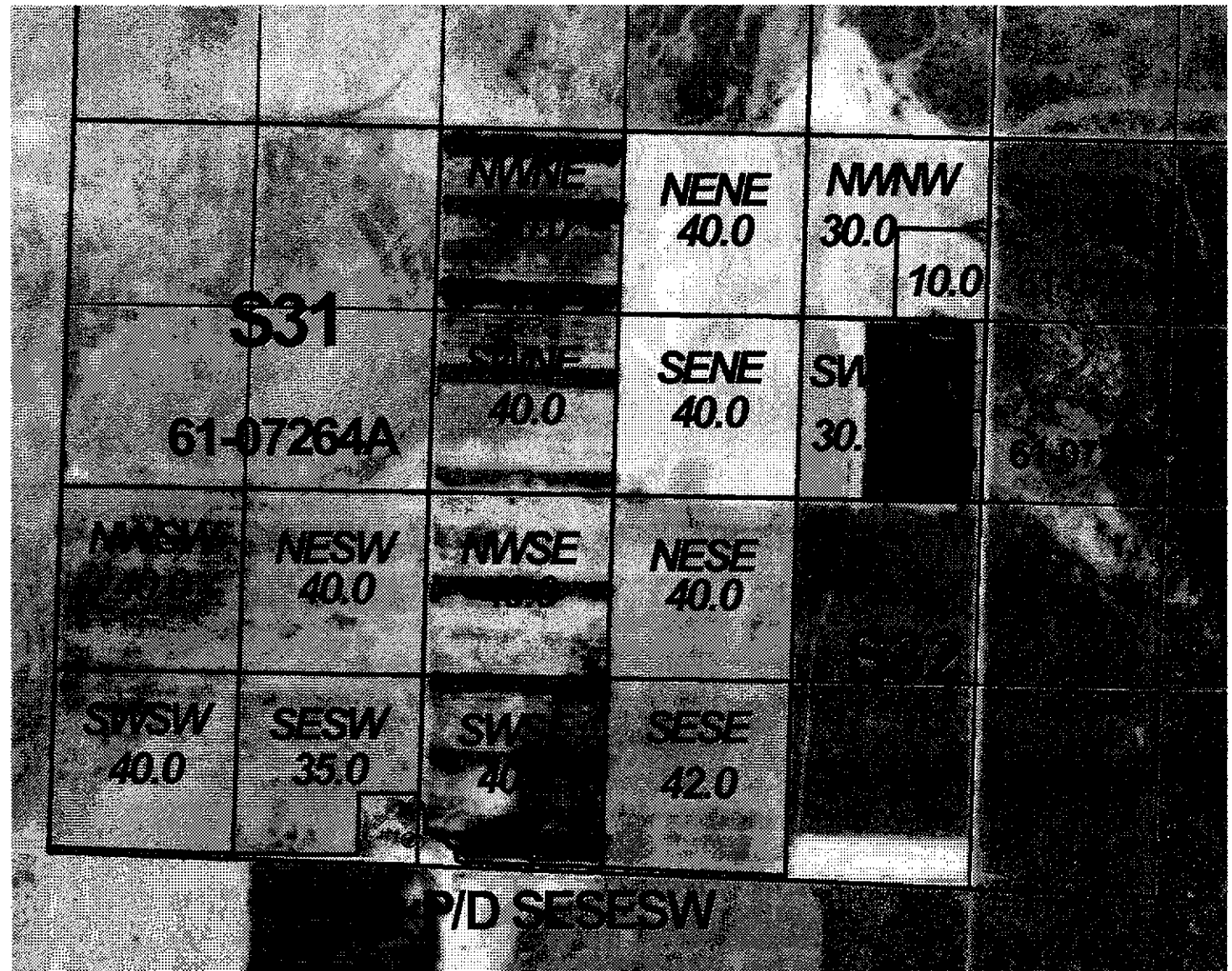
 POU

 POD

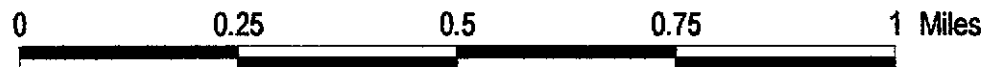
 SECTION LINES

 1/4 1/4

ACRES



1987 NAPP



SPLIT REVIEW (Rights: 61-07263, 61-07264 & 61-07247)

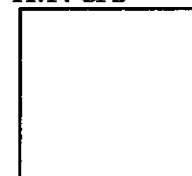
AGENT: Ron Howerton

Date: 23 Sep 98

61-07264

557 acres

11.14 CFS



*P/D SESESW, S31,
T02S, R05E LT 01*

61-07264A

537 acres

10.74 CFS

Desert Sea Farms

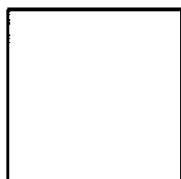
61-07264B

20 acres

0.4 CFS

Hickey

61-07247



*P/D SESW, S36,
T02S, R04E*

61-07247A

Split into C Hergert Farms

Permit

Split into D Hickey

Permit

61-07247B

License

60 acres

1.2 CFS

Desert Sea Farms

*P/D SESESW, S31,
T02S, R05E LT 01
Transfer 5145
Changed P/D from S01 to
P/D NWNW, S06,
T03S, R05E LT 04 (see attached well log dated 6/1/98)*

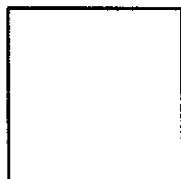
61-07263

Transfer 5145

P/D SESESW, S31, T02S, R05E LT 01

P/D NWNW, S06, T03S, R05E LT 04

Desert Sea Farms



SPLIT REVIEW (Rights: 61-07263, 61-07264 & 61-07247)

AGENT: Ron Howerton

Date: 23 Sep 98

P/D OVERLAP AND CONDITIONS FOR:

61-07247B & 61-07263

- * P/D overlap with 61-07263, 61-07247B (Both have same P/D's) & 61-07264 (SESESW, S31, T02S, R05E LT 01 only)
- Combined remarks apply for CFS & Volume for 61-07247B, 61-07263, 61-07264A & B.

61-07264A & 61-07264B

- P/D overlap with 61-07264A & 61-07264B (Both have same P/D) & 61-07263, 61-07247B (SESESW, S31, T02S, R05E LT 01 only)
- No combined conditions apply for 61-07264A & 61-07264B. (Conditioned on 61-07247B & 61-07263)
- For the P/D overlap of 61-07263 or 61-07247B, that pipeline to those lands only flows one way. Their other P/D located in S01, prior to Transfer 5145 did not flow back up through that pipeline. (Per conversation with Steve Lester, field examiner) Also noted by memorandum dated 7/7/94 that it wasn't a common 1 system, per point of contact, Larry Esson.
- Transfer 5145 moved the P/D from S01, to its new location in S06, approved December 16, 1997. Since then, no-transfer has been filed to add this point of diversion to 61-07264A or B.
- Proof of the new well located in *NWNW, S06, T03S, R05E LT 04* is shown by well log permit 61-97-C-0055-000, well tag 00000272. Completed 1 June 98.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

September 24, 1998

PHILIP E. BATT
GOVERNOR

Re: Original Notice of Claim to a Water Right No. A61-07264

KARL J. DREHER
DIRECTOR

Renumbered Notice of Claim to a Water Right No. A61-07264B

CARL D HICKEY
PO BOX 243
MOUNTAIN HOME ID 83647

Dear Carl,

We have received and processed a Change of Ownership for a portion of the original Claim to a Water Right Number as referenced above. This change of ownership required a split of the original claim resulting in renumbering this claim by adding alpha suffixes to represent each split. The new Notice of Claim to a Water Right number for your portion is referenced above and a copy is enclosed.

Your portion of this claim has a specified point of diversion, nature of use and place of use. If you plan on changing the nature of use, place of use or point of diversion under this right, including adding a new point of diversion, then an Application for Transfer on your portion of this right is required. Please contact this office for further information on the Application for Transfer form. If you do not plan on changing any items on your claim, then no further action is required at this time. You will be notified of any future action taken on this claim.

Please feel free to contact this office if you have any questions concerning your claim or this letter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Ron Howerton'.

Ron Howerton
ADJUDICATION BUREAU
Department of Water Resources
Western Region Office
(208) 334-2190

Attachment(s)

MEMORANDUM

TO: FILE

FROM: STEVE LESTER 

DATE: NOVEMBER 6, 1997

RE: RECOMMENDATIONS FOR T.5145, DESERT SEA FARMS

This is a simple transfer to change a diversion point from Section 1 well to a new well to be drilled in adjacent site in Section 6. There does not appear to be any problems with approving the transfer. The incorrect flow rate for 61-07263 on page 1 and the incorrect well site in Section 1 on page 6 of the application do not need to be corrected by the applicant as explained in this memo.

The two licenses use Section 1 well plus another well located northeast in Section 31. Note that a third right also uses the Section 31 well (61-07264) but does not use the Section 1 well so that right is not involved in the transfer.

The two SRBA claims reflect the licenses except that the Section 1 well is claimed in Lot 5 (SENE) instead of licensed Lot 1 (NENE) plus A63-07263 claims 3.30 cfs instead of the licensed 2.40 cfs. I spoke with the applicant contact, Mr. Larry Esson, on his October 29 office visit. He does not have any information to support the claim differences and did not appear concerned about claim corrections to match any transfer approval to be issued.

The legal notice included the claimed differences to allow proper notification as required. No protests resulted.

Ownership records are in order for both rights via the completed change in ownership filed by the applicant in 1994. Transfer Attachments A and B authorize access to the proposed well site in Section 6, although that authorization does not appear to be needed per ownership records for the NW 1/4 S. 6 (A61-07263 in the applicant's name).

CORRECTION OF REMARKS IN 61-07263

Note that right 61-07263 includes a remark linking the right to 61-07262. That appears to be a typo error since the latter right has nothing to do with the rights in question. The remark should refer to right 61-07264 from the 1987 field exams, and it can be corrected in the transfer decision.

CLARIFICATION OF SECTION 1 WELL LOCATION

Some confusion occurs in the water right and SRBA records for the well in Section 1. The 1987 field exams showed that the well was in Lot 1 (NENE). The tract lines for the section are abnormal due to large government lots.

The water right P/D index lists ground water in Lot 1 (NENE) for 61-07247B and 61-07263. It also shows ground water in Lot 5 (SENE) for 61-07203B, a split that included a change in P/D and P/U for Mr. Hickey per T.4328 issued in 1994 after that right was licensed.

The SRBA P/D index includes ground water in Lot 5 (SENE) for claims A61-07203B (Hickey as above) and A61-07247B plus A61-07263 plus A61-07264 (all for Desert Sea Farms). No ground water is shown in Lot 1 (NENE). The latter three claims contradict the 1987 license reports.

All of this can be clarified very easily. The current well location in Lot 1 was reconfirmed by a site visit yesterday (see attached notes). The well is close to the tract line but is definitely in Lot 1. No well is found in Lot 5 as verified by the 1987 and 1997 field visits. Note that no well drilling activity has been indicated for NE 1/4 Section 1 per well drilling database check. It appears that a case of mistaken 1/4-1/4 has resulted from the abnormal shape of the tracts due to large government lots found in the section.

Transfer approval will correct claims A61-07247B and A61-07263. Claim A61-07264 can be corrected by the claimant to delete reference to a Section 1 P/D. License 61-07203B and claim A61-07203B can be amended by Mr. Hickey or his successor: transfer application that would not need to be advertised to simply correct an error that was easy to make per above explanation?

