

MEMO

DATE: SEPTEMBER 13, 1993

TO: A35-13053, 13054, 13042 AND 07269.

FROM: ERIC VERNER *EV*

SUBJECT: BASIS FOR RECOMMENDED PRIORITY DATES.

=====

A common 250 acre permissible place of use is being recommended for the above mentions SRBA claims. Analysis of the evidence submitted regarding the development history of the 250 acres showed that there were three changes made to the original development to end up with the current 250 acres place of use. This memo details the basis for the priority date recommendations. Documentation supporting the recommendations is attached.

The water use is partially described by license 35-02162. The IDWR file on this license contains the following information:

- The application for permit was filed on 1/23/1950 and subsequently approved on 1/24/1950.
- Proof of completion of works was due on 1/24/1955.
- Proof of beneficial use was due on 1/24/1961.
- Proof of completion of works was submitted by the owner and was ceritifed as complete by IDWR on 1/25/1955. The certificate mentions that a 75HP pump on the well supplied a flood irriation system, irrigating the E1/2 NE1/4 Sec 21 and the NW1/4 Sec 22. The point of diversion was within the NENE Sec 21. In a letter dated 2/29/1956 to IDWR by Leonard H. Jacob, Attorney for then owner Douglas Rhead, mentions that Rhead had knowledge that "the pump has been installed for a period of about five years and proof of completion of works could have been made some time ago".
- Late proof of beneficial use was submitted on 3/27/74.
- The Director issued an order advancing the priority date to 3/26/1963. This is the licensed priority date.
- The licensing examination was done by IDWR on 6/30/1974 and found that a 75HP pump was used to supply a flood irriagtion system included a relift pump in a waste water collection pond used to sprinkle irrigate approximately 30 acres. The diversion capacity was measured and found to be 4.39 cfs.

Other documents submitted by the claimant include:

- A power line easement issued to Idaho Power Company on April 20, 1951 for the power service to the pump and home in the NENE Sec 21.
- A power line easement issued to Idaho Power Company on August 12, 1957 by Douglas Rhead for the power service to the relift pump in the SENW Sec 22.
- An aerial photo used by the SCS for designing the sprinkler irrigation system now used by Evans. The design is dated 2/76. The photo appears to be the same that was used in the 1974 beneficial use exam of license 35-02162.

Analysis of recommended priority dates:

A35-13053

This claim is filed for the initial development. Based upon discussions with Craig Evans and the available information, the well was likely installed by the time electrical service was installed. Pursuant to the power line easement, this date was April 20, 1951. Mr. Rheads' statement (Jacob letter) tends to support that the well was in place by 1951.

The extent of use is harder to pin point but it would seem probable, based upon the "Completion of Works" certificate that the acres flood irrigated in 1974 were the same as those irrigated in 1955. There is no evidence that contradicts this assumption. Using the aerial photo in the 1974 examination, it appears that 172 acres were flood irrigated (this excludes that lands later sprinkler irrigated with the relift pump).

The "Completion of Works" certificate mention that a 75HP pump on the well discharged into open ditches. The 1974 beneficial use exam verified that a 75HP pump was still in use and that it open discharged into ditches. It is reasonable to assume that the two were the same pump so the diversion capacities would likely be the same at 4.39 CFS.

Based upon this information I have recommended A35-13053 with a priority date of 4/20/51, irrigation of 172 acres with a diversion rate of 3.44 CFS (1"/acre).

A35-13054

This claim was filed to record the expansion allowed by the relift pump. The evidence submitted supporting this expansion is the power easement issued on August 12, 1957. Pursuant to the 1974 field exam photo, it appears that an additional 30 acres were irrigated by the new sprinkler system.

Based upon this information I have recommended A35-13054 with a priority date of August 12, 1957, irrigation of 30 acres with a diversion rate of 0.60 CFS (1"/acre).

A35-07429

This right was licensed for additional lands irrigated in the N1/2 SW1/4 Sec 22. The recommendation follows the license including a priority date of July 1, 1974, irrigation of 30 acres with a diversion rate of 0.60 CFS with the limitation that when used with the other 4 rights, not to exceed 4.39 CFS.

A35-13042

In 1976 the SCS designed and helped fund the installation of sprinkler system over the entire place of use. By doing so an additional 18 acres were irrigated (high spots and corners were irrigated). This claim is filed as a second presumption expansion of the other appurtenant rights. It is recommended with a priority date of 4/1/1976, irrigation of 18 acres and a diversion rate of 0.29 CFS with the limitation that when used with the other rights, shall not exceed 4.39 CFS.

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 21344/35-2162)
)
IN THE NAME OF LESTER AND RIZZIAH TRACY)

ORDER

WHEREAS, on January 23, 1950, Ollie W. Sova applied to the Department of Water Administration (formerly the Department of Reclamation) for a permit to appropriate 4.14 cfs of water from a groundwater source within the NE1/4 Sec. 21, Twp. 2S, Rge. 33E, B.H., Bingham County, to be used for irrigation purposes; and,

WHEREAS, on January 24, 1950, the Department approved said application and issued Permit No. 21344/34-2162 with the condition that one-fifth of the work be completed on or before July 24, 1952; that the whole of said work be completed on or before January 24, 1955; and that proof of beneficial use of water be submitted on or before January 24, 1961; and,

WHEREAS, on March 17, 1953, Ollie W. Sova assigned all his right, title and interest, in and to Permit No. 21344/35-2162 to Charles L. Bleazard; and,

WHEREAS, on January 25, 1955, the Department received proof of completion of works; and

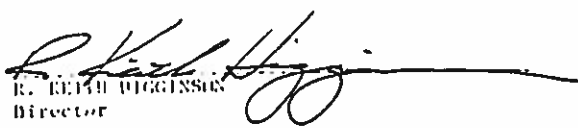
WHEREAS, on April 4, 1956, Charles L. Bleazard assigned all his right, title, and interest in and to Permit No. 21344/35-2162 to Douglas N. Rhehl; and,

WHEREAS, on March 27, 1974, Douglas N. Rhehl assigned all his right, title and interest in and to Permit No. 21344/35-2162 to Lester and Rizziah Tracy and the new permit holders made proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that in the event that proof of beneficial use is submitted after the deadline set forth in the conditions of approval, the priority date of such permit shall be advanced the same number of days that said proof is late;

IT IS, THEREFORE, HEREBY ORDERED that the priority under Permit No. 21344/35-2162 be advanced to March 26, 1963.

Dated this 17 day of April, 1974.


R. KEITH MCGINNIS
Director

385 112

LAW OFFICES
LEONARD H. JACOB
P O Box 426
TWIN FALLS, IDAHO

RECEIVED
MAR 1 1956
Department of Reclamation

February 29, 1956

Department of Reclamation
State Capitol
Boise, Idaho

Attention: Mrs. Jeanne L. Anderson

Dear Mrs. Anderson:

21344

I am writing relative to Water Permit No. 31224 which originally was taken out in the name of Ollie W. Sova of Route #2, Blackfoot, Idaho. The permit was later assigned to Charles L. Bleazard and was filed in your office on March 17, 1953. Since that date Mr. and Mrs. Bleazard sold the real property involved in the permit to Mr. Douglas Rhead of Blackfoot, Idaho.

Mr. Rhead has now paid off his contract and has just received the water permit. I note that proof of completion of works should have been made on Jan. 24, 1956. Mr. Rhead advised me that the pump has been installed for a period of about five years and proof of completion of works could have been made some time ago.

Would you please advise me of the status of this permit, both as to the record holder of the same and also if proof of completion of works has been made.

If proof of completion of works has not been made, is it too late to make the same and would the present owner have to make application for a new permit?

With best personal regards, I remain

Very truly yours,

Leonard H. Jacob

Leonard H. Jacob

LH:jm

Permit No. 21344
 CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that CHARLES L. BLEAZARD of Blackfoot, County of Bingham, And State of Idaho, the holder of Permit No. 21344, as set forth upon application No. 25033, bearing date of priority of January 23, 1950, authorizing the diversion of 4.14 second feet of the waters of the Snake River from a well County of Bingham, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use one second foot of the waters of said well; that the point of diversion of said waters is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 21, Township 2 South, Range 33 East, B. M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: E $\frac{1}{2}$ NE $\frac{1}{4}$ Section 21; NW $\frac{1}{4}$ Section 22; Twp. 2 South, Range 33 East, B. M.

Witness my hand this 12th day of February, A. D. 1955.

MARK R. KULP
 State Reclamation Engineer

Proof of Completion of Works made January 25, 1955.

Certificate of Completion of Works issued February 12, 1955.

**** *****

A S S I G N M E N T

For value received, I hereby assign all my right, title, and interest in and to Permit to Appropriation the Public Waters of the State of Idaho, No. 21344 to Douglas Rhead of Blackfoot, Idaho, Box 54, Moreland, Idaho

CHARLES BLEAZARD
 Permit holder

KATHRYN BLEAZARD
 Wife of Permit Holder.

State of Idaho)
 County of Bingham) ss

I, this 14th day of March, 1956, before me, a Notary Public for the State of Idaho, residing at Blackfoot, Idaho, personally appeared Charles L. Bleazard also known as Charles L. Bleazard and Kathryn Bleazard, known to me to be the persons whose name is subscribed to the within instrument, and duly acknowledged to me that they executed the same. In witness whereof, I have hereunto set my hand and affixed my Notarial seal, the day and year in this certificate first above written.

AGNES GRIFF
 Notary Public, residing at
 Blackfoot, Idaho

(Notary)

My commission expires October 25, 1958.

Received and filed for record in the Department of
 Reclamation, at Boise, Idaho, April 4, 1956.

MARK R. KULP
 State Reclamation Engineer

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works
AFFIDAVIT OF HOLDER

STATE OF IDAHO

ss.

County of Bingham

Charles L. Bleszard, being first duly sworn, upon his oath deposes and says:
First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 21344, and that his postoffice address is Route 3, Blackfoot State of Idaho

Second: That the name of the stream from which said water is to be diverted is underground waters

Third: That the point of diversion of said water is has been completed by
JANUARY 24, 1955, NE 1/4 of Section 21, Township 2 South, Range 33 E.P.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by JANUARY 24, 1955

Fifth: That the use for which said water is intended is irrigation

Sixth: That on the date above mentioned, the works constructed under said permit were ~~(xxxxxxx)~~ fully completed and consisted of the following:

I. Kind of works: well with pump and ditches. The well is about 210 feet deep, cased 10 or 12 feet to rock (Reservoir, dam, ditch, pump, pipe, etc.)

II. Dimensions of work: electric line tower turbine pump. The pump is a 75 h.p.
(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width feet, height feet.

(d) Conduit/ditch width at bottom 3 feet, width at water line 5
(State whether ditch, flume or pipe)

feet, depth of water 1 1/2 feet; diameter of pipe inches, average grade per mile is 10 feet. Length of conduit is 2 miles, total.

Seventh: That said works are capable of conducting to the place of intended use 4.8 second feet of water.

Eighth: That water appropriated under said permit is available for acres of land described as follows: The East half of the NE 1/4 of Section 21 and the NW 1/4 of Section 22, Township 2 South, Range 33 E.P.M.

Ninth: Remarks: That filing of this would have been made earlier but affiant has been working away from home.

