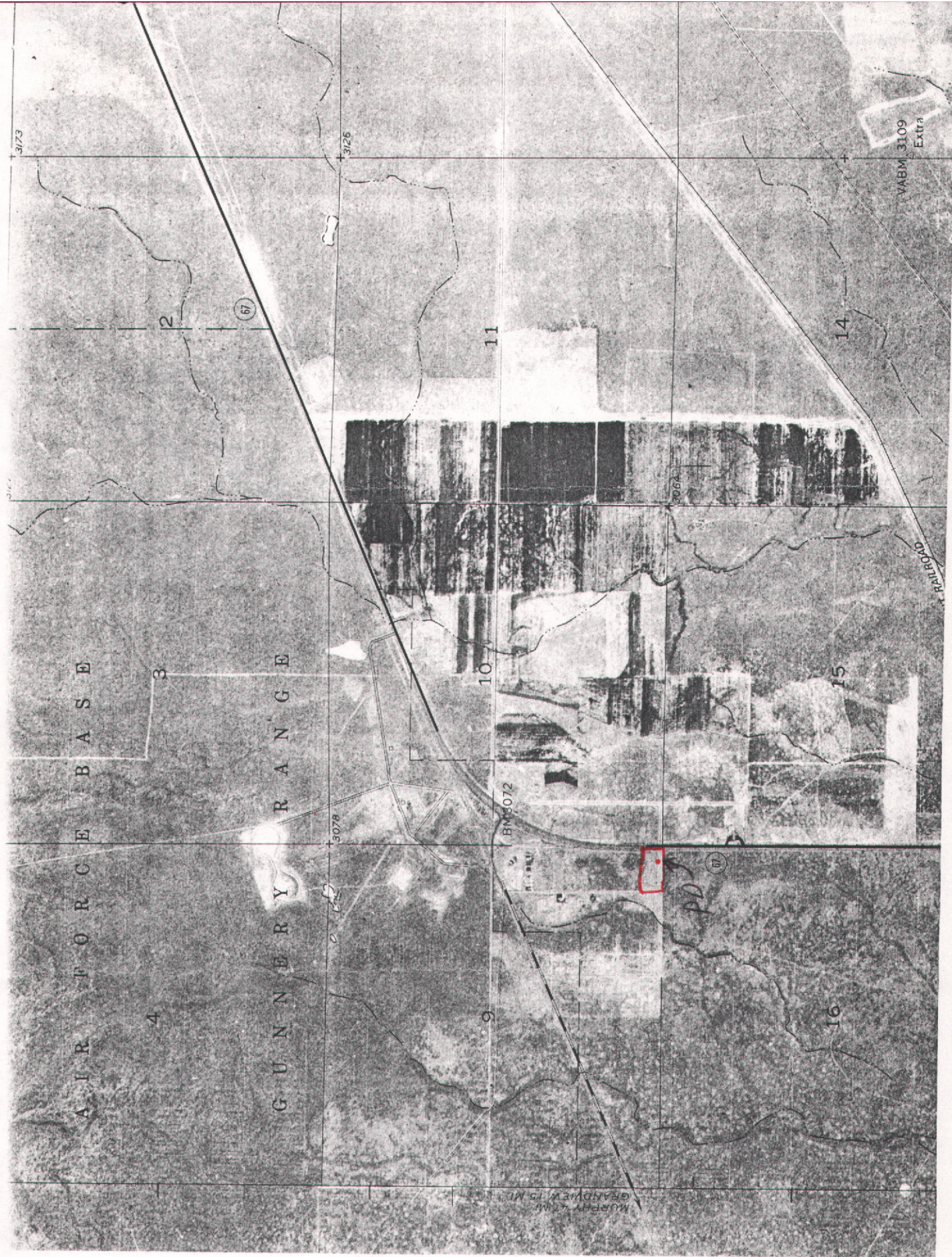
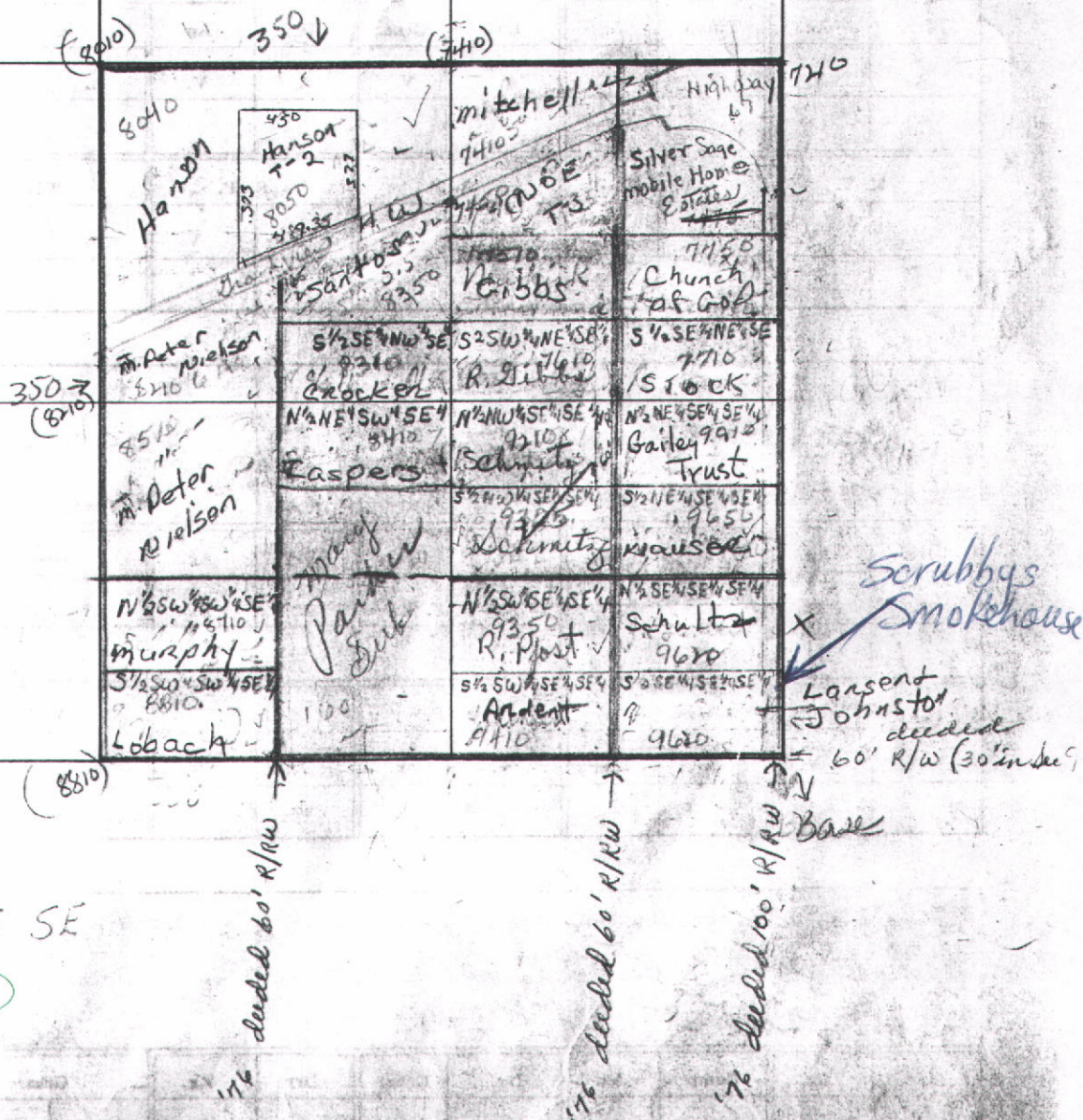




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1/2 SE NE SE

61-02194 B

61-02194B

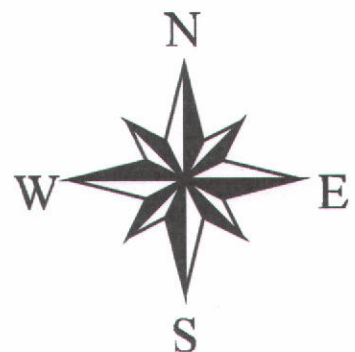


80 0 80 160 240 320 400 480 560 Feet

A horizontal scale bar with alternating black and white segments. The segments are labeled with the numbers 80, 0, 80, 160, 240, 320, 400, 480, and 560, followed by the word 'Feet'.

T04S R05E
S09

Map prepared by: Erik Norquest
Date prepared: 10/16/98
1987-1988 NAPP photography



Claim identification no. A61-02194 B



T T4S R5E Sec 9
NE SW SE

Photo # 15 10-17-96

⊥ Photo # 15 10-17-96 Looking SW from the corner of the
SESESE Sec 9 showing the well head and irrigated lawn



T T4S R5E Sec 9
NE SW SE

⊥ Photo # 16 10-17-96 Looking NE from the corner of the
SESESE Sec 9 showing the restaurant, well head and irrigated
lawn that is watered from the well.

