

Township 3 North, Range 5 West, B. M.,
Owyhee County, Idaho

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This Sketch is for location
purposes only.
Ihli Title & Escrow Company, Inc.
assumes no liability for variations.

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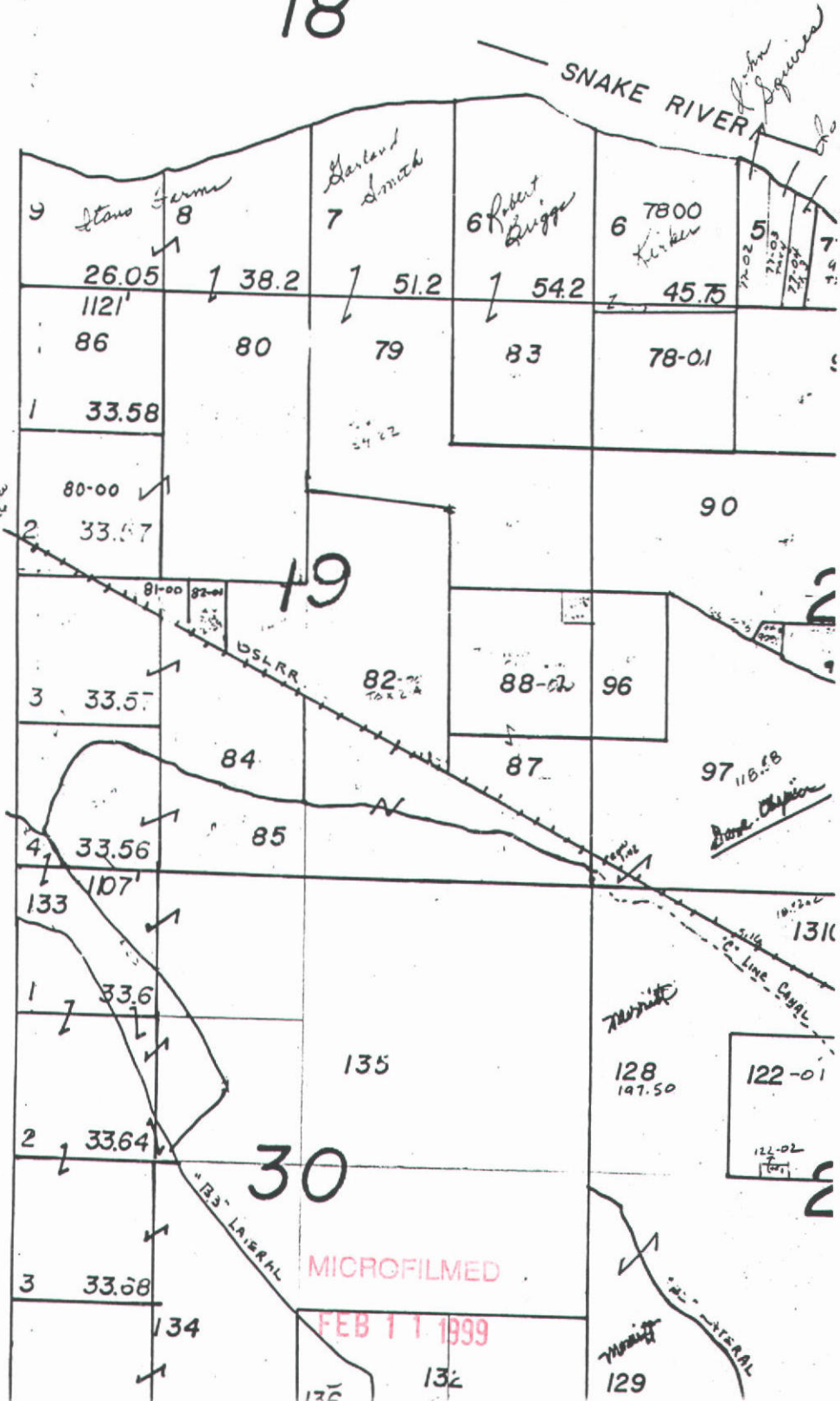
FEB 11 1999

Township 3 North, Range 4 West, B. M., Owyhee County, Idaho

18

— SNAKE RIVER

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Phil Title & Escrow Company, Inc.
assumes no liability for variations.



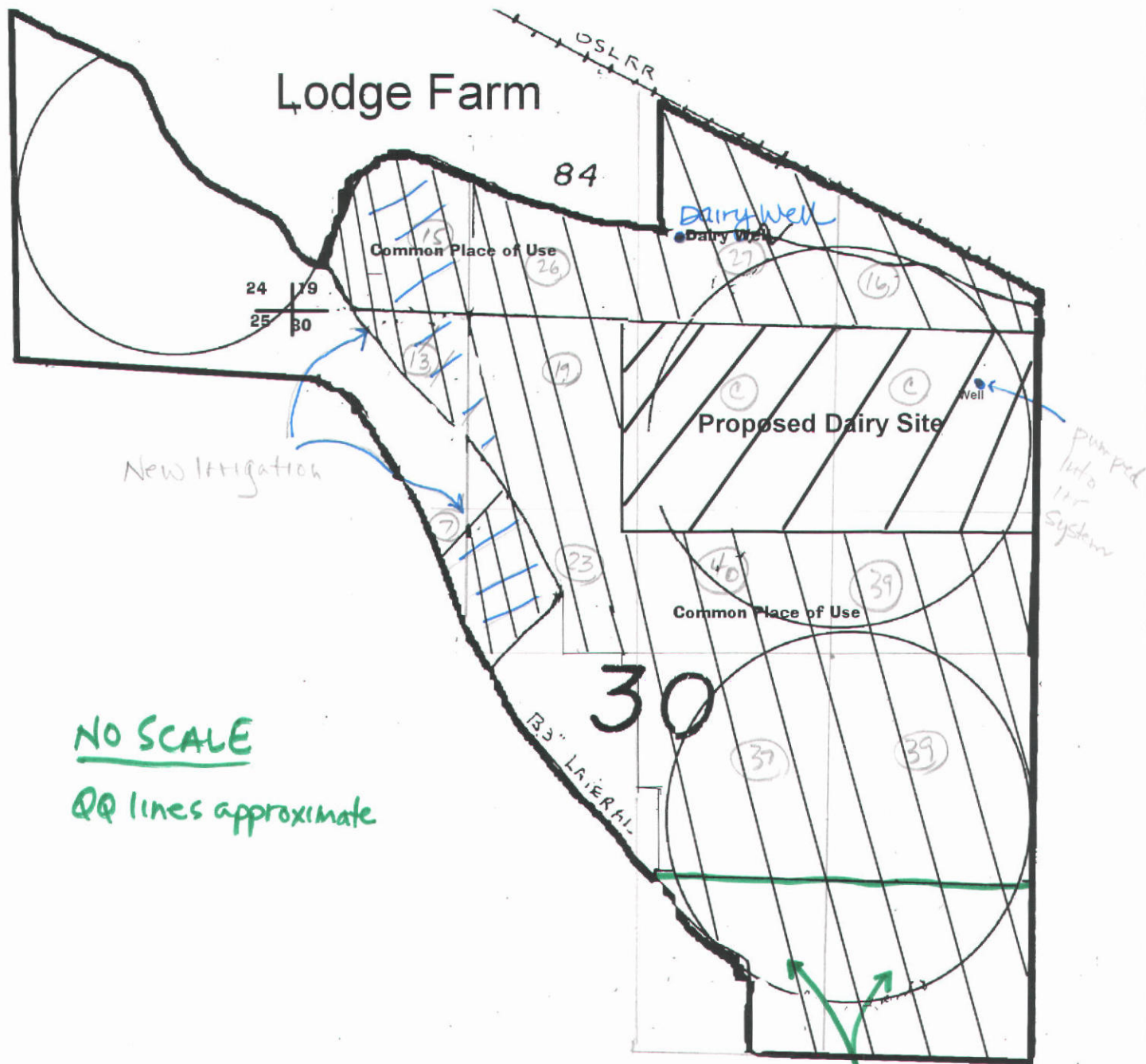
OWNERSHIP PARCEL NO
THREE DIGITS)

8 of 10

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A.



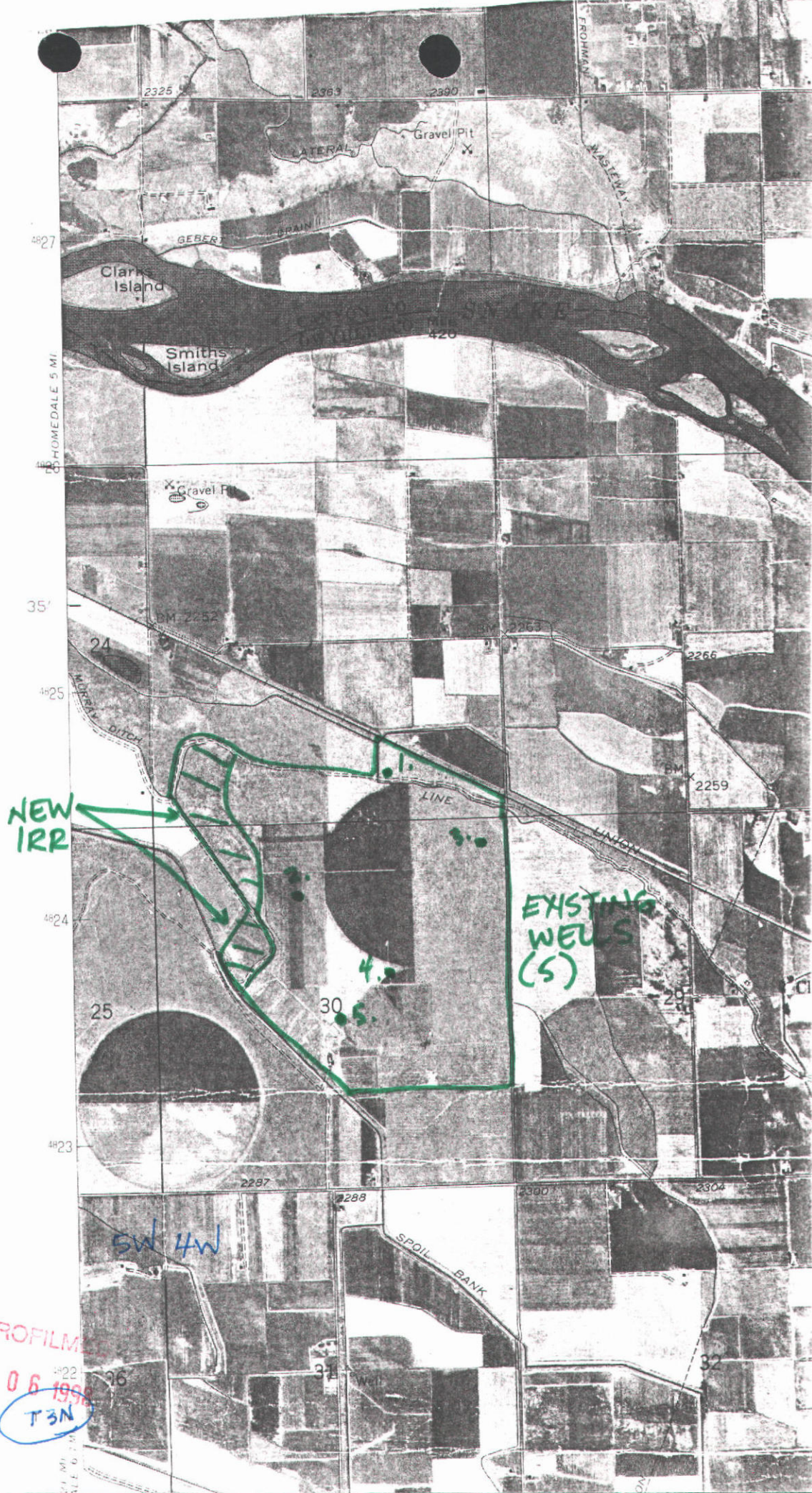
NO SCALE

QQ lines approximate

MICROFILMED
AUG 06 1998

NOT INCLUDED

9 & 10



X54
1971 OPQ

PROOF OF PUBLICATION

STATE OF IDAHO
County of Owyhee } s.s.

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

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 14 day of Jan, 1971, and the last publication being on the 21 day of Jan, 1971;

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

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 21 day of Jan, 1971.

Lena J. Hawes
NOTARY PUBLIC

My commission expires 9-10-72

(SEAL)

RECEIVED

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Lodge Land and Livestock, Inc., Box 128, Caldwell, Idaho, has received an approved Permit No. G - 32832/57 - 2292 issued by the Idaho Department of Water Administration authorizing the diversion of 2.0 cubic feet per second of water from a ground water source. The priority to be established under this permit is April 14, 1966, and the permit was approved April 18, 1966.

Water is to be diverted by well and sprinkler system from a point within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, T. 3 N., R. 4 W., B. M., Owyhee County, to be used for irrigation in the S $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, T. 3 N., R. 4 W., B. M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before April 18, 1971. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON,
Director
Idaho Department
Of Water Administration
Published in the Owyhee Nug-
get, Marsing, Idaho, on January
14 and January 21, 1971.

57 2292

Diagram Summary of Applicant's 7/9/97 Tax Response by David Vander Stelt

/// "full" } gen Irr dist H₂O coverage (district H₂O also used
 in S. 24 to west but that
 land N/A to transaction)
 /// "temp" }

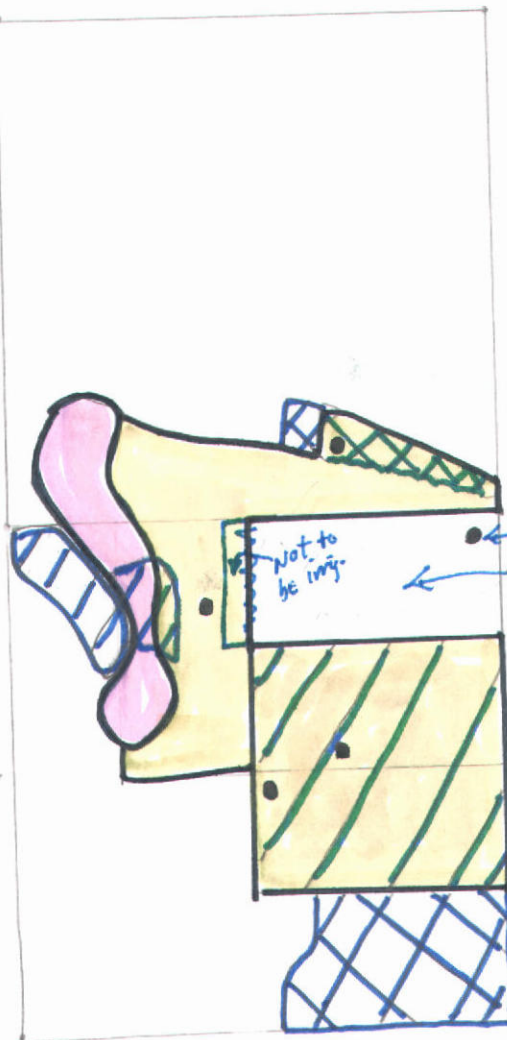
 Residual lands
 for well coverage

 New lands
 for well coverage

S.19-

prepared by
 JL 8/5/97

S.30-



• = wells

5 existing
 NENE S. 30 will be limited to dairy use
 No surface water shown NENE S. 30 where
 dairy will be located

