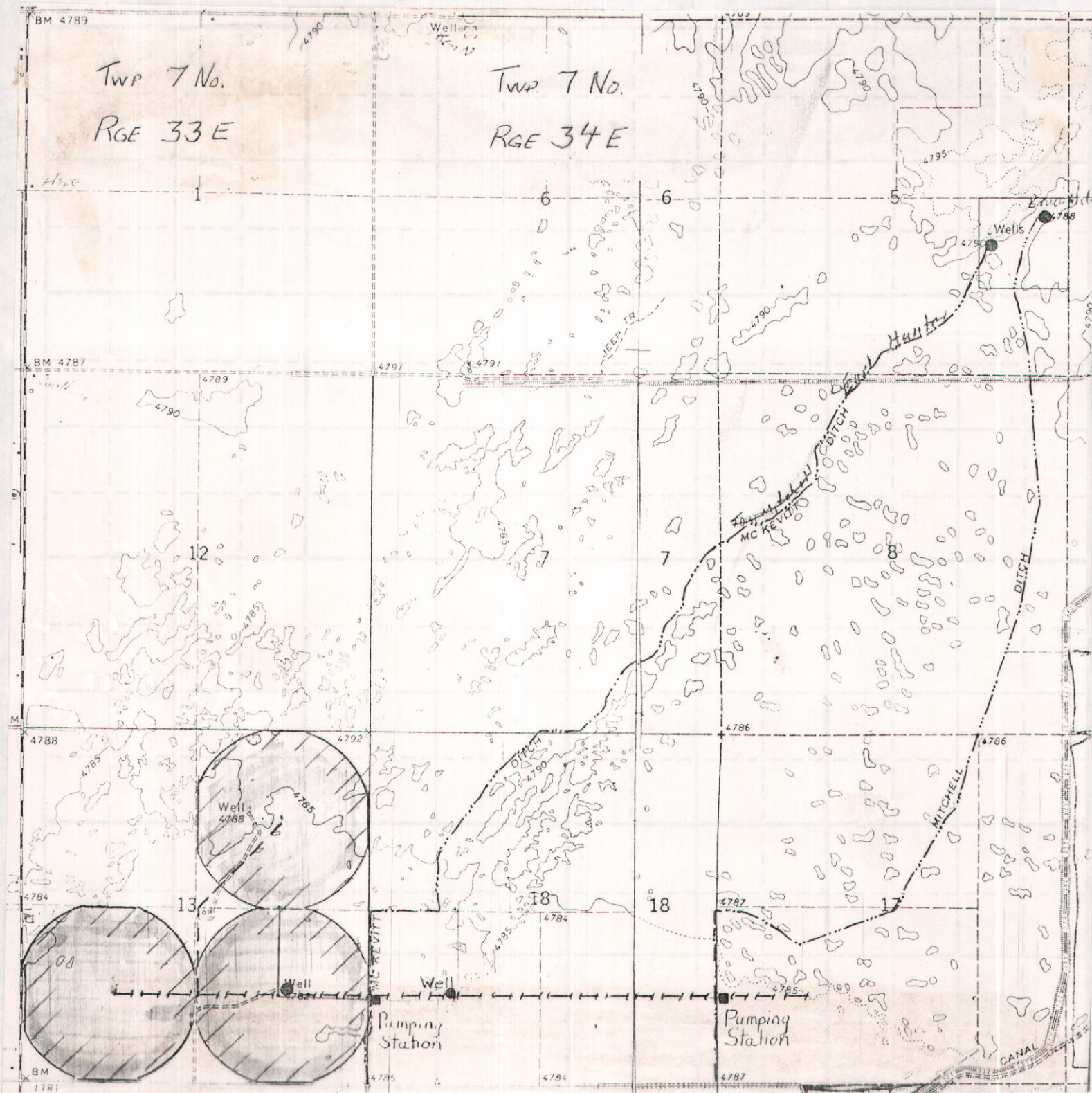


c. Describe the lands or place of use to which the right will be transferred: NO CHANGE

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7N	33E	13	38	38	38	38					38	38	38	38	38	38	38	38	456

Total number of acres to be irrigated 456

4. Describe any other water rights used for the same purpose as described above. 31-2299
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.
1: 24,000

MICROFILMED

THE JEFFERSON STAR

RIGBY, IDAHO

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }
County of Jefferson } ss

I, **Terry Weatherston**

being first duly sworn, depose and say, that I am the printer of THE JEFFERSON STAR, a weekly newspaper printed and published weekly at Rigby, Jefferson County, Idaho; and I do solemnly swear that the

Notice Of Proposed Change of Water Right

a copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any

supplement issue thereof for 2 consecutive issues, the first publication having

been made on February 21, 1985 and the last publication having been made

on February 28, 1985

Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the first publication of the said notice.

