

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: **A63-02712**  
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: JUN 7, 1950

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      | 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 | 1.620 |      | 790.50 |
| STOCKWATER | 01/01 | 12/31 | 0.180 |      | 87.80  |
| COMMERCIAL | 01/01 | 12/31 | 0.180 |      | 87.80  |

7. Total Quantity Appropriated is:  
1.800 C.F.S. (and/or) 878.30 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 | 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:  
63-2955, 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 PIVERSION OF WATER UNDER THIS APPROVAL, A MEASURING DEVICE AND LOCKABLE CONTROLLING WORKS OF A TYPE ACCEPTABLE TO THE DEPARTMENT SHALL BE PERMANENTLY INSTALLED AND MAINTAINED 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 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 157.0 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 COMBINED TOTAL ANNUAL VOLUME FOR BOTH STOCKWATER AND COMMERCIAL USE OF 134.0 ACRE-FEET. BECAUSE THE ANNUAL VOLUME FOR COMMERCIAL AND STOCKWATER USE WAS REDUCED FROM THE QUANTITIES SOUGHT BY THE APPLICATION FOR TRANSFER, THE PERMIT HOLDER MUST DETERMINE THE DIVISION OF THE 134.0 ACRE-FEET INTO THE STOCKWATER AND COMMERCIAL COMPONENTS.  
COMMERCIAL USE IS FOR A DAIRY LOCATED WITHIN SWNW, S26 AND NENE, S27, T01S, R02W.  
THE WATER USED FOR COMMERCIAL PURPOSES UNDER THIS APPROVAL 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 THESE WATER RIGHTS.  
RIGHT 63-02712 IS LIMITED TO THE IRRIGATION OF 380.0 ACRES IN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

14. Remarks: Continued

RIGHT 63-02955 IS LIMITED TO THE IRRIGATION OF 355.0 ACRES IN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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 63-03099 IS THE SOLE SOURCE OF IRRIGATION WATER FOR THE FIVE (5.0) ACRES LOCATED IN THE NSW, 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 AND SHALL ONLY DIVERT GROUNDWATER UNDER THESE RIGHTS 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: 20585

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 \_\_\_\_\_

I just got it!  
of 10-4-99

RECEIVED

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

OCT 04 1999

WATER RESOURCES  
WESTERN REGION

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           |              |
|                                  |            |            | SESW | 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 |      |      |

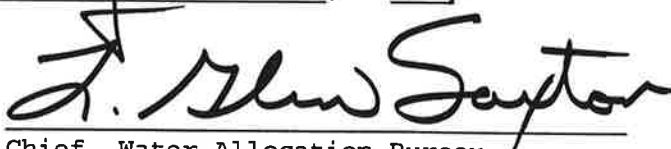
PLACE OF USE: COMMERCIAL

| <u>TWN</u> | <u>RGE</u> | <u>SEC</u> |      |      |      |
|------------|------------|------------|------|------|------|
| 01S        | 02W        | 15         | NWSW |      |      |
|            |            | 16         | NWNE | SWNE | SENE |
|            |            |            | NENW | NWNW | SWNW |
|            |            |            | SESW | 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 15<sup>th</sup> day of July, 1999.

  
Chief, Water Allocation Bureau

WR5809NP  
No. 63-02712

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 01/07/00  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                 | PRIORITY<br>DATE | WATER USE                              | USE PERIOD<br>FROM TO                     | DIVERSION<br>RATE                   | DIVERSION<br>VOLUME                  |
|------------------|----------------------------------------------------------------|------------------|----------------------------------------|-------------------------------------------|-------------------------------------|--------------------------------------|
| C                | TOM KASPER<br>3349 HILL RD<br>MELBA ID 83641<br>(208) 495-2102 | 06/07/1950       | IRRIGATION<br>STOCKWATER<br>COMMERCIAL | 03/15 11/15<br>01/01 12/31<br>01/01 12/31 | 1.620 CFS<br>0.180 CFS<br>0.180 CFS | 790.50 AFA<br>87.80 AFA<br>87.80 AFA |
| TOTAL DIVERSION: |                                                                |                  |                                        |                                           | 1.800 CFS                           | 878.30 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<br/>1</td></td> | SE NW <td>LIMITED TO 157.0 AF</td> <td>2.000 CFS</td> <td>2<br/>1</td> | LIMITED TO 157.0 AF | 2.000 CFS | 2<br>1 |

Place of use Legal Description for: IRRIGATION

| T   | R   | S  | NE   |      |      |      | NW   |      |      |      | SW   |      |      |      | SE   |      |      |      | SUM |             |       |    |       |
|-----|-----|----|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|-----|-------------|-------|----|-------|
|     |     |    | 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          |       |    |       |
| 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

|            |   |   |   |   |   |   |   |  |   |  |   |   |   |
|------------|---|---|---|---|---|---|---|--|---|--|---|---|---|
| 01S 02W 22 | : |   | : | S | : | S | : |  | : |  | : | S | : |
| 01S 02W 27 | : | S | : |   | : |   | : |  | : |  | : |   | : |

Place of use Legal Description for: COMMERCIAL

|            |   |   |   |   |   |   |   |   |   |   |   |   |   |
|------------|---|---|---|---|---|---|---|---|---|---|---|---|---|
| 01S 02W 15 | : |   | : |   | : |   | : |   | : |   | : |   | : |
| 01S 02W 16 | : |   | : | C | : | C | : | C | : | C | : | C | : |
| 01S 02W 26 | : |   | : |   | : |   | : |   | : |   | : |   | : |
| 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, a measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained 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 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 157.0 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 combined total annual volume for both stockwater and commercial use of 134.0 acre-feet. Because the annual volume for commercial and stockwater use was reduced from the quantities sought by the application for transfer, the permit holder must determine the division of the 134.0 acre-feet into the stockwater and commercial components.

Commercial use is for a dairy located within SWNW, S26 and NENE, S27, T01S, R02W.

The water used for commercial purposes under this approval 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 these water rights.

Right 63-02712 is limited to the irrigation of 380.0 acres in the place of use described above in a single irrigation season.

Right 63-02955 is limited to the irrigation of 355.0 acres in the place of use described above in a single irrigation season.

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 63-03099 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.

WR5809NP  
No. 63-02712

IDAHO DEPARTMENT OF WATER RESOURCES  
WATER RIGHT PROFILE REPORT

DATE: 01/07/00  
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Remarks: 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 and shall only divert groundwater under these rights 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: 06/07/1950  
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: A63-02712  
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: JUN 7, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 01S      | 02W   | 14      |        | NW     | 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 | 1.800  |      |        |

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

8. Total consumptive use is 1505.0 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   | 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 |
|          |       | 26      | SW     | NE  |     | IRR           | 10.0  |
|          |       |         |        |     |     | Section Acres | 10.0  |
|          |       | 27      | NE     | NE  |     | IRR           | 15.0  |
|          |       |         |        |     |     | Section Acres | 15.0  |
|          |       |         |        |     |     | Total Acres   | 430.0 |

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:  
63-2955, 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: 20585



Al63-02712

October 8, 1998

RECEIVED

OCT 13 1998

WATER RESOURCES  
WESTERN REGION

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

Re: Eastern Western Corporation

Dear Ms. Buffington:

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

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

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

Sincerely,

EASTERN WESTERN CORPORATION

A handwritten signature in dark ink, appearing to read "Michael E. McGinley".

Michael E McGinley  
President

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A63-02712  
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: JUN 7, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 01S      | 02W   | 14      |        | NW     | 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 | 1.800 |      |        |

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

8. Total consumptive use is 1505.0 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   | 15      | SW     | NW  |     | IRR | 20.0  |
|          |       |         | NE     | SW  |     | IRR | 20.0  |
|          |       |         | NW     | SW  |     | IRR | 10.0  |

A63-02712

Page 1

Date: 05/16/91

MICROFILMED  
AUG 18 1992

10. Place of Use: Continued

| Township<br>01S | Range<br>02W | Section<br>15 | 1/4<br>SE | of 1/4<br>SW | Lot | Use<br>IRR    | Acres<br>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        |
|                 |              | 26            | SW        | NE           |     | IRR           | 10.0         |
|                 |              |               |           |              |     | Section Acres | 10.0         |
|                 |              | 27            | NE        | NE           |     | IRR           | 15.0         |
|                 |              |               |           |              |     | Section Acres | 15.0         |
|                 |              |               |           |              |     | Total Acres   | 430.0        |

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:  
63-2955, 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: 20585

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: A63-02712  
Date Received: 8/25/1989  
Receipt No: CQ10321  
Received By: SC

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 83641  
208-495-1134

2. Date of Priority: JUN 07, 1950

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 01S      | 02W   | 14      |        | NW     | 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 | 1.800 |      |        |

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

8. Total consumptive use is 1505.0 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   | 15      | SW     | NW  |     | IRR | 20.0  |
|          |       |         | NE     | SW  |     | IRR | 20.0  |
|          |       |         | NW     | SW  |     | IRR | 10.0  |

A63-02712

Page 1

Date: 08/25/89

MICROFILMED  
AUG 18 1992

10. Place of Use: Continued

| Township<br>01S | Range<br>02W | Section<br>15 | 1/4<br>SE | of 1/4<br>SW | Lot | Use<br>IRR    | Acres<br>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        |
|                 |              | 26            | SW        | NE           |     | IRR           | 10.0         |
|                 |              |               |           |              |     | Section Acres | 10.0         |
|                 |              | 27            | NE        | NE           |     | IRR           | 15.0         |
|                 |              |               |           |              |     | Section Acres | 15.0         |
|                 |              |               |           |              |     | Total Acres   | 430.0        |

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:  
63-2955, 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: 20585

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. 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. Hynes 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 25<sup>th</sup> day

of August 19 89

Danni Smith Notary Public

Seal

Residing at Danni Smith, Notary Public  
Residing at Boise, Idaho  
My Commission Expires December 5, 1994  
My Commission Expires \_\_\_\_\_

# MOORE SMITH BUXTON & TURCKE, CHARTERED

ATTORNEYS AND COUNSELORS AT LAW  
950 W. BANNOCK STREET, SUITE 520; BOISE, ID 83702  
TELEPHONE: (208) 331-1800 FAX: (208) 331-1202 www.msbtlaw.com

STEPHANIE J. BONNEY  
SUSAN E. BUXTON\*  
PAUL J. FITZER  
MICHAEL C. MOORE†  
BRUCE M. SMITH  
PAUL A. TURCKE‡  
CARL J. WITHROE\*  
TAMMY A. ZOKAN\*

RECEIVED  
NOV 08 2007  
DEPARTMENT OF  
WATER RESOURCES

JOHN J. MCFADDEN\*  
of Counsel  
» Also admitted in California  
\* Also admitted in New Mexico  
\* Also admitted in Oregon  
‡ Also admitted in South Dakota  
† Also admitted in Washington

November 2, 2007

IDWR Western Region  
2735 Airport Way  
Boise, ID 83705-5082

RECEIVED  
NOV 05 2007  
WATER RESOURCES  
WESTERN REGION

RE: Kasper Ownership Change

To Whom It May Concern:

Enclosed please find the original and one copy of the Notice of Change of Ownership on behalf of Kasper Land & Cattle LLC, applicable to SRBA Subcases 63-02712; 63-02955; 63-03099; 63-07814 for applicable changes and acknowledgement.

Please file the original and return a conformed copy to our office at your earliest convenience. For that purpose, I have enclosed a self-addressed, stamped envelope.

Thank you.

Sincerely,

MOORE SMITH BUXTON & TURCKE, CHTD.

Debbie Smith  
Legal Assistant to Bruce M. Smith

/dls  
Enclosures

SCANNED  
NOV 06 2007

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

| Water<br>Right No(s) | Adjudication<br>Claim No(s) | Split(s) | Water<br>Right No(s) | Adjudication<br>Claim No(s) | Split(s) |
|----------------------|-----------------------------|----------|----------------------|-----------------------------|----------|
| 63-02712             |                             |          |                      |                             |          |
| 63-02955             |                             |          |                      |                             |          |
| 63-03099             |                             |          |                      |                             |          |
| 63-07814             |                             |          |                      |                             |          |
|                      |                             |          |                      |                             |          |

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

A. The appropriate **FILING FEE**. See instructions for fee amounts.

B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.

C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions): **PLAT OF PROPERTY** or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).

**OR**

D. If your water right(s) and or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated areas outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s) Tom Kasper
4. New Owner/Claimant(s) Kasper Land & Cattle LLC  
 Name Connector (Check One): [ ] and, or [ ] and/or
- New Mailing Address 3349 Hill Road
- City, State and ZIP Code Melba, ID 83641
- Telephone Number ( 208 ) 495-2102
5. Date you acquired the property May 21, 2004

6. **If the change in ownership affects the entire water right for each water right and adjudication claim listed in line 1, then skip this line and go to line 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

### DESCRIPTION OF YOUR PORTION OF WATER RIGHT

(If the right will not be split, skip this area and proceed to line 7)

#### Water Use

#### Diversion Rate or Volume

(cubic feet per second or acre-feet per annum)

#### Description

(acres, number and type of stock, homes, etc)

Water Right and/or Adjudication Claim Number \_\_\_\_\_

Irrigation  
Stock  
Domestic  
Other  
Totals

Water Right and/or Adjudication Claim Number \_\_\_\_\_

Irrigation  
Stock  
Domestic  
Other  
Totals

Water Right and/or Adjudication Claim Number \_\_\_\_\_

Irrigation  
Stock  
Domestic  
Other  
Totals

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

7. Signature(s) of New Owner(s) or Claimant(s) \_\_\_\_\_  
(title if applicable)

\_\_\_\_\_  
Attorney

(title if applicable)

**IT IS IMPORTANT TO FILE THIS COMPLETED FOR AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.**

#### For IDWR Office Use Only:

Received by SB  
Received by \_\_\_\_\_  
Processed by WJH AJ

Date 11/5/07  
Date \_\_\_\_\_  
Date 11/16/07

Receipt Amt. N/A  
Receipt No. \_\_\_\_\_  
WR \_\_\_\_\_ Date \_\_\_\_\_

Recording Requested By And  
When Recorded Mail To:

Darin DeAngeli  
Ahrens & DeAngeli, p.l.l.c.  
P.O. Box 6561  
Boise, Idaho 83707-6561

TYPE

*Ahrens & DeAngeli*  
*FEEL 2/10*

*pm*

CANYON COUNTY, IDAHO

NOV 9 10 23

RECORDED

200430622

COPY

ORIGINAL RETAINED AT  
AHRENS & DeANGELI, P.L.L.C.  
101 S. CAPITOL BLVD., STE. 601  
P. O. BOX 6561  
BOISE, ID 83707-6561  
(208) 395-0001

QUITCLAIM DEED

Tom Kasper and JoAnn Kasper, husband and wife, Grantors, do release and forever quitclaim unto Kasper Land and Cattle, LLC, an Idaho limited liability company, Grantee, whose current address is 3349 Hill Road, Melba, Idaho 83641, and to its heirs and assigns, all title and interest which Grantors now have or may hereafter acquire in the following described real property located in Canyon County, Idaho, more particularly described as follow, to wit:

See Exhibit "A," attached hereto and by this reference made a part hereof.

EXCEPTING THEREFROM, the South Half of the Southeast Quarter of the Southeast Quarter of Section 16; the Northeast Quarter of the Northeast Quarter of Section 21; and the North Half of the Northwest Quarter of Section 22, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho.

ALSO EXCEPTING THEREFROM a road, as it currently exists over the Northwest Quarter of the Northeast Quarter of Section 22, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho.

