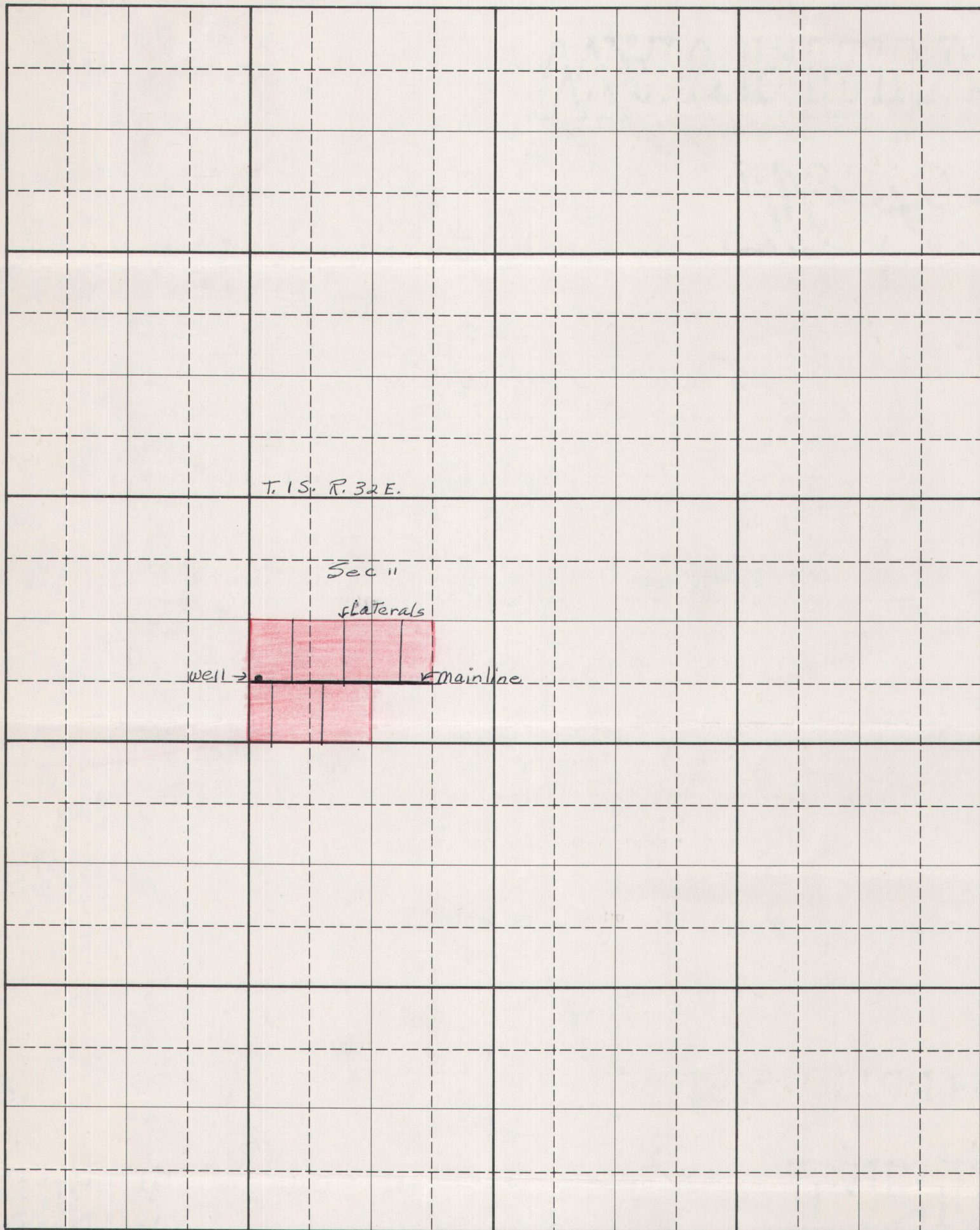


11. Map of proposed project:



Scale: 2 inches equal 1 mile

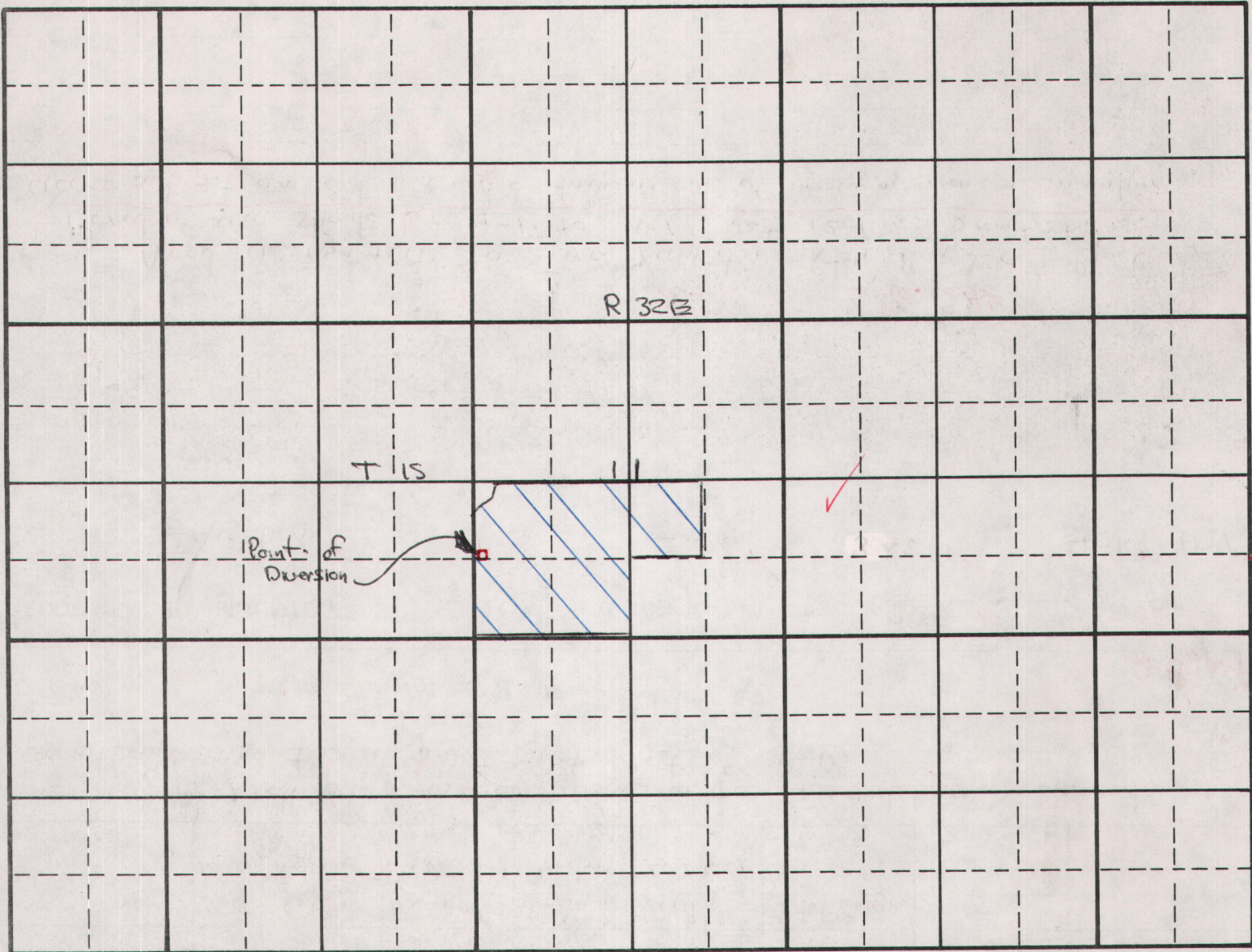
BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

TWO RIVERS LAND & LIVESTOCK COMPANY
A co-partnership

Lewis V. Robinson partner
(Applicant)

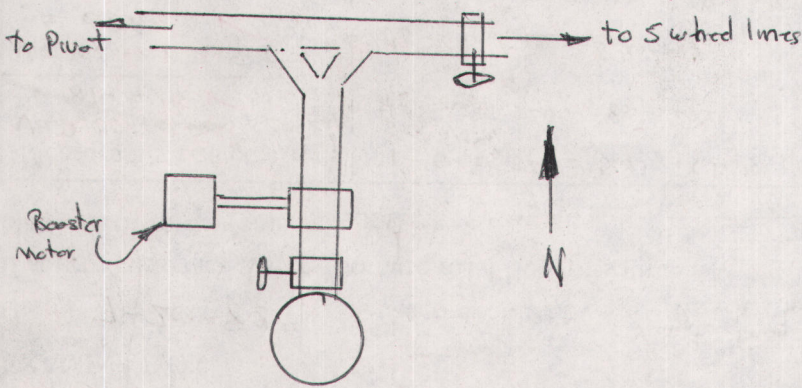
Partner

35 7237



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: ☒ NW SW Sect. 11 T1S R32E

Place(s) of Use ☒

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS ☒
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1S	32E	11									40	37	39	40		40			196

Recommended Amendments:

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

~~Amend period of use~~ ^{NO}

Examiner's Signature John Jones
Checked by Keith Wilson
Approved by X. Walker

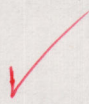
Date 12-7-83
Date Mar 30, 1984
Date 9-12-85

196

35-7237

R32E

T
S



B.
122.0

B.
122.0

B.
77.6
B.
77.6

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74.4
A.
74.4

C.
77.0
C.
77.0

D.
73.1
Sec 11 73.1

31a

40a

40a

E.
111.4
E.
111.4

OK

OK

OK

U.S.

2 PD

31a

OK

40a
OK

U.S.

H

B.
89.2
B.
89.2

A.
71.4
A.
71.4

MICROFILMED

WARRANTY DEED

211448

For Value Received
TWO RIVERS LAND & LIVESTOCK COMPANY, a partnership.

The grantor, do hereby grant, bargain, sell and convey unto
JAMES A. BAKER and FRADERN M. BAKER, husband and wife,
420 South University Avenue, Blackfoot, Idaho 83201

the grantee, the following described premises, to-wit:

Township 1 South, Range 32 E.B.M., Bingham County, Idaho
Section 11, 34, 35, 36

Subject to Reservations in United States Patent, existing and recorded
