

R 23 E

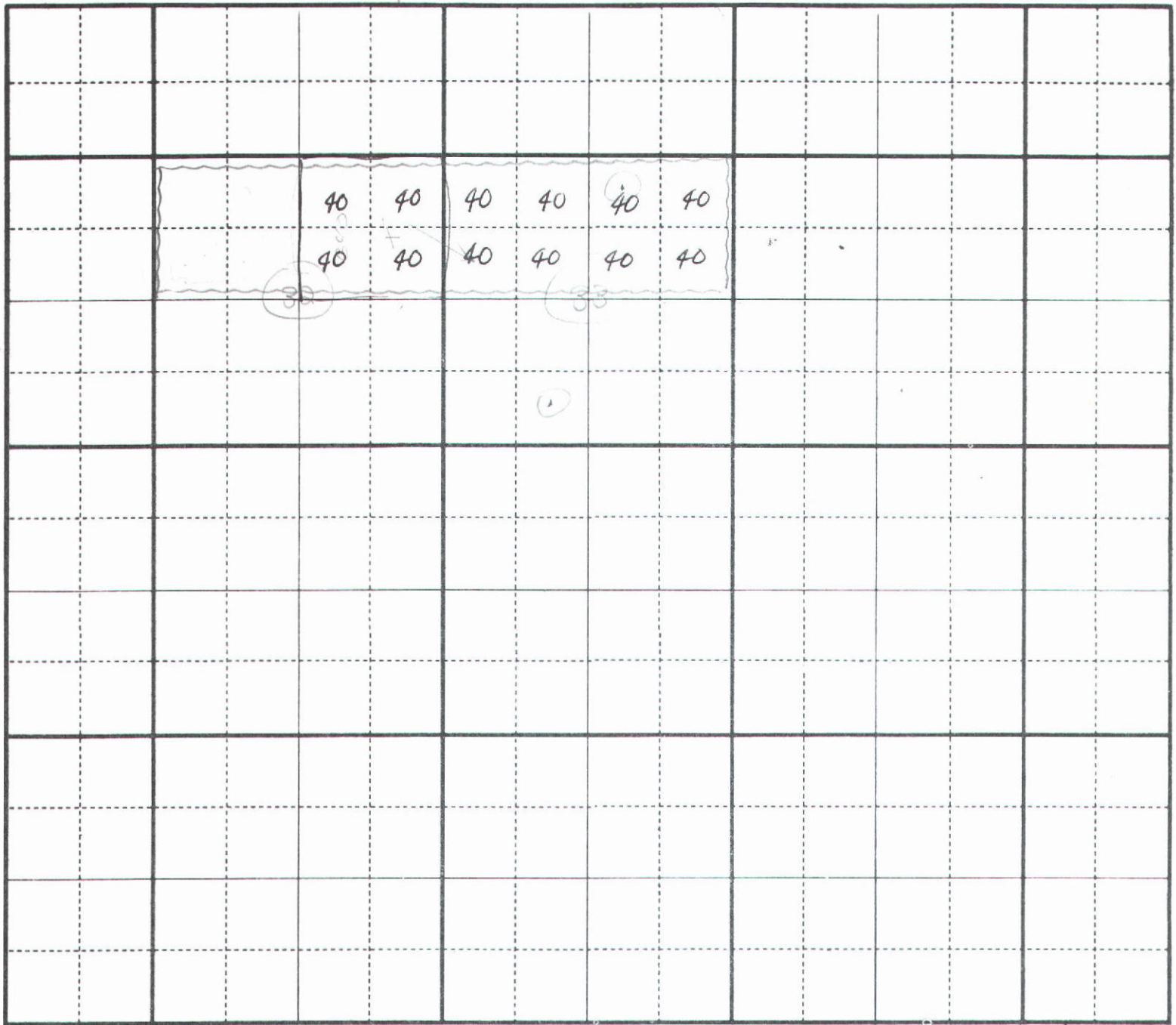
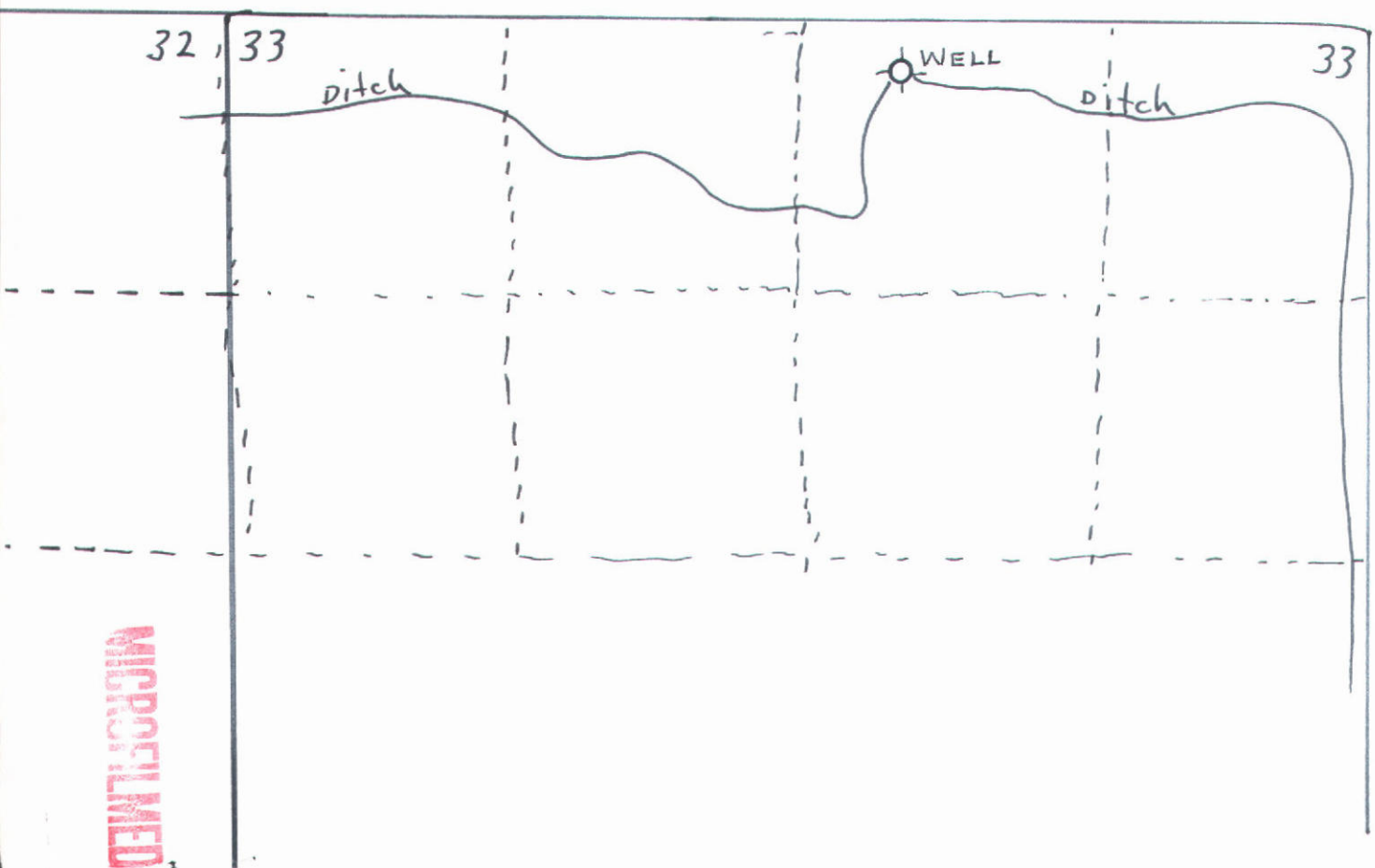


Diagram of System



REPRODUCED

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS -

In Re SRBA)
)
Case No. 39576)
)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-02620

1997 DEC 29 PM 3:18

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

NAME & ADDRESS: J R SIMPLOT COMPANY
PO BOX 27
BOISE ID 83707

SOURCE: GROUNDWATER

QUANTITY: 7.13 CFS

RIGHT NOS. 36-02619, 36-02620 AND 36-04006 ARE LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 13.15 CFS AND TO A TOTAL
COMBINED ANNUAL DIVERSION VOLUME OF 4960 AF.

PRIORITY DATE: 08/06/1965

POINT OF DIVERSION: T06S R23E S33 NWNWNE Within LINCOLN County
NESESW

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION Irrigation Season 7.13 CFS

PLACE OF USE: IRRIGATION Within LINCOLN and MINIDOKA Counties

T06S R23E S32	NENE 30	SENE 40	NESE 40	SESE 40
S33	NENE 40	NWNE 40	SWNE 40	SENE 40
	NENW 40	NWNW 40	SWNW 40	SESW 40
	NESW 40	NWSW 40	SWSW 40	SESE 40
	NESE 40	NWSE 40	SWSE 40	SENE 40
T07S R23E S02	Lot 1 (NENE)25	Lot 2 (NWNE)25	SWNE 40	SENE 40
	Lot 3 (NENW)25	Lot 4 (NWNW)25	SWNW 40	SESW 40
	NESW 15	NWSW 15	NESE 40	NWSE 40
	SWSE 40	SESE 40		

1240 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 440 ACRES WITHIN
THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.
RIGHT NOS. 36-02619, 36-02620 AND 36-04006 ARE LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 1240 ACRES IN A SINGLE
IRRIGATION SEASON.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

DANIEL C. HURLBUTT, JR.
PRESIDING JUDGE
Snake River Basin Adjudication

MICROFILMED

448-1-1-1001

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS

In Re SRBA)

Water Right 36-02620

Case No. 39576)

ORDER AMENDING IRRIGATION PERIOD OF USE ELEMENT
IN PARTIAL DECREE AND INCORPORATING INTO PARTIAL
DECREE AN EXPRESS STATEMENT REGARDING GENERAL
PROVISIONS, *NUNC PRO TUNC*

A *Partial Decree* was entered for the above-captioned irrigation water right on December 29, 1997. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this recommendation and the time period for filing objections has now expired.

