Form 202
3/78

Ident. No. 32 7150

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant WAHOO, INC. and B.H.A., INC. Phone 356-3178

   Post office address Route 1, Sugar City, ID 83448

2. Source of water supply Indian Creek which is a tributary of Medicine Lodge Creek

3. Location of point of diversion is NE ¼ of SW ¼ of Section 12 Township 11N

   Range 34E B.M. Clark County, additional points of diversion if any: ____

4. Water will be used for the following purposes:

   Amount 10.0 (cfs or acre-feet per annum) for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)

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

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

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

5. Total quantity to be appropriated:

   a. 10.0 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. Pump from stream to pipeline and sprinkler system.

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

   Period of year when water will be diverted to storage _____ (Month/Day) to _____ (Month/Day) inclusive.

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years *(minimum 1 year – maximum 5 years).*

8. Description of proposed uses:
   a. If water is **not** for irrigation:
      (1) Give the place of use of water: _____ ¼ of _____ ¼ of Section _____ Township _____

      Range _____ B.M.

      (2) Amount of power to be generated: _____ horsepower under _____ feet of head.

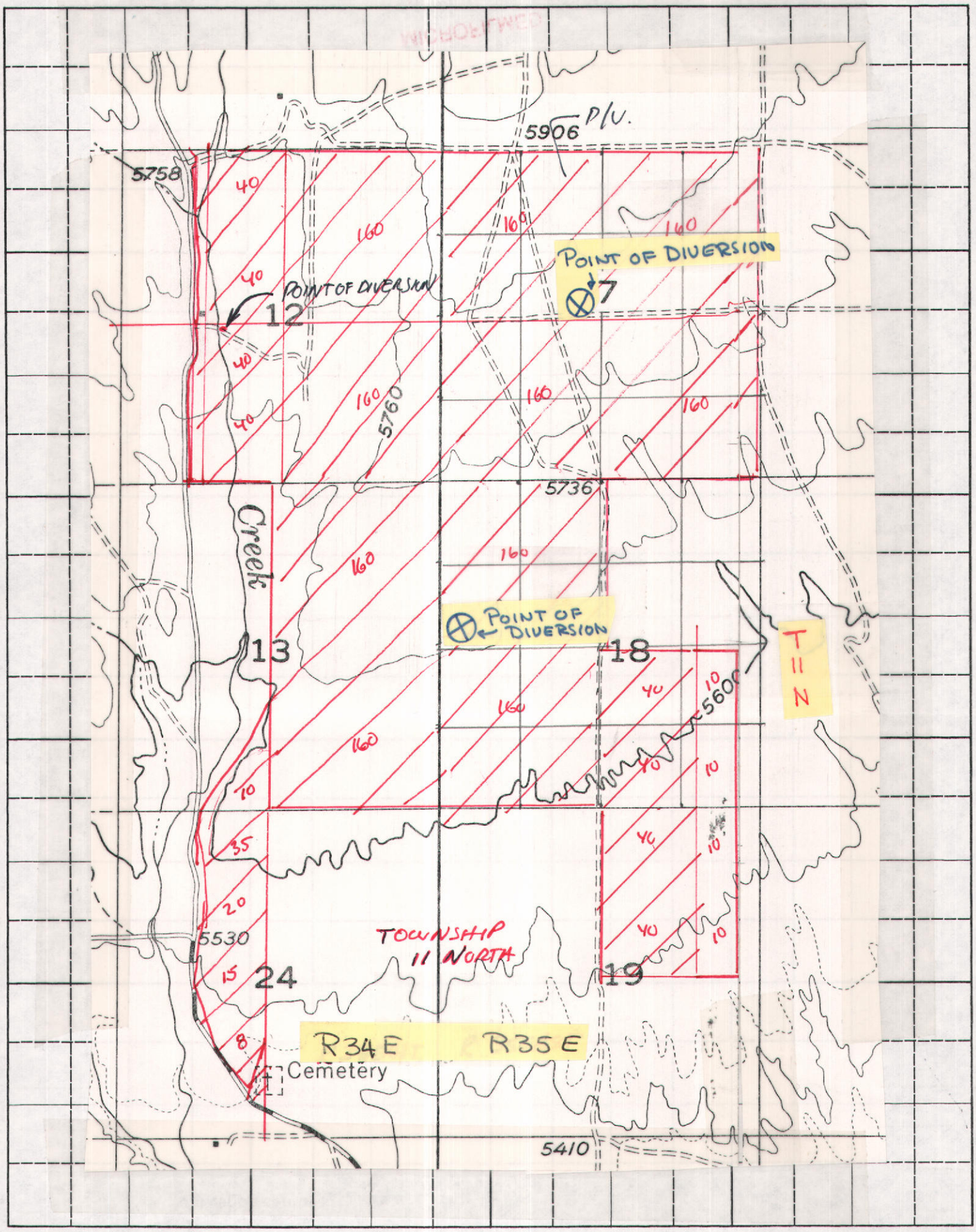
      (3) List number of each kind of livestock to be watered _____

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

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

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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.

Grant Ashcroft Pres.
(Applicant)

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Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Permit	32 7137	WAHOO INC,	GROUND WATER	11N34E12	40	40	40	40	40			40	40			40	40	40	40	40	480
Permit	32 7150	WAHOO INC, BHA INC,	INDIAN CREEK	11N34E12	34	40	40	34	32			36	34			38	32	40	39	32	431
Rec	32 11219	WAHOO INC,	INDIAN CREEK	11N34E12	34	40	40	34	32			36	34			38	32	40	39	32	431
Rec	32 14	WAHOO INC,	INDIAN CREEK	11N34E12	34	40	40	34	32			36	34			38	32	40	39	32	431
Rec	32 15	WAHOO INC,	INDIAN CREEK	11N34E12	34	40	40	34	32			36	34			38	32	40	39	32	431
Rec	32 16	WAHOO INC,	INDIAN CREEK	11N34E12	34	40	40	34	32			36	34			38	32	40	39	32	431
Right	32 14	WAHOO INC,	INDIAN CREEK	11N34E12	8	21	22	17									9	23	22	2	124
Right	32 15	WAHOO INC,	INDIAN CREEK	11N34E12	8	21	22	17									9	23	22	2	124
Right	32 16	WAHOO INC,	INDIAN CREEK	11N34E12	8	21	22	17									9	23	22	2	124
Right	32 57	W LEE HILL, GRANVILLE GAUCHAY,	INDIAN CREEK	11N34E12	X	X	X	X	X			X	X			X	X	X	X	X	0
Right	32 7150	BHA INC, WAHOO INC,	INDIAN CREEK	11N34E12	34	40	40	34	32			36	34			38	32	40	39	32	431

Rec. only -
32-14
32-15
32-16
32-7137 ← also in lic process
32-57
32-11219 ← enlargement claim

not claimed in SRBA

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Permit	32 7137	WAHOO INC,	GROUND WATER	11N34E13	40	40	40	40									40	40	40	40	320
Permit	32 7150	WAHOO INC, BHA INC,	INDIAN CREEK	11N34E13	40	30	25	40								11	40	30	40	40	296
Rec	32 11219	WAHOO INC,	INDIAN CREEK	11N34E13	40	30	25	40								11	40	30	40	40	296
Rec	32 14	WAHOO INC,	INDIAN CREEK	11N34E13	40	30	25	40								11	40	30	40	40	296
Rec	32 15	WAHOO INC,	INDIAN CREEK	11N34E13	40	30	25	40								11	40	30	40	40	296
Rec	32 16	WAHOO INC,	INDIAN CREEK	11N34E13	40	30	25	40								11	40	30	40	40	296
Right	32 7150	BHA INC, WAHOO INC,	INDIAN CREEK	11N34E13	40	30	25	40								11	40	30	40	40	296

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Permit	32 7137	WAHOO INC,	GROUND WATER	11N34E24					35			20					15			8	78
Permit	32 7150	WAHOO INC, BHA INC,	INDIAN CREEK	11N34E24					34			29	12								75
Rec	32 11219	WAHOO INC,	INDIAN CREEK	11N34E24					34			29	12								75
Rec	32 14	WAHOO INC,	INDIAN CREEK	11N34E24					34			29	12								75
Rec	32 15	WAHOO INC,	INDIAN CREEK	11N34E24					34			29	12								75
Rec	32 16	WAHOO INC,	INDIAN CREEK	11N34E24					34			29	12								75
Right	32 2051	SMALL RANCHES PARTNERSHIP,	INDIAN CREEK	11N34E24							16		3	39	39	27			1		125
Right	32 52	SMALL RANCHES PARTNERSHIP,	INDIAN CREEK	11N34E24							16		3	39	39	27			1		125
Right	32 6A	COUNTY OF CLARK CEMETERY DIST,	INDIAN CREEK	11N34E24									1								1
Right	32 6B	SMALL RANCHES PARTNERSHIP,	INDIAN CREEK	11N34E24							16		3	39	39	27			1		125
Right	32 7150	BHA INC, WAHOO INC,	INDIAN CREEK	11N34E24					34			29	12								75

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Permit	32 7137	WAHOO INC,	GROUND WATER	11N35E7	40	40	40	40	40	39	39	40	40	39	39	40	40	40	40	40	636
Permit	32 7150	WAHOO INC, BHA INC,	INDIAN CREEK	11N35E7	40	39	39	40	40	37	38	40	40	39	39	40	39	39	35	38	622
Rec	32 11219	WAHOO INC,	INDIAN CREEK	11N35E7	40	39	39	40	40	37	38	40	40	39	39	40	39	39	35	38	622
Rec	32 14	WAHOO INC,	INDIAN CREEK	11N35E7	40	39	39	40	40	37	38	40	40	39	39	40	39	39	35	38	622
Rec	32 15	WAHOO INC,	INDIAN CREEK	11N35E7	40	39	39	40	40	37	38	40	40	39	39	40	39	39	35	38	622
Rec	32 16	WAHOO INC,	INDIAN CREEK	11N35E7	40	39	39	40	40	37	38	40	40	39	39	40	39	39	35	38	622
Right	32 7150	BHA INC, WAHOO INC,	INDIAN CREEK	11N35E7	40	39	39	40	40	37	38	40	40	39	39	40	39	39	35	38	622

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Permit	32 7137	WAHOO INC,	GROUND WATER	11N35E18					40	39	39	40	40	39	39	40	10	40	40	10	416
Permit	32 7150	WAHOO INC, BHA INC,	INDIAN CREEK	11N35E18					40	39	39	40	40	39	39	40	9	39	40	9	413
Rec	32 11219	WAHOO INC,	INDIAN CREEK	11N35E18					40	39	39	40	40	39	39	40	9	39	40	9	413
Rec	32 14	WAHOO INC,	INDIAN CREEK	11N35E18					40	39	39	40	40	39	39	40	9	39	40	9	413
Rec	32 15	WAHOO INC,	INDIAN CREEK	11N35E18					40	39	39	40	40	39	39	40	9	39	40	9	413
Rec	32 16	WAHOO INC,	INDIAN CREEK	11N35E18					40	39	39	40	40	39	39	40	9	39	40	9	413
Right	32 7150	BHA INC, WAHOO INC,	INDIAN CREEK	11N35E18					40	39	39	40	40	39	39	40	9	39	40	9	413

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Permit	32 7137	WAHOO INC,	GROUND WATER	11N35E19	10	40	40	10													100
Permit	32 7150	WAHOO INC, BHA INC,	INDIAN CREEK	11N35E19	9	40	40	9													98
Rec	32 11219	WAHOO INC,	INDIAN CREEK	11N35E19	9	40	40	9													98
Rec	32 14	WAHOO INC,	INDIAN CREEK	11N35E19	9	40	40	9													98
Rec	32 15	WAHOO INC,	INDIAN CREEK	11N35E19	9	40	40	9													98
Rec	32 16	WAHOO INC,	INDIAN CREEK	11N35E19	9	40	40	9													98
Right	32 7150	BHA INC, WAHOO INC,	INDIAN CREEK	11N35E19	9	40	40	9													98

32-7150

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JUL 19 2002

Permit No: 32-7150

STATE OF IDAHO Department of Water Resources
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 32-7150
Exam Date: 7/12/2002

1. Current Owner: WAHOO & BHA INC
3930 E 2000 N
SUGAR CITY ID 83448
(208)356-3178

And

BHA INC
2983 E 2000 N
SUGAR CITY ID 83448

2. Accompanied by: office review
Phone No:
Address:
Relationship to Permit Holder:

3. **SOURCE** INDIAN CREEK — **TRIBUTARY** MEDICINE LODGE CREEK

GW

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 32-14, 32-15, 32-16, 32-11219, 32-7137
2. Other water rights with the same point of diversion: 32-14, 32-15, 32-16, 32-11219

C. DIVERSION AND DELIVERY SYSTEM

1. **LOCATION OF POINT(S) OF DIVERSION:**

INDIAN CREEK L3 SE1/4SW1/4 Sec. 36, Twp 12N, Rge 34E, B.M.
CLARK County

Method of Determination: field review adjudication

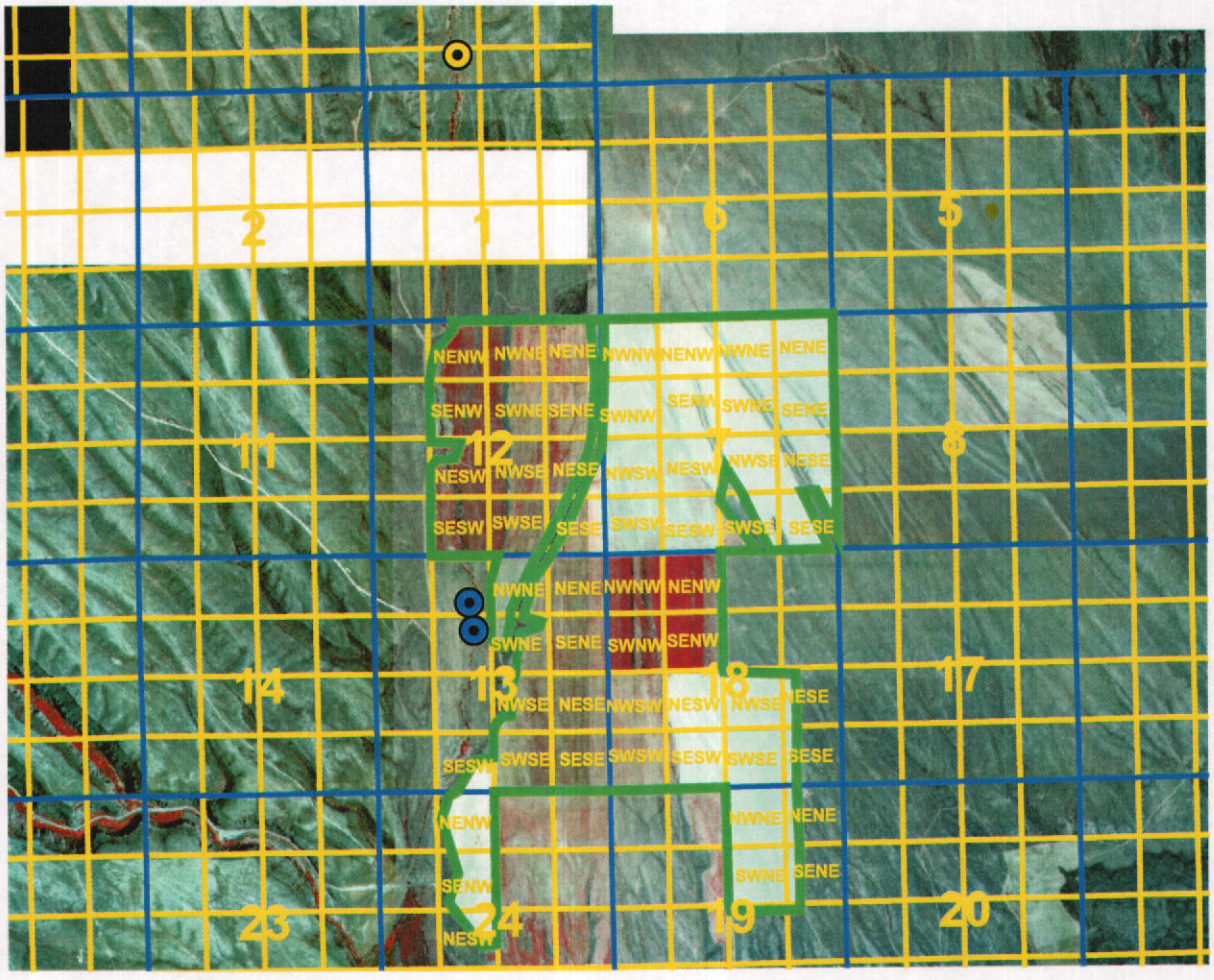
2.

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AUG 15 2002

IDAHO DEPARTMENT OF WATER RESOURCES

32-00014, 32-00015, 32-00016,
32-11219 32-7150, 32-7137 GW

T11N, R34E, SEC. 12, 13, 24
T11N, R35E, SEC. 7, 18, 19



N

1320 0 1320 Feet

ACRES IRRIGATED- 1935

PLACE OF USE

POINT OF DIVERSION

GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
PREPARED BY DAVE CARLSON

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AUG 15 2002

GRANT & BOYD ASHCRAFT

T-341

WAHOO INC.

T-341

DENNIS JARDINE B78 T136

WAHOO 3rd Ashcraft INC.

T-343

BLAINE GROVER B74 T126

MEDICINE LODGE GRAZING C101

BHA INC.

T-342

WAHOO INC.

IRR.

J-8

Form Approved - OMB No. 0560-0004

REPORT OF ACREAGE

USDA-ASCS

NOTE: *Section 374 of the Agricultural Adjustment Act of 1938, as amended, authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing this data is voluntary; however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the Act.*

PAGE 1 OF

KEY	FARM NO.	NAME AND ADDRESS	FARM LAND	CROP LAND
1 OPERATOR	860 B	Boyd & Grant Ashcraft RT 1 Sugar City, ID		977.1
2 OWNER				

OTHER FARMS
OPERATOR: NONE
OWNER: NONE

PROGRAM YEAR: 1986

OTHER

OTHER INTERESTED PRODUCERS KEY	NAME AND ADDRESS (A)	OTHER FARMS (B)	ASSIGNMENT CROP (C)	ASSIGNMENT JOB (D)
3				
4				
5				
6				
7				

SECTION I - FARM FIELD REPORT *(Note: Grey Shaded Area For County Office Use Only) (Section I Continued on Reverse)*

TRACT NO. (1)	FIELD NO. (2)	CROP OR LAND USE (3)	CROP OR LAND USE SUMMARY: WHT	BCly	OATS	ALF (4)	Past.	Potatoes	Hay	ACR	KEY (5)	SHARE (6)	DISPOSITION (7)	GROSS ACRES (8)	DEDUCTIONS IDENT./MEAS. (9)	DEDUCTIONS ACRES (10)	NET ACRES (11)	INIT. &
T-341	1	ALFALFA HAY				139.3												
	2	Spring Barley, IR		14.5														
	3	Spring Barley, IR		197.1														
	4	Spring, HRS Wheat, NR	92.8 90.8															
	5A	ACR C/C								200.0 192.1								
	5B	SWW WHEAT, IR	18.6															
	6	HRS WHEAT, NR	164.5															
	7	HRS WHEAT, IR	163.2															
	8	HRS WHEAT, IR	16.1							IR 32.4 NR 30.0 62.4								
	13. TOTAL OPERATOR REPORT		1440.1	543.8	0	498.0	53.5	215.6	17.0									
	14. TOTAL DETERMINED ACREAGE																	

LESS?

MICROFILMED JUL 10 2002

may Canfield 5 acres corner

A. OPERATOR'S SIGNATURE — DATE — B. OPERATOR'S SIGNATURE — DATE

SECTION II - OPERATOR'S CERTIFICATION

I certify to the best of my knowledge and belief that the acreages of crops and land uses listed herein are true and correct. I understand that an inaccurate acreage report could result in a payment reduction or loss of program benefits and/or reduction in future allotments and quotas when applicable.

C. OPERATOR'S SIGNATURE: Grant Ashcraft — DATE: 5-27-86

1984-565-357

Form Approved - OMB No. 0560-0004

ASCS-578 (02-02-84) — **REPORT OF ACREAGE** — USDA-ASCS

NOTE: *Section 374 of the Agricultural Adjustment Act of 1938, as amended, authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing this data is voluntary; however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the Act.*

PAGE 2 OF

FARM NO. | NAME AND ADDRESS | FARM-LAND | CROP-LAND

KEY 1 OPERATOR

KEY 2 OWNER

OTHER FARMS: OPERATOR | OWNER | PROGRAM YEAR | OTHER

OTHER INTERESTED PRODUCERS			ASSIGNMENT	
KEY	NAME AND ADDRESS A	OTHER FARMS B	CROP C	JOB D
3				
4				
5				
6				
7				

SECTION I - FARM FIELD REPORT *(Note: Grey Shaded Area For County Office Use Only) (Section I Continued on Reverse)*

TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY: WHT	BRLY	OATS	ALF	4 PAST.	Potatoes	Hay	ACR	KEY 5	SHARE 6	DISPOSITION 7	GROSS ACRES 8	DEDUCTIONS: IDENT./MEAS. 9	DEDUCTIONS: ACRES 10	NET ACRES 11	INIT.
		IR								200.0								
T-341	17	ACR C/C								Rdm 3								
		(Boot. HRS	236.6															
T-345	1	WHEAT, IR	236.4										Thunder Gulch					
		(Thunder Gulch) NR								178.7			W. 11 seed TO HAY / GRASS					
T-344	1	ACR C/C								181.6								
					MICROFILMED		14.9											
135R	1	IR PASTURE																
			60.8															
	2	HRS WHEAT, IR																
							38.6											
	3	IR. PASTURE																
						41.8												
75L	1	ALF HAY																
						21.1							19.1 acres designated as barley					
	2	ALF HAY																
						38.0							36.4 acres designated as wheat					
	3	ALF HAY																
13. TOTAL OPERATOR REPORT			297.4	0	0	100.9	53.5	0	0	378.7								
14. TOTAL DETERMINED ACREAGE																		

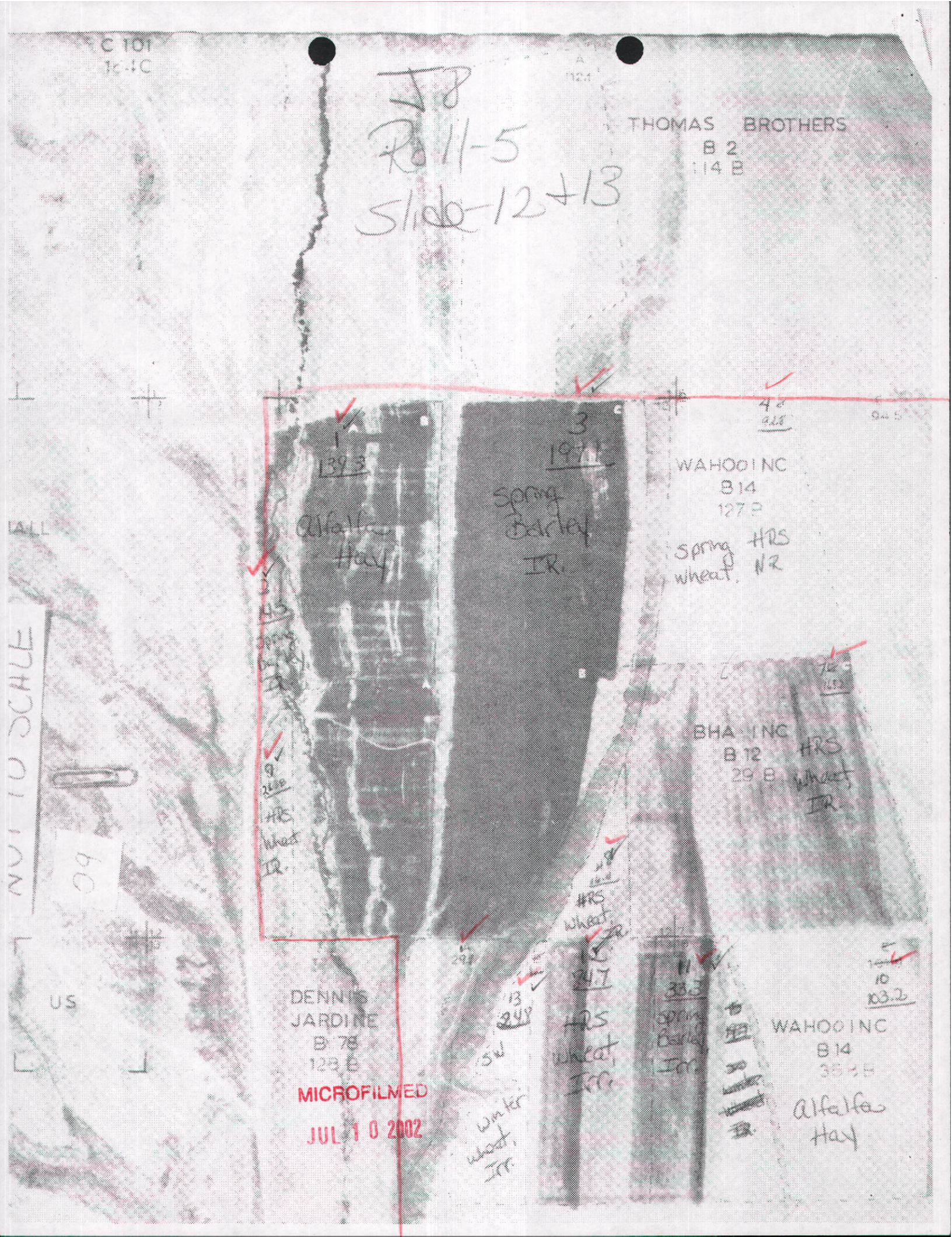
A. OPERATOR'S SIGNATURE | DATE | B. OPERATOR'S SIGNATURE | DATE

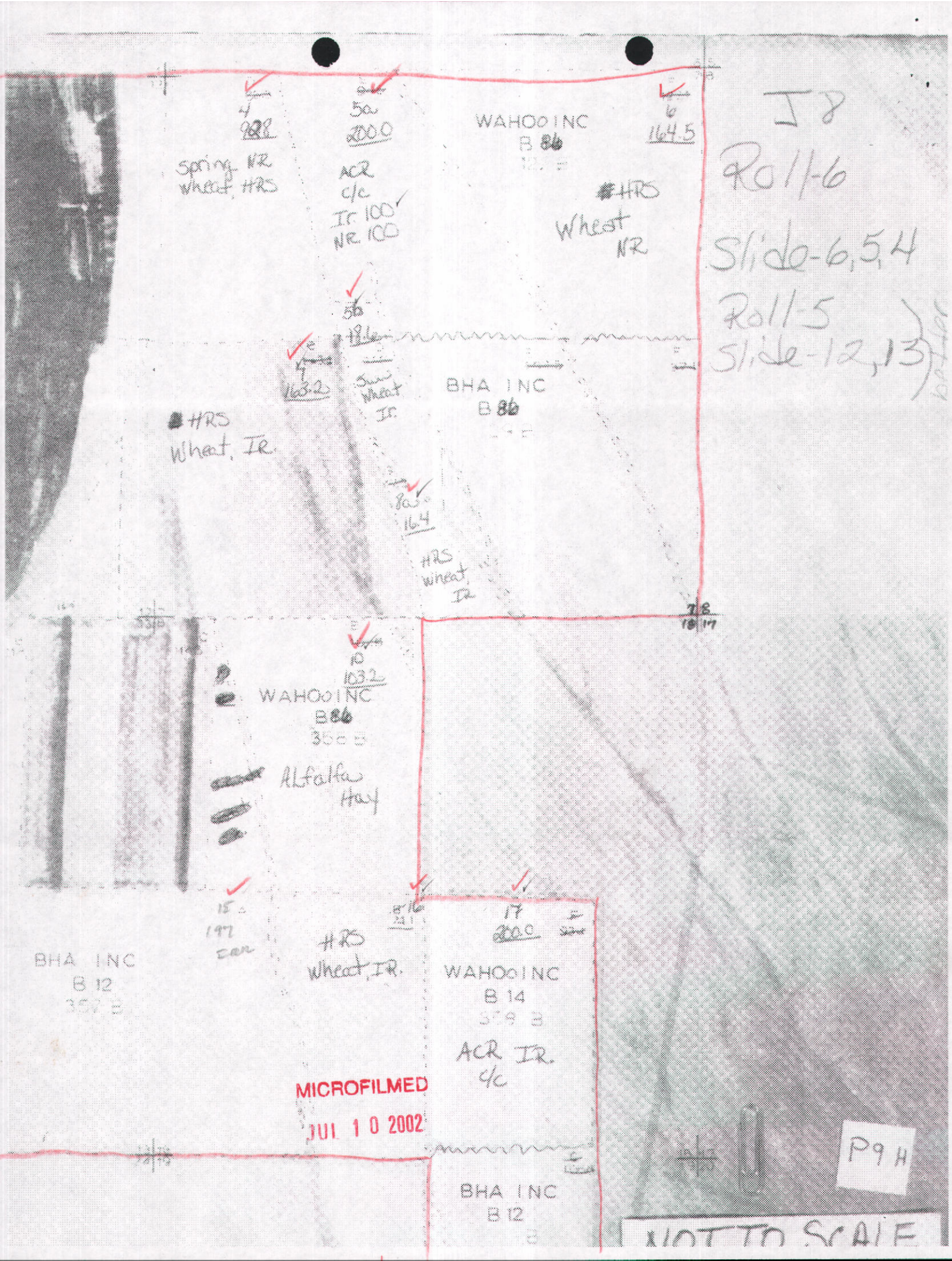
SECTION II - OPERATOR'S CERTIFICATION

I certify to the best of my knowledge and belief that the acreages of crops and land uses listed herein are true and correct. I understand that an inaccurate acreage report could result in a payment reduction or loss of program benefits and/or reduction in future allotments and quotas when applicable.

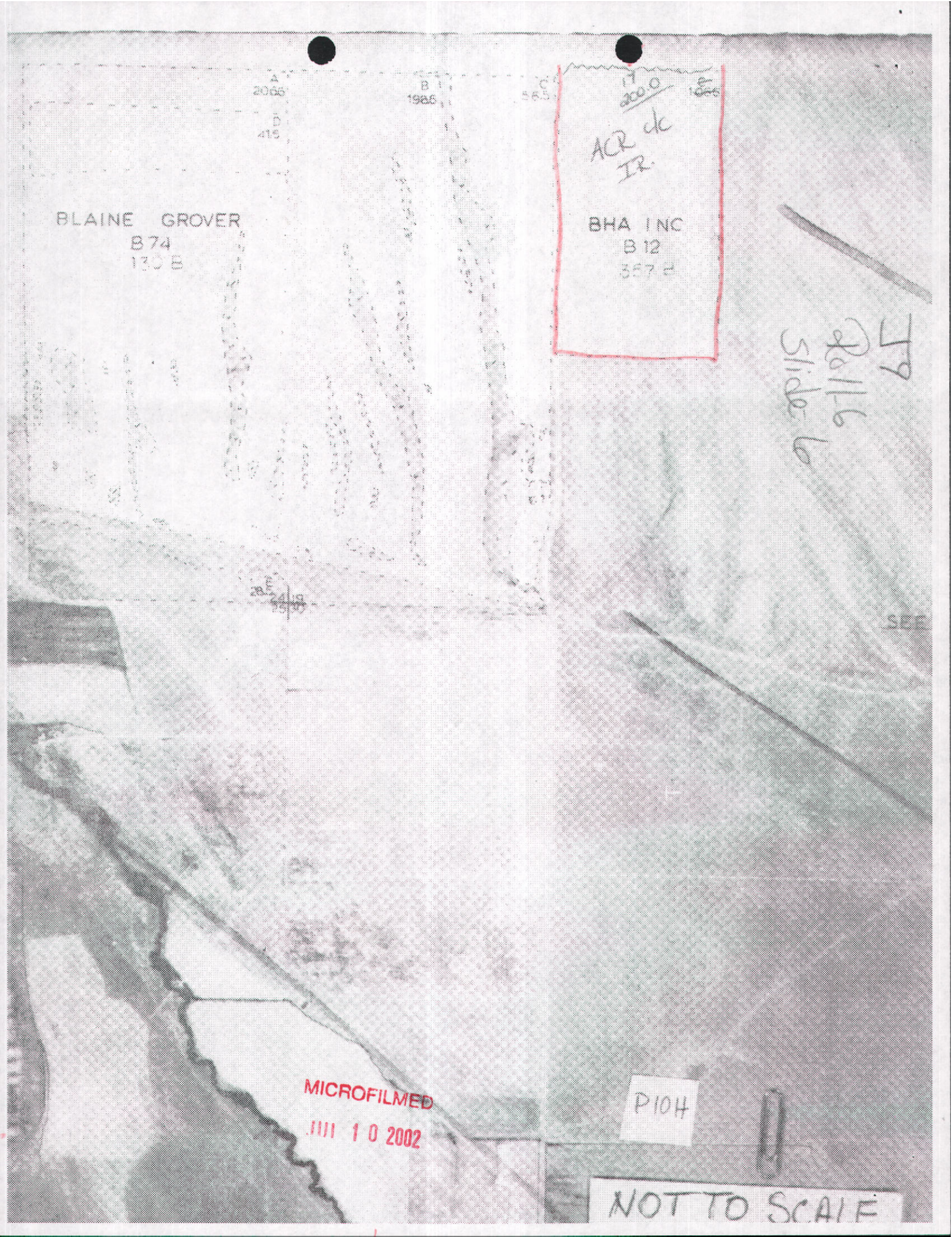
C. OPERATOR'S SIGNATURE | DATE

FILMED 2002


C 101
12-1C
THOMAS BROTHERS
B 2
114 B
Roll-5
slide 12+13
WAHOO INC
B 14
127 B
spring HRS wheat NR
BHA INC
B 12
29 B
HRS Wheat IR
DENNIS JARDINE
B 78
123 B
WAHOO INC
B 14
alfalfa Hay
MICROFILMED
JUL 10 2002



MICROFILMED
JUL 10 2002


A
2066
B
1986
C
565
D
415
E
1345
N
300.0
ACR dc
IR
BLAINE GROVER
B 74
130 B
BHA INC
B 12
367 E
Page 79
Slide 6
SEE
MICROFILMED
JUL 10 2002
P104
NOT TO SCALE


J8
Rolls
51,52-13,14
DENNIS JARDINE
B 78
BHA INC
B 12
CHARLES LAU
C 90
WAHO INC
B 14
90.5
BHA INC
B 12
BLAINE GROVER
B 74
LEE SMALL
C 90
O 10
NOT TO SCALE
MICROFILMED
JUL 10 2002

Basin	Sequence	Suffix	Priority	Div Rate	Source	Water Use	Owner List	Source Table
32	57			3	INDIAN CREEK	IRR	GAUCHAY/HILL	wrWaterRight
32	10369		1/1/1880	0.02	INDIAN CREEK E. FK	STOCK	USA ACTING THROUGH	wrWaterRight
32	10372		1/1/1880	0.02	INDIAN CREEK	STOCK	USA ACTING THROUGH	wrWaterRight
32	10373		1/1/1880	0.02	INDIAN CREEK W. FK	STOCK	USA ACTING THROUGH	wrWaterRight
32	11154		7/1/1882	0.02	INDIAN CREEK POND W. FK	STOCK	USA ACTING THROUGH	wrWaterRight
32	6	A	4/15/1883	0.02	INDIAN CREEK	IRR	CLARK COUNTY CEMETERY DIST	wrAdjRecomm
32	6	B	4/15/1883	3.18	INDIAN CREEK	IRR	SMALL RANCHES	wrAdjRecomm
32	10080		4/15/1883	0.02	INDIAN CREEK	STOCK	SMALL RANCHES	wrWaterRight
32	14		6/15/1883	0.5	INDIAN CREEK	IRR	WAHOO & BHA INC	wrAdjRecomm
32	15		5/1/1884	1.32	INDIAN CREEK	IRR	WAHOO & BHA INC	wrAdjRecomm
32	10180		5/1/1884	0.02	INDIAN CREEK SPRING W. FK	STOCK	USA ACTING THROUGH	wrWaterRight
32	10181		5/1/1884	0.02	INDIAN CREEK W. FK	STOCK	USA ACTING THROUGH	wrWaterRight
32	10182		5/1/1884	0.02	INDIAN CREEK E. FK	STOCK	USA ACTING THROUGH	wrWaterRight
32	52		5/15/1895	1.3	INDIAN CREEK	IRR	SMALL RANCHES	wrWaterRight
32	2004		6/15/1904	4	INDIAN CREEK W. FK	DOM, IRR	GREEN, STEPHEN K	wrWaterRight
32	2051		11/15/1913	1.62	INDIAN CREEK	IRR	SMALL RANCHES	wrWaterRight
32	10099		4/1/1917	0.02	INDIAN CREEK W. FK	STOCK	NATURAL GUARDIAN LTD	wrWaterRight
32	10112		4/1/1920	0.05	INDIAN CREEK	STOCK	THOMAS BROTHERS	wrWaterRight
32	16		8/9/1922	3	INDIAN CREEK	IRR	WAHOO & BHA INC	wrAdjRecomm
32	11167		6/1/1935	0.02	INDIAN CREEK	STOCK	THOMAS BROTHERS	wrWaterRight
32	10107		11/21/1946	0.03	INDIAN CREEK	STOCK	STATE OF IDAHO	wrWaterRight
32	10059		5/1/1968	0.03	INDIAN CREEK	STOCK	ABER, BRYAN C	wrWaterRight
32	7150		6/25/1985*	3.5	INDIAN CREEK	IRR	WAHOO BHA & INC	wrWaterApp
32	11219		4/1/1987	4.5	INDIAN CREEK	IRR	WAHOO & BHA INC	wrAdjRecomm
*Amended 1/12/2002 - prioirity date to be changed accordingly								

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JUL 10 2002

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS
Reviewed by Sharla Curtis on 2/20/02

No. 32-7150 **Name:** Wahoo Inc BHA Inc **Corp. Officers** ✓ **Ad ok** ✓ **Govt Lots**

AREA OF CONCERN: **No/Yes** SR **Moratorium** _____ **GWMA** **TRUST/NON-TRUST**

pre-1987 dev. OK

GROUNDWATER: (√Flow Chart)

DRILLING PERMIT	
All wells	- 046
Basin 34	- 084 (if necessary)
WMD	- North/East/West
≤ 0.24 cfs/5 acres	- No MD
> 0.24 cfs/5 acres	- 067
~~WMD~~	
Supp irr (irr = only use)	- 065-104
Supp irr (+ other uses)	- 100-105
≤ 0.24 cfs/5 acres	- No MD
> 0.24 cfs/5 acres	- 01M

SURFACE WATER: (√Flow Chart)

F&G contacted	- Yes/No Response
In/Above MSF	- WB9
PLANNING REVIEW/RESPONSE	
WD	- R04 (WD# 32C)
≤ 0.20 cfs/others	- 01H, 01P or No MD
> 0.20 cfs	- 01J
SPRINGS/SINK, INACTIVE WD or ~~WD~~	
≤ 0.24 cfs/5 acres	- No MD
>0.24 cfs/5 acres	- 01M or No MD

suggest app be denied source = fully appropriated Watermasters comments overrule

LOCATION:

Boise Front LoGeo	- 058 (<85 GW)
Mitigation	- 121
Trust	- 051(consumptive uses)
~~Non-Trust~~	- 048 (consumptive uses or non-cons. > 1.0 cfs)

RIVER BASINS: (SW special considerations)

Snake R (01)	- W23, N/A
(02,03)	- 007 (w/ remark WB9 if above Weiser)
Payette R (65)	- W23, 047 (Payette Lake)
Salmon R (70's)	- 029 (fish screens)
Weiser R (67)	- 086-087

USES:

~~STORAGE~~	- 18C-01H-01P-18B-NA
IRR ≤ 5 ac	- R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac	- R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER	- R37 (BLM/FS)-111 (instream stock)
MINING	- 054-106
HEAT/COOL	- R07 (injection well)
FIRE PROT	- 077
COMMERCIAL/ INDUSTRIAL	- 106-R07
DAIRY	- 082-WD8
POWER	- 17H or 17K (+uses)-17G (under FERC) or 17M (not FERC regulated) 025-027-R22-08A

USES:

MUNICIPAL	
Restricted area	- 022,075
Irr., GW supp to SW	- 102
Future needs	- 007,109
FISH PROP	- 029 (70's only)-007-042-106
DOMESTIC	
Surface water	- WB5 (Big Wood/Boise above Star Bridge) - 27A (Payette R)
>1 in restricted area	- 070-071-075(no parks/common areas)
Irr separate or none allowed	- WB5
GW w/irrigation from SW evident	- 065-104
Moratorium approvable	- W03 (2500 gpd – meets domestic def i.e. D/convenience store)

