

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.

Map grid showing land and point of diversion. Handwritten labels include: T 7S, R 30E, 9, 10, P.O.D., and P.R. with an arrow pointing to a location. A red stamp in the top right corner reads "RECEIVED" and "SEP 10 1992".

Scale: 2 inches equal 1 mile.

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

Signed at Idaho Falls, this 28 day of July, 1992.

Gabriel
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by HWT Fee = \$20.00 # E 017650 Received by HWT Date 7-28-92

Publication prepared by _____ Date _____ Published in _____

Publication dates _____

MICROFILMED

SEP 10 1992

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SXTON, of the Department of Water Resources hereby

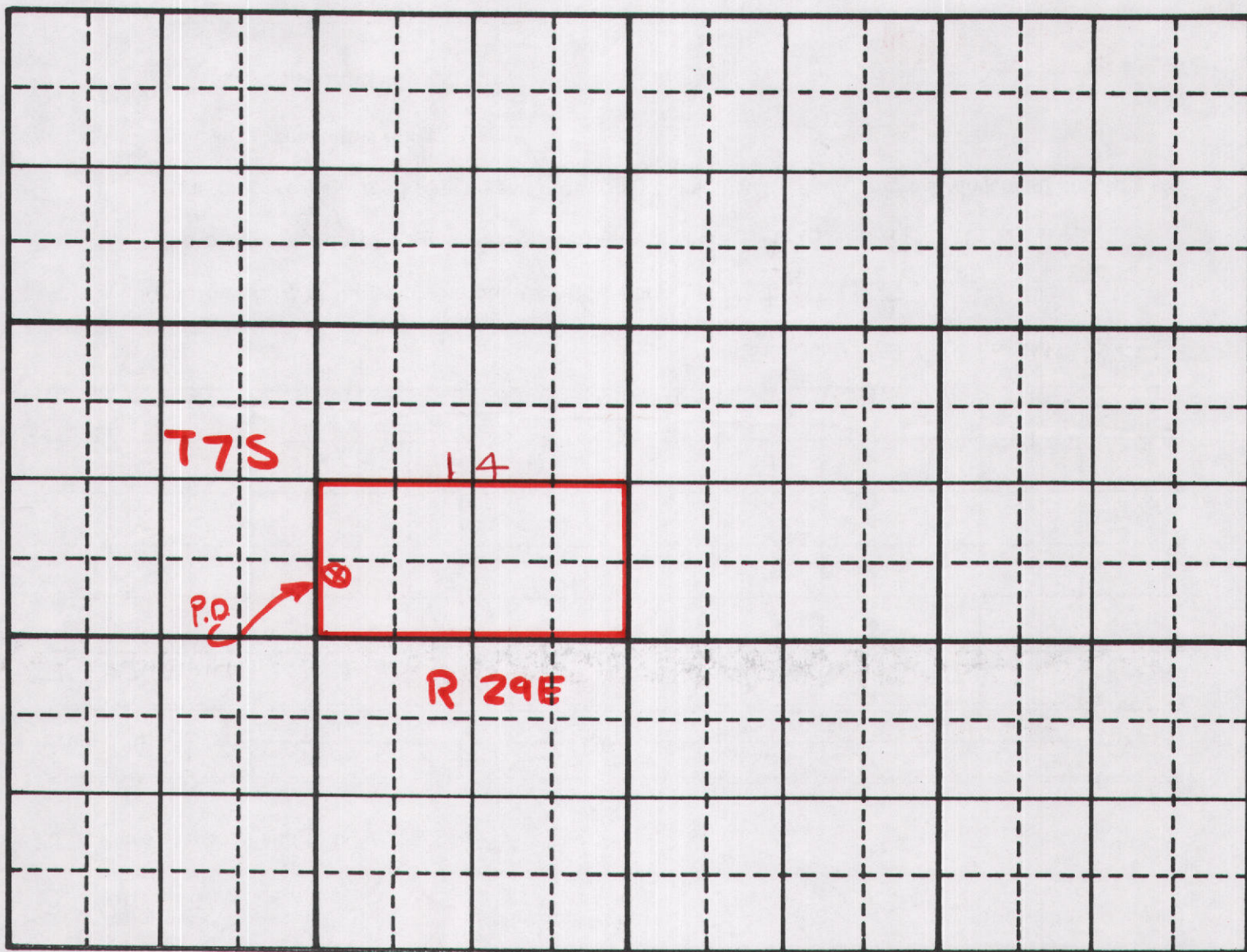
approve the above referenced application for amendment. See the attached sheet for
the conditions of approval.

Witness my hand this 25th day of AUGUST, 1992

L. Glen Saxton
Chief, Water Allocation Bureau

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

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

Signed at _____, this _____ day of _____, 19____.

Paul H. Breeding
(Signature)

FOR DEPARTMENT USE ONLY

E 016881

Preliminary check by _____ Fee = \$20.00

Received by HLT Date 1-28-92

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

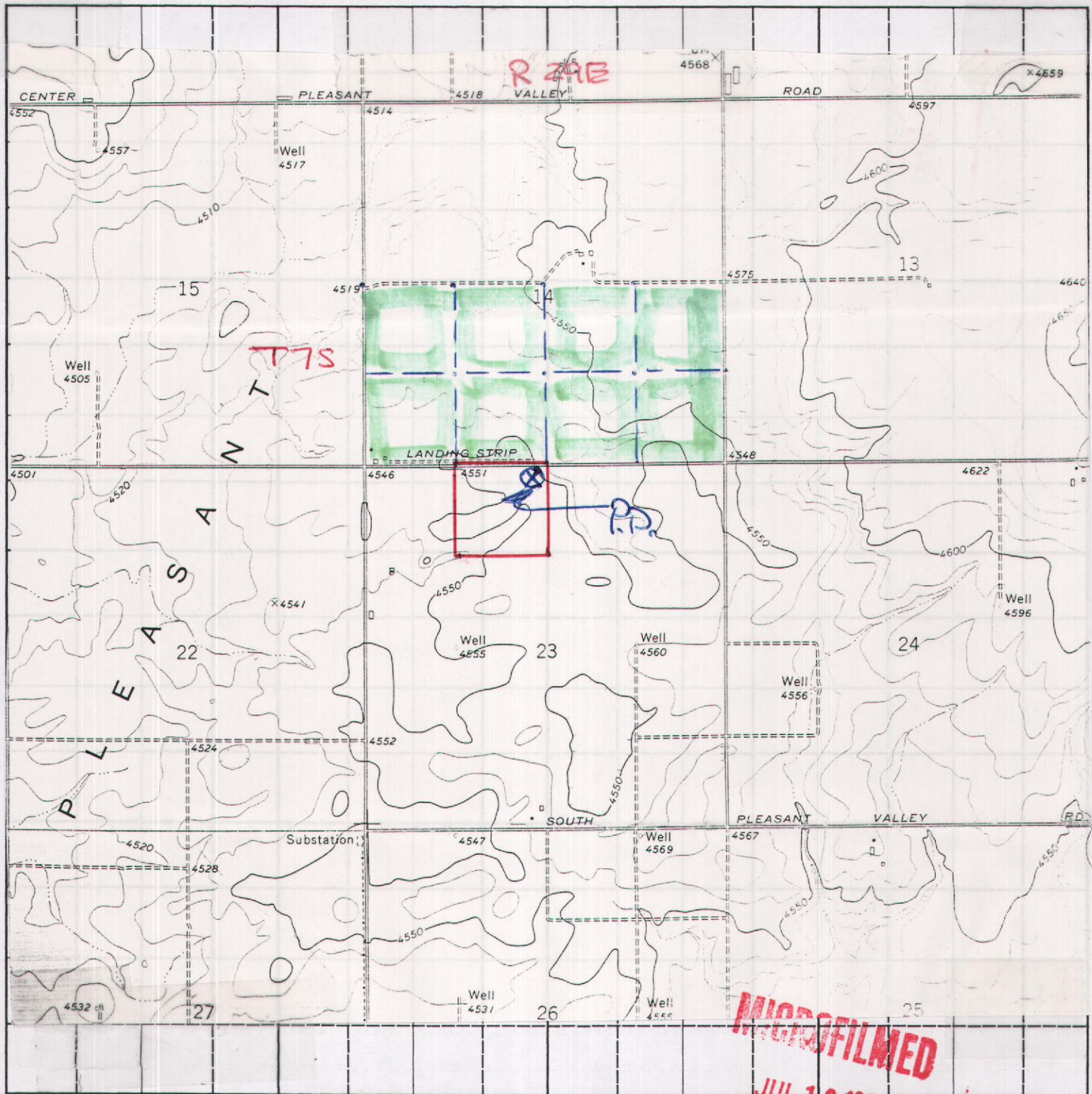
I, L. GLEN SAXTON, of the Department of Water Resources hereby approve the above referenced application for amendment provided the conditions as set forth in Permit No. 35-08938 are met.

Witness my hand this 13th day of February, 1992.

L. Glen Saxton
Chief, Water Allocation Bureau

MAR 05 1992

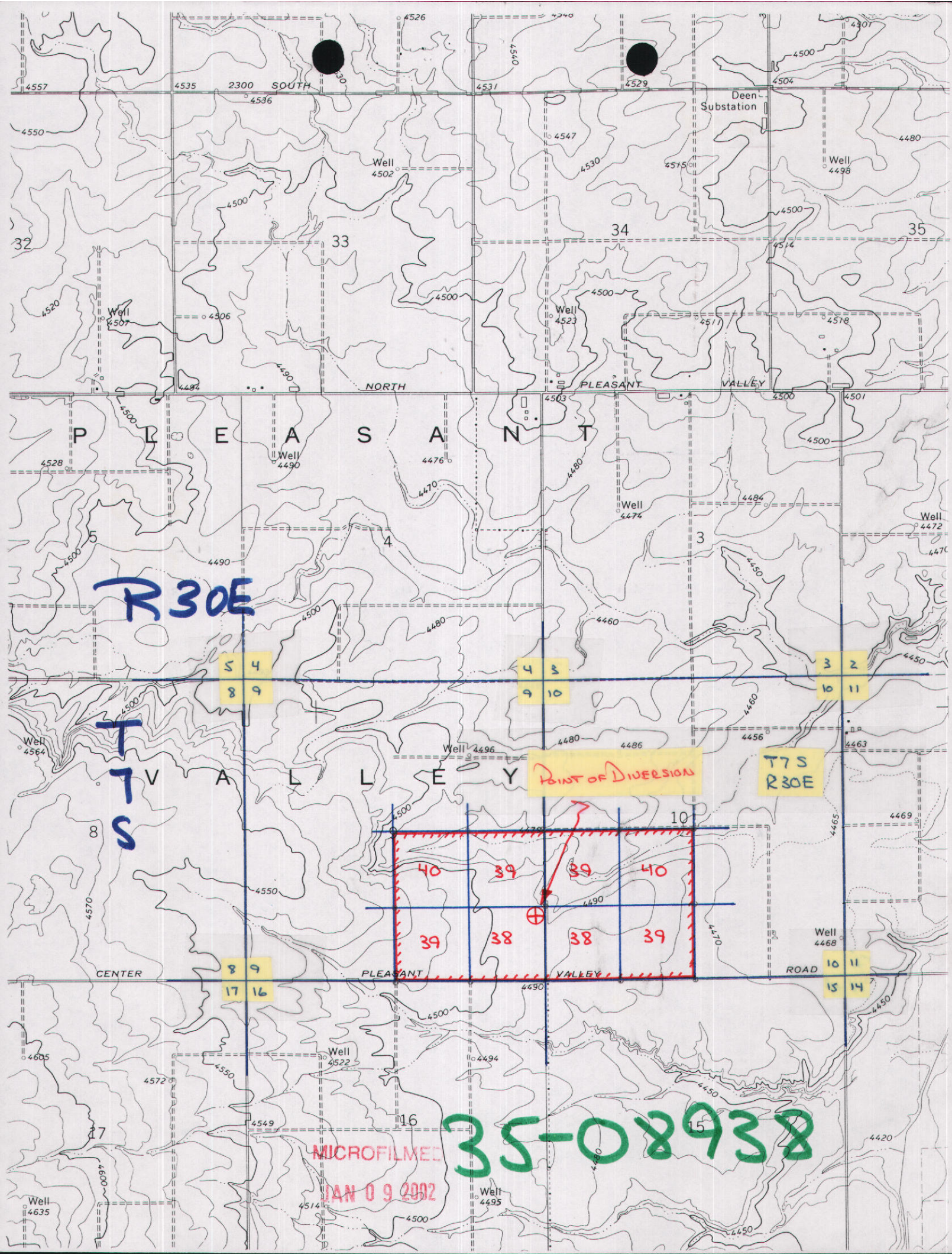
13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