rights-of-way and easements, zoning and building ordinances, and taxes
and assessments for 1976.

Also subject to that mortgage in favor The Equitable Life Assurance
Society of the United States, recorded June 14, 1972, by Instrument
No. 170839, records of Bingham County, Idaho, which the Grantees
assume and agree to pay.

211448

INGHAM TITLE & TRUST CO.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees,
their heirs and assigns forever. And the said Grantor does hereby covenant to and
with the said Grantee, that he it is the owner in fee simple of said premises; that said
premises are free from all incumbrances except as hereinabove set forth and that they will warrant and
defend the same from all lawful claims whatsoever.
Dated: March 18, 1976.

Lewis V. Robinson
James A. Baker

STATE OF IDAHO, COUNTY OF On this 15th day of March, 1976, before me, a notary public appeared JAMES A. known to me to be partnership of TWO COMPANY and the part- ners who subscribed the foregoing inst- ment to me to be the subscribed to the within- me that he in said partnership. Residing at Bl. Comm. Expires	INGHAM March 15, 1976 said State, personally LEWIS V. ROBINSON, the partners in the LAND & LIVESTOCK or one of the part- partnership name to the name and acknowledged to executed the same. Notary Public Idaho	STATE OF IDAHO, COUNTY OF I hereby certify that this instrument was filed for record at the request of at minutes past o'clock m. this day of in my office, and duly recorded in Volume of the Official Records. Ex-Officio Recorder By Deputy Fees \$ Mail to:
---	--	---

INSTRUMENT NO.

