

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:

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.

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

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

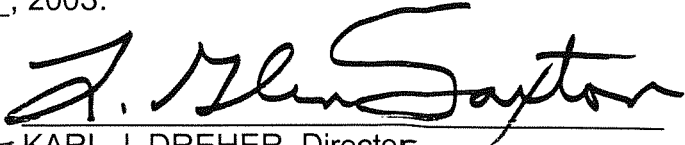
Conditions of water use under this agreement:

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 15th day of June, 2003.

by *Thomas J. Ziemer*
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

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 _____ ¼ _____ ¼, 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

MICROFILMED

SEP 09 2003

01/03

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)
how many years? _____

If yes, for

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. Jensen
Signature of Applicant

FOR DEPARTMENT USE ONLY

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

Published in _____ Pub. dates _____

Protests filed by _____

Hearing held by _____

Action recommended _____

MICROFILMED

SEP 09 2003

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

MICROFILMED

SEP 09 2003

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.

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. Jensen
Signature of Applicant

FOR DEPARTMENT USE ONLY

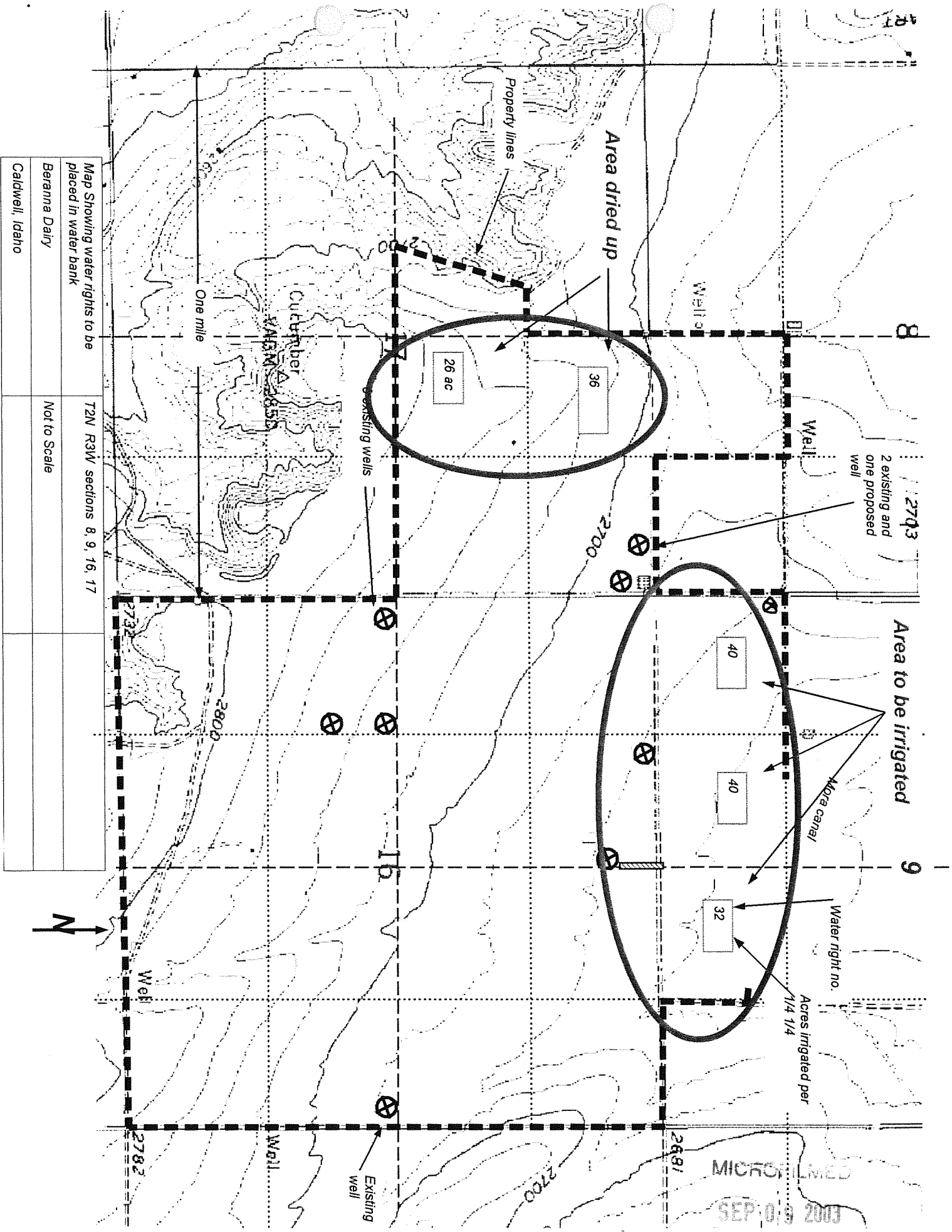
Received by CBC Date 5/22/03 Preliminary check by CBC

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

MICROFILMED

SEP 09 2003



MICROFILMED
SEP 09 2003

M

24

15175

◎ 2011 年 12 月 1 日

2000

١١٥

15268

2014

48

2000 FN#

14

596

卷之四

工

11/11/11

41

燕

燕

BRAND
10001



1997

96

陳

15(2)

**GA
FI
FI**

SEP 09 2000

FSA-578(02-01-91)

REPORT OF ACREAGE

Approved - OMB No. 0560-0004

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 30.5	Irr	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

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 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			

Molenaga Nick

454-8695 Ext 111

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	408.5 ac
Total Volume allowed	1838.2 acre-ft
Flow / acre	0.011 cfs
Volume /acre	4.5 acre-ft
Acres dried	
NWNE Sec 17	36 ac
SWNW Sec 17	26 ac
	62 ac
Flow to Water Bank	0.669 cfs
Volume to water bank	279.0 acre-ft

MICROFILMED

SEP 09 2003

DN 44K 18

9914490

WARRANTY DEED

FOR VALUE RECEIVED John R. Johnson and Catharine 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 40355 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
John R. Johnson

Catharine J. Johnson
Catharine J. Johnson

Johnson Land Company.

By Catharine J. 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 Catharine J. Johnson, known to me (certified to be the person(s) who(as)
executed the foregoing instrument and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Notary Public
Residing at Greenleaf, Idaho
My commission expires: 5-1-99

STATE OF IDAHO
COUNTY OF CANYON

On this 14 day of April, 1999,
before me a notary public personally appeared John R. Johnson and Catharine J. Johnson, known to me to be the person(s) whose
names are subscribed to the foregoing instrument as general partners of Johnson Land Company and acknowledged to me that they executed the same for the purposes and consideration therein expressed.

