

OCT 9 - 2001

054839
Department of Water Resources

2001 OCT -1 PM 4:13

DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA

Subcase 31-10466

Case No. 39576

**ORDER GRANTING LEAVE TO FILE
AMENDED NOTICE OF CLAIM AND
TRANSFER OF FURTHER PROCEEDINGS
TO SPECIAL MASTER BILYEU**

This matter came before the Snake River Basin Adjudication District Court pursuant to a scheduled hearing held on September 18, 2001. As a matter of course, motions to amend notices of claim are held before the Special Master assigned to the particular sub-basin. In an effort to avoid further delay and as a convenience to the claimant, this Court heard the motion. No objections to the motion were raised. The Court conditionally granted the motion based on the claimant filing the proper attachment to the Standard Form 4. Said attachment was thereafter provided.

THEREFORE IT IS ORDERED that leave to amend the Notice of Claim for Water Right 31-10466 is **granted**.

IT IS FURTHER ORDERED that the matter is transferred to Special Master Bilyeu for proceedings consistent with this order and the standard order of reference for Basin 31.

IT IS SO ORDERED.

DATED: October 1, 2001.



 ROGER S. BURDICK
 Presiding Judge
 Snake River Basin Adjudication

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 31-10466
Date Received: 11/18/88
Receipt No:
Received By:

AMENDED

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

AMENDED

1. Name of Claimant(s)

LIDA CARPENTER Phone: (208)657-2205

HC 63 BOX 1782
TERRETON ID USA 83450

ELMER D CARPENTER Phone: (208)657-2205

HC 63 BOX 1782
TERRETON ID USA 83450

2. Date of Priority: 04/01/1956

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07N	33E	12	NW SW SW	JEFFERSON	

5. Description of diverting works:

WELL, 18" CASING, 280' DEEP, 100 HP. MOTOR AND PUMP, FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	04/01	11/01	0.96	

7. Total Quantity Appropriated is:
0.96 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	33E	12	NE	SW	IRRIGATION	19
			SE	SW	IRRIGATION	3.9
			SW	SW	IRRIGATION	25
Section Acres						47.9
Total Acres						47.9

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

14. Remarks:

Claim amended to include additional acres per affidavit in file.

Electronic database given "temporary" status pending return of signed claim with additional fee of \$18.80.

15. Basis of Claim: Beneficial Use

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): Elmer D. Carpenter Date: Sept 18-2001
 _____ Date: _____

State of Idaho)
 County of Jefferson) SS.

Subscribed and sworn (or affirmed) before me this 18th day
 of Sept 2001

Blair Hoover

Notary Public
 Residing at Rigby, Idaho
 My commission Expires 10/24/2003

60
2001 JUN -8 AM 10:47
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA

) Subcase 31-10466

) (Insert water right number)

Case 39576

) STANDARD FORM 4

) MOTION TO FILE:

) ☐ LATE NOTICE OF CLAIM

) ☒ AMENDED NOTICE OF CLAIM

INSTRUCTIONS

This form is used to file a late Notice of Claim or an amendment to a Notice of Claim in a reporting area where the Director's Report has been filed. Forms may be obtained from the SRBA Court, the Idaho Department of Water Resources (IDWR), or you may copy or reproduce this blank form. If you copy or reproduce this form, please copy on both sides with the even-number pages upside down.

The water right number for your late or amended claim must be indicated above in the blank space following "Subcase." You must use a separate form for each late or amended Notice of Claim.

This form has been adopted by the court in *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996), Section 4, which may be consulted for further information.

By filing a *Motion to File a Late Notice of Claim* or a *Motion to File an Amended Notice of Claim*, you certify that it is well-grounded in fact; is warranted by existing law or a good-faith argument for the extension, modification or reversal of existing law; and is not filed for any improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation.

☐ I have read *SRBA Administrative Order 1, Rules of Procedure* (amended Sept. 30, 1996).

My name is Elmer D. Carpenter

My address is 154 North 800 East
Terreton, ID 83450

My phone number is: Work _____ Home 208-657-2205

I am an attorney representing _____

My name is _____

My address is _____

My phone number is _____

MOTION TO FILE A LATE NOTICE OF CLAIM

A Motion to File a Late Notice of Claim will require a hearing before the Presiding Judge.

☐ I did not file a Notice of claim to the use of water in the SRBA because:

☐ I filed a Notice of Claim and elected to defer judicial proceedings on my domestic or stock watering use. I desire to reinstate my Notice of Claim for domestic or stock watering use.

☐ I am providing legal and factual documentation for my claimed use of water. You must describe these documents and attach a readable copy. (You do not need to fill this out if you are reinstating a Notice of Claim for domestic or stock watering use, but you must attach a copy of your Notice of Claim.)

I have attached:

- ☐ A fully completed Notice of Claim (available from IDWR).
- ☐ A claim filing fee for a domestic and stock watering use. IDWR may charge this fee pursuant to I.C. § 42-1414. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.
- ☐ A claim filing fee and a late claim fee for those claims other than a domestic or stock watering use for which a notice of claim was not filed. To determine this amount, contact IDWR at (800) 451-4129. I have enclosed a check payable to: State of Idaho Department of Water Resources in the amount of \$ _____.

Follow these instructions regarding the hearing on this motion.

1. Contact the Clerk of the SRBA Court (208-736-3011) to request a hearing date and time.
2. Fill in the following information:

This motion will be heard on September 18, 2001, at 1:30 P.M.
(Insert Date and Time)
at the U.S. District Courthouse, 801 E. Sherman, Pocatello, Idaho

MOTION TO FILE AN AMENDED NOTICE OF CLAIM

A *Motion to File an Amended Notice of Claim* may require a hearing before the Presiding Judge or Special Master or may be granted by leave of the court or by written consent of the parties and the Idaho Department of Water Resources. Leave to amend a claim shall be freely given when justice so requires.

☒ I must amend my Notice of Claim to the use of water in the SRBA because:

My initial claim did not accurately describe the place of use, and
I need to correct it.

- ☒ I am providing legal and factual documentation to support my amended Notice of Claim. You must describe these documents and attach a readable copy.

See Affidavit attached.

I have attached:

- ☒ An amended Notice of Claim (available from IDWR).

- ☒ Payment of the following additional fees required by IDWR:

\$18.80 for additional acres

VERIFICATION (Must be completed)

State of IDAHO

County of Jefferson

Elmer D. Carpenter, being first duly sworn, upon oath, deposes and says:
(Insert name of person filing form)

That I am the party/claimant filing this motion for late or amended claim (as listed on Page 2) as defined by I.C. §§ 42-1401A(1) and (7) or that I am the attorney for the party/claimant filing this motion for late or amended claim and that I have read this motion, know its contents, and believe that the statements are true to the best of my knowledge.

Elmer D. Carpenter
Signature of person filing motion

Attorney signing in representative capacity

Subscribed and sworn to before me on 16 May 2001
(Insert Date)

Blair Brown
Notary Public for Idaho
Residing at: Boise, Idaho
My Commission expires: 10/24/2003

INSTRUCTIONS FOR MAILING

You must mail this form, including all attachments, to the Clerk of the SRBA Court. FAX filings will not be accepted by the SRBA Clerk of the Court. You must also send a copy to all the parties listed below in the Certificate of Mailing.

CERTIFICATE OF MAILING

I certify that on June 6 ²⁰⁰¹~~199~~, I mailed the original and copies of this form, including all attachments, to the following persons by mailing the original and/or copies, postage prepaid and addressed as follows:

1. Original to:

Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
PO Box 2707
Twin Falls, ID 83303-2707

2. Copies to:

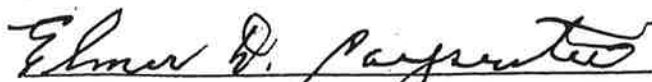
IDWR Document Depository
PO Box 83720
Boise, ID 83720-0098

Chief, Natural Resources Division
Office of the Attorney General
State of Idaho
PO Box 44449
Boise, ID 83711-4449

United States Department of Justice
Environment and Natural Resource Division
550 West Fort Street, MSC 033
Boise, ID 83724

3. If you are filing an amended Notice of Claim in a subcase being heard before the Presiding Judge or a Special Master, you must serve a copy on all parties to that subcase.

(Insert Names/address of parties)


Signature of person or attorney mailing the form

2001 JUN -8 AM 10: 47
DISTRICT COURT-SRBA
TWINFALLS CO., IDAHO
FILED _____

AFFIDAVIT

I, DEAN CARPENTER, affirm that in my affidavit signed in March, 2001, I intended to make clear that the irrigation of pasture by Andrew Becker, which I referred to in item three (3) of that affidavit, commenced prior to 1963. I saw this myself, as I was a neighbor to Becker and in fact rented pasture and ran calves on that piece of ground.

This is the land in question under Adjudication Claims 31-2296 and 31-10466, in the NESW and SESW of Section 12, Township 7N, Range 33E. The total irrigated acres (in 1963) would have been the acres shown on the attached 1961 farm plan, plus about 25 acres irrigated pasture within the area marked in red. The irrigated pasture is shown approximately by the yellow lines on the attached aerial photo.

