

RECEIVED IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
JUL 28 2004 STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

Department of Water Resources
Southern Region

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

45-7374

Date Received

7/28/04

Receipt Number

N/A

Amended
**NOTICE OF CLAIM
TO A
WATER RIGHT
ACQUIRED UNDER STATE LAW**

COPY

Please type or print clearly

1. Name of Claimant (s) Cummins Farms Inc Phone (208) 432-6675

Mailing Address P.O. Box 30 Muntz Zip 83344

2. Date of Priority (Only one (1) per claim) 4-7-3-74

3. Source of water supply (a) Ground Water
which is tributary to (b) _____

4. a. Location of existing point of diversion is: Township 11 S Range 21 E Section 15,

NW 1/4 of NW 1/4 of NW 1/4, Govt. Lot, _____ B.M., County of Cassia

Additional points of diversion if any: 310 SW3/4SW2; 59 SESESE; 59 NENEW; 2pts in 59 NESE

b. If instream flow, beginning point of claimed instream flow is:

Township _____ Range _____ Section _____,

Govt. Lot _____ B.M., County of _____

ending point is: Township _____ Range _____ Section _____

_____ 1/4, Govt. Lot _____ B.M., County of _____

5. Description of existing diversion works (Dams, Reservoirs, Ditches, Wells,)
including the dates of any changes or enlargements in use, the dimensions
constructed and as enlarged and the depth of each well. _____

*Note error in
Priority Date
S/b 4/11/79*

HOW YOU WILL RECEIVE NOTICES IN THE SNAKE RIVER BASIN ADJUDICATION

RECEIVED
JUL 11 1988

All documents filed in the Snake River Basin Adjudication other than notices of claims are filed with the court. Notices of claims to water rights filed in the Snake River Basin Adjudication are filed with the Idaho Department of Water Resources. Copies of all documents filed in the Snake River Basin Adjudication will not be mailed to all parties (claimants) in the adjudication.

By order of the court, any document filed with the court will be mailed only to those parties who may be directly affected by it. A monthly docket sheet will be prepared by the department which contains a summary of all documents filed with the court in the previous month and the dates and locations of hearings scheduled for the following three months. The docket sheet will be filed with the district court clerk in each county within the Snake River Basin in Idaho. Copies of the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying. If you wish to receive a copy of the docket sheet each month, you should mark the appropriate place on your notice of claim form. You will be charged a small annual subscription fee to cover the cost of copying and mailing. Copies of any document listed on the docket sheet may be obtained from any of the offices of the department either in person or by mail; a small fee will be charged to cover the cost of mailing and/or copying.

Copies of all notices of claims filed with the department will be available for inspection from all offices of the department. Copies of the notices of claims may be obtained in person or by mail, but you will be charged for the cost of copying and mailing. (A claimant will not be charged for a copy of his or her own notice of claim, and a person who acquires property with water rights for which a notice of claim was filed will not be charged for a copy of the notice of claim filed by the previous owner.)

After the notices of claims have been reviewed, the director will prepare and file a report with the court. Part 1 of the report will contain the director's recommendations as to each water right claimed under state law. Part 2 of the report will list each federal reserved water right claimed. A number of reports will be prepared, one or more for each sub-basin in the Snake River Basin. When the report for your sub-basin is filed with the court, you will be mailed a notice informing you that the report for your sub-basin has been filed. The notice will be sent to the most recent address shown by the department's files. Attached to the notice will be a copy of those portions of the report describing the water rights you have claimed. If you do not agree with the way your water right is described, you may file an objection to the report with the court. You can also file an objection if you disagree with the way other claimant's water rights are described, and the notice will tell you where a copy of the full report is available for inspection. The notice will tell you when and where to file your objection. The notice of filing for each sub-basin report will also be published state-wide in local newspapers.

6. Water is claimed for the following purposes:

For Irrigation purposes from 3-15 to 11-15 (both dates are inclusive) amount 3.10 (cfs) or 620 (acre feet)
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____
 For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 3.1 (cfs) and/or (b) 620 (acre feet)

8. Total consumptive use claimed is _____ acre feet per annum.

9. Non-irrigation uses; describe fully (eg. Domestic: Give number of households served; Stockwater: Type and number of livestock Etc.) _____

10. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RNG	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
<u>11S</u>	<u>21E</u>	<u>10</u>									<u>40</u>	<u>40</u>	<u>36</u>	<u>39</u>					<u>155</u>
																			<u>155</u>

Total number of acres irrigated 155

11. In which county (ies) are lands listed above as place of use located? CASSIA

12. Do you own the property listed above as place of use? Yes X No _____
 If your answer is No, describe in Remarks below the authority you have to claim this water right.

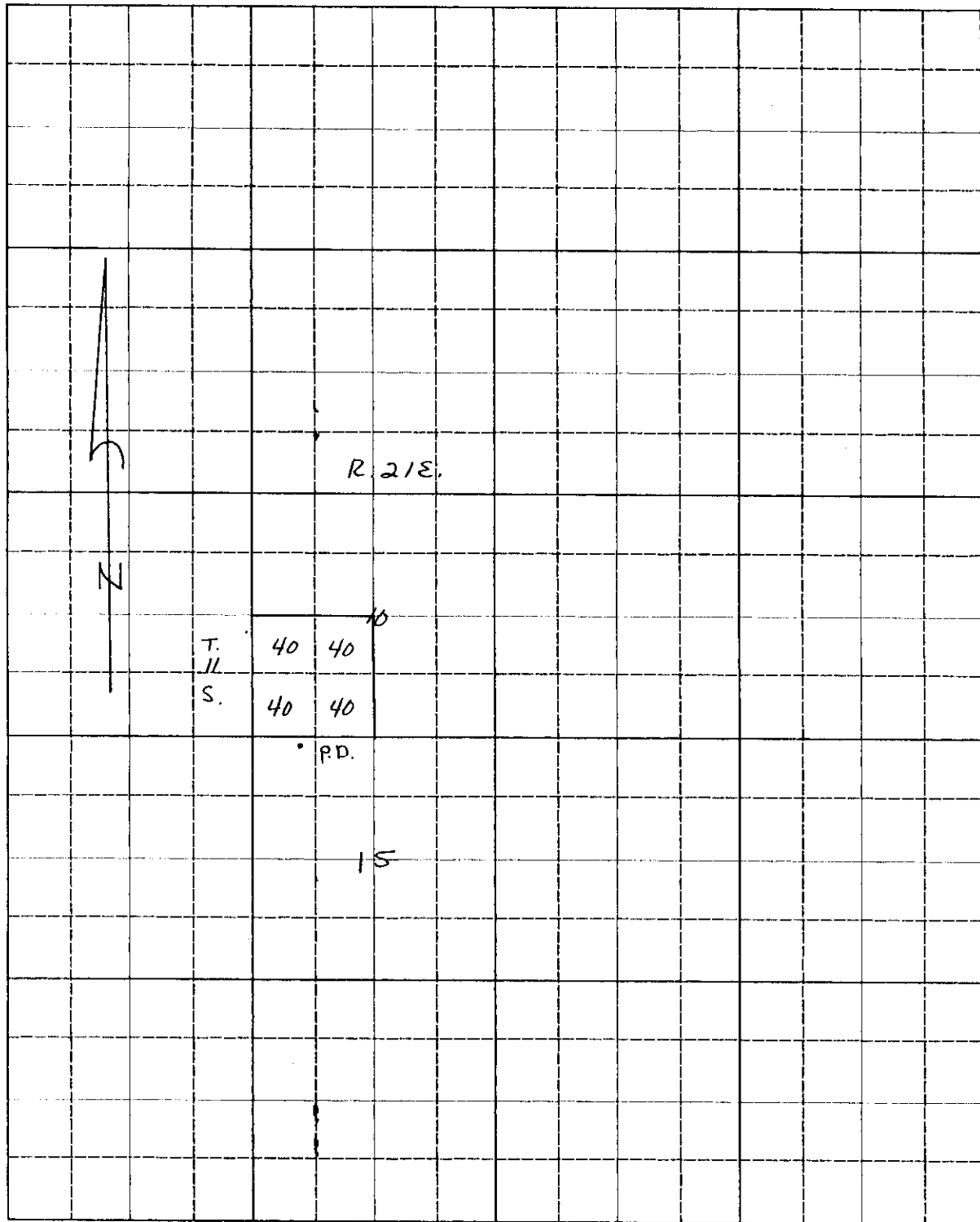
13. Describe any other water rights used at the same place and for the same purposes as described above. _____ or None ()

14. Remarks: This amended claim adds points of diversion as described in T# 3205.

Last Name _____ Ident No. _____

Copies: White -State, Yellow-Claimant

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



Scale: 2 inches equal 1 mile.

