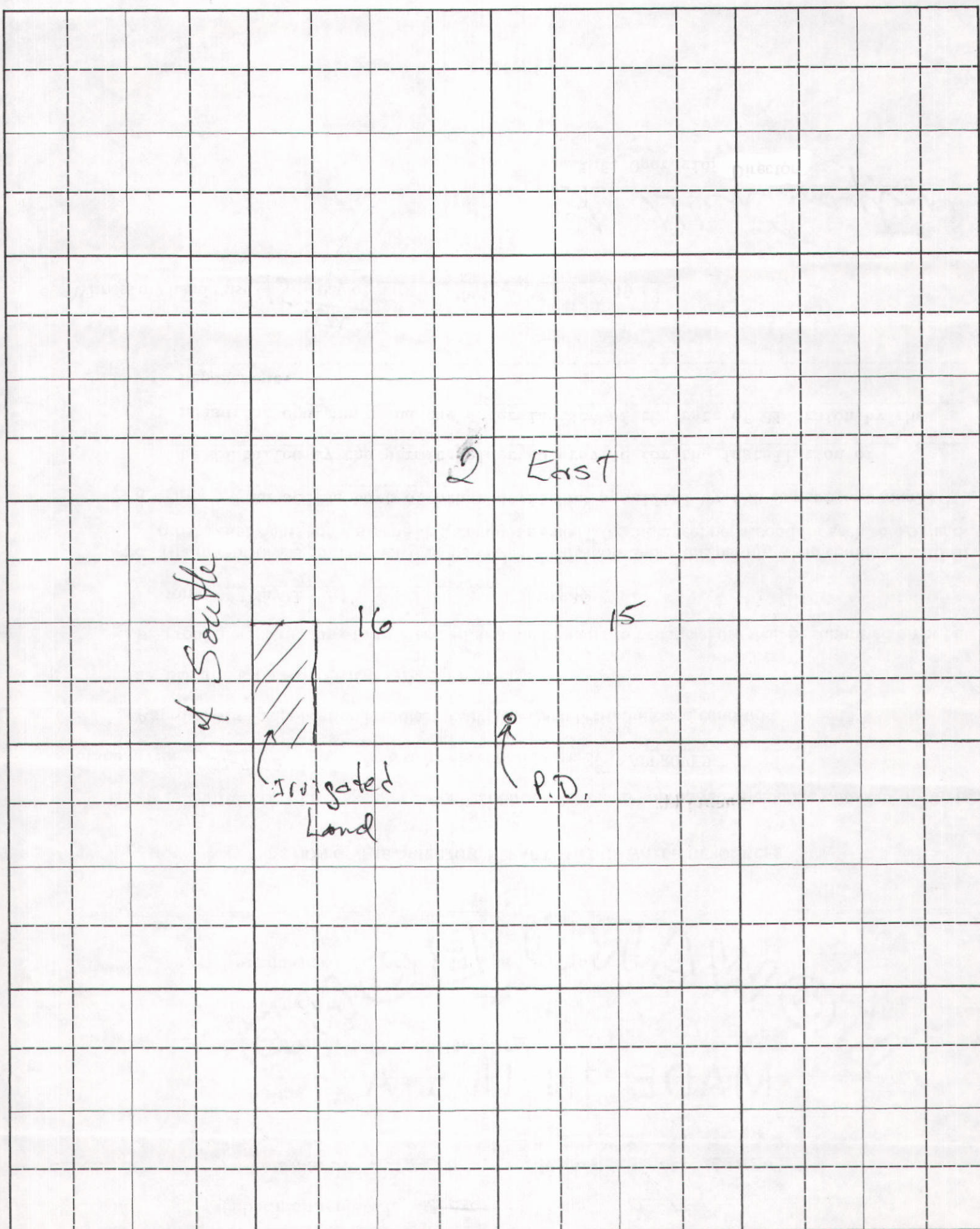


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Watson Ranch
John W. Watson
(Applicant)

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SEP 17 1998

RECEIVED

SEP 16 1998

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

Department of Water Resources

WATER RESOURCES
WESTERN REGIONNOTICE OF CHANGE OF ~~WATER RIGHT~~ ^{ADDRESS} OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

1. Water Right No(s): 57-07584, 57-07635, 402-10137, 57-10496, 57-07186, 57-07222, Transfer 3628, 02-02384, 457-11527, 55-10234, 55-04021, 55-02094, 155-13663, 55-13677, 55-10346,
Adjudication Claim No(s): 55-10203

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

- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant _____

4. ~~New Owner/Claimant(s)~~ Joe Parkinson

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or→ New Mailing Address 123 W. Highland View Dr.City, State and ZIP Code Boise, ID 83702New Telephone Number (208) 342-5827 ; Fax 208-345-1817

5. Date you acquired the property _____

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s) *[Signature]*
Sept 15, 1998

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

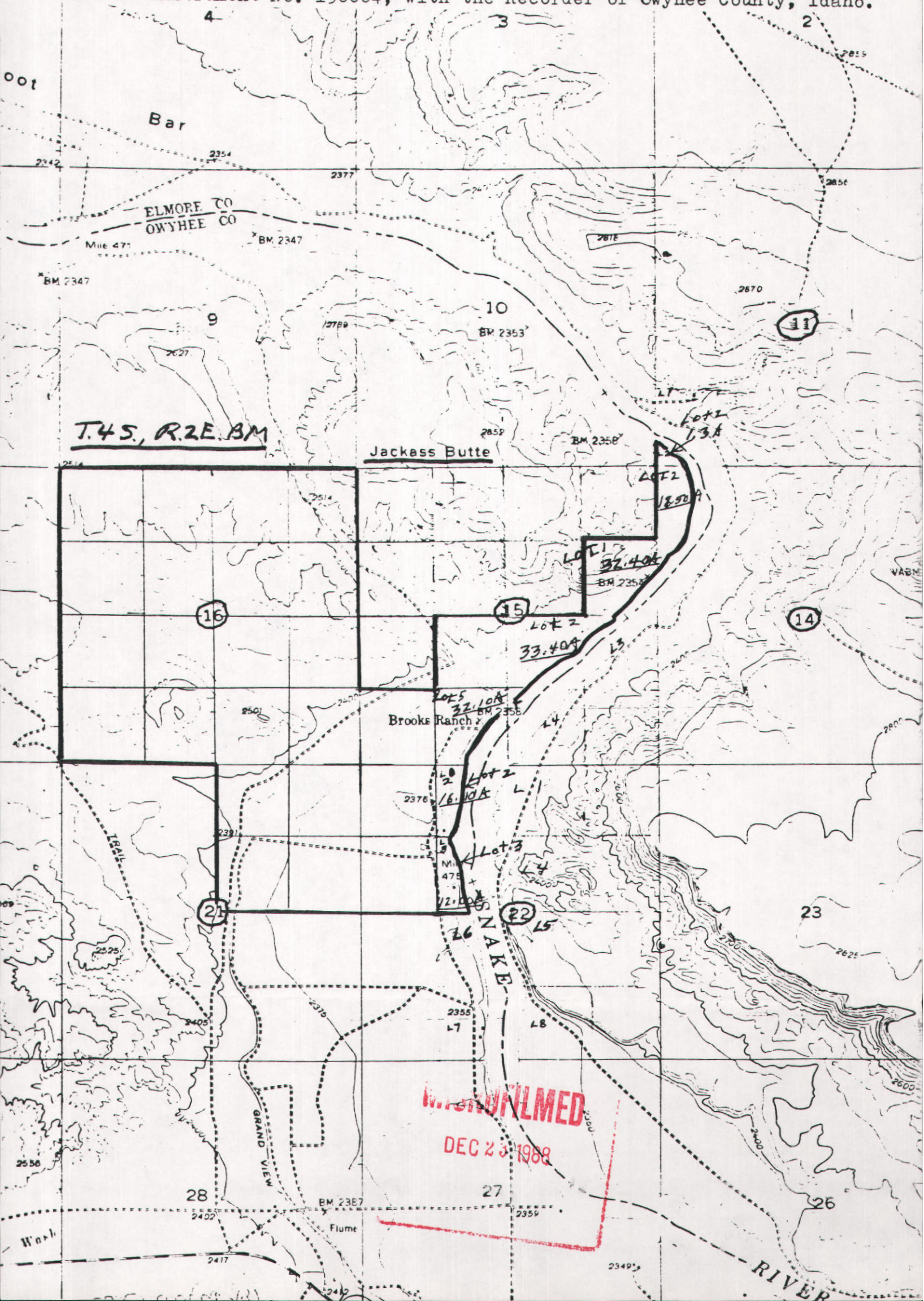
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

9.17.98 - WR 2 database updated -K

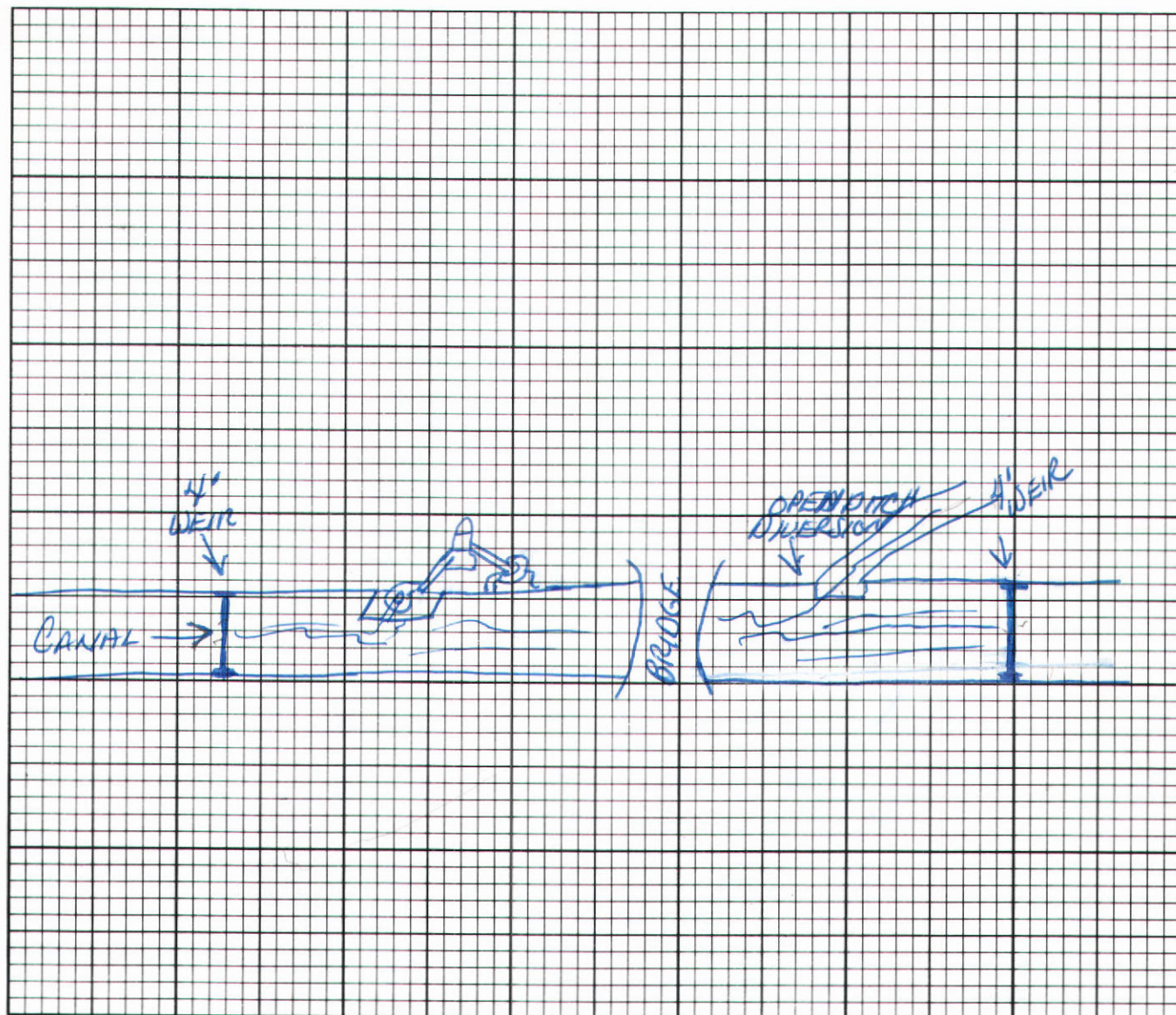
ADA CO
ELMORE CO

VABM 2095

Deeded to JOSEPH L. PARKINSON (single), 123 West Highland View Dr., Boise Idaho 83702, together with all water rights including Water Licenses Nos. 02-2384, 57-7186 and 57-7222, by Sheriff's Deed of Tim Nettleton, Sheriff of Owyhee County, Idaho, dated November 7, 1988 and recorded November 7, 1988 as Instrument No. 196664, with the Recorder of Owyhee County, Idaho.



