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**NOTICE OF EXTENSION
OF TIME TO AVOID
FORFEITURE OF WATER RIGHT**

JACK & KARLA POST, PO Box 298, Mtn. Home, ID 83647 have applied to the Department of Water Resources for an Extension of Time to Avoid Forfeiture pursuant to Idaho Code § 42-222 for a water right recorded as follows in Elmore County:

Decree #61-2206, priority 1/5/1965 for 4 cfs of groundwater diverted and used in S1/2 S36, T4S, R5E. Use is for 275 acres of irrigation.

The land has not been irrigated since enrollment in a 10 year set aside (CRP) from October 1987 through October 1997. Part of the right was used for different land under a Temporary Change authorized during the 2001 drought emergency. Applicants request a 5 year extension of time through April 2007.

Any protests against approval of this application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 for each application on or before September 23, 2002. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director
First Publication: September 4, 2002.
Last Publication: September 11, 2002.

RECEIVED

SEP 24 2002

WATER RESOURCES
WESTERN REGION



AFFIDAVIT OF PUBLICATION

County of Elmore } ss.
STATE OF IDAHO

I Coleen W. Swenson, do solemnly swear that I am the publisher, of the:

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation, published once a week, in Mountain Home, Idaho, that the notice attached hereto and which is a part of publication thereof; was published in said newspaper for two consecutive weeks, the first publication having been made on the 4 day of Sept, 2002, and the last publication having been made on the 11 day of Sept, 2002; every Wednesday issue of the paper during the period and time of publication and that the notice was published in the paper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during the period of 78 consecutive weeks prior to the first publication of the attached notice.

A handwritten signature in blue ink, appearing to read "Coleen W. Swenson", written over a dashed line.

Subscribed and sworn to me this 11 day of Sept, 2002.

A handwritten signature in blue ink, appearing to read "Christine M. Lewis", written over a dashed line.
Notary Public

Residing in Mountain Home, Elmore County, Idaho.

My commission expires 09-25-2006

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JUN 05 2003

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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AUG 19 2002

WATER RESOURCES
WESTERN REGION

APPLICATION FOR EXTENSION OF TIME TO AVOID
FORFEITURE OF A WATER RIGHT

AUG 14 2002

Department of Water Resources

Section 42-222, Idaho Code, provides that a water right shall be lost and forfeited and the water right revert to the state upon the failure of a water user to apply the water to beneficial use for a period of five (5) years. The Director may allow an additional five (5) year period of non-use without forfeiture upon a showing of reasonable cause

OCT 16 2002

1. Name of water right holder Jack & Karla Post Department of Water Resources
2. Mailing address P.O. Box 248 Mtn. Home Id 83647
3. The right was obtained or is evidenced by:
- a. Decree to 61-2206 in Case of _____
- vs. _____, Dated 10/26/2000 in _____ (Name of Court)
- Court, _____ County _____ of _____ Fully _____ describe _____ decree _____
- b. License No. _____ c. Claim No. _____
- d. SRBA No. _____
4. Source of water Ground water tributary to _____ (Name of stream or source)
5. Date of priority of right 1/5/1965
6. Description of Right: *1.0 transferred to 61-11964.
amount 4.00 3.0* for Irrigation purposes from 4/1 to 10/31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
7. Point of Diversion NW 1/4 SE 1/4 of Sec. 36 Twp. 4S Rge. 5E County Elmore
SW SE 36 4S 5E Elmore
8. Lands irrigated or Place(s) of Use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4S	5E	36									34	31	33	34	28	38	39	38	275

Total Acres 275

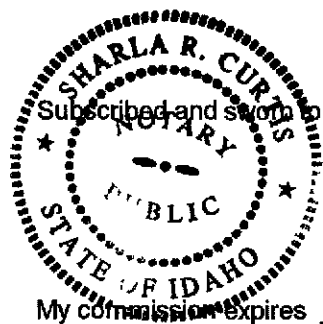
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JUN 15 2003

9. Give the last date when water ~~put~~ put to beneficial use *
Length of extension of time requested 5 years, or until 4/1/2007 (Date)
10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and reasons for non-use _____

* went into CRP in 1987 & came out in 1997, ^{this} land has not been irrigated since it went into CRP, ^{however,} portion of right was used in 2001 under a Temporary Change (Albert & Victor Hofer)

The information contained in this application is true to the best of my knowledge.