Charles L. Bleszard
(Sign Here)

Subscribed and sworn to before me this 25th day of January, 19 55

My commission expires January 19, 1958

Robert M. King
Notary Public.

RECEIVED

JUN 6 1974

2. Source of water supply: Groundwater ☒ Surface water ☐ _____ (name spring, stream, etc.)
Tributary to _____

- Amount 4.14 c.f.s. for irrigation
AF/Annum (nature of use)

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

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

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

[illegible]

Period of Use: from 10/1/78 to 12/31/78
(mo.-day) inclusive (mo.-day)

Other uses: _____

- Max Rate of Diversion 4.14 cubic feet per second and annual volume _____ AF/Annum.

- Township 25 N/S, Range 33E E/W, B.M., Section 21, Subdivision NE 1/4 NE 1/4, Bingham
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: 240' deep 12" well w/75 hp pump, motor, pumped into open ditch for gravity irrigation, ditch owned solely by applicant (easterly 60 acres sprinkled)

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

[illegible]

TOTAL ACREAGE _____ **207**

DATE OF EXAM June 29, 1974

ACREAGE 202

Found 202

Recommended 202

Irrigation Requirement 35 Ac Ft/Ac

USE
Irrigation Q = 3.5 c.f.s. V = 202 AF/Ann. from Apr to Nov
Domestic Q = 0 c.f.s. V = 0 AF/Ann. from to
Livestock Q = 0 c.f.s. V = 0 AF/Ann. from to

Is water co-mingled? yes no ☒

Name source: N.A.
Twp. N/S, Rge. E/W, B.M. Sec. , Sub. $\frac{1}{4}$ $\frac{1}{4}$ County

Exchange? yes no ☒

Name source exchanged with: N.A.
Twp. N/S, Rge. E/W, B.M. Sec. , Sub. $\frac{1}{4}$ $\frac{1}{4}$ County

Point of injection: N.A.
Twp. N/S, Rge. E/W, B.M. Sec. , Sub. $\frac{1}{4}$ $\frac{1}{4}$ County

Point of exchange: N.A.
Twp. N/S, Rge. E/W, B.M. Sec. , Sub. $\frac{1}{4}$ $\frac{1}{4}$ County

Total Q measured 4.39 cfs Method of measurement Pigmy Meter

Total Q recommended 4.04 cfs Meter No. 421 Type Condition EDWR

Total V recommended 202 AF/Ann

Recommended Amendments:

P.D.
Place of Use
Other
None

MEASUREMENT CALCULATION:

See notes $Q = .02 \text{ cfs} \times 202 \text{ Ac} = 4.04 \text{ cfs}$
 $V = 202 \text{ Ac} \times 3.5 \text{ AF/Ac} = 202 \text{ AF/Ann}$

SYSTEM DESCRIPTION:

GE 75 Hp Motor Ser #UG50873506
LAYNE & BOWEN Pump Ser #16231
12" discharge to private ditch system
Water 11.0 is collected in SE & NW 1/4 Sec 22 and is pumped
into a lateral system 2 1/2" 1/2" sprinkler lateral 12" 1/2" 1/2"
U.S. MOTORS 35 Hp Ser #61324, Peerless Pump Ser #35287

REMARKS:

System & layout shown on Inter-Tracing
ALL WATER LATERALS ARE TO BE DISCONNECTED FROM CURRENT
OWNER

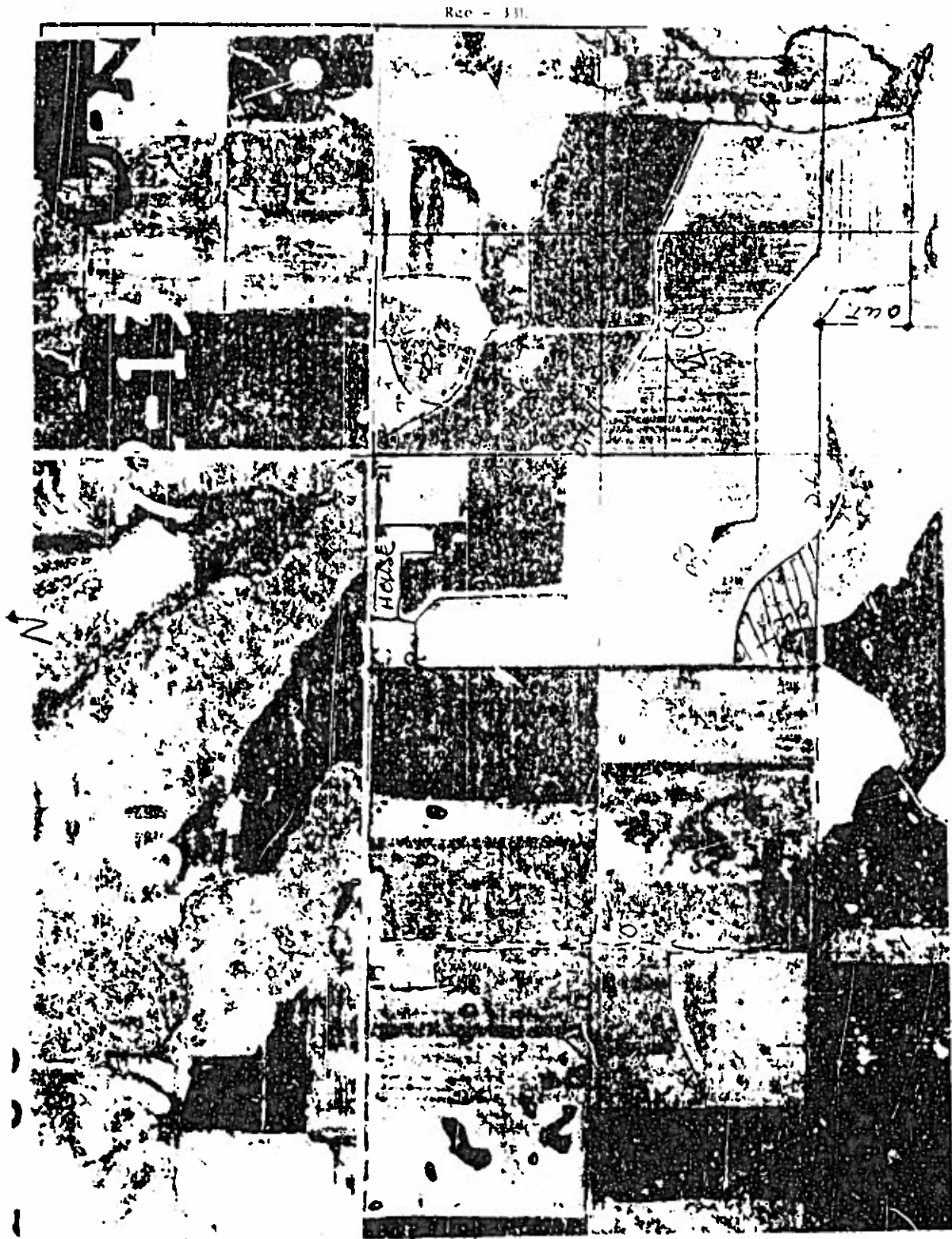
Examiner's Signature William Rhoads Date June 30, 1974

Checked by John C. Harker Date 11-7-74

Approved by Date

COPY FOR #35-

FROM 1964 LICENSING EXAM OF 85-02162



Rec - 111

Rge - 33E

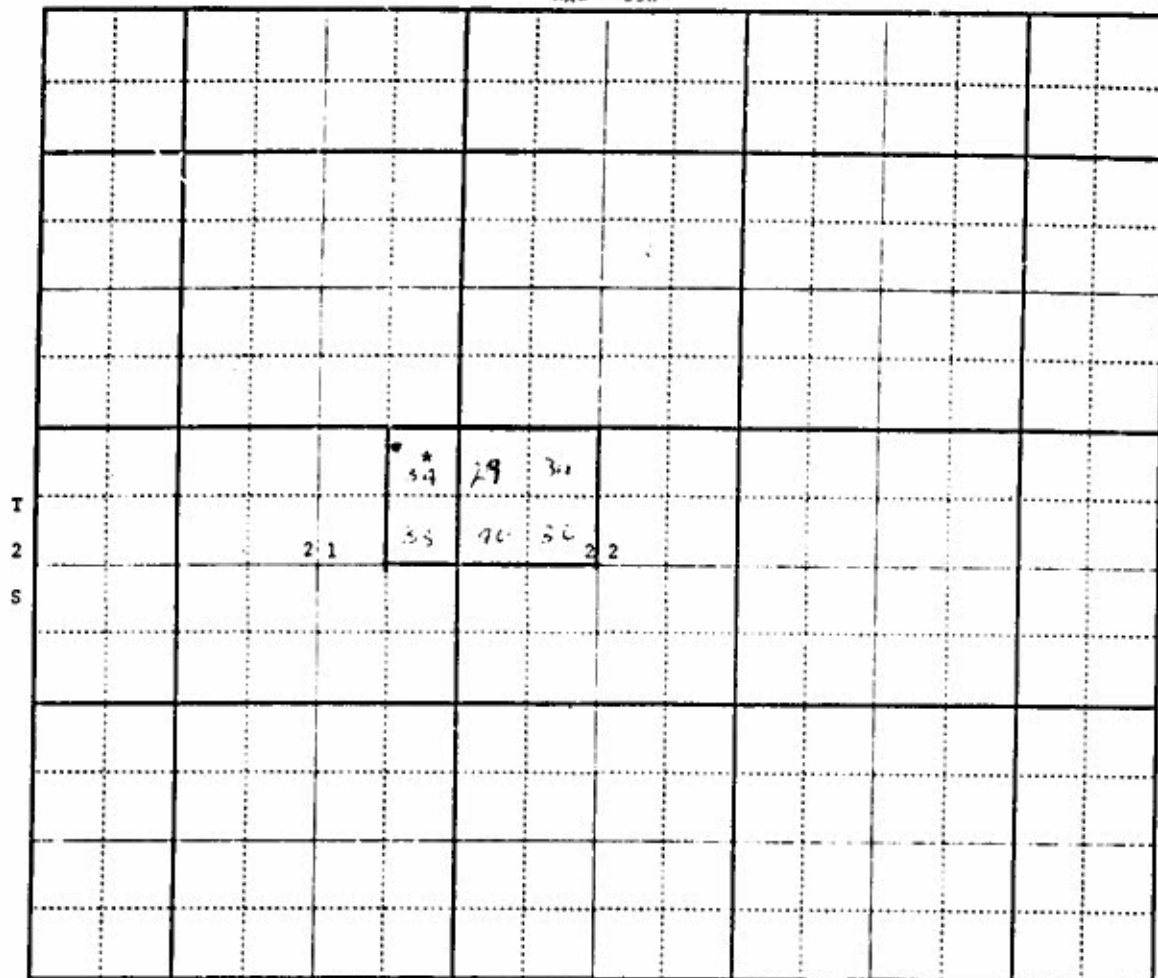
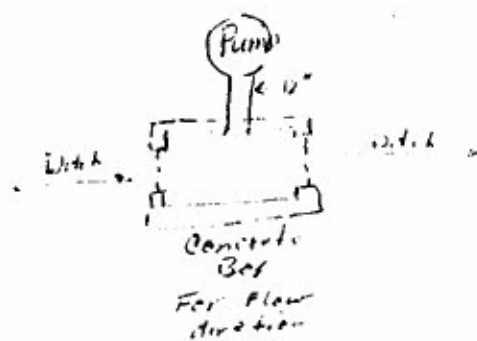


