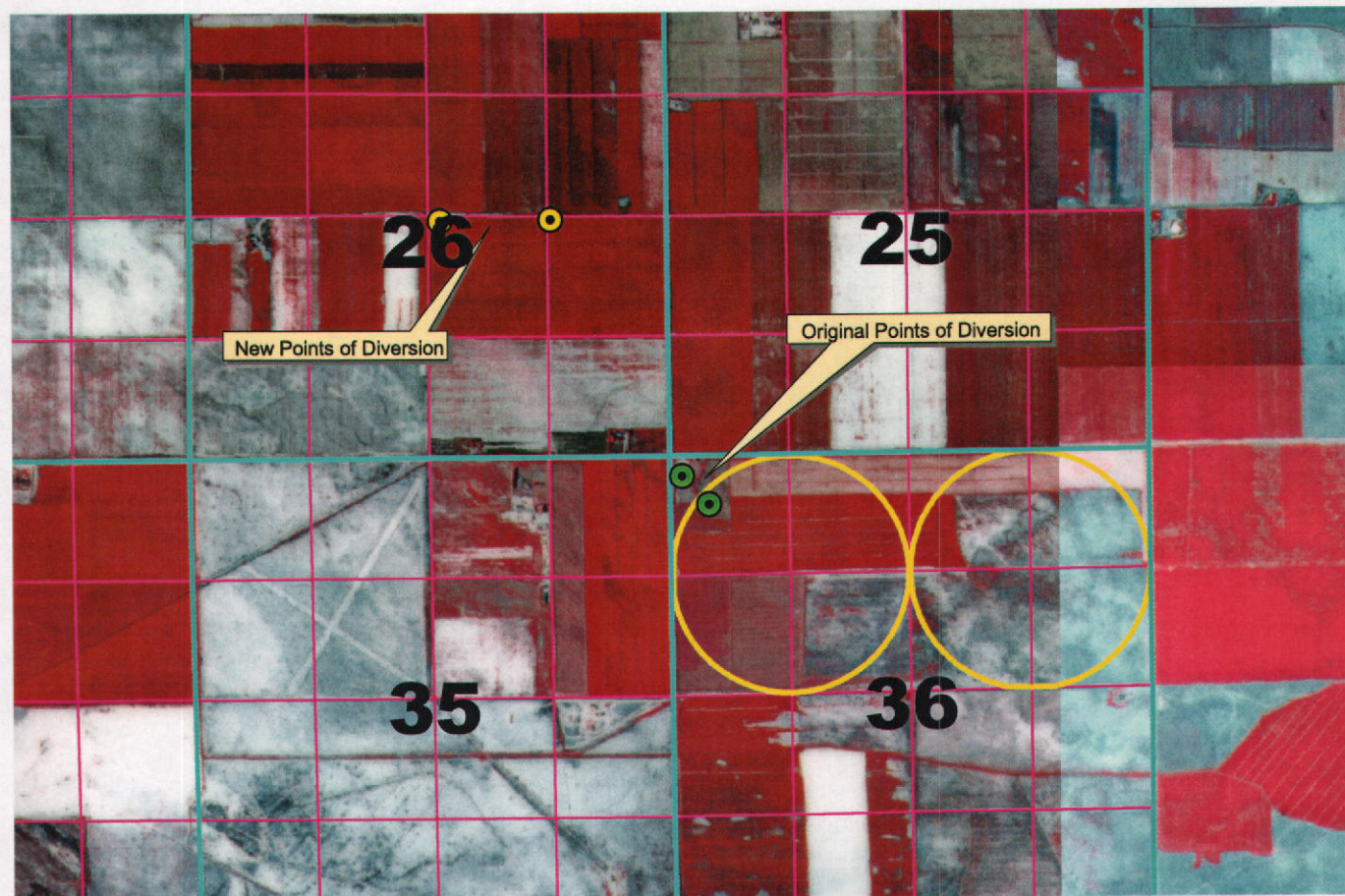




STATE OF IDAHO

Department of Water Resources
Eastern Region

Proposed Transfer to Add A Point of Diversion



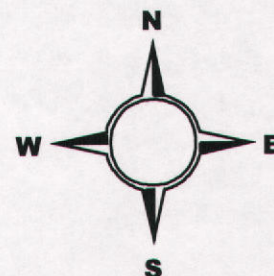
1320 0 1320 2640 3960 Feet



- Point of Diversion
- Place of Use
- Quarter Quarter
- Sections

MICROFILMED

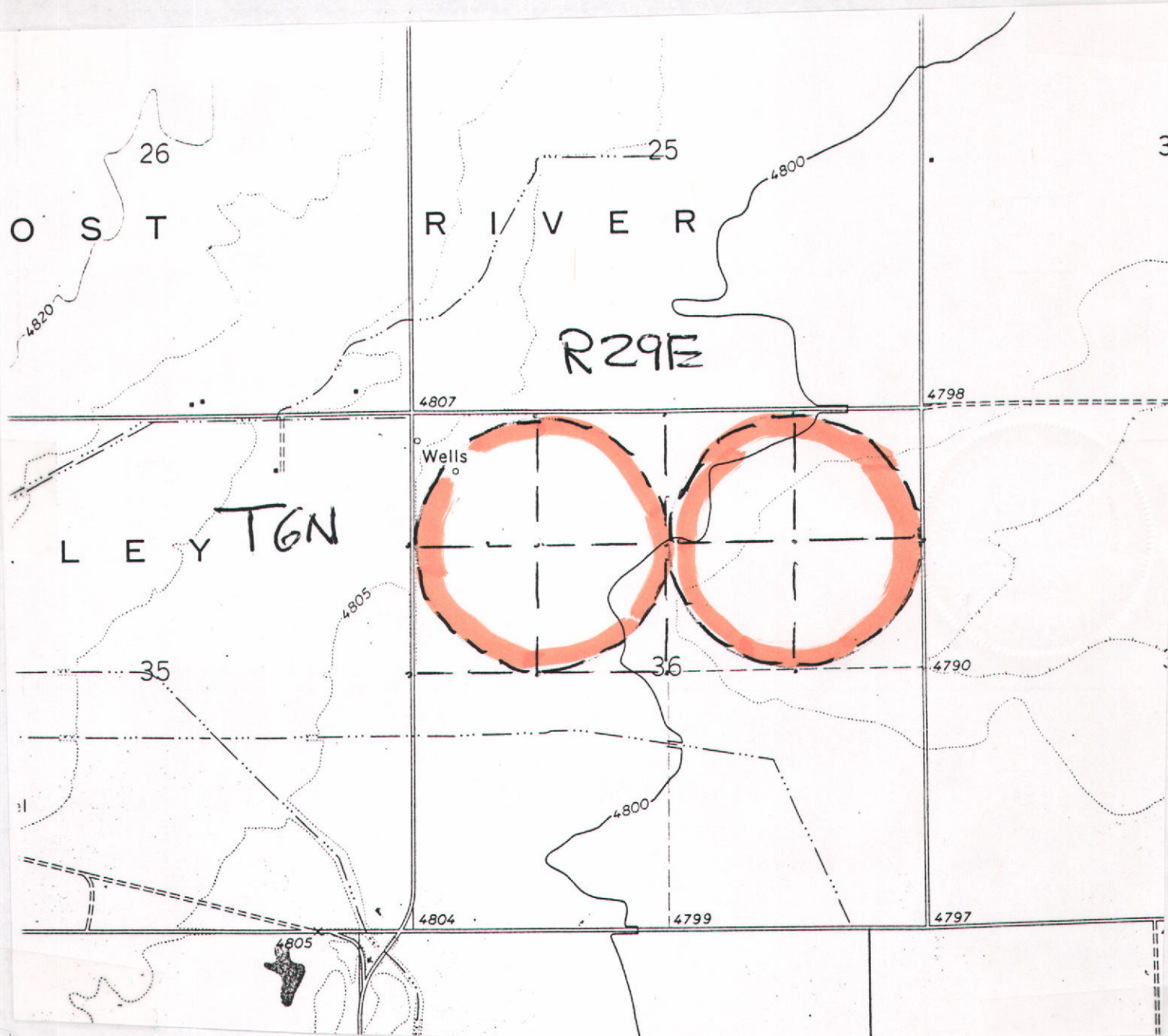
NOV 13 2001



GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: C. Saxton
Date: July 2001

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.



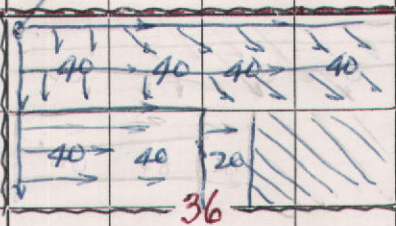
MICROFILMED
DEC 31 1998

R-29E.

P.D.

TO HOWE

T.
6
N.



160

100

260

Subdivisions

7

AREA

260 Acres

Q

1.16 cfs or 58 inch

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

November 13, 1961

Re: Permit No. s. G-28981
G-27128 ✓

DEPOSITIONS ARE OF NO VALUE
UNLESS AFFIDAVIT OF PUBLICATION
IS ATTACHED

May Woodie LeVan & Dan H. LeVan,
Howe, Idaho.

Dear Mr. & Mrs. LeVan:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit Nos. G-28981 G-27128. The proofs are to be made at 2:00 o'clock P.M., on the 22nd day of December, 1961, ~~1959~~ before Ed L. Gaumer, Arco, Idaho, Notary Public.

As of this date we have mailed the Notice to the Arco Advertiser with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then mail the affidavit of publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the Affidavit of Publication.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. ^{Rule} ~~Knudsen~~
Chief Clerk

Encl.

EPR:pmk
cc: Notary

Affidavit of Publication

I, Dolly Cross, of the
Arco Advertiser, a weekly newspaper of general
circulation, published weekly at Arco, Idaho, since
March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof,
for 4 (four) consecutive weeks, commencing
with the issue dated November 17, 1961
and ending with the issue dated December 8, 1961

Dolly Cross
Subscribed and sworn to before me this
12th day of Dec., 1961

Betty J. Mayo
Notary Public.

Residence, Arco, Idaho.

My commission expires 2-4, 1965

RECEIVED
DEC 26 1961
Department of Reclamation

LEGAL NOTICE

NOTICE OF PROOF OF COM- PLETION OF WORKS AND AP- PLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 2:00 p. m., on the 22nd day of December, 1961, at Arco, County of Butte, State of Idaho, before Ed L. Gaumer, Notary Public, at Arco, Idaho, proof will be submitted of the completion of works for the diversion of 8.0 and 6.4 cubic feet per second of underground water from 2 wells and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit Nos. G-28981 and G-27128, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the persons or corporation holding said permit is May Woodie LeVan and Dan H. LeVan, Howe, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 8.0 and 6.4 cubic feet per second.