TOGETHER WITH all improvements, easements, hereditaments, and appurtenances thereto, and all tenements, revisions, remainders,

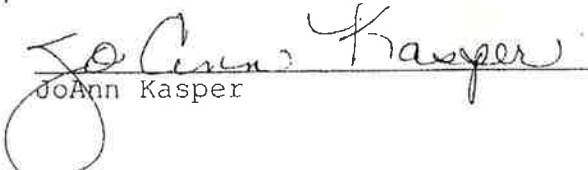
rights-of-way and water rights in anywise  
appertaining to the property herein  
described.

SUBJECT TO taxes and assessments for the year  
2004 and all subsequent years, and to such  
rights, easements, liens, encumbrances,  
covenants, rights-of-way, reservations,  
restrictions, and zoning regulations as  
appear of record or based upon the premises,  
and to any state of facts an accurate survey  
or inspection of the premises would show.

TO HAVE AND TO HOLD, all and singular the said  
premises, together with the appurtenances, unto Grantee, and to  
its heirs and assigns forever.

IN WITNESS WHEREOF, the Grantors have executed this  
instrument on this 19 day of MAY, 2004.

  
Tom Kasper

  
JoAnn Kasper

STATE OF IDAHO )

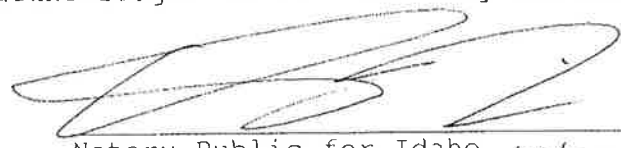
County of Ada )

ss.

On this 19th day of May, in the year 2004,  
before me, Darin DeAngeli, a Notary Public, personally  
appeared Tom Kasper and JoAnn Kasper, husband and wife, known or  
identified to me to be the persons whose names are subscribed to  
the within instrument, and acknowledged to me that they executed  
the same.

(SEAL)



  
Notary Public for Idaho  
Commission expires: 11/4/09

QUITCLAIM DEED - 2

SCANNED

NOV 00 2007

EXHIBIT "A"

TRACT 1:

PARCEL A:

The Southwest Quarter of Section 15, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho; and the Southwest Quarter of the Northwest Quarter, and that part of the Southwest Quarter of the Southeast Quarter lying West of the existing County Road in Section 15, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho.

PARCEL B:

That portion of the North Half and the Southeast Quarter lying East of the Snake River, and that portion of Lot 2, Section 21, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho, described as follows:

BEGINNING at the center of said Section 21, which point is also the Northeast corner of said Lot 2; thence

South along the East boundary line of said Lot 2 a distance of 1,320 feet to the Southeast corner thereof; thence

West a distance of 400 feet to a point on the South boundary thereof; thence

North 27° 56' West a distance of 1,494 feet to a point on the North boundary line of said Lot 2; thence

East a distance of 1,100 feet, more or less, to the POINT OF BEGINNING.

PARCEL C:

The West Half, and that portion of the East Half of said Section 22, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho, lying Westerly of the following-described line:

BEGINNING at the Quarter section corner common to Sections 15 and 22, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho; thence

East a distance of 482 feet to the Westerly right of way line of the oiled County Road, the TRUE POINT OF BEGINNING; thence

South 25° 30' East a distance of 417 feet along the Westerly right of way line of said road to a point; thence

South 54° 40' East a distance of 1,074 feet along the Southwesterly right of way line of said road to a point; thence

South 83° 10' East a distance of 86 feet along the Southwesterly right of way line of said road to a point; thence

North 74° 20' East a distance of 167.6 feet along the Southerly right of way line of said road to a point; thence

South 31° 55' East a distance of 700 feet to the top of the ridge East of Thomason Lake, also known as Jensen Lake; thence

South 17° 30' East a distance of 2,405.3 feet along the ridge top to a point on the Westerly line of the Nampa-Murphy Branch of the Oregon Short Line Railroad right of way, said point being on a curve; thence along the curve on said railroad right of way, said curve being 5° left, having a central angle of 75° 39' and tangent of 889.9 feet, length of curve 1,513 feet to a point on a tangent; thence

South 56° 32' East a distance of 3,968.8 feet to a point on a curve; thence along the curve 2° 00' right, having a central angle of 16° 37', length of 830.8 feet and tangent 418.4 feet; thence

South 36° 54' East a distance of 2,251.4 feet to a point on a curve; thence along 4° 00' curve right, having a central angle of 4° 00', a distance of 100 feet; thence along 8° 00' curve right, having a central angle of 61° 30', a distance of 770.4 feet; thence along 4° 00' curve right, having a central angle of 4° 00', a distance of 100 feet to a point; thence

South 30° 00' West a distance of 278.9 feet to the banks of the Snake River.

#### PARCEL D:

That portion of the West Half of the Southwest Quarter in Section 23, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho, lying Westerly of the following-described line:

BEGINNING at the Quarter section corner common to Sections 15 and 22, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho; thence

East a distance of 482 feet to the Westerly right of way line of the oiled County Road, the TRUE POINT OF BEGINNING; thence

South 25° 30' East a distance of 417 feet along the Westerly right of way line of said road to a point; thence

South 54° 40' East a distance of 1,074 feet along the Southwesterly right of way line of said road to a point; thence

South 83° 10' East a distance of 86 feet along the Southwesterly right of way line of said road to a point; thence

North 74° 20' East a distance of 167.6 feet along the Southerly right of way line of said road to a point; thence

South 31° 55' East a distance of 700 feet to the top of the ridge East of Thomason Lake, also known as Jensen Lake; thence

South 17° 30' East a distance of 2,405.3 feet along the ridge top to a point on the Westerly line of the Nampa-Murphy Branch of the Oregon Short Line Railroad right of way, said point being on a curve; thence along the curve on said railroad right of way, said curve being 5° left, having a central angle of 75° 39' and tangent of 889.9 feet, length of curve 1,513 feet to a point on a tangent; thence

South 56° 32' East a distance of 3,968.8 feet to a point on a curve; thence along the curve 2° 00' right, having a central angle of 16° 37', length of 830.8 feet and tangent 418.4 feet; thence

South 36° 54' East a distance of 2,251.4 feet to a point on a curve; thence along 4° 00' curve right, having a central angle of 4° 00', a distance of 100 feet; thence along 8° 00' curve right, having a central angle of 61° 30', a distance of 770.4 feet; thence along 4° 00' curve right, having a central angle of 4° 00', a distance of 100 feet to a point; thence

South 30° 00' West a distance of 278.9 feet to the banks of the Snake River.

PARCEL E:

That portion of the North Half of the Northwest Quarter and of the Southeast Quarter of the Northeast Quarter and of the Northeast Quarter of the Southeast Quarter in Section 26, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho, lying Westerly of the following-described line, and Lots 3 and 4 in said Section 26:

BEGINNING at the Quarter section corner common to Sections 15 and 22, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho; thence

East a distance of 482 feet to the Westerly right of way line of the oiled County Road, the TRUE POINT OF BEGINNING; thence

South 25° 30' East a distance of 417 feet along the Westerly right of way line of said road to a point; thence

South 54° 40' East a distance of 1,074 feet along the Southwesterly right of way line of said road to a point; thence

South 83° 10' East a distance of 86 feet along the Southwesterly right of way line of said road to a point; thence

North 74° 20' East a distance of 167.6 feet along the Southerly right of way line of said road to a point; thence

South 31° 55' East a distance of 700 feet to the top of the ridge East of Thomason Lake, also known as Jensen Lake; thence

South 17° 30' East a distance of 2,405.3 feet along the ridge top to a point on the Westerly line of the Nampa-Murphy Branch of the Oregon Short Line Railroad right of way, said point being on a curve; thence along the curve on said railroad right of way, said curve being 5° left, having a central angle of 75° 39' and tangent of 889.9 feet, length of curve 1,513 feet to a point on a tangent; thence

South 56° 32' East a distance of 3,968.8 feet to a point on a curve; thence along the curve 2° 00' right, having a central angle of 16° 37', length of 830.8 feet and tangent 418.4 feet; thence

South 36° 54' East a distance of 2,251.4 feet to a point on a curve; thence along 4° 00' curve right, having a central angle of 4° 00', a distance of 100 feet; thence along 8° 00' curve right, having a central angle of 61° 30', a distance of 770.4 feet; thence along 4° 00' curve right, having a central angle of 4° 00', a distance of 100 feet to a point; thence

South 30° 00' West a distance of 278.9 feet to the banks of the Snake River.

PARCEL F:

The North Half of the Northwest Quarter, the Northwest Quarter of the Northeast Quarter, and Lots 1 and 2 in Section 27, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho.

PARCEL G:

The Northeast Quarter of the Northeast Quarter in Section 28, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho.

TRACT 2:

PARCEL A:

All of Section 16, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho.

TRACT 3:

PARCEL A:

The Northeast Quarter of the Northeast Quarter of Section 17, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho.

PARCEL B:

That portion of the Southwest Quarter of the Northeast Quarter, and the South Half of the Northwest Quarter of Section 26, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho, lying Westerly of the following-described line:

BEGINNING at the Quarter section corner common to Sections 15 and 22, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho; thence

East a distance of 482 feet to the Westerly right of way line of the oiled County Road, the TRUE POINT OF BEGINNING; thence

South 25° 30' East a distance of 417 feet along the Westerly right of way line of said road to a point; thence

South 54° 40' East a distance of 1,074 feet along the Southwesterly right of way line of said road to a point; thence

South 83° 10' East a distance of 86 feet along the Southwesterly right of way line of said road to a point; thence

North 74° 20' East a distance of 167.6 feet along the Southerly right of way line of said road to a point; thence

South 31° 55' East a distance of 700 feet to the top of the ridge East of Thomason Lake, also known as Jensen Lake; thence

South 17° 30' East a distance of 2,405.3 feet along the ridge top to a point on the Westerly line of the Nampa-Murphy Branch of the Oregon Short Line Railroad right of way, said point being on a curve; thence along the curve on said railroad right of way, said curve being 5° left, having a central angle of 75° 39' and tangent of 889.9 feet, length of curve 1,513 feet to a point on a tangent; thence

South 56° 32' East a distance of 3,968.8 feet to a point on a curve; thence along the curve 2° 00' right, having a central angle of 16° 37', length of 830.8 feet and tangent 418.4 feet; thence

South 36° 54' East a distance of 2,251.4 feet to a point on a curve; thence along 4° 00' curve right, having a central angle of 4° 00', a distance of 100 feet; thence along 8° 00' curve right, having a central angle of 61° 30', a distance of 770.4 feet; thence along 4° 00' curve

right, having a central angle of  $4^{\circ} 00'$ , a distance of 100 feet to a point; thence  
South  $30^{\circ} 00'$  West a distance of 278.9 feet to the banks of the Snake River.

**PARCEL C:**

**The East Half of the Northeast Quarter of Section 27, Township 1 South, Range 2 West, Boise  
Meridian, Canyon County, Idaho.**



# ARTICLES OF ORGANIZATION LIMITED LIABILITY COMPANY

(Instructions on back of application)

1. The name of the limited liability company is:

Kasper Land and Cattle, LLC

2. The street address of the initial registered office is:

3349 Hill Road, Melba, Idaho 83641

and the name of the initial registered agent at the above address is:

Thomas J. Kasper

3. The mailing address for future correspondence is:

3349 Hill Road, Melba, Idaho 83641

4. Management of the limited liability company will be vested in:

Manager(s) ☒ or Member(s) ☐ (please check the appropriate box)

5. If management is to be vested in one or more manager(s), list the name(s) and address(es) or at least one initial manager. If management is to be vested in the member(s), list the name(s) and address(es) of at least one initial member.

| Name                    | Address                                   |
|-------------------------|-------------------------------------------|
| <u>Thomas J. Kasper</u> | <u>3349 Hill Road, Melba, Idaho 83641</u> |
| <u> </u>                | <u> </u>                                  |
| <u> </u>                | <u> </u>                                  |
| <u> </u>                | <u> </u>                                  |
| <u> </u>                | <u> </u>                                  |
| <u> </u>                | <u> </u>                                  |

**COPY**

ORIGINAL RETAINED AT  
AHRENS & DeANGELI, P.L.L.C.  
101 S. CAPITOL BLVD., STE. 601  
P. O. BOX 6561  
BOISE, ID 83707-6561  
(208) 395-0001

6. Signature of at least one person responsible for forming the limited liability company:

Signature: Thomas J. Kasper

Typed Name: Thomas J. Kasper

Capacity: Manager

Signature:  

Typed Name:  

Capacity:  

Secretary of State use only

W30743  
IDaho SECRETARY OF STATE  
05/21/2004 05:00  
CK: 8978 CT: 84162 BH: 746488  
1 @ 100.00 = 100.00 ORGAM LLC # 2

g:\corp\forms\LLC forms\ars\orgamization.pdf  
Revised 07/2002

SCANNED

NOV 06 2007

10/17/2006

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

RIGHT NUMBER: 63-2712

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

SOURCE: GROUND WATER

TRIBUTARY:

QUANTITY: 1.800 CFS  
878.30 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.

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

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.

PRIORITY DATE: 06/07/1950

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          | 1.620 CFS<br>790.50 AFY |
| STOCKWATER            | 01/01 12/31          | 0.180 CFS<br>87.80 AFY  |
| COMMERCIAL            | 01/01 12/31          | 0.180 CFS<br>87.80 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 |               |      |

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 380 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

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.

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.

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 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.

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

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.