THEREFORE, IT IS ORDERED that the period of use for the irrigation element of the above-captioned water right is hereby amended and decreed as:

PERIOD OF USE: 04-01 10-31

THE USE OF WATER FOR IRRIGATION UNDER THIS RIGHT MAY BEGIN AS EARLY AS MARCH 15 AND MAY CONTINUE TO AS LATE AS NOVEMBER 15, PROVIDED OTHER ELEMENTS OF THE RIGHT ARE NOT EXCEEDED. THE USE OF WATER BEFORE APRIL 1 AND AFTER OCTOBER 31 UNDER THIS REMARK IS SUBORDINATE TO ALL WATER RIGHTS HAVING NO SUBORDINATED EARLY OR LATE IRRIGATION USE AND A PRIORITY DATE EARLIER THAN THE DATE A PARTIAL DECREE IS ENTERED FOR THIS RIGHT.***

IT IS FURTHER ORDERED that the *Partial Decree* for the above-captioned water right is hereby amended and decreed to contain the following:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court at a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

This order is being entered *nunc pro tunc* as of the date the *Partial Decree* was issued and is not intended to modify any subsequent administrative changes for the water right, if any, which occurred following entry of the *Partial Decree*.

RULE 54(b) CERTIFICATE

With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment or order shall be a final judgment upon which execution may issue and an appeal may be taken as provided by the Idaho Appellate Rules.

Dated August 27, 2001

Roger Burdick
ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

MICRONLINE

AUG 27 2001

District Court
Snake River Basin Adjudication
PO Box 2707
Twin Falls, ID 83303-2707

Important Information About Your Water Right

August 27, 2001

YOUNG & YOUNG PARTNERSHIP
300-A EAST 1600 NORTH
RUPERT, ID 83350

Dear Water Right Claimant(s):

The reverse side of this letter contains a copy of an *Order Amending Irrigation Period of Use Element in Partial Decree and Incorporating into Partial Decree An Express Statment Regarding General Provisions, Nunc Pro Tunc* (hereinafter "*Order*") for water right number 36-02620. According to Idaho Department of Water Resources (IDWR) records, you are the current owner of this water right. If you are not the current owner, please contact IDWR immediately at:

Idaho Department of Water Resources
1301 North Orchard
Boise, ID 83706
800-451-4129

The Purpose of the *Order* is to set forth beginning and ending dates for the irrigation period of use for this water right. As stated in the face of the *Order*, this action was necessary following the decision of the Idaho Supreme Court in *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998). This *Order* also incorporates into the *Partial Decree* an express statement that the *Partial Decree* is subject to such general provisions necessary for the definition or for the efficient administration of the water right. This express statement is necessary to comply with the requirements of Idaho Code section 42-1412(6). This *Order* in combination with the *Partial Decree* that was issued for this water right on December 29, 1997, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the *Partial Decree* to show evidence of the water right. The original of this *Order* and the original of the *Partial Decree* for this water right are on file with SRBA Court. If you do not have a copy of the original *Partial Decree*, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the *Order* is entered *Nunc Pro Tunc*, meaning that the *Order* will be treated as if it were issued the same date that the *Partial Decree* was originally issued.

Sincerely,



Diana Delaney
Case Administrator

MICROFILMED

1987-1990

• •

This
Right has been
Decreed in the
SRBA.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5167

WATER RIGHT NO(S). 36-02233G/36-02410D/36-02653N/36-07042/36-07580D
36-08069N/36-08251E/36-08404/36-08775/36-08776/36-02058C/36-15366C
36-02075E/36-08068E/36-02454B/36-07007B/36-07021A/36-08274A/36-08275B
36-02530A/36-07795A/36-15456A/36-02191/36-07391/36-07041/36-11340
36-02653P/36-08069P/36-02591/36-02653B/36-08777/36-02075F/36-08068F
36-02058B/36-02233D/36-15366B/36-02075B/36-08068B/36-02653Q/36-08069Q
36-08778/36-07021C/36-08274B/36-07580B/36-02530B/36-07795B/36-15456B
36-02058D/36-15366D/36-02075D/36-08068D/36-02193/36-11290/36-02410C
36-07580C/36-02619/36-02620/36-04006

This is to certify that: YOUNG & YOUNG PARTNERSHIP
300-A EAST 1600 NORTH
RUPERT ID 83350

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 36-02233G : IRRIGATION Priority: 08/13/1953	04/01 to 10/31	0.20 CFS	48.0 AF
Right No. 36-02410D : IRRIGATION Priority: 12/08/1959	04/01 to 10/31	0.20 CFS	40.0 AF
Right No. 36-02653N : IRRIGATION Priority: 09/12/1966	04/01 to 10/31	0.05 CFS	16.0 AF
Right No. 36-07042 : IRRIGATION Priority: 10/15/1968	04/01 to 10/31	5.12 CFS	1260.0 AF
Right No. 36-07580D : IRRIGATION Priority: 11/21/1975	04/01 to 10/31	0.32 CFS	62.8 AF
Right No. 36-08069N : IRRIGATION Priority: 03/04/1982	04/01 to 10/31	0.03 CFS	12.5 AF
Right No. 36-08251E : IRRIGATION Priority: 09/10/1984	04/01 to 10/31	8.31 CFS	2256.0 AF

*See 36-02058B for Complete transfer approval *

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 36-2620 Priority August 6, 1965 Amount 7.13 cfs

THIS IS TO CERTIFY, that J. R. Simplot
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 36-2620 issued pursuant to Application for Permit dated August 6, 1965,
and has submitted proof to the Department of Water Resources on June 25, 1970,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 7.13 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>November 15</u>	at <u>7.13</u> cfs and	<u>1920.0</u> acre feet
_____	from _____ to _____	at _____ cfs and	_____
_____	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 7.13 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1920.0 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 33, Twp.
6S, Rge. 23E in the County of Lincoln

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 $\frac{1}{4}$	
6S	23E	32	40	40	40	40													160
		33	40	40	40	40	40	40	40	40									320

Total number of acres irrigated 480

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 31 day of
March, 19 82.

Director

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-32469/36-2620)

in the name of William Kerbs and Clarence H.)

Mayall, dba Lost Lake Land & Livestock Co.)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

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

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

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

WHEREAS, Permit No. G-32469 was issued previous to that date;

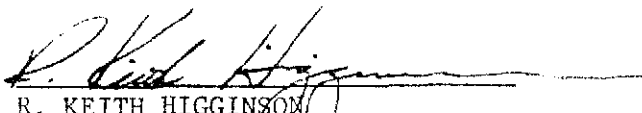
NOW THEREFORE, the requirements for completion of the above-numbered permit are
hereby modified to conform to the adopted Rules of Practice and Procedures as follows:

1. The above-numbered permit will be completed under the terms of Title 42,
Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.

2. The conditions of the above-numbered permit are modified as follows:

a. Notice of the issuance of the permit will be published at the permit
holders expense for two weekly issues in the official newspaper of
the county in which the point of diversion lies.

Dated this 11th day of March, 1970.


R. KEITH HIGGINSON
State Reclamation Engineer

RKH/DG

36 2620

State of Idaho

Department of Water Administration

ASSIGNMENT OF PERMIT

I, Northwestern Mutual Life Insurance Company,
hereby assign to J. R. Simplot Company of P. O. Box 2777,
Boise, Idaho 83701, all my right, title and interest, in and
to Permit No. 36-2620 to appropriate the public waters of
the State of Idaho.

Made this 6th day of July, 1976.

NORTHWESTERN MUTUAL LIFE
INSURANCE COMPANY

By *Clair E. Hugh*
CLAIR E. HUGH, Regional Manager

State of WASHINGTON)
County of King) ss.

On this 6th day of July, 1976, personally
appeared before me the signer of the above instrument, who
duly acknowledged to me that he executed the same.

Josephine M. L. Buehner
Notary Public for Washington State
Residing at: Seattle, Washington

My Commission expires: August 10, 1979

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
ASSIGNMENT OF PERMIT

I, Clarence H. Mayall, hereby assign to Northwestern Mutual Life
~~xxx~~ Insurance Company of Milwaukee, Wisconsin Name
Address

CHECK ONE

☒ All my right, title, and interest, in and to Permit No. 36-2619
36-2620
to appropriate the public waters of the State of Idaho.

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

Point of diversion as shown by application #36-2619 is the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33,
Twshp 6 S, Range 23, E.B.M. which covers SE $\frac{1}{4}$ and SW $\frac{1}{4}$ of Sec. 32,
Twshp 6 S, Range 23, E.B.M. and SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 33 Twshp. 6 S.
Range 23, E.B.M.

Point of diversion as shown by application #36-2620 is the NW $\frac{1}{4}$ NE $\frac{1}{4}$ and
the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 33, Twshp 6 S, Range 23 E.B.M. which covers
NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of Sec. 32 and the NW $\frac{1}{4}$ and NE $\frac{1}{4}$ of Sec. 33, Twshp
6 S, Range 23 E.B.M.

Made this 26 day of June, 19 70.

Clarence H. Mayall
Permit Holder

Clarence H. Mayall
Wife of Permit Holder

State of Idaho)
County of M. n. idaho) ss.

On this 26th day of June, 19 70, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that ~~he (she)~~ (they) executed the same.

