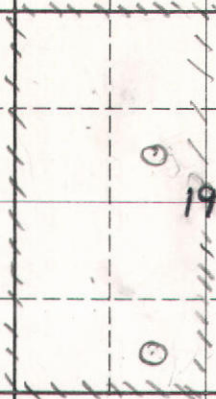


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.

R5E

T2S



Scale: 2 inches equal 1 mile

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

Mark S. Harker
(Applicant)

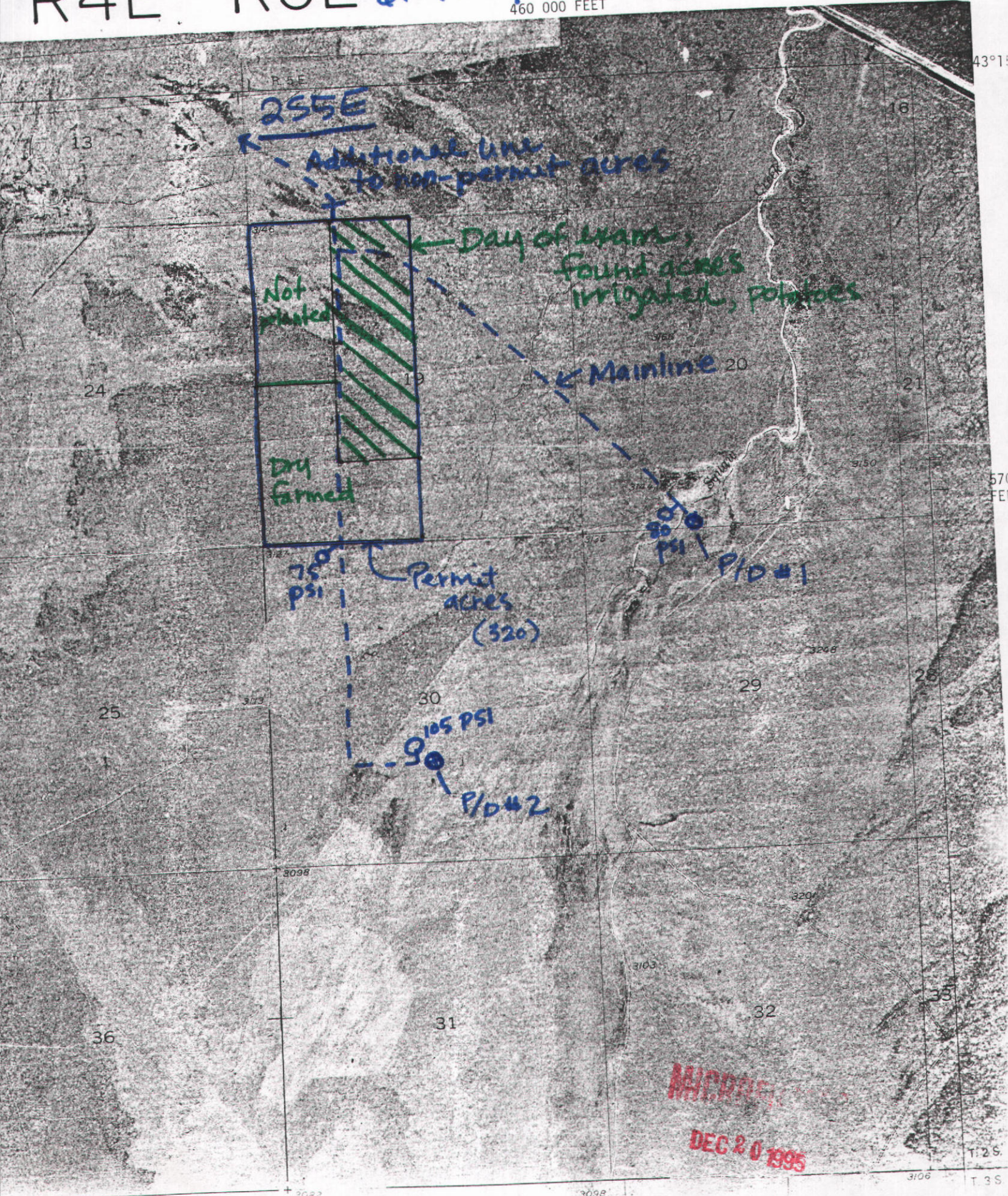
R4E

R5E 61-7204

460 000 FEET

115°52'30"

43°1'



568
 61-7204
 CRP
~~84-78~~
~~47-104.6~~
 ASCS ACRES
 = 241
 4 WHEL
 126.6

Wheat
~~Grass~~
Yucca

To DRY OATS
~ 80°C

+75 acres not
platted

TOTAL = 3/6

CRF
88-96
9-72.3

9 NH₂EL 10
72.3 1 7

DEC 20 1995

IEE/VW

T 667
572

568
61-7204
CRP
8-72
ASCS ACRES
= 241
+ 75 NOT PLATTED
= 316 TOTAL

CRP
86-96
9-72.3

9 NHFL
72.3

1990
MICROFILMED
DEC 29 1995
190 Acres

IES/WW

T.667
572

568
← 61-7204
CRP
~~8-78~~
~~4-10-8~~
ASCS ACRES
= 241
4 NHFL
126.6

CRP
20-95
9.723
9 NHFL
72.3

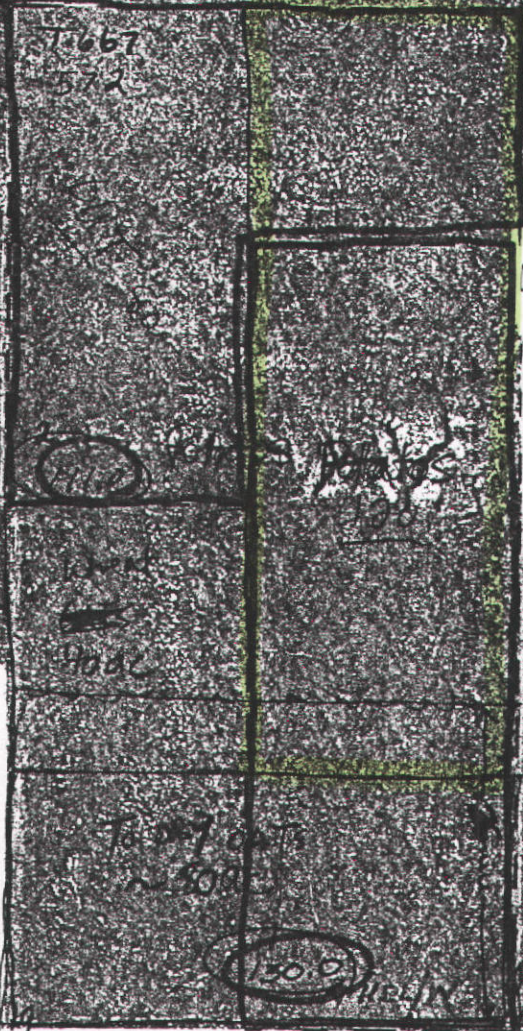
NHFL

24 14
25 30

19 50
30 24

241 acres
Sueño
3/11/94
1991
DEC 20 1993

EE/WW

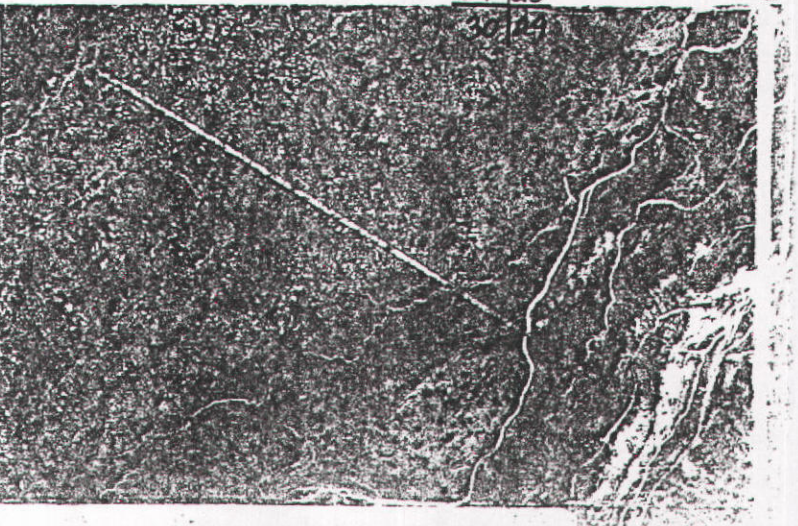


568
← 61-7204
~~CRP~~
~~8-72~~
~~4010.5~~
ASCS ACRES
= 241
4 NHFL
126.6

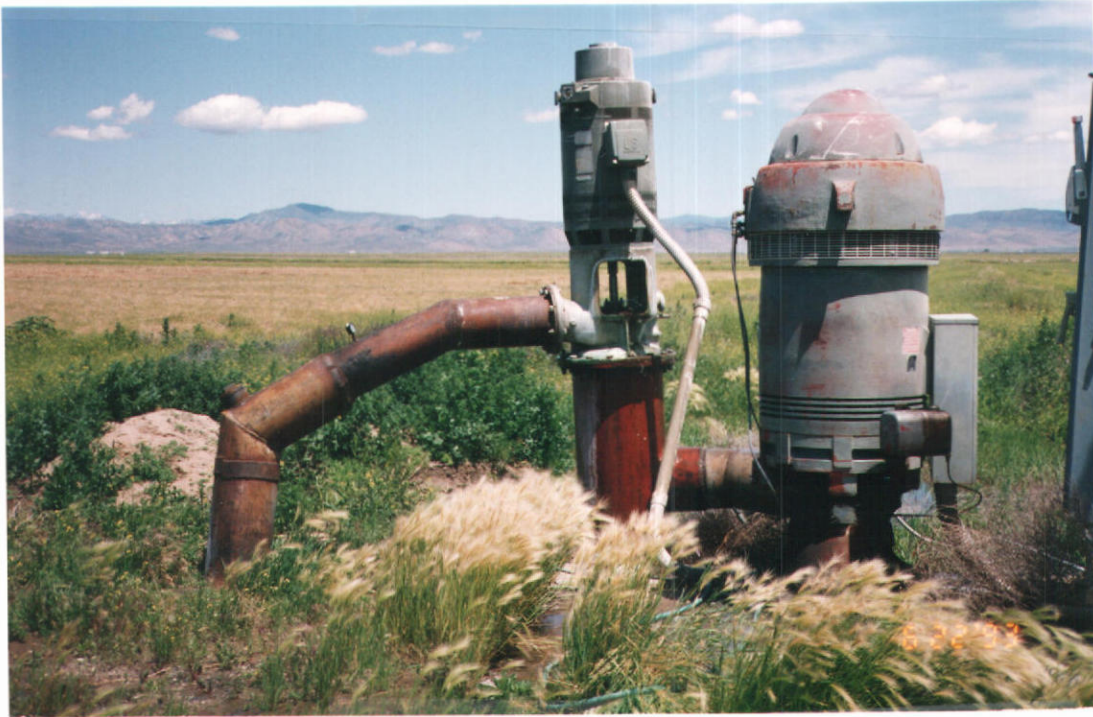
NHFL
CRP
20-96
9-72.3
9 NHFL
72.3

NHFL
24 14

30
170 acres
1993
DEC 20 1995
1993 Slide No 63



61-7204 G4



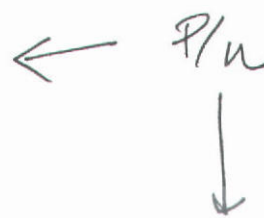
P/O, Sec 20



P/O, Sec 30

DEC 20 1995

61-7204 cy4



SENW/NESW
Sec 19



MIC

DEC 20 1995

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Lois Whitney, do solemnly swear that I am the foreman, or publisher of the

Mountain Home News

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of publication thereof; was published in said newspaper for

2 consecutive weeks, the first publication having been made on 3rd day of April, 19 91, and the last publication having been made on the 10th day of April, 19 91; every Wednesday issue of the paper during the period and time of publication and that the notice was published in the newspaper 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 a period of 78 consecutive weeks prior to the first publication of the attached notice.

Lois Whitney

Subscribed and sworn to me this 10th day of

April, 19 91

Dean W. Sw
Notary Public

NOTICE OF EXISTING WATER RIGHT PERMIT

Presently recorded as follows:

61-07204

PAKSIMA, AHMAD

PAKSIMA, EMILY

, ID

Source: GROUNDWATER

Diversion Pt: SENW Sec 19 T 02S R 05E; SESW Sec 19 T 02S R 05E

Use: IRRIGATION (6,400 CFS); Total Diversion: (6,400 CFS)

Priority: 11/6/ 1974

In: T02S R05E S19 NENW NWNW SWNW SENW NESW NWSW SWSW SESW

320.0 ACRES TOTAL

Permits not developed by July 1, 1985, are being reprocessed in compliance with Section 42-203D, Idaho Code. Protests against the continuance of permits must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before APRIL 22, 1991. Protests must be based on the public interest criteria of Section 42-203C, Idaho Code, only.

R. KEITH HIGGINSON, Director
Published 4/3/1991 & 4/10/1991.

OK
TJZ
4-12-91

RECEIVED
APR 11 1991

Department of Water Resources

RECEIVED

NOV 25 1974

Department of Water Resources
NOV 25 1974

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that MARK S. HARKER Rt. 3, Nampa, ID has on Nov. 6, 1974 submitted Application No. 61-7204 for a permit to appropriate 22.4 cubic feet per second of water from a groundwater source by means of wells, sprinkler irrigation system within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 20, T. 2 S, R. 5 E, B.M. Elmore County to be used from March 15 to Nov. 15 for irrigation of 1,120 acres within the SW $\frac{1}{4}$, Sec. 16, N $\frac{1}{2}$, SW $\frac{1}{4}$, Sec. 19, NE $\frac{1}{4}$, S $\frac{1}{2}$, Sec. 20, T. 2 S, R. 5 E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho 83720, on or before Dec. 2, 1974.

R. KEITH HIGGINSON
Director

Published in the Mountain Home News, Mtn. Home, ID on Nov. 14, 1974 and Nov. 21, 1974.

*Ok
11-25-74
Ch*

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Floyd S. Waters do solemnly swear that I am the foreman, or publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of the proof of publication thereof, was published in said newspaper for

2 consecutive weeks, the first publication having been made on the 14 day of November, 1974, and the last publication having been made on the 21 day of November, 1974; every Thursday issue of the paper

during the period and time of publication and that the notice was published in the newspaper 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 a period of 78 consecutive weeks prior to the first publication of the attached notice.

Floyd S. Waters

Subscribed and sworn to me this 21

day of November, 1974

Clarence M. Waters
Notary Public

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 66457

This is to certify that: CARL F REYNOLDS & SONS
3169 MAVERICK LN
BOISE ID 83709
(208)362-5253

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>
61-7204	WR/License	01/05/1975	4.82 cfs	964 af	241.0	316.0	GROUND WATER
61-7330	AJC/License	05/24/1977	2.64 cfs	720 af		160.0	GROUND WATER
61-7196	AJC/License	09/06/1974	6.4 cfs	1440.6 af		320.0	GROUND WATER
61-7240	AJC/License	09/10/1975	3.3 cfs	734.1 af		163.0	GROUND WATER
61-7206C	AJC/License	11/08/1974	0.8 cfs	180 af		40.0	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>
61-7204	NO	YES	YES	YES	NO	NO
61-7330	NO	YES	YES	YES	NO	NO
61-7196	YES	YES	YES	YES	NO	NO
61-7240	YES	YES	YES	YES	NO	NO
61-7206C	NO	YES	YES	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>
61-7204	61-7204	4.82 cfs	964 af	241.0	2,640.0		N/A	N/A		N/A
61-7330	61-7330	2.64 cfs	720 af	160.0	2,640.0		N/A	N/A		N/A
61-7196	61-12017	6.4 cfs	1440 af	320.0	2,640.0	61-12016	0.04 cfs	0.6 af		N/A
61-7240	61-12015	3.26 cfs	733.5 af	163.0	2,640.0	61-12014	0.04 cfs	0.6 af		N/A
61-7206C	61-7206C	0.8 cfs	180 af	40.0	2,640.0		N/A	N/A		
TOTALS		17.92 cfs	4037.5 af	924.0	2,640.0		N/A	N/A	N/A	N/A

MICROFILMED

SEP 12 2009

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 66457

Detailed Water Right Description(s) attached

Dated this 3rd day of September, 2002
J. Glen Saylor
Chief, Water Allocation Bureau

MICROFILMED

SEP 10 2002

WATER RIGHT NO. 61-7206C
As Modified by Transfer No. 66457

In accordance with the approval of Transfer No 66457, Water Right No. 61-7206C is now described as follows.

Right Holder: CARL F REYNOLDS & SONS
 CINDER CONE FARMS
 1115 W 24TH S
 MOUNTAIN HOME ID 83647

Priority Date: 11/08/1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	0.80 CFS	180.0 AF
			0.80 CFS	180.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE	Sec. 35 Twp 02S	Rge 04E	ELMORE County
GROUND WATER	SWNW	Sec. 19 Twp 02S	Rge 05E	ELMORE County
GROUND WATER	NESW	Sec. 6 Twp 03S	Rge 05E	ELMORE County
GROUND WATER	NESW	Sec 6 Twp 03S	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	
02S 04E 12					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
02S 04E 26					40.0			40.0	40.0	40.0	40.0	40.0					240.0
02S 04E 34													40.0	40.0	40.0	40.0	160.0
02S 04E 35	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
02S 05E 19					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
03S 04E 13	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
03S 05E 6									40.0	40.0	40.0	40.0					160.0
03S 05E 7					40.0	40.0	40.0	40.0	40.0			40.0		40.0	40.0		320.0
03S 05E 18					40.0	40.0	40.0	40.0									160.0

Total Acres: 2640

MICROFILMED
 SEP 13 2002

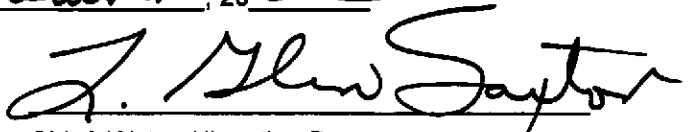
WATER RIGHT NO. 61-7206C
As Modified by Transfer No. 66457

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Approval of this transfer does not preclude the opportunity for review of the validity of this water right 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 Rights 61-7204, 61-7206C, 61-7330, 61-12015 and 61-12017 shall not exceed 17 92 cfs, a total combined annual volume of 4037.5 af, and the irrigation of 924 acres within the place of use described above in a single irrigation season.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above
8. This right is limited to the irrigation of 40 acres within the place of use described above in a single irrigation season.
9. 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.

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 3rd day of September, 2002


Chief, Water Allocation Bureau

MICROFILMED

SEP 13 2002

WATER RIGHT NO. 61-7330
As Modified by Transfer No. 66457

In accordance with the approval of Transfer No. 66457, Water Right No. 61-7330 is now described as follows.

Right Holder: CARL F REYNOLDS & SONS
 CINDER CONE FARMS
 1115 W 24TH S
 MOUNTAIN HOME ID 83647

Priority Date: 05/24/1977

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to 11/15	2.64 CFS	720.0 AF
		2.64 CFS	720.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE	Sec. 35 Twp 02S	Rge 04E	ELMORE County
GROUND WATER	SWNW	Sec. 19 Twp 02S	Rge 05E	ELMORE County
GROUND WATER	NESW	Sec. 6 Twp 03S	Rge 05E	ELMORE County
GROUND WATER	NESW	Sec. 6 Twp 03S	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	
02S 04E 12					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
02S 04E 26					40.0			40.0	40.0	40.0	40.0	40.0					240.0
02S 04E 34													40.0	40.0	40.0	40.0	160.0
02S 04E 35	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
02S 05E 19					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
03S 04E 13	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
03S 05E 6									40.0	40.0	40.0	40.0					160.0
03S 05E 7					40.0	40.0	40.0	40.0	40.0			40.0		40.0	40.0		320.0
03S 05E 18					40.0	40.0	40.0	40.0									160.0

Total Acres: 2640

MICROFILMED

SEP 13 2002

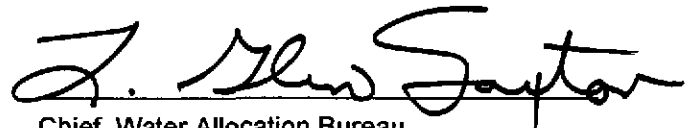
WATER RIGHT NO. 61-7330
As Modified by Transfer No. 66457

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Approval of this transfer does not preclude the opportunity for review of the validity of this water right 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 Rights 61-7204, 61-7206C, 61-7330, 61-12015 and 61-12017 shall not exceed 17.92 cfs, a total combined annual volume of 4037.5 af, and the irrigation of 924 acres within the place of use described above in a single irrigation season.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
8. This right is limited to the irrigation of 160 acres within the place of use described above in a single irrigation season.
9. 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.

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 3rd day of September, 2002


Chief, Water Allocation Bureau

MICROFILMED

SEP 13 2002

WATER RIGHT NO. 61-7204
As Modified by Transfer No. 66457

In accordance with the approval of Transfer No. 66457, Water Right No. 61-7204 is now described as follows.

Right Holder: CARL F REYNOLDS & SONS
 CINDER CONE FARMS
 1115 W 24TH S
 MOUNTAIN HOME ID 83647

Priority Date: 01/05/1975

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	4.82 CFS	964.0 AF
		4.82 CFS	964.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE	Sec. 35 Twp 02S	Rge 04E	ELMORE County
GROUND WATER	SWNW	Sec. 19 Twp 02S	Rge 05E	ELMORE County
GROUND WATER	NESW	Sec. 6 Twp 03S	Rge 05E	ELMORE County
GROUND WATER	NESW	Sec. 6 Twp 03S	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	
02S 04E 12					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
02S 04E 26					40.0			40.0	40.0	40.0	40.0	40.0					240.0
02S 04E 34													40.0	40.0	40.0	40.0	160.0
02S 04E 35	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
02S 05E 19					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
03S 04E 13	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
03S 05E 6									40.0	40.0	40.0	40.0					160.0
03S 05E 7					40.0	40.0	40.0	40.0	40.0			40.0		40.0	40.0		320.0
03S 05E 18					40.0	40.0	40.0	40.0									160.0

Total Acres: 2640

MICROFILMED

SEP 10 2002

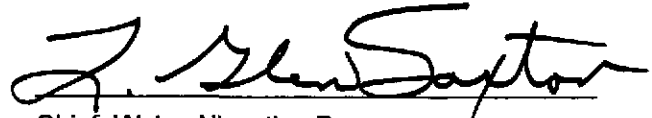
WATER RIGHT NO. 61-7204
As Modified by Transfer No. 66457

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
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.
5. The total instantaneous diversion of water from all points of diversion under Rights 61-7204, 61-7206C, 61-7330, 61-12015 and 61-12017 shall not exceed 17.92 cfs, a total combined annual volume of 4037.5 af, and the irrigation of 924 acres within the place of use described above in a single irrigation season.
6. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 40 afa per acre at the field headgate for irrigation of the lands above.
7. This right is limited to the irrigation of 241 acres within the place of use described above in a single irrigation season.
8. 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.

