

The errors and the necessary correction is as follows:

1. On the face of the Plat, in the upper right hand corner in the fourth line of the title block reads "SE1/4, Section 30, T.12N., R.1E., B.M.," should read "SE1/4, Section 30, T.12N., R.4E., B.M.,"

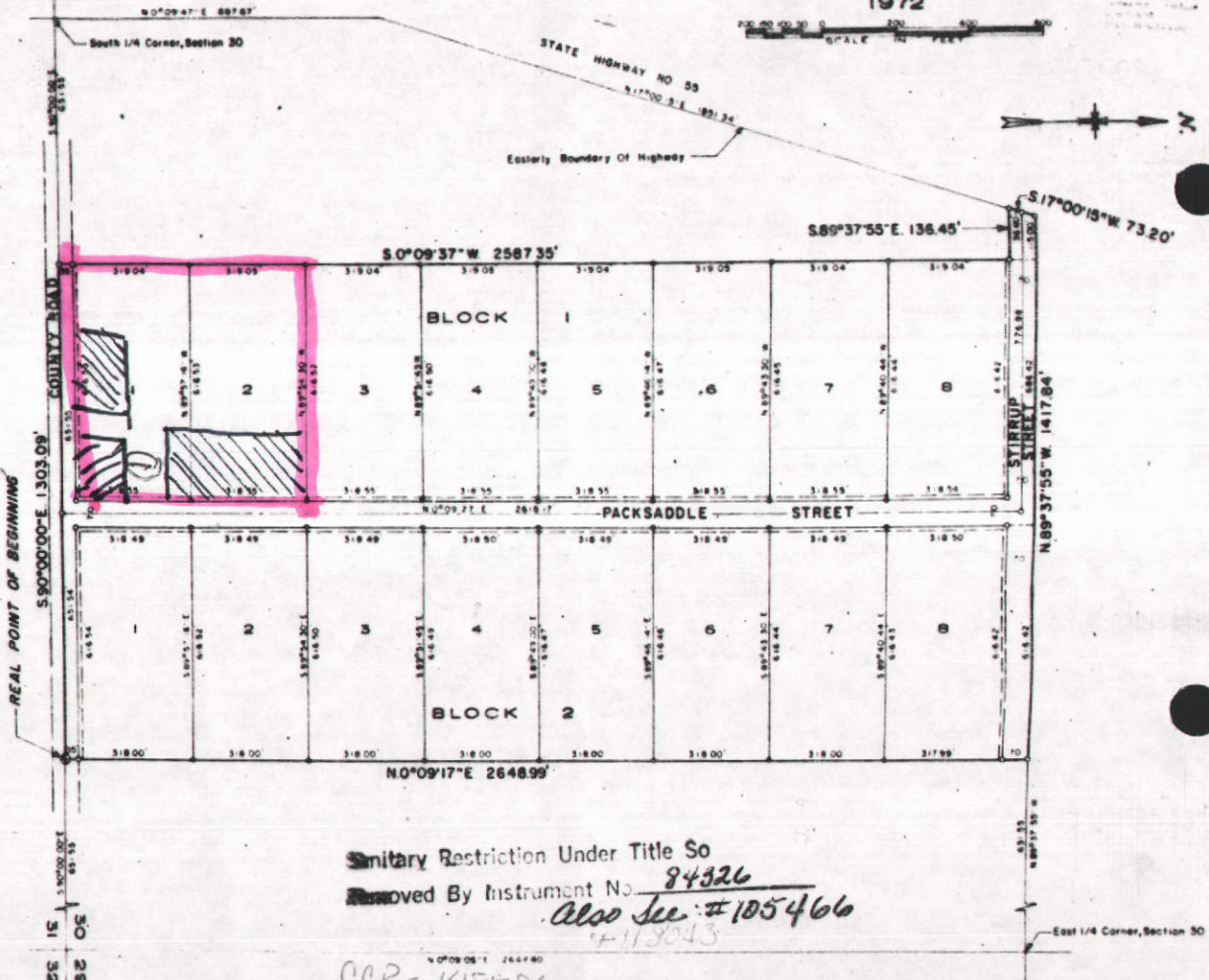
2. On the back of plat under Certificate of Owner fourth line reading in part "Section 30, T.12N., R.1E., B.M.," should read "Section 30, T.12N., R.4E., B.M.," *Affidavit authorizing change sheet #942504 94755*

PLAT SHOWING
LATIGO SUBDIVISION
A PORTION OF
SE1/4 SECTION 30, T.12N., R.1E., B.M.
VALLEY COUNTY, IDAHO
1972

SCALE 1" = 40' FEET



LEGEND
● Brass Cap
○ 5/8" x 30" Iron Pin
○ 1/2" x 24" Iron Pin
--- Public Utilities, Drainage, and Irrigation Easement 12' Wide from Property Line where not Dimensioned.



Sanitary Restriction Under Title So
Removed By Instrument No. 84326
Also See # 105466
#113043

CCR-148786

POINT OF DIVERSION
OWNED BY APPLICANT
PORTION IRRIGATED
DOMESTIC USE
DEC 09 1992
NOT RECORDED

65-13407

4-19

65-13407

SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$

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

1W-12 N R 4E BM SEC 30



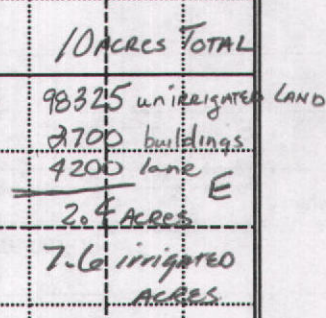
Scale: 2 inches equal 1 mile. SCALE: 8" = 1 mile

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

DEC 09 1992

Lowell T. Clay
(Applicant)

ments. Indic



NA

~~X~~

4.