10. Other water rights on these lands 57-7186 - SEE REMARKS
11. Other water right diverted from same p.d. " " "
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached

☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks LIC #57-7186 WAS ALSO MEASURED USING THE 2-4' WEIRS IN MAY, 1978 BY BILL McALLISTER. AT THAT TIME HE FOUND 6.82 CFS & 358 ACRES. THIS PERMIT WAS FOR AN ADDITIONAL 80 ACRES & MR. WATSON HAS INSTALLED AN ADDITIONAL 100 HP BOOSTER PUMP. THEREFORE, SINCE I MEASURED 8.88 CFS BEING DIVERTED NOW & 6.82 ARE LICENSED, THERE IS 2.06 CFS AVAILABLE FOR THIS PERMIT. ONLY 1.52 CFS CAN BE ALLOWED.

15. 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

16. Examiner's/Consultant's Signature Jan Grover Date 9/14/84

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date

CONSULTANT SEAL

FIELD OUTLINE

27 AC

36 AC

4 AC

OUT HILL

R 73.9

17 16
20 21

4 AC

2 AC

3 AC

S 53.8

H 11.1

L 10.8

M 37.6

N 15.5

O 28.5

P 20.1

Q 7.4

K 5.7

J 39.9

I 6.9

D 42.0

E 9.6

C 6.7

B 60.8

A 48.1

G 6.7

P.D. #1 - PUMPS

P.D. #2 (lower area)

2000

VOK

MICROFILMED

C38 6C

C4 2C

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 57-7222 Priority July 11, 1978 Amount 1.52 cfs

THIS IS TO CERTIFY, that John W. &/or Katherine R. Watson
of Grand View, Idaho, has complied with the terms and conditions of Permit
No 57-7222 issued pursuant to Application for Permit dated July 11, 1978,
and has submitted proof to the Department of Water Resources on August 15, 1983,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 8.88 cfs of water from waste water,
tributary to Snake River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows.

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	<u>from March 15 to November 15</u>	<u>at 1.52 cfs</u>	<u>and 380.0 acre feet</u>
	<u>from</u>	<u>at</u>	<u>cfs and</u>
	<u>from</u>	<u>at</u>	<u>cfs and</u>

(both dates inclusive)

Subject, however, to the condition that no more than 1.52 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
380.0 acre feet per year, and waters to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ (2 Points)
Section 15, Twp 4S, Rge 2E in the County of Owyhee

Description and location of place of use.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4S	2E	16									4	27	36	4					71
		21					3	2											5

Total number of acres irrigated 76

This right when combined with all other rights shall provide no more than .02 cfs
per acre nor more than 5.0 afa per acre for the lands above.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 15th day of
MARCH, 19 85.

Acting for the Director

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OCT 1 1984

Ident. No. _____

STATE OF IDAHO

Department of Water Resources

Licensing
APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use

APPROVED

Comes now John W. &/or Katherine R. Watson Phone _____
of (address) Rt. B, Box 233 Grandview, ID 83624, 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. 57-7222, and requests that the permit and permit map be changed as follows:

1. Point of diversion: No change $\frac{1}{4}$ $\frac{1}{4}$, Section _____, Township _____, Range _____, B.M.,
County of _____. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

No change
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4S	2E	16									4	27	36	4					71
		21					3	2											5

Total number of acres to be irrigated = 76

4. a. Who owns the property at the point of diversion? _____
b. Who owns the land to be irrigated or the place of use? _____
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing: _____

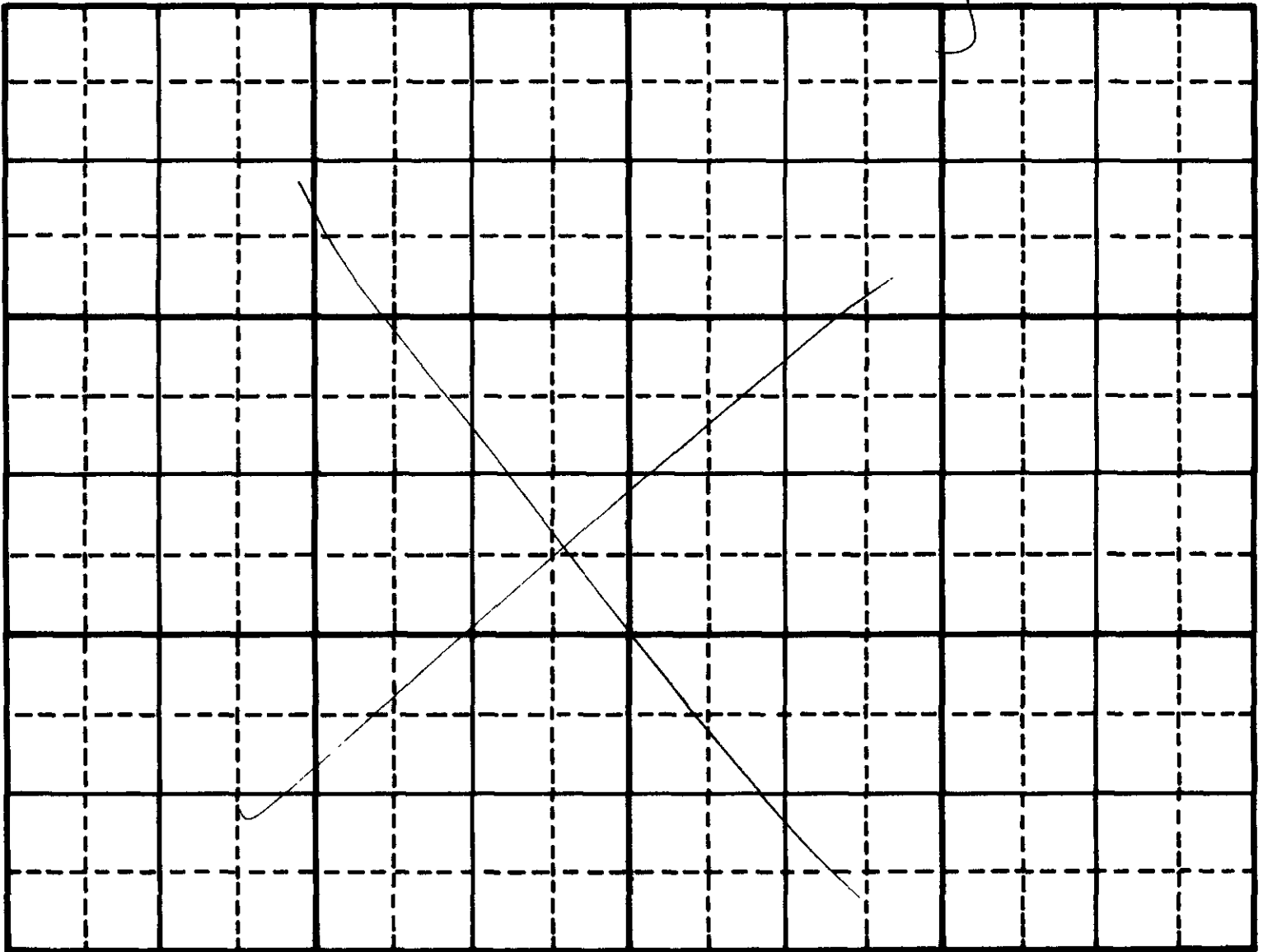
MICROFILMED

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.

Not Necessary

MICROFILMED



Scale: 2 inches equal 1 mile.

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

Signed at Boise, this 1st day of October, 1984.

John W Watson
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by mi Fee = \$20.00

Received by if Date 10-2-84 # 35111

Publication prepared by K/A Date _____

Published in _____

Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, of the Department of Water Resources hereby

Approve the above Application for Amendment for Permit No. 57-7222.

Witness my hand this 1st day of March, 1985.

Norman C Young
Acting for the Director

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 John W. &/or Katherine R. Watson Phone 834-2484

Post office address Watson Ranch Box 233 Grandview, ID 83624

2. Source of water supply waste water which is a tributary of Snake River

3. Location of point of diversion is SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 15 Township 4S

Range 2E B.M. Owyhee County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 1.6 cfs for irrigation purposes from 3-15 to 11-15 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated:

a. 1.6 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. pumps and sprinklers

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 _____ to _____ inclusive.
(Month/Day) (Month/Day)

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: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ 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 _____

(5) If water is to be used for other purposes describe: _____

MICROFILMED

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

[illegible]

Total number of acres to be irrigated 80

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

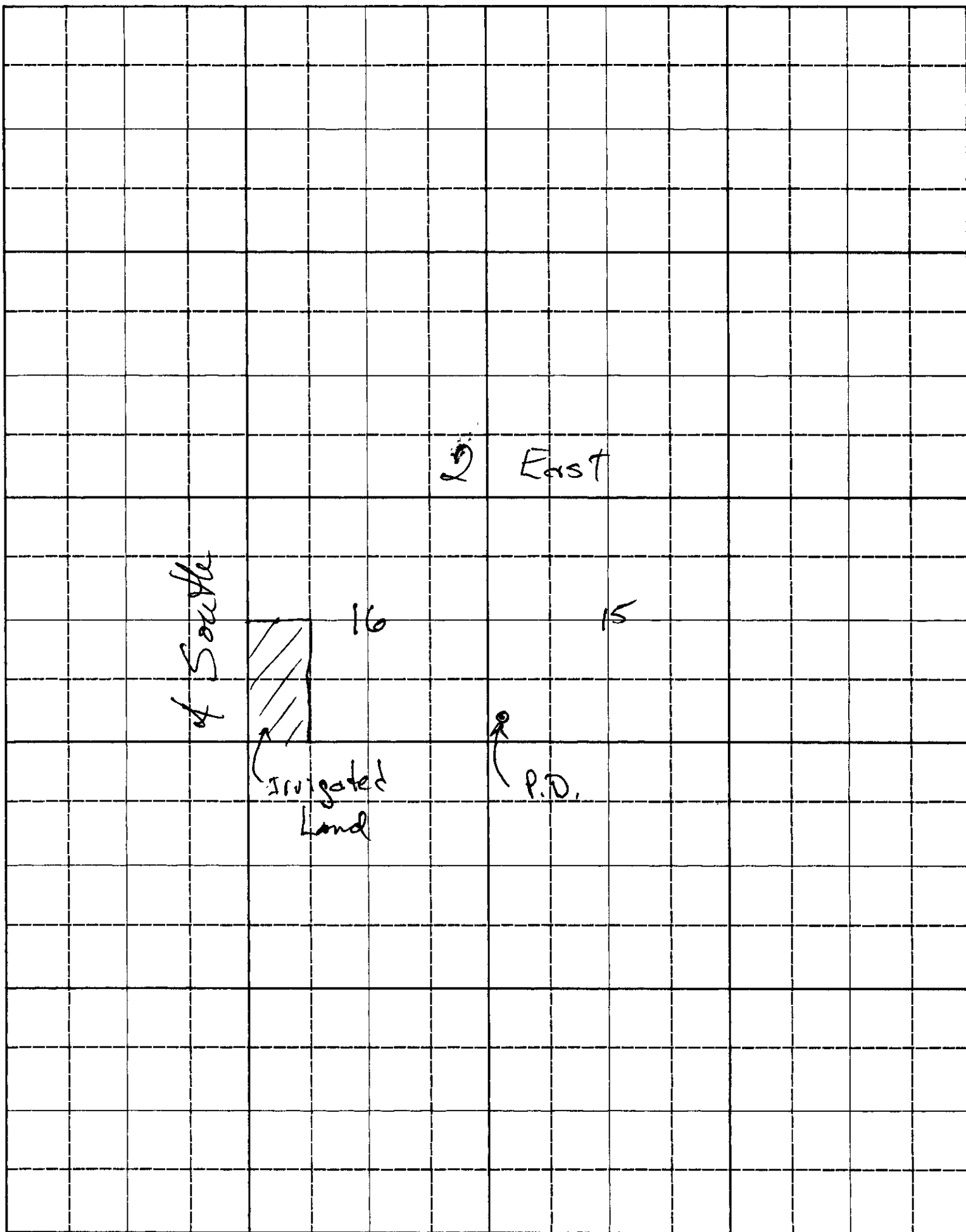
9. a. Who owns the property at the point of diversion applicant

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

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

10. Remarks the diversion works are also covered by permit No. 57-7186

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.