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 3rd day of September, 2002


Chief, Water Allocation Bureau

MICROFILMED

SEP 13 2002

WATER RIGHT NO. 61-12014
As Modified by Transfer No. 66457

In accordance with the approval of Transfer No. 66457, Water Right No. 61-12014 is now described as follows.

Right Holder: CARL F REYNOLDS & SONS
 CINDER CONE FARMS
 1115 W 24TH S
 MOUNTAIN HOME ID 83647

Priority Date: 09/10/1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01	to 12/31	0.04 CFS	0.6 AF
			0.04 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENW Sec. 7 Twp 03S Rge 05E ELMORE County

PLACE OF USE: DOMESTIC

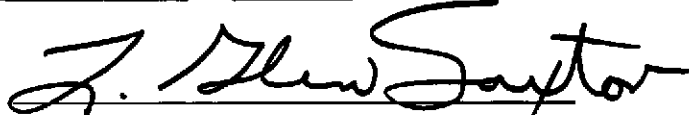
Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	05E	6																	X

CONDITIONS OF APPROVAL

1 Domestic use is for 1 home.

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 3rd day of September, 2002


 Chief, Water Allocation Bureau

MICROFILMED

SEP 19 2002

WATER RIGHT NO. 61-12016
As Modified by Transfer No. 66457

In accordance with the approval of Transfer No 66457, Water Right No. 61-12016 is now described as follows.

Right Holder: CARL F REYNOLDS & SONS
 CINDER CONE FARMS
 1115 W 24TH S
 MOUNTAIN HOME ID 83647

Priority Date: 09/06/1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01	to 12/31	0.04 CFS	0.6 AF
			0.04 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENW Sec. 7 Twp 03S Rge 05E ELMORE County

PLACE OF USE: DOMESTIC

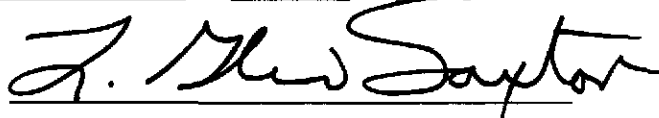
Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S	05E	6																	X

CONDITIONS OF APPROVAL

1. Rights 61-12016 and 61-12017 when combined shall not exceed a total diversion rate of 6.40 cfs.
2. The quantity of water decreed for this water right for domestic use is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day.
3. All water rights within Basin 61 are from connected sources of water in the Snake River Basin and shall be administered conjunctively.

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 3rd day of September, 2002


 Chief, Water Allocation Bureau

MICROFILMED

SEP 13 2002

WATER RIGHT NO. 61-12015
As Modified by Transfer No. 66457

In accordance with the approval of Transfer No 66457, Water Right No. 61-12015 is now described as follows.

Right Holder: CARL F REYNOLDS & SONS
 CINDER CONE FARMS
 1115 W 24TH S
 MOUNTAIN HOME ID 83647

Priority Date: 09/10/1975

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	3.26 CFS	733.5 AF
			3.26 CFS	733.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE	Sec. 35 Twp 02S	Rge 04E	ELMORE County
GROUND WATER	SWNW	Sec. 19 Twp 02S	Rge 05E	ELMORE County
GROUND WATER	NESW	Sec. 6 Twp 03S	Rge 05E	ELMORE County
GROUND WATER	NESW	Sec. 6 Twp 03S	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	
02S 04E 12					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
02S 04E 26					40.0			40.0	40.0	40.0	40.0	40.0					240.0
02S 04E 34													40.0	40.0	40.0	40.0	160.0
02S 04E 35	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
02S 05E 19					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
03S 04E 13	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
03S 05E 6									40.0	40.0	40.0	40.0					160.0
03S 05E 7					40.0	40.0	40.0	40.0	40.0			40.0		40.0	40.0		320.0
03S 05E 18					40.0	40.0	40.0	40.0									160.0

Total Acres: 2640

MICROFILMED

SEP 13 2002

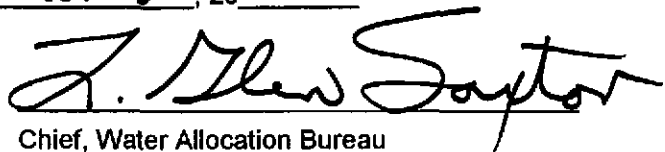
WATER RIGHT NO. 61-12015
As Modified by Transfer No. 66457

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Approval of this transfer does not preclude the opportunity for review of the validity of this water right 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 Rights 61-7204, 61-7206C, 61-7330, 61-12015 and 61-12017 shall not exceed 17.92 cfs, a total combined annual volume of 4037.5 af, and the irrigation of 924 acres within the place of use described above in a single irrigation season.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
8. This right is limited to the irrigation of 163 acres within the place of use described above in a single irrigation season.
9. 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.

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 3rd day of September, 2002


Chief, Water Allocation Bureau

MICROFILMED

SEP 19 2002

WATER RIGHT NO. 61-12017
As Modified by Transfer No. 66457

In accordance with the approval of Transfer No. 66457, Water Right No. 61-12017 is now described as follows

Right Holder: CARL F REYNOLDS & SONS
 CINDER CONE FARMS
 1115 W 24TH S
 MOUNTAIN HOME ID 83647

Priority Date: 09/06/1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15	to 11/15	6.40 CFS	1,440.0 AF
			6.40 CFS	1,440.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	SENE	Sec. 35 Twp 02S	Rge 04E	ELMORE County
GROUND WATER	SWNW	Sec. 19 Twp 02S	Rge 05E	ELMORE County
GROUND WATER	NESW	Sec. 6 Twp 03S	Rge 05E	ELMORE County
GROUND WATER	NESW	Sec. 6 Twp 03S	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	
02S 04E 12					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
02S 04E 26					40.0			40.0	40.0	40.0	40.0	40.0					240.0
02S 04E 34													40.0	40.0	40.0	40.0	160.0
02S 04E 35	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	640.0
02S 05E 19					40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0					320.0
03S 04E 13	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
03S 05E 6									40.0	40.0	40.0	40.0					160.0
03S 05E 7					40.0	40.0	40.0	40.0	40.0			40.0		40.0	40.0		320.0
03S 05E 18					40.0	40.0	40.0	40.0									160.0

Total Acres: 2640

MICROFILMED

SEP 19 2002

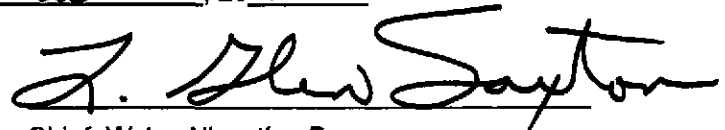
WATER RIGHT NO. 61-12017
As Modified by Transfer No. 66457

CONDITIONS OF APPROVAL

1. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval
2. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Approval of this transfer does not preclude the opportunity for review of the validity of this water right 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 Rights 61-7204, 61-7206C, 61-7330, 61-12015 and 61-12017 shall not exceed 17.92 cfs, a total combined annual volume of 4037.5 af, and the irrigation of 924 acres within the place of use described above in a single irrigation season.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
8. This right is limited to the irrigation of 320 acres within the place of use described above in a single irrigation season.
9. 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.
10. Rights 61-12016 and 61-12017 when combined shall not exceed a total diversion rate of 6.40 cfs.

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 3rd day of September, 2002


Chief, Water Allocation Bureau

MICROFILMED

SEP 13 2002

State of Idaho
Department of Water Resources

AMENDED

WATER RIGHT LICENSE

AMENDED

WATER RIGHT NO. 61-07204

Priority: January 5, 1975

Maximum Diversion Rate:

4.82 CFS

Maximum Diversion Volume:

964.0 AF

This is to certify, that CARL F REYNOLDS AND SONS

3169 MAVERICK LANE

BOISE ID 83709

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 6, 1974; and has submitted Proof of Beneficial Use on November 30, 1992. An examination indicates that the works have a diversion capacity of 8.490 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	4.82 CFS	964.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 20, Township 02S, Range 05E
NESW , Sec. 30, Township 02S, Range 05E
NWSE , Sec. 30, Township 02S, Range 05E
ELMORE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02S 05E 19	NENW 40	NWNW 40	SWNW 40	
	SESW 40	NESW 40	NWSW 40	
	SWSW 38	SESW 38		316

Total number of acres irrigated: 316

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

RECEIVED
JAN 24 1992

State of Idaho
Department of Water Resources

AMENDED

WATER RIGHT LICENSE

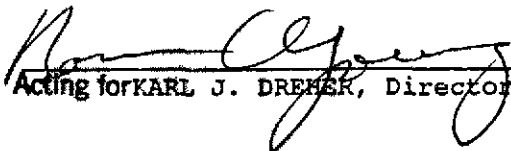
AMENDED

WATER RIGHT NO. 61-07204

CONDITIONS OF APPROVAL AND REMARKS

6. One point of diversion is located on or near line between NWSE and NESW, S30, T02S, R05E.
7. This right is limited to the irrigation of 241 acres within the place of use described above in a single irrigation season.
8. This right when combined with Rights 61-07195A and 61-07210 is limited to a total combined diversion rate of 23.47 cfs and a total combined annual diversion volume of 5636 af.
9. This right when combined with the following rights is limited to a total combined diversion rate of 20.68 cfs and a total combined annual diversion volume of 4664 af. The combined rights include: 61-07306A, 61-07390 and 61-07424.
10. This right when combined with the following rights shall not exceed an annual diversion volume of 8372 af nor the irrigation of a combined total of 2334 acres in a single irrigation season. The combined rights include: 61-07195A, 61-07210, 61-07306A, 61-07390 and 61-07424.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 13TH day of JUNE, 1997.


Acting for KARL J. DREHER, Director

RECORDED

JUN 15 1997

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

RECEIVED
DEC 17 1996
Department of Water Resources

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED

DEC 13 1996

WATER RESOURCES
WESTERN REGION

1. Water Right Number(s) 61-7204
Adjudication Claim Number(s) N/A
2. The following **REQUIRED** information must be submitted with this form.
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
 - AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)
 - OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant(s) AHMAD and Emily Paksima
5438 AVENIDA Fiesta LA Jolla Ca. 92037
4. New Owner/Claimant(s) Carl E. Reynolds and Sons
Name connector (Check one): ☐ AND, ☐ OR, ☐ AND/OR
New Mailing Address 3169 Maverick Ln
City, State and ZIP Code Borco Idaho 83709
New Telephone Number (208) 362-5253
5. Date you acquired the property May 31st 1996
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres actually irrigated 3/4 Number and type of stock _____
Diversion rate in CFS 4.82 cubic feet per second Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner/Claimant(s) Carl Reynolds & Sons by Date 12/13/96
Steve Reynolds (Partner) Date _____
8. (Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney

MICROFILMED
DEC 7 1996

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights, and, if a required claim for the water right has not been filed, to file the needed claim.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. If you would like any of these brochures, or if you have questions about completing this form, please contact your nearest IDWR office or call 1-800-451-4129.

If you need additional space to describe or explain any of the items on the form, please attach additional sheets to the form as you may require.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at Item 1. If you or the seller believe there are water rights for the property but the numbers are unknown, you may wish to call IDWR or come into an office of IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at Item 2 is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at Item 3.
4. The name, mailing address, and telephone number of the new owner(s) is entered at Item 4. Please indicate the relationship between multiple owners by using the connector "and", "or" or "and/or". If an "and" is used, all parties must sign this form. If an "and/or" or "or" is used, all parties may sign, however only one of the named parties is required to sign.
5. At Item 5, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. If the property you have purchased is only a portion of the property owned by the former owner/seller, you may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at Item 6.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at Item 7. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

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

IDWR Southern Region, 222 Shoshone St. E., Twin Falls, ID 83301-6105 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

MICROFILMED
DEC 7 1996

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 61-07204

Priority: January 5, 1975

Maximum Diversion Rate: 4.82 CFS
Maximum Diversion Volume: 964.0 AF

This is to certify, that AHMAD PAKSIMA
EMILY PAKSIMA

5438 AVENIDA FIESTA
LA JOLLA CA 92037

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 6, 1974; and has submitted Proof of Beneficial Use on November 30, 1992. An examination indicates that the works have a diversion capacity of 8.490 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	4.82 CFS	964.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 20, Township 02S, Range 05E
NESW , Sec. 30, Township 02S, Range 05E
NWSE , Sec. 30, Township 02S, Range 05E
ELMORE 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>
02S	05E	19	NENW 40	NWNW 40	SWNW 40	
			SENW 40	NESW 40	NWSW 40	
			SWSW 38	SESW 38		316

Total number of acres irrigated: 316

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

DEC 20 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

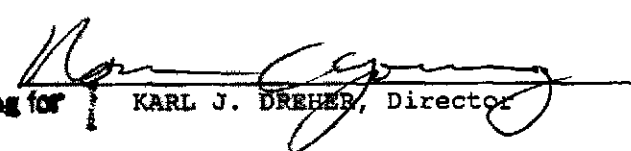
WATER RIGHT NO. 61-07204

CONDITIONS OF APPROVAL AND REMARKS

5. One point of diversion is located on or near line between NWSE and NESW, S30, T02S, R05E.
6. This right is limited to the irrigation of 241 acres within the place of use described above in a single irrigation season.
7. This right when combined with Rights 61-07195A and 61-07210 is limited to a total combined diversion rate of 22.38 cfs and a total combined annual diversion volume of 4480 af.
8. This right when combined with the following rights is limited to a total combined diversion rate of 20.68 cfs and a total combined annual diversion volume of 4664 af. The combined rights include: 61-07306A, 61-07390 and 61-07424.
9. This right when combined with the following rights shall not exceed an annual diversion volume of 8180 af nor the irrigation of a combined total of 2045 acres in a single irrigation season. The combined rights include: 61-07195A, 61-07210, 61-07306A, 61-07390 and 61-07424.
10. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 13TH day of NOVEMBER, 1975.

Acting for


KARL J. DREHER, Director

DEC 29 1975

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 61-07204

RECEIVED
SEP 25 1995
Department of Water Resources

Date of Priority: January 5, 1975

Maximum Diversion Rate: 4.82 CFS
Maximum Diversion Volume: 964.0 AF

Comes now

AHMAD PAKSIMA
EMILY PAKSIMA

5438 AVENIDA FIESTA
LA JOLLA CA 92037

and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 61-07204, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	4.82 CFS	964.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SESW , Sec. 20, Township 02S, Range 05E
NESW , Sec. 30, Township 02S, Range 05E
NWSE , Sec. 30, Township 02S, Range 05E
ELMORE 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>
02S	05E	19	NENW 40	NWNW 40	SWNW 40	
			SESW 40	NESW 40	NWSW 40	
			SWSW 38	SESW 38		316

Total number of acres irrigated: 316

RECEIVED
DEC 20 1995

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

Signed at San Jose, CA, this 25 day of Sept, 19 95.

(Signature)
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 61-07204

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = 50⁰⁰ Receipted by Jur # C033606 Date 9/25/95

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 61-07204 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. One point of diversion is located on or near line between NWSE and NESW, S30, T02S, R05E.
6. This right is limited to the irrigation of 241 acres within the place of use described above in a single irrigation season.
7. This right when combined with Rights 61-07195A and 61-07210 is limited to a total combined diversion rate of 22.38 cfs and a total combined annual diversion volume of 4480 af.
8. This right when combined with the following rights is limited to a total combined diversion rate of 20.68 cfs and a total combined annual diversion volume of 4664 af. The combined rights include: 61-07306A, 61-07390 and 61-07424.
9. This right when combined with the following rights shall not exceed an annual diversion volume of 8180 af nor the irrigation of a combined total of 2045 acres in a single irrigation season. The combined rights include: 61-07195A, 61-07210, 61-07306A, 61-07390 and 61-07424.
10. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

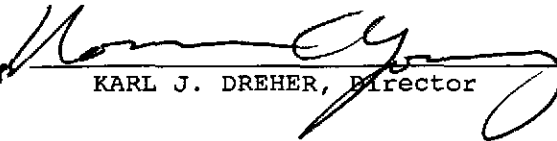
State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 61-07204

Witness my hand this 13TH day of NOVEMBER, 1998.

Acting for 
KARL J. DREHER, Director

DEC 20 1995

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 61-07204)
IN THE NAME OF AHMAD PAKSIMA) ORDER OF
REINSTATEMENT)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before October 1, 1992; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

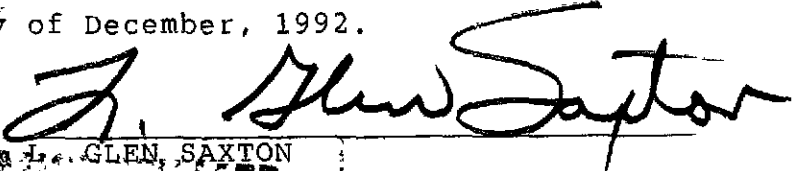
WHEREAS, the Department notified the permit holder that the permit had lapsed for failure to submit the proof of beneficial use; and,

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

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on November 30, 1992;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 61-07204 be REINSTATED with an advance in priority to January 5, 1975.

Dated this 2nd day of December, 1992.


L. GLEN SAXTON
Chief, Water Allocation Bureau

DEC 09 1992

RECEIVED

NOV 30 1992

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Western Regional Office

PROOF OF BENEFICIAL USE

For Office Use Only
Amt. of Fee \$250-
Date 12/1/92
Receipt No.
Received by tyt
W015701

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

1. Permit No. 61-72.04 Telephone No. 1-800 241 3456 OV
2. Name(s) of Permit Holder(s) Ahmad Paksimi 619-581-1611

3. Post Office Address 5438 AVENIDA FIESTA, LA JOLLA, CA 92037

4. Source of Water: Groundwater

5. If ground water, well driller's name: N/A Date drilled: _____

6. Pump horsepower _____ Pressure (psi) _____ Dynamic pumping level (ft) _____

7. Extent of Use
Domestic _____ (No. of households) Irrigation 320 (No. of acres)
Stock water _____ (No. and type of stock) Other _____

8. Volume for which proof is submitted 6.4 cfs _____ acft _____

9. I agree to the approval conditions on your permit and respond accordingly:

Monitoring device: Required? X Yes _____ No Installed? Yes _____ No
OR
Flow Measurement Port: Required? _____ Yes _____ No Installed? Yes _____ No

10. Fee Enclosed \$25.00 (See License Examination Fee Schedule)

11. Person _____ the Department representative during the field examination.
DEE REYNOLDS (208) 587-2117 RAI
Name Telephone No. JEF
BENNETT CREEK FARMS
101 WEST 24TH SOUTH - MOUNTAIN HOME, IDAHO 83647
Address

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

DEC 09 1992

NOV 30, 92
Date

Ahmad Paksimi
Signature (and title if on behalf of a company or organization)

RECEIVED
Form 204
11-81
AUG 07 1992

For Office Use Only
\$15 Fee Received by AK
Date 8-10-92
Receipt No. 0025170

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF
BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 61-07204

Name(s) of Permit Holder: Ahmad Paksima Emily Paksima

Mailing Address: 5438 Avenida Fiesta, La Jolla, CA 92037

Date Proof is Due October 1, 1992 Telephone No. 619-271-1234

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

A well was drilled on the property but when an attempt was made to
install the pipes, it was discovered that the well was not drilled
straight. The second well could not be drilled due to a moritorium.

Costing \$ 35,000

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Because of a moritorium

Permit holder(s) request an extension to October, 19 92

FEE: \$15.00

Ahmad Paksima
(Signature)*

*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be **DENIED**
pursuant to Section 42-204, which only authorizes one extension of
time based on due diligence.

Signed this 19th day August, 19 92

R. Keith Higginson
R. Keith Higginson, Director

AUG 08 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
\$15 FEE Received by 44
Date 8-8-89
Receipt # 0069098

REQUEST FOR EXTENSION OF TIME

Department of Water Resources

To provide additional time in which to submit proof
of beneficial use for a water right permit

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 61-07204

Name(s) of Permit Holder: AHMAD AND EMILY PAKSIMA

Post Office Address: 5438 Avenida Fiesta, La Jolla, CA 92037

Telephone No. (619) 581-1611

Date Proof Is Due: October 1, 1989

Describe what work has been completed toward the development of this water right: _____
(This must be filled out! If no work has been completed, show "none".)

A well was dug but when in stalling the pipes it was found that the
well was not straight. A second well could not be drilled due to
a moritorium.

Costing \$ 35,000

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Because of a moritorium.

Permit holder(s) request an extension to October 1, 19 94.
(1 yr. minimum)

Ahmad Paksim
(Signature)*

FEE: \$15.00

*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

MICROFILMED

ACTION OF THE DEPARTMENT OF WATER RESOURCES

SEP 27 1989

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to October 1, 1992. IT IS FURTHER ORDERED that the permit be CONDITIONED such that the permit holder shall comply with the drilling permit requirements of Sec. 42-235, Idaho Code.

Signed this 26th day of August, 19 89.

J. Blum Saylor
Chief, Water Allocation Bureau

For Office Use Only
Fee Received \$150.00
Date 10-4-85
Receipt # 37190

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit
proof of beneficial use on a water right permit

OCT 4 1985

RECEIVED

Department of Water Resources

5438 Avenida Fiesta,
La Jolla, California 92037

AHMAD PAKSIMA

(Name)

of

(Address)

State of California Idaho, deposes and says

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Water of
the State of Idaho No 61-7204

That under the terms and conditions of said permit, work thereunder was required to be completed on or before
March 1, 1986 19 86

That he has heretofore performed the following work described under said permit
(This must be filled out! If no work has been completed put none)

Prior to the lawsuit a well was drilled which was found to be crooked
so a pump could not be installed.

Costing \$ 35,000.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit.

Idaho Power law suit.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations
under said permit to March, 19 91
(1 yr minimum, 5 yrs maximum)

NOTE
AS OF JULY 1 1980,
THERE IS A \$15.00
CHARGE FOR REQUESTS
FOR EXTENSION OF
TIME

Ahmad Paksim
(Signature)*

*IF OTHER THAN HOLDER Power of Attorney must be supplied

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within
which to submit proof of beneficial use is extended to October 1, 1989.

MICROFILMED

Signed this 18th day of November, 19 85

J. Glen Saxton
Chief, Operations Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME

RECEIVED

JAN 12 1981

For additional time in which to submit
proof of beneficial use on a water right permit

Department of Water Resources

Ambad Paksima of Box 775 Pocatello, Id 83201
(Name) (Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Waters of the State of Idaho No. 61-7204.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before March 1, 1981.

That I have performed the following work toward developing said permit: _____
(This information must be provided on all extension requests, if none, so state.)

Well drilled to 625' - Well was crooked and
could not be tested. Work done 11-7-75
Costing \$ 30,108.24

That I have been unable to complete the remainder of the work within the required time for the following reasons: Plan on drilling additional well, when
Idaho Power Moratorium is lifted.