3. The use to which said water has been applied is irrigation and domestic and irrigation purposes, and the amount applied to beneficial use is 8.0 and 6.4 cubic feet per second.

4. The point of diversion of said water is NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 26, Twp. 6 N., Rge. 29 E. B. M., and NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 36, Twp. 6 N., Rge. 29 E. B. M.

5. The place where said water is used to W $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 26; NE $\frac{1}{4}$ Sec. 35; Twp. 6 N., Rge. 29 E. B. M.; N $\frac{1}{2}$ Sec. 36; Twp. 6 N., Rge. 29 E. B. M.; SW $\frac{1}{4}$ Sec. 31, Twp. 6 N., Rge. 30 E. B. M.

6. The dates of priority which said user is prepared to establish are August 30, 1960 and November 18, 1957.

GEO. N. CARTER,
State Reclamation Engineer.
Published Nov. 17 thru Dec. 8, 1961.

27128

24th

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69312

This is to certify that: GEORGE WOODIE
1318 W 3700 N
HOWE ID 83244
(208)767-3461

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
33-2084	WR/Decreed	11/18/1957	1.16 cfs		260.0	260.0	GROUND WATER
33-2136	WR/Decreed	08/10/1966	1.83 cfs		260.0	260.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

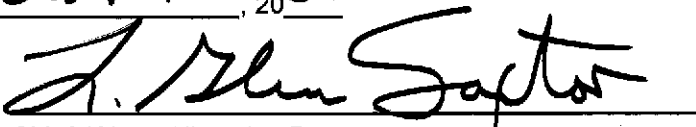
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
33-2084	NO	NO	NO	YES	NO	NO
33-2136	NO	NO	NO	YES	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
33-2084	33-2084	1.16 cfs	494.7 af	N/A	260.0		N/A	N/A	N/A	N/A
33-2136	33-2136	1.83 cfs	780.4 af	256.0	260.0		N/A	N/A	N/A	N/A
TOTALS		2.99 cfs	910.0 af	260.0	260.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 29th day of October, 2001


Chief, Water Allocation Bureau

MICROFILMED
NOV 13 2001

WATER RIGHT NO. 33-2084
As Modified by Transfer No. 69312

In accordance with the approval of Transfer No. 69312, Water Right No. 33-2084 is now described as follows.

Right Holder: GEORGE WOODIE
 1318 W 3700 N
 HOWE ID 83244

Priority Date: 11/18/1957

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	1.16 CFS	494.7 AF
			1.16 CFS	494.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNENE Sec. 26 Twp 06N Rge 29E BUTTE County

GROUND WATER NWNWSE Sec. 26 Twp 06N Rge 29E BUTTE County

GROUND WATER NWNWNW Sec. 36 Twp 06N Rge 29E BUTTE County

GROUND WATER NWNWNW Sec. 36 Twp 06N Rge 29E BUTTE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N 29E 36	32.5	32.5	32.5	32.5	32.5	32.5	32.5	32.5									260.0

Total Acres: 260

CONDITIONS OF APPROVAL

1. Rights 33-2084 and 33-2136 when combined shall not exceed a total annual maximum diversion volume of 910.0 af at the field headgate, and the irrigation of 260.0 acres.
2. The total instantaneous diversion of water from all points of diversion under Rights 33-2084 and 33-2136 shall not exceed 2.99 cfs, nor total combined annual volume of 910.0 af.
3. 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.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

MICROFILMED

NOV 13 2001

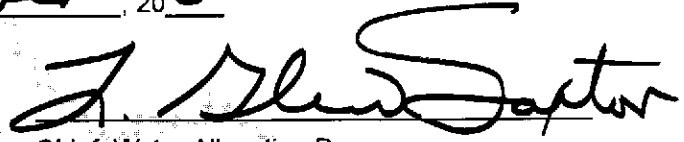
WATER RIGHT NO. 33-2084
As Modified by Transfer No. 69312

CONDITIONS OF APPROVAL

5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 29th day of October, 2001


Chief, Water Allocation Bureau

MICROFILMED
NOV 13 2007

WATER RIGHT NO. 33-2136
As Modified by Transfer No. 69312

In accordance with the approval of Transfer No. 69312, Water Right No. 33-2136 is now described as follows.

Right Holder: GEORGE WOODIE
 1318 W 3700 N
 HOWE ID 83244

Priority Date: 08/10/1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 11/01	1.83 CFS	780.4 AF
			1.83 CFS	780.4 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNNESE Sec. 26 Twp 06N Rge 29E BUTTE County

GROUND WATER NWNWSE Sec. 26 Twp 06N Rge 29E BUTTE County

GROUND WATER NWNWNW Sec. 36 Twp 06N Rge 29E BUTTE County

GROUND WATER NWNWNW Sec. 36 Twp 06N Rge 29E BUTTE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
06N 29E 36	32.5	32.5	32.5	32.5	32.5	32.5	32.5	32.5									260.0

Total Acres: 260

CONDITIONS OF APPROVAL

1. Right 33-2136 is limited to the irrigation of 256.0 acres within the place of use described above in a single irrigation season.
2. Rights 33-2084 and 33-2136 when combined shall not exceed a total annual maximum diversion volume of 910.0 af at the field headgate, and the irrigation of 260.0 acres.
3. The total instantaneous diversion of water from all points of diversion under Rights 33-2084 and 33-2136 shall not exceed 2.99 cfs, nor total combined annual volume of 910.0 af.
4. 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.

MICROFILMED

NOV 13 2001

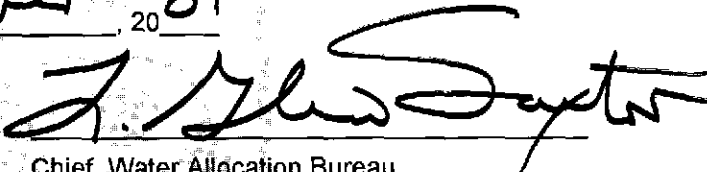
WATER RIGHT NO. 33-2136
As Modified by Transfer No. 69312

CONDITIONS OF APPROVAL

5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 29th day of October, 2001


Chief, Water Allocation Bureau

MICROFILMED

NOV 1 2 2001

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No 69312

SEP 17 2001

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

Department of Water Resources

Name of Applicant GEORGE Woodie Phone (208) 767-3461

Post Office address 1318 W 3700N Howe, Ida. 83244

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 Add Existing Wells to system

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

Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>33-02084</u>	<u>11/18/1957</u>	<u>1.16</u>	<u>Irr</u>	<u>4/1</u> to <u>11/1</u>
<u>33-02136</u>	<u>8/10/1966</u>	<u>1.83</u>	<u>Irr</u>	<u>4/1</u> to <u>11/1</u>
				to
				to

2. Total amount of water being transferred 2.99 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water Ground Water tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion
	NW	NW	NW	36	6N	29E	Butte	Note: 2 PDD in NWNWNW
	NW	NE	SE	26	6N	29E	Butte	Note: Booster Pump
	NW	NW	SE	26	6N	29E	Butte	

5. Lands irrigated or place of use:

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

PLACE OF USE:

Irrigation

T06N R29E S36

NENE 32.5

SWNE 32.5

NENW 32.5

SWNW 32.5

Within Butte County

NWNE 32.5

SENE 32.5

NWNW 32.5

SENE 32.5

260.0 Acres Total

MICROFILMED

SEP 18 2001

USE OF THIS RIGHT WITH RIGHT NO. 33-02084 IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 260 ACRES IN A SINGLE IRRIGATION SEASON.

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 256 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Total Acres _____

69312

6. General Information:

a. Description of diversion system TWO WELLS CONNECTED -
ELECTRICITY SAVING CONVENIENCE OF USING
ONE WELL 1600' OF MAINLINE CONNECT

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
Yes ☒ 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:

N/A

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 the said application is hereby _____, subject to the following conditions:

Witness my hand this _____ day of _____, 20____

For the Director

MICROFILMED

NOV 13 2005

2000 AUG 11 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 33-02136

NAME AND ADDRESS: GEORGE WOODIE
HC 65 BOX 1018
HOWE, ID 83244

SOURCE: GROUNDWATER

QUANTITY: 1.83 CFS

USE OF THIS RIGHT WITH RIGHT NO. 33-02084 IS LIMITED TO
TOTAL COMBINED DIVERSION RATE OF 2.99 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 910 AF.

PRIORITY DATE: 08/10/1966

POINT OF DIVERSION: T06N R29E S36 NWNWNW Within Butte County

TWO POINTS OF DIVERSION LOCATED IN T06N, R29E, S36, NWNWNW.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	1.83 CFS

PLACE OF USE:	Irrigation	Within Butte County
	T06N R29E S36	
	NENE 32.5	NWNE 32.5
	SWNE 32.5	SENE 32.5
	NENW 32.5	NWNW 32.5
	SWNW 32.5	SENW 32.5
	260.0 Acres Total	

USE OF THIS RIGHT WITH RIGHT NO. 33-02084 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 260 ACRES IN A SINGLE
IRRIGATION SEASON.

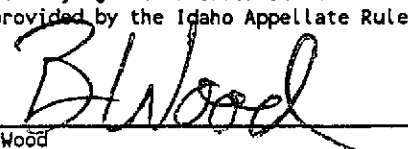
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 256 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance
with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a
final judgment and that the court has and does hereby direct that the above judgment or order shall be a final
judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

MICROFILMED

AUG 13 2001

2000 AUG 11 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED

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

In Re SRBA)
Case No. 39576)
PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 33-02084

NAME AND ADDRESS: GEORGE WOODIE
HC 65 BOX 1018
HOWE, ID 83244

SOURCE: GROUNDWATER

QUANTITY: 1.16 CFS

USE OF THIS RIGHT WITH RIGHT NO. 33-02136 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.99 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 910 AF.

