

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: A63-02955
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
Address: 3349 HILL RD
MELBA ID 83641
208-495-2102

2. Date of Priority: AUG 27, 1953

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4 of	Lot	County
01S	02W	15	SW	NW	NW		CANYON
			SE				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	4.440		1597.50
STOCKWATER	01/01	12/31	0.560		134.00
COMMERCIAL	01/01	12/31	0.560		134.00

7. Total Quantity Appropriated is:
5.000 C.F.S. (and/or) 1731.50 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
			NW	SW		COMMER	

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
			NW	NE		COMMER	
			SW	NE		IRR	40.0
			SW	NE		COMMER	
			SE	NE		IRR	27.0
			SE	NE		COMMER	
			NE	NW		IRR	30.0
			NE	NW		COMMER	
			NW	NW		IRR	30.0
			NW	NW		COMMER	
			SW	NW		IRR	40.0
			SW	NW		COMMER	
			SE	NW		IRR	40.0
			SE	NW		COMMER	
			NE	SW		IRR	30.0
			NE	SW		COMMER	
			NW	SW		IRR	25.0
			NW	SW		COMMER	
			SW	SW		IRR	26.0
			SW	SW		COMMER	
			SE	SW		IRR	27.0
			SE	SW		COMMER	
			NE	SE		IRR	30.0
			NE	SE		COMMER	
			NW	SE		IRR	40.0
			NW	SE		COMMER	
			SW	SE		IRR	24.0
			SW	SE		COMMER	
						Section Acres	421.0
		22	NE	NW		STOCK	
			SE	NW		STOCK	
			NW	SE		STOCK	
		26	SW	NW		IRR	10.0
			SW	NW		COMMER	
						Section Acres	10.0
		27	NE	NE		IRR	15.0
			NE	NE		STOCK	
			NE	NE		COMMER	

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					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, 63-7814, 63-3099, 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.

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.

RIGHTS 63-02712, 63-02955, AND 63-07814 WHEN COMBINED FOR DAIRY USE SHALL NOT EXCEED A TOTAL DIVERSION RATE OF 1.06 CFS, AND A TOTAL ANNUAL MAXIMUM DIVERSION VOLUME OF 92.3 AF FOR STOCKWATER USE, AND 69.7 AF FOR COMMERCIAL USE, OR A COMBINED TOTAL ANNUAL VOLUME OF 162.0 AF.

COMMERCIAL USE IS FOR A DAIRY LOCATED WITHIN SWNW, S26 AND NENE, S27, T01S, R02W.

THE WATER USED FOR COMMERCIAL PURPOSES UNDER THIS APPROVAL IS APPLIED TO AND IRRIGATES LAND LISTED IN THE PLACE OF USE TO SATISFY WATER QUALITY REQUIREMENTS. WATER SHALL NOT IRRIGATE GROWING PLANTS UNLESS THE WATER IS FIRST BENEFICIALLY USED IN THE DAIRY AS AUTHORIZED BY THESE WATER RIGHTS.

RIGHT 63-02955 IS LIMITED TO THE IRRIGATION OF 355.0 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

14. Remarks: Continued

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 63-03099 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: 24421

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)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this _____ day
of _____ 20 _____

Notary Public

Seal

Residing at _____

My Commission Expires _____

RECEIVED

OCT 04 1999

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCESI just got it!
of 10-4-99

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.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
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

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
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

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>			
01S	02W	22	NENW	SENW	NWSE
		27	NENE		

PLACE OF USE: COMMERCIAL

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>			
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.

[Signature]
Chief, Water Allocation Bureau

WR5809NP
No. 63-02955

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/07/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TOM KASPER 3349 HILL RD MELBA ID 83641 (208) 495-2102	08/27/1953	IRRIGATION STOCKWATER COMMERCIAL	03/15 11/15 01/01 12/31 01/01 12/31	4.440 CFS 0.560 CFS 0.560 CFS	1597.50 AFA 134.00 AFA 134.00 AFA
TOTAL DIVERSION:					5.000 CFS	1731.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

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

Point of Diversion Name(s):

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

Place of use Legal Description for: IRRIGATION

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

Place of use Legal Description for: STOCKWATER

01S 02W 22	:							S												
01S 02W 27	:	S															S			

Place of use Legal Description for: COMMERCIAL

01S 02W 15	:													C						
01S 02W 16	:			C		C	C		C	C		C	C	C	C		C	C	C	
01S 02W 26	:									C										
01S 02W 27	:	C																		

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

Conditions of Approval:

- 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 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. Rights 63-02712, 63-02955, and 63-07814 when combined for dairy use shall not exceed a total diversion rate of 1.06 cfs, and a total annual maximum diversion volume of 92.3 af for stockwater use, and 69.7 af for commercial use, or a combined total annual volume of 162.0 af. Commercial use is for a dairy located within SWNW, S26 and NENE, S27, T01S, R02W. The water used for commercial purposes under this approval is applied to and irrigates land listed in the place of use to satisfy water quality requirements. Water shall not irrigate growing plants unless the water is first beneficially used in the dairy as authorized by these water rights. Right 63-02955 is limited to the irrigation of 355.0 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 63-03099 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.