# Idaho Department of Water Resources

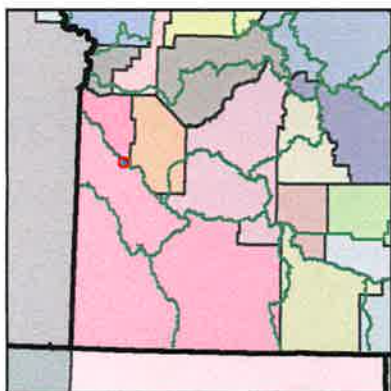
SRBA Recommendation:

**63-2712**

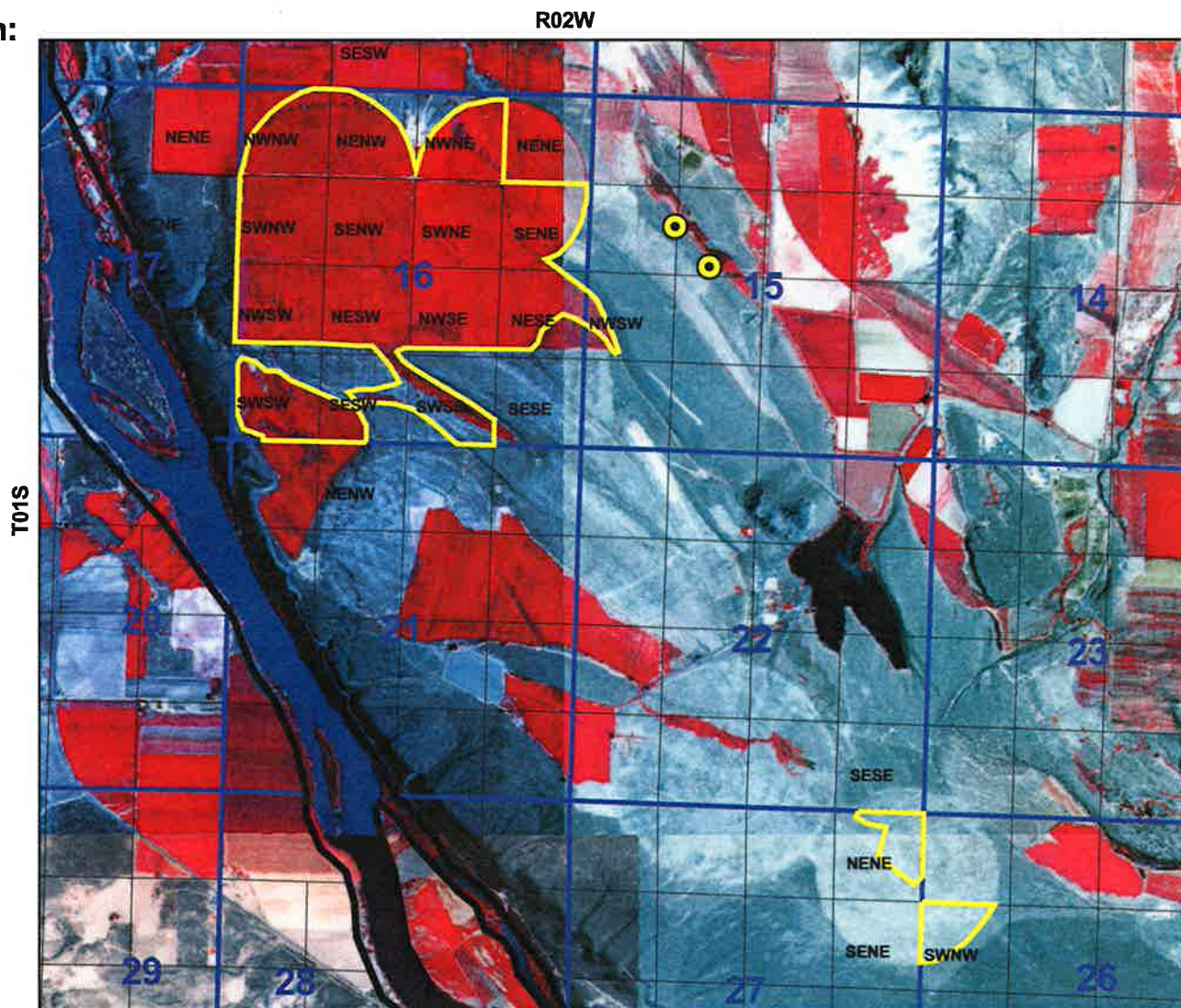
(Irrigation)

## Legend

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



Canyon, Owyhee Counties  
IDWR Basin 63



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

| OWNER<br>CODE    | NAME & ADDRESS                                                 | PRIORITY<br>DATE | WATER USE                              | USE PERIOD<br>FROM TO                     | DIVERSION<br>RATE                   | DIVERSION<br>VOLUME                  |
|------------------|----------------------------------------------------------------|------------------|----------------------------------------|-------------------------------------------|-------------------------------------|--------------------------------------|
| C                | TOM KASPER<br>3349 HILL RD<br>MELBA ID 83641<br>(208) 495-2102 | 06/07/1950       | IRRIGATION<br>STOCKWATER<br>COMMERCIAL | 03-15 11-15<br>01-01 12-31<br>01-01 12-31 | 1.620 CFS<br>0.180 CFS<br>0.180 CFS | 790.50 AFA<br>87.80 AFA<br>87.80 AFA |
| TOTAL DIVERSION: |                                                                |                  |                                        |                                           | 1.800 CFS                           | 878.30 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   | 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   | 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   | 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: 63-2955, 63-7814, 63-3099, 02-7109

Other Water Rights with Same Point(s) of Diversion with Stage (Includes All Sources):  
A63-02955 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 A63-02955 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 PIVERSION OF WATER UNDER THIS APPROVAL, A MEASURING  
DEVICE AND LOCKABLE CONTROLLING WORKS OF A TYPE ACCEPTABLE TO  
THE DEPARTMENT SHALL BE PERMANENTLY INSTALLED AND MAINTAINED  
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 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 157.0 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 COMBINED TOTAL ANNUAL VOLUME FOR BOTH STOCKWATER AND  
COMMERCIAL USE OF 134.0 ACRE-FEET. BECAUSE THE ANNUAL VOLUME  
FOR COMMERCIAL AND STOCKWATER USE WAS REDUCED FROM THE  
QUANTITIES SOUGHT BY THE APPLICATION FOR TRANSFER, THE PERMIT  
HOLDER MUST DETERMINE THE DIVISION OF THE 134.0 ACRE-FEET INTO  
THE STOCKWATER AND COMMERCIAL COMPONENTS.

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

THE WATER USED FOR COMMERCIAL PURPOSES UNDER THIS APPROVAL  
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 THESE WATER RIGHTS.

RIGHT 63-02712 IS LIMITED TO THE IRRIGATION OF 380.0 ACRES IN  
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

RIGHT 63-02955 IS LIMITED TO THE IRRIGATION OF 355.0 ACRES IN  
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

RIGHT 63-03099 IS LIMITED TO THE IRRIGATION OF 344.0 ACRES

Remarks: 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 AND SHALL ONLY DIVERT GROUNDWATER UNDER THESE RIGHTS 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: 08/25/89 KROUGH\_H 03/26/90 HARRINGT 05/16/91 FRAZEE 04/14/92 FRAZEE  
03/30/95 POST-STD 10/13/98 DBUFFING 01/07/00 RHOWERTO

*Protestant's Exhibit B*



MICROFILMED  
OCT 14 1999

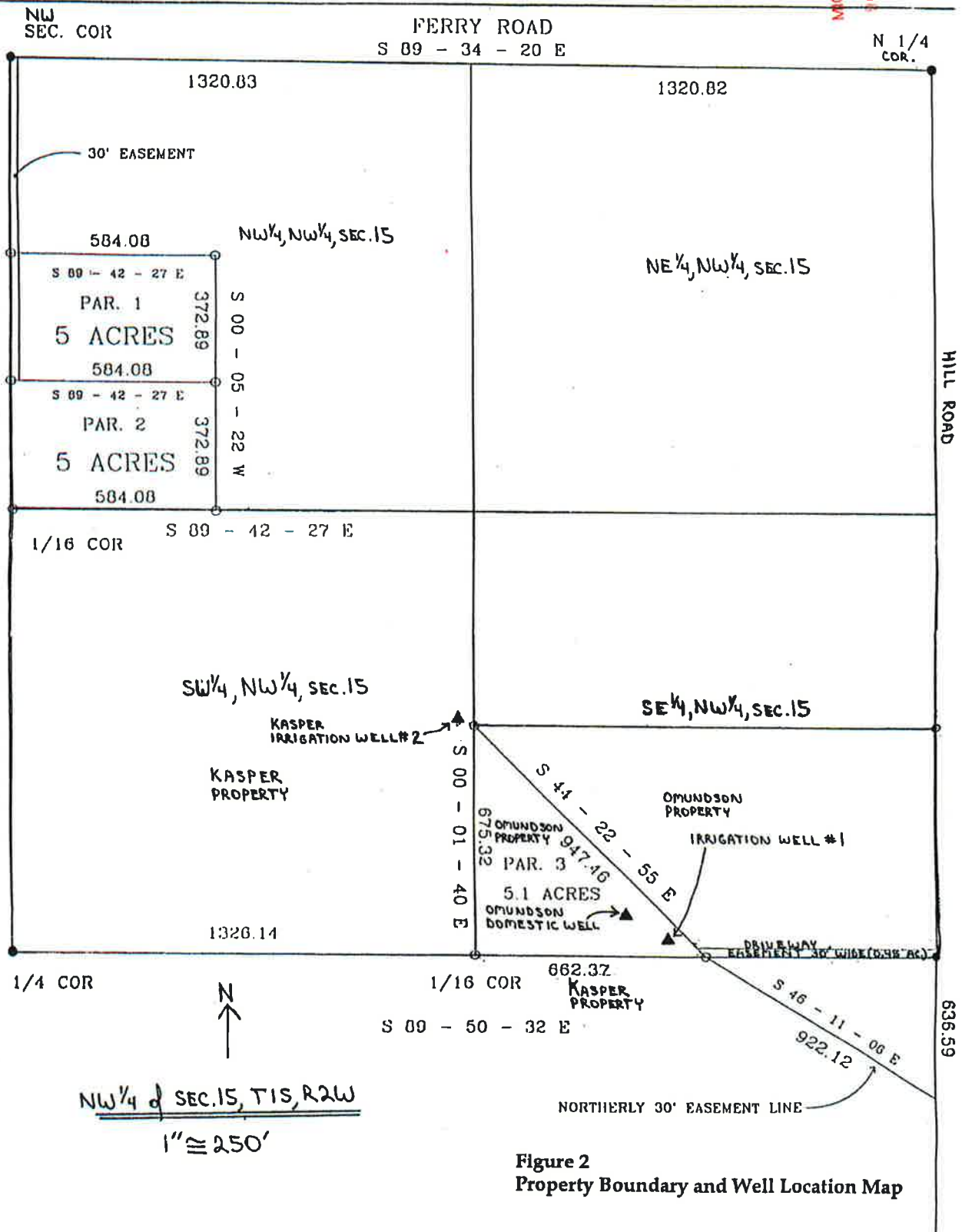


Figure 2  
Property Boundary and Well Location Map

# State of Idaho

## License and Certificate of Water Right

Water License No. 20585

Amount 1.8 c.f.s.

Water District No. \_\_\_\_\_

Priority June 7, 1950

THIS IS TO CERTIFY that CRYSTAL R. JENSEN - Assignee REX S. JENSEN of Melba, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated July 29, 1948; that Permit No. 20585 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 5.6 second feet, was issued thereunder on September 1, 1953, showing that said works were completed on the 29 day of July, 1953; and that on the 21 day of July, 1958, CRYSTAL R. JENSEN - 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 wells, a tributary of subterranean flow, for the purpose of irrigation and domestic use

, under Use Permit No. 20585 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 6769, on the 5 day of October, 1959;

The right hereby confirmed dates from June 7, 1950;

The Point of Diversion is located 2 points

in the NW 1/4 SE 1/4, Sec. 14, 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 1.8 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 NW            | 40                            | 20                           |
|      |       |      | NE SW            | 40                            | 20                           |
|      |       |      | NW SW            | 40                            | 10                           |
|      |       |      | SE SW            | 40                            | 5                            |
|      |       | 16   | NW NE            | 40                            | 5                            |
|      |       |      | SW NE            | 40                            | 40                           |
|      |       |      | SE NE            | 40                            | 20                           |
|      |       |      | NE NW            | 40                            | 30                           |
|      |       |      | NW NW            | 40                            | 30                           |
|      |       |      | SW NW            | 40                            | 40                           |
|      |       |      | SE NW            | 40                            | 40                           |
|      |       |      | NE SE            | 40                            | 30                           |
|      |       |      | NW SE            | 40                            | 40                           |
|      |       |      | SW SE            | 40                            | 20                           |
|      |       |      | NE SW            | 40                            | 30                           |
|      |       | 26   | NW SW            | 40                            | 25                           |
|      |       |      | SW NE            | 40                            | 10                           |
|      |       |      | NE NE            | 40                            | 15                           |
|      |       |      |                  |                               |                              |
|      |       | 27   |                  |                               |                              |
|      |       |      |                  |                               |                              |
|      |       |      |                  |                               |                              |

Total number of acres to be irrigated: 430

5 day of October

, 1959.

/s/ GEO. N. CARTER

State Reclamation Engineer.

(SEAL)

63 2712

# To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 28215  
PERMIT No. 20585  
DISTRICT No.

1. Name of Applicant: CRYSTAL R. JENSEN

Postoffice address: Melba

County: Canyon

State: Idaho

I. If applicant is a corporation, give:

(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:

2. Quantity of water claimed: 5.60

cubic feet per second.

3. Source of water supply: Group of wells (artesian flow)

which is a tributary of

4. Location of point of diversion: See Remarks

feet distant from the

corner of Section , T. , R. , B.M., and is in the SW $\frac{1}{4}$  Section 14, and SE $\frac{1}{4}$  Section 15,

of Section , T. 1 S. , R. 2 W. , B.M., County of Canyon

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

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B.M., in the of Section , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point

1/2 [ distant from the corner of Section , T. , R. , B.M., in the

of Section , T. , R. , B.M.

7. Estimated cost of works: \$5,000.00

8. Kind of works: Wells and ditches and pumping plant

9. Height of dam feet; length of dam at top

feet; length of dam at bottom

feet; material used in dam:

10. Size of headgate: Width

feet; height

11. Ditch: Width at bottom 2 $\frac{1}{2}$

feet; width at water line 5

feet; depth of water 1

dimensions of flume:

Diameter of pipe

inches; length of conduit 2

Average grade per mile 5.28

feet.

12. The time required for the completion of such work is Five (5) years.

13. The time required for the complete application of the water to the proposed use is None

additional year

14. The land to be irrigated is described in the following tabulation: See remarks.

7. Estimated cost of works: \$5,000.00

8. Kind of works: Wells and ditches and pumping plant

9. Height of dam                                      feet; length of dam at top                                      feet; length of dam at bottom  
feet; material used in dam:

10. Size of headgate: Width                                      feet; height                                      feet.

11. Ditch: Width at bottom      2 $\frac{1}{2}$                                       feet; width at water line      5                                      feet; depth of water      1                                      feet;

dimensions of flume:

Diameter of pipe                                      inches; length of conduit      2                                      miles.

Average grade per mile      5.28                                      feet.

12. The time required for the completion of such work is      Five (5)                                      years.

13. The time required for the complete application of the water to the proposed use is      None                                      additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

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



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

CRYSTAL R. JENSEN

Applicant.

By

Rex S. Jensen

Agent.

Date of first receipt at Department of Reclamation: 5:00 P. M. July 29, 1948

Returned to applicant for correction:

Corrected application received:

## Approval of State Reclamation Engineer

The number of this permit is 20585

Recorded in Book 74

Page 20585

Approved August 7, 1948

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 October 7, 1948

and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before February 7, 1951

The whole of said work to be completed on or before August 7, 1953

Beneficial use of water appropriated in accordance herewith, to be made on or before August 7, 1953

WITNESS My hand this 7th day of August, 1948

MARK R. KULP

State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, C. A. ROBINS

Governor of the State of Idaho,

and J. D. "CY" PRICE

Secretary of State of the State of Idaho, have caused this instrument to

be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 7th

day of August, 1948.

STATE OF IDAHO

Countersigned:

(SEAL)

By J. D. "CY" PRICE

By C. A. ROBINS

Governor.

Secretary of State.

REMARKS: Points of diversion will be from drilled wells (artesian flow) located in the SE $\frac{1}{4}$  Section 15, and the SW $\frac{1}{4}$  Section 14, Twp. 1 S., Range 2 W., B.M. Applicant proposes to drill as many wells as will be necessary to produce the amount of water filed on. Exact location of wells have not been determined. Water will flow from wells into drain ditch, thence into Thomason Lake, thence pumped by pumps through a 36 inch pipe line previously installed to high land, thence conveyed to gravity ditches to point of use. Pump and pipe line previously installed under terms of Permits Nos. 19773 and 19774 constructed at the time to pump 1500 inches of water, which is an adequate supply to irrigate all lands the owner or owner's agent propose to irrigate.

| 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.  | 27   | 40               | 40               | 40               | 40               |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 160    |
|      |       | 26   |                  |                  | 40               |                  |                  |                  | 40               | 40               |                  |                  |                  |                  |                  |                  |                  |                  | 120    |

Total Number of acres to be irrigated - -

280

REMARKS (Continued) Approximate well locations: No. 1- NW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 14; No. 2- SW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 14; No. 3- SE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 15; Township 1 South, Range 2 West, B. M.

### APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. 20585.

Comes now Crystal R. Jensen, 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. 20585;

That the point of diversion is described in said Permit as well locations being located NW $\frac{1}{4}$  SW $\frac{1}{4}$ , SW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 14, and SE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 15, Twp. 1 S. R. 2 W. and conveyed to the place of use through the Drain to Lake thence pumped, as per map filed herewith.

That he now request that the point of diversion be changed to a point located Two wells in NW $\frac{1}{4}$  SE $\frac{1}{4}$ , one in NE $\frac{1}{4}$  SW $\frac{1}{4}$  and one in SE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 14, and one in SW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 22, 1 S. 2 W. and conducted to the place of use through the same ditches and works, as per map above referred to.

That his reasons for desiring to make such change are as follows: Change was necessary to locate water, all wells are on applicant's own land.

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 14 day of June, 1951.

Crystal R. Jensen,  
By REX S. JENSEN

Date of receipt at Department of Reclamation June 14, 1951.

APPROVAL OF STATE RECLAMATION ENGINEER

IN TESTIMONY WHEREOF, We, C. A. ROBINS

Governor of the State of Idaho,

and J. D. "CY" PRICE, Secretary of State of the State of Idaho, have caused this instrument tobe executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 7thday of August, 1948.

STATE OF IDAHO

Countersigned:

(SEAL) By C. A. ROBINS

Governor.

By J. D. "CY" PRICE

Secretary of State.

Points of diversion will be from drilled wells (artesian flow) located in the SE $\frac{1}{4}$  Section 15, and the SW $\frac{1}{4}$  Section 14, Twp. 1 S., Range 2 W., B.M. Applicant proposes to drill as many wells as will be necessary to produce the amount of water filed on. Exact location of wells have not been determined. Water will flow from wells into drain ditch, thence into Thomson Lake, thence pumped by pumps through a 36 inch pipe line previously installed to high land, thence conveyed through gravity ditches to point of use. Pump and pipe line previously installed under terms of Permits Nos. 19773 and 19774, and constructed at the time to pump 1500 inches of water, which is an adequate supply to irrigate all lands the owner or owner's agent proposes to irrigate.

14.

| 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.  | 27   | 40               | 40               | 40               | 40               |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  | 160    |
|      |       | 28   |                  |                  | 40               |                  |                  | 40               | 40               |                  |                  |                  |                  |                  |                  |                  |                  |                  | 120    |

Total Number of acres to be irrigated - - 280

REMARKS (Continued) Approximate well locations: No. 1- NW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 14; No. 2- SW $\frac{1}{4}$  SW $\frac{1}{4}$  Section 14; No. 3- SW $\frac{1}{4}$  SE $\frac{1}{4}$  Section 15; Township 1 South, Range 2 West, B. M.

APPLICATION FOR AMENDMENT  
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS  
OF THE STATE OF IDAHO, NO. 20585.

Comes now Crystal R. Jensen, 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. 20585;

That the point of diversion is described in said Permit as well locations being located NW $\frac{1}{4}$  SW $\frac{1}{4}$ , SW $\frac{1}{4}$  SW $\frac{1}{4}$  Sec. 14, and SE $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 15, Twp. 1 S. R. 2 W. and conveyed to the place of use through the Drain to Lake thence pumped, as per map filed herewith.

That he now request that the point of diversion be changed to a point located Two wells in NW $\frac{1}{4}$  SE $\frac{1}{4}$ , one in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , and one in SE $\frac{1}{4}$  SW $\frac{1}{4}$  Section 14, and one in SW $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 22, 1 S. 2 W. and conducted to the place of use through the same ditch and works, as per map above referred to.

That his reasons for desiring to make such change are as follows: Change was necessary to locate water, all wells are on applicant's own land.

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 14 day of June, 1951.

Crystal R. Jensen,  
By REX S. JENSEN

Date of receipt at Department of Reclamation June 14, 1951.

APPROVAL OF STATE RECLAMATION ENGINEER

I, MARK R. KULP, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing (continued)

Application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. 20585. 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.

MARK R. KULP  
State Reclamation Engineer

Permit No. 20585  
CERTIFICATE OF COMPLETION OF WORKS

ALL WHOM IT MAY CONCERN:

This is to certify that Crystal R. Jensen of Melba, County of Canyon, and State of Idaho, the holder of Permit No. 20585, issued upon application No. 28215 bearing date of priority of July 29, 1948, authorizing the diversion of 5.6 second feet of the waters of artesian flow from a group of wells County of Canyon, State of Idaho, for irrigation and domestic 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 5.6 second feet of the waters of said wells; that the points of diversion of said waters or location of the wells is as follows: Sections 1 and 2, NW $\frac{1}{4}$  SE $\frac{1}{4}$ ; No. 3, SE $\frac{1}{4}$  SW $\frac{1}{4}$ ; No. 4 SW $\frac{1}{4}$  NE $\frac{1}{4}$ ; ~~Section 22~~ Section 22; Township 1 South, Range 2 West, B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Northeast Quarter Section 27; SW NE $\frac{1}{4}$ , S $\frac{1}{2}$  Section 26; All in Township 1 South, Range 2 West, B.M.

Witness my hand this 1st day of September, A.D. 1953.

MARK R. KULP  
State Reclamation Engineer

Proof of Completion of Works made July 29, 1953  
Certificate of Completion of Works issued September 1, 1953

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby extend the time for the making of proof of Beneficial Use under Permit to Appropriate the Public Waters of the State of Idaho, No. 20585, to September 13, 1956.

Witness my hand this 8th day of September, 1953.

MARK R. KULP  
State Reclamation Engineer

APPLICATION FOR AMENDMENT

TO PERMIT TO APPROPRIATE THE PUBLIC WATERS  
OF THE STATE OF IDAHO, No. G-20585

Comes now Rex S. Jensen 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-20585, and requests that the list of land 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 $\frac{1}{4}$ , Sec. 15; N $\frac{1}{2}$ , N $\frac{1}{2}$  S $\frac{1}{2}$ , S $\frac{1}{2}$  SE $\frac{1}{4}$ , Sec. 16; NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec. 27; SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Sec. 26, T. 1 S., R. 2 W., B. M., making a total of 800 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 Boise, Idaho, this 26th day of February, 1959

s/ REX S. JENSEN  
By  
Harley M. McDowell, Agent

Date of Receipt at Department of Reclamation: March 2, 1959

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 Water of the State of Idaho, No. 20585. 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: March 10, 1959

ASSIGNMENT

For value received, I hereby assign all my right, title, and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. G-20585 to REX S. JENSEN, of Melba, Idaho

s/ CHRYSTAL J. EVANS  
Permit Holder

s/ E. T. EVANS  
Husband of Permit Holder

STATE of ILLINOIS )  
                          ss  
County of Macon )

On this 24 day of April, 1959, before me, a Notary Public for the State of Illinois, residing at Decatur, Illinois, personally appeared Chrystal J. and E. T. Evans, known to me to be the person whose name is subscribed to the within instrument, and duly acknowledged to me that they executed the same.

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

(SEAL)

s/ ROY J. REDDING  
Notary Public, residing at  
Decatur, Illinois

My commission expires 1-23-60

Recorded October 5, 1959

See letter in file, being affidavit that Chrystal J. Evans is the same person as Crystal R. Jensen referred to in this permit.

ASSIGNMENT

For value received, I hereby assign all my right, title, and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. G-20585 to Rex S. Jensen of Melba, Idaho.

RECEIVED FOR 18 SEC. FT.  
Page 6769

# Overlap Review for 02-7109

per examiner: 63-2004, 63-2632, 63-2631

per micro-fische 6/21/84:

p/d → none

p/u → 63-2712

63-2955

63-3099

63-2592

Sec. 16

63-2631A - Sec. 21

63-2631B - ↓ Sec. 22

63-2632B -

63-2632A -

63-2712 - Lic. - gw. - overlapping plu

63-2955 - Lic. - gw. - overlapping plu

63-3099 - Lic. - gw. - overlapping plu

63-2592 - permit - drain ditch - overlapping plu

63-2631A - Lic. - Thomason Lake - overlapping plu

63-2631B - Lic. - Thomason Lake - overlapping plu

63-2632A - Lic. - Thomason Lake - overlapping plu

63-2632B - Lic. - Thomason Lake - overlapping plu

OVER

all overlapping rights have  
different sources - Recommend  
using R16(5.0) as limiting  
condition and license this  
permit at capacity of system.

kw

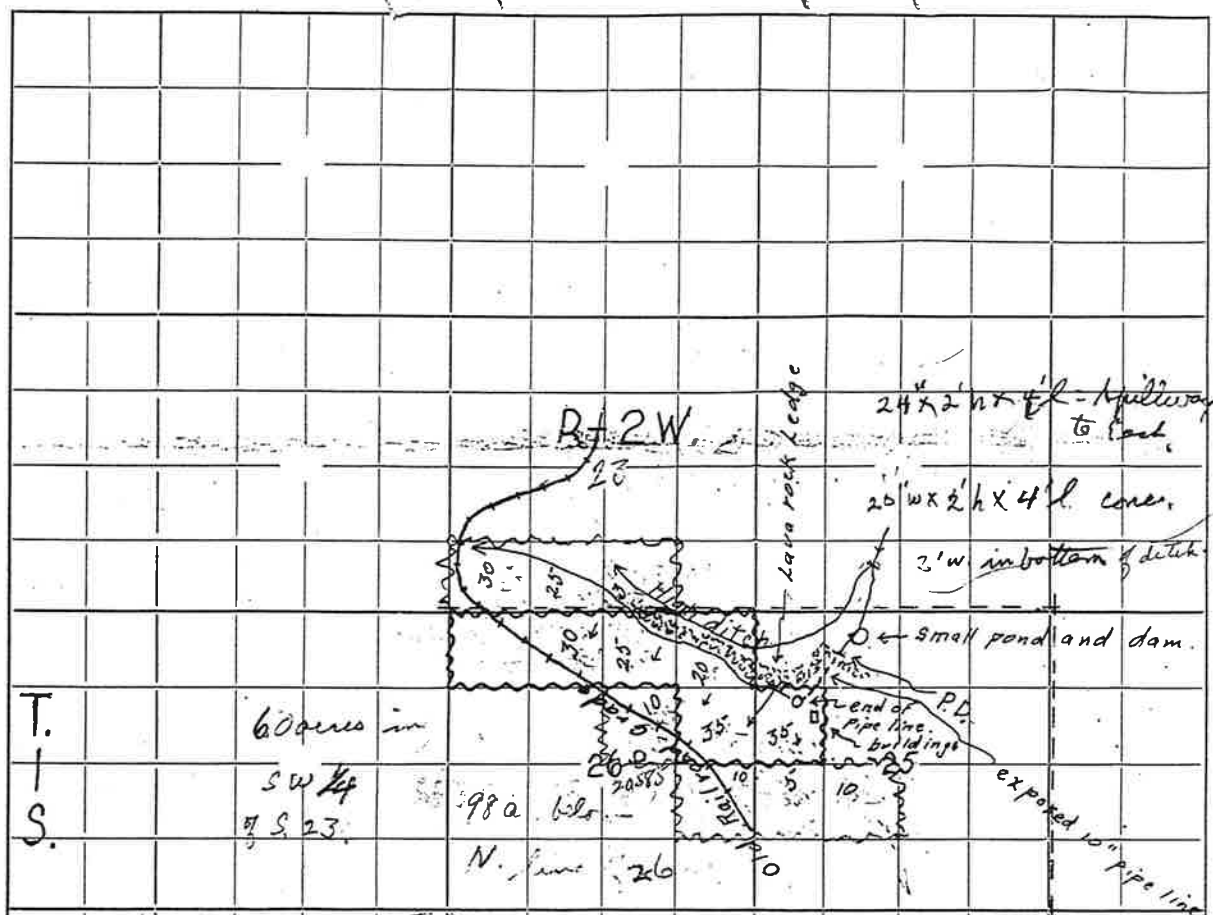
$$V = 1050 \times 5.0 = 5250.0 \text{ AF}$$

$$V = 11.87 \times 1.9835 \times 245 = 5768.3 \text{ AF}$$

63-2004 superseded by 63-0301 -  
overlapping plu - Boise River -  
use R16(5.0)

MICROFILMED

OCT 14 1999



T.  
I.  
S.

Subdivisions = five 12.

Area = 145 acres 9.7.1

Q = 145 inches.

SW NE (26) ✓

SW SE (23)

SW SW (20)