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

[Handwritten Signature]
Applicant

It is very important that you inform the department in writing of any change in your address. This is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

If you are acquiring property with water rights in the Snake River Basin water system in Idaho (either by purchase, gift, inheritance, or other means), it is very important that you inquire of the department whether a notice of claim has been filed. If not, you must file a notice of claim or the water right may be declared by the court to no longer exist. If a notice of claim has been filed, it is very important that you file a written notice of change in ownership with the department. The notice of change in ownership must be accompanied by some evidence of the change in ownership, such as a copy of the deed or a property tax statement showing the name of the new owner. Again, this is to make sure that you receive the notices affecting your water rights that are to be mailed by the department.

The cost of the subscription to the docket sheet is \$7.50 for calendar year 1988. The cost of the subscription may increase a small amount for calendar year 1989 if the cost of copying and/or mailing should increase.

If you are planning to file a motion or other pleading (not a notice of claim) with the court (not IDWR), the court has issued an order setting a special procedure that is different from the usual civil rules. A copy of the order may be obtained from any office of IDWR; you may be charged for the cost of mailing and/or copying.

15. Basis of Claim (check one) Beneficial Use _____ Posted Notice _____ License X Permit _____
Decree _____
If applicable provide IDWR Water Right Number 45-7374
Court _____ Case Number _____ Decree Date _____
Plaintiff vs Defendant _____

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

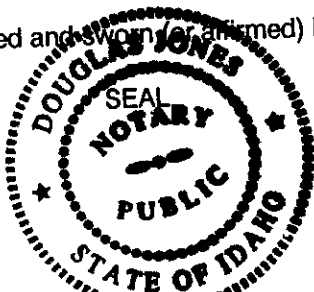
Signature of Claimant (s) _____ Date _____
_____ Date _____

For Organizations: I do solemnly swear or affirm that I am Sec _____ Title _____
of Communities Partners, Inc _____, that I have signed the foregoing
document in the space below as Sec _____ of Communities Partners, Inc _____
Title Organization
and that the statements contained in the foregoing document are true and correct.

Signature of Authorized Agent Dan Phillips _____
Title and Organization Sec of Communities Partners, Inc Date 7-28-04

State of Idaho/or _____ }
County of Twin Falls } SS.

Subscribed and sworn (or affirmed) before me this 28th day of July 2004



Notary Public Douglas Jones

Residing at Buhl ID

My Commission Expires 8/8/2007

Please Print Name

17. Notice of Appearance.
Notice is hereby given that I, _____ will be acting as attorney at law on behalf
of the claimant signing above, and that all notices required by law to be mailed by the director to the claimant signing above
should be mailed to me at the address listed below.

Signature _____

Address _____

Date _____

Last Name _____ Ident. Number _____

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: **A45-07374**
Date Received: 5/31/1989
Receipt No: S007412
Received By: _____

**COPY FOR
YOUR FILES**

**NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW**

**COPY FOR
YOUR FILES**

1. Name: CUMMINS FARMS INC 208-432-6675
Address: 4418 E 3300 N
MURTAUGH ID 83355

2. Date of Priority: APR 11, 1979

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
11S	21E	9	NW	NW	NE		CASSIA
			SE	SE	SE		CASSIA
		10	SW	SW	SW		CASSIA
		15	NW	NW	NW		CASSIA

5. Description of diverting works:
WELLS, PUMPS, DITCHES, PIPELINES & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.100		

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

8. Total consumptive use is 465.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	21E	10	NE	SW		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4	of	1/4	Lot	Use	Acres
11S	21E	10	NW		SW		IRR	40.0
			SW		SW		IRR	36.0
			SE		SW		IRR	39.0
Section Acres								155.0
Total Acres								155.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
OTHER RIGHTS FROM SAME SYSTEM.

14. Remarks:
3/23/2000 TF; OWNERSHIP CHANGED CONRAD TO CUMMINS FARMS PER
1409(6), WARRANTY DEEDS AND TITLE INS POLICY.

15. Basis of Claim: LICENSE



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

April 4, 2000

KARL J. DREHER
DIRECTOR

ATTN CINDY
CUMMINS FARMS INC
4418 E 3300 N
MURTAUGH ID 83344

RE: SRBA Claim(s) A45-02583, A45-02689, A45-07020,
A45-07034, A45-07035, A45-07110,
A45-07238, A45-07374, A45-10274,
A47-02538
Decreed Water Rights 45-10269, 45-10270, 45-10271
45-10272, 45-10273
Application for Permit 45-07578

Dear Cindy:

Pursuant to the change in ownership request that has been submitted to the Department, we have changed the record of current ownership on all the above listed claims and water rights except 45-07578 to Cummins Farms Inc. Enclosed please find printouts of these records showing the change in ownership.

Changing 45-07578 requires Howard Conrad to complete an Assignment of Application for Permit form. I have enclosed one of these forms for your use. The next time you see Mr. Conrad, have him complete and sign the form, have it notarized then return it to this office.

There is a notation by Howard Conrad on claim A45-10274 that states "These lands have been watered from my irrigation system and farmed by me for many years; however, I do not own the land and no water right has ever been recorded for this use." This property was not included in the conveyance documents supplied with the owner change form. Even though this claim was changed into Cummins Farms Inc., we need for our files documentation that Cummins Farms Inc. does indeed own the property or a copy of the agreement Cummins has with the owner of the property. Having this information in our files will help to protect your claim against any counter claims. Give me a call, Cindy, if you have any questions or I can assist you in any way.

Sincerely,

Trish Fawcett
Technical Records Specialist

Enc.

RECEIVED

FEB 11 1999

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Southern Region

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

RECEIVED

JAN 27 2000

Department of Water Resources
Southern Region1. Water Right Number(s) See Attachment

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 Conrad Land and Livestock, Inc.

Owner/Claimant(s)

325 South 1200 East
Murtaugh, Idaho 833444. New Owner/Claimant(s) Cummins Farms, Inc.Name connector (Check one): ☐ AND ☐ OR ☐ AND/ORNew Mailing Address 4418 East 3300 NorthCity, State and ZIP Code Murtaugh, Idaho 83344New Telephone Number (208) 4132-66755. Date you acquired the property January 8, 1999

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 foot 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.

CUMMINS FARMS, INC.

7. Signature of New
Owner/Claimant(s)By: Mark S. Cummins

Mark S. Cummins, President

Date 1-7-99

Date _____

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

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

Cummins Farms, Inc.

4418 E 3300 N
Murtaugh, Idaho 83344

432-6675
Fax # 432-5421

To Whomever it May Concern:

Jan 25, 2000

It is the wish of the three (3) Officers of Cummins Farms, Inc., to inform you, that it has been agreed upon that, any one of, or all three, of the officers can sign any/and all documents, pertaining to the business and legal operation of Cummins Farms, Inc.

Listed below are the 3 Members and their signatures giving permission to each other to sign in behalf of the Corporation known as Cummins Farms, Inc.

Mark Cummins *Mark Cummins* President

Allen Cummins *Allen Cummins* Vice President

Daniel Cummins *Daniel Cummins* Secretary

I Cindy L. Perkins, being a Notary Public for and on behalf of the State of Idaho, do acknowledge that Mark Cummins, Allen Cummins, and Daniel Cummins did appear before me on Jan. 25, 2000. I do know them By personal association, to be who they say they are.

Cindy L Perkins *Cindy Perkins* Date *Jan 25, 2000*

My Commission ends on 2/02/04
State of Idaho County of Twin Falls

I reside in Murtaugh, Idaho 83344

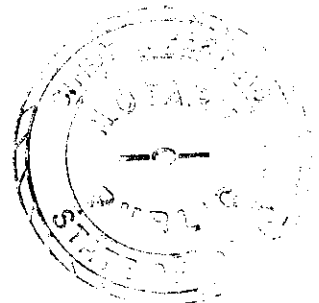


EXHIBIT B

Water Rights and Palisades Water Shares

<u>Water Rqjlt #</u>	<u>Acres Attached</u>	<u>Diversion Flow</u>	<u>Consumptive Use</u>	<u>Priority Date</u>	<u>Stage</u>
A45-02583	96.00	1.82 CFS	288.00AFA	06/19/59	License
A45-07020	188.00	3.76 CFS	564.00AFA	04/06/67	License
A45-07034	148.00	2.94 CFS	444.00AFA	03/03/69	License
A45-02689	494.00	5.82 CFS	1,482.00AFA	11/09/62	License
A45-07374	155.00	3.10 CFS	465.00AFA	04/11/79	License
A45-07110	310.00	3.98 CFS	930.00AFA	09/18/72	License
A45-07238	634.00	6.40 CFS	1,902.00AFA	05/02/75	License
A45-07035	320.00	5.79 CFS	960.00AFA	02/28/69	Licesne
45-07578	2,205.00	13.43 CFS	N/A	06/06/85	Application
A45-10274 *	14.00	.28 CFS	42.00 AFA	06/19/89	Beneficial Use

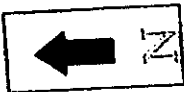
Palisades Water Users, Inc.

