The Owyhee Avalanche.

P.O. BOX 97 HOMEDALE, ID 83628 (208) 337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
)ss.
COUNTY OF OWYHEE)

RECEIVED
AUG 24 1989
Department of Water Resources

I, Joe E Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of The Owyhee Avalanche, a newspaper of general circulation printed and published weekly, Wednesday of each and every week, in the City of Homedale and County of Owyhee and State of Idaho.

3. That the said The Owyhee Avalanche, a continuation of the Owyhee Chronicle and the Owyhee Nugget, has been printed and published continuously and uninterruptedly in said County during a period of seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not in a supplement thereto, in said newpaper, in Two (2) (consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

July 5 & 12, 1989

(Signed) Joe E Aman

Subscribed and sworn to before me this 12th day of July A.D., 1989

Alicia Aman Petrich

Notary Public in and for the State of Idaho,

residing at Homedale, Idaho.

My commission expires 10/91

NOTICE OF EXISTING WATER RIGHT PERMIT
PERMIT NO. 57-7266

Presently Recorded as Follows:

Name: GORDON S. &/OR ROSE M. KING

Address: OREANA, ID 83650

Source: GROUNDWATER

Diversion Pt.: NENE SEC. 34 T4S R1E, OWYHEE CO.

Use: IRRIGATION (6.02 CFS) COMMERICAL (6.02 CFS)

Priority: JANUARY 14, 1981

Place of Use: NENE, S1/2NE, S1/2NW, SW1/4, N1/2SE, SWSE SEC. 26; NENE SEC. 34; N1/2NW SEC. 35 T4S R1E

Total Acres: 301

Of the 301 acres described, this permit proposes supplemental supply to 264 acres and full supply to 37 new acres. This permit was not developed by July 1, 1985, and is being reprocessed in compliance with Section 42-203D, "Idaho Code." Protests against the continuance of the permit must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, ID 83720 on or before July 24, 1989. A protest must overcome the presumption of Water Appropriation Rule 5.2.1.

/s/ R. Keith Higginson, Director

Publish: July 5, &12, 1989

MICROFILMED
OCT 19 1989

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* GASOHOL PLANT

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P 22.7

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34 35

S 26

R 11.0

T 8.8

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* P.D.

U 9.2

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MICHOUD CANAL

PROOF OF PUBLICATION

RECEIVED
APR 27 1981
Department of Water Resources
Western Regional Office

STATE OF IDAHO, County of Owyhee, s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 9 day of April, 1981, and the last publication being on the 16 day of April, 1981;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy - eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 16 day of April, 1981.

Leona S. Hawes
NOTARY PUBLIC

My commission expires 9-10-84

(SEAL)

MICROFILMED

NOTICE OF CORRECTION

Notice is hereby given that notice of Application for a Water Right Permit No. 57 - 7266 in the name of Gordon & / or Rose M. King was published in error on 3/5 and 3/12/81.

The point of diversion was advertised as being NWNE, Sec. 34, Twp 4S, Rge 1E, B. M., Owyhee County. Whereas, the actual point of diversion is within the NENE, Sec. 34, Twp 4S, Rge 1E, B. M. Owyhee County.

Also in error was one of the listed places of use. The NW-NW, Sec. 26, Twp 4S, Rge 1E was listed as one of the places of use.. Whereas, it should have listed the SENW, Sec. 26, Twp 4S, Rge 1E, instead.

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before April 27, 1981.

C. STEPHEN ALLRED
Director

Published April 9 and 16, 1981, Owyhee Nugget, Marsing-Owyhee County, Idaho.

O.K. ner

PROOF OF PUBLICATION

STATE OF IDAHO, County of Owyhee, s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 5 day of March, 1981, and the last publication being on the 12 day of March, 1981;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy - eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 13 day of March, 1981.

Leona S. Hawes
NOTARY PUBLIC

My commission expires 9-10-84

(SEAL)

MICROFILMED

o.k. nek

NOTICE OF CORRECTION

Notice is hereby given that notice of Application for a Water Right Permit No. 57-7266 in the name of Gordon G. & / or Rose M. King was published in error on 2/5 and 2/12/81.

The period of use for irrigation purposes was advertised as being 0/15 to 11/15. WHEREAS, the actual period of use for irrigation purposes is 3/15 to 11/15.

Also in error was one of the listed places of use. The SESE, Sec. 26, T 4S, R 1E was advertised as being one of the places of use. WHEREAS, the actual place of use should have read NESE, Sec. 26, T 4S, R 1E in place of the SESE.

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709, on or before March 23, 1981.

C. STEPHEN ALLRED, Director.

Published March 5 and 12, 1981, in the Owyhee Nugget, Marsing, Owyhee County, Idaho.

RECEIVED
MAR 19 1981
Department of Water Resources
Western Regional Office

PROOF OF PUBLICATION

STATE OF IDAHO, County of Owyhee, s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 5 day of Feb., 1981, and the last publication being on the 12 day of February 1981;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy - eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 13 day of February, 1981.

Leann St Laws
NOTARY PUBLIC

My commission expires 9-10-84

(SEAL)

MICROFILMED

2/23

ETOY

THIS APPLICATION WAS MISTAKENLY ADVERTISED AS A CLAIM ON 1/22 &' 1/29/81.

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

57 - 7266

KING, GORDON G. & / or ROSE M.
OREANA, ID 83650
Source: GROUNDWATER
Date Filed: 01/14/1981
Amount: 6.02 CFS
Diversion Point: NWNE Sec 34 T 04S R 01E, OWYHEE Co.
Use: IRRIGATION (6.02 CFS) from 0/15 to 11/15
COMMERCIAL (6.02 CFS from 01/01 to 12/31
Place of Use: NENE SWNE SENE NWNW SWNW ~~NESW~~ NWSW SWSW SESW (SESE) NWSE SWSE Sec 26 T 04S R 01E NENE Sec 34 T 04S R 01E NENW NWNW Sec 35 T 04S R 01E SESE Sec 27 T 04S R 01E FOR 301 ACRES
Diversion Means: WELL & PIPELINE.

If issued, the permit(s) will be subject to all prior water rights. Protests agains t the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before FEBRUARY 23, 1981.

C. STEPHEN ALLRED, Director

Published February 5 and 12, 1981, the Owyhee Nugget, Marsing, Owyhee County, Idaho.

RECEIVED
FEB 17 1981
Department of Water Resources
Western Regional Office

PROOF OF PUBLICATION

STATE OF IDAHO, County of Owyhee, s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 22 day of Jan, 1981, and the last publication being on the 29 day of Jan, 1981;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy - eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 29 day of January, 1981.

Lora S. Hawes
NOTARY PUBLIC

My commission expires 6-10-84

(SEAL)

UNOFFICIAL

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

57 - 7266

KING, GORDON G. & /or ROSE M.
OREANA, ID 83650
Source: GROUNDWATER
Date Filed: 01/14/1981
Amount: 6.02 CFS
Diversion Point: NWNE Sec 34 T 04S R 01E, OWYHEE Co.
Use: IRRIGATION (6.02 CFS) from 03/15 to 11/15
COMMERCIAL (6.02 CFS) from 01/01 to 12/31
Place of Use: NENE SWNE SENE NWNW SWNW NESW NWSW SWSW SESW NESE NWSE SWSE Sec 26 T 04S R 01E NENE Sec 34 T 04S R 01E NENW NWNW Sec 35 T 04S R 01E SESE Sec 27 T 04S R 01E FOR 301 ACRES
Diversion Means: WELL & PIPELINE.

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709.

C. STEPHEN ALLRED
Director.

Published January 22 and 29, 1981, in the Owyhee Nugget, Marsing, Owyhee County, Idaho

RECEIVED
FEB 2 1981
Department of Water Resources
Western Regional Office

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Rec	57 10855	DENNIS MURDOCH, SHIRLEY MURDOCH,	CASTLE CREEK	04S01E26		11															11
Rec	57 10859	SHIRLEY MURDOCH, DENNIS MURDOCH,	CASTLE CREEK	04S01E26		11															11
Rec	57 109	ROSE M KING, GORDON G KING,	CASTLE CREEK	04S01E26	18		10	30					18	5	23	35	12	25	3		179
Rec	57 118	GORDON G KING, ROSE M KING,	CASTLE CREEK	04S01E26	18		10	30					18	5	23	35	12	25	3		179
Rec	57 122	ROSE M KING, GORDON G KING,	CASTLE CREEK	04S01E26	18		10	30					18	5	23	35	12	25	3		179
Rec	57 123	LARRY B BACHMAN, MARY ANNE BACHMAN,	CASTLE CREEK	04S01E26																14	14
Rec	57 124	GORDON G KING, ROSE M KING,	CASTLE CREEK	04S01E26	18		10	30					18	5	23	35	12	25	3		179
Rec	57 128	GORDON G KING, ROSE M KING,	CASTLE CREEK	04S01E26	18		10	30					18	5	23	35	12	25	3		179
Rec	57 136	ROSE M KING, GORDON G KING,	CASTLE CREEK	04S01E26	18		10	30					18	5	23	35	12	25	3		179
Rec	57 152	ROSE M KING, GORDON G KING,	CASTLE CREEK	04S01E26	18		10	30					18	5	23	35	12	25	3		179
Rec	57 160A	SHIRLEY MURDOCH, DENNIS MURDOCH,	CASTLE CREEK	04S01E26		11															11
Rec	57 163	ROSE M KING, GORDON G KING,	CASTLE CREEK	04S01E26	18		10	30					18	5	23	35	12	25	3		179
Rec	57 2132A	GORDON G KING, ROSE M KING,	CASTLE CREEK	04S01E26	18		10	30					18	5	23	35	12	25	3		179
Rec	57 220B	LARRY B BACHMAN, MARY ANNE BACHMAN,	CASTLE CREEK	04S01E26																14	14
Rec	57 237B	DENNIS MURDOCH, SHIRLEY MURDOCH,	CASTLE CREEK	04S01E26		11															11
Rec	57 91	GORDON G KING, ROSE M KING,	CASTLE CREEK	04S01E26	18		10	30					18	5	23	35	12	25	3		179
Rec	57 99	ROSE M KING, GORDON G KING,	CASTLE CREEK	04S01E26	18		10	30					18	5	23	35	12	25	3		179
Right	57 10855	SHIRLEY MURDOCH, DENNIS MURDOCH,	CASTLE CREEK	04S01E26		11															11
Right	57 10859	SHIRLEY MURDOCH, DENNIS MURDOCH,	CASTLE CREEK	04S01E26		11															11
Right	57 109	ROSE M KING, GORDON G KING,	CASTLE CREEK	04S01E26	18		10	30					18	5	23	35	12	25	3		179
Right	57 118	ROSE M KING, GORDON G KING,	CASTLE CREEK	04S01E26	18		10	30					18	5	23	35	12	25	3		179
Right	57 122	ROSE M KING, GORDON G KING,	CASTLE CREEK	04S01E26	18		10	30					18	5	23	35	12	25	3		179
Right	57 123	MARY ANNE BACHMAN, LARRY B BACHMAN,	CASTLE CREEK	04S01E26																14	14
Right	57 124	ROSE M KING, GORDON G KING,	CASTLE CREEK	04S01E26	18		10	30					18	5	23	35	12	25	3		179
Right	57 128	ROSE M KING, GORDON G KING,	CASTLE CREEK	04S01E26	18		10	30					18	5	23	35	12	25	3		179
Right	57 136	GORDON G KING, ROSE M KING,	CASTLE CREEK	04S01E26	18		10	30					18	5	23	35	12	25	3		179
Right	57 152	ROSE M KING, GORDON G KING,	CASTLE CREEK	04S01E26	18		10	30					18	5	23	35	12	25	3		179
Right	57 160A	DENNIS MURDOCH, SHIRLEY MURDOCH,	CASTLE CREEK	04S01E26		11															11
Right	57 163	ROSE M KING, GORDON G KING,	CASTLE CREEK	04S01E26	18		10	30					18	5	23	35	12	25	3		179
Right	57 2132	T A FOREMAN,	CASTLE CREEK	04S01E26	16		8	8					16		40	37		20	10		155
Right	57 2132A	GORDON G KING, ROSE M KING,	CASTLE CREEK	04S01E26	18		10	30					18	5	23	35	12	25	3		179
Right	57 220B	LARRY B BACHMAN, MARY ANNE BACHMAN,	CASTLE CREEK	04S01E26																14	14
Right	57 237B	DENNIS MURDOCH, SHIRLEY MURDOCH,	CASTLE CREEK	04S01E26		11															11
Right	57 91	GORDON G KING, ROSE M KING,	CASTLE CREEK	04S01E26	18		10	30					18	5	23	35	12	25	3		179
Right	57 99	GORDON G KING, ROSE M KING,	CASTLE CREEK	04S01E26	18		10	30					18	5	23	35	12	25	3		179
Rec	57 78	SHIRLEY MURDOCH, DENNIS MURDOCH,	CATHERINE CREEK	04S01E26		16															16
Right	57 2010	HERBERT H DAVIES,	CATHERINE CREEK	04S01E26							10	5		30							45
Right	57 78	SHIRLEY MURDOCH, DENNIS MURDOCH,	CATHERINE CREEK	04S01E26		16															16
Permit	57 7266	GORDON G KING, ROSE M KING,	GROUND WATER	04S01E26	20		30				7	20	22	21	6			1			127
Rec	57 2246	GORDON G KING, ROSE M KING,	GROUND WATER	04S01E26	18		10	30					18	5	23	35	12	25	3		179
Rec	57 2253	ROSE M KING, GORDON G KING,	GROUND WATER	04S01E26	18		10	30					18	5	23	35	12	25	3		179
Rec	57 7266	ROSE M KING, GORDON G KING,	GROUND WATER	04S01E26	12		14	25			40	40	20	29	16	17	11	10	4		238
Right	57 2246	GORDON G KING, ROSE M KING,	GROUND WATER	04S01E26	18		10	30					18	5	23	35	12	25	3		179
Right	57 2253	GORDON G KING, ROSE M KING,	GROUND WATER	04S01E26	18		10	30					18	5	23	35	12	25	3		179
Right	57 7266	GORDON G KING, ROSE M KING,	GROUND WATER	04S01E26	20		30				7	20	22	21	6			1			127

Not claimed in SRBA

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Rec	57 40	BEN A THOMAS JR, KELLY A THOMAS, LINDA K FERRIS, ROBERT A THOMAS,	CATHERINE CREEK	04S01E27									3	18	14	1					36
Right	57 40	LINDA K FERRIS, BEN A THOMAS JR, KELLY A THOMAS, ROBERT A THOMAS,	CATHERINE CREEK	04S01E27									3	18	14	1					36
Permit	57 7266	GORDON G KING, ROSE M KING,	GROUND WATER	04S01E27																1	1
Rec	57 2235	LINDA K FERRIS, KELLY A THOMAS, BEN A THOMAS JR, ROBERT A THOMAS,	GROUND WATER	04S01E27									3	18	14	1					36
Right	57 2235	LINDA K FERRIS, ROBERT A THOMAS, BEN A THOMAS JR, KELLY A THOMAS,	GROUND WATER	04S01E27									3	18	14	1					36
Right	57 7266	GORDON G KING, ROSE M KING,	GROUND WATER	04S01E27																1	1
Rec	57 10558	ROBERT A THOMAS, LINDA K FERRIS, BEN A THOMAS JR, KELLY A THOMAS,	SPRING	04S01E27									3	18	14	1					36
Right	57 10558	ROBERT A THOMAS, LINDA K FERRIS, KELLY A THOMAS, BEN A THOMAS JR,	SPRING	04S01E27									3	18	14	1					36

NO OL

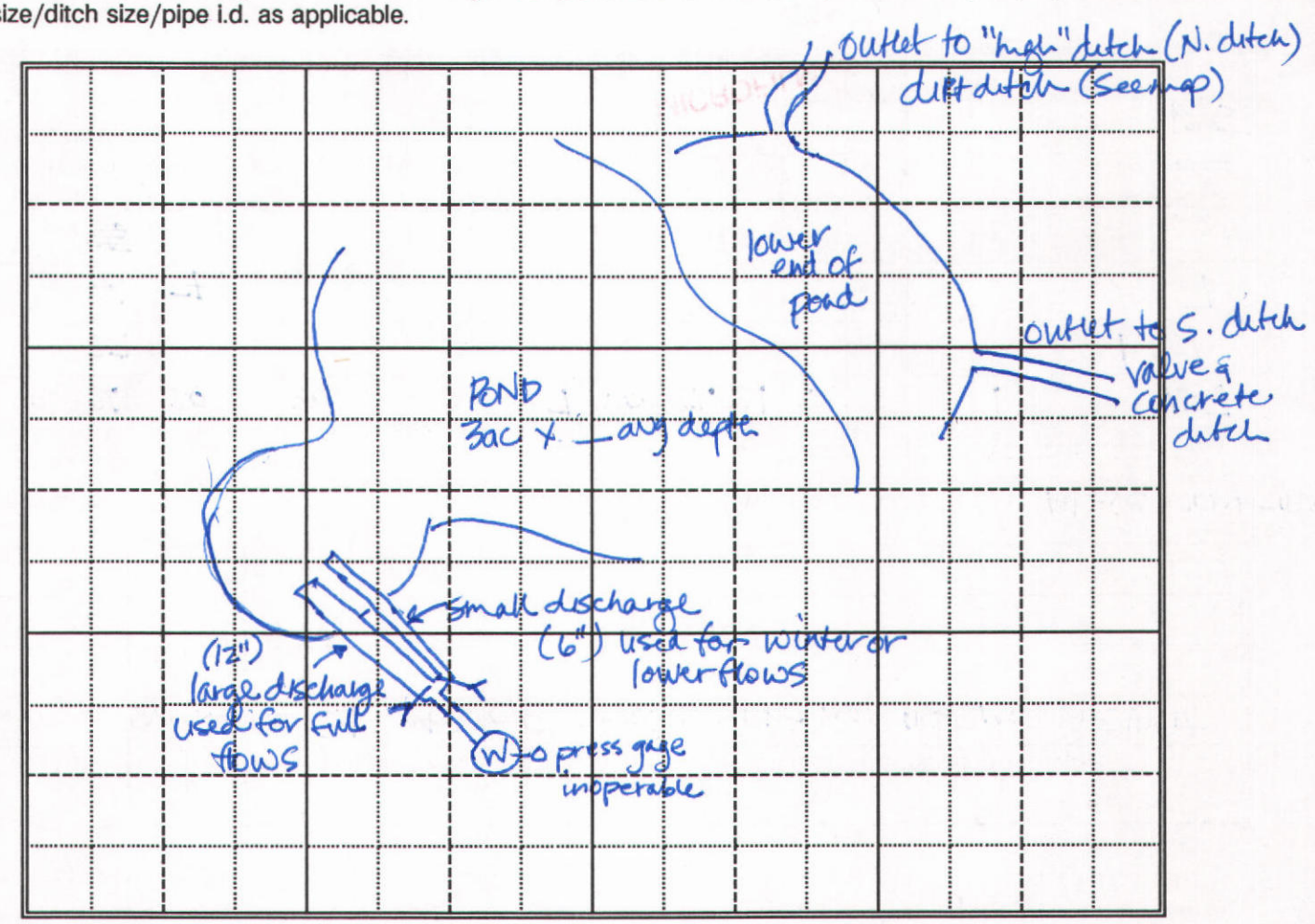
Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Rec	57 104	SAMUEL V C STEINER,	CASTLE CREEK	04S01E34				30									35			30	95
Rec	57 109	ROSE M KING, GORDON G KING,	CASTLE CREEK	04S01E34	13																13
Rec	57 116	SAMUEL V C STEINER,	CASTLE CREEK	04S01E34				30									35			30	95
Rec	57 118	GORDON G KING, ROSE M KING,	CASTLE CREEK	04S01E34	13																13
Rec	57 120	SAMUEL V C STEINER,	CASTLE CREEK	04S01E34				30									35			30	95
Rec	57 122	ROSE M KING, GORDON G KING,	CASTLE CREEK	04S01E34	13																13
Rec	57 124	GORDON G KING, ROSE M KING,	CASTLE CREEK	04S01E34	13																13
Rec	57 127	SAMUEL V C STEINER,	CASTLE CREEK	04S01E34				30									35			30	95
Rec	57 128	GORDON G KING, ROSE M KING,	CASTLE CREEK	04S01E34	13																13
Rec	57 136	ROSE M KING, GORDON G KING,	CASTLE CREEK	04S01E34	13																13
Rec	57 149	SAMUEL V C STEINER,	CASTLE CREEK	04S01E34				30									35			30	95
Rec	57 152	ROSE M KING, GORDON G KING,	CASTLE CREEK	04S01E34	13																13
Rec	57 163	ROSE M KING, GORDON G KING,	CASTLE CREEK	04S01E34	13																13
Rec	57 2104	SAMUEL V C STEINER,	CASTLE CREEK	04S01E34				30									35			30	95
Rec	57 2132A	GORDON G KING, ROSE M KING,	CASTLE CREEK	04S01E34	13																13
Rec	57 2132B	JOHN E FUQUAY,	CASTLE CREEK	04S01E34															16		16
Rec	57 223	JOHN E FUQUAY,	CASTLE CREEK	04S01E34			18											7			25
Rec	57 224	JOHN E FUQUAY,	CASTLE CREEK	04S01E34															20		20
Rec	57 89	SAMUEL V C STEINER,	CASTLE CREEK	04S01E34				30									35			30	95
Rec	57 91	GORDON G KING, ROSE M KING,	CASTLE CREEK	04S01E34	13																13
Rec	57 95	SAMUEL V C STEINER,	CASTLE CREEK	04S01E34				30									35			30	95
Rec	57 99	ROSE M KING, GORDON G KING,	CASTLE CREEK	04S01E34	13																13
Right	57 104	SAMUEL V C STEINER,	CASTLE CREEK	04S01E34				30									35			30	95
Right	57 109	ROSE M KING, GORDON G KING,	CASTLE CREEK	04S01E34	13																13
Right	57 116	SAMUEL V C STEINER,	CASTLE CREEK	04S01E34				30									35			30	95
Right	57 118	ROSE M KING, GORDON G KING,	CASTLE CREEK	04S01E34	13																13
Right	57 120	SAMUEL V C STEINER,	CASTLE CREEK	04S01E34				30									35			30	95
Right	57 122	ROSE M KING, GORDON G KING,	CASTLE CREEK	04S01E34	13																13
Right	57 124	ROSE M KING, GORDON G KING,	CASTLE CREEK	04S01E34	13																13
Right	57 127	SAMUEL V C STEINER,	CASTLE CREEK	04S01E34				30									35			30	95
Right	57 128	ROSE M KING, GORDON G KING,	CASTLE CREEK	04S01E34	13																13
Right	57 136	GORDON G KING, ROSE M KING,	CASTLE CREEK	04S01E34	13																13
Right	57 149	SAMUEL V C STEINER,	CASTLE CREEK	04S01E34				30									35			30	95
Right	57 152	ROSE M KING, GORDON G KING,	CASTLE CREEK	04S01E34	13																13
Right	57 163	ROSE M KING, GORDON G KING,	CASTLE CREEK	04S01E34	13																13
Right	57 2090	EDNA MUNGER,	CASTLE CREEK	04S01E34															20		20
Right	57 2104	SAMUEL V C STEINER,	CASTLE CREEK	04S01E34				30									35			30	95
Right	57 2132	T A FOREMAN,	CASTLE CREEK	04S01E34	12														16		28
Right	57 2132A	GORDON G KING, ROSE M KING,	CASTLE CREEK	04S01E34	13																13
Right	57 2132B	JOHN E FUQUAY,	CASTLE CREEK	04S01E34															16		16
Right	57 223	JOHN E FUQUAY,	CASTLE CREEK	04S01E34			18											7			25
Right	57 224	JOHN E FUQUAY,	CASTLE CREEK	04S01E34															20		20
Right	57 89	SAMUEL V C STEINER,	CASTLE CREEK	04S01E34				30									35			30	95
Right	57 91	GORDON G KING, ROSE M KING,	CASTLE CREEK	04S01E34	13																13
Right	57 95	SAMUEL V C STEINER,	CASTLE CREEK	04S01E34				30									35			30	95
Right	57 99	GORDON G KING, ROSE M KING,	CASTLE CREEK	04S01E34	13																13
Permit	57 7266	GORDON G KING, ROSE M KING,	GROUND WATER	04S01E34	7																7
Rec	57 2246	GORDON G KING, ROSE M KING,	GROUND WATER	04S01E34	13																13
Rec	57 2253	ROSE M KING, GORDON G KING,	GROUND WATER	04S01E34	13																13
Rec	57 7266	ROSE M KING, GORDON G KING,	GROUND WATER	04S01E34	26																26

Right	57 2246	GORDON G KING, ROSE M KING,	GROUND WATER	04S01E34	13																13
Right	57 2251	CHARLES W STEINER,	GROUND WATER	04S01E34				33									40			36	109
Right	57 2253	GORDON G KING, ROSE M KING,	GROUND WATER	04S01E34	13																13
Right	57 4004	BOB D COLLETT,	GROUND WATER	04S01E34															33		33
Right	57 7266	GORDON G KING, ROSE M KING,	GROUND WATER	04S01E34	7																7



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



Scale: 1" = NTS.

___ 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
artesian	N/A-				

**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

2. **Measurements:** None. Well is geothermal, approx 175°F. Well has been measured for 57-2253 at 7.68 cfs, and earlier (1968) at 7.18 cfs (See 57-2246)

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OCT 19 2001

Hwy. 78

4
32.6

22 23
27 26

5
104.4

X21

18

20

16.7

16 ac. part

12.7

30

18

12

Catherine Cr.

407
145.2

18

2
16.3

Cement ditch

10

3
23.7

12

G.P. & ditch

7

2

G.P.

cement ditch

18

1

25

20

4
38.5

5

22

G.P.

cement

5
61.6

11

cement

3

35

3

40
146

23

6

G.P.

1
27 26
34 35

7

G.P.

37

12

S.P.
7
6.1

Castle Cr.

