

T70168

35

36

31

Sherry Anderson
T07S R23E
2002 Landsat Image

05

04

03

POD

POU

08

09

10

MIDC

FEB 25 2003

T075, R 23E

5

4

POU

POD

NOV 2003
FEB 25 2003

Kimama
357.9 ac.

Field #2; 02
97.0 ac.

900 gpm

1900 ft

8 in underground
pvc
mainline

Dryland
wheat

(Beets)

Fallow

600

650 gpm

Field #1; 02
70.7 ac.

Half
pivot
here

(Spring
wheat)

Fallow

Field #3; 02
63.8 ac.

APPR 1/4 mile

8 in Alum above
ground mainline

(Pressure gauge)

8 in valve

Fallow

1/4 mile 10 in
aluminum above ground mainline

800 gpm

Field #4; 02
123.8 ac.

10 in valve

1/4 mile 12 in
underground pvc
mainline

(Spring wheat)

Fallow

15 in underground
pvc
mainline

800 ft

(Pressure
gauge)

200 hp

Pump

75 hp

Boost
pump

□ (355.4 ac.) Kimama; 02

0.5 Miles



Date: Nov 11, 2002
Farm Name: Kimama
Client Name: Landon Anderson
Number of Fields: 5
Total Acres: 357.9

JAN 15 2004

AFFIDAVIT of PUBLICATION

State of Idaho } ss.
County of Lincoln

RECEIVED
NOV 13 2002
Department of Water Resources
Southern Region

Norma DeVoe, being first duly sworn, deposes and says that he/she is the printer (publisher) of the Lincoln County Journal, a newspaper published every week in Shoshone, County of Lincoln, 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 31st day of October, 2002, and the date of the last publication was on the 7th day of November, 2002.

On this 7th day of November, in the year of 2002, before me, a Notary Public, personally appeared Norma DeVoe, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.

SHELLEY STURGEON
Notary Public
State of Idaho

Shelley Sturgeon
Notary Public for Idaho

Residing at Jerome

My commission expires: 12/3/05

7313/43266
LINCOLN COUNTY JOURNAL
Shoshone, Idaho

COST OF PUBLICATION

Number of Picas per Line _____

Number of Lines in Notice _____

Number of Insertions 2x

Lines tabular at _____ 8.0¢/Pica

358.88 Lines straight at 25.12 7.0¢/Pica

358.88 Subsequent lines at 21.53 6.0¢/Pica

Affidavit Fee: 2.50

MICROFILMED TOTAL COST 49.15

FEB 25 2003

COPY OF NOTICE

(Paste Here)

Water Rights - Anderson
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

BILL TO

NOTICE OF PROPOSED CHANGE TO WATER RIGHTS

Notice is hereby given that an Application for Transfer has been filed with the Idaho Department of Water Resources for changes to water rights within Lincoln County: SHERRY HARRIS ANDERSON, 304 N 500 W; PAUL ID 83347 filed Application No. 70168 on 10/02/2002 for diversion of a combined total of 5.24 cfs from ground water. Transfer is proposing to create an 329 acre permissible place of use within a 424 acre farm located 16.5 miles North of Paul, Idaho. For specific details regarding the application(s), please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.state.id.us with detail provided under "New Water Right Applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 with a protest fee of \$25.00 for each application on or before November 18, 2002. The protestant must also send a copy of the protest to the applicant. Karl J. Dreher, Director
PUB: 10/31 - 11/7 L43266

No 7313

43266

OK MB
11/21/02

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70168

This is to certify that: SHERRY HARRIS ANDERSON

304 N 500 W
PAUL ID 83347
(208)438-5147

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
36-7022	WR/Decreed	04/12/1968	4.64 cfs	928 af		232.0	GROUND WATER
36-2632	WR/Decreed	01/08/1966	1.94 cfs	388 af		97.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

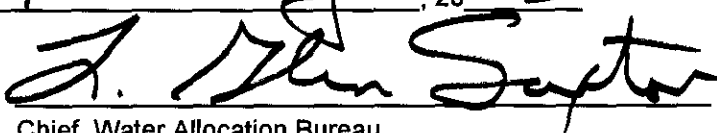
<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
36-7022	NO	NO	YES	NO	NO	NO
36-2632	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
36-7022	36-7022	4.64 cfs	928 af	232.0	417.1		N/A	N/A	N/A	N/A
36-2632	36-2632	1.94 cfs	388 af	97.0	417.1		N/A	N/A	N/A	N/A
COMBINED TOTALS		5.24 cfs	1316 af	329.0	417.1		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 4th day of February, 2003


Chief, Water Allocation Bureau

MICROFILMED

FEB 25 2003

SCANNED

APR 09 2003

WATER RIGHT NO. 36-7022
As Modified by Transfer No. 70168

In accordance with the approval of Transfer No. 70168, Water Right No. 36-7022 is now described as follows.