(Signature of Applicant)



Subscribed and sworn to before me this 14th day of August, 2002

Sharla R. Curtis
(Notary Public)

My commission expires 12/6/2002

Residing at Emmett Idaho

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby approve said application subject to the following conditions or reasons:

The right holder shall resume beneficial use of water on or before
October 26, 2005. IT IS HEREBY ORDERED that this water right is referred
to as 61-11963.

Signed this 21st day of April, 2003

Chief, Water Allocation Bureau

L. Glen Saxton

FOR DEPARTMENT USE ONLY

Date Received 8/14/2002 FEE Received by J. Mace Date 8/14/02 Receipt # 0063981
Preliminary T by J Publication prepared by _____ Pub. approved by _____ Date _____
Published in MOUNTAIN HOME NEWS Dates Published 9-4-02
Protests filed by _____
Copies of protests forwarded by _____ Hearing held by _____ Date _____
Recommended for - APPROVAL / DENIAL By _____

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JUN 05 2003

CRP-1
(02-21-86)U.S. DEPARTMENT OF AGRICULTURE
Agricultural Stabilization and Conservation Service
Commodity Credit Corporation

Form Approved - OMB No. 0560-0125

1. CO. CODE & 2. CONTRACT NO.

16 039 1

3. FARM NO.
284

CONSERVATION RESERVE PROGRAM CONTRACT

NOTE:

The following statements are made in accordance with the Privacy Act of 1974 (5 USC 552a): The authority for requesting the information to be supplied on this form is the Food Security Act of 1985, P.L. 99-198, and the regulations promulgated thereunder (7 CFR Part 704) and the Internal Revenue Code (26 USC 6109). The information requested is necessary for CCC to consider and process the offer to enter into a Conservation Reserve Program Contract, to assist in determining eligibility, and to determine the correct parties to the contract. The information may be furnished to other USDA agencies, IRS, Department of Justice, or other State and Federal law enforcement agencies, and in response to orders of a court, magistrate, or administrative tribunal. Furnishing of the Social Security Number (SSN) is mandatory. Furnishing all other information is voluntary; however, failure to furnish the correct, complete information requested will result in rejection of the offer to enter into the contract.

THIS CONTRACT is entered into between the Commodity Credit Corporation (referred to as "CCC") and the undersigned owners and operators (referred to as "Owner" and "Operator", respectively) on the farm identified above (referred to as "Farm") for the fields and acres (referred to as "designated acreage") identified in Items 8-17 below and on the CRP-1A Addendum, as applicable. The Owner and Operator agree to place the designated acreage into the Conservation Reserve Program ("CRP") for a period of 10 crop years from the date the Contract is executed by the CCC. The Owner and Operator also agree to implement on such designated acreage the Conservation Plan developed for such designated acreage and approved by the applicable local conservation district based upon the conservation practices identified in Items 10 and 15 below and in Items 4 and 9 on the CRP-1A Addendum or such other conservation practices as are identified in the Conservation Plan and agreed to by the Owner and Operator. The Owner and Operator and CCC agree to comply with the terms and conditions contained in this Contract and contained in the Appendix to this Contract, entitled Appendix to CRP-1, Conservation Reserve Program Contract (referred to as "Appendix"). By signing below, each Owner and Operator acknowledges that a copy of the Appendix has been provided to the Owner and Operator and that the Owner and Operator has signed the last page of such Appendix which will be kept on file in the County Agricultural Stabilization and Conservation Service (ASCS) Office. By signing below, the Owner and Operator also agree to allow CCC a period of 30 days from the close of the applicable signup period to accept this Contract and agree to pay liquidated damages in an amount specified in the Appendix if the Owner and Operator do not allow CCC such 30-day period in which to execute this Contract.

4. OWNERS AND OPERATORS

A. OPERATOR NAME AND ADDRESS	SHARE	SSN	SIGNATURE	DATE
	%			
B. OWNER NAME AND ADDRESS Operator Holstein Heifer Ranch, Inc. C/o Burke Dumbly P.O. Box 3949 City of Industry, CA 91744	100 %	82 0293280		
C. NAME AND ADDRESS	SHARE	SSN	SIGNATURE	DATE
	%			
D. NAME AND ADDRESS	SHARE	SSN	SIGNATURE	DATE
	%			

5. ACRES FOR CRP	6. RENTAL RATE PER ACRE	7. CONTRACT PERIOD
		FROM TO
235.3	\$ 50	10 1 87 9 30 97

TRACT NO.	FIELD NO.	PRACTICE NO.	ACRES	RATE OF COST-SHARES	TRACT NO.	FIELD NO.	PRACTICE NO.	ACRES	RATE OF COST-SHARES
8	9	10	11	12	13	14	15	16	17
T391	2	CP 1	123.9	50%					
T391	3	CP 1	111.4	50%					