WR5809NP
No. 63-02955

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 01/07/00
PAGE: 3

Remarks: 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: 08/27/1953
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: 06/03/85 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: **A63-02955**
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: AUG 27, 1953

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	5.000		

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

8. Total consumptive use is 1417.5 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	15	SW	NW		IRR	20.0
			NE	SW		IRR	20.0
			NW	SW		IRR	10.0

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	02W	15	SE	SW		IRR	5.0
						Section Acres	55.0
		16	NW	NE		IRR	5.0
			SW	NE		IRR	40.0
			SE	NE		IRR	20.0
			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
			NE	SE		IRR	30.0
			NW	SE		IRR	40.0
			SW	SE		IRR	20.0
						Section Acres	350.0
						Total Acres	405.0

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, 63-7814, 63-3099, 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: 24421



AL63-02955

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

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
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THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A63-02955
Date Received: 8/25/1989
Receipt No: C010321
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 83461
208-495-1134

2. Date of Priority: AUG 27, 1953

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	5.000		

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

8. Total consumptive use is 1417.5 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	15	SW	NW		IRR	20.0
			NE	SW		IRR	20.0
			NW	SW		IRR	10.0

A63-02955

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	15	SE	SW		IRR	5.0
						Section Acres	55.0
		16	NW	NE		IRR	5.0
			SW	NE		IRR	40.0
			SE	NE		IRR	20.0
			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
			NE	SE		IRR	30.0
			NW	SE		IRR	40.0
			SW	SE		IRR	20.0
						Section Acres	350.0
						Total Acres	405.0

11. Place of use in counties: CANYON

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

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63-2712, 63-7814, 63-3099, 02-7109

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

15. Basis of Claim: LICENSE
Water Right Number: 24421

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 of
Title
Eastern Western Corp., that I have signed the foregoing
Organization
document in the space below as manager of
Title
Eastern Western Corp. and that the statements contained in the
Organization
foregoing document are true and correct.

James B. Dupire
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 My Commission Expires December 5, 1994

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
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1. Name: EASTERN WESTERN CORP. 503-236-1978
Address: C/O MIKE MC GINLEY, PRESIDENT
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P.O. BOX 3228
PORTLAND, OR 97208-3228

2. Date of Priority: AUG 27, 1953

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	5.000		

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

8. Total consumptive use is 1417.5 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	15	SW	NW		IRR	20.0
			NE	SW		IRR	20.0
			NW	SW		IRR	10.0

A63-02955

Page 1

Date: 05/16/91

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AUG 18 1992

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
01S	02W	15	SE	SW		IRR	5.0
						Section Acres	55.0
		16	NW	NE		IRR	5.0
			SW	NE		IRR	40.0
			SE	NE		IRR	20.0
			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
			NE	SE		IRR	30.0
			NW	SE		IRR	40.0
			SW	SE		IRR	20.0
						Section Acres	350.0
						Total Acres	405.0

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, 63-7814, 63-3099, 02-7109

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

15. Basis of Claim: LICENSE
Water Right Number: 24421

10/17/2006

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

RIGHT NUMBER: 63-2955

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 5.000 CFS
1,731.50 AFY

Right Nos. 63-2712, 63-2955 and 63-7814 when combined for dairy use shall not exceed a total diversion rate of 1.06 cfs, and/or a combined total annual volume for both stockwater and commercial use of 134 acre-feet. because the annual volume for both stockwater and commercial use was reduced from the quantities sought by the application for transfer (Transfer 5356), the permit holder must determine the division of the 134 acre-feet into stockwater and commercial components.

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.

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.

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

PRIORITY DATE: 08/27/1953

POINT OF DIVERSION:
T01S R02W S15 SWNW Within CANYON County
T01S R02W S15 SENW 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	4.440 CFS 1,597.50 AFY
STOCKWATER	01/01 12/31	0.560 CFS 134.00 AFY
COMMERCIAL	01/01 12/31	0.560 CFS 134.00 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

STOCKWATER Within CANYON County

T01S R02W S22	NENW	T01S R02W S22	SENW
T01S R02W S22	NWSE	T01S R02W S27	NENE

COMMERCIAL Within CANYON County

T01S R02W S15	NWSW	T01S R02W S16	NWNE
T01S R02W S16	SWNE	T01S R02W S16	SENE
T01S R02W S16	NENW	T01S R02W S16	NWNW
T01S R02W S16	SWNW	T01S R02W S16	SENW
T01S R02W S16	NESW	T01S R02W S16	NWSW
T01S R02W S16	SWSW	T01S R02W S16	SESW
T01S R02W S16	NESE	T01S R02W S16	NWSE
T01S R02W S16	SWSE	T01S R02W S26	SWNW
T01S R02W S27	NENE		

This right is limited to the irrigation of 355 acres within the place of use described above in a single irrigation season.

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.

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.

Commercial use of the water is for a dairy located in the SWNW, S26 and the NENE, S27, T01S R02W.

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

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 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.

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 water used for commercial purposes under this right may be applied to, and irrigate land listed in, the place of use to satisfy water quality requirements. Water shall not irrigate growing plants unless the water is first beneficially used in the dairy as authorized by this water right.