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

1.

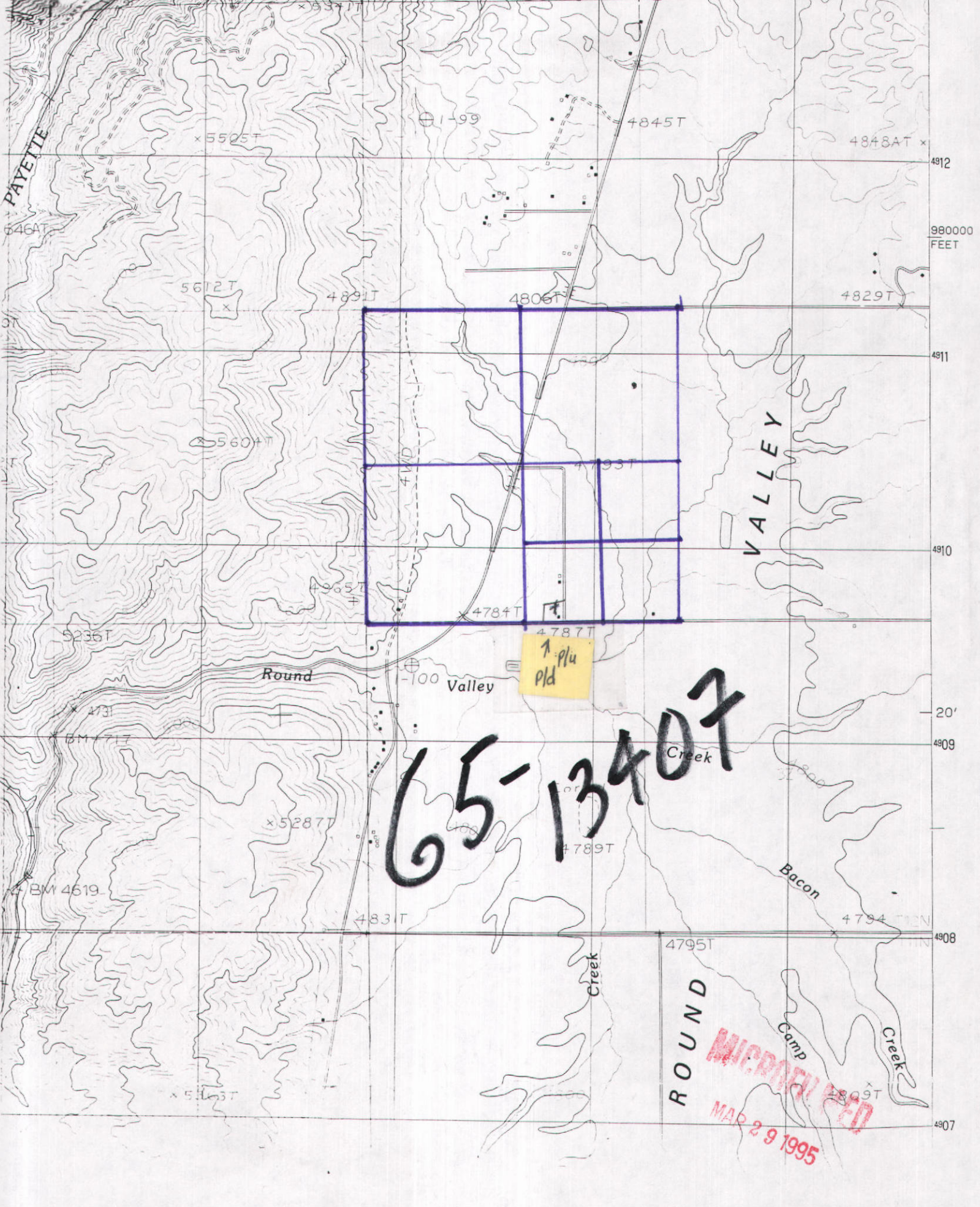
2. Measurements:

EXHIBIT 9

0845

התאחדות העובדים

MAR 29 1995



PAYETTE

VALLEY

Round Creek

Bacon Creek

65-13407

1 plu pld

ROUND MICROFILMED MAR 29 1995



VIEW OF WELL. LOCATED IN
THE SE SECTION OF THE PROPERTY

PHOTO ONE-

>

VIEW TO THE SOUTH.



PHOTO TWO-

MAR 29 1995
WILSON COUNTY, ARIZONA



VIEW OF THE SYSTEM IN
USE.

PHOTO THREE-

>

VIEW TO THE NORTH FROM
THE CENTER OF THE PROPERTY.
NOTICE THE VAUDE BOX IN
THE LOWER-CENTER PORTION
OF THE PROPERTY.



PHOTO FOUR-

RECEIVED
JUN 29 1995

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The Following application has been
filed to appropriate the public wa-
ters of the State of Idaho:

65-13407
CLAY, LOWELL T
10185 PACK SADDLE
CASCADE, ID 83611

Source: GROUNDWATER
Diversion Pt: SWSE Sec T 12N R
04E in VALLEY County.
Use: IRRIGATION (.100)
Total Diversion (.100).