I ask the Department of Water Resources to extend the time for the completion of obligations under said permit to March 1, 1986.
(1 to 5 years)

Jerry Danner
(Signature)*

*IF OTHER THAN HOLDER, Power of Attorney must be supplied

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to March 1, 1986.

Signed this 15th day of January, 1981.

J. Glen Saxton
Chief, Operations Bureau

\$15.00 fee received by sg Date 1-14-81 Receipt # 17497

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 61-7204

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 18th day of August, 1978.


C. STEPHEN ALLRED
Director

MICROFILMED

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

RECEIVED
JAN 1 1977

I, Mark S. Harker, hereby assign to Ahmad and Emily Paksima
of P. O. Box 4715, Pocatello, Idaho 83201
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 61-7204
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 24 day of Jan, 19 77.

Mark S. Harker
Permit Holder

Supanne Harker
Spouse of Permit Holder

State of Idaho

County of Ada) ss.

On this 24 day of Jan, 19 77, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Benjamin C. Rice
Notary Public residing at
Meridian Id.

My commission expires:
at death

Identification No _____
Application No 61-7204

Ahmad + Emily + Katsina
Boy 4715 *POOATC 116*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

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

- 1 Name of applicant Mark S. Harker Phone 495-2362
post office address Rt. 3, Nampa, ID
- 2 Source of water supply Groundwater which is a tributary of _____
- 3 a Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 16 Township 28
Range 5E B M Elmore County, additional points of diversion if any _____
T. 2 S, R. 5 E, Sec. 19, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$
- b If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes
Amount 6.4 22.4 for Irrigation purpose from March 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- 5 Total quantity to be appropriated
a 22.4 6.4 cubic feet per second and/or
b _____ acre feet per annum.
- 6 Proposed diverting works
a Description of ditches, flumes, pumps, headgates, etc Drilled wells, sprinkler irrigation
systems

b Height of storage dam _____ feet, active reservoir capacity _____ acre feet, total reservoir
capacity _____ acre feet, materials used in storage dam _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo Day) (Mo Day)
c Proposed well diameter is 12 inches, proposed depth of well is 600 feet
- 7 a Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years
b Estimated construction cost is \$ 350,000.00
- 8 Description of proposed uses
a If water is **not** for irrigation
(1) Give the place of use of water _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B M _____
(2) Amount of power to be generated _____ hp under _____ feet of head
(3) List number of each kind of livestock to be watered _____

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

Mark S. Harker *1/16/76*

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

TWP	RANGE	SEC	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				TOTALS
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
2 S	5 E	16									40	40	40	40					160
2 S	5 E	19	40	40	40	40	40	40	40	40	40	40	40	40					480 320
		20	40	40	40	40					40	40	40	40	40	40	40	40	480

Total number of acres to be irrigated ~~1,120~~ 320

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

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

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

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

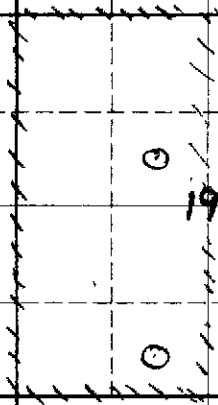
10 Remarks _____

Mark S. Parker 1/16/76

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

R5E

T
2
S



Scale 2 inches equal 1 mile

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

Mark L. Harker
(Applicant)

Proposed Priority 11-6-74

Received by SEP Date 11/6/74 Time 1:30 pm

Preliminary check by 420 Fee \$ 230.00

Received by Ca Date 11-6-74 Receipt # 15306

Publication prepared by Ca Date 11-7-74

Published in 77 Mountain Home Times

Publication dates Nov. 14 & 21

Publication approved Ca Date 11-25-74

Priority reduced to _____ Reason _____

Protests filed by Mrs. Liberta J. Bennett
P.O. Box 400, Mt. Home, Id. and her
Attorney, Richard Anderson, Idaho Building
Boise, Id.
Copies of protests forwarded by Ca 12-4-74

Hearing held by _____ Date _____

Recommended for approval denial by 181 Det

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No 61-7204, and said application is hereby APPROVED.

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

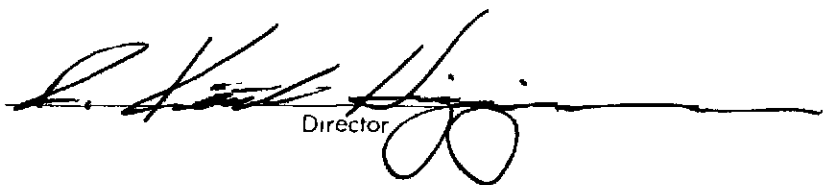
a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 1981.

c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 11 day of March 1976.


Director

MEMORANDUM

TO: FILE 61-07204
FROM: VAULT
RE: TRANSFER # 66457
DATE: 9.3.02

=====

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

FILE # 61-07196

MICROFILMED

SEP 19 2002

MEMORANDUM

TO: FILE 61-07204

FROM: VAULT

RE: TRANSFER # 5034

DATE: 01-08-2001

=====

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

FILE # 61-07196

MICROFILMED

SEP 19 2002

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

JUN 10 1999

In the SRBA

Case No. 39576

) Water Rights: 61-07196, 61-07204,
) 61-07206C, 61-07240, 61-07330

Department of Water Resources

) NOTICE OF ADMINISTRATIVE
) PROCEEDING

IDWR has received an application for an Administrative Proceeding for the above water right(s).

The Administrative Proceeding contemplates a change in the water right(s) as indicated below:

[] Substitution of Party (waiting for documentation)

[] Substitution of Party/Split Water Right

[X] I.C. § 42-222 transfer

[X] point of diversion

[X] place of use

[] period of use

[] nature of use

IDWR projects the Administrative Proceeding shall be completed no later than:

June 8, 2000.

DATED: June 8, 1999



Signature of IDWR Representative

MICROFILMED

SEP 10 2002

INSTRUCTIONS FOR MAILING

Mail this form, to the Clerk of the SRBA Court and to the parties identified in the Certificate of Mailing. FAX filings will not be accepted by the SRBA Clerk of the Court.

CERTIFICATE OF MAILING

I certify that on June 8, 1999, I mailed the original and copies of this form, to the following persons, postage prepaid and addressed as follows:

1. Original to:
Clerk of the District Court
Snake River Basin Adjudication
253 Third Avenue North
P.O. Box 2707
Twin Falls , Idaho 83303-2707
2. One Copy to Claimants:
Carl F Reynolds and Sons
Cinder Cone Farms
1115 W 24th S
Mountain Home ID 83647
3. One Copy to:
Each party in the subcase, or attorney of record:

N/A



Signature of person or attorney mailing the form

MICROFILMED

SEP 13 2002



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

June 16, 1997

CARL F REYNOLDS AND SONS
3169 MAVERICK LN
BOISE ID 83709

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RE: WATER RIGHT NO. 61-07204

Dear Water Right Holders:

The Department of Water Resources (the Department) has issued the enclosed amended license confirming that a water right has been established in accordance with the permit referenced above. The license is a Preliminary Order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action 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 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 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 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. Otherwise, this preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to this 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.

Fax

327-1001

MICROFILMED
JUN 25 1997

ORAL ARGUMENT

If the Department grants a petition to review the 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.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with the 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.

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

Sincerely,

A handwritten signature in cursive script, appearing to read "Shelley W. Keen".

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosures

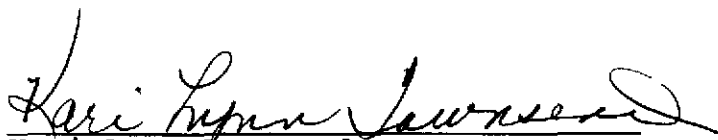
RECEIVED
JUN 25 1993

CERTIFICATE OF MAILING

I hereby certify that on the 16th day of June, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Amended License)** to the person(s) listed below:

Water Right No. 61-07204

CARL F REYNOLDS AND SONS
3169 MAVERICK LN
BOISE ID 83709


Kari Lynn Townsend
Secretary

RECORDED
JUN 17 1997

MEMORANDUM

TO: Files 61-07195A, 61-07204 and 61-07210

FROM: Sharla

DATE: April 7, 1997

RE: Amended Licenses



The letter dated 2/28/97 from Michael Creamer (Givens, Pursley & Huntley) requesting amended licenses and corroborating information from the Farm Service Agency can be found in File 61-07195.

The licenses for 61-07195A and 61-07210 are being amended to reflect irrigation of the entire 1168 acres/season between the two rights. Because of complicated combined-rights language contained in these two and other overlapping licenses, right 61-07204 is also being amended to correctly define the volume and acre limitations when combined with the other two rights being amended.

Note that the remarks/conditions and total number of acres irrigated/season are being changed as requested, however, the combined rate of diversion under 61-07195A and 61-07210 remains at 18.65 cfs, the total combined capacity of the three wells serving the rights.

MICROFILMED

APR 7 5 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 19, 1996

CARL F. REYNOLDS AND SONS
3169 MAVERICK LN
BOISE ID 83709

RE: Water Right No. 61-07204

Dear Water Right Holders:

We acknowledge receipt of the correspondence changing ownership of the above referenced water right. We have modified our computer records to reflect this change in ownership.

Just a reminder, because of the new law that went into effect July 1, 1996, water right owners are required to report any change of address or ownership to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

Patti Harrell, Secretary
Water Permits Section

Enclosure

MICROFILMED
DEC 24 1996

MEMORANDUM

Re: Notice of Change of Water Right Ownership, 61-07204

Date: December 13, 1996

From: Mel Schulte *MS*
Western Region Office

The above referenced form was received this date from Steve Reynolds. His families' farming partnership, Carl F. Reynolds & Sons purchased the property subject to the water right referenced above. A research of the SRBA data base revealed there are no adjudication claims filed for this license because it is exempt from filing requirements. Proof of Beneficial Use was filed after November 19, 1987.

MTS

MICROFILMED

DEC 21 1996

WR0749NP
No. 61-07204

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/19/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CARL F REYNOLDS AND SONS 3169 MAVERICK LANE BOISE ID 83709 (208) 362-5253	01/05/1975	IRRIGATION	04/01 10/31	4.820 CFS	964.00 AFA
TOTAL DIVERSION:					4.820 CFS	964.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 8.490 CFS

Point(s) of Diversion: T02S R05E S20 SESW ELMORE County
S30 NESW NWSE ELMORE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE																		
				NENE	NWNE	SWNE	SENE	:				NENW	NWNW	SWNW	SENW	:				NESW	NWSW	SWSW	SESW	:				NESE	NWSE	SWSE	SESE	:	SUM	
T	R	S	:	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	:	
02S	05E	19	:									:	40	40	40	40	:	40	40	38	38	:												316.0
																												TOTAL ACRES	316.0					

Pou County: ELMORE

Remarks: One point of diversion is located on or near line between NWSE and NESW, S30, T02S, R05E.
This right is limited to the irrigation of 241 acres within the place of use described above in a single irrigation season.
This right when combined with Rights 61-07195A and 61-07210 is limited to a total combined diversion rate of 22.38 cfs and a total combined annual diversion volume of 4480 af.
This right when combined with the following rights is limited to a total combined diversion rate of 20.68 cfs and a total combined annual diversion volume of 4664 af. The combined rights include: 61-07306A, 61-07390 and 61-07424.
This right when combined with the following rights shall not exceed an annual diversion volume of 8180 af nor the irrigation of a combined total of 2045 acres in a single irrigation season. The combined rights include: 61-07195A, 61-07210, 61-07306A, 61-07390 and 61-07424.
This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

Dates: App. Received: 11/06/1974 Priority Date: 01/05/1975 (Priority Date Advanced.)
Proof Due Date: 10/01/1992 Proof Made Date: 11/30/1992 (Proof Received Late.)
Exam Made Date: 06/22/1993 Exam Sent to S.O.: 05/12/1995
Licensed Date: 11/13/1995

Misc: Water District Number: Field Exam Fee: R (Received)

WR0749NP
No. 61-07204

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/18/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	AHMAD PAKSIMA	01/05/1975 ¹	IRRIGATION	04/01 10/31	4.820 CFS	964.00 AFA
C	EMILY PAKSIMA					
	5438 AVENIDA FIESTA			TOTAL DIVERSION:	4.820 CFS	964.00 AFA
	LA JOLLA CA 92037					
	(619) 581-1611					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 8.490 CFS

Point(s) of Diversion: T02S R05E S20 SESW ELMORE County
S30 NESW NWSE ELMORE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE																				
NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	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	SUM	
02S	05E	19	:						40	40	40	40	:	40	40	38	38	:													316.0	
																												TOTAL ACRES	316.0			

Pou County: ELMORE

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

61-07195A 61-07210 61-07306A 61-07390 61-07424 T61-07306C T61-07390A T61-07424A X61-07196A X61-07240A

Remarks: One point of diversion is located on or near line between NWSE and NESW, S30, T02S, R05E.
This right is limited to the irrigation of 241 acres within the place of use described above in a single irrigation season.
This right when combined with Rights 61-07195A and 61-07210 is limited to a total combined diversion rate of 22.38 cfs and a total combined annual diversion volume of 4480 af.
This right when combined with the following rights is limited to a total combined diversion rate of 20.68 cfs and a total combined annual diversion volume of 4664 af. The combined rights include: 61-07306A, 61-07390 and 61-07424.
This right when combined with the following rights shall not exceed an annual diversion volume of 8180 af nor the irrigation of a combined total of 2045 acres in a single irrigation season. The combined rights include: 61-07195A, 61-07210, 61-07306A, 61-07390 and 61-07424.
This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.

WR0749NP
No. 61-07204

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 12/18/96
PAGE: 2

=====
Dates: App. Received: 11/06/1974 Priority Date: 01/05/1975 (Priority Date Advanced.)
Proof Due Date: 10/01/1992 Proof Made Date: 11/30/1992 (Proof Received Late.)
Exam Made Date: 06/22/1993 Exam Sent to S.O.: 05/12/1995
Licensed Date: 11/13/1995

Misc: Water District Number: Field Exam Fee: R (Received)

Comments: Date: 10/01/1992 User-ID: VAULT Subject: Lapse Notice Sent
Lapse Notice Sent

Audit: 07/02/86 05/01/88 CONVERT 12/21/88 CURTIS 09/21/89 CURTIS
03/19/91 MILLER 10/01/92 COMMENTS 12/04/92 GUSTAFSO 11/04/93 BUFFINGT
10/28/94 STAYLOR 07/12/95 BCHAPMAN 08/18/95 BCHAPMAN 08/18/95 BCHAPMAN
08/25/95 BCHAPMAN 09/08/95 BCHAPMAN 09/08/95 BCHAPMAN 11/08/95 SKEEN
11/14/96 PSKAGGS

(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				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
6107204	T02S R05E S19 GROUNDWATER																	
	:							40	40	40	40		40	40	38	38		316
6107306A	GROUNDWATE :	32	32	32	31													127
A6107306A	GROUNDWATE :	40	40	40	40													160
T6107306C	GROUNDWATE :	32	32	32	31													127
6107390	GROUNDWATE :	32	32	32	31													127
T6107390A	GROUNDWATE :	32	32	32	31													127
6107424	GROUNDWATE :	32	32	32	31													127
T6107424A	GROUNDWATE :	32	32	32	31													127
--86 MAP--	C39Q-Z 11 :	38	31	30	37							01						137

W A R R A N T Y D E E D

THIS INDENTURE, made this 31st day of May, 1996, between AHMAD PAKSIMA and EMILY J. PAKSIMA as co-trustees of the AHMAD PAKSIMA and EMILY J. PAKSIMA TRUST UNDER DECLARATION OF TRUST dated January 20, 1993, whose address is 5438 Avenida Fiesta, LaJolla, California 92037, the party of the first part, and BENNETT CREEK FARMS, an Idaho General Partnership, whose address is 1115 West 24th South, Mountain Home, Idaho 83647, and CINDERCONC FARM, INC., an Idaho Corporation, whose address is P. O. Box 8, Mountain Home, Idaho 83647, the parties of the second part.

WITNESSETH, That the said party of the first part, for and in consideration of the sum of TEN DOLLARS, lawful money of the United States of America, and other good and valuable consideration to it in hand paid by the said parties of the second part, the receipt whereof is hereby acknowledged has granted, bargained and sold, and by these presents does grant, bargain, sell, convey and confirm unto the said parties of the second part, and to its successors and assigns forever, all of the following described real estate, situated in the County of Elmore, State of Idaho, to-wit:

The West Half of Section Nineteen, Township Two South, Range Five East, Boise Meridian, TOGETHER with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and TOGETHER with all water rights appurtenant to said property, including all rights under License No. 61-07204, issued by the Idaho Department of Water Resources in connection with the real property above described.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and all estate, right, title and interest in and to the said property, as well in law as in equity, of the party of the first part.

TO HAVE AND TO HOLD, all and singular the above-mentioned and described premises, together with the appurtenances, unto the parties of the second part, and to its successors and assigns forever and the said party of the first part, and its heirs. the said premises in the quiet and peaceable possession of the said parties of the second part, their successors and assigns, and against all and every person and persons whomsoever, lawfully claiming or to

claim the same shall and will WARRANT and by these presents forever DEFEND.

1996 taxes shall be pro-rated as of date of closing.

IN WITNESS WHEREOF, the said party of the first part has hereunto set their hand and seal the day and year first above written.

THE AHMAD AND EMILY J. PAKSIMA
TRUST UNDER DECLARATION OF TRUST
DATED JANUARY 21, 1993

BY Ahmad Paksima
Ahmad Paksima, Co-Trustee

Emily J. Paksima
Emily J. Paksima, Co-Trustee

BY Ahmad Paksima
Ahmad Paksima, as Attorney-
In-Fact for Emily J. Paksima

STATE OF IDAHO,)
) ss.
COUNTY OF ELMORE,)

On this 31st day of May, 1996, before me, the undersigned, a Notary Public in and for said state, personally appeared AHMAD PAKSIMA, known to me to be the person whose name is subscribed to the foregoing instrument, as co-trustee of this Ahmad and Emily J. Paksima Trust, and acknowledged to me that he executed the same as such Trustee.

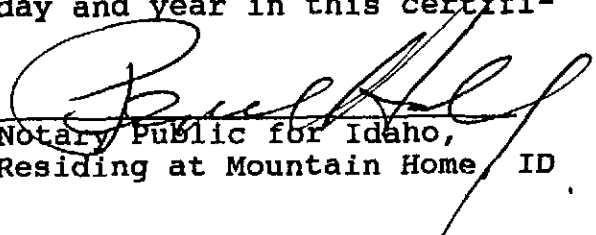
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

[Signature]
Notary Public for Idaho,
Residing at Mountain Home, ID.

STATE OF IDAHO,)
) ss.
COUNTY OF ELMORE,)

On this 31st day of May, 1996, before me, the under-
signed, a Notary Public in and for said State, personally
appeared AHMAD PAKSIMA, known to me to be the person whose
name is subscribed to the foregoing instrument as attorney-
in-fact for EMILY J. PAKSIMA, and acknowledged to me that he
executed the name of EMILY J. PAKSIMA thereto as principal,
and his own name as attorney in fact.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal, the day and year in this certifi-
cate first above written.


Notary Public for Idaho,
Residing at Mountain Home, ID

293679

ELMORE COUNTY, IDAHO ss
Request of

Hall, Truelly + Ward

Time 1:31 P M

Date May 31, 1996

Page 1

LOLORES ROBISON

Recorder

By [Signature]

Deputy

Fee \$9.00

D E E D

THIS INDENTURE, made this 14th day of June, 1996, between BENNETT CREEK FARMS, an Idaho General Partnership, of Mountain Home, Idaho, and CINDERCON E FARMS, INC., an Idaho corporation, of Mountain Home, Idaho, hereinafter designated as the parties of the first part, and CARL F. REYNOLDS and sons, an Idaho General Partnership, whose address is 3169 Maverick Lane, Boise, Idaho 83709, hereinafter designated as the party of the second part.

WITNESSETH: That the said parties of the first part, for and in consideration of the sum of TEN DOLLARS lawful money of the United States of America, and other good and valuable consideration to them in hand paid by the party of the second part, the receipt whereof is hereby acknowledged, have granted, bargained and sold and by these presents do grant, bargain, sell, convey and confirm unto the party of the second part, and to its successors and assigns forever, all of the following described real property located in the County of Elmore, State of Idaho, to-wit:

The West Half of Section Nineteen,
Township Two South, Range Five East,
Boise Meridian, together with the
tenements, hereditaments and
appurtenances thereunto belonging or in
anywise appertaining, and TOGETHER with
all water rights appurtenant to said
property, including all rights under
License No. 61-07204, issued by the
Idaho Department of Water Resources.

TO HAVE AND TO HOLD said premises, TOGETHER with the appurtenances, unto the said party of the second part and to its successors and assigns forever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands the day and year herein first above written.

BENNETT CREEK FARMS,
AN IDAHO GENERAL PARTNERSHIP,

BY Steve Reynolds
Steve Reynolds, Partner

AND

CINDERcone FARMS, INC.,
An Idaho Corporation,

BY Garby Reynolds
its/President

STATE OF IDAHO,

COUNTY OF ELMORE,

)
) ss.
)

On this 14th day of June, 1996, before me, the undersigned, a Notary Public in and for said state, personally appeared STEVE REYNOLDS, known to me to be one of the partners of the partnership known as BENNETT CREEK FARMS, and the partner who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he executed the same in said partnership name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

[Signature]
Notary Public for Idaho,
Residing at Mountain Home, ID

ELMORE COUNTY, IDAHO ss
Request of

Hall, Friedley + Ward

Time 10:15 A M

Date June 17, 1996

Book _____ Page _____

DOLORES ROBISON

Recorder

By [Signature]
Deputy

Fee \$9.00

293997

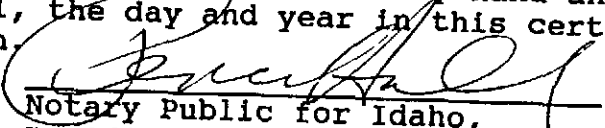
STATE OF IDAHO,

COUNTY OF ELMORE,

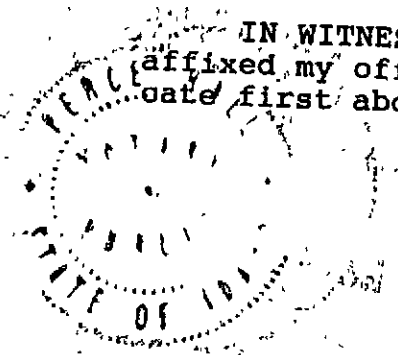
)
)
)
ss.

On this 14th day of June, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared RANDY REYNOLDS, known to me to be the President of CINDERONE FARMS, INC., an Idaho Corporation, the corporation that executed the foregoing instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that said corporation executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Notary Public for Idaho,
Residing at Mountain Home, ID



STATE

SEL

OWN

First
Name

W
N

Water
Right No.