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

(Late Proof)

License of Water Right No. 35-7237 Priority July 4, 1972 Amount 2.06 cfs

THIS IS TO CERTIFY, that Two Rivers Land & Livestock Company
of Blackfoot, Idaho, has complied with the terms and conditions of Permit
No. 35-7237 issued pursuant to Application for Permit dated June 6, 1972,
and has submitted proof to the Department of Water Resources on July 30, 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 2.06 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>2.06</u> cfs and	<u>686.0</u> acre feet
_____	from _____ to _____	at _____ cfs and	_____
_____	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 2.06 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
686.0 acre feet per year, said waters to be diverted within the NW¹SW¹ Section 11,
Twp 1S, Rge 32E in the County of Bingham

Description and location of place of use:

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	
1S	32E	11									40	37	39	40		40			196

Total number of acres irrigated 196

MICROFILMED

MICROFILMED

CONDITIONS OF APPROVAL

a. 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.

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

c. Any water right confirmed in this license 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 license 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 license.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 11TH day of OCTOBER, 19 85.

ADAMS TO GO

Director

Norman C. Young

✓

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 35-7237

IN THE NAME OF TWO RIVERS LAND AND

LIVESTOCK COMPANY

ORDER OF REINSTATEMENT

WHEREAS, on June 6, 1972, Two Rivers Land and Livestock Company filed with the Department of Water Resources (formerly the Department of Water Administration) for a permit to appropriate 4.00 cubic feet per second of groundwater to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 11, Twp. 1S, Rge. 32E, B.M., Bingham County, to be used for irrigation purposes; and,

WHEREAS, on July 25, 1972, the Department approved said application and issued Permit No. 35-7237 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before July 1, 1977; and,

WHEREAS, on April 29, 1977, the Department notified the permit holders that proof of beneficial use was due and instructed the permit holders as to the steps to be taken to make said proof; and,

WHEREAS, on July 13, 1977, the Department notified the permit holders that Permit No. 35-7237 had lapsed for failure to submit the required proof; and,

WHEREAS, on July 29, 1977, the Department received the required proof of beneficial use of water; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date of the notice of lapsing; and,

WHEREAS, the permit holders have provided a reasonable showing as to why said permit should be reinstated;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 35-7237 be REINSTATED and the priority advanced to July 4, 1972.

Dated this 17 day of August, 1977.


BOBBY D. FLEENOR
Chief, Operations Bureau

Identification No. 35 7237

Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant TWO RIVERS LAND & LIVESTOCK COMPANY, a Co-partnership
composed of James R. Bauer and Lewis V. Robinson
post office address 1405 W. Bridge, Blackfoot, Idaho
2. Source of water supply subterranean flow which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 11 Township 1 S.
Range 32 E B.M. Bingham County; additional points of diversion if any: _____

- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 4 cfs for irrigation purpose from April 1 to Dec. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 4 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
2 h.p electric motor and turbine pump with mainline and lateral sprinkler pipes
as shown on annexed plat

- 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 20 inches; proposed depth of well is 484 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$32,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

35 7237

35 7237

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

[illegible]

Total number of acres to be irrigated 200

c. Describe any other water rights used for the same purposes. None

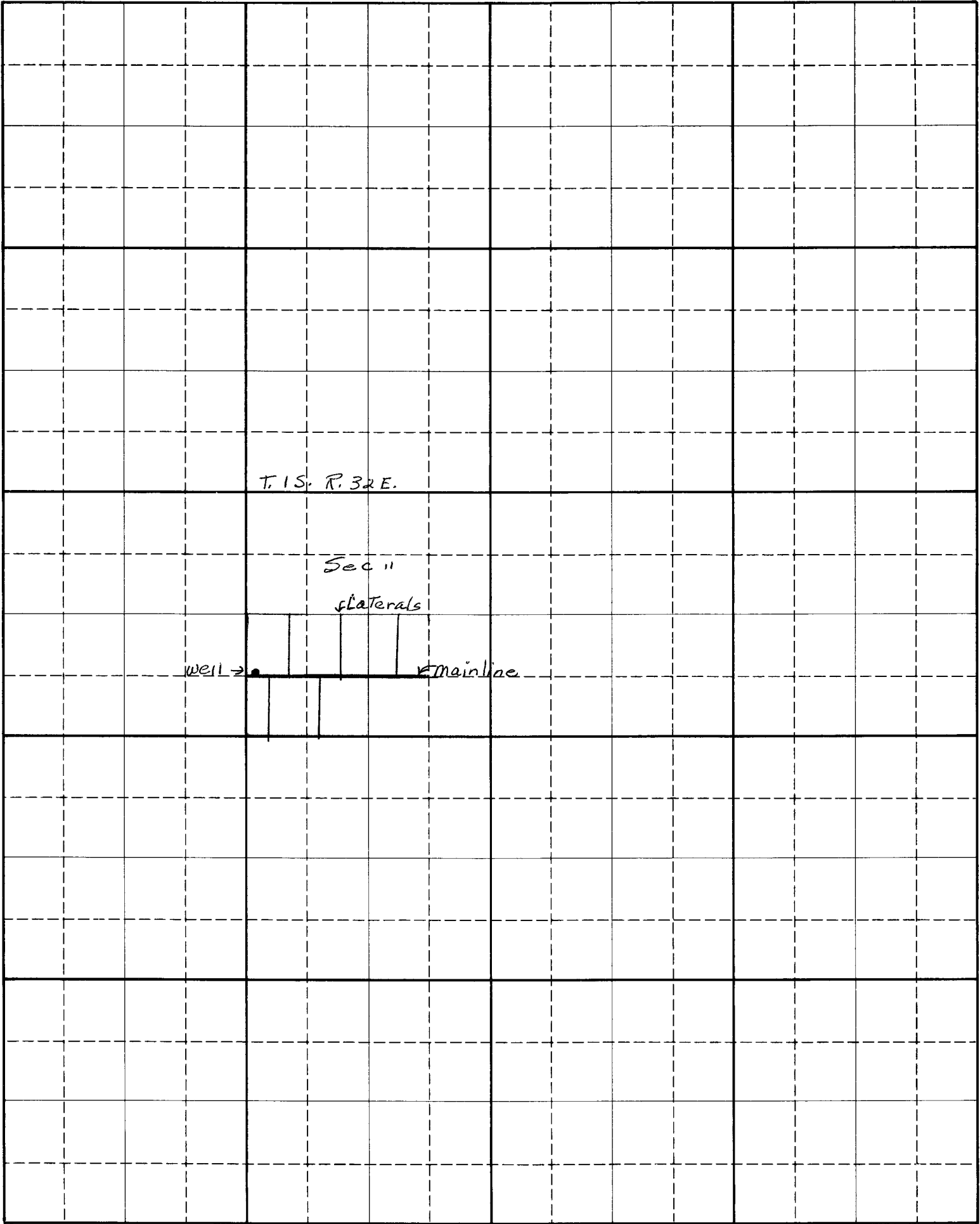
9. a. Who owns the property at the point of diversion applicant