ASCS 419
T45 RSE

A61-02194B

T410
389

YNHEE
18.3

1 HEL
59.3

T402
294

1 HEL
56.1

3 HEL
68.3

4 HEL
77.8

1 HEL
26.5

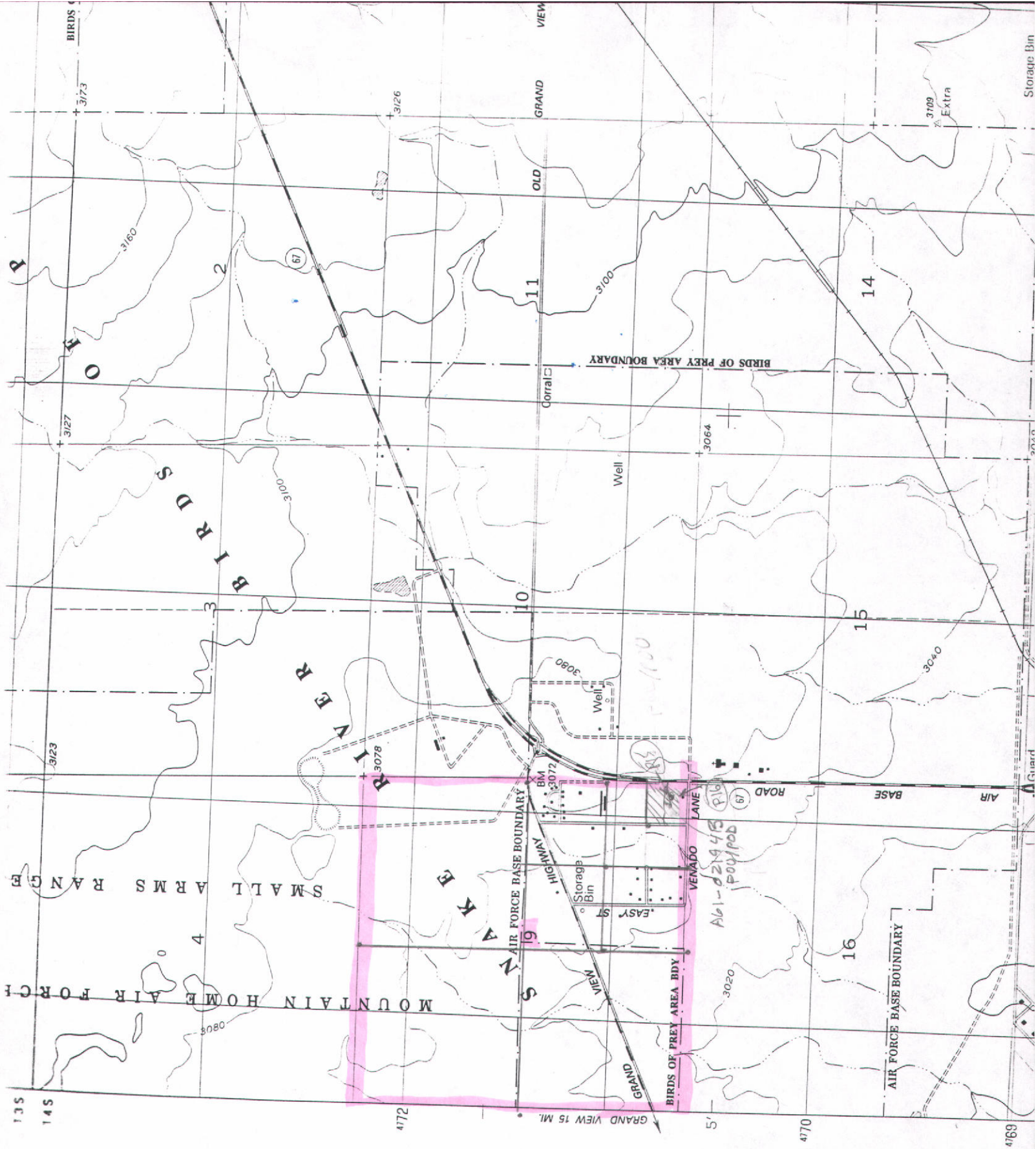
HEL
29.4

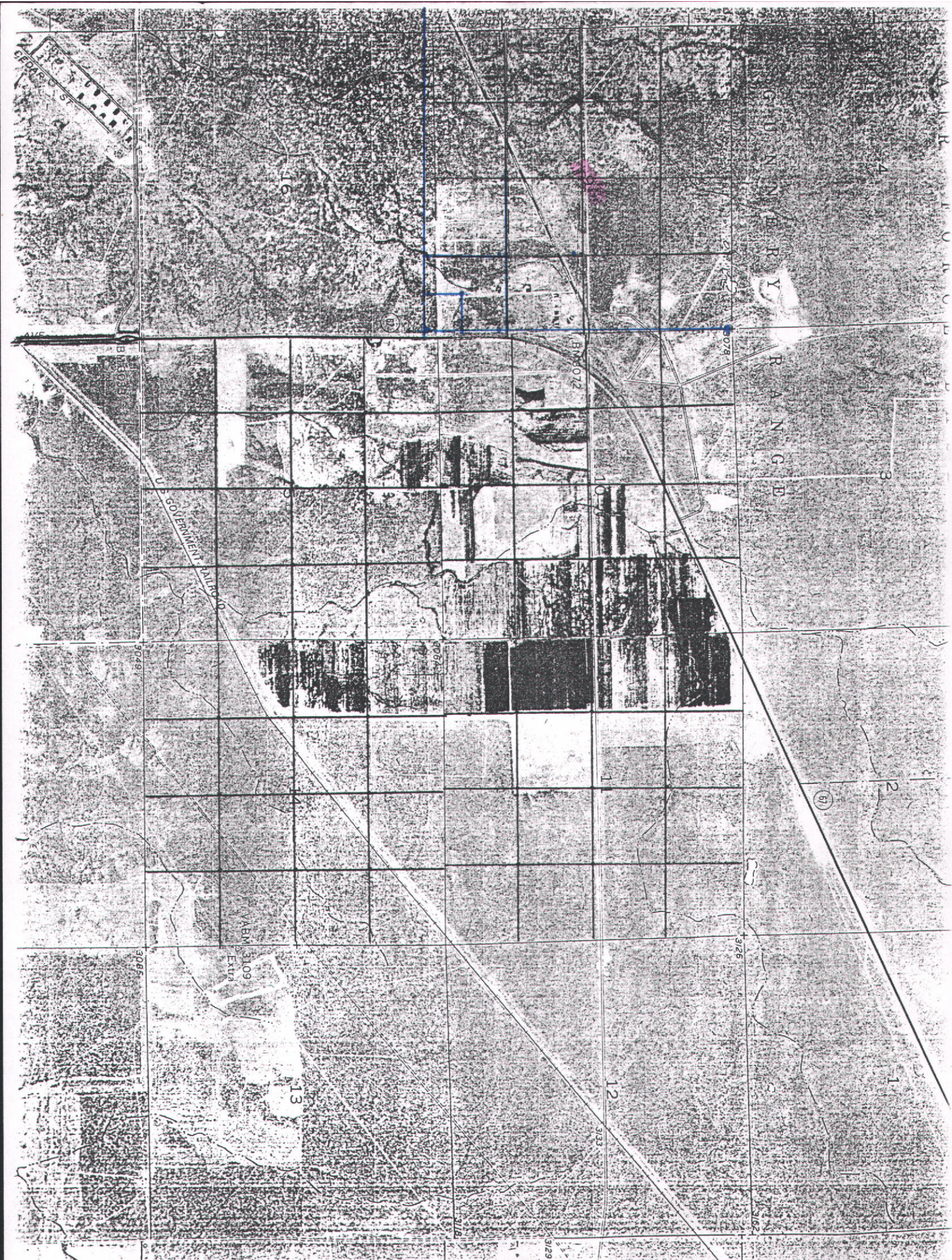
4S 5E

Topo Z 62

1992

AB1-02194B





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

RECEIVED

NOV 8 1989

Ident. Number: A61-02194B
Date Received: 11-8-89
Receipt No: C012751
Received By: _____

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

Department of Water Resources

1. Name: SCRUBBY'S, INC. 208-832-4441
Address: P.O. BOX 211
MOUNTAIN HOME, ID 83647
AND/OR
Name: JAMES R. BIRCHFIELD 208-587-4691
Address: 1135 N. 9TH E.
MOUNTAIN HOME, ID 83647
AND/OR
Name: KAREN W. BIRCHFIELD 208-587-4691
Address: 1135 N. 9TH E.
MOUNTAIN HOME, ID 83647

2. Date of Priority: JUN 17, 1966

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
04S	05E	9	SE	SE	SE		ELMORE

5. Description of diverting works:
550' 6" WELL 5 HP SUB. PUMP

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.030		
COMMERCIAL	01/01	12/31	0.020		

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

8. Total consumptive use is 3.0 Acre Feet Per Annum.

9. Non-irrigation uses:
C/ RESTAURANT SERVES 200 HUNDRED PEOPLE A DAY.

A61-02194B

Page 1

Date: 11/06/89

MICROFILMED

AUG 11 1992

1

Section Acres	1.0
Total Acres	1.0

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

14. Remarks:
THIS RIGHT IS A PORTION OF A61-02194. THE USE HAS BEEN CHANGED
AND THE ACREAGE REDUCED FOR IRR. TO 1 ACRE.
THE NEW USE IS C/ RESTAURANT.

