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MAY 24 2007

DEPARTMENT OF
WATER RESOURCES

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) A. Subcase No. 37-7638

Case No. 39576)

STANDARD FORM 1
OBJECTION

B. NAME AND ADDRESS OF PERSON OBJECTING

Name: Sand Springs Ranch & Co
C/O Tom Ambrose, Managing Partner
Address: PO Box 873340
Vancouver, Washington 98687-3340
Daytime Phone: (360) 883-0630

Name & Address of Attorney:

Josephine P. Beeman
Beeman & Associates, P.C.
409 West Jefferson Street
Boise, Idaho 83702
(208) 331-0950

C. CLAIMANT OF WATER RIGHT AS LISTED IN DIRECTOR'S REPORT

Name: Ambrose Farms
Address: P.O. Box 247
Wendell, Idaho 83355

D. I object to the following elements as recommended in the Director's Report

1. ☒ **Name and Address**
Should be: The current owners are:
Rodney Gonsales, Melanie Gonsales, Ed Smith, Sunnie C. Smith, Dallas Smith, and Candace Smith.
Rt. 1 Box 2070
Corral, ID 83322
(208) 764-2005
(See "Reasons Supporting Objections" below.)
2. ☒ **Source**
Should be: This is a primary ground water right.
(See "Reasons Supporting Objections" below.)
3. ☒ **Quantity**
Should be: The quantity should be developed in accordance with the system described in the Affidavit of William Sweet.
(See "Reasons Supporting Objections" below.)
4. ☐ **Priority Date**
Should be: _____
5. ☒ **Point(s) of Diversion**
Should be: The point of diversion should be the location described in the Affidavit of William Sweet.
(See "Reasons Supporting Objections" below.)
6. ☐ **Instream Flow Description**
Should be: _____
7. ☐ **Purpose(s) of Use**
Should be: _____
8. ☐ **Period of Year**
Should be: _____
9. ☒ **Place of Use**
Should be: 270 acres as described in the Affidavit of William Sweet.
(See "Reasons Supporting Objections" below.)
11. **I object because:**
☐ This water right should not exist.
☐ This water right was not recommended, but should be recommended with the elements described above.

D. REASONS SUPPORTING OBJECTION(S):

IDWR needs to issue a license for 37-7638 as a primary ground water right for 270 acres. IDWR has received all of the necessary documentation to license this water right including proof of beneficial use, Sand Spring Ranch & Co.'s August 31, 2005 response to the Application for Amendment of Permit 37-7638 (Attachment A to this Objection), and the March 22, 2006 Affidavits of William Sweet and Bonnie Sweet (Attachments B and C to this Objection). This information was provided to IDWR during the final licensing process and prior to the issuance of the Director's Report for 37-7638. Issuance of the license and conformation of this recommendation to the license would very probably make this objection unnecessary.

1. Ownership: On August 30, 2005, IDWR received a notice of change in water right ownership for 37-7638. The new owners were listed as:

Rodney Gonsales, Melanie Gonsales, Ed Smith, Sunnie C. Smith, Dallas
Smith, and Candace Smith. Rt. 1 Box 2070 Corral, ID 83322.

Included in the notice of change in ownership was an August 30, 2005 receipt from IDWR for payment by Rodney Gonsales for the change of ownership for water right 37-7638. Also included with the change of ownership was a warranty deed stating that Sand Springs Ranch & Co. (care of Tom Ambrose) sold the property to the above-mentioned parties on April 15, 2005. (See Attachment D to this Objection)

2. Source: The Affidavits of William Sweet and Bonnie Sweet confirm that ground water is a primary source for 37-7638, not a supplemental source. (See Attachments B and C to this Objection) The permit for 37-7638 (approved on September 16, 1977) states the source is ground water. Both IDWR beneficial use field reports (completed on August 15, 1989 and August 3, 1995) state the source is ground water. The SRBA claim (received September 7, 1989) states that the source of this right is ground water. Finally, IDWR's recommendation for 37-7638 states the source is ground water and does not contain any conditional language that the ground water is a supplemental source.
3. Quantity: The quantity of 37-7638 should be recommended in accordance with the system described in the Affidavit of William Sweet (See Attachment B to this Objection). Proof of beneficial use was filed during the relevant development period, and permit 37-7638 was issued without restrictions and was developed without restrictions during the allowed period of development.

5. Points of Diversion: The point of diversion should be the location described in the Affidavit of William Sweet. The Affidavit provides that the location of the mainline and well for 37-7683 are identified on a "1984" FSA map that is attached as Exhibit A to William Sweet's Affidavit (The Sweet Affidavit and all of its attachments are included as Attachment B to this Objection.)
9. Place of Use: The place of use for 37-7638 is the 270 acres described in the Affidavit of William Sweet. Specifically, the Affidavit provides that the well water was applied "to 260 to 270 acres located in the NW1/4 (160 acres), and N1/2SW1/4 (about 30 to 40 acres), the SW 1/4NE1/4 (about 30 acres), and the NW1/4SW1/4 (about 40 acres)." (See Attachment B to this Objection.)

VERIFICATION

State of Idaho)
)ss.
County of Ada)

Josephine P. Beeman, duly sworn, upon oath, deposes and says:

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(i) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.



Josephine P. Beeman
Beeman & Associates P.C.
Attorneys for Ambrose Farms.

Subscribed and sworn to before me on: May 23, 2007





Notary Public for the State of Idaho
Residing at:
My Commission Expires: July 29, 2008

CERTIFICATE OF MAILING

I certify that on May 23, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

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 One copy to the claimant of the water right at the following address:

Rodney Gonsales,
Melanie Gonsales,
Ed Smith,
Sunnie C. Smith,
Dallas Smith,
and Candace Smith.
Rt. 1 Box 2070
Corral, ID 83322

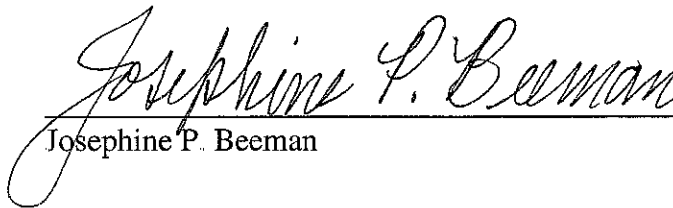
Ambrose Farms
P.O. Box 247
Wendell, Idaho 83355

3 Copies to:

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

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
P O. 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



Josephine P. Beeman

BEEMAN & ASSOCIATES, P.C.

Counselors and Attorneys at Law
409 West Jefferson Street
Boise, Idaho 83702-6049

Josephine P. Beeman
jo.beeman@beemanlaw.com

Phone (208) 331-0950
Fax (208) 331-0954
office@beemanlaw.com

RECEIVED

AUG 31 2005

DEPARTMENT OF
WATER RESOURCES

August 31, 2005

Via Hand Delivery

Erin Retelle
Water Allocations
Idaho Department of Water Resources
322 E. Front Street, 6th Floor
Boise, Idaho

Re: *Application for Amendment of Permit 37-7638
Sand Springs Ranch & Co*

Dear Ms. Retelle:

This letter is provided on behalf of Sand Springs Ranch & Co. whom I represent regarding permit 37-7638. The letter accompanies the Application for Amendment of Permit 37-7638 which IDWR has prepared for licensing purposes. A narrative with attached documents is also provided by Sand Springs Ranch & Co.

The only reason that an amendment may be required for licensing of this permit is to clarify the location of the point of diversion. However, as noted in the attached narrative, the permitted location was confirmed by the first examination. The second examination indicated the well was not located within the permitted legal subdivision, but the information in the files relative to this examination does not definitively locate the well. Unless IDWR has additional information to confirm the location, the amendment should either not be required or the license should be issued listing both 40 acre subdivisions as locations for the well.

As explained in the narrative, Sand Springs Ranch & Co. believes permit 37-7638 should be licensed as a primary ground water right for 463 acres.

It is important that IDWR understands the significance of attaching a condition limiting use of water under this right as supplemental to surface water. The surface water rights associated with this property have been sold and are no longer available for use. The sale occurred before the permit holder had notice of the proposed limiting condition or had any reason to believe that use of the permit could not continue. If IDWR attaches the proposed conditions requiring use of surface water rights, the valuable irrigated property will be converted to dry land.

A

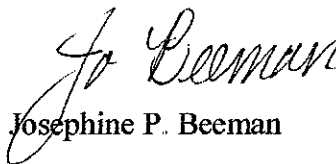
Erin Retelle
Re: 37-7638
August 31, 2005
Page 2

Permit 37-7638 had a development period of September 16, 1977, to September 1, 1982. The permit was issued without restrictions and was developed as a ground water right without restrictions during the allowed period of development. The Proof of Beneficial use was filed during the summer of 1982, prior to September 1, 1982. The August 15, 1989, beneficial use field exam confirmed a rate of diversion of 4.87 cfs for 463 acres. Changes that were in progress or had been completed at the time of the 1995 examination cannot influence licensing of the right. IDWR is without authority to license this permit to limit the nature and extent of use lawfully developed under the permit as issued.

In addition, under the principles of the SRBA District Court decision in *Wood v. Troutt*, the issuance of a license, as supported by Sand Springs Ranch & Co., is consistent with and within the terms of the SRBA claim for 37-7638 filed in September/October 1989.

Sincerely,

BEEMAN & ASSOCIATES, P.C.



Josephine P. Beeman

JPB:ja
Enclosures
cc: Tom Ambrose
Norm Young (ERO Resources)
Craig D. Hobdey (Attorney for Seller/Gonsales, Buyer/Smith)
Z:\1770\1\6818 L

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 37-07638

Date of Priority: July 05, 1977

Maximum Diversion Rate: 4.87 CFS

Comes now IDAHO STATE BANK
PO BOX 909

GLENN FERRY ID 83623 and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 37-07638, and requests that the permit be changed as follows:

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

04/15 to 10/31

RATE OF DIVERSION

4.87 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE 1/4 NE 1/4 SW 1/4 Sec. 29, Twp 01S, Rge 15E, B.M. CAMAS County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
01S	15E	29	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			11.0	35.0			40.0	40.0	35.0	40.0	38.0	16.0		4.0		40.0			299.0

Total Acres: 299

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this _____ day of _____, 200__.

(Signature)

Page 2

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 37-07638

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = _____ Received by _____ # _____ Date _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 37-07638 with the following:

CONDITIONS OF APPROVAL

1. The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.
2. If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
4. This right when combined with all other rights shall provide no more than 3.5 afa per acre at the field headgate for irrigation of the lands above
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 1046.5 af at the field headgate for the lands above.

Witness my hand this _____ day of _____, 2005.

KARL J. DREHER
Director

NARRATIVE REGARDING LICENSING OF GROUND WATER PERMIT 37-7638

August 30, 2005

Exhibit A: The 1989 beneficial use field report for permit 37-7638

Exhibit B: The 1989 SRBA claim 37-7638

Exhibit C: The approved application for permit 37-7638

Exhibit D: The 1995 beneficial field report for Permit 37-7638

This narrative is prepared in support of the licensing of Permit 37-7638 and the preparation of IDWR's Director's Report for SRBA claim 37-7638

PERMIT 37-7638

Application for permit 37-7638 was filed July 5, 1977 with IDWR. It was approved September 16, 1977 for 9.0 cfs of ground water to irrigate 480 acres, all in Section 29, T01S, R15E. The permit states that a 150 hp electric pump will lift water which will then be pumped into an existing sprinkler system. The permit describes "700 shares of Twin Lakes Reservoir" as a water right used for the same purposes as the permit application. The permit also states:

Twin Lakes water is normally available during the months of June, July, and first half of August. This water [ground water permit 37-7638] is necessary to make a more economical operation for the sprinkler system which is already in operation by lengthening the sprinkling season. Also during low water years it will be extremely important.