BENEFICIAL USE DUE: 8 / 01 / 2002

4.82 cfs 32-15 14 16 11219

MISC CONDITIONS/REMARKS:

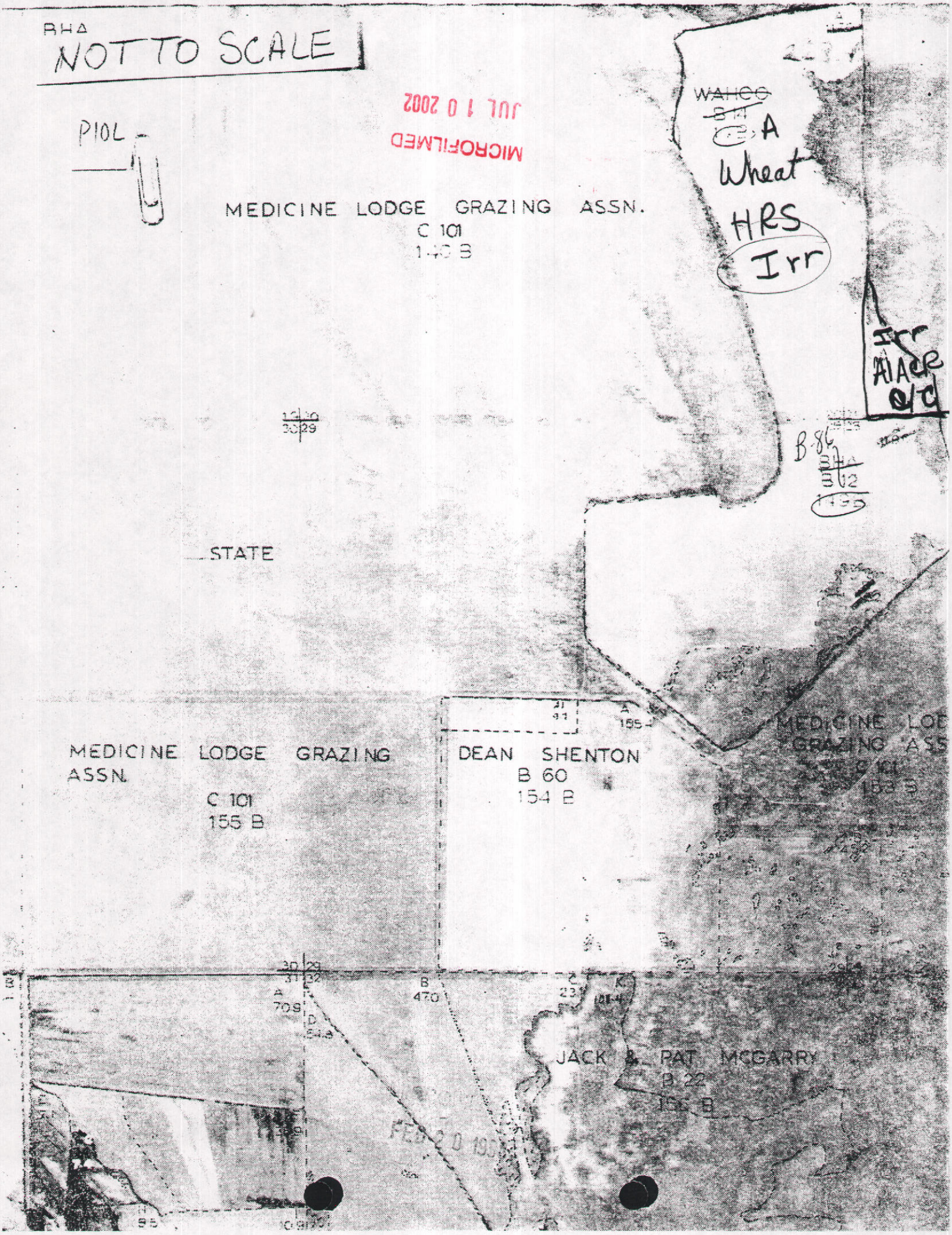
Protested	- 020-W19
Development Period	
> 1 yr	- 26A
Ownership	- 004
Non-consumptive	- 027
Water Quality	- 106-R07
Multiple pd's per ¼¼	- W32
Subd lot desc (pd)	- W59
Subd lot desc (pu)	- W60
Use definitions	- W02 example – S/50 range
Pre-1987 development	- 068-074 (allow 120 days for proof due)
Single p/d intended	- 076

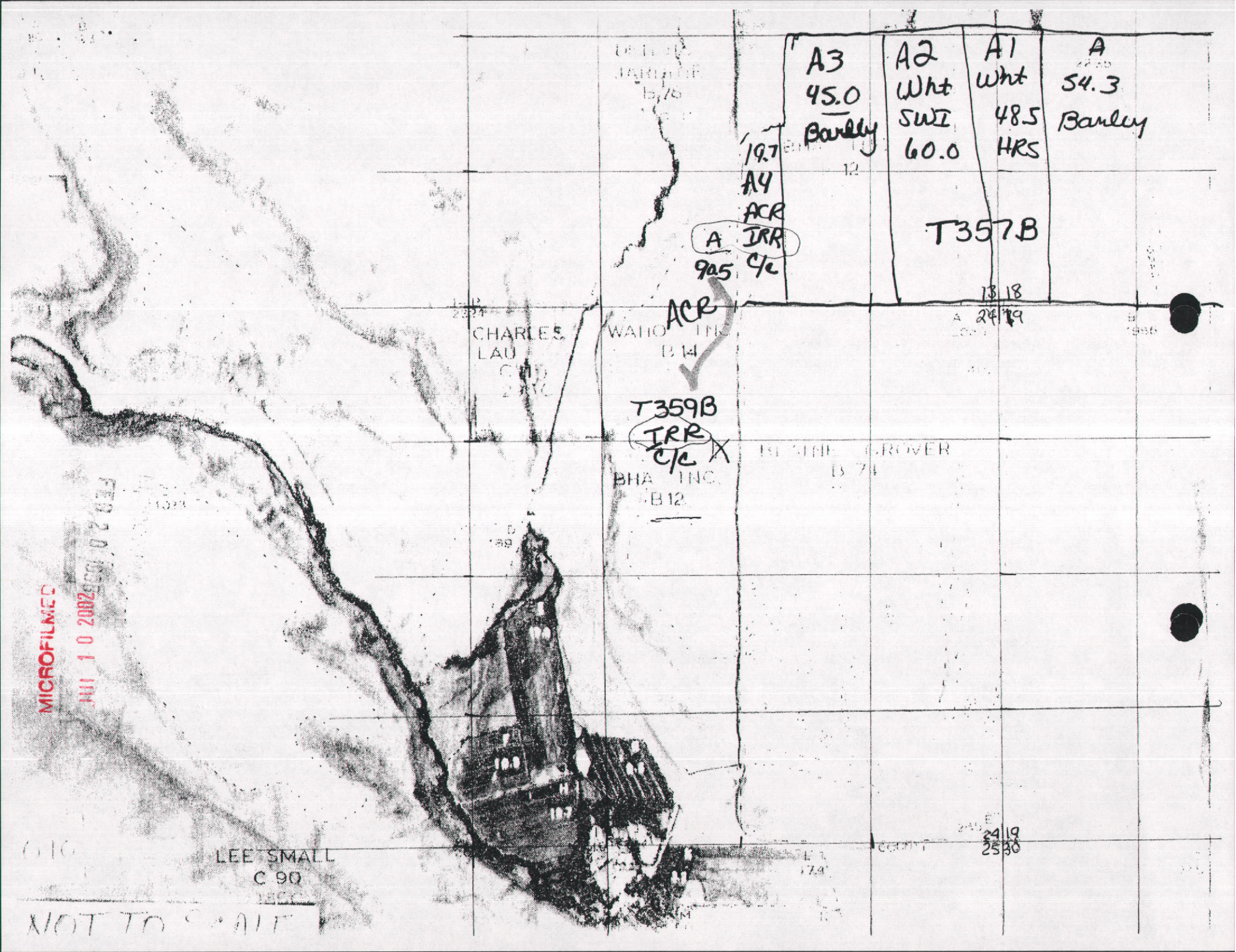
IRRIGATION SEASON 5/1 - 10/31 (Per updated map) **IRR VOLUME/ACRE** 3.5

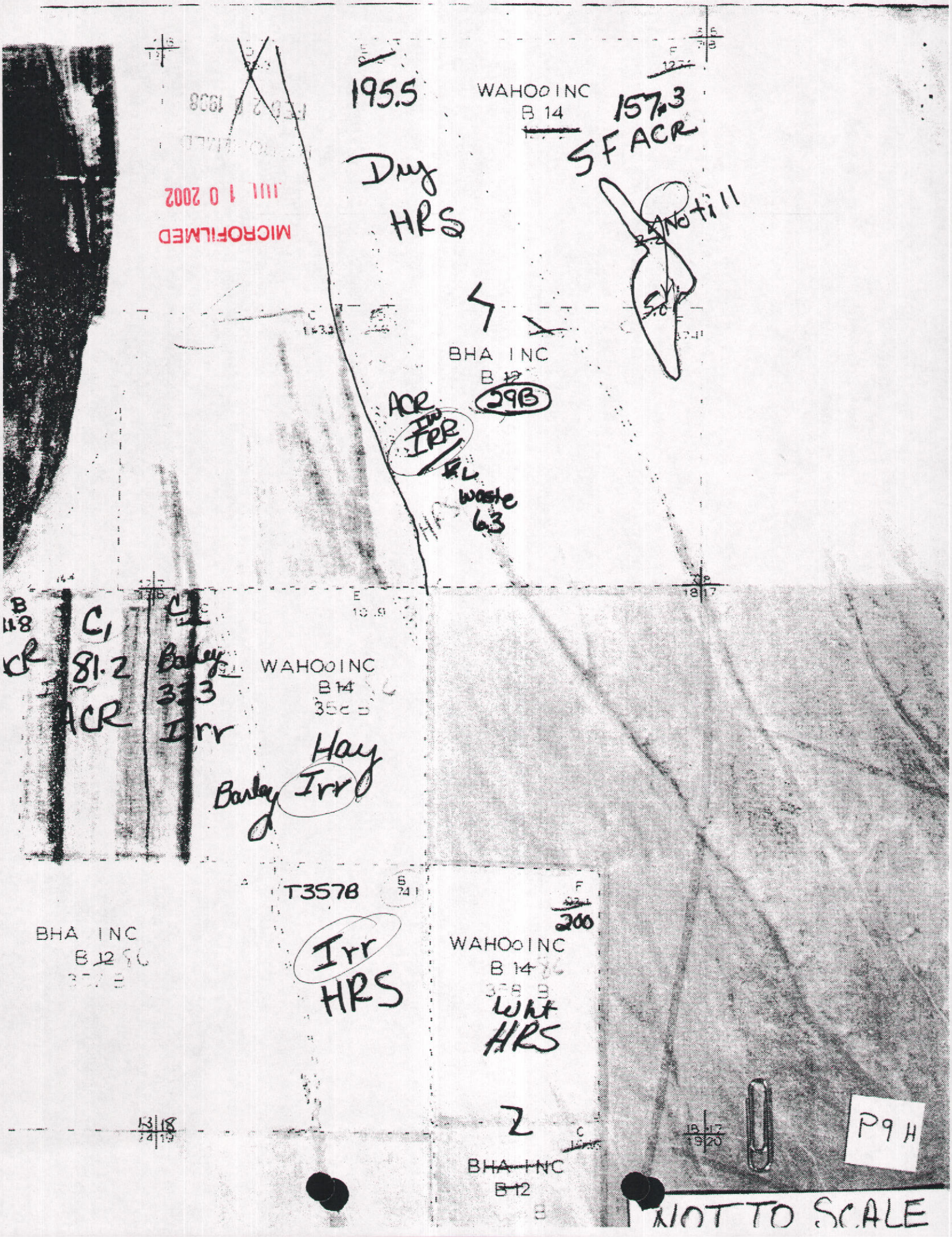
OTHER CONDITIONS/REMARKS 2 statements signed by total of 3 witnesses invoice from irr supply co for system dated 1977

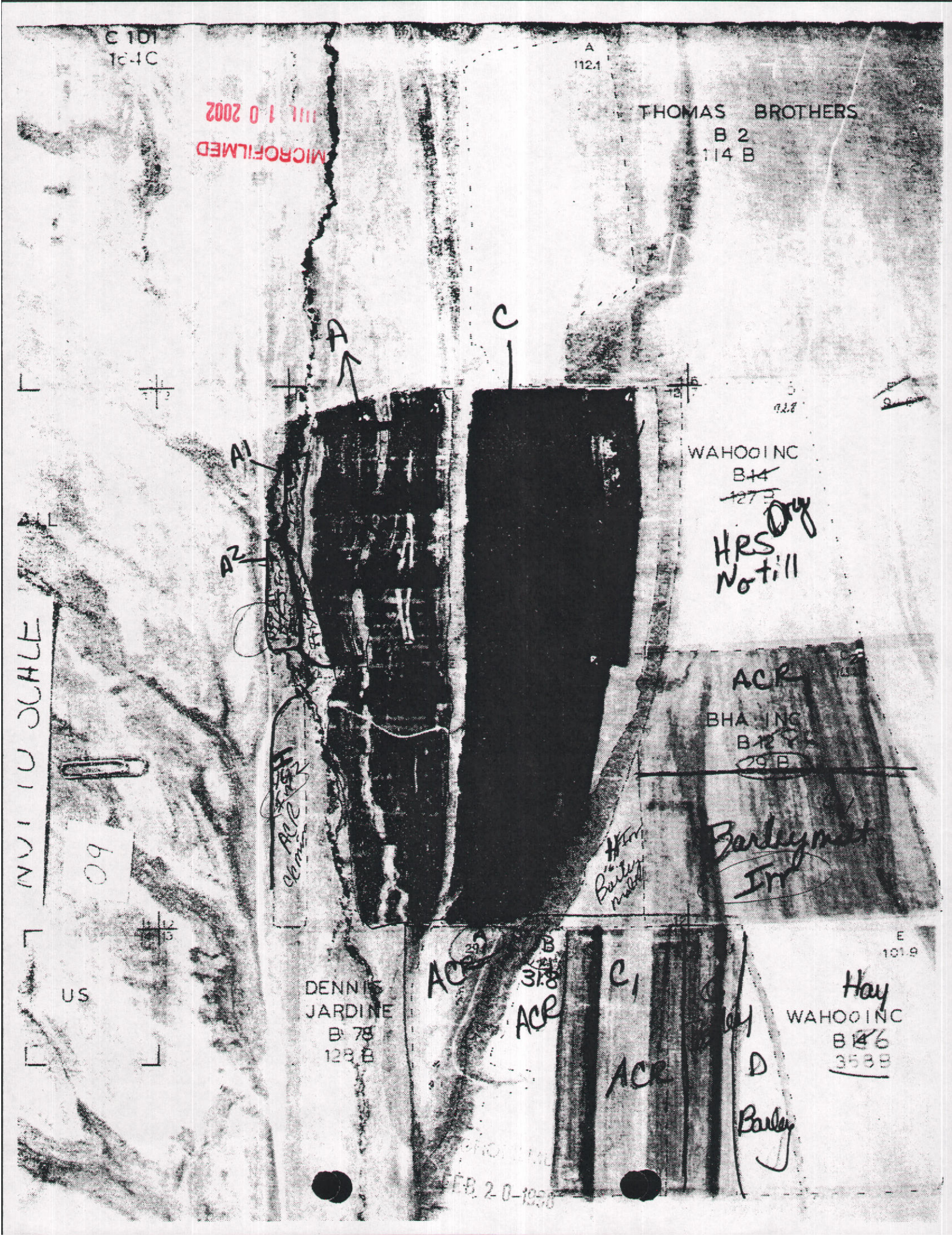
COMMENTS

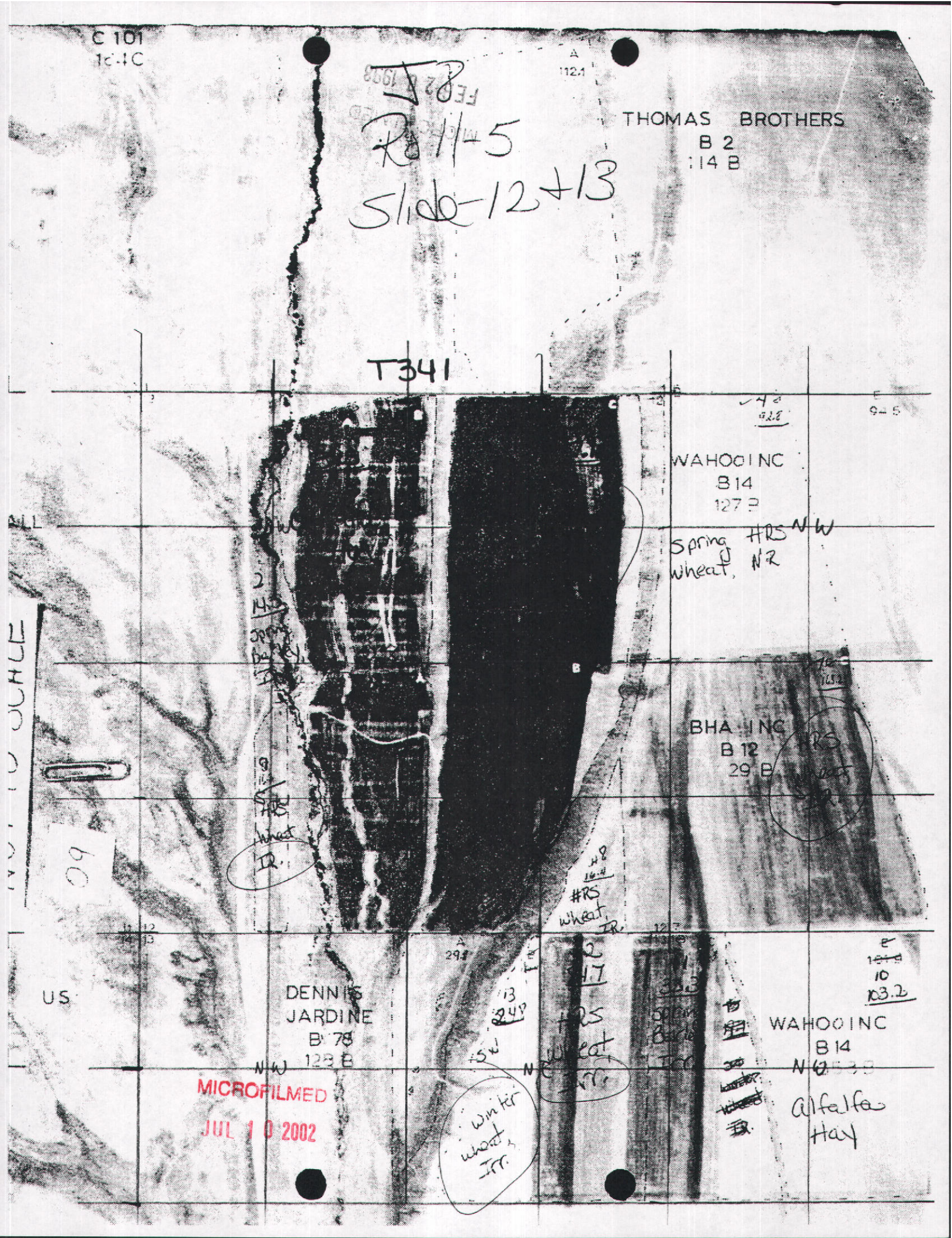
485416 Priority 1/12/02

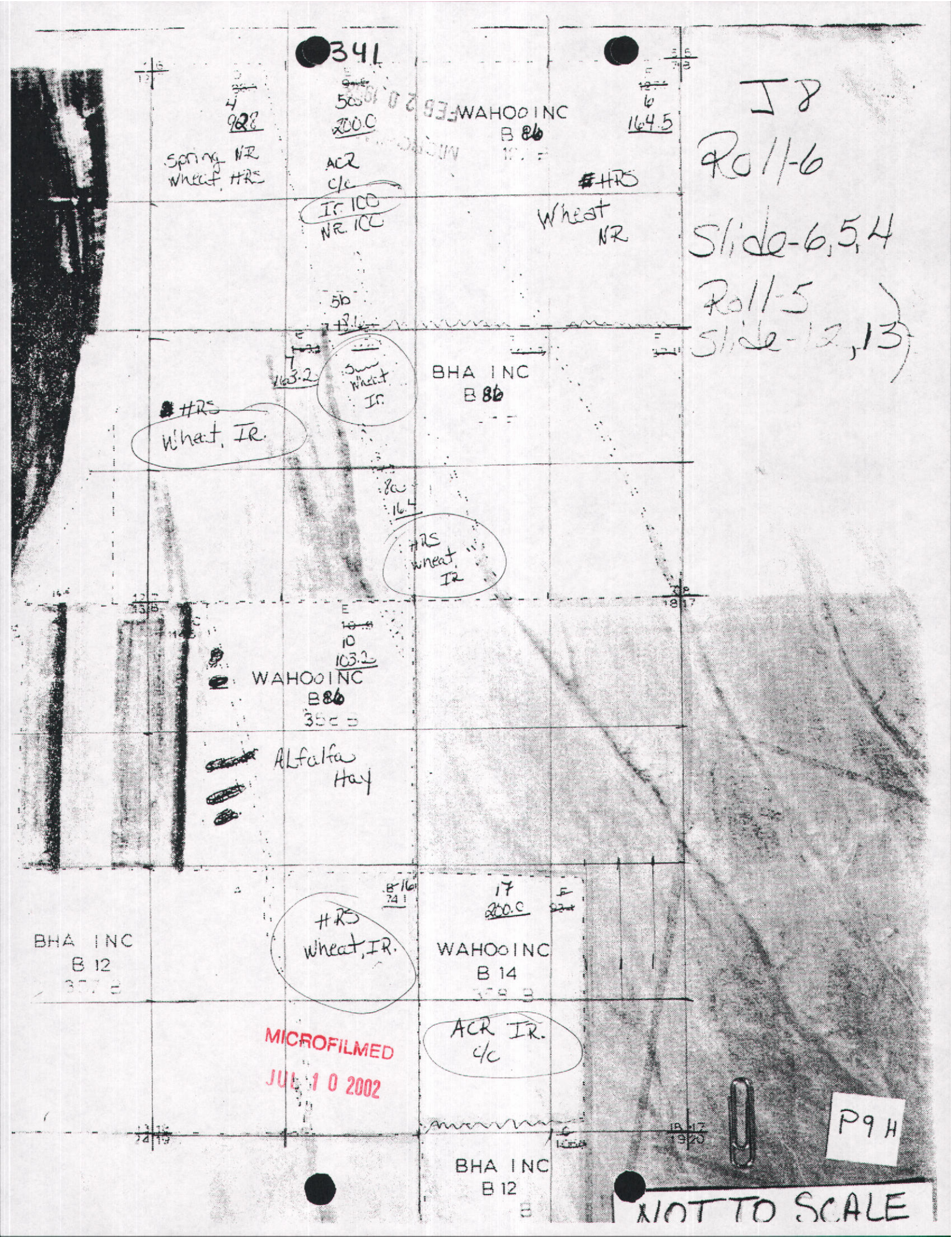

BHA
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JUL 10 2002
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140 B
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MEDICINE LODGE GRAZING ASSN.
C 101
155 B
DEAN SHENTON
B 60
154 B
JACK & PAT MCGARRY
B 22
156 B
B 86
FEB 20 19


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JUL 10 2002

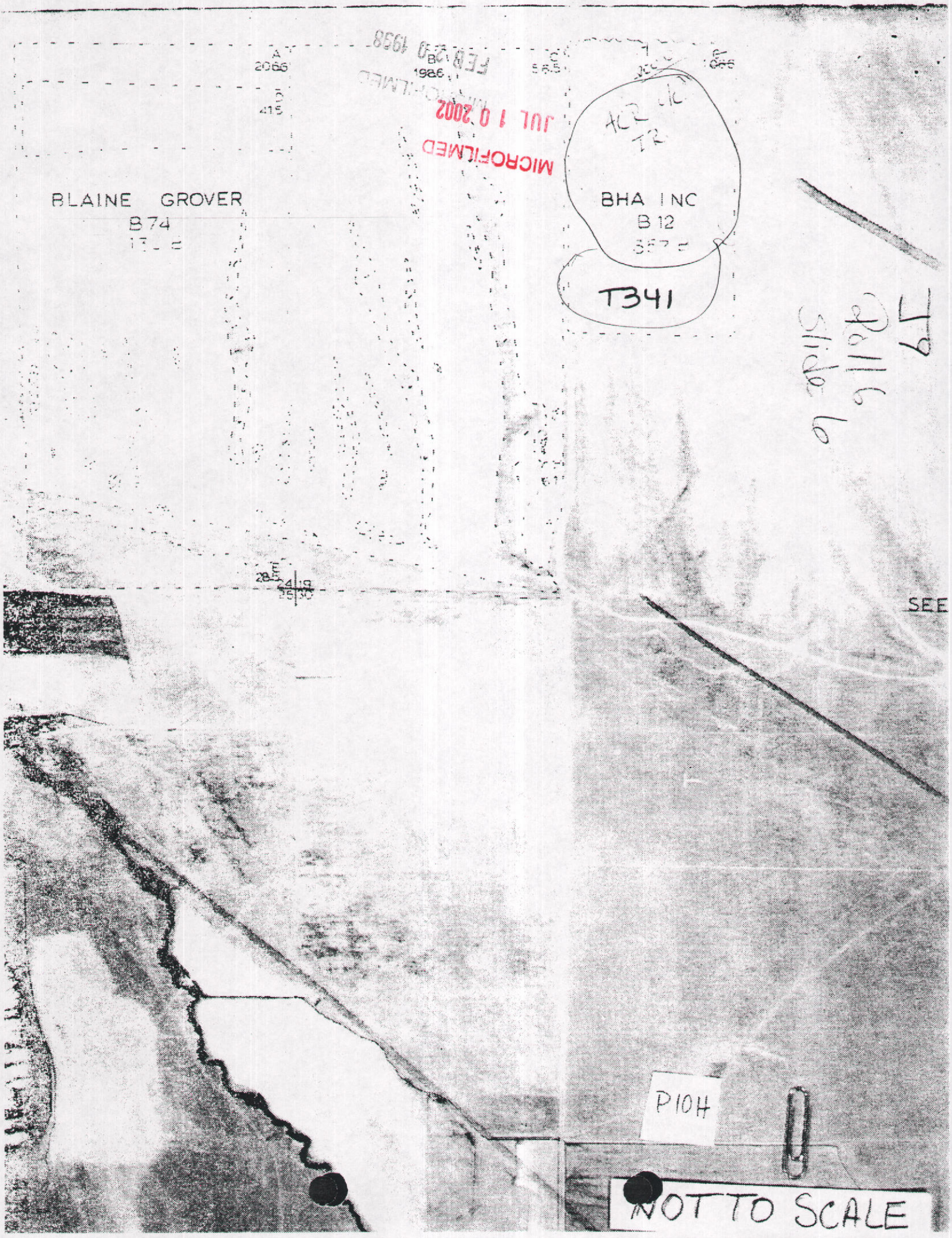

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BHA INC
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Hay
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MICROFILMED
JUL 10 2002


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NR 100
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163.2
Sum Wheat
IR
BHA INC
B 86
#HRS
Wheat, IR
8a
16.4
#RS
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10
103.2
WAHOO INC
B 86
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BHA INC
B 12
ACR IR.
C/C
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Slide-6,5,4
Roll-5
Slide-12,13
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JUL 10 2002
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NOT TO SCALE


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WAHO INC
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JUL 10 2002
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JUL 10 2002
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FEB 20 1998
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Slice 34

JUL 10 2002
MICROFILMED

BHA INC
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WAHO INC
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T344

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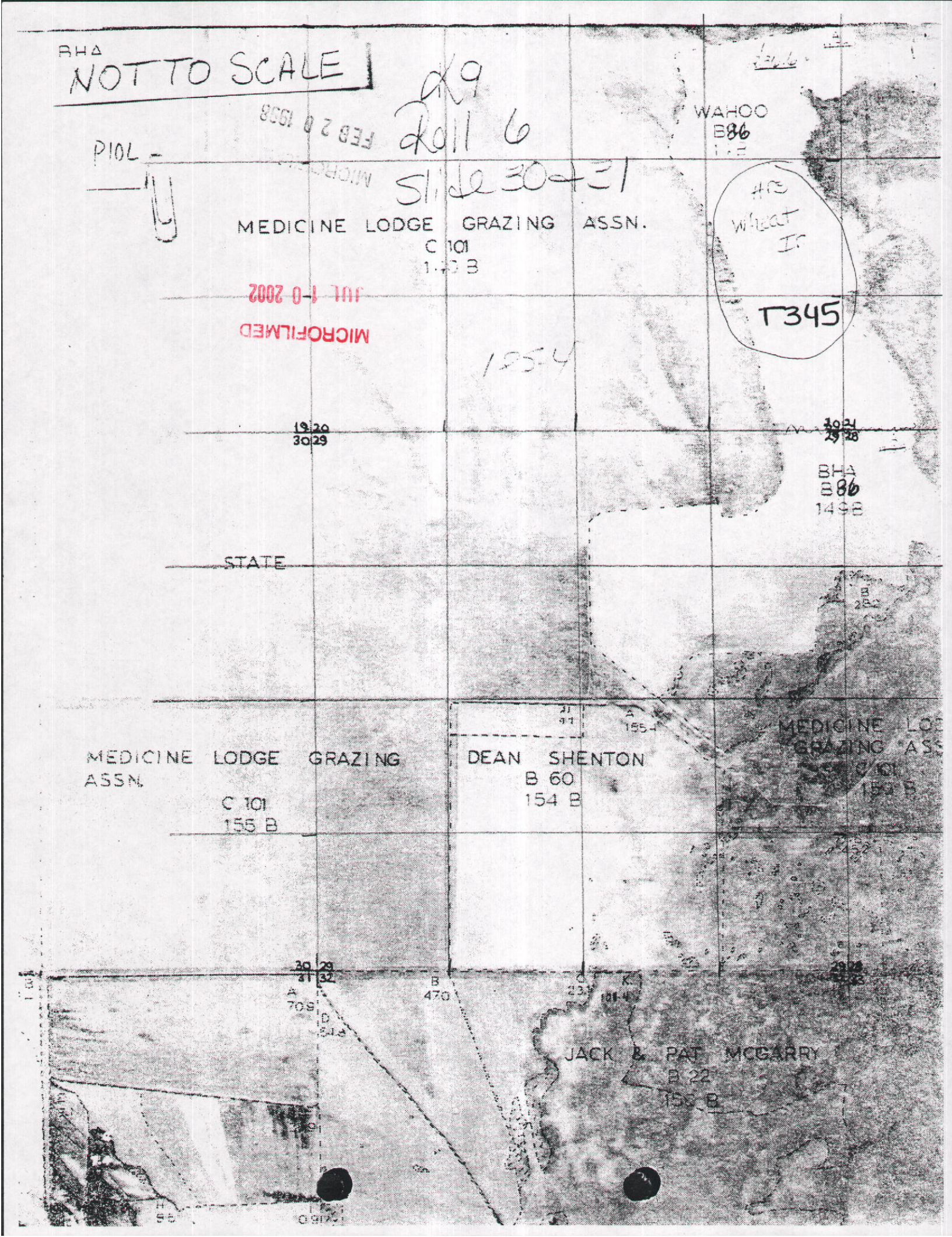
MEDICINE LODGE
GRAZING ASSN.
C 101
140 B

H R WEBSTER
B 58
136 B

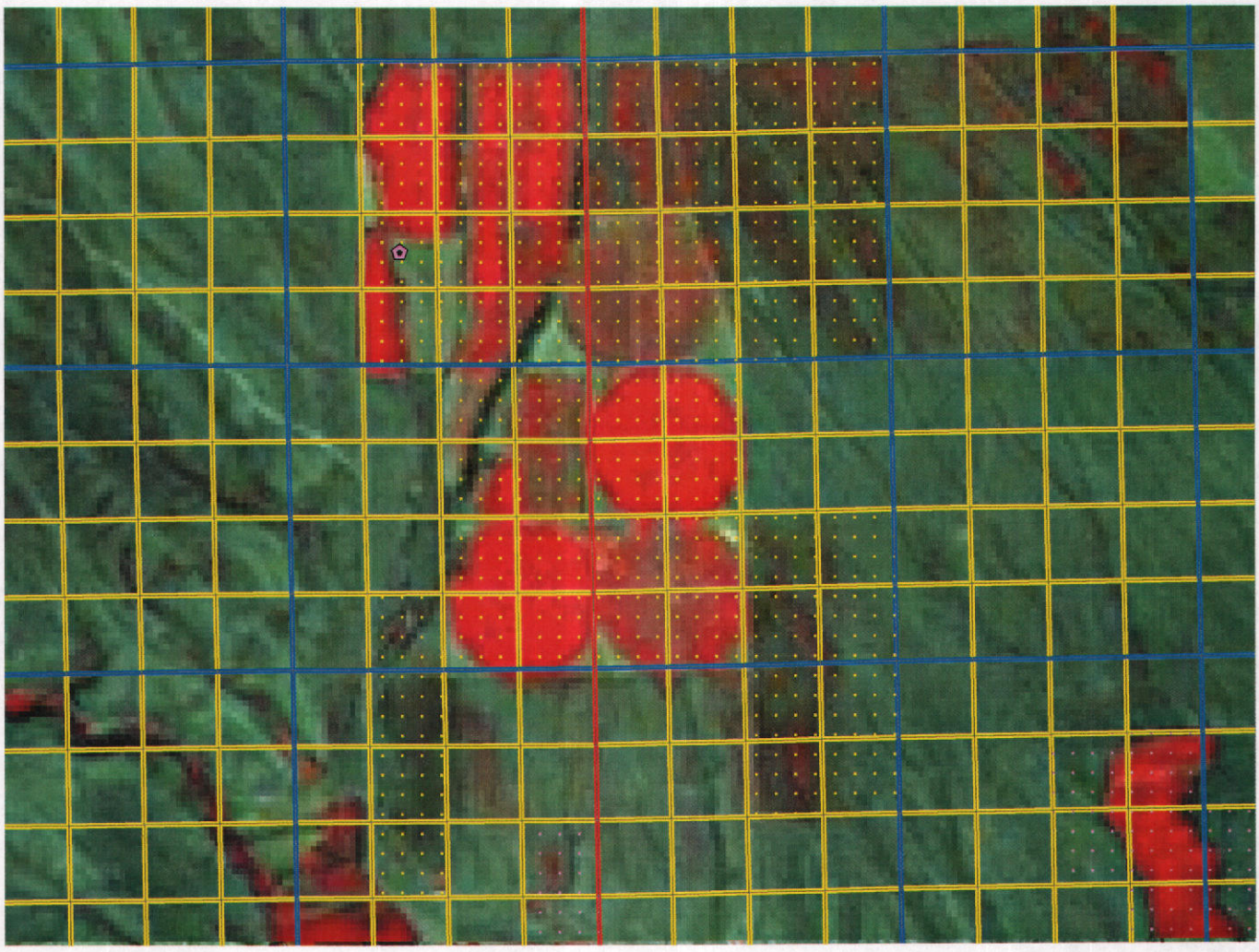
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WAHOO
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MEDICINE LODGE GRAZING ASSN.
C 101
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T345
1554
STATE
BHA
B86
MEDICINE LODGE GRAZING ASSN.
C 101
155 B
DEAN SHENTON
B 60
154 B
JACK & PAT MCGARRY
B 22
155 B

App 32-7150



0.8 0 0.8 1.6 Miles

Application POD

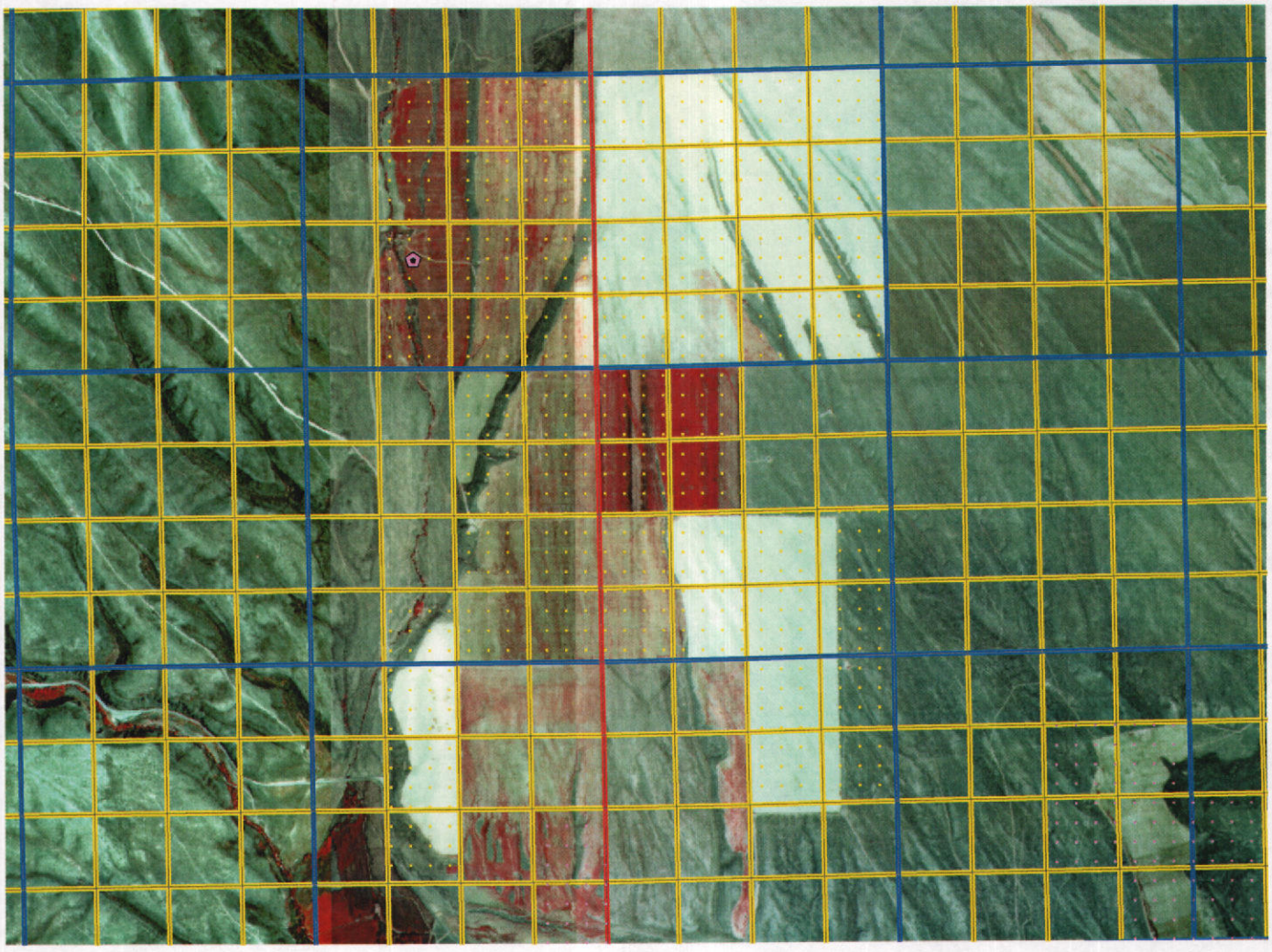
Permit POD
Permit POU
Townships
Sections
QQ

