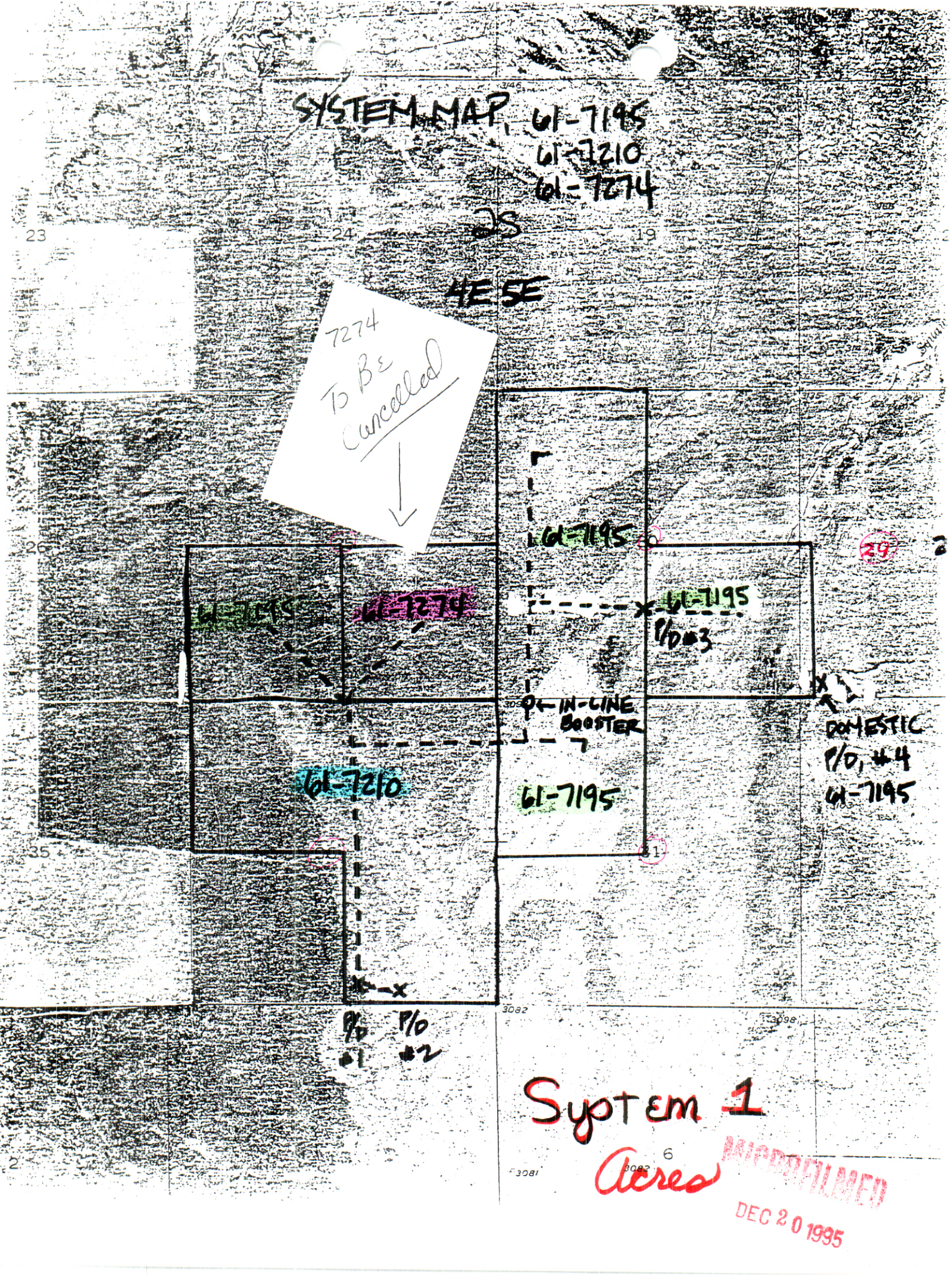
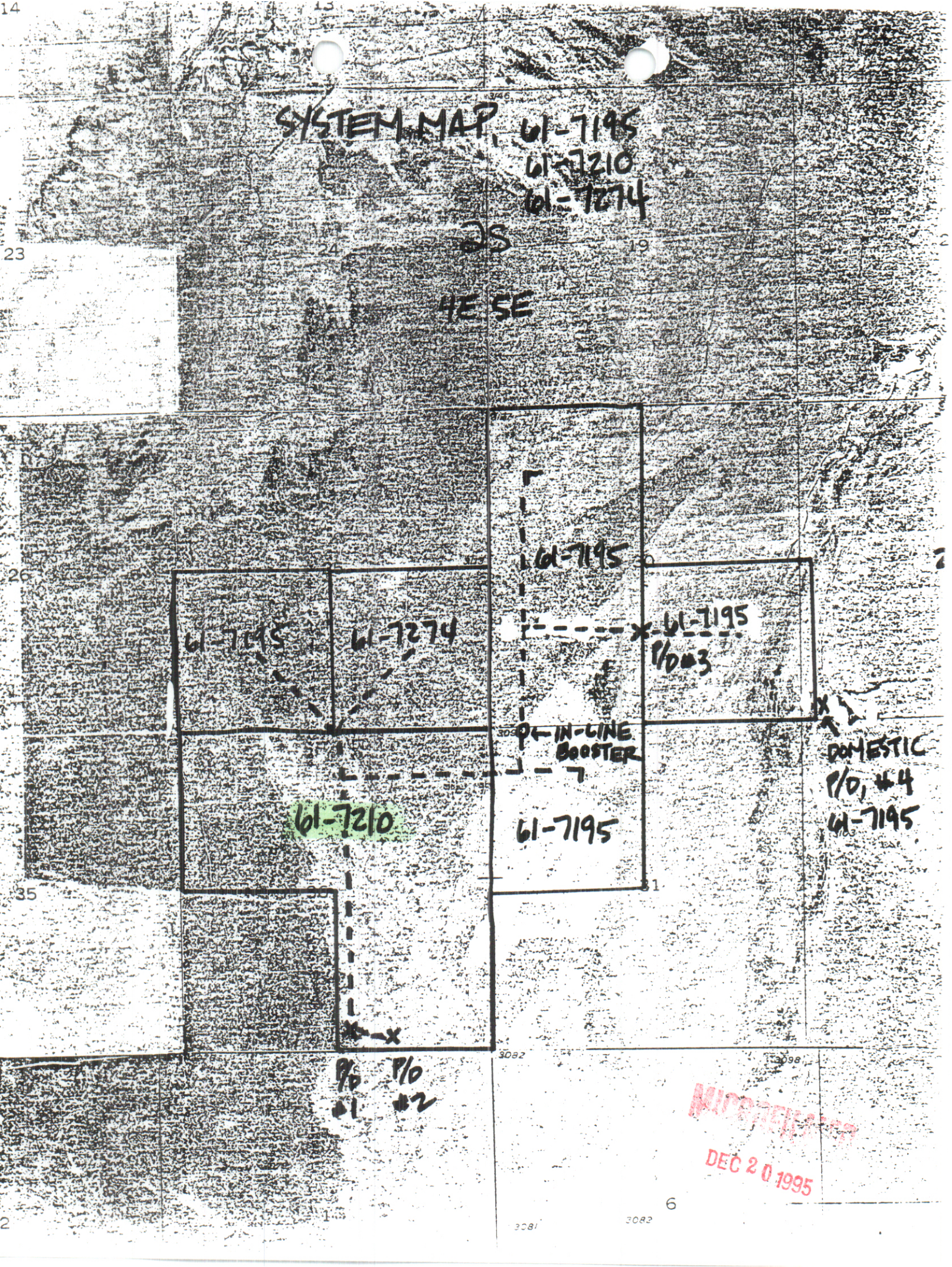
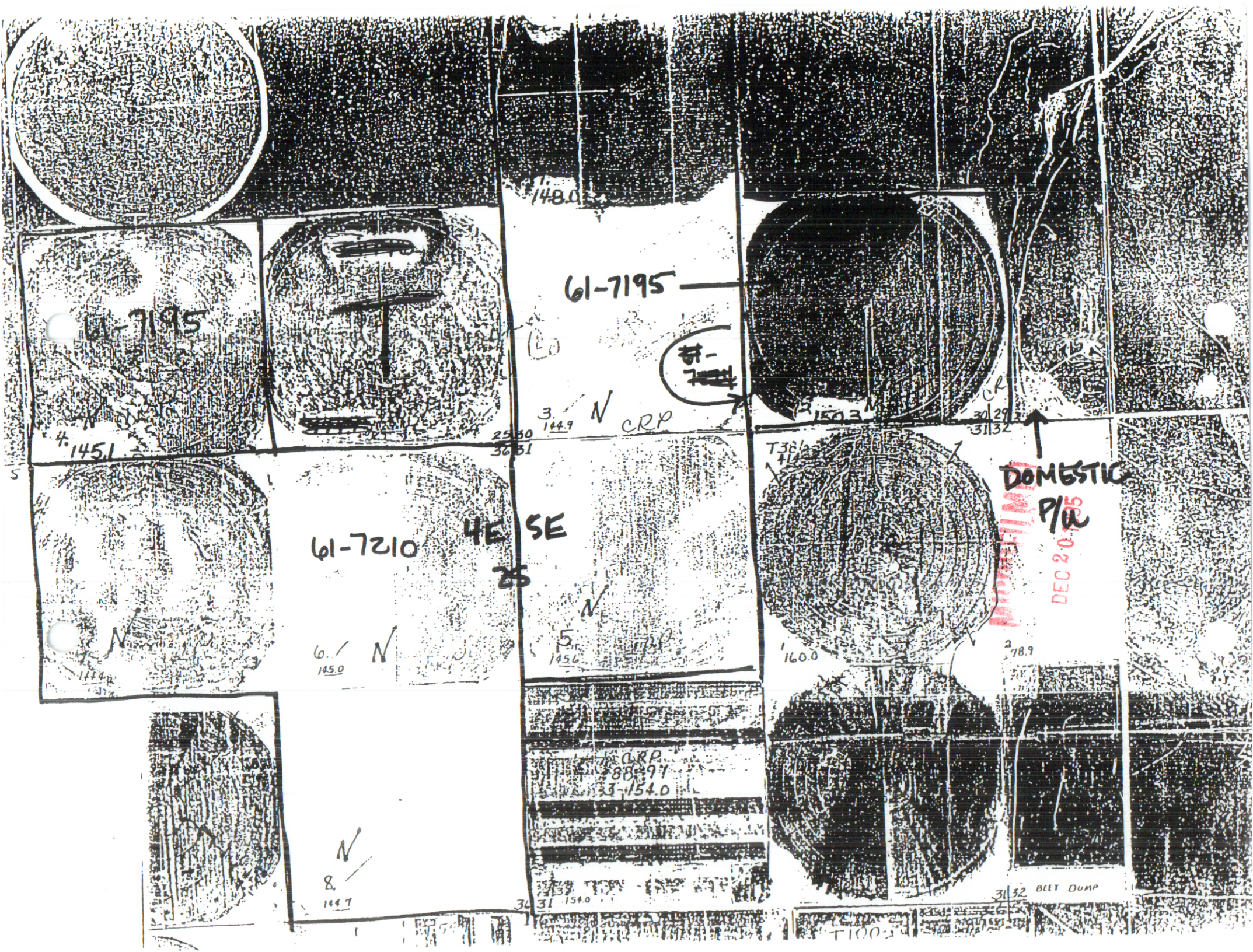

SYSTEM MAP, 61-7195
61-7210
61-7274
3S
4E 5E
7274
To Be
Cancelled
61-7195
61-7274
61-7195
61-7195
P/O #3
IN-LINE
BOOSTER
61-7195
DOMESTIC
P/O, #4
61-7195
61-7210
P/O
#1
P/O
#2
System 1
Acres
RECEIVED
DEC 20 1995


SYSTEM MAP
61-7195
61-7210
61-7274
2S
4E 5E
61-7195
61-7274
61-7195
61-7195
P/O #3
IN-LINE BOOSTER
61-7195
61-7210
DOMESTIC
P/O, #4
61-7195
P/O #1
P/O #2
DEC 2 0 1995

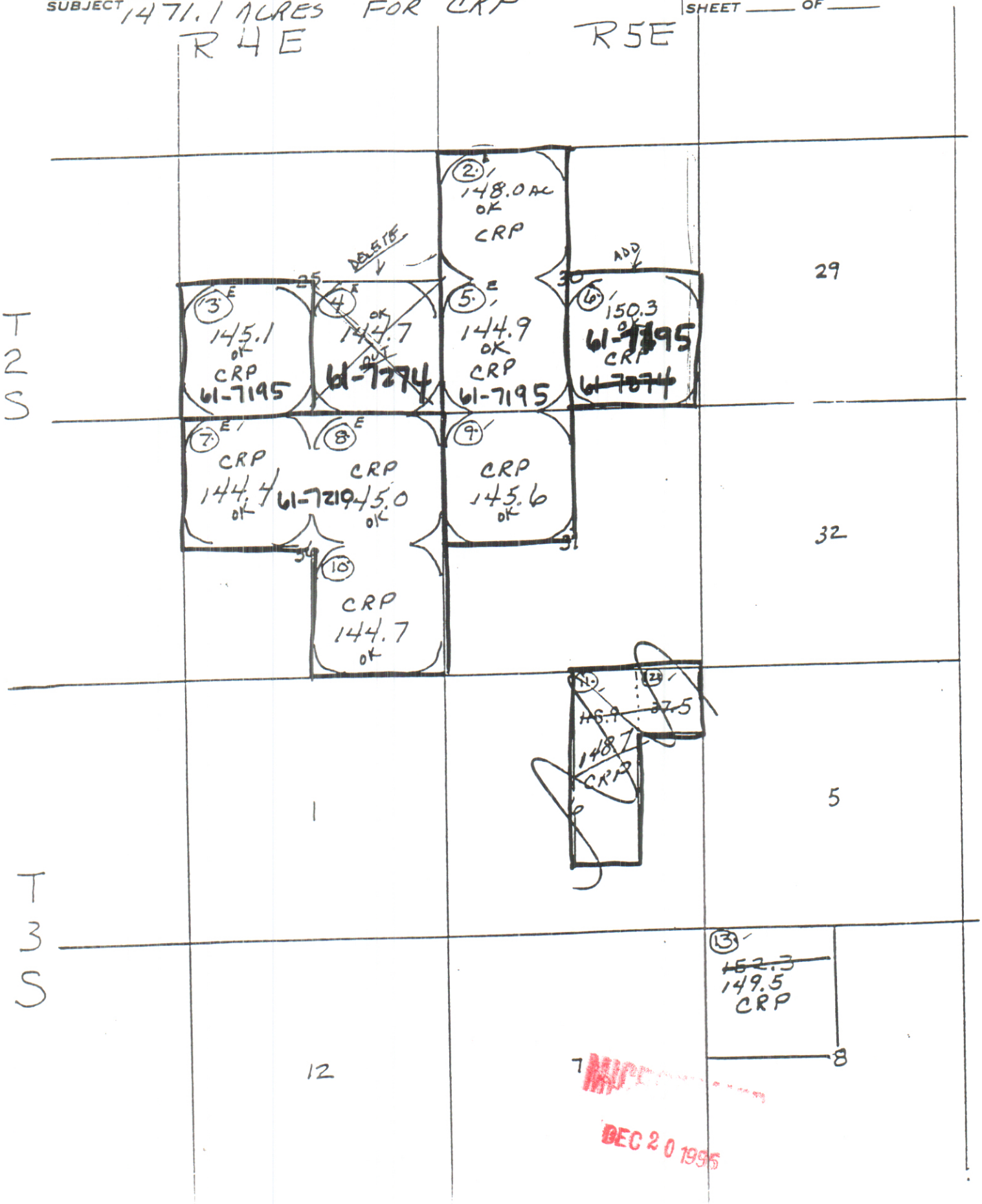

61-7195
61-7195
61-7210
4E
SE
25
DOMESTIC
P/W
DEC 2 0 1995
148.0
150.3
145.1
144.9
145.0
145.6
160.0
178.9
154.0
144.7
BEET DUMP
CRP

COMPUTATION SHEET
SCS-ENG-522 REV. 3-69

U.S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE
GPO: 1988—O-337-998

STATE		PROJECT HERB MONTIERTH		
BY	DATE	CHECKED BY	DATE 2-17-88	JOB NO.