The approved application for permit (Exhibit C) was issued to William E. Sweet. Proof of beneficial use was required on or before September 1, 1982. There were only two conditions on the permitted water right:

- For licensing purposes, a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water. (Note: By letter dated February 24, 1982, IDWR notified the permit holder that this condition had been revised to allow an access port to be installed instead of a measuring device)
- The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

The IDWR water right file for 37-7638 contains a Proof of Beneficial Use form signed by William E. Sweet and dated July 17, 1982. The file also contains an acknowledgment letter of August 27, 1982, to Mr. Sweet from Gary Funderburg with the IDWR office in Twin Falls, Idaho.

1989 BENEFICIAL USE FIELD EXAM -- THE FIRST EXAM

Gary Funderburg of IDWR Twin Falls conducted a beneficial use field examination on August 15, 1989. The beneficial use field report indicates that Ron Ambrose, a manager for Ambrose Farms, accompanied Gary Funderburg the day of the beneficial use field exam. The beneficial use field report lists Idaho State Bank as the current owner of Permit 37-7638, but notes "purchaser" for Ron Ambrose.

The August 15, 1989 field report indicates that the land is irrigated by gravity flow in the narrative description at #3. The place of use is identified as 463 acres all in Section 29 of T01S, R15E, B.M. in accordance with the approved permit. The field report recommended a rate of flow of 4.87 cfs, based on the flow rate measured by the examiner. The Examiner recommended an annual diversion volume of 1389 afa based upon 3 afa for the 463 acres found to be irrigated. IDWR currently recognizes an annual diversion volume of 3.5 afa so a volume of 1620.5 acres can be licensed.

The well in operation is identified by motor make (U.S. Vertical), horsepower (125), motor serial number (84-14696-391), and pump make (Layne). The well's location is described as SENW, Sec. 29, T01S, R15E, Camas County, Idaho which comports with the approved permit. The Examiner indicated that no amendments were necessary to issue a license.

SRBA CLAIM 37-7638

The SRBA claim for Permit 37-7638 is dated September 7, 1989, but the date of the signature is October 24, 1989. This indicates, perhaps, that IDWR worked with Ambrose Farms to prepare the claim as of September 7, 1989, but the claim was signed on October 24, 1989. The claim is signed by George Ambrose, as General Manager, Ambrose Farms.

The SRBA claim states, "This permit has been field examined for license. Claim is based on permit and not field exam." The claim lists 480 acres for the place of use. The 17-acre difference between the August 15, 1989 field exam (463 acres) and the SRBA claim for 37-7638 (480 acres) is an additional ten acres in the SWSW, an additional one acre in the NENW, an additional two acres in the NWNW, and an additional two acres in the SWNW, all in Section 29 on the SRBA claim. The SRBA claim matches the acreage in the Permit.

The 1989 beneficial use field report recommended a rate of flow of 4.87 cfs. The SRBA claim for 37-7638 listed 9.0 cfs, consistent with the permit.

1995 BENEFICIAL USE FIELD EXAM -- THE SECOND EXAM

A second beneficial field report (Exhibit D) was prepared for Permit 37-7638 based on an examination on August 3, 1995. The reason for conducting a second field examination is not explained in the file. Ron Ambrose "per telcon" is listed as the person who accompanied Jim Stanton from IDWR on the date of the exam. Mr. Stanton's handwritten notes in the field report are included below:

Well, two submersible pumps to two pivots, handlines. This exam replaces the original exam done in 1989. Original exam erred in the recommended place of use. I have been trying to determine the correct P/U for sometime without success. Ambrose Farms now owns this Farm. They have just converted the system from gravity to sprinkler irrigation, reducing pump horsepower and eliminating some formerly-irrigated ground. Under gravity irrigation, well water was commingled with Mormon Reservoir water in ditches. Under sprinklers, only the well will be used. The surface water (a poor supply in most years) will be shifted to other lands they own across the road. I did not observe the gravity system in operation. However, based on ASCS data, it appears that a maximum of 298 acres were irrigated under the old system. This is much less than 480 permitted acres and the 463 previously-recommended acres. Only 140 acres are now irrigated with the two pivots installed in 1995. Owner considered installing additional sprinklers in 1996, but has not done so. Therefore, only the land under the pivots is recommended for licensing. [end of handwriting]

See two maps with the 1995 field exam, one entitled "P/U Under Gravity" and the other entitled "P/U Under Pivot". The maps show how Mr. Stanton derived the 298 acres he indicated were irrigated under the old gravity system and the 140 acres irrigated with the two pivots installed in 1995.

The 298 acres listed on the map "P/U Under Gravity" for the 1995 field exam include the fields located within the NW $\frac{1}{4}$ and the NW $\frac{1}{4}$ SW $\frac{1}{4}$, but many of the fields located in the NE $\frac{1}{4}$ and the SW $\frac{1}{4}$ of Section 29 that are allowed to be irrigated under the permit are not included even though these fields were found to be irrigated during the earlier examination and designated as cropped on the ASCS photo.

RESPONSE TO IDWR REGARDING LICENSING

The permit was issued without restrictions and was developed without restrictions during the allowed period of development (1977 to 1982). IDWR is without authority to limit the permit now as it prepares to license 37-7638. The permit holder is entitled to have a license issued confirming the extent of diversion and beneficial use made in accordance with the permit during the permit development period.

Discussion regarding response to IDWR: Proof of beneficial use was filed during the relevant development period. The 1989 beneficial use field report confirmed the use of ground water on 463 acres. The forfeiture provisions of Section 42-222, Idaho Code are not applicable to a right while it is in the permit stage and further the September/October 1989 SRBA claim invokes the SRBA precedent of *Wood v. Troutt*; permit 37-7638 as developed is not subject to forfeiture between the time the SRBA claim was filed in September/October 1989 and the entry of a partial decree for 37-7638. The permit was issued without restrictions and was developed without restrictions during the allowed period of development. IDWR is without authority to limit it now.

More detailed description of irrigation prior to installation of pivots in 1995: Ron Ambrose, General Manager for Ambrose Farms, was involved with irrigation of the place of use for 37-7638 at the time Neil Ambrose (or one of the Neil Ambrose entities) was purchasing the property in 1988 through the irrigation season of 2003. (During this same time frame, the property was transferred to Sand Springs Ranch & Co. and still operated by Ambrose Farms. A Personal Representative's Deed to Sand Springs Ranch & Co. is enclosed.)

Tom Ambrose and Ron Ambrose know the following about the property managed by Ambrose Farms which included the place of use for Permit 37-7638 Highway 47 (Fairfield to Gooding highway) runs through the property. The place of use for Permit 37-7638 is at the north end of the property and entirely to the east of Highway 47. Before the pivots were installed in 1995, the ground water was plumbed into an existing gravity sprinkler system that also carried Twin Lakes water, when that surface source was available, as described in the original permit application. The Twin Lakes water (Mormon Reservoir water) came in to the south end of the property and had to be delivered under Highway 47 to irrigate land that was both east of Highway 47 and at the north end of the property. Even though there were ditches on the east side of the road, the delivery of Twin Lakes water to that location was difficult and complicated. Ron Ambrose could only irrigate 40 acres on this east side of Highway 47 with the Twin Lakes (Mormon Reservoir) water. Ron grew hay and grain on the property. (An affidavit will be provided if necessary.)

COMMENTS REGARDING THE "APPLICATION FOR AMENDMENT"
PREPARED BY IDWR AND COMMENTS REGARDING A LICENSE FOR 37-7638

1. The only reason that an amendment may be required for licensing of this permit is to clarify the location of the point of diversion. However, the permitted location was confirmed by the first examination. The second examination indicated the well was not located within the permitted legal subdivision, but the information in the files relative to this examination does not definitively locate the well. Unless IDWR has additional information to confirm the location, the amendment should either not be required or the license should be issued listing both 40 acre subdivisions as locations for the well.
2. Although it is not clear that a permit amendment is needed in order to issue a license for permit 37-7638, the Application for Amendment proposed by IDWR indicates elements and conditions which Sand Springs Ranch & Co. understands IDWR would impose on a license for 37-7638. The following are Sand Springs Ranch & Co.'s response and instructions regarding a license for 37-7638
 - (a) The rate of diversion should be based upon the larger system found in the 1989 exam rather than the smaller pumps reported in 1995.
 - (b) The place of use for irrigation should be changed to show the same acres as on the August 1989 beneficial use field exam. That would be a total of 463 acres.
 - (c) On the second page of the Application for Amendment, both the first condition and second condition of approval are to be stricken through entirely.

- (d) Condition #5 has a maximum diversion volume of 1046.5 acre-feet. That should be changed to 1620.5 acre-feet in accordance with the August 15, 1989, beneficial use field report and IDWR's current standard.

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

1. Owner: Idaho State BANK. Permit No. 37-7638
Current Address: P.O. Bx 909 Phone No. 208-366-7492.
2. Accompanied by: Glenns Ferry, Ida 83623 EXAM. DATE: 8-15-89
Ron Ambrose Address: _____ Phone No. _____
Relationship to Permit Holder: purchaser -
3. Source: groundwater tributary to ✓

B. OVERLAP REVIEW

1. Other water rights with same place of use: 37-2105 (Twin Lakes Canal Co.,
shares) ☐ Copies Attached
2. Other water rights with same point of diversion: _____
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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

Scale: 1" = _____

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

A

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

low is irrigated by gravity flow -

☐ See Remarks on page 4 for continuatic

4

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
U.S.	U.S. Vertical	12.5	84-14696-391	Laurel -	

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

- 5 Point(s) of Diversion:

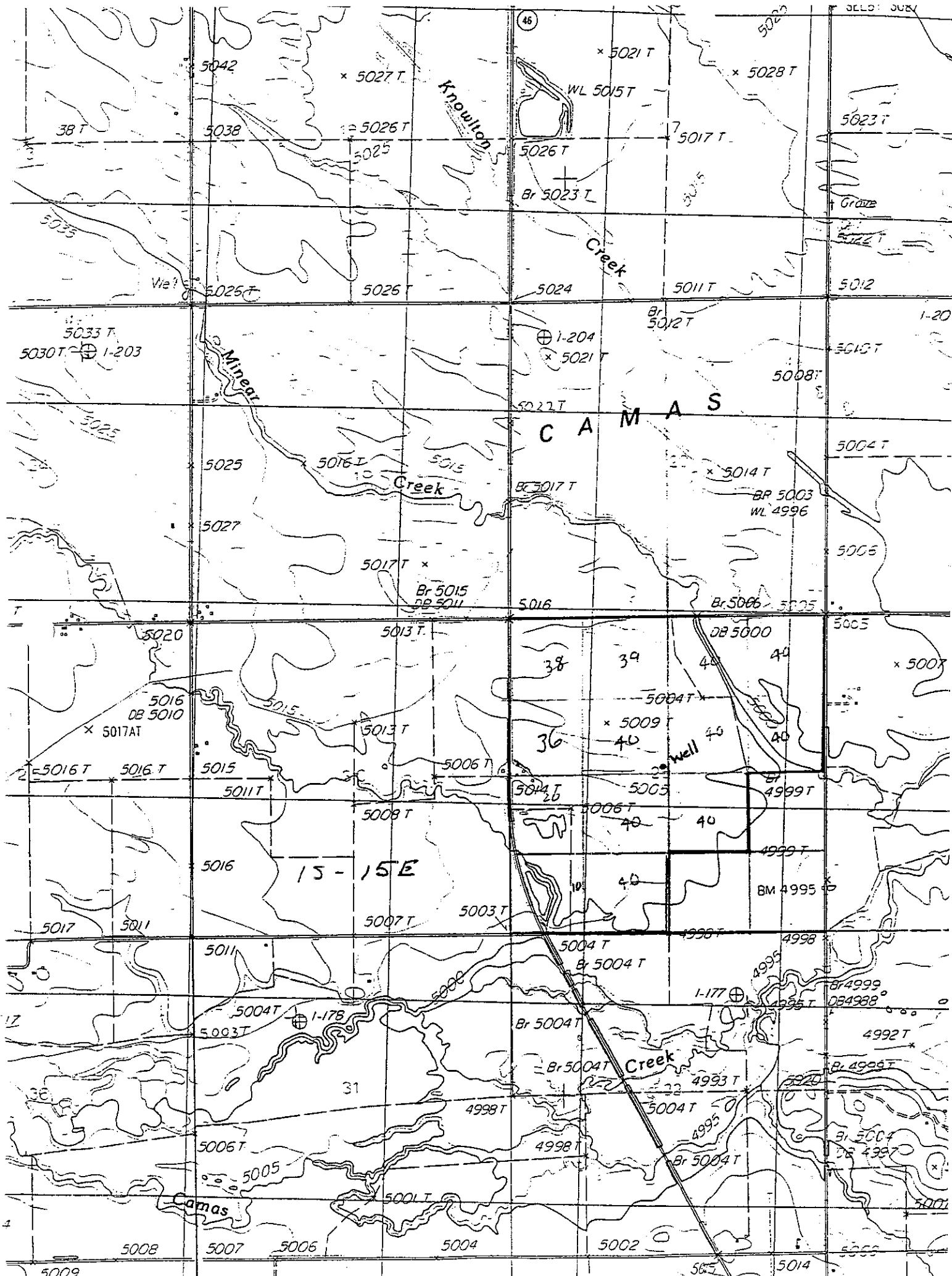
Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	NW		29	1S	15E	Camas	

6. Place(s) of Use:

Indicate Method of Determination

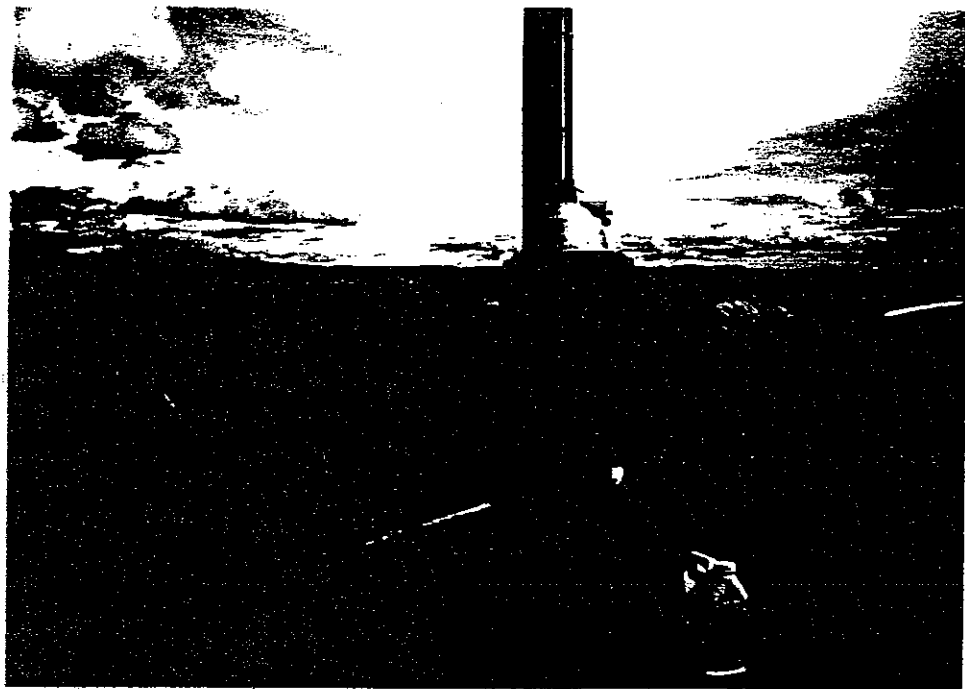
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
1S	15E	29	40	40	40	40	39	38	36	40	40	20	10	40		40			463

Do not use this space





Spalling Meter on End of pipe. From well



well motor & pump.

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

12" DIA 15.5 Reading

$$(12.0)^2 (3.85) \sqrt{15.5} =$$

$$(144) (3.85) (3.94) = 2184.336 \text{ gpm} = 4.87 \text{ cfs}$$

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)
 Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)
 Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)
 Meter Input HP: (6) x 1.34 = _____ (7)
 Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)
 Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \frac{3}{(215)} (463) = 99.545 \text{ } 1389$
 $V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = (4.87 \text{ cfs}) (215) (1.9835) = 20$
 $V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 1389 \text{ A.F.F./ANN.}$

2. Volume Calculations for Other Uses:

H. REMARKS AND OVERLAP REVIEW ANALYSIS

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4-1	11-1	4.87 cfs.	1389 afa
			1	1
Totals:			4.87 cfs.	1389 afa.

2. Recommended Amendments

☐ Change P.D. as reflected above

☐ Add P.D. as reflected above

☒ None

☐ Change P.U. as reflected above

☐ Add P.U. as reflected above

☐ Other

J. AUTHENTICATION

Field Examiner's Name

Gary Funderburg

Signature

Gary Funderburg

Certification Date

Field Report Preparation Date

CONSULTANT SEAL

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

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: A37-07638
Date Received: 9/07/1989
Receipt No: 5010404
Received By: AO

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: AMBROSE FARMS 208-536-5332
Address: P.O. BOX 247
WENDELL, ID 83355

2. Date of Priority: JUL 05, 1977

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	15E	29		SE	NW		CAMAS

5. Description of diverting works:
PUMP & SPRINKLERS.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	04/01	11/01	9.000		

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

8. Total consumptive use is 1200.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	15E	29	NE	NE		IRR	40.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0

A37-07638

Page 1

Date: 09/07/89

(B)

MICROFILMED

FEB 24 1993

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	15E	29	SE	NE		IRR	40.0
			NE	NW		IRR	40.0
			NW	NW		IRR	40.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	20.0
			SW	SW		IRR	20.0
			SE	SW		IRR	40.0
			NW	SE		IRR	40.0
						Section Acres	480.0
						Total Acres	480.0

11. Place of use in counties: CAMAS

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

13. Other Water Rights Used:
SHARES IN TWIN LAKES RES. CO.

14. Remarks:
THIS PERMIT HAS BEEN FIELD EXAMINED FOR LICENSE.
CLAIM IS BASED ON PERMIT AND NOT FIELD EXAM.

15. Basis of Claim: PERMIT

(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 a small annual fee for monthly copies of the docket sheet.

For Organizations:

Signature of Authorized Agent

GENERAL MANAGER, Ambrose Fair
Title and Organization

10-24-89
Date

Subscribed and sworn (or affirmed) before me this 24th day

of October 19 89

William Cooper
Notary Public

Residing at Wendell, Idaho

My Commission Expires 4-28-91

MICROFILMED
FEB 24 1985

Identification No _____

Application No 37-7638

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

- 1 Name of applicant William E. Sweet Phone: 764-2542
post office address Route #1, Fairfield, ID 83327
- 2 Source of water supply groundwater which is a tributary of _____
- 3 a Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 29 Township 1S
Range 15E. B M Camas County; additional points of diversion if any: _____
- b If water is not consumed it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B M _____
- 4 Water will be used for the following purposes:
Amount 9.0cfs for irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- 5 Total quantity to be appropriated:
a 9.0 cubic feet per second and/or
b _____ acre feet per annum.
- 6 Proposed diverting works:
a Description of ditches, flumes, pumps, headgates etc 150 hp electric pump to lift water
which will then be plumbed into existing sprinkler system.
- b Height of storage dam _____ feet; active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet; materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c Proposed well diameter is _____ inches; proposed depth of well is 200 feet.
- 7 a Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years
b Estimated construction cost is \$ 15,000 (sprinkler existing)
- 8 Description of proposed uses.
a If water is not for irrigation:
(1) Give the place of use of water. _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B M _____
(2) Amount of power to be generated: _____ hp under _____ feet of head
(3) List number of each kind of livestock to be watered _____
(4) Name of municipality to be served _____ or number of families to be
supplied with domestic water _____
(5) If water is to be used for other purposes describe: _____

APPROVED

C

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

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	
1S	15E	29	40	40	40	40	40	40	40	40	40	20	20	40		40			480

Total number of acres to be irrigated 480

c. Describe any other water rights used for the same purposes as described above 700 shares of Twin Lakes Reservoir.

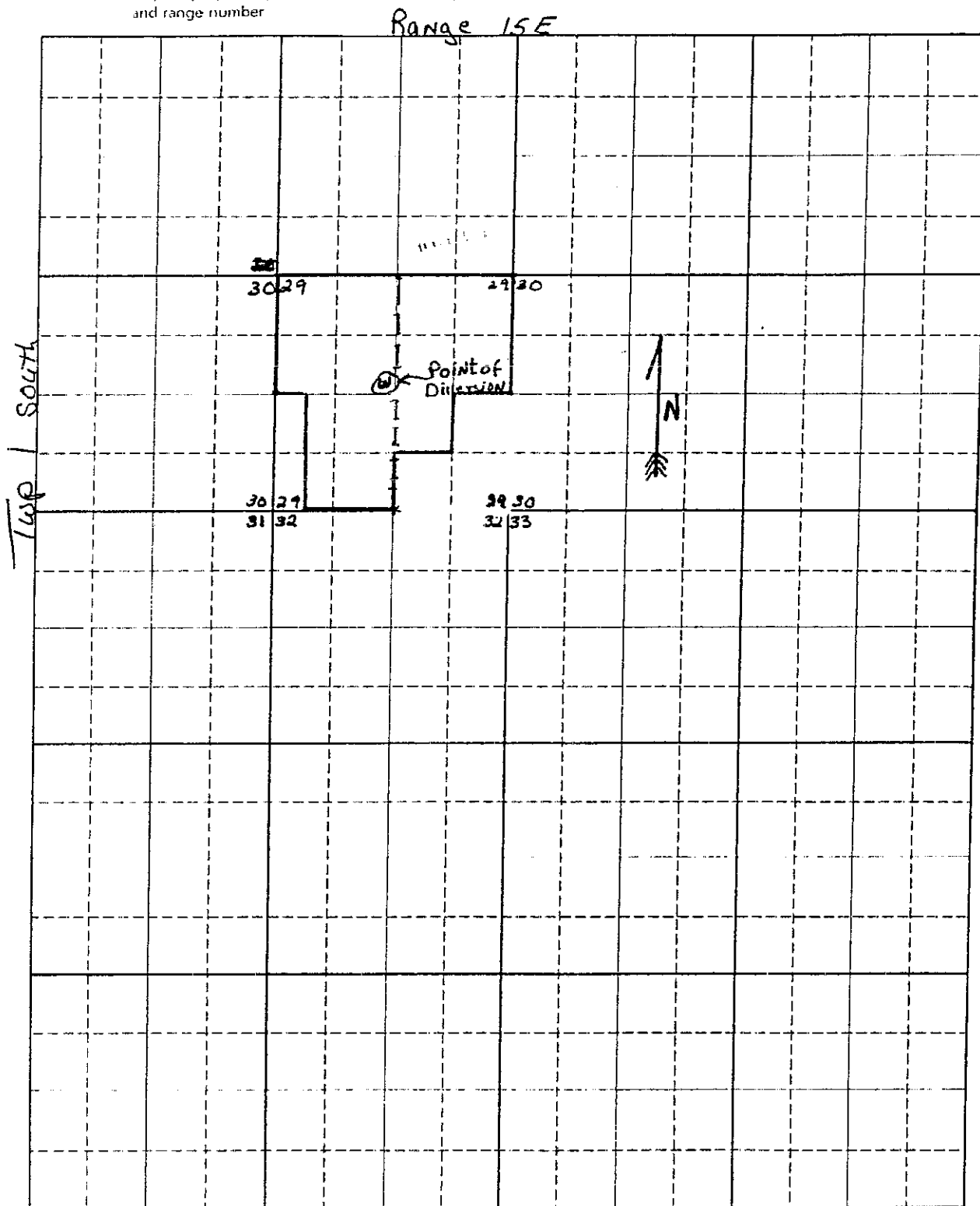
9 a. Who owns the property at the point of diversion William E. Sweet

b. Who owns the land to be irrigated or place of use William E. Sweet

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

10. Remarks Twin Lakes water is normally available during the months of June, July and first half of August. This water is necessary to make a more economical operation for the sprinkler system which is already in operation by lengthening the sprinkling season. Also during low water years it will be extremely important

