10/17/2006

IDAHO DEPARTMENT OF WATER RESOURCES

PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-3099

NAME AND ADDRESS: TOM KASPER
3349 HILL RD
MELBA ID 83641

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 3.700 CFS
1,548.00 AFY

Diversion from the well located in the SENW S15, T01S R02W, is limited to 2.00 cfs (900 gpm) and 157 acre feet annually.

Right Nos. 63-2712, 63-2955 and 63-3099 when combined for irrigation purposes shall not exceed a total combined diversion rate of 9.76 cfs, a total combined annual diversion volume of 2029.5 AF. at the field headgate, and the irrigation of 451 acres.

This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

PRIORITY DATE: 12/27/1956

POINT OF DIVERSION:
T01S R02W S15 SWNW Within CANYON County
T01S R02W S15 SENW Within CANYON County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	03/01 11/15	3.700 CFS 1,548.00 AFY

PLACE OF USE: IRRIGATION Within CANYON County

T01S R02W S15	NWSW	5.00	T01S R02W S16	NWNE	12.00
T01S R02W S16	SWNE	40.00	T01S R02W S16	SENE	27.00
T01S R02W S16	NENW	30.00	T01S R02W S16	NWNW	30.00
T01S R02W S16	SWNW	40.00	T01S R02W S16	SENW	40.00
T01S R02W S16	NESW	30.00	T01S R02W S16	NWSW	25.00
T01S R02W S16	SWSW	26.00	T01S R02W S16	SESW	27.00
T01S R02W S16	NESE	30.00	T01S R02W S16	NWSE	40.00
T01S R02W S16	SWSE	24.00	T01S R02W S26	SWNW	10.00
T01S R02W S27	NENE	15.00			

451 ACRES TOTAL

Ground water diverted under this right is the sole source of irrigation water for the five (5) acres in the NWSW S15 T01S R02W. Ground water delivered to the remainder of the place of use supplements surface water irrigation.

This right is limited to the irrigation of 344 acres within the place of use described above 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 Nos. 63-2712, 63-2955 and 63-3099 shall not be used for irrigation purposes if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.

The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

The right holder shall annually report diversions of water under this right to the Department.

This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.

The issuance of this right does not grant any right-of-way or easement across the land of another.

Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works, including if determined necessary by the department, a separate measuring device and lockable controlling works for measurement and control of water delivered to the dairy.

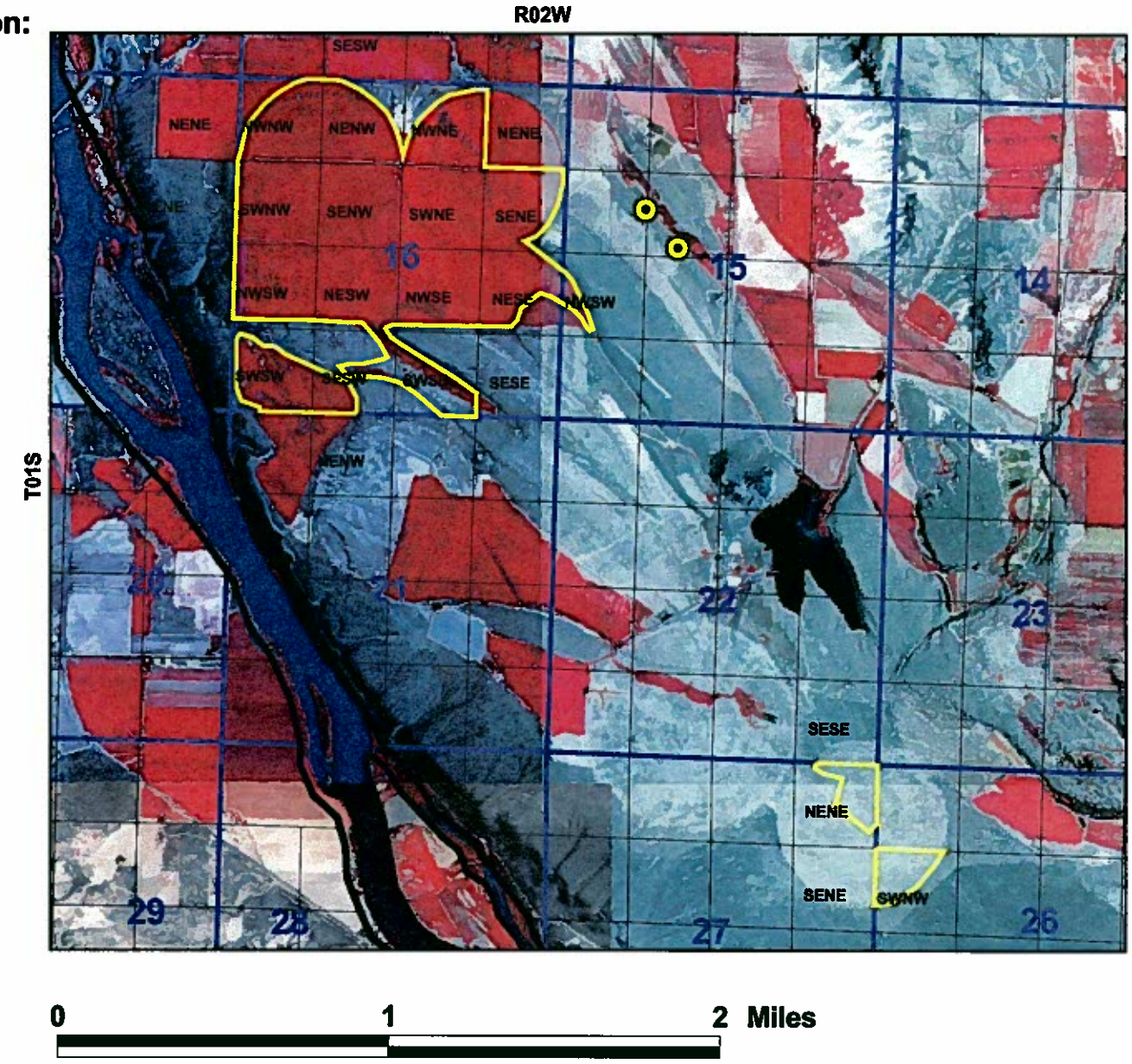
The right holder shall annually report diversions of water under this right to the department.