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

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



Idaho Department of Water Resources

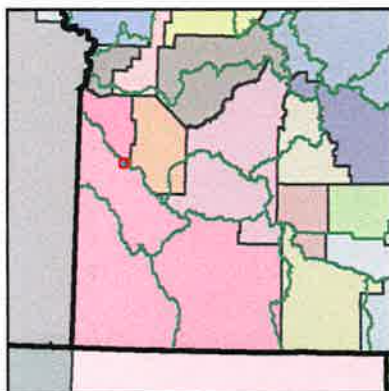
SRBA Recommendation:

63-2955

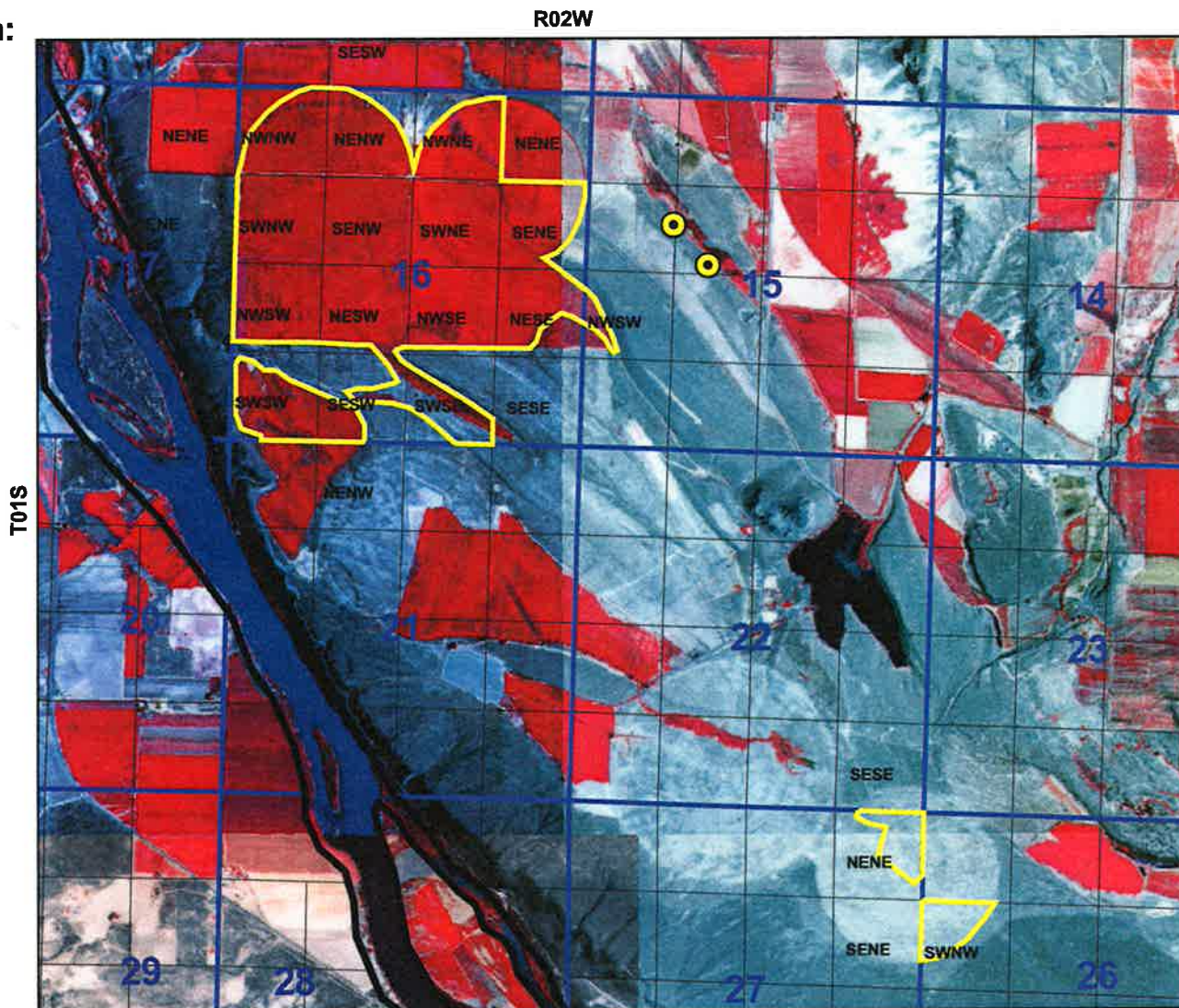
(Irrigation)

Legend

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



Canyon, Owyhee Counties
IDWR Basin 63



0 1 2 Miles

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

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TOM KASPER 3349 HILL RD MELBA ID 83641 (208) 495-2102	08/27/1953	IRRIGATION STOCKWATER COMMERCIAL	03-15 11-15 01-01 12-31 01-01 12-31	4.440 CFS 0.560 CFS 0.560 CFS	1597.50 AFA 134.00 AFA 134.00 AFA
TOTAL DIVERSION:					5.000 CFS	1731.50 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												
			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	:	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			

Place of use Legal Description for: STOCKWATER

			NE				NW				SW				SE										
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
			:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:
01S	02W	22	:											:											:
01S	02W	27	:	S					S					:						S					:
			:											:											:

Place of use Legal Description for: COMMERCIAL

			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	:	
01S	02W	15	:									:									:			C				:									:	
01S	02W	16	:				C		C		C	:		C		C		C		C	:		C		C		C	:		C		C		C		:		
01S	02W	26	:									:						C			:							:									:	
01S	02W	27	:		C							:									:							:									:	

POU County: CANYON

Other Rights: 63-2712, 63-7814, 63-3099, 02-7109

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):
A63-02712 A63-03099 A63-07814

Other Water Rights Listing Overlapping Place(s) of Use:
A02-07109 A63-02631B A63-02631C A63-02632A A63-02632B A63-02632C A63-02712 A63-03099

Conditions of Approval:

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.