Right Holder: SHERRY HARRIS ANDERSON
 304 N 500 W
 PAUL ID 83347

Priority Date: April 12, 1968

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	4.64 CFS	928.0 AF
			4.64 CFS	928.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESW Sec. 4 Twp 07S Rge 23E LINCOLN County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S 23E 4						20.0	40.0		40.0	40.0	40.0	40.0					220.0
						L 4											
07S 23E 5	24.0		40.0	40.0									40.0	13.1		40.0	197.1
	L 1																

Total Acres: 417.1

CONDITIONS OF APPROVAL

1. Rights 36-7022, and 36-2632 when combined shall not exceed a total diversion rate of 5.24 cfs.
2. This right is limited to the irrigation of 232 acres within the place of use described above in a single irrigation season.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
5. Prior to the diversion and use of water under Transfer approval 70168, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
6. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than 8/27/2001.

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 APR 09 2003

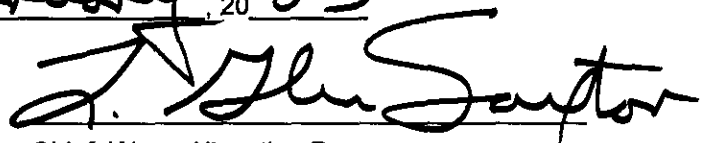
WATER RIGHT NO. 36-7022
As Modified by Transfer No. 70168

CONDITIONS OF APPROVAL

7. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 4th day of February, 2003


Chief, Water Allocation Bureau

MICROFILMED

FEB 25 2003

SCANNED
APR 09 2003

WATER RIGHT NO. 36-2632
As Modified by Transfer No. 70168

In accordance with the approval of Transfer No. 70168, Water Right No. 36-2632 is now described as follows.

Right Holder: SHERRY HARRIS ANDERSON
 304 N 500 W
 PAUL ID 83347

Priority Date: January 08, 1966

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	3/15	11/15	1.94 CFS	388.0 AF
			1.94 CFS	388.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SESW Sec. 4 Twp 07S Rge 23E LINCOLN County

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	23E	4					20.0	40.0		40.0	40.0	40.0	40.0	40.0					220.0
							L 4												
07S	23E	5	24.0		40.0	40.0								40.0	13.1		40.0	197.1	
			L 1																

Total Acres: 417.1

CONDITIONS OF APPROVAL

1. Rights 36-7022, and 36-2632 when combined shall not exceed a total diversion rate of 5.24 cfs.
2. This right is limited to the irrigation of 97 acres within the place of use described above in a single irrigation season.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
5. Prior to the diversion and use of water under Transfer approval 70168, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point(s) of diversion, in accordance with Department specifications.
6. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

MICROFILMED

SEP 25 2003

SCANNED
 APR 09 2003

WATER RIGHT NO. 36-2632
As Modified by Transfer No. 70168

CONDITIONS OF APPROVAL

7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 4th day of February, 2003



Chief, Water Allocation Bureau

MICROFILMED

SEP 25 2003

SCANNED

APR 10 2003

RECEIVED

JAN 31 2003

Department of Water Resources

Transfer No. 70168

Receipt No. 5025249

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

1. Applicant Information SHERRY HARRIS ANDERSON
 304 N 500 W
 PAUL ID 83347
 (208)438-5147

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OCT 10 2002

Department of Water Resources
Southern Region

RECEIVED

SEP 25 2002

Department of Water Resources
Southern Region

Will this transfer result in an ownership change? _____ Yes _____ No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acres	Total	Source
36-7022	WR/Decreed	4.64	928.0	232.0		GROUND WATER
36-2632	WR/Decreed	1.94	388.0	97.0		GROUND WATER

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
36-7022	NO	NO	YES	NO	NO	NO
36-2632	NO	NO	YES	NO	NO	NO

Describe the reason for the proposed changes

Create a permissable place of use.

4. FOR CHANGES IN NATURE OF USE ONLY**A. Describe the expected quantity of the return flows and location of discharge after the proposed change**

NA

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

NA

5. Total Amounts Transferred

	Rate	Acres	Total	Volume
36-7022	4.64 cfs		424.0	928.0 af
36-2632	1.94 cfs		424.0	388.0 af
* TOTAL	5.24 cfs	329.0	424.0	1,316.0 af

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FEB 25 2003

* Note: Fee based on acres being added to POU
 which comes to \$290.00 J.F.

