

06/27/2007

IDAHO DEPARTMENT OF WATER RESOURCES
RECOMMENDED WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-2631A

NAME AND ADDRESS: KASPER LAND AND CATTLE LLC
3349 HILL RD
MELBA ID 83641

SOURCE: JENSEN LAKE

TRIBUTARY:

QUANTITY: 3.920 CFS

PRIORITY DATE: 06/21/1946

POINT OF
DIVERSION:

T01S R02W S22 SWNE Within CANYON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	03/01 11/15	3.920 CFS
PLACE OF USE: <u>IRRIGATION in CANYON County</u>		
T01S R02W S21 NENE 5.00	T01S R02W S21 NWNE	30.00
T01S R02W S21 SWNE 40.00	T01S R02W S21 SENE	34.00
T01S R02W S21 Lot 2 NESW 2.00	T01S R02W S21 NESE	28.00
T01S R02W S21 NWSE 40.00	T01S R02W S21 SESE	17.00

196 ACRES TOTAL

Right Nos. 63-2631A and 63-2632A are limited to the irrigation of a combined total of 324 acres in a single irrigation season.

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

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

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Right includes accomplished change in place of use pursuant to Section 42-1425, Idaho Code.

10/17/2006

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

RIGHT NUMBER: 63-2631A

NAME AND ADDRESS: EASTERN WESTERN CORP
ATTENTION MICHAEL E MCGINLEY
1426 S E GIDEON ST
BOX 3228
PORTLAND OR 97208-3228

SOURCE: JENSEN LAKE

TRIBUTARY:

QUANTITY: 3.920 CFS

PRIORITY DATE: 06/21/1946

POINT OF DIVERSION:

T01S R02W S22 SWNE Within CANYON County

PURPOSE AND
PERIOD OF USE:

	<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
	IRRIGATION	03/01 11/15	3.920 CFS
PLACE OF USE:	<u>IRRIGATION Within CANYON County</u>		
	T01S R02W S21 NENE 5.00	T01S R02W S21 NWNE	30.00
	T01S R02W S21 SWNE 40.00	T01S R02W S21 SENE	34.00
	T01S R02W S21 Lot 2 NESW 2.00	T01S R02W S21 NESE	28.00
	T01S R02W S21 NWSE 40.00	T01S R02W S21 SESE	17.00
	196 ACRES TOTAL		

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EXPLANATORY MATERIAL: BASIS OF CLAIM - License

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Idaho Department of Water Resources

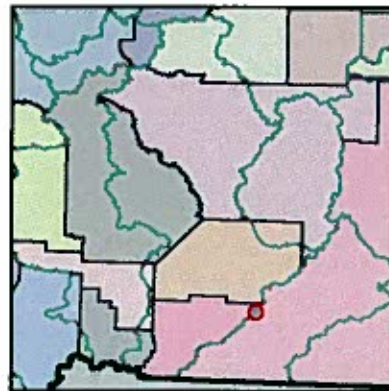
SRBA Recommendation:

63-2631A

(Irrigation)

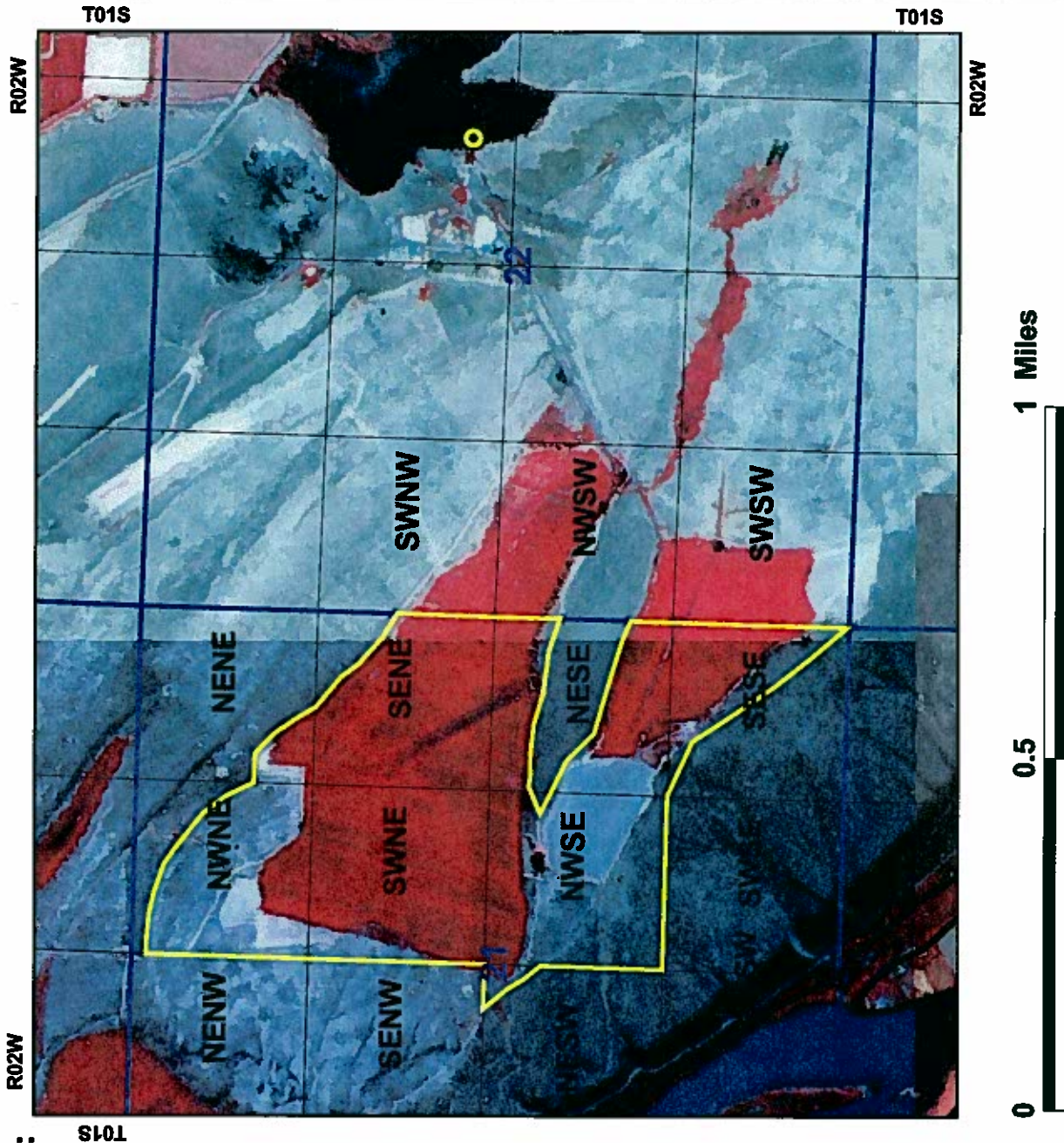
Legend

-  Point of Diversion
-  Place of Use
-  Townships
-  PLS Sections
-  Quarter Quarters