PRIORITY DATE: 11/18/1957

POINT OF DIVERSION: T06N R29E S36 NWNWNW Within Butte County

TWO POINTS OF DIVERSION LOCATED IN T06N, R29E, S36, NWNWNW.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	1.16 CFS

PLACE OF USE:	Irrigation	Within Butte County
T06N R29E S36	NENE 32.5 SWNE 32.5 NENW 32.5 SWNW 32.5	NWNE 32.5 SENE 32.5 NWNW 32.5 SENW 32.5
260.0 Acres Total		

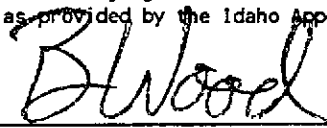
USE OF THIS RIGHT WITH RIGHT NO. 33-02136 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 260 ACRES IN A SINGLE
IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
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RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

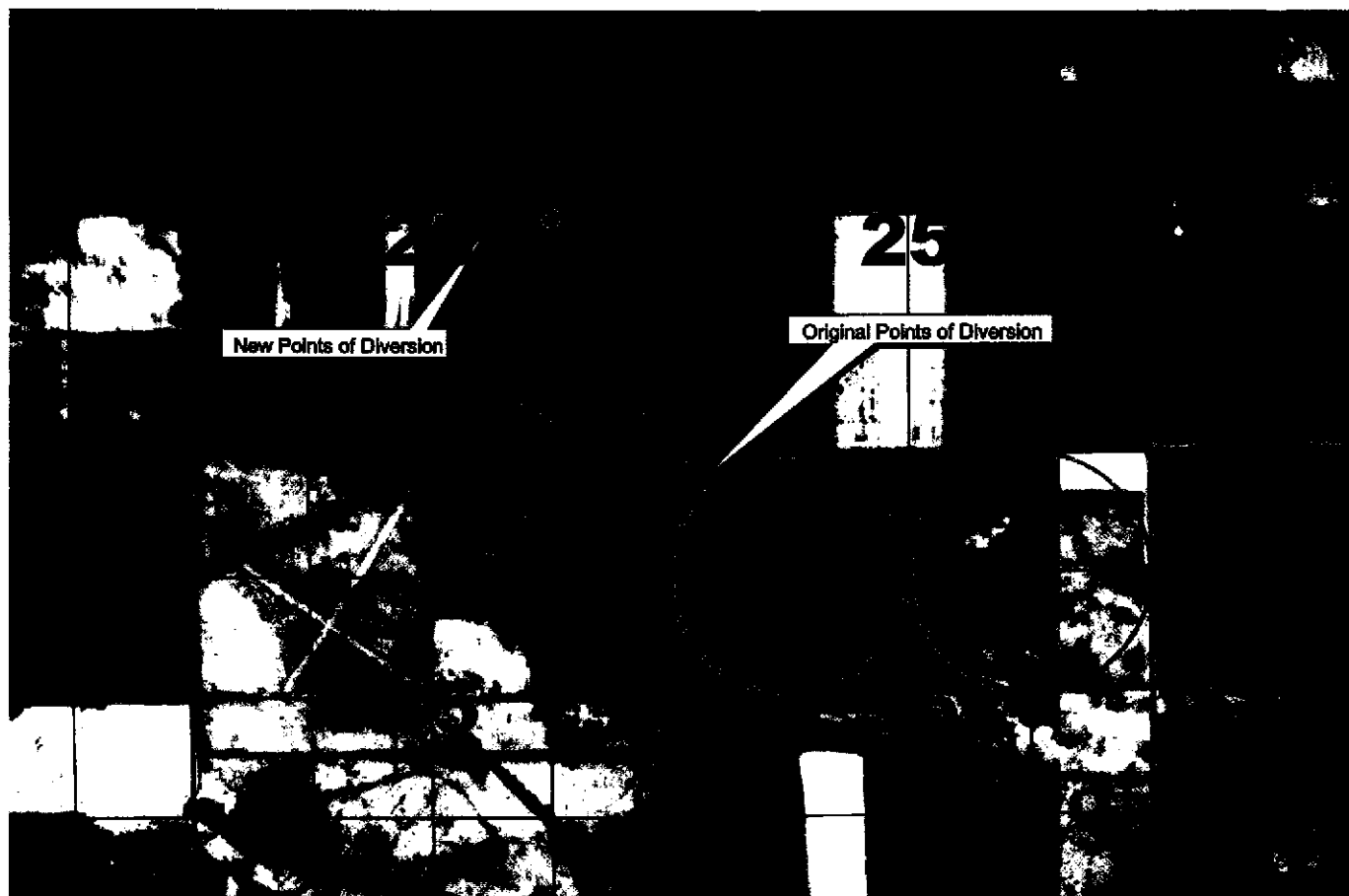
MICROFILMED



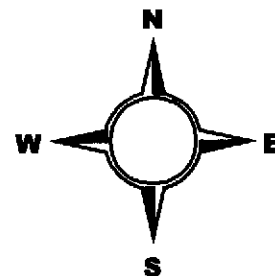
STATE OF IDAHO

Department of Water Resources
Eastern Region

Proposed Transfer to Add A Point of Diversion



1320 0 1320 2640 3960 Feet



- Point of Diversion
- Place of Use
- Quarter Quarter
- Sections

MICROFILMED

NOV 13 2001

GIS Place of Use Illustration
1987/1988 NAPP photography
Prepared by: C. Saxton
Date: July 2001

PART 3

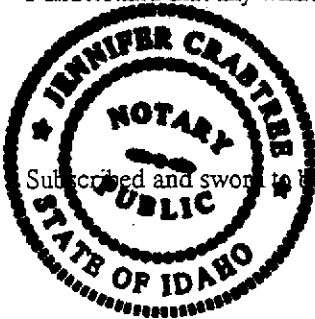
B. CHANGES IN NATURE OF USE

1.

<u>New Nature of Use</u>	<u>Amount(cfs/af-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
<u>N/A</u>			to _____ to _____
2. Quantity and quality of return flows and location of discharge:
N/A
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.



George Woodie
(Signature of Applicant)

Subscribed and sworn to before me this 25th day of July, 20 01.

Jennifer Crabtree
(Notary Public)

My commission expires 9/23/02

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 2 attachments
 Received by CS Date 7/25/01 Protest filed by _____
 Prelim. Check by _____ Fee _____
 Receipted by CS Date 7/25/01 E \$26751
 Published in Arco Advertiser Copies of protest forwarded by _____
 Pub. Dates Aug 16 & 23, 2001 Hearing held by _____ Date _____
 Watermaster recommendations requested on _____ Recommended for ☒ approval ☐ denial

_____ received _____ by RPL

Copy of transfer sent to lien holder _____

MICROFILMED
AUG 13 2001

ASSESSMENT NOTICE

& ESTIMATE OF TAX

THIS IS NOT A BILL.
DO NOT PAY.

PARCEL DESCRIPTION:
E2SE4
SEC 26

For any questions, please notify the Assessor's Office immediately.

Assessor's Telephone Number: (208) 527-8288

PARCEL ADDRESS:

WOODIE GEORGE B

HC # 65 BOX 1018
HOWE

ID 83244

Appeals of your property value must be filed in
writing, on a form provided by the County, by:

JUNE 25, 2001

Tax Code Area: 10-00

Parcel Number: RP 06N29E267200 A

ASSESSED VALUE OF YOUR PROPERTY

CURRENT DESCRIPTION	LOTS/ACRES		LAST YEAR'S VALUE	CURRENT YEAR'S VALUE
1 IRRGTD AG	66.100	AC	29,757	25,779
5 DRY GRAZING	12.000	AC		672
10 RURAL HOMESITE	1.000	AC	3,000	4,000
19 WASTE	.900	AC		
31 RURAL RES BLDG			56,520	68,420
SUBTOTAL:		80.000	89,277	98,871
LESS HOMEOWNERS EXEMPTION:			28,260	34,210
NET TAXABLE PROPERTY VALUE:			61,017	64,661

These values may not include personal property values. Taxes are based on the values shown on this Notice and on the Budgets of the taxing districts.

ESTIMATED PROPERTY TAXES

TAXING DISTRICTS	LAST YEAR'S TAXES	CURRENT YEAR'S ESTIMATED TAXES	PHONE NUMBER	DATE OF PUBLIC BUDGET HEARING
COUNTY	313.84	332.58	527-3021	09/04/2001
SCHOOL #111	480.20	508.86	527-8235	06/20/2001
L.L. WATERSHED	26.54	28.12		NO RESPONSE
CEMETERY	11.84	12.56	527-8288	08/07/2001
LIBRARY	35.78	37.90	527-8511	08/27/2001
HOSP DIST	95.72	101.44	527-8206	08/15/2001
SUBTOTAL:		1,021.46		
FEES:		75.00		
TOTAL PROPERTY TAXES & FEES:		1,096.46		

THIS IS NOT A BILL. DO NOT PAY.

See the back of this Notice for details.

BUTTE COUNTY ASSESSOR
LAURIE GAMETT
PO BOX 157
ARCO, ID 83213

2001

ASSESSMENT NOTICE

& ESTIMATE OF TAX

THIS IS NOT A BILL.
DO NOT PAY.

PARCEL DESCRIPTION:
N2 LESS T#34840
SEC 36

For any questions, please notify the Assessor's Office immediately.

Assessor's Telephone Number: (208) 527-8288

PARCEL ADDRESS:

WOODIE GEORGE

HC 65 BOX 1018
HOWE

ID 83244

Appeals of your property value must be filed in
writing, on a form provided by the County, by:

JUNE 25, 2001

Tax Code Area: 10-00

Parcel Number: RP 06N29E360141 A

ASSESSED VALUE OF YOUR PROPERTY

CURRENT DESCRIPTION	LOTS/ACRES	LAST YEAR'S VALUE	CURRENT YEAR'S VALUE
1 IRRGTD AG	279.600 AC	113,334	109,044
5 DRY GRAZING	30.000 AC	703	1,680
19 WASTE	5.400 AC		
32 RURAL IMP ON AG		2,000	2,000
SUBTOTAL:		116,037	112,724
LESS HOMEOWNERS EXEMPTION:			
NET TAXABLE PROPERTY VALUE:		116,037	112,724

These values may not include personal property values. Taxes are based on the values shown on this Notice and on the Budgets of the taxing districts.

ESTIMATED PROPERTY TAXES

TAXING DISTRICTS	LAST YEAR'S TAXES	CURRENT YEAR'S ESTIMATED TAXES	PHONE NUMBER	DATE OF PUBLIC BUDGET HEARING
COUNTY	596.84	579.80	527-3021	09/04/2001
SCHOOL #111	913.20	887.12	527-8235	06/20/2001
L.L. WATERSHED	50.46	49.02		NO RESPONSE
CEMETERY	22.54	21.90	527-8288	08/07/2001
LIBRARY	68.04	66.08	527-8511	08/27/2001
HOSP DIST	182.02	176.84	527-8206	08/15/2001
SUBTOTAL:		1,780.76		
FEES:				
TOTAL PROPERTY TAXES & FEES:		1,780.76		

THIS IS NOT A BILL. DO NOT PAY.

See the back of this Notice for details.

PAGE 1 OF 1

ATTACHMENT 2 OF 2

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

In Re SRBA)
) PARTIAL DECREE PURSUANT TO
Case No. 39576) I.R.C.P. 54(b) FOR
) Water Right 33-02084

NAME AND ADDRESS: GEORGE WOODIE
HC 65 BOX 1018
HOWE, ID 83244

SOURCE: GROUNDWATER

QUANTITY: 1.16 CFS

USE OF THIS RIGHT WITH RIGHT NO. 33-02136 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 2.99 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 910 AF.

PRIORITY DATE: 11/18/1957

POINT OF DIVERSION: T06N R29E S36 NWNWNW Within Butte County
TWO POINTS OF DIVERSION LOCATED IN T06N, R29E, S36, NWNWNW.