Terry Weatherston

~~~~~

Subscribed to and sworn to before me  
this March 1, 1985

*Dore C. Garner*  
Notary Public.  
(SEAL)

My commission expires life

RECEIVED

MAR 7 1985

Department of Water Resources  
Eastern District Office

### NOTICE OF PROPOSED CHANGE OF WATER RIGHT 31-2415

Notice is hereby given that Sauer Enterprises, Idaho Falls, Idaho has applied to the Department of Water Resources for a change in the point of diversion and place of use of the waters of groundwater source. The right sought to be changed is evidenced by license 31-2415 and is recorded as follows:

AMOUNT: 2.55 cfs, PRIORITY: December 26, 1964, POINT OF DIVERSION: NE $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 13, T. 7N R. 33E, B.M.,

Jefferson County;

The water is used to irrigate 456 acres within the E $\frac{1}{2}$ , SW $\frac{1}{4}$ , Sec. 13, T. 7N, R. 33E, B.M.

#### TO BE CHANGED AS FOLLOWS

The water will be diverted within NE $\frac{1}{4}$ SE $\frac{1}{4}$ , Sec. 13, T. 7N, R. 33E; NE $\frac{1}{4}$ SE $\frac{1}{4}$  (2 points), Sec. 5, NW $\frac{1}{4}$ SW $\frac{1}{4}$ , Sec. 18, T. 7N, R. 34E, B.M. and used to irrigate 456 acres within the E $\frac{1}{2}$ , SW $\frac{1}{4}$ , Sec. 13, T. 7N, R. 33E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup, Suite 15, Idaho Falls, ID 83402 on or before March 11, 1985.

A. KENNETH DUNN  
Director

Publ. Feb. 21 and 28, 1985RS

MICROFILMED

# Affidavit of Publication

THE RIGBY STAR

RECEIVED  
MAR 23 1970  
2023-70  
Jdy  
Department of Reclamation

STATE OF IDAHO }  
County of Jefferson } ss.

I, Hope B. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for

Two Consecutive issues thereof; first publication having been made on the 8th day of January, 1970

and the last publication on the 15th day of June, 1970

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter of at least seventeen and three-fourths inches depth; and that there are at least two hundred bona fide subscribers in Jefferson County.

Hope B Jones

Subscribed in my presence and sworn to before me this 30

day of January, 1970  
(SEAL)

R. H. Higgins  
Notary Public for the State of Idaho,  
Residence and P. O. Address, Rigby, Idaho.

My commission expires \_\_\_\_\_, 19\_\_\_\_

Publication Fee: \$ 8.51 paid

MY COMMISSION EXPIRES JULY 15, 1973

## NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that C. D. Kramis, 525 Americana Boulevard, Boise, Idaho, has received an approved permit No. G-32127/31-2515 issued by the State Reclamation Department authorizing the diversion of 6.46 cubic feet per second of water from a ground water source subject to all prior rights. The priority to be established under this permit is December 26, 1964 and the permit was approved November 6, 1964. Water is to be diverted by well and sprinkler from a point within the center of SE¼, Sec.

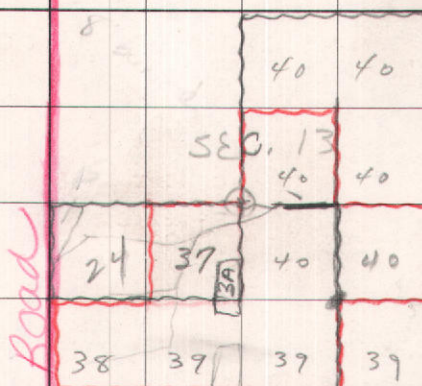
13, T. 7 N, R. 33 E, B.M., Jefferson County to be used for irrigation in the NE¼, SW¼, SE¼, Sec. 13, T. 7 N, R. 33 E, B.M. Proof of the application of the water to beneficial use is to be submitted to the Department on or before November 6, 1969. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON,  
State Reclamation Engineer  
(Publish January 8-15, 1970)

32127  
31-2415

@supplemental  
water

1227



80

80

141

155

456

Q measured 2.55 CFSQ recommended 2.55 CFSVolume 1368 acft

Acreage -

Found 456recommended 456Subdv. 12

Amendments

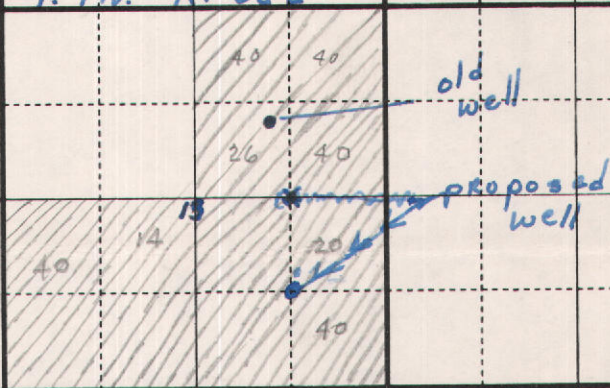
☒ None☐ P.D.☐ Place of use☐

Late Prior

NAME OF APPLICANT Bill K. Yeakley

Form No. 0

T. 7N. R. 33E



Permit Map No. S. 32127  
As Approved NOV 6 1964  
CARL E. TAPPAN  
State Reclamation Engineer

S. 32127

Transfer No. 3117Water Right No. 31-2415STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES  
**APPLICATION FOR TRANSFER OF WATER RIGHT**

To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant SAUER ENTERPRISES Phone 522-5179Post Office address c/o Neal Sauer, Rt. #5, Box 160, Idaho Falls, ID 83402

## A. DESCRIPTION OF RIGHT AS RECORDED

## 1. Right evidenced by:

- a. Decree No. \_\_\_\_\_ Decreed to \_\_\_\_\_ (Name)  
in case of \_\_\_\_\_ vs \_\_\_\_\_  
dated in \_\_\_\_\_ in \_\_\_\_\_ county of \_\_\_\_\_  
(Name of court)
- b. License No. 31-2415 issued by the Idaho Department of Water Resources
- c. Claim No. \_\_\_\_\_ on file with the Idaho Department of Water Resources

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant. If the applicant is not the original holder of the water right, explain how it was acquired The water right was acquired through the purchase of the licensed place of use.

3. Source of water groundwater tributary to \_\_\_\_\_

4. Date of priority December 26, 1964

## 5. Water is used for the following purposes:

- amount 2.55 cfs for Irrigation purposes from 4-1 to 11-1  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_  
(month/day — both dates inclusive)

6. Total amount of water under right: a. 2.55 cubic feet per second  
&/or  
b. \_\_\_\_\_ acre feet per annum

7. Location of original point of diversion is NE  $\frac{1}{4}$  of NE  $\frac{1}{4}$  of Section 13  
Township 7N Range 33E, B.M., in Jefferson County  
Additional points of diversion, if any \_\_\_\_\_

## 8. Lands irrigated or place of use:

| TWP. | RANGE | SEC. | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | TOTALS |
|------|-------|------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------|
|      |       |      | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |        |
| 7N   | 33E   | 13   | 40               | 40               | 40               | 40               |                  |                  |                  |                  | 37               | 24               | 38               | 39               | 40               | 40               | 39               | 39               | 456    |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |
|      |       |      |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |        |

Total number of acres to be irrigated 456

9. Describe any other water rights used for the same purpose as described above 31-2299

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10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

omit part B).

a. \_\_\_\_\_ cubic feet per second  
&/or  
b. \_\_\_\_\_ acre feet per annum

b. \_\_\_\_\_ acre feet per annum

Range \_\_\_\_\_, B.M., \_\_\_\_\_ County \_\_\_\_\_

| Circumstance                  | Percentage (%) |
|-------------------------------|----------------|
| If someone is attacking you   | 85             |
| If someone is threatening you | 75             |
| If someone is harassing you   | 65             |
| If someone is insulting you   | 55             |
| If someone is annoying you    | 45             |

Total number of acres to be irrigated

### 1. General Information

~~b. Description of diverting works Wells in Sections 13 & 18 pump directly~~

b. Description of diverting works Wells in Sections 13 & 18 pump directly

~~into mainline. The two wells in Sec. 15 discharge into open ditches~~

c. Describe the reasons for the proposed changes Previous irrigation system has

been modified to allow the use of 4 wells. Two wells are connected

~~directly to mainline, the other wells discharge into open ditches.~~

Water in the ditches is pumped into the mainline and conveyed to

:snoatd yadua

2. Change in point of diversion

Point of diversion NE  $\frac{1}{4}$  SE  $\frac{1}{4}$ , Section 13 Township 7N

Range 33E, B.M., Jefferson County

Additional points NE<sup>4</sup>SE<sup>4</sup>, Sec. 5 (two wells), NW<sup>4</sup>SW<sup>4</sup>, Sec. 18, T. 1 N.,

R. 37E.

---

3. Change in place of use

a. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust,

mortgages, or contracts? Yes X No. If yes, provide a notarized statement from the holder of

the lien, deed of trust, mortgage or contract agreeing to the proposed change.

b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer

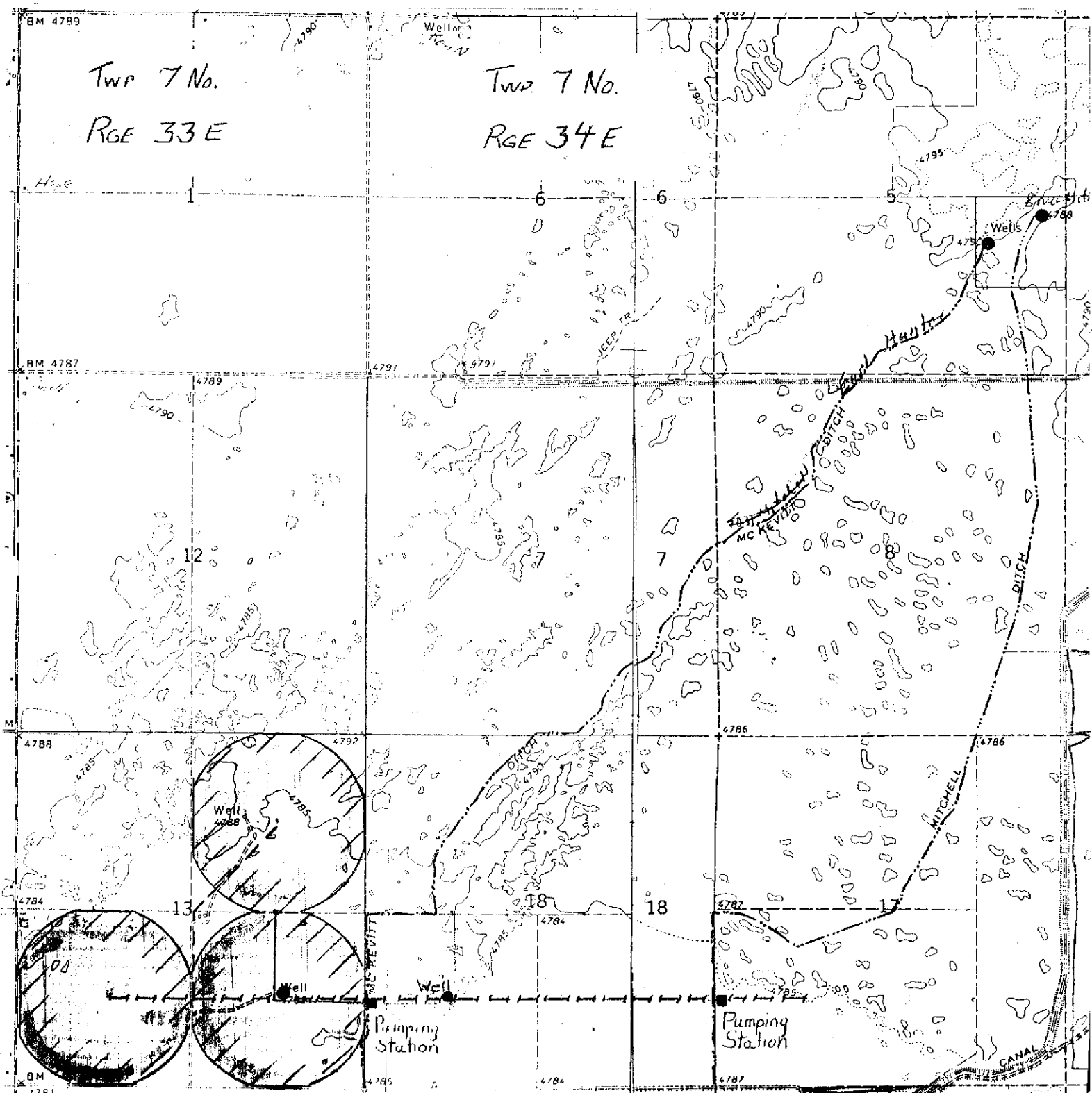
~~and from which water is being transferred will not be irrigated.~~

c. Describe the lands or place of use to which the right will be transferred: NO CHANGE

| TWP. | RANGE | SEC. | NE¼ |     |     |     | NW¼ |     |     |     | SW¼ |     |     |     | SE¼ |     |     |     | TOTALS |
|------|-------|------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------|
|      |       |      | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ | NE¼ | NW¼ | SW¼ | SE¼ |        |
| 7N   | 33E   | 13   | 38  | 38  | 38  | 38  |     |     |     |     | 38  | 38  | 38  | 38  | 38  | 38  | 38  | 38  | 456    |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |
|      |       |      |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |     |        |

Total number of acres to be irrigated 456

4. Describe any other water rights used for the same purpose as described above. 31-2299
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.  
1: 24,000

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D. REMARKS

Application changes the points of diversion & place of use. See

Attachment A for explanation.

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement

in use of the original right. The information contained in this application is true to the best of my knowledge.

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

(Signature of Applicant)

Subscribed and sworn to before me this 22 day of January, 1985

(Notary Public)

My commission expires

March 20, 1988

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 31-2415

APPROVED

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

1. This right when combined with Right 31-2299 shall not exceed irrigation of

456 acres.

Witness my hand this

day of

December

19 85

Chief, Operations Bureau

A. M. Saylor

FOR DEPARTMENT USE ONLY

Protest filed by

~~Protest filed by~~

Prelim. check by

Mr. J. H. Saylor

Date

2-6-85

Received by

Mr. J. H. Saylor

Published in

Watermaster

Pub. dates

2-28-85

Watermaster recommendation requested on

rec'd.

by Mr. J. H. Saylor

Recommended for

approval

denial

Hearing held by

Date

Copies of protest forwarded by

Mr. J. H. Saylor

RECEIVED

MAR 11 1985

Department of Water Resources  
Eastern District Office

Box 2415  
Monteview, Idaho 83435  
March 11, 1985

Mr. Ron Carlson  
Idaho Department of Water Resources  
150 Shoup - Suite 15  
Idaho Falls, Idaho 83402

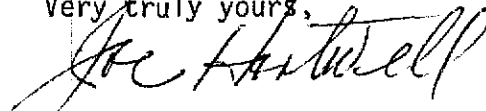
Subject: Application for transfer of water right no. 31-2299  
Application for transfer of water right no. 31-2415  
Application for amendment of permit no. 31-7320  
All three applications dated January 22, 1985  
and submitted by Sauer Enterprises.

Dear Sir:

I am a landowner adjacent to Mr. Sauer's farm and own the NE  $\frac{1}{4}$  SE  $\frac{1}{4}$  of section 5, T7N, R34EBM on which are located two of the wells that are involved in all three of the above applications.

I have no objection to changing the place of use of the water on the land Mr. Sauer owns. My objection is to any increase in flow from the two wells in Section 5 in excess of flow allowed under existing legal claim(s) and or license(s). Water Resources personnel have informed me that the effect of Mr. Sauer's applications would be to allow an increase in flow from the wells in section 5 should the wells in section 13 and 18 decrease in flow. An increase in flow from the wells in section 5 could create a trespass condition and disregard the terms under which I purchased the land on which the wells are located. The applications make no mention of these potential problems, and on a basis including but not limited to these problems, I hereby file a formal protest against all three applications.

Very truly yours,



Joe Hartwell

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State of Idaho  
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32127/31-2415 Priority Dec. 26, 1964 Amount 2.55 cfs  
(late proof)

THIS IS TO CERTIFY, that C. D. KRAMIS  
of Boise, Idaho, has complied with the terms and conditions of Permit  
No. 32127/31-2415 issued pursuant to Application for Permit dated November 3, 1964  
and has submitted proof to the Department of Water Administration on December 29, 1969,  
that he has applied water to a beneficial use; an examination by the Department indicates that the  
works have a capacity of 2.55 cfs, and that the water has in fact been applied to a  
beneficial use: a right to the use of water from a ground water source  
tributary of \_\_\_\_\_, is hereby confirmed in the following amounts:

Amount 2.55 cfs for Irrigation from April 1 to Nov. 1 (both dates inclusive)

Amount \_\_\_\_\_ for \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)

Amount \_\_\_\_\_ for \_\_\_\_\_ from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)

Subject, however, to the condition that no more than 2.55 cfs of water be diverted at  
any one time, said waters to be diverted within the \_\_\_\_\_

NE $\frac{1}{4}$ SE $\frac{1}{4}$  Sec. 13, Twp. 7 N., Rge. 33 E., B.M.

in the county of Jefferson and that the amount of water so diverted and to which such  
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can  
actually be beneficially used and shall not exceed 1,082 acre feet per year or  
3.0 acre feet per acre.

Description and location of place of use:

| TWP | RANGE | SEC | NE $\frac{1}{4}$ |                  |                  |                  | NW $\frac{1}{4}$ |                  |                  |                  | SW $\frac{1}{4}$ |                  |                  |                  | SE $\frac{1}{4}$ |                  |                  |                  | TOTAL |
|-----|-------|-----|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|------------------|-------|
|     |       |     | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ | NE $\frac{1}{4}$ | NW $\frac{1}{4}$ | SW $\frac{1}{4}$ | SE $\frac{1}{4}$ |       |
| 7 N | 33 E  | 13  | 40               | 40               | 40               | 40               |                  |                  |                  |                  | 37               | 24               | 38               | 39               | 40               | 40               | 39               | 39               | 456   |
|     |       |     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |
|     |       |     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |
|     |       |     |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |                  |       |

Total number of acres irrigated 456

POOR QUALITY ORIGINAL

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The right to use of \_\_\_\_\_ hereby \_\_\_\_\_ and a permanent to the lands

\_\_\_\_\_ provide \_\_\_\_\_

January 24, 1985

I have no objection to the transfer of the Point of Diversion on these permits by Sauer Enterprises.

Signed

Earl Hunter  
Earl Hunter

State of Idaho           )  
                                  ) ss.  
County of Bonneville )

On this 5 day of February 1985, before me, Dennis  
M Olsen, a Notary Public for the State of Idaho, personally  
appeared Earl Hunter, known to me to be the person whose name is  
subscribed to the within instrument, and acknowledged to me that he  
executed the same.

(SEAL)

[Signature]  
Notary Public for the State of Idaho  
Residing in Idaho Falls Idaho  
My Commission expires: per term

**MICROFILMED**

WARRANTY DEED

THIS INSTRUMENT, Made this 9 day of Apr 1984, between DAVID EARL HUNTER aka EARL HUNTER and HETTIE A. HUNTER aka HEDWIG HUNTER, husband and wife, J. HARVEY GROTH aka JOHN HARVEY GROTH and MARY LOU GROTH aka MARY L. GROTH, husband and wife, GEORGE A. WILKERSON and DELILAH M. WILKERSON, husband and wife, ROBERT A. HUNTER and ROBERTA L. HUNTER, husband and wife, CHARLES M. HUNTER and SUSAN V. HUNTER, husband and wife, c/o Box 308, Ririe, State of Idaho referred to as the Grantor and SAUER ENTERPRISES, a partnership comprised of NEAL W. SAUER, LORIN SAUER, RAY SAUER and DAVID SAUER, of Rt. 5, Box 160, Idaho Falls, State of Idaho, referred to as the Grantee.

WITNESSETH, For and in consideration of the sum of Ten Dollars (\$10.00) lawful money of the United States of America, and other good and valuable considerations, Grantor has granted, bargained, sold, and by these presents, does hereby grant, bargain, sell, convey and confirm unto the said Grantee and Grantee's heirs and assigns forever, all of the following described real estate situated in the State of Idaho, to wit:

PARCEL ONE:

Tract 1:

Township 7 North, Range 33 East of the Boise Meridian,  
Jefferson County, Idaho

Section 24: SE 1/4.  
E 1/2 SW 1/4.  
N 1/2.

Township 7 North, Range 34 East of the Boise Meridian,  
Jefferson County, Idaho

Section 18: NE 1/4  
E 1/2 SW 1/4 and lots 3 and 4.  
Section 19: E 1/2 W 1/2 and Lots 1, 2, 3 and 4.

Tract 2:

Township 7 North, Range 33 East of the Boise Meridian,  
Jefferson County, Idaho.

Section 24: W 1/2 SW 1/4.

Tract 3:

Township 7 North, Range 33 East of the Boise Meridian,  
Jefferson County, Idaho

Section 13: E 1/2.  
SW 1/4.

PARCEL TWO:

Tract 1:

Township 7 North, Range 34 East of the Boise Meridian,  
Jefferson County, Idaho

Section 17: SW 1/4 and that portion of the SW 1/4 SE  
1/4, lying North and West of the Jefferson  
Irrigation Company Canal.  
NW 1/4 SE 1/4.

Section 18: SE 1/4.

Tract 2:

Township 7 North, Range 34 East of the Boise Meridian,  
Jefferson County, Idaho

Section 19: E 1/2.  
Section 20: W 1/2 NW 1/4.

**MICROFILMED**

SUBJECT HOWEVER, to all easements and rights of way appearing on such premises or of record, reservations in favor of the United States or the State of Idaho, and all existing zoning ordinances, applicable building codes, laws and regulations.

TO HAVE AND TO HOLD the said premises, together with all and singular the tenements, hereditaments, easements and appurtenances thereunto belonging or in anywise appertaining; and the reversions, remainders, rents, issues, and profits thereof; and all Grantor's estate, right, title and interest in and to said premises, in law as well as in equity.

Grantor shall, and by these presents, does hereby warrant and agree to forever defend the Grantee, his successors and assigns, in the quiet and peaceable possession of said premises and from and against all and every person lawfully claiming an interest therein.

In construing this Deed and where the context so requires, the singular includes the plural, and the masculine includes the feminine and neuter.

IN WITNESS WHEREOF, the Grantor hereunto has set his hand and seal the day and year first above written.

\_\_\_\_\_  
DAVID EARL HUNTER

\_\_\_\_\_  
HETTIE A. HUNTER

\_\_\_\_\_  
J. HARVEY GROTH

\_\_\_\_\_  
MARY L. GROTH

\_\_\_\_\_  
GEORGE A. WILKERSON

\_\_\_\_\_  
DELILAH M. WILKERSON

\_\_\_\_\_  
ROBERT A. HUNTER

\_\_\_\_\_  
ROBERTA L. HUNTER

\_\_\_\_\_  
CHARLES M. HUNTER

\_\_\_\_\_  
SUSAN V. HUNTER

STATE OF IDAHO                    )  
                                          ) ss.  
County of Bonneville            )

On this \_\_\_\_\_ day of April, 1984, before me the undersigned, a Notary Public in and for said State, personally appeared DAVID EARL HUNTER and HETTIE A. HUNTER, husband and wife, J. HARVEY GROTH and MARY LOU GROTH, husband and wife, GEORGE A. WILKERSON and DELILAH M. WILKERSON, husband and wife, ROBERT A. HUNTER and ROBERTA L. HUNTER, husband and wife and CHARLES M. HUNTER and SUSAN V. HUNTER, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

\_\_\_\_\_  
Notary Public for Idaho

(Seal)

# THE JEFFERSON STAR

RIGBY, IDAHO

## AFFIDAVIT OF PUBLICATION

STATE OF IDAHO }  
County of Jefferson } ss

I, **Terry Weatherston**

being first duly sworn, depose and say, that I am the printer of THE JEFFERSON STAR, a weekly newspaper printed and published weekly at Rigby, Jefferson County, Idaho; and I do solemnly swear that the

### Notice Of Proposed Change of Water Right

a copy of which notice appears attached hereto, was published in the regular and entire issue of said newspaper, and not in any

supplement issue thereof for 2 consecutive issues, the first publication hav-

ing been made on **February 21, 1985** and the last publication having been made

on **February 28, 1985**

Further, that said newspaper is one of general circulation in said county; that it is a legal newspaper, conforming to legal specifications under the Idaho Statutes; that it has at least two hundred bona fide subscribers living within the county of publication; and that it has been continuously and uninterruptedly published in said county during a period of seventy-eight consecutive weeks prior to the first publication of the said notice.

*Terry Weatherston*