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:



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.

TWO RIVERS LAND & LIVESTOCK COMPANY
A co-partnership

Lewis V. Robinson partner
(Applicant)

35 7237

Received by ef Date 5-19-72 Time 1:00 PM
 Preliminary check by D Fee \$ 55⁰⁰
 Receipted by ef Date 6-7-72
 Publication prepared by Ba Date 6/13/72
 Published in Blackfoot News, Blackfoot, Id
 Publication dates 6-22-29-72
 Publication approved NCY Date 7/6/72
 Priority reduced to 66-72 Reason Sec 42-202
Finance Code (Filing Fee)

Protests filed by: _____

Copies of protests forwarded by: _____

Hearing held by: _____ Date: _____

Recommended for approval denial by NCY D 3DF off

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 35-7237, 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 July 1, 1977.
- 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 25 day of July, 1972.

R. Keith Higin
 Director State Reclamation Engineer

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No. 35-7237 Name TWO RIVERS LAND & LIVESTOCK COMPANY

Source groundwater

Point of Diversion NWSM Sec. 11, T1S., Rge. 32E

Quantity 4 c.f.s. Use irrigation Period April 1 to Dec. 1

Quantity Use Period

Quantity Use Period

Well Size Diameter Proposed Depth Feet

Use

Date Forwarded Date Returned Received by

COMMENTS: USGS observation wells are not maintained in this locality (W B #24).

Groundwater irrigation development is not extensive in this area. No other
recorded rights for the land listed. Aquifer in Snake River basalt.

RECOMMENDED:

Applied: Qty. 4.0c.f.s. Use irrigation Period 4/1 to 11/1 AF/A 3.5 AF 700

Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

Maximum: Qty. 4.0c.f.s. Use irrigation Period 4/1 to 11/1 AF/A 3.5 AF 700

Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

ACTION: Approved X Denied

Conditions of approval or reason for denial: Accept reduced irrigation season
or provide professional justification for longer season requested. (See
letter dated 6/2/72)

By NORMAN C. YOUNG Title District Engineer

Date June 13, 1972

RECOMMENDED

CONDITIONS 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

County of Bingham }
State of Idaho } ss.

I, Drury R. Brown do solemnly

swear that I am the publisher of The Blackfoot News which is a daily newspaper of general circulation published each day except Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot, aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1933, approved March 11, 1933, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: Friday of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was, published in said

Friday issue of said newspaper 2 consecutive weeks, the first publication having been made on the 22nd day of June, 1972,

and the last publication having been made on the 29th day of June, 1972; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me this 29th day of June, 1972.

W. H. H. H. H.
Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho
My commission expires
Nov. 10, 1972

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Two Rivers Land & Livestock Co., 1405 W. Bridge, Blackfoot, Idaho, has on 6-6-72 submitted Application No. 35-7237 for a permit to appropriate 4.0 cubic feet per second of water from a ground-water source by means of well and pump within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 11, T. 1S, R. 32E, B.M., Bingham County; to be used from Apr. 1 to Dec. 1 for the irrigation of 200 acres within the SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 1S, R. 32E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of this permit must be filed with the Idaho Department of Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401, on or before July 10, 1972.
R. KEITH HIGGINSON
Director

(3125)
Pub.: 6-22, 29

October 15, 1985

RE: Permit No. 35-7237

Two Rivers Land & Livestock Co.
1405 W. Bridge
Blackfoot, ID 83221

Gentlemen:

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

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

MICROFILMED

September 18, 1985

RE: Permit No. 35-7237

Two River Land & Livestock Co.
1405 W. Bridge
Blackfoot, ID 83221

Dear Permit Holder(s):

A representative of this Department made an examination of the works covered by your Permit No. 35-7237 and has found the following:

Amount of water that can be recognized as beneficially used
under Idaho law: 2.06 cfs Source: groundwater

The maximum quantity diverted shall not exceed 636.0 acre feet
per year.

