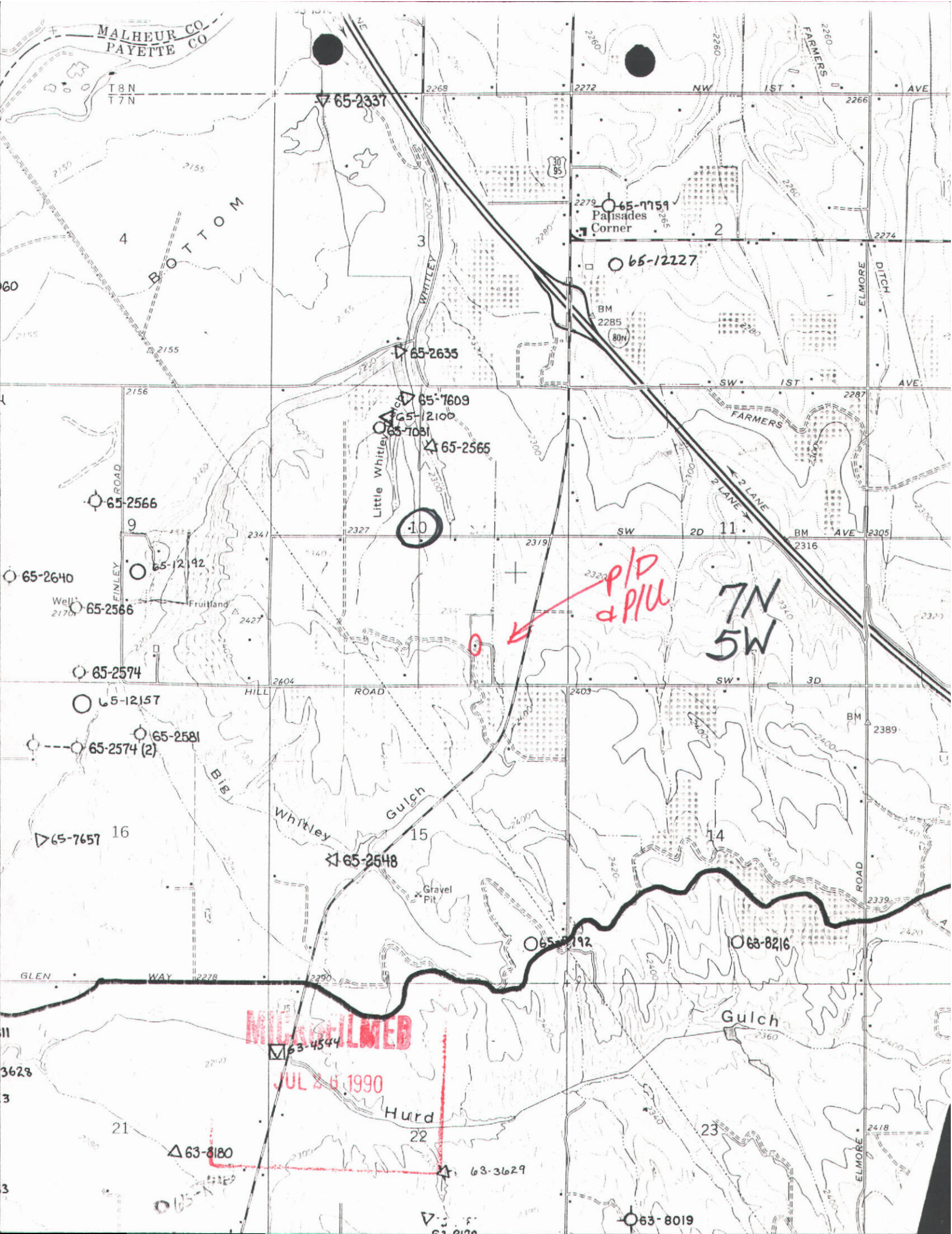




MALHEUR CO
PAYETTE CO

T8N
T7N

65-2337

65-7759
Paisades
Corner

65-12227

65-2635

65-7609

65-12106

65-7081

65-2565

Little Whitley

10

P/D
& P/U

7N
5W

65-2566

65-2640

Well
2170
65-2566

65-2574

65-12157

65-2581
65-2574 (2)

65-7657 16

65-2548

65-7192

65-8216

UNFILMED

JUL 26 1990

Hurd

63-8180

63-3629

63-8019



P/D



P/u

65-13190



cooler



Processing
Plant

65-13196

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-13190

Priority: March 19, 1990

Maximum Diversion Rate:

0.20 CFS

Maximum Diversion Volume:

4.2 AF

This is to certify, that FIRST INTERSTATE BANK OF OREGON
AGRI-BUSINESS DEPT
PO BOX 2971
PORTLAND OR 97208

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated March 5, 1990; and
has submitted Proof of Beneficial Use on August 15, 1991. An examination indicates
that the works have a diversion capacity of 0.200 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>
COMMERCIAL	01/01 to 12/31	0.20 CFS	1.8 AF
DOMESTIC	01/01 to 12/31	0.06 CFS	2.4 AF
	Totals	0.20 CFS	4.2 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 10, Township 07N, Range 05W
PAYETTE County

PLACE OF USE: COMMERCIAL

TWN RGN SEC

07N 05W 10 SWSE

PLACE OF USE:

DOMESTIC, same as COMMERCIAL use

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which 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. Commercial use is for an apple processing plant.
6. Domestic use is for 2 homes.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-13190

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 18TH
day of JULY, 1997.


Acting for KARL J. DREHER, Director

BEFORE THE DEPARTMENT OF WATER RESOURCES .

OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 65-13190 IN THE)
NAME OF FIRST INTERSTATE BANK OF OREGON) ORDER OF REINSTATEMENT
_____)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before August 1, 1991; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder that the permit lapsed for failure of the permit holder to submit the proof of beneficial use; and,

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

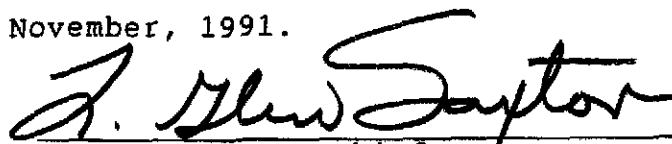
WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on August 15, 1991;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 65-13190 be REINSTATED and the priority advanced to March 19, 1990.

Dated this 1st day of November, 1991.

RECEIVED
NOV 20 1991


L. GLEN SAXTON, Chief
Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

RECEIVED
AUG 15 1991

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

Department of Water Resources

1. Permit No. 65-13190 Telephone No. (503) 225-3747
2. Name(s) of Permit Holder(s): First Interstate Bank of Oregon, N.A.
3. Post Office Address: Agribusiness Department, P.O. Box 2971
Portland, Oregon 97208
4. Source of Water: Groundwater
 - a. If ground water, well driller's name: _____ Date drilled: 1981 as per permit
 - b. Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____
5. Extent of Use:

Domestic <u>2</u> (No. of households)	Irrigation _____ (No. of acres)
Stockwater _____ (No. and type of stock)	Other <u>Commercial- apple processing plant</u>
6. Total rate and/or volume for which proof is submitted 0.90 cfs _____ acre/feet
7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device:	Required? <u>Yes</u> ☒ No	Installed? <u>Yes</u> ☒ No
OR		
Flow Measurement Port:	Required? <u>Yes</u> ☒ No	Installed? <u>Yes</u> ☒ No
8. Fee Enclosed: \$ 100.00 (See License Examination Fee Schedule)
9. Person to contact to accompany the Department representative during the field examination:

<u>Michael S. Macnab</u>	<u>(503) 225-3747</u>
Name	Telephone No
<u>First Interstate Bank of Oregon, N.A., Agribusiness Department</u>	
<u>P.O. Box 2971, Portland, Oregon 97208</u>	
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

NOV 20 1991

July 31, 1991
Date

First Interstate Bank of Oregon, N.A.
By: Michael S. Macnab, Assistant Vice President
Signature (and title if on behalf of a company or organization)



**First
Interstate
Bank**

NOV 26 1988

Michael S. Macnab

Assistant Vice President
Senior Agribusiness Manager



**First Interstate Bank
of Oregon, N.A.**

Agribusiness Management
and Advisory Services
1300 S W Fifth Avenue
P O Box 2971
Portland, OR 97208-0041
503 225-3747

State of Idaho

Department of Water Resources

ASSIGNMENT OF PERMIT

RECEIVED

JUL 31 1991

Department of Water Resources

1. Tim Syme for Rome Tens hereby assign to First Interstate Bank of Oregon, N.A.,
of Agribusiness Department, P.O. Box 2971, Portland, Oregon 97208
Address

All my right, title, and interest in and to Permit No. 65-13190
to appropriate the public waters of the State of Idaho.

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

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

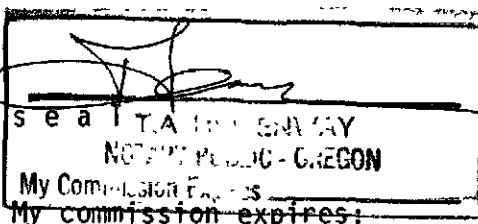
Made this 22 day of July, 19 91.

