

RECEIVED

MAR 13 2006

DEPARTMENT OF
WATER RESOURCES

JAMES J. DUBOIS,
Attorney, Natural Resources Section
Environment and Natural Resources Division
U.S. Department of Justice
999 18th Street, Suite 945
Denver, Colorado 80202
(303) 312-7341

Counsel for the United States of America

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

In Re SRBA	)	Subcase <u>A25-14175</u>
	)	
	)	
Case 39576	)	STANDARD FORM 4
	)	
	)	MOTION TO FILE:
	)	AMENDED NOTICE OF CLAIM
_____	)	

MOTION TO AMEND CLAIM

Claimant United States of America (U.S. Fish and Wildlife Service) ("United States"), by and through its undersigned attorneys, and pursuant to SRBA Administrative Order 1, Rules of Procedure, and I.R.C.P. 55(c), respectfully moves the Court to enter an Order granting permission to file an Amended Notice of Claim in this case, and as grounds therefor, states:

1. The United States must amend its Notices of Claim to the use of water in the SRBA because:

The source of water for this claim (Unnamed Stream locally known as Hawkins Creek) is one of two sources (Willow Creek and Unnamed Stream aka Hawkins Creek) which were originally included in Notice of Claim No. 25-04045 filed by the United States on behalf of the U.S. Fish and Wildlife Service. However, the Idaho Department of Water Resources ("IDWR")

recommended that Claim No. 25-4045 be limited to only one source and a new claim be filed for the second source. Accordingly, Claim No. 25-4045 was limited to Willow Creek, and Unnamed Stream aka Hawkins Creek was not included as a source for Claim No. 25-4045 in the Director's Report. Claim No. 25-14175 is for the originally claimed second source for the place of use in Claim No. 25-4045. In the hearing on the Motion to file the late claim that is the subject of this matter, a discrepancy with the date of the claim was discovered. Further review conducted to correct the priority date of the claim uncovered other corrections to be made to the description of the irrigated acreage. As a result of newly found evidence the United States seeks to amend the claim to correct the priority date that was originally claimed, and to correct and clarify the claimed place of use to accurately reflect historic practices and conditions under this water right.

2. The factual information and documentation that support the amendment of this claim are attached hereto, and include:

- a) Map showing the of the claimed place of use and water conveyance structures;
- b) An aerial photos showing the irrigated place of use between 1951 and 2004;
- c) The affidavits of Michael N. Fisher, and Daniel Craver;
- d) Fish and Wildlife Service files documenting the use and irrigation of the place of use since the United States acquired the property in 1975.

3. The claim amendments will not prejudice other parties to this litigation, as they more accurately reflect the historic use and operation of these water rights. This motion and the amended notices are timely. The Director's Report relating to Grays Lake National Wildlife Refuge has been issued, and no objection has yet been filed in this matter. No hearing has yet been scheduled. Leave to amend shall be freely given where justice so requires.

4. The field review, discussion with IDWR, and subsequent additional investigation which occurred after the filing of these claims and led to the discovery of the errors with regard to the description of this right are good cause for this Court to allow the amendment submitted herewith. The interests of justice require that leave to amend this claim be granted in order to properly reflect the historical operation of this water right.

5. The Amended Notice of Claim is attached hereto, and incorporated herein by reference.

6. Counsel for the United States of America (U.S. Fish and Wildlife Service) in this matter are designated below, and have read SRBA Administrative Order 1, Rules of Procedure (amended October 16, 1997).

James J. DuBois
Trial Attorney, General Litigation Section
Environment and Natural Resources Division

U.S. Department of Justice
999 18th Street, Suite 945
Denver, Colorado 80202
(303) 312-7341

WHEREFORE, for good cause shown, the United States of America (U.S. Fish and Wildlife Service) respectfully requests this Court to enter an Order granting leave to file the Amended Notice of Claim herein.

Respectfully submitted this 9th day of March, 2006.

SUE ELLEN WOOLDRIDGE
Acting Assistant Attorney General

A handwritten signature in dark ink, appearing to read "James J. Dubois", is written over a horizontal line.

JAMES J. DUBOIS
Trial Attorney, Natural Resources Section
Environment and Natural Resources Division
U.S. Department of Justice
999 18th Street, Suite 945
Denver, Colorado 80202
(303) 312-7341

VERIFICATION

State of Colorado)
County of Denver)

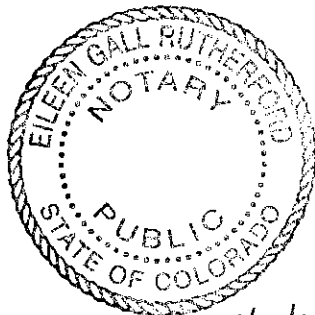
James J. DuBois, being first duly sworn, upon oath, deposes and says:

That I am the attorney for the party/claimant filing this motion for amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

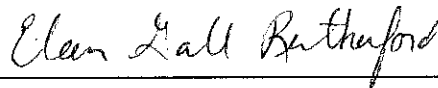


Attorney signing in representative
capacity

SWORN TO AND SUBSCRIBED BEFORE ME, in my presence, this 9th day of March,
2006, a Notary Public in and for the City and County of Denver, State of Colorado.



My Commission Expires 8/23/2008



NOTARY PUBLIC
STATE OF COLORADO

My Commission Expires: 8/23/2008

CERTIFICATE OF MAILING

I certify that on March 9, 2006, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.
(Insert Names/address of parties)



Signature of person or attorney mailing the form

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: A25-14175

Date Received: _____

Receipt No.: _____

Received By: _____

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name: **United States of America** Phone: **503-231-6145**
(Fish and Wildlife Service)
Address: **Division of Engineering**
911 NE 11th Avenue
Portland, OR 97232-4181

2. Date of Priority: September 14, 1951

3. Source: Unnamed Stream (locally known as Hawkins Creek)
Trib. to: Grays Lake

4. Point of Diversion:

Township 4S Range 43E Section 11, SE1/4 of NE1/4 B.M.,
County of Bonneville

Additional Points of Diversion T4S R43E Sec. 11 SE1/4 of NE1/4 B.M.

5. Description of diverting works: **Open ditches and flood irrigation.**

6. Water is claimed for the following purposes:

Purpose	From	To	C.F.S. (or)	A.F.A.
Irrigation/Wildlife	May. 1	Oct. 31	2.88	
Stockwater/Wildlife	Mar. 15	Nov. 15	0.03	

7. Total Quantity Claimed is:

United States of America
Fish and Wildlife Service

2.88 C.F.S. (and/or) _____ A.F.A

8. Non-irrigation uses 100 head cattle, wildlife.

9. Place of Use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
4S	43E	11	NE	SW		1.6
4S	43E	11	NW	SE		29.9
4S	43E	11	SE	NW		5.0
4S	43E	11	SW	NE		38.8
4S	43E	11	NE	NW		10.1
4S	43E	11	NW	NE		29.1
4S	43E	11	SE	NE		11.5
4S	43E	2	SE	SW		12.4
4S	43E	2	SW	SE		5.6

Total Number of Acres Irrigated 144

10. Place of use, county(ies): Bonneville

11. Do you own the property listed above as place of use? **Yes.**

12. Other Water Rights Used:

13. Remarks: **The Grays Lake National Wildlife Refuge was established by the Migratory Bird Conservation Commission on June 15, 1965, for waterfowl nesting and production.**

14. Basis of Claim (Check one) Beneficial Use X Posted Notice _____
License _____ Permit _____ Decree _____

If applicable provide IDWR Water Right Number _____

Court _____ Case Number _____ Decree Date _____

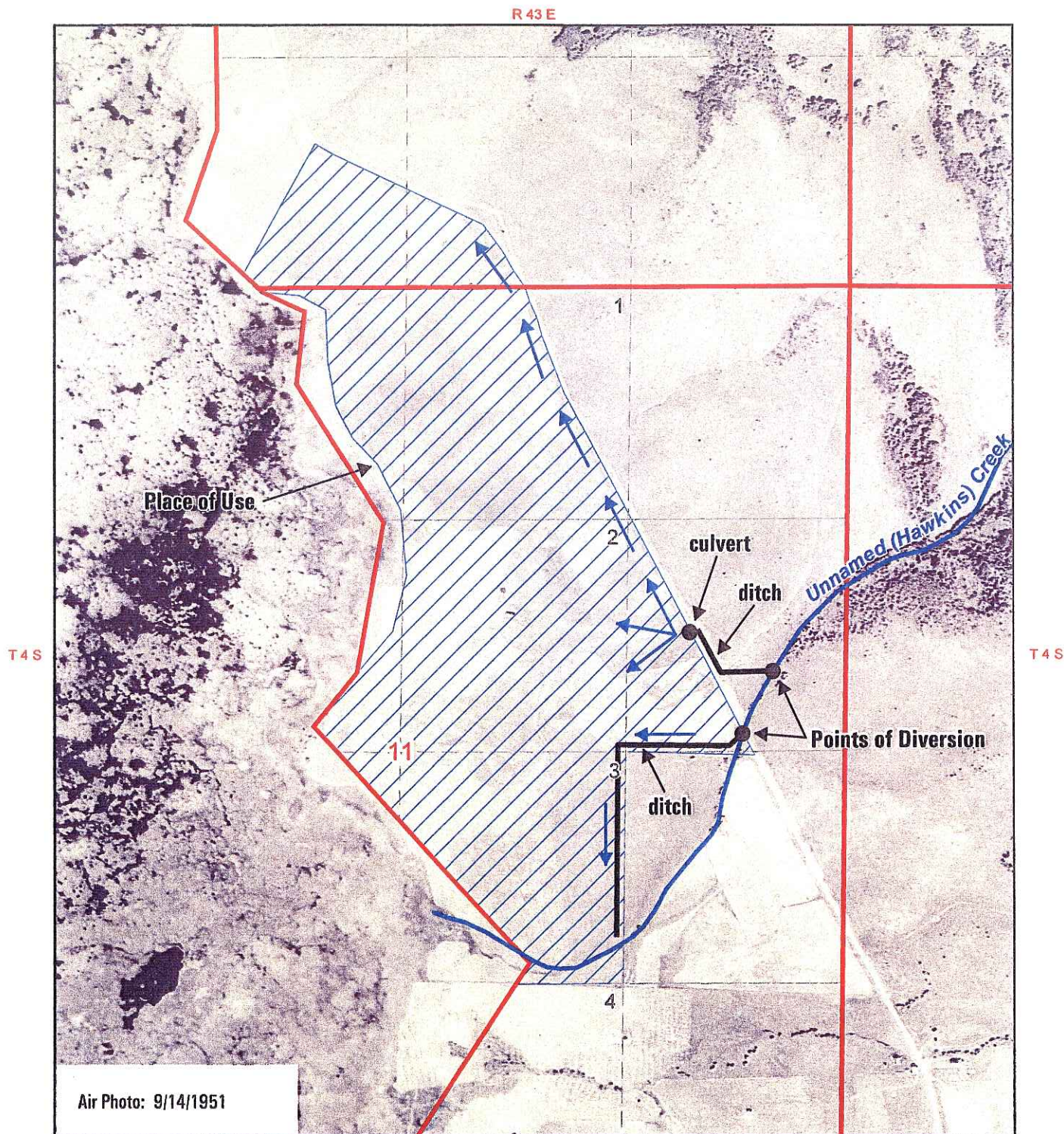


U.S. Fish & Wildlife Service

Grays Lake National Wildlife Refuge

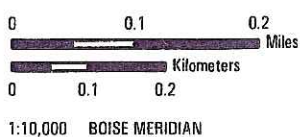
Bonneville County, Idaho

Claim 25-14175 Water Conveyance



THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

Claim25-14175_Water_Conveyance.MXD, 2/14/2006



Water Resources Branch
R1 Division of Engineering
911 NE 11th Avenue
Portland, OR 97232-4191
503-231-6251