~~~~~

Subscribed to and sworn to before me
this **March 1, 1985**

[Signature]
Notary Public.

(SEAL)

My commission expires **life**

RECEIVED

MAR 7 1985

Department of Water Resources
Eastern District Office

NOTICE OF PROPOSED CHANGE OF WATER RIGHT 31-2415

Notice is hereby given that Sauer Enterprises, Idaho Falls, Idaho has applied to the Department of Water Resources for a change in the point of diversion and place of use of the waters of groundwater source. The right sought to be changed is evidenced by license 31-2415 and is recorded as follows:

AMOUNT: 2.55 cfs, PRIORITY: December 26, 1964, POINT OF DIVERSION: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, T. 7N, R. 33E, B.M.

Jefferson County:

The water is used to irrigate 456 acres within the E $\frac{1}{2}$, SW $\frac{1}{4}$, Sec. 13, T. 7N, R. 33E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 7N, R. 33E; NE $\frac{1}{4}$ SE $\frac{1}{4}$ (2 points), Sec. 5, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 7N, R. 34E, B.M. and used to irrigate 456 acres within the E $\frac{1}{2}$, SW $\frac{1}{4}$, Sec. 13, T. 7N, R. 33E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup, Suite 15, Idaho Falls, ID 83402 on or before March 11, 1985.

A. KENNETH DUNN
Director

Publ. Feb. 21 and 28, 1985RS

MICROFILMED

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32127/31-2415 Priority Dec. 26, 1964 Amount 2.55 cfs
(late proof)

THIS IS TO CERTIFY, that C. D. KRAMIS
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 32127/31-2415 issued pursuant to Application for Permit dated November 3, 1964,
and has submitted proof to the Department of Water Administration on December 29, 1969,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 2.55 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 2.55 cfs for Irrigation from April 1 to Nov. 1 (both dates inclusive)

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

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

Subject, however, to the condition that no more than 2.55 cfs of water be diverted at
any one time, said waters to be diverted within the _____

NE¹/₄SE¹/₄ Sec. 13, Twp. 7 N, Rge. 33 E, B.M.

in the county of Jefferson; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 1,082 acre feet per year or _____
3.0 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				TOTALS
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
7 N	33 E	13	40	40	40	40					37	24	38	39	40	40	39	39	456

Total number of acres irrigated 456

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 23 day of
February, 19 73.

P. Kent Higgins
Director

31 2415

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF REINSTATEMENT OF PERMIT NO.)

ORDER OF REINSTATEMENT

G-32127/31-2415 in the name of C. D. Kramis)

WHEREAS, Bill K. Yearsley applied to the Department of Reclamation on November 3, 1964, for a permit to appropriate the public waters of the State of Idaho, proposing the diversion of 6.46 cubic feet per second of the waters of a ground-water source for use in Sec. 13, T. 7 N, R. 33 E, B. M., Jefferson County, Idaho; and,

WHEREAS, on November 6, 1964, Permit G-32127 was approved with the condition that the whole of said works be completed and proof of the application of the water to beneficial use be submitted to the department on or before November 6, 1969; and,

WHEREAS, on September 1, 1969, the Department of Reclamation forwarded to the permit holder by certified mail an order modifying the requirements for completion of Permit G-32127 as adopted under the Rules of Practice and Procedures on August 1, 1968, and notified the permit holder that he was required to submit proof of the application of the water to beneficial use and instructing him as to the steps to be taken to make that proof; and,

WHEREAS, on October 31, 1969, the Department of Reclamation received a request from Mr. C. D. Kramis that he be made the record owner of Permit G-32127, and the department informed Mr. Kramis as to the steps to be followed in order to assign the permit and submit proof of the application of the water to beneficial use; and,

WHEREAS, on December 5, 1969, Permit G-32127 was lapsed through failure of the department to receive the required proof of the application of water to beneficial use on or before the due date; and,

WHEREAS, on December 22, 1969, the Department of Reclamation received the assignment of the permit to C. D. Kramis from Bill K. Yearsley; and,

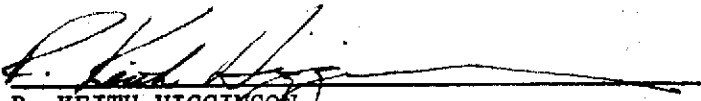
WHEREAS, on December 29, 1969, the department received the required proof of the application of the water to beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date of lapsing; and,

WHEREAS, submission of an affidavit of proof of beneficial use is considered as a reasonable showing as to why the permit should be reinstated;

THEREFORE, IT IS HEREBY ORDERED that Permit G-32127/31-2415 be REINSTATED and the priority reduced to December 26, 1964.

Dated this 30th day of DECEMBER, 1969.


R. KEITH HIGGINSON
State Reclamation Engineer

32127

31-2415

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

ASSIGNMENT OF PERMIT

I, Bill K. Yearley, hereby assign to C.D. Kramis
of Boise, Idaho
(address)

CHECK ONE

☒ All my right, title, and interest, in and to Permit No. G-32127
to appropriate the public waters of the State of Idaho.

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

Made this 8 day of December, 1969. ✓

Bill K. Yearley ✓
Permit Holder

Melba H. Yearley
Wife of Permit Holder

MONTANA
State of Idaho)
County of Lake) ss.

On this 8 day of December, 1969, personally ✓
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

Rob. G. Gentry
Notary Public residing at
St. Ignace, Mont.

My commission expires 9/20/70.

32127

31-2415

BEFORE THE STATE RECLAMATION ENGINEER
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-32127)
in the name of Bill K. Yearsley)
Terreton, Idaho)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

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

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

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

WHEREAS, Permit No. G-32127 was issued previous to that date;

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

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

Dated this 21st day of Aug., 1969.

R. Keith Higginson

R. KEITH HIGGINSON
State Reclamation Engineer

by

Jack A. Barnett
JACK A. BARNETT

Deputy State Reclamation Engineer

32127

31-2415

APPLICATION FOR PERMIT 36 2415

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 40262
Permit No. G- 32127
District No.

ASSIGNED TO:
C. D. Kramis
525 Americana
Boise, Idaho

1. Name of Applicant: Bill K. Yearsley
Postoffice address: Terreton County: Jefferson State: Idaho
2. Quantity of water claimed: 6.46 C.F.S.
 (a) Rate of withdrawal in cubic feet per second or Idaho
 Miners' inches 323 or gallons per minute
 (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean flow
4. Location of point of diversion or well is in the center $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 13
 Twp. 7 N. , Rge. 33 E. , B.M., County of Jefferson
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
 Rge. , B.M.
 (b) Waste water or sewage effluent is to be returned to
 at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Sprinkler irrigation
8. Estimated cost of works: \$30,000.00
9. (a) Is reservoir to be used? no
 (b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 I. (a) Date and place of incorporation:
 (b) Amount of capital stock: \$ (c) Amount paid in: \$
 (d) Names and addresses of directors:
 II. The financial resources of the applicant are (a) Cash on hand: \$
 (b) Treasury stock: (c) Bonds to be issued:
 (d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:
 Water License No. 21852
 (a) 63 ~~(cubic feet per second, inches or gallons per minute)~~ of the water herein applied for is to be supplemental to the existing water rights.
 (b) 260 ~~(cubic feet per second, inches or gallons per minute)~~ is for new lands.

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

s/ Bill K. Yearsley Applicant.
s/ Milalee H. Yearsley Agent.

By

Date of first receipt at Department of Reclamation: 9:00 A.M. November 3, 1964

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 32127

Recorded in Book 112 Page 32127 Approved November 6, 1964

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

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

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

One-fifth of the work above specified to be completed on or before **May 6, 1967**

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before November 6, 1969

Witness my hand this 6th day of November, 1964

s/ CARL E. TAPPAN
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ... ROBERT E. SMYLIE, Governor of the State of Idaho,
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 6th
day of November, 1964.....

