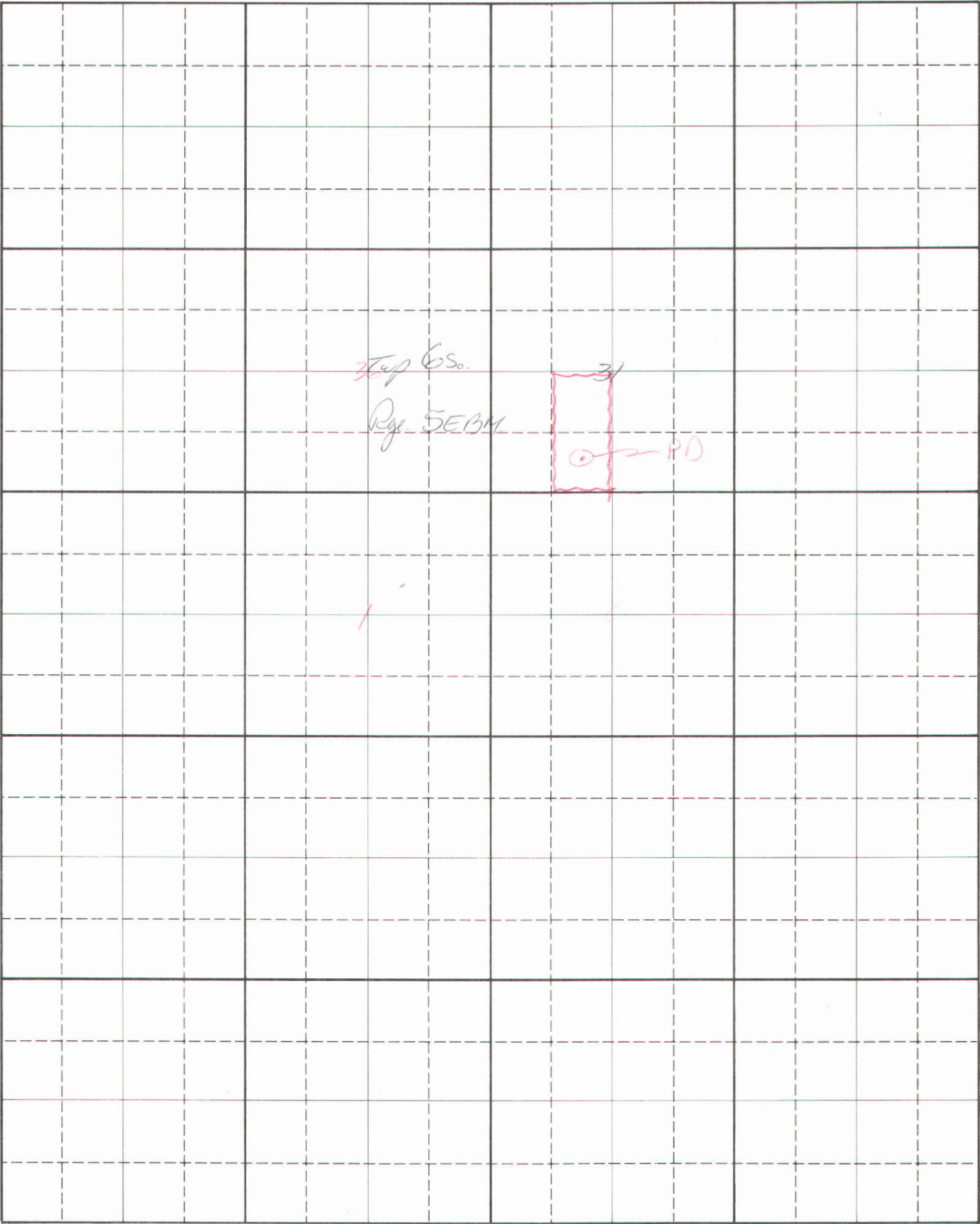
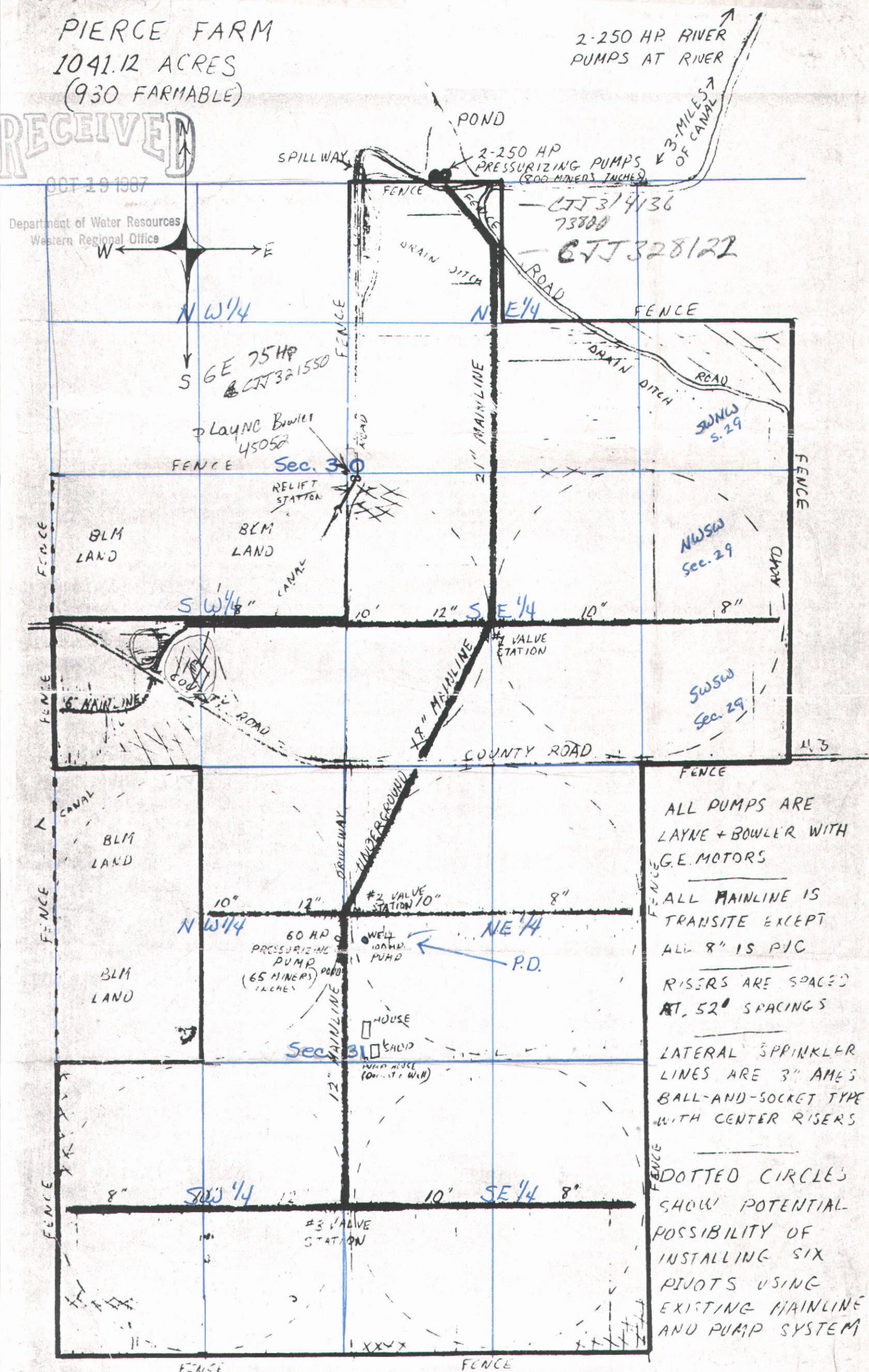




SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



Dept. of Water Resources

The Owyhee Avalanche.

P.O. BOX 97

HOMEDALE, ID 83628

(208) 337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
)ss.
COUNTY OF OWYHEE)

I, David G. Landmann, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of The Owyhee Avalanche, a newspaper of general circulation printed and published weekly, Wednesday of each and every week, in the City of Homedale and County of Owyhee and State of Idaho.

3. That the said The Owyhee Avalanche, a continuation of the Owyhee Chronicle and the Owyhee Nugget, has been printed and published continuously and uninterruptedly in said County during a period of seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not in a supplement

thereto, in said newspaper, in Two (2) (consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

November 5, 1987

November 12, 1987

(Signed).....

David G. Landmann

RECEIVED

DEC 07 1988

Subscribed and sworn to before me this 12th day of Nov. A.D. 1987

Oliver A. Aman Patrick

Notary Public in and for the State of Idaho,

residing at Homedale, Idaho.

My commission expires 10/1/91

NOTICE OF APPLICATION FOR EXTENSION OF TIME TO AVOID FORFEITURE OF WATER RIGHT NO. 51-2144

Notice is hereby given that Arnold Bingham and Dale Porter, 614 North 5000 West, West Point, Utah 84015 have applied to the Department of Water Resources for an extension of time to avoid forfeiture of a license. This license is evidenced by Water Right No. 51-2144.

This license was issued for .96 cubic feet per second of water from a groundwater source with a priority date of 6/23/1958, with a point of diversion within the SESW, Sec. 31, Twp. 6S., Rge. 5E., Owyhee County, for irrigation purposes from 3/1 to 10/31 annually for use upon 46 acres within the NESW, SESW, Sec. 31, Twp. 6S., Rge. 5E., B.M.

Section 42-222, Idaho Code provides that a water right shall be lost and forfeited, and the water will revert to the state upon failure to apply water to a beneficial use for a period of five consecutive years. This Section further provides that the State allow an additional five year period of non-use without forfeiture upon a showing of reasonable cause. Arnold Bingham and Dale Porter have applied for this extension because the land under this water right has been placed in the U.S. Dept. of Agriculture's Conservation Reserve Program and will not be cultivated or irrigated for up to 10 years. The applicant requests this extension until October 1, 1997.

Any protest against the granting of this extension may be filed with the Idaho Department of Water Resources, 2735 Airport Way, Boise, ID 83705 on or before November 23, 1987.

s/R. Keith Higginson,
Director

Publish Nov. 5 & 12, 1987, 2t

RECEIVED

DEC 9 1987

Department of Water Resources
Western Regional Office

The Owyhee Avalanche.

P.O. BOX 97

HOMEDALE, ID 83628

(208) 337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
)ss.
COUNTY OF OWYHEE)

I, David G. Landmann, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of The Owyhee Avalanche, a newspaper of general circulation printed and published weekly, Wednesday of each and every week, in the City of Homedale and County of Owyhee and State of Idaho.

3. That the said The Owyhee Avalanche, a continuation of the Owyhee Chronicle and the Owyhee Nugget, has been printed and published continuously and uninterruptedly in said County during a period of seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not in a supplement

thereto, in said newspaper, in Two (2) (consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

November 5, 1987

November 12, 1987

(Signed)

David G. Landmann

Subscribed and sworn to before me this 12th day of November

A.D. 1987

Alisa Aman Patrick

Notary Public in and for the State of Idaho,

residing at Homedale, Idaho.

My commission expires 10/1/91

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 51-2144 SP

Notice is hereby given that Arnold Bingham and Dale Porter of West Point, Utah have applied to the Department of Water Resources for a change of point of diversion of the water from a groundwater source. The right sought to be changed is evidenced by Water Right No. 51-2144 and is recorded as follows: Amount: 0.96 cfs Priority: 06/23/58 Point(s) of Diversion: SESW, Sec. 31, Twp. 6S., Rge. 5E.

The water is used for irrigation purposes within the NESW, SESW, Sec. 31, Twp. 6S., Rge. 5E., B.M. for a total of 46 acres.

TO BE CHANGED AS FOLLOWS

Amount: 0.96 cfs

Point of Diversion: SWNE, Sec. 31, Twp. 6S., Rge. 5E., B.M.

The water will be used for irrigation purposes within the NESW, SESW, Sec. 31, Twp. 6S., Rge. 5E., B.M. for a total of 46 acres.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before November 23, 1987.

s/R. Keith Higginson
Director

Publish Nov. 5 & 12, 1987, 2t

REGISTERED

DEC 7 1988

RECEIVED

DEC 9 1987

Department of Water Resources
Western Regional Office

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Owyhee } ss.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 14 day of March, 1970, and the last publication being on the 26 day of March, 1970;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER.

Subscribed and sworn to before me this 26 day of

March, 1970.

Leona Spawer
NOTARY PUBLIC

My commission expires 9-10-72

(SEAL)

RECEIVED

MAR 30 1970

Department of Reclamation

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT No. 51 - 2144

Notice is hereby given that A. L. and/or Dorothy C. Trussell of Bruneau, Idaho, have applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing to change the point of diversion of the waters of a ground water source. The original right is as follows:

Amount: 0.96 c.f.s. Priority: June 23, 1958

Point of Diversion: SW $\frac{1}{4}$ -NE $\frac{1}{4}$, Sec. 1, Twp. 7 S., Rge. 4 E., B. M.

Place of Use: E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 31, Twp. 6 S., Rge. 5 E., B. M.