Point(s) of diversion: NWSW, Sec. 11, Twp 1S, Rge 32E

Beneficial Use: Irrigation of 196 acres within SW1/4, NWSE,
Sec. 11, Twp 1S, Rge 32E

Priority date established: July 4, 1972 (Late Proof)

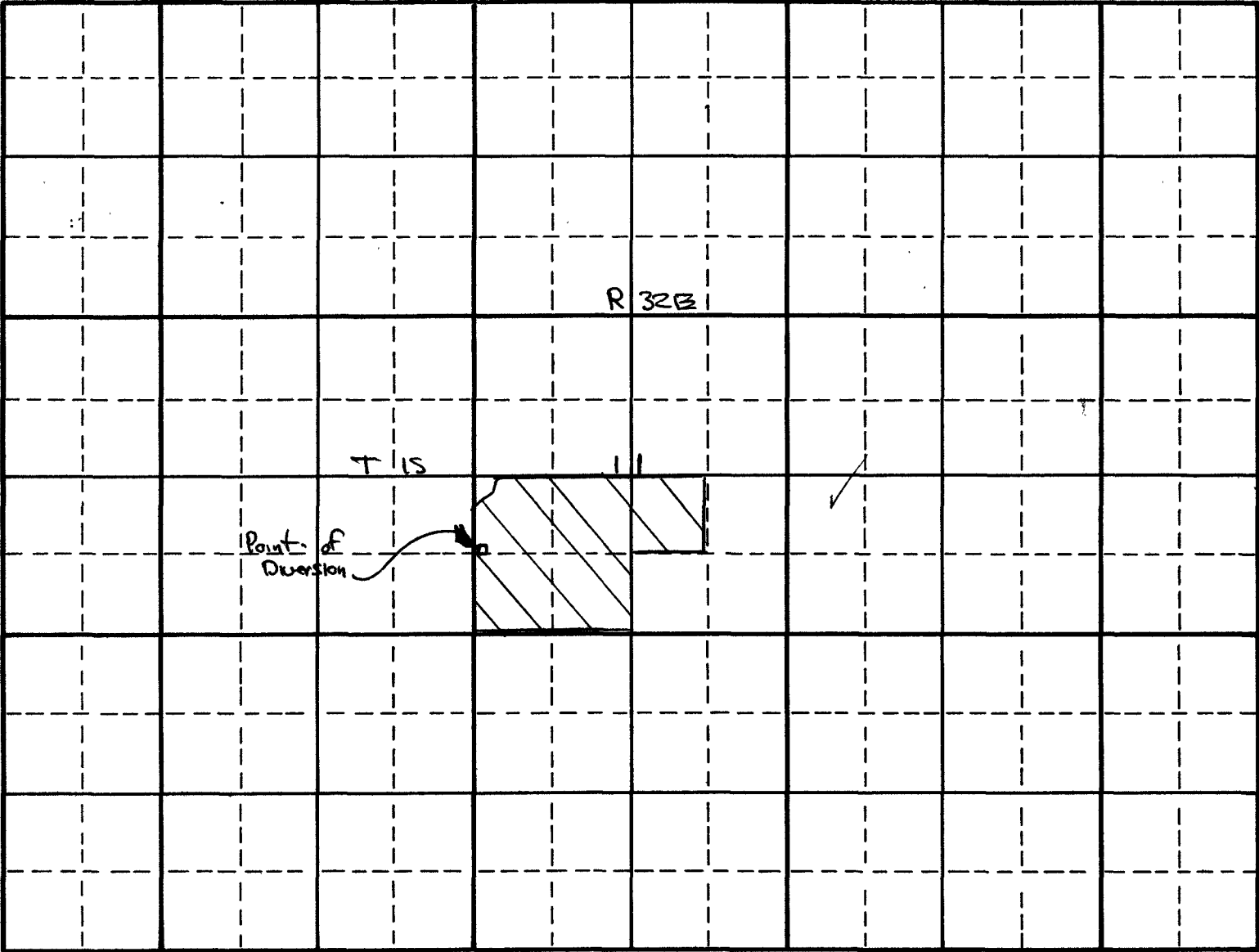
Conditions (if any): A measuring device of a type approved by
this Department shall be maintained as a part of the diverting
works.

Also, on your permit you proposed an irrigation period of 4/1 to 12/1. 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, please contact us within 10 days;
otherwise a water license will be issued as set forth above.

Sincerely,

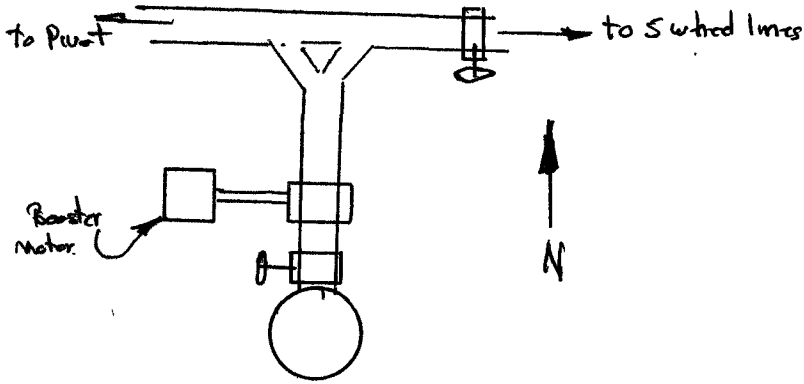
JIM JOHNSON
Water Rights Supervisor

JJ:sc



SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)



Point(s) of diversion: ✓ NW SW Sect. 11 T1S R32E

Place(s) of Use ✓

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1S	32E	11									40	37	39	40		40			196

Recommended Amendments:

- ☐ Change P.D. as reflected above
- ☐ Add P.D. as reflected above
- ☒ None
- ☐ Change P.U. as reflected above
- ☐ Add P.U. as reflected above
- ☒ Other Amend period of use

Examiner's Signature John Jones

Checked by Keith Wilson

Approved by A. Walker

Date 12-7-83

Date Mar 30, 1984

Date 9-12-85

PERMIT NO. 35-7237 (Name) Jiro

Accompanied by: Yamato
EXAMINATION: DATE: 7-20-82

Motor Make	HP	Motor Serial No.	Pump Make	Pump Serial No.
~~GE~~ <u>Reliance</u>	<u>350</u>	<u>AJT110012</u>	<u>Johnston</u>	<u>11A</u>
	<u>100</u>	<u>P4068017A</u>	<u>Pearless</u>	<u>2670621</u>