Ralph H. Hedges
(Applicant)



R30E

T7S

POINT OF DIVERSION

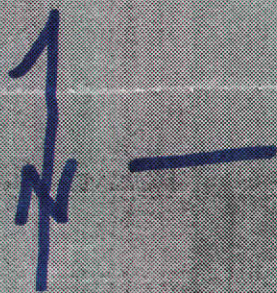
T7S
R30E

35-08938

MICROFILMED
JAN 09 2002

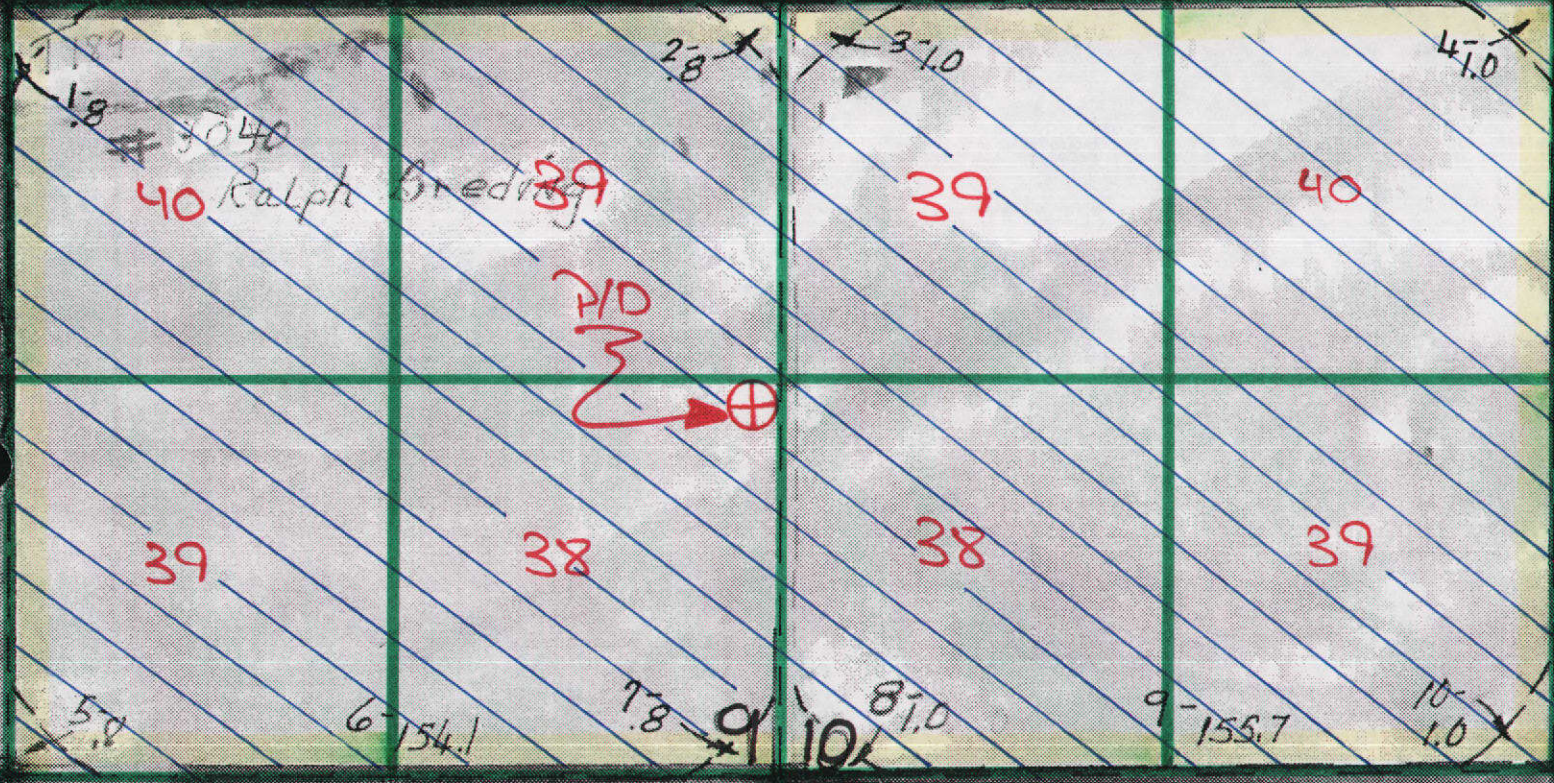
35-08938

B-30E



NHEL
5-
8.1

NHEL
5-
8.1



T-219

MICROFILMED
JAN 09 2002

35-08938

T75
R30E

#19
Joseph
Sec



Fig. 1 - Point of diversion.



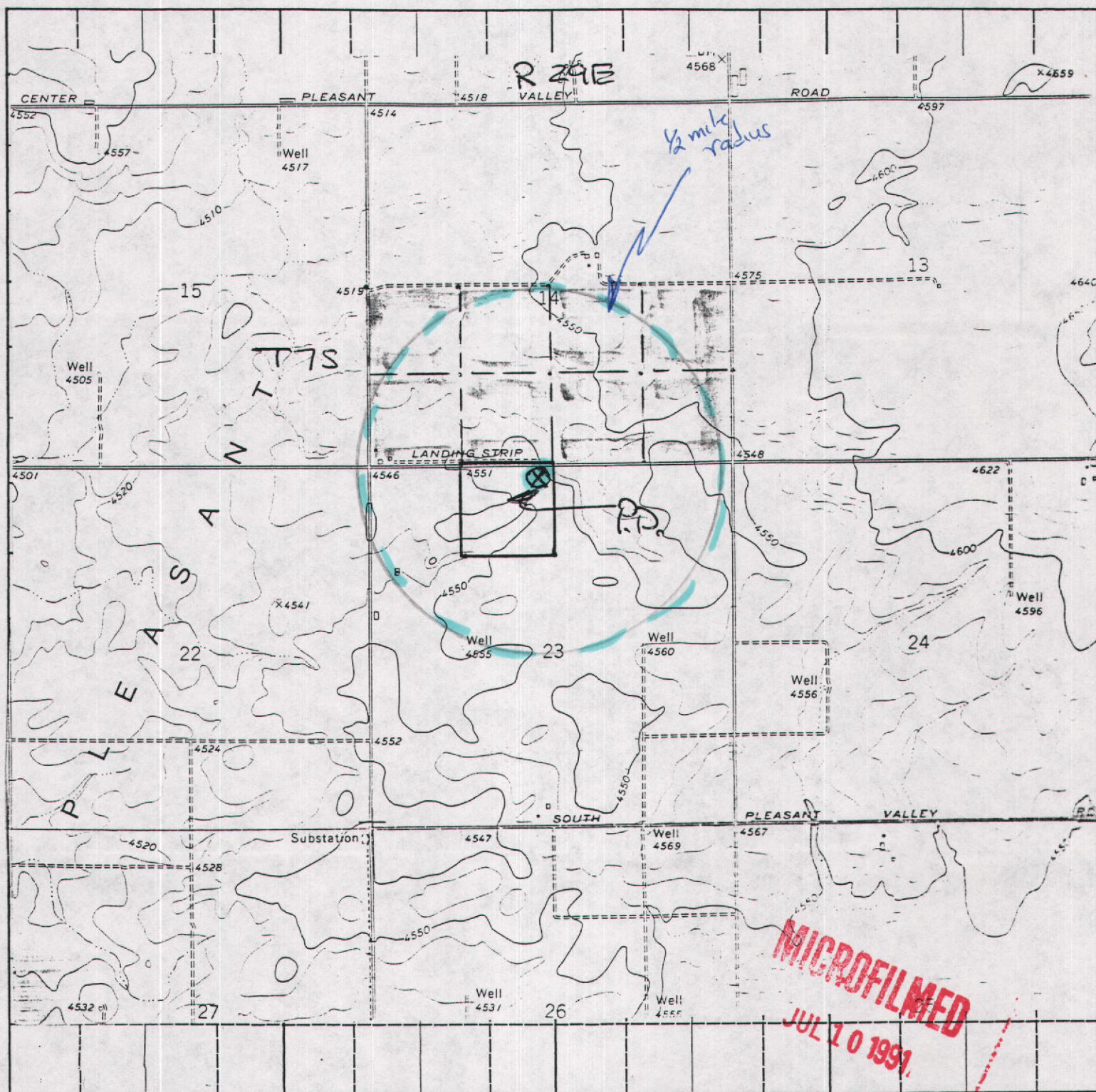
Fig. 2 - Complete diversion system.

MICROFILMED

JAN 09 2002

35-08938

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



Scale: 2 inches equal 1 mile.

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

Ralph Bradley
(Applicant)

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 35-08938

Priority: March 21, 1991

Maximum Diversion Rate: 4.95 CFS
Maximum Diversion Volume: 1,248.0 AF

It is hereby certified that NORTHWEST FARM CREDIT SERVICES ACA
10 W JUDICIAL
PO BOX 10
BLACKFOOT ID 832210010

And

RALPH BREIDING
2875 S VISITING RD

AMERICAN FALLS ID 83211 have complied with the terms and

conditions of the permit, issued pursuant to Application for Permit dated March 21, 1991; and have submitted Proof of Beneficial Use on May 07, 1993. An examination indicates that the works have a diversion capacity of 4.95 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

04/01 to 10/31

DIVERSION RATE

4.95 CFS

**ANNUAL
DIVERSION VOLUME**

1,248.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NE $\frac{1}{4}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 9, Twp 7S, Rge 30E, B.M. POWER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S 30E 9													39.0	40.0	39.0	38.0	156.0
07S 30E 10									40.0	39.0	38.0	39.0					156.0

Total Acres: 312

CONDITIONS OF APPROVAL

1. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

MICROFILMED

JAN 09 2002

State of Idaho
Department of Water Resources
Water Right License

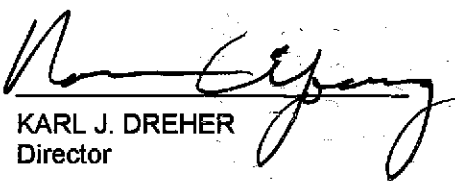
WATER RIGHT NO. 35-08938

CONDITIONS OF APPROVAL CONTINUED

2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 4TH day of JANUARY, 2002.

Acting for 
KARL J. DREHER
Director



MICROFILMED

JAN 09 2002

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	CFS
Original App.	35-08938	Ralph Breeding	6.40
Assignment	35-08938	Ralph Breeding and/or Northwest Farm Credit Services	6.40

MICROFILMED

JUL 07 1993

OFFICE USE ONLY
Amt. of Fee \$ 250.00
Date 5-7-93
Receipt No. CO27495
Receipt by JW

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY 07 1993

PROOF OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 35-00938 Telephone No. 226 2109
2. Name(s) of Permit Holder(s): RALPH BREIDING
3. Mailing Address: 2875 S. VISITING RD AMERICAN FALLS ID 83211
4. Source of Water: GROUND WATER

If GROUNDWATER, Well Driller's Name: KEN VOLLMER Date Drilled: 4-93

OPTIONAL:

Pump horsepower: 300 Pressure (psi): 70 Dynamic pumping level (ft.): 200

5. Extent of Use (as authorized by the permit):

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

Irrigation 320 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 6.4 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? _____ Yes ✓ No _____ Installed? _____ Yes ✓ No _____

OR

Flow Measurement Port: Required? ✓ Yes _____ No _____ Installed? ✓ Yes _____ No _____

8. Fee Enclosed: \$ 250.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

RALPH BREIDING 226 2109
Name Telephone No.

2875 S. VISITING RD AM. FALLS ID 83211
Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

5-5-93
Date

Ralph Breiding
Signature (and title, if on behalf of a company or organization)

MICROFILMED

JUL 07 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT

I, Ralph Breeding, hereby assign to Ralph Breeding and Northwest Farm Credit Services, ACA
of 2875 S Visiting Road, American Falls, ID 83211; and PO Box 10, Blackfoot, ID 83221
Address

Check One:

- ☒ 1. All my right, title, and interest in and to Permit No. 35-08938
to appropriate the public waters of the State of Idaho.
- ☐ 2. The following described portion of my right, title, and interest in
and to Permit No. _____ to appropriate the public waters
of the State of Idaho. (Describe that portion of the permit being
assigned by listing the acreage within each 40 acre subdivision, the
point of diversion and the amount of water in cubic feet per second
for direct diversion, or acre feet for storage)

Made this 15 day of April, 1992.