SUBJECT 147.1 ACRES FOR CRP — SHEET ____ OF ____

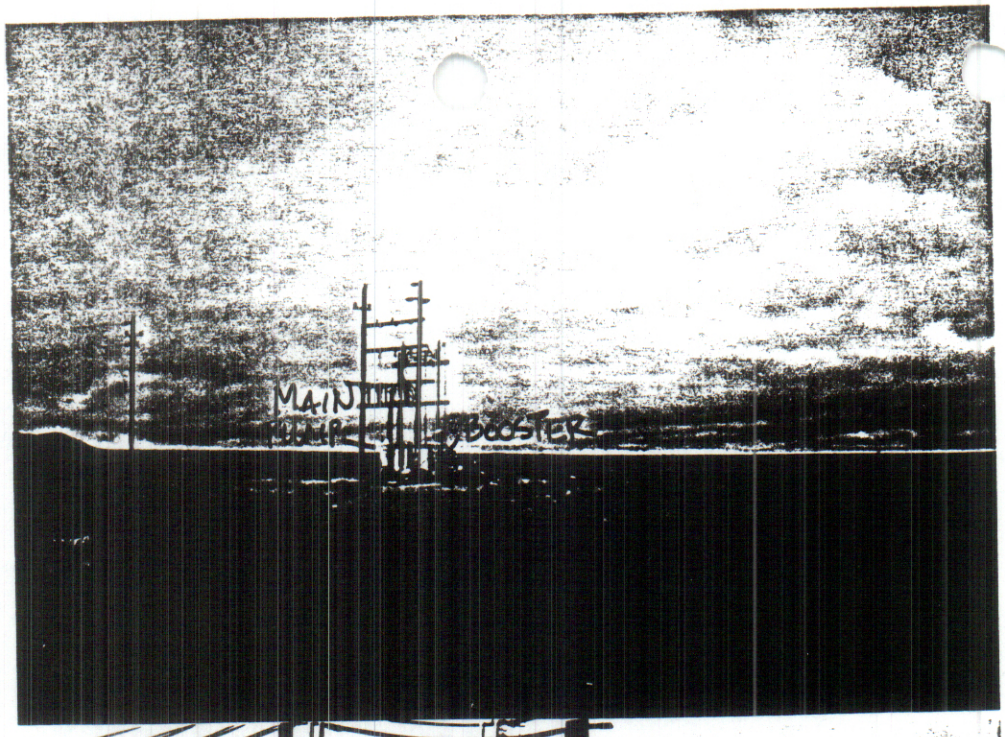


DEC 20 1995

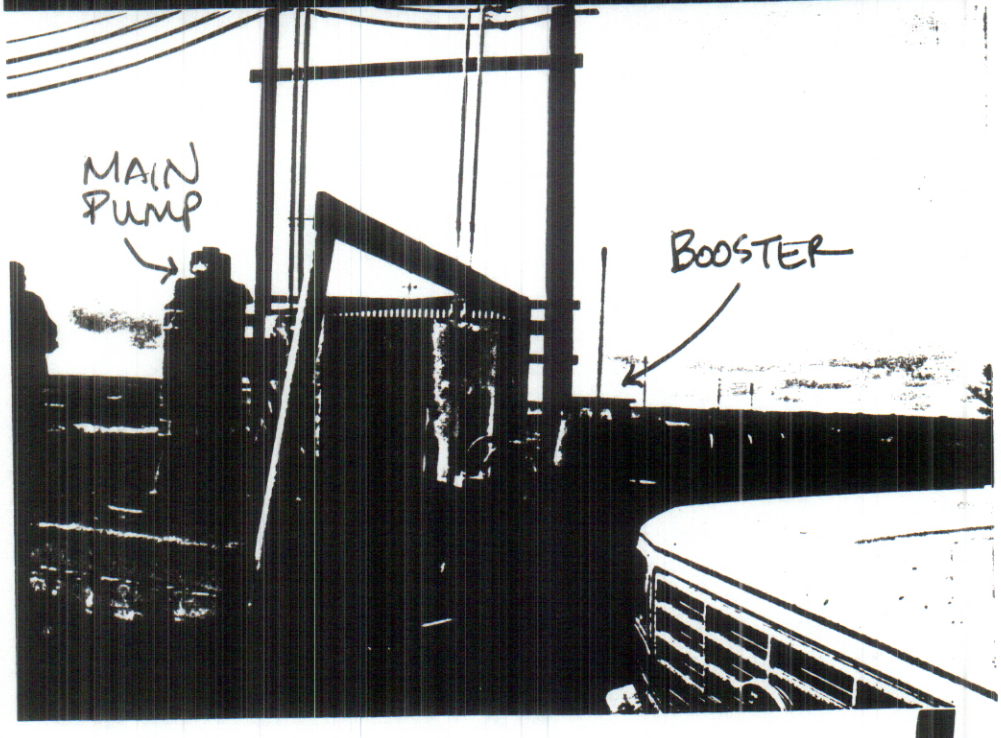
61-7195 thru 7212

12/11/92

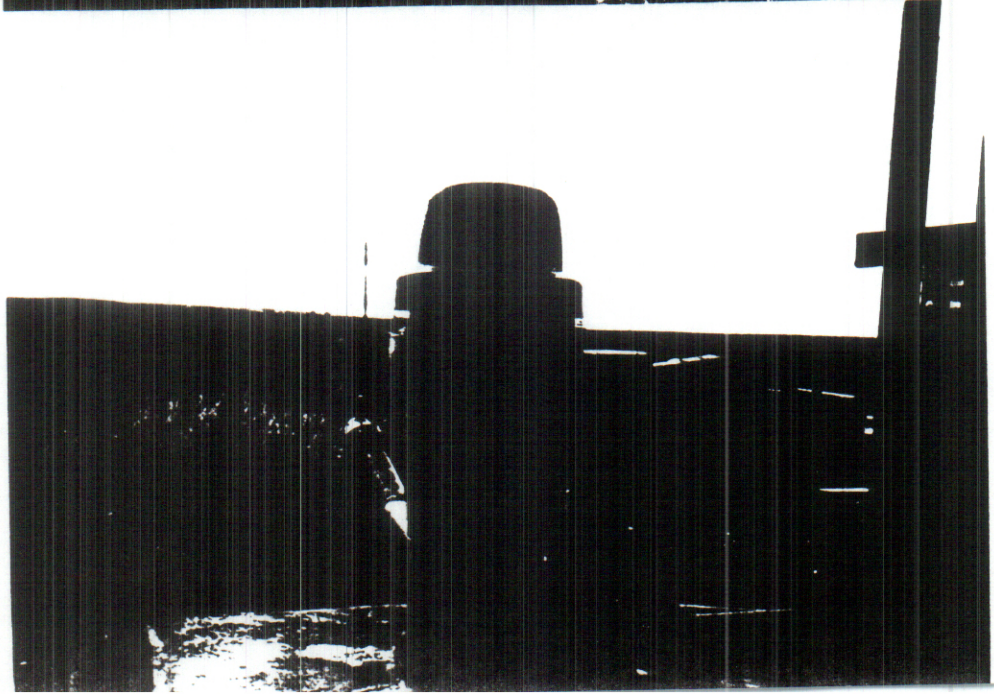
Originals - see 61-7195



P/D #1 SWSWSE Sec
SWSWSE Sec 36



P/D #2 SESWSE Sec
Sec 36



P/D #3
SWNWSE/SENESW Sec 30
Sec 30

DEC 20 1995

RECEIVED
Department of Water Resources

Affidavit of Publication

JAN 27 1975

County of Elmore
STATE OF IDAHO } ss.

I, Lloyd S. Waters do solemnly swear that I am the foreman, or publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of the proof of publication thereof, was published in said newspaper for

Two consecutive weeks, the first publication having been made on the 16th day of January, 19 75 and the last publication having been made on the 23rd day of January 19 75; every Thursday issue of the paper during the period and time of publication and that the notice was published in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

Lloyd S. Waters

Subscribed and sworn to me this 23rd day of January, 19 75

Nelson H. Wells Jr.
Notary Public

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that ELWOOD D. WING Box 54, Murphy, ID has on Dec. 19, 1974 submitted Application No. 61-7210 for a permit to appropriate 9.6 cubic feet per second of water from a groundwater source by means of drilled wells (2) and sprinkler irrigation within the SW¼NE¼, NE¼NW¼, Sec. 36, T. 2 S, R. 4 E, B.M. Elmore County to be used from March 15 to Nov. 15 for irrigation of 480 acres within the N½, SE¼, Sec. 36, T. 2 S, R. 4 E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before Jan. 20, 1975.

R. KEITH HIGGINSON
Director

Published in the Mountain Home News, Mtn. Home, ID on Jan. 16, 1975 and Jan. 23, 1975.

OK
JJ 1-27-75

MICROFILMED

State of Idaho
Department of Water Resources

AMENDED

WATER RIGHT LICENSE

AMENDED

WATER RIGHT NO. 61-07210

Priority: December 19, 1974 — Maximum Diversion Rate: 6.56 CFS; Maximum Diversion Volume: 1312.0 AF

This is to certify, that CONNECTICUT GENERAL LIFE INSURANCE CO
C/O CIGNA CORP
SOUTH BUILDING S-305
900 COTTAGE GROVE RD
BLOOMFIELD CT 06002 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 19, 1974; and has submitted Proof of Beneficial Use on January 24, 1978. An examination indicates that the works have a diversion capacity of 18.650 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	04/01 to 10/31	6.56 CFS	1312.0 AF

LOCATION OF POINT(S) OF DIVERSION: SWSE , Sec. 36, Township 02S, Range 04E
NESW , Sec. 30, Township 02S, Range 05E
NWSE , Sec. 30, Township 02S, Range 05E
ELMORE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
02S	04E	25	NESW	36	NWSW	36	SWSW	36	
			SESW	37					145
		36	NENE	36	NWNE	36	SWNE	37	
			SENE	36	NENW	36	NWNW	36	
			SWNW	36	SENW	36	NESE	36	
			NWSE	37	SWSE	36	SESE	36	434
	05E	29	NWSW	3	SWSW	3			6
		30	NENW	37	NWNW	37	SWNW	37	
			SENW	37	NESW	36	NWSW	36	
			SWSW	37	SESW	36	NESE	36	
			NWSE	36	SWSE	36	SESE	36	437
		31	NENW	37	NWNW	37	SWNW	36	
			SENW	36					146

Total number of acres irrigated: 1168

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.

MICROFILMED
JUN 15 1987

State of Idaho
Department of Water Resources

AMENDED

WATER RIGHT LICENSE

AMENDED

WATER RIGHT NO. 61-07210

CONDITIONS OF APPROVAL AND REMARKS

2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
6. Two points of diversion are located within SWSE, S36, T02S, R04E.
7. One point of diversion is located on or near line between NWSE and NESW, S30, T02S, R05E.
8. Right 61-07195A is also diverted through the points of diversion in Sections 36 and 30 described above.
9. Right 61-07204 is also diverted through the point of diversion in Section 30 described above.
10. This right is limited to the irrigation of 328 acres within the place of use described above in a single irrigation season.
11. Use of this right with the rights listed below is limited to a total combined irrigation diversion rate of 23.47 cfs, a total combined annual irrigation diversion volume of 5636 af, and to the combined total of 1409 acres in a single irrigation season. The combined rights include: 61-07195A and 61-07204.
12. Rights 61-07195A and 61-07210 when combined shall not exceed a total diversion rate of 18.65 cfs, a total annual diversion volume of 4672.0 af, and the irrigation of 1168 acres.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 13th day of June, 1997.