Measuring Device Type: Pitot Gauge

Meter # _____ Annubar# _____ Size # _____

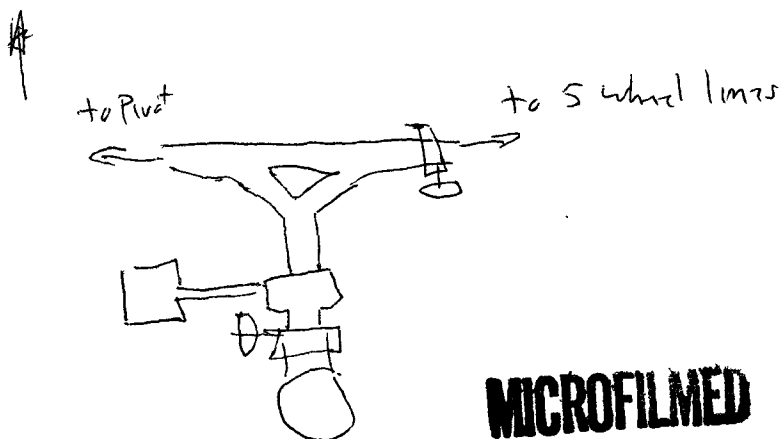
Remarks: Pivot to west run off same PD

Measurement calculations: 5/32 N

#1 68psi x 326.25 → 60psi
#2 68psi x 725 → 60psi
#3 68psi x 226 → 60psi
#4 64psi x 725 → 58psi
#5 66psi x 225 → 58psi

SCHEMATIC DIAGRAM OF SYSTEM

Mainline Diameter _____ Length _____



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35-7237

R32E

T
S

B.
122.0

B.
77.6

A.
74.4

C.
77.0

D.
73.1

E.
111.4

U.S.

U.S.

39a

40a

H

B.
89.2

A.
71.4

MICROFILMED

Overlap Review of 35-7237

(per VAX 9/12/85)

(p/d)

DT: 35-8580 - app. Yamada

(p/u)

UT: no overlapping plu rights per VAX

(per micro-fische 9/12/85)

p/d - 35-8580 - app. no overlap due to stage

plu - no overlapping plu rights

KW

August 12, 1977

Re: Permit No. 35-7237

H. William Furchner
FURCHNER, MARTSCH & BAKER
178 W. Judicial St.
Blackfoot, Idaho 83221

Dear Mr. Furchner:

We acknowledge receipt of the affidavit submitted as proof of beneficial use on the above referenced permit. Enclosed is an Order of Reinstatement; please note that the priority has been advanced to July 4, 1972.

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 exam will be made, but our examiner will try to contact you at the time he makes the exam so that you can show him the system.

A new application must be filed for the additional land listed on this affidavit. Enclosed is a partially completed application form for that purpose.

Since the land has been conveyed to Mr. Bauer the enclosed assignment form should be completed to change the permit holder to Mr. Bauer.

Please contact us if you have any questions.

Sincerely,

BOBBY D. FLEENOR
Chief, Operations Bureau

BDF:jfr

Encls.

cc: FLEENOR, James

Law Offices
FURCHNER, MARTSCH & BAKER
178 W. JUDICIAL STREET
BLACKFOOT, IDAHO 83221

H. WILLIAM FURCHNER
JAMES L. MARTSCH
—
DWIGHT E. BAKER

July 25, 1977

AREA CODE 208
785-2310
—
P. O. BOX 752

R. Keith Higginson, Director
Department of Water Resources
Statehouse
Boise, Idaho 83720

Re: Permit #35-7237

Dear Mr. Higginson:

We enclose herewith the Affidavit of Proof of Application of Water to Beneficial Use for the above permit which I believe you will find to be in order except that additional lands not described in the permit have been added to the irrigation system shown in the permit and I presume an amendment should be made to correspond with this proof.

You will note from the affidavit of proof that the original applicant, Two Rivers Land & Livestock Company, a partnership, has been dissolved and for some reason we cannot explain, your notice of April 29, 1977 never reached Mr. Bauer, the present holder of the land and permit.

We apparently don't have an up-to-date form for amending the permit, and if this is necessary, we request that the proper form be sent to us for completion and returned to your office.

Very truly yours,

FURCHNER, MARTSCH & BAKER


H. William Furchner

HWF:dw
Encl.

P. S. We also enclose a photocopy of the deed from Two Rivers Land & Livestock Company to James R. Bauer and wife.

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of Permit Holder Two Rivers Land & Livestock Company
b) Post Office Address (1405 W. Bridge, Blackfoot, Idaho)
2. Permit Number 35-7237
3. Date of Priority that you are prepared to establish June 6, 1972
4. a) Source from which water was appropriated subterranean flow
b) Location of the point of diversion: NW ¼ SW ¼, Section 11
Township 1 South, Range 32 East Boise Meridian, Other points of diversion:
5. a) The amount of water and use to which the water has been applied:
Amount 4 cfs for irrigation purposes from April 1 to December 1 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)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 4 cfs 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: by meter installed at outlet from well
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:
N/A
b) Describe the agreement or understanding by which you take water from the works:
N/A
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) The well is 454 feet deep and is cased 20 feet to lava rock with 20" casing. It is equipped with a 250 horsepower turbine pump and electric motor and with a 100 horsepower booster pump.
b) Describe the type and size of measuring device which you have installed at your point of diversion: Impeller type gauge, 12" diameter, manufactured by Badger
c) Give well driller's name and address and the date the well was completed: Verl D. Cushman, Blackfoot, Idaho. Date completed 1972
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: N/A

RECEIVED

8/26/72

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

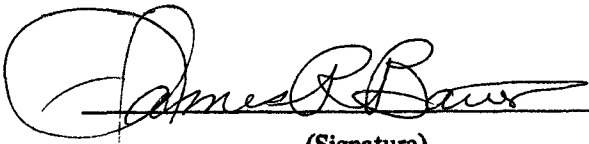
T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1S	32E	11									40	40	40	40		40			
		12													40	40	40	40	

Total number of acres irrigated 360

10. Remarks: Two Rivers Land & Livestock Company, a co-partnership, has been dissolved and the land and water rights to this permit applied were conveyed to James R. Bauer March 18, 1976. The notice of April 29, 1977 never reached the transferee which accounts for the oversight in making proof until this time.

