

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

The map is drawn on a grid. In the top left, the number '5' is written. In the center, the letters 'T 8 N' are written vertically. To the right of this, 'R 5 W' is written. Further right, there is a symbol of a well (a circle with a cross) and the text '5 wells' next to it. A small 'F' is written in the top left area of the grid.

Scale: 2 inches equal 1 mile

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

Fredrick Ashworth
(Applicant)
Muel N. Ashworth

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

SS.

Copy of Notice

(First Copy)

Application for water permit

TITLE OF PUBLICATION

Ashworth 65-12040

SPONSOR OR PLAINTIFF

Idaho Dept Water Resources

PLAINTIFF OR LEGAL AGENT

I, Sharon L Swanson, being

duly sworn, deposes and says:

That he is the principle 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 (2) 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 adver-
tisement.

Such notice was published in the issue beginning with

Oct. 27, 19 77, and ending with the issue
of Nov. 3, 19 77.

Subscribed and sworn to before me this 2 day
of November, 19 77.

Mary Jane Lee
Notary Public, Residing at Payette, Idaho.

My Commission Expires April 28, 19 80.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that FREDRICA ASHWORTH OR
MERLE N. ASHWORTH Route 1, Box 102 Payette, Idaho has
on October 19, 1977 submitted Application No. 65-12040 for a
permit to appropriate 0.4 cubic feet per second of water from
a groundwater source by means of well and pump within the
NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 5 T8N-R5W B.M., Payette County to be used
from Mar 1 to Oct 15 for irrigation of 17 acres within the
NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 5 T8N-R5W B.M.

If issued, this permit will be subject to all prior water
rights. Protests against the granting of the permit must be
filed with the Director of the Idaho Department of Water
Resources, 92 South Cole Road, Boise, Idaho 83705 on or
before November 14, 1977.

C. STEPHEN ALLRED

Director

Published in the Independent Enterprise, Payette, Idaho on
October 27, 1977 and November 8, 1977.

No. 472

10-27-2tc

STATEMENT

Independent-Enterprise

PAYETTE, IDAHO

Number of Lines 18

Number of Insertions two

18 Lines @ 42 $\frac{1}{2}$ ¢ \$ 7.65

18 Lines @ 30 $\frac{1}{2}$ ¢ \$ 5.49

TOTAL COST
WILL BE \$ 13.14

MICROFILMED

RECEIVED
NOV 7 1977

Department of Water Resources
Western Regional Office

Nº 472

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

OCT 5 1988

A. GENERAL INFORMATION

Permit No. 65-12040

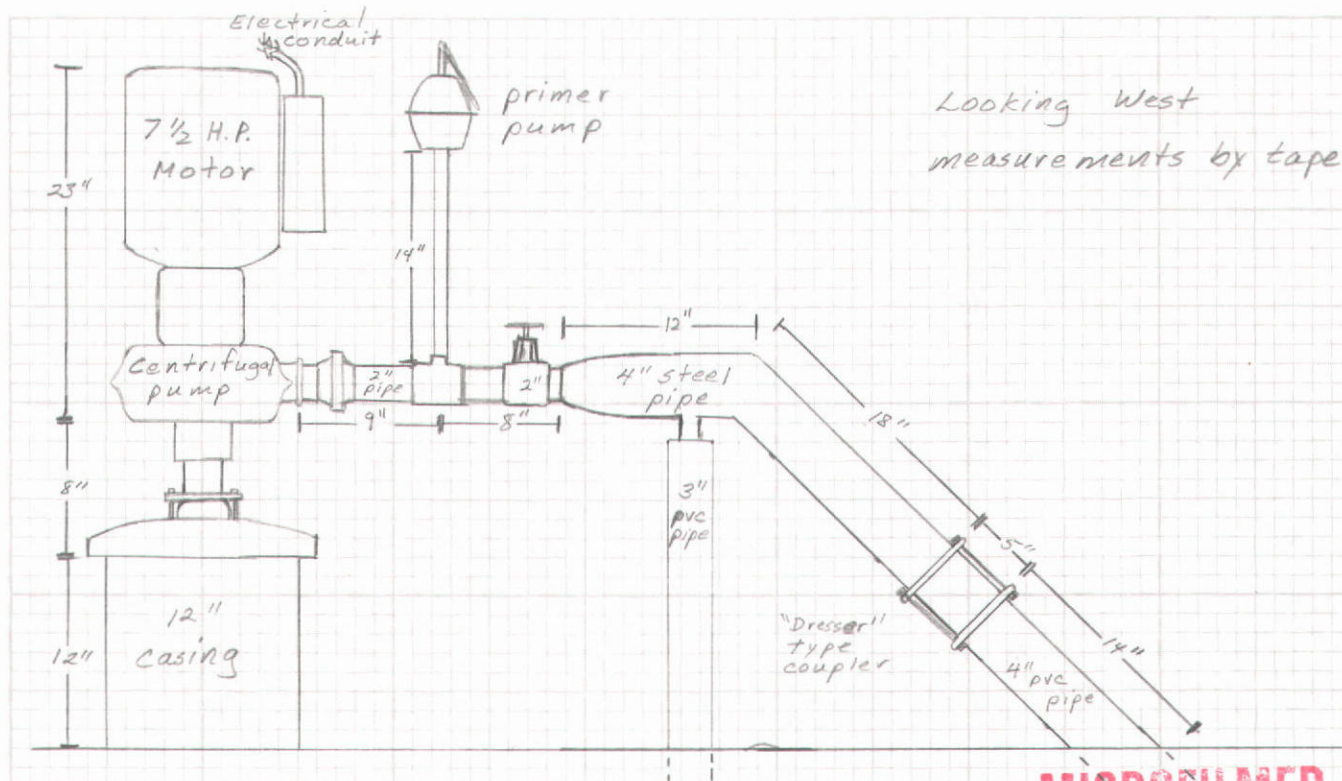
1. Owner: Fredrica Ashworth or Merle N. Ashworth Phone No. 642-9673
Current Address: Rt 1 Box 102, Payette, ID 83661
2. Accompanied by: Merle Ashworth EXAM. DATE: 8-19-87
Address: Rt 1 Box 90B, Payette, ID 83661 Phone No. 642-9673
Relationship to Permit Holder: co-owner
3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 65-0072 is not being used on this land ☒ Copies Attached
2. Other water rights with same point of diversion: none
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

