

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: A45-02689
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 83344

2. Date of Priority: NOV 9, 1962

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	5.820		

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

8. Total consumptive use is 1482.0 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	8	NE	NE		IRR	17.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	17.0
		9	NE	NE	IRR	40.0
			NW	NE	IRR	40.0
			SW	NE	IRR	40.0
			SE	NE	IRR	40.0
			NE	NW	IRR	37.0
			NW	NW	IRR	40.0
			SW	NW	IRR	40.0
			SE	NW	IRR	40.0
			NE	SE	IRR	40.0
			NW	SE	IRR	40.0
			SW	SE	IRR	40.0
			SE	SE	IRR	40.0
					Section Acres	477.0
					Total Acres	494.0

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:
10/21/99, CHANGED OWNERSHIP AS PER FORM 1409 AND DEED REC'D
2/11/99: CONRAD TO CUMMINS. C.T.

15. Basis of Claim: LICENSE

Water Right Number: 30884



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 4, 2000

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.

Form 12-140/12-140W (12/11/98)
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 Region

1. 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 Owner/Claimant(s) Conrad Land and Livestock, Inc.

325 South 1200 East
 Murtaugh, Idaho 83344

4. 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 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.

CUMMINS FARMS, INC.

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

Mark S. Cummins, President

Date 1-7-99

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.

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 L 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

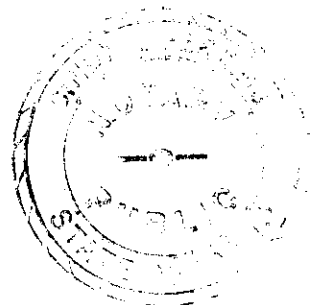


EXHIBIT B

Water Rights and Palisades Water Shares

<u>Water Right #</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.

<u>Certificate #</u>	<u>#of Shares</u>
658	1000.00
660	140.00

RANGE 21

CUMMINS
FARMS
MAP 4
1999



TOWNSHIP 10

TOWNSHIP 11

US HIGHWAY 30

10

FKD 110
154 AC

15

FKD 109
134 AC

FKD 108
129 AC

16

FKD 106
139 AC

FKD 107
137 AC

9

FLD 113
149 AC

FLD 114
10 AC

8

FIELD 115
144 ACRES

7

7

17

FKD 104
138 AC

FKD 103
151 AC

18

FLD 102
335 AC

19

Property bought from
Haines Conrad
Conrad Land & Livestock

Highway 30
headed East to Burley

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

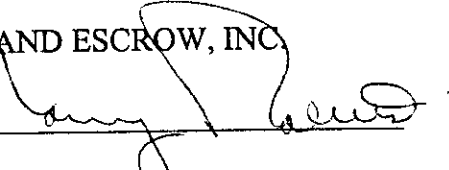
3. Title to the estate or interest in the land is vested in:

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.

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)

-Continued-

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 NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 8 and the S $\frac{1}{2}$ N $\frac{1}{2}$ 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." (SW $\frac{1}{4}$ 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. (S $\frac{1}{2}$ SW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ 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 call

Substance of Communication sent profile reports on the
following claims: A45-02583 A45-02674
(Conrad Land & A45-02683 ~~XXXXXXXXXX~~
Livestock) A45-07013 A45-07026
A45-07034 A45-07035
A45-07006 A45-07009
A45-07110 A45-07238
A45-07374 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

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

COPY

Ident. Number: A45-02689
Date Received: 3/17/1989
Receipt No: 5007412
Received By: AD~

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

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

2. Date of Priority: NOV 09, 1962

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	5.820		

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

8. Total consumptive use is 1482.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

A45-02689

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	8	NE	NE		IRR	17.0
						Section Acres	17.0
		9	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0
			NE	NW		IRR	37.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	40.0
						Section Acres	477.0
						Total Acres	494.0

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
Water Right Number: 30884

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 _____ of
_____ Title

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

Organization _____ and that the statements contained in the
foregoing document are true and correct.

Signature of Authorized Agent

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

Notary Public

Seal

Residing at Kimberly, Id.

A45-02689

Page

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

MICROFILMED

MAR 06 1989

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

RIGHT NUMBER: 45-2689

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 5.820 CFS
1,976.000 AFY

USE OF THE RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED
DIVERSION RATE OF 7.64 CFS AND TO A TOTAL COMBINED ANNUAL
DIVERSION VOLUME OF 1976 AF. COMBINED RIGHT NOS.: 45-2583, 45-2689
& 45-10274.