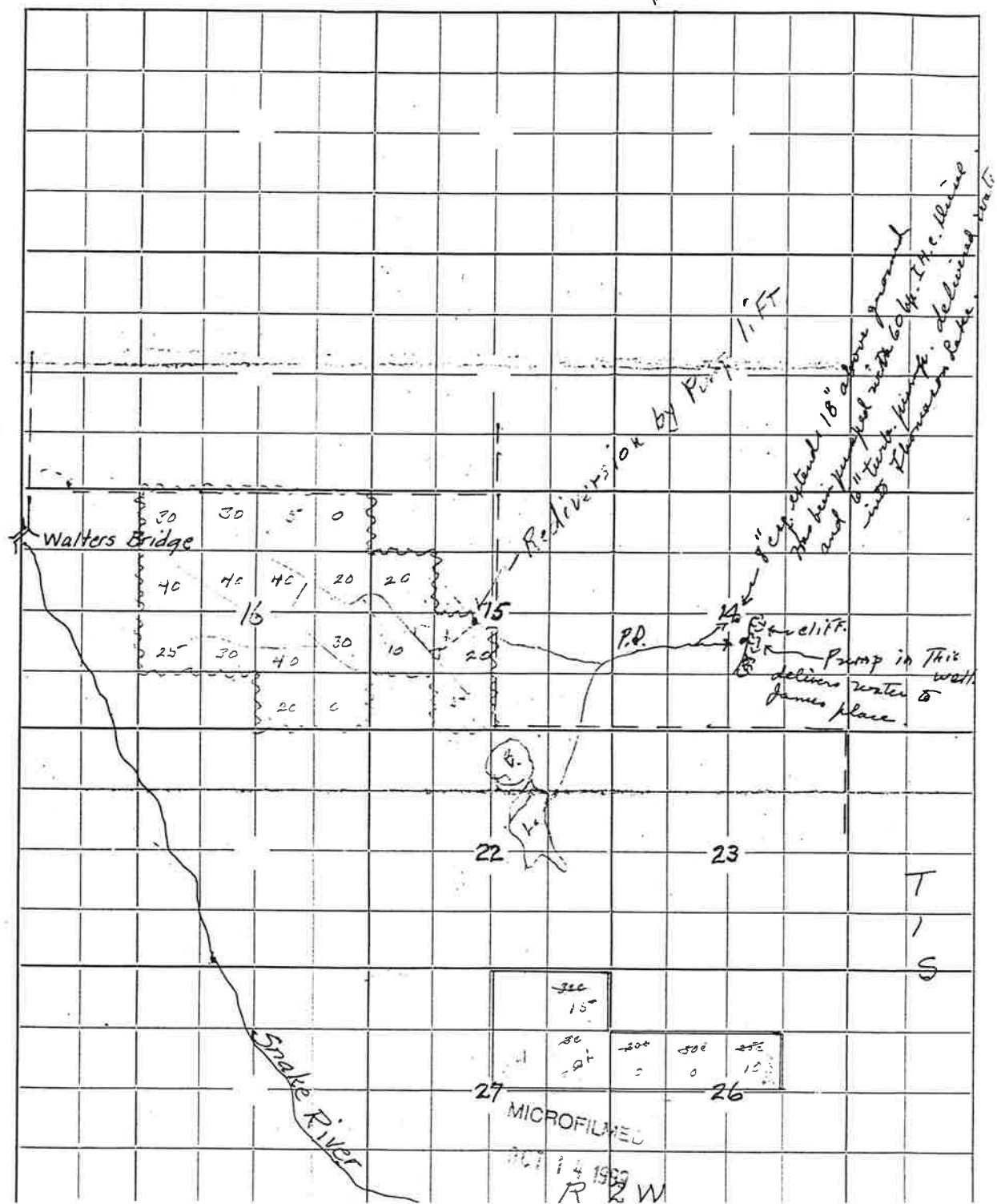
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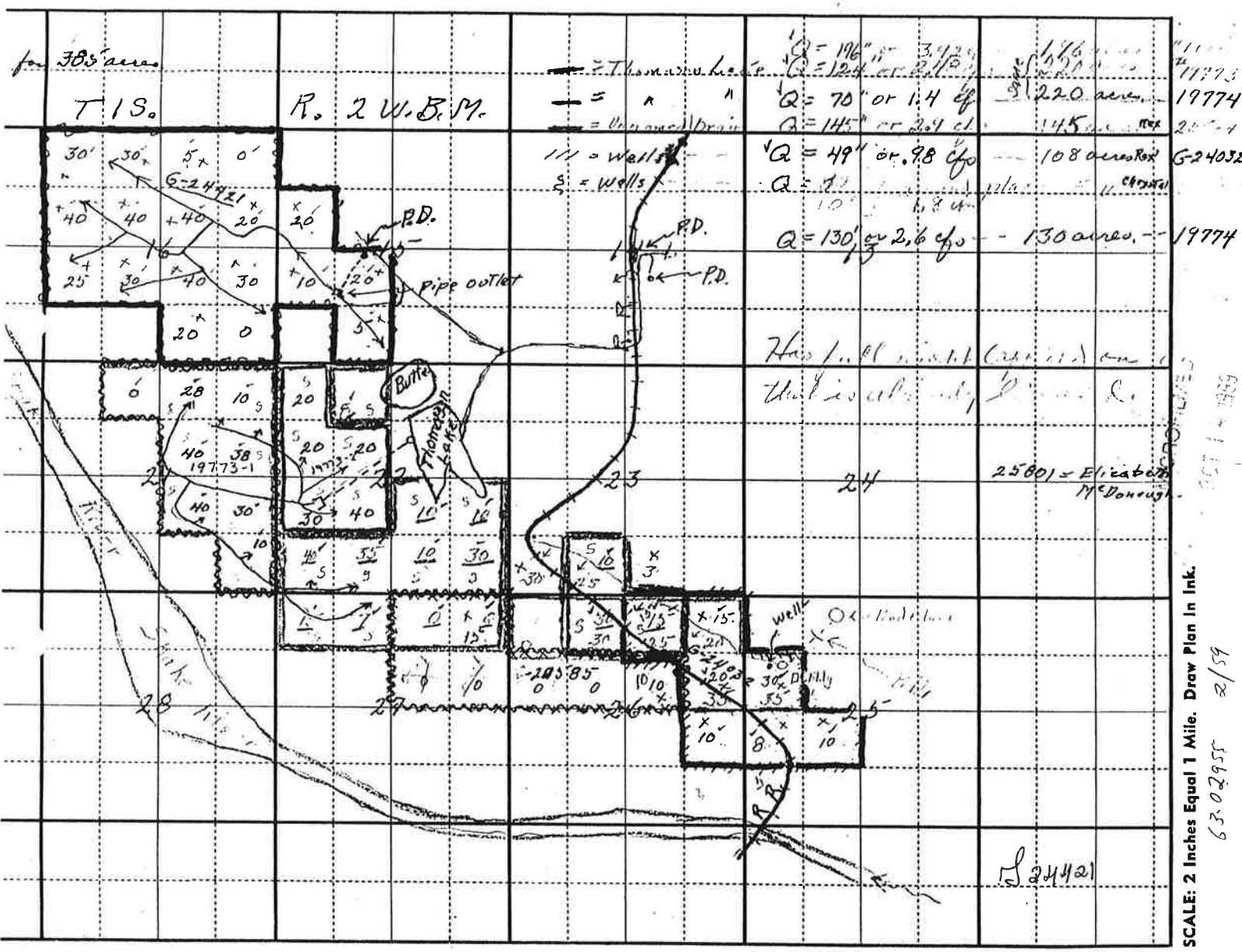
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DEC 14 1959

19.1%

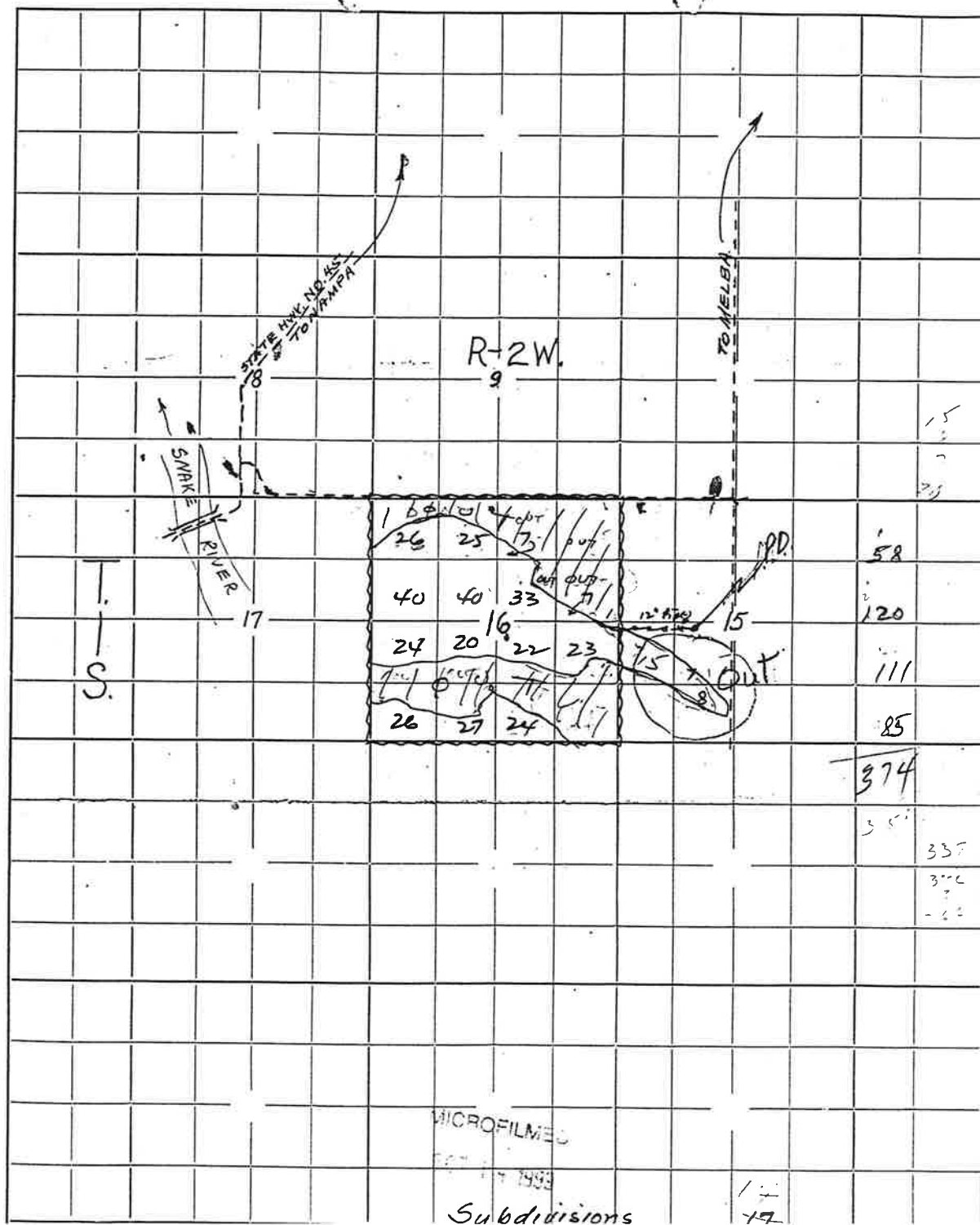
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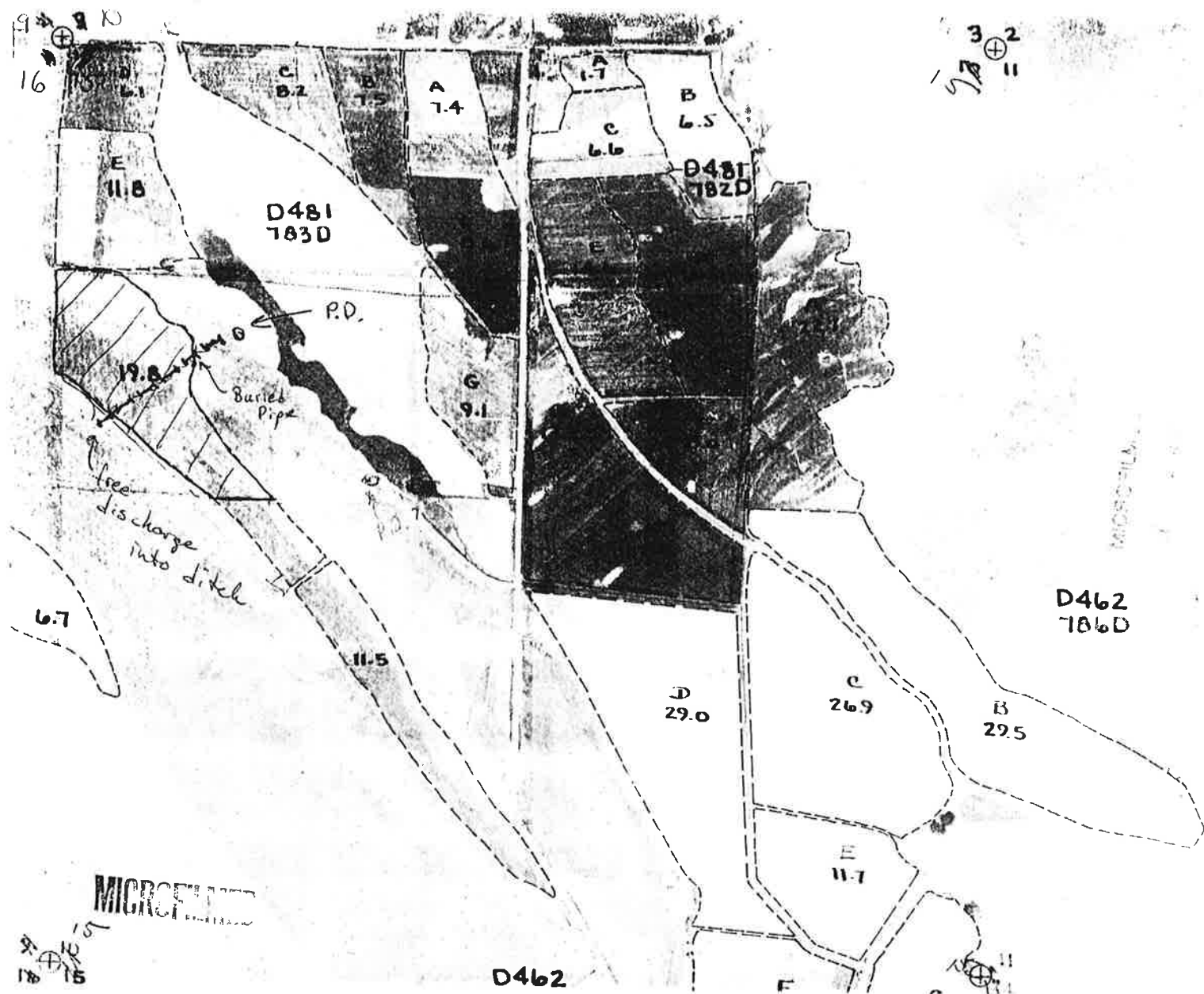




SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

63-02955 2/59





Should questions arise during the processing of this application please contact:

SHERL L. CHAPMAN  
410 S. Orchard, Suite 144  
Boise, ID 83705  
344-6690

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1

Transfer No. 5356  
RECEIVED  
DEC 04 1998

WATER RESOURCES  
WESTERN REGION  
Phone 495-2102

NOTE: REVISIONS HEREIN APPROVED BY CONSULTANT ON

Name of Applicant Tom Kasper

Postal address 3349 Hill Road

City Melba

St ID Zip 83641

A. PURPOSE OF THE TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use  
☒ Change nature of use ☒ Change period of use ☐ Other

2. Describe reason for the proposed changes: To reduce irrigated acreage to provide water for dairy use and stock water needs.

B. DESCRIPTION OF RIGHT(S), OR PORTIONS THEREOF, AFTER THE REQUESTED CHANGE (or ☒ see Attachment 1A) CONTINUED

| 1. | Right No. | Priority | Amount<br>(cfs, ac-ft) | Nature of<br>use | Period of Use |
|----|-----------|----------|------------------------|------------------|---------------|
|    | 63-02712  | 6-7-50   | 1.62                   | Irrigation       | 3/15 to 11/15 |
|    | 63-02712  | 6-7-50   | .18                    | Commercial       | 1/1 to 12/31  |
|    | 63-02712  | 6-7-50   | .18                    | Stock Water      | 1/1 to 12/31  |
|    | 63-02955  | 8-27-53  | 4.44                   | Irrigation       | 3/15 to 11/15 |

2. Total diversion rate/volume being transferred: 10.82 cfs and/or ac-ft per annum

3. Source of water: Ground Water, tributary to: N/A (or ☐ see Attachment )

4. Points of diversion (or ☐ see Attachment ):

| Twp. | Rge. | Sec. | 1/4 | 1/4 | 1/4 | Lot | County | Local diversion name / Local landmark |
|------|------|------|-----|-----|-----|-----|--------|---------------------------------------|
| 1S   | 2W   | 15   |     | SE  | NW  |     | Canyon | #1                                    |
| 1S   | 2W   | 15   |     | SW  | NW  |     | Canyon | #2                                    |
|      |      |      |     |     |     |     |        |                                       |
|      |      |      |     |     |     |     |        |                                       |

5. Lands irrigated or place of use (or ☐ see Attachment ):

| Twp | Rge | Sec | NE  |    |      |    | NW |    |      |    | SW |    |    |    | SE |    |    |    | Total |
|-----|-----|-----|-----|----|------|----|----|----|------|----|----|----|----|----|----|----|----|----|-------|
|     |     |     | NE  | NW | SW   | SE | NE | NW | SW   | SE | NE | NW | SW | SE | NE | NW | SW | SE |       |
| 1S  | 2W  | 15  |     |    |      |    |    |    |      |    |    | 5  |    |    |    |    |    |    | 5     |
| 1S  | 2W  | 16  |     | 12 | 40   | 27 | 30 | 30 | 40   | 40 | 30 | 25 | 26 | 27 | 30 | 40 | 24 |    | 421   |
| 1S  | 2W  | 26  |     |    | 10/C |    |    |    | 10/C |    |    |    |    |    |    |    |    |    | 10    |
| 1S  | 2W  | 27  | 15  |    |      |    |    |    |      |    |    |    |    |    |    |    |    |    | 15    |
| 1S  | 2W  | 22  |     |    |      |    | S  |    |      | S  |    |    |    |    |    |    |    |    |       |
| 1S  | 2W  | 27  | C/S |    |      |    |    |    |      |    |    |    |    |    |    |    |    |    |       |

Total acres 451

- ☒ Permissible place of use, actual acreage irrigated not to exceed 451 acres per year.

