

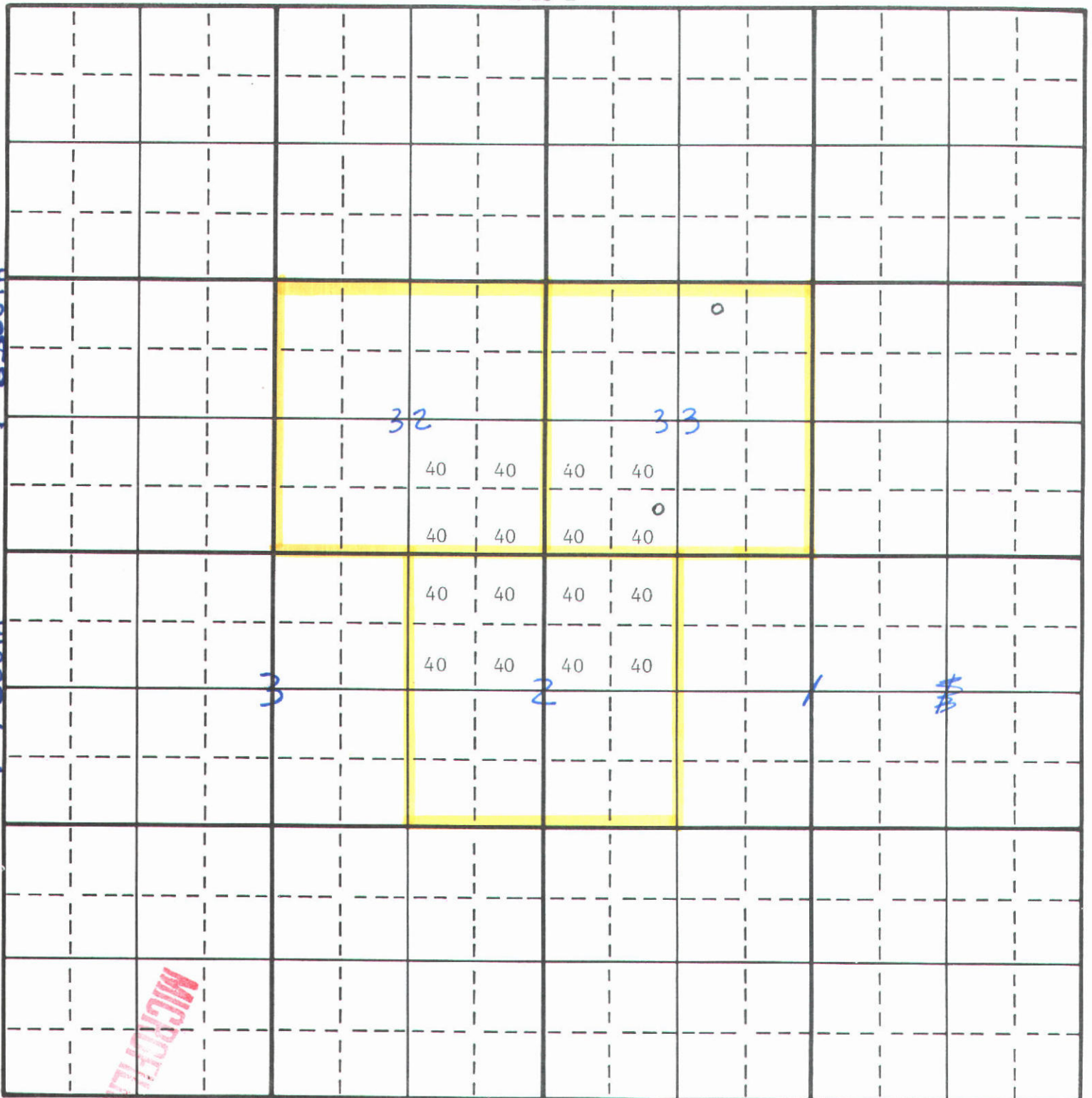
c. Describe the lands and place of use to which the right will be transferred:

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						160
7S	23E	2	40	40	40	40	40	40	40	40									320

Total number of acres to be irrigated 640

- Describe any other water rights used for the same purpose as described above. N/A
- Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

R 23 E



SCALE: 2 inches equal 1 mile. Draw plan in ink.

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

AFFIDAVIT OF PUBLICATION

RECEIVED

State of Idaho, }
County of Lincoln } SS.

JUL 9 1982

Department of Water Resources
Shoshone District Office

Melba Thorne, being first duly sworn, deposes and says that he is the printer (publisher) of the Lincoln County Journal, a newspaper published every week in Shoshone, Lincoln County, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 1 day of July

1982, and the date of the last publication was on the 8

day of July, 1982.

Melba Thorne

Subscribed and sworn to before me this 8

day of July, 1982.

(SEAL)

Mary Ann Hagene

NOTARY PUBLIC

LINCOLN COUNTY JOURNAL

Shoshone, Idaho

COST OF PUBLICATION

Number of Lines in Notice 44

Number of Insertions 44

Lines tabular at 315c

Lines straight at 21c

Subsequent lines at 15c

TOTAL COST 28.60

COPY OF NOTICE
(Paste Here)

Water Right
TITLE OF NOTICE

36-2619 Simplot Co
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

NOTICE OF PROPOSED CHANGE OF
WATER RIGHT

1 NO. 36-2619

Notice is hereby given that J. R. Simplot Company of Boise, Idaho has applied to the Department of Water Resources for a change of place of use to the use of water from a groundwater source. The right sought to be changed is evidenced by License No. 36-2619 and is recorded as follows:

Amount: 12.8 cfs

Priority: October 16, 1965

Point of Diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, T6S, R23E, B.M., Lincoln County

The water is used for irrigation of 640 acres from March 15 to November 15 within the SE $\frac{1}{4}$, Sec. 32, SW $\frac{1}{4}$, Sec. 33, T6S, R23E; NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 2, T5S, R23E, B.M.

TO BE CHANGED AS FOLLOWS:

Amount: Same

Point of Diversion: No change

Place of Use: SE $\frac{1}{4}$, Sec. 32, SW $\frac{1}{4}$, Sec. 33, T6S, R23E; N $\frac{1}{2}$, Sec. 2, T7S, R23E, for irrigation of 640 acres from March 15 to November 15.

Any protest against the approval of the above proposed change of water right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before July 19, 1982.

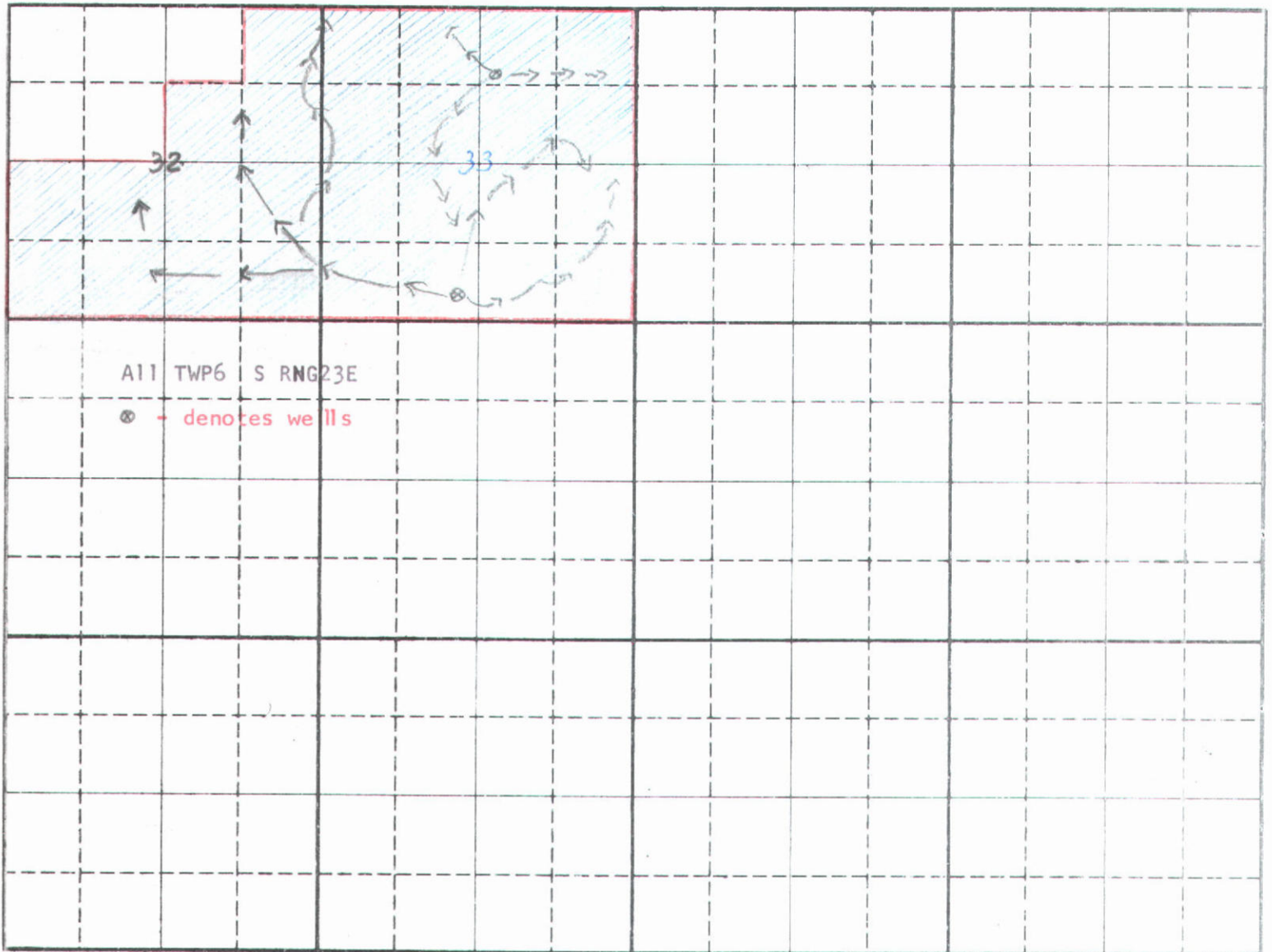
A. KENNETH DUNN
Director

L/2tc/7/8

No. 2127

MICROFILMED

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 Seattle, Washington, this 14th day of October, 1970.

Clair E. Hughes
(signature)
Mortgage Loan Regional Manager

ACTION OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, State Reclamation Engineer of the State of Idaho, hereby APPROVE the above application for amendment of the location of the point of diversion only.