Ralph Breeding
Water Right Holder Ralph Breeding

Water Right Holder (Spouse, etc.)

State of Idaho)
County of Power) ss

On this 15 day of April, 1993, personally appeared
before me the signer(s) of the above instrument, who duly acknowledged to
me that he (she) (they) executed the same.

James Bell
Notary Public residing at

s e a l

Pocatello

My commission expires:

11/1998

MICROFILMED
JUL 07 1993

STATE OF IDAHO

APPROVED**APPLICATION FOR AMENDMENT OF A PERMIT****To change the point of diversion and/or the place of use.**

Comes now Ralph Breeding Phone 226-2109
of (address) 2875 S. Visiting Rd, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 35-08938, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE ¼ SE ¼, Section 9, Township 7S, Range 30E, B.M.,
County of Power. Other points of diversion: _____

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

Amount 6.40^{cfs} for Irrigation purposes from 4-1 to 10-31 (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
<u>7S</u>	<u>30E</u>	<u>9</u>													<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>160</u>
		<u>10</u>									<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>					<u>160</u>

Total number of acres to be irrigated = 320

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

MICROFILMED

SEP 10 1992

Show 40-acre subdivisions, townships, ranges and ditches.

Scale: 2 inches equal 1 mile.

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

Signed at Leve 1911, this 28 day of Sept, 1961.

(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by HW Fee = \$20.00 Received by HW Date 1-28-72

DECLASSIFICATION AUTHORITY

Publication dates

SEP 10 1992

ACTION OF THE DEPARTMENT OF WATER RESOURCES

L. GLEN SAXTON

_____, of the Department of Water Resources hereby

~~approve the above referenced application for amendment. See the attached sheet for~~

~~the conditions of approval.~~

Witness my hand this

day of

AUGUST

19 92

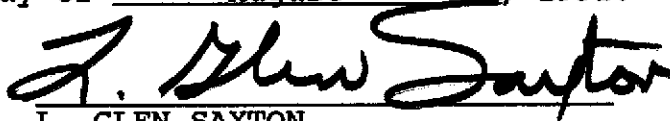
Chief, Water Allocation Bureau

CONDITIONS OF APPROVAL

Amendment of Permit No. 35-08938

1. The previous conditions as set forth in Permit No. 35-08938 must be met.
2. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3. A well drilled pursuant to this permit must be located at least 500 feet from any existing well. Well spacing closer than 500 feet must be approved by the Department of Water Resources.
4. Construction of the well must comply with Idaho well construction standards.
5. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Dated this 25th day of August, 1992.


L. GLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED
SEP 10 1992

RECEIVED

JAN 28 1992

STATE OF IDAHO

Department of Water Resources
Eastern District Office

Ident. No. _____

RECEIVED
FEB 3 1992

APPLICATION FOR AMENDMENT OF A PERMIT

Department of Water Resources

To change the point of diversion and/or the place of use.

APPROVED

Comes now Ralph Breding Phone 226-2109
of (address) 2875 S. Visiting Rd. American Falls, ID, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 35-08938, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SW ¼ SW ¼, Section 14, Township 7S, Range 29E, B.M.,
County of Power. Other points of diversion: _____

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

Amount 6.40 for Irrigation purposes from 4-01 to 10-31 (both dates inclusive)
(cfs or acre feet per annum)

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

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

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

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
<u>7S</u>	<u>29E</u>	<u>14</u>									<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>320</u>

Total number of acres to be irrigated = 320

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

MICROFILMED

MAR 05 1992

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 35-08938

Proposed Priority: March 21, 1991 Maximum Diversion Rate: 6.40 CFS

This is to certify, that **RALPH BREDDING**
2875 S. VISITING RD.
AMERICAN FALLS, ID 83211

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

IRRIGATION	04/01 to 11/01	6.40 CFS
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LOCATION OF POINT(S) OF DIVERSION: NENW Sec. 23, Township 07S, Range 29E
POWER County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S	29E	14	NESW 40	NWSW 40	SWSW 40	
			SESW 40	NESE 40	NWSE 40	
			SWSE 40	SESE 40		320

Total number of acres irrigated: 320

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before July 1, 1993.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
7. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

MICROFILMED

JUL 10 1991

State of Idaho
Department of Water Resources**Permit To Appropriate Water**

NO. 35-08938

CONDITIONS/REMARKS:

8. The issuance of this permit in no way grants any right-of-way or easement across the land of another.
9. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

25th day of June, 1991.

R. Keith Higginson
for
R. Keith Higginson, Director

MICROFILMED
JUL 10 1991

*165 Fee

35 8938

Form 202
6/85

Ident. No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Ralph Breeding Phone 226-2109

Post office address 2875 S. Visiting Rd., American Falls, ID 83211

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

3. Location of point of diversion is _____ 1/4 of NE 1/4 of NW 1/4, Govt. Lot _____

Sec. 23 Township 7S Range 29E B.M. Power County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 6.40 cfs for Irrig. purposes from 4-1 to 11-1 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated is (a) 6.40 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Well & pump to sprinklers

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

c. Proposed well diameter is 20 inches; proposed depth of well is 400 feet.

d. Is ground water with a temperature of greater than 90°F being sought? N

7. Time required for the completion of the works and application of the water to the proposed beneficial use is
2 years (minimum 1 year).

MICROFILMED
JUL 10 1991

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7S	29E	14									40	40	40	40	40	40	40	40	320

Total number of acres to be irrigated 320

10. Describe any other water rights used for the same purposes as described above. None

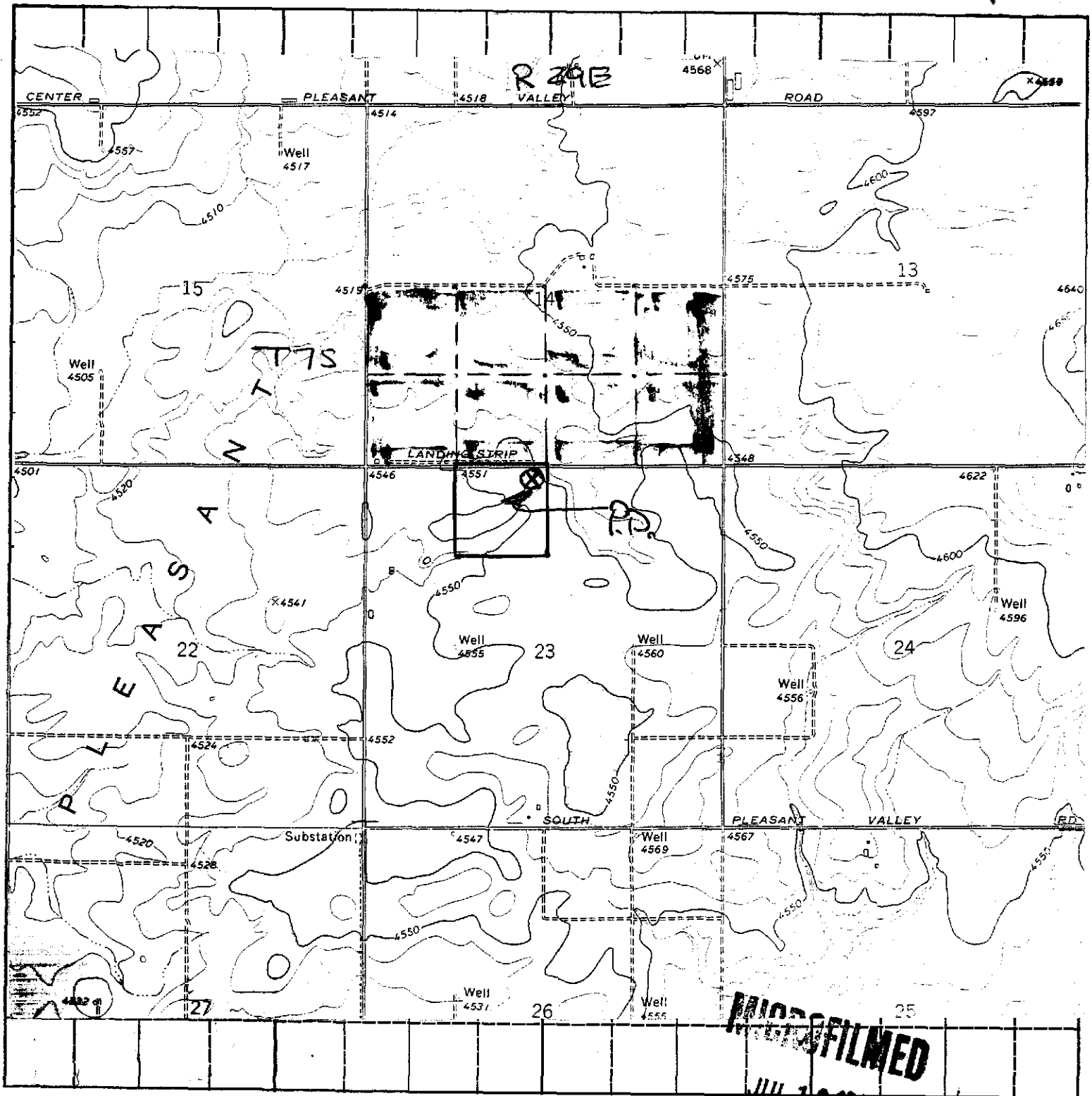
- Who owns the property at the point of diversion? Gilbert Breeding
- Who owns the land to be irrigated or place of use? Gilbert Breeding
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. Gilbert Breeding is father of applicant. Gilbert & Ralph farm together in an informal partnership.

12. Remarks: _____

MICROFILMED

JUL 10 1991

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



Scale: 2 inches equal 1 mile.

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

Ralph Breding

Received by CW Date 3-21-91 Time 1:15P Preliminary check by _____
Fee \$ 145⁰⁰ Received by HWT # E015845 Date 3-22-91
Publication prepared by RB Date 4-18-91 Published in Lower Cnty Press
Publication approved RB Date 5-6-91

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

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

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

MICROFILMED
JUL 10 1991

Affidavit of Publication

State of Idaho

County of Power

Erma Crompton being first duly sworn on oath, states:

That she is the publisher of The Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 17th day of APRIL 1991 and the date of last publication being the 24th day of APRIL 1991.

(Signed)

Erma Crompton

State of Idaho

County of Power

On this 24th day of APRIL in the year of 1991, before me, a Notary Public, personally appeared Erma Crompton, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Brett Crompton

Notary Public for Idaho
Residing at American Falls, Idaho
My commission expires June 8 1993

Application for water right

Published in The Power County Press
April 17, 24, 1991.

35-08938

BREDING, RALPH
2875 S. VISITING RD
AMERICAN FALLS, ID 83211

Source: GROUNDWATER
Diversion Pt. NENW Sec 23 T 07S R 29E

Use: IRRIGATION (6.400 CFS)
Total Diversion: (6.400 CFS)

Date Filed: 3/21/1991

In: T07S R29E S14 NESW NWSW
SWSW SESW
NESE NWSE SWSE SESE

320.0 ACRES TOTAL

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before MAY 6, 1991.

R. Keith Higginson, Director

RECEIVED
JUL 10 1991

RECEIVED

APR 26 1991

Department of Water Resources
Eastern District Office



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 7, 2002

NORTHWEST FARM CREDIT SERVICES ACA
10 W JUDICIAL
PO BOX 10
BLACKFOOT ID 83221-0010

RALPH BREIDING
2875 S VISITING RD
AMERICAN FALLS ID 83211

RE: License No. 35-8938 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

IAN 09 2002

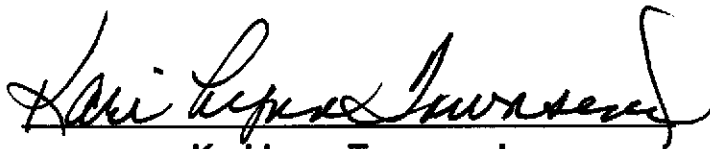
CERTIFICATE OF MAILING

I hereby certify that on January 7, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 35-8938

**NORTHWEST FARM CREDIT SERVICES ACA
10 W JUDICIAL
PO BOX 10
BLACKFOOT ID 83221-0010**

**RALPH BREDDING
2875 S VISITING RD
AMERICAN FALLS ID 83211**

A handwritten signature in black ink, appearing to read "Kari Lynn Townsend", is written over a horizontal line.