Rome Tens for Tim Syme
Permit Holder

Spouse of Permit Holder

Oregon
State of Idaho)
County of Madison) SS

On this 22 day of July, 19 91, 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 _____

NOV 20 1991

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 65-13190

Proposed Priority: March 5, 1990 Maximum Diversion Rate: 0.90 CFS

This is to certify, that **POMME TERRE INC.**
1852 S.W. 3RD AVE.
FRUITLAND, ID 83619

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>
COMMERCIAL	01/01 to 12/31	0.84 CFS
DOMESTIC	01/01 to 12/31	0.06 CFS
	Totals	0.90 CFS

LOCATION OF POINT(S) OF DIVERSION: SWSE Sec. 10, Township 07N, Range 05W
PAYETTE County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

07N 05W 10 SWSE

PLACE OF USE: DOMESTIC, same as COMMERCIAL use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **August 1, 1991**.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Commercial use is for an apple processing plant.
5. Domestic use is for two homes.

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

13th day of July, 19 90

[Signature]
for R. Keith Higginson, Director

MICROFILMED

JUL 26 1990

Ident. No. 65-13190

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: POMME TERRE, INC. 208-452-4566
Address: 1852 S.W. 3RD AVE.
FRUITLAND, ID 83619

2. Source: GROUNDWATER

Trib. to:

3. Location of Point of Diversion: SWSE Sec. 10, Township 07N, Range 05W
PAYETTE County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
COMMERCIAL	01/01	12/31	0.840		
DOMESTIC	01/01	12/31	0.060		

5. Total quantity appropriated is:
0.900 CFS (and/or) AF

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc.
WELL, PUMP & PIPELINE.

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.

c. Proposed well diameter is 12 inches; proposed depth of well is 200
feet.

d. Is groundwater with a temperature greater than 90F being sought? NO

7. Time required for the completion of the works and application of
the water to the proposed beneficial use is 1 years.

8. Description of proposed uses:

COMMERCIAL USE AT APPLE PROCESSING PLANT. DOMESTIC USE FOR TWO HOMES.

9. Place of Use: COMMERCIAL

TWN RGE SEC
07N 05W 10

SWSE

Place of Use: DOMESTIC, same as COMMERCIAL use

10. Describe any other water rights used for the same purposes.
65-4820, 65-6728.

MICROFILMED

APR 19 1967

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

12. Remarks: Well was drilled in 1981.

13. Map of proposed point of diversion and place of use attached? ☒

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.

X *Herbert H. Hume*
Applicant *President*

Received by *YB. kw* Date *3/6/90* Time *2:00 pm* Preliminary check by *GD*
3/5/90 *10:05*

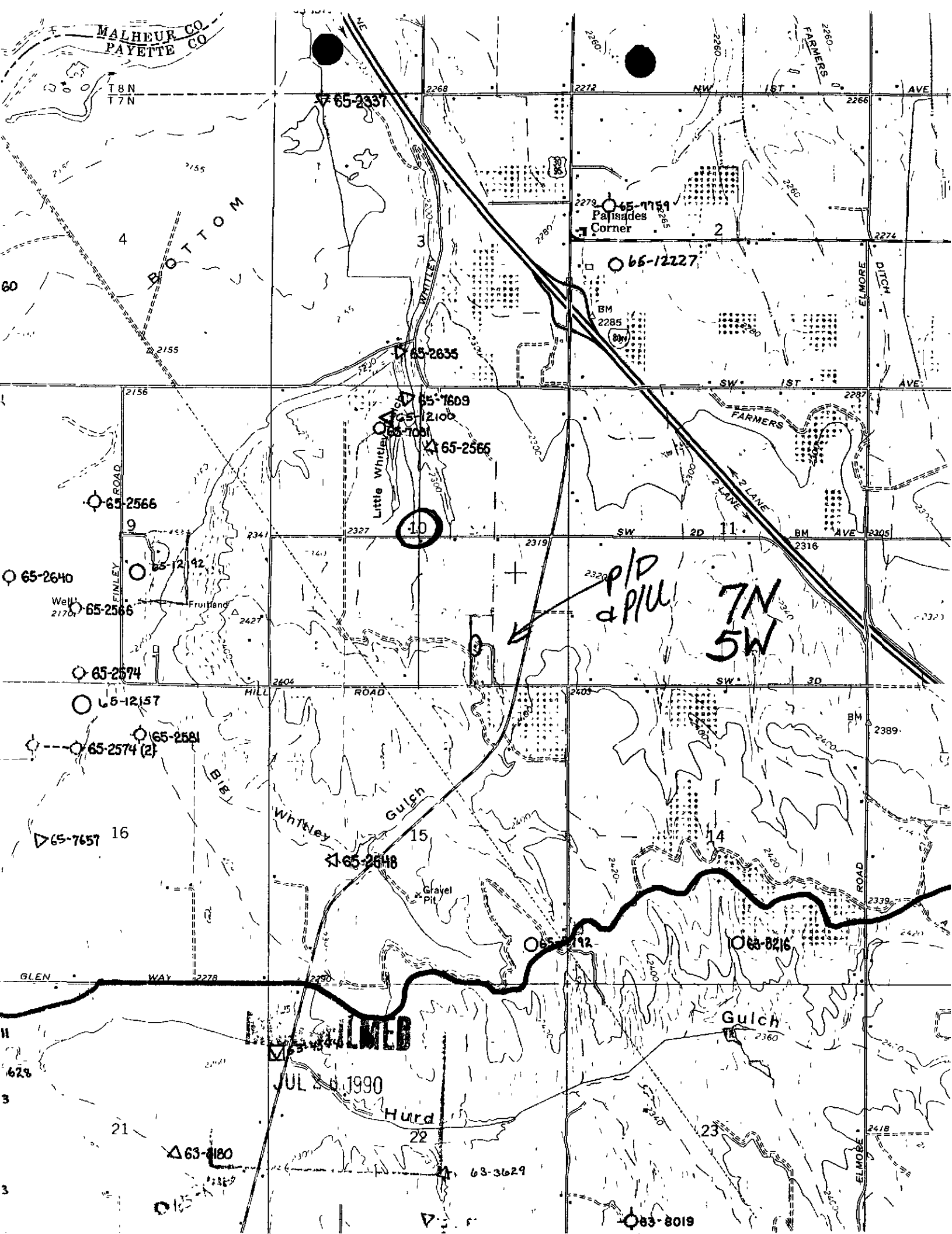
Fee \$ *45.00* Receipted by *kw* # *C015299* Date *3/5/90*

Publication prepared by GG Date *3-28-90* Published in Independent Enterprise
4/5 & 4/12/90

Publication approved *st* Date *5-3-90*

MICROFILMED

JUL 26 1990



Officers of Pomme Terre, Inc.

Kenneth Syme, President
1300 SW 3rd Ave.
Fruitland, Id. 83619

Ben Syme, Vice President
11110 Wampus
Boise, Id.

Gune Syme, Secretary
1300 SW 3rd Ave.
Fruitland, Id. 83619

MICROFILMED

JUL 26 1990

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

ss.

Copy of Notice

(First Copy)

Appla for Water Right
TITLE OF PUBLICATION
(Within Pomme Terre)
SPONSOR OF PLAINTIFF
Dept. of Water Resources
PLAINTIFF OR LEGAL AGENT

J. Dorothy Mason, being
duly sworn, deposes and says:

That she is the principal clerk of
THE INDEPENDENT-ENTERPRISE, a weekly newspaper published
at Payette, in the County of Payette and State of Idaho; that said
paper has been and is in general circulation in the county
aforesaid, and in the vicinity of Payette; that the advertisement,
a copy of which is attached hereto, was published in said
newspaper once a week for two consecutive weeks in
the regular and entire issue of said paper during the period and
time of publication, and was published in the newspaper proper
and not a supplement; that said paper has been established and
regularly published for more than seventy-eight consecutive
weeks prior to the date of first publication of said advertisement.

Such notice was published in the issue beginning with
April 4, 1990, and ending with the issue
of April 11, 1990.

STATE OF IDAHO
COUNTY OF

On this 12 day of Apr. in the year of 1990 before me,
a Notary Public, personally appeared Dorothy Mason
known or identified to me to be the person whose name
subscribed to the within instrument, and being by me first duly
sworn, declared that the statements therein are true, and
acknowledged to me that he executed the same.