Priority
Date

Source

Total
Diversion

Use	
Code	Desc

PAKSIMA

AHMAD

C

61-07204

01/05/1975

GROUNDWATER

4.820

01 IRR

EMILY

C

61-07204

01/05/1975

GROUNDWATER

4.820

01 IRR

(Enter=Continue)

(GOLD 7=This Query)

(Menu _____)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 14, 1995

AHMAD PAKSIMA
EMILY PAKSIMA
5438 AVENIDA FIESTA
LA JOLLA CA 92037

RE: WATER RIGHT NO. 61-07204

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECORDED

DEC 20 1995

MEMORANDUM

DATE: November 8, 1995

TO: Files 61-07204

FROM: Shelley W. Keen (SWK)

RE: Licensing Recommendations

=====

Right 61-07204 is a special scenario because it shares a common source, points of diversion, and distribution system with two other sets of rights. Those sets are:

- 61-07210 and 61-07195A
- 61-07306A, 61-07390, and 61-07424

Right 61-07204 is not being included in a permissible place of use with either of the two other sets of rights because it is owned separately. However, combined use remarks limiting the use in combination with the two other sets should be applied to right 61-07204.

Rights 61-07210 and 61-07195A combine for 17.56 cfs and 3516 AFY on a place of use of 879 acres within an 1168-acre permissible place of use. Right 61-07204 shares one of its two wells with 61-07210 and 61-07195A. The capacity of the well not shared with 61-07210 and 61-07195A is 5.20 cfs. Therefore, when used in combination with rights 61-07210 and 61-07195A, right 61-07204 should be limited to $879 + 241 = 1120$ acres, $3516 + 964 = 4480$ AFY, and $17.56 + 4.82 = 22.38$ cfs.

Rights 61-07306A, 61-07390, and 61-07424 combine for 17.39 cfs and 3700 AFY on a place of use of 925 acres. Right 61-07204 shares one of its two wells with 61-07306A, 61-07390, and 61-07424. The capacity of the well not shared with 61-07306A, 61-07390, and 61-07424 is 3.29 cfs. Therefore, when used in combination with rights 61-07306A, 61-07390, and 61-07424, right 61-07204 should be limited to $925 + 241 = 1166$ acres, $3700 + 964 = 4664$ AFY, and $17.39 + 3.29 = 20.68$ cfs.

When combined with 61-07306A, 61-07390, 61-07424, 61-07210 and 61-07195A, right 61-07204 should be limited to $3700 + 3156 + 964 = 8180$ AFY and to $925 + 879 + 241 = 2045$ acres.

NOV 20 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 11, 1995

AHMAD PAKSIMA
EMILY PAKSIMA
5438 AVENIDA FIESTA
LA JOLLA CA 92037

RE: WATER RIGHT NO. 61-07204

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

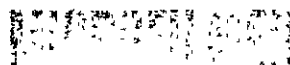
The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion. Please review carefully and if you concur, sign the amendment and return with the \$50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor



SK:rl

DEC 20 1995

Enclosure

LICENSE REVIEW CHECKLIST

PERMIT NO. 61-07204

DATE 7-12-95



BRENDA

NAME Change OK Or Address Change? 9-0-9.

PRIORITY DATE ✓ Advance? YES Advanced to: 1-5-75
Order to reinstate needed? Done
Incorrect fee for rate recommended? NO

SOURCE — ✓ Changes or just clarification of originally intended source? _____
Notice of Intent to Void necessary? _____

POINT OF DIV ✓
 ✓

Amendment needed? _____
Overlaps? SEC 20 well - 61-07306A , 07390 , 07424
SEC 30 well - 61-07195 + 07210

PLACE OF USE _____ ✓ Amendment needed? _____
 _____ ✓ Overlaps? _____

DIV RATE ✓ Permit/fee limits: 6.4 CFS / 320 ACRES
 CAPACITY OF TWO WELLS Meas Q = Theo Q = 8.49 Recommend: 4.82
241 acres (within 316) x .02 = 4.82

only = 5.20 + 3.29
(SEC 20) (SECTION 30 well)
Combined rates exceed capacity YES (total of all)

ANNUAL VOLUME ✓ Volume Limit: Season: C/4.0 (4-1 to 10-31)
Calculations: $241 \times 4 = 964$ gS

Flow limit: _____ cfs x _____ x 1.9835 = _____
 Combined volumes exceed capacity/allowable NO

USES _____ ☒ Change in Nature of Use or additional uses? _____
Amendment necessary? _____

ADDITIONAL INFO Supplemental Groundwater NO PPU Scenario
Irr/Dom Combination Shared G/W System

NEW REMARKS
① W33 (edit)

—	Multiple p/d(s) in ¼ ¼?
<u>YES</u>	Other ② W28 (twice/edit) ④ W27 (241 acres) ② W

NEW CONDITIONS

—	Watermaster control - District	—
—	Measuring/Locking Devices	(REMOVED BY ORDER)
<u>R3/</u>	Irrigation Overlap	
—	Other	—
—	Water Quality	Heat/Cool/Fish verified

COMMENTS: Reduce ACRES and rate. This right shares wells in two
different systems. Add capacity of 2 wells in respective
 DATE * System and increase in flow of 7 MIEND P/D conditions

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	Adjustment Memo Needed
Quitting			<u>NO</u>	<u>NO</u>

LICENSE

1ST AMEND LETTER P39+P38
2ND AMEND LETTER P47

① ONLY ONE IRRIGATING AT TIME OF EXAM - ALL the rest WERE already enrolled IN CRP.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAY 16 1995

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 61-7204

1. Owner: Ahmad &/or EMILY PAKSIMA Phone No. 619-581-1611
Current Address: 5438 Avenida Fiesta La Jolla Ca 92037 or 619-271-1234

2. Accompanied by: Steve Reynolds EXAM DATE: 6/22/93

Address: 1115 W 24th S Mountain Home 83647 Phone No. 208 587-5145

Relationship to Permit Holder: operator/lessee

3. Source: ground water tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: 61-7195, 7210, 7274, 7306A, 7390, 7424

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
1		SW	SE	SW	20	2S	5E	Elmore	aka Well #2 for 7306A et al
2		SW	NW	SE	30	"	"	Elmore	Single point aka Well #3 for 7195 et al
		SE	NE	SW	30	"	"	"	

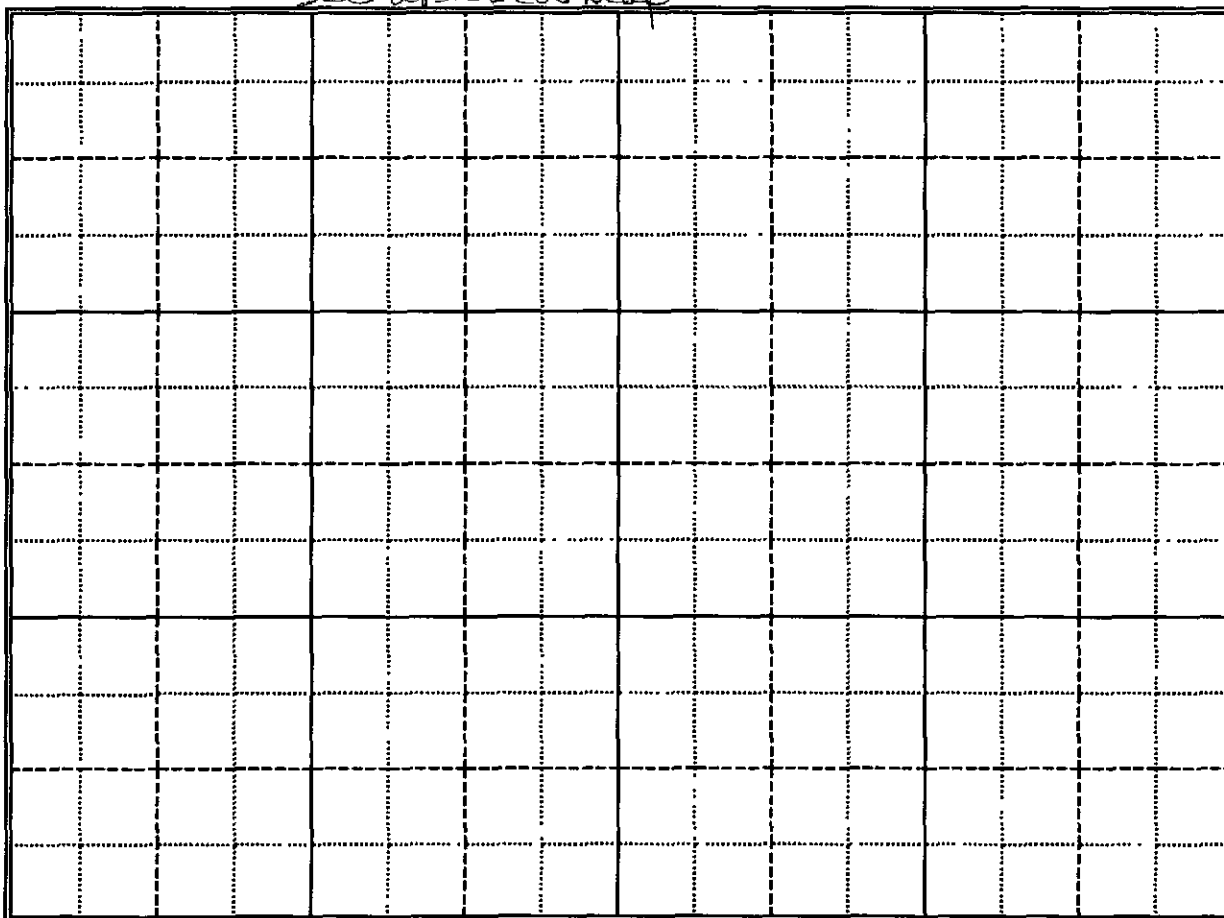
2. Place(s) of Use: permissible place of use Indicate Method of Determination ASCS

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2S	5E	19					40	40	40	40	40	40	38	38					316

DEC 20 1995

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

See attached map



Scale: 1" = _____

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

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

 Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
1	US Motors	400	CE9538-639		12
1 (Booster)	US Motors	125	FBJ608149		12
2	Westinghouse	300	7604		12

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
<i>Pressure gage</i>						

2. Measurements: *Sprinkler discharge w/ pressure readings.*
210 heads operating w/in permit area, 420 heads operating
fr. same system, adjacent lands, 9/16" nozzles, 63 PSI avg. pressure
(5 attached)

DEC 20 1995

E. NARRATIVE/REMARKS/COMMENTS See attached

↓ cont

Well #1, Sec 20 80 psi @ booster

Well #2 Sec 30 105 psi @ discharge

10" mainline, 75 psi from gage @ S $\frac{1}{4}$ corner Sec 19,
head of field in permit area.

Irrigation limited to 241 ac / season. See narrative.

Groundwater source is sole source for irrigation.

*no meas device. Acceptable on-site measurement
conducted w/ system operating

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

DEC 20 1995

F. FLOW CALCULATIONS

Measured Method:

in field: 210 heads avg 63 PSI, 4.75 gpm/head = 997.5 gpm
 420 " avg 50 PSI 4.25 " " = 1785 gpm
2782.5 gpm
 6.2 cfs / 280 system acres = .022 cfs/ac ^{*see narrative}
 6.2 cfs

G. VOLUME CALCULATIONS

allow 4.82 for 241 acres

1. Volume Calculations for Irrigation:

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 241 \times 4 = 964$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 4.82 \times 214 \times 1.9835 = 2045.9 *$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 964$$

2. Volume Calculations for Other Uses:

*see attached for system volume analysis

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRR	4/1	10/31	4.82	964
Totals:			4.82	964

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name _____ Date _____

Reviewer _____ Date _____

SEAL

DEC 20 1995

SYSTEM DESCRIPTION AND NARRATIVE
RIGHT NO. 61-07204

General Comments

Two wells and common mainline are used to irrigate within this parcel of 316 acres. The major crop grown is potatoes, alternated with spring wheat. Both wells were operating at the time of exam.

According to file information, a well was drilled for this parcel in 1975, shortly after the permit was issued. The well was crooked and could not be used. The permit holder then received two extensions of time due to the Idaho Power moratorium but did not attempt to drill another well.

The permit holder is an absentee owner. The land was leased and placed into production in 1989 or 1990. At the time, the operator (Steve Reynolds of Mountain Home) was leasing wells which had been developed under water right numbers 61-7195, 7210, 7306A, 7390, and 7424 (owner = Herb Montierth. B/U exams for these rights were conducted 12/92 and are forwarded simultaneously). The Montierth lands had been placed in the CRP program effective 1988 and 1989 and diversions were not occurring under those rights.

Diversion System/System Capacity

The well in Section 20 is found as P/D #2 under 61-07306A, 07390 and 07424. The well in Section 30 is found as P/D #3 under 61-07195 and 07210. A 12" buried mainline runs north from the Section 30 well and crosses North Cinder Butte Road. A second buried main runs to the northwest from the Section 20 well; the two join somewhere in NW Section 19. Valves along the mainline in the permitted area serve solid set handlines. At time of exam, six, $\frac{1}{4}$ -mile handlines @ 35 heads per line (total 210 heads) were being operated within a 120-acre parcel of potatoes within the permit area. Also at the time of exam, the same wells and system were being used to make applications of water within approximately 160 additional acres, via a surface mainline extension which carried flows to the northwest out of Section 19.

The additional lands served by this system had no valid water rights at the time of the exam. They are not a part of the above-referenced overlapping permits. That operation has now been legitimized via transfer no. 4290 (right nos. 61-07196, 07240). Irrigation applications on these acres are only recognized for the purpose of calculating total system discharge and application rate.

Discharges from these wells were assessed on other B/U reports as operated prior to 1989, however, the Section 30 well was being operated in 1993 without the booster pump, and different mainline configurations are present. A physical measurement was taken for this exam which yielded 6.2 cfs total discharge at field (see attached). Theoretical discharge at wellheads was calculated at 7.9 cfs.

(two unique systems)

DECEMBER 1993

Beneficial Use

At the time of the field exam, approximately 120 acres were under production to potatoes within the permit area. Irrigation patterns since cultivation has commenced indicate land rotation scheduling within a total permissible place of use of 316 acres. The land rotation pattern which has been established shows a maximum irrigated area per season of 241 acres (in 1991), on potatoes. Irrigation patterns were verified using ASCS yearly compliance photography from Elmore County office.

Overlap Analysis

Listed points of diversion may also be used under other rights, as shown in Diversion System portion. Typically, point of diversion overlap review would utilize the standard method of comparing old and new rates of flow. Instead, my overlap analysis considers that the P/D's used for development of this permit were temporarily inactive due to set-aside status of the lands previously developed using the same wells. Beneficial use was made under 61-07204 using all the available flows from the idle wells. This seems to fit within the concept of "new lands irrigated separately" as discussed in the 1988 draft overlap review memo. It does not seem appropriate to recommend a pro-rated total flow when the whole flow has been appropriated. The license may be conditioned to show a combined-use withdrawal limitation.

Sufficient volume for all 241 additional acres is available from either of the existing wells/systems shown as P/D overlaps. However, if all potential acres (under 7195, 7210, 7204, 7306A, 7390, 7424) under either or both systems were to be placed into production at one time, the combined system application rates would fall below one miner's inch per acre. It can be shown that a full miner's inch per acre is required for the irrigation of potatoes in this area. As long as the current practice of land rotation on potatoes is maintained under this system, available flows should logistically keep the combined use of these rights within allowable limits. The right holder should not be restricted, however, from planting crops with a lower application rate demand than potatoes, as long as total acres are not exceeded. Since volume is not a limiter, no combined-use acreage restrictions should be imposed, although system capacity limitations are in order.

Amendments

P/D amendment required to show point of diversions actually used during development.

DEC 20 1995

Conditions

The following are suggested:

Irrigation under this right is limited to 241 acres within the identified place of use in a single irrigation season.

Total combined diversions under 61-07195, 61-07204 and 61-07210 may not exceed 18.65 cfs or 4480 AFA.

Total combined diversions under 61-07204, 61-07306A, 61-07390 and 61-07424 may not exceed 17.39 cfs or 4284 AFA.

* Total combined withdrawals when all the above rights are used together may not exceed 7800 AFA or the irrigation of 1950 acres.

** See attached system volume analysis*

DEC 20 1995

61-7204 System Volume Analysis

Well #1, Sec 20, part of a larger system under 61-7306A,
7390 & 7424. System previously assessed @ 17.39 cfs.

System limits:

Total flow	17.39	cfs	Total Vol	7381.5	AFA
* Licensed flow	15.95	"	Licensed Vol	3320	"
Remaining	1.44	"	Remaining	4061.5	
* 830 ac			Req'd for 61-7204	964	AFA
			Total from system	4284	AFA

Well #2 Sec 30, part of a larger system under 61-7195
& 7210. System previously assessed @ 18.65 cfs.

System limits:

Total flow	18.65	cfs	Total Vol	7916.3	AFA
* Licensed flow	17.58	"	Licensed Vol	3516	"
Remaining	1.07	"	Remaining	4400.3	"
* 879 ac			Req'd for 61-7204	964	AFA
			Total fr. System	4480	AFA

Total combined withdrawals

$$3320 + 3516 + 964 = 7800 \text{ AFA}$$

DEC 20 1995

THEORETICAL HORSEPOWER EQUATION WORKSHEET (cjh 1/92)

Water Right No.: 61-07306A, -07390, -07424
 Examiner: C Hodges
 Date of Field Exam: 12-11-92

61-7204

P/D No.: (West Wells)	1	2	3
PUMP HORSEPOWER	400	400	200
BOOSTER HORSEPOWER	0	125	0
PUMPING LEVEL	460	460	460
DISCHARGE PRESSURE	70	70	70
RATE OF FLOW (cfs)	3.96	5.20	1.98
TOTAL FLOW (cfs)			11.15

P/D No.: (East Wells)	4	5	6
PUMP HORSEPOWER	200	200	200
BOOSTER HORSEPOWER	0	0	0
PUMPING LEVEL	460	460	480
DISCHARGE PRESSURE	70	70	70
RATE OF FLOW (cfs)	1.98	1.98	1.92
TOTAL FLOW (cfs)			5.88

P/D No.: (East Wells) 4
 Check, Using Layne Pump test data, 1981

PUMP HORSEPOWER (Brake Horsepower)	212	212	168
BOOSTER HORSEPOWER	0	0	0
PUMPING LEVEL (TDH)	680	680	700
RATE OF FLOW (cfs)	1.92	1.92	1.48
TOTAL FLOW (cfs)			5.32

± 6%

± 16%

2800 gpm rated = 6.24 cfs

USE THIS.

DEC 20 1995

THEORETICAL HORSEPOWER EQUATION WORKSHEET (cjh 1/92)

Water Right No.: 61-07195, -07210, -07274
 Examiner: C Hodges
 Date of Field Exam: 12-11-92

P/D No.:

OPTION 1

OPTION 2

OPTION 3

31

2

13

PUMP HORSEPOWER

300

400

400

BOOSTER HORSEPOWER

~~400~~

- Booster removed

250

250

PUMPING LEVEL

400

400

400

DISCHARGE PRESSURE

70

70

70

RATE OF FLOW (cfs)

4.39

7.13

7.13

TOTAL:

18.65 cfs

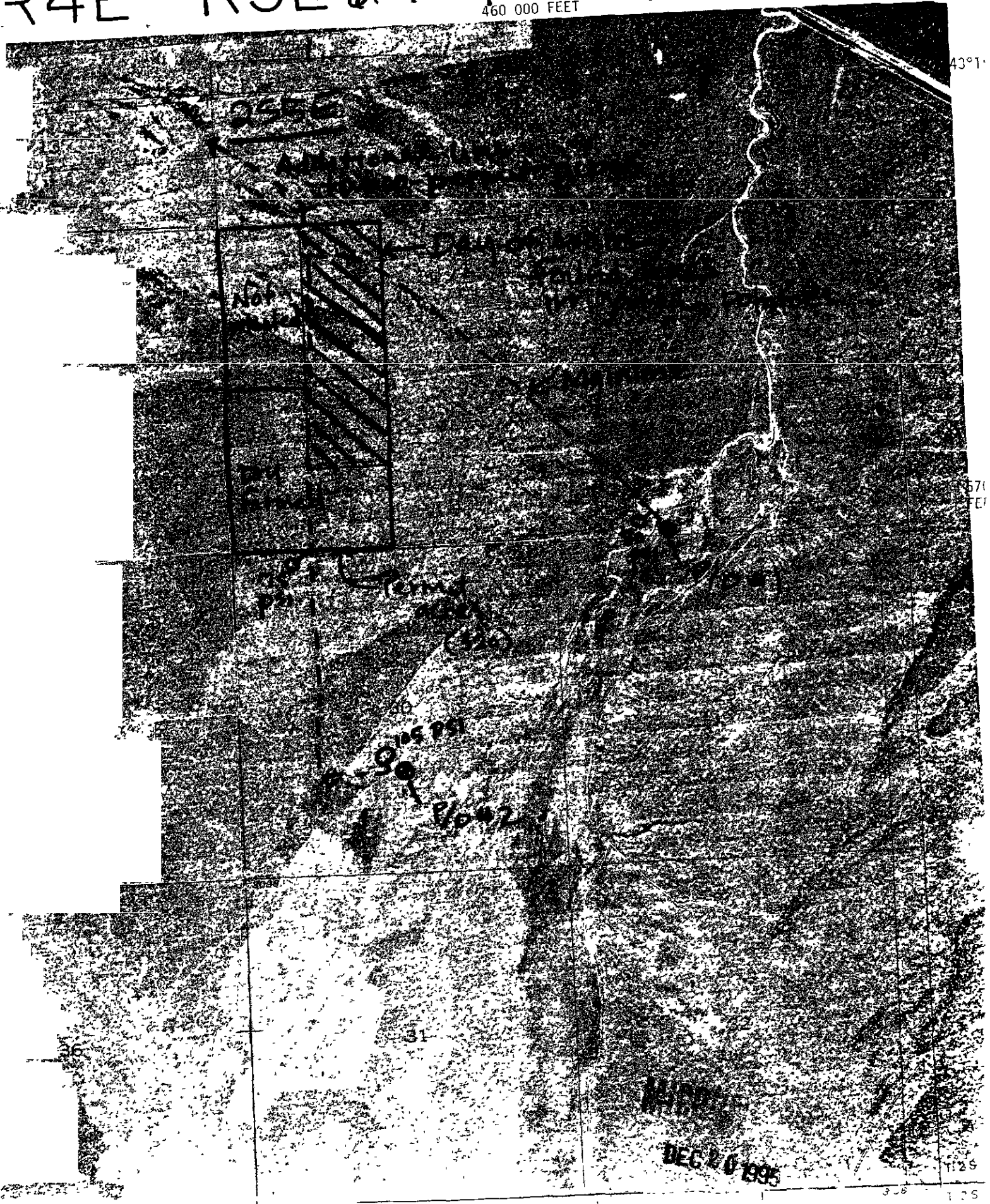
DEC 20 1995

R4E R5E 61-7204

460 000 FEET

115°52'30"