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



Scale: 2 inches equal 1 mile

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

William P. Sweet
(Applicant)

Proposed Priority 7/ 5/77

Received by TGB Date 7-5-77 Time 12:30
Preliminary check by D.K. Fee \$ 105.00
Receipted by TGB Date 7-5-77 Receipt # 86.21
Publication prepared by dm Date 7/2/77
Published in Mountain Home News
Publication dates 7/21 + 7/29/77
Publication approved by [initials] Date 8/1/77
Priority reduced to Reason

Protests filed by:

Copies of protests forwarded by

Hearing held by Date

Recommended for approval denial by ADM jg

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

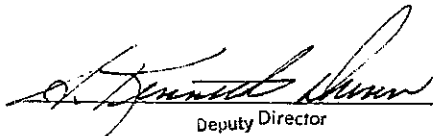
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 37-7638 and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 19 82.
- c. Other: For licensing purposes a scientific measurement of the diversion rate of the system as it is normally operated shall be provided by either properly installing an approved type of measuring device or by having a professional engineer certify the rate of diversion to the Department prior to submitting proof of beneficial use of water.

The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

Witness my hand this 16 day of September 19 77.


Deputy Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVE
AUG 16 199

Department of Water Res

A. GENERAL INFORMATION

Permit No. 37-07638

1. Owner: Ambrose Farms Phone No. 536-5324

Current Address: PO Box 460, Wendell, ID 83355

2. Accompanied by: Ron Ambrose per telecon EXAM DATE: 8-3-95

Address: Syme Phone No. _____

Relationship to Permit Holder: owner/operator

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: See Remarks

2. Other water rights with the same point of diversion: —

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	NE	SW	29	15	15E	Cymgs	

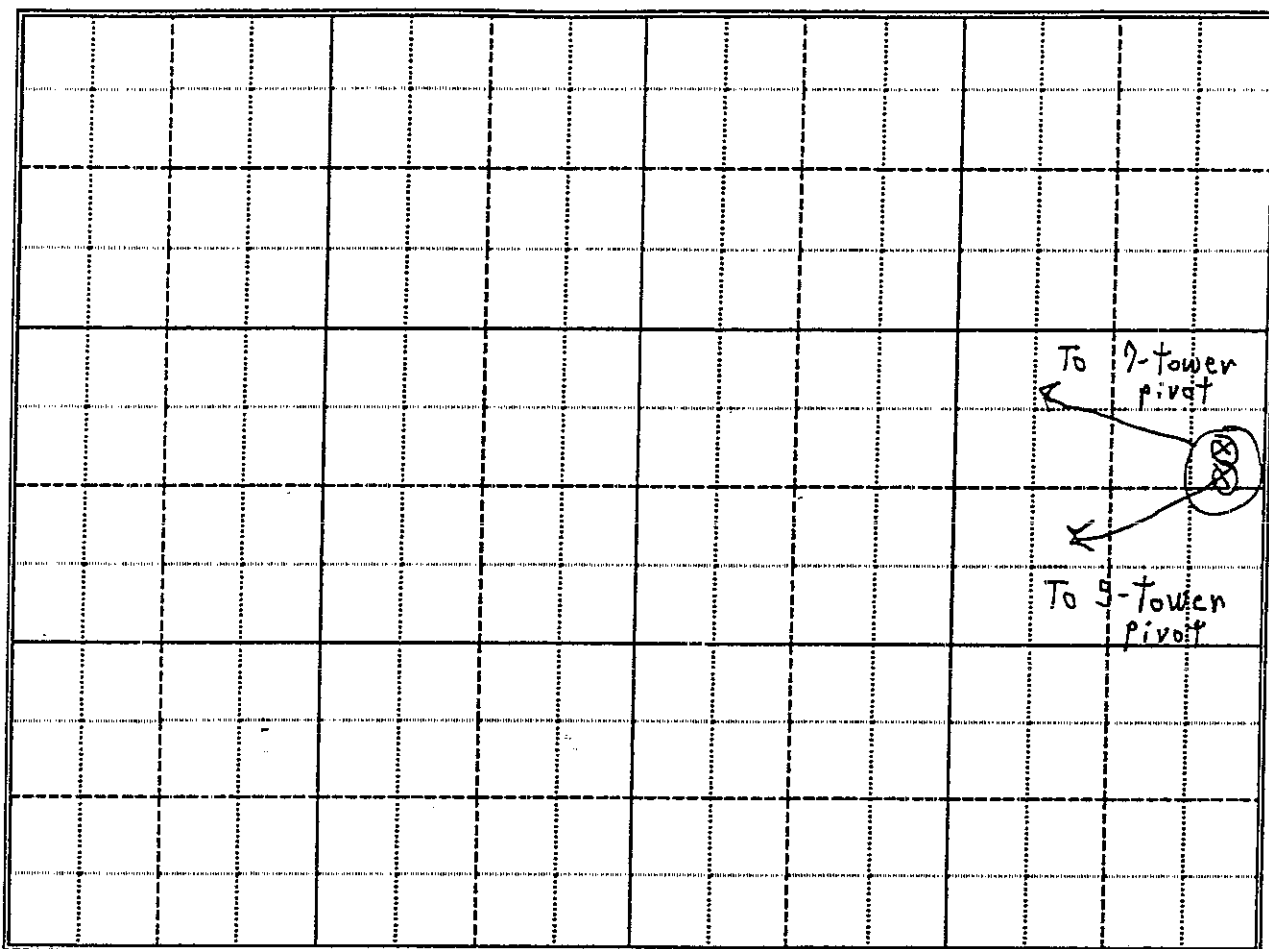
2. Place(s) of Use:

Indicate Method of Determination ASCS photo

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
15	15E	29					22.8	31.7	19.5	15.8	38.9	5.5		4.2		2.2			140.6

(D)

3 **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

_____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

_____ Aerial Photo Attached (required for irrigation of 10+ acres)

_____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		30			
		60			

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: Not measured. Theoretical capacity is 2.45 cfs

E. NARRATIVE/REMARKS/COMMENTS

Well, ~~motor~~ 2 submersible pumps to two pivots, hand/lines.

This exam replaces the original exam done in 1987. Original exam erred in the recommended place of use. I have been trying to determine the correct P/U for some time without success. Ambrose Farms now owns this farm. They have just converted the system from gravity to sprinkler irrigation, reducing pump horsepower and eliminating some formerly-irrigated ground. Under gravity irrigation, well water was commingled with Mormon Reservoir water in ditches. Under sprinklers, only the well will be used. The surface water (a poor supply in most years) will be shifted to other lands they own across the road.

I did not observe the gravity system in operation. However, based on ASCS data, it appears that a maximum of 298 acres were irrigated under the old system. This is much less than the 480 permitted acres + the 463 previously-recommended acres. Only 140 acres are now irrigated with the 2 pivots installed in 1995. Owner considered installing additional sprinklers in 1996, but has not done so. Therefore, only the land under the pivots is recommended for licensing.

Have conditions of permit approval been met? ☒ yes ☐ no

F. FLOW CALCULATIONS

Measured Method:

☒ Additional Computation Sheets Attached

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{LR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 140.6 \times 3.5 = 492.1$$
$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 2.45 \times 184 \times 1.9835 = 892.6$$
$$V = \text{Smaller of } V_{LR} \text{ and } V_{DR} = 492.1$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4-15	10-15	2.45	492.1
Totals:			2.45	492.1

2. Recommended Amendments

☒ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name J. F. Stanton Date 8-15-96

Reviewer _____ Date _____

SEAL

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 37-7638

DATE: 8-3-95

BY: J. J. Stanton

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (H.P.) \times (EFF.)}{TDH}$

Q = CFS

H.P. = Total Brake Horsepower of pumping plant (including booster)

EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)

TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]

LIFT = depth to water in FEET from land surface to pumping water level

PSI = pumping pressure measured in psi near pump
(if open discharge assume zero [0])

$$Q = \frac{(8.8) \times (60) \times (0.70)}{[(80) + (73.5 \times 2.31)]} = 1.48$$

LIFT FROM:

measurement ()

owner (X)

area estimate ()

well logs ()

Booster (Y) (N)

PSI FROM:

measurement ()

owner ()

estimate ()

owner gage (X)

NOTES ON PUMP:

Motor Make, Serial or ID

Pump Make, Serial or ID, rating

REMARKS

ANNUAL VOLUME ANALYSIS

POTENTIAL Acre Feet/Acre/Annum = $\frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$

(season) (days)

3/15 - 11/15 246

4/1 - 11/1 215

4/15 - 10/15 184

3/1 - 12/1 276

$$POTENTIAL = \frac{184 \times (1.98) \times (2.45)}{140.6}$$

$$POTENTIAL = 6.3$$

REQUIRED Acre Feet/Acre/Annum = 3.5

(AF/Ann/Ac irrigation requirement from chart for area)

NOTE that this is NOT Consumptive use

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY (X)

IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()

GROUNDWATER MEASUREMENT REQUIREMENT ANALYSIS

FILE: 37-7638
DATE: 8-3-95
BY: J.E. Stanton

THEORETICAL RATE OF FLOW: $Q = \frac{(8.8) \times (\text{H.P.}) \times (\text{EFF.})}{\text{TDH}}$

Q = CFS
H.P. = Total Brake Horsepower of pumping plant (including booster)
EFF. = Pumping plant efficiency (ASSUME 70% OR 0.70)
TDH = total dynamic head = [(LIFT) + (PSI X 2.31)]
LIFT = depth to water in FEET from land surface to pumping water level
PSI = pumping pressure measured in psi near pump
(if open discharge assume zero [0])

$$Q = \frac{(8.8) (30) (0.70)}{[(80) + (47.5 \text{ psi} \times 2.31)]} = 0.97$$

<u>LIFT FROM:</u>	<u>PSI FROM:</u>	<u>NOTES ON PUMP:</u>
measurement ()	measurement ()	Motor Make, Serial or ID
owner (X)	owner (X)	
area estimate ()	estimate ()	Pump Make, Serial or ID, rating
well logs ()	owner gage (X)	
Booster (Y) (N)		
REMARKS		

