

PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Water Right No. 35-07266

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 11/01	10.17 CFS	1890.0 AF
STOCKWATER	01/01 to 12/31	0.23 CFS	14.0 AF
	Totals	10.17 CFS	1904.0 AF

SOURCE

GROUNDWATER

Priority: 11/24/1972

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 28, Township 08S, Range 29E
 SWSW , Sec. 28, Township 08S, Range 29E
 POWER County

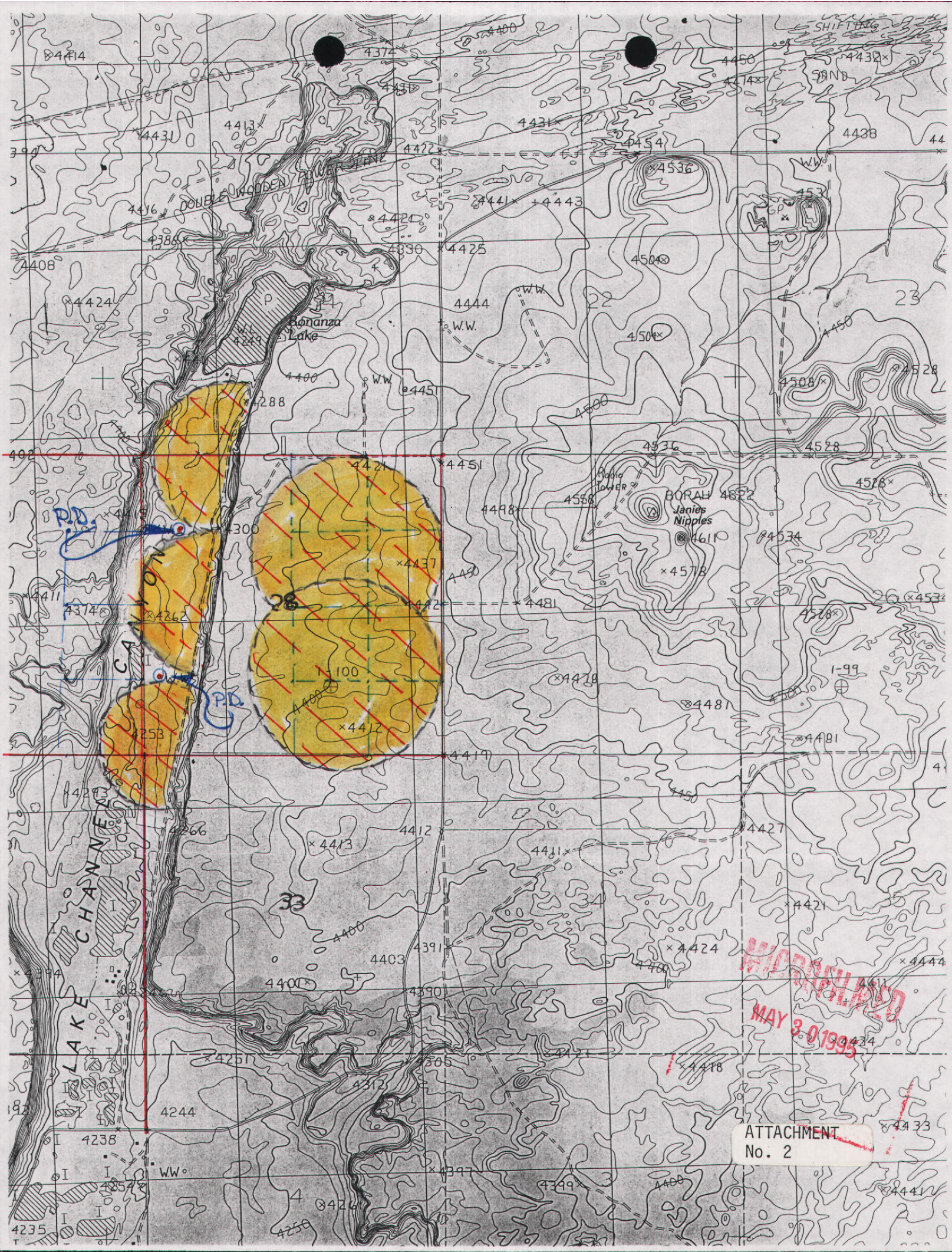
PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08S 29E 21	SWSW 22 ✓	SESW 8 ✓		30
28 ✓ (A-11)	NENE 37	NWNE 38	SWNE 38	
	SENE 37	NENW 17	NWNW 37	
	SWNW 35	SENW 17	NESW 19	
	NWSW 22	SWSW 22	SESW 19	
	NESE 38	NWSE 38	SWSE 38	
	SESE 38			490
29	SESE 3 ✓			3
32	NENE 5 ✓			5
33	NWNW 12 ✓			12

Total number of acres irrigated: 540

PLACE OF USE: STOCKWATER, same as IRRIGATION use**CONDITIONS/REMARKS:**

MICROFILMED
MAY 30 1995



Affidavit of Publication

RECEIVED

DEC 20 1972

STATE OF IDAHO

COUNTY OF POWER

S.S.

Phyllis Ringe

being first duly sworn

on oath, states:

That she is the principal clerk of the printer 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 30th day of Nov., 1972

the date of last publication being the

7th day of Dec., 1972

(Signed)

Subscribed and sworn to before me this

19 day of Dec., 1972

Notary Public, residing at American Falls, Idaho.

My Commission expires the

Notary Public, Idaho

residing at Am. Falls, Idaho

My Commission Expires
Aug. 20, 1973

(SEAL)

Department of Water Administration

LEGAL NOTICE

Published in The Power County Press Nov. 30 and Dec. 7, 1972.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Arthur Kress &/or Lee Kress &/or Larry Kress, Box 204, American Falls, Idaho has on 11/24/72 submitted Application No. 35-7266 for a permit to appropriate 12.0 cubic feet per second of water from a ground water source by means of well and pump within the NW1/4-NW1/4, SW1/4NE1/4, SW1/4-SW1/4, NW1/4SE1/4, Sec. 28, T. 8S, R. 29 E. B.M. Power County; to be used from Mar. 15 to Nov. 15 for irrigation of 700 acres, and from Jan. 1 to Dec. 31 for stockwater purposes for 1,000 head of cattle within the SW1/4, Sec. 21, E1/2-SE1/4, Sec. 29, All of Sec. 28, NE1/4NE1/4, Sec. 32, NW1/4-NW1/4, Sec. 33, T. 8S, R. 29E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho 83401 on or before December 18, 1972.

R. KEITH HIGGINSON
Director

35 7266

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM					
		NE		NW		SW		SE		NE		NW		SW		SE							
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac						
3507266	T08S R29E S21	GROUNDWATER																					
														22 08									
3507233	GROUNDWATE	:				:				:				:	33	33	33	33	:	132			
A3507233	GROUNDWATE	:				:				:				:	33	33	33	33	:	132			
R3507233	GROUNDWATE	:				:				:				:	33	33	33	33	:	132			
A3507266	GROUNDWATE	:				:				:				:					:	30			
R3507266	GROUNDWATE	:				:				:		01	22	10	:				:	31			
T3507266	GROUNDWATE	:				:				:			22	08	:				:	30			
	C77Q-BB 34	:			03	10	:			:	11	07	24	20	:	40	37	39	40	:	231		
3507266	T08S R29E S28	GROUNDWATER																					
		:	37	38	38	37	:	17	37	35	17	:	19	22	22	19	:	38	38	38	38	:	490
A3507266	GROUNDWATE	:	37	38	38	37	:	17	37	35	17	:	19	22	22	19	:	38	38	38	38	:	490
R3507266	GROUNDWATE	:	34	39	39	36	:	15	31	35	17	:	21	22	22	23	:	37	38	38	36	:	483
T3507266	GROUNDWATE	:	37	38	38	37	:	17	37	35	17	:	19	22	22	19	:	38	38	38	38	:	490
	C77Q-BB 34	:	42	40	42	40	:	21	35	39	18	:	25	33	25	23	:	41	41	41	36	:	542
3507266	T08S R29E S29	GROUNDWATER																					
		:				:				:				:							03	:	3
A3507266	GROUNDWATE	:				:				:				:							03	:	3
R3507266	GROUNDWATE	:				02	:			:				:							01	:	3
T3507266	GROUNDWATE	:				:				:				:							03	:	3
	C77Q-BB 34	:				08	:			:				:		21					29	:	58
3507266	T08S R29E S32	GROUNDWATER																					
		:	05			:				:				:								:	5
A3507266	GROUNDWATE	:	05			:				:				:								:	5
R3507266	GROUNDWATE	:	03			:				:				:								:	3
T3507266	GROUNDWATE	:	05			:				:				:								:	5
	C77Q-BB 34	:	34		02	32	:			:				:		34	18	18	32	:	170		
3507266	T08S R29E S33	GROUNDWATER																					
		:				:		12		:				:								:	12
3504065	GROUNDWATE	:				:				:			12	03	:							:	15
A3504065	GROUNDWATE	:				:				:			10	03	:							:	13
R3504065	GROUNDWATE	:				:				:			10	03	:							:	13
A3507266	GROUNDWATE	:				:		12		:					:							:	12
R3507266	GROUNDWATE	:				:		14		:					:							:	14
T3507266	GROUNDWATE	:				:		12		:					:								

No Overlaps

T# 4528

Affidavit of Publication

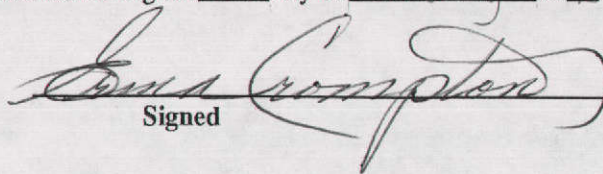
State of Idaho

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:

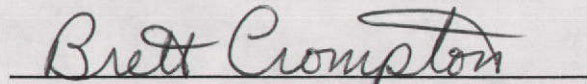
That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 18 day of January 1995 and the date of the last publication being the 25 day of January 1995.


Signed

State of Idaho

County of Power

On this 26 day of January in the year of 1995, 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.


Notary Public for Idaho
Residing at American Falls, Idaho
My commission expires: June 8, 1999

Proposed change of water permit

Published in The Power County Press,
Jan. 18, 25, 1995.

NOTICE OF PROPOSED CHANGE OF WATER PERMIT

No. 4528

Notice is hereby given that Art Kress and Sons, Inc., P.O. Box 204, American Falls, ID, has applied to the Department of Water Resources to change place of use of the waters of a groundwater source. The right sought to be changed is evidenced by a license and recorded as follows:

No.: 35-07266

Source: Groundwater

Amount: 10.170 cfs

Priority: 11/24/1972

Point(s) of Diversion: NWNW, SWSW, SEC 28, T08S, R29E, Power County

The water is used for irrigation from 04/01 to 11/01 and stockwater from 01/01 to 12/31 within the S1/2 SW, SEC 21, SEC 28, SESE, SEC 29, NENE, SEC 32, NWNW, SEC 33, T8S, R29E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be used within SEC 28, E1/2SE, SEC 29, S1/2SW, SEC 21, NENE, SEC 32, N1/2NE, NWNW, SEC 33, T8S, R29E, B.M. The protestant must also send a copy of the protest to the applicant.

Any protest against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID, 83402, together with a protest fee of \$25 on or before February 6, 1995.

R. Keith Higginson
Director

RECEIVED

JAN 30 1995

Department of Water Resources
Eastern District Office

MAY 30 1995

NOTICE OF PROPOSED
CHANGE OF A WATER
RIGHT NO.
4528

Notice is hereby given that
Art Kress and Sons, Inc.,
P.O. Box 204, American
Falls, ID, has applied to
the Department of Water
Resources to change
place of use of the waters
of a groundwater source.
The right sought to be
changed is evidenced by a
license and recorded as
follows:

NO.: 35-07266
SOURCE: Groundwater
Amount: 10.170 cfs
Priority: 11/24/1972
Point(s) of Diversion:
NWNW, SWSW, SEC 28,
T08S, R29E, Power
County

The water is used for irri-
gation from 04/01 to 11/01
and stockwater from 01/01
to 12/31 within the S $\frac{1}{2}$ SW,
SEC 21, SEC 28, SESE,
SEC 29, NENE, SEC 32,
NWNW, SEC 33, T8S,
R29E, B.M.