PRIORITY DATE: 11/09/1962

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:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
03/15 11/15

QUANTITY
5.820 CFS
1,976.00 AFY

PLACE OF USE:

IRRIGATION Within CASSIA County

T11S R21E S08	NENE	25.0	T11S R21E S09	NENE	39.0
T11S R21E S09	NWNE	32.0	T11S R21E S09	SWNE	40.0
T11S R21E S09	SENE	40.0	T11S R21E S09	NENW	32.0
T11S R21E S09	NWNW	38.0	T11S R21E S09	SWNW	40.0
T11S R21E S09	SENE	40.0	T11S R21E S09	NESW	10.0
T11S R21E S09	NESE	40.0	T11S R21E S09	NWSE	40.0
T11S R21E S09	SWSE	39.0	T11S R21E S09	SESE	39.0

494 ACRES TOTAL

USE OF THIS RIGHT WITH RIGHT NOS. 45-2583 & 45-10274 IS LIMITED TO
THE IRRIGATION OF A COMBINED TOTAL OF 494 ACRES IN A SINGLE
IRRIGATION SEASON.

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

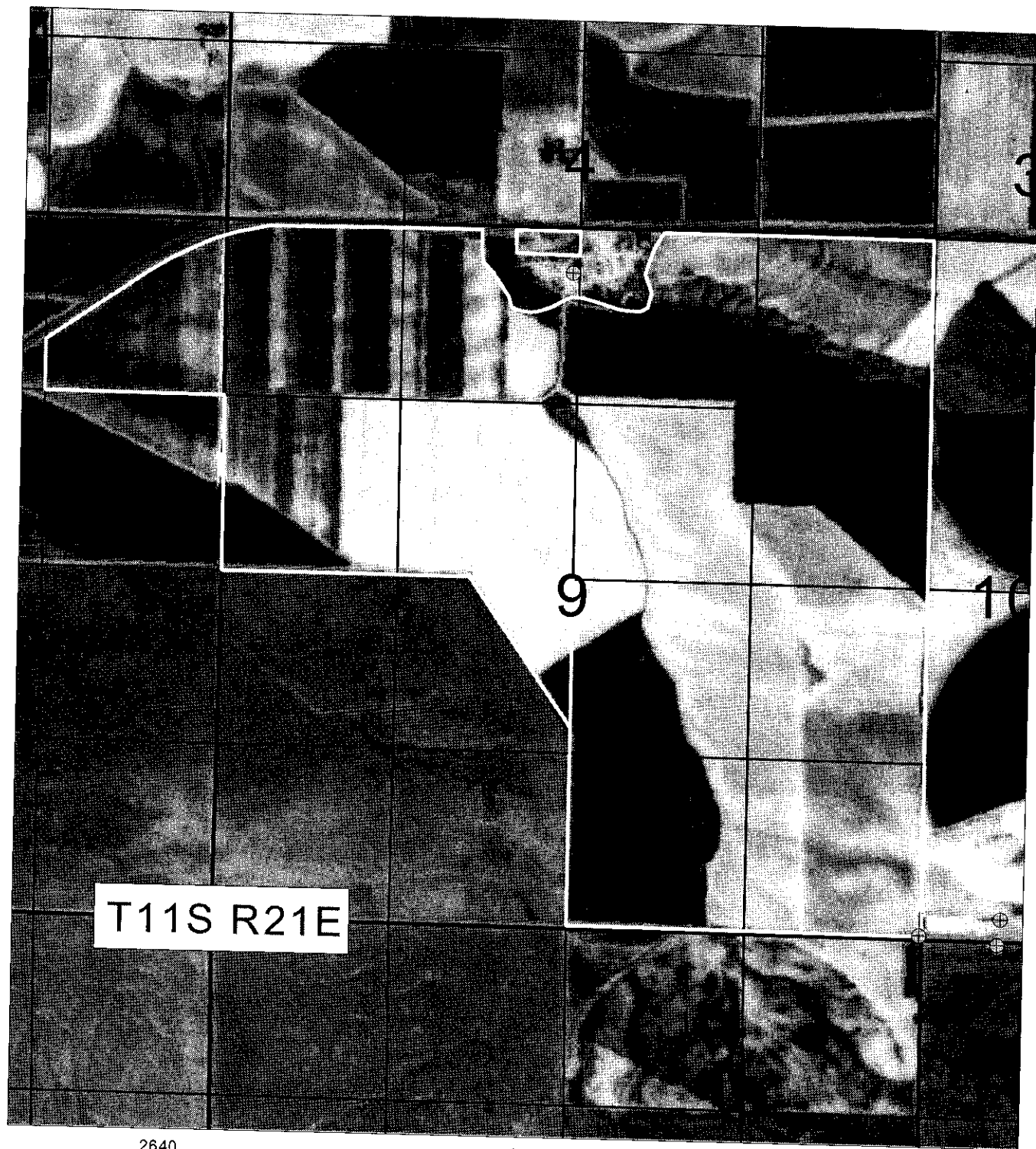
This partial decree is subject to such general provisions necessary for
the definition of the rights or for the efficient administration of the water
rights as may be ultimately determined by the Court at a point in time no
later than the entry of a final unified decree. Section 42-1412(6), Idaho
Code.