Dated 2 May, 2001

E. Dean Carpenter
E. Dean Carpenter

State of Idaho)
) ss
County of Bonneville)

Signed and subscribed before me this 2nd day of May, 2001

Bryce A. Contor
Bryce A. Contor



Notary Public for Idaho
Residing at Mud Lake, Idaho
Commission Expires 10/14/2005



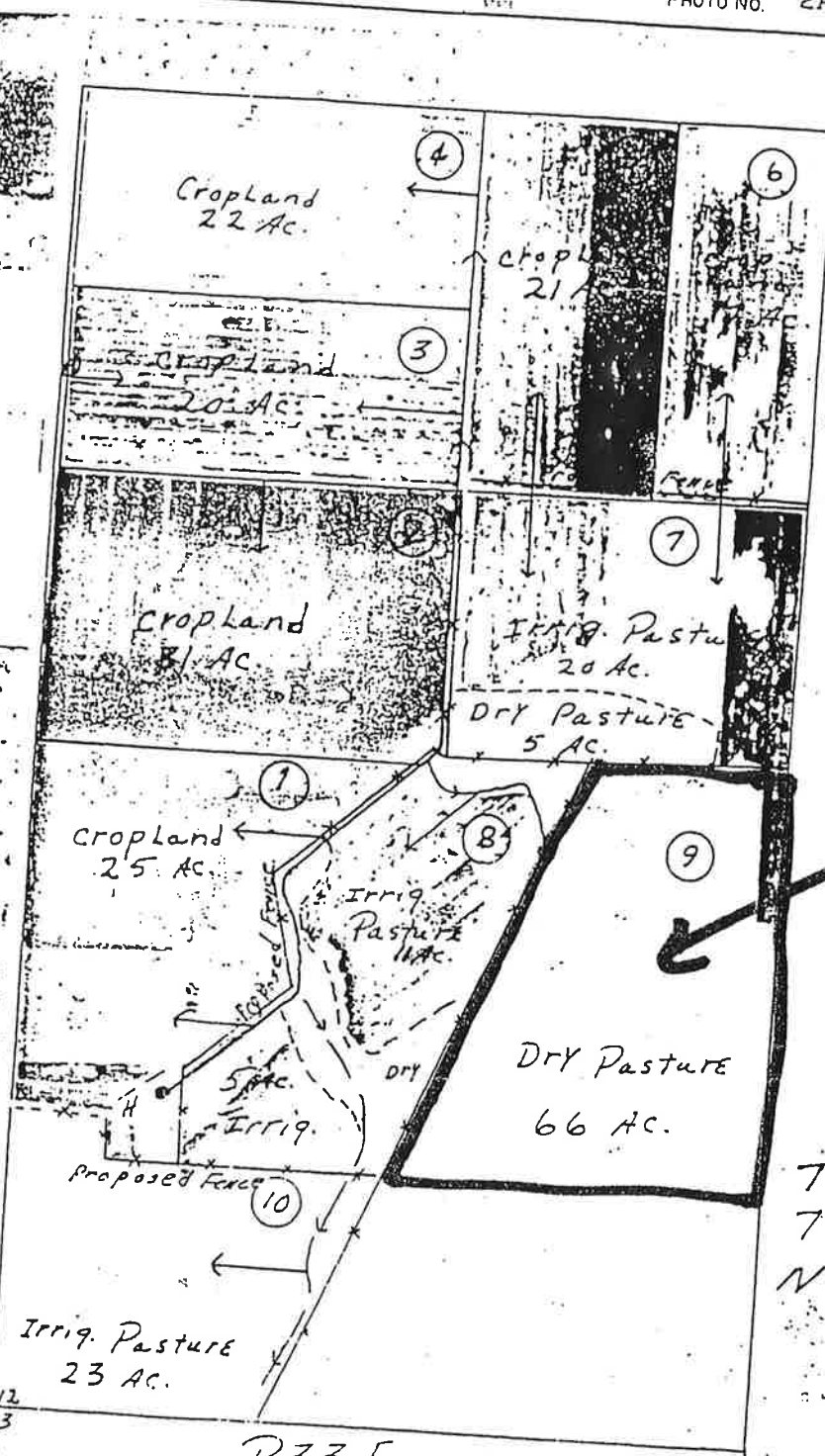
OWNER ANDREW BECHER
OPERATOR

Jefferson
COUNTY

UNITED STATES DEPARTMENT OF AGRICULTURE * SOIL CONSERVATION SERVICE
cooperating with
NATIONAL SOIL CONSERVATION DISTRICT
S. C. DISTRICT

Idaho
STATE

FARM NO. 126 DATE 10-61
SCALE 8" = 1/4 MILE ACRES
PHOTO NO. 2AA-92



20 or 25
Acres with
this area

T
7
N

R 33 E

EXHIBIT

B

Eda.



Idaho Department of Water Resources Receipt

Receipt ID C056839

Payment Amount \$18.80 Date Received 10/10/2001 9:18:13 AM Region State Status
Payment Type Check Check Number 1003

Payer CARPENTER ELMER

Comment ORDER GRANTING LEAVE TO FILE AMENDED NOTICE OF CLAIM AND
TRANSFER OF FURTHER PROCEEDINGS TO SPECIAL MASTER BILYEU

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$18.80	ADJUDICATION FILING FEE	0337		41503	1155


Signature Line (Dept. Representative)

AFFIDAVIT

DEAN CARPENTER, being first duly sworn deposes and states:

1. He is the owner of Water Right Nos. 31-02296 and 31-10466 and the lands to which the same are appurtenant.

2. He has reviewed the map prepared from 1987-1998 NAPP photography by the Idaho Department of Water Resources and submits this affidavit in support of additional irrigated acreage.

3. Affiant acquired the property in 1968 from Andrew Becker (Becker) who had owned it for many years previous. During Becker's ownership, he pumped ground water into ditches and flood irrigated the properties. In addition to the cultivated properties as shown on ASCS maps, there was approximately 70 acres of what said maps identified as dry pasture. However, only part of it was dry. Affiant owned approximately four (4) acres nearby where he had a barn and corrals and where he raised approximately 20-30 Holstein heifers each year. In the summer, he rented the 70 acres of pasture from Becker for the heifers. There was a dike running East to Northeast through the so-called dry pasture. Becker would irrigate it approximately every two (2) weeks. The most easterly portion along the East boundary of the SW1/4 was irrigated from the cultivated crop land and he merely ran the water under the fence on that portion when he irrigated the crops. For the rest of the irrigated portion of the dry pasture, Becker would turn the water on one side of the dike until it covered what it could, and then move it to the other side of the dike. There was a total of approximately 20 acres thus irrigated located mostly in the NE1/4SW1/4, with a little in the SE1/4SW1/4. Usually, it was irrigated about every two (2) weeks. Attached as Exhibit A is the IDWR photo map showing the additional acreage colored in pink, to which affiant is entitled.

When the undersigned acquired the properties from Becker, he continued the practice of irrigating approximately 20 plus acres of the so-called dry pasture because he needed it for his heifers. He continued that irrigation practice until 1990 when the circles were installed. That eliminated the pasture so affiant ceased raising heifers.

4. The attached IDWR photo map does not include all of the irrigated acreage in the SW1/4SW1/4. There should be 23 irrigated acres in the SW1/4SW1/4 south of the buildings as shown on the ASCS map attached as Exhibit B. That is a map prepared by the ASCS for Becker. Again, affiant continued the irrigation practices of Becker after he acquired the property and he

should receive the 23 acres. Affiant also has colored in pink some additional acreage north of that shown on Exhibit A in the SW1/4SW1/4 to be consistent with what is shown on Exhibit B.

DATED this 27th day of March, 2001.

E. Dean Carpenter
E. DEAN CARPENTER

STATE OF IDAHO)
) ss
County of Jefferson

E. DEAN CARPENTER, being first duly sworn on oath, deposes and says that he is the above named Affiant, has read the foregoing Affidavit, knows the contents thereof, and verily believes the same to be true.

E. Dean Carpenter
E. DEAN CARPENTER

Subscribed and sworn to before me this 27th day of March, 2001.

(Seal)

Shauna Bare
Notary Public for Idaho
Residing at: Terreton, Idaho
Commission Expires: 5-24-02