Diagram of System

TOP
VIEW





Prepared by SOIL CONSERVATION SERVICE * UNITED STATES DEPARTMENT of AGRICULTURE
cooperating with

Central Bingham

147 FARM
LAND

OWNER FRED KOTTER
OPERATOR FRED KOTTER
Bingham

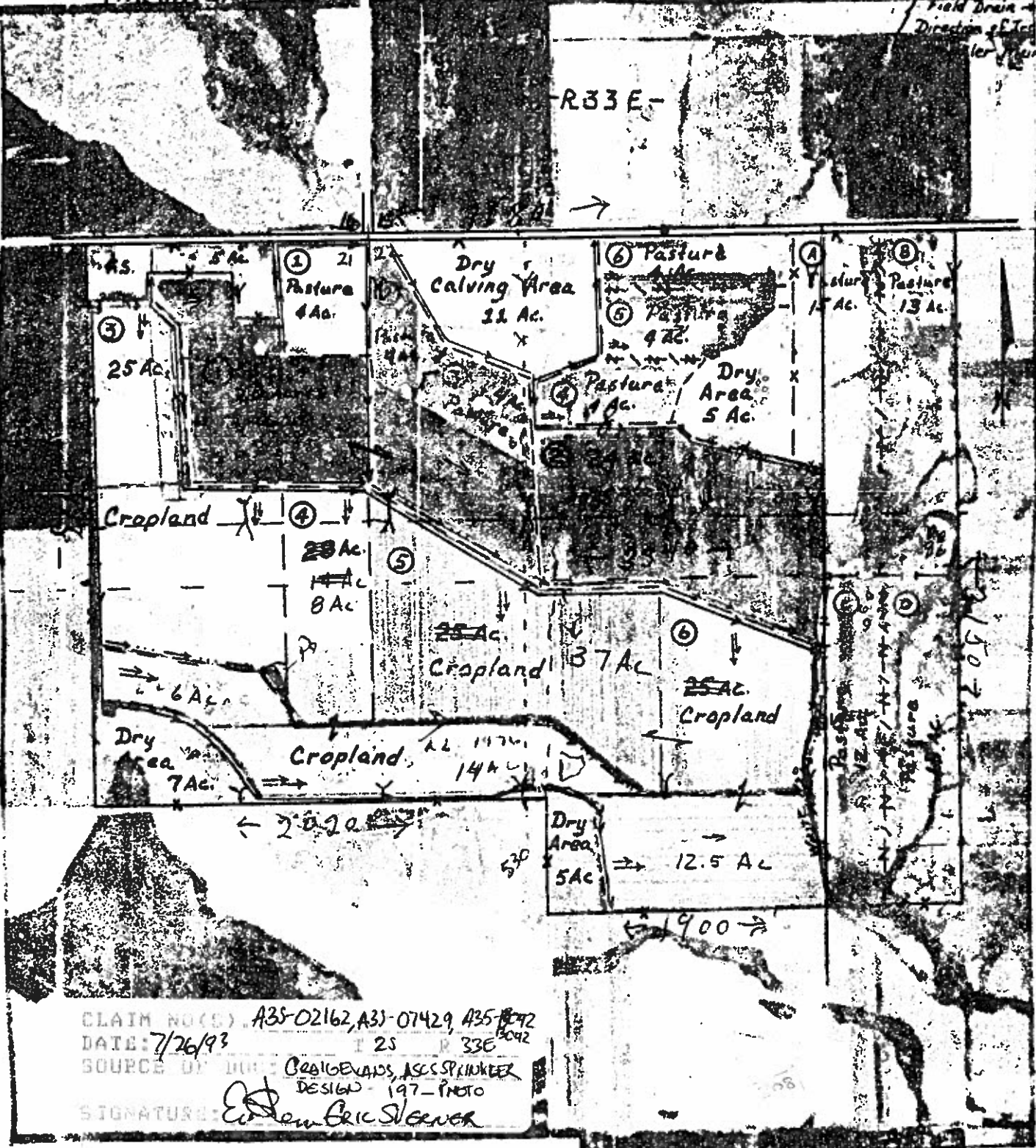
Idaho

FARM NO. HOME DATE 2/76
SCALE 8" = 1 mile ACRES 262
PHOTO NO.

(All irrigated except for 100 acres)

Irrigation System: Head Ditch
Field Drain
Direction of Flow
Water Main

R33E-



CLAIM NO(S) A35-02162, A35-07429, A35-10492
DATE: 7/26/93
SOURCE OF DATA: BRADY, ASCE SPRINKLER
DESIGN - 197 - PHOTO
SIGNATURE: Edw. Eric Stever

5

06360-3

A35-013053

No. 27727

POWER LINE EASEMENT

ER 1659

OLLIE W. SOVA and NELLIE SOVA, his wife, Grantor(s), of Bingham County, State of Idaho, do hereby grant and convey to IDAHO POWER COMPANY, a corporation, its licensees, successors and assigns, Grantee, for One Dollar and other valuable considerations, receipt of which is hereby acknowledged, a right of way and easement for the erection and continued operation, maintenance, repair, alteration, inspection and replacement of the electric transmission, distribution and telephone lines and circuits of the Grantee, attached to Poles or other supports, together with guys, crossarms and other attachments and incidental equipment thereon, and appurtenances, over, on and across the following premises, belonging to the said Grantor(s) in Bingham County, State of Idaho, in the following location, to-wit:

NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 21, Twp 2 S., Rge 33 E., B. M.

Together with all rights of ingress and egress necessary for the full and complete use, occupation and enjoyment of the easement hereby granted, and all rights and privileges incident thereto, including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system.

Executed and delivered this 20th day of April, 1951.

WITNESS. Fred Vogt
Fred Vogt

Ollie W. Sova
Nellie Sova

STATE OF IDAHO)
) ss.
County of Bannock)

On this 20th day of April, 1951, before me, David C. Stevens, a Notary Public, personally appeared Ollie W. Sova and Nellie Sova, known to be to be the person(s) who executed the foregoing instrument and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein mentioned.

Seal

David C. Stevens
Notary Public, residing at
Pocatello, Idaho

Commission expires December 7, 1953

Recorded at the request of Idaho Power Co. Oct. 17, 1952, at 9:35 A. M. Fee \$.75

By Paul Brown Deputy V. F. Wootton Recorder
ia- - - - -
No. 27728

POWER LINE EASEMENT

ER. 1654

Elw. M. Webb, Jr and Stella L. Webb, his wife, Grantor(s), of Bingham County, State of Idaho, do hereby grant and convey to IDAHO POWER COMPANY, a corporation, its licensees, successors and assigns, Grantee, for One Dollar and other valuable considerations, receipt of which is hereby acknowledged, a right of way and easement for the erection and continued operation, maintenance, repair, alteration, inspection and replacement of the electric transmission, distribution and telephone lines and circuits of the Grantee, attached to poles or other supports, together with guys, crossarms and other attachments and incidental equipment thereon, and appurtenances, over, on and across the following premises, belonging to the said Grantor(s) in Bingham County, State of Idaho, in the following location, to-wit:

E $\frac{1}{2}$ of the NE $\frac{1}{4}$ Sec. 11, Twp 3 S., Rge 32 E., B. M.

Together with all rights of ingress and egress necessary for the full and complete use, occupation and enjoyment of the easement hereby granted, and all rights and privileges incident thereto, including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system.

Executed and delivered this 26th day of February, 1951.

**Idaho Power Company
POWER LINE EASEMENT**

BL-9198 57

A3513057

Douglas M. Rhoad

and Basola J. Rhoad

E-60 40

his wife, Grantor(s), of Bingham County, State of Idaho, do hereby grant and convey to IDAHO POWER COMPANY, a corporation, its licensees, successors and assigns, Grantee, for One Dollar and other valuable considerations, receipt of which is hereby acknowledged, a right of way and easement for the erection and continued operation, maintenance, repair, alteration, inspection and replacement of the electric transmission, distribution and telephone lines, and circuits of the Grantee, attached to poles or other supports, together with guys, crossarms and other attachments, and incidental equipment thereon, and appurtenances, with the right to permit the attachment of the wires and fixtures of other companies or parties, over, on and across the following premises, belonging to the said Grantor(s) in Bingham County, State of Idaho in the following location, to-wit:

S $\frac{1}{2}$ NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ SW, Sec. 22, T. 2S., R. 33E., B.M.

Together with all rights of ingress and egress necessary for the full and complete use, occupation and enjoyment of the easement hereby granted, and all rights and privileges incident thereto, including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system.

Executed and delivered this 12 day of August, 1957

[Signature]
[Signature]

STATE OF Idaho
County of Bingham

On this 12 day of August, 1957, before me, [Signature], a Notary Public, personally appeared Douglas M. Rhoad and Basola J. Rhoad, known to me to be the person(s) who executed the foregoing instrument and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein mentioned.

(Notarial Seal)

OVER

[Signature]
Notary Public, residing at [Signature]
Commission expires 12/14, 1957

SEE REV-10-2-55

K

NO. OF CLAIMS IN POLYGON _____

TRANSFER NUMBER _____

CLAIM NUMBERS 35-13053

DATE _____

OBJECTION FILED _____

AGENT _____

TOTAL ACRES FROM RECOMMENDATION 250⁰GEOGRAPHIC INFO SYSTEM 254

RIGHT NO	TNS	RNG	SEC	NE				NW				SW				SE			
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
RECOM	25	335	21	36			38												
GIS				35			39												
RECOM			22					37	38	40	40	16	5						
GIS								38	39	40	40	16	7						
RECOM																			
GIS																			
RECOM																			
GIS																			

UPDATED

POLYGON #

UPDATED

B35-DBPOU.DBF _____

ATTRIBUTES OF B35-POU.SHP (64) _____

B35-DBPOD.DBF _____

ATTRIBUTES OF B35-POD.SHP () _____

Claimant:

C.G. EvansP.O.D./Source 742 # G.W. S.W.1523 W 300 NTownship 2S, Range 33E Section 21Blackfoot PB B32211. NW 25 25

2. _____

3. _____

Other Rights:

35-13054, 07429, 13042

P/U CONFLICT yes () no ()

P/D CONFLICT yes () no ()

SENT FOR DECREE yes () no ()

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CRAIG B EVANS	04/01/1951	IRRIGATION	04-01-10-31	3.44 CFS	
C	SHARI J EVANS					
	1523 W 300 N					
	BLAKEFOOT ID 83221					
	(208) 684-3614					
TOTAL DIVERSION:					3.44 CFS	

Water Source: GROUNDWATER
Tributary to:
Stage: BENEFICIAL USE
8 BUNGHAM County

Face of use Legal Description for: IRRIGATION											
T R S			NENE			SENE			NENE		
Lt Ac			Lt Ac			Lt Ac			Lt Ac		
25-33E 21	36		38			37			38		
25-33E 22						40			40		
						16			05		
TOTAL, ACRES										74.0	
										176.0	
										250.0	

OU County: BINGHAM
ther Rights: 35-07429, 35-13042, 35-13054

Conditions of Approval:
C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PUSUANT TO C11 - IDAHO CODE 42-1416A.