MICROFILMED
JUL 1 0 2002

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S

1997/1998 Satellite Photography

App 32-7150



1 0 1 2 Miles

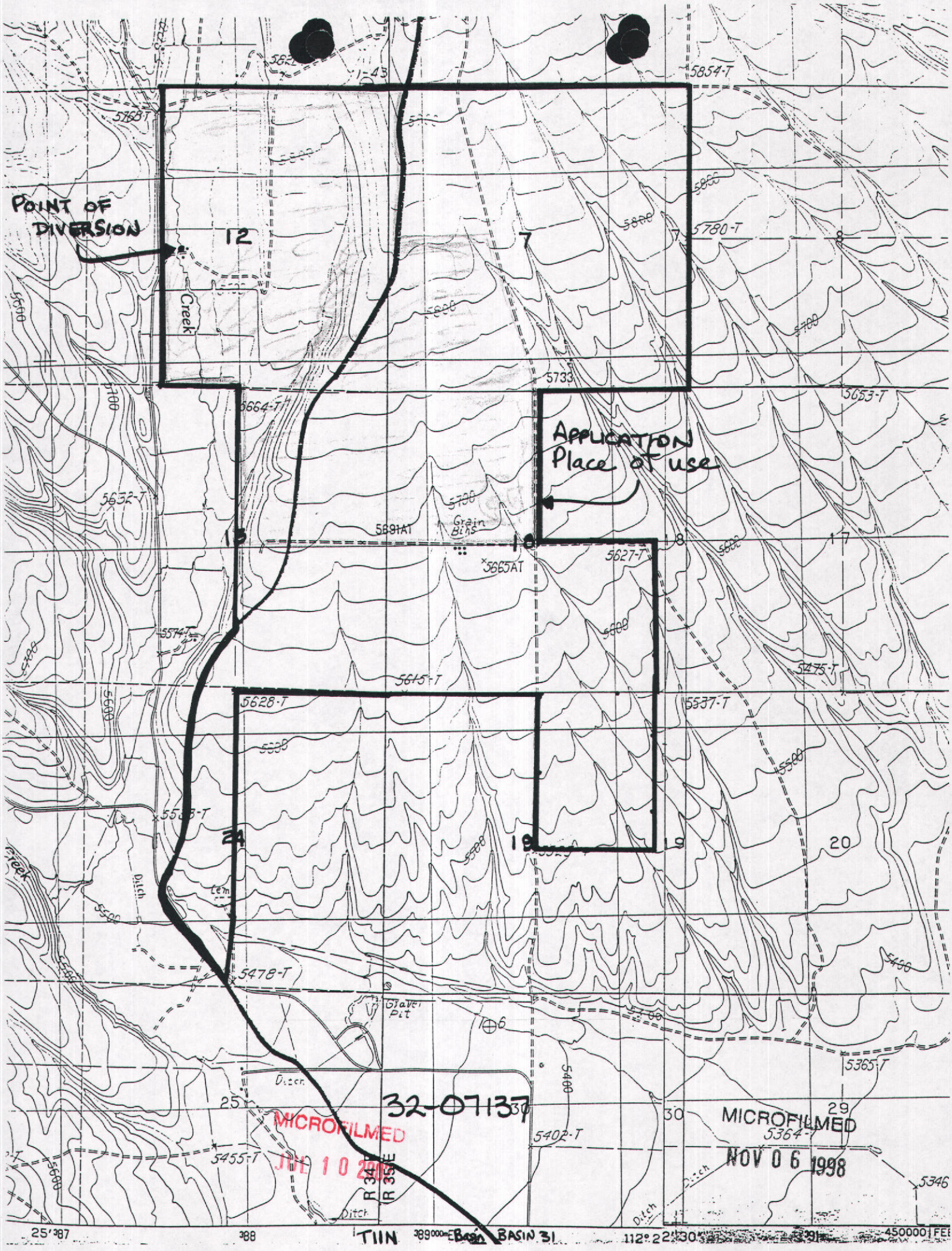
Application POD

Permit POD
Permit POU
Townships
Sections
QQ

N
W E
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MICROFILMED
JUL 1 0 2002

1987 NAPP


POINT OF DIVERSION
APPLICATION Place of use
Creek
Grain Bins
Gravel Pit
Ditch
creek
5691AT
5665AT
5733
5664-T
5768-T
5854-T
5780-T
5653-T
5632-T
5627-T
5574-T
5615-T
5628-T
5537-T
5475-T
5478-T
5455-T
5402-T
5365-T
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32-07137
MICROFILMED
JUL 10 2013
MICROFILMED
NOV 06 1998
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R34E
R35E
BASIN 31
112° 22' 30"
450000 FEET

No. C 50795

Return to:
SECRETARY OF STATE
700 WEST JEFFERSON
PO BOX 83720
BOISE, ID 83720-0080

NO FILING FEE IF
RECEIVED BY DUE DATE

Due no later than Jan 31, 2002
Annual Report Form

1. Mailing Address - Correct in this box, if applicable

WAHOO, INC.
VERNIA G ASHCRAFT
3930 EAST 2000 NORTH

SUGAR CITY, ID 83448

2. Registered Agent and Office NO PO BOX

GRANT ASHCRAFT
3930 EAST 2000 NORTH

SUGAR CITY, ID 83448

3. New Registered Agent Signature

4. Corporations: Enter Names and Business Addresses of President, Secretary and Directors.

Office Held	Name	Street or P.O. Address	City	State	Zip
President	Grant Ashcraft	3930 E. 2000 No.	Sugar City	ID.	83448
Sec.	Dorothy Ashcraft	3930 E. 2000 No.	Sugar City	ID.	83448

5. Organized Under the Laws of:

IDAHO
C 50795

6.
Signature Grant Ashcraft Date 2 Dec 01

Name (Typed or Printed) Grant Ashcraft Title Owner

Issued 11/01/2001

Do Not Tape or Staple

2150

MICROFILMED

JUL 10 2002

No. C 50794

Return to:
SECRETARY OF STATE
700 WEST JEFFERSON
PO BOX 83720
BOISE, ID 83720-0080

NO FILING FEE IF RECEIVED BY DUE DATE

Due no later than Jan 31, 2002
Annual Report Form

1. Mailing Address - Correct in this box, if applicable

B.H.A., INC.
BOYD B ASHCRAFT
2983 EAST 2000 NORTH

SUGAR CITY, ID 83448

2. Registered Agent and Office NO PO BOX

BOYD B ASHCRAFT
2983 EAST 2000 NORTH

SUGAR CITY, ID 83448

3. New Registered Agent Signature

Helen J. Ashcraft President

4. Corporations: Enter Names and Business Addresses of President, Secretary and Directors.

Office held	Name	Street or P.O. Address	City	State	Zip
President	Helen J. Ashcraft	2983E 2000N	Sugarcity	Id	83448
Secretary	Marlen Ashcraft	2985E 2000N	Sugar City	Id	83448
Vice President	Joseph Ashcraft	16340N 6000W	Garland	Ut	84312
Director	Douglas Ashcraft	1898 N 0250E	Hamer	Id	83425
Director	Blaine Ashcraft	3021 N 5000E	Sugar City	Id	83448
Director	Lavona Woodward	Box 242	Cassda	Id	83611

5. Organized Under the Laws of

IDAHO
C 50794

6.
Signature Helen J. Ashcraft Date 10 Dec 01
Name (Type or Print) Helen E. Ashcraft Title President

Issued 11/01/2001

Do Not Tape or Staple

2149

MICROFILMED

JUL 10 2002

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 32-07150

Priority: June 25,1985

Maximum Diversion Rate: 3.41 CFS
Maximum Diversion Volume: 1,240.0 AF

It is hereby certified that WAHOO INC
3930 E 2000 N
SUGAR CITY ID 83448

And

BHA INC
2983 E 2000 N
SUGAR CITY ID 83448 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 25, 1985; and has submitted Proof of Beneficial Use on June 7, 2002. An examination indicates that the works have a diversion capacity of 8.23 cfs of water from:

SOURCE
INDIAN CREEK **Tributary:** MEDICINE LODGE CREEK

and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL DIVERSION VOLUME
IRRIGATION	4/01 to 10/31	3.41 CFS	1,240.0 AF

LOCATION OF POINT(S) OF DIVERSION:
INDIAN CREEK L3 SE¼SW¼ Sec. 36, Twp 12N, Rge 34E, B.M. CLARK County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N	34E	12	34.0	40.0	40.0	34.0	32.0			36.0	34.0			38.0	32.0	40.0	39.0	32.0	431.0
11N	34E	13	40.0	30.0	25.0	40.0								11.0	40.0	30.0	40.0	40.0	296.0
11N	34E	24					34.0			29.0	12.0								75.0
11N	35E	7	40.0	39.0	39.0	40.0	40.0	37.0 L1	38.0 L2	40.0	40.0	39.0 L3	39.0 L4	40.0	39.0	39.0	35.0	38.0	622.0
11N	35E	18					40.0	39.0 L1	39.0 L2	40.0	40.0	39.0 L3	39.0 L4	40.0	9.0	39.0	40.0	9.0	413.0
11N	35E	19	9.0	40.0	40.0	9.0													98.0

Total Acres: 1935

MICROFILMED
AUG 15 2002

State of Idaho
Department of Water Resources

Water Right License

WATER RIGHT NO. 32-07150

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 1747.1 acres within the place of use described above in a single irrigation season.

2. Rights 32-00014, 32-00015 and 32-00016 are also diverted through the point of diversion described above.

3. Rights 32-00014, 32-00015, 32-00016, 32-00057, 32-07137 and 32-07150 when combined shall not exceed a total annual maximum diversion volume of 6770.0 af at the field headgate, and the irrigation of 1935 acres.

4. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 32C.

5. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.

6. This right is for the use of trust water and is subject to review 20 years after the issuance of the permit to determine availability of water and to re-evaluate the public interest.

7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 7TH day of August, 2002.

Acting for KARL J. DREHER
Director

MICROFILMED
AUG 15 2002

Form No. 217
2/99

FOR OFFICE USE ONLY
Amt. of Fee $: 175.00
Receipt No. G062582
Receipt By: PMcBride
Date Receipted: 6-7-02

RECEIVED
JUN - 7 2002
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

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

1. Permit No. 32-07150 Telephone No. 208-356-3178

2. Name of Permit Holder(s): Ashcraft Inc & BHA Inc.

3. Mailing Address: 3930 E. 2000 No. Sugar City ID. 83448

City _____ State _____ Zip _____

4. Source of Water: Indian Creek If **GROUNDWATER** (well), Date Drilled: mo. _____ / yr. _____

a. Well Driller: _____ Drilling Permit Number: ___ - ___ - __ - ____ - ____

5. Use(s) (as authorized by the water right permit):

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

Irrigation (No. of acres): 1747.1 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 3.41 cfs **OR** _____ acre feet

7. Measuring Device Requirement: **(refer to the approval conditions on your permit and respond accordingly)**
(*This question is **not optional**. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)*
SCREW Down Headgate ; weir
Measuring Device: Is a measuring device required? Yes ✓ or No ____
Has the measuring device been installed? Yes ✓ or No ____

8. Fee Enclosed: $ 175.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

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

Name: Grant Ashcraft Telephone Number: 356-3178

Address: 3930 E. 2000 No. Sugar City, Id. 83448

10. ***The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.***

Signature of permit holder: Grant Ashcraft Pres. of ashcraft Inc Date: 3 June 02
(include your title, if on behalf of company/organization)

MICROFILMED
JUL 10 2002

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 32-07150

Priority: 06/25/1985 Maximum Diversion Rate: 3.41 CFS

This is to certify, that WAHOO INC
3930 E 2000 N
SUGAR CITY ID 83448

And

BHA INC
2983 E 2000 N
SUGAR CITY ID 83448

has applied for a permit to appropriate water from:

Source: INDIAN CREEK **Tributary:** MEDICINE LODGE CREEK

and a permit is APPROVED for development of water as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION
IRRIGATION	05/01 to 10/31	3.41 CFS

LOCATION OF POINT(S) OF DIVERSION:
INDIAN CREEK L3 SE¼SW¼ Sec. 36, Twp 12N, Rge 34E, B.M. CLARK County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N	34E	12	34.0	40.0	40.0	34.0	32.0			36.0	34.0			38.0	32.0	40.0	39.0	32.0	431.0
11N	34E	13	40.0	30.0	25.0	40.0								11.0	40.0	30.0	40.0	40.0	296.0
11N	34E	24					34.0			29.0	12.0								75.0
11N	35E	7	40.0	39.0	39.0	40.0	40.0	37.0	38.0	40.0	40.0	39.0	39.0	40.0	39.0	39.0	35.0	38.0	622.0
11N	35E	18					40.0	39.0	39.0	40.0	40.0	39.0	39.0	40.0	9.0	39.0	40.0	9.0	413.0
11N	35E	19	9.0	40.0	40.0	9.0													98.0

Total Acres: 1935

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **October 1, 2002**.
2. Subject to all prior water rights.

MICROFILMED
JUL 1 0 2002

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 32-07150

3. Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
4. This right does not authorize the irrigation of land not previously irrigated.
5. Use of water under this water right will be regulated by the watermaster of State Water District No. 32C.
6. Prior to diversion of water under this right, the right holder shall install and maintain a measuring device and lockable controlling works of a type acceptable to the Department as part of the diverting works.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
8. This right is limited to the irrigation of 1747.1 acres within the place of use described above in a single irrigation season.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 29th day of May, 2002.

KARL J DREHER, Director

for

MICROFILMED
JUL 10 2002

FORM 202
/96

Ident. No. 32-7150

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
FEB 19 2002
Department of Water Resources

AMENDMENT APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant IWANOO & BNA INC Phone 356-3178
Mailing address 3930 E 2000 N SUGAR CITY, ID 83448
2. Source of water supply Indian Creek which is a tributary of Medicine Lodge Cr.
3. Location of point of diversion is Township 12N Range 34E Sec. 36, in the ____ 1/4, SE 1/4, SW 1/4, Govt. Lot 3, B.M., CLARK. County;
additional points of diversion if any: ____
4. Water will be used for the following purposes:
Amount 3.50 cfs (cfs or acre-feet per annum) for IRR. purposes from 4/01 to 10/31 (both dates inclusive)
Amount ____ (cfs or acre-feet per annum) for ____ purposes from ____ to ____ (both dates inclusive)
Amount ____ (cfs or acre-feet per annum) for ____ purposes from ____ to ____ (both dates inclusive)
Amount ____ (cfs or acre-feet per annum) for ____ purposes from ____ to ____ (both dates inclusive)
Amount ____ (cfs or acre-feet per annum) for ____ purposes from ____ to ____ (both dates inclusive)
Amount ____ (cfs or acre-feet per annum) for ____ purposes from ____ to ____ (both dates inclusive)
5. Total quantity to be appropriated is (a) 3.50 cfs (cubic feet per second) and/or (b) ____ (acre feet per annum)
6. Proposed diverting works:
a. Describe type and size of devices used to divert water from the source Headgate instream to pipeline.
b. Height of storage dam ____ feet; active reservoir capacity ____ acre-feet; total reservoir capacity ____ acre-feet
c. Proposed well diameter is ____ inches; proposed depth of well is ____ feet
d. Is ground water with a temperature of greater than 85°F being sought? ____
e. If well is already drilled, when? ____; Drilling firm ____;
Well was drilled for (well owner) ____; Drilling Permit No. ____
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (*minimum 1 year*)
8. Description of proposed uses (*if irrigation only, go to item 9*):
a. Hydropower; show total feet of head and proposed capacity in kW.
b. Stockwatering; list number and kind of livestock.
c. Municipal; show name of municipality.
d. Domestic; show number of households.
e. Other; describe fully. ____

MICROFILMED
JUL 10 2002

9. Description of place of use:

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

b. If water is used for other purposes, place a symbol of the use (*example: D for Domestic*) in the corresponding place of use below. See instructions for standard symbols.

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
T	R	S	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	SUM
11N	34E	12	34	40	40	34	32			36	34			38	32	40	39	32	431.0
11N	34E	13	40	30	25	40								11	40	30	40	40	296.0
11N	34E	24					34			29	12								75.0
11N	35E	7	40	39	39	40	40	01-37	02-38	(40)	40	03-39	04-39	40	39	39	35	38	622.0
11N	35E	18					40	01-39	02-39	40	40	03-39	04-39	40	09	39	40	09	413.0
11N	35E	19	09	40	40	09													98.0
																		TOTAL ACRES	1935.0

Total number of acres to be irrigated 1935

10. Describe any other water rights used for the same purposes as described above. 32-00014, 15, 16
32-11219, 32-07137

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: Headgate/pipeline started in 1976 completed in 1977.

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

Signature of Applicant (and title, if applicable)

MICROFILMED
JUL 10 2002

Received by EMC Date Jan 12, 2002 Time _____ Preliminary check by _____

Fee $ _____ Receipted by _____ # _____ Date _____

Publication prepared by SC Date 11-2 & 11-9/2000 Published in Post Register

Publication approved SC Date 11-2 & 11-9, 2000 - 11/21/2000

E. NARRATIVE/REMARKS, COMMENTS

6-22-99

The following page is a copy of the measument of Grant Ashcraft's diversion from Indian Creek. The point of diversion is GPS # RØ62218A. and the point of measurment is GPS # RØ62217A. The poly sonic tape shaw intaneious values a high as 3800 gps but the ten min intergetion shoes 3716 gpm See tape for values. Calculaions shows 8.28 CFS. The supplemental well will be measured at a later time. The pump is not on at the current time 6-23-99

NOTE: MEASUREMENT TIMES 12:00 to 12:11 SHOW DIVERSION OF 4064 gpm (9.06 c/s). This for 11 minutes and actually computes to 3694 gpm. for 10 minutes or ~~8.67~~ 8.23 c/s. EMC 1/12/02

Have conditions of permit approval been met? ___ yes ___ no

MICROFILMED

JUL 10 2002

Flow Measurement From Indian Creek

Measured 6-22-1999
By Lee L. Simmons

```
0673.6  MMSEC
100.86  % T0

06-22 11:2000 *R
+000.00 %  AI1

06-22 11:2000 *R
+002.80 %  AI2

ZERO MODE
        AUT ZERO

ZERO MODE
        CLEAR

ZERO MODE
        AUT ZERO

06-22 11:2400 *R
+350.820E 1GPM

PRINTER USE
?       YES

ZERO MODE
        CLEAR

ZERO MODE
        AUT ZERO

ZERO MODE
        ZERO OPR

06-22 11:2700 *R
+363.500E 1GPM

PRT PERIOD
01      MIN

PRT UNIT GPH
        NO

PRT UNIT GPM
        YES

PRT UNIT MGD
        NO
PRT UNIT FPS
        NO

PRT UNIT INTEG
        YES

PRT UNIT AI1
        NO

PRT UNIT AI2
        YES

START TIME
06-22 11:35

OPERATION TIME
01      HOR

INTEG UNIT
        *10 G

INTEG START
        AUTO

START TIME
06-22 10:25

OPERATION TIME
01      HOR
```

```
PRT PERIOD
01      MIN
PRT UNIT GPH
        NO
PRT UNIT GPM
        YES

PRT UNIT MGD
        NO

PRT UNIT FPS
        NO
PRT UNIT INTEG
        YES
PRT UNIT AI1
        NO
PRT UNIT AI2
        YES

START TIME
06-22 11:35
OPERATION TIME
01      HOR

INTEG UNIT
        *10 G

INTEG START
        AUTO
START TIME
06-22 11:35

OPERATION TIME
01      HOR

11:35+355.047E 1GPM  00R
      +00000 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

11:36+354.518E 1GPM  00R
      +00363 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

11:37+362.708E 1GPM  00R
      +00728 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

11:38+370.105E 1GPM  00R
      +01093 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

11:39+362.444E 1GPM  00R
      +01460 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

11:40+371.425E 1GPM  00R
      +01836 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

11:41+377.237E 1GPM  00R
      +02212 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

11:42+370.633E 1GPM  00R
      +02588 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

11:43+381.200E 1GPM  00R
      +02965 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R
```

```
11:44+373.539E 1GPM  00R
      +03342 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

11:45+364.293E 1GPM  00R
      +03716 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R
```

Aug = 3716 gpm

```
11:46+369.576E 1GPM  00R
      +04086 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

11:47+371.161E 1GPM  00R
      +04456 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

11:48+362.179E 1GPM  00R
      +04827 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

11:49+376.973E 1GPM  00R
      +05197 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

11:50+375.124E 1GPM  00R
      +05568 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

11:51+371.690E 1GPM  00R
      +05938 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

11:52+370.897E 1GPM  00R
      +06308 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

11:53+365.085E 1GPM  00R
      +06680 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

11:54+346.857E 1GPM  00R
      +07051 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

INTEG UNIT
        *10 G

INTEG START
        AUTO
```

```
START TIME
06-22 12:00

11:55+360.594E 1GPM  00R
OPERATION TIME
01      HOR

12:00+376.973E 1GPPM  00
      +376.973E 1GPM  00R
      +00000 *10 G    00R
      -00000 *10 G    00R
      +002.80%  AI2   00R

12:02+366.935E 1GPM  00R
      +00733 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

12:03+367.463E 1GPM  00R
      +01102 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

12:04+369.8[illegible]E 1GPM  00R
      +01471 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

12:05+375.124E 1GPM  00R
      +01842 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

12:06+366.406E 1GPM  00R
      +02212 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

12:07+369.048E 1GPM  00R
      +02583 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

12:08+379.615E 1GPM  00R
      +02953 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

12:09+368.520E 1GPM  00R
      +03324 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

12:10+375.388E 1GPM  00R
      +03694 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

12:11+345.537E 1GPM  00R
      +04064 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

MODE SELECT
        DATA SET

DATA SET MODE
?       PRINTER
```

MAX =
~~4064 gpm~~
3694 gpm
= ~~9.06 cfs~~
8.23 c/s

MICROFILMED
JUL 10 2002

FORM 202
2/96

Ident. No. 32-7150

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Amended Application

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant WAHOO & BHA INC (WHF) Phone 356-3178
Mailing address 3930 E 2000 N SUGAR CITY, ID 83448
2. Source of water supply Indian Creek which is a tributary of Medicine Lodge Cr
3. Location of point of diversion is Township 12N Range 34E Sec. 36, in the _____ 1/4, SE 1/4, SW 1/4, Govt. Lot 3, B.M., CLARK County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount ~~10.~~ 9.9 ~~10.~~ CFS for IRR purposes from 4/01 to 10/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount 9.9 for IRR purposes from 4/01 to 10/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) ~~10.~~ 9.90 CFS and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
a. Describe type and size of devices used to divert water from the source Headgate in stream to pipeline
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
d. Is ground water with a temperature of greater than 85°F being sought? _____
e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is _____ years (*minimum 1 year*)
8. Description of proposed uses (*if irrigation only, go to item 9*):
a. Hydropower; show total feet of head and proposed capacity in kW.
b. Stockwatering; list number and kind of livestock.
c. Municipal; show name of municipality.
d. Domestic; show number of households.
e. Other; describe fully. _____

MICROFILMED
JUL 10 2002

9. Description of place of use:

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

b. If water is used for other purposes, place a symbol of the use (*example: D for Domestic*) in the corresponding place of use below. See instructions for standard symbols.

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE				
T	R	S	NENE Lt Ac	NWNE Lt Ac	SWNE Lt Ac	SENE Lt Ac	NENW Lt Ac	NWNW Lt Ac	SWNW Lt Ac	SENW Lt Ac	NESW Lt Ac	NWSW Lt Ac	SWSW Lt Ac	SESW Lt Ac	NESE Lt Ac	NWSE Lt Ac	SWSE Lt Ac	SESE Lt Ac	SUM
11N	34E	12	34	40	40	34	32			36	34			38	32	40	39	32	431.0
11N	34E	13	40	30	25	40								11	40	30	40	40	296.0
11N	34E	24					34			29	12								75.0
11N	35E	7	40	39	39	40	40 01-37 02-38			(40)	40 03-39 04-39			40	39	39	35	38	622.0
11N	35E	18					40 01-39 02-39			40	40 03-39 04-39			40	09	39	40	09	413.0
11N	35E	19	09	40	40	09													98.0
																TOTAL ACRES			1935.0

Total number of acres to be irrigated 1935

10. Describe any other water rights used for the same purposes as described above. 32-00014, 15, 16 32-11219, 32-07137

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: Headgate/pipeline started in 1976 completed in 1977.

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

MICROFILMED
JUL 10 2002

Walter Ems

× Stan Schmidt pres.
Signature of Applicant (and title, if applicable)

Received by CT Date 6-25-1985 Time _____ Preliminary check by _____

Fee $ 225.00 Receipted by CT # 33357 (oil Rec't) Date 6-25-1985

Publication prepared by SC Date 11/2 & 11/9/00 Published in Post Register

Form 202
3/78

Ident. No. 32 7150

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant WAHOO, INC. and B.H.A., INC. Phone 356-3178

Post office address Route 1, Sugar City, ID 83448

2. Source of water supply Indian Creek which is a tributary of Medicine Lodge Creek

3. Location of point of diversion is NE ¼ of SW ¼ of Section 12 Township 11N

Range 34E B.M. Clark County, additional points of diversion if any: ____

4. Water will be used for the following purposes:

Amount 10.0 (cfs or acre-feet per annum) for Irrigation purposes from 4-1 to 11-1 (both dates inclusive)

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

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

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

5. Total quantity to be appropriated:

a. 10.0 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Pump from stream to pipeline and sprinkler system.

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

Period of year when water will be diverted to storage _____ (Month/Day) to _____ (Month/Day) inclusive.

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

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years *(minimum 1 year – maximum 5 years).*

8. Description of proposed uses:
   a. If water is **not** for irrigation:
      (1) Give the place of use of water: _____ ¼ of _____ ¼ of Section _____ Township _____ Range _____ B.M.
      (2) Amount of power to be generated: _____ horsepower under _____ feet of head.
      (3) List number of each kind of livestock to be watered _____
      (4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.
      (5) If water is to be used for other purposes describe: _____

MICROFILMED
JUL 10 2002

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11N	34E	12	40	40	40	40	40			40	40			40	40	40	40	40	480
		13	40	40	40	40									40	40	40	40	320
		24					35			20					15			8	78
11N	35E	7	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		18					40	40	40	40	40	40	40	40	10	40	40	10	420
		19	10	40	40	10													100

Total number of acres to be irrigated 2038

c. Describe any other water rights used for the same purposes as described above. 32-0014, 32-0015, 32-0016, 32-7137(application)

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

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

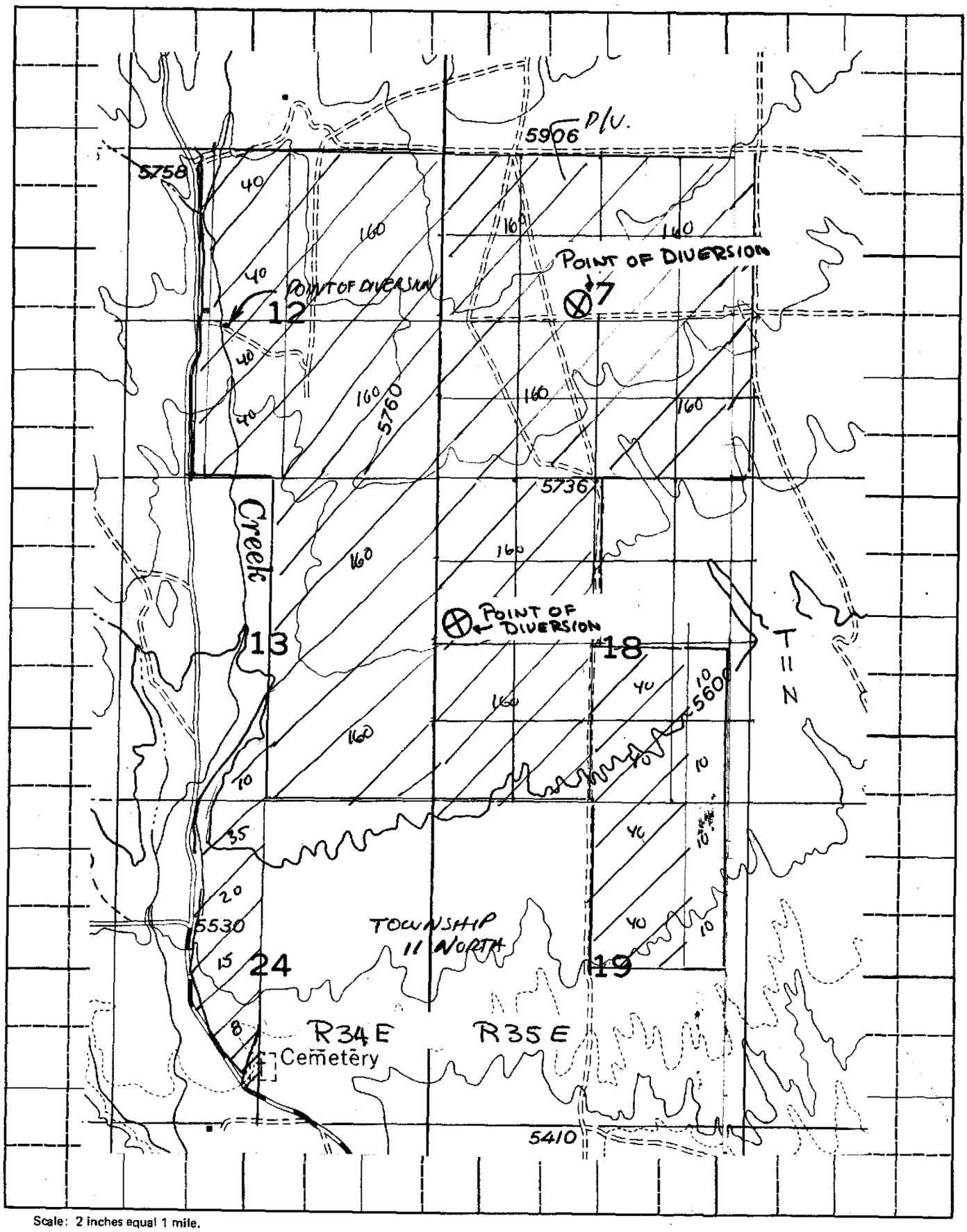
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

MICROFILMED

JUL 10 2002

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.

Grant Ashcraft Pres.
(Applicant)

MICROFILMED
JUL 10 2002

Received by ct Date 6-25-85 Time 11:00

Preliminary check by KCW Fee $ $225.00 # 33357

Receipted by ct Date 6-25-85

Publication prepared by JG Date 8-2-85

Published in _____

Publication dates _____

Publication approved _____ Date _____

Protests filed by: _____

_____

_____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

1. Approval of said application is subject to the following limitations and conditions:
   a. SUBJECT TO ALL PRIOR WATER RIGHTS.
   b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____ , 19 ____ .
   c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
   d. Other:

MICROFILMED
JUL 10 2002

PETERSON & COFFIN
LAWYERS
POCATELLO, IDAHO

FOR INFO ONLY

any obligation whatever upon the other parties to this action;

(14) That the costs of transcribing the testimony for the use of the Court herein were paid equally by the parties hereto upon the stipulation entered into in open Court that the same should be taxed as costs against the losing party herein, and in this connection the Court finds that the plaintiffs herein have paid $82.40, costs for the taking and transcribing of testimony which said item shall be included as a part of the cost bill of the plaintiffs herein.

From the foregoing FINDINGS OF FACT, the Court makes the following

CONCLUSIONS OF LAW.

(1) That the plaintiffs are entitled to a decree for three cubic feet of water per second of time from Indian Creek, subject only to the prior right of the heirs of Dennis Small to divert 160 inches of the water of Indian Creek and the right of the plaintiffs to divert 91 inches of the waters of Indian Creek, and subject to nothing else;

(2) That the plaintiffs should be charged with the duty and obligation of maintaining their saving works at their own expense and should be granted complete authority over the flow of Indian Creek from a point immediately above the flume constructed by them and entirely through the said flume, and that the watermaster of Medicine Lodge Creek ought to be given no authority whatever over the flow of Indian Creek at any time into and through the works constructed by the plaintiffs herein, and so long as the water rights of the heirs of Dennis Small for 160 inches of water are supplied in full and the total flow of Indian Creek immediately below the said flume constructed by the plaintiffs herein is less than

MICROFILMED
JUL 10 2002

PETERSON & COFFIN
LAWYERS
POCATELLO, IDAHO

401 inches, or 8.02 cubic feet per second of time, the control and distribution of the waters of said Indian Creek should rest exclusively in the plaintiffs herein to the end and for the purpose that the said saving devices built by the plaintiffs as aforesaid, and to be maintained by them, will adequately serve their purpose.

Done in chambers in Idaho Falls, Idaho, this [illegible] day of [illegible] 1926.

MAR 27 1926

George W. Edgerton

DISTRICT JUDGE.

George W. Edgerton

MICROFILMED
JUL 10 2002

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 9, 2002

WAHOO INC
3930 E 2000 N
SUGAR CITY ID 83448

BHA INC
2983 E 2000 N
SUGAR CITY ID 83448

RE: License No. 32-7150 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

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 by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a $100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED
AUG 15 2002

CERTIFICATE OF SERVICE

I hereby certify that on August 9, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 32-7150

WAHOO INC
3930 E 2000 N
SUGAR CITY ID 83448

BHA INC
2983 E 2000 N
SUGAR CITY ID 83448

Kari Lynn Townsend
Secretary

MICROFILMED
AUG 15 2002

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

The accompanying order or approved document 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 of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 fourteen (14) 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director 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 Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED
AUG 15 2002

FINAL ORDER

The Director 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 Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

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

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) the petition for reconsideration is disposed of; or
> (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED
AUG 15 2002

LICENSE REVIEW CHECKLIST

Permit No 32-7150 Date: 7/25/02 Reviewer: Kay Walker

Change/OK

Name/Address ok

Source ok
Point of Diversion: ok

Does change clarify original intended source? If no, void permit.
Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)
W36 (overlap)
W59 (subdivision description)

Place of Use ok

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)
W27 (ppu acre limit)

Overlaps: Right(s): 32-00014/00015/00016/00057/7137 ↑ also in license process.
File reviewed____ Profile reports printed_____

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:
Permitted rate 3.41 cfs
Fee Limit 4.0 cfs
Measured 3.23 cfs
Theoretical _____ cfs

Recommended Total Diversion Rate 3.41

Water Uses ok Change (P46)

Season of Use per new Standards
5-1 10-31 — use 4/1 to 10/31 to be consistant w/SRBA for 32-7137

Irrigation 3.41 cfs 611.0. af
Stockwater _____cfs _____ af
Domestic _____cfs _____ af
_____ _____cfs _____ af
_____ _____cfs _____ af
Total _____cfs _____ af

Irrigation - overlap(R58-R61, **R62-R65, R66-R69)**
supp. Gw (WB7/065/104)
overlap spec combined rts (W35)
<1 acre (W31)
Domestic (W01/wb5/070/071/075)
Power (W42 or W43/025/027/R22 or R23
Fish (042)
Fire (077)
Water Quality ~~(106/R07)~~
~~Payette~~ - (W22/047/27A)
Stockwater for US (R37)

3.41 x 1.9835 x 214 = 1450.

Volume Determination
3.41 cfs x 1.9835 x 184 days = 1244.5 af (vs) ~~1450.1~~ acres x 3.5 (FHR) = ~~6772.5~~ ≈ 6770.0 ~~6444.85~~ af ≈ ~~6440.~~
≈ ~~1240.0~~ 1935 2.5 (con)

Remarks:_____

Additional Conditions yes Watermaster Control 32C
R43 ✓ GW Measurement/Measuring Device
____ Other
Trust R55 – remove 051)
Non-trust (048)

GW Dist? _____
Water Msmt. Dist? _____
Crit. GWMA? _____
GWMA?_____
Government Lots?_____

Advance Priority? ____yes ✓no If yes, explain why below.

SRBA Claim? NO —

Adjust memo ____

Amend Letters _____**P87, S06** **Second Amendment Notice** _____ **S06**

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
[redacted]					40	40	40	40					40			40					480
					34	40	40	34					34			38					431
					34	40	40	34					34			38					431
					34	40	40	34					34			38					431
					34	40	40	34					34			38					431
					34	40	40	34					34			38					431
Right	32 14	WAHOO INC,	INDIAN CREEK	11N34E12	8	21	22	17									9	23	22	2	124
Right	32 15	WAHOO INC,	INDIAN CREEK	11N34E12	8	21	22	17									9	23	22	2	124
Right	32 16	WAHOO INC,	INDIAN CREEK	11N34E12	8	21	22	17									9	23	22	2	124
Right	32 57	W LEE HILL, GRANVILLE GAUCHAY,	INDIAN CREEK	11N34E12	X	X	X	X	X			X	X			X	X	X	X	X	0
Right	32 7150	BHA INC, WAHOO INC,	INDIAN CREEK	11N34E12	34	40	40	34	32			36	34			38	32	40	39	32	431

Rec. only -
32-14
32-15
32-16
32-7137 ← also in
32-57 ↗ lic process
32-11219 ← enlargement claim

not claimed in SRBA

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
[redacted]					40	40	40	40													320
[redacted]					40	30	25	40								11					296
					40	30	25	40								11					296
					40	30	25	40								11					296
					40	30	25	40								11					296
					40	30	25	40								11					296
Right	32 7150	BHA INC, WAHOO INC,	INDIAN CREEK	11N34E13	40	30	25	40								11	40	30	40	40	296

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
[redacted]																					78
													12								75
													12								75
													12								75
													12								75
													12								75
Right	32 2051	SMALL RANCHES PARTNERSHIP,	INDIAN CREEK	11N34E24							15		3	39	39	27			1		125
Right	32 52	SMALL RANCHES PARTNERSHIP,	INDIAN CREEK	11N34E24							15		3	39	39	27			1		125
Right	32 6A	COUNTY OF CLARK CEMETERY DIST,	INDIAN CREEK	11N34E24									1								1
Right	32 6B	SMALL RANCHES PARTNERSHIP,	INDIAN CREEK	11N34E24							15		3	39	39	27			1		125
Right	32 7150	BHA INC, WAHOO INC,	INDIAN CREEK	11N34E24					34			29	12								75

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
[redacted]					40	40	40	40					40	39	39	40					636
[redacted]					40	39	39	40					40	39	39	40					622
[redacted]					40	39	39	40					40	39	39	40					622
[redacted]					40	39	39	40					40	39	39	40					622
[redacted]					40	39	39	40					40	39	39	40					622
[redacted]					40	39	39	40					40	39	39	40					622
Right	32 7150	BHA INC, WAHOO INC,	INDIAN CREEK	11N35E7	40	39	39	40	40	37	38	40	40	39	39	40	39	39	35	38	622

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
[redacted]													40	39	39	40					416
[redacted]													40	39	39	40					413
[redacted]													40	39	39	40					413
[redacted]													40	39	39	40					413
[redacted]													40	39	39	40					413
[redacted]													40	39	39	40					413
Right	32 7150	BHA INC, WAHOO INC,	INDIAN CREEK	11N35E18					40	39	39	40	40	39	39	40	9	39	40	9	413

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
[redacted]					10	40	40	10													100
[redacted]					9	40	40	9													98
[redacted]					9	40	40	9													98
[redacted]					9	40	40	9													98
[redacted]					9	40	40	9													98
[redacted]					9	40	40	9													98
Right	32 7150	BHA #NC, WAHOO INC.	INDIAN CREEK	11N35E19	9	40	40	9													98

32-7150

RECEIVED

JUL 19 2002

Permit No: 32-7150

STATE OF IDAHO Department of Water Resources

DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No: 32-7150

Exam Dat[redacted]

1. Current Owner: WAHOO & BHA INC
3930 E 2000 N
SUGAR CITY ID 83448
(208)356-3178

And

BHA INC
2983 E 2000 N
SUGAR CITY ID 83448

2. Accompanied by:[redacted]
Phone No:
Address:
Relationship to Permit Holder:

3. **SOURCE** INDIAN CREEK

TRIBUTARY MEDICINE LODGE CREEK

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 32-14, 32-15, 32-16, 32-11219, 32-7137 GW [redacted]
2. Other water rights with the same point of diversion: 32-14, 32-15, 32-16, 32-11219 [redacted]

C. DIVERSION AND DELIVERY SYSTEM

1. **LOCATION OF POINT(S) OF DIVERSION:**

INDIAN CREEK L3 SE1/4SW1/4 Sec. 36, Twp 12N, Rge 34E, B.M.
CLARK County

Method of Determination:[redacted]

2.

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AUG 15 2002

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N 34E 12	34.0	40.0	40.0	34.0	32.0			36.0	34.0			38.0	32.0	40.0	39.0	32.0	431.0
11N 34E 13	40.0	30.0	25.0	40.0								11.0	40.0	30.0	40.0	40.0	296.0
11N 34E 24					34.0			29.0	12.0								75.0
11N 35E 7	40.0	39.0	39.0	40.0	40.0	37.0 L1	38.0 L2	40.0	40.0	39.0 L3	39.0 L4	40.0	39.0	39.0	35.0	38.0	622.0
11N 35E 18					40.0	39.0 L1	39.0 L2	40.0	40.0	39.0 L3	39.0 L4	40.0	9.0	39.0	40.0	9.0	413.0
11N 35E 19	9.0	40.0	40.0	9.0													98.0

Total Acres: 1935

SAME POU AS ADJUDICATION REC.

Measure 8.28 CFS

32-14 — 0.50 CFS

32-15 — 1.32 CFS

32-16 — 3.00 CFS

4.82 CFS

this permit 3.41

4.82

8.23 CFS

MAX Indian Crk plus GW(permit)

32-11219 ENLARGEMENT CLAIM FOR DECREED RIGHTS

32-7137 GW permit (field exam in Boise)

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AUG 15 2002

Method of Determination:

3. _____ Delivery System Diagram Attached (required). Indicate all major components and distances between components. Indicate weir size/pipe as applicable.

__X__ Map Attached Showing Location(s) of point(s) of diversion and place(s) of use (required). Scale must be 1:24,000 or greater.

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

_____ Photo of Diversion and System Attached

4.