To Be Transferred To

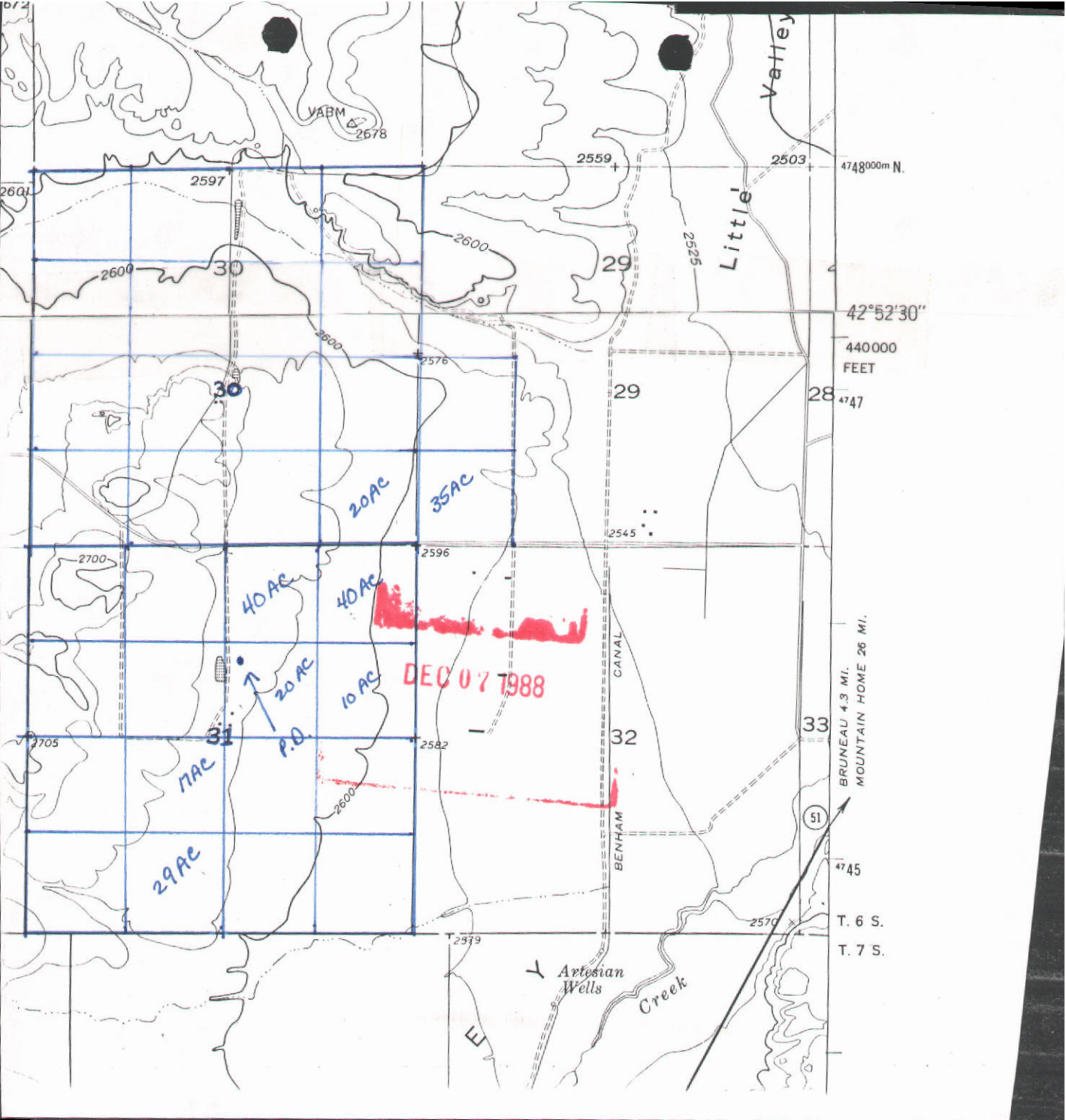
Point of Diversion: SE $\frac{1}{4}$ -SW $\frac{1}{4}$, Sec. 31, Twp. 6 S., Rge. 5 E., B. M.

Any protests against this proposed transfer of water right must be filed with the Department of Reclamation on or before April 6, 1970.

R. KEITH HIGGINSON,
State Reclamation Engineer
Published in the Owyhee Nugget, Marsing, Idaho, on March 19 and March 26, 1970.

Bill submitted
3-30-70
KH.

51 2144



State of Idaho

WATER LICENSE

Water License No. C-27418 Priority June 23, 1958 Amount 0.96 c.f.s.
(late proof)

THIS IS TO CERTIFY, that George B. Hayton - Assignee - Dorothy G. Trussell

of Bruneau, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 13, 1958, that Permit G-27418 was issued pursuant to said application; that the proposed works were completed on or about 1964 with a storage or carrying capacity of 4.0 c.f.s., said works consisting of artesian well, and earth ditches and that on May 12, 1967

proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 230 acre feet per season, with a maximum rate of diversion of 0.96 cubic feet per second of the waters of underground source, tributary of _____, for the purpose of irrigation from April 1 to October 31; and for _____ from _____ to _____; and for _____ from _____ to _____; and that the use of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is located in SW 1/4 NE 1/4, Sec. 1, T. 7 S., R. 4 E., B.M., and other additional points _____, in the County of

Owyhee

; and that the amount of water to which such right is entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes and shall not exceed 230 acre feet per year.

Description and location of place of use:

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
<u>6 S</u>	<u>5 E</u>	<u>31</u>									<u>17</u>			<u>29</u>					<u>46</u>

Total number of acres irrigated 46

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

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

23rd day of January

[Signature]
State Reclamation Engineer

DEC 07 1988

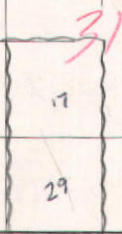
51 2144

27418

Rge. 4 E

Rge. 5 E

Trig. 6 S.



To Bureau

Trig. 7 S.

P.D.
O

16 ACRES

AREA = 46 ACRES

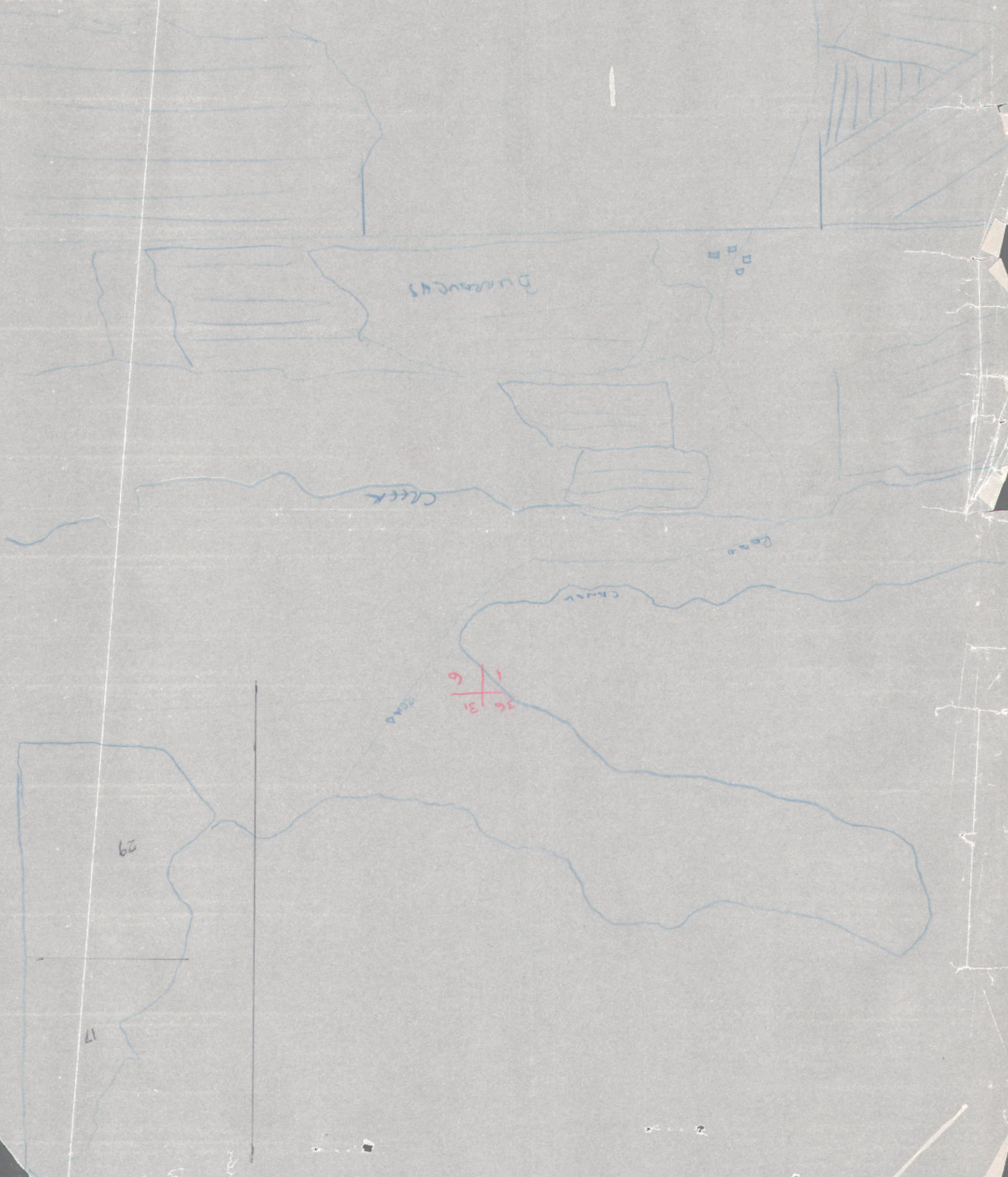
SUBD = 2

Q = .96 c.f.s.

VOL = 230 AC-FT / SEASON

PRIORITY = JUNE 23, 1958

26.22



36 31
1 6

8/15/18



BB Boundary

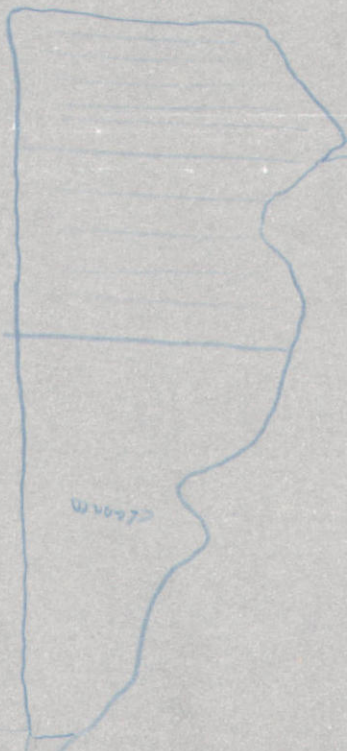
294

54.7

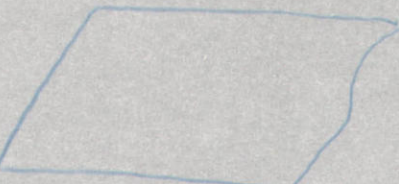
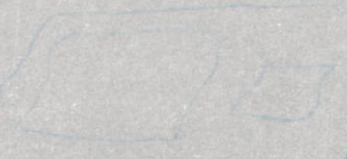
5	6
51	52

51	52
5	6

96



260m



10

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Owyhee } s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 4 consecutive weeks, the first publication being on the 13 day of April, 1967, and the last publication being on the 4 day of May, 1967;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.


PUBLISHER

Subscribed and sworn to before me this 4 day of May, 1967.


NOTARY PUBLIC

My commission expires 9-10-68

(SEAL)

NOTICE OF PROOF OF COMPLETION OF WORKS AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that on the 12th day of May, 1967, at Boise, County of Ada, State of Idaho before Laura J. Henderson, Notary Public, at (address) 224 Idaho Bldg., Boise, Idaho, proof will be submitted of the completion of works for the diversion of 1 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-27418, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Dorothy C. Trussell, Bruneau, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 1 cubic feet per second.

3. The use to which said water has been applied is irrigation, purposes and the amount applied to beneficial use is 1 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 1, T7S - R4E, B. M.

5. The place where said water is used is T6S - R5E Sec. 31, E $\frac{1}{2}$ SW $\frac{1}{4}$.

6. The date of priority which said user is prepared to establish is June 13, 1958.

R. KEITH HIGGINSON,
State Reclamation Engineer
Published April 13, 20, 27, May 4, 1967
The Owyhee Nugget
Marsing, Owyhee County, Idaho

RECEIVED
MAY 12 1967

Department of Reclamation

27418

G-27418

RECEIVED
JUN 23 1966

16/3
3-30
Taylor
3-30

Idaho 011421
" 017254

Idaho Land Office
P. O. Box 2237
Boise, Idaho 83701
Department of Reclamation

DECISION

MAR 30 1966

Assignee: Dorothy C. Trussell :

Desert Land Entry

Assignor: Emma Jane Henry :

Partial Assignment Approved

On May 2, 1962, Emma Jane Henry was allowed desert land entry Idaho 011421 on 321.12 acres in Secs. 30 and 31, T. 6 S., R. 5 E.

On March 21, 1966, Mrs. Henry filed a deed assigning all of her right, title, and interest to the following described 80 acres in the original entry:

T. 6 S., R. 5 E., Boise Mer., Idaho
Sec. 31: E $\frac{1}{2}$ SW $\frac{1}{4}$

The assignee, Dorothy C. Trussell, has filed an affidavit showing that she is qualified to accept an assignment of and hold a desert land entry.

A review of the case file indicates the entry is now in good standing so far as the record shows. However, this office does not attest to the full compliance with the desert land laws as presently reflected by the case record.

This partial assignment of the above described 80 acres is hereby approved and the records of this office are noted to show that Dorothy C. Trussell is the entrywoman for the described lands. Serial Number Idaho 017254 has been assigned to Mrs. Trussell's entry. The 281.12 acres remaining in Mrs. Henry's entry are under the original Serial Number Idaho 011421.

Final proof for both of these entries is due May 2, 1966.

/s/ ORVAL G. HADLEY

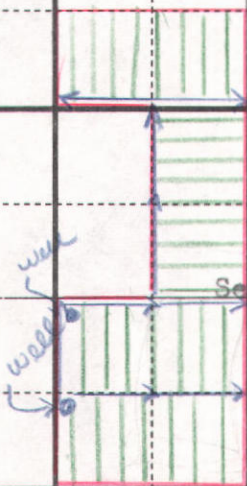
Orval G. Hadley
Manager, Land Office

cc: DM I-1
reading file
case file ✓
VSS:imk, 3-30-66

27418

T 6 S - R 5 E., B.M.

