

Before the Idaho Water Resource Board

WATER SUPPLY BANK RENTAL AGREEMENT

The Idaho Water Resource Board ("Board") being authorized to operate a Water Supply Bank ("bank") and to contract by and through the Director of the Idaho Department of Water Resources ("Director") for rental of water from the bank agrees to rent water as follows:

1. Renter: Beranna Dairy
2. Address: 9166 Perch Ave.
3. Source of water: Ground Water
4. Volume of water rented: 100.0 AF Max rate: 0.64 cfs
5. Diversion period: 2003 irrigation season
6. Use of water: Irrigation
7. a) Renter's point of diversion:

Legal description: NW ¼ SW ¼ Section 16, T02N, R03W, B.M., Canyon County
NW ¼ SW ¼ Section 16, T02N, R03W, B.M., Canyon County
NW ¼ SW ¼ Section 16, T02N, R03W, B.M., Canyon County
NE ¼ SE ¼ Section 16, T02N, R03W, B.M., Canyon County
NE ¼ NW ¼ Section 16, T02N, R03W, B.M., Canyon County
NE ¼ NW ¼ Section 16, T02N, R03W, B.M., Canyon County
NE ¼ NE ¼ Section 17, T02N, R03W, B.M., Canyon County
NE ¼ NE ¼ Section 17, T02N, R03W, B.M., Canyon County

b) Renter's place of use:

Legal description: 40 acres within SWSW Section 9, T02N, R03W,
40 acres within SESW Section 9, T02N, R03W,
32 acres within SWSW Section 9, T02N, R03W,
A total of 112 acres within Canyon County.

8. The right from which water will be rented is 63-3366, 63-3396, 63-8232.

The undersigned renter agrees to pay \$ 1,100.00 for rental of the above described water and agrees to use the water in compliance with the Water Supply Bank rules and in compliance with the conditions of water use shown below:

Conditions of water use under this agreement:

1. The use of water under this agreement shall be subject to the provisions of Section 42-1766, Idaho Code.
2. The renter shall comply with the provisions of transfer no. 68964.
3. 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.
4. Upon Department request, the renter shall provide for the measurement of the water diverted in a manner acceptable to the Director and shall report the amount of water diverted at the end of the irrigation season.
5. Use of water under this agreement does not constitute a dedication of the water to renter's land and upon expiration of this agreement, the points of diversion and place of use of the water shall revert to the licensed points of diversion and place of use and/or again be available to rent from the bank.
6. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
7. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.
8. Renter acknowledges and agrees that the Director may terminate diversion of water if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
9. This rental does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.
10. This rental does not authorize the construction of a well.

Dated this 1st day of June, 2003.

by James J. Zimmerman
for
BERNARD DAIK

Having determined that this agreement satisfies the provisions of Section 42-1763, Idaho Code, and, IDAPA 37.02.03030 (Water Supply Bank Rule 30), for the rental and use of water under the terms and conditions herein provided, and none other, I hereby execute this Rental Agreement on behalf of the Idaho Water Resource Board this 4th day of June, 2003.

for 
KARL J. DREHER, Director
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 68964

This is to certify that: BERANNA DAIRY
9166 PERCH AVE
CALDWELL ID 83607
(208) 454-7705

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
63-8232	AJC/License	10/28/1975	2.73 cfs	1228.3 af	250.1	428.0	GROUND WATER
63-3366	AJC/License	08/26/1963	2.095 cfs	720 af	144.3	428.0	GROUND WATER
63-3396	AJC/License	12/13/1963	1.2 cfs	270 af	54.1	428.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

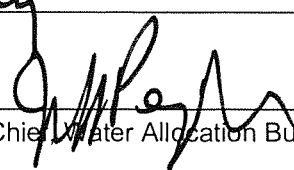
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
63-8232	NO	NO	YES	YES	NO	NO
63-3366	NO	NO	YES	YES	NO	NO
63-3396	NO	NO	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
63-8232	63-8232	2.73 cfs	1228.3 af	250.1	428.0		N/A	N/A	N/A	N/A
63-3366	63-3366	2.09 cfs	720.0 af	144.3	428.0		N/A	N/A	N/A	N/A
63-3396	63-3396	1.20 cfs	270.0 af	54.1	428.0		N/A	N/A	N/A	N/A
COMBINED TOTALS		4.41 cfs	2038.2 af	408.5	428.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 28 day of May, 2003

For  Chief Water Allocation Bureau

MICROFILMED
SEP 09 2003

WATER RIGHT NO. 63-3366
As Modified by Transfer No. 68964

In accordance with the approval of Transfer No. 68964, Water Right No. 63-3366 is now described as follows.

Right Holder: BERANNA DAIRY
 9166 PERCH AVE
 CALDWELL ID 83607

Priority Date: August 26, 1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	01/01 to	12/31	0.22 CFS	14.1 AF
STOCKWATER	01/01 to	12/31	0.22 CFS	56.5 AF
IRRIGATION	03/15 to	11/15	2.09 CFS	649.4 AF
			2.09 CFS	720.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NWSW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NWSW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NESE	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NENE	Sec. 17 Twp 02N	Rge 03W CANYON County
GROUND WATER	NENE	Sec. 17 Twp 02N	Rge 03W CANYON County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 03W 8															X		
02N 03W 16	X	X	X	X					X	X			X			X	
02N 03W 17	X	X	X	X				X									

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 03W 8															X		
02N 03W 16	X	X	X	X					X	X			X			X	
02N 03W 17	X	X	X	X				X									

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 03W 8															40.0		40.0
02N 03W 16	38.0	37.0	40.0	39.0					32.0	28.0			39.0			40.0	293.0
02N 03W 17	18.0	36.0	26.0	15.0													95.0

Total Acres: 428

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 SEP 09 2003

WATER RIGHT NO. 63-3366
As Modified by Transfer No. 68964

CONDITIONS OF APPROVAL

1. Use of water under this right may be affected by an agreement between the protestant and the right holder.
2. This right is limited to the irrigation of 144.3 acres within the place of use described above in a single irrigation season.
3. Rights 63-3366 and 63-3396 when combined shall not exceed a total diversion rate of 2.09 cfs.
4. Irrigation use under Rights 63-3366 and 63-8232 when combined shall not exceed a total annual maximum diversion volume of 1594.8 af at the field headgate and the irrigation of 354.4 acres.
5. Irrigation use under Rights 63-3366, 63-3396 and 63-8232 when combined shall not exceed a total diversion rate of 4.41 cfs, a total annual maximum diversion volume of 1838.2 af.
6. The total instantaneous diversion of water from all points of diversion under Rights 63-3366, 63-3396 and 63-8232 shall not exceed 4.41 cfs, nor total combined annual volume of 2038.2 af for all authorized uses.
7. Prior to diversion of water for irrigation use under this approval, the right holder shall provide a means of measurement and lockable controlling works acceptable to the Department from all authorized points of diversion or enter into an agreement with the Department to determine the amount of water diverted from power records which will allow determination of the total rate of diversion for irrigation use.
8. Prior to diversion of water for stockwater and commercial uses under this approval, the right holder shall provide a means of measurement and lockable controlling works acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion for these uses.
9. The measuring devices must accumulate volume diverted, and must be constructed to prevent change of the meter reading. The meters shall also read instantaneous flow. The meters shall be calibrated when they are installed with an independent measuring device. The measuring devices must be calibrated in-line once every three years following the year of installation.
10. The water right holder shall read the measuring devices at least monthly and record the volume readings from the meter on forms provided by the Department. The recorded diversions and year end totals shall be reported annually to the Department on forms provided by the Department prior to January 31 of the following year.
11. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
12. Water diverted and used for the dairy operation authorized under approved Transfer 4961, including land application of waste water, shall satisfy federal and Idaho state laws, regulations, and standards related to water quality.
13. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.

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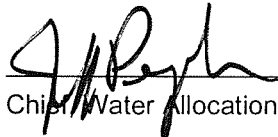
WATER RIGHT NO. 63-3366
As Modified by Transfer No. 68964

CONDITIONS OF APPROVAL

14. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.
15. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
16. The proposed well shall be drilled in the NENE S17 T2N R3W hydrologically upgradient from the milking facility and any associated structure, lagoon, waste storage area, holding pens or any other waste producing or holding facility related to the dairy as approved by the Department of Water Resources.
17. 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.
18. Commercial use is for a dairy barn located in the NE S17 T2N R3W.
19. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
20. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
21. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 28 day of May, 20 03

For  _____
Chief, Water Allocation Bureau

MICROFILMED

SEP 09 2003

WATER RIGHT NO. 63-3396
As Modified by Transfer No. 68964

In accordance with the approval of Transfer No. 68964, Water Right No. 63-3396 is now described as follows.

Right Holder: BERANNA DAIRY
 9166 PERCH AVE
 CALDWELL ID 83607

Priority Date: December 13, 1963

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	1/01 to	12/31	0.08 CFS	21.3 AF
COMMERCIAL	1/01 to	12/31	0.08 CFS	5.3 AF
IRRIGATION	3/15 to	11/15	1.20 CFS	243.4 AF
			1.20 CFS	270.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NWSW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NWSW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NESE	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NENE	Sec. 17 Twp 02N	Rge 03W CANYON County
GROUND WATER	NENE	Sec. 17 Twp 02N	Rge 03W CANYON County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 03W 8															X		
02N 03W 16	X	X	X	X					X	X			X			X	
02N 03W 17	X	X	X	X				X									

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 03W 8															X		
02N 03W 16	X	X	X	X					X	X			X			X	
02N 03W 17	X	X	X	X				X									

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 03W 8															40.0		40.0
02N 03W 16	38.0	37.0	40.0	39.0					32.0	28.0			39.0			40.0	293.0
02N 03W 17	18.0	36.0	26.0	15.0													95.0

Total Acres: 428

MICROFILMED

SEP 09 2003

WATER RIGHT NO. 63-3396
As Modified by Transfer No. 68964

CONDITIONS OF APPROVAL

1. Use of water under this right may be affected by an agreement between the protestant and the right holder.
2. This right is limited to the irrigation of 54.1 acres within the place of use described above in a single irrigation season.
3. Rights 63-3366 and 63-3396 when combined shall not exceed a total diversion rate of 2.09 cfs.
4. Irrigation use under Rights 63-3366, 63-3396 and 63-8232 when combined shall not exceed a total diversion rate of 4.41 cfs, a total annual maximum diversion volume of 1838.2 af.
5. The total instantaneous diversion of water from all points of diversion under Rights 63-3366, 63-3396 and 63-8232 shall not exceed 4.41 cfs, nor total combined annual volume of 2038.2 af for all authorized uses.
6. Prior to diversion of water for irrigation use under this approval, the right holder shall provide a means of measurement and lockable controlling works acceptable to the Department from all authorized points of diversion or enter into an agreement with the Department to determine the amount of water diverted from power records which will allow determination of the total rate of diversion for irrigation use.
7. Prior to diversion of water for stockwater and commercial uses under this approval, the right holder shall provide a means of measurement and lockable controlling works acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion for these uses.
8. The measuring devices must accumulate volume diverted, and must be constructed to prevent change of the meter reading. The meters shall also read instantaneous flow. The meters shall be calibrated when they are installed with an independent measuring device. The measuring devices must be calibrated in-line once every three years following the year of installation.
9. The water right holder shall read the measuring devices at least monthly and record the volume readings from the meter on forms provided by the Department. The recorded diversions and year end totals shall be reported annually to the Department on forms provided by the Department prior to January 31 of the following year.
10. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality standards of the Department of Environmental Quality.
11. Water diverted and used for the dairy operation authorized under approved Transfer 4961, including land application of waste water, shall satisfy federal and Idaho state laws, regulations, and standards related to water quality.
12. The place of commercial use authorized by this approval includes land upon which wastewater may be applied for irrigation purposes to satisfy water quality requirements. Water diverted under this approval shall not be used for irrigation unless the water is first used in the dairy as authorized by these water rights.
13. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable county zoning and use ordinances.

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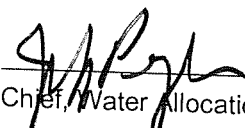
WATER RIGHT NO. 63-3396
As Modified by Transfer No. 68964

CONDITIONS OF APPROVAL

14. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
15. The proposed well shall be drilled in the NENE S17 T2N R3W hydrologically upgradient from the milking facility and any associated structure, lagoon, waste storage area, holding pens or any other waste producing or holding facility related to the dairy as approved by the Department of Water Resources.
16. 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.
17. Commercial use is for a dairy barn located in the NE S17 T2N R3W.
18. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
19. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
20. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 28 day of May, 20 03

For  _____
Chief, Water Allocation Bureau

MICROFILMED

SEP 09 2003

WATER RIGHT NO. 63-8232
As Modified by Transfer No. 68964

In accordance with the approval of Transfer No. 68964, Water Right No. 63-8232 is now described as follows.

Right Holder: BERANNA DAIRY
 9166 PERCH AVE
 CALDWELL ID 83607

Priority Date: October 28, 1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
COMMERCIAL	1/01 to 12/31		0.32 CFS	20.6 AF
IRRIGATION	3/15 to 11/15		2.73 CFS	1,125.5 AF
STOCKWATER	1/01 to 12/31		0.32 CFS	82.2 AF
			2.73 CFS	1,228.3 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NWSW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NWSW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NWSW	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NESE	Sec. 16 Twp 02N	Rge 03W CANYON County
GROUND WATER	NENE	Sec. 17 Twp 02N	Rge 03W CANYON County
GROUND WATER	NENE	Sec. 17 Twp 02N	Rge 03W CANYON County

PLACE OF USE: COMMERCIAL

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 03W 8															X		
02N 03W 16	X	X	X	X					X	X			X			X	
02N 03W 17	X	X	X	X				X									

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 03W 8															40.0		40.0
02N 03W 16	38.0	37.0	40.0	39.0					32.0	28.0			39.0			40.0	293.0
02N 03W 17	18.0	36.0	26.0	15.0													95.0

Total Acres: 428

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N 03W 8															X		
02N 03W 16	X	X	X	X					X	X			X			X	
02N 03W 17	X	X	X	X				X									

MICROFILMED
 SEP 09 2003

WATER RIGHT NO. 63-8232
As Modified by Transfer No. 68964

CONDITIONS OF APPROVAL

1. Use of water under this right may be affected by an agreement between the protestant and the right holder.
2. This right is limited to the irrigation of 250.1 acres within the place of use described above in a single irrigation season.
3. Irrigation use under Rights 63-3366 and 63-8232 when combined shall not exceed a total annual maximum diversion volume of 1594.8 af at the field headgate and the irrigation of 354.4 acres.
4. Irrigation use under Rights 63-3366, 63-3396 and 63-8232 when combined shall not exceed a total diversion rate of 4.41 cfs, a total annual maximum diversion volume of 1838.2 af.
5. The total instantaneous diversion of water from all points of diversion under Rights 63-3366, 63-3396 and 63-8232 shall not exceed 4.41 cfs, nor total combined annual volume of 2038.2 af for all authorized uses.
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MICROFILMED

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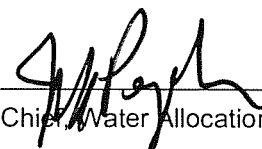
WATER RIGHT NO. 63-8232
As Modified by Transfer No. 68964

CONDITIONS OF APPROVAL

14. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
15. The proposed well shall be drilled in the NENE S17 T2N R3W hydrologically upgradient from the milking facility and any associated structure, lagoon, waste storage area, holding pens or any other waste producing or holding facility related to the dairy as approved by the Department of Water Resources.
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20. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 28 day of May, 20 03

For  _____
Chief, Water Allocation Bureau

MICROFILMED
SEP 09 2003

Before the Idaho Water Resource Board

APPLICATION TO RENT WATER
FROM THE WATER SUPPLY BANK

RECEIVED

MAY 22 2003

DEPARTMENT OF WATER RESOURCES

Applicant Beranna Dairy Phone 455-7705Address 9166 Perch Ave.City Caldwell State ID Zip Code 83607

DESCRIPTION OF WATER SOUGHT TO RENT

1. Source of water Groundwater
tributary to _____.
2. Maximum volume of water 100 AF.
3. Maximum rate of diversion .64 cfs.

DESCRIPTION OF USE PROPOSED

1. Nature of intended use Irrigation
2. Location of point of diversion _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, Section _____, Township _____, Range _____, B.M. _____ County.
See Attached list of points of diversion
3. Season of use: From 05/25/2003 to 10/15/2003.
4. Description of diverting works:
Pump HP _____ Lift _____ Pump type _____.
Canal name, if appropriate _____
See attached list of well pumps and motors.
5. Place of use:
 - a. If water is for irrigation, describe the number of acres to be irrigated by 40-acre tract,
section, township and range. _
All in 2N 3W Sec. 9 :
SWSW 40 ac,
SESW 40 ac.
SWSE 32 ac

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b. If water is not for irrigation, describe the nature of the intended use and the place of use.

6. Describe any other water rights used for the same purposes as rental water sought under this application. 63-2839 and 63-29025

7. Who owns the property at the point of diversion? Beranna Dairy

8. Who owns the property at the place of use?

Beranna Dairy

9. Are you seeking a rental for more than one (1) year? NO (yes or no) If yes, for how many years? _____

10. Remarks: Applicant has joined 3 farms together and has dried up land in section 17. Applicant was not aware that various consultants had neglected to add the areas to be irrigated by this request to the place of use on his various other water rights. Thirty acres of corn were planted which will dry up without the addition of water from the other points of diversion. Renting water from the water bank is proposed as a rapid solution for this season.

5/20/03
Date

Thomas J. Tennesen
Signature of Applicant

FOR DEPARTMENT USE ONLY

Received by Gynthia Bridg Clark Date 5/22/03 Time 3:00 pm

Published in _____ Pub. dates _____

Protests filed by _____

Hearing held by _____

Action recommended _____

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Attachment 1

Application to Rent Water From the Water Supply Bank
Beranna Dairy

5/20/2003

1. Points of Diversion, all in T2N R3W:

a. In Section 9 - NWSWSW 100 HP

b. In Section 16 –

- i. NENW 75 HP
- ii. NENW 60 HP
- iii. NESE —
- iv. NWSW 100 HP
- v. NWSW —
- vi. NWSW 40 HP

c. In Section 17 – 200 HP

- i. NENE ←
- ii. NENE 60 HP

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Water Supply Bank No. _____

Water Right No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 22 2003

APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE WATER SUPPLY BANK

DEPARTMENT OF WATER RESOURCES

Name of Seller/Lessor Beranna Dairy Phone 455-7705

Post office address 9166 Perch Avenue, Caldwell, ID 83607

1. DESCRIPTION OF WATER RIGHT:

Right evidenced by:

a. Decree No. _____ Decreed to _____

in case of _____ vs _____ (Name)

dated _____ in _____ county of _____

(Name of court)

b. License No. 63-3366, 63-3396, 63-8232 issued by the Idaho Department of Water Resources.

c. Permit No. _____ issued by the Idaho Department of Water Resources.

2. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE: (If the entire right is for sale or lease, show "all" on line a. below and skip the remainder of part 2.)

a. Amount of water under right: .669 cubic feet per second &/or

279 acre-feet per annum

b. Point of diversion: NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 17 Township 2N Range

3W, B.M. in Canyon County.

Additional points NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sect. 16 and NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 16 all in T2N R3W B.M.

[illegible]

If the right is for irrigation, show the number of acres for the part of the right to be put into the bank.

Total number of acres 62

3. ADDITIONAL INFORMATION ABOUT RIGHT, OR PORTION THEREOF, FOR SALE OR LEASE

a. Explain how the seller/lessor acquired the right, or portion thereof, and attach a copy of the deed to the land to which it is appurtenant or other evidence of ownership of the right. If the right is not recorded in the name of the seller/lessor, attach a copy of a change of ownership form as required by Section 42-248 or 42-1409(6), Idaho Code, together with required documentation.

Purchased in 1999. Proof Attached

b. Describe the frequency of water use under the right, or portion thereof, during the past five (5) years of use. Attach watermaster records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture. (This information is not required if a partial decree has been issued on the right within the last 5 years).

Was farmed regularly by the former owner, John Johnson, up to and including the 1999 crop year.

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c. If the right is from a surface water source, describe the period of the year that water is typically available to satisfy the right.

The right is from a ground water source

d. Describe any other water rights with the same purpose and place of use as the right, or portion thereof, offered for lease. Will the present place of use continue to receive water from any source? If so, describe.

The present place of use will be dried up

e. If the water right is a permit, describe the work accomplished toward developing the right.

f. If the right to the use of the water or the use of the diversion works or irrigation system is represented by shares of stock in a company or corporation, or if such works or system is owned or managed by an irrigation district, a written consent of the sale or lease must be attached.