Margaret Rhinehart
Notary Public for Idaho

Residing at Frutland

My commission expires: 11-28-92

STATEMENT

Independent-Enterprise

PAYETTE, IDAHO

Number of Lines 51
Number of Insertions two
51 Lines @ 90 ... \$ 45.90
51 Lines @ 72 ... \$ 36.72
TOTAL COST
WILL BE \$ 82.62

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to
appropriate the public waters of the State of Idaho
63-11126

WILKINSON, RAY
WILKINSON, DIANE
26890 PEARL RD.
PARMA, ID 83660
Source: GROUNDWATER
Diversion Pt: LOT 3 (NWSW) Sec 22 T 06N R 05W
LOT 4 (SWSW) Sec 22 T 06N R 05W
Use: IRRIGATION (1.600 CFS)
COMMERCIAL (0.040 CFS)
Total Diversion: (1.640 CFS)
Date Filed: 2/8/1990
In: T06N R05W S22 Lot 3 (NWSW) Lot 4 (SWSW)
80.0 ACRES TOTAL

65-13190
POMME TERRE INC.
1852 S.W. 3RD AVE.
FRUITLAND, ID 83619
Source: GROUNDWATER
Diversion Pt: SWSE Sec 10 T 07N R 05W
Use: COMMERCIAL (1.840 CFS)
DOMESTIC (0.060 CFS)
Total Diversion: (.900 CFS)
Date Filed: 3/5/1990
In: T07N R05W S10 SWSE

65-13191
POMME TERRE INC.
1852 S.W. 3RD AVE.
FRUITLAND, ID 83619
Source: SPRING Tributary: BIG WHITLEY GULCH
WASTE WATER BIG WHITLEY GULCH
UNNAMED STREAM BIG WHITLEY GULCH
Diversion Pt: NWSENE Sec 16 T 07N R 05W
Use: IRRIGATION (1.000 CFS)
STOCKWATER (0.050 CFS)
Total Diversion: (1.000 CFS)
Date Filed: 3/5/1990
In: T07N R05W S15 SWNW
S16 SENE
50.0 ACRES TOTAL

The permit(s) will be subject to all prior water
rights. Protests must be filed with the Director,
Dept. of Water Resources, Western Region, 2735 Air-
port Way, Boise, Idaho 83705 on or before APRIL 23,
1990.

R. KEITH HIGGINSON, Director
No. 38 April 4, 11

MICROFILMED

Department of Water
Western Regional Office



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

June 2, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DALTON J SURMEIER
DONNA J SURMEIER
1610 W SECOND AVENUE
FRUITLAND ID 83619

Re: Water Right 65-13190

Dear Mr & Mrs Surmeier:

The water right listed above has recently been licensed in the name of First Interstate Bank of Oregon. Upon receipt of the license the bank, which is now known as Wells Fargo Bank (the Bank), wrote to advise us that the farmland which is located within the described water right was sold by the Bank to you in May 1992. The Bank also sent a copy of the recorded Grant Deed (a copy of which is enclosed for your information).

I have included a Notice of Change of Water Right Ownership form and a notice to water right owners (blue paper) for your convenience and information. Please complete the Change of Ownership form and return it to this office at your earliest convenience. Receipt of this completed form will be a confirmation that the information received from the Bank is correct and the database records can then be updated.

If you have any questions regarding this matter please call me at (208) 327-7941.

Sincerely,

A handwritten signature in cursive script, reading 'Kari Lynn Townsend'.

Kari Lynn Townsend
Secretary

/k

Enclosures



RECEIVED
JUL 28 1997
Department of Water Resources

Private Client Services Group
Real Estate & Specialty Assets
P O Box 3075, Mac 6101-108
Portland, OR 97208-0041
(503) 225-2376

25 July, 1997

Ms. Shelley W. Keen
Water Rights Supervisor
Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098

Subject: Water Right No. 65-13190

Dear Ms. Keen:

Wells Fargo Bank, N.A., formerly known as First Interstate Bank of Oregon, N.A., is in receipt of your July 21, 1997 letter concerning the above referenced water right. The water right is located within the following described lands: "Southwest Quarter of the Southeast Quarter, Section 10, Township 7 North, Range 5 West, BM, Payette County, Idaho".

The farmland which is located within the described water right was sold by the Bank to Dalton J. and Donna J. Surmeier in May 1992. Their mailing address is: 1610 S.W. Second Avenue, Fruitland, Idaho 83619. Enclosed is a copy of the recorded Grant Deed.

Cordially,

Michael S. Macnab
Vice President
Private Client Services/Agribusiness
(503)225-3747

MSM:jli

COPY

GRANT DEED

FOR VALUE RECEIVED, FIRST INTERSTATE BANK OF OREGON,
N.A., (hereinafter GRANTOR) does by these presents grant and
convey unto ^{DS} DALTON J. SURMEIER, SR. & ^{DS} DONNA J. SURMEIER, Husband & Wife
1610 S.W. 2nd Ave., Fruitland, ID 83619
(hereinafter GRANTEES) the real property situated in the COUNTY
OF PAYETTE, STATE OF IDAHO, as more particularly described on
Exhibit "A" attached hereto and by this reference incorporated
herein.

TOGETHER WITH any and all tenements, hereditaments, and
appurtenances thereto belonging or in any way appertaining to the
property,

SUBJECT TO any and all easements, rights-of-way or
restrictions of record or which would be apparent upon inspection
of the property, and the exceptions, provisions and reservations
contained in patents or deeds from the United States of America,
or the State of Idaho, or in other deeds of record.

TO HAVE AND TO HOLD the same unto the GRANTEES and to
their successors and assigns forever.

GRANTOR does hereby covenant that GRANTOR has not
conveyed title to the property to anyone other than GRANTEE and
that the property is free from encumbrances done, made or
suffered by GRANTOR or any persons claiming under it. Provided,
however, that neither this express covenant nor any implied
covenant applies to any water rights or water wells located on or
appurtenant to the property.

The current address of the GRANTEES is: 1610 S.W. 2nd Ave., Fruitland, Idaho 83619.

PROVIDED, HOWEVER, THAT GRANTOR SELLS THE PROPERTY REFERENCED IN THIS DEED AND ANY IMPROVEMENTS ON THE PROPERTY IN 'AS IS' CONDITION. BY ACCEPTING THIS DEED, GRANTEES ACKNOWLEDGE THAT GRANTOR HAS MADE NO REPRESENTATIONS OR WARRANTIES CONCERNING THE PROPERTY EXCEPT THE LIMITED WARRANTY OF TITLE IMPLIED BY USE OF THE TERM "GRANT" ABOVE, THAT GRANTEES HAVE BEEN ADVISED BY GRANTOR TO HAVE THE PROPERTY INSPECTED BY PROFESSIONAL INSPECTORS, THAT GRANTEES HAVE CONDUCTED EVERY INSPECTION OF THE PROPERTY THAT GRANTEES DESIRE TO MAKE, AND THAT GRANTEES ACCEPT THE PROPERTY WITH EVERY DEFECT, EVEN IF THE DEFECT IS LATENT AND/OR MATERIAL.

IN WITNESS WHEREOF, this Grant Deed has been duly executed by and on behalf of GRANTOR this 30 day of ^{April}~~May~~, 1992.

FIRST INTERSTATE BANK OF OREGON,
N.A.

By [Signature]
Its EXECUTIVE VICE PRESIDENT
By [Signature]
Its [Signature]

STATE OF OREGON)

County of Multnomah ss.

On this 30th day of April, 1992, before me,
CATHERINE D BENTHIN, a Notary Public in and for said
 State, personally appeared WM DAVIDSON and
GEORGE A. WILSON, known or identified to me to be the
EXEC VICE PRES and the ASSISTANT VICE PRES of
 FIRST INTERSTATE BANK OF OREGON, N.A., the corporation that
 executed the within instrument or the persons who executed the
 instrument on behalf of said corporation, and acknowledged to me
 that such corporation executed the same.

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

C D Benthin
 Notary Public for Oregon
 Residing at Portland, Oregon
 My commission expires 9/16, 1994

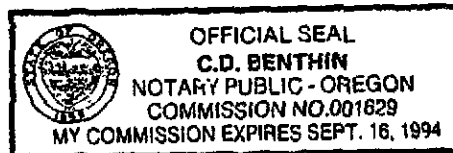


EXHIBIT ATITLE "A":

Land in Twp. 7 N. R. 5 W., B.M., Payette County, Idaho:

In Sec. 10: SW $\frac{1}{4}$ SE $\frac{1}{4}$; and

That portion of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ described as follows:
Beginning at the Northeast corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$;
thence West along the North line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ a
distance of 285 feet;
thence Southeasterly in a straight line to a point on
the South line of said SE $\frac{1}{4}$ SW $\frac{1}{4}$ 200 feet West of the
Southeast corner thereof;
thence East along said South line to the Southeast
corner of said SE $\frac{1}{4}$ SW $\frac{1}{4}$;
thence North along the East line of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ to the
Point of Beginning.