Certificate #	#of Shares
---------------	------------

658	1000.00
660	140.00

RANGE 21

CCAMMINS
FARMS
MAP 4
1999



TOWNSHIP 10

TOWNSHIP 11

US HIGHWAY 30

TO BURELEY

10



15



16



9



FLD 113
149 AC

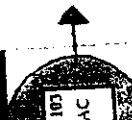
FLD 114
10 AC

8

FIELD 115
141 ACRES

7

17



18

FLD 102
335 AC

7

19

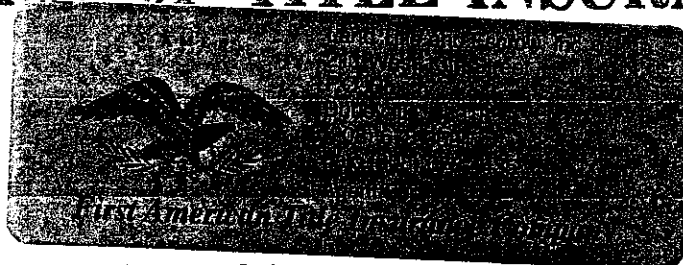
Property bought from
Hewes Conrad
David Conrad & David

Highway 30
Headed East to Bureley

Form No. 1402.92
(10/17/92)
ALTA Owner's Policy



POLICY OF TITLE INSURANCE



First American Title Insurance Company

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, FIRST AMERICAN TITLE INSURANCE COMPANY, a California corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

First American Title Insurance Company

BY *Parker S. Kennedy* PRESIDENT

ATTEST *Mark R. Arnesen* SECRETARY

J 989970

CONTINUATION

SCHEDULE A

Policy Number: J 989970

PARCEL NO. 1:

TOWNSHIP 11 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

- Section 7: That part of the SE $\frac{1}{4}$ that lies South of U.S. Highway 30 Right of Way
- Section 8: That part of the NE $\frac{1}{4}$ and the W $\frac{1}{2}$ that lies South of U.S. Highway 30 Right of Way
- Section 9: SE $\frac{1}{4}$, NE $\frac{1}{4}$, NW $\frac{1}{4}$
- Section 15: W $\frac{1}{2}$
- Section 16: E $\frac{1}{2}$

PARCEL NO. 2:

TOWNSHIP 11 SOUTH, RANGE 21 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

- Section 10: SW $\frac{1}{4}$
- Section 18: All
- Section 19: SW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 2)
- Section 21: NE $\frac{1}{4}$

FIRST AMERICAN TITLE INSURANCE COMPANY

STANDARD OWNERS POLICY

SCHEDULE A

FILE NO.	POLICY NO.	DATE OF POLICY	AMOUNT	PREMIUM
30995	J 989970	January 8, 1999 at 1:10 P.M.	\$4,025,000.00	\$8,800.00

1. Name of Insured:

CUMMINS FARMS, INC., an Idaho Corporation

2. The estate or interest in the land which is covered by this Policy is:

FEE SIMPLE

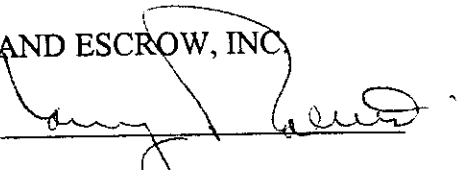
3. Title to the estate or interest in the land is vested in:

CUMMINS FARMS, INC., an Idaho Corporation

4. The land referred to in this Policy is described as follows:

SEE SCHEDULE A, PAGE 2

LAND TITLE AND ESCROW, INC.

Countersigned: 

Agent

This Policy is valid only if Schedule B is attached.

STANDARD OWNERS POLICY

SCHEDULE B

EXCEPTIONS FROM COVERAGE

Policy Number: J 989970

This policy does not insure against loss or damage (and the Company will not pay costs, attorney's fees or expenses) which arise by reason of:

SECTION I

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records.
2. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, claims of easement or encumbrances which are not shown by the public records.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts which a correct survey would disclose, and which are not shown by the public records.
5. Any lien or right to a lien, for services, labor or material theretofore or hereafter furnished, imposed by law and not shown by the public records.
6. (a) Unpatented mining claims; (b) reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) water rights, claims or title to water, whether or not the matters excepted under (a), (b), or (c) are shown by the public records.

SECTION II

7. Taxes for 1999 and subsequent years, a lien, but not yet due or payable.
8. Assessments, if any, of the Milner Low Lift Irrigation District and the rights and powers of said District as by law provided.
9. Assessments of the Southwest Irrigation District and the rights and powers of said District as by law provided.
10. Right-of-Way Deed executed by James H. Brady, Governor of the State of Idaho, and Ex-Officio President of the State Board of Land Commissioners, to Milner and North Side Railroad Company, a corporation, dated November 12, 1910 and recorded November 15, 1912 as Instrument No. 12900 in Book 14 of Deeds, Page 609, records of Cassia County, Idaho, over and across NE¼ of Section 16, Township 11 South, Range 21, East of the Boise Meridian.

-Continued-

SCHEDULE B

Policy Number: J 989970

11. Rights for transmission line purposes as the Idaho power Company may have under the Act of march 4, 1911 (36 Stat.1253) as amended (43 U.S.C. sec. 961) and rights for pipeline purposes as the Salt Lake Pipeline Company may have under Section 28 of the Act of February 25, 1920 (41 Stat. 437) and reservation of a right-of-way for a Federal Aid Highway under the Act of November 9, 1921 (42 Stat. 212), notice of such given by Patent recorded February 11, 1955 as Instrument No. 185048 in Book 2 of Patents, Page 378, records of Cassia County, Idaho. (NW¼ and NW¼SW¼ of Section 8, Township 11 South, Range 21 East of the Boise Meridian.)
12. Right of Way Contract from May A. Hale to pacific Northwest Pipeline Corporation, a Delaware corporation, dated September 7, 1955, and recorded September 29, 1955 as Instrument No. 187508, in Book 9 of Bills of Sales and Agreements, Page 230, records of Cassia County, Idaho, granting a right of way and easement to said corporation, over and across the NW¼SW¼ and SW¼NW¼ of Section 8, Township 11 South, Range 21 East of the Boise Meridian.
AMENDMENT TO RIGHT OF WAY CONTRACT dated August 25, 1980 and recorded September 8, 1980 as Instrument No. 128901 on Film No. 137, records of Cassia County, Idaho.
13. Right of Way Contract from Zelma Anderson, a widow of L.W. Anderson, deceased, to Pacific Northwest Pipeline Corporation, dated September 23, 1955, and recorded December 5, 1955 as Instrument No. 188241, in Book 9 of Bills of Sales and Agreements, Page 328, records of Cassia County, Idaho, granting a right of way and easement to said corporation, over and across the NE¼ of Section 8, Township 11 South, Range 21 East of the Boise Meridian.
14. Excepting and excluding all that tract of land described and included in power site reserve No. 498, created by Executive Order of July 19, 1915, under the Act of Congress approved June 25, 1910 (36 Stat. 847), more specifically described as follows: one and twelve hundredths acres in the Northeast quarter of Section eight, Township 11 South, Range 21, notice of such given by Patent recorded September 22, 1958 as Instrument No. 198623 in Book 2 of Patents, records of Cassia County, Idaho.
15. Power Line Easement from Leland J. Garner and Maxine Call Garner, husband and wife, to Idaho Power Company, dated April 17, 1961 and recorded March 27, 1962 as Instrument No. 5977 on Film No. 12 in the office of the Recorder of Cassia County, Idaho, over and across the SE¼SE¼ of Section 9, Township 11 South, Range 21 East, Boise Meridian.
16. Power Line Easement executed by Arthur T. Hull and Juanita A. Hull, his wife, to Idaho Power Company, a corporation, its licensees, successors and assigns, dated May 15, 1961 and recorded March 27, 1962 as Instrument No. 5980 on Film No. 12, records of Cassia County, Idaho, over and across SW¼SW¼ Section 10, Township 11 South, Range 21 East of the Boise Meridian.