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

By S/ ROBERT E. STILLE
Governor

Secretary of State.

12.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals		
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄			
7 N.	33 E.	13	40	40	26	40	SUPPLEMENTAL WATER				14	40			20		40	260			
7 N.	33 E.	13												26		40	40	20	40	40	220
																				TOTAL	480
LICENSE ISSUED FOR <u>255</u> SEC. FT. LICENSE PAGE NO. _____																					

Affidavit of Publication
THE RIGBY STAR

STATE OF IDAHO }
County of Jefferson } ss.

I, Hope B. Jones, do solemnly swear that I am the printer of THE RIGBY STAR, a weekly newspaper as defined by Idaho Codes annotated section 58-106 as amended, and that said newspaper is a weekly newspaper, printed and published at Rigby, Jefferson County, Idaho, having a general circulation in said county, and that said newspaper has been printed and published as a weekly newspaper, in said county for more than 78 consecutive weeks prior to the first publication of the attached notice.

And affiant further says that said attached notice, advertisement or publication as per clipping attached, was published in said newspaper in the regular and entire issue thereof, and not in any supplement issue thereof, for

Two Consecutive issues thereof; first publication having been made on the 8th day of January, 1970 and the last publication on the 15th day of Janu, 1970

And affiant further says that at the times herein mentioned said newspaper was made up of at least four pages of at least five columns each, printed from type matter of at least seventeen and three-fourths inches depth; and that there are a least two hundred bona fide subscribers in Jefferson County.

Hope B Jones

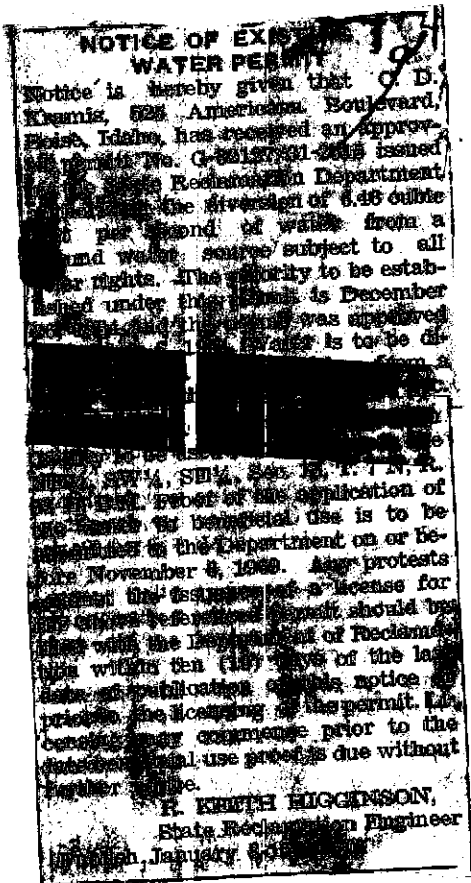
Subscribed in my presence and sworn to before me this 30

day of January, 1970
(SEAL)

R. H. Horman
Notary Public for the State of Idaho,
Residence and P. O. Address, Rigby, Idaho.

My commission expires _____, 19____

Publication Fee: \$ 8.51 paid



32127
31-2415

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
DEC 23 1964
Department of Reclamation

1. a) Name of Permit Holder C. D. Kramis /
b) Post Office Address 525 Americana Boise, Idaho 83706
2. Permit Number G-32127 /
3. Date of Priority that you are prepared to establish Nov. 3, 1964 /
4. a) Source from which water was appropriated Center of the SE $\frac{1}{4}$ of Sec. 13, T. 7 N, R33E, B.M. Jefferson Count
b) Location of the point of diversion: $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13 -
Township 7 N /, Range 33E / Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount 6.46 CFS for irrigation purposes from Apr to Nov. incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 6.46 / cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: est.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 16" well, approx 250ft deep, into 10" sprinkler mains serving 4" handlines. Pump and motor sizes not available
b) Describe the type and size of measuring device which you have installed at your point of diversion: not required or installed
c) Give well drillers name and address and date the well was completed Harris Well Drilling of Rexburg, Idaho. Completion date not available

32127

31-2415

March 19, 1973.

[Handwritten signature]

State of Ill. County of Ala. ss.

69/10/11

[Handwritten signature]

Total number of acres irrigated

[illegible]

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

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

MEMORANDUM

DATE: April 16, 2001
FROM: KARI LYNN TOWNSEND *K*
TO: FILE – BLAINE LARSEN (107 miscellaneous files)
RE: Telephone message

=====

A telephone message was left on my phone today by Todd Hansen, Regional Manager of Lend Lease Agri Business in answer to my letter of April 11, 2001 requesting a Security Interest filing fee of \$2,675.00 for 107 miscellaneous Blaine Larsen water rights.

Mr. Hansen stated that Lend Lease Agri Business has decided **NOT** to pay the fee. They understand that there will be no database update, but that copies of their December 8, 2000 correspondence will be placed in each file.

Jeff Peppersack has requested that a copy of this memo be placed in each file along with the Lend Lease correspondence.

MICROFILMED

JUN 14 2001

Lend Lease
AGRI-BUSINESS

RECEIVED

JAN 18 2001

Department of Water Resources
Eastern Region

December 8, 2000

Idaho Department of Water Resources
900 N. Skyline Drive
Idaho Falls, ID 83402-1781

Steven A. Parker
Vice President
Charles T. McElligott
Vice President
Todd D. Hansen
Regional Manager
Erik C. Roget
Regional Manager

Re: License Nos. 31-02415, 31-07494, 31-07370, 31-07495,
31-07370B, 31-07370C, 31-07370D, 31-07070, 31-07073,
31-07072, 31-07306, 31-07069, 31-07071, 31-02426E,
31-07158C, 31-07158A, 31-07158B, 31-07276, 31-07221C,
31-07221D, 31-07221A, 31-07221B, 31-07222B, 31-07037C,
31-07038B, 31-07275, 31-07588, 31-07274
Our Loan No. F-199710
Blaine Larsen, et al

Lend Lease Agri-Business, Inc.
Western Region
3203 West March Lane
Suite 110
Stockton, CA 95219

Telephone
209 951-4980
Facsimile
209 951-3038

To Whom It May Concern:

Please be advised that The Equitable Life Assurance Society of the United States continues to hold a first lien on real estate security which also encumbers the above captioned water licenses.

We would appreciate you so noting our lien in your records. We will also notify your agency upon the payment in full of the above captioned loan which will release our security interest in these licenses.

If you have any questions, please contact this office.

Sincerely,



Todd Hansen
Regional Manager

TH:ak

Accepted By:

Blaine L. Larsen
Blaine Larsen,
also known as Blaine L. Larsen,
also known as Blaine Lynn Larsen

Connie Larsen
Connie Larsen

Blaine Larsen Farms, Inc.

By: Blaine L. Larsen By: _____

Its: pres. Its: _____

MICROFILMED

JUN 14 2001



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

April 11, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

LEND LEASE AGRI-BUSINESS INC
ATTN: TODD D HANSEN
3203 W MARCH LN #110
STOCKTON CA 95219

RE: Security Interest for 107 miscellaneous Blaine Larsen water rights

Dear Mr. Hansen:

The Department of Water Resources acknowledges receipt of your Notice of Security Interest. Our review of your notice indicates that additional information is required before we can process the change. The information required is indicated below:

☒ Filing Fee of \$25 per water right (107 water rights involved)

☒ Expiration date of Security Interest

Effective July 1, 2000, the legislature enacted House Bill No. 545 requiring a filing fee for a change in water right ownership or filing notice of Security Interest in a water right. The fee is \$25 per water right. We have determined that the filing fee for your notice will be \$2,675.00.

Because the Department cannot process the change without proper fees, we will hold any action on your notice pending receipt of the necessary fees. If we do not receive the necessary fees and other information within 30 days we will place your notice in the appropriate water right files without further processing.

Please note that water right owners are required to report any change in 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 (<http://www.idwr.state.id.us>) on the Internet to obtain the proper forms and instructions.

Please feel free to contact the Department if you have any questions.

Sincerely,

Kari Lynn Townsend
Secretary

KLT:k

MICROFILMED

JUN 14 2001



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

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

November 27, 1987

Jeffrey C. Fereday
Givens, McDevitt, Pursley,
Webb & Buser
P.O. Box 2720
Boise, ID 83701

Dear Jeff:

This correspondence is to inform you of items still necessary to complete the application for transfer of the water rights originally identified on the draft transfer application.

There were four (4) permits identified on the transfer:

Permit 31-7064 requires an amendment of permit before a license can be issued. The permit holder of record is Jack R. Bond, South Slope Farms, Montevieu, ID. He would be required to sign the amendment or assign the permit to someone else.

Permit 31-7069 also requires an amendment prior to licensing. The name of the permit holder is the same as permit 31-7064.

Permit 31-7096 has been split into five (5) parts. Parts C, D, and E require amendments of permit prior to licensing. Parts G and F are ready to license. The permit holder of record is Sauer Farms Inc., Rt. 5, Box 160, Idaho Falls, ID. A signature of a representative of Sauer Farms Inc. is required on the amendment.

Permit 31-7320 is not yet ready for licensing. The field exam is in the regional office. The exam has been completed except for measurement of the points of diversion added to the permit by an amendment submitted during the period that the right was being examined. It is our understanding that the wells identified are used only for back-up. Therefore, it is difficult to determine when a measurement can be accomplished.

Two of the three licenses (Nos. 31-2299 and 31-2415) are acceptable to identify on a transfer application as they are, however, license 31-7131

MICROFILMED

JUN 14 2001

Page 2

overlaps with a decreed right 31-0160 and claim 31-4011. In order to use right 31-7131 on a transfer application, all of the rights appurtenant to the land have to be included. No prior mention has been made of decree 31-0160.

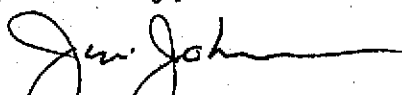
Finally, there is claim 31-4011. As you are aware, the Department requires that a full exam be conducted prior to an approval of a transfer that contains a claim. The field exam was made on September 30, 1987. There was no diversion being made at the time of the exam by the point of diversion identified on the claim, nor had it appeared that any diversion had occurred during the 1987 irrigation season. Most of the land under the claim was irrigated using Jefferson Canal Co. water rights with exception of 4 40-acre tract areas that were under a non-irrigation set-aside program.

Therefore, if the claim is to be used on a transfer application, then all of the water rights used to irrigate this land must also be included to assure that lands are not irrigated on the original lands after the transfer is approved.

In summary, if you desire to continue with submitting the transfer application, you must arrange for the authority to act on behalf of the permits which require amendments; otherwise, they will be forwarded to the permit holder(s) of record. The delay in licensing of permit 31-7320 must be resolved. The water rights that overlap with claim 31-4011 and license 31-7131 must be included on the transfer application.

We will delay the mailing of the permits needing amendments for 15 days to allow you to make arrangements for transferring ownership. If you have any questions, please let us know.

Sincerely,


JIM JOHNSON
Water Rights Supervisor

JJ:sc

MICROFILMED
JUN 14 2001



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

CECIL D. ANDRUS

Governor

R. KEITH HIGGINSON

Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

September 18, 1987

RE: Blaine Larsen Transfer Application

Jeffrey C. Fereday
Givens, McDevitt, Pursley,
Webb & Buser
P.O. Box 2720
Boise, ID 83701

Dear Mr. Fereday:

I have reviewed the application for transfer of water rights submitted for Blaine Larsen Farms and have the following comments.

1. More than one transfer application is required

The proposed place of use location identified on the transfer application (attachment #2) indicates 15 different pumps which appear to supply water to separate and non-interconnected center pivot systems. The transfer application as proposed will apportion the 8 rights identified to the 15 circular systems. The quantities appurtenant to each of the circular systems is not identified.

A separate transfer application is required for each non-interconnected circular system. This is consistent with the fact that each circular system has its own application for permit.

2. Permits cannot be included on a transfer application

The transfer application identified eight different water rights; four of the water rights are still in the permit stage. A review of our files show that field exams have been completed on these permits. An application for transfer cannot include those rights until the permits are licensed.

If you intend to transfer the use under the permits for the 1988 irrigation season, the Department will expedite issuance

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JUN 14 2001

of the licenses. In some cases, the amount of flow, acres irrigated and annual volume of the rights when licensed will be substantially less than identified in attachment #1.