Remarks:
RIGHT NOS. 35-13054, 35-13042 AND 35-07429 ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
RIGHT NO. 35-13042 IS AN EXPANSION OF THIS RIGHT AND RIGHT NOS. 35-13054 AND 35-07429 PURSUANT IDAHO CODE 42-1416(2).
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 172 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.39 CFS. A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1000 AF. A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 750 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 250 ACRES IN A SINGLE IRRIGATION SEASON.
COMBINED RIGHT NOS.: 35-13054, 35-13042 AND 35-07429.

Dates: Exam Made Date: 09/01/1993 Verified Date: 09/13/1993
Misc: Water District Number: Field Inspection Flag: C-
Presumption Flag: C-

28/10-6-93

GENERAL INFORMATION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM VERIFICATION REPORT

CLAIM NUMBER: A33-13053

02/16/13
09/10/93
85

LAST NAME: EVANS
ADDRESS: 1523 N 300 W
CITY: BLACKFOOT
PHONE NUMBER: 208-325-3614
OWNER CODE: B

REPORT: CLAIM B
STATE: ID ZIP: 83221

ACCT: EVANS
ADDRESS: 1523 N 300 W
CITY: BLACKFOOT
PHONE NUMBER: 208-325-3614
OWNER CODE: C

REPORT: CLAIM C
STATE: ID ZIP: 83221

FIELD EXAM REQUIRED?

DATE: 09/10/93
FIELD EXAMINED: Y

VERIFICATION REQUIRED DUE TO REMARKS?

REMARKS: THIS RIVER IS LIMITED TO THE IRRIGATION OF 172 ACRES WITHIN THE PLACE OR USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

FIELD EXAMINATION INFORMATION

CLAIM NUMBER: 36
AOS-10053

NAME: PEACOCK

PHONE NUMBER: ()

DATE OF FIELD EXAM: 9/1/93

APPOINTMENT NAME: Y () N ()

TIME: 10:00 A () P ()

ADMINISTRATED BY: CRAIG EVANS

PHONE NUMBER: ()

RELATIONSHIP TO CLAIMANT: OWNER

RECTIONS TO PROPERTY / NOTES:

Met w/ CRAIG AT HIS HOME. HE SHOWED ME THE PLOT OF DIVERSION AND MAPPED OUT THE DELIVERY SYSTEM AND AN ASSES PHOTO. I COLLECTED INFORMATION TO CALCULATE A THEORETICAL DIVERSION RATE.

AC DATA: # 405-10053 PRIORITY DATE: 4-1-1951
(Class of Data Entry)

STATUS: 3

RECORD: NO WATER RIGHT RECORD TO MATCH THIS AD CLAIM

EXAM REQUIRED: YES TO PRIORITY DATE DISCREPANCY (Y/N) DATABASE EXAMINER

SEE ATTACHED MEMO - 9-13-93
ESV

DOES TAKING PREVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? (Y/N) (N/A)

NOTES: THE USE OF THIS WELL IS RECORDED UNDER LICENSE # 35-02162 w/ a PRIORITY DATE OF APR. 26, 1963

HOWEVER, THE CLAIMANT HAS SUBMITTED INFORMATION SHOWING THAT AFTER USE OF WATER FROM THIS WELL BEGAN IN 1951. A POWER LINE EASEMENT WAS GIVEN TO BOND POWER COMPANY FOR A

TRANSFERENCE LINE INTO THE WELL BY THE TWO OWNERS OLIVE SOVA (ORIGINAL OWNER OF LICENSE 35-02162) ON APRIL 20, 1951. THE DATE "1951" IS WRITTEN IN A COUPONATE SIGNATURE AT THE HEUSE NEXT TO

THE POINT OF DIVERSION. ADDING TO MR. EYALIS IT IS HIS UNDERSTANDING THAT THIS WELL WAS USED TO FLOOD IRRIGATE THE CLAIMED PLACE OF USE UNTIL 1957 WHEN A RESET PUMP AND PRESS

IN A WATER WHEEL POND ON THE SEVEN SEC 22. 30 ACRES WERE ADDED TO THE SYSTEM @ THIS TIME (SEE A35-18054). A FLOODING OF THE POND WAS DONE BY DUCK IN 1964 SHOWING THE

SYSTEM CAPACITY WAS 4,040 cfs.
RECOMMENDED PRIORITY DATE: N/A

APPROVED BY: ESV
RECOMMEND PRIORITY AS CLAIMED.

DATE 9-13-93

SEE ATTACHED MEMO FOR FURTHER DISCUSSION OF

PRIORITY

A. AT CLAIN POINT OF DIVERSION AND SOURCE:

DATE	TIME	NO.	SEC.	1/A	1/B	1/C	1/D	ONLY
03-10-05	020	020	01	NE	NE	NE		CLINICAL
REMARKS: CLAIN POINT OF DIVERSION A. CLAIN POINT OF DIVERSION AJS-10053 AJS-10054 AJS-10055								
BY RECORDING IN DATA TO ALMA TRACT 03-07-027								

SOURCE: ACCIDENTATION

TIME:

B. AT POINT OF DIVERSION AND SOURCE:

THINK TO NO MATHS RIGHT RECORD WITH THE SAME CLAIN NUMBER

SOURCE: NO SOURCE FOR RECORD

TIME: NO TRIBUTARY FOR RECORD

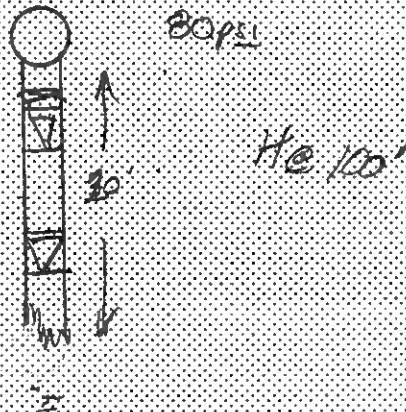
C. FIELD EXAM ASSURANCE

DUE TO MOD DISCREPANCY? (Y/N) ☒ Y
 DUE TO SOURCE DISCREPANCY? (Y/N) ☒ Y
 DATABASE EXAMINER
 FIELD EXAMINER

NOTES:

Verified Point of Diversion in Field. Same Pool as 35-13054, 13042 and 35-07429

NORTH



RDS = 12 $\frac{1}{4}$ mile LINES
 $\frac{5}{32}$ NOZZLE @ 5.5 gpm
600 end.

Motor: HP 200, U.S. MOTORS, # C6349-196

Pump:
2150 gpm BERKLEY PUMP # 7800864

POZZ # G-21-1

10SP - 1978.

ABS-13053, 13054, 13042, 07429 9-1-93 861

CRAIG VALS =

T2SR 33E Sec 21 NW NE NE.

STATE OF DIVISION REVIEW SHEET CONTINUED

CLARK COUNTY NOV-1993

RECOMMENDED ACTIONS OF DIVISION AND BOARD:

1/4 1/4 1/4 1/4

COUNTY

DIVISION NAME

RS 33E 21

WD 13E

DE

2115

6100

TOTAL

APPROVED BY: *[Signature]*

DATE: 9-1-93

APPROVED BY: *[Signature]*

SEE ATTACHED SHEET.

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CLAIM NO(S) :
DATE: 7/22/93
SOURCE OF INFO: 1987 ACS PHOTO
SIGNATURE: *Edna deSousa*

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1985-246
E-401 250

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Diversions

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APR AND 345	1/4	1/4	102	NAME	AJ \$/ACRES	WR \$/ACRES	LANDSAT DATA	FIELD EXAM.	RECON. ACRES
NE	SW			MERRILL, DOUGLAS R.	A35-07673	10.0			
SW	SW			EVANS, CRAIG B.	A35-13053	7.0	42.0	68	5
SW	SW			EVANS, CRAIG B.	A35-07425	10.0			Ne 1/4
SW	SW			EVANS, CRAIG B.	A35-13042	10.0			
SW	SW			EVANS, CRAIG B.	A35-13054	10.0			
SW	SW			STEINER, ROBERT	A35-02161	12.0			
SW	SW			MERRILL, DOUGLAS R.	A35-07067	10.0			
SW	SW			MERRILL, DOUGLAS R.	A35-07673	10.0			
SW	SW			STEINER, ROBERT	A35-02161	12.0			
SW	SW			MERRILL, DOUGLAS R.	A35-07673	10.0			
SW	SW			MERRILL, DOUGLAS R.	A35-07673	10.0			
TOTAL ACRES					A35-13053	250.00	310.00	250	

RE INRIGATED ACRES FOUND IN TRACTS OTHER THAN INDICATED ABOVE, Y () N (X)
 7 YES SEE ATTACHED SHEET.

FIELD EXAM REQUIRED? _____ DATABASE EXAMINER _____
 FOR TO FOR DISCREPANCY? (Y/N) _____

RECONSTRUCTION FLAG: C

0100:

VERIFIED PLACE OF USE w/ 1987 A35 PHOTO AND ON-SITE EXAM. Recommended 250 ACRES
 FEASIBLE PLACE OF USE w/ CONVENTION K06:172AC. ORIGINAL, FLOOD IRRIGATION SYSTEM
 IRRIGATED 172. SYSTEM @ COMPLETED 1957, 1974 AND 1977. Good QDS.

RECOMMENDATIONS:

TOTAL ACRES: 250AC / K06:172
 REVIEWED BY: [Signature] DATE: 9-1-93

5.7 CLAIMED USES

ACF 13053
INDICATION

DATE 04-01 10 10-31

TOTAL DIVERSION RATE/VOLUME CAPACITY

DIVERSION QUANTITY

2. **WARRANTED US\$:**

RESULTS

MONTY/DON

DIVERSION QUANTITY

Journal of Management Inquiry

QUESTIONS HAVE BEEN

	(Y/N)
DOES THE WHOLEX-USE DISCREPANCY?	(Y/N)
DOES THE DIRECTION RATE DISCREPANCY?	(Y/N)
DOES THE DIRECTION FROM/TO DISCREPANCY?	(Y/N)

FIELD
EXAMINER
DATE
N Y N Y

1000

THEORETICAL AS CHALLENGE

RECEIVED BY THE OFFICE OF THE COMPTROLLER

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• Q = See Memo ~~regarding~~ ~~to~~ Priority Allowance $8.44 = (0.02 \text{ cts/ox} \times 250 \text{ ox}) =$
Capacity = 4.39 cts.

1. 2000 DIVISION RATE CHARGES ASSED WITH EXISTING ACCOUNTS

Y (X) NO

2. TOTAL CHARGED DIVISION RATE:
3. TOTAL EXISTING DIVISION RATE:

0.440 0.000

4. IF NO OF THE STATUTORY CLAIM OF BENEFICIAL USE WHEN FLOW MEASUREMENT REQUIRED, AND
5. IF AN AMOUNT SMALLER THAN THE ORIGINAL DIVISION RATE - "X"
6. CLAIMED AND AN EXAM IS NOW REQUIRED, EXPLAIN IN NOTES, "X"

7. FLOW MEASUREMENT REQUIRED?

8. DUE TO STATE OR DIVISION RATE DISCREPANCY? (Y/N)

9. FLOW MEASUREMENT EXAMINER

10. FIELD

11.