Canyon County
IDWR Basin 63

Prepared by M. Ciscell
On Tuesday, October 17, 2006
1987/88 Aerial Photography



State of Idaho

License and Certificate of Water Right

Water License No. 19773 63-2631A Amount 3.92 second feet
 Water District No. _____ Priority June 21, 1946

THIS IS TO CERTIFY that REX S. JENSEN

of Melba, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated February 23, 1946; that Permit No. 19773 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 10.4 second feet, was issued thereunder on November 22, 1948, showing that said works were completed on the 10th day of November, 1948; and that on the 25th day of June, 1954,

REX S. JENSEN

of Melba, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of Thomason Lake, ~~tributary of~~, for the purpose of irrigation and domestic use under Use Permit No. 19773 of the Department of Reclamation

and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

9 of Licenses at page 5389, on the 2nd day of November, 1954;

The right hereby confirmed dates from June 21, 1946;

The Point of Diversion is located

in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 22, Tp. 1 S., R. 2 W., B. M. Canyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 3.92 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
1 S.	2 W.	21	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	10
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	28
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40	38
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	--
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	30
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	10
			Number of Acres Actually Irrigated		
			- - 196		

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

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

2nd day of November, 1954.

MARK R. KULP
 State Reclamation Engineer.

(SEAL)

63 2631

IDWR - WESTERN REGION

CONTRACTOR: Karan Waters

CLAIM #: 63-02631A Date: 7-11-00

Overlapping POU Claim #'s: _____

	TNS	RNG	SEC	NE				NW				SW				SE				Sum
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
Claim	15	2W	21	10	28	40	38									36	40		10	196
GIS				4	28	40	34									39	40		11	196
Claim																				
GIS																				
Claim																				
GIS																				
Claim																				
GIS																				

POU_ID #(s): 191

POD_ID #(s): 160

Total Claimed Acres: 196

Total GIS Acres: 196

COMMENTS:

No Map, * couldn't determine claim acres verses irrigated acres

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: A63-02631A
Date Received: 8/25/1989
Receipt No: C010321
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: EASTERN WESTERN CORP
Address: MICHAEL E MC GINLEY PRESIDENT
1426 SE GIDEON ST
PO BOX 3228
PORTLAND OR

503-236-1978

97208-3228

2. Date of Priority: JUN 21, 1946

3. Source: JENSEN LAKE

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	02W	22		SW	NE		CANYON

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.920		

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

A.F.A.

8. Total consumptive use is 686.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	02W	21	NE	NE		IRR	10.0
			NW	NE		IRR	28.0
			SW	NE		IRR	40.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	02W	21	SE	NE		IRR	38.0
			NE	SE		IRR	30.0
			NW	SE		IRR	40.0
			SE	SE		IRR	10.0

Section Acres 196.0

Total Acres 196.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
02-7109

14. Remarks:

SOURCE ALSO KNOWN AS THOMASON LAKE. POWER OF ATTORNEY SUBMITTED
WITH CLAIMS IN BASIN 65.

ADDRESS CHANGED PER CLAIMANT REQUEST 10/13/98 (BY DB).

15. Basis of Claim: LICENSE

Water Right Number: 19773



ALB 02631A

October 8, 1998

RECEIVED

OCT 13 1998

WATER RESOURCES
WESTERN REGION

Denise Buffington
Idaho Department of Water Resources
Western Regional Office
2735 Airport Way
Boise, Idaho 83705-5082

Re: Eastern Western Corporation

Dear Ms. Buffington:

I am writing to inform you of Eastern Western Corporation's change in its street address. The new street address for Eastern Western Corporation is 1426 S.E. Gideon Street, Portland, Oregon 97202. The mailing address for Eastern Western Corporation remains unchanged (P.O. Box 3228, Portland, Oregon 97208-3228).

Please update the Idaho Department of Water Resources' records for all water rights held by Eastern Western Corporation to reflect the changed street address.

Thank you for your assistance with this matter. Please contact me if you have any questions or need additional information.

Sincerely,

EASTERN WESTERN CORPORATION

A handwritten signature in cursive script, reading 'Michael E. McGinley'.

Michael E McGinley
President

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: A63-02631A
Date Received: 8/25/1989
Receipt No: C010321
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: EASTERN WESTERN CORP.
Address: C/O MIKE MC GINLEY, PRESIDENT
1505 S.W. GIDEON ST.
P.O. BOX 3228
PORTLAND, OR

503-236-1978

97208-3228

2. Date of Priority: JUN 21, 1946

3. Source: JENSEN LAKE Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	02W	22	SW	NE			CANYON

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.920		

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

A.F.A.

8. Total consumptive use is 686.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	02W	21	NE	NE		IRR	10.0
			NW	NE		IRR	28.0
			SW	NE		IRR	40.0

A63-02631A

Page 1

Date: 05/16/91

MICROFILMED
AUG 18 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	02W	21	SE	NE		IRR	38.0
			NE	SE		IRR	30.0
			NW	SE		IRR	40.0
			SE	SE		IRR	10.0

Section Acres 196.0

Total Acres 196.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
02-7109

14. Remarks:
SOURCE ALSO KNOWN AS THOMASON LAKE. POWER OF ATTORNEY SUBMITTED
WITH CLAIMS IN BASIN 65.

15. Basis of Claim: LICENSE

Water Right Number: 19773

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: A63-02631A
Date Received: 8/25/1989
Receipt No: 6010321
Received By: SK

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EASTERN WESTERN CORP
Address: C/O JIM HIPWELL
3349 HILL ROAD SOUTH
MELBA, ID

208-495-1134

83641

2. Date of Priority: JUN 21, 1946

3. Source: JENSEN LAKE

Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
01S	02W	22	SW	NE			CANYON

5. Description of diverting works:

6. Water is used for the following purposes:

Purpose	From	To	C.F.S	(or)	A.F.A.
IRRIGATION	03/15	11/15	3.920		

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

A.F.A.