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	Irrigation	04-01 TO 11-01	1.16 CFS

PLACE OF USE:	Irrigation		Within Butte County
	T06N R29E S36	NENE 32.5	NWNE 32.5
		SWNE 32.5	SENE 32.5
		NENW 32.5	NWNW 32.5
		SWNW 32.5	SENW 32.5
	260.0 Acres Total		

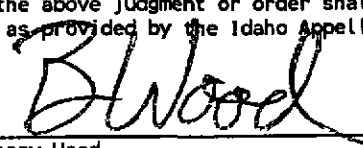
USE OF THIS RIGHT WITH RIGHT NO. 33-02136 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 260 ACRES IN A SINGLE
IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS
NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT
ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY
DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE
ENTRY OF A FINAL UNIFIED DECREE. I.C. SECTION 42-1412(6).

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.


Barry Wood
Administrative District Judge
Presiding Judge of the
Snake River Basin Adjudication

MICROFILMED

NOV 13 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5292
WATER RIGHT NO(S). 33-02084/33-02136

This is to certify that: **GEORGE WOODIE**
PATRICIA WOODIE
1318 W 3700 N
HOWE ID 83244

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 33-02084 :			
IRRIGATION	04/15 to 10/15	1.16 CFS	421.1 AF
Priority: 11/18/1957			
Right No. 33-02136 :			
IRRIGATION	04/15 to 10/15	1.83 CFS	664.3 AF
Priority: 08/10/1966			
	TOTAL:	* 2.99 CFS	* 910.0 AF
<u>SOURCE</u>			
GROUNDWATER			

LOCATION OF POINT(S) OF DIVERSION: NWNW , Sec. 36, Township 06N, Range 29E
BUTTE 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>
06N	29E	36	NENE 32.5	NWNE 32.5	SWNE 32.5	
			SENE 32.5	NENW 32.5	NWNW 32.5	
			SWNW 32.5	SENW 32.5		260.0
						Total number of acres irrigated: ** 260.0

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

MICROFILMED

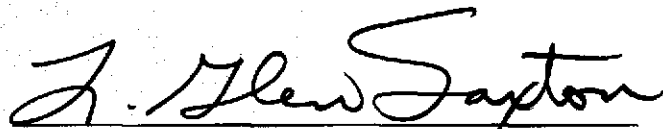
DEC 31 1998

TRANSFER NO. 5292
WATER RIGHT NO(S). 33-02084/33-02136

CONDITIONS OF APPROVAL AND REMARKS

3. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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 5292 shall not exceed 2.99 cfs, nor a total combined annual volume of 910.0 af.
7. After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
- ** 8. Right 33-02136 is limited to the irrigation of 256.0 acres in the place of use described above in a single irrigation season.
- * ** 9. Rights 33-02084 and 33-02136 when combined shall not exceed a total annual maximum diversion volume of 910.0 af at the field headgate and the irrigation of 260.0 acres.
10. Two points of diversion are located within NWNW, S36, T06N, R29E.

Dated this 27th day of November, 1998.


Chief, Water Allocation Bureau

MICROFILMED
DEC 31 1998

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 5292APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1Department of Water Resources
Eastern RegionName of applicant George or Patricia Woodie Phone 208-767-3461
Post Office address 1318 W 3700 N, Howe ID 83244

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 Re-arrange rights to cover 2 pivots now on ground.

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
<u>33-02084</u>	<u>11/18/1957</u>	<u>1.16</u>	<u>Irrigation</u>	<u>04/01</u> to <u>11/01</u>
<u>33-02136</u>	<u>8/10/1966</u>	<u>1.83</u>	<u>Irrigation</u>	<u>04/01</u> to <u>11/01</u>
_____	_____	_____	_____	_____ to _____
_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 2.99 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	NW	36	06N	29E	Butte	

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
6N	29E	36	32.5	32.5	32.5	32.5	32.5	32.5	32.5	32.5									260

MICROFILMED

DEC 31 1998

*Right 33-02136 limited to 256 acres

Total acres 260

PART 1

6. General Information:

a. Description of diversion system Both wells interconnected and pump to 2 pivotsb. 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:

N/A

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 _____

MICROFILMED

DEC 31 1998

PART 2

TRANS NO. 5292

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 33-02136

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	1.83 CFS	768.0 AF

SOURCE

GROUNDWATER

Priority: 08/10/1966

LOCATION OF POINT(S) OF DIVERSION:NWNW , Sec. 36, Township 06N, Range 29E
BUTTE CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N 29E 36	NENE 35	NWNE 37	SWNE 31	
	NENW 38	NWNW 35	SWNW 40	
	SEnw 40			256

Total number of acres irrigated: 256

CONDITIONS/REMARKS:MICROFILMED
DEC 31 1998

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 33-02084

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	1.16 CFS
DOMESTIC	to	
	Totals	1.16 CFS

SOURCE

GROUNDWATER

Priority: 11/18/1957

LOCATION OF POINT(S) OF DIVERSION:NWNW , Sec. 36, Township 06N, Range 29E
BUTTE CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06N 29E 36	NENE 40	NWNE 40	SWNE 20	
	NENW 40	NWNW 40	SWNW 40	
	SENW 40			260
				Total number of acres irrigated: 260

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

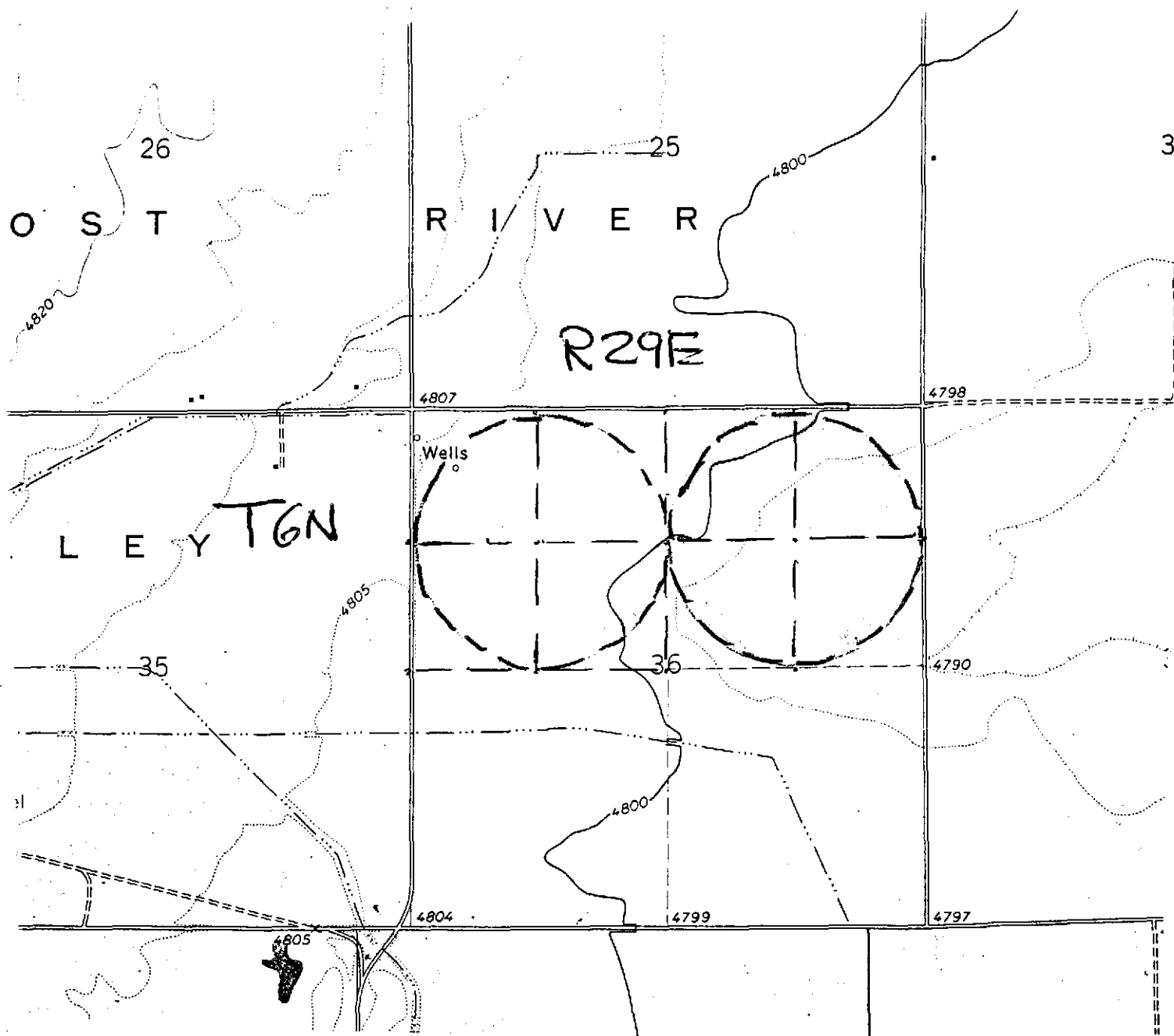
MICROFILMED

DEC 31 1988

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.



MICROFILMED

DEC 31 1998

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.

George Woodie
(Signature of Applicant)

Subscribed and sworn to before me this 26th day of June, 1998.

Dorothy Taylor
(Notary Public)

My commission expires 06-14-00

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by Hax J Date 6-29-98

Protest filed by _____

Prelim. check by PH Fee 100.00

Receipted by AW # E024228 Date 6-29-98

Published in Arco Advertiser

Copies of protest forwarded by _____

Pub. dates July 9 & 16, 1998

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☒ approval ☐ denial

_____ rec'd. _____

by RDC

Copy of transfer sent to lien holder _____

MICROFILMED
DEC 31 1998

MAKE CHECK PAYABLE TO:
BUTTE COUNTY TAX COLLECTOR
P.O. BOX 121, ARCO, ID 83213

1997 TAX BILL/RECEIPT

PARCEL NUMBER
RP06N29E360140A

BILL#

3093

CODE AREA

10400

L

117,078
2,000

1ST HALF DUE
TAX 801.17
LATE
INT
COST
TOT

2ND HALF DUE
TAX 801.17
LATE
INT
COST
TOT

FULL DUE
TAX 1,602.34
LATE
INT
COST
TOT

TOT MV 119,078
MAC 5,400
TOT ACS 315,600

MOODIE GEORGE
HC 65 BOX 1018
HOME

ID 83244

TAXING DISTRICT	RATE	AMOUNT
STATE	.000000000	
COUNTY	.004863461	579.12
SCHOOL #111	.005889613	701.32
L.L. WATERSHED	.000420900	50.12
CEMETERY	.000185234	22.06
LIBRARY	.000554361	66.00
HOOSP DIST	.001542850	183.72
AMOUNT DUE	.013456419	1,602.34

N2
SEC 36

IMPORTANT
PLEASE READ BOTH FRONT AND BACK
MONTHLY PAYMENTS ARE ACCEPTED

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.