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 AUG 06 1998

84W

Page 2

				19		Total
				1		1
		25	30	32	16	103
						104

Diagram of System

T.
3
N.

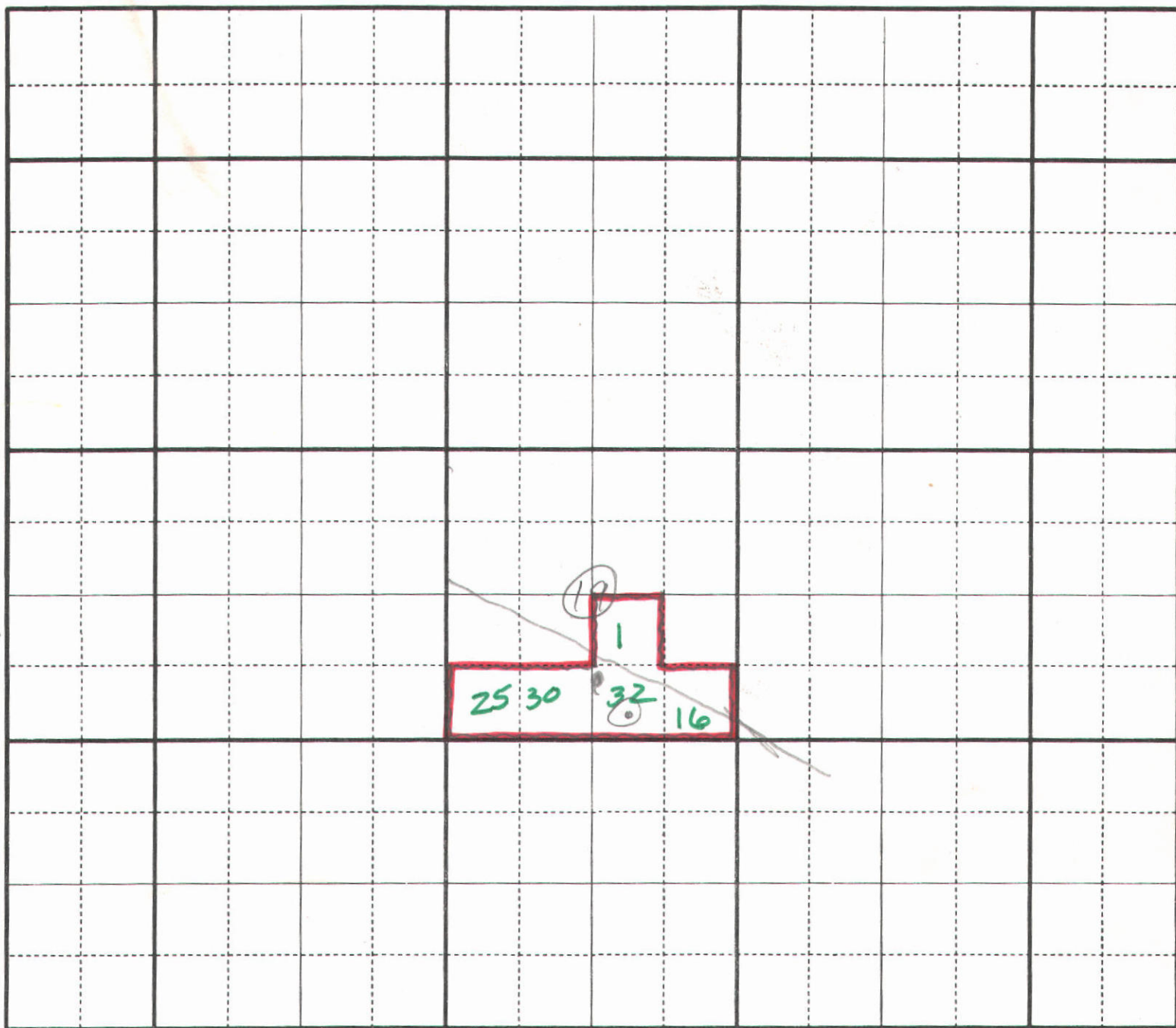
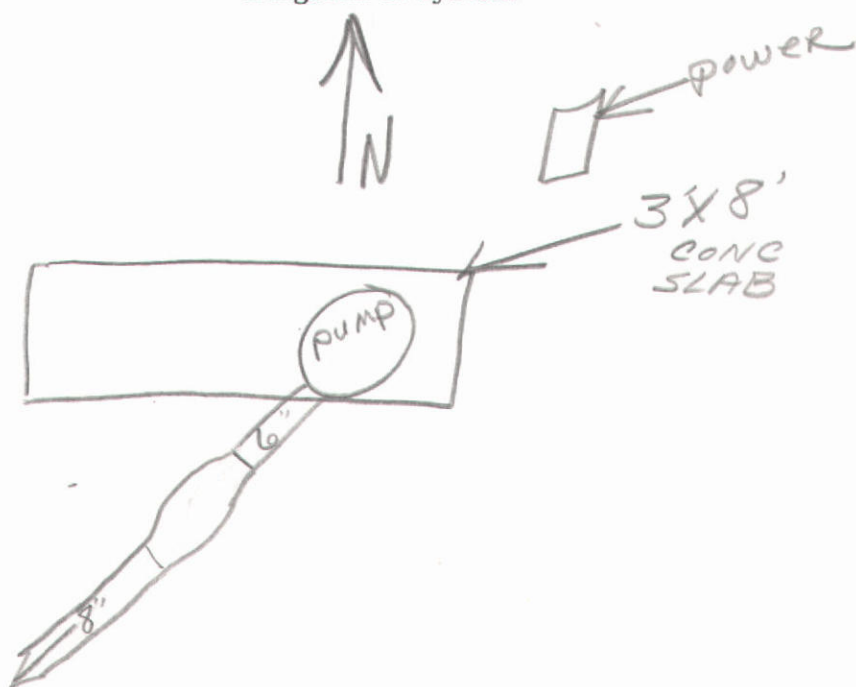
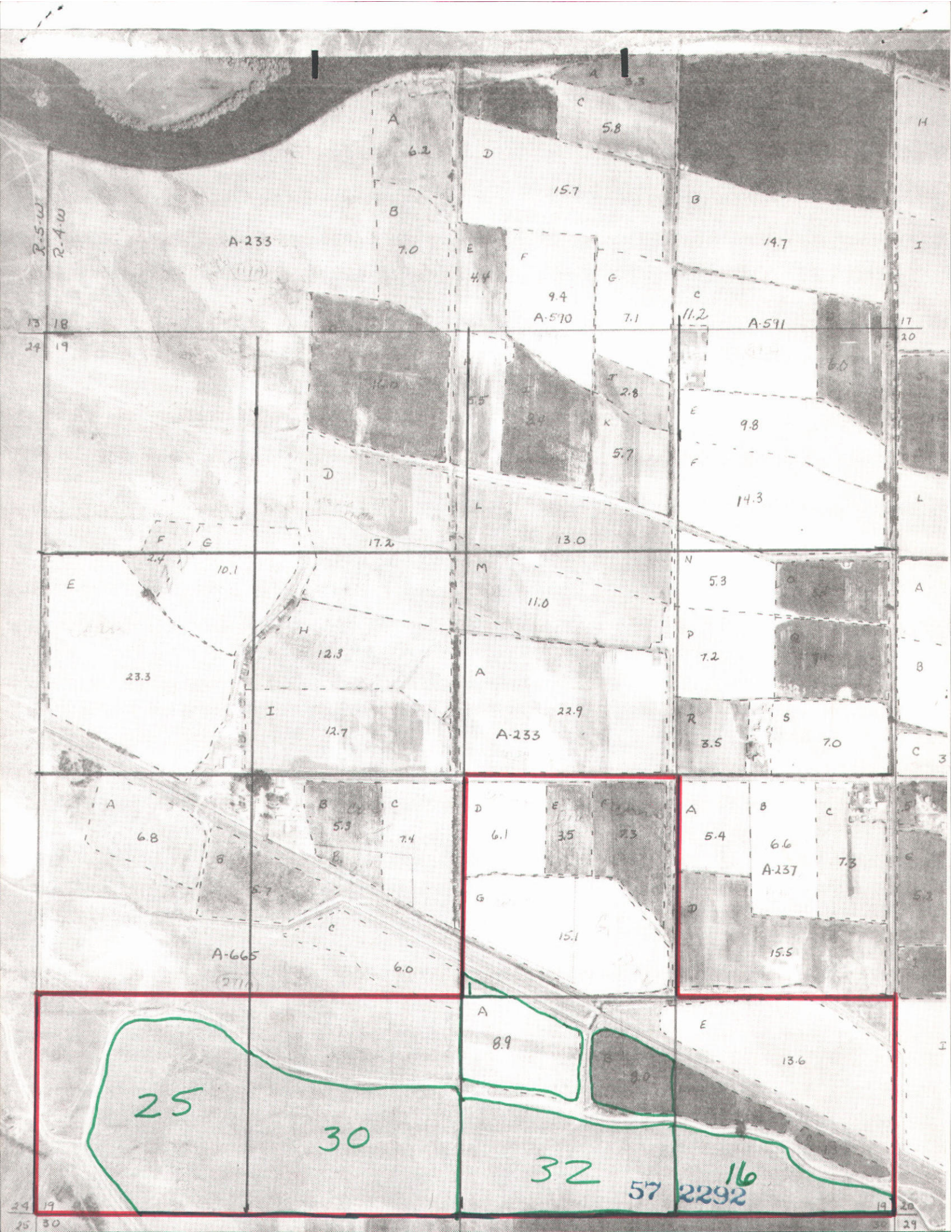


Diagram of System

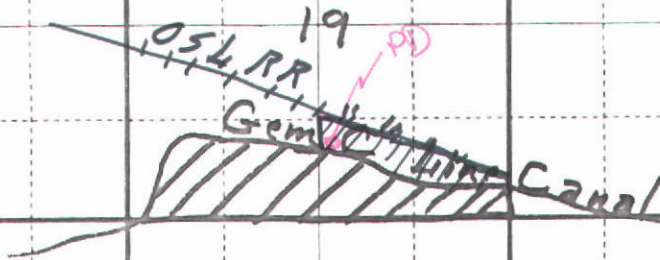




NAME OF APPLICANT James W. Clifford

Form No. 0

T3N - R4 W



32832
AS approved APR 18 1966
CARL E. TAPPAN
State Reclamation Engineer

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

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

Water Right Number(s) 57-02292, 57-02335, 57-07047, 57-10669
Adjudication Claim Number(s) _____

1. The following REQUIRED information must be submitted with this form.

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant(s) Lodge Land & Livestock Co.

P. O. Box 128

Caldwell, ID 83605-0128

4. New Owner/Claimant(s) DeRuyter Dairy - Nicolaas J. & Suzanne M.

Name connector (Check one): ☒ AND ☐ OR ☐ AND/OR

New Mailing Address P. O. Box 580

City, State and ZIP Code Marsing, ID 83639-0580

New Telephone Number (208) 896-5242

5. Date you acquired the property May 1, 1997

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

Number of acres actually irrigated N/A Number and type of stock N/A

Diversion rate in CFS N/A cubic feet per second Number of homes N/A Other uses N/A

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

7. Signature of New Owner/Claimant(s) Nicolaas J. DeRuyter Date 3-24-98

Nicolaas J. DeRuyter

Date _____

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

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FEB 17 1998

RECEIVED
DEC 09 1998
DEPARTMENT OF WATER RESOURCES

DeRuyter Dairy

P. O. Box 580
Marsing, ID 83639-0580

Phone 208.896 5402
Fax 208.896.5302

December 7, 1998

TO: Kari Lynn Townsend - Idaho Dept. of Water Resources
208-327-7866

FROM: Suzanne DeRuyter
DeRuyter Dairy

RE: Change of Ownership - 57-02292, 57-02335, 57-07047, 57-10669

Finally, please find attached a copy of our title, land description, and aerial map of the property so we can transfer water rights. If you should need anything else, please contact me at the above number.

Thank you,

DERUYTER DAIRY

Suzanne
Suzanne DeRuyter

6 pages total

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FEB 11 1999

Owner's Policy

American Land Title Association Owner's Policy 10-17-92



Policy Number **SV 2509448**

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS,

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, a Minnesota corporation, herein called the Company,

insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of

- 1 Title to the estate or interest described in Schedule A being vested other than as stated therein,
- 2 Any defect in or lien or encumbrance on the title,
- 3 Unmarketability of the title,
- 4 Lack of a right of access to and from the land

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations

IN WITNESS WHEREOF, the said Old Republic National Title Insurance Company has caused its corporate name and seal to be hereunto affixed by its duly authorized officers as of the date shown in Schedule A, the policy to be valid when countersigned by an authorized officer or agent of the Company

EXCLUSIONS FROM COVERAGE

The following matters are expressly excluded from the coverage of this policy and the Company will not pay loss or damage, costs, attorneys' fees or expenses which arise by reason of.

1. (a) Any law, ordinance or governmental regulation (including, but not limited to, building and zoning laws, ordinances, or regulations) restricting, regulating, prohibiting or relating to (i) the occupancy, use, or enjoyment of the land, (ii) the character, dimensions or location of any improvement now or hereafter erected on the land; (iii) a separation in ownership or a change in the dimensions or area of the land or any parcel of which the land is or was a part; or (iv) environmental protection, or the effect of any violation of these laws, ordinances or governmental regulations, except to the extent that a notice of the enforcement thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy
- (b) Any governmental police power not excluded by (a) above, except to the extent that a notice of the exercise thereof or a notice of a defect, lien or encumbrance resulting from a violation or alleged violation affecting the land has been recorded in the public records at Date of Policy
- 2 Rights of eminent domain unless notice of the exercise thereof has been recorded in the public records at Date of Policy, but not excluding from coverage any taking which has occurred prior to Date of Policy which would be binding on the rights of a purchaser for value without knowledge
- 3 Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed or agreed to by the insured claimant,
 - (b) not known to the Company, not recorded in the public records at Date of Policy, but known to the insured claimant and not disclosed in writing to the Company by the insured claimant prior to the date the insured claimant became an insured under this policy,
 - (c) resulting in no loss or damage to the insured claimant,
 - (d) attaching or creating subsequent to Date of Policy, or
 - (e) resulting in loss or damage which would not have been sustained if the insured claimant had paid value for the estate or interest insured by this policy
- 4 Any claim, which arises out of the transaction vesting in the insured the estate or interest insured by this policy, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that is based on
 - (a) the transaction creating the estate or interest insured by this policy being deemed a fraudulent conveyance or fraudulent transfer; or
 - (b) the transaction creating the estate or interest insured by this policy being deemed a preferential transfer except where the preferential transfer results from the failure
 - (i) to timely record the instrument of transfer, or
 - (ii) of such recordation to impart notice to a purchaser for value or a judgment or lien creditor.

Issued through the Office of

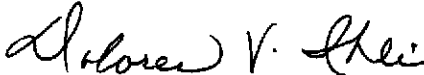
IHLI TITLE & ESCROW COMPANY, INC.

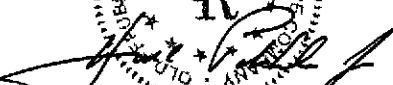
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

A Stock Company

400 Second Avenue South, Minneapolis, Minnesota 55401

(612) 371-1111


Authorized Signatory **President**

By 
Attest 

President

Secretary

Schedule A

File Number 2564 Policy Number SV 2509448 Amount \$ 1,175,000.00
1. Policy Date May 1, 1997 at 5:00 P.M.



2. Name of Insured:

NICOLAAS J. DeRUYTER and SUZANNE M. DeRUYTER

3. The estate or interest in the land described herein and which is covered by this policy is:

Fee Simple

4. Title to the estate or interest covered by this policy at the date hereof is vested in:

NICOLAAS J. DeRUYTER and SUZANNE M. DeRUYTER, husband and wife

5. The land referred to in this policy is situated in the County of Owyhee
State of Idaho and is described as follows:

Exhibit "A" attached hereto and made a part hereof

Exhibit "A" Land Description
File No. 2564
Policy No. SV 2509448

IN TOWNSHIP 3 NORTH, RANGE 4 WEST, B. M., OWYHEE COUNTY,
IDAHO

Section 19: That part of the SE $\frac{1}{4}$ lying South of the
Union Pacific Railroad Right of Way:
All that part of the SW $\frac{1}{4}$ lying East and South
of the Right of Way of the Diversion canal to
the C-2 $\frac{1}{2}$ siphon and South of the C Canal of the
Gem Irrigation District.

Section 30: NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ and those parts of
Lots 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$) and 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$), SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$
and SW $\frac{1}{4}$ SE $\frac{1}{4}$ lying North and East of the Gem
Irrigation District Drain and C-2 $\frac{1}{2}$ Lateral
rights of way, as now constructed.

IN TOWNSHIP 3 NORTH, RANGE 5 WEST, B. M., OWYHEE COUNTY,
IDAHO

Section 24: All that part of the SE $\frac{1}{4}$, lying North of Drain
No. 4 and South of the Diversion Lateral from
Drain No. 4 and "C-3" Lateral,
EXCEPTING THEREFROM the following described
land: That part of the SE $\frac{1}{4}$ of Section 24, T3N,
R5W, B. M., described as follows: Commencing at the
Northwest corner of said SE $\frac{1}{4}$ of said Section, Township and
Range; thence East along the North line of the said SE $\frac{1}{4}$ 535
feet; thence South to a point on the North line of Drain No.
4, which said point is 560 feet East of the West line of
said SE $\frac{1}{4}$; thence meandering Northwesterly along the North
line of Drain No. 4 to a point where said line bisects the
West side of the SE $\frac{1}{4}$; thence North along the West line of
said SE $\frac{1}{4}$ to the Point of Beginning.