15. Basis of Claim: LICENSE
Water Right Number: 32939

MICROFILMED
AUG 11 1992

16. Signature(s)

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

Number of attachments: _____

For Individuals:

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

Signature of Claimant(s): James R. Bickfield Date: 7 NOV 89
Karen W. Bickfield Date: 7 NOV 89

For Organizations:

I do solemnly swear or affirm that I am PRES/MGR of
Title
SCRUBBY'S, INC., that I have signed the foregoing
Organization
document in the space below as PRES/MGR of
Title
SCRUBBY'S, INC. and that the statements contained in the
Organization
foregoing document are true and correct.

James R. Bickfield
Signature of Authorized Agent
PRES, SCRUBBY'S, INC.
Title and Organization
7 NOV 89
Date

State of Idaho)
County of Elmore) SS.

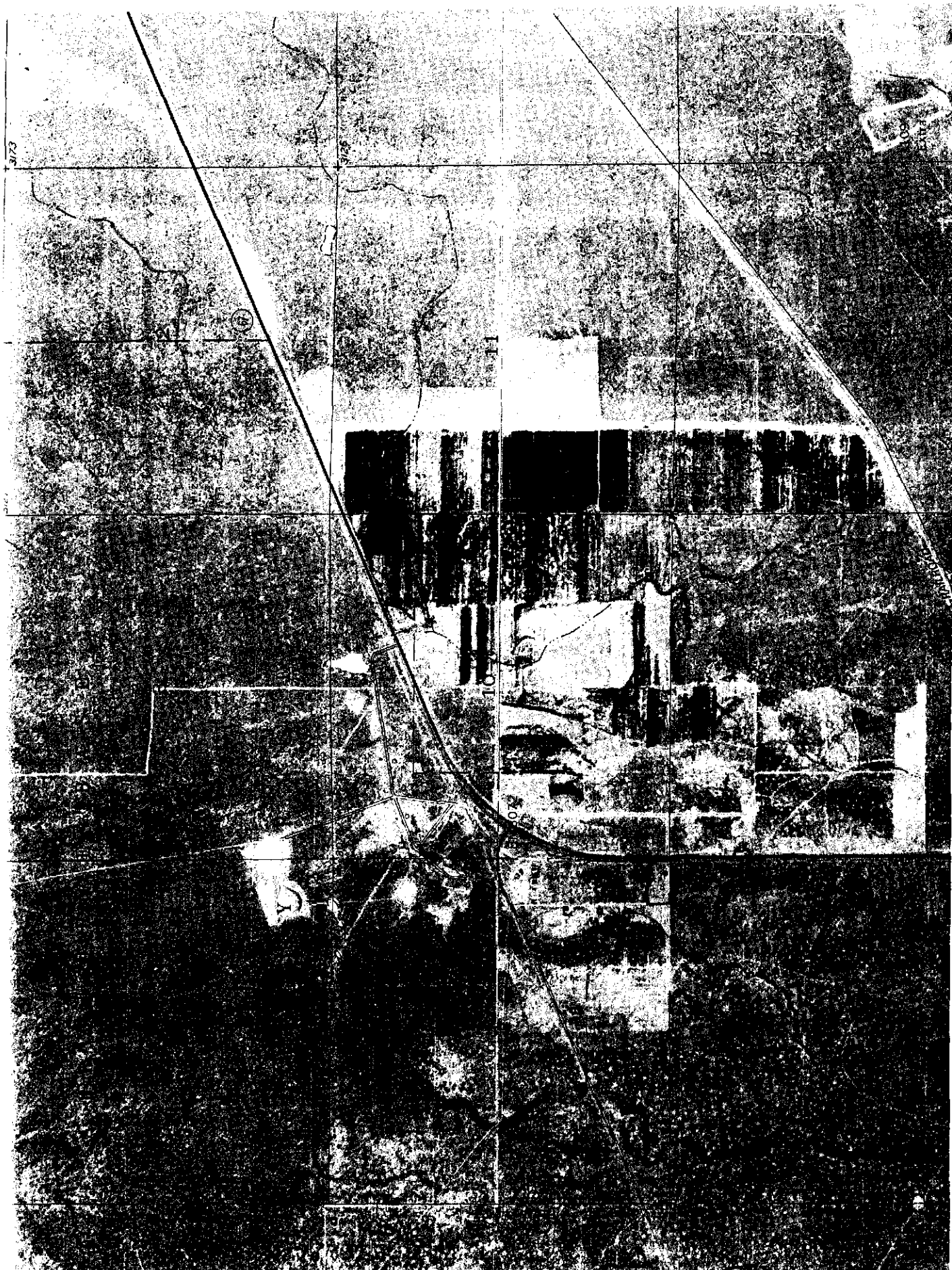
Subscribed and sworn (or affirmed) before me this 7 day
of November 19 89

Jeanette Leese
Notary Public

Seal

Residing at Mt. Home, Id.

My Commission Expires 6-10-92
Date: 11/06/89



MICROFILMED

AUG 11 1992

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

In Re SRBA)
Case No. 39576) NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDINGS
Water Right 61-02194B

IDWR has completed the following Administrative Proceeding:

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

SUBSTITUTION OF PARTY

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

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

Water Right(s): 61-02194B

From (Claimant/Seller):

Name of Claimant: KAREN BIRCHFIELD
Address: 1135 N 9TH EAST
MOUNTAIN HOME ID 83647
Phone: (208) -

To (Claimant/Purchaser):

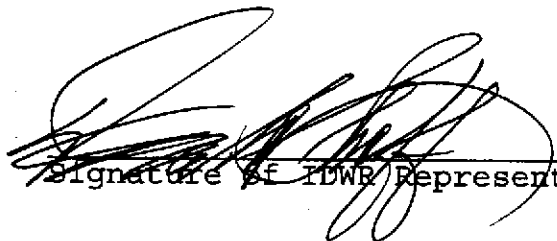
Name of Claimant: JAMES R JOHNSTON
Address: 4175 S 130 W
MOUNTAIN HOME ID 83647
Phone: (208) 832-7074

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

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

DATED:

2/10/00



Signature of IDWR Representative

NOTICE OF COMPLETED
ADMINISTRATIVE PROCEEDING
2/10/2000

61-02194B

PAGE 2

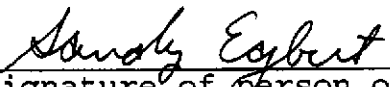
CERTIFICATE OF MAILING

I certify that on 2-15-00 I mailed the original
and copies of this form to the following persons, postage prepaid
and addressed as follows:

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

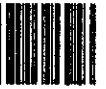
KAREN BIRCHFIELD
1135 N 9TH EAST
MOUNTAIN HOME ID 83647
3. One Copy to:
Claimant/Purchaser for Substitution of Party or attorney of record:

JAMES R JOHNSTON
4175 S 130 W
MOUNTAIN HOME ID 83647
4. One Copy to:
Chief, Natural Resources Division
Office of the Attorney General
P.O. Box 44449
Boise, Idaho 83711-4449
5. One Copy to:
United States Dept. of Justice
Environment & Natural Resource Div.
550 West Fort Street, MSC 033
Boise, ID 83724



Signature of person or attorney mailing the form

POD ☒ (M)
IRR. POD ☒ lac
NEW COMMA 200 ☒ Res-amount
USE
ASCS MAP ☒



A6

CV

RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 61-021948

NAME & ADDRESS: JAMES R JOHNSTON
4175 S 130 W
MOUNTAIN HOME ID 83647

SOURCE: GROUNDWATER

QUANTITY: 0.05 CFS
6.7 AFY

PRIORITY DATE: 06/17/1966

POINT OF DIVERSION: T04S R05E S09 SESESE Within ELMORE County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		03-15 11-15	0.03 CFS
COMMERCIAL		01-01 12-31	4.0 AFY
			0.02 CFS
			2.7 AFY

1 RESTAURANT

PLACE OF USE: IRRIGATION Within ELMORE County
T04S R05E S09 SESE 1
1 ACRES TOTALCOMMERCIAL Within ELMORE County
T04S R05E S09 SESE

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

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAWDATE: FEB-10-2000
PAGE: A-2-----
RIGHTS FROM: SOURCE: GROUNDWATER

RIGHT NUMBER: 61-02194B (CONT)

OTHER PROVISIONS: (CONT)

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

WATER RIGHT NO.	SOURCE
NONE	NONE

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

WATER RIGHT NO.	SOURCE
NONE	NONE

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - LICENSE

AJ0749NP
No. 61-02194B

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

DATE: 02/09/00
PAGE: 2

Remarks: USE 1 RESTAURANT

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc:

Water District Number:

Field Inspection Flag:

Presumption Flag:

Comments:

Date: 10/16/1998 User-ID: ENORQUES Subject: COPIED FROM REMARKS
THIS RIGHT IS A PORTION OF A61-02194. THE USE HAS BEEN CHANGED
AND THE ACREAGE REDUCED FOR IRR. TO 1 ACRE.
THE NEW USE IS C/ RESTAURANT.
RESTAURANT SERVES 200 HUNDRED PEOPLE A DAY.