Watson Ranch
John W. Watson
(Applicant)

Proposed Priority 7/11/78

Received by Wib Date 7-11-78 Time 11:30 AM

Preliminary check by WHM Fee \$ 45⁰⁰ # 11165

Receipted by alew Date 7-12-78

Publication prepared by alew Date 7-13-78

Published in Gwyther Nugget

Publication dates 7-20 + 7-27-78

Publication approved ~~ST~~ Date 8-1-78

Protests filed by: Handview Irrigation Dist.
Withdrawn 5/7/79

Copies of protests forwarded by S.T.

Hearing held by _____ Date _____

Recommended for approval denial by DBS J.J.

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. 57-7222, 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 84.

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.

Witness my hand this 15th day of May, 19 79.

L. Glen Saxton
Chief, Operations Bureau

ANDERSON, KAUFMAN, ANDERSON AND RINGERT
CHARTERED
LAWYERS

IDAHO BUILDING
BOISE, IDAHO 83701

AREA CODE 208
TELEPHONE 342-4591
POST OFFICE BOX 2773

EUGENE H ANDERSON (1902-1972)
SAMUEL KAUFMAN
RICHARD ANDERSON
WILLIAM F RINGERT
D BLAIR CLARK
ANDREW M HARRINGTON
JEFFREY R CHRISTENSON
JAMES P KAUFMAN

May 4, 1979

Department of Water Resources
Western Region
92 South Cole Road
Boise, Idaho 83705

ATTN: Mr. David B. Shaw

Re: Application No. 57-7222

Gentlemen:

Herewith is Agreement dated April 12, 1979, between Grandview Irrigation District and John W. Watson, by which the District's protest to the above numbered application is resolved.

Yours very truly,

ANDERSON, KAUFMAN, ANDERSON & RINGERT

By


W. F. Ringert

WFR:am
Enclosure
cc: Grandview Irrigation District
Mr. John W. Watson

RECEIVED

MAY 7 1979

Department of Water Resources
Western Regional Office

RECEIVED

A G R E E M E N T

MICROFIL

THIS AGREEMENT, Made and entered into this 12th day of April, 1979, by and between GRANDVIEW IRRIGATION DISTRICT, an irrigation district organized and existing under and by virtue of the laws of the State of Idaho, party of the first part, hereinafter referred to as the "District", and JOHN W. WATSON and KATHARINE R. WATSON, of Lafayette, California, parties of the second part, hereinafter referred to in the singular as "Watson",

W I T N E S S E T H:

WHEREAS, Watson has filed Application No. 57-7222, to appropriate certain public waters of the State of Idaho, and the District has filed a protest against said application; and,

WHEREAS, the parties hereto entered into a Canal Agreement dated the 21st day of November, 1975, under which Watson was authorized to utilize certain waste water or excess water of the District subject to the conditions and limitations of said Canal Agreement; and,

WHEREAS, the parties desire to resolve the said protest of the District upon the terms and conditions hereinafter set forth,

NOW, THEREFORE, the parties agree as follows:

Watson agrees that any use made by him under any permit or license issued under said Application No. 57-7222 of water diverted from Snake River and carried to Watson's proposed point of diversion by the irrigation system of the District or by said system and by the individual ditches, pipelines or other facilities of landowners in the District, shall be accomplished in such manner as not to violate or breach any of the terms

and conditions of the Agreement made the 27th day of February, 1951, between the District and Idaho Power Company, and Watson agrees to indemnify and hold harmless the District against any and all claims or demands that Idaho Power Company makes against the District on account of Watson's use of water under any permit or license issued under said Application No. 57-7222. Said Agreement with Idaho Power Company is recorded in Book 8 of Bonds and Agreements at page 361 in the office of the County Recorder of Owyhee County, Idaho. Such indemnification shall include all costs and attorney fees which may be incurred by the District, as well as any liability for damages to Idaho Power Company.

Watson acknowledges and agrees that the terms and conditions of said Agreement with Idaho Power Company conceivably could authorize injunctive relief against Watson to prevent him from using water under any permit or license issued under said Application No. 57-7222.

Watson acknowledges and agrees that the District has neither the right nor the power to deliver water to lands not within the boundaries of the District or not included in its assessment rolls, and Watson expressly agrees that he shall have no right to require the District, or any of its landowners, to waste water for Watson's benefit or to make water available in any other manner at Watson's proposed point of diversion as shown in said Application No. 57-7222, or elsewhere.

In consideration of the covenants and agreements of Watson hereinbefore set forth, the District hereby withdraws its protest against said Application No. 57-7222.

The covenants, conditions and agreements herein contained shall constitute covenants to run with, and running with, the

W½SW¼ of Section 16, Township 4 South, Range 2 East, Boise Meridian, Owyhee County, Idaho, and any other lands to which water rights established by Watson under any permit or license issued under said Application No. 57-7222 shall be made appurtenant, and shall be binding on each of the parties hereto and all parties and persons claiming under them or either of them, and the advantages hereof shall inure to the benefit of each of the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF, the District has hereunto caused its corporate name to be subscribed by its officers first thereunto duly authorized by resolution of its Board of Directors, and Watson has hereunto subscribed his name, all as of the day and year herein first above written.

GRANDVIEW IRRIGATION DISTRICT

By James L. Butler
Its President

ATTEST:

Kay Gansja
Its Secretary

John W. Watson
John W. Watson

Katharine R. Watson
Katharine R. Watson

STATE OF IDAHO)
) ss.
COUNTY OF OWYHEE)

On this 1 day of MAY, 1979, before me, the undersigned, a Notary Public in and for said State, personally appeared TOMMY L. BATES and KAY GARSJA, known to me to be the president and secretary, respectively, of GRANDVIEW IRRIGATION DISTRICT, the irrigation district that executed the foregoing instrument, and acknowledged to me that such irrigation district 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 the State of Idaho
Residing at GRANDVIEW, Idaho.

STATE OF CALIFORNIA)
) ss.
COUNTY OF ALAMEDA)

On this 12th day of April, 1979, before me, the undersigned, a Notary Public in and for said State, personally appeared JOHN W. WATSON and KATHARINE R. WATSON, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument, and 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 the State of California
Residing at 300 Lakeside, Oakland CA
My commission expires: May 24, 1982



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 gen-
eral 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
each week and every week for 22 consecutive weeks, the first publi-
cation being on the 22 day of July, 1977, and
the last publication being on the 27 day of July,
1977;

That the said newspaper has been published continuously and un-
interruptedly 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 27 day of July,
1977.

Donna L. L. L.
NOTARY PUBLIC

My commission expires 9-16-70

(SEAL)

NOTICE OF APPLICATION FOR WATER RIGHT

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

02 - 7268

Name: DONALD P. PAN-
COAST, JR.
Address: Box 32, Hammett,
Idaho

SOURCE: SNAKE RIVER
Date Filed: July 7, 1978
County: Owyhee
Amount: 1.26 cfs
Point of Diversion: NW¼-
NW¼ Sec. 1 T 0S - R 7E B.
M.

Use: Irrigation of 63 acres
from Mar. 15 to Nov. 15
Place of Use: N¼SW¼ Sec.
1; NE¼SE¼ Sec 2 T 6S - R 7E
B. M.
Means: pump and sprinkler
system.

57 - 7222

Name: JOHN W. & / OR
KATHERINE R. WATSON
Address: Box 233, Grand
View, Idaho

Source: WASTE WATER
TRUS. OF SNAKE RIVER
Date Filed: July 11, 1978
County: Owyhee
Amount: 1.6 cfs
Point of Diversion: SW¼-
SW¼ Sec. 15 T 4S - R 2E. B.
M.

Use: Irrigation of 80 acres
from Mar. 15 to Nov. 15
Place of Use: W¼SW¼ Sec.
16 T 4S - R 2E B. M.
Means: pumps and sprink-
lers.

If issued, the permits will be
subject to all prior water rights.
Protests against the granting of
any permit must be filed with
the Director of the Idaho De-
partment of Water Resources,
92 S. Cole Road, Boise, Idaho
83705 on or before August 7,
1978.

C. STEPHEN ALLRED,
Director

Published in the Owyhee
Nugget, Marsing, Idaho on July
20 and July 27, 1978.

MICROFILMED

DBS

GRAND VIEW IRRIGATION DISTRICT

P. O. Box 9
Grand View, Idaho 83624

September 27, 1978

State of Idaho
Department of Water Resources
92 South Cole Road
Boise, Idaho 83705

RE: Application for Water Permit No. 57-7222 in the name of
John W. and / or Katherine R. Watson

Dear Sir:

The Grand View Irrigation District is filing a protest against the water permit filed by John W. and/or Katherine R. Watson under their Application No. 57-7222.

Water being filed on is water from the Grand View Irrigation Canal. The proposed use is such that it will reduce the quantity of water under existing water rights and the water itself will be insufficient for the purpose for which it is sought to be appropriated.

Yours very truly,

Grand View Irrigation District

Kay Langja Secretary

RECEIVED
SEP 28 1978
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

)
Irrigation Distr.)
Grand View Mutual Co.

P. O. Box 9
Grand View, Idaho 83624
)



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
92 South Cole Road
Boise, Idaho 83705
)

DBS

ANDERSON, KAUFMAN, ANDERSON AND RINGERT
CHARTERED
LAWYERS

IDAHO BUILDING
BOISE, IDAHO 83701

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

August 4, 1978

AREA CODE 208
TELEPHONE 342-4591
POST OFFICE BOX 2773

Department of Water Resources
Western Regional Office

Department of Water Resources
Western Regional Office
92 S. Cole Road
Boise, Idaho 83705

Re: John W. and/or Katherine R. Watson
Application No. 57-7222

Gentlemen:

I write as attorney for Grandview Irrigation District of Grand View, Idaho, for the purpose of supplementing its protest against issuance of a water permit to John W. and/or Katherine R. Watson under their Application No. 57-7222.

As an additional ground of protest Grandview Irrigation District states that to the extent, if any, that the applicants intend to assert that any water right perfected under the permit for which they have applied will prevent Grandview Irrigation District from using the water to which it is entitled under its existing rights for irrigation of additional lands not presently served by the irrigation system of the District, the proposed use is such that it will reduce the quantity of water under existing water rights and the water itself will be insufficient for the purpose for which it is sought to be appropriated.