8. Total consumptive use is 686.0 Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	02W	21	NE	NE		IRR	10.0
			NW	NE		IRR	28.0
			SW	NE		IRR	40.0

A63-02631A

Page 1

Date: 08/25/89

MICROFILMED

AUG 18 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	02W	21	SE	NE		IRR	38.0
			NE	SE		IRR	30.0
			NW	SE		IRR	40.0
			SE	SE		IRR	10.0
						Section Acres	196.0
						Total Acres	196.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:
02-7109

14. Remarks:
SOURCE ALSO KNOWN AS THOMASON LAKE. POWER OF ATTORNEY SUBMITTED
WITH CLAIMS IN BASIN 65.

15. Basis of Claim: LICENSE
Water Right Number: 19773

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 Organizations:

I do solemnly swear or affirm that I am Manager Title _____ of Eastern Western Corp Organization, that I have signed the foregoing document in the space below as Manager Title _____ of Eastern Western Corp Organization and that the statements contained in the foregoing document are true and correct.

James B. Howard
Signature of Authorized Agent

Manager Eastern Western Corp
Title and Organization

August 25, 1989
Date

State of Idaho)
County of Ada) SS.

Subscribed and sworn (or affirmed) before me this 25th day
of August 19 89

Danni Smith
Notary Public

Seal

Residing at Danni Smith, Notary Public
Residing at Boise, Idaho
My Commission Expires December 3, 1994

AJ58D9NP
No. A63-02631A

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 05/09/00
PAGE: 8

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	EASTERN WESTERN CORP MICHAEL E MC GINLEY PRESIDENT 1426 SE GIDEON ST PO BOX 3228 PORTLAND OR 972083228 (503) 236-1978	06/21/1946	IRRIGATION	03-15 11-15	3.920 CFS	
TOTAL DIVERSION:					3.920 CFS	
CONSUMPTIVE USE:						686.00 AFA

Water Source: JENSEN LAKE

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T01S R02M S22

SHNE

CANYON County

Place of Use Legal Description for: IRRIGATION

NE		NW		SW		SE		
T	R	S	Ac	Lt	Ac	Lt	Ac	SUM
01S	02M	21	10	28	40	38	:	
								30
								40
								10
								196.0
								196.0

POU County: CANYON

Other Rights: D2-7109

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

A63-02631C	A63-02632A	A63-02632C	A63-18001	A63-18002	A63-18003	A63-18015	A63-18025	R63-18001	R63-18002
R63-18003	R63-18015	R63-18025	X63-18001	X63-18002	X63-18003	X63-18015	X63-18025		

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

A02-07109

Remarks: GEN SOURCE ALSO KNOWN AS THOMASON LAKE. POWER OF ATTORNEY SUBMITTED
WITH CLAIMS IN BASIN 65.
ADDRESS CHANGED PER CLAIMANT REQUEST 10/13/98 (BY DB).

Dates:	Exam Made Date:	Verified Date:	Objection Filed Date:
Misc:	Water District Number:	Field Inspection Flag:	
		Presumption Flag:	
Audit:	08/25/89 KROUGH H	03/26/90 HARRINGTON	05/16/91 FRAZEE
	03/30/95 POST-STD	10/13/98 DBUFFING	04/14/92 FRAZEE



TRIP REPORT

TO: File No. 63-xx49-(2009-24-9)-tr, Jensen Dam
FROM: Sonny Hornbaker P.G.
DATE: September 24, 2009
SUBJECT: Site Inspection on Unregulated Dam

Reviewed:

On Thursday, September 24, 2009 I conducted a site inspection on Jensen Dam located in T1S, R2W, Section 22, BM. The dam and reservoir is owned by Kasper Land and Cattle Company. Boise Kuna Irrigation District supplies 500 inches (10 cfs) of water to the reservoir via inlet ditch, located on the right abutment, see attached map. The impounded water is then pumped out to irrigate land south west of the reservoir.

At the time of my visit, the weather was clear and hot. The embankment and reservoir were not visible from the roadway and walking along the inlet ditch to the facility was impossible due to chest high brush and weeds. Access was limited to the left half of the embankment from the borrow pit area downstream of the dam because of massive over growth. The pit encompasses a considerable area measured by GIS 2009 imagery to be approximately 9 acres. GPS survey indicated the nominal depth of excavation in the pit to be 21 feet below natural ground level as measured by GPS to an accuracy of plus or minus 1 foot. Refer to map for location and extent of pit boundaries. The southern boundary of the pit was excavated up to the toe of the embankment leaving a vertical wall. Viewing the attached photos you can see where the excavated wall abuts the toe of the dam.

The dam crest is 8-10 feet wide and almost completely covered with trees, weeds, and brush prohibiting full access for inspection. The downstream slope of the embankment was estimated to average 2:1. Crest length is approximately 1200 feet. The embankment is constructed of silty type soils, presumably excavated from the pit area. The left half of the embankment was accessible for inspection and surveying. The maximum section of the dam appears to be 10 feet in height from toe to crest. The hydraulic height was approximated through GPS measurements to be 9 feet high as measured from toe to high water mark. At the time of my inspection the pool elevation was 2368 feet msl. Neither a spillway nor a low-level outlet could be located in the embankment. The only method for draining the impoundment appears to be through a pumping station located on the western side of the lake.

Pit Volume Computations

9 acres surface area X 21 feet depth = 189 acre feet of storage volume

Reservoir Volume Computations

28 acres surface area X 9 feet depth X 0.5 Reservoir factor = 126 acre feet of water storage.

Summary

Providing the embankment failed the impounded waters would be contained in the excavated pit and there would be no flooding or damage to other property owners. Based on our information the facility would be classified a small, low hazard dam and possible not regulated by the department.



Photo taken of right section of impoundment as seen from White Butte.



Photo taken of central section of impoundment as seen from White Butte.



Photo of downstream side of dam. Red line approximates location of dam toe.