EXPLANATORY MATERIAL: License

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

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

45-2583, 45-2689 & 45-10274



T11S R21E

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



GIS PLACE OF USE PRESENTATION
PHOTOGRAPHY: 1987 and/or 1988 NAPP
DATA ENTRY: 3/2004
DOUGLAS JONES

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**

Please type or print clearly

1. Name of Claimant (s) Summit's Farms, Inc Phone (208) 432-6675

Mailing Address P.O. Box 30 Muntangh Zip 83344

2. Date of Priority (Only one (1) per claim) 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: S10 SWSWSW; S9 SESESE; S9 NENESE; 2pts in S9 NESE

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

Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4,

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

ending point is: Township _____ Range _____ Section _____, _____ 1/4 of _____ 1/4 of _____ 1/4, Govt. Lot _____ B.M., County of _____

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

6. Water is claimed for the following purposes:

(both dates are inclusive)

(cfs)

(acre feet)

For Trigatcon purposes from 3-15 to 10-15 amount 3.10 or 620

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

For _____ purposes from _____ to _____ amount _____ or _____

7. Total quantity claimed (a) 5.6 (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:

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

b. 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.

[illegible]

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

Individual Rights:

✱
✱
✱
✱

CUMMINS FARMS:		MILNER BUTTE PROPERTY ANALYSIS					
License data							
NWNW Sec 15							
		FE Date	FE Q(cfs)	Lic Q(cfs)	Limit Q(cfs)		
	45-7020	7/20/1973	5.9	3.76			
	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			