43°1'



DEC 20 1995

568
61-7204
CRP
8-72
4-72.6
ASCS ACRES
= 241
4 NHRL
126.6

CRP
80-96
9-72.3
9 NHRL 10
72.3 7

30
DEC 20 1995

568
61-7204
~~CRP~~
~~8-75~~
~~4-10-75~~
ASCS ACRES
= 241
+ 75 NOT PLATTED
= 316 TOTAL

CRP
88-95
9-72.3
9 NH
72.3

1990
1991
1992
1993
1994
1995
130 acres

568

61-7204

CRP

8-72

126.6

ASCS ACRES
= 241

4 NHFL

126.6

CRP

80-96

9-72.3

9 NHFL

72.3

241 acres

Survey
3/11/94
1991

DEC 20 1993

568
61-7204
~~CRP~~
~~8-75~~
~~10-10~~
ASCS ACRES
= 241
4 NHEL
126.6

CRP
20-75
9-72.3
9 NHEL
72.3

30
DEC 20 1962
200 acres
3/11/64
Sub No 105

568
61-7204
~~CRF~~
~~8-75~~
~~11-10-75~~
ASCS ACRES
= 241
4 NHFL
126.6

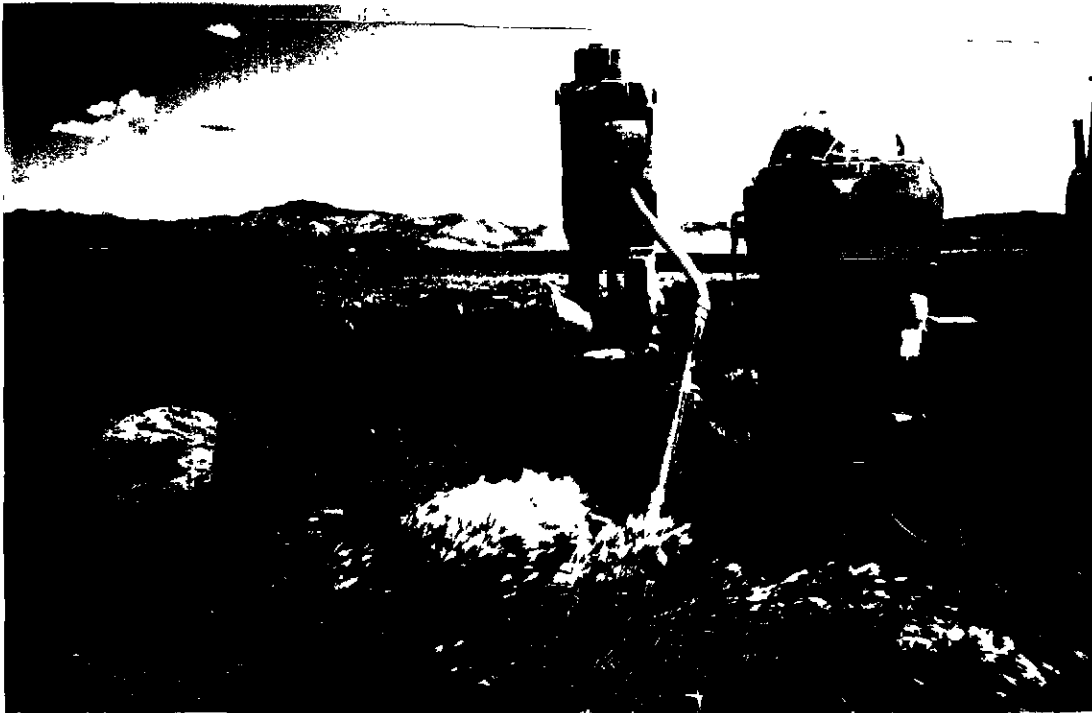
CRF
86-96
9-72.3
9 NHFL
72.3

30
1993 Slide NO
120 acres
DEC 20 03

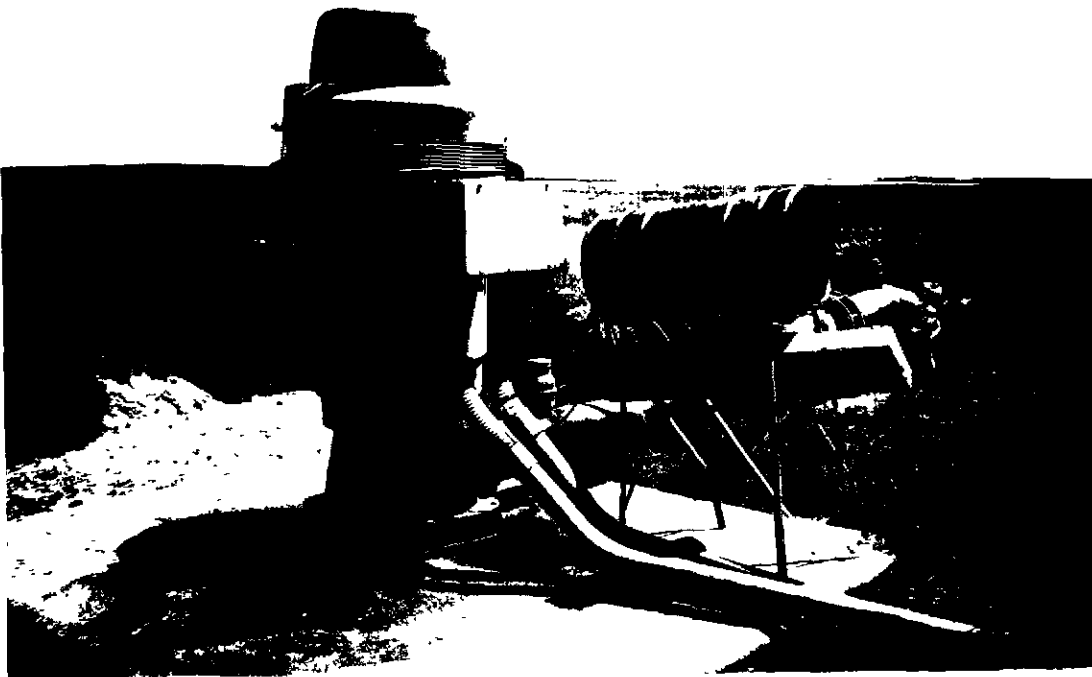
NHFL

24

61-7204 gy4



P/O, Sec 20

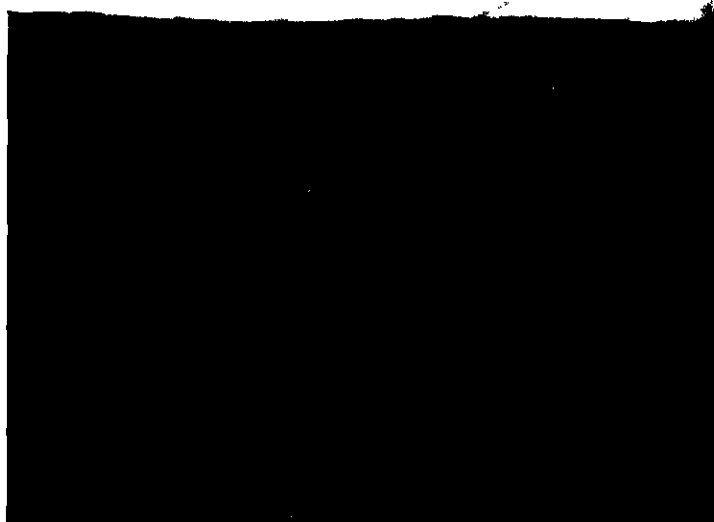


P/O, Sec 30

61-7204 cy4



622193



← P/u
↓

SENW/NESW
SEC 19



DFG 20 0005

December 4, 1992

AHMAD PAKSIMA
EMILY PAKSIMA
5438 AVENIDA FIESTA
LA JOLLA CA 920370000

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 61-07204

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

Enclosure

*Attn: Cindy Hodges - Glen has asked that this
exam be done in 1993.
Karen*

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 61-07204

Reviewed by Klg

Date 12/2/92

GENERAL CONSIDERATIONS

yes Name same as permit?
yes Address same as permit?
no Proof timely received?
If not, complete calculation below.

TYPES OF USE

irrigate - 320
Correct Uses? yes

SOURCE OF WATER

Surface water source
Ground water source

NA Drilling permit required?

NA Copy in the file? Drilling Permit No. _____

NA Amount paid for permit _____ Correct?

NA Well log in the file?

using someone else's well

LICENSE EXAMINATION FEE

yes Required?

250 Amount Submitted

yes Correct?

MEASURING DEVICE

yes Required?

no Installed?

no Waiver requested?

PRIORITY CALCULATION

Date proof received 11/30/92 334

Date proof due 12/1/92 335

No. of days late 16/1/92 - 274

Priority Date 11/6/74 + 310

New Priority Date 1/5/75 370

365

DEFICIENCIES OR ACTION ITEMS

proof acceptable

lapsed on 10/2 - allowing 60 days

needs an order
needs a measure

DATA ENTRY

New Address _____

Proof Made 11/30/92

12/4/92 Klg



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

October 1, 1992

Ahmad Paksima
5438 Avenida Fiesta
La Jolla, CA 92037

Re: Permit No. 61-07204

LAPSE NOTICE

Dear Permit Holder:

Under the provisions of Section 42-218a of the Idaho Code, you are hereby notified that the above referenced permit has lapsed since the Department could not approve the request for extension of time you submitted.

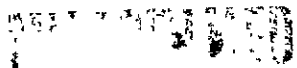
You can file a new application within one year of the time you actually intend to develop a water right. Since Idaho is now under a mandatory permit procedure to develop a water right, the new application will provide an additional period of time for development, although the priority date will be later in time.

Should you wish to file a proof of beneficial use on that portion of the permit that you may have developed, you must do so within 60 days of the date of this lapse notice. However, your priority date is being penalized one day for every day the proof is received late.

If you have any questions or if we can be of any further assistance, please feel free to contact our office.

Sincerely,

L. Glen Saxton
Chief, Water Allocation Bureau



DEC 09 1992

CERTIFICATION OF MAILING

I hereby certify that on 10.1/92
a ~~copy~~an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 21, 1992

Ahmad Paksima
5438 Avenida Fiesta
La Jolla, CA 92037

RE: PERMIT NO. 61-7204

Dear Mr. Paksima:

Enclosed is a copy of the denied request for extension of time which you submitted to the department in connection with the above referenced permit. The department is not authorized to approve another extension request as described below.

On the request for extension of time, you described the reason for not completing the project "Because of a moratorium". It isn't clear to which moratorium you are referring but it could be the moratorium against the approval of new power hook-ups declared by Idaho Power Company in 1977. This moratorium has not been in effect since about 1984. The other moratorium to which you may be referring could be the moratorium issued by the department on May 15, 1992. This moratorium, however, was in connection with the approval of new applications for permit, not permits which have already been issued by the department. Hence, these moratoriums are not acceptable reasons why development has not occurred under the permit.

You are hereby notified that permit no. 61-7204 has lapsed and within 60 days will be of no further force nor effect. Since the use proposed under the permit is within the Cinder Cone Butte Critical Ground Water Area, the department will not issue additional permits which propose consumptive use of water.

If you have questions, please feel free to contact the department.

Sincerely,

A handwritten signature in black ink, reading "L. Glen Saxton".

L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: 1

DEC 09 1992

ANALYSIS SHEET
FOR
EXTENSION OF TIME

Permit No. 61-07204 Reviewed by KOG Date 8/10/92

BASIC INFORMATION

8/7/92 Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

_____ Has adequate work been completed to demonstrate due diligence?
_____ Has the permit been involved in litigation?
_____ Is supporting documentation needed to complete the file? _____ Requested? _____
_____ Is delay by a government agency?
_____ Is supporting documentation needed to complete the file? _____ Requested? _____
_____ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

Recommend for denial - can only grant one extension of time Based on due Diligence has already been granted.

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address _____
Change Proof Due Date _____
Change Priority Date _____

MEMORANDUM

To: File 61-7204
From: L. Glen Saxton *LS*
RE: REQUEST FOR AN EXTENSION OF TIME
Date: August 12, 1992

I have reviewed the request for extension of time submitted by the permit holder on August 7, 1992 together with the water right file and have determined the following:

- The permit was issued on March 11, 1976.
- The department has granted three extension requests in the past, in 1981 based on the moratorium imposed by Idaho Power Company against new power hookups, in 1985 based on litigation and in 1989 based on due diligence.
- In December 1991, the department advised the permit holder that the department likely could not grant additional extensions of time.
- The point of diversion and place of use are within the Cinder Cone CGWA.

The reason for not completing the work is shown on the latest extension of time request is "Because of a moratorium". It appears the "moratorium" reason refers to the Idaho Power moratorium against new power hookups which was the reason for granting the first extension request in 1981. This moratorium has not been in effect for years and the present moratorium against the approval of applications due to the drought does not apply to existing permits.

I recommend the request for extension of time received on August 7, 1992 be denied.

17-7204-100

DEC 09 1992

July 31, 1992

AHMAD PAKSIMA
EMILY PAKSIMA
5438 AVENIDA FIESTA
LA JOLLA CA 920370000

PROOF DUE NOTICE

RE: PERMIT NO. 61-07204

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before October 1, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

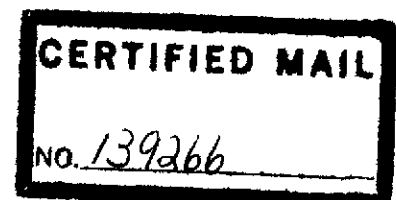
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



DEC 09 1992

MEMORANDUM

To: File 61-7204
From: L. Glen Saxton *LS*
RE: TELEPHONE CONVERSATION WITH AHMAD PAKSIMA
Date: December 3, 1991

Ahmad Paksima (permit holder) called today concerning the status of permit 61-7204. I reviewed the file and called the permit holder in California.

I advised the permit holder that the permit was valid and that in August 1989, the department had extended the proof due date to October 1, 1992. When asked about future extension approvals, I advised the permit holder that the department would send a proof due notice to him 60 days before the proof due date in October 1, 1992 and that upon receipt of the notice he could either submit the proof or another request for an extension of time. I told him I did not know whether the department could approve another extension since the permit was first filed in 1974, had been extended several times and was relatively old for development not having occurred.

I anticipate that the permit holder will not pursue development before proof is due in October 1992, since he advised that sometime in the past, he lost about \$35,000 in connection with a well which apparently was constructed such that a pump could not be installed.

The issuance of a continuation order for this permit pursuant to section 42-203D, Idaho Code, appears to be moot at this point since the proof due date for the permit was extended in 1989 prior to the permit being identified as trust water related and prior to the usual issuance of a continuation order. The issuance of a continuation order, however, is appropriate if the department extends the proof due date beyond October 1, 1992.

1002

MEMORANDUM

TO: GLEN

FROM: TIM LUKE

RE: TRUST WAER PERMIT NO. 61-7204 IN RELATION TO LATER
PRIORITY FILINGS IN THE CINDERCONC BUTTE CGWA

DATE: 6-12-91

The above referenced permit is one that was approved before the designation of the critical groundwater area. There has been no development of the permit prior to July of 1985. The permit therefore is subject to reprocessing under Section 42-203D. I had prepared a continuation order but before issuing continuance, you asked me to search for other rights in the Cindercone Butte CGWA with later priority dates.

Attached to this memo is a listing of other groundwater permits and licenses in the CGWA with priority dates later than the Paksima permit no. 61-7204. There are a total of 24 filings in the area with later priority dates. It appears that the Paksima permit is the only one which requires a continuation order. All other permits have either been dismissed by Idaho Power Company or are exempt from reprocessing based on development prior to July of 1985.

Please discuss with me if you need additional information etc.

DEC 09 1992

WR-NUMBER: CURRENT OWNER:

PRIORITY DATE:

STAGE:

61-07176

KENNETH J. JOHNSON

11-20-1989

PERMIT

COUNTY: ELMORE
SOURCE: GROUNDWATER
WATER USE:
IRRIGATION
DOMESTIC

TRIBUTARY:
DIVERSION RATE:
DIVERSION VOLUME:
PERIOD FROM: PERIOD TO:
03/15 11/15
01/01 12/31

POINT OF DIVERSION:

Twp Rge Sec Tract Lot
02S 05E 3 SE NW
02S 05E 3

WR-NUMBER: CURRENT OWNER:

PRIORITY DATE:

STAGE:

61-07247B

W. J. BALLANTYNE
HERBERT C. HETHERINGTON
JEROLD L. WOOD
MARTHA ESSON
EST. OF EDNA BALLANTYNE

01-10-1976

LICENSE

COUNTY: ELMORE
SOURCE: GROUNDWATER
WATER USE:
IRRIGATION
TOTAL:

TRIBUTARY:
DIVERSION RATE:
DIVERSION VOLUME:
PERIOD FROM: PERIOD TO:
03/15 11/15

POINT OF DIVERSION:

Twp Rge Sec Tract Lot
03S 04E 1 NE NE
02S 05E 31 SE SW

WR-NUMBER: CURRENT OWNER:

PRIORITY DATE:

STAGE:

61-07263

JEROLD L. WOOD
EST. OF EDNA BALLANTYNE
MARTHA ESSON
W. J. BALLANTYNE
HERBERT C. HETHERINGTON

04-01-1976

LICENSE

COUNTY: ELMORE
SOURCE: GROUNDWATER
WATER USE:
IRRIGATION
TOTAL:

TRIBUTARY:
DIVERSION RATE:
DIVERSION VOLUME:
PERIOD FROM: PERIOD TO:
03/15 11/15

REMARKS: This right when combined with rights 61-07247B and 61-07262 shall not exceed 11.36 cfs.

POINT OF DIVERSION:

Twp Rge Sec Tract Lot
02S 05E 31 SE SW
03S 04E 1 NE NE

*Reinstated
need Confirmation
order!*

*Developed
prior 7-1-85
Geph.*

*Developed
prior to
7-1-85*

RECEIVED
DEC 09 1992

=====

WR-NUMBER:	CURRENT OWNER:	PRIORITY DATE:	STAGE:
61-07239	BIG D RANCH	08-25-1975	LICENSE
COUNTY: ELMORE		TRIBUTARY:	
SOURCE: GROUNDWATER		DIVERSION RATE:	DIVERSION VOLUME:
WATER USE:			
IRRIGATION		3.200	720.00
TOTAL:		3.200	720.00
POINT OF DIVERSION:		Twp Rge Sec Tract Lot	
		02S 04E 28 SW NE	

=====

=====

WR-NUMBER:	CURRENT OWNER:	PRIORITY DATE:	STAGE:
61-07246A	HAROLD D. WARD EDITH L. WARD EARL E. WARD	12-16-1975	LICENSE
COUNTY: ELMORE		TRIBUTARY:	
SOURCE: GROUNDWATER		DIVERSION RATE:	DIVERSION VOLUME:
WATER USE:			
IRRIGATION		2.720	
TOTAL:		2.720	
POINT OF DIVERSION:		Twp Rge Sec Tract Lot	
		02S 04E 23 SE SE	

=====

=====

WR-NUMBER:	CURRENT OWNER:	PRIORITY DATE:	STAGE:
61-07247A	HERGERT FARMS	01-10-1976	PERMIT
COUNTY: ELMORE		TRIBUTARY:	
SOURCE: GROUNDWATER		DIVERSION RATE:	DIVERSION VOLUME:
WATER USE:			
IRRIGATION		5.430	
TOTAL:		5.430	
PERIOD FROM:		PERIOD TO:	
03/15		11/15	
REMARKS: AC. IRR. = 271.54. REINSTATED 6/8/81.			
POINT OF DIVERSION:		Twp Rge Sec Tract Lot	
		02S 04E 36 SE SW	

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=====

WR-NUMBER:	CURRENT OWNER:	PRIORITY DATE:	STAGE:
61-07253B	GERALD J. CUNNINGHAM GERTRUDE L. CUNNINGHAM	01-23-1976	PERMIT
COUNTY: ELMORE		TRIBUTARY:	
SOURCE: GROUNDWATER		DIVERSION RATE:	DIVERSION VOLUME:
WATER USE:			
IRRIGATION		3.200	
PERIOD FROM:		PERIOD TO:	
03/15		11/15	

=====

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outside Cbwt

Dismissed
By IPCO

Developed
Prior to
7-1-85
HOTS
Grant Cont. OPR?

Dismissed
By IPCO

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WR-NUMBER:	CURRENT OWNER:	PRIORITY DATE:	STAGE:
61-07203	CARL D. HICKEY CONNIE M. HICKEY	12-04-1975	PERMIT

DISMISSED
By ITCO

COUNTY:	ELMORE	TRIBUTARY:	PERIOD FROM:	PERIOD TO:
SOURCE:	GROUNDWATER			
WATER USE:		DIVERSION RATE:		
IRRIGATION		3.440	03/15	11/15
DOMESTIC		0.040	01/01	12/31
TOTAL:		3.440		

REMARKS: 2 P/D IN NENE, L1, S2 & NWNW, SL, T3S, R4E.
REINSTATED 04/15/1980.

POINT OF DIVERSION:	Twp	Rge	Sec	Tract	Lot
	03S	04E	2	NE NE	1
	03S	04E	1	NW NW	

WR-NUMBER:	CURRENT OWNER:	PRIORITY DATE:	STAGE:
61-07247B	W. J. BALLANTYNE HERBERT C. HETHERINGTON JEROLD L. WOOD MARTHA ESSON EST. OF EDNA BALLANTYNE	01-10-1976	LICENSE

✓

COUNTY:	ELMORE	TRIBUTARY:	PERIOD FROM:	PERIOD TO:
SOURCE:	GROUNDWATER			
WATER USE:		DIVERSION RATE:		
IRRIGATION		1.200	03/15	11/15
TOTAL:		1.200		

POINT OF DIVERSION:	Twp	Rge	Sec	Tract	Lot
	03S	04E	1	NE NE	1
	02S	05E	31	SE SW	3

WR-NUMBER:	CURRENT OWNER:	PRIORITY DATE:	STAGE:
61-07263	JEROLD L. WOOD EST. OF EDNA BALLANTYNE MARTHA ESSON W. J. BALLANTYNE HERBERT C. HETHERINGTON	04-01-1976	LICENSE

✓

COUNTY:	ELMORE	TRIBUTARY:	PERIOD FROM:	PERIOD TO:
SOURCE:	GROUNDWATER			
WATER USE:		DIVERSION RATE:		
IRRIGATION		2.400	03/15	11/15
TOTAL:		2.400		

REMARKS: This right when combined with rights 61-07247B and 61-07262 shall
not exceed 11.36 cfs.