CONSERVATION PLAN MAP

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

INDIAN LAKE SOIL CONSERVATION DISTRICT
S. C. DISTRICT

OWNER ANDREW BECKER

OPERATOR

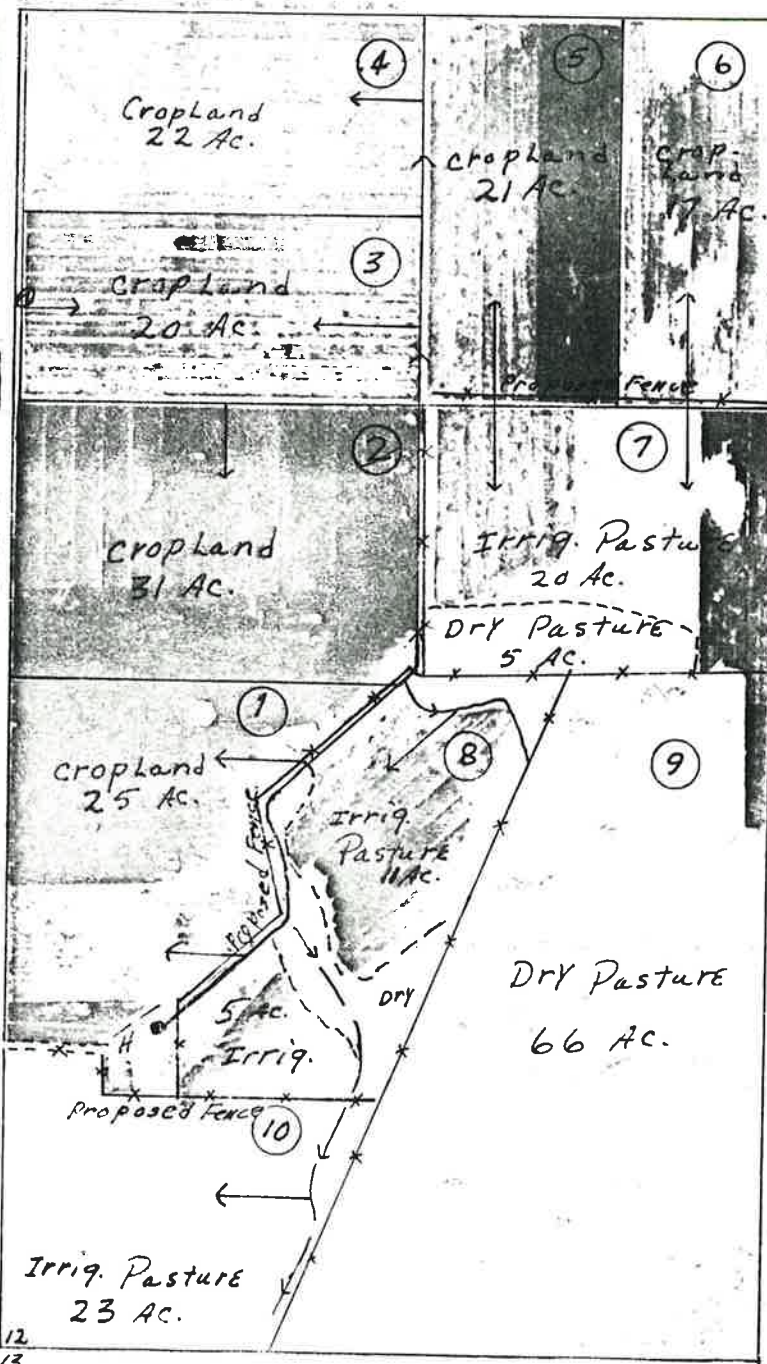
Jefferson
COUNTY

Idaho
STATE

FARM No. 126 DATE 10-61

SCALE 8" = 1 mile ACRES APPROXIMATE

PHOTO No. 2AA-92

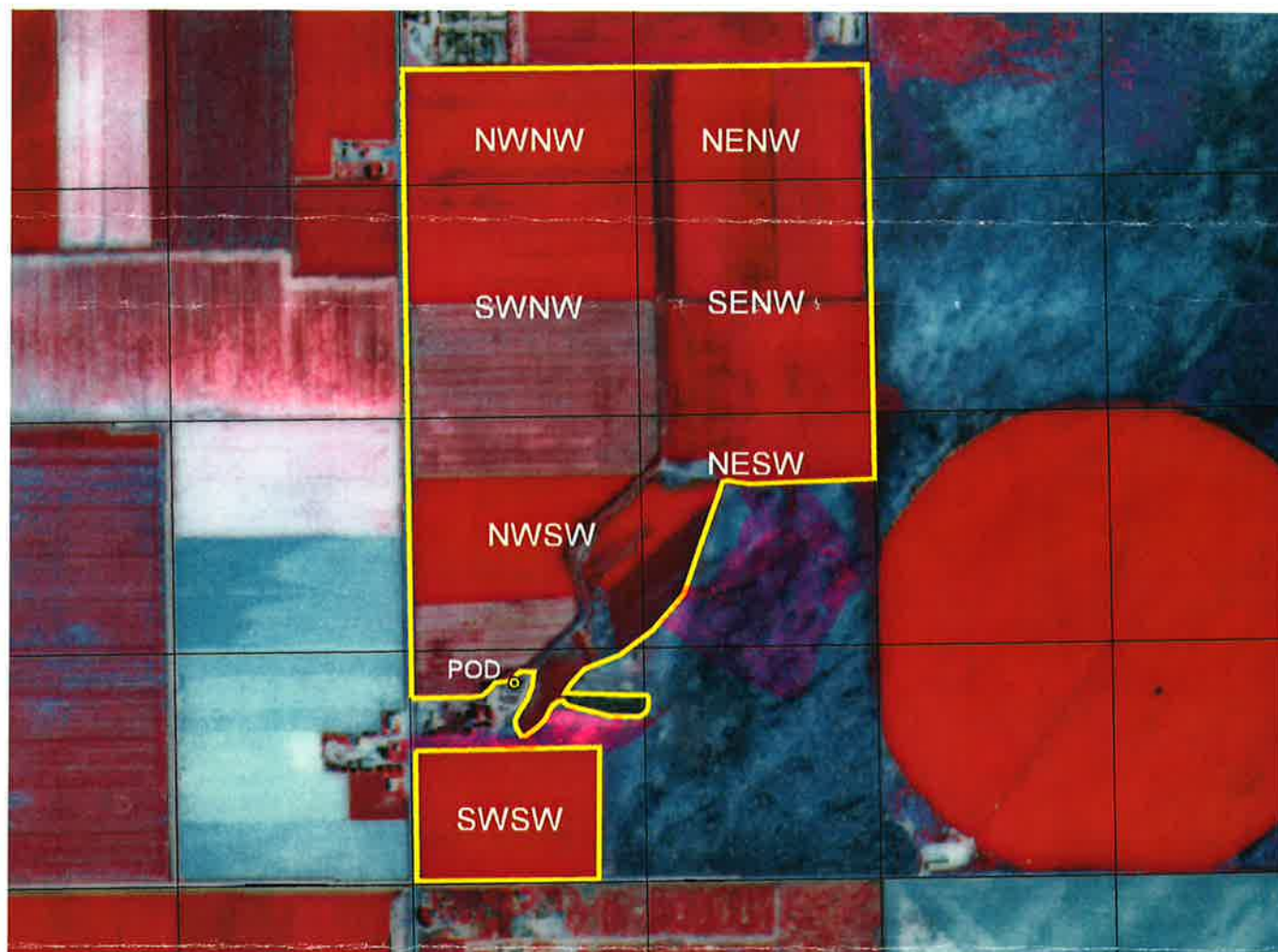


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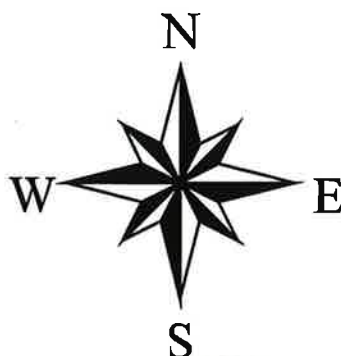
31-02296 & 31-10466



600 0 600 1200 1800 Feet

T07N R33E S12

Map prepared by: Carter Fritschle
Date prepared: 11-17-00
1987-1988 NAPP photography
Idaho Department of Water Resources



MEMORANDUM

To: 31-10466
CC: 31-2296
Fr: Bryce Contor
Date: 3/27/2001



Re: Affidavit

The affidavit does not make it clear, but I visited with Mr. Sanders and his affidavit does speak to personal knowledge. He lived near the Becker place prior to purchasing it and in fact rented pasture from Becker through the 1960's on the very land in question.

03/27/2001

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

RIGHT NUMBER: 31-10466
NAME AND ADDRESS: ELMER D CARPENTER
LIDA CARPENTER
HC 63 BOX 1782
TERRETON, ID 83450

SOURCE: GROUND WATER

QUANTITY: 0.88 CFS
153.3 AFY

PRIORITY DATE: 04/01/1961

POINT OF DIVERSION: T07N R33E S12 NWSWSW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	0.88 CFS 153.30 AFY

PLACE OF USE:

<u>IRRIGATION Within JEFFERSON County</u>					
T07N R33E S12	NESW	15	T07N R33E S12	SWSW	25
T07N R33E S12	SESW	3.8			

43.8 ACRES TOTAL

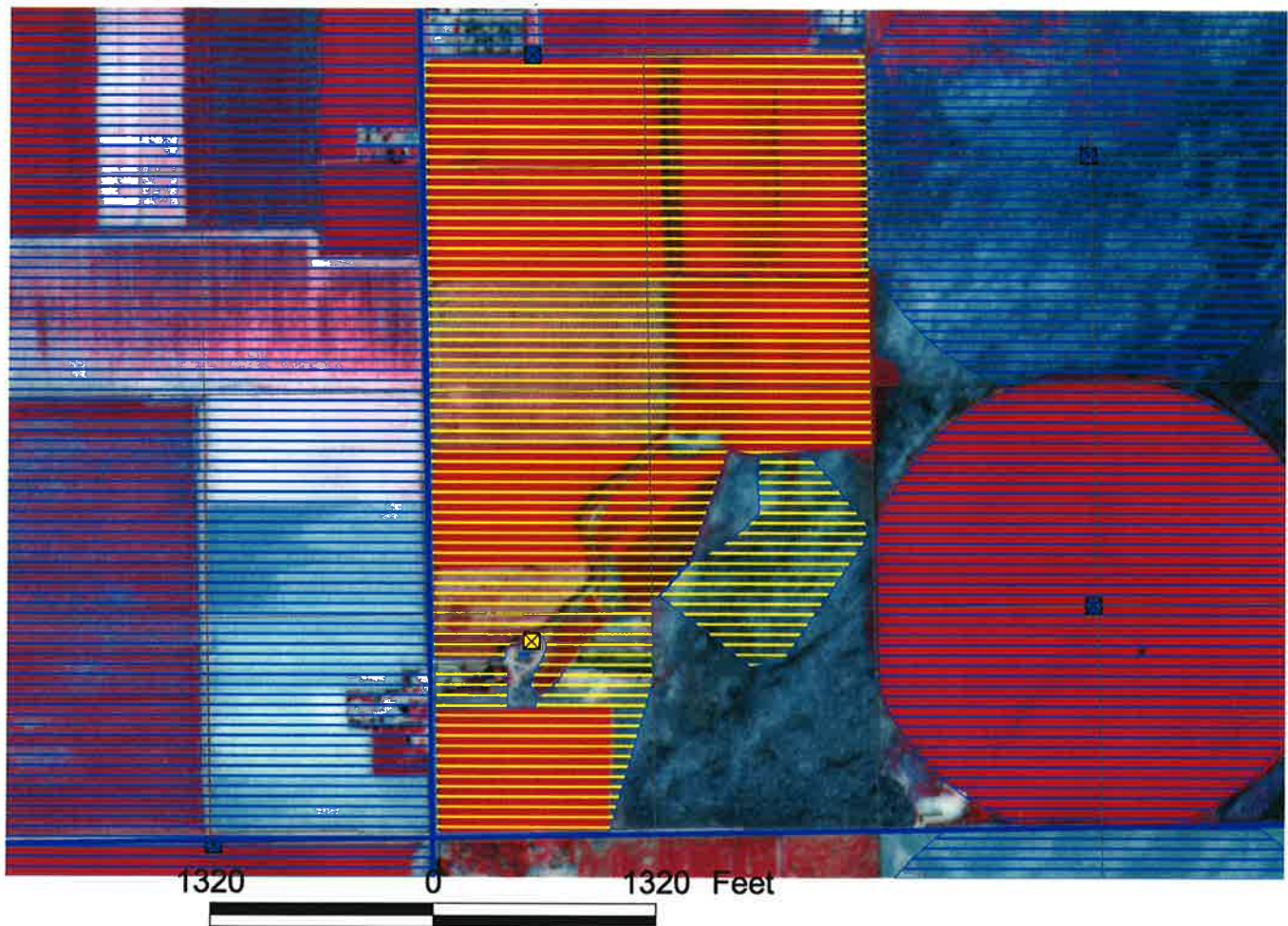
OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