Log for claim A45-02689

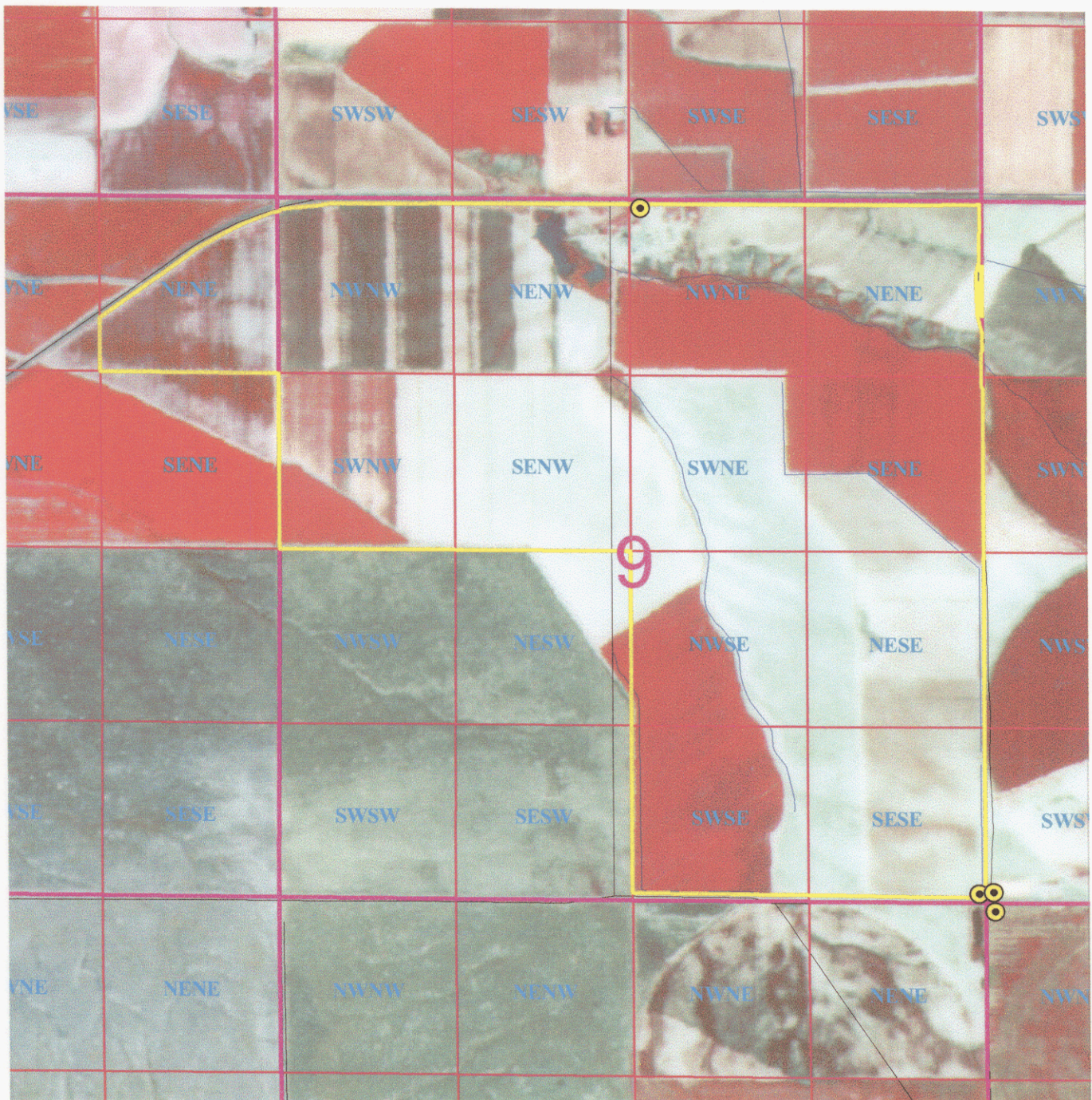
Spatial Dynamics BTD

8/4/00

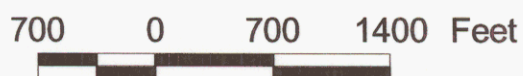
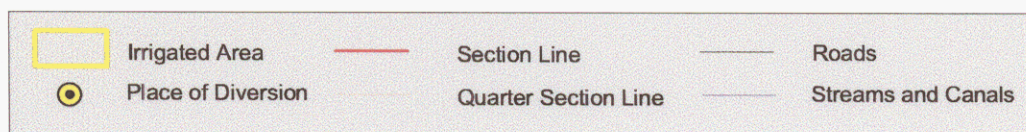
TR	SEC	QQ	Acres Claimed	Acres Found	COMMENT
11s21e	8	NENE	17	26	Indiscernible
11s21e	9	NENE	40	38	
11s21e	9	NWNE	40	39	
11s21e	9	SWNE	40	40	
11s21e	9	SENE	40	40	
11s21e	9	NENW	37	39	
11s21e	9	NWNW	40	38	
11s21e	9	SWNW	40	40	
11s21e	9	SENW	40	40	
11s21e	9	NESE	40	40	
11s21e	9	NWSE	40	40	
11s21e	9	SWSE	40	38	
11s21e	9	SESE	40	39	
Totals:			494	497	

Water Right Claim Number A45-02689
Township , 11S21E

08/04/2000



Legend



A45809NP
No. A45-02689

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/09/00
PAGE: 252

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CUMMINS FARMS INC 4418 E 3300 N MURTAUGH ID 83344 (208) 432-6675	11/09/1962	IRRIGATION	03-15 11-15	5.820 CFS	
TOTAL DIVERSION:					5.820 CFS	
CONSUMPTIVE USE:						1482.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:	T11S R21E S09 S10 S15	NW1/4NE SW1/4SW NW1/4NW	SESESE	CASSIA County CASSIA County CASSIA County
------------------------	-----------------------------	-------------------------------	--------	---

Place of use Legal Description for: IRRIGATION

	NE	SE	SW	SE	SE	SE	SUM
T R S	NE NE NE SENE	SE	NE NE NE SENE	SE	NE NE NE SENE	SE	
11S 21E 8	: 17	:	:	:	:	:	17.0
11S 21E 9	: 40	:	:	:	:	:	477.0
	40	:	37	40	40	40	494.0
							TOTAL ACRES

POU County: CASSIA

Non-Irrigation Uses: NONE

Other Rights: OTHER RIGHTS FROM SAME SYSTEM.

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

45-10269	45-10270	45-10271	45-10272	45-10273	45-02583	445-07020	445-07035	445-07110	445-07238
A45-07374	A45-10269	A45-10270	A45-10271	A45-10272	A45-10273	A45-10274			

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

A01-00017 A45-02583

Remarks: GEN 10/21/99, CHANGED OWNERSHIP AS PER FORM 1409 AND DEED REC'D
2/11/99: CONRAD TO CUMMINS, C.T.

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

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

Audit: 03/17/89 MERRITT 03/30/95 POST-STD 10/21/99 CTIMM

State of Idaho
Licens. and Certificate of Water Right

Water License No. G-30884

Amount 5.82 c.f.s.

Water District No. _____

Priority November 9, 1962

THIS IS TO CERTIFY that C. LEROY GARNER -Assignee MARY J. CONRAD
of Burley, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated January 14, 1963; that Permit No. G-30884
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
5.82 second feet, was issued thereunder on March 22, 1967, showing that said works
were completed on the 25th day of February, 1964; and that on the 25th
day of February, 1964, C. LEROY GARNER -Assignee MARY J. CONRAD

of Burley, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well,
a tributary of subterranean flow, for the purpose of irrigation
under Use Permit No. G-30884 of the Department of Reclamation,
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
14 of Licenses at page 8723, on the 22 day of March, 1967;
The right hereby confirmed dates from November 9, 1962;

The Point of Diversion is located
in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10, Tp. 11 S., R. 21 E., B. M., Cassia County.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 5.82 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
11 S.	21 E.	8	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	17
		9	NE $\frac{1}{4}$	160	160
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	37
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			S $\frac{1}{2}$ NW $\frac{1}{4}$	80	80
			SE $\frac{1}{4}$	160	<u>160</u>
		Total number of acres to be irrigated:			494

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

22nd day of March, 1967.

s/ R. Keith Higginson
State Reclamation Engineer.