12. MEASUREMENT METHOD BY FIELD SEE ATTACHED CALCULATIONS.

13. ARE OTHER WATER RIGHTS USED IN THE CLAIM? IF YES COMPLETE DIVISION REVIEW.

14. OTHER RIGHTS LISTED IN CLAIM: 05-07420, 05-10042, 05-10054

15. LIST ALL RIGHTS WITH A SAME YOU AND IRRIGATION USAGE:

CLAIM NO.	SOURCE	NAME	QTY. RATE	QTY. RATE/ACRE	DIV. VOL.	PIV VOL./ACRE
000-10000	GROUNDWATER	EVANS, CRAIG B	0.440	0.013		
000-10001	GROUNDWATER	STEFFER, ROBERT	0.000	0.013	964.00	4.00
000-10002	GROUNDWATER	SLEETER, ROBERT	0.000	0.013		
000-10003	GROUNDWATER	WEEKLEY, DOUGLAS R.	1.700	0.013	476.00	3.50
000-10004	GROUNDWATER	WEEKLEY, DOUGLAS R.	1.700	0.013		
000-10005	GROUNDWATER	EVANS, CRAIG B	0.600	0.002		
000-10006	GROUNDWATER	WEEKLEY, DOUGLAS R.	1.110	0.002	75.50	0.34
000-10007	GROUNDWATER	WEEKLEY, DOUGLAS R.	1.110	0.002		
000-10008	GROUNDWATER	EVANS, CRAIG B	0.000	0.007		
000-10009	GROUNDWATER	EVANS, CRAIG B	0.000	0.007		
000-10010	GROUNDWATER	EVANS, CRAIG B	0.000	0.007		

16. NO RIGHTS WITH SAME FOR USE NOT USED FOR IRRIGATION

2. RATE/VOLUME CALCULATIONS: (IRRIGATION)

13. IRRIGATION RATE
ACRES 250 X 0.02 CFS/ACRE = 5.00 CFS
(Taken from p/u review)

14. AMOUNT CLAIMED EXCEED 0.02 CFS/ACRE? Y() N(X)

15. IF YES ADDITIONAL WATER USE FOR FILL AND ATTACHED? Y() N(X)

2. IRRIGATION CONSUMPTIVE USE

CLAIMED CONSUMPTIVE USE = 516.0 AF/A

ACRES 250 X CONSUMPTIVE VOL. AF/A FOR AREA 3.0

TOTAL CONSUMPTIVE USE 750 AF/A

2. IRRIGATION DIVERSION VOLUME

CLAIMED DIVERSION VOLUME = AF/A

ACRES 250 X DIVERSION VOL. AF/A FOR AREA 4.0

TOTAL DIVERSION VOLUME 1000 AF/A

4. CALCULATIONS FOR USES OTHER THAN IRRIGATION:

SEE ATTACHED SHEET? Y() N(X)

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

Conditions: CFS Remarks: FDS

KD1: 35-13042

KD6: ~~35-130~~ 172ac

FD4: 4.35cf; 1000AF; 750CAF; 250AC; 35-13054, 35-13042, 400
35-07429

CONCLUSIONS

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REV. REV.

REF. CODES

[illegible]
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344

~~CONFIDENTIAL~~

DATA BASE EXAMINER
516.0

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$$\frac{1}{2} \left(\frac{1}{2} \right) = \frac{1}{4}$$

2000

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9-13-93

1. CHECK ONLY THE FOLLOWING THAT APPLY:

DATE: 9-13-93
BY: [Signature]
REVIEWER: [Signature]

ADJ-12
AS ORDERED
1/1
REVIEWER
1/1

2. SPLIT WATER RIGHT REVIEW

ROOT WATER RIGHT NUMBER: 55-10033
TOTAL DIVISION RATE OF WA SPLITS
SPLITS:

DATABASE

EXAMINER

CRS

| CRS RIGHT
NUMBER | QUANTITY
DATE NUMBER | DIVISION
RATE |
|---------------------|-------------------------|------------------|
| 55-10033 | 0.440 | |
| TOTAL CRS | 0.440 | |

B.44

3. THE SUM OF THE RATE OF THE SPLITS EQUAL THE ROOT RIGHT CRS RATE? (Y/N)
IF NO, IS THE ATTACHED SHEET ATTACHED? (Y/N)

DATE: 9-13-93

FIELD
EXAMINER

Benicia Use Right

DATE OF FIELD EXAMINATION: 9-13-93
FIELD EXAMINER: [Signature]

DATE: 9-13-93
FIELD: SWH

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2003
2004
2005
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2007

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DAN KILPAT: 43-1053

ROBERT M. KERR, JR.

ATTORNEY AT LAW
BLACKFOOT IDAHO

B-708

January 20, 1950

State of Idaho
Department of Reclamation
State House
Boise, Idaho

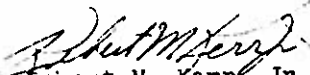
RECEIVED
JAN 23 1950
9 am
Department of Reclamation

Gentlemen:

On behalf of Mr. Ollie W. Sova, Route 2,
Blackfoot, Idaho, I enclose herewith his application
for a permit to appropriate the public waters of the
State of Idaho by liens of well, pump and ditches
which I trust you will find in satisfactory form.

I also enclose my check in the amount of \$5.00
which I trust will cover the fees. If anything
further is required, please advise.

Yours very truly


Robert M. Kerr, Jr.

RMK:ag

21344

as herein set forth.

OLLIE W. SOVA Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M. January 23, 1950

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 21344

Recorded in Book 76 Page 21344

Approved January 24, 1950

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

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

Work to begin on or before March 24, 1950 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before July 24, 1952

The whole of said work to be completed on or before January 24, 1955

Beneficial use of water appropriated in accordance herewith, to be made on or before January 24, 1961

WITNE: I have this 24th day of January, 1950

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, C. A. ROBINS

Governor of the State of Idaho,

and J. D. "CY" PRICE, Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 24th

day of January, 1950

STATE OF IDAHO

Countersigned:

By C. A. ROBINS

Governor.

(SEAL) J. D. "CY" PRICE

Secretary of State.

REMARKS:

14.

| 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 | |
| 2 S. | 33 E. | 21 | 40 | | | 34 | | | | | | | | | | | | | 74 |
| | | 22 | | | | | 27 | 36 | 40 | 30 | | | | | | | | | 133 |
| Total Number of Acres to be irrigated - | | | | | | | | | | | | | | | | | | | 207 |

ASSIGNMENT

For value received, I hereby assign all my right, title, and interest in and to Permit to appropriate the Public of the State of Idaho, No. 21344 to Charles L. Bleazard of Blackfoot, Bingham County, Idaho.

OLLIE W. SOVA
Permit holder

State of Idaho)
County of Bingham) ss

NELLIE SOVA
Wife of Permit holder

On this 31st day of January, 1953, before me, a Notary Public for the State of Idaho, residing at Blackfoot, Idaho personally appeared Ollie W. Sovo and Nellie Sovo, his wife, known to me to be the person whose name is subscribed to the v instrument, and duly acknowledged to me that they executed the same.

I, witness whereof, I have hereunto set my hand and affixed my Notarial seal, the day and year in this certificat above written.

(SEAL)

My commission expires January 1, 1954.

J. H. ANDERSEN
Notary Public, residing at E

Received and filed for record in the Department of Reclamation, at Boise, Idaho, March 17, 1953.

MARK R. KULP
State Reclamation Engineer

Form No. 5

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

November 1, 1954

RE: Permit No. 21344

INSTRUCTIONS
PROOF OF COMPLETION OF WORKS

Mr. Charles L. Bleazard
Blackfoot
Idaho

Boise, Idaho

Dear Sir:-

Under the terms of your permit No. 21344 you are required to complete your diversion works on or before January 24, 1955. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

MARK R. KULP

State Reclamation Engineer

Robert E. Goylle

January 28, 1955

His Permit No. 21344

Mr. Robert E. Goylle

P.O. Box 708

Blackfoot, Idaho

Dear Mr. Goylle:

I have your letter of January 26 enclosing affidavit of Charles E. Hiebard in regard to completion of work on permit No. 21344 accompanied by your check for \$5.00 fee in connection therewith.

We return Mr. Hiebard's affidavit with the request that he describe more fully the work as follows: Give the depth of the well, size and depth of the casing and kind and power of the pump.

Very truly yours,

MARK H. KEMP
State Reclamation Engineer

Chief Clerk

21344

March 8, 1954

Re: Permit No. 21344

Mr. Leonard H. Jank
P. O. Box 426
Twin Falls, Idaho

Dear Mr. Jank:

In reply to your letter of February 29, 1954, in connection with the above captioned permit we will state that the status of Permit No. 21344 is as follows:

Applicant, Ollie W. Sovr - Amount filed on, 4.14 cubic feet per second - Source, Subterranean flow by wells - Point of diversion or location of well, NE1/4, Section 21, Township 2 South, Range 33 East - Purpose of said filing, is for irrigation - Works consist of, well, pumps and ditches - Date of filing, January 23, 1950 - Completion of Works proof due, January 24, 1955 - Beneficial Use proof due, January 24, 1961 - The place of use, E1/4, Section 21, NW1/4 Section 22, Township 2 South, Range 33 East - Total acreage to be irrigated, 207 acres - Permit was assigned to Charles L. Bleasard under date of March 19, 1953 - Completion of Works proof was made by Charles L. Bleasard on January 25, 1955 - Certificate of Completion of Works was issued by this Department, February 12, 1955, for the amount of 4.14 cubic feet per second - Certificate mailed to Mr. Bleasard.

Our records do not disclose an Assignment from Bleasard to Mr. Douglas Ehead.

We are enclosing herewith a blank form for Assignment purposes.

Hoping this answers your inquiry.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Ray E. Thompson
Office Manager

True
Enc.

21344

March 27, 1974

Mr. Dwight E. Baker
Attorney at Law
173 N. Judicial Street
Blackfoot, Idaho 83221

Dear Mr. Baker:

Please find enclosed the Application for Amendment No. 35-2162 which you submitted on behalf of Lester & Fizziah Tracy. We cannot receipt this application because the \$10.00 filing fee was not included. However, we doubt that submitting this application for amendment will be to the best interest of Mr. & Mrs. Tracy, because the number of acres indicated on the amendment is greater than that originally applied for on the Application for Permit. The acceptance of this amendment would require the priority date to be moved to today's date. It would, therefore, be to their advantage to prove up on the land as indicated on Permit No. 35-2161 and then file a new Application for Permit to cover the extra acreage.

In your letter you requested how the date of priority would be established. Since proof was due on this permit on January 23, 1961, the priority will be advanced one day for each day after this January 24, 1961 deadline.

We hope this adequately answers your questions. If we may be of further assistance, please do not hesitate to contact this office.