Well or Diversion ID No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size

*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
SONIC METER						

2. Measurements: sonic meter reading 1999-3716 gpm ave= 8.28 cfs

3.41 CFS this permit ok.

E. FLOW CALCULATIONS ____Additional Computation Sheets Attached

Measured Method:

Headgate structure to pipeline system

SAME AS DECREE RIGHTS

Pivots and handlines

MICROFILMED

AUG 15 2002

F. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = 3.5 x 1.9835 1935 = 6772.5

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation season) x 1.9835 = 3.41 x 184 x 1.9835 = 1245 AF

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 1245 AF

2. Volume Calculations for Other Uses:

G. NARRATIVE/REMARKS/COMMENTS

Have conditions of permit approval been met? X Yes ____ No

H. RECOMMENDATIONS

1. Recommended Amounts

BENEFICIAL USE	PERIOD OF USE	DIVERSION RATE	ANNUAL VOLUME
IRRIGATION	05/01 to 10/31	3.410 CFS	1245 AF/A
	Totals:	3.410 CFS	1245 AF/A

2. Recommended Amendments

___Change P.D. as reflected above ___Add P.D. as reflected above X None

___Change P.U. as reflected above ___Add P.U. as reflected above ___Other

I. AUTHENTICATION

Field Examiner's Name DAVE CARLSON Date 7/12/2002

Reviewer [signature] Date 7-12-02

MICROFILMED
AUG 15 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 32-14 V1

WATER RIGHT NUMBER: 32-14 V1

Owner Type	Name and Address
Original Owner	A G EDIE
	, ID
Current Owner	WAHOO & BHA INC 3930 E 2000 N SUGAR CITY, ID 83448 (208)356-3178

Priority Date: 06/15/1883

Basis: Decreed

Status: Active

Source	Tributary
INDIAN CREEK	MEDICINE LODGE CREEK

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	4/01 to 11/01	0.500 CFS	
	Total Diversion:	0.500 CFS	

Location of Point(s) of Diversion

INDIAN CREEK L3 SE1/4SW1/4 Sec. 36, Twp 12N, Rge 34E, B.M.

CLARK County

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N 34E 12	34.0	40.0	40.0	34.0	32.0			36.0	34.0			38.0	32.0	40.0	39.0	32.0	431.0
11N 34E 13	40.0	30.0	25.0	40.0								11.0	40.0	30.0	40.0	40.0	296.0
11N 34E 24					34.0			29.0	12.0								75.0
11N 35E 7	40.0	39.0	39.0	40.0	40.0	37.0 L1	38.0 L2	40.0	40.0	39.0 L3	39.0 L4	40.0	39.0	39.0	35.0	38.0	622.0
11N 35E 18					40.0	39.0 L1	39.0 L2	40.0	40.0	39.0 L3	39.0 L4	40.0	9.0	39.0	40.0	9.0	413.0
11N 35E 19	9.0	40.0	40.0	9.0													98.0

Total Acres: 1935

MICROFILMED
AUG 15 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 32-14 V1

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

1. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1935 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00015, 32-00016, 32-11219 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 124 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00015, 32-00016
2. Explanatory THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 32-00015, 32-00016, 32-11219 RIGHT NO. 32-11219 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
3. Quantity USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.82 CFS.
   COMBINED RIGHT NOS.: 32-00015, 32-00016, 32-11219

Comments:

1. AJU10-EC 7/29/1999 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector:
Water District Number: 32C
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

MICROFILMED
DEC 15 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 32-15 V1

WATER RIGHT NUMBER: 32-15 V1

Owner Type	Name and Address
Original Owner	A G EDIE
	, ID
Current Owner	WAHOO & BHA INC 3930 E 2000 N SUGAR CITY, ID 83448 (208)356-3178

Priority Date: 05/01/1884

Basis: Decreed

Status: Active

Source	Tributary
INDIAN CREEK	MEDICINE LODGE CREEK

Beneficial Use	From	To	Diversion Rate	Annual Volume
IRRIGATION	4/01	11/01	1.320 CFS	
		Total Diversion:	1.320 CFS	

Location of Point(s) of Diversion

INDIAN CREEK L3 SE1/4SW1/4 Sec. 36, Twp 12N, Rge 34E, B.M.

CLARK County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N	34E	12	34.0	40.0	40.0	34.0	32.0			36.0	34.0			38.0	32.0	40.0	39.0	32.0	431.0
11N	34E	13	40.0	30.0	25.0	40.0								11.0	40.0	30.0	40.0	40.0	296.0
11N	34E	24					34.0			29.0	12.0								75.0
11N	35E	7	40.0	39.0	39.0	40.0	40.0	37.0 L1	38.0 L2	40.0	40.0	39.0 L3	39.0 L4	40.0	39.0	39.0	35.0	38.0	622.0
11N	35E	18					40.0	39.0 L1	39.0 L2	40.0	40.0	39.0 L3	39.0 L4	40.0	9.0	39.0	40.0	9.0	413.0
11N	35E	19	9.0	40.0	40.0	9.0													98.0

Total Acres: 1935

MICROFILMED
AUG 15 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 32-15 V1

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

1. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1935 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00014, 32-00016, 32-11219 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 124 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00014, 32-00016
2. Explanatory THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 32-00014, 32-00016, 32-11219 RIGHT NO. 32-11219 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
3. Quantity USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.82 CFS.
   COMBINED RIGHT NOS.: 32-00014, 32-00016, 32-11219

Comments:

1. DCARLSON 3/25/1999 COPIED FROM REMARKS
Comment: THE ENTIRE PLACE OF USE IS NOT IRRIGATED AT ONE TIME USING THE CLAIMANT'S WATER RIGHTS. DIFFERENT PORTIONS ARE IRRIGATED AT DIFFERENT TIMES. PAID ON RECIEPT E000605

2. AJU10-EC 7/29/1999 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector:
Water District Number: 32C
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

MICROFILMED
AUG 15 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 32-16 V1

WATER RIGHT NUMBER: 32-16 V1

Owner Type	Name and Address
Original Owner	A G EDIE , ID
Current Owner	WAHOO & BHA INC 3930 E 2000 N SUGAR CITY, ID 83448 (208)356-3178

Priority Date: 08/09/1922

Basis: Decreed

Status: Active

Source	Tributary
INDIAN CREEK	MEDICINE LODGE CREEK

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	4/01 to 11/01	3.000 CFS	
	Total Diversion:	3.000 CFS	

Location of Point(s) of Diversion

INDIAN CREEK L3 SE1/4SW1/4 Sec. 36, Twp 12N, Rge 34E, B.M.

CLARK County

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N 34E 12	34.0	40.0	40.0	34.0	32.0			36.0	34.0			38.0	32.0	40.0	39.0	32.0	431.0
11N 34E 13	40.0	30.0	25.0	40.0								11.0	40.0	30.0	40.0	40.0	296.0
11N 34E 24					34.0			29.0	12.0								75.0
11N 35E 7	40.0	39.0	39.0	40.0	40.0	37.0 L1	38.0 L2	40.0	40.0	39.0 L3	39.0 L4	40.0	39.0	39.0	35.0	38.0	622.0
11N 35E 18					40.0	39.0 L1	39.0 L2	40.0	40.0	39.0 L3	39.0 L4	40.0	9.0	39.0	40.0	9.0	413.0
11N 35E 19	9.0	40.0	40.0	9.0													98.0

Total Acres: 1935

MICROFILMED

AUG 15 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 32-16 V1

Conditions of Approval:

1. C03 RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. C05 RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

1. Quantity USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.82 CFS.
   COMBINED RIGHT NOS.: 32-00014, 32-00015, 32-11219
2. Priority Date FOR DELIVERY PURPOSES THIS WATER RIGHT SHALL BE CONSIDERED JUNIOR ONLY TO WATER RIGHTS: 32-00006A, 32-0006B, 32-00014, 32-00015 ON INDIAN CREEK.
3. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1935 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00014, 32-00015, 32-11219 USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 124 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00014, 32-00015
4. Explanatory THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 32-00014, 32-00015, 32-11219 RIGHT NO. 32-11219 IS AN ENLARGEMENT OF THIS RIGHT PURSUANT TO SECTION 42-1426, IDAHO CODE.
5. General DELIVERY OF THIS WATER RIGHT SHALL BE DEPENDENT UPON THE USE AND MAINTENANCE OF A CONCRETE FLUME AND DIVERSION WORKS.

Comments:

1. AJU10-EC 7/29/1999 AJU10 CONDITION UPDATE
   Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector:
Water District Number: 32C
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

MICROFILMED
AUG 15 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 32-11219 V1

WATER RIGHT NUMBER: 32-11219 V1

Owner Type	Name and Address
Original Owner	A G EDIE , ID
Current Owner	WAHOO & BHA INC 3930 E 2000 N SUGAR CITY, ID 83448 (208)356-3178

Priority Date: 04/01/1987

Basis: Beneficial Use

Status: Active

Source	Tributary
INDIAN CREEK	MEDICINE LODGE CREEK

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	4/01 to 10/31	4.500 CFS	
	Total Diversion:	4.500 CFS	

Location of Point(s) of Diversion

INDIAN CREEK L3 SE1/4SW1/4 Sec. 36, Twp 12N, Rge 34E, B.M.

CLARK County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N	34E	12	34.0	40.0	40.0	34.0	32.0			36.0	34.0			38.0	32.0	40.0	39.0	32.0	431.0
11N	34E	13	40.0	30.0	25.0	40.0								11.0	40.0	30.0	40.0	40.0	296.0
11N	34E	24					34.0			29.0	12.0								75.0
11N	35E	7	40.0	39.0	39.0	40.0	40.0	37.0 L1	38.0 L2	40.0	40.0	39.0 L3	39.0 L4	40.0	39.0	39.0	35.0	38.0	622.0
11N	35E	18					40.0	39.0 L1	39.0 L2	40.0	40.0	39.0 L3	39.0 L4	40.0	9.0	39.0	40.0	9.0	413.0
11N	35E	19	9.0	40.0	40.0	9.0													98.0

Total Acres: 1935

MICROFILMED
AUG 15 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 32-11219 V1

Conditions of Approval:

1. C11 THIS WATER RIGHT IS SUBORDINATE TO ALL WATER RIGHTS WITH A PRIORITY DATE EARLIER THAN APRIL 12, 1994, THAT ARE NOT DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE. AS BETWEEN WATER RIGHTS DECREED AS ENLARGEMENTS PURSUANT TO SECTION 42-1426, IDAHO CODE, THE EARLIER PRIORITY RIGHT IS THE SUPERIOR RIGHT.
2. C18 THIS PARTIAL DECREE IS SUBJECT TO SUCH GENERAL PROVISIONS NECESSARY FOR THE DEFINITION OF THE RIGHTS OR FOR THE EFFICIENT ADMINISTRATION OF THE WATER RIGHTS AS MAY BE ULTIMATELY DETERMINED BY THE COURT AT A POINT IN TIME NO LATER THAN THE ENTRY OF A FINAL UNIFIED DECREE. SECTION 42-1412(6), IDAHO CODE.

Remarks:

1. Quantity USE OF THIS RIGHT WITH RIGHTS LISTED BELOW IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.82 CFS.
   COMBINED RIGHT NOS.: 32-00014, 32-00015, 32-00016
2. General THIS RIGHT IS BASED UPON AN ENLARGEMENT OF RIGHT NO. 32-00014, 32-00015, 32-00016 PURSUANT TO SECTION 42-1426, IDAHO CODE.
3. Place of Use - Irrigation USE OF THIS RIGHT WITH THE RIGHTS LISTED BELOW IS LIMITED TO THE IRRIGATION OF A COMBINED TOTAL OF 1935 ACRES IN A SINGLE IRRIGATION SEASON. COMBINED RIGHT NOS.: 32-00014, 32-00015, 32-00016
4. Explanatory THE FOLLOWING RIGHTS ARE ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE: 32-00014, 32-00015, 32-00016 THIS RIGHT IS FOR AN ENLARGEMENT OF 1811 ACRES WITHIN THE PLACE OF USE DESCRIBED FOR THIS RIGHT.

Comments:

1. AJU10-EC 7/29/1999 AJU10 CONDITION UPDATE
Comment: CONDITION CODE(S) C18 ADDED IF NOT ALREADY PART OF RECORD THRU AJU10.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector:
Water District Number: 32C
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

MICROFILMED
AUG 15 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 32-11219 V1

SubCase:

SubCase Number: 32-11219
Class: 2
SF5 Filed Date:
Special Master Recom Signed Date:
Attorney Assigned: SUSAN E HAMLIN-NYGARD
Adjudication Agent:
Basis of Claim:
Date Filed: 12/13/1999 Objection Status: Active

MICROFILMED
AUG 15 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 32-7137

WATER RIGHT NUMBER: 32-7137

Owner Type	Name and Address
Current Owner	WAHOO & BHA INC 3930 E 2000 N SUGAR CITY, ID 83448 (208)356-3178

Priority Date: 05/12/1988

Basis:

Status: Active

Source: GROUND WATER

Tributary:

Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION	4/15 to 10/15	6.400 CFS	
	Total Diversion:	6.400 CFS	

Location of Point(s) of Diversion

GROUND WATER NE1/4SW1/4 Sec. 12, Twp 11N, Rge 34E, B.M.

CLARK County

Place of Use

IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11N	34E	12	40.0	40.0	40.0	40.0	40.0			40.0	40.0			40.0	40.0	40.0	40.0	40.0	480.0
11N	34E	13	40.0	40.0	40.0	40.0									40.0	40.0	40.0	40.0	320.0
11N	34E	24					35.0			20.0					15.0			8.0	78.0
11N	35E	7	40.0	40.0	40.0	40.0	40.0	39.0 L1	39.0 L2	40.0	40.0	39.0 L3	39.0 L4	40.0	40.0	40.0	40.0	40.0	636.0
11N	35E	18					40.0	39.0 L1	39.0 L2	40.0	40.0	39.0 L3	39.0 L4	40.0	10.0	40.0	40.0	10.0	416.0
11N	35E	19	10.0	40.0	40.0	10.0													100.0

Total Acres: 2030

Conditions of Approval:

(permit exam in Boise)

MICROFILMED
AUG 15 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 32-7137

1. 01M After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
2. 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3. 051 Any license issued by IDWR pursuant to the right or portion thereof for the use of trust water is subject to a term review of 20 years after the date of this approval to determine availability of water for the use and to re-evaluate the public interest at the end of the term.
4. 052 Diversion and use of water under this right is subject to an annual use fee if rules are subsequently promulgated which provide for the submittal of the fee.
5. 053 The Director retains jurisdiction over this right and may change, add, or remove any requirement as determined to be appropriate.
6. 068 This permit does not authorize the construction of any new well or the deepening or enlargement of any existing well.
7. 079 This right shall not be used if the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use.
8. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

Remarks:

1. General The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted under this right.
This right does not authorize the irrigation of land not previously irrigated with groundwater diverted from the existing well.

Comments:

1. CZIMMERM 2/6/1998 DIVERSION DESCRIPTION
Comment: Existing 20" x 180' well with pump to sprinkler lines. Groundwater is supplemental to Indian Creek water. Information is in file verify pre-1987 use & to satisfy Rule 40.05 requirement.

2. VAULT 8/13/1998 Lapse Notice Sent
Comment: Lapse Notice Sent

3. VAULT 9/8/1998 Proof of Beneficial Use Rcvd
Comment: Proof of Beneficial Use Rcvd

MICROFILMED
AUG 15 2002

IDAHO DEPARTMENT OF WATER RESOURCES

Water Permit Report 32-7137

Dates and Other Information:

Permit Proof Due Date: 6/1/1998
Permit Proof Made Date: 9/3/1998
Permit Approved Date: 2/10/1998
Permit Moratorium Expiration Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Field Exam Date: 7/27/1999
Date Sent to State Office: 1/25/2002
Date Received at State Office: 2/1/2002
Formal Action Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

MICROFILMED
AUG 15 2002

Flow Measurement From Indian Creek

Measured 6-22-1999
By Lee L. Simmons

```
0673.6  MMSEC
100.86  % T0

06-22 11:2000 *R
+000.00 %  AI1

06-22 11:2000 *R
+002.80 %  AI2

ZERO MODE
        AUT ZERO

ZERO MODE
        CLEAR

ZERO MODE
        AUT ZERO

06-22 11:2400 *R
+350.820E 1GPM

PRINTER USE
?       YES

ZERO MODE
        CLEAR

ZERO MODE
        AUT ZERO

ZERO MODE
        ZERO OPR

06-22 11:2700 *R
+363.500E 1GPM

PRT PERIOD
01      MIN

PRT UNIT GPH
        NO

PRT UNIT GPM
        YES

PRT UNIT MGD
        NO
PRT UNIT FPS
        NO

PRT UNIT INTEG
        YES

PRT UNIT AI1
        NO

PRT UNIT AI2
        YES

START TIME
06-22 11:35

OPERATION TIME
01      HOR

INTEG UNIT
        *10 G

INTEG START
        AUTO

START TIME
06-22 10:25

OPERATION TIME
01      HOR
```

```
PRT PERIOD
01      MIN
PRT UNIT GPH
        NO
PRT UNIT GPM
        YES

PRT UNIT MGD
        NO

PRT UNIT FPS
        NO
PRT UNIT INTEG
        YES
PRT UNIT AI1
        NO
PRT UNIT AI2
        YES

START TIME
06-22 11:35
OPERATION TIME
01      HOR

INTEG UNIT
        *10 G

INTEG START
        AUTO

START TIME
06-22 11:35

OPERATION TIME
01      HOR

11:35+355.047E 1GPM  00R
      +00000 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

11:36+354.518E 1GPM  00R
      +00363 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

11:37+362.708E 1GPM  00R
      +00728 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

11:38+370.105E 1GPM  00R
      +01093 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

11:39+362.444E 1GPM  00R
      +01460 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

11:40+371.425E 1GPM  00R
      +01836 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

11:41+377.237E 1GPM  00R
      +02212 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

11:42+370.633E 1GPM  00R
      +02588 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

11:43+381.200E 1GPM  00R
      +02965 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R
```

```
11:44+373.539E 1GPM  00R
      +03342 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

11:45+364.293E 1GPM  00R
      +03716 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R
```

Avg = 3716 gpm

```
11:46+369.576E 1GPM  00R
      +04086 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

11:47+371.161E 1GPM  00R
      +04456 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

11:48+362.179E 1GPM  00R
      +04827 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

11:49+376.973E 1GPM  00R
      +05197 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

11:50+375.124E 1GPM  00R
      +05568 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

11:51+371.690E 1GPM  00R
      +05938 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

11:52+370.897E 1GPM  00R
      +06308 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

11:53+365.085E 1GPM  00R
      +06680 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

11:54+346.857E 1GPM  00R
      +07051 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

INTEG UNIT
        *10 G

INTEG START
        AUTO
```

```
START TIME
06-22 12:00

11:55+360.594E 1GPM  00R
OPERATION TIME
01      HOR

12:00+376.973E 1GPPM  00
      +376.973E 1GPM  00R
      +00000 *10 G    00R
      -00000 *10 G    00R
      +002.80%  AI2   00R

12:02+366.935E 1GPM  00R
      +00733 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

12:03+367.463E 1GPM  00R
      +01102 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

12:04+369.8[illegible]E 1GPM  00R
      +01471 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

12:05+375.124E 1GPM  00R
      +01842 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

12:06+366.406E 1GPM  00R
      +02212 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

12:07+369.048E 1GPM  00R
      +02583 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

12:08+379.615E 1GPM  00R
      +02953 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

12:09+368.520E 1GPM  00R
      +03324 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

12:10+375.388E 1GPM  00R
      +03694 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

12:11+345.537E 1GPM  00R
      +04064 *10 G   00R
      -00000 *10 G   00R
      +002.80%  AI2  00R

MODE SELECT
        DATA SET

DATA SET MODE
?       PRINTER
```

MAX = 4064 gpm = 9.06 cfs

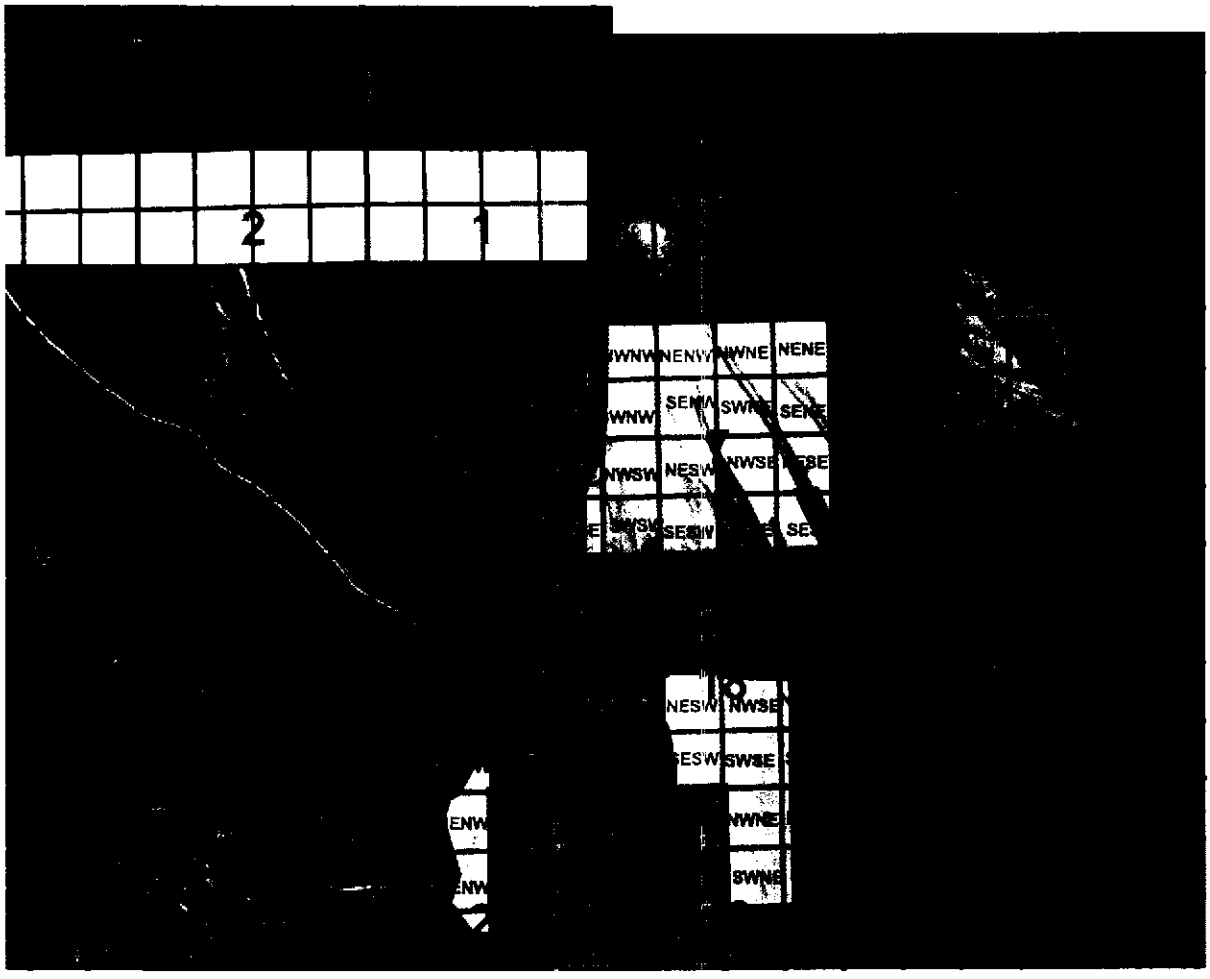
MICROFILMED
AUG 15 2002

WAHoo & BHA
Grant Ashcraft

IDAHO DEPARTMENT OF WATER RESOURCES

32-00014, 32-00015, 32-00016,
32-11219 32-7150, 32-7137 GW

T11N, R34E, SEC. 12, 13, 24
T11N, R35E, SEC. 7, 18, 19



N

1320 0 1320 Feet

ACRES IRRIGATED- 1935

PLACE OF USE

POINT OF DIVERSION

GIS: PLACE OF USE
POINT OF DIVERSION
1987/1988 NAPP PHOTOS
PREPARED BY DAVE CARLSON

MICROFILMED
AUG 15 2002

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 28, 2002

GRANT ASHCRAFT
WAHOO INC/BHA INC
3930 E 2000 N
SUGAR CITY ID 83448

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 32-7150

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions, please contact the **Eastern** Regional Office of the department in Idaho Falls at (208) 525-7161.

Sincerely,

Deborah J. Gibson

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.
c: IDWR - Regional Office (w/encl.)

MICROFILMED
JUL 10 2002

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 32-7150 Reviewed By: dgibson Date: June 26, 2002

	Yes	No		Yes	No
Proof received timely?	X		Drilling permit required?		X
License examination fee required?	X		Drilling permit No.:		
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:	33357 , C062582		Well driller's report filed?		X
Additional Amount Due:			Measuring device required?	X	
Name and address same as permit?	X		Measuring device installed?	X	
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received		06/07/2002
Date proof due	-	10/01/2002
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	06/25/1985
New priority date	=	06/25/1985

Deficiencies of Actions Items

Acknowledge proof.

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

May 30, 2002

WAHOO INC
3930 E 2000 N
SUGAR CITY ID 83448

BHA INC
2983 E 2000 N
SUGAR CITY ID 83448

RE: Permit No. 32-7150

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit 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 by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

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

Please note that a separate stream channel alteration permit must be obtained from the Department prior to any activity in the stream channel other than construction or maintenance of the diversion structure for your water right(s). Applications for stream channel alteration permits must be filed a least sixty days prior to the commencement of work in the stream.

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a $100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

MICROFILMED

JUL 10 2002

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Shelley W. Keen

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED
JUL 10 2002

CERTIFICATE OF SERVICE

I hereby certify that on May 30, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 32-7150

WAHOO INC
3930 E 2000 N
SUGAR CITY ID 83448

BHA INC
2983 E 2000 N
SUGAR CITY ID 83448

Kari Lynn Townsend
Secretary

MICROFILMED

JUL 10 2002

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

The accompanying order or approved document 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 of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing 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 fourteen (14) 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 with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director 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 Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

MICROFILMED

JUL 10 2002

FINAL ORDER

The Director 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 Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

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

> Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:
>
> (a) the petition for reconsideration is disposed of; or
> (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED
JUN 10 2002

MEMORANDUM

To: File 32-7150

From: Sharla

Date: May 22, 2002

Re: Review of Information Submitted

On May 21, Candice McHugh brought me a letter and attachments submitted by attorney Ray Rigby. Enclosed with his letter were 1986 crop reports, a large 1986 crop map and another crop map contained on 4 pages. There are differences in the numbers on the large map from those on the 4-page map, however, in the end all totals from either map only add up to 1400 – 1600 irrigated acres. The crop report totals 1429.3 acres. Therefore, the 1985 crop reports remain as proof of the highest number of acres irrigated in any season prior to 1987. (1747.1 ac)

I will contact Mr. Rigby and/or Mr. Ashcraft for their agreement to ~~advancement of priority~~, reduction of rate and acres irrigated/season. I will also contact Fish and Game with these changes as well as the watermaster's recommendations and allow them an opportunity to comment.

N/A

No response recd from F&G
per telecon w/ Grant Ashcraft on 5/28, he agreed to
N/A ~~the priority advancement~~, # of acres/season limitation
& rate of diversion adjustment.
SC 5/29/02

Priority date advancement is required when an application is amended to increase the amount of water requested. This application was amended to reduce the amount of water. The priority should not be advanced.
S. Keen
5/29/2002

Today I spoke with Skip Jones. He said his letter on 11/30/2001 suggesting a 2001 priority was an error.

MICROFILMED
JUL 10 2002

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

May 22, 2002

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Robert J. Saban
Idaho Fish & Game
FAX: 523-7604

Re: Application for Permit to Appropriate Water 32-7150

Dear Mr. Saban:

In January, you submitted a letter stating your concerns regarding approval of the above referenced application. In the department's review of the proposal, several changes have been made to the application. Before we proceed further, I want to allow you the opportunity to review the modifications proposed. A draft of the approval is attached.

First, please note that the priority date is being advanced to the date the application was amended. This permit will then be the latest priority right from Indian Creek.

Next, the rate of diversion has been reduced in line with a measurement of the system which has been in place and used for more than 15 years. The measurement was 8.23 cfs and existing rights already cover 4.82 cfs, thus the remaining capacity to be covered with this right is 3.41 cfs.

Finally, I have also attached comments we received from the watermaster. The permit will be conditioned as being regulated by the watermaster.

The department plans to issue the permit by the end of the month. After you have had a chance to review this information, if you still have concerns please respond IN WRITING by Monday, May 27th. In your response please provide specifics as to the impact you feel this approval will make, i.e. the particular species impacted, the minimum bypass flow required to prevent such injury, etc. On the other hand, if the changes we have proposed sufficiently address your concerns and you have no further objection to the approval, please let me know immediately (by phone would be most helpful). If I don't hear from you one way or the other by Monday, we will proceed with permit approval.

Thank you for your consideration in this matter.

MICROFILMED
JUL 10 2002

Sincerely,

Sharla Curtis
Sr. Water Resource Agent

Attachments – Draft Permit
Watermaster Comments

Sent by fax
5/22/02 9:20 am
SC

No response - issue permit

RECEIVED
MAY 20 2002
Department of Water Resources

Law Offices

RIGBY, THATCHER, ANDRUS
RIGBY, KAM & MOELLER, Chartered

Ray W. Rigby
Gordon S. Thatcher
G. Rich Andrus
Jerry R. Rigby
Michael S. Kam (1954-2001)
Gregory W. Moeller

P.O. Box 250
25 North Second East
Rexburg, ID 83440

Telephone: (208) 356-3633
Fax: (208) 356-0768
E-Mail: Rexlaw@srv.net

VIA FACSIMILE 208-327-5400

May 16, 2002

Candice M. McHugh
Idaho Department of Water Resources
1301 N. Orchard
P.O. Box 83720
Boise, ID 83720-0098

RE: WAHOO Inc.

Dear Ms. McHugh,

You called a couple of days ago wanting the information we are now sending you by fax, the hard copies are in the mail. When we dealt with the water claims of Wahoo Inc. (Grant Ashcraft) at the Rexburg meeting of the court and in subsequent telephone conversations, you reported that the process with regard to the license(s) had been pretty much completed, but that you needed some proof that the lands had been watered and crops grown thereon. Mr. Ashcraft reported that he thought the USDA - ASCS of the U.S. Government made crop reports and maps which would give you a pretty complete record of information for the subject lands and he promised to furnish them. The government office gave him copies of the reports in their files, and the same are enclosed herewith, together with Mr. Ashcraft's letter containing further clarifications.

He also reported that the government destroys those records after a period of time, and the only ones they had on file yet were those from which the enclosed copies were made. They seem to be very comprehensive, and certainly show that the lands Ashcraft claimed as being watered, were in fact being watered and crops being raised thereon. However, all other records had been destroyed because of their age. I volunteered that he could give an affidavit to the effect that the government records included herewith reflect the standard operation of Ashcraft on these lands for the other years involved. When I got the reports and Ashcraft's letter I felt it proper to forward them on without waiting for him to come in from his farm in Clark county to sign the affidavit.

I feel very confident that these reports are a true reflection of the lands used and the crops raised with the water right he has claimed. If you agree, it would be great to have the license(s) issued as soon as possible so that we can report to the master that the processing of these claims can be finished by the court. Thanks for your assistance.

Sincerely yours,

Ray

Ray W. Rigby

RWR/jjs
enclosure
cc: Grant Ashcraft

MICROFILMED
JUL 10 2002

P:\WP6\DK\ASHCRAFG.LT2

GRANT & BOYD
ASHCRAFT
T-341

WAHOO
INC.

DENNIS
JARDINE
B758
T1136

MEDICINE LODGE
GRAZING
C101

WAHOO
INC.
IRR.

BHA INC.

WAHOO
aid Ashcraft
INC.
T-343

BLAINE
GROVER
B744
T726

BHA INC
T-342

Form Approved - OMB No. 0560-0004

REPORT OF ACREAGE

USDA-ASCS

NOTE: *Section 374 of the Agricultural Adjustment Act of 1938, as amended, authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing this data is voluntary; however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the Act.*

PAGE / OF

KEY	FARM NO.	NAME AND ADDRESS	FARM LAND	CROP LAND
1 OPERATOR	860 B	Boyd F Grant Ashcraft RT 1 Sugar City, ID		939.1
2 OWNER				

OTHER FARMS
OPERATOR: NONE
OWNER: NONE
PROGRAM YEAR: 1986
OTHER:

OTHER INTERESTED PRODUCERS KEY	NAME AND ADDRESS A	OTHER FARMS B	ASSIGNMENT CROP C	ASSIGNMENT JOB D
3				
4				
5				
6				
7				

SECTION I - FARM FIELD REPORT *(Note: Grey Shaded Area For County Office Use Only) (Section I Continued on Reverse)*

TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY: WHT	BRLY	OATS	ALF 4	Past.	Potato	Hay	ACR	KEY 5	SHARE 6	DISPOSITION 7	GROSS ACRES 8	DEDUCTIONS IDENT./MEAS. 9	DEDUCTIONS ACRES 10	NET ACRES 11	INIT. &
T-341	1	ALFALFA HAY				139.3												
	2	Spring Barley, IR		14.5 13.7														
	3	Spring Barley, IR				192.1												
	4	Spring, HRS Wheat, NR IP 100 ME 100	92.8 90.8							200.0								
	5A	ACR C/G																
	5B	SDW WHEAT, IR	18.6															
	6	HRS WHEAT, NR	164.5															
	7	HRS WHEAT, IR	163.2															
	8	HRS WHEAT, IR	164.1							IR 302.0 NR 302.0								
	13. TOTAL OPERATOR REPORT		1420.1	545.8	0	499.0	535	218.6	120	6274								
	14. TOTAL DETERMINED ACREAGE																	

MICROFILMED NOV 2 2006

May Canfield For Grant Comer

A. OPERATOR'S SIGNATURE — DATE — B. OPERATOR'S SIGNATURE — DATE

SECTION II - OPERATOR'S CERTIFICATION

I certify to the best of my knowledge and belief that the acreages of crops and land uses listed herein are true and correct. I understand that an inaccurate acreage report could result in a payment reduction or loss of program benefits and/or reduction in future allotments and quotas when applicable.

C. OPERATOR'S SIGNATURE: Grant Ashcraft — DATE: 5-27-86

1984-565-357

SECTION I - FARM FIELD REPORT *(Continued)* *(Grey Area for County Office Use Only)*

TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY 4: WHT	Brly	OATS	ALF	Past.	Potatos	Hay	ACR	KEY 5	SHARE 6	DISPOSITION 7	GROSS ACRES 8	DEDUCTIONS IDENT./MEAS. 9	DEDUCTIONS ACRES 10	NET ACRES 11	INIT. & DATE 12
	8A	HRS WHEAT, IR	17.3 16.4 16.8															
	9	HRS WHEAT, IR	16.2 16.1										?					
	10	ALFALFA HAY				103.2 105.5												
	11	Spring Barley, IR		33.3 33.2														
?	12	HRS WHEAT, IR	84.7 85.0															
?	13	SWW WINTER WHEAT, IR	24.8 25.1															
	14	HRS WHEAT, IR	20.8 21.3															
	15	SW WINTER WHEAT, IR	19.7 19.3															
	16	HRS WHEAT, IR	14.1 15.4															
			444.6	33.3	0	103.2	0	0	0	0								

SKETCHES OR REMARKS

LAND DESIGNATED AS ACR ACREAGE MEETS CROPPING REQUIREMENTS OR OTHER ELIGIBILITY REQUIREMENTS.

5-27-86

(583.3)

NO NEW LAND HAS BEEN BROKEN OUT OR CONVERTED AND PLANTED TO AN AGRICULTURAL COMMODITY ON THIS FARM SINCE DECEMBER 23, 1985, OR ON ANY OTHER FARM IN WHICH I HAVE AN INTEREST.

5-27-86

TOTAL 1007.5

MICROFILMED
JUN 19 2002

Form Approved - OMB No. 0560-0004

ASCS-578 (02-02-84) **REPORT OF ACREAGE** USDA-ASCS

NOTE: *Section 374 of the Agricultural Adjustment Act of 1938, as amended, authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing this data is voluntary; however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the Act.*

PAGE 2 OF

FARM NO. | NAME AND ADDRESS | FARM-LAND | CROP-LAND

KEY 1 OPERATOR

KEY 2 OWNER

OTHER FARMS: OPERATOR | OWNER

PROGRAM YEAR

OTHER

OTHER INTERESTED PRODUCERS			ASSIGNMENT	
KEY	NAME AND ADDRESS A	OTHER FARMS B	CROP C	JOB D
3				
4				
5				
6				
7				

SECTION I - FARM FIELD REPORT *(Note: Grey Shaded Area For County Office Use Only) (Section I Continued on Reverse)*

TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY: WHT	BRLY	OATS	ALF 4	PAST.	Potatoes	Hay	ACR	KEY 5	SHARE 6	DISPOSITION 7	GROSS ACRES 8	DEDUCTIONS IDENT./MEAS. 9	DEDUCTIONS ACRES 10	NET ACRES 11	INIT.
		IR																
T-341	17	ACR C/C								200.0								
		(Boot HRS	236.6															
T-345	1	WHEAT, IR											Thank-Gulch					
		(Number) NR								178.7								
T-344	1	Gulch ACR C/C								178.7			W. 11 seed to HAY / GRASS					
		IR PASTURE					14.9											
135R	1		60.8															
	2	HRS WHEAT, IR					38.6											
	3	IR. PASTURE				41.8												
75L	1	ALF HAY				21.1							19.1 acres					
	2	ALF HAY				38.0							36.4 acres					
	3	ALF HAY																
13. TOTAL OPERATOR REPORT			297.4	0	0	100.9	53.5	0	0	378.7								
14. TOTAL DETERMINED ACREAGE																		

MICROFILMED NOV 01 2002

SECTION II - OPERATOR'S CERTIFICATION

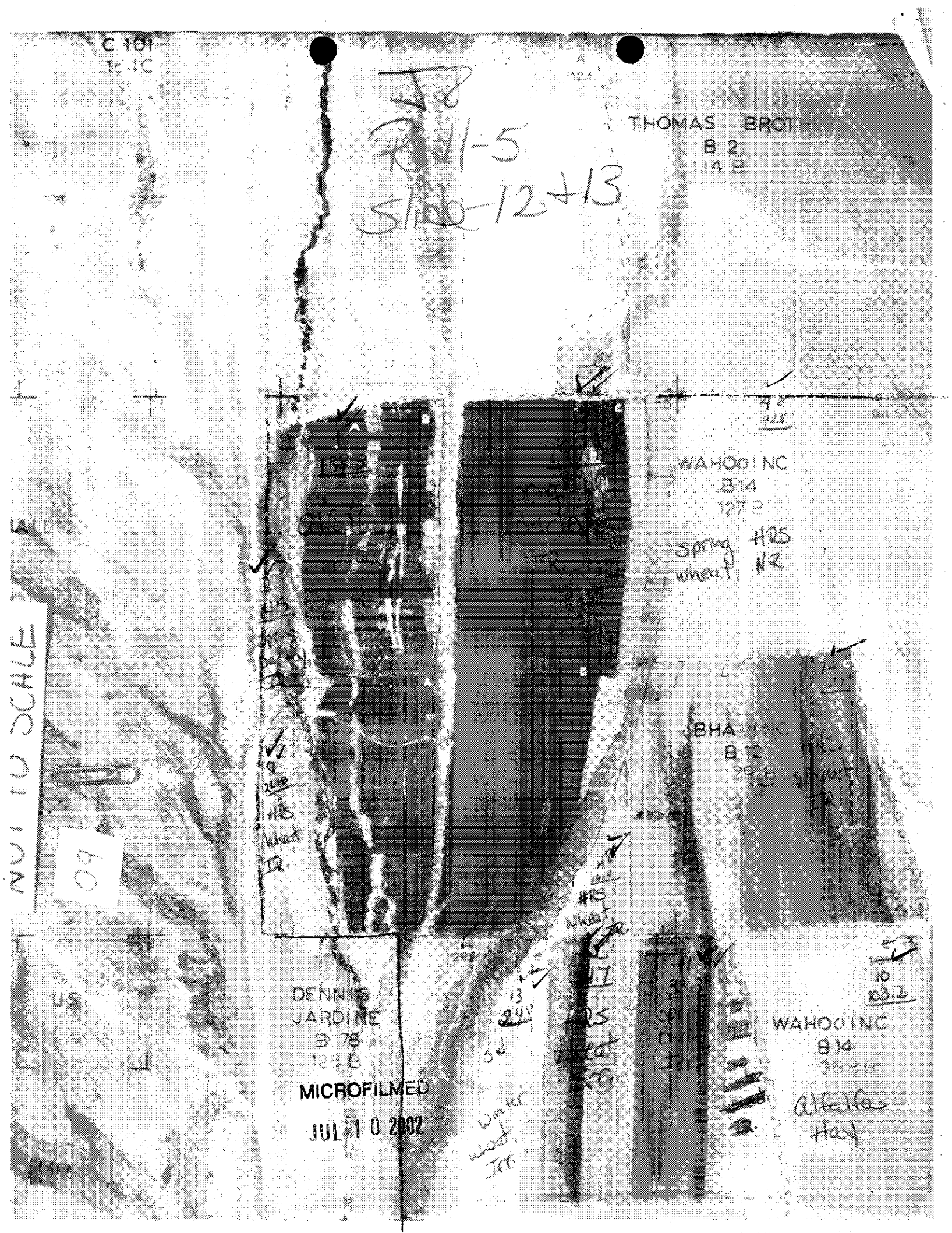
I certify to the best of my knowledge and belief that the acreages of crops and land uses listed herein are true and correct. I understand that an inaccurate acreage report could result in a payment reduction or loss of program benefits and/or reduction in future allotments and quotas when applicable.