Date Filed: 8/24/1992

In: VALLEY County
T12N R04E S30 SWSE

5.0 ACRES TOTAL

The permits will be subject to all
prior water rights. Protests must be
filled with the Director, Dept. of
Water Resources, Western Region,
2735 Airport Way, Boise, Idaho
83705 on or before OCTOBER 5,
1992.

R. KEITH HIGGINSON, Director
Publish 9/16, 9/23 - #215

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R. KEITH HIGGINSON, Director
Publish 9/16, 9/23 - #215

Affidavit of Publication

STATE OF IDAHO
COUNTY OF VALLEY

I, Mike Stewart, being duly sworn deposes and says, I am the
Publisher of The Advocate, a weekly newspaper published at
Cascade, in Valley County, Idaho; and having a general circulation
therein and of legal status in said county.

The water rights appl., a copy of
which is attached hereto; was published in said newspaper once
a week for 2 consecutive weeks in the regular and
entire issue of every number thereof during the period and time
of publication, and was published in the newspaper proper and
not in a supplement; and that publication of such notice began:

9-16, 1992,
and ended 9-23, 1992.

Mike Stewart

Michael Stewart

Signed this the 27th day of Sept, 1992

STATE OF IDAHO
COUNTY OF VALLEY

On this 27th day of Sept, 1992,

before me the undersigned Notary Public in and for said State, personally
appeared Mike Stewart known to me to be the person(s) whose name(s) are
subscribed to the within instrument and acknowledged to me that they
executed the same.

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

Linda S. Flesner

Notary Public for Idaho
Residing at Cascade, Idaho



MICROFILMED
DEC 09 1992

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.

RECEIVED

JAN 11 2001

WATER RESOURCES
WESTERN REGION

1. Water Right No(s).: A65-09514 65 13407
Adjudication Claim No(s).: _____
2. The following REQUIRED information must be submitted with this form:
 - A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
 - B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
 - C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant Marcum Land Co.
Box 336, Meridian, ID 83642
4. New Owner/Claimant(s) James A. & Diane Fuhrman
Name Connector (Check one): ☐ and, ☐ or, ☒ and/or
New Mailing Address 1737 E. Summerfalls
City, State and ZIP Code Meridian, ID 83642
New Telephone Number (208) 888-5530
5. Date you acquired the property 12/9/97
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
Number of acres you irrigate _____ Number and type of stock _____
Diversion rate in CFS _____ Number of homes _____ Other uses _____
If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) James A. Fuhrman
(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims.

See 65-9514 for support data

MICRO. 1/11/01

1/11/01

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-13407

Priority: August 24, 1992

Maximum Diversion Rate:

0.08 CFS

Maximum Diversion Volume:

15.0 AF

This is to certify, that LOWELL T CLAY

10185 PACK SADDLE

CASCADE ID 83611

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 24, 1992; and has submitted Proof of Beneficial Use on November 1, 1993. An examination indicates that the works have a diversion capacity of 0.080 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
-----------------------	----------------------	--------------------------	----------------------

IRRIGATION	04/15 to 10/15	0.08 CFS	15.0 AF
------------	----------------	----------	---------

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 30, Township 12N, Range 04E
VALLEY County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12N	04E	30	SWSE	5		5

Total number of acres irrigated: 5

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.
6. Place of use is located within Lots 1 and 2, Block 1, Latigo Subdivision.

1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-13407

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 28th
day of FEBRUARY, 1998.

Acting for


R. Keith Higginson, Director

W 2 6 10 35

RECEIVED

NOV 01 1993

Department of Water Resources

OFFICE USE ONLY

Amt. of Fee \$ 50.00

Date 11-1-93

Receipt No. CO28904

Receipt by J. Wansant

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 25-13407 Telephone No. 382-3759
2. Name(s) of Permit Holder(s): LOWELL T CLAY
3. Mailing Address: 10185 PACK SADDLE Cascade, ID 83611
4. Source of Water: BROWN WATER

If **GROUNDWATER**, Well Driller's Name: EXISTING WELL Date Drilled: UNKNOWN
DRILLER UNKNOWN PROB 7/1/87

OPTIONAL:

Pump horsepower: 2 Pressure (psi): 45 Dynamic pumping level (ft.):

5. Extent of Use (as authorized by the permit):

Domestic (No. of households) Stockwater (No. and type of stock)

Irrigation 5 (No. of acres) Other

6. Total rate and/or volume for which proof is submitted 100 cfs OR acre/feet

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

Measuring device: Required? Yes No Installed? Yes No

OR

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

8. Fee Enclosed: \$ 50.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

LOWELL T CLAY 382 3759
Name Telephone No

10185 PACK SADDLE
Address

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

10/29/93 Lowell T Clay
Date Signature (and title, if on behalf of a company or organization)

DEC 03 1993

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 65-13407

Proposed Priority: August 24, 1992 Maximum Diversion Rate: 0.10 CFS

This is to certify, that **LOWELL T CLAY**
10185 PACK SADDLE
CASCADE ID 83611

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

IRRIGATION	04/15 to 10/15	0.10 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: SWSE , Sec. 30, Township 12N, Range 04E
VALLEY County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12N	04E	30	SWSE	5		5

Total number of acres irrigated: 5

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1, 1993.
2. Subject to all prior water rights.
3. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.
4. This right does not authorize the development and irrigation of new land not previously irrigated.
5. Place of use is located within Block 1, Lots 1 and 2, Latigo Subdivision.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