(SEAL)

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 _____ county of _____ (Name of court)

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 $\frac{1}{4}$ 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	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

RECORDED

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 _____ 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 11/1amount .02 for stockwater purposes from 1/1 to 12/31amount _____ 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 annum7. Location of original point of diversion is NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15Township 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					39	38	39	39	39	39	39	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 432-5444Post 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 _____ 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 annum**7. Location of original point of diversion is** NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 15Township 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.**MICROFILM**

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 _____ 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:

not given on license

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 secondb. _____ &/or
acre feet per annum7. Location of original point of diversion is SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 9Township 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				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 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 432-5444Post 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 _____ county of _____
(Name of court)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 _____ to _____
(month/day — both dates inclusive)6. Total amount of water under right: a. 5.82 cubic feet per second
&/or
b. _____ acre feet per annum7. 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, REMA**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 _____ 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 _____

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

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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. 45-7238 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 annum7. Location of original point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ 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.	1/4 E 1/4				1/4 NW 1/4				1/4 SW 1/4				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, REMA

MICROFILMED

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ 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, ssw, 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 willful 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, 19 85

[Signature]
(Notary Public)

My commission expires 6.6

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 45-2583/2689/7020/7035/7110/7238/7374 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 AS Date 6-27-1985 Protest filed by None
Prelim. check by ADM Fee 50.00 #36642
Received by AS Date 6-27-1985 H. 306-412
Published in South Idaho Press
Pub. dates 8/29 + 9/5/85
Copies of protest forwarded by _____
Hearing held by _____ Date _____
Watermaster recommendation requested on N/A Recommended for approval denial
rec'd. _____ by ADM Jim

MICROFILMED

To Appropriate the Subterranean Waters of the State of Idaho

Application No. G- 36679
Permit No. G- 30601
District No.

Assigned to

1. Name of Applicant: C. LEROY GARNER

Postoffice address: R#2, Burley

County: Cassia

State: Idaho

2. Quantity of water claimed: Six (6) second feet

(a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute

(b) Annual withdrawal in acre feet per annum

3. Source of water supply: Subterranean well

4. Location of point of diversion or well is in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 10
Twp. 11 S, Rge. 21 E., B.M., County of Cassia

5. Water is to be used for: Irrigation

6. If for municipal, industrial or recreational purposes, give:

(a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section, Twp.
Rge., B.M.

(b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section, Twp., Rge., B.M.

7. Kind of works: Subterranean well, pump, ditches

8. Estimated cost of works: \$20,000.00

9. (a) Is reservoir to be used?

(b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation:

(b) Amount of capital stock: \$ (c) Amount paid in: \$

(d) Names and addresses of directors:

II. The financial resources of the applicant are (a) Cash onhand: \$

(b) Treasury stock: (c) Bonds to be issued:

(d) Other resources:

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: Some water is available to the land under Permit No. G-27923 but the water under G-27923 is not sufficient to irrigate the land and this to supplement water on part of the lands shown under Permit G-27923

(a) (cubic feet per second, ~~inches or gallons per minute~~) of the water herein applied for is to be supplemental to the existing water rights.

(b) (cubic feet per second, ~~inches or gallons per minute~~) is for new lands.

Remarks:

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.

s/ C. LeRoy Garner Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 8:00 A.M. November 9, 1962

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 30884

Recorded in Book 108 Page 30884 Approved January 14, 1963

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Road in the sum of \$ to be filed on or before

Work to begin on or before and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before July 14, 1965

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before January 14, 1968

Witness my hand this 14th day of January, 1963 s/ CARL E. TAPPAN, Assistant
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SHYLER, Governor of the State of Idaho, and ARTHUR WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 14th day of January, 1963.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ROBERT E. SHYLER
Governor

By s/ ARTHUR WILLIAMS
Secretary of State.

12.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11 S	21 E	10																	160
		9																	240
																		TOTAL	400
<u>A S S I G N M E N T</u>																			
For value received, I hereby assign 120 inches my right, title, and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No.G30884 to MAXINE CALL GARNER of Burley, Cassia County, Idaho.																			
/s/ C. LeROY GARNER Permit Holder																			
/s/ GLADYS C. GARNER Wife of Permit Holder																			
STATE OF IDAHO) County of) ss																			
On this 4th day of June, 1963, before me, a Notary Public for the State of Idaho, residing at Burley, Idaho personally appeared C. LeRoy Garner and Gladys C. Garner known to me to be the persons whose names are subscribed to the within instrument, and duly acknowledged to me that they executed the same.																			
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.																			
/s/ Norman H. Nielson Notary Public Residing at Burley, Idaho																			
My commission expires May 12, 1966																			

*Southeast Quarter, the South Half of the North Half of Section 9, Township 11 South, Range 21 E.B.M.

TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. G-30884

Comes now C. LEROY GARNER, and represents to the State Reclamation Engineer of the State of Idaho. That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-30884, and requests that the list of lands to be irrigated, as described in said permit, be changed to include the following:

The Southeast Quarter of Section 9 and that portion of the South Half of the North Half of Section 9 not already included in said Permit No. G-30884 making a total of approximately 180 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Burley, Idaho, this 6 day of June, 1963

C. LeRoy Garner

/s/ By

Norman H. Nielson, His Attorney

of receipt at Office of Department of Reclamation June 7, 1963

APPROVAL OF STATE RECLAMATION ENGINEER

I, Ralph W. Thomas, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-30884. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ RALPH W. THOMAS

Deputy State Reclamation Engineer

Recorded: June 10, 1963

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, No. G-30884
Land List

Comes now C. LEROY GARNER and represents to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-30884, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

NE $\frac{1}{4}$ and the SE $\frac{1}{4}$ of Sec. 9, Township 11 So., Range 21, E. B. M.; the NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Section 8, Township 11 So., Range 21 E., B. M., minus the following described property, to-wit: That part of the NE $\frac{1}{4}$ of Section 8, Township 11 South, Range 21, E. B. M., which lies north of U. S. Highway 30 and is more particularly described as follows: Beginning at the Northwest corner of the Northeast Quarter of Section 8, Township 11 South, Range 21 E. B. M.; thence South 1,790 feet more or less to the center line of U. S. Highway 30 South; thence northeasterly along said U. S. Highway 30 South to the Northeast corner of said Section 8; thence West 2,640 feet more or less to the point of beginning; which said tract contains 54 acres more or less, including the right of way for U. S. Highway 30 South the County Road, making a total of 580 acres.

That an additional amount of water is not asked for and that the rights of others will not be adversely affected by such change.

Signed at Burley, Idaho, this 14th day of January, 1964.

C. LeROY GARNER

By Norman H. Nielson

of Receipt at office of Department of Reclamation January 21, 1964

APPROVAL OF STATE RECLAMATION ENGINEER

I, RALPH W. THOMAS, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-30884. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

s. RALPH W. THOMAS

, Deputy State Reclamation Engineer

A S S I G N M E N T ✓

✓ For value received, I hereby assign 120" of my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. G-30884 to Mary J. Conrad of Murtaugh, Idaho.

/s/ Maxine Call Garner
Permit Holder
/s/ Leland J. Garner
Husband of Permit Holder

STATE OF IDAHO)
 : ss
County of)

On this 7 day of May, 1965, before me, a Notary Public for the State of Idaho, residing at Burley, Idaho personally appeared Maxine Call Garner and Leland J. Garner, known to me to be the persons whose names are subscribed to the within instrument and duly acknowledged to me that they executed the same.

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

/s/ Norman H. Nielson
Notary Public Residing at Burley, Idaho

My commission expires: May 12, 1966

(SEAL)

A S S I G N M E N T ✓

✓ For value received, I hereby assign 180 inches of my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. G-30884 to MARY J. CONRAD of Murtaugh, Idaho.

/s/ C. LeRoy Garner
Permit Holder
/s/ Gladys Garner
Wife of Permit Holder

STATE OF IDAHO)
 : ss.
County of Cassia)

On this 25 day of June, 1965, before me, a Notary Public for the State of Idaho, residing at Burley, Idaho, personally appeared C. LE ROY GARNER, known to me to be the person whose name is subscribed to the within instrument and duly acknowledged to me that they executed the same.

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

/s/ Norman H. Nielson
Notary Public in and for Idaho
Residing at Burley, Idaho

My commission expires: May 12, 1966

STATE OF IDAHO)
 : ss.
County of Cassia)

On this 13 day of July, in the year 1965, before me the undersigned, a Notary Public in and for said State, personally appeared Gladys Garner known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

/s/ Norman H. Nielson
Notary Public for Idaho, residing at Burley, Idaho

My commission expires: May 12, 1966

(SEAL)

LAND LIST
Permit No. G-30884

Comes now Mary J. Conrad, and represents to the STATE RECLAMATION ENGINEER of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-30884, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

SE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, T. 11 S., R. 21 E., B.M.; N $\frac{1}{2}$ N $\frac{1}{2}$, Sec. 17; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 18; SW $\frac{1}{4}$ (South of U.S. Hwy 30), Sec. 8, T. 11 S., R. 21 E., B.M., making a total of 590 acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Boise, Idaho this 16th day of December, 1965

/s/ Mary J. Conrad

Date of receipt at office of Department of Reclamation: December 16, 1965

APPROVAL OF STATE RECLAMATION ENGINEER

I, Ralph W. Thomas, Deputy State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-30884. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Recorded: December 17, 1965

AMENDMENT TO LAND LIST

Comes now Mary J. Conrad and represents to the State Reclamation Engineer of the State of Idaho, That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-30884, and requests that the list of lands to be irrigated, as described in said Permit, be changed to read as follows:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 8, N $\frac{1}{2}$, SE $\frac{1}{4}$, Section 9, T 11 S., R 21 E., B.M., making a total of 494 acres. That an additional amount of water is not asked for and that the rights of others will not be affected by such change.