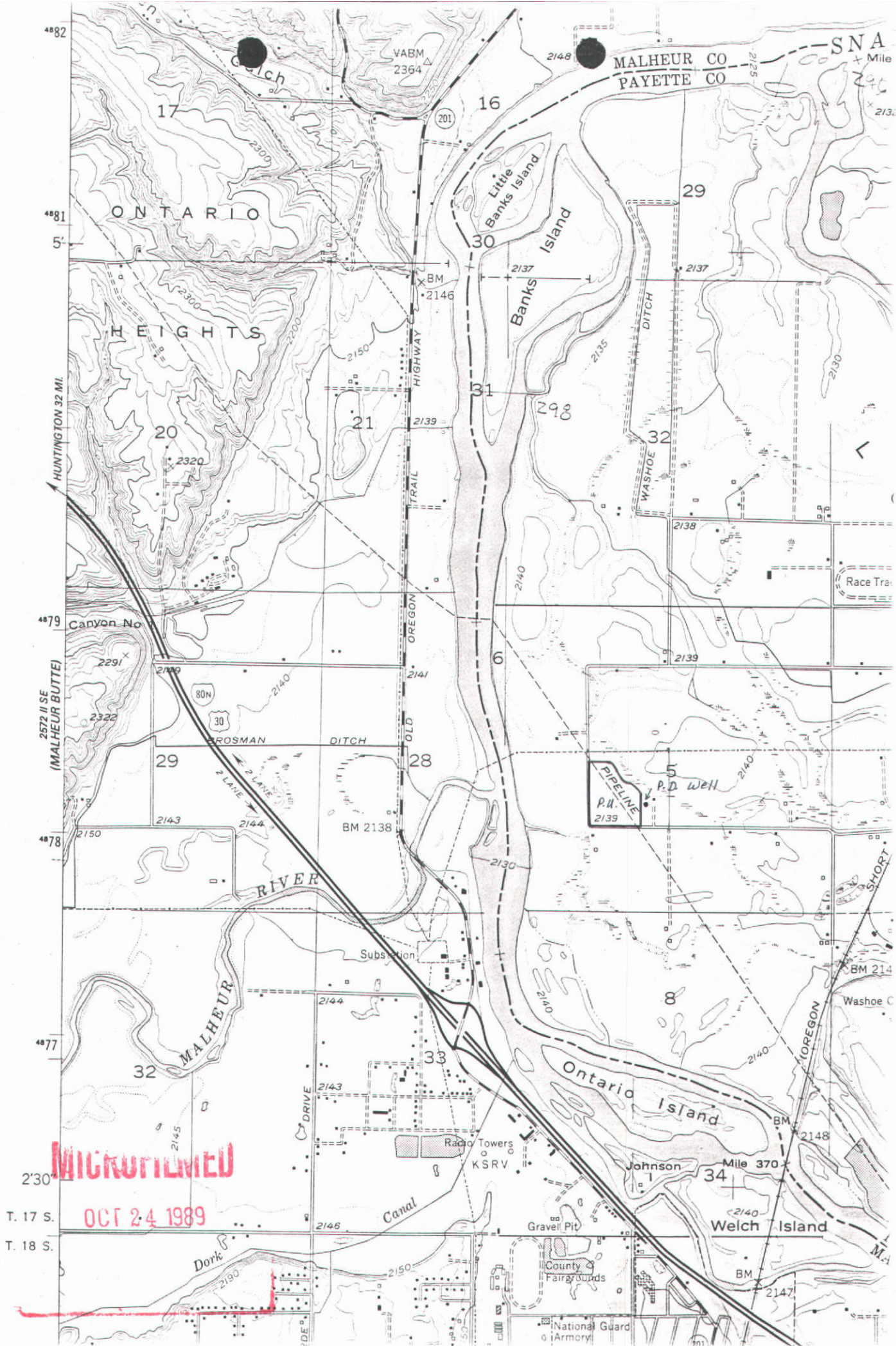
1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



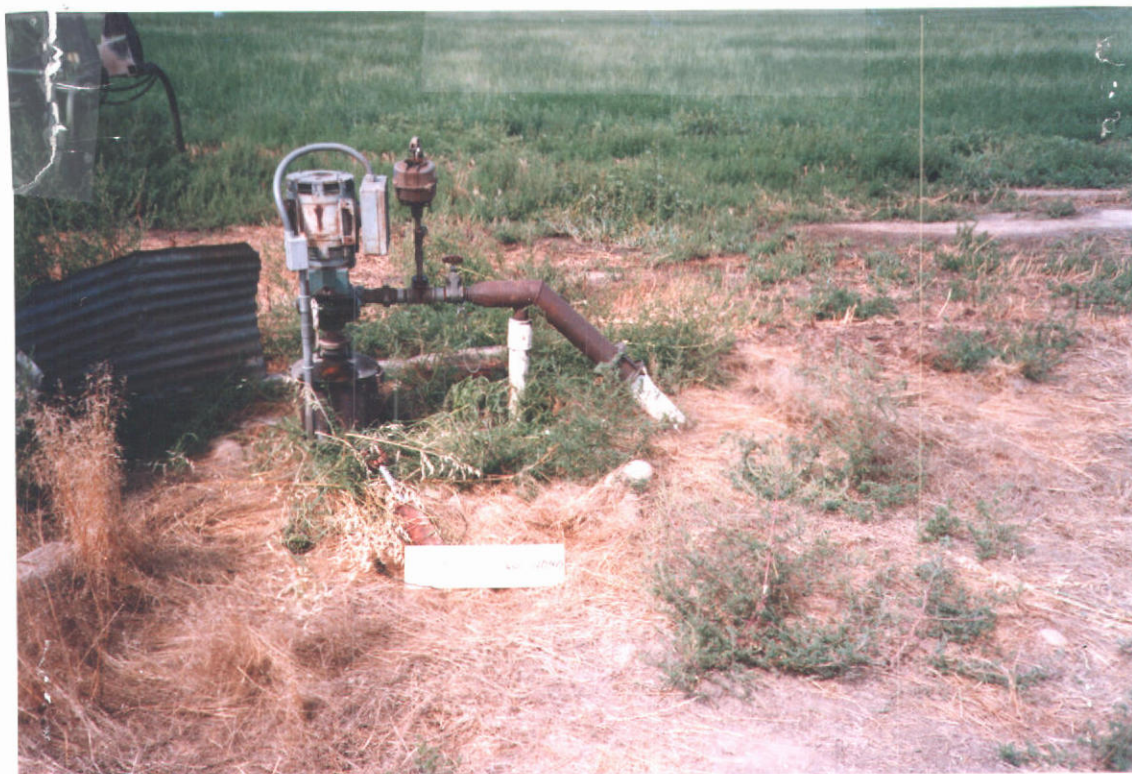
Scale: 1" = 1'

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
☒ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater)
- ☒ Aerial Photo Attached (required for irrigation of 10 acres or more).

OCT 24 1989



65-12040



P.D.
Looking west
P.U. in background.



P.U.
Looking North-
west from
N.W. 10th Ave.

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OCT 24 1989

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 65-12040

Priority: December 22, 1977

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.31 CFS
76.5 AF

This is to certify, that FREDRICA ASHWORTH
MERLE N. ASHWORTH

720 N.W. 10TH AVE.
PAYETTE, ID 83661

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated October 19, 1977; and has submitted Proof of Beneficial Use on November 4, 1982. An examination indicates that the works have a diversion capacity of .310 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	03/15 to 11/15	0.31 CFS	76.5 AF

LOCATION OF POINT(S) OF DIVERSION: NESW , Sec. 5, Township 08N, Range 05W
PAYETTE 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>
08N	05W	5	NESW	17		17
Total number of acres irrigated:						17

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 which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery 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.

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 26th day of September, 1989.

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OCT 24 1989

Norm C. Young
R. Keith Higginson, Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT	)	
	)	
NO. 65-12040 IN THE NAME OF	)	ORDER ADVANCING
	)	DATE OF PRIORITY
F. &/OR M.N. ASHWORTH	)	

This matter having come before the Department of Water Resources (Department) as a result of preparing Permit No. 65-12040 for issuance of a license, the Department finds, concludes and orders:

FINDINGS OF FACT

1. The Department approved Application for Permit No. 65-12040 to appropriate the public waters of the State of Idaho with a proposed priority of October 19, 1977.
2. On June 5, 1986 the Department advised the permit holder that a license examination fee was required before an examination could be conducted to confirm the extent of use developed under the permit. The examination fee was due on August 4, 1986.
3. The license examination fee was received on October 7, 1986, 64 day(s) late.

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OCT 24 1989

CONCLUSIONS OF LAW

1. The Director may advance the priority date of the permit one day for each day the license examination fee is late, pursuant to the provisions of Section 42-217, Idaho Code.

2. The date of priority of Permit No. 65-12040 should be advanced 64 day(s).

ORDER

IT IS HEREBY ORDERED that the date of priority of Permit No. 65-12040 is advanced to December 22, 1977.

Dated this 16th day of August, 1989.