19th day of November, 1992

R. Keith Higginson
for R. Keith Higginson, Director

RECORDED

DEC 09 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

65-13407
IDENTIFIED
Ident No
AUG 21 1992
Department of Water Resources
Western Regional Office

To appropriate the public waters of the State of Idaho

1. Name of applicant LOWELL T CLAY Phone 352-3759
Post office address 10185 PACKSADDLE CASCADE, ID
83611
2. Source of water supply GROUND WATER which is a tributary of NA
- * 3. Location of point of diversion is SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of SE $\frac{1}{4}$, Govt Lot
Sec. 30 Township 12 N Range 4 E B.M. VALLEY County, additional
points of diversion if any. NONE
4. Water will be used for the following purposes:
- * Amount 0.1 CFS for IRRIGATION purposes from APR MAY 15 to OCT 15 (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.1 CFS and/or (b) _____
cubic feet per second acre feet per annum
6. ~~Proposed~~ EXISTING diverting works:
- a. Description of ditches, flumes, pumps, headgates, etc. 2HP SUBMERSIBLE
PUMP SET AT 55 FT DEPTH.
1 1/2" HEAD LINE 1" FIELD LINES
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet, total
reservoir capacity _____ acre-feet, period of year when water will be diverted to storage.
_____ to _____ inclusive.
- * ~~Proposed~~ EXISTING well diameter is 6 inches, MEASURED ~~proposed~~ depth of well is 87 feet
- d. Is ground water with a temperature of greater than 90°F being sought? NO

7. Time required for the completion of the works and application of the water to the proposed beneficial use is

COMPLETED years (minimum 1 year)

WHEN PROPERTY WAS PURCHASED 9/16/92

DEC 09 1992

- * confirmed with ortho photo + attached plat map.
* Change based on Dept standards 8/28/92

8. Description of proposed uses (if irrigation only, go to item 9)

- a. Hydropower, show total feet of head and proposed capacity in KW. _____
- b. Stockwatering, list number and kind of livestock _____
- c. Municipal, show name of municipality _____
- d. Domestic; show number of households _____
- e. Other; describe fully _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example. D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
12 N	4 E	30												5			5		5
														5					
														5					

Total number of acres to be irrigated 5

10. Describe any other water rights used for the same purposes as described above. NONE

* AGS-17719 SAME WELL, DOMESTIC USE

11. a. Who owns the property at the point of diversion? SELF (LOWELL CLAY)

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

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing DEC 09 1992

12. Remarks WELL WAS PRESENT WHEN PROPERTY WAS PURCHASED, ON 9/16/92

* WATER FOR IRRIGATION HAS BEEN USED FOR SOME TIME PM also known as It 1, Latigo Subdiv.

* confirmed with adjoind claim - It 1, Latigo Subdiv, and applicant. 12/28/92

The errors and the necessary correction is as follows:

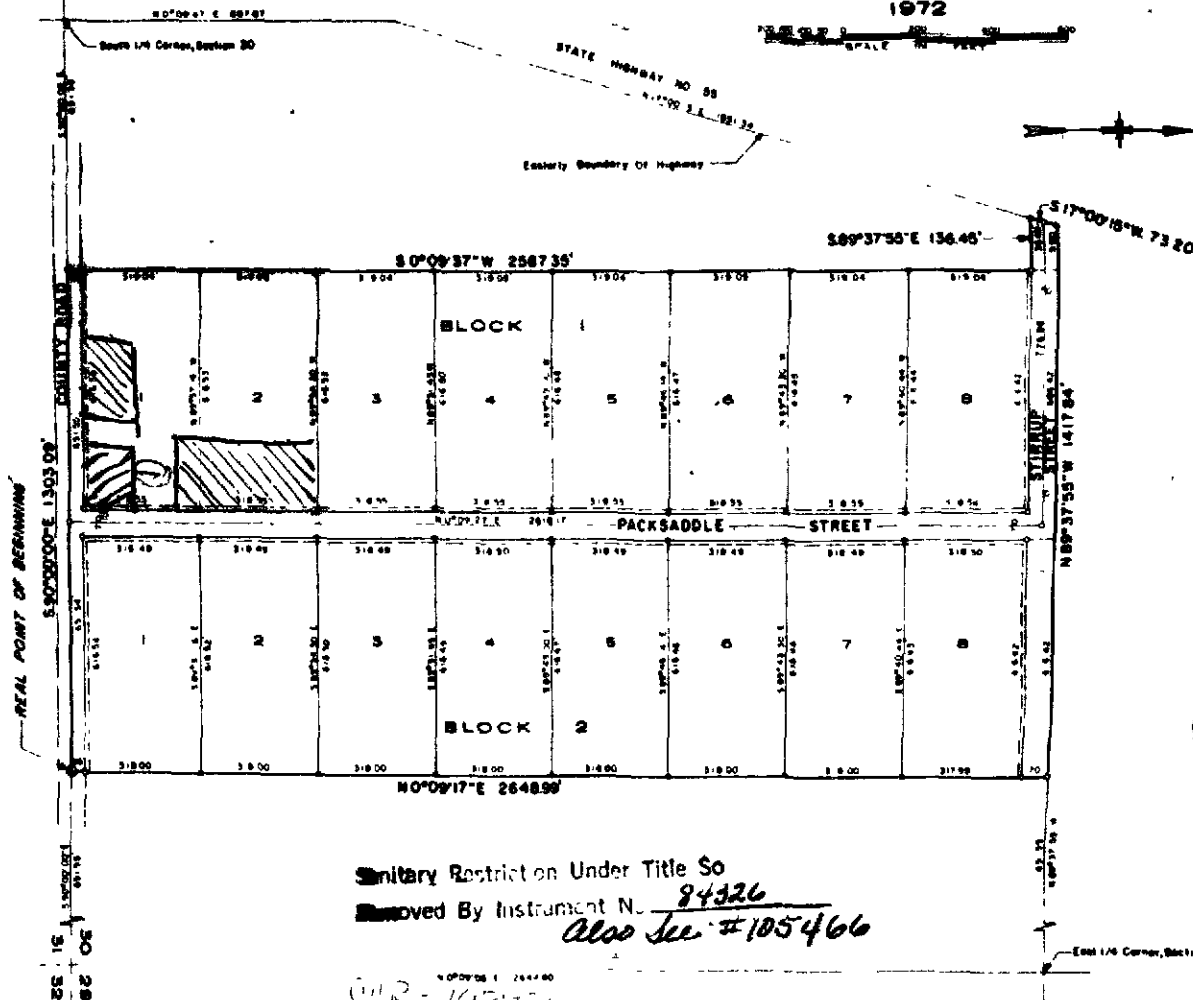
1. On the face of the Plat, in the upper right hand corner in the fourth line of the title block reads "SE1/4, Section 30, T.12N., R.1E., B.M.," should read "SE1/4, Section 30, T.12N., R.4E., B.M.,"