13

9
28

8
124.5

cement ditch

37 - SRBA recommended (2246-2253)

7 - acres this license (7266)

T4S R1E

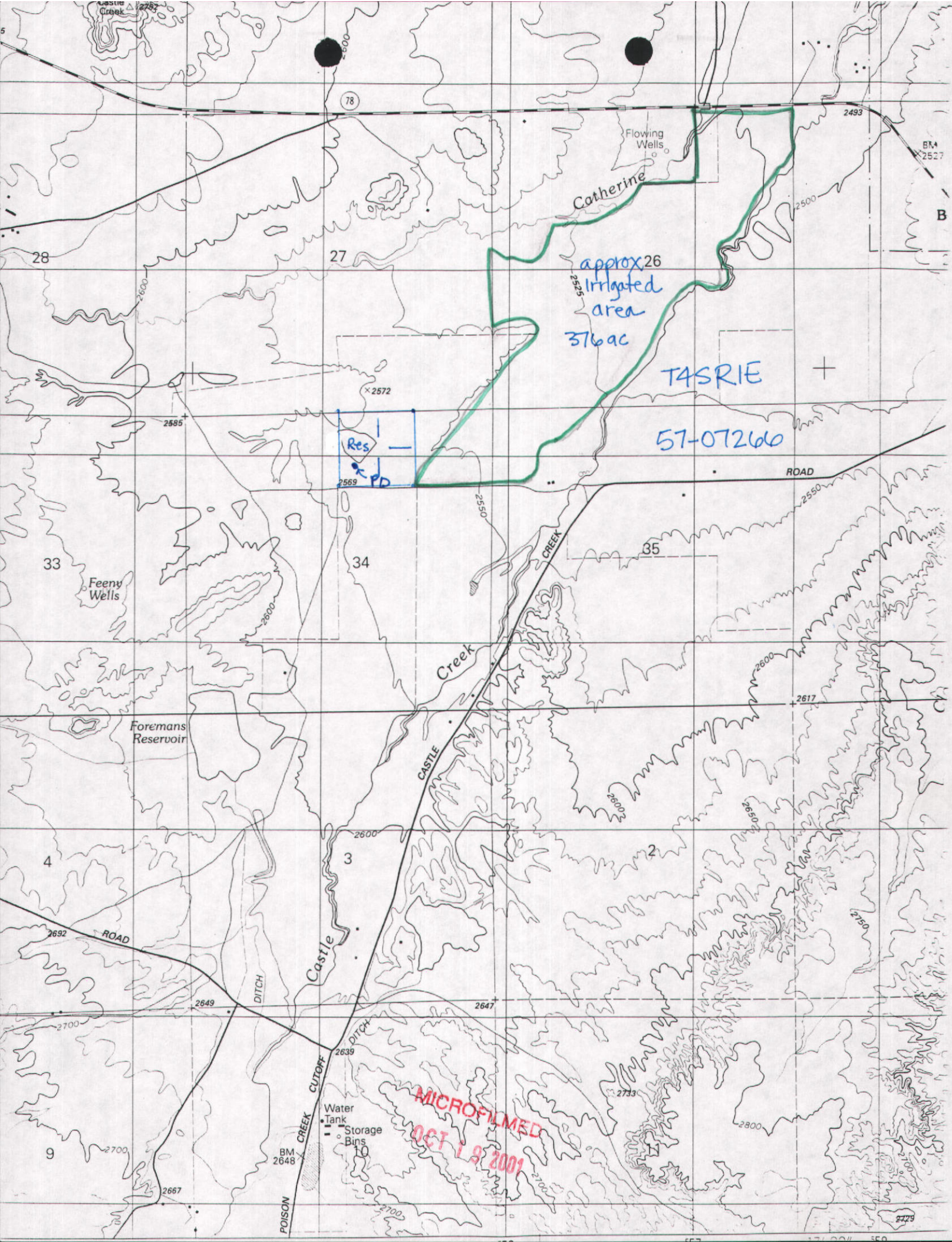
57-7266

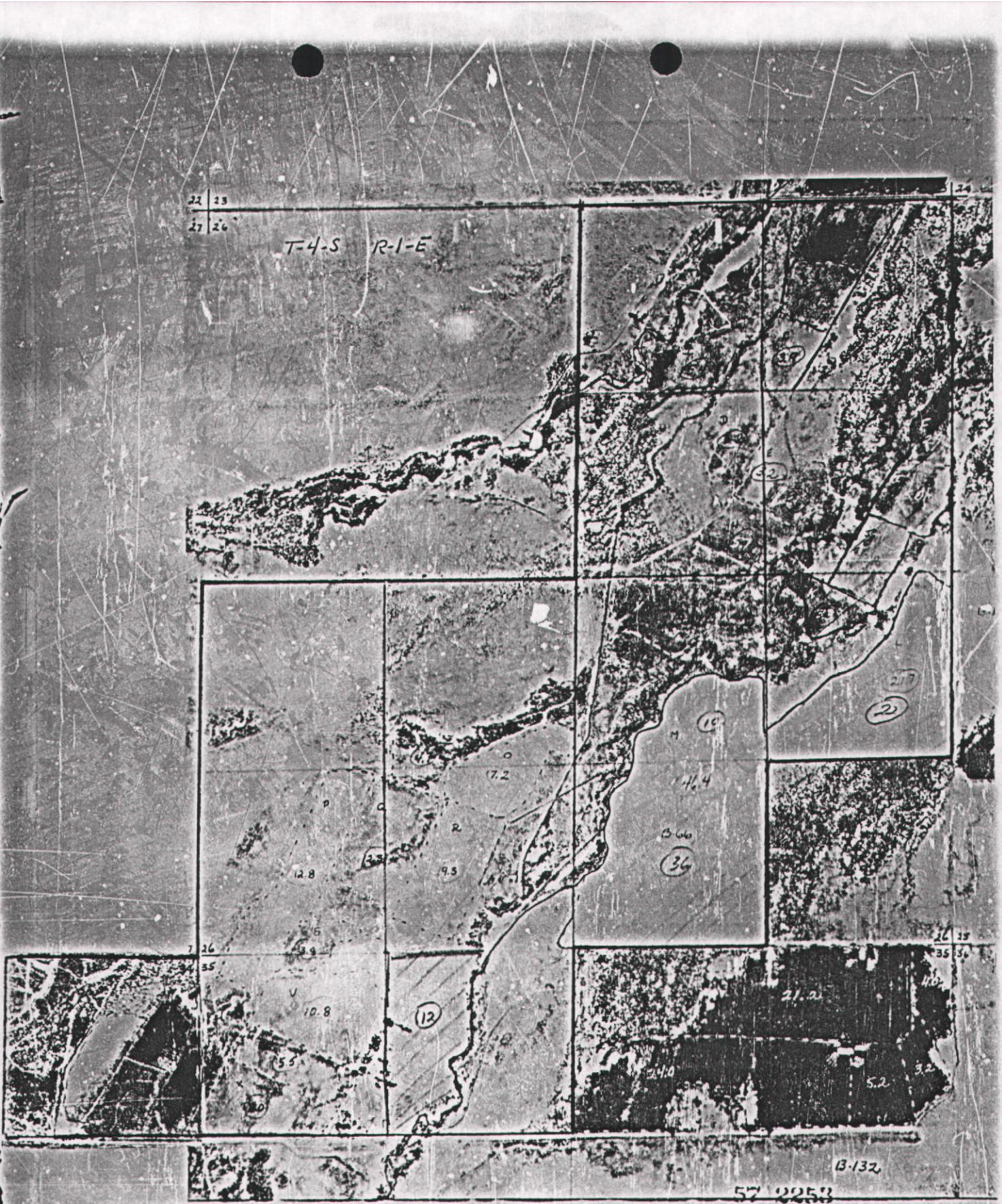
Total Acres = 376
SRBA acres = 241
CFSA acres = 298
Non-delineated acres = 78
Acres to license = 135
(297.5 + 78 - 240)

from Castle div

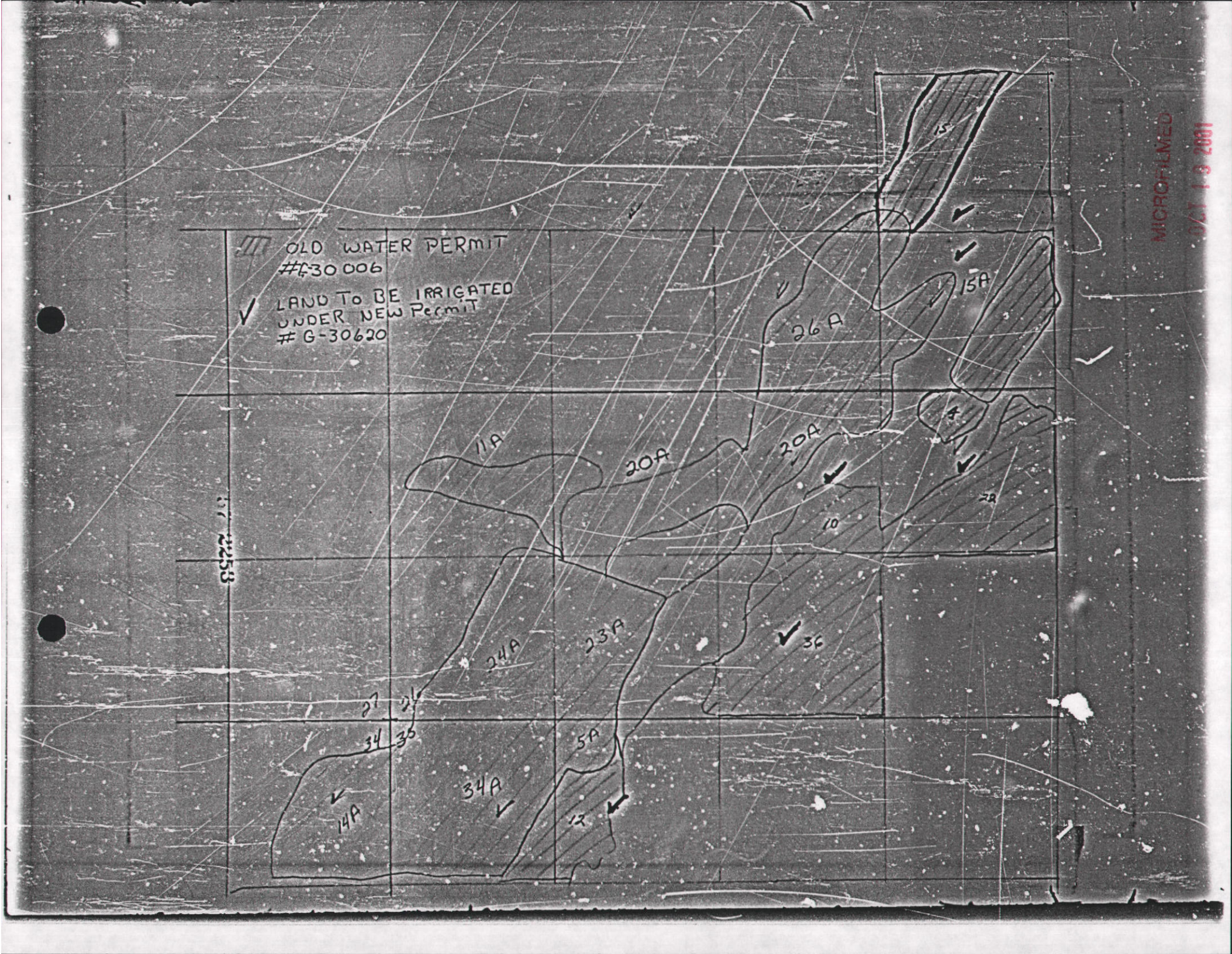
408
T4S3
NHEL

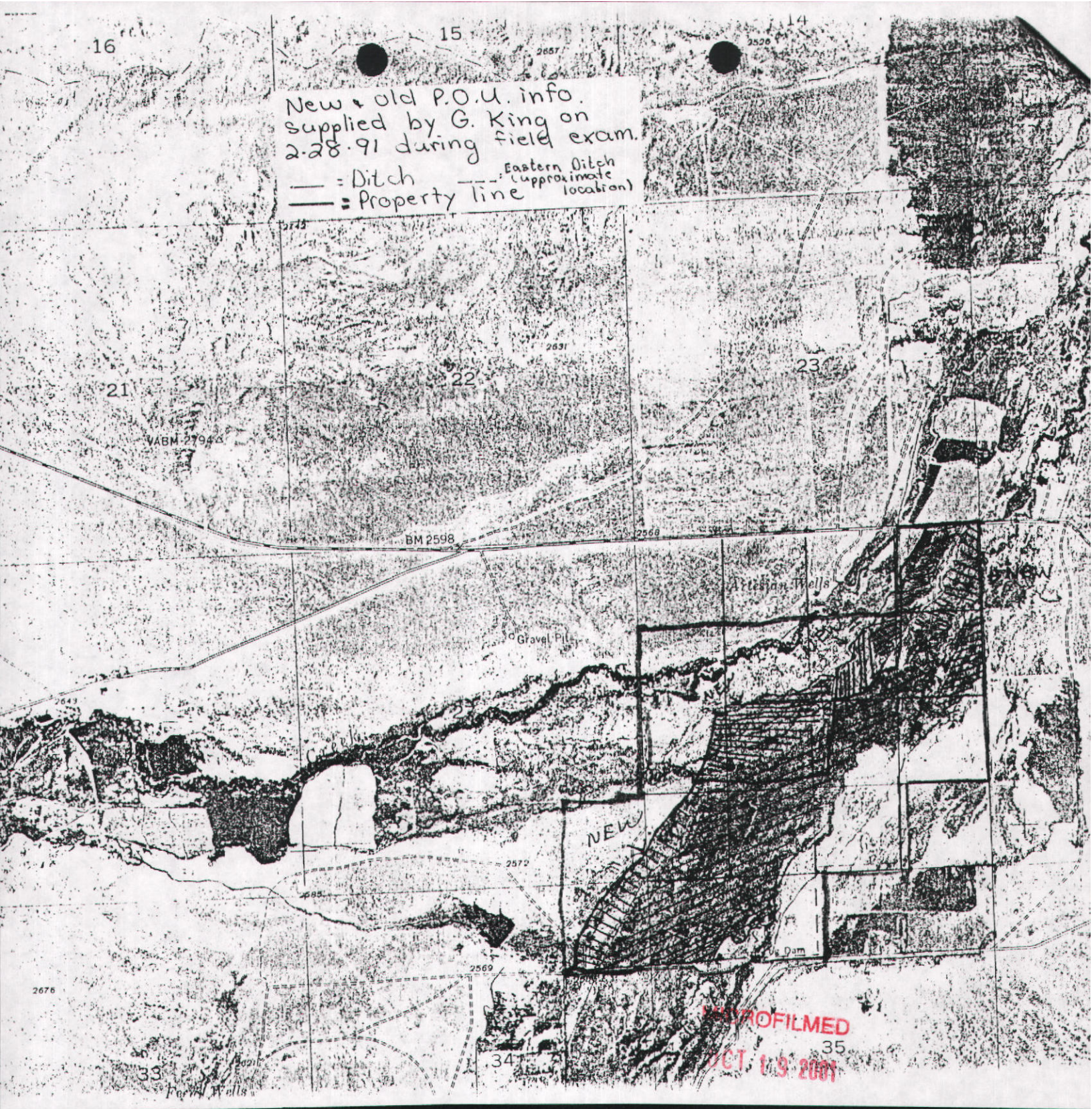
Inject or crosses Creek in pipe from Castle div.


Castle Creek
78
Flowing Wells
Catherine
BM 2527
28
27
26
approx Irrigated area 376 ac
T4SR1E
57-07266
Res
PD
ROAD
33
34
35
Feeny Wells
Creek
Foremans Reservoir
CASTLE CREEK
4
3
2
Castle
DITCH
CUTOFF
Water Tank
Storage Bins
BM 2648
10
9
POISON
MICROFILMED
OCT 19 2001



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OCT 19 2001


OLD WATER PERMIT
#30006
LAND TO BE IRRIGATED
UNDER NEW PERMIT
G-30620
15
15A
26A
4
11A
20A
20A
28
10
36
24A
23A
5A
34
36
34A
14A
17
MICROFILMED
OCT 13 2011



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OCT 19 2001



Well and control valve on discharge.



Discharge to cooling pond (small pipe only)

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OCT 19 2001

57-07266



New P/u in NWSW S 26, West of cement ditch (looking W)



Gated pipe to New P/u in SENW Sec 26 and beyond (looking NE)

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OCT 19 2001

57-07266



Existing / New

P. U.

S½ Sec 26



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OCT 19 2001

57-07266

WELL LOG AND REPORT TO THE STATE RECLAMATION ENGINEER OF IDAHO

Log No. _____
Rec'd _____, 19____
Well No. _____
Permit No. I-30006

(DO NOT FILL IN)

Owner D. I. FOREMAN Address OREANA, IDAHO

Driller HAROLD A STEINER Address OREANA, IDAHO Lic. No. 136

Location of Well: NW ¼ NE ¼ Sec. 34, T. 4S N/S, R 1E E/W Owyhee County,

and _____ feet N/S, and _____ feet E/W from _____ Corner of _____ ¼ _____ ¼ Sec. _____

Size of Drilled Hole 12" [illegible]" and 8" Total depth of Well 2980 Feet

Give depth of standing water from surface flowing Water Temp. 170 °Farenheit

On pumping test delivery was _____ g.p.m. or 7.97 flowing c.f.s. Drawdown was _____ feet.

Size of pump and motor used to make the test none

Length of time pumped during check was _____ hr., _____ minutes.

If flowing well, give flow in c.f.s. 7.97 or g.p.m. _____ and shut in pressure 105 PSI

If flowing well, describe control works 12" T with 12" gate valve
(TYPE AND SIZE OF VALVE, ETC.)

Water will be used for Irrigation Weight of casing per linear foot 25# and 22#

Thickness of casing three eighths&three sixteenths Casing material steel
E.G., PIPE, CONCRETE, WOOD.

Diameter, length and location of casing 4' above to 130' 16", 0 to 1030 12", 1020' to 2160" 10"
(CASING 12" IN DIAMETER AND UNDER GIVE INSIDE DIAMETER; CASING OVER 12" IN DIAMETER GIVE OUTSIDE DIAMETER.)

Number and size of perforations none located _____ feet to _____ feet from surface of ground.

Other perforations none

Date of commencement of well Oct 30, 1961 Date of completion of well July 8, 1962

Type of well rig rotary

CASING RECORD

DIAM. CASING	FROM FEET	TO FEET	LENGTH	"REMARKS" -- SEALS, GROUTING, ETC.
16"	plus 4'	130'	130	grouted on outside with cement
12"	0	1030	1030	mud pumped behind and grouted at bottom and between 16 and 12
10"	1020	2160	1140	Mud sealed back of it and steel collar between 10 and 12

GENERAL INFORMATION—Pumping Test, Quality of Water, Etc.

water not tested

MICROFILMED
OCT 19 2001

Certified to be a true and correct copy of the document held by the State Department of Reclamation on this 28th day of Feb, 19 62
Deputy
Jack A. Barker
State Reclamation Engineer

57-224 Feb 28 2006

WELL LOG

From Feet	To Feet	Type of Material	Drilling Time Hrs.	Drilling Time Min.	Water-bearing Formation Ans. Yes or No	Casing Perforated Ans. Yes or No
0	70	yellow clay	10			
70	200	blue shale	21			
200	205	sand streak	1			
205	425	blue shale crevieed	82		yes	no
425	900	blue shale, lost circulation	45		yes	no
900	1490	sticky blue shale	60			
1490	1630	sticky shale	32			
1630	1980	hard grey shale thin rock layers	49			
1980	2090	soft shale, blue	1			
2090	2120	white chalky shale hard	1			
2120	2130	Hard grey rock	3			
2130	2520	grey shale with rock layers	50			
2520	2530	red rock (cinders)	1			
2530	2570	black rock 2ft per hour	20			
2570	2630	black 2 to 6 feet per hour				
2630	2670	blck rock 4 feet per hour				
2670	2900	soft grey shale	32			
2900	2980	grey rock soft and hard streaks	21			
		If more space is required use Sheet No. 2				

WELL DRILLERS STATEMENT

This well was drilled under my jurisdiction and the above information is true and correct to the best of my knowledge and belief.

Signed Harold A Steiner

By Harold A steiner

License No. 136

Dated Aug 8, 1962

MICROFILMED
OCT 19 2001

Certified to be a true and correct copy of the document held by the State Department of Reclamation on this 2nd day of June, 1967

Judith Bennett Deputy
State Reclamation Engineer

50006
57-22416

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 57-2253 Priority 8-23-62 (late proof) Amount 1.98 c.f.s.

THIS IS TO CERTIFY, that Estate of D. L. FOREMAN of Caldwell, Idaho, has complied with the terms and conditions of Permit No. 57-2253 issued pursuant to Application for Permit dated 8-21-62, and has submitted proof to the Department of Water Administration on 8-23-68, that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity of 7.68 c.f.s., and that the water has in fact been applied to a beneficial use; a right to the use of water from a groundwater source tributary of , is hereby confirmed in the following amounts:

Amount 1.98 c.f.s. for Irrigation from March 15 to Nov. 15 (both dates inclusive)

Amount for from to (both dates inclusive)

Amount for from to (both dates inclusive)

Subject, however, to the condition that no more than 1.98 c.f.s. of water be diverted at any one time, said waters to be diverted within the NW¼NE¼ Sec. 34, Twp. 4 S., Rge. 1 E., B.M. in the county of Owyhee; and that the amount of water so diverted and to which such right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can actually be beneficially used and shall not exceed 495 acre feet per year or 5.0 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4 S	1 E	26	15												26	10	36		87
		35					12												12

Total number of acres irrigated 99

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 16th day of MARCH, 1971.

Deputy Director

MICROFILMED
OCT 19 2001

57-2253

AMENDED

WATER LICENSE

Water License No. G-30006/57-2246 Priority July 26, 1961 Amount 4.0 c.f.s.

THIS IS TO CERTIFY, that D. T. FOREMAN

of Oreana, Idaho made application for a permit to appropriate the public waters of the State of Idaho, dated July 26, 1961 that Permit G-30006/57-2246 was issued pursuant to said application, that the proposed works were completed on or about August 1962, with a storage or carrying capacity of 4.01 c.f.s. ; said works consisting of flowing well, pond, and pipe and that on July 14, 1966, proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 1045 acre feet per season, with a maximum rate of diversion of 4.0 cubic feet per second of the waters of ground-water, tributary of , for the purpose of Irrigation from April 1 to October 31 ; and for from to , and for from to ; and that the use of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation; the point of diversion is located in NW ¼ NE ¼ Sec. 34, T. 4 S., R. 1 E., B.M., and other additional points , in the County of Owyhee ; and that the amounts of water to which such right is entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes and shall not exceed 1045 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4 S	1 E	26	13		26	15					20	11	24	23	3	20			155
		34	14																14
		35					5	34											39

Total number of acres irrigated 208

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

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 4th day of November, 19 69.

State Reclamation Engineer

MICROFILMED
OCT 19 2001

30006
57-2246

5.1.97

Gordon to call back

GENERAL INFO

NAME: Rose/Gordon King

PERMIT #: 57-7266

PHONE #: 834 2051

CASING:

HP: artesian

STATIC:

DEPTH:

DYNAMIC:

PSI:

ACRES IRRIGATED: >241 found in 1991

SPRINKLER INFO: cement ditch

STOCK:

DOMESTICS:

OTHER USES:

OTHER RTS:

DIRECTIONS:

FILE FROM ANDREW - (SRBA ~~R4~~ Map) NEW CFSA

2246 + 2253, Same P/D's? (YES) = 241 acres in 2/91

More acres since then?

Commercial = gasahol plant?

↓

NOT DEVELOPED

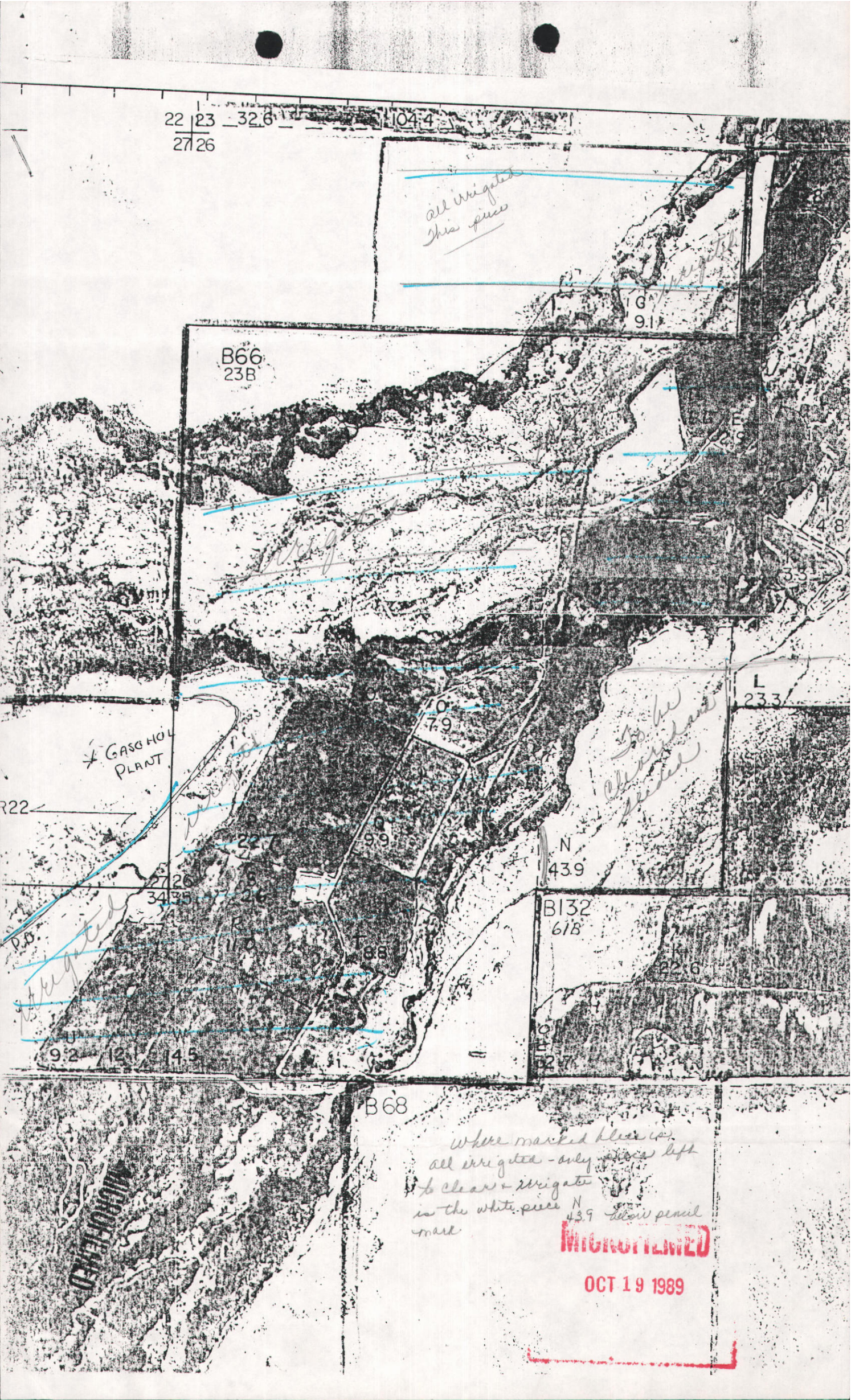
Through Murphy (20 mi) to 49 mile marker, two dumpsters on left, turn Lt on Oreana Loop Rd 1.5 mile, cross CK @ curve to house

↓

Map = Castleck Rd

EXAM DATE: May 21 @ 9-9:30

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OCT 19 2001



Where marked blue is all irrigated - only piece left to clear + irrigate is the white piece N 43.9 below pencil mark

MICROFILMED
OCT 19 1989

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 57-07266

Priority: January 14,1981

Maximum Diversion Rate: 2 70 CFS
Maximum Diversion Volume: 607.5 AF

It is hereby certified that GORDON G KING And/Or ROSE M KING
PO BOX 36
MURPHY ID 83650 have complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 14, 1981; and have submitted Proof of Beneficial Use on August 07, 1991. An examination indicates that the works have a diversion capacity of 7.68 cfs of water from:

SOURCE
GROUND WATER

and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL DIVERSION VOLUME
IRRIGATION	03/01 to 11/15	2.70 CFS	607.5 AF

LOCATION OF POINT(S) OF DIVERSION:
GROUND WATER SW¼NW¼NE¼ Sec 34, Twp 04S, Rge 01E, B.M., OWYHEE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 01E 26	20 0		30 0				7.0	20 0	22.0	21 0	6.0			1 0			127 0
04S 01E 27																1 0	1 0
04S 01E 34	7 0																7 0

Total Acres. 135

CONDITIONS OF APPROVAL

1. Return flow discharged to a subsurface system must be authorized by a separate injection well permit.

2. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

3 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.

MICROFILMED
OCT 19 2001

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 57-07266

4. Rights 57-02246, 57-02253 and 57-10460 are also diverted through the point of diversion described above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 21st day of JUNE, 2001.

Acting for KARL J. DREHER
Director

MICROFILMED
OCT 19 2001

JUN 15 2001

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 57-07266

Date of Priority: January 14,1981

Maximum Diversion Rate: 2.70 CFS
Maximum Diversion Volume: 607 5 AF

Comes now GORDON G KING And/Or ROSE M KING
PO BOX 36
MURPHY ID 83650 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. 57-07266, and requests that the permit be changed as follows

Source: GROUND WATER

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	03/01 to 11/15	2.70 CFS	607.5 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SW¼NW¼NE¼ Sec. 34, Twp 04S, Rge 01E, B.M , OWYHEE County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 01E 26	20 0		30 0				7 0	20 0	22 0	21 0	6 0			1 0			127 0
04S 01E 27																1 0	1 0
04S 01E 34	7 0																7 0

Total Acres: 135

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 this 13 day of June, 2001.