J. Glen Saylor
Chief, Water Allocation Bureau

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OCT 24 1989

Identification No. _____
Application No. 65-12040

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT **APPROVED**

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

Fredrica Ashworth

9673

1. Name of applicant or Merle N. Ashworth Phone 642-3032
post office address Rt. 1 Box 102, Payette, Idaho 83661

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

3 a Location of point of diversion is _____ NE 3/4 of Section 5 Township 8N
Range 5W B M Payette County, additional points of diversion if any _____

b If water is not consumed, it will be discharged into _____ at a point in _____ 1/4
of _____ 1/4 of Section _____ Township _____ Range _____ B M _____

4 Water will be used for the following purposes

allow .34

Amount .4 for Irrigation purpose from Mar. 1 to Oct. 15 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

5 Total quantity to be appropriated

allow .34

a .4 cubic feet per second and/or 180 gal. per minute

b _____ acre feet per annum

6. Proposed diverting works

a Description of ditches, flumes, pumps, headgates, etc. Pump 7 1/2 HP
intake Pipe 2 1/2 inches, Outlet pipe 2 inches
12 inch casing well is 37 feet deep

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

Period of year during which storage will occur _____ to _____ inclusive
(Mo Day) (Mo Day)

c Proposed well diameter is _____ inches, proposed depth of well is _____ feet

7 a Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years

b Estimated construction cost is \$650.00 for pump \$3300. for sprinkling system

8 Description of proposed uses

a If water is **not** for irrigation

(1) Give the place of use of water _____ 1/4 of _____ 1/4 of Section _____ Township _____
Range _____ B M

(2) Amount of power to be generated _____ hp under _____ feet of head

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____

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

APPROVED

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

TWP	RANGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
8 N	5 W	5									17								17

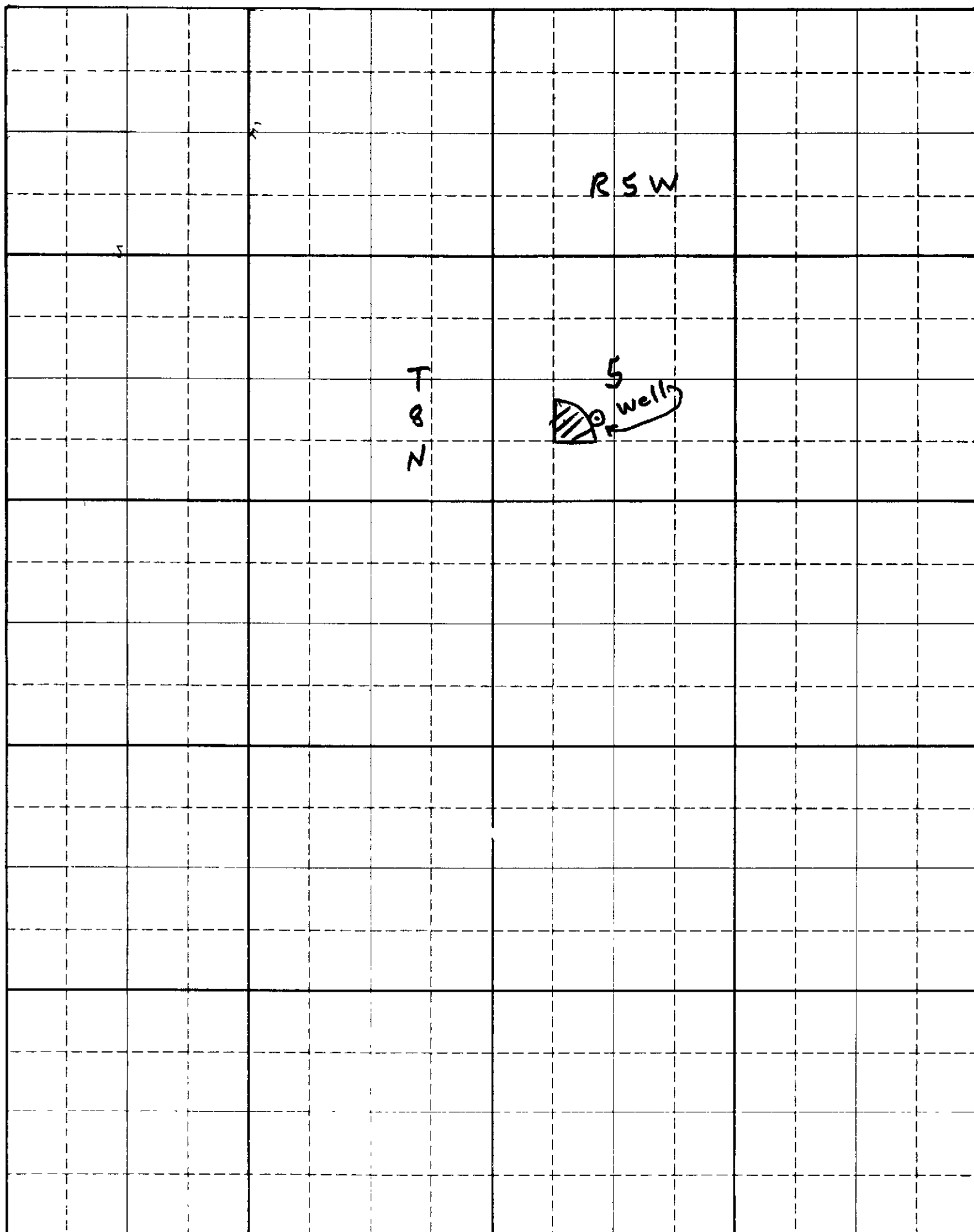
Total number of acres to be irrigated 17

c. Describe any other water rights used for the same purposes as described above

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

10. Remarks

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



Scale 2 inches equal 1 mile

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

Fredricka Schwartz
(Applicant)
Merlin Schwartz

Proposed Priority 10/19/77

Received by Y Date 10-19-77 Time 11:40

Preliminary check by YH Fee \$ 25.00

Received by Y Date 10-20-77 # 9614

Publication prepared by Y Date 10-20-77

Published in Independent Enterprise

Publication dates Oct 27 & Nov 3

Publication approved Y Date 11-14-77

Priority reduced to Y Reason Y

Protests filed by Y

Copies of protests forwarded by Y

Hearing held by Y Date Y

Recommended for approval denial by YH W H

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 65-12040, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 19 83.

c. Other Y

2 Denial of said application is for the following reasons Y

Witness my hand this 29 day of January 19 78.

A. Kenneth Shum
DEPUTY Director

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF PAYETTE

SS.

Copy of Notice
(First Copy)

Application for water permit

TITLE OF PUBLICATION

Ashworth 65-12040

SPONSOR OR PLAINTIFF

Idaho Dept Water Resources

PLAINTIFF OR LEGAL AGENT

I, Sharon L Swanson, being
duly sworn, deposes and says:

That he 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 (2) 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 adver-
tisement.

Such notice was published in the issue beginning with
Oct. 27, 19 77, and ending with the issue
of Nov. 3, 19 77.

Subscribed and sworn to before me this 2 day
of November, 19 77

Max J. Jarek
Notary Public, Residing at Payette, Idaho

My Commission Expires April 28, 19 80

NOTICE OF APPLICATION FOR WATER PERMIT
Notice is hereby given that **ASHWORTH ON**
MERLE N. ASHWORTH, Payette, Idaho, has
on October 19, 1977, submitted Application No. 65-12040 for a
permit to appropriate 6.4 cubic feet per second of water from
a groundwater source by means of well and pump within the
NE 1/4 SW 1/4 Sec 3 T8N-R5W B.M., Payette County to be used
from Mar 1 to Oct 15 for irrigation of 17 acres within the
NE 1/4 SW 1/4 Sec 5 T8N-R5W B.M.