18. ANNUAL PAYMENT	19. CCC USE ONLY - Payments according to the shares are approved.	CCC REPRESENTATIVE'S SIGNATURE	DATE
11,765. ⁰⁰		Charles J. Wilson	10-8-87

OPERATOR COPY

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

RECEIVED

AUG 14 2002

Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are included at the end of this form.
 Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
61-2206	61-2206	—			—
		—			—
		—			—
		—			—
		—			—

2. The following **REQUIRED** information must be submitted with this form:

- ✓ A. The appropriate **FILING FEE**. See instructions for fee amounts.
- ✓ B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).
OR
 ✓ If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

3. Name and Address of Former Owner/Claimant(s)

Holstein Heifer Ranch Inc

Davies Family Ltd Partnership

4. New Owner/Claimant(s)

Jack Post Karla Post

Name Connector (Check one): [] and, [] or, ☒ and/or

New Mailing Address

PO Box 298

City, State and ZIP Code

Mtn Home Id 83647

New Telephone Number

(208) 587-7197

5. Date you acquired the property

June 12, 2001

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JUN 03 2003

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation	_____	_____
Stock	_____	_____
Domestic	_____	_____
Other _____	_____	_____
Total	_____	_____

7. Signature of New Owner(s) or Claimant(s) _____
(include title if applicable)

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

For Office Use Only

Received by <u>SC</u>	Date <u>8/14/2002</u>	Fee <u>25⁰⁰</u>
Receipted by <u>J. Man</u>	Date <u>8/14/02</u>	Receipt No. <u>0063980</u>
Processed by <u>AJ</u>	Date _____	WR _____ Date _____

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JUN 05 2003

WARRANTY DEED

BLUE RECEIVED

The Davies Family Limited Partnership, an Idaho limited partnership

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto
Jack Post and Karla Post, husband and wife

GRANTEE(S), whose current address is: P.O. Box 298
the following described real property in Elmore
more particularly described as follows, to wit:

Mountain Home, Id 83647
County, State of Idaho,

Township 4 South, Range 5 East, Boise Meridian, Elmore County, Idaho

Section 36: S1/2

TOGETHER WITH all water and ditch rights appurtenant to said property.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever. , except those of record.

Dated: June 12, 2001



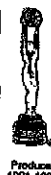
Southern Idaho Realty

1135 West 6th South St., P.O. Box 824
Mountain Home, Idaho 83647
Business (208) 587-9021
Toll Free (800) 447-1012
Fax (208) 587-3334
Residence (208) 587-7197
Cellular (208) 890-6521

Each Office is Independently Owned And Operated

Karla Post

Farms, Ranches & Residential
REALTOR-ASSOCIATE®



Producer
1991-1999

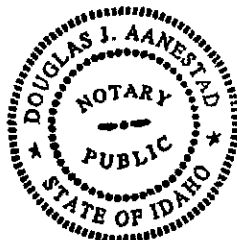
STATE OF IDAHO
COUNTY OF Blaine

On this 13th day of June in the
year 2001, before me, a Notary Public, personally appeared
James Davies, Trustee
known or identified to me to be (one of) the partner(s) in the partner-
ship of The Davies Family Limited Partnership

and the partner(s) who subscribed said partnership name to the foregoing
instrument, and acknowledged to me that he executed the same
in said partnership name.

Notary Public
Residing at Ketchum Idaho

My commission expires: 2.12.05



MICROFILMED

JUN 15 2003

CORPORATE WARRANTY DEED

FOR VALUE RECEIVED.

HOLSTEIN HEIFER RANCH, INC.

organized and existing under the laws of the State of Idaho, with its principal office at PO BOX 1418
 HIRSHAN HILL, CA 95038 of County of State of Idaho, CA
 GRANTOR, hereby GRANT, BARGAIN, SELL and CONVEY unto

JAMES M. DAVIES, A MARRIED MAN GRantee
 whose current address is: 490 NORTH HULEN WAY KETCHUM, ID 83340
 the following described real property located in ELMORE County, State of Idaho,
 more particularly described as follows, to wit:

TOWNSHIP 4 SOUTH, RANGE 5 EAST, BOISE MERIDIAN, ELMORE COUNTY, IDAHO

SECTION 36: S1/2

ELMORE COUNTY, IDAHO as
 Request of

GUARANTY TITLE, INC.