TITLE "B":

Land in Twp. 7 N. R. 5 W., B.M., Payette County, Idaho:

In Sec. 15: A parcel of land in the NW $\frac{1}{4}$ NE $\frac{1}{4}$, more particularly
described as follows:

Commencing at the Northwest corner of said NW $\frac{1}{4}$ NE $\frac{1}{4}$;
thence South along the West side line 170 feet;
thence in a Southeasterly direction 533 feet to the
lowest point of a natural draw, and the TRUE POINT
OF BEGINNING;
thence continue in a Southeasterly direction along
said natural draw to a point on the South side line
of said NW $\frac{1}{4}$ NE $\frac{1}{4}$, said point being 400 feet West of
the Southeast corner of said NW $\frac{1}{4}$ NE $\frac{1}{4}$;
thence North 510 feet;
thence in a Southeasterly direction 525 feet to a
point on the East side line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$, said
point being 225 feet North of the Southeast corner
of said NW $\frac{1}{4}$ NE $\frac{1}{4}$;
thence North along the East side line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$
to the Northeast corner thereof;
thence West along the North side line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$
to a point 323 feet West of the Northwest corner of
said NW $\frac{1}{4}$ NE $\frac{1}{4}$;
thence in a Southerly direction 510 feet, more or
less, to the Point of Beginning.

EXCEPTING THEREFROM the following described parcel of
land:

Commencing at the Northeast corner of said Sec. 15;
thence S. 89°49' W. along the North line of said Sec.
15 a distance of 1333.42 feet to the Northeast
corner of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ and the TRUE POINT OF
BEGINNING;
thence S. 0°19' E. along the East line of the NW $\frac{1}{4}$ NE $\frac{1}{4}$
1102.26 feet to a point which is 225.00 feet North
of the Southeast corner of said NW $\frac{1}{4}$ NE $\frac{1}{4}$;
thence S. 89°47' W. 18.55 feet to the center of an
irrigation ditch;
thence N. 43°52'43" W. along the center of an
irrigation ditch 202.70 feet;

(CONTINUED)

thence N. 12°15'00" W. along said ditch 320.33 feet;
 thence N. 25°09'48" W. along said ditch 87.61 feet;
 thence N. 51°18'32" W. along said ditch 119.04 feet;
 thence N. 27°43'31" W. along said ditch 98.98 feet;
 thence N. 9°28'17" W. along said ditch 44.34 feet;
 thence N. 37°30'27" E. along said ditch 40.51 feet;
 thence N. 73°06'45" E. along said ditch 192.13 feet;
 thence N. 32°30'03" E. along said ditch 38.79 feet;
 thence N. 27°26'52" W. along said ditch 181.43 feet;
 thence N. 53°44'17" W. along said ditch 80.87 feet;
 thence N. 1°33'06" W. along said ditch 27.57 feet to a
 point on the North line of said Sec. 15;
 thence N. 89°49' E. along said North line 324.67 feet
 to the True Point of Beginning.

AND FURTHER EXCEPTING THEREFROM that portion conveyed
 to the State of Idaho for Highway purposes by Deed
 recorded September 23, 1930, Fee #26913, Deed Records
 of Payette, County, Idaho.

TITLE "C":

Land in Twp. 7 N. R. 5 W., B.M., Payette County, Idaho:

In Sec. 15: The NW¼NW¼, EXCEPTING THEREFROM the following:

Beginning at the Northwest corner of Sec. 15;
 thence East 236 feet, along the North side line of
 said Sec. 15;
 thence South 535 feet;
 thence Southwest 318 feet to the West side line of
 said Sec. 15, to a point 750 feet South of the
 point of beginning;
 thence North 750 feet to the Point of Beginning.

FURTHER EXCEPTING THEREFROM the following:

Beginning at the Southeast corner of the NW¼NW¼, of
 said Sec. 15, at a point which bears N. 89°45' E.
 1341.2 feet and N. 0°01' W. 1324.9 feet from the
 West Quarter corner of said Sec. 15;
 thence S. 89°35' W. along the South line of said
 NW¼NW¼ 670.6 feet;
 thence N. 0°01' W. 369.84 feet;
 thence N. 89°35' E. 670.6 feet to a point in the East
 line of said NW¼NW¼;
 thence S. 0°01' E. along said East line 369.84 feet to
 the Point of Beginning.

TITLE "D":

Land in Twp. 7 N. R. 5 W., B.M., Payette County, Idaho:

In Sec. 15: A parcel of land in the NW¼NW¼, more particularly
 described as follows:

Beginning at the Northwest corner of Sec. 15;
 thence East 236 feet, along the North side line of
 said Sec. 15;
 thence South 535 feet;
 thence Southwest 318 feet to the West side line of
 said Sec. 15, to a point 750 feet South of the
 point of beginning;
 thence North 750 feet to the Point of Beginning.

(CONTINUED)

CONTINUATION OF EXHIBIT ATITLE "E":

Land in Twp. 7 N. R. 5 W., B.M., Payette County, Idaho:

In Sec. 15: The NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ and the S $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$, EXCEPTING THEREFROM the following:

Beginning at a point in the South line of the SW $\frac{1}{4}$ NW $\frac{1}{4}$, which point bears N. 89°45' E. 670.6 feet from the West Quarter corner of said Sec. 15;
thence N. 0°01' W. 661.48 feet;
thence N. 89°40' E. 670.6 feet, more or less, to a point in the East line of said SW $\frac{1}{4}$ NW $\frac{1}{4}$;
thence S. 0°01' E. along said East line a distance of 662.45 feet, more or less, to the Southeast corner of said SW $\frac{1}{4}$ NW $\frac{1}{4}$;
thence S. 89°45' W. 670.6 feet, more or less, to the Point of Beginning.

TITLE "F":Parcel I:

Land in Twp. 7 N. R. 5 W., B.M., Payette County, Idaho:

In Sec. 16: The NW $\frac{1}{4}$ NE $\frac{1}{4}$, EXCEPTING THEREFROM the following described parcel of land:

Beginning at a point 578 feet West of the Southeast corner of said NW $\frac{1}{4}$ NE $\frac{1}{4}$;
thence Northwesterly in a straight line to a point 472 feet South and 400 feet East of the Northwest corner of said NW $\frac{1}{4}$ NE $\frac{1}{4}$;
thence West 400 feet to the West line of said NW $\frac{1}{4}$ NE $\frac{1}{4}$ at a point 472 feet South of the Northwest corner thereof;
thence South to the Southwest corner of said NW $\frac{1}{4}$ NE $\frac{1}{4}$;
thence East to the Point of Beginning.

ALSO,

The N $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, EXCEPTING THEREFROM the following described parcel of land:
Commencing at the Northwest corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$;
thence South along the West side line of said N $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ 300 feet to the TRUE POINT OF BEGINNING;
thence South along said West side line 360 feet;
thence East and parallel to the North side line of said N $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ 530 feet;
thence in a Northwesterly direction in a straight line 640.7 feet, more or less, to the Point of Beginning.

Parcel II:

Land in Twp. 7 N. R. 5 W., B.M., Payette County, Idaho:

In Sec. 16: A parcel of land in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, more particularly described as follows:

Beginning at a point 220 feet North of the Southeast corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$;
thence in a Northwesterly direction in a straight line to a point on the North side line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$, said point being 578 feet West of the Northeast corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$;
thence East to the Northeast corner of said SW $\frac{1}{4}$ NE $\frac{1}{4}$;
thence South along the East side line of said SW $\frac{1}{4}$ NE $\frac{1}{4}$ to the Point of Beginning.

(CONTINUED)

CONTINUATION OF EXHIBIT AALSO,

A parcel of land in the S $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, more particularly described as follows:

Commencing at the Southeast corner of said SE $\frac{1}{4}$ NE $\frac{1}{4}$;
thence North along the East side line of said SE $\frac{1}{4}$ NE $\frac{1}{4}$

100 feet to the TRUE POINT OF BEGINNING;

thence continue North along said East side line 560 feet;

thence West and parallel to the North side line of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ 790 feet;

thence Southeasterly in a straight line 968.4 feet, more or less, to the Point of Beginning.

ALSO,

The NE $\frac{1}{4}$ NE $\frac{1}{4}$.

* * * *

238782

State of Idaho, County of Payette

I certify that this instrument was filed for record at the request of Land Title Insurance Company

May 4, 1992 10:30 AM, in book 48 reads @ PG 238782

Laura L. Stigile, Ex-Officio recorder by Artie Pharis, Deputy

Fec. \$21.00



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

July 21, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

FIRST INTERSTATE BANK OF OREGON
AGRIBUSINESS DEPT
PO BOX 2971
PORTLAND OR 97208

RE: WATER RIGHT NO. 65-13190

Dear Water Right Holder(s):

The Department of Water Resources (the Department) has issued the enclosed license confirming that a water right has been established in accordance with the permit referenced above. The license is a preliminary order issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

Sincerely,

A handwritten signature in cursive script that reads "Shelley W. Keen". The signature is written in dark ink and is positioned above the typed name.

Shelley W. Keen
Water Rights Supervisor

SK:klt

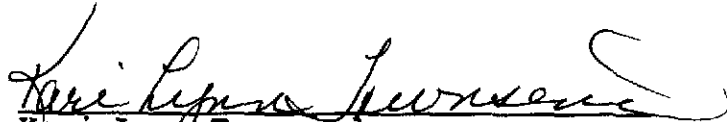
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 21st day of July, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved License) to the person(s) listed below:

Water Right No. 65-13190

FIRST INTERSTATE BANK OF OREGON
AGRIBUSINESS DEPT
PO BOX 2971
PORTLAND OR 97208


Kari Lynn Townsend
Secretary

LICENSE REVIEW CHECKLIST

PERMIT NO. 65-13190

DATE 6/10/97

REVIEWER: SHARLA

NAME Change OK

Address Change 1st Interstate is still
it holder of record

SOURCE

Is change clarification of originally intended source?