Idaho Department of Water Resources

SRBA Recommendation:

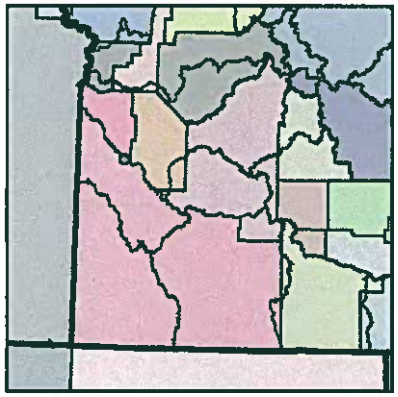
63-3099

(Irrigation)



Legend

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



Canyon, Owyhee Counties
IDWR Basin 63

N

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	TOM KASPER 3349 HILL RD MELBA ID 83641 (208) 495-2102	12/27/1956	IRRIGATION	03-15	11-15	3.700 CFS	1548.00 AFA
				TOTAL DIVERSION:		3.700 CFS	1548.00 AFA

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion: T01S R02W S15 SWNW SENW CANYON County

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
T	R	S	NENE Lt Ac	NWNE Lt Ac	SWNE Lt Ac	SENE Lt Ac	NENW Lt Ac	NWNW Lt Ac	SWNW Lt Ac	SENW Lt Ac	NESW Lt Ac	NWSW Lt Ac	SWSW Lt Ac	SESW Lt Ac	NESE Lt Ac	NWSE Lt Ac	SWSE Lt Ac	SESE Lt Ac	SUM
01S	02W	15										05							5.0
01S	02W	16		12	40	27	30	30	40	40	30	25	26	27	30	40	24		421.0
01S	02W	26							10										10.0
01S	02W	27	15																15.0
																TOTAL ACRES			451.0

POU County: CANYON

Other Rights: 63-2712, 63-2955, 02-7109

Conditions of Approval:

R65 - This right when combined with all other rights shall provide no
- more than 0.02 cfs per acre nor more than 4.5 afa per acre at the
- field headgate for irrigation of the lands above.

T07 - The right holder shall accomplish the change authorized by this
- transfer within one (1) year of the date of this approval.

T08 - Failure of the right holder to comply with the conditions of this
- transfer is cause for the Director to rescind approval of the
- transfer.

T09 - Approval of this transfer does not preclude the opportunity for
- review of the validity of the water right(s) in the ongoing
- Snake River Basin Adjudication.

004 - The issuance of this right does not grant any right-of-way
- or easement across the land of another.

Remarks: GEN CLAIM AMENDED PER TRANSFER NO. 5356 APPROVED 07/15/1999.
SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY OF APPROVED TRANSFER NO. 5356 APPROVED 07/15/1999.
PRIOR TO DIVERSION OF WATER UNDER THIS APPROVAL, THE RIGHT HOLDER SHALL INSTALL A PERMANENT MEANS OF MEASUREMENT AND LOCKABLE CONTROLLING WORKS ACCEPTABLE TO THE DEPARTMENT FROM ALL AUTHORIZED POINTS OF DIVERSION WHICH WILL ALLOW DETERMINATION OF THE TOTAL RATE OF DIVERSION AND ANNUAL VOLUME.

Remarks: THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF DIVERSION UNDER TRANSFER 5356 SHALL NOT EXCEED 10.82 CFS, NOR A TOTAL COMBINED ANNUAL VOLUME OF 2191.5 AF.

THE RIGHT HOLDER SHALL ANNUALLY REPORT DIVERSIONS OF WATER UNDER RIGHTS 63-02712, 63-02955, 63-03099 AND 63-07814 TO THE DEPARTMENT.

DIVERSION FROM THE WELL LOCATED IN THE SENW, S15, T01S, R02W IS LIMITED TO A DIVERSION RATE OF 2.00 CFS (900 GALLONS PER MINUTE) AND A TOTAL ANNUAL VOLUME OF 184.0 ACRE FEET.

RIGHT 63-03099 IS LIMITED TO THE IRRIGATION OF 344.0 ACRES IN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

RIGHTS 63-02712, 63-02955, AND 63-03099 WHEN COMBINED FOR IRRIGATION PURPOSES SHALL NOT EXCEED A TOTAL DIVERSION RATE OF 9.76 CFS, A TOTAL ANNUAL MAXIMUM DIVERSION VOLUME OF 2029.5 AF AT THE FIELD HEADGATE, AND THE IRRIGATION OF 451.0 ACRES.

GROUNDWATER DIVERTED UNDER RIGHTS 63-02712, 63-02955 AND 63-03009 IS THE SOLE SOURCE OF IRRIGATION WATER FOR THE FIVE (5.0) ACRES LOCATED IN THE NWSW, S15, T01S, R02W. GROUNDWATER DELIVERED TO THE REMAINDER OF THE PLACE OF USE SUPPLEMENTS SURFACE WATER FOR IRRIGATION.

THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF APPURTENANT SURFACE WATER RIGHTS IN CONJUNCTION WITH GROUNDWATER DIVERTED UNDER RIGHTS 63-02712, 63-02955 AND 63-03099 FOR IRRIGATION PURPOSES AND SHALL ONLY DIVERT GROUNDWATER UNDER THESE RIGHTS FOR IRRIGATION PURPOSES WHEN WATER FROM THE APPURTENANT SURFACE WATER RIGHTS CANNOT BE DELIVERED TO THE RIGHT HOLDER.