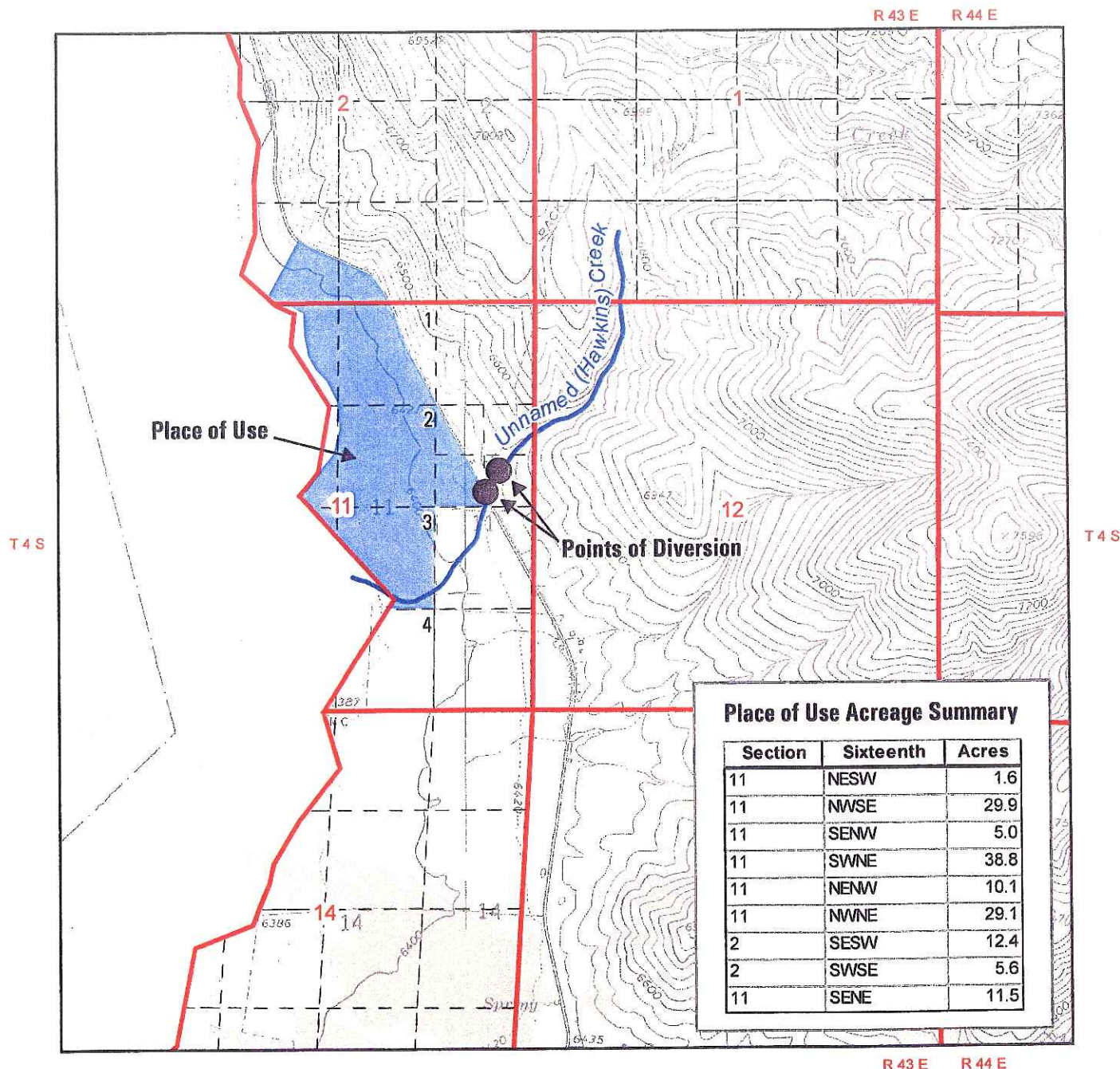
U.S. Fish & Wildlife Service

Grays Lake National Wildlife Refuge

Bonneville County, Idaho

Claim 25-14175 Unnamed Creek (Hawkins Creek)

SOURCE: UNNAMED CREEK (LOCALLY KNOWN AS HAWKINS CREEK)
QUANTITY: 2.88 CFS
POINT OF DIVERSION: T04S R43E S11 SESENE (2 POINTS)
PURPOSE OF USE: IRRIGATION/WILDLIFE, STOCKWATER/WILDLIFE

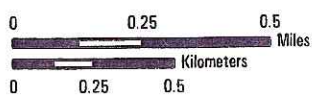


Place of Use Acreage Summary

Section	Sixteenth	Acres
11	NESW	1.6
11	NWSE	29.9
11	SENE	5.0
11	SWNE	38.8
11	NENW	10.1
11	NWNE	29.1
2	SESW	12.4
2	SWSE	5.6
11	SENE	11.5

THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

Claim_25-14175.MXD, 2/3/2006



1:24,000 BOISE MERIDIAN



Water Resources Branch
R1 Division of Engineering
911 NE 11th Avenue
Portland, OR 97232-4191
503-231-6251



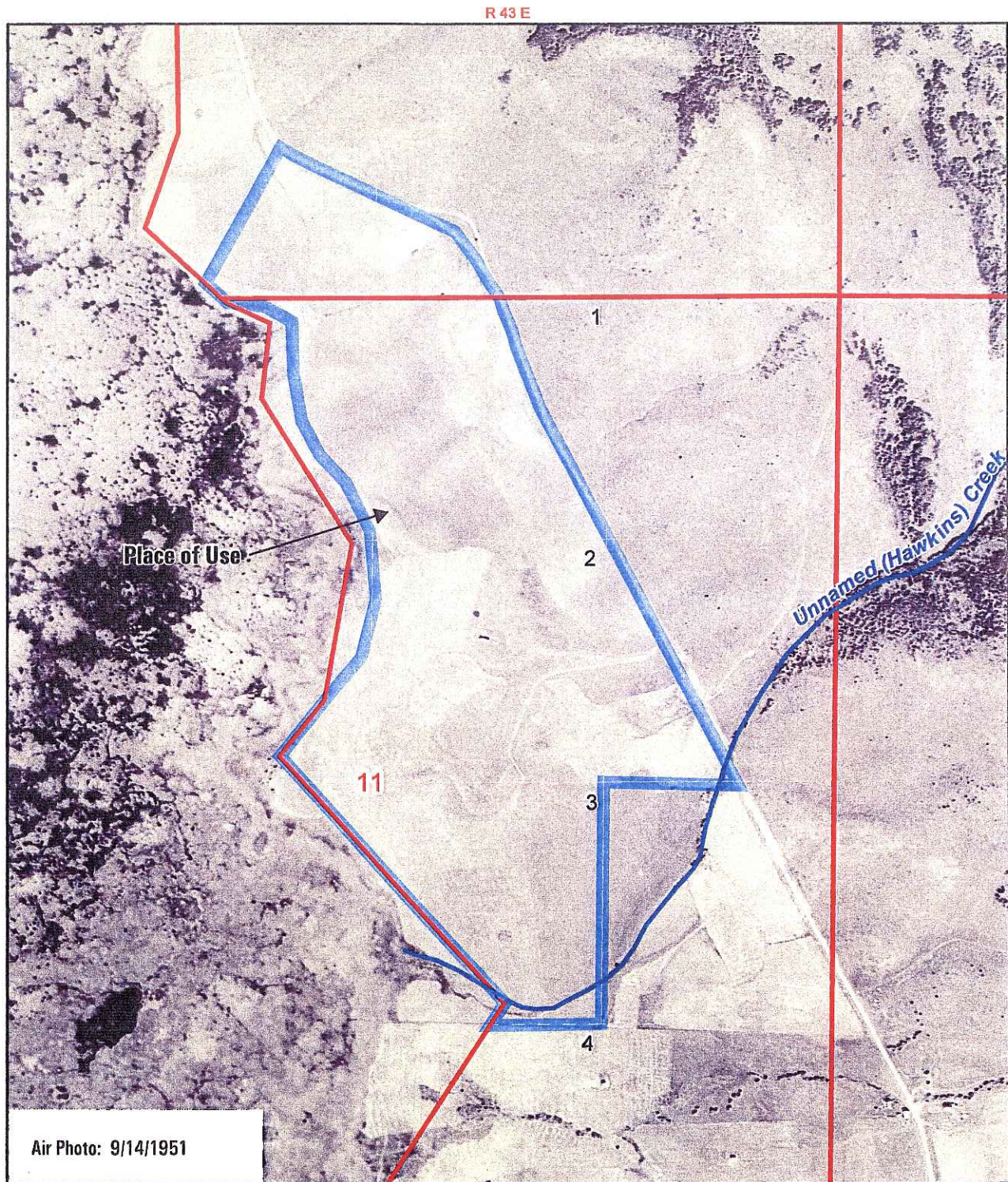


U.S. Fish & Wildlife Service

Grays Lake National Wildlife Refuge

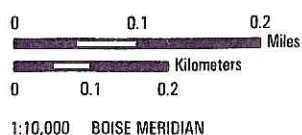
Bonneville County, Idaho

Claim 25-14175 Place of Use



THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

Claim25-14175_19510914.MXD, 2/9/2006



Water Resources Branch
R1 Division of Engineering
911 NE 11th Avenue
Portland, OR 97232-4191
503-231-6251



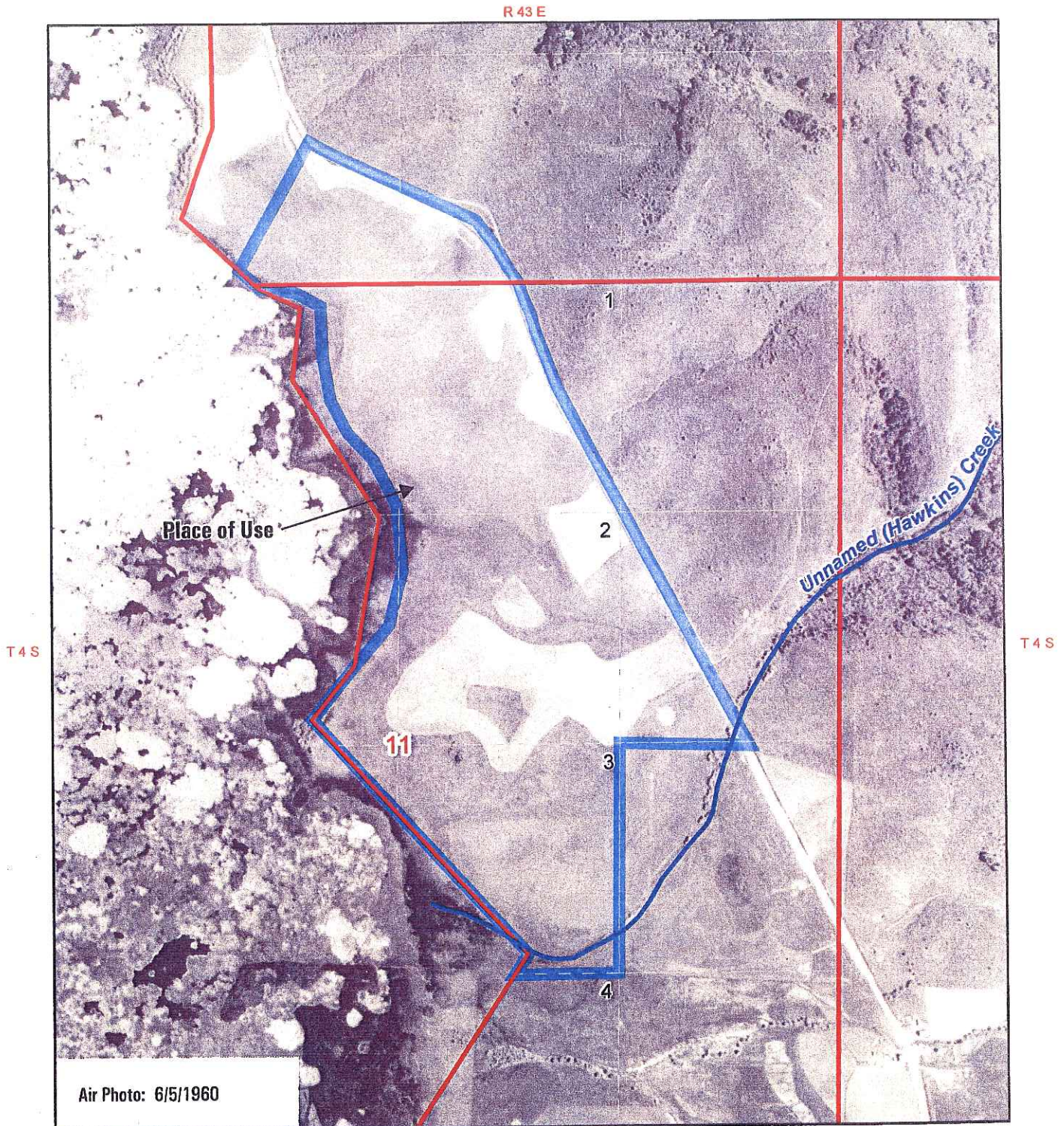


U.S. Fish & Wildlife Service

Grays Lake National Wildlife Refuge

Bonneville County, Idaho

Claim 25-14175 Place of Use



THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

Claim25-14175_19600605.MXD, 2/3/2006



1:10,000 BOISE MERIDIAN



Water Resources Branch
R1 Division of Engineering
911 NE 11th Avenue
Portland, OR 97232-4191
503-231-6251