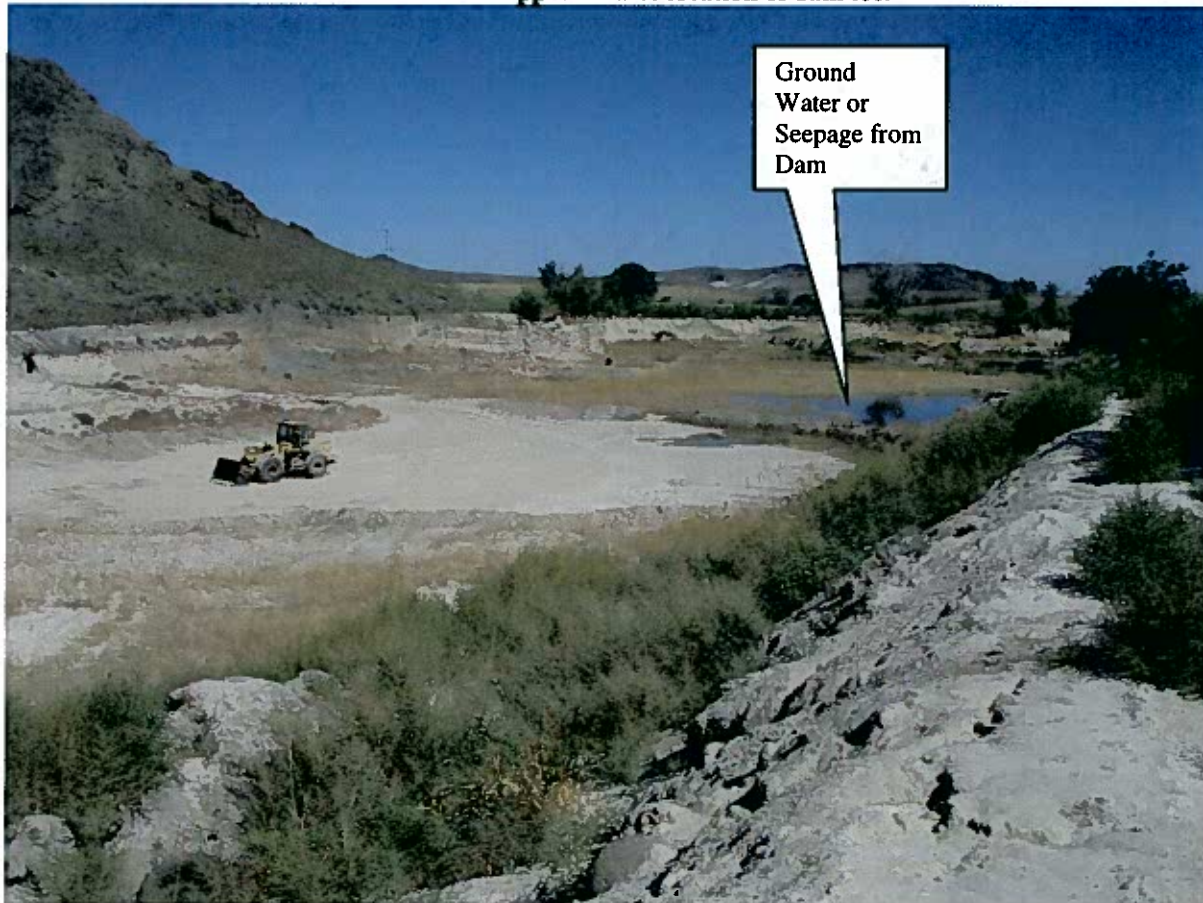


Photo viewing extent of pit as seen from western edge of dam.



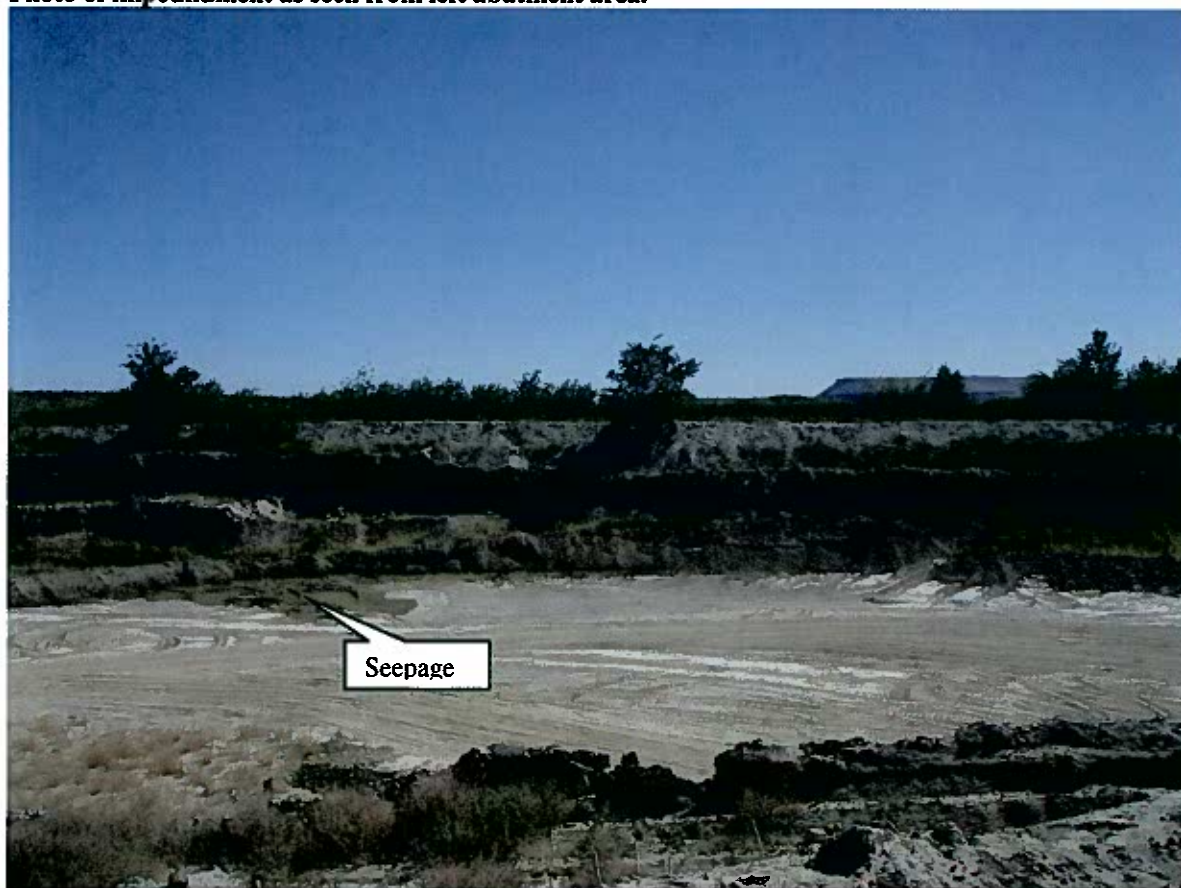
Photo viewing left abutment looking towards right abutment along downstream face of dam. Black line approximates toe.