RIGHTS 63-02712, 63-02955 AND 63-03099 SHALL NOT BE USED FOR IRRIGATION PURPOSES IF THE SURFACE WATER RIGHT(S) APPURTENANT TO THE PLACE OF USE IS SOLD, TRANSFERRED, LEASED OR USED ON ANY OTHER PLACE OF USE.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

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: **A63-03099**
Date Received: 8/25/1989
Receipt No: C010321
Received By: _____

AMENDED **NOTICE OF CLAIM TO A WATER RIGHT ACQUIRED UNDER STATE LAW** **AMENDED**

1. Name: TOM KASPER 208-495-2102
   Address: 3349 HILL RD
   MELBA ID 83641

2. Date of Priority: DEC 27, 1956

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	Lot	County
01S	02W	15	SW	NW		CANYON
			SE	NW		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	3.700		1548.00

7. Total Quantity Appropriated is:
   3.700 C.F.S. (and/or) 1548.00 A.F.A.

8. Total consumptive use is Acre Feet Per Annum.

9. Non-irrigation uses:

10. Place of Use:

Township	Range	Section	1/4 of	1/4 of	Lot	Use	Acres
01S	02W	15	NW	SW		IRR	5.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
					Section Acres		5.0
		16	NW	NE		IRR	12.0
			SW	NE		IRR	40.0
			SE	NE		IRR	27.0
			NE	NW		IRR	30.0
			NW	NW		IRR	30.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	30.0
			NW	SW		IRR	25.0
			SW	SW		IRR	26.0
			SE	SW		IRR	27.0
			NE	SE		IRR	30.0
			NW	SE		IRR	40.0
			SW	SE		IRR	24.0
					Section Acres		421.0
		26	SW	NW		IRR	10.0
					Section Acres		10.0
		27	NE	NE		IRR	15.0
					Section Acres		15.0
					Total Acres		451.0

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:
63-2712, 63-2955, 02-7109

14. Remarks:
CLAIM AMENDED PER TRANSFER NO. 5356 APPROVED 07/15/1999.
SEE ALSO ADDITIONAL CONDITIONS OF APPROVAL AS LISTED ON THE COPY OF APPROVED TRANSFER NO. 5356 APPROVED 07/15/1999.
PRIOR TO DIVERSION OF WATER UNDER THIS APPROVAL, THE RIGHT HOLDER SHALL INSTALL A PERMANENT MEANS OF MEASUREMENT AND LOCKABLE CONTROLLING WORKS ACCEPTABLE TO THE DEPARTMENT FROM ALL AUTHORIZED POINTS OF DIVERSION WHICH WILL ALLOW DETERMINATION OF THE TOTAL RATE OF DIVERSION AND ANNUAL VOLUME.

14. Remarks: Continued

THE TOTAL INSTANTANEOUS DIVERSION OF WATER FROM ALL POINTS OF DIVERSION UNDER TRANSFER 5356 SHALL NOT EXCEED 10.82 CFS, NOR A TOTAL COMBINED ANNUAL VOLUME OF 2191.5 AF.

THE RIGHT HOLDER SHALL ANNUALLY REPORT DIVERSIONS OF WATER UNDER RIGHTS 63-02712, 63-02955, 63-03099 AND 63-07814 TO THE DEPARTMENT.

DIVERSION FROM THE WELL LOCATED IN THE SENW, S15, T01S, R02W IS LIMITED TO A DIVERSION RATE OF 2.00 CFS (900 GALLONS PER MINUTE) AND A TOTAL ANNUAL VOLUME OF 184.0 ACRE FEET.

RIGHT 63-03099 IS LIMITED TO THE IRRIGATION OF 344.0 ACRES IN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

RIGHTS 63-02712, 63-02955, AND 63-03099 WHEN COMBINED FOR IRRIGATION PURPOSES SHALL NOT EXCEED A TOTAL DIVERSION RATE OF 9.76 CFS, A TOTAL ANNUAL MAXIMUM DIVERSION VOLUME OF 2029.5 AF AT THE FIELD HEADGATE, AND THE IRRIGATION OF 451.0 ACRES.

GROUNDWATER DIVERTED UNDER RIGHTS 63-02712, 63-02955 AND 63-03009 IS THE SOLE SOURCE OF IRRIGATION WATER FOR THE FIVE (5.0) ACRES LOCATED IN THE NWSW, S15, T01S, R02W. GROUNDWATER DELIVERED TO THE REMAINDER OF THE PLACE OF USE SUPPLEMENTS SURFACE WATER FOR IRRIGATION.

THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF APPURTENANT SURFACE WATER RIGHTS IN CONJUNCTION WITH GROUNDWATER DIVERTED UNDER RIGHTS 63-02712, 63-02955 AND 63-03099 FOR IRRIGATION PURPOSES AND SHALL ONLY DIVERT GROUNDWATER UNDER THESE RIGHTS FOR IRRIGATION PURPOSES WHEN WATER FROM THE APPURTENANT SURFACE WATER RIGHTS CANNOT BE DELIVERED TO THE RIGHT HOLDER.

RIGHTS 63-02712, 63-02955 AND 63-03099 SHALL NOT BE USED FOR IRRIGATION PURPOSES IF THE SURFACE WATER RIGHT(S) APPURTENANT TO THE PLACE OF USE IS SOLD, TRANSFERRED, LEASED OR USED ON ANY OTHER PLACE OF USE.