TO BE CHANGED AS
FOLLOWS:

The water will be used
within SEC 28, E $\frac{1}{2}$ SE,
SEC 29, S $\frac{1}{2}$ SW, SEC 21,
NENE, SEC 32, N $\frac{1}{2}$ NE,
NWNW, SEC 33, T8S,
R29E, B.M.. The protes-
tant must also send a
copy of the protest to the
applicant.

Any protests against ap-
proval of the proposed
change must be filed with
the Idaho Department of
Water Resources, 900 N.
Skyline Dr., Idaho Falls, ID
83402, together with a
protest fee of \$25 on or
before February 6, 1995.

R. Keith Higginson
Director

PUBLISH: Thursday, Jan-
uary 19 and 26, 1995.

Affidavit of Publication

STATE OF IDAHO } SS.
COUNTY OF TWIN FALLS }

No 26756

I, Linda Capps McNaire being first duly sworn upon oath, depose
and say that I am Print Clerk of the TIMES-NEWS, published daily, at
Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per
clipping attached, was published in the regular and entire issue of said newspaper, and not in any
supplement thereof, for Two consecutive Weeks,
commencing with the issue dated January 19, 1995,
and ending with the issue dated January 26, 1995.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho
Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except
Monday, both of which newspapers prior to consolidation had been published under said names in said city and county
continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since
such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said
newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated
as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be
published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each
issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

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FEB 02 1995

On this 26 day of January in the year of 1995, before me,
a Notary Public, personally appeared Linda Capps McNaire,
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 he executed the same.

Department of Water Resources
Eastern District Office

Deva R. Feltman
Notary Public for Idaho

Residing at Twin Falls, Idaho.

My commission expires: 5/19/2000

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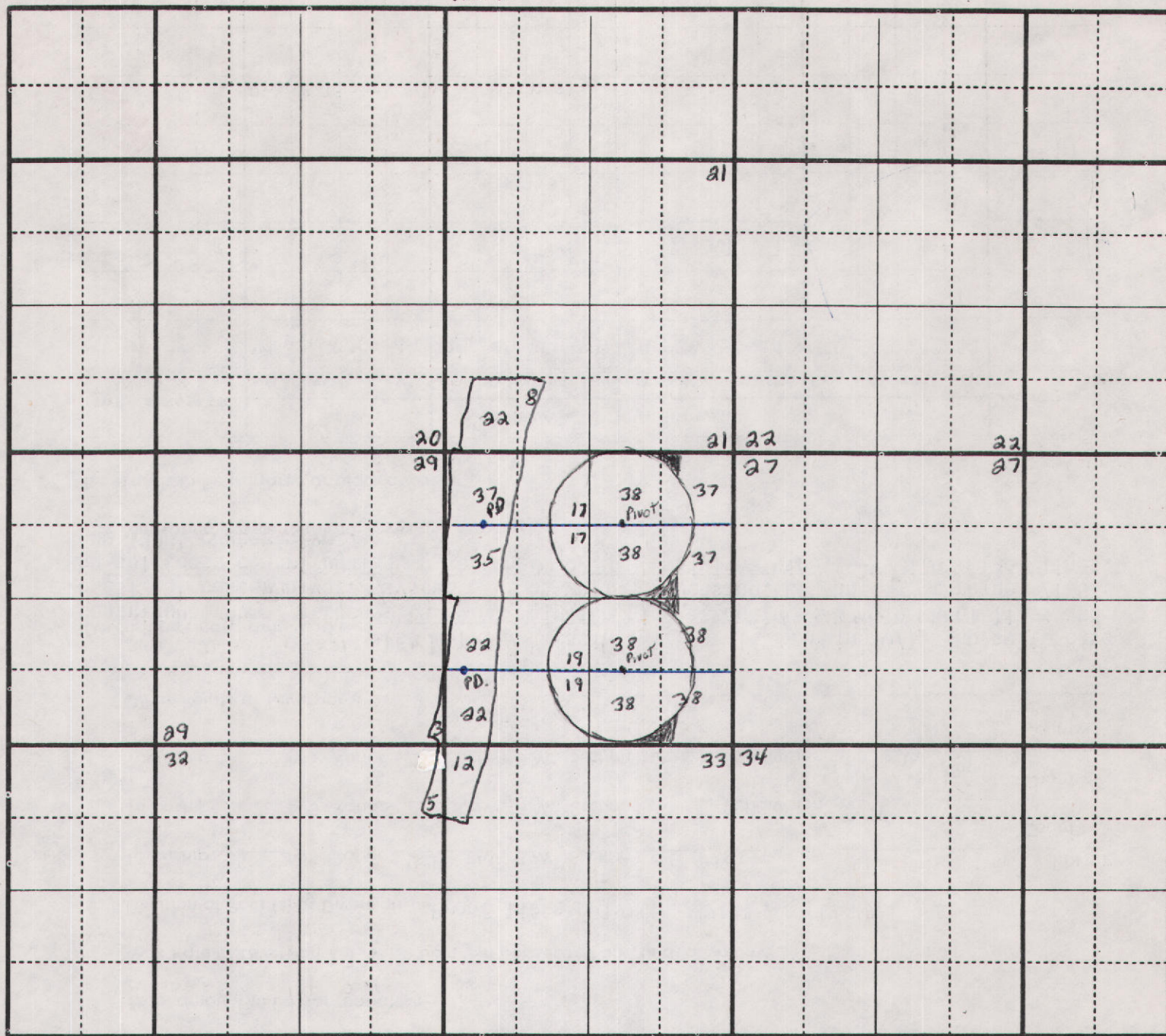
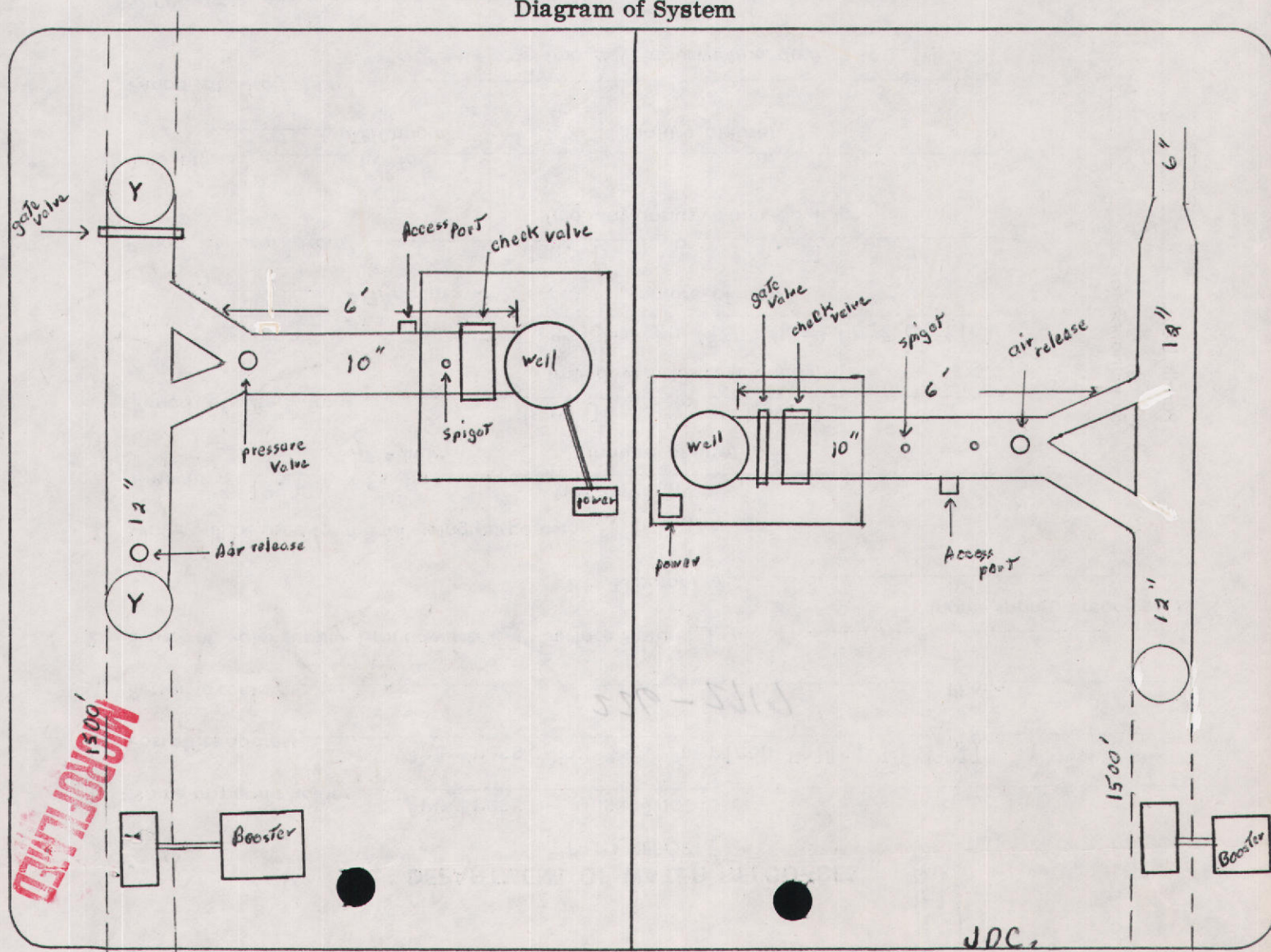


Diagram of System



540 Acres total

29E

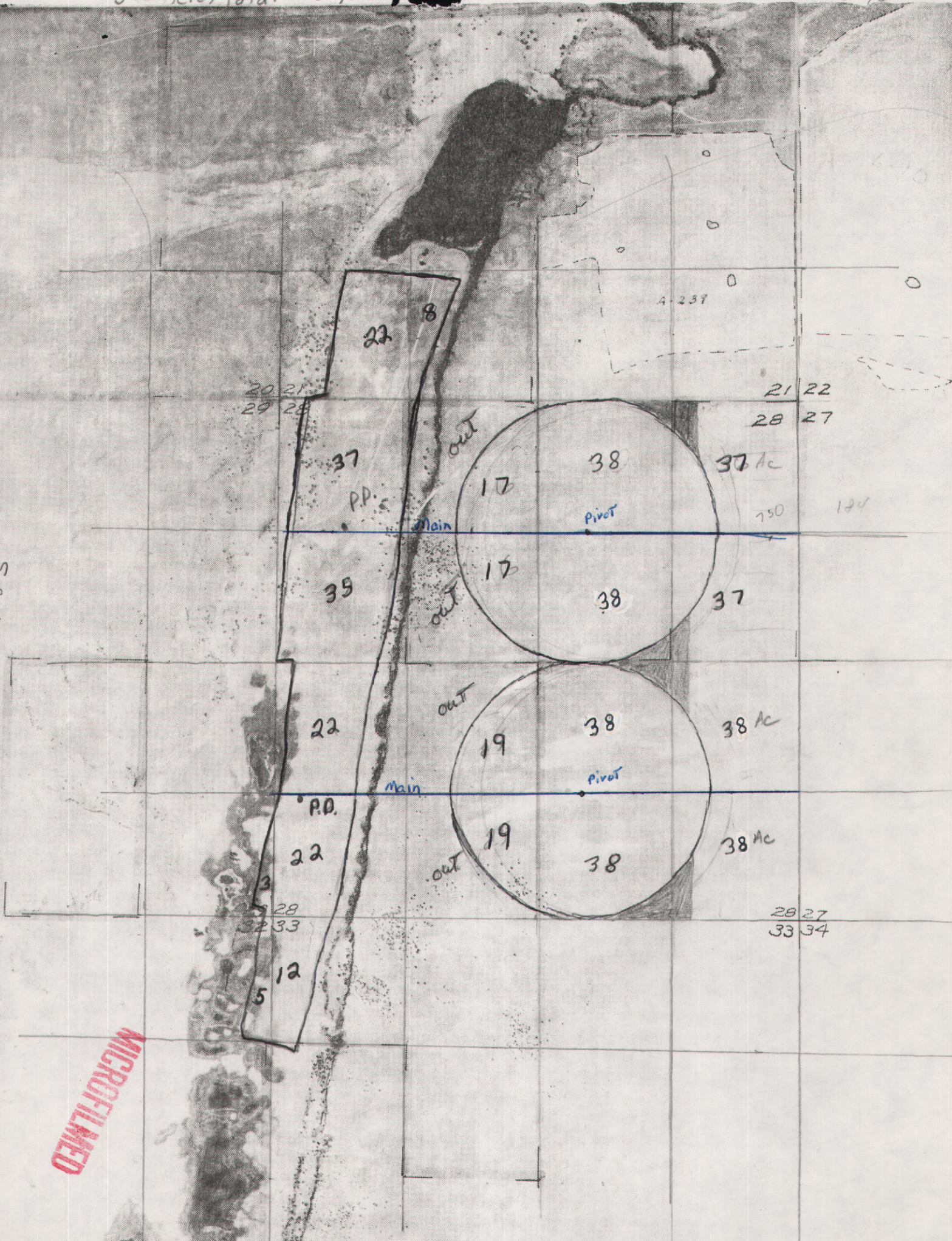
ART KRESS

35-7266

5-10

T85

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4528
WATER RIGHT NO. 35-07266