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.

RIGHTS 63-02712, 63-02955, AND 63-07814 WHEN COMBINED FOR DAIRY USE SHALL NOT EXCEED A TOTAL DIVERSION RATE OF 1.06 CFS, AND A TOTAL ANNUAL MAXIMUM DIVERSION VOLUME OF 92.3 AF FOR STOCKWATER USE, AND 69.7 AF FOR COMMERCIAL USE, OR A COMBINED TOTAL ANNUAL VOLUME OF 162.0 AF.

COMMERCIAL USE IS FOR A DAIRY LOCATED WITHIN SNNW, S26 AND NENE, S27, T01S, R02W.

THE WATER USED FOR COMMERCIAL PURPOSES UNDER THIS APPROVAL IS APPLIED TO AND IRRIGATES LAND LISTED IN THE PLACE OF USE TO SATISFY WATER QUALITY REQUIREMENTS. WATER SHALL NOT IRRIGATE GROWING PLANTS UNLESS THE WATER IS FIRST BENEFICIALLY USED IN THE DAIRY AS AUTHORIZED BY THESE WATER RIGHTS.

RIGHT 63-02955 IS LIMITED TO THE IRRIGATION OF 355.0 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

Remarks: 63-03099 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:
Audit:	03/28/90 HARRINGT 10/13/98 DBUFFING	05/16/91 FRAZEE 01/07/00 RHOWERTO	04/14/92 FRAZEE 03/30/95 POST-STD

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.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
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

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01S	02W	15	NWSW 5			5
		16	NWNE 12	SWNE 40	SENE 27	
			NENW 30	NWNW 30	SWNW 40	
			SENE 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

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>			
01S	02W	22	NENW	SENE	NWSE
		27	NENE		

PLACE OF USE: COMMERCIAL

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>			
01S	02W	15	NWSW	SWNE	SENE
		16	NWNE	NWNW	SWNW
			NENW	NESW	NWSW
			SENE	SESW	NESE
			SWSW	SWSE	
			NWSE		
		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.

[Signature]
 Chief, Water Allocation Bureau

MICROFILMED

OCT 15 1999

State of Idaho

License and Certificate of Water Right

Water License No. G-24421

Amount 5.0 c.f.s.

Water District No. _____

Priority Aug. 27, 1953

THIS IS TO CERTIFY that DEAN J. JAMES - Assignee - REX S. JENSEN
of Melba, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated August 27, 1953; that Permit No. G-24421
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
5.0 second feet, was issued thereunder on September 11, 19 59, showing that said works
were completed on the 23 day of August, 19 58; and that on the 23
day of August, 1958,

DEAN J. JAMES - Assignee - 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 a well
, a tributary of subterranean flow, for the purpose of irrigation
, under Use Permit No. G-24421 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
11 of Licenses at page 6755, on the 11 day of September, 19 59;
The right hereby confirmed dates from August 27, 19 53;

The Point of Diversion is located
in the NE 1/4 SW 1/4, 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 5.0 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.	15	SW 1/4 NW 1/4	35	20
			NE 1/4 SW 1/4	40	20
			NW 1/4 SW 1/4	35	10
			SE 1/4 SW 1/4	38	5
		16	NW 1/4 NE 1/4	30	5
			SW 1/4 NE 1/4	40	40
			SE 1/4 NE 1/4	40	20
			NE 1/4 NW 1/4	35	30
			NW 1/4 NW 1/4	40	30
			SW 1/4 NW 1/4	40	40
			SE 1/4 NW 1/4	40	40
			NE 1/4 SW 1/4	40	30
			NW 1/4 SW 1/4	40	25
			NE 1/4 SE 1/4	40	30
			NW 1/4 SE 1/4	40	40
			SW 1/4 SE 1/4	40	20

Total number of acres to be irrigated: 405
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

11 day of September, 19 59.

GEO. N. CARTER

State Reclamation Engineer.

(SEAL)

APPLICATION FOR PERMIT
To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 32219
Permit No. G- 24421
District No.

Assigned to

Ed. J. James
Melba, Id.

1. Name of Applicant: DEAN J. JAMES
Postoffice address: Melba County: Canyon State: Idaho
2. Quantity of water claimed: 280 Idaho Miner's inches
 - (a) Rate of withdrawal in cubic feet per second. 5.6 or Idaho
Miners' inches or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean well to be drilled and cased
4. Location of point of diversion or well is in the SW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 15
Twp. 1 S. , Rge. 2 W. , B.M., County of Canyon
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Drilled well, cased and equipped with turbine type pump and motor.
8. Estimated cost of works: \$ 7,000
9. (a) Is reservoir to be used? No
(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 5
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.

This well is applied for to irrigate land included in my allowed desert entry. As noted on the attached plat, the Remarks: be in the Northwesterly extremity of the land, will irrigate to the south and waste into a natural drainage way and in a control reservoir then pumped out again onto the south 120 acres.

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.

DEAN J. JAMES

Applicant.

By

Harley M. McDowell

Agent.

Date of first receipt at Department of Reclamation: 3:30 p.m., August 27, 1953

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-24421

Recorded in Book 87 Page 24421 Approved September 2, 1953

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 November 2, 1953

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 March 2, 1956

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before September 2,

Witness my hand this 2nd day of September, 1953

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, LEN JORDAN, Governor of the State of Idaho, and IRA H. MASTERS, 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 2nd day of September, 1953.