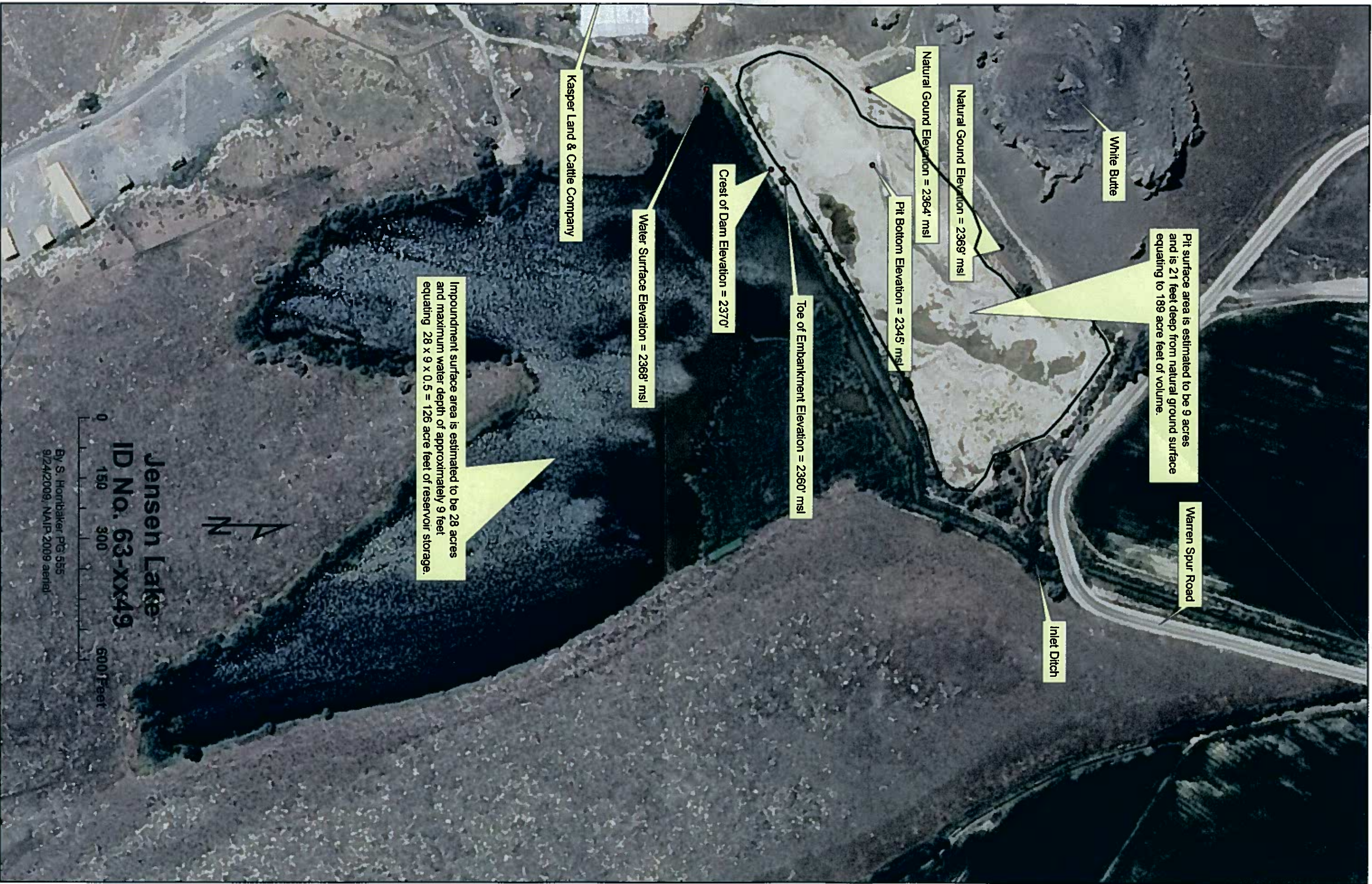
Photo taken of upstream face of embankment viewing growth along dam crest.



Photo of impoundment as seen from left abutment area.



Close-up of pit excavation and downstream face of dam.



Pit surface area is estimated to be 9 acres and is 21 feet deep from natural ground surface equating to 189 acre feet of volume.

Warren Spur Road

White Butte

Natural Gound Elevation = 2369' msl

Natural Gound Elevation = 2364' msl

Pit Bottom Elevation = 2345' msl

Toe of Embankment Elevation = 2360' msl

Crest of Dam Elevation = 2370'

Water Surface Elevation = 2368' msl

Kasper Land & Cattle Company

Impoundment surface area is estimated to be 28 acres and maximum water depth of approximately 9 feet equating 28 x 9 x 0.5 = 126 acre feet of reservoir storage.

Jensen Lake
ID No. 63-xx49

0 150 300 600 Feet

By S. Hornbaker PG 555
9/24/2009, NAIP, 2009 aerial



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 21, 1998

**RE: Water Right No. 65-08949, 65-09796, 65-17568, 65-17573, 65-19596,
65-19598, and 65-19608**

Eastern Western Corp
c/o Michael E Mc Ginley, President
1426 SE Gideon St
Portland OR 97208-3228

Dear Claimant:

Enclosed are copies of the above referenced water rights which reflect the change in address of the land and appurtenant water rights covered under the original filings. Also enclosed are copies of the Notices of Completed Administrative Proceedings which have been sent to the Snake River Basin Court as notification of the changes.

The address has also been changed on all other water rights in which you are the current owner, and copies of the claims and profile reports are enclosed.

If you have any questions concerning the enclosed water rights, please feel free to contact this office.