This is to certify that: ART KRESS & SONS INC
PO BOX 204
AMERICAN FALLS ID 83211

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	10.17 CFS	2160.0 AF
STOCKWATER	01/01 to 12/31	0.23 CFS	14.0 AF
	Totals	10.17 CFS	2174.0 AF

SOURCE

GROUNDWATER

Priority: 11/24/1972

LOCATION OF POINT(S) OF DIVERSION:

NWNW , Sec. 28, Township 08S, Range 29E
SWSW , Sec. 28, Township 08S, 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>
08S	29E	21	SWSW 25	SESW 4		29
		28	NENE 23	NWNE 39	SWNE 40	
			SENE 37	NENW 12	NWNW 30	
			SWNW 29	SENW 23	NESW 22	
			NWSW 24	SWSW 18	SESW 16	
			NESE 38	NWSE 40	SWSE 40	
			SESE 30			461
	29		NESE 8	SESE 13		21
	32		NENE 13			13
	33		NENE 1	NWNE 4	NWNW 11	16
Total number of acres irrigated:						540

MICROFILMED

MAY 3 0 1995

TRANSFER NO. 4528
WATER RIGHT NO. 35-07266

PLACE OF USE: STOCKWATER, same as IRRIGATION use

CONDITIONS/REMARKS:

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
3. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
4. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
6. The total instantaneous diversion of water from all points of diversion under Transfer No. 4528 shall not exceed 10.17 cfs, nor total combined annual volume of 2,174.0 af.
7. Stockwater use is for 1,000 range cattle.

Dated this 26th day of

May, 1995


Chief, Water Alloc. Bureau

MICROFILMED

MAY 30 1995

Transfer No 4528

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FEB 27 1995

Department of Water Resources

Name of applicant ART KRESS AND SONS INC Phone (208) 226-2766

Post Office address PO BOX 204 AMERICAN FALLS ID 83211

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes WE ARE PUTTING PIVOTS OVER ALL OUR GROUND AND ELIMINATING OUR WHEEL LINES.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1 | Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use | |
|----|---|------------|-----------------------|------------------|---------------|----------|
| | 35-07266 | 11/24/1972 | 10.17 cfs | IRRIGATION | 4-1 | to 10-31 |
| | | | 0.23 cfs | STOCKWATER | 1-1 | to 12-31 |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| 2. | Total amount of water being transferred <u>10.17</u> cubic feet per second and/or _____ acre-feet per annum | | | | | |
| 3 | Source of water <u>GROUNDWATER</u> tributary to _____ | | | | | |
| 4 | Point(s) of Diversion: _____ | | | | | |

[illegible]

5 Lands irrigated or place of use

[illegible]

PART 1

6 General Information

a Description of diversion system 2 WELLS AND PUMPS TO 2 FULL PIVOTS AND 3 PARTIAL PIVOTS.

b Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes

c Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

The land will no longer be irrigated that is not covered by pivots.
Most of the permit is remaining in the current use.

d Remarks

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No _____

And said application is hereby _____, subject to the following limitations and conditions

Witness my hand this _____ day of _____, 19 _____

PRODUCED

MAY 30 1995

PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Water Right No. 35-07266

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
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	Totals	10.17 CFS	1904.0 AF

SOURCE

GROUNDWATER

Priority: 11/24/1972

LOCATION OF POINT(S) OF DIVERSION:

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 SWSW , Sec. 28, Township 08S, Range 29E
 POWER County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
08S 29E 21	SWSW 22 ✓	SESW 8 ✓		30
22 ✓	NENE 37	NWNE 38	SWNE 38	
	SENE 37	NENW 17	NWNW 37	
	SWNW 35	SENE 17	NESW 19	
	NWSW 22	SWSW 22	SESW 19	
	NESE 38	NWSE 38	SWSE 38	
	SESE 38			490
29	SESE 3			3
32	NENE 5 ✓			5
33	NWNW 12			12

Total number of acres irrigated: 540

PLACE OF USE: STOCKWATER, same as IRRIGATION useCONDITIONS/REMARKS:

FILED
 MAY 30 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4528

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 35-07266 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below.

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water _____ tributary to _____

4. Date or priority _____

5. Water is used for the following purpose:

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion: SEE:

ATTACHMENT 1

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

8. Lands irrigated or place of use.

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

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MAY 30 1995

Total acres _____

9. Describe any other water rights used for the same purpose as described above _____

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion

Lot	1/4	1/4	1/4	Sec	Twp.	Rge	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

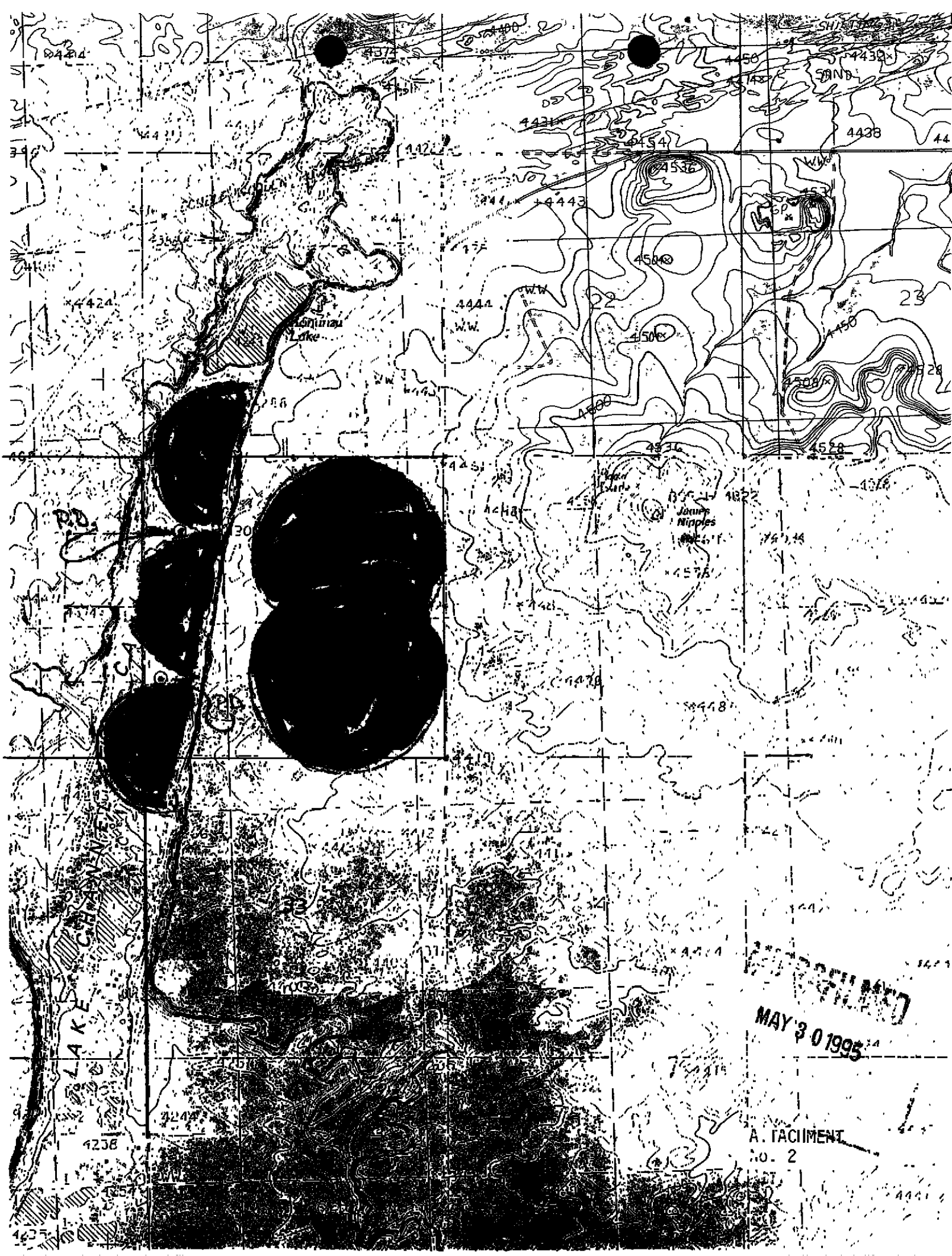
Lot	1/4	1/4	1/4	Sec	Twp	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

RECORDED
MAY 30 1995



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

SEE:
ATTACHMENT 2

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MAY 30 1995

PART 3**B. CHANGES IN NATURE OF USE**

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2 Quantity and quality of return flows and location of discharge

3 Describe effects on other water uses resulting from the proposed change

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 29th day of December, 19 94

Gregory J. Taylor
 NOTARY PUBLIC
 STATE OF IDAHO

Art Huns & Sons Inc. by
Lee Huns, President.
 (Signature of Applicant)

Gregory J. Taylor
 (Notary Public)

My commission expires 3/3/98

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 2 attachments

Received by HWT Date 12-30-94 Protest filed by _____

Prelim check by K. C. W. Fee \$100.00

Receipted by HWT #E020595 Date 12-30-94

Published in Power County Press Copies of protest forwarded by _____

Pub dates 1-19-95 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☒ approval ☐ denial

_____ rec'd _____ by RBC

Copy of transfer sent to lien holder _____

MAY 30 1995

Water Right Number - 35-07266

Prefix Translation: WATER RIGHT

Old (D) Number -

+ - - - - Last Name - - - - +

+ - First Name - - +

+ - - - - Address - - - - -

*** C - CURRENT OWNER ***
ART KRESS & SONS INC.

1 - P.O. BOX 336
2 -
3 -
City- AMERICAN FALLS
Phone -

State- ID Zip- 83211

*** O - ORIGINAL OWNER ***
KRESS

LEE

1 -
2 -
3 -
City-
Phone -

State- Zip-

KRESS

LARRY

1 -
2 -
3 -
City-
Phone -

State- Zip-

KRESS

ARTHUR

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - - Priority Date - - +
11/24/1972

+ - - Region - - - +
15 EASTERN

+ - - Stage - - - +
L - LICENSE

+ - - Status - - - +

+ - - Source - - - - - +
GROUNDWATER

+ - - Tributary - - - - - +

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

08S 29E 28 NW NW (77) POWER
SW SW (77) POWER

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION 04/01 11/01 10.170 1890.00
04 - STOCKWATER 01/01 12/31 0.230 14.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - +
10.170 1904.00

+ - - - - Place of Use - - - - - +
Twn Rng Sec Tract Lot Acres Code Description County

08S 29E 21 SW SW 22.0 / 01 IRRIGATION (77) POWER
08S 29E 21 SE SW 8.0 / 01 IRRIGATION (77) POWER
08S 29E 28 NE NE 37.0 / 01 IRRIGATION (77) POWER
08S 29E 28 NW NE 38.0 / 01 IRRIGATION (77) POWER

MAY 30 1995

Water right number - 35-07266

Prefix Translation: WATER RIGHT

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
08S	29E	28	SW NE		38.0✓	01	IRRIGATION	(77) POWER
08S	29E	28	SE NE		37.0✓	01	IRRIGATION	(77) POWER
08S	29E	28	NE NW		17.0✓	01	IRRIGATION	(77) POWER
08S	29E	28	NW NW		37.0✓	01	IRRIGATION	(77) POWER
08S	29E	28	SW NW		35.0✓	01	IRRIGATION	(77) POWER
08S	29E	28	SE NW		17.0✓	01	IRRIGATION	(77) POWER
08S	29E	28	NE SW		19.0✓	01	IRRIGATION	(77) POWER
08S	29E	28	NW SW		22.0✓	01	IRRIGATION	(77) POWER
08S	29E	28	SW SW		22.0✓	01	IRRIGATION	(77) POWER
08S	29E	28	SE SW		19.0✓	01	IRRIGATION	(77) POWER
08S	29E	28	NE SE		38.0✓	01	IRRIGATION	(77) POWER
08S	29E	28	NW SE		38.0✓	01	IRRIGATION	(77) POWER
08S	29E	28	SW SE		38.0✓	01	IRRIGATION	(77) POWER
08S	29E	28	SE SE		38.0✓	01	IRRIGATION	(77) POWER
08S	29E	29	SE SE		3.0✓	01	IRRIGATION	(77) POWER
08S	29E	32	NE NE		5.0✓	01	IRRIGATION	(77) POWER
08S	29E	33	NW NW		12.0✓	01	IRRIGATION	(77) POWER

Total Acres: 540.0

+ - - Diversion Means -

+ - - Non-Irrigation Use - S/1000 RANGE.