Witness my hand this 23rd day of October, 1970.

R. Keith Higgins
State Reclamation Engineer

AS DEED OF DEED

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

CHECK ONE

☒ All my right, title, and interest, in and to Permit No. 36-2619
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. 36-2619 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.

Henry R. Shupp
Notary Public residing at
Reput Idaho

My commission expires 9-1-70

36 2619



3313

MICROFILMED

37.0

3313

15.9

40.1

31.4

23.9

45.3

18.4

81.1

11.2

38.8

30.8

40.9

28.7

38.5

13.0

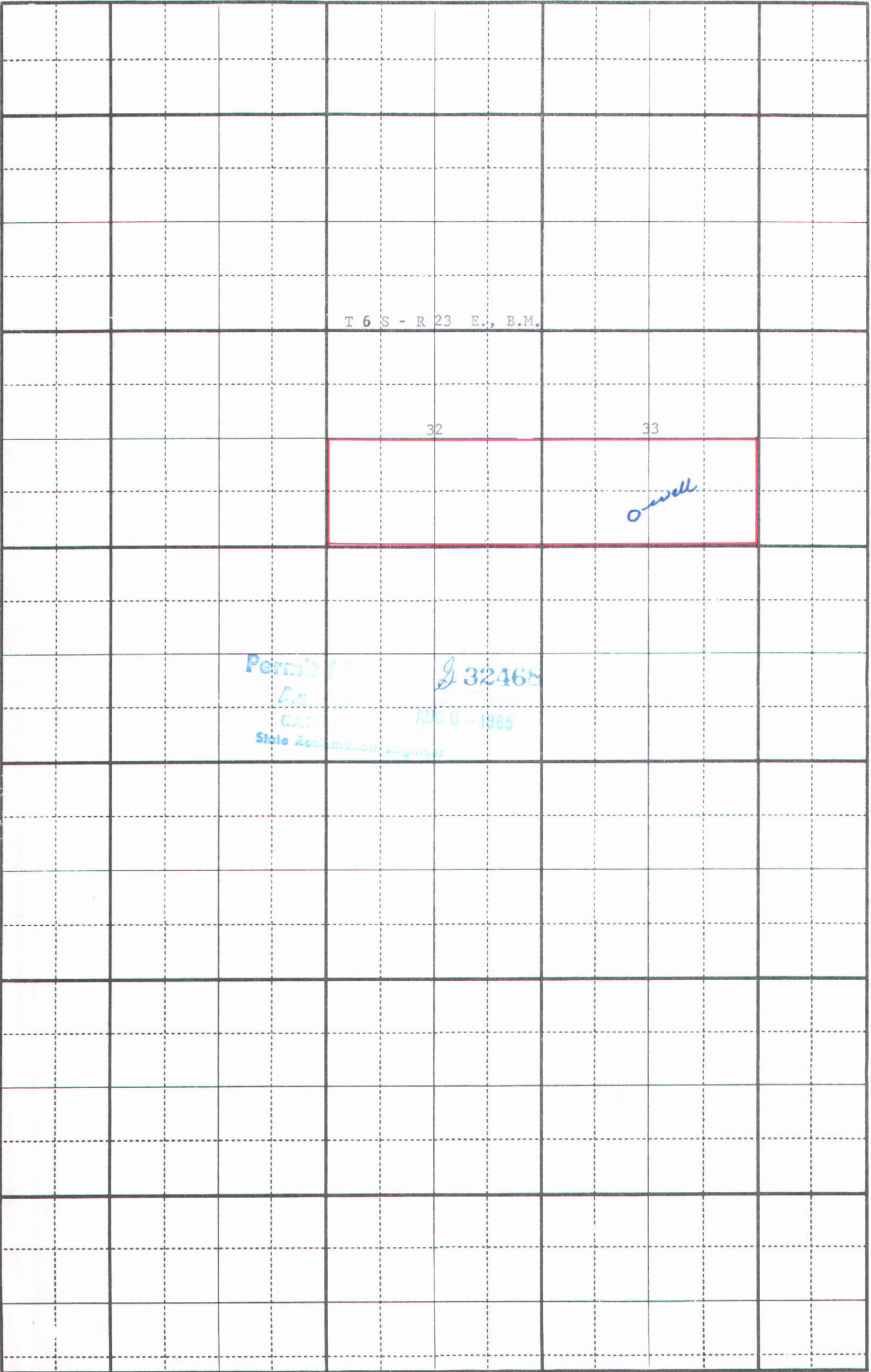
14.2

D54

29.29

3313

16.0



32468

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

1997 DEC 29 PM 3:18

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-02619

DISTRICT COURT - SRBA
TWIN FALLS, IDAHO

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

SOURCE: GROUNDWATER

QUANTITY: 12.8 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: 10/16/1965

POINT OF DIVERSION: T06S R23E S33 NW/4NE
NE/4SW Within LINCOLN County

PURPOSE AND PERIOD OF USE: PURPOSE OF USE PERIOD OF USE QUANTITY
IRRIGATION Irrigation Season 12.8 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 SENW 40
NESW 40 NWSW 40 SWSW 40 SESW 40
NESE 40 NWSE 40 SWSE 40 SESE 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 SENW 40
NESW 15 NWSW 15 NESE 40 NWSE 40
SWSE 40 SESE 40
1240 ACRES TOTAL

THIS RIGHT IS LIMITED TO THE IRRIGATION OF 640 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

1998 1 1 2002

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 36-02619

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

MICROFILMED

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 36-02619. 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

SEP 11 2001

• •

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

MICROFILMED

*See 36-02058B for Complete transfer approval *

Transfer No. 2705Water Right No. 36-2619**APPROVED**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**APPLICATION FOR TRANSFER OF WATER RIGHT**

To Change the Point of Diversion and/or the Place of Use

RECEIVED

JUN 11 1982

Name of applicant J. R. Simplot Company

Phone

336-2110
~~Department of Water Resources~~
~~Boise District Office~~Post Office address P.O. Box 27, Boise, Idaho 83707

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)
- b. License No. 36-2619 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

_____3. Source of water groundwater tributary to _____4. Date of priority October 16, 1965

5. Water is used for the following purposes:

amount 12.8 cfs for irrigation purposes from March 15 to November 15
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 12.8 cubic feet per second
&/or
b. 2560 acre feet per annum

7. Location of original point of diversion is NW 1/4 NE ^{and} SE 1/4 SW 1/4 of Section 33
Township 6S Range 23E, B.M., in Lincoln County
Additional points of diversion, if any _____

8. Lands irrigated or 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	
6S	23E	32													40	40	40	40	160
		33									40	40	40	40					160
5S	23E	2	40	40	40	40									40	40	40	40	320

Total number of acres to be irrigated 6409. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS.

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. General Information
- a. Amount of water to be diverted 12.8 c.f.s. &/or 2560 acre feet
- b. Description of diverting works well, centrifugal pump, electric motors, ditches
- c. Describe the reasons for the proposed changes The SE¼ Sec. 2 is not as productive nor nearly as suitable for irrigation farming as the NW¼, Sec. 2; further the NW¼, Sec. 2 is of closer proximity to the point of diversion. In addition, a typo exists in the TWP listed on the place of use description in the license, reading "5S" instead of "7S"
2. Change in point of diversion
- Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
- Range _____, B.M., _____ County
- Additional points _____
3. Change in place of use
- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer SE¼, Sec. 2 will revert to dry land pasture.

c. Describe the land and place of use to which the right will be transferred:

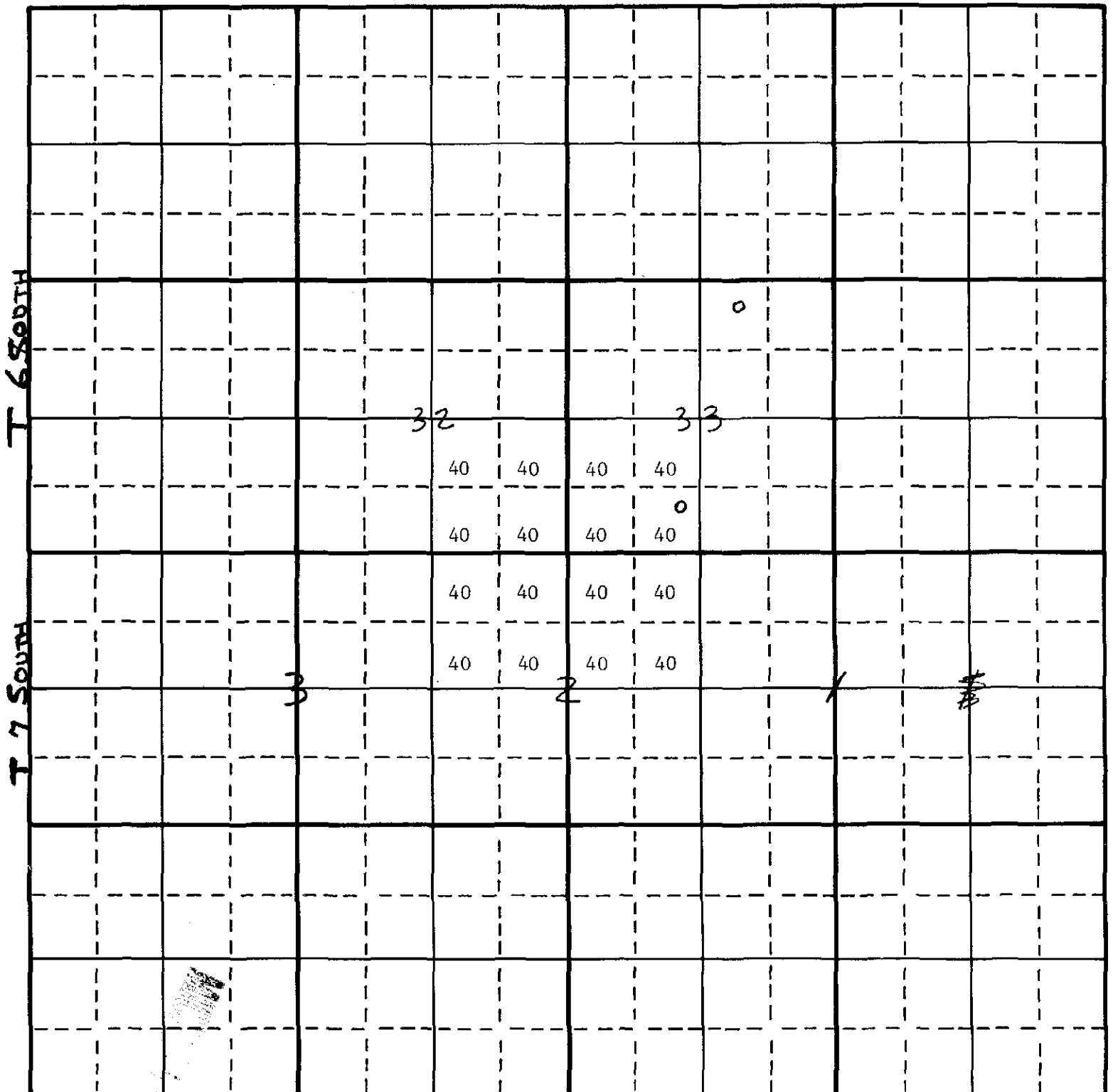
TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	23E	32													40	40	40	40	160
		33									40	40	40	40					160
7S	23E	2	40	40	40	40	40	40	40	40									320

Total number of acres to be irrigated 640

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

5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

R 23 E



SCALE: 2 inches equal 1 mile. Draw plan in ink.