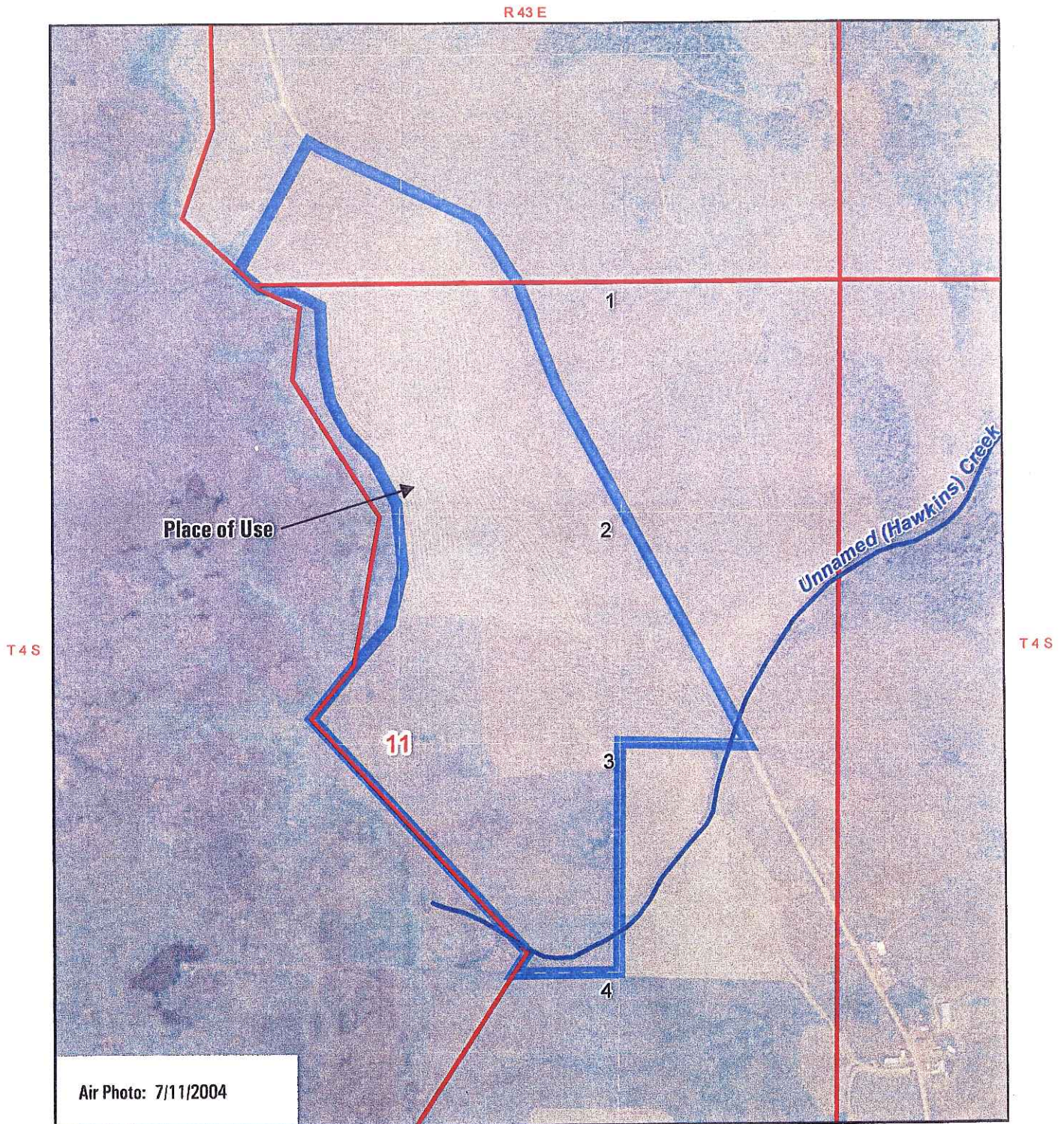


U.S. Fish & Wildlife Service

Grays Lake National Wildlife Refuge

Bonneville County, Idaho

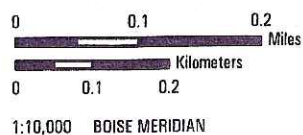
Claim 25-14175 Place of Use



Air Photo: 7/11/2004

THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

Claim25-14175_20040711.MXD, 2/3/2006



Water Resources Branch
R1 Division of Engineering
911 NE 11th Avenue
Portland, OR 97232-4191
503-231-6251



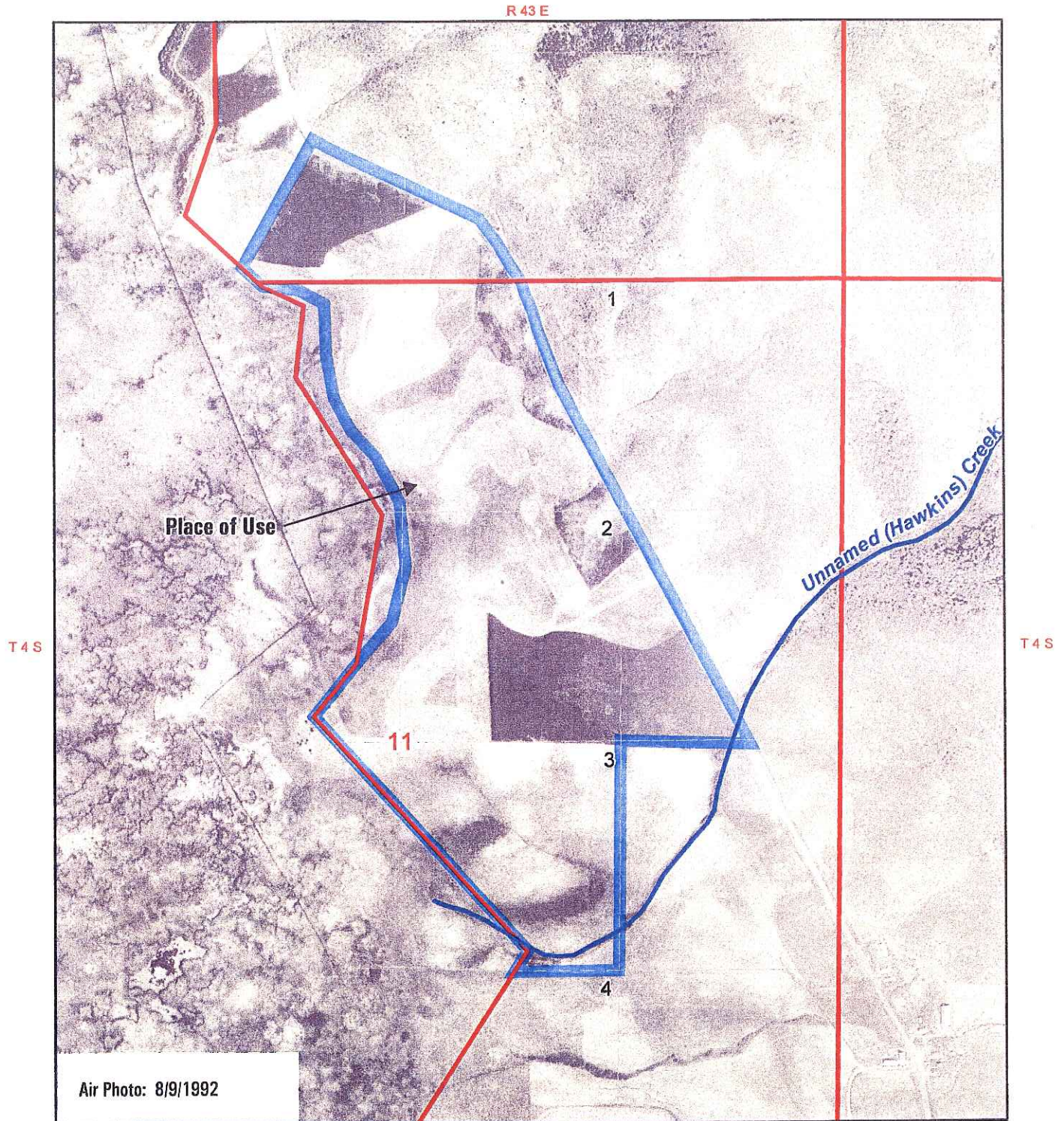


U.S. Fish & Wildlife Service

Grays Lake National Wildlife Refuge

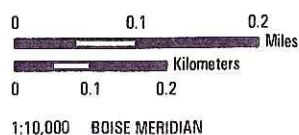
Bonneville County, Idaho

Claim 25-14175 Place of Use



THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

Claim25-14175_19920809.MXD, 2/3/2006



 Water Resources Branch
R1 Division of Engineering
911 NE 11th Avenue
Portland, OR 97232-4191
503-231-6251



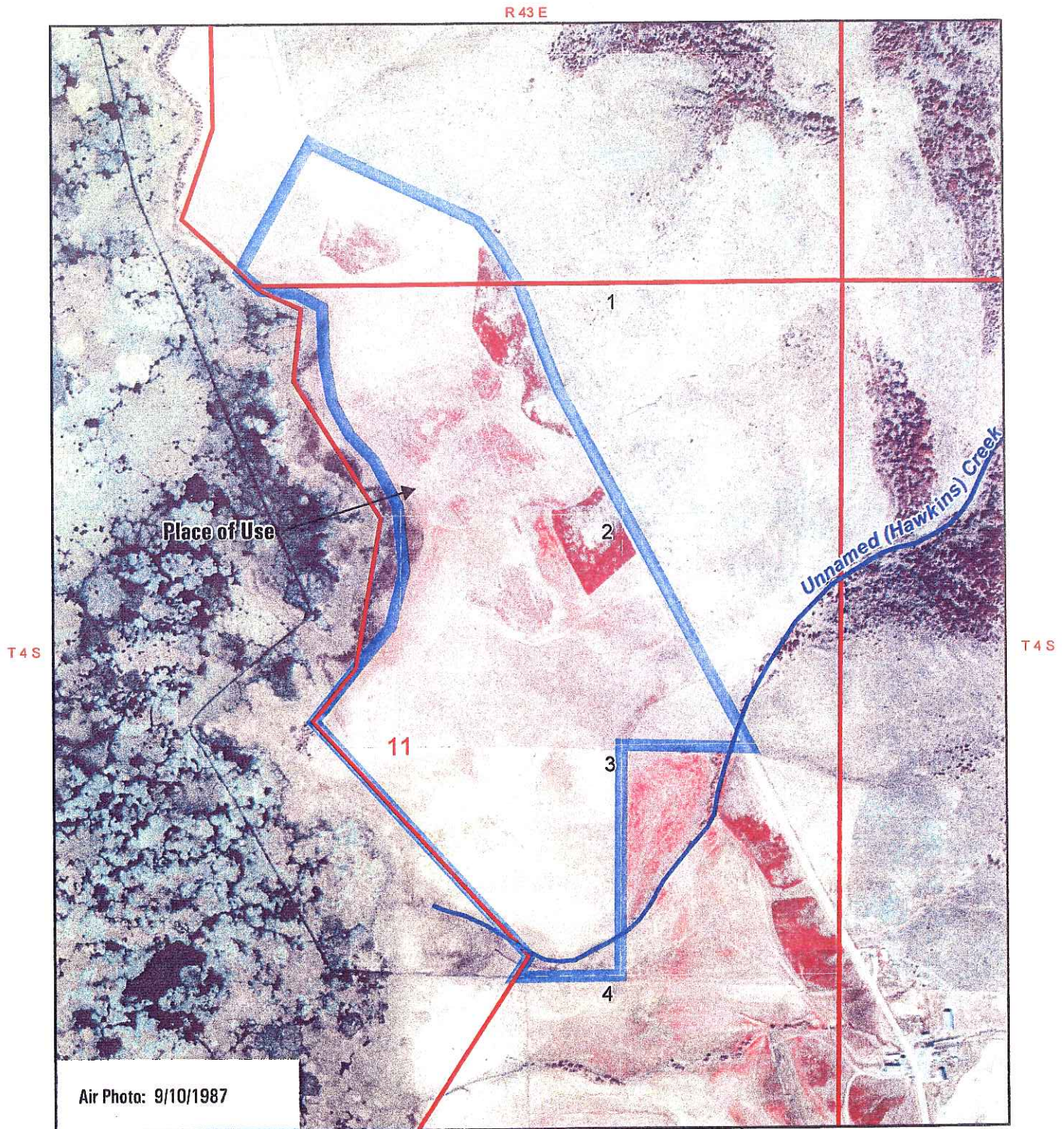


U.S. Fish & Wildlife Service

Grays Lake National Wildlife Refuge

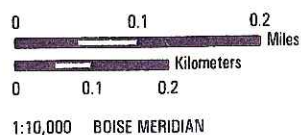
Bonneville County, Idaho

Claim 25-14175 Place of Use



THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

Claim25-14175_19870910.MXD, 2/3/2006



Water Resources Branch
R1 Division of Engineering
911 NE 11th Avenue
Portland, OR 97232-4191
503-231-6251