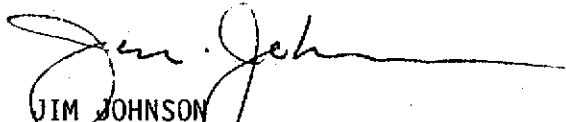
3. A claim to a water right on a transfer application must be verified prior to approving the transfer application

Since a claim to a water right has not undergone any prior verification, water use under the claims to water rights must be field inspected prior to transfer approval. The transfer will be limited to the extent of use verified under the claim.

In conclusion, we are returning the enclosed Application for Transfer. You will need to prepare a transfer for each of the circular systems, the transfers cannot include water right permits, and a transfer application which includes a claim will require additional time to process because the Department must schedule an examination to determine the validity of the claim.

I am sure you will have many questions and the Department will need to put priority of processing the identified permits toward licensing if you still intend to pursue the transferring of these water rights. Therefore, if you feel that you need any further assistance, please let us know.

Sincerely,


JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

cc: Eastern Region
Phil Rassier

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JUN 14 2001

LAW OFFICES

GIVENS, McDEVITT, PURSLEY, WEBB & BUSER

RAYMOND D. GIVENS
CHAS. F. McDEVITT
KENNETH L. PURSLEY
JAY L. WEBB
PAUL J. BUSER
LEO EDWARD MILLER
CHRISTOPHER J. BEESON
CELESTE KIM VERNETTI
TERRY L. MYERS
KENNETH R. McCLURE
JEFFREY C. FEREDAY
JUDITH K. HOLCOMBE
CONLEY WARD
PATRICK J. MILLER
JAMES D. HANSEN

SUITE 200, PARK PLACE
277 NO. 6TH STREET
POST OFFICE BOX 2720
BOISE, IDAHO 83701

TELEPHONE
(208) 342-6571

TELECOPIER
(208) 343-9492

AUG 12 1987

Department of Water Resources

August 11, 1987

VIA HAND DELIVERY

Mr. Norman C. Young
Acting Director
Idaho Department of Water Resources
Statehouse
Boise, ID 83720

Re: Blaine Larsen transfer applications

Dear Norm:

By letter of August 6, 1987 to Ron Carlson, we informed the Department that Blaine Larsen intends to lease water to cover his 1987 depletions and therefore will not pursue the 1987 transfer applications that we submitted to you on July 31. However, Mr. Larsen does intend to submit transfer applications involving these same waters for 1988, presuming that is necessary. In order to inform us about any further information that you might need if these or similar applications are to be processed for 1988, we would appreciate your reviewing these and providing us with any comments you might have.

Thanks for your help in this matter.

Very truly yours,

Jeff C. Fereday

Jeffrey C. Fereday

JCF:gc

cc: Mr. Blaine Larsen
Phillip J. Rassier, Esq.
Mr. Gary Spackman

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JUN 14 2001



STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL
BOISE 83720

DEPARTMENT OF WATER RESOURCES
STATEHOUSE, BOISE, IDAHO 83720
TELEPHONE: (208) 334-4448

JIM JONES
ATTORNEY GENERAL

August 5, 1987

Jeffrey C. Fereday, Esq.
GIVENS, McDEVITT, PURSLEY, WEBB & BUSER
P. O. Box 2720
Boise, Idaho 83701

Re: Blaine Larsen Transfer Applications

Dear Jeff:

In further response to your letter of July 22, 1978, I would like to confirm the statements I made in our telephone conversation of July 30, 1987.

Your letter states your understanding that counsel were in agreement that it would be consistent with the recent stipulation for Mr. Larsen to proceed with supplying 1987 make-up water by filing applications for transfer from the Sauer land for the 1987 irrigation season. The applications were filed with the department on July 31, 1987.

As I indicated in our telephone conversation, I agree that we discussed during the course of the negotiations the filing of applications for transfer from the Sauer land for the 1987 irrigation season. I do not recall, however, any agreement that such filings could satisfy Mr. Larsen's obligation to supply 1987 make-up water. I did not discuss such filings with department administrators.

The stipulation does not anticipate Mr. Larsen satisfying the 1987 make-up water requirement by retroactively transferring water rights from lands which were not irrigated in 1987. I did not expect that Mr. Larsen would be filing such applications.

Consistent with paragraph 13 of the stipulation, it was my understanding that the applications for transfer to be filed by Mr. Larsen were to be for the 1988 irrigation season and that the

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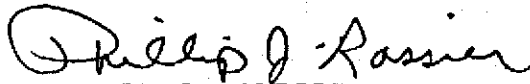
JUN 14 2001

Jeffrey C. Fereday, Esq.
August 4, 1987
Page 2

Director agreed to the expedited processing of such applications. It was further my understanding, consistent with paragraph 12(c) of the stipulation, that if Water Supply Bank water became available to Mr. Larsen during 1987 he would purchase such water. I also believe that following through with this course of action would be in Mr. Larsen's best long-term interests.

As you and Mr. Larsen are aware from Ron Carlson's letter of July 30, the Committee of Nine met on July 29, and authorized Ron to make water available for lease to people needing replacement water. Ron's letter further states that he will not be able to guarantee that water will be available past August 15. I believe that Mr. Larsen has an obligation consistent with the stipulation to purchase 1987 make-up water from the Water Supply Bank at this time.

Sincerely,



PHILLIP J. RASSIER
Deputy Attorney General
Department of Water Resources

/PJR
cc: Thomas G. Nelson, Esq.

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JUN 14 2001

LAW OFFICES

GIVENS, McDEVITT, PURSLEY, WEBB & BUSER

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277 NO. 6TH STREET
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BOISE, IDAHO 83701

RECEIVED

JUL 31 1987

TELEPHONE
(208) 342-6571

Department of Water Resources

TELECOPIER
(208) 343-9492

July 31, 1987

Mr. Norman Young
Acting Director
Department of Water Resources
Statehouse
Boise, ID 83720

Re: 1987 transfer of water rights from Neil Sauer to
Blaine Larsen

Dear Norm:

Pursuant to the terms of the Stipulation and Order entered into recently between the Department, Blaine Larsen and Idaho Power Company, we are hereby submitting for your immediate consideration Mr. Larsen's application to transfer to his use water rights held by Mr. Neil Sauer, who is not exercising them this year and has agreed to lease them to Mr. Larsen. This water is intended to cover all but a small portion of the 1987 depletions enumerated in the Stipulation and Order. Mr. Sauer's water is diverted from the Snake Plain Aquifer, the same source from which Mr. Larsen has been pumping water in 1987.

You will notice in attachments 1 and 2 to the application that the amount of water that can be supplied under Mr. Sauer's rights through this proposed transfer is slightly more than what Mr. Larsen needs to cover his 1987 depletions from these lands, both those which have occurred so far and those which will occur during the remainder of the season. These lands are covered by 15 applications for ground water diversions which Mr. Larsen filed last winter and which are still pending before the Department. The remainder of his applications represent lands which either have not been developed in 1987 or are covered by Water Bank rental agreements and interim approvals.

Filing this application to cover 15 wells comes very close to covering all of Mr. Larsen's 1987 depletions for which there is not substitute rental water or other approval, that is, the depletions that were in dispute between Mr. Larsen and the Department. However, Mr. Sauer's water falls about 360 acres

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JUN 14 2001

Mr. Norman Young
July 31, 1987
Page 2

short of being adequate to cover the 1987 depletions. Accordingly, we have selected one of Mr. Larsen's applications, No. 31-7470 for well No. 112, for separate treatment outside of this transfer program. We expect that we will seek to rent Water Bank water to cover that well's 1987 depletions; we understand that additional rental water has become available recently. Incidentally, although application No. 31-7470 seeks water sufficient to irrigate 360 acres, the lands involved actually total only 200 acres irrigated by means of pump No. 112. Therefore, we expect that any application we make to rent water will reflect this situation.

In the transfer application and the attached exhibits, we have indicated that the acreages irrigated by Mr. Larsen are equivalent to those acreages listed in his water right applications on file. This is correct as a general matter. However, the actual acreages being irrigated this season actually are less than the number of acres applied for. The reason for this is that, in most cases, the acres applied for were calculated on the basis of 40-acre square sections, while the lands irrigated are smaller, circular tracts. In the minority of cases, the lands being irrigated by pivot are greater than the acreages applied for, but this situation still does not change the net result: the acreages applied for are greater than the acreages irrigated. In other words, although Mr. Larsen is seeking to transfer water for 2,600 acres -- which he intends to supply with water Mr. Sauer has used to irrigate 2,674 acres -- he actually has been irrigating less than 2,600 acres.

Part 2 of the application involves eight separate forms with their attachments; each form represents a separate water right which Mr. Sauer will lease to Mr. Larsen. The attachments consist of the applications, licenses, permits, claims, beneficial use reports and other documentation supplied to us by the Department. The attachments indicate that the Department has treated Mr. Sauer and Sauer Enterprises as the owner of all of the water rights to be transferred. We assume this is sufficient indicia of ownership on the part of the transferer to satisfy the Department. If not, please let us know immediately.

With respect to Permit Nos. 32-7064 and 32-7069, we find no indication in the files we received that the record owner, Mr. Jack Bond, assigned his interest to Mr. Sauer as he had done with some of the other water rights. However, in 1984 the Department completed a Beneficial Use Field Report for both of these water rights which indicates that Sauer Enterprises and Neil Sauer are the owners. If necessary, we will prepare a

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JUN 14 2001

Mr. Norman Young
July 31, 1987
Page 3

formal Assignment between Mr. Bond and Mr. Sauer as to these two permits, but we trust that the Field Reports are sufficient to indicate that such an assignment already has occurred. Incidentally, we have not yet prepared a lease or other instrument formalizing the agreement between Sauer and Larsen, but we will be doing so in the near future. We thought it most important at this juncture to present you with applications that you could react to at the earliest opportunity.

Instead of attaching 8 separate maps showing the places of use and points of diversion of Mr. Sauer's water rights to be transferred and 15 separate maps for each of the places of use and points of diversion of Mr. Larsen's use, we are attaching one large map which indicates all such locations. We believe that this will be more efficient, and hope that it meets your approval. Please let us know if you need different or further maps.

As agreed between Mr. Larsen, the Department and Idaho Power Company, we expect the Department to expedite the processing of these transfer applications to ensure that they are disposed of in sufficient time for Mr. Larsen to make alternative plans if some or all of the transfers are not approved. We thank you for your cooperation and look forward to working closely with you and your staff in processing these applications.

Very truly yours,



Jeffrey C. Fereday

JDH:gc

cc (w/encls.): Phillip J. Rassier, Esq.
Thomas G. Nelson, Esq.
Mr. Blaine Larsen

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JUN 14 2001

01 WATER RIGHT NUMBER - 31-2415

02 OLD (CD) NUMBER - 32127

03001 - YEARSLEY ✓ LAST NAME
03002 - SAUER ENTERPRISES ✓

04001 - BILL K. ✓ FIRST NAME
04002 -

05001 - D ✓ ORIG. OWNER
05002 - C ✓

06 ADD LINE 1 - C/C NEAL SAUER ✓

07 ADD LINE 2 - RT. 5 BOX 160

08 ADD LINE 3 -

09 CITY - IDAHO FALLS ✓

10 STATE - ID ✓ 11 ZIP - 834020000

12 STAGE - L LICENSE ✓

13 STATUS -

14001 - SOURCE
GROUNDWATER ✓

15001 - TRIBUTARY OF

16 DIVERSION MEANS -

17 COUNTY - 51 JEFFERSON

18 DIVERSION CAPACITY - .000

19 TOTAL DIVERSION RATE - 2.550 ✓

20 TOTAL DIVERSION VOLUME - 1082.00

21 WATER DISTRICT -

TRACT	SEC	TWN	RNG	LOT	DIVERSION POINTS	RFLG	STREAM	INDEX	FIELD
22001 -	NESE	23001 - 13	24001 - 07N	25001 - 33E	26001 -	27001 -	0.0	0.0	0.0
22002 -	NESE	23002 - 05	24002 - 07N	25002 - 34E	26002 -	27002 -	0.0	0.0	0.0
22003 -	NMSW	23003 - 18	24003 - 07N	25003 - 34E	26003 -	27003 -	0.0	0.0	0.0