Notary Public
Residing at Greenleaf, Idaho
My commission expires: 5-1-99



MICROFILMED

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 $89^{\circ} 29' 50''$ 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 $15^{\circ} 28' 39''$ 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 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 $74^{\circ} 30' 00''$ East, a distance of 257.88 feet; thence North $88^{\circ} 22' 30''$ East, a distance of 561.83 feet; thence North $9^{\circ} 44' 15''$ 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 301.98 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 218.51 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

First American Title
Schedule A

MICROFILMED

SEP 09 2003

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 857.87 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 $88^{\circ} 31' 10''$ 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. 647186, 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 $88^{\circ} 28' 50''$ 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 526.80 feet, a central angle of $15^{\circ} 28' 39''$ and a long chord which bears

North $85^{\circ} 47' 19''$ 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 $8^{\circ} 44' 16''$ 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 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° 54'28" 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" of 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 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
INDEXED
FILED
12/10/99

CYNEL MALES
CANYON COUNTY RECORDER
BY *[Signature]*

39 APR 15 AM 11 01

RECORDED

9914490

A

PC3 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 526.50 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

MICROFILMED

SEP 09 2003

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 Southeast 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 725.30 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 $12^{\circ}23'02''$ 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 $12^{\circ}23'02''$ 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

MICROFILMED

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.

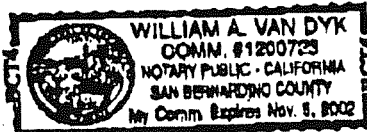
by:

[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



009943498

RECORDED

29 NOV 1 PM 4 31

NOEL MALES

CANYON COUNTY RECORDER

BY *[Signature]*

PIONEER - CALDWELL

[Signature]

MICROFILMED

SEP 09 2003

[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

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,

MICROFILMED

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

05/19/2003

WATER RIGHT NO. 63-3366

Owner Type	Name and Address
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

Source	Tributary
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume
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:

MICROFILMED

SEP 09 2003

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	Acre
02N	03W	17		NENE			NWNE			SWNE			SENE	

Place of Use Legal Description: COMMERCIAL same as STOCKWATER

Total Acres: 428

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 63-03366 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.
------------	--

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:

MICROFILMED

SEP 09 2003

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

MICROFILMED

SEP 09 2003

[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

MICROFILMED

SEP 09 2003

Location of Point(s) of Diversion:

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

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.

RECEIVED

SEP 09 2003

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.
----	-----	---

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.
----	---------	--

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

Other Information:

State or Federal:

Owner Name Connector:

MICROFILMED

SEP 09 2003

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

MICROFILMED

SEP 09 2003

[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:

MICROFILM

SEP 09 2003

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

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.
----	---------	---

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:

Owner Name Connector:

Water District Number:

MICROFILMED

SEP 09 2003

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

MICROFILMED

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:

MICROFILMED

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

[Close](#)

MICROFILMED

SEP 09 2003

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

05/19/2003

WATER RIGHT NO. 63-29025

<u>Owner Type</u>	<u>Name and Address</u>
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

<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	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
--------------	--------	---------	--------------	-----------	---------------

Place(s) of use:

Place of Use Legal Description: IRRIGATION CANYON County

MICROFILMED

SEP 09 2003

<http://www.idwr.state.id.us/apps/ExtSearch/RightReportAJ.asp?BasinNumber=63&Seque...> 5/19/2003

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 Hometown
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

MICROFILMED

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

MICROFILMED
JAN 12 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: STOCKWATER

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

MICROFILMED

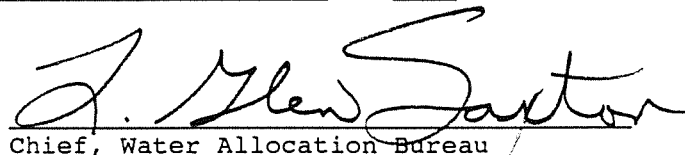
JAN 12 1998

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
JAN 12 1998

STATEMENT

The News-Tribune

P. O. Box 1179

CALDWELL, IDAHO 83605

Date February 13, 1969

RECEIVED

FEB 19 1969

John R. Johnson
Rt. 6 Box 75
Caldwell, Idaho

Department of Reclamation

NOTICE OF APPROVED APPLICATION FOR WATER

28 lines 2 days - February 6, 13, 1969

1 day @ .14 per col. line	\$3.92
1 day @ .10 per col. line	<u>2.80</u>
	6.72

Upon receipt payment of this statement,
affidavit will be sent on ~~last~~ last date
of publication.

pd
2/14/69
HA

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 31596/63-3396 Priority Dec. 13, 1963 Amount 1.20 cfs

THIS IS TO CERTIFY, that JOHN R. JOHNSON
of Caldwell, Idaho, has complied with the terms and conditions of Permit
No. 31596/63-3396 issued pursuant to Application for Permit dated December 13, 1963,
and has submitted proof to the Department of Water Resources on December 16, 1968,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 2.095 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>Oct. 31</u>	at <u>1.20</u> cfs and	<u>270 acre feet or</u> <u>4.5 af per acre</u>
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than * 1.20 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
270 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 16,
Twp. 2 N, Rge. 3 W, B.M. in the County of Canyon

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
2 N	3 W	16									28	32							60

Total number of acres irrigated 60

* Subject to the condition that the maximum rate of diversaiion shall not exceed
2.095 cfs when combined with License No. 31350/63-3366.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 18 day of
December, 19 75.

Director

63-3396

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

LICENSE ISSUED FOR 1.2 SEC. FT.
LICENSE PAGE NO.

Application No. G- 39706
Permit No. G- 31596
District No.

1. Name of Applicant: John R. Johnson
Postoffice address: Rt. 6, Box 75, Caldwell County: Canyon State: Idaho
2. Quantity of water claimed: 3.2 cu. ft. per sec.
(a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute
(b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
4. Location of point of diversion or well is in the NW¼ of the SW ¼ of Section 16
Twp. 2 N , Rge. 3 W , B.M., County of Canyon
5. Water is to be used for: Irrigation & Domestic
6. If for municipal, industrial or recreational purposes, give:
(a) Point of use of water is in the ¼ of the ¼ of Section , Twp.
Rge. , B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the ¼ of the ¼ of Section , Twp. , Rge. , B.M.
7. Kind of works: Well - pump - ditches
8. Estimated cost of works: \$ 8,000
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
(b) 3.2 (cubic feet per second, inches or gallons per minute) is for new lands.

LAPSED
Reinstated

Remarks:

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

s/ John R. Johnson Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 11:15 A.M. 12/13/63

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 31596

Recorded in Book 110 Page 31596 Approved December 20, 1963

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ to be filed on or before

Work to begin on or before and to continue deligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before June 20, 1966

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before December 20, 1968

Witness my hand this 20 day of December, 1963 s/ CARL E. TAPPAN
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE , Governor of the State of Idaho, and ARNOLD WILLIAMS , Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 20 day of December , 19 63.

Countersigned: STATE OF IDAHO
(SEAL) By s/ ROBERT E. SMYLIE Governor
By s/ ARNOLD WILLIAMS Secretary of State.