ANNUAL VOLUME ANALYSIS

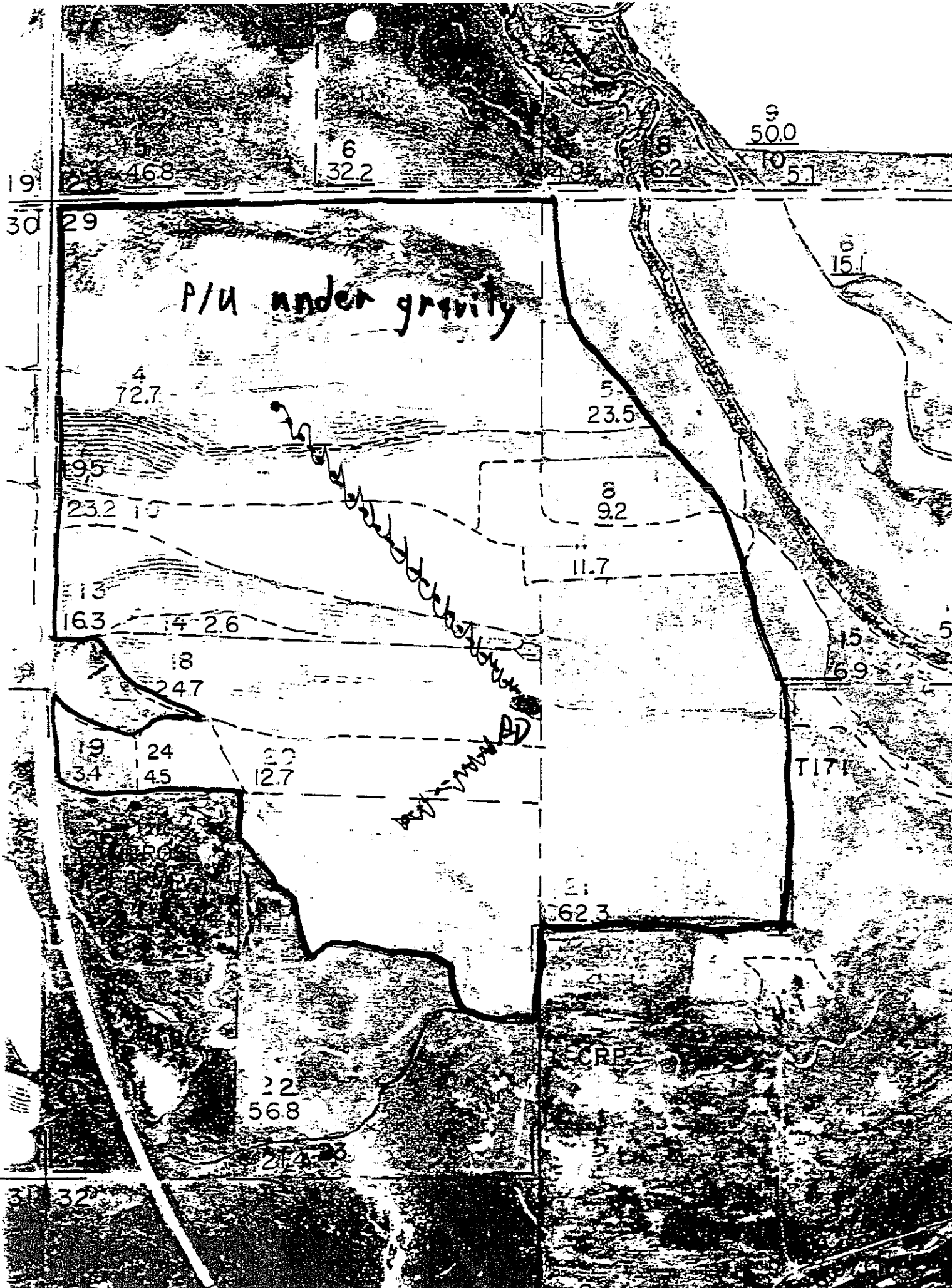
POTENTIAL Acre Feet/Acre/Annum = $\frac{(\text{DAYS IN SEASON}) \times (1.98) \times (Q)}{(\text{RECOMMENDED ACRES IRRIGATED})}$

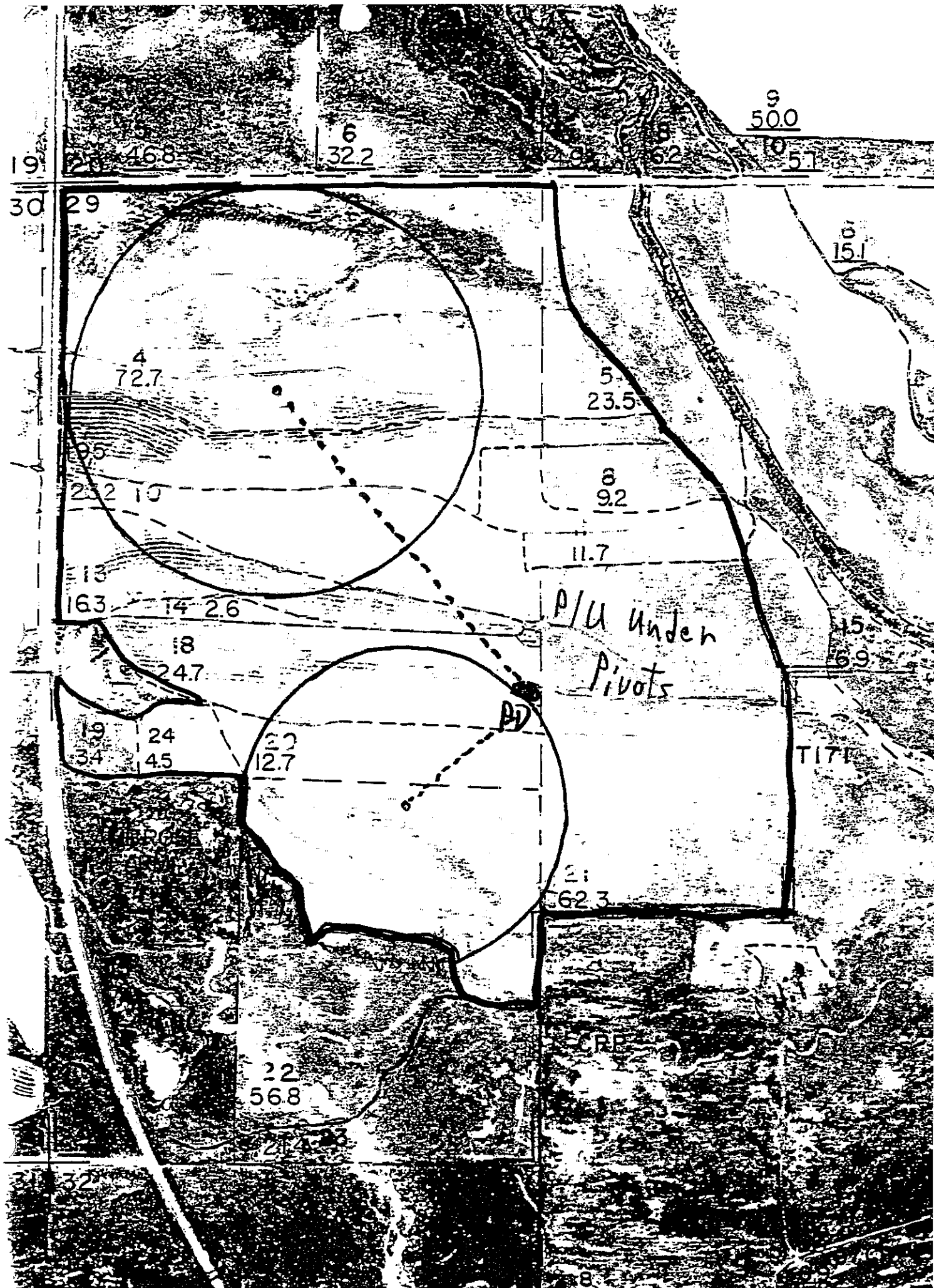
(season)	(days)	
3/15 - 11/15	246	
4/1 - 11/1	215	POTENTIAL =
4/15 - 10/15	184	
3/1 - 12/1	276	

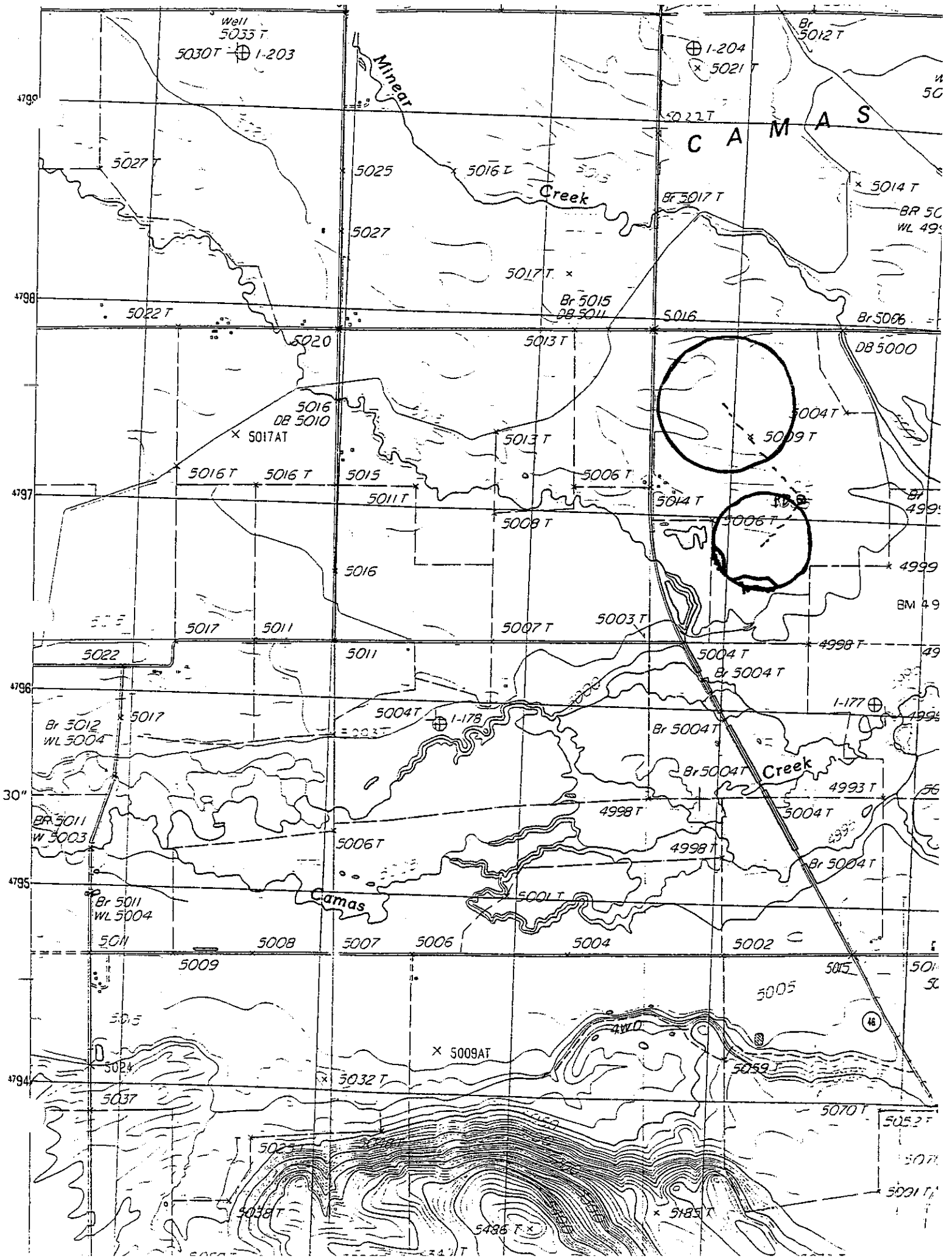
POTENTIAL =

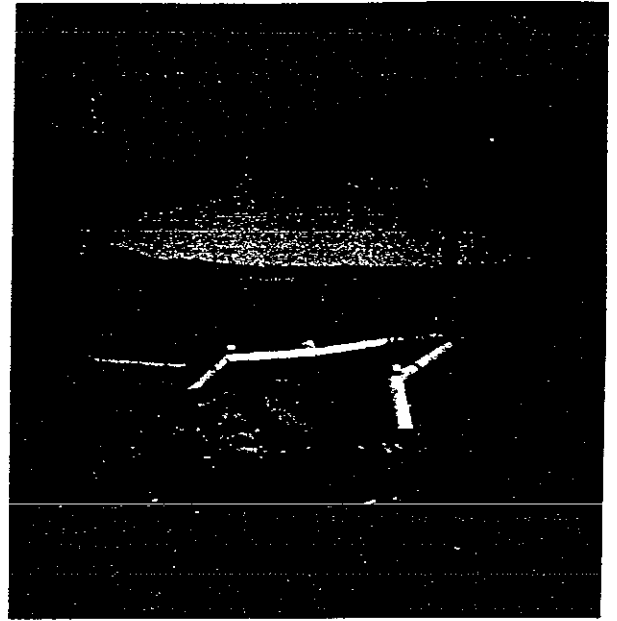
REQUIRED Acre Feet/Acre/Annum =
(AF Ann/Ac irrigation requirement from chart for area)
NOTE that this is NOT Consumptive use