15. Basis of Claim: LICENSE

Water Right Number: 26657

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): _____ Date: _____

_____ Date: _____

State of Idaho)
) SS.
County of _____)

Subscribed and sworn (or affirmed) before me this _____ day

of _____ 20 _____ _____
Notary Public

Seal

Residing at _____

My Commission Expires _____

___ Western AJ

RECEIVED
OCT 04 1999
WATER RESOURCES
WESTERN REGION

I just got it!
cf 10-4-99

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5356
WATER RIGHT NO(S). 63-02712/63-02955/63-03099/63-07814

This is to certify that: **TOM KASPER**
3349 HILL RD
MELBA ID 83641

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
Right No. 63-02712 :			
Priority: 06/07/1950			
IRRIGATION	03/15 to 11/15	1.62 CFS	790.5 AF
STOCKWATER	01/01 to 12/31	0.18 CFS	87.8 AF
COMMERCIAL	01/01 to 12/31	0.18 CFS	87.8 AF
	SUBTOTAL:	1.80 CFS	878.3 AF
Right No. 63-02955 :			
Priority: 08/27/1953			
IRRIGATION	03/15 to 11/15	4.44 CFS	1597.5 AF
STOCKWATER	01/01 to 12/31	0.56 CFS	134.0 AF
COMMERCIAL	01/01 to 12/31	0.56 CFS	134.0 AF
	SUBTOTAL:	5.00 CFS	1731.5 AF
Right No. 63-03099 :			
Priority: 12/27/1956			
IRRIGATION	03/15 to 11/15	3.70 CFS	1548.0 AF
Right No. 63-07814 :			
Priority: 06/19/1973			
STOCKWATER	01/01 to 12/31	0.32 CFS	42.9 AF
COMMERCIAL	01/01 to 12/31	0.32 CFS	42.9 AF
	SUBTOTAL:	0.32 CFS	42.9 AF
	IRRIGATION TOTAL:	9.76 CFS	2029.5 AF
	STOCKWATER & COMMERCIAL TOTAL:	1.06 CFS	134.0 AF
	TRANSFER TOTAL:	10.82 CFS	2163.5 AF

TRANSFER NO. 5356
WATER RIGHT NO(S). 63-02712/63-02955/63-03099/63-07814

SOURCE
GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION: SWNW , Sec. 15, Township 01S, Range 02W
SENW , Sec. 15, Township 01S, Range 02W
CANYON County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
01S	02W	15	NWSW	5					5
		16	NWNE	12	SWNE	40	SENE	27	
			NENW	30	NWNW	30	SWNW	40	
			SENW	40	NESW	30	NWSW	25	
			SWSW	26	SESW	27	NESE	30	
			NWSE	40	SWSE	24			421
		26	SWNW	10					10
		27	NENE	15					15
					Total number of acres irrigated:				451

PLACE OF USE: STOCKWATER

TWN	RGE	SEC			
01S	02W	22	NENW	SENW	NWSE
		27	NENE		

PLACE OF USE: COMMERCIAL

TWN	RGE	SEC			
01S	02W	15	NWSW		
		16	NWNE	SWNE	SENE
			NENW	NWNW	SWNW
			SENW	NESW	NWSW
			SWSW	SESW	NESE
			NWSE	SWSE	
		26	SWNW		
		27	NENE		

CONDITIONS OF APPROVAL AND REMARKS

Rights 63-02712, 63-02955, 63-03099 and 63-07814 are subject to the conditions of the Final Order in the matter of Application for Transfer 5356.

Dated this 15th day of July, 1999.

L. Rlen Saxton

Chief, Water Allocation Bureau

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM	USE PERIOD TO	DIVERSION RATE	DIVERSION VOLUME
C	TOM KASPER 3349 HILL RD MELBA ID 83641 (208) 495-2102	12/27/1956	IRRIGATION	03/15	11/15	3.700 CFS	1548.00 AFA
				TOTAL DIVERSION:		3.700 CFS	1548.00 AFA

Water Source: GROUNDWATER Tributary to: Stage: LICENSE

Point(s) of Diversion: T01S R02W S15 SWNW SENW CANYON County

Point of Diversion Name(s):

			Name	Rate	Number
T01S	R02W	S15	SW NW		2
		S15	SE NW	LIMITED TO 157.0 AF 2.000 CFS	1

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
01S	02W	15										05							5.0
01S	02W	16		12	40	27	30	30	40	40	30	25	26	27	30	40	24		421.0
01S	02W	26							10										10.0
01S	02W	27	15																15.0
																TOTAL ACRES			451.0

Pou County: CANYON

Conditions of Approval:

R65 - This right when combined with all other rights shall provide no
- more than 0.02 cfs per acre nor more than 4.5 afa per acre at the
- field headgate for irrigation of the lands above.

T07 - The right holder shall accomplish the change authorized by this
- transfer within one (1) year of the date of this approval.

T08 - Failure of the right holder to comply with the conditions of this
- transfer is cause for the Director to rescind approval of the
- transfer.

T09 - Approval of this transfer does not preclude the opportunity for
- review of the validity of the water right(s) in the ongoing
- Snake River Basin Adjudication.

004 - The issuance of this right does not grant any right-of-way
- or easement across the land of another.

Remarks: GEN Prior to diversion of water under this approval, the right holder shall install a permanent means of measurement and lockable controlling works acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion and annual volume.
The total instantaneous diversion of water from all points of

Remarks: diversion under Transfer 5356 shall not exceed 10.82 cfs, nor a total combined annual volume of 2191.5 af.
The right holder shall annually report diversions of water under Rights 63-02712, 63-02955, 63-03099 and 63-07814 to the Department.
Diversion from the well located in the SENW, S15, T01S, R02W is limited to a diversion rate of 2.00 cfs (900 gallons per minute) and a total annual volume of 184.0 acre feet.
Right 63-03099 is limited to the irrigation of 344.0 acres in the place of use described above in a single irrigation season.
Rights 63-02712, 63-02955, and 63-03099 when combined for irrigation purposes shall not exceed a total diversion rate of 9.76 cfs, a total annual maximum diversion volume of 2029.5 af at the field headgate, and the irrigation of 451.0 acres.
Groundwater diverted under Rights 63-02712, 63-02955 and 63-03009 is the sole source of irrigation water for the five (5.0) acres located in the NWSW, S15, T01S, R02W. Groundwater delivered to the remainder of the place of use supplements surface water for irrigation.
The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under Rights 63-02712, 63-02955 and 63-03099 for irrigation purposes and shall only divert groundwater under these rights for irrigation purposes when water from the appurtenant surface water rights cannot be delivered to the right holder.
Rights 63-02712, 63-02955 and 63-03099 shall not be used for irrigation purposes if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.