Rose M King
(Signature)

MICROFILMED

JUN 15 2001

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 57-07266

FOR DEPARTMENT USE ONLY

Preliminary check by KW Fee = $50.00 Receipted by [illegible] # C054327 Date 6/15/01

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. 57-07266 with the following:

CONDITIONS OF APPROVAL

1. Return flow discharged to a subsurface system must be authorized by a separate injection well permit.

2. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

3 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

4 Rights 57-02246, 57-02253 and 57-10460 are also diverted through the point of diversion described above.

Witness my hand this 21st day of JUNE, 2001

Acting for KARL J. DREHER
Director

MICROFILMED
OCT 19 2001

Form 217
07/90

RECEIVED
AUG 07 1991
Department of Water Resources

For Office Use Only
Amt of Fee $ 250.00
Date 8-7-91
Receipt No C021430
Received by

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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. 57-07266 Telephone No. 834-2051

2 Name(s) of Permit Holder(s): Gordon + Rose M King

3 Post Office Address: P.O Box 36 Murphy, Idaho 83650

4 Source of Water: well

a If ground water, well driller's name. Harold Steiner Date drilled: 1962

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

5 Extent of Use:

Domestic _____ (No. of households) Irrigation 301 (No of acres)

Stockwater 2760 (No. and type of stock) Other _____

900 + beef cattle

6 Total rate and/or volume for which proof is submitted 6.02 cfs _____ acre/feet

7 Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? X Yes __ No Installed? ✓ Yes __ No

OR

Flow Measurement Port: Required? __ Yes __ No Installed? __ Yes __ No

8 Fee Enclosed: $ _____ (See License Examination Fee Schedule)

9 Person to contact to accompany the Department representative during the field examination:

Gordon King 834-2051
Name Telephone No

P.O. Box 36 Murphy, Idaho 83650
Address

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

RECEIVED
NOV 19 1991

Aug. 3-1991 Gordon L. King
Date Signature (and title if on behalf of a company or organization)

Form 204
4/86

RECEIVED
AUG 15 1990
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
$15 FEE Receipted by Teresa
Date 8/15/90
Receipt # CA80362

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 a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 57-7266

Name(s) of Permit Holder: Gordon G King. Rose M. King

Post Office Address: P.O Box 36

Murphy, Idaho 83650 Telephone No. 208 - 834-2051

Date Proof is Due: Oct 1, 1990

Describe what work has been completed toward the development of this water right: +Pivot • Pipe 8323'
(This must be filled out! If no work has been completed, show "none".)

of Cement ditch oct 1989 at a cost of $35,780.45 - Have under prod'n this by reseeding 330 Acres of Alfalfa + grass mix. Have been working on leveling, disc Corrugating + Irrigating since this project was started a total of 11,190' of Cement ditch 1650 Feet of gated pipe + seed Costing $58,380.00 to date

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

due to litigation from sale + bankruptcy of property the entire ranch has had to be restructured and are doing as fast as it can be done - Welcome you to come look at any progress for yourself

Permit holder(s) request an extension to Oct, 19 91.
(1 yr. minimum)

Gordon G. King
(Signature)*
*IF OTHER THAN PERMIT HOLDER, POWER OF ATTORNEY MUST BE SUPPLIED.

FEE: $15.00

MICROFILMED

ACTION OF THE DEPARTMENT OF WATER RESOURCES

OCT 19 1990

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, 1991.

Signed this 19th day of September, 19 90.

L. Glen Saxton
Chief, Water Allocation Bureau

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 57-7266 IN THE NAME OF GORDON G. &/OR ROSE M. KING	CONTINUATION ORDER

This matter having come before the Idaho Department of Water Resources (IDWR) as a requirement of Section 42-203D, Idaho Code, the Department Finds, Concludes and Orders as follows:

FINDINGS OF FACT

1. Section 42-203D, Idaho Code, directs IDWR to review all permits issued prior to July 1, 1985, located within the Swan Falls Trust Water Area, to determine if water was beneficially used prior to said date.

2. If water was not beneficially used until after July 1, 1985, Section 42-203D further directs IDWR to review the permit under the provisions of Section 42-203C, Idaho Code.

3. Section 42-203C requires IDWR to determine whether diversion of water under a permit issued prior to July 1, 1985, causes a significant reduction of trust water available for power production and, if there is a significant reduction, to determine whether the reduction is in the public interest.

4. Permit No. 57-7266 (permit) was issued to Gordon G. &.or Rose M. King (permit holder) authorizing the diversion of 6.02 cfs of groudwater for irrigation of 301 acres.

5. IDWR records show that 264 acres authorized to be irrigated under Permit No. 57-7266, are irrigated with other water [illegible] prior to July 1, 1985.

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OCT 19 1989

6. Water diverted and used on or after July 1, 1985 for the irrigation of land under the terms of this permit is trust water.

7. The development and use of groudwater authorized under this permit does not cause a significant reduction of trust water.

CONCLUSIONS OF LAW

1. The water authorized for diversion under Permit No. 57-7266 is trust water.

2. The use of water under the permit satisfies the provisions of Sections 42-203C and 42-203D, Idaho Code.

3. An order continuing the permit shall be issued.

ORDER

IT IS HEREBY ORDERED that Permit No. 57-7266 is valid and may CONTINUE as provided in Section 42-203D, Idaho Code, subject to the following additional conditions and limitations:

1. Proof of construction of works and application of water to beneficial use shall be submitted to IDWR on or before October 1, 1990.

2. The use of trust water authorized by this right is subject to review 20 years after the date of this order to determine availability of trust water and to reevaluate the public interest.

3. The construction of diversion works must be commenced within one (1) year of the date of this order and shall proceed diligently and uninterruptedly to completion unless temporarily interrupted by circumstances over which the permit holder has no control.

4. Diversion and use of trust water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.

OCT 19 1989

5. The Director retains jurisdiction of this right to change, add or remove any requirement as determined to be appropriate.

6. All conditions of approval contained on the permit are incorporated into and made a part of this order.

Dated this 12th day of October, 1989.

L. Glen Saxton

L. GLEN SAXTON, Chief
Water Allocation Bureau

Form 204
4/86

RECEIVED
MAY 21 1987
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

For Office Use Only
$15 FEE Receipted by CCW
Date 5-21-87
Receipt # 42449

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 a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 57-7266

Name(s) of Permit Holder: Gordon G. and Rose King

Post Office Address: P. O. Box 36, Murphy, ID 83650

Telephone No. 834-2051

Date Proof is Due: June 1, 1987

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".)

Costing $

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:
The land covered by this permit was under irrigation. However, the permit holders sold the property and the land ended up in foreclosure. When the permit holders again had access to the land, the ditch system had been destroyed. The permit holders are presently in the process of re-establishing the ditches. Since acquiring the land, the permit holders have put in about $16,000 worth of concrete ditches. They are also watering 1500 head of cattle. The permit holders are named in the Swan Falls litigation.

Permit holder(s) request an extension to June 1, 1992.
(1 yr. minimum)

Rose M King
(Signature)*

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

FEE: $15.00

MICROFILMED

ACTION OF THE DEPARTMENT OF WATER RESOURCES

OCT 19 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, 1990.

Signed this 12th day of October, 1989.

L. Glen Saxton
Chief, Water Allocation Bureau

The Owyhee Avalanche.

P.O. BOX 97 HOMEDALE, ID 83628 (208) 337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
)ss.
COUNTY OF OWYHEE)

RECEIVED
AUG 21 1989
Department of Water Resources

I, Joe E Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of The Owyhee Avalanche, a newspaper of general circulation printed and published weekly, Wednesday of each and every week, in the City of Homedale and County of Owyhee and State of Idaho.

3. That the said The Owyhee Avalanche, a continuation of the Owyhee Chronicle and the Owyhee Nugget, has been printed and published continuously and uninterruptedly in said County during a period of seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not in a supplement thereto, in said newspaper, in Two (2) (consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

July 5 & 12, 1989

(Signed) Joe E Aman

Subscribed and sworn to before me this 12th day of July A.D., 19 89

Alecia Aman Patrick

Notary Public in and for the State of Idaho,
residing at Homedale Idaho.

My commission expires 10/9 1

MICROFILMED
OCT 19 1989

Form 204
3/85

09-10-120, 2000, A-6887

For Office Use Only
$15 FEE Received KG
Date 4-28-1986
Receipt # 32612

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

Gordon G. King of P.O. Box 36 Murphy
(Name) (Address)

State of Idaho, deposes and says

RECEIVED
APR 25 1986
Department of Water Resources

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 57-7266.

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

3224 Feet of Concrete ditch $10,680.30

Air spraying to kill willows and brush - removed and tilled ground - (plowing - Leveling - seeding - etc) Costing $15,000.00 (Est. so far)

Commenced work 1769

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

Litigation of Court -

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

Gordon G. King
(Signature)*

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

FEE: $15.00

MICROFILMED

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 June 1, 1987.

Signed this 19th day of May, 19 86

L. Glen Saxton
Chief, Operations Bureau

Form 202
3/78

Ident. No. 57-7266

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Gordon G. &/or Rose M. King Phone 834-2265

   Post office address Oreana, Idaho 83650

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is NE ¼ of NE ¼ of Section 34 Township 4S

   Range 1E B.M. Owyhee County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

   Amount 6.02 (cfs or acre-feet per annum) for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)

   Amount 6.02 (cfs or acre-feet per annum) for Commercial purposes from 1/1 to 12/31 (both dates inclusive)

   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

   Amount _____ (cfs or acre-feet per annum) for _____ purposes from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated:

   a. 6.02 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. Artesian well, gravity irrigation, pipeline to gasohol plant.

   b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

   Period of year when water will be diverted to storage _____ (Month/Day) to _____ (Month/Day) inclusive.

   c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years *(minimum 1 year – maximum 5 years).*

8. Description of proposed uses:
   a. If water is **not** for irrigation:
      (1) Give the place of use of water: SE ¼ of SE ¼ of Section 27 Township 4S

      Range 1E B.M.

      (2) Amount of power to be generated: _____ horsepower 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 _____.

   b. If water is to be used for other purposes describe: Gasohol plant

MICROFILMED

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4S	1E	26	12		14	25			40	40	20	29	16	17	11	10	4		238
		34	26																26
		35					31	6											37

Total number of acres to be irrigated 301

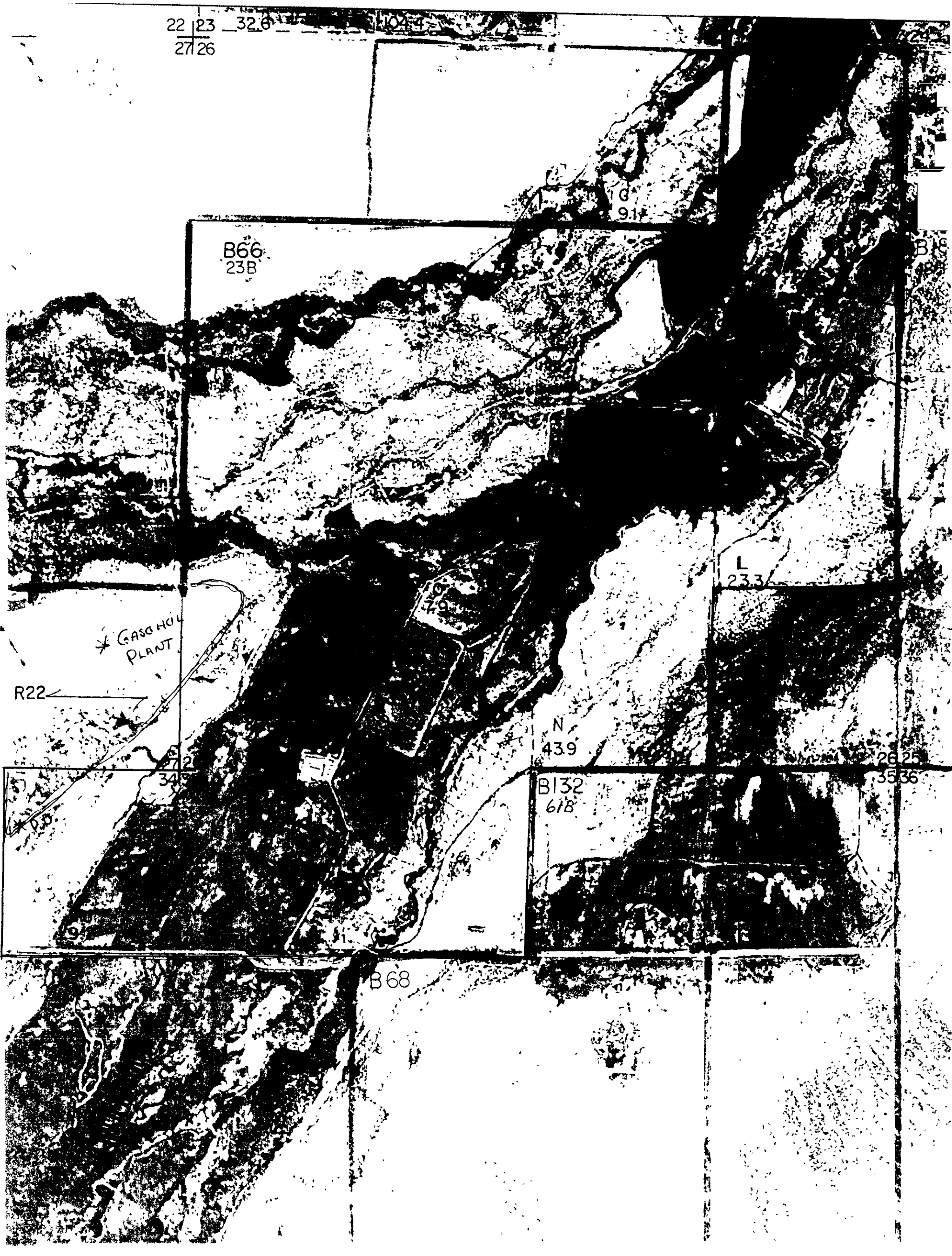
c. Describe any other water rights used for the same purposes as described above. 57-2246 &
57-2253 - when combined total 1" per acre

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

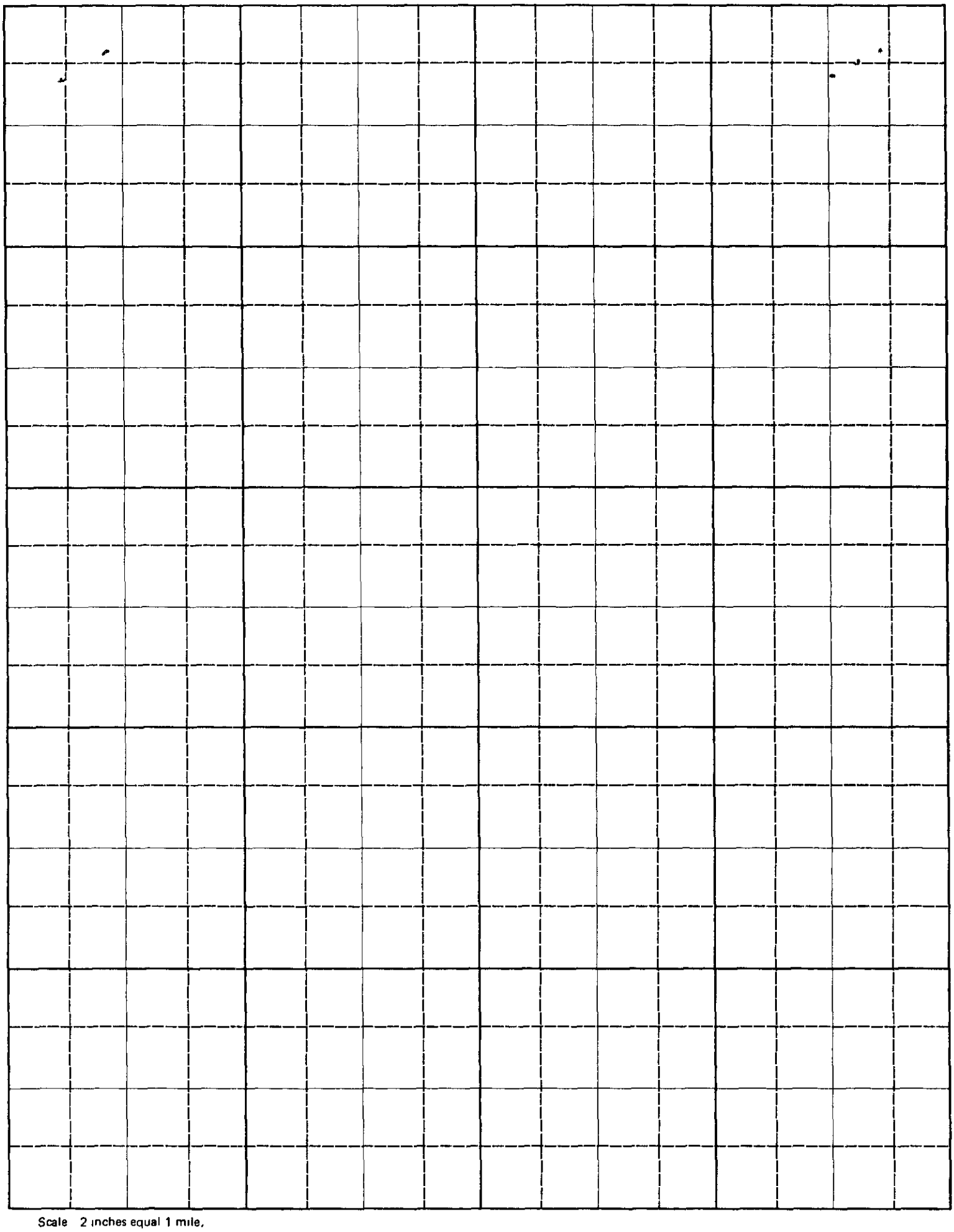
b. Who owns the land to be irrigated or place of use Applicant

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


22
23
32.6
27
26
10.4
G
9.1
B66
23B
L
23.3
GASOHOL
PLANT
R22
N
43.9
34
B132
61B
B68

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



Scale 2 inches equal 1 mile.

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

MICROFILMED

Gordon G. King
(Applicant)

Proposed Priority 1/14/81

Received by neh Date 1/14/81 Time 3:40

Preliminary check by jc Fee $ 165.—

Receipted by neh Date 1/14/81 # 17242

Publication prepared by neh Date 1/16/81

Published in Owyhee Nugget / error corrected.

Publication dates 1-22/29-81 / 2/5-2/12/81

Publication approved ~~neh~~ neh Date 3/23/81 / 4/27/81

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for (approval) denial by DBS

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. 57-7266, and said application is hereby approved.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 19 86.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. Other:

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.

Return flow if discharged to a subsurface system must be authorized by a separate injection well permit, and return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.

Witness my hand this 21st day of May, 1981.

L. Glen Saxton

Chief, Operations Bureau

MICROFILMED

PROOF OF PUBLICATION

RECEIVED
APR 27 1981
Department of Water Resources
Western Regional Office

STATE OF IDAHO, County of Owyhee, ss.

I, RODNEY A. HAWES, being first duly sworn, on oath, says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once a week and every week for 2 **consecutive weeks, the first publication being on the** 9 **day of** April **, 19**81**, and the last publication being on the** 16 **day of** April **, 19**81**;**

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy - eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 16 **day of** April **, 19**81**.**

Leona L. Hawes
NOTARY PUBLIC

My commission expires 9-10-84

(SEAL)

MICROFILMED

[redacted]

O.K.
ner.

PROOF OF PUBLICATION

STATE OF IDAHO, County of Owyhee, s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 5 day of March, 1981, and the last publication being on the 12 day of March, 1981;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy - eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 12 day of March, 1981.

Leona L. Hawes
NOTARY PUBLIC

My commission expires 4-10-87

(SEAL)

MICROFILMED

ok
ner

[redacted]

Dept. of Water Resources
Western Regional Office

2/23

CITY

PROOF OF PUBLICATION

STATE OF IDAHO, County of Owyhee, s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 5 day of Feb., 1981, and the last publication being on the 12 day of February 1981;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy - eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 12 day of February, 1981.

Jeanne L. Hawes
NOTARY PUBLIC

My commission expires 9-10-84

(SEAL)

MICROFILMED

[redacted]

RECEIVED
FEB 17 1981
Department of Water Resources
Western Regional Office

PROOF OF PUBLICATION

STATE OF IDAHO, County of Owyhee, s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once a week and every week for 2 **consecutive weeks, the first publication being on the** 22 **day of** Jan **19**81**, and the last publication being on the** 29 **day of** Jan **19**81**;**

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy - eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 29 **day of** January **, 19** 81**.**

Kenan S. Hawes
NOTARY PUBLIC

My commission expires 10-84

(SEAL)

MICROFILMED

9826



RECEIVED
FEB 2 1981
Department of Water Resources
Western Regional Office

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 22, 2001

GORDON G KING
ROSE M KING
PO BOX 36
MURPHY ID 83650

RE: License No 57-7266 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license

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 by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet

Enclosed is a copy of the approved Application for Amendment.

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

If you have any questions, please contact me at 208-327-7946

Sincerely,

Shelley W Keen
Water Rights Supervisor

SWK klt

Enclosure(s)

MICROFILMED
OCT 19 2001

CERTIFICATE OF MAILING

I hereby certify that on June 22, 2001 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below.

RE: WATER RIGHT NO. 57-7266

GORDON G KING
ROSE M KING
PO BOX 36
MURPHY ID 83650

Kari Lynn Townsend
Secretary

MICROFILMED
OCT 19 2001

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01 01302 and 37.01 01303 (Rules of Procedure 302 and 303)

MICROFILMED
OCT 19 2001

FINAL ORDER

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

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

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) the petition for reconsideration is disposed of; or
> (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED
OCT 1 3 2001

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

June 11, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

GORDON G &/OR ROSE M KING
PO BOX 36
MURPHY ID 83650

RE: Water Right No. 57-07266

Dear Mr. and Mrs. King:

The Department is reviewing the above referenced permit prior to issuing a water right license. We find that this right has been partially decreed in the Snake River Basin Adjudication (SRBA), however, pursuant to Section 42-1421, Idaho Code, we must complete the statutory licensing procedure in accordance with Section 42-219, Idaho Code. We have included copies of the above referenced sections of Idaho Code for your convenience. Once the license has been issued the Department will reflect the completion of the licensing process in its water rights database. By issuing a license on this permit, the Department confirms that a water right has been established in compliance with the terms of the permit. The examiner who verified your water use reported that the point of diversion and place of use are in a location other than what was described on your permit. Therefore, before a license can be issued, your permit must be amended to depict this water right as it was actually developed.

The enclosed Application for Amendment form depicts the place of use and other information, as it will appear on the license when it is issued. Please review the amendment form carefully. If you concur with the information presented please sign the form and return it with the $50.00 filing fee within 30 days.

Also, please note that some of the proposed conditions of approval and remarks may be modified upon further administrative review.

If you do not concur with the field examiner's findings, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208)327-7944.

Sincerely,

Kay Walker

KAY WALKER
Sr. Water Resource Agent

Enclosures

MICROFILMED
OCT 19 2001

6-13-2001
Rose King called w/ questions regarding need for amendment - will tell Gordon what changes are + probably submit amendment form. KW

LICENSE REVIEW CHECKLIST

Permit No 57-07266 Date 8-1-2000 Reviewer: Kay Walker

this right only serves land on north ditch system - no co-mingling w/creek water

Change/OK

Name/Address ok

Source ok
Point of Diversion: change

Does change clarify original intended source? If no, void permit.
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use change

Change (P41/P49) Add (P41/P44) Feds (P43)

~~W60 (subdivision description)~~ -no p/u overlap from gw - all acres recommended by examiner are new acres for gw irrig.
~~W27 (ppu acre limit)~~

Overlaps. Right(s): _____
File reviewed____ Profile reports printed____

P/D & P/U amend (P37) Feds (P48)

season of use = 3/1 to 11/15

Rate of Diversion

Permitted rate 6.02 cfs
Fee Limit 7.0 cfs
Measured 4.68 cfs
Theoretical _____ cfs

Recommended Total Diversion Rate 2.7

Water Uses op

Change (P46) - no commercial use developed

Irrigation	2.7 cfs	607.5 af
Stockwater	____ cfs	____ af
Domestic	____ cfs	____ af
_____	____ cfs	____ af
_____	____ cfs	____ af
Total	2.7 cfs	607.5 af

Irrigation - overlap(R58-R61, R62-R65, R66-R69)
~~supp. GW~~ (WB7/065/079) → No
~~overlap~~ spec combined rts (W35) → rts. do not exceed well capacity
~~>1 acre~~ (W31)
Domestic (W01/wb5/070/071/075)
~~Power~~ (W42 or W43/025/027/R22 or R23
~~Fish~~ (042)
~~Fire~~ (077) 109
Water Quality (081/R07)
~~Payette~~ – (W22/047/27A)
~~Stockwater~~ for US (R37)

Volume Determination
2.7 cfs x 1.9835 x 360 days = 1392.4 af (vs) 135 acres x 4.5 (FHR) = 607.5 af

Remarks: W36(57-02246/02253/10460), R55 3.5 cu
ø water msmt. dist ø moratorium
ø gw dist
ø gwma ø critgwma

Additional Conditions 57-C Watermaster Control
~~GW~~ Measurement/Measuring Device
~~Other~~
Trust (062/R55 remove 051)
~~Non-trust~~ (048/049)

Government Lots? no

Advance Priority? ____yes ✓no If yes, explain why below

R65

SRBA Claim? YES - partial decree in file

Adjust memo ____

Amend Letters P37 **P87, S06** **Second Amendment Notice** _____ **S06**

System capacity = 7.68

57-02246 = 4.0
57-02253 = 0.82 > 4.82

~~57-10460 = 0.6 No, Stock only~~

~~2.86 cfs left~~

~~0.60~~

2.86 remaining
-2.70 this permit
0.16

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO 57-2253

Owner Type	Name and Address
Current Owner	GORDON G KING
Current Owner	ROSE M KING PO BOX 36 MURPHY, ID 83650
Attorney	RONALD P RAINEY PO BOX 26 CALDWELL, ID 83605 (208)459-3659
Original Owner	ESTATE OF DI FOREMAN CALDWELL, ID 83605

Priority Date	08/23/1962
Basis	Decreed
Status	Active

Source	Tributary to
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	3/15	11/15	0 82 CFS		
Total Diversion			0 82 CFS		

Location of Point(s) of Diversion

GROUND WATER	SWNWNE	Sec 34	Township 04S	Range 01E	OWYHEE County
GROUND WATER Injection	SWNENW	Sec 35	Township 04S	Range 01E	OWYHEE County
GROUND WATER Rediversion	SWNENW	Sec 35	Township 04S	Range 01E	OWYHEE County

IRRIGATION Use
Acre Limit 241

Place(s) of use

Place of Use Legal Description IRRIGATION OWYHEE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04S	01E	26		NENE	18		SWNE	10		SENE	30			
				NESW	18		NWSW	5		SWSW	23		SESW	35
				NESE	12		NWSE	25		SWSE	3			
		34		NENE	13									
		35		NENW	12		NWNW	37						