Township 3 North, Range 5 West, B. M.,
Owyhee County, Idaho

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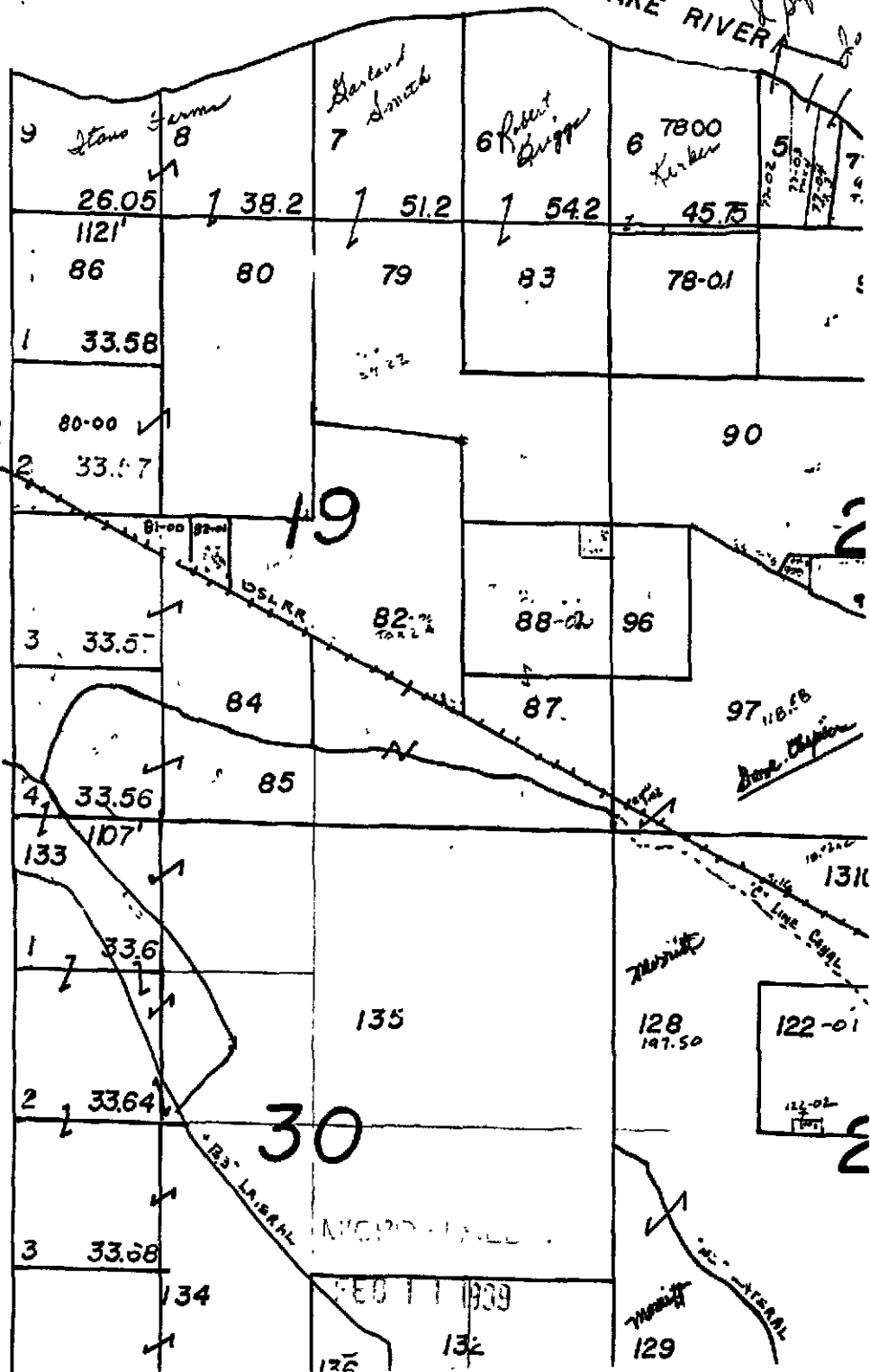
This Sketch is for location
purposes only.
This Title & Escrow Company, Inc.
assumes no liability for variations.

Township 3 North, Range 4 West, B. M., Owyhee County, Idaho

18

— SNAKE RIVER

This Sketch is for location purposes only.
Inli Title & Escrow Company, Inc.
assumes no liability for variations.



OWNERSHIP PARCEL NO
THREE DIGITS)

2

[illegible]

(Enter=Continue) (GOLD7=This Query) (GOLD8=Cancel) (Menu _____)

AUG 06 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5007
WATER RIGHT NO(S). 57-02292/57-02335/57-07047

This is to certify that: **LODGE LAND & LIVESTOCK INC**
PO BOX 128
CALDWELL ID 83605

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 57-02292 :			
Priority: 04/14/1966			
STOCKWATER	01/01 to 12/31	0.89 CFS	117.6 AF
COMMERCIAL	01/01 to 12/31	0.89 CFS	151.9 AF
		0.89 CFS	269.5 AF
Right No. 57-02335 :			
Priority: 01/25/1961			
IRRIGATION	03/15 to 11/15	3.87 CFS	1314.0 AF
Right No. 57-07047 :			
Priority: 03/01/1971			
IRRIGATION	03/15 to 11/15	0.56 CFS	272.1 AF
STOCKWATER	01/01 to 12/31	0.14 CFS	8.0 AF
		0.56 CFS	280.1 AF
SUBTOTAL:		* 4.43 CFS	* 1362.5 AF
TOTAL:		** 5.32 CFS	** 1632.0 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 19, Township 03N, Range 04W
NENE , Sec. 30, Township 03N, Range 04W
SWNE , Sec. 30, Township 03N, Range 04W
NENW , Sec. 30, Township 03N, Range 04W
NWSE , Sec. 30, Township 03N, Range 04W
OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
03N 04W 19	SWSW 15	SESW 26	SWSE 27	
	SESE 16			84
30	SWNE 40	SENE 39	NENW 19	
	NWNW 13	SWNW 7	SENE 23	
	NESE 39	NWSE 37		217

Total number of acres irrigated: ** 391

AUG 06 1998

TRANSFER NO. 5007
WATER RIGHT NO(S). 57-02292/57-02335/57-07047

PLACE OF USE: STOCKWATER

TWN RGE SEC

03N 04W 30

NENE
SENE

NWNE

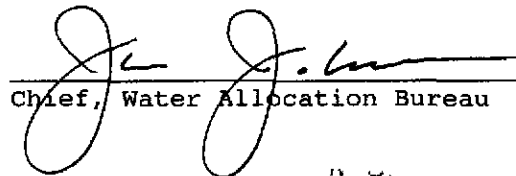
NENW

PLACE OF USE: COMMERCIAL, same as STOCKWATER use

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
2. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- ** 6. The total instantaneous diversion of water from all points of diversion under Transfer 5007 shall not exceed 5.32 cfs, nor a total combined annual volume of 1632.0 af.
7. After specific notification by the department, the right holder shall measure the diversion or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
8. Right 57-02292 shall not exceed a diversion rate of 0.89 cfs and an annual diversion volume of 269.5 af for stockwater and commercial uses at a dairy.
- * 9. Rights 57-02335 and 57-07047 shall not exceed a total combined diversion rate of 4.43 cfs, a total combined annual diversion volume of 1362.5 af, and the irrigation of 301.0 acres.
- *** 10. Right 57-02335 shall not exceed the irrigation of 292.0 acres in the place of use described above in a single irrigation season.
11. Water used for irrigation under Rights 57-02335 and 57-07047 is combined with water from Gem Irrigation District.

Dated this 19TH day of June, 1998.

for 
Chief, Water Allocation Bureau

AUG 06 1998

Application prepared by: - - -

Darwin VanderStelt

1420 E. First St

Meridian ID

887.4775

MORO LIFE

AUG 8 1948

Raid

01-24-97
Western Region

Page 1 of 10STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 5007

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JAN 24 1997

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

RECEIVED

AUG 20 1997

WATER RESOURCES
WESTERN REGION

Department of Water Resources

Name of applicant Lodge Land and Livestock Inc. or Nominee Phone 208-459-6107Post Office address P.O. Box 128 Caldwell, Idaho, 83605

A. PURPOSE OF TRANSFER

- 1.
- ☐
- Change point of diversion
- ☒
- Add diversion point(s)
- ☒
- Change place of use

☒ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes
- Applicant or Nominee wishes to construct a new dairy facility in the NE 1/4 of Sec. 30. It is anticipated that there will be a transfer of ownership of the property before this transfer is complete.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
57-02335	01/25/1961	3.87 cfs	Irrigation	03/15 to 11/15
57-07047	03/01/1971	.56 cfs	Irrig. & Stockwater	3/15 to 11/15
57-02292	04/14/1966	.89 cfs	Commercial	01/01 to 12/31
				to _____

2. Total amount of water being transferred
- .89
- cubic feet per second and/or
- 145
- acre-feet per annum.

3. Source of water
- Groundwater
- tributary to _____

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SW	SE	19	3N	4W	Owyhee	Dairy well (400 GPM M/L) - 2292
	SE	NE	NW	30	3N	4W	Owyhee	Irrigation well
	NE	NE	NE	30	3N	4W	"	"
	SE	SW	NE	30	3N	4W	"	"

5. Lands irrigated or place of use:
- Common Place of Use

9. Land irrigated or placed in common place of use

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	4W	19											15	26			27	16	84
3N	4W	30			40	39	19	13	7	23					39	37			217
3N	4W	30	C	C			C			C									
57-2292																			

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AUG 16 1998

Total acres 301

* Notes added per pg. 9 of application - list wells to Q&A as Q&A since minor discrepancies e 10 acre tracts.
-JL 8/4/97

PART 1**6. General Information:**

a. Description of diversion system New pump and pressure system to be installed
on present irrigation well in NW SW SE03N R04W S19. Size as per engineer's
specifications.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or
contracts? NO Yes _____. No. If yes, provide a notarized statement from the holder of the lien, deed of
trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Approx. 100 acres will be taken out of crop production and devoted to
corrals, buildings, feed storage, etc. Because 50% of the water used by t
the dairy is recovered, Applicant wishes to irrigate 40 presently dry
acres with it. Common Place of use will be reduced by 60 irrigated acres.

d. Remarks:

A pump presently pumping approx. 600 GPM will be replaced with smaller
pump(s) producing 300-400 GPM, These will run intermittently as water is
needed; Total consumptive use as a result of this transfer will be reduced
from 1263 ac.ft./year to 1199ac.ft./year.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

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

Witness my hand this _____ day of _____, 19____.

MICROFILMED
AUG 06 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 57-02292 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority 04/14/1966

5. Water is used for the following purpose:

amount .89 cfs for Irrigation purposes from 03/15 to 11/15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right .89 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
	NW	SW	SE	19	3N	4W	Owyhee	Dairy Well

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
3N	4W	19												26			27	16	69

MICRO FILMED

Total acres 69

9. Describe any other water rights used for the same purpose as described above 57-02335, 57-07047

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED*(If the entire right is to be changed by the applicant, omit part B and C.)*

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

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

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

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

MICROFILMED
 AUG 06 1988

Total acres _____

DATE: 08/08/96
PAGE: 1

Field Inspection Flag:
Presumption Flag:

MICROFILMED
AUG 6 1988

AJ5809NP
No. 57-07047

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/08/96
PAGE: 3

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LODGE LAND & LIVESTOCK CO PO BOX 128 CALDWELL ID 83605 (208) 459-6107	03/01/1971	IRRIGATION STOCKWATER	03-15 11-15 01-01 12-31	0.56 CFS 0.14 CFS	
TOTAL DIVERSION:					0.56 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T03N R04W S30

SENEWW

OWYHEE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
03N	04W	19	:													26			27	16	69.0
03N	04W	30	:	39		40		40		39		30				28		39	37		292.0
																			TOTAL ACRES		361.0

Place of use Legal Description for: STOCKWATER

				NE				NW				SW				SE				
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
03N	04W	30	:																	
										S	S	S	S		S					

POU County: OWYHEE

Non-Irrigation Uses: STOCKWATER, 600 HEAD RANGE CATTLE.

Other Rights: 57-02292, 57-02335

Conditions of Approval:

- W01 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- GEM IRRIGATION DISTRICT.
- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

Remarks: GEN USE OF THIS RIGHT WITH RIGHT NOS. 57-02292 AND 57-02335 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1624.5 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 1263.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 361 ACRES IN A SINGLE IRRIGATION SEASON.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag:
Presumption Flag:

MICROFILMED
AUG 08 1998

01 10 9

AJ5809NP
No. 57-02335

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 08/08/96
PAGE: 2

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LODGE LAND & LIVESTOCK CO PO BOX 128 CALDWELL ID 83605 (208) 459-6107	01/25/1961	IRRIGATION	03-15 11-15	3.87 CFS	
TOTAL DIVERSION:					3.87 CFS	

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T03N R04W S30

NEENE

SESWNE

NWNWSE

OWYHEE County

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE									
T	R	S		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM	
03N	04W	30	:	39		40		40		39	:	30		28	:			39	37	:	292.0
TOTAL ACRES																			292.0		

POU County: OWYHEE

Other Rights: 57-07047

Conditions of Approval:

- W01 - USE OF THIS RIGHT IS COMBINED WITH WATER FROM
- GEM IRRIGATION DISTRICT.
- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

Remarks: GEN USE OF THIS RIGHT WITH RIGHT NOS. 57-02292 AND 57-07047 IS LIMITED TO A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1624.5 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 1263.5 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 361 ACRES IN A SINGLE IRRIGATION SEASON.

Dates: Exam Made Date: Verified Date: 02/19/1992 Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

MICROFILMED
AUG 06 1998

7.08.10

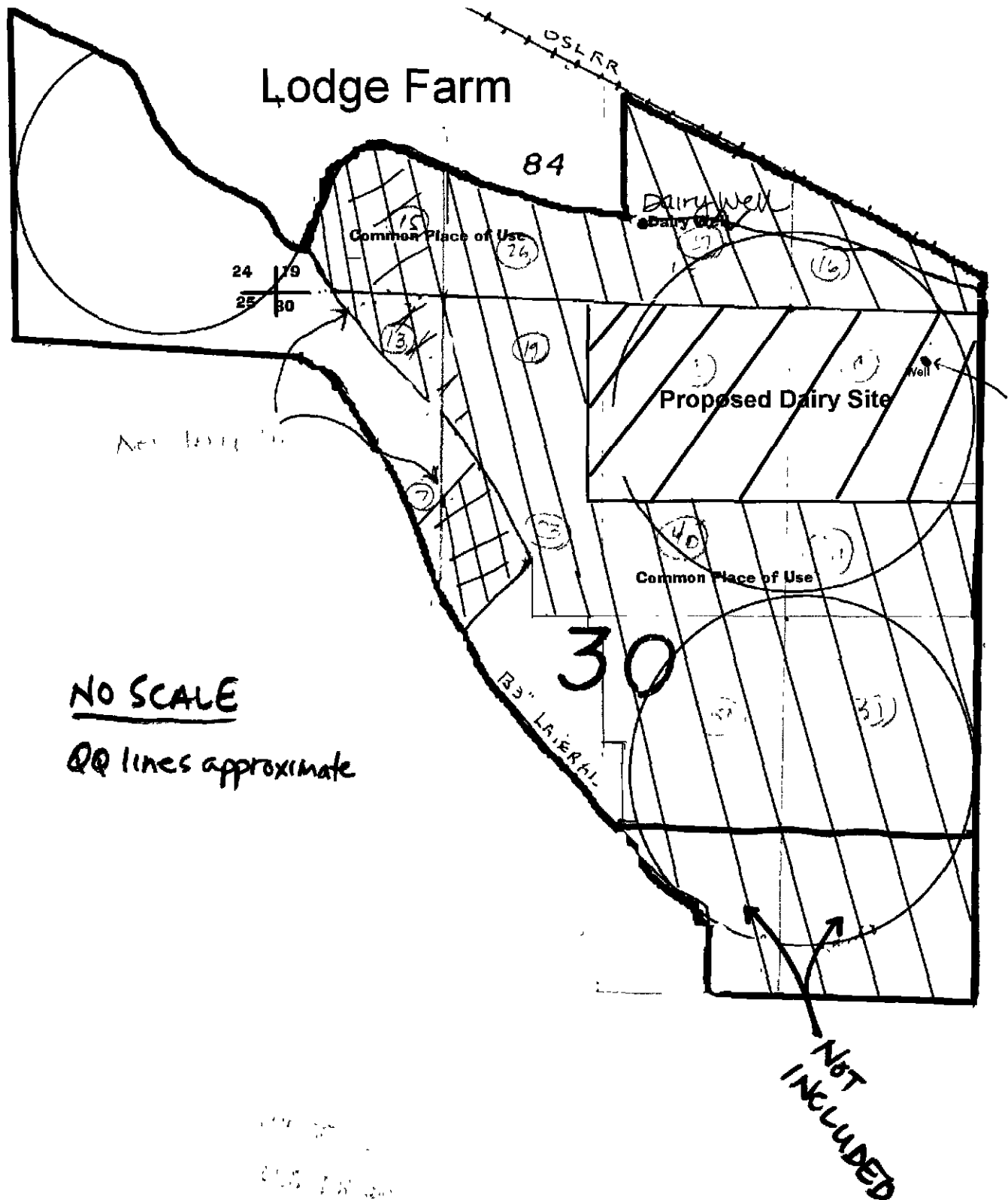
Common Place of Use

8 of 10

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 3

A.