Very truly yours,

RONALD D. CARLSON
Asst. to the District Engineer

RDC:mb

Enclosure

Law Offices

FURCHNER, MARTSCH & BAKER

178 W. JUDICIAL STREET

BLACKFOOT, IDAHO 83221

March 26, 1974

H. WILLIAM FURCHNER

JAMES L. MARTSCH

DWIGHT E. BAKER

MAR 28 1974
785 2310

DEPARTMENT OF WATER ADMINISTRATION
CARETAKER'S OFFICE

Department of Water Administration
1515 Lincoln Rd.
Idaho Falls, Idaho 83401

ATTN: Norman C. Young

RE: Permit No. 35-2162

Dear Mr. Young:

Enclosed please find the completed application for the above referenced permit. You may recall that I phoned you on March 20, regarding this matter. It is my understanding that under this older permit no permanent measuring device is necessary, and that one of your agents can confirm the water applied to beneficial use.

Mr. Tracy is quite concerned over the date of priority to which he will be entitled. Therefore we further request an explanation in the manner by which the final date of priority is determined. If you have any further questions, please advise at your convenience.

Very truly yours,

FURCHNER, MARTSCH & BAKER

Dwight E. Baker
Dwight E. Baker

DER:cb
Enclosures

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 21344/35-2162)
IN THE NAME OF LESTER AND KIZZIAH TRACY)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

WHEREAS, on August 1, 1968, the Department of Water Administration (formerly the Department of Reclamation) adopted Rules of Practice and Procedure for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 21344/35-2162 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedure as follows:

1. The above numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holder's expense for two weekly issues in a newspaper of general circulation in the county in which the point of diversion lies.

Dated this 17 day of April, 1974.


R. KEITH HIGGINSON
Director

DDR:JG

35 : 2

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

POOR ORIGINAL

IN THE MATTER OF PERMIT NO. 21344/35-2162)
IN THE NAME OF LESTER AND KIZZIAH TRACY)

ORDER

WHEREAS, on January 23, 1950, Ottilie W. Sovo applied to the Department of Water Administration (formerly the Department of Reclamation) for a permit to appropriate 4.14 cfs of water from a groundwater source within the NE1/4, Sec. 21, Twp. 2S, Rge. 33E, B.N., Bingham County, to be used for irrigation purposes; and,

WHEREAS, on January 24, 1950, the Department approved said application and issued Permit No. 21344/34-2162 with the condition that one-fifth of the work be completed on or before July 24, 1952; that the whole of said work be completed on or before January 24, 1955; and that proof of beneficial use of water be submitted on or before January 24, 1961; and,

WHEREAS, on March 17, 1953, Ottilie W. Sovo assigned all his right, title and interest, in and to Permit No. 21344/35-2162 to Charles L. Bleazard; and,

WHEREAS, on January 25, 1955, the Department received proof of completion of works; and

WHEREAS, on April 4, 1956, Charles L. Bleazard assigned all his right, title, and interest in and to Permit No. 21344/35-2162 to Douglas M. Rheal; and,

WHEREAS, on March 27, 1974, Douglas M. Rheal assigned all his right, title and interest in and to Permit No. 21344/35-2162 to Lester and Kizziah Tracy and the new permit holders made proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that in the event that proof of beneficial use is submitted after the deadline set forth in the conditions of approval, the priority date of such permit shall be advanced the same number of days that said proof is late;

IT IS, THEREFORE, HEREBY ORDERED that the priority under Permit No. 21344/35-2162 be advanced to March 26, 1961.

Dated this 17 day of April, 1974.

R. Keith Higgins
Director

35 102

DDR:JG

MICROFILMED

APR 18 1974

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

POOR ORIGINAL

IN THE MATTER OF PERMIT NO. 21344/35-2162)

ORDER

IN THE NAME OF LESTER AND KIZZIAH TRACY)

WHEREAS, on January 23, 1950, Ollie W. Sova applied to the Department of Water Administration (formerly the Department of Reclamation) for a permit to appropriate 4.14 cfs of water from a groundwater source within the NE1/4 Sec. 21, Twp. 2S, Rge. 33E, B.N., Bingham County, to be used for irrigation purposes; and,

WHEREAS, on January 24, 1950, the Department approved said application and issued Permit No. 21344/35-2162 with the condition that one-fifth of the work be completed on or before July 24, 1952; that the whole of said work be completed on or before January 24, 1955; and that proof of beneficial use of water be submitted on or before January 24, 1961; and,

WHEREAS, on March 17, 1953, Ollie W. Sova assigned all his right, title and interest, in and to Permit No. 21344/35-2162 to Charles L. Bleazard; and,

WHEREAS, on January 25, 1955, the Department received proof of completion of works; and

WHEREAS, on April 4, 1956, Charles L. Bleazard assigned all his right, title, and interest in and to Permit No. 21344/35-2162 to Douglas M. Rhead; and,

WHEREAS, on March 27, 1974, Douglas M. Rhead assigned all his right, title and interest in and to Permit No. 21344/35-2162 to Lester and Kizziah Tracy and the new permit holders made proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that in the event that proof of beneficial use is submitted after the deadline set forth in the conditions of approval, the priority date of such permit shall be advanced the same number of days that said proof is late;

IT IS, THEREFORE, HEREBY ORDERED that the priority under Permit No. 21344/35-2162 be advanced to March 26, 1961.

Dated this 17 day of April, 1974.

R. Keith Dickinson
R. KEITH DICKINSON
Director

35 132

DDR:IC

MICROFILMED

APR 18 1994

POOR QUALITY

A35-13042
A35-13053
A35-13054
A35-07429

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R33E

Point of Contention

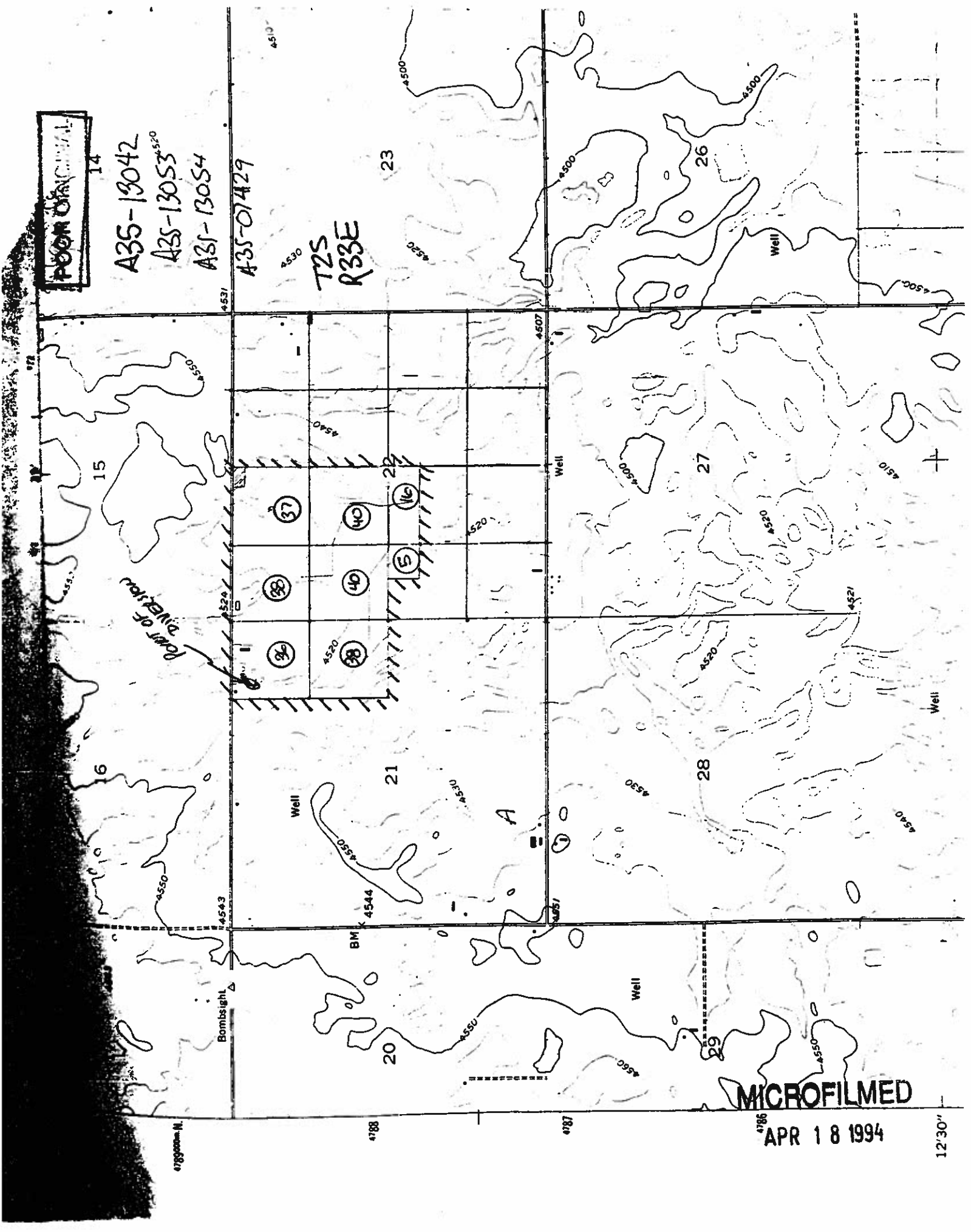
Bomb Sight

BM 4544

MICROFILMED

APR 18 1994

12'30"



LAW OFFICES
LEONARD H. JACOB
P O Box 426
TWIN FALLS, IDAHO

POOR ORIGINAL

RECEIVED
MAR 1 1956
Department of Reclamation

February 29, 1956

Department of Reclamation
State Capitol
Boise, Idaho

Attention: Mrs. Jeanne L. Anderson

Dear Mrs. Anderson:

21344

I am writing relative to Water Permit No. 31254 which originally was taken out in the name of Ollie W. Sova of Route #2, Blackfoot, Idaho. The permit was later assigned to Charles L. Bleazard and was filed in your office on March 17, 1955. Since that date Mr. and Mrs. Bleazard sold the real property involved in the permit to Mr. Douglas Rhead of Blackfoot, Idaho.

Mr. Rhead has now paid off his contract and has just received the water permit. I note that proof of completion of works should have been made on Jan. 24, 1956. Mr. Rhead advised me that the pump has been installed for a period of about five years and proof of completion of works could have been made some time ago.

Would you please advise me of the status of this permit, both as to the record holder of the same and also if proof of completion of works has been made.

If proof of completion of works has not been made, is it too late to make the same and would the present owner have to make application for a new permit?

With best personal regards, I remain

Very truly yours,

Leonard H. Jacob

Leonard H. Jacob

LHJ:m

MICROFILMED

PERM ORIGINAL

Permit No. 21344
 CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that CHARLES L. BLEAZARD of Blackfoot, County of Bingham, And State of Idaho, the holder of Permit No. 21344, bearing date of priority of January 23, 1950, authorizing the diversion of 4.14 second feet of the natural flow from a well County of Bingham, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said permit; that said works are adequate for diverting and conveying to the piece of intended use second feet of the waters of said well; that the point of diversion of said waters is in the NE 1/4 Section 21, Township 2 South, Range 33 East, B. M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: E 1/4 NE 1/4 Section 21; NW 1/4 Section 22; Twp. 2 South, Range 33 East, B. M.

Witness my hand this 12th day of February, A. D. 1955.

MARK R. KULP
 State Reclamation Engineer:

Proof of Completion of Works made January 25, 1955.