Larry R. Shipp
Notary Public residing at
Payson, Idaho

My commission expires 9-1-70

36 2620

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

ASSIGNMENT OF PERMIT

I, William Kerbs, hereby assign to Northwestern Mutual Life,
~~xxx~~ Insurance Company of Milwaukee, Wisconsin Name
Address

CHECK ONE

☒ All my right, title, and interest, in and to Permit No. 36-2619
36-2620
to appropriate the public waters of the State of Idaho.

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

Point of diversion as shown by application #36-2619 is the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33,
Twshp 6 S, Range 23, E.B.M. which covers SE $\frac{1}{4}$ and SW $\frac{1}{4}$ of Sec. 32,
Twshp 6 S, Range 23, E.B.M. and SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 33, Twshp. 6 S,
Range 23, E.B.M.

Point of diversion as shown by application #36-2620 is the NW $\frac{1}{4}$ NE $\frac{1}{4}$
and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 33, Twshp 6 S, Range 23 E.B.M. which covers
NW $\frac{1}{4}$ and the NE $\frac{1}{4}$ of Sec. 32 and the NW $\frac{1}{4}$ and NE $\frac{1}{4}$ of Sec. 33, Twshp
6 S, Range 23 E.B.M.

Made this 24th day of June, 19 70.

William Kerbs
Permit Holder

Calvin Kerbs
Wife of Permit Holder

State of Idaho)
County of Minidoka) ss.

On this 24th day of June, 19 70, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

Larry R. Buff
Notary Public residing at
Boysen, Idaho

My commission expires 9-1-70

36 2620

AFFIDAVIT of PUBLICATION

LINCOLN COUNTY JOURNAL

SHOSHONE, IDAHO

Helen Love

being first duly sworn, says that she is the

Business Manager of the Lincoln County Journal, a newspaper published weekly at Shoshone, Idaho, having legal publication rights within the State of Idaho, and that the notice, a true copy of which is hereto attached, was published in said newspaper for

2 consecutive weeks, beginning with the issue of

September 3, 19*70*

and ending with the issue of

September 10, 19*70*

Helen Love

Subscribed and sworn to before me this

12th day of *October*, 19*70*

Zella Mae Parson
Notary Public, Shoshone, Idaho

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that the Mutual Life Insurance Co. of Milwaukee, Wisconsin has received an approved permit No. G-32469/36-2620 issued by the Idaho State Department of Water Administration authorizing the diversion of 12.8 cubic feet per second of water from a ground-water source subject to all prior rights. The priority to be established under this permit is August 6, 1965 and the permit was approved August 6, 1965. Water is to be diverted by wells, pumps & motors, and ditches from a point within the NW 1/4, NE 1/4, SE 1/4, SW 1/4, Sec. 33, T. 6 S. R. 23 E. B. M., Lincoln County to be used for irrigation in the N 1/4, Sec. 32; N 1/4, Sec. 33, T. 6 S. R. 23 E. B. M.

Proof of the application of the water to beneficial use is to be submitted to the department on or before August 6, 1970. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON,
Director

(ST-10)

RECEIVED
JUL 26 1965

**WELL LOG AND REPORT OF THE
STATE RECLAMATION ENGINEER OF IDAHO**

Department of Reclamation

9.32469
Permit No. 310-2620 Well No. 2 County Lincoln
Owner William Kerha & Clarence Mayall, DBA Lost Lake Land & Livestock Co.
Address Rupert, Idaho
Driller R.H. Strasser Drilling Co.
Address Box 155, Rupert, Idaho
Well location N 1/4 NW 1/4 Sec. 33, T. 6 N/S, R. 23 E/W
Size of drilled hole 20"
Total depth of well 522

Locate well in section

0	
NW 1/4	NE 1/4
SW 1/4	SE 1/4

Give depth to standing water from the ground 447 Water temp. _____ °Fahr.

On "Pumping Test" delivery was _____ g.p.m. or _____ c.f.s. Drawdown was _____ feet.

Size of pump and motor used to make test _____ We guarantee this well to produce 400 inches of water with less than seven ft. of drawdown.

Length of time of test _____ hours _____ minutes.

If flowing well, give flow _____ c.f.s. or _____ g.p.m. and of shut off pressure _____

If flowing well, described control works _____

(TYPE AND SIZE OF VALVE, ETC.)

Water will be used for Irrigation Weight of casing per lineal foot 65

Thickness of casing .250 Casing material Steel
(STEEL, CONCRETE, WOOD, ETC.)

Diameter, length and location of casing 8 ft. of 20" O.D.
(CASING 12" IN DIAMETER OR LESS, GIVE INSIDE DIAMETER;
CASING OVER 12" IN DIAMETER, GIVE OUTSIDE DIAMETER)

CASING RECORD

Diam. Casing	From Feet	To Feet	Length	Remarks—seals, grouting, etc.
0	8	8	8	Grouted

Number and size of perforations _____ located _____ feet to _____ feet from ground

Date of commencement of well April 26, 1965 Date of completion of well May 16, 1965

26 2620

RECEIVED

JUL 26 1965

WELL LOG AND REPORT OF THE
STATE RECLAMATION ENGINEER OF IDAHO

Department of Reclamation

Permit No. 832469 Well No. 1 County Lincoln
Owner William Kerbs and Clarence Mayall DBA Lost Lake Land & Livestock Co.
Address Rupert, Idaho
Driller R.J. Strasser Drilling Co.
Address Box 155, Rupert, Idaho
Well location SE 1/4 SW 1/4 Sec. 33, T. 6 N/S, R. 23 E/W
Size of drilled hole 20"
Total depth of well 503

Locate well in section

NW 1/4	NE 1/4
SW 1/4 0	SE 1/4

Give depth to standing water from the ground 428 Water temp. _____ °Fahr.On "Pumping Test" delivery was 3100 g.p.m. or _____ c.f.s. Drawdown was Unknown feet.Size of pump and motor used to make test 400 h.p. —12" column. Pump setting 450 ft. to bottom of suction pipe.

Length of time of test _____ hours _____ minutes. Pump is now being used for irrigation.

If flowing well, give flow _____ c.f.s. or _____ g.p.m. and of shut off pressure _____

If flowing well, described control works _____

(TYPE AND SIZE OF VALVE, ETC.)

Water will be used for Irrigation Weight of casing per lineal foot 65 lbs.Thickness of casing .250 Casing material Steel

(STEEL, CONCRETE, WOOD, ETC.)

Diameter, length and location of casing 5 ft. of 20" O.D. from 0-5 ft.(CASING 12" IN DIAMETER OR LESS, GIVE INSIDE DIAMETER;
CASING OVER 12" IN DIAMETER, GIVE OUTSIDE DIAMETER)

CASING RECORD

Diam. Casing	From Feet	To Feet	Length	Remarks—seals, grouting, etc.
20"OD	0	5	5	Grouted

Number and size of perforations _____ located _____ feet to _____ feet from ground

Date of commencement of well March 13, 1965 Date of completion of well April 15, 1965

36 2620

WELL LOG

From Feet	To Feet	Type of Material	Water-bearing Formation Ans. Yes or No	Casing Perforated Ans. Yes or No
0	6	Overburden		
6	12	Rough gray lava		
12	73	Black cinders		
73	99	Rough gray lava		
99	108	Broken grey lava--hole will not hold water.		
108	121	Broken gray lava		
121	173	Broken brown lava. Very rough		
173	180	Broken gray lava		
180	232	Broken brown lava		
232	236	Hard gray lava		
236	267	Red cinders with some broken grey lava		
267	296	Broken brown and gray lava.		
296	327	Brown lava, med. hard.		
327	346	Rough gray lava		
346	360	Broken brown lava		
360	401	Very hard gray lava		
401	420	Grey lava with red cinders		
420	448	Hard gray lava		
448	460	Black lava. Small amt. of water at 450. Rose to 447		
460	465	Lost all cuttings	Yes	
465	470	Gray lava		
470	478	Lost all cuttings	Yes	
478	497	Gray lava, soft.		
497	500	Gray lava with red cinders		
500	512	Lost all cuttings	Yes	
512	522	Gray lava.		

If more space is required use Sheet No. 2

WELL DRILLER'S STATEMENT

This well was drilled under my supervision and the above information is complete, true and correct to the best of my knowledge and belief.

Signed E. J. Strasser Drilling Co.

By M. L. Thayer

Dated July 22, 1965, 1965

License No. 95

WELL LOG

From Feet	To Feet	Type of Material	Water-bearing Formation Ans. Yes or No	Casing Perforated Ans. Yes or No
0	2	Overburden		
2	4	Boulders and clay		
4	12	Grey lava		
12	66	Rough, hard grey lava		
66	88	Red cinders. Some grey lava.		
88	143	Broken grey lava.		
143	160	Brown lava with some red cinders		
160	171	No cuttings--hole will not hold water.		
171	206	Grey lava, med. hard, with red cinder streaks.		
206	222	Brown lava		
222	251	Broken grey lava		
251	257	Broken brown lava		
257	298	Broken grey lava and cinders. Hole will not hold water.		
298	316	Broken red cinders.		
316	328	Broken grey lava		
328	336	No recovery of cuttings.		
336	346	Loose grey lava.		
346	361	Hard grey lava		
361	410	Med. hard grey lava.		
410	450	Hard grey lava. First hit water at 441. Water raised to 428.		
450	477	No recovery of cuttings. Very good water-bearing formation.		
477	482	Red cinders.		
482	503	Grey lava with some red cinders. Lost 60% of cuttings.	Yes	

If more space is required use Sheet No. 2

WELL DRILLER'S STATEMENT

This well was drilled under my supervision and the above information is complete, true and correct to the best of my knowledge and belief.

Signed R.J. Strasser Drilling Co.

By:

Dated July 22, 1965

License No. 95

38 2620

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 40623
Permit No. G- 32469
District No.