9 & 10



X54
1971 OPR

PART 3

B. CHANGES IN NATURE OF USE

1	<u>New Nature of Use</u>	<u>Amount</u> <u>(cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
	Dairy-Commercial	.89 cfs	365	01/01 to 12/31
				to

2. Quantity and quality of return flows and location of discharge:

All return flows will be caught in on-site lagoons to be constructed in the NE 1/4 of Sec. 30

3. Describe effects on other water uses resulting from the proposed change:

There will be no effect as the proposed use requires less water than the current use.

Current allowable consumptive use for 361 acres = 1263 ac.ft./year.

Proposed commercial use on same acres = 145 ac.ft./year.

Consumptive use on 301 irrigated acres (Common Place of Use) 1053 ac.ft./tr

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

LOGGE LAND + LIVESTOCK by William Page
(Signature of Applicant)

Subscribed and sworn to before me this 20TH day of January, 19 97.

Mark J. Elita
(Notary Public)

My commission expires 11-13-2001

FOR DEPARTMENT USE ONLY

Transfer contains 10 pages and 2 attachments

Received by cjl Date 1/24/97 Protest filed by _____

Prelim. check by cjl Fee 100 - W021906

Received by cjl Date 1/24/97

Published in Boyer's Avalanche Copies of protest forwarded by _____

Pub. dates 2-19 & 26-1997 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

QUITCLAIM DEED

For Value Received JAMES W. CLIFFORD AND LOIS IRENE CLIFFORD,
husband and wife,
hereinafter called the first parties, do by these presents remise,
release and forever QUITCLAIM, unto

LODGE, LAND AND LIVESTOCK, INC.,

hereinafter called the second party, and to its heirs and assigns,
all title which first parties now have or may hereafter acquire,
the following described real property, situated in Owyhee County,
State of Idaho, to-wit:

That part of the SE $\frac{1}{4}$ of Section 19, Township 3 North,
Range 4 West, Boise Meridian, Idaho, lying South of the Union
Pacific Railroad Right of Way; and

All that part of the SW $\frac{1}{4}$ of Section 19, Township 3 North,
Range 4 West, Boise Meridian, Idaho, lying East and South of
the Right of Way of the Diversion canal to the C-2 $\frac{1}{2}$ siphon and
South of the C Canal of the Gem Irrigation District.

"Except all minerals in or under said land including
but not limited to metals, oil, gas, coal, stone and
mineral rights, mining rights and easement rights or
other matters relating thereto whether expressed or
implied."

All Water, water rights, ditches and right of ways pertaining
thereto.

TO HAVE AND TO HOLD, All and singular the said premises, together
with the appurtenances, unto the second party, and to its heirs and
assigns forever.

IN WITNESS WHEREOF, The said first parties have hereunto set
hand and seal.

Witnessed: 12th day of July, 1970.

James W. Clifford
Lois Irene Clifford

Marion L. Lohr
Marion L. Lohr

STATE OF IDAHO, COUNTY OF

On this 12th day of July, 1970, before me, a notary public
in and for said State, personally appeared James W. Clifford and Lois Irene Clifford
known to me to be the persons whose names subscribed to the within
instrument, and acknowledged to me that they executed the same.

AUG 06 1998



Attach 'A'
Pg 1 of 3

Marion L. Lohr
Notary Public
Residing at Boise, Idaho

N.D.

10

Age Group	Percentage of Respondents
18-29	95%
30-49	90%
50-69	85%
70+	80%

25

우

ROM

44

2A1

MAKE CHECK PAYABLE TO:
BARBARA WRIGHT TAX COLLECTOR
OWYHEE COUNTY COURTHOUSE
MURPHY, ID 83650
208-495-1158 OR 337-4222

1996 TAX BILL/RECEIPT

PARCEL NUMBER
RP03N04W300001
L 172,87
I 35,23

BILL# 3218 CODE AREA 5-00

TAX	1ST HALF DUE	TAX	2ND HALF DUE	TAX	FULL DUE	TOT MV	208,10
PEN	1,068.67	PEN	1,068.67	PEN	2,137.34		
INT		INT		INT			
COST		COST		COST			
TOT		TOT		TOT		TOT ACS	432.00

LODGE LAND & LIVESTOCK
PO BOX 128
CALDWELL ID 83605

TAXING DISTRICT	RATE	AMOUN
STATE	.000000000	
COUNTY	.004114433	856.2
SCHOOL 363	.005040979	1,049.0
MARS-HOME CEM	.000119494	24.8
GEM H/W 3	.000471086	98.0
MARSING FIRE	.000296898	61.7
LIZ/BUTTE LIB	.000227774	47.4
AMOUNT DUE	.010270664	2,137.3

SEC 30 LYING N&E OF OR
30 3N 4W

★ ★ ★ IMPORTANT ★ ★ ★

PLEASE READ BOTH FRONT AND BACK

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR
TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE

KEEP TOP PORTION FOR YOUR RECORDS

PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

ENCLOSE RIGHT STUB FOR 1ST HALF OR FULL PAYMENT
LEFT STUB IS FOR 2ND HALF PAYMENT IN JUNE

Attach "A"
pg 3 of 3

For Nick DeRuyter

Drinking Water Estimates (see Table 1 & 2)

		Individual			
		Number	Use/day	Total	
Milking Cows		3000	32	96000	Gal/Day
Dry Cows		600	14	8400	
Total Cows		3600		104400	
Heifers	Age	% of Herd	Number	Use/day	Total
	16-24 mo.	0.38	1368	10	13680
	13-15 mo.	0.12	432	8	3456
	9-12 mo	0.17	612	6	3672
	5-8 mo	0.17	612	5	3060
	3-4 mo	0.08	288	4	1152
	0-2 mo	0.08	288	2.5	720
Total Heifers		3600		25740	
Total Herd Drinking Water Used:					130140 Gals./Day
Less: Existing stock water license (57-07047) (600 Hd X 10 Gal/Day)					-6000
Wash Pen Estimate (see table 3):					
GPM discharge/nozzle				5.39	
Number of Nozzles				86	
Minutes run/day:				270	
	groups	15			
	mins/group	6			
	x/day	3			
Total Wash Pen Water Used:					125155.8 Gals./Day

Milk House and Parlor Estimate (see Table 4)

Item	Water/	Operation	x's	Gals/day	
Bulk Tank		126	2	252	
Pipeline		140	3	420	
Backflush		0.5	9000	4500	
Cleanup		1000	3	3000	
Cow Prep		0.25	9000	2250	
Plate Cooler(ignore if recycled)					
Total Milk House and Parlor Water Used:					10422 Gals /Day
Total Fresh Water Diverted Daily (Gallons/day):					259718 Gals./Day
Recovery out of lagoons for irrigation purposes: (50%)					-129859
Actual Consumptive Use in Gals/Day					129859

Gallons/Mature Cow/Day 72.1
Range in the literature 12-70

Total Consumptive Use in Acre feet per Year (365xGal/Day/325850) 145 Acre/Feet/Year

Licenses affected by this transfer:		Flow(cfs)	Allowable Consumptive use	Allowable Annual Diversion Vol	Allowable Irrigated Acres
License #	57-02335	3.87	1263.5	1624.5	361
	57-07047	0.56			
	57-02292	0.89			
		5.32	1263.5	1624.5	361

		Acres	Pro Rata Acre-feet	ShareCfs.
Before transfer total diversion			1624.5	5.32
Acres irrigated with this right		361		
Less: Acres to be taken out of production		-100		
Add: New acres added to common place of use		40		
Acres irrigated after transfer		301		
Total annual diversion after transfer:				
Irrigation		1354.5	4.80	
Commercial (Actual consumption)		145	0.52	
Total annual diversion after transfer:		1500.0		

Formulas used
1354.5/1500 X 5.32
5.32 - 4.81
Dairy will install approx 350 GPM pump which will run part time with demand.

Reduction in Consumptive Use:

Current Allowable Consumptive use (361 irrigated acres)	1263.5
Allowable consumptive use for 301 acres irrigated	1053.5
Consumptive use of Proposed Commercial	145
Total	1199.0
Reduction in consumptive use as result of transfer:	64.5 acre/feet/year

Attach. "B"

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32832/57-2292 Priority April 14, 1966 Amount 0.89 cfs

THIS IS TO CERTIFY, that Lodge Land & Livestock, Inc.
of Caldwell, Idaho, has complied with the terms and conditions of Permit
No. 32832/57-2292 issued pursuant to Application for Permit dated April 14, 1966,
and has submitted proof to the Department of Water Administration on April 16, 1971,
that he has applied water to a beneficial use, an examination by the Department indicates that the
works have a capacity of 0.89 cfs, and that the water has in fact been applied to a
beneficial use, a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 0.89 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 0.89 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19, Twp. 3 N, Rge. 4 W, B. M.

in the county of Owyhee; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 432 acre feet per year or _____
4.5 acre feet per acre.

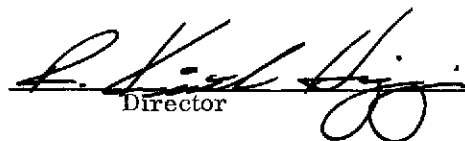
Description and location of place of use:

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 $\frac{1}{4}$	
3 N	4 W	19											25	30		1	32	16	104

Total number of acres irrigated 104

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 29 day of
November, 19 73.


Director

57 2292

PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

s.s.

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

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 14 day of Jan., 1971, and the last publication being on the 21 day of Jan., 1971;

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

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 21 day of Jan., 1971.

Lona J. Hawes
NOTARY PUBLIC

My commission expires 9-10-72

(SEAL)

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Lodge Land and Livestock, Inc., Box 128, Caldwell, Idaho, has received an approved Permit No. G - 32832/57 - 2292 issued by the Idaho Department of Water Administration authorizing the diversion of 2.0 cubic feet per second of water from a ground water source. The priority to be established under this permit is April 14, 1966, and the permit was approved April 18, 1966.

Water is to be diverted by well and sprinkler system from a point within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, T. 3 N., R. 4 W., B. M., Owyhee County, to be used for irrigation in the S $\frac{1}{4}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, T. 3 N., R. 4 W., B. M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before April 18, 1971. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON,
Director

Idaho Department
Of Water Administration
Published in the Owyhee Nug-
get, Marsing, Idaho, on January
14 and January 21, 1971.

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

RECEIVED

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE APR 16 1971 ✓

Department of Water Administration

1. a) Name of Permit Holder Lodge Land & Livestock Inc
b) Post Office Address Box 128 Caldwell, Idaho
2. Permit Number 32832 / 57 - 2292
3. Date of Priority that you are prepared to establish April 18, 1966
4. a) Source from which water was appropriated _____
b) Location of the point of diversion: SW 1/4 SE 1/4, Section - 19
Township 3 N, Range 4 W Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount 2.0 for Irrigation purposes from 3-15 to 11-30 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated _____ cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Measured by Parma Waterlifter
flow meter: 55 inches
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 6" casing; 50 HP;
12" well casing; 135' deep to bowels; well 200' deep.
b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
c) Give well drillers name and address and date the well was completed Not known

Exam typed 5-10-71. (C)

37 2292

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use _____

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
3 N	4 W	19											25	30		1	32	16	104

Total number of acres irrigated _____

10. Remarks: _____

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

4-16-71
(Date)

Hodge Land & Livestock Inc. by
William H. Hodge
(Signature)

State of Idaho)
County of Ada) ss.

On this 16 day of April, 19 71, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

[Signature]
Notary Public residing at Base

My commission expires 2-18-74

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

RECEIVED

ASSIGNMENT OF PERMIT

I, James W. Clifford, hereby assign to Lodge Las Vegas Livestock Inc.
of Box 128 Caldwell, Idaho
Name
Address

CHECK ONE

- ☒ All my right, title, and interest, in and to Permit No. 652852/57-2292
to appropriate the public waters of the State of Idaho.
- ☐ The following described portion of my right, title, and interest in and
to Permit No. _____ to appropriate the public waters of the State
of Idaho. (Give that portion of the permit being assigned by describing
the land list and the point of diversion - describe by acreage within
each 40-acre subdivision.)

Made this 17th day of December, 19 70.

Permit Holder

James W. Clifford
Lois D. Clifford
Wife of Permit Holder

State of Idaho)
County of Canyon) ss.

On this 17th day of December, 19 70, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (~~she~~) (they) executed the same.

Stephen Stahl
Notary Public residing at _____

Caldwell, Idaho

My commission expires October 6th, 1973

57 2292

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-32832/57-2292)

in the name of James W. Clifford)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

WHEREAS, on August 1, 1968, the Department of Water Administration adopted Rules of Practice and Procedure for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. G-32832 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedure as follows:

1. The above numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.

Dated this 17th day of July, 1970.


R. KEITH HIGGINSON
Director

RKH/DG

57-2292

32832

57-2292

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 41001
Permit No. G- 32832
District No.

Assigned to Lodge Land & Livestock, Inc.
Box 128, Caldwell, Idaho

1. Name of Applicant: **James W. Clifford**

Postoffice address: **Route #1, Box 147-A** County: **Owyhee** State: **Idaho**
Marsing

2. Quantity of water claimed:

(a) Rate of withdrawal in cubic feet per second **2.0** or Idaho
Miners' inches or gallons per minute

(b) Annual withdrawal in acre feet per annum

3. Source of water supply: **Subterranean**

4. Location of point of diversion or well is in the **SW** $\frac{1}{4}$ of the **SE** $\frac{1}{4}$ of Section **19**
Twp. **3 N**, Rge. **4W**, B.M., County of **Owyhee**

5. Water is to be used for: **Irrigation**

6. If for municipal, industrial or recreational purposes, give:

(a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.

(b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp , Rge. , B.M.

7. Kind of works: **Well and sprinkler system**

8. Estimated cost of works: \$ **10,800.00**

9. (a) Is reservoir to be used?

(b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is
years. **Five**

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation:

(b) Amount of capital stock: \$ (c) Amount paid in: \$

(d) Names and addresses of directors:

II. The financial resources of the applicant are (a) Cash on hand: \$

(b) Treasury stock: (c) Bonds to be issued:

(d) Other resources:

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: **10th Gem Irrigation District**

(a) **.2** (cubic feet per second, ~~inches or gallons per minute~~) of the water herein applied for is to be supplemental to the existing water rights.

(b) **1.8** (cubic feet per second, ~~inches or gallons per minute~~) is for new lands.

Remarks:

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

/s/ James W. Clifford Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M. April 14, 1966

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 32832

Recorded in Book 115 Page 32832 Approved April 18, 1966

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

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

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

One-fifth of the work above specified to be completed on or before October 18, 1968

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before April 18, 1971

Witness my hand this 18th day of April, 1966

/s/ CARL E. TAPPAN
STATE RECLAMATION ENGINEER

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho, and LOUIS E. CLAPP, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 18th day of April, 1966.