Sec. 30



Sec. 31

Permit Map No. 27418

As Approved

MARK R. KULP

State Reclamation Engineer

JUN 20 1958

Identification No. 51-2144
Transfer No. 1633

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

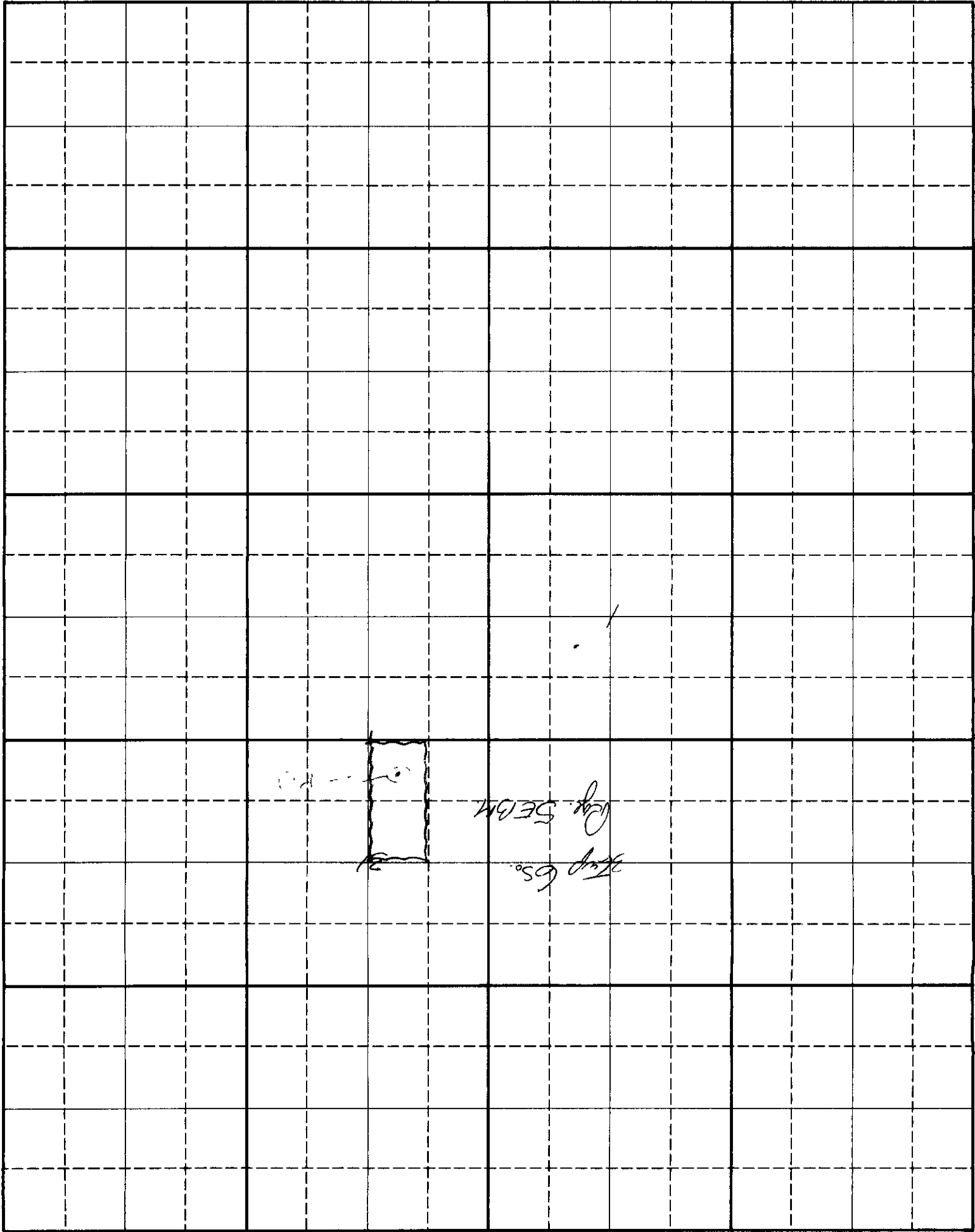
APPROVED

1. Name of Right Holder A. L. TRUSSELL and/or DOROTHY C. TRUSSELL
Post office address Bruneau, Idaho 83604
2. Right obtained by:
a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court. County of _____
(51-2144)
b. License No. G-27418 issued by the State of Idaho, Department of Reclamation.
3. Source of water ground-water tributary to _____
(Name of stream or source)
4. Date of Priority June 23, 1958
5. Amount of water a. 0.96 c.f.s. and/or
b. _____ acre feet/annum
6. Water is used for Irrigation from April 1 to October 31
(Month, Day) (Month, Day)
7. Original location of point of diversion is SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 1,
Township 7 S, Range 4 E, B.M., in Owyhee County;
Additional points of diversion, if any _____

8. Lands presently irrigated or place of use.

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6 S	5 E	31									17			29					46

Total number of acres presently irrigated 46



SCALE: 2 inches Equal 1 Mile. Draw Plan in Ink.

9. If applicant was not the original holder of this right explain how it was acquired: Purchase E $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 31, T. 6 S., R. 5 E., B.M. Sec Assignment dated
May 18 - 1966 - 312100

10. CHANGE IN POINT OF DIVERSION

- a. Quantity to be diverted at new point: 0.96 c.f.s. and/or _____ acre feet
- b. New point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, Township 6 S
_____, Range 5 E, B.M.
- c. Description of method of diversion and conveyance from new points of diversion: Artesian well and open ditch
- d. Is water to be conveyed to the lands previously irrigated? Yes X No _____.
If not, the place of use should be changed below.
- e. Describe the reasons for applying for a change in the point of diversion: New well on property to be irrigated - save transportation loss
- f. Do you intend to make the transfer permanent? Yes
- g. Do you intend to abandon completely the old point of diversion? No
- h. Indicate on the above plat the new point of diversion and lands to be irrigated.

11. CHANGE IN PLACE OF USE - No change

- a. Describe the new lands on which you wish to use your right.

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 $\frac{1}{4}$	

b. Do you intend to make the transfer permanent?
c. Are you completely abandoning the lands previously irrigated by this right? If not, explain your plans:

d. Describe any other water rights that you claim for the new ground upon which you wish to transfer this right:

e. Indicate on the above plat the new land to be irrigated and the point of diversion.

I hereby assert that no one will be injured by such transfer and that the change will be made at my own risk. The information contained in this application is true to the best of my knowledge.

Mr. & Mrs. C. J. Lumsden
A. J. Lumsden
(signature of applicant)

Subscribed and sworn to before me this 11 day of March, 1970
William B. Blum
(notary public)
My commission expires 2-18-1974

**ACTION OF STATE RECLAMATION ENGINEER
AND CERTIFICATE OF TRANSFER**

This is to certify that I have examined Application for Transfer of Water Rights No. 51-2144,

and said application is hereby **APPROVED**

1. Approval of said application is subject to the following limitations and conditions:
The total quantity diverted shall be limited to that needed for beneficial use on 46 acres of ground, hereby tentatively set, subject to adjudication by the court, at 5.0 acre feet per acre, or a total of 230 acre feet per season.
2. Denial of said application is for the following reasons:

Witness my hand this 27th day of April, 1970

[Signature]
Deputy
State Reclamation Engineer

FOR DEPARTMENT USE ONLY

Received by *[Signature]* Date 3-11-70
Prelim. check by *[Signature]* Date 3-11-70
Fee received by *[Signature]* Date 3-11-70 Fee \$ 2000.00
Approved for publication by *[Signature]* Date 3-11-70
Published in *[Signature]* March 1970
Hearing held _____
Watermaster Recommendation sent _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 51-2144 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 1633 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Groundwater tributary to _____

4. Date or priority June 23, 1958

5. Water is used for the following purpose:

amount 0.96 cfs for Irrigation purposes from April 1 to October 31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 0.96 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SW	31	6S	5E	Owyhee	

8. Lands irrigated or place of use

Twp.	Rge	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
6S	5E	31									17			29					46

Total acres 46

9. Describe any other water rights used for the same purpose as described above N/A

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No _____

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp	Rge.	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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	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	

Total acres _____

RECEIVED**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**Transfer No. 51-2144

#3398

SEP 25 1987 APPLICATION FOR TRANSFER OF WATER RIGHT**PART 1****APPROVED**Department of Water Resources
Western Regional OfficeName of applicant Arnold Bingham & Dale Porter Phone _____Post Office address 614 North 5000 West, West Point, Utah 84015**A. PURPOSE OF TRANSFER**

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes To change right to conform with present usage.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number Priority Amount (cfs/ac-ft) Nature of Use Period of Use
- 51-2144 June 23, 1958 0.96 cfs Irrigation April 1 to October 31
- _____ to _____
- _____ to _____
- _____ to _____
2. Total amount of water being transferred 0.96 cubic feet per second and/or _____ acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	NE	31	6S	5E	Owyhee	

5. Lands irrigated or place of use:
- No change

Twp.	Rge	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	
6S	5E	31									17			29					46

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Total acres 46

PART 1

6. General Information

a. Description of diversion system _____
Water from well located in _____ Sec. 31 is diverted to fill
this water right and Water Right No. 51-2229.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes. No changing lands irrigated

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
No Change

d. Remarks:

The purpose of this transfer is to reflect the traditional use of the water. This
land will be placed in the CRP Ten Year Set Aside Program. An application for Extension
of Time to Avoid Foreclosure is also being filed in conjunction with this transfer.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
51-2144
APPROVED _____, subject to the following limitations and conditions:

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15

Witness my hand this _____

day of _____

September

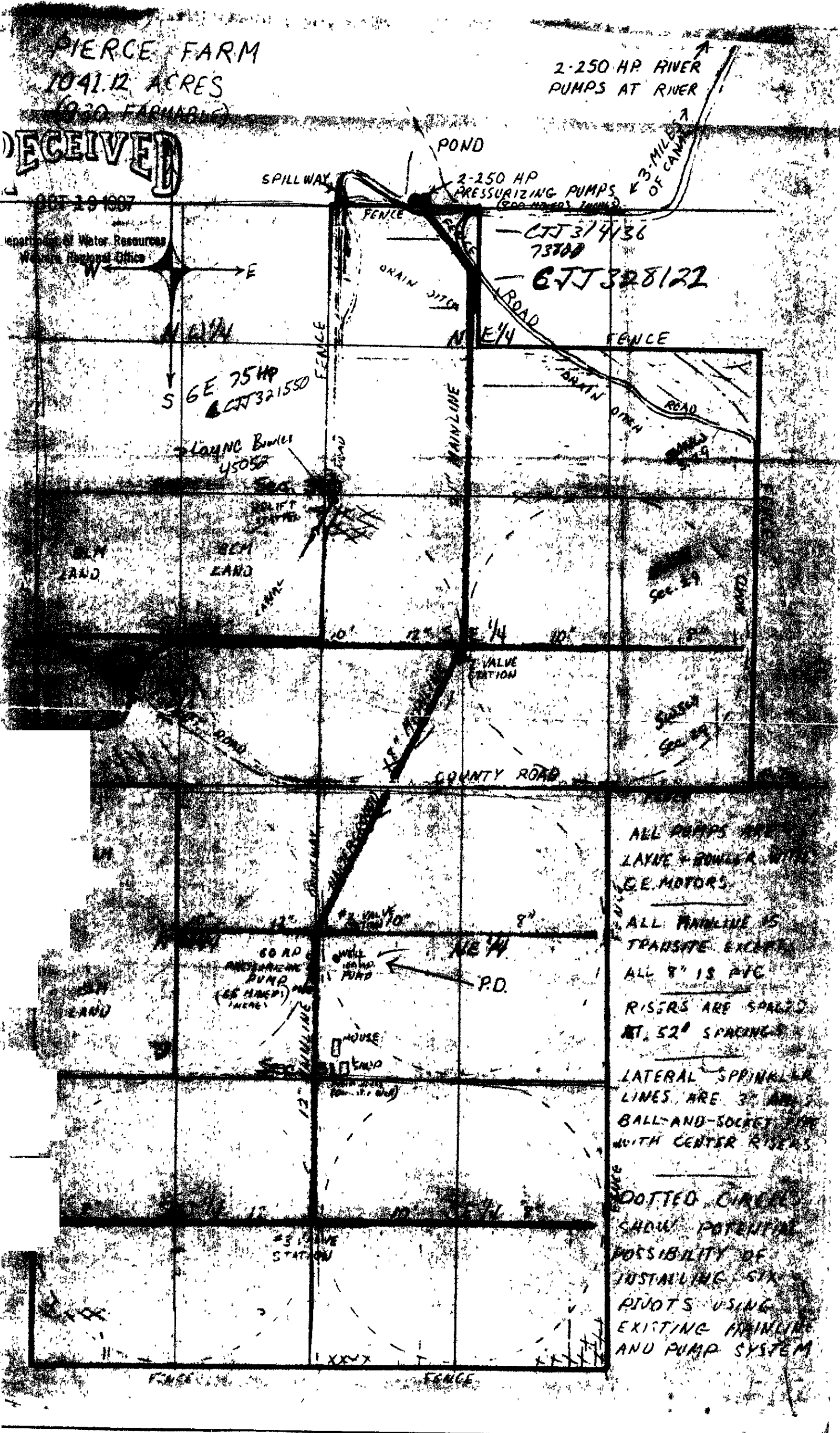
19 _____, 88

Chief, Operations Bureau

J. Stan Saylor

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.



Page _____ of _____

Transfer No. _____

PART 3

B. CHANGES IN NATURE OF USE

1.	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

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

Arnold C. Bingham
(Signature of Applicant)

Subscribed and sworn to before me this 12th day of June, 19 87

Laura A. Shaffer
(Notary Public)

My commission expires February 4, 1988

FOR DEPARTMENT USE ONLY

Transfer contains 16 pages and _____ attachments

Received by JP Date 9/25/87 Protest filed by _____

Prelim. check by _____ Fee 50.00 43936

Receipted by JP Date 9/28/87

Published in Owyhee Avalanche Copies of protest forwarded by _____

Pub. dates 11/4 & 11/11/87 Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

MICROFILMED

DEC 07 1988

R
SEP 25 1967

Water Right No. 51-2144

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources
Western Regional Office

Application for Extension of Time to Avoid Forfeiture
of a Water Right

Section 42-222 of the Idaho Code provides that a water right shall be lost and forfeited and the water revert to the state upon the failure of a water user to apply the water to beneficial use for a period of five (5) years. The Director may allow an additional five (5) year period of non-use without forfeiture upon a showing of reasonable cause.

Complete fully the following application and submit it to the Department of Water Resources, Statehouse, Boise, Idaho, 83720, with the statutory fee of \$30.00 if the application involves 0.2 cfs or 20 acre feet or \$50.00 if in excess of these amounts.

1. Name of water right holder Arnold Bingham & Dale Porter
Post office address 614 North 5000 West, West Point, UT 84015

2. The right was obtained or is evidenced by:

a. Decree to _____ in Case of _____
(Name)

vs. _____, Dated _____ in _____
(Name of Court)

Court, County of _____. Fully describe decree _____

b. License No. 51-2144 issued by the Department of Water Resources.

c. Claim No. _____ on file with the Department of Water Resources.

3. Source of water Groundwater tributary to _____
(Name of stream or source)

4. Date of priority of right June 23, 1958

5. Amount of water a. 0.96 c.f.s. and/or
b. _____ acre feet/annum

6. Water is used for Irrigation from April 1 to October 31
_____ from _____ to _____
_____ from _____ to _____
(Purpose) (Month-Day) (Month-Day)

7. Location of point of diversion is SW 1/4 NE 1/4 of Section 31
Township 6 South, Range 5 East, B.M., in Owyhee County;
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

Twp.	Rge.	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	
6S	5E	31									17			29					46

Total number of acres irrigated 46

9. Give last date when water was applied to beneficial use _____ October, 1986
Length of extension of time requested _____ 5 years _____ years, or until 1997*
(Date)
10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and reasons for non-use *Land under this license was accepted by ASCS in the CRP Ten Year Set Aside Program. The applicant requests that the Extension of Time be granted for the last five years under the program. 1992 through 1996

I hereby assert that no one will be injured by such extension. The information contained in this application is true to the best of my knowledge.

(Signature of Applicant)

Subscribed and sworn to before me this _____ 12th day of _____, 1987.

(Notary Public)

My commission expires _____ 2/4/88

Residing at _____, W.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby APPROVE said application subject to the following conditions or reasons.

Beneficial use of water under this right shall resume on or before June 1, 1997.