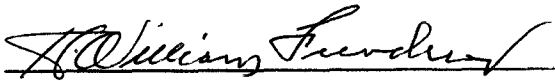
The above information is a true statement of the extent to which the above numbered permit has been developed.

July 28, 1977
 (Date)


 (Signature)

State of Idaho)
) ss.
 County of Bingham)

On this 28th day of July, 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.


 Notary Public residing at Blackfoot, Idaho

My commission expires Jan. 28, 1978.

WARRANT

211468

Know all men that

ANDREW J. LAND & LIVESTOCK COMPANY, a partnership,

the undersigned, do hereby grant, bargain and convey unto
JAMES A. LAND and VERNON M. BAKER, husband and wife,
all that certain parcel of land, situate in Bingham County, Idaho,

the same being the following described premises, to-wit:

Section 1, Township 36 North, Range 20 East, Bingham County, Idaho.
Containing 40.00 acres, more or less.

Said premises are situated in United States Patent, existing and reported
right-of-way, and easements, zoning and building ordinances, and taxes
and assessments for 1970.

Also subject to that mortgage in favor The Security Life Assurance
Company of the United States, recorded June 18, 1968, by instrument
No. 19036, of the office of Bingham County, Idaho, where the said mortgage
contains and refers to pay.

211468

RECORDED IN BOOK 1 PAGE 100

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee,
heirs and assigns forever. And the said Grantor does hereby covenant to and
with the said Grantee, that she is the owner in fee simple of said premises that said
premises are free from all incumbrances except as here before set forth and that she will warrant and
defend the same against all lawful claims whatsoever
Witness my hand and seal this 1st day of July, 1970.

Lewis V. Johnson
James A. Land

STATE OF IDAHO, COUNTY OF BINGHAM On this 1st day of July, 1970, I, the undersigned, a Notary Public in and for the State of Idaho, do hereby certify that the foregoing instrument was duly executed by the parties thereto in my presence and in the presence of two other persons, who are named as witnesses in the foregoing instrument, and that the same is a true and correct copy of the original instrument as the same appears from the records of my office. Notary Public James A. Land	BINGHAM COUNTY, IDAHO Subscribed and sworn to before me on this 1st day of July, 1970, by the parties to the foregoing instrument, to-wit: JAMES A. LAND and VERNON M. BAKER, husband and wife and acknowledged as the same. <i>James A. Land</i> Notary Public James A. Land	STATE OF IDAHO, COUNTY OF BINGHAM I, the undersigned, do hereby certify that this instrument was duly executed by the parties thereto in my presence and in the presence of two other persons, who are named as witnesses in the foregoing instrument, and that the same is a true and correct copy of the original instrument as the same appears from the records of my office. Ex-Officio Recorder By _____ Deputy Fee \$ _____ Mile to _____
---	--	--

INSTRUMENT NO.



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

July 13, 1977

James R. Bauer & Lewis V. Robinson
Two Rivers Land & Livestock Co.
1405 W. Bridge
Blackfoot, Idaho 83221

Gentlemen:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit No. 35-7237 has lapsed since you have not notified us that you have completed the project by the date required on your permit. You were provided forms for that purpose in our notice to you dated April 29, 1977 .

Your permit cannot be reinstated unless you submit the proof of beneficial use affidavit, enclosed, or show other reasonable cause why the permit should be reinstated within 60 days from the date of this lapse notice.

C. STEPHEN ALLRED
Director

CSA:jfr

Encl.

cc: H. William Fuchner, Box 752, Blackfoot, ID 83221

April 29, 1977

CERTIFIED MAIL

Re: Permit No. 35-7237

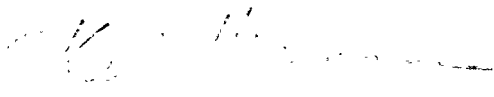
Two Rivers Land & Livestock Co.
1405 W. Bridge
Blackfoot, Idaho 83221

Gentlemen:

One of the conditions of approval of your water Permit No. 35-7237 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before July 1, 1977. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

cc: H. William Fuchner, Box 752 Blackfoot, ID

December 19, 1972

Re: Permit No. 35-7237 - Two Rivers Land & Livestock Co.

Mr. H. William Furchner
Attorney-at-Law
Furchner, Martsch & Baker
P.O. Box 752
Blackfoot, ID 83221

Dear Mr. Furchner:

We are in receipt of your letter of December 14, 1972, requesting the original permit on the above referenced application.

A copy of the approved application which constitutes a permit was forwarded directly to Two Rivers Land & Livestock Co. on July 27, 1972. Enclosed is a copy of the permit and the transmittal letter for your information. We apologize for the oversight in sending this directly to your client rather than to you.