2. On the back of plat under Certificate of Owner fourth line reading in part "Section 30, T.12N., R.1E., B.M.," should read "Section 30, T.12N., R.4E., B.M.," *Official recording Chapter 127 94755*

PLAT SHOWING LATIGO SUBDIVISION

A PORTION OF
SE1/4 SECTION 30, T.12N., R.1E., BN
VALLEY COUNTY, IDAHO
1972

LEGEND
 • Brass Cap
 • 5/8" x 30" Iron Pin
 • 1/2" x 24" Iron Pin
 --- Public Utilities, Drainage, and
 Irrigation Easement 12' Wide
 from Property Line where
 not Dimensioned



PORTION
IRRIGATED
DOMESTIC USE
OWNED BY APPLICANT
POINT OF DIVERSION
GULCH

65-13407

SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of SW $\frac{1}{4}$

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

1W-12 N R 4E BM SFC 30



Scale 8" = 1 mile
SCALE

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.

DEC 09 1992

Lowell T. Clay
(Applicant)

Received by ST Date 8-24-92 Time 12:30 pm Preliminary check by g
Fee \$ 30⁰⁰ Receipted by JDL # W010083 Date 8-24-92
Publication prepared by GG Date 9/9/92 Published in The Advocate
9/16 & 9/23/92
Publication approved ST Date 10-5-92

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

DEC 09 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 17, 2003

JAMES A FUHRMAN
DIANE E FUHRMAN
1737 E SUMMERFALLS
MERIDIAN ID 83642

RE: Change of Ownership for Water Rights 65-9514 and 65-13407

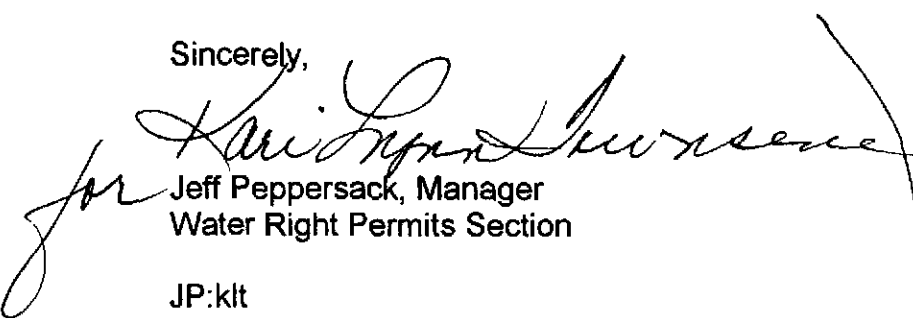
Dear Water Right Holder(s):

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

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

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

Sincerely,

for
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

March 1, 1995

LOWELL T CLAY
10185 PACK SADDLE
CASCADE ID 83611

RE: WATER RIGHT NO. 65-13407

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen".

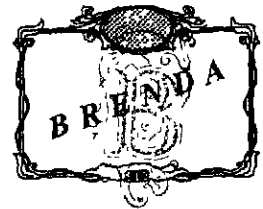
Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