12.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2 N	3 W	16									40	40			40		40		160
															See permit G 30760 -Cancelled				

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF REINSTATEMENT OF PERMIT NO.)

ORDER OF REINSTATEMENT

G-31596 in the name of JOHN R. JOHNSON)

WHEREAS, John R. Johnson applied to the Department of Reclamation on December 13, 1963 for a permit to appropriate the public waters of the State of Idaho; and,

WHEREAS, the application proposed the diversion of 3.2 cubic feet per second of the waters of a ground water source for use in section 16, T. 2 N, R. 3 W, B.M., Canyon County, Idaho; and,

WHEREAS, on December 20, 1963, Permit No. G-31596 was approved with the condition that one-fifth of the work was to be completed on or before June 10, 1966 and that the whole of said work was to be completed and the water applied to a beneficial use on or before December 20, 1968; and,

WHEREAS, on October 1, 1968, the department forwarded to the permit holder an order modifying the requirements for completion of Permit G-31596 as adopted under the Rules of Practice and Procedure on August 1, 1968; and,

WHEREAS, on October 1, 1968, the permit holder was notified by certified mail that he was required to submit proof of application of the water to beneficial use and was instructed as to the steps to be taken to make that proof; and,

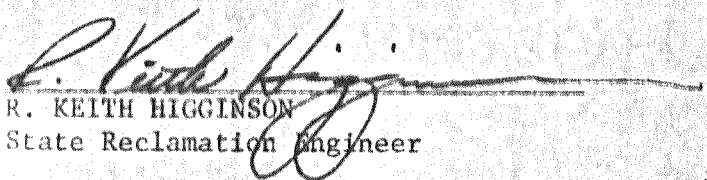
WHEREAS, the required proof was submitted on December 16, 1968; and,

WHEREAS, on December 24, 1968, the Department of Reclamation caused the permit to lapse for failure to submit proof of beneficial use; and,

WHEREAS, Permit No. G-31596 was lapsed in error;

THEREFORE, IT IS HEREBY ORDERED that Permit No. G-31596 be REINSTATED with no loss in the date of priority.

Dated this 24TH day of JANUARY, 1969.


R. KEITH HIGGINSON
State Reclamation Engineer

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED

DEC 16 1968

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Reclamation

1. a) Name of Permit Holder John R. Johnson
b) Post Office Address Route # 6 Box 75 Caldwell
2. Permit Number # C-31596
3. Date of Priority that you are prepared to establish 12-13-63
4. a) Source from which water was appropriated Subterranean
b) Location of the point of diversion: NW 1/4 SW 1/4, Section 16,
Township 2N, Range 3W Boise Meridian. Other points of
diversion: none
5. a) The amount of water and use to which the water has been applied:
amount 3.2 cfs for irrigation purposes from April 1 to Oct. 30 incl.
(cfs and/or acre feet per annum) (Mo-Day) (Mo-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Mo-Day) (Mo-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Mo-Day) (Mo-Day)
b) Total amount appropriated 3.2 cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made
and the qualifications of the person making the measurement: well test pump
6. If the means of diversion and conveyance are owned by someone other than the Permit
Holder:
a) Give the name or description of the canal, ditch or other works by which the water is
conducted to the place of use: none
b) Describe the agreement or understanding by which you take water from the works: none
7. a) Briefly describe the works for diverting and conveying the water to the place of use,
(If from a subterranean source, give the pump size, motor size, size of well casing,
depth of well; if from surface water, give brief description of diversion structure and/or
canal or ditch) 10" column-pump - 240 HP motor - 16" casing
56.5" deep - 14" pipeline up hill - cement ditches

31596

b) Describe the type and size of measuring device which you have installed at your point of diversion: None

c) Give well drillers name and address and date the well was completed
Leonard Davis - Davis Ave. Nampa Idaho

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use None

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision.

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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									40	40							80

Total number of acres irrigated 80

10. Remarks:

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

12-11-68
(Date)

John R. Johnson
(Signature)

State of Idaho)
County of Canyon) ss.

On this 11th day of December, 19 68, personally appeared before me the signer (s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Wm. J. L. L. L. L.
Notary Public residing at Idaho

My commission expires May 15, 1970

31596

FEB 19 1969

Department of Reclamation

AFFIDAVIT OF PUBLICATION

RECL. ENGR.	
DEPUTY	
WATER RIGHTS	
✓ APPROP	
DIST	
ADJ	
INVESTIGATION	
WELLS	
CONS	
ACCOUNTING	
FILES	

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

Verla Harker
of Caldwell, 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 News-Tribune, a daily, (except Sunday) newspaper published in the City of Caldwell, 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 Caldwell, 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:

February 6, 13, 1969

Verla Harker

Subscribed and sworn to before me this

13th day of February, 1969

William J. Kane

Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES JUNE 23, 1971

NOTICE OF APPROVED APPLICATION FOR WATER

Notice is hereby given that John R. Johnson, Route 6, Box 75, Caldwell, Idaho has received an approved permit No. G-31596 to divert 3.2 cubic feet per second of water from a subterranean source. The priority to be established under this permit is December 13, 1963. Water will be diverted by well, pump, ditches within the NW 1/4 SW 1/4, Sec. 16, T. 2 N., R. 3 W., B. M., Canyon County and is to be used for irrigation and domestic purposes in the W 1/2 SW 1/4, E 1/2 SE 1/4, Sec. 16, T. 2 N., R. 3 W., B. M.

Any protests against the intent of the permit must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer
February 6, 13, 1969



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

March 8, 2004

BERANNA DAIRY
9166 PERCH AVE
CALDWELL ID 83607

RE: WATER SUPPLY BANK LEASE TERM. WATER RIGHT NO(S). 63-3366, 63-3396, AN 63-8232.

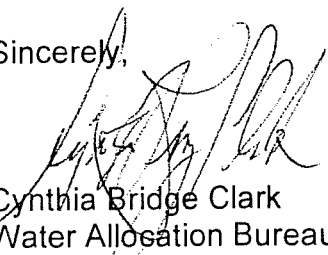
Dear Lessor(s):

As requested in your letter, received by the department on March 5, 2004, the Department will retain the water right number(s) referenced above in Water Supply Bank. The right(s) will remain in the bank for an "indefinite" lease term unless the rights are released earlier by the Board, or upon a request from the owner of the rights. To extend the term of the lease or to release the right(s) from the bank, the water right owner or lease applicant must contact the department in writing prior the release date.

Enclosed is a copy of the Internal Revenue Service Request for Taxpayer Identification and Certification, Form W-9. The Department of Water Resources is required to file an information return with the Internal Revenue Service ("IRS") for all rental payments issued to owners of water rights leased to the bank. Please return this form to my attention. Payments for the rental of a water right or a part thereof cannot be issued to the lessor unless the department has received a completed IRS W-9 form.