D. REMARKS

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 willfull misrepresentations made in this application may result in voiding its approval.

J.R. Simpler Company
by Russell R. Simpler
(Signature of Applicant) Secretary

Subscribed and sworn to before me this 8th day of June, 19 82

Laurel J. Walker
(Notary Public)

My commission expires Lifetime

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 36-2619
and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 23rd day of August, 19 82

J. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by <u>manya</u>	Date <u>6/11/82</u>	Protest filed by <u>None</u>
Prelim. check by <u>ADM</u>	Fee <u>50.⁰⁰</u> # <u>20822</u>	
Receipted by <u>manya</u>	Date <u>6/15/82</u>	
Published in <u>Lincoln Co. Journal</u>		Copies of protest forwarded by _____
Pub. dates <u>7/1 & 7/8/82</u>		Hearing held by _____ Date _____
Watermaster recommendation requested on <u>N/A</u>		Recommended for <u>approval</u> denial
_____ rec'd. _____		by <u>ADM</u> <u>June</u> <u>DRT</u>

CORPORATE HEADQUARTERS

June 10, 1982

State of Idaho
Department of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

RE: Water Right No. 36-2619

Gentlemen:

I have enclosed a completed and executed Application for Transfer of Water Right in the above-referenced matter, as well as the necessary \$50.00 filing fee in the form of J. R. Simplot Company check number 50079. We would appreciate your processing the enclosed Application, and transmitting the approval to this office. Please advise me directly if any problems arise with this Application. Thank you.

Sincerely,



BRUCE L. BELZER
Assistant Corporate Counsel

BLB/ljw
Enclosures

RECEIVED
JUN 11 1982
Department of Water Resources
Shoshone District Office

INTER-DEPARTMENT MEMO — 1

FROM Allen

DATE 6/17/82

TO File

SUBJECT Phone conversation with Minidoka County Assessor

This day I phoned and confirmed that J. R. Simplot owns the SE $\frac{1}{4}$ of Sec. 2 T.7S., R23E., B.M.

Note that the license listed T5S instead of T7S.

ADH

SIGNATURE

AFFIDAVIT OF PUBLICATION

RECEIVED

State of Idaho, }
County of Lincoln } SS.

JUL 9 1982

Department of Water Resources
Sawbock District Office

Melba Thorne, being first duly sworn, deposes and says that he is the printer (publisher) of the Lincoln County Journal, a newspaper published every week in Shoshone, Lincoln County, State of Idaho; that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 1 day of July, 1982, and the date of the last publication was on the 8 day of July, 1982.

Melba Thorne

Subscribed and sworn to before me this 8

day of July, 1982.
(SEAL)

Mary Ann Hagene
NOTARY PUBLIC

LINCOLN COUNTY JOURNAL

Shoshone, Idaho

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TOTAL COST 28.58

COPIES OF NOTICE

(Paste Here)

Water Right
TITLE OF NOTICE

36-2619 Simplot Co
PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

1 NO. 36-2619

Notice is hereby given that J. R. Simplot Company of Boise, Idaho has applied to the Department of Water Resources for a change of place of use to the use of water from a groundwater source. The right sought to be changed is evidenced by License No. 36-2619 and is recorded as follows:

Amount: 12.8 cfs

Priority: October 16, 1965

Point of Diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, T6S, R23E, B.M., Lincoln County

The water is used for irrigation of 640 acres from March 15 to November 15 within the SE $\frac{1}{4}$, Sec. 32, SW $\frac{1}{4}$, Sec. 33, T6S, R23E; NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 2, T5S, R23E, B.M.

TO BE CHANGED AS FOLLOWS:

Amount: Same

Point of Diversion: No change

Place of Use: SE $\frac{1}{4}$, Sec. 32, SW $\frac{1}{4}$, Sec. 33, T6S, R23E; N $\frac{1}{2}$, Sec. 2, T7S, R23E, for irrigation of 640 acres from March 15 to November 15.

Any protest against the approval of the above proposed change of water right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before July 19, 1982.

A. KENNETH DUNN
Director

L/2tc/7/8

N^o 2127

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

(late proof)
License of Water Right No. 36-2619 Priority October 16, 1965 Amount 12.8 cfs

THIS IS TO CERTIFY, that J. R. Simplot Company
of Boise, Idaho, has complied with the terms and conditions of Permit
No. 36-2619 issued pursuant to Application for Permit dated August 6, 1965,
and has submitted proof to the Department of Water Resources on October 16, 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 13.15 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>12.8</u> cfs and	<u>2560.0</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 12.8 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
2560.0 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, 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					160
5S	23E	2	40	40	40	40									40	40	40	40	320

Total number of acres irrigated 640

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.

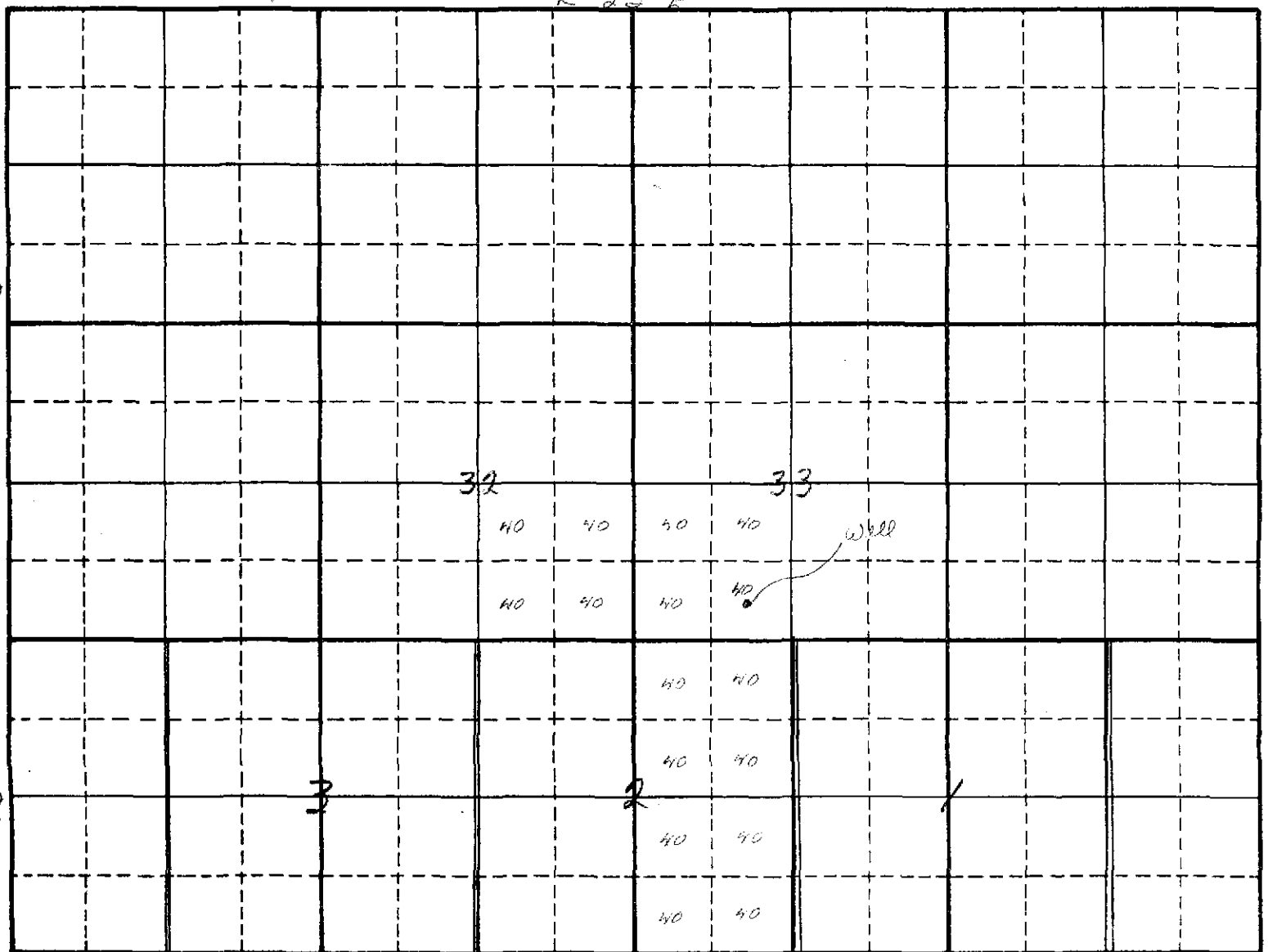
Witness the seal and signature of the Director, affixed at Boise, Idaho, this 3/ day of
March, 19 82.

Director

Department of Liver Research

Permit No. 36-2619

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, 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 holders own risk.

Signed at Boise, Idaho, this 17th day of March, 19 77.

J. R. SIMPLOT COMPANY

By [Signature]
Its (signature) Senior Vice President

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Administrator, Operations Division

I, A. KENNETH DUNN, ~~Director~~ of the Department of Water Resources

hereby APPROVE the above application for amendment on Permit No. 36-2619.

Witness my hand this 25 day of March, 19 77.