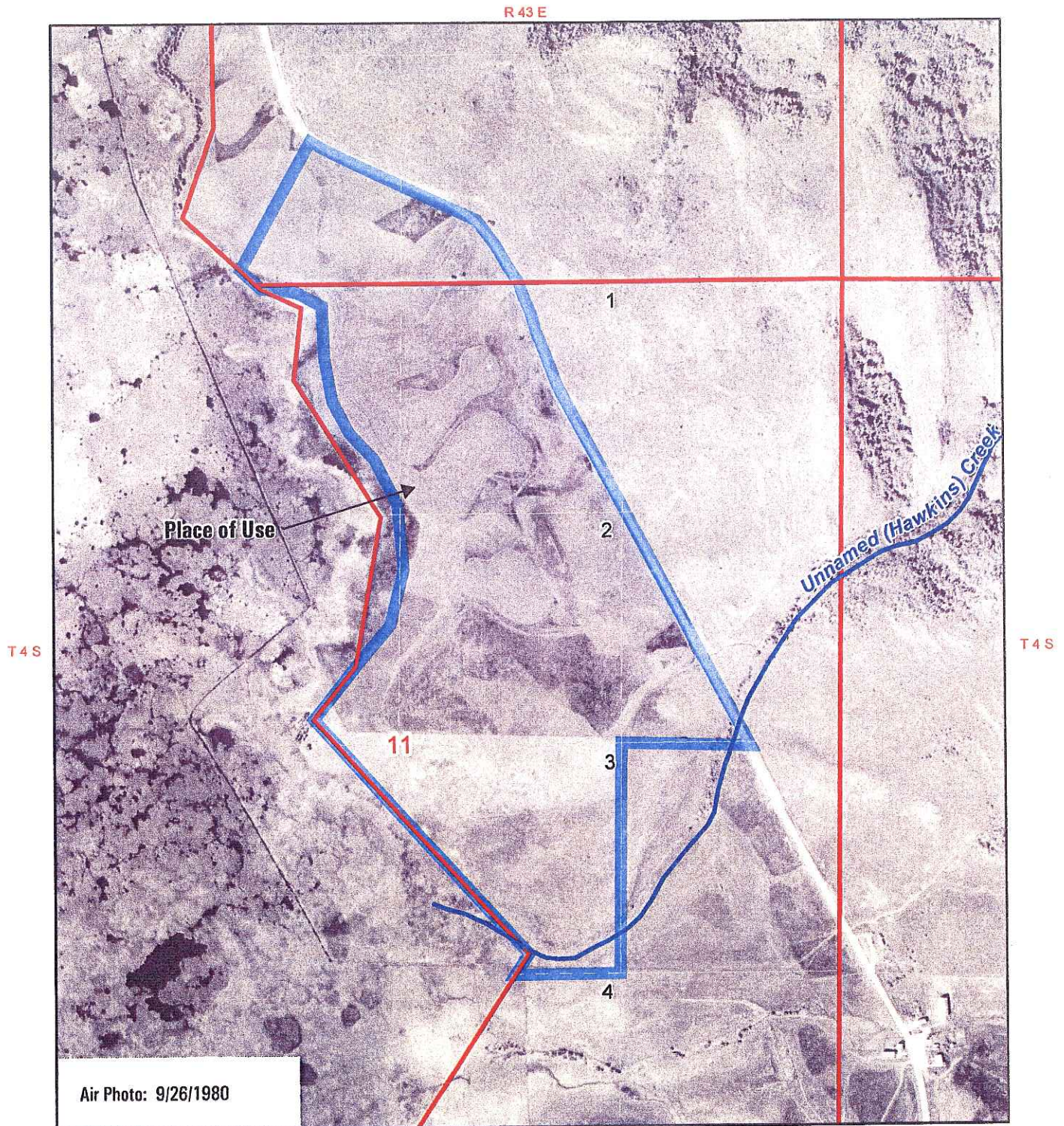


U.S. Fish & Wildlife Service

Grays Lake National Wildlife Refuge

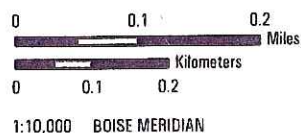
Bonneville County, Idaho

Claim 25-14175 Place of Use



THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

Claim25-14175_19800926.MXD, 2/3/2006



Water Resources Branch
R1 Division of Engineering
911 NE 11th Avenue
Portland, OR 97232-4191
503-231-6251



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

In Re SRBA

Subcase No. 25-14175

Case No. 39576

AFFIDAVIT OF MICHAEL N. FISHER

I, Michael N. Fisher, being first duly sworn, depose and testify as follows:

1. My name is Michael N. Fisher and I have been employed by the U.S. Fish and Wildlife Service (USFWS or Service) since 1986. I am currently employed as a Supervisory Wildlife Biologist at the Southeast Idaho National Wildlife Refuge Complex in Chubbuck, Idaho. I have been in this position since November, 2003.
2. Previous to this position, from December, 1989 to November, 2003, I was the Refuge Manager at the Grays Lake National Wildlife Refuge (Refuge), near Wayan, Idaho.
3. In my role as Refuge Manager, I was responsible for administering and managing the daily operations of the Refuge. Besides routine Refuge administrative duties, a large portion of my time was spent managing important Refuge wildlife and habitat resources, including expansive wet meadows and uplands adjacent to the 22,000 acre lake bed. My duties included managing critical habitat management programs, such as: habitat enhancement, habitat restoration and water manipulation; burning; weed spraying; wildlife surveys; irrigation of agricultural lands and wetlands; and conducting farming, haying and grazing activities. Critical irrigation duties included ensuring that wet meadows were properly irrigated for use by wildlife during the critical breeding, nesting and migration seasons to produce cover and forage for wildlife and stock use; for filling shallow wetland ponds and sloughs for wildlife and stock use; irrigation of grain/alfalfa fields grown for wildlife; and, irrigation of Refuge hay meadows. In addition to providing forage for permittees' livestock and for growing crops of hay, the flood irrigation methods used at the Refuge by me and my staff created valuable habitats such as wet meadows, dense grass stands and grain crops for nesting, foraging and migrating greater sandhill cranes, ducks, geese, trumpeter swans, shorebirds (i.e. willet, avocet, curlew), marshbirds (i.e. herons, egrets, white-faced ibis) and a wide assortment of other wildlife species dependant on these types of wetland habitats (meadows, grain fields, ponds, shallow sloughs).

4. I am familiar with water right claim no. 25-14175 filed in the Snake River Basin Adjudication. Tract 32 covers 144 acres in portion of Sections 2 and 11, T.4S, R.43E, the place of use for claim number 25-14175. The detailed legal description listed in the USFWS amended claim is as follows:

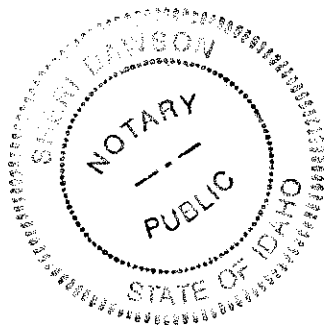
Township	Range	Section	¼ of ¼	Acres
4S	43E	11	NE, SW	1.6
4S	43E	11	NW, SE	29.9
4S	43E	11	SE, NW	5.0
4S	43E	11	SW, NE	38.8
4S	43E	11	NE, NW	10.1
4S	43E	11	NW, NE	29.1
4S	43E	11	SE, NE	11.5
4S	43E	2	SE, SW	12.4
4S	43E	2	SW, SE	5.6
Total				144.0

5. The source of the water for irrigation of Tract 32 is an unnamed stream locally known as Hawkins Creek. The point of diversion from Hawkins Creek to serve Tract 32 is the SE ¼ NE ¼ Section 11 T.4S, R.43E, B.M.; and this point of diversion serves both Tract 32 and other property retained by Mr. Humpherys.
6. Tract 32 was owned by Reed Humpherys from 1948 until 1975 when the USFWS acquired Tract 32 from him, as indicated in the attached Warranty Deed. That transaction transferred all appurtenant "water, water rights, water appropriations, ditches, ditch rights-of-way and ditch rights as heretofore used and enjoyed in connection with the [Tract 32] lands" to the USFWS.
7. The preliminary survey at time of sale of Tract 32 indicated that Tract 32 included 200.85 acres. The USFWS has informed me that subsequent adjustments for the meander line and lake bed areas by both the Idaho Department of Water Resources and USFWS have reduced the claimed place of use for this water right to approximately 144 acres.
8. Water directed to Tract 32 from the point of diversion can be directed to the north and south portions of Tract 32. The south half is watered by diverting water through the culvert under the county road. The north portion of Tract 32 is watered by diverting the water northwest along the county road ditch to a culvert. From conversations with Mr. Humpherys and Engineering Equipment Operator Ralph Stoor, I understand that Tract 32 had been irrigated in this manner for many years prior to its acquisition by the USFWS in 1975.

Refuge records indicate that the USFWS, through the agency of Mr. Humpherys, irrigated Tract 32 for purposes of haying and grazing each year from the time of acquisition in 1975 up to and including 1989. Subsequent to my arrival as Refuge

Manager in December 1989, the Refuge took a more active role in the physical diversion and measurement of water on Tract 32, beginning with the field season of 1990. I attest from personal knowledge that water was applied to the south half of the place of use during the field seasons of my tenure as manager, 1990-2003. During the same period, efforts were made by me and the Refuge staff to divert water to the north half of the place of use when sufficient water was available. On at least two occasions water was successfully applied to the north half of the place of use. During every five year period after my arrival in 1989, water either was successfully applied to the north place of use, or good faith attempts were made to do so and were thwarted either by Mr. Humpherys, or drought conditions. During my tenure as refuge manager, the north and south portions of Tract 32 have been managed by both the USFWS and its cooperating permittee as a single unit.

Further affiant saith not. DATED this 17th day of February 2006.



A handwritten signature of Michael N. Fisher in black ink.

Michael N. Fisher
U.S. Fish and Wildlife Service
4425 Burley Drive, Suite A
Chubbuck, Idaho 83204

STATE OF Idaho) s.

COUNTY OF Bannock) s.

The affiant, Michael N. Fisher, being first duly sworn by me, hereby declares that he has read the foregoing Affidavit and that the information contained therein is true and accurate to the best of his knowledge and belief.

Subscribed and sworn to me by Michael N. Fisher this 17th day of February 2006.

A handwritten signature of the Notary Public in black ink.
NOTARY PUBLIC

Residing at: Pocatello, Id

My Commission expires: 08/06/07

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

In Re SRBA

Subcase No. 25-14175

Case No. 39576

AFFIDAVIT OF DANIEL CRAVER

I, Daniel Craver, being first duly sworn, depose and testify as follows:

1. My name is Daniel Craver, I am over 18 years old, and I have lived in Portland Oregon for 5 years. I graduated from Portland State University in 2002 with a Bachelor of Science in Geography.
2. I am currently employed as a Cartographer for the U.S. Fish and Wildlife Service (USFWS) Region 1, Water Resources Branch. I have worked in this position for 3 years.
3. In my role as Cartographer, I am assigned responsibility and duties for geographic data management and analysis including but not limited to map and air photo interpretation.
4. I have 4.5 years of experience interpreting aerial photography, including identifying land uses, vegetation types, and infrastructure elements.
5. I am familiar with water right claim no. 25-14175 filed in the Snake River Basin Adjudication. Tract 32 is the claimed place of use for claim no. 25-14175.
6. I have analyzed the aerial photography submitted with claim 45-14175. These aerial photos are from the dates 9/14/1951, 6/5/1960, 8/21/1980, 9/26/1980, 9/10/1987, 8/9/1992 and 7/11/2004. In every case, the place of use for 45-14175 appears to be under cultivation. The evidence is shown to be consistent with typical agricultural land management practices including water application and distribution.

Further affiant saith not. DATED this 16th day of February 2006.



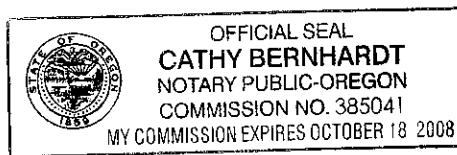
Daniel Craver
U.S. Fish and Wildlife Service
911 NE 11th Avenue, 2W ENG
Portland, Oregon 97232

STATE OF Oregon) s.

COUNTY OF Multnomah) s.

The affiant, Daniel Craver, being first duly sworn by me, hereby declares that he has read the foregoing Affidavit and that the information contained therein is true and accurate to the best of his knowledge and belief.

Subscribed and sworn to me by Daniel Craver this 16th day of February 2006.



Cathy Bernhardt
NOTARY PUBLIC

Residing at: Portland, Oregon

My Commission expires: October 18, 2008

UNITED STATES DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE

GRAYS LAKE National Wildlife Refuge



SPECIAL USE PERMIT

Station No. to be Credited
14612

Permit Number
14612-5-H-002

Date

March 7, 2005

Period of Use (inclusive)

From July 15, 2005

To August 15, 2005

Permittee Name

Reed Humpherys

Permittee Address

648 Grays Lake Road
Wayan, ID 83285

Purpose (specify in detail privilege requested, or units of products involved)

Cutting and removal of hay from Refuge lands for purposes of assisting with wildlife habitat management.

Description (specify unit numbers; metes and bounds, or other recognizable designations)

Haying not to exceed 40 acres on tract 32; also known as the Hayfield Unit (see attached map). Of those 40 acres, approximately 32 acres are alfalfa; target of this permit for purposes of providing wildlife browse.

Amount of Fee \$ _____ if not a fixed payment, specific rate and unit of charge: \$6.00/ton

☐ Payment Exempt - Justification

☒ Full Payment

☐ Partial Payment - Balance of payments to be made as follows:

Record of payments

Balance of payment is due within 30 days of initial billing upon conclusion haying season.

* (Refer to attached Debtor Notice)

Special Conditions

1. Primarily, alfalfa plantings will be cut. Native hay mowing will be limited to the section of approximately 8 acres located on the north end of the Hayfield Unit.
2. All willow plantings in the north end of the field will be avoided. Mowing will occur no closer than within 3 feet of the willow stands.
3. See attached sheets.

This permit is issued by the U.S. Fish and Wildlife Service and accepted by the undersigned, subjected to the terms, covenants, obligations, and reservations, expressed or implied herein, and to the conditions and requirements appearing on the reverse side.

Permittee Signature

Reed Humpherys

Issuing Officer Signature and Title

Richard Munoz
Richard Munoz, Project Leader

5/4/05

UNITED STATES DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE

GRAYS LAKE National Wildlife Refuge



SPECIAL USE PERMIT

Station No. to be Credited
14612

Permit Number
14612-3-H-003

Date

20 June 2003

Period of Use (inclusive)

From July 10, 2003 M.N.F.

To August 15, 2003

Mistake on SUP
Date changed to
July 1 - Approved -
R. Munoz

Permittee Name

Reed Humphreys

Permittee Address

648 Grays Lake Road
Wayan, ID 83285

Purpose (specify in detail privilege requested, or units of products involved)

For haying on Grays Lake National Wildlife Refuge in accordance with the Special Conditions attached.

Description (specify unit numbers; metes and bounds, or other recognizable designations)

Haying not to exceed 70 acres on tract 32 known as "Hayfield" (see attached map). Of those 70 acres, approximately 32 acres are alfalfa, the target of this permit.