Certificate of Completion of Works issued February 12, 1955.

A S S I G N M E N T

For value received, I hereby assign all my right, title, and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. 21344 to Douglas Rhead of Blackfoot, Idaho, Box 54, Moreland, Idaho

CHARLES BLEAZARD
 Permit holder

KATHRYN BLEAZARD
 Wife of Permit Holder.

State of Idaho)
 County of Bingham) ss

I, this 16th day of March, 1956, before me, a Notary Public for the State of Idaho, residing at Blackfoot, Idaho, personally appeared Charles Bleazard also known as Charles L. Bleazard and Kathryn Bleazard, known to me to be the persons whose name is subscribed to the within instrument, and duly acknowledged to me that they executed the same. In witness whereof, I have hereunto set my hand and affixed my Notarial seal, the day and year in this certificate first above written.

AGNES GRIFF
 Notary Public, residing at
 Blackfoot, Idaho

This instrument expires October 26, 1958.

Received and filed for record in the Department of
 Reclamation, at Boise, Idaho, April 4, 1956.

MARK R. KULP
 State Reclamation Engineer

MICROFILMED
 APR 18 1994

STATE OF IDAHO
Department of Reclamation

POOR ORIGINAL

Proof of Completion of Works
AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Bingham

ss.

Charles L. Bleazard, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 21344, and that his postoffice address is Route 3, Blackfoot State of Idaho

Second: That the name of the stream from which said water is to be diverted is underground waters.

Third: That the point of diversion of said water is ~~to be completed by~~ January 24, 1955, NE 1/4 of Section 21, Township 2 South, Range 33 E.P.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by January 24, 1955.

Fifth: That the use for which said water is intended is irrigation.

Sixth: That on the date above mentioned, the works constructed under said permit were ~~(xxxxxx)~~ fully completed and consisted of the following:

I. Kind of works: well with pump and ditches. The well is about 210 feet deep, cased 10 or 12 feet to rock (Reservoir dam, ditch, pipe or otherwise). The pump is a 75 h.p. electric drive bowler turbine pump.

II. Dimensions of work: (a) Height of dam, feet, length of dam at top, feet, length of dam at bottom, feet. Material used in construction.

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir, acre feet.

(c) Size of headgate: Width, feet, height, feet.

(d) Conduit/ditch width at bottom, 3 feet, width at water line, 5 feet, depth of water, 1 1/2 feet; diameter of pipe, inches, average grade per mile is 10 feet. Length of conduit is 2 miles, total.

Seventh: That said works are capable of conducting to the place of intended use. 4.14
4.18 second feet of water.

Eighth: That water appropriated under said permit is available for acres of land described as follows: The East half of the NE 1/4 of Section 21 and the NW 1/4 of Section 22, Township 2 South, Range 33 E.P.M.

Ninth: Remarks: That filing of this would have been made earlier but affiant has been working away from home.

Charles L. Bleazard
(Sign Here)

Subscribed and sworn to before me this 25th day of January

My commission expires January 19, 1958

MICROFILMED

Robert M. Taylor
Notary Public.

21344

RECEIVED

JUN 8 1974

100 ORIGINAL
MAY 1974

- Permit No. 21344/35-2162
Examination for b/u

Measuring device required: yes ☐ no ☒

- [illegible]

MICROFILMED

APR 18 1994

DATE OF EXAM June 29, 1974

POOR ORIGINAL

ACREAGE

Found

202

Recommended

202

Irrigation Requirement

35

Ac Ft/Ac

USE

Irrigation Q=

c.f.s.

V= 207

AF/Ann. from Apl

to

Nov 1

Domestic Q=

c.f.s.

V=

AF/Ann. from

to

Livestock Q=

c.f.s.

V=

AF/Ann. from

to

Is water co-mingled? yes

no ☒

Name source: N.A.

twp.

N/S, Rge

E/W, B.M., Sec.

Sub

1/4

1/4

County

Exchange? yes

no ☒

Name source exchanged with: N.A.

twp.

N/S, Rge

E/W, B.M., Sec.

Sub

1/4

1/4

County

Point of injection: N.A.

twp.

N/S, Rge

E/W, B.M., Sec.

Sub

1/4

1/4

County

Point of exchange: N.A.

twp.

N/S, Rge

E/W, B.M., Sec.

Sub

1/4

1/4

County

Total Q measured

4.39 cfs

Method of measurement

Pigmy Meter

Total Q recommended

4.04 cfs Meter No. 4421

Type

Condition EDWR

Total V recommended

207 AF/Ann

Recommended Amendments:

P.D.

Place of Use

Other

None

MEASUREMENT CALCULATION:

See notes

$$Q = .02 \text{ cfs} \times 202 \text{ Ac} = 4.04 \text{ cfs}$$

$$V = 202 \text{ Ac} \times 3.5 \text{ AF/Ac} = 207 \text{ AF/Ann}$$

SYSTEM DESCRIPTION:

GE 7.5 Hp Motor Ser #UG56873506
LHYN & Bowler Pump Ser #6231
12" discharge to private ditch system
Wash 11.0 is collected in SE & NW 1/4 Sec 22 and is pumped
into sprinkler system & 1/2" sprinkler lateral is 1/4" and
U.S. MOTORS 35 Hp Ser #61324, Peerless Pump Ser #35287

REMARKS:

System & land shown by Inter Tracing
ALL WASHES WITH APPLICABLE TO ORIGINAL FROM CURE
Ground

Examiner's Signature

William Rhoads

Date

June 30, 1974

Checked by

Loren O. Haker

Date

11-27-74

Approved by

Date

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FROM 1964 LICENSING EXAM OF 35-02

USE ORIGINAL

Rec - 331



APR 18 1994

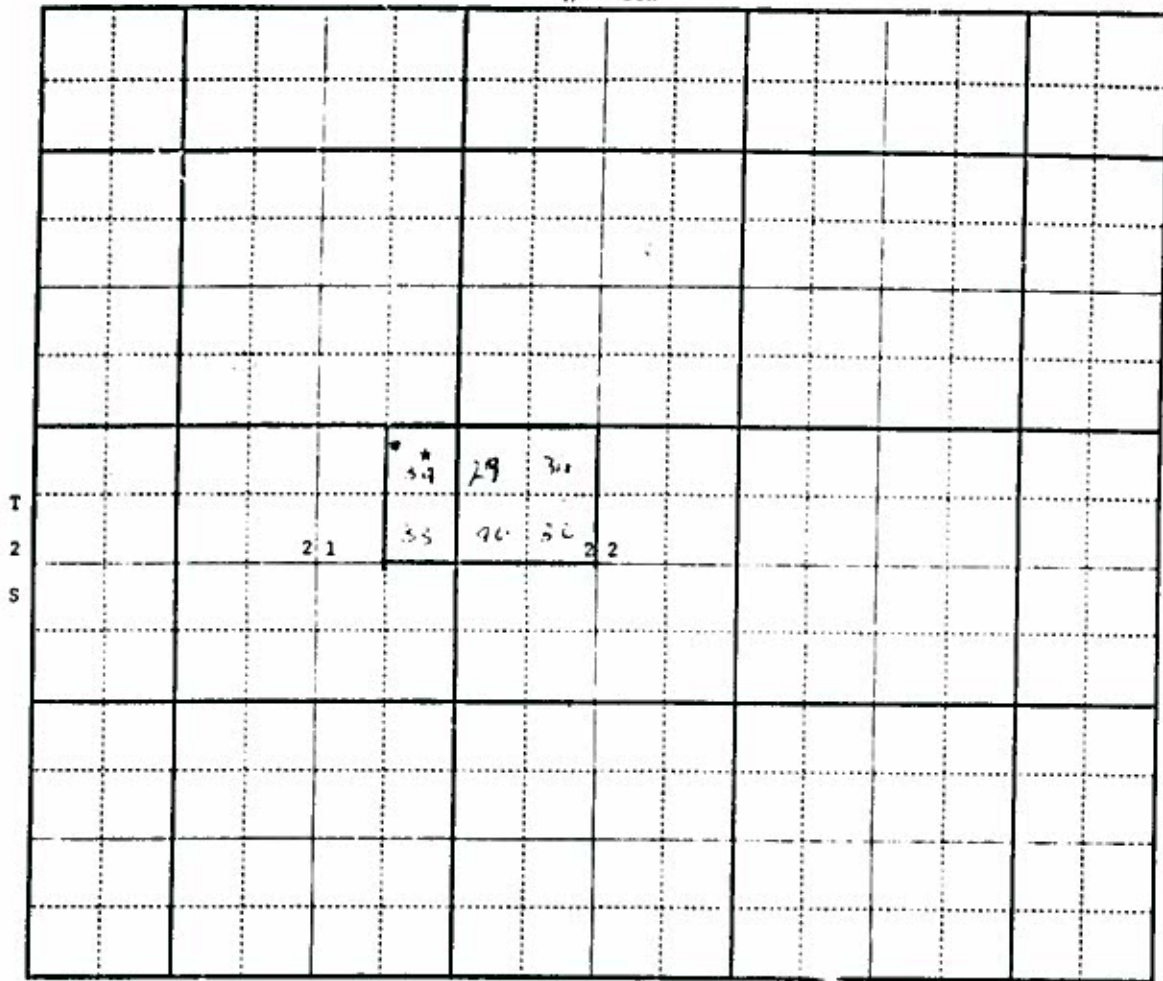
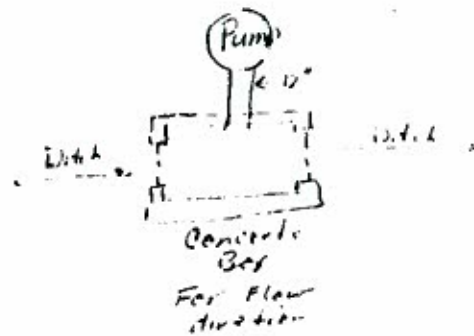