Total Acres 241

Conditions of Approval

1 C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE

Remarks

1	Source	POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM CASTLE CREEK
2	Quantity	USE OF THIS RIGHT WITH RIGHT NO 57-02246 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1084 5 AF USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4 82 CFS COMBINED RIGHT NOS . 57-00091, 57-00099, 57-00109, 57-00118, 57-00122, 57-00124, 57-00128, 57-00136, 57-00152, 57-00163, 57-02132A & 57-02246
3	Purpose of Use	THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED THE USE OF WATER BEFORE MARCH 15 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT
4	Place of Use - Irrigation	THIS RIGHT IS LIMITED TO THE IRRIGATION OF 99 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHTS LISTED ABOVE IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 241 ACRES IN A SINGLE IRRIGATION SEASON
5	Explanatory	WATER TEMPERATURE MEASURED AT 170 DEGREES F. THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE 57-02246 & 57-10460

Comments

Author	Date	Subject	Comment
WERNER	9/23/91	POD-10 ACRE TRACT	INFORMATION GATHERED DURING THE 1990 FIELD EXAM SHOWS A DIFFERENT TEN ACRE TRACT FOR THE POINT OF DIVERSION OTHER THAN THAT WHICH WAS SHOWN IN THE BENEFICIAL USE EXAM THIS IS NOT A CHANGE IN THE POINT OF DIVERSION
WERNER	2/21/92	C09	PORTION OF RIGHT FORFEITED/ABANDONED DUE TO FLOW OR ACREAGE.
DSMITH	1/23/96	NAME AND/OR ADDRESS CHANGE	THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE ABOVE USER NOTING EXACTLY WHAT WAS CHANGED THE CHANGE FOR A K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT OWNER CHANGE
DSHAFF	12/10/97	POD REMARK	I REMOVED THE WARNING ABOUT USING CASTLE CREEK AND INJURY TO OTHER USERS THE COURT HAS STRUCK THIS LANGUAGE IN THE SUBCASES AND THE LEGAL STAFF POINTS OUT THE AUTHORITY AND PROTECTION IS PROVIDED BY 42-105

Dates

Licensed Date	
Claim Received Date	01/12/1989
Enlargement Use Priority Date	
Enlargement Statute Priority Date	
Decreed Date	12/29/1997
Date Filed with Court	
Objection Filed Date	
SF5 Filed	
Special Master Recom Signed Date	

Other Information

Receipt Number(s)	C005065
State or Federal	S
Owner Name Connector	AND
Water District Number	
Generic Max Rate per Acre	
Generic Max Volume per Acre	
Civil Case Number	
Old Case Number	
Decree Plaintiff	
Decree Defendant	
PresumptionFlag	
Notice of Error Flag	NONE RECEIVED
Swan Falls Trust or Nontrust	
Swan Falls Dismissed	
DLE Act Number	
Cary Act Number	
Mitigation Plan	False

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Recommended Right Report

WATER RIGHT NO 57-2246

Owner Type	Name and Address
Current Owner	GORDON G KING
Current Owner	ROSE M KING PO BOX 36 MURPHY, ID 83650
Attorney	RONALD P RAINEY PO BOX 26 CALDWELL, ID 83605 (208)459-3659
Original Owner	D I FOREMAN OREANA, ID 83659

Priority Date 07/26/1961
Basis Decreed
Status Active

Source	Tributary to
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
IRRIGATION	4/01	10/31	4 CFS		
Total Diversion			4 CFS		

Location of Point(s) of Diversion

GROUND WATER		SWNWNE	Sec 34	Township 04S	Range 01E	OWYHEE County
GROUND WATER	Rediversion	SWNENW	Sec 35	Township 04S	Range 01E	OWYHEE County
GROUND WATER	Injection	SWNENW	Sec 35	Township 04S	Range 01E	OWYHEE County

IRRIGATION Use
Acre Limit 241

Place(s) of use

Place of Use Legal Description IRRIGATION OWYHEE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04S	01E	26		NENE	18		SWNE	10		SENE	30			
				NESW	18		NWSW	5		SWSW	23		SESW	35
				NESE	12		NWSE	25		SWSE	3			
		34		NENE	13									
		35		NENW	12		NWNW	37						

Total Acres 241

Conditions of Approval

1 C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE

Remarks

1	Source	POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM CASTLE CREEK
2	Quantity	USE OF THIS RIGHT WITH RIGHT NO 57-02253 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1084.5 AF USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.82 CFS COMBINED RIGHT NOS : 57-00091, 57-00099, 57-00109, 57-00118, 57-00122, 57-00124, 57-00128, 57-00136, 57-00152, 57-00163, 57-02132A & 57-02253
3	Purpose of Use	THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 1 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT
4	Place of Use - Irrigation	THIS RIGHT IS LIMITED TO THE IRRIGATION OF 208 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON. USE OF THIS RIGHT WITH RIGHTS LISTED ABOVE IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 241 ACRES IN A SINGLE IRRIGATION SEASON
5	Explanatory	WATER TEMPERATURE MEASURED AT 170 DEGREES F THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE 57-02253, 57-10460 THE AMOUNT OF WATER DIVERTED FROM CASTLE CREEK SHALL BE REDUCED WHEN NECESSARY TO PREVENT INJURY TO APPROPRIATORS OF WATER FROM CASTLE CREEK DOWNSTREAM FROM THE POINT OF REDIVERSION

Comments

Author	Date	Subject	Comment
WERNER	9/23/91	POD-10 ACRE TRACT	INFORMATION OBTAINED DURING THE 1990 FIELD EXAM SHOWS THAT THE TEN ACRE TRACT IS IN THE SWNWNE OF SECTION 34 RATHER THAN THE NENWNE OF SECTION 34 AS FOUND IN THE BENEFICIAL USE LICENSING EXAM

Dates

Licensed Date	
Claim Received Date	01/12/1989
Enlargement Use Priority Date	
Enlargement Statute Priority Date	
Decreed Date	12/15/1997
Date Filed with Court	
Objection Filed Date	
SF5 Filed	
Special Master Recom Signed Date	

Other Information

Receipt Number(s)	C005065
State or Federal	S
Owner Name Connector	AND
Water District Number	
Generic Max Rate per Acre	
Generic Max Volume per Acre	
Civil Case Number	
Old Case Number	
Decree Plaintiff	
Decree Defendant	
PresumptionFlag	
Notice of Error Flag	NONE RECEIVED
Swan Falls Trust or Nontrust	
Swan Falls Dismissed	
DLE Act Number	
Cary Act Number	
Mitigation Plan	False

IDAHO DEPARTMENT OF WATER RESOURCES
Water Right Report

WATER RIGHT NO 57-10460

Owner Type	Name and Address
Current Owner	GORDON G KING
Current Owner	ROSE M KING
	PO BOX 36
	MURPHY, ID 83650
Attorney	RONALD RAINEY
	ATTORNEY AT LAW
	PO BOX 26
	CALDWELL, ID 836060026

Priority Date	08/01/1962
Basis	Decreed
Status	Active

Source	Tributary to
GROUND WATER	

Beneficial Use	From	To	Diversion Rate	Volume	Subuse Code
STOCKWATER	1/01	12/31	0 6 CFS	37 AFA	
Total Diversion			0 6 CFS	37 AFA	

Location of Point(s) of Diversion

GROUND WATER		SWNWNE	Sec 34	Township 04S	Range 01E	OWYHEE County
GROUND WATER	Injection	SWNENW	Sec 35	Township 04S	Range 01E	OWYHEE County
GROUND WATER	Rediversion	SWNENW	Sec 35	Township 04S	Range 01E	OWYHEE County

Place(s) of use

Place of Use Legal Description STOCKWATER OWYHEE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
04S	01E	26		NENE			SWNE			SENE				
				SWNW			SENW							
				NESW			NWSW			SWSW			SESW	
				NESE			NWSE			SWSE				
		34		NENE										
		35		NENW			NWNW							

Remarks

1	Source	POINT OF INJECTION INTO AND POINT OF REDIVERSION FROM CASTLE CREEK
2	Explanatory	THE AMOUNT OF WATER DIVERTED FROM CASTLE CREEK SHALL BE REDUCED WHEN NECESSARY TO PREVENT INJURY TO APPROPRIATORS OF WATER FROM CASTLE CREEK DOWNSTREAM FROM THE POINT OF REDIVERSION STOCKWATER, 2760 RANGE CATTLE THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE 57-02246, 57-02253 WATER TEMPERATURE MEASURED AT 170 DEGREES F

Comments

Author	Date	Subject	Comment
DSMITH	1/23/96	NAME AND/OR ADDRESS CHANGE	THE NAMES OR ADDRESSES IN THE NAME FILE WERE CHANGED WITHOUT THE ABOVE USER NOTING EXACTLY WHAT WAS CHANGED. THE CHANGE FOR A K-OWNER OR ATTORNEY MAY HAVE BEEN MADE WITHOUT A WATER RIGHT OWNER CHANGE *NAME/ADDRESS CONFORMED TO AVOID DUPLICATE MAILING LABELS
STK-PROD	10/30/96	D&S STK-BLM UPDATE	USE-NOT-IRRIGATION FIELD TEXT DELETED AND MADE EXP REMARK. CONDITION CODES N11 AND N13 ADDED IF NOT ALREADY PART OF RECORD. ANY GEN REMARK CHANGED TO EXP REMARK IF BLM/USFS, DELETED L12

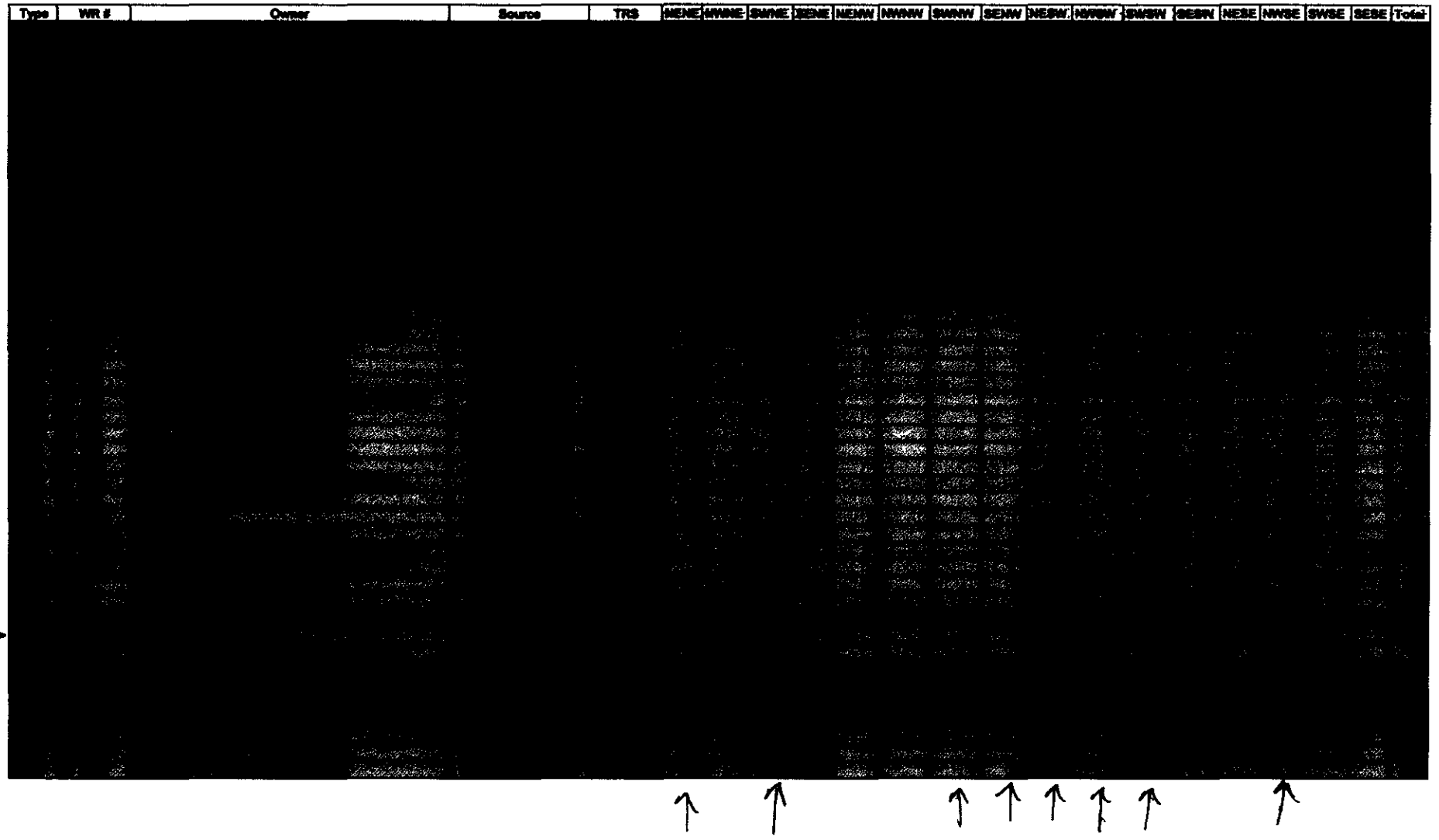
Dates

Licensed Date	
Decreed Date	12/15/1997
Enlargement Use Priority Date	
Enlargement Statute Priority Date	
Application Received Date	
Protest Deadline Date	
Number of Protests	0

Other Information

Receipt Number(s)	
State or Federal	S
Owner Name Connector	AND
Water District Number	
Generic Max Rate per Acre	
Generic Max Volume per Acre	
Civil Case Number	
Old Case Number	
Decree Plantiff	
Decree Defendant	
Swan Falls Trust or Nontrust	
Swan Falls Dismissed	
DLE Act Number	
Cary Act Number	
Mitigation Plan	False

Idaho Dept. of Water Resources
Place of Use Comparison Report



Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total

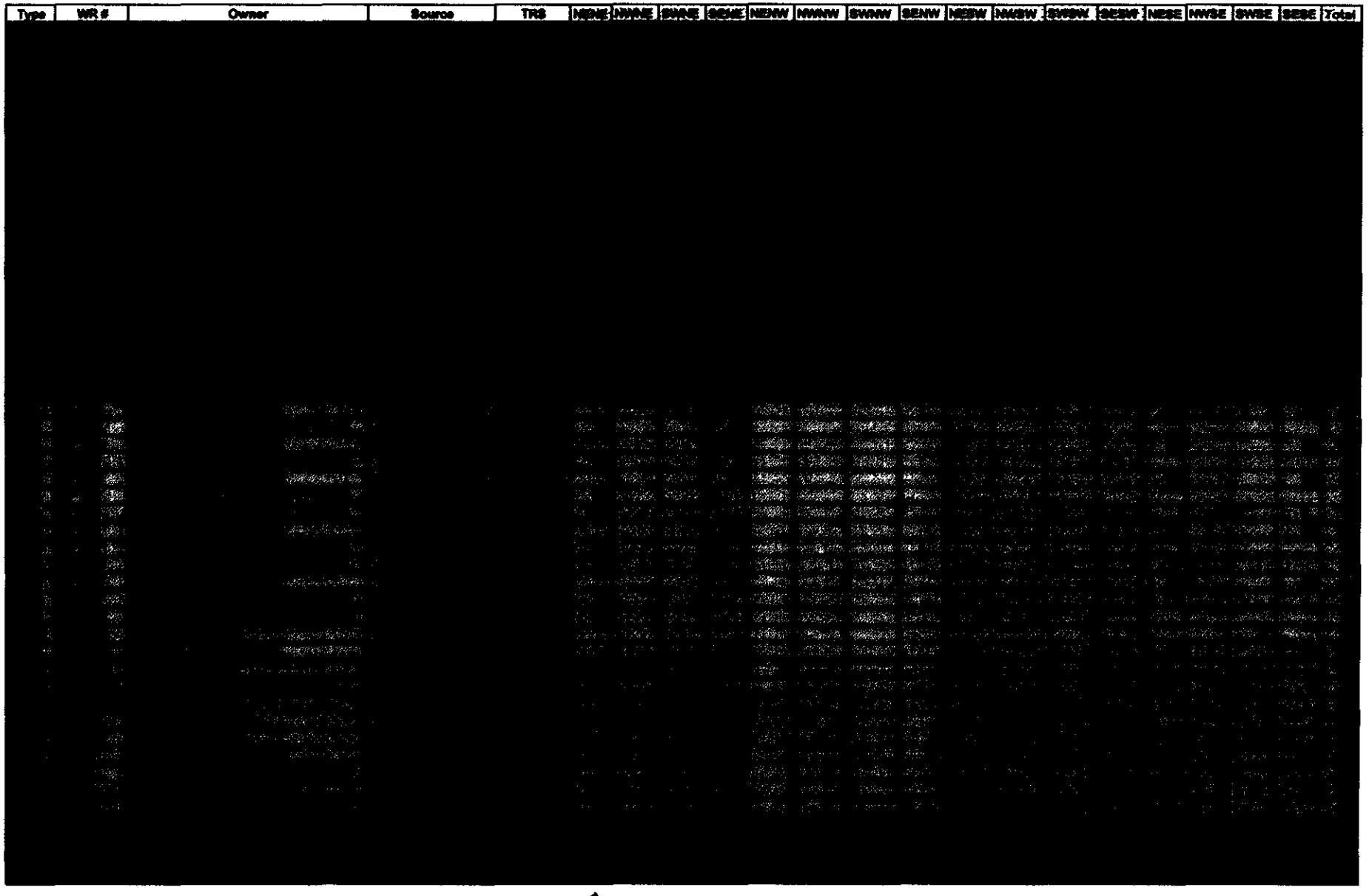
Not claimed in SRBA

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS																

NO
OL

Idaho Dept. of Water Resources
Place of Use Comparison Report





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

In Re SRBA)
)
Case No. 39576)
)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 57-07266

98 FEB -9 PM 1:09

DISTRICT COURT-SRBA
TWIN FALLS CO, IDAHO

NAME & ADDRESS: GORDON G KING
ROSE M KING
PO BOX 36
MURPHY ID 83650

SOURCE: GROUNDWATER

QUANTITY: 6.02 CFS

PRIORITY DATE: 01/14/1981

POINT OF DIVERSION: T04S R01E S34 NENE Within OWYHEE County

PURPOSE AND PERIOD OF USE:

PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION	Irrigation Season	6.02 CFS
COMMERCIAL	01-01 12-31	6.02 CFS

COMMERCIAL USE IS FOR GASOHOL PLANT.

PLACE OF USE:

IRRIGATION Within OWYHEE County

T04S R01E S26	NENE 12	SWNE 14	SENE 25	SWNW 40
	SENW 40	NESW 20	NWSW 29	SWSW 16
	SESW 17	NESE 11	NWSE 10	SWSE 4
S34	NENE 26			
S35	NENW 31	NWNW 6		

301 ACRES TOTAL

COMMERCIAL Within OWYHEE County
T04S R01E S27 SESE

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

THIS RIGHT IS CONDITIONED UPON COMPLETION OF THE APPROPRIATION IN ACCORDANCE WITH THE STATUTORY PROCEDURE FOR APPROPRIATION OF WATER RIGHTS. THIS RIGHT REMAINS SUBJECT TO ALL CONDITIONS SET FORTH IN THE PERMIT UPON WHICH THIS RIGHT IS BASED, AND WILL BE SUBJECT TO ALL CONDITIONS SET FORTH IN THE LICENSE ISSUED BY IDWR UPON COMPLETION OF THE STATUTORY APPROPRIATION PROCESS.

Partial Decree

RULE 54(b) CERTIFICATE

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

DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

Form 219
6/92

RECEIVED
MAY 25
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 57-07266

1. Owner: GORDON % ROSE KING Phone No. 834-2051

Current Address: PO Bx 36 MURPHY ID 83650

2. Accompanied by: OWNER EXAM DATE: 5-21-97

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 57-2246, 2253 + surface water rights 57-10460

2. Other water rights with the same point of diversion: 57-2246, 2253, 10460

C. DIVERSION AND DELIVERY SYSTEM

1. **Point(s) of Diversion:**

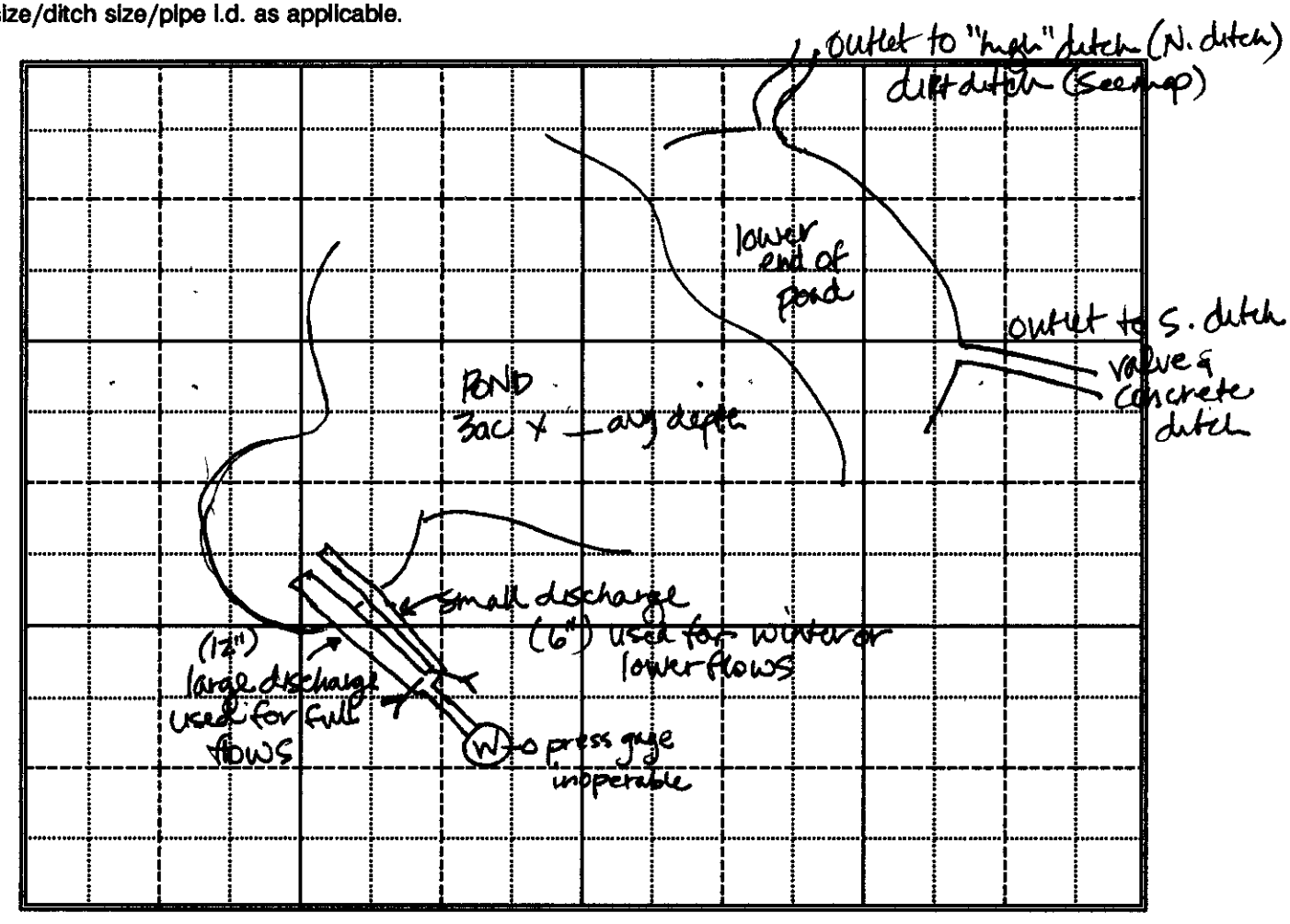
Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	NW	NE	34	04S	01E	Owyhee	SRBA map, USGS Map, Site Visit

2. **Place(s) of Use:** Indicate Method of Determination Above, comments

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4S	1E	26	20		30				7	20	22	21	6			1			127
		27																1	1
		34	7																7
		~~35~~																	
																			135

MICROFILMED
OCT 19 2001

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



Scale: 1" = NTS

___ 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
artesian	N/A				

*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

2. **Measurements:** None. Well is geothermal, approx 175°F. Well has been measured for 57-2253 at 7.68 cfs, and earlier (1968) at 7.18 cfs (See 57-2246)

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OCT 19 2001

E. NARRATIVE/REMARKS/COMMENTS

An artesian well previously licensed under 57-2246 & 57-2253 used for irrigation of additional acres. Well discharges into an approx 3-ac cooling pond and flows are then distributed through a system of concrete or earth ditch and gated pipe. New acres found are in addition to the 241 acres recommended to SRBA under the above rights. Some of these acres are delineated on CFSA maps and some are not, although all are definitely irrigated. Crop is patchy on some fields due to alkali soils but is improving - initial seeding was several yrs ago.

Commercial use or permit was not developed

Acres for this right were determined by comparing found acres with SRBA acres and licensing difference. See map from B/u exam of 2253 which was used for determination of SRBA acres, and LRW's "New & Old Pou" map which shows approximate same new acres I found.

Overlaps: 57-2246 & 2253 are on separate acres, as are all surface water rights. As near as I can tell, there are no S.W. shares on the newer developed lands. 57-10460 is a stockwater right from same well.

* Port was there at one time - (?) No other device.

Have conditions of permit approval been met? ___ yes ___ no *

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OCT 19 2001

F. FLOW CALCULATIONS ____ Additional Computation Sheets Attached

Measured Method:

Existing licensed flow = 4.82 cfs
New acres 135 @ .02 = 2.70 cfs
7.52 cfs - within 10% of previously measured.