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

Date: 02/09/2000 User-ID: SSHERMAN Subject: OWNERSHIP CHANGE
BIRCHFIELD TO JOHNSTON.

Audit:

02/09/00 SSHERMAN

DO NOT
FILM

RECEIVED

FEB - 7 2000

Department of Water Resources

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

1. Water Right No(s): _____

Adjudication Claim No(s): A61-02194B

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

A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

AND

B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)

OR

C. If your water right or adjudication claim is 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

Karen Birchfield
1135 N. 9th East Mountain Home 83647

4. New Owner/Claimant(s)

James R. Johnston

New Mailing Address

4175 S. 130 W.

City, State and ZIP Code

Mountain Home, ID, 83647

New Telephone Number

(208) 832-7074

5. Date you acquired the property

May 25, 1999

6. Did you acquire all of the former owner's property? If you did, skip this item and go to item 7. If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below only if the water right(s) or claim(s) need to be split between owners. If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

Number of acres you irrigate with this water right _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) or Claimant(s)

James R. Johnston
RECORD Modified 2-9-00 - NCAPP prepared

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

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

O.K. to change ownership 04 2-9-00

INSTRUCTIONS

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

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

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

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

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

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

IDWR Southern Region
1341 Fillmore St., Suite 200
Twin Falls, ID 83301-3380
(208) 736-3033

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

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



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

February 10, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

James R. Johnston
4175 S. 130 W.
Mountain Home, ID 83647

RE: Snake River Basin Adjudication (SRBA)
Water Right #61-02194B

Dear Mr. Johnston:

We have processed your change in ownership of the water right referenced above.

Enclosed is our recommendation of your water right. Please refer to this record number in any future inquiries or correspondence.

If your mail delivery address changes in any form, please contact us in writing so we can update our records to assure you receive important notices concerning your water right. Please call me at 1/800-451-4129 if you have any questions or concerns.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Sally'.

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region
Enclosure:

Recommendation for #61-02194B

WARRANTY DEED

THIS DEED is made by JUSTIN K. LARSEN, a single man, referred to as Grantor, to JAMES R. JOHNSTON, a single man, whose address is 4175 South 130th West, Air Base Road, Mountain Home, Elmore County, Idaho.

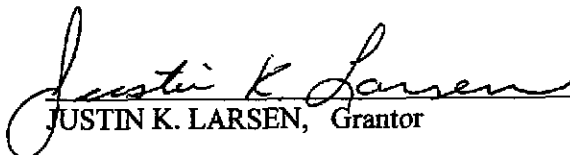
NOW, THEREFORE, Grantor does hereby grant, convey, assign, transfer and set over unto Grantee, a fee simple interest in and to the following described real property, situate in the County of Elmore, State of Idaho:

S1/2 of the SE1/4 of the SE1/4 of the SE1/4 of Section 9, T4S, R5E, B.M., aka 4175 South 130th West, Mountain Home, Idaho, 83647

TOGETHER WITH all the improvements, tenements and appurtenances on he property, and all easements, rights, rents, stock and all fixtures now a part of the property, but SUBJECT TO the deed of trust in favor of Karen Birchfield, which Buyer has assumed.

GRANTOR COVENANTS that he is lawfully seised of the estate hereby conveyed and has the right to grant and convey the Property and that the Property is unencumbered, except for encumbrances of record, and that he will defend generally the title to the property against all claims and demands, excepting those specifically mentioned herein.

Dated this 25 day of ^{May}~~April~~, 1999.


JUSTIN K. LARSEN, Grantor

STATE OF IDAHO)
) ss.
COUNTY OF Ada)

On this 25 day of May, 1999, before me the undersigned Notary Public, personally appeared JUSTIN K. LARSEN, a single man, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same.

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

Lori Stark
Notary Public for Idaho
Residing at B Boise, Idaho
My Commission Expires 7-23-2003

WARRANTY DEED--1

61-02194B

(740)

Hanson

438
Hanson
7-2

10-11-68

Ngày 14

726

$$\begin{array}{r} 350 \\ \hline (40) \end{array}$$

4519

Peter
Nelson

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109710

Murphy

BBIO

Loebach

20

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APR 10 1962

SECRET

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Secret

CLASSIFIED

9350
R. Post

S 7/2 SW 1/4 SE 4 SE

RFID

1. *Chlorophyll a* (Chl *a*)

SVASEN

Stock

Garley 9910

Trust
3/2 NE 1/4 106E

4-8650
CHICAGO 66

IN 3 36 4264 56 4

Schultz
9/10/30

4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 1040 1041 10

9620

↑ 1

Scrubby's
Smokehouse

Lansend
bustor

60' 11" = 11' 11" dec

2.50 NW

Back

N $\frac{1}{2}$ SE NE SE

61-02194B

ASSIGNMENT AND ASSUMPTION OF NOTE AND DEED OF TRUST

THIS AGREEMENT, made and entered into this 24 day of MAY, 19 1999,

by and between JAMES R. JOHNSTON AND JUSTIN K LARSEN

hereinafter referred to as Assignor, and JAMES R JOHNSTON

hereinafter referred to as Assignee;

FOR VALUABLE CONSIDERATION, the receipt whereof is hereby acknowledged, Assignor does hereby sell, transfer, set over and assign unto Assignee, all of Assignor's right, title and interest in and to that certain Note and Deed of Trust dated JUNE 15, 19 1998, in the original amount of \$ 105,000.00, executed by

JAMES R. JOHNSTON AND JUSTIN K LARSEN

in favor of KAREN BIRCHFIELD

which Deed of Trust is recorded as Instrument No. 308615, records of ELMORE County, Idaho, and

which Note and Deed of Trust are held in escrow at PIONEER TITLE OF ADA COUNTY under

Escrow No. 127900.

Assignor fully authorizes and empowers the Assignee, on performance of the terms of the Note and Deed of Trust, to demand and receive of the escrowholder holding the same, all documents held by said escrowholder necessary to clear title to Assignee, in the same manner to all intents and purposes as the Assignor might or could do, were these presents not executed, and for such purpose Assignor does make, constitute and appoint Assignee with full power of substitution, as the true lawful attorney-in-fact of Assignor, irrevocable, with full power and authority to have, use and take all lawful ways and means for the enforcement of all the covenants, terms and conditions of the Note and Deed of Trust in Assignor's name or otherwise.

This agreement shall be effective as of MAY 24, 1999, 19 _____. From and after said effective date, Assignee does hereby assume and agree to pay, perform and discharge promptly when the same should be done, all of the remaining duties and obligations of the Assignor under the Note and Deed of Trust hereby assigned. Assignor warrants that as of

said effective date, the unpaid principal balance due under the Note and Deed of Trust is \$ 103,829.54.

This assignment shall be considered a part of and attached to that certain Note described herein as if it were made a part thereof. This agreement shall inure to the benefit of, and be binding upon, the heirs, personal representatives, successors and assigns of all parties hereto.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the day and year first above written.

ASSIGNOR:

James R. Johnston
JAMES R. JOHNSTON

Justin K. Larsen
JUSTIN K LARSEN

ASSIGNEE:

James R. Johnston
JAMES R. JOHNSTON

STATE OF IDAHO
COUNTY OF ADA

STATE OF IDAHO
COUNTY OF ADA

On this 25 day of May

On this _____ day of _____

19 99, before me, Lori Stark
a Notary Public in and for said State, personally appeared

19 _____, before me, _____
a Notary Public in and for said State, personally appeared

James R. Johnston and Justin K. Larsen

known or identified to me to be the person S whose

known or identified to me to be the person _____ whose

name S subscribed to the

name _____ subscribed to the

within instrument and acknowledged to me that they
executed the same.

within instrument and acknowledged to me that _____
executed the same.