Amount of Fee \$ _____ if not a fixed payment, specific rate and unit of charge: \$6.00/ton

☐ Payment Exempt - Justification

☒ Full Payment

☐ Partial Payment - Balance of payments to be made as follows:

Record of payments

Balance is due 30 days from billing issued at the end of the haying season.

Special Conditions

1. Primarily alfalfa plantings will be cut. Native hay mowing will be limited to those areas between alfalfa patches.
2. Avoid willow plantings in the north end of the field. Mow no closer than 3 feet to the willows.
3. See attached sheets.

This permit is issued by the U.S. Fish and Wildlife Service and accepted by the undersigned, subjected to the terms, covenants, obligations, and reservations, expressed or implied herein, and to the conditions and requirements appearing on the reverse side.

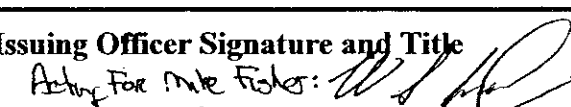
Permittee Signature

Reed Humphreys

Issuing Officer Signature and Title

Richard Munoz, Project Leader

Acting

UNITED STATES DEPARTMENT OF THE INTERIOR FISH AND WILDLIFE SERVICE Gray's Lake National Wildlife Refuge  SPECIAL USE PERMIT	Station No. to be Created 14612 Permit Number 2056 Date July 2, 2001 Period of Use (inclusive) From July 3, 2001 To August 15, 2001
Permittee Name Reed Humphreys	Permittee Address 648 Gray's Lake Road Wayan, ID 83285
Purpose (specify in detail privilege requested, or units of products involved) For haying on Gray's Lake National Wildlife Refuge in accordance with Special Conditions attached. (see Attachment # 1)	
Description (specify unit numbers; metes and bounds, or other recognizable designations) Haying not to exceed 50 acres on the Hayfield, part of Tract 32 (see Attachment # 2). Of that 50 acres, approximately 35 acres are alfalfa, the target of this permit.	
Amount of Fee \$ _____ if not a fixed payment, specific rate and unit of charge: \$6.00/AUM _____ ☐ Payment Exempt - Justification ☒ Full Payment See attached General Debtor Notice. ☐ Partial Payment - Balance of payments to be made as follows:	
Record of payments Balance is due 30 days from billing issued at conclusion of the haying season.	
Special Conditions 1. Primarily small alfalfa plantings will be cut. Native hay mowing will be limited to those areas between alfalfa patches (see Attachment # 2). 2. Avoid willow planting in north end of the Hayfield; mow no closer than three (3) feet from the outermost willows. 3. See attached sheets.	
This permit is issued by the U.S. Fish and Wildlife Service and accepted by the undersigned, subjected to the terms, covenants, obligations, and reservations, expressed or implied herein, and to the conditions and requirements appearing on the reverse side.	
Permittee Signature 	Issuing Officer Signature and Title Acting For Mike Fisher: 



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Grays Lake National Wildlife Refuge
74 Grays Lake Road
Wayan, Idaho 83285

Telephone: 208/574-2755 FAX: 208/574-2756

July 2, 2001

Mr. Reed Humpherys
648 Grays Lake Road
Wayan, Idaho 83285

Dear Reed:

Enclosed is your 2001 haying special use permit, #2056, for Grays Lake National Wildlife Refuge. You are authorized to hay on the Hayfield, part of Tract 32, as specified on the attached permit.

Your haying permit is intended to create short cover feeding areas for cranes and waterfowl on the alfalfa plantings in the Hayfield. It will probably be necessary to cut some native hay, specifically that lying between the alfalfa patches, in order to have an efficient haying operation, but the primary emphasis of this permit will be the alfalfa.

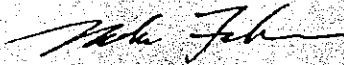
We appreciate your cooperation irrigating the Hayfield by turning water in from Hawkins Creek at the diversion point on your private land. This application of water was within the Refuge water right for the Hayfield and was valuable for sandhill crane and other wildlife habitat.

As last year, we ask that you avoid the willow planting on the north end of the Hayfield during haying operations. The Refuge staff will make sure the willows are marked.

Please check the permit and, if acceptable, sign it and the Special Conditions attachment. Please note all the Special Conditions, including the standard items on the back of the permit form itself. Please mail the permit package in the self-addressed envelope (postage required) to the Refuge office in Wayan. The permit will be valid

upon your receipt of the completed (signed by the refuge manager) permit, which will be mailed to you. You must have the completed permit before haying may begin on the refuge. Contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Fisher", written over a light gray background.

Mike Fisher
Refuge Manager



UNITED STATES DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE

Grays Lake National Wildlife Refuge

SPECIAL USE PERMIT

Station No. to be Credited

14612

Permit Number

No 78499

Date

July 6, 1999

Period of Use (inclusive)

From July 6 19 99

To August 15 19 99

Permittee Name

Reed Humpherys

Permittee Address

648 Grays Lake Rd.
Wayan, Idaho 83285

Purpose (specify in detail privilege requested, or units of products involved)

For haying on Grays Lake NWR in accordance with Special Conditions attached.

Description (specify unit numbers, metes and bounds, or other recognizable designations)

Haying not to exceed 50 acres on Hayfield, part of Tract 32. Of that 50 acres, approximately 35 acres are alfalfa, the target of this permit.

Amount of fee \$ _____ If not a fixed payment, specify rate and unit of charge: \$6.00/ton

☐ Payment Exempt - Justification:

☒ Full Payment

☐ Partial Payment - Balance of payments to be made as follows:

Record of Payments

Balance due within 30 days after billing. See attached General Debtor Notice.

Special Conditions

1. Primarily small alfalfa plantings will be cut. Native hay mowing will be limited to those areas between alfalfa patches (see attached map).
2. Avoid willow planting in north end of Hayfield; mow no closer than three (3) feet from the outermost willows.
3. See attached sheet.

This permit is issued by the U.S. Fish and Wildlife Service and accepted by the undersigned, subjected to the terms, covenants, obligations, and reservations, expressed or implied herein, and to the conditions and requirements appearing on the reverse side.

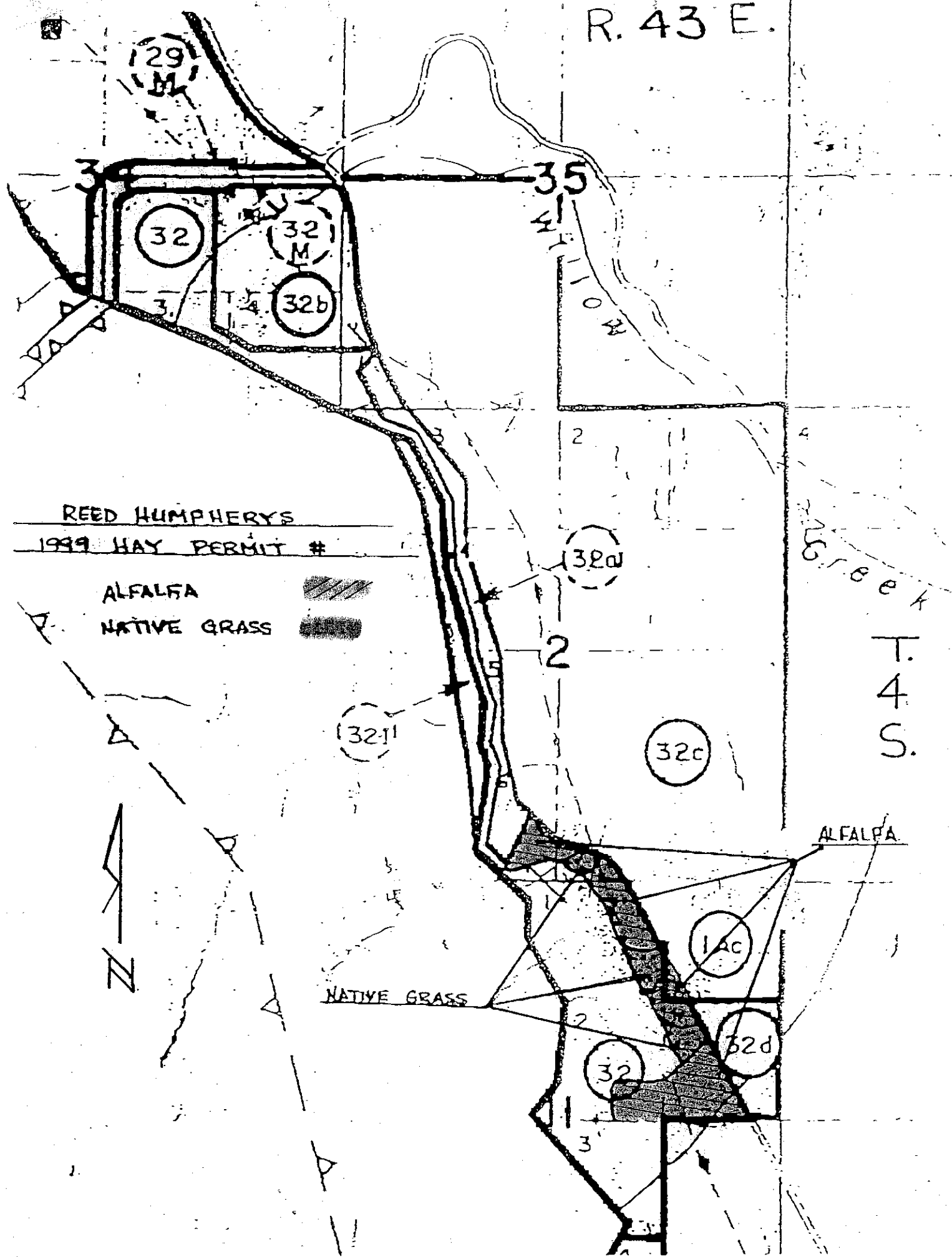
Permittee Signature

Reed Humpherys

Issuing Officer Signature and Title

Terrell E. Gladwin
TERRELL E. GLADWIN, Acting Project Leader

R. 43 E.



REED HUMPHERYS

1999 HAY PERMIT #

ALFALFA

NATIVE GRASS

ALFALFA

NATIVE GRASS

Creek

T. 4 S.



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Southeast Idaho Refuge Complex
1246 Yellowstone Avenue, A-4
Pocatello, Idaho 83201-4372

July 9, 1996

Mr. Reed Humpherys
648 Grays Lake Road
Wayan, Idaho 83285

Dear Reed:

Enclosed is your 1996 haying permit for Grays Lake National Wildlife Refuge. You are authorized to hay on the Hayfield, part of Tract 32, as specified on the attached permit. Haying on the Airstrip field is still under negotiation with you and is not part of this permit.

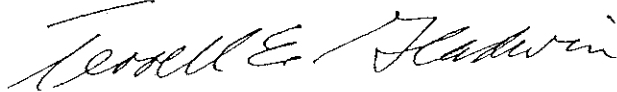
Your haying permit is intended to create short cover feeding areas for cranes and waterfowl on the alfalfa plantings of the Hayfield. It will probably be necessary to cut some native hay, specifically that lying between the alfalfa patches, in order to have an efficient haying operation, but the primary emphasis of this permit will be the alfalfa. We would like to cut as little native hay as possible, since the Hayfield is part of the grassland management study and we need the native vegetation for study purposes. We know that you have been primarily interested in the alfalfa in the past. The Refuge staff will meet with you to mark the cut area so that the boundaries are clearly understood by all parties.

Like 1995, we will need to irrigate the hayed area to provide the highest quality crane and waterfowl forage. We will work with you to again create a series of applications of water from Hawkins Creek. These irrigations will be short so as not to damage the county road barrow ditch and yet still provide good quality waterbird habitat.

As last year, we ask that you avoid the willow planting on the north end of the hayfield during haying operations. The Refuge staff will make sure it is marked.

Please note the Special Conditions on, and attached to, your permit. If you have no other questions, then sign your permit and the Special Conditions attachment, keep the white copy for your records and return the remaining copies to either the Pocatello or Grays Lake office in the enclosed self-addressed envelope (postage required). Feel free to contact Refuge Manager Fisher if you have any questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "Terrell E. Gladwin". The signature is fluid and cursive, with the first name "Terrell" being more prominent.

Terrell E. Gladwin
Acting Project Leader

Enclosures



UNITED STATES DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE

Grays Lake National Wildlife Refuge

SPECIAL USE PERMIT

Station No. to be Credited

14612

Permit Number

74929

Date

July 9, 1996

Period of Use (Inclusive)

From July 15 19 96

To August 15 19 96

Permittee Name

Reed Humpherys

Permittee Address

648 Grays Lake Road
Wayan, Idaho 83285

Purpose (specify in detail privilege requested, or units of products involved)

For haying on Grays Lake NWR in accordance with Special Conditions attached.

Description (specify unit numbers; metes and bounds; or other recognizable designations)

Haying not to exceed 50 acres on Hayfield, part of Tract 32. Of that 50 acres, approximately 35 acres are alfalfa, the target of this permit.

Amount of fee \$ _____ if not a fixed payment, specify rate and unit of charge: \$6.00/ton

☐ Payment Exempt - Justification:

☒ Full Payment

☐ Partial Payment - Balance of payments to be made as follows:

Record of Payments

Balance due within 30 days after billing. See attached General Debtor Notice.

Special Conditions

- 1) Primarily small alfalfa plantings will be cut. Native hay mowing will be limited to those areas between alfalfa patches (see attached map).
- 2) Avoid willow planting in north end of Hayfield; mow no closer than three (3) feet from the outermost willows.
- 3) See attached sheet.