70168

Transfer No. 70168

Receipt No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

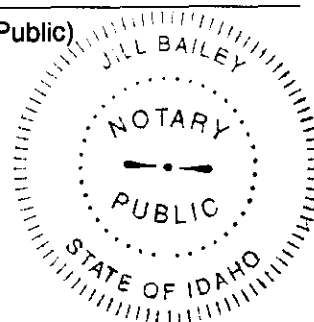
Sherry Anderson
(Signature of Applicant)

owner
(Title or Office)

Subscribed and sworn to before me this 24th day of September, 2002

Jill Bailey
(Notary Public)

My commission expires 4/8/08



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SEP 25
Department of Water Resources
Southern Region

MICROFILMED
FEB 25 2003

Transfer No. 70168

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 36-7022

Priority Date: 04/12/1968

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	4.64 CFS	928.0 AFA	
	Total Diversion	4.64 CFS	928.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	07S	23E	4	SESW		LINCOLN

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	23E	4						20.0	39.0										59.0
								L 4											
07S	23E	5	24.0		36.0	38.0									36.0		39.0	173.0	
			L 1																

Total Acres: 232

Conditions/Remarks:

1. USE OF THIS RIGHT WITH RIGHT NO. 36-02632 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.24 CFS.
2. 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.
3. A MEASURING DEVICE OF A TYPE APPROVED BY IDWR SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS.

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SEP 25 2003

Page 4

4. 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. SECTION 42-1412(6), IDAHO CODE.
5. RIGHT NO. 36-02632 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
6. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.

Documentation of Ownership of the Current Place of Use

Tax Notice

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Create a permissable place of use.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

MICROFILMED

APR 2 8 2003

Transfer No. 70168

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2**

Current Water Right No. 36-2632

Priority Date: 01/08/1966
Origin: Water Right
Basis: Decreed
Status: Active

RECEIVED

SEP 25 2002

Department of Water Resources
Boise, Idaho**Source:** GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15 11/15	1.94 CFS	388.0 AFA	
Total Diversion		1.94 CFS	388.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	07S	23E	4	SESW		LINCOLN

PLACE OF USE: IRRIGATION

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
07S	23E	4									40.0	8.0	9.0	40.0					97.0

Total Acres: 97

Conditions/Remarks:

- USE OF THIS RIGHT WITH RIGHT NO. 36-07022 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 5.24 CFS.
- 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. SECTION 42-1412(6), IDAHO CODE.
- RIGHT NO. 36-07022 IS ALSO DIVERTED THROUGH THE POINT OF DIVERSION DESCRIBED ABOVE.

MICROFILMED

SEP 25 2002

Page 6

Documentation of Ownership of the Current Place of Use

Tax Notice

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

NO

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Creating a permissable place of use.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

WICAT 10/1/12

155 10/1/12

Transfer No. 70168
Receipt No. _____IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A

Proposed Water Right No. 36-7022

Priority Date: 04/12/1968

Origin: Water Right

Basis: Decreed

Status: Active

RECEIVED
SEP 25 2001

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	4.64 CFS	928.0 AFA	
Total Diversion		4.64 CFS	928.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	07S	23E	4	SESW		LINCOLN

Describe the proposed diversion system

Point of Diversion # 1 20" well, 300 feet deep, 200hp pump

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	23E	4					20.0	40.0		40.0	40.0	40.0	40.0					220.0	
							L 4												
07S	23E	5	24.0		40.0	40.0								40.0	20.0		40.0	204.0	
			L 1																

Total Acres: 424

MICROFILMED

SEP 25 2001

Transfer No. 70168

Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3A**

Proposed Water Right No. 36-2632

Priority Date: 01/08/1966

Origin: Water Right

Basis: Decreed

Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	3/15 11/15	1.94 CFS	388.0 AFA	
	Total Diversion	1.94 CFS	388.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	07S	23E	4	SESW		LINCOLN

Describe the proposed diversion system

Point of Diversion # 1 20" X 240' WELL WITH 200 H.P. PUMP

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S	23E	4					20.0	40.0		40.0	40.0	40.0	40.0					220.0	
							L 4												
07S	23E	5	24.0		40.0	40.0								40.0	20.0		40.0	204.0	
			L 1																

Total Acres: 424

MICROFILMED

SEP 15 2004

RECEIVED

SEP 25 2004

Department of Water Resources
Cultural Resources

WARRANTY DEED IN LIEU OF FORECLOSURE

FOR VALUE RECEIVED, **RICHARD SPAULDING**, individually and dba **SPAULDING CUSTOM FARMING**, (the "Grantor"), in lieu of foreclosure, hereby remises, releases and forever quitclaims unto **ROBERT JONES and ARLENE S. JONES**, as Trustees of the Jones Living Trust dated October 7, 1994 (the "Grantee"), whose address is 1766 Addison Avenue East, Twin Falls, Idaho, 83301, the following described real property situated in ~~Twin Falls~~ Lincoln County, Idaho, to-wit:

See Exhibit "A" attached hereto.

This Deed is an absolute conveyance of title in effect as well as in form and is not intended as a mortgage, trust conveyance, or security of any kind.

To have and to hold the said premises and their appurtenances unto the said Grantee, its successors and assigns, forever.

The said Grantor does hereby covenant to and with the said Grantee that he is the owner in fee simple of said premises; that said premises are free from all encumbrances; and that Grantor will warrant and defend the same from all lawful claims whatsoever.