302779

Time 3:42 P M

Date August 28, 1997

Book Page

DOLORES ROBISON

Recorder

By Deputy

Fee \$3.00

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of the Grantor at a lawful meeting duly held and attended by a quorum.

In witness whereof, the Grantor has caused its corporate name to be hereunto affixed by its duly authorized officers this 13TH day of AUGUST, In the year of 1997

CORPORATE SEAL

HOLSTEIN HEIFER RANCH, INC.

CORPORATE NAME

[Signature]
 PRESIDENT

Attest: *[Signature]*
 SECRETARY

ACKNOWLEDGMENT - Corporate

STATE of Washington County of Spokane
 On the 28th day of August 1997
 before me, the undersigned, a Notary Public in and for said State, personally appeared
 Cynthia J. Reed / Cory E. Kemp
 known or identified to me to be the Officer / Sec.
 of the corporation that executed the instrument at the place where executed the instrument on behalf of said corporation, and acknowledged to me that such person(s) executed the same

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JUN 05 2003



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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69688

This is to certify that: VICTOR ALBERT HOFER
1155 SOUTH 5TH WEST
MOUNTAIN HOME ID 83647
(208)587-8071

AND/OR

ALBERT JOHN HOFER
1155 SOUTH 5TH WEST
MOUNTAIN HOME ID 83647
(208)599-1620

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. A summary of the changes is also listed below. 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>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
61-2206	WR/Decreed	01/05/1965	4 cfs	1100 af		275.0	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>
61-2206	YES	YES	YES	NO	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>
-----------------------	----------------------------------	----------------------	------------------------	-------------------	--------------------	------------------------------------	-----------------------	-------------------------	-----------------------------	------------------------------

61-2206	61-11964	1.00 cfs	207 af	69.0	335.0	61-11963	3.00 cfs	824 af	N/A	206.0
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COMBINED

TOTALS		1.00 cfs	207 af	69.0	335.0		N/A	N/A	N/A	N/A
---------------	--	-----------------	---------------	-------------	--------------	--	------------	------------	------------	------------

Rights 61-11963 and 61-11964 are subject to the conditions of the Final Order dated 03-19-2003 in the matter of Application for Transfer 69688.

Detailed Water Right Description(s) attached

Dated this 8 day of April, 2003

For *[Signature]*
Chief, Water Allocation Bureau

MICROFILMED
JUN 03 2003

WATER RIGHT NO. 61-11963
As Modified by Transfer No. 69688

In accordance with the approval of Transfer No. 69688, Water Right No. 61-11963 is now described as follows.

Right Holder: JACK POST
 KARLA POST
 PO BOX 298
 MOUNTAIN HOME ID 83647

Priority Date: January 05, 1965

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	3.00 CFS	824.0 AF
			3.00 CFS	824.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNWSE Sec. 36 Twp 04S Rge 05E ELMORE County

GROUND WATER NWSWSE Sec. 36 Twp 04S Rge 05E ELMORE 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	
04S	05E	36									34.0	31.0	30.0	34.0			38.0	39.0	206.0
Total Acres:			206																

CONDITIONS OF APPROVAL

1. 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.
2. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 10-26-2000.
3. Both points of diversion are located on the centerline of the South half of S36, T04S, R05E.

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 8 day of April, 2003

 For Chief, Water Allocation Bureau

MICROFILMED

JUN 05 2003

WATER RIGHT NO. 61-11964
As Modified by Transfer No. 69688

In accordance with the approval of Transfer No. 69688, Water Right No. 61-11964 is now described as follows.

Right Holder: ALBERT JOHN HOFER
 VICTOR ALBERT HOFER
 1155 SOUTH 5TH WEST
 MOUNTAIN HOME ID 83647

Priority Date: January 05, 1965

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	10/31	1.00 CFS	207.0 AF
			1.00 CFS	207.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWNE Sec. 12 Twp 04S Rge 06E ELMORE 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	
04S	06E	12	40.0	40.0	38.0	37.0	40.0	40.0	40.0	40.0	20.0								335.0

Total Acres: 335

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 69.0 acres within the place of use described above in a single irrigation season.
2. Drilling additional wells or modifying the existing well is not authorized by this order.
3. Prior to diversion and use of water under this approval: (a) The right holder shall install and maintain a measuring device on the well to measure both the instantaneous rate of diversion and total annual volume of water diverted from the well; (b) The right holder shall obtain approval from the department relative to the type of device; and (c) The measuring device shall be calibrated initially and recalibrated as determined necessary by the department, by a licensed engineer or other person approved by the department.
4. The right holder shall annually report to the department the maximum rate of diversion, the depth to water prior to commencement of pumping each season, the depth to water during the pumping period and the annual volume of water diverted.
5. Use of Right 61-11964 shall be supplemental to the use of water supplied by the Mountain Home Irrigation District, for use within the place of use approved under Transfer 69688.
6. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.