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

Sincerely,


Cynthia Bridge Clark
Water Allocation Bureau

c: John Westra -- IDWR Western Region

SCANNED
10/05/2005

RECEIVED

MAR 10 5:2004

Beranna Dairy ^{Department of Water Resources}
9166 Perch Ave
Caldwell, ID 83607
March 2, 2004

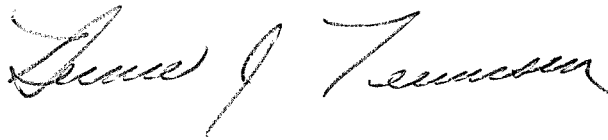
Idaho Dept. of Water Resources
Attn: Cynthia Bridge Clark
1301 N. Orchard Street
Boise, ID 83706

RE: Termination of Lease to the Water Supply Bank – Water right Nos. 63-3366, 63-3396 & 63-8232

Dear Cynthia,

Please extend the lease on the above named water rights for an indefinite period.
Thank You!

Sincerely,



MICROFILMED

MAR 22 2004

SCANNED
JAN 05 2005



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

February 24, 2004

BERANNA DAIRY
9166 PERCH AVE
CALDWELL ID 83607

**RE: TERMINATION OF LEASE TO THE WATER SUPPLY BANK – WATER
RIGHT NO(S). 63-3366, 63-3396 & 63-8232**

Dear Sir or Madam:

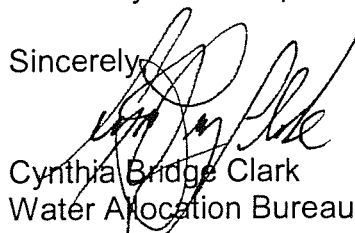
Department records show that the above referenced water right(s) has been leased through December 31, 2003 to the Water Supply Bank ("bank") operated by the Idaho Water Resource Board. This letter is notice that the right will be considered released from the bank unless you advise me, in writing, within fourteen (14) days of the date of this letter that you want to extend the period of the lease.

If you would like the right(s) to remain leased to the bank, please specify the date to which you want the lease extended. You may also request the right(s) remain leased to the bank for an "indefinite" period. In this case, the right(s) will remain in the bank indefinitely unless released earlier by the Board or until the water right owner or lease applicant contacts the department in writing to request the release of the right(s) from the bank.

Please consider that the five (5) year period of nonuse related to forfeiture of a water right shall begin to accrue upon release of the right from the bank or shall continue to accrue if a period of nonuse occurred prior to the lease date of the right to the bank. If a written request is not received within fourteen (14) days, the right(s) will be considered released from the bank as of December 31, 2003.

If you have questions, feel free to contact me directly at (208) 327-7898.

Sincerely,


Cynthia Bridge Clark
Water Allocation Bureau

c: IDWR - Regional Office

SCANNED
JAN 05 2005



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 20, 2003

DENNIS LYONS
16535 LOCUST LANE
CALDWELL ID 83607

Re: Bernard Teunissen or Beranna Dairy

Dear Mr. Lyons:

The department has received your letter dated June 19, 2003, requesting information on file pertaining to applications filed by Bernard Teunissen or Beranna Dairy for the Water Supply Bank in 2003. I am enclosing copies of an Application to Sell or Lease a Water Right to the Water Supply Bank, and an Application to Rent Water from the Water Supply Bank, received by the department on May 22, 2003 for Beranna Dairy. Also enclosed is a Water Supply Bank Agreement signed by Mr. Teunissen and the Idaho Water Resource Board. This agreement refers to Transfer No. 68964, which is also enclosed.

Please call me at (208)327-7953, if you have any additional questions.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

Cc: Cynthia Clark
Dan Nelson, Western Region

MICROFILMED

SEP 09 2003

June 19, 2003

RECEIVED

JUN 19 2003

Fax to: 208-327-7866
Idaho Dept. Of Water Resources

Department of Water Resources

RE: Freedom of Information Law Request for Idaho Water Bank Documents. I would like the documents pertaining to transfers made to the water bank and transfers bought from the water bank, by Bernard Teunissen, Beranna Dairy, 9168 Perch Rd, Caldwell, ID 83607 in the year 2003.

Thanks,
Dennis Lyons
16535 Locust Lane
Caldwell, ID 83607
208-880-0655



MICROFILMED

TOTAL P.01

SEP 09 2003

Idaho Department of Water Resources Receipt

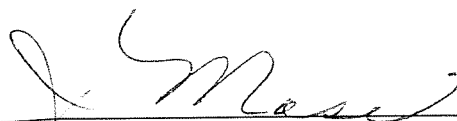
Receipt ID C069383

Payment Amount \$1,100.00 Date Received 6/3/2003 1:34:46 PM Region State Status
Payment Type Check Check Number 16592

Payer BERANNA DAIRY
Comment WATER RIGHT NOS 63-3366 63-3396 63-8232

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$1,000.00	WATER BANK-OWNER SHARE	0229	21	55109	1205
\$100.00	WATER BANK-DEPARTMENT SHARE	0229	21	55109	1205


Signature Line (Dept. Representative)

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

RECEIVED

JUN 9 2003

Department of Water Resources

BERANNA DAIRY
9166 PERCH AVE
CALDWELL ID 83607

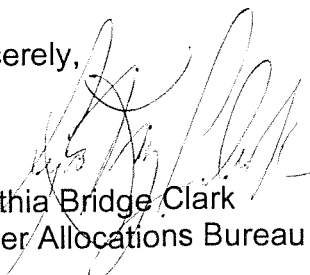
**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK
WATER RIGHT NOS. 63-3366, 63-3396, 63-8232**

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



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**

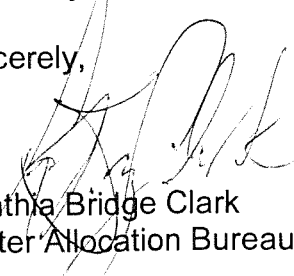
Dear Applicant:

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

MEMORANDUM

To: Debbie Allen
From: Cynthia Bridge Clark *CB*
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 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

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:

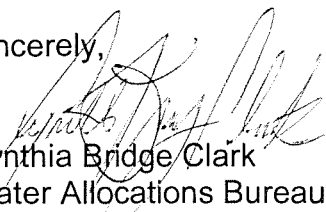
The department has completed its review of the Application to Sell or Lease Water Rights to the Water Supply Bank ("bank") that you submitted to this office. Please consider that the offered water rights are accepted into the bank.

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 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

May 30, 2003

BERANNA DAIRY
9166 PERCH AVE
CALDWELL ID 83607

RECEIVED

JUN 30 2003

Department of Water Resources

0069383

**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 63-03396

FROM: VAULT

RE: TRANSFER # 68964

DATE: 5-22-01

=====

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

(Continued)

MICROFILMED
18W 1 2 1998

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.

(Continued)

MICROFILMED
JAN 12 1998

Ident. No.
Well Tag No.

63-97-C-0881-200
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
JAN 12 1998

MEMORANDUM

TO: FILE 63-3396

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

JAN 12 1998

INTER-DEPARTMENT MEMO — 1

DATE 11-30-87

FROM Carter Fritschle

TO File 63-3396

SUBJECT

The acres irrigated are not listed correctly on the license (see the aerial photo). The NW $\frac{1}{4}$ SW $\frac{1}{4}$ should show 37 acres and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ should show 23 acres for a total of 60 acres.

MICROFILMED

JAN 12 1998

Carter Fritschle
SIGNATURE

December 19, 1975

Re: Permit No. 31596/63-3396

Mr. John R. Johnson
Route 4, Box 143
Caldwell, ID 83605

Dear Mr. Johnson:

Enclosed herewith is a copy of your water license issued on the above referenced permit.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:rb

Enc.

REPRODUCED

November 26, 1975

Resert Dec. 3, 1975 to Route 4, Box 143
Caldwell, ID

Mr. John R. Johnson
Route 6 - Box 75
Caldwell, Idaho 83605

Dear Mr. Johnson:

A representative of this Department has again examined the works covered by your Permit No. 31596/63-3396 and has found the following:

Quantity of water diverted: 2.095 cfs Source: ground water

Amount of water that can be recognized as beneficially used under Idaho law: 1.20 cfs

The maximum quantity diverted shall not exceed 270 acre feet per year.

Point of diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, Twp. 2 N, Rge. 3 W, B.M.

Beneficial use: Irrigation of 60 acres within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ (28), SW $\frac{1}{4}$ SW $\frac{1}{4}$ (32), Sec. 16, Twp. 2 N, Rge. 3 W, B.M.

Priority established: December 13, 1963.

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

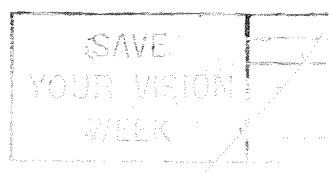
BDF:DR

bc: Western District Office
Attn: Peter

RECEIVED



Mr. John R. Johnson
Route 6 - Box 75
Caldwell, Idaho 83605



DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder John R. Johnson
Post office address Route 6 - Box 75, Caldwell, Idaho
Person to contact

2. Source of water supply: Groundwater [X] Surface water []
Tributary to

3. Water will be used for the following purposes:
Amount 3.2 c.f.s. for Irrigation
AF/Annum (nature of use)
Period of Use: from March 15 to Nov. 15
(mo.-day) inclusive (mo.-day)
Amount c.f.s. for
AF/Annum (nature of use)
Period of Use: from to
(mo.-day) inclusive (mo.-day)
Amount c.f.s. for
AF/Annum (nature of use)
Period of Use: from to
(mo.-day) inclusive (mo.-day)
Other uses:

Permit No. 31596/63-3396
Re-Examination for b/u

4. Total amount to be appropriated: 1.2
Max Rate of Diversion 3.2 cubic feet per second and annual volume AF/Annum.

5. Location of Point(s) of Diversion:
Township 2N N/S, Range 3W E/W, B.M., Section 16, Subdivision NW 1/4 SW 1/4, Canyon
County
Township N/S, Range E/W, B.M., Section, Subdivision 1/4 1/4,
County
Township N/S, Range E/W, B.M., Section, Subdivision 1/4 1/4,
County
Other Points of Diversions:

Description of diverting works:

Measuring device required: yes [] no [X]

6. Lands to be irrigated or place of use.

Table with 17 columns: TWP., RANGE, SEC., NE 1/4 (4 sub-columns), NW 1/4 (4 sub-columns), SW 1/4 (4 sub-columns), SE 1/4 (4 sub-columns), TOTALS. Row 1 contains handwritten data: 2N, 3W, 16, and totals of 160.

RECEIVED

R. 3 W

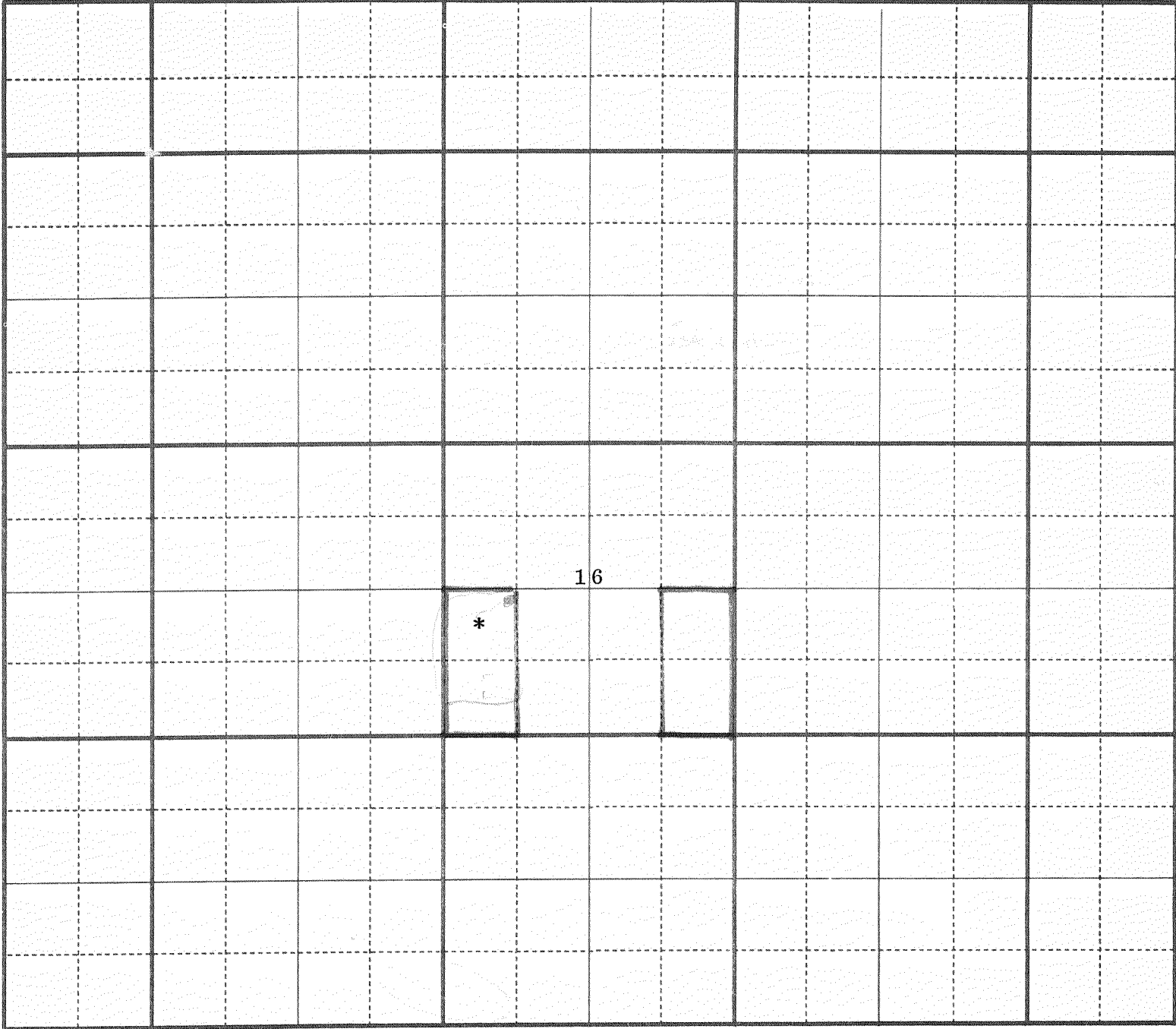
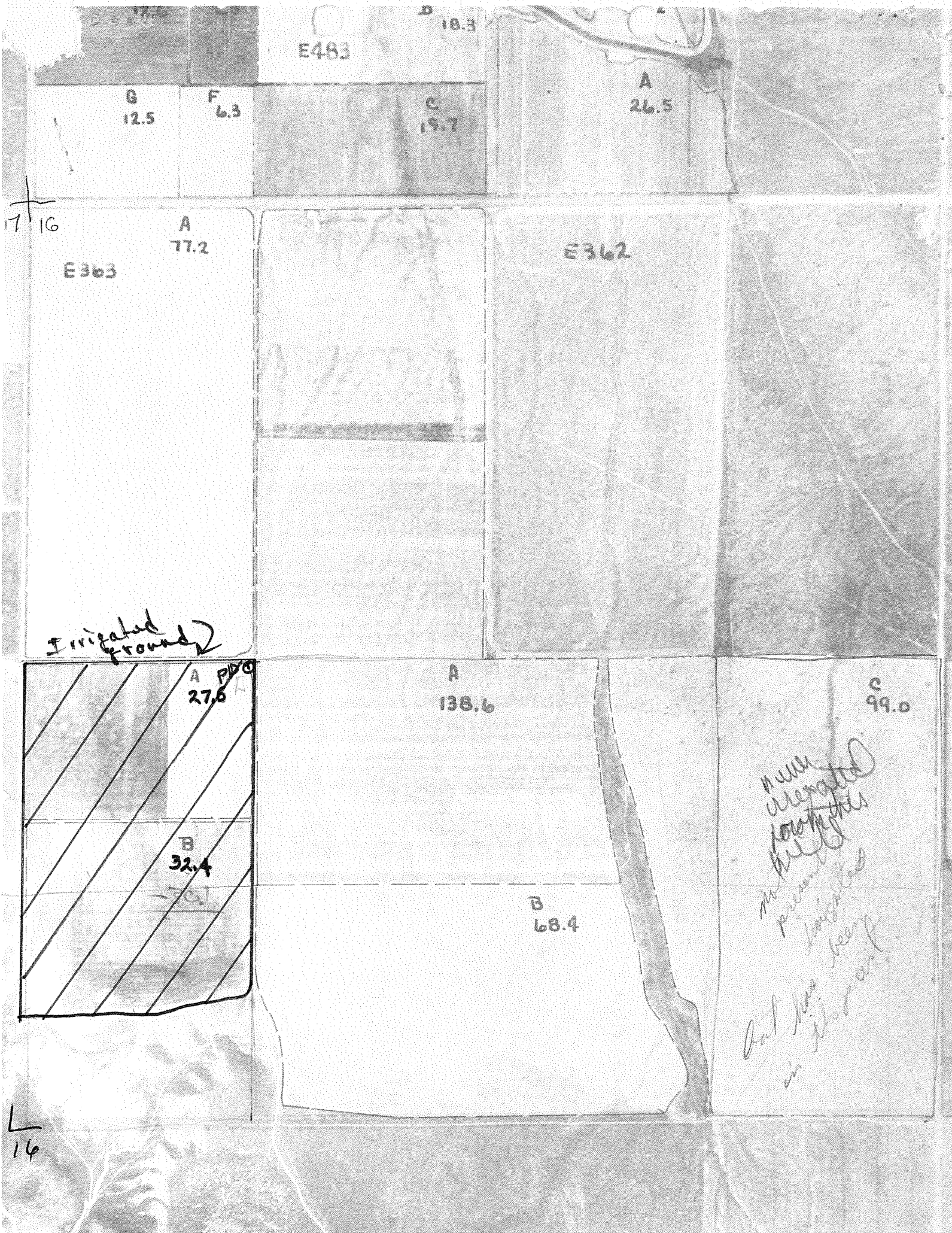


Diagram of System



E483

18.3

A
26.5

G
12.5

F
6.3

C
19.7

A
77.2

E362

E363

Irrigated ground

A
27.6

A
138.6

C
99.0

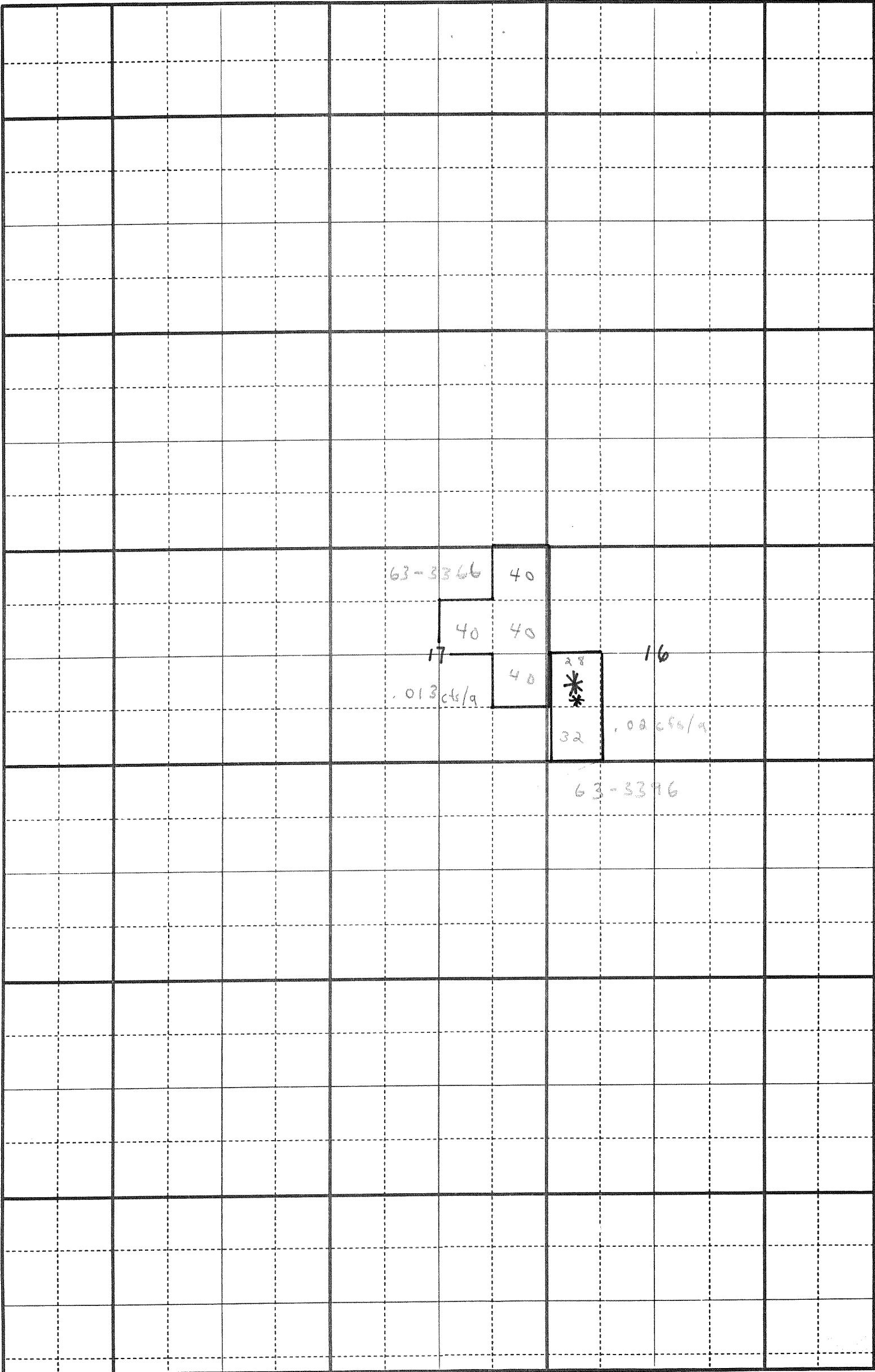
B
32.4

B
68.4

*much irrigated
land in this
area
presently
irrigated
but has been
in the past*

17 16

14



DATE OF EXAM 19 July 74

ACREAGE
Found 60.0
Recommended 60.0

37
23.5
60.0

Irrigation Requirement _____ Ac Ft/Ac

USE
Irrigation Q= 2095 c.f.s. V= 270 AF/Ann. from MOU 15 to NOV 15
Domestic Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no _____

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no _____

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 1.20 cfs Method of measurement Pigmy meter

Total Q recommended 1.2 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 270 AF/Ann

Recommended Amendments:

P.D. _____
Place of Use 60 acres only?
Other _____
None X

MEASUREMENT CALCULATION:

Pigmy meter 2.09 cfs
also water for permit 6/3/350 comes from
this well

SYSTEM DESCRIPTION:

300' deep 16" well CE 250 HP motor 1775 RPM
Md 5K 623 6X 6914 1820 gpm Laguna Bowler Pump
Md 14 RL 504 N 4617

REMARKS:

Well still covered but working all right
as per 2nd description on old
exam form is incorrect

Examiner's Signature John E. Balken Date 31 July 74

Checked by _____ Date _____

Approved by _____ Date _____

2nd well drilled in 72 used in 73.

Source of supply Ground water
a tributary of _____

Location of P.D.(s) AW 1/4 SW 1/4 sec 16 T2N R3W BM

Water is used for irrigation

Quantity of water found 2.095 CFS

How was the measurement made? Pyrometer

Measurement calculations

System was operating as stated
in proof of works

This license is only for the remaining water from Permit G-3135B = 169 Ac ft/Sec

The reason for this permit is
in N 50W 1/4 - E 1/2 Sec 16 - It
also irrigates land in Sec 17 under
perm. C-31350

Diversion works description and diagram

GL-Info 25046 1775-PPM

100001-5K62-6XC69A

№ 2201/06/50 10"

outlet with all valves runs

underground apparatus "bottle"

Waggon + Benker 1520 gpm 400 ft

Model 1986

Se No Po 467

Indicate area irrigated in each subdivision on the map.

Total acreage irrigated 128.3

70

If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.

Permit G-31350 Has priority over this permit. The well is not putting out enough water to irrigate this land and that of permit G-31350. Therefore recommend license for water remaining - 169 ac-ft season @ 2.095 cfs. Owner plans to install an additional pump & will apply for a license upon completion.

Who represented the permit holder at the examination?

John Johnson

Recommended allowance for licensing

Description of required amendments.	Comments.
	Average up to 80% this permit does not include 30.1 acres covered by the water from permit G-313

* could be used to make a
spring since well sealed pump can't
be used to pull water up from water
table above. ~~water~~ ^{water} 11

LC. No. 63-3366 → 2 N-340 Sec 17 54 NE = 80
NE NE = 40
NE SE = 40
160

Report checked? ☐

Examination date May 5, 1970

Signature _____

AKD 6-1-70

9/3/73

JIM:

INTER-DEPARTMENT MEMO — 1

Please find attached the original exam report along with a new form for your use in connection with this permit.

DATE Sept. 28, 1973

FROM Jim

dr

TO File No. 63-3396

SUBJECT Re-exam of Permit

Mrs. Johnson was in today and requested that we re-examine the system. They have recently redesigned the system as the well was partially caved in at the time of the first exam.

*Re-exam typed
10-3-73
de*

63 3396

SIGNATURE

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83720
(208) 384-2190

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

September 21, 1973

John R. Johnson
Route 6, Box 75
Caldwell, Idaho 83605

Dear Mr. Johnson:

A representative of this Department has made an examination of the works covered by your Permit No. 31596/63-3396 and has found the following:

Quantity of water diverted: 2.095 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 2.095 cfs*

The maximum quantity diverted shall not exceed 619 acre feet per year.

Beneficial use: Irrigation of 137 1/2 acres within the WL/2SW1/4, EL/2SE1/4, Sec. 16, Twp. 2 N, Rge. 3 W, B.M.

Point of diversion: NW1/4SW1/4 Sec. 16, Twp. 2 N, Rge. 3 W, B.M.

Priority date established: December 13, 1963

*Subject to the condition that the maximum rate of diversion shall not exceed 2.095 cfs when combined with License No. 63-3366.

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth above.

Sincerely,

Bobby D. Fleenor

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

63 3396

MEMO

Notice of proof being due for permit no. G-31596 was sent out 41 days late on this permit; therefore, since the Department had not received proof on the date that proof was due, the permit lapsed. Proof, however, was submitted 46 days after the notice of lapse was sent to the permit holder. Since the error was at the instance of the Department, the permit holder shall suffer only 5 days loss of priority which is the difference between the two time periods.



Donald W. McEldowney
Appropriation Examiner

1-24-69
CSA No - 6000
Dene

31596

RECEIVED

The Idaho Free Press

FEB 4 1969

Published Daily Except Sunday

P. O. BOX 88 NAMPA, IDAHO, 83651

Department of Reclamation

AREA CODE 208
466-7891

	RECL. ENGINEER	
	ASSISTANT	
	WATER ENGINEER	
	SE. 1/4 SW 1/4	
	SW 1/4	
	INVESTIGATION	
	SEALS	
	STAMP	
	ACCOUNTING	
	FILE	
	RETURN TO:	
	RECORD	

NA

NOTICE OF APPROVED
APPLICATION FOR WATER

Notice is hereby given that Ray Obendorf, Route 1, Parma, Idaho has received an approved permit No. G-31753 to divert 2.4 cubic feet per second of water from a ground water source. The priority to be established under this permit is March 5, 1964. Water will be diverted by well and pump within the SE 1/4 NW 1/4, Sec. 13, T. 5 N., R. 5 W., B. M., Canyon County and is to be used for supplemental irrigation in the S 1/2 NW 1/4, Sec. 13; SE 1/4 NE 1/4, Sec. 14, T. 5 N., R. 5 W., B. M.

Any protests against the intent of the permit must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer
February 6, 13, 1969

NA

NOTICE OF APPROVED
APPLICATION FOR WATER

Notice is hereby given that John R. Johnson, Route 6, Box 75, Caldwell, Idaho has received an approved permit No. G-31596 to divert 3.2 cubic feet per second of water from a subterranean source. The priority to be established under this permit is December 13, 1963. Water will be diverted by well, pump, ditches within the NW 1/4 SW 1/4, Sec. 16, T. 2 N., R. 3 W., B. M., Canyon County and is to be used for irrigation and domestic purposes in the W 1/2 SW 1/4, E 1/2 SE 1/4, Sec. 16, T. 2 N., R. 3 W., B. M.

Any protests against the intent of the permit must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer
February 6, 13, 1969

Above is a proof of your copy as it will appear in our paper beginning Thurs Feb 6, unless we hear from you prior to that time concerning any corrections or changes.

Verla Hauke

January 24, 1969

Re: Permit No. G-31596

Mr. John R. Johnson
Route #6, Box 75
Caldwell, Idaho

Dear Mr. Johnson:

Enclosed is an order REINSTATING the above referenced permit.

The notice of approved application for water will be advertised in the News-Tribune, Caldwell, Idaho on February 6 and 13, 1969. You will be required to obtain an affidavit of publication from the newspaper and submit it to the Department of Reclamation.

Another requirement will be that a representative of the department make a field examination. We cannot tell just when this examination will be made but our examiner will try to contact you at the time he makes the examination so that you may show him the system. If someone other than you should be contacted by the examiner, please contact us.

If we may be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:KS

enclosure: Order of Reinstatement

31596

January 27, 1969

Re: Permit No. G-31596

News-Tribune
Caldwell, Idaho

Gentlemen:

Enclosed is a legal notice which we wish to have published 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 our 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 date. If you can not publish the notice on the proposed dates, please contact the Department of Reclamation immediately.

John R.

The expense of the publication is to be paid by _____
Johnson, Route 6, Box 75, Caldwell, Idaho
_____,
to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:Pg
Enc: legal notice

31596

December 24, 1968

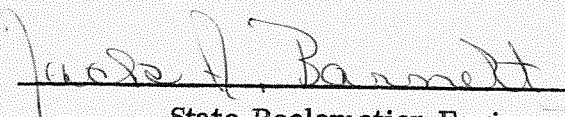
Re: Permit No. G-31596

John R. Johnson
Route 6, Box 75,
Caldwell, Idaho

Dear Mr. Johnson:

You are hereby notified that under the provisions of Section 42-218a,
Idaho Code, Permit G-31596 has lapsed.

You are further advised that the department cannot reinstate the permit
except upon a showing of reasonable cause within sixty days from the date
of this notice of lapsing.


State Reclamation Engineer *tg*

NOTICE OF APPROVED
APPLICATION FOR WATER

Notice is hereby given that John R. Johnson, Route 6, Box 75, Caldwell, Idaho has received an approved permit No. G-31596 to divert 3.2 cubic feet per second of water from a subterranean source. The priority to be established under this permit is December 13, 1963. Water will be diverted by well, pump, ditches within the NW 1/4 SW 1/4, Sec. 16, T. 2 N., R. 3 W., B. M., Canyon County and is to be used for irrigation and domestic purposes in the W 1/2 SW 1/4, E 1/2 SE 1/4, Sec. 16, T. 2 N., R. 3 W., B.M.

Any protests against the intent of the permit must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON

State Reclamation Engineer
February 6, 13, 1969 G-31596

DEC 18 1968

Department of Reclamation

John R. Johnson, Route 6, Box 75,

a subterranean source

under this permit is ~~December 13, 1963~~

~~T. 2 N., R. 3 W., E. M., Canyon County~~

Any protests against the intent of the permit must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

Published in the The News-Tribune, Caldwell, Idaho
on February 6 and February 13, 1969.

Permit No. G-31596

You are hereby authorized to have the attached notice published at my expense in the The News-Tribune of Caldwell, Idaho; published in the county in which the works are situated.

(signature)

(address)

(date)

31596

October 1, 1968

Re: Permit No. G-31596

John R. Johnson
Route 6, Box 75
Caldwell, Idaho

Dear Mr. Johnson:

One of the conditions of the approval of your permit G-31596 was that proof of application of the water to beneficial use be submitted to this office on or before December 20, 1968.

Enclosed is an affidavit form which must be used to submit this proof. You may also request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, ICA.

Either the proof or a request for extension 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.



State Reclamation Engineer

Enclosure: Proof form

31596

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-31596)

in the name of Jphn R. Johnson, Route 6, Box)

75. Caldwell, Idaho)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. G-31596 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above-numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedures as follows:

1. The above-numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above-numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.
 - b. The permittee will not be required to submit proof of completion of works as originally specified, but will be required to submit proof to the Department of Reclamation of the application of the water to beneficial use on or before December 20, 1968. The permit holder should be aware that failure to complete one-fifth (1/5) of the works within one-half (1/2) of the time originally set for Completion of Works may be grounds for cancellation at the instance of the Department.

Dated this 1st day of October, 1968.

R. KEITH HIGGINSON
State Reclamation Engineer

31596

October 1, 1968

Re: Permit No. G-31596

John R. Johnson
Rt. 6, Box 75
Caldwell, Idaho 83605

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with those rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department, stating that you have been issued a permit and are now submitting proof of beneficial use. Previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply it upon request at any time.

Very truly yours,

C. Stephen Allred
Assistant State Reclamation
Engineer

CSA:tg
End: Order
Proof due notice
Proof package
Advertising package

31596

December 31, 1963

Re: Permit No. G-31596

Mr. John R. Johnson,
Rt. 6, Box 75,
Caldwell, Idaho.

Dear Mr. Johnson:

We enclose Permit No. G-31596 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

~~We also enclose~~ Departmental Receipt No. G-8442 which was issued covering payment in the amount of \$ 5.75 for the filing fee of the above mentioned permit, was given to you while in our office.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk

31596

NAME OF APPLICANT John R Johnson

Form No. 0