DATED this 3 day of Dec, 2001.

“GRANTOR”


RICHARD SPAULDING, individually and
dba SPAULDING CUSTOM FARMING

STATE OF IDAHO
COUNTY OF LINCOLN
Recorded at the request of
LAND TITLE & ESCROW

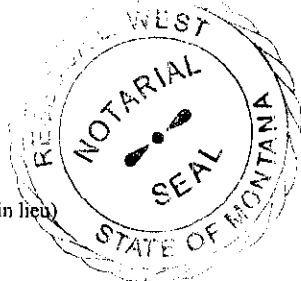
JAN - 4 2002

at 40 minutes past 4 P. M.
recorded by Nelson Jackson, Esq.
Fee 1.00 Return to: Above

STATE OF ~~IDAHO~~ Montana)
)ss.
County of ~~Twin Falls~~ Flathead)

On the 3rd day of December, 2001, before me, a Notary Public, in and for said County and State, personally appeared RICHARD D. SPAULDING, dba SPAULDING CUSTOM FARMING known or identified to me to be the individual whose name is subscribed to the within instrument, and he acknowledged to me that he executed the same.

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



(!tjs/jones/deed in lieu)

Rebecca L. West
NOTARY PUBLIC
Residing at Columbia Falls
My commission expires 3-15-03

MICHAEL J. ...

507 23 25

TOWNSHIP 7 SOUTH, RANGE 23 EAST OF THE BOISE MERIDIAN,
LINCOLN COUNTY, IDAHO

A parcel of land located in the E $\frac{1}{2}$ SW $\frac{1}{4}$ and W $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 5, and in the NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8,
described as follows:

Commencing at the Southeast corner of said Section 5;
Thence North 00°26'52" West 2619.58 feet to the East quarter corner of Section 5;
Thence North 89°54'35" West 1331.89 feet to the Northeast corner of W $\frac{1}{2}$ SE $\frac{1}{4}$ Section 5, and being THE
TRUE POINT OF BEGINNING;
Thence South 00°12'38" East 2626.29 feet to the Southeast corner of W $\frac{1}{2}$ SE $\frac{1}{4}$, Section 5;
Thence South 00°09'44" East 827.58 feet along the East boundary of NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8, to a point on
the Northerly boundary of the railroad right of way;
Thence North 53°19'39" West 1186.33 feet along said railroad right of way;
Thence North 36°40'21" East 330.00 feet along said railroad right of way;
Thence North 53°19'39" West 2373.90 feet along said railroad right of way to a point on the West boundary
of E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 5;
Thence North 00°02'08" East 1067.01 feet to the Northwest corner of E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 5;
Thence South 89°54'35" East 1313.90 feet to the Northeast corner of E $\frac{1}{2}$ SW $\frac{1}{4}$, Section 5;
Thence South 89°54'35" East 1331.89 feet to THE TRUE POINT OF BEGINNING.

MICHAEL J. [illegible]

APR 15 2001

EXHIBIT A

FARM LEASE

This agreement entered into this 1st day of January, 2002 by and between Robert and Arlene Jones Family Trust, lessors, and Sherry Anderson, Lessee. Landon Anderson is also designated as Lessee.

Witnesseth: That the Lessor has leased and by these presents do lease unto the lessee on the terms hereinafter mentioned, all that certain real estate situated in Lincoln County, State of Idaho, as follows:

N430' of the W1/2 SE1/4 in Section 5, Township 7 South, Range 23 E consisting of 13.15 acres.

To have and to hold the said premises with the appurtenances thereto from the 1st day of January, 2002, until the 1st day of January, 2009.

That the lessee agrees to pay to lessor \$500.00 per year. Lease shall be for the year 2002 for the purpose of growing farm crops. Lessee shall provide records to the lessors all the herbicides and pesticides used on the farm at the end of the farm lease. Lessors shall be responsible for carrying insurance on irrigation system. Lessee shall be responsible for liability insurance. Lessee shall be responsible for the power. The lease shall terminate on January 1, 2009. Lease shall be ongoing for the period of seven years. If lease should need to be terminated by either party notice shall be given by the 1st of November each year. Cash rent shall be paid as follows: Rent to be paid in full on March 1 of each year

First – to farm the said premises and the whole thereof (except as herein provided otherwise), throughout the said term and care for the crops grown after the manner of good husbandry.

Second – To keep roadsides free from weeds.

Third – To spread manure on said premises, which has accumulated on said premises during the term.

Fourth – Not to assign this lease or sublet any portion of said premises without the written consent thereto of the lessors.

Fifth – To permit the lessors, their agent or agents to enter into and upon said premises and each and every portion thereof at any time or times, for inspection thereof and of the crops thereon.

Sixth – To permit the lessors, his agent or agents to enter into and upon the said premises in the fall of the year to do fall plowing, plant crops for the coming year and to do any and all work that may be necessary to do upon any or all of the said premises.