RECOMMENDATIONS

61-07247B for 1.20 cfs, wells in S.31 (existing) and S.6 (proposed);

61-07263 for 2.40 cfs, wells as above, clarify remark about linkage to other rights;

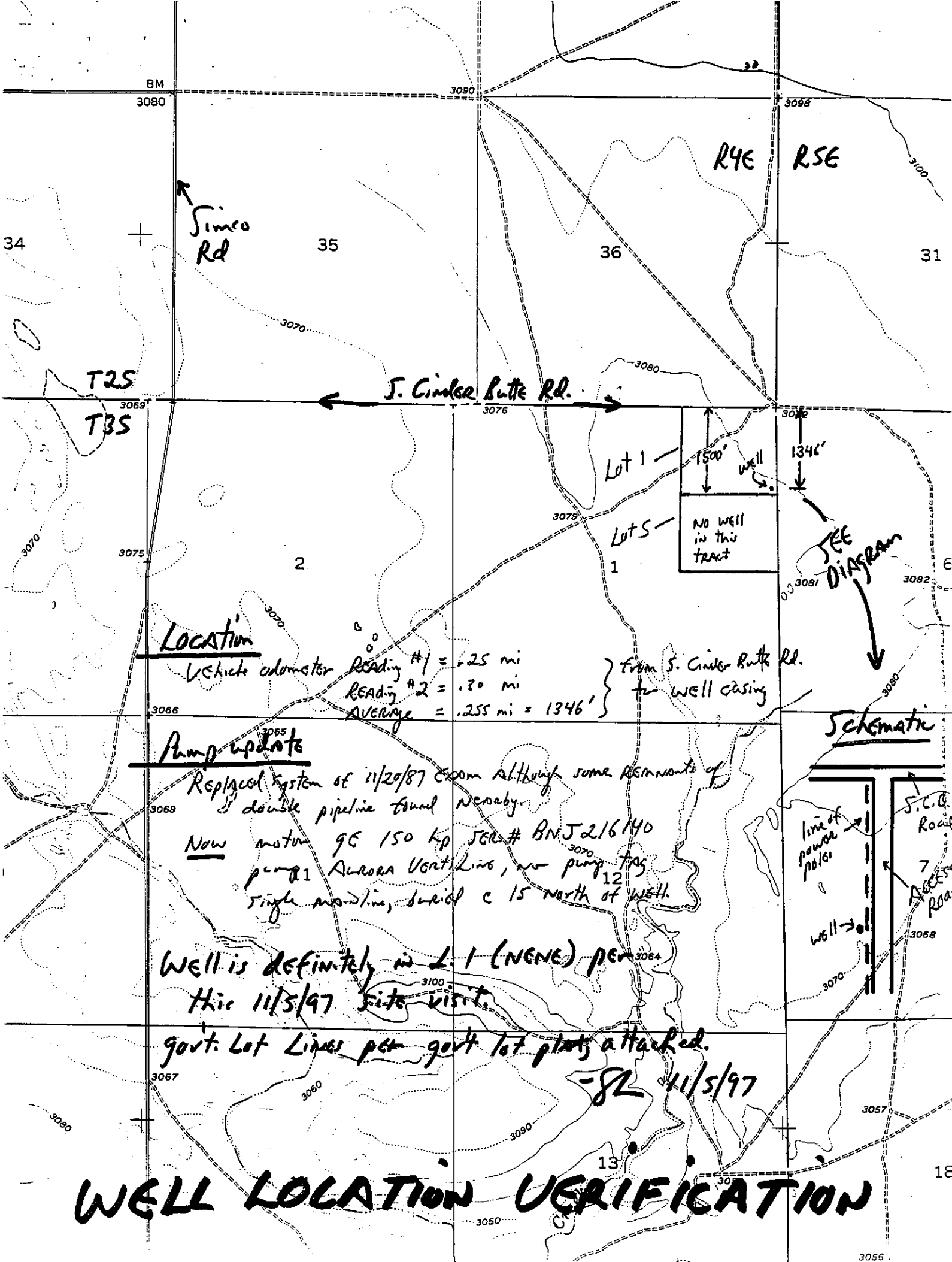
total flow is 3.60, not 4.50, cfs;

request for expedited drilling permit should be denied (?) -- see second memo also with today's date;

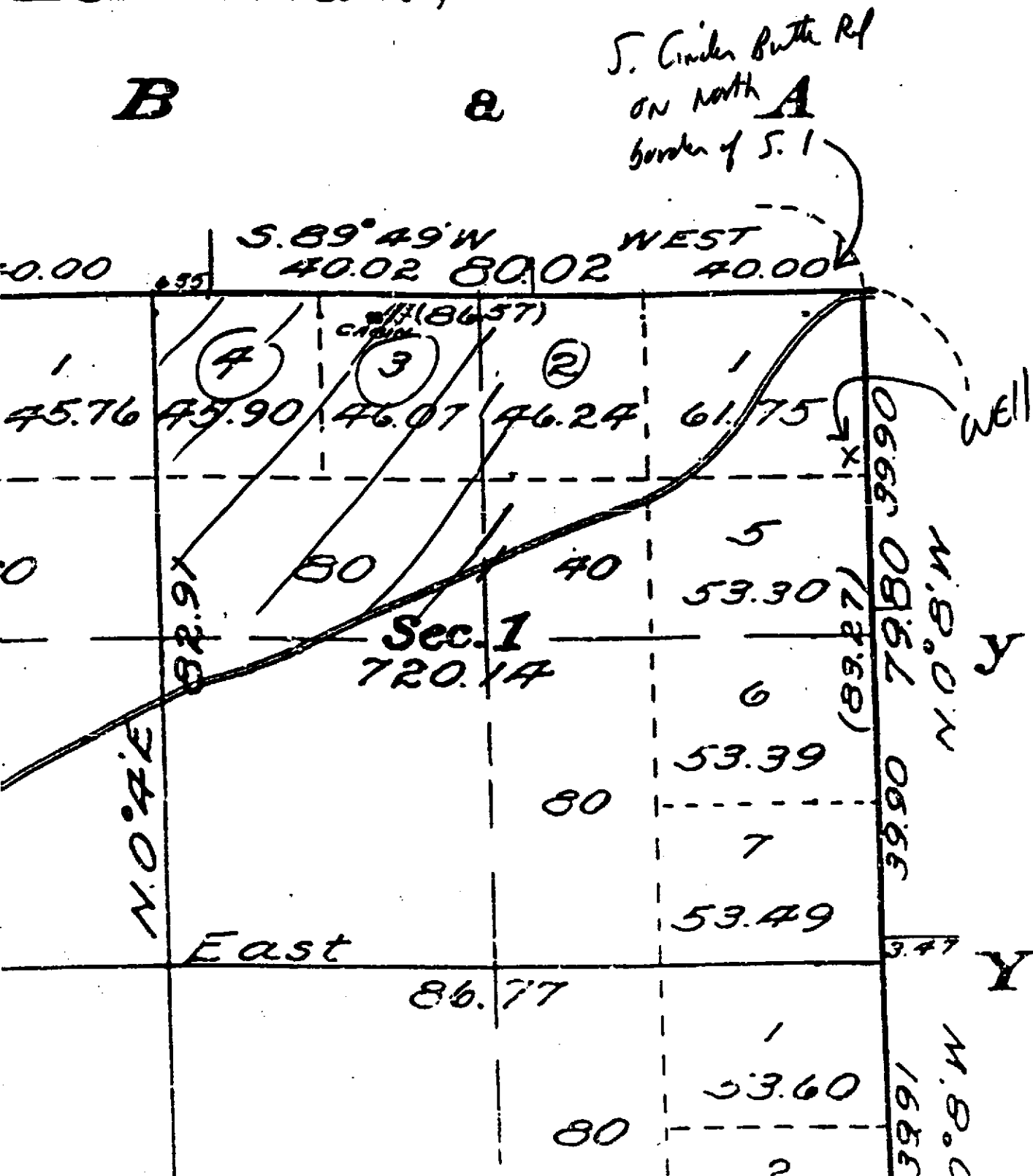
A61-07264 can be addressed by regional SRBA staff;

61-07203B and its claim can be addressed by regional allocation staff.

c: ✓ RDH for A61-07264
✓ Regional files 61-07203B and A61-07203B, 61-07264
✓ S.O. files 61-07203B and 61-07264



61
3
4
5



INTER-DEPARTMENT MEMO — 1

DATE 1/12/88

FROM Steve Laster

TO Revenuers

SUBJECT

G/- 7264 (A)
7247 (B)
7263

} Represent a farm
Recently enrolled in CRP.

The 3 should be reviewed together.



SIGNATURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

61-7264
Permit No.

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad

☒ Check for Government Lots. If so, make a copy of Government Plat/Lots

Check of P/D index SL 11/12/87 (Initial and date)

Overlap? ☒ yes ☐ no

Type of Overlap? ☒ Add acres or uses to existing system? See 72478, 7263

☒ Increase rate of flow or volume

☐ Other:

Check of P/U index SL 11/12/87 (Initial and date)

Overlap? ☐ yes ☒ no

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☐ Other:

Aerial Photo

Required? ☒ yes ☐ no

If yes: ☒ copy attached?

Scheduling Letter sent? N/A (Initial and date)

☒ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☒ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed Stemmer 11/20/87 and 1/12/88 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent BD 2/25/88 (Initial and date)

Exam Reviewed by Manager of Regional Office DM 2/21/88 (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office BD 2/29/88 (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

CRP acreage, review with 61-7247B & 61-7263

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Rec'd as 61-7264A
✓

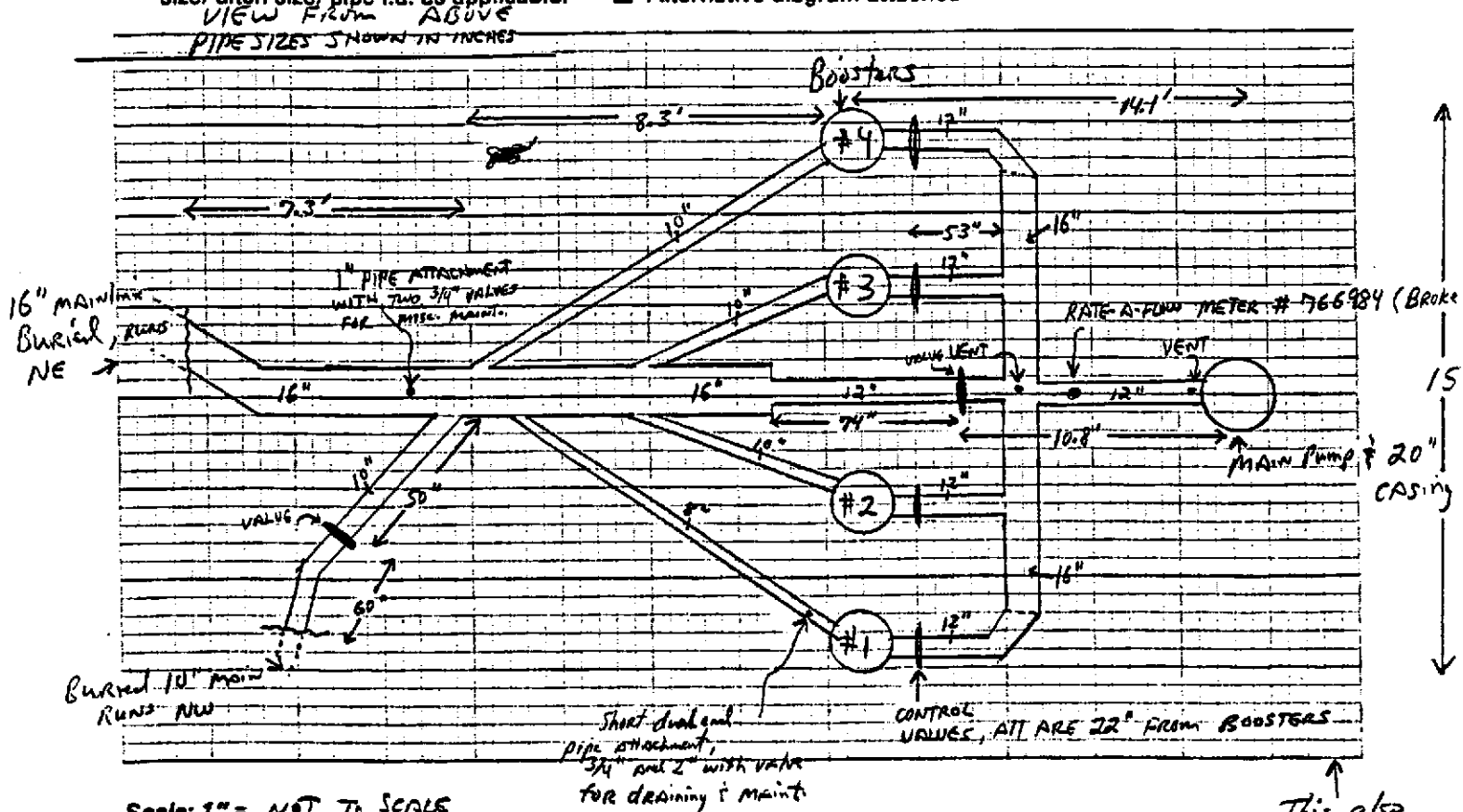
- A. GENERAL INFORMATION** *Jerald L. Wood & W.J. Ballantyne for Estate of Edna Ballantyne for Martha Esson & for Herbert C. Hetherington*
1. Owner: Jerald L. Wood 919 N. 17th St. Boise ID. 83702
Permit No. 61-7264
Phone No. 342-5426
2. Accompanied by: Jerald L. Wood & Alan Dance EXAM. DATE: 11/20/87
Address: above 775 S. 1400 W., Pinedale, ID. Phone No. Above J.L.W., 684-4622 Alan Dance
Relationship to Permit Holder: co-owner and operator, respectively
3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: NONE
☐ Copies Attached
2. Other water rights with same point of diversion: NONE 61-7247 B and 61-7263
☐ Copies Attached ☐ Copies of Field Exam's Attached
See originals in this package.