Witness my hand this _____ 15th day of _____, 1988

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DEC 07 1988

Chief, Operations Bureau

J. M. Sawyer

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$50.00 Received by _____ Date 9/28/87 Publication prepared by _____

Published in _____ Copies Available _____

Publication approved by _____ Date _____ Protests filed by: _____

Copies of protests forwarded by _____ Hearing held by _____ Date _____

Recommended for _____ Approval _____ Denial _____ by _____ Date 12/21/87

The Owyhee Avalanche.

P.O. BOX 97

HOMEDALE, ID 83628

(208) 337-4881

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
)ss.
COUNTY OF OWYHEE)

I, David G. Landmann, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of The Owyhee Avalanche, a newspaper of general circulation printed and published weekly, ~~Wednesday~~ of each and every week, in the City of Homedale and County of Owyhee and State of Idaho.

3. That the said The Owyhee Avalanche, a continuation of the Owyhee Chronicle and the Owyhee Nugget, has been printed and published continuously and uninterruptedly in said County during a period of seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not in a supplement

thereto, in said newspaper, in Two (2) (consecutive)
calendar weekly issue(s) of said newspaper, in the following date(s):

..... November 5, 1987

..... November 12, 1987

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(Signed).....

David G. Landmann

RECEIVED

DEC 6 1987

Subscribed and sworn to before me this 12th day of Nov.

A.D. 1987

Oliver A. Patrick

Notary Public in and for the State of Idaho,

residing at Homedale, Idaho.

My commission expires 10/1/91

U.S. Forest Service
Bureau of Land Management
HOMEDALE, IDAHO 83628

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DEC 3 1987

Department of Water Resources
Western Regional Office

The Owyhee Avalanche.

P.O. BOX 97

HOMEDALE, ID 83628

(208) 337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
)ss.
COUNTY OF OWYHEE)

I, David G. Landmann, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of The Owyhee Avalanche, a newspaper of general circulation printed and published weekly, Wednesday of each and every week, in the City of Homedale and County of Owyhee and State of Idaho.

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thereto, in said newspaper, in Two (2) (consecutive)
calendar weekly issue(s) of said newspaper, in the following date(s):

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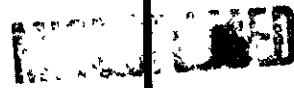
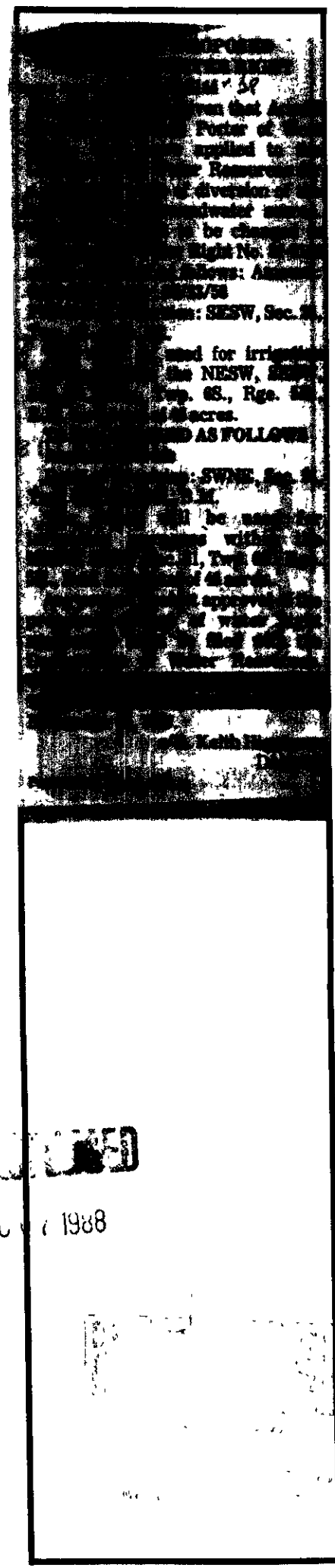
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DEC 7 1988

(Signed) David G. Landmann

Subscribed and sworn to before me this 12th day of November
A.D. 1987

Alice Ann Patrick
Notary Public in and for the State of Idaho,

residing at Homedale, Idaho.

My commission expires 10/1/91

PROOF OF PUBLICATION

STATE OF IDAHO }
County of Owyhee } ss.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 14 day of March, 1970, and the last publication being on the 26 day of March, 1970;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER.

Subscribed and sworn to before me this 26 day of

March, 1970.

Leona Spawes
NOTARY PUBLIC

My commission expires 9-10-72

(SEAL)

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT No. 51 - 2144

Notice is hereby given that A. L. and/or Dorothy C. Trussell of Bruneau, Idaho, have applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing to change the point of diversion of the waters of a ground water source. The original right is as follows:

Amount: cfs. Priority: June

Point of Diversion: SW $\frac{1}{4}$ -NE $\frac{1}{4}$, Sec. 1, Twp. 7 S., Rge. 4 E., B. M.

Place of Use: E $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, Twp. 6 S., Rge. 5 E., B. M.

To Be Transferred To
Point of Diversion: SE $\frac{1}{4}$ -SW $\frac{1}{4}$, Sec. 31, Twp. 6 S., Rge. 5 E., B. M.

Any protests against this proposed transfer of water right must be filed with the Department of Reclamation on or before April 6, 1970.

R. KEITH HIGGINSON,
State Reclamation Engineer
Published in the Owyhee Nugget, Marsing, Idaho, on March 19 and March 26, 1970.

Bill submitted
3-30-70
KH.

51 2144

WATER LICENSE

Water License No. G-27418 Priority June 23, 1958 Amount 0.96 c. f. s.
(late proof)

THIS IS TO CERTIFY, that George R. Hayton - Assignee - Dorothy C. Trussell

of Bruneau, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 13, 1958; that Permit G-27418 was issued pursuant to said application; that the proposed works were completed on or about 1964, with a storage/or carrying capacity of 4.0 c. f. s., said works consisting of artesian well, and earth ditches; and that on May 12, 1967, proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 230 acre feet per season, with a maximum rate of diversion of 0.96 cubic feet per second of the waters of underground source, tributary of _____, for the purpose of irrigation from April 1 to October 31; and for _____ from _____ to _____; and for _____ from _____ to _____; and that the use of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is located in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1, T. 7 S, R. 4 E, B M., and other additional points _____, in the County of Owyhee; and that the amount of water to which such right is entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes and shall not exceed 230 acre feet per year.

Description and location of place of use:

TWP	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				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 $\frac{1}{4}$	
6 S	5 E	31									17			29					46

Total number of acres irrigated 46

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

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

23rd day of January, 19 68

R. Kirk Higgins
State Reclamation Engineer

51-2144

Assigned to

Joseph C. Trussell
Bruner-Idaho

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 35348
Permit No. G- 27418
District No.

Harley M. McDowell
P. O. Box 2161
Boise, Idaho

1. Name of Applicant: GEORGE R. HAYTON
Postoffice address: Rt. # 3, Parma County: Canyon State: Idaho
2. Quantity of water claimed: 320 Miners' inches
(a) Rate of withdrawal in cubic feet per second. 6.4 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 NW SW 1/4 of the SW 1/4 of Section 31
Twp. 6 S. , Rge. 5 E. , B.M., County of Owyhee
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 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.
(b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: Drilled well to be cased and equipped with turbine type pump and motor
8. Estimated cost of works: \$ 15,000
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) (cubic feet per second, inches or gallons per minute) is for new lands.

Remarks: This permit is to be used in connection with the irrigation of vacant federal land now under application in the Idaho District Land Office as a Desert Entry. The irrigation development of this land will also serve as the beneficial use of the water.

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.

/s/ HARLEY M. MCDOWELL
Agent.

Date of first receipt at Department of Reclamation: 8:00 A. M. June 13, 1958

Corrected application received:

The number of this permit is G-27418

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:

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.

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before June 20, 1963

Deputy */s/ E. N. HUMPHREY*
State Reclamation Engineer.

Countersigned:

STATE OF IDAHO

Governor

Secretary of State.

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	
6 S.	5 E.	30																	80
		31					40			40	40	40	40	40					240
																			320

For value received, I hereby assign all my right, title and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. G-27418 to EMMA JANE HENRY, of Homedale, Idaho.

s/ Lenna Mae Hayton
Wife of Permit Holder

On this 19 day of April, 1960, before me, a Notary Public for the State of Idaho, residing at Parma, Idaho, personally appeared Lenna Mae Kayton known to me to be the person whose name is subscribed to the within instrument, and duly acknowledged to me that she executed the same.

s/ Hilda D. Lackland
Notary Public, residing at Parma

My commission expires 7 - 9 - 63

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. G-27418

Comes now EMMA JANE HENRY and represents to the State Reclamation Engineer of the State of Idaho:

That she is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-27418.

That the points of diversion is described in said permits as being located: NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, T. 6 S., R. 5 E., B. M., Idaho

That she now requests that the points of diversion be changed to a point located SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, T. 6 S., R. 5 E., B. M., Idaho and SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 1, T. 7 S., R. 4 E., B. M., Idaho

That the reason for desiring to make such change is as follows: Well is in operation in SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 1 and has extra water.

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Homedale, Idaho, this ____ day of March, 1960.

Emma Jane Henry.

Date of receipt at Department of Reclamation April 25, 1960.

APPROVAL OF STATE RECLAMATION ENGINEER

I, GEO. N. CARTER, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-27418. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

s/ GEO. N. CARTER
State Reclamation Engineer

Recorded in Book 97 of
Permits, Page 27418
April 25, 1960.

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

WHEREAS, Permit No. G-27418, in the name of Emma Jane Henry, requires proofs of completion of works and beneficial use to be made on or before June 20, 1963; and,

WHEREAS, said Permit was issued in connection with Desert Land Entry Idaho Serial No. 011421; and,

WHEREAS, Applicant was prevented from proceeding with construction pending allowance of said Desert Land Entry, which was not allowed until May 2, 1962;

NOW, THEREFORE, An Extension of Time is allowed for Completion of Works and Beneficial Use Proofs on Permit No. G-27418, to May 2, 1967, or the length of time applicant was prevented from proceeding pending allowance of his Desert Land Entry and a similar extension is allowed for every other act required under the terms and conditions of Permit No. G-27418.

Signed at Boise, Idaho, this 24th day of April, 1963.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

(seal)

A S S I G N M E N T

For value received, I hereby assign all of my right, title and interest in and to permit to appropriate the Public Waters of the State of Idaho, No. G-27418 to Dorothy C. Trussell of Bruneau, Idaho.

/s/ EMMA J. HENRY
Permit Holder a widow.

State of Idaho)
 : ss
County of Ada)

On this 18th day of March, 1966, before me, a Notary Public for the State of Idaho, residing at Boise, Idaho personally appeared Emma J. Henry known to me to be the person whose name is subscribed to the within instrument and duly acknowledged to me that she executed the same. IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial Seal, the day and year in this certificate first above written.

/s/ SHARRON DEROEN
Notary Public Residing at Boise, Idaho

My commission expires: 9/28/68

LICENSE ISSUED FOR 0.96 SEC. FT.
LICENSE PAGE NO. 27418



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

November 3, 1988

RE: Water Right No. 51-2144

Arnold Bingham &
Dale Porter
614 N. 5000 W.
West Point, UT 84015

Gentlemen:

Enclosed are copies of the approved Application for Transfer of the above referenced water right and the approved Application for Extension of Time to Avoid Forfeiture. Note that beneficial use of water under this right must resume on or before June 1, 1997.

If you have any questions concerning these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosures

DEC 07 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY:

Jan Thurtell

Arnold Bingham

1. Right number 51-2144 Applicant Dale Porter

2. Type of right: ☐ Decree ☒ License ☐ Claim

3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Other _____

4. Check:

a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use

b. ☒ Description of original point of diversion.

c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:

a. ☒ All of right.

b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).

c. ☒ Check description of point(s) of diversion.

d. ☒ Check description of place of use.

e. ☒ Check map (shows p.d. and p.u. after transfer).

f. ☒ Check for correct signature, notarization, and fee.

g. ☒ Check proof of ownership of right &/or land from which water is transferred. None Req'd

h. ☒ Check for expansion in use of right. Comments _____

i. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) _____

j. ☐ Is use within a Watermaster District? ☐ Yes ☒ No

If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on N/A Received on _____

2. Is transfer published correctly? ☒ Yes ☐ No 50/4393b
Douglas avalanche
11/4 & 11/11/87

3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny Attached App for Ext to avoid forfeiture:

3. Conditions* Recommend that forfeiture extension be granted through
October, 1996 (10 years from last use)

4. By Der Date 12/21/87 **RECEIVED** JAN 11 1988

Jim 9-15-88

* All uses within Watermaster Districts require special conditions.

Department of Water Resources

JK
g

NOTICE OF APPLICATION FOR EXTENSION OF TIME TO AVOID FORFEITURE
OF WATER RIGHT NO. 51-2144

Notice is hereby given that Arnold Bingham & Dale Porter, 614 North 5000 West, West Point, Utah 84015 have applied to the Department of Water Resources for an extension of time to avoid forfeiture of a license. This license is evidenced by Water Right No. 51-2144.

This license was issued for .96 cubic feet per second of water from a groundwater source with a priority date of 6/23/1958, with a point of diversion within the SE5W, Sec. 31, Twp. 6S., Rge. 5E., Owyhee County, for irrigation purposes from 3/1 to 10/31 annually for use upon 46 acres within the NESW, SE5W, Sec. 31, Twp. 6S., Rge. 5E., B.M.

Section 42-222, Idaho Code provides that a water right shall be lost and forfeited, and the water will revert to the state upon failure to apply water to a beneficial use for a period of five consecutive years. This Section further provides that the State allow an additional five year period of non-use without forfeiture upon a showing of reasonable cause. Arnold Bingham & Dale Porter have applied for this extension because the land under this water right has been placed in the U.S. Dept. of Agriculture's Conservation Reserve Program and will not be cultivated or irrigated for up to 10 years. The applicant requests this extension until October 1, 1997.

Any protest against the granting of this extension may be filed with the Idaho Department of Water Resources, 2735 Airport Way, Boise, ID 83705 on or before November 23, 1987.

R. Keith Higginson, Director

Published in the Owyhee Avalanche 11/ 4/ & 11/11/87


DEC 07 1988

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 51-2144

Notice is hereby given that Arnold Bingham & Dale Porter of West Point, Utah have applied to the Department of Water Resources for a change of point of diversion of the water from a groundwater source. The right sought to be changed is evidenced by Water Right No. 51-2144 and is recorded as follows:

Amount: 0.96 cfs Priority: 06/23/58

Point(s) of Diversion: SESW, Sec. 31, Twp. 6S., Rge. 5E.

The water is used for irrigation purposes within the NESW, SESW, Sec. 31, Twp. 6S., Rge. 5E., B.M. for a total of 46 acres.