Dates:

App. Received:		Priority Date:	12/27/1956
Proof Due Date:		Proof Made Date:	
Exam Made Date:		Exam Sent to S.O.:	
Licensed Date:	08/28/1979		

Misc:

Water District Number:		Field Exam Fee:	

Comments: Date: 06/01/1999 User-ID: PSKAGGS Subject: TRANSFER NO. 5356
Transfer 5356 changes the point of diversion, place, nature & season of use under Rights 63-02712, 63-02955, 63-03099 & 63-07814 in order to provide water for a dairy.

Audit: 05/20/85 05/01/88 CONVERT 06/01/99 PSKAGGS 06/02/99 PSKAGGS
07/15/99 PSKAGGS 09/29/99 PSKAGGS

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: **A63-03099**
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 503-236-1978
   Address: MICHAEL E MC GINLEY PRESIDENT
   1426 SE GIDEON ST
   PO BOX 3228
   PORTLAND OR 97208-3228

2. Date of Priority: DEC 27, 1956

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
01S	02W	15	NE SW		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	3.700		

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

8. Total consumptive use is 1204.0 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	16	NW NE		IRR	7.0
			SW NE		IRR	33.0
			SE NE		IRR	7.0

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
01S	02W	16	NE	NW		IRR	25.0
			NW	NW		IRR	26.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	20.0
			NW	SW		IRR	24.0
			SW	SW		IRR	26.0
			SE	SW		IRR	27.0
			NE	SE		IRR	23.0
			NW	SE		IRR	22.0
			SW	SE		IRR	24.0
						Section Acres	344.0
						Total Acres	344.0

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:
63-2712, 63-2955, 02-7109

14. Remarks:
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: 26657

A63-03199

EASTERN WESTERN CORPORATION

RECEIVED
OCT 13 1998
WATER RESOURCES
WESTERN REGION

October 8, 1998

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

Michael E McGinley
President

1426 S.E. GIDEON STREET, PORTLAND, OR 97202
P.O. BOX 3228, PORTLAND, OR 97208-3228
(503) 236-1078 • FAX (503) 231-1018
(800) 888-9282

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: A63-03099
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. 503-236-1978
   Address: C/O MIKE MC GINLEY, PRESIDENT
   1505 S.W. GIDEON ST.
   P.O. BOX 3228
   PORTLAND, OR 97208-3228

2. Date of Priority: DEC 27, 1956

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
01S	02W	15	NE SW		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	3.700		

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

8. Total consumptive use is 1204.0 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	16	NW NE		IRR	7.0
			SW NE		IRR	33.0
			SE NE		IRR	7.0

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10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
01S	02W	16	NE	NW		IRR	25.0
			NW	NW		IRR	26.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	20.0
			NW	SW		IRR	24.0
			SW	SW		IRR	26.0
			SE	SW		IRR	27.0
			NE	SE		IRR	23.0
			NW	SE		IRR	22.0
			SW	SE		IRR	24.0
						Section Acres	344.0
						Total Acres	344.0

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:
63-2712, 63-2955, 02-7109

14. Remarks:
POWER OF ATTORNEY SUBMITTED WITH CLAIMS IN BASIN 65.

15. Basis of Claim: LICENSE

Water Right Number: 26657

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AUG 1 8 1992

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

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-03099
Date Received: 8/25/1989
Receipt No: C010321
Received By:

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

1. Name: EASTERN WESTERN CORP 208-495-1134
   Address: C/O JIM HIPWELL
   3349 HILL ROAD SOUTH
   MELBA, ID 83641

2. Date of Priority: DEC 27, 1956

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4	Lot	County
01S	02W	15	NE SW		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	3.700		

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

8. Total consumptive use is 1204.0 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	16	NW NE		IRR	7.0
			SW NE		IRR	33.0
			SE NE		IRR	7.0

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AUG 1 8 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4		Lot	Use	Acres
01S	02W	16	NE	NW		IRR	25.0
			NW	NW		IRR	26.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	20.0
			NW	SW		IRR	24.0
			SW	SW		IRR	26.0
			SE	SW		IRR	27.0
			NE	SE		IRR	23.0
			NW	SE		IRR	22.0
			SW	SE		IRR	24.0
						Section Acres	344.0
						Total Acres	344.0

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:
63-2712, 63-2955, 02-7109

14. Remarks:
POWER OF ATTORNEY SUBMITTED WITH CLAIMS IN BASIN 65.

15. Basis of Claim: LICENSE
Water Right Number: 26657

MICROFILMED
AUG 1 8 1992

16. Signature(s)

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

Number of attachments: _____

For 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. Hopkins
Signature of Authorized Agent

Manager Eastern Western Corp
Title and Organization

August 25, 1989
Date

State of Idaho)
) SS.
County of Ada)

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 My Commission Expires December 5, 1994

MICROFILMED
AUG 18 1992

State of Idaho
License and Certificate of Water Right

Water License No. G-26657 Amount 3.70 c.f.s.