**Kari Lynn Townsend
Secretary**

MICROFILMED

JAN 09 2002

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Comment Report

35-8938

1. S. Keen 01/03/2002 Licensing Review

Comment: Licensing review and data entry by S. Keen on 1/3/2002. No point of diversion or place of use overlaps.

2. MILLER 08/21/1992 AMENDMENT

Comment: This amendment (8-5-92) moves the point of diversion back to being within the non-trust area. AMENDMENT This amendment (8-5-92) moves the point of diversion back to being within the non-trust area.

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JAN 09 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

DEC 08 1994 SEP 24 1999

Department of Water Resources

REEXAM

A. GENERAL INFORMATION

Permit No. 35-08938

1. Owner: RALPH BREEDING

Phone No. 226-2109

Current Address: 2875 S. VISITING RD., AMERICAN FALLS, ID 83211

2. Accompanied by: -

EXAM DATE: 7-1-94

9-17-1999 ReExam

Address: _____

Phone No. _____

Relationship to Permit Holder: _____

3. Source: GROUNDWATER

tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 35-08967 (APPLICATION ON HOLD)

2. Other water rights with the same point of diversion: -35-8967 (" " ")

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		NE	SE	SE	9	7S	30E	POWER	USGS, NAPP, ONSITE

2. Place(s) of Use:

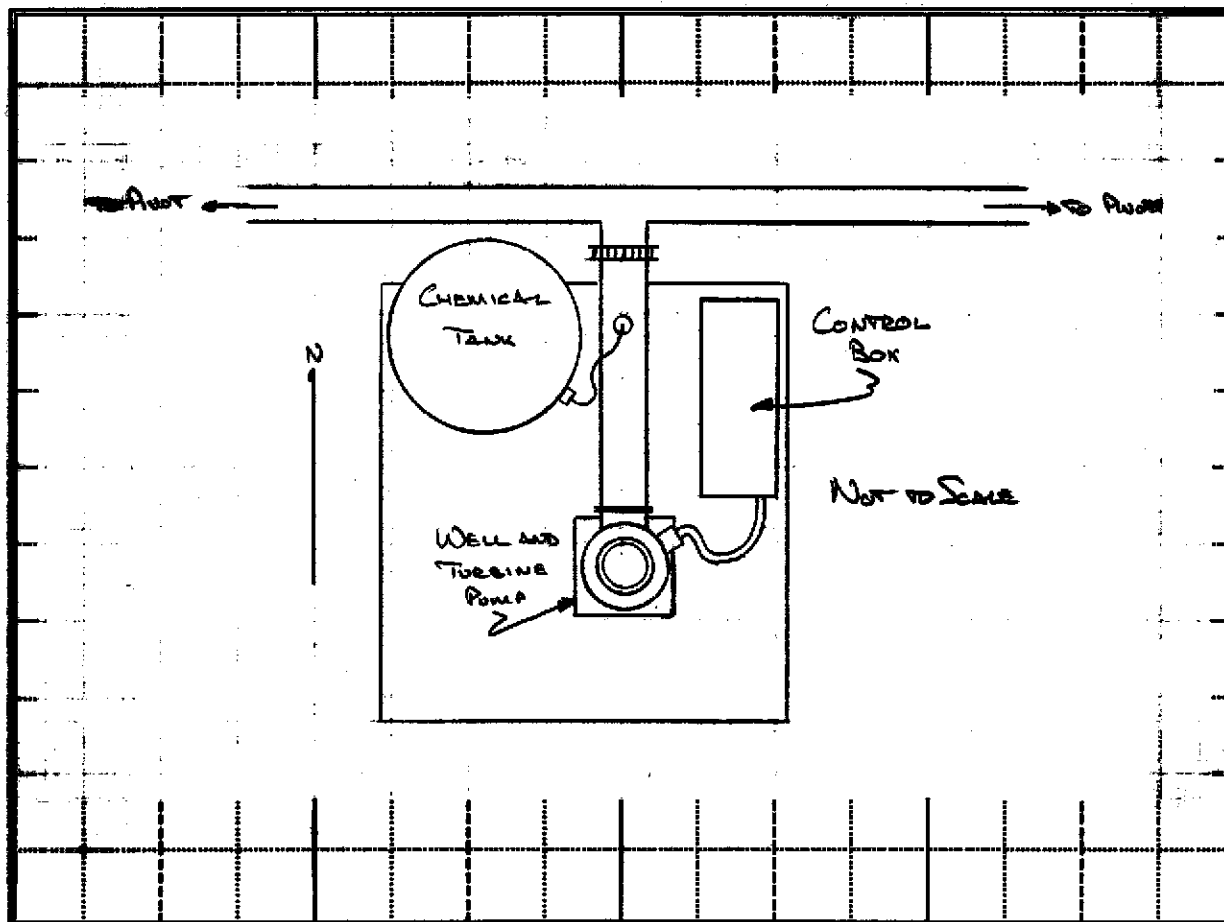
Indicate Method of Determination SAME

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7S	30E	9													39	40	39	38	156
		10									40	39	38	39					156
																			312

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JAN 09 2002

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate well size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

____ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GEN. ELEC.	350	SK449DPL0038	UNKNOWN	12.8"

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements: From attached well. As system not in use at time of exam, estimate 60 PSI operating pressure

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1988

1988

E. NARRATIVE/REMARKS/COMMENTS

WELL, DUMP AND PIPELINES TO TWO CENTER PIVOTS WITH ENDGUNS FOR IRRIGATION OF TWO $\frac{1}{4}$ SECTIONS. CHEMIGATION SYSTEM INJECTS CHEMICALS AT POINT OF DIVERSION. DIRTY SUN AVOIDING TO PROTECT EQUIPMENT.

1998 - could not catch both pivots running at maximum capacity

09-17-1999

While measuring East Pivot West Pivot with corner catcher with end gun were on. Flow is Regulated at each pivot using a pressure sensitive control valve. Both pivots were designed to be the same and deliver the same amount of water.

By the time the West Pivot was measured the corner catcher had shut down completely (end gun off) and the corner corner catcher on East Well had begun to shut down

Recommend flow rate = $2(1110 \text{ gpm}) = 2220 \text{ gpm} = 4.95 \text{ cfs}$

Have conditions of permit approval been met? ☒ yes ☐ no

JAN 09 2002

✓ Additional Computation Sheets Attached

$$Q_{\text{THEOR}} = \frac{350 \text{ HP} (8.814) \cdot 7 \text{ EFF}}{(60 \text{ PSI} \times 2.308) + 14.5' \text{ LIQ}} = 7.62 \text{ cfs}$$

Q. IS LIMITED TO 0.02 cfs/sec

$$Q_{TOTAL} = 2220 \text{ gpm} = 4.95 \text{ cfs}$$

$$312 \text{ ac} \times 0.02 \text{ ccs} = \underline{\underline{6.24 \text{ ccs}}}$$

1. Volume Calculations for Irrigation:

$$V_{I.R} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 312 \times 4.0 \text{ AFA} = 1248.0 \text{ AFA}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 6.24 \times 214 \text{ days} \times 1.9835 = 2648.7 \text{ AFD}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 1248.0 \text{ V}$$

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4-1	10-31	-6.24	1248
			4.95 cfs	1248 afz
Totals:			-6.24	1248
			4.95 cfs	

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☒ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name [Signature] Date 12-2-94

Reviewer Kathy C Wilson Date 12/5/94

SEAL

MICROFILMED

09 2002

142

LOG NAME: **35-08938** Breeding East Pivot

START: 09-17-1999 11:50

END: 09-17-1999 11:55

INTERVAL:00:01:00

09-17-1999 11:50:00

+7.339E+0 ft/s

+1.085E+3 gal/m

+2.418E+0 ft³/s

+TOTAL 0005516 gal

-TOTAL 0000000 gal

NORMAL

09-17-1999 11:51:00

+7.349E+0 ft/s

+1.086E+3 gal/m

+2.421E+0 ft³/s

+TOTAL 0005516 gal

-TOTAL 0000000 gal

NORMAL

09-17-1999 11:52:00

+7.334E+0 ft/s

+1.084E+3 gal/m

+2.417E+0 ft³/s

+TOTAL 0005516 gal

-TOTAL 0000000 gal

NORMAL

09-17-1999 11:53:00

+7.354E+0 ft/s

+1.087E+3 gal/m

+2.423E+0 ft³/s

+TOTAL 0005516 gal

-TOTAL 0000000 gal

NORMAL

09-17-1999 11:54:00

+7.334E+0 ft/s

+1.084E+3 gal/m

+2.417E+0 ft³/s

+TOTAL 0005516 gal

-TOTAL 0000000 gal

NORMAL

09-17-1999 11:55:00

+7.364E+0 ft/s

+1.089E+3 gal/m

+2.426E+0 ft³/s

+TOTAL 0005516 gal

-TOTAL 0000000 gal

NORMAL

NOTE: Both pivots & both end guns were on during measurement of East pivot.

Highest Observed flow rate (East Pivot):

$Q = 1110 \text{ gpm} = 2.47 \text{ cfs}$

Average flow Rate:

$Q_{\text{Average}} = 5516 \div 5 = 1103.2 \text{ gpm} =$

$Q_{\text{Avg}} = 2.45 \text{ cfs}$

(Vol = 5516 gal recorded with Data Logger OFF)

Average flow rate from Data Logger:

$Q = 6515 \text{ gpm} \div 6 = 1085.8 \text{ gpm} =$

$Q = 2.42 \text{ cfs}$

(Corner catcher was beginning to shut down)

35-08938

EAST PIVOT

MICROFILMED

JAN 09 2002

LOG NAME: **35-08938** Breeding West Pivot

START: 09-17-1999 12:20

END: 09-17-1999 12:25

INTERVAL: 00:01:00

09-17-1999 12:20:00

+5.080E+0 ft/s

+7.545E+2 gal/m

+1.681E+0 ft³/s

+TOTAL 0000000 gal

-TOTAL 0000000 gal

NORMAL

09-17-1999 12:21:00

+5.089E+0 ft/s

+7.558E+2 gal/m

+1.683E+0 ft³/s

+TOTAL 0000740 gal

-TOTAL 0000000 gal

NORMAL

09-17-1999 12:22:00

+5.038E+0 ft/s

+7.483E+2 gal/m

+1.667E+0 ft³/s

+TOTAL 0001491 gal

-TOTAL 0000000 gal

NORMAL

09-17-1999 12:23:00

+5.089E+0 ft/s

+7.558E+2 gal/m

+1.683E+0 ft³/s

+TOTAL 0002244 gal

-TOTAL 0000000 gal

NORMAL

09-17-1999 12:24:00

+5.069E+0 ft/s

+7.528E+2 gal/m

+1.677E+0 ft³/s

+TOTAL 0002996 gal

-TOTAL 0000000 gal

NORMAL

09-17-1999 12:25:00

+5.047E+0 ft/s

+7.496E+2 gal/m

+1.670E+0 ft³/s

+TOTAL 0003748 gal

-TOTAL 0000000 gal

NORMAL

NOTE:

By the time West Pivot measured the corner catcher on West Pivot had completely turned off. East Pivot was still running with end gun on. The east pivot corner catcher has begun to shut down.

Average flow rate:

$$Q = 3748 \text{ gal} \div 5 = 749.6 \text{ gpm} = 1.67 \text{ cfs}$$

Highest observed flow:

$$Q = 810 \text{ gpm} = 1.80 \text{ cfs}$$

NOTE:

1. Both pivots with end guns were running when the East Pivot was measured.
2. Both pivots are identical.

Therefore recommend that flow rate for West pivot be adjusted to the same flow rate as the East pivot.