Countersigned.

STATE OF IDAHO

(SEAL)

By /s/ LOUIS E. CLAPP
Secretary of State.

By /s/ W. E. DREVLON
Lt. Governor

12.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3 N	4 W	19									25	30			1	32	16		104

LICENSE ISSUED FOR 89 SEC. FT.
LICENSE PAGE NO.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

Phone: (208) 327-7900 FAX: (208) 327-7866 www.idwr.state.id.us/idwr/idwrhome.htm

January 19, 1999

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

DE RUYTER DAIRY
NICOLAAS J DE RUYTER
SUZANNE M DE RUYTER
PO BOX 580
MARSING ID 83639-0580

RE: Water Rights 57-02292/57-02335/57-07047/57-10669

Dear Mr. & Mrs. DeRuyter:

The Department is in receipt of the correspondence changing ownership of the above referenced water rights to you. We have modified our records to reflect this change in ownership and computer generated reports are enclosed.

Just a reminder, because of a law that went into effect July 1, 1996, all water right owners are required to report change of address or ownership to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee to the water right owner. If you have other water rights that haven't had the ownership updated please contact the department as soon as possible.

If you have any questions regarding this matter, please feel free to contact me at (208) 327-7947.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt
Enclosure

MICROFILMED
FEB 11 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

October 27, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DERUYTER DAIRY
SUZANNE M DERUYTER
PO BOX 580
MARSING ID 83639-0580

RE: Change of Ownership - 57-02292/57-02335/57-07047/57-10669

Dear Mrs. DeRuyter:

Your letter of September 17, 1998 and the Notice of Change of Water Right Ownership form that you faxed to Pam at the Department of Water Resources has been forwarded to me for final handling.

In order for us to process your ownership change request we will need a copy of a legal document indicating your ownership of the property and water rights or claims in question with an attached legal description. For water rights or adjudication claims involving ten or more irrigated, a USDA Farm Service Agency (formerly ASCS) aerial photo with irrigated acres outlined and point(s) of diversion clearly marked is required.

I will be happy to complete the processing of your ownership change request upon receipt of the above listed documentation.

If you have any questions regarding this matter, please call me at 327-7941.

Sincerely,

Kari Lynn Townsend
Secretary

/k

RECEIVED
FEB 11 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 23, 1998

LODGE LAND & LIVESTOCK INC
PO BOX 128
CALDWELL ID 83605

RE: Water Rights 57-02292/57-02335/57-07047 (Transfer 5007)

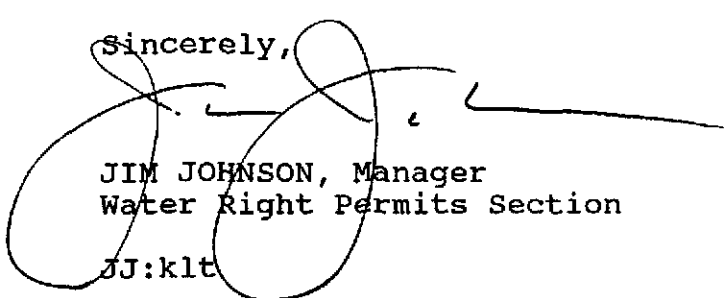
Dear Water Right Holder(s):

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water rights (Transfer 5007). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer.

Also, please be advised that the accompanying **transfer approval** should be considered and treated as a **preliminary order** of the department issued pursuant to Section 67-5243, Idaho Code. Enclosed are instructions for responding to **preliminary orders** if you are in disagreement with the approved transfer.

If you have any questions regarding this matter, you may telephone me at 208-327-7947.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosures

MICROFILMED

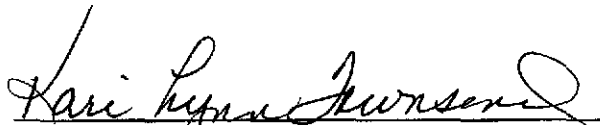
AUG 06 1998

CERTIFICATE OF MAILING

I hereby certify that on the 23rd day of June, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

WATER RIGHTS 57-02292/57-02335/57-07047 (Transfer 5007)

**LODGE LAND & LIVESTOCK INC
PO BOX 128
CALDWELL ID 83605**


Kari Lynn Townsend
Secretary

MICROFILMED

AUG 06 1998

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

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ORAL ARGUMENT

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

MICROFILMED

AUG 06 1998

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED
AUG 06 1998

MEMORANDUM

TO: Files 57-02292, 57-02335 & 57-07047

FROM: Pam Skaggs^{CS}/State Office

SUBJECT: Transfer 5007

DATE: June 19, 1998

ok [signature]

Transfer 5007 adds points of diversion, changes the place of use under Rights 57-02992, 57-02335 and 57-07047, and changes the nature and season of use under Right 57-02292. The applicant is building a dairy ✓

These three rights have been used together to irrigate 361.0 acres. Region review provided detailed information describing the use of surface water from Gem Irrigation District. The transfer removes 60 acres from irrigation that did not receive supplemental surface water. ✓

All of Right 57-02292 has been identified to provide the commercial and stockwater needs of the proposed dairy facility. Right 57-07047 already provides for a portion of the total stockwater use requirement. The remaining 301 acres will continue to be irrigated under a combined system and permissible place of use as described under Rights 57-02335 and 57-07047. Irrigated acres have been rearranged to allow for the construction of the dairy. ✓

All wells are existing irrigation wells. No expansion occurs through this change in nature of use. Recommended conditions include water quality, multiple points of diversion measuring devices, future annual reporting, combined limits, permissible place of use limit, irrigation overlap and standard transfer conditions. ✓

See attached Change in Nature of Use Evaluation sheet.

MICROFILMED

JUN 06 1998

Transfer 5007
Pam Skaggs
06-19-98

Stock Requirements

3000 dairy cows x 35 gpd x 365 days = 38,325,000 gal/325,850 = 117.6 afa Div. Vol.
3000 dairy cows x 0.0058 af per year = 17.4 afa C U. Vol.
(600 dry stock = 8.0 af already provided under Right 57-07047)

Commercial Requirements

135,577.8 gpd x 365 = 49,485,897.0 gal/325,850 = 151.9 afa Div Vol
Approximately 50 % loss = 0.50 x 151.9 afa = 76.0 afa C U Vol.

Total Dairy Requirements

Total Div. Vol Required = 117.6 afa + 151.9 afa = 269.5 afa
Total C U. Vol Required = 17.4 afa + 76.0 afa = 93.4 afa

60 Acres Retired from Irrigation = 270.0 afa Div Vol. > 269.5 afa for Dairy
= 210.0 afa C U. Vol > 93.4 afa for Dairy

Change in Nature of Use Evaluation

<u>Original</u>	<u>Use</u>	<u>Rate</u>	<u>Acres</u>	<u>Div Vol./C U Vol</u>
57-02292	Irrigation	0.89 cfs	69.0	310.5 afa/ 241.5 afa
57-02335	Irrigation	3.87 cfs	292.0	1314.0 afa/ 1022.0 afa
57-07047	Irrigation	0.56 cfs	361.0	272.1 afa/ 272.1 afa
	Stockwater	<u>0.14 cfs</u>	-----	<u>8.0 afa/ 0.0 afa</u>
		0.56 cfs		280.1 afa/ 272.1 afa
Combined Limits		5.32 cfs	361.0	1632.5 afa/ 1263.5 afa
<u>Proposed</u>	<u>Use</u>	<u>Rate</u>	<u>Acres</u>	<u>Div. Vol /C U Vol</u>
57-02292	Stockwater	0.89 cfs	-----	117.6 afa/ 17.4 afa
	Commercial	<u>0.89 cfs</u>	-----	<u>151.9 afa/ 76.0 afa</u>
		0.89		269.5 afa/ 93.4 afa
57-02335	Irrigation	3.87 cfs	292.0	1314.0 afa/ 1022.0 afa
57-07047	Irrigation	0.56 cfs	301.0	272.1 afa/ 272.1 afa
	Stockwater	<u>0.14 cfs</u>	-----	<u>8.0 afa/ 0.0 afa</u>
		0.56 cfs		280.1 afa/ 272.1 afa
Combined Limits		5.32 cfs	301.0	1632.0 afa/ 1146.9 afa*

* 93.4 + 1022.0 + (91.6 afa) = 1146.9 afa

AUG 06 1998

TRANSFER REVIEW SHEET

(04-98)

Transfer # 5007

Date Reviewed 06-10-98 38

Right(s) 57-02335 PD issued 2-9-98 } SRBA
57-07047 PD issued 2-9-98 }
57-02292 PD issued 2-9-98 }

☒ WRQ/Split Summary

☒ Run POU Comparison Report

B:Change P/D C:Add P/D

D:Change P/U

E:Change Nature of Use

F:Change Period of Use

G:Other

H:Change P/D & Add P/D

I:Change P/D & P/U

Nature/season/PD & P/U

J:Add P/D & Change P/U

Proof of Ownership Deeds + Tax Notice - SRBA Records

Transfer ☒ All of Right ☐ Portion of Right

Resulting Split(s) NONE

Check Transfer Against Recorded Right

Season/Vol. D/4.5-Deer

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

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

(11) NA Water District (12) Yes Pertinent Conditions Gem IRR water (13) No Expansion
Combined + Single rt. Limits (See Back)

(2) Change IRR under 57-02292 to COMM + STOCK for Dairy

(3) Yr round use for COMM + STOCK

(5) Standard IRR vol = 4.5 a/acre COMM + STOCK volumes per

(7) Dairy well 57-02292 5 total wells Dairy worksheet information.

Add P/Ds - 4 IRR wells each IRR Rt.

(8) Change P/U - Create combined PP/U

Region review - No surface water used on retired acres.

All existing wells (IRR) STOCK at Dairy site per applicant.

Modified with MD (081) (W35) (2)

Transfer Remarks PPU - 57-02335 292 Acres (W34) At Condition (W01) IRR

Conditions (R65) (OIM) (T07) (T08) (T09) (T17)

Database/Processing Notes

Standard ☐ Non-Standard ☒

Copy approved version to an "X" prefix + comment to base st.

"T" Files Update Complete ☒ Approval Form ☒ Transfer Memo ☒

Database Updated Following Approval ☒ Memo/Form Files Deleted ☒

See Back for change info. 6-22-98 38

57-02292 4-14-1966 .89 acs
 57-02335 1-25-1961 3.87 acs
 57-07047 3-01-1971 .56 acs
 IRR + STOCK 400 head 8.0 acs
 5.32 acs
 341.0 acres
 292.0 acres
 69.0 acres
 310.5 acs (VIR)
 1314.0 acs (VIR)
 (272.1 acs) (VIR)
 1624.5 acs / 1203.5
 1.32 acs
 1632.5
 .61289 acs/acre
 .01325 acs/acre
 .06155 acs/acre
 .01473 acs/acre
 57-07047 .11 acs w/57-02292 = 1.06 acs / 69 acres = .01499 acs/acre
 .45 acs w/57-02335 = 4.32 acs / 292 acres = .01479 acs/acre
 5.32
 156
 Sec 19
 Sec 30

PROPOSED 57-02292 - .89 acs STOCK/COMM (69.0 acres) 60 acres out } disproportionate Rate
 $3000 \times .358 \text{ gpd} \times .89 = 383.25000$
 $383.25000 = 117.60 \text{ acs}$
 $117.60 \text{ acs} \times 17.4 \text{ acs} = 2047.32$
 $2047.32 \times .507 = 1037.99$
 $1037.99 \times .151 = 156.74$
 $156.74 \text{ acs} \times 102.2 \text{ acs} = 16014.88$
 $16014.88 \times .1314 = 2103.5$
 $2103.5 \text{ acs} \times .01473 = 30.97$
 $30.97 \text{ acs} \times .01473 = .456$
 $.456 \text{ acs} \times 3.87 = 1.74$
 $1.74 \text{ acs} \times 301.0 \text{ acres} = 523.74$
 $523.74 \text{ acs} \times 3.87 = 2027.32$
 $2027.32 \text{ acs} \times .56 = 1135.49$
 $1135.49 \text{ acs} \times 4.93 = 5658.50$
 $5658.50 \text{ acs} \times .56 = 3168.76$
 $3168.76 \text{ acs} \times 3.87 = 12263.35$
 $12263.35 \text{ acs} \times .56 = 6867.46$
 $6867.46 \text{ acs} \times 4.93 = 33847.76$
 $33847.76 \text{ acs} \times .56 = 18954.76$
 $18954.76 \text{ acs} \times 3.87 = 73354.76$
 $73354.76 \text{ acs} \times .56 = 41058.66$
 $41058.66 \text{ acs} \times 4.93 = 202519.16$
 $202519.16 \text{ acs} \times .56 = 113410.73$
 $113410.73 \text{ acs} \times 3.87 = 438899.52$
 $438899.52 \text{ acs} \times .56 = 245683.71$
 $245683.71 \text{ acs} \times 4.93 = 1211220.60$
 $1211220.60 \text{ acs} \times .56 = 678282.53$
 $678282.53 \text{ acs} \times 3.87 = 2604953.35$
 $2604953.35 \text{ acs} \times .56 = 1458771.86$
 $1458771.86 \text{ acs} \times 4.93 = 7193765.29$
 $7193765.29 \text{ acs} \times .56 = 4028508.56$
 $4028508.56 \text{ acs} \times 3.87 = 15590328.11$
 $15590328.11 \text{ acs} \times .56 = 8730583.74$
 $8730583.74 \text{ acs} \times 4.93 = 43043796.78$
 $43043796.78 \text{ acs} \times .56 = 24084496.19$
 $24084496.19 \text{ acs} \times 3.87 = 93206990.25$
 $93206990.25 \text{ acs} \times .56 = 52195914.54$
 $52195914.54 \text{ acs} \times 4.93 = 257326058.68$
 $257326058.68 \text{ acs} \times .56 = 144102592.83$
 $144102592.83 \text{ acs} \times 3.87 = 557677034.25$
 $557677034.25 \text{ acs} \times .56 = 312309139.17$
 $312309139.17 \text{ acs} \times 4.93 = 1550694056.11$
 $1550694056.11 \text{ acs} \times .56 = 868388671.42$
 $868388671.42 \text{ acs} \times 3.87 = 3340664058.38$
 $3340664058.38 \text{ acs} \times .56 = 1868771872.67$
 $1868771872.67 \text{ acs} \times 4.93 = 9315065342.28$
 $9315065342.28 \text{ acs} \times .56 = 5216436591.66$
 $5216436591.66 \text{ acs} \times 3.87 = 20187610609.72$
 $20187610609.72 \text{ acs} \times .56 = 11305061941.44$
 $11305061941.44 \text{ acs} \times 4.93 = 55732057471.30$
 $55732057471.30 \text{ acs} \times .56 = 31209952162.82$
 $31209952162.82 \text{ acs} \times 3.87 = 120782614869.11$
 $120782614869.11 \text{ acs} \times .56 = 67638263316.50$
 $67638263316.50 \text{ acs} \times 4.93 = 333456538150.15$
 $333456538150.15 \text{ acs} \times .56 = 186735661364.08$
 $186735661364.08 \text{ acs} \times 3.87 = 722467009478.79$
 $722467009478.79 \text{ acs} \times .56 = 404581425288.08$
 $404581425288.08 \text{ acs} \times 4.93 = 2004586426680.23$
 $2004586426680.23 \text{ acs} \times .56 = 1122568398940.93$
 $1122568398940.93 \text{ acs} \times 3.87 = 4344339693899.50$
 $4344339693899.50 \text{ acs} \times .56 = 2430828028579.71$
 $2430828028579.71 \text{ acs} \times 4.93 = 12004084180907.99$
 $12004084180907.99 \text{ acs} \times .56 = 6722287131308.47$
 $6722287131308.47 \text{ acs} \times 3.87 = 25815251398163.76$
 $25815251398163.76 \text{ acs} \times .56 = 14456540773070.68$
 $14456540773070.68 \text{ acs} \times 4.93 = 71270766011238.27$
 $71270766011238.27 \text{ acs} \times .56 = 39911628966293.43$
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MAY 07 1998

Department of Water Resources

From: tdobbin
Full-Name: Thomas E Dobbin
To: gspackman@idwr.state.id.us
Fcc: Sent
Subject: **Change of Use in water rights in Owyhee County: Transfer
#5007-Lodge Cattle Co. to Deruder**

Message-ID: <19980503.223728.3926.0.tdobbin@juno.com>
X-Status: Unsent
X-Mailer: Juno 1.49

Dear Mr. Spackman,

I represent a group of concerned citizens in Owyhee County. We are in the process of forming a community group in the Marsing area. There are about 20 to 25 families in the group and it is growing.