IF POTENTIAL IS GREATER THAN REQUIRED THEN NO MEASUREMENT NECESSARY ()
IF POTENTIAL IS LESS THAN REQUIRED THEN MEASUREMENT IS NECESSARY ()

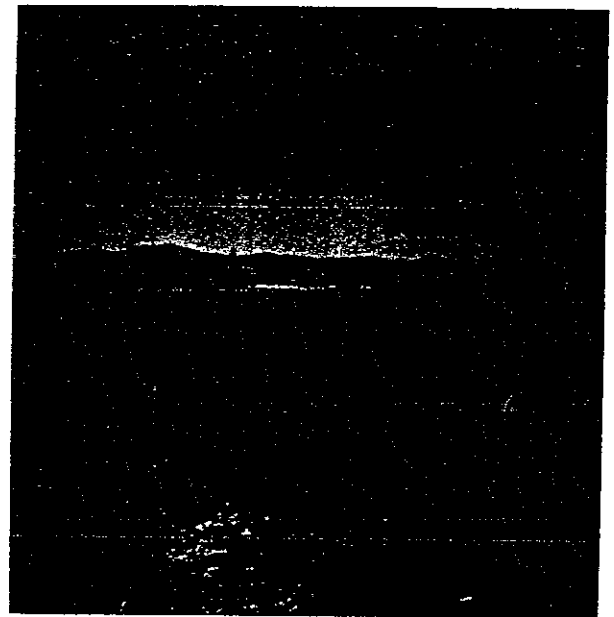
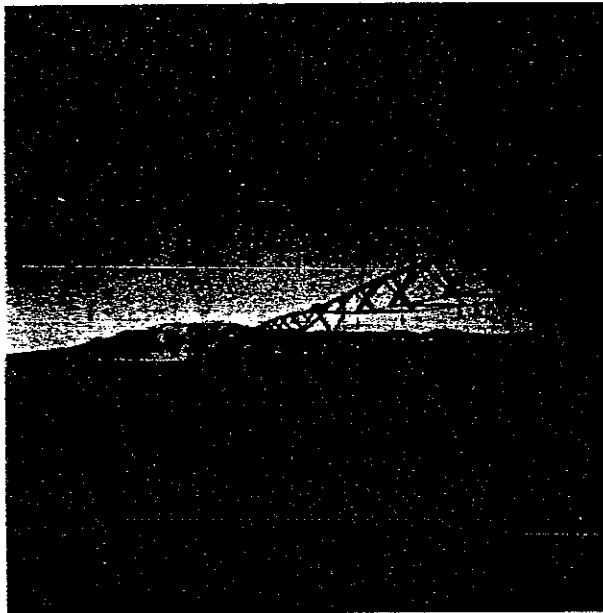








Diversion Works



South 5-tower pivot

North 7-tower pivot

Recorded at the request of
Benoit, Alexander. Sinclair,
Harwood & High
126 2nd Avenue North, P.O. Box 366
Twin Falls, Idaho 83303-0366

Mail original to Benoit, Alexander,
Sinclair, Harwood & High

Recorded at the Request of

Leon Ambrose

at 10:15 AM

Dec. 5, 1995

In Book 29

of Deeds Page 713

ROLLIE BENNETT
CAMAS COUNTY RECORDER

By Gayle Pachtell

Fees \$ 6.00

SPACE ABOVE THIS LINE FOR RECORDER'S USE

666636

PERSONAL REPRESENTATIVE'S DEED

LEONA AMBROSE, Personal Representative of the Estate of A.N. AMBROSE a/k/a NEIL AMBROSE, deceased, GRANTOR, hereby conveys unto SAND SPRINGS RANCH & COMPANY, an Idaho general partnership, whose address is P.O. Box 247, Wendell, Idaho, the following described premises situated in Camas County, Idaho:

Township 1 South, Range 15 East, B.M., Camas County, Idaho
Section 29: $N\frac{1}{2}$, $SW\frac{1}{4}$, $NW\frac{1}{4}SE\frac{1}{4}$
Section 30: $E\frac{1}{2}NE\frac{1}{4}$ except the following: A parcel of property to wit: Commencing at the section corner which is common to Sections 29, 30, 31, 32, thence North along the East line of Section 30, 2640 lineal feet, to the True Point of Beginning, thence West along the quarter section line common to the $NE\frac{1}{4}$, and the $SE\frac{1}{4}$, a distance of 300 lineal feet, thence North parallel to the East line of Section 30, a distance of 280 lineal feet, thence East a distance of 300 lineal feet on a line parallel to the quarter section line common to the $NE\frac{1}{4}$ and the $SE\frac{1}{4}$, thence South on the East line of Section 30, a distance of 280 lineal feet to the True Point of Beginning. Said parcel subject to any exceptions or encumbrances of record,

together with their appurtenances.

DATED this 8 day of November, 1995.

Leona Ambrose PR

LEONA AMBROSE, Personal
Representative of the Estate of A.
Neil Ambrose, deceased

PERSONAL REPRESENTATIVE'S DEED\1

F:\FILE\A-115\DEEDS\CAMAS1 PRD\JSI\DF

STATE OF IDAHO

County of

Gooding

)
) ss.
)

On this 8th day of November, 1995, before me, the undersigned, a Notary Public in and for said State, personally appeared LEONA AMBROSE, known to me to be the person whose name is subscribed to the foregoing instrument as Personal Representative of THE ESTATE OF A. NEIL AMBROSE, and acknowledged to me that she executed the same as such Personal Representative.

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

William Cooper
NOTARY PUBLIC
Residence: Wendell, Id
My Commission Expires: 4-28-97

PERSONAL REPRESENTATIVE'S DEED\2

F:\FILE\A-115\DEEDS\CAMAS1.PRD\JSI\DF

Josephine P. Beeman #1806
BEEMAN & ASSOCIATES, P.C.
409 West Jefferson Street
Boise, Idaho 83702
Phone: (208) 331-0950
Fax: (208) 331-0954
jo.beeman@beemanlaw.com

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF THE)
LICENSING OF APPLICATION)
FOR PERMIT 37-7638)
_____)

AFFIDAVIT OF WILLIAM SWEET

STATE OF IDAHO)
) ss:
COUNTY OF CAMAS)

I, William Sweet, after first being duly sworn upon oath, depose and state that:

(1) My name is William Sweet.

(2) For the following reasons, I am familiar with Sand Springs Ranch, the place of use for ground water permit 37-7638, as shown on the attached Exhibit A, a "1984" FSA map:

(a) I began visiting and working on the ranch in 1940.

(b) My uncle purchased the ranch in 1945, and I helped operate the ranch.

(c) My wife and I lived on the ranch during the summer months from 1953 to 1957 and operated the ranch.

(d) I inherited the ranch in 1957 when my uncle died. Beginning in 1957, my wife and I lived on the ranch year round and operated the ranch through 1986.

(e) I have continued to live in the Fairfield area from 1987 to the present but have not been involved in operating the ranch since 1987.

B

(3) Operation of irrigation at the ranch from 1940 to mid 1970s: The ranch was operated by flood irrigation using water from Twin Lakes Reservoir and Irrigation Company (Twin Lakes). The water was delivered from Mormon Reservoir through the North Canal to three headgates diverting water from the canal to ditches running through the ranch property west of Highway 46 (E½ NE¼ Section 30, T1S R15E), then under Highway 46 to water the ranch property east of the road (Section 29, T1S R15E). I sketched the location of the headgates, ditches, and land irrigated on a "1977" map from FSA. It is Exhibit B attached to this affidavit.

(4) Operation of irrigation at the ranch from the mid-1970s to 1979: I installed a sprinkler system to apply the Twin Lakes water to the ranch property east of Highway 46. All of the irrigation ditches east of the highway were eliminated except for one ditch running from the first headgate from the North Canal serving the ranch to a sump from which the water was pumped into the mainline. The sprinkler system used two ½-mile wheel lines and three ¼-mile wheel lines to irrigate about 220 acres all east of Highway 46. The ranch property west of the highway continued to be flood irrigated using Twin Lakes water. Even with this consolidated headgate and sump pump with sprinklers, I found that the availability of water from Twin Lakes was not reliable or adequate in most years, some years allowing only one irrigation for the season. In order to stay in business, I applied for a ground water right in 1977.

(5) Operation of irrigation at the ranch from 1979 through 1986: I applied for and received a permit to drill a well and use ground water to irrigate the ranch property east of Highway 46. Upon completion of the well in 1979 and installation of a motor and pump connected to the previously existing mainline, I began using the well water as the sole source of water applied to ranch property east of Highway 46. The motor and pump installed in 1979 are the same as described in the 1989 field exam for permit 37-7638. The same sprinkler lines previously used to apply the Twin Lakes water were used to apply the well water to 260 to 270 acres located in the NW¼ (160 acres), the N½ SW¼ (about 30 to 40 acres), the SW¼ NE¼ (about 30 acres), and the NW¼ SW¼ (about 40 acres). I sketched the location of the mainline, well, and irrigated fields on a "1984" FSA map, attached as Exhibit A to my affidavit. Once the well was operating, the Twin Lakes water was used exclusively on the ranch property west of Highway 46 (using roll lines) and on another property I owned about 1½ miles south of Sand Springs Ranch.

(6) I do not know of any measurements of the capacity of the pump from the well, but the well and pumping

system were adequate to operate the sprinkler system at a pressure typical for such systems (perhaps 45 psi) even with the addition of a few hand lines. The crops grown were grain and alfalfa, with alfalfa becoming the dominate crop produced. The well and pumping system produced adequate water to grow the crops.

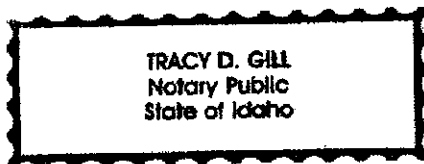
(7) During 1987, ownership of the ranch was assumed by Idaho State Bank. The bank sold the wheel lines, and I do not believe that the ranch was irrigated during the time the bank owned the property.

FURTHER YOUR AFFIANT SAYETH NAUGHT.

Dated this 22 day of March 2006.