Yours very truly,

ANDERSON, KAUFMAN, ANDERSON & RINGERT

By 
W. F. Ringert

WFR:am

cc: Grandview Irrigation District

MICROFILMED

RECEIVED

RECEIVED

SEP 17 1998

SEP 16 1998

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
Department of Water Resources
ADDRESS
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP
WATER RESOURCES
WESTERN REGION

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

- Incomplete forms will be returned.
- 57-07584, 57-07635, A02-10138, 57-07631, 57-07632, 57-07631.
1. Water Right No(s): A02-10137, 57-04096, 57-07186, 57-07220, Transfer 3628, 02-02384, A57-11527, 55-10234, 55-04021, 55-02094, A 55-13663, 55-13677, 55-10346,
- Adjudication Claim No(s): 55-10203

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

- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
- AND
- B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
- OR
- C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant

4. ~~New Owner/Claimant(s)~~

Joe Parkinson

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

➤ New Mailing Address

123 W. Highland View Dr.

City, State and ZIP Code

Boise, ID 83702

New Telephone Number

(208) 342-5827; fax 208-345-1817

5. Date you acquired the property

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate _____ Number and type of stock _____

Diversion rate in CFS _____ Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner
or Claimant(s)

Sept 15, 1998

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

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

9.17.98 - WR. 2 database updated - K

57-7222

September 10, 1992

Memo to file:

From: Carolyn Andregg

During the spring and summer of 1992, drought conditions caused record low flows in the Snake River. Twice, the flow of the Snake River fell below 4,750 cfs, the minimum stream flow at the Weiser gauge. Notices were mailed to the water user listed under this right because the priority is later than July 1, 1976, in order to protect the Snake River minimum stream flow. The following is a chronological history of the mailings.

May 19, 1992: Letter sent to water right holder informing holder of possible temporary cessation of diversion rights and notice of public meetings.

June 8, 1992: Letter sent informing water right holder directing immediate cessation of diversion of water until further notice.

June 12, 1992: Letter sent to water right holder authorizing resumption of diversion of water.

June 26, 1992: Letter sent to water right holder directing immediate cessation of diversion of water until further notice.

June 29, 1992: Letter sent to water right holder authorizing resumption of diversion of water.

MAIL RETURNED NOTICE

THIS MEMO HAS BEEN PLACED ONLY IN THE FILES FOR WHICH THE ABOVE LISTED DATES OF LETTERS WERE RETURNED. BEFORE SENDING ANY FUTURE MAILINGS, VERIFY CORRECT ADDRESS.

June 12, 1992

JOHN W. WATSON
KATHERINE R. WATSON
RT. B BOX 233
GRANDVIEW ID 83624

RE: Water Right No. 57-07222

Dear Water Right Holder(s):

On June 8, 1992, the department sent you a letter which directed you to immediately cease diverting water under the above referenced water right, since the minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second (cfs) measured near Weiser was not being satisfied.

The flow of the Snake River at Weiser is now above 4,750 cfs. You are, therefore, authorized to again divert water under your water right. If the minimum stream flow is not met later this year, however, the department will again notify you to temporarily cease diversion.

Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON
Director

June 8, 1992

JOHN W. WATSON
KATHERINE R. WATSON
RT. B BOX 233
GRANDVIEW ID 83624

RE: Water Right No. 57-07222

Dear Water Right Holder(s):

On May 19, 1992, the department sent you a letter advising that you might be required to temporarily cease diverting water from the Snake River or its tributaries if the established minimum stream flow of the Snake River in the amount of 4,750 cubic feet per second measured near Weiser is not satisfied or likely will not be satisfied.

The flow of the Snake River at Weiser is now less than 4,750 cfs. You are, therefore, directed to immediately cease diverting water under the above referenced water right and to not resume use until authorized by the department.

Past flow records show that the duration of seasonal low flow periods typically last several days to a week. Since your use of water is extremely important to you and since mail notification includes a delay associated with mail delivery time, feel free to call the toll-free telephone number 1-800-451-4129 to determine when you are again authorized to divert and use water under your water right. Please use this phone number only in connection with resumption of use.

You need to be aware that Section 42-351, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversion.

Thank you for your cooperation in this matter. Please feel free to contact L. Glen Saxton (phone: 208-327-7955) or Gary Spackman (phone: 208-327-7946) of my staff if you have questions.

Sincerely,

R. KEITH HIGGINSON
Director

May 19, 1992

JOHN W. WATSON
KATHERINE R. WATSON
RT. B BOX 233
GRANDVIEW ID 83624

RE: Water Right No. 57-07222

Dear Water Right Holder(s):

Department water right records show that you divert water from the Snake River or its tributaries under a water right that has a priority date later than December 29, 1976. This is the priority of the established minimum stream flow of the Snake River at the Weiser Gage (Weiser) in the amount of 4,750 cubic feet per second.

Because of the continuing drought conditions in the Snake River Basin, department hydrologists project that during 1992, there could be periods when the required minimum flow will not be satisfied due to low flows of the Snake River. The department urges you to not divert at a higher rate than authorized by your water right and to not use your right in any manner different than authorized. In addition, when the minimum flow will not be satisfied or is not being satisfied, you are required to cease diverting water under your water right, because your right is of later priority than the minimum stream flow at Weiser.

If the department determines the minimum flow will not be satisfied, the department will advise you and will provide as much lead time as possible in requiring that you temporarily cease your diversion of water. The greatest likelihood for this to occur is during a period from mid-June to late June.

While the department expects good cooperation from junior water right holders, water users should be aware that Section 42-352, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversions of water.

The department has contacted both the Idaho Power Company and the U.S. Bureau of Reclamation with respect to the timing of storage releases from upstream reservoirs for flow enhancement

purposes. This type of coordination could minimize the impact on existing water users and reduce the need to curtail diversions.

The department has scheduled public information meetings relative to this potential regulation as follows:

Mountain Home - June 4, 1992 - 10:00 a.m. - gymnasium at
North Elementary School, 290 E. 12th N.

Caldwell - June 4, 1992 - 7:00 p.m. - Ballroom in the
Student Union Building, Albertson College of Idaho,
2112 Cleveland

If you have questions concerning this letter or wish to provide the name of a different contact person or address to receive department correspondence, please contact the department.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

December 15, 1988

RE: Water Right Nos. 02-2384, 57-7186/7222

Thomas Miller
Hawley, Troxell, Ennis & Hawley
Attorneys and Counselors
P.O. Box 1617
Boise, ID 83701

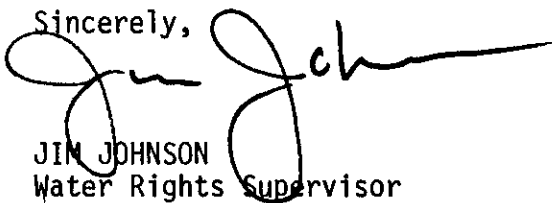
Dear Mr. Miller:

We acknowledge receipt of your correspondence regarding ownership of the above referenced water rights.

We have changed our computer records to show Mr. Parkinson as the present owner of these rights.

If you have any questions, please let us know.

Sincerely,



JIM JOHNSON
Water Rights Supervisor

JJ:ky

cc: Joseph Parkinson

MICROFILMED

DEC 20 1988

HAWLEY TROXELL ENNIS & HAWLEY

ATTORNEYS AND COUNSELORS

RECEIVED

DEC 08 1988

PAUL B. ENNIS
(1916 1982)

Department of Water Resources

125 NORTH GARFIELD
POST OFFICE BOX 4167
POCATELLO IDAHO 83205

TELEPHONE
(208) 233 0845

TELECOPIER
(208) 233 1304

ROBERT I. TROXELL
JESS B. HAWLEY JR.
JOHN T. HAWLEY P.A.
THOMAS A. MILLER
M. NEAL NEWHOUSE
CRAIG L. MEADOWS
JOSEPH D. MCCOLLUM JR.
WAYNE B. SLAUGHTER JR.
GARY D. BABBITT
P. CRAIG STORTI
MERLYN W. CLARK
RICHARD F. GOODSON
CARL W. HARDER
PHILLIP M. BARBER
DONALD E. KNICKREHM
EDWIN V. APEL JR.
EUGENE A. RITTI
KAREN L. LANSING
RICHARD G. SMITH
JOHN F. KURTZ JR.
ROBERT S. ERICKSON
NICHOLAS G. MILLER

BRENT F. LLOYD
JOHN MCGOWN, JR.
ALBERT P. BARKER
DON A. OLOWINSKI
JOHN T. HAWLEY, JR.
RONALD E. BUSH
STEVEN W. BERENTER
CATHY R. SILAK
KENNETH C. HOWELL
RITA L. BERRY
MICHAEL M. STODDARD
JOSEPH P. LANGFIELD
SUSAN D. MINER
KEVIN J. BEATON
PATRICK V. COLLINS
CHRIS F. ODE
DAVID A. CHANNER
BRAD P. MILLER
STEVEN R. ORMISTON
MICHAEL K. CORAN
BART J. PATTERSON*

*ADMITTED TO PRACTICE
IN ARIZONA ONLY

ONE CAPITAL CENTER
SUITE 701
POST OFFICE BOX 1617
BOISE, IDAHO 83701

TELEPHONE
(208) 344 6000

TELECOPIER
(208) 342 3829

December 6, 1988

Idaho Department of Water Resources
State Office
1301 North Orchard St.
Boise, Idaho 83706

RE: Water Licenses Nos. 02-2384, 57-7186 & 57-7222 (now
owned by Joseph L. Parkinson)

Gentlemen:

Our client, Joseph L. Parkinson, 123 West Highland View Drive, Boise, Idaho 83702, acquired the Watson Ranch and appurtenant water rights in Owyhee County, including the above-referenced licenses. I am enclosing a copy of the Sheriff's Deed to him dated November 7, 1988 and recorded November 7, 1988 as Instrument No. 196664, office of the Recorder, Owyhee County, Idaho. The land is described on Page 4 and the water licenses are referred to on Page 5. Also enclosed are three copies of maps of the ranch, one for each file.

Would you please change your records, including your computer records, to show this change of ownership of lands in connection with Licenses Nos. 02-2384, 57-7186 and 57-7222, and please direct future correspondence and notices in connection with these licenses to Mr. Parkinson.

License No. 02-2384 has been inactive under a formal extension of time to avoid forfeiture pursuant to which use must be resumed prior to April 1, 1990. Mr. Parkinson plans to resume such use well in advance of that date, but in particular would appreciate receiving any notices and requests for information and the like, in connection with this special situation, addressed to him at the above address.

MICROFILMED

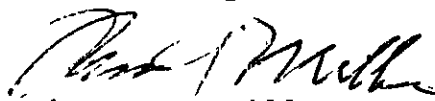
DEC 20 1988

Idaho Department of Water Resources
December 6, 1988
Page 2

If you have any questions that I may be able to answer,
please feel free to contact me.

Thank you for your usual consideration.

Yours truly,


Thomas A. Miller

TAM:cw

Encls.

cc: Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705
ATTN: Mr. David Tuthill (W/Encl.)

Mr. Joseph L. Parkinson

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DEC 20 1988

STEPHEN C. BROWN
ELLIS, BROWN & SHEILS, CHARTERED
Idaho First Plaza, Suite 1500
101 South Capitol Boulevard
Boise, Idaho 83702
Telephone: (208) 345-7832

RECEIVED

DEC 08 1988

Department of Water Resources

Attorneys for Plaintiff

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

THE FEDERAL LAND BANK OF SPOKANE,
a corporation,

Plaintiff,

vs.

JOHN W. WATSON and KATHARINE R.
WATSON, husband and wife; KIM ASTLE,
a single man; INTERSTATE PRODUCTION
CREDIT ASSOCIATION, a corporation;
THE IDAHO FIRST NATIONAL BANK;
GEORGE M. GRISSOM and CARMEN P.
GRISSOM, husband and wife; JOHANNA
A. SEYFFERT; WILLIAM R. SMITH and
ISABELLA M. SMITH; IRENE L. PRICE,
Trustee of the John W. Price Trust;
WILLIAM HOBBS; J. R. SIMPLOT
COMPANY, d/b/a Simplot Soilbuilders,
a Nevada corporation; and INTERSTATE
FEDERAL LAND BANK ASSOCIATION, a
corporation;

Defendants.