Seventh – To quit and surrender possession of the said premises on the expiration of said term.

Eighth – To commence plowing said ground as soon as the weather will permit and as speedily as possible prepare ground for planting and plant farm crops.

That in case of any breach of covenant or covenants herein contained to be kept and performed by the lessee or any cause of removal or disposition of any portion of said crops without the consent of the lessors, the lessors agent or agents shall have the right to enter into and upon said premises and eject all persons therefrom, to take possession thereof and of the crops thereon, and give such crops care and attention and protection as they may require.

That the lessee agrees on demand in writing therefore, to pay lessors the expense incurred by the lessors in and about caring for and attending to said crops.

That in case of default by the lessee to pay the lessors the rental hereinbefore reserved or the moneys which may be due to the lessors hereunder, as and when herein required, the lessors may at their option proceed in the manner provided by Statute for the foreclosure of chattel mortgages, to sell the said crops, under lien herein given thereon, and out of the proceeds of such sale there shall be paid to the lessors the said rental,

MICHAEL J. JONES

JAN 24 2002

the expense incurred by the lessors in and about caring for and attending to the said crops, the damages suffered by the lessors by the lessee's breach of any covenant thereof, and the cost of foreclosure, including a reasonable attorney fee; and the balance of such proceeds of sale shall be paid to the lessee.

And thereupon the lessors shall have the option to declare this lease forfeited and lessee's right hereunder at an end.

Tat in case of the lessee's breach of any covenant herein contained, by the lessee to be performed, the lessors shall have the option to declare this lease forfeited and rights of the lessee hereunder at an end an eject all persons from said premises.

That the covenants of the one party are in consideration of the covenants of the other and that the parties hereto bind themselves, their heirs, executors, administrators and assigns respectively, by these presents.

LESSEE

Landon And

LESSEE

Landon And

LESSOR

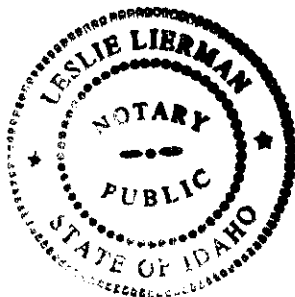
Arlene S. Jones, Trustee

LESSOR

State of Idaho)
)ss:
County of Twin Falls)

On this 8th day of OCTOBER, 2002, before me, the undersigned, a Notary Public in and for said County and State, personally appeared LANDON ANDERSON, ROBERT JONES AND ARLENE JONES, known to me to be such person whose name is subscribed to the within and foregoing instrument, and who acknowledged to me that he/she executed the same.

In Witness Whereof, I have hereunto set my hand and seal, the day and year in this certificate first above written.



[Signature]
Notary Public

Residing at: Kimberly

Commission Expires: 7-11-00

MICROFILMED

2002 11 15

MAKE CHECK PAYABLE TO:
 LINCOLN COUNTY TAX COLLECTOR
 CATHY GUIROGA
 P O BOX 725
 SHOSHONE, ID 83352

2001 TAX BILL/RECEIPT

PARCEL NUMBER
 RP07523E043005A

BILL# 3317 CODE AREA 42-00 L 24,039

1ST HALF DUE
 TAX 148.36
 LATE
 INT
 COST
 TOT

2ND HALF DUE
 TAX 148.36
 LATE
 INT
 COST
 TOT

FULL DUE 296.72

TOT MV 24,039

TOT ACS 65.810

ANDERSON SHERRY H
 304 NORTH 500 WEST
 PAUL ID 83347

TAXING DISTRICT RATE AMOUNT
 STATE .0000000000
 LINCOLN COUNTY .003298191 79.28
 M SCHOOL 331 .004973298 119.54
 KIMAMA HWY 6 .001070485 25.72
 RECREATION DIST .000370970 8.92
 DISTRICT TOTAL .009712944 233.46
 MV WATER DIST 63.26
 AMOUNT DUE 296.72

LOT 4, SWNW
 4-7-23

RECEIVED

SEP 25 2002

Department of Water Resources
 Southern Region

★ ★ ★ IMPORTANT ★ ★ ★
 PLEASE READ BOTH FRONT AND BACK
 ★ ★ ★ MONTHLY PAYMENTS ARE ACCEPTED ★ ★ ★

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
 APPLIED TO THE OLDEST DELINQUENT YEAR.
 TO AVOID LATE CHARGES, PAYMENTS MUST BE
 RECEIVED OR POSTMARKED BY THE DUE DATE.
 KEEP TOP PORTION FOR YOUR RECORDS.
 PERSONAL CHECKS ARE YOUR RECEIPT
 SUBJECT TO BANK CLEARANCE.