-Continued-

SCHEDULE B

Policy Number: J 989970

17. Power Line Easement executed by Nellie Hull Stoddard, Widow, to Idaho Power Company, a corporation, its licensees, successors and or assigns, dated May 29, 1961 and recorded March 27, 1962 as Instrument No. 5983 on Film No. 12, records of Cassia County, Idaho, over and across SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10, Township 11, Range 21 East of the Boise Meridian.
18. Power Line Easement from C. LeRoy Garner and Gladys Garner, husband and wife, to Idaho Power Company, a corporation, dated April 25, 1963, and recorded July 10, 1963 as Instrument No. 20582 on Film No. 30, in the office of the Recorder of Cassia County, Idaho, over and across the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 9, Township 11 South, Range 21 East of the Boise Meridian.
19. Power Line Easement from C. LeRoy Garner and Gladys Garner, husband and wife, to Idaho Power Company, dated May 6, 1964, and recorded March 11, 1965 as Instrument No. 23042 on Film No. 33 in the office of the Recorder of Cassia County, over and across the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 9, Township 11 South, Range 21 East of the Boise Meridian.
20. Right of Way from Bureau of Land Management to Department of Highways, State of Idaho, dated September 13, 1966 and recorded January 31, 1967 as Instrument No. 33397 on Film No. 47, records of Cassia County, Idaho, over and across N $\frac{1}{2}$ NW $\frac{1}{4}$ of Section 18, Township 11 South, Range 21, East of the Boise Meridian.
PARTIAL RELINQUISHMENT recorded January 29, 1979 as Instrument No. 113850 on Film No. 123, records of Cassia County, Idaho.
21. Power Line Easement from Howard Conrad and Mary J. Conrad, his wife, to Idaho Power Company, a corporation, dated December 23, 1966, and recorded May 2, 1967 as Instrument No. 34780 on Film No. 49, records of Cassia County, Idaho, granting a right of way and easement to said corporation over and across the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 9, Township 11 South, Range 21 East of the Boise Meridian.
22. Reservation unto the United States, its permittee or licensee, the right to enter upon, occupy and use, any part or all of that portion of the S $\frac{1}{2}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ said Section 9, lying within 50 feet of the center line of the transmission line right of way of the Great Shoshone and Twin Falls Water Power Company, Power Site Reserve No. 498 and 25 feet of the center line of the transmission line right of way of the Idaho Power Company, project No. 406, for the purposes provided in the Act of June 10, 1920 (41 Stat. 1063), and subject to the conditions and limitations of Section 24 of said Act, as amended by the Act of August 26, 1935 (49 Stat.846) and such rights for pipe line purposes as the Minidoka and Northside Railway Company and Pacific Northwest Pipeline Corporation may have under Section 28 of the Act of February 25, 1920 (41 Stat.437), as amended by the Act of August 21, 1935 (49 Stat. 674), notice of such given by Patent recorded June 4, 1971 as Instrument No. 56843 on Film No. 70, records of Cassia County, Idaho. (S $\frac{1}{2}$ N $\frac{1}{2}$ and SE $\frac{1}{4}$ of Section 9, Township 11 South, Range 21, East of the Boise Meridian)

SCHEDULE B

Policy Number: J 989970

23. Grant of Easement executed by Arther T. Hull and Juanita A. Hull, husband and wife, parties of the first part, to C. LeRoy Garner, party of the second part, dated February 21, 1963 and recorded February 3, 1972 as Instrument No. 60531 on Film No. 74, records of Cassia County, Idaho, over and across SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10 Township 11 South, Range 21 East of the Boise Meridian.
24. Assignment of Water Rights executed by Arthur T. Hull and Juanita A. Hull, husband and wife, to C. LeRoy Garner, dated February 2, 1965 and recorded February 4, 1972 as Instrument No. 60532 on Film No. 74, records of Cassia County, Idaho, assigning all right, title and interest, if any, in and to the Waters produced from a certain irrigation well located on the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10, Township 11 South, Range 21 East of the Boise Meridian.
25. Easement from Howard E. Conrad and Mary J. Conrad, husband and wife, to Conrad Land & Livestock, Inc., dated September 6, 1972 and recorded September 7, 1972 as Instrument No. 65050 on Film No. 78, records of Cassia County, Idaho, for the purpose of maintaining and operating a storage pond for the collection and storage of water for irrigation purposes in the Northeast corner of Section 16, Township 11 South, Range 21, East of the Boise Meridian.
26. Power Line Easement from Conrad Land & Livestock, Inc., to Idaho Power Company, a corporation, dated January 7, 1974, and recorded May 19, 1976 as Instrument No. 90769 on Film No. 101, records of Cassia County, Idaho, granting a right of way and easement to said corporation over and across the NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 9, Township 11 South, Range 21, East of the Boise Meridian.
27. Power Line Easement from Howard Conrad and Mary J. Conrad, his wife, to Idaho Power Company, a corporation, dated March 4, 1975 and recorded May 19, 1976 as Instrument No. 90774 on Film No. 101, records of Cassia County, Idaho, granting a right of way and easement to said corporation over and across the SE $\frac{1}{4}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 9, Township 11 South, Range 21, East of the Boise Meridian.
28. Power Line Easement executed by Conrad Land & Livestock Co., Inc. to Idaho Power Company, a corporation, dated July 28, 1976 and recorded February 16, 1977 as Instrument No. 96305 on Film No. 106, records of Cassia County, Idaho, over and across the SE $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 10, Township 11 South, Range 21 East of the Boise Meridian.
29. Rights for highway purposes granted to the Idaho Department of Transportation, its successors or assigns, by right-of-way No. I-143, pursuant to the Act of August 27, 1958, as amended (23 U.S.C. 317) as to Lot 1 and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 18, Township 11 South, Range 21 East of the Boise Meridian, notice of such given by Patent recorded May 4, 1978 as Instrument No. 107221, records of Cassia County, Idaho.

-Continued-

SCHEDULE B

Policy Number: J 989970

30. Right of Way and Easement between Howard E. Conrad and Mary J. Conrad, and Northwest Pipeline Corporation, a corporation, dated August 25, 1980, and recorded September 8, 1980 as Instrument No. 128904 on Film No. 137, records of Cassia County Idaho, over and across the NE¼SW¼ of Section 8 and the S½N½ of Section 9, Township 11 South, Range 21 East of the Boise Meridian, Cassia County, Idaho.
31. Road Easement and Right-of-Way Deed executed by Howard E. Conrad and Mary J. Conrad, husband and wife, to Burley Highway District, a political subdivision of the State of Idaho, dated November 3, 1980 and recorded November 4, 1980 as Instrument No. 130300 on Film No. 138, records of Cassia County, Idaho, over and across a portion of Sections 7 and 18 in Township 11 South, Range 21, East of the Boise Meridian.
32. State of Idaho Lease No. 0G-0335, notice given by document recorded March 11, 1982 as Instrument No. 141700, records of Cassia County, Idaho.
ASSIGNMENT OF MINERAL, OIL, AND GAS, AND/OR GEOTHERMAL RESOURCE LEASE(S) from Steven W. Davis and Karen M. Davis, Spouse, to Bridger Energy Associates, dated November 24, 1981 and recorded March 11, 1982 as Instrument No. 141700 on Film No. 148, records of Cassia County, Idaho.
33. Exception contained in Warranty Deed executed by Clarence Barkes and Bessie I. Barkes, husband and wife, and Stan Barkes and Dixie Ann Barkes, husband and wife, to Conrad Land & Livestock, Inc., an Idaho corporation, dated May 10, 1976 and recorded September 5, 1997 as Instrument No. 251043 on Film No. 291, records of Cassia County, Idaho, which reads as follows: "EXCEPTING the deep well, irrigation equipment and water rights owned by C. LeRoy Garner, his heirs, successors and assigns." (SW¼ Section 10, Township 11 South, Range 21, East of the Boise Meridian.)
34. Rights for pipeline purposes as have been granted to El Paso Natural Gas Company, its successors or assigns, by Right of Way Idaho 06421 under 50 C.28 of the Mineral Leasing Act, 30 U.S.C. 185, notice of such given by United States patent No. 11-72-0171 dated March 3, 1972 and recorded December 22, 1998 as Instrument No. 259794 on Film No. 306, records of Cassia County, Idaho. (S½SW¼ and NE¼SW¼ of Section 8, Township 11 South, Range 21, East of the Boise Meridian)
35. A First Mortgage, Security Agreement and Assignment of Rents to secure an indebtedness in the principal sum of \$3,013,000.00.