MICROFILMED
 JUN 05 2003

WATER RIGHT NO. 61-11964

As Modified by Transfer No. 69688

CONDITIONS OF APPROVAL

7. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
8. Use of water under Right 61-11964 shall not exceed 1.00 cfs nor 207.0 acre feet per year, and when combined with all other rights, shall not exceed 0.02 cfs per acre nor more than 4.0 acre feet per acre per year. The combined maximum diversion rate under Rights 61-11964, 61-10196, and 61-10197 for irrigation purposes shall not exceed 4.02 cfs nor a combined annual diversion volume of 461.6 acre feet per year.
9. Right 61-11964 retains its priority date of January 5, 1965, relative to actions to distribute water that relate to management of the MHGWMA overall, but diversion and use of water is subordinate to all rights to use ground water existing within the immediate area (as described in Conclusion of Law no. 6) on January 26, 2002, relative to water management actions related to increased draw downs of the water table or depletion of ground water resulting from this approval.
10. The right holder shall accomplish the change authorized by this approval within 1 year.
11. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
12. 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.
13. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 10-26-2000.

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 8 day of April, 2003

For  Chief, Water Allocation Bureau

MICROFILMED
JUN 6 5 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 22, 2003

JACK & KARLA POST
PO BOX 298
MTN HOME ID 83647

RE: WATER RIGHT NO. 61-11963 (formerly known as 61-2206)

Dear Water Right Holder:

Enclosed is a copy of the approved Application for Extension of Time to Avoid Forfeiture of a Water Right for the above referenced water right. Please note that resumption of beneficial use of water shall occur on or before **October 26, 2005**.

Please notify the Department as soon as you resume use of the water. If you have not notified the Department sixty (60) days prior to the resumption date, the Department will send you a Resumption of Use Notice by certified mail.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the Department. Please contact any office of the Department for the proper form to file a change of ownership of the water right and/or a change in the address of the owner or if you have any questions concerning this matter.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Region

MICROFILMED
JUN 05 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 4, 2002

JACK POST
KARLA POST
PO BOX 298
MOUNTAIN HOME ID 83647

RE: Change of Ownership for Water Right 61-2206

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,

for 
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED
JUN 05 2003

MEMORANDUM

Date: October 30, 2002

To: Water Right File 61-2206

From: Jeff Peppersack

Re: Review of Request for Extension of Time to Avoid Forfeiture

Based on discussion with Glen Saxton, this request will be held until after the hearing regarding T69688. I contacted the water right holder to discuss this decision with them.

I spoke with Jack Post on this day and indicated the decision to hold was based on two items

- 1) The request was filed timely as required by Section 42-222, *Idaho Code*, prior to the end of the 5-year period of non-use.
- 2) Recent court decision indicated that forfeiture period is tolled for pending SRBA claims. Claim was decreed in 2000; therefore, possibly re-setting the time period for forfeiture.

I told Mr. Post that we would process the ownership change as soon as possible.

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JUN 05 2003

RECEIVED

OCT 16 2002

Department of Water Resources

10-2001

**WESTERN REGION STAFF REVIEW
EXTENSION OF TIME TO AVOID FORFEITURE OF WATER RIGHT**

Applicant Jack & Karen Post
 Water Right 61- 2206
 Reviewed by RL Date 8/23/02
 Advertising file name Post Extension ad (e Taylor folder)
 SRBA Claim filed if required N/A - partial decree issued 10/26/2000

will follow → Analysis memo ☐ Yes, see attached ☐ N/A
 Comment letters ☐ N/A ☒ Yes, see below
☐ Water District # ☐ IDFG for surface water
☒ Other, see attached *mailing list in Hofer T. 69688 @ same right.
 from the Home gwna Adv. Comm.*

ADVERTISING & PROCESSING INFORMATION

? Legal notice electronically sent to State Office ☐ Yes
 Comment letters sent ☒ Yes ☐ N/A
☒ Watermaster reply received
 ? Protests received & acknowledged ☐ Yes ☐ No
 Affidavit of publication received ☒ Yes
 Published correctly ☒ Yes ☐ If No, is readvertising needed?