PAID

CK. NO. 2801

DATE 11-25-97

for Beck, Treva

COPY

RECEIPT NOT VALID UNTIL CHECK CLEARS BANK
THANK YOU

MICROFILMED

DEC 3 1 1998

State of Idaho

License and Certificate of Water Right

Water License No. G-27128

Amount 1.16 c.f.s.

Water District No.

Priority November 18, 1957

THIS IS TO CERTIFY that DAN LeVAN

of Howe, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated November 18, 1957; that Permit No. G-27128 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 1.16 second feet, was issued thereunder on April 30, 1965, showing that said works were completed on the 22nd day of December, 1961; and that on the 22nd day of December, 1961,

DAN LeVAN

of Howe, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean flow, for the purpose of irrigation and domestic use, under Use Permit No. G-27128 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

13 of Licenses at page 8142, on the 30 day of April, 1965;

The right hereby confirmed dates from November 18, 1957;

The Point of Diversion is located

in the NW 1/4 NW 1/4, Sec. 36, Tp. 6 N, R. 29 E, B. M. Butte County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 1.16 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 N	29 E	36	N 1/2 NE 1/2	80	80
			SW 1/4 NE 1/2	40	20
			NW 1/4	160	160
			Total number of acres to be irrigated:		260

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

30th day of April, 1965.

/s/ RALPH W. THOMAS
Deputy State Reclamation Engineer.

(SEAL)

33 2084

33-2084

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 35049
Permit No. G- 27128
District No.

Dan LeVan
Howe, Idaho

1. Name of Applicant: DAN Le VAN
Postoffice address: Howe County: Butte State: Idaho
2. Quantity of water claimed: 320 Miner's Inches
 - (a) Rate of withdrawal in cubic feet per second. 6.4 or Idaho
Miners' inches or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean flow from a well
4. Location of point of diversion or well is in the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 36
Twp. 6 N. , Rge. 29 E. , B.M., County of Butte
5. Water is to be used for: Irrigation and domestic
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Turbine type pump, electric motor and ditches
8. Estimated cost of works: \$5,000.00
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: 20629
 - (a) 3.37 (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks: (see below)

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.

/s/ Dan H. LeVan
Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 2:00 P. M. November 18, 1957

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-27128

Recorded in Book 96 Page 27128

Approved November 26, 1957

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

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

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

One-fifth of the work above specified to be completed on or before May 26, 1960

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before November 26, 1962

Witness my hand this 26th day of November, 1957

/s/ E. N. Humphrey, Deputy
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and JAS. H. YOUNG, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 26th day of November, 1957.

Countersigned:

STATE OF IDAHO

(SEAL)

By /s/ JAS. H. YOUNG
Secretary of State.

By /s/ ROBERT E. SMYLLIE
Governor

12.

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 $\frac{1}{4}$	
6 N.	29 E.	36	40	40	40	40	40	40	40	40									320
(Remarks,)			Permit No. 20629 is licensed for 3.37 c.f.s. but this well is about 3 miles from the land and almost one-half of the water is lost in carrying it this distance. If a good supply of water is available from this new well, it is my intention to have the water from Permit No. 20629 transferred to other lands which I own closer to this well in Section 22, Township 6 North, Range 29 East, B. B.M.																
			Permit No. G-27128 CERTIFICATE OF COMPLETION OF WORKS																
			TO ALL WHOM IT MAY CONCERN:																
			This is to certify that DAN LeVAN of Howe, County of Butte, and State of Idaho, the holder of Permit No. G-27128, issued upon Application No. G-35049 bearing date of priority of November 18, 1957, authorizing the diversion of 6.4 second feet of waters of a well County of Butte, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.16 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 36, T. 6 N., R. 29 E., B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:																
			N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, Sec. 36, T. 6 N., R. 29 E., B.M.																
			Witness my hand this 30th day of April, A.D., 1965.																
			/s/ RALPH W. THOMAS Deputy State Reclamation Engineer																

Proof of Completion of Works Made: December 22, 1961

LICENSE ISSUED FOR 1.16 SEC. FT.
LICENSE PAGE NO. 8142



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 1, 2001

GEORGE WOODIE
1318 W 3700 N
HOWE ID 83244

RE: Transfer No.:69312 - Water Rights 33-2084, 33-2136 - Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

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

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

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

If you have any questions, please contact me at 208-327-7940.

Sincerely,

Camela S. Skaggs
for Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt

Enclosure(s)

MICROFILMED

NOV 13 2001

CERTIFICATE OF MAILING

I hereby certify that on November 1, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 69312 - WATER RIGHTS 33-2084, 33-2136

**GEORGE WOODIE
1318 W 3700 N
HOWE ID 83244**


**Kari Lynn Townsend
Secretary**

MICROFILMED
NOV 13 2001

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

MICROFILMED
JUN 13 2001

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED
AUG 13 2001

TRANSFER REVIEW SHEET

(05-01)

TRANSFER # 69312

DATE REVIEWED 10-27-2001 CS

SPLIT POD ADD POD ☒ POU PERIOD or NATURE of USE

ALL OF RIGHT(S) ^{Partial Decree} ☒ W=Water Right C=SRBA Claim R=SRBA Recommendation

<u>W/33-2084</u>	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>
<u>W/33-2136</u>	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>
<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>
<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>	<u>/</u>

PART OF RIGHTS (S)		(Unchanged)	(Changed)
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>
<u>/</u>	to	<u>/</u>	<u>/</u>

Standard Season 4-1 to 10-31

Standard Volume 3.5/2.5

(1) ☒ Priority (2) ☒ Use (3) ☒ Season/W61 (4) ☒ Rate (5) Volume

(6) ☒ Source (7) P/D (8) ☒ P/U (9) ☒ Proof/Owner (10) ☒ Map

(11) NA Water District (12) Yes Pertinent Conditions (13) No Expansion w/limits

(5) Standard Vol. Each rt limited by Vda.

2084 $3.5 \times 240 = 910 \text{ cfs} \times 2.15 \text{ days} \times 1.9835 = 494.7 \text{ af}$

2136 $3.5 \times 256 = 896 \text{ cfs} \times 2.15 \text{ days} \times 1.9835 = 780.4 \text{ af}$

(7) Add 2 existing wells - 4 total

Existing wells added.

Conditions/Remarks WB4, T17, D1M, R63, W35, T07, T08, T19

WRs for Update Comments NA

Database Updated to Reflect Final Action 10-29-2001 CS

RECEIVED

SEP 17 2001

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

7-25-01

T69312

INITIAL REVIEW BY: HWT

1. Right number 33-02084 33-02106 Applicant George Woodie

2. Type of right: ☒ Decree ☐ License ☐ Claim ☐ SRBA Recommendation

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. Map for remainder of right? ☐ Yes ☐ No

d. ☒ Check description of point(s) of diversion.

e. ☐ Check description of place of use

f. ☒ Check map (shows p.d. and p.u. after transfer).

g. ☒ Check for correct signature, notarization, and fee.

h. ☒ Check proof of ownership of right &/or land from which water is transferred.

i. ☒ Check for expansion in use of right. Comments _____

j. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) _____

k. ☒ Is use within a Watermaster District? ☐ Yes ☒ No

If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____

2. Reviewed by Adjudication Staff? ☐ Yes ☐ No

3. Is transfer published correctly? ☒ Yes ☐ No

4. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions* WATER MEASUREMENT REQUIREMENT

4. By RDC Date 7/5/01

*All uses within Watermaster District require special conditions

69312

AFFIDAVIT OF PUBLICATION

I, Colleen Babcock
of the Arco Advertiser, a weekly newspaper of
general circulation, published weekly at Arco, Idaho,
since March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof,

for 2 consecutive weeks, commencing with

the issue dated Aug. 16, 2001

and ending with the issue dated

Aug. 23, 2001

Colleen Babcock

STATE OF IDAHO

COUNTY OF BUTTE

On this 23rd day of August

in the year of 2001, before me, a Notary Public,

personally appeared

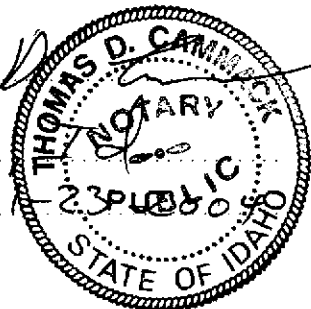
Colleen Babcock

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.

Thomas D. Canine
Notary Public for Idaho

Residing at Arco

My commission expires: 2-23-2006



NOTICE OF PROPOSED
CHANGE OF WATER
RIGHT

TRANSFER NO. 69312

George Woodie, 1318 W 3700 N, Howe,
ID 83244, has filed Application No. 69312
for changes to the following water rights
within BUTTE County:

Right No. 33-2084

Priority 11/18/57

Source GROUND WATER

Use IRRIGATION (260 acres) 1.16 CFS

Total Amount 1.16 CFS

Point(s) of Diversion NWNWNW S36 T06N
R29E

Place of Use S36 T06N R29E

Right No. 33-2136

Priority 8/10/66

Source GROUND WATER

Use IRRIGATION (260 acres) 1.83 CFS

Total Amount 1.83 CFS

Point(s) of Diversion NWNWNW S36 T06N
R29E

Place of Use S36 T06N R29E

The purpose of the transfer is to change
a portion of the above rights as follows:

The applicant is adding 2 existing wells
as common points of diversion for the
above rights. The wells are located in the
NESE and NWSE Sec 26 T06N R29E.

Protests may be submitted based on the
criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change
must be filed with the Department of Wa-
ter Resources, Eastern Region, 900 N Sky-
line Dr Ste A, Idaho Falls, ID 83402 together
with a protest fee of \$25.00 for each appli-
cation on or before September 04, 2001.
The protestant must also send a copy of
the protest to the applicant.

KARL J. DREHER, Director

Published on August 16 and 23, 2001

RECEIVED

AUG 28 2001

Department of Water Resources
Eastern Region

MICROFILMED

977 1 A 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

August 08, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

GEORGE WOODIE
1318 W 3700 N
HOWE ID 83244

RE: Application for Transfer No 69312

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right transfer application. Please refer to the above referenced transfer number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Arco Advertiser on August 16 and 23, 2001. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

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

Sincerely,


Harold W Jones
Water Right Supervisor

HWJ:sc

MICROFILMED

NOV 13 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

August 08, 2001

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Legal Notice Department
ARCO ADVERTISER
PO BOX C
ARCO ID 83213

RE: Transfer No. 69312

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). 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. Please send the affidavit and bill to this office before September 4, 2001. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant

Mailed
8/9/01
SC

MICROFILMED

NOV 13 2001

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

TRANSFER NO. 69312

George Woodie, 1318 W 3700 N, Howe ID 83244, has filed Application No. 69312 for changes to the following water rights within BUTTE County:

Right No. 33-2084

Priority 11/18/57

Source GROUND WATER

Use IRRIGATION (260 acres) 1.16 CFS

Total Amount 1.16 CFS

Point(s) of Diversion NWNWNW S36 T06N R29E

Place of Use S36 T06N R29E

Right No. 33-2136

Priority 8/10/66

Source GROUND WATER

Use IRRIGATION (260 acres) 1.83 CFS

Total Amount 1.83 CFS

Point(s) of Diversion NWNWNW S36 T06N R29E

Place of Use S36 T06N R29E

The purpose of the transfer is to change a portion of the above rights as follows:

The applicant is adding 2 existing wells as common points of diversion for the above rights. The wells are located in the NESE and NWSE Sec 26 T06N R29E.