TO BE CHANGED AS FOLLOWS

Amount: 0.96 cfs

Point of Diversion: SWNE, Sec. 31, Twp. 6S., Rge. 5E., B.M.

The water will be used for irrigation purposes within the NESW, SESW, Sec. 31, Twp. 6S., Rge. 5E., B.M. for a total of 46 acres.

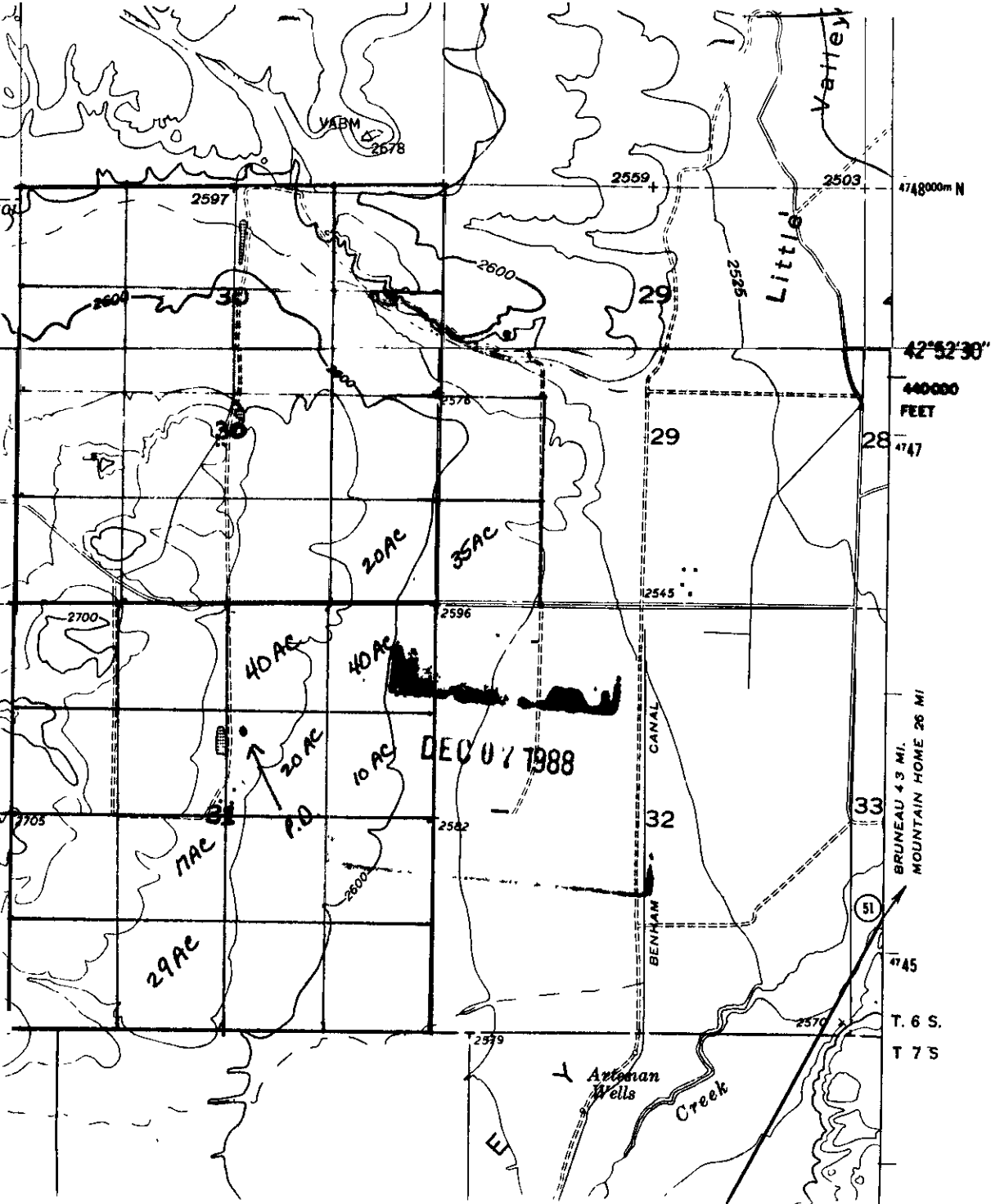
Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705

on or before November 23, 1987.

R. Keith Higginson, Director

Published in the Owyhee Avalanche
on 11/4 & 11/11/87.

RECEIVED
DEC 07 1988



PAGE 2962
06/28/1987

WRI158

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY POINT OF DIVERSIONPAGE 2977
06/28/1987

LAST NAME	OWNER CODE	TWN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	RFLG	SOURCE OF WATER	LAST NAME	OWNER CODE
EPT OF AGRI	C	06S	05E	26	NEBH	43.49		51-7197	P		07-21-1982 GROUNDWATER	U S DEPT OF INTERIOR	C
	C			28	NEBH	01.43		51-2111	L		07-19-1950 JACKS CREEK	ACEBROOK	C
	C				NEBH	01		51-2112	L		11-08-1949 JACKS CREEK	ACEBROOK	C
	C				NEBH	01		51-2124	L		11-28-1951 JACKS CREEK	BRUNEAU CATTLE CO	C
EPT OF AGRI	C				NEBH	01		51-2181	L		11-28-1951 JACKS CREEK	PERLE DAVIS & SONS	C
	C				NEBH	01.43		51-2254	L		11-28-1963 JACK CREEK	BRUNEAU CATTLE CO	C
EPT OF AGRI	C				SHSH	01.43		51-2111	L		05-06-1911 DRY CREEK	BRUNEAU CATTLE CO	C
	C				SHSH	01		51-2112	L		11-08-1949 JACKS CREEK	ACEBROOK	C
	C				SHSH	01		51-2124	L		11-28-1951 JACKS CREEK	BRUNEAU CATTLE CO	C
	C				SHSH	01		51-2181	L		11-28-1963 JACK CREEK	BRUNEAU CATTLE CO	C
	C				SHSH	01.43		51-2254	L		05-06-1911 DRY CREEK	BRUNEAU CATTLE CO	C
	C				ST	SHSE	01	51-2229	L		10-15-1962 GROUNDWATER	TRUSSELL	C
	C				SESH	01		51-2144	L		06-23-1958 GROUNDWATER	WYTON TRUSSELL	C
	C				SESH	01		51-7036	P		01-06-1969 GROUNDWATER	TRUSSELL	C
	C				33	WENE		51-7087				WILMOUTH BILMORTH	C
	C				SENE			51-7087				BILMORTH BILMORTH	C
	C				WENE	01		51-2119	L		03-26-1951 UNNAMED STREAM	ACEBROOK	C
	C				WENE	01.10.43		51-7150	P		05-05-1980 GROUNDWATER	ERWIN	C

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PAGE 2963
06/28/1987

WRI158

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY POINT OF DIVERSIONPAGE 2978
06/28/1987

LAST NAME	OWNER CODE	TWN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	RFLG	SOURCE OF WATER	LAST NAME	OWNER CODE
	C	06S	05E	33	WANH	01		51-4056	S		03-01-1926 GROUNDWATER	GLINESKI, JR	C
	C				SHNH	01		51-2125	L		07-11-1952 JACK CREEK	PARIA SMALTZ	C
	C				SHNH	43		51-4016	S		07-01-1949 GROUNDWATER	STANN STANN	C
	C				SHNH	01		51-4056	S		03-01-1926 GROUNDWATER	GLINESKI, JR	C
	C				SESE	01		51-2142	L		08-13-1956 SUGAR VALLEY WASH	GABLE A BARNH INC	C
	C				34	SENH	01	51-7021	L		06-25-1968 GROUNDWATER	ERWIN LOOS	C
	C				35	SHSH	01	51-7021	L		06-25-1968 GROUNDWATER	ERWIN LOOS	C
EPT OF AGRI	C	06S	06E	02	SHNE	01.16.17.55		02-7004	L		10-19-1967 SHAKE RIVER	STATE OF IDAHO	C
EPT OF AGRI	C				SHNE	16.17.46.47		02-7416	P		04-04-1985 SHAKE RIVER	STATE OF IDAHO	C
EPT OF AGRI	C				SHNE	02.01		02-2136	L		08-15-1956 SHAKE RIVER	NEWBLE INC	C
EPT OF AGRI	C				SHNE	02.01		02-2174	L		03-23-1962 SHAKE RIVER	JOHNS	C
EPT OF AGRI	C				SHNE	02.01		02-7318	P		02-10-1981 SHAKE RIVER	JOHNS	C
DEPT OF AGRI	C				04	WENE	03.01	02-2094	L		08-30-1955 SHAKE RIVER	HIMMIX ELLSWORTH	C

WRI158

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY POINT OF DIVERSION

LAST NAME	OWNER CODE	TWN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	RFLG	SOURCE OF WATER	LAST NAME	OWNER CODE
	C	06S	13E	27	WANH	01.28		37-7719	A		06-19-1978 WADDINGTON SPRINGS		C
	C				SHNH	01		37-4246	A		06-01-1982 LOWER WADDINGTON SP		C
	C				WESH	43		37-4245	S		01-01-1982 SPRING		C
	C				WESH	04.01.04.43		37-4389	S		06-01-1988 WADDINGTON SPRING		C
	C				WESH	19		37-7724	A		07-24-1978 WADDINGTON SPRING		C
	C				WESH	43		37-8014	A		06-09-1982 SPRING		C
	C				WESH	01.04.43		37-8149	P		07-19-1983 SPRING		C
	C				WASH	43.04		37-7756	P		01-03-1979 UNNAMED SPRING		C
	C				WASH	01.28		37-7719	A		06-19-1978 WADDINGTON		C
	C				SHSH	02.19.28.01.43		37-7809	P		11-21-1979 UNNAMED SP		C
	C				SHSE	43		37-4132	S		10-01-1980 SPRING		C
	C				SESE	01.04.43.46		37-4408	S		04-01-1913 SPRING		C
	C				28	WENE	01.13	37-4225	S		02-03-1988 STODDARD CREEK		C
	C				WENE	19		37-7537	A		10-19-1976 SPRING		C
	C				WENE	46		37-7989	P		12-16-1981 STODDARD CREEK		C
	C				WENE	0.19		37-4034	S		05-13-1969 STODDARD CREEK		C
	C				WENE	01.19		37-7200	P		01-30-1973 STODDARD CREEK		C
	C				WANE	28		37-7989	P		12-16-1981 STODDARD CREEK		C
	C				WANE	01.19		37-7054	L		02-04-1978 UNNAMED STREAM		C

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WRI158

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS BY POINT OF DIVERSION

LAST NAME	OWNER CODE	TWN	RNG	SEC	TRACT	LOT	USES	WATER RIGHT NUMBER	STAGE PRIORITY	RFLG	SOURCE OF WATER	LAST NAME	OWNER CODE
	C	06S	13E	34	WENE	01.19		37-7774	A		05-03-1979 WALAD RIVER		C
	C				WENN	19		37-7774	A		05-03-1979 WALAD RIVER		C
	C				WENN	34		37-7920	A		06-19-1981 WALAD RIVER		C
	C				SHSE	28		37-7997	P		02-01-1982 BIRCH CREEK		C
	C				SHSE	04.19		37-7174	L		11-14-1972 BIRCH CREEK		C
	C				SHSE	04.19		37-7541	L		11-29-1976 BIRCH CREEK		C
	C				SHSE	04.28		37-7997	P		02-01-1982 BIRCH CREEK		C
	C				SESE	01		37-0798	D		06-30-1978 BIRCH CREEK		C
	C				SESE	19		37-7559	P		02-08-1977 UNNAMED STREAM		C
	C				35	WENE	19	37-7781	A		05-30-1979 WALAD RIVER SPR		C
	C				WANE	34		37-7920	A		06-19-1981 WALAD RIVER		C
	C				WENN	28		37-2128	L		11-25-1908 WALAD RIVER		C
	C				WENN	26		37-2472	L		05-14-1946 WALAD RIVER		C
	C				WANH	01.43.04		37-4112	S		03-26-1902 WALAD RIVER		C
	C				WANH	01.04.43		37-4163	S		06-01-1967 SPR NG		C
	C				SHSH	01		37-8798	B		06-30-1978 BIRCH CREEK		C
	C				SHSH	01.43		37-3155	A		05-14-1974 BIRCH CREEK, SOUTH		C

██████████ # 5 ██████████

██████ H 6 ██████

15

16

CONVERSATION MEMORANDUM

DATE 10/15/87FILE 51-2144NAME OF PARTY Arnold BinghamEMPLOYEE Jan ThunteRE: Transfer of p.d. for 51-2144

I spoke with Mr. Bingham concerning the p.d. change. My question concerned the remark under means of diversion where they state the well in the SW¹/₄, Sec. 31 is diverted to fill the water right and Water Right No. 51-2229. I could not figure out why they are transferring the p.d. to the SW¹/₄ of Sec 31 and stated the well in the SW¹/₄, Sec. 31. Since there was no map on the transfer it seemed important to clarify exactly where the well is. Mr. Bingham has a map which shows the well & farm & he is sending it to me for the file.

RECEIVED

DEC 07 1988

State of Idaho

WATER LICENSE

That on January, June 22, 1968 Amount 0.25 c.f.s.
 (late print)
 that George H. Haydon - Assignee - Dorothy G. Truesell
 of the State of Idaho, made application for a permit to appropriate the public waters of
 the State of Idaho, under June 12, 1959 that Permit 10-27418
 to the effect that the proposed works were completed on or about 1964
 and carrying capacity of 1.0 c.f.s. said works consisting of irrigation
well and earth ditches and that on May 12, 1967

permitted to the satisfaction of the State Reclamation Engineer, of the beneficial use of 210
 acre feet per season, with a maximum rate of diversion of 0.25 cubic feet per second of the waters
 of underground source tributary of _____
 for the purpose of irrigation from April 1 to October 31
 and from _____ to _____ and for
 from _____ to _____ and that the use
 of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
 mation Engineer and entered in the records of the Idaho Department of Reclamation the point of diversion is
 located in SW 1/4 NE 1/4 Sec 1 T. 7 S. R. 1 E B.M. and
 other additional points _____ in the County of
Owyhee; and that the amount of water to which such right is
 entitled and which is hereby confirmed, for the purposes aforesaid is limited to an amount actually beneficially
 used for said purposes and shall not exceed 210 acre feet per year.

Do hereby certify and location of place of use.

Twp	Range	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
68	5 E	31									17			29					46

Total number of acres irrigated 46

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

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

23rd day of January

[Signature]
 State Reclamation Engineer

DEC 07 1988

51 2141

27418

STATE OF ID

Department of Water Resources

No 43936

Boise, Idaho, 9/28, 1987RECEIVED
FROMArnold T. Bingham of West Point \$150.00
One hundred fifty dollars & 00/100 DOLLARS

97-117

FOR (2) 50.00 each	
Ext of time: 150	00
50.00	
(1) transfer	
TOTAL - - -	\$ 150.00

DEC 07 1988

Quay Penick

CIGNA Investments, Inc.