REGIONAL MANAGER RECOMMENDATIONS

☒ Approve ☐ Deny

See memo dated 10/10/02 by Gary Spadman

Gary S 10/10/02
 (initials and date)

will follow → ☐ **FILE COPIED BEFORE FORWARDED TO S.O.** – Application, staff review form, legal notice, analysis memo and other items identified by staff reviewer.

AJ staff does not need cc of this Appl.

MEMORANDUM

To: File no. 61-2206: Extension of Time to Avoid Forfeiture
From: Gary Spackman *Gary*
Date: October 10, 2002

Re: Recommended Conditions of Approval

Jack and/or Karla Post (Posts) filed an application for extension of time to avoid forfeiture for water right no. 61-2206 with IDWR on August 14, 2002. Notice of the application was published and no one filed protests.

An application to transfer a portion of water right no. 61-2206 was filed with IDWR in July 2001. The application was amended in January 2002. The application is numbered 69688. Notice of the application was published and protests were filed against the application. A hearing for the protests is scheduled for October 21 and 22, 2002.

The place of use for water right no. 61-2206 was placed in the Conservation Reserve Program (CRP) in October 1987. The land remained idle under the program until October 1997. The land has not been irrigated since the CRP enrollment expired. In 2001, a portion of the right was used on other lands as approved by a temporary transfer.

Water right no. 61-2206 was a permit at the commencement of the adjudication. Beneficial use and the filing of proof were complete prior to commencement, however. An adjudication claim was filed for the permit. IDWR examined beneficial use in 1991, and a license was issued. In 2000, the Snake River Basin Adjudication (SRBA) Court decreed water right no. 61-2206.

Posts are concerned about possible forfeiture because of the passage of five years of nonuse following the expiration of CRP participation, and have asked that the application be acted on before the end of October. Posts have asked IDWR to expeditiously review the application for extension of time to avoid forfeiture.

Forfeiture could be an issue raised by the protestants in the upcoming hearing. Action on the application for extension to avoid forfeiture could foreclose the protestants' opportunities to raise the issue in the contested case. Nonetheless, failure to act on the extension of time could affect the validity of the water right.

As a result of these considerations, I propose we approve the extension of time to avoid forfeiture with the following condition:

IDWR retains jurisdiction over the approval of this extension of time to avoid forfeiture. If evidence in the contested case for application for transfer no. 69688 establishes that a portion of water right no. 61-2206 has been forfeited, IDWR may apply the determination of forfeiture to the remainder of right no. 61-2206 not sought for transfer. The owners of the remainder of right no. 61-2206 are entitled to all procedural remedies afforded when a decision of the director is rendered.

MICHAEL L. LEE
JUN 05 2003

**NOTICE OF EXTENSION
OF TIME TO AVOID
FORFEITURE OF WATER RIGHT**

JACK & KARLA POST, PO Box 296, Mtn. Home, ID 83847 have applied to the Department of Water Resources for an Extension of Time to Avoid Forfeiture pursuant to Idaho Code § 42-222 for a water right recorded as follows in Elmore County:

Decree #61-2206, priority 1/5/1965 for 4 cfs of groundwater diverted and used in S1/2 S36, T4S, R5E. Use is for 275 acres of irrigation.

The land has not been irrigated since enrollment in a 10 year set aside (CRP) from October 1997 through October 1997. Part of the right was used for different land under a Temporary Change authorized during the 2001 drought emergency. Applicants request a 5 year extension of time through April 2007.

Any protests against approval of this application must be filed with the Department of Water Resources, Western Region, 2786 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 for each application on or before September 23, 2002. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director
First Publication: September 4, 2002.
Last Publication: September 11, 2002.

RECEIVED

SEP 24 2002

WATER RESOURCES
WESTERN REGION



AFFIDAVIT OF PUBLICATION

County of Elmore } ss.
STATE OF IDAHO }

I Coleen W. Swenson, do solemnly swear that I am the publisher, of the:

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation, published once a week, in Mountain Home, Idaho, that the notice attached hereto and which is a part of publication thereof; was published in said newspaper for _____ consecutive weeks, the first publication having been made on the _____ day of _____, 2002, and the last publication having been made on the _____ day of _____, 2002; every Wednesday issue of the paper during the period and time of publication and that the notice was published in the paper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during the period of 78 consecutive weeks prior to the first publication of the attached notice.

A handwritten signature of Coleen W. Swenson in black ink.

Subscribed and sworn to me this _____ day of _____, 2002.

A handwritten signature of Christine M. Lewis in black ink.
Notary Public

Residing in Mountain Home, Elmore County, Idaho.