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change must be filed with the Department of Water Resources, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before September 04, 2001. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on August 16 and 23, 2001

NOT RECORDED

SEP 13 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

December 2, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

GEORGE WOODIE
PATRICIA WOODIE
1318 W 3700 N
HOWE ID 83244

RE: Water Rights 33-02084/33-02136 (Transfer 5292)

Dear Mr. & Mrs. Woodie:

Enclosed is the copy of your approved Transfer of Water Right for the above referenced water rights (Transfer 5292). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

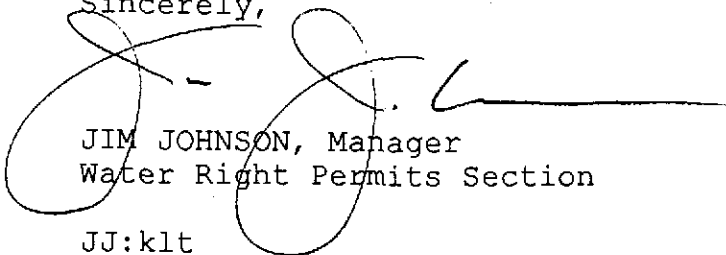
As of July 1, 1996, all water right owners are required to report any change in water right ownership and any change of mailing address to the department.

If you have acquired any other water right or have changed your mailing address **PRIOR TO** July 1, 1996, you have until July 30, 1998, to record the ownership and/or address change with the department.

If you acquired other water rights or changed your mailing address **AFTER** July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes in a timely manner could result in a \$100 late filing fee. You can contact any office of the department for more information. If you have any questions concerning your water right listed above you can contact me at (208) 327-7947.

Sincerely,


JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt
Enclosures

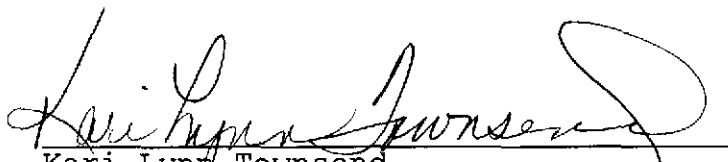
MICROFILMED
DEC 31 1998

CERTIFICATE OF MAILING

I hereby certify that on the 2nd day of December, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

WATER RIGHTS 33-02084/33-02136 (Transfer 5292)

**GEORGE WOODIE
PATRICIA WOODIE
1318 W 3700 N
HOWE ID 83244**


Kari Lynn Townsend
Secretary

MICROFILMED
DEC 31 1998

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

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

MICROFILMED
DEC 31 1998

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MEMORANDUM

TO: Files 33-02084 & 33-02136

FROM: Pam Skaggs^{CS}/State Office

SUBJECT: Transfer 5292

DATE: November 30, 1998

Transfer 5292 changes the place of use under Rights 33-02084 and 33-02136. The applicant is reconfiguring the irrigated acres two cover to pivots. The wells and system are already in place.

Season of use and diversion volume were adjusted to current standards. Recommended conditions include irrigation overlap, multiple points of diversion/measuring devices, future annual reporting, diversion limits, permissible place of use for Right 33-02136, combined right limits, and standard transfer conditions.

MICROFILMED

DEC 31 1998

TRANSFER REVIEW SHEET

(07-98)

Transfer # 5292

Date Reviewed 11-24-98
28

Right(s) 33-02084 _____
33-02136 _____

☒ WRQ/Split Summary ☒ No Action SRBA Status ☒ 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 '97 tax notice covers NY2, Sec 36.
SRBA Claims

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

Check Transfer Against Recorded Right Season/Vol. B/3.5

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

(2) Drop DOM from 33-02084 / IRR only
(3) Standard Season 4-15 to 10-15
(5) Standard Volume = $3.5 \times 260 = 910 \text{ afa}$ $1.16 \times 183 \times 1.9835 = 421.1 \text{ afa}$ 2084
 $3.5 \times 256 = 896 \text{ afa}$ $1.83 \times 183 \times 1.9835 = 664.3 \text{ afa}$ 2136
Total Combined Vol. limited to (910 afa)
(8) Shift P/Us acres to cover 2 pivots

Existing Wells

W35 910afa/260Acres
Transfer Remarks PP/D 33-2136/256Acres W34 Two P/Ds NW NW, S36
Conditions 01M, R63 T07, T08, T09, T17
Modified w/MD

Database/Processing Notes Standard ☒ Non-Standard _____
T files

Edit T33-02084 remarks when approved.
"T" Files Update Complete ☒ Approval Form ☒ Transfer Memo ☒
Database Updated Following Approval ☒ Memo/Form Files Deleted ☒

28 11-30-98

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SE				SUM
		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		Lt		Ac		
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac			
T06N R29E S 36																						
3300002	DRY CREEK	:				:				:				:				:				
3300003	DRY CREEK	:				:				:				:				:				
3300004	LITTLE LOS	:				:				:				:				:				
3300005	LITTLE LOS	:				:				:				:				:				
3300006	SAWMILL CR	:				:				:				:				:				
3300007	SAWMILL CR	:				:				:				:				:				
3300008	SAWMILL CR	:				:				:				:				:				
3300009	SAWMILL CR	:				:				:				:				:				
3300010	SAWMILL CR	:				:				:				:				:				
3300011	SAWMILL CR	:				:				:				:				:				
3300012	SAWMILL CR	:				:				:				:				:				
3300013	SAWMILL CR	:				:				:				:				:				
3300014	DRY CREEK	:				:				:				:				:				
3300015	LITTLE LOS	:				:				:				:				:				
3300016	SUMMIT CRE	:				:				:				:				:				
A3300038	LITTLE LOS	:				:				:	39	39	40	40	:			:		158		
R3300038	LITTLE LOS	:				:				:	39	39	40	40	:			:		158		
3300042	LITTLE LOS	:				:				:					:	35	40	40	40	155		
A3300042	LITTLE LOS	:				:				:					:	35	40	40	40	155		
R3300042	LITTLE LOS	:				:				:					:	35	40	39	38	152		
3300043	SAWMILL CR	:				:				:					:	35	40	40	40	155		
A3300043	SAWMILL CR	:				:				:					:	35	40	40	40	155		
R3300043	SAWMILL CR	:				:				:					:	35	40	40	40	155		
A3302070	GROUNDWATE	:				:				:	40	39	39	39	:	35	40	39	38	152		
R3302070	GROUNDWATE	:				:				:	40	39	39	39	:					157		
3302070A	GROUNDWATE	:				:				:	34	39	39	33	:					145		
3302084	GROUNDWATE	40	40	20		40	40	40	40											260		
A3302084	GROUNDWATE	39	39	26		39	38	39	40											260		
T3302084	GROUNDWATE	32	32	32	32	32	32	32	32											256		
3302136	GROUNDWATE	35	37	31		38	35	40	40											256		
A3302136	GROUNDWATE	39	39	22		39	38	39	40											256		
T3302136	GROUNDWATE	32	32	32	32	32	32	32	32											256		
A3302139	GROUNDWATE	:				:				:	40	39	39	39	:					157		
R3302139	GROUNDWATE	:				:				:	40	39	39	39	:					157		
3302139A	GROUNDWATE	:				:				:	34	39	39	33	:					145		
3307068	GROUNDWATE	:				:				:					:	2				2		
A3310052	LITTLE LOS	:				:				:	39	39	40	40	:					158		
R3310052	LITTLE LOS	:				:				:	39	39	40	40	:					158		
--86 MAP--	C23Q-W 85	40	38	28	33	42	40	41	39	30	42	19	39	39	42	38	34			584		

No Overlaps identified or claimed in SRBA.

SPLIT RIGHT SUMMARY

11/24/98

TRANSFER 5292

D-0611-2 Basin: 33 Starting Water Right: 02084

S	Water	Name	O	Priority	STG/	Use	S
L	Right No.	Last, First	N	Date	STS	Source	Desc
---	33-02084	LE VAN, DAN	C	11/18/1957	L/	GROUNDWATER	IRR
---							DOMEST
---	T33-02084	WOODIE, GEORGE	C	11/18/1957	L/	GROUNDWATER	IRR
---		WOODIE, PATRICIA	C				WR
---	A33-02084	WOODIE, GEORGE	C	11/18/1957	L/	GROUNDWATER	IRR
---							AJ

SD-0611-2 Basin: 33 Starting Water Right: 02136

S	Water	Name	O	Priority	STG/	Use	S
L	Right No.	Last, First	N	Date	STS	Source	Desc
---	33-02136	WOODIE, GEORGE B.	C	08/10/1966	L/	GROUNDWATER	IRR
---	T33-02136	WOODIE, GEORGE	C	08/10/1966	L/	GROUNDWATER	IRR
---		WOODIE, PATRICIA	C				WR
---	A33-02136	WOODIE, GEORGE	C	08/10/1966	L/	GROUNDWATER	IRR
---							AJ

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

6-29-98

T5292

INITIAL REVIEW BY:

PRM

1. Right number 32-02084 32-02132 Applicant George Woodr

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 _____

i. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) 33-00002 - 33-00016

j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No

If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____

2. Is transfer published correctly? ☒ Yes ☐ No

3. Protest received? ☐ Yes ☐ No

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny

3. Conditions * MEASURING REQUIREMENT

4. By BDC Date 7/29/98

* This area is not yet in
a groundwater measurement
District. Huf

T5292

AFFIDAVIT OF PUBLICATION

I, Colleen Babcock
of the Arco Advertiser, a weekly newspaper of
general circulation, published weekly at Arco, Idaho,
since March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof,

for 2 consecutive weeks, commencing with

the issue dated July 9, 1998

and ending with the issue dated

July 16, 1998
Colleen Babcock

STATE OF IDAHO

COUNTY OF BUTTE

On this 17th day of July

in the year of 1998, before me, a Notary Public,

personally appeared

Colleen Babcock

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.