Thank you for the correction of the location and the owner of the well drilled in connection with this permit. We have changed our records accordingly.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:ba

Enclosures

35 7237

Law Offices

FURCHNER, MARTSCH & BAKER

178 W. JUDICIAL STREET
BLACKFOOT, IDAHO 83221

H. WILLIAM FURCHNER
JAMES L. MARTSCH
DWIGHT E. BAKER

December 14, 1972

AREA CODE 208
785-2310
P. O. BOX 752

RECEIVED

RECEIVED
Department of Water Administration

DEC 19 1972

Department of Water Administration
Eastern District Office

Loy H. Johnson
Water Resource Supervisor
Department of Water Administration
Statehouse -- Annex 2
Boise, Idaho 83707

Re: Two Rivers Land & Livestock Co.
Application for Permit
Your Receipt No. 9314

File
35-7237

Dear Mr. Johnson:

On June 2, 1972, we sent the above application for permit to your office and thereafter received your Receipt No. 9314 for the filing fee of \$55.00, but as yet we have never had returned to us the original permit.

Mr. Jim Bauer of 1405 W. Bridge Street, Blackfoot, Idaho, who is one of the partners in Two Rivers Land & Livestock Co., has now received your letter dated November 30, 1972, relative to a well that has been drilled in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 11, Twp. 1 S., R. 32, E.B.M. This well was actually drilled in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, and was drilled for Two Rivers instead of Mr. Bauer, individually.

We would appreciate your forwarding the original permit to us for the applicant and correcting the well driller's record to show the true location of the well. For your further information, I am sure your records will show that the well was drilled by Mr. Doug Cushman of Blackfoot, Idaho.

Very truly yours,

FURCHNER, MARTSCH & BAKER

William Furchner

H. William Furchner

HWF:mj

35 7237

*Thick's
Report corrected
12-19-72 C.E.B. H.W.F.*

Margaret: I have changed our name to
ba

Law Offices

FURCHNER, MARTSCH & BAKER

178 W. JUDICIAL STREET
BLACKFOOT, IDAHO 83201

H. WILLIAM FURCHNER
JAMES L. MARTSCH
DWIGHT E. BAKER

December 14, 1972

AREA CODE 208
785-3310
P. O. BOX 752

RECEIVED

RECEIVED

DEC 19 1972

Loy H. Johnson
Water Resource Supervisor
Department of Water Administration
Statehouse -- Annex 2
Boise, Idaho 83707

Department of Water Administration
Eastern District Office

Re: Two Rivers Land & Livestock Co.
Application for Permit
Your Receipt No. 9314

35-7237

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Very truly yours,

FURCHNER, MARTSCH & BAKER

H. William Furchner

H. William Furchner

HWF:mj

Handwritten notes:
HWF
12-19-72
LH
HWF

35 7237

July 27, 1972

TWO RIVERS LAND & LIVESTOCK COMPANY
1405 W. Bridge
Blackfoot, Idaho

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 35-7237. 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:cr

Enclosures

35 7237

Bobbie Fleenor

① Issue permit for
extended irrigation season
on basis of Hervey's
letter dated 6/2/72.
Field examiner should
at time of licensing
determine if use has
been made of water
during November (possibly
check power records)

35 7237 OKD

why not on our form ☒ other

June 15, 1972

Re: Application No. 35-7236 - Gail Watt
35-7237 - Two Rivers Land & Livestock Co.

Blackfoot News
P.O. Box 70
Blackfoot, ID 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 our review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you 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

NCY:EA
Enc: Legal notice

35 7237

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Two Rivers Land & Livestock Co.,
1405 W. Bridge, Blackfoot, Idaho
has on 6/6/72 submitted Application No. 35-7237
for a permit to appropriate 4.0 cubic feet per second ~~acres feet per annum~~
of water from a ground-water source
by means of well and pump
within the N1/4SW1/4, Sec. 11, T. 1S, R. 32E, B.M., Bingham County;

to be used from Apr. 1 to Dec. 1

for the irrigation of 200 acres

within the S1/4, NW1/4SE1/4, Sec. 11, T. 1S, R. 32E, B.M.

If issued, this permit will be subject to all prior water rights. Protests
against the granting of this permit must be filed with the Idaho Department of
Water Administration, 240 South Holmes, Idaho Falls, Idaho, 83401, on or before
July 10, 1972.

R. KEITH HIGGINSON

Director

Published in the Blackfoot News, Blackfoot, Idaho
on June 22 and June 29, 1972.

35 7237 104

June 13, 1972

Furchner, Martah & Baker
178 W. Judicial Street
Blackfoot, ID 83221

ATTENTION: Mr. William Furchner

Gentlemen:

Attached herewith is departmental receipt No. 9314 in the amount of \$55 for application for water permit submitted by you in behalf of Two Rivers Land & Livestock Co.

Very truly yours,

NORMAN C. YOUNG
District Engineer

NCY:BA

Attachment

Law Offices

FURCHNER, MARTSCH & BAKER

178 W. JUDICIAL STREET
BLACKFOOT, IDAHO 83221

H. WILLIAM FURCHNER
JAMES L. MARTSCH
DWIGHT E. BAKER

AREA CODE 208
P. O. BOX 752

June 2, 1972

R. Keith Higginson, Director
Department of Water Administration
State House
Boise, Idaho

Re: Two Rivers Land & Livestock Co.
Application for Permit

Dear Mr. Higginson:

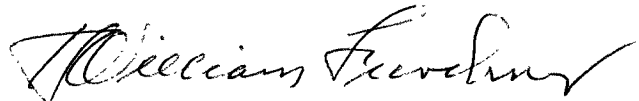
We are returning herewith the Application of Two Rivers Land & Livestock Co. for a water permit together with our check in the amount of \$55.00 as the fee for the permit.

The application has now been signed, but we have left the period of irrigation showing as from April 1 to December 1 for the reason that in years of open winters irrigation of new seeding planted on the farm often takes place between November 1 and December 1.

Please return the permit to our office for the applicant as soon as possible.

Very truly yours,

FURCHNER, MARTSCH & BAKER



H. William Furchner

HWF:mj
Encls.