Sincerely,

Denise Buffington
Records Clerk
Adjudication Section
Western Region

DB:db

Enclosures

Dana L. Hofstetter
Murray D. Feldman
HOLLAND & HART
Suite 1400, West One Plaza
Post Office Box 2527
Boise, Idaho 83701
Telephone: (208) 342-5000

COPY
1992 JAN -9 AM 10:02
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED *[Signature]*

Attorneys for Northwest Pipeline Corporation,
Eastern Western Corporation and other parties

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

Case No. 39576

The State of Idaho, ex rel.
R. Keith Higginson in his
official capacity as Director
of the Idaho Department of
Water Resources,

NOTICE OF APPEARANCE

Document No.
92-01-020

Petitioner,

vs.

The United States; the State
of Idaho; and all Claimants to
the use of water from the Snake
River Basin Water System

DESCRIPTIVE SUMMARY

This is the Notice of Appearance of Dana L. Hofstetter and
Murray D. Feldman of the law firm of Holland & Hart as attorneys
for Northwest Pipeline Corporation, Eastern Western Corporation
and other parties pursuant to the Court's December 17, 1991, SRBA

Administrative Order: SRBA Mailing Address, Telephone and Fax Numbers and Notices of Appearance.

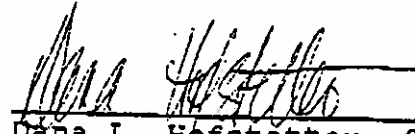
NOTICE OF APPEARANCE

Dana L. Hofstetter and Murray D. Feldman of the law firm of Holland & Hart hereby enter their appearance as attorneys for Northwest Pipeline Corporation, Eastern Western Corporation and other parties pursuant to the Court's December 17, 1991, SRBA Administrative Order: SRBA Mailing Address, Telephone and Fax Numbers and Notices of Appearance.

DATED this 8 day of January, 1992.

HOLLAND & HART

By



Dana L. Hofstetter, for the firm
Attorneys for Northwest Pipeline
Corporation, Eastern Western
Corporation and other parties

NOTICE OF APPEARANCE - 2

CERTIFICATE OF SERVICE

I hereby certify that on this 8 day of January, 1992, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

Larry Echohawk
Attorney General
State of Idaho
Statehouse Mail, Room 210
Boise, ID 83720

☒ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)

Peter G. Monson
Trial Attorney
United States Department
of Justice
Land and Natural Resources
Division
Indian Resources Section
P.O. Box 44378
Washington, DC 20026-4378

☒ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)

David B. Shaw (6 copies)
Chief
Adjudication Bureau
Idaho Department of Water
Resources
1301 North Orchard
Statehouse Mail
Boise, ID 83720

☒ U.S. Mail
☐ Hand Delivered
☐ Overnight Mail
☐ Telecopy (Fax)



for HOLLAND & HART

17137



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 15, 1992

Dana L. Hofstetter
Holland & Hart
P.O. Box 2527
Boise, ID 83701-2527

RE: Snake River Basin Adjudication (SRBA)
Eastern Western Corp.

Dear Dana,

I have modified the addresses on the claims for your client referenced above as directed in your letter dated April 1, 1992. Enclosed are the print-screens you requested for your files.

Thank you for your patience, Dana. If you have any questions, please call me.

Sincerely,

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

Sally Frazee
Secretary, Adjudication Section

sf:west

Enclosures:

Eastern Western Corp. Print-Screens

MICROFILMED

AUG 18 1992

MEMORANDUM

APR 13 1992

Department of the Interior
Bureau of Land Management

DATE: 04/14/92
TO: DON SHAFF, JAN SHURTE
FROM: SALLY FRAZEE
RE: EASTERN WESTERN CORP

(gave cy to Rox too, Jan)
-Sal

TODAY I UPDATED EACH CLAIM ON FILE FOR EASTERN WESTERN CORP AS
FOLLOWS ON THE SAMPLE D.E. SCREEN:

ADDRESS: EASTERN WESTERN CORP
MICHAEL E MC GINLEY PRESIDENT
PO BOX 3228
OR 37208-3228
C

1505 SE GIDEON ST
PORTLAND
503 236-1978

OR

HOLLAND & HART
DANA HOFSTETTER

ID 83701-2527
A

PO BOX 2527
BOISE
208 342-5000

I ASKED DANA THIS MORNING WHEN SHE WAS HERE WHETHER SHE CARED IF
HER MIDDLE INITIAL WAS ON THE CLAIMS OR NOT. SHE DOESN'T CARE,
SO I DELETED IT ON THE FEW WHERE IT SHOWED TO SAVE KEYSTROKES.

SAVING KEYSTROKES WAS MY REASON FOR SHORTENING "CORPORATION" TO
"CORP".

EASTERN WESTERN CORP IS NOW ENTERED AS EASTERN WESTERN CORP
(WITHOUT THE PERIOD AFTER CORP).

BEFORE MODIFYING BASIN 63 RECORDS, I VERIFIED THERE WERE NO "R"
RECORDS VIA AJ5.

PER DANA'S REQUEST, I HAVE MAILED HER THE PRINT SCREENS FOR
EASTERN WESTERN CORP FOR HER FILES. I HAVE ATTACHED A COPY OF THE
AJQ1 EASTERN WESTERN SCREENS FOR THE WESTERN REGION OFFICE.

AG3-02631A

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AUG 18 1992

HOLLAND & HART
ATTORNEYS AT LAW

DENVER
DENVER TECH CENTER
COLORADO SPRINGS
ASPEN
BILLINGS
BOISE
CHEYENNE
WASHINGTON, D.C.

SUITE 1400
WEST ONE PLAZA
BOISE, IDAHO 83702-7714
MAILING ADDRESS
P.O. BOX 2527
BOISE, IDAHO 83701-2527

TELEPHONE (208) 342-5000
TELECOPIER (208) 343-8869

April 1, 1992

RECEIVED
APR 2 1992

Department of Water Resources

Sally Frazee
Secretary, Adjudication Section
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720

Re: Snake River Basin Adjudication/
Eastern Western Corporation

Dear Sally:

This letter is in response to your February 21, 1992 letter.

With respect to SRBA claim A65-19598, you indicate that Eastern Western Corporation may file a claim for a second water right from the well since a trailer was added in 1989. Eastern Western Corporation did not claim the water right associated with the trailer in the SRBA because it is my understanding that water rights post-dating the commencement of the SRBA on November 19, 1987 are not covered by the SRBA. Please let me know if I have misunderstood IDWR policy on this matter.