29 NON-IRRIGATION USE -

USE CODE / USE	TWN	RNG	PLACE OF USE	SEC	TRACT	ACRES	LOT
30001 - 01 IRRIGATION	31001 - 07N	32001 - 33E	33001 - 13	34001 -	NENE	35001 - 38	36001 -
30002 - 01 IRRIGATION	31002 - 07N	32002 - 33E	33002 - 13	34002 -	NWNE	35002 - 38	36002 -
30003 - 01 IRRIGATION	31003 - 07N	32003 - 33E	33003 - 13	34003 -	SWNE	35003 - 38	36003 -
30004 - 01 IRRIGATION	31004 - 07N	32004 - 33E	33004 - 13	34004 -	SENE	35004 - 38	36004 -
30005 - 01 IRRIGATION	31005 - 07N	32005 - 33E	33005 - 13	34005 -	NESW	35005 - 38	36005 -
30006 - 01 IRRIGATION	31006 - 07N	32006 - 33E	33006 - 13	34006 -	NMSW	35006 - 38	36006 -
30007 - 01 IRRIGATION	31007 - 07N	32007 - 33E	33007 - 13	34007 -	SMSW	35007 - 38	36007 -
30008 - 01 IRRIGATION	31008 - 07N	32008 - 33E	33008 - 13	34008 -	SESW	35008 - 38	36008 -
30009 - 01 IRRIGATION	31009 - 07N	32009 - 33E	33009 - 13	34009 -	NESE	35009 - 38	36009 -
30010 - 01 IRRIGATION	31010 - 07N	32010 - 33E	33010 - 13	34010 -	NWSE	35010 - 38	36010 -
30011 - 01 IRRIGATION	31011 - 07N	32011 - 33E	33011 - 13	34011 -	SWSE	35011 - 38	36011 -
30012 - 01 IRRIGATION	31012 - 07N	32012 - 33E	33012 - 13	34012 -	SESE	35012 - 38	36012 -

TOTAL ACRES: 456

PERIOD FROM	PERIOD TO	USE CODE / USE	WATER USE	DIVERSION RATE	DIVERSION VOLUME
37001 - 0401	38001 - 1101	39001 - 01 IRRIGATION ✓		2.550	41001 - 1082.00

42 DECREE PLAINTIFF NAME -

43 DECREE DEFENDANT NAME -

REMARKS

44001 - TRANS. 3117. 2 P/O IN NESE, S5, T7N, R34E. THIS RT. WHEN
44002 - COMBINED WITH RT. 31-2299 SHALL NOT EXCEED IRRIG. OF 456 AC.

APPROVAL CONDITIONS: 45001 16

46 OTHER RIGHTS FOR SAME USE -

	DATE	DATE	FLAGS
47 PRIORITY	26-DEC-1964		
48 PROOF DUE			
49 PROOF MADE			
50 APPROVE/DENIED	28/29/2		
51 PROTESTED			
52 HEARING			
53 VERIFIED			
54 LAST UPDATE	24-FEB-1986		
55 LICENSE		23-FEB-1973	
56 APPL RECEIVED			
57 FIELD EXAM MADE			
58 DECREE			
59 START WORK			
60 ORDER SHOW CAUSE			
61 DATE_1			
62 DATE_2			
63 TRANSFER/AMENDED			
64 DLE/CAREY ACT			
65 FLAG_1			
66 FLAG_2			
67 FLAG_3			

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

G. E. RAMSEY

INITIAL REVIEW BY: FEB 7 1985

1. Right number 31-2415 Applicant SAVER ENTERPRISES
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☐ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred.
 - h. ☒ Check for expansion in use of right. Comments NONE
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) 31-2299
 - j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No GROUNDWATER
If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on N.A. Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☒ Yes ☐ No

RECOMMENDED ACTION

1. ☒ Approve Right 31-2415 when combined with Right 31-2299
2. ☐ Deny Shall not exceed irrigation of 456 acres.
3. Conditions* IN COMBINATION WATER RIGHTS 31-2415 & 31-2299 shall be restricted to the irrigation of no more than 456 ACRES

4. By RDC Date 11/25/85

USE ABOVE CONDITION 12-2-85
* All uses within Watermaster Districts require special conditions.

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RECEIVED
NOV 29 1985

Department of Water Resources

November 5, 1985

RE: Application for Amendment No. 31-7320
Applications for Transfer Nos. 31-2515 & 31-2299

Sauer Enterprises
c/o Neal Sauer
Rt. 5, Box 160
Idaho Falls, ID 83402

Dear Mr. Sauer:

This letter is to inform you that Joe Hartwell has withdrawn his protest against the above referenced applications. The Department has now resumed the processing of these applications.

If you have any questions, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

MICROFILMED

Montevideo, Idaho
October 24, 1985

State of Idaho
Water Resources Board
Mr. Ron Carlson

To Whom It May Concern:

I, Joe Hartwell, hereby,
withdraw my protest
against Sauer enterprises
concerning their irrigation
wells on my property.

Signed,

Joe Hartwell

RECEIVED
OCT 25 1985

Department of Water Resources
Eastern District Office

MICROFILMED

November 5, 1985

RE: Amended Application for Permit No. 31-7320 SAUER
Applications for Transfers Nos. 31-2415 & 31-2299 SAUER

Mr. Joe Hartwell
HC 63, Box 2415
Montevieu, Idaho 83435

Dear Mr. Hartwell:

This letter is to acknowledge receipt of your withdrawal of protest against the above referenced applications. The Department has now resumed processing of these applications.

If you have any questions, please feel free to contact this office.

Very truly yours,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:CW

MICROFILMED

June 11, 1985

RE: Applications for Transfers Nos. 31-2415 & 31-2299
Application for Amendment No. 31-7320

Mr. Joe Hartwell
Box 2415
Montevideo, ID 83435

Dear Mr. Hartwell:

The hearing scheduled for May 23, 1985 in Rexburg to consider protest against the above referenced applications was cancelled at the request of the applicant. If an agreement is not reached by the parties involved, another hearing will be scheduled by the Department.

If you have any questions concerning this matter, please feel free to contact me.

Respectfully submitted,

ERNEST CARLSEN
Assistant Regional Supervisor

EC:cw

cc: Neal Sauer

MICROFILMED

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PROTEST AGAINST
APPROVAL OF TRANSFER NO. 31-2299
AND 31-2415 IN THE NAME OF
SAUER ENTERPRISES

NOTICE OF HEARING
AND/OR CONFERENCE

On February 6, 1985 Sauer Enterprises, Idaho Falls, Idaho filed with the Department of Water Resources two applications to transfer the public waters of the State of Idaho. On March 11, 1985, the Department received a protest against approval of said applications from Joe Hartwell.

The Department has set the matter of protest for hearing for Thursday, May 23, 1985 at 9:00 a.m. in the Commissioner's Room, Madison County Courthouse, Rexburg, Idaho. The hearing will be held in accordance with provisions of Chapters 2 and 17, Title 42 and Chapter 52, Title 67, of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Resources. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved. A pre-hearing conference may be held beginning at the above set time and prior to the hearing.

Dated this 9th day of May, 1985.

Ernest Carlson

EPNEST CARLSEN

Assistant Regional Supervisor

MICROFILMED

May 17, 1985

Board of County Commissioners
Madison County Clerk
Madison County Courthouse
Rexburg, ID 83440

Gentlemen:

This is to confirm the use of the Commissioner's Room for water right hearings to be held by this Department on May 23, 1985 beginning at 9:00 a.m.

Thank you for your cooperation in this matter.

Very truly yours,

COLLEEN WRAY
Adm. Secretary

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UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS



PENALTY FOR PRIVATE
USE, \$300

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested"
- adjacent to number

Department of Water Resources
Eastern District Office

MAY

RETURN



DEPARTMENT OF WATER RESOURCES

EASTERN DISTRICT OFFICE

150 SHOUP AVE

Suite 15

IDAHO FALLS, IDAHO 83401

(Street or P.O. Box)

(City, State, and ZIP Code)

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- **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

☒ Show to whom and date delivered

☐ Show to whom, date, and address of delivery ..

2. ☐ **RESTRICTED DELIVERY**
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$

3. **ARTICLE ADDRESSED TO:**

James Antiquaries
Pt #5 Box 160 Rd 834672
97460 Walla, WA

4. **TYPE OF SERVICE:**

☐ REGISTERED

☐ INSURED

☒ CERTIFIED

☐ COO

☐ EXPRESS MAIL

ARTICLE NUMBER

13300

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

☐ Addressee

☐ Authorized agent

Willard Averett

5. **DATE OF DELIVERY**

5/10/85

6. **ADDRESSEE'S ADDRESS** (Only if requested)

7. **UNABLE TO DELIVER BECAUSE:**

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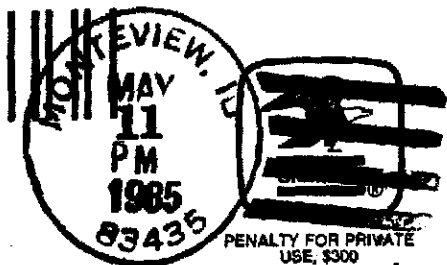
RETURN RECEIPT

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

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Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested"
- adjacent to number.



DEPARTMENT OF WATER RESOURCES

EASTERN DISTRICT OFFICE

150 SHoup AVE. *Sub 13*

IDAHO FALLS, IDAHO 83401

(Name of Sender)

RECEIVED
MAY 13 1985

Department of Water Resources
Eastern District Office

(Street or P.O. Box)

(City, State, and ZIP Code)

MICROFILMED

- **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).
☒ Show to whom and date delivered
☐ Show to whom, date, and address of delivery ..
☐ **RESTRICTED DELIVERY**
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$ _____

3. ARTICLE ADDRESSED TO:

Mr. E. Hartwell
Box 2415
Wartburg, Ia 52435

4. TYPE OF SERVICE:

- ☐ REGISTERED
☒ **CERTIFIED**
☐ EXPRESS MAIL
☐ INSURED
☐ COD

ARTICLE NUMBER

13301

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

Millie E. Hartwell

5. DATE OF DELIVERY

POSTMARK
(Indicate city, state, and date)

MAY 17 1981

6. ADDRESSEE'S ADDRESS (Only if requested)

7. UNABLE TO DELIVER BECAUSE:

NAME AND ADDRESS OF SENDER

EASTERN DISTRICT OFFICE
150 SHOUPE AVE.

Indicate type of mail
☐ Registered
☐ Insured
☒ COD
☐ Certified

I certify that we have
☐ Commercial Insurance
☐ A deductible clause of \$

Affix stamp here if issued as certificate of mailing or for additional copies of this bill.
POSTMARK AND DATE OF RECEIPT

REST DEL. FEE
REMARKS

IDAHO FALLS, IDAHO 83401

NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS

POSTAGE

FEE

Handling Charge

Actual Value (if Registered)

DUE SENDER IF C.O.D.

R. R. FEE

S.D. FEE

S. H. FEE

REST DEL. FEE

NUMBER OF ARTICLE	NAME OF ADDRESSEE, STREET, AND POST-OFFICE ADDRESS	POSTAGE	FEE	Handling Charge	Actual Value (if Registered)	DUE SENDER IF C.O.D.	R. R. FEE	S.D. FEE	S. H. FEE	REST DEL. FEE	REMARKS
1	13297 W. Overhauled (Shoe) Ltd 3 Ashton	22	75				70				479-7048
2	13298 Freeman Medicine Co Box 5 St. Paul	22	75				70				"
3	13299 Mary Smith 308 2nd W. Redding	22	75				70				"
4	13300 J. J. Smith 145 Box 160 St.	39	75				70				479-7048
5	13301 J. J. Smith 145 Box 160 St.	39	75				70				479-7048
6											
7											
8											
9											
10											
11											
12											
13											
14											
15											

TOTAL NUMBER OF PIECES LISTED BY SENDER

TOTAL NUMBER OF PIECES RECEIVED AT POST OFFICE

POSTMASTER PER (Name of receiving employee)

The full declaration of value is required on all domestic and international registered mail. Commercial Insurance—Payment of the full registry fee is required on articles valued up to \$1,000 or the full amount of the deductible if the deductible exceeds \$1,000. The maximum indemnity payable is \$25,000 for registered mail, \$400 for COD and \$400 for insured mail. Special handling charges apply only to third- and fourth-class parcels. Special delivery service also includes special handling service.