If issued, this permit will be subject to all prior water
rights. Protests against the granting of the permit must be
filed with the Director of the Idaho Department of Water
Resources, 92 South Cole Road, Boise, Idaho 83725 on or
before November 14, 1977.

C. STEPHEN ALLRED
Director
Published in the Independent Enterprise, Payette, Idaho on
October 27, 1977 and November 3, 1977.
No. 472

10-27-77

STATEMENT

Independent-Enterprise
PAYETTE, IDAHO

Number of Lines 18
Number of Insertions two
18 Lines @ 42 1/2¢ \$ 7.65
18 Lines @ 30 1/2¢ \$ 5.49
TOTAL COST
WILL BE \$ 13.14

MICROFILMED
1977

No 472

LAND TITLE INSURANCE COMPANY

34 SOUTH MAIN STREET
PAYETTE, IDAHO 83661-2899

Phone # (208) 642-2821

FAX # (208) 642-2844

November 16, 1989

NOV 17 1989

State of Idaho
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

Department of Water Resources

Attn: Tim Luke

Re: P-19393,500/140
(Ashworth-Eastern Western)

Dear Mr. Luke:

As per our telephone conversation on November 8, 1989, I am enclosing executed copies of Escrow Agreement and Amended Escrow Agreement, wherein Eastern Western Corporation is purchasing from Fredrica Ashworth. The buyers address is 1505 SE Gideon St., P.O. Box 3228, Portland, Oregon 97208.

It is my understanding that Water Right License #65-12040 and Stock Watering Identification Permit #65-4281 and 65-4269 will be transferred on your records to Eastern Western Corporation.

Thank-you for your help in this matter. If you have any questions regarding this transaction, please feel free to give me a call.

Sincerely,



Robert T. Evans
President/Manager

RTE/pb
enc.

Computer records for all 3 rights listed above
updated to reflect Eastern Western Corp. as present owner
of rights. 12/4/89 No correspondence req'd.
SC

ESCROW AGREEMENT AND INSTRUCTIONS

DATED: November 15, 1989

BETWEEN: FREDRICA C. ASHWORTH, aka
Frederica Ashworth, a widow,
herein called SELLER,

AND: EASTERN WESTERN CORPORATION,
an Oregon corporation,
herein called BUYER,

WITNESSETH, THAT WHEREAS

SELLER is the owner of that certain real property located in Payette County, Idaho, which property is described on "Exhibit A" attached hereto and made a part hereof by this reference; and

BUYER desires to purchase said property and to pay for said property the sum of \$140,000 payable in the manner hereinafter specified; and

It is the desire of the parties that the sale be closed at the Land Title Escrow Company at Payette, Idaho, and the parties desire to set forth the terms and conditions of said sale herein and to have this instrument serve as a letter of instructions to the Land Title Escrow Company relative to a closing of said transaction.

NOW THEREFORE, the parties agree and hereby instruct the Land Title Escrow Company of Payette, Idaho, as follows:

(1) SELLER shall sell and BUYER shall purchase the real property described in Exhibit A for the sum of \$140,000, payable as follows: BUYER has been renting the premises from SELLER paying \$2,132.50 quarterly or four times per year. BUYER has paid to SELLER the last one-quarter of the 1989 rent. This amount should be credited at the time of closing upon the purchase price provided in this paragraph; the balance of \$137,867.50 shall be paid in two installments, the first in the sum of \$68,934.00 shall be paid on closing; the final installment

of \$68,933.50 shall be paid January 2, 1990. Interest at the rate of 8% per annum shall be charged on all balances unpaid after January 2, 1990. The parties have agreed to a purchase price of \$1,000 per acre. Based upon acreage estimates provided by the Payette County Assessor of 140.78 acres for Parcels No. 1581 and 1627 it is agreed the premises contain 140 acres.

(2) SELLER lives on the premises in a mobile home situate in the Southeast corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ in Twp. 8 N., R. 5 W., B.M., Payette County (said parcel being Tax Lot 300). In connection with SELLER'S use of the mobile home there is a garage and a storage shed which she also utilizes. BUYER agrees that SELLER may, for her lifetime, continue to use and retain the mobile home, garage and the storage shed together with enough land located adjacent thereto necessary for the convenient use and occupancy of said mobile home, garage and storage shed, which right is exclusive and non-assignable to grantor. SELLER, (or her heirs or assigns upon her demise,) retain the right to remove the mobile home from the premises at any time, so long as the removal is done in a manner which will not cause injury or damage to the remaining premises. This right of removal does not pertain to either the garage or the storage shed. SELLER will maintain the garage and storage shed in a reasonable condition, normal wear and tear excepted. The parties further agree fee title to the premises SELLER retains the use of will pass upon closing to BUYER subject to SELLER's right to remove the mobile home. SELLER's right of use to these improvements shall be personal to SELLER. BUYER will pay all property taxes which are levied and assessed by Payette County against the mobile home and the underlying real property.

(3) SELLER agrees to deliver at closing, a Warranty Deed to the premises free and clear of all encumbrances except allowing SELLER to use and retain the mobile home, garage and storage shed as described in paragraph (2) above and further excepting those matters shown on a commitment for title insurance issued by the

Chicago Title Insurance Company of Idaho, File P-19393, 500, 600/140 and 300/143, a copy of which has been furnished to both SELLER and BUYER and their respective attorneys. The parties agree they have made title insurance the standard of marketability and BUYER accepts the proposed policy as acceptable evidence of marketability. This Warranty Deed shall be delivered to BUYER at the time BUYER pays the installment due on January 2, 1990.

(4) In addition to the Warranty Deed, SELLER and the premises have certain water rights and in conjunction therewith SELLER will convey upon closing the following:

(a) 26 shares of the capital stock of the Washoe Irrigating and Water Power Co., Ltd., all of said stock being registered in the name of Fredrica Ashworth and being numbered 324 for 12 shares, #325 for 6 shares, #326 for 7 shares, and #338 for 1 share. In addition SELLER will have her son, Merle N. Ashworth and his wife, Shirley J. Ashworth, transfer at closing certificate #311 for 1 share of Washoe Irrigating and Water Power Co., Ltd.

(b) SELLER has well rights for domestic or stock watering purposes represented by identification No. 65-5865 and by 65-5880. Copies of the Notice of Claim to the water rights are attached hereto and made a part of this agreement. Both well rights will be transferred at closing.

(c) SELLER is also the owner, together with her son Merle N. Ashworth, of Water Right #65-12040, which is a 37 foot well for the purpose of irrigating 17 acres of farm land.. A copy of the Water Right License issued by the Idaho Department of Water Resources dated September 29, 1989 is attached and made a part hereof of this document.

SELLER and her son, MERLE N. ASHWORTH, will execute all instruments necessary to convey and transfer these water rights at the time of closing.

(5) BUYER has been renting the premises owned by SELLER on a cash rental basis. As such, BUYER has become familiar with the premises. BUYER accepts the land, buildings, improvements and all other aspects of the property in their present condition, AS IS, including latent defects, without any representations or warranties, express or implied, unless they are expressly set

forth in this agreement or are in writing signed by SELLER. BUYER agrees that it has ascertained, from sources other than SELLER, the applicable zoning, building, housing and other regulatory ordinances and laws and that it accepts the property with full awareness of these ordinances and laws as they may affect the present use or any intended future use of the property, and SELLER has made no representations with respect thereto. BUYER further represents and warrants to SELLER that BUYER has made an independent inspection and investigation of the property and the improvements thereon. No patent or latent physical condition of the property, whether or not now known or discovered, shall affect the rights of the parties hereto. SELLER represents to BUYER that she is not aware of any defects upon the premises which she has not disclosed.