[Signature]
~~DIRECTOR~~

for A. KENNETH DUNN
Administrator, Operations Division

MICROFILMED

State of Idaho

Department of Water Administration

ASSIGNMENT OF PERMIT

I, Northwestern Mutual Life, hereby assign to J.R. Simplot Company
Insurance Company
of Box 2777 Boise, Idaho 83701
Address

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

☐ The following described portion of my right, title, and interest in and
to Permit No. _____ to appropriate the public waters of the State
of Idaho. (Describe that portion of the permit being assigned by list-
ing the acreage within each 40-acre subdivision, the point of diversion
and the amount of water in cubic feet per second for direct diversion,
or acre feet for storage.)

Made this 8th day of October, 19 73.

The Northwestern Mutual Life Ins. Co.

~~Permit Holder~~

by Clair E. Hugh
CLAIR E. HUGH, Regional Loan Manager
~~Spouse of Permit Holder~~
Regional Manager

State of ~~Idaho~~ Washington)
County of King) ss.

On this 8th day of October, 19 73, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

Christine E. Campion

Notary Public residing at

Seattle

My commission expires: April 1, 1977

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

IN THE MATTER OF REINSTATEMENT OF PERMIT NO. G-32468/)
36-2619 in the name of NORTHWESTERN MUTUAL LIFE INSURANCE)
COMPANY OF MILWAUKEE, WISCONSIN)

ORDER OF
REINSTATEMENT

WHEREAS, William Kerbs and Clarence H. Mayall, dba Lost Lake Land & Livestock Company, applied to the Department of Reclamation on August 6, 1965 for a permit to appropriate the public waters of the State of Idaho; and,

WHEREAS, the application proposed the diversion of 12.8 cubic feet per second of water from a ground water source with a point of diversion located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, T. 6 S, R. 23 E, B. M., Lincoln County, Idaho, to be used for the irrigation of 640 acres of land in Sections 32 and 33, T. 6 S, R. 23 E, B. M.; and,

WHEREAS, on August 6, 1965, the application was approved subject to the condition that one-fifth (1/5) of the work be completed on or before February 6, 1968, and that the whole of the work be completed and the water appropriated to a beneficial use on or before August 6, 1970; and,

WHEREAS, on March 18, 1970, the Department forwarded to the permit holder an order modifying the requirements for completion of permit no. G-32468/36-2619 as adopted under the Rules of Practice and Procedure on August 1, 1968; and,

WHEREAS, on June 1, 1970, the permit holder was notified by certified mail that he was required to submit proof of beneficial use of the water and was instructed as to the steps to be taken to make that proof; and,

WHEREAS, on July 1, 1970, permit no. G-32468/36-2619 was assigned to Northwestern Mutual Life Insurance Company of Milwaukee, Wisconsin; and,

WHEREAS, on August 6, 1970, permit no. G-32468/36-2619 automatically lapsed for failure to submit proof of beneficial use of the water; and,

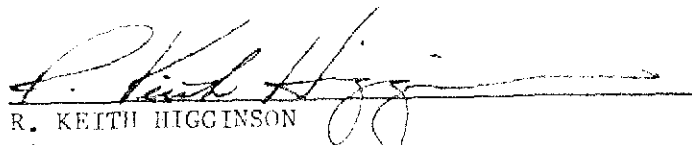
WHEREAS, the required proof of beneficial use of the water was received on October 16, 1970; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty (60) days from the date of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why the permit should be reinstated;

THEREFORE, IT IS HEREBY ORDERED that permit no. G-32468/36-2619 be REINSTATED and the priority be reduced to October 16, 1965.

Dated this 16th day of October, 1970.


R. KEITH HIGGINSON
Director

RKH/DG

APPLICATION FOR AMENDMENT

Comes now Northwestern Mutual Life Ins. Co. of Milwaukee, of (address) 1018 Third St.,
Wisconsin Avenue, Milwaukee, Wisconsin 53202
600-Blag., -Seattia, -Washington, and represents to the State Reclamation
 Engineer of the State of Idaho:

1. Point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 33, T. 6S

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

mo. - day
5-1

mo. - day
10-1

For irrigation purposes from ~~6-15-66~~ to ~~9-15-66~~ (both dates incl.)

For irrigation purposes from ~~6-15-66~~ to ~~9-15-66~~ * (both dates incl.)

For irrigation purposes from ~~6-15-66~~ to ~~9-15-66~~ * (both dates incl.)

For irrigation purposes from ~~6-15-66~~ to ~~9-15-66~~ * (both dates incl.)

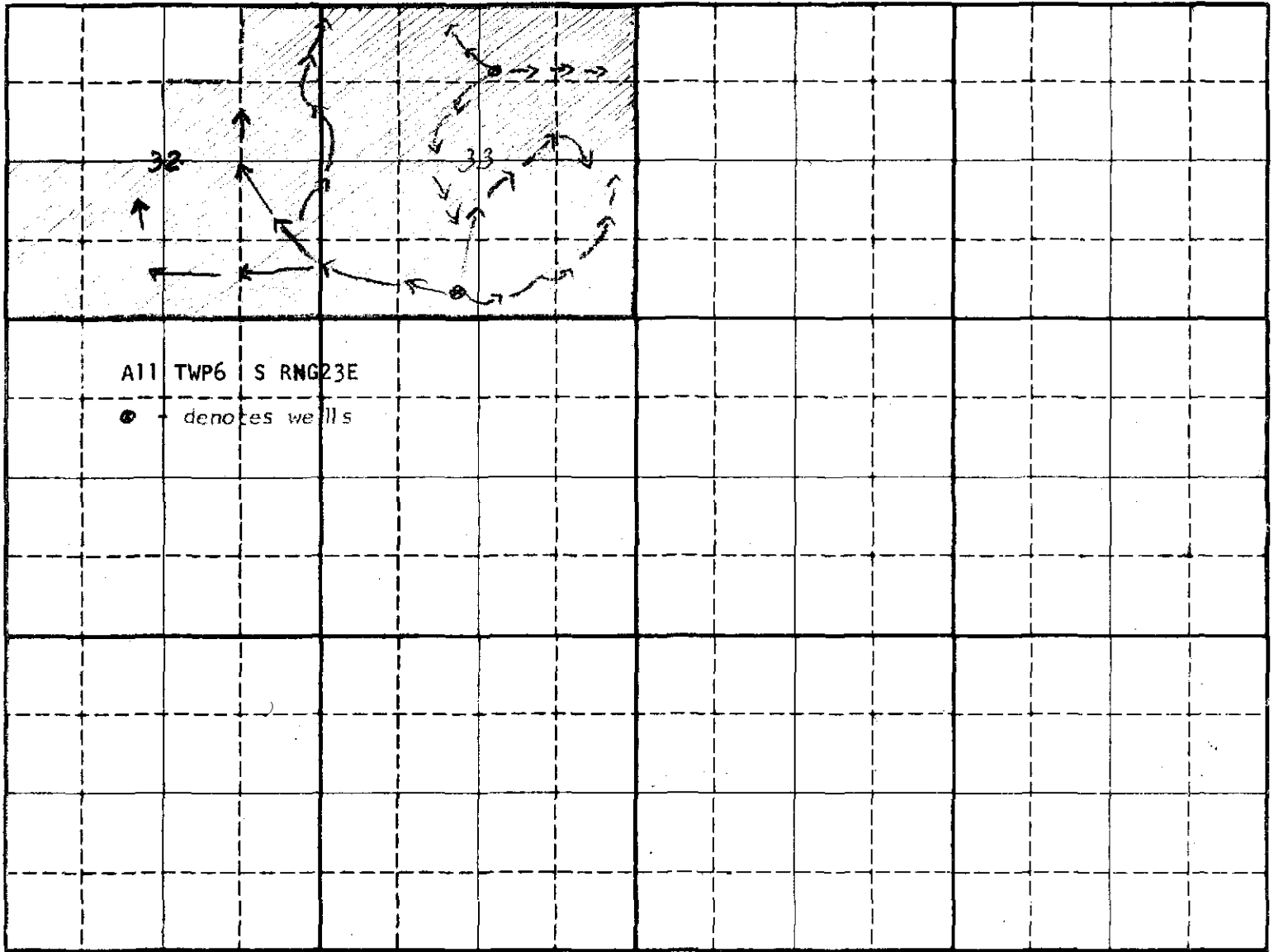
[illegible]

~~1080~~ 640

* per Telephone Call 10-16-70 Over-

36 2614

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 Seattle, Washington, this 14th day of October, 1970.

Oliver E. L. L.
(signature)
Mortgage Loan Regional Manager

ACTION OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, State Reclamation Engineer of the State of Idaho, hereby APPROVE the above application for amendment of the location of the point of diversion only.

Witness my hand this 23rd day of October, 1970.

R. Keith Higgins
State Reclamation Engineer

AS A POINT OF INFO

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

[X] All my right, title, and interest, in and to Permit No. 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 #36-2020 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, 1970.

Permit Holder

Wife of Permit Holder

State of Idaho)
County of M. n. d. s. n.) ss. 1

On this 20th day of June, 19 20, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that ~~he~~ (she) (they) executed the same.

Notary Public residing at

My commission expires 9-1-70

36 2619

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 - 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 24th day of June, 19 70.

William Kerbs
Permit Holder

Ellen 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.

Sam R. Duff
Notary Public residing at

Rayet, Idaho

My commission expires 9-1-70

36 2619

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-32468/36-2619)

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,

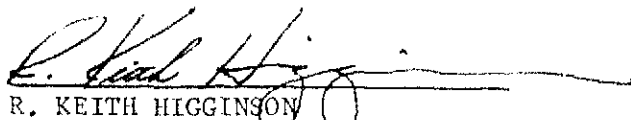
WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice
and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. G-32468 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

32468
36-2619

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

ASSIGNED TO: J. R. SIMPLOT COMPANY
Box 2777
Boise, Idaho 83701

Application No. G- 40622
Permit No. G- 32468
District No.

Assigned to NORTHWESTERN MUTUAL LIFE INS.
Co. of MILWAUKEE WISCONSIN

1. Name of Applicant: William Kerbs and Clarence H. Mayall, dba Lost Lake
Land & Livestock Co.
Postoffice address: Box 425, Rupert County: Minidoka State: Idaho
2. Quantity of water claimed: 640 miners inches or 12.8 cfs
 - (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 SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ 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 $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Well, centrifugal pump & elec. 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 supple-
mental 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. Aug. 6, 1965

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G— 32468

Recorded in Book **113** Page **32468** Approved **Aug. 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

s/ RALPH W. THOMAS, Deputy
STATE RECLAMATION ENGINEER.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLYE, 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/ ARNOLD WILLIAMS

By s/ ROBERT E. SMYLLIE

Governor

12.