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN

★ U.S. GOVERNMENT PRINTING OFFICE: 1979-301-994



MICROFILMED

March 20, 1985

RE: Applications for Transfers No. 31-2299 and 31-2415 SAUER

Mr. Joe Hartwell
HC 63, Box 2415
Montevieu, ID 83435

Dear Mr. Hartwell:

This is to acknowledge receipt of the protest filed against the above referenced application for transfer. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?
3. Will the proposed use under this transfer conflict with the local public interest?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

cc: IDWR - State Office

MICROFILMED

March 20, 1985

RE: Applications for Transfers Nos. 31-2299 and 31-2415

Sauer Enterprises
c/o Neal Sauer
Rt. #5, Box 160
Idaho Falls, ID 83402

Dear Mr. Sauer:

Enclosed please find a copy of the protest filed against the above referenced application. You should be aware that the following are the items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?
3. Will the proposed use under this transfer conflict with the local public interest?

You will be notified at a later date as to the time and place set for conference and/or hearing. Legal counsel is not mandatory at an proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

Enclosure

cc: IDWR - State Office

MICROFILMED

FROM E. Carlsen

DATE 2-6-85

TO File.

SUBJECT Ownership of Land - Mary from the Jefferson Cty.
Assessor's Office stated their records show Sauer Enterprises
in care of Charles Sandefer as the owner of the E $\frac{1}{2}$, SW $\frac{1}{4}$ Sec. 13,
Twp. 7N, Rge 33E.

Ernest Carlsen,

SIGNATURE

MICROFILMED

ATTACHMENT A 31-2415

Land appurtenant to license 31-2415 is now irrigated by 3 1/4 mile center pivots nozzled at about 850 gpm. The purpose of this application is to modify the license to reflect actual practices.

The place of use is being arranged so the same number of acres are covered by each center pivot. This will divide the water equally so that each pivot can receive 381 gpm (0.85 cfs) under this license. The additional water will be provided by license 31-2299 which is also being transferred.

Each center pivot receives water under both licenses through an irrigation system designed to use 4 wells. Two of the wells are connected directly to the mainline. The other two discharge water into open ditches which transport the water to two pumping stations (see map) where the ditch water is pumped into a common line extending through Sections 17 & 18, T. 7N, R. 34E & Section 13, T. 7N, R. 33E. This mainline services the three center pivots.

MICROFILMED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

31-2415

Notice is hereby given that Sauer Enterprises, Idaho Falls, Idaho has applied to the Department of Water Resources for a change in the point of diversion and place of use of the waters of groundwater source. The right sought to be changed is evidenced by license 31-2415 and is recorded as follows:

AMOUNT: 2.55 cfs

PRIORITY: December 26, 1964

POINT OF DIVERSION: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, T. 7N, R. 33E, B.M.,

Jefferson County;

The water is used to irrigate 456 acres within the E $\frac{1}{2}$, SW $\frac{1}{4}$, Sec. 13, T. 7N, R. 33E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 7N, R. 33E; NE $\frac{1}{4}$ SE $\frac{1}{4}$ (2 points), Sec. 5, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 7N, R. 34E, B.M. and used to irrigate 456 acres within the E $\frac{1}{2}$, SW $\frac{1}{4}$, Sec. 13, T. 7N, R. 33E. B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup, Suite 15, Idaho Falls, ID 83402 on or before March 11, 1985.

A. KENNETH DUNN

Director

Published in the Jefferson Star, Rigby, ID on 2/21 & 2/28/85.

MICROFILMED

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
31-2415**

Notice is hereby given that Sauer Enterprises, Idaho Falls, Idaho has applied to the Department of Water Resources for a change in the point of diversion and place of use of the waters of groundwater source. The right sought to be changed is evidenced by license 31-2415 and is recorded as follows:

AMOUNT: 2.55 cfs, PRIORITY: December 26, 1964, POINT OF DIVERSION: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 13, T. 7N R. 33E, B.M., Jefferson County;

The water is used to irrigate 456 acres within the E $\frac{1}{2}$, SW $\frac{1}{4}$, Sec. 13, T. 7N, R. 33E, B.M.

TO BE CHANGED AS FOLLOWS

The water will be diverted within NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, T. 7N, R. 33E; NE $\frac{1}{4}$ SE $\frac{1}{4}$ (2 points), Sec. 5, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18, T. 7N, R. 34E, B.M. and used to irrigate 456 acres within the E $\frac{1}{2}$, SW $\frac{1}{4}$, Sec. 13, T. 7N, R. 33E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup, Suite 15, Idaho Falls, ID 83402 on or before March 11, 1985.

A. KENNETH DUNN
Director

Publ. Feb. 21 and 28, 1985RS

RECEIVED
MAR 21 1985

Department of Water Resources

March 20, 1985

RE: Applications for Transfers Nos. 31-2299 and 31-2415

Sauer Enterprises
c/o Neal Sauer
Rt. #5, Box 160
Idaho Falls, ID 83402

Dear Mr. Sauer:

Enclosed please find a copy of the protest filed against the above referenced application. You should be aware that the following are the items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?
3. Will the proposed use under this transfer conflict with the local public interest?

You will be notified at a later date as to the time and place set for conference and/or hearing. Legal counsel is not mandatory at an proceeding before the Department, although you may desire to employ an attorney in your behalf.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

Enclosure

MICROFILMED

March 20, 1985

RE: Applications for Transfers No. 31-2299 and 31-2415 SAUER

Mr. Joe Hartwell
HC 63, Box 2415
Montevieu, ID 83435

Dear Mr. Hartwell:

This is to acknowledge receipt of the protest filed against the above referenced application for transfer. The following are the principle items we can consider at a conference and/or hearing in either approving or denying an application for transfer:

1. Are other water rights injured by the transfer?
2. Does the change constitute an enlargement in the use of the original right?
3. Will the proposed use under this transfer conflict with the local public interest?

You will be notified at a later date as to the time and place set for conference and/or hearing.

If we may be of further assistance, please contact us.

Very truly yours,

RONALD D. CARLSON
Eastern Regional Supervisor

RDC:cw

cc: IDWR - State Office

RECEIVED

February 26, 1973

Re: Permit No. 32127/31-2415

**Mr. C. D. Kramis
525 Americana
Boise, Idaho 83706**

Dear Mr. Kramis:

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

Sincerely,

**BOBBY D. FLEENOR
Assistant Director**

**BDF:DR
Enclosure**

31 2415

February 8, 1973

Mr. C.D. Kramis
528 Americana
Boise, Idaho 83706

Dear Mr. Kramis:

A representative of this Department has made an examination of the works covered by your Permit No. 32127/31-2415 and has found the following:

Quantity of water diverted: 2.55 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 2.55 cfs

The maximum quantity diverted shall not exceed 1,082 acre feet per year.

Beneficial use: Irrigation of 456 acres within the NE $\frac{1}{4}$ (160), S $\frac{1}{4}$ (296), Sec. 13, Twp. 7N, Rge. 33E, B. M.

Point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 13, Twp. 7N, Rge. 33E, B. M.

Priority date established: Dec. 26, 1964 (late proof)

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

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

31 2415

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. G-32127/31-2415

This proof is for b/u

In Water District No.

1. Name of applicant C. D. Kramis, 525 Americana Blvd., Boise, Idaho

2. Source of water supply: groundwater

3. Location of point of diversion: Is in the center of SE $\frac{1}{4}$ of Section 13

T. 7 N R. 33 E County of Jefferson

4. Describe works as they exist, giving dimensions and capacities of same: 16" well. Approx. 250' deep, into 10" sprinkler mains serving 4" handlines. Pump and motor sizes not available

Fairbanks-Morse Motor ^{75HP} see no. PN463
Layne Pump centrifugal turbine type

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

T. 7 N, R. 33 E, Sec. 13 NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$ 260 acres

SUPPLEMENTAL WATER

SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ 220 acres

Well doesn't furnish enough water to irrigate all of E $\frac{1}{2}$ of sec 13 and because the other well has been broken most of the year much of the land hasn't had the necessary water and has just grown up in weeds

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks: Mr. Lee Harris accompanied exam. coordinate method used at 8" open discharge water fell 12" in 22", 1151 GPM

Buried main 8" for $\frac{1}{2}$ then above ground 6" for $\frac{1}{4}$ mi north. Above ground 8" port alum. line $\frac{1}{4}$ mi south. $\frac{1}{4}$ mi north of pump main for a T. with an 8" buried main west $\frac{1}{8}$ mi to open ditch.

This examination was made on the 29 day of July, 1970

(Signed) William Salvo Examiner.

ASCS : Rigby
SCS : Rigby

Permit No. G-32127/31-2415 - C. D. Kramis

Examination for b/u _____

County Jefferson

Quantity: (permit) 6.46 Sec. 13 T. 7 N. R. 33 E
(proof) 6.46

Source: groundwater

P.D.: center of SE $\frac{1}{4}$

Use: irrigation

Extension:

Protest:

Completion of Works:

Other Rights: water license No. 21852

Filed: November 3, 1964 MADE: December 29, 1969

Due: November 6, 1969 PRIORITY: December 26, 1964

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

31 2415

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

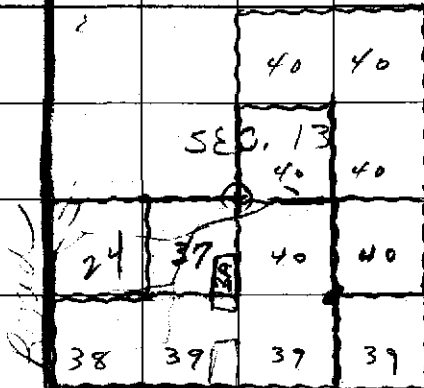
PERMIT NO. G-32127/31-2415

REPORT ON PROOF OF B/U - G. D. Kramis

31-2415

@supplemental water

122"



80

80

141

155

456

Q measured 2.55 CFS

Q recommended 2.55 CFS

Volume 1368

Acreage -

Found 456

recommended 456

Subdv. 12

Amendments

☒ None

☐ P.D.

☐ Place of use

☐

Att. P. 1000

March 23, 1970

Re: Permit No. G-32127/31-2415

Mr. C. D. Kramis
525 Americana
Boise, Idaho 83706

Dear Mr. Kramis:

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

Before a license can be issued, a field examination must be made by a representative from this Department.

We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination. If someone other than yourself should be contacted, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM/DG

*Exam
Made*

32127

31-2415

RECEIVED

MAR 22 1970

Department of Reclamation

525 Americana
Boise, Idaho 83706

March 20, 1970

Mr. Donald W. McEldowney, Appropriation Examiner
Statehouse-Annex 2
Boise, Idaho

Re: Permit G-32127/31-2515 *g 4*

Dear Sir:

Enclosed is affidavit of publication per your request
of Dec. 31, 1969.

Yours very truly,
C. D. Kramis
C. D. Kramis

enc.

32127
31-2415

March 11, 1970

Re: Permit No. G-32127/3.-2415

Mr. C. D. Kramis
525 Americana
Boo

Dear Mr. Kramis:

As of this date, we have not yet received the affidavit of publication to be submitted in connection with permit No. G-32127. You should be aware that many newspapers do not keep copies of these advertisements for their files. We, therefore, recommend that you obtain this affidavit as soon as possible from the Rigby Star, Rigby, Idaho, and submit it promptly to the Department. Please be advised that a license will not be issued until we are in receipt of this affidavit.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM/DG

32127
31-2415

We are holding for payment a Notice of Application
for C.D. Kramis, American Falls, which has been billed
but no payment received-hence no affidavit.

THE RIGBY STAR

RECEIVED

MAR 9

32127

31-2415

745-7611
Phoned and
given correct
address
ds

December 31, 1969

Re: Permit No. G-32127/31-2⁴15

C. D. Kramis
525 Americana
Boise, Idaho

Dear Mr. Kramis:

Enclosed please find the Order of Reinstatement regarding the above referenced permit.

We acknowledge receipt of your affidavit submitted as proof of beneficial use for permit G-32127/31-2515.

Before a license can be issued you must submit an affidavit of publication to this department. The affidavit of publication may be obtained from the Rigby Star, Rigby, Idaho,
(after January 15) upon payment of the bill of publication.

Prior to the issuance of the license a field examination must also be made by a representative of this department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system. If someone other than yourself should be contacted by the examiner, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

Enc. Order of Reinstatement

32127
31-2415

December 31, 1969

Re: Permit No. G-32127/31-2⁴15 - C. D. Kramis

Rigby Star
134 West Main
Rigby, Idaho 83442

Gentlemen:

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

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

The expense of the publication is to be paid by C. D. Kramis,
525 Americana, Boise, Idaho
to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

Enc. Legal Notice (1)

32127

31-2415

525 Americana
Boise, Idaho 83706

Dec. 24, 1969

Mr. Donald M. McEldowney
Appropriation Examiner
Dept of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

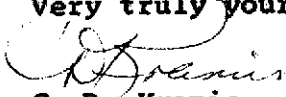
Re: Permit No. G-32127/31-2415

Dear Mr. McEldowney:

Request is hereby made to issue in my name the above captioned water permit.

Herewith enclosed are completed copies of proof of beneficial use and notice of water permit which I understand you will cause to be published at my expense

Very truly yours


C. D. Kramis

enc.

32127
31-2415

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that C. D. Kramis, 525 Americana, Boise,

Idaho,

has received an approved permit No.

G-32127/31-2415

issued by the Idaho State Reclamation Department authorizing the

diversion ~~of water~~ of 6.46 cfs cubic feet per second acre feet per annum

of water from a groundwater source

subject to all prior rights. The priority to be established under this permit is

* Dec. 26, 1964
November 3, 1964,

and the permit was approved November 6, 1964

Water is to be diverted by well and sprinkler system

from a point within the center of the SE $\frac{1}{4}$ of Sec. 13, T. 7N, R. 33E, B.M.,

Jefferson County,

to be used for irrigation

in the NE $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 13, T. 7N, R. 33E, B.M.

Proof of the application of the water to beneficial use is to be submitted to the department on or before November 6, 1969. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Rigby Star, Rigby, Idaho, on

Jan. 8

and

Jan. 15 - 1970

State Reclamation Engineer:

Permit No. G-32127/31-2415

You are hereby authorized to have the attached notice published at my expense in

the Rigby Star of Rigby, Idaho;

published in the county in which the works are situated.

(Signature)

(Address)

(Date)

* SUBJECT TO LATE PROOF.

32127
31-2415

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

December 23, 1969

Re: Permit No. G-32127/31-2415

Mr. C. D. Kramis
525 Americana
Boise, Idaho 83706

Dear Mr. Kramis:

Enclosed please find a copy of the above referenced permit and of the assignment.

This is to advise that the Department must be in receipt of the proof of beneficial use affidavit on or before February 3, 1970, in order to reinstate this permit. We are enclosing a proof form for your use in this matter.

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

Enclosed is a copy of the order which modifies permit 31-2415 to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department, stating that you have been issued a permit and are now submitting proof of beneficial use. Previously, a permit

32127

31-2415

Page 2
December 23, 1969
Mr. C. D. Kramis

holder had to publish a notice for four weeks when he submitted proof under his permit.

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

If you have any questions or if we may be of any assistance, please feel free to contact us at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Enc: Copy of permit
Copy of assignment
Proof package
Advertising package
Copy of modification order

cc: Mr. H.K. Dixon, Loan Agent
JOHN HANCOCK MUTUAL LIFE INSURANCE CO.
Second Floor
South 176 Stevens Street
Spokane, Washington 99204

32127

31-2415

John Hancock
MUTUAL LIFE INSURANCE COMPANY
BOSTON, MASSACHUSETTS

H. K. DIXON, Loan Agent
Second Floor
South 176 Stevens Street
SPOKANE, WASHINGTON 99204

RECEIVED
DEC 22 1969
Department of Reclamation
December 19,
1969

State of Idaho
Department of Reclamation
Capital Building
Boise, Idaho

Attn.: Mr. Don McEldowney
Idaho Dept. Water Resources
Re: Loan #154722 - Yearsley, Bill K. (Dramis, C. D.)

Dear Mr. McEldowney:

We are enclosing herewith the signed and notarized Assignment of Permit transferring the interest of Bill K. Yearsley and his wife in Permit No. G-32127 to C. D. Kramis as requested by your office.

We trust this will complete the transaction and Mr. Kramis will be able to perfect the above numbered water permit to license.

Very truly yours,

H. K. Dixon
H. K. Dixon, Loan Agent

Enc. as noted

cg

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

December 5, 1969

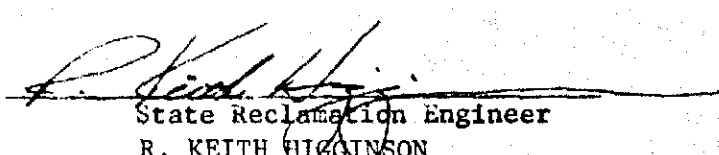
Re: Permit No. G-32127/31-2415

Mr. Bill K. Yearsley
Terreton,
Idaho

Dear Mr. Yearsley:

You are hereby notified that under the provisions of Section 42-218a, Idaho Code, Permit G-32127/31-2415 has lapsed.

You are further advised that the department cannot reinstate the permit except upon a showing of reasonable cause within sixty days from the date of this notice of lapsing.


State Reclamation Engineer
R. KEITH HIGGINSON

RKH:DR

cc: Mr. C.D. Kramis
525 Americana
Boise, Idaho 83706

Form 7

32127

31-2415

November 4, 1969

Re: Loan #154722 - Yearsley (Park) Kramis, C. D.
Water Permit No. G-32127/31-2415

C
O
P
Y
John Hancock
Mutual Life Insurance Company
Second Floor
South 176 Stevens Street
Spokane, Washington 99204

Attn: Mr. H. K. Dixon, Loan Agent

Dear Mr. Dixon:

Pursuant to our telephone conversation we have submitted the requested information and assignment forms to Mr. Jim Marshall in Idaho Falls, Idaho.

We are enclosing eight (8) assignment forms for your use in your Spokane office. There is no fee involved, and, the form must be executed by the permit holder and spouse, and, is to be submitted in single copy to our office.

Contact us if we can be of any further assistance.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:sc

Enc: Eight (8) assignment forms

32127

31-2415

November 4, 1969

Re: Loan #154722 - Yearsley (Park) Kramis, C. D.
Water Permit No. G-32127/31-2415

John Hancock
Mutual Life Insurance Company
P. O. Box 29
Idaho Falls, Idaho 83401

Attn: Mr. Jim Marshall

Dear Mr. Marshall:

The opportunity arose today to speak with Mr. Dixon of your company in Spokane concerning the above referenced.

In order for Mr. Kramis to proceed with the above referenced water permit, it will be necessary to obtain an assignment from Mr. and Mrs. Yearsley to Mr. Kramis. We are enclosing assignment forms which are to be used in this matter.

Mr. Kramis has the required Proof of Beneficial Use affidavit which he can submit if he receives the assignment from Yearsley.

The Proof and Assignment must be submitted to the Department of Reclamation within 60 days following November 6, 1969, in order to be of any value. Following this 60 day period, the only authority to operate the well in question would be by means of a new Application for Permit submitted by Mr. Kramis. This new application would probably receive a 1969 priority.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:sc

Enc: Six (6) assignment forms

32127

31-2415

John Hancock
MUTUAL LIFE INSURANCE COMPANY
BOSTON, MASSACHUSETTS

509-RI 7-5126

H. K. DIXON, Loan Agent
Second Floor
South 176 Stevens Street
SPOKANE, WASHINGTON 99204

October 27, 1969

3-1-5811-511

Regr of Rellam.
614 State

Call

Mr. C. D. Kramis
525 Americana
Boise, Idaho 83706

Dear Mr. Kramis:

Re: Loan #154722- Yearsley (Park) Kramis, C.D.

We wish to call to your attention the State of Idaho Water Permit No. G-32127 pertaining to property covering the above numbered loan. This water permit provides for filing of proof of beneficial use of the water and completion of works before November 6, 1969.

We assume that you have previously taken steps to file the necessary proof and obtain the license for this permit. If you have not already done so, immediate steps should be taken.

Will you kindly advise us what is being done toward filing the necessary proof? We are enclosing a stamped, self-addressed envelope for your convenience in replying.

Very truly yours,

H. K. Dixon
H. K. Dixon, Loan Agent

31-2415

11/3 Mr Dixon says proof in my name OK

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

ASSIGNMENT OF PERMIT

I, _____, hereby assign to _____,
of _____
(address)

CHECK ONE

☒ All my right, title, and interest, in and to Permit No. _____
to appropriate the public waters of the State of Idaho.

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

Made this _____ day of _____, 19____.

Permit Holder

Wife of Permit Holder

State of Idaho)
County of _____) ss.

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

Notary Public residing at

My commission expires _____.

32127

31-2415

(This completed form authorizes the Department of Reclamation to publish the required notice at your expense.)

State Reclamation Engineer:

You are hereby authorized to have the attached notice published at my expense in the Rigby Star of Rigby, Idaho; published in the county in which the works are situated.

(signature)

(address)

(date)

In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer when proof is for completion of works.

I hereby certify that the facts set forth in the attached notice are true.

Engineer

32127
31-2415

October 31, 1969

Re: Permit No. G-32127 (New No. 31-2415)

C. D. Kramis
525 Americana Boulevard
Boise, Idaho 83706

Dear Mr. Kramis:

Pursuant to our telephone conversation of October 31, 1969, with reference to Permit No. G-32127/31-2415, I am enclosing an assignment form to be signed by both Mr. Yearsley and his wife.

Also enclosed please find copies of forms pertinent to this permit. Please sign the forms indicated and return. As proof of beneficial use is due on November 6, 1969, your expedience in this matter would be greatly appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

Enc. Assignment form
Copy of permit - G-32127 - Bill K. Yearsley
Proof package - Advertising package
Copies of Modification package

32127

31-2415

C
O
P
Y

32127

INSTRUCTIONS TO DELIVERING EMPLOYEE☐ Show to whom, date, and
address where delivered☐ Deliver **ONLY**
to addressee*(Additional charges required for these services)***RECEIPT***Received the numbered article described below.*

REGISTERED NO.

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

CERTIFIED NO.

1

Bill K Yearsley

21271

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

Michael H Yearsley

DATE DELIVERED

SHOW WHERE DELIVERED *(only if requested)*

32127

9-8-69

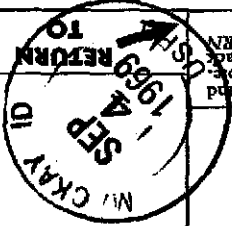
8

31-2415

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

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

**POSTMARK OF
DELIVERING OFFICE**



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

NAME OF SENDER

Department of Reclamation

Annex # 2 Statehouse

STREET AND NO. OR P.O. BOX

Boise, Idaho 83707

POST OFFICE, STATE, AND ZIP CODE

435-16-71648-10

POD Form 3811 Apr. 1967

CERTIFIED MAIL

September 1, 1969

Re: Permit No. G-32127

Bill K. Yearsley
Terreton,
Idaho

Dear Mr. Yearsley:

One of the conditions of the approval of your permit no.
G-32127 was that proof of application of the water
to beneficial use be submitted to this office on or before
November 6, 1969.

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

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



State Reclamation Engineer

Enc: Proof form
DR

32127
31-2415

September 1, 1969

Re: Permit No. G-32127

Bill K. Yearsley
Terreton,
Idaho

Dear Mr. Yearsley:

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

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department, stating that you have been issued a permit and are now submitting proof of beneficial use. Previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

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

Very truly yours,

Donald W. McKidowney
Appropriation Examiner

DWM:DR

Encl Order
Proof due notice
Proof package
Advertising package

32127

31-2415

November 13, 1964

Re: Permit No. G-32127

Mr. Bill Yearaley,
Terreton, Idaho.

Dear Mr. Yearaley:

We enclose Permit No. G-32127 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-8972 which was issued covering payment in the amount of \$ 6.50 for the filing fee of the above mentioned permit.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

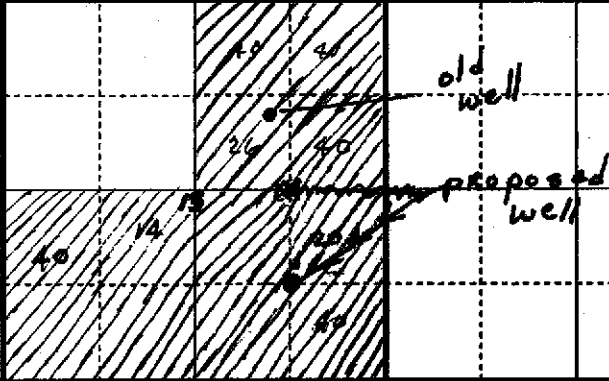
Encl.
EPR:pmk

632127

NAME OF APPLICANT Bill K. Yerresley

Form No. 0

T. 7N. R. 33E



Permit Map No. 832127

As Approved NOV 6 1964

CARL E. TAPPAN

State Reclamation Engineer