Also: commercial use for land application of waste water in same tracts where irrigation occurs.

Page 1-A of 20

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
APPLICATION FOR TRANSFER OF WATER RIGHT  
PART 1

Transfer No. \_\_\_\_\_

Name of Applicant \_\_\_\_\_ Phone \_\_\_\_\_

Postal address \_\_\_\_\_ City \_\_\_\_\_ St \_\_\_\_\_ Zip \_\_\_\_\_

## A. PURPOSE OF THE TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use  
☐ Change nature of use ☐ Change period of use ☐ Other \_\_\_\_\_

2. Describe reason for the proposed changes: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_B. DESCRIPTION OF RIGHT(S), OR PORTIONS THEREOF, AFTER THE REQUESTED CHANGE (or ☐ see Attachment \_\_\_\_\_)

| 1. | Right No. | Priority | Amount<br>(cfs, ac-ft) | Nature of<br>use | Period of Use |
|----|-----------|----------|------------------------|------------------|---------------|
|    | 63-02955  | 8-27-53  | .56                    | Commercial       | 1/1 to 12/31  |
|    | 63-02955  | 8-27-53  | .56                    | Stock Water      | 1/1 to 12/31  |
|    | 63-07814  | 6-19-73  | .32                    | Commercial       | 1/1 to 12/31  |
|    | 63-07814  | 6-19-73  | .32                    | Stock Water      | 1/1 to 12/31  |

2. Total diversion rate/volume being transferred: \_\_\_\_\_ cfs and/or \_\_\_\_\_ ac-ft per annum

3. Source of water: \_\_\_\_\_, tributary to: \_\_\_\_\_ (or ☐ see Attachment \_\_\_\_\_)4. Points of diversion (or ☐ see Attachment \_\_\_\_\_):

| Twp. | Rge. | Sec. | 1/4 | 1/4 | 1/4 | Lot | County | Local diversion name / Local landmark |
|------|------|------|-----|-----|-----|-----|--------|---------------------------------------|
|      |      |      |     |     |     |     |        |                                       |
|      |      |      |     |     |     |     |        |                                       |
|      |      |      |     |     |     |     |        |                                       |
|      |      |      |     |     |     |     |        |                                       |

5. Lands irrigated or place of use (or ☐ see Attachment \_\_\_\_\_):

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Total |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |       |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |

MICROFILMED

OCT 14 1993

Total acres \_\_\_\_\_

☐ Permissible place of use, actual acreage irrigated not to exceed \_\_\_\_\_ acres per year.

Page 1-B of 20

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 1**

Transfer No. \_\_\_\_\_

Name of Applicant \_\_\_\_\_ Phone \_\_\_\_\_

Postal address \_\_\_\_\_ City \_\_\_\_\_ St \_\_\_\_\_ Zip \_\_\_\_\_

**A. PURPOSE OF THE TRANSFER**

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use  
☐ Change nature of use ☐ Change period of use ☐ Other \_\_\_\_\_

2. Describe reason for the proposed changes: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**B. DESCRIPTION OF RIGHT(S), OR PORTIONS THEREOF, AFTER THE REQUESTED CHANGE (or ☐ see Attachment \_\_\_\_\_)**

| 1. | Right No.       | Priority        | Amount<br>(cfs, ac-ft) | Nature of<br>use  | Period of Use               |
|----|-----------------|-----------------|------------------------|-------------------|-----------------------------|
|    | <u>63-03099</u> | <u>12-27-56</u> | <u>3.70</u>            | <u>Irrigation</u> | <u>3/15</u> to <u>11/15</u> |
|    | _____           | _____           | _____                  | _____             | _____ to _____              |
|    | _____           | _____           | _____                  | _____             | _____ to _____              |
|    | _____           | _____           | _____                  | _____             | _____ to _____              |

2. Total diversion rate/volume being transferred: \_\_\_\_\_ cfs and/or \_\_\_\_\_ ac-ft per annum
3. Source of water: \_\_\_\_\_, tributary to: \_\_\_\_\_ (or ☐ see Attachment \_\_\_\_\_)
4. Points of diversion (or ☐ see Attachment \_\_\_\_\_):

| Twp. | Rge. | Sec. | 1/4 | 1/4 | 1/4 | Lot | County | Local diversion name / Local landmark |
|------|------|------|-----|-----|-----|-----|--------|---------------------------------------|
|      |      |      |     |     |     |     |        |                                       |
|      |      |      |     |     |     |     |        |                                       |
|      |      |      |     |     |     |     |        |                                       |
|      |      |      |     |     |     |     |        |                                       |

**5. Lands irrigated or place of use (or ☐ see Attachment \_\_\_\_\_):**

| Twp | Rge | Sec | NE |    |    |    | NW |    |    |    | SW |    |    |    | SE |    |    |    | Total |
|-----|-----|-----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-------|
|     |     |     | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |       |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |
|     |     |     |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |    |       |

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SEP 14 1993

Total acres \_\_\_\_\_

☐ Permissible place of use, actual acreage irrigated not to exceed \_\_\_\_\_ acres per year.

**PART 1**

**6. General Information:**

a. Description of diversion system Existing 78' drilled well, two 50 HP submersible turbine pumps  
with VFD controls. Pipeline to dairy barns and irrigated land

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? \_\_\_\_\_ Yes XXX No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:  
The land from which the water is to be transferred is presently irrigated. Upon approval of  
this transfer those lands will no longer be subject to irrigation from this source.

d. Remarks:  
The total area of disposal lagoons equals 1.65 acres. The retirement of 50 acres is adequate to  
mitigate evaporation impacts as well as the dairy needs. Also see attachments A and B.

**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**

This is to certify that I have examined Application for Transfer of Water Rights No. \_\_\_\_\_  
 And said application is hereby \_\_\_\_\_, subject to the following limitations and conditions:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 19 \_\_\_\_\_

MICROFILMED

OCT 14 1999

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**

**PART 2**

(Attach one copy for each right)

**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

- a. Decree No. \_\_\_\_\_ Decreed to \_\_\_\_\_  
in case of \_\_\_\_\_ vs. \_\_\_\_\_  
dated \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_
- b. License No. 63-03099 issued by the Idaho Department of Water Resources.
- c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources.
- d. Transfer No. \_\_\_\_\_ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other \_\_\_\_\_

3. Source of water Ground Water tributary to \_\_\_\_\_

4. Date or priority 12/27/56

*SEASON UNDEFINED IN LICENSE*  
*✓ fl*

5. Water is used for the following purpose:

amount 3.70 for Irrigation purposes from 3/15 to 11/15  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)

6. Total amount of water under right 3.70 cubic feet per second and/or \_\_\_\_\_ acre-feet per annum.

7. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     | NE  | SW  | 15   | 1S   | 2W   | Canyon |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

8. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 1S   | 2W   | 16   |        | 7      | 33     | 7      | 25     | 26     | 40     | 40     | 20     | 24     | 26     | 27     | 23     | 22     | 24     |        | 344    |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

MICROFILMED

1971 4 1999

Total acres 344

9. Describe any other water rights used for the same purpose as described above 63-2955; 63-7814; 02-7109

*\* license includes conditional domestic use, also.*

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?  
NO If yes, describe \_\_\_\_\_

**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED***(If the entire right is to be changed by the applicant, omit part B and C.)*

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_

**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

MICROFILMED  
1999

Total acres \_\_\_\_\_

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**

**PART 2**

(Attach one copy for each right)

**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

- a. Decree No. \_\_\_\_\_ Decreed to \_\_\_\_\_  
in case of \_\_\_\_\_ vs. \_\_\_\_\_  
dated \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_
- b. License No. 63-02712 issued by the Idaho Department of Water Resources.
- c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources
- d. Transfer No. \_\_\_\_\_ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other \_\_\_\_\_

3. Source of water Ground water tributary to \_\_\_\_\_

4. Date or priority 6/7/1950

5. Water is used for the following purpose: \*

amount 1.80 for Irrigation purposes from 3/15 to 11/15  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)

6. Total amount of water under right 1.80 cubic feet per second and/or 430 acre-feet per annum. *undefined in license*

7. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     | NW  | SE  | 14   | 1S   | 2W   | Canyon |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

8. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals  |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|---------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |         |
| 1S   | 2W   | 15   |        |        |        |        |        |        | 20     |        | 20     | 10     | 8      | 5      |        |        |        |        | 60 55   |
| 1S   | 2W   | 16   |        | 5      | 40     | 20     | 30     | 30     | 40     | 40     | 30     | 25     |        |        | 30     | 40     | 20     | 10     | 358 350 |
| 1S   | 2W   | 26   |        |        | 10     |        |        |        |        |        |        |        |        |        |        |        |        |        | 10      |
| 1S   | 2W   | 27   | 15     |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        | 15      |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |         |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |         |

MICROFILMED

OCT 14 1999

Total acres 440 430

9. Describe any other water rights used for the same purpose as described above 63-02955; 63-07814; 63-03099

\* license includes undefined domestic use, also.

**PART 2**

Transfer No. \_\_\_\_\_

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?  
NO If yes, describe \_\_\_\_\_

**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|---|---|---|------|------|------|--------|--------------------------|
|     |   |   |   |      |      |      |        |                          |
|     |   |   |   |      |      |      |        |                          |
|     |   |   |   |      |      |      |        |                          |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals |
|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|      |      |      | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

Total acres \_\_\_\_\_

**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | ¼ | ¼ | ¼ | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|---|---|---|------|------|------|--------|--------------------------|
|     |   |   |   |      |      |      |        |                          |
|     |   |   |   |      |      |      |        |                          |
|     |   |   |   |      |      |      |        |                          |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals |
|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|      |      |      | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

Total acres \_\_\_\_\_

 MICROFILMED  
 OCT 1 1999

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**

**PART 2**

(Attach one copy for each right)

**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

- a. Decree No. \_\_\_\_\_ Decreed to \_\_\_\_\_  
in case of \_\_\_\_\_ vs. \_\_\_\_\_  
dated \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_
- b. License No. 63-02955 issued by the Idaho Department of Water Resources.
- c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources
- d. Transfer No. \_\_\_\_\_ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other \_\_\_\_\_

3. Source of water Ground water tributary to N/A

4. Date or priority 8/27/53

5. Water is used for the following purpose:

amount 5.0 for Irrigation purposes from 3/15 to 11/15  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)

6. Total amount of water under right 5.0 cubic feet per second and/or 1417.5 acre-feet per annum.

7. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     | NE  | SW  | 15   | 1S   | 2W   | Canyon | Well #1                  |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

8. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 1S   | 2W   | 15   |        |        |        |        |        |        | 20     |        | 20     | 10     |        | 5      |        |        |        |        | 55     |
| 1S   | 2W   | 16   |        | 5      | 40     | 20     | 30     | 30     | 40     | 40     | 30     | 25     |        |        | 30     | 40     | 20     |        | 350    |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres 405

9. Describe any other water rights used for the same purpose as described above 63-02712; 63-07814; 63-03099

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?  
NO If yes, describe \_\_\_\_\_

**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_

**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

MICROFILMED  
 OCT 14 1989

Total acres \_\_\_\_\_

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**

**PART 2**

(Attach one copy for each right)

**A. DESCRIPTION OF RIGHT AS RECORDED**

1. Right evidenced by:

- a. Decree No. \_\_\_\_\_ Decreed to \_\_\_\_\_  
in case of \_\_\_\_\_ vs. \_\_\_\_\_  
dated \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_
- b. License No. 63-07814 issued by the Idaho Department of Water Resources.
- c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources.
- d. Transfer No. \_\_\_\_\_ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☒ Warranty Deed ☐ Other \_\_\_\_\_

3. Source of water Ground water tributary to N/A

4. Date or priority 6/19/73

5. Water is used for the following purpose:

amount .32 for Irrigation purposes from 3/15 to 11/15  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(cfs/ac-ft)

6. Total amount of water under right .32 cubic feet per second and/or ~~56~~ 72 acre-feet per annum.

7. Point(s) of Diversion:

| Lot | ¼ | ¼  | ¼  | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|---|----|----|------|------|------|--------|--------------------------|
|     |   | SW | NW | 15   | 1S   | 2W   | Canyon |                          |
|     |   |    |    |      |      |      |        |                          |
|     |   |    |    |      |      |      |        |                          |

8. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE ¼ |      |      |      | NW ¼ |      |      |      | SW ¼ |      |      |      | SE ¼ |      |      |      | Totals |
|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|------|--------|
|      |      |      | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ | NE ¼ | NW ¼ | SW ¼ | SE ¼ |        |
| 1S   | 2W   | 15   |      |      |      |      |      |      | 16   |      |      |      |      |      |      |      |      |      | 16     |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |
|      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |        |

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Total acres 16

9. Describe any other water rights used for the same purpose as described above 63-02955; 63-02755; 63-02712  
63-03099

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?  
NO If yes, describe \_\_\_\_\_

**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

## 2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

## 3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

Total acres \_\_\_\_\_

**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)  
 amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
 (cfs/ac-ft)

## 2. Point(s) of Diversion:

| Lot | 1/4 | 1/4 | 1/4 | Sec. | Twp. | Rge. | County | Local name for diversion |
|-----|-----|-----|-----|------|------|------|--------|--------------------------|
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |
|     |     |     |     |      |      |      |        |                          |

## 3. Lands irrigated or place of use:

| Twp. | Rge. | Sec. | NE 1/4 |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|------|------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |      |      | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |
|      |      |      |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