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 - Beneficial Use

RIGHT NO. 31-02296 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

Adjustments to 31-2296 & 31-10466
Per Additional Data Supplied
With Notice of Error



T7N R33E Section 12

Map prepared 3/27/2001
B. Contor
IDWR Eastern Region



RECEIVED

APR 02 2001

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, Department of Water Resources
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 31-10466
Date Received: 11/18/88
Receipt No: E004182
Received By:

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

1. Name of Claimant(s)

LIDA CARPENTER Phone: (208)657-2205

HC 63 BOX 1782
TERRETON ID USA 83450

ELMER D CARPENTER Phone: (208)657-2205

HC 63 BOX 1782
TERRETON ID USA 83450

2. Date of Priority: 04/01/1956

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of 1/4 of 1/4 Lot	County	Type
07N	33E	12	NW SW SW	JEFFERSON	

5. Description of diverting works:

WELL, 18" CASING, 280' DEEP, 100 HP. MOTOR AND PUMP, FLOOD IRR.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or) A.F.A
IRRIGATION	4/01	11/01	0.5	

7. Total Quantity Appropriated is:
0.5 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
07N	33E	12	NE	SW	IRRIGATION	15
			SE	SW	IRRIGATION	3.8
			SW	SW	IRRIGATION	25
					Section Acres	43.8
					Total Acres	43.8

11. Place of use in counties: JEFFERSON

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

13. Other Water Rights Used:

14. Remarks:

Claim amended to include additional acres per affidavit in file.

Electronic database given "temporary" status pending return of signed claim with additional fee of \$18.80.

15. Basis of Claim: Beneficial Use

16. Signature(s)

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

Number of attachments: _____

For Individuals:

I/We do solemnly swear or affirm that the statements contained in the foregoing document are true and correct.

Signature of Claimant(s): _____ Date: _____

_____ Date:

State of Idaho)
County of _____) SS.

Subscribed and sworn (or affirmed) before me this

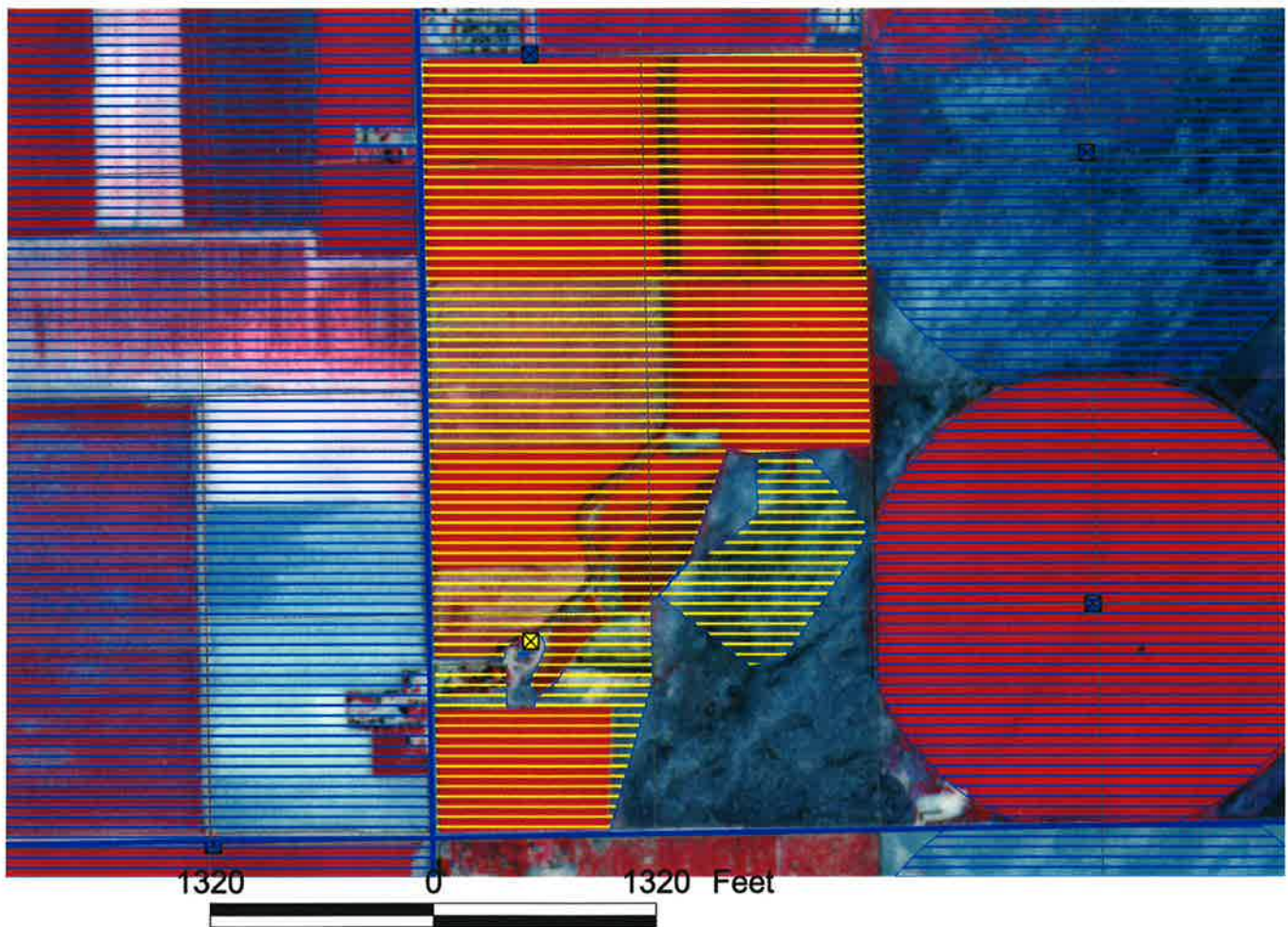
of _____ 20__

Notary Public

Residing at _____

My commission Expires _____

Adjustments to 31-2296 & 31-10466
Per Additional Data Supplied
With Notice of Error



T7N R33E Section 12

Map prepared 3/27/2001
B. Contor
IDWR Eastern Region



03/27/2001

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

RIGHT NUMBER: 31-10466
NAME AND ADDRESS: ELMER D CARPENTER
LIDA CARPENTER
HC 63 BOX 1782
TERRETON, ID 83450

SOURCE: GROUND WATER

QUANTITY: 0.88 CFS
153.3 AFY

PRIORITY DATE: 04/01/1961

POINT OF DIVERSION: T07N R33E S12 NWSWSW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	0.88 CFS 153.30 AFY

PLACE OF USE:

<u>IRRIGATION Within JEFFERSON County</u>					
T07N R33E S12	NESW	15	T07N R33E S12	SWSW	25
T07N R33E S12	SESW	3.8			

43.8 ACRES TOTAL

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 - Beneficial Use

RIGHT NO. 31-02296 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

03/27/2001

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

RIGHT NUMBER: 31-2296

NAME AND ADDRESS: ELMER D CARPENTER
LIDA CARPENTER
HC 63 BOX 1782
TERRETON, ID 83450

SOURCE: GROUND WATER

QUANTITY: 3.68 CFS
644 AFY

THE QUANTITY OF WATER UNDER THIS RIGHT FOR DOMESTIC USE
SHALL NOT EXCEED 13,000 GALLONS PER DAY.

PRIORITY DATE: 10/27/1949

POINT OF DIVERSION: T07N R33E S12 NWSWSW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	3.68 CFS
		644.00 AFY
DOMESTIC 1 HOMES	01-01 12-31	0.04 CFS

PLACE OF USE:

IRRIGATION Within JEFFERSON
County

T07N R33E S12	NENW	20	T07N R33E S12	NWNW	20
T07N R33E S12	SWNW	40	T07N R33E S12	SENW	40
T07N R33E S12	NESW	17	T07N R33E S12	NWSW	39
T07N R33E S12	SWSW	8			