Notary Public for Idaho

Notary Public for Idaho

Residing at Boise

Residing at _____

Commission expires 7-23-2003

Commission expires _____

61-02194B



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

RECEIVED

JAN 10 2000

WATER RESOURCES
WESTERN REGION

1-7-2K

December 29, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MTG LLC
c/o Gable
4945 Highway 72
New Plymouth, ID 83655-5236

*called. Sold 2 yrs ago.
Don't know who new owner is.*

*1-7-2K - Jim Johnston, new owner,
called. Sent d/c form.*

Re: Snake River Basin Adjudication (SRBA)
Water Right #61-02194B

RECEIVED

JAN 12 2000

Dear Water Right Holder:

We have been advised the address for you presently in our records is incorrect. ^{Department of Water Resources}
Although we have reached you at the address above, we need your written confirmation this is your correct mailing address before we can change our records. Future notices related to your water right(s) can be sent only to the address on your water right(s) or as otherwise changed by you.

Please sign your name at the bottom of this letter and return it to this office. Make corrections to your name and address if necessary and list any other water rights you may have before returning this letter by January 14, 2000. Thank you for your help.

If your mail delivery address changes in any form, please contact us in writing so we can update our records.

If there has been a change in ownership of the property connected with the water rights referenced above, please write down the name and address of the new owner(s) so we can send them a form to make this required change to the water right records.

Sincerely,

Sally Sherman
Technical Records Specialist
Adjudication Bureau

SS:region

The address is correct as shown above or as otherwise changed.

Water Right Holder's Signature

Telephone No.

return
to sender

fee due 50¢

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

ADDRESS SERVICE
REQUESTED

PRE-SORTED
FIRST CLASS



PM METER
7078757

30463

U.S. POSTAGE

U.S. POSTAL SERVICE
PS FORM 3547

IMPORTANT WATER RIGHT INFORMATION

Gabl 24

61-02194B
MTG LLC
PO BOX 24
GRANDVIEW ID 83624

*my
w/r*

GABL024* 836242004 1398 08 02/19/99
FORM 3547

GABLE HIGHWAY 72
NEW PLYMOUTH ID 83655-5236

AUTO 83624



DATE: 10/21/98
PAGE: 1

Comments: Date: 10/16/1998 User-ID: ENORQUES Subject: COPIED FROM REMARKS
THIS RIGHT IS A PORTION OF A61-02194. THE USE HAS BEEN CHANGED

AJ0749NP
No. R61-02194B

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

DATE: 10/21/98
PAGE: 2

Comments: Date: 10/16/1998 User-ID: ENORQUES Subject: COPIED FROM REMARKS
AND THE ACREAGE REDUCED FOR IRR. TO 1 ACRE.
THE NEW USE IS C/ RESTAURANT.
RESTAURANT SERVES 200 HUNDRED PEOPLE A DAY.

Audit: 10/21/98 ENORQUES

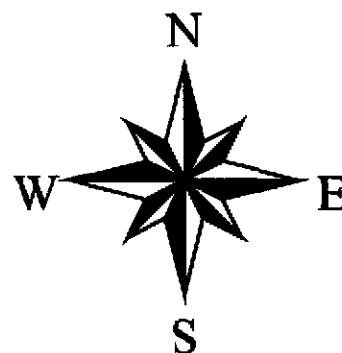
61-02194B



80 0 80 160 240 320 400 480 560 Feet

T04S R05E
S09

Map prepared by: Erik Norquest
Date prepared: 10/16/98
1987-1988 NAPP photography



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

15:52:49
04/27/94

PAGE: 12
QUICKLOOK INFORMATION

39
CLAIM NUMBER: A61-021948

WR ELEMENT	FIELD EXAM Y/N	CORRESPONDENCE SENT/RECEIVED BY WHOM/DATE	FIELD EXAM BY WHOM/DATE	CHANGE CLAIM Y/N	VERIFIED BY CODE	COMPLETED REVIEW WHOM/DATE	COMPLETED DATA ENTRY WHOM/DATE	VERIFIED DATE WHOM/DATE
PRIORITY DATE			24 10-17-90			24 10-21-90	24 10-16-90	
POINT OF DIV	Y		/					
SOURCE			/					
PLACE OF USE	Y		/					
DIV. AMOUNT CFS/VOLUME	Y		/					
CONSUMPTIVE USE	-							
PURPOSES	Y		/					
PERIOD OF USE	Y		/					
BASIS OF CLAIM	Y		/					
REMARKS	Y		/					

"VERIFIED BY" CODES

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

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

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

15:52:49
04/27/94

PAGE: 1
GENERAL INFORMATION

28
CLAIM NUMBER: A61-021948

LAST: BIRCHFIELD
ADDRESS: 1135 N. 9TH E.
CITY: MOUNTAIN HOME
PHONE NUMBER: 208-587-4691

FIRST: KAREN W.
STATE: ID ZIP: 83647

OWNER CODE: C

LAST: STREETER
ADDRESS: MOUNTAIN HOME
CITY: MOUNTAIN HOME
PHONE NUMBER: 208-000-0000

FIRST: OSCAR J.
STATE: ID ZIP: 83647

OWNER CODE: C

LAST: SCRUBBY'S, INC.
ADDRESS: P.O. BOX 211
CITY: MOUNTAIN HOME
PHONE NUMBER: 208-832-4441

FIRST:
STATE: ID ZIP: 83647

OWNER CODE: C

*Current Owners MTR, L.L.C.
Michael P. Gable
& Teri S. Gable*

LAST: BIRCHFIELD
ADDRESS: 1135 N. 9TH E.
CITY: MOUNTAIN HOME
PHONE NUMBER: 208-587-4691

FIRST: JAMES R.
STATE: ID ZIP: 83647

OWNER CODE: C

FIELD EXAM REQUIRED?

DATABASE Y
FIELD EXAMINER

VERIFICATION REQUIRED DUE TO REMARKS?

CLAIM REMARKS: THIS RIGHT IS A PORTION OF A61-02194. THE USE HAS BEEN CHANGED
AND THE ACREAGE REDUCED FOR IRR. TO 1 ACRE.
THE NEW USE IS C/ RESTAURANT.

CONTACT PERSON: MICHAEL GRABER PHONE NUMBER: (208) 834-2374

DATE OF FIELD EXAM: 10/17/96 APPOINTMENT MADE: Y() N(☒) TIME: ____:____ A() P()

ACCOMPANIED BY: _____ PHONE NUMBER: () - -

RELATIONSHIP TO CLAIMANT: _____

DIRECTIONS TO PROPERTY / NOTES:

A. AJ CLAIM: # A61-02194B PRIORITY DATE: 06-17-1966 STAGE: L ✓

B. WR RECORD: # 61-02194 PRIORITY DATE: 06-17-1966 STAGE: L ✓

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE

N

FIELD

EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y() N(✓)

NOTES:

RECOMMENDED PRIORITY DATE:

06-17-1966

REVIEWED BY 21

DATE

10-29-96

A. AJ CLAIM POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
A61-021948	04S	05E	9	SE	SE	SE		ELMORE

OTHER AJ CLAIMS WITH SAME AJ POD
A PREFIX R PREFIX
NONE NONE
WR RECORDS IN SAME 40 ACRE TRACT
61-07544

SOURCE: GROUNDWATER

TRIB:

B. WR POINT OF DIVERSION AND SOURCE:

RIGHT	TWP.	RGE.	SEC.	1/4	1/4	1/4	LOT	CNTY
61-02194	04S	05E	10	SW	SW	SW		ELMORE

OTHER WR RECORDS WITH SAME WR POD
A PREFIX R PREFIX
AJ CLAIMS IN SAME 40 ACRE TRACT
A61-07083 NONE
A61-10455

SOURCE: GROUNDWATER

TRIB:

C. FIELD EXAM REQUIRED?

DUE TO POD DISCREPANCY? (Y/N)	DUE TO SOURCE DISCREPANCY? (Y/N)	DATABASE	FIELD EXAMINER
Y	N		<u>NI</u>

NOTES:

RECOMMENDED POINT(S) OF DIVERSION AND SOURCE:

TWP. RGE. SEC.