Countersigned:

STATE OF IDAHO

(SEAL)

By IRA H. MASTERS

Secretary of State.

By LEN JORDAN

Governor

By Paula L. Fleenor
12. Acting Secretary of State

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
1 S.	2 W.	15 22	30	40			35	35			40	35	27	38					175 105

APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. G-24421

Comes now Dean J. James and represents to the State Reclamation Engineer of the State of Idaho: That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-24421. That the point of diversion is described in said permit as being located SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 15, Township 1 South, Range 2 West, B.M. That he now requests that the point of diversion be changed to a point located NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15, Township 1 South, Range 2 West, B.M. That his reasons for desiring to make such change are as follows: This is a 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 Melba, Idaho, this 20 day of July, 1958

/s/ Dean J. James
Dean J. James

Date of receipt at Department of Reclamation
July 23, 1958

APPROVAL OF STATE RECLAMATION ENGINEER

I, Geo. N. Carter, 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-24421. 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/ Geo. N. Carter
State Reclamation Engineer

Approved and recorded:

Comes now Dean J. James, and represents to the State Reclamation Engineer of the State of Idaho. That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-24421, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 15; NE $\frac{1}{4}$, NW $\frac{1}{4}$, SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Section 16, Township 1 South, Range 2 West, B. M., making a total of 720 acres. That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Melba, Idaho, this 20 day of July, 1958

/s/ Dean J. James

Date of Receipt at Office of Department of Reclamation
July 23, 1958

APPROVAL OF STATE RECLAMATION ENGINEER

I, Geo. N. Carter, 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-24421. 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/ GEO. N. CARTER
State Reclamation Engineer

Recorded:
July 23, 1958

A S S I G N M E N T ✓

For value received, I hereby assign my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. G-24421 to REX S. JENSEN, of Melba, Idaho (all rights to be assigned)

s/ DEAN J. JAMES, Permit Holder

s/ MARION LOUISE JAMES, Wife of Permit Holder

STATE OF IDAHO) ss
County of Canyon)

On this 27th day of February, 1959, before me, a Notary Public for the State of Idaho, residing at Nampa, Idaho, personally appeared Marion Louise James and Dean J. James known to me to be the persons whose names are subscribed to the within instrument, and duly acknowledged to me that they executed the same.

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

s/ Clyde R. Keithley
Notary Public, Residing at Nampa

Recorded: March 10, 1959

Permit No. G-24421
CERTIFICATE OF COMPLETION OF WORKS ✓

TO ALL WHOM IT MAY CONCERN:

This is to certify that DEAN J. JAMES - Assignee - REX S. JENSEN, of Melba, County of Canyon, and State of Idaho, the holder of Permit No. G-24421, issued upon Application No. G-32219 bearing date of priority of August 27, 1953, authorizing the diversion of 5.6 second feet of the waters of a well, County of Canyon, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 5.0 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:

405 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, N $\frac{1}{2}$, SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 16, T. 1 S., R. 2 W., B. M.

Witness my hand this 11 day of September, 1959, A. D.

s/ GEO. N. CARTER
State Reclamation Engineer

Proof of Completion of Works Made: August 23, 1958

PERMITS ISSUED FOR 5.0 SEC. FT.
Page 6755

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. G-24421This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Dean J. James
2. Source of water supply: Subterranean flow from a well
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15
T. 1 S., R. 2 W. B. M. County of Canyon
4. Describe works as they exist, giving dimensions and capacities of same: Well = 20' x 170'
and 80' Peerless Turbine with 8" column
75 hp. C. E. Motor. 50' lift above pump outlet
thru 800' x 12" pipe line. Contour ditches.
To fields by gravity
5. Water is used for: Irrigation
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):

SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 15; NE $\frac{1}{4}$, NW $\frac{1}{4}$, SE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ Section 16, Township 1
South, Range 2 West, B. M., making a total of 720 acres.

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

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

Remarks: _____

Rep. Jensen along. James is a law-in-lawQ = by calculationCan lift this approx 100' h.This examination was made on the 11 day of Feb, 1959(Signed) E. M. Humphrey Examiner.S24421

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
MAR 4 1959

Department of Agriculture

Dean J. James
Melba, Idaho

Permit No. G-24421

Examination for Completion of Works &
Beneficial Use Proof

County Canyon

80 5.6 a.c.s.

1000

1000 = 1000 a.c.s. 1000 = 1000 a.c.s.

claim 400"

Rep. from (further) says 200"

1000 = 1000 a.c.s.

200" = 1000 a.c.s.

Field = Aug 27, 1958

1000 = 1000 a.c.s.