DOMESTIC Within JEFFERSON County
T07N R33E S12 SWSW

184 ACRES TOTAL

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

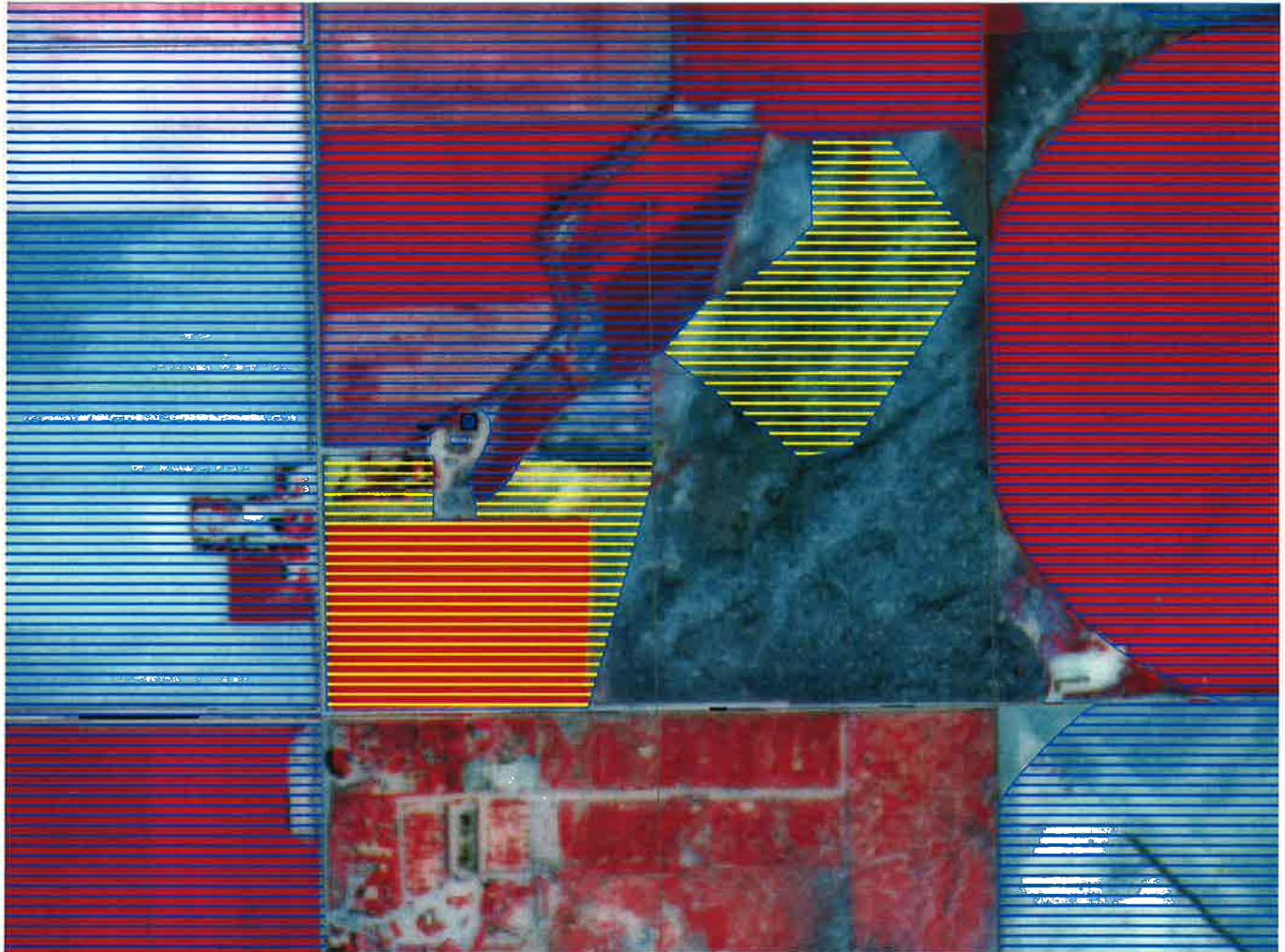
THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT FOR
DOMESTIC USE IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL
USE.

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE
EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE
ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER
THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6),
IDAHO CODE.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

RIGHT NO. 31-10466 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.

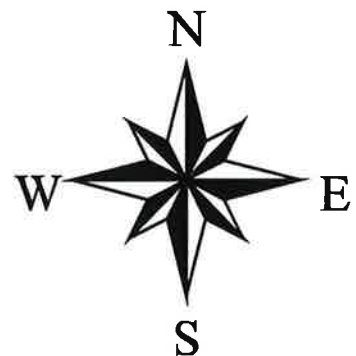
View1



0.1 0 0.1 0.2 Miles



-  GCDBT07N33E.shp
-  Recommendation POD
-  Recommendation POU
-  Townships



RECEIVED

MAR - 5 2001

124/2PPResource

**NOTICE OF ERROR
REPLY**

Please type or print clearly, fill out this form completely and mail.

Return this reply form to IDWR by the deadline date printed below if you want IDWR to change your recommendation or you want to let IDWR know that you agree with its recommendation.

YOUR DEADLINE FOR RETURNING A NOTICE OF ERROR REPLY IS: March 9, 2001

Water right number: 31-10466, *31-2296*

ELMER D CARPENTER
HC 63 BOX 1782
TERRETON ID 83450
Telephone Number: (208)657-2205

LIDA CARPENTER
HC 63 BOX 1782
TERRETON ID 83450
Telephone Number: (208)657-2205

1. Describe the portion of the proposed recommendation with which you disagree (e.g. priority date, period of use, source):

Should be 365 A.

2. Describe the changes you wish to make in the proposed recommendation:

See letter 565.

3. Give a brief explanation as to why you disagree with these portions:

I'm using less water with the new system than before

____ I AGREE with this proposed recommendation: no changes need to be made.

DATE: *2-12-2001*

SIGNATURE: *E.D. Carpenter*

Please print your name: *ELMER DEAN CARPENTER*

IDWR Regional Office, 900 N Skyline, Idaho Falls, ID 83402, 2085257161

Assistance Notes for Date Range
02/13/01 - 02/13/01

Client Name: CARPENTER, E. DEAN
Business Name: CARPENTER, E. DEAN
Business ID: 00215

Client Address

2154 NORTH 800 EAST
TERRETON, ID
83450-

Business Address

2154 E 800 N
TERRETON, ID
83450-

Client Phone	Ext	Description	Business Phone	Ext	Description
208-657-2205		HOME			

NOTES

Assistance Type: Technical Assistance
Fund ID: CTA

Assisted By: RH
Date: 02/13/01

Note:

Dean stoped at office to review maps to determine how much land was irrigated prior to 1990. The 1988 026(Highly Erodible Determination) by Ron Parrin and ASCS maps indicate a total of 188.9 acres of fields reported. Dean also irrigated some the south east corner that did not show up on the map. The present Farm Service records indicate 263 acres of cropland.

Our records indicate that during the fall of 1991 the pivot irrigation system was installed with a Long Term Agreement cost share on the underground mainline with the Department of Agriculture.

Water conservation calculations using SCS technical data completed by Blaine Downs (Soil Conservation technician) came up with 107.3 acre feet of water saved by conversion to sprinkler. Alternatives were discussed by land leveling and ditch lining. The increased efficiency of the sprinkler system still would result in less water consumption.

Dean explained to me today that he pumped 4 to 5 CFS on an average during the 80's to flood irrigate an estimated 190 acres an average of 25 days a month 24hrs a day. During the 90's under the center pivots, he averaged 2200 gallons/min.(4.9CFS). 24 hrs/day for an average of 17 days per month to irrigate the 265 acres.

Fields are presently in Alfalfa, under a standard Alfalfa-grain rotation as they were when flood irrigated. Dean irrigates from May through August, which is comparable to his schedule under flood irrigation.

Using a the conservative 4 CFS rather than 5 under flood irrigation

Assistance Notes for Date Range
02/13/01 - 02/13/01

Client Name: CARPENTER, E. DEAN
Business Name: CARPENTER, E. DEAN
Business ID: 00215

for the same irrigation period and 4.9 CFS for the pivots:

FLOOD IRRIGATED-----189.1 acres

PIVOT IRRIGATION----265 acres

25 days/month

17 days/month

Daily consumption

$4 \text{ cu/ft} \times 60 \text{ sec} \times 60 \text{ min} \times 24 \text{ hrs} = 345,600 \text{ cuft}$

$345,600 / 43,560 = 7.9 \text{ ac.ft/day}$

$\times 25 \text{ days/month}$

$= 197.5 \text{ ac./ft/month}$

Daily consumption

$4.9 \text{ cf} \times 60 \times 60 \times 24 = 423,360$

$423,360 / 43,560 = 9.7 \text{ ac/ft/day}$

$\times 17 \text{ days/month}$

$= 164.9 \text{ ac/ft/month}$

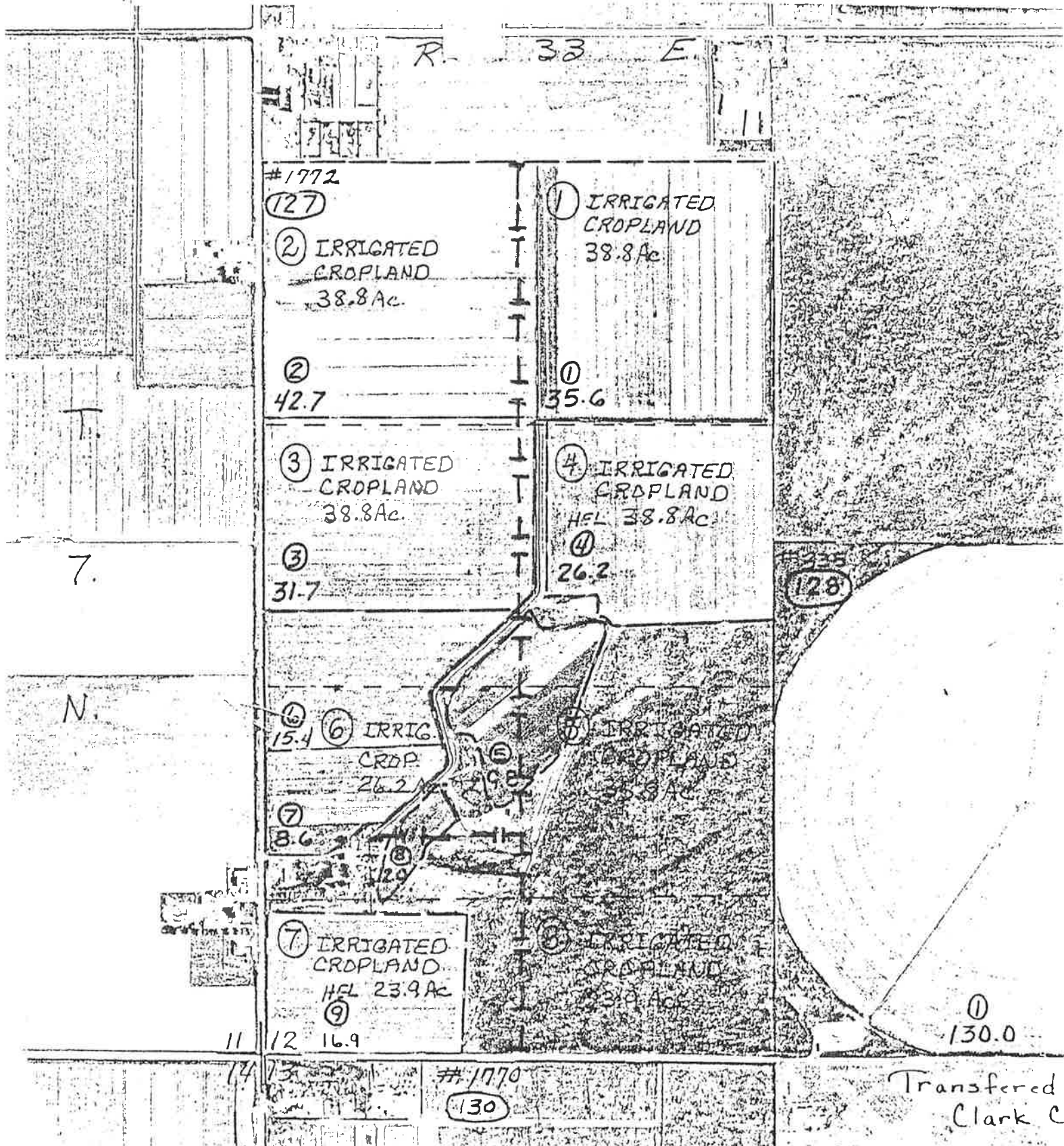
Even at using the most conservative values, irrigating 265 acres under the pivots uses 32.6 acre feet per month less than the previous flood irrigation of 189.1 acres.