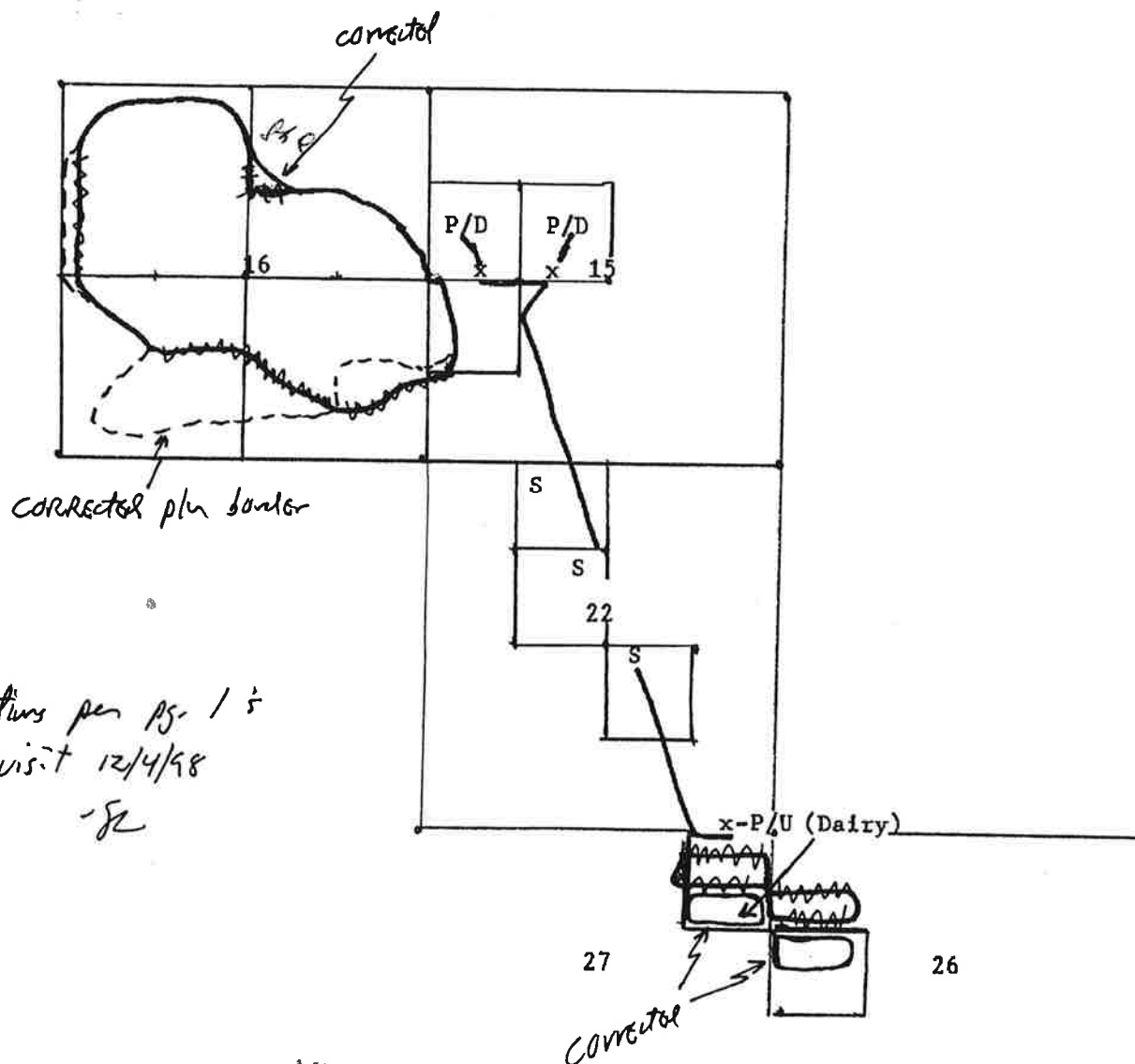
Total acres \_\_\_\_\_

MICROFILMED  
 2007 4 1999

**STATE OF IDAHO**  
**DEPARTMENT OF WATER RESOURCES**  
**APPLICATION FOR TRANSFER OF WATER RIGHT**  
**PART 3**

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**

**T1S**

R  
2  
W

MAP CORRECTIONS per pg. 15  
consultant's visit 12/4/98  
-JR

MICROFILMED  
OCT 14 1999

**SCALE: 2 inches equal 1 mile. Draw plan in ink.**

**PART 3****B. CHANGES IN NATURE OF USE**

| 1 | New Nature of Use | Amount<br>(cfs/ac-ft) | Hours/days/year | Period of Use |
|---|-------------------|-----------------------|-----------------|---------------|
|   | Commercial        |                       | 365             | 1/1 to 12/31  |
|   | Stock water       |                       | 365             | 1/1 to 12/31  |

## 2. Quantity and quality of return flows and location of discharge:

Return flows will be discharged to EPA approved lagoons and ultimately disposed of on existing irrigated land as described in part 1 #5.

## 3. Describe effects on other water uses resulting from the proposed change:

The diversion rate and/or volume of water withdrawal from the aquifer will not be changed. Therefore there will be no impact on other water rights.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.



(Signature of Applicant)

Subscribed and sworn to before me this

4 day of December, 1998

(Notary Public)

My commission expires 6-14-2000**FOR DEPARTMENT USE ONLY**

Transfer contains \_\_\_\_\_ pages and \_\_\_\_\_ attachments

Received by 82 Date 12/4/98

Protest filed by \_\_\_\_\_

Prelim. check by 82 Fee \$100\* Received by 82 from KS Date 9/8/98 W024371Published in Press Tribune

Copies of protest forwarded by \_\_\_\_\_

Pub. dates 12-17 & 24-98

Hearing held by \_\_\_\_\_ Date \_\_\_\_\_

Watermaster recommendation requested on \_\_\_\_\_

Recommended for ☐ approval ☐ denial

\_\_\_\_\_ rec'd. \_\_\_\_\_ by \_\_\_\_\_

Copy of transfer sent to lien holder \_\_\_\_\_

MICROFILMED

OCT 14 1999

\* from original.  
This revised version submitted 12/4/98,  
Replaces 9/8/98 original. -82

**ATTACHMENT "A"**

The purpose for this transfer is to insure a reliable water supply for the operation of a 2,000 head milking cow dairy, which will also have associated with it up to 1,000 head of replacement stock and 200 beef cattle. The existing dairy is served by a number of small diameter, shallow wells scattered throughout the Kasper property. An additional well was drilled adjacent to the dairy barn but produced limited quantities of poor quality ground water. Because of the unreliability of the existing water supply and its poor quality, the applicant proposes to change the nature of use of a part of his existing irrigation water right which is serviced primarily from the well located in the NE/4 SW/4, Section 15, T1S, R2W. The well presently serves irrigated acreage on the Kasper property and is quite reliable. A pump test was conducted by Caron Pump Company of Boise, Idaho on December 3-4, 1997. The well is 78 feet deep and the static water level was 48 below land surface. The well was operated at 400 gallons per minute for 24 hours without measurable drawdown. On December 4 the well was pumped at 1,200 gallons per minute for a total drawdown of four (4) feet over a 24 hour period. The new pump system that would be installed in order to satisfy both the irrigation requirement and the dairy requirement will be two (2) 50 horsepower pumps each capable of producing 450 gallons per minute at full operation. During the winter months only one pump will be operated and during summer months either one or both pumps will be operated depending upon irrigation demand. Since the total output will not exceed 900 gallons per minute it is anticipated that the drawdown will not exceed three (3) feet at any time. It is anticipated during the non-irrigation season that little, if any, drawdown will occur in the well based upon the pumping test. Therefore, it is anticipated that there will be no impact on other water rights or wells in the area.

MICROFILMED

OCT 14 1999

ATTACHMENT "B"  
TOM KASPER - DAIRY WORKSHEET  
8/18/98

3,000 HEAD - DAIRY STOCK  
2,000 - MILKING  
1,000 - DRY

**WATER DEMAND**

Wash pen estimate  
gpm discharge - 5.39 gpm  
Number of nozzles - 86  
Minutes run per day - 122  
Gallons/day - 56,552 gpd

**MILK HOUSE & PARLOR**

Bulk tank - 250  
Pipeline - 280  
Backflush - 2,200  
Cleanup - 2,000  
Cow prep - 1,100  
Total milk house and parlor - 5,830 gpd  
Total fresh water - 62,382

**DRINKING WATER**

2,000 milking - 70,000  
1,000 dry - 12,000  
Total drinking water - 82,000 gpd

**TOTAL WATER NEEDED**

144,382 gpd  
161.7 acre feet

**IRRIGATED LAND REDUCTION**

Remove irrigation from 50 acres of alfalfa hay ground.  
Consumptive use - 3.25 acre feet per acre  
Total CU - 162.5 acre-feet  
Total Water Needed - 161.7 acre feet  
Reduction in CU - .8 acre feet

MICROFILMED  
OCT 14 1993

| TRANS<br>TYPE | SI<br>IND. | INF<br>END. | CODE | CODE | CODE | CODE | CODE | CODE | REISSUE AMOUNT |
|---------------|------------|-------------|------|------|------|------|------|------|----------------|
| 6             | 7          | 8           | 9    | 10   | 11   | 12   | 13   | 14   | 15             |

# **OWNERS SCHEDULE A**

| OFFICE FILE<br>NUMBER | POLICY NUMBER     | DATE OF POLICY                | AMOUNT OF<br>INSURANCE | PREMIUM<br>AMOUNT |
|-----------------------|-------------------|-------------------------------|------------------------|-------------------|
| 1                     | 2                 | 3                             | 4                      | 5                 |
| PN 25512              | 13 4034 80 001303 | December 29, 1992 @ 3:49 p.m. | \$412,500.00           | \$1,407.00        |

1. Name of Insured:  
**TOM KASPER and JoANNE KASPER**
2. The estate or interest in the land which is covered by this policy is **FEE SIMPLE**
3. The title to the estate or interest in the land is vested in:  
**TOM KASPER and JoANNE KASPER, husband and wife**
4. The land referred to in this policy is described as follows:  
**See attached Exhibit "A"**

MICROFILMED  
2007 1 - 1993

Ord. No. : PN 25512  
Policy No. : 13 4034 61 001421

**EXHIBIT "A"**

**TRACT 1:**

**PARCEL A:**

The Southwest Quarter of Section 15, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho; and the Southwest Quarter of the Northwest Quarter, and that part of the Southwest Quarter of the Southeast Quarter lying West of the existing County Road in Section 15, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho.

**PARCEL B:**

That portion of the North Half and the Southeast Quarter lying East of the Snake River, and that portion of Lot 2, Section 21, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho, described as follows:

**BEGINNING** at the center of said Section 21, which point is also the Northeast corner of said Lot 2; thence

South along the East boundary line of said Lot 2 a distance of 1,320 feet to the Southeast corner thereof; thence

West a distance of 400 feet to a point on the South boundary thereof; thence

North 27° 56' West a distance of 1,494 feet to a point on the North boundary line of said Lot 2; thence

East a distance of 1,100 feet, more or less, to the POINT OF BEGINNING.

**PARCEL C:**

The West Half, and that portion of the East Half of said Section 22, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho, lying Westerly of the following-described line:

**BEGINNING** at the Quarter section corner common to Sections 15 and 22, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho; thence

East a distance of 482 feet to the Westerly right of way line of the old County Road, the TRUE POINT OF BEGINNING; thence

South 25° 30' East a distance of 417 feet along the Westerly right of way line of said road to a point; thence

South 54° 40' East a distance of 1,074 feet along the Southwesterly right of way line of said road to a point; thence

South 83° 10' East a distance of 86 feet along the Southwesterly right of way line of said road to a point; thence

North 74° 20' East a distance of 167.6 feet along the Southerly right of way line of said road to a point; thence

South 31° 55' East a distance of 700 feet to the top of the ridge East of Thomason Lake, also known as Jensen Lake; thence

Ord. No. : PN 25512

Policy No. : 13 4034 61 001421

South 17° 30' East a distance of 2,405.3 feet along the ridge top to a point on the Westerly line of the Nampa-Murphy Branch of the Oregon Short Line Railroad right of way, said point being on a curve; thence along the curve on said railroad right of way, said curve being 5° left, having a central angle of 75° 39' and tangent of 889.9 feet, length of curve 1,513 feet to a point on a tangent; thence

South 56° 32' East a distance of 3,968.8 feet to a point on a curve; thence along the curve 2° 00' right, having a central angle of 16° 37', length of 830.8 feet and tangent 418.4 feet; thence

South 36° 54' East a distance of 2,251.4 feet to a point on a curve; thence along 4° 00' curve right, having a central angle of 4° 00', a distance of 100 feet; thence along 8° 00' curve right, having a central angle of 61° 30', a distance of 770.4 feet; thence along 4° 00' curve right, having a central angle of 4° 00', a distance of 100 feet to a point; thence

South 30° 00' West a distance of 278.9 feet to the banks of the Snake River.

#### **PARCEL D:**

That portion of the West Half of the Southwest Quarter in Section 23, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho, lying Westerly of the following-described line:

**BEGINNING** at the Quarter section corner common to Sections 15 and 22, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho; thence

East a distance of 482 feet to the Westerly right of way line of the oiled County Road, the **TRUE POINT OF BEGINNING**; thence

South 25° 30' East a distance of 417 feet along the Westerly right of way line of said road to a point; thence

South 54° 40' East a distance of 1,074 feet along the Southwesterly right of way line of said road to a point; thence

South 83° 10' East a distance of 86 feet along the Southwesterly right of way line of said road to a point; thence

North 74° 20' East a distance of 167.6 feet along the Southerly right of way line of said road to a point; thence

South 31° 55' East a distance of 700 feet to the top of the ridge East of Thomason Lake, also known as Jensen Lake; thence

South 17° 30' East a distance of 2,405.3 feet along the ridge top to a point on the Westerly line of the Nampa-Murphy Branch of the Oregon Short Line Railroad right of way, said point being on a curve; thence along the curve on said railroad right of way, said curve being 5° left, having a central angle of 75° 39' and tangent of 889.9 feet, length of curve 1,513 feet to a point on a tangent; thence

South 56° 32' East a distance of 3,968.8 feet to a point on a curve; thence along the curve 2° 00' right, having a central angle of 16° 37', length of 830.8 feet and tangent 418.4 feet; thence

South 36° 54' East a distance of 2,251.4 feet to a point on a curve; thence along 4° 00' curve right, having a central angle of 4° 00', a distance of 100 feet; thence along 8° 00' curve right, having a central angle of 61° 30', a distance of 770.4 feet; thence along 4° 00' curve right, having a central angle of 4° 00', a distance of 100 feet to a point; thence

South 30° 00' West a distance of 278.9 feet to the banks of the Snake River.

RECORDED  
1993

Order No. : PN 25512  
Policy No. : 13 4034 61 001421

**PARCEL E:**

That portion of the North Half of the Northwest Quarter and of the Southeast Quarter of the Northeast Quarter and of the Northeast Quarter of the Southeast Quarter in Section 26, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho, lying Westerly of the following-described line, and Lots 3 and 4 in said Section 26:

**BEGINNING** at the Quarter section corner common to Sections 15 and 22, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho; thence

East a distance of 482 feet to the Westerly right of way line of the oiled County Road, the **TRUE POINT OF BEGINNING**; thence

South 25° 30' East a distance of 417 feet along the Westerly right of way line of said road to a point; thence

South 54° 40' East a distance of 1,074 feet along the Southwesterly right of way line of said road to a point; thence

South 83° 10' East a distance of 86 feet along the Southwesterly right of way line of said road to a point; thence

North 74° 20' East a distance of 167.6 feet along the Southerly right of way line of said road to a point; thence

South 31° 55' East a distance of 700 feet to the top of the ridge East of Thomason Lake, also known as Jensen Lake; thence

South 17° 30' East a distance of 2,405.3 feet along the ridge top to a point on the Westerly line of the Nampa-Murphy Branch of the Oregon Short Line Railroad right of way, said point being on a curve; thence along the curve on said railroad right of way, said curve being 5° left, having a central angle of 75° 39' and tangent of 889.9 feet, length of curve 1,513 feet to a point on a tangent; thence

South 56° 32' East a distance of 3,968.8 feet to a point on a curve; thence along the curve 2° 00' right, having a central angle of 16° 37', length of 830.8 feet and tangent 418.4 feet; thence

South 36° 54' East a distance of 2,251.4 feet to a point on a curve; thence along 4° 00' curve right, having a central angle of 4° 00', a distance of 100 feet; thence along 8° 00' curve right, having a central angle of 61° 30', a distance of 770.4 feet; thence along 4° 00' curve right, having a central angle of 4° 00', a distance of 100 feet to a point; thence

South 30° 00' West a distance of 278.9 feet to the banks of the Snake River.

**PARCEL F:**

The North Half of the Northwest Quarter, the Northwest Quarter of the Northeast Quarter, and Lots 1 and 2 in Section 27, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho.

MICROFILMED  
AUG 14 1985

Order No. : PN 25512  
Policy No. : 13 4034 61 001421

**PARCEL G:**

The Northeast Quarter of the Northeast Quarter in Section 28, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho.

**TRACT 2:**

**PARCEL A:**

All of Section 16, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho.

**TRACT 3:**

**PARCEL A:**

The Northeast Quarter of the Northeast Quarter of Section 17, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho.