Not Applicable

4. REMARKS:

The seller/lessor intends to lease the water back to apply to a field on the same farm. See associated "Application to Rent". This procedure (water bank) was chosen because it is believed it can be done quickly. The applicant had been supplementing the water in section 8 in the mistaken belief that it had been included in the place of use in his other water rights. It had not, and he now faces the prospect of having about 25 acres of corn dry up if he cannot use this water which he is not currently using.

5. SALE/LEASE AGREEMENT

1. The water right, or portion thereof, described above is offered to the Idaho Water Resource Board:

_____ For sale;

_____ For lease for a period from 05/25/03 to 10/15/03
(Day, month, year) (Day, month, year)

(The lease period may be shown as "indefinite", if the total duration of lease is unknown); or

_____ As a gift to the state of Idaho.

2. Show the minimum payment acceptable to the Seller/Lessor. Include the method of determining the minimum payment. The minimum payment may be shown as the "current rental rate".

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer this right for sale or lease to the Idaho Water Resource Board.

The owner/lessor acknowledges the following:

1. Payment to the owner/lessor is contingent upon the sale or rental of the right from the bank.
- 2 While a right is in the bank, the owner of the right may not use the right even if the right is not rented.
3. A right accepted into the bank stays in the bank until the Board releases it or until the lease term expires.
4. While a water right is in the bank, forfeiture provisions are stayed.
5. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right.

5/20/03
Date

Thomas J. Jernigan
Signature of Applicant

FOR DEPARTMENT USE ONLY

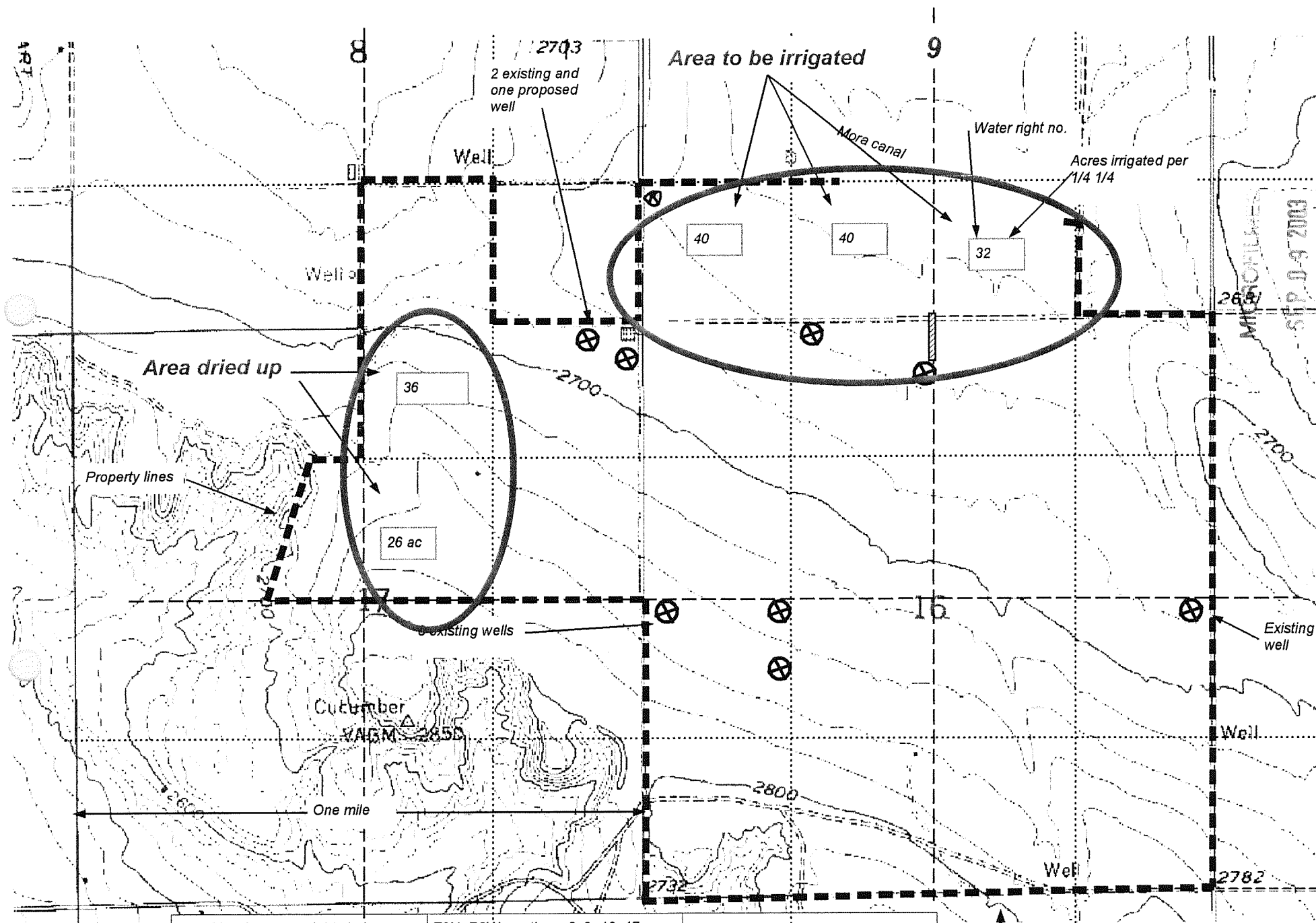
Received by CDC Date 5/22/03 Preliminary check by CDC

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

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Map Showing water rights to be placed in water bank	T2N R3W sections 8, 9, 16, 17	
Beranna Dairy	Not to Scale	
Caldwell, Idaho		

R3W

2000
FN#
5963 J-13A

T5268
H/NW

8.4

H/NW

H/NW

9

16

AV

2

4.9

100%
BURNING
DRAIN

T5175

CRP

H/NW

203

9.6 N/NW

N/NW

T4046

SEE

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SEP 09 2001

FSA-578 (02-01-91)

REPORT OF ACREAGE

PROGRAM YEAR 2000

FARM NUMBER: 5963

FARM AND TRACT DETAIL LISTING

DATE: 05-30-2000

Operator Name and Address ID

Original: _____

BERANNA DAIRY 1487
9166 PERCH RD
CALDWELL, ID 83607

Revision: _____

Cropland: 405.5

Farmland: 431.0

Tract Number	Field Num ID	Irr Prc	Crop	Var/ Type	Int Use	Lnd Use	Reported Acreage	Determined Acreage	O/ M	Crop Stat	Prod Share	Prod ID
0		Ni	OFAV			F FAV	.00				1.0000	1487
		Crop OFAV		Nirr .0	Irr							
		Photo Number/Legal Description: None										
		Cropland:	.0	Reported:	.0	Difference:	.0	Reported D,B,S,R,A:		.0		
2442	1	Ir	FALOW				73.70		RO	I	1.0000	1487
	2	Ir	FALOW				38.80		RO	I	1.0000	1487
	3	Ir	FALOW				38.20		RO	I	1.0000	1487
		Crop FALOW		Nirr 150.7	Irr							
		Photo Number/Legal Description: *K13 16 2 3										
		Cropland:	150.7	Reported:	150.7	Difference:	.0	Reported D,B,S,R,A:		.0		
5174	1A	Ir	CORN		Silage		30.50			I	1.0000	1487
	1B	Ir	FALOW				8.00			I	1.0000	1487
		Crop CORN		Nirr	Irr 30.5	Crop FALOW	Nirr 8.0	Irr				
		Photo Number/Legal Description: *J12A SEC 8 2 3 J13A SEC 17 2 3 K13 SEC 16 2 3										
		Cropland:	38.5	Reported:	38.5	Difference:	.0	Reported D,B,S,R,A:		.0		
5268	1A	Ir	TRICL		Grain		40.00			I	1.0000	1487
	1B	Ir	TRICL		Grain		40.00			I	1.0000	1487
		Crop TRICL		Nirr 80.0	Irr							
		Photo Number/Legal Description: *J13A 17 2 3										
		Cropland:	156.6	Reported:	80.0	Difference:	-76.6	Reported D,B,S,R,A:		.0		
5269	1	Ir	BARLY	SPR	Grain		20.00		RO	I	1.0000	1487
	2	Ir	CORN		Silage		1.50		RO	I	1.0000	1487
	3	Ir	CORN		Silage		1.50		RO	I	1.0000	1487
	4	Ir	CORN		Silage		35.00		RO	I	1.0000	1487

CANYON, IDAHO

F Approved - OMB No. 0560-0004

FSA-578(02-01-91)

REPORT OF ACREAGE

PROGRAM YEAR 2000

FARM NUMBER: 5963

FARM AND TRACT DETAIL LISTING

DATE: 05-30-2000

Tract Number	Field Num ID	Irr Prc	Crop	Var/ Type	Int Use	Lnd Use	Reported Acreage	Determined Acreage	O/ M	Crop Stat	Prod Share	Prod ID
5269	5	Ir	CORN		Silage		.70		R0	I	1.0000	1487
	6	Ir	CORN		Silage		1.00		R0	I	1.0000	1487
		Crop BARLY		Nirr	Irr 20.0	Crop CORN		Nirr		Irr 39.7		
Photo Number/Legal Description: *K13 16,17 2 3												
Cropland:		59.7	Reported:	59.7	Difference:	.0	Reported D,B,S,R,A:				.0	

Molenaa Nick

454-8695 Ext 111

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Calculation of flows and volumes for lease

Total flow for irrigation
as per note on bottom of 63-3366, 63-3396, 63- 8232

4.41 cfs

Total acres allowed
Total Volume allowed
Flow / acre
Volume /acre

408.5 ac
1838.2 acre-ft
0.011 cfs
4.5 acre-ft

Acres dried

NWNE Sec 17
SWNW Sec 17

36 ac
26 ac

62 ac

Flow to Water Bank
Volume to water bank

0.669 cfs
279.0 acre-ft

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SEP 09 2003

pn 44218
9914490

WARRANTY DEED

FOR VALUE RECEIVED John R. Johnson and Catherine J. Johnson, husband and wife and Johnson Land Company, a Limited Partnership

the Grantors, do hereby grant, bargain, sell and convey unto Transmutation Properties, Inc.

the Grantee, whose address is 403535 Inland Empire Blvd.
Ontario, CA 91764

the following described premises, to-wit:

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

All of the described real property is transferred and conveyed TOGETHER WITH all water, and water rights and interest, appurtenant to or inuring to the benefit of said real property or any part thereof.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances, except for general taxes and assessments for the year 1999 and subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: April 14, 1999

John R. Johnson Catherine J. Johnson
John R. Johnson Catherine J. Johnson

Johnson Land Company.

By Catherine J. Johnson
John R. Johnson

BY:
STATE OF IDAHO
COUNTY OF CANYON
On this 14 day of April, 1999, before me a notary public, personally appeared John R. Johnson and Catherine J. Johnson, known to me to be the person(s) who (as) named in the foregoing instrument and acknowledged to me that they executed the same.

Notary Public
Residing at Greenleaf, Idaho
My commission expires: 9-1-99

STATE OF IDAHO
COUNTY OF CANYON
On this 14 day of April, 1999, before me a notary public personally appeared John R. Johnson and Catherine J. Johnson, known to me to be the person(s) whose names are subscribed to the within instrument as general partners of Johnson Land Company, and acknowledged to me that they executed the same.

Notary Public
Residing at Greenleaf, Idaho
My commission expires: 9-1-99

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SEP 09 2003

PN46578

EXHIBIT "A"

PARCEL I:

Southwest Quarter of the Southeast Quarter, Section 8, Township 2 North, Range 3 West, Boise Meridian, Canyon County Idaho.

PARCEL II:

West Half of the Southwest Quarter, Section 16, Township 2 North, Range 3 West, Boise Meridian, Canyon County Idaho.

EXCEPTING THEREFROM that portion lying within that property Deeded to Canyon County in Warranty Deed, Instrument No. 847188, as follows:

This parcel is situated in the Southwest Quarter of the Southwest Quarter of Section 16, Southeast Quarter of the Southeast Quarter of Section 17, all in Township 2 North, Range 3 West of the Boise Meridian and is more particularly described as follows:

BEGINNING at the Southeast corner of said Southeast Quarter of the Southeast Quarter of Section 17, Township 2 North, Range 3 West, the REAL POINT OF BEGINNING; thence South $89^{\circ} 28' 50''$ West along the South boundary of said Southeast Quarter of the Southeast Quarter, a distance of 728.30 feet; thence Northwesterly, a distance of 142.38 feet along the arc of a curve to the right having a radius of 526.50 feet, a central angle of $15^{\circ} 28' 39''$ and a long chord which bears North $65^{\circ} 47' 19''$ West, a distance of 141.94 feet; thence North $31^{\circ} 57' 30''$ East, a distance of 80.00 feet; thence Southeasterly, a distance of 281.71 feet along the arc of a curve to the left having a radius of 446.50 feet, a central angle of $33^{\circ} 35' 00''$ and a long chord which bears South $74^{\circ} 30' 00''$ East, a distance of 257.88 feet; thence North $88^{\circ} 22' 30''$ East, a distance of 561.83 feet; thence North $9^{\circ} 44' 18''$ West, a distance of 168.50 feet; thence Northwesterly, a distance of 154.82 feet along the arc of a curve to the left having a radius of 777.37 feet, a central angle of $11^{\circ} 24' 40''$ and a long chord which bears North $15^{\circ} 26' 36''$ West, a distance of 154.57 feet; thence Northwesterly, a distance of 301.88 feet along the arc of a curve to the right having a radius of 516.73 feet; a central angle of $33^{\circ} 26' 24''$ and a long chord which bears North $4^{\circ} 25' 44''$ West, a distance of 287.32 feet; thence North $12^{\circ} 17' 28''$ East a distance of 216.51 feet; thence Northeasterly, a distance of 88.62 feet along the arc of a curve to the left having a radius of 410.00 feet, a central angle of $12^{\circ} 23' 02''$ and a long chord which bears North $6^{\circ} 05' 57''$ East, a distance of 88.44 feet; thence North $89^{\circ} 54' 26''$ East, a distance of 80.00 feet; thence Southwesterly, a distance of 105.91 feet along the arc of a curve to the right having a radius of 490.00 feet, a central angle of $12^{\circ} 23' 02''$ of a long chord which bears South $6^{\circ} 05' 57''$ West, a distance of 105.71 feet; thence South $12^{\circ} 17' 28''$ West, a distance of 216.51 feet; thence Southeasterly a distance of 254.88 feet along the arc of a curve to the left, having a radius of 436.73 feet, a central angle of $33^{\circ} 26' 24''$ and a long chord which bears

First American Title
Schedule A

MICROFILMED

SEP 09 2003

South $4^{\circ} 24' 44''$ East, a distance of 251.28 feet; thence Southeasterly, a distance of 170.76 feet along the arc of a curve to the right having a radius of 857.37 feet, a central angle of $11^{\circ} 24' 40''$ and a long chord which bears

South $15^{\circ} 26' 36''$ East, a distance of 170.47 feet; thence

South $9^{\circ} 44' 18''$ East, a distance of 248.60 feet to a point on the South boundary of the Southwest Quarter of the Southwest Quarter of said Section 16; thence

South $89^{\circ} 31' 10''$ West along the South boundary of said Southwest Quarter of the Southwest Quarter, a distance of 87.95 feet to the REAL POINT OF BEGINNING.

PARCEL III:

The East Half of the Northeast Quarter and the East Half of the Southeast Quarter, Section 16, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

PARCEL IV:

The Northeast Quarter of the Northeast Quarter and the South Half of the Northeast Quarter, Section 17, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

PARCEL V:

The Southeast Quarter of the Northwest Quarter, the North Half of the Northwest Quarter of the Southeast Quarter, the Southeast Quarter of the Northwest Quarter of the Southeast Quarter, the Northeast Quarter of the Southwest Quarter of the Southeast Quarter and the Southeast Quarter of the Southeast Quarter, Section 17, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

EXCEPTING THEREFROM that portion of said Southeast Quarter of the Southeast Quarter lying within that property Deeded to Canyon County in Warranty Deed, Instrument No. 847188, as follows:

This parcel is situated in the Southwest Quarter of the Southwest Quarter of Section 16, Southeast Quarter of the Southeast Quarter of Section 17, all in Township 2 North, Range 3 West of the Boise Meridian and is more particularly described as follows:

BEGINNING at the Southeast corner of said Southeast Quarter of the Southeast Quarter of Section 17, Township 2 North, Range 3 West, the REAL POINT OF BEGINNING; thence

South $89^{\circ} 29' 50''$ West along the South boundary of said Southeast Quarter of the Southeast Quarter, a distance of 728.30 feet; thence Northwesterly, a distance of 142.38 feet along the arc of a curve to the right having a radius of 526.50 feet, a central angle of $15^{\circ} 29' 39''$ and a long chord which bears

North $85^{\circ} 47' 18''$ West, a distance of 141.94 feet; thence

North $31^{\circ} 57' 30''$ East, a distance of 80.00 feet; thence Southeasterly, a distance of 261.71 feet along the arc of a curve to the left having a radius of 446.50 feet, a central angle of $33^{\circ} 35' 00''$ and a long chord which bears

South $74^{\circ} 50' 00''$ East, a distance of 257.98 feet; thence

North $88^{\circ} 22' 30''$ East, a distance of 561.83 feet; thence

North $9^{\circ} 44' 18''$ West, a distance of 188.50 feet; thence Northwesterly, a distance of 154.82 feet along the arc of a curve to the left having a radius of 777.37 feet, a central angle of $11^{\circ} 24' 40''$ and a long chord which bears

North 15° 26' 36" West, a distance of 154.57 feet; thence Northwesterly, a distance of 301.58 feet along the arc of a curve to the right having a radius of 516.73 feet; a central angle of 33° 26' 24" and a long chord which bears

North 4° 25' 44" West, a distance of 287.32 feet; thence

North 12° 17' 28" East, a distance of 216.51 feet; thence Northeasterly, a distance of 88.62 feet along the arc of a curve to the left having a radius of 410.00 feet, a central angle of 12° 23' 02" and a long chord which bears

North 6° 05' 57" East, a distance of 88.44 feet; thence

North 89° 54' 26" East, a distance of 80.00 feet; thence Southwesterly, a distance of 105.91 feet along the arc of a curve to the right having a radius of 480.00 feet, a central angle of 12° 23' 02" and a long chord which bears

South 6° 05' 57" West, a distance of 105.71 feet; thence

South 12° 17' 28" West, a distance of 216.51 feet; thence Southeasterly a distance of 254.88 feet along the arc of a curve to the left, having a radius of 436.73 feet, a central angle of 33° 26' 24" and a long chord which bears

South 4° 24' 44" East, a distance of 251.29 feet; thence Southeasterly, a distance of 170.76 feet along the arc of a curve to the right having a radius of 857.37 feet, a central angle of 11° 24' 40" and a long chord which bears

South 15° 26' 36" East, a distance of 170.47 feet; thence

South 8° 44' 16" East, a distance of 248.80 feet to a point on the South boundary of the Southwest Quarter of the Southwest Quarter of said Section 16; thence

South 89° 31' 10" West along the South boundary of said Southwest Quarter of the Southwest Quarter, a distance of 87.95 feet to the REAL POINT OF BEGINNING.

PARCEL VI:

The Northwest Quarter of the Northeast Quarter, Section 17, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

RECORDED
BY
CANYON COUNTY RECORDER
BY
J. H. HALE
12/10/99

RECORDED
BY
CANYON COUNTY RECORDER
BY
J. H. HALE
12/10/99

19 APR 15 AM 11 01

RECORDED

9914490

A

PC 3 30

9943448

Transmutation Properties, Inc.
c/o William A. Van Dyk, Esq.
3535 Inland Empire Boulevard
Ontario, CA 91764

***** SPACE ABOVE FOR RECORDER *****

WARRANTY DEED

FOR VALUE RECEIVED TRANSMUTATION PROPERTIES, INC., a California Corporation, hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto BERANNA DAIRY, a general partnership, hereinafter called the Grantee, whose address is: 16015 Mountain Avenue, Chino 91710, the following described premises, in Canyon County, Idaho, to wit:

PARCEL I

Southwest Quarter of the Southeast Quarter, Section 8, Township 2 North, Range 3 West, Boise Meridian, Canyon County Idaho.

PARCEL II

West Half of the Southwest Quarter, Section 16, Township 2 North, Range 3 West, Boise Meridian, Canyon County Idaho.

EXCEPTING THEREFROM that portion lying within that property Deeded to Canyon County in Warranty Deed, Instrument No. 847188, as follows:

This parcel is situated in the Southwest Quarter of the Southwest Quarter of Section 16, Southeast Quarter of the Southeast Quarter of Section 17, all in Township 2 North, Range 3 West of the Boise Meridian and is more particularly described as follows:

BEGINNING at the Southeast corner of said Southeast Quarter of the Southeast Quarter of Section 17, Township 2 North, Range 3 West, the REAL POINT OF BEGINNING; thence

South 89°29'50" West along the South boundary of said Southeast Quarter of the Southeast Quarter, a distance of 728.30 feet; thence

Northwesterly, a distance of 142.38 feet along the arc of a curve to the right having a radius of 326.50 feet, a central angle of 15°29'39" and a long chord which bears North 65°47'19" West, a distance of 141.94 feet; thence

North 31°57'30" East, a distance of 80.00 feet; thence

Southeasterly, a distance of 261.71 feet along the arc of a curve to the left having a radius of 446.50 feet, a central angle of 33°35'00" and a long chord which bears South 74°50'00" East, a distance of 257.98 feet; thence

North 88°22'30" East, a distance of 561.83 feet; thence

North 9°44'16" West, a distance of 166.50 feet; thence

Northwesterly, a distance of 154.82 feet along the arc of a curve to the left having a radius of 777.37 feet, a central angle of 11°24'40" and a long chord which bears North 15°26'36" West, a distance of 154.57 feet; thence

Northwesterly, a distance of 301.58 feet along the arc of a curve to the right having a radius of 516.73 feet, a central angle of 33°26'24" and a long chord which bears North 4°25'44" West, a distance of 297.32 feet; thence

North 12°17'28" East a distance of 216.51 feet; thence

Northeasterly, a distance of 88.62 feet along the arc of a curve to the left having a radius of 410.00 feet, a central angle of 12°23'02" and a long chord which bears North 6°05'57" East, a distance of 88.44 feet; thence

North 89°54'26" East, a distance of 80.00 feet; thence

Southwesterly, a distance of 105.91 feet along the arc of a curve to the right having a radius of 490.00 feet, a central angle of 12°23'02" and a long chord which bears South 6°05'57" West, a distance of 105.71 feet; thence

South 12°17'28" West, a distance of 216.51 feet; thence

Southeasterly a distance of 254.89 feet along the arc of a curve to the left, having a radius of 436.73 feet, a central angle of 33°26'24" and a long chord which bears South 4°24'44" East, a distance of 251.29 feet; thence

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Southeasterly, a distance of 170.76 feet along the arc of a curve to the right having a radius of 857.37 feet, a central angle of $11^{\circ}24'40''$ and a long chord which bears South $15^{\circ}26'36''$ East, a distance of 170.47 feet; thence South $9^{\circ}44'16''$ East, a distance of 248.60 feet to a point on the South boundary of the Southwest Quarter of the Southwest Quarter of said Section 16; thence

South $89^{\circ}31'10''$ West along the South boundary of said Southwest Quarter of the Southwest Quarter, a distance of 87.95 feet to the REAL POINT OF BEGINNING.

PARCEL III

The East Half of the Northeast Quarter and the East Half of the Southeast Quarter, Section 16, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

PARCEL IV

The Northeast Quarter of the Northeast Quarter and the South Half of the Northeast Quarter, Section 17, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

PARCEL V

The Southeast Quarter of the Northwest Quarter, the North Half of the Northwest Quarter of the Southeast Quarter, the Southeast Quarter of the Northwest Quarter of the Southeast Quarter, the Northeast Quarter of the Southwest Quarter of the Southeast Quarter and the Southeast Quarter of the Southwest Quarter, Section 17, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

EXCEPTION THEREFROM that portion of said Southeast Quarter of the Southeast Quarter lying within that property Deeded to Canyon County in Warranty Deed, Instrument No. 847188, as follows:

This parcel is situated in the Southwest Quarter of the Southwest Quarter of Section 16, Southeast Quarter of the Southeast Quarter of Section 17, all in Township 2 North, Range 3 West of the Boise Meridian and is more particularly described as follows:

BEGINNING at the Southeast corner of said Southeast Quarter of the Southeast Quarter of Section 17, Township 2 North, Range 3 West, the REAL POINT OF BEGINNING; thence

South $89^{\circ}29'50''$ West along the South boundary of said Southeast Quarter of the Southeast Quarter, a distance of 728.30 feet; thence

Northwesterly, a distance of 142.38 feet along the arc of a curve to the right having a radius of 526.50 feet, a central angle of $15^{\circ}29'39''$ and a long chord which bears North $65^{\circ}47'19''$ West, a distance of 141.94 feet; thence

North $31^{\circ}57'30''$ East, a distance of 80.00 feet; thence

Southeasterly, a distance of 261.71 feet along the arc of a curve to the left having a radius of 446.50 feet, a central angle of $33^{\circ}35'00''$ and a long chord which bears South $74^{\circ}50'00''$ East, a distance of 257.98 feet; thence

North $88^{\circ}22'30''$ East, a distance of 561.83 feet; thence

North $9^{\circ}44'16''$ West, a distance of 166.50 feet; thence

Northwesterly, a distance of 154.82 feet along the arc of a curve to the left having a radius of 777.37 feet, a central angle of $11^{\circ}24'40''$ and a long chord which bears North $15^{\circ}26'36''$ West, a distance of 154.57 feet; thence

Northwesterly, a distance of 301.58 feet along the arc of a curve to the right having a radius of 516.73 feet, a central angle of $33^{\circ}26'24''$ and a long chord which bears North $4^{\circ}25'44''$ West, a distance of 297.32 feet; thence

North $12^{\circ}17'28''$ East a distance of 216.51 feet; thence

Northeasterly, a distance of 88.62 feet along the arc of a curve to the left having a radius of 410.00 feet, a central angle of $128^{\circ}02''$ and a long chord which bears North $6^{\circ}05'57''$ East, a distance of 88.44 feet; thence

North $89^{\circ}54'26''$ East, a distance of 80.00 feet thence

Southwesterly, a distance of 105.91 feet along the arc of a curve to the right having a radius of 490.00 feet, a central angle of $12^{\circ}23'02''$ and a long chord which bears South $6^{\circ}05'57''$ West, a distance of 105.71 feet; thence

South $12^{\circ}17'28''$ West, a distance of 216.51 feet; thence

Southeasterly a distance of 254.89 feet along the arc of a curve to the left, having a radius of 436.73 feet, a central angle of $33^{\circ}26'24''$ and a long chord which bears South $4^{\circ}24'44''$ East, a distance of 251.29 feet; thence

Southeasterly, a distance of 170.76 feet along the arc of a curve to the right having a radius of 857.37 feet, a central angle of $11^{\circ}24'40''$ and a long chord which bears South $15^{\circ}26'36''$ East, a distance of 170.47 feet; thence

South $9^{\circ}44'16''$ East, a distance of 248.60 feet to a point on the South boundary of the Southwest Quarter of the

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SEP 09 2003

Southwest Quarter of said Section 16; thence

South 89°31'10" West along the South boundary of said Southwest Quarter of the Southwest Quarter, a distance of 87.95 feet to the REAL POINT OF BEGINNING.

PARCEL VI

The Northwest Quarter of the Northeast Quarter, Section 17, Township 2 North, Range 3 West, Boise Meridian, Canyon County, Idaho.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee and to the successors, heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises, that they are free from all encumbrances except as above described and except as reflected within the public record and that Grantor will warrant and defend the same from all lawful claims whatsoever.

TRANSMUTATION PROPERTIES, INC.,
a California Corporation

Dated: October 14, 1999.

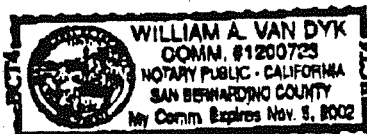
by:

[Signature]
Frank J. Lizarraga, Jr., President

STATE OF CALIFORNIA)
COUNTY OF SAN BERNARDINO)

On October 14, 1999, before me, a Notary Public in and for said State, personally appeared FRANK J. LIZARRAGA, JR., personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

[Signature]
William A. Van Dyk, Notary Public
Residing at: 3535 Inland Empire Boulevard
Ontario, CA 91764
My Commission Expires: November 5, 2002



[Signature]
PIONEER - CALDWELL

[Signature]
CANYON COUNTY RECORDER

29 NOV 1 PM 4 31

RECORDED

009943498

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Close

TRANSFER NO. 68964

BERANNA DAIRY

9166 PERCH AVE

CALDWELL ID 83607, has filed Application No. 68964 for changes to the following water rights within

County: CANYON

Date Received: 3/19/2001

Status: Active

Applicant's Statement of Purpose: A well approved for dairy use per transfer 4961 in the NWNWSW S16 has failed due to heavy mineral deposit built up on screens and other problems which has made it too costly to maintain and too unreliable for dairy operations. The dairy is currently using a 16 inch well in the NENE S17 also included in transfer 4961 for dairy use and now wishes to include an 8 inch existing domestic well along with a proposed 16 inch well, both in the NENE S17, to replace the capacity if the failed well. No increase in licensed water is requested.

Purpose of Transfer	Water Right Number
Add Point of Diversion	63-3366
Add Point of Diversion	63-3396
Add Point of Diversion	63-8232
Change Place of Use	63-3366
Change Place of Use	63-3396
Change Place of Use	63-8232

Right No. 63-3366

Priority Aug 26 1963 12:00AM

Source GROUND WATER,

Use STOCKWATER 0.22 CFS 56.5 AFA, IRRIGATION(428 acres) (144.3 acre limit) 2.09 CFS 649.4 AFA, COMMERCIAL 0.22 CFS 14.1 AFA,

Total Amount 2.095 CFS 720 AFA

Point(s) of Diversion NESE S16 T02N R03W, NWSW S16 T02N R03W, NENE S17 T02N R03W,

Place Of Use NENE S16 T02N R03W, NENE S17 T02N R03W, NESE S16 T02N R03W, NESE S17 T02N R03W, NWNE S17 T02N R03W, NWSE S17 T02N R03W, NWSW S16 T02N R03W, SENE S16 T02N R03W, SENE S17 T02N R03W, SENW S17 T02N R03W, SESE S16 T02N R03W, SWNE S17 T02N R03W, SWSE S8 T02N R03W, SWSW S16 T02N R03W,

Right No. 63-3396

Priority Dec 13 1963 12:00AM

Source GROUND WATER,

Use IRRIGATION(428 acres) (54.1 acre limit) 1.2 CFS 243.4 AFA, STOCKWATER 0.08 CFS 21.3

AFA, COMMERCIAL 0.08 CFS 5.3 AFA,

Total Amount 1.2 CFS 270 AFA

Point(s) of Diversion NENE S17 T02N R03W, NESE S16 T02N R03W, NWSW S16 T02N R03W,

Place Of Use NENE S16 T02N R03W, NENE S17 T02N R03W, NESE S16 T02N R03W, NESE S17 T02N R03W, NWNE S17 T02N R03W, NWSE S17 T02N R03W, NWSW S16 T02N R03W, SENE S16 T02N R03W, SENE S17 T02N R03W, SENW S17 T02N R03W, SESE S16 T02N R03W, SWNE S17 T02N R03W, SWSE S8 T02N R03W, SWSW S16 T02N R03W,

Right No. 63-8232

Priority Oct 28 1975 12:00AM

Source GROUND WATER,

Use STOCKWATER 0.32 CFS 82.2 AFA, IRRIGATION(428 acres) (250.1 acre limit) 2.73 CFS 1125.5 AFA, COMMERCIAL 0.32 CFS 20.6 AFA,

Total Amount 2.73 CFS 1228.3 AFA

Point(s) of Diversion NENE S17 T02N R03W, NESE S16 T02N R03W, NWSW S16 T02N R03W,

Place Of Use NENE S16 T02N R03W, NENE S17 T02N R03W, NESE S16 T02N R03W, NESE S17 T02N R03W, NWNE S17 T02N R03W, NWSE S17 T02N R03W, NWSW S16 T02N R03W, SENE S16 T02N R03W, SENE S17 T02N R03W, SENW S17 T02N R03W, SESE S16 T02N R03W, SWNE S17 T02N R03W, SWSE S8 T02N R03W, SWSW S16 T02N R03W,

The purpose of the transfer is to change the above rights as follows:

Proposed Right No. 63-8232

Priority Oct 28 1975 12:00AM

Source GROUND WATER,

Use COMMERCIAL 0.32 CFS 20.6 AFA, IRRIGATION(428 acres) (250.1 acre limit) 2.73 CFS 1125.5 AFA, STOCKWATER 0.32 CFS 82.2 AFA,

Total Amount 2.73 CFS 1228.3 AFA

Point(s) of Diversion NWSW S16 T02N R03W, NENE S17 T02N R03W, NWSW S16 T02N R03W, NESE S16 T02N R03W, NENE S17 T02N R03W, NWSW S16 T02N R03W, NENE S17 T02N R03W,

Place Of Use NENE S16 T02N R03W, NENE S17 T02N R03W, NESE S16 T02N R03W, NWNE S16 T02N R03W, NWNE S17 T02N R03W, NWSW S16 T02N R03W, SENE S16 T02N R03W, SENE S17 T02N R03W, SENW S17 T02N R03W, SESE S16 T02N R03W, SWNE S16 T02N R03W, SWNE S17 T02N R03W, SWSE S8 T02N R03W, SWSW S16 T02N R03W,

Proposed Right No. 63-3396

Priority Dec 13 1963 12:00AM

Source GROUND WATER,

Use COMMERCIAL 0.08 CFS 5.3 AFA, IRRIGATION(428 acres) (54.1 acre limit) 1.2 CFS 243.4 AFA, STOCKWATER 0.08 CFS 21.3 AFA,

Total Amount 1.2 CFS 270 AFA

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Point(s) of Diversion NWSW S16 T02N R03W, NENE S17 T02N R03W, NWSW S16 T02N R03W, NESE S16 T02N R03W, NENE S17 T02N R03W, NWSW S16 T02N R03W, NENE S17 T02N

R03W,

Place Of Use NENE S16 T02N R03W, NENE S17 T02N R03W, NESE S16 T02N R03W, NWNE S16 T02N R03W, NWNE S17 T02N R03W, NWSW S16 T02N R03W, SENE S16 T02N R03W, SENE S17 T02N R03W, SENW S17 T02N R03W, SESE S16 T02N R03W, SWNE S16 T02N R03W, SWNE S17 T02N R03W, SWSE S8 T02N R03W, SWSW S16 T02N R03W,

Proposed Right No. 63-3366

Priority Aug 26 1963 12:00AM

Source GROUND WATER,

Use COMMERCIAL 0.22 CFS 14.1 AFA, STOCKWATER 0.22 CFS 56.5 AFA, IRRIGATION(428 acres) (144.3 acre limit) 2.09 CFS 649.4 AFA,

Total Amount 2.09 CFS 720 AFA

Point(s) of Diversion NWSW S16 T02N R03W, NWSW S16 T02N R03W, NENE S17 T02N R03W, NENE S17 T02N R03W, NESE S16 T02N R03W, NENE S17 T02N R03W, NWSW S16 T02N R03W,

Place Of Use NENE S16 T02N R03W, NENE S17 T02N R03W, NESE S16 T02N R03W, NWNE S16 T02N R03W, NWNE S17 T02N R03W, NWSW S16 T02N R03W, SENE S16 T02N R03W, SENE S17 T02N R03W, SENW S17 T02N R03W, SESE S16 T02N R03W, SWNE S16 T02N R03W, SWNE S17 T02N R03W, SWSE S8 T02N R03W, SWSW S16 T02N R03W,

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[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

05/19/2003

WATER RIGHT NO. 63-3366

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHNSON LAND CO 9168 PERCH LANE CALDWELL, ID 83605 (208)459-7893
Original Owner	JOHN R JOHNSON 9168 PERCH LN CALDWELL, ID 83605 (208)459-7893

Priority Date: 08/26/1963

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	2.09 CFS	649.4 AFA
STOCKWATER	1/01	12/31	0.22 CFS	56.5 AFA
COMMERCIAL	1/01	12/31	0.22 CFS	14.1 AFA
Total Diversion			2.09 CFS	720 AFA

Location of Point(s) of Diversion:

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GROUND WATER	NWSW	Sec. 16	Township 02N	Range 03W	CANYON County
GROUND WATER	NESE	Sec. 16	Township 02N	Range 03W	CANYON County
GROUND WATER	NENE	Sec. 17	Township 02N	Range 03W	CANYON County

IRRIGATION Use:

Acre Limit: 144.3

Place(s) of use:

Place of Use Legal Description: IRRIGATION CANYON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acr
02N	03W	8		SWSE	40									
		16		NENE	38		SENE	39						
				NWSW	28		SWSW	32						
				NESE	39		SESE	40						
		17		NENE	18		NWNE	36		SWNE	26		SENE	15
				SENE	23									
				NESE	40		NWSE	14						

Place of Use Legal Description: STOCKWATER CANYON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
02N	03W	17		NENE			NWNE			SWNE			SENE	

Place of Use Legal Description: COMMERCIAL same as STOCKWATER

Total Acres: 428

Conditions of Approval:

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1.	046	Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2.	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.
3.	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.
		Approval of this transfer does not preclude the opportunity for review of the validity of the

4. T09 water right(s) in the ongoing Snake River Basin Adjudication.

Remarks:

1. General	Prior to diversion of water under this approval, the right holder shall provide a permanent measuring device and lockable controlling works of a type acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion and annual volume. The total instantaneous diversion of water from all points of diversion under Transfer No. 4961 shall not exceed 4.41 cfs, nor total combined annual volume of 2038.2 af. The proposed well shall be drilled in the NENE, S17, T02N, R03W, hydrologically upgradient from the milking facility and any associated structure, lagoon, waste storage area, holding pens or any other waste producing or holding facility related to the dairy as approved by the Department of Water Resources. The water right holder shall annually report diversion of water to the Department of Water Resources as required by the Director. Water diverted and used for the dairy operation, including land application of waste water, shall satisfy federal and Idaho state laws, regulations, and standards related to water quality. Wells which are no longer intended for use must be abandoned pursuant to rules and regulations of the Department of Water Resources. Right 63-03366 is limited to the irrigation of 144.3 acres in the place of use described above in a single irrigation season. Rights 63-03366 and 63-03396 when combined shall not exceed the total combined diversion rate of 2.09 cfs. Rights 63-03366 and 63-08232 when combined shall not exceed the total combined annual diversion volume of 1594.8 af for the irrigation of 354.4 total acres. Irrigation use under Rights 63-03366, 63-03396 and 63-08232 when combined shall not exceed the total combined diversion rate of 4.41 cfs, a total combined annual diversion volume of 1838.2 af, for the irrigation of 408.5 total acres. Commercial use is for a dairy. Three (3) points of diversion are located within NWSW, S16, T02N, R03W. The right holder of Transfer 4961 is granted an extension to December 16, 1999 to accomplish the transfer.
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Dates:

Licensed Date: 09/12/1979

Decreed Date:

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

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Owner Name Connector:
Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

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[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

05/19/2003

WATER RIGHT NO. 63-8232

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHNSON LAND CO 9168 PERCH LANE CALDWELL, ID 83605 (208)459-7893
Original Owner	PICKLE BUTTE FARMS INC C/O JOHN R JOHNSON RT 4 BOX 344 CALDWELL, ID 83605 (208)459-7893

Priority Date: 10/28/1975

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	2.73 CFS	1125.5 AFA
STOCKWATER	1/01	12/31	0.32 CFS	82.2 AFA
COMMERCIAL	1/01	12/31	0.32 CFS	20.6 AFA
Total Diversion			2.73 CFS	1228.3 AFA

Location of Point(s) of Diversion:

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GROUND WATER	NWSW	Sec. 16	Township 02N	Range 03W	CANYON County
GROUND WATER	NESE	Sec. 16	Township 02N	Range 03W	CANYON County
GROUND WATER	NENE	Sec. 17	Township 02N	Range 03W	CANYON County

IRRIGATION Use:
Acre Limit: 250.1

Place(s) of use:

Place of Use Legal Description: IRRIGATION CANYON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
02N	03W	8		SWSE	40									
		16		NENE	38		SENE	39						
				NWSW	28		SWSW	32						
				NESE	39		SESE	40						
		17		NENE	18		NWNE	36		SWNE	26		SENE	15
				SENE	23									
				NESE	40		NWSE	14						

Place of Use Legal Description: STOCKWATER CANYON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
02N	03W	17		NENE			NWNE			SWNE			SENE	

Place of Use Legal Description: COMMERCIAL same as STOCKWATER

Total Acres: 428

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Conditions of Approval:

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1.	046	Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2.	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.
3.	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.

4.	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.
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Remarks:

1.	General	Prior to diversion of water under this approval, the right holder shall provide a permanent measuring device and lockable controlling works of a type acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion and annual volume. The total instantaneous diversion of water from all points of diversion under Transfer No. 4961 shall not exceed 4.41 cfs, nor total combined annual volume of 2038.2 af. The proposed well shall be drilled in the NENE, S17, T02N, R03W, hydrologically upgradient from the milking facility and any associated structure, lagoon, waste storage area, holding pens or any other waste producing or holding facility related to the dairy as approved by the Department of Water Resources. The water right holder shall annually report diversion of water to the Department of Water Resources as required by the Director. Water diverted and used for the dairy operation, including land application of waste water, shall satisfy federal and Idaho state laws, regulations, and standards related to water quality. Wells which are no longer intended for use must be abandoned pursuant to rules and regulations of the Department of Water Resources. Right 63-08232 is limited to the irrigation of 250.1 acres in the place of use described above in a single irrigation season. Rights 63-03366 and 63-08232 when combined shall not exceed the total combined annual diversion volume of 1594.8 af for the irrigation of 354.4 total acres. Irrigation use under Rights 63-03366, 63-03396 and 63-08232 when combined shall not exceed the total combined diversion rate of 4.41 cfs, a total combined annual diversion volume of 1838.2 af, for the irrigation of 408.5 total acres. Commercial use is for a dairy. Three (3) points of diversion are located within NWSW, S16, T02N, R03W. The right holder of Transfer 4961 is granted an extension to December 16, 1999 in which to accomplish the transfer.
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Dates:

Licensed Date: 09/09/1994

Decreed Date:

Permit Proof Due Date: 12/1/1980

Permit Proof Made Date: 10/20/1980

Permit Approved Date: 12/2/1975

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date: 10/28/1975

Protest Deadline Date:

Number of Protests: 0

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Other Information:

State or Federal:

Owner Name Connector:

Water District Number:
Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close

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[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

05/19/2003

WATER RIGHT NO. 63-3396

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JOHNSON LAND CO 9168 PERCH LANE CALDWELL, ID 83605 (208)459-7893
Original Owner	JOHN R JOHNSON 9168 PERCH LN CALDWELL, ID 83605 (208)459-7893

Priority Date: 12/13/1963

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	1.2 CFS	243.4 AFA
STOCKWATER	1/01	12/31	0.08 CFS	21.3 AFA
COMMERCIAL	1/01	12/31	0.08 CFS	5.3 AFA
Total Diversion			1.2 CFS	270 AFA

Location of Point(s) of Diversion:

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GROUND WATER	NWSW	Sec. 16	Township 02N	Range 03W	CANYON County
GROUND WATER	NESE	Sec. 16	Township 02N	Range 03W	CANYON County
GROUND WATER	NENE	Sec. 17	Township 02N	Range 03W	CANYON County

IRRIGATION Use:

Acre Limit: 54.1

Place(s) of use:

Place of Use Legal Description: IRRIGATION CANYON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
02N	03W	8		SWSE	40									
		16		NENE	38		SENE	39						
				NWSW	28		SWSW	32						
				NESE	39		SESE	40						
		17		NENE	18		NWNE	36		SWNE	26		SENE	15
				SENE	23									
				NESE	40		NWSE	14						

Place of Use Legal Description: STOCKWATER CANYON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
02N	03W	17		NENE			NWNE			SWNE			SENE	

Place of Use Legal Description: COMMERCIAL same as STOCKWATER

Total Acres: 428

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Conditions of Approval:

1.	046	Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2.	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.
3.	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.
		Approval of this transfer does not preclude the opportunity for review of the validity of the

4. T09 water right(s) in the ongoing Snake River Basin Adjudication.

Remarks:

1.	General	Prior to diversion of water under this approval, the right holder shall provide a permanent measuring device and lockable controlling works of a type acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion and annual volume. The total instantaneous diversion of water from all points of diversion under Transfer No. 4961 shall not exceed 4.41 cfs, nor total combined annual volume of 2038.2 af. The proposed well shall be drilled in the NENE, S17, T02N, R03W, hydrologically upgradient from the milking facility and any associated structure, lagoon, waste storage area, holding pens or any other waste producing or holding facility related to the dairy as approved by the Department of Water Resources. The water right holder shall annually report diversion of water to the Department of Water Resources as required by the Director. Water diverted and used for the dairy operation, including land application of waste water, shall satisfy federal and Idaho state laws, regulations, and standards related to water quality. Wells which are no longer intended for use must be abandoned pursuant to rules and regulations of the Department of Water Resources. Right 63-03396 is limited to the irrigation of 54.1 acres in the place of use described above in a single irrigation season. Rights 63-03366 and 63-03396 when combined shall not exceed the total combined diversion rate of 2.09 cfs. Irrigation use under Rights 63-03366, 63-03396 and 63-08232 when combined shall not exceed the total combined diversion rate of 4.41 cfs, a total combined annual diversion volume of 1838.2 af, for the irrigation of 408.5 total acres. Commercial use is for a dairy. Three (3) points of diversion are located within NWSW, S16, T02N, R03W. The right holder of Transfer 4961 is granted an extension to December 16, 1999 in which to accomplish the transfer.
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Dates:

Licensed Date: 09/12/1979

Decreed Date:

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

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SEP 09 2003

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:
Generic Max Volume per Acre:
Civil Case Number:
Old Case Number:
Decree Plaintiff:
Decree Defendant:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Cary Act Number:
Mitigation Plan: False

Close

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SEP 09 2003

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

05/19/2003

WATER RIGHT NO. 63-2839

Owner Type	Name and Address
Current Owner	GEORGE M WALKER 12203 WALKER LAKE RD CALDWELL, ID 83605 (208)459-9107
Original Owner	SAM GROVE

Priority Date: 12/21/1950

Basis: License

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	/	/	1.35 CFS	
DOMESTIC	/	/		
Total Diversion			1.35 CFS	

Location of Point(s) of Diversion:

GROUND WATER	SWSW	Sec. 09	Township 02N	Range 03W	CANYON County
--------------	------	---------	--------------	-----------	---------------

Place(s) of use:

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SEP 09 2003

Place of Use Legal Description: IRRIGATION CANYON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
02N	03W	9		SWSW	40		SESW	40						

Place of Use Legal Description: DOMESTIC same as IRRIGATION

Total Acres: 80

Dates:

Licensed Date: 08/28/1979

Decreed Date:

Permit Proof Due Date:

Permit Proof Made Date:

Permit Approved Date:

Permit Moratorium Expiration Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Water Supply Bank Enrollment Date Accepted:

Water Supply Bank Enrollment Date Removed:

Application Received Date:

Protest Deadline Date:

Number of Protests: 0

Other Information:

State or Federal:

Owner Name Connector:

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

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SEP 09 2003

[Close](#)IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report

05/19/2003

WATER RIGHT NO. 63-29025

Owner Type	Name and Address
Current Owner	GEORGE M WALKER
Current Owner	WANDA M WALKER
	12203 WALKER LAKE RD
	CALDWELL, ID 83605
	(208)459-9107

Priority Date: 08/15/1960

Basis: Beneficial Use

Status: Active

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
IRRIGATION	3/15	11/15	0.64 CFS	
Total Diversion			0.64 CFS	

Location of Point(s) of Diversion:

GROUND WATER	NWSWSW	Sec. 09	Township 02N	Range 03W	CANYON County
--------------	--------	---------	--------------	-----------	---------------

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Place(s) of use:

SEP 09 2003

Place of Use Legal Description: IRRIGATION CANYON County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
02N	03W	9		SWSE	32									

Total Acres: 32

Remarks:

1.	General	EXPANSION OF RIGHT 63-2839, BUT IS NOT IN VIOLATION OF THE MANDATORY PERMIT STATUTE.
----	---------	--

Dates:

Licensed Date:

Claim Received Date:

Decreed Date:

Enlargement Use Priority Date:

Enlargement Statute Priority Date:

Have Ron Houghton
adjudication
unless

Other Information:

State or Federal: S

Owner Name Connector: AND

Water District Number:

Generic Max Rate per Acre:

Generic Max Volume per Acre:

Civil Case Number:

Old Case Number:

Decree Plaintiff:

Decree Defendant:

Swan Falls Trust or Nontrust:

Swan Falls Dismissed:

DLE Act Number:

Cary Act Number:

Mitigation Plan: False

Close

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SEP 09 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4961
WATER RIGHT NO(S). 63-03366/63-03396/63-08232

This is to certify that: JOHNSON LAND CO
9168 PERCH LANE
CALDWELL ID 83605

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. 63-03366 :			
IRRIGATION	03/15 to 11/15	2.09 CFS	** 649.4 AF
STOCKWATER	01/01 to 12/31	0.22 CFS	56.5 AF
COMMERCIAL	01/01 to 12/31	0.22 CFS	14.1 AF
Priority: 08/26/1963			
SUBTOTAL:		* 2.09 CFS	720.0 AF
Right No. 63-03396 :			
IRRIGATION	04/01 to 10/31	1.20 CFS	243.4 AF
STOCKWATER	01/01 to 12/31	0.08 CFS	21.3 AF
COMMERCIAL	01/01 to 12/31	0.08 CFS	5.3 AF
Priority: 12/13/1963			
SUBTOTAL:		* 1.20 CFS	270.0 AF
Right No. 63-08232 :			
IRRIGATION	03/15 to 11/15	2.73 CFS	** 1125.5 AF
STOCKWATER	01/01 to 12/31	0.32 CFS	82.2 AF
COMMERCIAL	01/01 to 12/31	0.32 CFS	20.6 AF
Priority: 10/28/1975			
SUBTOTAL:		2.73 CFS	1228.3 AF
SUBTOTAL OF USES:			
IRRIGATION		*** 4.41 CFS	*** 1838.2 AF
STOCKWATER		0.62 CFS	160.0 AF
COMMERCIAL		0.62 CFS	40.0 AF
TRANSFER TOTAL:		**** 4.41 CFS	**** 2038.2 AF

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FEB 11 1998

TRANSFER NO. 4961
WATER RIGHT NO(S). 63-03366/63-03396/63-08232

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 16, Township 02N, Range 03W
NESE , Sec. 16, Township 02N, Range 03W
NENE , Sec. 17, Township 02N, Range 03W
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>
02N	03W	8	SWSE 40			40
		16	NENE 38	SENE 39	NWSW 28	
			SWSW 32	NESE 39	SESE 40	216
		17	NENE 18	NWNE 36	SWNE 26	
			SENE 15	SENE 23	NESE 40	
			NWSE 14			172
Total number of acres irrigated: *****						428

PLACE OF USE: STOCKWATERTWN RGE SEC

02N 03W 17	NENE	NWNE	SWNE
	SENE		

PLACE OF USE: COMMERCIAL, same as STOCKWATER useCONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. 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.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. 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.
6. Prior to diversion of water under this approval, the right holder shall provide a permanent measuring device and lockable controlling works of a type acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion and annual volume.

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FEB 11 1998

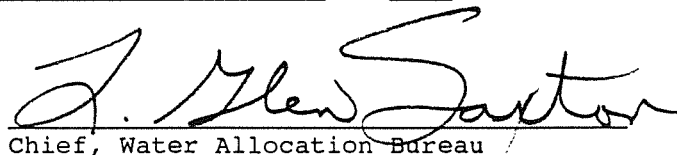
TRANSFER NO. 4961
WATER RIGHT NO(S). 63-03366/63-03396/63-08232

CONDITIONS OF APPROVAL AND REMARKS

- **** 7. The total instantaneous diversion of water from all points of diversion under Transfer No. 4961 shall not exceed 4.41 cfs, nor total combined annual volume of 2038.2 af.
8. The proposed well shall be drilled in the NENE, S17, T02N, R03W, hydrologically upgradient from the milking facility and any associated structure, lagoon, waste storage area, holding pens or any other waste producing or holding facility related to the dairy as approved by the Department of Water Resources.
9. The water right holder shall annually report diversion of water to the Department of Water Resources as required by the Director.
10. Water diverted and used for the dairy operation, including land application of waste water, shall satisfy federal and Idaho state laws, regulations, and standards related to water quality.
11. Wells which are no longer intended for use must be abandoned pursuant to rules and regulations of the Department of Water Resources.
- ***** 12. Right 63-03366 is limited to the irrigation of 144.3 acres in the place of use described above in a single irrigation season.
- ***** 13. Right 63-03396 is limited to the irrigation of 54.1 acres in the place of use described above in a single irrigation season.
- ***** 14. Right 63-08232 is limited to the irrigation of 250.1 acres in the place of use described above in a single irrigation season.
- * 15. Rights 63-03366 and 63-03396 when combined shall not exceed the total combined diversion rate of 2.09 cfs.
- ** 16. Rights 63-03366 and 63-08232 when combined shall not exceed the total combined annual diversion volume of 1594.8 af for the irrigation of 354.4 total acres.
- ***** 17. Irrigation use under Rights 63-03366, 63-03396 and 63-08232 when combined shall not exceed the total combined diversion rate of 4.41 cfs, a total combined annual diversion volume of 1838.2 af, for the irrigation of 408.5 total acres.
18. Commercial use is for a dairy.
19. Three (3) points of diversion are located within NWSW, S16, T02N, R03W.

Dated this 16th day of

December, 1997.


Chief, Water Allocation Bureau

MICROFILMED
FEB 11 1998

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-08232

Priority: October 28, 1975

Maximum Diversion Rate: 2.73 CFS
Maximum Diversion Volume: 1150.7 AF

This is to certify, that PICKLE BUTTE FARMS INC

C/O JOHN R JOHNSON

9168 PERCH LN

CALDWELL ID 83605

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 28, 1975; and has submitted Proof of Beneficial Use on October 20, 1980. An examination indicates that the works have a diversion capacity of 4.410 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	2.73 CFS	1150.7 AF

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 16, Township 02N, Range 03W
NESE , Sec. 16, Township 02N, Range 03W
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>
02N	03W	8	SWSE 40			40
		16	NENE 38	SENE 39	NESE 39	
			SESE 40			156
		17	NWNE 40	SENW 23	NWSE 14	77

Total number of acres irrigated: 273

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. 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 the lands above.

SEP 22 1994

State of Idaho
Department of Water Resources

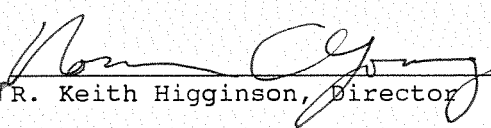
WATER RIGHT LICENSE

WATER RIGHT NO. 63-08232

CONDITIONS/REMARKS:

6. This right uses the same wells as Rights 63-03366 and 63-03396 and when combined with those rights shall not exceed a diversion rate of 4.41 cfs nor an annual diversion volume of 2140.7 af.
7. Three points of diversion are located within NWSW, S16, T02N, R03W.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 9TH day of SEPTEMBER, 1994.

Acting for  R. Keith Higginson, Director

SEP 22 1994

APPROVED

State of Idaho
Department of Water Resources

RECEIVED
AUG 2 1990

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-08232

Department of Water Resources

Date of Priority: October 28, 1975

Maximum Diversion Rate: 2.73 CFS
Maximum Diversion Volume:¹ 1150.7 AF

Comes now PICKLE BUTTE FARMS INC.

C/O JOHN R. JOHNSON

RT. 4 BOX 344 9168 Peach Ln.

CALDWELL, ID 83605

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 63-08232, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	2.73 CFS	1150.7 AF

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 16, Township 02N, Range 03W
NWSW , Sec. 16, Township 02N, Range 03W
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>
02N	03W	8	SWSE 40			40
		16	NENE 38	SENE 39	NESE 39	
			SESE 40			156
		17	SESW 23	NWSE 14		37
			NWNE 40			77
						233
						273

Total number of acres irrigated:

Note: It appears that 40 acres in NWNE of sec 17 was inadvertently left off Draft License. This 40 was left recommended on field of Am for inclusion on license. Tim Luke 7-30-90

Permit holder asserts 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, this 30 day of July, 1990.

Pickle Butte Farms Inc.
(Signature)
Catherine Johnson Sec Treas

SEP 22 1994

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 63-08232

FOR DEPARTMENT USE ONLY

Preliminary check by BE Fee \$20.00 Received by C. Wong #0017400 Date 8/2/90 ✓

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 63-08232 with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. 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 the lands above.
6. This right uses the same wells as Rights 63-03366 and 63-03396 and when combined with those rights shall not exceed a diversion rate of 4.41 cfs nor an annual diversion volume of 2140.7 af.
7. Three points of diversion are located within NWSW, S16, T02N, R03W.

Witness my hand this 9TH day of September, 1994.

Norm E. Young
Acting for R. Keith Higginson, Director

SEP 22 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING)
DEVICE REQUIREMENT FOR PERMIT NO. 63-8232)

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 18th day of August, 1978.


C. STEPHEN ALLRED
Director

MICROFILMED

Receipt # 1394

APPLICATION FOR AMENDMENT

Permit No. 63-8232

Comes now Pickle Butte Farms, Inc. of (address) _____

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 63-8232, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 16 Twp. 2 N
Rge. 3 W, B.M., County of Canyon. Other points of diversion:
NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, T. 2 N, R. 3 W, B.M. Canyon County ---- 2 wells

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
 (cfs or acre feet per annum)

3. Place of use or land to be irrigated:

[illegible]

Total number of acres to be irrigated

MICROFILMEN

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.

Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holders own risk.

Signed at Boise, Ida, this 10 day of Dec, 19 75.

Catherine Johnson
(signature) owner

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, A. Kenneth Dunn, ~~XXXXXXXX~~ Administrator, Operations Division of the Department of Water Resources hereby approve the foregoing Application for Amendment.

Witness my hand this 15 day of December, 19 75.

A. Kenneth Dunn
A. KENNETH DUNN, Administrator, Operations

Identification No. _____

Application No. 63-8232

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant PICKLE BUTTE FARMS INC. Phone: 459-7893
post office address % John R. Johnson, Rt. 4, Box 143, Caldwell, ID

2. Source of water supply groundwater which is a tributary of _____

3. a. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 17 Township 2N
Range 3W B.M. Canyon County; additional points of diversion if any: _____
NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 16, T.2N, R.3W, B.M., Canyon County --- 2 wells

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount 5.3cfs for irrigation purpose from March 15 to Oct. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 5.3 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well and pipeline

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____

Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is 16 inches; proposed depth of well is 550 feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.

b. Estimated construction cost is \$ 45,000.00.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

(2) Amount of power to be generated: _____ hp under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

MICROFILMED

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
2N	3W	16										40	30			40		40	150
		17	40		40	40				30	10				40	10		10	220

Total number of acres to be irrigated 370

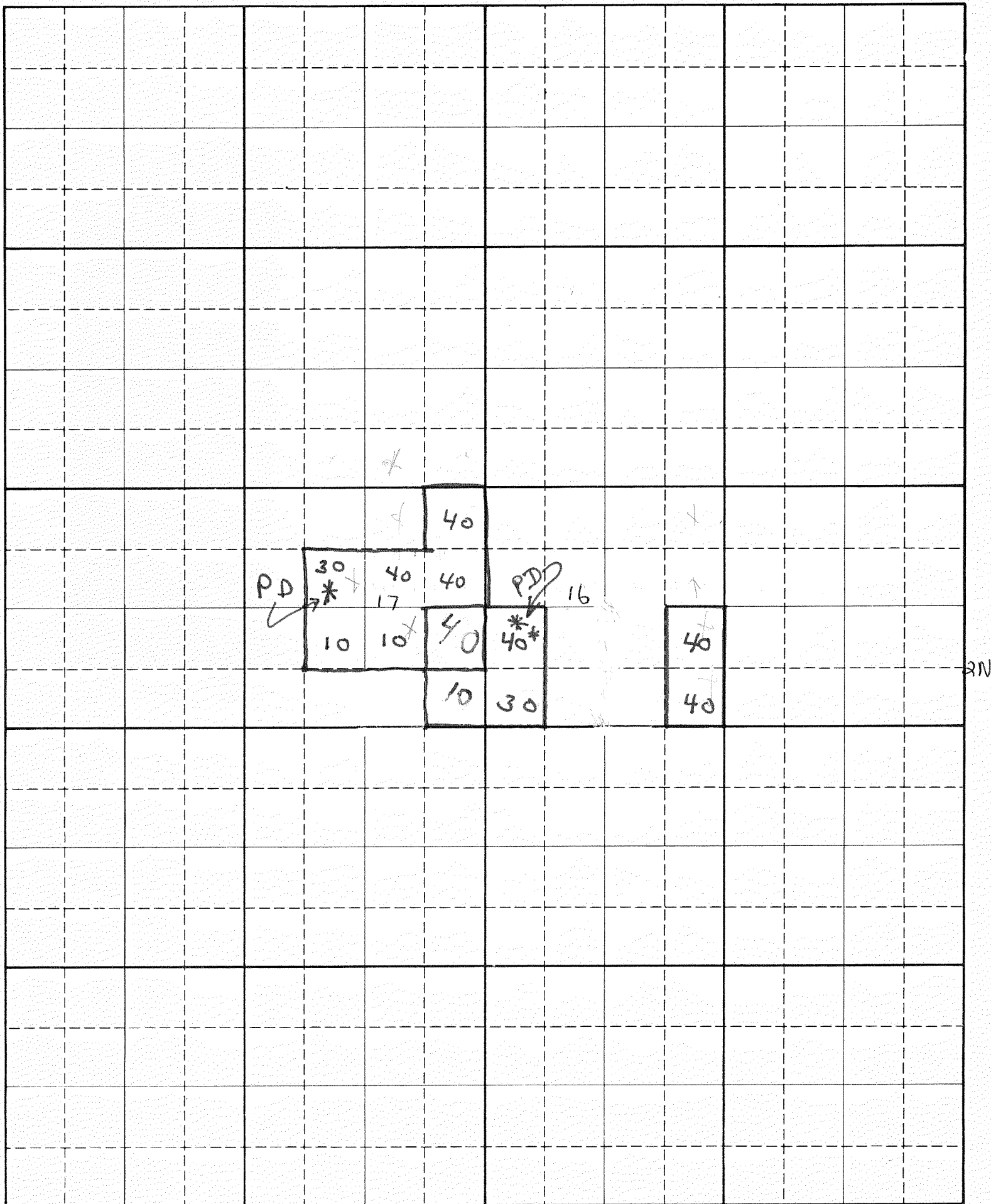
c. Describe any other water rights used for the same purposes as described above. 63-3366
63-3396

9. a. Who owns the property at the point of diversion applicant
b. Who owns the land to be irrigated or place of use applicant
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks Have other water rights for same ground, but not up to 1 inch per acre;
also new land will be irrigated under this permit.

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

3 W



Scale: 2 inches equal 1 mile

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

Catherine J. Johnson
(Applicant) owner

Proposed Priority 10-28-1975

Received by C/S Date 10-28-75 Time 3:30 p.m.

Preliminary check by PX Fee \$ 75.00

Received by C/S Date 10-28-75 # 1363

Publication prepared by C/S Date 10-30-75

Published in Idaho Free Press

Publication dates Nov. 6 & 13

Publication approved C/S Date 11-14-75

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by JH

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-8232, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 19 80.

c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 2 day of December, 19 75.

R. Karl Higin
Director

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,)
County of Canyon.) ss.

Verla Harker
of Nampa, Canyon County, Idaho, being first duly sworn,
deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.
2. That I am the Principle Clerk of the Idaho Free Press, a daily, (except Sunday) newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.
3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

November 6, 13, 1975

Verla Harker

Subscribed and sworn to before me this

13th day of November, 1975

Cecilia D. Karp

Notary Public, Residing at Nampa, Idaho

My Commission Expires June 23, 1979.

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that PICKLE BUTTE FARMS, INC. % John R. Johnson, Rt. 4, Box 143, Caldwell, ID. has on Oct. 28, 1975 submitted Application No. 63-8232 for a permit to appropriate 5.3 cubic feet per second of water from a groundwater source by means of well, pump, and pipeline within the SE 1/4 NW 1/4, Sec. 17, NW 1/4 SW 1/4, Sec. 16, T. 2 N., R. 3 W., B.M. Canyon County to be used from March 15 to Oct. 31 for irrigation of 370 acres within the W 1/2 SW 1/4, NW 1/4 SE 1/4, SE 1/4 SE 1/4, Sec. 16, NE 1/4, NE 1/4, S 1/2 NE 1/4, S E 1/4 NW 1/4, NE 1/4 SW 1/4, N 1/2 SE 1/4, SE 1/4 SE 1/4, Sec. 17, T. 2 N., R. 3 W. B.M.

* If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before Nov. 24, 1975.

R. KEITH HIGGINSON
Director
November 6, 13, 1975

OK
CLS
11-14-75

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 6, 2003

BERANNA DAIRY
9166 PERCH AVE
CALDWELL ID 83607

**RE: APPLICATION TO LEASE WATER RIGHT NOS. 63-3366, 63-3396, 63-8232
TO THE WATER SUPPLY BANK APPLICATION TO RENT THE RIGHTS
FROM THE BANK**

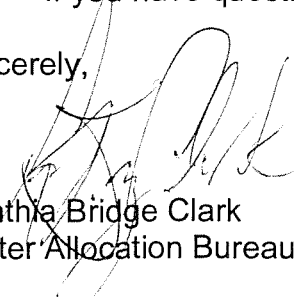
Dear Applicant:

The department has requested the issuance of a state warrant in the amount of \$1,000 as payment to you for the rental of 100 acre feet of the above referenced water right from the Water Supply Bank ("bank") managed by the Idaho Water Resource Board.

The return for the rental is based on \$10.00 per acre-foot of water rented. The Controller's office will issue the warrant within the next twenty (20) days.

If you have questions, please feel free to contact me.

Sincerely,


Cynthia Bridge Clark
Water Allocation Bureau

c: Western Region -- IDWR

Fiscal - Debbie Allen
63-3366, 63-3396, 63-8232

Darwin VanderStelt

MICROFILMED

SEP 09 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 6, 2003

BERANNA DAIRY
9166 PERCH AVE
CALDWELL ID 83607

RECEIVED

JUN 6 0 2003

Department of Water Resources

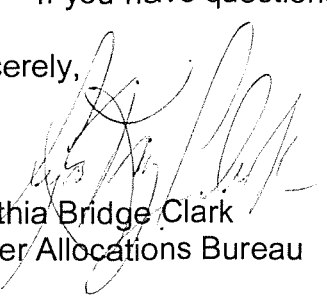
**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 63-3366, 63-3396, 63-8232**

Dear Applicant:

Please find enclosed a receipt in the amount of \$1,100.00 and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 100 acre feet of water from the Snake River for irrigation during 2003. Upon receipt of this fully executed agreement, you are authorized to divert water in compliance with the conditions of water use described in the agreement.

If you have questions, please feel free to contact me.

Sincerely,


Cynthia Bridge Clark
Water Allocations Bureau

Encl: 2

c: Dan Nelson – Western Region
63-3366, 63-3396, 63-8232

Darwin VanderStelt

MICROFILMED

SEP 09 2003

MEMORANDUM

To: Debbie Allen
From: Cynthia Bridge Clark *CBC*
RE: **WATER SUPPLY BANK RENTAL FEE - 63-3366, 63-3396, 63-8232**
Date: June 5, 2003

The following information is provided in order that you can document the preparation of a state warrant compensating the owner of the above referenced water right for rental of part of the rights from the Water Supply Bank. Attached is a copy of the rental agreement and a copy of the receipt for the rental.

Please have a state warrant prepared in the amount of \$1,000 and sent to the owner of the water right at the following address:

BERANNA DAIRY
9166 PERCH AVE
CALDWELL ID 83607

Attach: 2

c: 63-3366, 63-3396, 63-8232

MICROFILMED

SEP 0 9 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

May 30, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

BERANNA DAIRY
9166 PERCH AVE
CALDWELL ID 83607

RE: APPLICATION TO LEASE PART OF WATER RIGHT NOS. 63-3366, 63-3396, 63-8232 FROM THE WATER SUPPLY BANK

Dear Applicant:

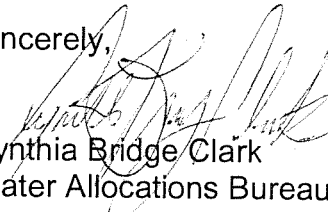
The department has completed its review of the Application to Sell or Lease Water Rights to the Water Supply Bank ("bank") that you submitted to this office. Please consider that the offered water rights are accepted into the bank.

Several items to keep in mind in connection with lease of a water right to the bank are as follows:

1. There is no rental payment to the owner of the water right if the right or a part thereof is not rented from the bank.
2. While a right is in the bank, the owner of the right may not use the right even if the right is not rented.
3. A right accepted into the bank stays in the bank until the Board releases it or until the lease term expires.
4. While a water right is in the bank, forfeiture provisions are stayed.
5. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right.

If you have questions, please feel free to contact me.

Sincerely,


Cynthia Bridge Clark
Water Allocations Bureau

c: Dan Nelson - Western Region
63-3366, 63-3396, and 63-8232

Darwin VanderStelt

MICROFILMED

SEP 9 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 30, 2003

BERANNA DAIRY
9166 PERCH AVE
CALDWELL ID 83607

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK UNDER
WATER RIGHT NOS. 63-3366, 63-3396, 63-8232**

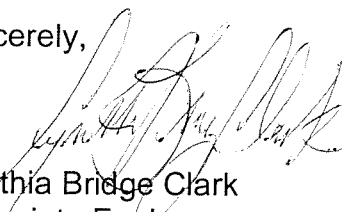
Dear Mr. Blanksma:

The Department of Water Resources acknowledges receipt of your Application to Rent Water from the Water Supply Bank. Please find enclosed a Water Supply Bank Rental Agreement for your review and signature. Upon signature and return of the agreement, together with the rental fee described below, the department also will sign the agreement and will return an executed copy to you. Execution of the agreement and compliance with the conditions of approval authorize diversion and use of water as provided in the agreement.

The rental fee is **\$1100.00** and was calculated as \$11.00 per acre-foot times 100.0 acre-feet. Please send a check made payable to the Idaho Department of Water Resources together with the signed rental agreement. Also return the signed agreement and fee to my attention so I can complete the processing.

If you have questions, please feel free to contact me.

Sincerely,



Cynthia Bridge Clark
Associate Engineer

Encl: 1

c: Dan Nelson - W. Region
63-3366, 63-3396, and 63-8232

Darwin VanderStelt

MICROFILMED

SEP 09 2003

MEMORANDUM

TO: FILE 63-08232

FROM: VAULT

RE: TRANSFER # 68964

DATE: 5-22-2001

=====

**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 63-03366

MICROFILMED

SEP 09 2003

Ident. No. 63-97-C-0881-200
Well Tag No. D0000294
Water Right No. 63-03366

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR DRILLING PERMIT

1. Name: JOHNSON LAND COMPANY O 208-459-7893
Address: 9168 PERCH LANE
CALDWELL ID 83605

2. Proposed Well Location: Township 02N, Range 03W, Sec. 17, NENE
CANYON County

Street Address of Well Site: CLOSEST ADDRESS TO WELL IS 9168 PERCH LANE
CALDWELL ID

3. Proposed Use of Well: Non-Domestic Irrigation

4. Well Construction Information:

A. REPLACE

B. Proposed Surface Diameter 16 In. Proposed Maximum Depth 550 Ft.

C. Anticipated Bottom Hole Temperature: 85 F or less (Cold water well)

(NOTE: Construction diagrams and/or other information may be requested for
monitor, low temperature geothermal, municipal and artesian wells.)

5. Construction Start Date: 1/ 1/1998

6. Anticipated Well Driller: ADAMSON PUMP & DRILLING (No. 0457)

NOTE: The actual well driller must be identified to IDWR prior to drilling
commencement.

7. Applicant's Signature _____ Date _____

Title _____
(Owner, Firm Representative, Other)

Fee \$ 200.00 Received by _____ No. W021666 Date 10/25/1996

MICROFILMED

FEB 11 1998

(Continued)

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This permit is Approved.

Date: 12-22-97

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. READ CAREFULLY!

CONDITIONS OF APPROVAL:

1. This drilling permit is valid for two (2) months from the approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
2. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required prior to construction of this well. The local Health Department should be contacted for septic tank/drainfield locations. Domestic wells must not be drilled closer than 100' from any drainfield and 50' from any septic tank. Public Water Supply wells must not be drilled closer than 100' from any drainfield or septic tank.
3. The well shall be constructed by a driller currently licensed in the state of Idaho who must maintain a copy of the drilling permit at the drilling site.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
7. If a bottom hole temperature of 85 Degrees F (29.44 oC) or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
8. Idaho Code, S 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "Digline" (DigLine is a one-call center for utility notification) not less than 2 working days prior to the start of any excavation for this project. The "Dig Line " Number for your area is 1-800-342-1585.
9. Failure to construct the well in accordance with these conditions may result in the revocation of the drilling permit and constitute a violation of Idaho Law.
10. Please be advised that this drilling permit should be considered and treated as a preliminary permit. If you are in disagreement with this preliminary permit you have fourteen (14) days of the service date of this permit to petition the Department for reconsideration pursuant to Section 67-5243, Idaho Code.
11. As this is a replacement well, the well being replaced shall be abandoned by a plan approved by the Dept. which meets State minimum construction standards 2,12,1.
12. The uppermost unconfined aquifer shall be cased and sealed to exclude water from this zone from entering the well. All seals will be placed from the bottom up.

MICROFILMED

(Continued)

FEB 11 1998

Ident. No. 63-97-C-0881-200
Well Tag No. D0000294

CONDITIONS OF APPROVAL:

13. A schematic describing the proposed well construction shall be submitted to the regional office for review and approval prior to construction.

Mark S. Skiff
Signature of Authorized Dept Representative

Sec. Mgr.
Title

EXTENSION OF DRILLING PERMIT

Extension Approved by: _____

Approval Date: _____
Expires On: _____

MICROFILMED

FEB 11 1998

MEMORANDUM

TO: FILE 63-8232

FROM: PAM SKAGGS *PS*

RE: TRANSFER # 4961

DATE: 1-7-97

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 63-3366.

MICROFILMED

FEB 11 1998



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

September 12, 1994

PICKLE BUTTE FARMS INC
C/O JOHN R JOHNSON
9168 PERCH LN
CALDWELL ID 83605

RE: WATER RIGHT NO. 63-08232

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please feel free to contact this office.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:dc

Enclosure

RECEIVED

SEP 22 1994

750NP
D-138)

IDAHO DEPARTMENT OF WATER RESOURCES
PLACE OF USE 1/4 1/4 COMPARISON REPORT

DATE: 08/15/94
PAGE: 1

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '1' ARE ADJUDICATION CLAIMS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac							
L6308232	T02N R03W S 8 GROUNDWATER																									40		40						
	:																																	
6302388	BOISE RIVE :																																	
A6302388	BOISE RIVE :																																	
6303010	GROUNDWATE :																									40		80						
6303031	GROUNDWATE :																									40		139						
A6303031	GROUNDWATE :																									40		139						
6303298	GROUNDWATE :																									40		80						
A6303298	GROUNDWATE :																									40		80						
A6308232	GROUNDWATE :																									40		40						
6308444	GROUNDWATE :	30		38		27		02		30				30															157					
A6308444	GROUNDWATE :	30		38		27		02		30				30															157					
A6321323	GROUNDWATE :																											39						
L6308232	T02N R03W S16 GROUNDWATER																									39		156						
	:																									39		40						
6303329	GROUNDWATE :																									20	29	204						
A6303329	GROUNDWATE :																									20	30	205						
6303396	GROUNDWATE :																											60						
A6303396	GROUNDWATE :																											60						
6308232	GROUNDWATE :																									40		150						
A6308232	GROUNDWATE :																									40		156						
6308253	GROUNDWATE :	38																										139						
A6308253	GROUNDWATE :																									20		139						
6310268	GROUNDWATE :																											80						
6311976	GROUNDWATE :																											80						
L6308232	T02N R03W S17 GROUNDWATER																											77						
	:																																	
6302388	BOISE RIVE :																																	
A6302388	BOISE RIVE :																																	
6303298	GROUNDWATE :																																	
A6303298	GROUNDWATE :																																	
6303366	GROUNDWATE :	40				40		40																				160						
A6303366	GROUNDWATE :	40		40		40		40																				160						
6308232	GROUNDWATE :	40				40		40																				220						
A6308232	GROUNDWATE :																											77						

no
overlaps

MEMORANDUM

TO: File 63-08232 / Pickle Butte Farms Inc.
FROM: Brenda Chapman
DATE: August 15, 1994
RE: Adjustments Made

=====

* The final recommendations for the following portion(s) of the field exam were based on the information below.

C. DIVERSION AND DELIVERY SYSTEM - FYI

2. Place of Use: The 40 acres in the NWNE $\frac{1}{4}$ of Sec. 17 will be added to correct the total to 273 acres.

F. FLOW CALCULATIONS - FYI

The rate of flow on the amendment will remain at 2.73 cfs. The system irrigates a total 450 acres with 4.41 cfs or .01 cfs per acre. That is how the examiner arrived at the 2.73 cfs figure for 273 acres and it is an acceptable rate.

G. VOLUME CALCULATIONS - FYI

The total volume of 1150.7 af on the amendment will also remain as the examiner recommended. That is the remaining amount that the system will produce and does not exceed the amount required for the 273 acres @ 4.5 afa per acre or 1228.5 af.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Irrigation	3-15 to 11-15	2.73	1150.7

A combined rights overlapping rate and volume limiting condition will be added to the amendment.

SEP 2 1994

MEMORANDUM

TO: File 63-8232
FROM: Sharla
DATE: August 21, 1990
RE: Licensing

✓ Jen

After reviewing the incoming amendment form for licensing purposes, several questions were raised regarding the rate of flow and volume calculations.

First, the examiner recommends a total rate of flow of 2.73 cfs, but there is nothing in the examination report to support his arrival at this figure. Then, in Steve Lester's review of the report, he proposes a rate of flow of 2.31 cfs (determined by system total minus the 2.095 cfs licensed earlier). There seems to be a fallacy in the amount of the water the four wells can actually produce (Carter's theoretical calculations seem to show that the wells are capable of producing a higher rate of flow).

Second, the volume calculations proposed by Steve are based totally upon the flow limitations. If the rate of flow is in error as stated above, the volume calculations cannot be considered an accurate reflection of use either.

After discussing this situation with Jim Johnson, it was decided that we will hold issuance of a license on this right until the Task Force memo is put into place, thereby allowing us to remove the flow rate from the license and only reflecting the volume required for the 233 acres.

RECEIVED 1990

SEP 22 1990

July 19, 1990

PICKLE BUTTE FARMS INC.
C/O JOHN R. JOHNSON
RT. 4 BOX 344
CALDWELL, ID 83605

RE: PERMIT NO. 63-08232

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

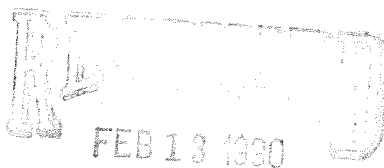
JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECEIVED
JUL 22 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT



A. GENERAL INFORMATION

Permit No. 63-0823-2

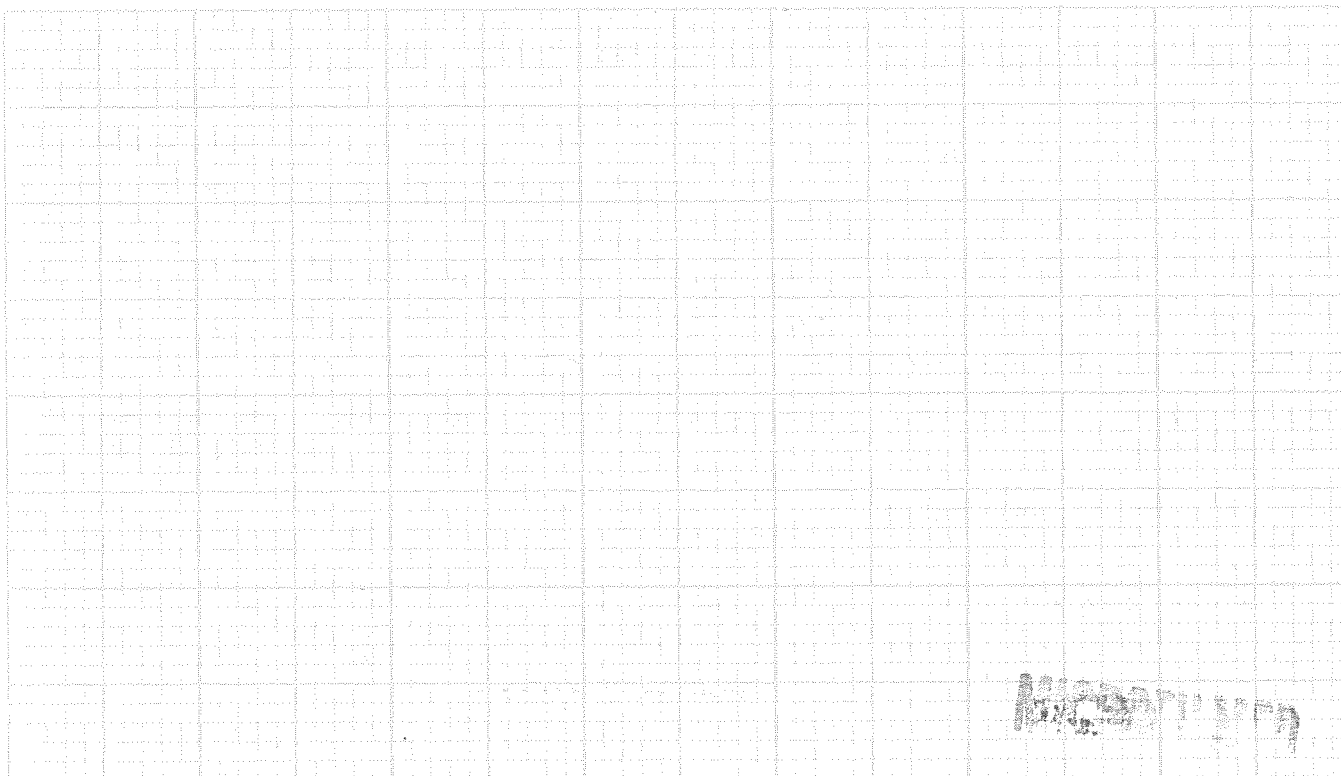
1. Owner: Pickle Butte Farms 1/2 John R. Johnson Phone No. 459-7893
Current Address: Rt 4, Box 344, Caldwell, ID 83605
2. Accompanied by: John and Dirk Johnson EXAM. DATE: 6-26-87 and 7-20-87
Address: John (same as above) Dirk (Rt 1 Box 784, Marsing, ID) Phone No. 459-7893 (John)
896-4405 (Dirk)
Relationship to Permit Holder: owner and owner's son
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 63-3366, 63-3396 + 63-9735 overlap.
63-3329 due to typographical error on this permit ☒ Copies Attached
2. Other water rights with same point of diversion: 63-3366 63-3396 + 63-9735
_____ ☒ Copies Attached ☒ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☒ Alternative diagram attached



SEP 22 1994

Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☒ Aerial Photo Attached (required for irrigation of 10 acres or more).
- ☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

The system has 4 wells, all interconnected by a system of pipelines, ditches, reuse ponds and relift pumps. Well #1 was examined for Water Right No.s 63-3366 and 63-3369. Well #2 was drilled as a replacement well when well #1 caved in. Well #1 was later redrilled and a smaller pump was installed. Well #3 is a 16" well approximately 600' deep with a 100 H.P. turbine pump. Well #4

☒ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
#1	U.S. Motors	50	D700430	Layne + Bowler	No tag on pump
#2	US Motors	125	1291741	Byron Jackson	307749
#3	U.S. Motors	100	1181425	Layne + Bowler	No tag 10" discharge
#4	U.S. Motor	150	CC 6502-331 88-02088	Verti Line	DO 4617

*Code to correspond with No. on map and aerial photo

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
#1		NE	NW	SW	16	2N	3W	Canyon	Aerial Photo
#2		NW	NW	SW	16	2N	3W	Canyon	Aerial Photo
#3			NW	SW	16	2N	3W	Canyon	Aerial Photo - (also in NE NW SW)
#4		NE	NE	SE	16	2N	3W	Canyon	Aerial Photo

6. Place(s) of Use:

Indicate Method of Determination Aerial Photo

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	
2N	3W	16	38			39									39			40	156
2N	3W	17		40					23							14			77
2N	3W	8															40		40
																			273

Do not use this space

SEP 22 1994

Do not use this space

D. FLOW MEASUREMENTS

☒ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Annubar		Dover	7517-316-SS	091424	10"	
Manometer		IDWR		#1	48"	

2. Measurements:

See attached
Total of wells #1, #2, #3 & #4 = 2.095 + 2.31 = ~~4.30~~ 4.405
450 acres irrigated by the system.
 $\frac{4.405 \text{ cfs}}{450 \text{ acres}} = 0.01 \text{ cfs per acre for entire system}$

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

See attached $0.88 + 1.43 = 2.31 \text{ cfs wells \#3 \& \#4}$

2. Alternate Method for Checking Purposes:

Well #3 $\frac{100 \times 8.8 \times 0.80}{400} = 1.76 \text{ cfs}$ Est. 400' lift
Well #4 $\frac{150 \times 8.8 \times 0.80}{475} = 2.22 \text{ cfs}$ Est. 475' lift

F. PUMP EFFICIENCY DATA (Optional)

Multiple pumps on meters

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3); Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 273 \times 4.5 = 1228.5 \text{ afa}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \text{see attached calculation}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \text{see attached calculation}$

2. Volume Calculations for Other Uses:

~~112.6~~ 1122.6 afa
See footnote
on volume calc.
sheet.
SEP 22 1994

H. REMARKS AND OVERLAP REVIEW ANALYSIS

is also a 16" well approximately 600' deep with a 150 H.P. turbine pump. See attached diagrams for the locations of the wells, pipelines, ditches, reuse ponds, and relift or sprinkler pumps.

A typographical error shows 40 acres in the NW¹/₄ SE¹/₄ of Sec. 16, however the map* shows the land in the NE¹/₄ SE¹/₄ of Sec. 16, therefore there is no overlap with Water Right No. 63-3329. When licenses for 63-3366 and 63-3396 were issued they did not accurately reflect the lands that were being irrigated. (See field exams) License 63-3396 should be amended to reflect the proper distribution of irrigated acres. See attached for continuati

I. RECOMMENDATIONS

1. Recommended Amounts

* refers to permit map

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	3-15	10-31	2.73	764.4 1019.5
				1150.7 afa
				1122.6
Totals:			2.73	764.4 1019.5
				1150.7
				1122.6

2. Recommended Amendments

☐ Change P.D. as reflected above

☒ Add P.D. as reflected above

☐ None

☐ Change P.U. as reflected above

☒ Add P.U. as reflected above

☐ Other

J. AUTHENTICATION

Field Examiner's Name

Carter Fritschle

Signature

Carter Fritschle

Certification Date

Field Report Preparation Date

11-18-87

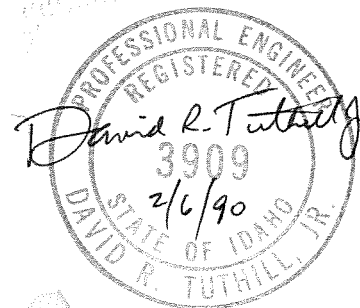
CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

This water right, when combined with water rights 63-3366 and 63-3396 shall not exceed 4.405 cfs or 2025.0 afa.

RECEIVED

SEP 22 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES
SUPPLEMENTAL FIELD REPORT FOR ANNUBAR MEASUREMENT

Measured by: Carter Fritschle Date 7-20-87
Owner: Pickle Butte Farms Permit No. 63-8232

Description of well &/or measuring site
- Include any clarifications of the sketch
- Include legal description if more than one p.d. is described in the Field Report
Well #3 See Field Report Located in the
NW 1/4 SW 1/4 of Sec. 16 Twn 2 N Rge 3 W.

MEASURED INSIDE PIPE DIAMETER IN INCHES (ID)
CIR = Pipe Circumference in Inches = 32.0
T = Pipe Thickness in Inches = .125
ID = $2 [(0.1592 \times \text{CIR}) - T] = \dots\dots\dots$ 9.94

ANNUBAR DESCRIPTION & CONSTANT (C)
Size Used in Test 10"
State ID No. 091424
Select C based on size from Table below.

Nominal Pipe Size	C
4"	4.23
6"	3.75
8"	3.87
10"	3.94
12"	3.99
14"- 16"	4.01
18"- 24"	4.02
30" or larger	4.03

C selected $\dots\dots\dots$ 3.94

DIFFERENTIAL PRESSURE READING IN INCHES OF H2O (H)
High Reading = 41.9
Low Reading = 39.2
High - Low = H = $\dots\dots\dots$ 2.7

CALCULATION OF DISCHARGE IN CFS (Q)
$$Q = \frac{(ID)^2 \cdot (\sqrt{H}) \cdot (C)}{448.8}$$
$$Q = \frac{(9.94)^2 (\sqrt{2.7}) (3.94)}{448.8} = \underline{1.43} \text{ CFS}$$

SKETCH (If not shown on Field Report)
See attached diagram.

RECORDED
SEP 22 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
SUPPLEMENTAL FIELD REPORT FOR ANNUBAR MEASUREMENT

Measured by: Carter Fritschle

Date 10-26-87

Owner: Johnson Land Co.
Pickle Butte Farms

Permit No. ~~63-9735~~ 63-8232

Description of well &/or measuring site

- Include any clarifications of the sketch
- Include legal description if more than one p.d. is described in the Field Report

Well #4 located in the NE¹/₄ NE¹/₄ SE¹/₄ of Sec. 16
Twn 2N Rge 3W. The flow measurement port had
a poor location near 2 elbows and a tee.
22" - 21" = 1" difference

Measured inside diameter of pipe in inches

(A) 10"

Size of Annubar used in test 10"

State ID No. 091424

Model No. of Annubar Meter Used 75
(Model No. = 75 for 6" and larger)
(Model No. = 73 for 4")

Size Eagle Eye Meter Used Manometer

State ID No. #1

Date of Last Calibration of Meter _____

Observed inches of H₂O read on Meter

(B) 1"

Flow Correction Factor (From Calibration Graph)
(Use 1 if Error is $\pm 2\%$ at observed pressure)

(K) 1

Select C based on Annubar Model No.

If Model No. = 75, then C = 3.85 3.94

If Model No. = 73, then C = 4.14

(C) 3.94

CALCULATION: $\frac{K (A^2) (\sqrt{B}) C}{448.8} =$

0.88 cfs measured

SKETCH (If not shown on Field Report):

See attached
diagram

$$\frac{(10)^2 (\sqrt{1}) (3.94)}{448.8} = .88$$

SEP 22 1994

VOLUME CALCULATIONS

Calculated volume for Wells #1 and #2.

$$2.095 \text{ cfs} \times 245 \text{ days} \times 1.9835 = 1018.1 \text{ afa}$$

Calculated volume for Wells #3 and #4.

$$2.31 \text{ cfs} \times 245 \text{ days} \times 1.9835 = 1122.6 \text{ afa}$$

Volume capacity of the system (Wells #1, #2, #3, and #4).

$$1018.1 \text{ afa} + 1122.6 \text{ afa} = 2140.7 \text{ afa}$$

Volume licensed under Water Right Numbers 63-3366 and 63-3369.

$$720.0 \text{ afa} + 270.0 \text{ afa} = 990.0 \text{ afa}$$

Volume (Irrigation Requirement) for 63-8232

$$273 \text{ acres} \times 4.5 \text{ ac.ft./ac.} = 1228.5 \text{ afa}$$

Volume (Diversion Rate) for 63-8232

TOTAL system
V.D.R. $\rightarrow$

$$\begin{array}{r} 2140.7 \text{ afa (volume capacity of the 4 wells)} \\ - 990.0 \text{ afa (volume from licenses 63-3366 and 63-3369)} \\ \hline 1150.7 \text{ afa (volume available for this water right)} \end{array}$$

Volume = Smaller of Volume (I.R.) and Volume (D.R.)

$$V = 1150.7 \text{ afa}$$

However

$$\begin{array}{r} \text{System total} = 4.405 \text{ cfs} \\ - 2.095 \text{ cfs committed to earlier rights} \\ \hline 2.31 \text{ cfs flow available for new license} \end{array}$$

SEP 22 1994

SL
2/2/90

V.D.R. = $(2.31)(245)(1.9835) = 1122.6 \text{ af}$, limiting factor compared to Vire. and
for permit volume capacity of 4,405 for 245 day season.

Therefore, 1122.6 afa recommended with 63-8232

REMARKS AND OVERLAP REVIEW ANALYSIS (Continued)

Well #1 was the P.D. examined for 63-3366 and 63-3369. A 250 H.P. turbine pump had a measured output of 2.095 cfs from well #1. Well #2 was drilled when well #1 caved in, and at that time it was a replacement well. Well #1 has been redrilled, and now both wells are in use. No measurements were possible on wells #1 and #2. It is therefore necessary to assume that the two wells are capable of producing the 2.095 cfs originally measured from well #1. This rate, plus the the rates measured from wells #3 and #4 results in a total diversion rate of 4.405 cfs for the system as it is now operating. This rate when divided by the 450 irrigated acres under the system results in an average diversion rate of 0.01 cfs per acre. Since this is less than the diversion rate per acre of 63-3366 or 63-3396, the lands covered by those licenses should not be included in this water right. This leaves 273 acres to be licensed. By amending this water right to reflect the four points of diversion and the 273 acres of irrigated land in the proper quarter-quarter sections a total of 2.31 → ~~2.73~~ cfs is recommended, with the condition that this right when combined with Water Right No.s 63-3366 and 63-3396 shall not exceed 4.405 cfs and ~~2009.5~~ afa. *

SL
2/2/90

2025.0

All of the available water from these wells has been appropriated and applied to all of the land being irrigated by this system under Water Rights 63-3366, 63-3396, and 63-8232. Therefore, Water Right No. 63-9735, which completely overlaps these three water rights, has no additional water available for licensing.

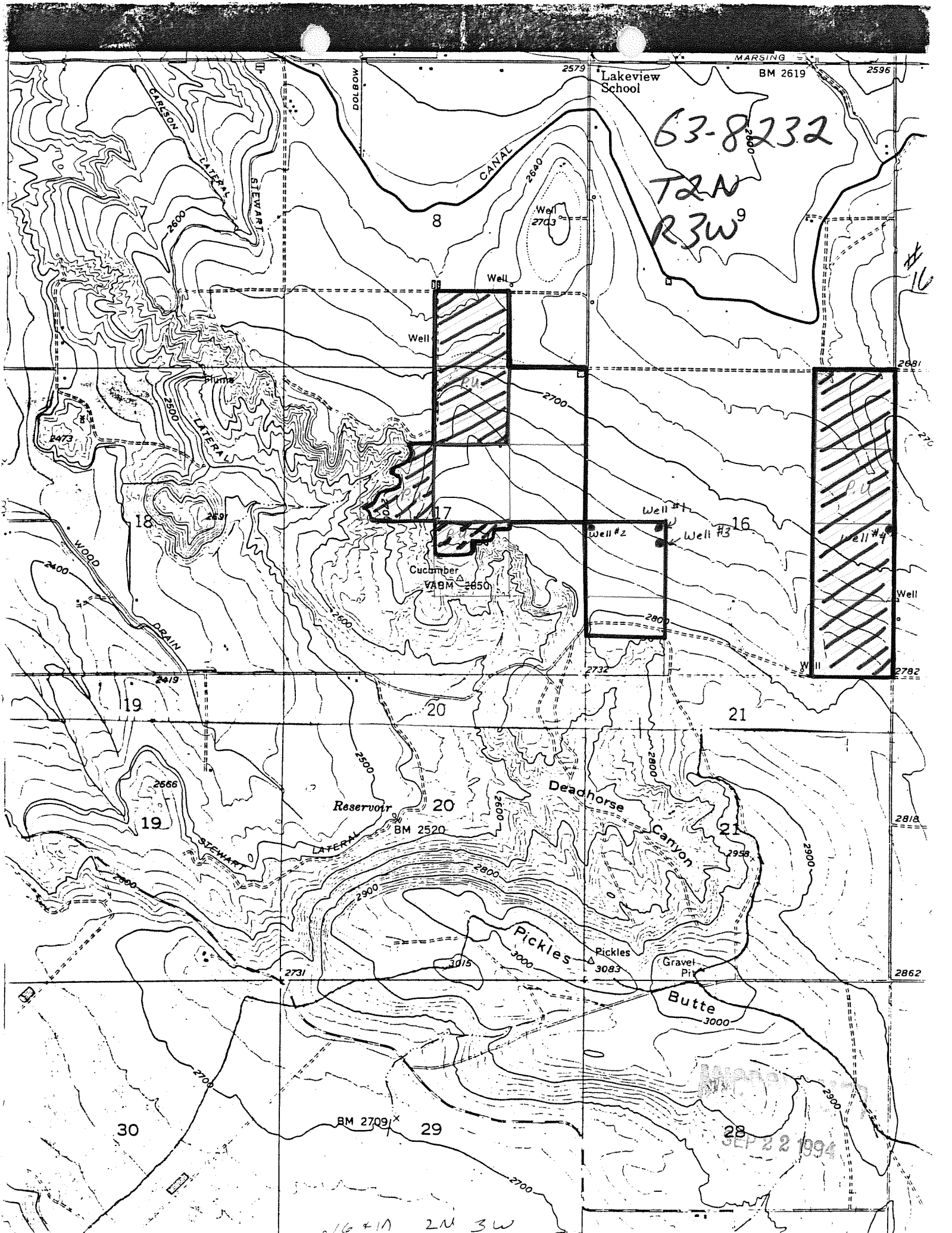
* $450 \text{ ac.} \times 4.5 \text{ afa/ac} = 2025 \text{ afa.}$

This is < 2140.7 afa capable of being diverted ~~to~~ and less than the 990 afa + 1122.6 afa (2112.6 afa) already discussed.

Therefore, 2025 is the limiting factor for conditions in rights.

SL 2/2/90

SEP 22 1994



63-8232
T2N
R3W⁹

#16

SEP 22 1994

16 41N 2N 3W

R3W

47.7

63-8232

T2N

R3W

D104
170

A
75.7

76
1817

B
24.1

C
29.5

D
22.5

105
1550

D106
1550

40

P.U.

40

254
15.1

38

8, 9
17, 16



SEP 22 1994

T2N

23

40

39

B
20.0

D
53.0

1520
66

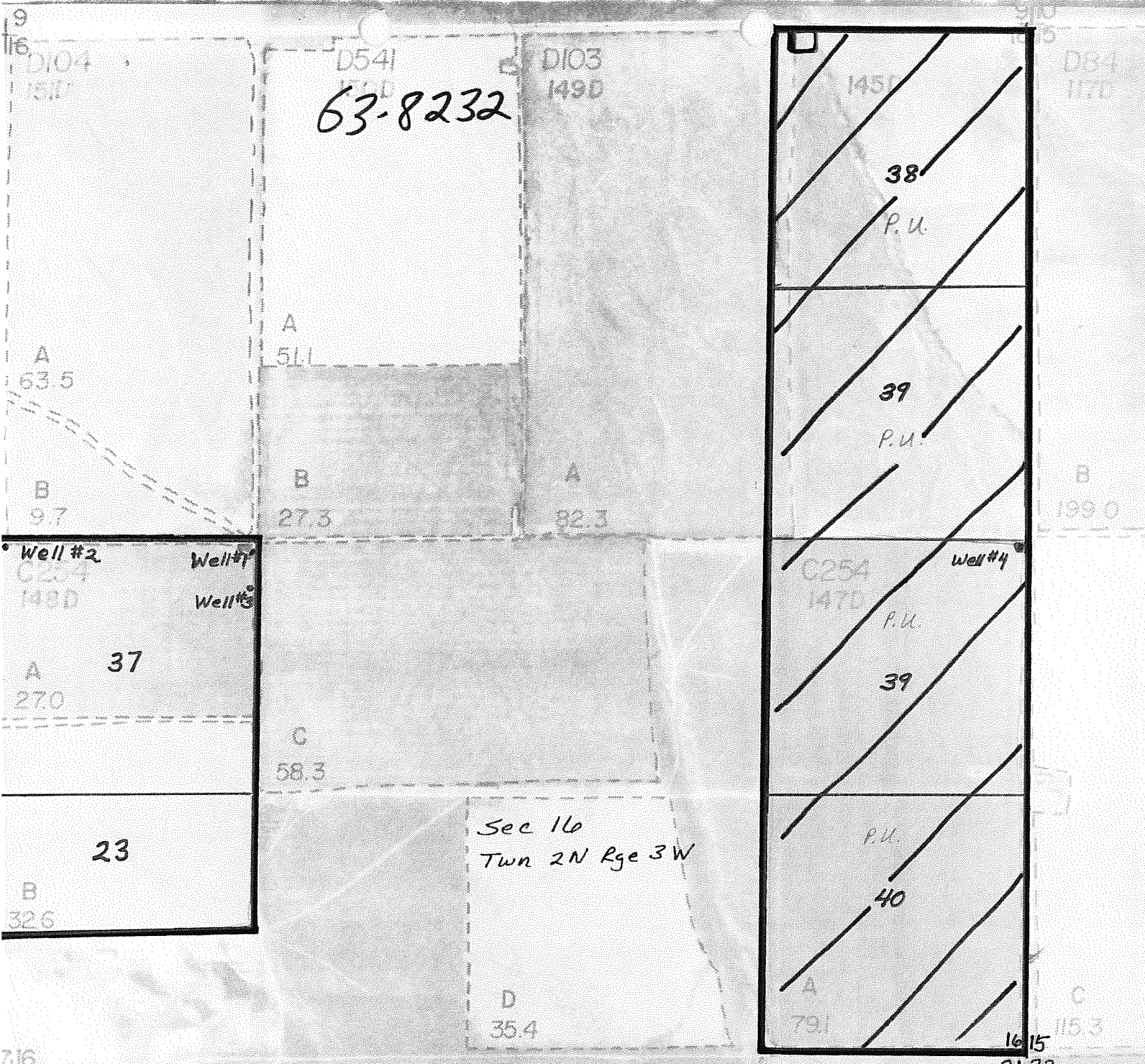
F
20.6

/// = P.U.