This permit is issued by the U.S. Fish and Wildlife Service and accepted by the undersigned, subjected to the terms, covenants, obligations, and reservations, expressed or implied herein, and to the conditions and requirements appearing on the reverse side.

Permittee Signature

Reed Humpherys

Issuing Officer Signature and Title

Terrell E. Gladwin

TERRELL E. GLADWIN, Acting Project Leader

07/08/96

15:42

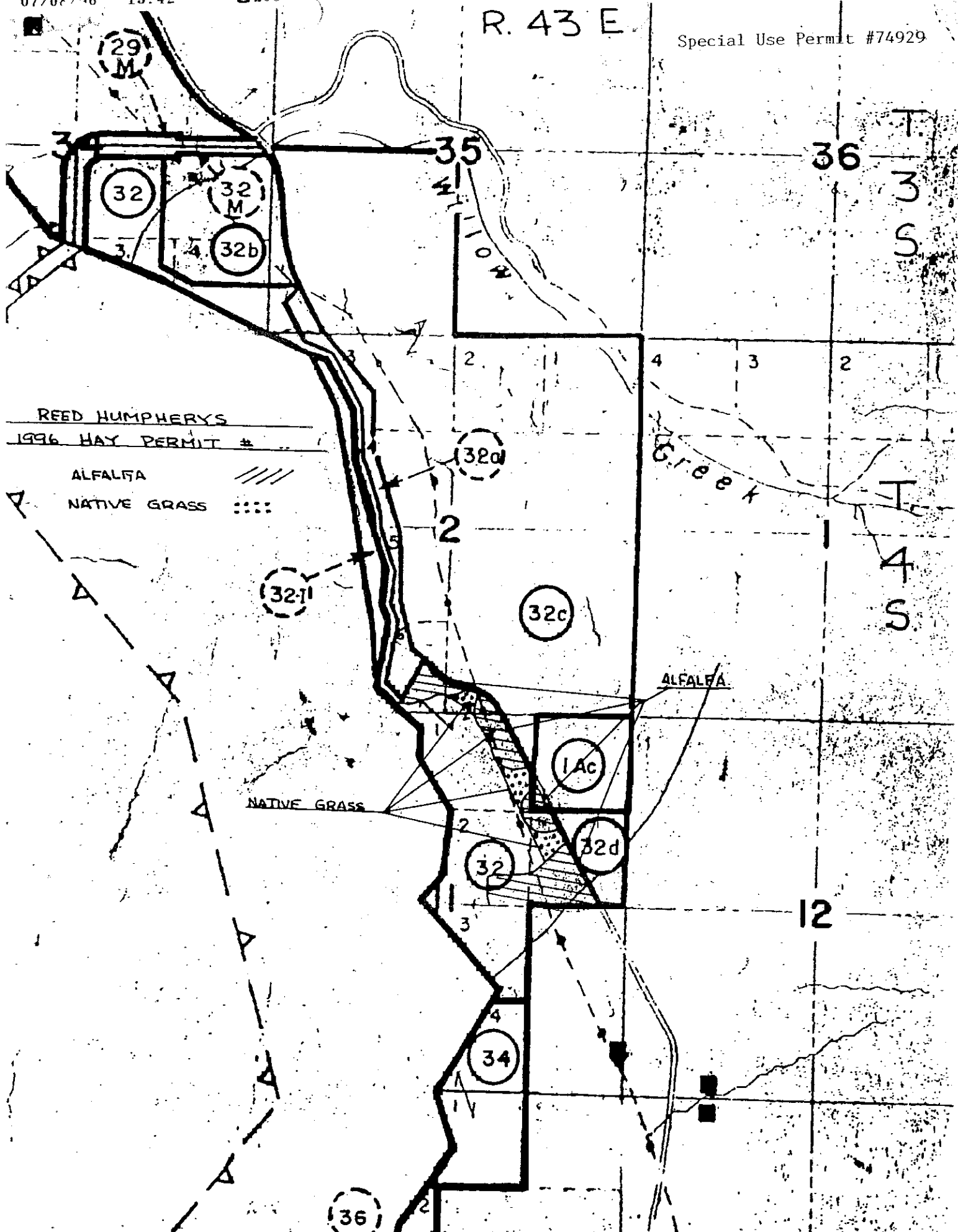
208 574 2756

GRAYS LK. REFUGE

002

R. 43 E

Special Use Permit #74929





United States Department of the Interior

FISH AND WILDLIFE SERVICE

Southeast Idaho Refuge Complex
1246 Yellowstone Avenue, A-4
Pocatello, Idaho 83201-4372

October 11, 1995

Mr. Reed Humpherys
648 Grays Lake Road
Wayan, Idaho 83285

Dear Reed:

This is to confirm our discussions on October 1, 3 and 8, 1995 regarding water rights on Grays Lake National Wildlife Refuge. There are two rights involved: Hawkins Creek and Willow Creek. In both cases, water must pass through your private property in order to reach the prescribed place of use on the Refuge.

For Hawkins Creek, you agreed to change water at the diversion point so water will reach the northern area of use. This change was planned for Thursday, or Friday, after your yearlings were removed from the Hawkins Creek "40" and livestock water is no longer required in that pasture. We agreed to leave the water diverted to the north use area for about 10 days to two weeks. The Refuge offered to supply/install culverts at the diversion point to make water changes easier and was also willing to do the actual water changes at the diversion. You diverted the water on October 8, 1995 and the north use area is now receiving water.

At Willow Creek, we agreed to put water into the "North 40" as soon as possible. The Refuge realized that you had cattle in your private land at the time and that they might have to be removed before irrigation flows could begin. As we discussed, a flow of approximately two weeks should be sufficient. The Refuge was again willing to perform the actual headgate changes and any ditch preparation necessary for the diversion. You also began this agreed upon diversion on October 8, 1995, providing water to the North 40.

In summarizing our conversations, both of these units have been hayed, or grazed. Irrigation is now needed to make the treated areas more attractive for wildlife, particularly waterfowl and shorebirds. Application of this water will complete our management efforts for these units this year, as well as protecting the existing water rights. We appreciate your cooperation in these matter and do not hesitate to contact me if there are any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read "Terrell E. Bladen".

for
Mike Fisher
Grays Lake NWR

cc: Langman, EN-ARW



UNITED STATES DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE

Grays Lake National Wildlife Refuge

SPECIAL USE PERMIT

Station No. to be Credited
14612

Permit Number
55746

Date
July 13, 1993

Period of Use (inclusive)
From July 15, 1993
To August 15, 1993

Permittee Name
Reed Humphreys

Permittee Address
Wayan, Idaho 83285

Purpose (specify in detail privilege requested, or units of products involved)
For haying on Grays Lake NWR in accordance with Special Conditions attached.

Description (specify unit numbers, metes and bounds, or other recognizable designations)
Haying not to exceed 120 acres Tract 32 and 120 acres on Tract 30.

Amount of fee \$
if not a fixed payment, specify rate and unit of charge: \$6.00/ton

☐ Payment Exempt - Justification:
☒ Full Payment
☐ Partial Payment - Balance of payments to be made as follows:

Record of Payments

Special Conditions
On Tract 30 (Rich), all haying activities will be from 10:00 a.m. to 6:00 p.m.
See attached sheet.

This permit is issued by the U.S. Fish and Wildlife Service and accepted by the undersigned, subjected to the terms, covenants, obligations, and reservations expressed or implied herein and to the conditions and requirements appearing on the reverse side.

Permittee Signature
Reed Humphreys

Issuing Officer Signature and Title
CHARLES S. PECK, Refuge Manager/Project Ldr.



UNITED STATES DEPARTMENT OF THE INTERIOR

FISH AND WILDLIFE SERVICE

Grays Lake

National Wildlife Refuge

SPECIAL USE PERMIT

Station No. to be Credited

14612

Permit Number

52976

Date

August 6, 1991

Period of Use (inclusive)

From July 1 19 91

To August 15 19 91

Permittee Name

Reed Humphreys

Permittee Address

Wayan, Idaho 83285

purpose (specify in detail privilege requested, or units of products involved)

For haying on Grays Lake NWR in accordance with Special Conditions attached.

description (specify unit numbers, metes and bounds, or other recognizable designations)

Haying not to exceed 120 acres Tract 32 and 120 acres on Tract 30. See attached map.

Amount of fee \$ _____ if not a fixed payment, specify rate and unit of charge: \$6.00/ton

Payment Exempt - Justification:

Full Payment

Partial Payment - Balance of payments to be made as follows:

Record of Payments

Special Conditions

See attached sheet.

On tract 30 (Rich), all haying activities are not to start before 9:00 AM, but no ending time is presently in effect. You will be contacted by the Refuge Manager if an end time becomes necessary.

This permit is issued by the U.S. Fish and Wildlife Service and accepted by the undersigned, subject to the terms, covenants, obligations, and reservations expressed or implied herein, and to the conditions and requirements appearing on the reverse side.

Permittee Signature

Issuing Officer Signature and Title

MICHAEL N. FISHER, Refuge Manager



UNITED STATES DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE

Grays Lake National Wildlife Refuge

SPECIAL USE PERMIT

Station No. to be Credited

Permit Number

14612

52813

Date

June 13, 1989

Period of Use (inclusive)

From July 1 1989

To December 31 1989

Permittee Name

Reed Humpherys

Permittee Address

Mayan, Idaho 83285

Purpose (specify in detail privilege requested, or units of products involved)

For haying on Grays Lake NWR in accordance with Special Conditions attached.

Description (specify unit numbers; metes and bounds, or other recognizable designations)

Haying Tract 32

Amount of fee \$ _____ if not a fixed payment, specify rate and unit of charge: \$6.00/ton

☐ Payment Exempt - Justification:

☐ Full Payment

☐ Partial Payment - Balance of payments to be made as follows:

Record of Payments

Special Conditions

See attached sheet.

This permit is issued by the U.S. Fish and Wildlife Service and accepted by the undersigned, subject to the terms, covenants, obligations, and reservations, expressed or implied herein, and to the conditions and requirements appearing on the reverse side.

Permittee Signature

Issuing Officer Signature and Title

CHARLES S. PECK, Refuge Manager

BILL FOR COLLECTION

Bill No. 14610-0101-87

Make Remittance Payable To: **U.S. Fish and Wildlife Service**
(Bureau or Office)

Date: **8/28/87**

Mail Payment To: **U.S. Fish and Wildlife Service, 250 South Fourth Avenue, Pocatello, ID 83201**
(Address)

PAYER

SPECIAL USE PERMIT
Reed Humphreys
Mayan, Idaho 83265

Permit Number

Amount of Payment \$ **50.00**

Date	DESCRIPTION	Quantity	Unit Price		Amount
			Cost	Per	
8/28/87	Fee for grazing and harvesting hay near Grays Lake National Wildlife Refuge in accordance with Special Use Permit #781, dated 6/29/87				50.00
Description (Specify eight hundred words and include in most applications to include a map showing location of land and any other pertinent information)					
Location 400 NWS					
Haying and Grazing tract 311 for 7000 sq. ft. area					
Amount of fee: \$50.00. If not a fixed payment, specify rate and unit of charge.					
☐ Payment Enclosed - Justification ☐ Partial Payment - Balance of payment to be made as follows:					

AMOUNT DUE THIS BILL \$ **50.00**

Record of Payments

Amount received \$ **50.00**

8/28/87

Refuge Assistant

Special Conditions ACCOUNTING CLASSIFICATION (Appropriation Symbol must be shown; other classification optional)

Station 14612 - Grays Lake NWR - Bonneville County - Acquired Lands

Permittee's Signature

Issuing Office Signature and Title

CHARLES S. PETERSON, District Manager



UNITED STATES DEPARTMENT OF THE INTERIOR
FISH AND WILDLIFE SERVICE

Grays Lake

National Wildlife Refuge

SPECIAL USE PERMIT

Station No. to be Credited

14613

Permit Number

02707

Date

May 13, 1986

Period of Use (inclusive)

From July 1, 1986

To December 31, 1986

Permittee Name

Reed Humphreys

Permittee Address

Mayan, Idaho 83285

Purpose (specify in detail privilege requested, or units of products involved)

For grazing and haying on Grays Lake NWR in accordance with special conditions attached.

Description (specify unit numbers, acres and bounds, or other recognizable designations)

Grazing 400 AUMs

Haying Tract 32

Haying and Grazing Tract 321 for flat rate of \$50.00

Amount of fee \$ See below

If not a fixed payment, specify rate and unit of charge:

\$4.00/AUM

\$6.00/ton

☐ Payment Exempt - Justification

☐ Full Payment

\$450.00 prior to grazing season and balance 30 days from billing issued at

☒ Partial Payment - Balance of payments to be made as follows:

the conclusion of grazing season.

Record of Payments

Special Conditions

See attached sheets.

Grazing of Tract 321 (on and off) can begin May 1.

This permit is issued by the U.S. Fish and Wildlife Service and accepted by the undersigned, subjected to the terms, covenants, and obligations, and reservations expressed or implied herein and to the conditions and requirements appearing on the reverse side of this permit.

Permittee Signature

Reed Humphreys

Issuing Officer Signature and Title

Charles S. Peck
CHARLES S. PECK, Refuge Manager-Project Ldr.

UNITED STATES DEPARTMENT OF THE INTERIOR
U.S. Fish and Wildlife Service

Permit number Sta. No. to be credited
Cyl-83-06 14612

Grays Lake

National Wildlife Refuge

SPECIAL USE PERMIT

Contract number

Date JUL 01 1983

Permittee (Name and address)

Reed Humphreys
Warren, Idaho 83285

Period of use (inclusive)

From May 1 1983
To December 1 1983

Purpose (Specify in detail the use requested or work or product involved)

For grazing and haying of lands described below in connection with permittees
use of adjoining privately owned lands.

Describe the area (show number, name and county or other recognizable designation)

HAYING a portion of Tract 321 and grazing a portion of Tract 32 and 321
according to attached map.

Amount of fee \$50.00 was used for payment specify rate and unit of charge.

☒ Payment is due within 30 days of last billing.

☒ Terms of use (Basis of payment) is detailed as follows.

Remarks

Special conditions

Reed Humphreys

Permittee's use term

May 1 1983 - December 1, 1983

This permit is issued by the U.S. Fish and Wildlife Service, and accepted by the undersigned, subject to the terms, conditions, obligations, and reservations, expressed or implied therein, and to the conditions and requirements appearing on the reverse side.

Permittee (Signature)

Issuing Officer (Signature and title)

CHARLES S. PECK, Refuge Mgr. - Project 1 dr

Info	Location	Copies	Employee	Int.
✓			Mgr.	
			Assist	
			Asst. C.	
			Asst. E.	
			Asst. M.	
			Asst. S.	
			Asst. T.	
			Asst. U.	
			Asst. V.	
			Asst. W.	
			Asst. X.	
			Asst. Y.	
			Asst. Z.	
			Asst. A.	
			Asst. B.	
			Asst. C.	
			Asst. D.	
			Asst. E.	
			Asst. F.	
			Asst. G.	
			Asst. H.	
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			Asst. J.	
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			Asst. L.	
			Asst. M.	
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			Asst. P.	
			Asst. Q.	
			Asst. R.	

Dear Mr. Humphreys:

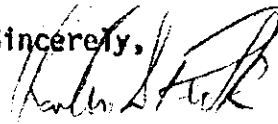
1) Sale of lands by the Gov't. In 1972 the MBCC approved a boundary for GLNWR that encompassed Tract 32. Tract 32 was included because it and adjacent lakebed lands had significant values for waterfowl, waterbirds and other wildlife. During Master Planning in 1981 and 1982, habitat in Grays Lake Basin including Tract 32 was evaluated. The wildlife values of Tract 32 were re-affirmed and the Master Plan for GLNWR that was approved by the Director of the FWS in December 1982 recommends that Tract 32 be retained by the Gov't. as part of GLNWR. Under the law refuge lands can only be sold with the consent of Congress. It is highly unlikely that the FWS would advocate to Congress the sale of Tract 32 in view of the wildlife habitat values that have been identified.

Your current 10 year S.U.P. that runs through December 1985 was part of a package negotiated with you in 1975. The package provided for the purchase by the Gov't. of approximately 248 acres of deeded and adjacent lakebed lands for which you were paid \$164,250., a lease option agreement that provided for the Gov't. to purchase an additional approximately 100 acres adjacent to the 248 acres and a 10-year S.U.P. that allowed you to graze and hay on the purchased lands and to use a grassed airstrip until January 1986. Although the lease option agreement was not presented to the MBCC, the FWS has honored the commitment of the 10-year S.U.P. The package negotiated with you in 1975 presented some unique circumstances that justified a long-term permit. Such circumstances no longer exist. In fact, with the continuation of the whooping crane egg transplant program, it has become more difficult for us to predict what areas will be needed to meet the objectives of establishing a breeding population of

whooping cranes and therefore more difficult for us to make long-term commitments of land and water areas. Grazing and haying activities can be permitted on refuges only when they do not conflict with established wildlife management objectives. The highest priority of wildlife management objectives at Grays Lake is the whooping crane project. There are not serious conflicts at the present time between the grazing and haying carried out under your S.U.P. and wildlife programs. However, we anticipate that more whooping crane eggs will be transplanted in future years and that nesting by whooping cranes will occur. Either or both of these will require land and water area and may necessitate adjustments in the refuge land use programs in order to avoid conflicts. Because we can not predict the needs of the whooping cranes, we think it would be unwise for us to make a long-term commitment of lands such as you want. Such a commitment would mean that we would be unable to make necessary adjustments in our programs until your permit expired, or we would have to alter or cancel it. We would rather not put ourselves in the position of issuing a permit that we are not certain we can honor.

We will continue to honor your permit through 1985 and, to the extent that there are no conflicts with wildlife objectives, will negotiate annual S.U.P.'s thereafter. At any time that we become aware of conflicts we will give you all the advance notice possible before making any adjustments.

Sincerely,



Charles S. Peck

cc: Grays Lake NWR

CSPeck:wh



UNITED STATES DEPARTMENT OF THE INTERIOR
U.S. Fish and Wildlife Service

Grays Lake

National Wildlife Refuge

SPECIAL USE PERMIT

Permit number **6YL-80-10** Sta. No. to be credited **14612**

Contract number

Date **6/23/80**

Permittee (Name and address)

**Boed Humphreys
Mayah, Idaho 83285**

Period of use (inclusive)

From **July 1** 19 **80**
To **September 30** 19 **80**

Purpose (Specify in detail purposes requested or basis of products involved)

For cutting and removing hay from refuge lands

Description (Specify in detail number, date, and bounds of other records involved)

Approximately 100 acres (Acquisition Tract 37) according to attached map

Amount of fee \$

If not a fixed fee, payment, specify rate and unit of charge **\$2,000.00**

☒ Full payment

☐ Partial payment Balance of payments to be made as follows

Record of Payments

Balance due within 30 days of billing

Special Conditions

See attached sheet

This permit is issued by the U.S. Fish and Wildlife Service, and accepted by the undersigned, subject to the terms, covenants, obligations, and reservations expressed or implied therein and to the conditions and requirements appearing on the reverse side.

Permittee (Signature)

Boed Humphreys

Issuing Officer (Signature and title)

Terrell H. Haden

Acting Refuge Manager



UNITED STATES DEPARTMENT OF THE INTERIOR
U.S. Fish and Wildlife Service

Grays Lake National Wildlife Refuge

SPECIAL USE PERMIT

Permit number GLR-GH-8 Sta. No. to be credited 14612

Contract number

Date June 12, 1978

Permittee (Name and address)

Reed Humphreys
Wayan, Idaho 83285

Period of use (include)

From May 1, 1978
To December 1, 1978

Purpose (Specify in detail purpose, location, extent, nature of products involved)

For grazing and haying of lands described below in conjunction with permittee's use of adjoining privately owned lands.

Description (Specify unit number, acreage, location, other reasonable details)

Haying a portion of tract 32-B and grazing a portion of tract 32-B according to attached map.

Amount of fee \$ 50.00

If not a fixed fee payment, specify amount and unit of charge

☒ Full payment Due within 30 days of billing

☐ Partial payment Balance of payments to be made as follows

Record of Payments

Special Condition

Periods of use for

Hay Field - May 1 - December 1

Hay Field - July 1 - December 1

This permit is issued by the U.S. Fish and Wildlife Service, and accepted by the undersigned, subject to the terms, covenants, obligations, and reservations, expressed or implied therein, and to the conditions and requirements appearing on the reverse side.

Permittee (Signature)

Issuing Officer (Signature and title)

Reed Humphreys

Edward W. Lora Ranger



United States Department of the Interior
FISH AND WILDLIFE SERVICE

December 16, 1977

Reed Humphreys
Wayan, Idaho

Dear Mr. Humphreys:

Because of the increased number of AUM's from the original grazing permit, it is necessary for our records to write an amendment. This amendment is enclosed. Please sign and return with your payment made out to Grays Lake National Wildlife Refuge.

Also, before I can figure the haying permit, it is necessary for you to let us know the total number of bales. My records show a total of 1245 bales. Those bales weighed by Ralph Stoor on August 10 are not included in the total. As with other permittees, those bales removed from the Refuge before 7/31/77 will be @ \$1.50/ton and hay removed after 8/1/77 will be @ \$3.00/ton.

Sincerely yours,

Refuge Manager

I have a bale count of 1328
R. Humphreys



Save Energy and You Serve America!


 UNITED STATES DEPARTMENT OF THE INTERIOR
 Bureau of Sport Fisheries and Wildlife

Grays Lake

National Wildlife Refuge

SPECIAL USE PERMIT

Permit number

Sta. No. to be printed

GLR-H-3-76

145707

Contract number

Date

December 1, 1976

Period of use

From August 1, 1976

To Sept. 30, 1976

Permittee (Name and address)

 Reed Humphreys
 Wayan, Idaho 83285

Purpose (Briefly state the purpose of the permit)

For cutting and removing hay from Refuge lands. 5463 boxes

Description (Give a brief description of the land to be used)

 Approximately 100 acres (acquisition tract number 12-1 and part of other 12)
 Located in T. 4 South, R. 43 East, Boise Meridian, part of Sections 2 & 13

Amount of fee \$ 138.24

(If a fixed fee payment, specify amount and date of payment) \$138.24

☒ Full payment☐ Partial payment. Balance of payment to be made as follows:

Record of Payments

Special Conditions

 Hay cut on the refuge will be removed from the refuge area in the permit period.
 All cuttings will be utilized and no burning will be done without prior approval of the
 refuge manager.

 This permit is issued by the Bureau of Sport Fisheries and Wildlife, and accepted by the undersigned
 subject to the terms, covenants, obligations, and reservations, expressed or implied therein and to the condi-
 tions and requirements appearing on the reverse side.

Permittee (Signature)

Issuing Officer (Signature and title)



UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Sport Fisheries and Wildlife

Grays Lake

National Wildlife Refuge

SPECIAL USE PERMIT

Permit number **RO 121** Sta. No. to be credited **LL-540**

Contract number
Date **November 17, 1975**

Period of use (inclusive)
From **January 1, 1976**
To **January 1, 1986**

Permittee (Name and address)
Reed C. Humphreys
Wayan, Idaho 83285

Purpose: **To allow use of approximately 200 acres plus riparian lands on Grays Lake NWR for cattle ranching purposes, including the use and maintenance of a private airstrip for a period of ten years.**

Description (Specify unit number, metes and bounds, or other recognizable designations)
See attached map and description

Amount of fee: **\$200.00 prior to grazing season and balance by December 1st**

Special Conditions:
1. **Livestock use:** Grazing will be restricted to cattle in the north pasture (Tracts 12 & 13) as presently fenced or as it may be fenced eventually prior to 7-15. Haying and aftermath grazing will be allowed on the south pasture (Tract 32).
2. **Stocking rate, seasons of use, and other management details** will be determined by the Refuge Mgr. annually based on the vegetative management plan, however, no grazing will be permitted prior to July 1. Horses will be permitted to graze in the lakebed after October 1st.
3. **Aircraft use:** A light airplane is authorized on an existing private airstrip with landing and take-off flight patterns to be confined over Tracts 32 & 33. Flight elsewhere over the refuge will comply with FAA NOTAMS regulations. Flight frequency will be held to a minimum from April through November 30.
4. **The United States will not be liable for any actions resulting from this permit, including possible bird-animal/aircraft strikes.**
5. **The land shall be operated and irrigated by permittee in a manner consistent with good farming practices.**

This permit is issued by the Bureau of Sport Fisheries and Wildlife, and accepted by the undersigned, subject to the terms, covenants, obligations, and reservations, expressed or implied therein, and to other conditions and requirements appearing on the reverse side.

Permittee (Signature)
Reed C. Humphreys

Issuing Officer (Signature and title)
William H. Mayer
Regional Director



UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Sport Fisheries and Wildlife

Grays Lake

National Wildlife Refuge

SPECIAL USE PERMIT

Permit number RO 121
Sta. No. to be credited LL-540

Contract number
Date November 17, 1975

Period of use (inclusive)
From January 1, 1976
To January 1, 1986

Permittee (Name and address)
Reed C. Humphreys
Wayan, Idaho 83285

Purpose of permit
To allow use of approximately 200 acres plus riparian lands on Grays Lake NWR for cattle ranching purposes including the use and maintenance of a private airstrip for a period of ten years.

Description (Specify acreage, unit number, and boundary or other recognizable designations)
See attached map and description

Removal of permittee's property upon expiration of this permit. If no removal charges are paid, the permittee shall be responsible for the removal of his property.

Permittee shall pay the current rate/AUM and ton of hay as such rates are set from time to time for lands administered by the FWS. The present rate is \$1.00/AUM and \$1.50/ton of hay. Number of AUM's shall be based on a continuing evaluation of the needs of wildlife; however a minimum of 400 AUM's will be allowed.

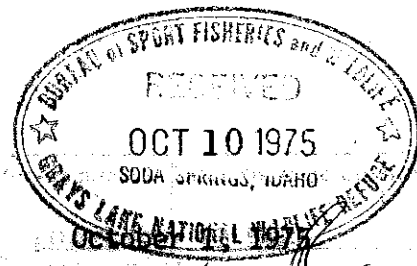
Record of Payments
\$200.00 prior to grazing season and balance by December 1st

1. Livestock use: a. Grazing will be restricted to cattle in the north pasture (tract 32) as presently fenced or as it may be fenced eventually prior to 7-15-86. Haying and aftermath grazing will be allowed on the south pasture (tract 32).
2. Stocking rate, seasons of use, and other management details will be determined by the Refuge Mgr. annually based on the vegetative management plan; however, no grazing will be permitted prior to July 1. b. Horses will be permitted to graze in the lakebed after October 1st.
3. Airstrip use: A light airplane is authorized on an existing private airstrip with landing and take-off flight patterns to be confined over tracts 32 & 33. Flight elsewhere over the refuge will comply with FAA NOTAMS regulations. Flight frequency will be held to a minimum from April through November 30.
4. The United States will not be liable for any actions resulting from this permit, including possible bird-strike/aircraft strikes.
5. This land shall be operated and irrigated by permittee in a manner consistent with good farming practices.