With respect to the instream stock water beginning and ending diversion points for SRBA claim A03-02000, I have prepared a revised SRBA claim and forwarded it to Eastern Western for signature. Once it has been signed and notarized, we will submit it to you.

With respect to your inquiry regarding the appropriate name and address and for Eastern Western's water rights, SRBA records should indicate that Eastern Western Corporation is the owner of the water rights. To ensure delivery of correspondence to the appropriate person in charge, correspondence should be sent to Eastern Western Corporation, Attention: Michael E. McGinley, President. Eastern Western Corporation's mailing address is P.O. Box 3228, Portland, Oregon 97208-3228. Eastern Western's street address is 1505 Southeast Gideon Street, Portland, Oregon 97207. Eastern

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AUG 18 1992

Sally Frazee
April 1, 1992
Page 2

Western Corporation's telephone number is (503)236-1978. Please input this information for all of Eastern Western's water rights according to usual Idaho Department of Water Resources procedures. I enclose two change in address forms that Eastern Western formerly filed with the Department concerning some of Eastern Western Corporation's water rights that were formerly claimed with a different address in the SRBA. Currently, all of Eastern Western Corporation's SRBA claims should reflect the addresses provided in this letter. Please provide me address screens for all of Eastern Western's SRBA claims so that I can confirm the addresses.

Thank you for your attention to these matters. Please do not hesitate to contact me if you have any further questions or suggestions.

Sincerely,

HOLLAND & HART

A handwritten signature in dark ink, appearing to read "Dana Hofstetter", is written over a horizontal line.

Dana L. Hofstetter

DLH/md
Enclosures

cc: Michael E. McGinley
Curt Ingle

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AUG 18 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 17, 1991

Eastern Western Corp.
c/o Mike McGinley, President
P.O. Box 3228
Portland, OR 97208-3228

RE: Snake River Basin Adjudication (SRBA)
Canyon County - Claims #A02-00082, A02-07109, A63-02631A,
A63-02631C, A63-02632A, A63-02632C, A63-02712, A63-02955,
A63-03099, A63-07814, A63-17988, A63-18001, A63-18002,
A63-18003, A63-18015 and A63-18025

Dear Mr. McGinley:

Thank you for having your attorney send us the Resolution stating that Dixie Smith is authorized to represent your firm. The Claim to Water Rights records of the Department have been changed to reflect your new address.

Claims prepared from the Agency's computer are enclosed for your review and records. If you find the address is incorrect, please contact us.

Yours truly,

John D. Carlson
Adjudication Supervisor

JDC:sf:west

Enclosures:

Claims Referenced Above

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AUG 18 1992

THARP & VAN ATTA
ATTORNEYS AT LAW
DRAWER 610
7 SOUTHWEST THIRD STREET
ONTARIO, OREGON 97914
(503) 889-7603
FAX (503) 889-2402

WILLIAM C. THARP*
WILLIAM E. VAN ATTA
*ADMITTED TO PRACTICE
IN IDAHO AND OREGON

May 2, 1991

STATE OF IDAHO
Department of Water Resources
Attn: John D. Carlson
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720

RE Snake River Basin Adjudication (SRBA)
Canyon County - Claims A02-00082, A02-07109, A63-
02631A, A63-02631C, A63-02632A, A63-02632C, A63-
02955, A63-03099, A63-07814, A63-17988, A63-18001,
A63-18002, A63-18003, A63-18015 and A63-18025

Dear Mr. Carlson:

Our office represents Eastern Western Corporation. This letter is in response to your letter to Mike McGinley, President, dated April 2, 1991, concerning the above-referenced claims.

Pursuant to my telephone conversation with Sally of your office on April 2, 1991, the enclosed Resolution authorizes Dixie Smith, the current manager of Eastern Western Corporation's Canyon and Valley County properties, to execute any and all documents with the Idaho Department of Water Resources, including the notices of address change previously provided to your office in connection with the claims delineated above.

If you have any questions concerning this matter, please do not hesitate to contact our office.

Very truly yours,

THARP & VAN ATTA

Mary H. Turner

Mary H. Turner
Secretary to William C. Tharp

/mt

Enclosure

cc: Mike McGinley (w/enclosure)
Dixie Smith (w/enclosure)
Dana Hofstetter (w/enclosure) ✓

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AUG 18 1992

SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF

EASTERN WESTERN CORPORATION

The Board of Directors of Eastern Western Corporation, an Oregon corporation, after waiving notice, held a special meeting on the 10th day of April, 1991, at corporation headquarters at 1505 SE Gideon Street, Portland, Oregon, at 9:00 o'clock a.m. Present were Michael McGinley and Nancy Robison.

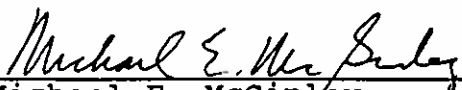
The Chairman called the meeting to order and indicated that the purpose for the meeting was to authorize the appointment of Dixie Smith to represent the corporation in dealings with all irrigation districts within the State of Idaho and the Department of Water Resources of the State of Idaho. Upon motion duly made, seconded and unanimously passed, it was resolved:

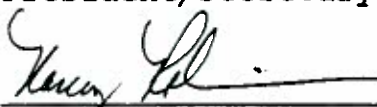
R E S O L U T I O N

That Dixie Smith is authorized to represent Eastern Western Corporation in connection with any and all dealings with all irrigation districts within the State of Idaho and the Department of Water Resources of the State of Idaho. This duty to represent the corporation includes the right to vote and make decisions on behalf of Eastern Western Corporation regarding policy as affects water rights within the State of Idaho; and further includes the right to execute any and all documents necessary to effectuate claims pertaining to the Snake River Adjudication and transfer water shares as may, from time to time, become necessary to effectively represent the interests of the Corporation.

There being no further business to come before the meeting, it was moved, seconded and unanimously passed that the meeting be adjourned.

DATED This 10th day of April, 1991.


Michael E. McGinley
President/Secretary


Nancy Robison
Assistant Secretary

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AUG 18 1992

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NOV 20 1991

SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF

Department of Water Resources

EASTERN WESTERN CORPORATION

The Board of Directors of Eastern Western Corporation, an Oregon corporation, after waiving notice, held a special meeting on the 15th day of October, 1991, at corporation headquarters at 1505 SE Gideon Street, Portland, Oregon, at 9:00 o'clock a.m. Present were Michael McGinley and Nancy Robison.