per examiner's info
SL 2/2/90

Sec. 17
Twn. 2N Rge 3W

NOT TO SCALE



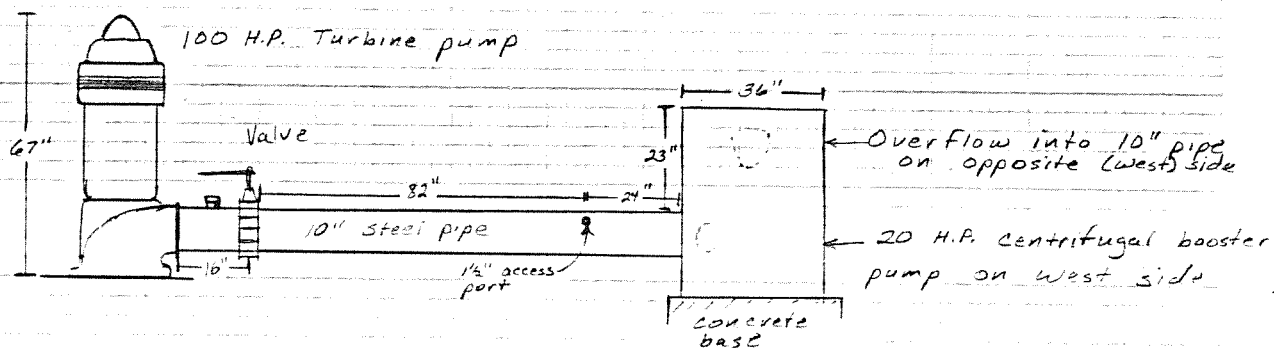
111 = P.U.
per examiner's info
SL 2/2/90

SEP 22 1994

NOT TO SCALE

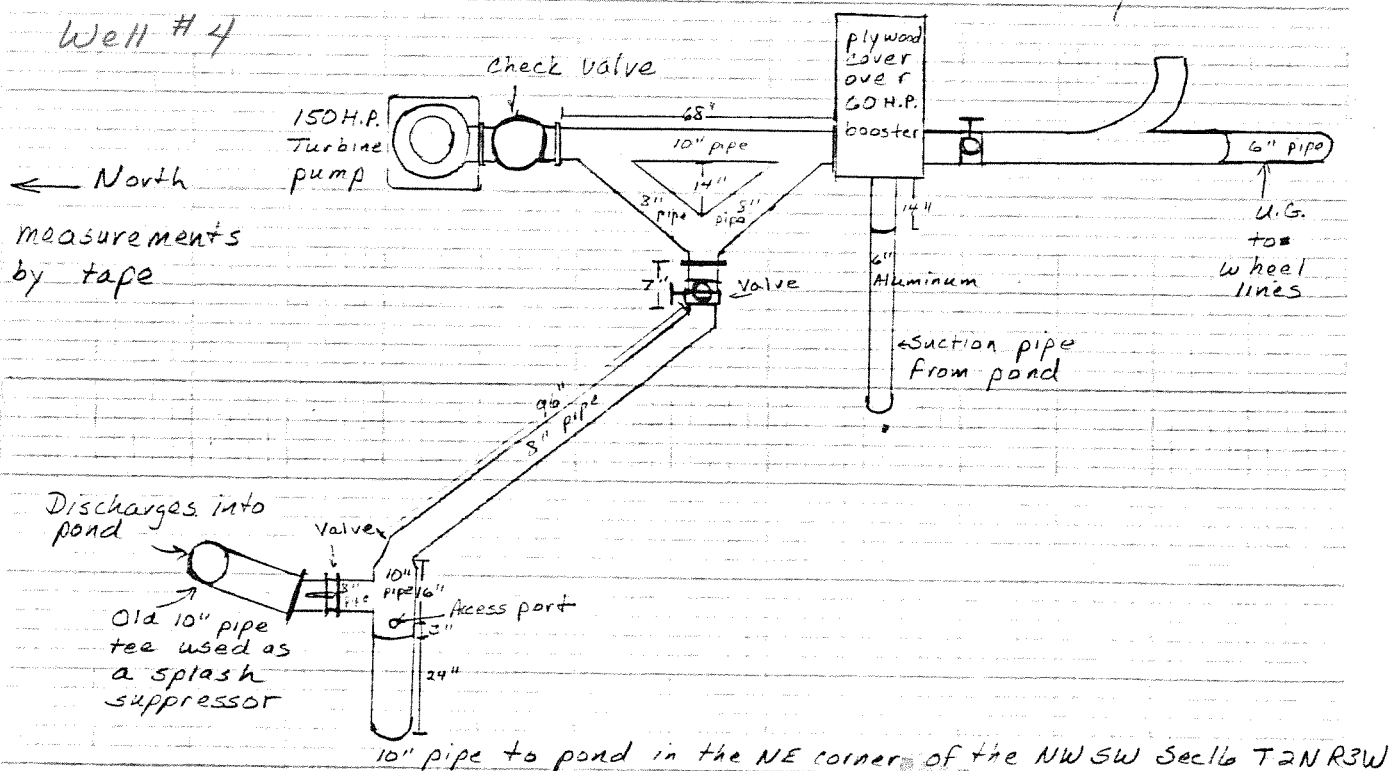
Well #3

Looking West



Measurements by tape

Well #4



Scale: 1" = 4'

SEP 22 1971

63-8232

PUMP INFORMATION

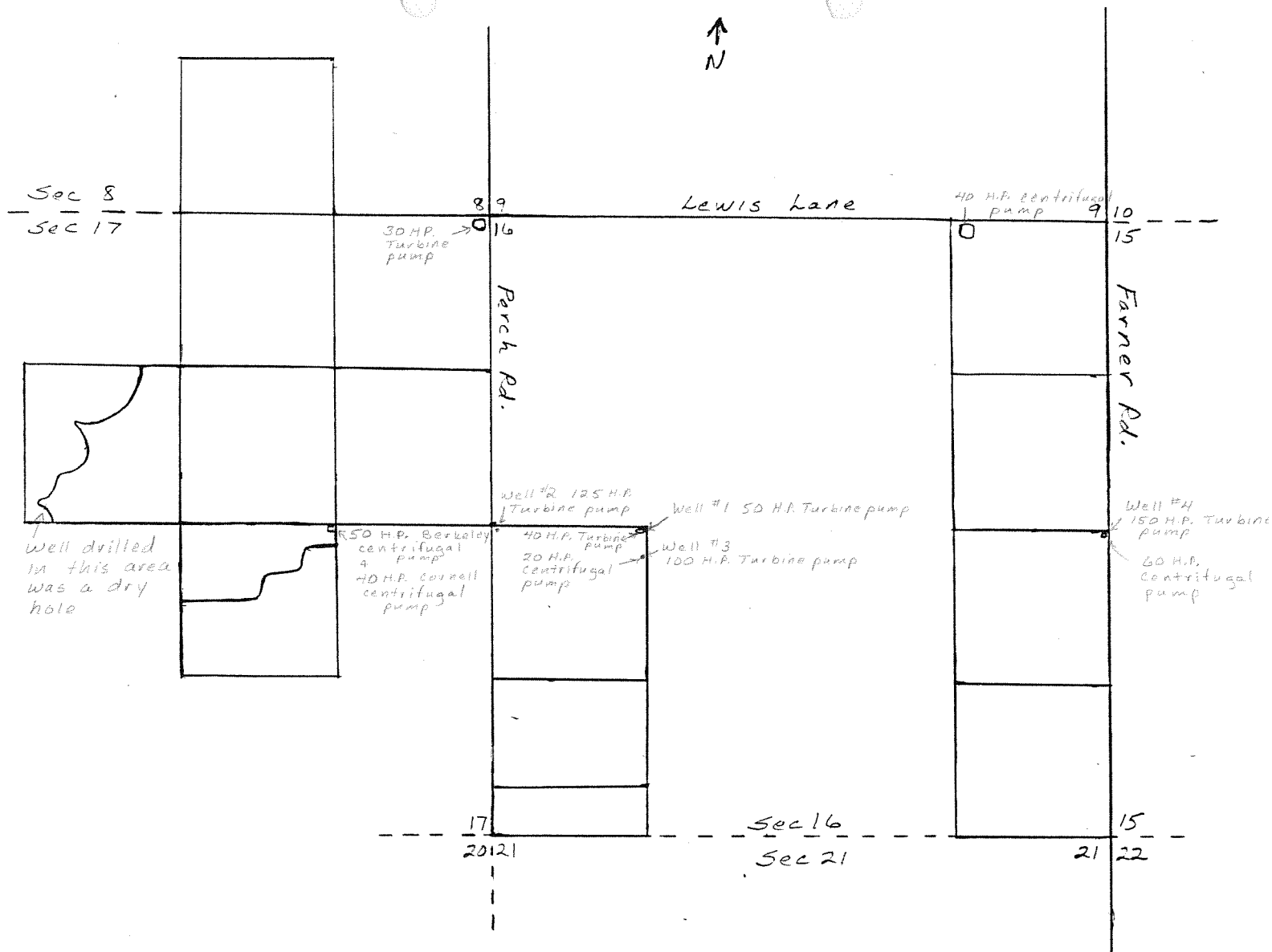
The Johnson's have 4 wells in their irrigation system. Pump information for each well is listed as of 7-20-87.

Well No.	Motor Make	H.P.	Motor Serial No.	Pump Make	Pump Serial No.
1	U.S. Motors	50	D7000630	Layne Bowler	unknown
2	U.S. Motors	125	1291741	Byron Jackson	307749
3	U.S. Motors	100	1181425	Layne Bowler	unknown
4	U.S. Motors	150	CC6502331	Verti Line	DO4617

The Johnson's use 7 relift pumps to supply water to their sprinkler lines, or to lift the water from one pond to another. The relift pump information listed is as of 7-20-87.

Motor Make	H.P.	Pump Make	Type of Pump	Location of Each Pump
G.E.	60	Cornell	Centrifugal	NE NE SE Sec. 16
Baldor	20	Berkeley	Centrifugal	NE NW SW Sec. 16
Baldor	50	Berkeley	Centrifugal	NE NW SE Sec. 17
G.E.	40	Cornell	Centrifugal	NE NW SE Sec. 17
G.E.	40	Cornell	Centrifugal	NW NE NE Sec. 16
U.S. Motors	30	Worthington	Turbine	NE NE NE Sec. 17
Fairbanks Morse	40	Layne Bowler	Turbine	NE NW SW Sec. 16

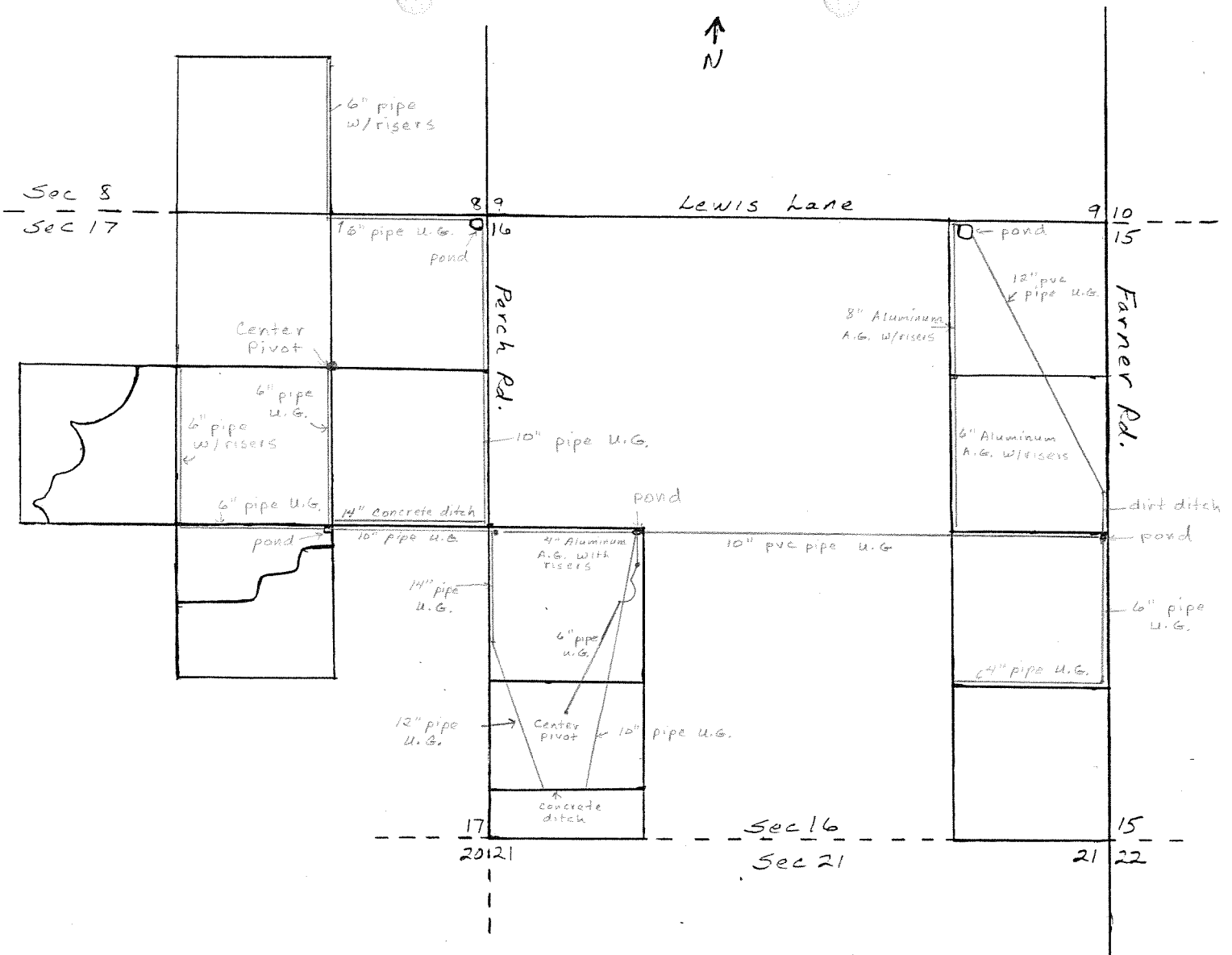
SEP 22 1994



Scale 1" = 1/4 mile

Location of wells and booster pumps

SEP 22 1994



Scale 1" = 1/4 mile Location of pipelines and ditches

u.g. = underground pipelines

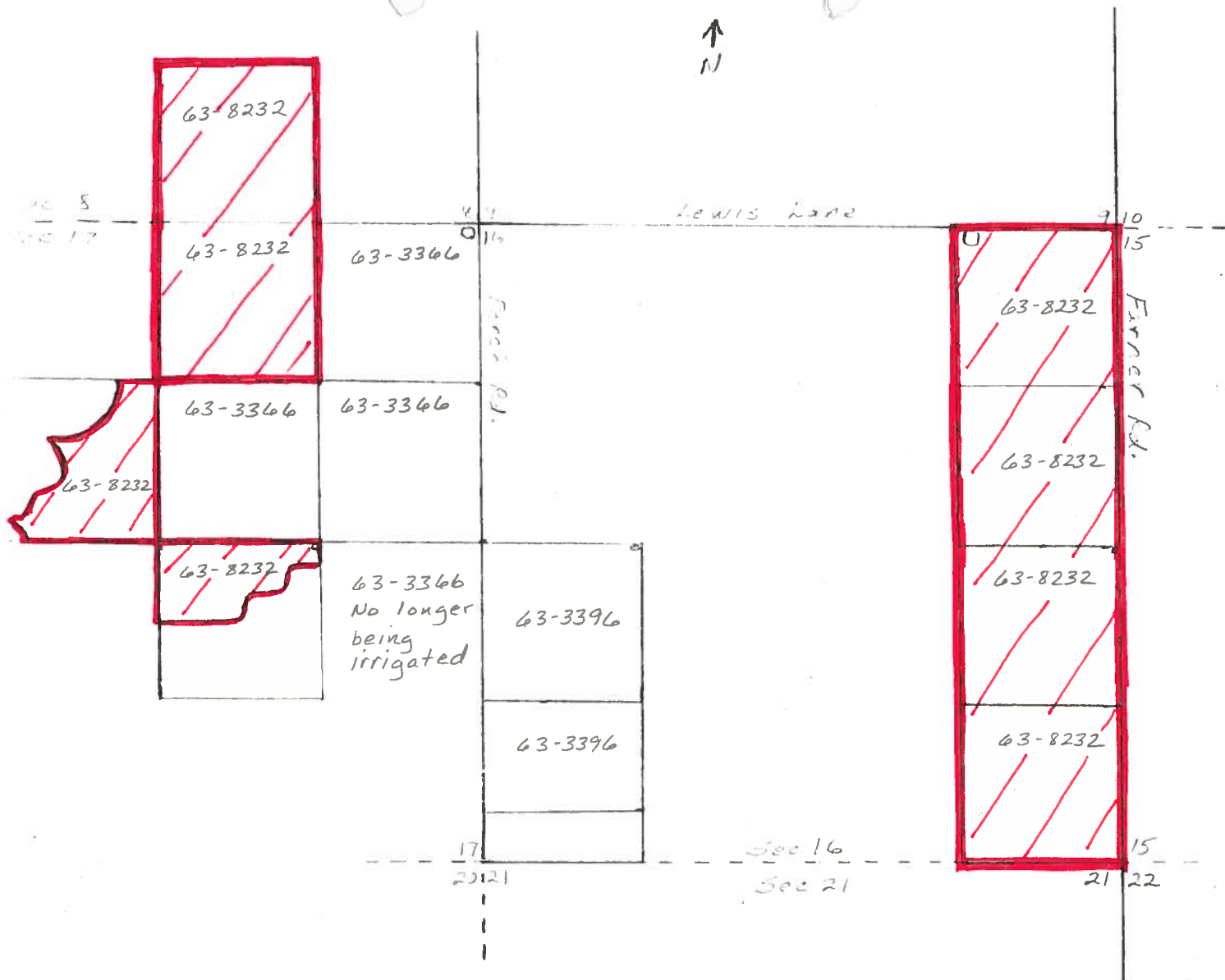
A.G. = above ground (surface) pipelines

A 1/4 mile long center pivot is used in the NE 1/4 of Sec. 17 with hand lines used to cover the corners.

A 1/8 mile long center pivot is used in the W 1/2 of the SW 1/4 of Sec. 16 with hand lines used to cover the balance of the land there.

Wheel lines are used in the E 1/2 of the SE 1/4 of Sec. 16 and hand lines are used to irrigate the remainder of the land.

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Scale 1" = 1/4 mile

Map of all the land irrigated by this system and the appropriate water rights. Lands under this water right (63-8232) are outlined in red. ///

SEP 22 1994



Well #1
Looking west.
Mr. Johnson
did not recall
the numbering
order they use
on their wells
Therefore, the
numbers used
for this exam
may not corre-
spond to the
Johnson's numbe
for these wells



Well #2
Looking Southeast

SEP 22 1994

63-8232



Well #3
Looking west.



Well #4
Looking north
P.U. in back-ground.
Note: the permit sign reads
63-9735 because
at the time of
the examination
I was told
that this well
was the ~~PP~~
p.d. for that
permit.
photo taken
6-26-87

SEP 22 1994



P.U.
Looking west
from Farner
Rd. Photo
taken ~~from~~
approximately
 $\frac{1}{4}$ mile south
of Lewis Ln.



P.U.
Looking south-
west from
Farner Rd.
approximately
 $\frac{1}{4}$ mile south
of Lewis Ln.

SEP 22 1994

Form 235-1
4/88

Drilling Permit No. 63-88-2-046
Water Permit No. 63-8232
Injection Permit No. _____

State of Idaho
Department of Water Resources

DRILLING PERMIT

(Authorizing Construction of a Well)*

RECEIVED

APR 14 1988

Department of Water Resources

1. Applicant Pickle Butte Farms, Inc. John R. Johnson

2. Address Rt. # 4 Box 344

Caldwell, Idaho 83605 Telephone (208) 459-7893

() Well Owner ☒ Well Operator () Other, specify _____

3. Proposed well location NW 1/4 SW 1/4, or Gov't lot No. _____,

Sec. 16, Twp. 2N, Rge. 3W, County Canyon,

Lot, block and subdivision _____

4. Proposed use of well: (Check all that apply)

() Domestic () Stockwater () Monitoring

☒ Irrigation () Industrial () Municipal

() Injection () Other, Specify _____

5. Well construction information:

() New well () Deepen ☒ Replace

Proposed surface diameter 16" Maximum depth 650'

Anticipated bottom hole temperature: _____

☒ 85°F or less (Cold water well)
() 85°F to 212°F (Low temp. geothermal well)
() 212°F or more (Geothermal well)

6. Anticipated construction start date 4-18-88

7. Well Driller (if known) Doty Drilling Co., Inc.

Address Rt. 7 Box 311, Caldwell, Idaho 83605

8. Applicant's signature John R. Johnson

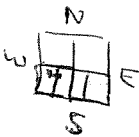
Title Sec. Treas.