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	23 E	32 33											40 40	40 40	40 40	40 40	40 40	320 320 640	

This
Right has been
Decreed in the
SRBA.

PROOF FILMED
1/24 11 11 2003

MEMORANDUM

TO: FILE 36-2619
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 # 36-2088

MICROFILMED
JUN 11 2002

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Office Use Only

Inspected by _____
Twp _____ Rge _____ Sec _____
_____ 1/4 _____ 1/4 _____ 1/4
Lat: ; ; Long: ; ;

1. WELL TAG NO. D - 0002453
 DRILLING PERMIT NO. 36-98-S-0060-100
 Other IDWR No. 36-02617

11. WELL TESTS:

☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

2. OWNER:

Name Young + Young Partnership
Address 1300 AE 1800 W
City Rupert State Id Zip 83350

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N
 W E S
 Twp. 6 North ☐ or South ☒
 Rge. 23 East ☒ or West ☐
 Sec. 33 1/4 SE 1/4 SW 1/4
 Gov't Lot _____
 County LINCOLN
 Lat: : : Long: : :
 Address of Well Site _____

Address of Well Site

City

(Give at least name of road + Distance to Road or Landmark)

[illegible]

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other

5. TYPE OF WORK check all that apply (Replacement etc.)

☐ New Well ☒ Modify ☐ Abandonment ☒ Other deepen

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	

Was drive shoe used? ☐ Y ☐ N Shoe Depth(s) _____

Was drive shoe seal tested? ☐ Y ☐ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

Perforations	Method
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
10	10
11	11
12	12
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93	93
94	94
95	95
96	96
97	97
98	98
99	99
100	100

Screens	Screen Type
---------	-------------

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
						☐	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

440 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or
control devices:

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Water

[illegible]

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Eaton Drilling Firm No. 26

Firm Official James Wilson Date 4-24-98

Driller or Operator [Signature] Date 4-23-98

(Sign once if Firm Official & Operator)

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

Office Use Only			
Inspected by _____			
Twp _____	Rge _____	Sec _____	
_____ 1/4	_____ 1/4	_____ 1/4	
Lat: _____	_____	Long: _____	_____

1. WELL TAG NO. D 0002454
DRILLING PERMIT NO. 36-98-S-0061-100
Other IDWR No. 36-02619

2. OWNER:

Name Young + Young Partnership
Address 1380 A E 1600 N
City Rupert State ID Zip 83350

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N		
S		

Twp. 6 North ☐ or South ☒
Rge. 23 East ☒ or West ☐
Sec. 33 1/4 NW 1/4 NE 1/4
Gov't Lot _____ County Lincoln 10 acres 40 acres 160 acres
Lat: _____ Long: _____ 6-8-98
Address of Well Site 300 A East 1600 N
City Rupert

(Give at least name of road + Distance to Road or Landmark)

Lt. _____ Blk. _____ Sub. Name _____

4. USE:

- ☐ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)

- ☐ New Well ☒ Modify ☐ Abandonment ☒ Other Deepen

6. DRILL METHOD

- ☐ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT		METHOD
Material	From	To	Sacks or Pounds		

Was drive shoe used? ☐ Y ☒ N Shoe Depth(s) _____
Was drive shoe seal tested? ☐ Y ☒ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe 1' Length of Tailpipe _____

9. PERFORATIONS/SCREENS

Perforations _____ Method _____
Screens _____ Screen Type _____

MICROFILMED							
From	To	Slot Size	Number	Diameter	Material	Casing	Liner
						☐	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

452 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or control devices: _____

11. WELL TESTS:

- ☐ Pump ☐ Bailor ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time

Water Temp. 48.50 Bottom hole temp. _____

Water Quality test or comments: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment) Water

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
12	527	532	Broken		
	532	534	Hard		
	534	537	Med hard		
	537	542	Hard		
	542	547	Soft Broken		X
	547	549	Hard		
	549	563	Med hard		
	563	567	Broken loose Cinders		X
	567	571	Hard		
	571	574	Soft broken loose		X
	574	577	Med hard		
	577	594	Hard		
	594	595	Broken		
	595	596	Hard		
	596	597	Soft broken		X
	597	600	Hard		
	600	601	Soft		
	601	603	Hard		

RECEIVED

MAY 06 1998

RECEIVED Department of Water Resources
Southern Region

MAY 12 1998

Department of Water Resources

Completed _____ Depth 600 (Measurable)
Date: Started 4-16-98 Completed 4-17-98

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name FATON Drilling Firm No. 26Firm Official Larry Halson Date 4-28-98and Driller or Operator Dave Cook Date 4-23-98

(Sign once if Firm Official & Operator)

MEMORANDUM

TO: Young & Young Water Right Files

FROM: Pam Skaggs^{CS}/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

MAY 23 1998

	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 24 1988

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 7 1987

MEMORANDUM

TO: FILE 36-02619

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

August 25, 1982

RE: Water Right No. 36-2619

J. R. Simplot Company
P.O. Box 27
Boise, ID 83707

Gentlemen:

Enclosed is a copy of your approved application for transfer of the above referenced water right (Transfer No. 2705).

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:kw
Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: ADM

1. Right number 36-2619 Applicant J. R. SIMPLOT CO.
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. No change
 - 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. Original owner of Lic. See MEMO 6/17/82
 - h. ☒ Check for expansion in use of right. Comments None
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) None listed on P/M Report.
 - j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No
If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on _____ Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* None
4. By ADM Date 7/21/82

RECEIVED
AUG 2 1982

Department of Water Resources

John 8-6-82
* All uses within Watermaster Districts require special conditions.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
NO. 36-2619

Notice is hereby given that J. R. Simplot Company of Boise, Idaho has applied to the Department of Water Resources for a change of place of use/^{to the use of water}from a groundwater source. The right sought to be changed is evidenced by License No. 36-2619 and is recorded as follows:

Amount: 12.8 cfs

Priority: October 16, 1965

Point of Diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 33, T6S, R23E, B.M., Lincoln County

The water is used for irrigation of 640 acres from March 15 to November 15 within the SE $\frac{1}{4}$, Sec. 32, SW $\frac{1}{4}$, Sec. 33, T6S, R23E; NE $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 2, T5S, R23E, B.M.

TO BE CHANGED AS FOLLOWS:

Amount: Same

Point of Diversion: No change

Place of Use: SE $\frac{1}{4}$, Sec. 32, SW $\frac{1}{4}$, Sec. 33, T6S, R23E; N $\frac{1}{2}$, Sec. 2, T7S, R23E, for irrigation of 640 acres from March 15 to November 15.

Any protest against the approval of the above proposed change of water right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before July 19, 1982.

A. KENNETH DUNN
Director

Published in the Lincoln County Journal on July 1 and July 8, 1982.

June 24, 1982

Lincoln County Journal
P. O. Box 704
Shoshone, Idaho 83352

Re: Notice of Proposed Change of Water Right No. 36-2619

Gentlemen:

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

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

In order to receive payment, an affidavit of publication must be submitted to the Department along with the publication bill.

Sincerely,

Mary A. Hill
Sr. Secretary

Encl:

Bill submitted: _____

CONVERSATION MEMORANDUM

DATE May 25, 1982FILE 36-2619

NAME OF PARTY

Ron Graves

EMPLOYEE

Rolyn Carlson

RE:

License 36-2619

Today I received a call from Ron Graves on the license he received on 36-2619. In reviewing the file I found that the 10 day letter was sent on March 11, 1982. The license was signed March 31, 1982 & on April 16, 1982 we received a nonconcur letter from Ron Graves with question on acreage in Sec. 2.

Ron Graves stated he would contact his employees to find out what acres were actually being irrigated. I told him to contact our Office with that information & we would at that time determine if an amended ~~license~~ license or a transfer would be needed.

MICROFILMED

May 20, 1982

RE: Permit Nos. 33-7007, 36-2619 and 36-2620

J. R. 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

April 15, 1982

CORPORATE HEADQUARTERS

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

ATTENTION: Jim Johnson
Water Distribution Supervisor

RE: Permit No. 36-2619 (Mayall Lost Lake Ranch Property)

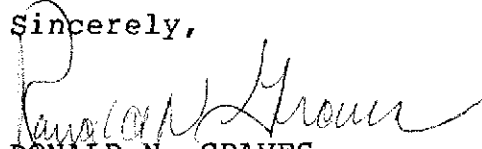
Gentlemen:

Reference is made to your letter of March 11, 1982, with regard to the above-referenced permit. According to our records, the property described in the permit which has been put to beneficial use should be described as follows:

640 acres within the SE 1/4, Section 32;
SW 1/4, Section 33;
Township 6 South, Range 23 East;
N 1/2 of Section 2, Township 5 South, Range 23 East.

It would therefore appear that we need to amend the Permit and if you will transmit the appropriate form to this office we will complete it and transmit it to you for further handling.

Sincerely,


RONALD N. GRAVES
Vice President and
Corporate Counsel

RNG/ljw

cc: Randy Brown/Glen Dale Farms

RECEIVED

APR 16 1982

Department of Water Resources



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. 36-2619

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. 36-2619, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 12.8 cfs Source: groundwater

The maximum quantity diverted shall not exceed 2560.0 acre feet per year.