FH/F DATE BY CK/CS
 SH DATE BY CK/CS

2001 TAX BILL/RECEIPT
 MAKE CHECK PAYABLE TO:
 LINCOLN COUNTY TAX COLLECTOR
 CATHY GUIROGA
 P O BOX 725
 SHOSHONE, ID 83352
 BILL# 3318 CODE AREA 42-00 L
 PARCEL NUMBER
 RPO7S23E044800A
 51,510

1ST HALF DUE 317.12
 TAX 317.12
 LATE
 INT
 COST
 TOT

2ND HALF DUE 317.12
 TAX 317.12
 LATE
 INT
 COST
 TOT

FULL DUE 634.24
 TAX 634.24
 LATE
 INT
 COST
 TOT

TOT MV 51,510

TOT ACS 160,000

TAXING DISTRICT
 STATE 0000000000
 LINCOLN COUNTY 003298191
 M SCHOOL 331 004973298
 KIMAMA HWY 6 001070485
 RECREATION DIST 000370970
 DISTRICT TOTAL 009712944
 MV WATER DIST
 AMOUNT DUE

HARRIS GLENWIN
 % ANDERSON SHERRY H
 304 NORTH 500 WEST
 PAUL ID 83347

SW
 4-7-23

RECEIVED

SEP 25 2002

Department of Water Resources
 Southern Basin

*** IMPORTANT ***
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 PERSONAL CHECKS ARE YOUR RECEIPT
 SUBJECT TO BANK CLEARANCE.

FH/F SH DATE DATE BY BY CK/CS CK/CS

T70168

MAKE CHECK PAYABLE TO:
LINCOLN COUNTY TAX COLLECTOR
CATHY QUIROGA
P O BOX 725
SHOSHONE, ID 83352

2001 TAX BILL/RECEIPT

PARCEL NUMBER
RP07S23E050000A

BILL# 3320 CODE AREA 42-00 L 34,450

1ST HALF DUE
TAX 212.13
LATE
INT
COST
TOT

2ND HALF DUE
TAX 212.13
LATE
INT
COST
TOT

FULL DUE
TAX 424.26
LATE
INT
COST
TOT

TOT MV 34,450
TOT ACS 105.850

ANDERSON SHERRY H
304 NORTH 500 WEST
PAUL ID 83347

SECTION 51/2NE, LOT 1
5-7-23

TAXING DISTRICT
STATE .000000000
LINCOLN COUNTY .003298191
M SCHOOL 331 .004973298
KIMAMA HWY 6 .001070485
RECREATION DIST .000370970
DISTRICT TOTAL .009712944
MV WATER DIST
AMOUNT DUE

AMOUNT
113.62
171.32
36.88
12.78
334.60
89.66
424.26

★ ★ ★ IMPORTANT ★ ★ ★
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SUBJECT TO BANK CLEARANCE.

RECEIVED
SEP 25 2002
Department of Water Resources
Southern Region

FH/F DATE BY CK/CS
SH DATE BY CK/CS

NAME CHECK PAYABLE TO: 2001 TAX BILL/RECEIPT
 LINCOLN COUNTY TAX COLLECTOR
 CATHY GUIROGA
 P O BOX 725
 SHOSHONE, ID 83352

BILL# 3323 CODE AREA 31-00 L

1ST HALF DUE 137.58
 TAX LATE INT COST TOT

2ND HALF DUE 137.58
 TAX LATE INT COST TOT

FULL DUE 275.16
 TAX LATE INT COST TOT

TOT ACS 80.000

TAXING DISTRICT RATE AMOUNT
 STATE 000000000
 LINCOLN COUNTY 003298191 78.06
 R SCHOOL #316 004304664 101.90
 KIMAMA HWY 6 001070485 25.34
 RECREATION DIST 000370970 8.78
 DISTRICT TOTAL 009044310 214.08
 MV WATER DIST 61.08
 AMOUNT DUE 275.16

ANDERSON SHERRY H
 304 NORTH 500 WEST
 PAUL ID 83347

E1/2SE
 5-7-23

★ ★ ★ IMPORTANT ★ ★ ★
 PLEASE READ BOTH FRONT AND BACK
 ★ ★ ★ MONTHLY PAYMENTS ARE ACCEPTED ★ ★ ★

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 PERSONAL CHECKS ARE YOUR RECEIPT
 SUBJECT TO BANK CLEARANCE.

FH/F SH DATE DATE BY BY CK/CS CK/CS

RECEIVED

SEP 25 2001

Department of Water Resources
 Southern Region

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-02632

1997 DEC 29 PM 3:18

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

FILED _____

NAME & ADDRESS: SHERRY HARRIS ANDERSON
RT 1 BOX 1316
PAUL ID 83347

SOURCE: GROUNDWATER

QUANTITY: 1.94 CFS
388.0 AFY

USE OF THIS RIGHT WITH RIGHT NO. 36-07022 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 5.24 CFS.