Water District No. Priority December 27, 1956

THIS IS TO CERTIFY that CRYSTAL R. EVANS, and EDWARD T. EVANS of Melba, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated December 27, 1956; that Permit No. G-26657 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 3.70 second feet, was issued thereunder on June 27, 1962, showing that said works were completed on the 15th day of March, 1962; and that on the 15th day of March, 1962, CRYSTAL R. EVANS, and EDWARD T. EVANS 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 a well, a tributary of subterranean flow, for the purpose of irrigation & domestic use, under Use Permit No. G-26657 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 12 of Licenses at page 7314, on the 27 day of June, 1962;

The right hereby confirmed dates from December 27, 1956;

The Point of Diversion is located in the NE ¼ SW ¼, Sec. 15, 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 3.70 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	16	NW¼ NE¼	40	7
			SW¼ NE¼	40	33
			SE¼ NE¼	40	7
			NE¼ NW¼	40	25
			NW¼ NW¼	40	26
			SW¼ NW¼	40	40
			SE¼ NW¼	40	40
			NE¼ SW¼	40	20
			NW¼ SW¼	40	24
			SW¼ SW¼	40	26
			SE¼ SW¼	40	27
			NE¼ SE¼	40	23
			NW¼ SE¼	40	22
			SW¼ SE¼	40	24
			Total number of acres to be irrigated:		344

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 27th day of June, 1962.

/s/RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

63 3039

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 34583
Permit No. G- 26657
District No.

Rex S. Jensen
Route #1
Melba, Idaho

1. Name of Applicant: CRYSTAL R. EVANS, and EDWARD T. EVANS

   Postoffice address: Melba County: Canyon State: Idaho

2. Quantity of water claimed: 12.8 c. f. s.

   (a) Rate of withdrawal in cubic feet per second. 12.8 or Idaho Miners' inches 640 or gallons per minute.

   (b) Annual withdrawal in acre feet per annum

3. Source of water supply: Subterranean flow, well

4. Location of point of diversion or well is in the SE ¼ of the NW ¼ of Section 15 Twp. 1 S. , Rge. 2 W. , B.M., County of Canyon

5. Water is to be used for: Irrigation and domestic purposes

6. If for municipal, industrial or recreational purposes, give:

   (a) Point of use of water is in the ¼ of the ¼ of Section , Twp. Rge. , B.M

   (b) Waste water or sewage effluent is to be returned to at a point in the ¼ of the ¼ of Section , Twp. , Rge. , B. M.

7. Kind of works: Well, pump, and ditches, and pipe-line

8. Estimated cost of works: $10,000.00

9. (a) Is reservoir to be used?

   (b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is five years.

11. If applicant is a corporation, give:

   I. (a) Date and place of incorporation:

   (b) Amount of capital stock: $ (c) Amount paid in: $

   (d) Names and addresses of directors:

   II. The financial resources of the applicant are (a) Cash on hand: $

   (b) Treasury stock: (c) Bonds to be issued:

   (d) Other resources:

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

   (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

   (b) (cubic feet per second, inches or gallons per minute) is for new lands.

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

CRYSTAL R. EVANS and EDWARD T. EVANS *Applicant.*

By /s/ Rex S. Jensen *Agent.*

Date of first receipt at Department of Reclamation: 11:30 A.M. December 27, 1956

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-26657

Recorded in Book 94 Page 26657 Approved January 9, 1957

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 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before July 9, 1959

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before January 9, 1962.

Witness my hand this 9th day of January, 1957

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho, and JAS. H. YOUNG, 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 9th day of January, 19 57.

Countersigned:

(SEAL)

By JAS. H. YOUNG
Secretary of State.

STATE OF IDAHO

By ROBERT E. SMYLIE
Governor

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
L S.	2 W.	16	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640

Application for Amendment
POINT OF DIVERSION
Permit No. G-26657

Comes now Chrystal R. & Edward T. Evans by Rex S. Jensen and represent to the State Reclamation Engineer of the State of Idaho: That they are the owners and holders of Permit to Appropriate the Public Waters of the State of Idaho, No. G-26657. That the point of diversion is described in said Permit as being located: $SE\frac{1}{4}NW\frac{1}{4}$ Sec. 15, T18-R2W.,B.H.

That they now request that the point of diversion be changed to a point located: $NE\frac{1}{4}SW\frac{1}{4}$, Sec. 15, T18-R2W.,B.H.

That the reason for desiring to make such change is as follows: More feasible well site. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Boise, Idaho, this 15th day of March, 1962.

/s/ Rex S. Jensen

Date of Receipt at Department of Reclamation: March 19, 1962

APPROVAL OF STATE RECLAMATION ENGINEER

I, Carl E. Tappan, Assistant State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G-26657. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded: March 20, 1962

/s/ Carl E. Tappan,
Assistant State Reclamation Engineer

Remarks:

BE IT KNOWN THAT The undersigned hereby makes appli cation for permit to appropriate the public waters of the State of Idaho as herein set forth.

CRYSTAL R. EVANS and EDWARD T. EVANS *Applicant.*

By /s/ Rex S. Jensen *Agent.*

Date of first receipt at Department of Reclamation: 11:30 A.M. December 27, 1956

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-26657

Recorded in Book 94 Page 26657 Approved January 9, 1957

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 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before July 9, 1959

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before January 9,

Witness my hand this 9th day of January, 1957

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho, and JAS. H. YOUNG, 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 9th day of January, 19 57.

Countersigned:

(SEAL)

By JAS. H. YOUNG
Secretary of State.

STATE OF IDAHO

By ROBERT E. SMYLIE
Governor

12.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1 S.	2 W.	16	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640

Application for Amendment
POINT OF DIVERSION
Permit No. G-26657

Comes now Chrystal R. & Edward T. Evans by Rex S. Jensen and represent to the State Reclamation Enginoer of the State of Idaho: That they are the owners and holders of Permit to Appropriate the Public Waters of the State of Idaho, No. G-26657. That the point of diversion is described in said Permit as being located: SE¼NW¼, Sec. 15, T1S-R2W.,B.M.

That they now request that the point of diversion be changed to a point located: NE¼SW¼, Sec. 15, T1S-R2W.,B.M.