Assigned to William H. Mayall
James R. Simplot Co.
Boise, Idaho

1. Name of Applicant: William Kerbs and Clarence H. Mayall
dba Lost Lake Land & Livestock Co.
Postoffice address: P. O. 425, Rupert County: Minidoka State: Idaho ASSIGNED TO: J.R. Simplot Co.
P.O. Box 2777
Boise, ID 83701

2. Quantity of water claimed: 12.8 cfs or 640 miners inches

(a) Rate of withdrawal in cubic feet per second or Idaho
Miners' inches or gallons per minute

(b) Annual withdrawal in acre feet per annum

3. Source of water supply: Subterranean

4. Location of point of diversion or well is in the NW 1/4 of the NE 1/4 of Section 33
Twp. 6 S , Rge. 23 E , B.M., County of Minidoka

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: 2 wells, pumps & motors and ditches

8. Estimated cost of works: \$15,000.00

9. (a) Is reservoir to be used? No

(b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is 5
years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation:

(b) Amount of capital stock: \$

(c) Amount paid in: \$

(d) Names and addresses of directors:

II. The financial resources of the applicant are (a) Cash on hand: \$

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources:

12. The land to be irrigated is described in the following tabulation:

13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none

(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.

(b) 12.8 (cubic feet per second, inches or gallons per minute) is for new lands.

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

William Kerbs & Clarence H. Mayall,
dba Lost Lake Land & Livestock Co. *Applicant.*

By s/ Harley M. McDowell Agent.

Date of first receipt at Department of Reclamation: 8:00 A. M. August 6, 1965

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 32469

Recorded in Book **113** Page **32469** Approved **August 6, 1965**

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

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

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

One-fifth of the work above specified to be completed on or before **February 6, 1968**

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made and proofs offered on or before **August 6, 1970**

Witness my hand this 6th day of August, 1965

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho,
and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 6th
day of August, 1965.

Countersigned:

STATE OF IDAHO

(SEAL)

By s/ ROBERT E. SMYLIE
Governor

By s/ ARNOLD WILLIAMS
Secretary of State.

12.

Twp.	Range	Sec.	$\text{NE}\frac{1}{4}$				$\text{NW}\frac{1}{4}$				$\text{SW}\frac{1}{4}$				$\text{SE}\frac{1}{4}$				Totals
			$\text{NE}\frac{1}{4}$	$\text{NW}\frac{1}{4}$	$\text{SW}\frac{1}{4}$	$\text{SE}\frac{1}{4}$	$\text{NE}\frac{1}{4}$	$\text{NW}\frac{1}{4}$	$\text{SW}\frac{1}{4}$	$\text{SE}\frac{1}{4}$	$\text{NE}\frac{1}{4}$	$\text{NW}\frac{1}{4}$	$\text{SW}\frac{1}{4}$	$\text{SE}\frac{1}{4}$	$\text{NE}\frac{1}{4}$	$\text{NW}\frac{1}{4}$	$\text{SW}\frac{1}{4}$	$\text{SE}\frac{1}{4}$	
6 S	23 E.	32	40	40	40	40	40	40	40	40									320
		33	40	40	40	40	40	40	40	40									320
																			640

• •

This
Right has been
Decreed in the
SRBA.

MICROFILMED

SEP 19 1984

MEMORANDUM

TO: FILE 36-2620
FROM: VAULT
RE: TRANSFER # 5707-5727
DATE: 6-6-00

=====

**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # 36-2058

MICROFILMED

JUN 11 2002

MEMORANDUM

TO: Young & Young Water Right Files

FROM: Pam Skaggs²⁸/State Office

SUBJECT: Transfer 5167

DATE: May 6, 1998

Transfer 5167 changes and adds points of diversion, and creates an 8,574.0 acre permissible place of use. The applicant is combining multiple groundwater rights, wells & pivots in a single large interconnected system.

The rights involved have been previously transferred under Transfers 4829, 4830, 4831 and 4895, and additional rights recently purchased. 77 rights or parts of rights were on the original application. 30 of these rights, unencumbered by limiting conditions, have been combined by common priority into 12 new rights. 59 rights appear on the final approval document.

Region staff identified possible errors in a couple of the past approvals referring only to previous file information. I researched the rights and files in question and did not find supporting information to modify the previous approvals. I have attached an overlap of all the original rights, table of combined rights and a draft of rights for the final approval.

Recommended conditions include drilling permit requirements, annual measuring & reporting, irrigation overlap, permissible place of use, combined limits, trust water conditions (36-08251E), enlargement right condition where applicable and standard transfer conditions.

MICROFILMED

1998 7 1 1000

	PRIORITY	CFS	ACRES	P.P/U.	DIV.VOL.	Conditions/Limits/Information
✓ 36-02233G	8131953	0.20	12.0	8574.0	48.0	
36-02410D	12081959	0.20	10.0	"	40.0	
✓ 36-02653N	9121966	0.05	4.0	"	16.0	
36-07042	10151968	5.12	315.0	"	1260.0	
36-07580D	11211975	0.32	15.7	"	62.8	
✓ 36-08069N	3041982	0.03	4.0	"	12.5	
✓ 36-08251E	9101984	8.31	564.0	"	2256.0	Trust Conditions/R55/R56/R57
36-08404	3011989	2.10	131.0	"	524.0	
✓ 36-08775	4011953	23.11	1632.0	"	6528.0	
✓ 36-08776	2251953	6.10	560.0	"	2240.0	
36-02058C	2021948	5.13	374.0	"	1496.0	
36-15366C	3151958	2.31	200.0	"	800.0	
		6.62				6.62 cfs
36-02075E	8041948	7.11	461.6	"	1846.4	
36-08068E	3041982	2.17	584.0	"	916.8	
			584.0		2336.0	584.0 acres/2336.0 afa
36-02454B	12081960	0.45	30.0	"	120.0	
36-07007B	9111967	1.32	66.0	"	264.0	
36-07021A	4091968	0.42	21.0	"	84.0	
36-08274A	7041985	0.28	14.0	"	56.0	
36-08275B	5091985	2.46	123.0	"	492.0	
		3.45	254.0		1016.0	3.45 cfs
36-02530A	12061961	5.27	275.1	"	1100.4	
36-07795A	5261978	1.58	79.0	"	316.0	
36-15456A	4011951	1.93	455.0	"	815.4	
		6.19	455.0		1820.0	6.19 cfs/455.0 acres/1820.0 afa
36-02191	2251953	2.56	160.0	"	640.0	
36-07391	10121973	0.11	"	"	46.5	
		2.67	160.0		640.0	160.0 acres/640.0 afa
36-07041	10151968	4.40	282.0	"	1128.0	
36-11340	4011972	1.06	90.0	"	360.0	
		4.40	372.0		1488.0	4.40 cfs
✓ 36-02653P	9121966	6.75	495.0	"	1980.0	
✓ 36-08069P	9121966	3.34	557.0	"	1400.8	
		10.09	557.0		2228.0	557.0 acres/2228.0 afa
36-02591	6031964	2.90	159.0	"	636.0	
36-02653B	9121966	0.68	50.0	"	200.0	
✓ 36-08777		1.12	253.5	"	473.1	
		4.70	253.5		1014.0	253.5 acres/1014.0 afa
36-02075F	8041948	0.16	10.4	"	41.6	
36-08068F	3041982	0.05	13.0	"	21.1	

✓ Combined Rts.

MICROFILMED

JUN 25 1986

Transfer Draft

T.511.7

		0.21	13.0		52.0	13.0 acres/52.0 afa
36-02058B	2021948	0.11	12.0	"	46.5	
36-02233D	8131953	0.01	12.0	"	4.2	
36-15366B	3151958	0.05	12.0	"	21.1	
		0.17	12.0		48.0	12.0 acres/48.0 afa
36-02075B	8041948	0.16	13.0	"	52.0	
36-08068B	3041982	0.05	13.0	"	21.1	
		0.21	13.0		52.0	13.0 acres/52.0 afa
✓ 36-02653Q	9121966	0.09	7.0	"	28.0	
✓ 36-08069Q	3041982	0.05	7.0	"	21.1	
		0.14	7.0		28.0	7.0 acres/28.0 afa
✓ 36-08778	4011953	0.67	49.0	"	196.0	
36-07021C	4091968	0.54	27.0	"	108.0	
36-08274B	7041985	2.04	102.0	"	408.0	
36-02058B	36-08274B	3.28	210.0		840.0	3.28 cfs/210.0 acres
36-02410B	12081959	0.05	2.5	"	10.0	
36-07580B	11211975	0.07	3.5	"	14.0	
		0.09	6.0		24.0	0.09 cfs
36-02530B	12061961	0.19	9.9	"	39.6	
36-07795B	5261978	0.06	3.0	"	12.0	
36-15456B	4011951	0.07	16.0	"	29.6	
		0.22	16.0		64.0	0.22 cfs/16.0 acres/64.0 afa
36-02058D	2021948	0.36	26.0	"	104.0	
36-15366D	3151958	0.16	14.0	"	56.0	
		0.46	40.0		160.0	0.46 cfs
36-02075D	8041948	0.12	8.0	"	32.0	
36-08068D	3041982	0.04	10.0	"	16.9	
		0.16	10.0		40.0	10.0 acres/40.0 afa
36-02193	2251953	4.26	315.0	"	1260.0	36-11290 Enlargement of this rt.
36-11290	5011985	0.06	3.0	"	12.0	42-1426 w/36-02193
		4.26	318.0		1272.0	4.26 cfs
36-02410C	12081959	2.23	111.5	"	446.0	
36-07580C	11211975	3.53	172.8	"	691.2	
		4.24	284.0		1136.0	4.24 cfs/284.0 acres/1136.0 afa
36-02619	10161965	12.80	640.0	"	2560.0	36-04006 Enlargement of this rt.
36-02620	8061965	7.13	440.0	"	1760.0	" " " " "
36-04006	7141977	1.70	1240.0	"	718.2	42-1426 w/36-02619 & 2620
		13.15	1240.0		4960.0	13.15 cfs/1240.0 acres/4960 afa
TOTAL	T5167	119.01	8593.0	8574.0	34372.0	119.01 cfs/8574 acres/34296 afa

✓ Combined Rts.