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

Beneficial use: Irrigation of 640 acres within the SE $\frac{1}{4}$, Sec. 32; SW $\frac{1}{4}$, Sec. 33;
Twp. 6S, Rge. 23E; E $\frac{1}{4}$, Sec. 2, Twp. 5S, Rge. 23E

Priority date established: October 16, 1965 (late proof)

Conditions (if any):

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

FIELD REPORT

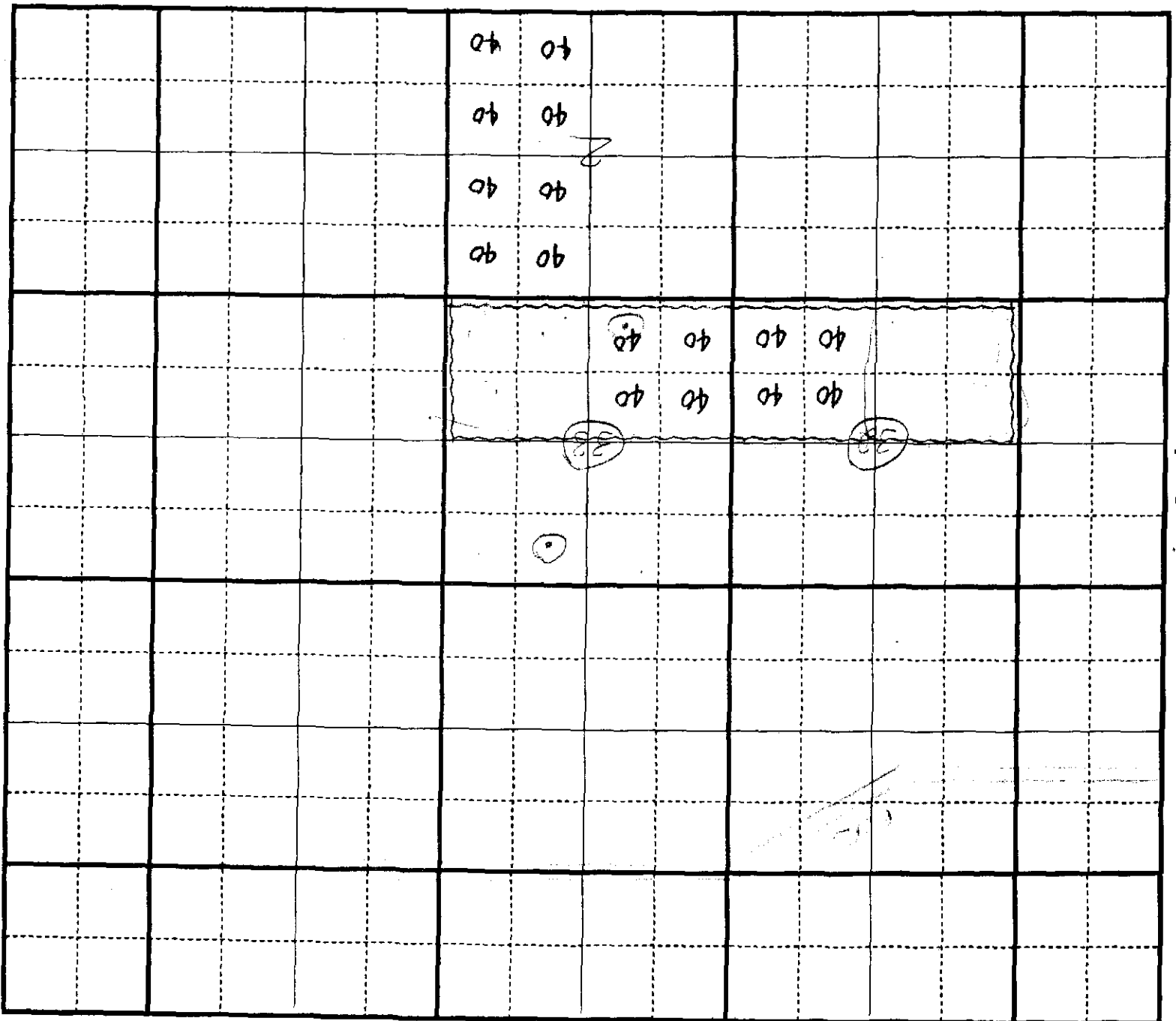
3. Water will be used for the following purposes:

Permit No. G-32468/36-2619

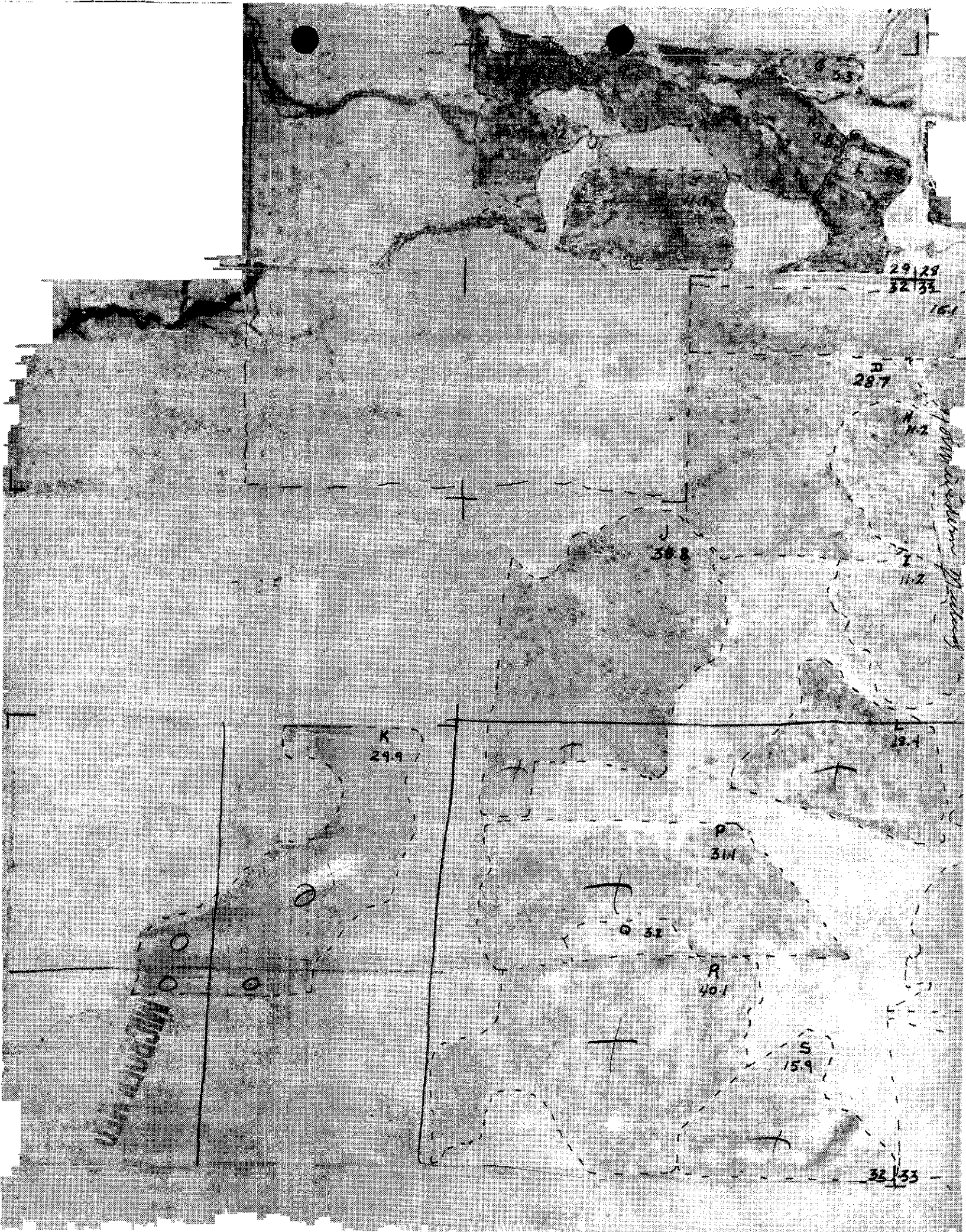
Examination for B U

640

Diagram of System



5
6
7



49

D 34

44	45
54	55

人

Q

100

40.9



81.1

1

44

15.9

64

23

1997

55

DATE OF EXAM July 14, 1977

ACREAGE
Found 640 ☒
Recommended 640 ☒

Irrigation Requirement 4.0 ☒ Ac Ft/Ac

USE
Irrigation Q = 12.8 c.f.s. V = 2560 AF/Ann. from MARCH 15 to NOV. 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 13.15 C.F.S. - CAPACITY Method of measurement (2) Badger Meters.
M0647641 - 2700 gal/min
Total Q recommended 12.8 C.F.S. - Meter No. M0646681 Type 3200 gal/min Condition NEW
Total V recommended 2560 Ac Ft/ANN.

Recommended Amendments:

P.D. _____
Place of Use SE 1/4, Sec 32; SW 1/4 33; T6S, R23E. NE 1/4, SE 1/4, Sec. 2 T5S R23E.
☒ Other ☒ None OK

MEASUREMENT CALCULATION:

5900 gal/min ÷ 448.8 gal/min/CFS = 13.15 C.F.S.
Allowed 12.8 C.F.S. @ 1" / Acres for 640 Acres.
Volume = permit OK

V = 4 (440) 2560.000 / 12.8 (1992) gal/min = 2560.000 OK

SYSTEM DESCRIPTION:

- ① U.S. MOTOR 450 Hp. Serial # 1385656 Western Pump Serial # 3091
GRAVITY FLOW IRRIGATION ~~FA~~ Sec 32 & 33 Sprinkler System
in Sec. 2 T5S R23E 3200 gal/min.
- ② Hollospelt Motor 400 Hp. Serial # 1347499 2700 gal/min

REMARKS:

Lyle FAUCETT WAS PRESENT DURING THE EXAM.
HE IS THE IRRIGATOR FOR J.R. SIMPSON ☒

NO OTHER LIGHTS FOUND

Examiner's Signature Fay Lindberg Date 12-15-78

Checked by Al D North Date 12-20-78

Approved by J. King Jan 3/12/82 Date _____

IDENT. NO. 26-2619

WATER RIGHT
DATA ENTRY LOG

[illegible]

March 25, 1977

Re: Permit No. 36-2619

J. R. Simplot Company
Box 27
Boise, Idaho 83707

Gentlemen:

Enclosed is a copy of the approved application for amendment issued on the above referenced permit along with Receipt No. 6856 in the amount of \$10.00 covering the amendment.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:JFR

Encls.

J. R. SIMPLOT COMPANY / ONE CAPITAL CENTER / 999 MAIN STREET / SUITE 1300
P.O. BOX 27 / BOISE, IDAHO 83707 / (208) 336-2110 / TELEX 368432

GENERAL OFFICE

RECEIVED

MAR 17 1977

March 17, 1977

Department of Water Resources

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

RE: Application for Amendment
Water Permit 36-2619

Gentlemen:

J. R. Simplot Company is submitting the enclosed Application for Amendment to amend the place of use of water to be diverted under the above referenced permit. We would appreciate your processing the enclosed application, and transmitting the approval to this office for our records. A check in the amount of \$10.00 covering your fee is enclosed.