SOIL CONSERVATIONIST

NATURAL RESOURCES CONSERVATION SERVICE

Owner E. DEAN CARPENTER Operator E. DEAN CARPENTER
County JEFFERSON State IDAHO Date 25 APRIL 1990
Approximate acres 200 Approximate scale 1 inch = 660 feet
Cooperating with MUD LAKE SOIL AND WATER Conservation District
Plan identification USDA-ABCS-ACP-LIA-ML-90-33 Photo number NAPP-16051-378-76R
Assisted by RONALD R. PERRIN USDA Soil Conservation Service



MEMORANDUM

To: File 31-2296
File 31-10466
Fr: Bryce Contor *Bryce*
Date: 2/22/01

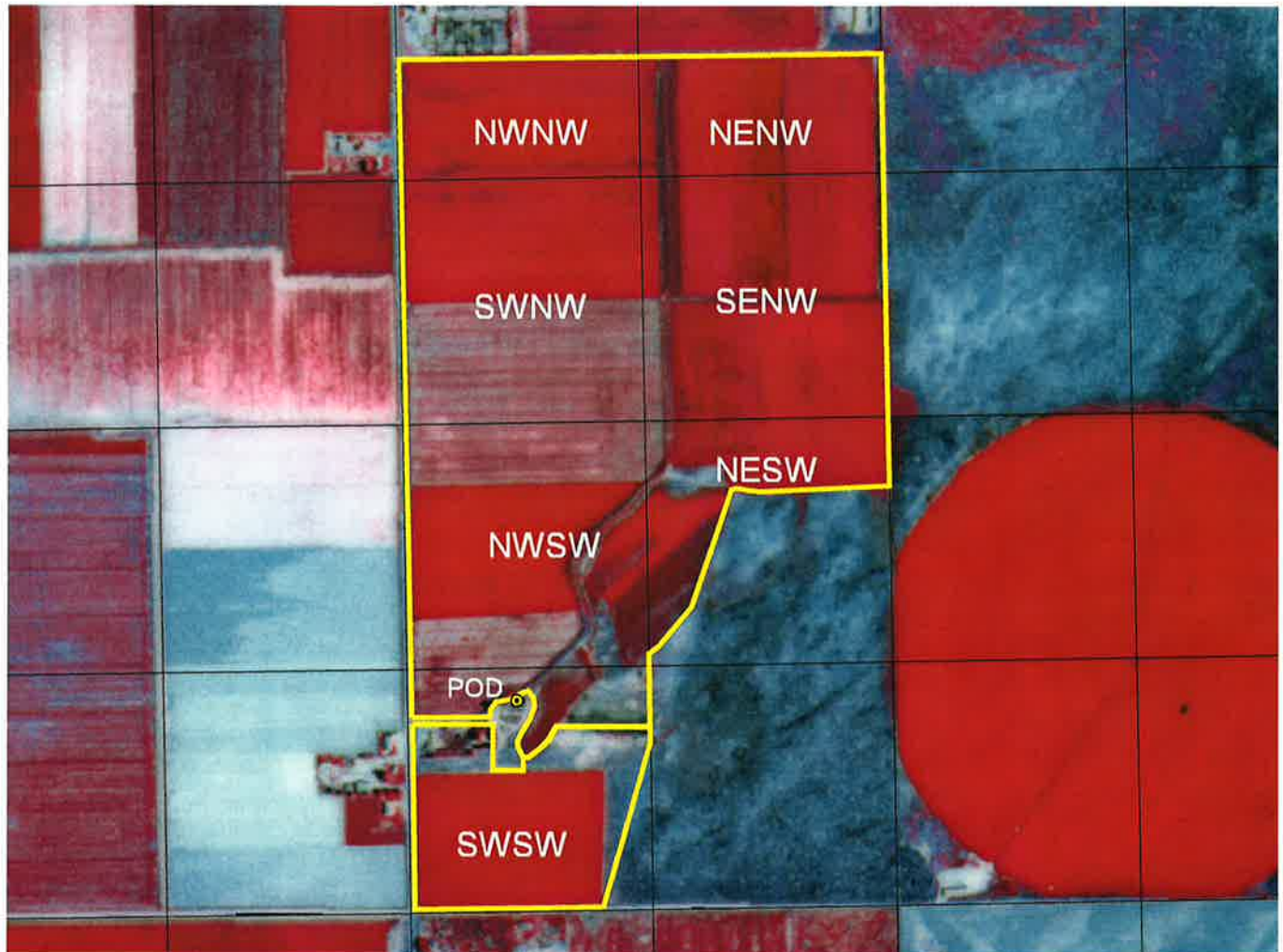
Re: Office visit w/ Dean Carpenter

Mr. Carpenter enlarged his system w/ NRCS technical assistance & funding, in 1991. Mr. Carpenter believed that the original permit authorized him to continue developing. I showed him on his copy of the permit the condition that works must be completed by 1959.

Attached is a document from NRCS indicating that pumpage volume under the new system is less than under the old system. I told Mr. Carpenter that this analysis is probably correct for pumped volume, but that return flows from percolation are far less. I explained that the dept. is concerned about consumptive volume.

Carpenter indicated that he would visit w/ his attorney.

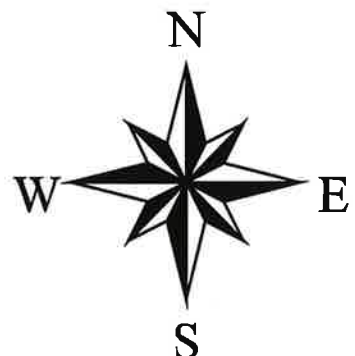
31-02296 & 31-10466



600 0 600 1200 1800 Feet

T07N R33E S12

Map prepared by: Carter Fritschle
Date prepared: 12-01-00
1987-1988 NAPP photography
Idaho Department of Water Resources



12/01/2000

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

RIGHT NUMBER: 31-10466

NAME AND ADDRESS: ELMER D CARPENTER
LIDA CARPENTER
HC 63 BOX 1782
TERRETON, ID 83450

SOURCE: GROUND WATER

QUANTITY: 0.5 CFS
87.5 AFY

PRIORITY DATE: 04/01/1961

POINT OF DIVERSION: T07N R33E S12 NWSWSW Within JEFFERSON County

PURPOSE AND
PERIOD OF USE:

<u>PURPOSE OF USE</u>	<u>PERIOD OF USE</u>	<u>QUANTITY</u>
IRRIGATION	04-01 10-31	0.50 CFS 87.5 AFY

PLACE OF USE:

IRRIGATION Within JEFFERSON
County
T07N R33E S12 SWSW 25

25 ACRES TOTAL

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 - Beneficial Use

RIGHT NO. 31-02296 IS ALSO DIVERTED THROUGH POINT OF
DIVERSION DESCRIBED ABOVE.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 11, 2001

ELMER D CARPENTER
LIDA CARPENTER
HC 63 BOX 1782
TERRETON ID 83450

RE: Snake River Basin Adjudication (SRBA) Claim Nos. 31-02296 and 31-10466

Dear Claimants:

I have reviewed the Notice of Error you returned for the claims referenced above, and I am unable to make any changes to the recommendations at this time. Claim 31-02296 is based on a license that was issued in 1955 for 184 acres in the West 1/2 of Section 12, Township 7 North, Range 33 East. The recommendation for claim 31-02296 is for 184 acres in the West 1/2 of Section 12. I cannot recommend more acres for a claim based on a license than the number of acres that were described on the license.

Your other claim, 31-10466, is based on beneficial use, and claimed 25 acres of irrigation in the SWSW of Section 12, Township 7 North, Range 33 East. The evidence of priority date submitted supports the irrigation of this 25 acres prior to the mandatory permit requirement for ground water went into effect in 1963.

On your Notice of Error you state that these two claims should be recommended for a total of 265 acres. Since the total acres claimed on the two claims you submitted totals 209 acres (184 acres + 25 acres = 209 acres), I cannot recommend additional acres without a claim for the additional acres.

The affidavit you submitted to our Eastern Regional office states that some additional acres in the "dry pasture" were irrigated. If you would like to submit an additional claim for the irrigation of these acres, we can review it with respect to the evidence submitted. An additional claim would have a filing fee of \$50.00 plus \$1.00 for each additional acre claimed.

I have enclosed a claim form you may use if you wish to claim the additional acres. Please contact me at (208) 327-7939 if you have any questions.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Carter Fritschle', is written over a horizontal line.