Thomas D. [Signature]
Notary Public for Idaho

Residing at Arco, Id

My commission expires: 1-23-2004

**NOTICE OF PROPOSED
CHANGE OF A WATER RIGHT
NO. T5292**

Notice is hereby given that George or
Patricia Woodie, 1318 WW 3700 N, Howe,
ID 83244, has applied to the Department
of Water Resources to change the place of
use of a groundwater source. The rights
sought to be changed are evidenced by li-
censes and recorded as follows:

Decree No.: 33-02136

Amount: 1.83 cfs

Source: Groundwater

Priority: 08/10/1996

Point(s) of Diversion: NWNW SEC 36 T06N
R29E, B.M., BUTTE COUNTY

The water is used for irrigation of 256
acres within SEC 36 T06N R29E B.M.

License No.: 33-02084

Amount: 1.16 cfs

Source: Groundwater

Priority: 11/18/1957

Point(s) of Diversion: NWNW SEC 36 T06N
R29E B.M., BUTTE COUNTY

The water is used for irrigation of 260
acres within SEC 36 T06N R29E B.M.

TO BE CHANGED AS FOLLOWS:

The applicant just intends to rearrange
the acreage to fit the pivots in place on the
N $\frac{1}{4}$ SEC 36 T06N R29E B.M.

Any protests against approval of the
proposed changed 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 July 27, 1998. The protestant must
also send a copy of the protest to the ap-
plicant.

KARL J. DREHER
Director

Published in The Arco Advertiser on
July 9 and 16, 1998.

MICROFILMED

DEC 31 1998

RECEIVED

JUL 21 1998

Department of Water Resources
Eastern Region



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

July 1, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

GEORGE OR PATRICIA WOODIE
1318 W 3700 N
HOWE ID 83244

RE: Application for Transfer #5292

Dear Applicant:

This office is currently in the process of advertising the application in the Arco Advertiser on July 9 and 16, 1998. The advertisement will be published once a week 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.

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

Sincerely,

Harold W. Jones
Water Right Supervisor

HWJ::sc

MICROFILMED
DEC 31 1998



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 1, 1998

ARCO ADVERTISER
PO BOX C
ARCO ID 83213

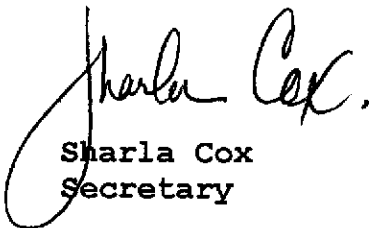
Dear Publisher:

Enclosed you will find a legal notice which we wish to have published on the dates indicated in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billing to this office before JULY 27, 1998.

Yours truly,



Sharla Cox
Secretary

Enc.

MICROFILMED

DEC 31 1998

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT
NO. T5292

Notice is hereby given that George or Patricia Woodie, 1318 WW 3700 N, Howe ID 83244, has applied to the Department of Water Resources to change the place of use of a groundwater source. The rights sought to be changed are evidenced by licenses and recorded as follows:

License No.: 33-02136 Source: Groundwater
Amount: 1.83 cfs Priority: 08/10/1966
Point(s) of Diversion: NWNW SEC 36 T06N R29E B.M., BUTTE COUNTY
The water is used for irrigation of 256 acres within SEC 36 T06N R29E B.M.

License No.: 33-02084 Source: Groundwater
Amount: 1.16 cfs Priority: 11/18/1957
Point(s) of Diversion: NWNW SEC 36 T06N R29E B.M., BUTTE COUNTY
The water is used for irrigation of 260 acres within SEC 36 T06N R29E B.M.

TO BE CHANGED AS FOLLOWS:

The applicant just intends to re-arrange the acreage to fit the pivots in place on the N1/2 SEC 36 T06N R29E B.M.

Any protests against approval of the proposed changed 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 July 27, 1998. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER
Director

Published in the Arco Advertiser on July 9 and 16, 1998.

MICROFILMED

DEC 31 1998

April 30, 1965

RE: Permit No. G-27128
Dan LeVan

Wayne Bare
Howe, Idaho

Dear Mr. Bare:

On August 29, 1963 this department received a check from Dan LeVan in the amount of \$19.00 covering the fees for the certificates on the above numbered permit. We suggested that he assign the permit to you, and sent him the necessary form, with departmental receipt No. G-8217, as he said that he had transferred the property to you.

We have had no further word from Mr. LeVan in the matter, so we are issuing the Certificate of Completion of Works and License and Certificate of Water Right in his name and forwarding them to you.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. license
certificate

cc: Dan LeVan, Howe, Idaho

27128

August 30, 1963

Re: Permit G-27128

Mr. Dan LeVan
Howe, Idaho

Dear Mr. LeVan:

Received your letter of August 27 with enclosed check for \$19 covering the statutory fees for License & Certificate of Water Right for subject permit.

It is suggested that you assign the permit to Mr. Bare using the enclosed form. After form has been executed please return it with a 50¢ fee to this office. The license and certificate will then be made up in Mr. Bare's name and mailed to him.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

By:

H. PETRI
State Water Rights Clerk

HP:vj

encl. Assignment Form
Receipt # G-8217

27128

100

Howe Idaho

83244

Received from Aug 27, 1963

Dear Sirs

Please find a check for
\$1900 for final proof of Permit
No. G 27128.

This property has been
transferred to Wayne Bare
Howe Idaho. Thanks

Very truly yours

Ran H. Loran

27128

State of Idaho

DEPARTMENT OF RECLAMATION

Boise, Idaho

August 16, 1963

Re: Permit No. G-27128

Dan H. LeVan
Howe, Idaho

Dear Mr. LeVan:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-27128 shows the well is (~~286~~) capable of conveying 58 miner's inches, or 1.16 c.f.s. of water for the irrigation of 260 acres.

Upon receipt of the statutory fees, totaling \$ 10.00, which consists of a Completion of Works fee of \$ 5.00 and License and Certificate of Water Right fee of \$ 5.00 - based at the rate of \$2.00 for each 40-acre subdivision - we will issue the Certificate of Completion of Works and the License and Certificate of Water Right confirming the right, with priority of November 18, 1957 to the use of 1.16 second feet of subterranean water with the point of diversion in the NW¹/₄ NW¹/₄, Sec. 36 for domestic use and irrigation of 260 acres in the NE¹/₄ SW¹/₄ NE¹/₄, NW¹/₄, Sec. 36, T. 6 N., R. 29 E., B.M.

Very truly yours,

CARL E. TAPPAN
Acting State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

27128

RT

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. G-27128This proof is for Completion of Works & Beneficial Use In Water District No. _____1. Name of applicant Dan H. LeVan2. Source of water supply: a well - subterranean3. Location of point of diversion: Is in the NE 1/4 of Section 36
T. 6 N. R. 29 E. County of Butte4. Describe works as they exist, giving dimensions and capacities of same: 25 HP Lewis
Allis Co Motor #272 3845, Johnston Pump #JR-3006, 120' x 8" Column
Well - 18" x 130', 130' x 8" casing, 8" discharge to open ditch.5. Water is used for: irrigation and domestic6. State whether or not water has been turned into works of diversion: yes.

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

NE 1/4, NW 1/4, Sec. 36, T. 6 N., R. 29 E., B. M.

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

8. What large stream would the water here appropriated finally reach? ✓Remarks: Mr. Wayne Bare new owner alongMeasured by Spurling Meter 1 Rev. 1 min 31 Sec = 1.10 x 10.5 = 1.16 cfsThis examination was made on the 1 st day of August, 19 63(Signed) Layne Johnson Examiner.

27128

OP
77
75
DAN H. LOYAN
Howe, Idaho
Permit No. G-27128

California Pipe Meters
d. 6.45 1.25

$\frac{g}{d} = .386 = 3.47$
 $.645 = .337$
 $\frac{2429}{1041}$
 $\frac{1041}{116939 \text{ cfs.}}$

Spurting meter = 1.25" = 1' 31"
110 x 1053 = 116 cfs.

Examination for Completion of Works
& Beneficial Use
County Butte
Quantity: 6.4 cfs.
Sec. 36 T. 6N. R. 29E2M

Source: Well

P. D.: 1/4 NW, Sec. 36, T. 6N. - R. 29E2M

Use: Irrigation and Domestic

Filed: Nov. 18, 1957

Due: Nov. 26, 1962

Extension: —

Protest: —

Completion of Works: —

Other Rights: P-20629

INSTRUCTIONS TO EXAMINERS

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

RECEIVED
AUG 10 1963
Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-27128

REPORT ON PROOF OF Completion of Works & Beneficial Use

8/15/10 3

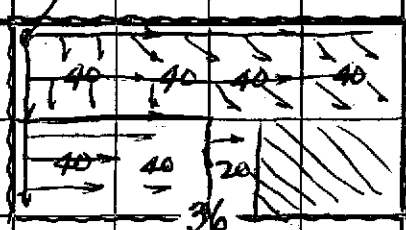
27128

R-29E.

P.D.

TO HOWE

T.
6
N.



160

100

260

Subdivisions

7

Area

260 Acres

Q

1.16 cfs at 58 inch

1M April 1962

September 12, 1962

Re: Permit No.

~~0-27128~~ - Dan H. LeVan
~~0-28961~~ - May Woodie LeVan

Mr. & Mrs. Dan LeVan
Hawa, Idaho

Dear Mr. & Mrs. LeVans

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the ~~area~~ advertiser, all submitted in proof of completion of works and beneficial use on Permit No.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

27128

Cumt # 8-27128

Howe Slaks
Sept. 2, 1962

Department of Reclamation

Arise Slaks

RECEIVED

SEP 5 1962

Dear Sirs,

Department of Reclamation

Received your letter of Aug.

31, 1962.

I proved upon this application

Dec. 22, 1961 at Howe Slaks
my wife May Woodie Le Jan
proved upon her application at
the same time.

These proofs were made before
Mr. Baumer and the witnesses
were Mr. Wayne Bae and Earl
W. Thompson both of Howe Slaks.

If these proofs were needed
the Department I suppose I will
be required to make new proofs of
Completion of Work.

Hope that they can be located.

Very truly yours,

27128

Kiran K. Le Jan

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

Aug. 31, 1962

Re: Permit No. G- 27128

Dan LeVan
Howe, Idaho

Dear Mr. LeVan:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 27128 are due not later than Nov. 26, 1962

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list, which has been recorded in this department. If changes have been made and no amendments are on record, we advise you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least FORTY (40) DAYS BEFORE THE MENTIONED DATE, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point, or points, of diversion; and the location of use or the lands which are irrigated -- all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with two Forms 36.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named, and before the notary public, as advertised in the publication notice.