77 Original - (30-12) = 59 rights on approval.

MICROFILMED
JUN 13 1988

MEMORANDUM

TO: FILE 36-02620

FROM: PAM SKAGGS

RE: TRANSFER # 5167

DATE: 1-9-98

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 36-02058.

MICROFILMED
JUN 25 1998

May 20, 1962

RE: Permit Nos. 36-7387, 36-2619 and 36-2620

J. K. Simplot
Simplot Industries, Inc.
P.O. Box 27
Boise, ID 83707

Dear Mr. Simplot:

Enclosed herewith are copies of the Water Right Licenses issued on the above referenced permits.

Sincerely,

ROBYN CARLSON
Chief Clerk

RC:kw
Enclosures

J. R. SIMPLOT COMPANY / ONE CAPITAL CENTER / 999 MAIN STREET / SUITE 1600
P.O. BOX 27 / BOISE, IDAHO 83707 / (208) 336-2110

RECEIVED

March 17, 1982

CORPORATE HEADQUARTERS

MAR 18 1982

Department of Water Resources

State of Idaho
Department of Water Resources
State Office
450 West State Street
Boise, Idaho 83720

RE: Idaho Water Permit 36-2619 and 36-2620

Gentlemen:

Will you please note that the mailing address for J. R. Simplot Company has been changed to P.O. Box 27, Boise, Idaho 83707. Please note your records accordingly.

Your letter dated March 11, 1982, with regard to the above-referenced Permits was received by this office on March 16th. We would appreciate receiving a 30 day extension of time within which to confirm to you our agreement or disagreement, as the case may be, with the findings set forth in the letter referred to above.

Sincerely,



RONALD N. GRAVES
Vice President and
Corporate Counsel

RNG/ljw

44-200-1000



CORPORATE HEADQUARTERS

P.O. BOX 27
BOISE, IDAHO 83707

State of Idaho
Department of Water Resources
State Office
450 West State Street
Boise, Idaho 83720





State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

March 11, 1982

RE: Permit No. 36-2620

J. R. Simplot Company
P.O. Box 2777
Boise, ID 83701

Gentlemen:

A representative of this Department has made an examination of the works covered by your Permit No. 36-2620, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 7.13 cfs Source: groundwater

The maximum quantity diverted shall not exceed 1920.0 acre feet per year.

Point(s) of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33, Twp. 6S, Rge. 23E, Lincoln County

Beneficial use: Irrigation of 480 acres within the NE $\frac{1}{4}$, Sec. 32; N $\frac{1}{2}$, Sec. 33;
Twp. 6S, Rge. 23E

Priority date established: August 6, 1965

Conditions (if any):

If you do not concur with these findings please contact us within 10 days, otherwise water license will be issued as set forth above.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

FIELD REPORT

- 640 TOTAL

DATE OF EXAM 7-14-77

ACREAGE
Found 480 ✓
Recommended 480 ✓

Irrigation Requirement 4.0 Ac Ft/Ac

USE
Irrigation Q = 7.13 c.f.s. V = 1920.0 AF/Ann. from 3-15 to 11-15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ✓

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ✓

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 3200 gal/min: 7.13 c.f.s. Method of measurement Badger Meter ✓

Total Q recommended 7.13 c.f.s. Meter No. M0646681 Type ✓ Condition good

Total V recommended 1920 Ac Ft/Ann. ✓

Recommended Amendments:

P.D. NW 1/4 Sec 33 T 6 S R 23 E ONLY
Place of Use _____
Other _____
None ✓

MEASUREMENT CALCULATION:
MEASURED: 7.13 c.f.s. (3200 gal/min) ÷ (448.8 gal/min) = 1.58 c.f.s. ok
VOLUME: 1920 Ac Ft/Ann. = (4.0 Ac Ft/Ac.) (480 Acres) = 1920 c.f.s. ok
IRR. Req.

✓ 7.13 (1920) = 13641.6 ✓

SYSTEM DESCRIPTION:
① U.S. MOTOR 450 Hp SERIAL# 1385656 WESTERN PUMP SERIAL# 20911
GRAVITY FLOW IRRIGATION, Concrete & Dirt Ditches
WITH Siphon Tubes.

REMARKS:
Lyle FAUCETT WAS PRESENT DURING THE FIELD EXAM ✓
HE IS THE IRRIGATOR FOR SIMPLOT.

NORTHWEST HAS ASSIGNED THIS PERMIT TO SIMPLOT. ✓
NO OTHER RIGHTS FOUND SS.

Engineer's Signature John D. Smith Date 12/15/78
Checked by _____ Date 12/20/78
Approved by _____ Date 3/12/82

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

44
5-18-70

1. a) Name of Permit Holder William Kerbs and Clarence H. Mayall d/b/a Lost Lake Land & Livestock Co.
b) Post Office Address P.O. Box 425, Rupert, Idaho 83350

2. Permit Number 36-2620

3. Date of Priority that you are prepared to establish August 6, 1965

4. a) Source from which water was appropriated Subterranean well

b) Location of the point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 33
Township 6 S ^{city}, Range 23 East Boise Meridian, Other points of diversion: _____

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

south amount 6.2 cfs for irrigation purposes from 5/19/55 to 10/68 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

north amount 6.2 cfs for irrigation purposes from 5/66 to 10/68 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated 12.4 cfs and/or acre feet per annum

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Measurement of the amount of water taken has been measured by the flow from the wells by the use of a wier

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: none

b) Describe the agreement or understanding by which you take water from the works: none

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Pumps of a 2800 g.p.m. capacity, 200 h.p. well casing is 20'; depth of wells: south 503 ft.; north 522 ft.; diversion works consist of pumps and ditches

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

c) Give well drillers name and address and date the well was completed Strasser Drilling Co.,
Rupert, Idaho 83350; completion date - April 15, 1965 (south well)
May 16, 1965 (north well)

Entered
February 6, 1971
C.M.

36 2620

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use None

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

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 $\frac{1}{4}$	
6S	23 E	32	40	40	40	40	40	40	40	40									320
		33	40	40	40	40	40	40	40	40									320

Total number of acres irrigated 640

10. Remarks: Northwestern Mutual Life Insurance Co. has foreclosed its mortgage covering the wells above described and William Kerbs and Clarence H. Mayall have agreed to assign their interest in said wells and water but we have not received the assignments as yet; Mr. Kerbs and Mr. Mayall have given me a power of attorney and the information obtained has been obtain from them.

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

June 23, 1970
(Date)

Norman H. Nielson
(Signature) Norman H. Nielson,
Attorney in fact

State of Idaho)
County of Cassia) ss.

On this 23rd day of June, 1970, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (~~she~~) (~~they~~) executed the same.

Arden J. Nielson
Notary Public residing at Burley, Idaho

My commission expires Oct. 11, 1971

IDENT. NO. 36-2620

IDAHO DEPARTMENT OF WATER RESOURCES

[illegible]

July 21, 1976

Re: Permit No. 36-2620

J.R. Simplot Company
P.O. Box 2777
Boise, ID 83701

Gentlemen:

This is to acknowledge receipt of the assignment conveying the above referenced permit to you. The assignment has been recorded and the Departments records changed accordingly.

Enclosed for your records is a copy of the permit. Please be advised that proof of beneficial use has been submitted and a field exam is pending prior to issuance of the license.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:mef

Enclosure

GENERAL OFFICE

July 16, 1976

State of Idaho
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

RE: Water Permit No. 36-2620

Gentlemen:

Enclosed is an Assignment of the above referenced water permit from Northwestern Mutual Life Insurance Company to J. R. Simplot Company, which I am forwarding for filing in your office.

Sincerely,


RONALD N. GRAVES
Associate General Counsel

RNG/jw
Enclosure

cc: Gary Funderburg
Senior Water Resource Agent
Twin Falls, Idaho

October 14, 1970

Re: Permit No. G-32469/36-2620 - Northwest Mut. Life Ins. Co. of
Milwaukee

Mr. Norman H. Nielson
Attorney-in-Fact
Box 367
Burley, Idaho 83318

Dear Mr. Nielson:

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

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

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

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

36 2620

NIELSON, NIELSON & NIELSON

ATTORNEYS AND COUNSELORS AT LAW

P. O. BOX 367

BURLEY, IDAHO 83318

October 13, 1970

ADONIS H. NIELSON
NORMAN H. NIELSON
GORDON S. NIELSON

AREA CODE 208
TELEPHONE 678-5574

Department of Water Administration
Capitol Annex
Boise, Idaho 83707

Re: Permit No. G-32469/36-2620

Gentlemen:

Enclosed you will find the Affidavit of Publication of the Lincoln County Journal regarding the Northwestern Mutual Life Insurance Company about which you wrote us. If there is any further information you need in regard to this transfer of the permit and water license, please let us know.

Very truly yours,

NIELSON, NIELSON & NIELSON

By: *Harvey H. Nielson*

NHN:mm
Enc.

38 12620

October 8, 1970

Re: Permit No. G-32469/36-2620 - Northwest Mutual Life Ins. Co.
of Milwaukee

Mr. Norman H. Nielson
Attorney-in-Fact
Box 367
Burley, Idaho 83318

Dear Mr. Nielson:

As of this date, we have not yet received the affidavit of publication to be submitted in connection with permit No. 36-2620. You should be aware that many newspapers do not keep copies of these advertisements for their files. We, therefore, recommend that you obtain this affidavit as soon as possible from the Lincoln County Journal, Shoshone, Idaho, and submit it promptly to the Department. Please be advised that a license will not be issued until we are in receipt of this affidavit.