Case No. 4680

SHERIFF'S DEED

THIS INDENTURE, made this 7th day of November,
1988, between TIM NETTLETON, Sheriff of Owyhee County, State
of Idaho, the Grantor, JOSEPH L. PARKINSON, a single man, the
Grantee, whose current address is 123 West Highland View
Drive, Boise, Idaho 83702.

SHERIFF'S DEED

1

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DEC 23 1988

COPY

WHEREAS, in and by that certain decree of foreclosure rendered by the District Court of the Third Judicial District of the State of Idaho, in and for the County of Owyhee, on the 17th day of September, 1987, in a certain action then pending in said court, wherein The Federal Land Bank of Spokane, was the plaintiff, and John J. Watson and Katharine R. Watson, Kim Astle, Interstate Production Credit Association, The Idaho First National Bank, George M. Grissom and Carmen P. Grissom, Johanna A. Seyffert, William R. Smith and Isabella M. Smith, Irene L. Price, Trustee of the John W. Price Trust, William Hobbs, J.R. Simplot Company, d/b/a Simplot Soilbuilders, and Interstate Federal Land Bank Association and Katharine R. Watson, were the defendants, and of which said decree a copy, with an order of sale thereon, was delivered to said sheriff, for execution, it was, among other things, ordered, adjudged and decreed that all and singular the mortgaged premises described in the complaint in said action, and specifically described in said decree, be sold at public auction by said sheriff in the manner required by law, and according to the course and practice of said court; that any of the parties to said action might become the purchaser at such sale; and, that said sheriff execute the usual certificates and deeds to the purchaser as required by law;

AND WHEREAS, said sheriff did, at the hour of 2:00 o'clock p.m., on the 4th day of November, 1987, after due

SHERIFF'S DEED

2

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DEC 23 1988

public notice had been given as required by the laws of this State, and the course and practice of said court, duly sell at public auction, in front of the courthouse in the County of Owyhee, Idaho, pursuant to said decree, and the provisions of law, the premises in said decree mentioned; at which sale the premises in said decree, and hereinafter described, were fairly struck off to said The Federal Land Bank of Spokane for the sum of \$666,415.60, lawful money of the United States, it being the highest bidder, and that being the highest sum bid for the same;

AND WHEREAS, said The Federal Land Bank of Spokane thereupon paid to said sheriff said sum of money so bid by it;

AND WHEREAS, said sheriff thereupon made and issued the usual certificate, in duplicate, of said sale, in due form of law, and delivered one thereof to said purchaser, and caused the other to be filed and recorded on November 10, 1987, in the office of the Recorder of Owyhee County, Idaho, as Instrument No. 193646;

AND WHEREAS, the purchaser has duly assigned the certificate of sale to the Grantee by instrument recorded September 16, 1988, as Instrument No. 195654 in the office of the Recorder of Owyhee County, Idaho.

AND WHEREAS, more than one year has elapsed since the date of said sale, and no redemption has been made of the

SHERIFF'S DEED

3

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DEC 23 1988

COPY

premises so sold, as aforesaid, by or on behalf of said defendant, or by or on behalf of any other person;

NOW, said Owyhee County Sheriff, in order to carry into effect the sale so made by him as aforesaid, in pursuance of said decree, and in conformity to the statutes in such cases made and provided, and also, in consideration of the premises and of said sum of \$666,415.60 lawful money of the United States, so bid and paid to him by said purchaser, said The Federal Land Bank of Spokane, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto said Grantee, and to his successors and assigns forever, the following described real property located in Owyhee County, State of Idaho:

PARCEL NO. 1

Township 4 South, Range 2 East of the
Boise Meridian

Section 11: Lot 2
Section 14: Lot 2
Section 15: Lots 1, 2 and 5, SW1/4SW1/4,
NE1/4SW1/4
Section 21: NE1/4
Section 22: Lots 2 and 3, W1/2NW1/4

PARCEL NO. 2

Township 4 South, Range 2 East of the
Boise Meridian

Section 16: All

Together with a 150 H.P. 1775 RPM, U.S.
electric motor and Singer turbine pump,
30 H.P. 3600 RPM, U.S. electric motor and
Berkeley centrifugal pump, 100 H.P. 3555
RPM, G.E. electric motor and Cornell
centrifugal pump, 20 H.P. 3490 RPM,
Marathon electric motor and Cornell

SHERIFF'S DEED

4

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DEC 20 1988

COPY

centrifugal pump, 7-1/2 H.P. 3495 RPM, G.E. electric motor and Cornell centrifugal pump, and 2,500 feet of steel mainline, sizes 12" through 14", and any replacements thereof, all of which are hereby declared to be appurtenant thereto.

All water and water rights used upon or appurtenant to said property, however evidenced, and particularly License Nos. 57-7186, 57-7222, and 02-2384, issued by the Idaho Department of Water Resources.

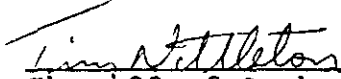
Together with any and all tenements, hereditaments and appurtenances thereunto belonging or used in connection therewith.

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the premises above mentioned and described, and hereby conveyed, or intended so to be, together with the appurtenances, to said JOSEPH L. PARKINSON, a single man, his successors and assigns forever.

IN WITNESS WHEREOF, said grantor, as sheriff aforesaid, hereunto sets his hand the day and year first above written.

TIM NETTLETON



Sheriff of Owyhee County
State of Idaho

SHERIFF'S DEED

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DEC 23 1988

COPY

STATE OF IDAHO)
 (ss.
County of Owyhee)

On this 7th day of November, 1988, before me,
Stanley D. Smith, the undersigned, a Notary Public
in and for said State, personally appeared TIM NETTLETON,
Sheriff of Owyhee County, Idaho, known or identified to me to
be the person whose name is subscribed to the foregoing
instrument, and acknowledged to me that he executed the same
as Sheriff of Owyhee County, Idaho.

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

Stanley D. Smith
Notary Public for Idaho
Residing at Wilder
My Commission expires: 7-10-93

SHERIFF'S DEED

6

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DEC 23 1988

FILED-RECORDED

NOV 7 11 26 AM '88

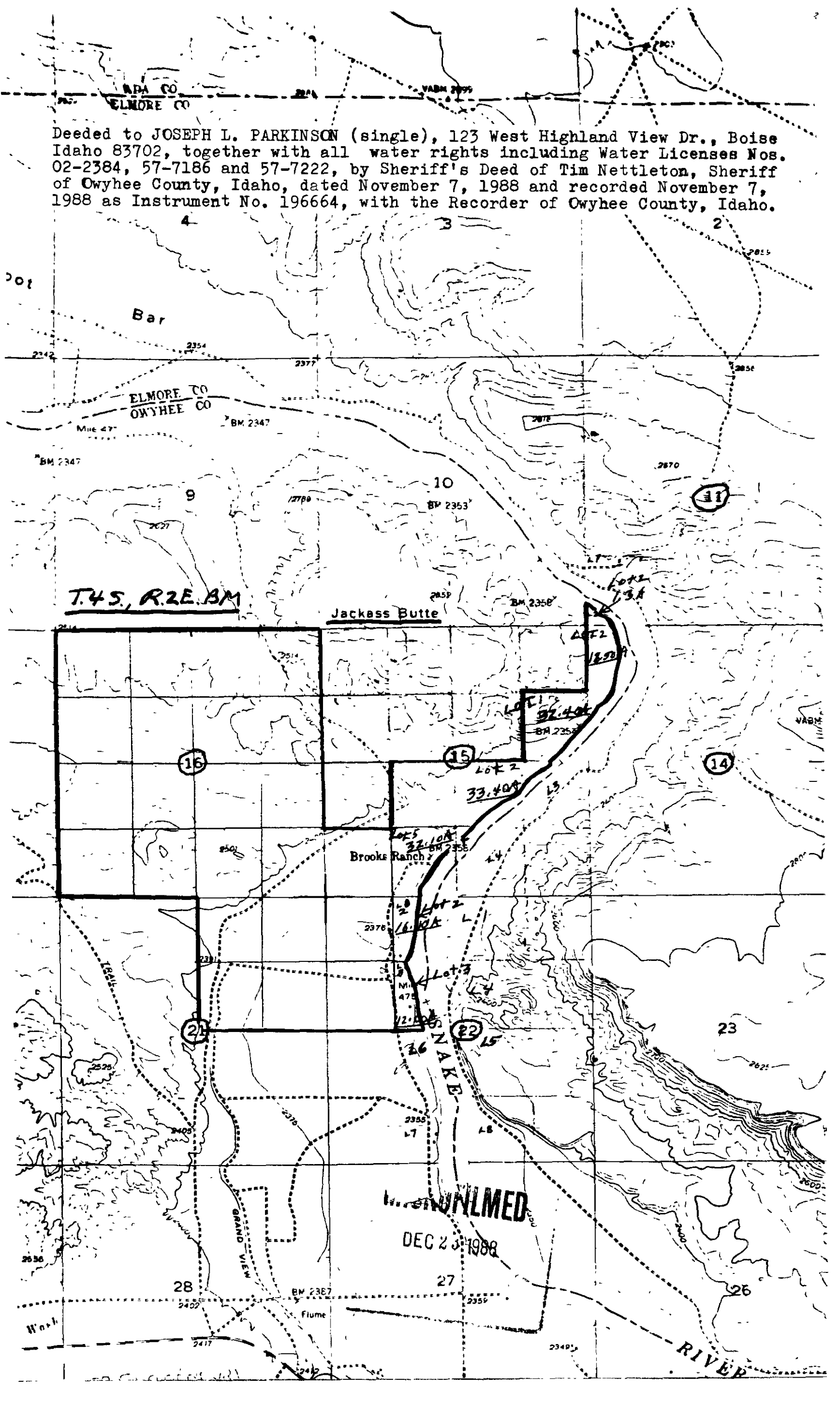
William J. Smith

Stanley D. Smith
RECEIVED

196664

ADA CO
ELMORE CO

Deeded to JOSEPH L. PARKINSON (single), 123 West Highland View Dr., Boise Idaho 83702, together with all water rights including Water Licenses Nos. 02-2384, 57-7186 and 57-7222, by Sheriff's Deed of Tim Nettleton, Sheriff of Owyhee County, Idaho, dated November 7, 1988 and recorded November 7, 1988 as Instrument No. 196664, with the Recorder of Owyhee County, Idaho.



T.4S, R.2E, BM

Jackass Butte

Brooks Ranch

UNFILED

DEC 23 1988

RIVER



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

July 11, 1985

John W. & Katharine R. Watson
Rt. B, Box 233
Grand View, ID 83624

Re: Water Right Identification No. 57-7222

Dear Wateruser:

The proof of beneficial use (Form A) which you recently submitted to the department is being returned to you for the following reason:

☐ Proof of beneficial use has already been submitted for the water right.

☒ Proof of beneficial use is not applicable for existing licensed rights.

☐ Proof of beneficial use is not applicable for existing decreed rights.

☐ Proof of beneficial use is not applicable for a right represented by a claim to a water right.

☐ Other:

Sincerely,

RITA I. FLECK

Secretary/Records Manager

Enclosure

cc: Region

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DEC 23 1988

June 5, 1985

RE: Permit No. 57-7222

John W. &/or Katherine R. Watson
Rt. B, Box 233
Grand View, ID 83624

Dear Mr. and Mrs. Watson:

Enclosed herewith is a copy of your Water Right License issued on the above referenced permit along with a copy of your approved application for amendment. Also enclosed is Departmental Receipt No. 35111 in the amount of \$20.00.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc
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

September 26, 1984

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

RE: Permit No. 57-7222

John W. &/or Katherine R. Watson
Rt. B, Box 233
Grandview, ID 83624

Dear Mr. and Mrs. Watson:

A representative of this Department made an examination of the works covered by your Permit No. 57-7222 and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 1.52 cfs Source: waste water trib to Snake River

The maximum quantity diverted shall not exceed 380.0 acre feet
per year.