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SELECTION-FILE: CC86

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS SUMMARY REPORT

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WR-NUMBER: 61-07263 (cont'd)

POINT OF DIVERSION:	Twp	Rge	Sec	Tract	Lot
	02S	05E	31	SE SW	3
	03S	04E	1	NE NE	1

WR-NUMBER:	CURRENT OWNER:	PRIORITY DATE:	STAGE:
61-07399	CONNIE M. HICKEY	04-04-1980	PERMIT

*Cont. order
Issued*

COUNTY: ELMORE
SOURCE: GROUNDWATER
WATER USE:
IRRIGATION
STOCKWATER

TRIBUTARY:
DIVERSION RATE:
3.200
0.050
TOTAL: 3.250

DIVERSION VOLUME:
PERIOD FROM: PERIOD TO:
03/15 11/15
01/01 12/31

REMARKS: DLE #1-19871.
REINSTATED 7-21-1986.

POINT OF DIVERSION:	Twp	Rge	Sec	Tract	Lot
	03S	04E	2	NE NE	1

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WR-NUMBER: 61-07274 (cont'd)

COUNTY: ELMORE
SOURCE: GROUNDWATER

WATER USE:
IRRIGATION
DOMESTIC

TOTAL:

TRIBUTARY:
DIVERSION RATE:
3.200
0.040
3.240

DIVERSION VOLUME:

PERIOD FROM: PERIOD TO:
04/01 10/31
01/01 12/31

POINT OF DIVERSION:

Twp	Rge	Sec	Tract	Lot
02S	05E	30	SW SE	
02S	05E	29	SW SW	
02S	04E	36	SW SE	
03S	05E	6	NE SW	
02S	04E	36	SE SE	

WR-NUMBER:

CURRENT OWNER:

PRIORITY DATE:

STAGE:

61-07298

CONNECTICUT GENERAL LIFE INSURANCE CO.

12-21-1976

PERMIT

COUNTY: ELMORE
SOURCE: GROUNDWATER

WATER USE:
IRRIGATION
DOMESTIC

TOTAL:

TRIBUTARY:
DIVERSION RATE:
3.000
0.040
3.000

DIVERSION VOLUME:

PERIOD FROM: PERIOD TO:
04/01 10/31
01/01 12/31

POINT OF DIVERSION:

Twp	Rge	Sec	Tract	Lot
03S	05E	8	NW NW	
03S	05E	6	NE SW	

=====

END OF REPORT

MICROFILMED
DEC 09 1992

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WR-NUMBER:	CURRENT OWNER:	PRIORITY DATE:	STAGE:
61-07412	LLOYD M. HANSEN	09-15-1980	PERMIT
COUNTY: ELMORE		TRIBUTARY:	
SOURCE: GROUNDWATER		DIVERSION RATE:	DIVERSION VOLUME:
WATER USE:			PERIOD FROM: PERIOD TO:
IRRIGATION		7.000	03/15 11/15
TOTAL:		7.000	
POINT OF DIVERSION:		Twp Rge Sec Tract Lot	
		02S 06E 23 SE SW	
		02S 06E 23 NE SW	
		02S 06E 26 NE NE	

=====

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WR-NUMBER:	CURRENT OWNER:	PRIORITY DATE:	STAGE:
61-07435	STANLEY G. NORSTEBON MILDRED M. NORSTEBON	03-18-1981	PERMIT
COUNTY: ELMORE		TRIBUTARY:	
SOURCE: GROUNDWATER		DIVERSION RATE:	DIVERSION VOLUME:
WATER USE:			PERIOD FROM: PERIOD TO:
IRRIGATION		0.160	03/15 11/15
STOCKWATER		0.020	01/01 12/31
DOMESTIC		0.040	01/01 12/31
TOTAL:		0.200	
POINT OF DIVERSION:		Twp Rge Sec Tract Lot	
		02S 06E 6 NE SW	

=====

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WR-NUMBER:	CURRENT OWNER:	PRIORITY DATE:	STAGE:
61-07454	U.S. DEPT. OF INTERIOR	06-16-1981	LICENSE
COUNTY: ELMORE		TRIBUTARY: SINKS	
SOURCE: SPRING		DIVERSION RATE:	DIVERSION VOLUME:
WATER USE:			PERIOD FROM: PERIOD TO:
STOCKWATER		0.080	04/01 12/15
WILDLIFE		0.080	12/16 03/31
TOTAL:		0.080	3.50
REMARKS: ALSO KNOWN AS OREGON TRAIL SPRING #2.			
POINT OF DIVERSION:		Twp Rge Sec Tract Lot	
		02S 06E 1 SE NW	

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WR-NUMBER:	CURRENT OWNER:	PRIORITY DATE:	STAGE:
61-07663	STANLEY NORSTEBON MILDRED NORSTEBON	05-01-1991	APPLICATION

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WATER RIGHTS SUMMARY REPORT

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WR-NUMBER: 61-07663 (cont'd)

COUNTY: ELMORE
SOURCE: GROUNDWATER
WATER USE:
STOCKWATER
TOTAL:

TRIBUTARY:
DIVERSION RATE: 0.020
DIVERSION VOLUME: 0.020

PERIOD FROM: 01/01
PERIOD TO: 12/31

POINT OF DIVERSION: Twp Rge Sec Tract Lot
02S 06E 6 NE NW SW 6

WR-NUMBER: 61-07664
CURRENT OWNER: STANLEY NORSTEBON
MILDRED NORSTEBON

PRIORITY DATE:
05-01-1991

STAGE:
APPLICATION

COUNTY: ELMORE
SOURCE: MUD SPRINGS CREEK
WATER USE:
IRRIGATION
STOCKWATER
TOTAL:

TRIBUTARY: SQUAW CREEK
DIVERSION RATE: 0.160
DIVERSION VOLUME: 0.020
0.180

PERIOD FROM: 03/15
PERIOD TO: 11/15
01/01 12/31

POINT OF DIVERSION: Twp Rge Sec Tract Lot
02S 06E 6 NE NW SW 6

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WATER RIGHTS SUMMARY REPORT

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WR-NUMBER: 61-07390 (cont'd)

POINT OF DIVERSION:	Twp	Rge	Sec	Tract	Lot
	02S	05E	20	SE NE	
	02S	05E	30	NE SE	

WR-NUMBER:	CURRENT OWNER:	PRIORITY DATE:	STAGE:
61-07424	HERBERT MONTIERTH RAY MONTIERTH RODNEY MONTIERTH	12-08-1980	PERMIT

*Dismissed
By IFO*

COUNTY: ELMORE
SOURCE: GROUNDWATER
WATER USE:
IRRIGATION

DIVERSION RATE:
7.000
TOTAL: 7.000

TRIBUTARY:

DIVERSION VOLUME:

PERIOD FROM: 04/01
PERIOD TO: 10/31

REMARKS: 3 P/D IN SESW, S20, T2S, R5E.

POINT OF DIVERSION:	Twp	Rge	Sec	Tract	Lot
	02S	05E	17	NE SW	
	02S	05E	30	NW SE	
	02S	05E	20	SE SW	
	02S	05E	20	SW SW	

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WR-NUMBER:	CURRENT OWNER:	PRIORITY DATE:	STAGE:
61-07306A	H. R. MONTIERTH	05-19-1987	PERMIT

=====

COUNTY: ADA
SOURCE: GROUNDWATER
WATER USE: IRRIGATION DOMESTIC STOCKWATER
DIVERSION RATE: 3.200 0.040 0.230
DIVERSION VOLUME: 3.400
PERIOD FROM: 04/01 01/01 01/01
PERIOD TO: 10/31 12/31 12/31

Dismissed
By IPCO

TOTAL: 3.400

POINT OF DIVERSION:	Twp	Rge	Sec	Tract	Lot
	02S	05E	19	SE NE	
	02S	05E	19	SW NE	
	02S	05E	20	SW SW	
	02S	05E	20	SE SW	

WR-NUMBER:	CURRENT OWNER:	PRIORITY DATE:	STAGE:
61-07384	WESTERN IDAHO PRODUCTION CREDIT ASSN.	04-20-1979	LICENSE

COUNTY: ELMORE
SOURCE: GROUNDWATER
WATER USE: IRRIGATION
DIVERSION RATE: 3.570
DIVERSION VOLUME: 1431.00
PERIOD FROM: 03/15
PERIOD TO: 11/15

Dismissed
By IDA

REMARKS: THE TOTAL COMBINED DIVERSION RATE FROM THESE WELLS SHALL NOT EXCEED 3.57 CFS.

POINT OF DIVERSION:	Twp	Rge	Sec	Tract	Lot
	02S	05E	11	NE SE	
	02S	05E	11	NE NE	

WR-NUMBER:	CURRENT OWNER:	PRIORITY DATE:	STAGE:
61-07390	H. R. MONTIERTH RAY MONTIERTH ROD MONTIERTH	05-19-1987	PERMIT

COUNTY: ELMORE
SOURCE: GROUNDWATER
WATER USE: IRRIGATION DOMESTIC
DIVERSION RATE: 9.000 0.080
DIVERSION VOLUME: 9.000
PERIOD FROM: 03/15 01/01
PERIOD TO: 11/15 12/31

Dismissed
By IPCO

REMARKS: REINSTATED 9/24/87.

POINT OF DIVERSION:	Twp	Rge	Sec	Tract	Lot
	02S	05E	20	SW SW	
	02S	05E	20	SE SW	

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WR-NUMBER:	CURRENT OWNER:	PRIORITY DATE:	STAGE:
61-07264	JEROLD L. WOOD W. J. BALLANTYNE EST. OF EDNA BALLANTYNE HERBERT C. HETHERINGTON MARTHA ESSON	06-10-1976	LICENSE
COUNTY: ELMORE			
SOURCE: GROUNDWATER			
WATER USE:			
IRRIGATION	DIVERSION RATE:	TRIBUTARY:	DIVERSION VOLUME:
	11.140		2506.50
TOTAL:	11.140		2506.50
PERIOD FROM: PERIOD TO:			
03/15 11/15			
POINT OF DIVERSION:			
	Twp	Rge	Sec
	02S	05E	31
			Tract
			SE SW
			Lot
			3

*Developed
Prior to
7/1/85
except*

WR-NUMBER:	CURRENT OWNER:	PRIORITY DATE:	STAGE:
61-07274	CONNECTICUT GENERAL LIFE INSURANCE CO.	06-14-1976	PERMIT
COUNTY: ELMORE			
SOURCE: GROUNDWATER			
WATER USE:			
IRRIGATION	DIVERSION RATE:	TRIBUTARY:	DIVERSION VOLUME:
	3.200		
DOMESTIC	0.040		
TOTAL:	3.240		
PERIOD FROM: PERIOD TO:			
04/01 10/31			
01/01 12/31			
POINT OF DIVERSION:			
	Twp	Rge	Sec
	02S	05E	30
	02S	05E	29
	02S	04E	36
	03S	05E	6
	02S	04E	36
			Tract
			SW SE
			SW SW
			SW SE
			NE SW
			SE SE

MINUTEMAN
DEC 09 1992

WR-NUMBER:	CURRENT OWNER:	PRIORITY DATE:	STAGE:
61-07297	ALFRED T. RATHBUN	02-26-1977	PERMIT
COUNTY: ELMORE			
SOURCE: GROUNDWATER			
WATER USE:			
IRRIGATION	DIVERSION RATE:	TRIBUTARY:	DIVERSION VOLUME:
	0.200		
STOCKWATER	0.020		
DOMESTIC	0.040		
TOTAL:	0.200		
PERIOD FROM: PERIOD TO:			
03/15 11/15			
01/01 12/31			
01/01 12/31			
REMARKS: REINSTATED 2-17-1987.			
POINT OF DIVERSION:			
	Twp	Rge	Sec
	02S	05E	15
			Tract
			SW SE
			Lot

*Dismissed
By IPO*

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WR-NUMBER: 61-07330 (cont'd)

CURRENT OWNER:
RAYMOND G. SCILOTTO

*Discontinued
By EPCW*

COUNTY: ELMORE
SOURCE: GROUNDWATER
WATER USE:
IRRIGATION
TOTAL:

TRIBUTARY:

DIVERSION RATE:
2.640
2.640

DIVERSION VOLUME:
720.00
720.00

PERIOD FROM: PERIOD TO:
03/15 11/15

POINT OF DIVERSION: Twp Rge Sec Tract Lot
02S 04E 35 SE NE

WR-NUMBER:

CURRENT OWNER:

PRIORITY DATE:

STAGE:

61-07420

GERALD J. CUNNINGHAM
GERTRUDE L. CUNNINGHAM

09-30-1980

PERMIT

*Discontinued
By EPCW*

COUNTY: ELMORE
SOURCE: GROUNDWATER
WATER USE:
IRRIGATION
STOCKWATER
DOMESTIC
TOTAL:

TRIBUTARY:

DIVERSION RATE:
3.200
0.070
0.040
3.310

DIVERSION VOLUME:

PERIOD FROM: PERIOD TO:
03/15 11/15
01/01 12/31
01/01 12/31

POINT OF DIVERSION: Twp Rge Sec Tract Lot
02S 04E 14 SW SE

WR-NUMBER:

CURRENT OWNER:

PRIORITY DATE:

STAGE:

61-07461

WILLIAM E. BROWNFIELD

11-24-1981

APPLICATION

*outside
CBWA*

COUNTY: ADA
SOURCE: GROUNDWATER
WATER USE:
IRRIGATION
TOTAL:

TRIBUTARY:

DIVERSION RATE:
3.000
3.000

DIVERSION VOLUME:

PERIOD FROM: PERIOD TO:
03/15 11/15

POINT OF DIVERSION: Twp Rge Sec Tract Lot
02S 04E 17 SE NE
02S 04E 17 NE SE
02S 04E 17 SW SE
02S 04E 17 SE SE

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WR-NUMBER: 61-07274 (cont'd)

POINT OF DIVERSION: Twp Rge Sec Tract Lot
 03S 05E 6 NE SW
 02S 04E 36 SE SE

WR-NUMBER: CURRENT OWNER: PRIORITY DATE: STAGE:

61-07283A HAROLD WARD 08-23-1976 LICENSE

COUNTY: ELMORE
SOURCE: GROUNDWATER
WATER USE:
IRRIGATION

TRIBUTARY:
DIVERSION RATE: DIVERSION VOLUME:
 1.500
TOTAL: 1.500

PERIOD FROM: PERIOD TO:
03/15 11/15

*Dismissed
By EPCO*

POINT OF DIVERSION: Twp Rge Sec Tract Lot
 02S 04E 23 SE SE

WR-NUMBER: CURRENT OWNER: PRIORITY DATE: STAGE:

61-07306B CONNECTICUT GENERAL LIFE INSURANCE CO. 02-01-1977 PERMIT

COUNTY: ADA
SOURCE: GROUNDWATER
WATER USE:
IRRIGATION

TRIBUTARY:
DIVERSION RATE: DIVERSION VOLUME:
 1.600
TOTAL: 1.600

PERIOD FROM: PERIOD TO:
04/01 10/31

*Outstnd.
CGLIA*

POINT OF DIVERSION: Twp Rge Sec Tract Lot
 02S 04E 20 SE NW
 02S 04E 20 SW NW

WR-NUMBER: CURRENT OWNER: PRIORITY DATE: STAGE:

61-07321 CONNECTICUT GENERAL LIFE INSURANCE CO. 04-04-1977 PERMIT

COUNTY: ELMORE
SOURCE: GROUNDWATER
WATER USE:
IRRIGATION

TRIBUTARY:
DIVERSION RATE: DIVERSION VOLUME:
 4.800
TOTAL: 4.800

PERIOD FROM: PERIOD TO:
03/01 11/30

*Dismissed
By EPCO*

POINT OF DIVERSION: Twp Rge Sec Tract Lot
 02S 04E 27 SE SE
 02S 04E 34 NE NE
 02S 04E 34 SE NE

WR-NUMBER: CURRENT OWNER: PRIORITY DATE: STAGE:

61-07330 MIKE MAGARIAN 05-24-1977 LICENSE

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WR-NUMBER: 61-07253B (cont'd)

WATER USE:	TOTAL:	DIVERSION RATE:	3.200		DIVERSION VOLUME:	PERIOD FROM:	PERIOD TO:
POINT OF DIVERSION:		Twp	Rge	Sec	Tract	Lot	
		02S	04E	14	SW SW		

WR-NUMBER:	CURRENT OWNER:	PRIORITY DATE:	STAGE:
61-07255	LELAND M. SABIN MARTHENA J. SABIN	02-17-1976	PERMIT

*Dismissed
By JPC*

COUNTY:	ELMORE	TRIBUTARY:				
SOURCE:	GROUNDWATER					
WATER USE:		DIVERSION RATE:	DIVERSION VOLUME:		PERIOD FROM:	PERIOD TO:
IRRIGATION		3.200	567.00		03/15	11/15
DOMESTIC		0.040	567.00		01/01	12/31
TOTAL:		3.200				
POINT OF DIVERSION:		Twp	Rge	Sec	Tract	Lot
		02S	04E	36	SE NW	

WR-NUMBER:	CURRENT OWNER:	PRIORITY DATE:	STAGE:
61-07271	LELAND M. SABIN MARTHENA J. SABIN	06-22-1976	LICENSE

*Dismissed
By JPC*

COUNTY:	ELMORE	TRIBUTARY:				
SOURCE:	GROUNDWATER					
WATER USE:		DIVERSION RATE:	DIVERSION VOLUME:		PERIOD FROM:	PERIOD TO:
IRRIGATION		1.970	567.00		03/15	11/15
TOTAL:		1.970	567.00			
POINT OF DIVERSION:		Twp	Rge	Sec	Tract	Lot
		02S	04E	24	SW SE	

WR-NUMBER:	CURRENT OWNER:	PRIORITY DATE:	STAGE:
61-07274	CONNECTICUT GENERAL LIFE INSURANCE CO.	06-14-1976	PERMIT

Dismissed

COUNTY:	ELMORE	TRIBUTARY:				
SOURCE:	GROUNDWATER					
WATER USE:		DIVERSION RATE:	DIVERSION VOLUME:		PERIOD FROM:	PERIOD TO:
IRRIGATION		3.200	567.00		04/01	10/31
DOMESTIC		0.040	567.00		01/01	12/31
TOTAL:		3.240				
POINT OF DIVERSION:		Twp	Rge	Sec	Tract	Lot
		02S	05E	30	SW SE	
		02S	05E	29	SW SW	
		02S	04E	36	SW SE	

61-07274

=====

WR-NUMBER:	CURRENT OWNER:	PRIORITY DATE:	STAGE:
61-07207A	H. R. MONTIERTH	11-18-1974	PERMIT
COUNTY: ELMORE		TRIBUTARY:	
SOURCE: GROUNDWATER			
WATER USE:		DIVERSION RATE:	DIVERSION VOLUME:
IRRIGATION		3.180	PERIOD FROM: 03/15
DOMESTIC		0.080	PERIOD TO: 11/15
TOTAL:		3.260	01/01 12/31

*Developer
Pmt to 7-1-85
Exempt*

POINT OF DIVERSION:	Twp	Rge	Sec	Tract	Lot
	02S	04E	20	NE NE	
	02S	04E	20	NW NE	
	02S	04E	20	SW NE	
	02S	04E	20	SE NE	
	02S	04E	20	NE SE	
	02S	04E	20	NW SE	
	02S	04E	20	SW SE	
	02S	04E	22	NE SW	
	02S	04E	22	NW SW	
	02S	04E	22	SE SW	
	02S	04E	22	SW SW	

IN COWA

WR-NUMBER:	CURRENT OWNER:	PRIORITY DATE:	STAGE:
61-07207B	CONNECTICUT GENERAL LIFE INSURANCE CO.	11-18-1974	PERMIT
COUNTY: ELMORE		TRIBUTARY:	
SOURCE: GROUNDWATER			
WATER USE:		DIVERSION RATE:	DIVERSION VOLUME:
IRRIGATION		6.500	PERIOD FROM: 03/15
TOTAL:		6.500	PERIOD TO: 11/15

outside

POINT OF DIVERSION:	Twp	Rge	Sec	Tract	Lot
	02S	04E	20	SE SE	

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WR-NUMBER:	CURRENT OWNER:	PRIORITY DATE:	STAGE:
61-07210	CONNECTICUT GENERAL LIFE INSURANCE CO.	12-19-1974	PERMIT
COUNTY: ELMORE		TRIBUTARY:	
SOURCE: GROUNDWATER			
WATER USE:		DIVERSION RATE:	DIVERSION VOLUME:
IRRIGATION		9.600	PERIOD FROM: 03/15
TOTAL:		9.600	PERIOD TO: 11/15

*Dismissed
By IFCO.*

POINT OF DIVERSION:	Twp	Rge	Sec	Tract	Lot
	02S	04E	36	SW NE	
	02S	04E	36	NE NW	

=====

WR-NUMBER:	CURRENT OWNER:	PRIORITY DATE:	STAGE:
61-07453	U.S. DEPT. OF INTERIOR	06-16-1981	LICENSE

COUNTY: ELMORE
SOURCE: SPRING
WATER USE: STOCKWATER WILDLIFE
DIVERSION RATE: 0.080 0.080 0.080
DIVERSION VOLUME: 3.50 3.50 3.50
PERIOD FROM: 04/01 12/16
PERIOD TO: 12/15 03/31
TOTAL:

REMARKS: ALSO KNOWN AS OREGON TRAIL SPRING #1.

POINT OF DIVERSION: Twp Rge Sec Tract Lot
01S 06E 35 NW NW

WR-NUMBER:	CURRENT OWNER:	PRIORITY DATE:	STAGE:
61-07563	U.S. DEPT. OF INTERIOR	05-17-1984	LICENSE

COUNTY: ELMORE
SOURCE: KELTON ROAD SPRING
WATER USE: STOCKWATER WILDLIFE
DIVERSION RATE: 0.020 0.020 0.020
DIVERSION VOLUME: 0.30 0.30 0.30
PERIOD FROM: 01/01 01/01
PERIOD TO: 12/31 12/31
TOTAL:

POINT OF DIVERSION: Twp Rge Sec Tract Lot
01S 06E 35 SW NE

WR-NUMBER:	CURRENT OWNER:	PRIORITY DATE:	STAGE:
61-07658	STATE OF IDAHO	12-24-1990	PERMIT

COUNTY: ELMORE
SOURCE: SPRING
WATER USE: STOCKWATER
DIVERSION RATE: 0.040 0.040
DIVERSION VOLUME: 0.040
PERIOD FROM: 01/01
PERIOD TO: 12/31
TOTAL:

REMARKS: Stockwater use is for 500 range cattle.

POINT OF DIVERSION: Twp Rge Sec Tract Lot
01S 06E 16 SE SE SW

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END OF REPORT

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WR-NUMBER: 61-07496 CURRENT OWNER: U.S. DEPT. OF INTERIOR PRIORITY DATE: 07-24-1983 STAGE: PERMIT

COUNTY: ELMORE
SOURCE: BOWNS CREEK
WATER USE: DIVERSION RATE: DIVERSION VOLUME: PERIOD FROM: PERIOD TO:

STOCKWATER STORAGE		1.50	01/01	12/31
STOCKWATER FROM STORAGE		1.50	01/01	12/31
WILDLIFE STORAGE		1.50	01/01	12/31
WILDLIFE FROM STORAGE		1.50	01/01	12/31
TOTAL:		1.50		

REMARKS: P/U PROJECT NO. 6793.