C. SYSTEM DESCRIPTION

1. Diversion System Diagram: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).
☒ Aerial Photo Attached (required for irrigation of 10 acres or more).

This also operates as O/O for 61-7247B & 7263

SL
1/12/88

61-7264 A continued

E. Flow Calculations

2. Alternate Method

③ Hp equation where

$H_p = 700$ (max. possible)

efficiency = .6 (reduced from .8 to account for loss
in intricate plumbing)

psi = 80
z = 258 } as stated by operator

$$Q = \frac{(8.8)(.6)(700)}{(2.31 \times 80) + 258} = \frac{3696}{442.8} = 8.35 \text{ cfs}$$

Thus, in reviewing flow estimates:

sprinkler = 11.36 cfs

pump tests = 8.91 cfs up to 24.40 cfs (main pump, no boosters, up to
main pump, & boosters)

hp equation = 8.35 cfs

Sprinkler estimate based on $5/32$ " nozzles, the majority used. However, some
 $9/64$ " are used. With $9/64$ " at 4.04 gpm/ft., flow is 9.22 cfs. An
average value for both nozzles used is 10.29 cfs.

Hp equation variables cannot be more closely determined than as above.

The 8.35 cfs is within a reasonable range of sprinkler and pump
test figures.

REC'D
FLOW $\rightarrow$ The 537 acres may be licensed for an inch per acre:
 $537 \times .02 = 10.74 \text{ cfs}$

10.74 cfs is supported by the various estimates.

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

A 522' deep well with 20" casing has a 400 hp. system with 4 boosters. Total hp is 700. 8", 10", 12" lines from pumps converge into a 16" mainline and a 10" mainline. 16" line runs NE and reduces to 12" and 8" branches. The 10" line runs NW and eventually hooks into common 10" line with well in NENE S. 1 (61-72478 & 7263). This permit covers 537 acres in S. 31 & 32. Normal operation consists of 4" risers using 3" handlines for 32 lines using 32 hds./line. Sprinklers include Rainbird 30 EWS, or EWS and Nelson F33 with 5/32" or 9/16" nozzles (mostly 5/32"). This pumping station was used in 1987. Sprinkler lines were stacked by P/D during exam. Pivots have not been used for at least 3 years. Normal psi is 80 at pumps and 50 at ends of lines. ☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
MAIN PUMP	GE	400	FMTJ623016	WEL Line	45919, 12" pipe
Booster #1	GE	50	JMJ929323	Layne	45918, 8" pipe
Booster #2	GE	75	HNJ803384	Layne	45916, 10" pipe
Booster #3	GE	75	LMJ1117361	Layne	45917, 10" pipe

*Code to correspond with No. on map and aerial photo

BOOSTER #4 GE 100 JMJ929400

Layne 45915, 10" pipe

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	03		SE	SW	31	25	SE	Elmore	11565 7 1/2' Guro & ASES photo
									ONLY 1 P/D

6. Place(s) of Use: NOTE: ~~1 acre per 1/4 mile~~ of road subtracted from calculation **Indicate Method of Determination** Same as in P/D

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
25	SE	31	39	39	40	40					40	40	44	43	40	40	41	42	479
		32					29	29											58
																			537

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
NONE						

2. Measurements:

NONE - SYSTEM NOT IRRIGATING NOW, BROKEN Flowmeter in 12" line from main pump.
 SEE ATTACHED PUMP TEST DATA FROM LAYNE PUMPS.
 OPERATOR STATED $\bar{z}$ IS 258', PSI AT WELL IS 80, PSI AT END OF mainlines IS 50.
 32 lines at 32 hds/line = 1024 hds, modeled 30 from chart:
 $5/32"$ nozzle at 50 psi = 4.98 gpm/hd. ; $9/64"$ nozzle at 50 psi = 4.04 gpm/hd.

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method: NONE

2. Alternate Method for Checking Purposes:
 See Layne Pump data, attached.

① Sprinkler chart, most nozzles are $5/32"$. 50 psi is minimum pressure (end of lines).
 $\frac{4.98 \times 1024}{448.8} = 11.36 \text{ cfs}$
 ② Pump test data sheets - 8.91 cfs
 main pump #45919 = 4000 gpm
 Booster 1 = 1150 gpm
 Booster 2 = 1750 gpm
 Booster 3 = 1750 gpm
 Booster 4 = 2300 gpm
 TOTAL = 10,950 gpm = 24.40 cfs

F. PUMP EFFICIENCY DATA (Optional)

N/A

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) $\div$ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = (537)(4.5) = 2416.5$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (10.74)(245)(1.9835) = 5219.2$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 2416.5$

2. Volume Calculations for Other Uses:

N/A

Permit amended 11/77.

Should be placed downstream from booster?

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Measuring device req't: Broken flowmeter in line. No problem until irrigation resumes.
Extension of time to avoid future use is needed.

Although no overlap is recommended, this well is tied to well in NENE S.1 (61-72478 & 7262, via a 10" mainline. MR. Wood stated that well in S.1 has not been turned on for last 2 or 3 years. Thus, well for 7264A has ~~also~~ ^{also} served as PID for acres in S.1, T.3S., R.4E., and S.6, T.3S., R.5E.

Reid splitting WR into:

part A J. Wood et al.

part B Bryce & Wayne Hergert. Possibly would need parts B & C if the two Hergerts want separate WR's.

Hergert Farms filed ~~for~~ ^{for} bankruptcy. Sheriff's Certificates of Sale # 8907, 9837, 9838 will serve as assignment documents as indicated (certificates etc. attached).

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	3/15	11/15	10.74	2416.5
Totals:				

2. Recommended Amendments

☒ Change P.D. as reflected above

☐ Add P.D. as reflected above

☐ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

J. AUTHENTICATION

Field Examiner's Name

Steve Lester

Signature

Steve Lester

Certification Date

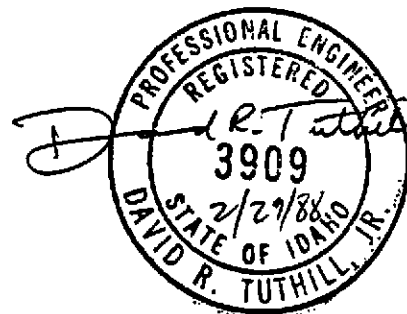
Field Report Preparation Date

11/20/87, completed 11/12/88

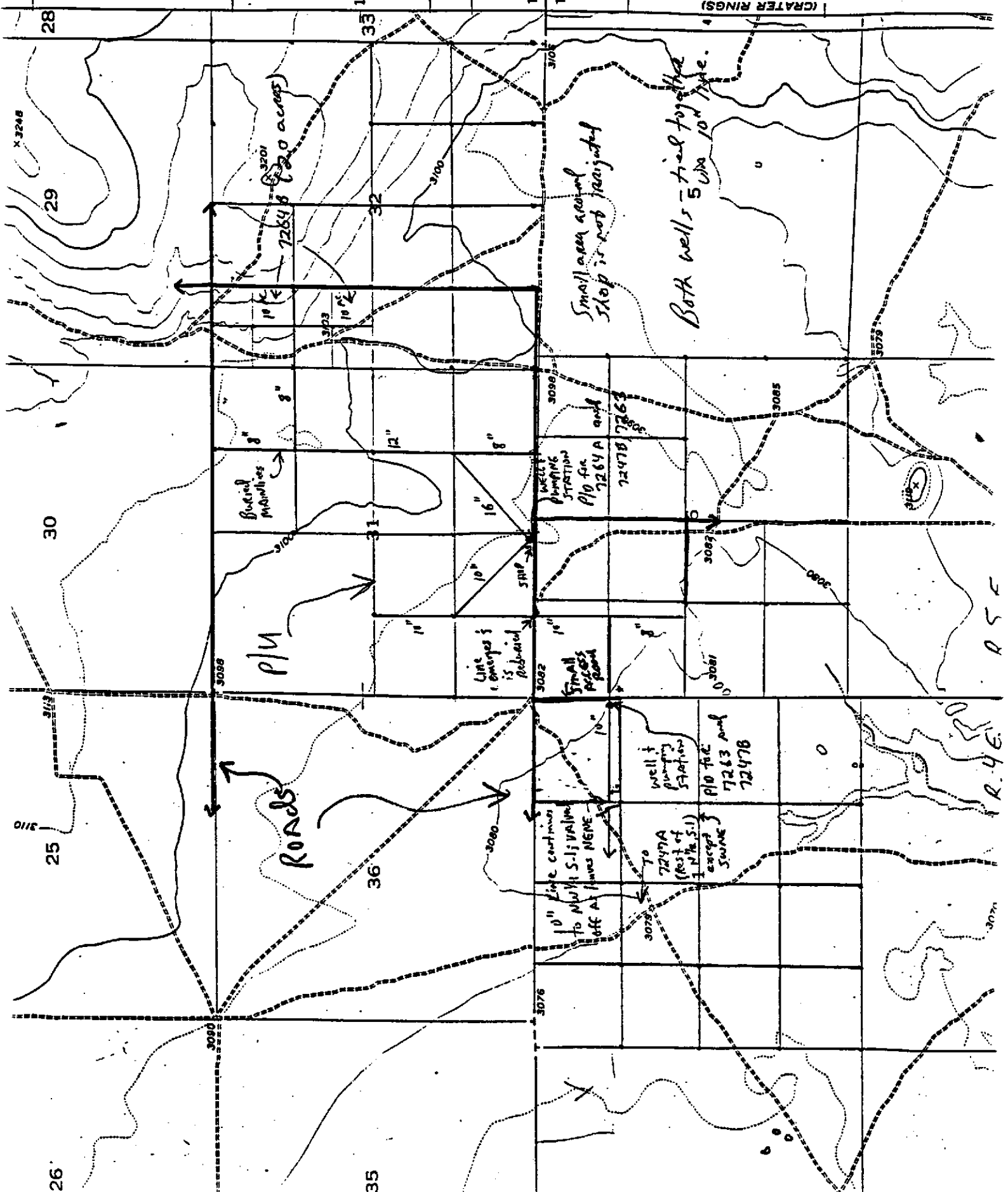
BD
2/25/88

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.