Emerald Business Center
8100 Emerald St., Suite 130
Boise, ID 83704
(208) 377-0510



September 24, 1987

C.G. Loan #J0038

Mr. Gary Spackman
Department of Water Resources
2735 Airport Way
Boise, Id. 83705

RE: Water Rights: 51-2144 and 51-2229 (Arnold Bingham & Dale Porter)

Dear Mr. Spackman:

Please find enclosed the following:

1. Applications for Extension of Time to Avoid Forfeiture of a Water Right for 51-2144 and 51-2229;
2. Application for Transfer of Water Right 51-2144;
3. Arnold Bingham's check No. 269 in the amount of \$150.00

Your letter to Arnold Bingham dated May 22, 1987 instructed him as to your requirements for Water License 02-7076. It is my understanding that Mr. Bingham is currently working on meeting your requirements for this license.

Will you please process the enclosed applications.

Sincerely,

Laura A. Shaffer
Laura A. Shaffer

ENC.

cc: Betty Wells - CIGNA (w/copies of enc.)
Arnold Bingham (w/copies of enc.)

CERTIFIED/RETURN RECEIPT REQUESTED

RECEIVED

DEC 07 1988

RECEIVED
SEP 25 1987

Department of Water Resources
Western Regional Office



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

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

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

May 22, 1987

RECEIVED
MAY 26 1987

Department of Water Resources
Western Regional Office

Arnold Bingham
614 North 5000 West
West Point, UT 84015

Re: Transfer for Right No. 51-2144; Applications for Extension
of Time to Avoid Forfeiture for Water Right Nos. 02-7076,
51-2144, and 51-2229.

Dear Mr. Bingham:

I am sorry it has taken me so long to send the enclosed documents to you. There were a couple of legal questions that arose regarding the applications which delayed their processing.

You must sign each of the applications, and have your signature notarized. You must also submit a \$50 filing fee for each of the applications for Extension of Time to Avoid Forfeiture, and also a \$50 filing fee for the Application for Transfer. The total fee will equal \$200.

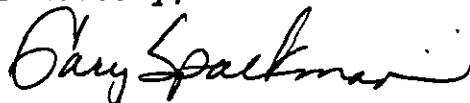
At the time you submit the applications for Extension of Time to Avoid Forfeiture, please also submit documentation that you are the majority shareholder in Basin Mutual Canal Company, and that there is only one other shareholder. A copy of the document proving ownership of the number of your shares, and also a copy of the articles incorporation of the canal company should also be included as proof. If the above mentioned documentation is received by the Department of Water Resources, it will not be necessary that the officers of the corporation submit the application.

I note that Permit No. 51-7036 also covers some of the land in question. I do not recall why No. 51-7036 was not included as one of the water rights needing an extension to avoid forfeiture. Please advise whether you intend to file an application for extension of time to avoid forfeiture for Permit No. 51-7036.

DEC 07 1988

Please send all of the above to the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705, for processing. If I can be of further assistance, please call.

Sincerely,



GARY SPACKMAN, Supervisor
Water Allocation Section

GS:jf

CC: Western Region

Enclosures



DEC 07 1988



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

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

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

May 22, 1987

Arnold Bingham
614 North 5000 West
West Point, UT 84015

Re: Transfer for Right No. 51-2144; Applications for Extension of Time to Avoid Forfeiture for Water Right Nos. 02-7076, 51-2144, and 51-2229.

Dear Mr. Bingham:

I am sorry it has taken me so long to send the enclosed documents to you. There were a couple of legal questions that arose regarding the applications which delayed their processing.

You must sign each of the applications, and have your signature notarized. You must also submit a \$50 filing fee for each of the applications for Extension of Time to Avoid Forfeiture, and also a \$50 filing fee for the Application for Transfer. The total fee will equal \$200.

At the time you submit the applications for Extension of Time to Avoid Forfeiture, please also submit documentation that you are the majority shareholder in Basin Mutual Canal Company, and that there is only one other shareholder. A copy of the document proving ownership of the number of your shares, and also a copy of the articles incorporation of the canal company should also be included as proof. If the above mentioned documentation is received by the Department of Water Resources, it will not be necessary that the officers of the corporation submit the application.

I note that Permit No. 51-7036 also covers some of the land in question. I do not recall why No. 51-7036 was not included as one of the water rights needing an extension to avoid forfeiture. Please advise whether you intend to file an application for extension of time to avoid forfeiture for Permit No. 51-7036.

DEC 07 1988

Please send all of the above to the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705, for processing. If I can be of further assistance, please call.

Sincerely,



GARY SPACKMAN, Supervisor
Water Allocation Section

GS:jf

CC: Western Region

Enclosures

MICROFILMED

DEC 0 1 1977

3/79

IDENT. NO. 51-2144

I D A H O D E P A R T M E N T O F W A T E R R E S O U R C E S

WATER RIGHT
DATA ENTRY LOG

[illegible]

April 28, 1970

Re: Transfer No. 51-2144

A. L. & Dorothy C. Trussell
Bruneau,
Idaho 83604

Dear Mr. & Mrs. Trussell:

Enclosed is a copy of your approved application for transfer
of water right No. 51-2144. Be sure to note the conditions of
approval listed on page four.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:kh
Enclosure

51 2144

April 22, 1970

Re: Transfer Application No. 51-2144

A. L. and/or Dorothy C. Trussell
Bruneau,
Idaho 83604

Dear Mr. & Mrs. Trussell:

Enclosed is your application for transfer of water right. Please have Dorothy C. Trussell either sign the application or sign a power of attorney giving you the authority to sign for her and return the application to this office. As soon as we are in receipt of the signed application or power of attorney, we will continue to process your transfer application.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:kh
Enclosure

51 2144

Point of revision
sw ne sec 1
is in the name of
Keith & Thomas

Land list
E 1/2 SW sec 31
is in the name
of only Dorothy Russell

51-2144

495.2421

51-2144

Art.
Kath. Frauen

March 12, 1970

Re: Transfer Application 51-2144

Owyhee Nugget
Marsing,
Idaho 83639

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 date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation 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 the claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:kh
Enclosure

51 2144

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT
No. 51-2144

Notice is hereby given that A. L. and/or Dorothy C. Trussell of Bruneau, Idaho, have applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing to change the point of diversion of the waters of a ground water source. The original right is as follows:

Amount: 0.96 c.f.s. Priority: June 23, 1958

Point of Diversion: SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 1, Twp. 7 S., Rge. 4 E., B.M.

Place of Use: E $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 31, Twp. 6 S., Rge. 5 E., B.M.

To Be Transferred To

Point of Diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 31, Twp. 6 S., Rge. 5 E., B.M.

Any protests against this proposed transfer of water right must be filed with the Department of Reclamation on or before April 6, 1970.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in Owyhee Nugget on March 19th and 26th, 1970

5/27/44

Let B.H. know 1/17/69 from [unclear] 43

January 14, 1969

Re: Permit No. G-27418

Dorothy C. Trussell
Bruneau, Idaho

Dear Mrs. Trussell:

A representative of this department has made an examination of the works covered by your permit G-27418 and has found the following:

Quantity of water diverted: 4.0 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 0.96 c.f.s.*

Purpose of use: Irrigation of 46 acres in E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 31,
T. 6 S., R. 5 E., B.M.

The priority date established is: June 23, 1958.

A fee totaling \$ 9.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

Dean R. Reynolds
Field Examiner

DRR:dj

*The maximum quantity diverted shall not exceed 230 acre feet per season.

51-2144

27418

January 23, 1969

Re: Permit No. G-27418

**Dorothy C. Trussell
Brunau,
Idaho 83604**

Dear Mrs. Trussell:

**Enclosed you will find your Water License issued on the
above numbered permit.**

Very truly yours,

**C. Stephen Allred, Assistant
State Reclamation Engineer**

CSA:kh

Enclosure

27418

DON SAMUELSON
GOVERNOR



R KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

January 14, 1969

Re: Permit No. G-27418

Dorothy C. Trussell
Bruneau, Idaho

Dear Mrs. Trussell:

A representative of this department has made an examination of the works covered by your permit G-27418 and has found the following:

Quantity of water diverted: 4.0 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 0.96 c.f.s.*

Purpose of use: Irrigation of 46 acres in E 1/4 Sec. 31,
T. 6 S., R. 5 E., B.M.

The priority date established is: June 23, 1958.

A fee totaling \$ 9.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

A handwritten signature in cursive script that reads "Dean R. Reynolds".

Dean R. Reynolds
Field Examiner

DRR:dj

*The maximum quantity diverted shall not exceed 230 acre feet per season.

*Rec'd # 2553
given*

27418

January 14, 1969

Re: Permit No. D-27418

Dorothy C. Trussell
Bruneau, Idaho

Dear Mrs. Trussell:

A representative of this department has made an examination of the works covered by your permit D-27418 and has found the following:

Quantity of water diverted: 4.0 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho Law: 0.96 c.f.s.*

Purpose of use: Irrigation of 46 acres in 24SW, Sec. 31,
T. 4 S., R. 5 E., S. 4 N.

The priority date established is: June 23, 1953.

A fee totaling \$ 9.00 must be received within 30 days from the date of this letter in order that we can issue you the Certificate of Completion of Works and the License and Certificate of Water Right as described above.

Very truly yours,

Dean R. Reynolds
Field Examiner

DRR:df

*The maximum quantity diverted shall not exceed 230 acre feet per season.

27418

Form 23
2M-4-65

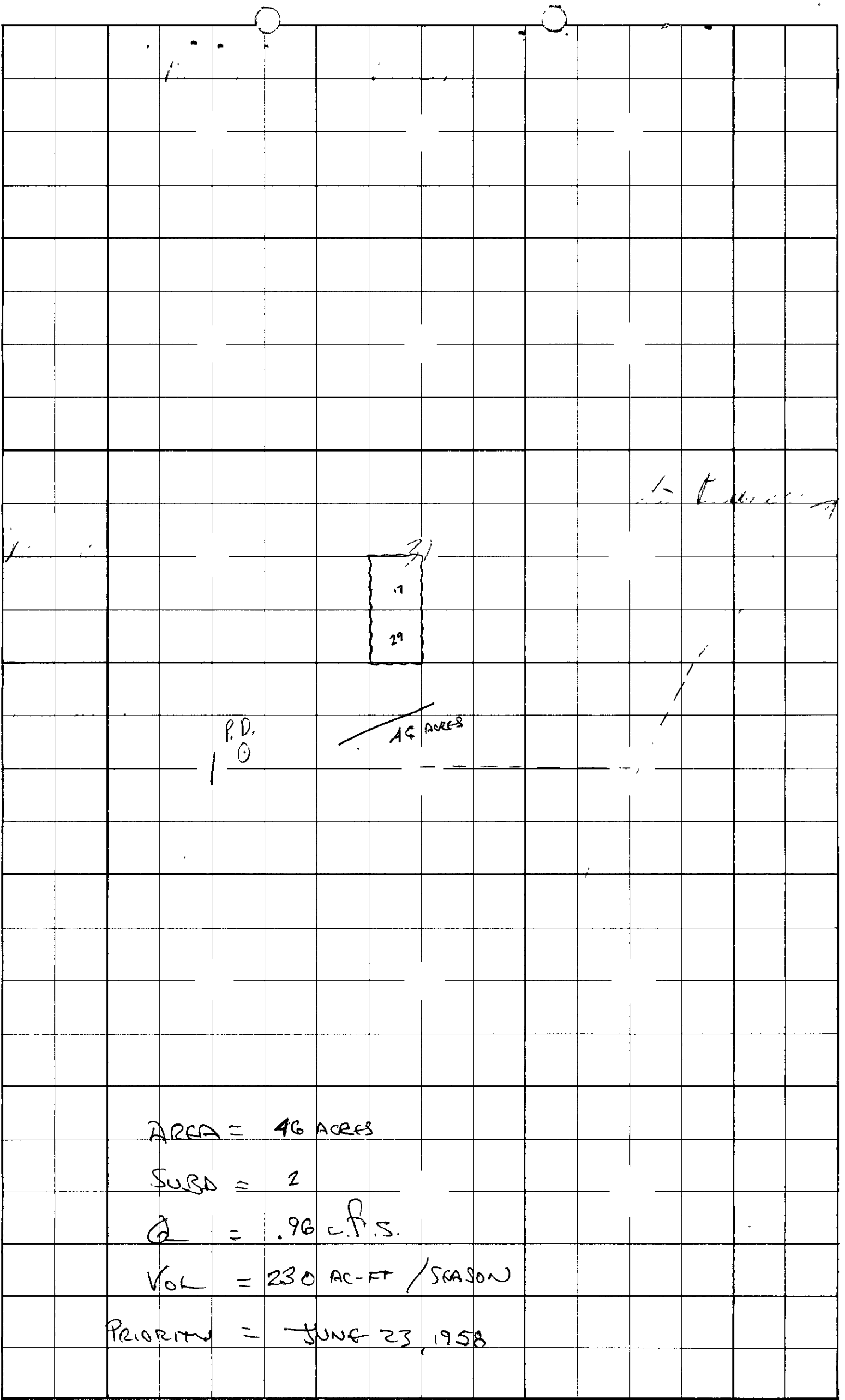
STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. G-27418

REPORT ON PROOF OF Completion of Works & Beneficial Use

27418



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.

21610

INSURED NO.

DATE DELIVERED

2/16/70

1

A. J. Russell by
Lowery Russell

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

3

SHOW WHERE DELIVERED (*only if requested*)

51-2144

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

Penalty for Private Use to Avoid
Payment of Postage \$300
Postmark of
Delivering Office

**RETURN
TO**

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

NAME OF SENDER

~~Department of Post-Station~~

STREET AND NO. OR P.O. BOX

Annex # 2 Station, U.S.