7/1

1/4

776

LOT

DIVERSION NAME

45 55 6

35 35

175

1

1
1
1

1

1

1

1
2
3

1

1

1

SOURCE: GROUNDWATER

TRIB:

REVIEWED BY:-

22

DATE:

10-28-86

SYSTEM DESCRIPTION:

A. ROOT WATER RIGHT NUMBERS: A61-02194A
A61-02194B

B. POU LISTING

TWP	RNG	SEC	1/4	1/4	LOT	NAME	AJ #/ACRES	WR #/ACRES	LANDSAT DATA	FIELD EXAM.	RECOMM. ACRES
04S	05E	9	SE	SE		BIRCHFIELD, KAREN W.	A61-02194B / 1.0	- /			
			SE	SE		SCHMITZ, DONALD	A61-11762 /	- /			
			SE	SE		STREETER, OSCAR J.	61-02194 / 38.0	61-07544 / 5.0			
			SE	SE		GREEN OASIS					
04S	05E	9	SE	SE		BIRCHFIELD, KAREN W.	A61-02194B /	- /			
			SE	SE		SCHMITZ, DONALD	A61-11762 /	- /			
			SE	SE		STREETER, OSCAR J.	61-02194 / 38.0	61-07544 / 5.0			
			SE	SE		GREEN OASIS					
TOTAL ACRES							A61-02194B	1.00			

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

C. FIELD EXAM REQUIRED?

POU COUNTY: ELMORE

FIELD
EXAMINERDATABASE
Y

DUE TO POU DISCREPANCY? (Y/N)

PRESUMPTION FLAG:

NOTES:

RECOMMENDATIONS:

TOTAL ACRES: 1.0

REVIEWED BY: 911

DATE: 10-28-96

A. AJ CLAIMED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
A61-02194B IRRIGATION	FROM 03-15 TO 11-15	.030 CFS
A61-02194B COMMERCIAL	FROM 01-01 TO 12-31	.020 CFS
TOTAL DIVERSION RATE/VOLUME CLAIMED		.050 CFS

B. WR RECORDED USES:

PURPOSES	MONTH/DAY	DIVERSION QUANTITY
61-02194 IRRIGATION	FROM 03-15 TO 11-15	4,300 CFS 1363.50 AF/A
TOTAL DIVERSION RATE/VOLUME CLAIMED		4,300 CFS 1363.50 AF/A

PRESUMPTION FLAG:

C. FIELD EXAM REQUIRED?

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

D. PERIOD OF USE:

RECOMMEND AS CLAIMED?

RECOMMEND TO WR STANDARDS OR OTHER?

Y() N()
Y() N()

Explain in notes, below.

NOTES:

A. DOES DIVERSION RATE CLAIMED AGREE WITH EXISTING RECORDS? Y() N()

AJ TOTAL CLAIMED DIVERSION RATE: 0.050 CFS
WR ROOT RIGHT TOTAL DIVERSION RATE: 4.300 CFS

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

FLOW MEASUREMENT REQUIRED?

DUE TO STAGE OR DIVERSION RATE DISCREPANCY? (Y/N) Y
FIELD DATABASE EXAMINER

B. FLOW MEASUREMENT

MEASUREMENT METHOD, SEE ATTACHED CALCULATIONS.

*This was a submersible pump in A6 well.
no data was gathered. En 10-16-88*

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

OTHER RIGHTS LISTED IN CLAIM: NONE

NO CLAIMS FOUND WITH SAME POU AND IRRIGATION USAGE

LIST ALL RIGHTS WITH SAME POU BUT NOT USED FOR IRRIGATION.

CLAIM NO.	PURPOSES	NAME	MONTH/DAY	RATE	VOLUME
A61-021948	COMMERCIAL	BIRCHFIELD, KAREN W.	FROM 01-01 TO 12-31	.020 CFS	
A61-11762	DOMESTIC	SCHMITZ, DONALD	FROM 01-01 TO 12-31	.040 CFS	
A61-11762	STOCKWATER	SCHMITZ, DONALD	FROM 01-01 TO 12-31	.020 CFS	

D. RATE/VOLUME CALCULATIONS: (IRRIGATION)

1a. IRRIGATION RATE
ACRES 1 x 0.02 CFS/ACRE = .02 CFS
(Taken from p/u review)

1b. CALCULATIONS

DOES AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N() less than 5 acres

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

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 3.0 AF/A

ACRES _____ x CONSUMPTIVE VOL. AF/A FOR AREA _____ =

TOTAL CONSUMPTIVE USE _____ AF/A

3. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = _____ AF/A

ACRES 1 x DIVERSION VOL. AF/A FOR AREA 4 =

TOTAL DIVERSION VOLUME 4 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N()

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

200 persons/day @ 12 gal/person = 2400 gpd
 $\frac{2400 \text{ gpd} \times 365}{325,650} = 2.7 \text{ AFA}$

RECOMMENDATIONS:

REC. PURPOSES	REC. PERIOD FROM TO	REC. DIV RATE CFS	REC. DIV VOL. AF/A	REC. CONS. USE
COMMERCIAL	1/1 12/31	.02		
REGISTRATION	3-15 11-15	.03	4	
		.05	4	
TOTAL FOR THIS RIGHT				

REVIEWED BY: ENDATE: 10-16-98

A. CHECK ONLY THE FOLLOWING THAT APPLY:

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

B. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 61-02194		EXAMINER	CFS
TOTAL DIVERSION RATE OF WR SPLITS		DATABASE	4.300
SPLITS:			
OLD RIGHT NUMBERS	CURRENT CLAIM NUMBERS	DIVERSION RATE	"R" DIV. RATE
A61-02194	A61-02194A	0.280	WR RIGHT NUMBERS
	A61-02194B	0.050	61-02194
TOTAL CFS		0.330	DIVERSION RATE
			4.300

DIVERSION RATE REVIEW

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

NOTES:

AUTHENTICATION:

SIGNATURE: <u>Eric Margut</u>	DATE: <u>10-16-98</u>
NAME OF FIELD EXAMINER: <u>Eric Margut</u>	TITLE: <u>WR</u>

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

15:56:17
04/27/94
40

PAGE: 13
PROFILE REPORT

CLAIM NUMBER: A61-02194B

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	KAREN W. BIRCHFIELD 1135 N. 9TH E. MOUNTAIN HOME ID 83647 (208) 587-4691	06/17/1966	IRRIGATION COMMERCIAL	03-15 11-15 01-01 12-31	0.03 CFS 0.02 CFS	4.0 2.70
C	SCRUBBY'S, INC. P.O. BOX 211 MOUNTAIN HOME ID 83647 (208) 832-4441				0.05 CFS	6.7 3.00 AFA
C	JAMES R. BIRCHFIELD 1135 N. 9TH E. MOUNTAIN HOME ID 83647 (208) 587-4691					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

ELMORE County

Point(s) of Diversion: T04S R05E S09 SESESE

Place of use Legal Description for: IRRIGATION									
NE									
NENE NWNE SWNE SENE : NENW NWNW SWNW SENW : NESW NWSW SWSW SESW : NESE NWSE SWSE SESE :									
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	SUM
04S	05E	9	:	:	:	:	:	:	:
TOTAL ACRES									01 : 1.0

Place of use Legal Description for: COMMERCIAL									
NE									
NENE NWNE SWNE SENE : NENW NWNW SWNW SENW : NESW NWSW SWSW SESW : NESE NWSE SWSE SESE :									
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	SUM
04S	05E	9	:	:	:	:	:	:	:
TOTAL ACRES									01 : 1.0

POU County: ELMORE

Non-Irrigation Uses: C/ RESTAURANT SERVES 200 HUNDRED PEOPLE A DAY.

Other Rights: NONE

Remarks: THIS RIGHT IS A PORTION OF A61-02194. THE USE HAS BEEN CHANGED
ANOTHER ACREAGE REDUCED FOR IRR. TO 1 ACRE.
THE NEW USE IS C/ RESTAURANT.

Dates: Exam Made Date: Verified Date:
Misc: Water District Number: Field Inspection Flag: Presumption Flag:

61-02194B

Township	Range	Sec	Qq	Lot/Blk	Acres
04S	05E	9	SESE	0	1.0

10-16-98

61-02194 4.3 CFS - ORIGINAL LICENSE

61-10455 .78 CFS - FROM 61-02194

61-02194A .18 CFS - FROM 61-02194

61-02194B .05 CFS - FROM 61-02194

TOTAL 1.01 CFS 11

4.3 CFS - 1.01 CFS = 3.29 CFS NOT RECOMMENDED

T T4S R5E Sec 9
NE SW SE

Photo # 15 10-17-96



↓ PHOTO #15 10-17-96 Looking SW from the corner of the SESESE Sec 9 showing the well head and irrigated lawn

T T4S R5E Sec 9
NE SW SE



↓ PHOTO #16 10-17-96 Looking NE from the corner of the SESESE Sec 9 showing the restaurant, well head and irrigated lawn that is watered from the well.

10-17-96 - A61-02194B

T4S R5E

I talked to Mike Gablo -

Pump is used for the restaurant and 1/2 acre of lawn.

Photo #15 Looking SW from the corner of the SE SE SE

SOC. 9 Showing well head and lawn that is irrigated.