WILLIAM SWEET

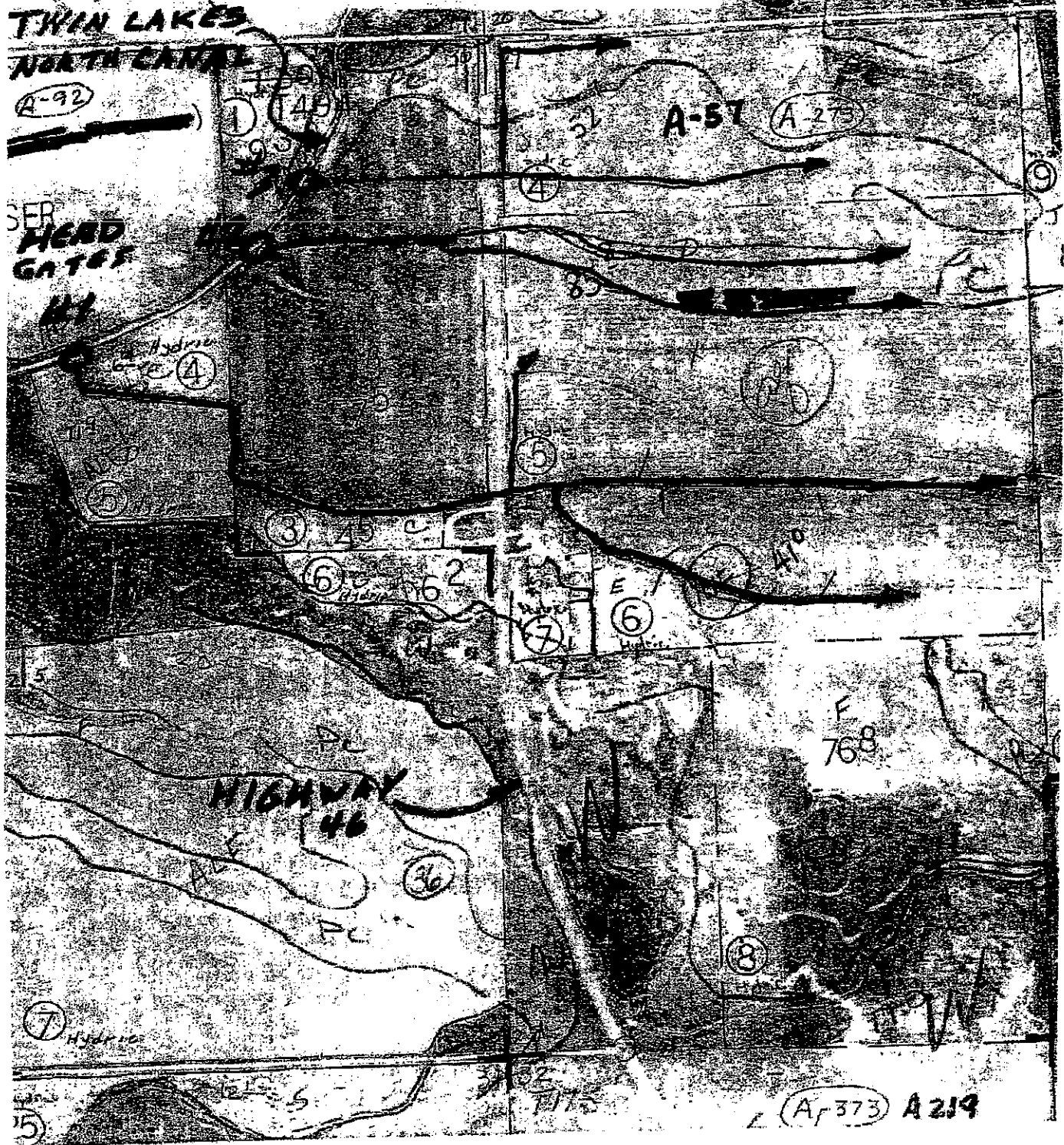
SUBSCRIBED AND SWORN before me on this 22nd day of March 2006.




Notary Public for Idaho
Residing at Fairfield, Idaho
Commission Expires: 5-6-2010

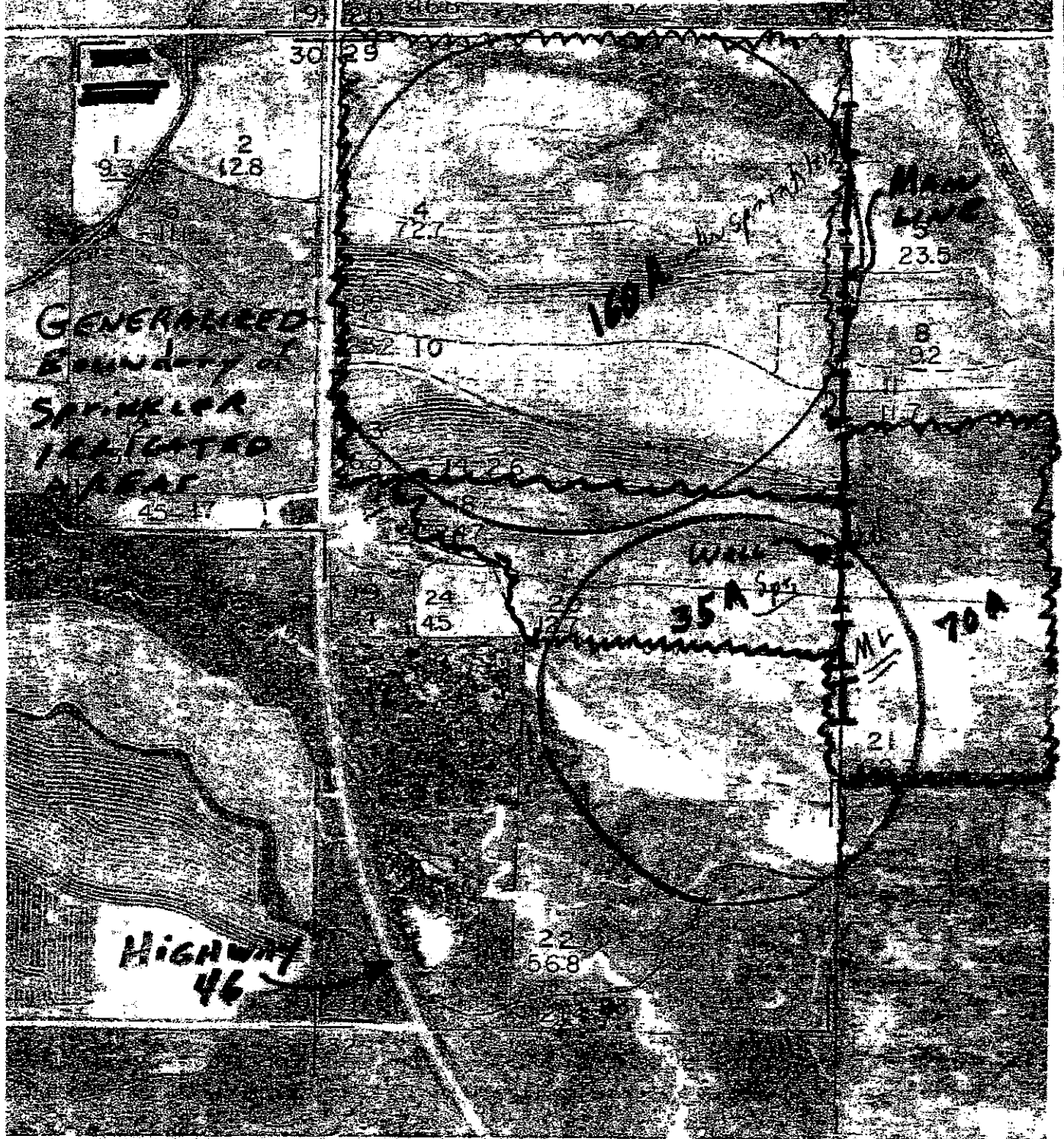
Map accompanying Bill Sweet Affidavit
showing flood irrigation of Sand Springs Ranch
using Twin Lake's water
prior to 1975

Map Base -- 1977 FSA photo



Map accompanying Bill Sweet Affidavit
showing irrigation of Sand Springs Ranch
using well water
1980 to 1986

Map Base - 1984 FSA photo



Map accompanying Bill Sweet Affidavit
showing flood irrigation of Sand Springs Ranch
using Twin Lake's water
prior to 1975

Map Base - 1977 FSA photo

**TWIN LAKES
NORTH CANAL**

(A-92)

USER
**HEAD
GATES**

H1

Hydro
6-12 (4)

ALFD

(5) Hydro

B
575

(2)

(3)

45

(6) Hydro

h6 2

(7) Hydro

(6) Hydro

410

E

(6)

768

F

(8)

Hydro

36

PC

A

29

32

T175

(5) Hydro

A-57

(A-273)

(A-273)

(A-273)

(A-273)

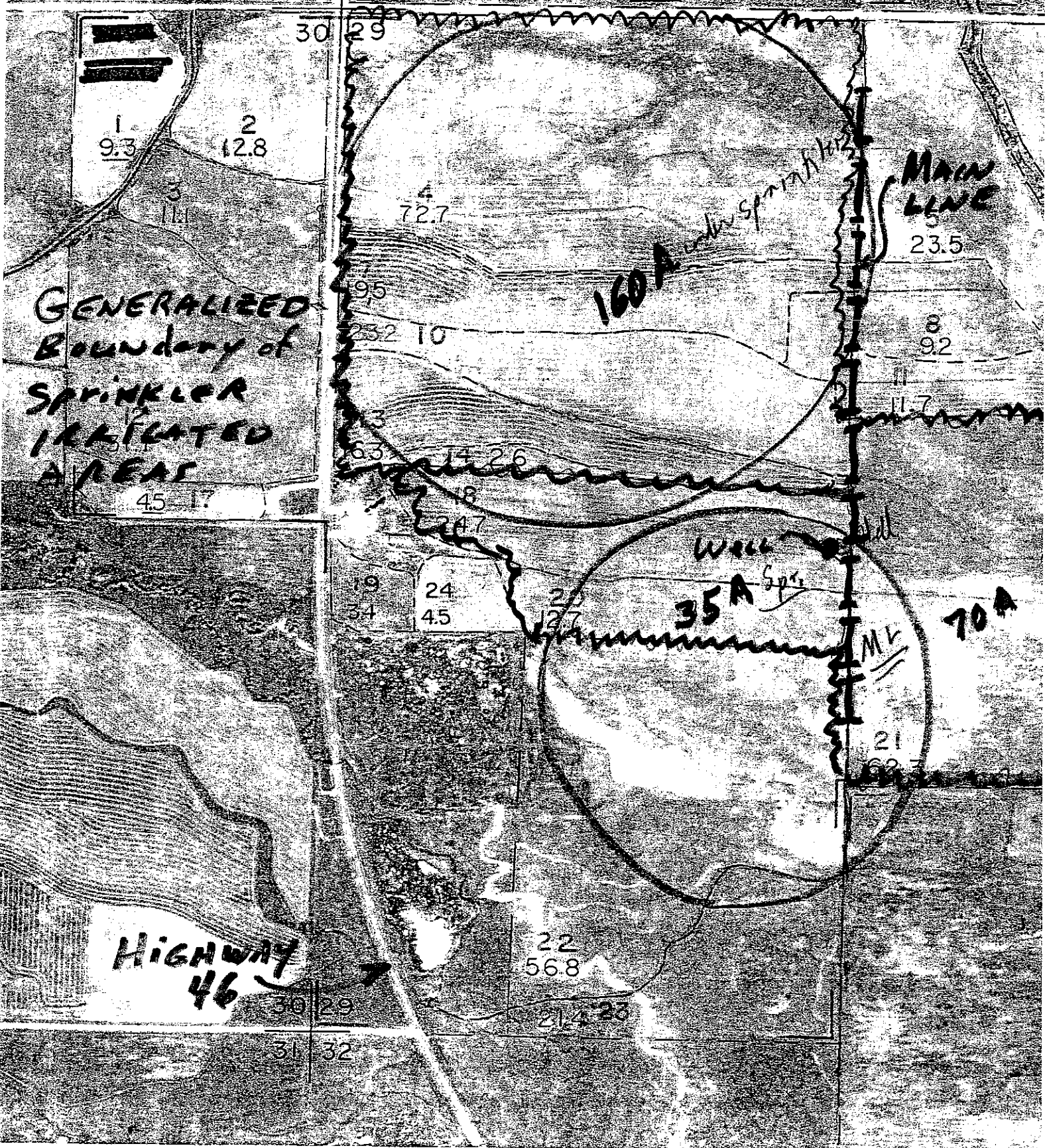
(A-273)

