

SEF 80-116

47-2375

S-35-T-9-R12

A-699-3.3

109.1

92.8

J
18.1

I
126.7

127.1

C. McLean

47 2375

A-697

DARWIN BOYLE

A # 47-2375
33.7

S-26-T-9-12-E

McLAIN

C
81.5

B
61.6

A-698-2-3

D
29.6

50.9

17-2375

DARWIN BOYLE

A
33.7

McLAIN

C
81.5

B
61.6

47-2375

S-26-9-12

A-699-2-3

50.9

D
29.6

47 2375

SEE 8D-116

109.1

92.8

47-2375
S-35-T9-13

A-698-3-3

McLAIN'S Well

J
18.1

I
126.7

127.1

C. McLAIN

A-697

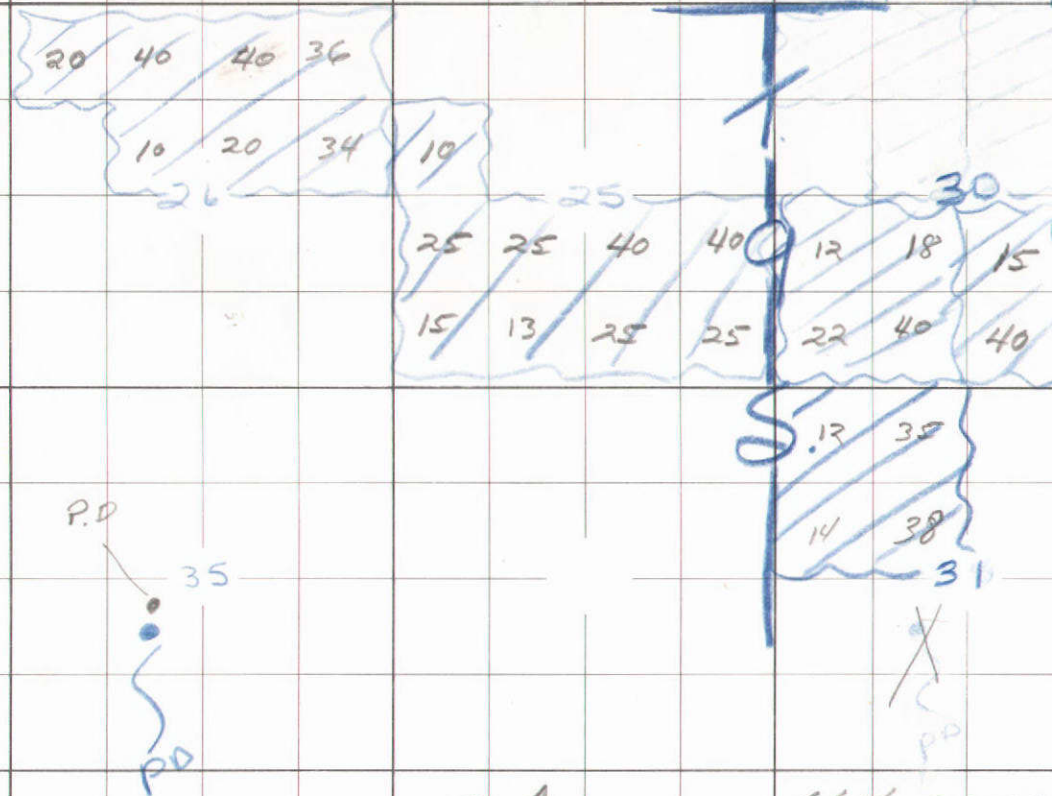
47 2375

TOP

R. 12 E

R. 13 E

47-2375



These 2 wells supply water for permits:

47-2378 = 3.33 c.f.s
47-2380 = 3.49 c.f.s
47-2408 = 2.50 c.f.s
47-2375 = 4.86 c.f.s

Total measured from 2 wells

→ 14.18 c.f.s

total acres = 1208

→ Area = 664 acres

→ Q = 4.86 c.f.s

Arce Reg = 4

V = 664 x 4 = 2656 A.F when combined with 47-2408

~~Valley = 4.86 x 2 x 245 = 2420 A.F~~

Priority - July 25, 1963

BOTTOM

copy Jms

AFFIDAVIT of PUBLICATION

RECEIVED
AUG 26 1969

Department of Reclamation

STATE OF IDAHO }
County of Twin Falls } ss.

I, **Robert E. Bailey**, do solemnly swear that I am the printer and editor of **THE BUHL HERALD**, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper two consecutive weeks, the first publication having been made on the 26th day of June, 1969, and the last publication having been made on the 3rd day of July, 1969; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in **Buhl, Twin Falls County, Idaho**, for a period of more than 78 weeks prior to the first publication of the attached notice.

Robert E. Bailey
Subscribed and sworn to before me this 22nd day of August, 1969
Loreyn D. Matthews
Notary Public.

Buhl, Idaho
Residing at
January 1, 1973
My Commission Expires

NOTICE OF EXISTING WATER PERMIT
Notice is hereby given that Thomas C. McClain, Darwin L. Boyle, Esther A. Boyle, Box 464, Buhl, Idaho, has received an approved permit No. G-31290 issued by the Idaho State Reclamation Department authorizing the diversion of 6.0 cubic feet per second of water from groundwater source, subject to all prior rights. The priority to be established under this permit is July 25, 1963 and the permit was approved July 26, 1963. Water is to be diverted by well, pump and motor from a point within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T. 9 S, R. 12 E, B.M., Twin Falls County to be used for irrigation in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 25; NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26, T. 9 S, R. 12 E; SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 30; NW $\frac{1}{4}$, Sec. 31, T. 9 S, R. 13 E., B.M. Proof of the application of the water to beneficial use is to be submitted to the Department on or before July 26, 1969. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.
R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Buhl Herald, Buhl, Idaho, on June 26 and July 3, 1969.
31290 47-2375

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State Reclamation Engineer
Published in the Buhl Herald, Buhl, Idaho, on June 26 and July 3, 1969.
(24t2)

RECEIVED
JUL 16 1969

Department of Reclamation

AFFIDAVIT of PUBLICATION

STATE OF IDAHO }
County of Twin Falls } ss.

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R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Buhl Herald,
Buhl, Idaho, on June 26 and July 3,
1969.
(24t2)

I, **Robert E. Bailey**, do solemnly swear that I am the printer and editor of THE BUHL HERALD, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper two..... consecutive weeks, the first publication having been made on the 26th..... day of June....., 19.....69....., and the last publication having been made on the 3rd..... day of July....., 19.....69.....; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in **Buhl, Twin Falls County, Idaho**, for a period of more than 78 weeks prior to the first publication of the attached notice.

Subscribed and sworn to before me this

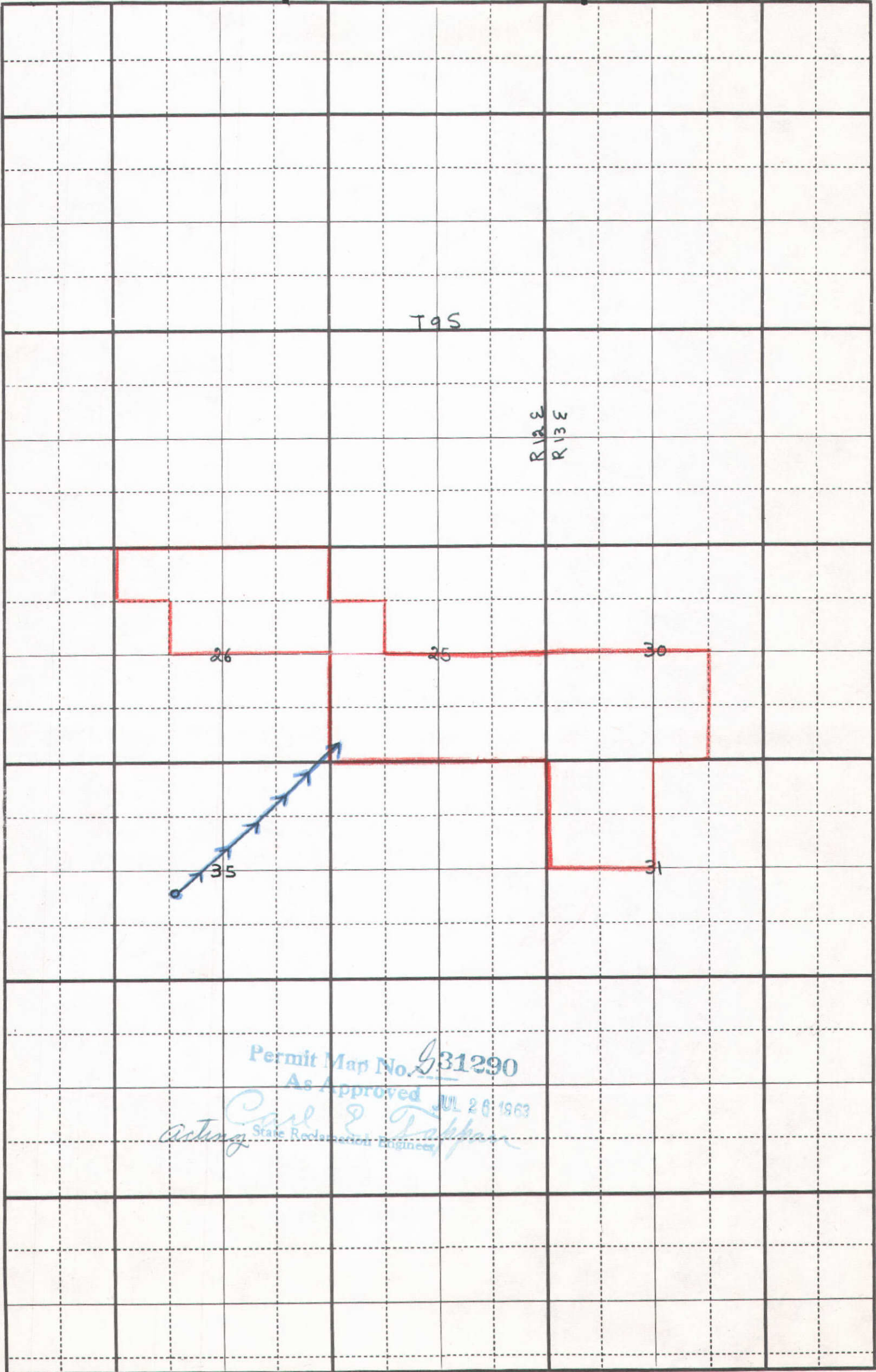
.....3rd..... day of July....., 19.....69.....

Lorelyn S. Thattens
Notary Public.

.....Buhl, Idaho.....
Residing at

.....January 1, 1973.....
My Commission Expires

31290
47-2375



UNITED STATES OF AMERICA, REPUBLIC

~~17-2375~~
51-2259

Ester A. Boyle

Comes now Thomas C. McClain, Darwin L. Boyle, & / Ester A. Boyle
of (address) _____

Box 464, Buhl, Idaho _____, and represents to the State Reclamation
Engineer of the State of Idaho:

That ^{are} ~~they~~ is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 47-2375, and requests that the permit and permit map be changed as follows:

1 Point of diversion: $\frac{2}{NE}$ points within the $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T. 9 S., R. 12 E., B.M. Other points of diversion _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

mo. - day mo. - day

For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

3. Place of use or land to be irrigated:

[illegible]**Total number of acres to be irrigated**

47 2375

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.

Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holder's own risk

Signed at Buhl Idaho, this 24th day of November, 19 70.

Thomas J. McQueen
(signature)

ACTION OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, State Reclamation Engineer of the State of Idaho, hereby APPROVE the above amendment to Permit No. 47-2375.

Witness my hand this 8th day of December, 19 70

R. Keith Higginson
State Reclamation Engineer

Idaho Land & Appraisal
Service,
P.O.Box 2161
Boise, Idaho

47-2375

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 39392
Permit No. G- 31290
District No.

1. Name of Applicant: Thomas C. McClain, Darwin L. Boyle, Esther A. Boyle
Postoffice address: Box 464, Buhl, County: Twin Falls State: Idaho
2. Quantity of water claimed: 300"
 - (a) Rate of withdrawal in cubic feet per second 6 cfs or Idaho
Miners' inches or gallons per minute
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Drilled well
4. Location of point of diversion or well is in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 35
Twp. 9 S, Rge. 12 E, B.M., County of Twin Falls
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section, Twp.
Rge., B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section, Twp, Rge., B.M.
7. Kind of works: Drilled well to be cased & equipped with turbine type pump & motor
8. Estimated cost of works: \$ 38,000.00
9. (a) Is reservoir to be used? no
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is 5 years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources.
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 6 cfs (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks: To be used in connection with desert entries

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.

Thomas C. McClain, Darwin L. Boyle
Esther A. Boyle *Applicant.*

By s/ Harley M. McDowell *Agent.*
B

Date of first receipt at Department of Reclamation: 8:00 A.M. July 25, 1963

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 31290

Recorded in Book 109 Page 31290 Approved July 26, 1963

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

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

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

One-fifth of the work above specified to be completed on or before January 26, 1966

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before July 26, 1968

Witness my hand this 26th day of July, 1963

s/ CARL E. TAPPAN, Acting
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 26th day of July, 1963.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ARNOLD WILLIAMS

Secretary of State.

By s/ ROBERT E. SMYLLIE

Governor

12.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
9 S	12 E	25							40		40	40	40	40	40	40	40	40	360
		26	40	40	40	40	40	40		40	40	40	40						280
9 S	13 E	30									40	40	40	40		40	40		240
		31					40	40	40	40									160
																			1040
EXTENSION OF TIME APPROVAL																			
I, R. Keith Higginson, State Reclamation Engineer of the State of Idaho, hereby approve the above application for extension of time for Permit G-31290 to July 26, 1969.																			
/s/ R. KEITH HIGGINSON State Reclamation Engineer																			
LICENSE ISSUED FOR 4.8 SEC. FT. LICENSE PAGE NO.																			

SCANNED
OCT 15 2004



ADMINISTRATIVE OFFICE

RECEIVED
JUN 16 1986

June 12, 1986

Department of Water Resources
450 West State Street
Boise, ID 83722

Department of Water Resources

Re: Water rights licenses held in the name of Thomas C. McClain Farms, Inc.
and Thomas C. McClain

Gentlemen:

This letter is to advise you that The Idaho First National Bank claims a security interest in all water rights held in the name of Thomas C. McClain Farms, Inc. and Thomas C. McClain as an individual. The bank's security interest is evidenced by the real estate mortgage, a photocopy of which I will attach hereto. The bank claims an interest in the following license numbers: 47-2312, 51-2258, 51-2259, 47-2244A, 51-7108, 47-7030, 47-7039, 47-2261, 51-2444, and 51-2445. It is my understanding, pursuant to our telephone conversation with Roberta, that license #51-2445 has been renumbered as license #47-2472.

The bank hereby requests that you maintain a record in your files of the bank's claimed security interest in the licenses enumerated above. Should any action be taken with respect to any of those licenses, please notify Frank M. Arana, Vice President and Manager, The Idaho First National Bank, Buhl Branch, P. O. Box 666, 819 Main Street, Buhl, Idaho 83316.

Thank your courtesies extended in this matter.

Sincerely,

THE IDAHO FIRST NATIONAL BANK


David E. Wynkoop
Counsel

DEW/ac

Enclosure

cc: John Ward
Attorney at Law

Frank M. Arana
Buhl Office - #1-02

Dale Bartles
Branch Administration - #1-5110



AFFILIATE OF
MCORE FINANCIAL GROUP

REAL ESTATE MORTGAGE

THIS MORTGAGE, made by THOMAS C. McCLAIN FARMS, INC.,

an Idaho Corporation,

of Buhl County of Twin Falls State of

Idaho, as mortgagor, and THE IDAHO FIRST NATIONAL BANK, a National Banking Association, of Boise, Idaho, as mortgagee.

WITNESSETH: That said mortgagor, in order to secure the payment to the mortgagee of the sum of -Two Million

Three Hundred Thousand and no/100----- Dollars

and interest and all other sums as provided herein, and the performance of all covenants herein contained, does hereby grant, bargain, sell and convey unto the said mortgagee, its successors and assigns forever, the following described real estate

situated in _____ County of Twin Falls State of

Idaho to-wit:

See Exhibit "A" attached hereto
and made part hereof.

Together with all right, title and interest to all water rights as follows:

1. 0.85 CFS on 103 Acres, License No. 47-2312;
2. 2.50 CFS on 664 Acres, License No. 51-2258;
3. 4.86 CFS on 664 Acres, License No. 51-2259;
4. 3.70 CFS on 289 Acres, License No. 47-2244A;
5. 3.20 CFS on 535 Acres, License No. 51-7108;
6. 6.83 CFS on 200 Acres, License No. 47-7030;
7. 6.83 CFS on 320 Acres, License No. 47-7039;
8. 4.55 CFS on 360 Acres, License No. 47-2261;
9. 3.33 CFS on 266 Acres, License No. 51-2444;
10. 3.49 CFS on 279 Acres, License No. 51-2445.

COPY

State of Idaho } ss
Co. of Twin Falls }
I hereby certify that
this inst. filed for
record at _____
this _____
o'clock _____
MAY 8 1986
In my office and recorded
in Book _____
of _____
MICHAEL A. FENIC
Deputy
Fee \$ _____ return to _____

900902

RECEIVED

JUN 16 1986

Department of Water Resources

TOGETHER WITH all the improvements, privileges and appurtenances thereunto belonging and the rents, issues and profits thereof, and all rights of homestead exemption, and all ditch and water rights of every nature, however evidenced, owned by said mortgagor or belonging to or with, leading to, connected with, or usually had and enjoyed in connection with said premises or any part or parts thereof, together with any and all fixtures upon said premises at the time of execution of this mortgage, or at any time during the term thereof, including but not limited to all apparatus and fixtures of every description for watering, lighting and heating said premises

The mortgagor shall be entitled to the rents, issues, and profits of the real property hereby mortgaged unless and until he defaults hereunder. Immediately following a default the mortgagee shall be entitled to the rents, issues, and profits of said real property, and the same are hereby assigned to the mortgagee from and after the date of said default

This grant is intended as a mortgage:

(1) To secure payment of the principal sum of -Two Million Three Hundred Thousand and no/100-

Dollars

In lawful money of the United States evidenced by and according to the terms of a promissory note executed and delivered by
THOMAS C. McCLAIN FARMS, INC.

as maker, said note being
made, executed and delivered to the mortgagee herein as payee, and in form and substance as follows, to-wit:

Thomas C. McClain Farms, Inc. 015-835-1757 OK
Buhl, IDAHO, May 1, 1986 \$ -2,300,000.00-
On demand or March 1, 1987, after date, for value received, I, we, or either of us, promise to pay to FHL IDAHO FIRST NATIONAL BANK,
or order, at its Buhl Office at Buhl, Idaho, the sum of
-Two Million Three Hundred Thousand and no/100- DOLLARS
in lawful money of the United States, payable, together with interest thereon computed on the daily outstanding unpaid balance at a rate per annum
equal to the Idaho First National Bank Base Agricultural quarterly beginning June 1, 1986 which rate is changed from time to time and is effective as of the
date of such change, plus -2.75- percent Interest is payable
If default be made in the payment of any installment of principal, or of any interest payment, the whole unpaid balance of said principal and the
accrued interest shall become immediately due at the option of the holder hereof. In case suit or action is instituted to collect this note, or any portion
thereof, I, we, or either of us, promise to pay, besides all costs of collection, a reasonable attorney's fee to be fixed by the court. Any unpaid balance
after maturity, including principal and interest and late charges, shall bear interest at the maximum rate allowable by law. Presentment, demand of
payment, protest, and notice of non-payment and of protest, are hereby waived
ADDRESS P. O. Box 346, Buhl, ID 83316 THOMAS C. McCLAIN FARMS, INC.
NO. 10889 By: Thomas C. McClain
Real Estate Mortgages & Deeds of Trust dtd 5-1-86 Thomas C. McClain, President
SECURITY S/A Crops & Equipment dtd 5-1-86;
SECURITY AGREEMENT DATED _____

CR00840 (IN 37) STRAIGHT MATURITY FLOATING RATE

208 570 710

23,000 Com. Loan Fee

CO-Y
(2) To secure payment of any and all extensions or renewals, and successive extensions or renewals of the note above described, or of the indebtedness represented by the same, and of any other indebtedness at any time secured by this mortgage, whether represented by notes, drafts, open accounts or otherwise, and all the interest on all the same, all of which extensions or renewals shall be optional with the mortgagee, but at the mortgagee's option may be made by new notes or otherwise, and at, before or after maturity, and for all of which this mortgagee's option may be made by new notes or otherwise, and at, before or after maturity, and for all of which this mortgage shall stand as a continuing security until paid.

(3) To secure payment of any note or notes given by said mortgagor to said mortgagee for future loans and advances to the amount of, but not in excess of, -Three Million Five Hundred Thousand and no/100----- Dollars which the said mortgagee may at its option make to the said mortgagor.

The mortgagor does jointly and severally covenant and agree that said premises are free and clear of all liens or encumbrances superior to this mortgage and to warrant and defend the same against the lawful claims and demands of all persons whomsoever.

The said mortgagor hereby covenants and agrees to pay, before the same become delinquent, all taxes and assessments upon said premises, or this mortgage, or debt secured thereby, and to exhibit receipts showing the payment thereof at the office of the holder of this mortgage within twenty days after such taxes or assessments become due and payable; also all personal taxes; and in event of default so to do, the holder hereof may pay the same, to keep the present building or buildings upon, and any which may hereafter be erected upon said premises, insured against fire in a sum not less

than -Zero- Dollars,
with loss, if any, payable to the said mortgagee, or assigns, in some company to be approved by the mortgagee, and deliver all policies and renewals thereof to it, and said policies are hereby assigned to the mortgagee as additional security for the payments of the indebtedness secured hereby, and in event of default of the mortgagor to obtain and keep in force the insurance on said premises, the holder hereof may at its option insure the same in such amount as it may deem desirable. Nothing herein shall be deemed to hold the mortgagee responsible for failure to have insurance placed or for any loss growing out of any defect in any policy or because of failure of any insurance company to pay for any loss or damage insured against.

UNFILMED

In case of the foreclosure hereof the mortgagor agrees to pay, in addition to the costs and disbursements allowed by law, such sum as the court may adjudge reasonable as an attorney's fee in said action, said sum to be a lien upon the said premises and due and payable when suit is begun. The plaintiff in such suit of foreclosure shall be entitled without notice, to the appointment of a receiver to collect and receive the rents, issues and profits of the mortgaged premises, and to exercise such other powers as the court shall confer. It is also agreed that should this mortgage be foreclosed, then in the decree of foreclosure entered in such action, the property described therein may be sold en masse, or as more than one lot or parcel, at the option of the mortgagee. In the event of sale on foreclosure of this mortgage, should the premises sell for less than the sum required to satisfy the entire indebtedness and all costs, the deficiency shall stand as a judgement against the mortgagor and be collectible in the manner provided by law, and the mortgagor further agrees that the amount for which said mortgaged property may sell at foreclosure sale upon lawful notice shall be conclusively deemed in any foreclosure suit to be the reasonable value of such property.

Said mortgagor further covenants and agrees to keep the improvements erected or to be erected on said premises, in good order and repair, and to commit or suffer no waste of the mortgaged premises

The mortgagor agrees that he will not sell and convey the mortgaged premises, or any part thereof or interest therein, during the life of this mortgage without the written consent of the mortgagee first had and obtained.

The Mortgagor also agrees to pay a "late charge" not to exceed two cents for each one dollar of each payment more than fifteen (15) days in arrears to cover extra expense involved in handling delinquent payments.

It is also agreed that the failure to pay when due any sum herein covenanted to be paid, or secured hereby, or the failure to comply with any one or more of the agreements hereof, shall cause the whole debt to become due and collectible at the option of the mortgagee, without notice; that all sums paid by the said mortgagee for insurance, taxes, rents or assessments, abstract charges, as well as any sum otherwise paid in the protection of the lien of this mortgage, shall bear in-

terest from date of such payment at the rate of * _____ per cent per annum, and shall be secured hereby and collected with said principal note. * 2.75 percent above the Idaho First National Bank Base Agricultural Rate, floating

And also that the mortgagee may at any time, without notice, release portions of said mortgaged premises from the lien of this mortgage without affecting the personal liability of any person for the payment of said indebtedness or the lien of this mortgage upon the remainder of the mortgaged premises for the full amount of said indebtedness then remaining unpaid.

This mortgage and the note secured hereby shall be governed and construed according to the laws of the State of

Idaho _____ at the date of execution.

The mortgagor agrees that in the event of the passage after the date of this mortgage of any law of the State of

Idaho _____ deducting from the value of property for the purpose of taxation, any lien thereon, or changing in any way the laws now in force for the taxation of mortgages or debts secured thereby for State or Local purposes, or the manner of the collection of any such taxes so as to affect the interest of the owner and holder of this mortgage, then the whole of the principal sum secured by this mortgage, together with the interest due thereon shall at the option of the owner and holder of this mortgage, without notice to any party, become immediately due and payable

The word "mortgagor" and the language of this instrument shall, where there is more than one mortgagor, be construed as plural, and be binding equally on all mortgagors, and the word "mortgagee" shall be construed as including any lawful holder hereof; and both the words "mortgagor" and "mortgagee" shall be construed as including the heirs, executors, administrators, successors and assigns of each, as the case may be.

IN WITNESS WHEREOF, the said mortgagor has _____, hereunto set _____ its _____ hand and seal this _____ 1st _____ day of _____ May _____, 19 _____ 86

Signed, sealed and delivered in the presence of _____ THOMAS C. McCLAIN FARMS, INC. (SEAL)
By: _____ Thomas C. McClain, President (SEAL)
_____ (SEAL)

RECORDED

INDIVIDUAL ACKNOWLEDGEMENT
PARTNERSHIP ACKNOWLEDGEMENT
CORPORATION ACKNOWLEDGEMENT

STATE OF IDAHO,

ss

COUNTY OF _____

On this _____ day of _____, in the year 19____, before me _____

_____, a notary public in and for said State of Idaho, personally

appeared _____

known or identified to me (or proved to me on the oath of _____) to be the person _____

whose name _____ subscribed to the within instrument and acknowledged to me that _____ he _____
executed the same.

Notary Public for Idaho,

Residing at _____

My commission expires _____

STATE OF IDAHO,

ss

COUNTY OF _____

On this _____ day of _____, in the year 19____, before me _____

_____, a notary public in and for said State of Idaho, personally

appeared _____

known or identified to me (or proved to me on the oath of _____), to be one

of the partners in the partnership of _____, and the partner or one of the
partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he ex-
ecuted the same in said partnership name.

Notary Public for Idaho,

Residing at _____

My commission expires _____

STATE OF IDAHO,

ss

COUNTY OF Twin Falls

On this 1st day of May, in the year 19 86, before me _____

the undersigned, a notary public in and for said State of Idaho, personally

appeared Thomas C. McClain

known or identified to me (or proved to me on the oath of _____), to

be the President of the corporation that
executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged
to me that such corporation executed the same.

Notary Public for Idaho,

Residing at Twin Falls, Idaho

My commission expires Continuous 9-2-87

No. _____

Real Estate Mortgage

From _____

to _____

Office of County Recorder _____

County of _____

ss.

State of _____

I hereby certify that the within mortgage

was filed in this office for the record on the

day of _____

A.D.

19____

at _____

o'clock _____

m.

and was duly recorded in Book _____

of Mortgages, page _____

of County Records.

Recorder.

Deputy.

By _____

RECORDED

EXHIBIT "A"

PARCEL I - RECORD OWNER: Thomas C. McClain Farms, Inc.

Township 9 South, Range 12 East of the Boise Meridian, Twin Falls
County, Idaho

SECTION 24: $E\frac{1}{2}NE\frac{1}{4}$; $NE\frac{1}{4}SE\frac{1}{4}$

Township 9 South, Range 13 East of the Boise Meridian, Twin Falls
County, Idaho

SECTION 19: Lots 1 and 2; $E\frac{1}{2}NW\frac{1}{4}$; $W\frac{1}{2}NE\frac{1}{4}$

PARCEL II - RECORD OWNER: Thomas C. McClain Farms, Inc.

Township 9 South, Range 12 East of the Boise Meridian, Twin Falls
County, Idaho

SECTION 25: $SW\frac{1}{4}NW\frac{1}{4}$

SECTION 26: $N\frac{1}{2}NW\frac{1}{4}$; $SE\frac{1}{4}NW\frac{1}{4}$, $NE\frac{1}{4}$

COPY

PARCEL IV - RECORD OWNER: Thomas C. McClain Farms, Inc.

Township 9 South, Range 12 East of the Boise Meridian, Twin Falls
County, Idaho

SECTION 26: $S\frac{1}{2}SW\frac{1}{4}$; $SE\frac{1}{4}$

SECTION 35: That portion of the Southeast quarter of Section 35 described
as follows, to-wit:

CONTINUED

THOMAS C. McCLAIN FARMS, INC.

By: Thomas C. McClain
Thomas C. McClain, President

MICROFILMED

EXHIBIT "A" CONTINUED

BEGINNING at the Southeast corner of Section 35, Township 9 South, Range 12 East of the Boise Meridian; THENCE North $0^{\circ} 01'$ West, along the East boundary line of said Section 35 a distance of 2641.07 feet to the East quarter corner of said Section 35; THENCE South $89^{\circ} 52'$ West along the North boundary line of the Southeast quarter of said Section 35 a distance of 1397.5 feet to a point on the centerline of an existing private road; THENCE South $42^{\circ} 48'$ East 481.1 feet, along the centerline of said private road; THENCE South $11^{\circ} 26'$ East 1095.4 feet, along the centerline of said private road; THENCE South $35^{\circ} 06'$ East 1484.3 feet, along the centerline of said private road to the point of beginning.

Township 10 South, Range 12 East of the Boise Meridian, Twin Falls County Idaho

SECTION 1: Lot 4; $S\frac{1}{2}NW\frac{1}{4}$; $SW\frac{1}{2}NE\frac{1}{4}$; $E\frac{1}{2}SW\frac{1}{4}$; $W\frac{1}{2}SE\frac{1}{4}$; and the North 400 feet of the $NW\frac{1}{4}SW\frac{1}{4}$

PARCEL V - RECORD OWNER: Thomas C. McClain Farms, Inc.

Township 9 South, Range 12 East of the Boise Meridian, Twin Falls County, Idaho

SECTION 35: $NE\frac{1}{4}$; $N\frac{1}{2}NW\frac{1}{4}$; $SE\frac{1}{4}NW\frac{1}{4}$; $NE\frac{1}{4}SW\frac{1}{4}$

EXCEPT that portion thereof described as follows:

A tract of land in the $SW\frac{1}{4}NE\frac{1}{4}$, the $SE\frac{1}{4}NW\frac{1}{4}$ and the $NE\frac{1}{4}SW\frac{1}{4}$ of Section 35, Township 9 South, Range 12 East of the Boise Meridian, Twin Falls County, Idaho, described as follows:

BEGINNING at the quarter corner common to Sections 35 and 36, Township 9 South, Range 12 East of the Boise Meridian; THENCE South $89^{\circ} 52'$ West, a distance of 1397.5 feet to the True Point of Beginning, said point being on the centerline of an existing private road and on the North boundary line of the $NW\frac{1}{4}SE\frac{1}{4}$ of Section 35; THENCE North $42^{\circ} 48'$ West, a distance of 60.0 feet along the centerline of said road; THENCE North $47^{\circ} 58'$ West, a distance of 948.0 feet along the centerline of said road; THENCE North $15^{\circ} 08'$ West, a distance of 421 feet along the centerline of said

CONTINUED

THOMAS C. MCCLAIN FARMS, INC.

By Thomas C. McClain
Thomas C. McClain, President

MICROFILMED

EXHIBIT "A" CONTINUED

road; THENCE North $46^{\circ} 28'$ West, a distance of 229.4 feet along the centerline of said road to a point; THENCE South $53^{\circ} 42'$ West, a distance of 1138.8 feet along the centerline of said road; THENCE South $34^{\circ} 44'$ East, a distance of 693.1 feet to a point on the centerline of said road; THENCE South $25^{\circ} 23'$ East, a distance of 381.8 feet to a point on the centerline of said road; THENCE South $8^{\circ} 06'$ East, a distance of 984.9 feet to the 1/16 corner, said corner being the Southeast corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35; THENCE North $0^{\circ} 01'$ West, a distance of 1320.5 feet along the East boundary line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ to the Northeast corner of said 40 acre tract (NE $\frac{1}{4}$ SW $\frac{1}{4}$); THENCE North $89^{\circ} 52'$ East along the South boundary line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 35, a distance of 1241.65 feet to the Point of Beginning.

PARCEL VI - RECORD OWNER: Thomas C. McClain Farms, Inc.

Township 9 South, Range 12 East of the Boise Meridian, Twin Falls County, Idaho

SECTION 36: NE $\frac{1}{4}$ NW $\frac{1}{4}$

Township 10 South, Range 12 East of the Boise Meridian, Twin Falls County, Idaho

SECTION 1: Lots 1, 2 and 3; SE $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$

SECTION 12: S $\frac{1}{2}$ NE $\frac{1}{4}$

PARCEL VII - RECORD OWNER: Thomas C. McClain Farms, Inc.

Township 9 South, Range 12 East of the Boise Meridian, Twin Falls County, Idaho

SECTION 36: SW $\frac{1}{4}$ SW $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$

PARCEL VIII - RECORD OWNER: Thomas C. McClain Farms, Inc.

Township 10 South, Range 12 East of the Boise Meridian, Twin Falls County, Idaho

SECTION 12: N $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$

CONTINUED

THOMAS C. MCCLAIN FARMS, INC.

By Thomas C. McClain
Thomas C. McClain, President

MICROFILMED

EXHIBIT "A" CONTINUED

PARCEL X - RECORD OWNER: Thomas C. McClain Farms, Inc.

Township 9 South, Range 13 East of the Boise Meridian, Twin Falls
County, Idaho

SECTION 19: E $\frac{1}{2}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$

SECTION 30: NW $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$

PARCEL XI - RECORD OWNER: Thomas C. McClain Farms, Inc.

Township 9 South, Range 13 East of the Boise Meridian, Twin Falls
County, Idaho

SECTION 30: Lots 3 and 4; E $\frac{1}{2}$ SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$

SECTION 31: Lots 1 and 2; E $\frac{1}{2}$ NW $\frac{1}{4}$

PARCEL XII - RECORD OWNER: Thomas C. McClain Farms, Inc.

Township 9 South, Range 13 East of the Boise Meridian, Twin Falls
County, Idaho

SECTION 29: NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$

SECTION 30: E $\frac{1}{2}$ NE $\frac{1}{4}$

EXCEPT all minerals in or under the above described Parcels I thru XII
inclusive including but not limited to metals, oil, gas, coal, stone and
mineral rights, mining rights and
easement rights or other matters relating thereto whether expressed or
implied.

THOMAS C. MCCLAIN FARMS, INC.

By Thomas C. McClain
Thomas C. McClain, President

MICROFILMED

WATER RIGHT NUMBER 51-2259

OWNER LAST NAME - MC CLAIN

FIRST NAME - THOMAS C.

ORIG OWNER -

OWNER LAST NAME - BOYLE

FIRST NAME - DARWIN L.

ORIG OWNER -

OWNER LAST NAME - BOYLE

FIRST NAME - ESTHER A.

ORIG OWNER -

ADDRESS LINE 1 - P.O. BOX 464

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - BUHL

STATE - ID ZIP CODE - 83316

SOURCE - GROUNDWATER

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 07-25-1963 COUNTY - TWIN FALLS TOTAL DIV. RATE - 4.8600 -CFS

TOTAL DIV. VOLUME - 2656.00 AFA TRFR/AMEND -

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NESW 35 09S 12E LOT REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FROM - 04-01 TO - 10-31 USE - IRRIGATION

USE DIV. RATE - 4.8600 CFS USE DIV. VOLUME - 2656.00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 09S RNG 13E SEC 31 TRACT NENW LOT AC 35 TRACT NWNW LOT AC 12

TRACT SWNW LOT AC 14 TRACT SENW LOT AC 38

USE - IRRIGATION

PLACE OF USE - TWN 09S RNG 13E SEC 30 TRACT NESW LOT AC 18 TRACT NWSW LOT AC 12

TRACT SWSW LOT AC 22 TRACT SESW LOT AC 40

USE - IRRIGATION

PLACE OF USE - TWN 09S RNG 12E SEC 26 TRACT NWSE LOT AC 15 TRACT SWSE LOT AC 40

TRACT NENE LOT AC 36 TRACT NWNE LOT AC 40

TRACT SWNE LOT AC 20 TRACT SENE LOT AC 34

TRACT NENW LOT AC 40 TRACT NWNW LOT AC 20

TRACT SENW LOT AC 10

USE - IRRIGATION

PLACE OF USE - TWN 09S RNG 12E SEC 25 TRACT SWNW LOT AC 10 TRACT NESW LOT AC 25

TRACT NWSW LOT AC 25 TRACT SWSW LOT AC 15

TRACT SESW LOT AC 13 TRACT NESE LOT AC 40

TRACT NWSE LOT AC 40 TRACT SWSE LOT AC 25

TRACT SESE LOT AC 25

DATE - TOTAL ACRES 664

DECREE NAME -

REMARKS - 2 P/O IN NESW, S35, T9S, R12E.

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE - LIC. 51-2258.

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 31290

PROOF MADE - FLD EXAM - COND. OF APPROVAL - 01A 03A 16

DIVERSION MEANS -

November 30, 1961

Thomas C. McClain, et al
Box 631
Suhl, Idaho 83311

Gentlemen:

Returned herewith is Departmental Receipt No. 5373 in the amount of
\$15.00 for amendments (47-2403, 47-2372 and 47-2380),

which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure: Receipt

47 2375

IDAHO LAND & APPRAISAL SERVICE

HARLEY M. McDOWELL
E. J. McDOWELL
MGR. OWNERS

MERVIN J. CHRISTENSEN
(LICENSED SURVEYOR)

JOSEPH J. THACKABERRY

ROBERT W. SMITH

633 N 4TH

BOISE, IDAHO 83701

P. O. Box 1603

PHONE 344-2547

November 30, 1970

ALL PROPERTY APPRAISALS
CUSTOM DRAFTING, MAPPING
LAND PURCHASES
OIL AND GAS LEASES

GRAZING MANAGEMENT
FEDERAL LAND APPLICATIONS
WATER FILINGS & PROOF
STATE LAND LEASES & ASSIGNS

Department of Water Administration

Mr. Bobby D. Fleenor
Assistant Director
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Dear Mr. Fleenor:

RE: Permits 47-2380, 47-2375, 47-2408 and 47-2378

Enclosed herewith please find the signed amendments for the above designated water permits, as prepared by your department at your instruction.

Very truly yours,

IDAHO LAND & APPRAISAL SERVICE

Harley M. McDowell
Harley M. McDowell

ls

encl

P.S. Also enclosed is a check in the amount of \$5 to cover the fee for your amendment 47-2378; and a check in the amount of \$15 to cover the fee for your amendments 47-2408, 47-2375, and 47-2380.

47 2375

November 10, 1970

Permit No. 47-2408 - 2.5 c.f.s. of water from two wells for irrigation purposes within the NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 26; SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ Sec. 25, T. 9 S., R. 12 E., B.M., SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 30; NW $\frac{1}{4}$ Sec. 31, T. 9 S., R. 13 E., B.M. The priority date established is September 23, 1965. The maximum quantity of water diverted shall not exceed 2,656 acre feet per season when combined with Permit No. 47-2375.

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

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:kh

cc. Idaho Land & Appraisal Service
Box 1603
Boise, Idaho 83702

17 2375

November 12, 1970

Re: Permit Nos. 47-2375 (G-31290)
47-2408 (C-32530)

Thomas C. McClain, Darwin L. Boyle & Esther A. Boyle
Box 464
Buhl, Idaho 83316

Dear Sirs and Madam:

A field examiner from our Department has examined the land and works covered by your two above referenced permits. His inspection indicated that you are diverting water from two wells within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 35 rather than only one well as your permits now list. In order to have both wells covered by your water licenses it will be necessary for you to amend your permits. We are enclosing two partially completed amendments for your use in this matter. Please sign these amendments and return them with a \$5 filing fee for each amendment or a total of \$10.

As soon as we are in receipt of these two completed amendments and proper fees we are prepared to license these permits as follows:

Permit No. 47-2375 - 4.86 c.f.s. of water from two wells for irrigation purposes within the NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 26; SW $\frac{1}{4}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ Sec. 25 T. 9 S., R. 12 E., B.M.; SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 30; NW $\frac{1}{4}$ Sec. 31 T. 9 S., R. 13 E., B.M. The priority date established is July 25, 1963. The maximum quantity of water diverted shall not exceed 2,656 acre feet per season when combined with Permit No. 47-2408.

December 15, 1970

Re: Permit No. 31290/47-2375 - Thomas C. McClain
- Darwin L. Boyle
- Esther A. Boyle

Thomas C. McClain
Buhl, Idaho 83316

Dear Mr. McClain:

This letter is to notify you as a permit holder in the Blue Gulch area that a portion of the land west of Salmon Falls Creek has been declared a critical ground-water area and closed to further appropriation of ground water. This designation went into effect December 9, 1970 and will remain until it is shown that ground-water withdrawals do not exceed the estimated natural recharge to the area.

A public hearing will be held at the Buhl Senior High School, January 7, 1971 at 8:00 P.M., to accept any testimony or comment regarding the closure. A copy of the notice and hearing and description of the area is enclosed for your information.

Very truly yours,

Sheri L. Chapman
Acting Assistant Director

SLC:rh

Enc.

cc: Darwin L. Boyle
Esther A. Boyle

17 2375

January 15, 1971

Re: Permit Nos. 47-2375 (G-31290)
47-2408 (G-32530)

Thomas C. McClain, Darwin L. Boyle & Esther A. Boyle
Box 464
Buhl, Idaho 83318

Dear Sirs and Madam:

Enclosed herewith are the Water Licenses issued on the above numbered permits. Also enclosed are copies of the approved amendments to these permits.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:kh

Enclosures

cc. Idaho Land & Appraisal Service

17 2375

See 80-116

47-2375

C-35-T-9-R12

A-697-3-3

J
18.1

126.7

127.1

C. N. L. L. L.

A-697

Darwin River

A # 47-2375
33.7

5-26-79-12-E

M. Law

C
51.5

B
61.5

A-697-23

D
29.6

50.9

26
35

26 25
35 3

DARWIN BAY

A
33.7

M^o L^o W

C
2.5

B
61.5

47-2375

S-26-9-12

A-697-2-3

50.9

D
29.6

7	26
5	35

26	25
35	3

SEE 8D-116

109.1

92.8

47-2375
S-35-T9-13

A-697-3-3

J
18.1

126.7

127.1

C. McLean

A-697

35
2

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 47-2375/31347

REPORT ON PROOF OF Thomas C. McClain, Darwin L. Boyle & Esther Boyle

well No. 1

GE Motor

Model 5K6318XC117

H.P. 400 60 cycles 3 ph.

460 V 453A Type K

RPM 1775

Serial: AEJ118003

Pump:

Verti Line 1000 ft

GPM. 4100 225 ft.

RPM 1770

Model 16 KHH

Serial: D 16610

well No. 2

GE Motor

Model 5K6318XC45A

H.P. 400 Type K Code G

440V 470A 3 ph.

1775 RPM

Serial: CAJ317005

Pump:

Verti Line 1000 ft

4100 GPM 325 ft.

1770 RPM

Model 16 KHH

Serial L 92110

R. 12

R. 13E

20 40 40 36

10 20 34 19

25 25 40 40 12 18 15
15 13 25 25 22 40 40

30
12 39
14 38
31

P.D.

30

P.D.

These 2 wells supply water for permits:

47-2378 = 3.33 c.f.s
47-2380 = 3.49 c.f.s
47-2408 = 2.50 c.f.s
47-2375 = 4.86 c.f.s

Total measured from 2 wells → 14.18 c.f.s total acres = 1208

Area = 664 acres

Q = 4.86 c.f.s

Arce Reg = 4

V = 664 x 4 = 2656 A.F. when combined with 47-2408

~~V = 4.86 x 2225 = 10813.5 A.F.~~

Priority - July 25, 1963

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

Permit No. 47-2375/31347

This proof is for b/u In Water District No. _____

1. Name of applicant Thomas C. McClain, Darwin L. Boyle & Esther A. Boyle, Box 164,
Buhl, Idaho

2. Source of water supply: drilled well

3. Location of point of diversion: Is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35

T. 9 S R. 12 E, B.M. County of Twin Falls

4. Describe works as they exist, giving dimensions and capacities of same: _____

400 HP motor; 800' deep; 20" x 110' casing; static level 295'

5. Water is used for: irrigation

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

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

9 S 12 E 25 SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$ 218 acres

26 NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$ 200 acres

9 S 13 E 30 SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ 147 acres

31 NW $\frac{1}{4}$ 99 acres

TOTAL - 664 acres

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

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

Remarks: Filed: July 25, 1963 Made: July 2, 1969

Due: July 26, 1969 Priority: July 25, 1963

The 2 wells pump into cement ditches for approx. 300 yds. then both flow into 1 large earth ditch which supply 1208 acres. All lands are flood irrigated. One well flows 7.22 cfs and the other 6.96 cfs (measured in cement ditch with piggy meter. Recommend 4.86 cfs for this license.

This examination was made on the 10 day of June, 1970

(Signed) Fred Eason Examiner.

Permit No. 47-2375/31347

Examination for Thos. C. McClain, Darwin & Esther Boyle

County Twin Falls

Quantity: 6.0 cfs Sec. 35 T. 9S R. 12E

INSTRUCTIONS TO EXAMINERS

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

Source: ground-water

P.D.: NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T. 9 S, R. 12 E

Use: irrigation

~~Extension:~~

~~Protest:~~

~~Completion of Works:~~

x

~~Other Rights:~~

Filed: July 25, 1963 Made: July 2, 1969
Due: July 26, 1969 Priority: July 25, 1963

Due:

47 2375

27 N 29

AFFIDAVIT of PUBLICATION

STATE OF IDAHO

County of Twin Falls

ss.

I, Robert E. Bailey, do solemnly swear that I

am the printer and editor of THE BUHL HERALD, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper two consecutive weeks, the first publication having been made on the 26th day of June, 1969, and the last publication having been made on the 3rd day of July, 1969; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in **Buhl, Twin Falls County, Idaho**, for a period of more than 78 weeks prior to the first publication of the attached notice.

Subscribed and sworn to before me this

22nd day of August, 1969

Gregory L. Thattkine

Notary Public.

Buhl, Idaho

Residing at

January 1, 1973

My Commission Expires

31290

47-2375

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Thomas C. McClain, Darwin L. Boyle, Esther A. Boyle, Box 464, Buhl, Idaho, has received an approved permit No. G-31290 issued by the Idaho State Reclamation Department authorizing the diversion of 6.0 cubic feet per second of water from groundwater source, subject to all prior rights. The priority to be established under this permit is July 25, 1963 and the permit was approved July 26, 1963. Water is to be diverted by well, pump and motor from a point within the NE $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 35, T. 9 S., R. 12 E., B.M., Twin Falls County to be used for irrigation in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 25, NE $\frac{1}{4}$, NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26, T. 9 S., R. 12 E., SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 30, NW $\frac{1}{4}$, Sec. 31, T. 9 S., R. 13 E., B.M. Proof of the application of the water to beneficial use is to be submitted to the Department on or before July 26, 1969. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Buhl Herald, Buhl, Idaho, on June 26 and July 3, 1969.

(24t2) 31290 47-2375

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Thomas C. McClain, Darwin L. Boyle, Esther A. Boyle, Box 464, Buhl, Idaho, has received an approved permit No. G-31290 issued by the Idaho State Reclamation Department authorizing the diversion of 6.0 cubic feet per second of water from groundwater source, subject to all prior rights. The priority to be established under this permit is July 25, 1963 and the permit was approved July 26, 1963. Water is to be diverted by well, pump and motor from a point within the NE $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 35, T. 9 S., R. 12 E., B.M., Twin Falls County to be used for irrigation in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 25, NE $\frac{1}{4}$, NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26, T. 9 S., R. 12 E., SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 30, NW $\frac{1}{4}$, Sec. 31, T. 9 S., R. 13 E., B.M. Proof of the application of the water to beneficial use is to be submitted to the Department on or before July 26, 1969. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Buhl Herald, Buhl, Idaho, on June 26 and July 3, 1969.

(24t2)

July 16, 1969

Re: Permit No. G-31290

Thomas C. McClain, Darwin L.
Boyle, Esther A. Boyle
Box 464
Buhl, Idaho

Dear Sirs & Madam:

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

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

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

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

*Exam typed
9-9-69
DWS
Exam made
June 10, 1970*

31290

47-2375

AFFIDAVIT of PUBLICATION

STATE OF IDAHO

County of Twin Falls

ss.

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Thomas C. McClain, Darwin L. Boyle, Esther A. Boyle, Box 464, Buhl, Idaho, has received an approved permit No. G-31290 issued by the Idaho State Reclamation Department authorizing the diversion of 6.0 cubic feet per second of water from groundwater source, subject to all prior rights. The priority to be established under this permit is July 25, 1963 and the permit was approved July 26, 1963. Water is to be diverted by well, pump and motor from a point within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T. 9 S, R. 12 E, B.M. Twin Falls County to be used for irrigation in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 25; NE $\frac{1}{4}$, N $\frac{1}{2}$ -NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26, T. 9 S, R. 12 E; SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 30; NW $\frac{1}{4}$, Sec. 31, T. 9 S, R. 13 E, B.M. Proof of the application of the water to beneficial use is to be submitted to the Department on or before July 26, 1969. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON

State Reclamation Engineer
Published in the Buhl Herald,
Buhl, Idaho, on June 26 and July 3,
1969.
(24t2)

I, **Robert E. Bailey**, do solemnly swear that I am the printer and editor of THE BUHL HERALD, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper two..... consecutive weeks, the first publication having been made on the 26th..... day of June....., 19..69....., and the last publication having been made on the 3rd..... day of July....., 19..69.....; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in **Buhl Twin Falls County, Idaho**, for a period of more than 78 weeks prior to the first publication of the attached notice.

Subscribed and sworn to before me this

.....3rd..... day of July....., 19.69.....

George L. Thattman
Notary Public.

.....Buhl, Idaho.....
Residing at

.....January 1, 1973.....
My Commission Expires

31290
41-2315

July 3, 1969

Re: Permit No. G-31290

Thomas C. McClain, Darwin L.
Boyle, Esther A. Boyle
Box 464
Buhl, Idaho

Dear Sirs and Madam:

We acknowledge receipt of your affidavit submitted as proof of beneficial use for permit G-31290.

Before a license can be issued you must submit an affidavit of publication to this department. The affidavit of publication may be obtained from the Buhl Herald, Box 312, Buhl, Idaho, upon payment of the bill of publication.

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

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

31290
47-2375

Identification No. _____

Permit No. G-31290

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Reclamation

1. a) Name of Permit Holder Thomas C. McClain, Darwin L. Boyle, Esther A. Boyle
b) Post Office Address Box 464, Buhl, Idaho
2. Permit Number G-31290
3. Date of Priority that you are prepared to establish July 25, 1963
4. a) Source from which water was appropriated subterranean
b) Location of the point of diversion NE 1/4 SW 1/4, Section 35
Township 9 S, Range 12 E Boise Meridian, Other points of diversion. _____
5. a) The amount of water and use to which the water has been applied:
amount 6 cfs for irrigation purposes from April 1 to October 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 6 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: Layne-Bowler Pump Co.
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: private ditch and ditch owned jointly with other members of the family.
b) Describe the agreement or understanding by which you take water from the works. an operating agreement drawn up by an attorney, which passed the requirements for BLM for desert entry
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) 400 hp motor; 800 feet deep; 20" x 110' casing; static water level 295'.
b) Describe the type and size of measuring device which you have installed at your point of diversion: cement weir
c) Give well drillers name and address and date the well was completed Dale Gilbert completed 12/22/64

31290
47-2375

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

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9 S	12 E	25							10		25	25	15	13	40	40	25	25	218
9S	13E	30									18	12	22	40		15	40		147
9S	13E	31					35	12	14	38									99
9S	12E	26	36	40	20	34	40	20		10									200

Total number of acres irrigated 664

10. Remarks:

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

Darwin L. Boyle
Darwin L. Boyle

Esther A. Boyle
Esther A. Boyle

17 June 1969
(Date)

Thomas C. McClain
(Signature) Thomas C. McClain

State of Idaho)
County of Boise) ss.

On this 17th day of June, 19 69, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Laura J. Linder
Notary Public residing at Boise, Idaho

My commission expires 8/12/70

IDAHO LAND & APPRAISAL SERVICE

HARLEY M. McDOWELL
E. J. McDOWELL
MGR OWNERS

MERVIN J. CHRISTENSEN
(LICENSED SURVEYOR)

JOSEPH J. THACKABERRY

ROBERT W. SMITH

633 N. 4TH

BOISE, IDAHO 83701

P. O. Box 1603

PHONE 344-2547

July 1, 1969

ALL PROPERTY APPRAISALS
CUSTOM DRAFTING, MAPPING
LAND PURCHASES
OIL AND GAS LEASES

GRAZING MANAGEMENT
FEDERAL LAND APPLICATIONS
WATER FILINGS & PROOF
STATE LAND LEASES & ASSIGNS

Mr. R. Keith Higginson
State Reclamation Engineer
Idaho Department of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

RE: G-32530 - proof; G-31290 - proof; 27498 - amendment and proof

Dear Mr. Higginson:

Enclosed herewith please find the following:

1. Proof of Beneficial Use - G-32530, signed by Thomas C. McClain, Darwin L. Boyle and Esther A. Boyle.
2. Proof of Beneficial Use - G-31290, signed by Thomas C. McClain, Darwin L. Boyle and Esther A. Boyle.
3. Amendment to permit 27498, C. W. McClain, and a check in the amount of \$5.00 to cover the amendment fee.
4. Proof of Beneficial Use - 27498, signed by C. W. McClain.

If you have any questions, please advise.

Very truly yours,

IDAHO LAND & APPRAISAL SERVICE

Harley M. McDowell
Harley M. McDowell

ls

encl

31290

47-2375

June 17, 1969

Re: Permit No. G-31290
Thomas C. McClain, Darwin L. Boyle, Esther A. Boyle

Buhl Herald
Box 312
Buhl, Idaho 83316

Gentlemen:

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

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

The expense of the publication is to be paid by Thomas C. McClain, Box 464, Buhl, Idaho,
to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR
Enc: Legal notice
cc: Thomas C. McClain

NOTE: The permit holder is required to obtain an affidavit of publication from the above referenced newspaper and to submit it to the Department at once.

31290

RECEIVED

JUN 16 1969

Department of Reclamation

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Thomas C. McClain, Darwin L. Boyle, Esther A. Boyle, Box 464, Buhl, Idaho has received an approved permit No.

G-31290 issued by the Idaho State Reclamation Department authorizing the diversion ~~storage~~ of 6.0 cubic feet per second ~~at the / feet / per / minute~~ of water from groundwater source,

subject to all prior rights. The priority to be established under this permit is July 25, 1963 and the permit was approved July 26, 1963.

Water is to be diverted by well, pump and motor from a point within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, S c. 35, T. 9 S, R. 12 E, B.M., Twin Falls County

to be used for irrigation in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 25; NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 26, T. 9 S, R. 12 E; SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 30; NW $\frac{1}{4}$, S. c. 31, T. 9 S, R. 13 E., B.M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before July 26, 1969. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Buhl Herald, Buhl, Idaho on June 26 and July 3, 1969.

State Reclamation Engineer: Permit No. G-31290

You are hereby authorized to have the attached notice published at may expense in the Buhl Herald of Buhl, Idaho; published in the county in which the works are situated.

Buhl Idaho
(Signature)

Thomas C McClain
(Address)

(Date)

31290

IDAHO LAND & APPRAISAL SERVICE

HARLEY M. McDOWELL
E. J. McDOWELL
MGR OWNERS

MERVIN J. CHRISTENSEN
(LICENSED SURVEYOR)

JOSEPH J. THACKABERRY

ROBERT W. SMITH

633 N. 4TH

BOISE, IDAHO 83701

P. O. Box 1603

PHONE 344-2547

ALL PROPERTY APPRAISALS
CUSTOM DRAFTING, MAPPING
LAND PURCHASES
OIL AND GAS LEASES

GRAZING MANAGEMENT
FEDERAL LAND APPLICATIONS
WATER FILINGS & PROOF
STATE LAND LEASES & ASSIGNS

June 12, 1969

RECEIVED

JUN 16 1969

Department of Reclamation

Mr. R. Keith Higginson
State Reclamation Engineer
Idaho Department of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

RE: G-31290 - Advertising authority; G-31425 - Proof; G-31503 - Proof

Dear Mr. Higginson;

Enclosed herewith please find the following:

1. Authority to advertise G-31290, signed by Thomas C. McClain
2. Proof of Beneficial Use - G-31425, Donald W. McClain
3. Proof of Beneficial Use - G-31503, Laurel K. McClain

Mr. Thomas McClain, Box 464, Buhl, Idaho, requested that the advertising papers for G-32530 be sent to him. They are prepared to make Proof of Beneficial Use on this permit now and would like it mailed just as soon as possible.

If you have any questions, please advise.

Very truly yours,

IDAHO LAND & APPRAISAL SERVICE

Harley M. McDowell

ls

encl

NEVADA

UTAH

31290

May 1, 1969

Re: Permit No. G-31290

Thomas C. McClain, Darwin L.
Boyle, Esther A. Boyle
Box 454
Buhl, Idaho

Dear Sirs and Madam:

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

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

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

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

Enc: Order
Proof package
Proof due notice
Advertising package

31290

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-31290)

in the name of Thomas C. McClain, Darwin L.)

Boyle, Esther A. Boyle, Box 464, Buhl, Idaho)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

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

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

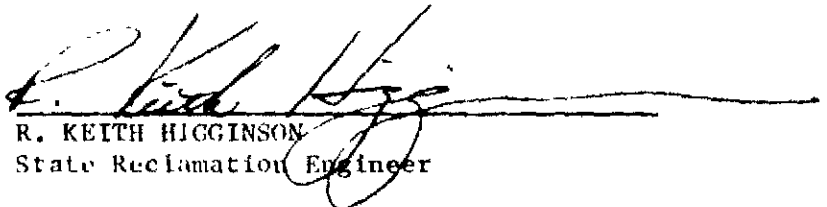
WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. G-31290 was issued previous to that date;

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

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

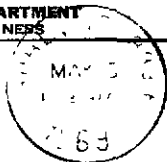
Dated this 30th day of April, 1969.


R. KEITH HIGGINSON
State Reclamation Engineer

31290

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

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



**POSTMARK OF
DELIVERING OFFICE**

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

**RETURN
TO**

NAME OF SENDER

Department of Reclamation

STREET AND NO. OR P.O. BOX

Annex 1000 Tel. use

POST OFFICE, STATE, AND ZIP CODE use, 1000 1007

655-16-7184b

POD Form 3811 Apr. 1967

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered ☐ Deliver ONLY
to addressee
(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

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

CERTIFIED NO.

1

T.C. McChesney

20984

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

by Susan McChesney

DATE DELIVERED

SHOW WHERE DELIVERED (*only if requested*)

5/5/69

3

2-31240

May 1, 1969

Re: Permit No. G-31290

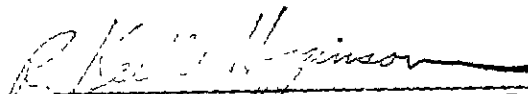
Thomas C. McClain, Darwin L.
Boyle, Esther A. Boyle
Box 464
Buhl, Idaho

Dear Sirs and Madam:

One of the conditions of the approval of your permit
No. G-31290 was that proof of application of the water to
beneficial use be submitted to this office on or before _____
July 26, 1969.

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

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



State Reclamation Engineer

Enclosure: Proof form
DR

July 30, 1968

RE: Permit G-31290
Boyle and McClain

Idaho Land and Appraisal Service
P.O. Box 1603
Boise, Idaho 83701

Gentlemen:

Enclosed herewith is a copy of the State Reclamation Engineer's approval of the extension of time you submitted to this office under the above reference.

This approval is to July 26, 1969 as requested.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

31290

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR EXTENSION OF TIME

PREPARED BY
IDAHO LAND & APPRAISAL SERVICE
BOX 1603, BOISE, IDAHO
PLEASE NOTIFY OF ANY DECISIONS
IF FURTHER INFORMATION IS NEEDED

State of Idaho)
County of Ada)

Permit No. G-31290

Esther A. Boyle, Darwin L. Boyle, / of 1607 9th Ave., E. Twin Falls, Idaho 83316
(name) (address)

State of Idaho, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Waters of the State of Idaho No. G-31290.

That under the terms and conditions of said permit, work thereunder was required to be completed by July 26, 1968.

That he has heretofore performed the following work described under said permit:

This well has been drilled and equipped

Costing \$ 30,000

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: This filing was made in connection with 3 desert land entries which were not allowed until July 20, 1964, I would like this extended the full 5 years from the date of allowance.

WHEREFORE, he asks that the State Reclamation Engineer extend the time for the completion of obligations under said permit to July 26, 1969.

Thomas C. McClain
Thomas C. McClain
Darwin L. Boyle

(signature)

Subscribed and sworn to before me this 27th day of June, 1968.

(notary public)

My commission expires 8/12/70.

Date of receipt at office of Department of Reclamation July 2, 1968.

ACTION OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, State Reclamation Engineer of the State of Idaho, hereby approve the above application for extension of time for Permit No. G-31290 to July 26, 1969.

Witness my hand this 22nd day of July, 1968.

State Reclamation Engineer

* If other than the holder, Power of Attorney must be supplied.

Re: Permit No. G-31290

May 1, 1968

Thomas C. McClain, Darwin L. Boyle, Esther A. Boyle
P. O. Box 464
Buhl, Idaho 83316

Gentlemen:

Proof of completion of works and application of water to beneficial use for the above referenced permit is due not later than July 26, 1968.

Under the terms of your permit, it is required that a notice be published once a week for four consecutive weeks in a local newspaper showing your intent to submit proof. The proof will consist of depositions which the permit holder and two disinterested witnesses must complete before the listed notary public, and must be accompanied by an affidavit of publication of the legal notice.

We have prepared the enclosed notice from the information on your permit. The complete name and address of a notary public of the State of Idaho must be entered together with a date for you to appear before the notary. Allow at least 40 days from the date the notice is mailed to this department for your appearance before the notary.

If you find any discrepancy in the notice or have made any changes, please advise this department and we will assist you in doing whatever may be necessary to assure correct publication.

If the enclosed notice is correct, complete the blank spaces on both forms, sign the form authorizing us to publish the notice at your expense, and return all forms. At the time we send the notice to the newspaper, you will be supplied with further instructions.

If you do not desire to complete the proofs and obtain a license of water right, you are requested to complete the relinquishment portion of this form below and return it to the Department of Reclamation.

State Reclamation Engineer

RELINQUISHMENT

I hereby relinquish to the State of Idaho, all my right, title and interest in and to Permit to appropriate the Public Waters of the State of Idaho, No. _____.

Dated _____

Permit Holder

31290



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Land Office
P. O. Box 2237
Boise, Idaho

IN REPLY REFER TO:

L:VSS
Idaho 014420

JUL 23 1964

NOTICE OF ALLOWANCE

Darwin L. Boyle
1607 - 9th Ave. E
Twin Falls, Idaho

Dear Mr. Boyle:

Your Desert Land Entry, Serial No. Idaho 014420,
Receipt No. 840404, for SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 25; SE $\frac{1}{4}$ NW $\frac{1}{4}$,
N $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$, Section 26,
Township 9 S., Range 12 E., Boise Meridian, Idaho,
containing 320 acres, has this day been allowed, subject
to any valid existing rights and your further compliance with laws
and regulations applicable thereto. In correspondence relating to
this entry, always refer to the serial number shown above.

Subject to the Act of July 17, 1914 which may require the
reservation of all oil and gas deposits to the United States.

Final proof will be acceptable only upon development and
application of an adequate supply of water from the proposed source.

Sincerely yours,

(Signed) Orval G. Hadley

Orval G. Hadley
Land Office Manager

cc: State Recl. Engr.

31290

~~XXXXXXXXXX~~

August 7, 1963

Re: Permit No. C-31290
Thomas C. McClain
Dorwin L. Boyle
Esther A. Boyle

Mr. Harley M. McDowell,
Idaho Land and Appraisal Service,
Box 2161,
Boise, Idaho.

Dear Mr. McDowell:

We enclose Permit No. C-31290 which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

~~We also enclose~~ Departmental Receipt No. C-8135 which was issued covering payment in the amount of \$ 6.25 for the filing fee of the above mentioned permit, ~~was given~~ to you while in our office.

Very truly yours,

~~XXXXXXXXXX~~
GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:pmk
Encl.

cc: Thomas C. McClain
Box 164,
Buhl, Idaho

31290