(6) This sale shall be closed on or before November 15, 1989, through Land Title Escrow Company in Payette, Idaho, the costs of which shall be shared equally by the parties. At closing, BUYER shall pay the amount of cash specified in this agreement above and SELLER shall have received a commitment for the issuance of an owner's policy of title insurance, a copy of which has been furnished to both parties heretofore and which is approved by the parties. Except as otherwise provided herein, all items to be pro rated shall be pro rated as of the date of closing, including taxes, assessments, insurance premiums, if any, and any other matters requiring pro rate between the parties.

(7) Each party hereto has been represented by their respective attorney, SELLER by Gene C. Rose and BUYER by William C. Tharp.

(8) If either party shall violate or breach any of the terms, covenants or conditions of this agreement and such breach or violation shall continue for a period of thirty (30) days after notice in writing, the non-defaulting party shall have all rights or remedies afforded by law or in equity and all such

rights or remedies shall be cumulative and any one or more may be exercised at any time or times.

IN WITNESS WHEREOF, the parties hereto have hereunto set their hands and seals on the date hereinabove set forth.

Fredrica C. Ashworth
Fredrica C. Ashworth

SELLER

EASTERN-WESTERN CORPORATION,

BY _____
PRESIDENT

STATE OF IDAHO)
) ss.
County of Payette)

Wm C. Tharp Agent for
Eastern-Western Corp.

On the 15th day of November, 1989, personally appeared FREDRICA C. ASHWORTH, known to me to be the person whose name is subscribed to the above instrument, and acknowledged to me that she executed the same.

BEFORE ME:

Sheryl Miller
Notary Public for Idaho,
residing at Payette
My Commission expires: 3-1-1994

STATE OF IDAHO)
) ss.
County of Payette)

On this 15th day of November, 1989, before me personally appeared Wm. C. Tharp, known to me to be the person whose name is subscribed to the above instrument, and acknowledged to me that he is the agent of said corporation and had full authority to execute the instrument for and on behalf of said corporation.

BEFORE ME:

Sheryl Miller
Notary Public for Idaho,
Residing at Payette
My Commission expires: 3-1-1994

EXHIBIT A
(Real Property Description)

Land in RECORDER'S PLAT of Sec. 4, Twp. 8 N. R. 5 W., B.M., as per Plat in Book 2, Page 1, Plat Records, Payette County, Idaho:

Blocks 8, 9 and 10, EXCEPTING THEREFROM the following described parcel of land:

**Beginning at a point on the Southline of said Block 10 which is
47 feet West of the Southeast corner of said Block;
thence West along said South line 150 feet;
thence North and parallel to the West line of said Block 10 a
distance of 290.4 feet;
thence East 150 feet;
thence South 290.4 feet to the point of beginning.**

AND,

Land in Twp. 8 N. R. 5 W., B.M., Payette County, Idaho:

**In Sec. 5: The SE1/4 NW1/4 and the NE1/4 SW1/4,
EXCEPTING THEREFROM
the following described parcel of land:
The East 75 feet of the West 490 feet of the North
145.2 feet of the SE1/4 NW1/4.**

RESERVING unto Grantor, during her lifetime, a right of use of a garage, storage shed and mobile home located upon the premises, together with enough land located adjacent thereto and necessary for the convenient use and occupancy of said mobile home, garage and storage shed. These rights are more particularly defined in the Escrow Closing Agreement and Instructions executed by Grantor and Grantee simultaneously with this deed and in possession of Land Title Escrow Company of Payette, Idaho.

TOGETHER WITH all improvements, water, water rights, ditches, ditch rights, easements, hereditaments and appurtenances thereto.

AMENDED ESCROW AGREEMENT AND INSTRUCTION

DATED: November 15, 1989

BETWEEN: FREDRICA C. ASHWORTH, aka
Frederica Ashworth, a widow,
herein called SELLER,

AND: EASTERN WESTERN CORPORATION,
An Oregon corporation,
herein called BUYER,

WITNESSETH, THAT WHEREAS

The parties hereto have entered into an Escrow Agreement and Instructions dated November 15, 1989, and desire to amend a portion thereof.

NOW THEREFORE, the parties instruct Land Title Escrow Company, Payette, Idaho, as follows:

Paragraph (4)(b) in the original of said agreement is hereby deleted and the following is substituted therefor in lieu thereof:

(4)(b) SELLER has well rights for stock watering purposes represented by identification Nos. 65-4281 and 65-4269 which have been issued as a result of the Payette River Adjudication Decree. The identification Nos. 65-5865 and 65-5880 referred to in the original agreement between the parties, were erroneous and this Amendment is made for the purpose of showing the correct identification numbers. Appropriate notification will be made to the Idaho Department of Water Resources so that new certificates or identification numbers and rights may be appropriately acknowledged and transferred to BUYER.

That except as herein amended, all of the terms and provisions of said Escrow Agreement and Instructions dated November 15, 1989, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto set their hands and seals the day and year first above written.

Fredrica C. Ashworth

Fredrica C. Ashworth

SELLER

EASTERN-WESTERN CORPORATION,

By _____
President

STATE OF IDAHO)
County of Payette) ss.

Wm C. Thayer Agent for
Eastern-Western Corp.

On the 15th day of November, 1989, personally appeared FREDRICA C. ASHWORTH, known to me to be the person whose name is subscribed to the above instrument, and acknowledged to me that she executed the same.

BEFORE ME:

Sheryl Miller
Notary Public for Idaho,
Residing at Payette
My Commission expires: 3-1-1991

STATE OF IDAHO)
County of Idaho) ss.

On this 15th day of November, 1989, before me personally appeared Wm C. Thayer, known to me to be the person whose name is subscribed to the above instrument, and acknowledged to me that he is the agent of said corporation and had fully authority to execute the instrument for and on behalf of said corporation.

BEFORE ME:

Sheryl Miller
Notary Public for Idaho,
Residing at Payette
My Commission expires: 3-1-1991

September 29, 1989

FREDRICA ASHWORTH
MERLE N. ASHWORTH
720 N.W. 10TH AVE.
PAYETTE, ID 83661

RE: PERMIT NO. 65-12040

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

OCT 24 1989

August 22, 1989

FREDRICA ASHWORTH
MERLE N. ASHWORTH
RT. 1 BOX 102
PAYETTE, ID 83661

- 725 N.W. 10th Ave

RE: PERMIT NO. 65-12040

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

Also enclosed is an order advancing the date of priority of this right due to late submittal of the examination fee.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECORDED

OCT 24 1989

BENEFICIAL USE FIELD REPORT REVIEW

TO: FILE 65-12040

FROM: ROXANNE MCCARTHY

RE: PRIORITY ADVANCE REVIEW

DATE: 18-JAN-1989

This review memo is prepared to show the process for determining what elements were involved in advancement of the priority.

	<u>DATE</u>	<u>JULIAN</u>
PERMIT		
Permit priority Date:	OCTOBER 19 1977	292
EXAM FEE NOTICE		
Exam Fee Notice Date:	JUNE 05 1986	156
Exam Fee/Info Sheet Received Date:	OCTOBER 07 1986	280
Exam Fee or Info Due Date:	AUGUST 04 1986	216
Days Late:		64 DAY(S)
NEW PRIORITY DATE		
Orginial Priority Date:	OCTOBER 19 1977	292
Total Days Late:		64 DAY(S)
New Priority Date:	DECEMBER 22 1977	356

MICROFILMED
OCT 24 1989

MEMORANDUM

TO:FILE #65-12040

FROM:ROXANNE MCCARTHY

RE: CHANGE TO RECOMMENDED CONDITION

DATE: 18-JAN-1989

This system has no overlaps therefore does not need conditions
to limit overlapping rights.