LOTS	
5.32	S 1/2 S 1/2
5.31	S 1/2 S 1/2
5.1	N 1/2 N 1/2
	E 1/2 E 1/2
5.6	W 1/2 W 1/2
5.36	N 1/2 N 1/2
	5.36 D



T.25.

T.35.

61-7247B

61-7263.

61-7264A

(CRATER RINGS)

R.4E.

R.5E.

ADJUDICATION CLAIM CHECKLIST

NOTICE OF CLAIM NO. A61-07264B

WR ELEMENT	FIELD EXAM Y/N-IF NO, DO OFFICE VERIFICATION	FIELD EXAM OR IN-OFFICE VERIFICATION WHOM/DATE	CLAIM VERIFIED BY CODE (SEE BELOW)	CHANGE CLAIM Y/N	CLAIMANT CONTACT NEEDED - Y/N**	REVIEW COMPLETED WHOM/DATE	"R" RECORD
PRIORITY*	N	Rch ^{IN-OFFICE} 10/2/98		N	N		
PT. OF DIV.			Fx Stave L.	Y			
SOURCE				N			
PL. OF USE			2,4	N			
DIV. AMOUNT CFS/AF				N			
CONSUMPTIVE USE				N A			
NATURE OF USE				N			
PERIOD OF USE							
BASIS OF CLAIM							
REMARKS							

DATA ENTRY COMPLETED
BY _____ DATE _____

FINAL RECOMMENDATION
BY _____ DATE _____

*IF REQUIRED HAS EVIDENCE OF PRIORITY BEEN
SUBMITTED - YES _____ NO _____.

**IF CLAIMANT CONTACT IS NEEDED, COMPLETE
CLAIMANT CONTACT CHECKLIST AND ATTACH.

VERIFICATION CODES

TOPO MAP/ORTHOPHOTO = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER(SEE COMMENTS) = 6

COMMENTS: _____

ADJUDICATION MEMORANDUM

CLAIM NO.: A61-07247B, 7263 & 7264 SUBJECT: OWNERSHIP CHANGE

EMPLOYEE: RON HOWERTON

DATE: 7-7-94

REF: LARRY ESSON CALLED, FOLLOW-UP FROM
ORIGINAL OWNER BILL BALLANTYNE TEL CONU 7-6-94.

- MADE APPOINTMENT FOR 9AM FRI JULY 8th TO
UPDATE OWNER LIST.
- ALSO DISCUSSED WHETHER PIDS WERE 1-SYSTEM
HE SAID NO, BUT IT WAS AT ONE TIME. IF HE
WANTS TO MAKE THEM 1-SYSTEM AGAIN THEN I
ADVISED THAT A TRANSFER NEEDED TO BE FILED.
- THUS, ON CLAIM A61-07264 WHERE A PID WAS ADDED
CAN BE DELETED, SINCE NO TRANSFER WAS FILED.
- ALSO, ON 7247B & 7263 THE 2ND PID WAS LICENSED
IN THE NENE, SI NOT SENE SI AS CLAIMED. THIS
COULD EASILY BE OFF BECAUSE ITS LOCATION IS SO CLOSE
TO 1/4 1/4 LINE, THUS RECOMMENDATION WILL
BE AS LICENSED FOR LOCATION OF THIS PID.
- NEW ADDRESS & PH FOR LARRY ESSON (208) 587-9271
905 E 13TH N
MOUNTAIN HOME ID 83647

7-8-94

LARRY ESSON & JERRY STWARD CAME-IN AND BROUGHT BARGAIN
AND SALE DEED. CHANGED CLAIMS TO REFLECT NEW NAME
OF ORGANIZATION IN PLACE OF ALL NAMES THAT REMAINED
AND NEW NAME - JERRY STWARD. SEE BARGAIN & SALE DEEDS.

July 6, 1994
2:25 PM

FIELD EXAM
TELEPHONE CONVERSATION MEMO

I.D. NUMBER AGI-072478, AGI-07263 & AGI-07264

NAME OF CONTACT BILL BALLANTYNE (Rec'd call from appoint letter.)

PHONE NO. 459-8590 ADJ. AGENT RON HOWERTON

DATE SET FOR EXAM _____

~~LOCATION~~ 1) AN OWNERSHIP CHANGE IS REQUIRED FOR THE ABOVE CLAIMS.

2) ALL CLAIMS WERE RECENTLY LICENSED, 1-6-89, 8-14-89 & 1-6-89
thus NO FX NEEDED

Diverting at full rates? * NA

Type of measuring devices? * NA

Places to make measurements? * NA

Type of system? (pipeline, ditches) * NA

How many laterals are used? * NA

Length and size of mainline? * NA

Size of Motor used for each P/D? * NA

Estimate of depth to water? NA *

Pressure at well? NA *

Pressure at sprinkler head? NA *

COMMENTS • BILL SAID THAT HE WAS NO LONGER AN OWNER. HE SAID THAT HE

would have the new owner(s) call me. the following are no longer owners:

- 1) ESTATE OF EDNA BALLANTYNE 3) HERBERT C. HERRINGTON ALSO LAND HAS BEEN *
2) W. J. BALLANTYNE (BILL) 4) TEROLD L. WOOD • IN CRP FOR 6YRS-4 MORE TO GO.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:23:57
07/05/94

PAGE: 1
GENERAL INFORMATION

57
CLAIM NUMBER: A61-07264

LAST: BALLANTYNE
ADDRESS: 2208 ELLIS
CITY: CALDWELL
PHONE NUMBER: 208-459-8590

FIRST: W. J.
STATE: ID ZIP: 83605

OWNER CODE: 10

LAST: BALLANTYNE
ADDRESS: C/O W.J. BALLANTYNE, TRUSTEE
2208 ELLIS
CITY: CALDWELL
PHONE NUMBER: 208-459-8590

FIRST: ESTATE OF EDNA
STATE: ID ZIP: 83605

OWNER CODE: 80

LAST: HETHERINGTON
ADDRESS: P.O. BOX 740
CITY: EMMETT
PHONE NUMBER: 208-365-2280

FIRST: HERBERT C.
STATE: ID ZIP: 83617

OWNER CODE: 10

LAST: BENTZ, JR.
ADDRESS:
CITY: X
PHONE NUMBER: 208-000-0000

FIRST: JOHN G.
STATE: ID ZIP: 0

OWNER CODE: 10

LAST: BENTZ
ADDRESS:
CITY: X
PHONE NUMBER: 208-000-0000

FIRST: LAURICE D.
STATE: ID ZIP: 0

OWNER CODE: 0

LAST: FRANSEN
ADDRESS: 2403 JULIE LANE

FIRST: BEVERLY

~~DESERT SEA FARMS LLC
905 E 13TH E
MOUNTAIN HOME ID 83647
CURRENT OWNER (208) 587-9271
CARL D. HICKEY~~

CITY: PAYETTE
PHONE NUMBER: 208-000-0000

STATE: ID ZIP: 83661

OWNER CODE: 80

LAST: STEWART
ADDRESS: 406 E. CURLING
CITY: BOISE
PHONE NUMBER: 208-000-0000

FIRST: NORMA
STATE: ID ZIP: 83702

OWNER CODE: 80

LAST: ESSON
ADDRESS: 1824 E. IOWA
CITY: NAMPA
PHONE NUMBER: 208-000-0000

FIRST: NEIL
STATE: ID ZIP: 83651

OWNER CODE: 80

LAST: ESSON
ADDRESS: P.O. BOX 182
CITY: GRANDVIEW
PHONE NUMBER: 208-000-0000

FIRST: LARRY
STATE: ID ZIP: 83624

OWNER CODE: 80

LAST: WOOD
ADDRESS: 919 N. 17TH ST.
CITY: BOISE
PHONE NUMBER: 208-342-5426

FIRST: JEROLD L.
STATE: ID ZIP: 83702

OWNER CODE: 80

FIELD EXAM REQUIRED?

VERIFICATION REQUIRED DUE TO REMARKS?

NO REMARKS IN CLAIM

DATABASE
N

FIELD
EXAMINER

A. AJ CLAIM: # A61-07264 PRIORITY DATE: 06-10-1976 STAGE: L

B. WR RECORD: # 61-07264 PRIORITY DATE: 06-10-1976 STAGE: L

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE
N

FIELD
EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(☒)
IF YES EXPLAIN.

NOTES: _____

=====

RECOMMENDED PRIORITY DATE:
06-10-1976

REVIEWED BY Rch

DATE 10/2/98

=====

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A61-07264	02S	05E	31	SE	SE	SW	3	ELMORE
A61-07264	03S	04E	1	NE	SE	NE	5	ELMORE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
A61-07247B NONE
A61-07263

WR RECORDS IN SAME 40 ACRE TRACT

61-07247B
61-07263

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
61-07264	02S	05E	31		SE	SW	3	ELMORE

OTHER WR RECORDS WITH SAME WR POD

AJ CLAIMS IN SAME 40 ACRE TRACT
A PREFIX R PREFIX

61-07247B
61-07263

A61-07247B NONE
A61-07263

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

	DUE TO POD DISCREPANCY? (Y/N)	DUE TO SOURCE DISCREPANCY? (Y/N)	DATABASE	FIELD EXAMINER
	Y	Y	Y	Rich
	N	N	N	

NOTES:

SEE MEMO DTD NOV 6, 1997 FROM STEVE LESTER -
VERIFIED P/D.

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	COUNTY	DIVERSION NAME
25	SE	31	SE	SE	SW	03	ELMORE	
—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—
—	—	—	—	—	—	—	—	—

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:

Rch

DATE:

10/2/98

SYSTEM DESCRIPTION:

- SEE ATTACHED B/W FIELD EXAM By STEVE LESTER, DTD 2/25/88
- SEE ATTACHED SPLIT REVIEW DTD 23 SEP 98
- ONLY ONE PID, SEE STEVE LESTER'S MEMORANDUM & FIELD EXAM, ATTACHED.

A. ROOT WATER RIGHT NUMBERS: A61-07264

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
02S	05E	31	NE	NE		BALLANTYNE, W. J.	A61-07264 /39.0	61-07264 /39.0	41.0		
02S	05E	31	NW	NE		BALLANTYNE, W. J.	A61-07264 /39.0	61-07264 /39.0	38.0		
02S	05E	31	SW	NE		BALLANTYNE, W. J.	A61-07264 /40.0	61-07264 /40.0	39.0		
02S	05E	31	SE	NE		BALLANTYNE, W. J.	A61-07264 /40.0	61-07264 /40.0	42.0		
02S	05E	31	NE	SW		BALLANTYNE, W. J.	A61-07264 /40.0	61-07264 /40.0	40.0		40.0
02S	05E	31	NW	SW		BALLANTYNE, W. J.	A61-07264 /40.0	61-07264 /40.0	40.0		40.0
02S	05E	31	SW	SW	4	BALLANTYNE, W. J.	A61-07264 /39.0	61-07264 /39.0	37.0		
02S	05E	31	SE	SW	3	BALLANTYNE, W. J.	A61-07264 /39.0	61-07264 /39.0	34.0		
02S	05E	31	NE	SE		BALLANTYNE, W. J.	A61-07264 /40.0	61-07264 /40.0	38.0		
02S	05E	31	NW	SE		BALLANTYNE, W. J.	A61-07264 /40.0	61-07264 /40.0	42.0		
02S	05E	31	SW	SE	2	BALLANTYNE, W. J.	A61-07264 /41.0	61-07264 /41.0	43.0		
02S	05E	31	SE	SE	1	BALLANTYNE, W. J.	A61-07264 /42.0	61-07264 /42.0	44.0		
02S	05E	32	NW	NW		BALLANTYNE, W. J.	A61-07264 /39.0	61-07264 /39.0	39.0		39.0 10
02S	05E	32	SW	NW		BALLANTYNE, W. J.	A61-07264 /39.0	61-07264 /39.0	29.0		10
TOTAL ACRES							A61-07264	557.00	557.00	546.00	

ARE IRRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y() N(X)
IF YES SEE ATTACHED SHEET:

20

C. FIELD EXAM REQUIRED?

DUE TO POU DISCREPANCY? (Y/N)

DATABASE
Y

FIELD
EXAMINER

Rdh

POU COUNTY: ELMORE

USED
STAG LESTERS
FIELD EXAM NOTES
& GIS APP.