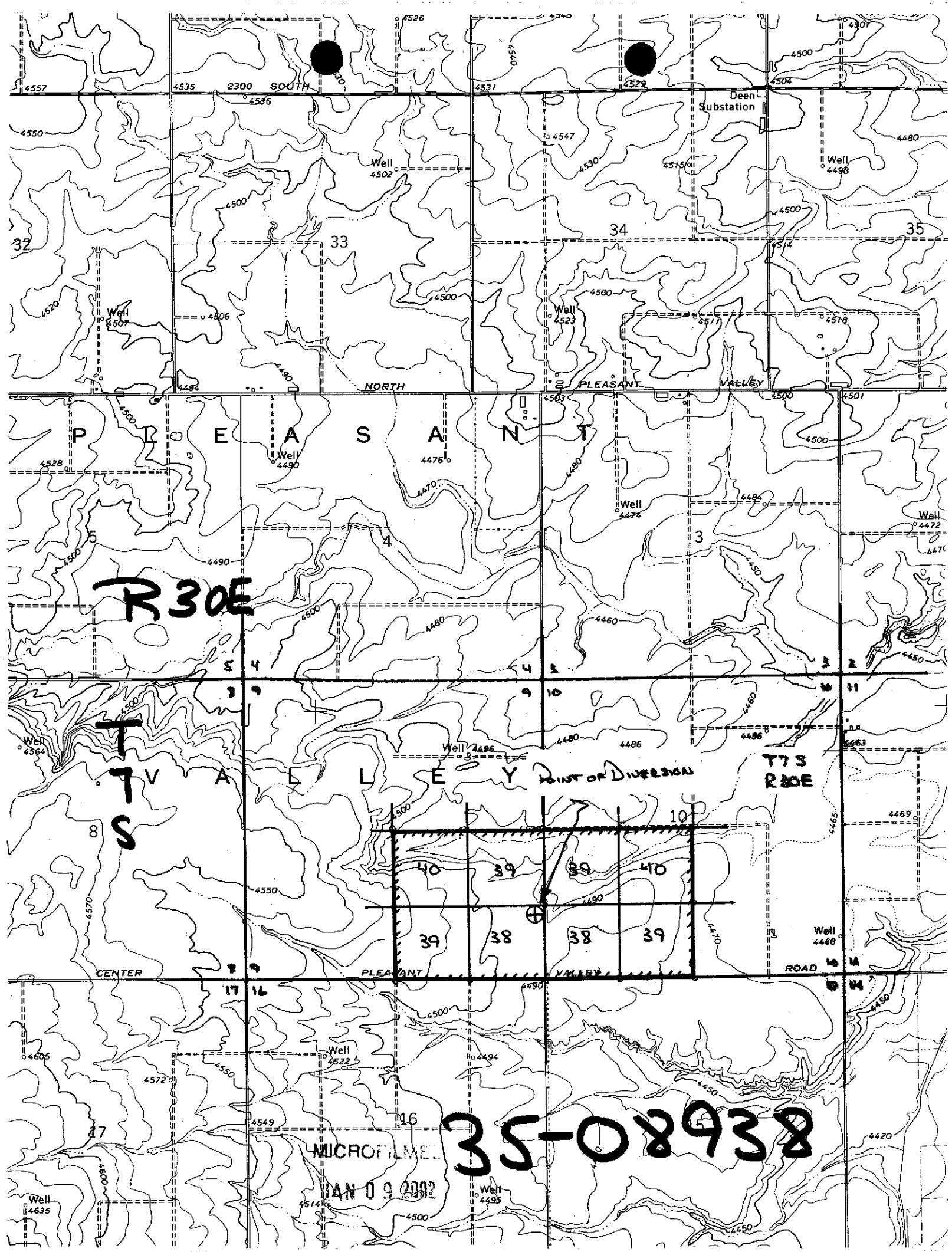
$$Q_{\text{West Pivot}} = 1110 \text{ gpm} = 2.47 \text{ cfs}$$

35-08938

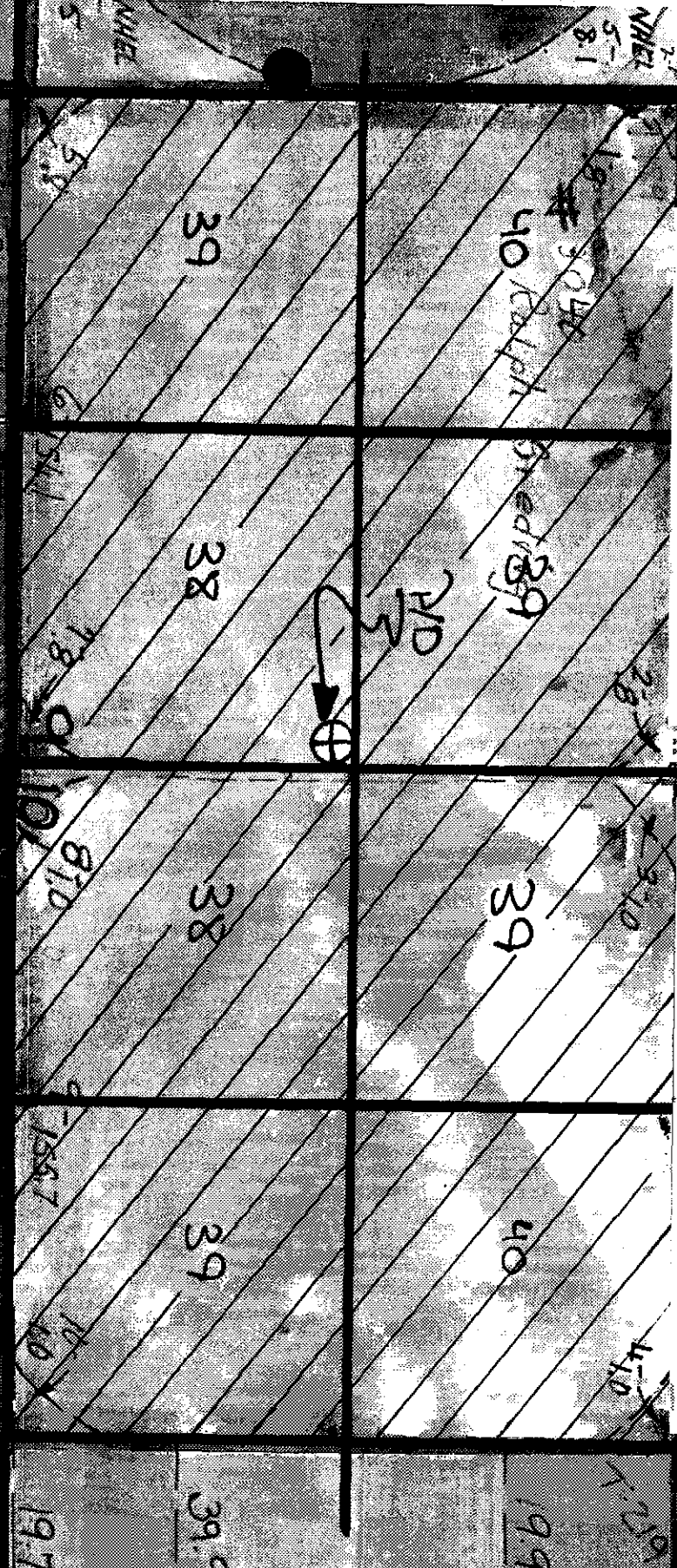
WEST PIVOT

MICROFILMED

JAN 09 2002



35-08938



T75
R30E

Joseph
Sec 1

35-08938

MICROFILMED
JAN 3 9 2002

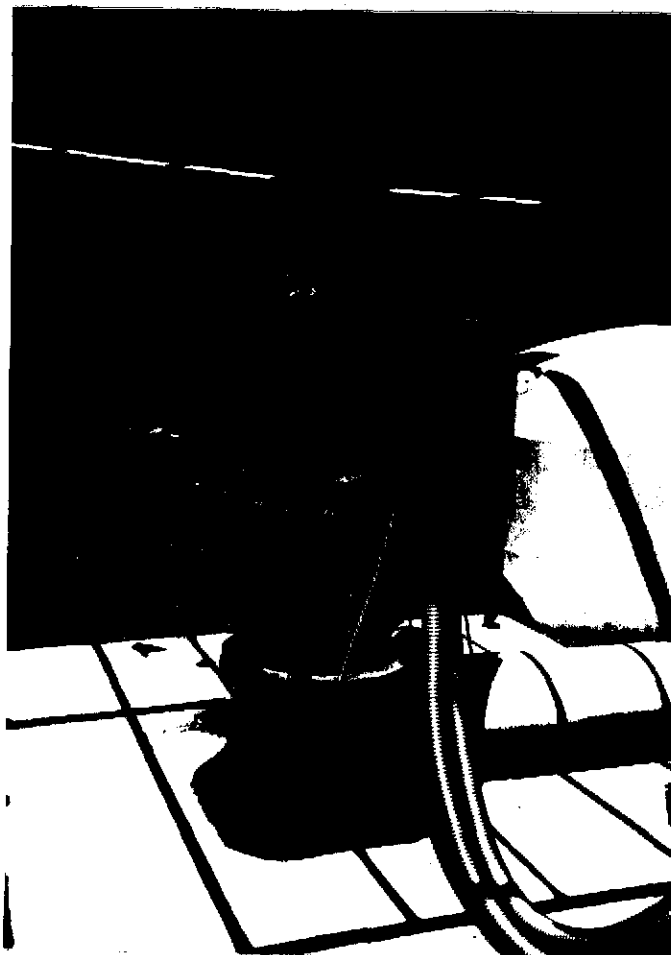


Fig. 1 - Point of diversion.

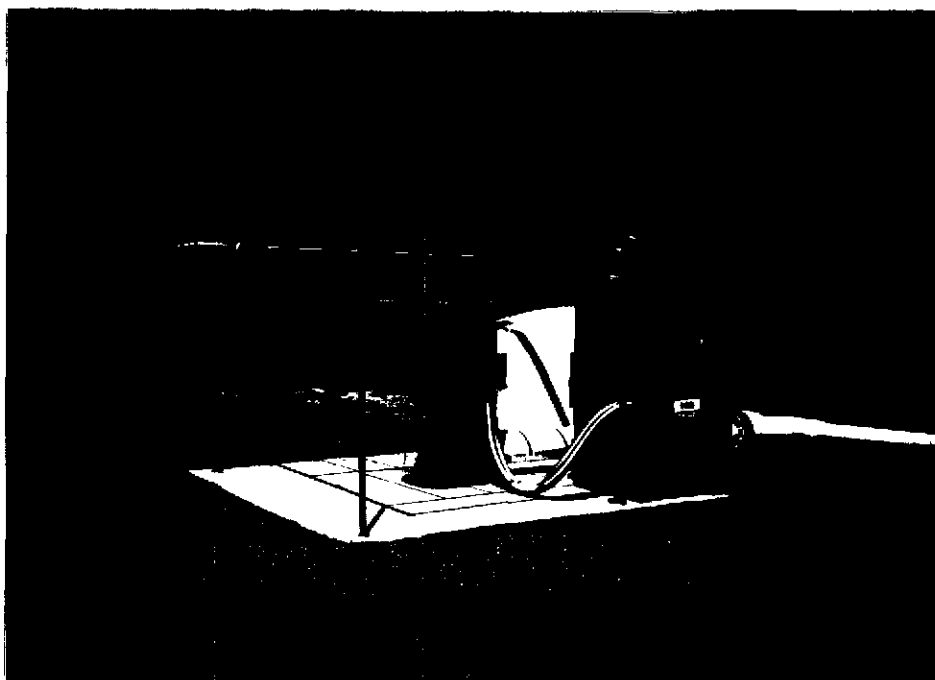


Fig. 2 - Complete diversion system.

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JAN 09 2002

35-08938

and
(Operator) *Kenn H. Hall*

July 2, 1993

RALPH BREIDING
NORTHWEST FARM CREDIT SERVICES, ACA
2875 S VISITING RD
AMERICAN FALLS ID 83211

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08938

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

JUL 07 1993

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 35-08938

Reviewed by PLg

Date 5/10/93

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

irrigated - 320
Correct Uses? yes

SOURCE OF WATER

Surface water source
1 Ground water source

yes Drilling permit required?

datac Copy in the file? Drilling Permit No. 35-92-E-0008-000

200 Amount paid for permit yes Correct?

datac Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
250 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
yes Installed?
NA Waiver requested?

PRIORITY CALCULATION

Date proof received NA
Date proof due / -
No. of days late / =
Priority Date / +
New Priority Date ✓

DEFICIENCIES OR ACTION ITEMS

drilling info?

proof acceptable

DATA ENTRY

New Address _____

Proof Made 5/7/93
6/30/93
7/2/93 PLg

PERMIT NUMBER	OWNER CODE	NAME & ADDRESS	TWP	RGE	SEC	TRACT	LOT	COUNTY
35-92-E-0008-000	O	RALPH BREDDING	07S	30E	09	SE SE		POWER
	O	DON BREDDING						
		2875 S VISITING RD						
		AMERICAN FALLS, ID 83211						
		(208) 326-2109						

Subdivision Location and Description:

Subdivision Name:

Well Site Address:

City, State:

Lot(s):

Block(s):

Geographic Location:

Accuracy Code:

Lat: : : N

Long: : : W

Proposed Use of Well: Irrigation

Proposed Casing Diameter: 18 In.