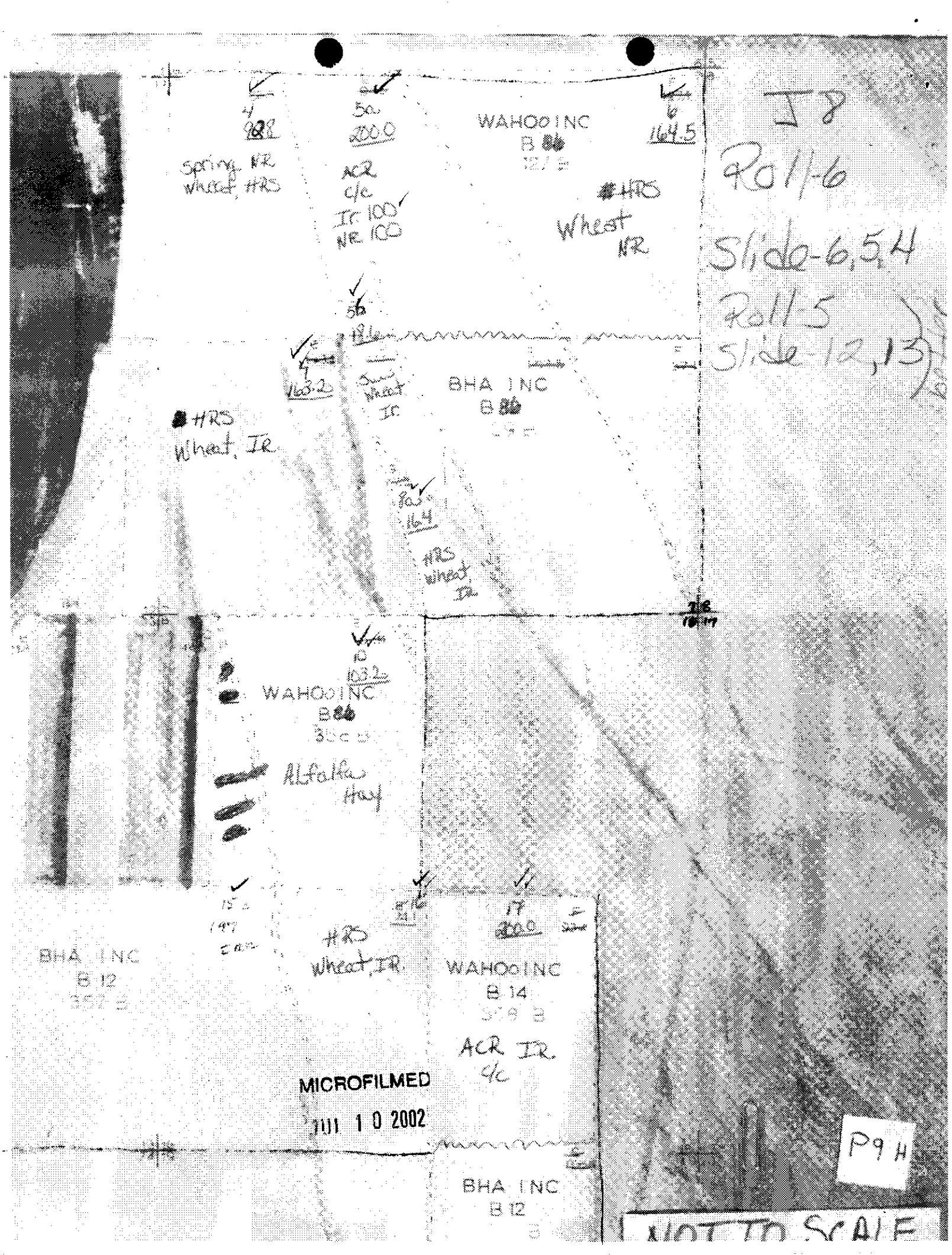
A. OPERATOR'S SIGNATURE | DATE | B. OPERATOR'S SIGNATURE | DATE | C. OPERATOR'S SIGNATURE | DATE

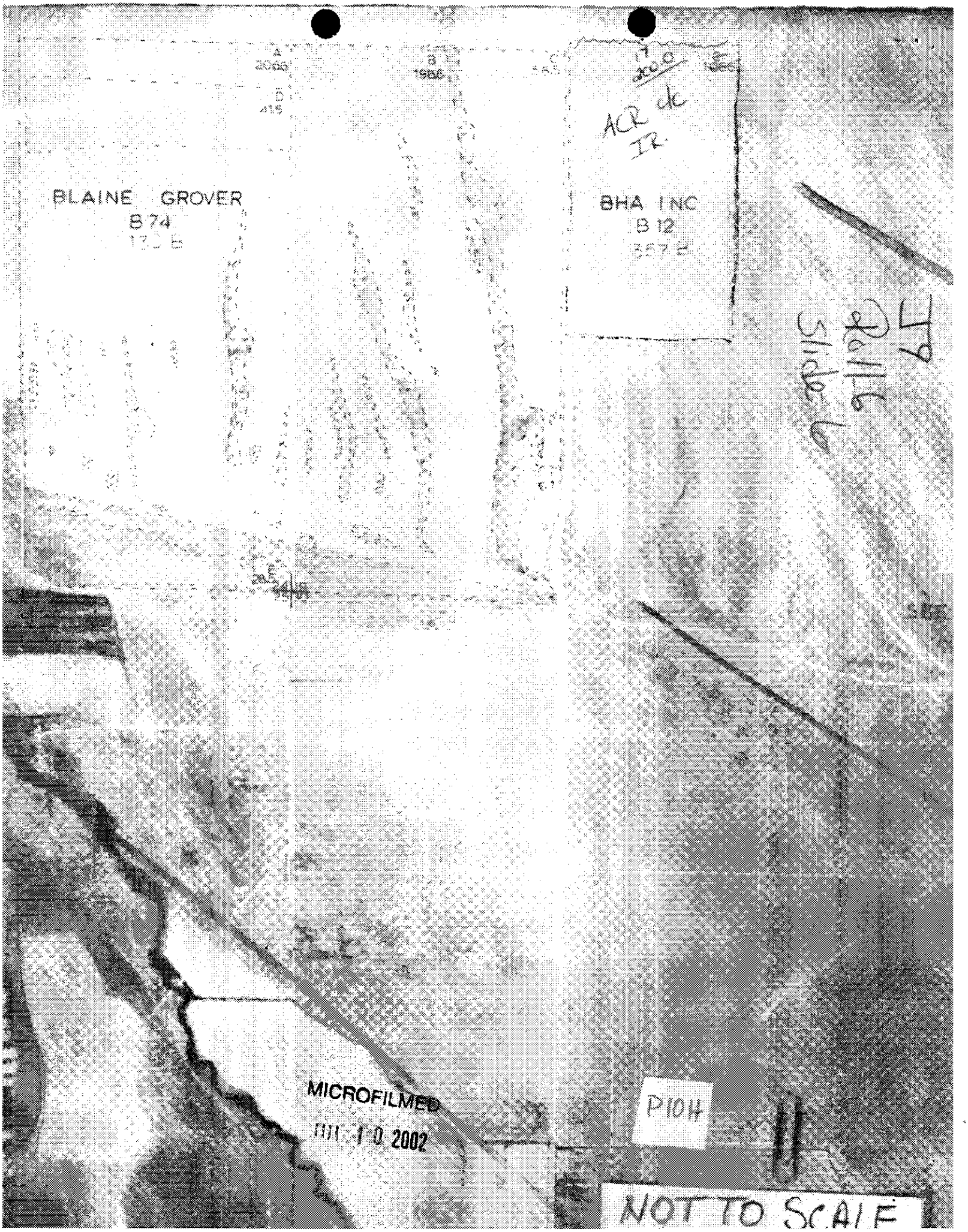
SECTION I - FARM FIELD REPORT *(Continued) (Grey Area for County Office Use Only)*

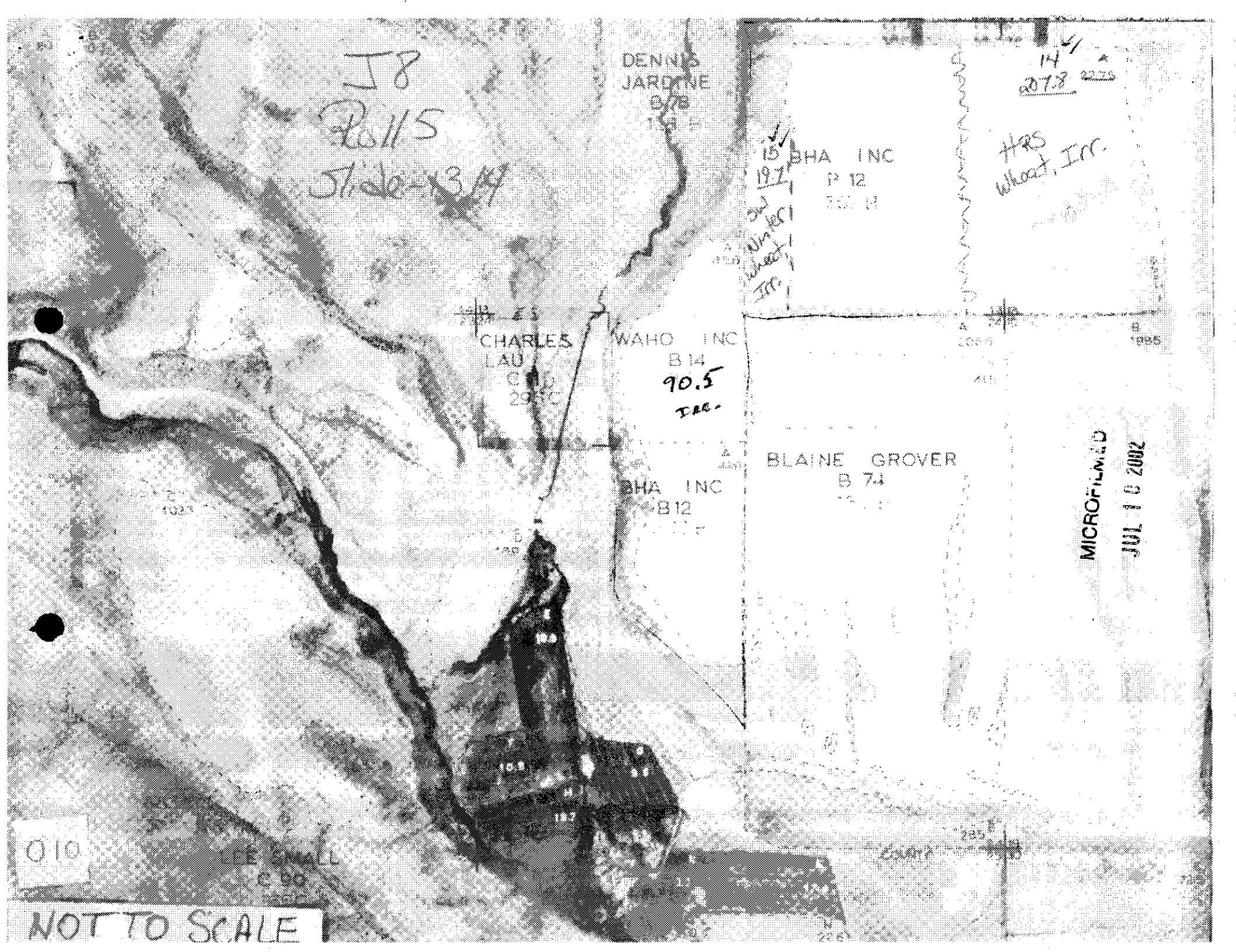
TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY 4 WHT	BRLY	OATS	ALF	PAST	POTATOES	Hay	ACR	KEY 5	SHARE 6	DISPOSITION 7	GROSS ACRES 8	DEDUCTIONS IDENT./MEAS. 9	DEDUCTIONS ACRES 10	NET ACRES 11	INIT. & DATE 12
	4	HRS WHEAT, IR	62.6															
	5	Russet POTATOES, IR						33.2										
	6	Russet POTATOES, IR						14.9										
	7	Russet POTATOES, IR						78.6										
body	1	Russet POTATOES, IR						5.8										
	2	Russet POTATOES, IR						52.0										
	3	HRS WHEAT, IR	44.0															
	4	HRS WHEAT, IR	77.1															
	5	AIF HAY				30.0												
SKETCHES OR REMARKS			183.7	0	0	300	0	184.5	0	0								

MICROFILMED
NOV 1 0 2002


THOMAS BROT
B 2
114 B
WAHOO INC
B14
127 D
Spring HRS
Wheat NR
DENNIS
JARDINE
B 78
MICROFILMED
JUL 10 2002
WAHOO INC
B 14
alfalfa
Hay


WAHOO INC
B
Spring WR
Wheat, HRS
ACR
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Ir 100
NR 100
HRS
Wheat
NR
BHA INC
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HRS
Wheat, Ir
HRS
Wheat
Ir
WAHOO INC
B
Alfalfa
Hay
BHA INC
B 12
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WAHOO INC
B 14
ACR IR
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BHA INC
B 12
MICROFILMED
NOV 1 0 2002
T 8
R 11 E
Slide-6,54
Roll 5
Side 12,13
P 9 H
NOT TO SCALE


BLAINE GROVER
B 74
BHA INC
B 12
ACR dc
IR
MICROFILMED
P10H
NOT TO SCALE


I8
Rolls
51-62-X34
DENNIS
JARDINE
B 78
BHA INC
P 12
HRS
Wheat, Inc.
CHARLES
LAU
WAHO INC
B 14
90.5
Inc.
BHA INC
B 12
BLAINE GROVER
B 74
MICROFILMED
JUL 10 2002
010
NOT TO SCALE

28 MAR 02

Shonda:

Enclosed find a copy of TRACT # 341, 1986 Crop Report and maps, also inclosed is a copy of another map showing, in making a more clear piture of 1986 crop year in one page rather than several pages.

TRACT # 343 was leased TO Sid Ashcraft IN 1986 so is not LISTED on TRACT # 341 but AS A Seperated TRACT # 343 and used by Sid AS ACR ACRES.

The acres LISTED AS DRY ACRES in 1986 were IRRIGATED ACRES in 1995 and Subquented years, but in 1986 were USED AS ACR. ACRES And did not require IRR. for 1986 Crop year and so were not LISTED by F.S.A. AS IRR.

Hope Information will help as F.S.A. has thrown Away most information over 10 years old.

Thank You,

Grant Ashcraft.

Alfalfa was irrigated, but we were not required then to have on record—
3-29-02 Angie Scott PT

MICROFILMED
JUL 10 2002

MEMORANDUM

To: File 32-7150

From: Sharla

Date: May 20, 2002

Re: Permit Review

This application was originally filed in June of 1985 for the irrigation of 2,038 acres from Indian Creek diverted in the NESW, S12, T11N, R34E. The application was held up from processing due to the Mud Lake Moratorium and due to a protest which was later withdrawn. In January of this year, however, an amended application was submitted based upon measurement data and the application was processed as pre-1987 development. Existing Indian Creek rights being recommended in the SRBA are limited to a total diversion of 4.82 cfs. The measurement was 8.23 cfs, leaving 3.41 cfs to be permitted under 32-7150.

In conversations with Mr. Ashcraft and the Clark County CFSA office, there are no crop records available dating back to 1987 or earlier. However, reports for 1984 through 1986 happened to have been submitted at the time a ground water application (32-7137) was submitted and being reviewed for issuance of a permit and I have made copies of the reports for 32-7150. After extensive review of the crop reports and associated aerial photos, 1985 had the highest number of acres irrigated within the lands identified in the application. That total was 1747.1 acres. As indicated on the reports and confirmed by aerial photography available from GIS data here at the department, portions of the place of use have not been irrigated for years because the lands were placed into CRP. Mr. Ashcraft told me that the CRP started in the late 70's to early 80's.

Fish and Game suggested that the application be denied since water would only be available once every 10 years or so (high water years) and their feeling that Indian Creek is fully appropriated. A comment letter from the watermaster agrees that this right could only be diverted one or two times every ten years, but that in high water years there is water available for this right. His letter states that *delivery records* show 4.82 cfs delivered to the applicant but that as much as 12 to 16 cfs may actually have been diverted. In a memo I requested from Harold Jones (Eastern Region), he explains why the watermaster would have such conflicting information. Because of the language of the old decree giving the right holder complete and exclusive control of the diversion, the watermaster never made any physical measurements, but instead relied on whether any downstream users made a complaint. The watermaster never received any such complaint. That leaves us with no other measurement data except that by regional personnel in 1999.

MICROFILMED

JUL 10 2002

After considering all of the above, I recommend that the permit be issued for 3.41 cfs, rather than 3.50 cfs (8.23 cfs measured minus 4.82 under existing rights). The approval should be for 1747.1 acres within the 1935-acre permissible place of use and placed under watermaster control with conditions requiring a measuring device and lockable controlling works. As indicated on the attached spreadsheet, this right will have the latest priority of all rights diverted from Indian Creek and thus will be the first curtailed in water short years.

MICROFILMED
JUL 10 2002

Basin	Sequence	Suffix	Priority	Div Rate	Source	Water Use	Owner List	Source Table
32	57			3	INDIAN CREEK	IRR	GAUCHAY/HILL	wrWaterRight
32	10369		1/1/1880	0.02	INDIAN CREEK E. FK	STOCK	USA ACTING THROUGH	wrWaterRight
32	10372		1/1/1880	0.02	INDIAN CREEK	STOCK	USA ACTING THROUGH	wrWaterRight
32	10373		1/1/1880	0.02	INDIAN CREEK W. FK	STOCK	USA ACTING THROUGH	wrWaterRight
32	11154		7/1/1882	0.02	INDIAN CREEK POND W. FK	STOCK	USA ACTING THROUGH	wrWaterRight
32	6	A	4/15/1883	0.02	INDIAN CREEK	IRR	CLARK COUNTY CEMETERY DIST	wrAdjRecomm
32	6	B	4/15/1883	3.18	INDIAN CREEK	IRR	SMALL RANCHES	wrAdjRecomm
32	10080		4/15/1883	0.02	INDIAN CREEK	STOCK	SMALL RANCHES	wrWaterRight
32	10180		5/1/1884	0.02	INDIAN CREEK SPRING W. FK	STOCK	USA ACTING THROUGH	wrWaterRight
32	10181		5/1/1884	0.02	INDIAN CREEK W. FK	STOCK	USA ACTING THROUGH	wrWaterRight
32	10182		5/1/1884	0.02	INDIAN CREEK E. FK	STOCK	USA ACTING THROUGH	wrWaterRight
32	52		5/15/1895	1.3	INDIAN CREEK	IRR	SMALL RANCHES	wrWaterRight
32	2004		6/15/1904	4	INDIAN CREEK W. FK	DOM, IRR	GREEN, STEPHEN K	wrWaterRight
32	2051		11/15/1913	1.62	INDIAN CREEK	IRR	SMALL RANCHES	wrWaterRight
32	10099		4/1/1917	0.02	INDIAN CREEK W. FK	STOCK	NATURAL GUARDIAN LTD	wrWaterRight
32	10112		4/1/1920	0.05	INDIAN CREEK	STOCK	THOMAS BROTHERS	wrWaterRight
32	11167		6/1/1935	0.02	INDIAN CREEK	STOCK	THOMAS BROTHERS	wrWaterRight
32	10107		11/21/1946	0.03	INDIAN CREEK	STOCK	STATE OF IDAHO	wrWaterRight
32	10059		5/1/1968	0.03	INDIAN CREEK	STOCK	ABER, BRYAN C	wrWaterRight
*Amended 1/12/2002 - prioirity date to be changed accordingly								

MICROFILMED
JUL 10 2002

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS
Reviewed by Sharla Curtis on 2/20/02

No. 32-7150 **Name:** Wahoo Inc BHA Inc **Corp. Officers** ✓ **Ad ok** ✓ **Govt Lots**

AREA OF CONCERN: **No/Yes** SR **Moratorium** ~~GWMA~~ ~~TRUST~~/NON-TRUST

pre-1987 dev. OK

GROUNDWATER: (√Flow Chart)

DRILLING PERMIT	
All wells	- 046
Basin 34	- 084 (if necessary)
WMD	- North/East/West
≤ 0.24 cfs/5 acres	- No MD
> 0.24 cfs/5 acres	- 067
~~WMD~~	
Supp irr (irr = only use)	- 065-104
Supp irr (+ other uses)	- 100-105
≤ 0.24 cfs/5 acres	- No MD
> 0.24 cfs/5 acres	- 01M

SURFACE WATER: (√Flow Chart)

~~F&G~~ contacted	~~Yes~~/No Response
In/Above MSF	- WB9
PLANNING REVIEW/RESPONSE	
~~WD~~	~~R04~~ (WD# 32C)
≤ 0.20 cfs/others	- 01H, 01P or No MD
> 0.20 cfs	- 01J
SPRINGS/SINK, INACTIVE WD or ~~WD~~	
≤ 0.24 cfs/5 acres	- No MD
>0.24 cfs/5 acres	- 01M or No MD

Suggest app be denied source = fully appropriated Watermasters comments overrule

LOCATION:

Boise Front LoGeo	- 058 (<85 GW)
Mitigation	- 121
Trust	- ~~051~~ (consumptive uses)
~~Non-Trust~~	- 048 (consumptive uses or non-cons. > 1.0 cfs)

RIVER BASINS: (SW special considerations)

Snake R (01)	- W23, N/A
(02,03)	- 007 (w/ remark WB9 if above Weiser)
Payette R (65)	- W23, 047 (Payette Lake)
Salmon R (70's)	- 029 (fish screens)
Weiser R (67)	- 086-087

USES:

~~STORAGE~~	- 18C-01H-01P-18B-NA
~~IRR~~ ≤ 5 ac	- R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac	- R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER	- R37 (BLM/FS)-111 (instream stock)
MINING	- 054-106
HEAT/COOL	- R07 (injection well)
FIRE PROT	- 077
COMMERCIAL/ INDUSTRIAL	- 106-R07
DAIRY	- 082-WD8
POWER	- 17H or 17K (+uses)-17G (under FERC) or 17M (not FERC regulated) 025-027-R22-08A

USES:

MUNICIPAL	
Restricted area	- 022,075
Irr., GW supp to SW	- 102
Future needs	- 007,109
FISH PROP	- 029 (70's only)-007-042-106
DOMESTIC	
Surface water	- WB5 (Big Wood/Boise above Star Bridge)
	- 27A (Payette R)
>1 in restricted area	- 070-071-075 (no parks/common areas)
Irr separate or none allowed	- WB5
GW w/irrigation from SW evident	- 065-104
Moratorium approvable	- W03 (2500 gpd – meets domestic def i.e. D/convenience store)

BENEFICIAL USE DUE: 8/01/2002

4.82 cfs 32-15 14 16 11219

MISC CONDITIONS/REMARKS:

Protested	- 020-W19
Development Period	
> 1 yr	- 26A
Ownership	- 004
Non-consumptive	- 027
Water Quality	- 106-R07
Multiple pd's per ¼¼	- W32
Subd lot desc (pd)	- W59
Subd lot desc (pu)	- W60
Use definitions	- W02 example – S/50 range
Pre-1987 development	- 068-074 (allow 120 days for proof due)
Single p/d intended	- 076

IRRIGATION SEASON 5/1 - 10/31 (Per updated map) **IRR VOLUME/ACRE** 3.5

OTHER CONDITIONS/REMARKS 2 Statements signed by total of 3 witnesses invoice from irr supply co for system dated 1977

COMMENTS

485416 Priority 1/12/02

ASCS-526
(6-7-78)

Clark County Growers

REPORT OF ACREAGE

USDA-ASCS

NOTE: Sect. 1374a, 7 U.S.C., authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing this data is voluntary; however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the Act.

KEY 1 OPERATOR

FARM NO. 86 B CO

NAME AND ADDRESS: Grant & Boyd Allcraft
Rt. 1
Sugar City, ID 83448

FARM-LAND

CROP-LAND

KEY 2 OWNER

OPERATOR

OTHER FARMS

OWNER

PROGRAM YEAR 1984

OTHER

OTHER INTERESTED PRODUCERS

KEY	NAME AND ADDRESS	OTHER FARMS	ASSIGNMENT CROP	ASSIGNMENT JOB
3				
4				
5				
6				
7				

Total acres irrigated w/in the area described in this application is 1367.8

SECTION I - FARM FIELD REPORT (NOTE: Grey Shaded Area to be Filled in by Reporter ONLY.)

CROP OR LAND USE SUMMARY

TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	Dry Wht	Irr Wht	Irr Brly	Irr Hay	Irr Potatoes	Dry ACR	Irr ACR	KEY 5	SHARE 6	DISPOSITION 7	METHOD 8	GROSS ACRES 9	REDUCTIONS IDENT./MEAS. 10	REDUCTIONS ACRES 11	NET ACRES 12	INITIAL & DATE 13
360B	A	Dry Wht HRW	90.5															
Madison Co.	E	Irr Potatoes Commer.					52.0											
"	D	Irr Potatoes Commer.					5.8											
"	F	Irr Wht HRS		44.0														
"	G	Irr Wht HRS		77.1														
"	A	Irr Wht HRS		41.8														
"	B	Irr Wht HRS		21.1														
"	C	Irr Wht HRS		38.0														
"	D	Irr Forage Pea Hay-AIS				62.6												
TOTAL OPERATOR REPORT																		
TOTAL REPORTER'S REPORT																		

MICROFILMED
JUL 2002

SECTION II - OPERATOR'S CERTIFICATION

I certify to the best of my knowledge and belief that the acreages of crops and land uses listed herein are true and correct. Further, my signature constitutes authority for ASCS personnel to enter my farm for making any program determinations.

OPERATOR'S SIGNATURE | DATE | OPERATOR'S SIGNATURE | DATE

FIELD NO. 1	FIELD NO. 2	CROP OR LAND USE 3	Dry Wht	Irr Wht	Irr Brly	Irr Hay	Irr Pot	Dry Acr	Irr Acr	KEY 5	SHARE 6	DISPOSITION 7	METHOD 8	CULT. ACRES 9	IDENTITY & MEAS. 10	ACRES 11	ACRES 12	DATE 13
Madison Co.	E	Irr Forage Prod. Hay Alf.				33.2												
"	F	Irr Potatoes Russett					14.9											
"	G	Irr Potatoes Russett					78.6											
"	A	Irr Wht HRS		42.6														
"	B	Irr Potatoes Russett					48.5											
"	C	Irr Potatoes Russet					30.0											
"	A	Irr Pasture				14.9												
"	B	Irr Brly			60.8													
Jeff Co.	A	Irr Potatoes Russett					116.6											

SKETCHES OR REMARKS

[redacted]

[redacted]

FEB 20 1998

MICROFILMED

NOV 10 2002

ASCS-578
(6-7-78)

REPORT OF ACREAGE

USDA - ASCS

NOTE: Sect. 1374a, 7 U.S.C., authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing this data is voluntary; however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the Act.

KEY 1 OPERATOR: 86-B-00

KEY 2 OWNER:

FARM NO. | NAME AND ADDRESS | FARM-LAND | CROP-LAND

OTHER FARMS — OPERATOR:

OTHER FARMS — OWNER:

PROGRAM YEAR: 1984

OTHER:

OTHER INTERESTED PRODUCERS

KEY	NAME AND ADDRESS	OTHER FARMS	ASSIGNMENT: CROP	ASSIGNMENT: JOB
3				
4				
5				
6				
7				

SECTION I - FARM FIELD REPORT (NOTE: Grey Shaded Area to be Filled in by Reporter ONLY.)

TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY: Dry Wht	Irr Wht	Irr Brly	Irr Hay 4	Irr Pot	Dry ACR	Irr ACR	KEY 5	SHARE 6	DISPOSITION 7	METHOD 8	GROSS ACRES 9	REDUCTIONS: IDENT./MEAS. 10	REDUCTIONS: ACRES 11	NET ACRES 12	INITIAL & DATE 13
Jeff Co.	B	Irr Wht HRS		13.0														
"	C	Irr Wht HRS		114.4														
"	D	Irr Forage Prod Hay-Alf.				13.0												
"	E	Irr Wht SWI		122.7														
"	F	Irr Forage Prod Hay-Alf				14.8												
"	G	Irr Forage Prod Hay-Alf				127.7												
Turner	A	Irr Brly			57.0													
"	B	Irr Brly			12.6													
"	C																	
TOTAL OPERATOR REPORT																		
TOTAL REPORTER'S REPORT																		

MICROFILMED
NOV 10 2002

SECTION II - OPERATOR'S CERTIFICATION

I certify to the best of my knowledge and belief that the acreages of crops and land uses listed herein are true and correct. Further, my signature constitutes authority for ASCS personnel to enter my farm for making any program determinations.

OPERATOR'S SIGNATURE | DATE | OPERATOR'S SIGNATURE | DATE

SECTION I - FARM FIELD SHEET (Continued from Preceding Page) (Entries for Reporter Only)

TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP MIX AND USE SUMMARY: Dryland	Irr Wht	Irr Brly	Irr Hay	Irr Pst	Dry ACR	Irr ACR	KEY 5	SHARE 6	DISPOSITION 7	METHOD 8	GROSS ACRES 9	IDENTITY & MEAS. 10	ACRES 11	ACRES 12	DATE 13
Hamer	D	Irr Feed Brly			101.2													
"	F Area	Irr Brly			20.3													
"	D_1	Irr Brly			17.8													
"	G	Irr Brly			53.2													
"	H	Irr Brly			12.8													
"	I	Irr Forage Prod Hay-All				119.4												
"	A_1	Irr C/C ACR							23.9									
"	A_2	Irr C/C ACR							3.5									
148	A_1	Dry Irr First Yr. ACR C/C						28.0										

SKETCHES OR REMARKS

[redacted]

MICROFILMED
JAN 10 2002

[redacted]

ASCS-578
(6-7-78)

REPORT OF ACREAGE

USDA - ASCS

NOTE: Sect. 1374a, 7 U.S.C., authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing this data is voluntary; however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the Act.

PAGE 3 OF 4

KEY 1 OPERATOR: FARM NO. 86 B 00

NAME AND ADDRESS

FARM LAND

CROP LAND

OTHER FARMS: OPERATOR

OWNER

PROGRAM YEAR: 1984

OTHER

KEY 2 OWNER

KEY	OTHER INTERESTED PRODUCERS: NAME AND ADDRESS	OTHER FARMS	ASSIGNMENT: CROP	ASSIGNMENT: JOB
3				
4				
5				
6				
7				

SECTION I - FARM FIELD REPORT (NOTE: Grey Shaded Area to be Filled in by Reporter ONLY.)

TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY: Dry Wht	Irr Wht	Irr Brly	Irr Hay 4	Irr Pst	Dry ACR	Irr ACR	KEY 5	SHARE 6	DISPOSITION 7	METHOD 8	GROSS ACRES 9	DEDUCTIONS: IDENT. (MEAS.) 10	DEDUCTIONS: ACRES 11	NET ACRES 12	INITIAL & DATE 13
14B	A2	Irr Wht HRS		200.4														
11	A3	Dry First Yr. Irr C/C ACR						8.2										
27B	A	Irr Forage Prod Hay - Alf				139.3												
11	C	Irr Feed Brly			197.1													
11	D	Dry Wht HRS	87.8															
11	D1	Dry ACR SF						5.0										
24B	C	Irr Wht HRW		163.2														
11	H	Irr Wht HRW		16.4														
11	I	Irr Wht HRW		16.2														
TOTAL OPERATOR REPORT																		
TOTAL REPORTER'S REPORT																		

MICROFILMED JUL 10 2002

SECTION II - OPERATOR'S CERTIFICATION

I certify to the best of my knowledge and belief that the acreages of crops and land uses listed herein are true and correct. Further, my signature constitutes authority for ASCS personnel to enter my farm for making any program determinations.

OPERATOR'S SIGNATURE | DATE | OPERATOR'S SIGNATURE | DATE

SECTION I - FARM FIELD REPORT (Continued) (Grey Area to be Filled in by Reporter ONLY.)

TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY: Dry Wht	Irr Wht	Irr Brly	Irr Hay	Irr Pot	Dry ACR	Irr ACR	KEY 5	SHARE 6	DISPOSITION 7	METHOD 8	CROP ACRES 9	DEDUCTIONS: IDENTITY & USE 10	DEDUCTIONS: ACRES 11	NET ACRES 12	INITIAL & DATE 13
358B	A	Irr Wht HRW		20.3														
"	A_1	Irr Wht HRS		9.5														
"	B_1	Irr Wht HRW		19.9														
"	B_2	Irr Wht HRS		11.9														
[redacted]	C	Irr Wht HRS		114.5														
"	D	Irr Wht HRS		19.7														
"	D_1	Irr Brly			42.4													
"	E	Irr Wht HRS		59.5	~~59.5~~ 58.6													
127B	E	Dry ACR SF						195.0										

SKETCHES OR REMARKS

[redacted]

MICROFILMED
2002

FSA-578 (2-03-00)

ASCS-578
(6-7-78)

REPORT OF ACREAGE

USDA-ASCS

NOTE: Sect. 1374a, 7 U.S.C., authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing this data is voluntary; however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the Act.

KEY 1 OPERATOR — FARM NO. B 86 00 — NAME AND ADDRESS: Grant & Boyd Ashcraft — FARM-LAND: 5318.0 — CROP-LAND: 3973.2 3942.6

KEY 2 OWNER

OTHER FARMS — OPERATOR — OWNER

PROGRAM YEAR: 1984

OTHER

KEY	OTHER INTERESTED PRODUCERS NAME AND ADDRESS	OTHER FARMS	ASSIGNMENT(S) CROP	ASSIGNMENT(S) JOB
3				
4				
5				
6				
7				

SECTION I - FARM FIELD REPORT (NOTE: Grey Shaded Area to be Filled in by Reporter ONLY.)

TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY: Dry Wht	Irr Wht	Irr Brly	Irr Hay 4	Irr Pot	Dry Acr	Irr Acr	KEY 5	SHARE 6	DISPOSITION 7	METHOD 8	GROSS ACRES 9	REDUCTIONS: IDENT./MEAS. 10	REDUCTIONS: ACRES 11	NET ACRES 12	INITIAL & DATE 13
27B	E1	Irr Wht HRS		18.6														
9B	1/2 FG	Irr Wht HRS		17.3														
27B	F	Dry Wht HRS	164.5															
5 7B	A	Irr Brly Clegues			227.5													
	B	Irr Wht HRS		74.1														
58B	F	Dry Acr S.F						200.0										
48B	A	Dry Acr S.F						206.0										
TOTAL OPERATOR REPORT			542.8	1276.2	807.1	524.9	346.4	6422	27.4									
TOTAL REPORTER'S REPORT																		

MICROFILMED NOV 10 2002

SECTION II - OPERATOR'S CERTIFICATION

I certify to the best of my knowledge and belief that the acreages of crops and land uses listed herein are true and correct. Further, my signature constitutes authority for ASCS personnel to enter my farm for making any program determinations.