That the reason for desiring to make such change is as follows: More feasible well site. That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Boise, Idaho, this 15th day of March, 1962.

/s/ Rex S. Jensen

Date of Receipt at Department of Reclamation: March 19, 1962

APPROVAL OF STATE RECLAMATION ENGINEER

I, Carl E. Tappan, Assistant State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G-26657. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ Carl E. Tappan

Permit No. G-26657

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that CRYSTAL R. EVANS, and EDWARD T. EVANS of Melba, County of Canyon, and State of Idaho, the holders of Permit No. G-26657, issued upon Application No. G-34583 bearing date of priority of December 27, 1956, authorizing the diversion of 12.8 second feet of waters of a well County of Canyon, State of Idaho, for Irrigation and domestic purposes, have 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 3.70 second feet of the waters of a well from subterranean flow that the point of diversion of said waters is $NE\frac{1}{4}SW\frac{1}{4}$, Sec. 15, T. 1 S., R. 2 W.,B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: 344 acres in the $NW\frac{1}{4}NE\frac{1}{4}$, $S\frac{1}{2}NE\frac{1}{4}$, $NW\frac{1}{4}$, $SW\frac{1}{4}$, $N\frac{1}{2}SE\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}$, Sec. 16, T. 1 S., R. 2 W.,B.M.

Witness my hand this 27th day of June, A. D. 1962.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Proof of Completion of Works Made: March 15, 1962

LICENSE ISSUED FOR 3.70 SEC. FT.
page 7314

Form 23

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 0-26657

This proof is for Completion of Works & Beneficial Use In Water District No. .....

1. Name of applicant Chrystal R. Evans and Edward T. Evans

2. Source of water supply: well

3. Location of point of diversion: Is in the NE¼SW¼ of Section 15

T. 1 S. R. 2 W. County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same: 75 HP GE Motor Model 5K6524XC5A - No. YMT 1010022 - Peerless Pump #178303, 8" Gate Valve at pump. 8" ditch to a 12" buried pipe 50' elevation into open ditches

5. Water is used for: irrigation and domestic purposes

6. State whether or not water has been turned into works of diversion: Yes.

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

All Section 16, T. 1 S., R. 2 W., B. M.

Amend land list to include NW SW, NE SW & SE SW Sec. 15, T 1 S R 2 W.

No amend

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? .....

Remarks: Mr. Rex Jensen along.

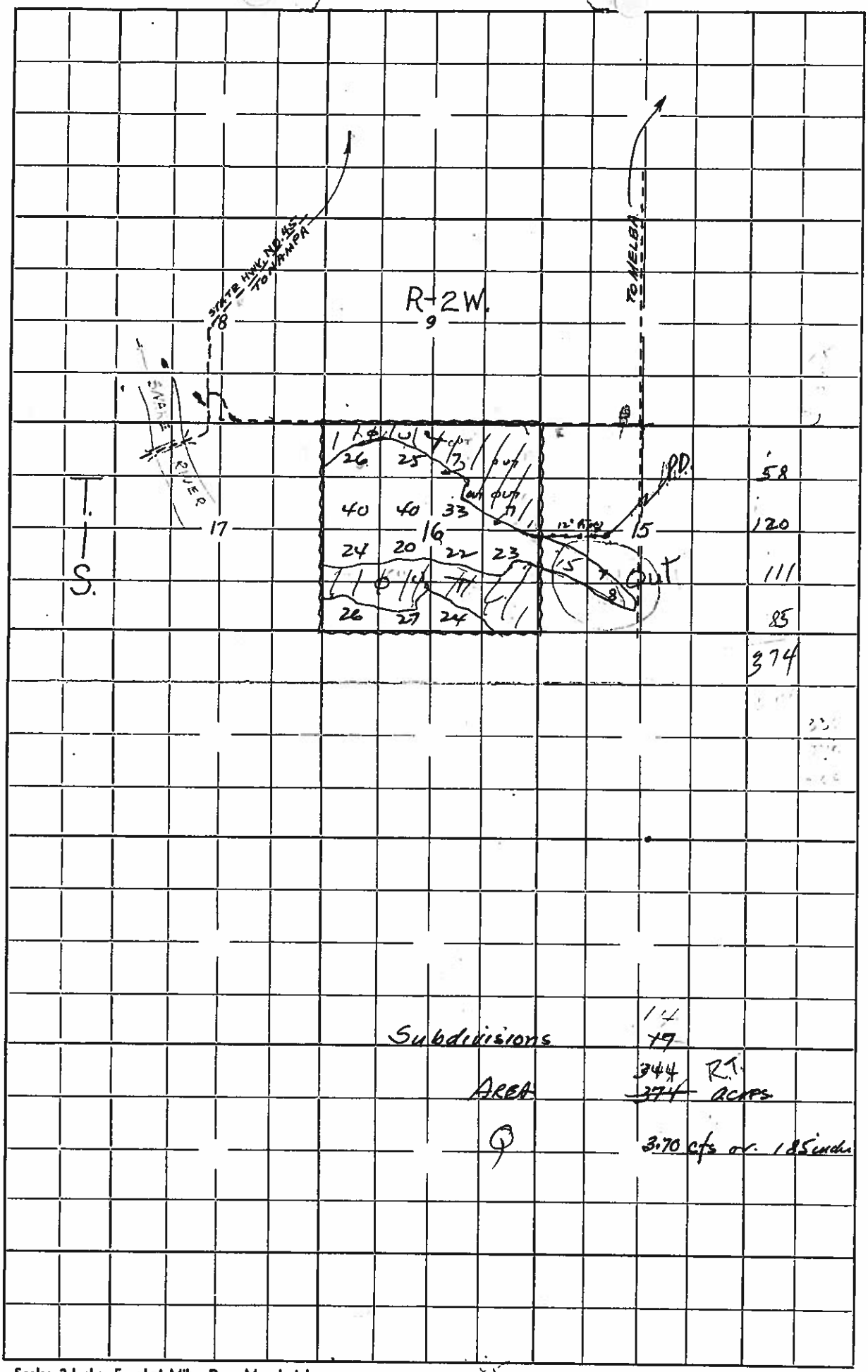
Measured over 2' Cippoletti weir — .67' = 370 c.f.s.