Proposed Depth: 350 Ft.

Well Use Comments:

Driller License No: 0383

Firm Name: VOLLMER WELL DRILLING

Official: KENNETH L VOLLMER

Permit Status: Permit

Verbal Issue Date:

Date Received: 02/18/1992

Date Approved: 02/18/1992

Proposed Start Date: 11/30/1992

Extension Date:

Extension Expiration:

Receipt No.

ED16935

Receipt Date

02/18/1992

Fee

\$ 400.00

Specific Conditions:

Permit Remarks: PERMIT HAS COPY OF WELL LOG ATTACHED TO IT.

ALSO NOTE AT BOTTOM OF PERMIT STATES, *CHANGE AS PER RDC 11/23/92
KCW.

WELL DRILLER'S LOG REPORT

Drilling Permit No: 35-92-E-0008-000

Water Right No: 35-08938

Injection Permit No:

Nature of Work: NEW WELL

Construction Method: ROTARY & AIR

Number of Monitor Wells:

Casing Diameter: 16 In.

Static Water Level: 145 Ft.

Actual Start Date: 11/30/1992

Depth of Casing: 214 Ft.

Temperature: 52 F.

Well Finish Date: 04/12/1993

Total Depth: 240 Ft.

Production Rate: 1800.00 GPM

Log Received Date: 05/26/1993

Screen Installed? No

Certification Date: 05/13/1993

Field Inspection Date:

Inspector:

Well Log Remarks: CASING: STEEL .250 - 18 INCHES FROM 1 TO 70 FEET
.250 - 16 INCHES FROM +1 TO 214 FEET

SURFACE SEAL 70 FT.

DRILLER COMMENTS: WATER QUALITY GOOD



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 14, 1993

Ralph Breeding
2875 S Visiting Road
American Falls, ID 83211

Re: Permit No. 35-08938

Dear Mr Breeding:

On May 10, the Department corresponded with you and asked that you submit a copy of the drilling permit and well log associated with the above referenced permit. The Department asked that you submit the information within 30 days of the date of mailing. Also, some time last week, I spoke with you and you were going to submit both documents. However, as of this date, the Department still has not received the requested information.

Since the Department cannot accept the proof of beneficial use and continue with the licensing process until these documents are received, it is imperative that you supply the Department with copies. Please note that the documents need to be returned directly to me.

The Department will allow an additional 15 days in which to submit the documents. In the mean time, if you have any questions, or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

MICROFILMED

JUL 07 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 10, 1993

Ralph Breeding
2875 S Visiting Rd
American Falls, ID 83211

Re: Permit No. 35-089381-~~1000000~~

Dear Permit Holder:

In the department's review of the proof of beneficial use submitted in connection with the above referenced permit, the department was not able to locate a drilling permit which should have been applied for before the opening of your well began. We have also been unable to locate a well log which should have been submitted by your well driller 30 days after completion of the construction of your well.

If you have a drilling permit or a copy of the well log, please provide this office with a copy of each. If you do not have a copy of the well log, please contact your driller and ask that he submit a copy. In your return letter, please be sure to show the above referenced permit number on any documents. Also, please address any correspondence directly to me. Your response, with both forms attached, should be received within 30 days of the date of this mailing.

This information is needed before the department can proceed further with the examination of your system and the eventual issuance of a license of water right.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

MAILED

JUL 07 1993

April 30, 1993

RALPH BREIDING
RALPH BREIDING
2875 S VISITING RD
AMERICAN FALLS ID 83211

PROOF DUE NOTICE

RE: PERMIT NO. 35-08938

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before July 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

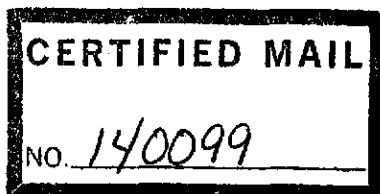
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



MICROFILMED

JUL 07 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 19, 1993

Northwest Farm Credit Services, ACA
PO Box 10
Blackfoot, ID 83221

Re: Permit No. 35-08938

Dear Permit Holder:

We acknowledge receipt of the correspondence and assignment of permit form transferring ownership of the above referenced water right to you and Mr. Breeding. I have modified our computer records to reflect this change in ownership.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

C: Ralph Breeding
IDWR - Regional Office

RECEIVED

JUL 07 1993



Farm Credit Services

RECEIVED

APR 19 1993

Department of Water Resources

10 West Judicial
P.O. Box 10
Blackfoot, Idaho 83221-0010
208/785-0820 FAX 208/785-0878

April 16, 1993

Karen Gustafson
Idaho Dept. of Water Resources
1301 N Orchard Street
Boise, ID 83706

RE: Permit # 35-08938 (Ralph Breeding)

Dear Karen:

Enclosed is an Assignment of Permit for the above referenced permit. Please acknowledge receipt of this Assignment. Farm Credit Services has an interest in this permit as security for a loan, and we need to receive copies of all notices and correspondence sent to Ralph.

Sincerely,

Jan Gamble
Operations Assistant

JUL 07 1993

MEMORANDUM

TO: File 35-08938

FROM: Brenda

DATE: August 21, 1992

RE: Amendment Conditions

=====

The Application for Amendment of the above referenced permit is to be approved with the following recommended conditions:

Approved provided the conditions as set forth in Permit No. 35-08938 are met.

Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

46A A well drilled pursuant to this permit must be located at least 500 feet from any existing well. Well spacing closer than 500 feet must be approved by the Department of Water Resources.

46B Construction of the well must comply with Idaho well construction standards.

01G Prior to the diversion of water under this right a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

MICROFILMED

SEP 10 1992

State of Idaho
Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: HWS

Right Number 35-08938 Applicant Ralph Breeding

Purpose of Amendment: ☒ Change point of diversion. ☐ Add diversion point(s).
☐ Increase amount. ☒ Change place of use. ☐ Other _____

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use.
- ☒ Right number(s) 35-08967 (Applic.)
- ☐ Yes ☒ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

- ☐ Affidavit of publication received.
- ☐ Amendment published correctly.
- ☐ Protests processed.
- ☒ Approve.
- ☐ Deny.

Conditions OIG

By HWS Date 8-5-92

RECEIVED
AUG 11 1992

STATE OFFICE PROCESSING:

- ☒ Amendment correct and complete. By BLM Date 8-21-92
- ☒ Approved copy sent to applicant and to Region. By CZ Date 8/27/92

Department of Water Resources

MEMO

FROM: HAROLD W. JONES
TO: AMENDMENT FILE-35-08938

THE ORIGINAL PERMIT HAD THE PD APPROVED IN THE NENW SECT. 23, T7S R29E (NON-TRUST). THE FIRST AMENDMENT DATED FEB. 1992 THEN SHIFTED THE PD TO JUST INSIDE THE TRUST BOUNDARY LINE. THIS AMENDMENT WILL BRING THE PD BACK TO THE NON-TRUST SIDE. I DONT BELIEVE ADVERTISING IS NECESSARY BECAUSE THE ORIGINAL PERMIT WAS ADVERTISED AND APPROVED AS A NON-TRUST POINT OF DIVERSION.

MICROFILMED

SEP 10 1992

February 13, 1992

RE: Permit No. 35-08938

Ralph Breeding
2875 S Visiting Rd
American Falls, ID 83211

Dear Water Right Holder:

Enclosed is a copy of your approved Application for Amendment submitted in connection with the above referenced permit.

If you have any questions concerning this document, please feel free to contact us.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:clh

Enclosure

RECORDED
MAR 05 1992

State of Idaho
Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: HGJ

Right Number 35-08938 Applicant Ralph Breeding

Purpose of Amendment: ☒ Change point of diversion. ☐ Add diversion point(s).

☐ Increase amount. ☐ Change place of use. ☐ Other _____

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use.
- ☒ Right number(s) _____
- ☐ Yes ☒ No Should amendment be advertised?
- ☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

- ☐ Affidavit of publication received.
- ☐ Amendment published correctly.
- ☐ Protests processed.
- ☐ Approve.
- ☐ Deny.

Conditions _____

By _____ Date _____

STATE OFFICE PROCESSING:

- ☒ Amendment correct and complete. By BLM Date 2-11-92
- ☒ Approved copy sent to applicant and to Region. By CH Date 2/14/92



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 3, 1991

RALPH BREDDING
2875 S. VISITING RD.
AMERICAN FALLS, ID 83211

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 35-08938

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed. You will receive a "Proof Due Notice" from this Department approximately 60 days prior to the completion date requiring you to file either a Proof of Beneficial Use form stating that the project has been completed or file a Request for an Extension of Time in which to file the proof statement.

Be sure to note the special condition requiring you to install a measuring device. Enclosed, for your reference, is a list of measuring device options.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Siting your well as far as possible from surface water channels and casing your well

MICROFILMED

JUL 10 1991

so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosures

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JUL 10 1991

APPLICATION FOR PERMIT REVIEW

Application #: 35-8938
Date: 6-24-91

Reviewer: Pam Skaggs *CS*

Existing:

☒ No

Complete in 1 year - 26A-P17
P16

☐ Yes

Proof not submitted - P16

Proof submitted - N/A

Groundwater:

☒ GT. 0.2 cfs - 01G-P03, 01C-P03(existing well)

LT. 0.2 cfs - N/A

Drilling Permit:

☒ Approved w/permit - P99

☒ Not included - 046-P23 (All GW, even existing wells)

Location:

Water Districts - WD No. 04

Surface water - 005, 005-01H-P01(LT.2 w/pump)
005-01J-P08(GT.2)

Groundwater - P05

Irrigation Districts - 023

Canal Co. Areas - 023

Drainage Districts - 024

Boise Front (63) - 058 (Groundwater)

☒ Swan Falls Flag - 1 (1, Blank or Other)

Trust - 051-052-053-P74 (Cons.), 041(DCMI, w/Irr
or Irr & Dom)

☒ Non Trust - 048-049

River Basins:

(Surface Water) Water District Control Condition &....

Boise (63) - 05A & 11E

Payette (65) - 047-P04, 059-P71

Snake (01, 02 & 03) - 11A-P04(01), 061-P07(02/03 No W.D.Cond.)

Use:

Fish Propagation - 06A, 09E-P10 & 010 (WQ/Choose One),
042(req.), 002-P06(MD), 07A(Spec.),
044(Policy 5G)

Power - Use Power Review

Mining - 06A or 010, 09E-P10 & 054(req.)

Storage - 18A-for multiple measuring devices(In WD),
18B-P09(Size)

Rec. & Aesthetic - 027(Non-Consumptive)

Domestic - 021(restricted areas)

Ownership:

☒ Non land owner - 004

Protested:

Agreement - 020

☒ Beneficial Use Due Date: - 07-01-1993

Other Conditions Recommended

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JUL 10 1991

Form No. 202a
/87STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

35~8938

INITIAL REVIEW BY HWT DATE 4-2-91 APPLICATION NUMBER RALPH BREDINGREQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ County
- ☒ Quantity (flow and/or volume)
- ☒ Period of Use
- ☒ Nature of proposed use (Include description of use.)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map
- ☒ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.)
- ☐ Overlapping point of diversion
- ☐ Yes ☒ No Field check required
Field check by _____
- ☐ Yes ☐ No Field report attached
- ☐ Yes ☐ No Critical groundwater area
- ☐ Yes ☐ No Groundwater management area
- ☐ Yes ☐ No Send dam safety information
- ☐ Yes ☐ No Send power requirement letter
- ☐ Yes ☐ No Send fish farm requirement letter
- ☐ Yes ☐ No Power residency affidavit
- ☐ Yes ☐ No Power efficiency form
- ☐ Yes ☐ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☒ Yes ☐ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Need Rule 4, 5, 6 - Record

Date Requested

JUN 04 1991

RECEIVED

Department of Water Resources

PROCESSING

☒ Yes ☒ No In form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

END COPIES TO

☐ Idaho Dept. of Health & Welfare ☐ U.S. BLM
☐ Idaho Dept. of Fish & Game ☐ U.S. Forest Service
☐ Idaho Dept. of Lands ☐ Water District
☐ Adjudication Bureau Unit ☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application
☐ Yes ☒ No Protests received
Final date for protest 5-6-91
☐ Yes ☐ No Protests, dates, resolution of protest, recorded on application
☐ Yes ☒ No Recommendations attached
☐ Yes ☒ No Measuring device required
☒ Yes ☐ No Access port required
☐ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist. _____
☒ Yes ☐ No Special conditions of approval or cover letter below. _____