+ - - Other Rights for Same Use -

+ - - - - - Remarks - - - - -
No Remarks found.

+ - - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - - - -Comments- - - - -
No Comments Found

+ - - Audit Fields - 12/18/84 05/21/88 CONVERT

+ - - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date - 00/00/0000	Field Exam Made - 00/00/0000	Field Exam Fee -
Approved/Denied - 00/00/0000	Protested Date - 00/00/0000	Swan Falls -
Proof Made Date - 00/00/0000	Hearing Date - 00/00/0000	Temporary Right - P
Exam to S.O. Date- 00/00/0000	Verified Date - 12/18/1984	OLE/Carey Act -

MINUTEMAN
MAY 30 1995

ATTACHMENT
NO. 1

Water right number - 35-07266

Prefix Translation: WATER RIGHT

+ - - - - Water Rights Dates and Flags Area - - - - - +

Order Show Cause -	00/00/0000	Receipt Number -		Water District -	
Licensed Date -	06/06/1983	Appl Received -	00/00/0000	Transfer/Amended -	
Decree Date -	00/00/0000	Name Connector -		PDU Ownership Flag -	
Presumption Flag -					

RECORDED
MAY 30 1995

ATTACHMENT
NO. 1

MAKE CHECK PAYABLE TO:
POWER COUNTY TAX COLLECTOR
COURTHOUSE 543 BANNOCK
AMERICAN FALLS
IDAHO 83211

TAX BILL/RECEIPT

TAX YEAR 1994

CODE AREA

6-00

BILL NO

3518

L

PARCEL NUMBER
RPD1115-0

TOT MV

1ST TAX 129.66
HALF PEN
INT
COST
TOT

2ND TAX 129.66
HALF PEN
INT
COST
TOT

FULL TAX 259.32
PEN
INT
COST
TOT

WAC
TOT ACS

KRESS ART & SONS INC
P O BOX 336
AMERICAN FALLS ID 83211

S33 T8S R29E
PT OF SWNW & NWSW WEST OF
RIMROCK, NWNW,

TAXING DISTRICT	**RATE**	**AMT**
STATE	.000000000	
POWER COUNTY	.003565307	
SCHOOL #381	.007089492	
COUNTY HWY	.002393546	
A.F. FIRE	.000189998	
AF LIBRARY	.000345614	
HOSPITAL DIST	.000842936	
AMBULNCE DIST	.000220708	
TOTALS	.014647601	
NET TAX/SPECIALS DUE		

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE

KEEP TOP PORTION FOR YOUR RECORDS

PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE

LEVY SHEETS ARE AVAILABLE IN TREASURER'S OFFICE
RECEIPT GIVEN SUBJECT TO CLEARANCE OF YOUR CHECK

MAY 30 1994

MAKE CHECK PAYABLE TO:
POWER COUNTY TAX COLLECTOR
COURTHOUSE 543 BANNOCK
AMERICAN FALLS
IDAHO 83211

TAX BILL/RECEIPT CODE AREA 6-00
TAX YEAR 1994 BILL NO 3515

PARCEL NUMBER
RPD1110-00

1ST TAX	844.09	2ND TAX	844.09	FULL TAX	1,688.18	TOT MV	16
HALF PEN		HALF PEN		PEN		HM-	
INT		INT		INT		NET MV	11
COST		COST		COST		WAC	1
TOT		TOT		TOT		TOT ACS	4

KRESS ART & SONS INC
P O BOX 336
AMERICAN FALLS ID 83211

S32 T8S R29E
W2, N2SE, NE4, W2SWSE, T-5,

TAXING DISTRICT	**RATE**	**AMT**
STATE	.000000000	
POWER COUNTY	.003565307	
SCHOOL #381	.007089492	
COUNTY HWY	.002393546	
A.F. FIRE	.000189998	
AF LIBRARY	.000345614	
HOSPITAL DIST	.000842936	
AMBULNCE DIST	.000220708	
LANDFILL FEE		
TOTALS	.014647601	1,6
NET TAX/SPECIALS DUE		1,6

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3/1/95

MAKE CHECK PAYABLE TO:
POWER COUNTY TAX COLLECTOR
COURTHOUSE 543 BANNOCK
AMERICAN FALLS
IDAHO 83211

TAX BILL/RECEIPT

CODE AREA

6-00

PARCEL NUM

TAX YEAR 1994

BILL NO

3511

L

RPO1109-00

TOT MV

1ST TAX
HALF PEN
INT
COST
TOT

66.33

2ND TAX
HALF PEN
INT
COST
TOT

66.33

FULL TAX
PEN
INT
COST
TOT

132.66

WAC
TOT ACS

1.
34

KRESS ART & SONS INC
P O BOX 336
AMERICAN FALLS ID 83211

S29 T8S R29E
E2SE, W2NE, W2,

****TAXING DISTRICT**** ****RATE**** ****AMC****
STATE .000000000
POWER COUNTY .003565307
SCHOOL #381 .007089492
COUNTY HWY .002393546
A.F. FIRE .000189998
AF LIBRARY .000345614
HOSPITAL DIST .000842936
AMBULNCE DIST .000220708
TOTALS .014647601
NET TAX/SPECIALS DUE

1
1

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LEVY SHEETS ARE AVAILABLE IN TREASURER'S OFFICE
RECEIPT GIVEN SUBJECT TO CLEARANCE OF YOUR CHECK

MAY 30 1995

MAKE CHECK PAYABLE TO:
POWER COUNTY TAX COLLECTOR
COURTHOUSE 543 BANNOCK
AMERICAN FALLS
IDAHO 83211

TAX BILL/RECEIPT

CODE AREA 6-00

PARCEL NUM

TAX YEAR 1994

BILL NO

3510

L

RPD1107-0

4

TOT MV

41

1ST TAX 3,069.42
HALF PEN
INT
COST
TOT

2ND TAX 3,069.42
HALF PEN
INT
COST
TOT

FULL TAX 6,138.84
PEN
INT
COST
TOT

WAC
TOT ACS

5

KRESS ART & SONS INC
P O BOX 336
AMERICAN FALLS ID 83211

S28 T8S R29E
ALL SEC

TAXING DISTRICT	**RATE**	**AMT**
STATE	.000000000	
POWER COUNTY	.003565307	1,
SCHOOL #381	.007089492	2,
COUNTY HWY	.002393546	1,
A.F. FIRE	.000189998	
AF LIBRARY	.000345614	1
HOSPITAL DIST	.000842936	3
AMBULNCE DIST	.000220708	
TOTALS	.014647601	6,1
NET TAX/SPECIALS DUE		6,1

6,

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SUBJECT TO BANK CLEARANCE

LEVY SHEETS ARE AVAILABLE IN TREASURER'S OFFICE
RECEIPT GIVEN SUBJECT TO CLEARANCE OF YOUR CHECK

MAKE CHECK PAYABLE TO:
POWER COUNTY TAX COLLECTOR
COURTHOUSE 543 BANNOCK
AMERICAN FALLS
IDAHO 83211

TAX BILL/RECEIPT CODE AREA 6-00
TAX YEAR 1994 BILL NO 3500

PARCEL NUM
RPD1097-00

L
I

1ST TAX	430.28	2ND TAX	430.28	FULL TAX	860.56	TOT MV	
HALF PEN		HALF PEN		PEN		HM-	
INT		INT		INT		NET MV	
COST		COST		COST		WAC	
TOT		TOT		TOT		TOT ACS	15

KRESS ART & SONS INC
P O BOX 336
AMERICAN FALLS ID 83211

S21 T8S R29E
SWNE, S2NW, SW4 LESS T-4,

TAXING DISTRICT	**RATE**	**AM
STATE	.000000000	
POWER COUNTY	.003565307	
SCHOOL #381	.007089492	
COUNTY HWY	.002393546	
A.F. FIRE	.000189998	
AF LIBRARY	.000345614	
HOSPITAL DIST	.000842936	
AMBULNCE DIST	.000220708	
LANDFILL FEE		
TOTALS	.014647601	
NET TAX/SPECIALS DUE		

3586 S LIBERTY LANE 83211

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PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE

LEVY SHEETS ARE AVAILABLE IN TREASURER'S OFFICE
RECEIPT GIVEN SUBJECT TO CLEARANCE OF YOUR CHECK

MAY 8 1995

MAKE CHECK PAYABLE TO:
POWER COUNTY TAX COLLECTOR
COURTHOUSE 543 BANNOCK
AMERICAN FALLS
IDAHO 83211

TAX BILL/RECEIPT CODE AREA 6-00
TAX YEAR 1994 BILL NO 3497 L

PARCEL NUM
RPD1095-00

1ST TAX	9.58	2ND TAX	9.58	FULL TAX	19.16	TOT MV
HALF PEN		HALF PEN		PEN		
INT		INT		INT		
COST		COST		COST		
TOT		TOT		TOT		TOT ACS

KRESS ART & SONS
P O BOX 336
AMERICAN FALLS ID 83211

S20 T8S R29E
SENE, NESE,

TAXING DISTRICT	**RATE**	**AMO
STATE	.000000000	
POWER COUNTY	.003565307	
SCHOOL #381	.007089492	
COUNTY HWY	.002393546	
A.F. FIRE	.000189998	
AF LIBRARY	.000345614	
HOSPITAL DIST	.000842936	
AMBULNCE DIST	.000220708	
TOTALS	.014647601	
NET TAX/SPECIALS DUE		

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LEVY SHEETS ARE AVAILABLE IN TREASURER'S OFFICE
RECEIPT GIVEN SUBJECT TO CLEARANCE OF YOUR CHECK

MICROFILMED
MAY 30 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 35-7266 Priority November 24, 1972 Amount 10.17 cfs

THIS IS TO CERTIFY, that Art Kress & Sons, Inc.
of American Falls, Idaho, has complied with the terms and conditions of Permit
No 35-7266 issued pursuant to Application for Permit dated November 24, 1972,
and has submitted proof to the Department of Water Resources on August 29, 1977,
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the diversion of 10.17 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>November 1</u>	at <u>10.17</u> cfs and	<u>1890.0</u> acre feet
<u>Stockwater</u>	from <u>January 1</u> to <u>December 31</u>	at <u>0.23</u> cfs and	<u>14.0</u> acre feet
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 10.17 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1904.0 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 28,
Twp. 8S, Rge. 29E in the County of Power

Description and location of place of use

Twp.	Range	Sec	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
8S	29E	21											22	8					30
		28	37	38	38	37	17	37	35	17	19	22	22	19	38	38	38	38	490
		29																3	3
		32	5																5
		33						12											12

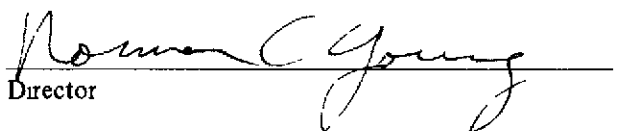
Total number of acres irrigated 540

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

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 30 day of
November, 19 81.

Acting for the Director



State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

RECEIVED

AUG 29 1977
Department of Water Resources
Eastern District Office

We, Arthur Kress, Lee
X, Kress and Larry Kress, hereby assign to ART KRESS & SONS, Inc.
of Box 336, American Falls, Idaho 83211
Address

CHECK ONE

- ☒ All my right, title, and interest in and to Permit No. 35-7266
to appropriate the public waters of the State of Idaho.
- ☐ 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 26th day of August, 19 77.