This examination was made on the 2nd day of May, 1962

(Signed) Leon Johnson & Ross Hedgepeth

Examiner.

36657



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

26657

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5356
WATER RIGHT NO(S). 63-02712/63-02955/63-03099/63-07814

This is to certify that: **TOM KASPER**
3349 HILL RD
MELBA ID 83641

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
Right No. 63-02712 :			
Priority: 06/07/1950			
IRRIGATION	03/15 to 11/15	1.62 CFS	790.5 AF
STOCKWATER	01/01 to 12/31	0.18 CFS	87.8 AF
COMMERCIAL	01/01 to 12/31	0.18 CFS	87.8 AF
	SUBTOTAL:	1.80 CFS	878.3 AF
Right No. 63-02955 :			
Priority: 08/27/1953			
IRRIGATION	03/15 to 11/15	4.44 CFS	1597.5 AF
STOCKWATER	01/01 to 12/31	0.56 CFS	134.0 AF
COMMERCIAL	01/01 to 12/31	0.56 CFS	134.0 AF
	SUBTOTAL:	5.00 CFS	1731.5 AF
Right No. 63-03099 :			
Priority: 12/27/1956			
IRRIGATION	03/15 to 11/15	3.70 CFS	1548.0 AF
Right No. 63-07814 :			
Priority: 06/19/1973			
STOCKWATER	01/01 to 12/31	0.32 CFS	42.9 AF
COMMERCIAL	01/01 to 12/31	0.32 CFS	42.9 AF
	SUBTOTAL:	0.32 CFS	42.9 AF
	IRRIGATION TOTAL:	9.76 CFS	2029.5 AF
	STOCKWATER & COMMERCIAL TOTAL:	1.06 CFS	134.0 AF
	TRANSFER TOTAL:	10.82 CFS	2163.5 AF

MICROFILMED
OCT 15 1999

TRANSFER NO. 5356
WATER RIGHT NO(S). 63-02712/63-02955/63-03099/63-07814

SOURCE
GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION: SWNW , Sec. 15, Township 01S, Range 02W
SENW , Sec. 15, Township 01S, Range 02W
CANYON County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
01S	02W	15	NWSW	5					5
		16	NWNE	12	SWNE	40	SENE	27	
			NENW	30	NWNW	30	SWNW	40	
			SENW	40	NESW	30	NWSW	25	
			SWSW	26	SESW	27	NESE	30	
			NWSE	40	SWSE	24			421
		26	SWNW	10					10
		27	NENE	15					15
					Total number of acres irrigated:				451

PLACE OF USE: STOCKWATER

TWN	RGE	SEC			
01S	02W	22	NENW	SENW	NWSE
		27	NENE		

PLACE OF USE: COMMERCIAL

TWN	RGE	SEC			
01S	02W	15	NWSW		
		16	NWNE	SWNE	SENE
			NENW	NWNW	SWNW
			SENW	NESW	NWSW
			SWSW	SESW	NESE
			NWSE	SWSE	
		26	SWNW		
		27	NENE		

CONDITIONS OF APPROVAL AND REMARKS

Rights 63-02712, 63-02955, 63-03099 and 63-07814 are subject to the conditions of the Final Order in the matter of Application for Transfer 5356.

Dated this 15th day of July, 1999.

L. Glenn Saxton
Chief, Water Allocation Bureau

MICROFILMED
OCT 15 1999

A63-03099

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

Denise Buffington
Records Clerk
Adjudication Section
Western Region

DB:db

Enclosures

A 63-03099

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

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

COPY

1992 JAN -9 AM 10:02
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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, Petitioner, vs. The United States; the State of Idaho; and all Claimants to the use of water from the Snake River Basin Water System	NOTICE OF APPEARANCE Document No. 92-01-020

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

MICROFILMED
JUL 25 1994

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 6 day of January, 1992.

HOLLAND & HART

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

MICROFILMED
JUL 25 1994

FEB- 3-92 MON 16:20 SRBA DISTRICT COURT FAX NO. 12087362121 P.04

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

17187

MICROFILMED
JUL 25 1994

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,

Sally Frazee
Secretary, Adjudication Section

sf:west
Enclosures:
Eastern Western Corp. Print-Screens

MICROFILMED
AUG 1 8 1992

M E M O R A N D U M

DATE: 04/14/92

TO: DON SHARP, JAN SHURTE (gave cy to Rox too, Jan -Sal)

FROM: SALLY FRAZEE

RE: EASTERN WESTERN CORP

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.

A63-03099

MICROFILMED
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

MICROFILMED
AUG 1 8 1992

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

Dana L. Hofstetter

DLH/md
Enclosures

cc: Michael E. McGinley
Curt Ingle

MICROFILMED
AUG 1 8 1992

RECEIVED
NOV 2 0 1991
Department of Water Resources

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 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 97914
(503) 889-7603

MICROFILMED
AUG 1 8 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, A02-07109,0A63-02631A, 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

John D. Carlson
Adjudication Supervisor

JDC:sf:west
Enclosures:
Claims Referenced Above

MICROFILMED
AUG 1 8 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

RECEIVED
1991

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)

MICROFILMED
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

Attorneys at Law
Drawer 610
Ontario, Oregon 97914
(503) 889-7803

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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

RECEIVED
APR 10 1991
THARP & VAN ATTA
ATTORNEY'S AT LAW

MICROFILMED
AUG 18 1992

RECEIVED
MAR 21 1991
HOLLAND
& HART

CHANGE IN ADDRESS

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