Acting for KARL J. DREHER, Director

MICROFILMED
JUN 25 1997

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 61-07210

Priority: December 19, 1974 — Maximum Diversion Rate: 0.78 CFS
Maximum Diversion Volume: 156.0 AF

This is to certify, that CONNECTICUT GENERAL LIFE INSURANCE CO
C/O CIGNA CORP
SOUTH BUILDING S-305
900 COTTAGE GROVE RD
BLOOMFIELD CT 06002 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 19, 1974; and has submitted Proof of Beneficial Use on January 24, 1978. An examination indicates that the works have a diversion capacity of 18.650 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	04/01 to 10/31	0.78 CFS	156.0 AF

LOCATION OF POINT(S) OF DIVERSION: SWSE , Sec. 36, Township 02S, Range 04E
NESW , Sec. 30, Township 02S, Range 05E
NWSE , Sec. 30, Township 02S, Range 05E
ELMORE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
02S	04E	25	NESW	36	NWSW	36	SWSW	36	
			SESW	37					145
		36	NENE	36	NWNE	36	SWNE	37	
			SENE	36	NENW	36	NWNW	36	
			SWNW	36	SENW	36	NESE	36	
			NWSE	37	SWSE	36	SESE	36	434
	05E	29	NWSW	3	SWSW	3			6
		30	NENW	37	NWNW	37	SWNW	37	
			SENW	37	NESW	36	NWSW	36	
			SWSW	37	SESW	36	NESE	36	
			NWSE	36	SWSE	36	SESE	36	437
		31	NENW	37	NWNW	37	SWNW	36	
			SENW	36					146

Total number of acres irrigated: 1168

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water tnat may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.

Microfilmed
DEC 20 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 61-07210

CONDITIONS OF APPROVAL AND REMARKS

2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Two points of diversion are located within SWSE, S36, T02S, R04E.
6. One point of diversion is located on or near line between NWSE and NESW, S30, T02S, R05E.
7. Right 61-07195A is also diverted through the points of diversion in Sections 36 and 30 described above.
8. Right 61-07204 is also diverted through the point of diversion in Section 30 described above.
9. This right is limited to the irrigation of 39 acres within the place of use described above in a single irrigation season.
10. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
11. Use of this right with the rights listed below is limited to a total combined irrigation diversion rate of 22.38 cfs, a total combined annual irrigation diversion volume of 4480 af, and to the combined total of 1120 acres in a single irrigation season. The combined rights include: 61-07195A and 61-07204.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 13TH day of NOVEMBER, 1995.

Acting for KARL J. DREHER, Director

WATER RESOURCES
DEC 20 1995

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT

(For Licensing Purposes)

WATER RIGHT NO. 61-07210

Date of Priority: December 19, 1974 Maximum Diversion Rate: 0.78 CFS
Maximum Diversion Volume: 156.0 AF

Comes now CONNECTICUT GENERAL LIFE INSURANCE CO
C/O CIGNA CORP
SOUTH BUILDING S-305
900 COTTAGE GROVE RD
BLOOMFIELD CT 06002 and represents to the Director of the

Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 61-07210, and requests that the permit be changed as follows:

Source: **GROUNDWATER**

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	04/01 to 10/31	0.78 CFS	156.0 AF

LOCATION OF POINT(S) OF DIVERSION: SWSE , Sec. 36, Township 02S, Range 04E
NESW , Sec. 30, Township 02S, Range 05E
NWSE , Sec. 30, Township 02S, Range 05E
ELMORE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
02S	04E	25	NESW	36	NWSW	36	SWSW	36	
			SESW	37					145
		36	NENE	36	NWNE	36	SWNE	37	
			SENE	36	NENW	36	NWNW	36	
			SWNW	36	SENW	36	NESE	36	
			NWSE	37	SWSE	36	SESE	36	434
	05E	29	NWSW	3	SWSW	3			6
		30	NENW	37	NWNW	37	SWNW	37	
			SENW	37	NESW	36	NWSW	36	
			SWSW	37	SESW	36	NESE	36	
			NWSE	36	SWSE	36	SESE	36	437
		31	NENW	37	NWNW	37	SWNW	36	
			SENW	36					146

Total number of acres irrigated: 1168

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State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 61-07210

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk.

Signed at _____, this _____ day of 11-2, 1995.

HR Monteith
(Signature)

DEC 20 1995

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 61-07210

****

FOR DEPARTMENT USE ONLY

Preliminary check by SWK Fee = 50.00 Receipted by Ruby # C033921 Date 11/2/95

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 61-07210 with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Two points of diversion are located within SWSE, S36, T02S, R04E.
6. One point of diversion is located on or near line between NWSE and NESW, S30, T02S, R05E.
7. Right 61-07195A is also diverted through the points of diversion in Sections 36 and 30 described above.
8. Right 61-07204 is also diverted through the point of diversion in Section 30 described above.
9. This right is limited to the irrigation of 39 acres within the place of use described above in a single irrigation season.
10. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
11. Use of this right with the rights listed below is limited to a total combined irrigation diversion rate of 22.38 cfs, a total combined annual irrigation diversion volume of 4480 af, and to the combined total of 1120 acres in a single irrigation season. The combined rights include: 61-07195A and 61-07204.

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State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 61-07210

Witness my hand this 13TH day of NOVEMBER, 1995.

KARL J. DREHER, Director
Acting for

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DEC 20 1995

4/86

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JUN 18 1987
STATE OF IDAHO
Department of Water Resources

RECEIVED
MAY 26 1987
Department of Water Resources
Western Regional Office

KEYPUNCHED

For Office Use Only
Fee Received 325
Date 6-5-87
Receipt # 44925
Receipt by
Sent to S.O. 6/8/87

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

1. Permit No. 61-7210

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

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

2. Permit Holder: CONNECTICUT GENERAL LIFE INSURANCE COMPANY
c/o CIGNA CORPORATION
South Building S-305

3. Post Office Address: 900 Cottage Grove Road, Bloomfield, CT. 06002

Telephone No. BOISE REGIONAL OFFICE 208-377-0510

4. Source of Water: groundwater

5. Extent of Use:

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

Irrigation 480 (acres) Other/Remark _____

6. Total rate &/or volume for which proof is submitted 9.6 cfs _____ acre-feet

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

1974

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

Herb Montierth

DEC 20 1995

(Name)

Route 1 Box 156, Kuna, ID. 83634 208-922-4237

(Address) (Telephone Number)

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

April 20, 1987
Date

CONNECTICUT GENERAL LIFE INSURANCE COMPANY
BY: CIGNA Investments, Inc.
BY:
Signature of Permit Holder (and title, if appropriate)

H R Montierth

Robert M. Tippett, Assist. V. Pres.

State of Idaho

Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

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

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

Checks should be made payable to the
Department of Water Resources

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

RECEIVED
JAN 24 1978
Department of Water Resources
Western Regional Office

Identification No. _____

Permit No. 61-7210

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Herbert Montierth

   b) Post Office Address Box 156, Kuna, Id.

2. Permit Number 61-7210

3. Date of Priority that you are prepared to establish 12-19-74

4. a) Source from which water was appropriated Ground water

   b) Location of the point of diversion: SW ¼ SE ¼, Section 30

   Township 2S, Range 5E Boise Meridian, Other points of diversion:
   SWSE - Sec 36, T2S, R4E (2 points)
   SWSW - Sec 29, T2S, R5E

5. a) The amount of water and use to which the water has been applied:

   Amount 9.6 for Irr. purposes from 3-15 to 11-15 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 9.6 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: N/A

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:
   N/A

   b) Describe the agreement or understanding by which you take water from the works:
   N/A

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) Same as on proof affidavit 61-7195

   b) Describe the type and size of measuring device which you have installed at your point of diversion:
   Inline flow meters

   c) Give well driller's name and address and the date the well was completed:
   Same as on proof 61-7195

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

Exam typed 2/01/78 JF

9. Irrigation uses: describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2S	4E	36	40	40	40	40	40	40	40	40					40	40	40	40	480

Total number of acres irrigated 480

10. Remarks: _____

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

1-24-78 (Date)

Herbert Monteith (Signature)

State of Idaho)
) ss.
County of Ada)

On this 24th day of January, 19 78, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Lyle Glen Saxton
Notary Public residing at Boise, Idaho

My commission expires 11-25-78

State of Idaho

Department of Water Resources

RECEIVED
MAR 31 1978
Department of Water Resources

ASSIGNMENT OF PERMIT

I, HERBERT R. MONTIERTH, JR. (also known as Herb R. Montierth or H. R. Montierth), hereby assign to CONNECTICUT GENERAL LIFE INSURANCE COMPANY

of 910 Stemmons Tower North, Dallas, TX 75207
Address

CHECK ONE

[X] All my right, title, and interest in and to Permit No. 61-7210 to appropriate the public waters of the State of Idaho.

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

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

This assignment is given as collateral security for a mortgage loan (Loan No. 7722200) to be secured by a mortgage from assignor to assignee covering the real property described in said permit and other lands

Made this 6th day of February, 19 78.

Herbert R Montierth
Permit Holder - HERBERT R. MONTIERTH, JR. (also known as Herb R. Montierth or H. R. Montierth)

Golda Darlene Montierth
Spouse of Permit Holder - GOLDA DARLENE MONTIERTH (also known as Golda D. Montierth or as Darlene R. Montierth)

State of Idaho)
ss.
County of Ada)

On this 6 day of February, 19 78, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

seal

Notary Public residing at Boise

My commission expires:
5-17-78

MICROFILMED

State of Idaho

Department of Water Resources

ASSIGNMENT OF PERMIT

RECEIVED
JAN 23 1978
Department of Water Resources

I, Elwood D. Wing & Herschall Trunnell, hereby assign to Herbert Monnerjarth

of Box 156 Kuna, ID
Address

CHECK ONE

[X] All my right, title, and interest in and to Permit No. 61-7210 to appropriate the public waters of the State of Idaho.

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

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

Made this 21st day of December, 19 77.

Herschel Trunnell
Herschel Trunnel

Elwood D. Wing
Permit Holder

Beverly Trunnell
Beverly Trunnel

Dianne Wing
Spouse of Permit Holder

State of Idaho)
ss.
County of Ada)

On this 21st day of December, 19 77, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he/she (she) (they) executed the same.

Alonzo B. Leavell

seal

Notary Public residing at Alonzo B. Leavell
Boise, Idaho

My commission expires:
Life

PLEASE NOTIFY ELWOOD WING WHEN PROOF OF BENEFICIAL USE IS DUE

State of Idaho

Department of Water Resources

ASSIGNMENT OF PERMIT

Elwood D. Wing
Box 54, Murphy, ID &
Hershal Trunnell

I, Elwood D. Wing, hereby assign to Hershal Trunnell

of 1908 Walnut, Caldwell, ID
Address

CHECK ONE

[X] All my right, title, and interest in and to Permit No. 61-7210 to appropriate the public waters of the State of Idaho.

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

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

Made this 27 day of October, 19 76.

Elwood D. Wing
Permit Holder

Spouse of Permit Holder

State of Idaho)
County of Ada) ss.

On this 27th day of October, 19 76, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Rita Bendele

seal

Notary Public residing at
Boise Idaho

My commission expires:
March 8, 1980

Identification No _____

Application No 61-7210

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT Conn. Gen. Life 3/31/28

To Appropriate the Public Waters of the State of Idaho

ASSIGNED TO: HERBERT MONTIERTH (TYPE OR PRINT IN INK)
1-23-1978

1 Name of applicant Elwood D. Wing Phone _____

post office address Box 54, Murphy, ID

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

3 a Location of point of diversion is SW ¼ of NE ¼ of Section 36 Township 2 S Range 4 E B M Elmore County, additional points of diversion if any _____

NE¼NW¼, Sec. 36, T. 2 S, R. 4 E

b If water is not consumed, it will be discharged into _____ at a point in _____ ¼ of _____ ¼ of Section _____ Township _____ Range _____ B.M _____

4 Water will be used for the following purposes

Amount 9.6 (cfs or acre feet per annum) for Irrigation purpose from March 15 to Nov. 15 (both dates inclusive)

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

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

5 Total quantity to be appropriated

a 9.6 cubic feet per second and/or

b _____ acre feet per annum

6 Proposed diverting works

a Description of ditches, flumes, pumps, headgates, etc Drilled wells (2), sprinkler irrigation

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

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

c Proposed well diameter is 16 inches, proposed depth of well is 500 feet

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

b Estimated construction cost is $ 100,000.00

8 Description of proposed uses

a If water is **not** for irrigation

(1) Give the place of use of water _____ ¼ of _____ ¼ of Section _____ Township _____ Range _____ B M

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

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

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

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

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

TWP	RANGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2 S	4 E	36	40	40	40	40	40	40	40	40					40	40	40	40	480

Total number of acres to be irrigated 480

c Describe any other water rights used for the same purposes as described above none

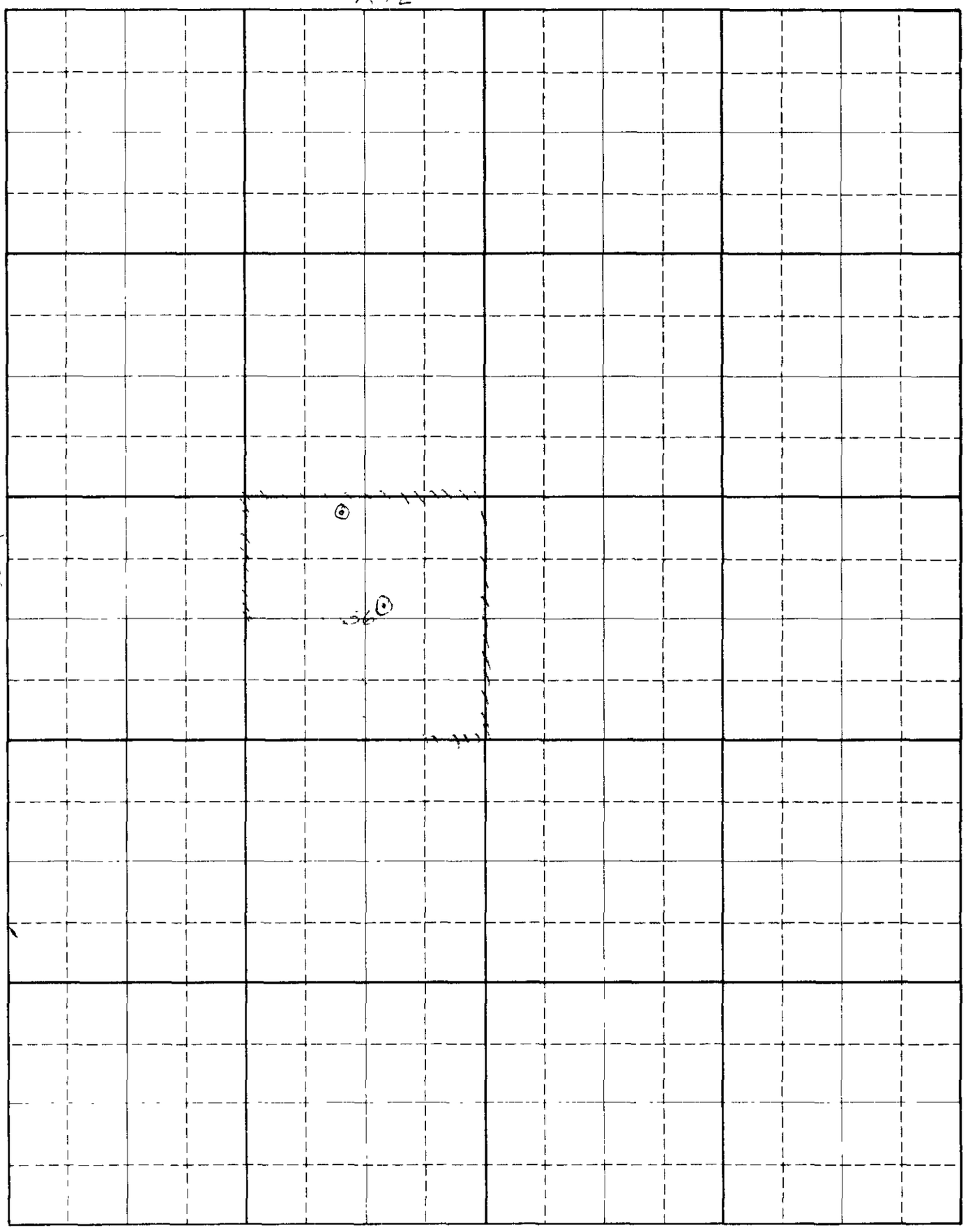
9 a Who owns the property at the point of diversion Applicant

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

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

10 Remarks

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



Scale 2 inches equal 1 mile

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

Edward D. Wing
(Applicant)

Proposed Priority 12-19-1974

Received by EB Date 12/19/74 Time 3:00 pm
Preliminary check by EB Fee $115.00
Receipted by SW Date 12-19-74 # 15369
Publication prepared by Ca Date 12 26-74
Published in Mountain Home News
Publication dates Jan. 2 & Jan. 9 again Jan. 16, & Jan. 23
Publication approved by Date 1-27-75
Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for (approval) denial by _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 61-7210, and said application is hereby APPROVED.

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

   a SUBJECT TO ALL PRIOR WATER RIGHTS.

   b Proof of construction of works and application of water to beneficial use shall be submitted on or before February 1, 1980.

   c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

2 Denial of said application is for the following reasons _____

Witness my hand this 6 day of February 1975.

Director

THIS

RIGHT HAS BEEN

DECREED IN THE

SRBA

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

June 16, 1997

CONNECTICUT GENERAL LIFE INSURANCE CO
C/O CIGNA CORP
900 COTTAGE GROVE RD
BLOOMFIELD CT 06002

RE: WATER RIGHT NOS. 61-07210 & 61-07195A

Dear Water Right Holder:

The Department of Water Resources (the Department) has issued the enclosed amended licenses confirming that water rights have been established in accordance with the permits referenced above. The licenses are **Preliminary Orders** issued by the Department pursuant to section 67-5243, Idaho Code. **They can and will become final orders without further action of the Department unless a party petitions for reconsideration or files an exception and/or brief as further described below:**

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

PROFILMED
JUN 25 1997

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

subject of the agency action is located.

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

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the **16th** day of **June, 1997**, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDER (Amended License)** to the person(s) listed below:

Water Right Nos. 61-07210 & 61-07195A

CONNECTICUT GENERAL LIFE INSURANCE CO
C/O CIGNA CORP
900 COTTAGE GROVE RD
BLOOMFIELD CT 06002

Kari Lynn Townsend
Secretary

Jim Johnson

RECEIVED

JUN 0 9 1997

Department of Water Resources

LAW OFFICES

GIVENS PURSLEY & HUNTLEY LLP

A LIMITED LIABILITY PARTNERSHIP

277 NO. 6TH STREET • SUITE 200

P O BOX 2720 • BOISE, IDAHO 83701

(208) 388-1200

FACSIMILE (208) 388-1201

GARY G ALLEN
JOSEPH H BAIRD
CHRISTOPHER J BEESON
MICHAEL C CREAMER
ROY L EIGUREN
JEFFREY C FEREDAY
JULIE KLEIN FISCHER
RAYMOND D GIVENS
L W GRANT III
J BART GREEN
ROBERT C HUNTLEY, JR
RICHARD W. JANKOWSKI
KARL T KLEIN
DAVID R LOMBARDI
KIMBERLY D MALONEY
KENNETH R MCCLURE

CHRISTOPHER H MEYER
L EDWARD MILLER
PATRICK J MILLER
JUDSON B MONTGOMERY
TERRY L. MYERS
RAMONA S NEAL
STEVEN L OLSEN
W HUGH O'RIORDAN
ROBERT L PHILLIPS
KENNETH L PURSLEY
CONLEY WARD
STEVEN R WEEKS
STEPHANIE C WESTERMEIER

JAMES A MCCLURE
OF COUNSEL

June 5, 1997

MICHAEL C CREAMER
DIRECT DIAL
(208) 388 1247

Mr. Norm Young
Senior Administrator
Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706

Matter: Water Exchange
Our file: 4463-9

Dear Norm:

This letter is to advise you that Mr. Herb Montierth has reviewed and hereby accepts the proposed conditions to amended License Nos. 61-07210 and 61-07195A. Would you please arrange for the issuance of the amended licenses in final form to Mr. Montierth. I also would appreciate copies of the amended licenses to be forwarded to me for our files as well.

I appreciate the Department's careful consideration of the request to review these licenses, particularly in light of the complexity of the facts and issues.

Sincerely,

Michael C. Creamer

Michael C. Creamer

MCC:dr
4463\9\CORR\YOUNG01 MCC

cc: Herb Montierth
David Palfreyman

MICROFILMED

JUN 2 5 1997

MEMORANDUM

TO: Files 61-07195A, 61-07204 and 61-07210

FROM: Sharla

DATE: April 7, 1997

RE: Amended Licenses

The letter dated 2/28/97 from Michael Creamer (Givens, Pursley & Huntley) requesting amended licenses and corroborating information from the Farm Service Agency can be found in File 61-07195.

The licenses for 61-07195A and 61-07210 are being amended to reflect irrigation of the entire 1168 acres/season between the two rights. Because of complicated combined-rights language contained in these two and other overlapping licenses, right 61-07204 is also being amended to correctly define the volume and acre limitations when combined with the other two rights being amended.

Note that the remarks/conditions and total number of acres irrigated/season are being changed as requested, however, the combined rate of diversion under 61-07195A and 61-07210 remains at 18.65 cfs, the total combined capacity of the three wells serving the rights.

MICROFILMED
JUN 25 1997

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 20, 1996

HERBERT MONTIERTH
4301 DALTON LANE
BOISE ID 83704

RE: WATER RIGHT NOS. 61-07195A AND 61-07210

Dear Mr. Montierth:

I have reviewed the contents of the files for the above referenced water rights and could not find justification to amend the licenses to include 289 acres as you requested in your October 26, 1996, letter.

If you have any questions, please contact me.

Sincerely,

Jim Johnson, Manager
Water Permits Section

JJ:ph

MICROFILMED

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 14, 1995

GARLAND CRUM
TIPPETT LAND & MORTGAGE CO
PO BOX 3027
PASCO WA 99302

CONNECTICUT GENERAL LIFE INSURANCE CO
C/O CIGNA CORPORATION
SOUTH BUILDING S-305
900 COTTAGE GROVE ROAD
BLOOMFIELD CT 06002

RE: WATER RIGHT NOS. 61-07195A & 61-07210

Dear Water Right Holder(s):

Enclosed are copies of the Water Right Licenses issued on the above referenced permits along with copies of your approved Applications for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

Shelley Vatte Keen

Shelley W. Keen
Water Rights Supervisor

SK:rl
cc: Herb Montierth

Enclosures

RECEIVED
DEC 20 1995

MEMORANDUM

DATE: November 7, 1995

TO: Files 61-07195A and 61-07210

FROM: Shelley W. Keen SWK

RE: Licensing Recommendations

==========

The rights listed above are being reviewed together because they are under common ownership and they share a common source, points of diversion, and distribution system.

61-07195A -- 9/6/1974 priority

Permit limits	= 16.80 cfs / 840 acres
Examiner Recommendations	= 11.78 cfs / 589 within 734 acres
License Recommendations	= 16.78 cfs / 840 within 1168 acres

61-07210 -- 12/19/1974 priority date

Permit limits	= 9.60 cfs / 480 acres
Examiner Recommendations	= 5.80 cfs / 290 within 434 acres
License Recommendations	= 0.78 cfs / 39 within 1168 acres

Unlike the field examiner, I recommend that these two licenses be issued with a common permissible place of use. The total acres remains the same at 434 + 734 = 1168. The total acres allowed to be irrigated in one season remains the same at 879 = (589 + 290) = (840 + 39). The combined diversion rate of 17.58 cfs declines slightly to 17.56 cfs only because 0.02 cfs has been assigned to 61-07195B, a domestic right. The 17.56 cfs total combined diversion rate does not exceed the developed capacity, which the examiner found to be 18.65 cfs from the three wells combined.

The difference between my recommendations and those of the examiner is that I recommend that the bulk of the acres and rate be covered by the earlier priority right, which is advantageous to the right holder. Had the rights been reviewed separately in priority order, the senior right would probably have been licensed for the maximum rate and number of acres authorized by the permit. There is no reason the right holder should expect a different result because the two rights were reviewed together.

This system also contributes to the irrigation under right 61-07204, which is under different ownership. Therefore, additional combined use remarks limiting the use in combination with 61-07204 should be applied to rights 61-07210 and 61-07195. Please see the file for 61-07204 for an explanation of those conditions.

DEC 2 1995

M E M O R A N D U M

DATE: September 19, 1995

TO: Files 61-07210/07195/07274

FROM: Shelley W. Keen SWK

RE: Call from Garland Crum

==========

Today I spoke with Garland Crum of Tippett Land and Mortgage Co. (509-545-3355). Mr. Crum explained that Tippett Land and Mortgage represents Connecticut General Life Insurance Co. in real estate matters in the Northwest. Mr. Crum requested that all correspondence regarding water rights 61-07210, 61-07195, and 61-07274 be copied to Herb Montierth, who is farming the land to which the rights are appurtenant. Mr. Crum also suggested that sending copies of all correspondence with Connecticut General to him directly would expedite a response.

Attn: Garland Crum
Tippett Land and Mortgage Co.
P.O. Box 3027
Pasco, WA 99302

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DEC 20 1995

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 11, 1995

CONNECTICUT GENERAL LIFE INSURANCE CO
C/O CIGNA CORP
SOUTH BUILDING S-305
900 COTTAGE GROVE RD
BLOOMFIELD CT 06002

RE: WATER RIGHT NO. 61-07210 and 61-07195A/B

Dear Water Right Holder(s):

The above referenced water rights are in the process of being licensed. However, before licenses can be issued, your permits must be amended to depict your water rights as they have actually been developed.

The enclosed Application for Amendment 61-07210 contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion and the place(s) of use description.

Regarding water right no. 61-07195, because the domestic well is not connected to the irrigation system wells, the right will be split into parts A and B. The irrigation portion will be represented under part A and the domestic portion under part B. In addition, Part A will be represented as part of the 3 wells in the system, but will be limited to the number of acres pertinent to this right within the place of use.

The enclosed Applications for Amendment for each part contain information that will be included on the licenses when they are issued. Part A has been amended to reflect the correct locations of the point(s) of diversion and place(s) of use. Part B has been amended to reflect the correct place of use location.

Please review all amendments carefully and if you concur, sign the amendments and return with the $100.00 ($50 for 61-07210 and $50 for 61-07195A & B) filing fee within 14 days.

RECEIVED
DEC 20 1995

The last page of the Application for Amendment forms contain a list of CONDITIONS/REMARKS proposed for the licenses when they are issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley Walter Keen

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

~ Celebrating Our Centennial Year of Service to Idaho 1895-1995 ~

DEC 20

MEMORANDUM

TO: Files 61-07195A/07204/07210/07306A/07390/07424

FROM: Brenda Chapman

DATE: August 24, 1995 / September 8, 1995

RE: Additional Recommended Adjustments

==========

Five of the above referenced rights are being reviewed together as Systems 1 and 2. System 1 includes 61-07210 and 61-07195A with 3 points of diversion. System 2 includes 61-07424, 61-07306A, and 61-07390 with 6 points of diversion.

Each system is recommended with its own, separate "permissible place of use" group of acres with recommendations based on priority dates.

The connection between the two systems is Right 61-07204, which shares a point of diversion from each system. It is also being recommended with its own, separate "permissible place of use" group of acres.

SYSTEM 1 - 879 ACRES

61-07195A - 9/6/1974 priority date

Permit limits = 16.80 cfs / 840 acres
Recommend = 16.78 cfs / 840 acres

61-07210 - 12/19/1974 priority date

Permit limits = 9.60 cfs / 480 acres
Recommend = .78 cfs / 39 acres

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DEC 20 1995

SYSTEM 2 - 925 ACRES

61-07424 - 12/8/1980 priority date

Permit limits = 7 cfs / 480 acres
Recommend = 7 cfs / 480 acres

61-07390 - 5/19/1987 priority date

Permit limits = 9 cfs / 640 acres
Recommend = 9 cfs / 575 acres (per Shelley)

61-07306A - 5/19/1987 priority date

Permit limits = 3.40 cfs / 160 acres
Recommendation = 1.39 cfs / 74 acres

(I divided the rate by the system rate/acre [1.38 cfs/.0188 cfs] to determine the number of acres 1.39 cfs would irrigate)

==========

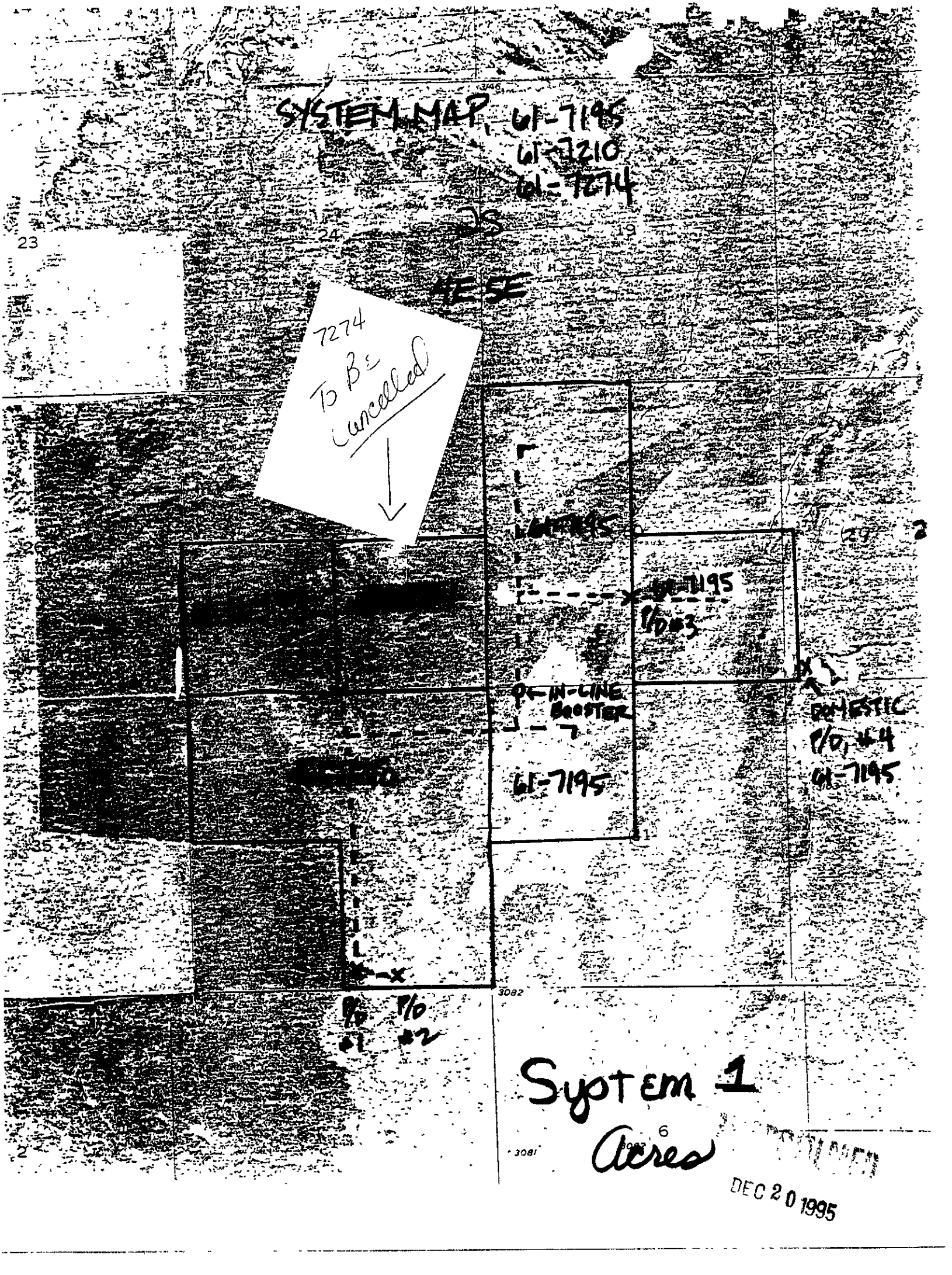
COMBINED SYSTEMS INFORMATION

System 1	879 acres	3516 af
61-07204	241 acres	964 af
	1120 acres	4480 af

System 2	925 acres	3700 af
61-07204	241 acres	964 af
	1166 acres	4664 af

COMBINED TOTALS = 2045 acres 8180 af

RECEIVED
DEC 20 1995


SYSTEM MAP, GI-7195
GI-7210
GI-7274
7274
To Be
Cancelled
GI-7195
P/D #3
P/D #4
GI-7195
P/D #1
P/D #2
IN-LINE BOOSTER
DOMESTIC
GI-7195
System 1
6 Acres
DEC 20 1995

LICENSE REVIEW CHECKLIST

BRENDA

PERMIT NO. 61-07210 DATE 7-13-95, 8-24-95

	Change	OK	
NAME	___	✓	Or Address Change?
PRIORITY DATE	___	✓	Advance? ___ Advanced to: _____ Order to reinstate needed? _____ Incorrect fee for rate recommended? NO
SOURCE	___	✓	Changes or just clarification of originally intended source? _____ Notice of Intent to Void necessary? _____
POINT OF DIV	✓	___	Amendment needed? Change 36 location & Add 30
	✓	___	Overlaps? 61-07195 and 61-07204 (CANCELLING 61-07274)
PLACE OF USE	✓	✓	Amendment needed? "PPU"
	___	✓	Overlaps? _____
DIV RATE	___	✓	Permit/fee limits: 9.6CFS Meas Q = _____ Theo Q = 18.65 Recommend: ~~5.8~~ .78 39 x .02 = .78 CFS ~~290 x .02 = 5.8 CFS~~ Combined rates exceed capacity _____
ANNUAL VOLUME	___	✓	Volume Limit: _____ Season: 4/4 (4/1 to 10-31) Calculations: 39 x 4 = 156 AF ~~290 x 4 = 1160~~ Flow limit: ____ cfs x ____ x 1.9835 = _____ Combined volumes exceed capacity/allowable _____
USES	___	✓	Change in Nature of Use or additional uses? _____ Amendment necessary? _____
ADDITIONAL INFO			Supplemental Groundwater ✓ PPU Scenario YES Irr/Dom Combination ✓ Shared G/W System YES
NEW REMARKS	W32		Multiple p/d(s) in ¼ ¼? SWSE SEC36 2S 4E
	YES		Other W33, W36, W28, W27
NEW CONDITIONS	___		Watermaster control - District _____
	___		Measuring/Locking Devices
	R3/		Irrigation Overlap
	___		Other _____
	___		Water Quality _____ Heat/Cool/Fish verified ____

0.79 acres in System 1

COMMENTS: Reduce acres & rate 8-24-95 2nd earliest priority in SYSTEM
E-18 Include all system acres in P/U. + MEMO P/D + PU

RECOMMENDATION	CFS	VOLUME
Irrigation 8-24-95	~~5.8~~ .78	~~1160~~ 156

SRBA Claim Filed YES
Adjustment Memo Needed ~~NO~~

LICENSE ____

1ST AMEND LETTER P39 + P38
2ND AMEND LETTER P47

Form 219
6/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

RECEIVED
MAY 16 1995
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 61-7210

1. Owner: C.G. Life Ins Co c/o Cigna Corp Phone No. _____

Current Address: S. Bldg S-305 900 Cottage Grove Rd Bloomfield CT 060002

2. Accompanied by: Herb Montierth / Ray Montierth EXAM DATE: 12/11/92

Address: 4301 N Dalton Ln Boise ID 83709 Phone No. 378 8157

Relationship to Permit Holder: OWNER/SON (C.G. is lienholder)

3. Source: groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: NONE

2. Other water rights with the same point of diversion: 61-7195, 61-7274, 61-7204

C. DIVERSION AND DELIVERY SYSTEM

1. **Point(s) of Diversion:**

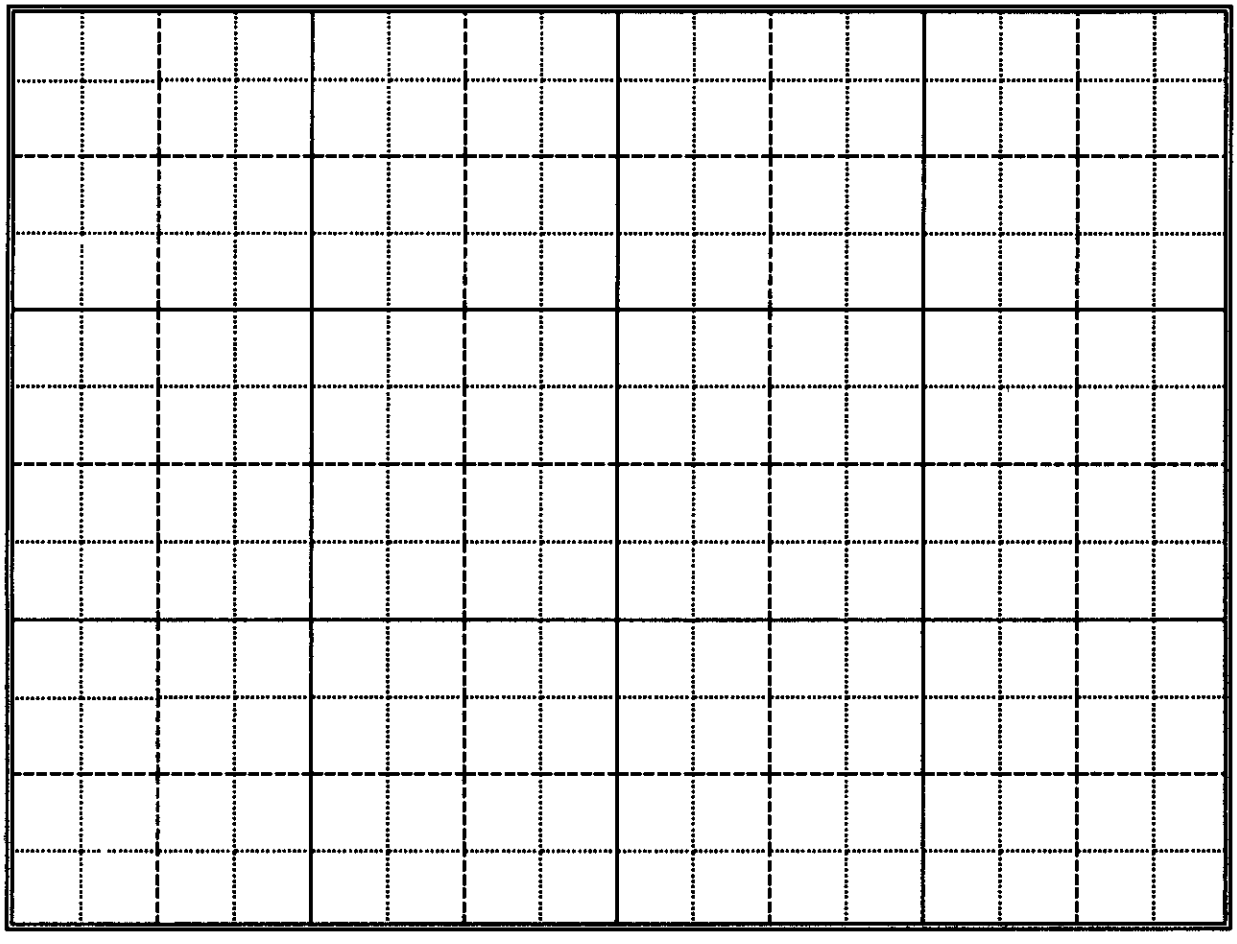
Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
1		SW	SW	SE	36	2S	4E	Elmore	
2		SE	SW	SE	36	2S	4E	"	
3		SW	NW	SE	30	2S	5E		} Single point on tract line
		SE	NE	SW	"	"	"		}

2. **Place(s) of Use:** (Permissible P/U) Indicate Method of Determination ASCS photo/office visit

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
2S	4E	36	36	36	37	36	36	36	36	36					36	37	36	36	434

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MAY 16 1995

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



Scale: 1" = _____.

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

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

__ Photo of Diversion and System Attached

4. See attached schedule

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

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

D. FLOW MEASUREMENTS

1.

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

2. **Measurements:** Theoretical

DEC 20 1995

E. NARRATIVE/REMARKS/COMMENTS

Land enrolled in CRP 1989-1998.
Seasonal use prior to CRP established at 290 acres per season (see narrative)

There is a possibility of accrued forfeiture prior to CRP enrollment totalling 2 yrs on a portion of this right. (See 42-222 regarding accrued forfeiture)

Well inspection reports in 61-7195

No measuring device present. Enough information is available that theoretical calculations are possible.

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

DEC 20 1995

F. FLOW CALCULATIONS

Measured Method:

18.65
System capacity

X Additional Computation Sheets Attached
HP equation worksheet

G. VOLUME CALCULATIONS

allow 5.8 cfs for 290 ac

1. Volume Calculations for Irrigation:

$V_{I.R}$ = (Acres Irrigated) x (Irrigation Requirement) = 290 x 4 = 1160

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = 5.8 x 214 x 1.9835 = 2461.9

V = Smaller of V_{IR} and $V_{D.R.}$ = 1160

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
IRR	4/1	10/31	5.8	1160
		Totals:	5.8	1160

2. Recommended Amendments

\ Change P.D. as reflected above
__ Change P.U. as reflected above
__ Add P.D. as reflected above
__ Add P.U. as reflected above
__ None
__ Other

I. AUTHENTICATION

Field Examiner's Name Cindy J. Hodges Date 2/3/95

Reviewer _____ Date _____

SEAL

DEC 20 1995

SYSTEM DESCRIPTION AND NARRATIVE
RIGHT NOS. 61-07195, 61-07210, 61-07274

General Comments

Permits 61-07195 and 61-07210 are appurtenant to agricultural lands currently enrolled in the CRP federal set-aside program. Pursuant to Idaho Code 42-222, all water rights on set-aside lands are protected from forfeiture for the duration of the enrollment. Water right permits with proofs filed have been determined to be protected only to the extent to which they have been developed. For this reason it is imperative that an assessment be made of this system which will quantify and document pre-CRP development. It is also important to note any ongoing activity under other rights. Because of the pending SRBA review in this area, the water right license(s) should be issued prior to the distribution of the Basin 61 Director's Report and before the termination of CRP enrollment so that additional development is not encouraged under the outstanding permit.

Diversion System/System Capacity

Three wells drilled in 1975 and 1976 were found integrated into a common system serving lands under the above permits. Well pumps with booster pumps at sites 1, 2, and 3 discharge into 18-24" buried main with valves to 9 center pivots. An in-line booster (100 HP?) is also present on the mainline midway between wells 1-2 and well 3 (see system map). A fourth well, construction date unknown, is used for domestic purposes under 61-07195. It is unclear if well #4 is or is not also connected to the irrigation mainline, but it would not be realistic to expect the domestic well to be used for large-scale irrigation; hence this point of diversion should be shown separately for domestic use only. Other wells (under separate permits) in Section 20, T02S R05E, were drilled and connected to this system in approximately 1981 via a mainline extension, however, proof was filed on the above permits in 1978. The newer wells could not have been used during the development period and do not qualify as listed as points of diversion, nor were they used to determine system capacity.

Because of the inactive status of the system, theoretical calculations were used to determine system capacity. Pumping plants at all three well sites were essentially intact as operated during development, with the exception of one booster motor which had been removed with the pump left in the well. All pump information was collected at these sites. Pumping level was estimated from well logs. An estimated wellhead pressure of 70 psi was obtained from permit holder. See attached pump schedule and calculation page.

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DEC 20 [illegible]

Beneficial Use

Domestic use under 61-07195 is for one mobile home. An additional domestic use under 61-07274 was not found.

Important Note: 160 acres in SE Section 30, T02S R05E do not appear in the database overlap review under 61-07195 where they were permitted. From microfiche, these acres appear on the approved application, every amendment, and the proof statement. There is no indication they have been moved or deleted from the permit. Even the database rate of flow reflects a higher acreage count. My recommendation analysis includes these acres...

At the time of field exam, all previously irrigated acres under 61-07195 and 61-07210 were enrolled in the CRP set-aside program effective 1989. All CRP enrollment was verified at the Elmore County ASCS (CFAS) office in Mountain Home. Pre-CRP irrigation patterns were also verified at same office using yearly compliance photography for the years 1983 through 1988. By identifying pre-CRP irrigation patterns during the last 5 years of operation, it was possible to determine the most recent extent of beneficial use under this system. CRP enrollment does not always reflect recent irrigation, so CRP acres do not always equal recommended acres. Any beneficial use forfeited in the 5 years before CRP enrollment cannot be recommended for licensing.

Acreage patterns under this system show a decline in total irrigated acres between 1984 and 1988, the 5 irrigation years immediately preceeding CRP enrollment for these lands. In addition, a land rotation pattern emerged, which utilized all acres initially developed but which did not show the irrigation of all acres in any single season. From information obtained from permit holder and operator, the switch to land rotation was due primarily to the conversion to potato cropping. Land rotation is necessary to maintain soil fertility; decreased acres allowed for increased application rates. For licensing of these two permits, permissible place of use equals all acres initially cultivated and subsequently enrolled in CRP, **but seasonal use under each permit is limited to the maximum number of acres found irrigated within a single season during the forfeiture period** (see attached Development Timeline and Schedule of Acres Irrigated). System rate of flow per acre equals system capacity divided by maximum season acres.

Irrigation occurred under 61-07274 until 1986. No irrigation is evident for 1987 and 1988 in compliance photography. These acres were not owned by the permit holder during the early 1980's and were not enrolled in the CRP program. At the time of the field exam in 1992, no recent cultivation was apparent. This right has likely forfeited and is recommended for cancellation (see field report form).

Amendments

61-07195

P/D amendment to correct well location in Section 30.
P/U amendment to correct location of domestic use to SWSW Sec 29.
P/U amendment to add irrigation use in SWSW Section 29.

61-07210

P/D amendment to add Section 30 well and correct well locations within Section 36.

Overlaps

P/D overlaps as noted. Permit 61-07204 was also developed, beginning in 1989, using the Section 30 well and a separate well in SESW Sec 20, after lands were placed into CRP. See 61-07204 file for more info.

Conditions

Recommend that the following conditions appear upon the referenced licenses:

61-07195:

Irrigation under this right is limited to 589 acres within the listed place of use in a single irrigation season.

61-07210:

Irrigation under this right is limited to 290 acres within the listed place of use in a single irrigation season.

All rights:

Total combined diversions under 61-07195, 61-07204 and 61-07210 shall not exceed 18.65 cfs, 4400 AFA, or the irrigation of 1120 acres in a single irrigation season.

DEC 20 1995

DEVELOPMENT TIMELINE AND
SCHEDULE OF ESTIMATED ACRES IRRIGATED
RIGHT NOS. 61-07195, -07210, -07274

PERMIT NO.	61-07195	61-07210	61-07274	
File Date	9-6-74	12-19-74	6-14-76	
Priority	9-6-74	12-19-74	6-14-76	
Permit Acres	840	480	200	
Found Acres	734	434	144	
Proof Made	1-24-78	1-24-78	1-24-78	
CRP Entry	1989	1989	NONE	
Acres irrigated by year:[1]				TOTAL YEAR ACRES
1988	150 + ?[2]	?[2]	0	?
1987	75 + ?[2]	?[2]	0	?
1986	439	145	144	728
1985	589	290	144	1023
1984	589	289	144	1022
1983	734	434	144	1312

1. Confirmed using ASCS (CFAS) compliance photography slides on file at Elmore County office.

2. Compliance photography is not conclusive for these years. Available information indicates that the lands were leased and operater was attempting to raise canola seed. No crop reports filed. No set-aside entry on record.

DEC 20 1995

PUMP SCHEDULE
RIGHT NOS. 61-07195, -07210, -07274

P/D #	Location	Motor Size, Make, ID#
1	SWSWSE S36 T02S R04E	400 HP GE, SN. CNJ302012 Unknown pump, 12" discharge
1 (Booster)		125 HP US Motors, SN. R99820080 Unknown pump, 12" discharge
1 (Booster)		125 HP Make unknown, 5K565XAM204 Cornell pump 6NHBU75-4
2	SESWSE S36 T02S R04E	400 HP GE SN. FHJ616030 Unknown pump, 12" discharge
2 (Booster)		250 HP, make unknown (removed) Unknown pump, remaining, 12" discharge
3	SENENW/SWNWSE S30 T02S R05E	300 HP Westinghouse, SN. 7604 Unknown pump, 12" discharge
3 (Booster)		100 HP Lincoln Motors, SN. 1715680 Aurora pump, SN. 77-14431-5 Type 411BF
4 (61-07195 only)	SWSW S29 T02S R05E	Domestic pump only; no information available

MIPR
DEC 20 1995

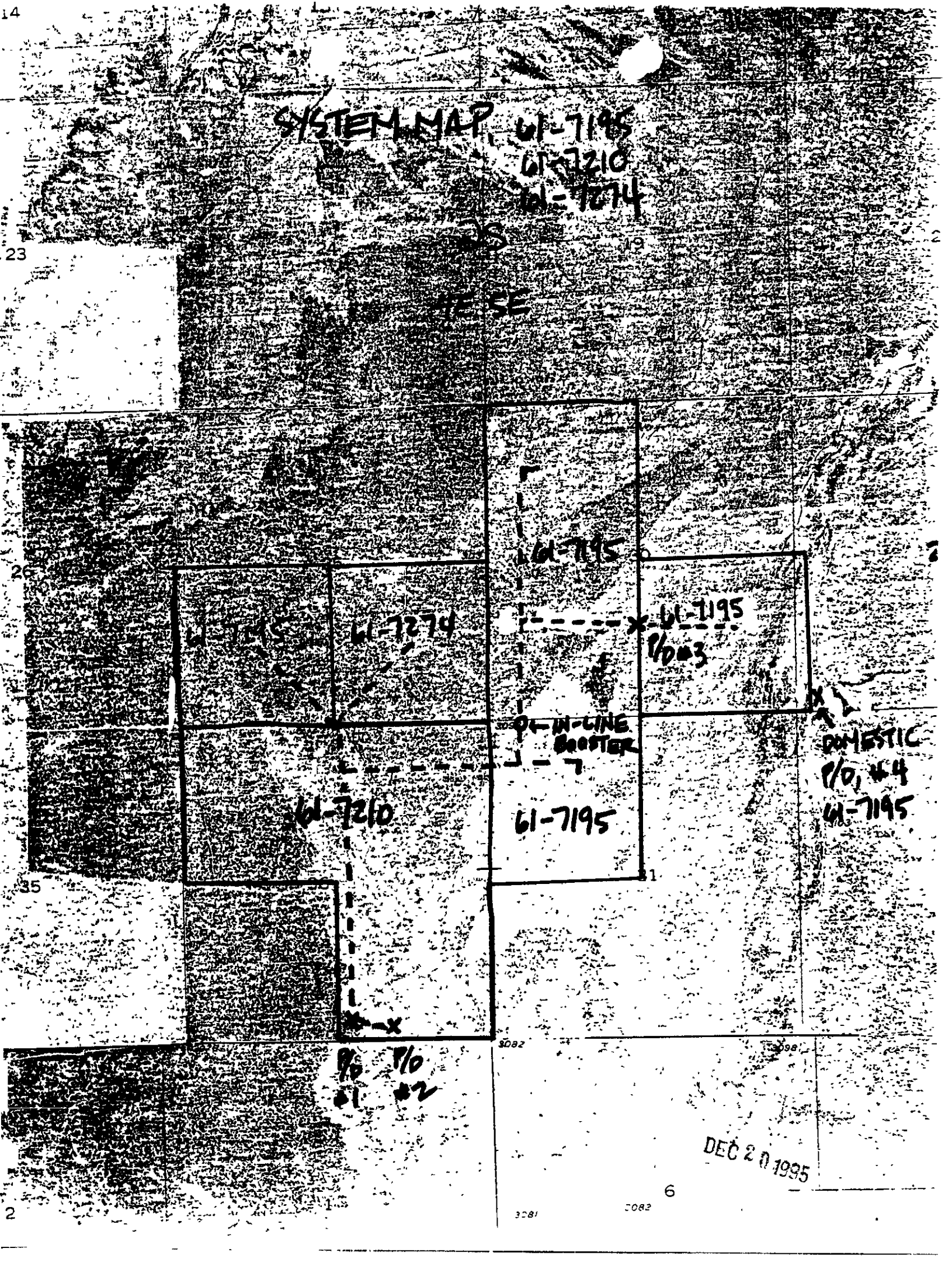
THEORETICAL HORSEPOWER EQUATION WORKSHEET (cjh 1/92)

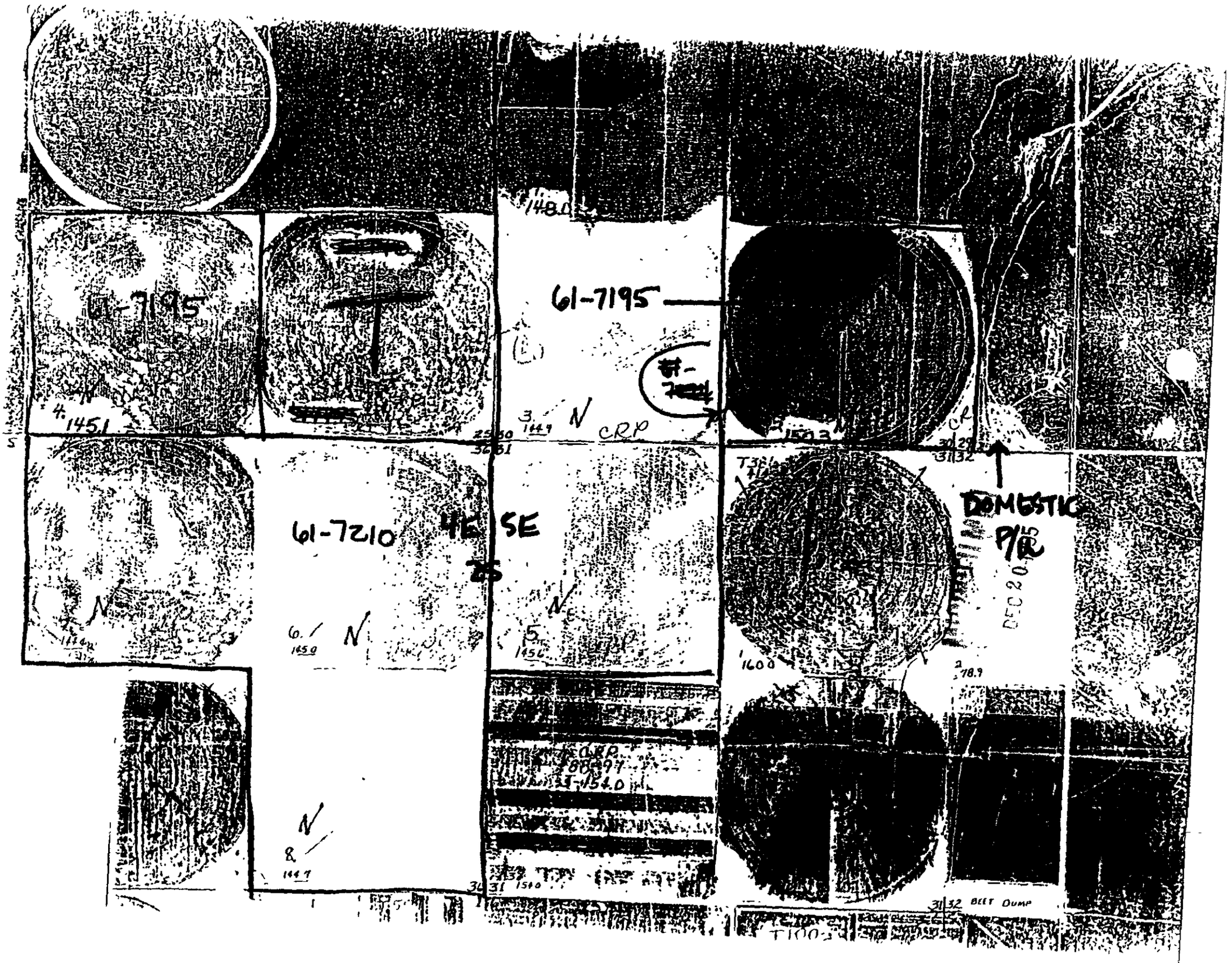
Water Right No.: 61-07195, -07219, -07274
Examiner: C Hodges
Date of Field Exam: 12-11-92

	OPTION 1	OPTION 2	OPTION 3
P/D No.:	1	2	3
PUMP HORSEPOWER	300	400	400
BOOSTER HORSEPOWER	100	250	250
PUMPING LEVEL	400	400	400
DISCHARGE PRESSURE	70	70	70
RATE OF FLOW (cfs)	4.39	7.13	7.13

TOTAL = 18.65 cfs

DEC 20 1995


SYSTEM MAP
61-7195
61-7210
61-7274
23
24
19
NE SE
61-7195
61-7195
61-7274
61-7195
P/O #3
IN-LINE BOOSTER
61-7210
61-7195
DOMESTIC
P/O #4
61-7195
35
1
P/O #2
61-7210
DEC 2 0 1995
6
2
1
3081
3082
3082
3098


61-7195
61-7195
61-7210
4E SE
25
DOMESTIC
P/R
DEC 20
CRP
BEET DUMP

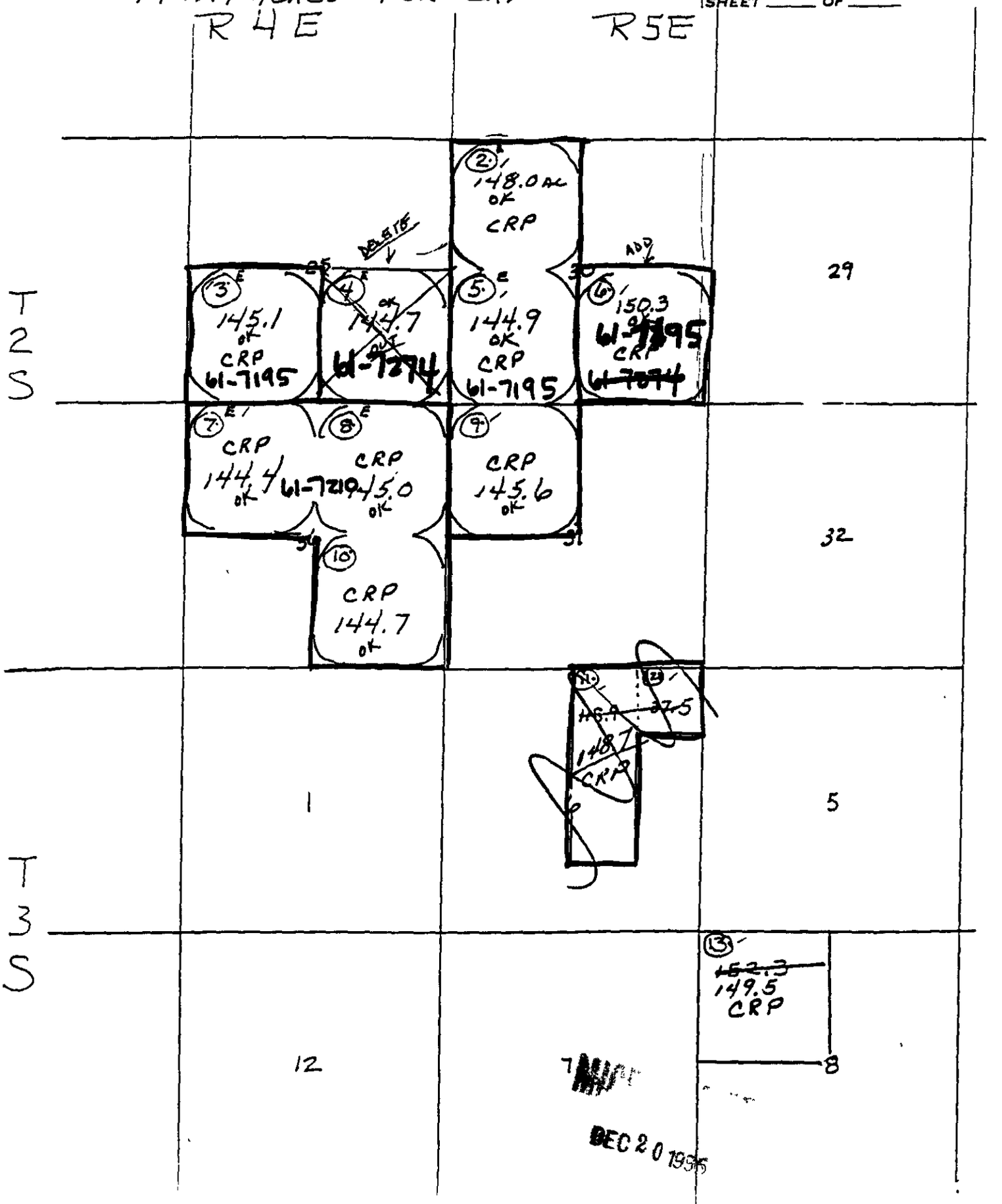
COMPUTATION SHEET
SCS-ENG-522 REV. 3-69

U.S. DEPARTMENT OF AGRICULTURE
SOIL CONSERVATION SERVICE
GPO 1980-O-337-998

STATE		PROJECT HERB MONTIERTH		
BY	DATE	CHECKED BY	DATE 2-17-88	JOB NO.

SUBJECT 147.1 ACRES FOR CRP

SHEET ____ OF ____

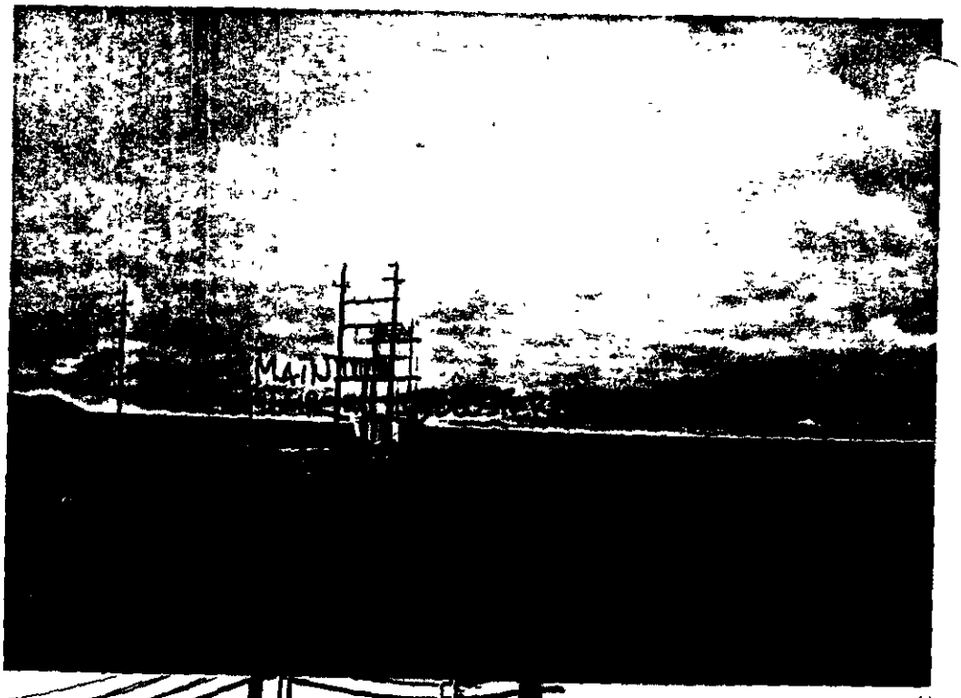


DEC 20 1995

6I-1195 ; 6I-1212

12/11/92

Originals - see 6I-7195



P/D #1 SWSWSE Sec
SWSWSE Sec 36



P/D #2 SESWSE Sec
Sec 36



P/D #3
SWNWSE/SENESW Sec 30
Sec 30

DEC 20 1995

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 15, 1992

RECEIVED
JAN 21 1992
Department of Water Resources

Mr. Herb Montierth
2409 W Kuna Cave Road
Kuna, ID. 83634

RE: Adjudication Claims No. A61-07195 Et Al

Dear Mr. Montierth:

Enclosed are copies of the adjudication claims that you filed on 1-13-92 for property in Ada and Elmore Counties . A receipt for the 20% payment of the total $6846.50 bill is also included. Additional 20% payments will be due, one per year, until the total bill is paid. You will be contacted by the IDWR state office staff when the next payment is due. If you have any questions about the extended payment plan, please contact Don Shaff at the state office (327-7932).

The next step for the water right permits for which adjudication claims were filed is to schedule and conduct licensing field exams. This office will contact you in the near future to conduct some of these exams.

Copies of the claims in the names of Connecticut General or Mony Pension were mailed to the respective offices. Thank you for your help in completing this rather involved process.

Sincerely,

Steve Lester
Sr. Water Resource Agent

CC: Connecticut General Life Ins. Co. c/o Tippett Land & Mortgage Co.
Mony Pension Insurance Corp. c/o Dale Higer

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DEC 20 1995

SL

SRBA FEES FOR CLAIMS FILED 1/13/92

CLAIM	FEE	LATE FEE	TOTAL
A61-07195	890	133.50	1023.50
A61-07207A	210	50.00	260.00
A61-07207B	370	55.50	425.50
A61-07210	530	79.50	609.50
A61-07265	207	50.00	257.00
A61-07274	250	50.00	300.00
A61-07298	210	50.00	260.00
A61-07306A	210	50.00	260.00
A61-07306B	130	50.00	180.00
A61-07390	690	103.50	793.50
A63-03150	147	50.00	197.00
A63-03151B	50	50.00	100.00
A63-03196B	199	50.00	249.00
A63-03198	196	50.00	246.00
A63-03311	330	50.00	380.00
A63-07425	290	50.00	340.00
A63-07427A	130	50.00	180.00
A63-07427B	210	50.00	260.00
A63-07753	370	55.50	425.50
A63-07982	50	50.00	100.00

TOTAL $5669 + $1177.50 = $6846.50

DEC 20 1995

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

RECEIVED
OCT 29 1991
Department of Water Resources

October 25, 1991

Mr. H. R. Montierth
2409 W. Kuna Cave Road
Kuna, ID. 83634

RE: Adjudication Claims and Water Right Permits

Dear Mr. Montierth:

For several years this office has attempted to schedule water right examinations for a number of permits in order to complete the licensing process for the rights. For one reason or another, the effort has not been successful. Most of the rights show Connecticut General Life Insurance Company as the owner of record, and you are listed as the current owner for three permits discussed in this letter.

The permits for Connecticut General include nos. 61-07195, 61-07207B, 61-07210, 61-07265, 61-07274, 61-07298, and 61-07306B. Permits in your name are nos. 61-07207A, 61-07306A, and 61-07390. You are shown as the contact person for field exam purposes for all of the above rights. Therefore, this letter is addressed to you with copies sent to Connecticut General and to Tippett Land and Mortgage Company, a local contact for the insurance company.

The Snake River Basin Adjudication (SRBA) requires that adjudication claims be filed to protect all water right permits where proof of beneficial use was filed before the adjudication commencement on 11/19/1987. Rights not protected by adequate adjudication claims will be recommended to be disallowed in the SRBA. According to department records, adjudication claims have not been filed for any of the above permits.

Before I can proceed with scheduling and conducting licensing examinations, claims must be filed on all of the permits. After that step is completed, I can conduct field exams and make license recommendations and licenses will be issued. Due to new policies and technical methods, exams can be conducted without water measurements. The pumps do not need to be operating during the exams. It is conceivable to do the exams late this fall or early in the winter.

A timely response is essential to protect these permits. If claims are not filed, it will be assumed that the owners are not interested in retaining the water rights and the process to cancel the rights will commence.

MICROFILMED
DEC 20 1995

Please contact this office for assistance in filing claims. An appointment should be made if you want department staff to prepare the claims. Alternatively, claims could be completed by the owners and mailed to this office. It would be helpful to work through this office instead of the main office (Orchard Street) to avoid confusion in the process.

A response by December 2, 1991 would be appreciated. If I am not available, ask for an adjudication agent for assistance.

Sincerely,

Steve Lester

Steve Lester
Sr. Water Resource Agent

CC: Connecticut General Life Insurance Company
Tippett Land and Mortgage Company

RECEIVED
DEC 20 1995

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region

Cecil D. Andrus
Governor

2735 Airport Way
Boise, Idaho 83705
(208) 334-2190

61-7210
CONNECTICUT GENERAL LIFE INSURANCE
C/O CIGNA CORPORATION
SOUTH BUILDING S-305
900 COTTAGE GROVE ROAD
BLOOMFIELD, CT 06002

138142

April 3, 1987

CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

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

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

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

MICROFILMED

DEC 20 1995

A DUAL OFFICE MOVE HAS CHANGED OUR MAILING ADDRESS

PLEASE CHANGE ADDRESS FOR ANYTHING YOU HAVE F

CONNECTICUT GENERAL LIFE INSURANCE COMPANY

TO:

% CIGNA CORPORATION
SOUTH BUILDING ---------- S-305
900 COTTAGE GROVE ROAD
BLOOMFIELD, CONNECTICUT 06002

MICROFILMED

61-7210
~~US-70868~~

DOCUMENT RESOURCES DEPARTMENT

April 4, 1978

Re: Permit No's. 61-7195, 61-7210, 61-7274

Connecticut General Life Insur. Co.
910 Stemmons Tower North
Dallas, Texas 75207

Gentlemen:

We acknowledge receipt of the assignments conveying the above referenced permits to you. The assignments have been entered into the Department's records.

Sincerely,

JAN GROVER
Supervisor,
Water Rights

JG:JFR

HAWLEY TROXELL ENNIS & HAWLEY
ATTORNEYS AND COUNSELORS
ONE CAPITAL CENTER
POST OFFICE BOX 1617
BOISE IDAHO 83701

AREA CODE 208
TELEPHONE 344-7683

ROBERT I TROXELL
JESS B HAWLEY
PAUL B ENNIS
JOHN T HAWLEY
THOMAS A MILLER
M NEAL NEWHOUSE
ROBERT J ENNIS
CRAIG L MEADOWS
ROBERT L BILOW
JOSEPH D McCOLLUM JR
WAYNE B SLAUGHTER JR
JESS B HAWLEY III
GARY D BABBITT
P CRAIG STORTI
RICHARD F GOODSON
CARL W HARDER

March 29, 1978

RECEIVED
MAR 31 1978
Department of Water Resources

State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

Re: Assignments of Water Permits Nos. 61-7195, 61-7210, 61-7274, Connecticut General Life Insurance Company Loan #7722200, Montierth, Herbert R. and Golda D.

Gentlemen:

Enclosed herewith are an original and carbon original Assignment of Permits Nos. 61-7195, 61-7210 and 61-7274.

Please file the original Assignment of each enclosed permit and return to our office the carbon original of each Assignment of Permit stamped with the appropriate filing data.

On the xerox copy of this letter enclosed herewith kindly acknowledge receipt of the enclosed Assignments of Water Permits and the fact that you will notify Connecticut General Life Insurance Company at 910 Stemmons Tower North, Dallas, TX 75207 of any pertinent facts and/or information concerning the above referenced water permits. Please return this xerox copy to our office as soon as possible.

If you have any questions whatsoever concerning this matter, please contact our office. Thank you for your usual time and consideration.

Sincerely yours,

Richard F. Goodson

RICHARD F. GOODSON

RFG:fd
ENCLOSURES
cc: Tippett Land and Mortgage Company, Boise and Kennewick

MICROFILMED

February 1, 1978

Re: Permit No's. 61-7195, 61-7274, 61-7298 & 61-7210

Herbert Montierth
Box 156
Kuna, Idaho 83634

Dear Mr. Montierth:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must 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 you have any questions regarding the field examination, please contact our Regional Office in Boise.

Sincerely,

JANICE RENK
Water Rights

January 24, 1978

Re: Permit No. 61-7210

Herbert Montierth
Box 156
Kuna, Idaho 83634

Dear Mr. Montierth:

We acknowledge receipt of the assignment conveying the above referenced permit to you. The assignment has been entered into the Department's records.

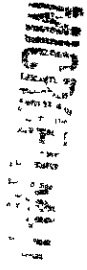
Sincerely,

JANICE RENK
Water Rights

REMITTANCE ADVICE RICHARD B. EISMANN, HOMEDALE, IDAHO DETACH BEFORE DEPOSITING

Herschel Trunnell (Wing)

Copies of applications re Wing-Montierth-Trunnell lease.



RICHARD B. EISMANN
ATTORNEY AT LAW
HOMEDALE, IDAHO

TELEPHONE 337-3135
AREA CODE 208

POST OFFICE BOX 38
ZIP CODE 83628

MAR - 3 1977

State of Idaho
Department of Water Resources
Attention: Ms. Kay Weaver
State House
Boise, Idaho 83720

Dear Ms. Weaver:

Attached to this letter is a copy of a letter which I received from you dated March 1, 1977. Would you please forward to me a copy of the assignment of permit No. 6-7210 which you stated in your letter had been assigned to Mr. Trunnell.

Please send a statement for your charges in this matter and I will remit promptly.

Thank you for your attention to this matter.

Very truly yours,

Richard B. Eismann
RBE/imp
Enclosure:

6816
3/7/77

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Cecil D Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

1 March, 1977

Mr. Richard B. Eismann
Attorney at Law
P.O. Box 36
Homedale, Idaho 83628

Dear Mr. Eismann,

Enclosed are the copies of the permits that you requested in your letter of 24 February, 1977. I have included copies of the amendments to the permits where applicable.

You will note that most of the permits have not been assigned: 61-7195, 61-7196, 61-7247, 61-7263, and 61-7274. They still remain in the name of the applicants themselves. 61-7210 has been assigned to Hershal Trunnell.

You may remit the copying charges of $8.00 to this office at your convenience.

Sincerely,

Kay Weaver

(Ms.) Kay Weaver
Chief Clerk, Water Rights

Encls.

MICROFILMED

RICHARD B. EISMANN
ATTORNEY AT LAW
HOMEDALE, IDAHO

TELEPHONE 337-3135
AREA CODE 208

POST OFFICE BOX 36
ZIP CODE 83628

FEB 24 1977

State of Idaho
Department of Water Resources
Statehouse
Boise, Idaho 83720

Gentlemen:

Attached hereto is a copy of a letter from your department dated December 8, 1976.

Would you please advise if any of the permits listed in such letter have been transferred to Herschel Trunnell or Beverly Trunnell or either of them.

Would you please forward to me photostatic copies of the permits listed in the attached letter. Also forward a statement of your charges therefore and I will promptly remit my check.

Thank you for your prompt attention to this matter.

Very truly yours,

Richard B. Eismann
RBE/imp/CUD
Enclosure:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

8 December, 1976

Mr. Richard B. Eismann
Attorney at Law
P.O. Box 36
Homedale, Idaho 83628

Dear Mr. Eismann,

With regard to the permits listed below, we do not show that the water rights have been assigned to anyone at this time.

61-7195	Herbert Montierth
61-7196	Elwood Wing
61-7210	Elwood Wing
61-7247	Robert and Betty Osborn
61-7263	Robert and Betty Osborn
61-7274	H.R. Montierth

Can you tell us how you discovered these rights had been assigned to Herschel Trunnell and wife?

Thank you very much.

Sincerely,

Kay Weaver

(Ms.) Kay Weaver
Chief Clerk, Water Rights

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

7 March, 1977

Mr. Richard B. Eismann
Attorney at Law
Box 36
Homedale, Idaho 83628

Dear Mr. Eismann,

Enclosed please find the copy of the assignment of permit #61-7210, as you requested in the letter we received today.

Also included is the department receipt #6816 for $8.00, payment in full for the copies sent earlier. Thank you.

Sincerely,

Kay Weaver

Ms. Kay Weaver
Records Supervisor

Encl.

UNCONTROLLED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

8 December, 1976

Mr. Richard B. Eismann
Attorney at Law
P.O. Box 36
Homedale, Idaho 83628

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Thank you very much.

Sincerely,

Kay Weaver

(Ms.) Kay Weaver
Chief Clerk, Water Rights

RECEIVED
DEC 13 1976

RECEIVED
DEC 8 1976
Department of Water Resources

RICHARD B. EISMANN
ATTORNEY AT LAW
HOMEDALE, IDAHO

TELEPHONE 337-3135
AREA CODE 208

POST OFFICE BOX 36
ZIP CODE 83628

DEC - 3 1976

State of Idaho
Department of Water Resources
State House
Boise, Idaho 83720

Gentlemen:

Attached hereto is a copy of a letter which I received from your office dated October 7, 1976.

I have been advised that all of the water rights therein mentioned have been assigned to Herschel Trunnell et ux.

Would you please review your records and advise as to whether or not this is correct.

Thank you for your attention to this matter.

Very truly yours,

Dictated by Mr. Eismann and mailed without signature in his absence to avoid delay

Richard B. Eismann

RBE/imp
Enclosure:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

October 7, 1976

Richard B. Eismann
Attorney at Law
P.O. Box 36
Homedale, ID 83628

Dear Mr. Eismann:

In response to your letter dated October 4, 1976, we have searched our records and have found the following rights located in the SE¼, the NE¼ and the NW¼ of Section 36, Twp. 2S, Rge. 4E, B.M.

61-7195 - Herbert Montierth
61-7196 - Elwood Wing
61-7210 - Elwood Wing
61-7247 - Robert & Betty Osborn
61-7263 - Robert & Betty Osborn
61-7274 - H. R. Montierth

If you need any additional information, please do not hesitate to contact this office.

Sincerely,

TONYA BORUP
Senior Clerk

TB/mef

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

1 March, 1977

Mr. Richard B. Eismann
Attorney at Law
P.O. Box 36
Homedale, Idaho 83628

Dear Mr. Eismann,

Enclosed are the copies of the permits that you requested in your letter of 24 February, 1977. I have included copies of the amendments to the permits where applicable.

You will note that most of the permits have not been assigned: 61-7195, 61-7196, 61-7247, 61-7263, and 61-7274. They still remain in the name of the applicants themselves. 61-7210 has been assigned to Hershal Trunnell.

You may remit the copying charges of $8.00 to this office at your convenience.

Sincerely,

Kay Weaver

(Ms.) Kay Weaver
Chief Clerk, Water Rights

Encls.

Rec'd Received 5/13/76

USE TYPEWRITER OR BALL POINT PEN

State of Idaho
Department of Water Resources

RECEIVED
NOV 23 1976
Department of Water Resources

WELL DRILLER'S REPORT

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

1. WELL OWNER

Name Wing and Montierth

Address Box 54, Murphy, Idaho 83650

Owner's Permit No. 61-7210

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement

☐ Abandoned (describe method of abandoning)

3 PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test ☐ Other (specify type)

☐ Municipal ☐ Industrial ☐ Stock ☐ Waste Disposal or Injection

4. METHOD DRILLED

☒ Cable ☐ Rotory ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Diameter of hole 16 inches Total depth _____ feet

Casing schedule: ☒ Steel ☐ Concrete

Thickness	Diameter	From	To
1/4 inches	16 inches	+ 0 feet	162 feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☐ Yes ☐ No

Was a packer or seal used? ☐ Yes ☐ No

Perforated? ☒ Yes ☐ No

How perforated? ☒ Factory ☐ Knife ☐ Torch

Size of perforation 1/4 inches by 3 inches

Number	From	To
10 perforations	162 feet	312 feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☐ No

Manufacturer's name _____

Type _____ Model No. _____

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

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

Gravel packed? ☐ Yes ☒ No Size of gravel _____

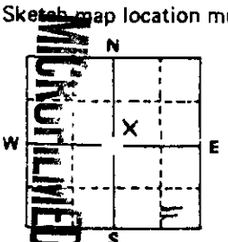
Placed from _____ feet to _____ feet

Surface seal depth _____ Material used in seal ☒ Cement grout ☐ Puddling clay ☐ Well cuttings

Sealing procedure used ☐ Slurry pit ☐ Temporary surface casing ☐ Overbore to seal depth

6. LOCATION OF WELL

Sketch map location must agree with written location.



Cinder Cone Butte

Subdivision Name _____

Lot No. _____ Block No. _____

County _____

SW 1/4 NE 1/4 Sec. 36, T. 2 N/S, R. 4 E/W

7 WATER LEVEL

Static water level 248 feet below land surface

Flowing? ☐ Yes ☒ No G.P.M. flow _____

Temperature _____ ° F. Quality good

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

Controlled by ☐ Valve ☒ Cap ☐ Plug

8. WELL TEST DATA

☒ Pump ☐ Bailer ☐ Other

Discharge G.P.M.	Draw Down	Hours Pumped
3500	248	6

9. LITHOLOGIC LOG

Hole Diam.	Depth From	Depth To	Material	Water Yes	Water No
18"	0	15	Soil		
to	15	22	Sandy Clay		
312'	22	60	Cinder Rock		
	60	72	Sand and small gravel		
	72	236	Conglomerate		
	236	244	Gray lava rock		
	244	258	Sand and small gravel		
	258	278	Gravel at 258	X	
	278	290	Sandy clay		
	290	307	Sand and small gravel		
16"	307	336	Gray lava rock- hard		
"	336	347	Gray Basalt		
"	347	352	Cinder rock		
"	352	365	Pink lava		
"	365	370	Gray course lava		
"	370	380	Lava, gray		
"	380	383	Basalt, hard		
"	383	394	Gray lava, broken		
"	394	492	Gray lava		
"	492	532	Pink lava		
"	532	575	Gray lava		

10.

Work started 10 24 75 finished 12 11 75

11. DRILLERS CERTIFICATION

Firm Name Brinkerhoff Pump and Drilling Co., Inc. Firm No. _____

Address Box 1026, Winnemucca, Nevada 89445 Date _____

Signed by (Firm Official) L Brinkerhoff Jr

and

(Operator) James Mc Dowell

USE ADDITIONAL SHEETS IF NECESSARY FORWARD THE WHITE COPY TO THE DEPARTMENT

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

November 2, 1976

Re: Permit No. 61-7210

Elwood D. Wing & Hershal Trunnell
1908 Walnut
Caldwell, Idaho 83605

Gentlemen:

We acknowledge receipt of the assignment conveying the above referenced permit to both of you. The assignment has been recorded and the Department's records have been changed.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:JFR

Enclosure

cc: Elwood Wing
Box 54
Murphy, ID 83650

February 6, 1975

Re: Permit No. 61-7210

Mr. Elwood Wing
Box 54
Murphy, Idaho 83650

Dear Mr. Wing:

Enclosed is a copy of your approved Application for Permit No. 61-7210. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosures

MICROFILMED

Department of Water Resources

Affidavit of Publication

JAN 27 1975

County of Elmore
STATE OF IDAHO } ss.

I, Lloyd S. Waters do solemnly swear that I am the foreman, or publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of the proof of publication thereof, was published in said newspaper for

....Two.. consecutive weeks, the first publication having been made on the ...16th.. day of ...January....., 19...75, and the last publication having been made on the .....23rd..... day of .January..... 19...75.....; every Thursday issue of the paper during the period and time of publication and that the notice was published in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

Lloyd S. Waters

Subscribed and sworn to me this ....23rd... day of ...January....., 19..75

Nelson Hollett Jr.
Notary Public

[redacted]

OK
JJ 1-27-75

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D Andrus
Governor

R. Keith Higginson
Director

Statehouse Annex 2
Boise Idaho 83707
(208) 384-2215
Western District Office

Water Right Administration
Water Resource Planning
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

December 27, 1974

Mountain Home News
P.O. Drawer 0
Mtn. Home, ID 83647

Re: Claim to a Water Right No. 61-4013 - Elbo-Room Mobile Home Park, W. P. Brownlee
Application for Permit No. 02-7184 - Olon F., Carlos O. Crandall &/or Keith L. Christensen
61-7210 - Elwood D. Wing
61-7211 - Elbo-Room Mobile Home Park, W. P. Brownlee

Gentlemen.

Enclosed you will find a legal notice which we wish to have published once a week 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 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. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

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

(signature of claimant)

bill submitted
1-27-75
ok. JJ

Sincerely,

MICROFILMED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that ELWOOD D. WING Box 54, Murphy, ID has on Dec. 19, 1974, submitted Application No 61-7210 for a permit to appropriate 9.6 cubic feet per second of water from a groundwater source by means of drilled wells (2) and sprinkler irrigation within the SW¼NE¼, NE¼NW¼, Sec. 36, T. 2 S, R. 4 E, B.M. Elmore County to be used from March 15 to Nov. 15 for irrigation of 480 acres within the N½SE¼, Sec. 36, T. 2 S, R. 4 E, B.M. mistake called to them

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before Jan. 20, 1975.

R. KEITH HIGGINSON
Director

Published in the Mountain Home News, Mtn Home, ID on Jan. 2, 1975 and Jan. 9, 1975.

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-R. KEITH HIGGINSON
Director

Published in the Mountain Home News, Mtn. Home, ID on Jan. 16, 1975 and Jan. 23, 1975.

MICROFILMED

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Box 54, Murphy, ID

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by means of drilled wells (2) and sprinkler irrigation

within the SW¼NE¼, NE¼NW¼, Sec. 36, T. 2 S, R. 4 E, B.M. Elmore County

to be used from March 15 to Nov. 15

for irrigation of 480 acres

within the N½, SE¼, Sec. 36, T. 2 S, R. 4 E, B.M.

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MICROFILMED