MAR 29 1995

LICENSE REVIEW CHECKLIST



PERMIT NO. 105-13407 DATE 2/22/95

NAME	<u>Change OK</u>	☒	Or Address Change?	
PRIORITY DATE		☒	Advance?	Advanced to: _____
			Order to reinstate needed?	_____
			Incorrect fee for rate recommended?	<u>NO</u>
SOURCE		☒	Changes or just clarification of originally intended source?	_____
			Notice of Intent to Void necessary?	_____
POINT OF DIV		☒	Amendment needed?	_____
		☒	Overlaps?	<u>Claim A65-17719 on the domestic use was withdrawn.</u>
PLACE OF USE		☒	Amendment needed?	_____
		☒	Overlaps?	_____
DIV RATE		☒	Permit/fee limits: <u>.10 CFS</u>	
	<u>Sprinkler</u>		Meas Q = <u>.08</u>	Theo Q = <u>.10</u> Recommend: <u>.08</u>
			<u>5x.02 = .10 CFS</u>	
			Combined rates exceed capacity	_____
ANNUAL VOLUME		☒	Volume Limit: _____	Season: <u>B/3.0 (4-15 to 10-15)</u>
			Calculations:	<u>5x3 = 15 acfa</u>
			Flow limit: _____ cfs x _____ x 1.9835 = _____	
			Combined volumes exceed capacity/allowable	_____
USES		☒	Change in Nature of Use or additional uses?	_____
			Amendment necessary?	_____
REMARKS		☒	Multiple p/d(s) in 1/4 1/4?	_____
		☒	Other	_____
CONDITIONS		☒	Watermaster control - District	_____
	<u>R29</u>	☒	Measuring/Locking Devices	_____
		☒	Irrigation Overlap	_____
		☒	Other	_____
		☒	Water Quality	_____ Heat/Cool/Fish verified _____

COMMENTS: Reduce rate; Remove "new land" remark.
Permit limited to 5 acres.

RECOMMENDATION	CFS	VOLUME	SRBA Claim Filed	<u>NO</u>
<u>Origation</u>	<u>.08</u>	<u>15.0</u>	Adjustment Memo Needed	<u>YES</u>
_____	_____	_____	LICENSE	☒
_____	_____	_____	AMENDMENT LETTER	_____
_____	_____	_____	SECOND AMENDMENT LETTER	_____



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

JAN 20 1995

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 65-13407

1. Owner: LOWELL T. CLAY Phone No. 382-3759

Current Address: 10185 PACK SADDLE CASCADE, ID 83611

2. Accompanied by: LOWELL T. CLAY EXAM DATE: 6-22-94

Address: SAME Phone No. SAME

Relationship to Permit Holder: SAME

3. Source: GROUNDWATER tributary to N/A

B. OVERLAP REVIEW

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

2. Other water rights with the same point of diversion: NONE

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge	County	Method of Determination/Remarks
			SW	SE	30	12N	04E	VAILEY	Quads - Owner ID

2. Place(s) of Use:

Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
12N	04E	30															5		5

MAR 29 1995

E. NARRATIVE/REMARKS/COMMENTS

THIS SYSTEM USES A 2HP MOTOR TO PUMP WATER FROM A
STATIC WATER LEVEL OF 0' TO A VALVING SYSTEM WITH INDEPENDANT
RISERS. EACH VALVE LEADS TO A SPRINKLER HEAD WHICH IRRIGATES
THE PASTURES WITH 50 PSI. THE SYSTEM USES 6" HEADS AT
A TIME AND IS CONNECTED THROUGH UNDERGROUND LINES. A LINE ALSO
EXTENDS TO THE POND ON THE WEST EDGE OF THE PROPERTY, AND THE
POND MAY BE FILLED FROM THIS SET-UP. THE WELL DRAWS DOWN,
BY THE OWNER'S ESTIMATE, TO 8 FEET.

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

297095

F. FLOW CALCULATIONS

Additional Computation Sheets Attached

Measured Method:

SPRINKLER HEAD 50psi; $\frac{11}{16}$ " HEAD = 6.19 gal/min

$$\frac{6.19 \text{ gal/min} \times 5 \text{ HEADS}}{448.8} = .08 \text{ cfs}$$

EXHIBIT 9

THEORETICAL

$$\frac{8.8 \times 2 \times .7}{(2.31 \times 50) + 8} = \frac{12.32}{123.5} = .10 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 5 \times 2 = 10 \text{ AFA}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .08 \times 184 \times 1.9835 = 29 \text{ AFA}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 10 \text{ AFA}$$

2. Volume Calculations for Other Uses:

-NA-

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4-15	10-15	.08 cfs	10 AFA
Totals:			.08 cfs	10 AFA

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name

[Signature]

Date 10-28-94

Reviewer

Date

SEAL

29 1995

MEMORANDUM

TO: File 65-13407 / Lowell T. Clay
FROM: Brenda Chapman
DATE: February 22, 1995
RE: Recommendation Adjustment(s)

=====

The final licensing recommendations for the above referenced water right are based on the information below:

G. VOLUME CALCULATIONS

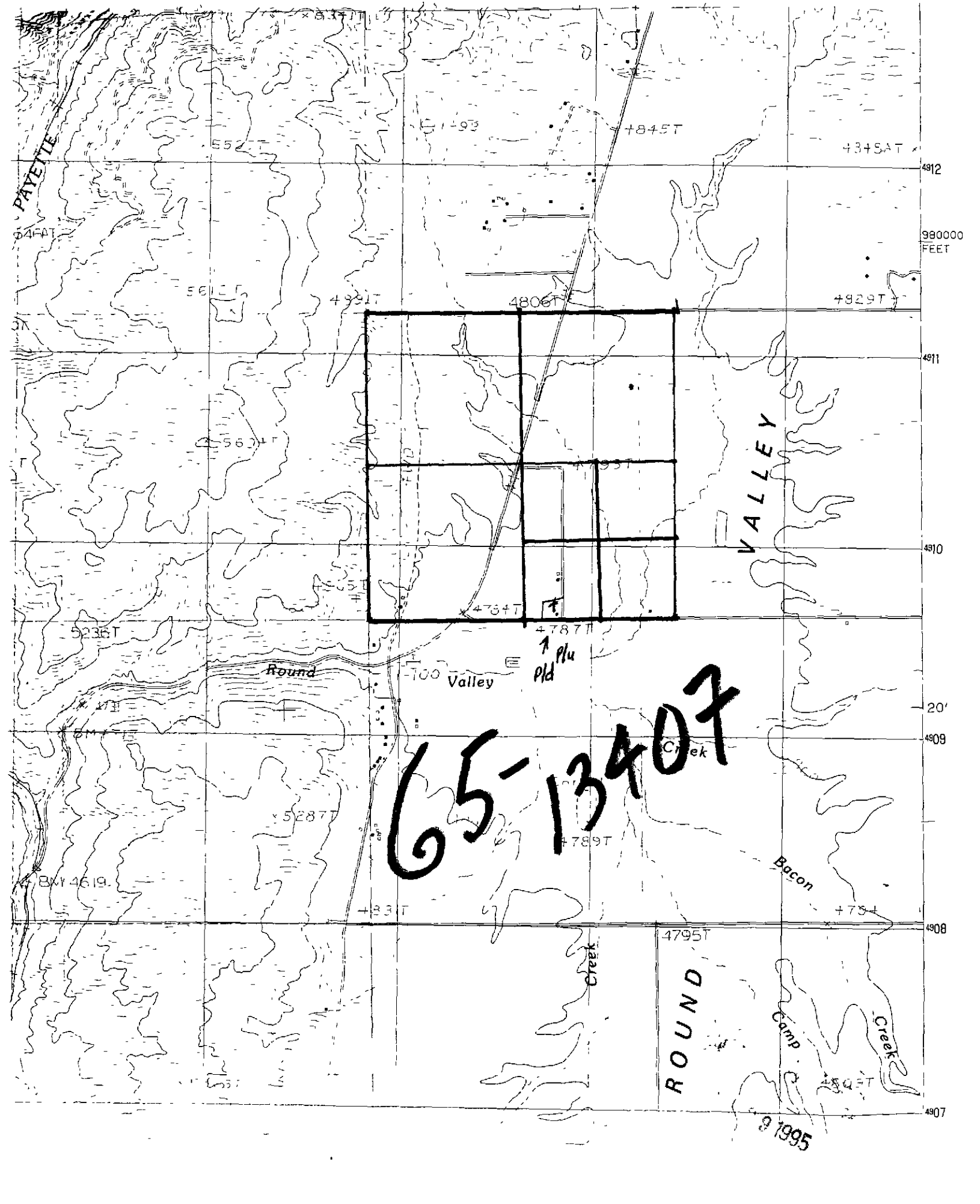
Volume recommendation changed to 3.0 afa per acre to coincide with the current standard for that location.

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use	Rate of Div	Annual Vol
Irrigation	4-15 to 10-15	.08	15.0

See item G.



IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: OTHER APPLICABLE NO: 65-13407

2. OWNER: LOWELL T. CLAY Phone: 382-3759
Address: 10185 PARK SADDIE CASCADE ID 83611

3. WELL LOCATION: Twp 12N, Rge. 04E, Sec. 30, SW 1/4 SE 1/4
County VALLEY (Provide sketch map and photo on reverse.)

4. DRILLER: NOT AVAILABLE Lic. No.
When Drilled? NA

5. WELL CONSTRUCTION:

Casing Diameter 6" inches Water tight cap? ☒ Yes ☐ No Access Port: ☒ Yes ☐ No
Casing $\geq$ 12 inches above ground? ☒ Yes ☐ No - Describe
Depth of Casing ft. Method Drilled
Condition of Well Casing: ☒ Good ☐ Fair ☐ Poor Describe
Control Valve? ☐ Yes ☒ No Pressure Gauge: ☐ Yes ☒ No
Condition of Piping and Valving GOOD
Auger to a depth of ft. Evidence of Annular Seal ☐ Yes ☐ No
Are there obvious construction problems that may be a source for contamination or waste of water?
☐ Yes ☒ No (Describe in Remarks and Attach Photo - On Reverse)

6. HYDROLOGIC INFORMATION:

Depth to Static Water 0' ft. Water Temperature °F
Flowing Artesian ☒ Yes ☐ No Pressure: 35 psi (psi)
Water Sample Taken? ☐ Yes ☒ No If yes, describe purpose
Water Quality Measurements/Observations (Describe)

7. WELL USE:

☐ Domestic	☒ Irrigation	☐ Stock
☐ Test	☐ Municipal	☐ Industrial
☐ Abandoned	☐ Waste Disposal/Injection	☐ Not Used
☐ Other: <u> </u>		

APR 29 1995

8. **POSSIBLE CONTAMINATION SOURCES:**

Is there evidence of Chemigation? ☐ Yes ☒ No

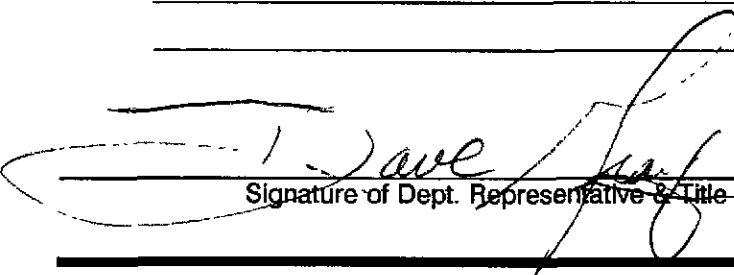
If yes, is there a check-valve present? ☐ Yes ☒ No

Is there a possible source of contamination nearby? ☐ Yes ☒ No

If yes, what Type? _____

How far away from the well is this source? _____

9. **REMARKS:** _____


Signature of Dept. Representative & Title

7/27/94
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

MAR 29 1995



View of WEN. Line 1
from the bottom of the shaft

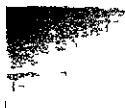
PHOTO ONE—

>

VIEW TO THE SOUTH



PHOTO TWO—



VIEW OF THE SYSTEM IN

USE.