135 ac x .02 = 2.7 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = 135 x 4.5 = 607.5

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = 2.7 x 1.9835 x 246 = 1317.4

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 607.5

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
IRRIGATION	3/15	11/15	2.7	607.5
		Totals:	2.7	607.5

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 CJHodges Date 5-22-98

Reviewer _____ Date _____

MICROFILMED
OCT 19 2001
SEAL

Hwy 79

4
32.6
22
23
26

5
104.0

X21

18

24

16.7

42.7

30

12

18

18

2

19

12

25

20

5

22

1

61.6

23

35

3

6

1

37

12

13

8
124.5

28

37 - SRBA recommended (224.6-225.6)

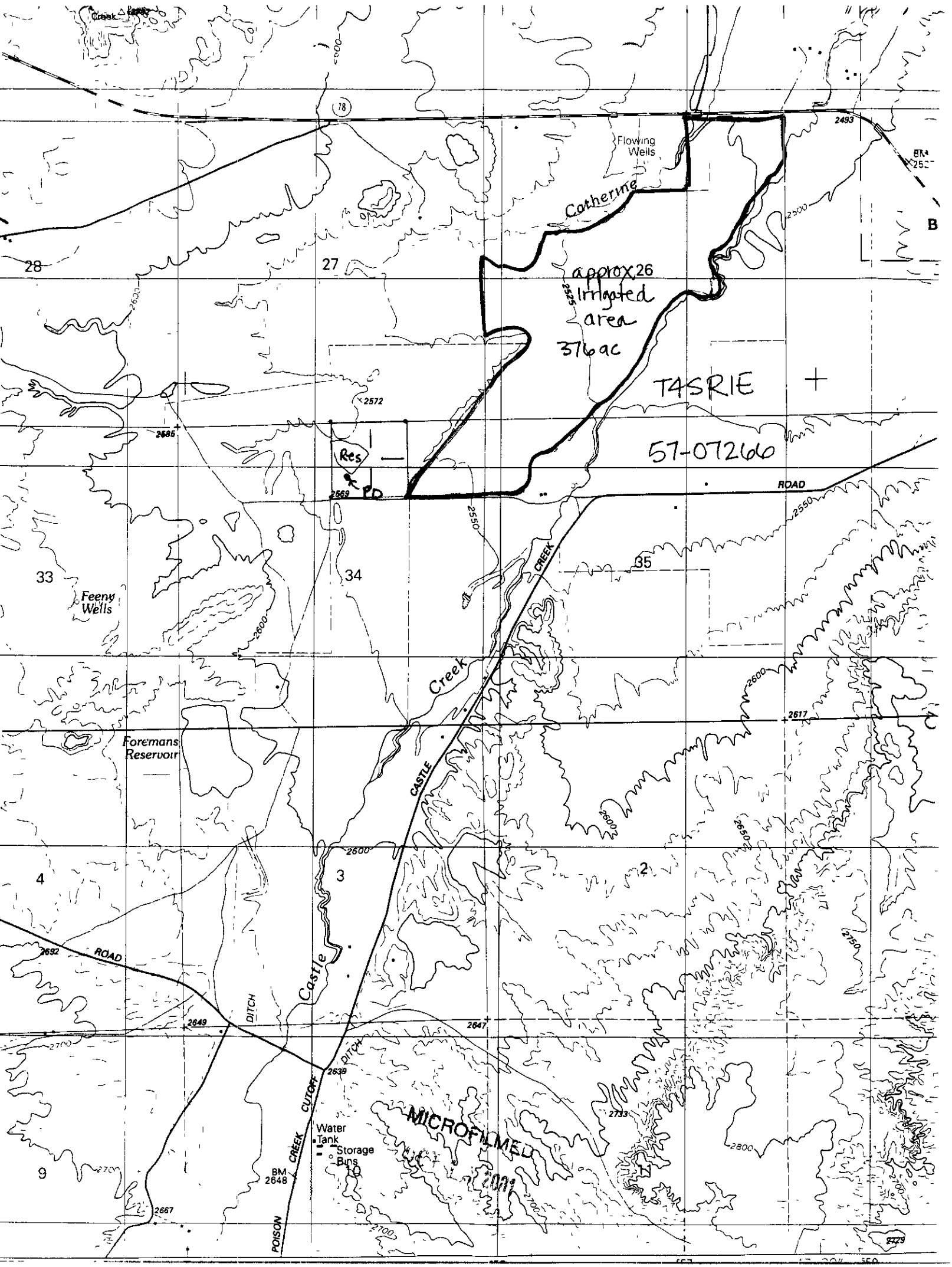
7 - acres this license (72.66)

T4S R1E

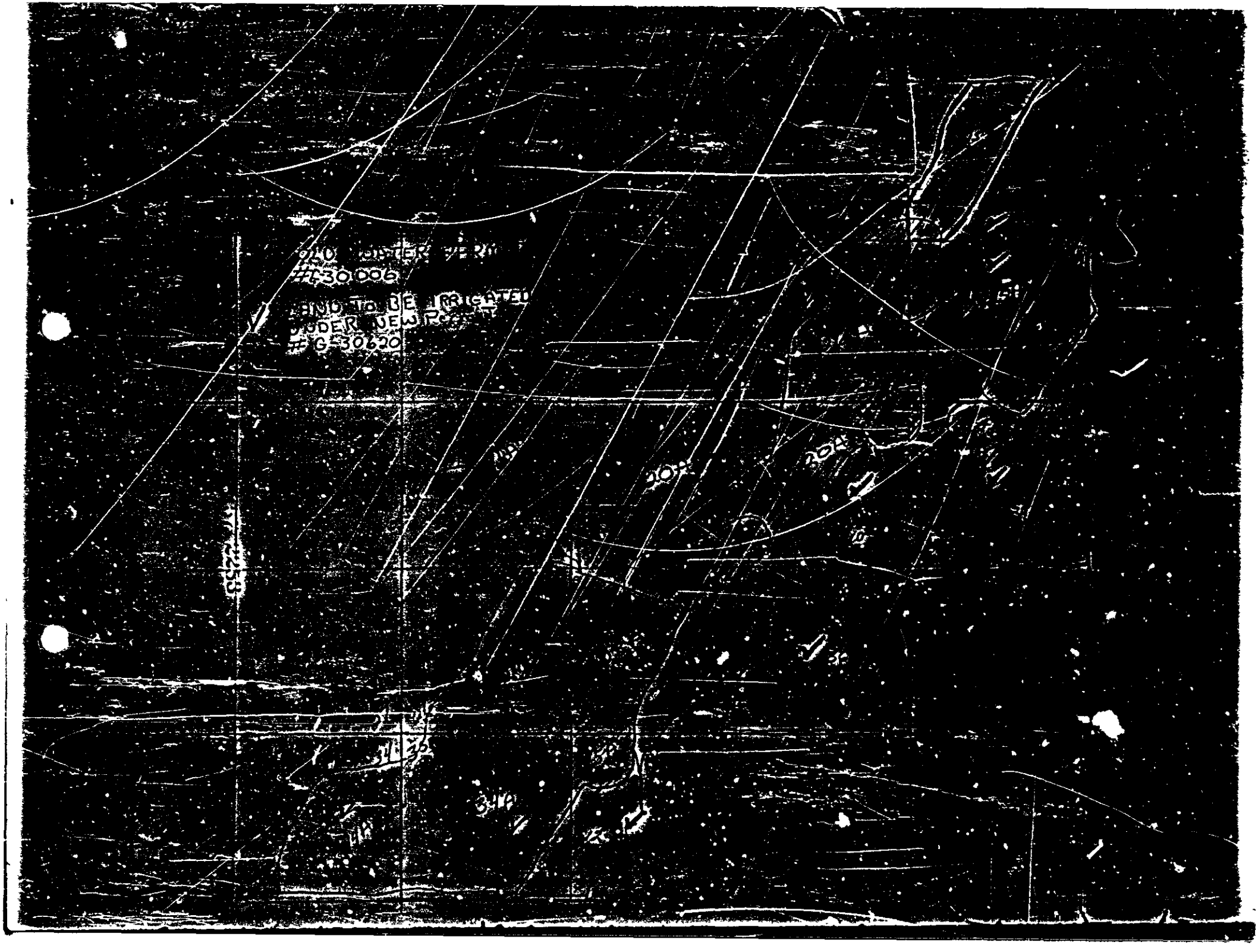
57-7266

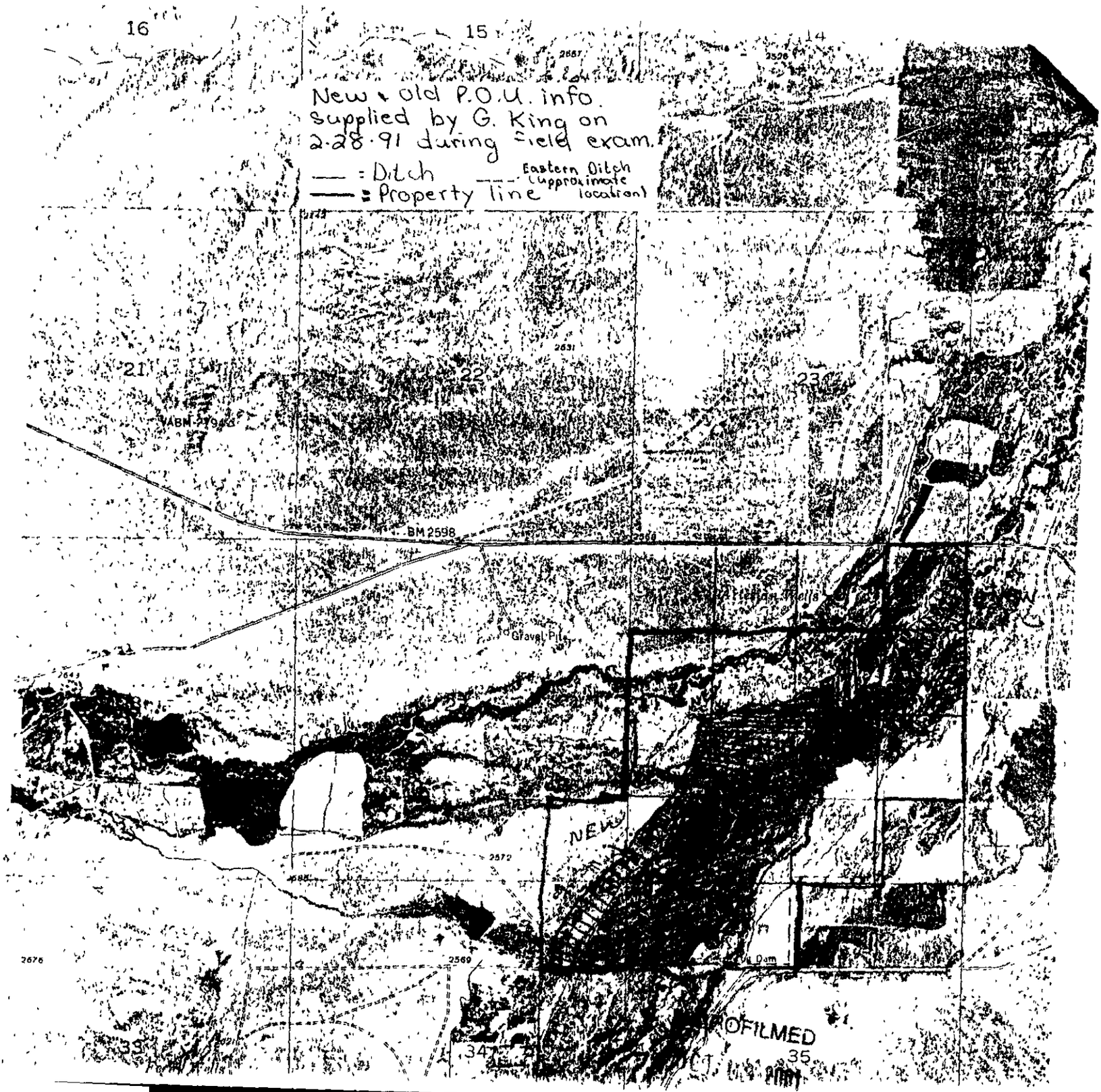
Total acres = 376
SRBA acres = 241
CFSA acres = 98
Non-delineated acres = 76
Acres to license = 135
(297.5 + 78 - 24)

Injector crosses Creek in pipe from Castle div.

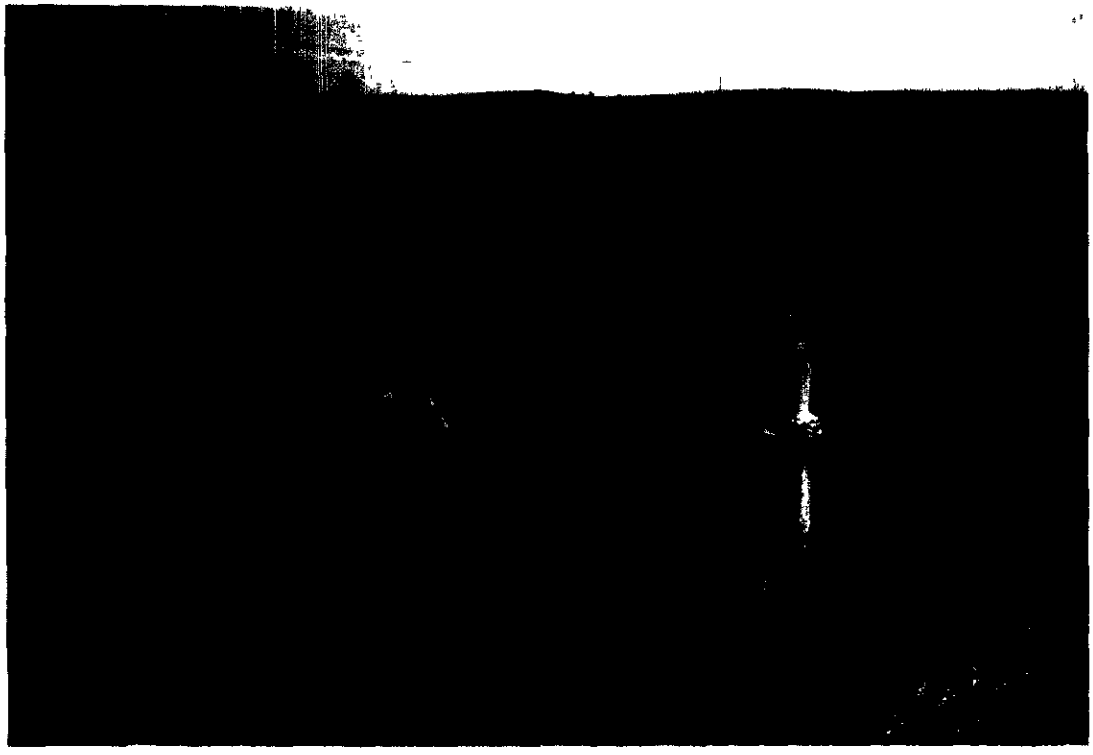

Flowing Wells
Catherine
28
27
approx 26 Irrigated area 376 ac
T4SRIE
57-07266
Res
PD
ROAD
33
34
35
Feeny Wells
Creek
Foremans Reservoir
CASTLE CREEK
4
3
2
1
ROAD
DITCH
Castle Creek
DITCH
CUTOFF
Water Tank
Storage Bins
BM 2648
POISON
9
10
MICROFILMED
2001



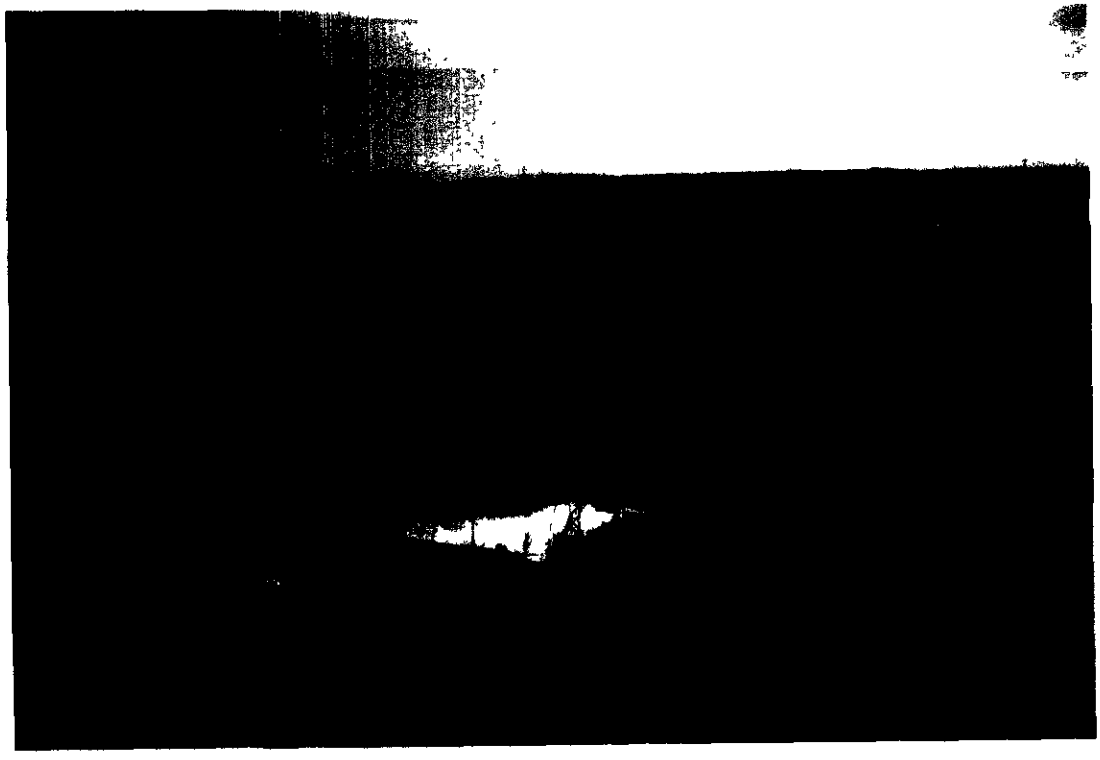

#30006
#G 30620



MICROFILMED



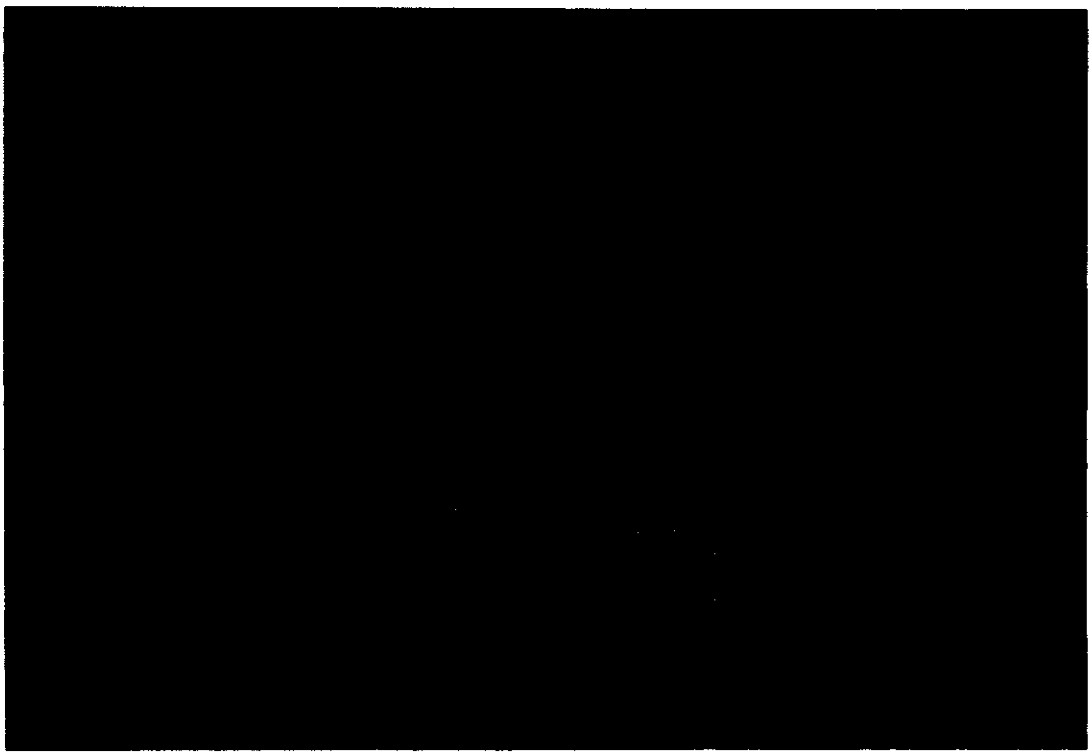
Well and control valve on discharge.



Discharge to cooling pond (small pipe only)

FILMED
1 3 2001

57-01266

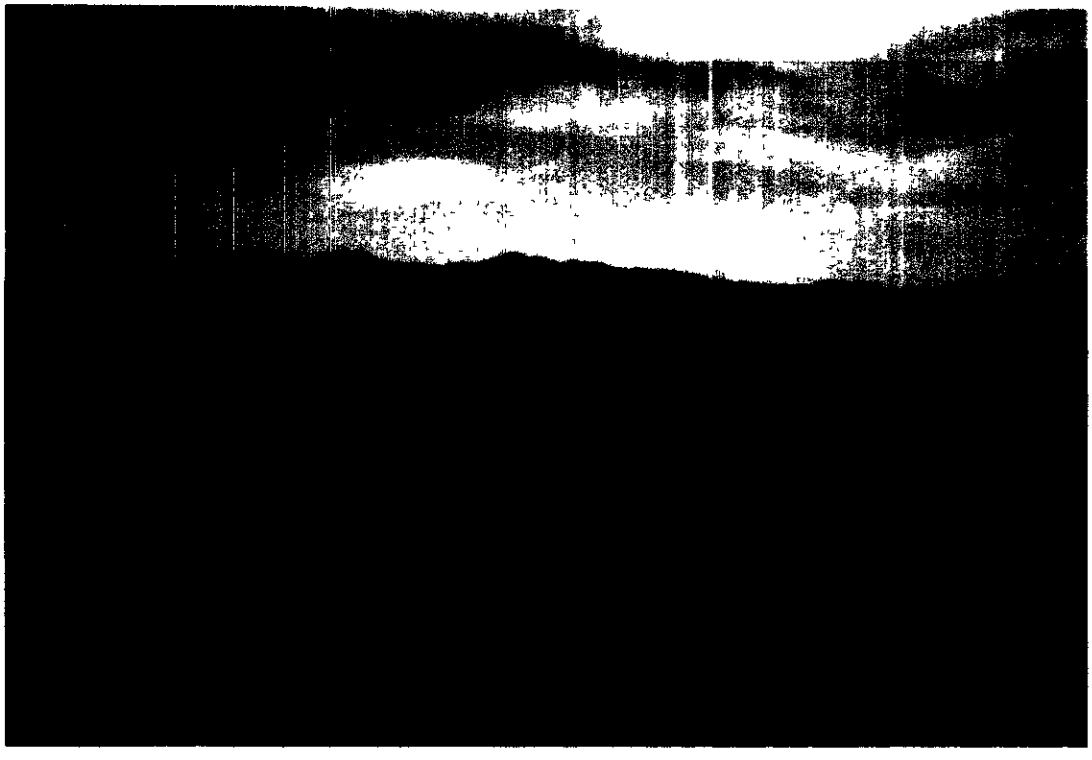


New P/u in NWSW S26, West of cement ditch (looking W)



Gated pipe to New P/u in SENW Sec 26 and beyond (looking NE)

57-07266



Existing / New

P.U.

S½ Sec 26





2001

57-07266

238(4)-1
3/93

IDAHO D[illegible]PARTMENT OF WATER RL[illegible]OURCES

WELL INSPECTION FORM

GPS ID A0000097

1. **DRILLING PERMIT NO:** N/A **OTHER APPLICABLE NO:** 57-07266

2. **OWNER:** G. KING **Phone:** 8342051
Address: PO BX 36 MURPHY 83650

3. **WELL LOCATION:** Twp 4S, Rge. 1E, Sec. 34, ____ 1/4 ____ 1/4
County Owyhee (Provide sketch map and photo on reverse.)

4. **DRILLER:** Steiner, Harold **Lic. No.** ____
When Drilled? July 8 1962 completed. Log attached.

5. **WELL CONSTRUCTION**
Casing Diameter 16 inches Water tight cap? [N] Yes [ ] No Access Port: [N] Yes [ ] No
Casing ≥ 12 inches above ground? [Y] Yes [ ] No - Describe ____
Depth of Casing 2160 ft. Method Drilled Rotary
Condition of Well Casing: [ ] Good [N] Fair [ ] Poor Describe Corroded from geothermal water
Control Valve? [N] Yes [ ] No Pressure Gauge: [Y] Yes [ ] No NON-OP
Condition of Piping and Valving Fair
Auger to a depth of ____ ft. Evidence of Annular Seal [ ] Yes [ ] No
Are there obvious constuction problems that may be a source for contamination or waste of water?
[ ] Yes [Y] No (Describe in Remarks and Attach Photo - On Reverse)

6. **HYDROLOGIC INFORMATION** artesian
Depth to Static Water N/A ft. Water Temperature 172 oF
Flowing Artesian [N] Yes [ ] No Pressure: ~105 (psi) (well log)
Water Sample Taken? [ ] Yes [N] No If yes, describe purpose ____
Water Quality Measurements/Observations (Describe) ____

7. **WELL USE:**
[ ] Domestic [Y] Irrigation [Y] Stock
[ ] Test [ ] Municipal [ ] Industrial
[ ] Abandoned [ ] Waste Disposal/Injection [ ] Not Used
[ ] Other: ____

MICROFILMED
OCT 19 2001

9. REMARKS:

C Hodges
Signature of Dept. Representative & Title

5-27-97
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

WELL LOG AND REPORT TO THE STATE RECLAMATION ENGINEER OF IDAHO

Log No.
Rec'd 19
Well No.
Permit No. 8-20066
(DO NOT FILL IN)

Owner D. L. FOREMAN Address OREANA, IDAHO
Driller HAROLD A STEITER Address OREANA, IDAHO Lic. No. 136
Location of Well: NW ¼ NE ¼ Sec. 34, T. 4S N/S, R1E E/W Owyhee County,
and feet N/S, and feet E/W from Corner of ¼ ¼ Sec.
Size of Drilled Hole 12" 8m" and 8" Total depth of Well 2980 Feet
Give depth of standing water from surface flowing Water Temp. 170 °Farenheit
On pumping test delivery was g.p.m. or 7.97 flowing c.f.s. Drawdown was feet.
Size of pump and motor used to make the test none
Length of time pumped during check was hr., minutes.
If flowing well, give flow in c.f.s. 7.97 or g.p.m. and shut in pressure 105 PSI
If flowing well, describe control works 12" T with 12" gate valve
(TYPE AND SIZE OF VALVE, ETC.)
Water will be used for Irrigation Weight of casing per linear foot 25# and 22#
Thickness of casing three eighths&three sixteenths Casing material ste l
E.G., PIPE, CONCRETE, WOOD.
Diameter, length and location of casing 4'above to 130' 16", 0 to 1030 12", 1020' to2160" 10"
(CASING 12" IN DIAMETER AND UNDER GIVE INSIDE DIAMETER; CASING OVER 12" IN DIAMETER GIVE OUTSIDE DIAMETER.)
Number and size of perforations none located feet to feet
from surface of ground.
Other perforations none
Date of commencement of well Oct 30, 1961 Date of completion of well July 8,1962
Type of well rig rotary

CASING RECORD

DIAM CASING	FROM FEET	TO FEET	LENGTH	"REMARKS" -- SEALS GROUTING ETC
16"	plus 4'	130'	130	grouted on outside with cement
12"	0	1030	1030	mud pumped behind and grouted at bottom and between 16 and 12
10"	1020	2160	1140	Mud sealed back of it and steel collar between 10 and 12

GENERAL INFORMATION—Pumping Test, Quality of Water, Etc.

Water not tested

MICROFILMED
OCT 10 2001

Certified to be a true and correct copy of the document held by the Department of Water Resources
State of Idaho
this 23rd day of October, 19 92
Deputy
Director

WELL LOG

From Feet	To Feet	Type of Material	Drilling Time Hrs.	Drilling Time Min.	Water-bearing Formation Ans. Yes or No	Casing Perforated Ans. Yes or No
0	70	yellow clay	10			
70	200	blue shale	21			
200	205	sand streak	1			
205	425	blue shale crevieed	82		yes	no
425	900	blue shale, lost circulation	45		yes	no
900	1490	sticky blue shale	60			
1490	1630	sticky shale	32			
1630	1980	hard gray shale thin rock layers	49			
1980	2090	soft shale, blue	1			
2090	2120	white chalky shale hard	1			
2120	2130	Hard grey rock	3			
2130	2520	grey shale with rock layers	50			
2520	2530	red rock (cinders)	1			
2530	2570	black rock 4ft per hour	20			
2570	2630	black 2 to 6 feet per houn				
2630	2670	blck rock 4 feet per houn				
2670	2900	soft grey shale	32			
2900	2980	grey rock soft and hard streaks	21			
		If more space is required use Sheet No. 2				

WELL DRILLERS STATEMENT

This well was drilled under my jurisdiction and the above information is true and correct to the best of my knowledge and belief.

Signed Harold A Steiner

By Harold A steiner

License No. 136

Dated Aug 8 , 19 62

MICROFILMED
OCT 19 2001

Certified to be a true and correct copy of the document held by the State Department of Reclamation on this 21st day of Aug 19 67

[illegible] Bennett Deputy

State of Idaho

Department of Water Administration

LICENSE FOR WATER RIGHT

of Water Right No. 57-2253 Priority 8-23-62 Amount 1.98 c.f.s.