POST OFFICE, STATE, AND ZIP CODE Boise, Idaho 83707

PS Form 3811 Apr. 1967

GPO-14-71649-10

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CLERK

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81418



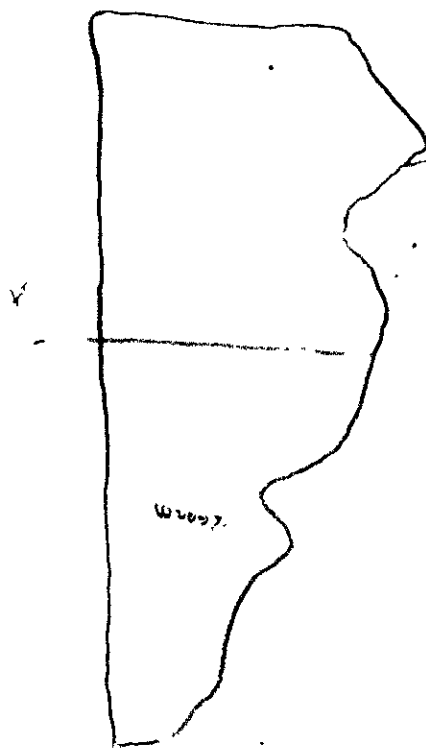
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294

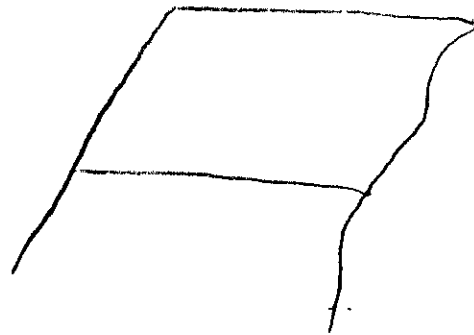
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35	31
5	2

5	2
31	35



Woods



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

Permit No. G-27418

This proof is for Comp. of Works & Beneficial Use

In Water District No. _____

1. Name of applicant Dorothy C. Trussel

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the #1 - SW 1/4 of Section 31
#2 - SW 1/4 of Section 1
T. 6 S. R. 5 E. County of Owyhee

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

CASED 500' - (18 1/2" PRESSURE CLOSED VALVE) 102° TEMP
16" x 3' TEE ABOVE GROUND - 14" GATE VALVE -
OPEN DISCHARGE THROUGH EARTH DITCH
GRAVITY IRRIGATION.

5. Water is used for: Irrigation

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

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

SW 1/4, Sec. 31, T. 6 S., R. 5 E., B.M.

(80 acres) - permit sheet

53 acres - depositions

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

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

Remarks:

IRRIGATION REQUIREMENT = 5 AC-FT / ACRE / SEASON

NOTE PERMIT G-22227 / 51-2122 - EXAM SHOWS
MEASUREMENT OF 6.16 CFS. - INDICATES
4.0 CFS. WHEN FULL DISCHARGE.
(CURRENT WATER USED)

This examination was made on the _____ day of _____, 19____

(Signed) Don Reynolds 1-6-69
Examiner.

27418

ART 2312

Dorothy C. Trussel
Bruneau, Idaho

Permit No. G-27418

Examination for Comp. of Works & Beneficial Use

County Owyhee T. 6 S. 7 S. 4 E
Quantity: 6.4 c.f.s. Sec. 31 T. 6 S. R. 5 E

Source: Subterranean 5/-

P.D.: #1 - SW 1/4 SW 1/4, Sec. 31, T. 6 S, R. 5 E, B.M.
#2 - SW 1/4 NE 1/4, Sec. 1, T. 7 S, R. 4 E, B.M.

Use: Irrigation

Extension: Yes

Protest:

Completion of Works:

Other Rights: None

Filed: June 13, 1958

Due: May 2, 1967

Made: May 12, 1967

Priority: June 23, 1958

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.

27418

27418

RECEIVED
MAR 22 1968

Department of Reclamation

ASSIGNMENT

For value received, I hereby assign all of my right, title and
interest in and to Permit to Appropriate the Public Waters of the State of Idaho,
No. G-27418 to Dorothy C. Trussell of
Bruneau, Idaho

*

Emma J. Henry
Permit Holder

Widow
Wife of Permit Holder

STATE OF IDAHO)
: ss
County of Ada)

On this 18th day of March, 19 66, before me, a Notary Public
for the State of Idaho, residing at Boise, Idaho
personally appeared Emma J. Henry
known to me to be the person xxx whose name is subscribed to the within instrument
and duly acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Notarial
Seal, the day and year in this certificate first above written.

Sharon Deroen
Notary Public
Residing at Boise, Idaho

My commission expires: 9/28/68

* If fractional part of permit is to be assigned, the fractional part of the land to
which the assigned fraction is appurtenant should be described by legal subdivisions

27418
14

May 18, 1967

Re: Permit No. G-27418

Dorothy C. Trussel
Brunau, Idaho 83604

Dear Mrs. Trussel:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Owyhee Nugget all submitted in proof of completion of works and beneficial use on Permit No. G-27418.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try to contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

27418

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G-27418

RECEIVED
MAY 12 1967
Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF HOLDER

Ques. 1. State your name, residence occupation and postoffice address: _____

Dorothy C. Trussel, Bruneau, housewife, Bruneau

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf:

individual

Ques. 3. State number, approval date of permit, and date of priority: G-27418
approved June 20, 1958; priority - June 13, 1958

Ques. 4. State source of water supply: artesian well
Give location of point of diversion, showing subdivision, section, township and range
SW1/4NE1/4, Section 1, T7S-R4E, B.M.

Ques. 5. Describe your works of diversion: ditching system from well to land
_____; state amount of water they are capable of conveying from point of diversion to place of use: 200"; Give name of canal or ditch or other works by which water is conducted to such place of use: private ditch
_____; if a well, state depth of well 1,765'; depth and size of casing 16" x 700'; depth to water flowing; if pump is used, state discharge of pump: no pump/ flowing; tell how it was measured or determined _____; if sprinkler irrigation, give number and size of nozzles and operating pressure: gravity irrigated

Ques. 6. State for what purpose water is used: irrigation
(If for irrigation, name each subdivision in which used and number of acres in each subdivision that have actually been irrigated with said water:

T6S-R5E, Section 31, NE1/4SW1/4 - 17 ac., SE1/4SW1/4 - 36 ac.

State nature of all improvements which have been made as a direct result of said use:

Reclaimed and cultivated desert land as a direct result of said use.

Ques. 6-a: If this is a ground water permit, give name and address of person that drilled the well: J. G. Kohring, Bruneau, Idaho

Ques. 7. If for other than irrigation purposes, show full legal description of place of use and state purpose for which water is used:

irrigation only

Ques. 8: If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder:

assigned from George R. Hayton to Emma Jane Henry; from Emma Jane Henry to Dorothy C. Trussell

Quest. 9: State when and in what amount the water diverted under above mentioned permit has been first used: spring of 1964 - Time used since first use:

consecutively

Ques. 10. Describe all other water rights appurtenant to same place of use: none

(sign) Mrs. Dorothy C. Trussell

I hereby certify that the foregoing testimony was read to the above subscribed, before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in

Boise, County of Ada

State of Idaho, on this 12th day of May, A. D. 19 67.

Laura J. Henderson

My commission expires: 8/12/70

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho
Permit No. G-27418 /

RECEIVED
MAY 12 1967
Department of Reclamation

* * * * *

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
and Completion of Works

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case.

Ques. 1 State your name, age, residence, occupation and postoffice address:

Don Davis, 44, Bruneau, rancher, Bruneau

Ques. 2 Are you acquainted with Dorothy C. Trussell, the holder of Permit No. G-27418? How long have you known him and where does he reside?

6 years and I know they live 7 miles Southwest of Bruneau.

Ques. 3. Have you read or heard said Permit No. G-27418 read, and are you familiar with its provisions and conditions: Yes XXX No. _____

Ques. 4. State source of water supply: artesian well

Give location of place of diversion, showing subdivision, section, township and range
SW1/4 NE1/4, Section 1, T7S-R4E, B.M.

Describe works for conveying water to place of use: ditch from well to the land

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use: 4 cfs How much water have you seen being so conveyed? 3 cfs

Ques. 6 If for irrigation, show number of acres irrigated in each subdivision, giving full legal description:

T6S-R5E, Section 31, NE1/4 - 17 ac., SE1/4 - 36 ac.

Ques. 7. If for other than irrigation purposes, show full legal description of place of use, and state purpose for which water is used.

irrigation only

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

This is a sandy loam soil and should have 1 inch per acre for profitable cultivation.

Ques. 9. Have you any ownership interest in the works, water or lands above mentioned?

If so, in what way and to what extent? no

Ques. 10. When did you first see this water used? spring of 1964

Other times you have seen such use: every summer since that time

(Signed): Don Davis

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in _____

Boise, County of Ada, State of Idaho, on this 12th day of May, A. D. 19 67

Laura J. Anderson
Notary Public for the State of Idaho
Residing Boise, Idaho

My commission expires 9/12/70

RECEIVED
MAY 12 1967

Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

BOISE, IDAHO

Permit No. G-27418

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE
AND COMPLETION OF WORKS

DEPOSITION OF WITNESS

The deposition of two witnesses on this form, taken separately, required in each case

Ques. 1. State your name, age, residence, occupation and postoffice address:

Frank Millet, 38, Bruneau, farmer, Bruneau

Ques. 2. Are you acquainted with Dorothy C. Trussell, the holder of
Permit No. G-27418? How long have you known him and where does he reside:

7 years and I know she lives 7 miles Southwest of Bruneau.

Ques. 3. Have you read or heard said Permit No. G-27418 read, and are you familiar
with its provisions and conditions: Yes: XXX No: _____

Ques. 4. State source of water supply: Artesian well

State place of diversion: SW1/4NE1/4, Section 1, T7S-R4E, B.M.

Describe works for conveying water to place of use: ditch

Ques. 5. How many second feet of water do you estimate said works will safely conduct
to place of use: 200 inches How much water have you seen being so
conveyed: that much

Ques. 6. If for irrigation, show number of acres irrigated in each subdivision, giving
full legal description:

T6S-R5E, Section 31, NE1/4SW1/4 - 17 ac., SE1/4SW1/4 - 36 ac.

27418

Ques. 7. If for power or other purposes than irrigation, state how water has been used:

irrigation only

Ques. 8. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation:

Sandy loam soil and would require 1 inch per acre for top production.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent: no

Ques. 10. When did you first see this water used: spring of 1964

Other times you have seen such use: I have seen it every year since that time.

(Signed)

Frank Miller

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise

 , County of Ada, State of Idaho, on this 12th day of May,

A. D., ~~1962~~ 1967

Laura J. Henderson

Notary Public for State of Idaho

Residing: Boise, Idaho

My commission expires: 8/12/70

**NOTICE OF PROOF
OF COMPLETION OF WORKS
AND
APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that on the 12th day of May, 1967, at Boise, County of Ada, State of Idaho before Laura J. Henderson, Notary Public, at (address) 224 Idaho Bldg., Boise, Idaho, proof will be submitted of the completion of works for the diversion of 1 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-27418, heretofore issued by the Department of Reclamation of the State of Idaho

1. The name and postoffice address of the person or corporation holding said permit is Dorothy C. Trussell, Bruneau, Idaho.

2. Said works of diversion will be fully completed on the date for such completion, and the amount of water which said works are capable of conveying to the place of use is 1 cubic feet per second.

3. The use to which said water has been applied is irrigation, purposes and the amount applied to beneficial use is 1 cubic feet per second.

4. The point of diversion of said water is SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 1, T7S - R4E, B. M.

5. The place where said water is used is T6S - R5E Sec. 31, E $\frac{1}{2}$ SW $\frac{1}{4}$.

6. The date of priority which said user is prepared to establish is June 13, 1958

R. KEITH HIGGINSON,
State Reclamation Engineer
Published April 13, 20, 27, May
4, 1967

The Owyhee Nugget
Marsing, Owyhee County, Idaho

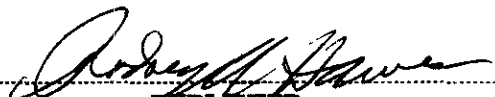
PROOF OF PUBLICATION

STATE OF IDAHO }
County of Owyhee } s.s.

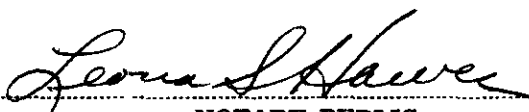
I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 4.... consecutive weeks, the first publication being on the 13.... day of April....., 1967....., and the last publication being on the 4.... day of May....., 1967.....;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.


PUBLISHER

Subscribed and sworn to before me this 4.... day of May....., 1967.....


NOTARY PUBLIC

My commission expires 9-10-68

(SEAL)

RECEIVED
MAY 12 1967

Department of Reclamation

27418

April 7, 1967

Re: Permit No. G-27418

Owyhee Nugget
Marsing, Idaho

Gentlemen:

Enclosed you will find a legal notice which we wish to have published for four consecutive weeks prior to May 12, 1967. The expense of the publication is to be paid by Idaho Land & Appraisal Service, P.O. Box 2161, Boise, Idaho 83701, to whom you should furnish proof of publication on or prior to the above date.

Please acknowledge receipt of this notice and furnish this office with a copy or tear sheet of the notice for checking prior to the first publication.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:nw

27418

April 7, 1967

Re: Permit No. **G-27418**

Dorothy C. Trussell
Bruneau, Idaho

Dear Mrs. Trussell:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. **G-27418**. The proofs are to be made ~~xxx~~ ~~xxxxxx~~, on the **12th** day of **May**, 19 **67**, before **Laura J. Henderson,**
Boise, Idaho. Notary Public.

As of this date, we have mailed the Notice to the **Owyhee Nugget**, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the Affidavit of Publication and statement of costs to ~~you~~ Idaho Land & Appraisal.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the **AFFIDAVIT OF PUBLICATION**

Very truly yours,

DWM:rw

Donald W. McEldowney
Water Rights Clerk

Encl.

cc: Notary

27418

RECEIVED
APR 4 1967

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE
Department of Reclamation

Notice is hereby given that at ~~10 a.m.~~, on the 12th day of May
19 67, at Boise, County of Ada, State of Idaho
before Laura J. Henderson, Notary Public, at (address) 224 Idaho Bldg.
Boise, Idaho, proof will be submitted of the completion
of works for the diversion of 1 cubic feet per second of underground water from a
well, and of the application to beneficial use of said water, in accordance with the
terms and conditions of Permit No. G-27418, heretofore issued by the Department of
Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit
is Dorothy C. Trussell, Bruneau, Idaho

2. Said works of diversion will be fully completed on the date for such completion,
and the amount of water which said works are capable of conveying to the place of
use is 1 cubic feet per second.

3. The use to which said water has been applied is irrigation
, purposes and the amount applied to beneficial use is
1 cubic feet per second.

4. The point of diversion of said water is SW1/4, Section 1, T7S-R4E, B.M.

5. The place where said water is used is T6S-R5E Sec. 31, E4SW4

6. The date of priority which said user is prepared to establish is June 13, 1958

State Reclamation Engineer

27418

RECEIVED
APR 4 1967

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) April 3

(P. O.) Box 2161, Boise, Idaho 83701

TO THE STATE RECLAMATION ENGINEER

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published
at my expense in the Owyhee Nugget of
Marsing, Idaho Published in
the county in which the works are situated. Please send statement of charges and
Affidavit of Publication to Idaho Land & Appraisal Service, P. O. Box 2161, Boise,
Idaho 83701.