We have a grave concern about the ground water in our area. Owyhee County has never had a history of the greatest quality or quantity of water but it has been dependable in our immediate area. Most of the people in our community group have lived here most of their lives. For example, my grandparents were the first to settle on the road that we live on-Dobbin Lane. I am a third generation Idahoan. Most of the other families have lived here as long as I can remember also.

We have been good neighbors and have a good understanding of the land that we live on, as did our forefathers. We all live just West of Marsing and have had good domestic water sources in the past. However, we all have experienced some changes in our area in the past two years.

We have had two large dairies move within a 3 mile radius of all our homes. At first we welcomed the idea of other agriculturalists moving into the immediate area. The dairies are seeking farms with well drained (sandy soils) and deep wells. They are converting the irrigation rights from crop use from April through October to a commercial dairy use for a 12 month period.

At first this did not concern us. We were not all that familiar with the transfer of use process, but most of us farm or come from farming backgrounds and thought the first dairy would not cause any problem to the ground water in the area.

A year ago another large dairy moved into the area. Today another very large dairy appears to be negotiating to purchase another adjacent tract. All of these dairies would be adjacent to one another. This seems to be the pattern with large out of state dairies moving into Idaho.

I apologize for the lateness of this comment on the above mentioned application. We are in the process of forming a community group and the process has taken time. To be honest with you the above application was in the process before we realized that we might have a major problem with our ground water if these large water users continue to grow in the immediate area.

We have now had the opportunity to discuss as a group our individual concerns and changes that we have noted in our wells. Most of our domestic wells are at around 100 feet in depth. During the winter months when the ground water level is traditionally the lowest we have had several of our domestic wells experience sulfur in the water. We realize that Owyhee County is noted for this problem in many of it's areas, however, the wells that I am addressing never had experienced sulfur in

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the water before. My well is one of the wells that seemed to have changed. Another person has had a sand problem with their well since the above mention transfer right has been put into place.

We are a group of concerned citizens. We are a very agriculturally orientated group and a very conservative group. We realize that proof is needed to show that there is a problem, if indeed the large dairies are contributing to a potential ground water nightmare. However, we also realize that hind sight is "20-20" and we don't want to end up with problems because of lack of foresight on the use of our valuable resource, namely "water".

We are hoping that the IDWR could complete studies in our area to insure the proper use of the ground water. Our group would be willing to participate. We would request that no "permanent" conversion of water rights for these dairies would be approved until the study could be completed.

We are really concerned about the future use of this ground water in our community. What are our rights if our wells are affected? How can we prove this? Will it take individual legal action after there is a problem? We hope that common sense can be used.

We realize that you have your rules and regulations to follow. But please stop and look at Owyhee County. We do not want to end up on your "Critical Ground Water" list.

We are also concerned about nitrate levels since that soils in this area where the dairies are being constructed is very sandy. Leaching may become a very big problem. The dairies also are only one to two miles from the Snake River and with the type of soils that the dairies are being built upon, this might lead to future problems with the Snake River.

These are just a few of our immediate concerns.

Your patience and help will be welcomed.

Thanks for your Assistance

Tom Dobbin
Representing a Group of Concerned Owyhee County Citizens.

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AUG 06 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

APPLICANT Lodge L & L

TRANSFER NO. 5007

INITIAL ALLOCATION REVIEW BY igl
SRBA SUPERVISOR REVIEW BY [Signature]

DATE 2/3/97
DATE 5-2-97

1. Right number(s) 57-2292, 2335, 7047

2. Type of right ☒ Decree ☒ License ☐ Statutory Claim
☐ SRBA Beneficial Use Claim

3. Purpose of transfer ☒ Change P/D ☒ Add P/D ☒ Change P/U
☒ Change N/U ☐ Change Source ☐ Split Right
☐ Other: _____

4. Check Existing Right: ☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period ☒ SRBA Claim
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights on original place of use

5. Check Proposed Right for amount of land &/or water transferred:

☒ Also see attached memo for more analysis information

- a. ☒ All of right
- b. ☐ Part of right (NOTE: Part B should be filled in only if part of right is owned by the applicant)
- c. ☒ Description of point(s) of diversion
- d. ☒ Description of place of use
- e. ☒ Map showing P/D & P/U after transfer
- f. ☒ Correct notarized signature and \$100 fee
- g. ☒ Proof of ownership of right &/or land from which water is transferred Not for S19, OK for S30
rec'd 2/4
- h. ☒ Expansion in use of right - Comments: None, reduction
for dairy use.

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AUG 2 1997

Department of Water Resources

SEE REVIEW memo 8/6/97, includes CJH's earlier memo

-82 8/1/97

T. 5007 worksheet - 9/22/97 update

FL

1 pg only

While doing T. 5087 worksheet (Monticah) similar to T. 5007 worksheet (Lodge) dated 8/6/97, concern that my reasoning was not correct in bottom 1/2 of pg. 2 of 8/6 worksheet (determining diversion volume for dairy).

Let Diversion Volume = D_v , here's a cleaner look at the numbers:

Divert 259718 gal/day e dairy use

irrig season 3/15 - 11/15 = 246 days

non irr " 11/16 - 3/14 = 119 days

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$$D_v \text{ irrig season AFA} = (259718 \times 246) / 325850 = 196.1$$

$$D_v \text{ NON " " } = (259718 \times 119) / 325850 = 94.8$$

TOTAL D_v

290.9

allow 291 for est.

Recover 50% of D_v in irrig. season:

$$.50 \times 196.1 = 98.05 \approx 98 \rightarrow \underline{-98}$$

Total D_v e dairy available $\rightarrow$ 193 AFA
for Consumptive Volume

This agrees with previous calculations but seems easier to follow, conceptually.

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MEMORANDUM

RECEIVED
AUG 20 1997
Department of Water Resources

To: Pam Skaggs, Jim Johnson
From: Gary Spackman *Gay*
Date: August 18, 1997

Re: Application for Transfer no. 5007; Lodge Land & Livestock

This memo is short because I think Cindy Hodges and Steve Lester have analyzed and summarized the application very well. Steve and I discussed two questions that were resolved to my satisfaction. First, Steve assured me that none of the lands from which the water is being moved were irrigated with Gem Irrigation District surface water. Therefore, the ground water rights were the sole and primary water rights supplying water to the lands. Second, I had a question about the nine acres that no longer would be described by water right no. 57-02292. Approval would result in the acres only being described by water right no. 57-07047. This is OK because 57-07047 is a later priority water right.

I suggest the following conditions of approval:

Water right no. 57-02335 is limited to a diversion rate of 3.87 cfs and a place of use of 292 acres within the 301 acre permissible place of use.

(046)

Water right holder shall comply with all health and environmental laws and regulations.

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AUG 26 1998

MEMORANDUM

TO: FILE

FROM: STEVE LESTER 

DATE: AUGUST 6, 1997

RE: RECOMMENDATIONS FOR T5007, LODGE LAND & LIVESTOCK

This transfer to retire 60 acres of irrigation and develop a 3000 "wet" plus 600 "dry" animal dairy is based on the SRBA Director's Report for the three rights involved. Right 57-02292 is being changed from irrigation to year round commercial use, while the other two rights will see somewhat of a PPOU where acres are slightly re-arranged.

Attached are the following items used to prepare this summary memo:

water right license reports, SRBA recommendation reports, CJH's 5-8-97 two page memo, applicant's 7-9-97 response to CJH's earlier letter plus my one page diagram of that response, and my three page worksheet.

Gem Irrigation District surface water is not used on the land to be retired. Surface water is delivered to some of the land to be irrigated (see my diagram for overview of that situation).

Application Attachment B prepared by consultant Darwin Vander Stelt adequately outlines the before and after scenarios with respect to irrigation and commercial use. He has confused or mixed some of his terms somewhat, but his points are well taken. For example, he shows 145 afa being consumptively used by commercial use but that might actually be closer to the diversion volume rather than the consumptive volume.

I built on his analysis to produce the three page worksheet. In the latter, one can see a summary of licensed rights and some uncertainty about the total number of irrigated acres and volume for these rights. But it appears that at least 434 acres with full volume were provided by the combined rights.

Next, the worksheet summarizes the SRBA recommendations for the rights -- recall that the recommendations are the basis for the transfer, an idea that looks reasonable in this case. The recommended rights cover 361 acres with a full volume allotment. Sixty acres with a full volume component (270 afa diversion volume) will be retired to make room for the dairy.

The last two pages of the worksheet explain the post-transfer analysis. Based on the gallons/day value for commercial use (which I am interpreting to mean all uses associated with the dairy, thus including in my overview the term "stock water" that CJH refers to in her memo), minus the lagoon etc. water to be

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AUG 30 1998

recovered for supplementing the irrigation system¹, my conclusion is that about 193 afa could be diverted for commercial use via this transfer. If so, the consumptive use will be the same (or less) water, indicating that no expansion of acres, rate of flow, diversion volume or consumptive volume will occur.

An unusual item occurs in this application. The recovery of well water provided to the dairy operation will occur via the lagoons and collection of wash water etc. The recovered water, which will then be defined as waste water, will be used to augment the irrigation under the other two rights. Therefore, well #1 to be converted to commercial use will indirectly supply some irrigation water. But that well should not be listed as an irrigation P/D since it will provide no direct flow to the irrigation system.

Some recognition of this "new" waste water for irrigation use should be recognized in the transfer. Perhaps a condition of approval can be included stating that approval of the transfer includes a reasonable recovery of waste water from the commercial use to be applied to the irrigated acres. Another transfer is pending at the region with the same anticipated situation (T5087 for 63-03198, Ray Montierth). The decision regarding this item in T5007 can be repeated in T5087.

SUMMARY

The transfer appears approvable where:

57-02292 for well #1, .89 cfs, 193 afa diversion volume for commercial use all year in N 1/2 of NE 1/4 and E 1/2 of NW 1/4, S.30; commercial use covers all aspects of the dairy including stock water for non-milking animals; and

57-02335 for remaining wells, 3.87 cfs for 292 acres in 301 acre base listed in right 57-07047, land list shown on page 1 of filing; and

57-07047 for same remaining wells, .56 cfs for 301 acres (includes the 292 in 57-02335); when combined, all irrigation includes 4.43 cfs, 301 acres, 1354.5 afa diversion volume which can include 98 afa diversion volume (not added to 1354.5) recovered from commercial use in 57-02292.

¹Note that the consultant estimated @ 50% recovery for irrigation. He then multiplied the other 50% of daily gallons to be used by 365 days to reach 145 afa commercial "consumptive use" (I doubt that it is all consumptive). However, he should have used 50% of daily gallons during irrigation season plus 100% of daily gallons the rest of the year to estimate the total annual volume. I have shown this correction in my worksheet.

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AUG 6 8 1958

Diagram Summary of Applicant's 7/9/97 fax Response by Dorinda Vander Stelt

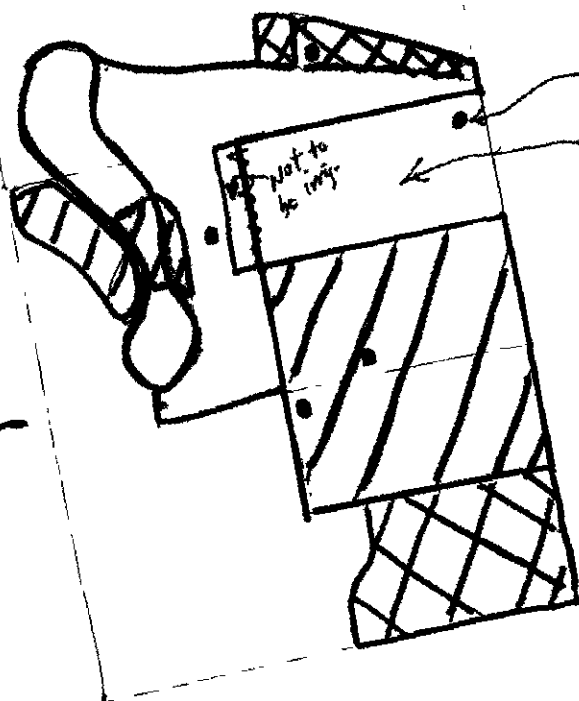
"full" } gen Irr dist H2o coverage (district H2o also used
 /// "temp" } in S. 24 to west but that
 land N/A to transfer)

○ residual lands
 for well coverage
 ○ new lands
 for well coverage

prepared by
 JZ 8/5/97

S.19-

S.30-



- = wells
- 5 existing
- NENE S. 30 will be limited to dairy use
- NO surface water then
- dairy will be located
- N 1/2 NW 1/4 S. 30 where

MEMORANDUM

May 8, 1997

TO: Transfer 5007, Lodge Land and Livestock
57-02292, 57-02335, 57-07047

FROM: Cindy Hodges *chl*

RE: Review Analysis

This transfer proposes to change irrigation use from ground water to commercial use for a 3000 head dairy. There are three established ground water licenses appurtenant to the lands in question. The transfer is based on the SRBA recommendations of these rights. Combined use was found to be 361 acres, 5.32 cfs, 1624.5 AFA diverted volume and 1263.5 AFA consumptive volume.

There is some overlapping place of use among the rights, but they were not recommended with a permissible place of use. However, the transfer proposes to create a permissible place of use for the irrigated acres remaining after the change. The physical dairy facility is proposed to cover about 100 acres of previously irrigated land. However, up to 50% of the required commercial flows are anticipated to be recovered in lagoons for re-use as irrigation flows. Applicant is proposing to place 40 presently dry acres under production, for a net 60-acre reduction in irrigated acres.

My attached notes show calculated right reductions based on rate of flow, diverted and consumptive volume. I used as my base information those figures submitted by applicant showing total daily requirements of the facility. Note that the stockwater portion of the required daily volume contains a "credit" which is derived from the stockwater diversion for range cattle which was already contained on 57-07047. That use could become a portion of the new stockwater requirement for dairy cattle, or could be assumed to be the portion for the approximately 600 dry or replacement cows.

Applicant is showing a change in nature of use on only right no. 57-02292, modifying the entire .89 cfs of the right to commercial. This does not really match the applicants' representation that the well used for the dairy will be refitted to a smaller pump diverting only 0.78 cfs. However, all wells are presumed integrated so flows are also available from other points. 0.89 cfs does correspond with the 60-acre reduction at the old system rate of 0.0147 cfs/acre ($60 \times .0147 = 0.882$ cfs), but the commercial component alone does not account for the additional stockwater diversions. I would suggest that a stockwater component in the amount of 0.89 cfs (non-additive) be added to 57-02292 for the 3000 dairy cattle.

The above rights are used in conjunction with Gem Irrigation shares. Applicant has not addressed the status of the 60 unused shares resulting from the reduction in irrigation. This separation of surface and ground water applications may be the only impediment to transfer approval.

MCB:JLMEL

256 J 6 1998

Lodge LAL Conversion Notes. dyl 2/3/97

57.2292, 2335 & 7047 combined limits:

361 ac, 1624.5 V_{DIV}, 1263.5 V_{CON}, 5.32 cfs.
(Incl: stockwater for 600 range cattle @ .14 cfs)

System Rate = .0147 cfs/ac

4.5 AFA_{DIV}

3.5 AFA_{CON}

Req'd for new dairy, per applicant worksheet:

259,718 gal/day or .797 AF/day $\times 365 = 290.9$ AF/yr
diverted.
(Note credit for
actual use
existing stock use)

estimated 50% recovered = 145 AF/y
consumptive.

Instantaneous diversion 350 cpm = .78 cfs

Reductions in right:

Rate of flow $\frac{.78}{.0147} = 53 \text{ ac}^*$

VOL_{DIV} $\frac{291}{4.5} = 65 \text{ ac}^*$

VOL_{CON} $\frac{145}{3.5} = 41 \text{ ac}$

*Significant portion
recovered in lagoons
for re-distribution,
per applicant

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216 0 6 1998

T. 5007 WORKSHEET

- 8/26/97

LICENSED - IRRIGATION USES

pg 1 of 3

IRR. rates additive per file history. No PPOH; significant P/LH overlay but can't be sure total # acres irrig. per year. youngest right includes non-additive stockwater rate of .14 cfs but additive stock volume of 8 AFA (stock amounts not listed on this worksheet).