Larry Kress
Zola Kress
Lee Kress
Judy Kress

Arthur Kress
Permit Holder

Helen Kress
Spouse of Permit Holder

State of Idaho)
County of _____ Power) ss.

On this 26th day of August, 19 77, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Helen Meadows
Notary Public residing at
American Falls, Idaho

My commission expires:
8-6-78

35 7266

Identification No. _____

Application No. _____

STATE OF IDAHO

APPROVED

DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT**To Appropriate the Public Waters of the State of Idaho**

(TYPE OR PRINT IN INK)

1. Name of applicant Arthur Kress, &/or Lee Kress and/or Larry Kress
post office address Box 204 American Falls, Idaho
2. Source of water supply Ground Water which is a tributary of ---
3. a. Location of point of diversion is NW 1/4 of NW 1/4 of Section 28 Township 8S
Range 29E B.M. Power County; additional points of diversion if any: ---
SW 1/4 NE 1/4, Sec. 28, T. 8S, R. 29E; SW 1/4 SW 1/4, Sec. 28, T. 8S, R. 29E
NW 1/4 SE 1/4, Sec. 28, T. 8S, R. 29E, B.M.
- b. If water is not consumed, it will be discharged into _____ at a point in _____ 1/4
of _____ 1/4 of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 12.0 for irrigation purpose from Mar. 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 0.30 for stockwater purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 12.0 cubic feet per second ~~and/or~~
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Deep wells, turbine pumps, electric
motors, mainline, and sprinklers
- b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
- c. Proposed well diameter is 16 inches; proposed depth of well is 150 feet. each
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 110,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation. SAME AS ITEM 8b
(1) Give the place of use of water: _____ 1/4 of _____ 1/4 of Section _____ Township _____
Range _____ B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head
(3) List number of each kind of livestock to be watered 1,000 head of beef cattle.
(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

35 7266

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8S	29 E	28	40	40	40	40	30	40	40	30	40	30	30	40	40	40	40	40	600
		29													10			10	20
		21									10	5	15	15					45
		32	25																25
		33						10											10

Total number of acres to be irrigated 700

c. Describe any other water rights used for the same purposes as described above. NONE

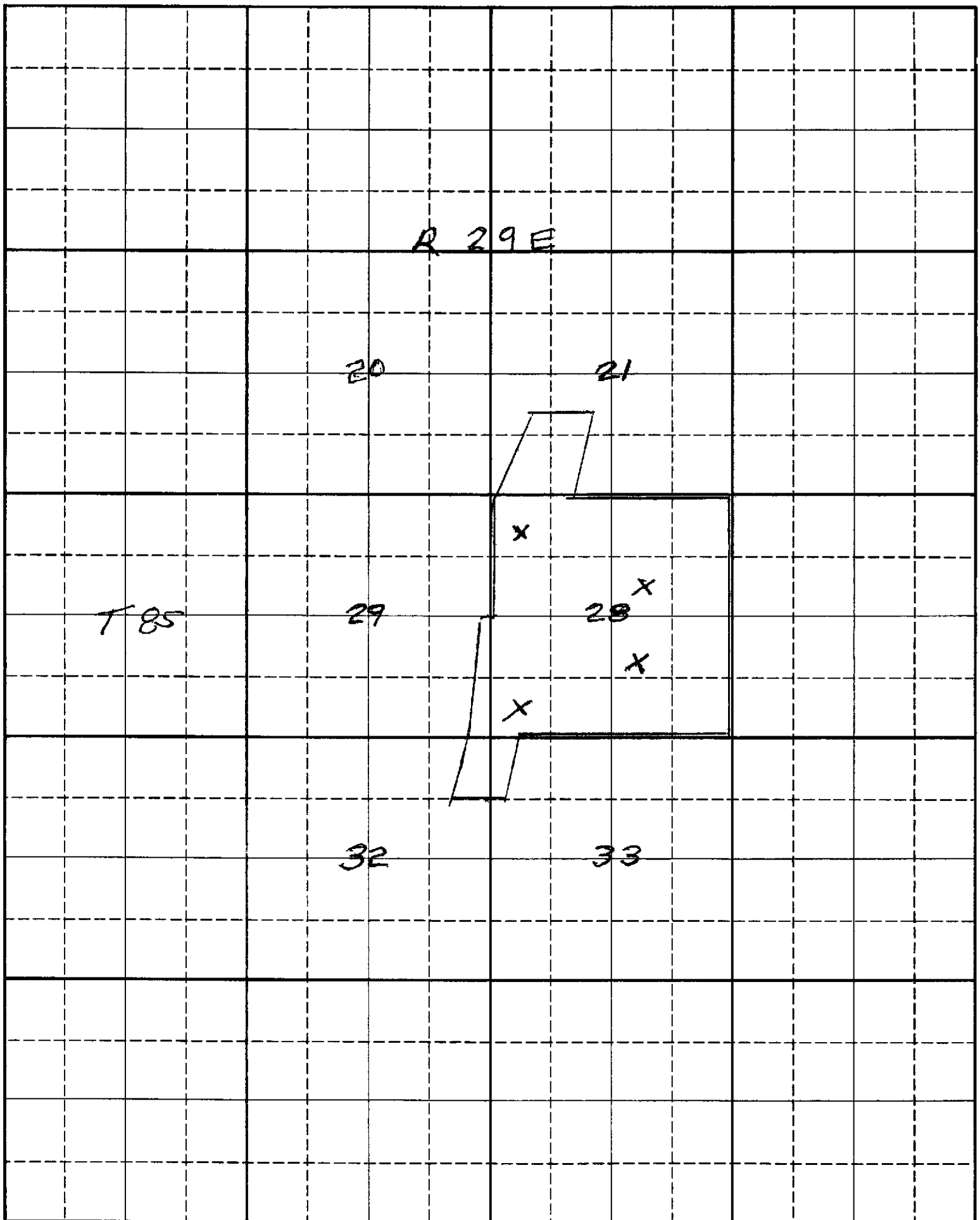
9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

11. 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.

Lee Kress
(Applicant)

Received by OW Date 11/24/72 Time 11:20 AM
 Preliminary check by NCY Fee \$ 135.00
 Receipted by OW Date 11/24/72
 Publication prepared by OW Date 11/24/72
 Published in Boise County Press
 Publication dates 11/31/72 & 12/7/72
 Publication approved NCY Date 12-26-72
 Priority reduced to 11/24/72 Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by NCY D

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

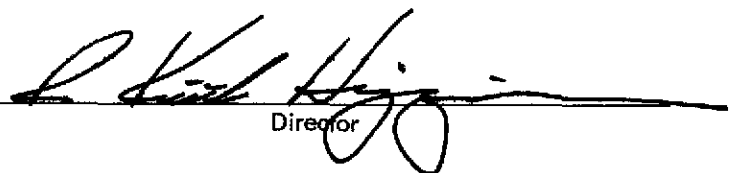
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 35-7266, and said application is hereby APPROVED.

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 1978.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 3rd day of January, 1973.


 Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item	Initial	Date	
(1)	NCY	11/24/72	Application No. <u>35-7266</u> Name <u>KRESS</u>
(2)	"	"	Check: ☒ Signature ☒ Point of Diversion ☒ Quantity of Water and Period of Use ☒ Description of Diverting Works ☒ Time required for C/W and application of water to B/U ☒ Place of Use ☒ Map ☒ Fee ☒ <u>County</u>
(3)	"	"	Send copies to: ☐ Idaho State Health Department ☒ Idaho Fish and Game Department ☐ Bureau of Land Management
(4)	"	"	☐ Request Special Use Permit from U.S.F.S. ☒ Request Easement from B.L.M.
(5)	"	"	In form for advertising <u>Yes</u>
(6)	Ba	12-20-72	Affidavit of Publication received <u>12-20-72</u>
(7)	"	"	Final date for protests <u>12-18-72</u> Protests received: yes <u>no</u> ✓
(8)	"	"	Date and Place of hearing <u>N.A.</u> Decision reached at hearing <u>N.A.</u>
(9)	NCY	11/24/72	Located within Water District No. <u>N.A.</u>
(10)	"	"	Critical groundwater area: yes <u>no</u> ✓
(11)	"	"	Groundwater levels: ☐ Decline (comment) _____ ☒ Stable (comment) <u>W.D. # 2-4</u> ☐ Increasing (comment) _____
(12)	"	"	Comments: <u>Located just below Bonanza Lake - May not be in Snake River</u> <u>Basalt aquifer</u>
(13)	NCY	12/26/72	Action recommended: ☒ Approve ☐ Deny Priority <u>11/24/72</u> Reason for Reduction _____
	"	"	☒ See attached sheet for conditions of approval ☐ No conditions for approval
(14)			District <u>EASTERN</u> Date <u>12/26/72</u> By <u>Norm Young</u> Title <u>DIST</u>

RECEIVED

1972
Department of Water Administration

RECOMMENDEDCONDITIONS OF APPROVAL

☒ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.

☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.

☐ Maximum rate of diversion shall not exceed _____ c.f.s.

☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.

☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.

☐ Use of water under this permit is subject to control by the watermaster of State Water District No. _____, _____ River.

☐ The proposed well shall not be drilled within _____ feet of another well.

☐ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.

☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.

☐ Other: _____

Affidavit of Publication

STATE OF IDAHO

COUNTY OF POWER }

S.S.

Phyllis Ringe

being first duly sworn

on oath, states:

That she is the principal clerk of the printer 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 30th day of Nov., 1972

the date of last publication being the

7th day of Dec., 1972

(Signed)

Subscribed and sworn to before me this

19 day of Dec., 1972

Notary Public, residing at American Falls, Idaho.

My Commission expires the

Notary Public, Idaho

(SEAL)

My Commission expires the

My Commission expires the
Aug. 20, 1973

LEGAL NOTICE

Published in The Power County Press Nov. 30 and Dec. 7, 1972.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Arthur Kress &/or Lee Kress &/or Larry Kress, Box 204, American Falls, Idaho has on 11/24/72 submitted Application No. 35-7266 for a permit to appropriate 12.0 cubic feet per second of water from a ground water source by means of well and pump within the NW1/4-NW1/4, SW1/4NE1/4, SW1/4-SW1/4, NW1/4SE1/4, Sec. 28, T 8S, R. 29 E. B.M. Power County; to be used from Mar. 15 to Nov. 15 for irrigation of 700 acres, and from Jan. 1 to Dec. 31 for stockwater purposes for 1,000 head of cattle within the SW1/4, Sec. 21, E1/2-SE1/4, Sec. 29, All of Sec. 28, NE1/4NE1/4, Sec. 32, NW1/4-NW1/4, Sec. 33, T. 8S, R. 29E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho 83401 on or before December 18, 1972.

R. KEITH HIGGINSON
Director

35 7266



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 26, 1995

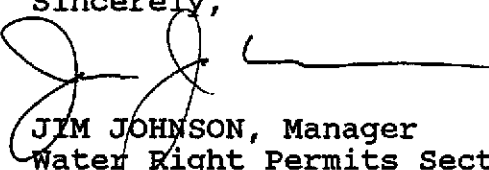
ART KRESS & SONS INC
P O BOX 204
AMERICAN FALLS ID 83211

Transfer of Water Right No. 35-07266

Dear Water Right Holder(s):

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water right (Transfer No. 4528). Please be sure to thoroughly review the "Conditions/Remarks:" as listed on the transfer.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

Enclosure

MICROFILMED

MAY 30 1995

MEMORANDUM

TO: FILE NO. 35-07266

FROM: PAM SKAGGS/²⁸STATE OFFICE

SUBJECT: TRANSFER NO. 4528

DATE: May 24, 1995

=====

Transfer No. 4528 was filed to change the place of use under Right No. 35-07266. Wheel lines are being replaced with pivot systems and this will rearrange the acre distribution slightly within the same land parcel.

Proof of ownership was provided to cover the entire place of use and overlap report shows no other rights are used on these acres. Season of use and volume were adjusted to current standards.

Recommended conditions include irrigation overlap, multiple points of diversion/measuring device and standard transfer conditions.