POINT OF DIV

If not, prepare Notice of Intent to Void

Amendment required NO

PLACE OF USE

Amendment required NO

Does map agree with written description? ✓ yes no

OVERLAPS P/D P/U

RATE OF DIV

Permitted Rate .90 cfs

Fee limit 1.0 cfs \$100⁰⁰

Measured .20 cfs pump curves

Theoretical .14 cfs .07 ea pump @ 160' lift and 40 psi

Recommended Total Div Rate 20 cfs

ANNUAL VOLUME/

NATURE OF USES

Use

Comm
Dom.

Volume Calculation

1.8 af as calc-

2 x 1.2 = 2.4 af by examines

 af

 af

SUBTOTAL 4.2 af

Flow rate .20 cfs X 365 days X 1.98% = 144.5 af

Total volume recommended af

(SUBTOTAL or Flow Rate, whichever is less)

REMARKS

C/apple pur. plant
D/2 homes

CONDITIONS

 Watermaster Control WD#

 GW Measurement/Measuring Device

 Overlap

 Use-specific conditions

Advancement of Priority Date Required yes ✓ no

SRBA Claim Filed N/A

Adjustment Memo

1st Amend Letter

2nd Amend Letter

RECEIVED

FEB 04 1997

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 65-13190

1. Owner: John & Donna Sumner Phone No. 452-4294

Current Address: 1610 SW 2nd Ave, Fruitland 83619

2. Accompanied by: John EXAM DATE: 5/7/96

Address: same Phone No. _____

Relationship to Permit Holder: Current owners

3. Source: Ground Water tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 65-04820, -06728

2. Other water rights with the same point of diversion: _____

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

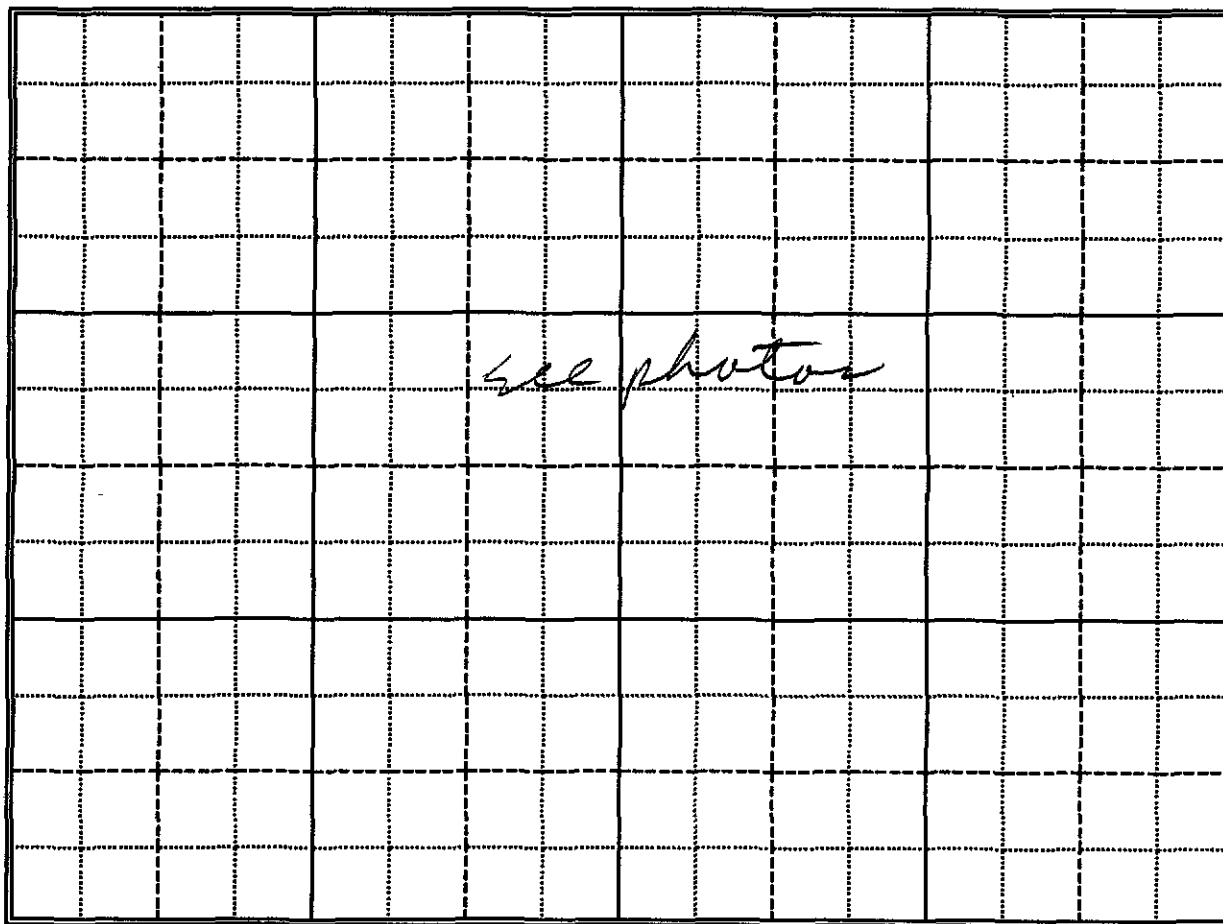
[illegible]

2. Place(s) of Use:

Indicate Method of Determination

[illegible]

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



Scale: 1" = _____

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

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

☐ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Berkeley	3	8111683		
	"	3	8111709		

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

2 pumps, same well
Per Dick D Geomors Supply: System can utilize
both pumps at same time, but would normally
operate with just one.
(Dick installed the pumps)

E. NARRATIVE/REMARKS/COMMENTS

A 12" well equipped with two 3 HP pumps supplies water to two homes and an apple processing plant. The pumps have a capacity of 47 GPM each and can operate at the same time. Ground water is pumped from the well into a 10,000 gallon buried holding tank located ~50' south of the well. A 3" mainline off the holding tank is then used to supply domestic and commercial uses.

The majority of the commercial use occurs in Sept & Oct during apple harvest. Beyond that, commercial use primarily consists of using the GW to keep the refrigerator coils defrosted and the compressor cool for the apple storage. This occurs from Sept to March, and uses ~5000 GPD, however ~2500 GPD of that can be recycled throughout the system.

Overlaps involve separate wells and systems for domestic use. No other water is used for the processing plant.

Current owners requested a change in ownership form sent to them once this permit is licensed

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

pump curve

F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method:

per pump curve: 47 BPM pumping capacity/pump
47 BPM = .10 cfs x 2 = .20 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

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

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

2. Volume Calculations for Other Uses:

coils + compressor: 2500 GPD x 181 days/yr / 325850 = 1.4 afa

Floater tank: 1500 GPD x 61 days/yr / 325850 = .3

employees: 30 emp x 25 GPD/emp x 61 days/yr / 325850 = .1

int/ext dom use: 2.4 afa

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
<i>Commercial</i>	<i>1/1</i>	<i>12/31</i>	<i>.20</i>	<i>1.8</i>
<i>Domestic</i>	<i>1/1</i>	<i>12/31</i>	<i>.06</i>	<i>2.4</i>
Totals:			<i>.20 cfs</i>	<i>4.2 afa</i>