Very truly yours,

GEO. N. CARTER

State Reclamation Engineer

Enclosures

Form 36 - 11

27128

1200
6-28-61

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit Nos. G-28981
G-27128 ✓

Date: Nov. 13, 1961

See G-28981 for tear sheet

Arco Advertiser,
Arco, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive weeks prior to **December 22, 1961** the date set for proof;

the expense of the publication is to be paid by the applicant

May Woodie LeVan and Dan H. LeVan of **Howe, Idaho**

to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,



GEO. N. CARTER
State Reclamation Engineer

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

Encl.

27128

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE

November 13, 1961

Re: Permit No.s. G-28961
G-27128

ADMINISTRATIVE DIVISION

DEPARTMENT OF RECLAMATION

RECEIVED

May Woodie LeVan & Dan H. LeVan,
Howe, Idaho.

Dear Mr. & Mrs. LeVan:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit Nos. G-28961 G-27128. The proofs are to be made at 2:00 o'clock P.M., on the 22nd day of December, 1961, before Ed L. Gummer, Arco, Idaho, Notary Public.

As of this date we have mailed the Notice to the Arco Advertiser with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof and then mail the affidavit of publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the Affidavit of Publication.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. ^{Rule} ~~McIntosh~~
Chief Clerk

Encl.

EPR:pak
cc: Notary

27128

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

DEC 26 1961
Department of Reclamation

Permit No. 9-27128 *llh*

Proof of Application of Water to Beneficial Use
and Completion of Works
Deposition of Holder

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

Ans. Dan LeVan, Howe, Idaho rancher

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

Ans. _____

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

Ans. G-27128 November 26, 1957 *11-18-57*

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

Ans. Subterranean NW $\frac{1}{4}$ NW $\frac{1}{4}$ sec 36 to 6NR 29 EBM

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. well, pump and ditches 75 inches

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

Ans. irrigation N $\frac{1}{2}$ sec 36 to 6NR 29 EBM cultivated

Ques. 6-a If this is a ground water permit, give name and address of person that drilled the well.

Ans. Cole Drilling Co., Gooding, Idaho

27128 See G-28981 for Publisher's Affidavit & Authority to publish

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

Ans. _____

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

Ans. _____

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

Ans. _____

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

Ans. irrigation 75 inches

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

Ans. 168¹/₂ inches from another well

(Sign) _____

Dan Le Jan

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed

and sworn to before me, at my office in Arco, County of Batte

State of Idaho, on this 22nd day of December, A. D. 19 61.

Ed H. Hume

My commission expires 3-22-63

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

1936
Department of Reclamation

Permit No. G-27128

Proof of Application of Water to Beneficial Use
and Completion of Works
Deposition of Witness

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

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

Ans. Earl Wortley, 41, Howe, Idaho, Farmer

Ques. 2. Are you acquainted with Dan LeVan, the holder of Permit No. G-27128? How long have you known him and where does he reside?

Ans. yes 10 years

Ques. 3. Have you read or heard read said Permit No. G-27128, and are you familiar with its provisions and conditions?

Ans. yes

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

Ans. Subterranean NW 1/4 NW 1/4 sec 36 Tp 6N R 29 E 3M well, pump and ditches

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

Ans. 75 inches

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 75 inches by wter

27128

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. irrigation N¹ sec 36 Tp 6NR 29 REM

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. lava hash farm land 1 inch per acre

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. no

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. summer season 1961

(Signed) Earl Wootley

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Arco, County of Butte, State of Idaho, on this 22nd day of December, A. D. 1961.

Ed J. Hansen
Notary Public.

My commission expires 3-22-63

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

JUN 16 1961

Bureau of Reclamation

Permit No. G-27128

Proof of Application of Water to Beneficial Use
and Completion of Works
Deposition of Witness

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

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

Ans. Wayne Bare, 33, Howe, Idaho farmer

Ques. 2. Are you acquainted with Dan LeVan, the holder of Permit No. G-27128? How long have you known him and where does he reside?

Ans. yes 10 years

Ques. 3. Have you read or heard read said Permit No. G-27128, and are you familiar with its provisions and conditions?

Ans. yes

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

Ans. Subterranean NW 1/4 NW 1/4 sec 36 Tp 6NR 29 EBM well, pump and ditches

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

Ans. 75 inches

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. 75 inches by wter

27128

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. irrigation N¹/₂ sec 36 Tp 6NR 29 EBM

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. lava hash farm land 1 inch per acre

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. no

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. summer season 1961

(Signed) Wayne B. Arc

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Arco,
County of Butte, State of Idaho, on this 22nd day of December,
A. D. 1961.

Ed. R. Kamm
Notary Public.

My commission expires 3-22-63

Affidavit of Publication

I, Billy Cross, of the
Arco Advertiser, a weekly newspaper of general
circulation, published weekly at Arco, Idaho, since
March, 1909, do solemnly swear that a copy of
this notice, per clipping attached, was published
weekly in the regular and entire issue of said
newspaper, and not in any supplement thereof,
for 4 (four) consecutive weeks, commencing
with the issue dated November 17, 1961
and ending with the issue dated December 3, 1961

Billy Cross
Subscribed and sworn to before me this
12th day of Dec., 1961

Betty J Mayo
Notary Public.

Residence, Arco, Idaho.

My commission expires 2-4, 1965

LEGAL NOTICE

NOTICE OF PROOF OF COM- PLETION OF WORKS AND AP- PLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 2:00 p. m., on the 22nd day of December, 1961, at Arco, County of Butte, State of Idaho, before Ed L. Gaumer, Notary Public, at Arco, Idaho, proof will be submitted of the completion of works for the diversion of 8.0 and 6.4 cubic feet per second of underground water from 2 wells and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit Nos. G-28981 and G-27128, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the persons or corporation holding said permit is May Woodie LeVan and Dan H. LeVan, Howe, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 8.0 and 6.4 cubic feet per second.

3. The use to which said water has been applied is irrigation and domestic and irrigation purposes, and the amount applied to beneficial use is 8.0 and 6.4 cubic feet per second.

4. The point of diversion of said water is NW¼ SE¼ Sec. 26, Twp. 6 N., Rge. 29 E. B. M., and NW¼ NW¼ Sec. 36, Twp. 6 N., Rge. 29 E. B. M.

5. The place where said water is used to W½ SE¼ Sec. 26; NE¼ Sec. 35; Twp. 6 N., Rge. 29 E. B. M.; N½ Sec. 36; Twp. 6 N., Rge. 29 E. B. M.; SW¼ Sec. 31, Twp. 6 N., Rge. 30 E. B. M.

6. The dates of priority which said user is prepared to establish are August 30, 1960 and November 18, 1957.

GEO. N. CARTER,
State Reclamation Engineer.
Published Nov. 17 thru Dec. 8, 1961.

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December 4, 1957

Re: Permit No. G-27128

Mr. Dan LeVan
Howe,
Idaho

Dear Mr. LeVan:

We enclose Permit No. G-27128 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Departmental receipt No. G-3008 was issued covering payment in the amount of \$6.50 for the filing fee of the above mentioned permit. This receipt was given to you while in our office.

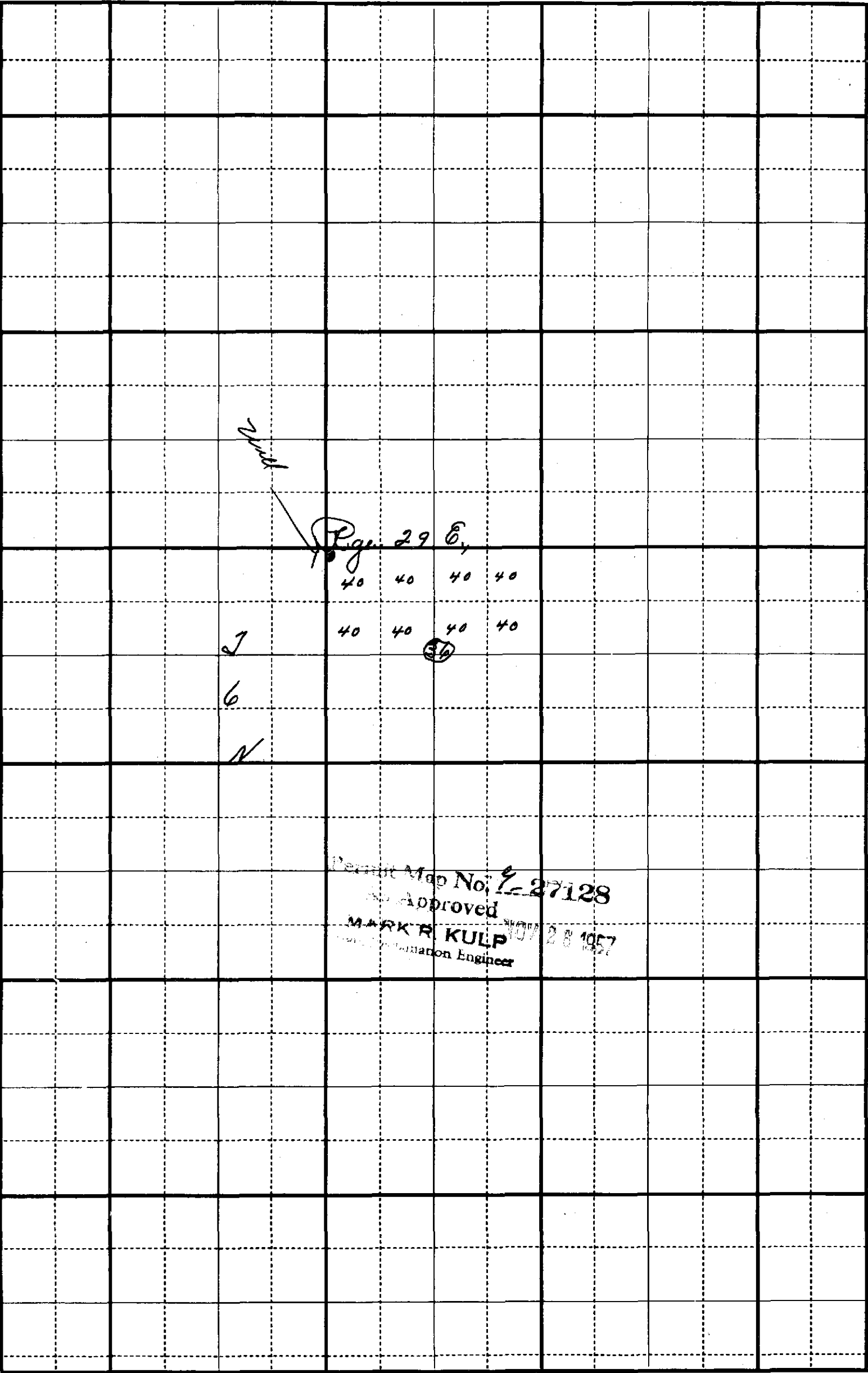
Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Edna P. Rutledge (Mrs.)
Chief Clerk

EPR:lw
Encls. (1)

27128



Permit Map No. 27128
Approved
MARK R. KULP
Professional Engineer