MINORU MFD
MAY 30 1995

TRANSFER REVIEW SHEET
(04-95)

Transfer # 4528

Date Reviewed 5-23-95 28

Right(s) 35-07266 _____

☒ Print Split Summary ☒ Run POU Comparison Report

B:Change P/D C:Add P/D (D):Change P/U E:Change Nature of Use
F:Change Period of Use G:Other H:Change P/D & Add P/D
I:Change P/D & P/U J:Add P/D & Change P/U

Proof of Ownership 1994 Tax Notices covers all acres removed from
Licensed AQ.

Transfer ☒ All of Right _____ Portion of Right
Resulting Split(s) NONE

Check Transfer Against Right

Season/Vol. C/4.0

(1) ☒ Priority (2) ☒ Use (3) _____ Season (4) ☒ Rate (5) _____ Volume
(6) ☒ Source (7) ☒ P/D (8) _____ P/U (9) ☒ Proof/Owner (10) ☒ Map
(11) NA Water District (12) NO Pertinent Conditions (13) NO Expansion

(3) Adjust season to standard IRR 4-1 to 10-31
(5) Adjust VOL to standard - VDR provides full VOL = 4 x 540 = 2160 a/c
(8) Rearrange acres on the original land parcel

Transfer Remarks STOCK-1000 WB4
Conditions R31, T07, T08, T09, T17

Database/Processing Notes T file - Straight process.

JS 5/24/95

WR Reports File _____

Transfer Memo Complete _____

WR0749NP
No. T35-07266

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/24/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	ART KRESS & SONS INC PO BOX 204 AMERICAN FALLS ID 83211 (208) 226-2766	11/24/1972	IRRIGATION STOCKWATER	04-01 10-31 01-01 12-31	10.170 CFS 0.230 CFS	2160.00 AFA 14.00 AFA
TOTAL DIVERSION:					10.170 CFS	2174.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T08S R29E S28 NWNW SWSW POWER County

Place of use Legal Description for: IRRIGATION

		NE				NW				SW				SE					
T	R S	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM	
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac		
08S 29E 21	:											25	04					29.0	
08S 29E 28	:	23		39	40	37	12	30	29	23	22	24	18	16	38	40	40	30	461.0
08S 29E 29	:														08			13	21.0
08S 29E 32	:	13																	13.0
08S 29E 33	:	01		04				11											16.0
TOTAL ACRES																		540.0	

Place of use location for STOCKWATER is the same location as described for: IRRIGATION

Pou County: POWER

Other Water Rights with Same Point(s) of Diversion and Source:
35-07266

Other Water Rights Listing Overlapping Place(s) of use:
35-07266

Conditions of Approval:

- R31 - This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
- T07 - The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
- T08 - Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
- T09 - Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- T17 - Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

WR0749NP
No. T35-07266

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/24/95
PAGE: 2

Remarks: The total instantaneous diversion of water from all points of diversion under Transfer No. 4528 shall not exceed 10.17 cfs, nor total combined annual volume of 2,174.0 af. Stockwater use is for 1,000 range cattle.

Dates: App. Received: Priority Date: 11/24/1972
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 06/06/1983

Misc: Water District Number: Field Exam Fee:

Comments: Date: 01/04/1995 User-ID: RBODELL Subject: TRANSFER NO. 4528
Applicants are putting pivots over all ground and eliminating wheel lines changing the place of use under Right No. 35-07266.

Audit: 01/04/95 RBODELL 05/24/95 PSKAGGS

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

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM	
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac				
3507266	T08S R29E S21 GROUNDWATER																		
												22	08					30	
3507233	GROUNDWATE :														33	33	33	132	
A3507233	GROUNDWATE :														33	33	33	132	
R3507233	GROUNDWATE :														33	33	33	132	
A3507266	GROUNDWATE :																	30	
R3507266	GROUNDWATE :										01	20	10					31	
T3507266	GROUNDWATE :											22	08					30	
	C77Q-BB 34 :			03	10						11	07	24	20	40	37	39	40	231
3507266	T08S R29E S28 GROUNDWATER																		
		37	38	38	37	17	37	35	17	19	22	22	19	38	38	38	38	490	
A3507266	GROUNDWATE :	37	38	38	37	17	37	35	17	19	22	22	19	38	38	38	38	490	
R3507266	GROUNDWATE :	34	39	39	36	15	31	35	17	21	22	22	23	37	38	38	36	483	
T3507266	GROUNDWATE :	37	38	38	37	17	37	35	17	19	22	22	19	38	38	38	38	490	
	C77Q-BB 34 :	42	40	42	40	21	35	39	18	25	33	25	23	41	41	41	36	542	
3507266	T08S R29E S29 GROUNDWATER																		
																	03	3	
A3507266	GROUNDWATE :																03	3	
R3507266	GROUNDWATE :				02												01	3	
T3507266	GROUNDWATE :																03	3	
	C77Q-BB 34 :				08									21			29	58	
3507266	T08S R29E S32 GROUNDWATER																		
		05																5	
A3507266	GROUNDWATE :	05																5	
R3507266	GROUNDWATE :	03																3	
T3507266	GROUNDWATE :	05																5	
	C77Q-BB 34 :	34		02	32									34	18	18	32	170	
3507266	T08S R29E S33 GROUNDWATER						12											12	
3504065	GROUNDWATE :											12	03					15	
A3504065	GROUNDWATE :											10	03					13	
R3504065	GROUNDWATE :											10	03					13	
A3507266	GROUNDWATE :						12											12	
R3507266	GROUNDWATE :						14											14	
T3507266	GROUNDWATE :						12											12	
	C77Q-BB 34 :	01	02				15	03		01	16	05						43	

710 Overlays

WR5747NP

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NUMBER INDEX

DATE: 05/23/95
PAGE: 1

WATER RIGHT
NUMBER

NAME

CFS

35-07266

ART KRESS & SONS INC.

10.17

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: KC Wilson

1. Right number 35-07266 Applicant Art Kress & Sons, Inc.
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred.
 - h. ☒ Check for expansion in use of right. Comments NO Expansion
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) NONE
 - j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No
If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on NOV 2-6-95
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* _____

4. By RRC Date _____

RECEIVED
FEB 27 1995

Department of Water Resources

Ad to S.O. 1-4-95
Copy S.O. 1-6-95

Affidavit of Publication

State of Idaho

County of Power

Erna 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 18 day of January 1995 and the date of the last publication being the 25 day of January 1995.


Signed

State of Idaho

County of Power

On this 26 day of January in the year of 1995, before me, a Notary Public, personally appeared Erna 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.



Notary Public for Idaho
Residing at American Falls, Idaho
My commission expires: June 8, 1999

Proposed change of water permit

Published in The Power County Press,
Jan. 18, 25, 1995.

NOTICE OF PROPOSED CHANGE OF WATER PERMIT

No. 4528

Notice is hereby given that Art Kress and Sons, Inc., P.O. Box 204, American Falls, ID, has applied to the Department of Water Resources to change place of use of the waters of a groundwater source. The right sought to be changed is evidenced by a license and recorded as follows:

No : 35-07266

Source: Groundwater

Amount: 10.170 cfs

Priority: 11/24/1972

Point(s) of Diversion, NWNW, SWSW, SEC 28, T08S, R29E, Power County

The water is used for irrigation from 04/01 to 11/01 and stockwater from 01/01 to 12/31 within the S1/2 SW, SEC 21, SEC 28, SESE, SEC 29, NENE, SEC 32, NWNW, SEC 33, T8S, R29E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be used within SEC 28, E1/2SE, SEC 29, S1/2SW, SEC 21, NENE, SEC 32, N1/2NE, NWNW, SEC 33, T8S, R29E, B.M. The protestant must also send a copy of the protest to the applicant.

Any protest against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID, 83402, together with a protest fee of \$25 on or before February 6, 1995.

R. Keith Higginson
Director

RECEIVED

JAN 30 1995

Department of Water Resources
Eastern District Office

MAY 30 1995

**NOTICE OF PROPOSED
CHANGE OF A WATER
RIGHT NO.**

4528

Notice is hereby given that Art Kress and Sons, Inc., P.O. Box 204, American Falls, ID, has applied to the Department of Water Resources to change place of use of the waters of a groundwater source. The right sought to be changed is evidenced by a license and recorded as follows:

NO: 35-07266
SOURCE: Groundwater
Amount: 10,170 cfs
Priority 11/24/1972
Point(s) of Diversion:
NWNW, SWSW, SEC 28,
T08S, R29E, Power
County

The water is used for irrigation from 04/01 to 11/01 and stockwater from 01/01 to 12/31 within the S1/2SW, SEC 21, SEC 28, SESE, SEC 29, NENE, SEC 32, NWNW, SEC 33, T8S, R29E, B.M.

**TO BE CHANGED AS
FOLLOWS:**

The water will be used within SEC 28, E1/2SE, SEC 29, S1/2SW, SEC 21, NENE, SEC 32, N1/2NE, NWNW, SEC 33, T8S, R29E, B.M.. The protestant must also send a copy of the protest to the applicant.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID 83402, together with a protest fee of \$25 on or before February 6, 1995.

R. Keith Higginson
Director
PUBLISH: Thursday, January 19 and 26, 1995

Affidavit of Publication

STATE IDAHO
COUNTY OF TWIN FALLS }

SS.

No 26756

I, Linda Capps being first duly sworn upon oath, depose and say that I am Owner of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for 10 consecutive issues, commencing with the issue dated January 19, 1995, and ending with the issue dated January 26, 1995.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

RECEIVED
JAN 30 1995

Department of Water Resources
Eastern District Office

26 day of January, 1995, before me,
Linda Capps,
a Notary Public, personally appeared Linda Capps,
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 he executed the same.
Linda Capps
Notary Public for Idaho
Residing at Twin Falls, Idaho
My commission expires: 5/19/2000

TRIBUNE PUBLISHING COMPANY, INC.
The Lewiston Morning Tribune
505 C St., P O Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date 01/26/95 INVOICE NO 521805
Account No. 446600
Description 521850 NOTICE OF PROPOSED
Times 2 Lines 39

SOLD TO: IDAHO DEPT. OF WATER RESOURCES
900 N. SKYLINE
IDAHO FALLS ID 83402

Tab Lines
\$ 43.88
Department of Water Resources
Eastern District Office
JAN 30 1995

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune
505 C St., P.O. Box 957
Lewiston, Idaho 83501
(208) 743-9411

Date 01/26/95INVOICE NO. 521805Account No 446600Description 521850NOTICEOFPROPOSEDTimes 2Lines 39

Tab. Lines _____

JAN 30 1995

SOLD TO: IDAHO DEPT. OF WATER RESOURCES
900 N. SKYLINE
IDAHO FALL ID 83402

\$ 43.88

Department of Water Resources
Eastern District Office

NOTICE This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

521850
NOTICE OF PROPOSED CHANGE
OF A WATER RIGHT

NO. 4528

Notice is hereby given that Art Kress and Sons, Inc., P.O. Box 204, American Falls, ID, has applied to the Department of Water Resources to change place of use of the waters of a groundwater source. The right sought to be changed is evidenced by a license and recorded as follows:

No.: 35-07266 Source: Groundwater
Amount: 10.170 cfs Priority: 11/24/1972
Point(s) of Diversion: NWNW, SWSW,
SEC 28, T08S, R29E, Power County

The water is used for irrigation from 04/01 to 11/01 and stockwater from 01/01 to 12/31 within the S1/2SW, SEC 21, SEC 28, SESE, SEC 29, NENE, SEC 32, NWNW, SEC 33, T8S, R29E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be used within SEC 28, E1/2SE, SEC 29, S1/2SW, SEC 21, NENE, SEC 32, N1/2NE, NWNW, SEC 33, T8S, R29E, B.M.. The protestant must also send a copy of the protest to the applicant.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID 83402, together with a protest fee of \$25 on or before February 6, 1995.

R. Keith Higginson

Director

Published Statewide on January 19 & 26, 1995.