PRESUMPTION FLAG: ☒

NOTES:

LANDS WERE IN CRP FROM 1988-1997, SEE ASCS
MAP IN FILE 61-07264A.

RECOMMENDATIONS:

TOTAL ACRES: 20

REVIEWED BY: Reh

DATE: 10/2/98

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A61-07264 IRRIGATION	FROM 03-15 TO 11-15	11.140 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		11.140 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
61-07264 IRRIGATION	FROM 03-15 TO 11-15	11.140 CFS 2506.50 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		11.140 CFS 2506.50 AF/A

PRESUMPTION FLAG: ☒

C. FIELD EXAM REQUIRED?

	DATABASE	FIELD EXAMINER
DUE TO WATER-USE DISCREPANCY? (Y/N)	N	_____
DUE TO DIVERSION RATE DISCREPANCY? (Y/N)	N	_____
DUE TO PERIOD FROM/TO DISCREPANCY? (Y/N)	N	_____

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

Y(☒) N(____)

RECOMMEND TO WR STANDARDS OR OTHER?

Y(____) N(____) Explain in notes, below.

NOTES:

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS?

Y(☒) N(☐)

AJ TOTAL CLAIMED DIVERSION RATE: 11.140 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 11.140 CFS

*** IF NO or IF STATUTORY CLAIM or BENEFICIAL USE then flow measurement required. ***
** If an amount smaller than the original diversion rate is **
** claimed and an exam is NOT required, explain in notes. **

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) ☒ X
FIELD
DATABASE EXAMINER
NO

B.

FLOW MEASUREMENT

MEASUREMENT METHOD NA, SEE ATTACHED CALCULATIONS.

C. ARE OTHER WATER RIGHTS USED? Y(☐) N(☒) IF YES COMPLETE OVERLAP REVIEW.

OTHER RIGHTS LISTED IN CLAIM: NONE

SEE SPLIT REVIEW DTD 23 SEP 98

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

NO RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION

D.

RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE

ACRES 20 x 0.02 CFS/ACRE = .4 CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N()

*** IF YES ADDITIONAL WATER USE FORM FILED AND ATTACHED? Y() N() ***

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 1671.0 AF/A

ACRES 20 x CONSUMPTIVE VOL. AF/A FOR AREA 4.5 =

TOTAL CONSUMPTIVE USE 90 AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 20 x DIVERSION VOL. AF/A FOR AREA 4.5 =

TOTAL DIVERSION VOLUME 90 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(X)

NOTES: (Include limitations on CONSUMPTIVE USE for combined rights.)

EXP REMARK: FOG ~ 7264A, 7247B & 7263

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
IRRIGATION	03-15 11-15	DATABASE EXAMINER ~~11.140~~ 0.4	DATABASE EXAMINER ~~11.140~~ 90 AF	DATABASE EXAMINER ~~1671.0~~ _____
TOTAL FOR THIS RIGHT				
REVIEWED BY: <u>Rdh</u>		DATE: <u>6/2/98</u>		

A. CHECK ONLY THE FOLLOWING THAT APPLY:

	ACCEPTED AS CLAIMED	NEEDS REVIEW
OWNERSHIP _____	()	()
FORFEIT/ABANDON _____	()	()
ADDITIONAL DIV. AMOUNT _____	()	()

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 61-07264

TOTAL DIVERSION RATE OF WR SPLITS DATABASE 11.140 EXAMINER Rdt CFS

SPLITS:

OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	CURRENT "R" CLAIM NUM.	"R" DIV. RATE	WR RIGHT NUMBERS	DIVERSION RATE
-	A61-07264	11.140	-		61-07264	11.140
TOTAL CFS		11.140				11.140

DIVERSION RATE REVIEW

DO THE SUM CFS RATE OF THE SPLITS EQUAL THE ROOT RIGHT CFS RATE? (Y/N)
IF NO, is the written review sheet attached? (Y/N)

DATABASE
Y

FIELD
EXAMINER
Rdt

SEE
SPLIT
REVIEW

NOTES:

AUTHENTICATION:

SIGNATURE:

NAME OF FIELD EXAMINER:

DATE:

TITLE:

Ron Howerton 2 Oct 98
RON HOWERTON SR WA AGENT

MAPS AND AERIAL PHOTOGRAPHS USED TO REVIEW THIS NOTICE OF CLAIM TO A WATER RIGHT

TYPE OF MAP OR PHOTOGRAPH (CHECK IF USED)	IF USED, SUPPLY APPROPRIATE DATE AND OTHER INFORMATION	COPY INCLUDED IN FILE?
() ORTHOPHOTOQUAD	DATE OF PHOTO _____ IDWR ID NO. _____	Y() N()
() TOPOGRAPHIC	DATE FIELD CHECKED _____ IDWR ID NO. _____	Y() N()
☒ NAPP	DATE OF PHOTO <u>1987</u> IDWR ID NO. <u>2-11</u>	Y(☒) N()
☒ ASCS AERIAL PHOTO	DATE OF PHOTO <u>1987</u>	Y() N(☒) IN 7264A
() ASCS COLOR SLIDE	DATE OF PHOTO _____	Y() N()
() BLM OR USFS AERIAL PHOTO	DATE OF PHOTO _____	Y() N()
() TOWNSHIP SURVEY (GOVERNMENT PLAT)	DATE OF SURVEY _____	Y() N()
() SCS SOIL SURVEY MAP	DATE ISSUED _____	Y() N()
() SUBDIVISION PLAT MAP	DATE OF MAP _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()
() OTHER _____	DATE _____	Y() N()

LIST OF ATTACHMENTS (CHECK IF ATTACHED)	IF ATTACHED, SUPPLY APPROPRIATE INFORMATION	NO. OF PAGES	NOTES
☒ LICENSING FIELD EXAM	DATE OF FIELD EXAM <u>11/20/87</u>	<u>8</u>	
() WATER RIGHT LICENSE	DATE LICENSE SIGNED _____		
() IDWR APPROVED TRANSFER	DATE TRANSFER APPROVED _____		
☒ SYSTEM DESCRIPTION	DATE DRAWN <u>SEE B/Lu EXAM, ATTACHED</u>		
() PHOTOGRAPHS	DATE(S) PHOTOS TAKEN _____		
☒ SPLIT RIGHT REVIEW	DATE REVIEW COMPLETED <u>23 Sep 98</u>	<u>2</u>	
() HUBBLE ANALYSIS	DATE ANALYSIS COMPLETED _____		
() CONVEYANCE LOSS ANALYSIS	DATE ANALYSIS COMPLETED _____		
() FLOW MEASUREMENT CALCULATIONS	DATE SYSTEM MEASURED _____		
☒ OTHER <u>Memo RANDUM</u>	DATE <u>11/6/97</u>	<u>4</u>	<u>Steve Lestons Memo to file</u>
() OTHER _____	DATE _____		

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:23:57
07/05/94

PAGE: 14
QUICKLOOK INFORMATION

70
CLAIM NUMBER: A61-07264

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE								
POINT OF DIV	Y							
SOURCE								
PLACE OF USE	Y							
DIV. AMOUNT CFS/VOLUME								
CONSUMPTIVE USE	-							
PURPOSES								
PERIOD OF USE								
BASIS OF CLAIM								
REMARKS								

"VERIFIED BY" CODES

TOPO MAP/ORTHO-PQ = 1
ASCS MAP = 2
WATERMASTER RECORDS = 3
NAPP PHOTOS = 4
FIELD EXAM = 5
OTHER (SEE REMARKS) = 6

THESE CODES ARE USED TO INDICATE HOW THE FIELD EXAMINER VERIFIED THE INFORMATION
USED FOR THIS FIELD EXAMINATION. INDICATED ARE ALL CODES WHICH APPLY.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

11:44:02
07/05/94
72

PAGE: 16
PROFILE REPORT CONTINUED

CLAIM NUMBER: A61-07264

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE								
T	R S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM
02S	05E 31	39		39		40		40						40		40		04-39		03-39		479.0
02S	05E 32									39		39										78.0
																				TOTAL ACRES	557.0	

POU County: ELMORE

Other Rights: NONE

Dates: Exam Made Date:

Verified Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag: C



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

Date: July 1, 1994

CECIL D. ANDRUS
GOVERNOR

Estate of Edna Ballantyne
C/O W J Ballantyne, Trustee
2208 Ellis
Caldwell, Id 83605

R. KEITH HIGGINSON
DIRECTOR

RE: Field Exam Scheduling Letter for the following Adjudication Claims:

A61-07247B, A61-07263 & A61-07264.

Dear Mr. Ballantyne,

The Adjudication Staff of the Department of Water Resources will be conducting Snake River Basin Adjudication Claim Examinations for Elmore County from July through November 1994.

Information on your claim that may need to be verified includes, source(s) of water, uses and amounts, legal descriptions of point(s) of diversion, place of use and in some cases documentation verifying the date of priority as claimed in the Snake River Basin Adjudication.

Although it is not mandatory that you accompany me, should questions arise during the exam, it would be most helpful for yourself or a knowledgeable representative to be available during the field exam. This will help in the accuracy of collecting specific information about your water right and speed up our findings.

I would appreciate your call **ASAP** to set-up a field exam date. I may also be calling to help speed up the scheduling due to the short field season this year.

If you have other questions prior to scheduling a date or about the field examination, feel free to call me on that too. Please call today to set-up your exam!

Sincerely,

Ron Howerton
ADJUDICATION STAFF
Department of Water Resources
Western Region Office
(208) 334-2190

04/19/2002

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 61-7264B

NAME AND ADDRESS: LONE PINE DAIRY
5592 W KUNA RD
KUNA ID 83634

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 0.40 CFS
90.0 AFY

THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF
DIVERSION UNDER TRANSFER 68468 SHALL NOT EXCEED 11.36 CFS, NOR TOTAL
COMBINED ANNUAL VOLUME OF 2975.0 AF.

PRIORITY DATE: 06/10/1976

POINT OF DIVERSION:

T02S R05E S31 NWNE Within ELMORE County

T02S R05E S31 SESESW Lot 3 Within ELMORE County

T03S R05E S6 SWNNW Lot 4 Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3/15 11/15	0.400 CFS 90.00 AFY

PLACE OF USE: IRRIGATION Within ELMORE County

T02S R05E S31	NENE	39.0	T02S R05E S31	SENE	40.0
T02S R05E S31	NESW	40.0	T02S R05E S31	NWSW	40.0
T02S R05E S31 Lot 4	SWSW	39.0	T02S R05E S31 Lot 3	SESW	33.0
T02S R05E S31	NESE	40.0	T02S R05E S31	NWSE	40.0
T02S R05E S31 Lot 2	SWSE	35.0	T02S R05E S31 Lot 1	SESE	42.0
T02S R05E S32	NWNW	39.0	T02S R05E S32	SWNW	39.0
T03S R05E S06 Lot 3	NENW	39.0	T03S R05E S06 Lot 4	NWNW	43.0
T03S R05E S06 Lot 5	SWNW	45.0	T03S R05E S06	SENW	38.0

631 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 20 ACRES WITHIN THE PLACE OF USE
DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

EXPLANATORY MATERIAL: License

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 61-07247B, 61-07263 & 61-7264A.