Sincerely,


RONALD N. GRAVES
Associate General Counsel

RNG/jw

Enclosures

MICROFILMED

October 17, 1973

Re: Permit No. 32468/36-2619

J. R. Simplot Company
805 Idaho Street
Box 2777
Boise, Idaho 83701

Gentlemen:

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

Enclosed you will find a copy of this permit for your records.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:JC
Enc: Copy of permit

36 2619

FILE KW

P A Y E E : DETACH THIS STATEMENT BEFORE DEPOSITING CHECK

No 19843

EMPLOYEE'S NAME
OR SOCIAL SECURITY NO.J. R. SIMPLOT COMPANY
BOISE, IDAHO

PAY PERIOD	HOURS	RATE	GROSS	D E D U C T I O N S					NET PAY
				FWHT	SWHT	FICA	OTHER	TOTAL	
	REG. HRS.								
	OVRTM. HRS.								

VENDOR NO.	INVOICE NO.	DESCRIPTION	GROSS	DISCOUNT	NET	LOC. CODE	ACCT. CODE
		APPLICATION FOR AMENDMENT PERMIT 36-2619 FILING FEE			10.00		23-19051
		<i>Simplot, J.R.</i>					

GENERAL OFFICES
J.R. SIMPLOT COMPANY

805 IDAHO STREET
BOX 2777

BOISE, IDAHO

83701

TEL. (208) 343-7545
TELEX. 368432

October 15, 1973

State of Idaho
Department of Water Administration
Statehouse Annex
Boise, Idaho

83702

Re: Water Permit 36-2619

Gentlemen:

Enclosed is an assignment of a water permit received by J. R. Simplot Company from Northwestern Mutual Life Insurance Company. Will you please record the enclosed assignment in your office and return it to me at the above address. We would appreciate receiving a copy of the original water permit and the license when it is available.

Sincerely,


RONALD N. GRAVES
Assistant General Counsel

RNG/slm
Enclosure

36 2619

February 11, 1971

Re: Permit No. G-32468/36-2619

Mr. Clair E. Hugh, Manager
NORTHWESTERN MUTUAL LIFE INS. CO.
1818 Plaza 600
600 Stewart Street
Seattle, Washington 98101

Dear Mr. Hugh:

We have received the affidavit of publication filed in behalf of the above referenced permit. The affidavit completes all your current requirements under this permit.

The Department will attempt to make a field examination during the 1971 irrigation season. Following the examination, a license will be issued and a water right confirmed. This will be the last act under the permit.

If we can be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

36 2619

Notice

OF EXISTING WATER PERMIT

Notice is hereby given that THE NORTHWESTERN MUTUAL LIFE INS. CO. OF Milwaukee, Wisconsin, 720 E. Wisconsin Ave., Milwaukee, Wisconsin has received an apparent Permit No. G-32468/36-2619 issued by the Idaho Department of Water Administration authorizing the diversion storage of 12.8 cubic feet per second of water from a ground water source. 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 well, pump & motors, and ditches from a point within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 33, T. 6 S., R. 23 E., B. M., Lincoln County, to be used for irrigation in the S $\frac{1}{2}$ Section 32; S $\frac{1}{2}$ Section 33, T. 6 S., R. 23 E., B.M.

Proof of the application of the water to beneficial use was submitted to the Department on October 16, 1970. Any protests against the issuance of the license for the above reference permit should be filed with the Idaho 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.

R. KEITH HIGGINSON,
Director, Idaho Dept.
of Water Administration
STATEHOUSE,
Boise, Idaho (J21-28)

AFFIDAVIT of PUBLICATION

LINCOLN COUNTY JOURNAL

SHOSHONE, IDAHO

Helen Love

being first duly sworn, says that she is the

Principal Clerk

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

January 21

1971

and ending with the issue of

January 28

1971

Helen Love

Subscribed and sworn to before me this

1st

day of *February*, 19*71*

Jill Mae Barron

Notary Public, Shoshone, Idaho

1818 Plaza 600
600 Stewart Street
Seattle, Washington 98101
Telephone: 206 622-6635

THE NORTHWESTERN MUTUAL LIFE
INSURANCE COMPANY • MILWAUKEE



MORTGAGE LOAN REGIONAL OFFICE

Clair E. Hugh, Manager

February 9, 1971

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

Dear Mr. McEldowney:

Our Loan F 325699
Permit No. G-32468/36-2619

I am enclosing the affidavit of publication of the
Lincoln County Journal per your requirements.

Please advise us if there are any further steps we
must take in this matter.

We do appreciate the assistance of the Department of
Water Administration in leading us through the procedures
in this Permit matter.

Sincerely,


CLAIR E. HUGH, Manager

CEH:JMB
Enc.

30 26310

January 11, 1971

Re: Permit No. G-32468/36-2619

The Northwestern Mutual Life Ins. Co. of Milwaukee
1818 Plaza 600 - 600 Stewart Street
Seattle, Washington 98101

ATTENTION: Clair E. Hugh,
Regional Manager

Dear Mr. Hugh:

The legal notice for the above-referenced permit is being published in the
Lincoln County Journal, Shoshone, Idaho on January 21
and January 28, 1971.

You will be required to submit an affidavit of publication to this department.
The affidavit may be obtained from the above-mentioned newspaper upon payment of
the bill of publication.

Thank you for your cooperation in this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

36 2619

January 11, 1971

Re: Permit No. G-32468/36-2619 - Northwestern Mutual Life Ins. Co.

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 Clair E. Hugh, Reg. Mgr., Northwestern Mut. Life Ins., 1818 Plaza 600, Seattle, Wash., to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG
Enc: legal notice

36 2619

December 10, 1970

Re: Permit No. G-32468/36-2619

Mr. Gary C. Hansen, Loan Supervisor
Mortgage Loan Regional Office
1818 Plaza 600, 600 Stewart Street
Seattle, Washington 98101

Dear Gary:

In reviewing your letter of December 7, 1970, we find that the Order of Reinstatement did list the only point of diversion covered under the permit at the time of reinstatement. However, your letter of October 14, 1970, enclosed an application for amendment to the point of diversion for this permit and included an additional well location. Our procedures are that the permit be reinstated before we approve the amendment. Therefore, you will note a discrepancy between the Order of Reinstatement and the amendment that was approved on the 23rd of October, 1970. We would recommend that both points of diversions be advertised, in as much as the new owner will want to use water from either well.

If you do not concur with our opinions, please advise us by return mail.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

Enc: copy of amendment

1818 Plaza 600
600 Stewart Street
Seattle, Washington 98101
Telephone: 206 622-6635

THE NORTHWESTERN MUTUAL LIFE
INSURANCE COMPANY • MILWAUKEE



MORTGAGE LOAN REGIONAL OFFICE

Clair E. Hugh, Manager

December 7, 1970

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

Dear Mr. McEldowney:

Lincoln County, Idaho Farm
Permit No. 36-2619

Enclosed is the signed authorization for publication. The legal description appears to be incorrect and should thus be corrected prior to publication. The point of diversion under re-instated Permit 36-2619 is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 33 T 6 S R 23 EBM, rather than in NW $\frac{1}{4}$ NE $\frac{1}{4}$ as noted on the enclosed form.

As soon as publication is completed, we will secure the affidavit of publication from the Lincoln County Journal for your files.

Sincerely,


GARY C. HANSEN, Loan Supervisor

GCH:JMB
Enc.

36 2619

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that THE NORTHWESTERN MUTUAL LIFE INS. CO. OF Milwaukee,
Wisconsin, 720 E. Wisconsin Ave., Milwaukee, ^{Wisconsin has} received an approved Permit No.

G-32468/36-2619 issued by the Idaho Department of Water Administration authorizing the diversion storage of 12.8 cubic feet per second ~~acre feet~~ XXXXXXX
~~XXXXXXX~~ of water from a ground water source.

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 well, pump & motors, and ditches
from a point within the SE 1/4 SW 1/4, NW 1/4 Sec. 33, T. 6 S, R. 23 E, B.M.,
Lincoln County
to be used for irrigation

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

Proof of the application of the water to beneficial use was submitted to the Department on October 16, 1970. Any protests against the issuance of the license for the above referenced permit should be filed with the Idaho 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. ~~APPLICANT HAS COMPLETED ALL REQUIREMENTS FOR THE PERMIT AND THE PERMIT IS BEING ISSUED.~~
~~ALL RIGHTS RESERVED BY THE IDAHO DEPARTMENT OF WATER ADMINISTRATION.~~

R. KEITH HIGGINSON, Director
Idaho Dept. of Water Administration
STATEHOUSE, Boise, Idaho

Published in the Lincoln County Journal, Shoshone, Idaho
on January 21 and January 28, 1971.

Permit No. 36-2619

Director:

You are hereby authorized to have the above notice published at my expense in the Lincoln County Journal of Shoshone, Idaho;

published in the county in which the works are situated.

THE NORTHWESTERN MUTUAL LIFE INSURANCE CO. - MILWAUKEE

1818 Plaza 600 - - 600 Stewart Street
Seattle, Washington 98101

By Clair E. Hugh
(Signature) CLAIR E. HUGH, Regional
Manager

(Address)

December 7, 1970
(Date)

December 3, 1970

Re: Permit No. 36-2619

Mr. Gary C. Hansen, Loan Supervisor
Mortgage Loan Regional Office
1818 Plaze 600, 600 Stewart Street
Seattle, Washington 98101

Dear Gary:

We are enclosing an authorization for publication, which is required at this time. Please sign it and send it back, so that we may publish, at your expense, a notice of existing permit. The notice will be published two weekly issues in the newspaper in the county in which the point of diversion lies. Please have the notice signed, and return it for authorization.

Very truly yours,

Donald W. McElDowney
Appropriation Supervisor

DWM:cm

Enc: advertising package

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

October 23, 1970

Re: Permit No. G-32468/36-2619

Mr. Gary C. Hansen, Loan Supervisor
Northwestern Mutual Life Insurance Co. of Milwaukee
1818 Plaza, 600 Building
Seattle, Washington 98101

Dear Mr. Hansen:

We acknowledge receipt of the affidavit of beneficial use and the application for amendment for the above referenced permit. Please find enclosed a copy of the APPROVED application for amendment and departmental receipt no. 5235. Please note that the amendment has been approved for the point of diversion only.

Also enclosed is an order of reinstatement for permit no. G-32468/36-2619. Please note that the date of priority has been reduced to October 16, 1965.