(Date of priority)

IS TO CERTIFY, that Estate of D. L. NORMAN

Caldwell, Idaho has complied with the terms and conditions of Permit

57-2253 issued pursuant to Application for Permit dated 8-21-62

and has submitted proof to the Department of Water Administration on 8-23-68

that he has applied water to a beneficial use; an examination by the Department indicates that the works have a capacity of 7.68 c.f.s. and that the water is in fact being applied to a beneficial use; a right to the use of water from a groundwater source

tributary of is hereby confirmed in the following amounts:

Amount 1.98 c.f.s. for Irrigation from March 15 to Nov. 15 (both dates inclusive)

Amount for from to (both dates inclusive)

Amount for from to (both dates inclusive)

Subject, however, to the condition that no more than 1.98 c.f.s. shall be diverted at any one time, said waters to be diverted within the

NW¼NE¼ Sec. 34, Twp. 4 S., Rge. 1 E., B.M.

in the county of Owyhee and that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose aforesaid and is limited to the amount which can actually be beneficially used and shall not exceed 4.495 acre feet per year or 5.0 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC	NE¼ NE¼	NW¼ NE¼	SW¼ NE¼	SE¼ NE¼	NE¼ NW¼	NW¼ NW¼	SW¼ NW¼	SE¼ NW¼	NE¼ SW¼	NW¼ SW¼	SW¼ SW¼	SE¼ SW¼	NE¼ SE¼	NW¼ SE¼	SW¼ SE¼	SE¼ SE¼	TOTALS
4 S	1 E	26	15												26	10	36		87
		35					12												12

Total number of acres irrigated 99

right to the use of the water hereby confirmed for the lands or place of use herein described is subject to the provisions of Idaho

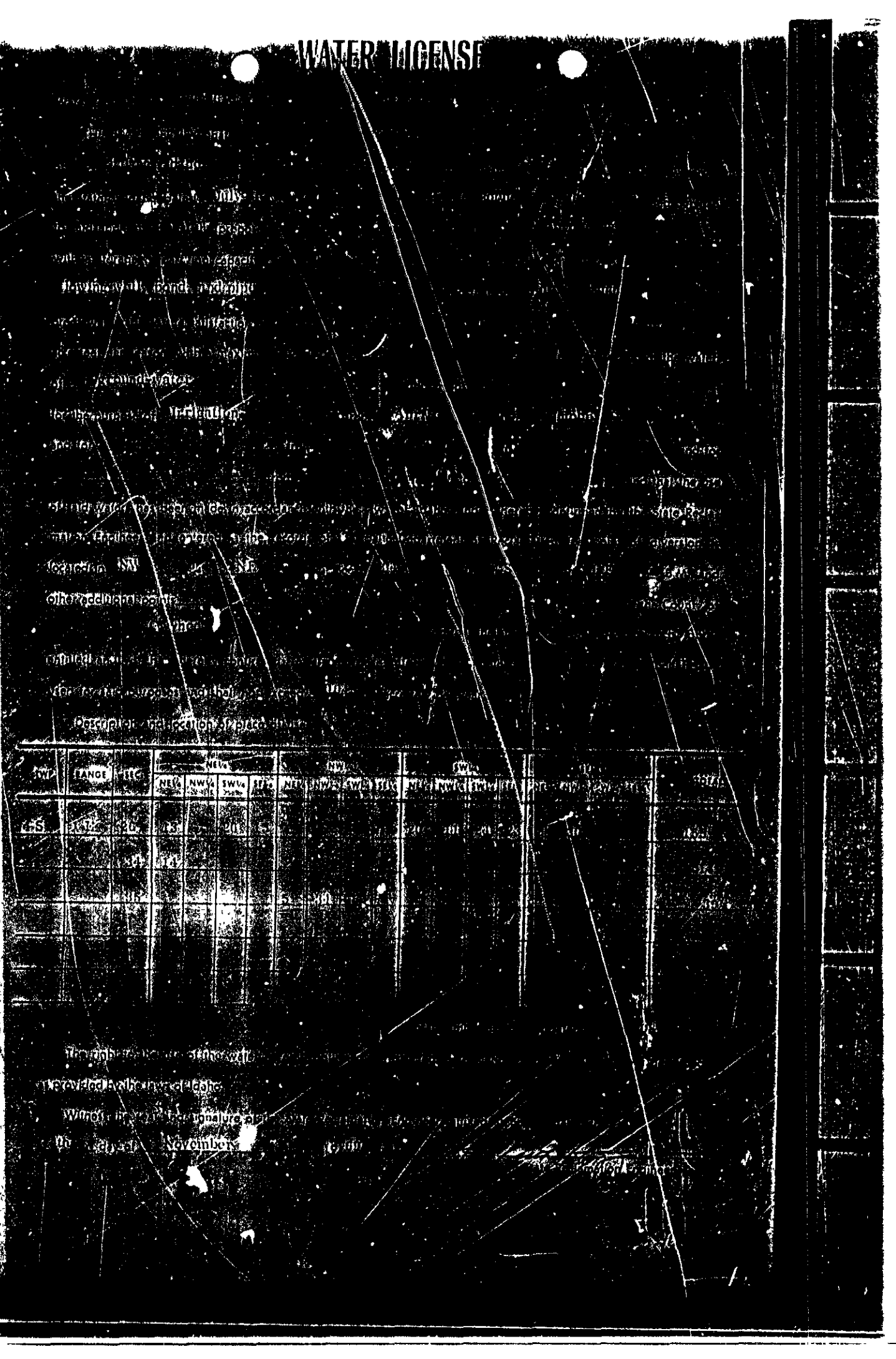
Witness the seal and signature of the Director affixed at Boise, Idaho, this 16th day of March, 1971.

Director

Deputy Director

57-2253

WATER LICENSE



5.1.97

Gordon to call back

GENERAL INFO

NAME: Rose/Gordon Kang

PERMIT #: 57-7266

PHONE #: 834 2051

CASING:

HP: artesian

STATIC:

DEPTH:

DYNAMIC:

PSI:

ACRES IRRIGATED: >241 found in 1991

SPRINKLER INFO: cement ditch

STOCK:

DOMESTICS:

OTHER USES:

OTHER RTS:

DIRECTIONS:

FILE FROM ANDREN - (SRBA Map) NEW CFSA

2246 + 2253, same P/D's? (YES) = 241 acres in 2/91

More acres since then?

Commercial = gasahol plant?

↓

NOT DEVELOPED

through Murphy (20 mi) to 49 mile [illegible] dumpster - [illegible] left, [illegible] on Oreana Loop Rd 1.5 mile, cross CK @ curve to house

↓

Map = Castle Ck Rd

EXAM DATE: May 21 9-9.30

MICROFILMED
OCT 19 2001

October 9, 1991

GORDON G. KING
ROSE M. KING
P O BOX 36
MURPHY ID 83650

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 57-07266

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. 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,

Nina Shields
Secretary/Records Manager

c: IDWR - Region

NOV 19 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 57-7266 Date 10-3-91

GENERAL CONSIDERATIONS

- ✓ Name same as permit?
- ? Address same as permit? If no, indicate below.
- ✓ Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

- Surface water source
- ✓ Ground water source
- NA Drill permit req'd?
- Copy in file? Drill permit no. _____
- Amt paid for drilling permit? _____ Correct?
- Well log in file?

1962

LICENSE EXAMINATION FEE

- ✓ Required?
- 250.00 Amount submitted?
- ✓ Correct amount?

MEASURING DEVICE

- Yes Measuring device or access port required?
- Yes Installed?
- Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

address change 10-3-91

prog acceptable

PRIORITY CALCULATION

Date proof received	NA		
Date proof due		-	
No. of days late		=	
Priority date		+	
NEW PRIORITY DATE		=	

LB

NOV 19 1991

RECEIVED
AUG 07 1991
Department of Water Resources

Rita!

Please advise as to when and when someone will be coming to check our ground.

We've been diligently working to make adequate progress and test our ground and water.

Thanks

Gordon Lee Fay

RECEIVED
NOV 19 1991

138917

July 31, 1991

GORDON KING
ROSE M KING
P O BOX 36
MURPHY ID 83650

PROOF DUE NOTICE

RE: PERMIT NO. 57-07266

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, 1991. (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

NOV 19 1991

September 24, 1990

Gordon or Rose M. King
P. O. Box 36
Murphy, ID 83650

Dear Mr. and Mrs. King:

Re: Permit No. 57-7266

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, 1991.

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.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED
OCT 19 1990

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 57-7266 Reviewed by [illegible] Date 9-19-90

BASIC INFORMATION

Y Date stamp received
Y Extension received timely (not too early not too late)
Y Fee received and receipted
Y Name and signature same as permit
N Address change

BASIS FOR EXTENSION REQUEST

Y Has adequate work been completed to demonstrate due diligence?
Y Has the cost incurred been adequate to demonstrate an intent to complete the project?
____ Has the permit been involved in litigation?
a. Swan Falls _____ Dismissed from Swan Falls _____
Other _____ Identify _____
b. Is supporting documentation needed to complete the file? _____
Requested _____
c. Calculate the period of delay

Date litigation completed _____

Date litigation began - _____

Total period of delay = _____

Present proof due date + _____

NEW PROOF DUE DATE = _____

____ Is delay by a government agency?
Is supporting documentation needed to complete the file? _____
Requested? _____

ACTION TAKEN - Previous extensions granted due to Swan Falls litigation
Recommend approval based on due diligence for one year

N/A Reinstate Date extention received _____ = _____

Proof due date _____ = - _____

No. of days late = _____

Priority date _____ = + _____

ADJUSTED PRIORITY DATE _____ = _____

DATE ENTRY

✓ Change proof due date ____ Address change
____ Priority date change

CONVERSATION MEMORANDUM

DATE _____

FILE 57-7866

NAME OF PARTY _____

EMPLOYEE Rita Fleck

RE: _____

Linda Warner called questioning the status of this permit. I advised that an extension was pending review. She had scheduled a field exam and wondered if the project was ready for proof. There was evidence to show the land had been irrigated however, the irrigation system was in disrepair.

Sept. 18, 1990

Roxanne McCarthy (who accompanied Linda Warner on the field exam stated that the project was well into development, but that indeed more time was needed to put some land under irrigation.

MICROFILMED
OCT 19 1990

138167

July 31, 1990 CERTIFIED MAIL

GORDON G. KING
ROSE M. KING
BOX 36
MURPHY, ID 83650

PROOF DUE NOTICE

RE: PERMIT NO. 57-7266

Dear Permit Holders:

One of the conditons 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, 1990. 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 provided the delay is for reasonable cause as described 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 I. FLECK
Secretary/Records Manager

Enclosures

MICROFILMED
OCT 19 1990

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

October 18, 1989

RE: Permit No. 57-7266

Gordon G. &/or Rose M. King
Box 36
Murphy, ID 83650

Dear Mr. and Mrs. King:

Enclosed is an order that authorizes you to continue development under Permit to Appropriate Water No. 57-7266. Please note in condition #1., page two of the order that you must develop your system and beneficially use the water prior to October 1, 1990. Failure to beneficially use the water before October 1, 1990 could result in a loss of your water right permit.

Also enclosed is a copy of the approved extension of time request.

Please note the conditions of approval contained in your permit and the continuation order. You must comply with the conditions to fully complete beneficial use.

Sincerely,

TIM LUKE
Sr. Water Resource Agent

TL:sc

FILMED
OCT 19 1989

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

June 28, 1989

Owyhee Avalanche
20 East Idaho Ave.
Homedale, ID 83628

Dear Legal Department:

Enclosed you will find a legal notice which we wish to have published on July 6 and July 13 (once a week for two consecutive weekly issues) in your newspaper. If your paper is published weekly, the notice must appear in the issue that is distributed during the weeks of July 3 and July 10. 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 billing to the office below before July 24, 1989.

Idaho Department of Water Resources
1301 North Orchard St.
Statehouse Mail
Boise, ID 83720

Sincerely,

Heidi M. Mikel

HEIDI M. MIKEL
Secretary

RECEIVED
OCT 19 1989

NOTICE OF EXISTING
WATER RIGHT PERMIT

PERMIT NO. 57-7266
Presently Recorded as Follows:

Name: GORDON S. &/OR ROSE M. KING
Address: OREANA, ID 83650
Source: GROUNDWATER
Diversion Pt.: NENE SEC. 34 T4S R1E, OWYHEE CO.
Use: IRRIGATION (6.02 CFS) COMMERCIAL (6.02 CFS)
Priority: JANUARY 14, 1981
Place of Use: NENE, S1/2NE, S1/2NW, SW1/4, N1/2SE, SWSE SEC. 26; NENE SEC. 34; N1/2NW SEC. 35 T4S R1E
Total Acres: 301

Of the 301 acres described, this permit proposes supplemental supply to 264 acres and full supply to 37 new acres. This permit was not developed by July 1, 1985, and is being reprocessed in compliance with Section 42-203D, Idaho Code. Protests against the continuance of the permit must be filed with the Director, Dept. of Water Resources, Statehouse Mail, Boise, ID 83720 on or before July 24, 1989. A protest must overcome the presumption of Water Appropriation Rule 5,2,1.

R. Keith Higginson, Director

MICROFILMED
OCT 19 1989

MEMORANDUM

TO: FILE

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING
PERMIT NO. 57-7266

DATE: 6-22-89

The department has recieved the trust water questionnaire and readvertisement fee for this permit. The permit owner also called me directly before submitting the information.

Our overlap analysis shows that there are a number of earlier decreed and licensed rights appurtenant to the lands described under the permit. The overlap of water rights in this area is somewhat messy to say the least. It is difficult to determine from inspection of the overlap analysis the number of new and/or supplemental acres. The permittee submitted an undated and unsigned aerial photo photocopy from the ASCS. It appears to be the same photo as that submitted with the original application. The photo also appears to match the departments 1974 orthophoto quad for this area. The quality of both photos submitted by the permittee is poor. They seem to show tracts of both developed and undeveloped land. The permitte stated to me over the phone and in the questionnaire that there are some 40 acres under the permit which remain undeveloped, but which they wish to soon irrigate.

As an alternative to the sketchy information above, I reviewed the department's remote sensing report for Owyhee County. The report lists the number of acres of irrigated agriculture per quarter-quarter section and is based on 1986 landsat imagery. Assuming that the landsat irrigated acres overlap the permitted acres, the report shows that perhaps only 37 acres out of the 301 acres remain undeveloped or non-irrigated.

Since the 1986 data is the only available and reliable data the department has, I recommend that we readvertise the permit showing that 264 of the 301 acres were developed prior to July 1, 1985. We should count the remaining 37 acres as trust water acres.

MICROFILMED
Oct 13 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

JUN 15 1989
Department of Water Resources

PERMIT NO. 57-7266

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 available 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. Appred 580 acres - Plus

3. If you have not irrigated lands under this permit, please state the number of acres you plan to complete. Appred 37 acres

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.
Licens "57-2246 and 57-2253 plus numerous Castle Creek Acres -

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.

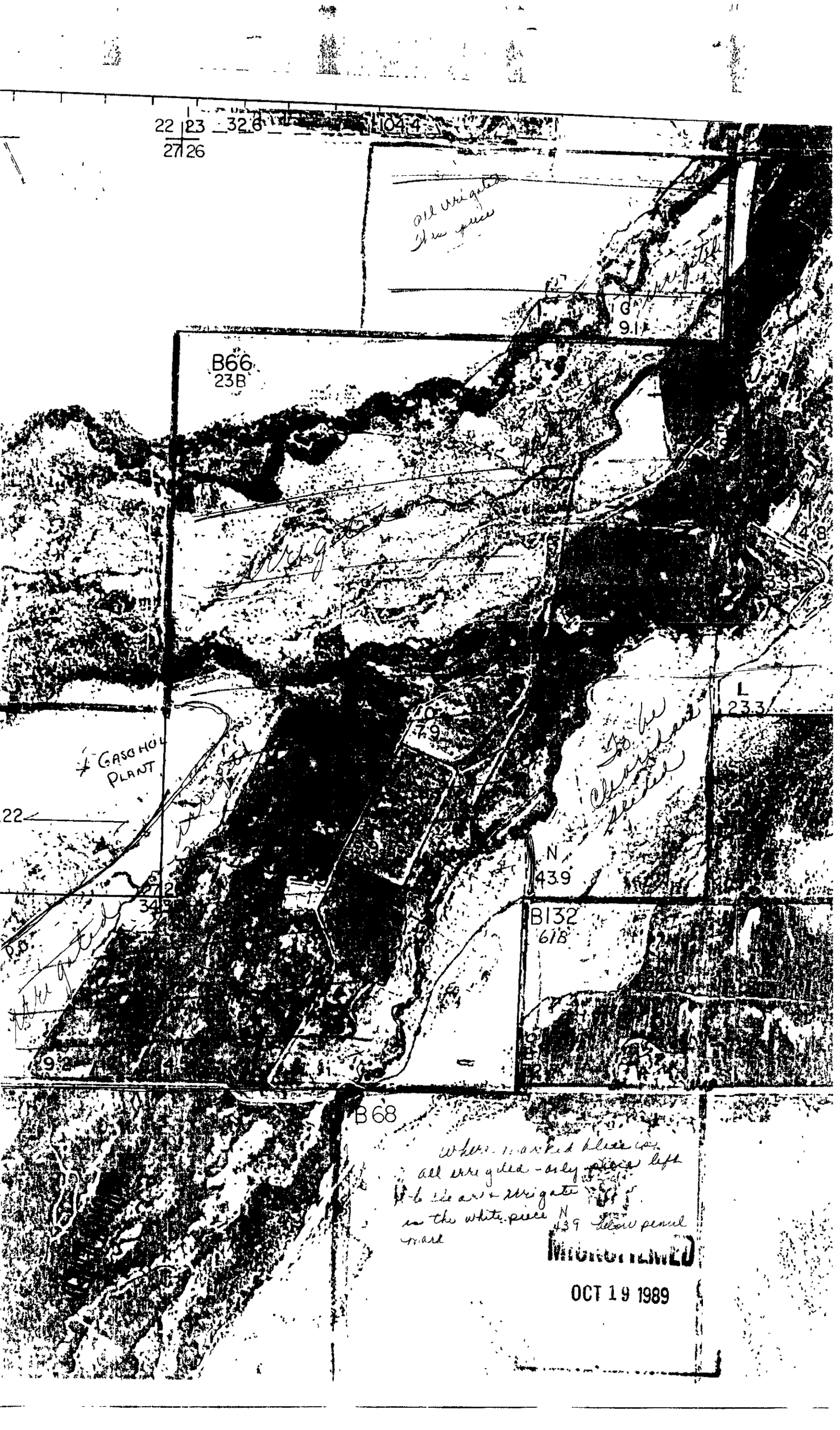
Permit Holder Rose M King Date 6-13-89

MICROFILMED
OCT 19 1989

IDAHO DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

5. REMARKS/COMMENTS:

MICROFILMED
OCT 19 1989


22 23 32 8 104
27 26
old irrigated
New pipe
G
9.1
B66
23B
Irrigated
4 8
L
23.3
To be
Cleaned
Deeper
GASOHOL
PLANT
22
O
7.9
N
43.9
27 2
34
B132
618
P.O.
Irrigated
9 2 4
B 68
Where marked blue on
all irrigated - only piece left
to be irrigated
is the white piece
N
43.9 below pencil
mark
RECEIVED
OCT 19 1989

#57-7266

Township	Range	Sec	NE¼ NE¼	NE¼ NW¼	NE¼ SW¼	NE¼ SE¼	NW¼ NE¼	NW¼ NW¼	NW¼ SW¼	NW¼ SE¼	SW¼ NE¼	SW¼ NW¼	SW¼ SW¼	SW¼ SE¼	SE¼ NE¼	SE¼ NW¼	SE¼ SW¼	SE¼ SE¼	TOTALS
45	1E	26	12		14	25			40	40	20	29	16	17	11	10	4		238
		34	26																26
		35					31	6											37
																	TOTAL		301
OVERLAP CHECK FROM MICROFICHE (REMOTE SENSING REPORT) - ~~1986~~ 1986																			
45	1E	26	42		39	39			28	39	41	38	34	37	36	38	36		
		34	39																
		35					39	39											
Northern		26							12	1	~~3~~	2	6	3	4	2	4		
		34	1				~~3~~												
		35					1	1											
																	total		37

MICROFILMED
OCT 1 1989

PLACE OF USE 1/4 1/4 OVERLAP REPORT 06/22/89

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE				NW				SW				SE				SUM
							NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
5707266																							
5700091	FOREMAN	D	CASTLE CREEK	04S	01E	27																X	
5700099	FOREMAN	D	CASTLE CREEK	04S	01E	27																X	
5700109	FOREMAN	D	CASTLE CREEK	04S	01E	27																X	
5700118	FOREMAN	D	CASTLE CREEK	04S	01E	27																X	
5700122	FOREMAN	D	CASTLE CREEK	04S	01E	27																X	
5700128	FOREMAN	D	CASTLE CREEK	04S	01E	27																X	
5700136	FOREMAN	D	CASTLE CREEK	04S	01E	27																X	
5700152	FOREMAN	D	CASTLE CREEK	04S	01E	27																X	
5700163	FOREMAN	D	CASTLE CREEK	04S	01E	27																X	
5707266																							
0207274A	COX	P	SNAKE RIVER	04S	01E	26		40			40								12	28		40	160
5700078	HENDERSON	D	CATHERINE CREEK	04S	01E	26		16															16
5700091	FOREMAN	D	CASTLE CREEK	04S	01E	26									X		X	X		X	X		
5700099	FOREMAN	D	CASTLE CREEK	04S	01E	26									X		X	X		X	X		
5700109	FOREMAN	D	CASTLE CREEK	04S	01E	26									X		X	X		X	X		
5700118	FOREMAN	D	CASTLE CREEK	04S	01E	26									X		X	X		X	X		
5700122	FOREMAN	D	CASTLE CREEK	04S	01E	26									X		X	X		X	X		
5700124	FOREMAN	D	CASTLE CREEK	04S	01E	26	X		X	X									X				
5700128	FOREMAN	D	CASTLE CREEK	04S	01E	26									X		X	X		X	X		
5700136	FOREMAN	D	CASTLE CREEK	04S	01E	26									X		X	X		X	X		
5700152	FOREMAN	D	CASTLE CREEK	04S	01E	26									X		X	X		X	X		
5700163	FOREMAN	D	CASTLE CREEK	04S	01E	26									X		X	X		X	X		
5702010	DAVIES	L	CATHERINE CREEK	04S	01E	26							10	5		30							155
5702132	FOREMAN	L	CASTLE CREEK	04S	01E	26	16		8	8					16		40	37		20	70		
5702246	FOREMAN	L	GROUNDWATER	04S	01E	26	13		26	15					20	11	24	23	3	20			155
5702253	D.I. FOREMAN, EST.	L	GROUNDWATER	04S	01E	26	15												26	10	36		87
5702259	COX	L	CATHERINE CREEK	04S	01E	26		40			40												80
5707266	KING	P	GROUNDWATER	04S	01E	26	12		14	25			40	40	20	29	16	17	11	10	4		238
5707266																							
5700091	FOREMAN	D	CASTLE CREEK	04S	01E	27																X	
5700099	FOREMAN	D	CASTLE CREEK	04S	01E	27																X	
5700109	FOREMAN	D	CASTLE CREEK	04S	01E	27																X	
5700118	FOREMAN	D	CASTLE CREEK	04S	01E	27																X	
5700122	FOREMAN	D	CASTLE CREEK	04S	01E	27																X	
5700128	FOREMAN	D	CASTLE CREEK	04S	01E	27																X	
5700136	FOREMAN	D	CASTLE CREEK	04S	01E	27																X	
5700152	FOREMAN	D	CASTLE CREEK	04S	01E	27																X	
5700163	FOREMAN	D	CASTLE CREEK	04S	01E	27																X	
5707266																							
5700089	STEINER	D	CASTLE CREEK	04S	01E	34													X	28		X	40
5700095	STEINER	D	CASTLE CREEK	04S	01E	34				18													18
5700116	EVANS	D	CASTLE CREEK	04S	01E	34				X									X			X	
5700120	EVANS	D	CASTLE CREEK	04S	01E	34				X									X			X	
5700127	EVANS	D	CASTLE CREEK	04S	01E	34				X									X			X	
5700149	EVANS	D	CASTLE CREEK	04S	01E	34				X									X			X	
5700223	MUNGER	D	CASTLE CREEK	04S	01E	34			18							7							25
5700224	MUNGER	D	CASTLE CREEK	04S	01E	34															20		20
5702090	MUNGER	L	CASTLE CREEK	04S	01E	34															20		20

RECEIVED
JUL 19 1989

PLACE OF USE 1/4 1/4 OVERLAP REPORT 06/22/89

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	SUM
							NE				NW				SW				SE				
5702104	EVANS	L	CASTLE CREEK	04S	01E	34				30									30				60
5702132	FOREMAN	L	CASTLE CREEK	04S	01E	34	[redacted]													16			[redacted]
5702246	FOREMAN	L	GROUNDWATER	04S	01E	34	[redacted]																[redacted]
5702251	STEINER	L	GROUNDWATER	04S	01E	34				33									40			36	109
5704004	COLLETT	S	GROUNDWATER	04S	01E	34														33			33
57 7266						24 26																	26
5707266																							
5700091	FOREMAN	D	CASTLE CREEK	04S	01E	35	26					X											26
5700099	FOREMAN	D	CASTLE CREEK	04S	01E	35						X											
5700104	STEINER	D	CASTLE CREEK	04S	01E	35							10										10
5700109	FOREMAN	D	CASTLE CREEK	04S	01E	35						X											
5700116	EVANS	D	CASTLE CREEK	04S	01E	35							X			X	X						
5700118	FOREMAN	D	CASTLE CREEK	04S	01E	35						X											
5700120	EVANS	D	CASTLE CREEK	04S	01E	35							X			X	X						
5700122	FOREMAN	D	CASTLE CREEK	04S	01E	35						X											
5700127	EVANS	D	CASTLE CREEK	04S	01E	35							X			X	X						
5700128	FOREMAN	D	CASTLE CREEK	04S	01E	35						X											
5700136	FOREMAN	D	CASTLE CREEK	04S	01E	35						X											
5700149	EVANS	D	CASTLE CREEK	04S	01E	35							X			X	X						
5700152	FOREMAN	D	CASTLE CREEK	04S	01E	35						X											
5700163	FOREMAN	D	CASTLE CREEK	04S	01E	35						X											
5700220	HENDERSON	D	CASTLE CREEK	04S	01E	35		20															20
5702104	EVANS	L	CASTLE CREEK	04S	01E	35							20			16							36
5702132	FOREMAN	L	CASTLE CREEK	04S	01E	35					20	38											58
5702246	FOREMAN	L	GROUNDWATER	04S	01E	35					5	34											39
5702251	STEINER	L	GROUNDWATER	04S	01E	35							39			20	5						64
5702253	D.I. FOREMAN, EST.	L	GROUNDWATER	04S	01E	35					12												12
5707175	STEINER	P	CASTLE CREEK	04S	01E	35			40					40	40					40			160
5707209	TAYLOR	P	CASTLE CREEK	04S	01E	35	40			40									40				120
5707266	KING	P	GROUNDWATER	04S	01E	35					31	6											37
5707287	STEINER	P	GROUNDWATER	04S	01E	35			40					40	40					40			160

OCT 19 1989

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

May 24, 1989

RE: PERMIT NO. 57-7266

Dear PERMIT HOLDER:

Due to the Swan Falls litigation, development proposed by the enclosed permit may have been delayed. The Department is presently reviewing the permit and may authorize completion of development proposed under the permit.

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

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

Please complete and return the enclosed questionnaire if you wish to continue with your plans of development or have completed all or a portion of your development before July 1, 1985.

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

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 re-advertisement fee to the Department as required by Water Appropriation Rule 4,2,3. and Section 42-221F, Idaho Code.

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

If the incomplete portion of your project is for irrigation of more than 200 acres, the Department will issue a notice requesting additional information as required by Water Appropriation Rule 4.5. (copy en

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OCT 19 1989

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
Attn: Tim Luke - Water Allocation/Trust Water

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

Sincerely,

TIM LUKE
Sr. Water Resource Agent

Enclosures

MICROFILMED
OCT 19 ...

May 26, 1987

Gordon G. & Rose King
P. O. Box 36
Murphy, ID 83650

Dear Mr. and Mrs. Ring:

Re: Permit No. 57-7266

The department has reviewed the request for extension of time submitted in connection with the above referenced permit. The department will hold the request without action until the permit is reprocessed in compliance with the provisions of Sec. 42-203D, Idaho Code. Upon completion of reprocessing, an appropriate development period will be granted if the permit is to be continued.