MICROFILMED

OCT 24 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

65-12040
Permit No.

NE 5
RECEIVED

MAR - 1 1988

A. Prior to Conducting the Exam, the File Contains:

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad

Department of Water Resources

☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index CF 8-18-87 (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system

☐ Increase rate of flow or volume

☐ Other: _____

Check of P/U index CF 8-18-87 (Initial and date)

Overlap? ☒ yes ☐ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☒ Other: not used on this land

Aerial Photo

Required? ☒ yes ☐ no If yes: ☐ copy attached?

Scheduling Letter sent? 7-1-87 CF for 2N (Initial and date)

☒ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

- ☒ Fully completed and signed Field Report Form
- ☒ Photographs of Point of Diversion and Place of Use
- ☒ Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.

C. Review and Processing:

Exam Completed Patricia Fritschle 8-19-87 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent W2/1/88 (Initial and date)

Exam Reviewed by Manager of Regional Office W2/2/88 (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office W2/29/88 (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 65-12040

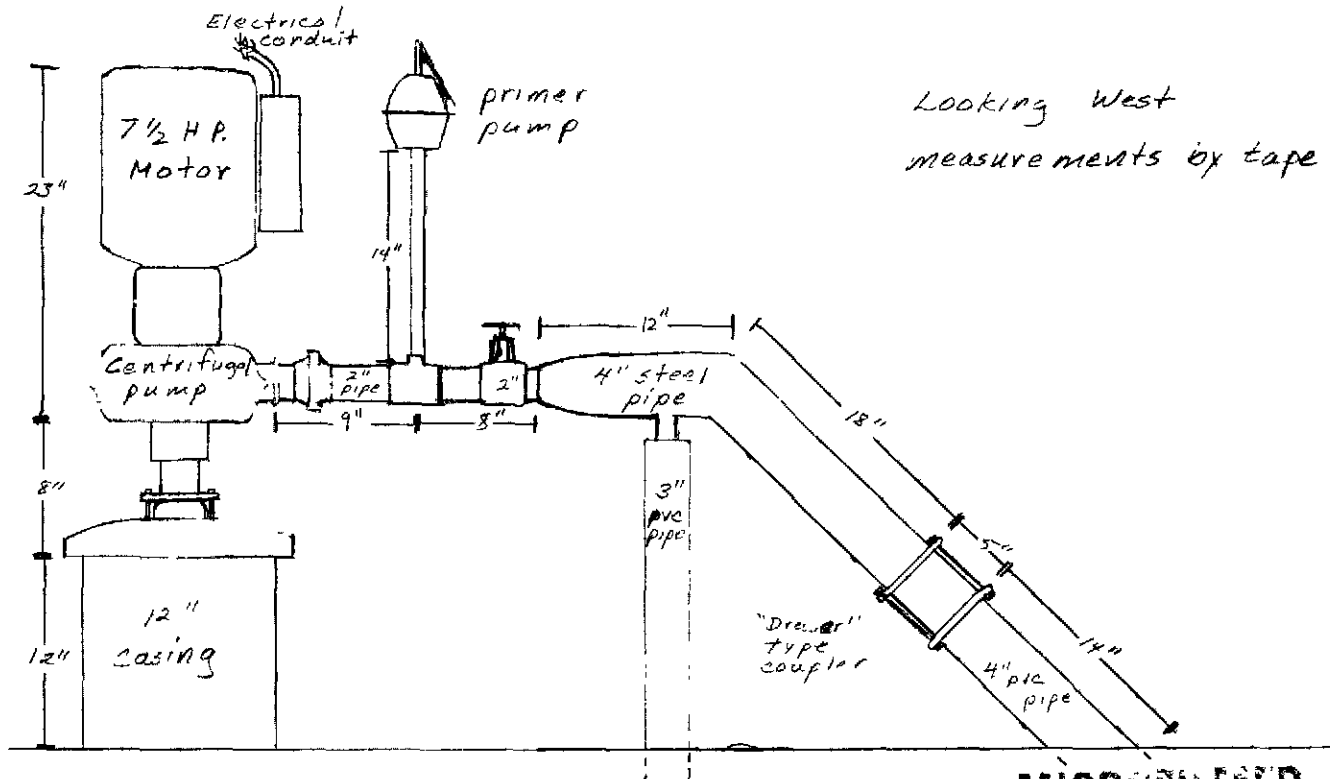
- 1 Owner: Fredrica Ashworth or Merle N. Ashworth Phone No. 642-9673
Current Address Rt 1 Box 102, Payette, ID 83661
- 2 Accompanied by: Merle Ashworth EXAM. DATE: 8-19-87
Address: Rt 1 Box 90B, Payette, ID 83661 Phone No. 642-9673
Relationship to Permit Holder: co-owner
3. Source Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 65-0072 is not being used on this land ☒ Copies Attached
2. Other water rights with same point of diversion: none
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = 1'

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2. ☒ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).
☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater)

- ☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).

OCT 24 1989

System Description (continued)

3. Narrative: Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

The system has a 12" cased well 37' deep with a 7½ H.P. centrifugal pump. Static water ^(= 12') is 12', and drawdown was measured to 20'. The water is pumped into a 4" PVC underground mainline (approx. 900' long) with risers for 3" handlines. The system operates with a maximum of 26 Rain Bird Model 30 and similar type sprinkler heads. The land was planted to alfalfa hay. The water from

☒ See Remarks on page 4 for continuation

4

Well or Diversion Identification No.*	Motor Make	Hp	Model Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GE	7½	SKC 213 JN9	Cornell	14291

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

- 5 Point(s) of Diversion:

Ident. No.	Gov't. Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	NE	SW	5	8N	5W	Payette	Aerial Photo

- 6 Place(s) of Use:

Indicate Method of Determination *Aerial Photo*

Twp.	Rge.	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8N	5W	5									17								17

RECORDED

OCT 24 1989

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

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

2. Measurements:

20' to water pumping level (w/ well probe)
 26 Rain Bird and similar type sprinkler heads
 with 1/64" nozzles at 40 psi (5.37 gpm each)

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1 Measured Method: $26 \times 5.37 \text{ gpm} = 139.6 \text{ gpm}$ $\frac{139.6}{448.8} = 0.31 \text{ cfs}$

2. Alternate Method for Checking Purposes:

$$\frac{7.5 \times 8.8 \times .8}{20 + 2.3(40)} = 0.47 \text{ cfs}$$

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: 40 psi $\times 2.31 = 92.4$ ft (1), Dynamic pumping level: 20 ft (2)

Total Head: (1) + (2) = 112.4 (3)

Flow rate: 0.31 cfs (4)

Water HP: (3) $\times$ (4) $\div 8.8 = 4.0$ (5)

Meter Input KW $3.6 \times 7.2 \text{ KH} \times \text{CTR or } \text{MULT} \times \text{PTR} \times 10 \text{ N/ } 42 \text{ T} = 6.2$ (6)

Meter Input HP: (6) $\times 1.34 = 8.3$ (7)

Panel Input KW: $\text{Ave PF} \times \text{Ave Volts} \times \text{Ave Amps} \times 001732 =$ (6)

Panel Input HP: (6) $\times 1.34 =$ (7) Efficiency: (5)/(7) $\times 100 = 48.2\%$

G. VOLUME CALCULATIONS

1 Volume Calculations for Irrigation

$$V_{IR} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 17 \times 4.5 = 76.5 \text{ afa}$$

$$V_{DR} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 0.31 \times 230 \times 1.98 = 141.2 \text{ afa}$$

$$V = \text{Smaller of } V_{IR} \text{ and } V_{DR} = 76.5 \text{ afa}$$

2. Volume Calculations for Other Uses

RECEIVED

OCT 24 1969

H. REMARKS AND OVERLAP REVIEW ANALYSIS

the well is the only irrigating water available for this land. The water from Water Right No. 65-0072 is used on adjacent land.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	3-1	10-15	0.31	76.5
Totals:			0.31	76.5