As of this date, we have not yet received the affidavit of publication for the above referenced permit. You should be aware that many newspapers do not keep copies of these advertisements for their records. We, therefore, recommend that you obtain this affidavit as soon as possible from the Lincoln County Journal, 119 West A, Shoshone, Idaho, and submit it promptly to this department. Please be advised that a license will not be issued until we are in receipt of this affidavit.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

WM/DG

enc: copy of amendment
departmental receipt no. 5235
REINSTATEMENT ORDER

36 2619

Station 499 450 HP 1962 2918 1

<u>1965</u>	<u>Demand</u>	<u>KWH</u>	<u>Amount</u>
Pump did not operate			
 <u>1966</u>			
5-27 to 6-23	408	44,640	\$ 833.57
6-23 to 7-25	444	188,280	\$1,866.10
7-25 to 8-24	398	234,960	\$1,922.94
8-24 to 9-23	407	71,760	\$ 922.19
			<u>\$5,614.80</u>
 <u>1967</u>			
5-26 to 6-22	395	51,240	\$ 868.01
6-22 to 7-24	397	192,960	\$1,762.44
7-24 to 8-23	397	218,880	\$1,859.90
8-23 to 9-23	397	136,080	\$1,450.17
			<u>\$5,940.52</u>
 <u>1968</u>			
5-23 to 6-24	396	140,400	\$1,505.74
6-24 to 7-24	395	165,000	\$1,652.15
7-24 to 8-05	394	91,440	\$ 721.17
			<u>\$3,879.07</u>

SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 33 T6 S R 23 EBM

Station 472 400 HP 1962 2915 1

<u>1965</u>	<u>Demand</u>	<u>KWH</u>	<u>Amount</u>
6-15 to 7-26	371	261,520	\$2,308.75
7-26 to 8-25	366	197,680	\$1,700.21
8-25 to 9-24	374	28,000	\$ 552.94
			<u>\$4,561.90</u>

<u>1966</u>			
6-01 to 6-28	384	117,920	\$1,179.18
6-23 to 7-25	382	236,480	\$1,887.37
7-25 to 8-24	379	262,720	\$1,978.30
8-24 to 9-23	381	187,920	<u>\$1,652.41</u>
			<u>\$6,697.26</u>

<u>1967</u>			
5-25 to 6-22	379	46,800	\$ 833.18
6-22 to 7-24	378	42,480	\$1,899.61
7-24 to 8-23	377	172,640	\$1,634.44
8-23 to 9-22	378	41,040	<u>\$ 720.60</u>
			<u>\$5,087.83</u>

<u>1968</u>			
6-07 to 6-24	376	44,320	\$ 631.89
6-24 to 7-24	372	242,960	\$1,885.94
7-24 to 8-22	360	199,680	\$1,692.25
8-22 to 9-23	352	104,320	<u>\$1,154.47</u>
			<u>\$5,364.55</u>

03 2019

WELL LOG AND REPORT OF THE STATE RECLAMATION ENGINEER OF IDAHO

Permit No. _____ Well No. 1 County Lincoln
 Owner William Kerbs and Clarence Mayall DEA Lost Lake Land & Livestock Co.
 Address Rupert, Idaho
 Driller R.J. Strasser Drilling Co.
 Address Box 153, 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"

Locate well in section

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

Total depth of well 503

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 55 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 Foot	To Foot	Length	Remarks—seals, grouting, etc.
20" OD	0	5	5	Grouted

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

33 2619

memorandum

AUG 27 1965

McMURRAY-LOVELAND AGENCY 239 West 13th, P.O. Box 368, Burley, Idaho 83318

☐ Mortgage Ins. Corp.
☐ Lost Lake Well Inst.

DATE 8-20-65

Dear Sir:

At Clarence Mayall's request I have
checked the 400 Hp Western Turbine
Pump at Lost Lake Farm the Amp rating
480 with Volume at 3300 gpm or
366 minor inches. The copy of bowl
unit attached. Western Pump Co.

BT

Perry Limmon

representing



SAFECO INSURANCE COMPANY OF AMERICA
SAFECO LIFE INSURANCE COMPANY
GENERAL INSURANCE COMPANY OF AMERICA
FIRST NATIONAL INSURANCE COMPANY OF AMERICA

AD-198 R2 12/64

36 261

8991-S-5-60

Identification No. _____

Permit No. 36-2619

*OK
10-10-70*

**STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION**

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Northwestern Mutual Life Insurance Company
(assigned from William Kerbs and Clarence Mayall)
- b) Post Office Address 720 East Wisconsin Avenue, Milwaukee, Wisconsin 53202
2. Permit Number 36-2619
3. Date of Priority that you are prepared to establish August 6, 1965
4. a) Source from which water was appropriated subterranean
- b) Location of the point of diversion: SE 1/4 SW 1/4, Section 33
Township 6 S, Range 23 E Boise Meridian, Other points of diversion: _____
NW 1/4 NE 1/4, Sec 33, T 6 S R 23 EBM
5. a) The amount of water and use to which the water has been applied:

amount <u>12.8 cfs</u> for <u>irrigation</u> purposes from <u>5-1</u> to <u>10-1</u> incl.	<i>John see Amendment</i>
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)	
amount <u>12.8 cfs</u> for <u>irrigation</u> purposes from <u>5-125-67</u> to <u>9-12-67</u> incl.	
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)	
amount <u>12.8 cfs</u> for <u>irrigation</u> purposes from <u>6-1-68</u> to <u>9-12-68</u> incl.	
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)	
- b) Total amount appropriated 12/8 cfs/2,856 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: estimated
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: _____
 - b) Describe the agreement or understanding by which you take water from the works: _____
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) 480 amp Turbin pump - 400 HP U. S. Motor, 20-inch well casing, 503 ft. deep well
- 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 R. J. Strasser Drilling Co.
Box 155 - Rupert, Idaho
Well completed April 15, 1965

Exam typed 4-12-71. (CR)

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

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6	23E	32									40	40	40	40	40	40	40	40	320
6	23E	33									40	40	40	40	40	40	40	40	320
6	23E	32	40		40	40													120
6	23E	33	40	40	40	40	40	40	40	40									320

Total number of acres irrigated 1080

10. Remarks: _____

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

October 14, 1970
(Date)

Clair P. Long
(Signature)

Mortgage Loan Regional Manager

State of Washington)
ss.
County of King)

On this 14th day of October, 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.

Notary Public residing at Seattle, Washington

Jacqueline M. S. Gearheart
Jacqueline M. S. Gearheart

My commission expires August 10, 1971

1818 Plaza 600
600 Stewart Street
Seattle, Washington 98101
Telephone: 206 622-6635

THE NORTHWESTERN MUTUAL LIFE
INSURANCE COMPANY • MILWAUKEE



MORTGAGE LOAN REGIONAL OFFICE

Clair E. Hugh, Manager

October 14, 1970

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

Dear Mr. McEldowney:

Our SRE 319235
Permit No. 36-2619

Enclosed are the following:

1. Application for amendment to permit.
2. \$5.00 fee for amendment.
3. Proof of application of water to beneficial use.
4. Well log and memo regarding well test.
5. Dates of pump use from Idaho Power records.

As we discussed earlier, the land irrigated under 36-2620 and 36-2619 are now owned by the Northwestern with the permits assigned from William Kerbs and Clarence Mayall. The entire 1,080 acres shown on the amendment will be farmed as a unit with water supplied from both wells.

We appreciate the help you have provided in untangling the confusion which has arisen in this case. Please notify us if any additional information is needed. We are most anxious to comply with the water license requirements of the State of Idaho.

Sincerely,

A handwritten signature in cursive script, appearing to read "Gary C. Hansen".
GARY C. HANSEN, Loan Supervisor

36 2619

GCH:JMB
Encs.

October 1, 1970

Re: Permit No. G-32468/36-2619

Mr. Gary Hansen
Northwest Mutual Life Insurance Company of
Milwaukee
1818 Plaza, 600 Building
Seattle, Washington 98101

Dear Mr. Hansen:

It was a pleasure to talk with you concerning your Idaho appropriations.

We are enclosing a partially completed application for amendment, which would in effect add an additional point of diversion. We will require a \$5.00 application fee to be submitted with your amendment.

In order for the Department to reinstate the lapsed permit, we will have to receive the beneficial use affidavit and amendment within the time allowed in our September 4, 1970 correspondence.

If you have any questions in the matter, please contact us directly.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

Enc: amendment form

CS 22614

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

September 4, 1970

Re: Permit No. G-32468/36-2619

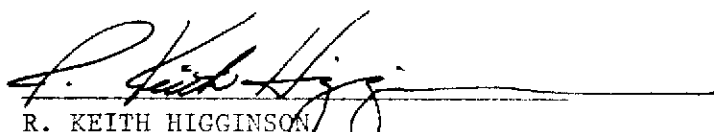
(Assigned from William Kerbs & Clarence Mayall)

Northwestern Mutual Life Insurance Company of
Milwaukee
Wisconsin

Gentlemen:

You are hereby notified that under the provisions of Section 42-218a of the Idaho Code, Permit G-32468/36-2619 has lapsed.

You are further advised that the Department cannot reinstate the permit except upon a showing of reasonable cause within sixty days from the date of this notice of lapsing.


R. KEITH HIGGINSON
Director

RKH:DR

cc: Norman H. Nielson
P.O. Box 367
Burley, Idaho 83318

36 2619

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 2619

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 2619

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

32462
36-2619

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 SE 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 NW 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. McElidowney
Appropriation Supervisor

DWM:kh

Enclosures

36-2619
32468

PM
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 Transportation

STREET AND NO. OR P.O. BOX

Room 525 Station 10

POST OFFICE, STATE, AND ZIP CODE

Boise, Idaho 83707

36 2619

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.

21920

1

Decl Kerva

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED *(only if requested)*

3

36 2619

36-2619

June 1, 1970

Re: Permit No. G-32468/36-2619

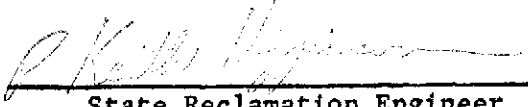
William Kerbs & Clarence H. Mayall
dba Lost Lake Land & Livestock Co.
P.O. Box 425
Rupert, Idaho 83350

Gentlemen:

One of the conditions of the approval of your permit no. G-32468/36-2619 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

#21920

32468
36-2619

March 13, 1970

Re: Permit No. G-32468/36-2619

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

32468
36-2619

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 $\frac{1}{4}$ SW $\frac{1}{4}$, Section 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 $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 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

32468

36-2619

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

RECEIVED
Department of Reclamation

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

32468-36-2619
32469

32468
36-2619

August 13, 1965

Re: Permit No. G-32468 & G-32469
William Kertes & Clarence H. Mayall
dba Lost Lake Land & Livestock Co.

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

D 32468