PRIORITY DATE: 01/08/1966

POINT OF DIVERSION: T07S R23E S04 SESW Within LINCOLN County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	1.94 CFS 388.0 AFY

PLACE OF USE:	IRRIGATION	Within LINCOLN County
	T07S R23E S04	NESW 40 NWSW 8 SWSW 9 SESW 40
	97 ACRES TOTAL	

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

FEB 25 2000

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-02632

DEC 5 1997 -3 PM 2:11

DISTRICT COURT-SEDA
TWIN FALLS, IDAHO
CLERK

NAME & ADDRESS: SHERRY HARRIS ANDERSON
RT 1 BOX 1316
PAUL ID 83347

SOURCE: GROUNDWATER

QUANTITY: 1.94 CFS
388.0 AFY

USE OF THIS RIGHT WITH RIGHT NO. 36-07022 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 5.24 CFS.

PRIORITY DATE: 01/08/1966

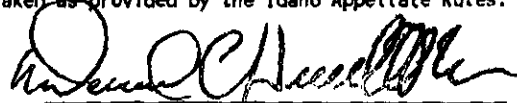
POINT OF DIVERSION: T07S R23E S04 SESW Within LINCOLN County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		Irrigation Season	1.94 CFS 388.0 AFY

PLACE OF USE:	IRRIGATION	Within LINCOLN County			
	T07S R23E S04	NESW 40	NWSW 8	SWSW 9	SESW 40
	97 ACRES TOTAL				

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

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-02632

PAGE 1
DEC-1-1997

MICROFILMED

FEB 25 2003

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

In Re SRBA)
)
)
Case No. 39576)
)

Water Right 36-02632

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: 03-15 11-15

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
FEB 25 2003

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

Important Information About Your Water Right

August 27, 2001

SHERRY HARRIS ANDERSON
RT 1 BOX 1316
PAUL, ID 83347

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 36-02632. 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

RECORDED
SEP 25 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

December 24, 2003

Sherry Anderson
Rt. 1, Box 1316
Paul, ID 83347

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Re: Request for Variance of Measuring Device Requirements for Approved Water Right Transfer 70168

Dear Ms. Anderson:

This letter is in response to your request for variance of flow meter requirements for the transfer referenced above. Based on a review of Water District 130 watermaster's investigation and recommendations, IDWR (Idaho Department of Water Resources) **GRANTS** the request for use of the pcc method of measurement on well A0005353 with the following conditions:

- Valid power consumption coefficients will be collected before the end of 2003.
- Crop reporting is to be submitted annually to the Magic Valley Groundwater District (MVGWD) in a complete and timely fashion.
- Any changes in the irrigation system are to be reported to the MVGWD hydrographer prior to the start of the irrigation season.

The watermaster for Water District 130 is responsible for enforcing stipulations of approved transfers pertaining to measurement device requirements. It should be noted that variance approvals may be subject to re-evaluation by the watermaster on an annual basis, and may or may not be approved for a subsequent year.

Please contact me at 208-327-5407 if you have any questions or concerns with this matter.

Sincerely,

Steve Burrell
Engineer
Water Distribution Section

c: Cindy Yenter - Water District 130 watermaster

MICROFILMED

JAN 15 2004

RECEIVED

AUG 6 2003

Department of Water Resources

MEMORANDUM

August 5, 2003

TO: Transfer File 70168
Water Right nos. 36-2632 and 36-7022

FROM: Cindy Yenter, Watermaster Water District 130 *CY*

RE: Memo Recommending Approval of Variance of a Device Requirement

A request for variance has been received from Sherry Anderson, Paul, Idaho. Transfer 70168 contains conditions of approval requiring an approved measuring device and data logger to be installed on an existing well. Ms. Anderson requests a variance to use the power consumption coefficient of measurement for estimation of total withdrawals.

Brian Higgs and I conducted a field measurement of this diversion system on July 1, 2003. A single deep well with a 200 HP turbine and 75 HP booster pump supplies irrigation water on 232 acres under three pivots and a number of wheel lines. Pivot corners are not irrigated.

Brian and I measured four operating conditions- two at high flow, one at low flow and one at mid-range flow. This farm is usually planted to two crops, one early-maturing and one full-season. The system is operated under the high-flow conditions for the first half of the season, and the mid-flow condition is used to finish the later crop. The low-flow condition is used infrequently.

During the testing we determined that the power demand meter was not operating correctly. Measured KW values were lower than expected for the pumping plant, by a magnitude of 2.5 to 3 times. Therefore, any pcc values derived from this test are not valid for estimating withdrawals, but should be able to be used for the variance analysis, as the magnitude of error is consistent across the test values. Brian Higgs will contact Idaho Power regarding the faulty demand meter, and will re-test the system at the same conditions once the meter is repaired.