Carter Fritschle
Water Rights Supervisor
Adjudication Bureau

cc Blair Grover

Enclosure:

Claim form w/instructions



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 20, 2000

ELMER D CARPERNTER
LIDA CARPERNTER
HC 63 BOX 1782
TERRETON, ID 83450

RE: Snake River Basin Adjudication (SRBA) Claim no. 31-10466

Dear Claimants:

I am reviewing your Notice of Claim to a Water Right referenced above, and I need to have you submit some additional evidence supporting the priority date claimed. The evidence submitted earlier only documents your other Notice of Claim to a Water Right from this well, the one that is based on License No. 31-02296 (old number 21271). Therefore, I need to have you provide some specific evidence as to when the field to the south of the well (the rectangular field in the SWSW on the enclosed map) was first irrigated with ground water. An affidavit from someone knowledgeable of when this field was first irrigated, or old aerial photos showing the irrigation of this particular field would be sufficient.

The best evidence I have available for the priority date of your claim is an aerial photo taken in 1980 that shows this field as being cultivated. Please submit any additional evidence within 30 days. If you have any questions, you may contact me at (208) 327-7939.

Sincerely,

A handwritten signature in cursive script, reading 'Carter Fritschle'.

Carter Fritschle
Water Rights Supervisor
Adjudication Bureau

Enclosure:

Layout for 31-02296 and 31-10466

A. NJ CLAIM: # A31-10456 PRIORITY DATE: 04-01-1956

STAGE: J

B. NR RECORD: NO WATER RIGHT RECORD TO MATCH THIS NJ CLAIM

C. FIELD EXAM REQUIRED?

DUE TO PRIORITY DATE DISCREPANCY? (Y/N)

DATABASE Y FIELD EXAMINER

ARE THERE OBVIOUS REASONS TO QUESTION THE PRIORITY DATE CLAIMED? Y(X) N()
IF YES EXPLAIN.

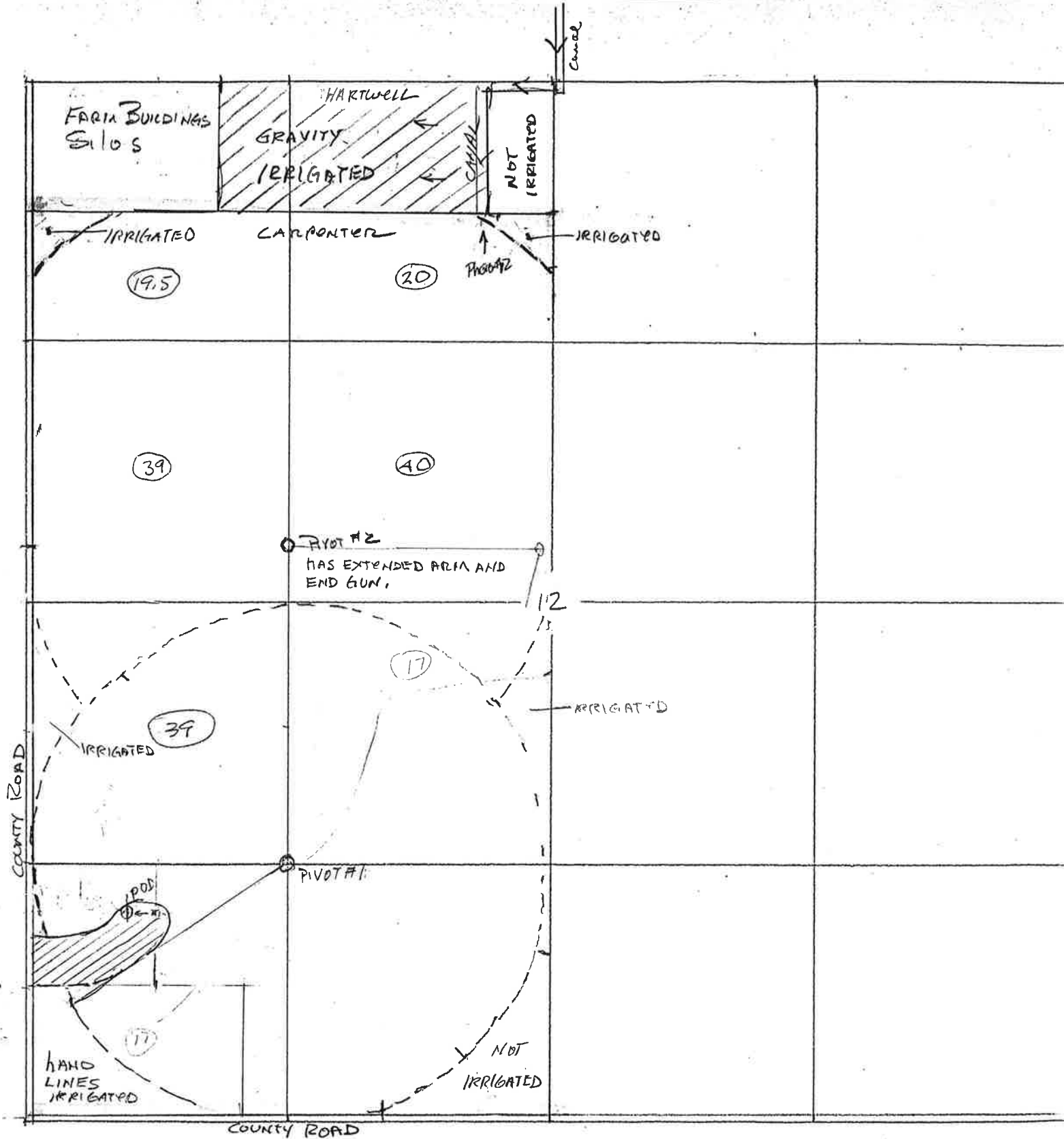
NOTES: Evidence of priority submitted includes a copy of the "Certificate of Completion of Works" for permit NO. 21271 (31-02296), an "Assignment of Policy" stating the property described in policy NO. 11-79344 was conveyed from Leo C. (Bud) Lockes to Andrew J. Becker dated 12-4-1956 and receipt NO. 27072 from Idaho Department of Reclamation dated 11-30-1954 for the "Certificate of Completion of Works" for permit NO. 21271. None of this evidence supports the priority date claimed.

* 1961 Conservation Plan Map indicates 23 ac. irrigated pasture in SW1/4 of Sec 12 (not clear if this records actual use or is planned)
C4.1.00 A priority date of 4-1-1961 is recommended based on this map
12 RECOMMENDED PRIORITY DATE: 4-1-1961

REVIEWED BY C4

DATE 12-1-00

O.A. W38 (photo taken 8-24-1980) shows approximately the same amount of irrigation as NAPP W38 NE. The field exam for 31-02296 was conducted 8-30-1955. Therefore, the increase in irrigated acres must have occurred sometime between 8-30-55 and 8-24-1980.



Scale 8.0" = 1.0 Mile

Township 7N Range 33E Section 12DATE 8-18-94OPQ MAP # _____ NAPP # W38 NEAGENT EN

DATE: 08/25/94
PAGE: 1

ح

DIVERSION
VOLUME

0.29 CFS

0.29 CFS

Stage: BENEFICIAL USE

JEFFERSON County

199.5

Other Rights: NONE

USE OF THIS RIGHT WITH RIGHT NO. 31-02296 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 3.68 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 698.3 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 498.8 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 199.5 ACRES IN A SINGLE IRRIGATION SEASON. RIGHT NO. 31-02296 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.

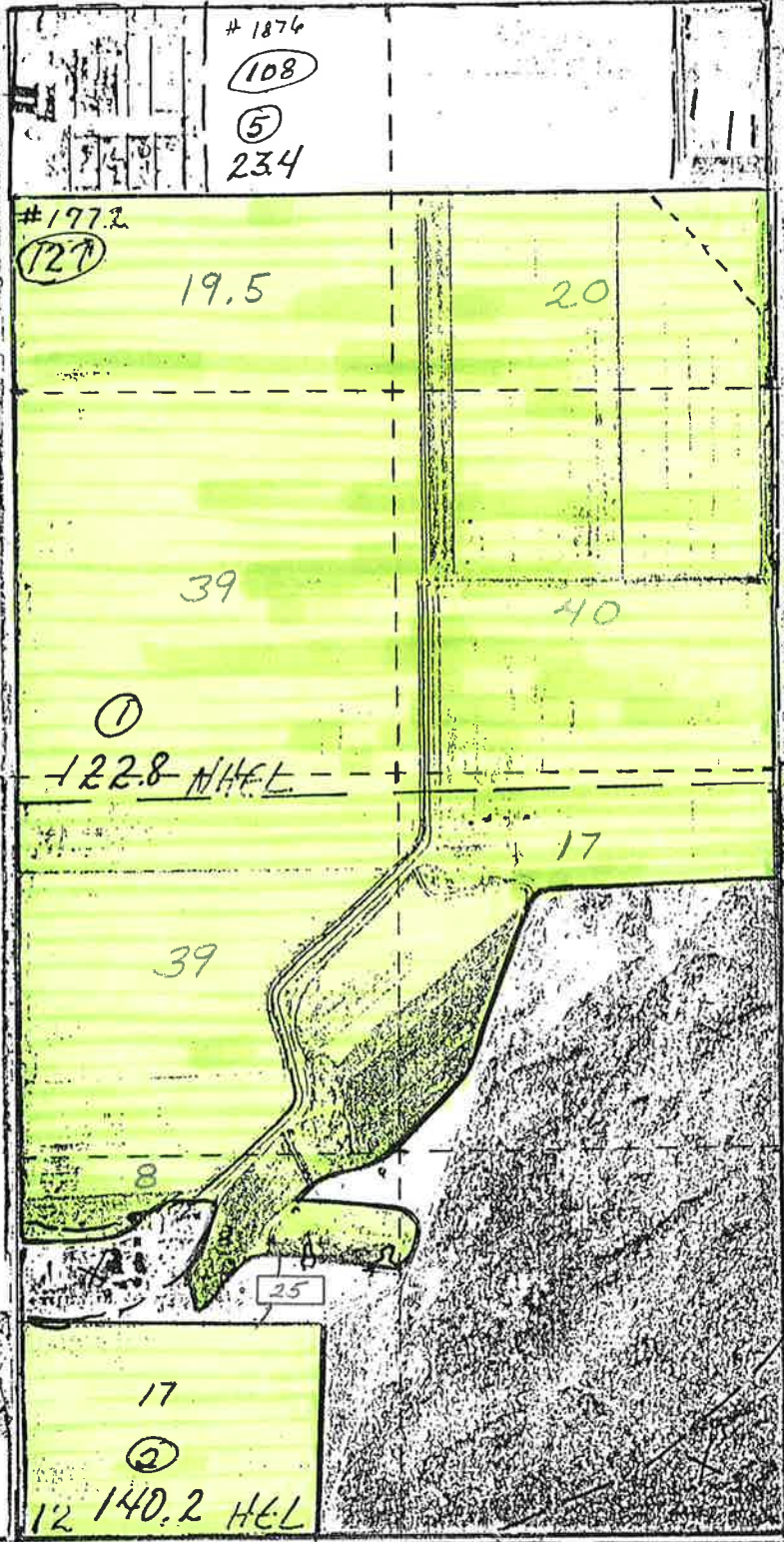
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 15.5 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Verified Date:

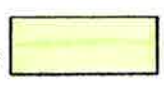
Field Inspection Flag:
Presumption Flag:

Presumption Flag:

T 7N
R 33E



Transferred to
Clark Co.



Lands appearing to
be irrigated as of
7-3-87. (NAPP W38 NE)

State of Idaho

License and Certificate of Water Right

Water License No. 21271

Amount 3.68 second feet

Water District No.

Priority October 27, 1949

THIS IS TO CERTIFY that PARLEY RIGBY

of Idaho Falls, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated October 27, 1949; that Permit No. 21271 was issued under said application; that Certificate of Completion of works, with a carrying capacity of four second feet, was issued thereunder on December 3, 1954, showing that said works were completed on the 8th day of September, 1954; and that on the 10th day of January, 1955,

BUD C. LOCKER, Assignee of Parley Rigby,

of Terreton, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well ~~contributory~~ (subterranean flow) for the purpose of irrigation and

domestic use, under Use Permit No. 21271 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 9 of Licenses at page 556, on the 28th day of October, 1955;

The right hereby confirmed dates from October 27, 1949;

The Point of Diversion is located

in the SW 1/4 Sec. 12, Tp. 7 N, R. 33 E., B. M. Jefferson County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 3.68 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 N.	33 E.	12	NE 1/4 NW 1/4	40	19
			NW 1/4 NW 1/4	40	20
			SW 1/4 NW 1/4	40	40
			SE 1/4 NW 1/4	40	40
			NE 1/4 SE 1/4	40	20
			NW 1/4 SE 1/4	40	40
			SW 1/4 SE 1/4	40	5
			SE 1/4 SE 1/4	40	--
			Number of Acres actually Irrigated	--	184

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 28th day of October, 1955.

MARK R. KULP

State Reclamation Engineer

(SEAL)

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

Permit No. 21271

This proof is for Beneficial use In Water District No. _____

1. Name of applicant Bud C. Lockes, Terraton, Idaho
2. Source of water supply: Subterranean from a well
3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 12
T. 7 N. R. 33 E. County of Jefferson
4. Describe works as they exist, giving dimensions and capacities of same: Well is 300' deep by 16" diameter cased 160'. H=40'. Lift =80'. U. S. Motor 50 hp serial No. 916306. The pump is a Fairbanks Morse, serial No. PR 5224. There is a domestic system in the pit under the floor of the well house. There is a Jet Pump operated by a 1 hp Motor connected to a pressure tank. There is a 10" discharge pipe opening into a concrete box on the North, to the fields by gravity.

5. Water is used for: Irrigation
6. State whether or not water has been turned into works of diversion: Yes

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

S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$ Section 12, Twp. 7 North, Range 33 East, B. M.

See the Map

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

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

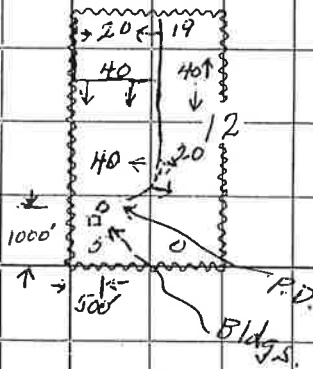
Remarks: _____

This examination was made on the 30 day of Aug., 1933

(Signed) E. M. Humphrey Examiner.

21271

T7N. R. 33E.



Subdivisions = Seven

Area = 184 acres.

Q = 184 inches.

T = 51°F

Actually pumped = 216 inches

10" ditch, to N. into
concrete box, open
ditch - granite
T = 5105

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
SEP 13 1955
Department of Reclamation

Bud C. Lockes
Terreton, Idaho

Permit No. 21271

Examination for Beneficial Use

County Jefferson
12 7N. 33E.

6.4 cfs. well
4 cfs = proof

12. - 34.8 W, 212.

1 m. 98.
300 ft in 692.
15"

Oct 27-49
c/w Nov 7-54
B/m Nov 7-59

300' x 16" cnd 160'
150' x 10" col.

14" grade. L=80'
h=40'

U.S. Water 50 yd.

4200-612-1300 yd.

More CR. 2-24

6' x 8' x 7'

10' x 10' x 10'

1 hp. motor jet pump.

House with 9' x 10'

House 7' x 8' x 10'

Well house floor.

1 1/2' x 1 1/4' pipe

✓
October 13, 1955

RE: Permit No. 21271

Mr. Bud C. Lockes
Terreton
Idaho

Dear Mr. Lockes:

The Report of our Field Engineer on examination for Beneficial Use on your Permit No. 21271 shows that you have irrigated 184 acres in the S¹/₄NW¹/₄, S¹/₄N¹/₂NW¹/₄, N¹/₂SW¹/₄ and SW¹/₄SW¹/₄ of Section 12, Township 7 North, Range 33 East, B. M. from your well located in the SW¹/₄SW¹/₄ of said Section.

A License can therefore be issued for 184 inches or 3.68 second feet of water upon the receipt of the statutory License fee amounting to \$14.00. This is at the reate of \$2.00 for each 40 acre subdivision in which the land is located.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:cu

21271

✓
October 28, 1955

RE: Permit No. 21271

Mr. Bud C. Lockes
Terreton
Idaho

Dear Mr. Lockes:

We enclose License and Certificate of Water Right issues on Permit No. 21271 confirming your right to the use of 3.68 second feet of water from a well in the SW¹/₄ Section 12, Township 7 North, Range 33 East, E.M. with priority of October 27, 1949, for irrigation and domestic use on the NW¹/₄, NE¹/₄SW¹/₄ and SW¹/₄SW¹/₄ of said Section.

We also enclose departmental receipt No. 27630 for the \$14.00 license fee.

Very truly yours,

MARK R. KUIP
State Reclamation Engineer
By

Chief Clerk

A:hll
Enc.

21271

Permit No. 21271

A 31-10466

Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that BUD C. LOCKES
of Terreton, County of Jefferson, and State of
Idaho, the holder of Permit No. 21271, issued upon Application
No. 28953 bearing date of priority of October 27, 1949, authorizing the diversion of
6.4 second feet of the waters of a well (subterranean flow)

County of Jefferson, 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 four (4)
second feet of the waters of said well;

that the point of diversion of said waters is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 12, Township 7 North,
Range 33 East, B. M.

ASSIGNMENT OF POLICY (ACTUAL SALE AND TRANSFER OF PROPERTY)

Attached to and forming part of Policy No. 11-79344 of the Oregon Mutual Fire Insurance Co.
 Issued to Leo C. ("Bud") Lockes NAME OF INSURED
 Agency at Rigby, Idaho CITY OR TOWN AND STATE Dated Dec 4, 1956

The ownership of the property described in the above numbered policy of the above named Insurance Company, having actually passed to

ANDREW J. BECKER
 NAME OF TRANSFEREE

MONTEVIEW, IDAHO

whose mailing address is MONTEVIEW, IDAHO transfers and assigns unto said transferee all the title and interest (herein termed "Transferee"), the undersigned Transferor, for value received, hereby transfers and assigns unto said transferee all the title and interest of said undersigned Transferor in said policy, subject to all the terms and conditions thereof.

In witness whereof, said undersigned Transferor has executed these presents this 4th day of December, 19 56
 Witness Don C. Archibald TRANSFEROR
Leo C. ("Bud") Lockes TRANSFEREE

CONSENT TO ASSIGNMENT

The undersigned Insurance Company hereby consents to the foregoing assignment, subject to all the terms and conditions of the above numbered policy of said Company; it being understood that this consent is granted upon the express condition that the above named Transferee shall be liable to said Insurance Company for all premiums now due, or which may hereafter become due, on said policy. This consent is granted upon the further condition that the same shall only be valid and binding if actually attached to said policy. Said Transferee by acceptance of this consent agrees to all of the foregoing conditions.

OREGON MUTUAL FIRE Insurance Company



16

APRIL 1924

By Don C. Archibald Agent
Don C. Archibald Agent's Signature

MICROFILMED
 APR 15 1994

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

No 27072

Boise, Idaho, Nov 30, 1954

RECEIVED FROM Budd C. Ruppel of Terrell Co. Idaho \$ 500

Five hundred DOLLARS

FOR

Carey Act Trust Fund	-	\$
Application for Permit No.	-	\$
Proofs <u>11/22/54</u>	-	\$ <u>500</u>
Certified Copy	-	\$
Recording Deed	-	\$
Certificate	-	\$
TOTAL	-	\$ <u>500</u>

Mark R. Ruppel

State Reclamation Engineer

By Jaune R. Anderson

MICROFILMED
APR 15 1994