FORM 202
1/96

Idnt. No. 35-13477

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Tina M. Hansen Phone 208-681-2086 cell
   Mailing address P.O. Box 125 Aberdeen, Idaho 83210
2. Source of water supply ground water which is a tributary of _____
3. Location of point of diversion is Township 3S Range 33E Sec. 33, in the _____ 1/4,
   NE 1/4, SE 1/4, Govt. Lot _____, B.M., Bingham County;
   additional points of diversion if any: _____
4. Water will be used for the following purposes:
   Amount 0.09 c/s for Irrigation purposes from 4/1 to 10/31 (both dates inclusive)
   (cfs or acre-feet per annum)
   Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
   (cfs or acre-feet per annum)
   Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
   (cfs or acre-feet per annum)
   Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
   (cfs or acre-feet per annum)
   Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
   (cfs or acre-feet per annum)
   Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
   (cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 0.09 c/s. and/or (b) _____
   cubic feet per second; acre feet per annum
6. Proposed diverting works:
   a. Describe type and size of devices used to divert water from the source submersible pump
   & sprinkler system.
   b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
   reservoir capacity _____ acre-feet
   c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
   d. Is ground water with a temperature of greater than 85°F being sought? _____
   e. If well is already drilled, when? unknown; Drilling firm unknown.
   Well was drilled for (well owner) previous owner.; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (*minimum 1 year*)
8. Description of proposed uses (*if irrigation only, go to item 9*):
   a. Hydropower; show total feet of head and proposed capacity in kW.
   b. Stockwatering; list number and kind of livestock.
   c. Municipal; show name of municipality.
   d. Domestic; show number of households.
   e. Other; describe fully. _____

9. Description of place of use:

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

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

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
3S	33E	33													3.0				3.0

Total number of acres to be irrigated 3.0

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

11. a. Who owns the property at the point of diversion? Estate of Darren Hill.

b. Who owns the land to be irrigated or place of use? Estate of Darren Hill.

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

12. Remarks: Property is located at 572 S. 1500 W Pingree ID

Tina Henson is the daughter of warren Hill

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

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

Tina M Henson

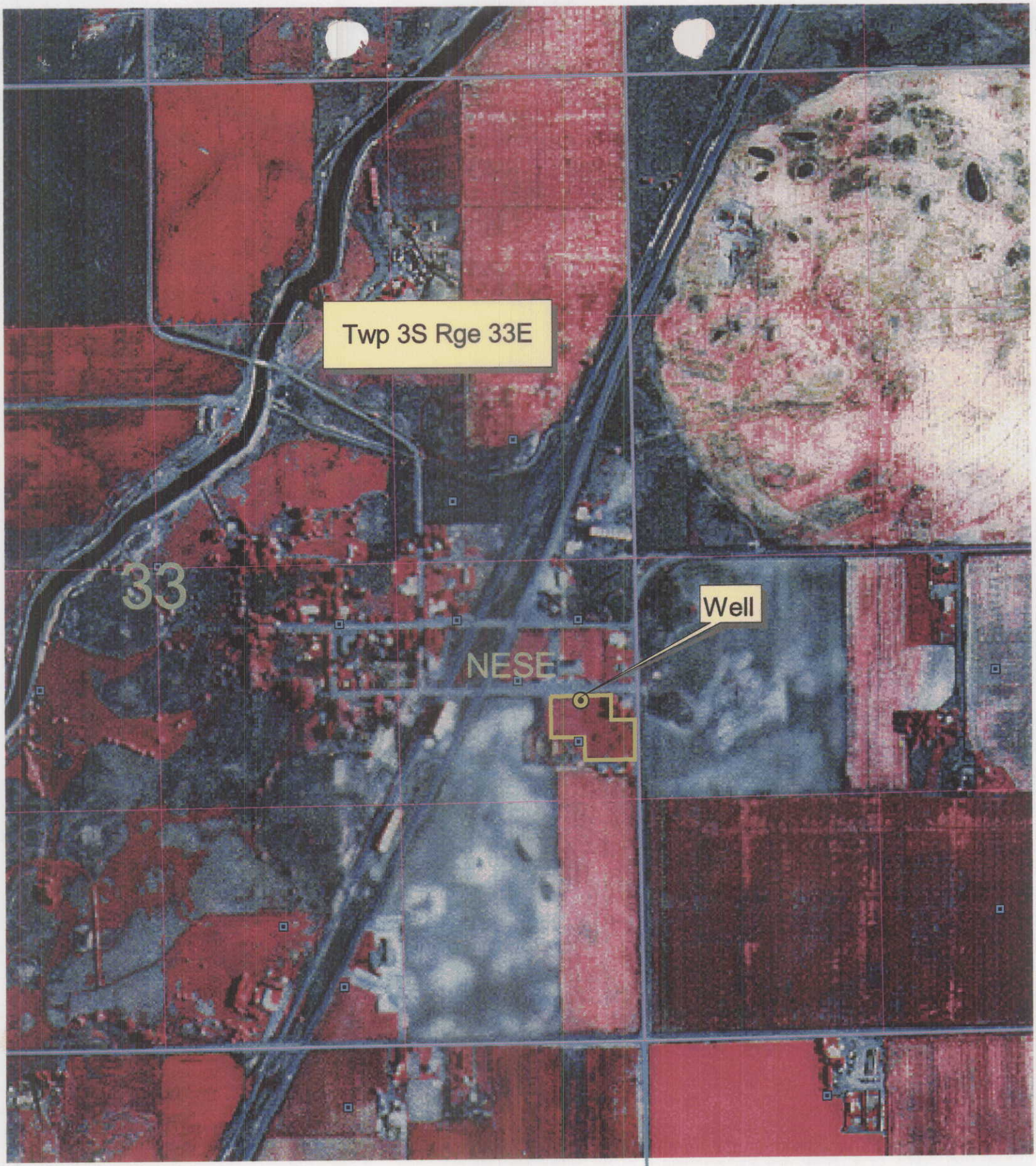
Signature of Applicant (and title, if applicable)

Received by EMC Date 8/20/03 Time 3:00 Preliminary check by DC

Fee $ 100.00 Receipted by EMC # E029124 Date 8/20/03.

Publication prepared by SC Date 9/4 & 9/11/03 Published in Morning News

Publication approved Date


Twp 3S Rge 33E
33
Well
NESE

To Whom It May Concern:

I Carl W Bullock, Being appointed personal representative of the Estate of Warren Hil Deceased, give my permission to Mrs. Tina Hensen to work in my behalf and access Estate matters in my absent.

Thank You

Carl W. Bullock

Carl W Bullock

MURRAY JIM SORENSEN

BLASER, SORENSEN & HANSEN, Chartered
Attorneys at Law
285 N.W. Main
P.O. Box 1047
Blackfoot, Idaho 83221

(208) 785-4700
Fax No. (208) 785-7080
ID State Bar No. 1794

Attorneys for Personal Representative

STATE OF IDAHO
COUNTY OF BINGHAM } ss
I hereby certify that the foregoing instrument is a full, true and correct copy of the original on file in the office of the undersigned Clerk of the Magistrate's Division, District Court of the Seventh Judicial District of Idaho, for Bingham County.
Date 3-6 2003
SARA J. STAUB
Clerk, Dist. Court Magistrate Div.
By _____
Deputy Clerk

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BINGHAM
MAGISTRATE DIVISION

IN RE:

ESTATE OF WARREN HILL,

Decedent.

Case No. CV-2003-177

NEW LETTERS TESTAMENTARY

1. CARL BULLOCK was duly appointed and qualified as personal representative.

2. Administration of the estate is unsupervised.

These letters are issued to evidence the appointment, qualification, and authority of the said personal representative.

WITNESS, my signature and the Seal of this Court, this 6 day of March, 2003.

RYAN W. BOYER

MAGISTRATE

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 35-13477

Priority: August 20, 2003 Maximum Diversion Rate: 0.09 CFS

This is to certify, that TINA M HENSEN
PO BOX 125
ABERDEEN ID 83210

has applied for a permit to appropriate water from:

Source: GROUND WATER

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

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION
IRRIGATION	04/01 to 10/31	0.09 CFS

LOCATION OF POINT OF DIVERSION:
GROUND WATER NE¼SE¼ Sec. 33, Twp 03S, Rge 33E, B.M., BINGHAM County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
03S 33E 33													3.0				3.0

Total Acres: 3

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **August 01, 2004.**
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
4. This right does not authorize the irrigation of land not previously irrigated.
5. This right when combined with all other rights shall provide no more than 0.03 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
6. Diversion and use of water under this right is subject to rules that may subsequently be promulgated for existing rights used for supplemental purposes.
7. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 120.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 21st day of April, 2004.

Gary Spackman

KARL J DREHER, Director

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 27, 2004

TINA M HENSEN
PO BOX 125
ABERDEEN ID 83210

RE: Permit No. 35-13477

Permit Approval Notice

Dear Permit Holder:

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

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

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

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

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

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

cc: BARKER ROSHOLT & SIMPSON LLP
US DEPT OF INTERIOR

CERTIFICATE OF SERVICE

I hereby certify that on April 27, 2004 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 35-13477

TINA M HENSEN
PO BOX 125
ABERDEEN ID 83210

BARKER ROSHOLT & SIMPSON LLP
PO BOX 2139
BOISE ID 83701-2139

US DEPT OF INTERIOR
KATHLEEN MARION CARR
FIELD SOLICITORS OFFICE
550 W FORT ST MSC-020
BOISE ID 83724

Kari Lynn Townsend
Secretary

EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

SCANNED

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

Comment Report

35-13477

1. kwalker 4/16/2004 Application Review
Comment: While reviewing this application I could not verify that the land had been irrigated with well water for pre-1987 development. Affidavits in the file only said the land had been irrigated and pou comparison report shows that Aberdeen-Springfield Canal delivered water to 40 acres on this tract. When I relayed this question about the well use to Roger Warner he contacted the applicant to obtain more information. I then received a fax from the applicant who was at the Aberdeen Springfield office. They submitted a letter that stated the property in question has been without shares to their canal since 1984. In light of this, I recommend we approve the application but also include condition 050 which is a condition we use on rights that used to receive surface water but no longer have access to it. I also recommend we allow only 90 days in which to submit proof since this is a pre-87 development.

Aberdeen-Springfield Canal Company

144 South Main
PO BOX 857
Aberdeen, ID 83210
Tel (208) 397-4192 Fax (208) 397-4510 Email: ascc@afwireless.com
www.ascanal.org

April 16, 2004

Idaho Department of Water Resources
ATNN Kay Walker KW

RE: Permit # 35-13477

Dear Kay,

Our records indicate that the property owned by Warren Hill was purchased from Lex and Carlene Carter. When Carter bought the property in 1984 they to were not issued any shares therefore no shares were transferred to Mr. Hill

If you have any questions feel free to contact our office at 1-208-397-4192. We will be happy to answer any questions you may have.

Thank you,

Laurel A Miller
Secretary

33-3-33

WARRANTY DEED

For Value Received GENE N. TODARO, a married man dealing with his sole and separate property, joined by his spouse, PAULETTE TODARO, for record purposes only, and ILENE T. BERGEMAN, a married woman dealing with her sole and separate property, joined by her spouse, EDDIE BERGEMAN, for record purposes only,
the grantor s do hereby grant, bargain, sell and convey unto

WILLIAM LEX CARTER and CARLENE L. CARTER, husband and wife

whose current address is Route 1, Box 23
Pingree, Idaho 83262

the grantees, the following described premises, in Bingham **County Idaho, to wit:**

SEE ATTACHED SCHEDULE A

Subject to taxes and assessments for the year 1984, and thereafter, to roads, easements and rights of way, to building and zoning ordinances and use regulations and restrictions and to liens and encumbrances suffered, assumed or occasioned by the grantees...

JUL 17 16
323123
Recorded for the request of
American Land Title Co.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee s their heirs and assigns forever. And the said Grantor s do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that they are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: June 13, 1984

GENE N. TODARO

PAULETTE TODARO

ILENE T. BERGEMAN

EDDIE BERGEMAN

STATE OF WASHINGTON COUNTY OF Grant
On this 13th day of June, 19 84, before me, a notary public in and for said State, personally appeared

GENE N. TODARO and PAULETTE TODARO

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Notary Public
Residing at Moses Lake, Washington
Comm. expires

STATE OF IDAHO
COUNTY OF BINGHAM

On this 13th day of June, 1984, before me, the undersigned, personally appeared ILENE T BERGEMAN and EDDIE BERGEMAN, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

NOTARY PUBLIC FOR THE STATE OF IDAHO
RESIDING: Blackfoot, Id
Commission

Furnished by the AMERICAN LAND TITLE CO.

SCHEDULE A

Part of Blocks 19, 20, 29 and 30, of the vacated portion of Pingree Townsite located in the E½ of Section 33, Township 3 South, Range 33, E.B.M., Bingham County, Idaho, described as follows:

PARCEL I:
Beginning at a point that is N 0°01'02" W 1445.91 feet along the section line from the S.E. corner of said Section 33 and running thence N 89°55'30" W 174.63 feet; thence N 0°01'02" W 315.54 feet; thence S 89°55'30" E 174.63 feet; thence S 0°01'02" E 315.54 feet along the section line to the point of beginning.

PARCEL II:
Part of the East ½ of Section 33, Township 3 South, Range 33 East, B.M., Bingham County, Idaho described as:

Beginning at a point that is N 0°01'02" W 1896.45 feet along the section line and N 89°55'30" W 150.00 feet from the S.E. corner of said Section 33 (said point of beginning being the N.W. corner of Lot 7 Block 19 of the Pingree Townsite Plat, said Lot 6 being vacated) and running thence S 0°01'02" E 135.00 feet to the center of a vacated alley; thence N 89°55'30" W 24.63 feet; thence S 0°01'02" E 315.54 feet; thence N 89°55'30" W 25.00 feet; thence N 44°58'16" W 92.66 feet; thence N 87°43'46" W 379.30 feet; thence N 0°01'02" W 194.90 feet; thence S 89°55'30" E 133.10 feet; thence N 0°01'02" W 175.65 feet; thence S 89°55'30" E 362.00 feet to the point of beginning.

Walker, Kay

From: Walker, Kay
Sent: Friday, April 16, 2004 9:03 AM
To: Warner, Roger
Subject: RE: Application for Permit 35-13477 TINA HENSEN

None of the affidavits in the file say anything about a well. They all say " the following property was watered each year by Warren Hill from 1985 to ..." I'm still not convinced that the well was used. Kay

-----Original Message-----
From: Warner, Roger
Sent: Friday, April 16, 2004 8:57 AM
To: Walker, Kay
Subject: RE: Application for Permit 35-13477 TINA HENSEN

Throughout the protest process, both the bureau and Twin Falls Canal company asked the same question. Ms Hensen provided about 6 affadavits to the effect that it was irrigated from a well and aerial photos and equipment purshases did not refute that. In the end, both of the protestants dropped their protest BECAUSE THE EVIDENCE WAS CONVINCING!!!!

-----Original Message-----
From: Walker, Kay
Sent: Friday, April 16, 2004 8:51 AM
To: Warner, Roger
Cc: Walker, Kay
Subject: Application for Permit 35-13477 TINA HENSEN

Roger: I am in the process of reviewing the above application and find that there is nothing in the file that says **the well** was used to irrigate the 3 acres applied for. I concur that the property has been irrigated but also note that Aberdeen Springfield Canal Co. delivers water to that property (pursuant to SRBA recommendations in POU comparison report). How do you know that the property was irrigated from the well and not the canal?

In 1985 - evidence shows irrigation power $659., Idaho power irrigation tax refund $34. and 100 feet of mainline @ $300. - however, Mr. Hill may have used a pump for his irrigation district water which would account for the power bills. Also, proof of owning a mainline is weak evidence since mainlines can be used with canal water too.

If you have additional information regarding this, please let me know. I can't process this without something to indicate the well was used, rather than canal water. Thanks. Kay

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
App	35 13477	TINA M HENSEN,	GROUND WATER	03S33E33													3				3
Claim	35 11045	LARRY D CALDWELL,	GROUND WATER	03S33E33											23	40					63
Claim	35 12838	WARREN HILL,	GROUND WATER	03S33E33													3				3
Claim	35 2543		GROUND WATER	03S33E33	32	34	39				37	37	40	40	40		40	40	40	40	459
Claim	35 4246	ABERDEEN SPRINGFIELD CANAL CO,	GROUND WATER	03S33E33	32	34	39	16			37	37	40	40	40	39	40	40	40	40	514
Rec	35 2543	ABERDEEN SPRINGFIELD CANAL CO,	GROUND WATER	03S33E33	32	34	39				37	37	40	40	40		40	40	40	40	459
Rec	35 4246	ABERDEEN SPRINGFIELD CANAL CO,	GROUND WATER	03S33E33	32	34	39				37	37	40	40	40		40	40	40	40	459
Right	35 11211	SNAKE RIVER SCHOOL DISTRICT #52,	GROUND WATER	03S33E33													3				3
Right	35 11454	TIMOTHY E WILLIAMS,	GROUND WATER	03S33E33															8		8
Right	35 4229	CHURCH OF JESUS CHRIST OF THE LATTER DAY SAINTS,	GROUND WATER	03S33E33															3		3
Right	35 7654A	NADINE DEGIULIO, ANTHONY P DEGIULIO,	GROUND WATER	03S33E33													10			39	49
Claim	1 297	ABERDEEN SPRINGFIELD CANAL CO,	SNAKE RIVER	03S33E33	32	34	39				37	37	40	40	40		40	40	40	40	459
Rec	1 23B	ABERDEEN SPRINGFIELD CANAL CO,	SNAKE RIVER	03S33E33	32	34	39				37	37	40	40	40		40	40	40	40	459
Right	1 297	ABERDEEN SPRINGFIELD CANAL CO,	SNAKE RIVER	03S33E33																	0

Claim 35-12838 Disallowed-

RECEIVED
APR 13 2004
Department of Water Resources

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718
PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us
EASTERN REGION

DIRK KEMPTHORNE
Governor
KARL J. DREHER
Director

April 12, 2004

TINA M HENSEN
PO BOX 125
ABERDEEN ID 83210

Application to Permit No. 35-13477
Withdrawal of Protest

Dear Applicant(s):

The Department of Water Resources has received withdrawal(s) of protest against the above referenced application. Withdrawals have been received from the following:

1) US Department of the Interior

There are no remaining protests against this application, so normal processing will continue in this office. The application will then be forwarded to our State Office in Boise for final processing.

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

Sincerely,

W Roger Warner
Water Rights Supervisor

WRW:sc

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718
PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us
EASTERN REGION

DIRK KEMPTHORNE
Governor
KARL J. DREHER
Director

April 12, 2004

US DEPT OF INTERIOR
KATHLEEN MARION CARR
FIELD SOLICITORS OFFICE
550 W FORT ST MSC-020
BOISE, ID 83724

Application to Permit No. 35-13477
Withdrawal of Protest

Dear Protestant(s):

The Department of Water Resources acknowledges receipt of your withdrawal of protest against the above referenced application.

There are no remaining protests against this application, so normal processing will continue in this office. The application will then be forwarded to our State Office in Boise for final processing.

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

Sincerely,

W Roger Warner
Water Rights Supervisor

WRW:sc

RECEIVED
APR 1 2 2004
Department of Water Resources
Eastern Region

Kathleen Marion Carr
U.S. Department of the Interior
550 West Fort Street, MSC-020
Boise, ID 83724
208-334-1911/phone
208-334-1378/fax
Attorney for United States of America, Bureau of Reclamation.

BEFORE THE STATE OF IDAHO DEPARTMENT OF WATER RESOURCES

IN THE MATTER OF APPLICATION FOR PERMIT NO. 35-13477	NOTICE OF WITHDRAWAL

The Bureau of Reclamation, by and through its attorney, Kathleen M. Carr, files this Notice of Withdrawal of its Protest of the Application for Permit #35-13477 in the name of Tina M. Hansen. The withdrawal of protest is submitted based upon the following conditions:

1. The Department of Water Resources agrees and approves the application to the limits as indicated by the proof of pre-1987 use, three (3) acres as specified in the Department's prior correspondence; and

2. This notice of withdrawal is being filed without prejudice and the Bureau of Reclamation further reserves the right to protest amendments to this application, transfers of this permit or water right, or other applications filed by this Applicant.

Dated this 9 Day of April 2004.

By: Kathleen Marion Carr

Kathleen M. Carr

4- 8-04; 2:29PM;USBR :208 378 5305 # 2/ 7

Certificate of Service

The undersigned does hereby certify that on this 8 day of April, 2004, he or she caused a true and correct copy of the Withdrawal of Protest Application for Permit No. 35-13477 transmitted by U.S. mail to the following:

Tina M. Hansen
P.O. Box 125
Aberdeen, ID 83210

Roger Warner
The Idaho Department of Water Resources
Eastern Regional Office
900 N. Skyiine
Idaho Falls, ID 83401-3653

Amy Chestnut
Barker Rosholt & Simpson LLP
P.O. Box 2139
Boise, Idaho 83701-2139

Kathleen Marion Carr

Kathleen M. Carr

4- 8-04; 2:29PM;USBR :208 378 5305 # 3/ 7

328

State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718
PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 22, 2004

TINA M HENSEN
PO BOX 125
ABERDEEN ID 83210

Application to Permit No. 35-13477
Withdrawal of Protest

Dear Applicant(s):

The Department of Water Resources has received withdrawal(s) of protest against the above referenced application. Withdrawals have been received from the following: Barker Rosholt & Simpson for Twin Falls Canal Company and North Side Canal Co.

There are remaining protests against this application which need to be resolved before the application can be considered for approval.

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

Sincerely,

W Roger Warner
Water Rights Supervisor

WRW:sc

State of Idaho
DEPARTMENT OF WATER RESOURCES
900 N. SKYLINE DR., SUITE A, IDAHO FALLS, ID 83402-1718
PHONE: (208) 525-7161 FAX: (208) 525-7177 WEB SITE: www.idwr.state.id.us

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 22, 2004

BARKER ROSHOLT & SIMPSON LLP
PO BOX 2139
BOISE, ID 83701-2139

Application to Permit No. 35-13477
Withdrawal of Protest

Dear Protestant(s):

The Department of Water Resources acknowledges receipt of your withdrawal of protest against the above referenced application.

There are remaining protests against this application which need to be resolved before the application can be considered for approval.

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

Sincerely,

W Roger Warner
Water Rights Supervisor

WRW:sc

John A. Rosholt
John K. Simpson
Amy D. Chestnut
BARKER ROSHOLT & SIMPSON LLP
205 North 10th Street, Suite 520
P.O. Box 2139
Boise, Idaho 83701-2139
Telephone: (208) 336-0700
Fax: (208) 344-6034
ISB #1037, 4242, 5904

RECEIVED
MAR 1 8 2004
Department of Water Resources
Eastern Region

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF)
APPLICATION FOR PERMIT)
NUMBER 35-13477,)
in the name of Tina M. Hensen)
)
_____)

NOTICE OF WITHDRAWAL

****

TWIN FALLS CANAL COMPANY and NORTH SIDE CANAL COMPANY (hereinafter the "Canal Companies"), by and through their attorneys, Barker Rosholt & Simpson, file this Notice of Withdrawal to the approval of the above-numbered Application for Permit filed by Tina M. Hensen. This withdrawal of protest is submitted based upon the following conditions:

1. The Department of Water Resources agrees and approves the application to the limits as indicated by the proof of pre-1987 use, three (3) acres as specified in the Department's prior correspondence;

2. The Department of Water Resources will appropriately issue a decision consistent with this condition and administer this water right accordingly; and

3. This notice of withdrawal is being filed without prejudice and the Canal Companies further reserve the right to protest other applications filed by this Applicant.

DATED this 15th day of March 2004.

BARKER ROSHOLT & SIMPSON

By: _____
Amy D. Chestnut

CERTIFICATE OF MAILING

I hereby certify that on this 15th day of March, 2004, I served a copy of the foregoing NOTICE OF WITHDRAWAL, by depositing same in the United States mail, postage prepaid, in an envelope, addressed to the following:

Roger Warner
Idaho Department of Water Resources
Eastern Regional Office
900 N. Skyline
Idaho Falls, ID 83401-3653

Tina Hansen
PO Box 125
Aberdeen, Idaho 83210

Gail McGarry
Bureau of Reclamation
1150 N Curtis Road, Ste 100
Boise, Idaho 83706-1234

Amy D. Chestnut

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

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 10, 2004

Ms. Amy Chestnut
Barker Rosholt & Simpson LLP
P.O. Box 2139
Boise, ID 83701 2139

Re: Project No. 35-13477, Hensen

Dear Ms. Chestnut,

This letter was prepared as a follow-up to your letter dated December 9, 2003 in regards to the above referenced application for permit. In your letter you included aerial photos of the property for the years 1982 through 1985 that demonstrated to some extent that the property was not entirely irrigated at that time. You also stated that Dr. Brockway had reviewed these photographs along with the aerial photos provided by the department for years 1987 and 2002. You stated that Dr. Brockway concluded that the irrigated acreage equated to approximately two (2) acres rather than three (3) acres as claimed.

Since that time, I have communicated to the applicant (and to you via email) that it appeared that she had two choices for resolution. They were:

1. Accept two (2) acres, or
2. Provide additional evidence that supports more definitively that the full three (3) acres were irrigated prior to November 19, 1987.

Today, the applicant delivered to my office additional evidence to support her pre-1987 development for irrigation water for the three (3) acres. They are in the form of ten (10) affidavits swearing that the area irrigated was that which was outlined in the departments previous analysis. For your convenience, I have included a copy of them for your records.

This additional evidence along with the aerial photos provided by your consultant Mr. Brockway continue to be congruent to the statement that the applicant has maintained since making the application, that is, "three (3) acres of irrigated lands since 1985."

Based upon our agents onsite observation and GIS analysis, Dr. Brockway's aerial photos, and the ten (10) affidavits testifying that they have personal knowledge that the full three (3) acres were irrigated since 1985, the department concludes that the applicants acreage of 3.0 acres is an accurate representation of what has been irrigated prior to November 19, 1987.

If you have any questions, please do not hesitate to call at (208) 525-7161.

Sincerely,

W. Roger Warner

W. Roger Warner
Water Rights Supervisor – Eastern Region

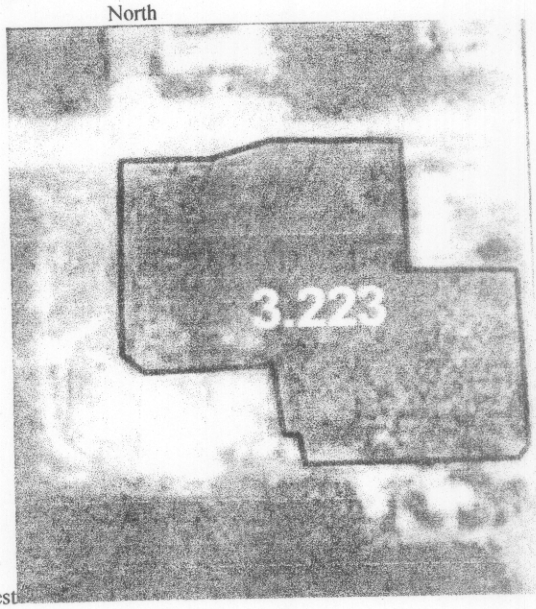
Cc: Tina M. Hensen, Applicant (without enclosures)
Kathleen Marion Carr, Bureau of Reclamation

Enclosures: Affidavit of Carl W. Bullock,
Affidavit of Warren J. Millward,
Affidavit of Gail Pannel,
Affidavit of John Pannel,
Affidavit of Tina DeGiulio,
Affidavit of Nick Degiulio,
Affidavit of Paul A Gallegos,
Affidavit of Carl K. Hensen,
Affidavit of Tina M. Hensen,
Affidavit of Boyd A. Larsen.

To Whom It May Concern:

As outlined, by me, on the included map. I hereby testify that the following property was watered each year by Warren Hill from 1985 to the time of his death in December of 2002.

North

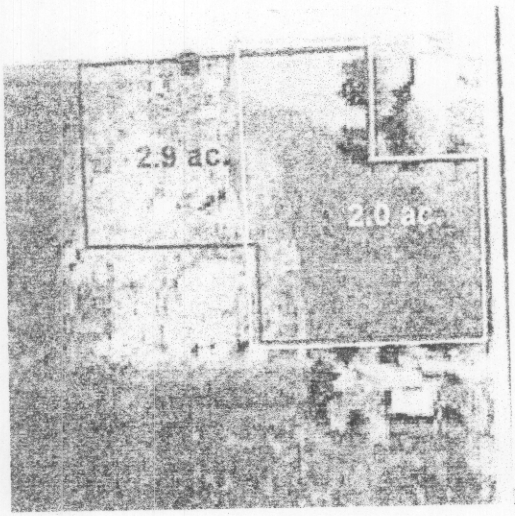


West

South

(1) Area we claim as watered (provided by Water Resources)

North



East

South

(2) Protesters claims only 2.0 acres (outline provided by them)

DATED AND SIGNED this 5 day of FEB., 2004

Signature: Carl W Bullock

Printed name: CARL W BULLOCK

SUBSCRIBED AND SWORN to before me this 5 day of Feb, 2004

MURRAY JIM SORENSEN NOTARY PUBLIC STATE OF IDAHO

NOTARY PUBLIC FOR IDAHO

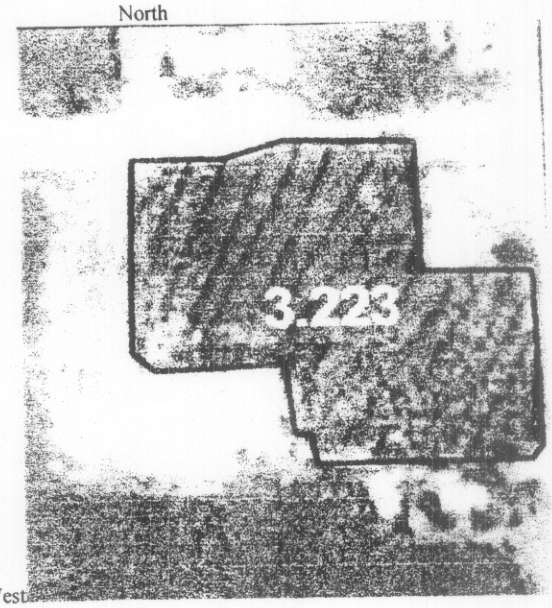
Residing at: Blackfoot Id

My Commission Expires: 9-21-09

To Whom It May Concern:

As outlined, by me, on the included map. I hereby testify that the following property was watered each year by Warren Hill from 1985 to the time of his death in December of 2002.

North

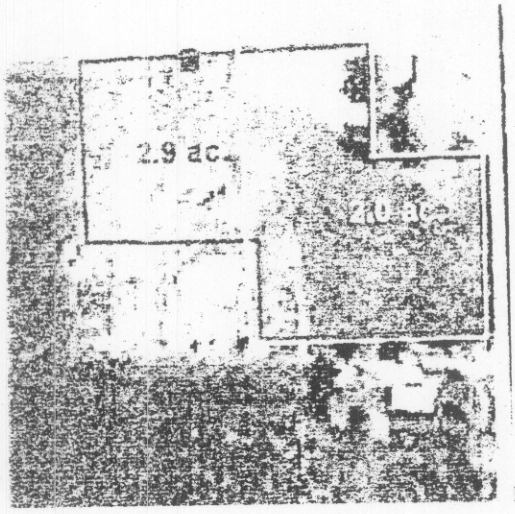


West

South

(1) Area we claim as watered (provided by Water Resources)

North



East

South

(2) Protesters claims only 2.0 acres (outline provided by them)

DATED AND SIGNED this 5 day of Feb, 2004

Signature: Warren Hill

Printed name: WARREN J. MILLWARD

SUBSCRIBED AND SWORN to before me this 5 day of Feb, 2004

NOTARY PUBLIC FOR IDAHO

Residing at: Blackfoot Id

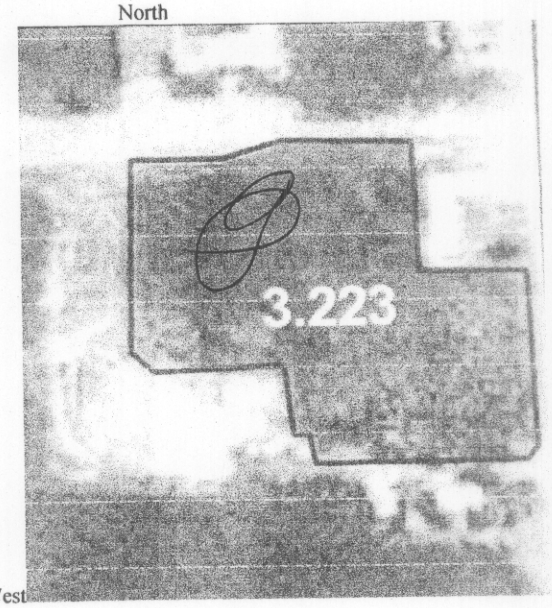
My Commission Expires: 5-21-09

MURRAY JIM SORENSEN
NOTARY
PUBLIC
STATE OF IDAHO

To Whom It May Concern:

As outlined, by me, on the included map. I hereby testify that the following property was watered each year by Warren Hill from 1985 to the time of his death in December of 2002.

North

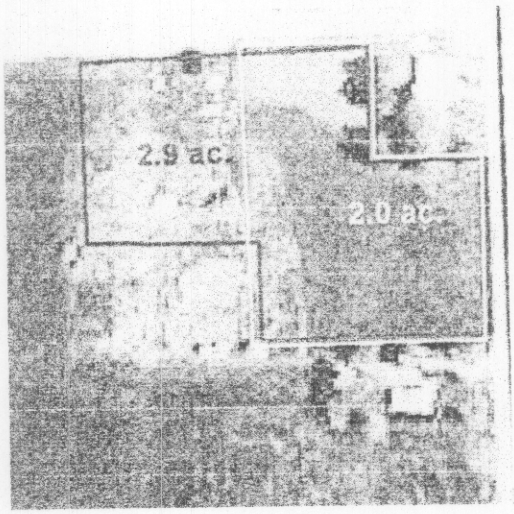


West

South

(1) Area we claim as watered (provided by Water Resources)

North



East

South

(2) Protesters claims only 2.0 acres (outline provided by them)

DATED AND SIGNED this 9th day of February, 2004

Signature: Gail Pannell

Printed name: GAIL PANNELL

SUBSCRIBED AND SWORN to before me this 9TH day of February, 2004

Betty Lou Inskeep

NOTARY PUBLIC FOR IDAHO

BETTY LOU INSKEEP NOTARY PUBLIC STATE OF IDAHO

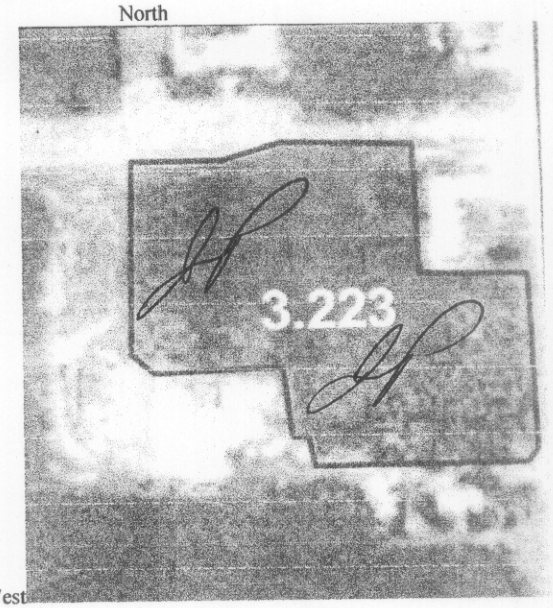
Residing at: Aberdeen, Idaho

My Commission Expires: 11-3-2004

To Whom It May Concern:

As outlined, by me, on the included map. I hereby testify that the following property was watered each year by Warren Hill from 1985 to the time of his death in December of 2002.

North

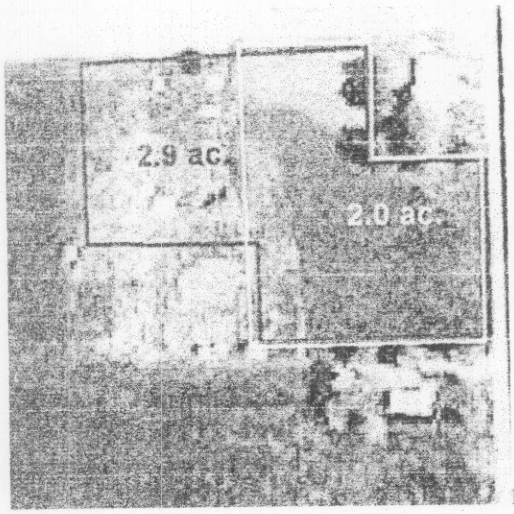


West

South

(1) Area we claim as watered (provided by Water Resources)

North



East

South

(2) Protesters claims only 2.0 acres (outline provided by them)

DATED AND SIGNED this 9 day of Feb, 2004

Signature: John Pannel

Printed name: JOHN PANNEL

SUBSCRIBED AND SWORN to before me this 9TH day of February, 2004

Betty Lou Inskeep

NOTARY PUBLIC FOR IDAHO

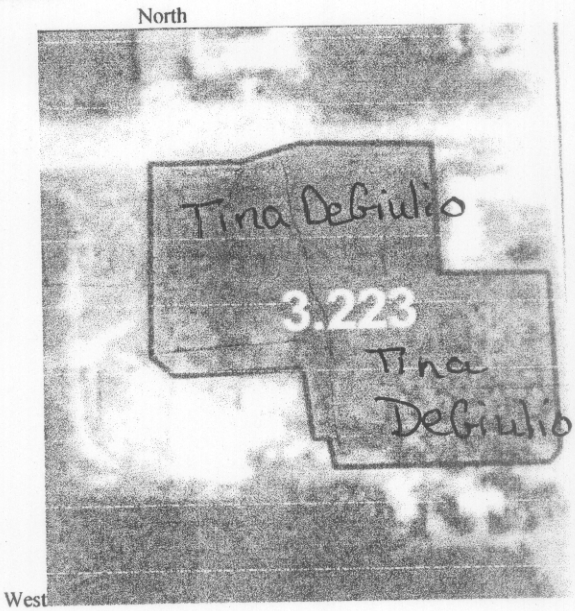
BETTY LOU INSKEEP NOTARY PUBLIC STATE OF IDAHO

Residing at: Aberdeen, Idaho

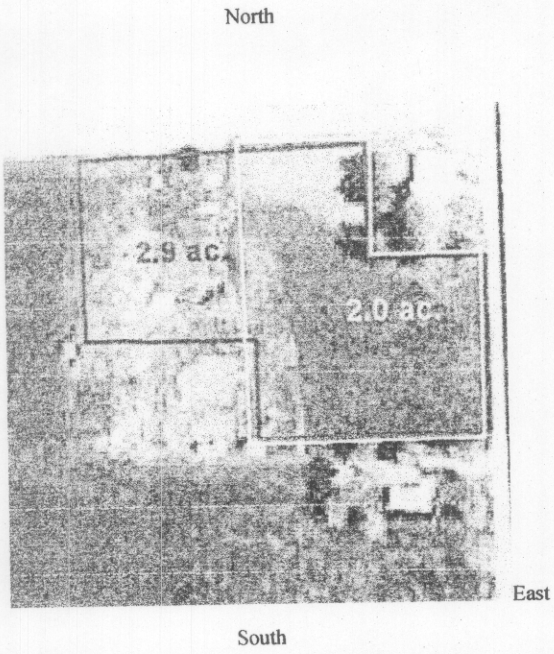
My Commission Expires: 11-3-2004

To Whom It May Concern:

As outlined, by me, on the included map. I hereby testify that the following property was watered each year by Warren Hill from 1985 to the time of his death in December of 2002.



(1) Area we claim as watered (provided by Water Resources)



(2) Protesters claims only 2.0 acres (outline provided by them)

DATED AND SIGNED this 9, day of Feb. 2004, 2004

Signature: Mrs. Tina DeGiulio

Printed name: TINA L DeGiulio

SUBSCRIBED AND SWORN to before me this 9TH day of February, 2004

Betty Lou Inskeep

NOTARY PUBLIC FOR IDAHO

BETTY LOU INSKEEP NOTARY PUBLIC STATE OF IDAHO

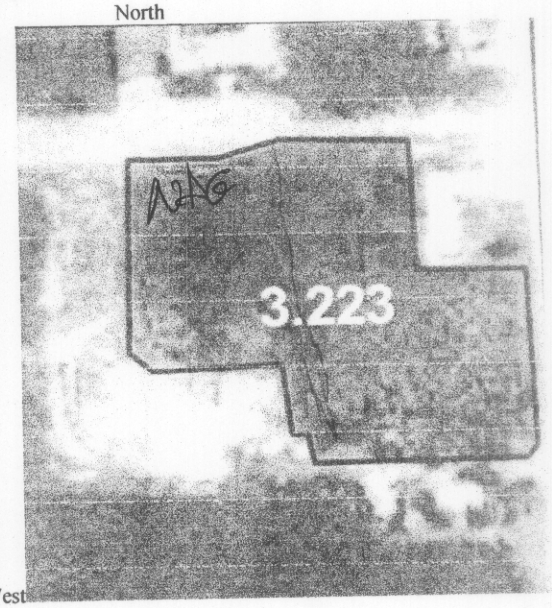
Residing at: Aberdeen, Idaho

My Commission Expires: 11-3-2004

To Whom It May Concern:

As outlined, by me, on the included map. I hereby testify that the following property was watered each year by Warren Hill from 1985 to the time of his death in December of 2002.

North

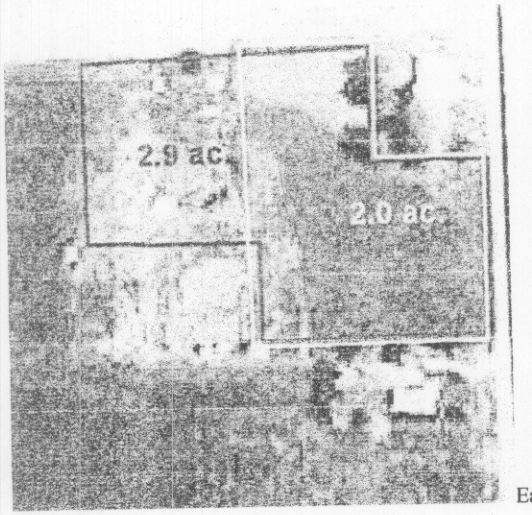


West

South

(1) Area we claim as watered (provided by Water Resources)

North



East

South

(2) Protesters claims only 2.0 acres (outline provided by them)

DATED AND SIGNED this 9 day of FEBRUARY, 2004

Signature: Nick DeGiulio

Printed name: NICK DEGIULIO

SUBSCRIBED AND SWORN to before me this 9TH day of February, 2004

Betty Lou Inskeep

NOTARY PUBLIC FOR IDAHO

BETTY LOU INSKEEP NOTARY PUBLIC STATE OF IDAHO

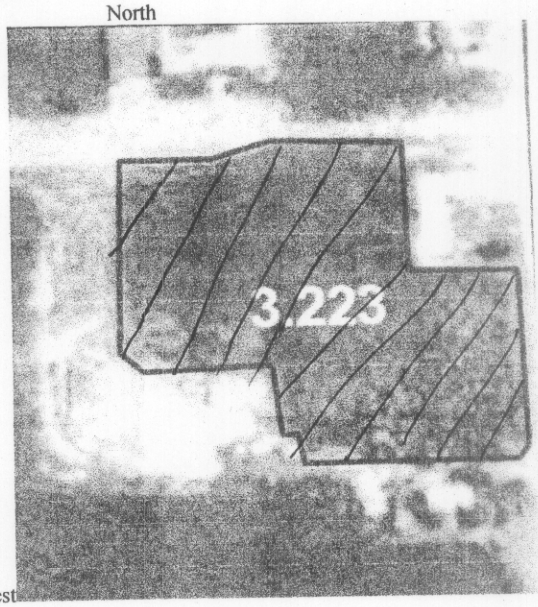
Residing at: Aberdeen, Idaho

My Commission Expires: 11-3-2004

To Whom It May Concern:

As outlined, by me, on the included map. I hereby testify that the following property was watered each year by Warren Hill from 1985 to the time of his death in December of 2002.

North

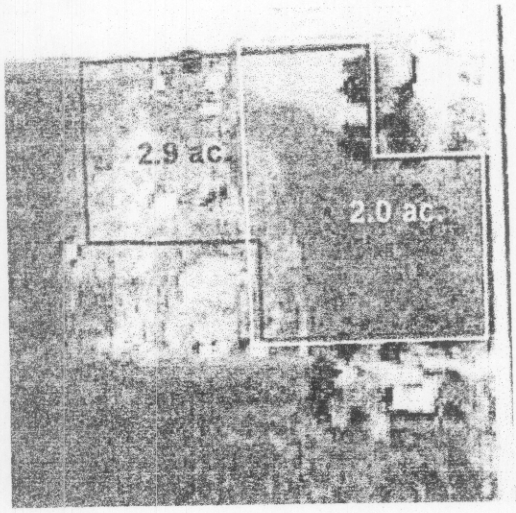


West

South

(1) Area we claim as watered (provided by Water Resources)

North



East

South

(2) Protesters claims only 2.0 acres (outline provided by them)

DATED AND SIGNED this 20 day of JAN., 2004

Signature: Paul A Gallegos

Printed name: Paul A. Gallegos

SUBSCRIBED AND SWORN to before me this 20th day of January, 2004

BARBARA S. SMITH
NOTARY PUBLIC
STATE OF IDAHO

NOTARY PUBLIC FOR IDAHO

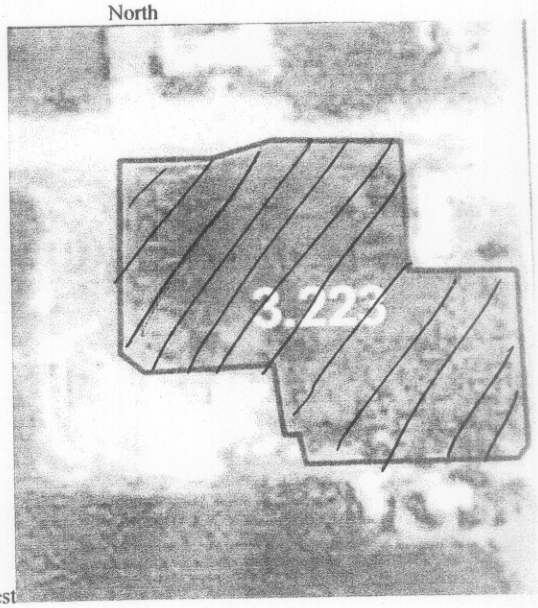
Residing at: Inkom

My Commission Expires: 5/22/09

To Whom It May Concern:

As outlined, by me, on the included map. I hereby testify that the following property was watered each year by Warren Hill from 1985 to the time of his death in December of 2002.

North

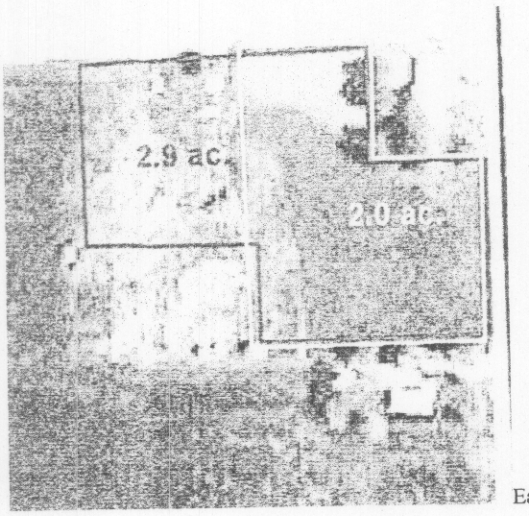


West

South

(1) Area we claim as watered (provided by Water Resources)

North



East

South

(2) Protesters claims only 2.0 acres (outline provided by them)

DATED AND SIGNED this 9 day of Feb., 2004

Signature: Carl K. Hansen

Printed name: Carl K Hansen

SUBSCRIBED AND SWORN to before me this 9TH day of February, 2004

Betty Lou Inskeep

NOTARY PUBLIC FOR IDAHO

BETTY LOU INSKEEP NOTARY PUBLIC STATE OF IDAHO

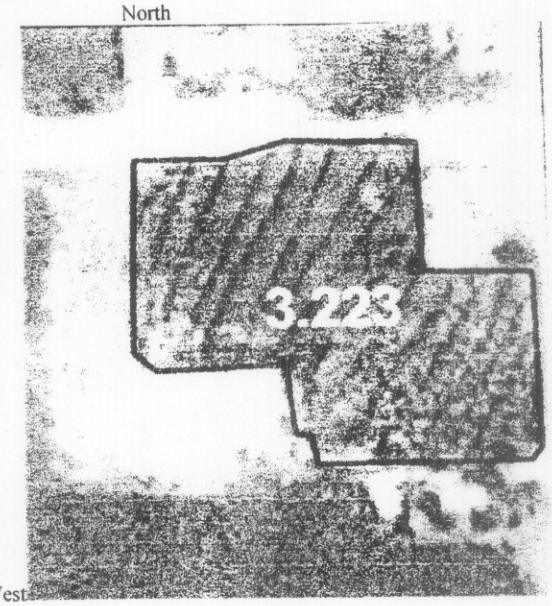
Residing at: Aberdeen, Idaho

My Commission Expires: 11-3-2004

To Whom It May Concern:

As outlined, by me, on the included map. I hereby testify that the following property was watered each year by Warren Hill from 1985 to the time of his death in December of 2002.

North

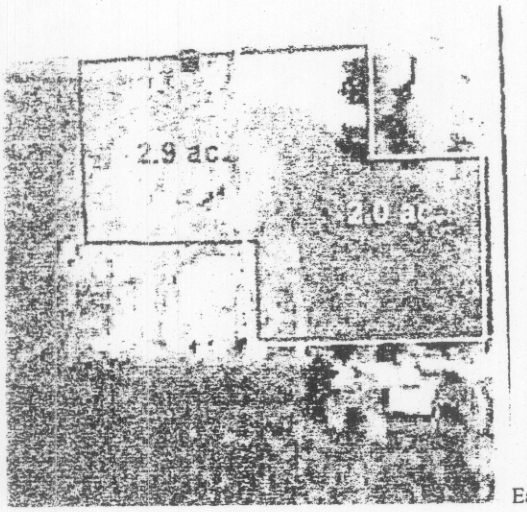


West

South

(1) Area we claim as watered (provided by Water Resources)

North



East

South

(2) Protesters claims only 2.0 acres (outline provided by them)

DATED AND SIGNED this 5th day of February, 2004

Signature: Tina M Hensen

Printed name: Tina M. Hensen

SUBSCRIBED AND SWORN to before me this 5 day of Feb, 2004

MURRAY JIM SORENSEN NOTARY PUBLIC STATE OF IDAHO

NOTARY PUBLIC FOR IDAHO

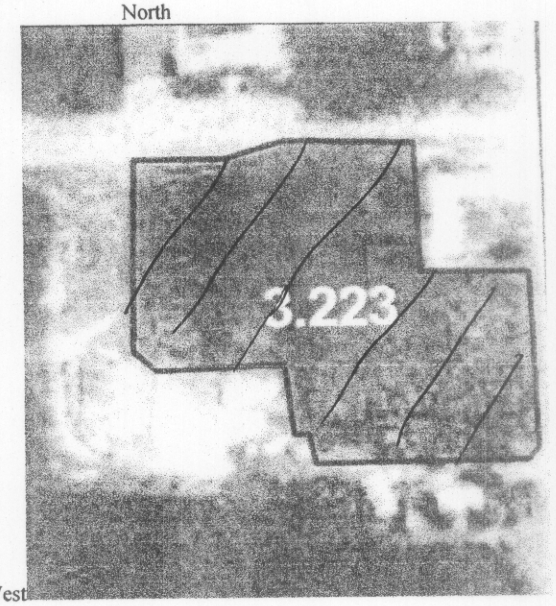
Residing at: Blackfoot Id

My Commission Expires: 8-21-07

To Whom It May Concern:

As outlined, by me, on the included map. I hereby testify that the following property was watered each year by Warren Hill from 1985 to the time of his death in December of 2002.

North

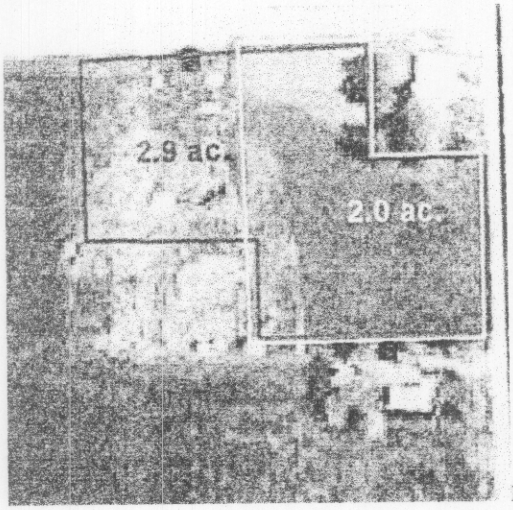


West

South

(1) Area we claim as watered (provided by Water Resources)

North



East

South

(2) Protesters claims only 2.0 acres (outline provided by them)

DATED AND SIGNED this 5 day of Feb, 2004

Signature: Boyd A. Larsen

Printed name: Boyd A. Larsen

SUBSCRIBED AND SWORN to before me this 5th day of Feb., 2004

Kimmra Findlay

NOTARY PUBLIC FOR IDAHO

KIMMRA FINDLAY NOTARY PUBLIC STATE OF IDAHO

Residing at: Aberdeen Idaho

My Commission Expires: 8.21.09

The purpose of this letter is an attempt to obtain the water right that was due Warren Hill for his property at 572 South 1500 West in Pingree, Idaho. Warren thought he had the rights, unfortunately after his death it was found the right was denied due to lack of a priority date for the well. I have been attempting to obtain a new right on the well so that the property may be sold and Warren's estate settled.

Unfortunately, the application has been protested by The Department of Interior Bureau of Reclamation, represented by Gail McGarry USBR. The North Side Canal Company and Twin Falls Canal Company, represented by Barker Rosholt & Simpson LLP, (Amy D. Chestnut).

Every attempt I have made to settle this matter has failed. It is my hope that, should you have personal knowledge of the area watered by Warren Hill, you would be willing to sign a statement, with a notary, that I may deliver to The Department of Water Resources to help settle this dispute.

Enclosed is a letter I have prepared. If you wish you may use the letter in its entirety. Should you prefer to prepare your own you are welcome to do so. I would appreciate if you could outline the area you believe to have been watered before you sign the paper. If you are using your own letter please still outline the area on the map believed to have been watered. Enclosed is a self addressed stamped envelope for the return of the documents to me.

If you do not have knowledge of the area in question please disregard this letter, but thank you for your time. If you know of someone who would be helpful please make a copy and pass the letters along.

If you have any questions please feel free to contact me at home 328-2461, or cell phone 681-2086.

Thank you for your time.

Sincerely,

Tina M. Hensen
P.O. Box 125
Aberdeen, Idaho 83210

Warner, Roger

From: Warner, Roger
Sent: Friday, December 12, 2003 2:10 PM
To: 'adc@idahowaters.com'
Subject: Tina Hansen Application

I am in receipt of your letter concerning the Tina Hansen application. Thankyou. I agree that it appears that the property was not entirely irrigated in years leading up to 1985. However, Ms. Hansen indicates that her father-in-law purchased the property in the summer of 1985 and put all the lands claimed under irrigation. This is reflected in the 1987 aerial photograph that both your consultant and the department have provided. This would still predate November 19, 1987.

In my conversation with Ms. Hansen today, I indicated that she has two choices.
1. Accept 2 acres.
2. Provide evidence that more definitively demonstrates that the full 3 acres were irrigated prior to November 19, 1987. This may be in the form of affadavits, tax assessment records, equipment purchase receipts, and/or other.

I will await her response. I have attempted to lay my hands on written policy that you requested but have yet to be successful. I'll keep trying. We missed you at the Sutton and Blackfoot School District preconference hearings. Hope you are feeling better. If you have any questions or concerns, please feel free to call or write.

happy holidays. wrw.

W. Roger Warner
Water Rights Supervisor - Eastern Region
Idaho Department of Water Resources
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718
(208) 525-7161, voice
(208) 525-7177, fax
rwarner@idwr.state.id.us

#Note: Infrared aerial photo is dated 7-23-87
#NAPP 378-36

John A. Rosholt
Albert P. Barker
John K. Simpson
Amy D. Chestnut
Travis L. Thompson

BARKER
ROSHOLT
&
SIMPSON
LLP

205 North 10th Street, Ste. 520
Post Office Box 2139
Boise, ID 83701-2139
(208) 336-0700 telephone
(208) 344-6034 facsimile
brs@idahowaters.com

233 Second Street North, Suite D
Twin Falls, ID 83301
(208) 733-0700 telephone
(208) 735-2444 facsimile

December 9, 2003

RECEIVED
DEC 12 2003
Department of Water Resources
Eastern Region

Roger Warner
Department of Water Resources
900 N. Skyline Dr., Suite A
Idaho Falls, Idaho 83402-1718

Re: Water Right Application for Permit No. 35-13477, Tina Hansen

Dear Mr. Warner:

As a follow-up to our conversation last week regarding Tina Hansen's application, I wanted to forward you the photos that Dr. Brockway provided us for the years 1982 through 1985 since you indicated you had not previously seen any evidence relative to this time period. Based upon Dr. Brockway's review of these photos, as well as 1987 and 2002 (that are also enclosed), he concluded the irrigated acreage equates to approximately two acres rather than three acres as claimed. The Department's conclusion, based upon an analysis of the 1987 photo, is that at least three acres have been irrigated.

In order to reconcile this difference, please review the enclosed photos and provide a conclusion as to what the Department identifies as the pre-1987 irrigated acreage. Once we receive your analysis, we can proceed forward in resolving this protest without any additional, unnecessary delay. Please contact me if you would like to further discuss this matter. Thank you.

Sincerely,

Amy D. Chestnut

cc: Tina Hansen
Gail McGarry, USBR



HANSEN, TINA
T. 03S., R.33E.
FSA Aerial Photo 2002

N

BROCKWAY ENGINEERING, PLLC.
ALR OCT 2, 2003



HANSEN, TINA
T. 03S., R.33E.
FSA Aerial Photo 1983

BROCKWAY ENGINEERING, PLLC.
ALR OCT 22, 2003



HANSEN, TINA
T. 03S., R.33E.
FSA Aerial Photo 1984

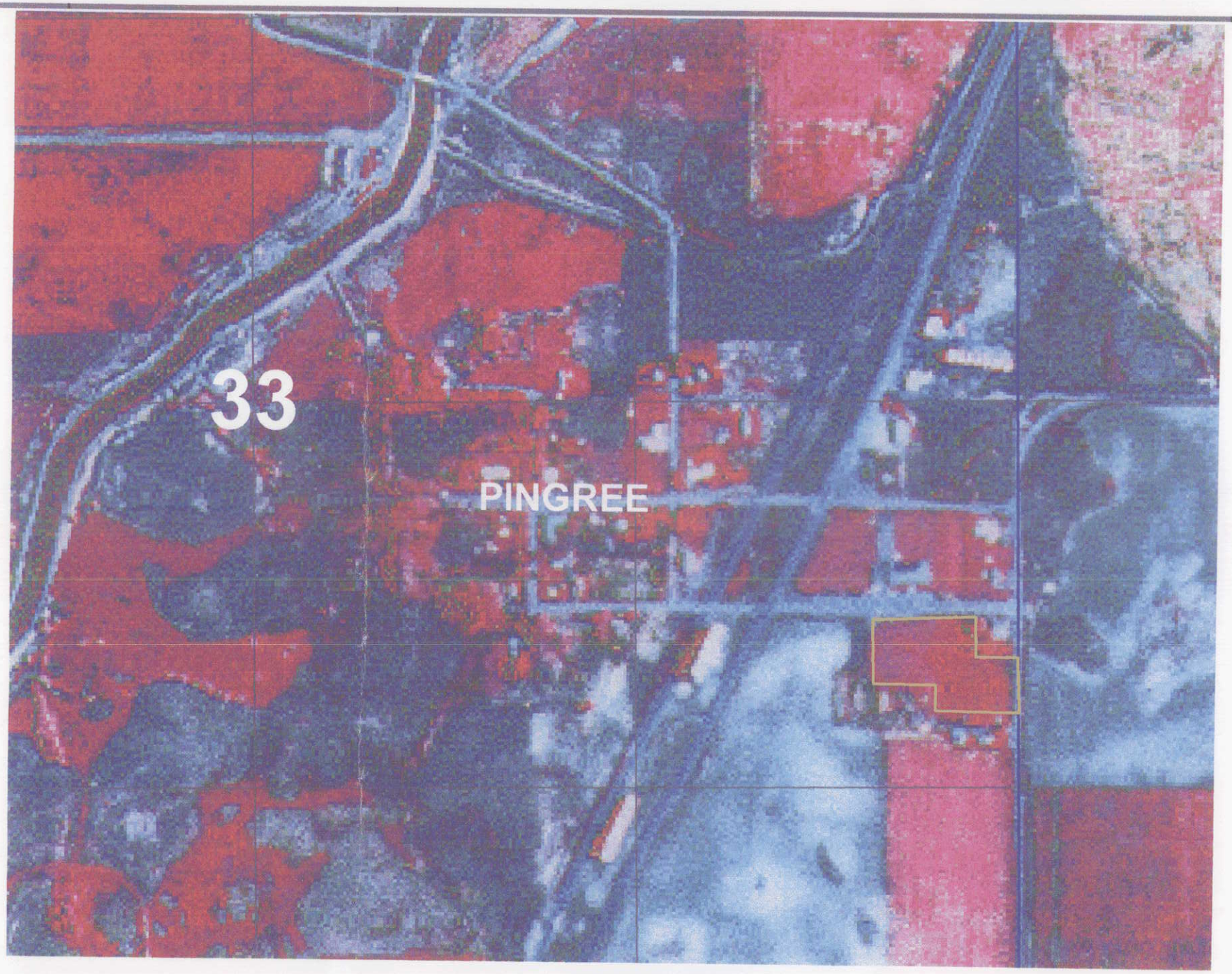
BROCKWAY ENGINEERING, PLLC.
ALR OCT 22, 2003



HANSEN, TINA
T. 03S., R.33E.
FSA Aerial Photo 1985

N

BROCKWAY ENGINEERING, PLLC.
ALR OCT 22, 2003



HANSEN, TINA
T. 03S., R.33E.
FSA Aerial Photo 1987

N

BROCKWAY ENGINEERING, PLLC.
ALR OCT 22, 2003



HANSEN, TINA
T. 03S., R.33E.
FSA Aerial Photo 1982

N

BROCKWAY ENGINEERING, PLLC.
ALR OCT 22, 2003

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

MEMORANDUM TO: Staff

FROM : R. Keith Higginson

DATE : July 1, 1992

SUBJECT : Snake River Basin Moratorium Application Processing #54

As expected, the moratorium on new uses of surface and ground water of the Snake River Basin upstream from the Weiser gaging station has generated several questions concerning intent.

You will recall that the moratorium provided several exceptions:

domestic uses
nonconsumptive uses
drought wells
drilling permits to replace or deepen

It appears that a number of situations have been identified where applications for permits have been filed to cover presently existing uses of water. I see no reason to hold up the processing and approval of such permits since it will make no difference on the quantity of water that is being withdrawn in the basin during this drought period. If we are not going to consider issuing permits to cover such existing uses then we need to issue cease and desist orders to stop the use. I don't want to take that action where there is an alternative.

Therefore, the purpose of this memo is to advise that it is the intent of the moratorium order issued on May 15, 1992 to hold up the issuance of permits authorizing new or expanded uses of water within the Snake River Basin. The moratorium may be interpreted to allow the continued processing and approval of applications proposing to cover an existing use. Such existing use must predate the start of the Snake River Basin Adjudication in November 1987.

USGS 18 km SW of Moreland, Idaho, United States 07 Jun 1992



Image courtesy of the U.S. Geological Survey
© 2003 Microsoft Corporation. All rights reserved. **Terms of Use**

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

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 14, 2003

Ms. Amy Chestnut
Barker Rosholt & Simpson LLP
P.O. Box 2139
Boise, ID 83701 2139

Re: Project No. 35-13477, Hansen

Dear Ms. Chestnut

This letter was prepared in accordance to a conversation that we had yesterday concerning the Hansen application for permit for pre-1987 development. Per your request, an agent from IDWR met with the applicant on the subject property on the afternoon of November 13, 2003 and was able to walk its' environs while observing the irrigation system consisting of mainline, risers, and aluminum pipe and rain birds. In addition, the agent, while onsite, outlined the area of the proposed place of the use as shown by the applicant.

For your convenience, we have prepared a map layout of the subject lands showing the boundary of the irrigated land on both NAAP and DOQQ aerial photos. The NAAP aerial photos are infrared photo taken in 1987 while The DOQQ (black and white) photos are from 1990.

Using Arc View GIS analysis tools, the outlined area shown on the black and white DOQQ aerial photo shows an area of about 3.223 acres. On the NAAP photos, the outline was adjusted to take in only areas shown to be irrigated at that time. The area calculated on the infrared NAAP photos was about 3.123 acres.

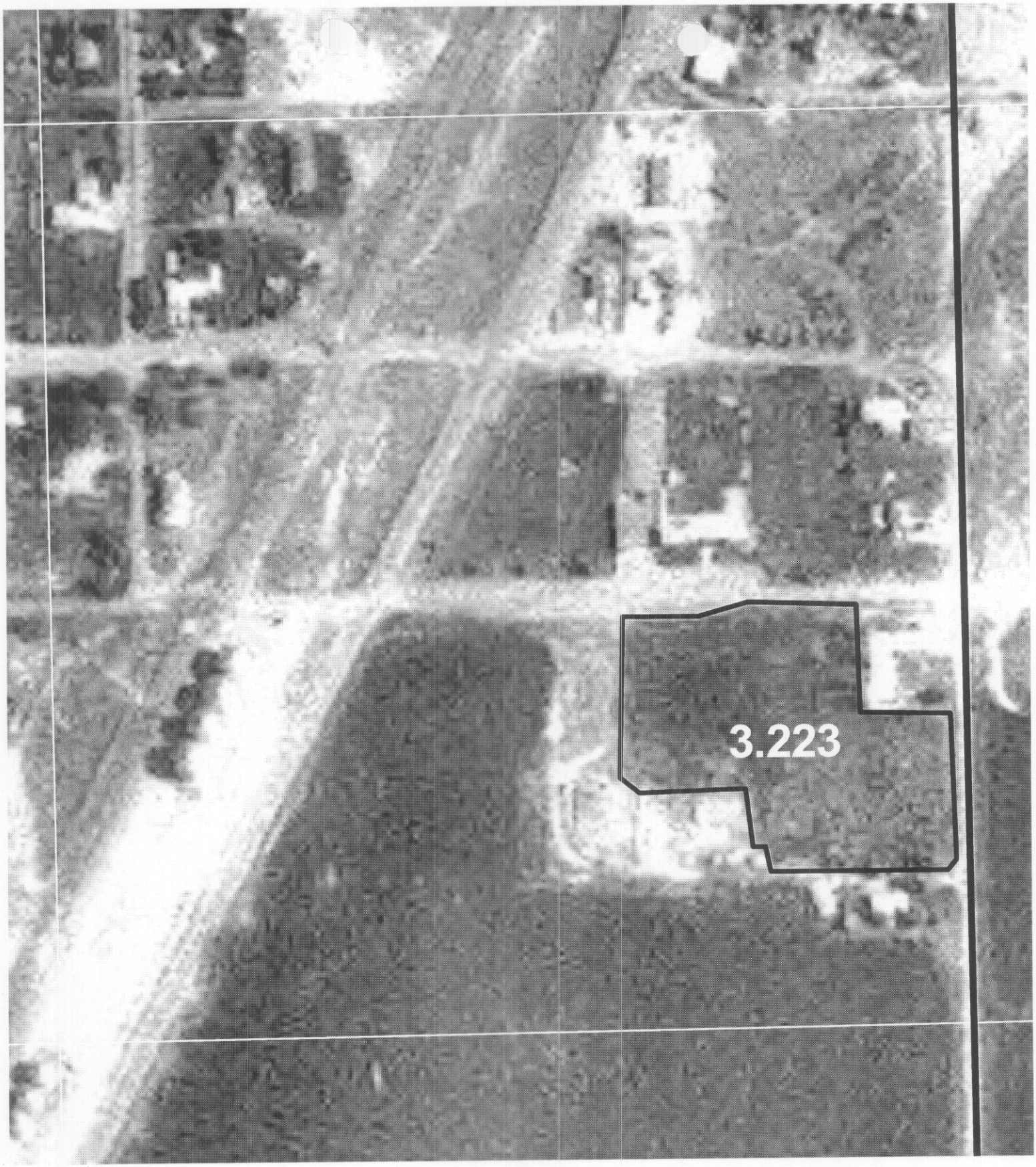
Based upon our agents onsite observation and GIS analysis, we feel that the applicants acreage of 3.0 acres is an accurate representation of what has been irrigated prior to November 19, 1987.

If you have any questions, please do not hesitate to call at (208) 525-7161.

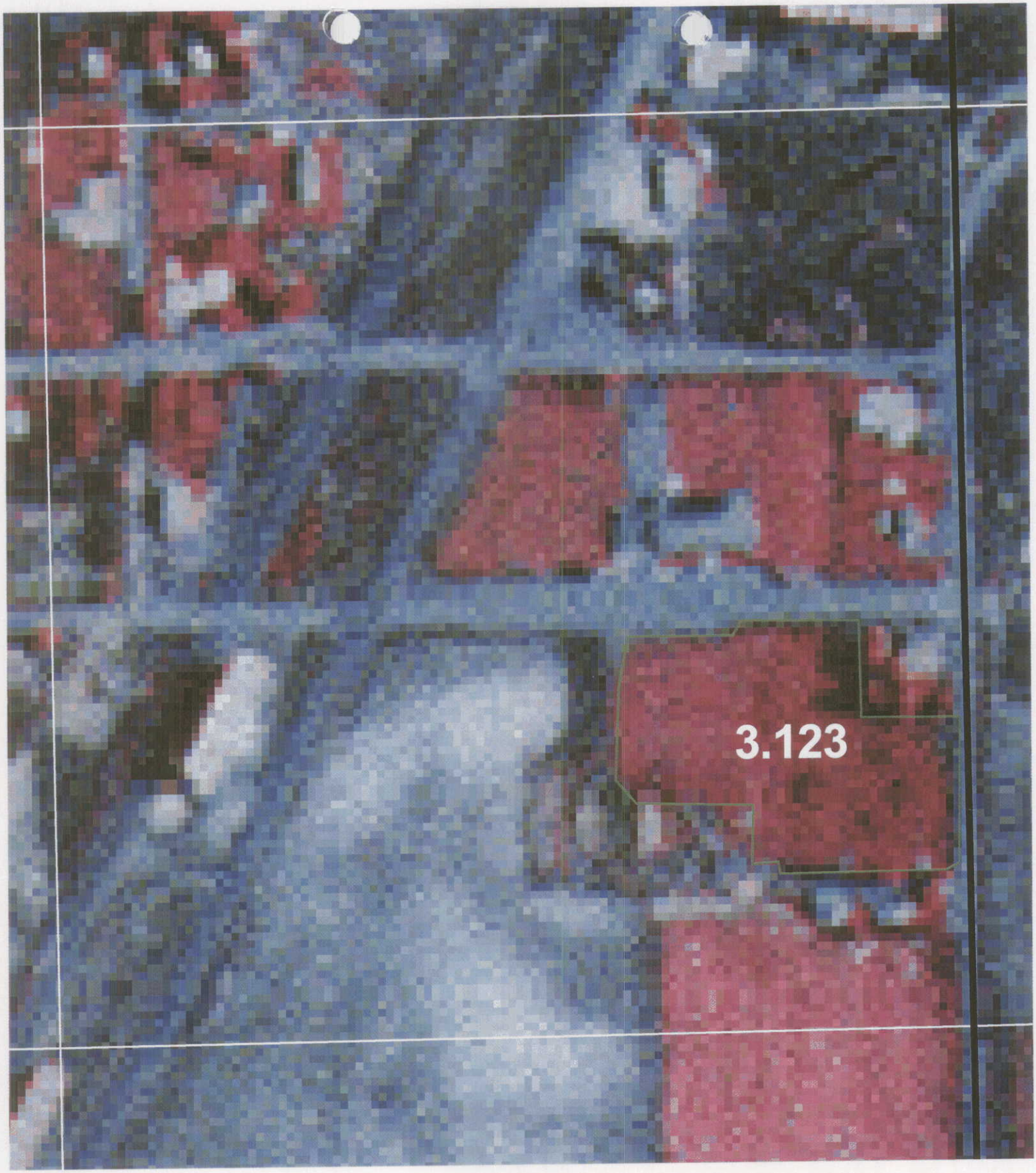
Sincerely,

W. Roger Warner
Water Rights Supervisor – Eastern Region

Cc: Tina Hansen, Applicant
Kathleen Marion Carr, Bureau of Reclamation



Hensendoqqpou.shp
03s33e.shp
T03s33e.shp



Hensennaap2pou.shp
03s33e.shp
T03s33e.shp

John A. Rosholt
Albert P. Barker
John K. Simpson
Amy D. Chestnut
Travis L. Thompson

BARKER
ROSHOLT
&
SIMPSON
LLP

205 North 10th Street, Ste 520
Post Office Box 2139
Boise, ID 83701-2139
(208) 336-0700 telephone
(208) 344-6034 facsimile
brs@idahowaters.com

233 Second Street North, Ste D
Twin Falls, ID 83301
(208) 733-0700 telephone
(208) 735-2444 facsimile
jar@idahowaters.com

October 7, 2003

Tina Hansen
PO Box 125
Aberdeen, Idaho 83210

RECEIVED
OCT 10 2003
Department of Water Resources
Eastern Region

Re: Protest to Application for Permit No. 35-13477

Dear Ms. Hansen:

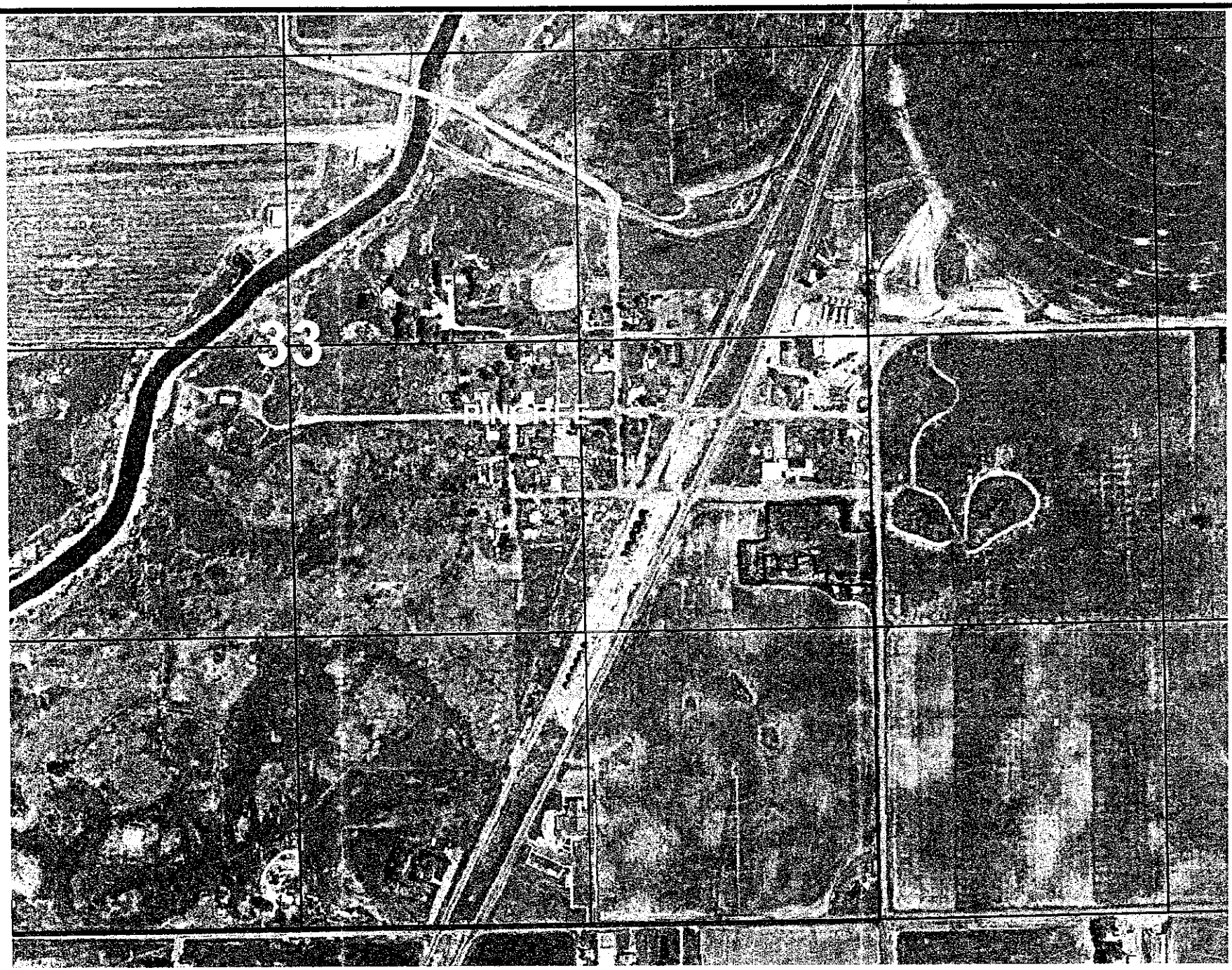
You have recently received a protest to your application that we filed on behalf of the North Side Canal Company and Twin Falls Canal Company. It has been claimed that this application is based upon pre-1987 development. Attached is a photo of the area where you have indicated the acreage has been irrigated. We are having difficulty identifying the location of the irrigated acres in order to evaluate such development. Please identify on this photo the location of the three irrigated acres and the well used for water supply. Additionally, please provide any further documentation or information you may have to support your claim regarding pre-1987 development.

If you have questions or would like to discuss this, please feel free to contact me. Otherwise, we look forward to receiving the photo with the irrigated acres and well specified in addition to any other relevant information.

Sincerely,

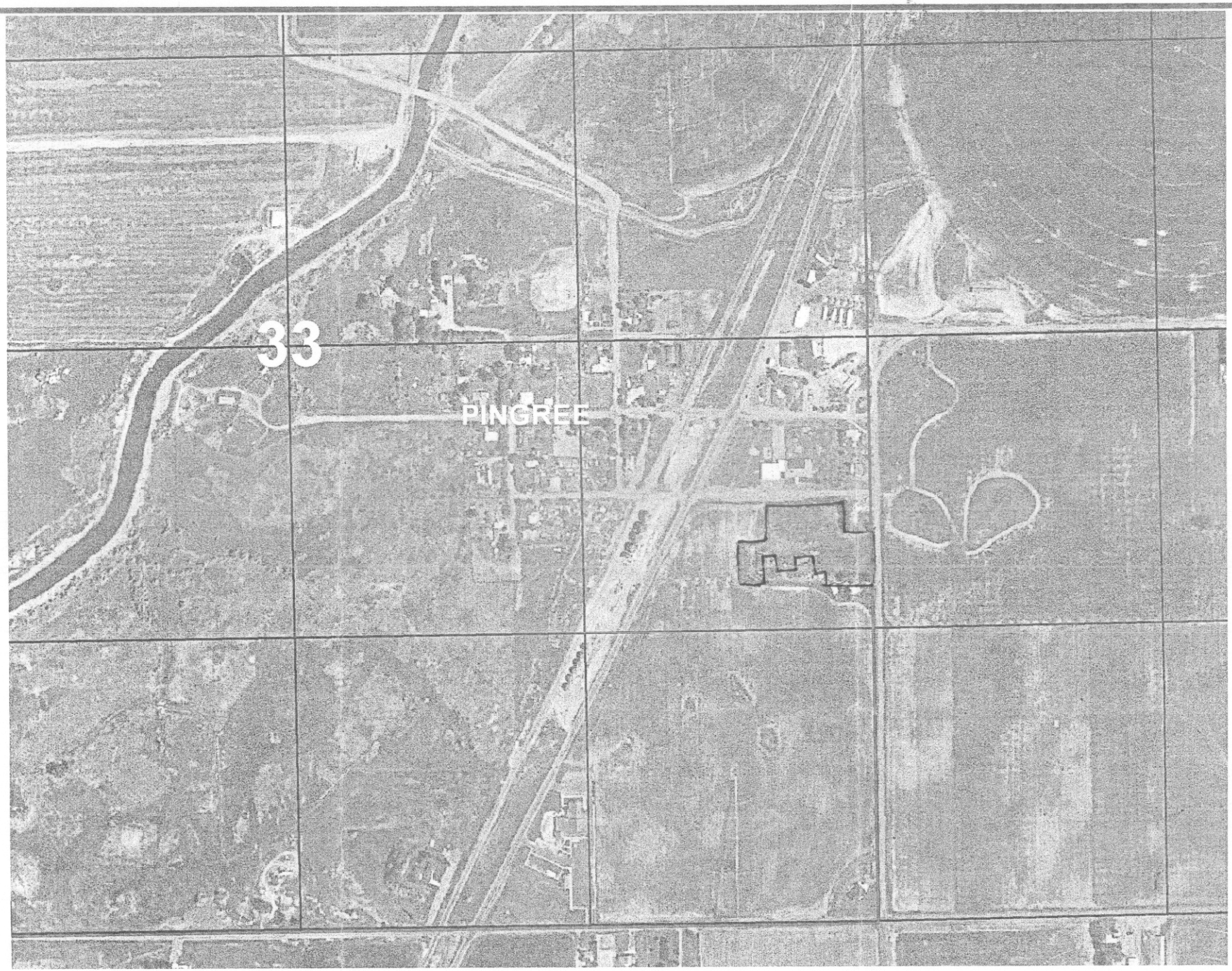
Amy D. Chestnut

cc: Roger Warner, IDWR, Eastern Regional Office
Gail McGarry, USBR
Ted Diehl
Vince Alberdi
Charles Brockway, Sr



HANSEN, TINA
T. 03S., R.33E.
FSA Aerial Photo 2002

BROCKWAY ENGINEERING, PLLC.
ALR OCT 2, 2003



HANSEN, TINA
T. 03S., R.33E.
FSA Aerial Photo 2002

BROCKWAY ENGINEERING, PLLC.
ALR OCT 2, 2003

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

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 29, 2003

Tina M Hansen
PO Box 125
Aberdeen ID 83210

RE: Application for Permit No. 35-13477

Dear Applicant:

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

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

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

Please be aware that you must contact us and request a date for a conference or formal hearing if you intend to continue with this application.

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

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

Sincerely,

W Roger Warner
Water Right Supervisor

Enclosure

WRW:sc

cc: IDWR - State Office

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

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 29, 2003

John A Rosholt
John K Simpson
Amy D Chestnut
Barker Rosholt & Simpson LLP
PO Box 2139
Boise ID 83701-2139

RE: Applications for Permit No. 35-13477 – Tina M Hansen

Dear Protestant:

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

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

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

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

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

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

Sincerely,

W Roger Warner
Water Right Supervisor

WRW:sc

cc: IDWR - State Office

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

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 29, 2003

United States Department of Interior Bureau of Reclamation
Kathleen Marion Carr
960 Broadway Ave, 4th Floor, Ste 400
Boise ID 83706

RE: Applications for Permit No. 35-13477 – Tina M Hansen

Dear Protestant:

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

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

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

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

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

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

Sincerely,

W Roger Warner
Water Right Supervisor

WRW:sc

cc: IDWR - State Office

W030948

John A. Rosholt
John K. Simpson
Amy D. Chestnut
BARKER ROSHOLT & SIMPSON LLP
205 North 10th Street, Suite 520
P.O. Box 2139
Boise, Idaho 83701-2139
Telephone: (208) 336-0700
Fax: (208) 344-6034
ISB #1037, 4242, 5904

RECEIVED
SEP 25 2003
Department of Water Resources
Eastern Region

RECEIVED
SEP 22 2003
WATER RESOURCES
WESTERN REGION

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR PERMIT NUMBER 35-13477 in the name of TINA M HANSEN	**NOTICE OF PROTEST**

****

TWIN FALLS CANAL COMPANY and NORTH SIDE CANAL COMPANY (hereinafter the "Canal Companies"), by and through their attorneys, Barker Rosholt & Simpson, file this Notice of Protest to the approval of the above-numbered Application for Permit filed by Tina M. Hansen. The basis for the Canal Companies' protest is as follows:

1. The proposed application will result in injury to the Canal Companies in that depletion will occur in the reaches of the Snake River that supply the Canal Companies' water rights; and

Receipt #W030948

2. The application may be a violation of the moratorium prohibiting new applications for permit in the Eastern Snake Plain Aquifer; and,

3. For such other and further reasons as may be set forth at the hearing on this matter.

DATED this 22nd day of September 2003.

BARKER ROSHOLT & SIMPSON

By: _____
Amy D. Chestnut

CERTIFICATE OF MAILING

I hereby certify that on this 22nd day of September, 2003, I served a copy of the foregoing NOTICE OF PROTEST, by depositing same in the United States mail, postage prepaid, in an envelope, addressed to the following:

Idaho Department of Water Resources
Eastern Regional Office
900 N. Skyline
Idaho Falls, ID 83401-3653
(original with filing fee filed in IDWR Western office)

Tina Hansen
PO Box 125
Aberdeen, Idaho 83210

Amy D. Chestnut

RECEIVED
SEP 18 2003
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

NOTICE OF PROTEST

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

1. Matter being protested Application for Permit No. 35-13477 in the name of Tina M. Hansen, P.O. Box 125, Aberdeen, ID 83210

2. Name of Protestant United States Department of Interior Bureau of Reclamation

3. Protestant's representative for service (if different than Protestant)
Kathleen Marion Carr, Field Solicitor's Office, University Plaza, 960 Broadway Ave., 4th Floor, Suite 400, Boise, ID 83706

4. Service mailing address
Kathleen Marion Carr, Field Solicitor's Office, University Plaza, 960 Broadway Ave., 4th Floor, Suite 400, Boise, ID 83706

5. Service telephone number Kathleen Marion Carr (208)334-1907

6. Basis of protest (including statement of facts and law upon which the protest is based)
Injury to Reclamation project water rights.

7. What would resolve your protest?
The Eastern Snake River Plain Hydrologic Impacts Spreadsheet dated December 1999 shows an impact in the Blackfoot to Neeley Reach (see attached graph). Resolution we will accept are withdrawal of the application or mitigation.

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

Signed this 18 day of Sept., 2003

United States, Protestant

PROTESTANT'S REPRESENTATIVE

RECEIVED
SEP 22 2003
Department of Water Resources
Eastern Region

Receipt # CO 70967

Certificate of Service

The undersigned does hereby certify that on this 18th day of September, 2003, he or she caused a true and correct copy of the Protest Application for Permit 63-31730 transmitted by U.S. mail to the following:

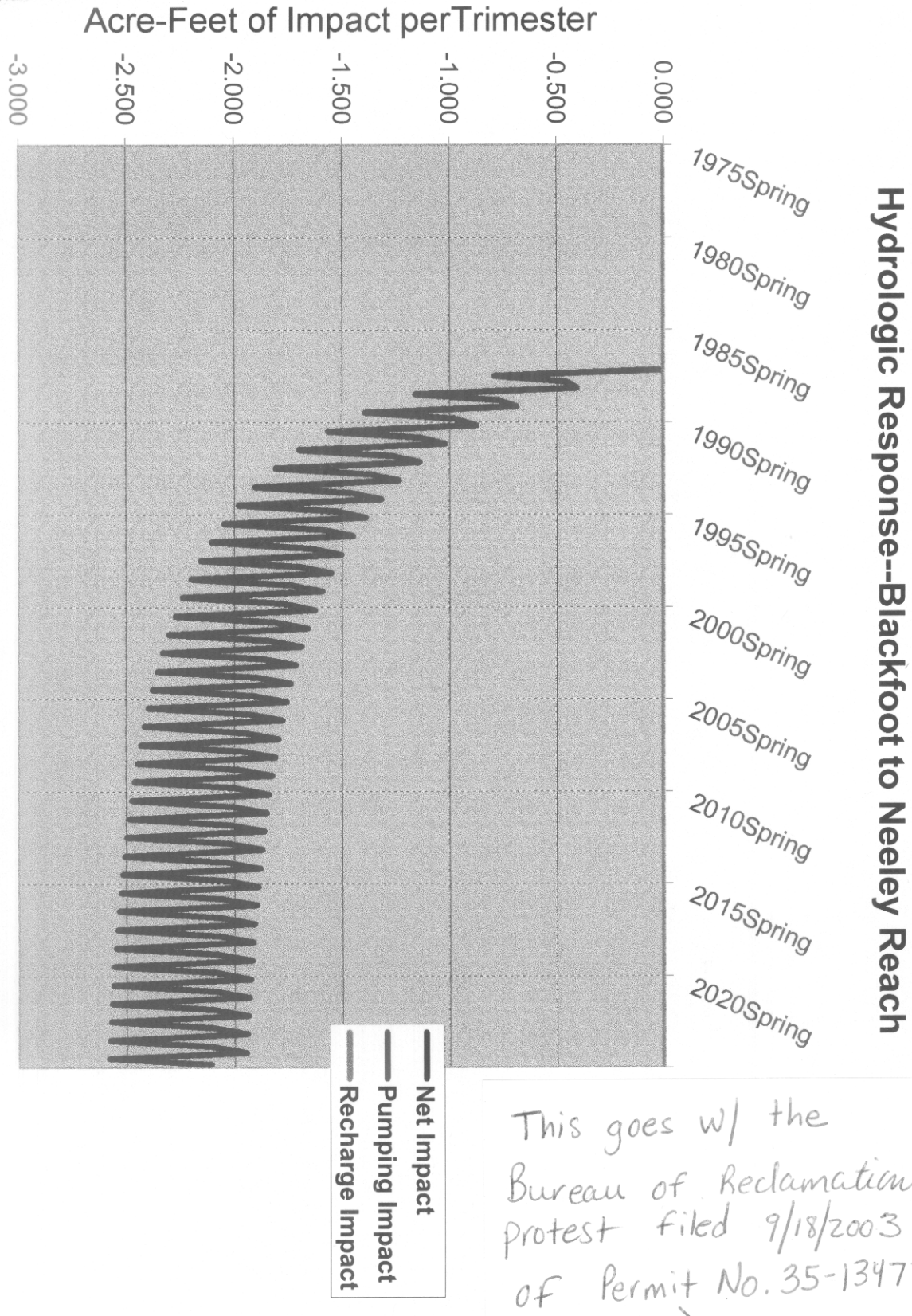
Tina M. Hansen
P.O. Box 125
Aberdeen, ID 83210

and hand delivered to:

The Idaho Department of Water Resources
1301 North Orchard
Boise, Idaho 83706-2237

Katy Loomis

RECEIVED
APR 1 5 2004
Department of Water Resources



This goes w/ the Bureau of Reclamation's protest filed 9/18/2003 of Permit No. 35-13477 (Hansen)
Call Katy Loomis @ BOR if you have questions: 338-5377

DEPT. OF WATER RESOURCES
900 N. Skyline Drive, Suite A
Idaho Falls, Idaho 83402-1718
Phone: (208) 525-7161
Fax: (208) 525-7177

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

35-13476
STEVEN L. KAUER
700 W. 695 N.
Blackfoot, Idaho 83221
Point(s) of Diversion: SWSW S36, T01S, R34E, Bingham County.
Source: GROUNDWATER
Use: DOMESTIC 01/01 to 12/31 0.14 CFS
Total Diversion: 0.14 CFS
Date Filed: 08/14/2003

Place of Use: DOMESTIC
T01S, R34E, S36, SWSW, SESW

35-13477
TINA M. HANSEN
P.O. Box 125
Aberdeen, Idaho 83210
Point(s) of Diversion: NESE, S33, T03S, R33E, BINGHAM County.
Source: GROUNDWATER
Use: IRRIGATION 04/01 to 10/31 0.09 CFS
Total Diversion: 0.09 CFS
Date Filed: 08/20/2003
Place of Use: IRRIGATION
T03S, R33E, S33, NESE
Number of Acres 3

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code.
Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Eastern Region, 900 N. Skyline Drive, Suite A, Idaho Falls, Idaho, 83402, together with a protest fee of $25.00 for each application on or before September 22, 2003. The protestant must also send a copy of the protest to the applicant.

KARL J. DREHER
Director

(#673)
Pub.: Pub.: 9/4, 11

original affidavit is in file 35-13477

RECEIVED
SEP 15 2003
Department of Water Resources
Eastern Region

Legals

AFFIDAVIT OF PUBLICATION

County of Bingham)
ss
State of Idaho)

I, Jacqueline Graham do solemnly swear that I am the Legal Coordinator of The Morning News, which is a daily newspaper of general circulation, published each day except Sunday at Blackfoot, Bingham County, Idaho, said newspaper having been so published at Blackfoot, aforesaid for more than one year past; that said newspaper heretofore complied with all the provisions of Chapter 154 of the Sessions Laws of Idaho of 1911, approved March 11, 1911, and duly designated, pursuant to law, a particular day of the week as the day on which legal notices required by law or by the order of any Court of competent jurisdiction within the State of Idaho shall be published to-wit: of each week; that the notice attached hereto and which is a part of this affidavit and part of the proof of publication was published in said issue of said newspaper 2 consecutive weeks the first publication having been made on the 4th day of Sept 2003, and the last publication having been made on the 11th day of Sept 2003; that said notice was published in the regular and entire issue of every number of the paper as aforesaid during the period and time of publication, and that notice was published, in the newspaper and not in a supplement.

Jacqueline Graham

On this 11th day of Sept, in the year of 2003, before me a Notary Public of the State, personally appeared Jacqueline Graham, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me the first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

NOTARY PUBLIC STATE OF IDAHO

Notary Public for the State of Idaho
Residing at Blackfoot, Idaho
My Commission Expires:
June 19, 2004
Affidavit Processing Fee.....$5.00

State of Idaho
Department of Water Resources
Application for Permit

RECOMMENDATION OF WATERMASTER

Application for Permit No 35-13477
Applicant's Name: TINA M HANSEN
PO BOX 125
ABERDEEN ID 83210

Watermaster's Recommendation:

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

b) _X_ I do not oppose approval of this application if it is conditioned as follows:

1. THIS RIGHT WHEN COMBINED WITH ANY OTHER RIGHTS NOT TO EXCEED 0.02 CFS PER ACRE

2. IF SURFACE WATER IS AVAILABLE, IT MUST BE USED FIRST

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

d) ____ Additional Comment:

Dated this 02 day of SEPTEMBER, 2003

Water District No: 120

Watermaster's Signature

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

EASTERN REGION
August 27, 2003

DIRK KEMPTHORNE
Governor
KARL J. DREHER
Director

TINA M HANSEN
PO BOX 125
ABERDEEN ID 83210

RE: Application for Permit No 35-13477

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the Morning News on September 4 and 11, 2003. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved.

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

Sincerely,

W Roger Warner
Water Right Supervisor

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

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 27, 2003

LEWIS H ROUNDS
WATERMASTER
IDAHO FALLS, ID 83402

RE: Application for Permit No 35-13477

Dear LEWIS H ROUNDS:

Enclosed is a copy of the above referenced application. Please review the application, complete the enclosed recommendation form, and submit it to this office by September 10, 2003.

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

Sincerely,

W Roger Warner
Water Right Supervisor

Enclosure(s)

WRW:sc

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

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 27, 2003

Legal Notice Department
MORNING NEWS
PO BOX 70
BLACKFOOT ID 83221

RE: Applications for Permit No. 35-13476 35-13477

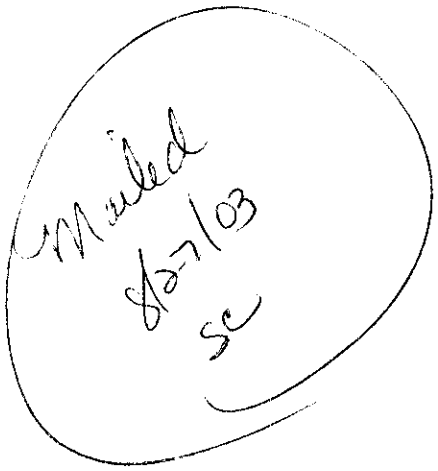
Dear LEGAL NOTICE DEPARTMENT:

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

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before September 22, 2003. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant



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

35-13476

STEVEN L KAUER
700 W 695 N
BLACKFOOT ID 83221

Point(s) of Diversion: SWSW S36 T01S R34E, BINGHAM County
Source GROUND WATER

Use: DOMESTIC 01/01 To 12/31 0.14 CFS
Total Diversion: 0.14 CFS

Date Filed: 08/14/2003

Place Of Use: DOMESTIC

T01S R34E S36 SWSW SESW

35-13477

TINA M HANSEN
PO BOX 125
ABERDEEN ID 83210

Point(s) of Diversion: NESE S33 T03S R33E, BINGHAM County
Source GROUND WATER

Use: IRRIGATION 04/01 To 10/31 0.09 CFS
Total Diversion: 0.09 CFS

Date Filed: 08/20/2003

Place Of Use: IRRIGATION

T03S R33E S33 NESE

Number of Acres 3

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of $25.00 for each application on or before September 22, 2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director Published on September 4 and 11, 2003

Exhibit A. page 1 of 2

1985

Warren Hill 518-34-8832 Farmer

Rollande Hill 377-24-6788

Harold Hill 25. Handicapped

	Dr	Cr
Sale of Milk		13706.43
A.S.C. Payment - Milk Program		635.50
CCC	430.37	
National Dairy Prom.	54.16	
Milk Hauling	461.79	
A.D.A.	108.38	
Telephone ~~485.24~~	1/2 72.23	
	u ~~144.46~~	
Power-farmsae	u 175.00	
Irrigation Power	u 659.39	
T+T	1/2 24.03	
	u ~~48.06~~	
~~Irrigation tax refund~~ Billing Paper		33.85
Canal Co.	u 637.50	
Vet + Supplies ~~187.98~~	189.98	
Pasture.	100.00	
Legal Fees	180.00	
Grasshopper Spraying	112.86	
Building Permit for Shop	15.00	
Brand Inspection	42.00	
Advertising	22.90	

Supplies - Cont	Dr	Cr
Blackfoot Sales	299.06	
Lee Carter - waterer	260.00	
Wire	100.00	
Mainline 100ft	300.00	
Refrigerator Sold		20.09
Grainey Sold		600.00
Eagle	4.61	
Barn Supplies	50.49	
Tires - Tractor	621.93	

The mainline and irigation power were used from the time the property was purchased - I do not know actual date - The Farm Auction for previous property sold was on April 20, 1985 during the move - all irigation equipment belonging to the previous property was sold with said property

Exhibit B.

	ITEM	DATE ACQ	COST	DEPREC ALLOW	AMOUNT RECEIVED
1	SWATHER	1969	20000	16000	
2	COMBINE	1969	9350	7480	
3	MILKER	1969	10200	8160	
4	SUPPLIE	1969	26950	21560	
5	PLOW	1968	23961	23961	
6	MANURE SPRDR	1970	10000	10000	
7	GRAVARY BLD	1972	56350	56350	
8	BARN - BLD MEAT SHOP	1968	706328	600148	
9	SPRINKLER EQUIP	1973	655737	524190	
10	1955 INTER dozer T d 6	1973	92500	74000	
11	STAR STEEL BLD	1973	386500	227900	
12	LATTER LIVES	1974	50000	40000	
13	1970 DATSUN PU	1974	130176	100000	
14	DISC	1975	20000	20000	
15	BALER	1975	25000	25000	
16	PLOW	1975	70000	70000	
17	ROCK PICKER	1977	40000	40000	
18	1946 JEEP	1977	30000	30000	
19	MILK BAN - BLD	1978	1432345	573000	
20	GRAIN STORAGE BIN -BLD	1978	178425	78400	
21	GEAL MIX ALL	1978	100000	100000	
22	BALE WAGON	1978	55000	55000	
23	DRILL	1979	100000	85800	
24	Loader	1979	330000	283200	
25	WHEEL LOAD	1979	471848	40440	
26	N. H. Baler	1980	47050	30240	
27	SCRAPER	1980	65000	41800	
28	GRAVALY - BLD	1982	110000	17600	
29	MANURE SPREADER	1983	240000	86400	
30	2 USED WHEEL LOAD	1984	391195	55900	
31	BUTLER IRRIG MAIN LINE	1984	230688	33000	
32					
33	TOTAL		6966853	4506649	5308000
34					
35					
36	SOLD EQUIPMENT AT AUCTION FOR THE TOTAL LISTED.				
37					
38					
39	Auction occured April 20, 1985				
40					