LE on floor 7500

1010022

170' x 20' old 20'

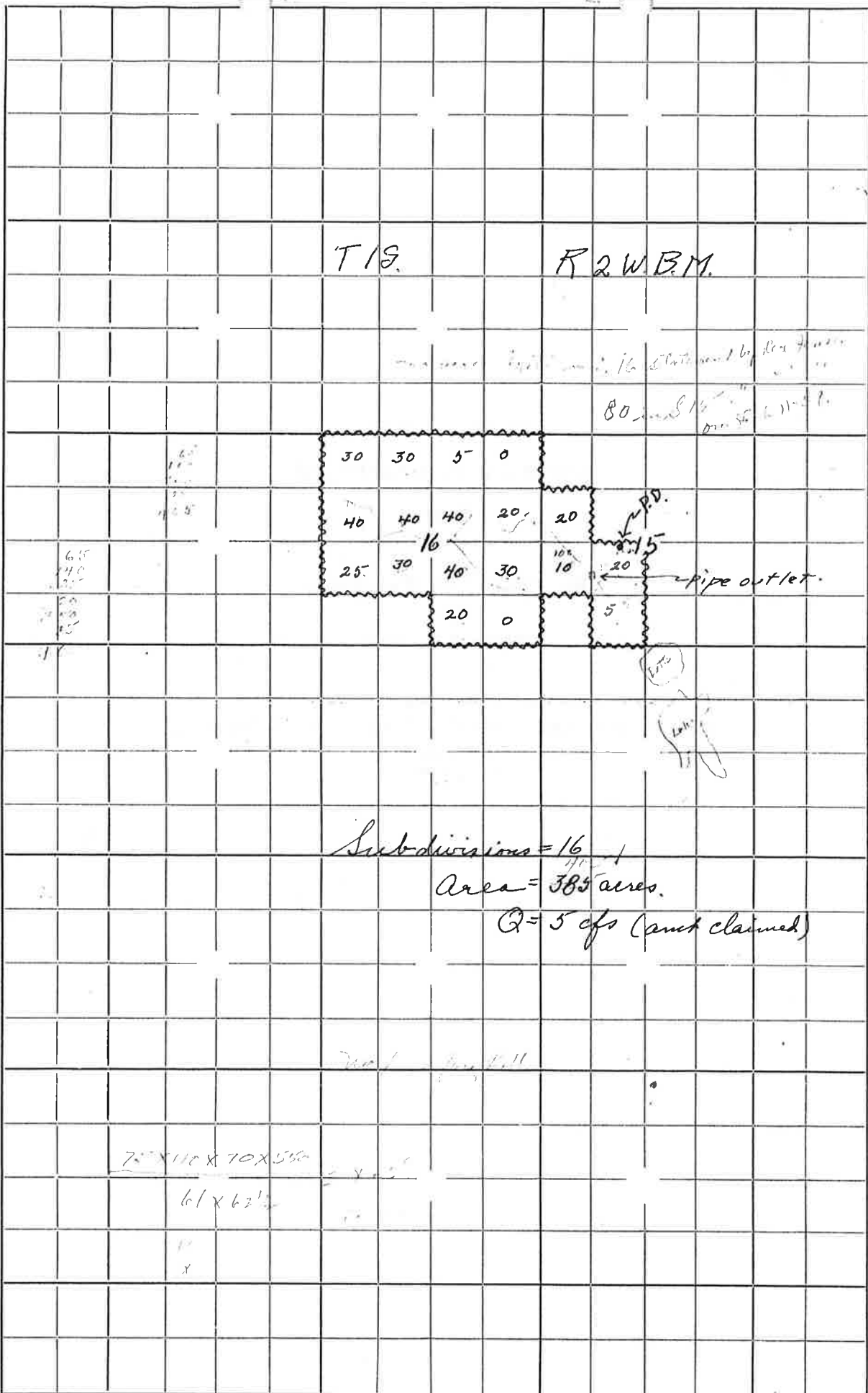
Parker's Turb. 8" old

1/2" left 59'

1/2" pipe 200' left 50'

GE Control panel

500 into 7 feet



Subdivisions = 16
 Area = 385 acres.
 Q = 5 cfs (not claimed)