(A-373)

A219

Map accompanying Bill Sweet Affidavit
showing irrigation of Sand Springs Ranch
using well water
1980 to 1986

Map Base - 1984 FSA photo



Josephine P. Beeman #1806
BEEMAN & ASSOCIATES, P.C.
409 West Jefferson Street
Boise, Idaho 83702
Phone: (208) 331-0950
Fax: (208) 331-0954
jo.beeman@beemanlaw.com

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF THE
LICENSING OF APPLICATION
FOR PERMIT 37-7638

AFFIDAVIT OF BONNIE SWEET

STATE OF IDAHO

COUNTY OF CAMAS

)
)
)
)
)
) ss:
)

I, Bonnie Sweet, after first being duly sworn upon oath, depose and state that:

(1) My name is Bonnie Sweet.

(2) I am familiar with Sand Springs Ranch because my husband, William Sweet, and I lived on the ranch during the summer months from 1953 to 1957 and operated the ranch. Beginning in 1957, we lived on the ranch year round and operated the ranch through 1986. In 1987, ownership of the ranch was assumed by Idaho State Bank. We have continued to live in the Fairfield area from 1987 to the present but have not been involved in operating the ranch since 1987.

(3) I know that the ranch was flood irrigated until the mid-1970s when sprinklers were installed on the ranch property east of Highway 46. The source of water for the ranch was Twin Lakes Reservoir and Irrigation Company (Twin Lakes), and the water was delivered by the North Canal from Mormon Reservoir.

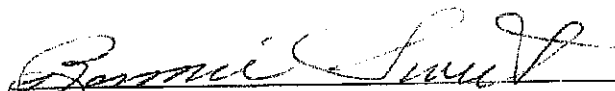
(4) When the sprinklers were installed, all of the irrigation ditches on the ranch property east of the highway were eliminated except for one ditch running to a sump from which the water was pumped into the mainline for the sprinklers. We continued to flood irrigate the ranch property west of the highway.

C

(5) When the well was completed in 1979 and connected to the sprinklers for the ranch property east of the highway, we no longer used the Twin Lakes water on this part of the ranch. We did continue to use the Twin Lakes water on the ranch property west of Highway 46 and other property we owned about 1½ miles south of Sand Springs Ranch. With the well, we grew some grain but primarily alfalfa on the ranch property east of the highway.

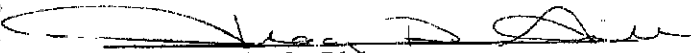
FURTHER YOUR AFFIANT SAYETH NAUGHT.

Dated this 22 day of March 2006.


BONNIE SWEET

SUBSCRIBED AND SWORN before me on this 22nd day of March 2006.




Notary Public for Idaho

Residing at Franklin, Idaho

Commission Expires: 5-6-2010

Form 42-249/42-1409(5) July 2000

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

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required

Water Right No(s)	Adjudication Claim No(s)	Split	Water Right No(s)	Adjudication Claim No(s)	Split
----------------------	-----------------------------	-------	----------------------	-----------------------------	-------

37-7638 #

[permit pending license

RECEIVED

AUG 30 2005

Department of Water Resources
Southern Region

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

- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county)

OR

If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

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

Idaho State Bank

4. New Owner/Claimant(s)

* Sec Deed

Name Connector (Check one): [] and, [] or, [] and/or

New Mailing Address

c/o Rodney Gonszles Route 1 Box 2070

City, State and ZIP Code

Corral, ID 83322

New Telephone Number

(208) 764-3904

5. Date you acquired the property

April 15th 2005

Rodney R. and Melanie J. Gonszles

Edward E. Smith and Sunnie C. Smith

Dallas E. Smith and Candice R. Smith

D

Form #2-248/42-1409(6) July 2000

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right(s) will not be split, skip this area and proceed to item 7)		
Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

Anthony J. Gonzalez

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

For Office Use Only

Received by <u><i>ADW</i></u>	Date <u>8/30/05</u>	Fee <u>25⁰⁰</u>
Received by <u><i>ADW</i></u>	Date <u>8/30/05</u>	Receipt No <u>5027953</u>
Processed by _____	AJ Date _____	WR _____ Date _____

Order No C050031/6050052
WARRANTY DEED

For Value Received

SAND SPRINGS RANCH & COMPANY, AN IDAHO GENERAL PARTNERSHIP

the grantor(s) do(es) hereby grant, bargain, sell, and convey unto

RODNEY R. AND MELANIE J. GONSALES, Husband and Wife, as to an undivided 84.58% interest, EDWARD E. SMITH AND SUNNIE C SMITH, Husband and Wife, as to an undivided 10.02% interest, DALLAS E. SMITH AND CANDICE R. SMITH, Husband and Wife, as to an undivided 5.4% interest

the grantee(s), whose current address is

P.O. BOX 425, FAIRFIELD, ID 83327

the following described premises, to-wit:

See Attached Exhibit "A"

Recorded at the Request of
Carmas County Title
at 4:00 PM
April 18, 2005
in Book 35 Page 134
of Deeds
MOLLIE AMBROSE
CARMAS COUNTY RECORDER
By [Signature] D. Walker
Costs \$ 12.00

78370

Together with Idaho Dept. of Water Resources #37-07638

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U. S. Patent reservations, restrictions, easements of record, and easements visible upon the premises and that he/she/they will warrant and defend the same from all claims whatsoever

Dated: April 15, 2005

SAND SPRINGS RANCH & COMPANY, AN IDAHO GENERAL PARTNERSHIP

[Signature]
TOM AMBROSE, MANAGING PARTNER

[Signature]
LEANNE AMBROSE, MANAGING PARTNER

STATE OF Oregon
COUNTY OF Clark

On this 15th day of April, in the year 2005, before me, the undersigned, a notary public in and for said state, personally appeared TOM AMBROSE, and LEANNE AMBROSE, known or identified to me to be the managing partner(s) of the general partnership that executed the foregoing instrument and acknowledged to me that such general partnership executed the same

WITNESS my hand and official seal

[Signature]
Notary Public of Oregon
Residing at Lakeview, Oregon
Commission Expires: June 27, 2008



EXHIBIT A
C050031

Township 1 South, Range 15 East of the Boise Meridian Camas County Idaho

Section 29: The N1/2 and SW1/4,

SUBJECT TO rights of way for Highway purposes over the Northerly Easterly, and Westerly boundaries of subject property

AND

NW1/4SE1/4

AND

Section 30: The E1/2NE1/4,

EXCEPT a parcel of land more particularly described as follows:

COMMENCING at the section corner which is common to Sections 29, 30, 31 and 32;

THENCE North along the East line of Section 30, 2,540 lineal feet to the TRUE POINT OF BEGINNING;

THENCE West along the quarter section line common to the Northeast Quarter and the Southeast Quarter, a distance of 300 lineal feet;

THENCE North parallel to the East line of Section 30, a distance of 280 lineal feet;

THENCE East a distance of 300 lineal feet on a line parallel to the quarter section line common to the Northeast Quarter and the Southeast Quarter;

THENCE South on the East line of Section 30, a distance of 280 lineal feet to the TRUE POINT OF BEGINNING

SUBJECT TO rights of way for Highway purposes over the Northerly and Easterly boundaries of subject property.

Idaho Department of Water Resources Receipt

Receipt ID S027953

Payment Amount \$25.00 Date Received 8/30/2005 4:05:12 PM Region Southern Status ☒
Payment Type Check Check Number 1041

Payer GONSALES, RODNEYComment Change of Ownership for licensing of permit in current owners name of 37-7638.

Fee Detail

Amount Description

Fund FD PCA SO

\$25.00 OWNERSHIP CHANGES/SECURITY INTERESTS 0229 21 64140 1155
Signature Line (Dept. Representative)

RODNEY RAY GONSALES
MELANIE GONSALES
Route 1 Box 2070 Ph. 208-764-3825
Corral, ID 83322

1041
96-7107/3283

8/30/05 Date

Pay to the Order of Idaho Department of Water Resources \$ 25.00
Twenty five dollars 00/100 Dollars

BANNER BANK
100 N. Main, Suite 200
Twin Falls, ID 83301
1-800-627-6438

For 37-02638 WATER Transfer Rodney Ray Gonsales

⑆323371076⑆ 18 00002413⑆ 1041⑆

Idaho Department of Water Resources Receipt

Receipt ID S027952

Payment Amount \$50.00 Date Received 8/30/2005 3:12:00 PM Region Southern Status ☒
Payment Type Check Check Number 1036

Payer GONDALES, RODNEYComment For licensing amendment of 37-7638

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$50.00	AMENDMENTS	0229	21	64106	1155



Signature Line (Dept. Representative)

Page 1

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-07638

RECEIVED**AUG 30 2005**Department of Water Resources
Southern Region

Date of Priority: July 05, 1977

Maximum Diversion Rate: 4.87 CFS

Comes now IDAHO STATE BANK
PO BOX 909

GLENN'S FERRY ID 83623 and represents to the Director of the Idaho Department of Water Resources that he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 37-07638, and requests that the permit be changed as follows:

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

04/15 to 10/31

RATE OF DIVERSION

4.87 CFS

LOCATION OF POINT(S) OF DIVERSION:GROUND WATER NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 29, Twp 01S, Rge 15E, B.M. CAMAS County**PLACE OF USE:** IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
01S	15E	29	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
			11.0	35.0			40.0	40.0	35.0	40.0	38.0	16.0		4.0		40.0			299.0

Total Acres: 299

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 30th day of August, 2005

(Signature)

Department of Water Resources

SEP 01 2005

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Page 2

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-07638

Preliminary check by AM FOR DEPARTMENT USE ONLY
Fee = \$50.00 Received by AM # 5027952 Date 8/30/05

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No 37-07638 with the following:

CONDITIONS OF APPROVAL

1. ~~The right holder shall make full beneficial use of all surface water rights available to the right holder for irrigation of the lands authorized to be irrigated under this right. The right holder shall limit the diversion of ground water under this right to those times when the surface water supply is not available or the surface water supply is not reasonably sufficient to irrigate the place of use authorized under this right.~~
2. ~~If the surface water rights appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required~~
3. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
4. This right when combined with all other rights shall provide no more than 3.5 cfs per acre at the field headgate for irrigation of the lands above.
5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor exceed a combined annual maximum diversion volume of 1046.5 af at the field headgate for the lands above.

Witness my hand this _____ day of _____, 2005

KARL J. DREHER
Director

Bill Sweet Developed Well and has been the primary water source since developed. I am in process of preparing a study to present. I disagree with condition one + two

Ray Ray Gonzalez