The President called the meeting to order and indicated that the purpose for the meeting was to authorize the appointment of Curt Ingle to represent the corporation in any and all dealings with the Idaho Department of Water Resources pertaining to Idaho water rights and/or the Snake River Adjudication. Upon motion duly made, seconded and unanimously passed, it was resolved:

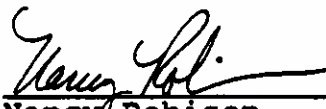
R E S O L U T I O N

That Curt Ingle is authorized to represent Eastern Western Corporation in connection with any and all dealings with the Idaho Department of Water Resources pertaining to Idaho water rights and/or the Snake River Adjudication. This authority to represent the corporation includes the right to vote, file claims and make decisions on behalf of Eastern Western Corporation regarding policy as affects water rights within the State of Idaho.

There being no further business to come before the meeting, it was moved, seconded and unanimously passed that the meeting be adjourned.

DATED This 15th day of October, 1991.


Michael E. McGinley
President


Nancy Robison
Assistant Secretary

THARP & VAN ATTA
Attorneys at Law
Drawer 610
Ontario, Oregon 9714
(503) 885-7603

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AUG 18 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 2, 1991

Mike McGinley, President
P.O. Box 3228
Portland, OR 97208-3228

RE: Snake River Basin Adjudication (SRBA)
Canyon County - Claims #A02-00082, A02-07109,
A63-02631A, A63-02631C, A63-02632A, A63-02632C,
A63-02955, A63-03099, A63-07814, A63-17988, A63-18001,
A63-18002, A63-18003, A63-18015 & A63-18025

Dear Mr. McGinley:

Notice of the address change of the above-referenced water rights has been received. Since each of the rights shown above was signed by Jim Hipwell, we cannot change our records based on the signature of Dixie Smith, but will need corporate documents showing the name change.

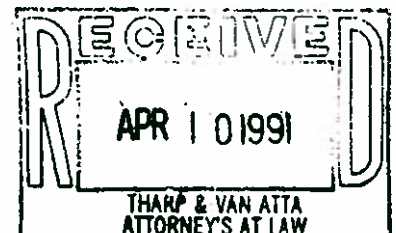
Upon receipt of these documents, Notices of Claim will be prepared from the Agency's computer and sent to you for your review and records.

Please contact me if you have any questions.

Yours truly,

John D. Carlson
Adjudication Supervisor

JDC:sf:state:tf



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MAR 21 1991

CHANGE IN ADDRESS

HOLLAND
& HART

This form is solely for purposes of notifying IDWR of a change in address of an adjudication claim.

[] Water Right Number (s): A02-00082, A02-07109, A63-02631A,
A63-02631C, A63-02632A, A63-02632C, A63-02712, A63-02955,
A63-03099, A63-07814, A63-17988, A63-18001, A63-18002,
A63-18003, A63-18015 A63-18025

[] Old Mailing Address: c/o Jim Hipwell
3349 Hill Road South
Melba, ID 83641

[] New Mailing Address: Attn: Mike McGinley, President
1505 S.W. Gideon Street
P.O. Box 3228
Portland, Oregon 97208-3228

New Telephone Number: (503) 236-1978

[] Signature of Claimant: *Dixie Smith*
Dixie Smith, Ranch Manager,
Eastern Western Corporation

Date: 19 March 91

FOR IDRW USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

RECEIVED
MAR 21 1991

Department of Water Resources

MICROFILMED

AUG 18 1992

Water Right Number - 63-02631A

Prefix Translation:

WATER RIGHT

Old (0) Number - 19773

*** C - CURRENT OWNER ***
JENSEN

REX S.

1 -
2 -
3 -
City- MELBA
Phone -

State- 10 Zip-

Priority Date - - +
06/21/1946

Region - - - +
14 WESTERN

Stage - - - +
L - LICENSE

Status - - - +

Source - - - - +
THOMASON LAKE

Tributary - - - - +

Twn	Rng	Sec	Tract	Lot	Rflg	County	Point of Diversion	Diversion Name	Diversion Rate	Diversion No.
-----	-----	-----	-------	-----	------	--------	--------------------	----------------	----------------	---------------

01S	02W	22	SW NE		(27)	CANYON				
-----	-----	----	-------	--	------	--------	--	--	--	--

Code Description Period From Period To Water Use Diversion Rate Diversion Volume

01S	02W	21	NE NE	10.0	01	IRRIGATION			(27)	CANYON
01S	02W	21	SW NE	28.0	01	IRRIGATION			(27)	CANYON
01S	02W	21	SW NE	40.0	01	IRRIGATION			(27)	CANYON
01S	02W	21	SE NE	38.0	01	IRRIGATION			(27)	CANYON
01S	02W	21	NE SE	30.0	01	IRRIGATION			(27)	CANYON
01S	02W	21	SW SE	40.0	01	IRRIGATION			(27)	CANYON
01S	02W	21	SE SE	10.0	01	IRRIGATION			(27)	CANYON

Total Acres: 196.0

--- Diversion Means -
--- Non-Irrigation Use -
--- Other Rights for Same Use -
--- Remarks -
No Remarks found.

Prefix Translation: WATER RIGHT

No Old Water Right Numbers found.

--- Conditions of Approval ---
 No Conditions of Approval found.

+ - - - Decree Defendant - - - +

- - -Comments- - -
No Comments Found

***** Water Rights Dates and Flags Area *****

Proof Due Date	-	00/00/0000	Field Exam Made	-	00/00/0000	Field Exam Fee	-
Approved/Denied	-	00/00/0000	Protested Date	-	00/00/0000	Swan Falls	-
Proof Made Date	-	00/00/0000	Hearing Date	-	00/00/0000	Temporary Right	- P
Exam to S.O. Date	-	00/00/0000	Verified Date	-	05/20/1985	DLE/Carrey Act	-
Order Show Cause	-	00/00/0000	Receipt Number	-		Water District	-
Licensed Date	-	08/28/1979	Appl Received	-	00/00/0000	Transfer/Amended	-
Decree Date	-	00/00/0000	Name Connector	-		POU Ownership Flag	-
Presumption Flag	-						