Photo #16 Looking NE from the corner of the SE SE SE SOC 9

Showing the Restaurant, well head (underlunkit) and lawn that is watered from the well

ASCS 419

A61-02194B

T45 R5E

T410
389

WHEEL
48.3

WHEEL
59.3

T402
294

WHEEL
25.1

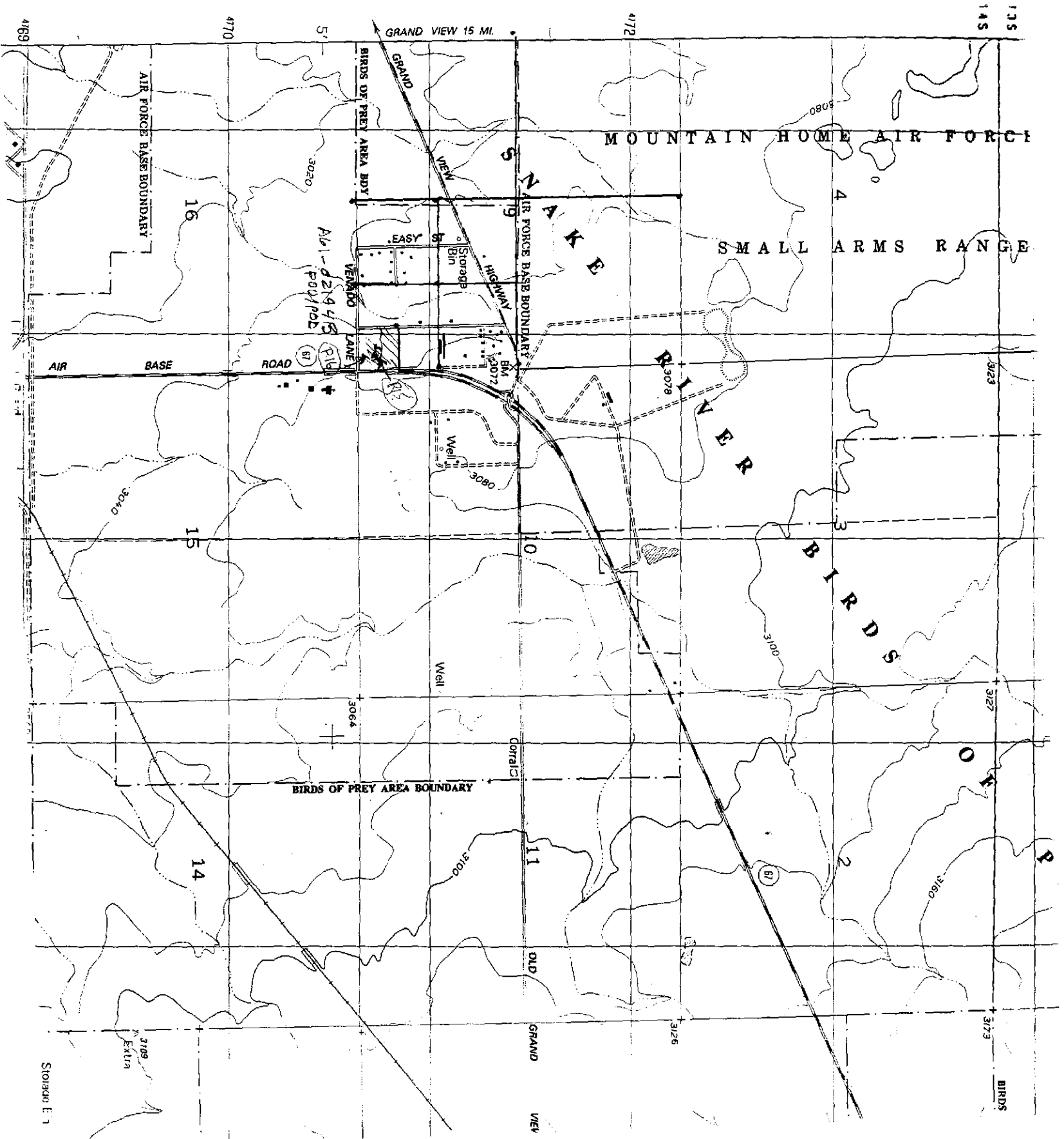
3 WHEEL
68.3

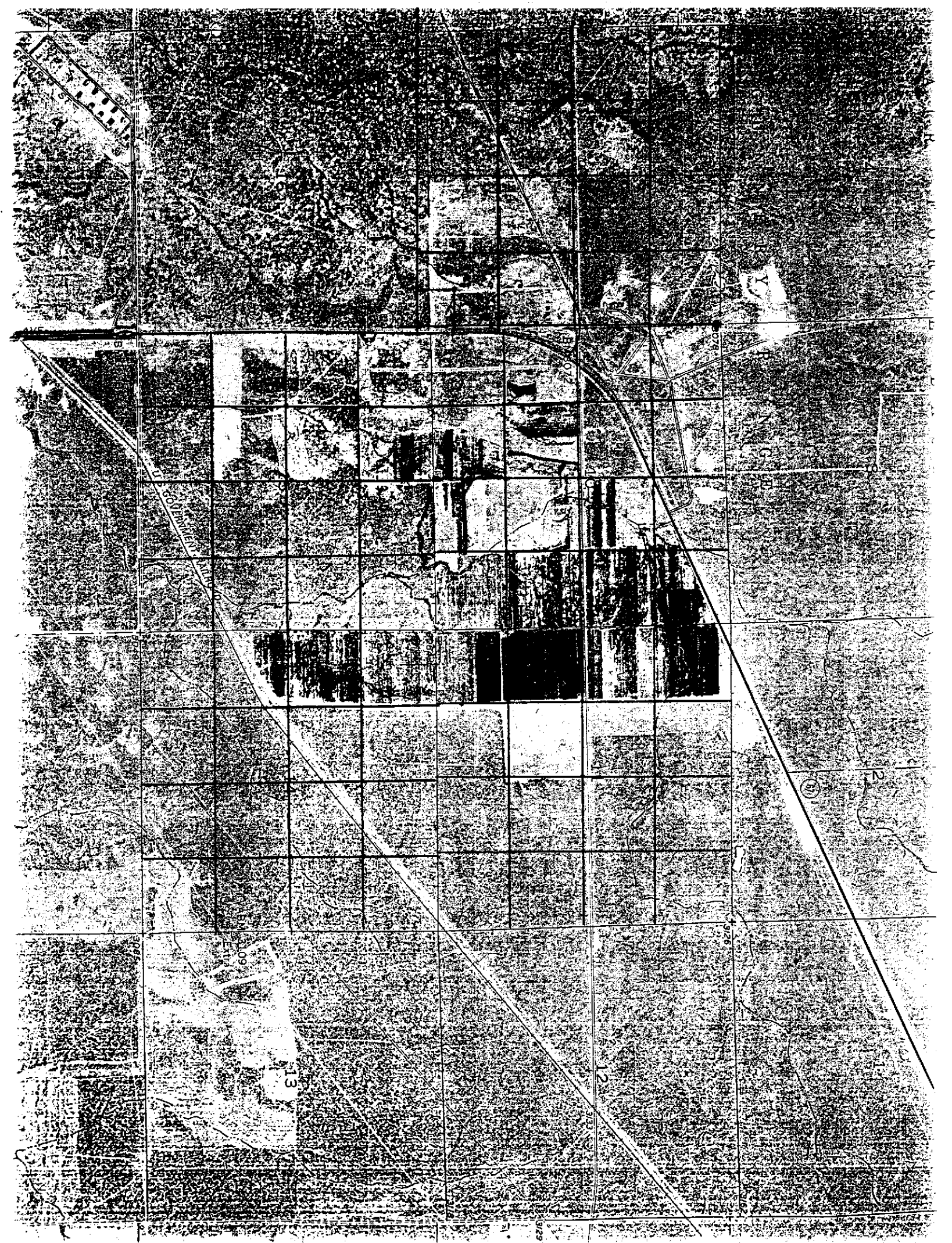
WHEEL
477.8

WHEEL
26.5

WHEEL
29.5

455E
Topo Z 62
1992
Ab1-DZ194B





State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 61-2194 Priority 6-17-66 Amount 4.3 cfs

THIS IS TO CERTIFY, that Oscar J. Streeter
of Mountain Home, Idaho, has complied with the terms and conditions of Permit
No. 61-2194 issued pursuant to Application for Permit dated June 17, 1966
and has submitted proof to the Department of Water Administration on April 21, 1971
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 4.3 cfs and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:
Amount 4.3 cfs for irrigation from Mar. 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 4.3 cfs of water be diverted at
any one time, said waters to be diverted within the _____
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10, T. 4S, R. 5E, B.M.
in the county of Elmore; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 1363.5 acre feet per year or
4.3 acre feet per acre.

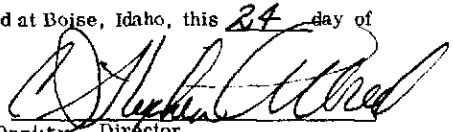
Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4S	5E	10									39	35	38						112
		15					38												38
		9													37	38	40	38	153

Total number of acres irrigated 303

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 24 day of
September, 19 71.