Very truly yours,

Dorian Clay,
Appropriation Examiner

DC/DG

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2

Boise, Idaho 83707

(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

August 31, 1970

Re: Permit Nos. G-32469/36-2620
G-32723/36-2642

Mr. Herb H. Love, Publisher
Lincoln County Journal
119 West A
Shoshone, Idaho 83352

Dear Mr. Love:

Please find enclosed a copy of the legal notices for the above referenced permits. The originals for these notices were sent to you on August 24 and August 25, 1970. Please be advised that the yellow authorization to publish sheets are kept in our files.

The payment of publication for permit no. G-32469/36-2620 should be paid by Norman H. Nielson, Attorney-in-Fact, Box 367, Burley, Idaho, and permit no. G-32723/36-2642 should be paid by E. C. Pringle, Jr., 4 Ranchero Place, Woodland, California, 95695. If you have any questions, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG
ENCLOSURES (2)

Lincoln County Journal

ESTABLISHED 1884

SHOSHONE, IDAHO

83352

August 29, 1970

Department of Water Administration
Attention R. Keith Higginson
Boise, Idaho

Dear Sir,

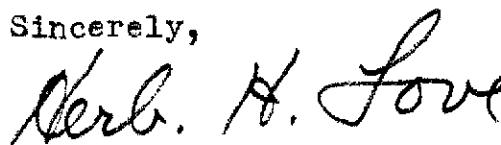
Enclosed are proofs of two legal notices
scheduled to be run Sept. 3 and Sept. 10 in the
Lincoln County Journal, Shoshone, Idaho.

You asked for a preview of the notices. Since
my type is set at Jerome for use on their offset
web press, the work was done there, which rather
explains why the proofs are a bit late.

In the meantime, I cannot locate the original
orders you sent for the notices--Nos. G-32723/36-2642
and G-32469/36-2620 or the yellow sheets to be filled
out for payment--in fact I can't locate any of it.
Guess the rather unusual request for advance proofs
threw us off balance.

Anyhow, would be obliged if you would send us
duplicates of the originals.

Sincerely,



Herb. H. Love, Publisher

August 24, 1970

Re: Permit No. G-32469/36-2620

Lincoln County Journal
119 West A
Shoshone, Idaho 83352

Gentlemen:

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

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

The expense of the publication is to be paid by Norman H. Nielson, Attorney in fact, Box 367, Burley, Idaho 83318, to whom you should furnish an affidavit of publication.

Very truly yours,

Dorian Clay,
Appropriation Examiner

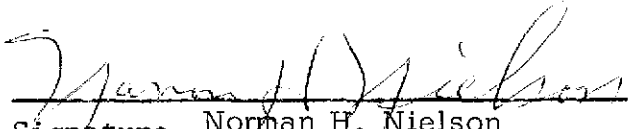
DC/DG
Enc: legal notice

NOTICE: This completed form authorizes the Idaho Department of Reclamation to publish a required legal notice at YOUR expense.

State Reclamation Engineer
Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the Lincoln County Journal of Shoshone, Idaho, as required under the Rules and Regulations of the Idaho Department of Reclamation and the Laws of the State of Idaho. My complete billing address is Box 367, Burley, Idaho 83318. Dated this 23rd day of June, 19 70.


Signature Norman H. Nielson

Attorney in fact
Title

P.O. Box 367, Burley, Idaho 83318

NOTICE OF EXISTING WATER PERMIT

Wm. J. L. Co. of Milwaukee, Wisconsin

Notice is hereby given that William Kerbs and Clarence H. Mayall, dba Lost Lake Land & Livestock Co., Box 424, Rupert, Idaho have

has received an approved permit No.

G-32469/36-2620 issued by the Idaho State Reclamation Department authorizing the

diversion ~~storage~~ of 12.8 cubic feet per second acre/foot/yr/annum

of water from a ground-water source

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

August 6, 1965 and the permit was approved August 6, 1965

Water is to be diverted by wells, pumps & motors, and ditches

from a point within the *Sept 10 command*
SW 1/4, Sec. 32, T. 6 S., R. 23 E., B. M.,

Lincoln County

to be used for irrigation

in the N 1/2, Sec. 32; N 1/2, Sec. 33, T. 6 S., R. 23 E., B. M.

Proof of the application of the water to beneficial use is to be submitted to the department on or before August 6, 1970. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Lincoln County Journal, Shoshone, Idaho on

September 3 and September 10, 1970

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Statehouse — Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

August 24, 1970

Re: Permit Nos. G-32468/36-2619
 G-32469/36-2620
 Claim No. 36-4006

Mr. Norman H. Nielson
NIELSON, NIELSON, & NIELSON
P.O. Box 367
Burley, Idaho 83318

Dear Mr. Nielson:

We have attempted on several occasions to call you concerning this matter, but we have been unsuccessful. Please forgive our tardiness in responding to several of your inquiries.

Claim no. 36-4006 is now referenced in the name of the Northwest Mutual Life Insurance Co., and the evidence is apparently satisfactory to show their interest instead of Kerbs and Mayall. Permit nos. G-32468/36-2619 and G-32469/36-2620 are now both under the name of the Northwest Mutual Life Insurance Co. The assignments are recorded. Enclosed are copies of the permits and assignments for these permits.

The amendment and the affidavit of beneficial use for permit no. G-32469/36-2620 have been received and are acceptable. Please find enclosed a copy of the amendment and departmental receipt no. 5019. As there is no requirement for the application for extension of time, we are returning it to you under this cover.

The legal notice for permit no. G-32469/36-2620 is being published in the Lincoln County Journal of Shoshone, Idaho on September 3 and September 10, 1970. An affidavit of publication must be submitted to this department. The affidavit may be obtained from the Lincoln County Journal upon payment of the bill of publication.

Also be advised that permit no. G-32468/36-2619 automatically lapsed on August 6, 1970. A notice of lapsing will be sent to you in September. You will have sixty

36 2620

Page 2

August 24, 1970

Re: Permit Nos. G-32468/36-2619
G-32469/36-2620
Claim No. 36-4006

(60) days from that date to submit proof of application of the water to beneficial use. We are enclosing a beneficial use form for your use in this matter.

If you have any questions, please contact us.

Very truly yours,

Dorian Clay,
Appropriation Examiner

DC/DG

Enc: beneficial use form
extension of time
copies of permit nos. G-32468/36-2619 and G-32469/36-2620
copy of assignments
copy of amendment
receipt no. 5019

36 2620

NIELSON, NIELSON & NIELSON

ATTORNEYS AND COUNSELORS AT LAW

P. O. BOX 367

BURLEY, IDAHO 83318

ADONIS H. NIELSON
NORMAN H. NIELSON
GORDON S. NIELSON

AREA CODE 208
TELEPHONE 678-5574

July 16, 1970

Mr. Donald W. McEldowney
Idaho Dept. of Water Administration
State House - Annex 2
Boise, Idaho 83707

Re: Permit No. 36-2620
Kerbs & Mayall

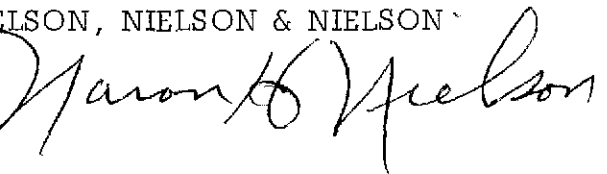
Dear Mr. McEldowney:

We have sent you the necessary papers to prove up on the wells for the Northwestern Mutual Life Insurance Co. together with the assignments from Kerbs and Mayall. To date we have not heard anything from you. May we please have a reply relative to this matter as to whether or not there is any further information you need to prove up on these wells. If proof cannot be made at this time, would you please sign the request for extension of time and return those to us as we do not want these water rights to lapse.

Very truly yours,

NIELSON, NIELSON & NIELSON

By:



NHN:mm

36 2620

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR AMENDMENT

Permit No. 36-2620

Comes now William Kerbs & Clarence H. Mayall of (address) _____

P.O. 425, Rupert, Idaho

P.O. 425, Rupert, Idaho _____, and represents to the State Reclamation
Engineer of the State of Idaho:

they are

That ~~these~~ ^{they are} the owners and holders of Permit to appropriate the Public Waters of the State of Idaho

No. 36-2620, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW 1/4 NE 1/4, Sec. 33, T. 6 S

R. 23 E, B.M. Other points of diversion SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33, T. 6 S., R. 23 E., B.M.