2. Recommended Amendments

- ☐ Change P.D. as reflected above ☐ Add P.D. as reflected above
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above

☒ None

☐ Other

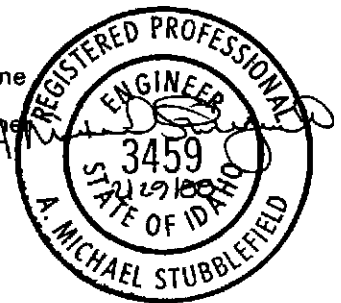
J. AUTHENTICATION

Field Examiner's Name Carter Fritschle

Signature Carter Fritschle

Certification Date _____

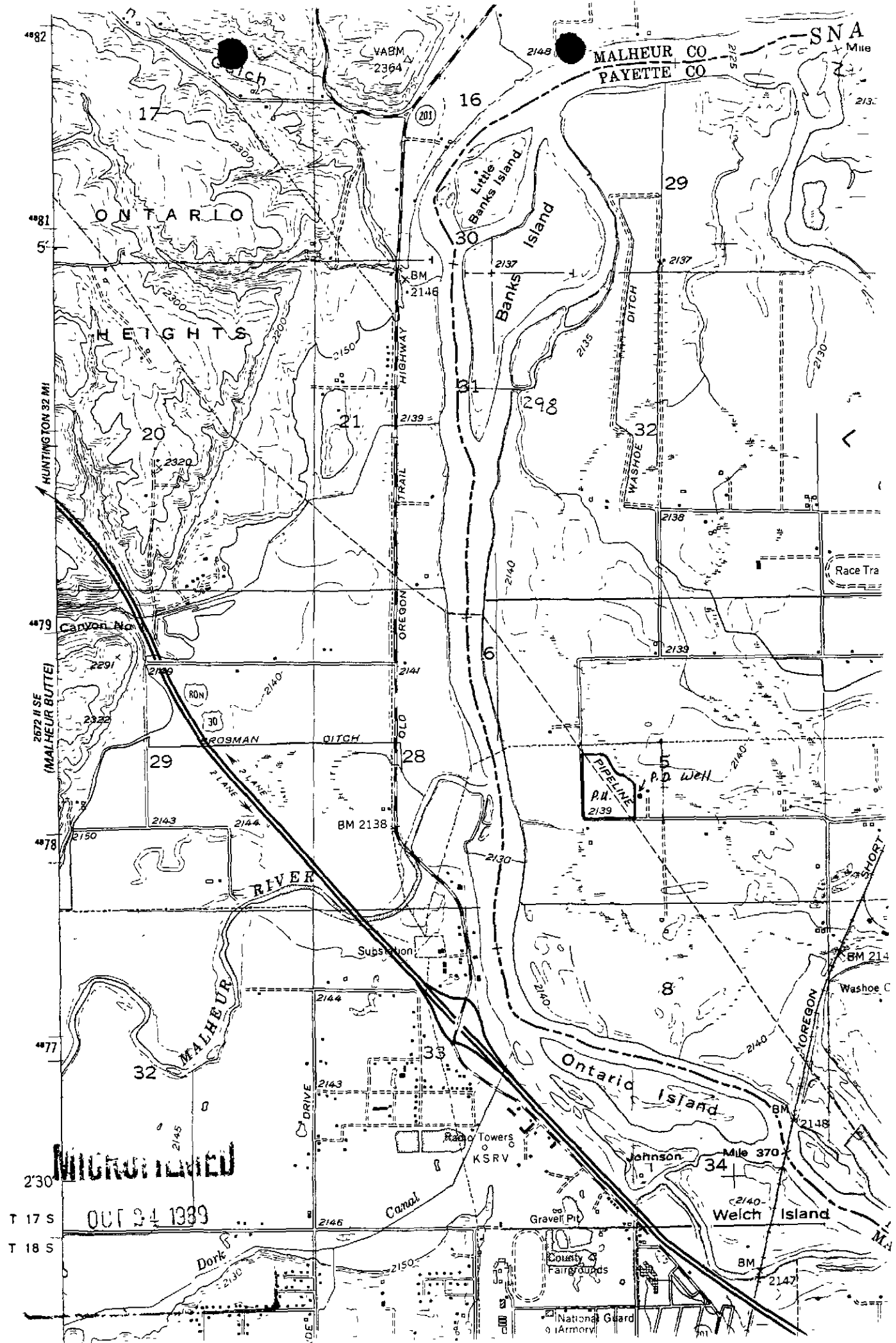
Field Report Preparation Date 8-19-87



CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

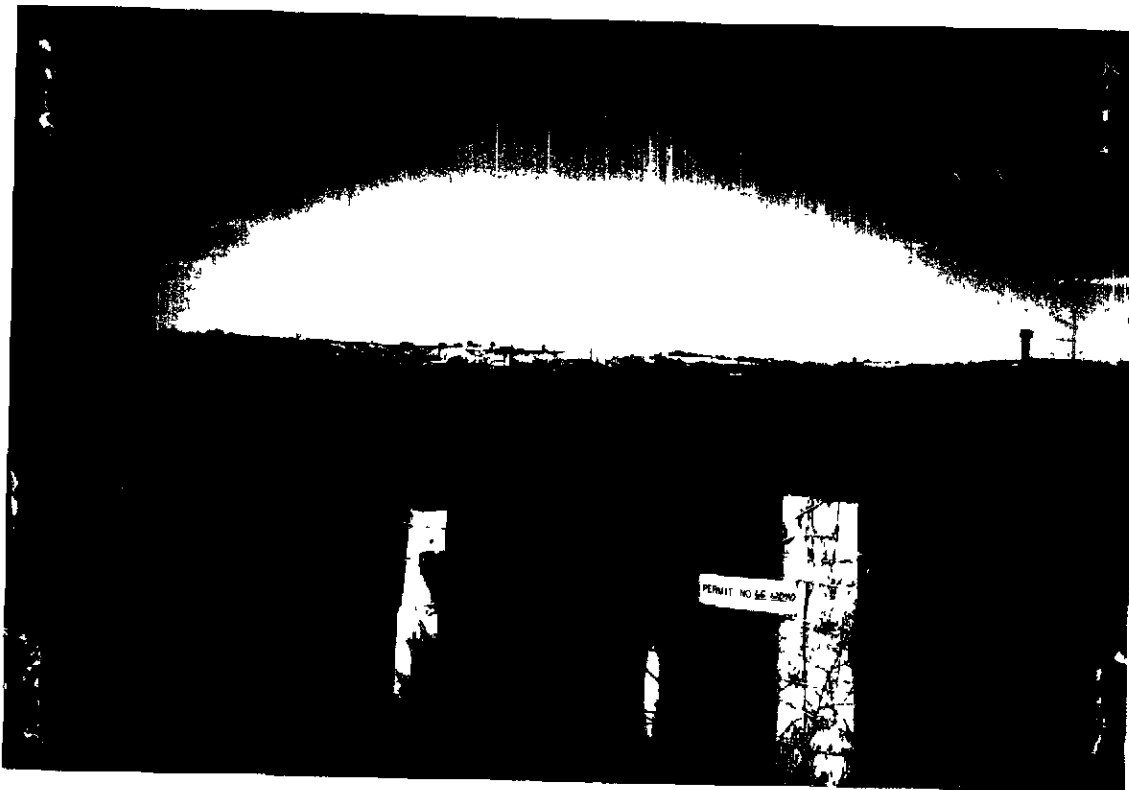
Condition R 32
reviewed: Ryan McCarthy 1/18/89



65-12040



P.D.
Looking west
PU in background



P.U.
Looking North-
west from
N.W. 10th Ave.

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OCT 24 1989

4/86

RECEIVED
JUL 1 1986

Department of Water Resources
Western Regional Office

RECEIVED
OCT 15 1986

Department of Water Resources
STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

For Office Use Only
Fee Received \$100
Date 10/7/86
Receipt # 43712
Receipt by [Signature]
Sent to S.O. 10/15/86

RECEIVED
JUL 25 1986

no vend. ill

1. Permit No. 65-12040

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: Merle and Fredrica Ashworth

3. Post Office Address: Rt. 1 Box 102, Payette, Idaho 83661

Telephone No. 642-9673

4. Source of Water: Well

5. Extent of Use:

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

Irrigation 17 (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted .04 cfs ALLOW 37 cfs acre-feet
or 180 gal. per min.

7. Show the date water was first diverted and beneficially used under this permit:

March 1978

8. Person to contact to accompany the department representative during the field examination:

Merle Ashworth
(Name)

Rt. 1 Box 90B, Payette, Idaho 83661
(Address)

642-2738
(Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

Date 7-23, 1986

Merle Ashworth
Signature of Permit Holder (and title, if appropriate)

OCT 24 1989

State of Idaho

Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.



State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

September 16, 1986

File
↓

Re: Permit No. 65-12040

Merle and Fredrica Ashworth
Route #1, Box 102
Payette, ID 83661

Dear Mr. & Mrs. Ashworth:

We have received the examination fee information sheet for the above referenced permit. However, before we can process this sheet for a field examination there is one item of which you should be aware.

On Item No. 6 on the fee sheet, the amount of water being used and the fee paid on needs to be listed. The amount you have listed is .04 cfs with 180 gallons per minute listed under that amount. However, 0.04 cfs is equal to 18 gallons per minute rather than 180 gallons per minute.

If the .04 cfs amount is sufficient for your needs then no fee need be submitted. However, your permit was filed for 1" per acre for 17 acres or .34 cfs (153 gpm). The fee for this amount is \$100. The fee for .05 cfs (22.5 gpm) to .20 cfs (90 gpm) is \$50. If you do wish to increase the amount on your exam fee information sheet and pending license, then the fee corresponding to that amount will need to be submitted.

If we do not hear from you within 30 days, we will assume the .04 cfs amount is sufficient and a field exam will be scheduled. Please do not hesitate to contact us if you have any questions.

Sincerely,

JAN SHURTE
Sr. Water Resource Agent

JS:j

RECORDED

OCT 24 1986



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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720

65-12040
ASHWORTH, FREDRICA
ASHWORTH, MERLE N.
PT. 1 BOX 102
PAYETTE, ID 83661

138566

June 5, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and the fee is needed for the department to conduct the field examination, but you may change to another certified examiner.

OCT 24 1989

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region

Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region

Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region

Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region

Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

OCT 24 1980

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No 65-12040.

Name(s) of Permit Holder: Merle or Fredrica Ashworth

Post Office Address: Rt. 1 Box 102, Payette, Idaho 83661

Tel No. 642-9673

Source of Water: Ground water

Extent of Use: ☐ Domestic _____ (number of households)
☐ Stockwater _____ (number and type of stock)
☒ Irrigation 20 _____ (acres)
☐ Other _____

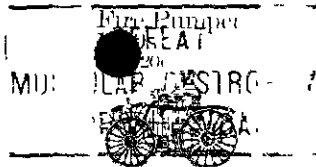
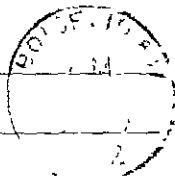
Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No
Access Port: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

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

11-3-1982
Date

Merle Ashworth
Signature of Permit Holder

FREDRICA ASHWORTH
R. R. 1, Box 102
Payette, ID 83661



IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138906

ASHWOOD, FREDRICA & MERLE N.
RT. 1 BOX 102
PAYETTE, ID 83661

OCTOBER 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 65-12040 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JANUARY 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU HAVE NOT PREVIOUSLY RECEIVED AN EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME PROVIDED THE DELAY IS FOR REASONABLE CAUSE AS INDICATED IN SECTION 42-204, IDAHO CODE, AMENDED. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED.

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

February 2, 1978

Re: Permit No. 65-12040

Fredrica &/or Marle N. Ashworth
Route #1
Box 102
Payette, ID 83661

Dear Mr. & Mrs. Ashworth:

Enclosed is a copy of your approved Application for Permit No. 65-12040. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF/cah

Enclosure

MILITARY

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 65-12040

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

(1) WHA 10-20-77

In form to receipt

(2) _____

Send Copies to:

- ☐ Idaho State Health Department
- ☐ Idaho Fish and Game Department
- ☐ Bureau of Land Management

(3) _____

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

(4) WHA 10-20-77

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no ☒

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use none platted

(10) _____

Comments: _____

(11) WHA OK

Affidavit of Publication received(date) 11-14-77

(12) _____

Final date for protests 11-14-77

Protests received: yes _____ no ☒

(13) _____

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

(14) _____

Action recommended:

☒ Approve _____ Deny

10-19-77 Proposed Priority

.34 cfs Reason for Reduction Q excessive
NO Measuring device required reduce to .02 cfs
sure

_____ See attached sheet for other conditions of approval

_____ No special conditions for approval

(15) District W By WHA Date 11-15-77

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED

Director

(208) 384-2190

October 28, 1977

Merle &/or Fredrica Ashworth
Rt. 1 Box 102
Payette, ID 83661

Dear sir:

Enclosed is your Receipt No. 9614 in the amount of \$ 25.00

for 1 application which was received in

this office on 10-19-77.

Sincerely,

RITA FLECK
Secretary

RF

Enclosure

MICROFILMED



DEPARTMENT OF WATER RESOURCES
WESTERN REGION

John V. Evans
Governor

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

October 21, 1977

Re: Notice of Application for Water Permit No. 65-12032 -- Whit &/or Helen Ward
65-12034 -- Larry &/or R. Joan Schmelzer
65-12036 -- Ralph &/or Evelyn Dykma
65-12038 -- Ronald &/or Mary Garner
65-12040 -- Fredrica or Merle Ashworth
65-12041 -- North 20th Street Irrigation Co.
65-7869 --- James W. Humble

Independent Enterprise
Box 520
Payette, ID 83661

Gentlemen:

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

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

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

(Signature of Claimant)

Please send the affidavit of publication and publication billing to this office before November 14, 1977.

Sincerely,

RITA FLECK
Secretary

*Bill submitted
11-14-77
JF*

RECORDED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that FREDRICA ASHWORTH OR MERLE N. ASHWORTH
Route 1, Box 102 Payette, Idaho
has on October 19, 1977 submitted Application No. 65-12040
for a permit to appropriate 0.4 cubic feet per second ~~acre feet~~
~~per annum~~ of water from a groundwater source
by means of well and pump
within the NE1/4SW1/4 Sec 5 T8N-R5W B.M., Payette County

to be used from Mar 1 to Oct 15
for irrigation of 17 acres

within the NE1/4SW1/4 Sec 5 T8N-R5W B.M.

If issued, this permit will be subject to all prior water rights. Pro-
tests against the granting of the permit must be filed with the Director of
the Idaho Department of Water Resources, 92 South Cole Road, Boise, Idaho
83705 on or before November 14, 1977.

C. STEPHEN ALLRED

Director

Published in the Independent Enterprise, Payette, Idaho
on October 27, 1977 and November 3, 1977.

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