STATE OF IDAHO, ss.
County of Nez Perce

Karen Lewis, being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 521850NOTICEOFP attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication being on 01/19, or once a WEEK for 2 consecutive WEEK, the first publication thereof being on the 01/19/95, and the last publication thereof being on the 01/26/95, and said 521850NOTICEOFP was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Karen J. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS THE 27day of January 1995

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires 7/97

MAY 30 1995

The Idaho Statesman

P O BOX 40, BOISE, IDAHO 83707

LEGAL ADVERTISING INVOICE

Amount Due

\$49.44

Account Number 10056400		Identification NOTICE OF PROPOSED CHANGE OF A WATER RIGHT NO. 4528	
Ordered By Rita Bodell	P O Number	Rate NT	Run Dates January 19 & 26, 1995
DEPARTMENT OF WATER RESOURCES Eastern Region Attn: Rita Bodell 900 N. Skyline Drive Idaho Falls, Idaho 83402-1718		Estimated Inches	Real Inches
		# Affidavits 1	Legal Number 1087

LEGAL NOTICE

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT NO. 4528

Notice is hereby given that Art Kress and Sons, Inc., P.O. Box 204, American Falls, ID, has applied to the Department of Water Resources to change place of use of the waters of a groundwater source. The right sought to be changed is evidenced by a license and recorded as follows:

No.: 35-07266

Source: Groundwater

Amount: 10,170 cfs

Priority: 11/24/1972

Point(s) of Diversion: NWNW, SWSW, SEC 28, T8S, R29E, Power County

The water is used for Irrigation from 04/01 to 11/01 and stockwater from 01/01 to 12/31 within the S1/2SW, SEC 21, SEC 28, SESE, SEC 29, NENE, SEC 32, NWNW, SEC 33, T8S, R29E, B.M.

TO BE CHANGED AS FOLLOWS:

The water will be used within SEC 28, E1/2SE, SEC 29, S1/2SW, SEC 21, NENE, SEC 32, N1/2NE, NWNW, SEC 33, T8S, R29E, B.M. The protestant must also send a copy of the protest to the applicant.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID 83402, together with a protest fee of \$25 on or before February 6, 1995.

R. Keith Higginson
Director

Pub. Jan. 19 & 26, 1995

1087

LINDA PORTER

, being duly sworn, deposes and says That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto, that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for TWO

☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of JANUARY 19, 1995

and ending with the issue of JANUARY 26, 1995

Linda Porter

STATE OF IDAHO)

SS

COUNTY OF ADA)

On this 26th day of JANUARY in the year of 1995, before me, a Notary Public, personally appeared LINDA PORTER

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. 02 1995

Notary Public for Idaho

Residing at Boise, Idaho

Department of Water Resources
Eastern District Office

My commission expires: 11-27-99

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT

NO. 4528

Notice is hereby given that Art Kress and Sons, Inc., P.O. Box 204, American Falls, ID, has applied to the Department of Water Resources to change place of use of the waters of a groundwater source. The right sought to be changed is evidenced by a license and recorded as follows:

No.: 35-07266 Source: Groundwater
Amount: 10.170 cfs Priority: 11/24/1972
Point(s) of Diversion: NWNW, SWSW, SEC 28, T08S, R29E, Power
County

The water is used for irrigation from 04/01 to 11/01 and stockwater from 01/01 to 12/31 within the S1/2SW, SEC 21, SEC 28, SESE, SEC 29, NENE, SEC 32, NWNW, SEC 33, T8S, R29E, B.M.

TO BE CHANGED AS FOLLOWS:

The water will be used within SEC 28, E1/2SE, SEC 29, S1/2SW, SEC 21, NENE, SEC 32, N1/2NE, NWNW, SEC 33, T8S, R29E, B.M. . The protestant must also send a copy of the protest to the applicant.

Any protests against approval of the proposed change must be filed with the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID, 83402, together with a protest fee of \$25 on or before February 6, 1995.

R. Keith Higginson

Director

Published Statewide on January 19 & 26, 1995.

Microfilm

MAY 30 1995

January 10, 1995

IDAHO STATESMAN
PO BOX 40
BOISE ID 83707

Dear Publisher:

Enclosed you will find a legal notice which we wish to have published on the date indicated in your newspaper. If you cannot publish the notice on the proposed date, 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 February 6, 1995.

Yours truly,



Rita Bodell
Secretary

Enc.

RECEIVED

MAY 30 1995

January 10, 1995

LEWISTON MORNING TRIBUNE
PO BOX 957
LEWISTON ID 83501

Dear Publisher:

Enclosed you will find a legal notice which we wish to have published on the date indicated in your newspaper. If you cannot publish the notice on the proposed date, 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 February 6, 1995.

Yours truly,


Rita Bodell
Secretary

Enc.

RECEIVED
MAY 30 1995

January 10, 1995

THE TIMES NEWS
PO BOX 548
TWIN FALLS ID 83303

Dear Publisher:

Enclosed you will find a legal notice which we wish to have published on the date indicated in your newspaper. If you cannot publish the notice on the proposed date, 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 February 6, 1995.

Yours truly,


Rita Bodell
Secretary

Enc.

RECEIVED

MAY 30 1995

January 10, 1995

POWER COUNTY PRESS
PO BOX 547
AMERICAN FALLS ID 83211

Dear Publisher:

Enclosed you will find a legal notice which we wish to have published on the date indicated in your newspaper. If you cannot publish the notice on the proposed date, 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 February 6, 1995.

Yours truly,


Rita Bodell
Secretary

Enc.

RECEIVED

MAY 30 1995

January 9, 1995

ART KRESS AND SONS INC
PO BOX 204
AMERICAN FALLS ID 83211

RE: Application for Transfer No. 4528

Dear Mr. Kress:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Power County Press on January 19 & 26, 1995. 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 *rb*
Water Right Supervisor

HWJ/rb

MICROFILMED

MAY 30 1995

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

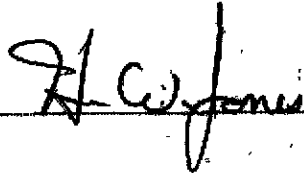
Receipt No: E020595

Date: 12/30/1994
Time: 08:13:21

Received
From: FRESS, ART

Type of Payment	Program A cct	Amount
APPLIC. FOR TRANSF.- SE-07266		
63105	229 21 1155	100.00
Total		
CHECK 422		\$100.00

Region: EASTERN

Signature: 

MICROFILMED

MAY 3 01995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

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

December 3, 1981

RE: Permit No. 35-7266

Art Kress & Sons, Inc.
Box 336
American Falls, ID 83211

Gentlemen:

Enclosed is a copy of the Water Right License issued on the above
referenced Permit.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

Enclosure

DEC 10 1981



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

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

October 14, 1981

RE: Permit No. 35-7266

Art Kress & Sons, Inc.
Box 336
American Falls, ID 83211

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 35-7266, and has found the following:

Amount of water that can be recognized as beneficially used under Idaho law: 10.17 cfs Source: groundwater

The maximum quantity diverted shall not exceed 1904.0 acre feet per year.

Point(s) of diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, Twp. 8S, Rge. 29E, Power Co.

Beneficial use: Irrigation of 540 acres within the S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 21; Sec. 28; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 29; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 32; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33; Twp. 8S, Rge. 29E and stockwater purposes.

Priority date established: November 24, 1972

Also, on your permit you proposed an irrigation period of 3/15 to 11/15. Our office identifies a period of 4/1 to 11/1 for your area. ~~If you do not concur with this and the above findings...~~

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

APT. 6/7/79

DEPARTMENT OF WATER RESOURCES
FIELD REPORT

RECEIVED
SEP 12 1977

1. Name of permit holder Art Kress & Sons, Inc. Department of Water Resources
Post office address Art Kress, Box 336, American Falls, ID 83211 Eastern District Office
Person to contact 226-2217 Phone _____

2. Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 12.00 c.f.s. for Irrigation
AF/Annum (nature of use)

Period of Use: from Mar. 15 to Nov. 15
(mo.-day) inclusive (mo.-day)

Amount 0.30 c.f.s. for Stockwater (1000 head beef cattle)
AF/Annum (nature of use)

Period of Use: from Jan. 1 to Dec. 31
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Permit No. _____
35-7266
Examination for _____
b/u

4. Total amount to be appropriated:

Max Rate of Diversion 12.00 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion: Proof lists only the NW $\frac{1}{4}$ NW $\frac{1}{4}$, & SW $\frac{1}{4}$ SW $\frac{1}{4}$

Township 8S N/S, Range 29E E/W, B.M., Section 28, Subdivision NW $\frac{1}{4}$ NW $\frac{1}{4}$, Power
County

Township " N/S, Range " E/W, B.M., Section 28, Subdivision SW $\frac{1}{4}$ NE $\frac{1}{4}$,
County

Township " N/S, Range " E/W, B.M., Section 28, Subdivision NW $\frac{1}{4}$ SE $\frac{1}{4}$,
County

Other Points of Diversions: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, T8S, R29E

Description of diverting works: 95' well, 20" casing, 125 hp 14" turbine w/150 hp split case centrifugal pump, attached to 6470' mainline pipe attaching 8- $\frac{1}{4}$ mile wheel lines and one 1298' center pivot. system 2 - 55' well, 20" casing, 200 hp, 14" turbine w/150 hp splitcase centrifugal pump attached to 7020' mainline pipe, 9- $\frac{1}{4}$ miles wheel lines, one 1298' center pivot.
Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
8S	29E	28	40	40	40	40	30	40	40	30	40	30	30	40	40	40	40	40	600
		29													10			10	20
		21									10	5	15	15					45
		32	25																25
		33					10												10
			Proof lists only 512 acres																