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

mo. - day

mo. - day

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

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

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

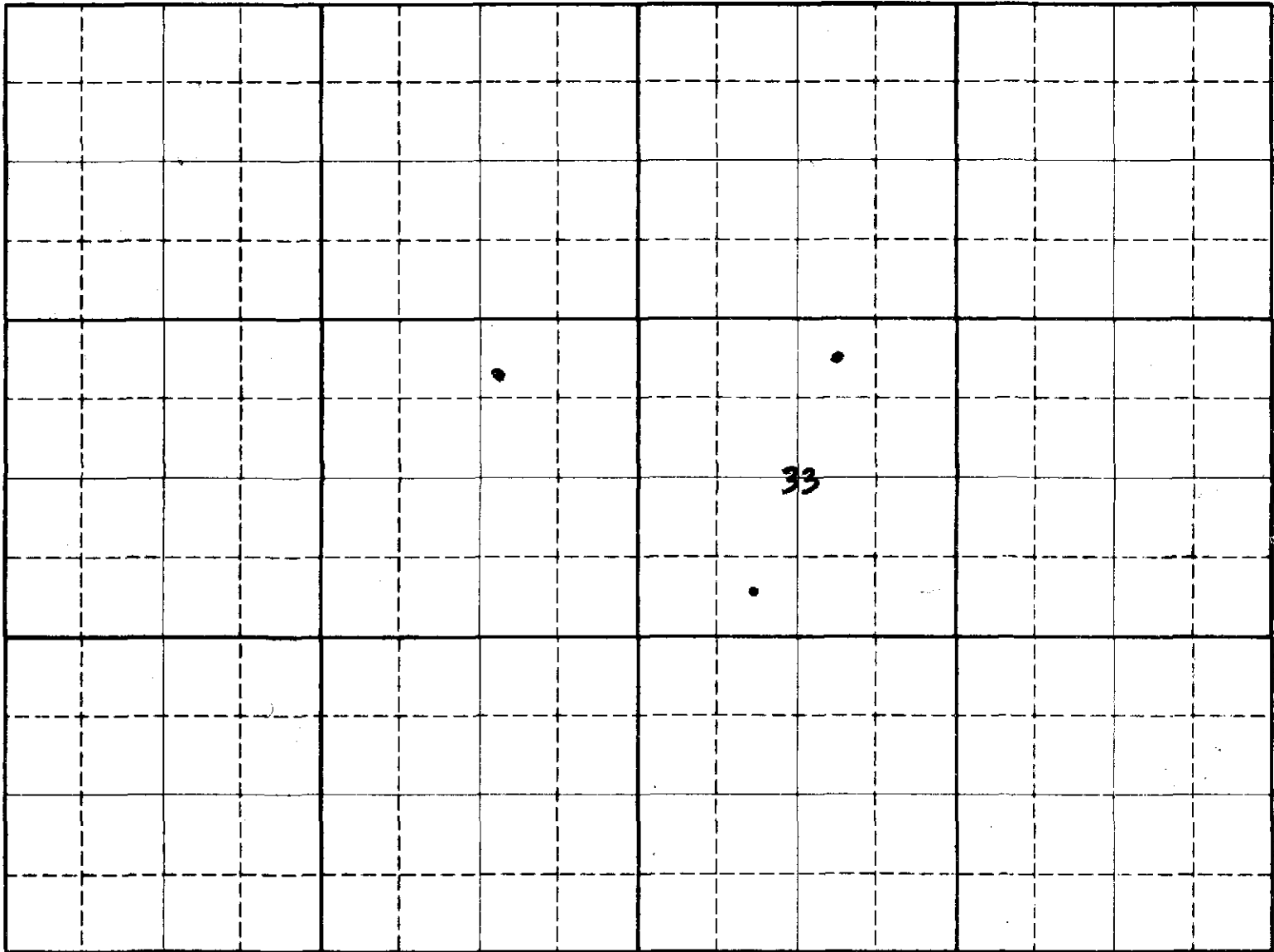
For _____ purposes from _____ to _____ (both dates incl.)

3. Place of use or land to be irrigated:

[illegible]

Total number of acres to be irrigated 36 2620

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



Scale: 2 inches equal 1 mile

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

Signed at Burley, Idaho this 3rd day of July, 1970
NORTHWESTERN MUTUAL LIFE INSURANCE CO.
By: Norman H. Nielsen
Attorney

ACTION OF STATE RECLAMATION ENGINEER

I, C. STEPHEN ALLRED, State Reclamation Engineer of the State of Idaho,
hereby APPROVE the above application for amendment for permit no. G-32469/36-2620.

Witness my hand this 24th day of August, 1970
Stephen Allred
State Reclamation Engineer

NIELSON, NIELSON & NIELSON

ATTORNEYS AND COUNSELORS AT LAW

P. O. BOX 367

BURLEY, IDAHO 83318

July 3, 1970

ADONIS H. NIELSON
NORMAN H. NIELSON
GORDON S. NIELSON

AREA CODE 208
TELEPHONE 678-5574

Mr. Donald W. McEldowney
Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Re: Permit No. 36-2620

Dear Mr. McEldowney:

We are returning the Application for Amendment which I have signed as attorney for Northwestern Mutual Life Insurance Company which is now the assignee under the above permit, which assignments you have in your office. Also enclosed is our check in the amount of \$5.00.

If this is not sufficient, we could send you an Application for Amendment which I could sign as attorney in fact for William Kerbs and Clarence H. Mayall as they gave me the power of attorney, as you will remember, to make proof on this claim.

Would you please reply to me if there is any question in regard to this matter.

Very truly yours,

NIELSON, NIELSON & NIELSON

By: *Norman H. Nielson*

NHN:mm
Enc.

36 2620

July 2, 1970

Re: Permit No. G-32469/36-2620 - William Kerbs and Clarence Mayall

Mr. Norman Nielson
NIELSON, NIELSON, & NIELSON
P.O. Box 367
Burley, Idaho 83318

Dear Mr. Nielson:

We are returning the application for amendment submitted in behalf of William Kerbs and Clarence Mayall. Please have Mr. Kerbs and Mr. Mayall sign the amendment and return it to this Department along with a \$5.00 filing fee.

Upon receipt of the amendment and the fee, we will continue processing the above referenced permit.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

Enc: amendment form

36 2620

NIELSON, NIELSON & NIELSON

ATTORNEYS AND COUNSELORS AT LAW

P. O. BOX 367

BURLEY, IDAHO 83318

ADONIS H. NIELSON
NORMAN H. NIELSON
GORDON S. NIELSON

June 30, 1970

AREA CODE 208
TELEPHONE 678-5574

Mr. Donald W. McEldowney
Idaho Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Re: Permits 36-2619 & 36-2620

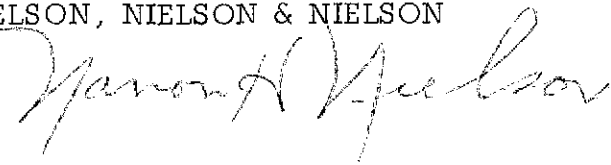
Dear Mr. McEldowney:

Enclosed you will find the Assignment of Permits which have been signed by Clarence Mayall and his wife as well as William Kerbs and his wife. The proof can now be made in the name of Northwestern Mutual Life Insurance Company.

Very truly yours,

NIELSON, NIELSON & NIELSON

By:



NHN:mm
Enc.

NIELSON, NIELSON & NIELSON

ATTORNEYS AND COUNSELORS AT LAW

P. O. BOX 367

BURLEY, IDAHO 83318

ADONIS H. NIELSON
NORMAN H. NIELSON
GORDON S. NIELSON

AREA CODE 208
TELEPHONE 678-5574

June 24, 1970

Mr. R. Keith Higginson, Director
Idaho Department of Water Administration
Statehouse - Annex 2
Boise, Idaho 83707

Attn: Donald W. McEldowney

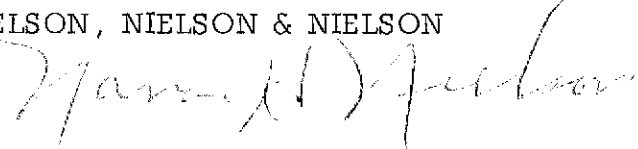
Re: Permit No. 36-2620

Dear Sir:

Enclosed you will find the application for extension of time under Permit No. 36-2620 and the application for amendment which I have signed as attorney in fact. Also enclosed is the proof of application for water to beneficial use. If the proof is not satisfactory under the circumstances we would request the application for extension of time be granted so that this matter can be worked out as Mr. Kerbs and Mr. Mayall are to assign their interest in said water permit to Northwestern Mutual Life Insurance Company, but we have not received said assignments, so we are taking the precaution we think necessary so that we would not lose any rights under the permit.

Very truly yours,

NIELSON, NIELSON & NIELSON

By: 

NHN:mm
Enc.

June 16, 1970

Re: Permit Nos. 36-2619 & 36-2620
Claim No. 36-4006

Nielson, Nielson & Nielson
Mr. Norman H. Nielson
P.O. Box 367
Burley, Idaho 83318

Dear Mr. Nielson:

Pursuant to our telephone conversation, we are transmitting the enclosed copies of the above referenced permits and claim.

As we now understand the situation, the holders of the above referenced permits have defaulted and the permits are to be assigned to the Northwest Mutual Life Insurance Company. We will require that a formal assignment of the water permits be submitted to the department before we can change the ownership on our records. The assignment must identify the permits by number. We are enclosing documents for your use in this matter. What is required under these permits is that evidence of beneficial use be submitted to the department on or before August 6, 1970.

We also understand that Claim to a Water Right No. 36-4006 executed on April 1, 1970, was for the purpose of establishing beneficial use on the N $\frac{1}{2}$ Sections 32 & 33, Twp. 6 S., Rge. 23 E., B.M. We feel that the claim under Section 42-225a of the Idaho Code may not have been what you desired to do, in as much as, the claim is used to record water rights established by diversion and application to beneficial use. In the case of Carl Tappan - vs - Clyde and Bonnie Smith, the Supreme Court of the State of Idaho found that all ground-water rights developed after March 25, 1963 must have been developed under

36 2620

Page 2
Norman H. Nielson

the permit system and could not have been developed under the constitutional or use right method.

From the claim it appears that there has been no development in the S $\frac{1}{2}$ Sections 32 & 33, Twp. 6 S., Rge. 23 E., B.M., as covered by Permit No. 36-2619. If this is not correct, include this land on the beneficial use affidavit. It is required by law that notice of existence of a permit be published in a newspaper when beneficial use is submitted.

Should Permit No. 36-2620, which covers N $\frac{1}{2}$ Sections 32 & 33, be the only permit you are going to submit beneficial use evidence on you will be required to file an amendment to this permit to change the points of diversion. We are enclosing a partially completed amendment form for your use. The amendment fee is \$5.

If you have any questions on this matter, please contact us directly.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:kh

Enclosures

36 2620

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

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

CERTIFIED NO.