Recorded:	January 8, 1999 as Instrument No. 260101 on Film No. 307, records of Cassia County, Idaho.
Dated:	January 7, 1999
Mortgagor:	Cummins Farms, Inc., an Idaho corporation
Mortgagee:	Metropolitan Life Insurance Company

-Continued-

SCHEDULE B

Policy Number: J 989970

36. Assignment of Bonuses, Rentals and Royalties executed by Cummins Farms, Inc., an Idaho corporation to Metropolitan Life Insurance Company, dated January 7, 1999 and recorded January 8, 1999 as Instrument No. 260102 on Film No. 307, records of Cassia County Idaho.
37. Financing Statement between Cummins Farms, Inc. as Debtor #1 and Metropolitan Life Insurance Company as Secured Party, recorded January 8, 1999 as Instrument No. 260103 on Film No. 307, records of Cassia County, Idaho.

END OF SCHEDULE B

Schedule B (Owners Policy)

6/9/94

COMMUNICATION DOCUMENTATION

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

IDWR Employee/Agent Georgia Satterlee

DATE

August 11, 1998 4:29pm

CUSTOMER

Howard Conrad

SUBJECT: 45-02583, -02689, -07020, -07035, -07034, -07110, -07238, -07374
phone call (.) walk-in (x)

The D/S claims in Conrad Land and Livestock were recently decreed. He came in to verify that all his irrigation rights were in order. After 2.5 hours compilation of the irrigation claims I told Conrad they seemed to be in order. He concluded his visit by saying, "Yea, he knew that." I suspect the home boy knows exactly what is going on and that I used up 2.5 hrs of my time wheel spinning. Good lesson for me, one more time...



COMMUNICATION DOCUMENTATION

Claim No. see below

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

IDWR Employee/Agent Jeanie Robertson Date 3/23/95Contact Person(s) Zola McFarland - Carey & Adams Realty
1570 Overland, Burley FAX 678-1151Nature of Contact phone callSubstance of Communication sent profile reports on thefollowing claims: A45-02583 A45-02674

(Conrad Land & A45-02683 A45-02689

Livestock) A45-07013 A45-07020

A45-07034 A45-07035

A45-07006 A45-07009

A45-07110 A45-07238

~~A45-07224~~ A45-07481

A45-07482A A45-07482B

A45-10263 A45-10264

A45-10265 A45-10266

A45-10267 A45-10268

A45-10269 A45-10270

A45-10271 A45-10272

A45-10273 A45-10274

A45-12452

MICROFILMED
DEC 13 1998

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: A45-07374
Date Received: 3/17/1989
Receipt No: 5007412
Received By: AO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CONRAD LAND & LIVESTOCK, INC. 208-432-5444
Address: RT. 1
MURTAUGH, ID 83344
AND/OR
Name: HOWARD CONRAD 208-432-5444
Address: RT. 1
MURTAUGH, ID 83344

2. Date of Priority: APR 11, 1979

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
11S	21E	9	NW	NW	NE		CASSIA
			SE	SE	SE		CASSIA
		10	SW	SW	SW		CASSIA
		15	NW	NW	NW		CASSIA

5. Description of diverting works:
WELLS, PUMPS, DITCHES, PIPELINES & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.100		

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

8. Total consumptive use is 465.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A45-07374

Page 1

Date: 03/20/89

MICROFILMED

MAR 08 1993

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
11S	21E	10	NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	36.0
			SE	SW		IRR	39.0
						Section Acres	155.0
						Total Acres	155.0

11. Place of use in counties: CASSIA

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

13. Other Water Rights Used:
OTHER RIGHTS FROM SAME SYSTEM.

14. Remarks:

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 X wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: See Map A45-07020

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: _____

For Organizations:

I do solemnly swear or affirm that I am Pres. of _____ Title

Carroll County Organization, that I have signed the foregoing document in the space below as _____ of

Carroll County Title and that the statements contained in the foregoing document are true and correct.

[Signature] Signature of Authorized Agent

[Signature] Title and Organization

4-3-89 Date

State of Idaho)
County of Twin Falls) SS.

Subscribed and sworn (or affirmed) before me this 3rd day
of April 19 89
[Signature] Notary Public

Seal

Residing at Kimberly, Id.

My Commission Expires 6/30/92
3 Date: 03/20/89

A45-07374

Page

MICROFILMED
MAR 08 1993

03/04/2004

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

RIGHT NUMBER: 45-7374
NAME AND ADDRESS: CUMMINS FARMS INC
4418 E 3300 N
MURTAUGH ID 83344-5204

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 3.100 CFS
620.000 AFY

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.9 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 2879 AF. COMBINED RIGHT NOS.: 45-7020, 45-7035, 45-7110, 45-7374.

USE OF THIS RIGHT WITH RIGHT NO. 45-7110 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.47 CFS.

USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 20.23 CFS AND TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 7391 AF. COMBINED RIGHT NOS.: 45-2583, 45-2689, 45-7020, 45-7035, 45-7110, 45-7238, 45-7374.

PRIORITY DATE: 04/11/1979

POINT OF DIVERSION:

T11S R21E S9 NENENW Within CASSIA County
T11S R21E S9 SESESE Within CASSIA County
T11S R21E S10 SWSWSW Within CASSIA County
T11S R21E S15 NWNWNW Within CASSIA County

PURPOSE AND PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/15 11/15	3.100 CFS 620.00 AFY

PLACE OF USE: IRRIGATION Within CASSIA County

T11S R21E S10	NESW	40.0	T11S R21E S10	NWSW	40.0
T11S R21E S10	SWSW	36.0	T11S R21E S10	SESW	39.0

155 ACRES TOTAL

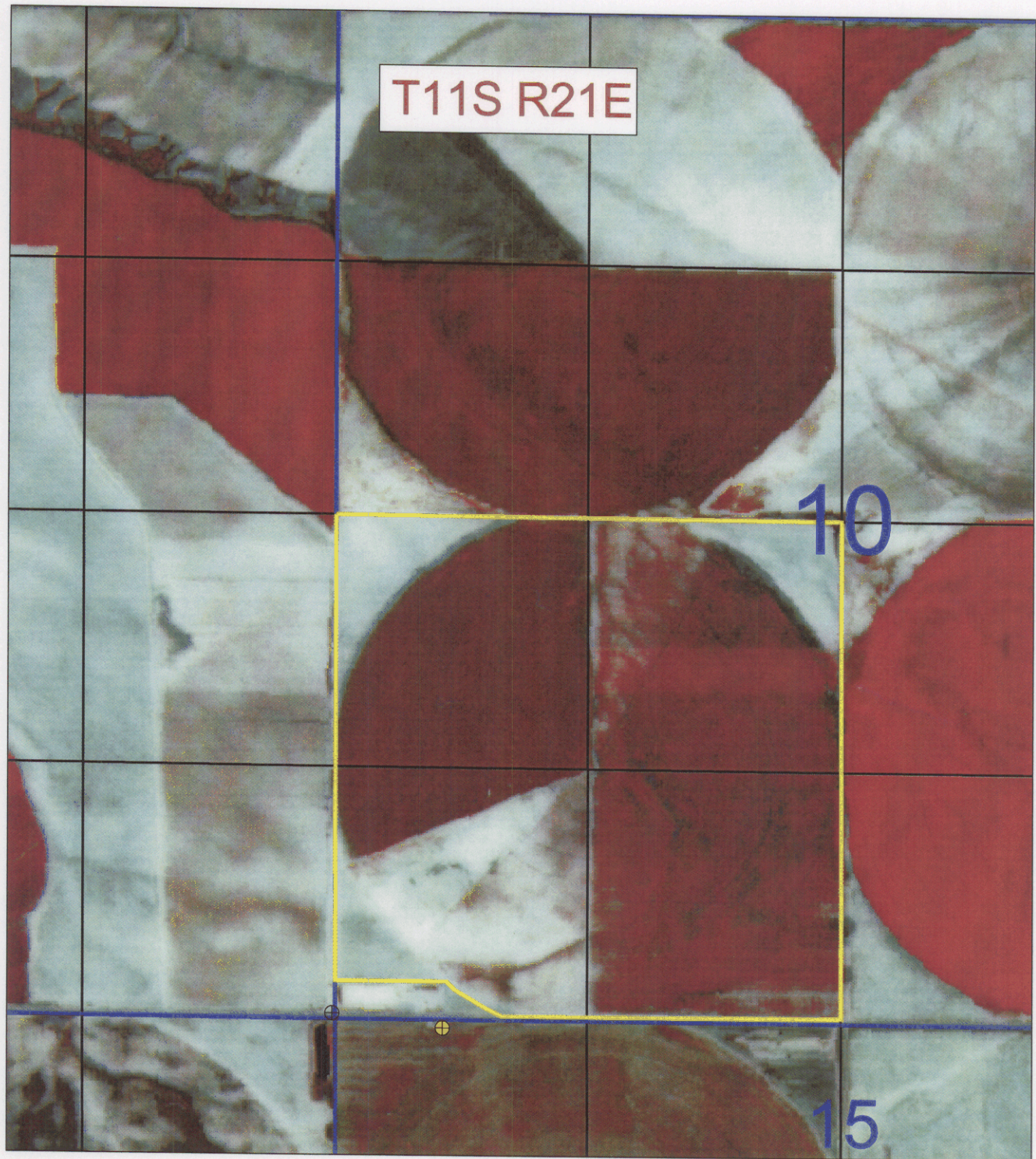
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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

RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.