OPERATOR'S SIGNATURE — DATE — OPERATOR'S SIGNATURE — DATE

SECTION [illegible] (New Area to be Filled in Lycoming ONLY)

TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROPLAND AND NON-CROPLAND 4							KEY 5	SHARE 6	DISPOSITION 7	METHOD 8	GROSS ACRES 9	DEDUCTIONS		NET ACRES 12	INITIAL & DATE 13
															IDENTITY & MEAS. 10	ACRES 11		

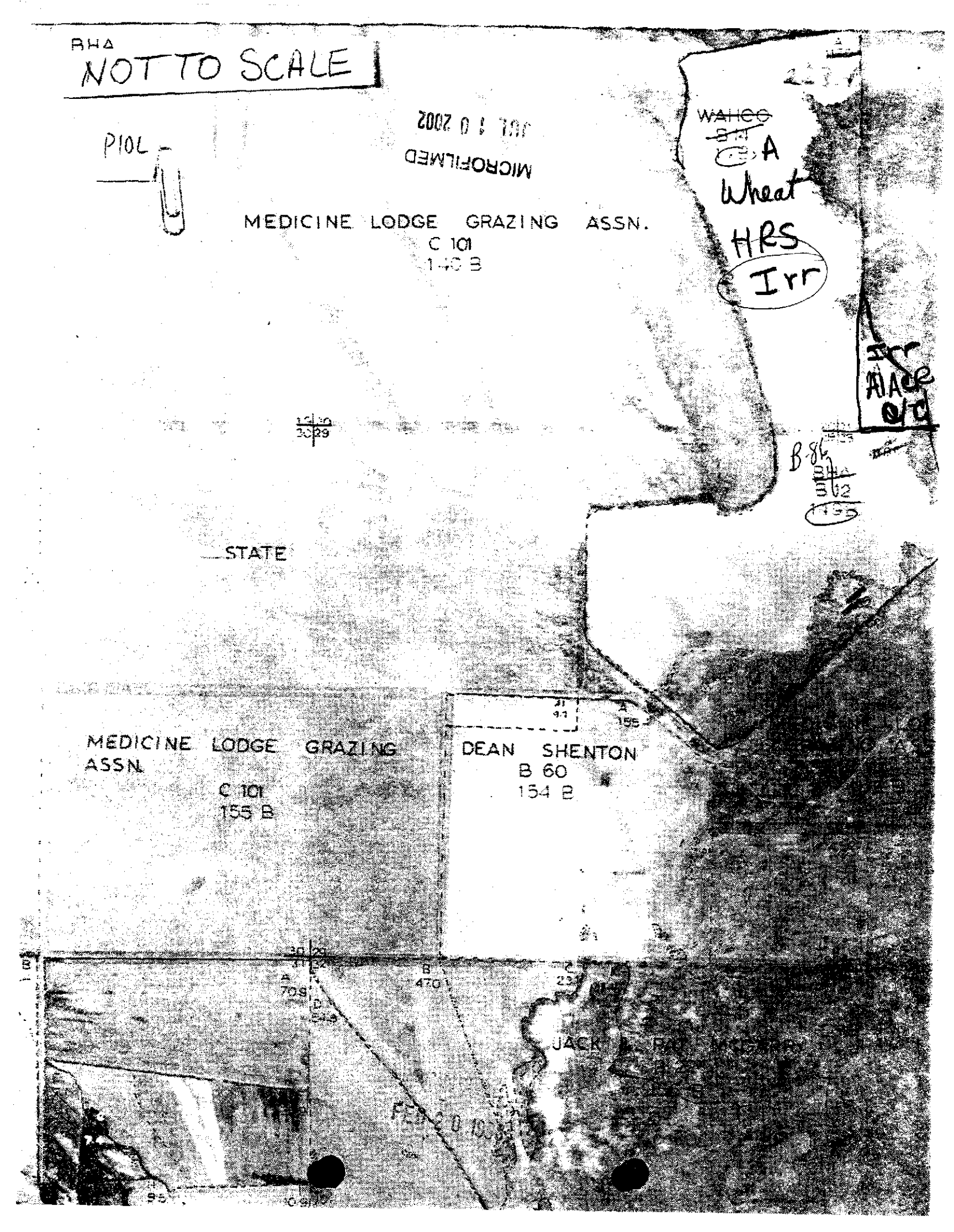
SKETCHES OR REMARKS

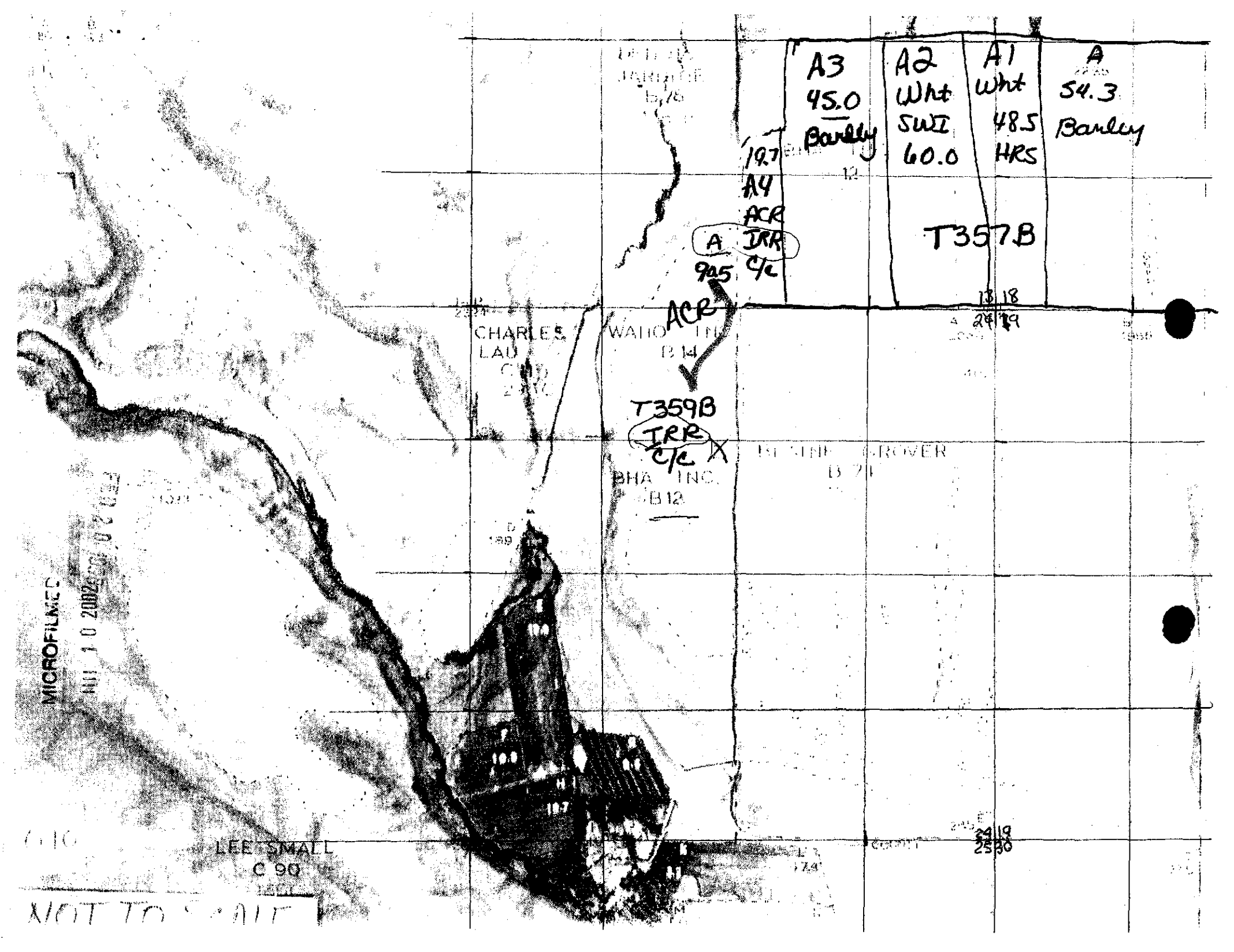
MICROFILMED
NOV 10 2002

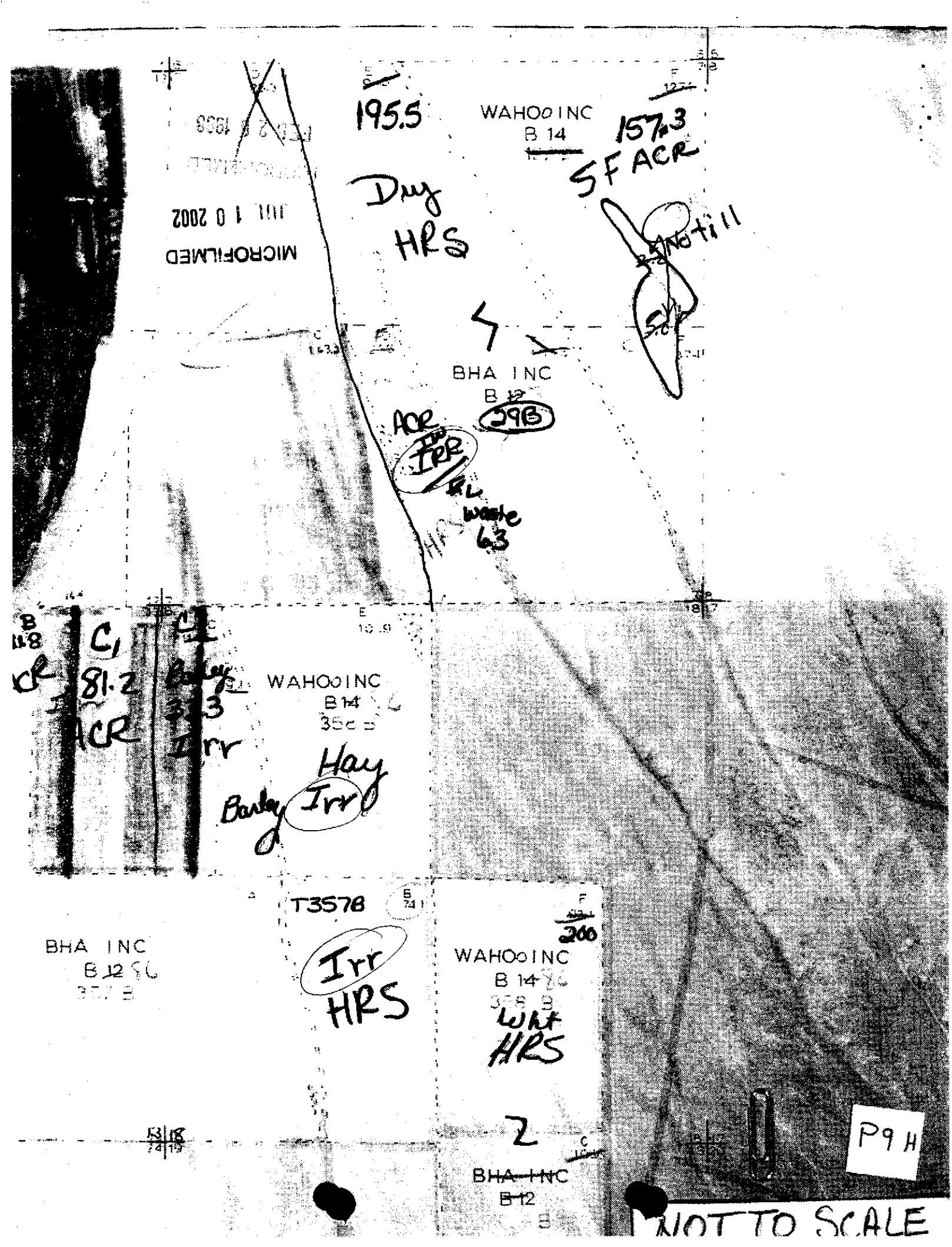
Land designated for ACR meets 2 year cropping requirements and other eligibility requirements, as applicable.

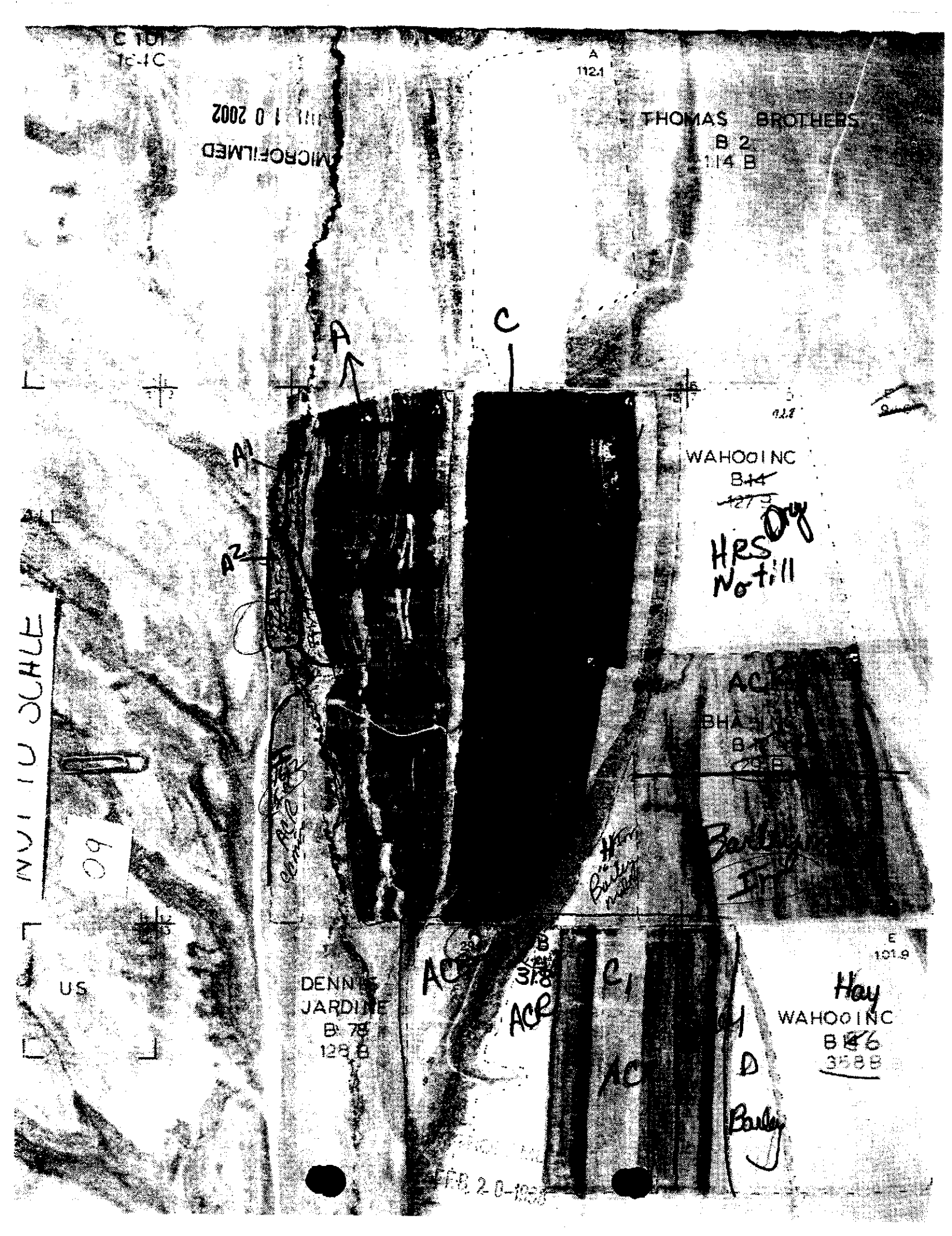
Janet Ashcraft 30 June 82

FSA-578


RHA
NOT TO SCALE
P10L
MICROFILMED
JUL 10 2002
MEDICINE LODGE GRAZING ASSN.
C 101
1-C B
WAHCO
A
Wheat
HRS
Irr
STATE
MEDICINE LODGE GRAZING ASSN.
C 101
155 B
DEAN SHENTON
B 60
154 B
JACK
FEB 20 10


A3
45.0
Barley
A2
Wht
SWI
60.0
A1
Wht
48.5
HRS
A
54.3
Barley
197
A4
ACR
A
905
ACR
IRR
C/C
T357B
T359B
IRR
C/C
CHARLES
LAU
WAHO INC
B 14
BHA INC
B12
LEE SMALL
C 99
MICROFILMED
NOT TO SCALE


195.5
Dry
HRS
WAHOO INC
B 14
157.3
SF ACR
No till
BHA INC
B 12
298
ACR
IRR
RL
WHEAT
43
WAHOO INC
B 14
Hay
Barley
Irr
T3578
Irr
HRS
BHA INC
B 12
WAHOO INC
B 14
WHT
HRS
200
2
BHA INC
B 12
P9 H
NOT TO SCALE


E 101
TC-4C
MICROFILMED
A
112.1
THOMAS BROTHERS
B 2
114 B
A
C
A1
A2
WAHOO INC
B14
427 B
HRS Dry
No till
ACP
BHA INC
B-1
28 B
Barley
Hay
E
101.9
DENNIS
JARDINE
B 78
128 B
ACP
3.8
ACP
WAHOO INC
B 6
358 B
Barley
US
09

ASCS-378 (6-7-78)

REPORT OF ACREAGE

USDA - ASCS

NOTE: Sect. 1374a, 7 U.S.C., authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing this data is voluntary; however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the Act.

KEY 1 OPERATOR: 8 86 00 — Grant Ashcraft (Dorthy), Rt. 1, Sugar City, Idaho 83448

KEY 2 OWNER: 8 86 00 — Boyd Ashcraft (Helen), Rt. 1, Sugar City, Idaho 83448

OTHER FARMS — OPERATOR / OWNER

PROGRAM YEAR: 1985

OTHER

OTHER INTERESTED PRODUCERS

KEY	NAME AND ADDRESS	OTHER FARMS	CROP	ASSIGNMENT JOB
3				
4				
5				
6				
7				

Total acres irrigated w/in the area described in this application is 1747.1

SECTION I - FARM FIELD REPORT (NOTE: Grey Shaded Area to be Filled in by Reporter ONLY.)

CROP OR LAND USE SUMMARY

TRACT NO.	FIELD NO.	CROP OR LAND USE	Irr Wht	NI Wht	Irr Barley	NI Barley	Irr Past	Irr Potatoes	Irr P.R.O.	ACR	KEY	SHARE	DISPOSITION	METHOD	GROSS ACRES	DEDUCTIONS IDENT./MEAS.	DEDUCTIONS ACRES	NET ACRES	INITIAL & DATE
	2	3									5	6	7	8	9	10	11	12	13
Jeffco Hemer	A	Potatoes Russet Com.						57.0			1	.50							
											2	.50							
"	A1	Irr ACR Chemintill							23.9										
"	A2	Irr ACR Chem till							3.5										
"	B	Irr grain Brly Nail			12.6														
"	C	Irr Brly grain		MICROFILMED	3.5														
"	D	Irr Brly grain			101.2														
"	E	Irr Brly			6.5														
"	D1	Irr Brly			17.8														
"	F	Irr Barley			20.3														
TOTAL OPERATOR REPORT			1265.5	391.2	726.0	21.6	63.8	54.5	388.3	323.4	234.5								
TOTAL REPORTER'S REPORT																			

JUL 10 2002

SECTION II - OPERATOR'S CERTIFICATION

I certify to the best of my knowledge and belief that the acreages of crops and land uses listed herein are true and correct. Further, my signature constitutes authority for ASCS

OPERATOR'S SIGNATURE — DATE — OPERATOR'S SIGNATURE — DATE

SECTION I - FARM FIELD REPORT (Continued) (Grey Area to be Filled in by Reporter ONLY.)

TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY: Irr Wht	Irr Wht	Irr Brly	NI Brly	Irr Hay	Irr Past	Irr Potatoes	Irr Fa Div	ACL	KEY 5	SHARE 6	DISPOSITION 7	METHOD 8	GROSS ACRES 9	DEDUCTIONS: IDENTITY & MEAS. 10	DEDUCTIONS: ACRES 11	NET ACRES 12	INITIAL & DATE 13
Hamer A	G	Irr Brly Grain			53.2															
"	H	Irr Barley Grain			12.8															
"	I	Irr Alf. Hay					119.4													
Tract Total																				
[redacted] Mgt.	A	Irr Wht HRS	116.6																	
"	B	Irr Wht HRS	13.0																	
"	C	Irr Potatoes Russet Comm							111.4											
"	C_1	Idle 7.0Ac																		
"	C_2	Idle 7.0Ac																		

SKETCHES OR REMARKS

MICROFILMED 2001 T1 T2

☆ U.S. GOVERNMENT PRINTING OFFICE: 1983-607-313:1058

MICROFILMED

ASCS-578 (6-7-78)

REPORT OF ACREAGE

USDA - ASCS

NOTE: Sect. 1374a, 7 U.S.C., authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing this data is voluntary; however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the Act.

KEY 1 OPERATOR — FARM NO.: B 86 — NAME AND ADDRESS: Ashcraft

KEY 2 OWNER

OTHER FARMS: OPERATOR; OWNER; PROGRAM YEAR; OTHER

OTHER INTERESTED PRODUCERS KEY	NAME AND ADDRESS	OTHER FARMS	ASSIGNMENT CROP	ASSIGNMENT JOB
3				
4				
5				
6				
7				

SECTION I - FARM FIELD REPORT (NOTE: Grey Shaded Area to be Filled in by Reporter ONLY.)

TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY: Irr Wht	NI Wht	Irr Oth	NI B.G.	Irr Hay	Past	Potatoes	Irr D.B.D.	ACR	KEY 5	SHARE 6	DISPOSITION 7	METHOD 8	GROSS ACRES 9	DEDUCTIONS IDENT./MEAS. 10	DEDUCTIONS ACRES 11	NET ACRES 12	INITIAL & DA 13
Sage Ft.	D	Irr Alf - Hay					13.0													
"	E	Irr Wht. HRS	122.7																	
"	F	Irr Alf - Hay					14.9													
"	G	Irr Alf - Hay					12.2													
Tract Total																				
MacCo Boyd's	A	Irr Past.						2.1												
"	B	Irr Past.						13.8												
	C	Irr Past.						22.7												
	D	Irr. Past.						1.0												
TOTAL OPERATOR REPORT																				
TOTAL REPORTER'S REPORT																				

MICROFILMED FEB 10 2002

SECTION II - OPERATOR'S CERTIFICATION

I certify to the best of my knowledge and belief that the acreages of crops and land uses listed herein are true and correct. Further, my signature constitutes authority for ASCS

OPERATOR'S SIGNATURE | DATE | OPERATOR'S SIGNATURE | DATE

SECTION I - FARM FIELD REPORT (Continued) (Grey Area to be Filled in by Reporter ONLY.)

TRACT NO. — 1	FIELD NO. — 2	CROP OR LAND USE — 3	CROP OR LAND USE SUMMARY: Irr Wht	NI Wht	Irr Brly	NI Brly	Irr Hay	Irr Past	Irr Potatoes	Irr Ab. D.V.	ACR	KEY — 5	SHARE — 6	DISPOSITION — 7	METHOD — 8	GROSS ACRES — 9	DEDUCTIONS: IDENTITY & MEAS. — 10	DEDUCTIONS: ACRES — 11	NET ACRES — 12	INITIAL & DATE — 13
Tract	Total																			
Middle Water	A	Irr Alf. Hay N/S					44.8													
"	B	Irr Alf. Hay N/S					21.1													
"	C	Irr Alf. Hay N/S					38.0													
	D	Potatoes Russet Comm							62.6											
"	E	Potatoes Russet Comm							33.2											
"	G	Irr Wht-HRS	18.6																	
"	F	Irr Wht-HRS	14.9																	
Tract	Total																			

SKETCHES OR REMARKS

MICROFILMED JUL 10 2002

FEB 20 1998

☆ U.S. GOVERNMENT PRINTING OFFICE: 1983-607-313:1058

ASCS-578 (6-7-78)

REPORT OF ACREAGE

USDA - ASCS

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KEY 1 OPERATOR — FARM NO. B-86 — NAME AND ADDRESS Ashcraft — FARM-LAND — CROP-LAND

KEY 2 OWNER

OTHER FARMS: OPERATOR; OWNER; PROGRAM YEAR; OTHER

OTHER INTERESTED PRODUCERS

KEY	NAME AND ADDRESS	OTHER FARMS	ASSIGNMENT CROP	ASSIGNMENT JOB
3				
4				
5				
6				
7				

SECTION I - FARM FIELD REPORT (NOTE: Grey Shaded Area to be Filled in by Reporter ONLY.)

TRACT NO. 2	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY: Irr Wht	NI Wht	Irr Pot Early	Irr Pot Late	Irr Potatoes	Irr Pot Div	ACR	KEY 5	SHARE 6	DISPOSITION 7	METHOD 8	GROSS ACRES 9	DEDUCTIONS IDENT./MEAS. 10	DEDUCTIONS ACRES 11	NET ACRES 12	INITIAL DA 13
Madco Moody	A	Irr Wht - HRS	42.6															
"	B	Irr Wht-HRS	48.5															
"	C	Irr Wheat-HRS	30.0															
"	D	Irr Wht-Hrs	5.8															
"	E	Irr Wht-HRS	52.0															
"	F	Irr Potatoes					44.0											
"	G	Irr Potatoes					77.1											
Tract Total																		
Madco Grant	A	Irr Pasture				14.9												
TOTAL OPERATOR REPORT																		
TOTAL REPORTER'S REPORT																		

MICROFILMED 0 2002

SECTION II - OPERATOR'S CERTIFICATION

I certify to the best of my knowledge and belief that the acreages of crops and land uses listed herein are true and correct. Further, my signature constitutes authority for ASCS

OPERATOR'S SIGNATURE | DATE | OPERATOR'S SIGNATURE | DATE

SECTION I - FARM FIELD REPORT (Continued) (Grey Area to be Filled in by Reporter ONLY.)

TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY: Irr Wnt	NI Wnt	Irr NI Barley	Irr Hay	Irr Pasture	Irr Potatoes	Irr Pd. Div	ACR	KEY 5	SHARE 6	DISPOSITION 7	METHOD 8	GROSS ACRES 9	DEDUCTIONS: IDENTITY & MEAS. 10	DEDUCTIONS: ACRES 11	NET ACRES 12	INITIAL & DATE 13
Mad Co. Grant	B	Irr Wnt - HRS	60.8																
		Tract Total																	
Hall Co Farm	A	Irr Hay				5.1													
	B	Irr Hay				2.9													
	C	Irr Hay				5.5													
	D	Irr grain Barley			8.5														
	E	Irr grain Barley			6.1														
	F.	Irr Hay				8.3													
		Tract Total																	

SKETCHES OR REMARKS

☆ U.S. GOVERNMENT PRINTING OFFICE: 1983-607-313:1058

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ASCS-578
(6-7-78)

REPORT OF ACREAGE

USDA - ASCS

NOTE: Sect. 1374a, 7 U.S.C., authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing this data is voluntary; however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the Act.

KEY 1 OPERATOR

KEY 2 OWNER

FARM NO. B-86 NAME AND ADDRESS Ashcraft

FARM-LAND

CROP-LAND

OTHER FARMS: OPERATOR / OWNER

PROGRAM YEAR

OTHER

MICROFILMED
MAR 1 0 2002

KEY	OTHER INTERESTED PRODUCERS NAME AND ADDRESS	OTHER FARMS	ASSIGNMENT CROP	ASSIGNMENT JOB
3				
4				
5				
6				
7				

SECTION I - FARM FIELD REPORT (NOTE: Grey Shaded Area to be Filled in by Reporter ONLY.)

TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY: Irr Wht	NI Wht	Irr Brly	NI Brly	Irr Hay	Irr Past	Irr Potatoes	Irr Pto.	ACR	KEY 5	SHARE 6	DISPOSITION 7	METHOD 8	GROSS ACRES 9	DEDUCTIONS IDENT./MEAS. 10	DEDUCTIONS ACRES 11	NET ACRES 12	INITIAL DAT 13
Acor 148, 1498	A	Irr Wht - HRS	228.4																	
"	A1	Irr min till ACR C/C								8.2										
Tract Total																				
3598	A	Irr min till ACR C/C								90.5										
3598	A	Irr Brly grain			54.3															
"	A1	Irr Wht - HRS	48.5																	
"	A2	Irr Wht - SBWI	60.0																	
"	A3	Irr Brly			45.0															
"	A4	Irr min till ACR C/C								19.7										
TOTAL OPERATOR REPORT																				
TOTAL REPORTER'S REPORT																				

SECTION II - OPERATOR'S CERTIFICATION

I certify to the best of my knowledge and belief that the acreages of crops and land uses listed herein are true and correct. Further, my signature constitutes authority for ASCS

OPERATOR'S SIGNATURE | DATE | OPERATOR'S SIGNATURE | DATE

SECTION I - FARM FIELD REPORT (Continued) (Grey Area to be Filled in by Reporter ONLY.)

TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY									KEY 5	SHARE 6	DISPOSITION 7	METHOD 8	GROSS ACRES 9	DEDUCTIONS		NET ACRES 12	INITIAL & DATE 13
			Irr Wht	NI Wht	Irr Brly	NI Brly	Irr Hay	Irr Past	Irr Bnkhs	Irr Pea DU	ACR						IDENTITY & MEAS. 10	ACRES 11		
357 B	B	Irr Wht - HRS	74.1																	
358 B	A	Irr ACR mint + C/C								29.8										
"	G	Irr ACR mint/ll Ck								31.8										
"	C	Irr Barley grain			33.3															
"	C1	Irr ACR mint/ll Ck								81.2										
"	D	Irr Barley Grain			19.7															
"	E	Irr Alf. Hay					101.9													
"	F	Irr Wht - HRS	200.0																	
29B	A	Irr Alf. Hay					13.3													

SKETCHES OR REMARKS

* U.S. GOVERNMENT PRINTING OFFICE: 1983-607-313:1058

Land designated for ACR acreage meets the cropping requirements or other eligibility requirements as applicable.

MQ 5-30-85

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JUL 10 2002

ASCS-578 (6-7-78)

REPORT OF ACREAGE

USDA - ASCS

NOTE: Sect. 1374a, 7 U.S.C., authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing this data is voluntary; however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the Act.

PAGE 5 OF 5

KEY 1 OPERATOR — FARM NO. B-86 — NAME AND ADDRESS Ashcraft — FARM-LAND — CROP-LAND

KEY 2 OWNER

MICROFILMED JUN 10 2002

OTHER FARMS: OPERATOR; OWNER

PROGRAM YEAR 1985

OTHER

OTHER INTERESTED PRODUCERS

KEY	NAME AND ADDRESS	OTHER FARMS	ASSIGNMENT CROP	ASSIGNMENT JOB
3				
4				
5				
6				
7				

SECTION I - FARM FIELD REPORT (NOTE: Grey Shaded Area to be Filled in by Reporter ONLY.)

TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY: Irr Wht	NI Wht	Irr Brly	NI Brly	Irr Hay	Irr Past	Irr Abated	Irr PCOV	ACR	KEY 5	SHARE 6	DISPOSITION 7	METHOD 8	GROSS ACRES 9	DEDUCTIONS IDENT./MEAS. 10	DEDUCTIONS ACRES 11	NET ACRES 12	INITIAL DA 13
298	A1	Irr Brly - Grain			6.8															
"	A2	Ilde 6.2 Ac New ground																		
"	C	Irr Brly grain			197.1															
"	D	Dry No-till Wht-HRS		92.8																
"	C1	Irr Brly grain																		
"	C2	Irr Volunteer Wht - HRS	51.7																	
"	E	Dry Wht - HRS		195.0																
"	F	ACR - SE									157.3									
"	F1	Dry No-till Wht-HRS		7.2																
TOTAL OPERATOR REPORT			1265	391.2	726.6	2.6	6.3	12.5	388.3	323.4	234.5									
TOTAL REPORTER'S REPORT																				

SECTION II - OPERATOR'S CERTIFICATION

I certify to the best of my knowledge and belief that the acreages of crops and land uses listed herein are true and correct. Further, my signature [illegible] authority for ASCS

OPERATOR'S SIGNATURE [signature] — DATE 6-30-[illegible]

OPERATOR'S SIGNATURE — DATE

SECTION I - FARM FIELD REPORT (Continued) (Grey Area to be Filled in by Reporter ONLY.)

TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY: Irr Wht	NI Wht	Irr Barley	NI Barley	Irr Hay	Irr Past	Irr Potatoes	Irr Pa. Div.	ACR	KEY 5	SHARE 6	DISPOSITION 7	METHOD 8	GROSS ACRES 9	DEDUCTIONS: IDENTITY & MEAS. 10	DEDUCTIONS: ACRES 11	NET ACRES 12	INITIAL & DATE 13
298	~~A~~																			
"	E1	Irr ACR mintill C/C.								18.6										
"	E2	6.3 Ac Waste.																		
"	G	Irr Wht-HRS	17.3																	
	H	Irr Brly. grain			16.4															
"	I	Irr mintill ACR C/C								16.2										
	Tract Total																			
"	A	Dry ACR SF									77.2									
"	A1	Dry HRS-Wht		96.2																

SKETCHES OR REMARKS

	A2	Dry Brly grain ~~HRS Wht~~

PM6

CBA 5-31-85

Tract Total

SEP 2 1985

* U.S. GOVERNMENT PRINTING OFFICE: 1983-607-313:1058

MICROFILMED
JUL 10 2002

Form Approved - OMB No. 0560-0004

ASCS (02-02)

REPORT OF ACREAGE

USDA-ASCS

NOTE: Section 374 of the Agricultural Adjustment Act of 1938, as amended, authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing this data is voluntary; however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the Act.

PAGE 1 OF

KEY	FARM NO.	NAME AND ADDRESS	FARM-LAND	CROP-LAND
1 OPERATOR	86 B	Boyd & Grant Ashcraft RT 1 Sugar City, ID		7[illegible]
2 OWNER				

OTHER FARMS
OPERATOR: NONE
OWNER: NONE
PROGRAM YEAR: 1986
OTHER:

OTHER INTERESTED PRODUCERS KEY	NAME AND ADDRESS A	OTHER FARMS B	ASSIGNMENT CROP C	ASSIGNMENT JOB D
3				
4				
5				
6				
7				

Total acres irrigated w/in the area identified under this application is 1666.8

MICROFILMED JUL 10 2002

SECTION I - FARM FIELD REPORT (Note: Grey Shaded Area For County Office Use Only) (Section I Continued on Reverse)

TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	WHT	BrLy	OATS	ALF 4	Past.	Potatoes	Hay	ACR	KEY 5	SHARE 6	DISPOSITION 7	GROSS ACRES 8	DEDUCTIONS IDENT./MEAS. 9	DEDUCTIONS ACRES 10	NET ACRES 11	INIT. & DATE
		CROP OR LAND USE SUMMARY																
341	1	ALFALFA HAY				139.3 137.8												
	2	Spring Barley IR		141.5 137														
	3	Spring Barley IR		197.1 201.9														
5	4	Spring, HRS WHEAT, NR IR100 NP100	92.8 90.8 95.3															
	5A	ACR C/C								200.0 192.9								
	5B	SWW WHEAT, IR	18.6 19.5															
FEB 20 1998 MICROFILMED	6	HRS WHEAT, NR	164.5 164.9															
	7	HRS WHEAT, IR	163.2 155.8															
	8	HRS WHEAT, IR	16.11 16.1							IR 3229 NR 3010								
	13. TOTAL OPERATOR REPORT		1420.1	543.8	0	498.0	535	215.6	17.0	6274								
	14. TOTAL DETERMINED ACREAGE		1420.1	543.8														

A. OPERATOR'S SIGNATURE | DATE | B. OPERATOR'S SIGNATURE | DATE

SECTION II - OPERATOR'S CERTIFICATION

I certify to the best of my knowledge and belief that the acreages of crops and land uses listed herein are true and correct. I understand that an inaccurate acreage report could result in a payment reduction or loss of program benefits and/or reduction in future allotments and quotas when applicable.

C. OPERATOR'S SIGNATURE [signature] DATE 5-27-86

SECTION I - FARM FIELD REPORT *(Continued)* *(Grey Area for County Office Use Only)*

TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY: WHT	Brly	OATS	ALF	Past.	Potatoes	Hay	ACR	KEY 5	SHARE 6	DISPOSITION 7	GROSS ACRES 8	DEDUCTIONS: IDENT./MEAS. 9	DEDUCTIONS: ACRES 10	NET ACRES 11	INIT. & DATE 12
	8A	HRS WHEAT, IR	17.3 16.4 16.8															
	9	HRS WHEAT, IR	16.2 16.1															
	10	ALFALFA HAY				103.2 105.5												
	11	Spring Barley, IR		33.3 33.2														
?	12	HRS WHEAT, IR	84.7 85.0															
?	13	SWW WINTER WHEAT, IR	24.8 25.8															
	14	HRS WHEAT, IR	207.8 211.3															
	15	SW WINTER WHEAT, IR	19.7 19.3															
	16	HRS WHEAT, IR	74.1 75.4															
TOTALS OR REMARKS			444.6	33.3	0	103.2	0	0	0	0								

LAND DESIGNATED AS ACR ACREAGE MEETS CROPPING REQUIREMENTS OR OTHER ELIGIBILITY REQUIREMENTS.

5-27-86

NO NEW LAND HAS BEEN BROKEN OUT OR CONVERTED AND PLANTED TO AN AGRICULTURAL COMMODITY ON THIS FARM SINCE DECEMBER 23, 1985, OR ON ANY OTHER FARM IN WHICH I HAVE AN INTEREST.

5-27-86

DEC 0 2 1988 MICROFILMED

MICROFILMED JUL 1 0 2002

Form Approved - OMB No. 0560-0004

REPORT OF ACREAGE

USDA-ASCS

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PAGE 2 OF

FARM NO. | NAME AND ADDRESS | FARM-LAND | CROP-LAND

KEY 1 OPERATOR

KEY 2 OWNER

MICROFILMED MAR 10 2002

OTHER FARMS: OPERATOR | OWNER | PROGRAM YEAR | OTHER

OTHER INTERESTED PRODUCERS			ASSIGNMENT	
KEY	NAME AND ADDRESS A	OTHER FARMS B	CROP C	JOB D
3				
4				
5				
6				
7				

SECTION I - FARM FIELD REPORT *(Note: Grey Shaded Area For County Office Use Only) (Section I Continued on Reverse)*

TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY: WHT	BRLY	OATS	ALF	PAST.	Potatos	Hay	ACR 4	KEY 5	SHARE 6	DISPOSITION 7	GROSS ACRES 8	DEDUCTIONS IDENT./MEAS. 9	DEDUCTIONS ACRES 10	NET ACRES 11	INIT.
		IR								200.0								
341	17	ACR C/C								196.3								
		HRS	236.6															
345	1	WHEAT IR	236.1															
		DR								178.7			W. II seed to HAY / GRASS					
344	1	ACR C/C								181.0								
							14.9											
SR	1	IR PASTURE																
			60.8															
	2	HRS WHEAT, IR																
							38.6											
	3	IR. PASTURE																
						41.8												
75	1	ALF HAY											19.1					
						21.1												
	2	ALF HAY											2					
						38.0												
	3	ALF HAY																
13. TOTAL OPERATOR REPORT			297.4	0	0	100.9	53.5	0	0	378.7								
14. TOTAL DETERMINED ACREAGE																		

MICROFILMED FEB 20 1998

SECTION II - OPERATOR'S CERTIFICATION

I certify to the best of my knowledge and belief that the acreages of crops and land uses listed herein are true and correct. I understand that an inaccurate acreage report could result in a payment reduction or loss of program benefits and/or reduction in future allotments and quotas when applicable.

A. OPERATOR'S SIGNATURE | DATE | B. OPERATOR'S SIGNATURE | DATE | C. OPERATOR'S SIGNATURE | DATE

SECTION I - FARM FIELD REPORT *(Continued)* *(Grey Area for County Office Use Only)*

TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY 4 WHT	BRLY	OATS	ALF	PAST	POTOES	Hay	ACR	KEY 5	SHARE 6	DISPOSITION 7	GROSS ACRES 8	DEDUCTIONS IDENT./MEAS. 9	DEDUCTIONS ACRES 10	NET ACRES 11	INIT. & DATE 12
	4	HRS WHEAT, IR	62.6															
	5	Russet POTATOES, IR						33.2										
	6	Russet POTATOES, IR						14.9										
	7	Russet POTATOES, IR						78.6										
Moody	1	Russet POTATOES, IR						5.8										
	2	Russet POTATOES, IR						52.0										
	3	HRS WHEAT, IR	414.0															
	4	HRS WHEAT, IR	77.1															
	5	AIF HAY				30.0												
SKETCHES OR REMARKS			1837	0	0	300	0	184.5	0	0								

FEB 20 1998

MICROFILMED
JUL 10 2002

Form Approved - OMB No. 0560-0001

-578
2-02-84)

REPORT OF ACREAGE

USDA-ASCS

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PAGE 3 OF

FARM NO. | NAME AND ADDRESS | FARM-LAND | CROP-LAND

KEY 1 OPERATOR

KEY 2 OWNER

MICROFILMED
JUL 10 2002

OTHER FARMS
OPERATOR
OWNER
PROGRAM YEAR
OTHER

OTHER INTERESTED PRODUCERS			ASSIGNMENT	
KEY	NAME AND ADDRESS A	OTHER FARMS B	CROP C	JOB D
3				
4				
5				
6				
7				

SECTION I - FARM FIELD REPORT *(Note: Grey Shaded Area For County Office Use Only) (Section I Continued on Reverse)*

TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY: WHT	BRLY	OATS	ALF	4 PAST	POTATOES	HAY	ACR	KEY 5	SHARE 6	DISPOSITION 7	GROSS ACRES 8	DEDUCTIONS IDENT./MEAS. 9	DEDUCTIONS ACRES 10	NET ACRES 11	INIT. & D
	6	Russett POTATOES, IR						91.1										
SS:NG 1010	1	OATS & PEAS							17.0				HAY					
	2	Spring BARley, IR		14.0														
	3	HRS WHEAT, IR	9.1															
	1A	IR ACR C/C								23.9								
	2A	Spring BRly, IR		57.0														
	3A	IR ACR C/C								3.6								
	2	Spring BRly, IR		227.9														
	3	AF HAY				124.6												
13. TOTAL OPERATOR REPORT			9.1		0		2	91.1	17.0	27.4								
14. TOTAL DETERMINED ACREAGE																		

MICROFILMED
FEB 20 1998

SECTION II - OPERATOR'S CERTIFICATION

I certify to the best of my knowledge and belief that the acreages of crops and land uses listed herein are true and correct. I understand that an inaccurate acreage report could result in a payment reduction or loss of program benefits and/or reduction in future allotments and quotas when applicable.