Point(s) of diversion: (2 points) SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 15, Twp 4S, Rge 2E

Beneficial Use: Irrigation of 71 acres within SW $\frac{1}{4}$, Sec. 16, and 5 acres
within N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 21, Twp 4S, Rge 2E

Priority date established: July 11, 1978

Conditions (if any): This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 5.0 afa for the lands above. A measuring device of a type approved by the Dept. shall be maintained as part of the diverting work. In order for the Department to issue the above license, it will be necessary for you to amend the permit to correspond with the findings of the field examiner. We are enclosing a partially completed amendment form for your use in this matter.

Please sign the amendment application and return it to this office along with a \$20.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc
Enclosure

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

57-7222
Permit No.

1. Measurement Calculations

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

SEE FORM 219A FOR MEASUREMENTS.

THEORETICAL:

COMBINED
HP OF
3 PUMPS $\rightarrow \frac{280 \text{ HP} \times 80 \times 8.8}{10' \text{ LIFT} + (40 \text{ PSI} \div .4333)} = \frac{1971.2}{102.3} = 19.27 \text{ cfs}$

COULD BE ONLY A 5' LIFT - DID NOT MEASURE LIFT.
 $\rightarrow \frac{280 \text{ HP} \times 80 \times 8.8}{5' \text{ LIFT} + (40 \text{ PSI} \div .4333)} = \frac{1971.2}{97.3} = 20.26 \text{ cfs}$

b) Volume Calculations for Irrigation: irrig. require = 5.0 / 245 days

$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 76 \times 5.0 \text{ AF/AC} = 380 \text{ AF/ANN.} \checkmark$
 $V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 738.7 \text{ AF/ANN.} \checkmark$
 $V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 380 \text{ AF/ANN.} \checkmark$

c) Volume Calculations for Other Uses: N/A

2. Overlap Review SEE FORM 219A

a) Other water rights with same place of use: 02-2384, Lic, Snake River

b) Other water rights with same point of diversion: 57-7186, Lic, wastewater, same system -

c) Analysis: 02-2384, same right holders, different source, recommend R16(5.0) due to p/u overlap - see copy

57-7186, Lic, no p/u overlap - see copy
6.82 cfs from same system

Capacity = 8.88 cfs
- 6.82

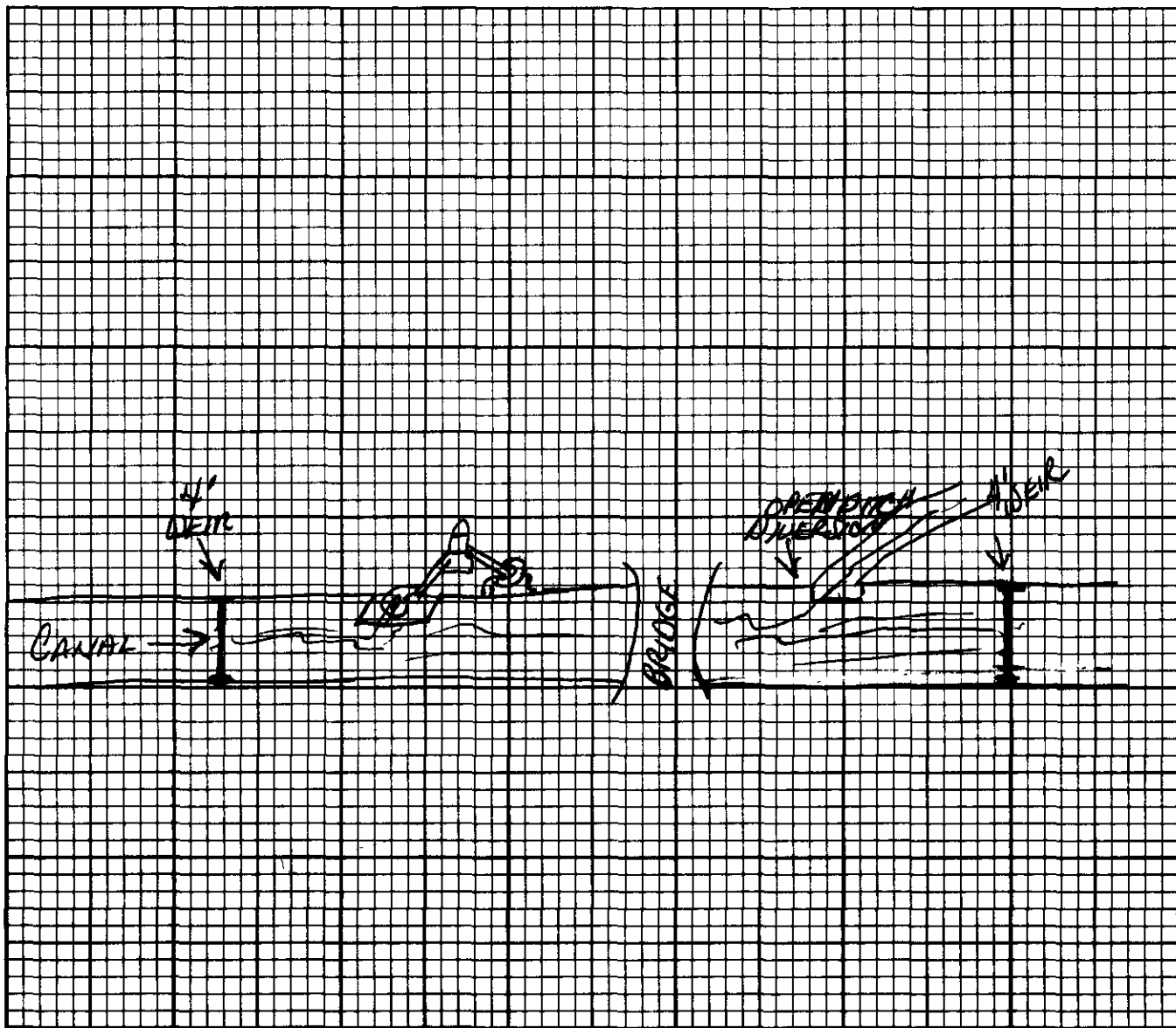
2.06 remaining

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76 x 0.02 = 1.52 needed - will not exceed capacity of system - Lic. 57-7222 for 1.52 cfs.

[illegible]

10. Other water rights on these lands 57-7186 - SEE REMARKS
11. Other water right diverted from same p.d. " " "
12. **Diversion and Delivery System Diagram:** Indicate all major components and distances between components. Indicate ditch size/pipe i.d. as applicable. Indicate on systems with measurement port the distance between the port and the nearest component/pipe bend/restriction both upstream and downstream, and the inside pipe diameter at the measurement port. On multiple diversion systems indicate how diversion systems are connected.



13. ☐ Photo of Diversion & System Attached

☒ Aerial Photo of Place of Use Attached or Map of Irrigated Acreage Attached

14. Remarks LIC #57-7186 WAS ALSO MEASURED USING THE 2'-4" WEIRS IN MAY, 1978 BY BILL McALLISTER. AT THAT TIME HE FOUND 6.82 CFS & 358 ACRES. THIS PERMIT WAS FOR AN ADDITIONAL 80 ACRES & MR. WATSON HAS INSTALLED AN ADDITIONAL 100 HP BOOSTER PUMP. THEREFORE, SINCE I MEASURED 8.88 CFS BEING DIVERTED NOW & 6.82 ARE LICENSED, THERE IS 2.06 CFS AVAILABLE FOR THIS PERMIT. ONLY 1.52 CFS CAN BE ALLOWED.

15. 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

16. Examiner's/Consultant's Signature Jan Grover

Date 9/14/84

Consultant's License Number _____

IDWR Director's Authorization to Conduct

Beneficial Use Examination _____

Date

CONSULTANT SEAL

**RECEIVED
MICROFILMED
INDEXED**

FIELD OUTLINE



State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 57-7186 Priority April 4, 1977 Amount 6.82 cfs

THIS IS TO CERTIFY, that John W. &/or Katherine R. Watson
of Grandview, Idaho, has complied with the terms and conditions of Permit
No. 57-7186 issued pursuant to Application for Permit dated April 4, 1977,
and has submitted proof to the Department of Water Resources on December 5, 1977,
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the diversion of 6.82 cfs of water from a wastewater source,
tributary to Snake River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>March 15</u> to <u>November 15</u> at <u>6.82</u> cfs and <u>1790</u> acre feet		
	from _____ to _____ at _____ cfs and _____		
	from _____ to _____ at _____ cfs and _____		

(both dates inclusive)

Subject, however, to the condition that no more than 6.82 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1790 acre feet per year, said waters to be diverted within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ (2 points), Sec. 15,
Twp. 4S, Rge. 2E, B. M. in the County of Owyhee

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4S	2E	15									10	10	10	10					69
		16		1	25	1	5	30	40	40	2			35	20	35	20		254
		21		30	5														35

Total number of acres irrigated 358

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

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NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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 31 day of

August, 19 78

Director

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 02-2384 Priority 1/20/1966 Amount 8.29 cfs

THIS IS TO CERTIFY, that JOHN W. and KATHERINE WATSON
of Piedmont, CA, has complied with the terms and conditions of Permit
No. 02-2384 issued pursuant to Application for Permit dated 1/20/1966,
and has submitted proof to the Department of Water Resources on 9/23/1980,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 8.29 cfs of water from the Snake River,
tributary to the Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows.

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>3/15</u> to <u>11/15</u>	at <u>8.29</u> cfs and	<u>2190.0 AF</u>
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 8.29 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
2190.0 acre feet per year, said waters to be diverted within the GL 5 (SESW), Sec. 15,
T4S, R2E in the County of Owyhee

Description and location of place of use:

Twp.	Range	Sec.	NEW				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4S	2E	15									10	10	5	10	Lt 5	Lt 2	34		69
		16		1	25	1	5	30	40	40	4	27	36	2	40	40	35	20	334
		21		30	5														35

Total number of acres irrigated 438

This right when combined with all other rights shall provide no more than 5.0 afa
per acre for the lands above.

plu overlap w/ 57-7222 above.

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NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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 29 day of
May, 19 81.

MICROFILMED

Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

DECEMBER 30, 1983

JOHN W. WATSON
RT. B BOX 233
GRAND VIEW ID 83624

RE. Permit No. 57-7222

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A condition of approval of your original permit required the installation of a measuring device which, according to the proof card submitted by you, has not been installed. A measuring device must be installed and operating at the time the field examination is made. If a measuring device is not installed your permit may be subject to cancellation.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 334-2190 or in person in the third floor State Towers Building, 450 West State Street, Boise.

Sincerely,
s/Judy Pense
Secretary

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DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 57-7222.

Name(s) of Permit Holder: John W. OR KATHARINE R. WATSON

Post Office Address: Route B - Box 233
Grand View, Idaho, 83624 Tel No 834-2545
-2484

Source of Water: Grand View CANAL

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation (acres)
☐ Other

Measuring Device: Required? ☐ Yes ☐ No Installed? ☒ Yes ☐ No
 Access Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

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

8-15-83
 Date

John W. Watson
 Signature of Permit Holder

REC-2

PLACE
13 CENT
STAMP
HERE

AUG 15



Department of Water Resources
Western Regional Office

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

AUG 15 1983

Department of Water Resources

Department of Water Resources
Western Regional Office

RECEIVED
AUG 15 1983



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address
Statehouse
Boise, Idaho 83720
(208) 384-2215

May 24, 1979

Re: Permit No. 57-7222

John W. &/or Katherine R. Watson
Watson Ranch
Box 233
Grandview, Idaho 83624

Dear Mr. or Mrs. Watson:

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 an access port or other device to provide for the installation of measuring equipment by the Department. Enclosed are specifications for the installation of the access port, as well as a list of measuring device options.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power.

While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit exercise of your permit or a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,

David R. Tuthill, Jr.