My commission expires 09-25-2006

MIKE J. H.

SEP 24 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 28, 2002

TO: Those on the Attached List

Re: Application for Extension of Time to Avoid Forfeiture of Water Right No. 61-2206 in the
Name of Jack & Karla Post

Dear Sir or Madam:

Enclosed is a copy of the above-referenced application for extension of time to avoid forfeiture of water right which may be of interest to you. Please review the application and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if you desire to file a formal protest against the approval of this application(s), your written protest along with the \$25.00 protest fee must be received in this office by September 23, 2002.

If you have any questions regarding the application, please contact this office.

Sincerely,


Steve Lester

SL:st

Encl: Copy of Application

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JUN 05 2003

VICTOR &/OR ALBERT HOFER
1155 S 5TH W
MOUNTAIN HOME ID 83647

FORREST FREER
2690 S 10TH E ST
MOUNTAIN HOME ID 83647

CHARLES OLSON
RT 1 BOX 777E
MOUNTAIN HOME IDAHO 83647

RON LEYDET
PO BOX 521
MOUNTAIN HOME ID 83647

DAVID KNOX
PO BOX 621
MOUNTAIN HOME ID 83647

DAVID OLSON
RT 1 BOX 777 M
MOUNTAIN HOME ID 83647

TERRY SEEGRIST
4155 CANYON CR RD
MOUNTAIN HOME ID 83647

BOB BAKER
PO BOX 488
MOUNTAIN HOME ID 83647

JERRY PETERMAN
1690 S 10TH E
MOUNTAIN HOME ID 83647

MARK HIDDLESTON
RT 3 BOX 610-D
MOUNTAIN HOME ID 83647

CHUCK B JONES
SIMPLLOT LIVESTOCK CO
HC 85 BOX 275
GRANDVIEW ID 83624

BILL LAGO
CITY OF MTN HOME
PO BOX 10
MOUNTAIN HOME ID 83647

JOHN SCHLEICHER
366 CES.CEV
1030 LIBERATOR ST
MTN HOME AFB ID 83648-5442

JIM BLANKSMA
HC 85 BOX 23A
MOUNTAIN HOME ID 83647

CALVIN IRELAND
RT 3 BOB 646
MOUNTAIN HOME ID 83647

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JUN 05 2003

61-2206

denied 10/26/00

8/23/02

Pending letter 69688 split 1.0 cfs } to Hupa
276 cfs }
in 45 66 5.12 well + Area

Comment letters re T 69688

out CRP 10/97

Not use for now

but since denied 10/00 ... does Confusion check
reset to Area?

Process if ask Q in this area.
What does A.L. show 1998 - now?

Post's

Extension e 61-2206

REVIEWER'S

NOTES 8/23/02

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 61-2206

WATER RIGHT NUMBER: 61-2206

<u>Owner Type</u>	<u>Name and Address</u>
Original Owner	ANNA MARIE BROOKS
	CALDWELL, ID
Current Owner	HOLSTEIN HEIFER RANCH INC
	PO BOX 3949
	CITY OF INDUSTRY, CA 91744
	(714)594-2713
Original Owner	LOUIS W BROOKS
	CALDWELL, ID

Priority Date: 01/05/1965

Basis: Decreed

Status: Active

<u>Source</u>	<u>Tributary</u>
---------------	------------------

GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/01 to 10/31	4 000 CFS	1,100.00 AF
	<u>Total Diversion:</u>	4 000 CFS	1,100.00 AF

Location of Point(s) of Diversion

GROUND WATER	NW1/4NW1/4SE1/4	Sec 36, Twp 04S, Rge 05E, B.M
ELMORE County		
GROUND WATER	NW1/4SW1/4SE1/4	Sec 36, Twp 04S, Rge 05E, B.M.
ELMORE 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	
04S	05E	36									34.0	31.0	33.0	34.0	28.0	38.0	39.0	38.0	275.0

Total Acres. 275

Conditions of Approval:

- 1 C18 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 SECTION 42-1412(6), IDAHO CODE

Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 61-2206

- | | | |
|----|--------------------|--|
| 1 | Point of Diversion | BOTH POINTS OF DIVERSION ARE LOCATED ON THE CENTERLINE OF THE SOUTH HALF OF S36, T04S, R05E. |
| 2. | Purpose of Use | THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT. |

Comments:

1. KWALKER 3/17/1997 CORRECTION TO PLACE OF USE TOWNSHIP
 Comment: CORRECTED THE TOWNSHIP ON PLACE OF USE TO "04S" PER LICENSE ISSUED 4/30/1994. DID NOT SET VERIFIED FLAG SINCE I DID NOT VERIFY THIS RECORD.
2. AJU10-JS 11/21/1998 AJU10 CONDITION UPDATE
 Comment. CONDITION CODE(S) C15 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Dates and Other Information:

Licensed Date:
 Decreed Date. 10/26/2000
 Water Supply Bank Enrollment Accepted
 Water Supply Bank Enrollment Removed:
 Enlargement Use Priority Date
 Enlargement Statute Priority Date
 State or Federal: S
 Owner Name Connector.
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre
 Decree Defendant
 Decree Plaintiff
 Civil Case Number: 39576
 Judicial District: FIFTH
 Swan Falls Trust or Nontrust
 Swan Falls Dismissed
 DLE Act Number
 Carey Act Number
 Mitigation Plan: False

Steve -

The right holder is coming to the end of a 5 yr. non-use scenario and asks that this be processed ASAP. Change of ownership also attached
Thanks!

Charla

From Rodriguez Senior

Extra d'entree

Shows proposal splits

Brief Report 61-11964 shows

Hufar's proposal

Source

P/O

W/O/Parent

P/O

~~Rest~~

Rest of report = from parent
61-2206

61-11963 = unchanged part,

Does not show reduced effs/affs
even re extra proposal

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 61-11964

WATER RIGHT NUMBER 61-11964

DRAFT

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ALBERT HOFER 1155 S 5TH W MOUNTAIN HOME, ID 83647 (208)587-4520
Current Owner	VICTOR ALBERT HOFER 1155 S 5TH W MOUNTAIN HOME, ID 83647 (208) 587-4520
Original Owner	HOLSTEIN HEIFER RANCH INC PO BOX 3949 CITY OF INDUSTRY, CA 91744 (714)594-2713

Priority Date. 01/05/1965

Basis: Decreed

Status: Pending Transfer DRAFT

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	04/01 to 10/31	1.000 CFS	276.00 AF
	<u>Total Diversion:</u>	1.000 CFS	276.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4NE1/4	Sec. 12, Twp 04S, Rge 06E, B.M.
ELMORE 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		
04S	06E	12	40.0	40.0	38.0	37.0	40.0	40.0	40.0	40.0	20.0									335.0

Total Acres: 335

Conditions of Approval:

1. C18 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 SECTION 42-1412(6), IDAHO CODE.

Remarks

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 61-11964

1. Point of Diversion BOTH POINTS OF DIVERSION ARE LOCATED ON THE CENTERLINE OF THE SOUTH HALF OF S36, T04S, R05E.
2. Purpose of Use THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.

Comments:Dates and Other Information:

Licensed Date:
Decreed Date: 10/26/2000
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre: 0.01
Generic Max Volume Per Acre: 4
Decree Defendant:
Decree Plaintiff:
Civil Case Number: 39576
Judicial District: FIFTH
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 27, 2002

Legal Notice Department
MOUNTAIN HOME NEWS
PO BOX 1330
MOUNTAIN HOME ID 83647

RE: Application for Permit No. 61-2206

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 09/23/2002. Your cooperation is appreciated.

Sincerely

A handwritten signature in cursive script, appearing to read 'Sue', is written over the typed name Sue Taylor.

Sue Taylor
Senior Secretary

MICROFILMED
JUN 05 2003

**NOTICE OF EXTENSION OF TIME TO AVOID
FORFEITURE OF WATER RIGHT**

JACK & KARLA POST, PO Box 298, Mtn. Home ID 83647 have applied to the Department of Water Resources for an Extension of Time to Avoid Forfeiture pursuant to Idaho Code § 42-222 for a water right recorded as follows in Elmore County.

Decree #61-2206, priority 1/5/1965 for 4 cfs of groundwater diverted and used in S1/2 S36, T4S, R5E. Use is for 275 acres of irrigation.

The land has not been irrigated since enrollment in a 10 year set aside (CRP) from October 1987 through October 1997. Part of the right was used for different land under a Temporary Change authorized during the 2001 drought emergency. Applicants request a 5 year extension of time through April 2007.

Any protests against approval of this application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 for each application on or before September 23, 2002. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published on September 4 and 11, 2002.

MICROFILMED

JUN 9 5 2002

MEMORANDUM

TO: FILE 61-11963

FROM: VAULT

RE: TRANSFER # 69688

DATE: 4.11.03

=====

**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 61-2206

MICROFILMED

JUN 05 2003