POINT OF DIVERSION: Twp Rge Sec Tract Lot
01S 05E 7 NE SW

WR-NUMBER: 61-07600 CURRENT OWNER: WAYNE RUSSELL PRIORITY DATE: 09-25-1989 STAGE: PERMIT

COUNTY: ELMORE
SOURCE: SQUAW CREEK
WATER USE: DIVERSION RATE: DIVERSION VOLUME: PERIOD FROM: PERIOD TO:

IRRIGATION	1.000		03/15	11/15
IRRIGATION STORAGE		49.00	01/01	12/31
IRRIGATION FROM STORAGE		49.00	03/15	11/15
STOCKWATER STORAGE		49.00	01/01	12/31
AESTHETIC STORAGE		49.00	01/01	12/31
TOTAL:	1.000			

REMARKS: Water shall be diverted under this right only during periods when flows in the Snake River at Swan Falls Dam exceed 8400 cfs.
Source known locally as Ditto Creek.

POINT OF DIVERSION: Twp Rge Sec Tract Lot
01S 05E 23 SE SE NW
01S 05E 23 NE SE NW

WR-NUMBER: 61-07642 CURRENT OWNER: ARTHUR D. WATKINS D W LAND & CATTLE CO. CATTLE INC. PRIORITY DATE: 05-18-1990 STAGE: PERMIT

COUNTY: ELMORE
SOURCE: SPRING
WATER USE: DIVERSION RATE: DIVERSION VOLUME: PERIOD FROM: PERIOD TO:

STOCKWATER	0.050		01/01	12/31
TOTAL:	0.050			

=====

WR-NUMBER: 61-07642 (cont'd)

REMARKS: Single point of diversion on line in N1/2 of SWSW, S1, T1S, R5E.
Stockwater use is for 200 cattle.

POINT OF DIVERSION:	Twp	Rge	Sec	Tract	Lot
	01S	05E	1	NW SW SW	
	01S	05E	1	NE SW SW	

WR-NUMBER:	CURRENT OWNER:	PRIORITY DATE:	STAGE:
61-07643	D W LAND & CATTLE CO. CATTLE INC. ARTHUR D. WATKINS	05-18-1990	PERMIT

COUNTY: ELMORE
SOURCE: DITTO CREEK
UNNAMED STREAM

TRIBUTARY: SQUAW CREEK
DITTO CREEK

WATER USE:	DIVERSION RATE:	DIVERSION VOLUME:	PERIOD FROM:	PERIOD TO:
STOCKWATER	0.050		01/01	12/31
TOTAL:	0.050			

REMARKS: Two points of diversion in NWNESE, S11, T1S, R5E.
Stockwater use is for 200 cattle.

POINT OF DIVERSION:	Twp	Rge	Sec	Tract	Lot
	01S	05E	11	NW NE SE	

WR-NUMBER:	CURRENT OWNER:	PRIORITY DATE:	STAGE:
61-07644	ARTHUR D. WATKINS D W LAND & CATTLE CO. CATTLE INC.	05-18-1990	PERMIT

COUNTY: ELMORE
SOURCE: UNNAMED STREAMS

TRIBUTARY: SOLES REST CREEK

WATER USE:	DIVERSION RATE:	DIVERSION VOLUME:	PERIOD FROM:	PERIOD TO:
STOCKWATER	0.030		01/01	12/31
TOTAL:	0.030			

REMARKS: Two points of diversion in SNNW, S9, T1S, R5E.
Stockwater use is for 75 head, cattle and/or horses.

POINT OF DIVERSION:	Twp	Rge	Sec	Tract	Lot
	01S	05E	9	NE NW	
	01S	05E	9	NW NW	
	01S	05E	9	SW NW	

=====

END OF REPORT

Affidavit of Publication

County of Elmore } ss.
STATE OF IDAHO }

I, Lois Whitney, do solemnly swear that I am the foreman, or publisher of the

Mountain Home News

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of publication thereof; was published in said newspaper for

2 consecutive weeks, the first publication having been made on 3rd day of April, 1991, and the last publication having been made on the 10th day of April, 1991; every Wednesday issue of the paper during the period and time of publication and that the notice was published in the newspaper 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 a period of 78 consecutive weeks prior to the first publication of the attached notice.

NOTICE OF EXISTING WATER RIGHT PERMIT

Presently recorded as follows:

81-07204

PAKSIMA, AHMAD

PAKSIMA, EMILY

, ID

Source: GROUNDWATER

Diversion Pt: SENW Sec 19 T 02S R 05E; SESW Sec 19 T 02S R 05E

Use: IRRIGATION (6,400 CFS); Total Diversion: (6,400 CFS)

Priority: 11/6/1974

In: T02S R05E S19 NENW NWNW SWNW SENW NESW NWSW SWSW SESW

320.0 ACRES TOTAL

Permits not developed by July 1, 1985, are being reprocessed in compliance with Section 42-203D, Idaho Code. Protests against the continuance of permits must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before APRIL 22, 1991. Protests must be based on the public interest criteria of Section 42-203C, Idaho Code, only.

R. KEITH HIGGINSON, Director

Published 4/3/1991 & 4/10/1991.

OK
BJZ
4-12-91

RECEIVED
APR 11 1991

Department of Water Resources

Subscribed and sworn to me this 10th day of

April, 1991

Lois Whitney
Notary Public

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
State Office
1301 North Orchard St.

Statehouse Mail
Boise, Idaho 83720
(208) 327-7900

MARCH 22, 1991

Mountain Home News
Drawer O
Mountain Home, ID 83647

Dear Legal Dept.:

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

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

Please send the affidavit of publication and publication billing to this office before APRIL 22, 1991.

Yours truly,

BRENDA L. MILLER
Clerical Specialist

Encl.

DEC 09 1992

NOTICE OF EXISTING WATER RIGHT PERMIT

Presently recorded as follows:

61-07204

PAKSIMA, AHMAD
PAKSIMA, EMILY
, ID

Source: GROUNDWATER

Diversion Pt: SENW Sec 19 T 02S R 05E
 SESW Sec 19 T 02S R 05E

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

Priority: 11/ 6/ 1974

In: T02S R05E S19	NENW	NWNW	SWNW	SENW
	NESW	NWSW	SWSW	SESW

320.0 ACRES TOTAL

Permits not developed by July 1, 1985, are being reprocessed in compliance with Section 42-203D, Idaho Code. Protests against the continuance of permits must be filled with the Director, Dept. of Water Resources, Statehouse Mail, Boise, Idaho 83720 on or before APRIL 22, 1991. Protests must be based on the public interest criteria of Section 42-203C, Idaho Code, only.

R. KEITH HIGGINSON, Director

Published 4/ 3/1991 & 4/10/1991

61-07204

DEC 09 1992

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

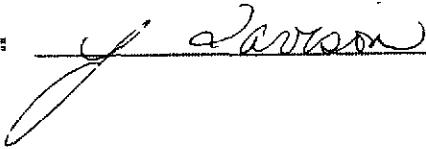
Receipt No: C019946

Date: 3 16 1991
Time: 11:18:08

Received
From: CHEWYS RUGULACH

Type of Payment	Program Acct Class	Amount
PERMIT (61-7204)	510199 1238 6300	20.00
CHECK 5721		
	Total	<u>\$20.00</u>

Region: STATE

Signature: 

DEC 09 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

RECEIVED
MAR 15 1991

Department of Water Resources

PERMIT NO. 61-7204

IF YOU ARE NOT INTERESTED IN HAVING YOUR PERMIT PROCESSED,
PLEASE COMPLETE AND RETURN THE ENCLOSED RELINQUISHMENT FORM.

INSTRUCTIONS: Please answer the following questions as
thoroughly as possible and submit the \$20.00 readvertisement
fee if applicable.

1. Did irrigation occur on the lands identified under your
permit prior to July 1, 1985? Yes _____ No ✓

If yes, you are requested to submit clear evidence that shows the
number and location of acres irrigated.

Aerial photographs taken prior to July 1, 1985, located in area
ASCS offices, are best forms of evidence. Photos submitted to the
the Department must be accompanied by a signed statement from an
ASCS representative which verifies the photo date and that the
lands were irrigated prior to July 1, 1985. If ASCS does not have
photos for the land and/or time in question, you must have the ASCS
provide the Department with a statement that photos are not avail-
able and then proceed to submit other forms of suitable evidence.

2. Please state the number of acres you have irrigated under this
permit since July 1, 1985. NONE

3. If you have not irrigated lands under this permit, please
state the number of acres you plan to complete. 320

NOTE: You must submit the \$20.00 readvertisement fee if any or
all of the lands were not irrigated before July 1, 1985.

4. If the permit is a supplemental filing please identify other
water rights which are used on the same land.

Use the reverse side of this form if you wish to add any comments.

I hereby assert that the responses provided above are true to the
best of my knowledge. I understand that any willful misrepresentations
may result in voiding of the application.

Permit Holder Shahid F. Paksima

Date 3-12-91

SHAHID + EMILY PAKSIWA

RECORDED

DEC 09 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 8, 1991

RE: PERMIT NO. 61-7204

Dear Permit Holder:

Due to the Swan Falls litigation, development proposed by the enclosed permit may have been delayed. Pursuant to Section 42-203D, Idaho Code, the Department is required to review all undeveloped permits located within the Swan Falls impact area. The Department is presently reviewing your permit and may authorize completion of the proposed development.

The purpose of this letter is to determine: (1) the extent of development under the permit to this date, and (2) your continued interest in completing development under the permit.

Enclosed are two forms requesting information which will help the Department expedite the reprocessing of the permit.

1. If you have abandoned or have no interest in continuing with your plans for development of the project, please complete the enclosed relinquishment form and return it to the Department.

2. If you wish to continue with your proposed development plans then you must complete and return the enclosed questionnaire. You may use the questionnaire and enclosed application to make any comments concerning the permit. If the entire project was not completed prior to July 1, 1985, and you still wish to proceed with your plans of development, then you must submit a \$20.00 readvertisement fee to the Department as required by Water Appropriation Rule 4,5,3. and Section 42-221F, Idaho Code.

Failure to return either of the questionnaire and pay any required readvertisement fee within thirty (30) days of the date of this letter is cause for the Department to cancel the permit.

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720-9000
Attn: Tim Luke

RECEIVED

DEC 09 1992

September 7, 1989

Ahmad and Emily Paksima
5438 Avenida Fiesta
La Jolla, CA 92037

Dear Mr. and Mrs. Paksima:

Re: Permit No. 61-07204

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to October 1, 1992. Note that the permit has been reinstated and the priority advanced since the extension request was received after the proof due date.

Note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

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

In regards to the Snake River Basin Adjudication, I understand that you have received a notice advising you that the department is taking claims in Elmore County, Idaho. (Keep in mind that when preparing the mailing list, the department used county tax rolls to notify property owners not water right records). The criteria for filing an adjudication claim on a permitted right is if the proof of beneficial use has been filed by November, 1987. Your permit does not need to be claimed since construction has not been completed and the water use established and consequently the proof of beneficial use has not been filed. This filing, however, remains a valid permit.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

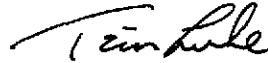
MICROFILMED

SEP 27 1989

Page 2

Please note that a copy of your permit is enclosed. The permit number is also shown on the enclosed questionnaire.

Sincerely,

A handwritten signature in cursive script, appearing to read "Tim Luke".

TIM LUKE
Sr. Water Resource Spec.

Enclosures

DEC 09 1992

AHMAD PAKSIMA
EMILY PAKSIMA
5438 AVENIDA FIESTA
LA JOLLA, CA 920370000

July 31, 1989

138485

PROOF DUE NOTICE

RE: PERMIT NO. 61-07204

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before October 1, 1989. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

SEP 27 1989

December 5, 1988

Ahmad Paksima
5438 Avenida Fiesta
La Jolla, CA 92037

Dear Mr. Paksima:

Re: Permit No. 61-7204

After your telephone conversation of this date, I did some more research regarding the above-referenced permit.

I determined that the information I gave you over the phone was incorrect. I suggested that if you did not get the project completed, that you might wish to file a new application and that I saw no reason why the department could not consider the new application. Upon further research, I determined that this property is in the Cinder Cone Butte Critical Ground Water Area created in 1982. Enclosed is a map designating the boundaries of this area. Note that your property is definitely within the boundaries.

The department can take a new water right filing in this area, however, with the critical ground water designation, I don't believe the department could act favorably on it.

Another analysis of the file leads me to instruct you differently in regards to the request for extension of time. The two previous extensions were granted based on the Idaho Power moritorium (litigation) and the Swan Falls lawsuit (litigation). This means that if you can show that you have pursued the project diligently at the time proof is due - October 1, 1989, then the department could consider the next extension request on the work completed toward the development of this water right and possibly grant an extension. This next extension, if allowed, would probably be issued for only several more years.

I apologize for any inconvenience my previous incorrect information cause you. If you have further questions, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

Microfilm

SEP 27 1989

Phone # 619-224-1752

November 19, 1985

Ahmad Paksima
5438 Avenida Fiesta
La Jolla, CA 92037

Dear Mr. Paksima:

Re: Permit No. 61-7204

Enclosed is a copy of the approved request for extension of time. The time within which to submit the proof of beneficial use is extended to October 1, 1989.

If you have any questions concerning your water right permit, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

EXTENSION OF TIME

October 4, 1985

Ahmad Paksima
5438 Avenida Fiesta
La Jolla, CA 92037

PERMIT NO. 61-7204

We are in receipt of the \$15 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. 37190

Roberta Garrett
Records Supervisor

Enclosure

MICROFILMED

October 1, 1985
5438 Avenida Fiesta
LaJolla, Calif.

RECEIVED
OCT 4 1985

State of Idaho
Dept. of Water Resources
State Office, 450 W. State St.
Boise, Idaho 83720

Attention: Ms. Rita I. Fleck

Department of Water Resources

Dear Ms. Fleck,

Re: Permit No. 61-7204

With reference to your letter dated April 23, 1985 and our today's telephone conversation, I am enclosing an application along with Check No. 106, dated today, to request extension of time on the above water permit.

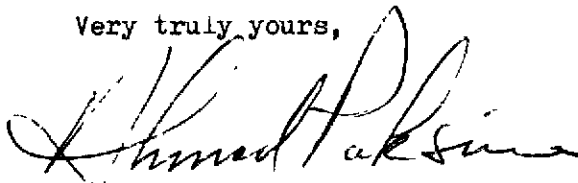
I would appreciate receiving your confirmation that a five-year extension has been granted due to delay by the Idaho Power law suit.

Also please note my new address and telephone:

Ahmad Paksima
5438 Avenida Fiesta
La Jolla, California 92037
Tel.: 619-581-1611

Thanking you in advance for your kind cooperation in this matter.

Very truly yours,


Ahmad Paksima

ENCLOSURE



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT.

(2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED

April 23, 1985

Amhad Paksima
9 Terrace Park
Garden City, NY 11530

Dear Mr. Paksima:

Re: Permit No. 61-7204

Persuant to our telephone conversation, I will try to explain to you what is necessary for you to submit a request for extension of time and also provide you with information concerning the Idaho Power Co. v. the State of Idaho, et al lawsuit.

Your water right permit is presently in good standing. The proof of beneficial use or request for extension of time is not due until March 1, 1986. It is, however, my understanding that you wish to submit a request for extension of time as soon as possible since you have been unable to complete the project. First, the department will not accept an extension six months prior to the time it is due which means that you should not submit a request prior to October 1, 1985.

Second, for an extension of time to be approved, it must be reviewed based on the criteria set out in the Idaho Code, which basically states the department can grant approval of an extension of time based on due diligence (one time only) or prevention by a governmental agency (as many extension needed up to the period of delay) or by a pending litigation (as many extensions needed up to the period of delay).

The permit has had one extension request granted previously based on the Idaho Power moratorium (litigation). The moratorium has, however, been lifted, but you were named as a defendant to the lawsuit. A contract between the state of Idaho and Idaho Power Co. was signed on October 24, 1984 which has released you with prejudice as a defendant. So presently, it is possible to submit an extension request based on delay by the lawsuit. The period of delay will be calculated from March 1, 1981 to October 24, 1984 (November 1, 1984) which is three years and seven months or October 1, 1989. At that time, you can submit a request for extension of time based on the due diligence provisions of the Idaho Code.

MICROFILMED

Enclosed for your convenience is an extension form. Be sure to submit the \$15 filing fee along with the form. Also enclosed is a brochure entitled "Water Right Adjudication Snake River Basin".

The attorney for Idaho Power is Tom Nelson, NELSON, RSHOLT, ROBERTSON, TOLMAN & TUCKER, P. O. Box 1906, Twin Falls, Idaho 83303-1906. I suggest advising his office of your current address.

If I can be of further assistance, please feel free to contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

MICROFILMED

JOE

October 14, 1983

Terry Dance
Box 775
Pocatello, ID 83201

In response to your letter dated September 25, 1983, please find enclosed a copy of the approved Request for Extension of Time for Permit No. 61-7204. This indicates that the permit is valid until March 1, 1986.

The approved permit constitutes approval to drill the well - however, it appears that the major item preventing development of the proposed irrigation system is lack of availability of power. The moratorium to which the extension of time request referred is still in effect in most areas. You may wish to contact Idaho Power Company in this regard.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT;sc

Enclosure

MICROFILMED

JOHN A. ENGLESON & ASSOCIATES

CERTIFIED PUBLIC ACCOUNTANTS

P O Box 1304

Pocatello, Idaho 83204

JOHN A. ENGLESON, CPA
ROGER G. ERICKSON, CPA
TERRY J. DANCE, CPA

MEMBERS OF
American Institute of
Certified Public Accountants
Idaho Society of
Certified Public Accountants

September 26, 1983

RECEIVED

SEP 27 1983

Department of Water Resources

Idaho Department of Water Resources
State Office
450 W. State Street
Boise, Idaho 83720

Attention: David R. Tuthill, Jr. P.E.

Dear Mr. Tuthill:

RE: Water Permit #61-7204
Ahmad Paksima

Please send me any information you have as to the status of water permit #61-7204, and let me know what steps need to be taken in order to get approval to drill a well on this property.

Thank you.

Sincerely yours,

JOHN A. ENGLESON & ASSOCIATES



Terry Dance
Certified Public Accountant

TD:al

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 61-7204
Name(s) of Permit Holder(s): Amhad Pakeun % Terry Dance
Post Office Address: Box 1304
Pocatello, Id 83201 Tel. No. 298-8000

☐ I hereby certify that construction of diversion works for the above referenced permit began on _____ (date) and I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☒ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control:

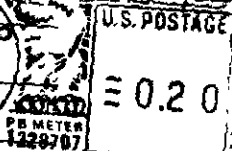
Idaho Power Monotonium

*Note: A financing difficulty is not an acceptable reason.

7-7-82
Date

[Signature]
Signature of Permit Holder

JOHN A. ENGLISH & ASSOCIATES
Certified Public Accountants
P. O. Box 1304
Pocatello, Idaho 83201



PLACE
STAMP
HERE

Department of Water Resources
JUL 9 1982



MICROFILMED

SEP 27 1989

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

January 16, 1981

Amhad Paksima
c/o Terry Dance
Box 775
Pocatello, ID 83201

Dear Mr. Paksima:

Re: Permit No. 61-7204

Enclosed is receipt No. 17497 along with a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use is extended to March 1, 1986.

The approval of the extension of time is based upon the moratorium by Idaho Power Company against new power hookups. In order for the Department to consider any future request for an extension of time due to the moratorium, it will be necessary for you to submit evidence together with your request that you have applied to Idaho Power Company and have been denied a power hookup.

Sincerely,

RITA FLECK
Sr. Secretary

Enclosures

MICROFILMED

1-31277-A

TERRY DANCE
Certified Public Accountant
Member of American Institute of Certified Public Accountants
202 South 2nd Avenue
Pocatello, Idaho 83201

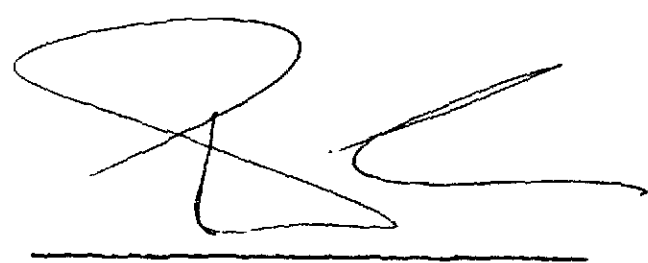
Phone 233-9382

612461

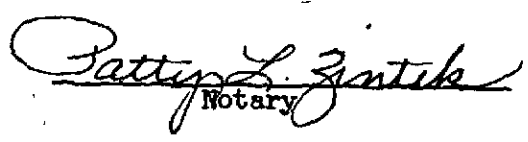
JAN 27 1978
P. O. Box 775
Department of Water Resources

I, Ahmad Paksima, do hereby grant to Terry J. Dance, Certified Public Accountant, P. O. Box 775, 202 S. 2nd, Pocatello, Idaho, absolute Power of Attorney to represent me in any and all matters during my absence.

Dated this 31st day of March 1977.



NOTARY SEAL


Notary

612461

NO
RECORDED AT REQUEST OF
American Land Title Co.

NOV 9 12 26 PM '78

OFFICIAL RECORDERS NO 328
CANNONVILLE, IDAHO
TIM BAKER, RECORDER
FEE 1.00 DEEDS EC

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

PAKSIMA, AHMAD & EMILY
P.O. BOX 4715
POCATELLO, ID 83201

1387

DECEMBER 31, 1980

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 61-7204 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MARCH 01, 1981. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. A REQUEST FOR EXTENSION OF TIME FORM IS ENCLOSED FOR YOUR CONVENIENCE. PLEASE NOTE THAT A FEE OF \$15.00 MUST BE SUBMITTED WITH THIS FORM.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENCLOSURES

MICROFILMED

December 31, 1980

Terry Dance
202 S. 2nd Avenue
Pocatello, ID 83201

Dear Mr. Dance:

Re: Permit No. 61-7204 -- Paksima

Pursuant to your letter of December 18, 1980, enclosed is a copy of the notice sent to your client, Mr. Ahmad Paksima today.

Please note that it explains the options open to your client along with the forms. I have also enclosed the same forms for your convenience.

If you have any questions, please feel free to contact me.