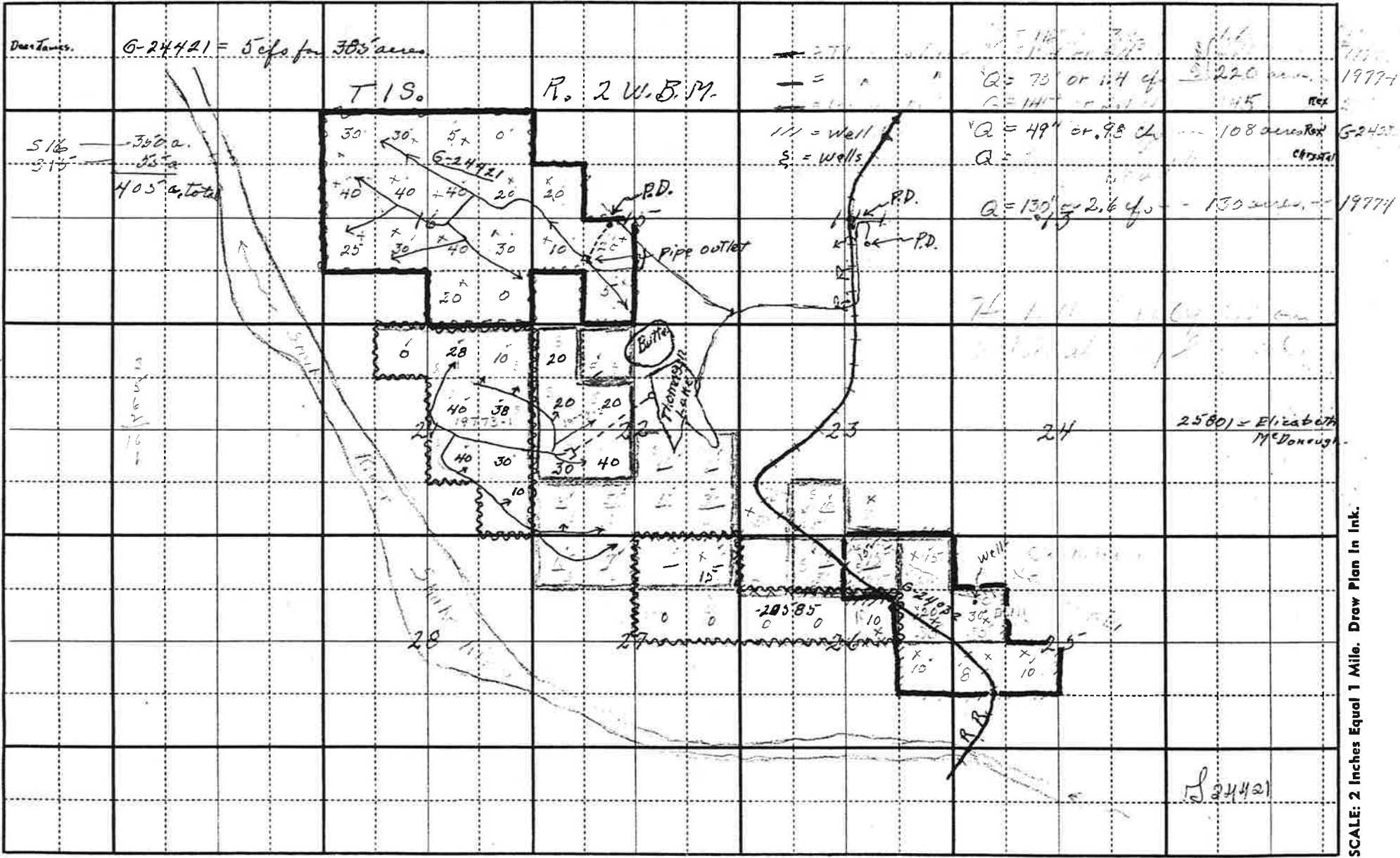
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