PRIOR TO DIVERSION OF WATER UNDER THIS APPROVAL, THE RIGHT
HOLDER SHALL PROVIDE A MEANS OF MEASUREMENT ACCEPTABLE TO
THE DEPARTMENT FROM ALL AUTHORIZED POINTS OF DIVERSION WHICH
WILL ALLOW DETERMINATION OF THE TOTAL RATE OF DIVERSION.
AFTER SPECIFIC NOTIFICATION BY THE DEPARTMENT, THE RIGHT HOLDER
SHALL MEASURE THE DIVERSION OR SHALL ENTER INTO AN AGREEMENT
WITH THE DEPARTMENT TO DETERMINE THE AMOUNT OF WATER
DIVERTED FROM POWER RECORDS AND SHALL ANNUALLY REPORT THE
INFORMATION TO THE DEPARTMENT.

Page 7 of 8

WATER RIGHT NO. 61-7264B
As Modified by Transfer No. 68468

In accordance with the approval of Transfer No. 68468, Water Right No. 61-7264B is now described as follows.

Right Holder: DESERT SEA FARMS LLC
 905 E 13TH N ST
 MOUNTAIN HOME ID 83647

Priority Date: 06/10/1976

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to 11/15	0.40 CFS	90.0 AF
		0.40 CFS	90.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER Lot 4 SWNWNW Sec. 6 Twp 03S Rge 05E ELMORE County *

GROUND WATER Lot 3 SESESW Sec. 31 Twp 02S Rge 05E ELMORE County

GROUND WATER Lot 3 NWNE Sec. 31 Twp 02S Rge 05E ELMORE County *

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S 05E 31	39.0			40.0					40.0	40.0	39.0	33.0	40.0	40.0	35.0	42.0	388.0
02S 05E 32						39.0	39.0				L4	L3			L2	L1	78.0
03S 05E 6					39.0	43.0	45.0	38.0									165.0
					L3	L4	L5										

Total Acres: 631

CONDITIONS OF APPROVAL

- Quantity* 1. The total instantaneous diversion of water from all points of diversion under Transfer 68468 shall not exceed 11.36 cfs, nor total combined annual volume of 2975.0 af.
2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the department from all authorized points of diversion which will allow determination of the total rate of diversion.
3. After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

MICROFILMED

MAR 29 2001

Page 8 of 8

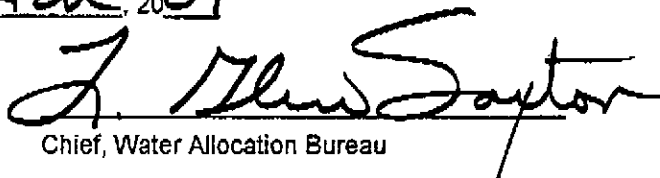
WATER RIGHT NO. 61-7264B
As Modified by Transfer No. 68468

CONDITIONS OF APPROVAL

- ~~5.~~ Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- ~~6.~~ Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- Qnt (7) This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
708. This right is limited to the irrigation of 20.0 acres within the place of use described above in a single irrigation season.
- Gen (9) All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 29th day of March, 2001


Chief, Water Allocation Bureau

MICROFILMED

MAR 29 2001

Page 1 of 8

Post-It® Fax Note	7671	Date	4-12	# of pages	8
To	Steve Boschma				
Co./Dept.	Co.				
Phone #	Phone #				
Fax #	Fax #				

DEP.

TRANSFER OF WATER RIGHT

TRANSFER NO. 68468

This is to certify that: STEVE BOSCHMA
5592 KUNA RD
KUNA ID 83634

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document. The right holder shall accomplish the authorized change within one (1) year of the date of this approval. Failure of the right holder to comply with the conditions of approval for each water right affected by this transfer is cause for the Director to rescind approval of all or part of the transfer.

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
61-7264A	WR/License	06/10/1976	10.74 cfs	2416.5 af	537.0	537.0	GROUND WATER
61-7263	WR/License	04/01/1976	2.4 cfs		165.0	165.0	GROUND WATER
61-7264B	AJC/License	06/10/1976	0.4 cfs	90 af	20.0	20.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
61-7264A	NO	NO	YES	YES	YES	YES
61-7263	NO	NO	YES	YES	NO	NO
61-7264B	NO	NO	YES	YES	NO	NO

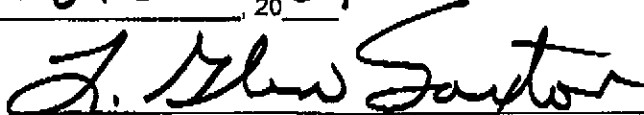
Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acro Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acre Limit	Remaining Total Acres
61-7264A	61-7264A	10.74 cfs	2225 af	446.0	631.0		N/A	N/A		N/A
61-7263	61-7263	2.4 cfs	660 af	165.0	631.0		N/A	N/A		N/A
61-7264B	61-7264B	0.4 cfs	90 af	20.0	631.0		N/A	N/A		N/A
TOTALS		11.36 cfs	2976 af	631.0	631.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 29th day of March, 2001

Chief, Water Allocation Bureau



MICROFILMED

MAR 29 2001

06/15/2001

IDAHO DEPARTMENT OF WATER RESOURCES
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 61-7264B

NAME AND ADDRESS: LONE PINE DAIRY
5592 W KUNA RD
KUNA, ID 83634

SOURCE: GROUND WATER

QUANTITY: 0.4 CFS
90 AFY

PRIORITY DATE: 06/10/1976

POINT OF DIVERSION: T02S R05E S31 LOT 3 SESESW Within ELMORE County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	3-15 11-15	0.40 CFS 90.00 AFY

PLACE OF USE:

IRRIGATION Within ELMORE County
T02S R05E S32 NWNW 10 T02S R05E S32 SWNW 10

20 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING
SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED
SEPARATELY FROM ALL OTHER WATER RIGHTS IN BASIN 61:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING
SOURCES OF WATER IN BASIN 61 SHALL BE ADMINISTERED
SEPARATELY FROM ALL OTHER WATER RIGHTS IN THE SNAKE
RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM
CONNECTED SOURCES OF WATER IN THE SNAKE RIVER BASIN
AND SHALL BE ADMINISTERED CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH
POINT OF DIVERSION DESCRIBED ABOVE: 61-07247B, 61-07263 &
61-7264A

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

Water Rights: 61-7264B

NOTICE OF COMPLETED
ADMINISTRATIVE
PROCEEDING

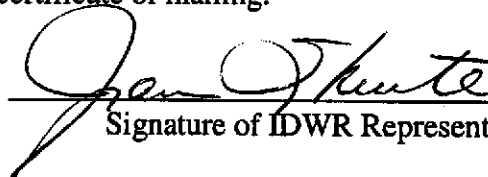
IDWR has completed the following administrative proceeding:

- ☐ Address change
- ☒ Substitution of Party
- ☐ IC § 42-222 transfer
- ☐ Point of diversion ☐ Place of use
- ☐ Period of use ☐ Nature of use
- ☐ Split of water right ☐ Change in ownership
- ☐ Other - Source
- ☐ IC § 42-219 license

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached *Amended Director's Report(s)* for said water right(s). No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the *Notice of Completed Administrative Proceeding* and *Amended Director's Report(s)* on the claimant(s), prior claimant(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: June 15, 2001


Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on June 15, 2001, I delivered the original and copies of this form, including all attachments, to the following persons, postage prepaid if required and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
P.O. Box 2707
Twin Falls, ID 83303-2707

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

2. Copies to:

Clive Strong
Office of the Attorney General
P.O. Box 44449
Boise, ID 83711-4449

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

United States Dept of Justice
Environment & Natural Resource Div
550 West Fort Street MSC 033
Boise ID 83724

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

3. Copies to all parties to the subcase:

Desert Sea Farms LLC (*Former Owner*)
905 E 13th N
Mountain Home ID 83647

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile

Lone Pine Dairy (*Current Owner*)
5592 W Kuna Rd
Kuna ID 83634

☐ overnight mail
☒ regular mail
☐ hand-delivered
☐ facsimile


Signature of person mailing this document

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

RECEIVED

APR 04 2001

WATER RESOURCES
WESTERN REGION

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) A61-07264A, A61-07264B, A61-07263
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) DESERT SEA FARMS, LLC
905 EAST 13TH NORTH
MOUNTAIN HOME, ID 83647
4. New Owner/Claimant(s) LONE PINE DAIRY
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 5592 W KUNA ROAD
City, State and ZIP Code KUNA, IDAHO 83644
New Telephone Number () -
5. Date you acquired the property 3-30-01
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 _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
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) by Stepha Boeckma partners Date 3-30-2001

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

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believe there are water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector "and", "or" or "and/or". If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign, however only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

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

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

WARRANTY DEED

FOR VALUE RECEIVED

Desert Sea Farms, L.L.C.

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto
Lone Pine Dairy

GRANTEE(S), whose current address is: 5592 W Kuna Rd
the following described real property in Elmore
more particularly described as follows, to wit:

Kuna, Idaho 83634

County, State of Idaho,

(See Attached)

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

Dated: March 30, 2001

Larry Esson
Desert Sea Farms, L.L.C.

Josephine Anchustegui

Jerry H. Stewart

Norma Esson Stewart

Beverly Esson Stewart

STATE OF IDAHO)
COUNTY OF ELMORE)

On this 30th day of March
In the year 2001, before me a Notary Public, personally appeared
Larry Esson, Josephine Anchustegui, Jerry H. Stewart,
Norma Esson Stewart, Beverly Esson Stewart
Known or identified to me to be one of the members in the limited liability
company of Desert Sea Farms, LLC
And the member or one of the members who subscribed said limited liability
company name to the foregoing instrument, and acknowledged to me that
he/she/they executed the same in said limited liability company name.



Signature *Sheryl A. Freymuth*
Residing at Mountain Home
Comm Exp: 12-27-05

Forward

<http://www.srba.state.id.us/STS111.HTM>

61-07241	1-30-1998	WYLLIE, RICHARD A	PD ISSUED
61-07244	10-26-2000	CARL REYNOLDS & SONS	PD ISSUED
61-07246A	10-26-2000	WARD, HAROLD D	PD ISSUED
61-07246B	5-23-2000	MILITARY DIVISION	PD ISSUED
61-07247B	4-12-2001	HICKEY, CARL D	PD ISSUED
61-07247C	4-12-2001	VANGROUW, EDWARD G	PD ISSUED
61-07253B	7-17-2000	CUNNINGHAM FAMILY LIMITED	PD ISSUED
61-07258	1-30-1998	USDI BLM	PD ISSUED
61-07261	1-30-1998	USDI BLM	PD ISSUED
61-07262A	10-26-2000	HILLIARD, BARBARA G	PD ISSUED
61-07262B	10-26-2000	HILLIARD, JAMES C	PD ISSUED
61-07263	10-26-2000	DESERT SEA FARMS LLC	PD ISSUED
61-07264A	10-26-2000	DESERT SEA FARMS LLC	PD ISSUED
61-07264B		DESERT SEA FARMS LLC	ADMIN PROCEED PENDING