☐ See below for additional information
Date of priority recommended 5-21-91
By HWT Date 5-31-91

STATE OFFICE REVIEW

☐ See below for additional information
By _____ Date _____

ADDITIONAL INFORMATION

Condition; OIG

LOCAL PUBLIC INTEREST

Comments received from:

- | | | |
|---------------------------------------|--|--|
| ☐ City | ☐ Idaho Fish & Game | ☐ Irrigation District |
| ☐ County | ☐ Idaho Health & Welfare | ☐ Canal Company |
| ☐ Reservations | ☐ Division of Environment | ☐ Other _____ |

Project impacts/implications report

COMMENTS

RECEIVED

MAY 31 1991

Department of Water Resources
Eastern District Office

Rule 4,5,3,1

- #2 ground water source is to be for irrigation use
there are no other wells within $\frac{1}{2}$ mile radius
- #3 intended system will employ the use of either pivots
or a linear with a sprinkler package featuring hang
down tubes with rotator nozzles, which allows more
water to reach the ground. This in turn reduces
the actual gallon per minute rate of use. No impact
on nearly existing systems is anticipated due to the
fact of point of diversion and also reliability of
aquifer in this area

Rule 4,5,3,2

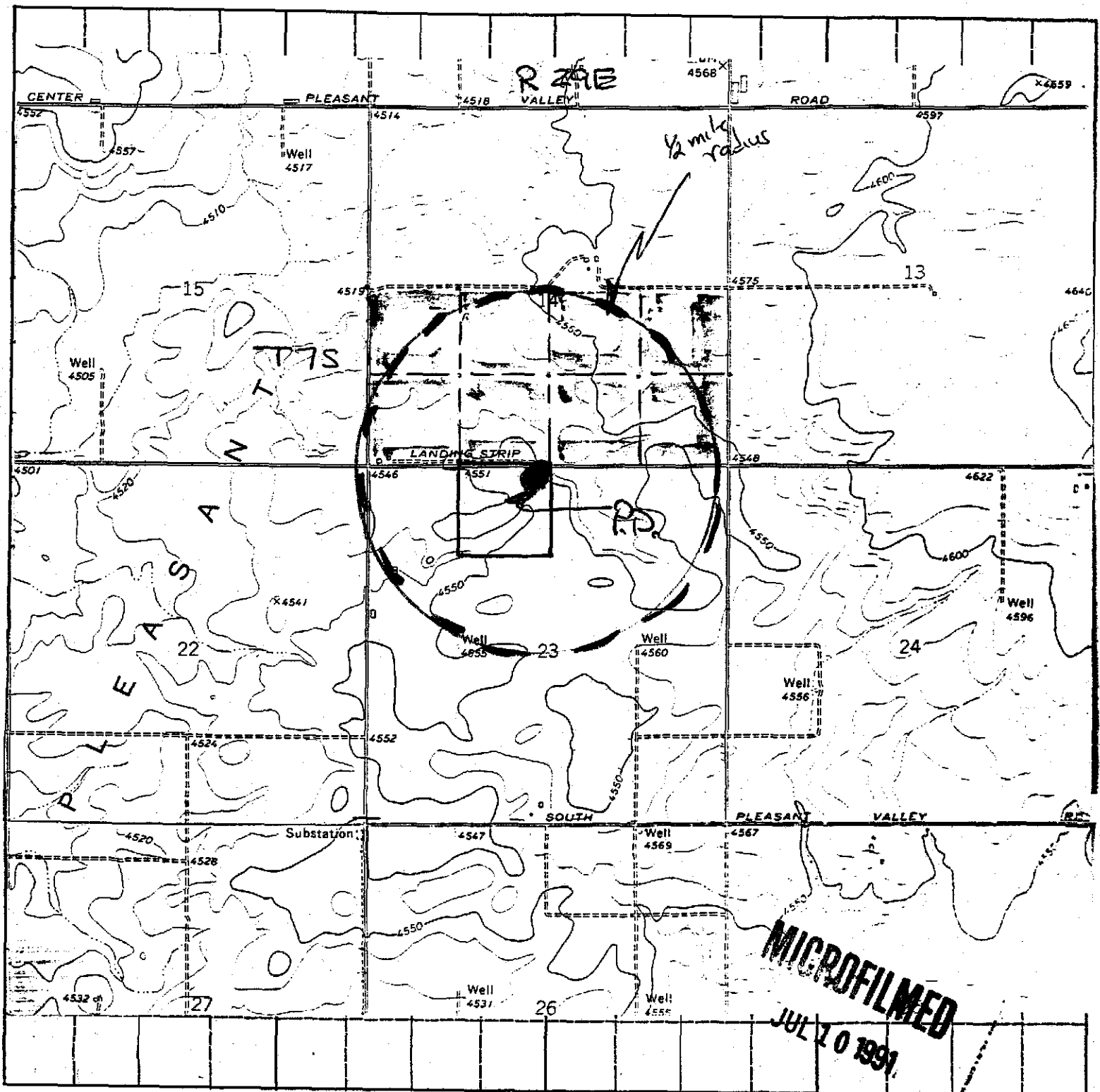
- #1 peak use is expected to be
 $1100 \text{ hrs} \times 60 \text{ min} \times 2400 \text{ GPM} = 158,400,000 \text{ gallons}$
for an annual average
- #2 recent drilling log of well located 2 miles south
would be fairly typical
neighbors well $\frac{1}{2}$ mile south is a flowing well
the flow was such that drilling was not beyond 350 ft.
the drill cutting kept washing away

RECEIVED

JUL 10 1991

no wells within
1/2 mile of proposed
well site

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



Scale: 2 inches equal 1 mile.

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

Ralph A. Kresling
(Applicant)

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name RALPH BREEDINGAddress 2875 Visiting Rd, AMERICAN FALLS83211Owner's Permit No. 35-01-0-021 (35-C8933)

2. NATURE OF WORK

- ☒ New well ☐ Deepened ☐ Replacement
☐ Well diameter increase
☒ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

3. PROPOSED USE

- ☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

- ☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☒ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
250 inches	18 inches	1.5 feet	284 feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☐ Yes ☒ NoWas a packer or seal used? ☐ Yes ☒ NoPerforated? ☐ Yes ☒ NoHow perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun

Size of perforation _____ inches by _____ inches

Number	From	To
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ No

Manufacturer's name _____

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth 18 Material used in seal: ☒ Cement grout☐ Bentonite☐ Puddling clay☐ _____Sealing procedure used: ☐ Slurry pit ☒ Temp. surface casing☒ Overbore to seal depthMethod of joining casing: ☐ Threaded ☒ Welded ☐ Solvent

Weld

☐ Cemented between strataDescribe access port 2" pipe

7. WATER LEVEL

Static water level 230 feet below land surface.Flowing? ☐ Yes ☐ No G.P.M. flow _____

15. Artesian closed-in pressure _____ p.s.i.

Controlled by: ☐ Valve ☐ Cap ☐ Plug

Temperature _____ of. Quality _____

Describe artesian or temperature zones below.

8. WELL TEST DATA

☐ Pump ☒ Bailor ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Head Pumped
apprx. 3500		

9. LITHOLOGIC LOG

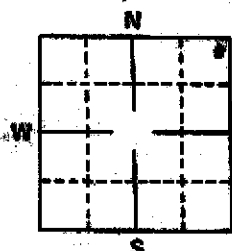
Bore Diam.	Depth		Material	Water Yes No
	From	To		
22	0	11	topsoil & sand	
	11	12	sand & broken lava	
	12	21	gray lava solid	
20	21	34	brown lava solid	
	34	38	brown lava loose & broken	
	38	44	brown lava solid	
	44	56	brown lava hard	
	56	60	brown lava loose & soft	
	60	65	brown lava solid	
	65	80	brown lava soft	
	80	95	red lava solid	
	95	99	brown lava large crevice	
	99	125	brown cinders & broken lava	
	125	134	red lava solid	
	134	140	brown lava cinders & ash	
	140	163	brown & yellow cinders & ash	
	163	176	gray cinders & ash	
	176	190	brown & yellow cinders & ash	
	190	225	gray cinders & broken lava	
	225	246	yellow sand, cinders & gravel	
	246	257	gray lava hard	x
	257	269	gray broken lava	x
	269	299	gray lava hard	
18			18" drilling from 285	
	299	312	broken lava, cinders & ash	x
	312	320	gray lava solid	
	320	331	gray lava soft with talc	x
	331	339	gray lava solid	
	339	348	broken lava, cinders & talc	x
	348	353	gray lava hard & broken	
	353	362	brown lava, talc & some clay	
	362	377	soft cinders & talc	x
	377	378	brown clay (soft)	
	378	393	gray lava hard	

10.

Work started 4-2-91 finished 4-21-91

6. LOCATION OF WELL

Sketch map location must agree with written location.

Subdivision Name JUL 10 1991

Lot No. _____ Block No. _____

County _____

POWER

NE 1/4 NE 1/4 Sec. 35, T. 7 N 1/4 S 1/4 R. 29 E 1/4 W 1/4

11. DRILLERS CERTIFICATION

I/We certify that all minimum well construction standards were
complied with at the time the rig was removed.Firm Name SHERMAN COUCH WELL DRILLING Firm No. 161Address 340 Wauna Vista DrAddress BURLEY IDAHO Date 4-21-91

Signed by (Firm Official) _____

and

(Operator) _____

financing of new
project would be
from one of these
two loans

4, 5, 3, 4

1

EQUITABLE AGRI-BUSINESS, INC.



2700 Ygnacio Valley Road, Suite 315
Walnut Creek, California 94598
(415) 935-9172
(415) 935-9099 Telecopier

February 15, 1990

Earl M. Pierson
Regional Vice President
Harry L. Havens
Assistant Regional Vice President
William K. Irish
Regional Manager
Steven A. Parker
Regional Manager

Ralph E. Breeding
2875 S. Visiting Road
American Falls, ID 83211

Re: Our Loan No. F-194993
BREEDING, Ralph E.

Dear Mr. Breeding:

Your application for a farm mortgage loan has been approved as set forth in the enclosed Advice of Loan Approval.

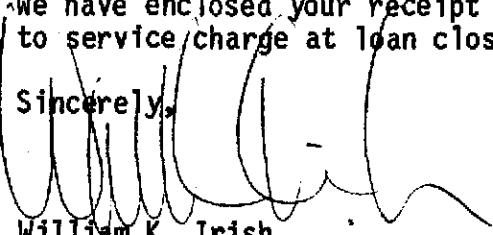
Please sign, date and return to this office, one copy of the two enclosed Advice of Loan Approval forms to indicate your acceptance of the terms of this loan as outlined. We must receive your acceptance before we can process loan papers and proceed with loan closing. If there are any questions regarding the loan commitment, please immediately contact our Area Investment Manager or this office.

When you mail the acceptance you should also contact the title company shown below and authorize them to do the following:

- (X) Send us a preliminary title report (one copy) covering the land indicated in the Loan Approval and plat. Please send a duplicate to the Area Investment Manager shown below.
- (X) Send us two separate "clean copies" of the legal description, including any security being acquired, that we can attach to the Deed of Trust.
- (X) Give us the proposed vesting on the parcel(s) being acquired and offered as security.
- (X) Close the loan in accordance with the Equitable's instructions.

We have enclosed your receipt for the Good Faith Deposit, which will be converted to service charge at loan closing.

Sincerely,


William K. Irish
Regional Manager
WKI/keg

cc: Jack Rasmussen
Area Investment Manager
P. O. Box 2362
Twin Falls, ID 83303-2362
(208) 733-0044

American Land Title Company
P. O. Box 1176
Pocatello, ID 83204

MICROFILMED

JUL 10 1991



Farm Credit Services

10 West Judicial
P.O. Box 10
Blackfoot, Idaho 83221-0010
208/785-0820 FAX 208/785-0878

April 5, 1991

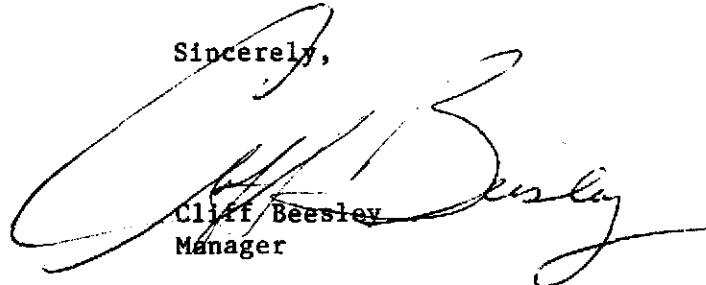
Mr. Ralph Breeding
2875 Visiting Rd
American Falls ID 83211

Dear Ralph:

This is in follow up to our phone conversation last evening wherein we agreed to proceed with your FCB loan at a stated rate of 9.5%. All other terms and conditions would be as per our commitment letter of March 26, 1991. We appreciate the opportunity to have met the competition in competing for your business.