A. OPERATOR'S SIGNATURE | DATE | B. OPERATOR'S SIGNATURE | DATE | C. OPERATOR'S SIGNATURE | DATE

SECTION I - FARM FIELD REPORT *(Continued) (Grey Area for County Office Use Only)*

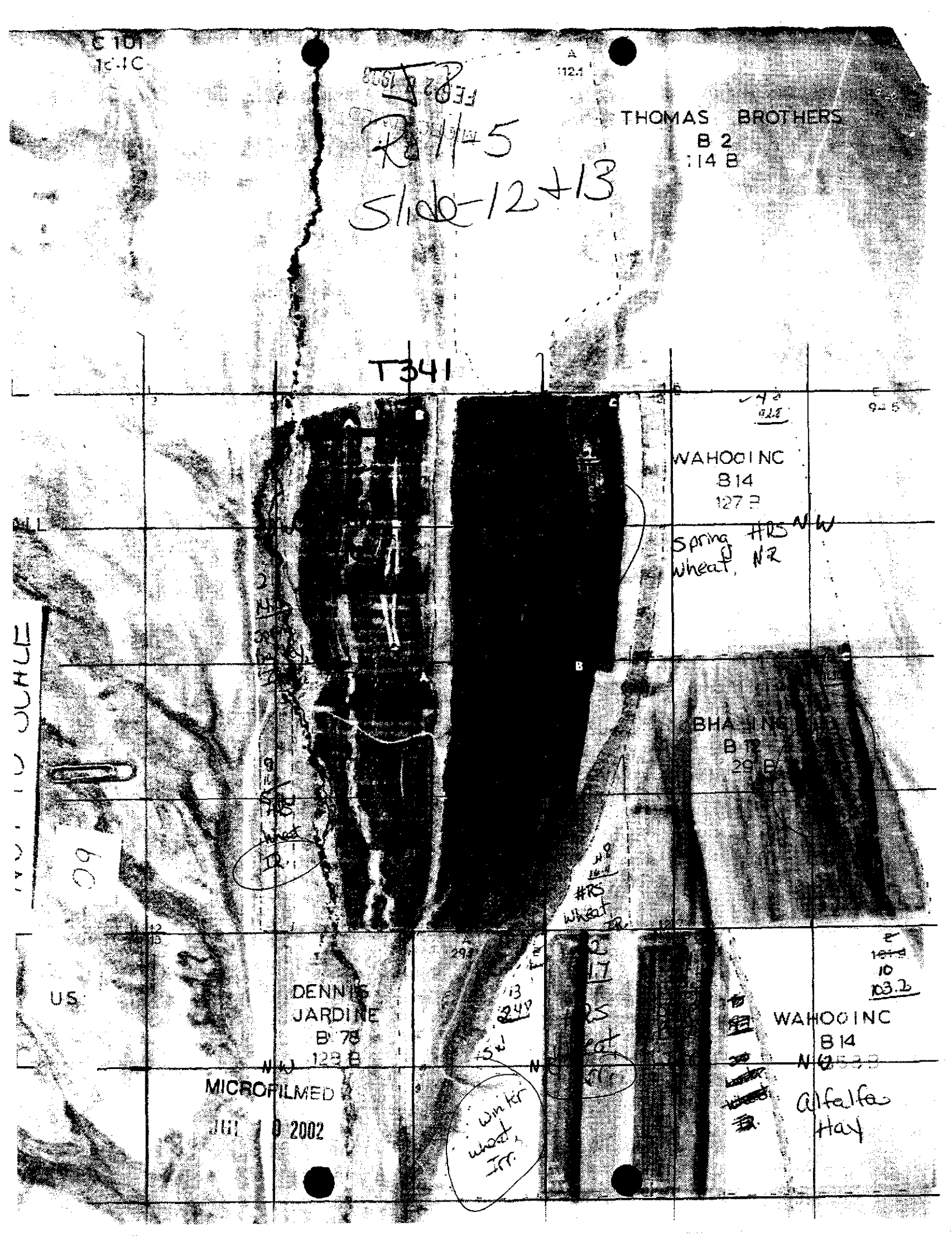
TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY 4	KEY 5	SHARE 6	DISPOSITION 7	GROSS ACRES 8	DEDUCTIONS IDENT./MEAS. 9	DEDUCTIONS ACRES 10	NET ACRES 11	INIT. & DATE 12
			WHT ... ACR								
T341	18	SRW Wheat, IR	19.8								
	19	HRW Wheat, IR	10.0								
T344	2	ACR - CT	21.3								

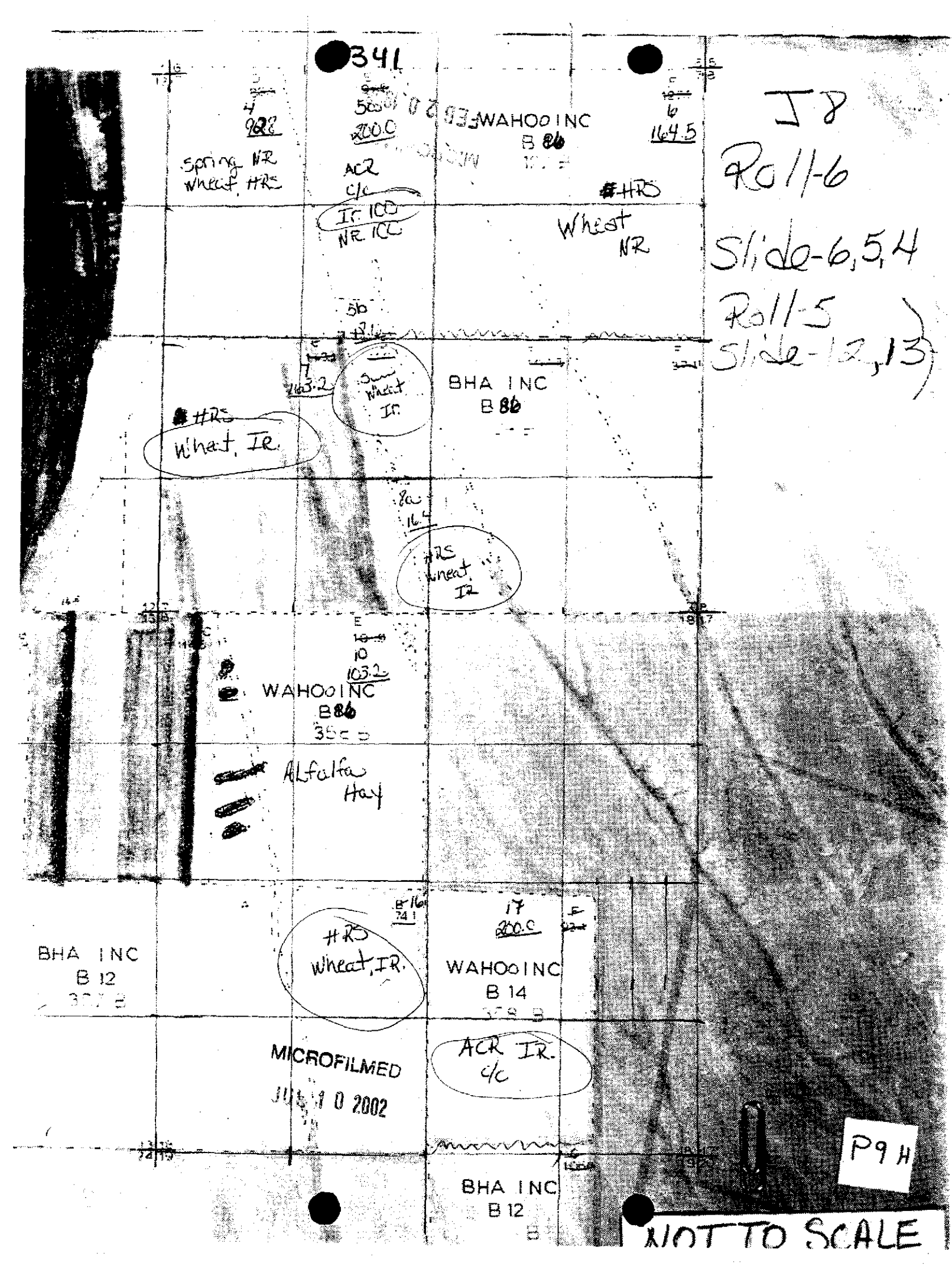
SKETCHES OR REMARKS

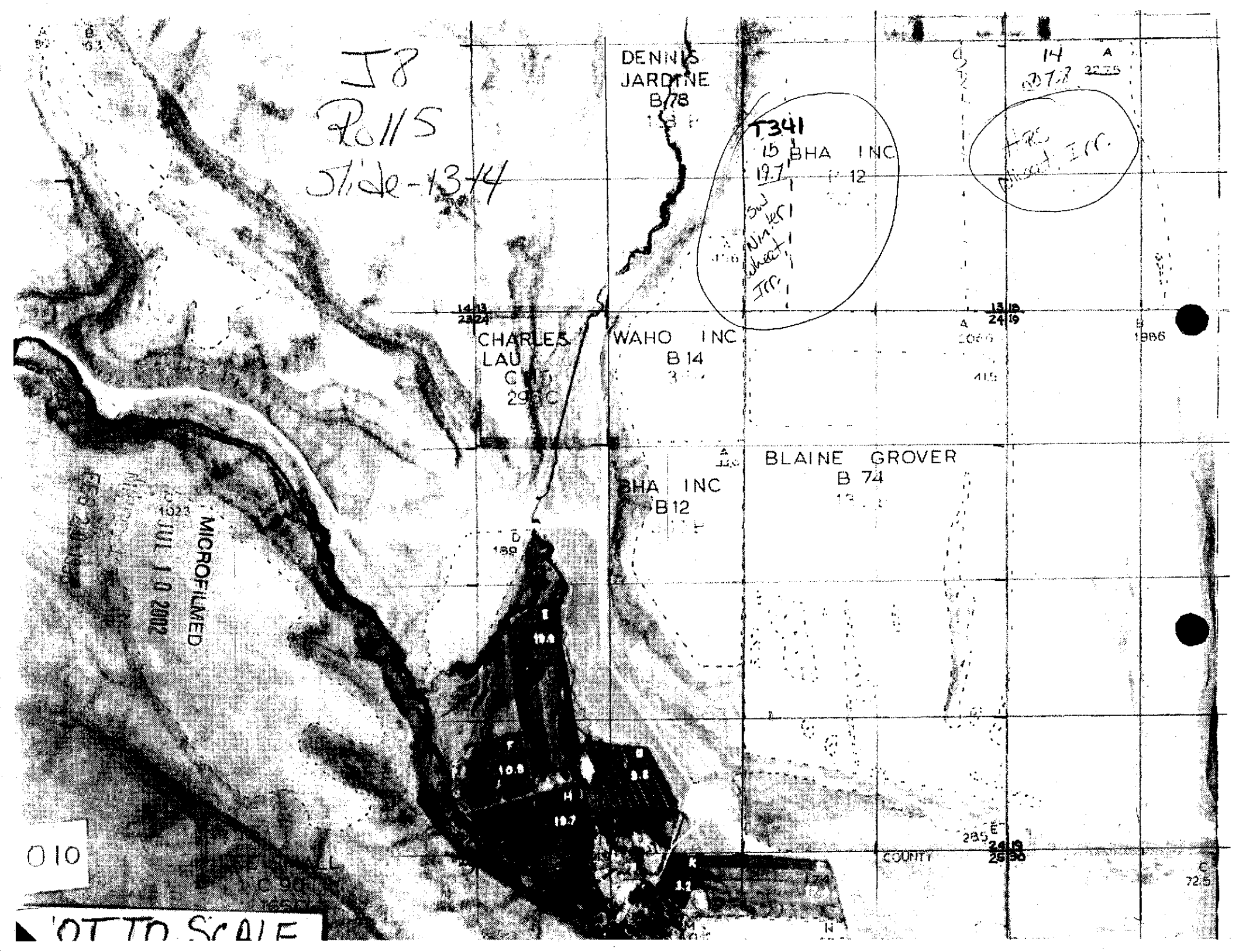
29.8

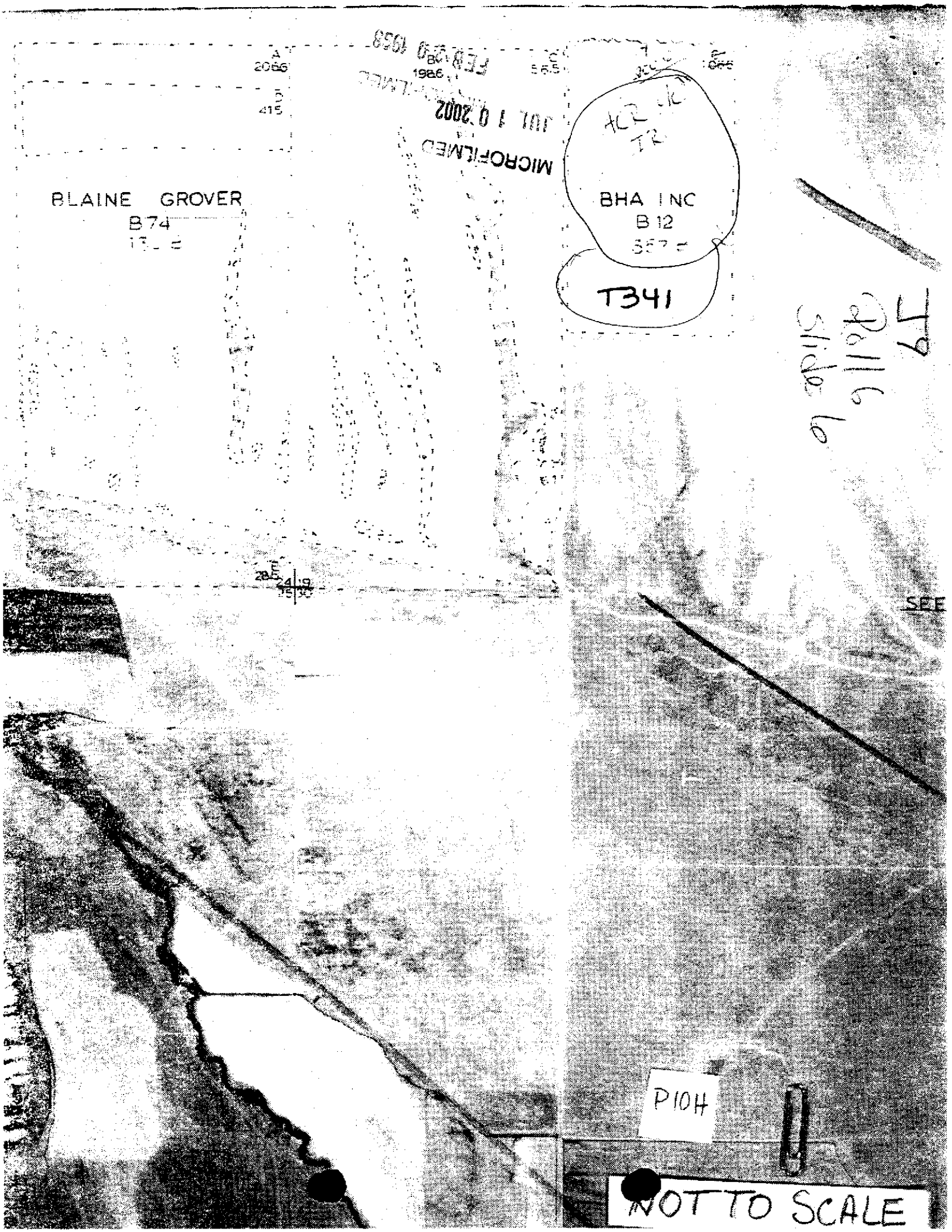
MICROFILMED
JUL 10 2002

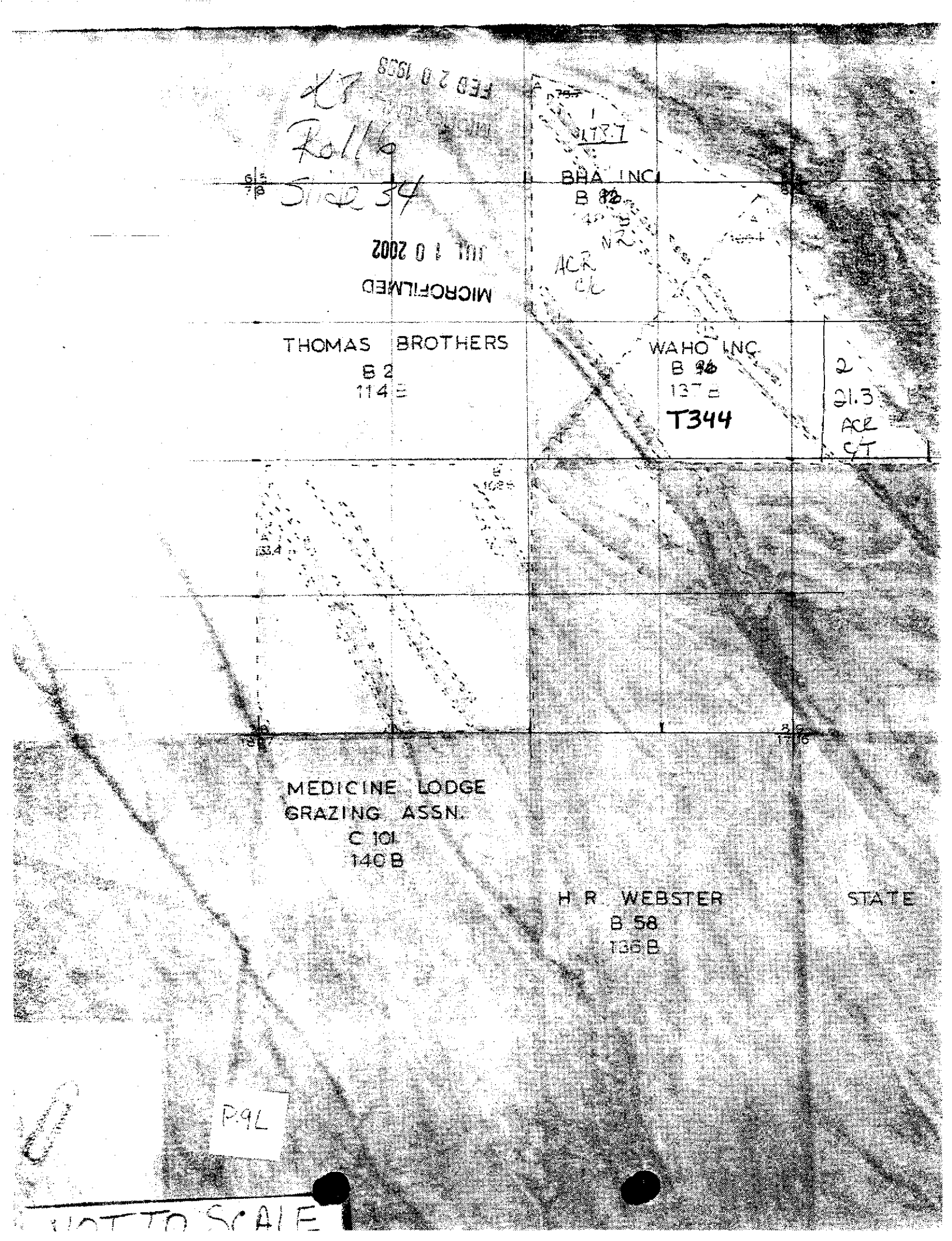
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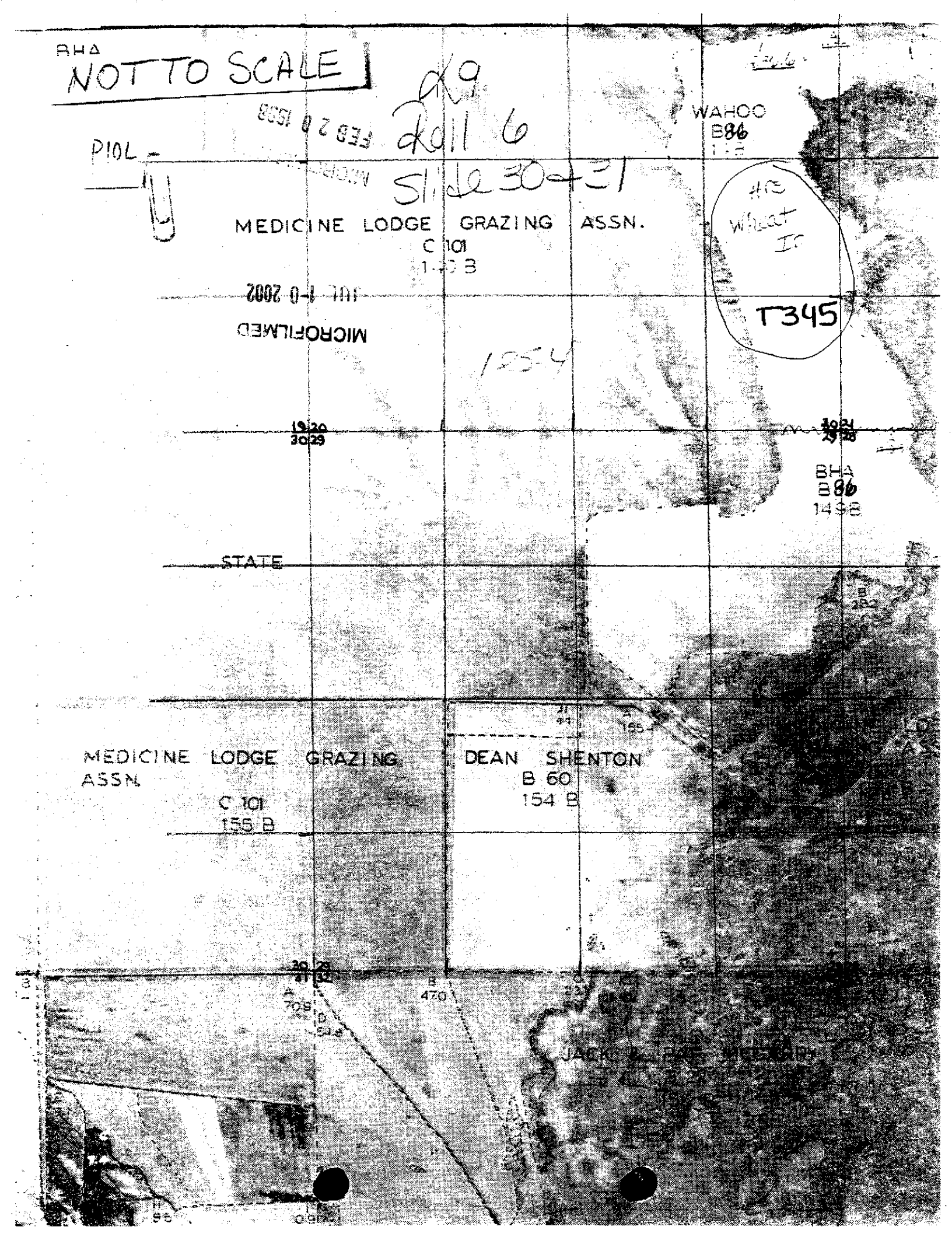

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Spring #RS NW
wheat NR
BHA INC
B 12
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JARDINE
B 78
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JUL 10 2002
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WAHOO INC
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JUL 10 2002
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NOT TO SCALE


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JUL 10 2002
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JUL 10 2002
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C 101
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B 58
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BHA
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Roll 6
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#13 Wheat Ir
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STATE
BHA
B86
MEDICINE LODGE GRAZING ASSN.
C 101
155 B
DEAN SHENTON
B 60
154 B
JACK

MEMO

March 29, 2002

To: File # 32-7150
From: H.W. Jones

This particular diversion of water was not historically regulated by Don Shenton (deceased) the long time water master. This was precipitated by the statements in the Basin 32 decree W. Hill vs. S. Green. (See copy enclosed).

The statements implied that the plaintiffs had to make sure that the heirs of Dennis Small got 160 inches of Indian Creek water. The Small ranch is located at the very bottom of Indian Creek where it joins the Medicine Lodge Creek.

The other statement said in part "...the said plaintiffs shall have complete and exclusive control of the said concrete flume and diversion and saving works and complete control of the flow of the said Indian Creek into through along and past said works..."

The water master felt that as long as Smalls got their 160 inches he was not to regulate the upstream diversion at Wahoo and BHA ranches. Therefore no diversion measurements and regulation was undertaken.

When I sent a letter to Idaho Fish and Game about this application 32-7150, I also queried the present water master Greg Shenton about the possibilities of drying up the Indian Creek with this newer right.

He responded that to provide the 160 inches to the Small Ranch, Wahoo and BHA had to pass approximately 8cfs at their head gate to insure that Small's got their water at their down stream head gate.

We felt that provided enough flow protection to keep water in the entirety of the Indian Creek channel.

H.W. Jones
Water Resource Supervisor

MICROFILMED
JUL 10 2002

41-135 32B

IN THE DISTRICT COURT OF THE NINTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF CLARK.

W. LEE HILL and GRANDVILLE GAUCHAY, a co-partnership doing business under the firm name and style of Hill & Gauchay

Plaintiffs.

v.

Stephen Greene and Jane Doe Green, his wife; C. A. Boschades and Jane Doe Boschades, his wife; John Fayle; Elizabeth Fayle; the Heirs of Dennis Small, deceased as follows; Harvey Small and Jane Doe Small, his wife; Dennis Small, Fred Small, Hugh Small and Jane Doe Small, his wife, Sarah Small; James Webster and Nellie Webster, his wife, A. A. Colson and Jane Doe Colson, his wife, J. D. Ellis and Jane Doe Ellis, his wife; Phillip D. Ellis and Jane Doe Ellis, his wife; Matilda Thomas; Thomas E. Wood, D. W. Thomas and Jane Doe Thomas, his wife, Colson Brothers, a partnership composed of A. A. Colson and W. A. Colson, George Edie and Jane Doe Edie, his wife; W. A. Colson and Jane Doe Colson, his wife; Ida M. Leonardson; Leonardson Ranch Company, a co-partnership, consisting of Arthur J. Leonardson and Mary Leonardson, his wife, and Carl Leonardson and Lea Leonardson, his wife, Ida M. Leonardson; Denning Clark Livestock Company, a corporation; Lewis Ellis, Ellis & Company, a partnership, composed of J. D. Ellis and Frank Pyke; William G. Noyes and Maggie Noyes, his wife, John Doe Erinson and Jane Doe Erinson, his wife,

Defendants.

DECREE.

RECEIVED
MAY 9 1974
Bureau of Land Management
Eastern District Office

The above entitled matter having come on regularly for trial before the court, sitting without a jury, Messrs, Peterson & Coffin of Pocatello, Idaho, appearing for the plaintiffs and Otto McCutcheon Esquire of Idaho Falls, Idaho, appearing as counsel for the defendants, and hearing having been had by stipulation of the parties of Idaho Falls, Idaho, for the taking of testimony, and the testimony having been taken and transcribed and/a further hearing having been had in open court at Dubois, Idaho, and the testimony therein having been transcribed, and counsel for all the parties having filed briefs with the court, and the court having duly considered the same, and the court, after being fully advised in the premises and in the law, having filed its written Findings of Fact and Conclusions of Law, now, upon motion of Messrs. Peterson & Coffin, attorneys for the plaintiffs;

32 0057 32-0057 IT IS HEREBY ORDERED, ADJUDGED AND DECREED That the plaintiffs herein are entitled to the use of 3 cubic feet per second of time of the waters of Indian Creek to be diverted by means of a concrete flume at a point near the north line of Section One, Township Eleven North, Range Thirty-four East of the Boise Meridian, in Clark County, Idaho, and to be applied upon and made appurtenant to the following described lands, to-wit:

> The Northeast Quarter, the East Half of the Northwest Quarter, and the East Half of the Southwest quarter, and the Southeast quarter of Section Twelve (12) Township Eleven (11) North, Range Thirty-Four (34) East of the Boise Meridian,

MICROFILMED
JUL 10 2002

which said right to the use of the waters of Indian Creek shall be prior to and superior to the rights of all the defendants in this action, save and except a right

of the heirs of Dennis Small to 160 inches of water, as appears from the Decree of the District Court of the Fifth Judicial District of the State of Idaho, in and for Fremont County, dated June 30th 1901, and appearing of record in the records of Fremont County, Idaho, in Book "A" of Judgments at Page 521, and also a right of the plaintiffs to 91 inches of water from the said Indian Creek, as appears from the said Decree last above mentioned;

IT IS FURTHER ORDERED, ADJUDGED AND DECREED. That the defendants in this action and each and all of them, and all persons claiming under them or any of them, be and they and each of them hereby are perpetually enjoined and restrained from in any manner interfering with the rights hereinbefore in this Decree determined.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED That the plaintiffs herein maintain at all times in good and sufficient repair the concrete flume and works constructed by them and described in the Findings of Fact on file herein, and that all the expenses of maintaining the said works in good and sufficient condition shall be borne by the said plaintiffs, and that, to the end that the responsibility for so maintaining said works in good conditions be fixed, the said plaintiffs shall have complete and exclusive control of the said concrete flume and diversion and saving works, and complete control of the flow of the said Indian Creek into, through, along and past said works and they, the said plaintiffs, and all persons claiming under them or either of them, shall at all times so regulate the flow of the said Indian Creek Through and past the said works as aforesaid so as to deliver the greater possible amount of water into Indian Creek below the outlet of the said flume.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED That the plaintiffs do have and recover their costs in this behalf sustained.

Done in Chambers in Idaho Falls, Idaho this 27th day of March 1926.

Geo. W. Edgington
District Judge.

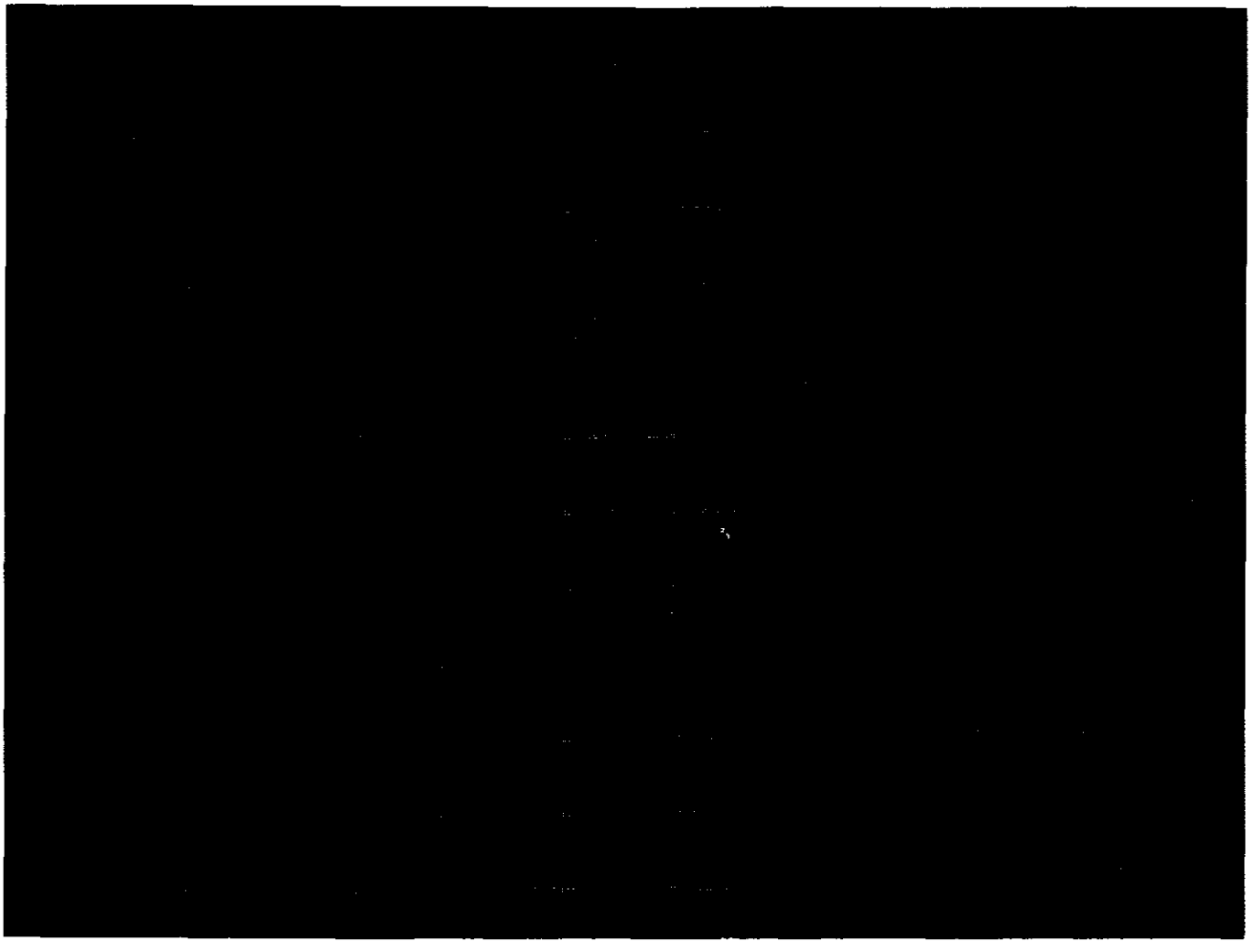
Filed March 30th 1926.
Recorded in Book 1 of
Judgments at Page 622.
Records of Clark County,
Idaho.

G. B. ALLEN RECORDER

BY /s/ E. B. Whitzel DEPUTY.

MICROFILMED
JUL 10 2002

App 32-7150



0.8 0 0.8 1.6 Miles

- Application POD
- Permit POD
- Permit POU
- Townships
- Sections
- QQ

MICROFILMED
JUL 10 2002

N
W E
S

1997/1998 Satellite Photography

App 32-7150



1 0 1 2 Miles

- Application POD
- Permit POD
- Permit POU
- Townships
- Sections
- QQ

N
W E
S

MICROFILMED
JUL 1 0 2002 1987 NAPP

MEMORANDUM

Copy for info purposes

DATE: February 6, 1998

TO: File No. 32-07137

FROM: Shelley Walter Keen SWK

SUBJECT: Information submitted under Rule 40.05

I reviewed the additional information submitted in response to Cindy Zimmerman's requests of December 18 and 23, 1997. I found this information satisfies the requirements of Rule 40.05.

MICROFILMED
JUL 10 2002

MICROFILMED
FEB 20 1998

January 10, 1998

RECEIVED
JAN 15 1998
Department of Water Resources

Copy for info purposes

Department of Water Resources
Boise, Idaho

RE: Application for Permit No. 32-07137

Dear Sirs:

This is the additional information you requested regarding the above permit.

Rule 035.03.b.i.

Wahoo Inc. Grant Ashcraft President, 3930 E. 2000 N.
Sugar City, ID 83448
Dorothy Ashcraft, Sec. same as above

BHA Inc. Boyd Ashcraft, President 2983 E. 2000 N.
Sugar City, ID 83448
Helen Ashcraft, Sec. same as above

Rule 37.03.08.040.05
(1) Land historically irrigated under Indian Creek Right.(A11)
(2) Land where groundwater supplements Indian Creek Right.(A11)
(3) Groundwater is pumped into gravity flow irrigation system originating out of Indian Creek co-mingling irrigation waters from both sources.

Note) In 1975 a gravity flow water system was put in place, source being Indian Creek, irrigating lands colored in red on the enclosed map. Due to drought conditions and insufficient water flow from Indian Creek, the groundwater source was added in 1984, to supplement Indian Creek waters and add primary water to the additional acres not colored in red, but included in the place of use on the enclosed map. The groundwater being pumped into the gravity flow system already in place, co-mingling the waters from both Indian Creek and groundwater sources.

Rule 40.05

c. (ii) No other wells or springs within one-half mile radius.
(iii) Sprinkler irrigation.
d. (i) diversion requirement during peak period. (6.5 CFS)
diversion requirement during average period.(6.5 CFS)
period of year water is required. 1 Apr. - 15 Nov.
volume of consumptive use per year. 4250 acre ft.
(ii) Static water level (18')
Draw down level while pumping 6.5 CFS (27'). This level of 27' has remained constant and has not been affected by drought conditions or any other pumping activity by others.
e. (i) enclosed copy of tax notice, 1996

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JUL 10 2002

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FEB 20 1998

f. (i) current financial statement and financial commitment letter from First Security Band enclosed.
(ii) project works are in place consisting of diesel motor and pump, steel main line, gravity flow system, aluminum mainline, 4 irrigation circles, 45 4" - 1/4 mi. handlines.

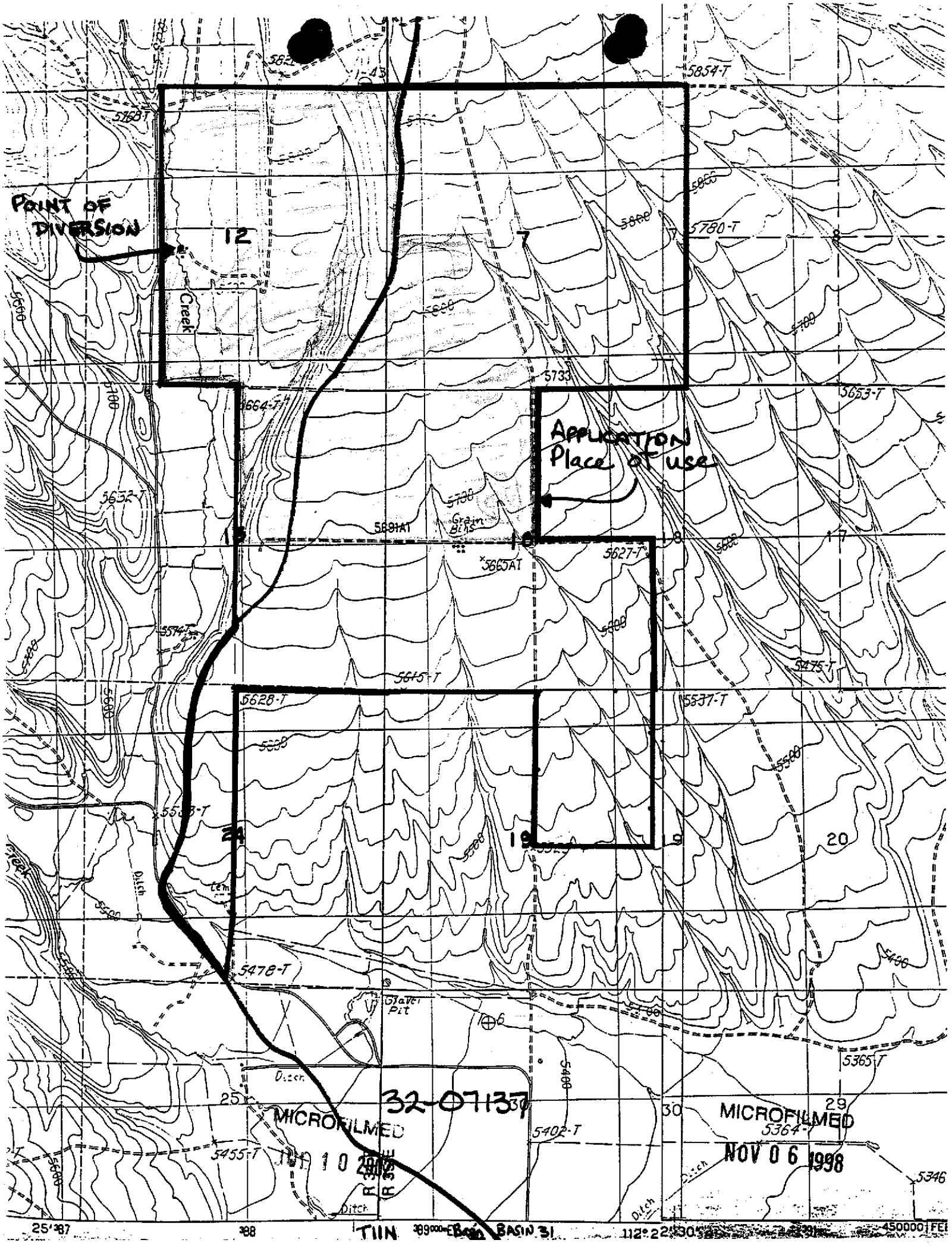
h. (ii) alfalfa and small grains (50-50 basis)
(iii) Jobs already in place
a. Farm manager
b. Assistant manager
c. Three farm workers (15 months total)
d. Four pipe movers (20 months total)
(v) source of energy (diesel)
amount of fuel (40,000 gal. per season)
(vi) no return flow. (sprinkler)
(vii) kinship of operator and owner - same person
soil survey - U.S. Soil Conservation Service (enclosed)

Sincerely,

Frank Richards

MICROFILMED
JUL 10 2002

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FEB 20 1998


POINT OF DIVERSION
APPLICATION Place of use
Creek
Grain Bins
Gravel Pit
Ditch
12
7
8
18
17
19
20
30
29
25
24
5854-T
5780-T
5733
5664-T
5653-T
5632-T
5891AT
5665AT
5627-T
5574-T
5615-T
5628-T
5537-T
5475-T
5478-T
5455-T
5402-T
5365-T
5364-T
5346
32-07137
MICROFILMED
JUL 10 2002
MICROFILMED
NOV 06 1998
T11N
BASIN 31
112° 22' 30"
450000 FEET

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 18, 1997

Wahoo & BHA Inc.
Rt 1
Sugar City ID 83448

Copy for info purposes

RE: Application for Permit No. 32-07137

Dear Sirs:

The above referenced application has been sent to the State Office for final review and processing; however, before the application process can continue, I will need some additional information.

- Due to the requirement of Water Allocation Rule 035.03.b.i., I need a list of the names, titles, and addresses of all the officers and/or partners of Wahoo & BHA Inc.
- IDAPA Water Appropriation Rule 37.03.08.040.05. requires additional information be submitted for applications in excess of 200 acres of irrigation. I have attached a copy of the IDAPA Water Appropriation Rule 37.03.08.040.05 regarding additional information requirements.
- Irrigation water rights from Indian Creek appear to overlap portions of the place of use identified on your application. On the enclosed map, I have outlined the lands identified in this application as the place of use. On that map, please identify the exact location and number of acres of:
    - lands historically irrigated under Indian Creek rights
    - lands where groundwater supplements the use of Indian Creek rights
    - lands solely irrigated by groundwater

I will hold further processing on your application for 30 days pending your response. Please submit this information as quickly as possible within the 30-day period to prevent any further undue delay in processing your application.

If you have questions, you may contact me directly at (208) 327-7944.

Sincerely,

Cindy Zimmerman
Water Resource Agent

Enclosure

c: Elbert Davis

MICROFILMED
JUL 10 2002

MICROFILMED
FEB 20 1998

INTER-DEPARTMENT MEMO

TO: Shelley Keen - Boise

SUBJECT: Approval

FROM: H.W. Jones - Eastern

DATE: 9-10-97

We were holding this application in our Moratorium hold file + Mr. Ashcraft asked us to advertise it based on the pre-1987 Moratorium exception. Documents provided by applicant show purchase of equipment for the operation of a diesel powered well for irrigation of possibly 2000 acres. Some of the would be supplemental to Indian Creek rights + some would be primary to adjacent ground. I'm not sure I'm reading the 1985 crop report right but it appears to be over 2000 acres. I defer to your evaluative abilities.