2. Recommended Amendments

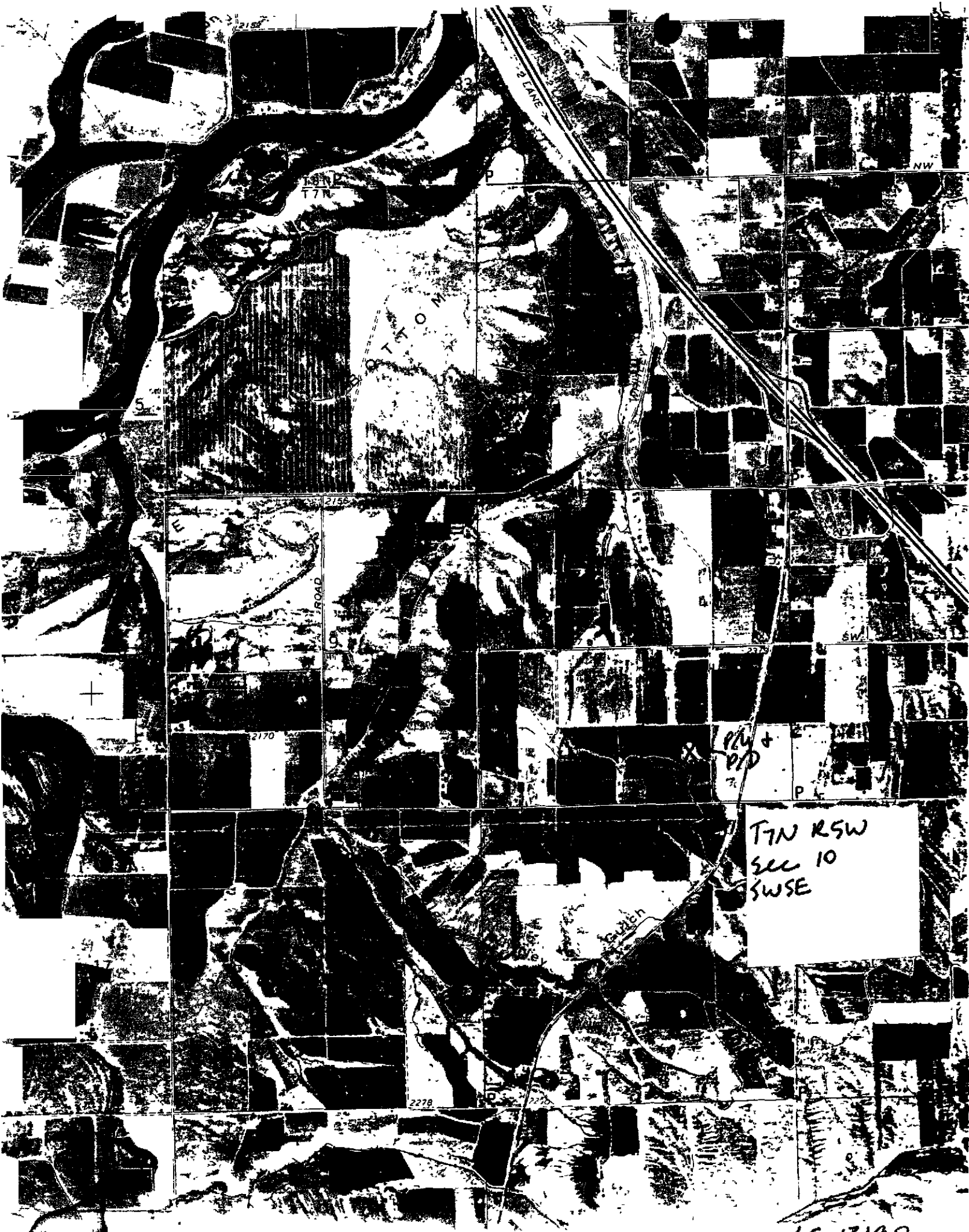
☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

I. AUTHENTICATION

Field Examiner's Name *Loi Brewer* Date *1/8/97*

Reviewer _____ Date _____

SEAL



T7N R5W
Sec 10
SWSE

65-13190

IDAHO DEPARTMENT OF WATER RESOURCES

WELL INSPECTION FORM

1. DRILLING PERMIT NO: _____ OTHER APPLICABLE NO: 63-13190

2. OWNER: John Surzmeier Phone: 452-4294
Address: Fruitland

3. WELL LOCATION: Twp 7N, Rge. 5W, Sec. 10, SW 1/4 SE 1/4
County Payette (Provide sketch map and photo on reverse.)

4. DRILLER: Page Bros Lic. No. 225
When Drilled? 3/25/81

5. WELL CONSTRUCTION:

Casing Diameter 12 inches Water tight cap? ☐ Yes ☒ No Access Port: ☒ Yes ☐ No
Casing $\geq$ 12 inches above ground? ☒ Yes ☐ No - Describe _____
Depth of Casing 171 ft. Method Drilled Rotary
Condition of Well Casing: ☐ Good ☒ Fair ☐ Poor Describe _____
Control Valve? ☐ Yes ☒ No Pressure Gauge: ☐ Yes ☐ No
Condition of Piping and Valving _____
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 84 ft. Water Temperature 52 °F
Flowing Artesian ☐ Yes ☒ No Pressure: _____ (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: Commercial - apple processing plant

* see reverse

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:

Well temporarily not sealed due to pump work being done. Owner aware that water tight cap required once work is completed. See photo


Signature of Dept. Representative & Title

5/2/96
Inspection Date

PHOTOS, DRAWINGS, OTHER ATTACHMENTS:

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30
days after the completion or abandonment of the well.

1. WELL OWNER

Name KENNETH SYLLIS
Address RT 1 BOX 163 - FRUITLAND, IDAHO
Owner's Permit No. _____

2. NATURE OF WORK

- ☒
- New well
- ☐
- Deepened
- ☐
- Replacement
-
- ☐
- Abandoned (describe method of abandoning) _____

3. PROPOSED USE

- ☐
- Domestic
- ☒
- Irrigation
- ☐
- Test
- ☐
- Other (specify type) _____
-
- ☐
- Municipal
- ☐
- Industrial
- ☐
- Stock
- ☐
- Waste Disposal or Injection

4. METHOD DRILLED

- ☐
- Cable
- ☒
- Rotary
- ☐
- Dug
- ☐
- Other

5. WELL CONSTRUCTION

Diameter of hole 12 inches Total depth 200 feetCasing schedule: ☒ Steel ☐ Concrete

Thickness	Diameter	From	To
<u>.250</u> inches	<u>12</u> inches	<u>+ 1</u> feet	<u>171</u> feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☒ Yes ☐ NoWas a packer or seal used? ☐ Yes ☒ NoPerforated? ☐ Yes ☒ NoHow perforated? ☐ Factory ☐ Knife ☐ Torch

Size of perforation _____ inches by _____ inches

Number	From	To
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ No

Manufacturer's name _____

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

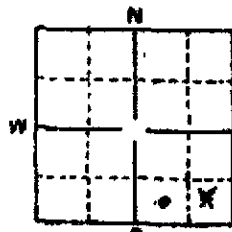
Gravel packed? ☐ Yes ☒ No Size of gravel _____

Placed from _____ feet to _____ feet

Surface seal depth 25 Material used in seal ☒ Cement grout☐ Pudding clay ☐ Well cuttingsSealing procedure used ☐ Sherry pit ☒ Temporary surface casing☐ Overbore to seal depth

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County _____

PAYETTE

SW 1/4 Sec. 10 T. 7 S. R. 5 E. 10

7. WATER LEVEL

Static water level 84 feet below land surfaceFlowing? ☐ Yes ☒ No G.P.M. flow _____Temperature 52 ° F. Quality _____

Artesian closed-in pressure _____ p.s.i.

Controlled by ☐ Valve ☐ Cap ☐ Plug

8. WELL TEST DATA

- ☐
- Pump
- ☐
- Bailor
- ☒
- Other AIR TEST

Discharge G.P.M.	Draw Down	Hours Pumped
<u>400</u>	<u>Stem at 160</u>	<u>2</u>
_____	_____	_____
_____	_____	_____

9. LITHOLOGIC LOG

Hole Diam.	Depth		Material	Water	
	From	To		Yes	No
12"	0	12	Top Soil		X
	12	20	Sandy Clay		X
	20	22	Caliche		X
	22	44	Brown Sandy Clay		X
	44	110	Stroke Brown Sand	X	
	110	120	Sand & Small Gravel		X
	120	127	Brown Clay		X
	127	130	Hard Brown Clay		X
	130	134	Blue Clay		X
	134	138	Sand		X
	138	154	Sandy Brown Clay		X
	154	168	Sand		X
	168	172	Blue Clay		X
	172	200	Sand		X

RECEIVED

MAR 30 1981

Department of Water Resources
Western Regional Office

MAY 8 1981

Department of Water Resources

10.

Work started 3/23/81 finished 3/25/81

11. DRILLERS CERTIFICATION

Firm Name PAGE PROS DRILLING Firm No. 225Address RT 2 BOX 371 VALLE, OR Date 3/26/81Signed by (Firm Official) [Signature]and
(Operator) [Signature]

GROWERS SUPPLY COMPANY, INC.
P.O. BOX 430
203 E. 6TH STREET
FRUITLAND, IDAHO 83619
(208) 452-4561
FAX (208) 452-5880

FAX TRANSMITTAL COVER PAGE

ATTN: *Lori*

ADDRESS: *Dept of Water Resources*

FAX #:

FROM: *Growers Supply Co, Inc.*

ADDRESS:

FAX #: *208-452-5880*

ADDITIONAL COMMENTS:

*Re. Sumner Packing Shed - 2 4000-14's 3 HP
Pump Design - 47 gpm @ 80' Pumping Level... 40 PSI Discharge
Pressure*