45-7374



-  Section Lines
-  Quarter/Quarter Lines
-  Place of Use
-  Point(s) of Diversion



Individual Rights:

[illegible]

CUMMINS FARMS:		MILNER BUTTE PROPERTY ANALYSIS					
License data							
NWNW Sec 15							
		FE Date	FE Q(cfs)	Lic Q(cfs)	Limit Q(cfs)		Ac
	45-7020	7/20/1973	5.9	3.76			182
	45-7035	5/21/1974	5.79	5.79			
	45-7110	5/24/1978	5.48	4.00			
	45-7374	8/9/1979	5.47	3.10	5.47 w/ 7110		
Assuming open discharge, 450 hp motor, 481 WL (1972 data)							
Theoretical Q = 5.76 cfs							
NENW Sec 9							
		FE Date	FE Q(cfs)	Lic Q(cfs)	Limit Q(cfs)		
	45-7238	7/22/1980	6.69	6.4			
SWSW Sec 10							
		FE Date	FE Q(cfs)	Lic Q(cfs)	Limit Q(cfs)		
	45-2689	7/13/1965	5.82	5.82			
SESE Sec 9							
		FE Date	FE Q(cfs)	Lic Q(cfs)	Limit Q(cfs)		
	45-2583	8/10/1962	1.82	1.82			
Sum Max. Capacity =			20.23 cfs				

Vol
252 ft
122 ft
124 ft AF
21 ft

Log for claim A45-07374

Spatial Dynamics LTD

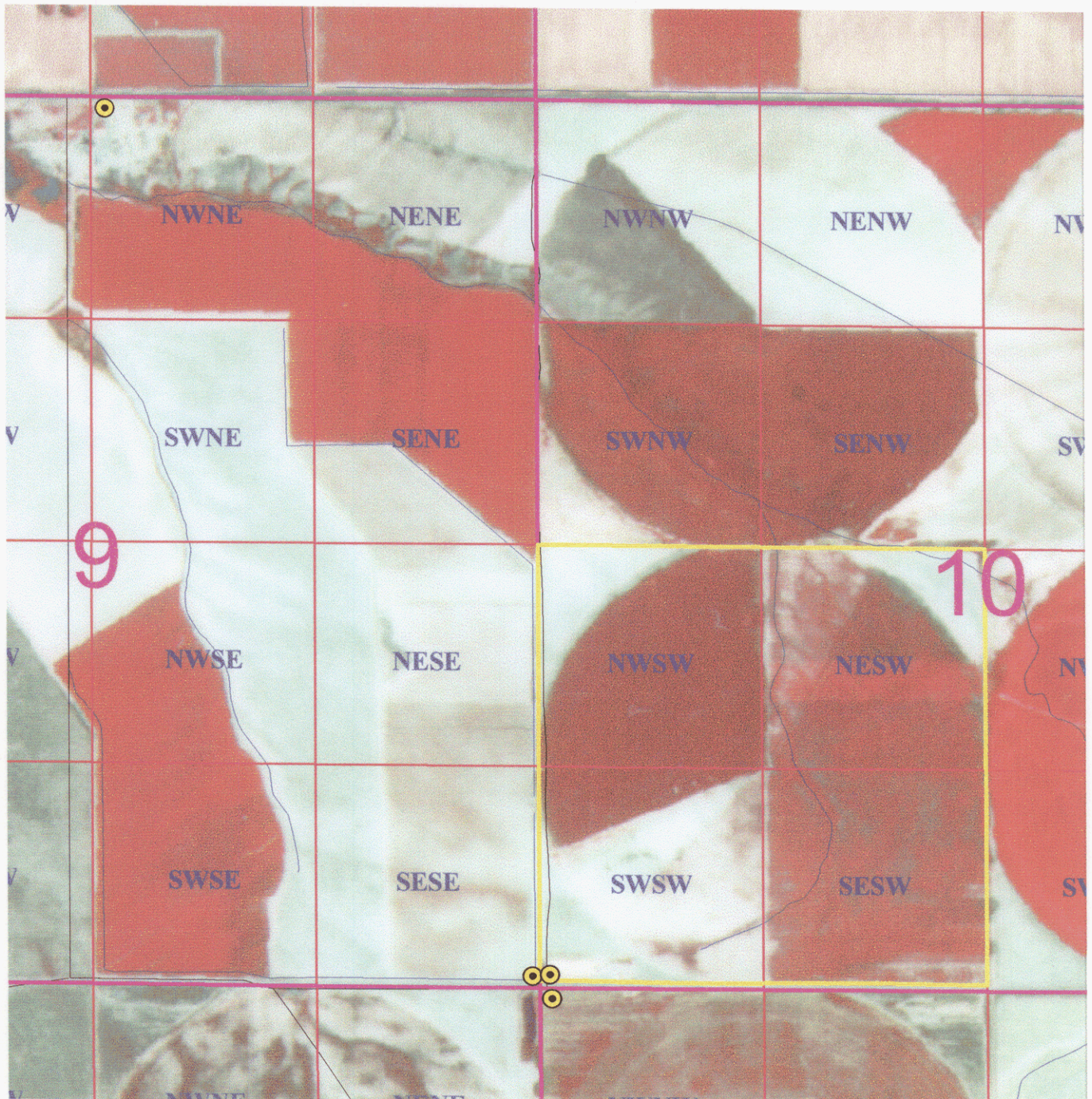
8/14/00

TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s21e	10	NESW	40	40	
11s21e	10	NWSW	40	40	
11s21e	10	SWSW	36	39	
11s21e	10	SESW	39	39	
Totals:			155	158	

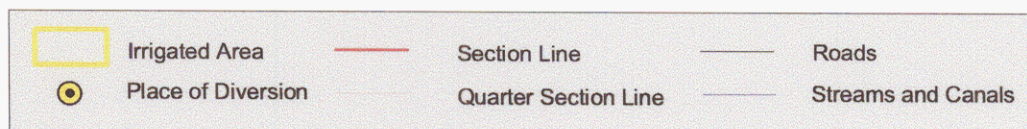
Water Right Claim Number A45-07374

08/14/2000

Township , 11S21E



Legend



Stage: LICENSE

CASSIA County

CASSIA County

SE

155.0

45-10269	45-10270	45-10271	45-10272	45-10273	445-02583	445-02689	445-07020	445-07035	445-07110
445-07238	445-10269	445-10270	445-10271	445-10272	445-10273	445-10274			

Audit:	03/17/89	MERRITT	03/30/95	POST-STD	03/23/00	TFANCETT
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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 45-7374

WATER RIGHT NUMBER: 45-7374

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	HOWARD E CONRAD 325 S 1200 W MURTAUGH, ID 83344 (208)432-5444
Original Owner	CONRAD LAND & LIVESTOCK

, ZZ

Priority Date: 04/11/1979

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
---------------	------------------

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/01 to 11/01	3.100 CFS	620.00 AF
	<u>Total Diversion:</u>	3.100 CFS	620.00 AF

Location of Point(s) of Diversion

GROUND WATER	SE1/4SE1/4	Sec. 9, Twp 11S, Rge 21E, B.M.
CASSIA County		
GROUND WATER	SW1/4SW1/4	Sec. 10, Twp 11S, Rge 21E, B.M.
CASSIA County		
GROUND WATER	NE1/4SE1/4	Sec. 9, Twp 11S, Rge 21E, B.M.
CASSIA County		
GROUND WATER	NE1/4NW1/4	Sec. 9, Twp 11S, Rge 21E, B.M.
CASSIA County		
GROUND WATER	NW1/4NW1/4	Sec. 15, Twp 11S, Rge 21E, B.M.
CASSIA 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	
11S	21E	10									40.0	40.0	36.0	39.0					155.0

Total Acres: 155

Conditions of Approval:

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report 45-7374

Remarks:

1. General TRANS. 3205. 2 P/D IN NESE, S9, T11S, R21E.

Comments:

Dates and Other Information:

Licensed Date: 6/8/1982

Decreed Date:

Water Supply Bank Enrollment Accepted:

Water Supply Bank Enrollment Removed:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate Per Acre:

Generic Max Volume Per Acre:

Decree Defendant:

Decree Plaintiff:

Civil Case Number:

Judicial District:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Carey Act Number:

Mitigation Plan: False

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 45-7374 Priority April 11, 1979 Amount 3.10 cfs

THIS IS TO CERTIFY, that CONRAD LAND & LIVESTOCK
of Murtaugh, Idaho, has complied with the terms and conditions of Permit
No. 45-7374 issued pursuant to Application for Permit dated April 11, 1979,
and has submitted proof to the Department of Water Resources on August 8, 1979,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 5.47 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use an
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>March 1</u> to <u>November 1</u>	at <u>3.10 cfs</u>	and <u>620 acre feet</u>
	from _____ to _____	at _____ cfs	and _____
	from _____ to _____	at _____ cfs	and _____

(both dates inclusive)

Subject, however, to the condition that no more than 3.10 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
620 acre feet per year, said waters to be diverted within the NW1/4, Sec. 15, Twp. 11S,
Rge. 21E, B.M. in the County of Cassia

Description and location of place of use:

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
11S	21E	10									40	40	36	39	155

Total number of acres irrigated 155

CONDITION:

The maximum rate of diversion under this license when
used in combination with License No. 45-7110 shall not
exceed 5.47 cfs.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31 day of
January, 19 80.