Diagram of System

TOP
VIEW



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SECRET

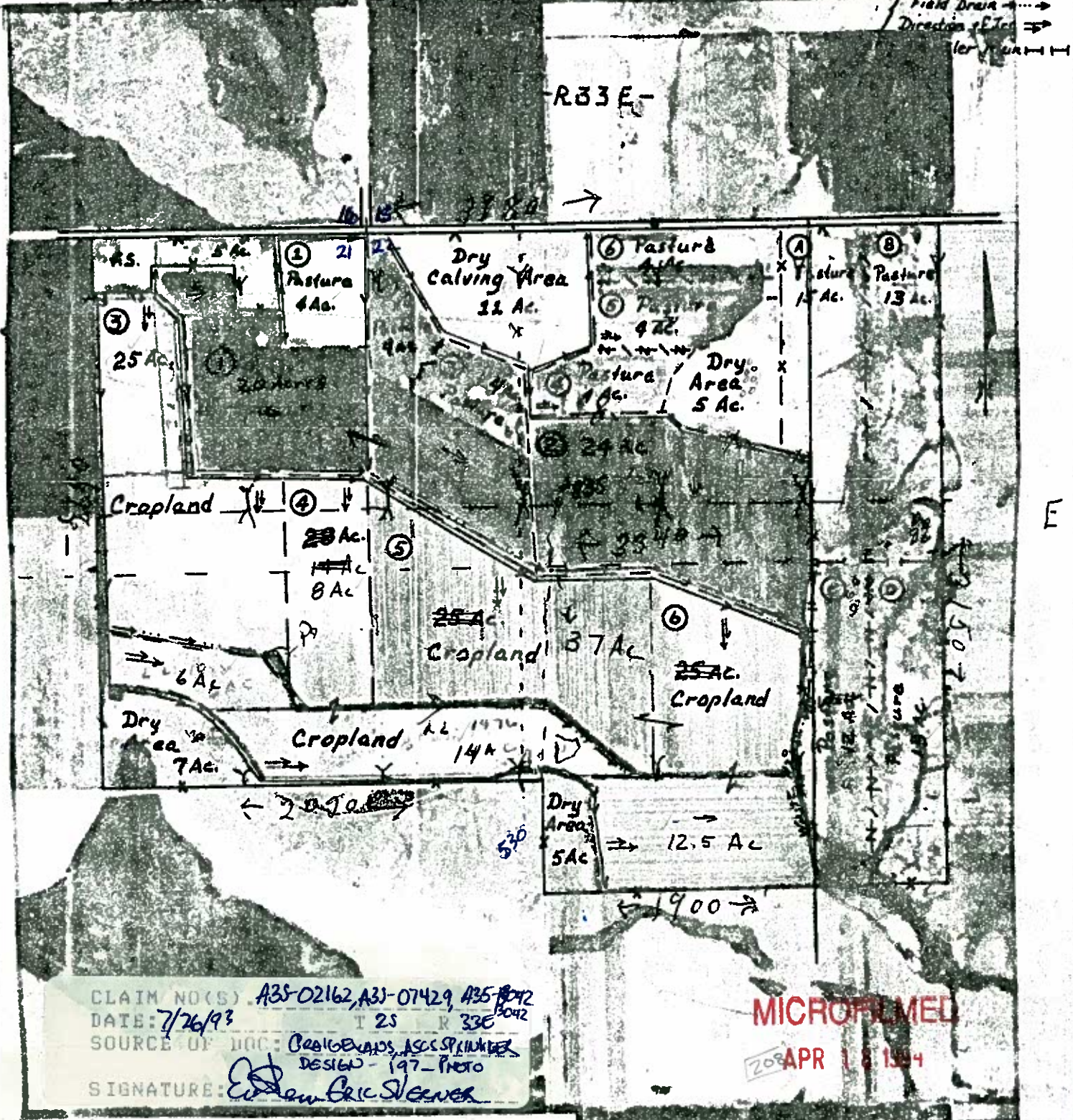
103 1st W
147 FARM
LAND



Idaho

Diagram illustrating the irrigation system components and flow direction:

- Head Ditch
- Field Drain
- Direction of Travel



CLAIM NO(S) A35-02162, A35-07429, A35-1042
 DATE: 7/26/93 T 25 R 33E 1042
 SOURCE OF DOC: BRIGGS AND STRONG
DESIGN - 197 - PHOTO
 SIGNATURE: Eric S. [Signature]

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06360-3

A35-013053

No. 27727

POWER LINE EASEMENT

ER 1659

* **OLLIE W. SOVA** and **NEILLIE SOVA**, his wife, Grantor(s), of Bingham County, State of Idaho, do hereby Grant and convey to IDAHO POWER COMPANY, a corporation, its licensees, successors and assigns, Grantee, for One Dollar and other valuable considerations, receipt of which is hereby acknowledged, a right of way and easement for the erection and continued operation, maintenance, repair, alteration, inspection and replacement of the electric transmission, distribution and telephone lines and circuits of the Grantee, attached to Poles or other supports, together with guys, crossarms and other attachments and incidental equipment thereon, and appurtenances, over, on and across the following premises, belonging to the said Grantor(s) in Bingham County, State of Idaho, in the following location, to-wit:

NE $\frac{1}{4}$ of the NE $\frac{1}{4}$ of Sec. 21, Twp 2 S., Rge 33 E., B. M.

Together with all rights of ingress and egress necessary for the full and complete use, occupation and enjoyment of the easement hereby granted, and all rights and privileges incident thereto, including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system.

Executed and delivered this 20th day of April, 1951.

WITNESS. Fred Vogt
Fred Vogt

OLLIE W. SOVA
Neillie SOVA

STATE OF IDAHO)
County of Bannock) ss.

On this 20th day of April, 1951, before me, David C. Stevens, a Notary Public, personally appeared Ollie W. SOVA and Neillie SOVA, known to be to be the person(s) who executed the foregoing instrument and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein mentioned.

David C. Stevens
Notary Public, residing at
Pocatello, Idaho

Commission expires December 7, 1953

Seal

Recorded at the request of Idaho Power Co. Oct. 17, 1952, at 9:35 A. M. Fee \$.75

By *Edw. M. Webb, Jr.* Deputy V. F. Wootton Recorder
ia. *Edw. M. Webb, Jr.* -----
No. 27728 ----- ER. 1654

POWER LINE EASEMENT

Edw. M. Webb, Jr and Stella L. Webb, his wife, Grantor(s), of Bingham County, State of Idaho, do hereby Grant and convey to IDAHO POWER COMPANY, a corporation, its licensees, successors and assigns, Grantee, for One Dollar and other valuable considerations, receipt of which is hereby acknowledged, a right of way and easement for the erection and continued operation, maintenance, repair, alteration, inspection and replacement of the electric transmission, distribution and telephone lines and circuits of the Grantee, attached to poles or other supports, together with guys, crossarms and other attachments and incidental equipment thereon, and appurtenances, over, on and across the following premises, belonging to the said Grantor(s) in Bingham County, State of Idaho, in the following location, to-wit:

E $\frac{1}{2}$ of the NE $\frac{1}{4}$ Sec. 11, Twp 3s., Rge 32 E., B. M.

Together with all rights of ingress and egress necessary for the full and complete use, occupation and enjoyment of the easement hereby granted, and all rights and privileges incident thereto, including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system.

Executed and delivered this 26th day of February, 1951.

Idaho Power Company
POWER LINE EASEMENT

BL-9198 57
E 900 40

Douglas M. Rhoad and Beulah J. Rhoad
his wife, Grantor(s), of Blingham County, State of Idaho, do hereby grant and convey to IDAHO POWER COMPANY, a corporation, its licensees, successors and assigns, Grantee, for One Dollar and other valuable considerations, receipt of which is hereby acknowledged, a right of way and easement for the erection and continued operation, maintenance, repair, alteration, inspection and replacement of the electric transmission, distribution and telephone lines and circuits of the Grantee, attached to poles or other supports, together with guys, crossarms and other attachments and incidental equipment thereon, and appurtenances, with the right to permit the attachment of the wires and fixtures of other companies or parties, over, on and across the following premises, belonging to the said Grantor(s) in Blingham County, State of Idaho
in the following location, to-wit:

Sec 1 NE 1/4 and the NE 1/4 SW 1/4 Sec. 22, T.2S., R.33E., B.M.

Together with all rights of ingress and egress necessary for the full and complete use, occupation and enjoyment of the easement hereby granted, and all rights and privileges incident thereto, including the right from time to time to cut, trim and remove trees, brush, overhanging branches and other obstructions which may injure or interfere with the Grantee's use, occupation or enjoyment of this easement and the operation, maintenance and repair of Grantee's electrical system.

Executed and delivered this 17th day of August 1957

Douglas M. Rhoad

Beulah J. Rhoad

STATE OF Idaho
County of Blingham } ss

On this 18 day of August 1957 before me, *James T. Hill*
a Notary Public, personally appeared *Beulah J. Rhoad* known to me to be the person(s) who executed the foregoing instrument and acknowledged to me that they executed the same freely and voluntarily for the uses and purposes therein mentioned.

(Notarial Seal)
Notary Public, residing at *Blanchard*
Commission expires *12/11*, 1957

Idaho Notary Public Act

OVER

K

ERIC

8-5-93

Here are 2 power line easements on the farm in Section 21 & 22. The one dated in 1954 is for the main part which was developed first, the other one in 1957 was for a tail-water pump (located on the map) which irrigated the higher ground on the East edge, and was about 30 acres.

The date on the final addition is correct but should add about 2 acres as shown on the map. It is in the SW corner of the place and is cultivated and has been green when the photo was taken. The photo shows potatoes - the additional part was planted to grain & blends with the hay ground in the rest of the corner.

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(OVER)

all of the corner is fringed except about
100' x 300' where there is a rock bearing
hole that the wheel lines won't pass over.

If I have confused you - give me a call
at 684-3614,

Thank you

Craig Evans

P.S. When you finish give me a call
& I will come up & sign them

Thanks -

FOOT ORIGINAL

3
42.5

15

2

25.5

F100
72352
RHEL

1x

WATER
PUMP

LINE

WEL
2
55.4

WEL
1
45.4

WEL
3
107.4

CRACKING

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APR 10 1964

Z Street

350
x

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: A35-13053
Date Received: 8/27/93
Receipt No: 6019088
Received By: SA

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: CRAIG B EVANS 208-684-3614
Address: 1523 W 300 N
BLACKFOOT ID 83221
OR
Name: SHARI J EVANS 208-684-3614
Address: 1523 W 300 N
BLACKFOOT ID 83221

2. Date of Priority: APR 1, 1951

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|---------|
| 02S | 33E | 21 | NW | NE | NE | | BINGHAM |

5. Description of diverting works:
WELL AND PUMP, MAINLINE TO SPRINKLERS

6. Water is used for the following purposes:

| Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|-------|------|--------|
| IRRIGATION | 04/01 | 10/31 | 3.440 | | |

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

8. Total consumptive use is 516.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|-----|-------|
| 02S | 33E | 21 | NE | NE | | IRR | |

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A3513053



10. Place of Use: Continued

| Township | Range | Section | 1/4 of | 1/4 | Lot | Use | Acres |
|----------|-------|---------|--------|-----|-----|---------------|-------|
| 02S | 33E | 21 | SE | NE | | IRR | 38.0 |
| | | | | | | Section Acres | 74.0 |
| | | 22 | NE | NW | | IRR | 37.0 |
| | | | NW | NW | | IRR | 38.0 |
| | | | SW | NW | | IRR | 40.0 |
| | | | SE | NW | | IRR | 40.0 |
| | | | NE | SW | | IRR | 16.0 |
| | | | NW | SW | | IRR | 5.0 |
| | | | | | | Section Acres | 176.0 |
| | | | | | | Total Acres | 250.0 |

11. Place of use in counties: BINGHAM

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

13. Other Water Rights Used:
35-07429, 35-13042, 35-13054

14. Remarks:
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 172 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

15. Basis of Claim: BENEFICIAL USE

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.

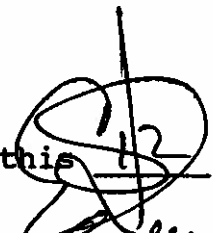
Signature of Claimant(s): *[Signature]* Date: Aug 8, 1993
Date:

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State of Idaho)
County of Bonneville) SS.

Subscribed and sworn (or affirmed) before me this 12 day
of August 19 93

Seal



Notary Public

Residing at Idaho Falls, Id.
My Commission Expires 22 Aug 1994

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APR 18 1994