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

Enclosures

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DRT:lr

57-7222

STAFF REVIEW - STATE OFFICE

- | | |
|---|--|
| 1. <u>✓</u> Name vs. Signature | 7. <u>N/A</u> Place of Use for other than irrig. |
| 2. <u>N.W.</u> Source | 8. <u>80</u> Place of Use for irrigation (add acres) |
| 3. <u>✓</u> Point of Diversion | 9. <u>A</u> Property Owner at Pt. of Div. & Pl. of Use |
| 4. <u>1.6</u> Amnt. & Period of Use | 10. <u>✓</u> Map |
| 5. <u>✓</u> Descrip. of Diverting Wrks. | 11. <u>4.5</u> Fee & Rec't. No. |
| 6. <u>5</u> Time req. for Proof of B/U | |

Copies Sent To:

<u>NO</u> Idaho Health Department	<u>NO</u> U.S.F.S.
<u>7</u> Idaho Fish & Game Dept.	<u>7</u> Dept. of Lands
<u>7</u> Bureau of Land Management	<u>7</u> Other

Dam Safety Information N/A (Goes to Permit Section)

Check:

Critical G.W. Area yes ✓ no

Other rights on same land none plotted

Withdrawals of all protests received yes X Grandview Irrigation Dist. no

Conditions:

ID Power Co. Letter - Snake R. <u>NO</u>	Meas. Dev. or Sc. Meas. <u>Yes</u>
ID Power Co. Letter - G.W. & Tribs. <u>Yes</u>	Totalizing meter <u>NO</u>
Snake River Condition <u>NO</u>	Supplemental <u>NO</u>
Payette River Letter <u>NO</u>	Right-of-Way Cond. <u>NO</u>
Priority Date <u>7/11/78</u>	Watermaster Cond. <u>NO</u>
	Wtr. Dist No. <u>NO</u>
Water Quality #16 <u>NO</u>	Meas. Dev. Cond. for apps within a Water Dist. <u>NO</u>
Water Quality #10 <u>NO</u>	
intrastate <u>NO</u> interstate <u>NO</u>	

Spain Reviewer
5/11/79 Date

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DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 57-7222

☒ Source
☒ Point of Diversion
☒ County
☒ Quantity of Water and Period of Use
☒ Description of Diverting Works
☒ Time required for B/U of water
☒ Place of Use or Acres Irrigated
☒ Map
☒ Signature
☒ Fee

(1) WAm 7-12-78

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
_____ Request Dam Safety Information

(4) WAm 7-12-78

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) JK ST

Affidavit of Publication received(date) 8-1-78

(12) _____

Final date for protests 8-7-79
Protests received: yes ☒ no ☐ withdrawn

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) _____

Action recommended:

☒ Approve _____ Deny

7/11/78 Proposed Priority

_____ Reason for Reduction _____

☒ Measuring device required

_____ See attached sheet for other conditions of approval

_____ No special conditions for approval

(15) District W By dlm Date 5/10/79

RECEIVED
MAY 11 1979

Department of Water Resources

UNRECORDED

May 9, 1979

RE: Application for Permit No. 57-2222

John W. &/or Katherine R. Watson
Watson Ranch, Box 233
Grandview, ID 83624

Dear Mr. & Mrs. Watson:

Enclosed is a copy of a withdrawal of protest against the above referenced application.

This office can now take further action on the application.

Sincerely,

DAVID B. SHAW
Western Region Supervisor

DBS:kk

Enclosure

RECEIVED
MAY 10 1979
FBI - BUTTE

May 9, 1979

RE: Application for Permit No. 57-2222

W. F. Ringert
ANDERSON, KAUFMAN, ANDERSON & RINGERT
Idaho Building
Boise, ID 83701

Dear Mr. Ringert:

This office acknowledges receipt of the withdrawal of protest against Application No. 57-2222 in the name of John W. Watson.

This office now will continue to process the application, since the protest has been withdrawn.

Sincerely,

DAVID B. SHAW
Western Region Supervisor

DBS:kk

cc: Grandview Irrigation District

**KAISER ALUMINUM
INTERNATIONAL**

April 12, 1979

Grandview Irrigation District
Grandview, Idaho

Re: Resolution of District's Protest Against Waste Water Permit 57-7222

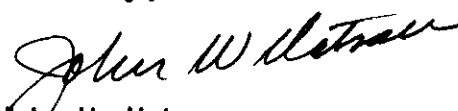
Gentlemen:

Consistent with Mr. Ringert's April 4 letter I am returning the four copies of the agreement which have been signed and notarized.

I assume upon your signature you will forward a copy of the agreement to the department of water resources as the basis for withdrawal of the district's protest against waste water permit #57-7222.

Thank you for your cooperation.

Sincerely,


John W. Watson

JWW:lh

Enclosures

cc: Department of Water Resources, Western Region ✓
W. F. Ringert

MICROFILMED

March 23, 1979

RECEIVED
MAR 26 1979

Department of Water Resources
Western Regional Office

Mr. Jack W. Watson
1240 Medfield Road
Lafayette, CA 94549

Dear Mr. Watson:

I have prepared and forwarded to Grandview Irrigation District a proposed agreement to settle the protest on your Application for Permit No. 57-7222.

As soon as the District approves the form of agreement, I will forward copies to you for signature and acknowledgment.

Yours very truly,

ANDERSON, KAUFMAN, ANDERSON & RINGERT

By
W. F. Ringert

WFR:am
cc: Department of Water Resources
Western Region

February 26, 1979

John W. &/or Kathryn R. Watson
Watson Ranch
Box 233
Grandview, ID 83624

RE: Protested Application for Permit No. 58-7222

Dear Mr. & Mrs. Watson:

Please advise the Department of Water Resources of your progress in reaching an agreement with the Grandview Irrigation District concerning their protest of the above numbered application for permit. The last information the Department has received is your letter of October 12, 1978 indicating an agreement may be possible between yourselves and the Grandview Irrigation District and a letter dated October 17, 1979 from Mr. William F. Ringert, Attorney for the protestant, confirming the possibility of an agreement. As of this date the Department has not received any indication that an agreement has been reached or that a withdrawal of protest is forthcoming.

If it is not possible for you to reach an agreement with the protestants, please advise the Department so a conference &/or hearing can be scheduled. If you have any questions in this matter or if you would like the Department to proceed in scheduling a conference &/or hearing, please contact this office.

Yours truly,

DAVID B. SHAW
Western Region Supervisor

DBS:kk

cc: Mr. W. F. Ringert
Anderson, Kaufman, Anderson and Ringert
P.O. Box 2773
Boise, ID 83701

RECEIVED
FEB 27 1979
WATER RESOURCES
DIVISION

ANDERSON, KAUFMAN, ANDERSON AND RINGERT
CHARTERED
LAWYERS

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

IDAHO BUILDING
BOISE, IDAHO 83701

AREA CODE 208
TELEPHONE 342-4591
POST OFFICE BOX 2773

October 17, 1978

Mr. David B. Shaw
Western Regional Supervisor
Department of Water Resources
Western Region, 92 South Cole Road
Boise, Idaho 83705

Re: Application No. 57-7222

Dear Mr. Shaw:

I have received a copy of Mr. Watson's letter of October 12, 1978, regarding the protests of Grandview Irrigation District against the above numbered application, and confirm Mr. Watson's statement regarding pending discussions.

Yours very truly,

ANDERSON, KAUFMAN, ANDERSON & RINGERT

By


W. F. Ringert

WFR:am

cc: Grandview Irrigation District
Mr. John W. Watson

RECEIVED

October 12, 1978

David B. Shaw
Western Regional Supervisor
State of Idaho - Department of Water Resources
Western Region, 92 South Cole Road
Boise, Idaho 83705

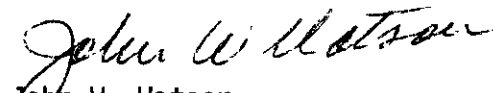
Subject: Waste Water Permit Application No. 57-7222

Dear Mr. Shaw:

This will confirm my October 10th telephone call to you advising I have been in touch with Mr. William F. Ringert, attorney for the Grand View Irrigation District, Grand View, Idaho, regarding the Grand View District's protest against issuance of a waste water permit under application No. 57-7222.

After discussing the circumstances involving this permit application, Mr. Ringert indicated that in his opinion it should be possible to reach a mutually satisfactory solution between the parties concerned that will enable the Grand View District to withdraw its protest and preclude the need for your department scheduling a hearing. We will keep you advised as to the outcome of our further discussions.

Very truly yours,



John W. Watson
c/o Watson Ranch
Star Route B, Box 233
Grand View, Idaho 83624

JWW:jh

cc: Mr. William F. Ringert

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CANAL AGREEMENT

THIS CANAL AGREEMENT, Made and entered into this 30 day of November, 1975, by and between GRANDVIEW IRRIGATION DISTRICT, an irrigation district organized and existing under and by virtue of the laws of the State of Idaho, party of the first part, hereinafter referred to as the "District", and JOHN W. WATSON and KATHARINE R. WATSON, of Piedmont, California, parties of the second part, hereinafter referred to in the singular as "Watson",

W I T N E S S E T H:

WHEREAS, Watson is the owner of the real property (burdened with the easement of the District hereinafter mentioned) particularly described in the "Description of Watsons' Lands" attached hereto as Exhibit A and by this reference made a part hereof; and,

WHEREAS, the District is the owner of the irrigation canal known as the Grandview Irrigation District Canal, together with the easement therefor, including the easement to convey irrigation water in such canal and the easement to operate, maintain and repair such canal, and including an easement of ingress and egress for those purposes, and which canal is an integral part of the irrigation works and system of the District and which canal and the said easements therefor cross and intersect said described real property of Watson; and,

WHEREAS, Watson desires to move the headgate that serves the lands of Watson that are entitled to receive irrigation water under the water rights of the District to a point approximately 140 feet upstream from the point where the headgate serving such lands of Watson is presently located and, in connection therewith, desires to have the use of that segment of said canal which will

MICROFILMED

lie downstream from the point to which Watson desires to install such headgate, and Watson desires to undertake the responsibility and obligation for maintaining that segment of said canal;

NOW, THEREFORE, for and in consideration of the premises and of the covenants, agreements and conditions hereinafter set forth, the parties hereto agree each with the other as follows:

1. Watson shall have the right to move the headgate in the Grandview Irrigation District Canal from which he receives his water to a point approximately 140 feet upstream from the point where that headgate is now located. Before installing such new headgate, Watson shall install, downstream from the point where the headgate is to be relocated, a concrete spill check approximately 8 feet wide, which shall be so located and shall be of adequate size as to maintain the water level in said canal at the same level as has been maintained heretofore by the existing check which is located downstream from the headgate through which Watson now receives his irrigation water from the District.

2. The location of the headgate and the location of the concrete check to be installed by Watson under this agreement shall be established by agreement between Watson and the Directors of the District and shall be marked clearly upon the ground before relocation of the headgate and construction of the concrete check commences.

3. Watson shall relocate the headgate and construct the new concrete check in a safe condition and a good and workmanlike manner. Watson agrees that the work performed and the materials used in relocation and construction of the headgate and concrete check at all times shall be subject to inspection by the District, and that final acceptance of the relocation and construction work

shall not be made until all such work and materials have been expressly approved by the District.

4. Watson agrees that whatever changes might be required in his own ditches in order to receive water from the relocated headgate shall be accomplished by Watson at his own expense, and that the District shall have no obligation or responsibility whatsoever with regard to Watson's ditches.

5. Upon completion of relocation of the headgate and construction of the new concrete check, and acceptance thereof by the District, Watson shall be entitled to the use of that portion of the Grandview Irrigation District Canal which lies downstream from the new concrete check, subject, however, to the easement of the District for conveyance of its excess water or spill water through that portion of said canal and through the waste way extending from the presently existing concrete check at the end of said canal across the lands of Watson to the Snake River.

6. All costs and expenses incurred by Watson in relocation of the headgate and in construction of the new concrete check, and in performing any work incidental thereto, shall be paid by Watson, and all future costs and expense of maintaining that portion of said canal downstream from the new concrete check and of maintaining the waste way that extends from the existing concrete check to Snake River shall be paid by Watson. If Watson shall fail to operate, maintain and repair such portion of the canal and said waste way in such manner as to accommodate the excess water or spill water of the District, then the District, at its option, and without impairing or in anywise affecting its other rights and remedies hereunder, shall have the right to

perform the necessary maintenance and repairs and Watson agrees to pay to the District, on demand, the cost and expense which shall be reasonably expended or incurred by the District for such purpose, whether such work be accomplished by employees of the District or by other persons.