Signed at Boise, this 16th day of January, 1967.

/s/ MARY J. CONRAD

Date of receipt at office of Department of Reclamation: January 16, 1967

APPROVAL OF STATE RECLAMATION ENGINEER

I, R. Keith Higginson, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-30884. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said permit application is approved only insofar as the rights of others will not be affected thereby.

/s/ R. KEITH HIGGINSON

Permit No. G-30884
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

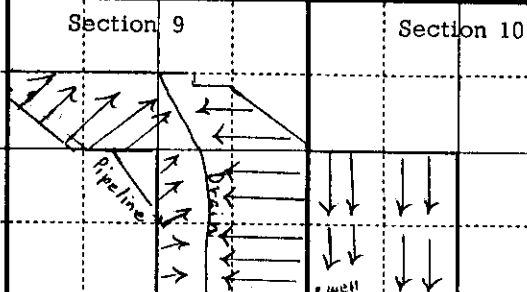
This is to certify that C. LEROY GARNER -Assignee MARY J. CONRAD of Burley, County of Cassia, and State of Idaho, the holder of Permit No. G-30884, issued upon Application No. G-38879 bearing date of priority of November 9, 1962, authorizing the diversion of 6.0 second feet of waters of a well, County of Cassia, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 5.82 second feet of the waters of a well, tributary of subterranean flow; that the point of diversion of said waters is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10, T. 11 S., R. 21 E., B.M. and that the lands proposed to be irrigated by the use or place of use of said water are described as follows, to-wit:

N $\frac{1}{2}$, SE $\frac{1}{4}$, Sec. 9; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 8, T. 11 S., R. 21 E., B.M.

Proof of Completion of Works: February 25, 1964.

Witness my hand this 22nd day of March, A. D. 1967.

/s/ R. KEITH HIGGINSON



Section 10

Township 11 South, Range 21, E.B.M.

Permit Map No. 930884
As Approved JAN 14 1963
GEO. N. CARTER
State Reclamation Engineer

As Approved

14 1963

GEO. N. CARTER

State Reclamation Bureau

30884

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. G-30884

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant C. LeRoy Garner and Maxine Call Garner
2. Source of water supply: Subterranean
3. Location of point of diversion: Is in the SW 1/4 of Section 10
T. 11 S R. 21 E. B.M. County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same: 400 HP C.S. Motor

Sect # 1246527 Peerless Pump Sect # 193223
Discharge 12" steel pipe 15' to 36" dia concrete tower 15' Hgt

5. Water is used for: irrigation
6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

This should read NE 1/4 sec. 8.

NW 1/4, NE 1/4, SE 1/4 Sec. 9., NE 1/4 Sec. 8., Twp. 11 S., Rge. 21 E.B.M. minus that
part of the NE 1/4 of Sec. 8, Twp. 11 S., Rge. 21 E.B.M., which lies North of U. S.
30 and is more particularly described as follows: Beginning at the NW corner of EXHIBIT
NE 1/4 of Sec. 8., Twp. 11 S., Rge. 21 EBM., thence south 1790 feet more or less to
the center line of U. S. Highway 30 South; thence northeasterly along said U.S.
Highway 30 South to the NE corner of said Sec. 8; thence west 2640 feet more or
less to the point of beginning; which said tract contains 54 acres more or less,
including right of way for U.S. Highway 30 South and the County Road, making a total
(Submit map on attached plat, showing location and details of above description.)
of 580 acres.

8. What large stream would the water here appropriated finally reach?

Remarks: Mr. Garner Along

New owner Mr. Conrad requests ~~delayed~~ ^{withdrawal of} proof

ID 11 3/8 pipe
Measured by Cox flow meter at 23.65 units x 110.75 in = 2619 GPM =
2.912 inches or 5.82 cfs

This examination was made on the

13

day of

July, 1965

(Signed)

Don Johnson
Don M. Eldredge

Examiner.

plat - 30884

30884

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
JUL 21 1966

Department of Reclamation

C. LeRoy Garner and Maxine Cell Garner
Route #2
Burely, Idaho 872, 500
Permit No. G-30884

Examination for Completion of Works & Beneficial Use

County Cassia

Quantity 6.0 cfs Sec 10 T. 11S R. 21 E. 10

Source Well

P. D.: Salsu, 10-115-21E

Use: Irrigation

Filed: 11-9-62

Due: 1-14-68

Extension:

Protest:

Completion of Works:

Other Rights:

G-27993

W. B. Garner
Burely, Idaho

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-30884

REPORT ON PROOF OF Completion of Works & Beneficial Use

C. LeRoy Garner, Rt. #2, Burley, Idaho

Maxine Call Garner, Rt. #2, Burley

30884

Mary J. Conrad - 1 Lit G-30884

former C.LeRoy Garner permit

Field examination made 13 July 1965. (DWMc & LJ)

Mr. Garner along on examination. Later he requested the proofs be with drawn.