MICROFILMED

( ) For your information

( ) Response required

FEB 20 1998

signature

Copy for info purposes

MICROFILMED

JUL 10 2002

No. C 50796

Return to:
SECRETARY OF STATE
700 WEST JEFFERSON
PO BOX 83720
BOISE, ID 83720-0080

NO FILING FEE IF
RECEIVED BY DUE DATE

Due no later than Jan 31, 2002
Annual Report Form

WAHOO, INC.
VERNIA G ASHCRAFT
3930 EAST 2000 NORTH

SUGAR CITY, ID 83448

2. Registered Agent and Office NO PO BOX

GRANT ASHCRAFT
3930 EAST 2000 NORTH

SUGAR CITY, ID 83448

3. New Registered Agent Signature

4. Corporations: Enter Names and Business Addresses of President, Secretary and Directors.

Office Held	Name	Street or P.O. Address	City	State	Zip
President	Grant Ashcraft	3930 E. 2000 No.	Sugar City	Id.	83448
Sec.	Beverly Ashcraft	3930 E. 2000 No.	Sugar City	Id.	83448

5. Organized Under the Laws of:

IDAHO
C 50796

6.
Signature Grant Ashcraft Date 2 Dec 01

Name (Type or Print) Grant Ashcraft Title President

Issued 11/01/2001

Do Not Tape or Staple

2150

MICROFILMED

JUL 10 2002

No. C 50794

Return to:
SECRETARY OF STATE
700 WEST JEFFERSON
PO BOX 83720
BOISE, ID 83720-0080

NO FILING FEE IF RECEIVED BY DUE DATE

Due no later than Jan 31, 2002
Annual Report Form

B.R.A. #6:
BOYD B ASHCRAFT
2983 EAST 2000 NORTH

SUGAR CITY, ID 83448

2. Registered Agent and Office NO PO BOX

BOYD B ASHCRAFT
2983 EAST 2000 NORTH

SUGAR CITY, ID 83448

3. New Registered Agent Signature

Helen J. Ashcraft President

4. Corporations: Enter Names and Business Addresses of President, Secretary and Directors.

Office held	Name	Street or P.O. Address	City	State	Zip
President	Helen J Ashcraft	2983E 2000N	Sugar City	Id	83448
Secretary	Marlen Ashcraft	2983E 2000N	Sugar City	Id	83448
Vice President	Joseph Ashcraft	16340N 6000W	Rexburg	Ut	84312
Director	Douglas Ashcraft	1848 N 2250E	Hamer	Id	83425
Director	Blaine Ashcraft	3021 N 5000E	Sugar City	Id	83448
Director	Lavina Woodward	Box 242	Cascade	Id	83611

5. Organized Under the Laws of
IDAHO
C 50794

6.
Signature Helen J. Ashcraft Date 10 Dec 01
Name (print) Helen F. Ashcraft Title President

Issued 11/01/2001 Do Not Tape or Staple 2149

MICROFILMED
JAN 10 2002

Form No. 202a
3/79

RECEIVED
FEB 19 2002
Department of Water Resources

State of Idaho
Department of Water Resources

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY: KCW APPLICATION NUMBER: 32-7150

CHECK:

- ☑ Source.
- ☑ Point of diversion.
- ☑ County.
- ☑ Quantity of water and period of use.
- ☑ Description of diverting works.
- ☑ Time required for beneficial use of water.
- ☑ Place of use or acres irrigated.
- ☑ Map.
- ☑ Signature.
- ☑ Fee.

Field check by: _____
Date: _____
Comments: _____

- ☐ Yes ☑ No Field check required.
- ☐ Yes ☑ No Critical groundwater area.
- ☐ Yes ☑ No Request dam safety information. Sent by: _____ Date: _____
- ☑ Yes ☐ No* In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

	Copies sent by:	Date:
☐ Idaho State Health Department.		
☑ Idaho Fish and Game Department.	Staff	11-30-2001
☐ Idaho Department of Lands.		
☐ U.S. Bureau of Land Management.		
☐ U.S. Forest Service.		
☑ Other WD-32C		

PROCESSING:

- ☐ Yes ☑ No Platted by: _____ Map No. _____
- ☑ Yes ☐ No Other rights on same place of use. 32-0014 / 0015 / 0016
  32-7137 (LAPSED Rts. 32-2049/2071/2079)
- ☑ Yes ☐ No* In form for advertising.
  Final date for protests: _____
- ☑ Yes ☐ No Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☑ Affidavit of publication received. Date: Nov 21, 2000
- ☑ Application published correctly. If not, record action taken: _____
- ☑ Fee amount, receipt date & number, recorded on application.
- ☑ Publication dates and paper, recorded on application.
- ☑ Protests, dates, withdrawal, etc., recorded on application.
- ☑ Recommendation & initial, recorded on application.
- ☒ Yes ☐ No Measuring device required.
- ☐ Yes ☐ No Access port required.
- ☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? WD 32-C
  Covers Shenton
  6-25-1985 Date of priority recommended.

Special conditions of approval or cover letter. _____
This is a pre-1987 application with attached supporting data.

By: KCW Date: 2-11-2002

STATE OFFICE REVIEW:

☐ See attached sheet for more information.
By: _____ Date: _____

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
_____	__	___	___	__	_	___.__

IDAHO STREAM CODE INDEX

_____.____.____.____.____.____.____.____.__.__.__

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
_____	__	___	___	__	_	___.__

IDAHO STREAM CODE INDEX

_____.____.____.____.____.____.____.____.__.__.__

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
_____	__	___	___	__	_	___.__

IDAHO STREAM CODE INDEX

_____.____.____.____.____.____.____.____.__.__.__

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
_____	__	___	___	__	_	___.__

IDAHO STREAM CODE INDEX

_____.____.____.____.____.____.____.____.__.__.__

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
_____	__	___	___	__	_	___.__

IDAHO STREAM CODE INDEX

_____.____.____.____.____.____.____.____.__.__.__

WATER DISTRICT #31
P.O. BOX 33
DUBOIS, ID 83423
(208) 374-5274

January 28, 2002

Dear Harold Jones,

In response to your letter dated January 11, 2002. Looking through our records on an average a 2001 priority date would only be used one to two times every ten years. The records do not always tell the full story. The daily record books show 4.82 c.f.s. recorded as diverted to Wahoo Ranch's Inc., when there maybe 12-16 c.f.s. actually being diverted. This is due to excess water in the district; water would be wasted as it flows from Indian Creek to Medicine Lodge then down past the last diversion out to the desert if was not diverted to a senior user. When there is average water year Indian Creek is fully appropriated because it is a contributory to Medicine Lodge Creek, but on a high water year when excess water is going onto the desert, it is not fully appropriated. When this is the case, the application 32-7150 would have adequate water. This right would only be filled when there is a high water year, thus fulfilling the IDFG's two concerns: it would not be detrimental to the fisheries and wildlife habitat down stream and on high water years with excess water Indian Creek is not fully appropriated.

I see no injury to senior water rights or to any Fish and Game concerns of this application.

Sincerely,

Greg Shenton
Watermaster

MICROFILMED
JUL 10 2002

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

January 11, 2002

Greg Shenton
Watermaster, District 32
P.O. Box 33
Dubois, Idaho 83423

Greg,

Enclosed is another copy of application 32-7150 and a copy of the comment letter from Idaho Fish and Game. I would ask that you respond in writing as to your estimate of how often a 2001 priority date would be available on Indian Creek.

Please mail your comments back to me at the Idaho Falls office. Thanks!

Sincerely,

Harold W. Jones
Water Resource Supervisor

MICROFILMED
JUL 10 2002

IDAHO FISH & GAME
UPPER SNAKE REGION
1515 Lincoln Road
Idaho Falls, Idaho 83401-2198

Dirk Kempthorne / Governor
Rod Sando / Director

January 3, 2002

RECEIVED
JAN 0 8 2002
Department of Water Resources
Eastern Region

Mr. Harold Jones
Water Resources Supervisor
Idaho Department of Water Resources
900 N. Skyline Drive, Suite A
Idaho Falls ID 83402-1718

Subject: Application for pre-1987 water right development. No. 32-7150 (Wahoo & BHA Inc.)

Dear Harold:

Idaho Department of Fish and Game personnel have reviewed the referenced application and offer the following comments.

The water for this proposal would be diverted from Indian creek as it flows through private property. The creek also flows through private property below the proposed point of diversion. There is limited fish and wildlife habitat provided by Indian creek on the private property. We do not have information for fish populations in this portion of Indian creek.

It is our understanding that this proposed water right, if approved, will be given a 2001 priority date. Also, based upon conversations with Greg Shenton (watermaster for the area) and also with you, we understand that there may be water available for this proposed right only one in every 10 years. This being the case, it appears the water in Indian creek is fully appropriated.

The diversion of more water from Indian creek would probably have detrimental impacts to the limited fish and wildlife habitat downstream of the diversion. We suggest the application be denied. Thank you for the opportunity to comment on the proposal. Contact Don Kemner at 525-7290 if you have questions.

Sincerely,

Don Kemner
for Robert J. Saban
Regional Supervisor

RJS:dk

cc: Natural Resources Policy Bureau (IDFG)

MICROFILMED
JUL 1 0 2002

November 30, 2001

Idaho Dept. of Fish & Game
1515 Lincoln Rd.
Idaho Falls, Idaho 83401

Attention: Don Kimner

Mr. Kimner:

In review of the enclosed application, I find I did not send Fish and Game a copy of this pre-1987 development. This application would be given a 2001 priority date if approved and would supplement in part the existing well and early surface rights on this same ground.

Since the protest period is past I would solicit any comments you would have regarding Indian Creek. I would ask that you let me know of any concerns within 10 days.

Sincerely,

Harold W. Jones
Water Resource Supervisor

HWJ/ck

MICROFILMED
JUL 10 2002

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 23, 2001

Wahoo & BHA Inc
3930 E 2000 N
Sugar City ID 83448

RE: Withdrawal of protest on Application for Permit No. 32-07150

Dear Sir:

This Department has received a withdrawal of protest from Wand Woodfield.

Our office will continue to process your application.

If you have any questions, please call our office.

Sincerely,

Harold W. Jones

Harold W Jones
Water Rights Supervisor

HWJ:sc

MICROFILMED
JUL 10 2002

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 23, 2001

Wanda Woodfield
5275 W Canyon Creek Rd
Idaho Falls ID 83402

RE: Withdrawal of protest on Application for Permit No.: 32-07150

Dear Protestants:

This Department has received the withdrawal of protest against the application for Wahoo & BHA Inc. We will continue to process this application.

If you have any questions, please call our office.

Sincerely,

Harold W. Jones

Harold W Jones
Water Rights Supervisor

HWJ:sc

MICROFILMED
JUL 10 2002

November 16, 2001

Harold W. Jones
Water Resource Supervisor
Department of Water Resources
900 N. Skyline Dr. Suite A
Idaho Falls, Idaho 83402-1718

Mr. Jones:

I have decided to withdraw my protest of water right application #32-7150.

I continue to have concerns about the issuance of this permit. The location of our ranch at the end of Medicine Lodge Creek causes us to be dependant on the water master for delivery of our water. In dry years we often have water shortage even early in the spring. This permit would allow Mr. Ashcraft to take water that should be used to fill our earlier permits.

I have concluded that the only way to protect our rights is to have the water master engaged early in the season to close late priority permits and deliver our water. I will advise our tenant Steve Worthin to monitor early water needs and see that the water master is engaged early in the season to see that our water is delivered.

Thank you for your consideration.

Sincerely,

Wanda B. Woodfield

Wanda B. Woodfield

MICROFILMED

JUL 10 2002

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Wanda Woodfield
5275 West Canyon Crrek Road
Idaho Falls, Idaho 83402

COMPLETE THIS SECTION ON DELIVERY

A. Received by *(Please Print Clearly)* B. Date of Delivery

Wanda Woodfield 11/16/01

C. Signature

X Wanda Woodfield ☐ Agent ☐ Addressee

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☐ No

MICROFILMED

JUL 10 2002

3. Service Type
☒ Certified Mail ☐ Express Mail
☐ Registered ☐ Return Receipt for Merchandise
☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? *(Extra Fee)* ☐ Yes

2. Article Number *(Copy from service label)*

7[redacted] 0520 0015 7057 1332

PS Form 3811, July 1999 Domestic Return Receipt 102595-00-M-0952

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Sender: Please print your name, address, and ZIP+4 in this box •

DEPARTMENT OF WATER RESOURCES
EASTERN DISTRICT OFFICE
900 N. SKYLINE DR.
IDAHO FALLS, IDAHO 83402

MICROFILMED
JUL 10 2002

RECEIVED
NOV 13 2001
Department of Water Resources
Eastern Region

Attn: Skip

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor
KARL J. DREHER
Director

November 9, 2001 Certified Mail

Wanda Woodfield
5275 West Canyon Creek Road
Idaho Falls, Idaho 83402

Mrs. Woddfield:

On October 23, 2001 I sent you an inquiry letter (copy enclosed). As of this date I have not received a response. The situation may be that you are not interested in pursuing your protest of application for water right # 32-7150. If so I need to know that.

Therefore I am asking you to Show Cause within 14 days of receipt of this letter why your protest of application # 32-7150 should not be set aside.

Responded on 11-13-01

Sincerely,

Harold W. Jones
Water Resource Supervisor

524-6268 - call with Dec Date

* Contact Grant & Ron for Date

Dec 5th at 10am

Dan Woodfield 509-520-9797

MICROFILMED
JUL 10 2002

INVOICE
ORIGINAL

GEM STATE IRRIGATION, INC.

ALL TYPES
IRRIGATION EQUIPMENT
AND ACCESSORIES
VALLEY CENTER PIVOTS

P. O. BOX 351 • SOUTH YELLOWSTONE HWY. • REXBURG, IDAHO 83440 • PHONE 356-9318

INVOICE DATE	CUSTOMER ORDER NO.	ESTIMATE NO.	VIA	SOLD BY
April 30, 1977		2903		

SOLD TO: Grant Ashcraft #122010
ADDRESS: SUGAR CITY IDAHO 83448
CITY & STATE:

DELIVER TO: Job 1083
Delivery Sheet 705

Moving Further up Creek and Flame pipe

CASH	CHARGE	C.O.D.	RETD MERCH	MEMO CHG	OTHER TERMS
					Crown Flow System at I.C.

ORDERED	SHIPPED	DESCRIPTION	PRICE	AMOUNT
	629'	24" CTE 10 Ga	9.90	$6,227.10
	1444'	18" CTE 10 Ga	8.52	12,302.88
	2304'	16" CTE 10 Ga	6.35	14,630.40
		Installation on CTE Steel		4,200.00
	1400'	8" AWP 12 Ga - Installed	2.91	4,074.00
	760'	6" AWP 12 Ga - Installed	2.05	1,558.00
		Total		$42,992.38

Thank You

TERMS: NET 30 DAYS. All accounts are due on the 10th of the month following date of purchase. Our **FINANCE CHARGE** on past due accounts is **1½% PER MONTH**, which is **18% ANNUAL PERCENTAGE RATE.** Without grace for value received, I promise to pay to the order of Seller the above mentioned amounts, payable as hereinabove set forth. I agree that title to the merchandise hereinabove set forth shall at all times remain in the Seller's name, until this note is fully paid, and if the same be placed with an attorney for collection or suit, I agree to pay a reasonable attorney's fee. Upon failure on the part of the purchaser to make payments as herein specified, the Seller may repossess said property wherever found. Property shall not be moved from premises without consent of Seller.

TAX	
TOTAL	$42,992.38

No. 104

REC'D. BY X _____
AUTHORIZED SIGNATURE

MICROFILMED
JUL 10 2002

Mahogany Water Final Adjustment

~~Indian Creek Project.~~

Original Contract No. 2024 - $78,000

1. Additions

(a)	2040' - 18" CTE @ $8.89	18,134
(b)	20' - 14" CTE @ 5.44	109
(c)	20' - 10" CTE @ 3.78	76
(d)	1 - 10" Butterfly valve installed	320
(e)	1 - 8" Butterfly valve installed	278
(f)	13 - 55' Swing lines @ $80	1040
(g)	13 - 4" x 1320' McDonnell lines	19,500
(h)	Welding of Intake Screen & Manifold	330
	Sub Total	$117,887

2. Deductions

(a)	10' - 8" CTE @ $3.25	<33>
(b)	260' - 6" CTE @ 2.73	<764>
(c)	100 - 4" x 30" Risers @ $20	<2000>
	Sub Total	<$2797>

TOTAL $114,990

Already Invoiced No. 8237 - 31,933

Balance to Invoice @ 8581 83,067

MICROFILMED
JUL 10 2002

STEEL, ALUMINUM PIPE
VALLEY SELF-PROPELLED
CIRCULARS

GEM STATE IRRIGATION, INC.

BOX 351 SOUTH YELLOWSTONE HWY. REXBURG, IDAHO 83440 PHONE 356-9318

Ashcraft Brothers

DATE: December 17, 1975

COMPLETION DATE:

BID: WE HEREBY PROPOSE TO FURNISH MATERIAL AND LABOR TO COMPLETE THE WORK OUTLINED HEREIN FOR THE SUM OF

DOLLARS $

PAYMENT TO BE MADE AS FOLLOWS: 20% Down - Payments as materials are delivered. Balance on start-up.

WE HEREBY SUBMIT SPECIFICATIONS AND BID FOR:

QUANTITY		STOCK NUMBER OR DESCRIPTION	AMOUNT
		C.T.E. OPTION	
~~3000'~~		18" C.T.E. 10 Ga. installed @ $8.89	
2800'		16" C.T.E. 10 Ga. installed @ $7.75	
700'		14" C.T.E. 12 Ga. installed @ $5.44	
700'		10" C.T.E. 12 Ga. installed @ $3.78	
2480'		8 5/8" C.T.E. 12 Ga. installed @ $3.39	
1330'		8" C.T.E. 12 Ga. installed @ $3.25	
2510'		6" C.T.E. 12 Ga. installed @ $2.73	
150		4" x 30" Risers @ 55' @	
		Reducers, 2 - Wye tees, expansion joints as required, 4" surge relief valve, 4" gate valve installed	
		Total	$78,000 00
		A.W.P. OPTION	
3000'		18" A.W.P. 10 Ga. installed @ $8.20	
2800'		16" A.W.P. 10 Ga. installed @ $6.52	
700'		14" A.W.P. 12 Ga. installed @ $5.00	
700'		10" A.W.P. 12 Ga. installed @ $3.62	
2480'		8 5/8" A.W.P. 12 Ga. installed @ $3.34	
1330'		8" A.W.P. 12 Ga. installed @ $3.11	
2510'		6" A.W.P. 12 Ga. installed @ $2.43	
150		4" x 30" Risers @ 55'	
		Reducers, 2 - wye tees, expansion joints as required, 4" surge relief valve, 4" gate valve installed.	
		Total	$71,000 00
		McDowell laterals - 4" x 1320' will be guaranteed at $1500 / line	19,500
		Wheel lines guaranteed @ $4300 installed. less $200 each if owner installs	

MICROFILMED
JUL 10 2002

TERMS: 10TH OF MONTH FOLLOWING DATE OF PURCHASE. Without grace for value received, I promise to pay to the order of Seller the above mentioned amounts payable as hereinabove set forth. I agree that title to the merchandise hereinabove set forth shall at all times remain in the Seller's name, until this note is fully paid, and if the same be placed with an attorney for collection or suit, I agree to pay a reasonable attorney's fee. If not paid at maturity, this note shall thereafter draw interest at the rate of 12% per annum until paid. Upon failure on the part of the purchaser to make payments, as herein specified, the Seller may repossess said property wherever found. Property shall not be moved from premises without consent of Seller.

NO. 2024 DATE 12/19/75 SIGNED Robert R. Lee

THIS BID VOID AFTER 30 DAYS FROM DATE UNLESS ACCEPTED BY SIGNATURE AT RIGHT

ACCEPTANCE OF BID

THE ABOVE SPECIFICATIONS, TERMS AND CONDITIONS ARE SATISFACTORY AND ARE HEREBY AUTHORIZED FOR PERFORMANCE AS OUTLINED ABOVE.

SIGNED [signature] DATE [illegible]

OFFICE COPY

INVOICE
FILE COPY

STEEL, ALUMINUM, P.V.C. PIPE
VALLEY SELF-PROPELLED

GEM STATE IRRIGATION, INC.

P. O. BOX 351 • SOUTH YELLOWSTONE HWY. • REXBURG, IDAHO 83440 • PHONE 356-9318

INVOICE DATE	CUSTOMER ORDER NO	ESTIMATE NO	VIA	SOLD BY
1-20-76				

SOLD TO: Ashcraft Bros (Lady Place)
DELIVER TO:
ADDRESS:
CITY & STATE:

CASH	CHARGE	C.O.D.	RETD MERCH	MEMO CHG	OTHER TERMS
	✓				

ORDERED	SHIPPED	DESCRIPTION	PRICE	AMOUNT
	1824'	18" CTE 10 ga.	8.89	16,215.00
	576'	11" CTE 12 ga.	5.99	3133.00
	2480'	8 7/8" CTE 12 ga.	3.35	8308.00
	1330'	8" " "	3.25	4322.50
	681'	6" " "	2.73	1856.50
				33,735.00
		less for T.W.U.B.		-2000.00
				$ 31,735.00

TERMS: NET 30 DAYS. All accounts are due on the 10th of the month following date of purchase. Our **FINANCE CHARGE** on past due accounts is **1½% PER MONTH**, which is **18% ANNUAL PERCENTAGE RATE.** Without grace for value received, I promise to pay to the order of Seller the above mentioned amounts, payable as hereinabove set forth. I agree that title to the merchandise hereinabove set forth shall at all times remain in the Seller's name, until this note is fully paid, and if the same be placed with an attorney for collection or suit, I agree to pay a reasonable attorney's fee. Upon failure on the part of the purchaser to make payments as herein specified, the Seller may repossess said property wherever found. Property shall not be moved from premises without consent of Seller.

TAX

TOTAL

No. 8237

REC'D BY X

AUTHORIZED SIGNATURE

MICROFILMED

JUL 10 2002

FILE COPY

STEEL, ALUMINUM, P.V.C. PIPE
VALLEY SELF-PROPELLED

GEM STATE IRRIGATION, INC.

P. O. BOX 351 • SOUTH YELLOWSTONE HWY. • REXBURG, IDAHO 83440 • PHONE 356-9318

DATE	CUSTOMER ORDER NO	ESTIMATE NO	VIA	SOLD BY
6/3/76				RL

SOLD TO: Rebecca Y Box
DELIVER TO: Indian Creek Ranch
ADDRESS:
CITY & STATE: Sugar City

CASH	CHARGE	C.O.D.	RETD. MERCH.	MDSE. CHG.	OTHER TERMS

ORDERED	SHIPPED	DESCRIPTION	PRICE	AMOUNT
		Original Contract No. 2024		$79,600.00
		1. Additions		
		(a) 2040' - 18" CTE @ $3.89 installed		16,134.00
		(b) 20' - 14" CTE @ 5.44 installed		109.00
		(c) 20' - 10" CTE @ 3.76		76.00
		(d) 1 - 10" Buttfly valve installed		320.00
		(e) 1 - 2" Butterfly valve installed		278.00
		(f) 13 - 55' Sprinkler and elbows		1090.00
		(g) 13 - 4" x 1370' Al. Dwell Laterals @ $150		19,500.00
		(h) Welding of Intake Sprinkler Al. Lands - Lot		334.00
		Sub Total		117,887.00
		2. Deductions		
		(a) 10' - 8" CTE @ $3.25 ea.		<33.00>
		(b) 2040' - 6" CTE @ 2.73 ea.		<764.00>
		(c) 100 - 4" x 30' Risers @ $20		<2000.00>
		Sub Total		$ 2,797.00
		Already Invoiced - No. 8237 $31,933. Total		$114,990.00
		Balance to Invoice		

TERMS: NET 30 DAYS. All accounts are due on the 10th of the month following date of purchase. Our **FINANCE CHARGE** on past due accounts is **1½% PER MONTH,** which is **18% ANNUAL PERCENTAGE RATE.** Without grace for value received, I promise to pay to the order of Seller the above mentioned amounts, payable as hereinabove set forth. I agree that title to the merchandise hereinabove set forth shall at all times remain in the Seller's name, until this note is fully paid, and if the same be placed with an attorney for collection or suit, I agree to pay a reasonable attorney's fee. Upon failure on the part of the purchaser to make payments as herein specified, the Seller may repossess said property wherever found. Property shall not be moved from premises without consent of Seller.

TAX

TOTAL $83,067.00

No. 8581

REC'D BY X

AUTHORIZED SIGNATURE

MICROFILMED

JUL 10 2002

FILE COPY

STEEL, ALUMINUM, P.V.C. PIPE
VALLEY SELF-PROPELLED

GEM STATE IRRIGATION, INC.

P. O. BOX 351 • SOUTH YELLOWSTONE HWY. • REXBURG, IDAHO 83440 • PHONE 356-9318

DATE	CUSTOMER ORDER NO	ESTIMATE NO	VIA	SOLD BY
6/3/76				

SOLD TO: Robert L Bros.
ADDRESS:
CITY & STATE: Sugar City

DELIVER TO: Indian Creek Ranches

CASH	CHARGE	C.O.D.	RET'D MERCH.	MEMO CHG.	OTHER TERMS

ORDERED	SHIPPED	DESCRIPTION	PRICE	AMOUNT
		Original Contract No. 2024		$78,000.00
		1. Additions		
		(a) 2040' - 18" CTC @ $8.89 - installed		18,134.00
		(b) 20' - 14" CTC @ 5.44 - installed		109.00
		(c) 20' - 10" CTC @ 3.78		76.00
		(d) 1 - 10 Butterfly valve - installed		320.00
		(e) 1 - 8 Butterfly valve - installed		276.00
		(f) 13 - 55 Swing joint assemblies		1090.00
		(g) 13 - 4" x 1320' Aldwell Laterals @ $1500		19,500.00
		(h) Welding of Junction Boxes & Misc.		330.00
		Sub Total		117,887.00
		2. Deductions		
		(a) 10' - 8" CTC @ 3.25		<33.00>
		(b) 280' - 6" CTC @ 2.73		<764.00>
		(c) 100 - 4" x 30" Risers @ 20		<2000.00>
		Sub Total		$ 2,797.00
		Already Invoiced - No. 8237 $31,933 - Total		$114,990.00
		Balance to Invoice		

TERMS: NET 30 DAYS. All accounts are due on the 10th of the month following date of purchase. Our **FINANCE CHARGE** on past due accounts is **1½% PER MONTH**, which is **18% ANNUAL PERCENTAGE RATE.** Without grace for value received, I promise to pay to the order of Seller the above mentioned amounts, payable as hereinabove set forth. I agree that title to the merchandise hereinabove set forth shall at all times remain in the Seller's name, until this note is fully paid, and if the same be placed with an attorney for collection or suit, I agree to pay a reasonable attorney's fee. Upon failure on the part of the purchaser to make payments as herein specified, the Seller may repossess said property wherever found. Property shall not be moved from premises without consent of Seller.

TAX	
TOTAL	$83,067.00

No. 8581

REC'D. BY X
AUTHORIZED SIGNATURE

MICROFILMED
JUL 10 2002

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 23, 2001

COPY

Wanda Woodfield
5275 West Canyon Creek Road
Idaho Falls, Idaho 83402

Mrs. Woodfield:

On the 20th of November 2000 you protested water right application # 32-7150 in the name of Wahoo and B.H.A. Inc. (Grant Ashcraft).

This application was for water out of Indian Creek tributary to Medicine Lodge Creek. The applicant has now asked for a pre-hearing conference some time during the last week of November or first week of December 2001.

Please respond with a list of dates you or your representative would be available to meet with us at the Idaho Falls Office.

Sincerely,

H. W. Jones

Harold W. Jones
Water Resource Supervisor

HWJ/ck

MICROFILMED
JUL 10 2002

12/99

RECEIVED
DEC 18 2000
Department of Water Resources
Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECOMMENDATION OF WATERMASTER

Application No: 32-7150

Applicant's Name: WAHOO & BHA INC.

Watermaster's Recommendation:

a) _____ I do not oppose approval of this application.

b) XXXXXXXXX I do not oppose approval of this application if it is conditioned as follows: THAT THIS WATER RIGHT DOES NOT INJURE ANY OTHER WATER RIGHTS.

c) _____ I oppose approval of this application for the following reasons:

d) _____ Additional Comment:

Dated this 6 day of December, 2000.

Water District No: 32-C

Watermaster's Signature

Use reverse side of page if you need more space.

MICROFILMED
JUL 10 2002

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 4, 2000

Wahoo & BHA Inc
3930 E 2000 N
Sugar City ID 83448

RE: Application for Amendment of Permit No. 32-07150

Dear Applicant:

Enclosed are copies of a protest filed against the issuance of the above referenced applications. The Department suggests you contact the protestant directly in an effort to determine the nature of the protest and to attempt to resolve the protest.

Unless this office is advised that either the matter has been resolved or there exists extenuating circumstances, our objective is to schedule a conference and/or hearing in the near future to consider the protests. At a conference and/or hearing, the following are the principle items the Department can consider in either approving or denying the application for permit (Idaho Code ' 42-203):

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

MICROFILMED

JUL 10 2002

The applicant must be prepared to present evidence and/or testimony addressing each of the six items. Although representation by legal counsel is not mandatory at a proceeding before the Department, you may retain an attorney in your behalf.

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

Sincerely,

Harold W. Jones

HAROLD W. JONES
Water Rights Supervisor

Enclosure

HWJ:sc

cc: IDWR - State Office

MICROFILMED

JUL 1 0 2002

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 4, 2000

Wanda B Woodfield
5275 W Canyon Creek Rd
Idaho Falls ID 83401

RE: Application for Permit No. 32-07150

Dear Protestant:

Your protest against approval of the above referenced application has been received and a copy has been sent to the applicant. The Department suggests you contact the applicant directly in an effort to determine what is proposed by the application and to attempt to resolve the protest.

Unless this office is advised that either the matter has been resolved or there exists extenuating circumstances, our objective is to schedule a conference and/or hearing in the near future to consider the protest. At such a conference and/or hearing, the following are the principle items the Department can consider in their approving or denying the application (Idaho Code ' 42-203):

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

MICROFILMED

The protestant must be prepared to present proof of allegations involving one or more of the six items.

In addition, Rule 302 of the Department's Rules of Procedure requires a protestant to send a copy of the protest to the applicant in question.

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

Sincerely,

Harold W. Jones

HAROLD W. JONES
Water Rights Supervisor

HWJ: sc

cc: IDWR - State Office

JUL 10 2002

MICROFILMED
JUL 10 2002

RECEIVED
NOV 2 1 2000
Department of Water Resources
Eastern Region

Proof of Publication

The Post Register

State of Idaho
County of Bonneville

I, S. Bob Bright or Robert Park, first being duly sworn, depose and say: That I am the Production Supervisor or Asst. Prod. Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published daily at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register for 2 consecutive (days) weeks, first publication having been made on the 2ND day of NOVEMBER, 2000, last publication having been made on the 9TH day of NOVEMBER 2000 at the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

S. Bob Bright

Subscribed and sworn to before me, this 15TH day of NOVEMBER, 2000

Notary Public

My commission expires January...10....., 2003

IVY BERRY
NOTARY PUBLIC - IDAHO
My Commission Expires
January 10, 2003

MICROFILMED

DEC 1 0 2002

NOTICE OF APPLICATION FOR WATER RIGHT

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

25-07707
PINEWOOD ESTATES
C/O DEAN NELSON
1954 N PINEWOOD DR
IDAHO FALLS, ID 83401
Source: GROUND WATER
Diversion Pt: SWSE Sec 9 T 02N R 38E in BONNEVILLE County.
Use: DOMESTIC (1.080 CFS)
Total Diversion: (1.080 CFS)
Date Filed: 10/23/2000
In: BONNEVILLE County
T02N R38E S09 SWSE
This mobile home park has been in existence since 1974. This application is to clarify the water right record.

32-07150
WAHOO BHA & INC.
3930 E 2000 N
SUGAR CITY, ID 83448
Source: INDIAN CREEK
Tributary: MEDICINE LODGE CREEK
Diversion Pt: LOT 3 (SESW) Sec 36 T 12N R 34E in CLARK County.
Use: IRRIGATION (9.900 CFS)
Total Diversion: (9.900 CFS)
Date Filed: 6/25/1985
In: CLARK County
T11N R34E S12 NENE NWNE SWNE SENE NENW SENW NESW SESW NESE NWSE SWSE SESE
S13 NENE NWNE SWNE SENE SESW NESE NWSE SWSE SESE
S24 NENW SENW NESW
R35E S07 NENE NWNE SWNE SENE NENW Lot 1 (NWNW) Lot 2 (SWNW) SENW NESW Lot 3 (NWSW) Lot 4 (SWSW) SESW NESE NWSE SWSE SESE
S18 NENW Lot 1 (NWNW) Lot 2 (SWNW) SENW NESW Lot 3 (NWSW) Lot 4 (SWSW) SESW NESE NWSE SWSE SESE
S19 NENE NWNE SWNE SENE
1935.0 ACRES TOTAL
This system was installed and in use approximately 1977

Any protests against the proposed application must be filed with the Dept. of Water Resources, 900 N Skyline Dr., Ste A, Idaho Falls ID 83402, together with a protest fee of $25.00 on or before NOVEMBER 20, 2000, to be considered by the Department in its decision to grant or deny any part of the proposed application. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director
Published: November 2, 9, 2000

MICROFILMED
NOV 10 2000

November 26, 1999

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF PROTEST

This form may be used to file a protest with the department under sections 42-108B, 42-203A, 42-203C, 42-211, 42-222 and 42-224, Idaho Code. The department will also accept a timely protest not completed on this form if it contains the same information.

1. Matter being protested Application # 32-07150
2. Name of protestant Owners of Medicine Lodge ranch Wanda D. Woodfield Brent, Kay, Blair and Ann
3. Protestant's Representative for service (If different than protestant)

4. Service mailing address 5275 West Canyon Creek Rd Idaho Falls
5. Service telephone no. 524-6268
6. Basis of protest (including statement of facts and law upon which the protest is based)

We feel that this application would cause injury to us on Medicine Lodge Creek.

(additional pages may be attached to describe nature of the protest)

7. What would resolve your protest? _____

I hereby, acknowledge that if I, or my designated representative, fails to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 20 day of Nov, 2000.

Wanda D. Woodfield
Protestant

Protestant's Representative

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JUL 10 2002

NOTE:

A protestant is required to timely file a protest with the department together with a $25.00 protest fee for each application being protested in order for the protestant to be considered a full party by the department. In addition, the department's Rule of Procedure, IDAPA 37.01.01203, requires a protestant to send a copy of a protest to the applicant.

INSTRUCTIONS

1. The matter being protested must be clearly identified. A typical matter is identified by the application number such as "Application for Permit No. _____ in the name of _____" or "Application for Transfer No. _____ in the name of _____."

2. Show the name of the protestant. Only one (1) protestant may be shown per protest form. If this protest form is signed by more than one person, the hearing officer will consider the first signer as the official protestant and the representative for service of documents.

3. If the protestant is represented by an attorney or other authorized representative, show the representative's name. The department then will serve documents on the representative and upon the protestant if specifically requested.

4. Show the address where the department is to serve the documents. This should be the address of the authorized representative unless the protestant does not designate a representative.

5. Show the telephone number of the authorized representative unless the protestant does not designate a service representative.

6. Specifically describe the nature of the protest.

7. Describe the relief being sought by the protestant.

FOR DEPARTMENT USE ONLY

Received by HWJ Date 11-20-00 Time 3:41 pm

$25.00 fee Receipted by HWJ # E026350 Date 11-20-00

MICROFILMED
2002

Oct 30 - 00

To whom it may concern -

We have worked for Grant Ashcraft for 30 yrs. In 1976 he installed a gravity sprinkler system on Indian Creek in Clark County. We have personally seen the headgate & water diversion on the creek and have witnessed the use of the system ever since

Respectfully yours
Dee S. Sellers
Kim Sellers

RECEIVED
NOV 15 2000
Department of Water Resources
Eastern Region

MICROFILMED
JUL 10 2002

October 18, 2000

To Whom It May Concern:

I, Robert R. Lee, sold, surveyed and supervised the gravity flow water system of Grant Ashcraft (Wahoo Inc.) located on Indian Creek in Clark County, Idaho and have witnessed the beneficial use of Indian Creek water on the land being irrigated and crops being grown on said land since 1976.

Robert R. Lee
1330 Barney Dairy Rd.
Rexburg, Idaho 83440

RECEIVED
NOV 15 2000
Department of Water Resources
Eastern Region

MICROFILMED
JUL 10 2002

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 9, 2000

GREG SHENTON
WATERMASTER #32
PO BOX 33
DUBOIS ID 83423

RE: Application for Permit #32-07150

Dear Greg:

Please find enclosed a copy of the above referenced application. Please review the application and submit any comments you may have to our Department by November 20, 2000.

If you have any questions, please feel free to contact us. Thank you for your cooperation in this matter.

Respectfully submitted,

Harold W. Jones

Harold W. Jones
Water Right Supervisor

HWJ:sc

enc.

MICROFILMED
JUL 10 2002

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

October 25, 2000

Wahoo BHA & Inc
3930 E 2000 N
Sugar City ID 83448

RE: Applications for Permit #32-07150

Dear Applicant:

This office is currently in the process of advertising the application in the Post Register on November 2 and 9, 2000. The advertisement will be published once a week for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

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

Sincerely,

Harold W. Jones

Harold W. Jones
Water Right Supervisor

HWJ::sc

MICROFILMED
JUL 10 2002

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. Skyline Dr., Suite A, Idaho Falls, Idaho 83402-1718 - (208) 525-7161- Fax (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

OCTOBER 24, 2000

Legal Notices Department
THE POST-REGISTER
P.O. BOX 1800
IDAHO FALLS, ID 83403

Dear Legal Dept.:

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

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

Please send the affidavit of publication and publication billing to this office before NOVEMBER 20, 2000.

Yours truly,

Sharla Cox
Senior Secretary

Encl.

Mailed 10/24/00 SC

MICROFILMED
NOV 1 0 2002

NOTICE OF APPLICATION FOR WATER RIGHT

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

32-07150

WAHOO BHA & INC.
3930 E 2000 N
SUGAR CITY, ID 83448

Source: INDIAN CREEK Tributary: MEDICINE LODGE CREEK

Diversion Pt: LOT 3 (SESW) Sec 36 T 12N R 34E in CLARK County.

Use: IRRIGATION (9.900 CFS)
Total Diversion: (9.900 CFS)

Date Filed: 6/25/1985

In: CLARK County

T11N R34E	S12	NENE		NWNE		SWNE	SENE
		NENW		SENW		NESW	SESW
		NESE		NWSE		SWSE	SESE
	S13	NENE		NWNE		SWNE	SENE
		SESW		NESE		NWSE	SWSE
		SESE					
	S24	NENW		SENW		NESW	
R35E	S07	NENE		NWNE		SWNE	SENE
		NENW	Lot	1 (NWNW)	Lot	2 (SWNW)	SENW
		NESW	Lot	3 (NWSW)	Lot	4 (SWSW)	SESW
		NESE		NWSE		SWSE	SESE
	S18	NENW	Lot	1 (NWNW)	Lot	2 (SWNW)	SENW
		NESW	Lot	3 (NWSW)	Lot	4 (SWSW)	SESW
		NESE		NWSE		SWSE	SESE
	S19	NENE		NWNE		SWNE	SENE

1935.0 ACRES TOTAL

This system was installed and in use approximately 1977

MICROFILMED
JUL 10 2002

Any protests against the proposed application must be filed with the Dept. of Water Resources, 900 N Skyline Dr., Ste A, Idaho Falls ID 83402, together with a protest fee of $25.00 on or before NOVEMBER 20, 2000. to be considered by the Department in its decision to grant or deny any part of the proposed application. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER, Director

Published: 11/ 2/2000 & 11/ 9/2000

MICROFILMED
JUL 10 2002

32-2150_

WAHOO, INC. & B.H.A. INC.

RT. 1, SUGAR CITY, ID 83448

Source: INDIAN CREEK trib. to MEDICINE LODGE CREEK

Date Filed: 06/25/1985

Diversion Pt: NESW Sec 12 T 11N R 34E

Use: IRRIGATION (10.00 CFS)

In: NENE NWNE SWNE SENE NENW SENW NESW SESW NESE NWSE SWSE SESE
Sec 12 T 11N R 34E NENE NWNE SWNE SENE NESE NWSE SWSE SESE
Sec 13 T 11N R 34E NENW SENW NESE SESE Sec 24 T 11N R 34E NENE NWNE SWNE
SENE NENW NWNW SWNW SWNW NESW NWSW SWSW SESW NESE NWSE SWSE SESE
Sec 07 T 11N R 35E NENW NWNW SWNW SENW NESW NWSW SWSW SESW NESE NWSE SWSE
SESE Sec 18 T 11N R 35E NENE NWNE SWNE SENE Sec 19 T 11N R 35E
FOR 2038 ACRES

MICROFILMED
JUL 10 2002