LAST EVENT/DATE: ADMN CHG CMPL 7-21-1999

NEXT EVENT/DATE: ADMIN DEADLN 9-27-2001

61-07265	4-12-2001	MONTIERH, HERBERT R	PD UNDELIVERED
61-07271	4-12-2001	VANGROUW, EDWARD G	PD ISSUED
61-07272	10-26-2000	MC KNIGHT, MARTHA ANN	PD ISSUED
61-07273	10-26-2000	CARL REYNOLDS & SONS	PD ISSUED
61-07274		MONTIERH, EDWARD RAY	PD UNDELIVERED
61-07275	10-26-2000	DOHERTY, JOHN R	PD ISSUED
61-07276	4-12-2001	WOOTAN, WESLEY	PD ISSUED
61-07280	10-26-2000	TRINITY ESTATES WATER USERS ASS	PD ISSUED
61-07283A	10-26-2000	WARD, EDITH L	PD ISSUED
61-07283B	10-26-2000	MILITARY DIVISION	PD UNDELIVERED
61-07288		CHARTER MOUNTAIN RANCH INC	AT ISSUE
61-07295	10-26-2000	CAVANAGH, RICHARD	PD ISSUED
61-07298	4-12-2001	MONTIERH, HERBERT R	PD UNDELIVERED
61-07306B	5-31-2000	PALFREYMAN, DAVID L	PD ISSUED
61-07306C	10-26-2000	PALFREYMAN, DAVID L	PD ISSUED
61-07306D	10-26-2000	IDAHO WASTE SYSTEMS INC	PD ISSUED
61-07308	10-26-2000	NEW HORIZON SUBDIVISION	PD ISSUED
61-07312	10-26-2000	BLACK, JAMES F	PD ISSUED
61-07314	10-26-2000	HETTENBAUGH, RENEE A	PD ISSUED
61-07317	10-26-2000	SHERFICK, CHARLES M	PD ISSUED
61-07319	10-26-2000	WERTEL, CARL R	PD ISSUED
61-07321	10-26-2000	PRESIDING BISHOP OF, CORPORATI	PD ISSUED
61-07324	10-26-2000	CHILDS, IRA	PD ISSUED

SRBA

SUBCASE SUMMARY REPORT 61-07264B

[Return to SRBA Home Page](#)

SRBA
06-15-2001

SUBCASE SUMMARY REPORT

HTML12

SUBCASE: 61-07264B FILE#: 00166
CLAIMANT: DESERT SEA FARMS LLC
STATUS: ADMIN PROCEED PENDNG
WATER SOURCE: GROUNDWATER,

****** PARTIES INVOLVED ******

DESERT SEA FARMS LLC C PRO SE

****** ROA ENTRIES ******

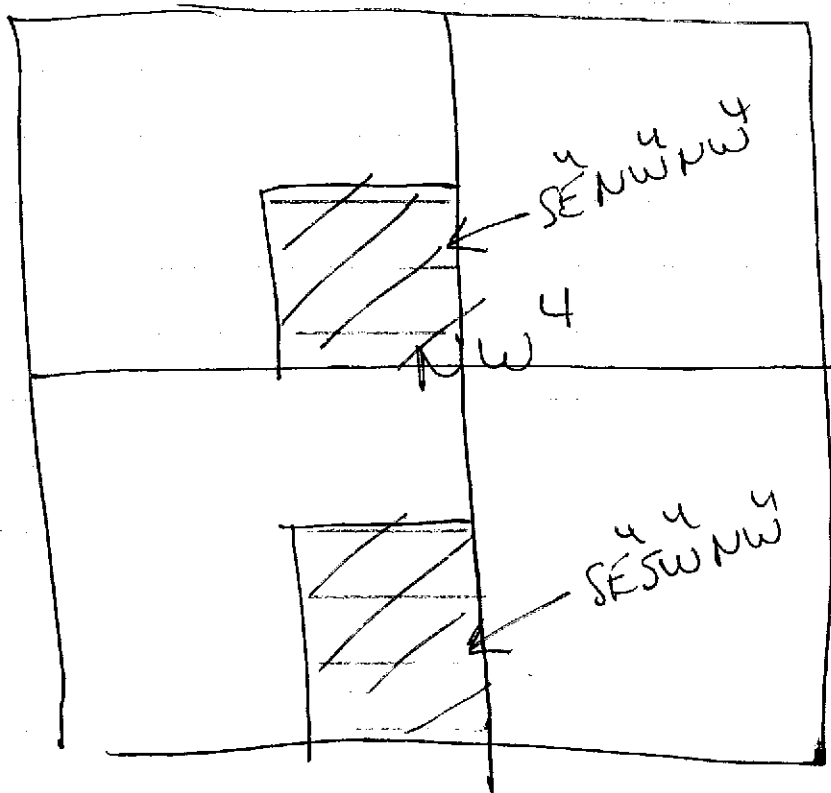
07-21-1999	NOTICE OF COMPLETED ADMINISTRATIVE PROCEEDING	07-21-1999
07-21-1999	NCAP - AMENDED DIRECTOR'S REPORT FILED	
	SUB'T OF PARTY FROM HICKEY TO DESERT SEA LLC	
11-20-2000	NOTICE OF ADMINISTRATIVE PROCEEDING	AZ 09-27-2001

[Return to SRBA Home Page](#)

OK FOR OWNERSHIP CHANGE

Ref: 61-7264B

TRACT II COVERS OWNERSHIP CHG.
S32, T25, R5E



6-15-01

- Conversation with Cheryl Reymont
of GUARANTY TITLE S87-9091
warranty Deed for TRACT II COVERS
OWNERSHIP CHANGE.

Rch

LEGAL DESCRIPTION

TRACT I:

Township 2 South, Range 5 East, Boise Meridian, Elmore County, Idaho

Section 31: NE1/4

N1/2S1/2 and

U. S. Government Lots 1,2,3, and 4 SAVE AND EXCEPT the South 30 feet as disclosed in Right of Way Deeds, recorded August 17, 1982 as Instrument Numbers 210060 and 210061, records of Elmore County, Idaho.

Section 32: W1/2W1/2NW1/4

NE1/4SW1/4NW1/4 and NE1/4NW1/4NW1/4 SAVE AND

EXCEPT the East 30 feet as disclosed in Right of Way Deed, recorded August 17, 1982 as Instrument No. 210062, records of Elmore County, Idaho.

Township 3 South, Range 5 East, Boise Meridian, Elmore County, Idaho

Section 6: U. S. Government Lots 3,4, and 5

SE1/4NW1/4 SAVE AND EXCEPT the North 30 feet as disclosed in Right of Way Deed, recorded August 17, 1982, as Instrument No. 210064, records of Elmore County, Idaho.

TRACT II:

Township 2 South, Range 5 East, Boise Meridian, Elmore County, Idaho

Section 32: SE1/4SW1/4NW1/4 and SE1/4NW1/4NW1/4 SAVE AND

EXCEPT the East 30 feet as disclosed in Right of Way Deed, recorded August 17, 1982, as Instrument No. 210062, records of Elmore County, Idaho.

TOGETHER WITH all water rights and ditch rights appurtenant to said property.

Guaranty Title, Inc.

Title Insurance & Escrows

RECEIVED

APR 04 2001

WATER RESOURCES
WESTERN REGION

Guaranty Title, Inc.
206 South 3rd East Street
Mountain Home, ID 83647



serving elmore county since 1902

Office: (208) 587-9091
FAX: (208) 587-8370
E-Mail title@micron.net

April 2, 2001

State of Idaho
Department of Water Resources
2735 Airport Way
Boise, Id 83705

Re: Escrow No. 99-787
Lone Pine Dairy/Desert Sea Farms, L.L.C.
'Sec 31,32 2S5E,'Sec 6 3S5E,

In connection with the above referenced transaction, enclosed are the following documents for your records.

Warranty Deed - copy
Notice of Change of Water right ownership

If you should have any questions or need further assistance, please do not hesitate to call me at 208-587-9091.

Thank you for the opportunity to assist you.

Sincerely,
GUARANTY TITLE, INC.

A handwritten signature in cursive script that reads "Sheryl A. Reymont".

Sheryl A Reymont
Enclosures

RECEIVED

DEC 21 2000

WATER RESOURCES
WESTERN REGION

RECEIVED

NOV 22 2000

Department of Water Resources

2000 NOV 20 AM 10:30

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA

Case No. 39576

Partials issued 10/26/00
Water Rights: ~~61-07263, 61-07264A,~~
61-07264B

NOTICE OF ADMINISTRATIVE
PROCEEDING

IDWR has received an application for an Administrative Proceeding for the above water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

☐ Substitution of Party (waiting for documentation)

☐ Substitution of Party/Split Water Right

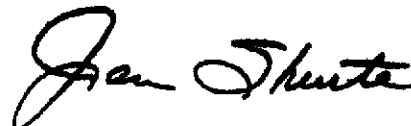
☒ I.C. § 42-222 transfer

☒ point of diversion ☐ place of use

☒ period of use ☒ nature of use

IDWR projects the Administrative Proceeding shall be completed not later than:

Dated September 27, 2001



Signature of IDWR Representative

INSTRUCTIONS FOR MAILING

Mail this form to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. **FAX filings will not be accepted by the SRBA Clerk of the Court.**

CERTIFICATE OF MAILING

I certify that on September 27, 2000, I mailed the original and copies of this form to the following persons, postage prepaid, and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls ID 83303-2707
2. One copy to:
Claimant/Seller for Substitution of Party or attorney of record:
N/A
3. One copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:
N/A
4. One copy to:
Each party in the subcase, or attorney of record:

Steve Boschma
5592 Kuna Rd
Kuna ID 83634



Signature of person or attorney mailing the form

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 61-07264B

NAME & ADDRESS: DESERT SEA FARMS LLC
905 E 13TH N ST
MOUNTAIN HOME ID 83647

SOURCE: GROUNDWATER

QUANTITY: 0.4 CFS
90.0 AFY

PRIORITY DATE: 06/10/1976

POINT OF DIVERSION: T02S R05E S31 LOT 3 (SESESW)

Within ELMORE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	03-15 11-15	0.4 CFS 90.0 AFY

PLACE OF USE:	IRRIGATION	Within ELMORE County
	T02S R05E S32	NWNW 10
	20 ACRES TOTAL	SWNW 10

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN BASIN 61:

WATER RIGHT NO.	SOURCE
NONE	NONE

THE FOLLOWING WATER RIGHTS FROM THE FOLLOWING SOURCES OF WATER
IN BASIN 61 SHALL BE ADMINISTERED SEPARATELY FROM ALL OTHER WATER
RIGHTS IN THE SNAKE RIVER BASIN:

WATER RIGHT NO.	SOURCE
NONE	NONE

ALL WATER RIGHTS WITHIN BASIN 61 ARE FROM CONNECTED SOURCES
OF WATER IN THE SNAKE RIVER BASIN AND SHALL BE ADMINISTERED
CONJUNCTIVELY.

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE: 61-07247B, 61-07263 & 61-7264A.

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)
Case No. 39576)
_____)
Water Right 61-07264B

IDWR has completed the following Administrative Proceeding:

☐ Change of Address
☒ Substitution of Party
☐ I.C. 42-222 Transfer

SUBSTITUTION OF PARTY

Does the change in "ownership" result in a splitting of the water
right claimed? ☐ Yes ☒ No

If yes, does the split involve an I.C. 42-222 transfer? ☐ Yes ☐ No

Water Right(s): 61-07264B

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
7/16/1999

61-07264B

PAGE 1

From (Claimant/Seller):

Name of Claimant: CARL D HICKEY
Address: PO BOX 243
MOUNTAIN HOME ID 83647
Phone: (208) 796-2127

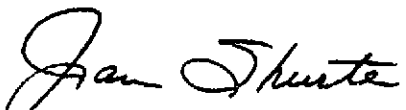
To (Claimant/Purchaser):

Name of Claimant: DESERT SEA FARMS LLC
Address: 905 E 13TH N ST
MOUNTAIN HOME ID 83647

IDWR certifies that it has completed its investigation into the changes to the elements of the water rights listed above as set forth in the attached Amended Director's Reports for said water rights. No other changes have been made to the elements of these water rights except as set forth above.

IDWR has served copies of the Notice of Completed Administrative Transfer and Amended Director's Reports(s) on the claimant(s), prior claimants(s) and all parties in the subcases affected, if any, as reflected on the attached certificate of mailing.