Director

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Howard E. Conrad Phone 432-5444Post Office address Rt. 1 Murtaugh, Idaho 83344**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

a. Decree No. _____ Decreed to _____ (Name)

in case of _____ vs _____

dated in _____ in _____ (Name of court) county of _____

b. License No. 45-7035 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired: _____

3. Source of water groundwater tributary to _____4. Date of priority 2-28-1969

5. Water is used for the following purposes:

amount 5.79 for Irrigation purposes from 3/15 to 11/15

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____ (month/day — both dates inclusive)

6. Total amount of water under right: a. 5.79 cubic feet per second
&/or
b. _____ acre feet per annum7. Location of original point of diversion is NW % of NW % of Section 15
Township 11S Range 21E, B.M., in Cassia County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
11S	21E	16	40	40	40	40									40	40	40	40	320

Total number of acres to be irrigated 320

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

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? _____ If yes, describe in item D, REMARKS.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Howard E. Conrad Phone 432-5444
Post Office address Rt. 1 Murtaugh, Idaho 83344

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
(Name)
in case of _____ VS _____
dated in _____ in _____ county of _____
(Name of court)

b. License No. 45-7110 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired: _____

3. Source of water groundwater tributary to _____

4. Date of priority 9-18-1972

5. Water is used for the following purposes:

amount 3.98 for irrigation purposes from 3/1 to 11/1
amount .02 for stockwater purposes from 1/1 to 12/31
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 4.0 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15
Township 11S Range 21E, B.M. in Cassia County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
11S	21E	15			1		39	38	39	39	39	39	38	39					310

Total number of acres to be irrigated 310

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

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? _____ If yes, describe in item D. REMARKS

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Howard E. Conrad Phone 432-5444
Post Office address Rt. 1 Murtaugh, Idaho 83344

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)
- b. License No. 45-7374 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired _____

3. Source of water groundwater tributary to _____4. Date of priority 4-11-1979

5. Water is used for the following purposes:

amount 3.10 for irrigation purposes from 3/1 to 11/1
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 3.10 cubic feet per second
&/or
b. _____ acre feet per annum7. Location of original point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15
Township 11S Range 21E B.M., in Cassia County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
11S	21E	10									40	40	36	39					155

Total number of acres to be irrigated 155

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

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? _____ If yes, describe in item D, REMARKS.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Howard E. Conrad Phone 432-5444

Post Office address Rt. 1 Murtaugh, Idaho 83344

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
(Name)
in case of _____ vs _____

dated in _____ in _____ county of _____
(Name of court)

b. License No. 45-2583 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired: _____

3. Source of water groundwater tributary to _____

4. Date of priority 6/19/1959

5. Water is used for the following purposes:

amount 1.82 for irrigation purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 1.82 cubic feet per second
8/or
b. _____ acre feet per annum

7. Location of original point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 9
Township 11S Range 21E, B.M. in Cassia County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTAL
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
11S	21E	9			40	40				20					40	40	25	40	245

Total number of acres to be irrigated 245

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

10. To your knowledge, has any portion of this water right undergone a period of five consecutive years of nonuse? _____ If yes, describe in item D, REMARKS.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Howard E. Conrad Phone 432-5444Post Office address Rt. 1 Murtaugh, Idaho 83344**A DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____

dated in _____ in _____ (Name of court) county of _____

b. License No. 45-2689 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired: _____

3. Source of water groundwater tributary to _____

4. Date of priority 11/9/1962

5. Water is used for the following purposes:

Not given on license

amount 5.82 for irrigation purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ (month/day — both dates inclusive)

6. Total amount of water under right: a. 5.82 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 10

Township 11S Range 21E B.M. in Cassia County

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
11S	21E	9	40	40	40	40	37	40	40	40					40	40	40	40	477
		8	17																17

Total number of acres to be irrigated 494

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

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? no If yes, describe in item D, REMARKS.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Howard E. Conrad Phone 432-5444

Post Office address Rt. 1 Murtaugh, Idaho 83344

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ VS _____
dated in _____ in _____ county of _____ (Name of court)
- b. License No. 45-7020 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired: _____

3. Source of water groundwater tributary to _____

4. Date of priority 4/6/1967

5. Water is used for the following purposes:

amount 3.76 for irrigation purposes from 4/1 to 11/15
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 3.76 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15
Township 11S Range 21E, B.M., in Cassia County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
11S	21E	8								10	38	20	40	40					148
		7															10	30	40

Total number of acres to be irrigated 188

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

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10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? _____ If yes, describe in item D, REMARKS.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Howard E. Conrad Phone 432-5444

Post Office address Rt. 1 Murtaugh, Idaho 83344

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____

dated in _____ in _____ county of _____
(Name of court)

b. License No. 45-7238 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired _____

3. Source of water groundwater tributary to _____

4. Date of priority 5/2/1975

5. Water is used for the following purposes:

amount 6.4 for irrigation purposes from 3/15 to 11/15
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 6.4 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is NE 1/4 of NW 1/4 of Section 9
Township 11S Range 21E B.M. in Cassia County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	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	
11S	21E	18	40	40	40	40	39	38	39	40	40	39	39	40	40	40	40	40	634

Total number of acres to be irrigated 634

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

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? no If yes, describe in item D, REMARKS

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omit part D).

1. Amount of water: a. _____ cubic feet per sec.
&/or
b. _____ acre feet per annum
2. Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use: _____

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

Total number of acres to be irrigated: _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information

- a. Amount of water to be diverted 29.06 C.F.S. c.f.s. &/or _____ acre feet
- b. Description of diverting works WELLS, MOTORS, AND PUMPS
- c. Describe the reasons for the proposed changes CONSOLIDATING POINTS OF DIVERSIONS
AS TO IRRIGATE ALL OF THE GROUND BY ONE COMMON SYSTEM.

2. Change in point of diversion

Point of diversion 2pts-NE 1/4 SE 1/4, Section 9 Township 11S
Range 21 E, B.M., Cassia County
Additional points sese, sec 9, swsw, sec 10, nwnw, sec 15 nenw, sec 9 11s 21e

3. Change in place of use NO CHANGE

- a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed change.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

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D. REMARKS

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 willfull misrepresentations made in this application may result in voiding its approval.

[Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 27 day of June, 1985

[Signature]
(Notary Public)

My commission expires 6.1.91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 45-2583/2639/7020/7035/7110/7238/7374 and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 21st day of October, 1985

[Signature]
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by AF Date 6-27-1985 Protest filed by None
Prelim. check by ADM Fee 50.00 #36642
Receipted by AF Date 6-27-1985 H 36642
Published in South Idaho Press Copies of protest forwarded by _____
Pub. dates 8/29 & 9/5/85 Hearing held by _____ Date _____
Watermaster recommendation requested on NA Recommended for approval denial _____
_____ rec'd. by ADM Sim

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 45-7374

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant CONRAD LAND & LIVESTOCK Phone

Post office address Rte 1 MURTAUGH, IDA

2. Source of water supply GROUNDWATER which is a tributary of

3. Location of point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15 Township 11S

Range 21E B.M. CASSIA County, additional points of diversion if any:

4. Water will be used for the following purposes:

Amount 3.2 for IRR purposes from MAR 1 to NOV 1 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated:

a. 3.2 cubic feet per second and/or b. acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. WELL, MOTOR PUMP.
& SPRINKLER.

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

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

c. Proposed well diameter is 20 inches; proposed depth of well is 650 feet.

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

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: $\frac{1}{4}$ of $\frac{1}{4}$ of Section Township

Range B.M.