Sincerely,

RITA FLECK
Sr. Secretary

Enclosures

MICROFILMED

TERRY DANCE

Certified Public Accountant

Member of American Institute of Certified Public Accountants

202 South 2nd Avenue

Pocatello, Idaho 83201

Phone 233-9382

DEC 18 1980

1000 N. 2nd St., Pocatello, Idaho 83201
P. O. Box 775

December 18, 1980

State of Idaho
Department of Water Resource
State House
Boise, Idaho 83720

Dear Sir:

I am writing in regards to the State of Water Resource's permit #61-7204 on certain property owned by my client, Mr. Ahmad Paksima. It has come to my attention, that the permit expires on March 1, 1980, and I would like information on how the permit may be renewed or extended for another 5 years. Since we do not have much time to act, I would appreciate hearing from you as soon as possible.

Sincerely yours,



Terry Dance
Certified Public Accountant

TD/vyh

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

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

July 11, 1980

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the Regional Office nearest to you.

Sincerely,

David R. Tuthill Jr.

DAVID R. TUTHILL JR., P.E.
Supervisor, Water Allocations Section

DRT:jg

Enclosures

Northern Region Office
Rt. #5 Box 203, Government Way
Coeur d'Alene, Idaho 83814

Southern Region Office
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301

Eastern Region Office
1515 Lincoln Road
Idaho Falls, Idaho 83401

Western Region Office
92 South Cole Road
Boise, Idaho 83705

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

Statehouse
Boise, Idaho 83720
(208) 384-2215

R. Keith Higginson
Director

8 February, 1977

Ahmad and Emily Paksima
P.O. Box 4715
Pocatello, Idaho 83201

Permit # 61-7204

Dear Mr. Paksima,

We acknowledge receipt of the assignment conveying the above referenced permit to you.

The assignment has been recorded and the department's records changed.

Sincerely,

Bobby D. Fleenor
BOBBY D. FLEENOR
Chief, Water Rights

BDF:ktw

HAWLEY TROXELL ENNIS & HAWLEY

ATTORNEYS AND COUNSELORS

ONE CAPITAL CENTER

POST OFFICE BOX 1617

BOISE, IDAHO 83701

AREA CODE 208

TELEPHONE 344-7683

ROBERT I TROXELL
JESS B HAWLEY
PAUL B ENNIS
JOHN T HAWLEY
THOMAS A MILLER
M NEAL NEWHOUSE
ROBERT J ENNIS
CRAIG L MEADOWS
ROBERT L BILOW
JOSEPH D MCCOLLUM JR
WAYNE B SLAUGHTER JR
JESS B HAWLEY III
GARY D BABBITT
P CRAIG STORTI
RICHARD F GOODSON
CARL W HARDER

RECEIVED

January 31, 1977

RECEIVED

Department of Water Resources
State of Idaho
373 West Franklin Street
Boise, Idaho 83702

My Dear Official:

I transmit for your records the Assignment of Permit, whereby Mark S. Harker assigns to Ahmad and Emily Paksima his right, title, and interest in and to Permit No. 61-7204 to appropriate the public waters of the State of Idaho. It is my understanding from a conversation with your office that no filing fee is required for this document. Thank you kindly for your assistance in this matter.

Very truly yours,



CARL W. HARDER

CWH:se
Enclosure

March 12, 1976

Re: Permit No. 61-7204

Mark S. Harker
Rt. 3
Nampa, ID 83651

Dear Mr. Harker:

Enclosed is a copy of your approved Application for Permit No. 61-7204. We direct your attention to the conditions of approval as listed on the fourth page.

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

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

Enclosure: Copy of permit

March 5, 1976

Re: Application for Permit No. 61-7204 -- Mark S. Harker

Mark S. Harker
Route 3
Nampa, ID 83651

Dear Mr. Harker:

Enclosed is a copy of the letter withdrawing the protest filed by Richard Anderson on behalf of Mrs. Roberta J. Bennett on December 2, 1974.

The protest has been removed from our department's records and we will now continue processing of your application. No hearing will be held on the matter.

If we can be of further assistance to you, please feel free to contact this office.

Sincerely,

L. GLEN SEXTON, F. E.
Western Regional Supervisor

LGS:rb

Enc.

March 5, 1976

Re: Application for Permit No. 61-7204 -- Mark S. Harner

Richard Anderson
Anderson, Kaufman, Anderson & Ringert
Idaho Building
Boise, ID 83701

Dear Mr. Anderson:

This is to acknowledge receipt of your withdrawal of your above referenced protest. Please be advised that the applicant has in fact, withdrawn from his applicant the land described as.

NE $\frac{1}{4}$, Sec. 19; NE $\frac{1}{4}$, S $\frac{1}{2}$, Sec. 20; SW $\frac{1}{4}$, Sec. 16; T 2 S, R 5 E, B.M.

Also be advised that the hearing scheduled for Tuesday, March 9, 1976 has been cancelled.

If you have any further questions, please do not hesitate to contact this office.

Sincerely,

L. GLEN SAMPSON, P.E.
Western Regional Supervisor

LGS:rb

cc: Mrs. Roberta J. Bennett

ANDERSON, KAUFMAN, ANDERSON AND RINGERT
CHARTERED
LAWYERS

IDAHO BUILDING
BOISE, IDAHO 83701

EUGENE H. ANDERSON (1902-1972)
SAMUEL KAUFMAN
RICHARD ANDERSON
WILLIAM F. RINGERT
D. BLAIR CLARK
ANDREW M. HARRINGTON

AREA CODE 208
TELEPHONE 342-4591
POST OFFICE BOX 2773

March 3, 1976

L. Glen Saxton, P.E.
Western Region Supervisor
Department of Water Resources
State House
Boise, Idaho

Re: Mark S. Harker Application for Permit No. 61-7204

Dear Mr. Saxton:

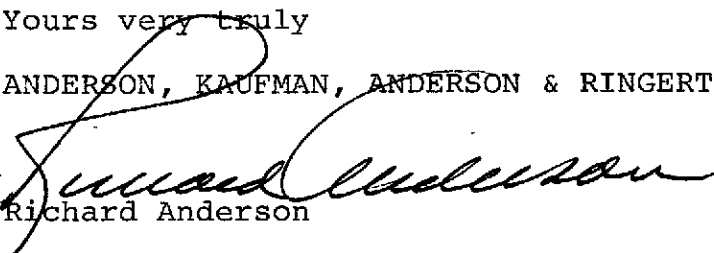
I write as attorney for Roberta J. Bennett regarding protest against approval of the above captioned application filed by me on Mrs. Bennett's behalf.

I understand that the lands described in the protest as Bennett lands have now been withdrawn from the application of Mr. Mark S. Harker, and if this be the fact, and your department has assured me it is the fact, then the protest of Mrs. Roberta J. Bennett to this application for permit is hereby withdrawn.

Yours very truly

ANDERSON, KAUFMAN, ANDERSON & RINGERT

By


Richard Anderson

RA:rp
cc: Roberta J. Bennett

BEFORE THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTEST AGAINST APPROVAL	)	
	)	
OF THE APPLICATION FOR PERMIT NO. 61-7204	)	NOTICE OF CONFERENCE
	)	AND/OR HEARING
in the Name of MARK S. HARKER	)	

On November 6, 1974, Mark S. Harker filed with the Department of Water Resources an application to appropriate the public waters of the State of Idaho. On December 2, 1974, the Department received a protest against the approval of said application from Richard Anderson, Attorney at Law on behalf of Mrs. Roberta J. Bennett.

The Department has set the matter of protest for conference and/or hearing for Tuesday, March 9, 1976 at 10:00 a.m., in the Conference Room of the Department of Water Resources, 373 W. Franklin, Boise, Idaho. Any hearing will be held in accordance with the Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the applicant or protestant may allow the Department without prejudice to dismiss the protest or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 24th day of February, 1976.



L. GLEN SAXTON, P. E.
Western Region Supervisor

61-7204 - MARK S. HARPER

Conference Room, Department of Water Resources, Boise, Idaho

March 9, 1976 - 10:00 a.m.

ROSTER OF ATTENDENCE

Name

Address

Representing

ANDERSON, KAUFMAN, ANDERSON AND RINGERT
CHARTERED
LAWYERS

EUGENE H. ANDERSON (1902-1972)
SAMUEL KAUFMAN
RICHARD ANDERSON
WILLIAM F. RINGERT
D. BLAIR CLARK
ANDREW M. HARRINGTON

IDAHO BUILDING
BOISE, IDAHO 83701

DEC 3 1974
AREA CODE 208
TELEPHONE 342-4591
POST OFFICE BOX 2773

December 2, 1974

Dept. of Water Resources
Statehouse
Boise, Idaho 83720

Re: Application for Water Permit No. 61-7204
Applicant: Mark S. Harker

Gentlemen:

I write as attorney for Mayme E. Bennett individually, and in her capacity as Trustee of the F. W. Bennett Trust estate, and also as attorney for Roberta J. Bennett individually and as personal representative of the estate of Walter D. Bennett, deceased, and as attorney for F. W. Bennett and Sons, Inc., an Idaho corporation.

I write in protest to the granting of the permit to Mark S. Harker under the above captioned application number.

The reason for the protest is that the applicant, Mark S. Harker, does not have title to or any right, title or interest in, certain of the real property covered by the application, which real property I specifically refer to is described as follows:

The south half of section 20, township 2 south, range 5 east, B. M., containing approximately 320 acres.

This real property is owned by the estate of Walter D. Bennett, deceased, and Roberta Bennett.

The west half of the northeast quarter and the southeast quarter of the northeast quarter of section 19, township 2 south, range 5 east, B. M., containing approximately 120 acres.

This real property is owned by Mayme E.

Dept. of Water Resources

-2-

December 2, 1974

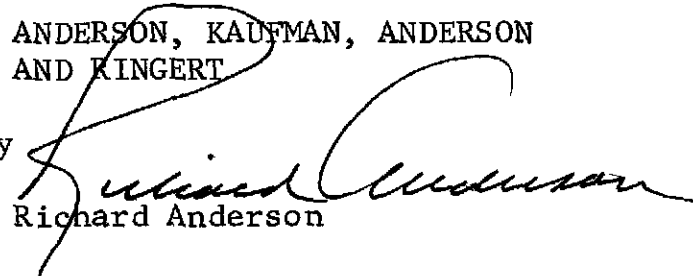
Bennett and by the F. W. Bennett Trust estate.

On behalf of these protestants please send me notice of any further proceedings under this application.

Yours very truly,

ANDERSON, KAUFMAN, ANDERSON
AND RINGERT

By


Richard Anderson

RA:pho

cc: Mrs. Roberta J. Bennett
P. O. Box 400
Mountain Home, Ida. 83647

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that MARK S. HARKER
Rt. 3, Nampa, ID
has on Nov. 6, 1974 submitted Application No. 61-7204
for a permit to appropriate 22.4 cubic feet per second acre feet
~~XXXXXXXX~~ per annum of water from a groundwater source
by means of wells, sprinkler irrigation system
within the SW₁/4, Sec. 16, SE₁/4, SW₁/4, SE₁/4, Sec. 19, SE₁/4,
NE₁/4, NE₁/4, Sec. 20, T. 2 S, R. 5 E, B.M. Elmore County
to be used from March 15 to Nov. 15
for for irrigation of 1,120 acres
within the SW₁/4, Sec. 16, NE₁/4, SW₁/4, Sec. 19, NE₁/4, SE₁/4, Sec. 20, T. 2 S, R. 5 E,
B.M.

If issued, this permit will be subject to all prior water rights. Pro-
tests against the granting of the permit must be filed with the Idaho Depart-
ment of Water Resources, Statehouse, Boise, Idaho, 83720, on or before
Dec. 2, 1974

R. KEITH HIGGINSON

Director

Published in the Mountain Home News, Mtn. Home, ID
on Nov. 14, 1974 and Nov. 21, 1974

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse Annex 2
Boise, Idaho 83707
(208) 384-2215
Western District Office



Water Rights Administration
Water Resources Planning
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Well
Stream Channel Protection

November 8, 1974

Mountain Home News
P.O. Drawer 0
Mtn. Home, ID 83647

Re: Application for Permit No. 61-7203 - Clarence Robert Montierth
61-7204 - Mark S. Harker

Gentlemen:

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

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

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

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

(Signature of claimant)

Sincerely,

Bill submitted

11-25-74

Ca

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that MARK S. HARKER Rt. 3, Nampa, ID has on Nov. 6, 1974 submitted Application No. 61-7204 for a permit to appropriate 22.4 cubic feet per second of water from a groundwater source by means of wells, sprinkler irrigation system within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 20, T. 2 S, R. 5 E, B.M. Elmore County to be used from March 15 to Nov. 15 for irrigation of 1,120 acres within the SW $\frac{1}{4}$, Sec. 16, N $\frac{1}{2}$, SW $\frac{1}{4}$, Sec. 19, NE $\frac{1}{4}$, S $\frac{1}{2}$, Sec. 20, T. 2 S, R. 5 E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statchouse, Boise, Idaho 83720, on or before Dec. 2, 1974.

R. KEITH HIGGINSON
Director

Published in the Mountain Home News, Mtn Home, ID on Nov. 14, 1974 and Nov. 21, 1974.

[Handwritten signature/initials]

**NOTICE OF APPLICATION
FOR WATER PERMIT**

Notice is hereby given that MARK S. HARKER Rt. 3, Nampa, ID has on Nov. 6, 1974 submitted Application No. 61-7204 for a permit to appropriate 22.4 cubic feet per second of water from a groundwater source by means of wells, sprinkler irrigation system within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 19, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 20, T. 2 S, R. 5 E, B.M. Elmore County to be used from March 15 to Nov. 15 for irrigation of 1,120 acres within the SW $\frac{1}{4}$, Sec. 16, N $\frac{1}{2}$, SW $\frac{1}{4}$, Sec. 19, NE $\frac{1}{4}$, S $\frac{1}{2}$, Sec. 20, T. 2 S, R. 5 E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho 83720, on or before Dec. 2, 1974.

R. KEITH HIGGINSON
Director

Published in the Mountain Home News, Mtn. Home, ID on Nov. 14, 1974 and Nov. 21, 1974.

*OK 14
11-21-74
C.B.*

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, *Frederick S. Harker* do solemnly swear that I am the foreman, or publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of the proof of publication thereof, was published in said newspaper for

2 ... consecutive weeks, the first publication having been made on the *17* day of *November*, 19*74*, and the last publication having been made on the *26* day of *November*, 19*74*; every Thursday issue of the paper

during the period and time of publication and that the notice was published in the newspaper 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 a period of 78 consecutive weeks prior to the first publication of the attached notice.

Frederick S. Harker

Subscribed and sworn to me this *21* day of *December*, 19*74*

Frederick S. Harker
Notary Public

December 4, 1974

Re: Application No. 61-7204 - Mark S. Harker

Mrs. Roberta J. Bennett
P.O. Box 400
Mtn. Home, ID 83647

Dear Mrs. Bennett:

This is to acknowledge receipt of your protest to issuance of a permit pursuant to the above referenced application. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department may reject an application and refuse issuance of a permit, partially approve the permit, approve the permit for a quantity of water less than applied for, or approve the permit subject to special conditions.

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way or easement must be obtained by the individuals concerned through action outside of the water right proceedings.

You will be notified at a later date as to the time and place set for conference and/or hearing to discuss the matters of protest. If we may be of further assistance, please contact us.

Very truly yours,

KENNETH H. FOIT, P.E.
Western District Engineer

KHF:cla cc Richard Anderson, Boise, ID (Attorney at Law)

December 4, 1974

Mr. Mark S. Harker
Rt. 3
Nampa, ID 83651

Re: Application for Permit No. 61-7204

Dear Mr. Harker:

We have enclosed a copy of the protest filed against the issuance of a permit pursuant to your Application No. 61-7204. You should be aware that the following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for permit (Section 42-203, Idaho Code):

1. Will the proposed use reduce the quantity of water under existing water rights?
2. Is the proposed water supply insufficient for the purposes intended?
3. Is the application made in good faith or for delay or speculative purposes?
4. Has the applicant sufficient financial resources with which to complete the project?

The Department cannot allow a permit for irrigation purposes which would entail the use of more than a continuous flow of 0.02 cubic feet per second of water for each acre of land, or an annual amount of 5 acre feet for each acre of land, unless the applicant can show that more is required. (Section 42-202, Idaho Code)

A permit issued by this office is subject to all prior water rights and does not in any way convey or establish a right-of-way over private or governmental lands. Any right-of-way of easement must be obtained by the applicant through action outside of the water right proceedings,

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest. Legal counsel is not mandatory at any proceeding before the Department, although you may desire to employ an attorney in your behalf. If we may be of any assistance, please contact us.

Very truly yours,

KENNETH H. FOIT, P.E.
Western District Engineer

KHF:cla

Enclosure



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT

STATE HOUSE BOISE, IDAHO 83720

October 16, 1975

Mark S. Harker
Rt. 3
Nampa, ID 83605

RE: Application for Permit No. 61-7204

Dear Mr. Harker:

In a recent review of our pending applications we noted that on November 11, 1974 you submitted application No. 61-7204 for the appropriation of 22.4 c.f.s. of groundwater for irrigation purposes.

The application was subsequently protested by Richard Anderson of Anderson, Kaufman, Anderson And Ringert. The protest was based on the fact that you apparently have no right, title, or interest to a portion of the property you listed as the place of use. In particular the S $\frac{1}{2}$, Sec. 20 and the W $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 19, T. 2 S, R. 5 E apparently is owned by someone other than yourself.

Please review this matter at your earliest convenience and amend the application to exclude that land if in fact the above described land is not yours, or complete the enclosed relinquishment form and return it to this office, if you do not intend to pursue this application further.

If you have any questions, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "L. Glen Saxton".

L. GLEN SAXTON, P.E.
Western District Engineer

LGS:als

Enclosure



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

December 19, 1975

Mark S. Harker
Rt. 3
Nampa, ID 83605

RE: Application for Permit No. 61-7204

Dear Mr. Harker:

On October 16, 1975, I corresponded with you concerning the above referenced application.

From the information in our files, it appears that there is a question of ownership to some of the land listed on your application. If in fact this is the case, please advise this Department in order that we can make appropriate changes.

If this office does not hear from you within thirty (30) days, the matter will be scheduled for a formal hearing.

If you have any questions, please feel free to contact this office.

Sincerely,

L. GLEN SAXTON, P.E.
Western Region Supervisor

LGS:cls



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

January 19, 1976

Richard Anderson
Anderson, Kaufman, et. al.
P.O. Box 2773
Idaho Building
Boise, ID 83701

RE: Application for Permit No. 61-7204 - Mark S. Harker

Dear Mr. Anderson:

On November 6, 1974, Mark S. Harker filed the above referenced application for permit which was protested by yourself or behalf of your clients Mayne E. Bennett, Roberta J. Bennett, et. al. Your protest was based on the fact that the applicant had no possessory interest to part of the land as originally applied for.

Mr. Harker visited this office and amended the above referenced application to include only the W_{1/2}, Sec. 19, T. 2 S, R. 5 E as the proposed place of use. The remainder of the land as originally proposed, has been deleted from the application as the place of use.

If the amending of the land list satisfies the purposes of your protest, please advise this office of the withdrawal of your protest in order that the application may be further processed.

Thank you for your assistance in this matter.

Sincerely,

L. GLEN SAXTON, P.E.
Western Region Supervisor

LGS:cls

NAME AND ADDRESS OF SENDER

Indicate type of mail

☐ REGISTERED ☐ C.O.D.
☐ INSURED ☐ CERTIFIED

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	Handling Charge	Actual Value (if Registered)	DUE SENDER IF C.O.D.	R.R. FEE	S.D. FEE	S.H. FEE	REST. DEL. FEE	REMARKS
1	139072 Mark S. Thompson, Suite 3, Tampa										201-7204
2	139073 Richard Anderson, Sawyer, Idaho										
3	Building, Boise, Id.										
4	139074 Phyllis B. J. Bennett										
5	P.O. Box 400, Mtn. Home										
6											
7											
8											
9											
10											
11											
12	Ant. B. J. 201 11-20										
13											
14											
15											

POSTMASTER, PER (Name of receiving employee)

TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE

TOTAL NUMBER OF PIECES LISTED BY SENDER

Declaration of value is required on international registered mail. Special-handling charges apply only to third- and fourth-class parcels. Special-delivery service also includes special-handling service.

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

U. S. GOVERNMENT PRINTING OFFICE: 1969 O - 579-715

MAILED

- **SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
☐ Show to whom, date, & address of delivery.. 35¢
☐ **RESTRICTED DELIVERY.**
 Show to whom and date delivered..... 65¢
☐ **RESTRICTED DELIVERY.**
 Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO. CERTIFIED NO. INSURED NO.

139074

(Always obtain signature of addressee or agent)

I have received the article described above.
 SIGNATURE ☐ Addressee ☒ Authorized agent

DATE OF DELIVERY

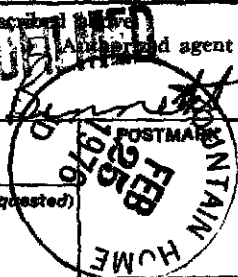
2/5/76

6. ADDRESS (Complete only if requested)

8. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

cm



C/S

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on reverse side.
- Moistan gummed ends and attach to back of article.

**PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300**



**RETURN
TO**



**IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT OFFICE
STATEHOUSE
BOISE, IDAHO 83720**

● **SENDER:** Complete items 1, 2, and 3. Add your address in the "RETURN TO" space or reverse.

1. The following service is requested (check one):

- ☐ Show to whom and date delivered 15¢
- ☐ Show to whom, date, & address of delivery 55¢
- ☐ RESTRICTED DELIVERY.
- ☐ Show to whom and date delivered 65¢
- ☐ RESTRICTED DELIVERY.
- ☐ Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO. CERTIFIED NO. INSURED NO.

139072

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

DATE OF DELIVERY

FEB 26 1976

4. ADDRESS (Complete only if requested)

5. UNABLE TO DELIVER BECAUSE:

USPS
1976
FEB
26
1976
POSTMARK
NASHVILLE
TN
37203

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.
* Complete Items 1, 2, and 3 on reverse side.
* Mosten gummed ends and attach to back of article.



RETURN
TO



IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT OFFICE
STATEHOUSE
BOISE, IDAHO 83720

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
- ☐ Show to whom, date, & address of delivery.. 35¢
- ☐ RESTRICTED DELIVERY.
- ☐ Show to whom and date delivered..... 65¢
- ☐ RESTRICTED DELIVERY.
- ☐ Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO

3. ARTICLE DESCRIPTION:

REGISTERED NO.

CERTIFIED NO.

INSURED NO.

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

☐ Addressee

☐ Authorized agent

4.

DATE OF DELIVERY

FEB 26 1976

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

POSTMARK

DEC 10 BORAH ST
FEB 26 1976
USPO

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete Items 1, 2, and 3 on reverse side.
- Moisten gummed ends and attach to back of article.

**PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300**



**RETURN
TO**



**IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT OFFICE
STATEHOUSE
BOISE, IDAHO 83720**

State of Idaho

DEPARTMENT OF WATER RESOURCES

Western District

Statehouse — Boise, Idaho

83720

*Returned
Receipts*

61-7204