Mrs. Dorothy C. Trussell

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

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

Engineer

27418

S T A T E O F I D A H O
D E P A R T M E N T O F R E C L A M A T I O N

Boise, Idaho

Re: Permit No. G - 27418

March 1, 1967

Dorothy C. Trussell
Bruneau, Idaho

Dear Mrs. Trussell:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 27418 are due not later than **May 2, 1967**

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list, which has been recorded in this department. If changes have been made and no amendments are on record, we advise you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least FORTY (40) DAYS BEFORE THE MENTIONED DATE, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point, or points, of diversion; and the location of use or the lands which are irrigated - - all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with two Forms 36.

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named, and before the notary public, as advertised in the publication notice.

Very truly yours,

STATE RECLAMATION ENGINEER

Enc. Form 36 and 11

cc:

27418

G-27418

RECEIVED
JUN 23 1966

011421
017254

Idaho Land Office Department of Reclamation
P. O. Box 2237
Boise, Idaho 83701

ENCLOSURE

MAR 3 1966

Assignee: Dorothy C. Trussell :
Assignor: Mrs. Jane Henry :

Desert Land Entry

Partial Assignment Approved

On May 1, 1962, Mrs. Jane Henry was allowed desert land entry Idaho 011421 on 321.12 acres in Secs. 30 and 31, T. 6 S., R. 5 E.

On March 21, 1966, Mrs. Henry filed a deed assigning all of her right, title, and interest to the following described 80 acres in the original entry:

T. 6 S., R. 5 E., Boise Mer., Idaho
Sec. 31: D50W2

Dorothy C. Trussell, has filed an affidavit stating that she is qualified to accept an assignment of and hold a desert land entry.

Review of the case file indicates the entry is in good standing for the record shows. However, this office does not attach to the entry compliance with the desert land laws as presently reflected by the case record.

A partial assignment of the above described 80 acres is hereby approved and the records of this office are noted to show that Dorothy C. Trussell is the assignee for the described lands. Serial Number Idaho 017254 has been assigned to Mrs. Trussell's entry. The 241.12 acres remaining in Mrs. Henry's entry are under the original Serial Number Idaho 011421.

Final proof for both of these entries is due May 2, 1966.

/S/ ORVAL G. HADLEY

Orval G. Hadley
Manager, Land Office

cc: EI T-1
reading file
case file
VSS:ink, 3-30-66

27418

RECEIVED
JUN 20 1966

Department of Reclamation

Bruneau, Idaho
June 17, 1966

Mr. Carl E. Tappan
State Reclamation Engineer
State House
Boise, Idaho

27418
Re: Dorothy C. Trussell Water Permit G-27418

Dear Mr. Tappan:

With reference to the above water permit, please be advised that this was applied for in connection with my desert land entry; Idaho Serial No. 011421, which was not allowed in the Land Office until 5/2/62.

I hereby respectfully request that you grant me an extension of time until 5/2/67 in which to make this proof.

Very truly yours,

Dorothy C. Trussell
Dorothy C. Trussell
Bruneau, Idaho

No - need for this extension as the permit has already been extended. D

B.L.M. office will dispatch a copy of an Assignment of the D.L.E. to justify keeping the permit open

6-22-66

D

27418

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐

Show to whom and
when delivered

☐

Show to whom, when, 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.

Horothy C. Trussell

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

19032

DATE DELIVERED

5/26/66

SHOW WHERE DELIVERED *(only if requested)*

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS
PENALTY FOR PRIVATE USE TO AVOID
PAYMENT OF POSTAGE \$300

RECEIVED
MAY 31 1966

POSTMARK OF
DELIVERING OFFICE

INSTRUCTIONS: Attach and address below and
complete gummed ends, where applicable.
Moisten gummed ends, attach and hold firmly to back
of article. Print on front of article RETURN
RECEIPT REQUESTED.

NAME OF SENDER

Idaho Dept. of Reclamation

STREET AND NO. OR P.O. BOX

Room 107, Statehouse

CITY, STATE, AND ZIP CODE

Boise, Idaho

POD Form 3811 Jan. 1965

656-16-71548-7

27418

27418

See G-27419
BLAN reject

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
Boise, Idaho

May 25, 1966

Re: Permit No. G- 27418

To: Dorothy C. Trussell
Bruneau, Idaho

It appearing to the State Reclamation Engineer that the terms and conditions of Permit No. G- 27418 to appropriate subterranean water of the State of Idaho, have not been complied with as to completion of 1/5 of the works in 1/2 of the time allowed for completion of works and/or your Desert Land Entry has been rejected you are hereby notified in compliance with Sec. 42-311, Idaho Code that said Permit No. G- 27418 is hereby held for cancellation.

You are hereby required to show cause before the State Reclamation Engineer on or before sixty days from date of this notice why said Permit should not be cancelled.

Said Permit No. G 27418 claims use of 6.4 cubic feet per second of the waters of subterranean flow with point of diversion located _____

SW1/4, Sec. 31, T. 6 S., R. 5 E.; SW1/4, Sec. 1, T. 7 S., R. 4 E., and was approved June 28, 1958.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office at Boise, Idaho, the 25 day of May, 1966.

State Reclamation Engineer

You may complete answers below and return to this office to show cause.

Well Location 1/4 1/4, Sec. ____; 1/4 1/4, Sec. ____; 1/4 1/4, Sec. ____,

Twp. ____ S., Rge. ____ EBM; 1/4 1/4, Sec. ____, Twp. ____ S./ Rge. ____ EBM.

Pump installed _____ Date _____ First Used _____ Date _____

Desert Land Entry: _____

cc: Harley McDowell
Box 2161, Boise, Idaho

Name

27418

ILO-1813-14
3-66

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Idaho Land Office
P. O. Box 2237
Boise, Idaho 83701

RECEIVED
FBI

Department of the Interior

April 20, 1966

BLM:
Assigned to her 0172
Rel - 240

Memorandum

To: District Manager **Boise District Office**
From: Land Office Manager
Subject: Land status changes

The following action has been taken and noted on the status records in the BLM Land Office:

Serial No.	Name	Action Taken
D.E. I- 011421	Emma Jane Henry	T. 6 S., R. 5 E., Secs. 30, 31.
		Entry relinquished. Case closed.
NW 52 SW 52 - 30 - 6S-52	<i>Wynne June 20-58</i> G-27419 - <i>Thomas J. Rudy</i>	
SWSW - 31 6S-52 - SW 12 - 1 - 6S-42	G-27418 - <i>3219 Carnrose Lane, Boise, Idaho</i> <i>Orzechy C. Trussell</i>	27418
<i>June 20-58</i> <i>6-20-63</i>	<i>Bruneau</i>	27418

March 23, 1966

RE: Permit No. G-27418
Assigned from Emma J. Henry to Dorothy C. Trussell

Idaho Land and Appraisal Service
P.O. Box 2161
Boise, Idaho 83701

Dear Sir:

Enclosed is the assignment on the above numbered permit which has been recorded in this office on the above date.

Also enclosed is departmental receipt No. G-10226 in the amount of \$.50 cents which covers the fee.

Very truly yours,

(Mrs.) EDNA P. RULE
Chief Clerk

EPR:ejw
Encl: Assignment
Receipt

27418

S T A T E O F I D A H O

D E P A R T M E N T O F R E C L A M A T I O N

WHEREAS, Permit No. G-27418, in the name of Emma Jane Henry, requires proofs of completion of works and beneficial use to be made on or before June 20, 1963; and,

WHEREAS, said Permit was issued in connection with Desert Land Entry Idaho Serial No. 011421; and,

WHEREAS, Applicant was prevented from proceeding with construction pending allowance of said Desert Land Entry, which was not allowed until May 2, 1962;

NOW, THEREFORE, An Extension of Time is allowed for Completion of Works and Beneficial Use Proofs on Permit No. G-27418, to May 2, 1967, or the length of time applicant was prevented from proceeding pending allowance of his Desert Land Entry and a similar extension is allowed for every other act required under the terms and conditions of Permit No. G-27418.

Signed at Boise, Idaho, this 24th day of April, 1963.

Deputy State Reclamation Engineer

April 24, 1963

Re: Permit No. G-27418 - Emma Jane Henry
 G-27419 - Thomas J. Kurdy

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

Dear Mr. McDowell:

Enclosed are the extension of time on the
two above numbered permits.

G-27418, in the name of Emma Jane Henry
and G-27419, in the name of Thomas J. Kurdy both have
extensions to May 2, 1967.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Idna P. Rule
Chief Clerk

EPR:ew

Enc. extensions

27418

April 15, 1963

Mr. George N. Carter
State Reclamation Engineer
State House
Boise, ^OIda.

Re: Permit G-27418 , Emma Jane Henry

Dear Sir:

With reference to the above permit, please be advised this was applied for in connection with my desert land entry, Ida. Ser. #011421 which was not allowed in the Land Office until May 2, 1962.

I hereby respectfully request that you grant me an extension of time on this permit until May 2, 1967, which is five years from this date of allowance.

Very truly yours,

Emma Jane Henry
Homedale, Ida.

By Harley M. McDowell
Harley M. McDowell, Agent

27418

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Re: Permit No. G- 27418, *Emma Jane Henry*
George R. Hayton
G-27419, G-27420, Thomas J. Kurdy

Boise, Idaho
April 1, 1963

Harley H. McDowell
Box 2161
Boise, Idaho

Dear Mr. McDowell:

The date for proofs of Completion of Works and Application of water to beneficial use, as set out under terms of Permit No. G- 27418, G- 27419 are due not later than June 20, 1963.
G-27420

Before these proofs can be made, the statutory requirement is that a notice of your intention of proof be published once a week for four consecutive weeks in a newspaper within the county in which the land is located. In completing the Notice of proof for publication, the information should be taken from your Permit, including any amendments made in connection with a change of point of diversion or land list, which has been recorded in this department. If changes have been made and no amendments are on record, we advise you request a form for this purpose before your Notice is published.

We enclose Form 36, in duplicate, which is to be filled out and returned to this department at least FORTY (40) DAYS BEFORE THE MENTIONED DATE, (allowing for four weeks publication). Please give the name of the town, the address of the place where the depositions will be executed, and, the name of the notary public before whom you will appear to make the depositions of proof (this may be at any place convenient for you and your two witnesses), the quantity of water filed; for what purpose it is used; the point, or points, of diversion; and the location of use or the lands which are irrigated -- all by legal land description.

Enclosed also is Form 11, which is the authorization for us to have the notice published in the designated county newspaper at your expense. This is to be returned with two Forms 36,

At the time we send the notice to the newspaper we will send to you the forms for the depositions of holder and two disinterested witnesses. It is important that the depositions be executed at the time, on the date set, at the place named, and before the notary public, as advertised in the publication notice.

Very truly yours,

GEO. W. CARTER

State Reclamation Engineer

Enclosures Form 36 - 11

cc: George R. Hayton, 27418 *Emma Jane Henry*
Rt. 3, Parma, Idaho *Homedale, Idaho*
Thomas J. Kurdy, G-27419, G-27420
3219 Canrose Lane, Boise, Idaho

27418



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Land Office
P. O. Box 2217
Boise, Idaho

IN REPLY REFER TO:

LD-004
Idaho 011421

MAY 2 1962

Department of the Interior

NOTICE OF ALLOWANCE

~~Dear Mrs. Henry~~

~~Boise, Idaho~~

Dear Mrs. Henry:

Your Desert Land Entry, Serial No. Idaho 011421,
Receipt No. 836604, for Lot 4, SE1/4, Sec. 30,
Locs 3 and 4, T4N, R5W,, Section 31,
Township 6 N., Range 5 W., Boise Meridian, Idaho,
containing 321.12 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.

c.c. State Reclamation
Idaho Land & Mgr

Sincerely yours,

Mildred L. L.

Land Office Manager

27418

RECEIVED
APR 25 1960
Department of Reclamation

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. G-27418

Comes now Emma Jane Henry and
represents to the State Reclamation Engineer of the State of Idaho;

That he is (~~was~~) the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. G-27418.

That the point of diversion is described in said permit as being located ;

SW1/4 Sec. 31, T 6 S - R 5 E., B.M., Idaho

That he now requests that the point of diversion be changed to a point
located SW1/4 Sec. 31, T 6 S - R 5 E., B.M., Idaho and

SW1/4 Sec. 1, T 7 S - R 4 E., B.M., Idaho

That the reason for desiring to make such change is as follows;

Well is in operation in SW1/4 Sec. 1 and has extra water.

That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Homedale, Idaho, this day of March, 1960

Emma Jane Henry
Emma Jane Henry

Date of receipt at Department of Reclamation April 25, 1960

APPROVAL OF STATE RECLAMATION ENGINEER

I, Geo. N. Carter, State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. G-27418. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Recorded in Book 97 of
Permits, at Page 27418
April 25, 1960

Geo. N. Carter
State Reclamation Engineer

27418

April 25, 1960

Re: Permit No. G-27418
Emma Jane Henry

Mr. Harley M. McDowell
P. O. Box 2161
Boise, Idaho

Dear Mr. McDowell:

We enclose an assignment of Permit No. G-27418 in the name of George R. Hayton to Emma Jane Henry and Application for Amendment to the points of diversion, both of which have been recorded in this office.

We also enclose departmental receipt No. G-4784 in the amount of \$0.50 fee for the assignment.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna F. Rule
Chief Clerk

EBR:sw
Enc. assignment
amendment
receipt

27418

July 9, 1958

Re: Permit No. G-27418 - George R. Hayton
Permit No. G-27419 - Emma Jane Henry
Permit No. G-27420 - Thomas J. Hardy
Permit No. G-27421 - Irene A. King

Mr. Henley M. McDowell
P. O. Box 2161
Boise, Idaho

Dear Mr. McDowell:

We enclose the above listed permits, in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the Deputy State Reclamation Engineer.

We also enclose departmental receipt No. G-3367, which was issued covering payment in the amount of \$26.00, which includes the filing fees of the above permits, at the rate of \$6.50 each.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer
By

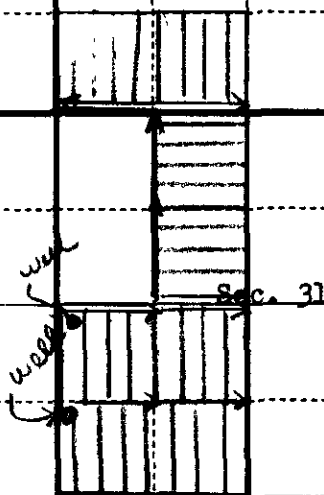
Mrs. Edna P. Rutledge
Chief Clerk

EPR:lm
Encls: Permits (4)
Departmental receipt

27418

G 6 S - R 5 E., B.M.

Sec. 30



Permit Map No. 27418

As Approved

MARK R. KULP
State Reclamation Engineer

JUN 20 1958