1 PAGES AND ONE COVER PAGE

IF YOU DO NOT RECEIVE ALL PAGES NOTED ABOVE, PLEASE CONTACT (208)
452-4561

63-13190



BERKELEY PUMP COMPANY

4 CLM SUBMERSIBLES

FOR 4" I.D. WELLS

PERFORMANCE	2100
DATE	3-1-72
PAGE	8
SUPERSEDES	
NEW	

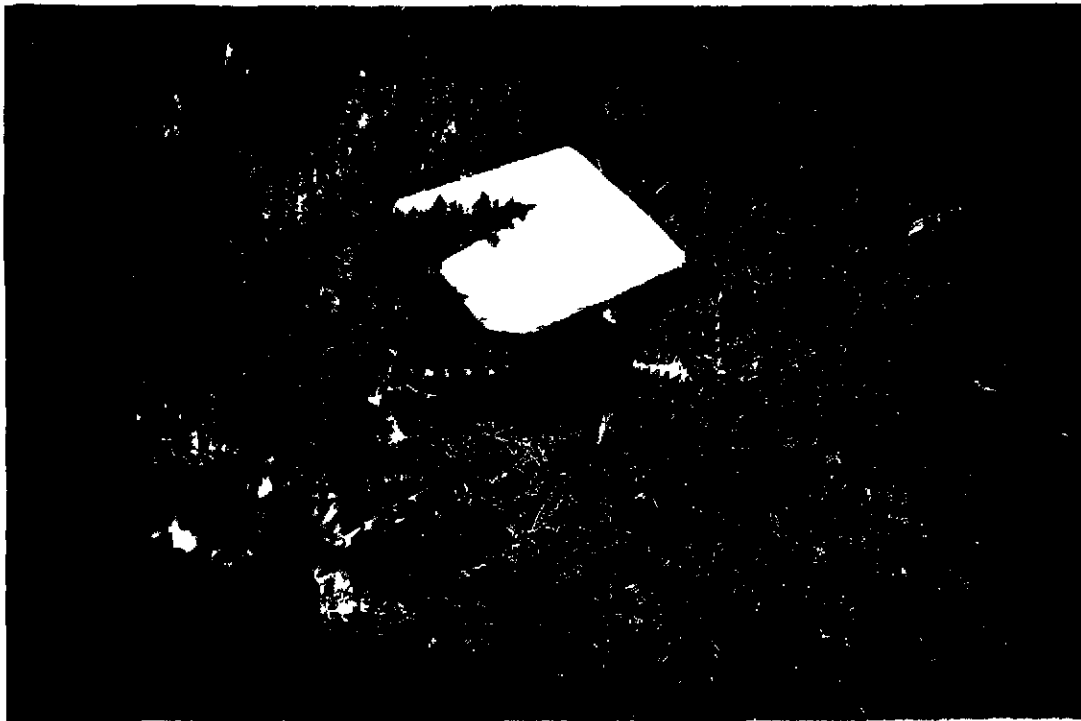
45 GPM SERIES

Setting in Feet	4CLM8-1½				4CLM10-2				4CLM14-3				4CLM20-5(10)				4CLM23-5(30)			
	DISCHARGE PRESSURE IN POUNDS PER SQUARE INCH																			
	0	20	40	60	0	20	40	60	0	20	40	60	0	20	40	60	0	20	40	60
	GALLONS PER MINUTE																			
0		65	49	31		65	55	43			61	54			65	61				62
20		57	42	19		61	50	37		64	58	50			63	58			64	60
40	64	51	34			56	45	30		62	54	46		65	61	56			62	58
60	59	44	22		62	52	39	20	65	59	51	42		63	58	52		64	60	56
80	53	36			58	47	32		62	56	47	37		61	56	51		63	58	54
100	46	24			53	41	24		60	52	43	32	64	59	54	48		61	56	52
120	39				48	34			56	49	39	26	62	57	51	46		59	54	50
140	30				42	27			53	45	34	19	60	54	49	43	63	57	52	49
160	18				36				50	40	28		57	52	46	40	60	56	50	45
180					29				46	35	21		55	50	44	36	58	53	48	42
200					20				41	30			53	47	41	33	56	51	46	39
220									37	23			50	44	37	29	54	49	43	37
240									32				48	41	33	23	52	46	40	34
260									25				45	38	29	19	49	44	37	31
280									18				42	35	25		47	41	34	27
300													39	31	20		45	38	31	23
320													36	27			42	35	28	18
340													32	21			39	32	24	
360													28				37	29	19	
380													23				33	25		
400													17				31	21		
420																	26			
440																	22			

RISER PIPE 2"

NOTE: Best performance will be obtained when operating within the heavy lines. For other conditions check 4CL and 4CM.

65-13190

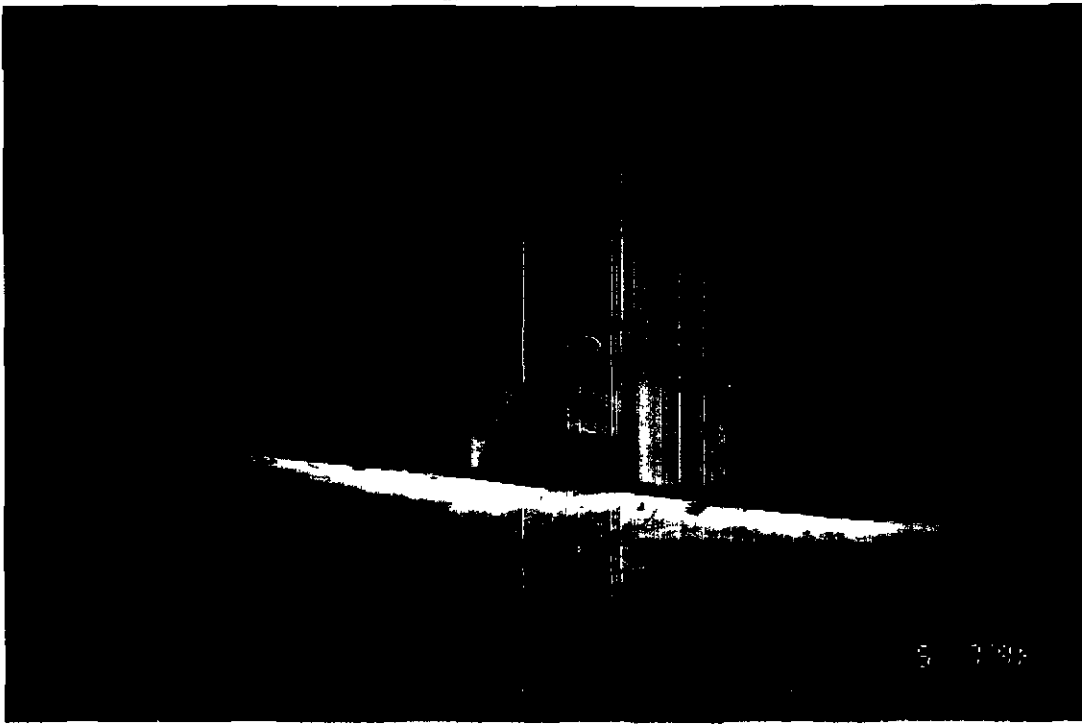


P/D

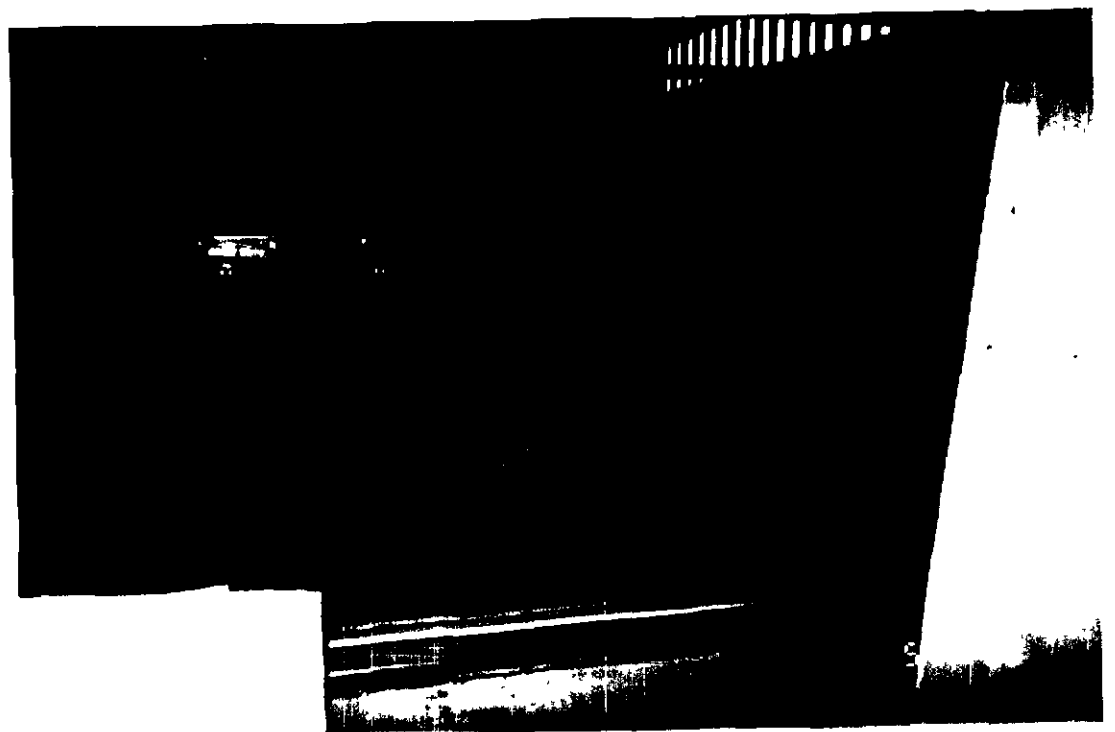


P/u

65-13190



cooler



Processing
Plant

65-13196

October 31, 1991

FIRST INTERSTATE BANK OF OREGON
AGRIBUSINESS DEPT
PO BOX 2971
PORTLAND OR 97208

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 65-13190

Dear Permit Holder:

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

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

Sincerely,

Nina Shields
Secretary/Records Manager

c: IDWR - Region

Enclosure

RECEIVED

NOV 20 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 65-13190

Date 10-7-91

GENERAL CONSIDERATIONS

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

SOURCE OF WATER

- ☐ Surface water source
☒ Ground water source
NA Drill permit req'd?
Copy in file? Drill permit no. _____
1981 Amt paid for drilling permit? _____ Correct?
Well log in file?