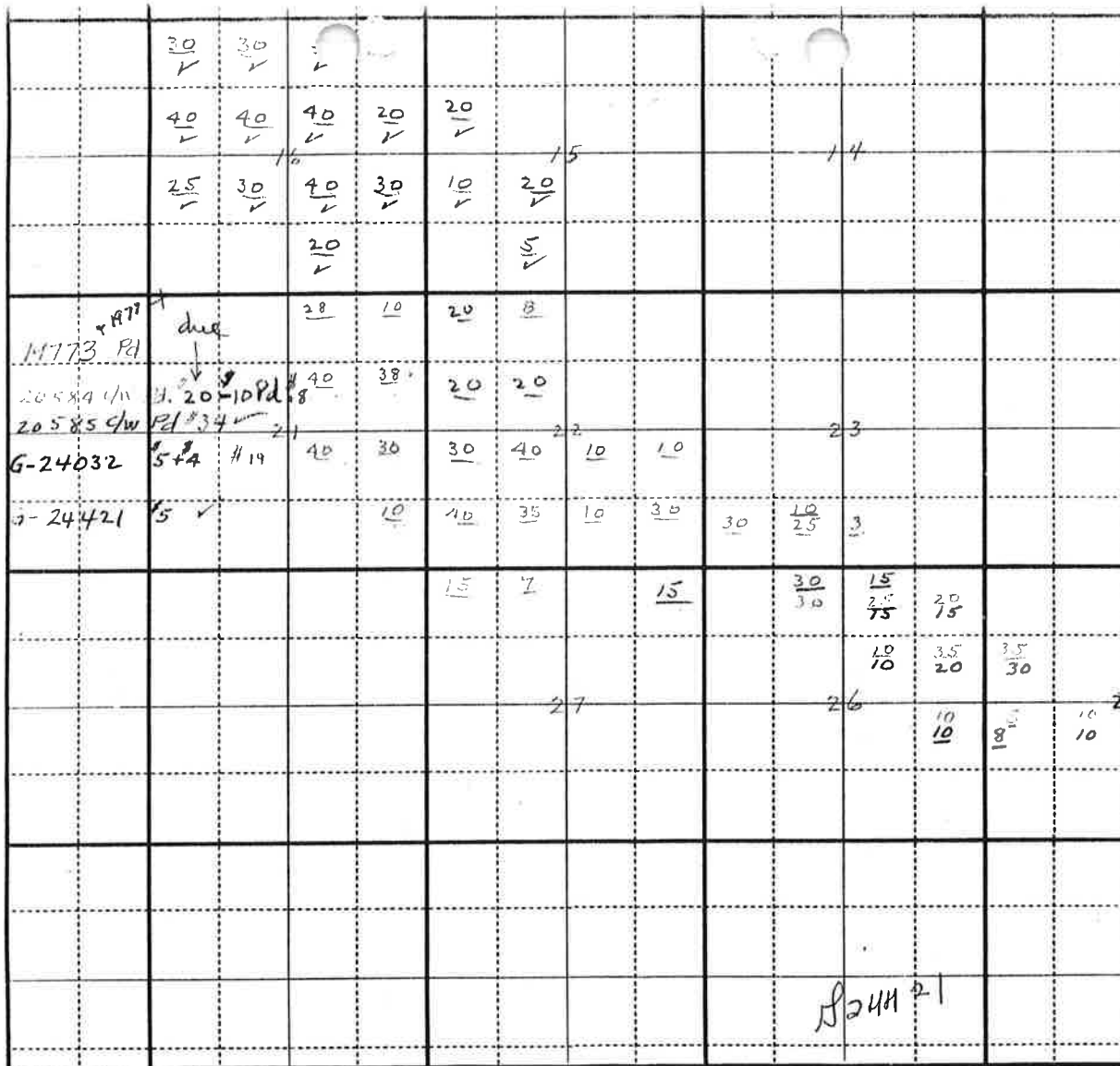
REPORT OF ENGINEER

PERMIT NO. G-24421

REPORT ON PROOF OF Completion of Works & Beneficial Use

Dean J. James
Melba, Idaho





SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

AJ0749NP
No. A63-02955

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

DATE: 01/07/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	TOM KASPER 3349 HILL RD MELBA ID 83641 (208) 495-2102	08/27/1953	IRRIGATION STOCKWATER COMMERCIAL	03-15 11-15 01-01 12-31 01-01 12-31	4.440 CFS 0.560 CFS 0.560 CFS	1597.50 AFA 134.00 AFA 134.00 AFA
TOTAL DIVERSION:					5.000 CFS	1731.50 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	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:	SUM	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac			
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	

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE									
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac			
01S	02W	22	:					:	S			S	:					:		S				:	
01S	02W	27	:	S				:					:					:						:	

Place of use Legal Description for: COMMERCIAL

				NE				NW				SW				SE									
T	R	S	:	NENE	NWNE	SWNE	SENE	:	NENW	NWNW	SWNW	SENW	:	NESW	NWSW	SWSW	SESW	:	NESE	NWSE	SWSE	SESE	:		
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac			
01S	02W	15	:					:					:		C			:					:		
01S	02W	16	:			C	C	C	:	C	C	C	C	:	C	C	C	C	:	C	C	C		:	
01S	02W	26	:						:			C		:					:					:	
01S	02W	27	:	C					:					:					:					:	

POU County: CANYON

Other Rights: 63-2712, 63-7814, 63-3099, 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

Conditions of Approval:

- 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.
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.
RIGHTS 63-02712, 63-02955, AND 63-07814 WHEN COMBINED FOR DAIRY USE SHALL NOT EXCEED A TOTAL DIVERSION RATE OF 1.06 CFS, AND A TOTAL ANNUAL MAXIMUM DIVERSION VOLUME OF 92.3 AF FOR STOCKWATER USE, AND 69.7 AF FOR COMMERCIAL USE, OR A COMBINED TOTAL ANNUAL VOLUME OF 162.0 AF.
COMMERCIAL USE IS FOR A DAIRY LOCATED WITHIN SWNW, S26 AND NENE, S27, T01S, R02W.
THE WATER USED FOR COMMERCIAL PURPOSES UNDER THIS APPROVAL IS APPLIED TO AND IRRIGATES LAND LISTED IN THE PLACE OF USE TO SATISFY WATER QUALITY REQUIREMENTS. WATER SHALL NOT IRRIGATE GROWING PLANTS UNLESS THE WATER IS FIRST BENEFICIALLY USED IN THE DAIRY AS AUTHORIZED BY THESE WATER RIGHTS.
RIGHT 63-02955 IS LIMITED TO THE IRRIGATION OF 355.0 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 63-03099 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

AJ0749NP
No. A63-02955

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

DATE: 01/07/00
PAGE: 3

=====

Remarks: 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:



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,

A handwritten signature in cursive script that reads "Denise Buffington".

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

NOTICE OF APPEARANCE

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

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

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

NOTICE OF APPEARANCE - 2

MICROFILMED

JUL 25 1994

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

17157



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', is written over a horizontal line.

Sally Frazee
Secretary, Adjudication Section

sf:west

Enclosures:

Eastern Western Corp. Print-Screens

MICROFILMED

AUG 18 1992

MEMORANDUM

APR 13 1992
Department of Health & Services
Division of Records Management

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

(same cy to Rox too, Jan)
-sf

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.

A63-02955

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



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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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


Dana L. Hofstetter

DLH/md
Enclosures

cc: Michael E. McGinley
Curt Ingle

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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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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

REC

MAY 3 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) ✓

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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.

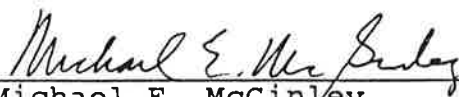
The Chairman called the meeting to order and indicated that the purpose for the meeting was to authorize the appointment of Dixie Smith to represent the corporation in dealings with all irrigation districts within the State of Idaho and the Department of Water Resources of the State of Idaho. Upon motion 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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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



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.

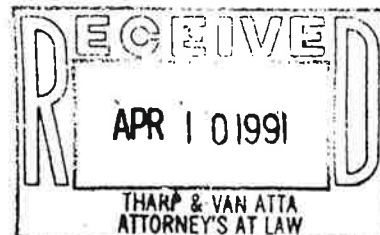
Upon receipt of these documents, Notices of Claim will be prepared from the Agency's computer and sent to you for your review and records.

Please contact me if you have any questions.

Yours truly,

John D. Carlson
Adjudication Supervisor

JDC:sf:state:tf



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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:

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Department of Water Resources

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