When the legal documents are prepared, I will be in touch with you to establish a time and location for our documents to be signed. If in the meantime you have any questions, please feel free to contact me at 1-800-255-1789.

Sincerely,



Cliff Beesley
Manager

CB/ng

MICROFILMED
JUL 10 1991

4,5,3,4

#2

Cost of linear
similar to this system
would be somewhat
higher at time of
installation



FUNK IRRIGATION & IMPLEMENT

FOR ALL YOUR IRRIGATION NEEDS

PUMPS - MAINLINE - ELECTRO ROLL - LINDSAY PIVOTS & LATERALS

PHONE (208) 226-5049 - AMERICAN FALLS, IDAHO 83211

- THUNDERBIRD
- WADE
- JOHNSTON PUMP
- CORNELL
- GHEEN
- RAIN BIRD
- WORTHINGTON PUMP
- NELSON IRRIGATION

CUSTOMER Ralph Brading

DATE Oct. 17, 19 89

ADDRESS _____

PHONE _____

QUAN.	ITEM	UNIT	PRICE
1	2600' Lindsay Lateral Enclosed Pipeline, (used) to include the following equipment:		125,000.00
16	6 5/8 x 15' Spans		
2	6 5/8 x 44' Overhang		
1	Double wire alignment		
1	EPL Intake Tower		
16	14.9 x 24 Wheel Sets		
16	Spur gear center drive with 3/4 HP motor		
16	Worm drive wheel boxes		
1	20 KW Gen Set with cover		
1	Nelson Rotator Package with 25# regulators installed on drops (new) (27000)		
2	Int tower light		
1	Area lighting kit		
74	EPL 8" Mainline valves		
	Freight Included		
	Installation Included		
	Total		125,000.00
	LESS DISCOUNT		5000
			120,000.00

TERMS: CASH DOWN \$ _____ BALANCE \$ _____ PAYABLE AS FOLLOWS, AS INDIVIDUAL ITEMS ARE DELIVERED

Buyer agrees that should he fail or neglect to pay the unpaid balance due hereunder on or before the date listed above that a FINANCE CHARGE of 1 1/2% PER MONTH will be assessed by Seller. Buyer understands that said 1 1/2% MONTHLY FINANCE CHARGE amounts to an ANNUAL PERCENTAGE RATE OF 18%.

Buyer further agrees that should unpaid balance not be paid within sixty (60) days of the date said unpaid balance is due, that Seller may employ an attorney and collect the same with or without suit and Buyer agrees to be responsible for any attorney fee so incurred.

If seller is to install the equipment and rock or other circumstances are encountered which increase costs, these additional costs will be added to the balance due and be paid by purchaser. All merchandise sold hereunder is subject to Seller's continuing ability to procure same from Seller's regular sources of supply and at Seller's present costs. In event of increases in Seller's cost of any item, the price of that item as herein quoted shall be correspondingly increased.

I certify the property purchased pursuant hereto will be used directly for mining, manufacturing, processing or farming purposes.

I have read this document in its entirety; have received a true, signed copy of it; and I confirm that this is a firm offer on my part to purchase the items set forth hereon. If this offer is accepted by Seller by affixing its signature hereon, by delivery of all or any part of the items, or otherwise, I agree that I am bound by and understand all of the above terms and the SPECIAL TERMS AND CONDITIONS contained on the reverse side hereof.

APPROVED **FUNK IRRIGATION & IMPLEMENT**

By _____

As: _____

TITLE

Purchaser _____

Purchaser JUL 10 1991

Purchaser's residence _____

Purchaser's Chief Place of Business _____



FOR ALL YOUR IRRIGATION NEEDS

PUMPS - MAINLINE - ELECTRO ROLL - LINDSAY PIVOTS & LATERALS

PHONE (208) 226-5049 • AMERICAN FALLS, IDAHO 83211

- THUNDERBIRD
- WADE
- JOHNSTON PUMP
- CORNELL
- GHEEN
- RAIN BIRD
- WORTHINGTON PUMP
- NELSON IRRIGATION

POOR QUALITY

DATE 10-17 1980

ADDRESS	PHONE
----------------	--------------

QUAN.	ITEM	UNIT	PRICE
1	350 HP Deep Well Turbine with a pumping level of 250', 2200 GPM @ 472 TDH		32487.00
1	Size 6 pump panel with lighting arrestor, surge capacitor, time delay relay, motor saver and high pressure shutdown		6070.00
1	Wiring of pump and panel with state inspection fees		1899.00
1	Service post		75.00
1	Pump pad		750.00
	Total		41281.00

TERMS:—CASH DOWN \$_____ BALANCE \$_____ PAYABLE AS FOLLOWS, AS INDIVIDUAL ITEMS ARE DELIVERED

Buyer agrees that should he fail or neglect to pay the unpaid balance due hereunder on or before the date listed above that a **FINANCE CHARGE** of **1 1/2% PER MONTH** will be assessed by Seller. Buyer understands that said **1 1/2% MONTHLY FINANCE CHARGE** amounts to an **ANNUAL PERCENTAGE RATE OF 18%**.

Buyer further agrees that should unpaid balance not be paid within sixty (60) days of the date said unpaid balance is due, that Seller may employ an attorney and collect the same with or without suit and Buyer agrees to be responsible for any attorney fee so incurred.

If seller is to install the equipment and rock or other circumstances are encountered which increase costs, these additional costs will be added to the balance due and be paid by purchaser. All merchandise sold hereunder is subject to Seller's continuing ability to procure same from Seller's regular sources of supply and at Seller's present costs. In event of increases in Seller's cost of any item, the price of that item as herein quoted shall be correspondingly increased.

I certify the property purchased pursuant hereto will be used directly for mining, manufacturing, processing or farming purposes.

I have read this document in its entirety; have received a true, signed copy of it; and I confirm that this is a firm offer on my part to purchase the items set forth hereon. If this offer is accepted by Seller by affixing its signature hereon, by delivery of all or any part of the items, or otherwise, I agree that I am bound by and understand all of the above terms and the SPECIAL TERMS AND CONDITIONS contained on the reverse side hereof.

APPROVED FUNK IRRIGATION & IMPLEMENT

By _____

Item: _____
TITLE _____

Purchaser _____

Purchaser III 1-0 1001

Purchaser's residence _____

Purchaser's Chief Place of Business _____

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~~JUL 10 1991~~

NOTICE: See Other Side for important information.



FUNK IRRIGATION & IMPLEMENT

FOR ALL YOUR IRRIGATION NEEDS

PUMPS - MAINLINE - ELECTRO ROLL - LINDSAY PIVOTS & LATERALS

PHONE (208) 226-5049 - AMERICAN FALLS, IDAHO 83211

POOR QUALITY

- THUNDERBIRD
- WADE
- JOHNSTON PUMP
- CORNELL
- GHEEN
- RAIN BIRD
- WORTHINGTON PUMP
- NELSON IRRIGATION

CUSTOMER Ralph Breeding DATE 10-17, 1989

ADDRESS _____ PHONE _____

QUAN.	ITEM	UNIT	PRICE
4440	12" 125# PIP PVC	6.18	27439.20
74	12 x 12 x 8 Tee IPS	126.85	9386.90
1	12 x 12 x 12 Wye Tee 3/16 wall		480.00
2	8" Outdives with 3" air vents, 12" starter coupling and 8" RL surge plug	328.00	656.00
1	12" Indive with 3" air vent and starter coupling		275.00
1	Tie in fittings from pump to 12" Indive, including welding and labor with chemigation valve		1328.00
	Trenching, backfill, installation of mainline, 12 x 12 x 8 tees including welding and labor for 8" special linear valves, thrust blocks and cable anchors including grading of mainline roadway.		13200.00
	Total		52765.10
	NOTE: Please add 100.00 for each air vent assembly on mainline.		
	Add 235 for 17 for additional mainline		

TERMS:— CASH DOWN \$ _____ BALANCE \$ _____ PAYABLE AS FOLLOWS, AS INDIVIDUAL ITEMS ARE DELIVERED

Buyer agrees that should he fail or neglect to pay the unpaid balance due hereunder on or before the date listed above that a **FINANCE CHARGE** of 1 1/2% PER MONTH will be assessed by Seller. Buyer understands that said 1 1/2% MONTHLY FINANCE CHARGE amounts to an **ANNUAL PERCENTAGE RATE** of 18%.

Buyer further agrees that should unpaid balance not be paid within sixty (60) days of the date said unpaid balance is due, that Seller may employ an attorney and collect the same with or without suit and Buyer agrees to be responsible for any attorney fee so incurred.

If seller is to install the equipment and rock or other circumstances are encountered which increase costs, these additional costs will be added to the balance due and be paid by purchaser. All merchandise sold hereunder is subject to Seller's continuing ability to procure same from Seller's regular sources of supply and at Seller's present costs. In event of increases in Seller's cost of any item, the price of that item as herein quoted shall be correspondingly increased.

I certify the property purchased pursuant hereto will be used directly for mining, manufacturing, processing or farming purposes.

I have read this document in its entirety; have received a true, signed copy of it; and I confirm that this is a firm offer on my part to purchase the items set forth hereon. If this offer is accepted by Seller by affixing its signature hereon, by delivery of all or any part of the items, or otherwise, I agree that I am bound by and understand all of the above terms and the **SPECIAL TERMS AND CONDITIONS** contained on the reverse side hereof.

APPROVED **FUNK IRRIGATION & IMPLEMENT**
By _____
Its _____ TITLE _____

Purchaser _____
Purchaser _____
Purchaser's residence JUL 10 1991
Purchaser's Chief Place of Business _____

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NOTICE: See Other Side for important information.



State of Idaho
DEPARTMENT OF WATER RESOURCES

150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 - (208) 525-7161

EASTERN REGION

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

MAY 6, 1991

RALPH BREDDING
2875 S. VISITING RD.
AMERICAN FALLS, ID 83211

DEAR MR. BREDDING:

WE ARE CURRENTLY PROCESSING YOUR APPLICATION 35-08938 FOR A WATER RIGHT. FOR ANY APPLICATION OR PERMIT WHICH EXCEEDS 200 ACRES OR 5.00 CFS THE INFORMATION ON THE ATTACHED SHEETS ARE REQUIRED BEFORE ANY FURTHER PROCESSING CAN TAKE PLACE. PLEASE TRY TO ANSWER THE HIGHLIGHTED QUESTIONS TO THE BEST OF YOUR ABILITY. IF YOU NEED ADDITIONAL CLARIFICATION PLEASE GIVE ME A CALL AT 525-7161. IF YOU ARE NO LONGER INTERESTED IN DEVELOPING THIS PERMIT PLEASE ADVISE ME.

I WILL NEED YOU TO RESPOND WITHIN 30 DAYS WITH THE INFORMATION REQUESTED.

SINCERELY,

HAROLD W. JONES
WATER RESOURCE SUPERVISOR

MICROFILMED

JUL 10 1991

11-Apr-1991

RALPH BREDDING
2875 S. VISITING RD.
AMERICAN FALLS ID 83211

RE: Application No. 35-8938

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in Power County Press on April 18 & 25, 1991. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

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JUL 10 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

APRIL 9, 1991

THE POWER COUNTY PRESS
P.O. BOX 547
AMERICAN FALLS, ID 83211

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MAY 6, 1991.

Yours truly,

Rita Bodell
Secretary

Encl.

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JUL 10 1991

35-08938

BREDING, RALPH
2875 S. VISITING RD.
AMERICAN FALLS, ID 83211

Source: GROUNDWATER

Diversion Pt: NENW Sec 23 T 07S R 29E

Use: IRRIGATION (6.400 CFS)
 Total Diversion: (6.400 CFS)

Date Filed: 3/21/ 1991

In: T07S R29E S14	NESW	NWSW	SWSW	SESW
	NESE	NWSE	SWSE	SESE

320.0 ACRES TOTAL

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JUL 10 1991

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before MAY 6, 1991.

R. Keith Higginson, Director

Published 4/17/1991 & 4/24/1991

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JUL 10 1991