New owners, amended the permit to $SE\frac{1}{4}$, $S\frac{1}{2}$ $NE\frac{1}{4}$, $SE\frac{1}{4}$ $NW\frac{1}{4}$, Sec. 9 ; $N\frac{1}{2}$ $N\frac{1}{2}$, Sec. 17 ;
 $NE\frac{1}{4}$ $NE\frac{1}{4}$, Sec. 18 ; $SW\frac{1}{4}$, Sec. 8 (south of US 30) Twp. 11S. Rge. 21 E.B.M.
12/16/1965

New owners ,amended the permit to present form on 1/16/1967

Permit may have to be readvertised. 2.

Is additional land being irrigated in the $NE\frac{1}{4}$ Section 8, Twp. 11S Range 21 E.B.M.? No

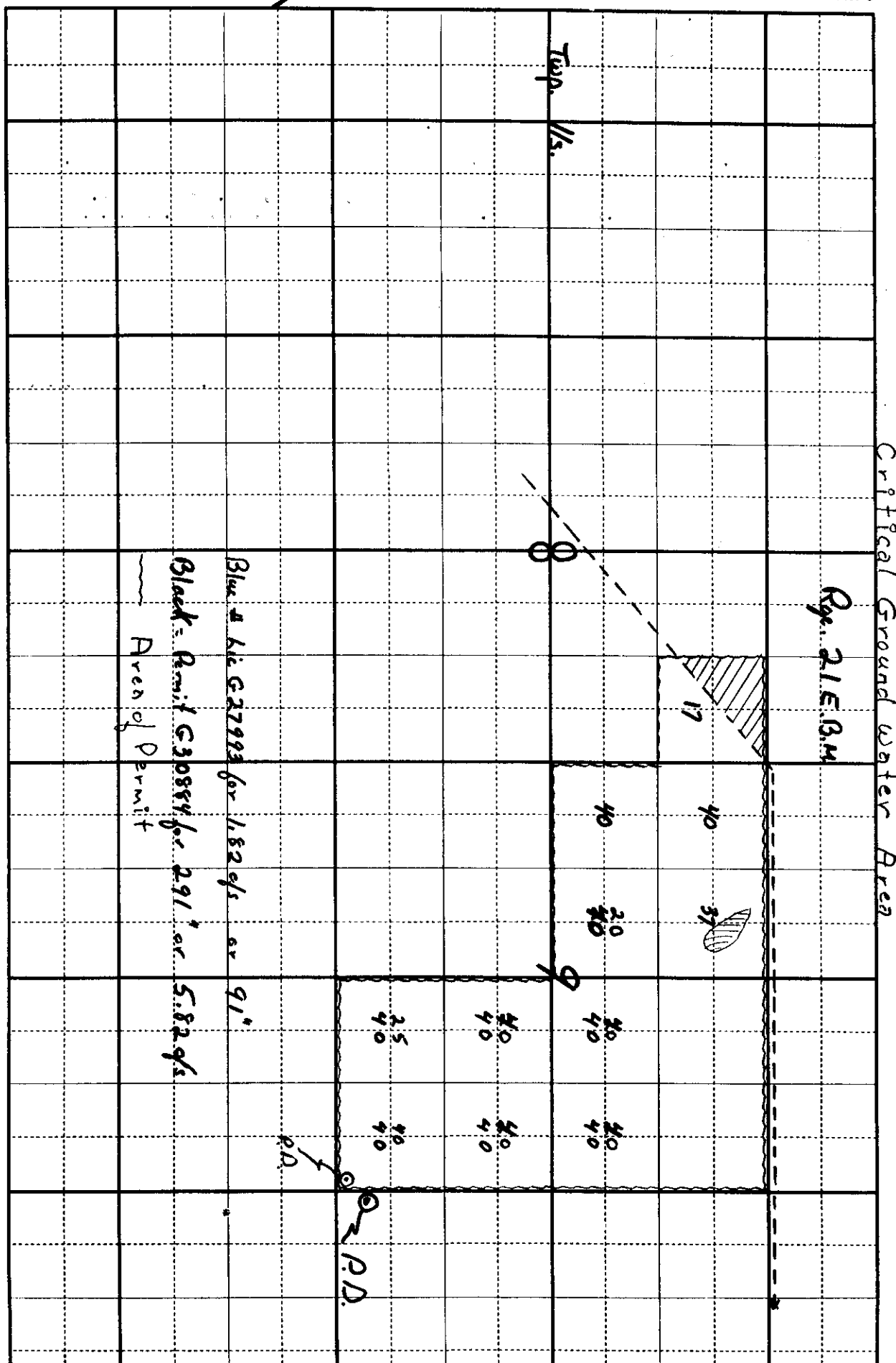
If so, from what source ? N.A.

Field examination made
2-1-67

2-7-67 DMR

NAME OF APPLICANT W. J. Conrad 3884

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

308551