Deputy Director

61 2194

FIELD REPORT

1. Name of permit holder Oscar J. Streeter
Post office address 955 N. 10th E., Mountain Home, Idaho Phone _____
Person to contact Jack Streeter, 955 N. 10th E. Phone _____
2. Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 6.4 c.f.s. for Irrigation
 AF/Annum (nature of use)

Period of Use: from April 1 to Oct. 15
(mo.-day) inclusive (mo.-day)

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

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

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

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

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 6.4 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 45 N/S, Range 5E E/W, B.M., Section 10, Subdivision NW 1/4 SW 1/4, Elmore County

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

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

Other Points of Diversions: _____

Description of diverting works: Well, pump and motor

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]

TOTAL ACREAGE _____ 320

Permit No. G-32939/61-2194
Examination for B/U

SCA

120729

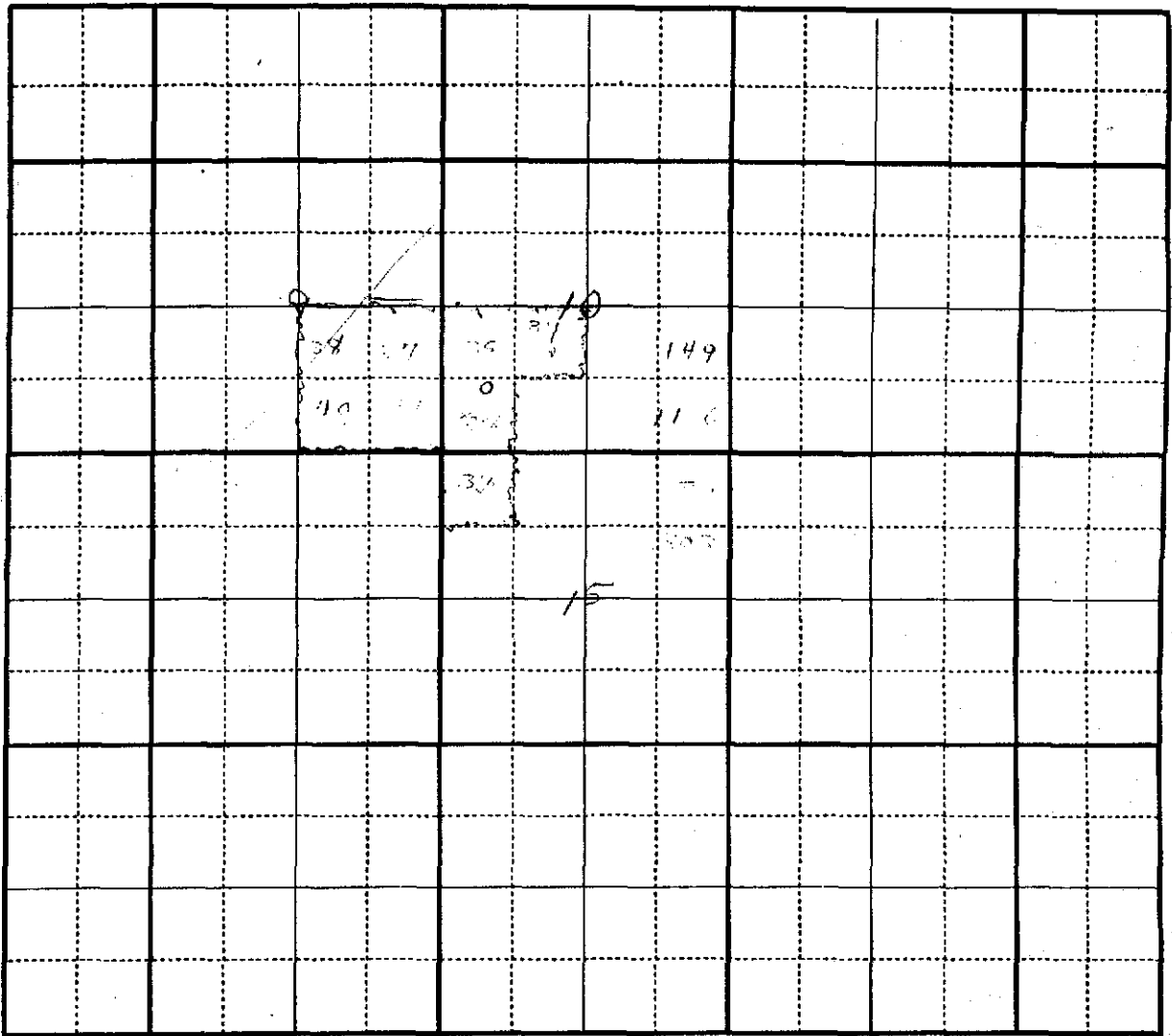
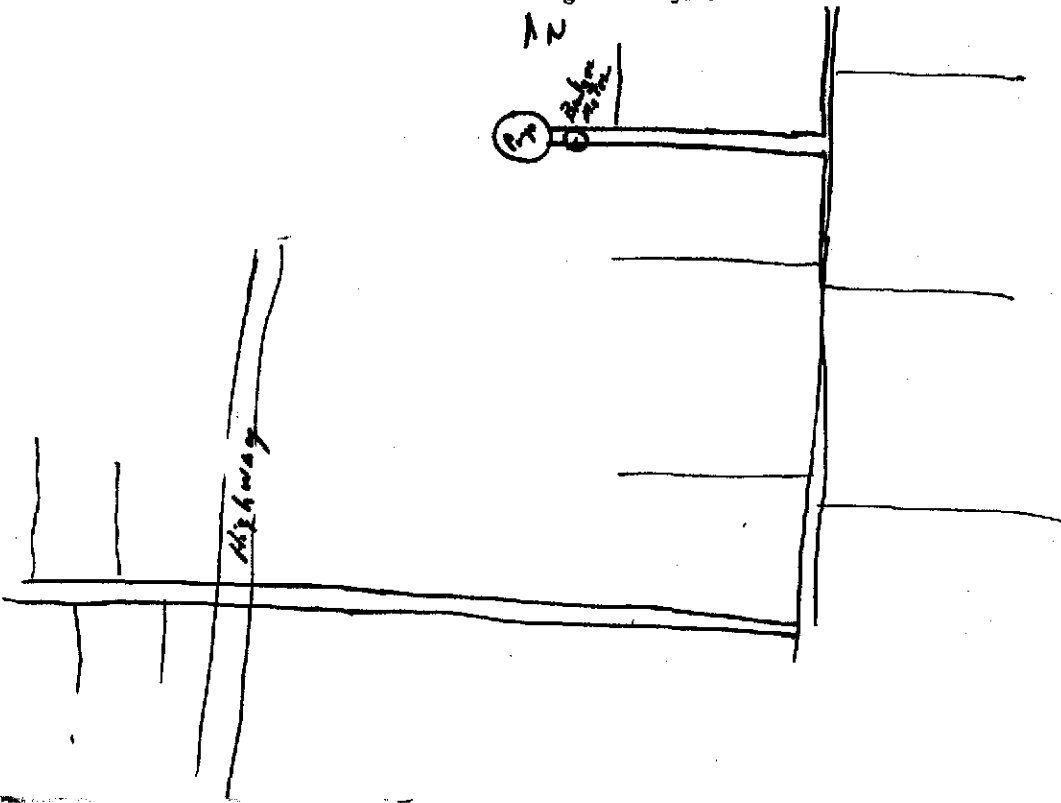


Diagram of System



DATE OF EXAM 7 Sept 71

ACREAGE

Found 303
Recommended 303

Irrigation Requirement 4.5 Ac Ft/Ac

USE

Irrigation Q = 4.3 c.f.s. V = 1363.5 AF/Ann. from 15 Mar to 15 Nov
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ✓

Name source: Ground water
twp. 4 N/S Rge 5 E/W, B.M., Sec. 10, Sub. NW 1/4 SW 1/4 Elmore County

Exchange? yes _____ no _____

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

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

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

Total Q measured 4.301 Method of measurement Badger Meter

Total Q recommended 4.301 Meter No. _____ Type Badger Condition operating

Total V recommended 1363.5 Ac Ft/ANN

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None

MEASUREMENT CALCULATION:

$$Q = 1000 / 31 \text{ min} \times Q = \left(\frac{1000}{31} \right) \left(\frac{1}{60} \right) = 4.301 \text{ CFS}$$
$$V = (4.5)(303) = 1363.5 \text{ Ac Ft/ANN}$$
$$A = 303 \text{ Acres}$$

SYSTEM DESCRIPTION:

300 HP Hollow shaft pump Motor 460 volts 1775 RPM
Sen # HQ1029089 LAUNE & Bowler Sen # 44773
20" diameter Well 10" discharge through Gate Valve
check valve + Badger meter Barrie Machine
20 psi at the pump

REMARKS:

Badger Meter installed. Acreage has been increased
since photo was taken so some of my acreage figures
are estimated from observations
Some of this water irrigates land on Permit # 61-2196
per Amendment filed 8 Sept 71

Examiner's Signature James Bowler Date 8 Sept 71

Checked by _____ Date _____

Approved by _____ Date _____

61 2184