Right	Acres	cfs	— VOLUME AFA —	
			Div.	Consumption ← assume 3.5 AFA/acre
57-02292	104	.89	432 ^{not full vol.}	336 ← $(3.5/4.5) \times 432$
57-02335	292	3.87	1330 ^{full vol.}	1022 ← e 3.5 AFA/acre
57-07047 ^{youngest right}	434	.56	289 ^{not full vol.}	225 ← $(3.5/4.5) \times 289$
TOTAL	?	5.32	?	?

? = not clear from licenses. But youngest license conditional so that 3 combined rights limited to 4.5 AFA/acre div. vol (implies 3.5 per acre cons use vol), implies full volume licensed.

TOTAL acres must be at least 434 → $434 \times 4.5 = 1953$ div vol.
 $434 \times 3.5 = 1519$ c.u. vol

SRBA DIRECTOR'S REPORT RECOMMENDATIONS - IRRIGATION USES.

This is BASIS for Transfer Appl.

NO PPOH, IRR rates additive, full div. & cons. use volume included. Stockwater component as above included in youngest right but not listed in this worksheet. Accomplished transfer & pre-'87 acre changes recognized.

Right	Acres	cfs	— VOLUME AFA —	
			Div.	Consumption
57-02292	69	.89	} Full volume allowed in Remarks: combined, limited to 361 Ac., 1624.5 AFA div. volume & 1263.5 AFA cons use volume.	
57-02335	292	3.87		
57-07047	361	.56		
TOTAL	361	5.32		

AUG 06 1998

where acres 2292 + acres 2335 = acres 7047

T. 5007 WORKSHEET Continued

pg 2 of 3

POST-TRANSFER Summary

Retire net of 60 acres from 57-02292. Create a form of PPOL for 301 acres in other 2 rights. Retirement of 60 acres & full volume provides:

$60 \times 4.5 = 270 \text{ AFA Div vol}$
 $60 \times 3.5 = 210 \text{ AFA C.U. vol}$
 $60 \text{ ac} \times \frac{5.32 \text{ cfs total system}}{361 \text{ acres " "}} = .884 \text{ cfs}$
 But 2292 allows .89 cfs total

} OK to allow up to:
 .89 cfs
 up to 270 AFA Div
 210 AFA C.U. vol
 for comm. use

this is not a limiting factor
 but good overall check for total system

Let comm use = all water needed & dairy operation

Per "Attach B Dairy Operation" $\rightarrow 259718 \text{ g/d, } 365 \text{ days/yr.}$

However, Recovers 50% of this amount in irrig season (not all year) for subsequent addition to irrig. system.

$$\frac{259718 \times 365}{325850} = \approx 291 \text{ AFA Div. volume}$$

minus irrig season recovery & lagoons

$$.50 \times \frac{246}{365} \times 291 = \approx 98 \text{ AFA recovered for irrigation (246 day season 3/15-11/15)}$$

Therefore $\approx 98 \text{ AFA}$ available comm div. volume in irrig season (the other $\frac{1}{2}$ or non-recovered water).

Following that non irrig season comm. div. vol is:

$$\frac{(365-246)(259718)}{325850} = \approx 95 \text{ AFA}$$

TOTAL div. volume comm. use =

98 AFA	3/15-11/15
95 AFA	11/16-3/14

193 AFA MICROFILMED

which is within limits of 60 ACRE portion that retired irrig. provides AUG 06 1998

T. 5007 WORKSHEET CONTINUED

pg 3 of 3

POST TRANSFER Summary TABLE

Right	Use	Acres	Cfs	— VOLUME AFA —	
				Div	Consumption
57-02292	Comm 1/1- 12/31	—	.89	193	≤ 193 ^{1/}
57-02335	IRR 3/15- 11/15	292 ^{2/}	3.89	1354.5	1053.5 ^{3/}
57-07047	IRR 3/15- 11/15	301 ^{2/}	.56		
	Stock 1/1- 12/31	—	.14		
TOTAL		301	5.32	1547.5	≤ 1246.5

COMPARE TO BEFORE TRANSFER
PER SRBA REC'D'S

361 5.32 1624.5 1263.5

NO EXPANSION —

1/ DON'T have values to compute c.u. portion of comm. volume directed.
Note that attach. B by Applicant lists 145 AFA as "cons. use" for
dairy per: $\frac{124559 \text{ gal} \times 385 \text{ dly}}{325850 \text{ gal/af}} \approx 145 \text{ AFA}$.

But as shown on pg 2 of my worksheet, .89 cfs comm will direct =
193 AFA. Consumption will obviously be ≤ div. volume.

2/ Total of 301 ac. i.e. 2335 covers 292 + 7047 covers all 301 -
a type of ppm.

3/ 301 ac. = full vol. complement yields values shown. License 7047
added 8 AFA stock vol. to in vol. but this is not reflected in
SRBA volume rec'd. Consider Comm team in transfer of cover all
uses associated with dairy to avoid confusion & minor spreadsheet
volumes N/A in Director's Report.

CONVERSATION MEMORANDUM

DATE 8/4/97FILE T. 5007NAME OF PARTY Darnio Vanderstelt 465-9496 T. 5087EMPLOYEE JLRE: CLARIFICATIONT. 5087 MONTIETH (SELLER) - Pete DeGroot (Buyer)

1. Only adjacent landowner is Steve Beus (to East)
1605 POEN RD KUNA 83634 (922-4513).

I will send him comment letter w/ 10 day Response period.
This will allow no re-advertising per discussion w/ G.S.

2. Applicant should send letter (fax OK) or visit office to
clarify that new well for dairy is SENE (map wrong).

3. Processing can continue as these steps ARE done.

MICROFILMED

T. 5007 L0056

AUG 06 1998

1. NO NEW WELL now (re Darnio's 7/9 fax to G.S.,
pg 3, item 3 discuss new well to be drilled). For now,
just change SENE 5.30 well to dairy. Later (followup
transfer) will file xfer to add inj. well to
system since remaining wells won't produce enough
water for remaining irrigation. OK to continue as is -
processing ~~will~~ is not ~~delayed~~. delayed.

CONVERSATION MEMORANDUM

DATE 7/17/97

FILE T. 5007 & T. 5087

NAME OF PARTY Darwin Vander Stelt

485-9496

EMPLOYEE JR

RE: Responses to Requests for info

Called to mention he had faxed responses & these 2 transfers to Gary sometime last week.

Checked on status:

T 5007 Lodge Land + Livestock

Reply to CJH's 5/15/97 letter

T 5087 Ray Monticelli

- Reply to my 5/28/97 letter

~~- posted period up on~~

- will have Applicant visit office or mail back original pg. 1

proposed well = SENE so pg 1 ok,
map wrong.

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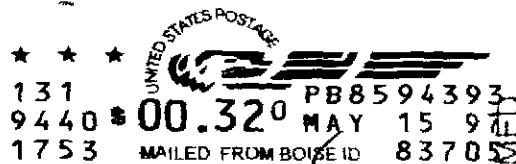
APR 98 1998

Need to re-advertise? my error (?)

Region will evaluate his fax response & proceed accordingly.

IDAHO DEPARTMENT OF WATER RESOURCES
WESTERN REGION
2735 Airport Way
Boise, Idaho 83705-5082

*Sue
resend letter
to Darwin
note of mailing in file*



RECEIVED

MAY 27 1997

WATER RESOURCES
WESTERN REGION

DARWIN VANDERSTELT
1429 E 1ST ST
MERIDIAN ID 83642

*16931 Star Rd.
Nampa, Id. 83687*

83642-1753-00.32 35



*resent
6-26-97
with
letter from Steve
5-28-97
At.*

AUG 06 1998



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 15, 1997

WILLIAM LODGE
LODGE LAND AND LIVESTOCK
PO BOX 128
CALDWELL ID 83605

RE: Application for Transfer

Dear Mr. Lodge:

Your application for transfer to change a portion of your ground water irrigation rights to commercial use for a dairy has reached one of the final stages of review. We have found that there is no information in the file regarding your use of these rights in combination with water from Gem Irrigation District. Would you please provide us with the following information:

- Documentation showing the quantity of shares of Gem I.D. water you have available, and the number and location of acres the shares may be used on. This documentation can best be obtained directly from the District office.
- A record or estimate of actual deliveries of Gem I.D. water over the last 5 years. This information can be submitted in the form of a statement from the District, especially if deliveries have been made at or near 100%.
- A brief description of the new delivery system which explains how surface water deliveries will be integrated with ground water after the change is made. Will surface shares be deliverable to the new lands which are proposed to be irrigated? What will happen to any unused shares?

To avoid any further delays in processing, please submit this information within 30 days. Please phone me at 208-334-2190 if you have any questions.

Thank you for your assistance.

Sincerely,

Cindy Hodges

Cindy Hodges
Sr. Water Resource Agent
MICROFILMED
AUG 06 1998

*Copy sent to Darwin
Vanderstelt 6-26-97
along with copy of Steven's
letter.
May 28, 1997
16931 Star Rd
Nampa ID 83687*



State Idaho

DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 15, 1997

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LODGE LAND AND LIVESTOCK
PO BOX 128
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To avoid any further delays in processing, please submit this information within 30 days. Please phone me at 208-334-2190 if you have any questions.

Thank you for your assistance.

Sincerely,

Cindy Hodges
Sr. Water Resource Agent

MICROFILMED

JUN 06 1998

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO.

Notice is given that Lodge Land and Livestock of PO Box 128, Caldwell, Idaho, 83605 has applied to the Department of Water Resources to add points of diversion and change the place and nature of use pursuant to I. C. § 42-222 for the following ground water irrigation licenses (all land is in T3N R4W, Owyhee County):

WATER RIGHT(S) AS RECORDED

Right No.	57-02292	57-02235	57-07047
Date of Priority	4-14-1966	1-25-1961	3-1-1971
Amount	0.89 cfs	3.87 cfs	0.56 cfs
Point of Div	NWSWSE S19	E½ S30 (3 pts)	SENENW S30

Total combined irrigation under the rights is 361 acres in S19 and S30.

PROPOSED CHANGE

Commercial use for a 3000 head dairy in NE½ S30. Total irrigated acreage under the rights is to be reduced to 301 acres and redistributed on the remaining lands. The five existing wells will be used in a common system for commercial, stockwater and irrigation uses. Maximum diversion rate will not exceed the previously licensed total of 5.32 cfs.

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705, together with a protest fee of \$25.00, on or before March 10, 1997. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Owyhee Avalanche on February 19 and 26, 1997.

MICROFILMED
AUG 06 1998

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83720
(208) 384-2190



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

November 30, 1973

Re: Permit No. 32832/57-2292

Lodge Land & Livestock, Inc.
Box 128
Caldwell, Idaho 83605

Gentlemen:

Enclosed herewith is a copy of the Water License issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

Enclosure

57 2292

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83720
(208) 384-2190



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

November 14, 1973

Re: Permit No. 32832/57-2292

Lodge Land & Livestock, Inc.
Box 128
Caldwell, Idaho 83605

Gentlemen:

A representative of this Department has made a re-examination of the works covered by Permit No. 32832/57-2292 and has found the following:

Quantity of water diverted: 0.89 cfs

Amount of water that can be recognized as beneficially used under
Idaho law: 0.89 cfs

The maximum quantity diverted shall not exceed 432 acre feet per year.

Beneficial use: irrigation of 104 acres within the S $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ S $\frac{1}{2}$ SE $\frac{1}{4}$
Sec. 19, Twp. 3 N, Rge. 4 W.

Point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19, Twp. 3 N, Rge. 4 W, B.M.

Priority date established: April 14, 1966

If you do not concur with these findings, please advise us within 10 days; otherwise,
a license will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Lodge Land & Livestock, Inc.
Post office address Box 128, Caldwell, Idaho Phone _____
Person to contact Mr. William M. Lodge Phone 459-6107

2. Source of water supply: Groundwater ☒ Surface water ☐ _____
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 2.0 c.f.s. for Irrigation
_____ AF/Annum (nature of use)

Period of Use: from March 15 to Nov. 15
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses: _____

Priorities - Do in 1973!
Permit No. 32832/57-2292
Re-Examination for Quantity
Attachment: Rough License

4. Total amount to be appropriated:

Max Rate of Diversion 2.0 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 3 N N/S, Range 4 W E/W, B.M., Section 19, Subdivision SW $\frac{1}{4}$ SE $\frac{1}{4}$, Owyhee
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Other Points of Diversions: _____

Description of diverting works. _____

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

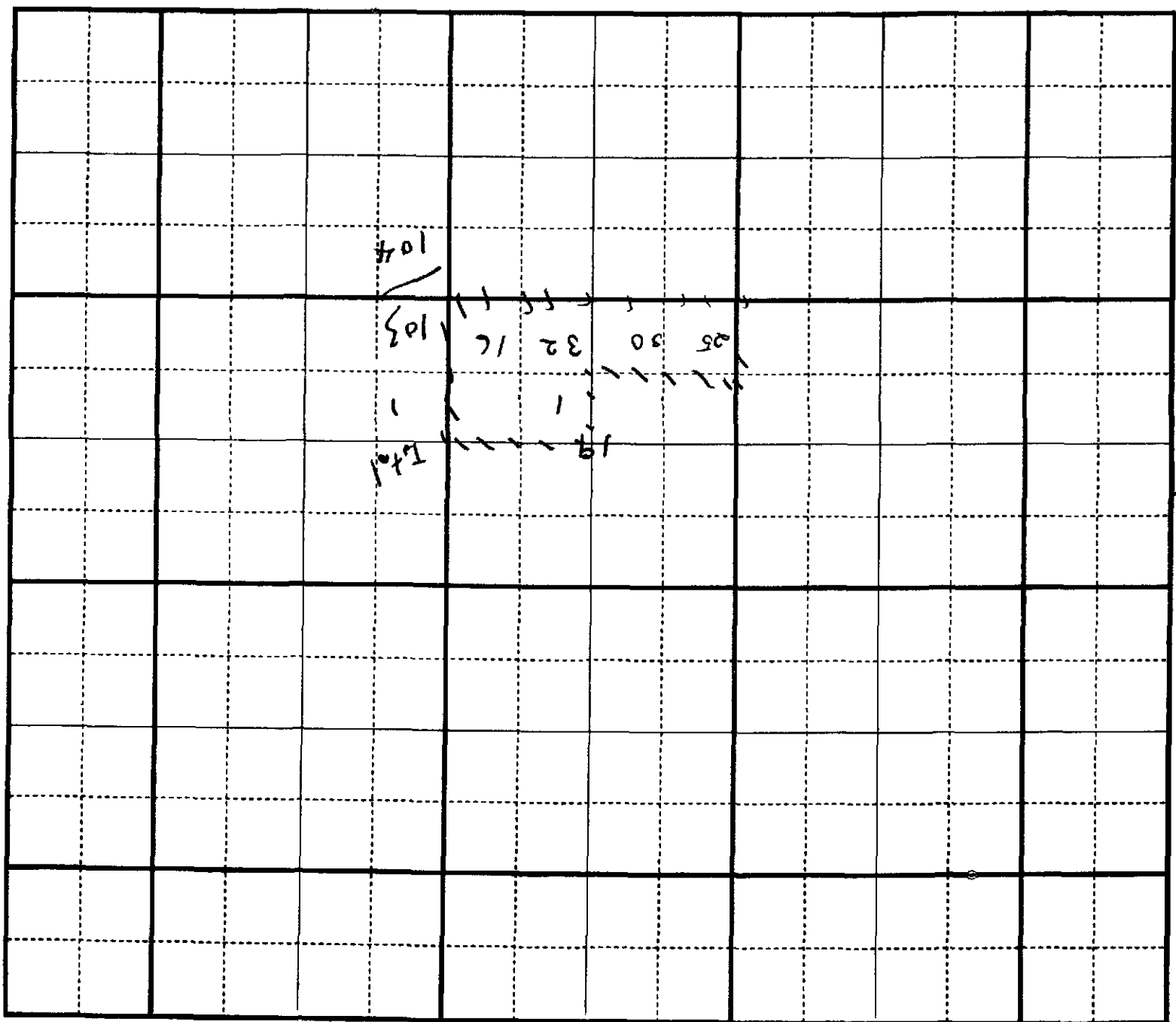
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3 N	4 W	19											25	30		1	32	16	104

57 2292

TOTAL ACREAGE

104

Diagram of System



104

DATE OF EXAM 6 July 73

ACREAGE
Found 104
Recommended 104

Irrigation Requirement 4.5 Ac Ft/Ac

USE
Irrigation Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Domestic Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____
Livestock Q= _____ c.f.s. V= _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ✓

Name source: _____
twp 3 N/S, Rge 4 E/W, B.M., Sec. 19, Sub. SW 1/4 SE 1/4 Owyhee
County

Exchange? yes _____ no ✓

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County

Point of injection:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County

Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County

Total Q measured .89 cfs Method of measurement _____

Total Q recommended _____ Meter No. _____ Type _____ Condition _____

Total V recommended _____

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None

MEASUREMENT CALCULATION:

$Q = (05)(3.84) = 403 \text{ gpm}$ $450 \sqrt{403} = .89 \text{ cfs}$
 $V = \frac{(2)(.89)(210 \text{ days})}{1.98 \times 245 \times 432} = 373.8 \text{ Mc ft/Ann}$

SYSTEM DESCRIPTION:

30 HP Motor General Electric 230/460 Volts 1760 RPM
ser # B6J210495 FAIRBANKS Morse Pump 6" dia charge
80 psi at the pump
105 Heads @ 45 psi

REMARKS:

I checked with the owner to determine just what
he "could" run at the maximum this exam reflects that
information. I think the amount of water is still less
than he wants but I can't justify any more from what
I have seen at the works

Examiner's Signature James Barber Date 4 Sept 23

Checked by _____ Date _____

Approved by _____ Date _____

57 2292

Mr Lodge ^{Sault Ste Marie} Caldwell
| 32-832 57-2192
.56 C.F.S. on exam
459-6107

5/32 107

Re-examine in
1973. Contact Mr.
Lodge prior to exam.
R.W.H

57 2292

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse — Annex 2

Boise, Idaho 83707

(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

December 6, 1972

Lodge Land & Livestock, Inc.
Box 128
Caldwell, Idaho 83605

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 32832/57-2292 and has found the following:

Quantity of water diverted: 0.56 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 0.56 cfs

The maximum quantity diverted shall not exceed 272 acre feet per season.