TOTAL ACREAGE _____

T
8
5

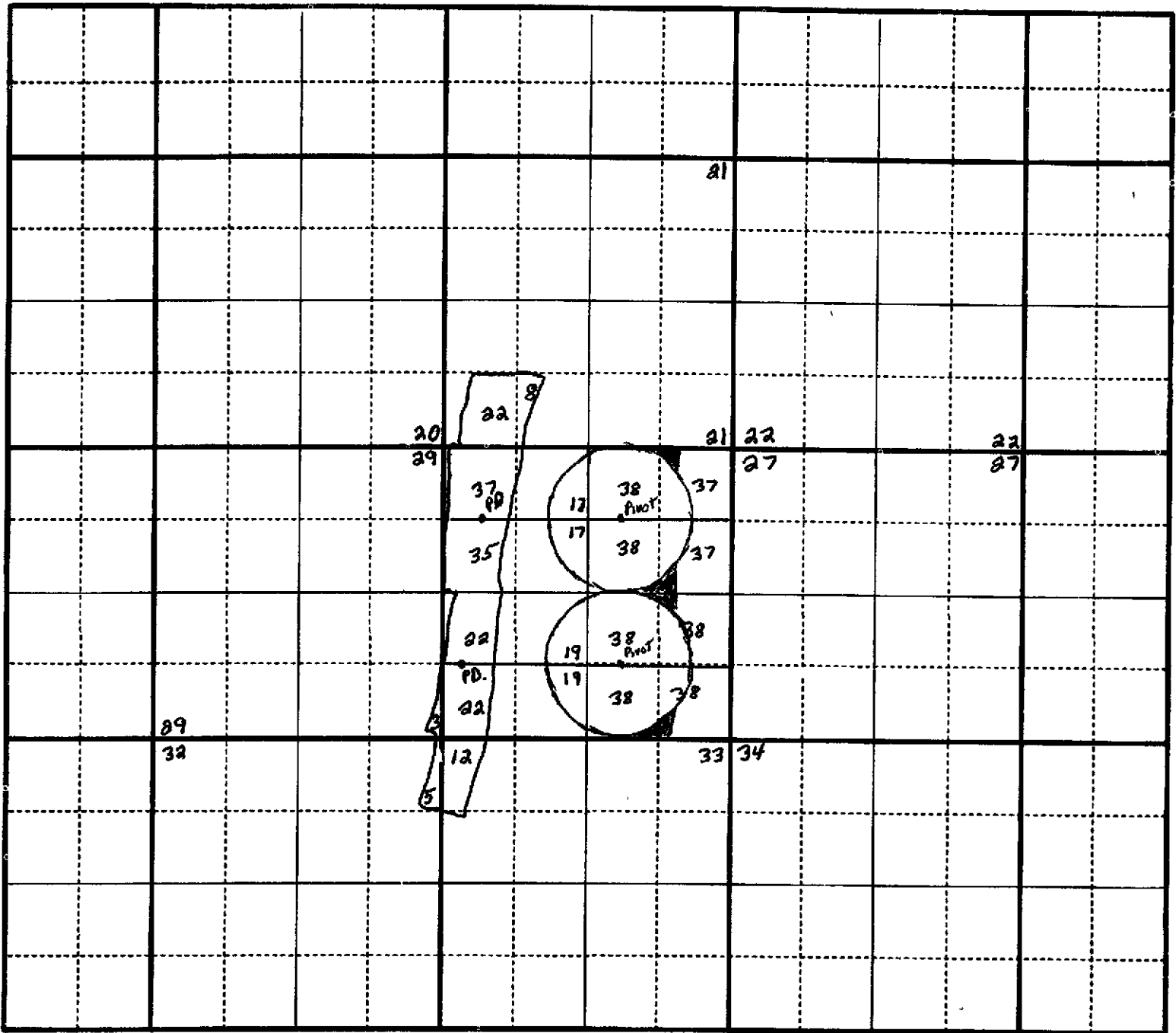
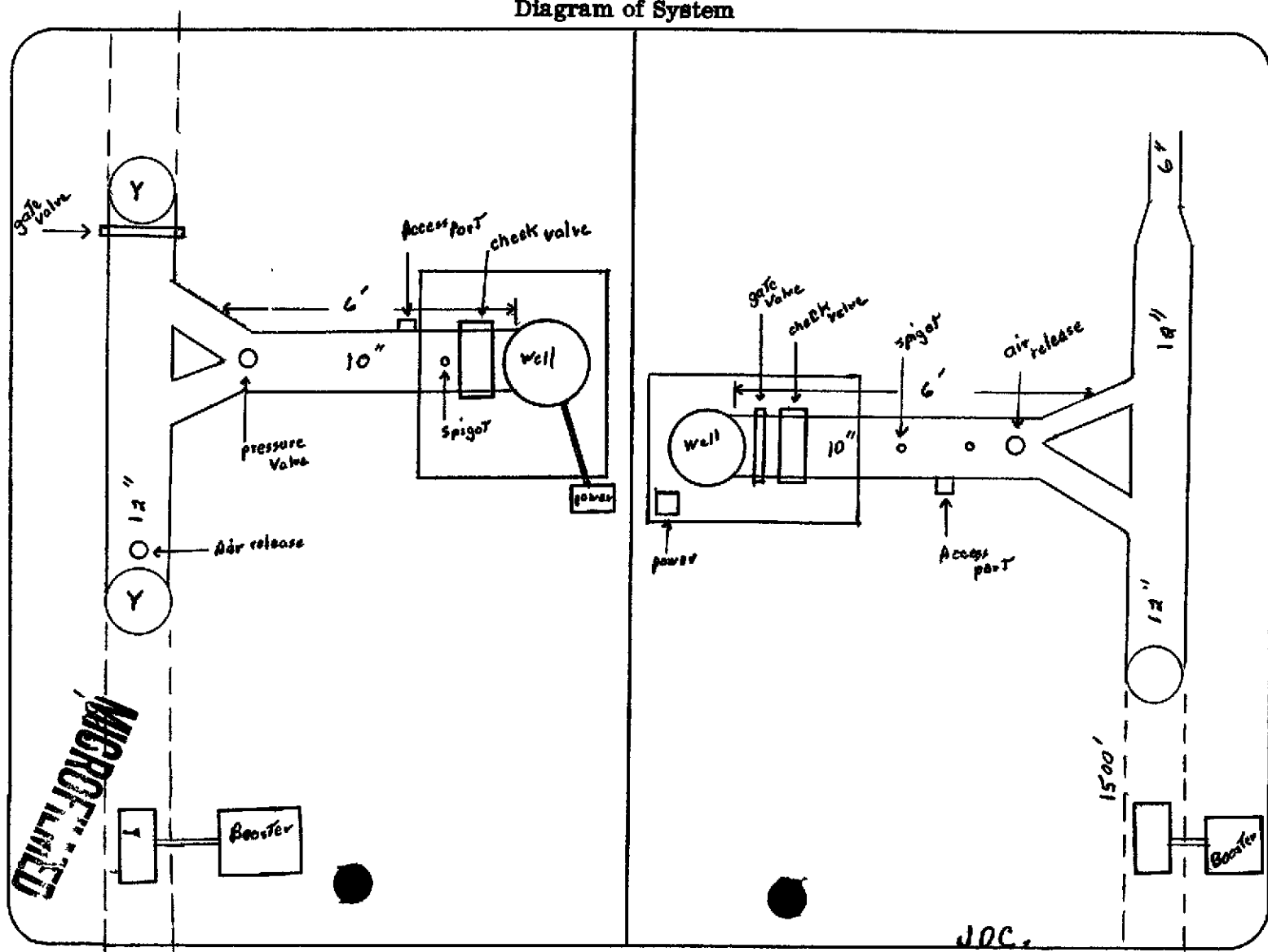


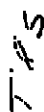
Diagram of System



540 Acres Total 29E 1

ART KRESS 35-7266

5-10



MICROFILMED

DATE OF EXAM 6/7/79

ACREAGE
Found 540 Ac ✓
Recommended 540 Ac ✓

Irrigation Requirement 3.5 Ac Ft/Ac

USE
Irrigation Q = 10.17 c.f.s. V = 1890 AF/Ann. from April 1 to Nov. 1
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = .23 c.f.s. V = 14.0 AF/Ann. from Jan 1 to Dec 31
TOTAL 10.17 1904.0

Is water co-mingled? yes _____ no X

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

Exchange? yes _____ no X

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

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

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

Total Q measured 10.17 cfs Method of measurement Annubar
80"

Total Q recommended 10.17 cfs Meter No. 10" Type Annubar Condition New

Total V recommended 1904 AF/Ann.

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None

MEASUREMENT CALCULATION:

* 1NWNN1428 (9.731) $3.85 \sqrt{37.5} = 2232 \approx 4.97 \text{ cfs}$

* 2SWSW1428 (9.731) $3.85 \sqrt{41} = 2334 \text{ gpm} = 5.20 \text{ cfs}$

540 Ac x 3.5 AF/Ac = 1890 ✓ 10.17 cfs x 1.9835 cfs AF/dy x 214 dy = 4316.8 AF/Ann.

CAPACITY 10.17 cfs stockwater Q & V by assignment as per administrative memo.

SYSTEM DESCRIPTION:

* 1. 125 hp. 3. Tri-Clad Induction motor sn# BJ222110 w/a Johnston vertical turbine pump # 5030, Booster 150 hp 3. Tri-Clad induction motor sn# A3052022 w/a Purden pump # 2669027
* 2. 200 hp. 3. Tri-Clad induction motor sn# CKJ313111 w/a Johnston vertical turbine pump # 5030
Booster 150 hp w/acting from life line # 680B104675 w/a pump # 2668981, Lands irrigated by
by 17-1/4 mile wheel line + 2 - 1286' center pivots, 100 head of beef cattle.

REMARKS:

System shown and described by Art Hansen
no conflicting g.w. rights
Note: Season filed in should be reduced to April to Nov. 1

Examiner's Signature John D. Carlson Date 3/19/80

Check by Anthony R. Kozlowski Date 4-7-80

Approved by [Signature] Date 10/6/81

RECEIVED

September 9, 1977

Re: Permit No. 35-7266

Art Kress
Art Kress & Sons, Inc.
Box 336
American Falls, Idaho 83211

Dear Mr. Kress:

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

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell during which part of the irrigation season this examination will be made, but our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions regarding the field examination, please contact our Regional Office in Idaho Falls.

Sincerely,

JANICE RENK
Water Rights Bureau

/jr

MICROFILMED

RECEIVED

AUG 29 1977

Department of Water Resources
Eastern District Office

Identification No. 35-7266

Permit No. _____

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder ART KRESS & SONS, INC.
b) Post Office Address Box 336, American Falls, Idaho 83211

2. Permit Number 35-7266

3. Date of Priority that you are prepared to establish November 24, 1972

4. a) Source from which water was appropriated deep wells

b) Location of the point of diversion: NW 1/4 NW 1/4, Section 28
Township 8 South, Range 29 E. Boise Meridian, Other points of diversion:
SW 1/4 SW 1/4, Sec. 28, Township 8 South, Range 29, E.B.M.

5. a) The amount of water and use to which the water has been applied:

Amount 12.0 for irrigation purposes from Mar. 15 to Nov. 15 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

Amount 0.30 for stock water purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated 12.3 cfs and/or acre-feet per annum

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: _____

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____

b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source,

give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) System #1-95' well, 20" casing, 125 hp deep well-14" turbine with 150 hp split case centrifugal pump, attached to 6470' mainline pipe attaching 8-1/4 mile wheel lines and one 1298' center pivot. System #2-55' well, 20" casing, 200 hp, 14" turbine with 150 hp splitcase centrif- ical pump attached to 7020' mainline pipe, 9-1/4 miles wheel lines, one 1298' center pivot

b) Describe the type and size of measuring device which you have installed at your point of diversion: _____

At each point of diversion I installed a 10" Badger Flow Meter.

c) Give well driller's name and address and the date the well was completed: Paul Vollmer & Son,
Aberdeen, Idaho

#1 - February 1973

#2 - March 1974

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

Stock water- We pasture cattle on adjacent land that has surface water which dries up in the Summer at which time we divert water into a holding pond for use.

Exam typed 9/2/77

MICROFILMED

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: This land is being irrigated to produce grain, hay, potatoes, and other suitable crops

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8S	29E	28	34	36	35	35	11.5	35	30	14	20	26	21	15	35	39	38	35	459.5
8S	29E	21											23	8					31.0
8S	29E	29																2.5	2.5
8S	29E	32	6																6.0
8S	29E	33					13												13.0

Total number of acres irrigated 512

10. Remarks: Aerial photo of area is available

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

8-6-77 (Date) *Arthur Jones* (Signature)

State of IDAHO)
County of POWER) ss.

On this 26th day of August, 19 77, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Steve Meadows
Notary Public residing at Am. Falls, Idaho

My commission expires August 6, 1978

January 5, 1973

Re: 35-7266

Arthur Kress &/or Lee Kress
&/or Larry Kress
Box 204
American Falls, Idaho

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 37-7266. We direct your attention to the conditions of approval as listed on the fourth page.

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

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:cd

Enclosures

35 7266

December 18, 1972

Re: Application No. 35-7266 - Kress

Power County Press
174 Idaho Street
American Falls, ID 83221

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced application. The legal notice was to have been published in your newspaper on November 30 and December 7, 1972.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BA

35 7266

November 24, 1972

RE: 35-7265 - Albert Burgemaister
35-7266 - Arthur Kress &/or Lee Kress &/or Larry Kress

Power County Press
174 Idaho Street
American Falls, Idaho 83221

Gentlemen:

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

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

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

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

(signature of claimant)

Very truly yours,

NORMAN C. YOUNG
District Engineer

Bill submitted _____ by _____

NCY:CW

Enc: (2) Legal Notices

35 7266

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that ~~Arthur Kress &/or Lee Kress &/or Larry Kress,~~
Box 204, American Falls, Idaho

has on 11/24/72 submitted Application No. 35-7266
for a permit to appropriate 12.0 cubic feet per second ~~and excess feet per second~~
of water from a ground water source

by means of well and pump

within the NW¹/₄, NE¹/₄, SW¹/₄, SE¹/₄, Sec. 28, T. 8S, R. 29E, B.M.

Power County:

to be used from Mar. 15 to Nov. 15 for irrigation of 700 acres,
~~for~~ and from Jan. 1 to Dec. 31 for stockwater purposes for 1,000 head of cattle

within the SW¹/₄, Sec. 21, E¹/₂SE¹/₄, Sec. 29, All of Sec. 28, NE¹/₄NE¹/₄, Sec. 32,
NE¹/₄NW¹/₄, Sec. 33, T. 8S, R. 29, B.M.

If issued, this permit will be subject to all prior water rights. Protests
against the granting of the permit must be filed with the Idaho Department of
Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401 on or before
December 18, 1972.

R. KEITH HIGGINSON

Director

Published in the Power County Press, American Falls, Idaho
on Nov. 30, and Dec. 7, 1972

35 7266

NCY

November 24, 1972

Mr. Lee Kress
Box 204
American Falls, Idaho 83211

Dear Mr. Kress:

Attached herewith is departmental receipt No. 7035 in the amount of \$135.00 for the application you submitted. We did not add your domestic well in this because you would be losing priority.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:cw

Attachment