Date 4-12-88

SEP 22 1994

* After other pre-requisite approvals have been obtained.

* Fee is \$10 for single family domestic. Other uses may be \$100, \$50 or \$10.



ACTION OF IDWR

(l) Approved () Denied

The approval of this permit authorizes the construction of a well as described on this application subject to the conditions on this permit.

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.

SPECIFIC CONDITIONS:

Dated this 22nd day of April, 19 88

Signed Joh E Buil

Title SECTION MANAGER
GROUNDWATER PROTECTION

Received by rg Fee \$100⁰⁰ Date 4-20-88

Receipt No. C 000383 Construction start extension to _____

Extension approved by _____

SEP 22 1994

FROM Carter Fritschle

DATE Jan. 13, 1988

TO File 63-8232

SUBJECT Examination fees paid for Water Rights Numbers 63-8232
and 63-9735.

The Johnsons submitted their exam fees with the understanding that each permit was for an individual well. The fees submitted were \$125.00 for 63-8232 (Receipt No. 40311), and \$150.00 for 63-9735 (Receipt No. 40432). However, the wells are interconnected and part of the system used to irrigate all of their land. Because the amount of water being diverted from the two wells that were measured and the number of acres being irrigated can be allowed on Water Right No. 63-8232, there is no reason to divide this water and acreage between the two water rights. Therefore, I am recommending 63-8232 be licensed with a diversion rate of 2.73 cfs, which requires a \$150.00 examination fee. The Johnsons have relinquished Water Right No. 63-9735, and would like to have the \$150.00 fee paid for the examination of this right used to make up the \$25.00 of additional fee needed to license 63-8232 with a diversion rate of 2.73 cfs.

Carter Fritschle

RECEIVED

SEP 22 1994

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

WESTERN REGIONAL OFFICE
450 W. STATE ST.
POISE, IDAHO 83720
(208) 334-2190
JUNE 20, 1986

PICKLE BUTTE FARMS INC.
C/O JOHN R. JOHNSON
RT. 4 BOX 143
CALDWELL, ID 83605

FIELD EXAM NOTICE

RE: PERMIT NO. 63-8232

DEAR PERMIT HOLDER:

WE ARE PLANNING TO CONDUCT WATER RIGHT EXAMINATIONS IN THE VICINITY OF THE ABOVE - REFERENCED PERMIT DURING THE WEEK OF JUNE 30, 1986. AN EXAMINATION IS NEEDED TO VERIFY YOUR WATER USE IN ORDER TO ISSUE A WATER RIGHT LICENSE.

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT WAS THAT A FLOW MEASUREMENT PORT, ALSO KNOWN AS AN ACCESS PORT, BE INSTALLED TO PROVIDE FOR THE INSTALLATION AND DETERMINATION OF THE RATE OF DIVERSION BY THE DEPARTMENT. ENCLOSED IS AN INSTRUCTION SHEET FOR INSTALLING THE FLOW MEASUREMENT PORT. THIS PORT OR AN ALTERNATE MEASURING DEVICE MUST BE INSTALLED PRIOR TO THE TIME THE EXAMINER IS SCHEDULED TO CONDUCT YOUR EXAM.

IN ORDER TO CONDUCT YOUR EXAM AS EFFICIENTLY AS POSSIBLE WE ASK THAT YOU CALL THIS OFFICE TO SCHEDULE A DAY AND TIME CONVENIENT FOR YOU.

IF THERE IS A PROBLEM WITH SCHEDULING OR CONDUCTING THE EXAMINATION AT THIS TIME, PLEASE CALL AND OTHER ARRANGEMENTS CAN BE MADE.

SINCERELY,

JAN SHURTE
SENIOR WATER RESOURCE AGENT

SEP 22 1994

4/86

RECEIVED
MAY 13 1986

STATE OF IDAHO

Department of Water Resources
Western Regional Office

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

KEYPUNCHED
For Office Use Only
Fee Received \$ 125
Date 5/20/86
Receipt # 40311
Receipt by JP
Sent to S.O. 5/27/86

RECEIVED
MAY 13 1986

1. Permit No. 63-8232

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE: Department of Water Resources

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: PICKLE BUTTE FARMS, INC.; JOHN R. JOHNSON

3. Post Office Address: RT# 4 BOX 344, CALDWELL, IDAHO 83605

Telephone No. 208-459-7893

4. Source of Water: ground water

5. Extent of Use:

Domestic (No. of households) Stockwater (No. and type of stock)

Irrigation 370 (acres) Other/Remark in conjunction with

other rights

6. Total rate &/or volume for which proof is submitted 1.01-2.0 cfs 101-200 acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

May 1976

8. Person to contact to accompany the department representative during the field examination:

John R. or Dirk R. Johnson

(Name)

Rt. # 4 Box 344 Caldwell, Idaho 83605

(Address)

208-459-7893

(Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

5-8-86

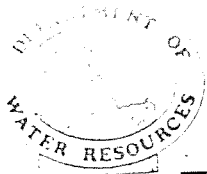
Date

SEP 22 1984

Catherine Johnson

Sec.-Treas.

Signature of Permit Holder (and title, if appropriate)



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

63-8232

PICKLE BUTTE FARMS INC.

C/O JOHN R. JOHNSON

RT. 4 BOX 143

CALDWELL, ID 83605

April 17, 1986

CERTIFIED MAIL

138401

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

SEP 22 1994

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

RECEIVED
SEP 22 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 384-2190

November 21, 1980

Pickle Butte Farms, Inc.
John R. Johnson
Rt. 4, Box 344
Caldwell, Idaho 83605

RE: Permit No. 63-8232

Dear Mr. Johnson:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department.

☐ A field examination of your system has been scheduled for

If this time and date is not convenient for you, please contact this office as soon as possible.

☐ A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office.

Sincerely,

Kay Walker
Secretary

MICROFILMED

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 63-8232

Name(s) of Permit Holder: Pickle Butte Farms, Inc., John R. Johnson

Post Office Address: Rt. # 4 Box 344

Caldwell, Idaho 83605

Tel. No. BB 459-7893

Source of Water: well & pipeline

Extent of Use: ☐ Domestic _____ (number of households)
☐ Stockwater _____ (number and type of stock)
☒ Irrigation 370 (acres)
☐ Other _____

orifice type measuring device installed by Layne of Ida.
Measuring Device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No
Access Port: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

10-6-80

Date

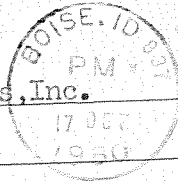
Mr. John R. Johnson
Signature of Permit Holder

Pickle Butte Farms, Inc.

% John R. Johnson

Rt. # 4 Box 344

Caldwell, Idaho 83605



RECEIVED

OCT 20 1960



IDAHO DEPARTMENT OF WATER RESOURCES

Department of Water Resources STATEHOUSE

BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

PICKLE BUTTE FARMS INC.
C/O JOHN R. JOHNSON
RT. 4 BOX 143
CALDWELL, ID 83605

138544

SEPTEMBER 30, 1980

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 63-8232 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE DECEMBER 01, 1980. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF \$15.00 MUST BE SUBMITTED WITH THIS FORM.

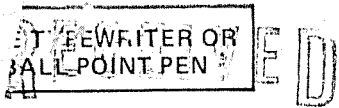
EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENCLOSURES

MICROFILMED



WELL DRILLER'S REPORT

JAN 21 1976

State law requires that this report be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

1. WELL OWNER Name <u>Johnson, John</u> Address <u>Caldwell, Idaho 83605</u> Owner's Permit No. <u>63-8232</u>	7. WATER LEVEL Static water level <u>220</u> feet below land surface Flowing? ☐ Yes ☒ No G.P.M. flow _____ Temperature _____ ° F. Quality _____ Artesian closed-in pressure _____ p.s.i. Controlled by ☐ Valve ☐ Cap ☐ Plug																																																																																																																																																																																																																																								
2. NATURE OF WORK ☒ New well ☐ Deepened ☐ Replacement ☐ Abandoned (describe method of abandoning) _____	8. WELL TEST DATA ☐ Pump ☐ Bailer ☐ Other <table border="1"><thead><tr><th>Discharge G.P.M.</th><th>Draw Down</th><th>Hours Pumped</th></tr></thead><tbody><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr><tr><td> </td><td> </td><td> </td></tr></tbody></table>	Discharge G.P.M.	Draw Down	Hours Pumped																																																																																																																																																																																																																																					
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3. PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal ☐ Industrial ☐ Stock	9. LITHOLOGIC LOG <table border="1"><thead><tr><th rowspan="2">Hole Diam.</th><th colspan="2">Depth</th><th rowspan="2">Material</th><th colspan="2">Water</th></tr><tr><th>From</th><th>To</th><th>Yes</th><th>No</th></tr></thead><tbody><tr><td> </td><td>0</td><td>4</td><td>Top Soil</td><td> </td><td> </td></tr><tr><td> </td><td>4</td><td>7X</td><td>Hard pan</td><td> </td><td> </td></tr><tr><td> </td><td>7</td><td>15</td><td>sand & gravel/nigger heads</td><td> </td><td> </td></tr><tr><td> </td><td>15</td><td>30</td><td>river rock/sand/gravel</td><td> </td><td> </td></tr><tr><td> </td><td>30</td><td>33</td><td>brown sand</td><td> </td><td> </td></tr><tr><td> </td><td>33</td><td>48</td><td>brown clay</td><td> </td><td> </td></tr><tr><td> </td><td>48</td><td>52</td><td>fine brown sand</td><td> </td><td> </td></tr><tr><td> </td><td>52</td><td>93</td><td>gray clay</td><td> </td><td> </td></tr><tr><td> </td><td>93</td><td>95</td><td>gray sand</td><td> </td><td> </td></tr><tr><td> </td><td>95</td><td>115</td><td>brown & gray clay</td><td> </td><td> </td></tr><tr><td> </td><td>115</td><td>189</td><td>brown fine sand</td><td> </td><td> </td></tr><tr><td> </td><td>189</td><td>211</td><td>brown clay</td><td> </td><td> </td></tr><tr><td> </td><td>211</td><td>217</td><td>fine brown sand</td><td> </td><td> </td></tr><tr><td> </td><td>217</td><td>225</td><td>brown clay</td><td> </td><td> </td></tr><tr><td> </td><td>225</td><td>229</td><td>brown sand</td><td> </td><td> </td></tr><tr><td> </td><td>229</td><td>250</td><td>brown clay</td><td> </td><td> </td></tr><tr><td> </td><td>250</td><td>260</td><td>brown & black sand</td><td> </td><td> </td></tr><tr><td> </td><td>260</td><td>356</td><td>blue & brown clay</td><td> </td><td> </td></tr><tr><td> </td><td>356</td><td>360</td><td>fine silty blue sand</td><td> </td><td> </td></tr><tr><td> </td><td>360</td><td>366</td><td>blue clay & fine blue sand</td><td> </td><td> </td></tr><tr><td> </td><td>366</td><td>369</td><td>blue clay</td><td> </td><td> </td></tr><tr><td> </td><td>369</td><td>370</td><td>blue sand</td><td> </td><td> </td></tr><tr><td> </td><td>370</td><td>380</td><td>blue & brown clay</td><td> </td><td> </td></tr><tr><td> </td><td>380</td><td>388</td><td>brown clay</td><td> </td><td> </td></tr><tr><td> </td><td>388</td><td>398</td><td>flaky blue & brown clay</td><td> </td><td> </td></tr><tr><td> </td><td>398</td><td>408</td><td>fine brown sand</td><td> </td><td> </td></tr><tr><td> </td><td>408</td><td>420</td><td>blue clay</td><td> </td><td> </td></tr><tr><td> </td><td>420</td><td>422</td><td>fine blue sand</td><td> </td><td> </td></tr><tr><td> </td><td>422</td><td>425</td><td>blue clay</td><td> </td><td> </td></tr><tr><td> </td><td>425</td><td>431</td><td>fine blue sand</td><td> </td><td> </td></tr><tr><td> </td><td>431</td><td>498</td><td>blue clay</td><td> </td><td> </td></tr><tr><td> </td><td>498</td><td>504</td><td>fine blue sand/clay streaks</td><td> </td><td> </td></tr><tr><td> </td><td>504</td><td>517</td><td>blue sand</td><td> </td><td> </td></tr><tr><td> </td><td>517</td><td>522</td><td>blue sand/clay streaks</td><td> </td><td> </td></tr><tr><td> </td><td>522</td><td>528</td><td>pea gravel & blue sand</td><td> </td><td> </td></tr><tr><td> </td><td>528</td><td>595</td><td>blue clay</td><td> </td><td> </td></tr><tr><td> </td><td>595</td><td>608</td><td>fine blue sand</td><td> </td><td> </td></tr></tbody></table>	Hole Diam.	Depth		Material	Water		From	To	Yes	No		0	4	Top Soil				4	7X	Hard pan				7	15	sand & gravel/nigger heads				15	30	river rock/sand/gravel				30	33	brown sand				33	48	brown clay				48	52	fine brown sand				52	93	gray clay				93	95	gray sand				95	115	brown & gray clay				115	189	brown fine sand				189	211	brown clay				211	217	fine brown sand				217	225	brown clay				225	229	brown sand				229	250	brown clay				250	260	brown & black sand				260	356	blue & brown clay				356	360	fine silty blue sand				360	366	blue clay & fine blue sand				366	369	blue clay				369	370	blue sand				370	380	blue & brown clay				380	388	brown clay				388	398	flaky blue & brown clay				398	408	fine brown sand				408	420	blue clay				420	422	fine blue sand				422	425	blue clay				425	431	fine blue sand				431	498	blue clay				498	504	fine blue sand/clay streaks				504	517	blue sand				517	522	blue sand/clay streaks				522	528	pea gravel & blue sand				528	595	blue clay				595	608	fine blue sand		
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4. METHOD DRILLED Reverse ☐ Cable ☒ Rotory ☐ Dug ☐ Other																																																																																																																																																																																																																																									
5. WELL CONSTRUCTION Diameter of hole <u>28</u> inches Total depth <u>650</u> feet Casing schedule: ☒ Steel ☐ Concrete <table border="1"><thead><tr><th>Thickness</th><th>Diameter</th><th>From</th><th>To</th></tr></thead><tbody><tr><td>.250 inches</td><td>16 inches</td><td>+ 2 feet</td><td>356 feet</td></tr><tr><td>.250 inches</td><td>16 inches</td><td>366 feet</td><td>938 feet</td></tr><tr><td>.250 inches</td><td>16 inches</td><td>408 feet</td><td>421 feet</td></tr><tr><td>.250 inches</td><td>16 inches</td><td>431 feet</td><td>498 feet</td></tr><tr><td>.250 inches</td><td>16 inches</td><td>533 feet</td><td>595 feet</td></tr><tr><td>.250 inches</td><td>16 inches</td><td>615 feet</td><td>620 feet</td></tr></tbody></table> Was a packer or seal used? ☒ Yes ☐ No Perforated? ☐ Yes ☐ No How perforated? ☐ Factory ☐ Knife ☐ Torch Size of perforation _____ inches by _____ inches <table border="1"><thead><tr><th>Number</th><th>From</th><th>To</th></tr></thead><tbody><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr><tr><td>_____ perforations</td><td>_____ feet</td><td>_____ feet</td></tr></tbody></table> Well screen installed? ☒ Yes ☐ No Manufacturer's name <u>Roscoe Moss Free Flow</u> Type <u>Free Flow</u> Model No. _____ Diameter <u>16</u> Slot size _____ Set from <u>358</u> feet to <u>366</u> feet Diameter <u>16</u> Slot size _____ Set from <u>398</u> feet to <u>408</u> feet <u>16</u> <u>421</u> <u>431</u> Gravel packed? ☒ Yes ☐ No Size of gravel _____ Placed from <u>90</u> feet to <u>650</u> feet Surface seal? ☐ Yes ☐ No To what depth <u>90</u> feet Material used in seal ☐ Cement grout ☒ Puddling clay	Thickness	Diameter	From	To	.250 inches	16 inches	+ 2 feet	356 feet	.250 inches	16 inches	366 feet	938 feet	.250 inches	16 inches	408 feet	421 feet	.250 inches	16 inches	431 feet	498 feet	.250 inches	16 inches	533 feet	595 feet	.250 inches	16 inches	615 feet	620 feet	Number	From	To	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet	_____ perforations	_____ feet	_____ feet																																																																																																																																																																																																	
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6. LOCATION OF WELL Sketch map location must agree with written location. N W E S County <u>Canyon</u> <u>NE 1/4 SE 1/4 Sec. 16, T. 2 N/S, R. 3 E/W</u>	10. Work started <u>12/17/75</u> finished <u>12/26/75</u>																																																																																																																																																																																																																																								
	11. DRILLER'S CERTIFICATION This well was drilled under my supervision and this report is true to the best of my knowledge. PETE COPE DRILLING CO. MICROFILMED 213 Driller's or Firm's Name _____ Number _____ P.O. Box 561-Meridian, Idaho 83642 Address _____ Signed By <u>Pete Cope</u> 12-31-75 Date _____																																																																																																																																																																																																																																								



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

May 30, 1980

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the Regional Office nearest to you.

Sincerely,

DAVID R. TUTHILL JR., P.E.
Supervisor, Water Allocations Section

DRT:jg

Enclosures

Northern Region Office
Rt. #5 Box 203, Government Way
Coeur d'Alene, Idaho 83814

Eastern Region Office
1515 Lincoln Road
Idaho Falls, Idaho 83401

Southern Region Office
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301

Western Region Office
92 South Cole Road
Boise, Idaho 83705

MICROFILMED

December 15, 1975

Re: Permit No. 63-8232 Application for Amendment

Pickle Butte Farms, Inc.
c/o John R. Johnson
Route 4, Box 143
Caldwell, ID 83605

Gentlemen:

Enclosed is a copy of your approved Application for Amendment on the above referenced permit.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:rb

Enc.

MICROFILMED

December 2, 1975

Re: Permit No. 63-8232

Pickle Butte Farms Inc.
c/o John R. Johnson
Route 4, Box 143
Caldwell, ID 83605

Dear Mr. Johnson:

Enclosed is a copy of your approved Application for Permit No. 63-8232. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosures

ENCLOSURE

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 63-8232

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) PJC 10-29
(2) PJC 10-29

In form to receipt

Send Copies to:

☐ Idaho State Health Department
☐ Idaho Fish and Game Department
☐ Bureau of Land Management

(3) PJC 10-29

☐ Request Special Use Permit from U.S.F.S.
☐ Request Easement from B.L.M.
☐ Request Information from Applicant

(4) PJC 10-29

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) CJS 11-14-75

Affidavit of Publication received(date) OK

(12) _____

Final date for protests _____
Protests received: yes _____ no ☒

(13) _____

All requested information received from agencies or
applicant: yes _____ no _____

(14) _____

Action recommended:

☒ Approve _____ Deny

_____ Proposed Priority

_____ Reason for Reduction _____

☒ Measuring device required

_____ See attached sheet for other conditions of
approval

_____ No special conditions for approval

(15) District W By JJS Date 11-24-75

RECORDED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

October 30, 1975

Idaho Free Press
P.O. Box 88
Nampa, ID 83651

RE: Application for Permit No. 63-8232 - Pickle Butte Farms, Inc.

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear in the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(Signature of Claimant)

Sincerely,

Bill submitted
11-14-75
cls

MICROFILMED

NOTICE OF APPLICATION
FOR WATER PERMIT

Notice is hereby given that PICKLE BUTTE FARMS, INC. % John R. Johnson, Rt. 4, Box 142 Caldwell, ID. has on Oct. 28, 1975 submitted Application No. 63-8232 for a permit to appropriate 5.3 cubic feet per second of water from a groundwater source by means of well, pump, and pipeline within the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 17, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, T. 2 N, R. 3 W, B.M. Canyon County to be used from March 15 to Oct. 31 for irrigation of 370 acres within the W $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 16, NE $\frac{1}{4}$,NE $\frac{1}{4}$, S $\frac{1}{2}$ N E $\frac{1}{4}$, S E $\frac{1}{4}$ N W $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 17, T. 2 N, R. 3 W. B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before Nov. 24, 1975.

R. KEITH HIGGINSON
Director
November 6, 13, 1975

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11-4-75*

MICROFILMED

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County

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within the W¹/₂SW¹/₄, NW¹/₄SE¹/₄, SE¹/₄SE¹/₄, Sec. 16, NE¹/₄NE¹/₄, S¹/₂NE¹/₄, SE¹/₄NW¹/₄, NW¹/₄SW¹/₄,
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