This permit is issued by the Bureau of Sport Fisheries and Wildlife, and accepted by the undersigned, subject to the terms, covenants, obligations, and reservations, expressed or implied therein, and to other conditions and requirements appearing on the reverse side.

Permittee (Signature)
Reed C. Humphreys

Issuing Officer (Signature and title)
William H. Meyer



Assoc Director, Fish & Wildlife Mgt, USFWS
Wash., D.C.; ATTN: Wildlife Resources

Acting Regional Director, USFWS
Portland, OR

Long-Term Special Use Permit

In April of this year, after several years of negotiation, an agreement was made for the acquisition of the Reed Humpherys' ownership within the approved boundary of the Grays Lake NWR. The agreement is in the spirit of your memorandum of April 16, 1973, in which you recommended a compromise on critical land near his buildings, which consists of a purchase option for approximately 248 acres of fee ownership, plus all the adjacent riparian lands. This tract (32 and 32-1) would come under Service control as of January 1, 1976. In addition, a Lease Agreement was signed with an option for the Service to buy the remaining 100 acres, approximately, (Tracts 32a and 32b) ten years hence. The purpose of holding 100 acres for ten years is to allow him the use of his ranch buildings, adequate early pasture, and an area on which to land his personal aircraft for a period which would take him into retirement.

The Lease-Option Agreement called for a definite land area which was believed to be above the record meander line of the lake. However, when surveys of the tract were completed recently, we discovered that approximately 15 acres (Tract 32-1) of the 100 acres required by Humpherys under the ten-year option, in fact, lie below the meander line and within the lake bed which we would acquire under our purchase option for 248 acres (Tract 32).

In order to solve this dilemma, we are proposing a ten-year Special Use Permit which would give Mr. Humpherys certain uses for the ten years he wishes to continue to operate. The proposed permit is enclosed for your consideration and approval.

The terms of the permit have been worked out with the Refuge Manager, Mr. Humpherys, and Rod Drewien from the Whooping Crane Project. We feel this to be the best all-round solution if we are to gain control of this important land area. Mr. Humpherys is a leader in the community, and we feel this sale will have a positive effect on many other landowners with whom we are negotiating. We hope the enclosed map will help you to understand the problem and our solution to it.

Our purchase agreements expire on October 17, 1975; so, if approval cannot be given prior to that date, please let us know. We will then approach Mr. Humpherys for an extension.

ORIGINAL SIGNED BY
DONALD J. HANKLA

Attachments

cc:

Grays Lake NWR 3333

Div of Realty

1383

(12/68)



UNITED STATES DEPARTMENT OF THE INTERIOR
Bureau of Sport Fisheries and Wildlife

Grays Lake National Wildlife Refuge

SPECIAL USE PERMIT

Permit number Sta. No. to be credited

RO-121 11-540

Contract number

Date

October 1, 1975

Permittee (Name and address)

Reed C. Humpherys
Wayan, Idaho 83285

Period of use (inclusive)

From Jan. 1, 1976

To Jan. 1, 1986

Purpose (Specify in detail privilege requested, or units of products involved)

To allow use of approximately 248 acres + riparian lands on Grays Lake NWR for cattle ranching purposes, including the use of a grass airstrip for a period not to exceed ten years.

Description (Specify unit numbers, metes and bounds, or other recognizable designations)

MAP ATTACHED

Amount of fee \$ _____ If not a fixed fee payment, specify rate and unit of charge: _____

TO BE DETERMINED FOLLOWING GRAZING RATE SURVEY

☐ Full payment

☐ Partial payment - Balance of payments to be made as follows:

Record of Payments

ANNUALLY

Special Conditions - 1. Livestock Use: a. Grazing will be restricted to cattle in the North Pasture (Tracts 32 and 32b) as presently fenced, or as it may eventually be fenced, prior to 7/1/80. b. Haying and aftermath cattle grazing will be allowed on the South Pasture (Tract 32). c. Stocking rate, seasons of use, and other management details will be as determined annually by the Refuge Manager pending development of a Vegetative Management Plan; however, no grazing will be permitted prior to July 1. d. Aircraft Use: a. A light airplane is authorized on an existing grass strip with landing and take-off flight patterns to be confined over Tracts 32a, b, and I. Flight elsewhere over the Refuge will comply with FAA NOTAMS and regulations. b. Flight frequency will be held to a minimum from April through Nov. 30 and especially during the period of maximum noise sensitivity--May 1 through June 30. c. The United States will not be liable for any actions resulting from this permit, including possible bird-animal/aircraft strikes.

This permit is issued by the Bureau of Sport Fisheries and Wildlife, and accepted by the undersigned, subject to the terms, covenants, obligations, and reservations, expressed or implied herein, and to the conditions and requirements appearing on the reverse side.

Permittee (Signature)

Issuing Officer (Signature and title)

For Tract 32

487645

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that REED C. HUMPHERYS and DORIS M. HUMPHERYS, his wife, hereinafter called Grantors, for and in consideration of the sum of One Hundred Sixty Four Thousand Two Hundred Fifty and No/100 Dollars (\$164,250.00), which sum is the true consideration for this transfer, the receipt of which is hereby acknowledged, do hereby grant, bargain, sell and convey to the UNITED STATES OF AMERICA and its assigns, all of the real property with the tenements, hereditaments and appurtenances thereunto belonging or in any wise appertaining, situated in the County of Bonneville, State of Idaho, as described in Exhibit "A" which is attached hereto and made a part of this deed.

Together with all water, water rights, water appropriations, ditches, ditch rights-of-way and ditch rights as heretofore used and enjoyed in connection with the above described lands.

RESERVING UNTO THE GRANTORS, their successors and assigns use of the land for agricultural purposes until December 31, 1975.

The use, occupation, and operation of any rights-of-way, easements, and reservations retained herein, shall be subordinate to and subject to such rules and regulations as may be prescribed by the Secretary of the Interior governing the use, occupation, protection, and administration of land within the National Wildlife Refuge System under and in compliance with the provisions of Section 6 of the Act of February 18, 1929 (45 Stat. 1222), as amended by Section 301 of the Act of June 15, 1935 (49 Stat. 381).

The above land is acquired by the United States for the use of the Fish and Wildlife Service, Department of the Interior, pursuant to Section 6 of the Act of February 18, 1929 (45 Stat. 1222), as amended by Section 301 of the Act of June 15, 1935 (49 Stat. 381) and the Migratory Bird Hunting Stamp Act of March 16, 1934, as amended.

To Have and To Hold the above described premises to the United States of America and its assigns, forever.

The Grantors hereby covenant to and with the United States and its assigns, that Grantors are lawfully seized in fee simple of the above granted premises, have a good and lawful right and power to sell and convey the same, that the same are free and clear of all encumbrances and that Grantors will warrant and forever defend the title thereto and quiet possession thereof against the lawful claims and demands of all persons whomsoever.

Dated this 14 day of November, 1975.

Reed C. Humpherys

IBARD

TRACT NO.	ACRES
32	200.85
32a	38.48
32b	62.48
32-1	15.60
TOTAL	317.41

DISTANCE
1877.08
956.80
1379.42
1139.10
1669.56
444.72
1253.48
78.15
219.95
787.46
341.76
646.58
557.24
662.77
396.70
649.21
531.41
660.15

REED HUMPHREYS

GRAY'S

LAKE

SEE INSET FOR COR. NOS. TR. (32)a

TIE 5(32-1) to 9(32) N28°53'24" W 789.29'

32-1 (5)

32a (2-8)

32a (2-7)

32a (2-5)

32a (2-3)

32-1 (5-3)

32-1 (5-7)

32-1 (5-5)

32-1 (5-8)

32-1 (5-2)

32-1 (5-1)

32-1 (5-4)

32-1 (5-6)

32-1 (5-9)

32-1 (5-10)

32-1 (5-11)

32-1 (5-12)

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32-1 (5-97)

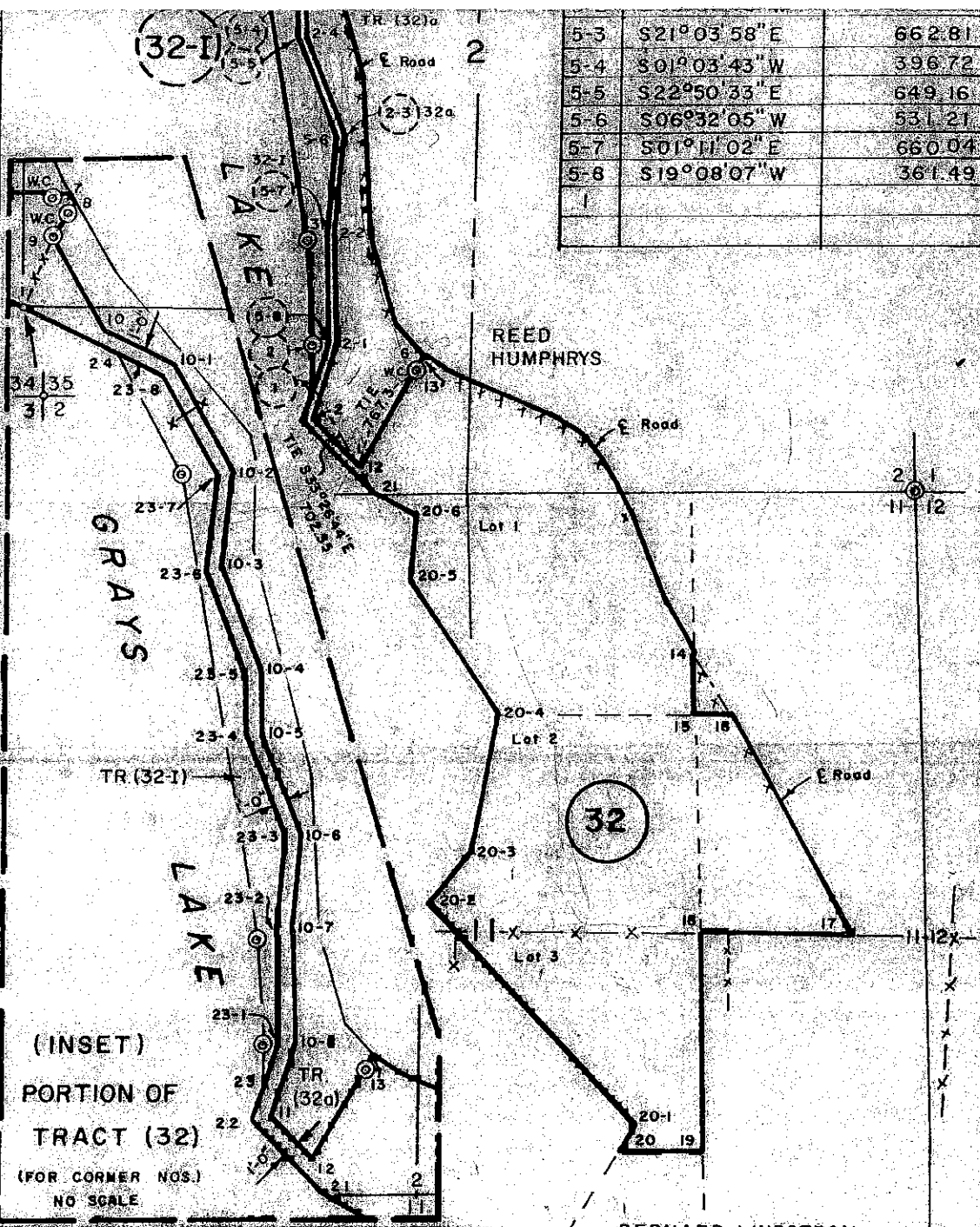
32-1 (5-98)

32-1 (5-99)

32-1 (5-100)

W	219.95
	787.46
	341.76
	646.58
V	357.24
	662.77
N	396.70
E	649.21
V	531.41
	660.15
V	549.00
	447.67
	836.38
	2533.87
	364.45
	174.27
	1537.94
	884.23
	1324.02
	494.49
	179.02
	1825.57
	392.19
	868.42
	931.00
	415.17
	258.40
	606.78
	549.47
V	660.04
	531.21
	649.16
	396.72
	662.81
	557.16
	645.97
V	955.42

5-3	S21°03'58"E	662.81
5-4	S01°03'43"W	396.72
5-5	S22°50'33"E	649.16
5-6	S06°32'05"W	531.21
5-7	S01°11'02"E	660.04
5-8	S19°08'07"W	361.49
1		



COMPILED FROM OFFICIAL PLATS OF THE BUREAU
 OF LAND MANAGEMENT, FIELD SURVEYS MADE AUG. 1975 BY THE
 LIFE SERVICE AND OFFICIAL RECORDS OF THE

September 8, 1975

Supervisory Land Surveyor
 Division of Realty

9-19-75

PRELIMINARY- NOT YET
 CHECKED BY SURVEYOR