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

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:rf

cc: Region

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OCT 19 1989

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

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

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

EXTENSION OF TIME

May 21, 1987

Gordon G. and Rose King
P.O. Box 36
Murphy, ID 83650

PERMIT NO. 57-7266

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. 42449

Roberta Garrett
Records Supervisor

Enclosure

MICROFILMED
OCT 19 1989

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 57-7266 Reviewed by LJ Date 5-22-1987

BASIC INFORMATION

Y Date stamp received
Y Extension received timely
(not prior to 6 month before proof due date or after reinstatement period)
Y Fee received and receipted
Y Name and signature same as permit
___ Address change (indicate on coding sheet)

BASIS FOR EXTENSION REQUEST

___ Has adequate work been completed to demonstrate due diligence?
___ Has the cost incurred been adequate to demonstrate an intent to complete the project?
Y Has the permit been involved in litigation?
a. Swan Falls Yes Dismissed from Swan Falls No
Other _____ Identify _____
b. Is supporting documentation needed to complete the file? _____
Requested _____
c. Calculate the period of delay

Date litigation completed _____

Date litigation began - _____

Total period of delay = _____

Present proof due date + _____

NEW PROOF DUE DATE = _____

___ Is delay by a government agency?
Is supporting documentation needed to complete the file? _____
Requested? _____

ACTION TAKEN - Recommend holding ext. until permit has been reviewed under 42-203D, I.C.

Special conditions or remarks:

___ Reinstate

Date extention received	_____	=	_____
Proof due date	_____	=	- _____
No. of days late	_____	=	_____
Priority date	_____	=	+ _____
ADJUSTED PRIORITY DATE	_____	=	_____

___ Prepare coding sheet
___ Change rolodex card

April 1, 1987

CERTIFIED MAIL
138936

Gordon G. King
P. O. Box 36
Murphy, ID 83650

Dear Mr. King:

Re: Permit No. 57-7266

PROOF DUE NOTICE

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 June 1, 1987. (See the 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 completed 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 provided the delay is for reasonable cause as described in Section 42-204, Idaho Code. If you have been prevented from proceeding by a government agency or by litigation, 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 the lapse notice, the permit will no longer be of any force nor effect.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

MICROFILMED
OCT 19 1989

May 21, 1986

Gordon G. King
P. O. Box 36
Murphy, ID 83650

Dear Mr. King:

Re: Permit No. 57-7266

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 June 1, 1987.

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

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 57-7266 Reviewed by LJ Date 5-19-86

BASIC INFORMATION

Y Date stamp received
Y Extension received timely
(not prior to 6 month before proof due date or after reinstatement period)
Y Fee received and receipted
Y Name and signature same as permit
N/A Address change (indicate on coding sheet)

BASIS FOR EXTENSION REQUEST

___ Has adequate work been completed to demonstrate due diligence?
___ Has the cost incurred been adequate to demonstrate an intent to complete the project?
Yes Has the permit been involved in litigation?
a. Swan Falls No Dismissed from Swan Falls ___
Other Yes Identify Foreclosure
b. Is supporting documentation needed to complete the file? No
Requested ___
c. Calculate the period of delay

~~Date litigation completed~~ Proof Due Date May 1, 1986 (Litigation pending)

Date litigation began - Apr. 1, 1985

Total period of delay = 1 mo. 1 yr.

Present proof due date + May 1, 1986

NEW PROOF DUE DATE = June 1, 1987

___ Is delay by a government agency?
Is supporting documentation needed to complete the file? ___
Requested? ___

ACTION TAKEN Recommend approval based on litigation. The period of delay is one month & one year.

Special conditions or remarks:

N/A Reinstate

Date extention received	___	=	___
Proof due date	___	=	- ___
No. of days late	___	=	___
Priority date	___	=	+ ___
ADJUSTED PRIORITY DATE	___	=	___

Y Prepare coding sheet - address
___ Change rolodex card

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April 18, 1986

RECEIVED
APR 25 1986
Department of Water Resources

State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

Re: Rita Fleck,

Enclosed are a few copies of the proceedings that have been in the process of Forfeiture of Contract and Demand for Possession of Premises, on the ranch at Oreana, Idaho for which we had filed for additional water and have completed a great amount of the work, but have more ditches, which must be made before complete work will be done. Due to the situation we are asking that you please grant and extention of time to complete, for we have no idea how long the legal litigatian is going to continue.

On the U. S. Bankruptcy Court decision, the Blocks, took it back to court with Judge Hagan, modifying the decision, that it now is to go to Summary Judgment at Murphy, Idaho on May 20, 1986, unless there is some change. From there it is our understanding the decision has to be approved by Judge Hagan.

If any questions of litigation that you feel you need futhur information on feel free to contact me at 702-724-3146 or you may contact my atterney, Ronald P. Rainey at Caldwell, Idaho P. O. Box 26. or 208-459-3659.

Thanking you;

Gordon G. King (by Rita M King)
Gordon G. King

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ALEXANDERSON, DAVIS, RAINEY, WHITNEY & KERRICK
LAWYERS
110 NORTH NINTH AVENUE
POST OFFICE BOX 26
CALDWELL, IDAHO 83606-0026
AREA CODE 208
TELEPHONE 459-3659

ROBERT L. ALEXANDERSON, PA
WAYNE E. DAVIS, PA
RONALD P. RAINEY, PA
DAVID L. WHITNEY, PA
DAVID E. KERRICK, PA

March 26, 1986

Mr. and Mrs. Gordon King
Star Route #5 - Box 50
Ely, Nevada 89301

Re: King v. Block

Dear Gordon and Rose:

Enclosed for your information and records is a copy of the Memorandum Decision and Order entered by Alfred C. Hagen, U. S. Bankruptcy Judge.

Also enclosed is a copy of our Notice of Hearing on our Motion for Summary Judgment.

Very truly yours,

ALEXANDERSON, DAVIS, RAINEY,
WHITNEY & KERRICK

RONALD P. RAINEY

RPR:ls

Enclosures

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RONALD P. RAINEY
ALEXANDERSON, DAVIS, RAINEY,
WHITNEY & KERRICK
Attorneys at Law
110 North Ninth Avenue
Post Office Box 26
Caldwell, ID 83606-0026
Telephone (208) 459-3659

Attorneys for Plaintiffs

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

GORDON G. KING AND ROSE M. KING, husband and wife, Plaintiffs, -vs- ZANE BLOCK AND DOROTHY BLOCK, husband and wife, Defendants.	CASE NO. 4602 NOTICE OF HEARING

TO: ZANE BLOCK AND DOROTHY BLOCK, husband and wife, the above-named Defendants, and to STUART W. CARTY, their counsel of record:

YOU AND EACH OF YOU WILL PLEASE TAKE NOTICE that on the 11th day of April, 1986, at the hour of 9:30 a.m., at the courthouse in Murphy, Owyhee County, Idaho, Plaintiffs will bring on for hearing their Motion For Summary Judgment.

I HEREBY CERTIFY that a true and correct copy of this Notice of hearing was mailed this date to Stuart W. Carty, 200 N. Third, Suite 1, Boise, Idaho 83702.

Dated this 25th day of March, 1986.

ALEXANDERSON, DAVIS, RAINEY,
WHITNEY & KERRICK

By: _____
RONALD P. RAINEY
Attorneys for Plaintiffs

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U.S. DISTRICT COURT
BANKRUPTCY DIVISION
Filed at 8:00 a.M.
MAR 24 1986
JERRY L. CLAPP, Clerk
By Deputy

UNITED STATES BANKRUPTCY COURT

FOR THE DISTRICT OF IDAHO

In Re	Case No. 85-01868
ZANE BLOCK and DOROTHY BLOCK,	MEMORANDUM DECISION AND ORDER
Debtors.	

D. Blair Clark, RINGERT, CLARK, HARRINGTON, REID, CHRISTENSON & KAUFMAN, CHARTERED, and Stuart W. Carty, Boise, Idaho for debtors.

Ronald P. Rainey, ALEXANDERSON, DAVIS, RAINEY, WHITNEY & KERRICK, Caldwell, Idaho and R. Michael Southcombe, CLEMONS, COSHO & HUMPHREY, Boise, Idaho for Gordon and Rose King.

Gordon and Rose King seek to lift the stay to allow them to continue their foreclosure action against the debtors arising from the debtors' default on a contract to purchase the Kings' ranch. The debtors owe $1,445,789.16 as of March 3, 1986 and have not made a payment since January 3, 1984.

From the testimony of the witnesses, and the evidence presented, I find that the value of the property is $1,100,000.00. The Kings are secured only to that amount. Therefore, unless the debtors provide adequate protection of that value, I must lift the stay.

The debtor has the burden of proving what constitutes adequate protection at the § 362 hearing. 11 U.S.C. § 362(g)(2); In re D.W. Clegg & Sons Co., Inc., 85 I.B.C.R. 23 (Bankr. D.Idaho 1985)(to provide adequate

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protection with periodic cash payments, the debtor must propose payments which will be the indubitable equivalent of the creditor's interest in the property). See Crocker National Bank v. American Mariner Industries, Inc., 734 F.2d 426, 435 (9th Cir. 1984). Adequate protection is not necessarily related to, or reflected in, the reasonable rental value of the collateral. Adequate protection is related to the "reasonable rental value" of the money which the debtors owe to the secured creditor, to the extent of the value of the creditor's interest in the collateral. Id., 734 F.2d at 435.

The debtor introduced an exhibit projecting income before taxes and depreciation in the amount of $98,820.16. This amount would not pay interest at the contract rate on the secured portion of the creditor's claim. It would also fail to compensate the Kings for further depreciation of improvements or for a further reduction in land values. The automatic stay will be terminated for cause under the provisions of 11 U.S.C. § 362(d)(1).

IT IS SO ORDERED.

DATED: March 21, 1986

ALFRED C. HAGAN
U.S. BANKRUPTCY JUDGE

ACH:cma

O 72
Rev.8/82)

D. Blair Clark
RINGERT, CLARK, HARRINGTON, REID,
CHRISTENSON & KAUFMAN, CHARTERED
599 W. Bannock, P.O. Box 2773
Boise, Idaho 83701-2773
Telephone No. (208) 342-4591
Attorneys for Debtors

UNITED STATES DISTRICT COURT

Bankruptcy Division

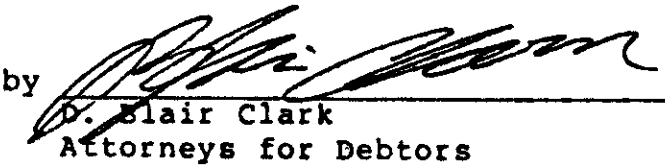
In Re:	)	BK Case No. 85-01868
	)	Chapter 11
ZANE BLOCK and DOROTHY BLOCK,	)	
	)	NOTICE OF PRELIMINARY
Debtors.	)	HEARING
	)	

TO: GORDON G. KING and ROSE M. KING, CREDITORS, AND TO RONALD P. RAINEY, THEIR ATTORNEY.

YOU WILL PLEASE TAKE NOTICE that debtors above named will bring on for preliminary hearing Motion for Relief from Automatic Stay filed in this matter by Gordon G. King and Rose M. King before the Honorable Alfred C. Hagan, Bankruptcy Judge, on the 5th day of February, 1986, at the hour of 9:30 o'clock a.m., or as soon thereafter as counsel can be heard, in the courtroom of the U.S. Bankruptcy Court, 2nd Floor, Old Federal Building, 8th and Bannock Street, Boise, Idaho.

DATED this 7th day of January, 1986.

RINGERT, CLARK, HARRINGTON, REID,
CHRISTENSON & KAUFMAN, CHARTERED

by 
D. Blair Clark
Attorneys for Debtors

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ALEXANDERSON, DAVIS, RAINEY, WHITNEY & KERRICK
LAWYERS

ROBERT L. ALEXANDERSON, P.A.
WAYNE E. DAVIS, P.A.
RONALD P. RAINEY, P.A.
DAVID L. WHITNEY, P.A.
DAVID E. KERRICK, P.A.

110 NORTH NINTH AVENUE
POST OFFICE BOX 26
CALDWELL, IDAHO 83606-0026

AREA CODE 208
TELEPHONE 459-3659

September 18, 1985

Mr. Gordon King
Star Route 5 Box 50
Ely, Nevada 89301

Re: King vs. Block

Dear Mr. King:

Enclosed you will find a copy of the Joint Petition from the Bankruptcy Court for your information and review.

I will file a Petition to lift the automatic stay and will keep you posted as to any further proceedings or Court Hearings.

If you have any questions, please don't hesitate to call.

Sincerely,

ALEXANDERSON, DAVIS, RAINEY, WHITNEY, & KERRICK

Ronald P. Rainey

RPR:kb

Enclosure

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U.S. DISTRICT COURT
BANKRUPTCY DIVISION
Filed at 1:57 M

SEP 16 1985

JERRY L. CLAPP, Clerk

By _____, Deputy

United States Bankruptcy Court

FOR THE DISTRICT OF IDAHO

In re ZANE BLOCK and DOROTHY BLOCK

HC 89 Box 2245

Oreana, Idaho 83650

DEBTOR [SET FORTH HERE ALL NAMES INCLUDING TRADE NAMES USED BY DEBTOR WITHIN LAST 6 YEARS]

Social Security No. H:519-02-4539 W:517-48-5228

Debtor's Employer's Tax Identification No. _____

Case No. _____

JOINT PETITION

85-01868

1. Petitioners' mailing address, including county, is HC 89, Box 2245, Oreana, Owyhee County, Idaho 83650.

2. Petitioners have resided [*or* have had their domicile *or* have had their principal place of business *or* have had their principal assets] within this district for the preceding 180 days [*or* for a longer portion of the preceding 180 days than in any other district].

3. Petitioners are qualified to file this petition and are entitled to the benefits of title 11, United States Code as voluntary debtors.

~~[*If appropriate*] 4. A copy of petitioners' proposed plan, dated _____, is attached~~ [*or* Petitioners intend to file a plan pursuant to chapter 11] of title 11, United States Code.

5. [*If Petitioner is an individual whose debts are primarily consumer debts.*] Petitioner is aware that (he or she) may proceed under Chapter 7 or 13 of title II, United States Code, understands the relief available under each chapter, and chooses to proceed under this chapter.

6. [*If Petitioner is an individual whose debts are primarily consumer debts and such petitioner is represented by an attorney.*] A declaration or an affidavit in the form of Exhibit "B" is attached to and made part of this petition, and

WHEREFORE, petitioners pray for relief in accordance with chapter 7 [*or* chapter 11] of title 11, United States Code.

Signed: D. Blair Clark by Michael Griffin ATTORNEY FOR PETITIONER

D. Blair Clark

Address: 599 W. Bannock, P.O. Box 2773

Boise, Idaho 83701-2773

[*Petitioners sign if not represented by attorney.*]

_____ PETITIONERS

We, ZANE BLOCK, and DOROTHY BLOCK, the petitioners named in the foregoing petition, certify under penalty of perjury that the foregoing is true and correct.

Executed on September 16, 1985.

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Signature: Zane Block

Signature: Dorothy L. Block PETITIONERS

Dorothy Block

ALEXANDERSON, DAVIS, RAINEY, WHITNEY & KERRICK
LAWYERS

ROBERT L. ALEXANDERSON, PA
WAYNE E. DAVIS, PA
RONALD P. RAINEY, PA
DAVID L. WHITNEY, PA
DAVID E. KERRICK, PA

110 NORTH NINTH AVENUE
POST OFFICE BOX 26
CALDWELL, IDAHO 83606-0026

AREA CODE 208
TELEPHONE 459-3659

May 1,1985

Mr. and Mrs. Gordon King
Star Route #5 - Box 50
Ely, Nevada 89301

Re: King to Block Land Sale/Foreclosure

Dear Gordon and Rose:

Enclosed for your information and records is a copy of the Answer and Counterclaim filed by Mr. Carty on behalf of the Blacks which will prevent our making a motion for Summary Judgment at this time without further discovery such as taking Mr. Block's deposition and sending him questions to be answered under oath.

Our next move will be to send out the questions regarding his affirmative defenses.

Also enclosed is a copy of the Complaint so that you can compare it to their Answer and Counterclaim.

Very truly yours,

ALEXANDERSON, DAVIS, RAINEY,
WHITNEY & KERRICK

RONALD P. RAINEY

RPR:is

Enclosure

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RONALD P. RAINEY
ALEXANDERSON, DAVIS, RAINEY,
WHITNEY & KERRICK
110 North Ninth Avenue
Post Office Box 26
Caldwell, Idaho 83606-0026
Telephone 459-3659

Attorneys for Plaintiff

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

GORDON G. KING and ROSE M. KING, husband and wife, Plaintiff, -vs- ZANE BLOCK and DOROTHY BLOCK, husband and wife, Defendants.	CASE NO. 4602 AFFIDAVIT IN SUPPORT OF PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

STATE OF IDAHO)
: ss
County of Canyon)

GORDON G. KING, being first duly sworn on oath, deposes and says:

1. That your Affiant is one of the Plaintiffs in the above-referenced action.

2. That on or about the 26th day of March, 1982, Defendants entered into a Contract of Sale with the Plaintiffs to buy real property.

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Stuart W. Carty
HOUST AND CARTY
200 North Third, Suite 1
Boise, Idaho 83702
Telephone: (208) 342-3501

Attorneys for Defendants

COPY

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT

OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

GORDON G. KING and ROSE M. KING, husband and wife, Plaintiffs, -vs- ZANE BLOCK and DOROTHY BLOCK, husband and wife, Defendants.	Case No. 4602 ANSWER AND COUNTERCLAIM

COMES NOW, the Defendants Zane Block and Dorothy Block, husband and wife, by and through their attorney of record, STUART W. CARTY of HOUST AND CARTY, and aver and answer Plaintiff's Complaint as follows:

FIRST DEFENSE

Plaintiff's Complaint fails to state a cause of action upon which relief may be granted.

SECOND DEFENSE

Defendants deny each and every allegation made in said Complaint unless specifically admitted herein. Defendants admit paragraphs I and II of Plaintiff's Complaint.

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RONALD P. RAINEY
ALEXANDERSON, DAVIS, RAINEY,
WHITNEY & KERRICK
110 North Ninth Avenue
Post Office Box 26
Caldwell, Idaho 83606-0026
Telephone 459-3659

Attorneys for Plaintiff

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

GORDON G. KING and ROSE M. KING, husband and wife, Plaintiff, -vs- ZANE BLOCK and DOROTHY BLOCK, husband and wife, Defendants.	CASE NO. 4602 NOTICE OF TAKING DEPOSITION OF ZANE BLOCK

TO: ZANE BLOCK and DOROTHY BLOCK, husband and wife, the above-named Defendants, and to STUART W. CARTY, their attorney of record:

PLEASE TAKE NOTICE That at the hour of 10:00 o'clock a.m. on the 11th day of June, 1985, at the Owyhee County Courthouse in Murphy, Idaho, the deposition of ZANE BLOCK will be taken pursuant to Rule 26 of the Idaho Rules of Civil Procedure.

Oral examination will continue from time to time until completed. You are respectfully notified to appear and take part

MICROFILMED

August 14, 1985

District Clerk
Owyhee County Courthouse
Murphy, Idaho 83650

Re: King v. Block
Case No. 4602

Dear Clerk:

Enclosed for filing in the above-entitled matter is an Affidavit in support of Plaintiff's Motion for Summary Judgment and Motion for Summary Judgment and Notice of Hearing.

We have scheduled this matter for hearing at the hour of 1:00 p.m. on September 23, 1985, through Judge Goff's office.

Very truly yours,

ALEXANDERSON, DAVIS, RAINEY, WHITNEY & KERRICK

RONALD P. RAINEY

RPR:is

Enclosure

cc: Stuart W. Carty
Mr. and Mrs. Gordon G. King

MICROFILMED

RONALD P. RAINEY
ALEXANDERSON, DAVIS, RAINEY,
WHITNEY & KERRICK
110 North Ninth Avenue
Post Office Box 26
Caldwell, Idaho 83606-0026
Telephone: 459-3659

Attorneys for Plaintiffs

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

GORDON G. KING and ROSE M. KING, husband and wife, Plaintiffs, -vs- ZANE BLOCK and DOROTHY BLOCK, husand and wife, Defendants.	CASE NO. 4602 MOTION FOR SUMMARY JUDGMENT AND NOTICE OF HEARING

COMES NOW the Plaintiffs in the above-entitled action by and through their attorney of record, Ronald P. Rainey of the firm Alexanderson, Davis, Rainey, Whitney & Kerrick, and move this Court for an Order granting Summary Judgment in favor of the Plaintiffs and against the Defendants, pursuant to Rule 56(a) of the Idaho Rules of Civil Procedure, for the reason that there is no genuine issue as to any material fact, and Plaintiffs are entitled to an Order granting Summary Judgment as a matter of law.

This Motion is made and based upon all of the records and files in this action and the Plaintiff's Affidavit filed herewith.

MICROFILMED

NOTICE IS HEREBY GIVEN that Plaintiffs will bring on for hearing the foregoing Motion before the above-entitled Court at Murphy, County of Owyhee, on the 23rd day of September, 1985, at the hour of 1:00 o'clock p.m., or as soon thereafter as counsel may be heard.

Dated this 14th day of August, 1985.

ALEXANDERSON, DAVIS, RAINEY,
WHITNEY & KERRICK

By: _____
Ronald P. Rainey
Attorneys for Plaintiffs

I HEREBY CERTIFY That a true and correct copy of the foregoing Motion was mailed this ___ day of August, 1985, to Stuart W. Carty, 200 North Third, Suite 1, Boise, Idaho 83702.

_____
Ronald P. Rainey

MICROFILMED

FILED
A.M. 4:25 P.M.
APR 01 1985
BARBARA JAYO, CLERK
JOANN BARNES
Deputy Clerk

RONALD P. RAINEY
ALEXANDERSON, DAVIS, RAINEY,
WHITNEY & KERRICK
110 North Ninth Avenue
Post Office Box 26
Caldwell, Idaho 83606-0026
Telephone 459-3659

Attorneys for Plaintiffs

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF OWYHEE

GORDON G. KING and ROSE M. KING, husband and wife, Plaintiffs, -vs- ZANE BLOCK and DOROTHY BLOCK, husband and wife, Defendants.	CASE NO. 1502 COMPLAINT FEE CATEGORY A FEE $ 44.00

COMES NOW the Plaintiffs in the above-entitled matter, and for cause of action against the above-named Defendants, complain and allege as follows:

I

That at all times material hereto the Defendants, Zane Block and Dorothy Block, are husband and wife and residents of Owyhee County, State of Idaho.

MICROFILMED

HOUST & CARTY
ATTORNEYS AND COUNSELORS AT LAW
200 NORTH THIRD STREET SUITE ONE
BOISE, IDAHO 83702

HENRY E HOUST JR. P.A.
STUART W CARTY

TELEPHONE
(208) 342-3501

February 11, 1985

Idaho First National Bank
Escrow Collection Department
P. O. Box 220
Nampa, Idaho 83651

RE: Block/King Escrow

Dear Escrowholder:

As escrow holder of that certain Contract of Sale dated March 26, 1982, between GORDON G. KING and ROSE M. KING, husband and wife, as Seller, and ZANE BLOCK and DOROTHY BLOCK, husband and wife, as Buyer, you are hereby advised that my client disputes the matters of default alleged in the Notice of Default served in the above-entitled escrow and that certain other disputes concerning the real property which is the subject of the aforesaid Contract of Sale also exist between the parties. You are further advised that my client claims an equitable interest in the subject real property, as an equitable mortgage or otherwise.

You are, therefore, instructed to NOT RELEASE the documents and instruments held by you in the above-entitled escrow until you receive written verification from ZANE BLOCK and DOROTHY BLOCK, that all disputes between the parties have been resolved or until you are otherwise ordered by a court of competent jurisdiction. And, you are hereby notified that if you do release said escrowed papers, you will be held absolutely responsible for such breach of authority and you will be sued.

Thank you for your anticipated cooperation on this matter. If you have any questions, please contact me immediately.

Sincerely,

Stuart W. Carty

Stuart W. Carty
Attorney for Zane Block and Dorothy Block

SWC:aw

cc: Zane and Dorothy Block
Ronald Rainey X

MICROFILMED

January 17, 1985

Escrow Department
Idaho First National Bank
1112 1st. Street South
Nampa, Idaho 83651

Re: Escrow No. 6-3431
Land Sale from Gordon G. King and Rose M. King
to Zane Block and Dorothy Block

Gentlemen:

Enclosed is the original and one copy of the Notice of Forfeiture Under Contract and Demand for Possession of Premises which has been executed by Mr. and Mrs. King, together with a check in the sum of $30.00 representing default fee.

We would appreciate it if you would service this Notice upon Mr. and Mrs. Block by certified mail at the address of Oreanna, Idaho 83659.

Should you need any further information or have any questions regarding this matter, please let us know immediately.

Please note that the Blocks will need to pay the sum of $350.00 for attorneys fees in addition to the $30.00 escrow fee, the payment due on the escrow and the first half of the 1984 taxes, penalties and interest in order to correct the default.

Your assistance in this matter will be very much appreciated.

Very truly yours,

ALEXANDERSON, DAVIS, RAINEY,
WHITNEY & KERRICK

RONALD P. RAINEY

RPR:is

Enclosure

cc: Mr. and Mrs. Gordon King

MICROFILMED

NOTICE OF FORFEITURE UNDER CONTRACT AND

DEMAND FOR POSSESSION OF PREMISES

TO: ZANE BLOCK and DOROTHY BLOCK
Oreanna, Idaho 83659

WHEREAS, A Land Sale Agreement was heretofore made and entered into by and between GORDON G. KING and ROSE M. KING, husband and wife, Sellers therein, and ZANE BLOCK and DOROTHY. BLOCK, husband and wife, Purchasers therein, dated the 26th day of March, 1982, for the sale by the Selller therein to the purchaser therein of the real property located in Owyhee County, State of Idaho, and more particularly described on Exhibit A, attached hereto and by reference made a part hereof, on the terms and conditions therein set forth; and

WHEREAS, You have failed and refused to pay in full the principal and interest as provided under said Contract of Sale, and have failed and refused to pay the payment in the sum of ONE HUNDRED FORTY-SIX THOUSAND NINE HUNDRED THIRTY-SEVEN AND 86/100 DOLLARS ($146,937.86) which became due January 1, 1985; and

WHEREAS, You have failed and refused to pay the Owyhee County property taxes in the total sum of $2,362.66, the first half of which became due December 20, 1984; and

WHEREAS, You have failed and neglected and still fail, refuse, and neglect to perform the conditions incumbent upon you to be done and performed under said Contract of Sale;

NOW, THEREFORE, Pursuant to and in compliance with said Contract of Sale, the undersigned hereby services notice upon you as follows:

MICROFILMED

1. That you have failed, refused, and neglected to comply with the terms and conditions of said Contract of Sale, and particularly, that you have failed, refused and neglected to pay the annual installment payment in the sum of ONE HUNDRED FORTY-SIX THOUSAND NINE HUNDRED THIRTY-SEVEN AND 86/100 DOLLARS ($146,937.86) which became due and payable on the 1st day of January, 1985.

2. That you have further failed, refused, and neglected to comply with the terms and conditions of said Contract of Sale and particularly, that you have failed, refused and neglected to pay the Owyhee County property taxes in the sum of $2,362.66, the first half of which became delinquent December 20, 1984.

3. That the undersigned, pursuant to said Contract of Sale hereby elects to declare said Contract of Sale forfeited on the expiration of thirty (30) days after service of this notice upon you, unless prior to said date you have complied with all of the terms and conditions of said Contract of Sale incumbent upon you to be performed, and particularly, unless you have paid the total amount of the annual installment payment and the taxes and assessments as set forth above together with penalties and interest, then and in that event said forfeiture shall become full and final, and in the event said forfeiture shall become full and final, then demand is hereby made upon you for immediate possession of said premises.