DATED: July 16, 1999



Signature of IDWR Representative

CERTIFICATE OF MAILING

I certify that on July 16, 1999 I mailed the original and copies of this form to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls, Idaho 83303-2707
2. One Copy to:
Claimant/Seller for Substitution of Party or attorney of record:

CARL D HICKEY
PO BOX 243
MOUNTAIN HOME ID 83647
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

DESERT SEA FARMS LLC
905 E 13TH N ST
MOUNTAIN HOME ID 83647
4. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
5. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724

Denise Buffington
Signature of person or attorney mailing the form

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

RECEIVED
JUN 22 1999

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

1. Water Right Number(s) A61-07264 **B**
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) CARL D. HICKEY
PO BOX 243 905 E. 13th N
Mtn. Home
4. New Owner/Claimant(s) MOUNTAIN HOME, ID 83647
DESERT SEA FARMS LLC
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address _____ per attached deed.
City, State and ZIP Code _____
New Telephone Number (____) _____ - _____
5. Date you acquired the property 6-17-99
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 _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
cubic feet per second
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) *Jerry Eason* Date 6/17/99

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

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believe there are water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector "and", "or" or "and/or". If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign, however only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

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

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

WARRANTY DEED

FOR VALUE RECEIVED

Carl D. Hickey aka Carl D. Hickey, a single man

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto
Desert Sea Farms, L.L.C.

GRANTEE(S), whose current address is: 905 East 13th North Stree Mountain Home, Id 83647
the following described real property in Elmore County, State of Idaho,
more particularly described as follows, to wit:

Township 2 South, Range 5 East, Boise Meridian, Elmore County, Idaho

Section 32: SE1/4SW1/4NW1/4

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

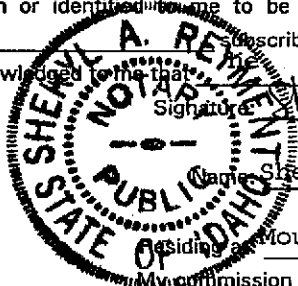
Dated: June 17, 1999

Carl D. Hickey
Carl D. Hickey

STATE OF Idaho, County of Elmore, ss.

On this 17th day of June
in the year of 1999, before me, the undersigned, a Notary
Public in and for said State, personally appeared
Carl D. Hickey

known or identified to me to be the person whose name
is Carl D. Hickey described to the within instrument, and
acknowledged to me that he executed the same.



Sheryl A. Reymont
(type or print)

Residing at Mountain Home

My commission expires: 12/27/99

316042

ELMORE COUNTY, IDAHO ss
Request of

GUARANTY TITLE, INC.

Time 3:35 P M

Date June 17, 1999

GAIL L. BEST, Recorder

By [Signature] Deputy

Fee 103.10

WARRANTY DEED

FOR VALUE RECEIVED

Carl D. Hickey aka. Carl D. Hickey, a single man

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Township 2 South, Range 5 East, Boise Meridian, Elmore County, Idaho

Section 32: SE1/4NW1/4NW1/4

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

Dated: June 17, 1999

Carl D. Hickey
Carl D. Hickey

STATE OF Idaho, County of Elmore, ss.

On this 17th day of June
in the year of 1999, before me, the undersigned, a Notary
Public in and for said State, personally appeared
Carl D. Hickey

known or identified to me to be the person whose name
is subscribed to the within instrument, and
acknowledged to me that he executed the same.

Signature: Sheryl A Reymont

Name: Sheryl A Reymont
(type or print)

Residing at: Mountain Home

My commission expires: 12/27/99

316041

ELMORE COUNTY, IDAHO ss
Request of

GUARANTY TITLE, INC.

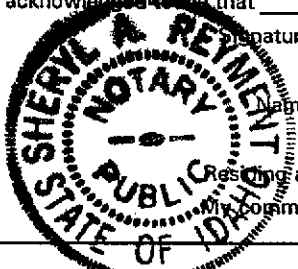
Time 3:34 P M

Date June 17, 1999

GAIL BEST, Recorder

By [Signature] Deputy

Fee \$3.00



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

RECEIVED

AUG 05 1997

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Department of Water Resources
RECEIVED

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

AUG - 6 1997

WATER RESOURCES
WESTERN REGION

1. Water Right No(s).: AG1-07264
 Adjudication Claim No(s).: AG1-07264

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 Desert Sea Farms

4. New Owner/Claimant(s) Carl D. Hickey
 Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
 New Mailing Address P.O. Box 243
 City, State and ZIP Code Mt Home Idz. 83647
 New Telephone Number (208) 796-2127

5. Date you acquired the property Aug 27 1993

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 20 Number and type of stock _____
 Diversion rate in CFS 0.40 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) Carl D. Hickey
 (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..

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1**. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3**.
4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6**.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

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

IDWR Southern Region, 1341 Fillmore St. N., Twin Falls, ID 83301-3380 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

WARRANTY DEED

For Value Received

BRYCE L. HERGERT AND PENNY E. HERGERT, husband and wife

The grantor, do hereby grant, bargain, sell and convey unto

CARL D. HICKEY a single man

the grantee, whose current address is P.O. BOX 243 Mountain Home, ID 83647

the following described premises, in

ELMORE

County Idaho, to-wit:

TOWNSHIP 2 SOUTH, RANGE 5 EAST, BOISE MERIDIAN, ELMORE COUNTY, IDAHO

SECTION 32: SE1/4NW1/4

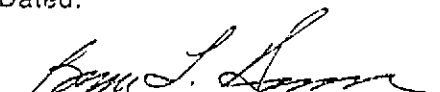
10

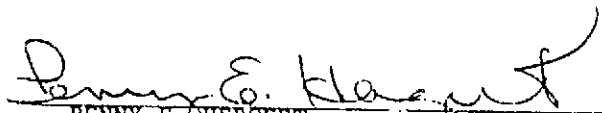
TOGETHER WITH ALL WATER RIGHTS, DITCH RIGHTS AND WELL PERMITS APPURTENANT TO SAID REAL PROPERTY

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee that he the owner in fee simple of said premises; that they are free from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated:


BRYCE L. HERGERT


PENNY E. HERGERT

276055

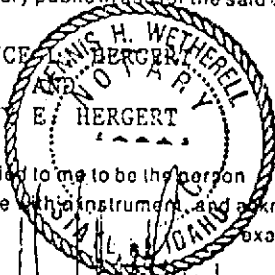
STATE OF IDAHO, COUNTY OF ELMORE

On this 15th day of NOVEMBER, 1992, before me, a notary public in and for the said State, personally appeared

BRYCE L. HERGERT

PENNY E. HERGERT

known or identified to me to be the person whose name subscribed to the within instrument, and acknowledged to me that he executed the same.



STATE OF IDAHO, COUNTY OF ELMORE

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

GUARANTY TITLE, INC.

at 39 minutes past 1200 o'clock P.M., this AUG 27 1993 day of 19, in my office, and duly recorded in Book of Deeds at Page

DOLORES ROBISON

Ex-Officio Recorder



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WARRANTY DEED

For Value Received

R. WAYNE HERGERT, aka RICHARD WAYNE HERGERT

The grantor, do hereby grant, bargain, sell and convey unto

CARL D. HICEKY a single man

the grantee, whose current address is P O. Box 243, Mountain Home, ID 83647

the following described premises, in

ELMORE

County Idaho, to-wit:

TOWNSHIP 3 SOUTH, RANGE 4 EAST, BOISE MERIDIAN, ELMORE COUNTY, IDAHO

SECTION 1: Lot 2

46.74

TOWNSHIP 2 SOUTH, RANGE 5 EAST, BOISE MERIDIAN, ELMORE COUNTY, IDAHO

SECTION 32: SE 1/4 SW 1/4 NW 1/4

10

TOGETHER WITH ALL WATER RIGHTS, DITCH RIGHTS AND WELL PERMITS APPURTENANT TO SAID REAL PROPERTY.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee heirs and assigns forever. And the said Grantor do hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that they are free from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.

Dated: JULY 30, 1993

Richard Wayne Hergert
R. WAYNE HERGERT aka RICHARD WAYNE HERGERT

R. Wayne Hergert

276053

STATE OF IDAHO, COUNTY OF ELMORE JULY 1993
On this 30th day of ~~XXXXXX~~
before me, a notary public in and for the said State, personally appeared

R. WAYNE HERGERT aka
RICHARD WAYNE HERGERT

known or identified to me to be the person whose name
subscribed to the within instrument, and acknowledged to me
that he executed the same

STATE OF IDAHO, COUNTY OF ELMORE
I hereby certify that this instrument was filed for record at the
request of

GUARANTY TITLE, INC.

at 37 minutes past 12:00 o'clock P.M.,
this AUG 27 1993 day of
19 in my office, and duly recorded in Book
of Deeds at Page

DOLORES ROBISON

Ex-Officio Recorder

INSTRUMENT NO

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SEE ORIGINAL
CLAIM FILE
DOCUMENTS IN
CLAIM
NO. A 61 - 07264

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: A61-07264
Date Received: 11/ 9/1989
Receipt No: C012769
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: DESERT SEA FARMS LLC 208-587-9271
Address: 905 E 13TH E
MOUNTAIN HOME ID 83647

2. Date of Priority: JUN 10, 1976

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
02S	05E	31	SE	SE	SW	3	ELMORE
03S	04E	1	NE	SE	NE	5	ELMORE

5. Description of diverting works:

WELL, 20" X 522', 400 HP MAIN PUMP, 4 BOOSTER PUMPS, SPRINKLERS

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	11.140		

7. Total Quantity Appropriated is:

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

8. Total consumptive use is 1671.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	05E	31	NE	NE		IRR	39.0
			NW	NE		IRR	39.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	05E	31	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW	4	IRR	39.0
			SE	SW	3	IRR	39.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE	2	IRR	41.0
			SE	SE	1	IRR	42.0
						Section Acres	479.0
		32	NW	NW		IRR	39.0
			SW	NW		IRR	39.0
						Section Acres	78.0
						Total Acres	557.0

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:
NONE

14. Remarks:
OWNERSHIP CHANGED BY RDH ON 07/08/94.

15. Basis of Claim: LICENSE

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 Organizations:

I do solemnly swear or affirm that I am _____ of
_____, that I have signed the foregoing
_____, that I have signed the foregoing
document in the space below as _____ of
_____, and that the statements contained in the
foregoing document are true and correct.

Signature of Authorized Agent

Title and Organization

Date

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 19 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

State of Idaho
Department of Water Resources

RECEIVED
JAN 13 1989

WATER RIGHT LICENSE

WATER RIGHT NO. 61-07264

Department of Water Resources
Western Regional Office

Priority: June 10, 1976

Amount: 11.14 CFS

2506.5 AFA

This is to certify, that W. J. BALLANTYNE
EST. OF EDNA BALLANTYNE
MARTHA ESSON
HERBERT C. HETHERINGTON
JEROLD L. WOOD

919 N. 17TH ST.
BOISE, ID 83702

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated April 12, 1976, and has submitted proof to the Department of Water Resources on June 30, 1981, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of 11.360 cfs of water from a GROUNDWATER source and that a water right has been established as follow:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	03/15 to 11/15	11.14 CFS ONLY ONE P/D	2506.5 AFA
<u>LOCATION OF POINT OF DIVERSION(S):</u> LOT 3(SESW), Sec. 31, Township 02S, Range 05E ELMORE County			

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02S	05E	31	NENE 39	NWNE 39	SWNE 40	
			SENE 40	NESW 40	NWSW 40	
		LOT 4(SWSW)	39	LOT 3(SESW)	39	NESE 40
		NWSE	40	LOT 2(SWSE)	41	LOT 1(SESE) 42
		NWNW	39	SWNW 39		479
		32				78

Total number of acres irrigated: 557

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 61-07264

CONDITIONS/REMARKS:

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 6th
day of JANUARY, 1989.

Acting for the Director

Norman C. Young