LICENSE EXAMINATION FEE

- ☒ Required?
100.00 Amount submitted?
☒ Correct amount?

MEASURING DEVICE

- NO Measuring device or access port required?
☐ Installed?
☐ Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

PRIORITY CALCULATION

NEW Date proof received Aug 15, 1991 227
Date proof due Aug 1, 1991 - 213
No. of days late = 14
Priority date Mar 5, 1990 + 64
NEW PRIORITY DATE Mar 19, 1990 = 78

LB

August 15, 1991

Re: Permit Nos. 65-13190/13191

First Interstate Bank of Oregon, N.A.
Agribusiness Dept.
P.O. Box 2971
Portland, OR 97208

Dear Water Right Holder(s):

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

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

Sincerely,

SHARLA CURTIS
Technical Records Specialist

SC:blm

RECEIVED

NOV 20 1991

138682
May 31, 1991

POMME TERRE INC.
1852 S.W. 3RD AVE.
FRUITLAND, ID 83619

RE: PERMIT NO. 65-13190 . PROOF DUE NOTICE

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 August 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

NOV 20 1991

S T A T E O F I D A H O

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
July 13, 1990

POMME TERRE INC.
1852 S.W. 3RD AVE.
FRUITLAND, ID 83619

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P65-13190

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.

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

We have enclosed 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 for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

JUL 26 1990

Form No. 202a.
3/89

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: [Signature] DATE: 3-22-90 APPLICATION: 65-13190

REQUIRED INFORMATION

☒ Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
☒ Address:
☒ Source: (See USGS Quad for names of water sources)
☒ Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
☒ County:
☒ Quantity: (flow and/or volume)
☒ Period of use: Gov't. Lots: N/A P/D
☒ Nature of proposed use: (Include description of use) N/A P/U
☒ Description of diverting works:
☒ Time required for beneficial use of water:
☒ Place of use or acres irrigated:
☒ Map:
☒ Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
☒ Fee:
☒ Yes ☐ No* In form to receipt:

ADDITIONAL INFORMATION

YES NO

☒ ☐ Overlapping place of use: (Describe source & relationship to present application on the back.)
☒ ☐ Overlapping point of diversion:
☒ ☐ Field check required: Field check by: _____
☒ ☐ Field report attached:
☒ ☐ Critical groundwater area:
☒ ☐ Groundwater management area:
☒ ☐ Diversion within interim protected river area
☒ ☐ Send dam safety information:
☒ ☐ Send power requirement letter:
☒ ☐ Send fish farm requirement letter:
☒ ☐ Power residency affidavit:
☒ ☐ Power efficiency form:
☒ ☐ Within trust water boundary: (If yes, attach Trust Water Supplementary Analysis Sheet.)
☒ ☐ Diversion greater than 5 cfs or 500 af: (If yes, attach Large Diversion supplementary analysis sheet.)
☒ ☐ *REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT

DATE REQUESTED: _____
☒ Additional information on reverse side:

RECEIVED
JUL 02 1990

Department of Water Resources

PROCESSING

APPLICATION NO.

65-13190

YES NO

In form for advertising:

Statewide advertising:

Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

I.D. Health and Welfare

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

U.S. BLM

U.S. Forest Svc.

Water Dist. #

Other

FINAL REGIONAL PROCESSING REVIEW

~~YES~~ NO

Affidavit of publication received:

Application published correctly: If not, record action taken.

Publication dates and paper recorded on application:

Protests received. Final date for protest April 23, 1920

Protest dates, resolution of protest recorded on application:

Recommendations attached: *Approve, GNS*

Measuring device required:

Measuring port required: *Flow Task Force Memo*

Water delivered by water master? District #

Special conditions of approval or cover letter:

~~See below for additional information~~

Recommended Date or Priority

3/5/1990 W

Recommended by:

Dred

Date 6/28/1990

STATE OFFICE REVIEW

P23

P/6

46

See below for additional information. By

kw

Date 7/5/90

ADDITIONAL INFORMATION

for overlap see ATTACHED Pou Index, SAME WELL different purpose

SH	NE	40.0	01	65-07609	SURMEIER	U	12/12/1962	WASTE WATER
NE	NE	27.0	01	65-02565	EBLEN	P	03/29/1976	LITTLE WHITLEY GULCH
NE	NE	40.0	01.03	65-07031	EBLEN	D	04/21/1952	UNNAMED STREAM
NE	NE	40.0	01	65-07609	EBLEN	P	03/15/1968	UNNAMED STREAM
NE	NE	40.0	01	65-07609	SURMEIER	P	03/29/1976	LITTLE WHITLEY GULCH
NE	NE	43	43.01	65-05890	EBLEN	D	03/10/1968	GROUNDWATER
NE	NE	2.0	43.01	65-06061	JOHNSON	D	04/01/1900	SPRING
NE	NE	40.0	01.03	65-07031	EBLEN	P	03/15/1968	UNNAMED STREAM
NE	NE	40.0	01	65-07609	SURMEIER	P	03/29/1976	LITTLE WHITLEY GULCH
NE	NE	40.0	01.03	65-07031	EBLEN	P	03/15/1968	UNNAMED STREAM
NE	NE	40.0	01.03	65-07031	EBLEN	P	03/15/1968	UNNAMED STREAM
NE	NE	40.0	01	65-07609	SURMEIER	P	03/29/1976	LITTLE WHITLEY GULCH
NE	NE	40.0	01	65-05892	EBLEN	D	04/01/1948	GROUNDWATER
NE	NE	40.0	01.03	65-07031	EBLEN	P	03/15/1968	UNNAMED STREAM
NE	NE	40.0	01	65-07609	SURMEIER	P	03/29/1976	LITTLE WHITLEY GULCH
NE	NE	40.0	04.43	65-11383	REEVE	D	06/01/1940	GROUNDWATER
NE	NE	43.04	43.04	65-11384	REEVE	D	06/01/1940	GROUNDWATER
NE	NE	43	43	65-05720	BOEHM	D	04/01/1947	GROUNDWATER
NE	NE	43	43	65-05909	REEVE	D	04/01/1933	GROUNDWATER
NE	NE	43	43	65-04820	POHME TERRE INC.	D	03/01/1940	GROUNDWATER
NE	NE	43.04	43.04	65-06728	POHME TERRE, INC.	D	05/01/1940	GROUNDWATER
NE	NE	43	43	65-04468	LIMBAUGH RANCHES I	D	01/01/1928	GROUNDWATER
NE	NE	43	43	65-06559	BARKER	D	10/01/1972	GROUNDWATER
NE	NE	43	43	65-08106	CARTER	D	07/12/1973	GROUNDWATER
NE	NE	35.0	01	65-00066	FARMERS COOPERATIVE	D	09/12/1874	PAYETTE RIVER

NOT FILMED

JUN 26 1990

DATE: 09/06/89
PAGE: 2808

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS MICROFICHE BY PLACE OF USE

TRP	RNG	SECT	TRACT	LOT	ACRES	WATER-USE-CODE	WATER RIGHT NO.	LAST NAME	STG	PRIORITY DATE	WATER SOURCE
07N	05W	11	NE	NE	43		65-03443	STROUD	D	04/01/1969	GROUNDWATER
							65-03730	STROUD	D	04/01/1908	GROUNDWATER
								SHAW			
							65-00066	FARMERS COOPERATIVE	D	09/12/1874	PAYETTE RIVER
							65-04816	BROWN	D	04/01/1921	GROUNDWATER
							65-06209	PARKER	D	04/01/1921	GROUNDWATER
							65-00066	FARMERS COOPERATIVE	D	09/12/1874	PAYETTE RIVER
							65-06051	LOVINS	D	03/01/1973	GROUNDWATER
							65-11218	LOVINS	D	06/01/1958	GROUNDWATER

65-13190

POMME TERRE INC.
1852 S.W. 3RD AVE.
FRUITLAND, ID 83619

Source: GROUNDWATER

Diversion Pt: SWSE Sec 10 T 07N R 05W

Use: COMMERCIAL	(.840 CFS)
DOMESTIC	(.060 CFS)
Total Diversion:	(.900 CFS)

Date Filed: 3/ 5/ 1990

In: T07N R05W S10 SWSE

MicroFILMED

JUL 26 1990