PHOTO THREE-



>

VIEW TO THE NORTH FROM
THE CENTER OF THE AREA IN
NOTE THE DRAINAGE
THE AREA IS A
DRAINAGE



PHOTO FOUR-

November 4, 1993

LOWELL T CLAY
10185 PACK SADDLE
CASCADE ID 83611

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13407

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

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

Sincerely,

Karen L. Gustafson
Senior Secretary

c: IDWR - Region

RECEIVED

DEC 03 1993

September 30, 1993

LOWELL T CLAY
10185 PACK SADDLE
CASCADE ID 83611

PROOF DUE NOTICE

RE: PERMIT NO. 65-13407

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before December 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

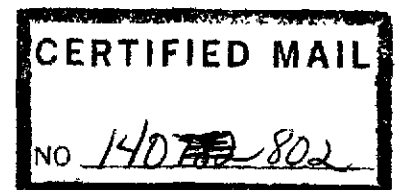
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental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

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

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures





State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 20, 1992

LOWELL T CLAY
10185 PACK SADDLE
CASCADE ID 83611

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 65-13407

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Enclosed is a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed is a form entitled "Proof of Beneficial Use". If your project is already completed you should complete and submit this form immediately.

Sincerely,

Brenda L. Miller

BRENDA L. MILLER
Water Resource Agent

BLM:cz

Enclosures

RECEIVED
DEC 09 1992

**NOTICE OF APPLICATION
FOR WATER RIGHT**

The Following application has been
filed to appropriate the public wa-
ters of the State of Idaho:

65-13407
CLAY, LOWELL T
10185 PACK SADDLE
CASCADE, ID 83611

Source: GROUNDWATER
Diversion Pt. SWSE Sec T 12N R
04E in VALLEY County
Use: IRRIGATION (100)
Total Diversion (100)

Date Filed: 8/24/1992

In: VALLEY County
T12N R04E S30 SWSE

5.0 ACRES TOTAL

The permits will be subject to all
prior water rights. Protests must be
filled with the Director, Dept of
Water Resources, Western Region,
2735 Airport Way, Boise, Idaho
83705 on or before OCTOBER 5,
1992.

R KEITH HIGGINSON, Director
Publish 9/16, 9/23 - #215

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1992.

R KEITH HIGGINSON, Director
Publish 9/16, 9/23 - #215

Affidavit of Publication

STATE OF IDAHO
COUNTY OF VALLEY

I, Mike Stewart, being duly sworn deposes and says, I am the
Publisher of The Advocate, a weekly newspaper published at
Cascade, in Valley County, Idaho; and having a general circulation
therein and of legal status in said county.

The winter rights appeal, a copy of
which is attached hereto; was published in said newspaper once
a week for 2 consecutive weeks in the regular and
entire issue of every number thereof during the period and time
of publication, and was published in the newspaper proper and
not in a supplement; and that publication of such notice began:

9-16, 1992,
and ended 9-23, 1992.

Mike Stewart

Michael Stewart

Signed this the 27th day of Sept, 1992

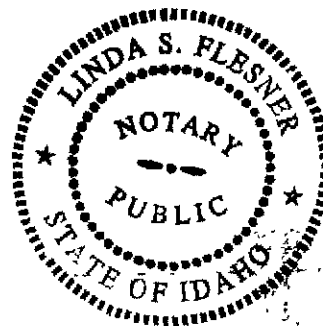
STATE OF IDAHO
COUNTY OF VALLEY

On this 27th day of Sept, 1992

before me the undersigned Notary Public in and for said State, personally
appeared Mike Stewart known to me to be the person(s) whose name(s) are
subscribed to the within instrument and acknowledged to me that they
executed the same.

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

Linda S. Flesner
Notary Public for Idaho
Residing at Cascade, Idaho



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region
2735 AIRPORT WAY

Boise, Idaho 83705
(208) 334-2190

SEPTEMBER 9, 1992

The Advocate
P.O. Box 1079
Cascade, ID 83611

Dear Legal Dept.:

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

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

Please send the affidavit of publication and publication billing to this office before OCTOBER 5, 1992.

Yours truly,

GAIL GARRETT
Secretary

Encl.

RECEIVED

DEC 09 1992

65-13407

CLAY, LOWELL T
10185 PACK SADDLE
CASCADE, ID 83611

Source: GROUNDWATER

Diversion Pt: SWSE Sec 30 T 12N R 04E in VALLEY County.

Use: IRRIGATION (.100 CFS)
Total Diversion: (.100 CFS)

Date Filed: 8/24/1992

In: VALLEY County
T12N R04E S30 SWSE

5.0 ACRES TOTAL

RECEIVED

DEC 01 1992