4. This Notice and demand is given with the full and express understanding that nothing herein shall be construed as a recission of said Contract of Sale, but that this notice and demand shall be considered as given in full compliance with and pursuant to

MICROFILMED

said Contract of Sale, and that all payments heretofore made by you as Purchasers shall be forfeited to and shall remain the property of the undersigned.

5. You are required to pay, in addition to the charges made by the escrow holder for sending this Notice of Forfeiture Under Contract and Demand for Possession of Property, attorneys' fees for the preparation of this Notice in the sum of $350.00.

6. Notice is hereby further given that in the event this Notice of Forfeiture shall become final, the undersigned will on said date make demand upon the escrow holder under said Contract of Sale, to wit: Idaho First National Bank, Main Branch, Nampa, Idaho, for the immediate return to the undersigned of all documents heretofore placed in escrow with the escrow holder.

Dated this 16th day of January, 1985.

Gordon G. King
GORDON G. KING

Rose M. King
ROSE M. KING

STATE OF IDAHO)
: ss.
County of Canyon)

On this 16th day of January, 1985, before me, the undersigned, a Notary Public in and for said State, personally appeared GORDON G. KING and ROSE M. KING, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument who acknowledged to me that they 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 Caldwell

MICROFILMED

EXHIBIT "A"

IN TOWNSHIP 4 SOUTH, RANGE 1 EAST, B.M., OWYHEE COUNTY, IDAHO
Section 26: SW¼ S½NW¼, N½SE¼, SW¼SE¼, S½NE¼, NE¼NE¼
Section 27: SE¼SE¼
Section 34: NE¼NE¼
Section 35: N½NW¼, and a parcel in SW¼NW¼ described as follows: BEGINNING at the NE corner of SW¼NW¼, Sec. 35, T4S, R1E, B.M.; thence in a Westerly direction 630 feet; thence in a Southerly direction 104 feet; thence in an Easterly direction 630 feet; thence in a Northerly direction 104 feet to the PLACE OF BEGINNING.

IN TOWNSHIP 7 SOUTH, RANGE 1 EAST, B.M., OWYHEE COUNTY, IDAHO
Section 4: E½SE¼
Section 9: E½NE¼
Section 21: Lots 4, 5, 6 and 7

IN TOWNSHIP 7 SOUTH, RANGE 2 EAST, B.M., OWYHEE COUNTY, IDAHO
Section 30: W½NE¼

IN TOWNSHIP 8 SOUTH, RANGE 1 EAST, B.M., OWYHEE COUNTY, IDAHO
Section 6: Lot 7, SE¼SW¼, SW¼SE¼
Section 7: Lot 1, NE¼NW¼, N½NE¼
Section 18: Lots 2, 3, 5, 6 and 7, NW¼SE¼
Section 19: Lots 1, 2 and 3, E½NW¼, NE¼SW¼, N½SE¼

IN TOWNSHIP 8 SOUTH, RANGE 1 WEST, B.M., OWYHEE COUNTY, IDAHO
Section 1: E½SE¼
Section 12: E½NE¼, E½NW¼NE¼
Section 13: S½N½, N½S½, Lots 1, 2, 3 and 4
Section 18: SE¼, E½SW¼, Lots 3 and 4
Section 19: N½NE¼, SE¼NE¼, NE¼NW¼, Lot 1, E½SE¼
Section 20: SW¼NW¼, NW¼SW¼
Section 22: NW¼SE¼, S½SE¼
Section 24: NW¼, N½SW¼
Section 26: SW¼NW¼
Section 27: NE¼NE¼

IN TOWNSHIP 8 SOUTH, RANGE 2 WEST, B.M., OWYHEE COUNTY, IDAHO
Section 34: SE¼NE¼
Section 35: NW¼, W½NE¼, SE¼NE¼

IN TOWNSHIP 9 SOUTH, RANGE 2 WEST, B.M., OWYHEE COUNTY, IDAHO
Section 3: S½SE¼, SE¼SW¼
Section 10: W½NE¼, E½NW¼
Section 15: W½NE¼, E½NW¼

Together with a grant of Easement for a well, ditch and cooling pond located in NW¼NW¼, Sec. 34, T4S, R1E, B.M., as granted by the United States, Dept. of Interior, Bureau of Land Management, on August 4, 1961, under Serial No. Idaho 012682.

MICROFILMED

October 29, 1985

District Clerk
U. S. Bankruptcy Court
Post Office Box 2600
Boise, Idaho 83701

Re: Zane Block and Dorothy Block
Case No. 85-01868K

Dear Clerk:

Enclosed for filing on behalf of Gordon and Rose King is a Proof of Claim.

Your assistance in this matter will be very much appreciated.

Very truly yours,

ALEXANDERSON, DAVIS, RAINEY, WHITNEY & KERRICK

RONALD P. RAINEY

RPR:is

Enclosure

cc: Mr. and Mrs. Gordon King
Star Route #5 - Box 50
Ely, Nevada 89301

MICROFILMED

U.S. BANKRUPTCY COURT - IDAHO DISTRICT

PROOF OF CLAIM

COURT FILING INFORMATION

INSTRUCTIONS Complete this form and mail to.
CLAIMS CLERK • U S BANKRUPTCY COURT • P O BOX 1278 • BOISE, ID 83701

DEBTOR NAME(S)
BLOCK, ZANE
SS# 519-02-4539
BLOCK, DOROTHY
SS# 517-48-5228

CHAPTER
☐ 7
☐ 11
☐ 13

CASE NO 85-01868K

CREDITOR INFORMATION

CREDITOR NAME	BRANCH/DEPARTMENT		PERSON AUTHORIZED TO MAKE CLAIM	
Gordon and Rose King			Ronald P. Rainey	
CREDITOR MAILING ADDRESS	**CITY**	**STATE**	**ZIP CODE**	**CREDITOR'S ACCOUNT NUMBER**
Post Office Box 26	Caldwell	Idaho	83606-0026	

AMOUNT OF CLAIM

THE UNDERSIGNED FURTHER STATES THAT THE AMOUNT DUE THE CREDITOR ON THE ACCOUNT OF SUCH INDEBTEDNESS IS THE AMOUNT LAST SHOWN IN THIS SECTION AND CALCULATED AS FOLLOWS

A AMOUNT OF DEBT DUE ON DEBTOR'S PETITION FILING DATE (SEE REVERSE SIDE FOR DATE OF FILING) $ 1,400,527.26

B LESS INTEREST REBATE, IF ANY, ON PRE-COMPUTED INTEREST LOANS ON THE ABOVE DATE $ -0-

C NET AMOUNT DUE ON THE ABOVE DATE (A LESS B) $ 1,400,527.26

CLAIM INFORMATION

CLAIM IS FILED AS

XX SECURED _____ AMOUNT, BRIEFLY DESCRIBE COLLATERAL. Purchase of real estate in Owyhee County by Contract of Sale dated March 26, 1982. A copy of said Contract of Sale is attached hereto as Exhibit A.

☐ UNSECURED _____ AMOUNT.

☐ PRIORITY _____ AMOUNT.

IF FOR WAGES PLEASE COMPLETE SOCIAL SECURITY NO OF WAGE CLAIMANT _____

WAGES, SALARY OR COMMISSIONS FOR SERVICES PERFORMED FROM _____ TO _____

ALLOWANCES AND BENEFITS, SUCH AS ☐ VACATION ☐ SEVERANCE ☐ SICK LEAVE PAY _____

THE CONSIDERATION FOR THIS DEBT IS	PRESENT VALUE OF COLLATERAL IS
Purchase of real property.	$1,350,000.00 estimate
	NAME OF ORIGINAL CREDITOR, IF ASSIGNED DEBT

DESCRIBE GOODS SOLD SERVICES RENDERED, NATURE OF DEBT OR JUDGMENTS OBTAINED, AND ATTACH COPIES OF DOCUMENTS SUPPORTING THIS CLAIM (IF SECURED, ATTACH COPY OF SECURITY AGREEMENT AND ANY PROOF OF PERFECTION)

See attached copy of Contract of Sale

MICROFILMED

DOCUMENTATION ATTACHED

☐ PROMISSORY NOTE	☐ NOTE AND SECURITY AGREEMENT	☐ TITLE	☐ _____
☐ SECURITY AGREEMENT	☐ FINANCING STATEMENT (UCC-1)	☒ Contract of Sale	☐ _____

CERTIFICATION

THE UNDERSIGNED CERTIFIES THAT THE DEBTOR ABOVE NAMED IS JUSTLY AND TRULY INDEBTED TO CREDITOR IN THE AMOUNT SET FORTH, THAT THERE ARE NO SET-OFFS OR COUNTERCLAIMS THERETO, THAT SAID DEBT WAS CONTRACTED, THAT THERE IS NO SECURITY FOR SAID DEBT OTHER THAN IS STATED HEREIN, THAT NO UNMATURED INTEREST IS INCLUDED, AND THAT THE UNDERSIGNED IS DULY AUTHORIZED TO MAKE THIS CLAIM

SIGNATURE OF PERSON AUTHORIZED TO MAKE A CLAIM

RONALD P. RAINEY, Attorney at Law

DATE

October 24, 1985

PENALTY FOR PRESENTING FRAUDULENT CLAIM FINE NOT MORE THAN $5 000 OR IMPRISONMENT FOR NOT MORE THAN 5 YEARS OR BOTH - TITLE 18 U S C , SECTION 152

Box 9018				
Nampa,Id 83660	11,328.	300.		
Cheryl Ann Torres	518-90-8449	BK 85-1860	9-16-85	Ch. 7
1617 Checola #24	Debts	Assets	EXempt	
Nampa,Id 83651	51,522.	430.	430.	
Richard F. hartley	519-34-5156	BK 85-1861	9-16-85	CH. 7
Norma G. Hartley	519-46-8945			
745 WEst Overland Rd.	Debts	Assets	Exempt	
Meridian,id 83642	20,376.	3,425.	3,400.	
Roy Lee Flowers	431-58-8169	BK 85-1862	9-16-85	Ch. 13
Janey Flowers	519-53-7087			
8196 S. Yellowstone;PO Box 3643				
Post FAlls,Id 83403		NO SUMMARY LISTED		
Sherry Lynn Grano	519-72-4114	BK 85-1863	9-16-85	Ch. 7
6332 Coach Royal	Debts	assets	Exempt	
Boise,Id 83704	7,443.	56,150.	56,150.	
Robert Russell Smith	519-74-8414	Bk 85-1865	9-16-85	Ch. 7
Rt 2, Box 143	DEbts	Assets	Exempt	
Weiser,Id 83672	19,155.	415.	400.	
Glenn M. Weeks	518-90-7433	BK 85-1866	9-16-85	Ch. 7
PO Box 111 Coeur d'Alene,Id 83814	Debts	Assets	Exempt	
hobbit Town; HObbit Town Comics & GAmes; Comics Plus	9,087.	2,745.	550.	
Rene Ignacio Rodriguez	567-62-6628	BK 85-1867	9-16-85	Ch. 13
Vickie M. Rodriguez	519-68-6022			
937 Hedburg St. Coeur d'Alene,Id 83814		NO SUMMARY LISTED		
Zane Block	519-02-4539	BK 85-1868	9-16-85	Ch. 11
Dorothy Block	517-48-5228			
HC 89,Box 2245	Debts	Assets	Exempt	
Oreana,Id 83652	1,211,769.	2,084,100.	not shown	
Delbert L. Bain	518-48-6408	Bk 85-1869	9-17-85	Ch. 7
349 E. Avalon Kuna,Id 83634		NO SUMMARY LISTED YET		
Boise Restaurant Inc. dba Barbary Coast Restaurant		BK 85-1870	9-17-85	Ch. 11
1112 Main St. Boise,Id 83702		NO SUMMARY LISTED YET		
William Clendenen	546-14-2404	BK 85-1872	9-18-85	Ch. 13
4885 Highland Dr.				
Coeur D'Alene,Id 83814		NO SUMMARY LISTED		
J.Donavan Locklear	533-62-3755	BK 85-1873	9-18-85	Ch. 13
aka James D. Locklear				
Susan K. Locklear	518-88-1306			
Rt 1, Box 1339 Nmapa,Id 83651		NO SUMMARY LISTED		

SEP 30 1985

MICROFILMED

St e 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

April 28, 1986

Gordon G. King
P. O. Box 36
Murphy, ID 83650

PERMIT NO. 57-7266

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. 37617.

Roberta Garrett
Records Supervisor

Enclosure

MICROFILMED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
FEBRUARY 28, 1986

138875

KING, GORDON G. & ROSE M.
OREANA, ID 83650

PROOF DUE NOTICE

RE: PERMIT NO. 57-7266

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 MAY 1, 1986. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST.) ENCLOSED IS A FORM WHICH 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 A COMPLETED PROOF OF BENEFICIAL USE FORM OR A 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

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

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED

June 23, 1981

Gordon & Rose King
Oreana,
Idaho 83650

Dear Mr. & Mrs. King,

RE: Permit No. 57-7266

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

Be sure to note the special condition requiring you to install a measuring device, or an access port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the access port.

The exercise of this permit may also be affected by the Supreme Court's Review of the case of Idaho Power Company vs. State of Idaho, et al., Ada County Civil No. 62237, currently being appealed to the Supreme Court of Idaho. Since the use of water under your permit may affect the flows in the Snake River between Milner Dam and Hells Canyon the final decision in this case may determine to what extent the exercise of your permit is subject to water rights of Idaho Power. While the Supreme Court is reviewing this case, Idaho Power Company has not filed a specific protest to your premit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or subsequent license.

We have enclosed a form entitled "Making Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

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

Enclosure

MICROFILMED

Form No. 202a
3/79

State of Idaho

Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: Jan Graves APPLICATION NUMBER: 57-7266 King

CHECK:

- ☑ Source.
- ☑ Point of diversion.
- ☑ County.
- ☑ Quantity of water and period of use.
- ☑ Description of diverting works.
- ☑ Time required for beneficial use of water.
- ☑ Place of use or acres irrigated.
- ☑ Map.
- ☑ Signature.
- ☑ Fee.

Field check by: _____
Date: _____
Comments: _____

- ☐ Yes ☑ No Field check required.
- ☐ Yes ☑ No Critical groundwater area.
- ☐ Yes ☑ No Request dam safety information. Sent by: _____ Date: _____
- ☑ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department. Copies sent by: _____ Date: _____
- ☐ Idaho Fish and Game Department.
- ☐ Idaho Department of Lands.
- ☐ U.S. Bureau of Land Management.
- ☐ U.S. Forest Service.
- ☐ Other _____

PROCESSING:

- ☐ Yes ☐ No Platted by: _____ Map No. _____
- ☑ Yes ☐ No Other rights on same place of use. 57-2246 & 57-2253 - WHEN COMB. WITH APP. = 1" per Acre - There are other surface water RIGHTS ALSO.
- ☑ Yes ☐ No* In form for advertising.
  Final date for protests: 4/27/81 ✓ ~~3/23/81~~
- ☐ Yes ☑ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☑ Affidavit of publication received. Date: ~~3/19/81~~ ~~3/19/81~~ corrected 4/27/81 ✓
- ☑ Application published correctly. If not, record action taken: corrected
- ☑ Fee amount, receipt date & number, recorded on application.
- ☑ Publication dates and paper, recorded on application.
- ☑ Protests, dates, withdrawal, etc., recorded on application.
- ☑ Recommendation & initial, recorded on application.
- ☐ Yes ☑ No Measuring device required.
- ☑ Yes ☐ No Access port required.
- ☐ Yes ☑ No Will water be delivered by watermaster? If yes, what district? _____
- 4/14/81 Date of priority recommended.
- ✓ Special conditions of approval or cover letter. I.P. GW letter

By: DBS Date: 4/27/81

STATE OFFICE REVIEW:

SW/105, 103 OIC, OIC

- ☐ See attached sheet for more information.

By: _____ Date: 4/29/81

MICROFILMED

App. 57-7266

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

February 10, 1981

Barry Marcus
MARCUS & MARCUS
Marcus Building
737 North 7th Street
Boise, Idaho 83702

Dear Mr. Marcus:

Your letter of February 2, 1981, regarding the planned lease of water from the existing King irrigation well for geothermal use in your client Intex Corporation's proposed ethanol plant, has been given careful review.

Department records show that there exits two licensed water rights for irrigation purposes from the King well which is located within the NE1/4NE1/4, Sec. 34, Twp. 4S., Rge 1E., Boise Meridian in Owyhee County. These rights include licensed right No. 57-2246 for 4.0 cfs with a priority of July 26, 1961 to irrigate 208 acres of land, and licensed right No. 57-2253 for 1.98 cfs with a priority of August 23, 1962 to irrigate 99 acres of land.

In addition, there has recently been filed a new application for Permit No. 57-7266 to divert 6.02 cfs from the King well with a priority of January 14, 1981 to irrigate 301 additional acres of land. It is possible that this additional acreage figure will have to be reduced by 8 to 293 acres because the larger figure results in a total acreage claim when combined with licensed rights of 48 acres within the NE1/4NW1/4 of Section 35. This acreage reduction would also reduce the maximum diversion rate under the new application to 5.86 cfs for irrigation purposes.

Application for Permit No. 57-7266 also seeks a year-round right to use the 6.02 cfs to be diverted from the King well for a commercial gasohol plant. The place of use for the plant is identified as the SE1/4SE1/4, Section 27, Twp. 4S, Rge. 1E, B.M. The application indicates that the applicant, Gordon King, owns the proposed plant site.

Your letter states that Intex Corporation, and not the Kings, will own the site on which the ethanol plant will be situated. You further ask for confirmation of your understanding that use of the geothermal water by Intex pursuant to lease will not jeopardize the Kings' water right.

MICROFILMED

The question posed must be answered both with respect to the Kings' existing and proposed irrigation rights and with respect to their proposed commercial or industrial use. As long as the water to be utilized in the ethanol plant is thereafter used for irrigation by the Kings pursuant to license or permit there should be no danger of their irrigation rights being jeopardized.

The response with respect to the proposed commercial use under application for Permit 57-7266 is different. First, there appears to be a serious question as to whether a water right permit may be issued to individual applicants who do not personally intend to apply the water to beneficial use. Your letter indicates that the Kings intend to lease the 6.02 cfs commercial right applied for under 57-7266 to Intex Corporation for use in its proposed ethanol plant. It would appear that a more appropriate procedure would be for Intex to file an application for permit for the proposed industrial water use. The application could be accompanied by evidence of an agreement with the Kings providing the use of their well as a point of diversion, and granting a right of way easement across their land in return for the agreed upon compensation.

It is noted that I.C. § 42-220 provides that once a water right permit matures to license the right becomes appurtenant to the place of use. In the present case, if the department approved the Kings' commercial filing under 57-7266 the permit would become their personal property. However, upon issuance of a license the right would become real property appurtenant to the plant site owned by Intex. The licensed right could only remain the property of the Kings if provided so by written agreement between the parties.

Finally, your letter implies that the Kings have filed with the department for a geothermal permit. Such filing does not appear to have been made.

Sincerely,

Norman C. Young
Administrator, Resource Administration Division

NCY:jh

MICROFILMED

CLAUDE V MARCUS
CRAIG MARCUS
BARRY MARCUS
GALE M MERRICK
GARY L MONTGOMERY
R M MITCHELL

LAW OFFICES
MARCUS & MARCUS
MARCUS BUILDING
737 NORTH 7TH STREET
BOISE, IDAHO 83702

TELEPHONE
(208) 342 3563

February 2, 1981

RECEIVED
FEB 2 1981
Department of Water Resources

Mr. Phil Rassier
Deputy Attorney General
Idaho Department of Water Resources
Statehouse
Boise, Idaho 83720

Re: Gordon King well - Intex Corporation

Dear Phil:

I have enclosed my letter to Mr. Allred regarding the question about geothermal rights we recently discussed. The question apparently arose out of discussion that the Kings had with personnel in the office at the time they made their geothermal filing. Mr.Allred's clarification is of some urgency. He may assume that the Kings' geothermal rights are fully protected under the lease agreement with Intex and that the lease agreement gives to Intex the right to transport the water from the well to the ethanol plant site, to extract the heat from the water at the plant site and to return the water to the Kings for their irrigation use.

Thank you for your cooperation.

Very truly yours,

Marcus & Marcus

Barry Marcus

Barry Marcus

BM:ah
enclosure

MICROFILMED

CLAUDE V MARCUS
CRAIG MARCUS
BARRY MARCUS
GALE M MERRICK
GARY L MONTGOMERY
R M MITCHELL

LAW OFFICES
MARCUS & MARCUS
MARCUS BUILDING
737 NORTH 7TH STREET
BOISE, IDAHO 83702

TELEPHONE
(208) 342 3563

February 2, 1981

RECEIVED
FEB 2 1981
Department of Water Resources

Mr. C. Stephen Allred
Director, Department of Water Resources
State of Idaho
Statehouse
Boise, Idaho 83720

Re: Gordon and Rose King Well
Grandview, Idaho

Dear Mr. Allred:

We represent Intex Corporation, who is interested in constructing an ethanol plant on property it will own near the King well. The Kings will lease to Intex the right to extract the heat from the well water at their plant site. The water will be returned to the Kings for irrigation of their ranch property. It is my understanding that the geothermal use of the water (i.e., the extraction of heat from the water) by Intex on property not owned by the Kings, pursuant to Lease Agreement with the Kings, will not jeopardize the Kings' water right. In other words, the mere fact that the geothermal use of the water occurs on property not owned by the Kings will not result in a loss of their water right, so long as such use is pursuant to lease agreement with the Kings. I would very much appreciate your confirmation of this understanding.

If you have any questions, please contact me.

Thank you for your attention to this matter.

Very truly yours,

Marcus & Marcus

Barry Marcus

Barry Marcus
Counsel for Intex Corporation

BM:ah

MICROFILMED

NOTICE OF CORRECTION

Notice is hereby given that notice of Application for a Water Right Permit No. 57-7266 in the name of Gordon G. &/or Rose M. King was published in error on 3/5 and 3/12/81.

The point of diversion was advertised as being NWNE, Sec. 34, Twp 4S, Rge 1E, B.M., Owyhee County. Whereas, the actual point of diversion is within the NENE, Sec. 34, Twp 4S, Rge 1E, B.M., Owyhee County.

Also in error was one of the listed places of use. The NWNW, Sec. 26, Twp 4S, Rge 1E was listed as one of the places of use. Whereas, it should have listed the SENW, Sec. 26, Twp 4S, Rge 1E, instead.

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before April 27, 1981.

C. STEPHEN ALLRED

Director

Published in the Owyhee Nugget on 4/9 and 4/16/81.

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NEW WATER RIGHT FILINGS

01/22/81

INDICATES TOTAL

RIGHT NUMBER	NAME AND ADDRESS	PRIORITY DATE	USE	USE PERIOD FROM	USE PERIOD TO	MAX AMOUNT MAX RATE	DIVERSION POINT	PLACE OF USE AND ACREAGE	BASIS FOR RIGHT
47-7691						.20 CFS			
						* ---*AFA			
						* .20*CFS			
47-7692	CAPPS, CARL CAPPS, CAROLINE 675 JACKSON TWIN FALLS ID 83301 SOURCE: WASTE WATER	01-14-1981	IRRIGATION	03-15	11-15	.40 CFS	NWSW S18 T11S R17E	NWSW(20) S18 T11S R17E	APPLICATION
	TRIBUTARY: SINKS							* 20 ACRES*	
47-7693	KLUNDT, DELBERT KLUNDT, PAT RT. 4 TWIN FALLS ID 83301 SOURCE: TOLBERT TUNNEL REMARKS: G,D/GREENHOUSE	01-16-1981	HEATING	01-01	12-31	16.00 CFS	NENE S12 T10S R16E		APPLICATION
	TRIBUTARY: ROCK CREEK								
			COOLING	01-01	12-31	16.00 CFS		SAME AS OTHER USE	
			POWER	01-01	12-31	16.00 CFS		SAME AS OTHER USE	
						* ---*AFA			
						* 16.00*CFS			
57-7266	KING, GORDON G. KING, ROSE M. BREANA ID 83650 SOURCE: GROUNDWATER OTHER USES: C/GASOHOL PLANT.	01-14-1981	IRRIGATION	03-15	11-15	6.02 CFS	NWNE S34 T04S R01E		APPLICATION
	TRIBUTARY:								
	P/U: T04S R01E S26 NENE(12) SWNE(14) SENE(25) NWNW(40) SWNW(40) NESW(20) NWSW(29) SWSW(16) SESW(17) NESE(11) NWSE(10) SWSE(04) S34 NESE(26) S35 NENW(31) NWNW(06)								
								* 301 ACRES*	
			COMMERCIAL	01-01	12-31	6.02 CFS	SESE S27 T04S R01E		
						* ---*AFA			
						* 6.02*CFS			

Copy to TF55cc

Understood

Geothermal exception probably

RECEIVED
FEB 17 1981
MICROFILMED
Department of Water Resources
Western Regional Office

NOTICE OF CORRECTION

Notice is hereby given that notice of Application for a Water Right Permit No. 57-7266 in the name of Gordon G. &/or Rose M. King was published in error on 2/5 and 2/12/81.

The period of use for irrigation purposes was advertised as being 0/15 to 11/15.. WHEREAS, the actual period of use for irrigation purposes is 3/15 to 11/15.

Also in error was one of the listed places of use. The SESE, Sec. 26, T 4S, R 1E was advertised as being one of the places of use. WHEREAS, the actual place of use should have read NESE, Sec. 26, T 4S, R 1E in place of the SESE.

If issued, the permit will be subject to all prior water rights. Protests against the granting of any permit must be filed with theDirector of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709, on or before March 23, 1981.

C. STEPHEN ALLRED

Director

Published in the Owyhee Nugget on 3/5 and 3/12/81.

MICROFILMED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

JANUARY 29, 1981

Owyhee Nugget
Marsing, ID 83639

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billing to this office before FEBRUARY 23, 1981.

Yours truly,

HELEN L. HARRINGTON
Secretary

Encl.

I mistakenly sent the claim PPs ——

readvertised

MICROFILMED

THIS APPLICATION WAS MISTAKENLY ADVERTISED AS A CLAIM 1/22 & 1/29/81.

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before FEBRUARY 23, 1981.

C. STEPHEN ALLRED

Director

Published 2/5 & 2/12/81.

MICROFILMED

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83709
(208) 334-2190

JANUARY 16, 1981

Owyhee Nugget
Marsing, ID 83639

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billing to this office before FEBRUARY 9, 1981.

Yours truly,

HELEN L. HARRINGTON
Secretary

Encl.

MICROFILMED

NOTICE OF CLAIMS TO WATER RIGHTS

Notice is hereby given that the following claim(s) to water right(s) have been established by diversion and application to beneficial use:

Any exception to any claim of water right may be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709.

C. STEPHEN ALLRED

Director

Published 1/22 & 1/29/81.

MICROFILMED

52-7266

KING, GORDON G. &/or ROSE M.

OREANA, ID 83650

Source: GROUNDWATER

Date Filed: 01/14/1981

Amount: 6.02 CFS

Diversion Point: NWNE Sec 34 T 04S R 01E, OWYHEE Co.

Use: IRRIGATION (6.02 CFS) from 03/15 to 11/15
COMMERCIAL (6.02 CFS) from 01/01 to 12/31

Place of Use: NENE SWNE SENE NWNW SWNW NESW NWSW SWSW SESW NESE NWSE SWSE
Sec 26 T 04S R 01E NENE Sec 34 T 04S R 01E NENW NWNW
Sec 35 T 04S R 01E SESE Sec 27 T 04S R 01E FOR 301 ACRES

Diversion Means: WELL & PIPELINE.

MICROFILMED