1

Bill Kerbe

21921

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED *(only if requested)*

6/3/20

3

36-2620

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

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

POSTMARK OF
DELIVERING OFFICE

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

RETURN
TO

NAME OF SENDER

Department of Reclamation

STREET AND NO. OR P.O. BOX

~~Annex #2 Statehouse~~
Boise, Idaho 83707

POST OFFICE, STATE, AND ZIP CODE

36 2620



REF-16-71548-10

Apr. 1967

POD Form 3811

June 1, 1970

Re: Permit No. G-32469/36-2620

William Kerbs & Clarence H. Mayall
dba Lost Lake Land & Livestock Co.
P.O.Box 425
Rupert, Idaho 83350

Gentlemen:

One of the conditions of the approval of your permit no. G-32469/36-2620 was that proof of application of the water to beneficial use be submitted to this office on or before August 6, 1970.

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

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



State Reclamation Engineer

Enc: Proof form
dr
cc: Idaho Land & Appraisal

CERTIFIED MAIL

#21921

36 2620

NIELSON, NIELSON & NIELSON

ATTORNEYS AND COUNSELORS AT LAW

P. O. BOX 367

BURLEY, IDAHO 83318

ADONIS H. NIELSON
NORMAN H. NIELSON
GORDON S. NIELSON

AREA CODE 208
TELEPHONE 678-5574

May 20, 1970

Mr. Donald W. McEldowney
Appropriation Supervisor
Department of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

Re: Permit No. G-32469
William Kerbs and Clarence Mayall

Dear Mr. McEldowney:

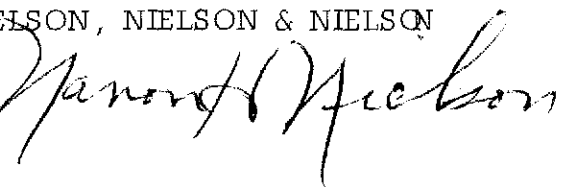
We wrote you on April 10, 1970, relative to the above permit and the proof under said permit and I called you on the phone on May 12, 1970 concerning this water right. At that time you stated you would look this up and call me back. To date, we have heard nothing from you and are wondering about the status of the water rights as they are in litigation and we do not want to lose the water rights on this property.

May we please hear from you immediately in regard to this matter.

Very truly yours,

NIELSON, NIELSON & NIELSON

By:



NHN:mm

March 18, 1970

Re: Permit No. G-32469/36-2620

William Kerbs and Clarence H. Mayall,
dba Lost Lake Land & Livestock Co.
P.O. Box 425
Rupert, Idaho

Gentlemen:

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

The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department; previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

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

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM/DG

Enc: Order
Advertising Package

36 2620

November 12, 1969

RE: Permits 36-2619 and 36-2620

Gary C. Hansen, Loan Supervisor
The Northwestern Mutual Life Insurance Co.
1402 Third Avenue
Seattle, Washington 98101

Dear Mr. Hansen:

We have two permits covering the land in Sections 32 and 33, issued to William Kerbs and Clarence H. Mayall, doing business as the Lost Lake Land and Livestock Company. These permits are still valid and beneficial use is due August 6, 1970. No action has been taken since the permits were filed on August 6, 1965.

If the Northwestern Mutual wants to complete the permits to license they would have to get them assigned from the original owners. We are enclosing the form for assignment of the permits:

Information on the permits is as follows:

- 36-2619 - priority of August 6, 1965
amount - 12.8 c.f.s.
point of diversion - SE $\frac{1}{4}$ Sec 33, T 6 S.,
R 23 E., B.M.
place of use - S $\frac{1}{2}$, Section 32, and
S $\frac{1}{2}$, Section 33
- 36-2620 - priority - August 6, 1965
amount - 12.8 c.f.s.
point of diversion - NE $\frac{1}{4}$ Sec 33, T 6 S., R 23 E., B.M.
place of use - N $\frac{1}{2}$, Section 32; N $\frac{1}{2}$, Section 33

If we can help you further please let us know.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

32469

36-2620

1206 Joseph Vance Building
1402 Third Avenue
Seattle, Washington 98101
Telephone: 206 622-6635

THE NORTHWESTERN MUTUAL LIFE
INSURANCE COMPANY • MILWAUKEE



MORTGAGE LOAN REGIONAL OFFICE

Clair E. Hugh, Manager

November 6, 1969

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

Dear Mr. Higginson:

I would like to know the status of the well permit(s) covering the two wells in the W $\frac{1}{2}$ Section 33, T 6 S, R 23 E, of the Boise meridian in Lincoln County, Idaho. I have been unable to locate the permit number.

These wells were drilled in about 1964 and used for irrigation of approximately 730 acres of farm land through 1968. Due to financial difficulties on the part of the owners the property was not farmed in 1969.

The Northwestern Mutual Life Insurance Company has a first mortgage on the property which has been called due and is in the hands of an attorney at Burley, Idaho. We are thus concerned that action be taken to protect the water right under the existing permit(s). It is my understanding that the necessary proof of completion was never filed by the owner.

I thus need to know the status of the permit(s) and specifically what action is required on our part to establish a permanent water right under the existing permit.

Sincerely,

Gary C. Hansen

Gary C. Hansen, Loan Supervisor

GCH:jml

32468-36-261
2620
32469

32469

36-2620

August 13, 1965

Re: Permit No. G-32468 & G-32469
William Kerts & Clarence H. Mayall
d/ba Lost Lake Land & Livestock Co.

Mr. Harley McDowell,
Idaho Land & Appraisal Service,
Box 425,
Burport, Idaho.

Dear Mr. McDowell:

We enclose Permit No. G-32468 and
G-32469 in which we direct
your attention to the limitations and conditions as given on the
fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. G-9531
which was issued covering payment in the amount of \$ 16.00
for the filing fee of the above mentioned permit.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

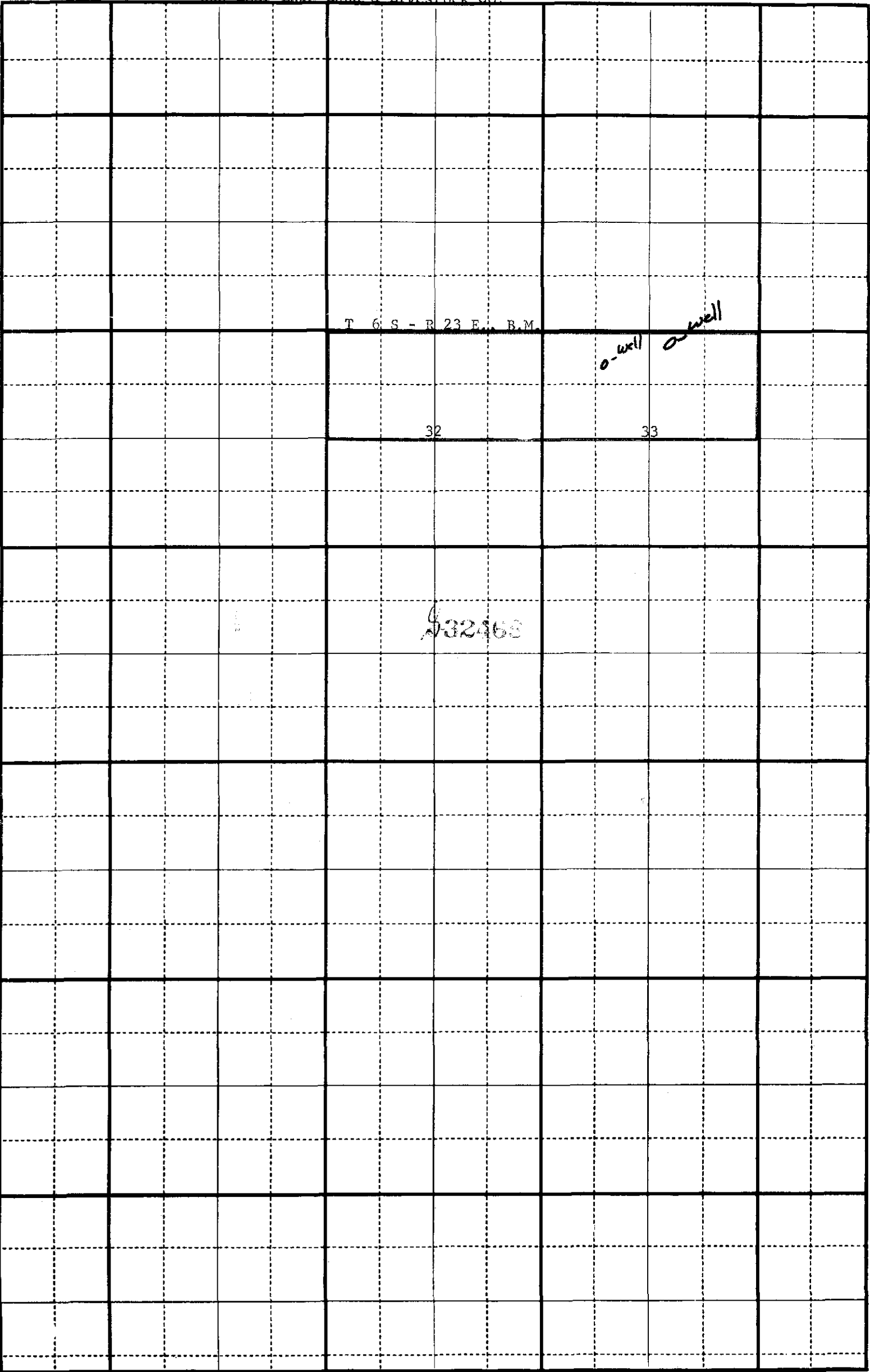
(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Applicant

32469

NAME OF APPLICANT William Kerbs and Clarence H. Mayall
dba Lost Lake Land & Livestock Co.

Form No. 0



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

32469