7. The relocation of the headgate and construction of the new concrete check shall be accomplished by Watson at such time and in such manner so as not to interrupt or interfere with the flow of water in said canal and all such construction work shall be completed at least thirty (30) days prior to the commencement of the regular irrigation season of the District next following the commencement of the construction work.

8. The headgate and the concrete check shall be constructed or installed in such manner as not to interfere with the flow of water in said canal and so as not to interfere with the use of said canal or with the operation and maintenance of that portion of the canal lying upstream from the new concrete check.

9. Watson understands and agrees that the District has neither the right nor the power to deliver water to lands not within the boundaries of the District or not included in its assessment rolls, and that the waters from time to time flowing across the concrete check at the end of said canal are excess waters which flow across said concrete check only when not required by the land owners in the District. Watson expressly agrees that he shall have no right to require the District to deliver any water whatsoever over the concrete check at the end of said canal.

10. The parties hereto understand and agree that the District

has no right to in any respect impair the uses and purposes of the irrigation works and system of the District, by this contract, nor to grant any rights in its irrigation works and system incompatible with the uses to which such irrigation works and system are devoted and dedicated and that this contract shall be at all times construed according to such principles.

11. Nothing herein contained shall be construed to impair the easement and right of way of the District in the said canal and waste way, and all uses of said canal and waste way herein provided therefore shall remain inferior and subservient to the rights of the District to the use of said canal and waste way for the transmission and discharge of excess water.

12. In the event of the failure, refusal or neglect of Watson to comply with all of the terms and conditions of this contract, then the license of Watson under the terms hereof may be terminated by the District, and all structures in or over said canal and waste way, and the right of way therefor, which may impede or restrict the maintenance and operation of such canal and waste way by the District with its equipment for the maintenance of its said canal and waste way may be removed by the District.

13. Watson acknowledges that the license herein granted is for his benefit, and not for the benefit of the District, and, for that reason, Watson agrees to pay the attorney fees charged by the attorney for the District in connection with the preparation of this Canal Agreement or in connection with any negotiations covering the terms and conditions of this Canal Agreement.

14. The parties understand and agree that it is not their intention by entering into this Canal Agreement to transfer or convey unto Watson title to any portion of said canal or said

waste way or the easements or rights of way therefor, and Watson expressly acknowledges and confirms the District's ownership of said canal and said waste way and the easements and rights of way therefor across said lands of Watson, extending to the Snake River as aforesaid. The parties further agree that it is their intention to permit Watson to use that portion of the canal lying downstream from the concrete check to be installed by Watson as hereinbefore provided, and to permit Watson to use the waste way from the existing concrete spill check to the Snake River, all in accordance with the terms and conditions of this Canal Agreement.

15. The parties agree that, upon completion of the construction and installation work contemplated by this Canal Agreement, the District shall have the right, at any time thereafter, to require that a survey be made by a licensed surveyor to establish the precise location of the relocated headgate and the new concrete check and, if the District requests that such a survey be made, Watson agrees to pay the expense of such survey. If such a survey shall be made, the parties agree to enter into an agreement supplemental to this Canal Agreement, which shall identify and describe the location of the relocated headgate and the new concrete check according to such survey and specify that the facilities thus identified and described are those covered by this agreement, and such supplement shall be properly signed and acknowledged, all to the end that the location of said facilities may be made a matter of record.

16. Watson agrees that, if after construction of the new concrete check, he shall at any time desire to abandon his use

of that portion of said canal lying downstream from the new concrete check and his use of said waste way, or if, for any other reason whatsoever the operation and maintenance of that portion of said canal and the waste way shall revert to the District, then, and in that event, Watson forthwith shall restore that segment of the canal and the waste way to as good a condition and repair as now exists.

The covenants, conditions and agreements herein contained shall constitute covenants to run with, and running with, all of the lands of Watson described in said Exhibit A, and shall be binding on each of the parties hereto and on all parties and all persons claiming under them or either of them, and the advantages hereof shall inure to the benefit of each of the parties hereto and their respective successors and assigns.

IN WITNESS WHEREOF, the District has hereunto caused its corporate name to be subscribed by its officers first thereunto duly authorized by resolution of its Board of Directors and Watson has hereunto subscribed his name, all as of the day and year herein first above written.

GRANDVIEW IRRIGATION DISTRICT

By Leo Kenworthy
Leo Kenworthy, Its President

ATTEST:

Kay Garsja
Kay Garsja, Its Secretary

John W. Watson
John W. Watson

Katharine R. Watson
Katharine R. Watson

STATE OF IDAHO)
) ss.
COUNTY OF OWYHEE)

On this 10 day of September, 1975, before me, the undersigned, a Notary Public in and for said State, personally appeared LEO KENWORTHY and KAY GARSJA, known to me to be the president and secretary, respectively, of GRANDVIEW IRRIGATION DISTRICT, the irrigation district that executed the foregoing instrument, and acknowledged to me that such irrigation district executed the same.

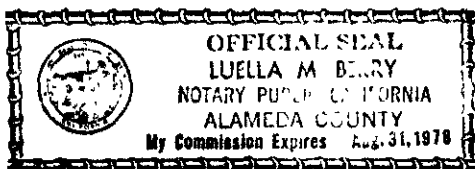
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Samuel H. Shaw
Notary Public for the State of Idaho
Residing at Shaw's Point, Idaho.

STATE OF CALIFORNIA)
) ss.
COUNTY OF ALAMEDA)

On this 10 day of December, 1975, before me, the undersigned, a Notary Public in and for said State, personally appeared JOHN W. WATSON and KATHARINE R. WATSON, husband and wife, known to me to be the persons whose names are subscribed to the foregoing instrument, and 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.



Luella M. Berry
Notary Public for the State of California
Residing at Alameda, California
My commission expires: Aug. 31, 1978

EXHIBIT A

The southwest quarter and that portion of the west half of the south east quarter lying west and north of the Snake River, all in Section 15, Township 4 South, Range 2 East, Boise Meridian, in Owyhee County, Idaho.

September 19, 1978

Mr. W. F. Ringert, Esq.
Anderson, Kaufman, Anderson And Ringert
Idaho Building
Boise, Idaho 83701

RE: Application for Water Permit No. 57-7222 in the name of
John W. and/or Katherine R. Watson

Dear Mr. Ringert:

This office acknowledges receipt of your letter of August 4, 1978 which you state is for the purpose of supplementing the protest of Grandview Irrigation District. We will accept your letter as the protest to the above-entitled application, however, as of this date we have failed to receive any protest from Grandview Irrigation District.

The Department suggests you contact the applicants directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

If this office has not been advised within twenty (20) days that the protest has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying an application for permit (Section 42-203, Idaho Code):

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

W. F. Ringert
September 19, 1978
PAGE TWO

If this office can be of further assistance, please contact us.

Yours truly,

DAVID B. SHAW
Western Regional Supervisor

DBS/st



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83705

JOHN V. EVANS
Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED
Director

(208) 384-2190

September 19, 1978

Mr. & Mrs. John W. Watson
Box 233
Grandview, Idaho 83624

Dear Mr. & Mrs. Watson:

Enclosed is a copy of a protest(s) filed against the issuance of a permit pursuant to your Application No. 57-7222. The Department suggests you contact the protestant(s) directly in an effort to determine the nature of the protest(s) and to attempt to resolve the protest(s).

If this office has not been advised within twenty (20) days that the protest(s) has been resolved, the matter will be scheduled for conference and/or hearing. At such a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Section 42-203, Idaho Code):

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

If this office can be of further assistance, please contact us.

Yours truly,

DAVID B. SHAW
Western Regional Supervisor

Enc.

Bill

- If you are familiar with the situation under this app. please prepare a memo of your understanding ~~para~~ of the situation. This may help avert a pre-permit

Thanks - Dave

11/11/11

August 11, 1978

M E M O R A N D U M

TO: DAVID B. SHAW
FROM: WILLIAM MAC ALLISTER *WMA*
SUBJECT:

In the 1978 field season I performed the field examination of permit number 57-7186 for beneficial use of water for Mr. John Watson. Mr. Watson's ranch is at the very end of the Grandview Canal. At the time of my examination, Mr. Watson was diverting water from the Grandview Canal by means of two pumps. There were no other diversions below Mr. Watson's pumps and if not used by Mr. Watson, the water would return to the Snake River. Mr. Watson indicated that he had contacted the Grandview Irrigation District and obtained their approval for his diversion in return for Mr. Watson's pledge to maintain the waste channel from the end of the canal to the Snake River.

At the time of the examination, Mr. Watson's farm manager indicated that he planned to bring some new lands into production in the next growing season. These new lands are to be irrigated by the existing pump diversion covered by permit number 57-7186. I counseled Mr. Watson to file a new application for the additional land and application number 57-7222 is the result.

I feel that the source for permit number 57-7186 and application number 57-7222 is wastewater since the Grandview Irrigation District is not able to deliver water to anyone else below Mr. Watson's diversion before the water returns to the Snake River.

I feel that there is adequate water for application number 57-7222 since during my field examination I measured a flow of 17.9 cfs below Mr. Watson's diversion.

WM/st

MICROFILMED



DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

July 13, 1978

RE: Application Nos. 02-7268 - Pancoast Jr.
57-7222 - Watson

Owyhee Nugget
Marsing
Idaho 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. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

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

(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before August 7, 1978.

Sincerely,

Rita Fleck
RITA FLECK
Secretary

*Bill submitted
8-1-78
DJ*

MICROFILMED

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 83705 on or before August 7, 1978.

C. STEPHEN ALLRED

Director

Published in the Owyhee Nugget, Marsing, Idaho
on July 20 and July 27, 1978.

FILED

~~57-7222~~

Name: JOHN W. &/OR KATHERINE R. WATSON

Address: Box 233, Grand View, Idaho

Source: WASTE WATER TRIB OF SNAKE RIVER

Date Filed: July 11, 1978

County: Owyhee

Amount: 1.6 cfs

Point of Diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 15 T 4S-R 2E B.M.

Use: irrigation of 80 acres from Mar 15 to Nov 15

Place of Use: W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec 16 T 4S-R 2E B.M.

Means: pumps and sprinklers



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

July 13, 1978

RE: Application No. 57-7222

John Watson
Box 233
Grand View, ID 83624

Dear Mr. Watson:

Enclosed is your Receipt No. 11165 in the amount of \$45.00
for Application No. 57-7222 which was received in
this office on July 11, 1978.

Sincerely,

RITA FLECK
Secretary

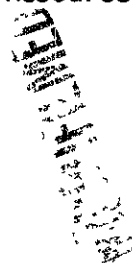
RF

Enclosure

J. W. Watson
1240 Medfield Road
Lafayette, Ca. 94549



Bill MacAllister
State of Idaho
Department of Water Resources
92 South Cole Road
Boise, Idaho 83705



July 7, 1978

Bill MacAllister
State of Idaho
Department of Water Resources
92 South Cole Road
Boise, Idaho 83705

Re: Exam of Waste Water Permit 57-7186 - Watson Ranch -
Grand View, Idaho 83624

Dear Bill:

Thank you for your June 2nd letter confirming your inspection of our beneficial use of waste water consistent with the subject permit and also the installation required by the permit of two wiers.

Also thank you for completing the supplemental permit application covering 80 additional acres which I have signed on page 3 and enclose a check for \$45.00 covering the filing fee.

Since the Federal Land Bank is interested in your issuance of the final permit on this since they are the mortgage holder, anything you can do to expedite the final permit will be appreciated.

Thanks for your cooperation.

Very truly yours,


J. W. Watson
1240 Medfield Road
Lafayette, Ca. 94549

JWW:jh

cc: Gene Curtis

RECEIVED
JUL 10 1978
WATER RESOURCES
DIVISION