Beneficial use: Irrigation of 104 acres within the S $\frac{1}{2}$ SW $\frac{1}{4}$ (55), W $\frac{1}{2}$ SE $\frac{1}{4}$ (33), SE $\frac{1}{4}$ SE $\frac{1}{4}$ (16), Sec. 19, Twp. 3 N. Rge. 4 W. B.M.

Point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, Twp. 3 N. Rge. 4 W. B.M.

The priority date established is: April 14, 1966

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

RE - Exam typed 12-12-72 by [signature]

57 2292

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

1. Name of permit holder Lodge Land & Livestock, Inc.
Post office address Box 128, Caldwell, Idaho Phone _____
Person to contact _____ Phone _____

2. Source of water supply: Groundwater ☒ Surface water ☐ Subterranean
(name spring, stream, etc.)
Tributary to _____

3. Water will be used for the following purposes:

Amount 2.0 c.f.s. for Irrigation
_____ AF/Annum (nature of use)

Period of Use: from March 15 to November 30
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use: from _____ to _____
(mo.-day) inclusive (mo.-day)

Amount _____ c.f.s. for _____
_____ AF/Annum (nature of use)

Period of Use from _____ to _____
(mo.-day) inclusive (mo.-day)

Other uses. _____

4. Total amount to be appropriated:

Max Rate of Diversion 2.0 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 3 N N/S, Range 4 W E/W, B.M., Section 19, Subdivision SW $\frac{1}{4}$ SE $\frac{1}{4}$, Owyhee
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ $\frac{1}{4}$ _____ $\frac{1}{4}$, _____
County

Other Points of Diversions: _____

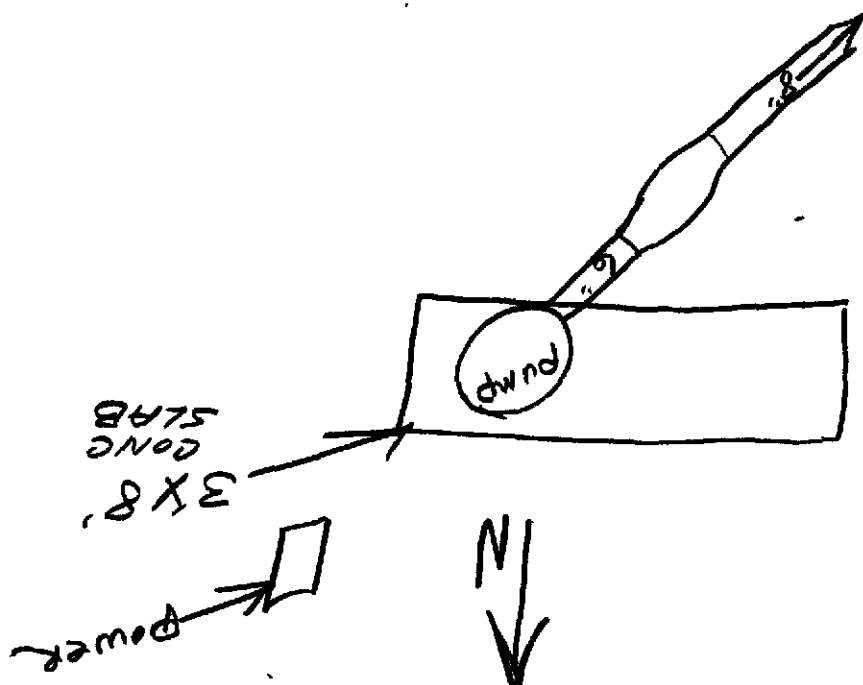
Description of diverting works. 6" colungn; 50 h.p.; 12" well casing; 135' deep to bowls;
well 200' deep.

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

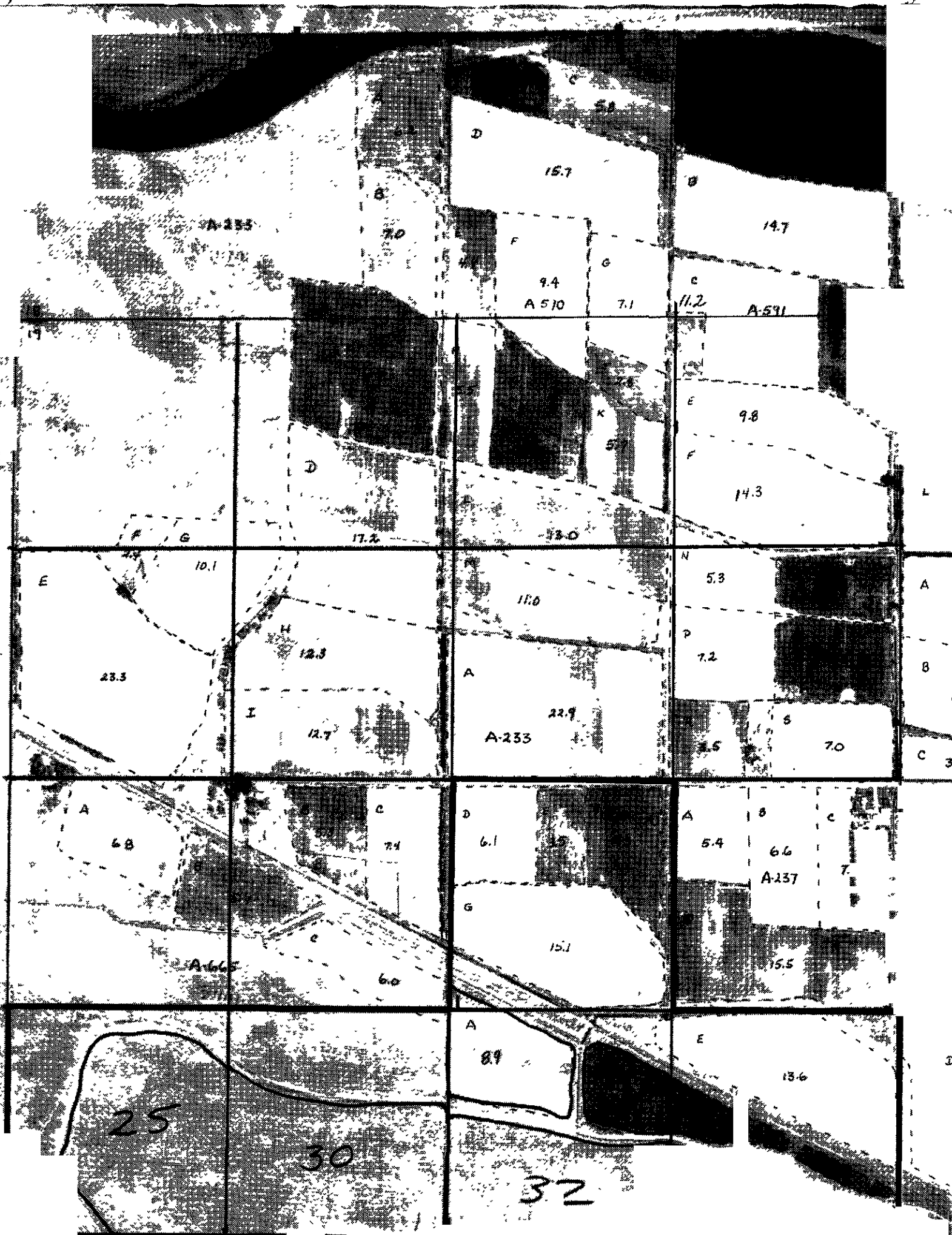
TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3 N	4 W	19											25	30		1	32	16	104

Diagram of System



57 2292

R. H. W.



DATE OF EXAM Aug 17-71

ACREAGE
Found 104
Recommended 104

Irrigation Requirement 5 Ac Ft/Ac

$$(2 \times .56) \times 245 =$$

USE
Irrigation Q = .56 c.f.s. V = 274.4 AF/Ann. from March 15 to Nov. 15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County

Total Q measured .56 Method of measurement pitot

Total Q recommended .56 Meter No. _____ Type _____ Condition _____

Total V recommended 274.4 AF/ANN

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None

MEASUREMENT CALCULATION:

32" Nozzles - 14 heads: 65 psi - 5.73 gpm/p. head
 $5.73 \times 14 = 80.22$

1/4" Nozzles - 32 heads: 40 psi - 5.37 gpm/p. head
 $5.37 \times 32 = 171.84$ $(80.22 + 171.84) \div 450 = 252.06$ 256 cb'

SYSTEM DESCRIPTION:

General Electric 50 hp - 100 cy. 3ph.
1760 R.P.M. - 230/460 Volts. # BG 210475
Fairbanks Morse Turbine pump # PH7609
to discharge 3" - What for 3" then enlarges for
3" then goes into a 8" pipe south-west to lateral main

REMARKS:

Examiner's Signature Rev. L. Chapman Date Aug 17-71

Checked by _____ Date 8-26-71

Approved by _____ Date _____

April 20, 1971

Re: Permit No. G-32832/57-2292

Lodge Land & Livestock, Inc.
Box 128
Caldwell, Idaho 83605

Gentlemen:

We acknowledge receipt of the affidavit 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 from this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

February 3, 1971

Re: Permit No. G-32832/57-2292

C
Lodge Land & Livestock, Inc.
Box 128
Caldwell, Idaho 83605

Gentlemen:

C
We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

C
We wish to remind you that proof of the application of water to beneficial use is required on or before April 18, 1971.

P
Very truly yours,

P
Donald W. McEldowney
Appropriation Supervisor

Y
DWM/DG

57 2292

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and address where delivered

☐ Deliver ONLY to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

1

Lodge & Sons & Co.

INSURED NO.

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

3

SHOW WHERE DELIVERED (only if requested)

FEB 1 1911

57 2292

57-2292

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS



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

POSTMARK OF
DELIVERING OFFICE

**SUPPORT YOUR
B ASSOCIATION**

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED.**

**RETURN
TO**

NAME OF SENDER

DEPARTMENT OF WATER ADMINISTRATION

STREET AND NO. OR P.O. BOX

STATEHOUSE ANNEX #2

BOISE, IDAHO 83702

POST OFFICE, STATE, AND ZIP CODE

57 2292

655-16-71548-10

POD Form 3811 Apr. 1967

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse — Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

January 29, 1971

CERTIFIED MAIL

#2 A74

Re: Permit No. **G-32832/57-2292**

Lodge Land & Livestock, Inc.
Box 128
Caldwell, Idaho 83605

Gentlemen:

One of the conditions of the approval of your Permit No. **G-32832/57-2292** was that proof of application of the water to beneficial use be submitted to this office on or before **April 18, 1971**.

Enclosed is an affidavit form which must be used to submit proof of beneficial use. You may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended.

Either the proof affidavit or a request for extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

[Handwritten signature]

Director

Enc: Proof affidavit
dr

December 30, 1970

Re: Permit No. 32832/57-2292

Mr. William M. Lodge
LODGE LAND & LIVESTOCK, INC.
P.O. Box 128
Caldwell, Idaho 83605

Dear Mr. Lodge:

Please find enclosed a copy of the permit sheet and the assignment in connection with the above referenced permit. The assignment has been recorded in our office.

The legal notice for the above referenced permit is being published in the Owyhee Nugget of Marsing, Idaho on January 14 and January 21, 1971. You will be required to submit an affidavit of publication to this department. The affidavit may be obtained from the Owyhee Nugget upon payment of the bill of publication.

If we may be of any further assistance, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG
ENCLOSURES

57 2292

December 30, 1970

Re: Permit No. G-32832/57-2292 - Lodge Land & Livestock, Inc.

Owyhee Nugget
Marsing,
Idaho 83639

Gentlemen:

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

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

The expense of the publication is to be paid by William M. Lodge, LODGE LAND & LIVESTOCK, INC., Box 128, Caldwell, Idaho, to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG
Enc: legal notice

57 2292

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Lodge Land and Livestock, Inc, Box 128,
Caldwell, Idaho has received an approved Permit No.
G-32832/57-2292 issued by the Idaho Department of Water Administration auth-
orizing the diversion ~~storage~~ of 2.0 cubic feet per second ~~acre/foot~~
~~per/annum~~ of water from a ground water source.
The priority to be established under this permit is April 14, 1966
and the permit was approved April 18, 1966.

Water is to be diverted by well and sprinkler system
from a point within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, T. 3 N. R. 4 W. B. M., Owyhee County
to be used for irrigation
in the S $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 19, T. 3 N. R. 4 W. B. M.

Proof of the application of the water to beneficial use is to be sub-
mitted to the Department on or before April 18, 1971. Any protests
against the issuance of the license for the above referenced permit should
be filed with the Idaho Department of Water Administration within ten (10)
days of the last date of publication of this notice or prior to the licensing
of the permit. Licensing may commence prior to the date beneficial use proof
is due without further notice.

R. KEITH HIGGINSON, Director
Idaho Dept. of Water Administration

Published in the Owyhee Nugget, Marsing, Idaho
on January 14 and January 21, 1971.

Permit No. 57-2292

Director:

You are hereby authorized to have the above notice published at my expense
in the Owyhee Nugget of Marsing, Idaho;
published in the county in which the works are situated.

Lodge Land & Livestock, Inc Box 128 Caldwell, Idaho
(Signature) William M. Kedge (Address)

(Date)

57 2292

July 31, 1970

Re: Permit No. G-32832/57-2292

Mr. James W. Clifford
Route #1, Box 147-A
Marsing, Idaho

Dear Mr. Clifford:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department; previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply them upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG
Enc: order
advertising package

57-2292

32832

April 21, 1966

Re: Permit No. ~~XX~~ G-32832

James W. Clifford
Route #1, Box 147-A
Marsing, Idaho

Dear Mr. Clifford:

We enclose Permit No. G-32832 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer

XXXXXXXXXXXXXXXXXXXX
We also enclose Departmental Receipt No. G- 10272
which was issued covering payment in the amount of \$ 5.25
~~for the filing fee of the above mentioned permit.~~ ~~was given to you~~
~~for the time you were in our office.~~

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

permit
Enc: receipt was given

b 32832

NAME OF APPLICANT James W. Clifford

Form No. 0

T3N - R4 W

19
054 RR
General
Canal

32832

APPROVED APR 18 1966
CARL E. TAPPAN
State Reclamation Engineer

32832