**PARCEL B:**

That portion of the Southwest Quarter of the Northeast Quarter, and the South Half of the Northwest Quarter of Section 26, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho, lying Westerly of the following-described line:

**BEGINNING** at the Quarter section corner common to Sections 15 and 22, Township 1 South, Range 2 West, Boise Meridian, Canyon County, Idaho; thence

East a distance of 482 feet to the Westerly right of way line of the oiled County Road, the **TRUE POINT OF BEGINNING**; thence

South 25° 30' East a distance of 417 feet along the Westerly right of way line of said road to a point; thence

South 54° 40' East a distance of 1,074 feet along the Southwesterly right of way line of said road to a point; thence

South 83° 10' East a distance of 86 feet along the Southwesterly right of way line of said road to a point; thence

North 74° 20' East a distance of 167.6 feet along the Southerly right of way line of said road to a point; thence

South 31° 55' East a distance of 700 feet to the top of the ridge East of Thomason Lake, also known as Jensen Lake; thence

South 17° 30' East a distance of 2,405.3 feet along the ridge top to a point on the Westerly line of the Nampa-Murphy Branch of the Oregon Short Line Railroad right of way, said point being on a curve; thence along the curve on said railroad right of way, said curve being 5° left, having a central angle of 75° 39' and tangent of 889.9 feet, length of curve 1,513 feet to a point on a tangent; thence

South 56° 32' East a distance of 3,968.8 feet to a point on a curve; thence along the curve 2° 00' right, having a central angle of 16° 37', length of 830.8 feet and tangent 418.4 feet; thence

South 36° 54' East a distance of 2,251.4 feet to a point on a curve; thence along 4° 00' curve right, having a central angle of 45° 00', a distance of 100 feet; thence along 8° 00' curve right, having a central angle of 61° 30', a distance of 770.4 feet; thence along 4° 00' curve

OCT 14 1999

**File No: PN 25512**

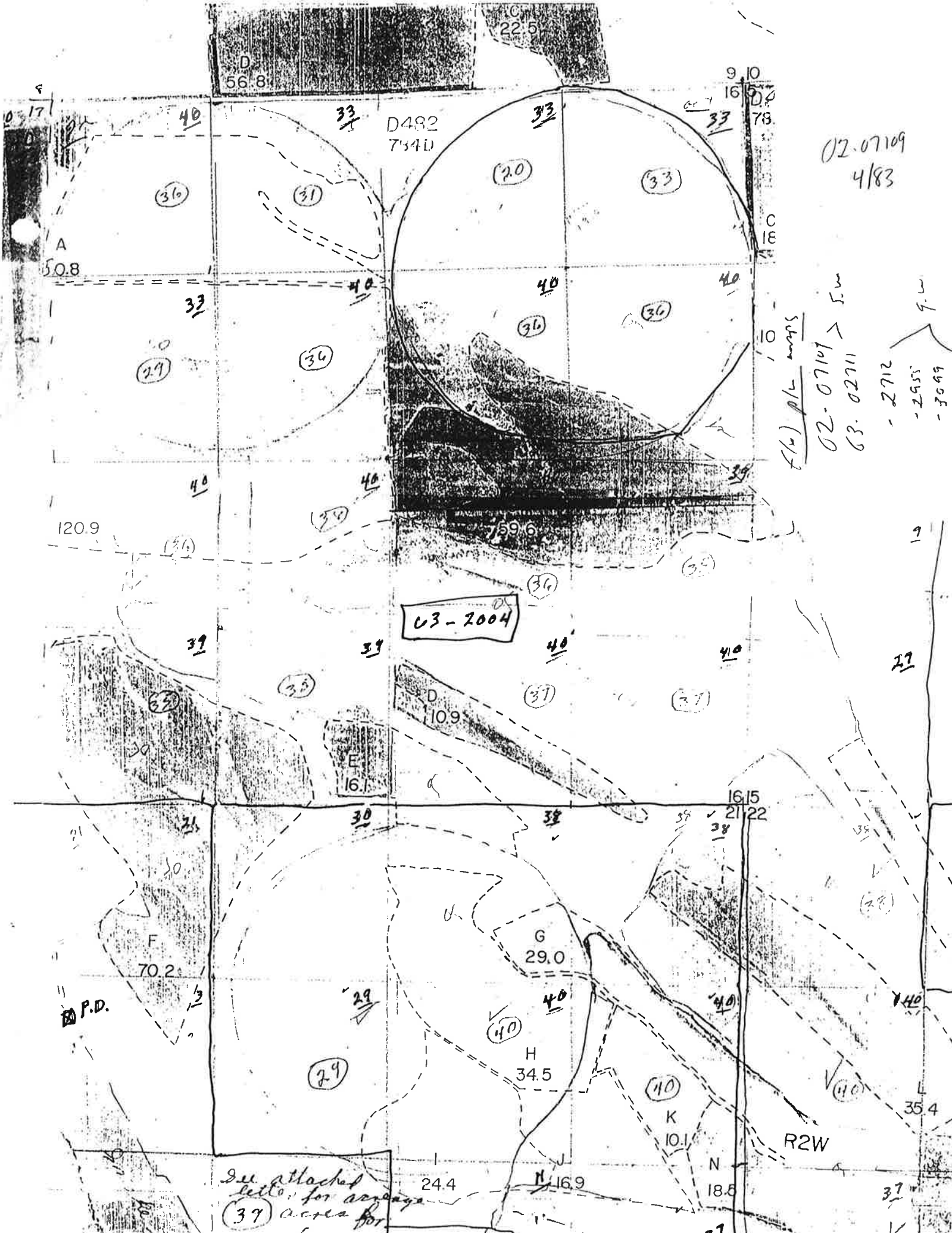
**Policy No. : 13 4034 61 001421**

**right, having a central angle of  $4^{\circ} 00'$ , a distance of 100 feet to a point; thence  
South  $30^{\circ} 00'$  West a distance of 278.9 feet to the banks of the Snake River.**

**PARCEL C:**

**The East Half of the Northeast Quarter of Section 27, Township 1 South, Range 2 West, Boise  
Meridian, Canyon County, Idaho.**

MICROFILMED  
OCT 14 1993



D 56.8

22.5

9 10  
16 17  
78

D482  
7340

02-07109  
4/83

A  
50.8

C  
16

f(10) p/l maps

02-07107 5/3  
03-02711

- 2712  
- 2955  
- 3049  
- 3014

120.9

03-2004

D  
10.9

E  
16.1

16.15  
21.22

F  
70.2

G  
29.0

H  
34.5

K  
10.1

N  
18.5

R2W

P.D.

See attached  
letter for acreage  
(39) acres for

24.4

16.9

35.4

37

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            |

OCT 14 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 RGE 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           |
|                    |              |              |              | 451          |

Total number of acres irrigated: 451

PLACE OF USE: STOCKWATER

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

PLACE OF USE: COMMERCIAL

| <u>TWN RGE SEC</u> |      |      |      |
|--------------------|------|------|------|
| 01S 02W 15         | NWSW |      |      |
| 16                 | NWNE | SWNE | SENE |
|                    | NENW | NWNW | SWNW |
|                    | SENE | 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 15<sup>th</sup> day of July, 1999.

*J. Allen Saylor*  
 Chief, Water Allocation Bureau **M/CROFILMED**

OCT 14 1999

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE, IDAHO

## REPORT OF ENGINEER

Permit No. 20585

This proof is for Beneficial Use

In Water District No. \_\_\_\_\_

1. Name of applicant Rex S. Jensen - Agent for Chrystal R. Jensen, Permit Holder
2. Source of water supply: Group of wells (Artesian flow)
3. Location of point of diversion: Is in the Nos. 1 & 2 NW 1/4 SE 1/4 Sec. 14 of Section 22  
T. 1 South R. 2 West, B.M. County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same:

Well 12" d. x 80' c'd 50' Washington turbine pump with  
a 15 hp U.S. Motor # 668522  
In wooden pump house 8' x 8' x 8' concrete base  
h=10' l=25' del. thru 6" pipe into open ditch. Across  
ditch thru 22" culvert (tanned) pipe - ditch to James sump pump.

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):

NE  $\frac{1}{4}$  Section 27, SW  $\frac{1}{4}$  Section 26, all in Township 1 South, Range 2 West, B.M.

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

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

Remarks:

Well output = 80" pumped fr. East well.  
" 10" has been delivered fr. West well.

This examination was made on the 11 day of February, 1959

(Signed) C. H. Humphrey Examiner.

20585

# 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 Reclamation

Rex S. Jensen - Agent  
For Chrystal R. Jensen  
Melba, Idaho

Permit No. 20585

Examination for Beneficial Use Proof

County Canyon

14&22- 15-2W

Q = 5.6

S = Wells

P.D = 2 in NWSE, 1 in NESW,  
1 in SESW 14 - 1 in SWNE 22  
15-2W

Use - Irr. & Dom

Claims 100" for pump  
10" artesian

Filed 7-29-48

Dec-8-7-53 C/W made 7-29-53  
EX. 9-1-53

B/L due 9/13/56 - delay, no p.m.x  
FD

110' Motor Road

66' 52' C

Worthington Fork

80' x 12" col 50

50' x 6" col

4-15' old to 25'

80' del. from 6 pipe

Control... well

House - 8' x 8' x 8' h

conc. floor



415

STATE OF IDAHO  
DEPARTMENT OF RECLAMATION  
BOISE

REPORT OF ENGINEER

PERMIT NO. 20585 ✓

REPORT ON PROOF OF Beneficial Use

Rex S. Jensen, Agent  
For Chrystal R. Jensen, Permit holder ✓  
Melba, Idaho



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190  
FAX (208) 334-2348

PHILIP E. BATT  
GOVERNOR

KARL J. DREHER  
DIRECTOR

October 21, 1998

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

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

Dear Claimant:

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

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

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

Sincerely,

Denise Buffington  
Records Clerk  
Adjudication Section  
Western Region

DB:db

Enclosures

A63-02712

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 *Delaney*

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

NOTICE OF APPEARANCE ~ 1

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

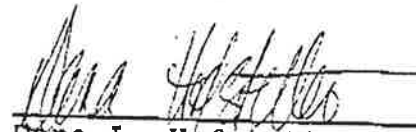
NOTICE OF APPEARANCE

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

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,

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

Sally Frazee  
Secretary, Adjudication Section

sf:west

Enclosures:

Eastern Western Corp. Print-Screens

MICROFILMED

AUG 18 1992

MEMORANDUM

APR 15 1992

Department of Water Resources  
Western Regional Office

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

(gave copy to Rox to Jan)

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.

AG 3-02712

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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AUG 18 1992

Sally Frazee  
April 1, 1992  
Page 2

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

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

Sincerely,

HOLLAND & HART

  
Dana L. Hofstetter

DLH/md  
Enclosures

cc: Michael E. McGinley  
Curt Ingle

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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

THARP & VAN ATTA  
Attorneys at Law  
Drawer 610  
Ontario, Oregon 97914  
(503) 885-7803

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AUG 18 1992



# State of Idaho

## DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS  
GOVERNOR

R. KEITH HIGGINSON  
DIRECTOR

May 17, 1991

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

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

Dear Mr. McGinley:

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

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

Yours truly,

John D. Carlson  
Adjudication Supervisor

JDC:sf:west  
Enclosures:  
Claims Referenced Above

**MICROFILMED**

**AUG 18 1992**

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

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MAY 6 1991

WILLIAM C. THARP\*  
WILLIAM E. VAN ATTA

\*ADMITTED TO PRACTICE  
IN IDAHO AND OREGON

May 2, 1991

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

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

Dear Mr. Carlson:

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

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

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

Very truly yours,

THARP & VAN ATTA

*Mary H. Turner*

Mary H. Turner  
Secretary to William C. Tharp

/mt

Enclosure

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

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AUG 18 1992

SPECIAL MEETING OF THE BOARD OF DIRECTORS

OF

EASTERN WESTERN CORPORATION

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

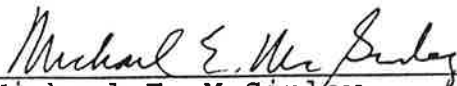
The Chairman called the meeting to order and indicated that the purpose for the meeting was to authorize the appointment of Dixie Smith to represent the corporation in dealings with all irrigation districts within the State of Idaho and the Department of Water Resources of the State of Idaho. Upon motion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

R E S O L U T I O N

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

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

DATED This 10th day of April, 1991.

  
Michael E. McGinley  
President/Secretary

  
Nancy Robison  
Assistant Secretary

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AUG 18 1992



# 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.

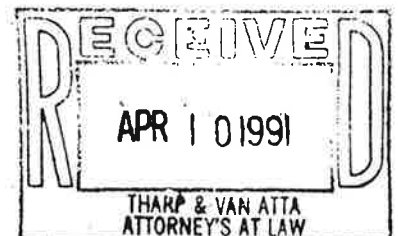
Upon receipt of these documents, Notices of Claim will be prepared from the Agency's computer and sent to you for your review and records.

Please contact me if you have any questions.

Yours truly,

John D. Carlson  
Adjudication Supervisor

JDC:sf:state:tf



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**AUG 18 1992**

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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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AUG 18 1992

AJ0749NP  
No. A63-02712

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

DATE: 01/07/00  
PAGE: 1

| OWNER<br>CODE    | NAME & ADDRESS                                                 | PRIORITY<br>DATE | WATER USE                              | USE PERIOD<br>FROM TO                     | DIVERSION<br>RATE                   | DIVERSION<br>VOLUME                  |
|------------------|----------------------------------------------------------------|------------------|----------------------------------------|-------------------------------------------|-------------------------------------|--------------------------------------|
| C                | TOM KASPER<br>3349 HILL RD<br>MELBA ID 83641<br>(208) 495-2102 | 06/07/1950       | IRRIGATION<br>STOCKWATER<br>COMMERCIAL | 03-15 11-15<br>01-01 12-31<br>01-01 12-31 | 1.620 CFS<br>0.180 CFS<br>0.180 CFS | 790.50 AFA<br>87.80 AFA<br>87.80 AFA |
| TOTAL DIVERSION: |                                                                |                  |                                        |                                           | 1.800 CFS                           | 878.30 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 |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |  |
| 01S | 02W 27 | S    |      |      |      | S    |      |      | S    |      |      |      |      |      | 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    |      |  |
| 01S | 02W 26 |      |      |      |      |      |      |      | C    |      |      |      |      |      |      |      |      |  |
| 01S | 02W 27 | C    |      |      |      |      |      |      |      |      |      |      |      |      |      |      |      |  |

POU County: CANYON

Other Rights: 63-2955, 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, A MEASURING DEVICE AND LOCKABLE CONTROLLING WORKS OF A TYPE ACCEPTABLE TO THE DEPARTMENT SHALL BE PERMANENTLY INSTALLED AND MAINTAINED 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 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 157.0 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 COMBINED TOTAL ANNUAL VOLUME FOR BOTH STOCKWATER AND COMMERCIAL USE OF 134.0 ACRE-FEET. BECAUSE THE ANNUAL VOLUME FOR COMMERCIAL AND STOCKWATER USE WAS REDUCED FROM THE QUANTITIES SOUGHT BY THE APPLICATION FOR TRANSFER, THE PERMIT HOLDER MUST DETERMINE THE DIVISION OF THE 134.0 ACRE-FEET INTO THE STOCKWATER AND COMMERCIAL COMPONENTS.

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

THE WATER USED FOR COMMERCIAL PURPOSES UNDER THIS APPROVAL 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 THESE WATER RIGHTS.

RIGHT 63-02712 IS LIMITED TO THE IRRIGATION OF 380.0 ACRES IN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

RIGHT 63-02955 IS LIMITED TO THE IRRIGATION OF 355.0 ACRES IN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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

AJ0749NP  
No. A63-02712

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

DATE: 01/07/00  
PAGE: 3

Remarks:

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 AND SHALL ONLY DIVERT GROUNDWATER UNDER THESE RIGHTS 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: