

Before the Idaho Water Resource Board

WATER SUPPLY BANK RENTAL AGREEMENT

RECEIVED
JAN 22 2004
Department of Water Resources

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: Middleton School District No. 134
2. Address: 5 South 3rd Avenue West
3. Source of water: Ground Water
4. Volume of water rented: 101.3 AF Max rate: 0.45 cfs
5. Diversion period: 2004 irrigation season
6. Use of water: Irrigation
7. a) Renter's point of diversion:

Legal description: SENE Section 28, T5N, R3W, B.M., Canyon County

- b) Renter's place of use:

Legal description: 12 acres within SENE Section 28, T5N, R3W, B.M.

8. The right from which water will be rented is 63-2461

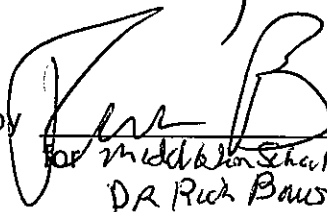
The undersigned renter agrees to pay \$1,114.30 for rental of the above described water and agrees to use the water in compliance with the Water Supply Bank rules and in compliance with the conditions of water use shown below:

Conditions of water use under this agreement:

1. The use of water under this agreement shall be subject to the provisions of Section 42-1766, Idaho Code.
2. 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.

3. 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 those authorized under the water right and/or again be available to rent from the bank.
4. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
5. 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.
6. 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.
7. This rental does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.
8. This rental does not authorize the construction of a well.

Dated this 20 day of January, 2008.

by 
for Middle School District #414
DR Rick Bauser, Supt.

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 23rd day of January, 2004.


for KARL J. DREHER, Director
Department of Water Resources

**APPLICATION TO RENT WATER
FROM THE WATER SUPPLY BANK**

Please direct all inquiries to Ed Squires at 342-8367

Applicant Middleton School District No. 134 Phone 585-3027
Address 5 So. 3rd Ave. W.
City Middleton State Idaho Zip Code 83644

A. DESCRIPTION OF WATER SOUGHT FOR RENTAL

1. Source of Water groundwater
which is tributary to _____
2. Maximum volume of water sought thirty (30) acre feet
3. Maximum rate of diversion 0.45 cfs (200 gpm)

B. DESCRIPTION OF USE PROPOSED

1. Nature of use Irrigation
2. Location of point of diversion SE ¼ NE ¼, Section 28,
Township 5N, Range 3W, B.M. Canyon County.
3. Season of use: From March 15 to November 15
4. Description of diverting works:
Pump HP 15 Lift 220 ft. TDH Pump type deep well turbine
Canal name, if appropriate _____
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.
12 acres of playground and playing fields on the school property in the
SE ¼, NE ¼, Section 28, T5N, R3W. (Purple Sage Elementary School).

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.

Black Canyon Irrigation District water during the regular irrigation season except when adequate storage is not available during drought

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

Middleton School District No. 134

8. Who owns the property of place of use?

Middleton School District No. 134

9. Are you seeking a rental for more than one (1) year? yes.

If so, how many years? 3 months (Nov. 2003 and Mar. and Nov. 2004).

10. Remarks: Applicant seeks to rent water for the period of time necessary to effect a transfer of a portion of an existing water right for a new use. Water is only needed when surface water is not available in Black Canyon Canal.

10/27/2003

Date

Richard H. Boush... Superintendent
Signature of Applicant and Title

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Time _____

Published in _____ Pub. Dates _____

Protests filed by _____

Hearing held by _____

Action recommended _____

MICROFILMED

MAR 10 2004

Before the Idaho Water Resource Board

RECEIVED

MAY - 5 2003

WATER SUPPLY BANK RENTAL AGREEMENT

Department of Water Resources

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: Shawn Davis
2. Address: 3715 N. Pollard, Star, ID 83669
3. Source of water: Ground water
4. Volume of water rented: 1.0 AF, Max diversion rate: 0.04 cfs
5. Diversion period: May 1, 2003 to December 31, 2003
6. Use of water: Aesthetic use in a pond
7. a) Renter's points of diversion:
Legal descr: NW1/4SW1/4 Section 33, T5N, R1W, B.M, Ada County
Pump HP: 3 Lift: 180 feet
b) Renter's place of use:
Legal descr: NW1/4SW1/4 Section 33, T5N, R1W, B.M, Ada County
8. The water will be rented from right no. 63-02461

The undersigned renter agrees to use the water in compliance with the Water Supply Bank rules and in compliance with the conditions of water use shown below:

Conditions of water use under this agreement:

1. The use of water under this agreement shall be subject to the provisions of Section 42-1766, Idaho Code.
2. Upon a determination of need by the Department, the renter shall provide for the measurement of the water diverted by a means approved by the Department.

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MAY 21 2003

3. 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 place of use of the water shall revert to its original place of use and/or again be available to rent from the bank.
4. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
5. 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.
6. 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.
7. This rental does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.

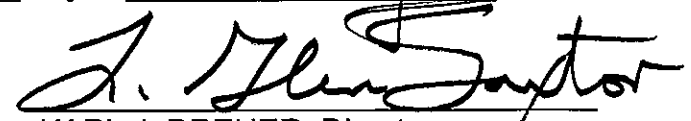
Dated this 1 day of May, 2003.



Renter

Having determined that this agreement satisfies the provisions of Section 42-1763, Idaho Code, and Rule 30 of the Water Supply Bank Rules, IDAPA 37.02.03030, 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.

Dated this 6th day of May, 2003.


for KARL J. DREHER, Director
Department of Water Resources

01/03

Before the Idaho Water Resource Board

RECEIVED

APR 28 2003

Department of Water Resources

**APPLICATION TO RENT WATER
FROM THE WATER SUPPLY BANK**

363-1051 Day

Applicant Shawn Davis Phone 208-286-7215 Home
Address 3715 N. ~~East Vista~~ Pollard Lane
City Star State ID Zip Code 83669

A. DESCRIPTION OF WATER SOUGHT TO RENT

1. Source of water domestic well
tributary to _____
2. Maximum volume of water 11,000 gallons AF.
3. Maximum rate of diversion 10 GPM cfs.

B. DESCRIPTION OF USE PROPOSED

1. Nature of intended use to add storage to my irrigation Pond.
2. Location of point of diversion 1/4 1/4, Section _____,
Township _____, Range _____, B.M. _____ County.
3. Season of use: From April to October.
4. Description of diverting works:
Pump HP 3 Lift 180 ft. Pump type Variable
Canal name, if appropriate _____
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.

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JUN 05 2003

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

I already have sufficient water rights from Emmett Lateral of Farmers Union Canal. I need additional storage rights to fill my pond as per Don Nelson, IDWR.

6. Describe any other water rights used for the same purposes as rental water sought under this application.

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

Me

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

Me

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

10. Remarks: Ground water to be used to fill pond for the first 11,000 gallons, there after being filled by my irrigation from Emmett Lateral, IDWR letter Attached.

4-24-03

Date

[Signature]
Signature of Applicant

FOR DEPARTMENT USE ONLY

Received by VZA Date 4-28-03 Time _____

Published in _____ Pub. dates _____

Protests filed by _____

Hearing held by _____

Action recommended _____

MICROFILMED
JUN 05 2003

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: Dennis Loosli
2. Address: 3605 Pollard, Star, ID 83669
3. Source of water: Ground water
4. Volume of water rented: 10.0 AF, Max diversion rate: 0.10 cfs
5. Diversion period: February 30, 2003 to December 31, 2003
6. Use of water: Aesthetic use in a pond
7. a) Renter's points of diversion:
Legal descr: NW1/4SW1/4 Section 33, T5N, R1W, B.M, Ada County
Pump HP: 5 Lift: 30 feet
b) Renter's place of use:
Legal descr: NW1/4SW1/4 Section 33, T5N, R1W, B.M, Ada County
8. The water will be rented from right no. 63-02461

The undersigned renter agrees to use the water in compliance with the Water Supply Bank rules and in compliance with the conditions of water use shown below:

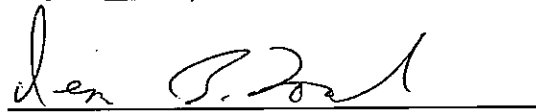
Conditions of water use under this agreement:

1. The use of water under this agreement shall be subject to the provisions of Section 42-1766, Idaho Code.
2. Prior to diversion of water under this rental agreement, the renter shall provide for the measurement of the water diverted by a means approved by the Department. The renter shall report the amount of water diverted

at the end of the water use period.

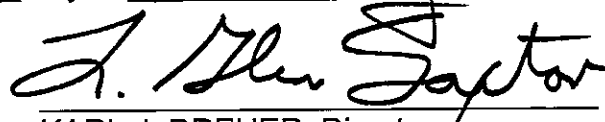
3. Use of water under this agreement does not constitute a dedication of the water to renter's land and upon expiration of this agreement, the place of use of the water shall revert to its original place of use and/or again be available to rent from the bank.
4. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
5. 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.
6. 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.
7. This rental does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.

Dated this 20th day of Feb., 2003.


Renter

Having determined that this agreement satisfies the provisions of Section 42-1763, Idaho Code, and Rule 30 of the Water Supply Bank Rules, IDAPA 37.02.03030, 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.

Dated this 21st day of February, 2003.


for KARL J. DREHER, Director
Department of Water Resources

12/99

Before the Idaho Water Resource Board

**APPLICATION TO RENT WATER
FROM THE WATER SUPPLY BANK**

Applicant Dennis Coosli Phone 941-3245
Address 3605 Pollard
City Star State ID Zip Code 83669

A. DESCRIPTION OF WATER SOUGHT FOR RENTAL

1. Source of water Ground water
which is tributary to _____
2. Maximum volume of water sought 10.0 AF.
3. Maximum rate of diversion 10 cfs.

B. DESCRIPTION OF USE PROPOSED

1. Nature of use Aesthetica use in pond
2. Location of point of diversion NW 1/4 SW 1/4, Section 33,
Township 5N, Range 14, B.M. Ada County.
3. Season of use: From 2-30-03 to 12-31-03
4. Description of diverting works:
Pump HP 5 Lift 30 Pump type _____
Canal name, if appropriate _____
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.

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MAR 11 2003

12/99

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

Fill pond for Aesthetic use.

6. Describe any other water rights used for the same purposes as rental water sought under this application.

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

Pennis Coast.

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

Pennis Coast.

9. Are you seeking a rental for more than one (1) year? NO

If so, how many years? _____

10. Remarks: _____

2-4-03

Date

Dennis B. Smith

Signature of Applicant

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Time _____

Published in _____ Pub. dates _____

Protests filed by _____

Hearing held by _____

Action recommended _____

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MAR 11 2003

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SEP 30 2002

Before the Idaho Water Resource Board

Department of Water Resources

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: Richard A. Pavelek
2. Address: 100 N. Bene Posto Place, Boise, ID 83712
3. Source of water: Ground water
4. Volume of water rented: 6 AF Max rate: 0.22 cfs
5. Diversion period: May 1, 2002 through October 1, 2002, and
May 1, 2003 through October 1, 2003
6. Use of water: Irrigation (drip)
7. a) Renter's point of diversion:
Legal description: SE1/4SE1/4 Section 12, T3N, R2E, B.M., Ada County
b) Renter's place of use:
Legal description: (5 acres) SE1/4SE1/4 Section 12, T3N, R2E, B.M., Ada County
8. The right from which water will be rented is 63-02461

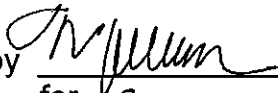
The undersigned renter agrees to pay \$ 66 for rental of the above described water and agrees to use the water in compliance with the Water Supply Bank rules and in compliance with the conditions of water use shown below:

Conditions of water use under this agreement:

1. The use of water under this agreement is subject to the provisions of Section 42-1766, Idaho Code.
2. 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 calendar year.

3. 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.
4. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
5. 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.
6. 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 rights being rented or if other water rights are injured.
7. This rental does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.
8. This rental does not authorize the construction of a well.
9. Use of water under this agreement shall not prejudice any action of the Department in its consideration of the permanent application for transfer filed by the applicant for this same use.

Dated this 24 day of SEPTEMBER, 2002.

by 
for PERCIPING SPRINGS ~~LLC~~ LLC

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 1st day of October, 2002.


for KARL J. DREHER, Director
Department of Water Resources

12/99

Before the Idaho Water Resource Board

APPLICATION TO RENT WATER
FROM THE WATER SUPPLY BANK

Applicant Dennis Loosli Phone 941-3245
Address 3605 Pollard
City Star State Id Zip Code 83669

A. DESCRIPTION OF WATER SOUGHT FOR RENTAL

1. Source of water Well
which is tributary to _____
2. Maximum volume of water sought 3 Acre feet AF.
3. Maximum rate of diversion 1363 cfs.

B. DESCRIPTION OF USE PROPOSED

1. Nature of use Pond, Aesthetic's
2. Location of point of diversion NW 1/4 SW 1/4, Section 33,
Township 5N, Range 1W, B.M. Ada County.
3. Season of use: From May to Sept
4. Description of diverting works:
Pump HP 5 Lift 30' Pump type Goulds
Canal name, if appropriate _____
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.

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JUN 11 2002

12/99

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

Pond, Aesthetics

6. Describe any other water rights used for the same purposes as rental water sought under this application.

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

Dennis & Julie Coosli

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

Dennis & Julie Coosli

9. Are you seeking a rental for more than one (1) year? No

If so, how many years? _____

10. Remarks: _____

5-15-02
Date

Dennis B. Coosli
Signature of Applicant

FOR DEPARTMENT USE ONLY

Received by WJH Date 5-15-02 Time 1:26^P

Published in _____ Pub. dates _____

Protests filed by _____

Hearing held by _____

Action recommended _____

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JUN 11 2002



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

August 1, 2001

Estate of Ivy J. Ickes
c/o Connie Johnson
P.O. Box 643
McCall, ID 83638-0643

**RE: APPLICATION TO LEASE PART OF WATER RIGHT NO. 17587/63-02461 TO
THE WATER SUPPLY BANK**

Dear Ms. Johnson:

The department has reviewed the above referenced application that you submitted to the department on July 31, 2001.

Please consider that the part of water right 63-02461 offered for lease (0.7 cfs) will be accepted into the Water Supply Bank ("bank") operated by the Idaho Water Resource Board ("Board") effective on January 1, 2002. Several items to keep in mind in connection with the lease are as follows:

1. There is no rental payment to the owner if the right or parts 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 confirm its validity.

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

Sincerely,

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

c: IDWR - W. Regional Office

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JUN 11 2002

Water Supply Bank No. _____

RECEIVED

JUL 31 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE
WATER SUPPLY BANK

Water Right No. 17587

ICKES

63-2461

Department of Water Resources

Name of Seller/Lessor ESTATE OF IVY J. ICKES, DECEASED
C/O CONNIE JOHNSON, PERSONAL Phone (208) 634-5317
T. REPRESENTATIVE
Post office address P.O. Box 643, McCall, Idaho 83638-0643

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. N/A Decreed to _____ (Name)

in case of N/A vs _____

dated _____ in _____ county of _____
(Name of court)

b. License No. 17587/63-02461 Issued by the Idaho Department of Water Resources.

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

2. Source of water GROUNDWATER - WELL tributary to SNAKE RIVER BASIN

3. Date of priority OCT. 15, 1931 (PUMP #619)

4. Water is used for the following purposes:

amount 0.80 cfs for IRRIGATION purposes from MAR. 15 to NOV. 15

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

5. Total amount of water under right: a. 0.80 cubic feet per second
&/or

b. N/A acre feet per annum

6. Location of point of diversion is SE ¼ of SE ¼ of Section 25

Township 3N Range 2W, B.M. in CANYON County

Additional points of diversion, if any N/A

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JUN 11 2002

7. Lands irrigated or place of use:

10065

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
03N	02W	25													40				40

Total number of acres to be irrigated 40

B. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE (If the entire right is for sale or lease, omit part B.)

1. Amount of water: a. 0.70 cubic feet per second
&/or
b. N/A acre feet per annum

2. Point of diversion SE ¼ SE ¼, Section 25 Township 3N

Range 2W, B.M., Canyon County

Additional points N/A

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
03N	02W	25													35				35

Total number of acres to be irrigated 35

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JUN 11 2002

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

KRES

1. 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.

PLEASE SEE ATTACHMENTS A AND A-1, ATTACHED HERE TO
AND INCORPORATED HEREIN BY THIS REFERENCE.

2. Describe the frequency of water use under the right, or portion thereof, during the past 5 years. Attach water-master records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture:

ATTACHED: POWER BILLS (EXHIBIT B) SUBSTANTIATE GROUND-
WATER USE FOR IRRIGATION IN 1995, 1996, 1997 AND
1998. GROUNDWATER FROM THIS RIGHT WAS NOT USED IN 1999 OR 2000.

3. Describe the relative availability of water to fill the right, or portion thereof. Attach evidence to support the availability:

WATER HAS ALWAYS BEEN AVAILABLE TO FILL THE
RIGHT. PLEASE SEE EXHIBITS FOR ITEM 2, ABOVE,
POWER BILLS.

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

PRESENT PLACE OF USE ALSO HAS A Nampa & Meridian
IRRIGATION DISTRICT IRRIGATION RIGHT, BUT IT IS
NOT ANTICIPATED THAT IT WILL CONTINUE AS IRRIGATED FARM
GROUND.

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

N/A

6. 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. N/A

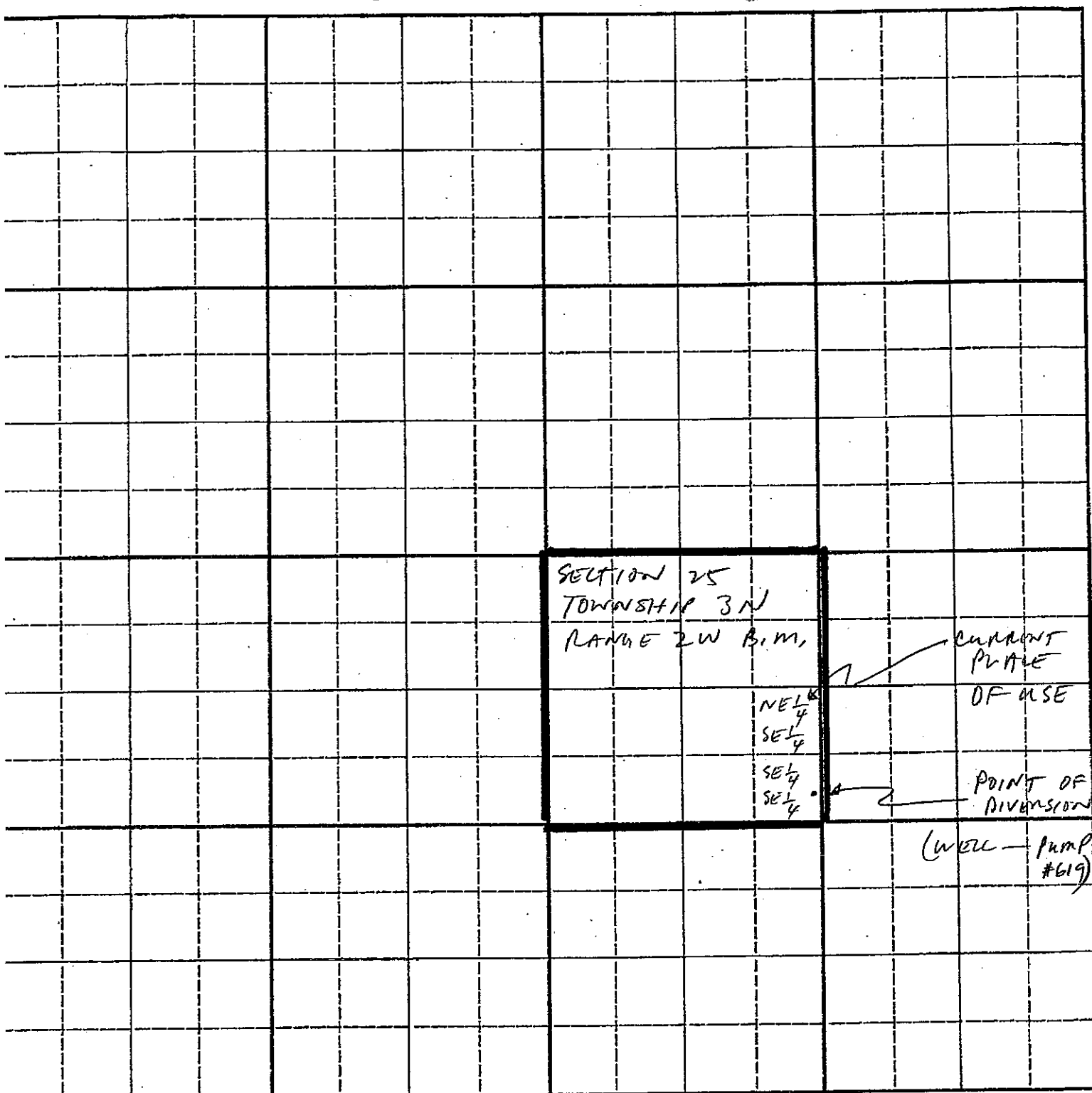
7. If the right is included in an ongoing adjudication, a copy of the claim must be provided with this application.

PLEASE SEE EXHIBIT C.

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JUN 11 2002

8. Draw a map indicating the point(s) of diversion and place of use of the right, or portion thereof. Show clearly the land involved by section, township and range.



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

WARRANTY DEED

For Value Received: MILLARD W. ICKES, husband of Ivy J. Ickes,
the grantor, does hereby grant, bargain, sell and convey unto
IVY J. ICKES, wife of Millard W. Ickes,
Route 6, Nampa, Idaho
the grantee, the following described premises, situated in Canyon
County, State of Idaho, to-wit: An undivided one-half interest in:

The NE1/4 of the SE1/4 of Section 25, Twp. 3 N., R 2 W., B.M.,
and a part of the SE1/4 of the SE1/4 of Section 25, Twp. 3 N.,
R. 2 W., B.M., in Canyon County, Idaho, more particularly
bounded and described as follows, to-wit:

Commencing at the Southeast corner of Section 25, said Twp.
and Range, and running thence North and along the East line
of said Sec. 25, 400.5 feet to the true point of beginning;
thence running West and at right angles to the East line
of said Sec. 25, a distance of 42.0 feet, thence running
North and parallel with the East line of said Sec. 25, a
distance of 265.5 feet; thence running West and at right
angles to the East line of said Sec. 25, a distance of
54.5 feet; thence running North and parallel with the East
line of said Sec. 25, a distance of 34.0 feet to a point on
the SWrly bank of the Hubbard Lateral, as the same is now
located and constructed; thence running NWrly and along the
SWrly bank of the Hubbard Lateral to the North line of the
SE1/4 of the SE1/4 of said Sec. 25; thence East along the North
line of the said SE1/4 of the SE1/4 a distance of 513.5 feet
more or less to the Northeast corner of the said SE1/4 of the
SE1/4 of Sec. 25, thence South along the East line of the
said SE1/4 of the SE1/4 of Sec. 25, 931.0 feet, more or less,
to the true point of beginning.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
her heirs and assigns forever. And the said Grantor does hereby covenant
to and with the said Grantee, that he is the owner in fee simple of said premises; that
said premises are free from all incumbrances, and is to be the sole and separate
property of the Grantee, free of any community property interest
of the Grantor.
and that he will warrant and defend the same from all lawful claims whatsoever.
Dated: November 28, 1975

Millard W. Ickes

STATE OF IDAHO, COUNTY OF CANYON
On this 28th day of November, 1975,
before me, a notary public in and for said State, personally
appeared
MILLARD W. ICKES, husband of
Ivy J. Ickes,
known to me to be the person whose name is
subscribed in the within instrument, and acknowledged to
me that he executed the same.

[Signature]
Notary Public,
Residing at Caldwell, Idaho

STATE OF IDAHO, COUNTY OF
I hereby certify that this instrument was filed for record
at the request of

at _____ minutes past _____ o'clock m.,
this _____ day of _____,
1975, in my office, and duly recorded in Book
of Deeds at page _____

By **MICROFILMED** Ex-Officio Recorder,
Deputy.

Fees \$ _____
Mail to: NOV 14 2002

764774

FILED

JAN 2 11 17 AM '76

WALTER FRY
CENTON COUNTY RECORDER
BY C. Hunt

RECORDED

AT THE REQUEST OF

Davison, Cople
& Cople
IN

OF

Deeds

FFE 1.00

Icker, Millard W.

To

Icker, Guy J.

Deed

MICROFILMED

JUN 11 2002

P.O. Box 1583

Bain, Ida. 83701

INSTRUMENT NO 699086

WELL AGREEMENT AND EASEMENT

THIS AGREEMENT, made and entered into this 4th day of December, 1972, by and between RICHARD E. CRILL and MARGARET CRILL, husband and wife, the parties of the first part, hereinafter referred to as Crills, and MILLARD ICKES and IVY J. ICKES, husband and wife, the parties of the second part, hereinafter referred to as Ickes;

WITNESSETH:

WHEREAS, Crills are the owners of the real property described in Exhibit "A" attached hereto and made a part hereof, upon which there is a present existing water well, pump and equipment, and a pipeline leading north therefrom;

WHEREAS, Ickes is the owner of the following described real property, to-wit:

All of that part of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 25, T. 3 N., R. 2 W.B.M., lying North of the real property owned by the said Crills and lying North and Easterly of the Hubbard Lateral; and the said Ickes also is the owner of the NE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of said Section 25.

NOW THEREFORE, for and in consideration of value received by the Crills from Ickes, the receipt of which is hereby acknowledged in full, Crill hereby grants unto Ickes a one-half interest in the said well, pump and equipment, and the water flow from said well appurtenant to the said real property owned by Ickes. Crill also grants unto Ickes the ownership of and right to maintain said pipeline carrying water from said well to the property of Ickes.

MICROFILMED

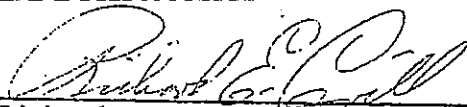
JUN 11 2002

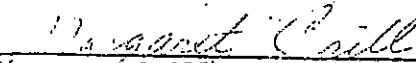
2.

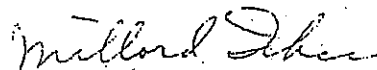
The parties are to equally divide the cost of repair, maintenance and replacement of said water well and its equipment. Ickes has the duty to repair and maintain the said pipeline.

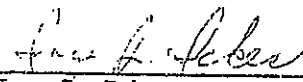
It is mutually understood and agreed that this agreement shall bind the heirs, executors, administrators, personal representatives and assigns of the respective parties hereto.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands, the day and year first hereinabove written.


Richard E. Crill


Margaret Crill


Millard Ickes


Ivy J. Ickes

STATE OF IDAHO)
) ss.
COUNTY OF CANYON)

On this 31 day of December, 1973, before me, a notary public in and for said State, personally appeared RICHARD E. CRILL, MARGARET CRILL, MILLARD ICKES and IVY J. ICKES, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.


Notary Public for Idaho
Residing at Nampa, Idaho
My Commission Expires 12-20-76

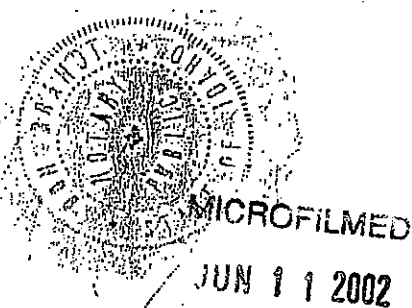


EXHIBIT "A"

Commencing at the SE corner of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 25, T. 3 N., R. 2 W.B.M., Canyon County, Idaho; thence North along the Easterly boundary of said Section 25, 400.5 feet to the initial point; thence West and at right angles to the East line of said Section 25; 42.0 feet to a point; thence North and parallel with the East line of said Sec. 25, 265.5 feet to a point; thence East and at right angles to the East line of Sec. 25, 42.0 feet to a point on the East line of Sec. 25; thence South along the East line of said Sec. 25, 265.5 feet to the initial point.

699086

FILED

JAN 16 1 38 PM '73

WALTER FRY

CANYON COUNTY RECORDER

Deane W. Wynn

RECORDED

AT THE REQUEST OF

CANYON ABSTRACT & TITLE CO.

A + R

SEE 3.00

Richard Gille

Melvin L. Leland

MICROFILMED
JUN 11 2002

Will Cygne & Co.

Exhibit B

Attached power bills substantiate pump use for irrigation water for 1995, 1996, 1997, and 1998 (groundwater not used for 1999 and 2000).

CLIRIS

Billing History

Accounts Reports Profiles Forecasts Systems About Links Maps Outages PI System

Download CLIRIS

☐ Billing ☐ History ☐ Meter ☐ Non-Meter ☐ Impedance ☐ ES Programs ☐ Contacts ☐ Rate Analysis
☐ Action Cycles ☐ Bulbs ☐ Cables ☐ Weather ☐ Level Day ☐ Hourly Load ☐ Utility Mgr ☐ Ann Closures

Customer Account Information

Account No: 0632-015281-3 8 Customer: Wayne E Mai Phone: 208-467-2750 C/D Date: 07/30/1999
 Rate (Tariff): 24S (ID) Address: * 0617 Hp 10 Co-App: SIC: 0000
 Status, Bal: Inactive, \$.00 Map HI Nampa, ID 83651 Phone: Tax ID: 518504235

Billing History

Graphs: KW ☐ KWh ☐ Amount ☐

Meter	Meter ID	From Date	To Date	Code	BLC	KW	KWh	Amount	Rate
1	60301651W	06/30/1999	07/30/1999	0	.0	.0	0	\$ 10.07	24S
1	60301651W	06/01/1999	06/30/1999	0	.0	.0	0	\$ 10.07	24S
1	60301651W	04/30/1999	06/01/1999	0	.0	.0	0	\$ 10.04	24S
1	60301651W	03/31/1999	04/30/1999	0	.0	.0	0	\$ 2.50	24S
1	60301651W	02/26/1999	03/31/1999	0	.0	.0	0	\$ 2.75	24S
1	60301651W	01/27/1999	02/26/1999	0	.0	.0	0	\$ 2.50	24S
1	60301651W	12/29/1998	01/27/1999	0	.0	.0	0	\$ 2.50	24S
1	60301651W	11/30/1998	12/29/1998	0	.0	.0	0	\$ 2.50	24S
1	60301651W	10/29/1998	11/30/1998	0	.0	.0	0	\$ 2.50	24S
1	60301651W	09/29/1998	10/29/1998	0	.0	.0	0	\$ 2.50	24S
1	60301651W	08/28/1998	09/29/1998	0	.0	7.0	3,945	\$ 150.54	24S
1	60301651W	07/29/1998	08/28/1998	8	.0	8.0	5,051	\$ 189.03	24S
1	60301651W	06/29/1998	07/29/1998	0	.0	7.0	2,341	\$ 104.66	24S
1	60301651W	05/29/1998	06/29/1998	0	.0	7.0	1,881	\$ 90.95	24S
1	60301651W	04/29/1998	05/29/1998	0	.0	7.0	4,588	\$ 163.27	24S
1	60301651W	03/30/1998	04/29/1998	0	.0	.0	0	\$ 2.50	24S
1	60301651W	02/26/1998	03/30/1998	0	.0	.0	0	\$ 2.50	24S
1	60301651W	01/27/1998	02/26/1998	0	.0	.0	0	\$ 2.50	24S
1	60301651W	12/27/1997	01/27/1998	0	.0	.0	0	\$ 2.50	24S
1	60301651W	11/26/1997	12/27/1997	0	.0	.0	0	\$ 2.50	24S
1	60301651W	10/28/1997	11/26/1997	0	.0	.0	0	\$ 2.50	24S
1	60301651W	09/29/1997	10/28/1997	0	.0	7.0	120	\$ 6.59	24S
1	60301651W	08/28/1997	09/29/1997	0	.0	7.0	505	\$ 19.72	24S
1	60301651W	07/30/1997	08/28/1997	0	.0	7.0	2,185	\$ 92.51	24S
1	60301651W	06/30/1997	07/30/1997	0	.0	7.0	4,501	\$ 153.63	24S
1	60301651W	05/30/1997	06/30/1997	0	.0	7.0	2,591	\$ 103.22	24S
1	60301651W	04/30/1997	05/30/1997	0	.0	7.0	790	\$ 55.76	24S
1	60301651W	03/31/1997	04/30/1997	0	.0	7.0	173	\$ 8.43	24S
1	60301651W	02/27/1997	03/31/1997	0	.0	.0	0	\$ 2.50	24S
1	60301651W	01/28/1997	02/27/1997	0	.0	.0	0	\$ 2.50	24S
1	60301651W	12/30/1996	01/28/1997	3	.0	.0	0	\$ 2.50	24S
1	60301651W	11/29/1996	12/30/1996	3	.0	.0	0	\$ 2.50	24S
1	60301651W	10/30/1996	11/29/1996	0	.0	.0	0	\$ 2.50	24S
1	60301651W	10/01/1996	10/30/1996	0	.0	7.0	1,527	\$ 54.87	24S
1	60301651W	08/30/1996	10/01/1996	0	.0	7.0	1,117	\$ 46.20	24S
1	60301651W	08/01/1996	08/30/1996	0	.0	7.0	1	\$ 34.88	24S
1	60301651W	07/02/1996	08/01/1996	0	.0	7.0	3,285	\$ 121.88	24S
1	60301651W	06/03/1996	07/02/1996	0	.0	7.0	3,769	\$ 135.09	24S
1	60301651W	05/02/1996	06/03/1996	0	.0	7.0	593	\$ 51.20	24S
1	60301651W	04/02/1996	05/02/1996	0	.0	.0	0	\$ 10.00	24S

Date: 11/18/99
 From: Melissa
 Co.:
 Phone: 208-467-4400
 Fax #: 208-467-4400

Post-it® Fax Note 7671
 To: Phil Peterson
 Co./Dept.:
 Phone #:
 Fax #: 467-4400

P.2/2

1	60301651W	03/19/1996	04/02/1996	0	.0	.0	0	\$ 4.67	24S
1	60301651W	11/01/1995	03/19/1996	0	.0	.0	0	\$.00	24S
1	60301651W	10/02/1995	11/01/1995	0	.0	.0	0	\$ 10.00	24S
1	60301651W	08/31/1995	10/02/1995	0	.0	7.0	133	\$ 14.88	24S
1	60301651W	08/01/1995	08/31/1995	0	.0	7.0	4,193	\$ 155.81	24S
1	60301651W	06/30/1995	08/01/1995	0	.0	7.0	3,147	\$ 125.04	24S
1	60301651W	06/01/1995	06/30/1995	0	.0	7.0	1,597	\$ 80.52	24S
1	60301651W	05/02/1995	06/01/1995	0	.0	7.0	926	\$ 61.52	24S
1	60301651W	03/31/1995	05/02/1995	0	.0	.0	0	\$ 10.00	24S

MICROFILMED
JUN 11 2002

JUL 19 '01 10:21AM IDAHO POWER CALL CENTER 3886919

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: A63-02461
Date Received: 2/26/1990
Receipt No: W009566
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: IVY ICKES 208-465-5010
Address: 404 W COLORADO AVE
Nampa ID 83686-2813

2. Date of Priority: OCT 15, 1931

3. Source: GROUNDWATER Trib. to:

4. Point of Diversion:

Township	Range	Section	1/4 of	1/4 of	1/4	Lot	County
03N	02W	25	SE	SE	SE		CANYON

5. Description of diverting works:
160' WELL W/8" CASING, PUMP, DITCHES FOR GRAVITY IRRIGATION.

6. Water is used for the following purposes:

Purpose	From	To	C.F.S.	(or)	A.F.A.
IRRIGATION	03/15	11/15	0.800		

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

8. Total consumptive use is 140.0 Acre Feet Per Annum.

9. Non-irrigation uses:
NONE

10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
03N	02W	25	NE	SE		IRR	40.0

Exhibit C

MICROFILMED

A63-02461

Page 1

Date: 07/02/99

JUN 11 2002

10. Place of Use: Continued

Township	Range	Section	1/4 of 1/4	Lot	Use	Acres
					Section Acres	40.0
					Total Acres	40.0

11. Place of use in counties: CANYON

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

13. Other Water Rights Used:

NAMPA-MERIDIAN IRRIGATION DIST. & A63-21224 D/S

14. Remarks:

OWNER HAS WELL AGREEMENT TO SHARE WELL WITH THIRD WARD (PUMP NO. IS 619). LICENSE 63-02461 LISTS 40 ACRES IN SE SE, SEC. 25, BUT HISTORICAL USE HAS BEEN IN NE SE. ACRES IN SESE HAVE NOT BEEN IRRIGATED FROM WELL FOR MANY YEARS EXCEPT RECENTLY (20 ACRES BY BEN KRAJNIK). THUS, THE 20 ACRES IN SESE MAY NOT HAVE PROTECTION UNDER THIS RIGHT. MAP ALSO USED FOR A63-21224.

ADDRESS CHANGE BY CLAIMANT LETTER 4/14/1999 SS.

15. Basis of Claim: LICENSE

Water Right Number: 17587

State of Idaho
License and Certificate of Water Right

Water License No. 17587
Water District No.

Amount 0.8 Sec. Ft.
Priority October 15, 1931

THIS IS TO CERTIFY that Mrs. T. G. Somermeier of 1003 Sunset Blvd. Beverly Hills, Calif. , made application for a permit to appropriate the public waters of the State of Idaho, dated October 15 , 1931 ; that Permit No. 17587 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 0.8 second feet, was issued thereunder on December 17 , 1931 , showing that said works were completed on the 16th day of December , 1931 ; and that on the 16th day of December , 1931 ,

Mrs. T. G. Somermeier of Beverly Hills , State of California , made proof to the satisfaction of the Commissioner of Reclamation of Idaho, of the right to use the waters of Subterranean , a tributary of , for the purpose of Irrigation and domestic use , under Use Permit No. 17587 of the Commissioner of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7 of Licenses, at page 3714, on the 3rd day of January , 1933 ;
The right hereby confirmed dates from October 15, , 1931 ;

The Point of Diversion is located in the SE ¼ SE ¼, Sec. 25 , Tp. 3 N. , R. 2 W. , B. M. Canyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.8 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
3 N.	2 W.	25	SE¼SE¼	40	40

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho, this 3rd day of January , 1933

(SEAL)

R. W. FARIS
Commissioner of Reclamation

State of Idaho
License and Certificate of Water Right

Water License No. 6280
Water District No.

Amount 0.1 sec. ft.
Priority September 27, 1930

THIS IS TO CERTIFY that Roscoe Shults
of Felt, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated June 22, 1910; that Permit No. 6280
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.0 second feet, was issued thereunder on August 1st, 1911, showing that said works
were completed on the 7th day of July, 1911; and that on the 13th
day of October, 1932, Roscoe Shults

of Felt, State of Idaho, made proof to the satisfaction of the
Commissioner of Reclamation of Idaho, of the right to use the waters of Little Badger or
Bull Elk Creek, a tributary of, for the purpose of irrigation and
domestic use, under Use Permit No. 6280 of the Commissioner of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is
hereby confirmed by the Commissioner of Reclamation of Idaho and entered of record in Volume 7
of Licenses, at page 3713, on the 10th day of December, 1932;

The right hereby confirmed dates from September 27, 1930;

The Point of Diversion is located
in the NE ¼ NW ¼, Sec. 33, Tp. 7 N., R. 45 E., B. M.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid,
is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 0.1
cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
7 N.	45 E.	32	NE ¼ NE ¼	40	5

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

WITNESS the seal and signature of the Commissioner of Reclamation, affixed at Boise, Idaho,
this 10th day of December, 1932

R. W. FARIS
Commissioner of Reclamation

(SEAL)

15. (a) Is reservoir to be used? No If so, fill in (b) and (c) below.
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

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

Mrs. T. G. Somermeier Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 10:00 A. M., October 15, 1931

Returned to applicant for correction:

Corrected application received:

APPROVAL OF COMMISSIONER OF RECLAMATION

The number of this permit is 17587

Recorded in Book 63 Page 17587 Approved October 17, 1931

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 December 16, 1931 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before December 16, 1931

The whole of said work to be completed on or before December 16, 1931

Beneficial use of water appropriated in accordance herewith, to be made on or before December 16, 1931

Witness my hand this 17th day of October, 1931

R. W. FARIS
Commissioner of Reclamation.

Remarks:

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
3 N.	2 W	25																	40	40
PERMIT NO. 17587 CERTIFICATE OF COMPLETION OF WORKS																				
TO ALL WHOM IT MAY CONCERN:																				
This is to certify that Mrs. T. G. Somermeier of Beverly Hills, County of _____ and State of California, the holder of permit No. 17587, issued upon Application No. 24692 bearing date of priority of October 15, 1931, authorizing the diversion of 0.8 second feet of the waters of Well-Subterranean, County of Canyon, State of Idaho, for Irrigation and Domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit: that said works are adequate for diverting and conveying to the place of intended use 0.8 second feet of the waters of Well-Subterranean; and that the point of diversion of said waters is 800' N. and 50' W. distant from the SE corner of Section 25, Twp. 3 N., Range 2 West B. M., and is in the SE¼SE¼, Sec. 25, Twp. 3 N., Range 2 W. B. M., Canyon County, Idaho; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Forty acres--The Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of Section Twenty-five (25), Township Three (3) North, Range Two (2) West of the Boise Meridian, in Canyon County, Idaho.																				
Witness my hand this 17th day of December, A. D. 1931.																				
R. W. FARIS Commissioner of Reclamation																				
Proof of Completion of Works made December 16, 1931. Certificate of Completion of Works issued December 17, 1931.																				
LICENSE ISSUED FOR 0.8 SEC. FT. Vol 7, Page 3714																				

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Application No. 24692
Permit No. 17587
District No.

1. Name of Applicant: Mrs. T. G. Somermeier

Postoffice address: 1003 Sunset Blvd. Beverly Hills

State: California

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (b) Treasury stock
- (d) Other resources:

- (a) Cash on hand:
- (c) Bonds to be issued:

2. Quantity of water claimed: 0.8 cubic feet per second.

3. Source of water supply: Well - Subterranean which is a tributary of

4. Location of point of diversion: 800' N. and 50' W. feet distant from the SE

corner of Section 25, T. 3 N., R. 2 W., B. M., and is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$

of Section 25, T. 3N, R. 2W, B. M., County of Canyon

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

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

(a) Point of use of water: feet distant from corner of Section
T., R., B. M., in the of Section, T., R., B. M.

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

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

distant from the corner of Section, T., R., B. M., in the
of Section, T., R., B. M.

7. Estimated cost of works: \$ 1200.00

8. Kind of works: Drilled well, 170', pump and electric motor

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

feet; material used in dam:

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

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

feet; dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is 2 months ~~years. Completed at this time~~

13. The time required for the complete application of the water to the proposed use is no additional years.

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

Idaho Department of Water Resources Receipt

Receipt ID W031100

Payment Amount	\$1,320.00	Date Received	11/13/2003 11:02:09 A	Region	Western	Status	☒
Payment Type	Check		Check Number	6381			
Payer	SCHOOL DISTRICT #134						
Comment	RENTAL OF IRRIGATION WATER						

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$1,002.88	WATER BANK-OWNER SHARE	0229	21	55109	1205
\$111.42	WATER BANK-DEPARTMENT SHARE	0229	21	55109	1205
\$205.70	REFUNDS, OVERPAYMENTS	0229	21	55109	1205

Signature Line (Dept. Representative)

RECEIPT FOR REALLOCATED PAYMENT
(SEE MEMO TO DEBBIE ALLEN
DATED 3/11/04)

MICROFILMED

MAR 10 2004

MEMORANDUM

TO: Debbie Allen
FROM: Cynthia Bridge Clark
RE: WATER SUPPLY BANK RENTAL FEE – 63-2461
DATE: March 11, 2004

The following information is provided to document receipt of a payment for the rental of water right 63-2461 and the distribution of the funds. A copy of the receipt of payment, rental agreement, and the IRS W-9 forms submitted by the water right owners are attached:

1. Middleton School District No. 134 submitted a payment in the amount of \$1,320.00 for rental of a portion of the above referenced water right prior to execution of the rental agreement. The fee for the rental was ultimately determined to be \$1,114.30. A copy of the rental agreement and the receipt for the rental payment is attached. It appears that entire payment was receipted to the Water Bank-Department Share. A refund in the amount of **\$205.70** should be issued to the following:

MIDDLETON SCHOOL DISTRICT NO 134
C/O RICHARD H BAUSCHER
5 S 3RD AVE W
MIDDLETON ID 83644

2. The water right is owned equally by four different parties. Please have four equal state warrants prepared for each of the owners of water no. 63-2461 in the amount of \$250.72. The warrants should be sent to following addresses in accordance with the attached IRS W-9 forms:

JERILYN ICKES LANCASTER
196 ROAN DR
EUGENE, OR 97401-5755

MILLARD W ICKES
21250 MIDLAND BLVD
CALDWELL, ID 83605-7904

DEBRA ICKES LITTLE
14535 NW JOSEPH CT
PORTLAND, OR 97229

PAMELA ICKES PETERSON
404 W COLORADO
NAMPA, ID 83686-2813

Attach: 6

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MAR 10 2004



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 12, 2004

JERILYN ICKES LANCASTER
196 ROAN DR
EUGENE, OR 97401-5755

MILLARD W ICKES
21250 MIDLAND BLVD
CALDWELL, ID 83605-7904

DEBRA ICKES LITTLE
14535 NW JOSEPH CT
PORTLAND, OR 97229

PAMELA ICKES PETERSON
404 W COLORADO
NAMPA, ID 83686-2813

**RE: RENTAL OF WATER RIGHTS LEASED TO THE WATER SUPPLY
BANK. WATER RIGHT NO. 63-2461**

Dear Lessors:

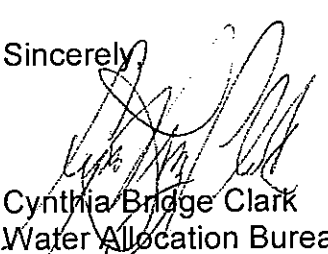
The department has requested that a state warrant in the amount of \$250.72 be issued to each of you as payment to you for the rental of 101.3 acre-feet of the above referenced water right from the Water Supply Bank ("bank") managed by the Idaho Water Resource Board.

In accordance with Water Supply Bank rule 35.01, *IDAPA 37.02.03*, return for the rental is ninety percent (90%) of the gross amount received at a rental rate of \$11.00 per acre-foot of water. The Controller's office will issue the warrants within the next twenty (20) days.

Additionally, as requested in your letter, received by the Department of Water Resources ("department") on December 15, 2003, the department will retain the water right in the bank for an "indefinite" lease term unless the right is released earlier by the Water Resource Board, or upon request by the lessor(s). To change the term of the lease or to release the right(s) from the bank, the lessor(s) must submit a request in writing to the department.

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

Sincerely,


Cynthia Bridge Clark
Water Allocation Bureau

c: John Westra – IDWR Western Region

MICROFILMED
MAR 10 2004



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

January 24, 2004

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

MIDDLETON SCHOOL DISTRICT NO 134
C/O RICHARD H BAUSCHER
5 S 3RD AVE W
MIDDLETON ID 83644

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK.
WATER RIGHT NO. 63-2461**

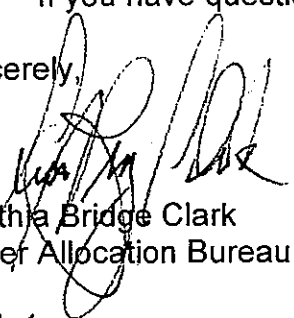
Dear Mr. Bauscher:

Please find enclosed a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 101.3 acre-feet of ground water for irrigation of school property. 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.

The rental fee of \$1,114.30 was calculated based on \$11.00 per acre-foot times 101.3 acre-feet. Your payment in the amount of \$1,320.00 was received by the department on November 13, 2003. Issuance of a refund for the difference of \$205.70 has been requested.

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

Sincerely,


Cynthia Bridge Clark
Water Allocation Bureau

Encl: 1

c: John Westra – IDWR Western Region
Ed Squires – Hydro Logic, Inc.

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MAR 10 2004

Idaho Department of Water Resources Receipt

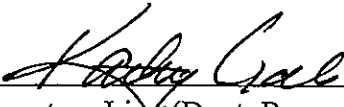
Receipt ID W031100

Payment Amount Date Received Region Status
Payment Type Check Number

Payer Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$1,320.00	WATER BANK-DEPARTMENT SHARE	0229	21	55109	1205


Signature Line (Dept. Representative)

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MAR 10 2004



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

January 16, 2004

MIDDLETON SCHOOL DISTRICT NO 134
C/O RICHARD H BAUSCHER
5 S 3RD AVE W
MIDDLETON ID 83644

**RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK.
WATER RIGHT NO. 63-2461**

Dear Mr. Bauscher:

The department 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, 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 of **\$1,114.30** was calculated based on \$11.00 per acre-foot times 101.3 acre-feet. Enclosed is a receipt in the amount of \$1,320.00 for the advanced payment received by department on November 13, 2003. A refund for the difference of \$205.70 will be returned to you. Please return the signed rental agreement to my attention so I can complete the processing.

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

Sincerely,

Cynthia Bridge Clark
Water Allocation Bureau

Encl: 2

c: John Westra – IDWR Western Region
Ed Squires – Hydro Logic, Inc.

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MAR 10 2004

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: Middleton School District No. 134
2. Address: 5 South 3rd Avenue West
3. Source of water: Ground Water
4. Volume of water rented: 101.3 AF Max rate: 0.45 cfs
5. Diversion period: 2004 irrigation season
6. Use of water: Irrigation
7. a) Renter's point of diversion:
Legal description: SENE Section 28, T5N, R3W, B.M., Canyon County
b) Renter's place of use:
Legal description: 12 acres within SENE Section 28, T5N, R3W, B.M.
8. The right from which water will be rented is 63-2461

The undersigned renter agrees to pay \$1,114.30 for rental of the above described water and agrees to use the water in compliance with the Water Supply Bank rules and in compliance with the conditions of water use shown below:

Conditions of water use under this agreement:

1. The use of water under this agreement shall be subject to the provisions of Section 42-1766, Idaho Code.
2. 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.

3. 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 those authorized under the water right and/or again be available to rent from the bank.
4. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
5. 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.
6. 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.
7. This rental does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.
8. This rental does not authorize the construction of a well.

Dated this _____ day of _____, 2003.

by _____
for _____

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 ____ day of _____, 2004.

KARL J. DREHER, Director
Department of Water Resources

Idaho Department of Water Resources Receipt

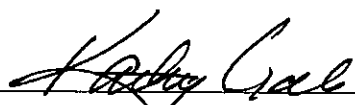
Receipt ID W031100

Payment Amount Date Received Region Status
Payment Type Check Number

Payer Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$1,320.00	WATER BANK-DEPARTMENT SHARE	0229	21	55109	1205


Signature Line (Dept. Representative)

MICROFILMED

MAR 10 2004

MIDDLETON SCHOOL DISTRICT #134

"A Future in Progress"

5 South 3rd Avenue West

Middleton, ID 83644

Phone (208) 585-3027 Fax (208) 585-3028**PURCHASE ORDER NO.**

4536

SHOW THIS NUMBER ON
INVOICE, PACKAGES AND
ALL CORRESPONDENCE.

RECEIVED

NOV 13 2003

WATER RESOURCES
WESTERN REGION

DATE _____

E: 100-31-23

RECEIVED
NOV 14 2003
Department of Water Resources

TO: State Department of Water Dept SHIP TO:

Idaho Department of Water Dept
Western Reg. Office
2735 Airport Way
Boise, Id 83725

8370.5-5082

[illegible]

EXEMPT Idaho Sales Tax by Regulations #22-16

Tax ID #23344-S

Sub Total

Ship/Hand

TOTAL 1.320^a

Reviewed by Business Manager:

Initial

Authorized by:

Administrative/Supervisor Signature

Date _____

Requested By	Department	Fund Description	Budget Code #
	Bond		410-810390 MICROFILMED

Copies:

White - Vendor

Yellow/Pink - Business Office

Goldenrod - Administrator/Supervisor

MAR 10 2004

P.D. # ACCT	INVOICE #	DESCRIPTION	AMOUNT
004536 410-010390-000-000-0		RENTAL OF IRR WATER	1320.00

1

MAR 10 21

MICROFILM

CK #:006381 DATE:11/11/03 VENDOR:011240 ID DEPT OF WATER RESOURCES 1320.00

MEMORANDUM

To: Files 63-2461

From: Cynthia Bridge Clark

Date: December 26, 2003

Re: Rental of Water Rights from the State Water Supply Bank

Middleton School District No. 134 submitted an application to rent water from the Water Supply Bank for irrigation of newly seeded play fields from ground water. Water is only required when surface water from the Black Canyon Irrigation District is not available. Therefore, rental water was only requested for early and late season, during November 2003, March 2004 and November 2004.

Ed Squires is representing the applicant in this case. He explained that a high diversion rate will be required to allow the new seed to become established, and because the school will not be able to irrigate continuously due to daytime activity (see Application Processing Memo #60). He was notified that in order to protect the value of the leased right, the volume proportional to the rate required must be rented for the entire irrigation season. He indicated that this would be acceptable to his client.

Prior to the issuance of the rental agreement, a check for \$1,320.00 was received by the department for an amount calculated for rental of water during the end of the 2003 and all of the 2004 irrigation season. Due to early frosts, the applicant decided to rent a portion of the right for the 2004 season only. Additionally, the owner of the right was contacted to verify whether the right would be leased through 2004, and has since changed the lease term to "indefinite."

The rental agreement has been changed to reflect the rental of 0.45 cubic feet per second (cfs), and the proportional volume of 101.3 acre-feet (af) for irrigation of 12 acres during the 2004 irrigation season (corresponding to 22.5 acres of right 63-2461). The rental fee is calculated to be \$1,114.30 (\$11.00 times 101.3 af), and refund will be issued in the amount of \$205.70.

<u>Water Right</u>	<u>SRBA Claim</u>	<u>Lease/Rental:</u>			
		<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Payment</u>
63-2461	63-2461	0.45 cfs	101.3 af	22.5 ac	\$1,114.30

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MAR 10 2004

RECEIVED

DEC 15 2003

WHITE PETERSON

WHITE, PETERSON, MORROW, GIGRAY, ROSSMAN, NYE & ROSSMAN, P.A. Department of Water Resources

ATTORNEYS AT LAW

CANYON PARK AT THE IDAHO CENTER
5700 EAST FRANKLIN ROAD, SUITE 200

NAMPA, IDAHO 83687-7901

TEL (208) 466-9272

FAX (208) 466-4405

December 12, 2003

KEVIN E. DINIUS
JULIE KLEIN FISCHER
CHRISTOPHER D. GABBERT
WM. F. GIGRAY, III
T. GUY HALLAM, JR.*
JILL S. HOLINKA
D. SAMUEL JOHNSON
WILLIAM A. MORROW
WILLIAM E. NICHOLS*

CHRISTOPHER S. NYE
PHILIP A. PETERSON
ERICA S. PHILLIPS
ERIC S. ROSSMAN
TODD A. ROSSMAN
TERRENCE R. WHITE**
NICHOLAS L. WOLLEN

**ALSO ADMITTED IN WA

*ALSO ADMITTED IN OR

PHILIP A. PETERSON
Post Office Box 247
Nampa, Idaho 83653-0247

Cellular telephone: (208) 724-6649
E-mail via Internet: pap@whitepeterson.com

Ms. Cynthia Bridge Clark
IDAHO DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Boise, Idaho (ID) 83706-2237

Re: Ickes Water Right #63-2461

Dear Cynthia:

Representation. I represent Jerilyn Ickes Lancaster, Pamela Ickes Peterson, Connie Ickes, and Debra Ickes Little, the devisees of the Estate of Ivy Ickes and the current owners of the portion of the above-referenced water right which has been assigned to the Idaho Water Supply Bank since 2001 (hereinafter the "Banked Rights").

Renewal of the Assignment to the Idaho Water Supply Bank for Upcoming Years. Subsequent to our telephone conversation of November 4, 2003, I have contacted my clients regarding making the assignment of the Banked Rights to the Idaho Water Supply Bank "indefinite," so as to obviate the need to renew the assignment each year; and my clients have authorized and directed me to communicate to you that they want to make this so. Accordingly, effective January 1, 2004, please be advised that the assignment of the Banked Rights from my clients to the Idaho Water Supply Bank is made for an indefinite period. My clients and I understand that they can revoke this status at any future time by written notice to the Idaho Water Supply Bank, so long as the revocation does not adversely affect any then-existing leases of the Banked Rights from the Idaho Water Supply Bank to other water users for the irrigation season of the year of the proposed revocation. In the event of any such potential adverse effect, the revocation would become effective at the close of the irrigation season in question.

Lease of the Banked Rights for 2004. You mentioned during our telephone conversation that you had been contacted by a party interested in leasing the Banked Rights for the upcoming 2004 year. Please provide me with any initial details you are aware of concerning the proposed lease so I can communicate them to my clients for their consideration.

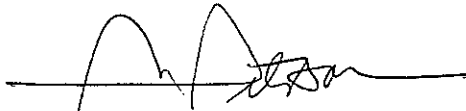
MICROFILMED

MAR 10 2004

Cynthia Bridge Clark
December 12, 2003
Page 2 of 2

Thanks very much. I look forward to hearing from you.

Sincerely,



Philip A. Peterson

Copies to: Jerilyn Ickes Lancaster, Pamela Ickes Peterson, Connie Ickes, and
Debra Ickes Little

ZZZ/A:ICKES-LTR12113.wpd

MICROFILMED
MAR 10 2004

WHITE PETERSON

WHITE, PETERSON, MORROW, GIGRAY, ROSSMAN, NYE & ROSSMAN, P.A.

ATTORNEYS AT LAW

CANYON PARK AT THE IDAHO CENTER
5700 EAST FRANKLIN ROAD, SUITE 200

NAMPA, IDAHO 83687-7901

TEL (208) 466-9272

FAX (208) 466-4405

August 27, 2003

KEVIN E. DINIUS
JULIE KLEIN FISCHER
WM. F. GIGRAY, III
T. GUY HALLAM, JR.*
JILL S. HOLINKA
D. SAMUEL JOHNSON
WILLIAM A. MORROW
WILLIAM F. NICHOLS*

*ALSO ADMITTED IN OR

Vault File
RECEIVED
AUG 28 2003
Department of Water Resources
CHRISTOPHER S. NYE
PHILIP A. PETERSON
ERICA S. PHILLIPS
ERIC S. ROSSMAN
TODD A. ROSSMAN
TERRENCE R. WHITE**
NICHOLAS L. WOLLEN

**ALSO ADMITTED IN WA

PHILIP A. PETERSON
Post Office Box 247
Nampa, Idaho 83653-0247

Cellular telephone: (208) 724-6649
E-mail via Internet: pap@whitepeterson.com

Ms. Lori Graves
Senior Water Resource Agent
IDAHO DEPARTMENT OF WATER RESOURCES ("IDWR")
2735 Airport Way
Boise, Idaho (ID) 83705-5082

Re: Water Right Number 63-2461

Dear Lori:

Thank you for sending for review the Amended Claim for the above-referenced Water Right Number. I have annotated the Amended Claim with changes as we discussed by telephone, and it is returned herewith for revision. Specifically, revisions are as follows:

- Paragraph 1: Please make the indicated changes to addresses and telephone numbers. Also, below each name and above the respective addresses, please insert a line stating, "CO-TENANT IN COMMON, AS SOLE AND SEPARATE PROPERTY" to reflect the specific legal interest of each claimant.
- Paragraph 10: Please change the place of use irrigation acres as indicated to be consistent with the previous transfer to the Idaho Water Supply Bank and the number of irrigable acres in the retained property, 35 and 5, respectively.
- Paragraph 12: Please add the footnote indicated regarding ownership of the real property listed as the place of use for the water rights.
- Paragraph 16: Please supply five (5) copies of the form "How you will receive notice in the Snake River Basin Adjudication" mentioned in the paragraph. Also, please change the signature/notary area to provide

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MAR 10 2004

COPY

Lori Graves
August 27, 2003
Page 2 of 2

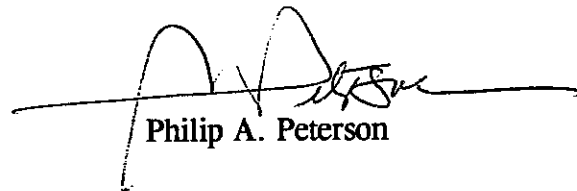
for each of the four claimants to sign individually and provide for separate notaries. Please note that two of the notary attestations will be in Oregon, while the other two will be in Idaho, and alter the format accordingly for the Oregon notaries. Only one signature line is necessary for each claimant, since the interest in the property is owned, in each instance, as the claimant's sole and separate property.

After the revisions have been made, please return the Amended Claim to me, and I will obtain the notarized signatures of each of the claimants.

It is my understanding that, after the Amended Claim is filed, the \$100.00 filing fee previously paid to IDWR will be refunded.

Thanks very much for your continued assistance and cooperation.

Sincerely,



Philip A. Peterson

Enclosures

Copy to: Jerilyn Lancaster (w/o encls.)
Pamela Peterson (w/o encls.)
Debra Little (w/o encls.)
Millard Ickes (w/o encls.)
L. Glen Saxton, IDWR (w/o encls.)

WHITE PETERSON

WHITE, PETERSON, MORROW, GIGRAY, ROSSMAN, NYE & ROSSMAN, P.A.

PHILIP A. PETERSON

Attorney at Law

5700 East Franklin Road, Suite 200

Post Office Box 247

Nampa, Idaho 83653-0247

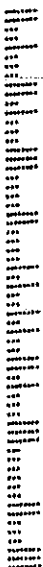
TO: L. Glen Saxton, P.E.

Water Allocation Bureau Chief

IDAHO DEPARTMENT OF WATER RESOURCES

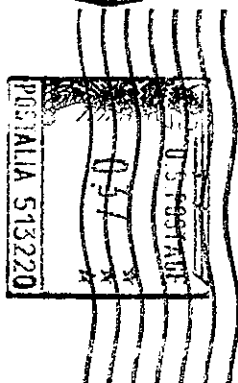
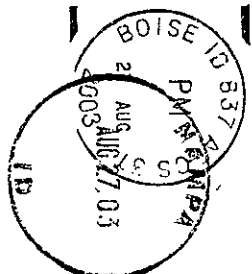
1301 North Orchard Street

Boise, Idaho (ID) 83706-2237



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MAR 10 2004



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AUG 15 2003

WHITE PETERSON

WHITE, PETERSON, MORROW, GIGRAY, ROSSMAN, NYE & ROSSMAN, P.A.

ATTORNEYS AT LAW

CANYON PARK AT THE IDAHO CENTER
5700 EAST FRANKLIN ROAD, SUITE 200
NAMPA, IDAHO 83687-7901
TEL (208) 466-9272
FAX (208) 466-4405

August 13, 2003

Department of Water Resources

KEVIN E. DINIUS
JULIE KLEIN FISCHER
WM. F. GIGRAY, III
T. GUY HALLAM, JR.*
JILL S. HOLINKA
D. SAMUEL JOHNSON
WILLIAM A. MORROW
WILLIAM F. NICHOLS*

*ALSO ADMITTED IN OR

CHRISTOPHER S. NYE
PHILIP A. PETERSON
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TODD A. ROSSMAN
TERRENCE R. WHITE**
NICHOLAS L. WOLLEN

**ALSO ADMITTED IN WA

PHILIP A. PETERSON
Post Office Box 247
Nampa, Idaho 83653-0247

Cellular telephone: (208) 724-6649
E-mail via Internet: pap@whitepeterson.com

Daniel A. Nelson
Water Resource Agent
IDAHO DEPARTMENT OF WATER RESOURCES ("IDWR")
2735 Airport Way
Boise, Idaho (ID) 83705-5082

Re: Water Right Number 63-2461

Dear Dan:

We represent the current owners of the above-referenced water right, Jerilyn Ickes Lancaster, Pamela Ickes Peterson (formerly Pamela Ickes Allen), Debra Ickes Little, and Millard W. Ickes, as co-tenants in common.

On July 31, 2001, an Application for Transfer of Water Right ("Application") was submitted to IDWR. A copy of the Application is enclosed for your reference. At that time, the water right and the associated real property were held by the Estate of Ivy J. Ickes, deceased. Since that time, the estate has been distributed to the devisees of Ivy Ickes, and one subsequent conveyance has been made, so that the current owners are the persons listed in paragraph one, above. I am enclosing copies of deeds which document these conveyances. **Please update your file accordingly.**

At the same time that the Application referred to in the previous paragraph was submitted, application was also made for a transfer of the remainder of the water right to the Idaho Water Supply Bank through L. Glen Saxton at the Orchard Street office of IDWR. That transfer was approved and completed, so a portion of the above-referenced water right is now in the Idaho Water Supply Bank. **Please advise the Orchard Street office of IDWR of the change of ownership to the parties set forth in paragraph one, above, and provide copies of the enclosed documentation, as needed, to update that file.**

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MAR 10 2004

COPY

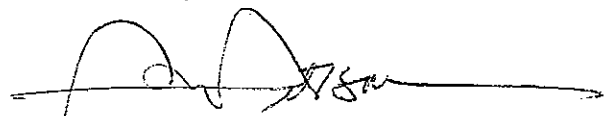
Daniel A. Nelson
August 13, 2003
Page 2 of 2

Please send all future correspondence from IDWR concerning the Application or the rights held by the Idaho Water Supply Bank to my attention at this office, rather than to the Estate of Ivy J. Ickes, which no longer holds an interest in the water rights.

Please advise as to the status of the processing of the Application.

Thanks very much.

Sincerely,



Philip A. Peterson

Enclosures

Copy to: Jerilyn Lancaster (w/o encs.)
Pamela Peterson (w/o encs.)
Debra Little (w/o encs.)
Millard Ickes (w/o encs.)
L. Glen Saxton, IDWR (w/o encs.)

WWW/A:ICKES-LTR8133.wpd

MICROFILMED

MAR 10 2004



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 6, 2003

ESTATE OF IVY JICKES
C/O CONNIE JOHNSON
PO BOX 643
MC CALL ID 83638

**RE: APPLICATION TO LEASE PART OF WATER RIGHT NO. 63-2461 FROM THE
BANK**

Dear Ms. Johnson:

The department has requested the issuance of a state warrant in the amount of \$10 as payment to you for the rental of 1.0 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,

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

c: Dan Nelson - IDWR
Fiscal - Debbie Allen

MICROFILMED
MAY 21 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 6, 2003

Shawn Davis
3715 N. Pollard
Star, ID 83669

RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK

Dear Mr. Davis:

Please find enclosed a receipt in the amount of \$11.00 and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 1.0 acre feet of ground water for aesthetic use in a pond 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,



L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

Encl: 2

c: Dan Nelson - IDWR
63-02461

MICROFILMED
MAY 21 2003

MEMORANDUM

To: Debbie Allen
From: L. Glen Saxton 
RE: WATER SUPPLY BANK RENTAL FEE - 02-07065C
Date: May 6, 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 \$10.00 and sent to the owner of the water right at the following address:

ESTATE OF IVY J ICKES
C/O CONNIE JOHNSON
PO BOX 643
MC CALL ID 83638

Attach: 2
c: 63-2461

MICROFILMED
MAY 21 2003

Idaho Department of Water Resources Receipt

Receipt ID C068898

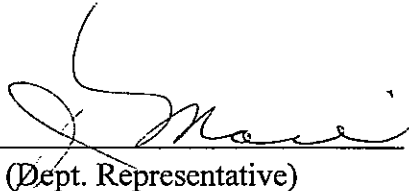
Payment Amount \$11.00 Date Received 5/5/2003 1:41:53 PM Region State Status
Payment Type Check Check Number 1650

Payer DAVIS SHAWN OR RUDOLPH DAVIS BARBARA

Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$10.00	WATER BANK-OWNER SHARE	0229	21	55109	1205
\$1.00	WATER BANK-DEPARTMENT SHARE	0229	21	55109	1205


Signature Line (Dept. Representative)

MICROFILMED

MAY 21 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

April 29, 2003

Shawn Davis
3715 N. Pollard Lane
Star, ID 83669

RECEIVED

MAY 1 11 3

Department of Water Resources

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK

Dear Mr. Davis:

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 **\$11.00** and is based on \$11.00 per acre foot. 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,

L. GLEN SAXTON, P.E.
Acting Administrator

Encl: 1

c: Dan Nelson - IDWR
✓ 63-02461

MICROFILMED

JUN 05 2003

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: Shawn Davis
2. Address: 3715 N. Pollard, Star, ID 83669
3. Source of water: Ground water
4. Volume of water rented: 1.0 AF, Max diversion rate: 0.04 cfs
5. Diversion period: May 1, 2003 to December 31, 2003
6. Use of water: Aesthetic use in a pond
7. a) Renter's points of diversion:
Legal descr: NW1/4SW1/4 Section 33, T5N, R1W, B.M, Ada County
Pump HP: 3 Lift: 180 feet
b) Renter's place of use:
Legal descr: NW1/4SW1/4 Section 33, T5N, R1W, B.M, Ada County
8. The water will be rented from right no. 63-02461

The undersigned renter agrees to use the water in compliance with the Water Supply Bank rules and in compliance with the conditions of water use shown below:

Conditions of water use under this agreement:

1. The use of water under this agreement shall be subject to the provisions of Section 42-1766, Idaho Code.
2. Upon a determination of need by the Department, the renter shall provide for the measurement of the water diverted by a means approved by the Department.

3. 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 place of use of the water shall revert to its original place of use and/or again be available to rent from the bank.
4. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
5. 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.
6. 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.
7. This rental does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.

Dated this _____ day of _____, 2003.

Renter

Having determined that this agreement satisfies the provisions of Section 42-1763, Idaho Code, and Rule 30 of the Water Supply Bank Rules, IDAPA 37.02.03030, 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.

Dated this _____ day of _____, 2003.

KARL J. DREHER, Director
Department of Water Resources



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

July 1, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

SHAWN DAVIS
3715 POLLARD LANE
STAR ID 83669

RE: STORAGE OF WATER ON YOUR PROPERTY

Dear Mr. Davis:

I apologize for not contacting you sooner concerning your letter dated 5/23/2002. I have read through the letter and I agree with your analysis of your pond. I agree with the estimated pond depth that you proposed and I thank you for your efforts to stay within the limits of your available rights.

I visited the Loosli pond today, 7/1/2002, and noticed that your pond has still not been filled. I hope the delay in this letter did not prevent you from starting to fill your pond. Please feel free to begin filling your pond within the 24 hour rule limitation or at approximately 56% of full on your 25,000 cu ft pond.

Thank you for cooperation in this matter and if you have any questions, concerns, or need any help to attain water rights, please contact me at the above address.

Respectfully,

Daniel A. Nelson
Sr. Water Right Agent

MICROFILMED

JUN 05 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

February 21, 2003

Dennis Loosli
3605 Pollard
Star, ID 83669

RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK

Dear Mr. Loosli:

Please find enclosed a receipt in the amount of \$110.00 and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 10 acre feet of ground water for aesthetic use in a pond 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,

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

Encl: 2

c: Dan Nelson - IDWR
63-02461

MICROFILMED

MAR 11 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

February 21, 2003

ESTATE OF IVY JICKES
C/O CONNIE JOHNSON
PO BOX 643
MC CALL ID 83638

**RE: RENTAL OF PART OF WATER RIGHT NO. 63-02461 FROM THE WATER
SUPPLY BANK**

Dear Ms. Johnson:

The department has requested the issuance of a state warrant in the amount of \$100 as payment to you for the rental of 10 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,

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

c: Gary Spackman - IDWR
Fiscal - Debbie Allen
63-02461

MICROFILMED

MAR 11 2003

MEMORANDUM

To: Debbie Allen
From: L. Glen Saxton 
RE: WATER SUPPLY BANK RENTAL FEE - 63-02461
Date: February 21, 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 right 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 \$100 and sent to the owner of the water right at the following address:

ESTATE OF IVY J ICKES
C/O CONNIE JOHNSON
PO BOX 643
MC CALL ID 83638

Attach: 2
c: 63-02461

MICROFILMED
MAR 11 2003

Idaho Department of Water Resources Receipt

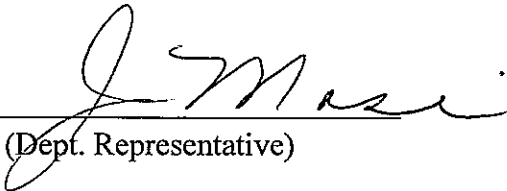
Receipt ID C067495

Payment Amount Date Received Region Status
Payment Type Check Number

Payer Comment **FILE COPY**

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$100.00	WATER BANK-OWNER SHARE	0229	21	55109	1205
\$10.00	WATER BANK-DEPARTMENT SHARE	0229	21	55109	1205


Signature Line (Dept. Representative)

MICROFILMED

MAR 11 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

February 4, 2003

Dennis Loosli
3605 Pollard
Star, ID 83669

RE: RENTAL AGREEMENT - WATER SUPPLY BANK

Dear Mr. Loosli:

Enclosed is a Water Supply Bank Rental Agreement ("agreement") for your review and signature. Upon signature and return of the agreement together with the rental fee in the amount of \$110, the Department also will sign the agreement and will return an executed copy to you. The rental fee is based on \$11 per acre foot ("AF") for the rental of 10 AF of water. Execution of the agreement and compliance with the conditions of approval authorize diversion and use of water as provided in the agreement. Note that you must provide a means of water measurement acceptable to the Department before you are authorized to divert water under the agreement.

Please return the signed agreement to my attention so I can complete the processing. You may contact Dan Nelson at 334-2190 relative to acceptable means of measuring the amount of water diverted. If you have questions relative to the agreement, please feel free to contact me.

Sincerely,

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

Encl: 1

c: Dan Nelson - IDWR
63-02461

MICROFILMED

MAR 11 2003

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: Dennis Loosli
2. Address: 3605 Pollard, Star, ID 83669
3. Source of water: Ground water
4. Volume of water rented: 10.0 AF, Max diversion rate: 0.10 cfs
5. Diversion period: February 30, 2003 to December 31, 2003
6. Use of water: Aesthetic use in a pond
7. a) Renter's points of diversion:
Legal descr: NW1/4SW1/4 Section 33, T5N, R1W, B.M, Ada County
Pump HP: 5 Lift: 30 feet
b) Renter's place of use:
Legal descr: NW1/4SW1/4 Section 33, T5N, R1W, B.M, Ada County
8. The water will be rented from right no. 63-02461

The undersigned renter agrees to use the water in compliance with the Water Supply Bank rules and in compliance with the conditions of water use shown below:

Conditions of water use under this agreement:

1. The use of water under this agreement shall be subject to the provisions of Section 42-1766, Idaho Code.
2. Prior to diversion of water under this rental agreement, the renter shall provide for the measurement of the water diverted by a means approved by the Department. The renter shall report the amount of water diverted

at the end of the water use period.

3. 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 place of use of the water shall revert to its original place of use and/or again be available to rent from the bank.
4. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
5. 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.
6. 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.
7. This rental does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.

----- Dated this _____ day of _____, 2003.

Renter

Having determined that this agreement satisfies the provisions of Section 42-1763, Idaho Code, and Rule 30 of the Water Supply Bank Rules, IDAPA 37.02.03030, 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.

Dated this _____ day of _____, 2003.

KARL J. DREHER, Director
Department of Water Resources

MICROFILMED
MAR 11 2003

Feb. 4. 2003 11:15AM

Community Lender

No.4957 P. 1

COMMUNITY LENDER
925 N. MAIN STREET
MERIDIAN, ID 83642

RECEIVED
FEB 4 - 2003

Department of Water Resources

FACSIMILE TRANSMITTAL SHEET

TO: FROM: *tami@communitylender.com*
Alex Saxon
COMPANY: DATE: *2-4-03*
FAX NUMBER: TOTAL NO. OF PAGES INCLUDING COVER:
PHONE NUMBER: SENDER'S PHONE NUMBER:
208-895-0026
RE: SENDER'S FAX NUMBER:
208-895-0478

☐ URGENT ☐ FOR REVIEW ☐ PLEASE COMMENT ☐ PLEASE REPLY

NOTES/COMMENTS:

MICROFILMED
MAR 11 2003

RECEIVED

FEB 4 - 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

Department of Water Resources

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 2-4-03

TO: GLEN SAXTON
WATER ALLOCATIONS

FROM: DAN NELSON
WESTERN

DOCUMENT DESCRIPTION: Consent Order's
Agreement FOR DENNIS LOOSLI

TOTAL PAGES SENT: 6 + COVER SHEET

CONTACT: _____

MICROFILMED
MAR 11 2003

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF DIVERSION AND	)	CONSENT ORDER
USE OF WATER NOT IN CONFORMANCE	)	AND
WITH WATER RIGHTS OWNED BY	)	AGREEMENT
FARMERS UNION DITCH COMPANY AND	)	
CONTROLLED BY DENNIS LOOSLI	)	
	)	

Pursuant to Section 42-1701(B), Idaho Code, the director of the Idaho Department of Water Resources (IDWR) may commence an administrative enforcement action if it is determined that the state law or Department rules and regulations pertaining to the diversion and use of water have been violated. By the authority of the director of the Idaho Department of Water Resources, the following FINDINGS OF FACT and CONCLUSION OF LAW are made and an ORDER issued:

FINDINGS OF FACTS

1. Farmers Union Ditch Company (Farmers Union) owns water rights authorizing diversion of water from the Boise River for irrigation and domestic use. Farmers Union Ditch delivers water for the irrigation of lands along the benches north of Eagle and Star.
2. Farmers Union also has a contract with the United States Bureau of Reclamation (BOR) for the delivery of storage water from the Boise River Reservoirs to supplement the natural flow rights owned by Farmers Union. The water rights owned by BOR authorize the storage of water in the reservoirs for delivery to Farmers Union for irrigation use.
3. On April 8, 2002, IDWR received a written complaint about a possible illegal use of water by Dennis Loosli (Loosli), a user of water from Farmers Union, at 3705 Pollard Lane, Star Idaho.
4. On April 17, 2002, Dan Nelson (Nelson) of IDWR visited the location of the alleged illegal use of water. The Loosli property is a ten-acre parcel. At the south end of the property, Nelson found an excavation for a pond, but no water had been diverted to the excavation. Nelson estimated that the excavation was approximately 2.34 acres in surface area and approximately 10 feet deep. Using these estimates, Nelson calculated a possible pond volume of approximately 23 acre-feet.

MICROFILMED
MAR 11 2003

from ground water would be illegal without rental and compliance with some conditions of monitoring to insure compliance with the law.

15. IDWR received another complaint on July 11, 2002 that Loosli was filling the pond with surface water from Farmers Union Ditch. IDWR investigated and determined that surface water was being diverted from Farmers Union Ditch into the pond.

16. IDWR issued a notice of violation to Loosli on July 23, 2002. The notice of violation required that Loosli immediately cease diverting surface water from Farmers Union Canal to the pond. Loosli was notified that IDWR was seeking a civil penalty of \$3,200 for the illegal diversion and use of water.

17. Loosli requested a compliance conference, and the conference was conducted on August 6, 2002. Loosli agreed to certain terms and conditions that are incorporated in this compliance agreement.

18. Following discussions with Loosli and officials from Farmers Union, IDWR determined that Loosli owns 81% of one share of Farmers Union stock. The owner of one share of Farmers Union stock is entitled to delivery of 11 miner's inches of water. Because of his ownership of a partial share, Loosli may receive up to 8.9 miner's inches of water (0.18 cubic feet per second) from Farmers Union for irrigation of his property.

CONCLUSIONS OF LAW

1. Idaho Code § 42-351 states:

If the director of the department of water resources finds, on the basis of available information, that a person is diverting water or has diverted water from a natural water course or from a ground water source without having obtained a valid water right to do so, or is applying water or has applied water not in conformance with a valid water right, then the director of the department of water resources shall have the discretion to issue a notice of violation to the person in accordance with the provisions of section 42-1701B, Idaho Code, for the illegal diversion or use of water.

2. Idaho Code § 42-1701B states:

(2) Notice. . . the notice of violation shall identify the alleged violation and shall specify each provision of the designated chapter, rule, permit, condition of approval or order, which has been violated. The notice of violation shall state the remedy, including all restoration and mitigation measures, and the amount of any civil penalty the director seeks for redress of the violation. Factors the director may consider in seeking the appropriate remedy include the impact of the violation and whether the violation was willful, a repeat violation for which the violator had been given a prior written warning, or the violator has otherwise

MICROFILMED

MAR 11 2003

refused to comply with the department's lawful directives. The notice of violation shall inform the person to whom it is directed of an opportunity to confer with the director, or the director's designee in a compliance conference concerning the alleged violation.

(4) Compliance conference and consent order.... If the recipient and the director agree on a plan to remedy damage caused by the alleged violation and to assure future compliance, they may enter into a consent order formalizing their agreement. The consent order may include a provision providing for payment of any agreed civil penalty. The consent order shall be effective immediately upon signing by both parties and shall preclude a civil enforcement action for the same alleged violation. If a party does not comply with the terms of the consent order, the director may seek and obtain in any appropriate district court, specific performance of the consent order and other relief as authorized by law.

(6) Penalties.

(a) . . . persons determined to be in violation of section 42-351, Idaho Code, shall be liable for a civil penalty not to exceed:

(i) For nonirrigation uses, fifty dollars (\$50.00) per one-tenth (0.1) cubic feet per second of water or part thereof, per calendar day, up to a maximum penalty of fifty thousand dollars (\$50,000) per year for water illegally used or diverted;

3. The diversion and use of water described in the FINDINGS OF FACT were illegal under Idaho Code § 42-351.

4. IDWR informed Loosli verbally and in writing that storage in his pond with surface water delivered from Farmers Union Ditch would be an illegal use of water and a violation of the law. Diversion for storage after these warnings is proof of willful and intentional noncompliance with the law.

5. Loosli diverted water continuously for approximately 32 days at a rate of approximately 0.16 cfs to accrue storage of ten acre-feet.

6. The rate of flow for irrigation in the state of Idaho is limited to 0.02 cubic foot per second (one miner's inch) per acre irrigated.

ORDER

Based on the foregoing FINDINGS OF FACT and pursuant to the authority of Title 42, Chapter 2 of the Idaho Code,

IT IS HEREBY ORDERED as follows:

1. Loosli must install a measuring device and lockable controlling works at the head of his ditch leading from the lateral diverting water from the Farmers Union Ditch prior to start of the 2003 irrigation season. A design of the controlling works and measuring device must be reviewed and approved by IDWR prior to construction.
2. IDWR and Loosli agree that independent control over his headgate would result in unbiased accounting of his delivery of water. Loosli will promote the selection of a lateral manager to independently oversee the delivery of his surface water through an annual meeting of the lateral ditch association defined in Chapter 13, Title 42 of the Idaho Code. If the association does not select a lateral manager, Loosli will request that IDWR appoint a lateral manager under Idaho Code § 42-1308.
3. Loosli will not fill his pond in the spring of 2003, nor will he fill it in the spring of any subsequent year, until he has obtained express written approval to fill the pond. The approval can be in the form of rental of water from the Idaho Water Resources Board water bank, the District 63 Storage Rental Pool, or the approval of an application for transfer or approval of a new water right by IDWR. In addition, Farmers Union Canal Company must expressly approve, in writing, the delivery of surface water to fill the pond.
4. Any additional water needed to maintain the pond at acceptable levels can only be delivered after obtaining the same express approvals that are granted for spring fill of the reservoir as set forth above.
5. Loosli may irrigate from the pond once the pond has been filled in the spring. Prior to irrigation in the spring of 2003, Loosli must determine the number of irrigable acres on his property and submit the information to IDWR. IDWR will review the information, and may make an independent determination of the acres irrigated. If the determination requires a site visit, IDWR will inform Loosli of its desire to measure the irrigable acreage. Loosli agrees to allow IDWR access to measure the acreage.
6. Loosli agrees that he is only entitled to divert 0.02 cubic feet per second (one miner's inch) of water per acre of land irrigated. Delivery of water to the pond for irrigation shall be limited to 0.02 cubic feet per second (one miner's inch) of water per acre of land irrigation, and this quantity of water shall be delivered by the lateral manager.
7. Loosli may deliver the water authorized by his shares of Farmers Union Ditch Company, not to exceed 8.9 miner's inches (0.18 cfs), to the pond for irrigation from the pond during the remainder of the 2001 irrigation season. If substantial irrigation does not occur within a 24-hour period, delivery from Farmers Union Ditch shall cease until the irrigation commences again.

RECEIVED

SEP 30 2002

W029749
9/30/02+K

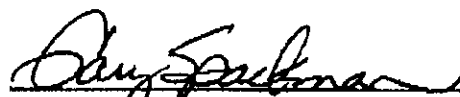
WATER RESOURCES
WESTERN REGION

Loosli shall pay a civil penalty of \$400.00 within thirty days of the date of execution of this agreement. IDWR shall suspend \$2800 of the \$3200 civil penalty identified in the Notice of Violation pending Loosli's compliance with this Agreement and Consent Order. In the event Loosli fails to fully comply with the terms of this Agreement and Consent Order the suspended portion of the penalty shall become immediately due and payable.

9. This Agreement and Consent Order shall be effective immediately and upon execution by both parties. Compliance with the Agreement and Consent Order by Loosli shall preclude and civil enforcement action by IDWR for the violation alleged in the Notice of Violation.

10. If Loosli does not comply with the terms of this Agreement and Consent Order, IDWR may seek and obtain in an appropriate district court specific performance of the Agreement and Consent Order and such other relief as authorized by law.

Dated this 4th day of September, 2002.

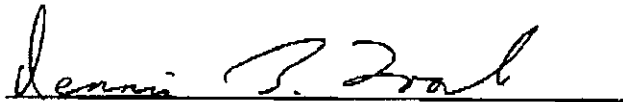


Gary Spaakman
Regional Manager
Idaho Department of Water Resources

CONSENT

Loosli acknowledges in general the facts set forth in the above FINDINGS OF FACT and accepts fully the terms and conditions of the ORDER contained herein. The terms of this agreement shall become effective upon execution by the parties. Respondent consents to the issuance hereof.

Signed this 30th day of September, 2002.



Dennis Loosli

MICROFILMED

SEP 17 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

January 2, 2003

ESTATE OF IVY J ICKES
C/O CONNIE JOHNSON
PO BOX 643
MC CALL ID 83638

RECEIVED

JAN 17 2003

Department of Water Resources

RE: WATER RIGHT 63-02461- WATER SUPPLY BANK

Dear Ms. Johnson:

As requested in your letter received by FAX on December 31, 2002, the Department will retain the above referenced water right in the Water Supply Bank through December 31, 2003.

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

Sincerely,

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

c: IDWR - W. Region
63-02461

MICROFILMED

MAR 11 2003

Estate of Ivy J. Ickes
c/o Connie Ickes Johnson
P.O. Box 643
McCall, Idaho 83638
December 26, 2002

L. Glen Saxton, P.E.
Chief, Water Allocation Bureau
Department of Water Resources
1301 North Orchard Street
Boise, Idaho 83706
P.O. Box 83720
Boise, Idaho 83720-0098

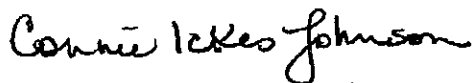
RE: 63-02461 - LEASE TO THE WATER BANK

Dear Mr. Saxton,

Thank you for your correspondence regarding the above referenced water right that has been leased through December 31, 2002 to the Water Supply Bank operated by the Idaho Water Resource Board. My sisters and I are pleased that the water is being used by other farmers for agricultural purposes. We would like to extend the lease period to December 31, 2003.

Should any questions come up, the best way to reach me is by fax at 208-634-5317. Thank you.

Sincerely,



Connie Ickes Johnson

MICROFILMED

MAR 11 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

November 26, 2002

Estate of Ivy J. Ickes
c/o Connie Johnson
P.O. Box 643
McCall, ID 83638-0643

RE: 63-02461 - TERMINATION OF LEASE TO THE WATER SUPPLY BANK

Dear Ms. Johnson:

Department records show that the above referenced water right has been leased through December 31, 2002 to the Water Supply Bank ("bank") operated by the Idaho Water Resource Board.

The purpose of this letter is to advise you that the right will be considered released from the bank on December 31, 2002, unless you advise me, in writing, prior to December 31, 2002, that you want to extend the lease period. If so, please advise me in writing designating the date to which you want the lease extended.

If you have questions, feel free to contact me. I can be reached directly at (208) 327-7955.

Sincerely,

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED
MAR 11 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

October 1, 2002

Estate of Ivy J. Ickes
c/o Connie Johnson
P.O. Box 643
McCall, ID 83638-0643

**RE: RENTAL OF PART OF WATER RIGHT NO. 63-2461 FROM THE WATER
SUPPLY BANK**

Dear Ms. Johnson:

The department has requested the issuance of a state warrant in the amount of \$60 as payment for the rental of 6 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,

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

c: Gary Spackman - IDWR
63-2461
Fiscal - Debbie Allen

MICROFILMED

OCT 02 2002



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

October 1, 2002

Richard A. Pavelek
100 N. Bene Posto Place
Boise, ID 83712

RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK

Dear Mr. Pavelek:

Please find enclosed a receipt in the amount of \$66.00 and a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 6 acre feet of ground water for irrigation use during part of 2002 and 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,

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

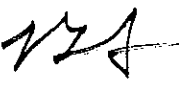
Encl: 2

c: Gary Spackman - IDWR
63-02461

MICROFILMED

OCT 02 2002

MEMORANDUM

To: Debbie Allen
From: L. Glen Saxton 
RE: WATER SUPPLY BANK RENTAL FEE - 63-2461
Date: October 1, 2002

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 right 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 \$60 and sent to the owner of the water rights at the following address:

Estate of Ivy J. Ickes
c/o Connie Johnson
P.O. Box 643
McCall, ID 83638-0643

Attach: 2

c: MICR 63-2461
FILED

OCT 02 2002

Idaho Department of Water Resources Receipt

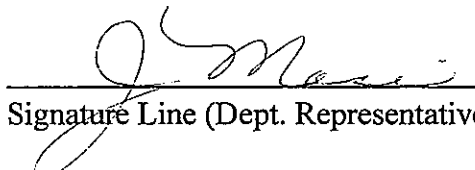
Receipt ID C064837

Payment Amount Date Received Region Status
Payment Type Check Number

Payer Comment

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$60.00	WATER BANK-OWNER SHARE	0229	21	55109	1205
\$6.00	WATER BANK-DEPARTMENT SHARE	0229	21	55109	1205


Signature Line (Dept. Representative)MICROFILMED
OCT 02 2002



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 23, 2002

Dennis Loosli
3605 Pollard
Star, ID 83669

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK

Dear Mr. Loosli:

Enclosed is 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 **\$110** and was calculated as \$11.00 per acre foot times 10 acre feet. A check made payable to the Idaho Department of Water Resources should accompany the signed and returned rental agreement.

Please 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,

A handwritten signature in black ink, reading 'L. Glen Saxton'. The signature is fluid and cursive, with the first name 'L.' and last name 'Saxton' clearly visible.

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

Encl: 1

c: Gary Spackman - IDWR
63-02461

MICROFILMED
OCT 02 2002

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: Dennis Loosli
2. Address: 3605 Pollard, Star, ID 83669
3. Source of water: Ground water
4. Volume of water rented: 10.0 AF, Max diversion rate: 0.10 cfs
5. Diversion period: June 1, 2002 to December 31, 2002
6. Use of water: Aesthetic use in a pond
7. a) Renter's points of diversion:

Legal descr: NW1/4SW1/4 Section 33, T5N, R1W, B.M, Ada County

Pump HP: 5 Lift: 30 feet

b) Renter's place of use:

Legal descr: NW1/4SW1/4 Section 33, T5N, R1W, B.M, Ada County
8. The water will be rented from right no. 63-02461

The undersigned renter agrees to use the water in compliance with the Water Supply Bank rules and in compliance with the conditions of water use shown below:

Conditions of water use under this agreement:

1. The use of water under this agreement shall be subject to the provisions of Section 42-1766, Idaho Code.
2. 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 water use period.

3. 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 place of use of the water shall revert to its original place of use and/or again be available to rent from the bank.
4. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
5. 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.
6. 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.
7. This rental does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.

Dated this _____ day of _____, 2002.

Renter

Having determined that this agreement satisfies the provisions of Section 42-1763, Idaho Code, and Rule 30 of the Water Supply Bank Rules, IDAPA 37.02.03030, 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.

Dated this _____ day of _____, 2002.

KARL J. DREHER, Director
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720
Boise, Idaho 83720-0098

Service Requested

RECEIVED

JUL 2 2002

Department of Water Resources

5-24

DENNIS LOOSLI
3605 POLLARD
STAR ID. 83669

PRESORTED
FIRST CLASS



PB METER
7110094

U.S. POSTAGE

8252

MICROFILMED

OCT 02 2002

- X
- ☐ Incorrect address
 - ☐ No such street or number
 - ☐ Vacant
 - ☐ Illegible
 - ☐ No Mail Receptacle
 - ☐ Box Closed - No Order
 - ☐ Returned For Better Address
 - ☐ Postage Due

83720-0098

Customer 7/23/02
called with Boise
address & this
letter was resent.

g



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

July 5, 2002

RECEIVED

JUL - 8 2002

Department of Water Resources

Dennis Loosli
3705 Pollard Lane
Star, Idaho 83669

Re: Storage in Your Pond

Dear Mr. Loosli:

This letter is a follow up to a letter I wrote you on May 17, 2002, about storage of surface water in a pond you constructed on your property located in Star, Idaho west of Highway 16. I've enclosed a copy of the letter.

Because I did not receive a response from you, I drafted a notice of violation that I intended to issue. I've enclosed a copy of the draft notice of violation. Prior to issuance, however, Dan Nelson of this office informed me that you had drained the pond and were no longer storing water. He also represented you had told him you would not store water in the pond the remainder of the year. Based on this information, I determined that if surface water was not stored illegally in the pond, I would not sign and serve the notice of violation. I determined that I would write you a letter of warning instead.

Dan Nelson received another complaint on approximately July 1, 2002, that you had filled the pond with surface water from Farmers Union Ditch. Dan's field investigation confirmed that the pond was full of water. You told Dan that you had filled the pond with ground water rented from the Water Bank operated by the Idaho Water Resource Board.

You rented ten acre-feet of water from the Water Bank. Your pond contains a volume of approximately ten acre-feet of water. The purpose of this letter is to inform you that, unless you can prove otherwise, IDWR will assume you have diverted all the water rented from the Water Bank. You should not divert any more ground water to the pond until you have rented additional water or can show that you have a water right for the ground water diversion. By this letter, I am asking Glen Saxton, who administers the Water Bank, to condition any future water bank rentals to require that: (1) You report to IDWR when you will be diverting water so we can confirm your diversion of ground water to the pond; and (2) You measure the water diverted to the pond from ground water.

The draft notice of violation will not be issued at the present time. If there are additional illegal diversions of water to the pond, however, I will promptly issue the notice of violation and

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OCT 02 2002

Dennis Loosli
July 5, 2002
Page -2-

seek significant penalties based on the fact that you have been apprised of the law governing your use of water and the possible consequences should you choose to violate its provisions.

Respectfully,



Gary Spackman
Western Regional Manager

Encl: Letter Dated May 17, 2002
Draft Notice of Violation

cc. Gene Bailey, Farmers Union Ditch Company
Lee Sisco, Watermaster
Mike Creamer
Dan Nelson
Norm Young

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OCT 02 2002



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 7, 2002

Dennis Loosli
11587 West Ramrod
Boise, ID 83713

RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK

Dear Mr. Loosli:

Please find enclosed a copy of a fully executed Water Supply Bank Rental Agreement in connection with the rental of 10 Acre Feet of ground water for aesthetic use in a pond during 2002. 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,

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

Encl: 1

c: Gary Spackman - IDWR
63-02461

MICROFILMED

JUN 11 2002



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 7, 2002

Estate of Ivy J. Ickes
c/o Connie Johnson
P.O. Box 643
McCall, ID 83638-0643

RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK - 63-02461

Dear Ms. Johnson:

The department has requested the issuance of a state warrant in the amount of \$100 as payment for the rental of 10 acre feet of the above referenced water right from the Water Supply Bank ("bank") managed by the Idaho Water Resource Board.

The return to you 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,

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

c: Fiscal - Debbie Allen
63-02461
Gary Spackman - IDWR

MICROFILMED

JUN 11 2002

MEMORANDUM

To: Debbie Allen
From: L. Glen Saxton *LS*
RE: WATER SUPPLY BANK RENTAL FEE - 63-02461
Date: June 7, 2002

The following information is provided in order that you can document the preparation of a state warrant compensating the owner of a water right for rental of part of the right 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 \$100 and sent to the owner of the water right at the following address:

Estate of Ivy J. Ickes
c/o Connie Johnson
P.O. Box 643
McCall, ID 83638-0643

Attach: 2
c: 63-02461

MICROFILMED

JUN 11 2002



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 23, 2002

Dennis Loosli
3605 Pollard
Star, ID 83669

RE: APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK

Dear Mr. Loosli:

Enclosed is 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 **\$110** and was calculated as \$11.00 per acre foot times 10 acre feet. A check made payable to the Idaho Department of Water Resources should accompany the signed and returned rental agreement.

Please 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,

A handwritten signature in black ink that reads "L. Glen Saxton". The signature is fluid and cursive, with the first name "L." being small and the last name "Saxton" being larger and more prominent.

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

Encl: 1

c: Gary Spackman - IDWR
63-02461

MICROFILMED
JUN 11 2002

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: Dennis Loosli
2. Address: 3605 Pollard, Star, ID 83669
3. Source of water: Ground water
4. Volume of water rented: 10.0 AF, Max diversion rate: 0.10 cfs
5. Diversion period: June 1, 2002 to December 31, 2002
6. Use of water: Aesthetic use in a pond
7. a) Renter's points of diversion:

Legal descr: NW1/4SW1/4 Section 33, T5N, R1W, B.M, Ada County

Pump HP: 5 Lift: 30 feet

b) Renter's place of use:

Legal descr: NW1/4SW1/4 Section 33, T5N, R1W, B.M, Ada County
8. The water will be rented from right no. 63-02461

The undersigned renter agrees to use the water in compliance with the Water Supply Bank rules and in compliance with the conditions of water use shown below:

Conditions of water use under this agreement:

1. The use of water under this agreement shall be subject to the provisions of Section 42-1766, Idaho Code.
2. 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 water use period.

MICROFILMED
JUN 11 2002

3. 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 place of use of the water shall revert to its original place of use and/or again be available to rent from the bank.
4. Renter agrees to comply with all applicable state and federal laws while using water under this agreement.
5. 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.
6. 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.
7. This rental does not grant any right-of-way or easement to use the diversion works or conveyance works of another party.

Dated this _____ day of _____, 2002.

Renter

Having determined that this agreement satisfies the provisions of Section 42-1763, Idaho Code, and Rule 30 of the Water Supply Bank Rules, IDAPA 37.02.03030, 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.

Dated this _____ day of _____, 2002.

KARL J. DREHER, Director
Department of Water Resources

MICROFILMED
JUN 11 2002

MEMORANDUM

May 17, 2002

To: Glenn Saxton
From: Shane Bendixsen
Subject: Water Bank Rental: Loosli

It is my understanding Dennis Loosli is applying to use water from the water bank. The following is a brief review concerning the hydraulic connection.

The point of diversion is T05N R01W sec 33 (see attached figure). Points of diversion for ground water available in the water bank are plotted on the same figure along with ground elevations (contours) and flow directions.

In the Treasure Valley it is usually considered that ground water north of the New York Canal is tributary to the Boise River while south of the canal ground water is tributary to the Snake River. This is not totally correct. Moving westward toward Lake Lowell, leakage from other canals moves the divide southward.

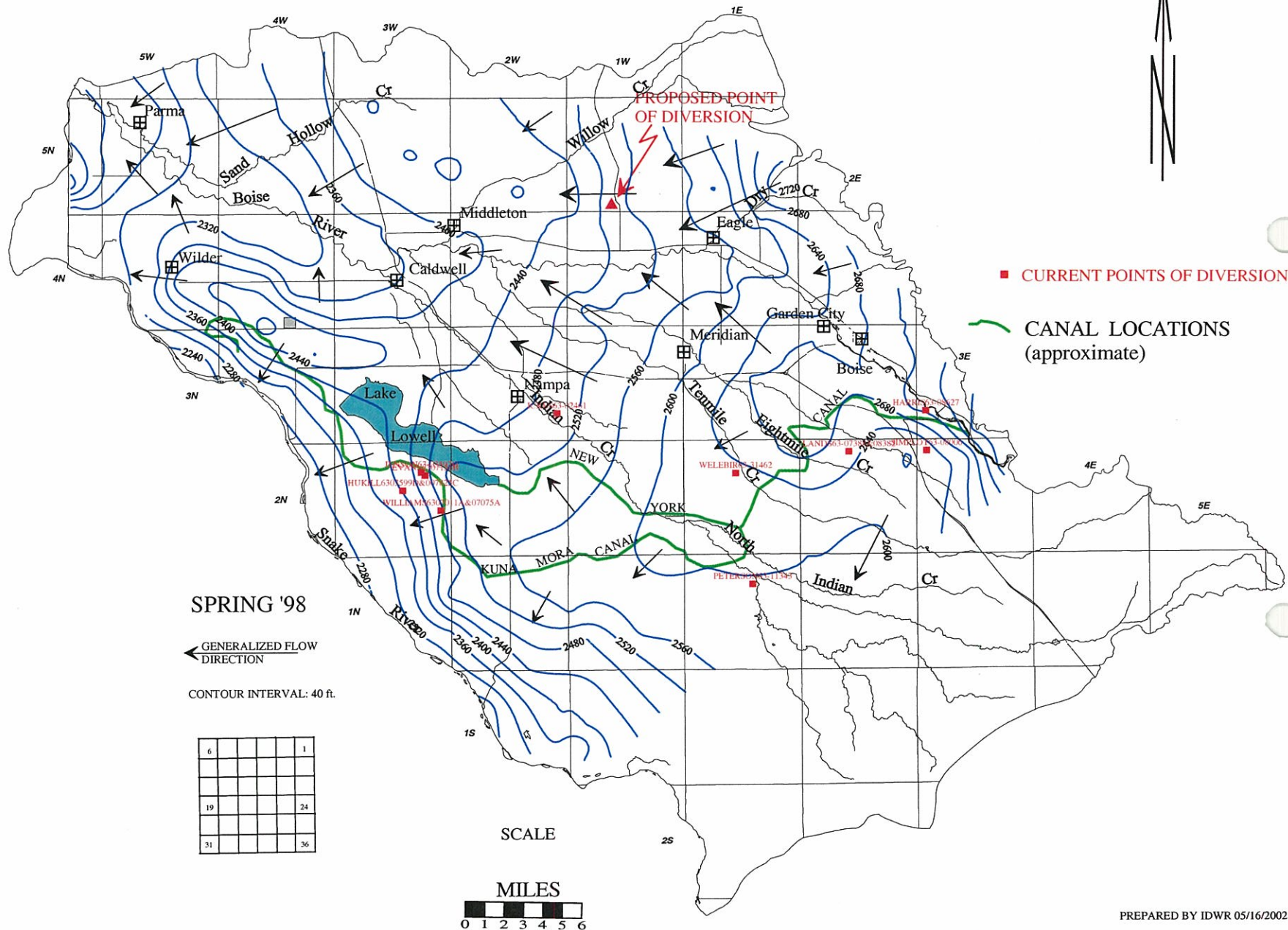
At the proposed point of diversion ground water is considered tributary to the Boise River.

Three of the rights available in the water bank are north of the canal and the divide and considered tributary to the Boise River. The two best candidates are the Ickes and Welebir rights. The Harris right is also on the north side on the canal, but is a low temperature geothermal well. Data are not available to determine if the low temperature geothermal water is tributary to the Boise or Snake River or if there is a direct hydraulic connection.

MICROFILMED
JUN 11 2002

TREASURE VALLEY

GROUND WATER ELEVATIONS AND WATER BANK LOCATIONS



MICROFILMED
JUN 11 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

FAX TRANSMITTAL COVER SHEET

FAX NUMBER (208) 334-2348

DATE: 5-16-2002

TO: GLEN SEXTON

FROM: DAN NELSON

DOCUMENT DESCRIPTION/NOTES: Enclosed is a portion
OF ~~the~~ DENNIS HOOSHI / SHAWN DAVIS
COMPLAINT FILE. GARY SPACKMAN IS
CURRENTLY COMPOSING A LETTER TO
MR. HOOSHI. MR. DAVIS HAS NOT
FILED HIS ANSWER YET.

TOTAL PAGES SENT: 10 + COVER SHEET

CONTACT: _____

MICROFILMED

JUN 11 2002

MEMORANDUM

TO: GARY SPACKMAN

FROM: DANIEL A. NELSON

DATE: 5/15/02

SUBJECT: LOOSLI COMPLAINT FIELD VISIT 5/15/2002

On the above date you asked that I re-visit the Loosli pond before we made our final determination of action. During my field visit, I discovered that Mr. Loosli is still filling the pond. The pond water level has raised approximately 4 feet. The water level during my field visit on 5/1/2002 was estimated at 1 to 1.5 feet. I estimate that the water level in the pond is at least 5 feet deep. I measured the water depth in the culvert used to control the inflow of water and the water level in the pipe was 4.7 feet. I consider the water level in this culvert as the minimal water level, since it was sitting above the water level during my first visit.

I have attached pictures to this memo that show that water has raised the four feet mentioned above.

I have warned Mr. Loosli by letter, telephone, and a face to face visit that he could not fill the pond more than 0.17 feet. He has continued to fill the pond despite my warnings to not fill it above the 24-hour rule. I have no choice but to recommend that we issue a cease and desist and notice of violation. It does not seem that he wants to listen to the warnings he has been given. The pond's embankment has already been inundated with gopher holes and I am concerned that the embankment could fail, so action should be taken as quickly as possible.

MICROFILMED

JUN 11 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

April 24, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

SHAWN DAVIS
3715 POLLARD LANE
STAR ID 83669

COPY

RE: STORAGE OF WATER ON YOUR PROPERTY

Dear Mr. Davis:

The Idaho Dept. of Water Resources (IDWR) received a complaint regarding the pond you are constructing on your property on Pollard Lane. Most ponds require water rights to store water. IDWR can allow a pond without a storage right, however, if the pond is part of a water delivery system authorized by an existing water right, and the pond can be filled and emptied within a 24-hour period to provide the beneficial use described by a water right.

I visited the site of your pond on 4/17/2002, and discovered that water was not being diverted into the pond. Therefore, no laws have been violated at this time. I did not enter your property to measure your pond; therefore, please provide information that the pond does not exceed the 24-hour rule mentioned above. Please be aware that if the pond exceeds the 24-hour rule you may be subject to penalties described in Idaho Code § 42-1701B.

To assure compliance you can file an application for permit or transfer for storage use. Another option is to contact Farmers Union Ditch Company and see if it is willing to change a portion of its existing rights to cover your storage use.

This office may periodically visit the site throughout the year to ensure you are not illegally storing water in your pond. If you have any questions or concerns please contact Dan Nelson at the above address.

Respectfully,

Daniel A. Nelson
Sr. Water Right Agent

Cc John R Tomkinson
Greg Ellis
William Parvia

MICROFILMED

JUN 11 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

April 24, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DENNIS LOOSLI
3705 POLLARD LANE
STAR ID 83669

COPY

RE: STORAGE OF WATER ON YOUR PROPERTY

Dear Mr. Loosli:

This letter confirms our telephone conversation on 4/17/2002. The Idaho Dept. of Water Resources (IDWR) received a complaint regarding the pond you are constructing on your property on Pollard Lane. Most ponds require water rights to store water. IDWR can allow a pond without a storage right, however, if the pond is part of a water delivery system authorized by an existing water right, and the pond can be filled and emptied within a 24-hour period to provide the beneficial use described by a water right.

IDWR understands you own shares of Farmers Union Ditch Company that represent eight miners inches of water. Eight miners inches flowing continuously for 24-hours will accumulate approximately on third of an acre-foot of water in a storage reservoir. Your reservoir volume is estimated to be between 10-25 acre-feet. This greatly exceeds the volume of the water that could be stored in 24-hours.

It does not appear you have sufficient water rights to fill and use the pond within a 24-hour period. You should obtain water right approval prior to filling the pond. You may try to work with Farmers Union Ditch Company and see if it is willing to change a portion of its existing rights to cover your storage use.

During my field visit on 4/17/2002, I discovered that you were not diverting water into the pond. Therefore, you have not violated any laws at this time. However, if you begin to fill the pond without securing a storage water right, you may be subject to penalties described in Idaho Code § 42-1701B if you exceed the 24-hour rule mentioned above.

Please be advised this office may periodically visit the site throughout the year to ensure you are not illegally storing water in your pond. If you have any questions or concerns, please contact Dan Nelson at the above address.

Respectfully,

Daniel A. Nelson
Sr. Water Right Agent

Cc John R Tomkinson
Greg Ellis

William Acacia

MICROFILMED

JUN 11 2002

MEMORANDUM

TO: GARY SPACKMAN
FROM: DANIEL A. NELSON
DATE: 4/17/02
SUBJECT: DENNIS LOOSLI COMPLAINT

On 4/8/2002 we received a complaint from John R. Tomkinson and Greg Ellis concerning a pond that has been developed by Dennis Loosli and a pond developed by Shawn Davis.

I visited the site and discovered that there is a rather large pond on Mr. Loosli's property. The pond was not being filled at the time of my visit, so I did not feel I had justification to go onto the property to perform actual measurements. I estimated the pond size at 2.34 acre-feet in surface area and approximately 10 feet deep. This would put the amount of storage at approximately 23.4 acre-feet of storage. Mr. Loosli does not have any storage rights for this pond on our database.

The pond on Mr. Davis' place did not seem to be that large and may fit within the 24-hour rule. I will write Mr. Davis a letter and let him know the pond rules so when he does divert water to the pond, he will not over fill the pond.

After I returned to the office I spoke with Mr. Loosli, and he informed me the Lonny Fox of Fox Water Engineers was working on the water rights for his pond. I called Mr. Fox and Mr. Fox stated that he was working on the dam safety issues with Dave Hollingshead and not working on attaining a water right. Mr. Fox also told me that he had not calculated the actual pond size, but estimated it at 8 to 9 acre-feet. I then called Mr. Loosli back and informed him he could not fill the pond without a storage water right. He tried to get around the issue on a couple of fronts and I hope I focused him into the right direction.

RECOMMENDATIONS:

I recommend that I send Mr. Loosli a follow up letter to our conversation and a letter to Mr. Davis to make sure that they are aware that they cannot divert water into their ponds without a storage right, or they must stay within the 24-hour rule. Since they are not currently diverting water to storage, I don't feel they are in violation for digging a hole in the ground. A follow up visit may be necessary within the next couple of weeks to make sure they are not filling the ponds without a water right.

MICROFILMED

JUN 11 2002

Fox Water Resources Engineering, LLC

8440 Midland Drive

Boise, Idaho 83704

(208) 376-5688 • Fax (208) 376-9276

April 18, 2002

RECEIVED

APR 22 2002

WATER RESOURCES
WESTERN REGION

Mr. John Westra
Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705

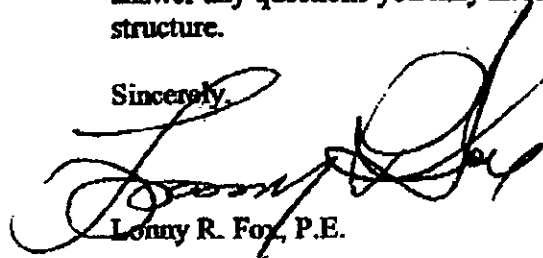
Re: Dennis Loosli Recreation Pond

Dear John;

Dennis Loosli has excavated a pond on his property at 3605 Pollard Lane north of Star Idaho for his personal use as a recreation pond. The pond has a maximum water volume less than ten ac-ft. and the maximum depth of water above the surrounding natural ground is less than two feet. An ungated outlet will control the maximum water surface as well as the source of water to fill the pond is the Farmers Union Irrigation District ditch at a level that will not allow water to get any higher. There is no contributing area to the pond from natural runoff due to the berm that was constructed from the material excavated from the pond.

I want to confirm that this pond does not fall within the purview of Idaho's Safety of Dams criteria. Please send a note of your concurrence to this affect. I would be happy to answer any questions you may have concerning the safety of dams issues with this structure.

Sincerely,



Lonny R. Fox, P.E.

MICROFILMED

JUN 11 2002

MEMORANDUM

TO: GARY SPACKMAN
FROM: DANIEL A. NELSON
DATE: 5/1/02
SUBJECT: LOOSLI/DAVIS COMPLAINT FOLLOWUP

On 5/1/2002, I re-visited the Dennis Loosli and Shawn Davis ponds mentioned in the complaint filed by Star Acres Water Users (Greg Ellis, President, and John Tomkinson, member) and William Pereira, Idaho Landscaping. During my first visit on 4/17/2002, I discovered that two ponds had been constructed. Mr. Loosli constructed a large pond and Mr. Davis constructed a smaller pond. During my first visit neither pond was in use and no violations had occurred.

On my second visit, I found that Mr. Davis still has not filled his pond. I have spoken to Mr. Davis on the telephone and he told me that he wanted to make sure he had a legal water right before filling the pond. I measured Mr. Davis' pond while at the site and found that it had a surface area of .25 af. This would allow him to fill this pond to 1.2 feet in depth before he would violate the 24-hour rule. His pond is 3 feet deep at the present time. So he can only fill the pond 1/2 full.

During my second visit, I discovered that Mr. Loosli had started filling his pond using the 24-hour fill rule. According to the Farmers Union Ditch Company, Mr. Loosli has 8 inches of water for irrigation. At this rate, Mr. Loosli could have a pond that held 0.32 af of water. I used a measurement wheel to get the approximate surface area of the pond. According to my measurements the ponds surface area is approximately 2 acres. Mr. Loosli told me the depth of the pond was between 1 and 1.5 feet deep. I measured the pond from the bank at three points and the water depth was between 1 and 1.3 feet. Therefore, Mr. Loosli's estimate of 1 to 1.5 feet deep was fairly accurate.

With a surface area of 2 acres and a water depth of 1 to 1.5 feet, Mr. Loosli is currently storing between 2 and 3 acre feet of water. Therefore, Mr. Loosli is has exceeded the maximum allowable volume by 1.7 to 2.7 acre-feet of water. Even though Mr. Loosli is above his maximum allowable storage, it does seem that he is trying to keep the pond level down at this time. Once the staff gage is installed he should take daily readings and mail the daily readings to us at the end of each month. This would also allow us the opportunity to quickly drive by and check the water level periodically.

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JUN 11 2002

Loosli/Davis memo

Page 2

I recommend writing Mr. Loosli a letter telling him that he is over his allowable storage capacity. In the letter, we should inform Mr. Loosli that he should not allow the water depth to exceed 0.16 feet of depth, since that is the maximum depth of water he can store with that size of pond. Where as he has not totally filled the pond at this time, I feel it would be more advantageous to try to work out a settlement with him instead of issuing a penalty. Instead of fine, I feel we should require that he properly install a staff gage on the pond to make it easier to determine the pond depth.

MICROFILMED

JUN 11 2002

LOOSLI/DAVIS COMPLAINT

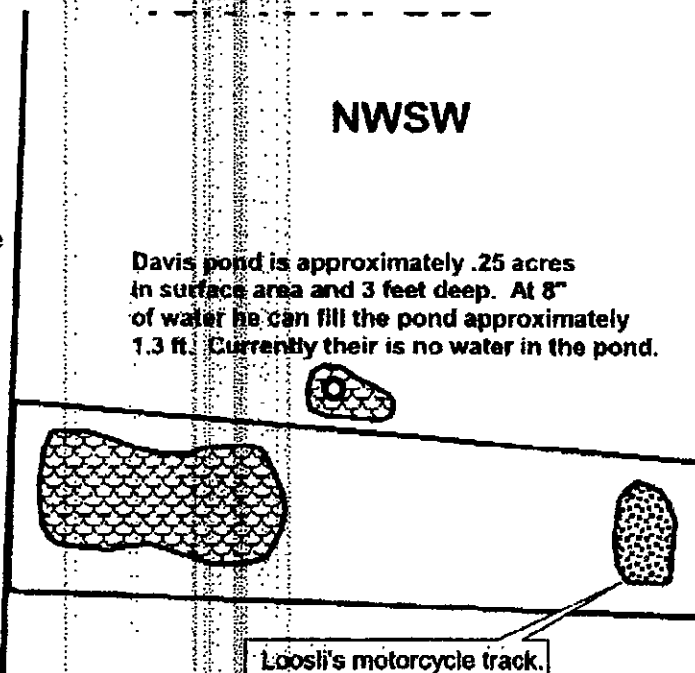
2000 AERIAL PHOTO

BY DAN NELSON

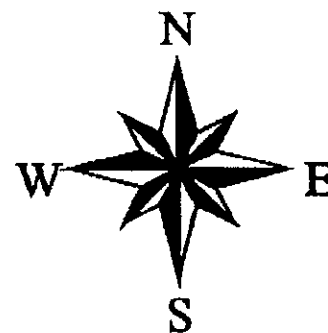
Loosli pond is currently at 2 acres in surface area. The pond is currently only 1/5 full and at full could increase the surface area to over 3 acres. Mr. Loosli informed me that the pond is approximately 1-1.5 feet deep. I checked the pond level at the edge of the pond and it was 1 to 1.3 ft. at various areas in the pond along the bank. Currently the pond is holding approximately 2 to 3 af of water. At 8" of water the pond can have .32 af of water, which would put the pond level at approximately .16 feet.

Davis pond is approximately .25 acres in surface area and 3 feet deep. At 8" of water he can fill the pond approximately 1.3 ft. Currently there is no water in the pond.

NWSW



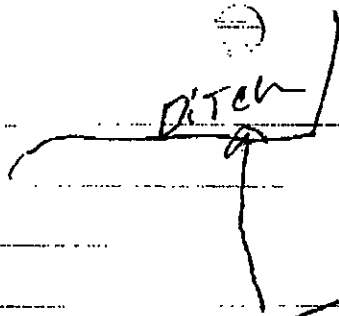
0.07 0 0.07 0.14 Miles



-  DIRT TRACK
-  DAVIS POND
-  LOOSLI POND
-  SECTION LINES
-  1/4 1/4 LINES

MICROFILMED

JUN 1 2002



219

LI
KOUTHOU

460

26

1 - 2 FT
DEEP

PER
MR. LOPSE!

416

461
45

1.5 APPROX
CURRENT LEVEL
CAN BE
TO DEPTH OF
10-12 FEET.

212

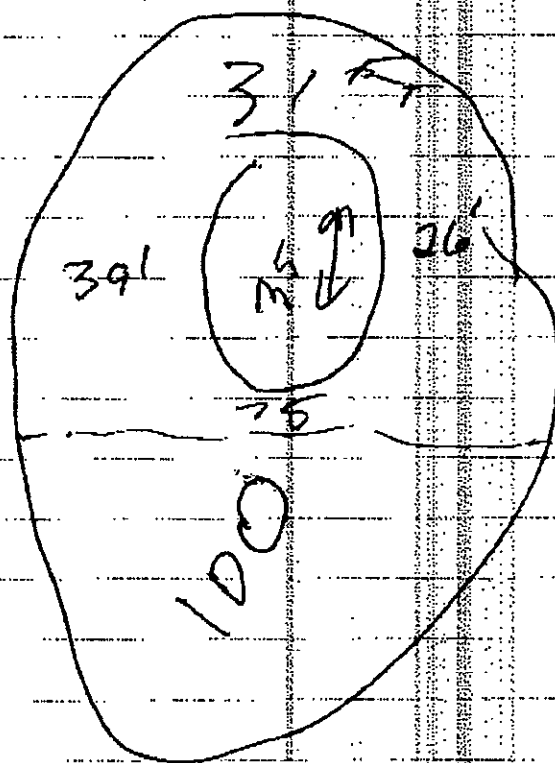
217

MICROFILMED

JUN 11 2002

3 FT DEEP
Davis Pond

• 28



125

35
31
100
186
75

166

Can have
1.1 FT OF
WATER IN IT

$$\left(\frac{166 \times 75}{43560} \right) \times ? = 1.32$$

MICROFILMED

JUN 11 2002

COMMUNITY LENDER

925 E. 1st Street
Meridian, Idaho 83642

PHONE: (208) 895-0026
FAX: (208) 895-0478

RECEIVED

MAY 15 2002

Department of Water Resources

DATE 5-15-02

TO Allen Sexton

FROM Dennis Wolf

PAGE 1 OF 3

SUBJECT Rental from Water Bank

MICROFILMED

JUN 11 2002

THE CHURCH OF
JESUS CHRIST
OF LATTER-DAY
SAINTS

RECEIVED

DEC 27 1988

Department of Water Resources

OFFICE OF GENERAL COUNSEL

330 South Third East
Salt Lake City, Utah 84111
Phone (801) 521-3680
Telecopier (801) 321-4893
Telex 388-385

December 22, 1988

State of Idaho
Department of Water Rights
1301 North Orchard Street
Boise, Idaho 83706

ATTENTION: Sharla

RE: Wel Id Nampa North Farm
Property #509-2701

Water Right No. 63-2461
License No. 17587

Dear Sharla:

As per telephone conversation with Paula Osguthorpe of this office, Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints has sold 31.00 acres of the above referenced property to Ben Trojan Krajnik and Karen J. Krajnik with a major portion of the purchase price being evidenced by a Note and secured by a Mortgage. Enclosed please find a copy of the recorded Special Warranty Deed by which the Church conveyed title to the Krajniks.

When the Church originally purchased this property, it acquired a 1/2 interest in license no. 17587 (63-2461). The Church has agreed to include this 1/2 interest it acquired in license no. 17587 (63-2461) in the sale to Krajniks. We would appreciate your reviewing the above mentioned deed, and if you find the same in order, your making any appropriate entries in your files to reflect that the Church has sold this 1/2 interest subject to the Note and Mortgage. If any further information or documentation is required on behalf of the Church, please advise us of the same.

MICROFILMED

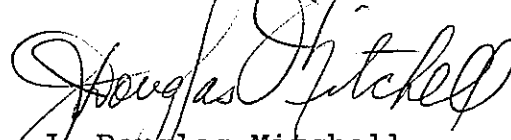
JUN 11 2002

Sharla
State of Idaho
Department of Water Rights
December 22, 1988
Page 2

Thanks for your assistance and cooperation in this matter. If you have any questions, please feel free to telephone or write the undersigned or Paula Osguthorpe of this office.

Very truly yours,

OFFICE OF GENERAL COUNSEL


J. Douglas Mitchell
Counsel

JDM:po

Enclosure

MICROFILMED

JUN 11 2002

RECEIVED

DEC 27 1988

2-11326
WLC
BTK

Department of Water Resources

COPY

8721245

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS that the CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, a Utah corporation sole, Grantor, for TEN DOLLARS (\$10.00) and other good and valuable consideration in hand paid or delivered, hereby grants, bargains, sells and conveys to BEN TROJAN KRAJNIK and KAREN J. KRAJNIK/^{husband and wife} Grantees, whose address is 700 S. Happy Valley Rd., Nampa, Idaho, the following Real Property situate in the County of Canyon, State of Idaho, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND BY THIS REFERENCE MADE PART HEREOF.

TOGETHER with all appurtenant water rights including those in the Nampa-Meridian Irrigation District, Identification No. 1941, and one-half (1/2) interest in a well, Certificate No. 17587, Identification No. 63-2461.

Subject to easements, rights, rights-of-way, reservations, conditions, restrictions, covenants, and all taxes and assessments of record or enforceable in law or equity.

The Grantor specifically reserves all minerals, coal, carbons, hydrocarbons, oil, gas, chemical elements and compounds, whether in solid, liquid or gaseous form, and all steam and other forms of thermal energy on, in or under the above described land.

TO HAVE AND TO HOLD the said premises, with their appurtenance, unto the Grantees, their successors and assigns, in fee simple forever.

IN WITNESS WHEREOF, the Grantor has caused its corporate name to be hereunto subscribed by its authorized officer and its corporation seal to be hereunto affixed, by its Authorized Agent, this 10th day of September, 1987.

CORPORATION OF THE PRESIDING
BISHOP OF THE CHURCH OF JESUS
CHRIST OF LATTER-DAY SAINTS, a
Utah Corporation Sole

By: James A. Baker
Authorized Agent

MICROFILMED
JUN 11 2002

STATE OF UTAH)
 : ss
COUNTY OF SALT LAKE)

On this 10th day of September, 1987, personally appeared before me FRED A. BAKER, personally known to me to be the Authorized Agent of the Corporation of the Presiding Bishop of The Church of Jesus Christ of Latter-day Saints, a Utah Corporation Sole, who acknowledged to me that he signed the foregoing instrument as Authorized Agent for said Corporation, that the seal impressed on the within instrument is the seal of said corporation, and the said FRED A. BAKER acknowledged to me that the said Corporation executed the same.

My Commission Expires:
October 9, 1990

Ernest E. Pallabhu
Notary Public in and for the
State of Utah

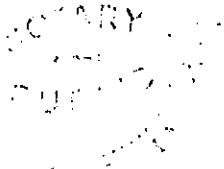


EXHIBIT "A"

PARCEL NO. 1:

That portion of the Southeast Quarter of the Southeast Quarter of Section 25, Township 3 North, Range 2 West of the Boise Meridian, Canyon County, Idaho, more particularly described as follows:

COMMENCING at the Southeast corner of said Section 25; thence North along the East line of said Section 26, 666 feet; thence West and at right angles to the East line of said Section 25, 96.5 feet to a point; thence North and parallel with the East line of said Section 25, 34.00 feet to a point on the Southwesterly bank of the Hubbard Lateral; thence Northwesterly along said Southwesterly bank of the said Hubbard Lateral to the North line of the Southeast Quarter of the Southeast Quarter of said Section 25; thence West along said North line of the Southeast Quarter of the Southeast Quarter of said Section 25, 806.5 feet, more or less, to the Northwest corner of the Southeast Quarter of the Southeast Quarter; thence South along the West line of the Southeast Quarter of the Southeast Quarter of said Section 25, 1,320 feet, more or less, to the Southwest corner of the Southeast Quarter of the Southeast Quarter of said Section 25; thence East along the South line of said Section 25; 50.0 feet to a point; thence North and parallel to the West line of the Southeast Quarter of the Southeast Quarter of said Section 25, 342.00 feet to a point; thence East and parallel to the South line of said Section 25 to a point measured 664.00 feet West of the East line of said Section 25; thence South and parallel to the West line of said Section 25, 342.00 feet to the South boundary line of the Southeast Quarter of the Southeast Quarter of said Section 25; thence South 89° 23' 20" East, along the South line of said Section 25, 664.00 feet to the REAL POINT OF BEGINNING.

SAVE AND EXCEPT:

COMMENCING at the Southeast corner of the Southeast Quarter of the Southeast Quarter of Section 25, Township 3 North, Range 2 West of the Boise Meridian, Canyon County, Idaho; thence North along the Easterly boundary of said Section 25, 400.5 feet to the INITIAL POINT; thence West and at right angles to the East line of said Section 25, 42.0 feet to a point; thence North and parallel with the East line of said Section 25, 265.5 feet to a point; thence East and at right angles to the East line of Section 25, 42.0 feet to a point on the East line of Section 25; thence South along the East line of said Section 25, 265.5 feet to the INITIAL POINT.

PARCEL NO. 2:

COMMENCING at the Southeast corner of the Southeast Quarter of the Southeast Quarter of Section 25, Township 3 North, Range 2 West of the Boise Meridian, Canyon County, Idaho; thence North along the Easterly boundary of said Section 25, 400.5 feet to the INITIAL POINT; thence West and at right angles to the East line of said Section 25, 42.0 feet to a point; thence North and parallel with the East line of said Section 25, 265.5 feet to a point; thence East and at right angles to the East line of Section 25, 42.0 feet to a point on the East line of Section 25; thence South along the East line of said Section 25, 265.5 feet to the INITIAL POINT.

8721245

RECORDED

87 OCT 7 AM 9 44

ELL A STAKER
CANYON COUNTY RECORDER

BY U. G. Hester

REQUEST PIONEER TITLE CO

TYPE Deed 9.00

MICROFILMED
JUN 11 2002

10/1/87

January 3, 1933

RE: PERMIT NO. 17587
Mrs. T. G. Sommermeier

Mr. F. A. Hagelin
Attorney at Law
Nampa, Idaho

Dear Sir:

We are herewith enclosing LICENSE AND CERTIFICATE OF WATER RIGHT NO. 17587, issued under the above mentioned permit, and made a matter of record in the Department. Office receipt covering fees required in connection with BENEFICIAL USE proof, is also enclosed.

Very truly yours,
R. W. FARIS
Commissioner of Reclamation

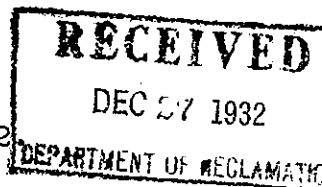
By _____
Chief Clerk & Office Engr.

PLH:MC
Encl. Office receipt for \$2.00.

17587

F. A. HAGELEN
ATTORNEY AT LAW
DEWEY-SCALES BUILDING
NANPA, IDAHO

December 24, 1932



Mr. R. W. Faris,
Commissioner of Reclamation,
Boise, Idaho.

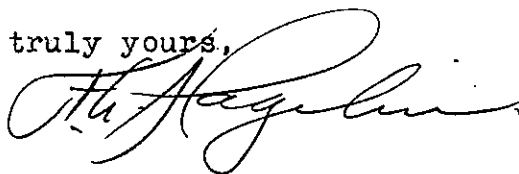
In Re: Permit No. 17587
Mrs. T. G. Somermeier.

Dear Sir:

I inclose herewith check for \$2.00 in payment of license which you state in your letter of the 21st, is ready to be issued in connection with Permit No. 17587 issued to Mrs. T. G. Somermeier, and which will provide water for the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Twenty-five (25), Township Three (3) North, Range Two (2) West of the Boise Meridian, Canyon County, Idaho.

Kindly send the Permit to me when you have issued the same.

Very truly yours,



FAH/RW

17587

December 21, 1932

Re: Permit No. 17587
Mrs. T. G. Somermeier

Mr. F. A. Haglin
Attorney at Law
Nampa, Idaho

Dear Sir:

This is to inform you that the Engineer's Report covering his examination in connection with proof of application of water to beneficial use under the above mentioned permit has been received in this department.

Upon receipt of a fee in the sum of \$2.00 a license will be issued which will be dedicated to 40 acres of land embraced in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, T. 3 N., R. 2 W. B. M.

Yours very truly,

R. W. FARIS
Commissioner of Reclamation

By _____
Chief Clerk & Office Engr.

PLH:MC

17587

December 17, 1931

Re: Permit 17587

Mr. F. A. Hagelin
Nampa, Idaho

Dear Mr. Hagelin:

We are in receipt of the following papers in connection with Permit No. 17587, to-wit: Affidavit of Holder on proof of completion of works, affidavit of publication of notice on proof application of water to Beneficial Use, Deposition of the holder on proof of application of water to Beneficial Use, and deposition of two witnesses on proof application of water to Beneficial Use.

We will issue you certificate for proof of completion of works immediately, and your depositions for Beneficial Use proof will be placed on file without final action until our field engineer can make an examination of your works, at which time you will be notified of fees due before license is issued.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____

17587

F. A. HAGELIN
ATTORNEY AT LAW
DEWEY-SCALES BUILDING
NAPPA, IDAHO

file 17587

December 16, 1931.

Mr. R. W. Faris,
Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:

I inclose herewith the following papers in connection with
Permit No. 17,587, issued to Mrs. T. G. Sommermeier, to wit:

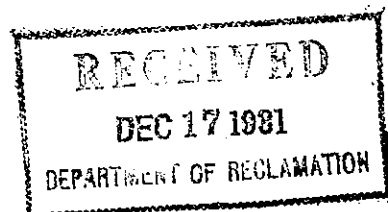
Affidavit of Publication of Notice of Proof on Application
of Water to Beneficial Use; Affidavit of Holder of Permit
on Proof of Completion of Works; Deposition of Holder on
Proof of Application of Water to Beneficial Use; and Deposi-
tions of two witnesses on Proof of Application of Water to
Beneficial Use.

I also inclose check for \$5.00 which I understand is the
regular fee for the Certificate of Completion which is to be
issued by your office.

Very truly yours,

F. A. Hagelin

FAH/RW



17587

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 17587

This proof is for Beneficial Use

In Water District No.

1. Name of applicant Mrs. T. G. Somermeier

2. Source of water supply: Well-Subterranean

3. Location of point of diversion: Is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25

T. 3 N. R. 2 W.B.M. County of Canyon

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

outlet, driven by General Electric motor, (direct connected
unit type) of 110 volts, 446 amps, 60 cycle, 760 R.P.M.
The well is 160 ft deep and cased at top with 8" casing

5. Water is used for: Irrigation and Domestic purposes

6. State whether or not water has been turned into works of diversion: yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): 40 Acres; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 25, Township 3 N., Range 2 West B. M.,
County of Canyon.

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

8. What large stream would the water here appropriated finally reach? none

Remarks: Pump installation is inside a concrete
lined sump 5' x 6' x 12 ft deep

This examination was made on the 30th day of April, 1932.

(Signed) Fred H. Johnson
Examiner.

Mrs. T. G. Somermeier
Nampa, Idaho

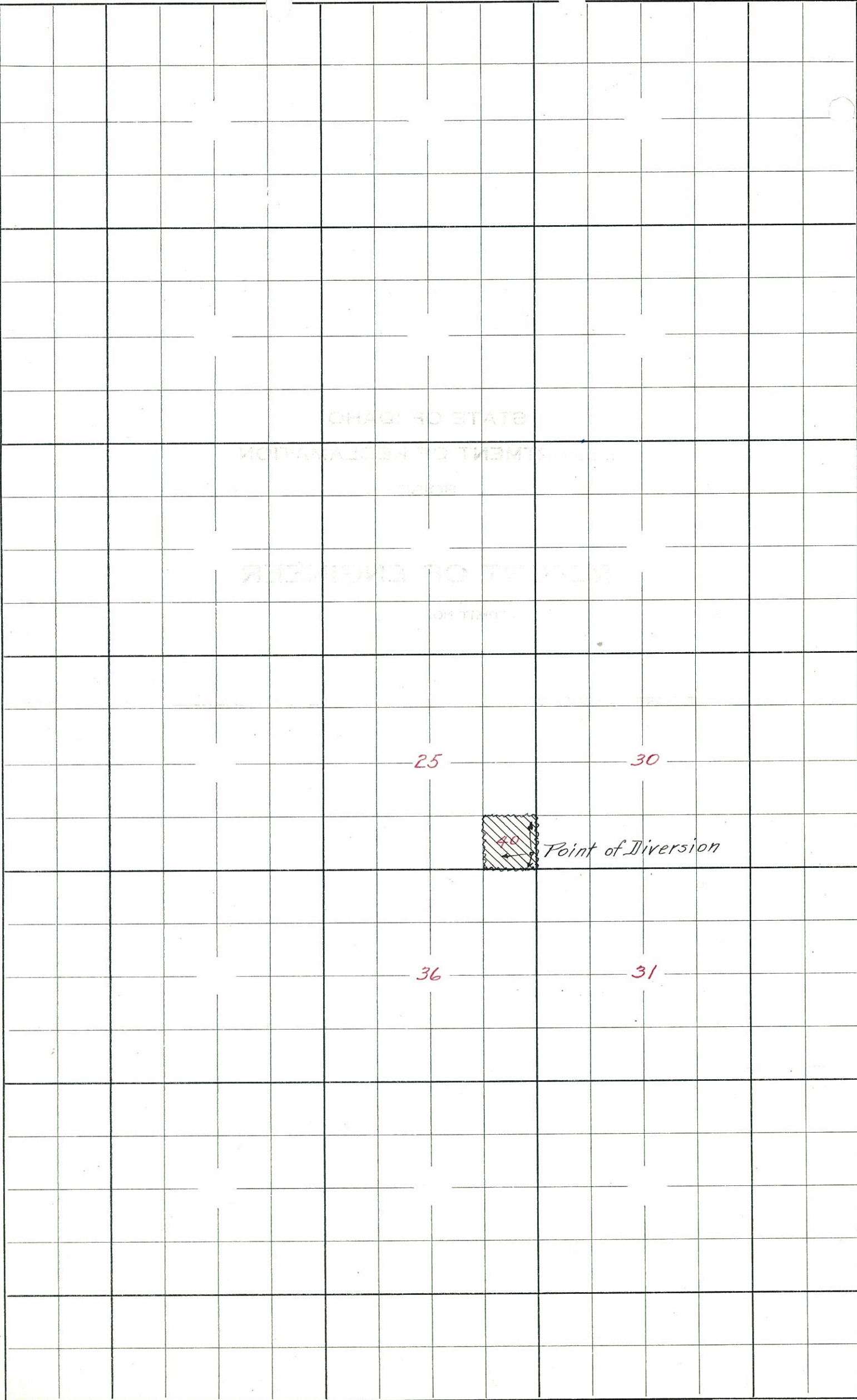
Permit No. 17587.....

Examination for BEN. USE PROOF.....

County Canyon.....

INSTRUCTIONS TO EXAMINERS

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



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. _____

REPORT ON PROOF OF _____

Permit No. 17587

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO, }
County of Canyon } SS

Mrs. T. G. Somermeier, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the state of Idaho, No. 17587, and that his postoffice address is 1003 Sunset Blvd., Beverly Hills, State of California.

Second: ~~That the source of said water is from a well in the State of Idaho~~ Source of water supply: Well-subterranean.

Third: That the point of diversion of said water is 800' N. and 50' W. distant from the SE corner of Sec. 25, Twp. 3 N., Range 2 West B. M., and is in the SE $\frac{1}{4}$ Sec. 25, Twp. 3 N., Range 2 W. B. M., Canyon County, Idaho.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by December 16th, 1931.

Fifth: That the use for which said water is intended is Irrigation and Domestic.

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: Well-subterranean. Drilled well, 170', pump and electric motor.
(Reservoir, dam, ditch, flume, pipe or otherwise.)

II. Dimensions of work: Drilled well, 170', Pump and Electric Motor.

(a) Height of dam.....feet, length of dam at top.....feet, length of dam at bottom.....feet. Material used in construction.....

(State whether wood, earth, stone or concrete.)

(b) Capacity of reservoir.....acre feet.

(c) Size of headgate: Width.....feet, height.....feet.

(d) Conduit.....width at bottom.....feet, width at water line.....
(State whether ditch, flume or pipe.)
feet, depth of water.....feet; diameter of pipe.....inches, average grade per mile is.....feet. Length of conduit is.....miles.

Seventh: That said works are capable of conducting to the place of intended use 0.8 cubic feet per second ~~foot~~ of water.

Eighth: That water appropriated under said permit is available for forty (40) acres of land described as follows: The Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section Twenty-five (25), Township Three (3) North, Range Two (2) West of the Boise Meridian, in Canyon County, Idaho.

Ninth: Remarks: That

Mrs. T. G. Somermeier.
(Sign here)

Subscribed and sworn to before me this 16th day of December, 1931.

My commission expires May 8th, 1935.

H. F. Hagel
Notary Public.

17587

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 17587

Proof of Application of Water to Beneficial Use

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. Mrs. T. G. Somermeier, 1003 Sunset Blv'd, Housewife, Beverly Hills, California.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. Permit No. 17587, dated October 15, 1931, Priority, Dec. 16, 1931.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Well-subterranean, 800' N. and 50' W. distant from SE corner of Sec. 25, Twp. 3 N., Range 2 West B. M., and is in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, Twp. 3 N., Range 2 W. B. M., Canyon County, Idaho.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. Drilled well, 170', Pump and Electric Motor.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.)—State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation and domestic purposes, to be used on SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 25, Twp. 3 N., Range 2 W. B. M., Canyon County, Idaho, on cultivated land, and the direct result of use of said water is to supplement irrigation water furnished by Nampa & Meridian Irrigation District.

Ques. 7. If for other than for irrigation purposes; state how applied, amount of horse power generated, etc.

Ans.

17587

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. Three-fourths Inch per acre.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. _____

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. Has been used to supply additional irrigation water during latter part of season of 1931 upon lands hereinbefore described.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. The lands herein described lie within the Nampa & Meridian Irrigation District and receive its proportionate share of water in such District, which, in times of water shortage, like the season of 1931, does not furnish sufficient water to irrigate said lands.

(Sign) Mrs. T. G. Smeruier

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Nampa, County of Canyon, State of Idaho, on this 16th day of December, A. D. 1931.

Ed. J. Ragan
Notary Public, Residing at Nampa,
Idaho.

My commission expires May 8th, 1935.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 17587

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. H. R. Leslie, aged 50, residing at Nampa, Idaho, occupation,
farmer.

Ques. 2. Are you acquainted with Mrs. T. G. Sommermeier, the holder of Permit No. 17587? How long have you known him and where does he reside?

Ans. Yes. She resides at 1003 Sunset Blv'd, Beverly Hills, California.

Ques. 3. Have you read or heard read said Permit No. 17587, and are you familiar with its provisions and conditions?

Ans. Yes.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Well-subterranean; Drilled Well, 170'; Pump and Electric Motor. That the point of diversion of said water is said drilled well, which is located 800' N. and 50' W. distant from the Southeast corner of Section Twenty-five (25), Township Three (3) North, Range Two (2) West of the Boise Meridian, in Canyon County, Idaho, and is in the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of said Section 25.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 0.8 cubic feet per second.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvement which have been made as a direct result of said use.

Ans. Water is used for irrigation and domestic purposes and has been used to irrigate the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 25, Twp. 3 N., Range 2 West, Boise Meridian, in Canyon County, Idaho. The land upon which it is used is cultivated land and the water has been used to supplement irrigation water furnished by the Nampa & Meridian Irrigation District.

17587

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent

Ans. _____

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Character of land is ordinary farming land used for ordinary farming purposes and will require about three-fourths of an inch per acre of water for profitable farming.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Have seen the water applied to the land and used to supplement water furnished by the Nampa & Meridian Irrigation District, for the season of 1931.

(Signed)

J. R. Herlihy

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Nampa, County of Canyon, State of Idaho, on this ~~16th~~ 16th day of December, A. D. 1931.

John H. Hagerman
Notary Public.

My commission expires May 8th, 1935.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 17587

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. H. M. Boston, aged 35, Residing at Nampa, Idaho; occupation,
farmer.

Ques. 2. Are you acquainted with Mrs. T. G. Somermeier, the holder of Permit No. 17587? How long have you known ~~him~~^{her} and where does ~~he~~^{she} reside?

Ans. Yes. She resides at 1003 Sunset Bly'd, Beverly Hills, California.

Ques. 3. Have you read or heard read said Permit No. 17587, and are you familiar with its provisions and conditions?

Ans. Yes.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Well-subterranean; Drilled Well, 170'; Pump and Electric Motor.
That the point of diversion of said water is said drilled well, which
is located 800' N. and 50' W. distant from the Southeast corner of Sec-
tion Twenty-five (25), Township Three (3) North, Range Two (2) West of
the Boise Meridian, in Canyon County, Idaho, and is in the Southeast
Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of said Section 25.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. 0.8 cubic feet per second.

Ques. 6. State for what purpose water is used and at what place. (If for irrigation, give each sub-division in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvement which have been made as a direct result of said use.

Ans. Water is used for irrigation and domestic purposes and has been
used to irrigate the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Sec. 25, Twp. 3 N., Range 2
West, Boise Meridian, in Canyon County, Idaho; The land upon which
it is used is cultivated land and the water has been used to supple-
ment irrigation water furnished by the Nampa & Meridian Irrigation
District.

17587

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent

Ans. _____

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. Character of land is ordinary farming land used for ordinary farming purposes and will require about three-fourths of an inch per acre of water for profitable farming.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None.

Ques. 10. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Have seen the water applied to the land and used to supplement water furnished by the Nampa & Meridian Irrigation District, for the season of 1931.

(Signed) A. M. Boston

I hereby certify that the foregoing testimony was read to the above subbscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Nampa, County of Canyon, State of Idaho, on this ~~day of~~ 16th day of December, A. D. 1931.

A. H. Hagler
Notary Public.

My commission expires May 8th, 1935.

AFFIDAVIT OF PUBLICATION

State of Idaho, {
County of Canyon, { ss.

John C. Jenness, of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. I am the principal clerk of the Nampa Leader-Herald, a daily newspaper published in the City of Nampa in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa, and has been continuously and 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.

That the notice, of which the annexed is a printed copy, was published in said newspaper weekly for four weeks ~~days~~ in the regular and entire issue of each and every number of said paper during the period and time of publication, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published in each issue beginning with the issue of November 5, 1931, and ending with the issue of November 26, 1931.

John C. Jenness
Subscribed and sworn to before me this twenty-seventh day of November, 1931.

A. B. Ware
Notary Public for Idaho,
Residing at Nampa, Idaho.

Notary Public For Idaho
My Commission Expires Dec. 30, 1934.

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF
WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a. m. on the 16th day of December, 1931, at Nampa, County of Canyon, State of Idaho, before F. A. Hagelin, Notary Public, proof will be submitted of the application to beneficial use of 0.8 cubic feet per second of the subterranean water in accordance with the terms and conditions of Permit No. 17,587 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Mrs. T. G. Somermeier, 1003 Sunset Boulevard, Beverly Hills, California.

The use to which said water has been applied is Irrigation and Domestic Use. The amount applied to beneficial use is 0.8 cubic feet.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) Southeast Quarter (SE $\frac{1}{4}$) of Southeast Quarter (SE $\frac{1}{4}$), Section Twenty-five (25), Township Three (3) North, Range Two (2) West Boise Meridian, in Canyon County, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is None.

The right to take water from such works is based upon Permit No. 17,587.

The source of supply from which such water is diverted is Well, located 800 ft. N. and 50 ft. W. from the Southeast corner of the SE $\frac{1}{4}$, Section 25, Township 3 North, Range 2 West, Boise Meridian, Canyon County, Idaho, and is located in the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 25.

The date of the priority which said user is prepared to establish is December 16th, 1931.

R. W. FARIS,
Commissioner of Reclamation.
N 5-12-19-26

17587

State of Idaho

DEPARTMENT OF RECLAMATION

BOISE

INSTRUCTIONS

PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO,

December 1, 1931

Mr. F. A. Hagelin
Nampa, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 17587

DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On December 16, 1931, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at 10:00 A. M. in Nampa before F. A. Hagelin, Notary Public

2. When the depositions have been taken, they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly,

R. W. FARIS
Commissioner of Reclamation.

17587

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date November 3, 1931

Nampa Leader Herald
Nampa, Idaho

DEAR SIR:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to December 16, 1931, the date set for proof, the expense of the publication to be paid by the applicant, Mrs. T. C. Sommerer, 1003 Sunset Boulevard, Beverly Hills, California, by her Attorney, T. A. Hagelin, Nampa, Ida. to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice and furnish this office with a copy of the first publication.

Very truly yours,

R.W. FARIS
Commissioner of Reclamation

17587

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) November 2nd, 1931.

(P. O.) 1003 Sunset Boulevard, Beverly Hills, Calif.

TO THE COMMISSIONER OF RECLAMATION:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the Nampa Leader Herald. of Nampa, Idaho, published in the county in which the works are situated.

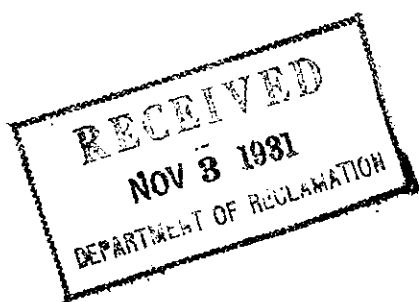
Mrs. T. G. Somermeier
Mrs. T. G. Somermeier

By F. H. Hagel
her attorney

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well-known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.



17587

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 a. m. on the 16th day of December, 1931, at Nampa, County of Canyon, State of Idaho, before F. A. Hagelin, Notary Public, proof will be submitted of the application to beneficial use of 0.8 cubic feet per second of the ~~surface~~ subterranean water in accordance with the terms and conditions of Permit No. 17,587 heretofore issued by the Commissioner of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are Mrs. T. G. Somermeier, 1003 Sunset Boulevard, Beverly Hills, California.

The use to which said water has been applied is Irrigation and Domestic Use.

The amount applied to beneficial use is 0.8 cubic feet.

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated) Southeast Quarter (SE $\frac{1}{4}$) of Southeast Quarter (SE $\frac{1}{4}$), Section Twenty-five (25), Township Three (3) North, Range Two (2) West Boise Meridian, in Canyon County, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is None.

The right to take water from such works is based upon Permit No. 17,587.

The source of supply from which such water is diverted is Well, located 800 ft. N. and 50 ft. W. from the Southeast corner of the SE $\frac{1}{4}$, Section 25, Township 3 North, Range 2 West. Boise Meridian, Canyon County, Idaho, and is located in the SE $\frac{1}{4}$ of SE $\frac{1}{4}$ of said Section 25.

The date of the priority which said user is prepared to establish is December 16th, 1931.

Commissioner of Reclamation.

17587

November 3rd
1931

Re: Permit No. 17587

Mr. F. A. Hagelin
Attorney at Law
Nampa, Idaho

Dear Mr. Hagelin:

We are in receipt of notices for proof of beneficial use of water under the above numbered permit. One copy of the notice has been mailed to the Nampa Leader Herald. Deposition blanks will be mailed to you about December 1st. We are enclosing blank affidavit and proof of completion of works with a letter of instruction.

Very truly yours,

R. W. FARIS
Commissioner of Reclamation

By _____

PH/LP
Encls.

17587

F. A. HAGELIN
ATTORNEY AT LAW
DEWEY-SCALES BUILDING
NAMPA, IDAHO

November 2, 1931.

file 17587

Mr. R. W. Faris,
Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:

I inclose herewith Notice of Proof of application of water to beneficial use in connection with the application of Mrs. T. G. Somermeier, Permit No. 17,587.

If this is signed at once, and the publication commenced without delay, there is sufficient time before the 16th of December to complete the proof.

Publication is to be made in the Nampa Leader Herald.

I inclose herewith check for \$1.00 in payment of your copy of the application.

Very truly yours,

FAH/RW

17587

F. A. Hagelin

October 31, 1931

Re: PERMIT #17587

Mr. F. A. HAGELIN,
Attorney,
Nampa, Idaho

Dear Sir:

We are enclosing herewith copy of Permit #17587,
issued to Mrs. SOMERMEIER. The charge for making this copy
is \$1.00.

If you find that you are unable to make proof
by December 16, 1931, you will have to make application for
extension of time, which is subject to the approval of the
Commissioner of Reclamation.

Very truly yours,

R. W. FARIS,
Commissioner of Reclamation

By _____

PH/MT
Enc.

17587

RECEIVED

NOV 8 1921

DEPARTMENT OF RECLAMATION

F. A. HAGELIN
ATTORNEY AT LAW
DEWEY-SCALES BUILDING
NANPA, IDAHO

Permit 17587

October 29, 1931.

Mr. R. W. Faris,
Commissioner of Reclamation,
Boise, Idaho.

Dear Sir:

I am in receipt of yours of the 28th inclosing certain blanks in connection with Permit No. 17,587 issued to Mr. Somermeier; I do not have a copy of his filing, so am not able to fill out the blanks; I wish you would send me a copy of the Permit in order that I may complete the blanks.

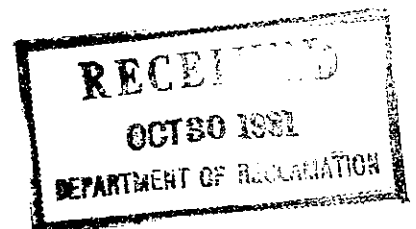
I notice that this proof is to be completed by December 16, 1931; since the 16th of December is only forty-eight days away, we will not be able to complete it by that time, consequently, a new date will have to be fixed.

If there is any charge for a copy of the Permit, kindly let me know and I will send check for the same.

Very truly yours,

F. A. Hagelin

FAH/RW



17587

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE**

F. A. Hagelin,

October 28, 1931

Nampa, Idaho

Dear Sir:—

I enclose herewith blank notice of proof of application of water to beneficial use under your permit No. 17587, which should be filled out and returned to this office at least 60 days before the date upon which you wish to make proof. The date for proof, as set out in your permit, is Dec. 16, 1931, and, if proof is submitted subsequent to said date, your priority will be brought down a length of time equal to the time elapsing between the date proof should have been made and the date proof is actually made.

Yours truly,

R. W. FARIS

~~XXXXXXXXXXXX~~

Commissioner of Reclamation.

17587

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

F. A. Hagelin,

Nampa, Idaho

Boise, Idaho, October 28, 1931

Dear Sir:—

Under the terms of your permit No. 17587 you are required to complete your diversion works on or before Dec. 16, 1931. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

R. W. FARIS,

Commissioner of Reclamation.

17587

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 17587

October 21, 1931

Boise, Idaho,

Dear Sir:

I enclose herewith above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as
given under approval of the Commissioner of Reclamation on
the third page.

Mrs. T. G. Sommermeier
1003 Sunset Boulevard
Beverly Hills, Calif.

17587

R. W. FARIS
Commissioner of Reclamation.

SEC.

SEC. 23

SEC.

SEC.

Commissioner of Reclamation

SYMS.YORK CO., BOISE 109008