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

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

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

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

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

[illegible]

Total number of acres to be irrigated 160

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

9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use _____ "

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

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100

FIELD REPORT

1. Name of permit holder Conrad Land & Livestock
- Post office address Route 1, Murtaugh, Id Phone _____
- Person to contact Howard Conrad Phone _____
2. Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)
- Tributary to _____

3. Water will be used for the following purposes:

Amount 3.2 c.f.s. for irrigation
AF/Annum (nature of use)

Period of Use: from Mar 1 to Nov 1
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
 _____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 3.2 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 11S N/S, Range 21E E/W, B.M., Section 15, Subdivision NW $\frac{1}{4}$ NW $\frac{1}{4}$, Cassia County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____ County _____

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ 1/4 _____ 1/4 _____ County _____

Other Points of Diversions: _____

Description of diverting works: _____

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]

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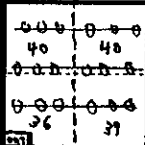
TOTAL ACREAGE 160

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R. 21E

T. 11S

10

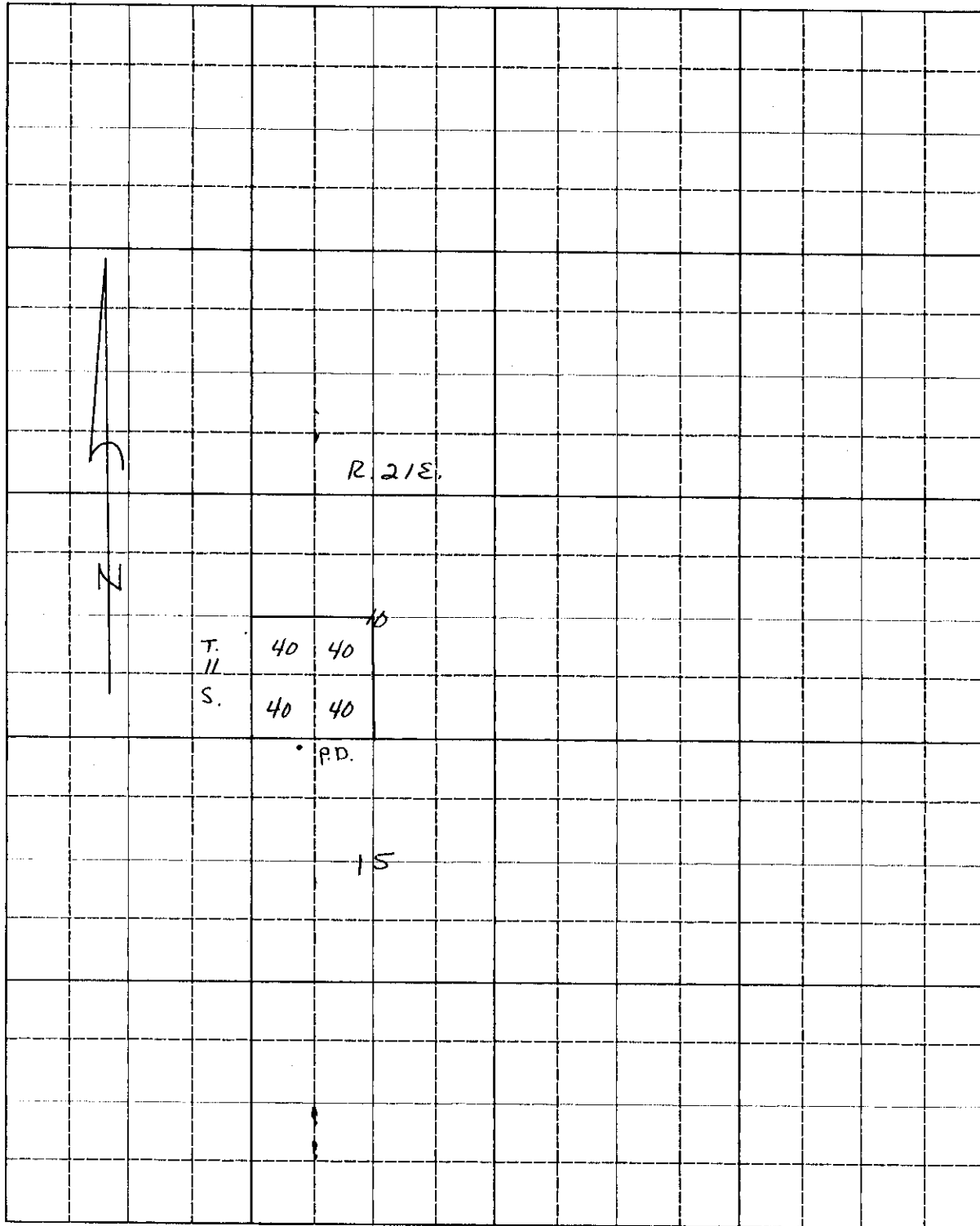


R. 21E
R.D.

15

Diagram of System

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



Scale: 2 inches equal 1 mile.

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

Constance L. Johnson
Applicant

Received by J. S. Supton Date 04/11/79 Time 3:15 AM
 Preliminary check by JS Fee \$ 65.00 Rec # 12756
 Received by JS Date 04/11/79 92-39/1241
 Publication prepared by marva Date 4/18/79
 Published in south ida press
 Publication dates 5/1 + 5/8/79
 Publication approved marva Date 4/25/79
 Protests filed by: _____

Copies of protests forwarded by _____
 Hearing held by _____ Date _____
 Recommended for approval denial by JS S.S.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 45-7374, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 84.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 20th day of June, 19 79.

J. Glen Supton
 Chief, Operations Bureau

DATE OF EXAM August 9, 1979

ACREAGE

Found 155
Recommended 155

Irrigation Requirement 4.0 Ac Ft/Ac

USE

Irrigation Q = 3.10 c.f.s. V = 620.0 AF/Ann. from Mar 1 to Nov 1
Domestic Q = c.f.s. V = AF/Ann. from to
Livestock Q = c.f.s. V = AF/Ann. from to

Is water co-mingled? yes no X

Name source:
hwp. N/S, Rge E/W, B.M., Sec. Sub. 1/4 1/4 County

Exchange? yes no X

Name source exchanged with:
hwp. N/S, Rge E/W, B.M., Sec. Sub. 1/4 1/4 County

Point of injection:
hwp. N/S, Rge E/W, B.M., Sec. Sub. 1/4 1/4 County

Point of exchange:
hwp. N/S, Rge E/W, B.M., Sec. Sub. 1/4 1/4 County

Total Q measured 5.47 cfs Method of measurement Badger Meter

Total Q recommended 3.10 cfs Meter No. MO646866 Type Condition Good

Total V recommended 620.0 AF/Annum

Recommended Amendments:

P.D.
Place of Use
Other
None X

MEASUREMENT CALCULATION:

Measured 2000 gal/48.9 sec = 2454 gpm/448.8 gpm/cfs = 5.47 cfs
Allow 3.10 cfs (155 acres at .02 cfs/acre)
Volume: 155 ac X 4.0 AF/Ac/Ann irrig req = 620.0 AF/Annum

SYSTEM DESCRIPTION:

Well, GE 450 hp motor Model 5K6326XC327A SN EBJ503017, Verti-Line pump ~~with~~ Model 12RL SN D40022 with ~~Louis Allis Co.~~ 75 hp booster motor SN 2587980, Verti-Line pump Model 14KHH SN 35725 with GE 150 hp booster motor Model 5K6277XH1A SN EKJ529164, 12" mainline to 6 $\frac{1}{2}$ -mile wheel lines.

REMARKS:

Howard Conrad was present during the field exam. This well irrigates additional ground under other water rights. Only 75 hp booster was on during exam, but both boosters are sometimes used together; boosters maintain proper pressure in sprinklers, but do not increase well output according to Mr. Conrad. 3 acres are out for a building in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 10.

Examiner's Signature J. E. Stanton Date 8-9-79
Checked by Allen P. Merrill Date 8-9-79
Approved by Date

MICROFILMED

Received by J. Sudley Date 04/11/79 Time 3:15 A.M.
 Preliminary check by JS Fee \$ 65.00 Rec. # 12756
 Receipted by JS Date 04/11/79 92-39/1241
 Publication prepared by marva Date 4/18/79
 Published in South Ida Press
 Publication dates 5/1 + 5/8/79
 Publication approved marva Date 4/25/79
 Protests filed by: _____

Copies of protests forwarded by _____
 Hearing held by _____ Date _____
 Recommended for approval denial by JZ JS

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 45-7374, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 84.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 20th day of June, 19 79.

J. Glen Saxton
 Chief, Operations Bureau