The two high-flow conditions resulted in nearly identical flow and demand readings and pcc values within 3% of one another. High-flow to mid-flow pcc values are within 8%. However, the range between the highest and lowest pcc value is about 16%. Ordinarily, this would require user tracking and would discourage or prohibit use of the pcc method. The Magic Valley Ground Water District (MVGWD) has adopted annual reporting requirements for all pcc users which include system changes, cropping information and percent use values for all identified conditions. The hydrographer develops a weighted aggregate pcc value, specific to the reporting year, for each system based on this information. He is also able to flag system changes and collect new pcc values as needed on a yearly basis. At this level of monitoring I would expect the accuracy of PCC data to be at or near that of an approved flow meter and within $\pm 10\%$ of actual diversions.

I RECOMMEND APPROVAL of this request for variance, under conditions that:

MICROFILMED
AUG 15 2004

- 1) valid pcc values be collected before the end of 2003;
- 2) all crop reporting is submitted to the MVGWD hydrographer in a complete and timely fashion each year so that a weighted aggregate pcc may be established;
- 3) any system changes be reported to the MVGWD hydrographer prior to the start of the irrigation season so that additional pcc values may be determined; and
- 4) if system modifications occur which make the use of the pcc method unreliable, the water user will be responsible for the installation of an approved flow meter.

Any additional cost incurred by MVGWD due to the satisfaction of these conditions will be the responsibility of the water user.

MICROFILMED
JAN 15 2004

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Water Measurement Program

POWER CONSUMPTION COEFFICIENT WORKSHEET

District * MYG Inventory Date * _____ Inventory Examiner * _____ PCC ok? *Yes / no

Date of test * 7-01-03 Person performing test * B. Higgs
C. Yenter Exam complete? *Yes / no

Name:	<u>Sherry Harris Anderson</u>
Water Right No:	_____
Legal Description:	<u>T7S R 23E Sec 204 1/4 SE 1/4 SW 1/4</u>
Site Tag No:	<u>A0005353</u>
Diversion Name:	<u>Kimama</u>

Current Owner

Name _____ Phone _____

Last, First, MI

Address _____ City _____ State _____ Zip _____

Operator (if leased or operated by someone else)

Name Landon Anderson Phone 431-5483

Last, First, MI

SECTION I WELL SITE IDENTIFICATION

Global Positioning System Data:

Data Collection Filename * _____ Offset * _____

IDWR Site Tag Identification No. * _____

Site Tag location description: * _____

PLS/USGS Locator _____

Diversion Name * _____

For Department/District Use Only

~~MICROFILMED~~

Received by _____ Date 7-1-03

Reviewed by _____ Date _____

Data Entry by _____ Date _____

Well Pump and Motor Information

PUMP DATA		MOTOR DATA	
Manufacturer	<i>Johnston US Motors</i>	Manufacturer	<i>US Motors</i>
Serial Number		Serial Number	<i>CC1009968</i>
Model Number		Rated Horsepower	<i>• 200</i>
Type	<i>vertical</i>	Rated Amps	
Impeller Diameter		Rated Volts	<i>480</i>
Rated Speed		Rated Speed	
Rated Discharge		Phase	<i>3</i>
Rated Head		Service Factor	<i>1.15</i>

Booster Pump and Motor Information

PUMP DATA		MOTOR DATA	
Manufacturer		Manufacturer	<i>Century</i>
Serial Number		Serial Number	<i>5P</i>
Model Number		Rated Horsepower	<i>• 75</i>
Type	<i>Centrifugal</i>	Rated Amps	<i>87</i>
Impeller Diameter		Rated Volts	
Rated Speed		Rated Speed	
Rated Discharge		Phase	
Rated Head		Service Factor	

#2
US Motors
9502940
50?
62

Power and Water Metering Information

KILOWATT-HOUR METER		WATER MEASUREMENT EQUIPMENT and PIPE INFORMATION	
Utility	<i>• IPCO</i>	Std Meter Manufacturer	<i>Fuji</i>
Pole No.	<i>• 01523E0420</i>	Std Meter Model No.	<i>SS portaflow</i>
Meter Manufacturer	<i>• ABB</i>	Std Meter Type	<i>*Sonic Pyg Collins Hall Anub Dye/chem Other</i>
Meter Serial No.	<i>• 03609623</i>	Std. Meter Confidence	<i>(Exd) Good Fair Poor 2% 5% 10% >10%</i>
Disc Constant(Kh)	<i>• 1.8</i>	PSI gauge ID location ~ disch head?	<i>*District / Owner (Yes) / No</i>
Rated Voltage	<i>480</i>	Pipe material	<i>Steel</i>
Demand	<i>2.03 (\$1.20)</i>	Pipe Outside Diameter	<i>14.165</i>
Multiplier (Mult)	<i>• 40</i>	Pipe Inside Diameter	<i>T = .105</i>
<i>(CTR) (Current)</i> <i>(PTR) (Voltage)</i>	<i>200</i>	Distance of straight pipe upstream and down	<i>Upstream /Down 12" + 5D</i>

(HIGGS #3)

MICROFILM

crop	acres
1 Sp. Wheat	195
2 Beets	161
3	
4	
total	

Determination of Power Consumption Coefficient

Kilowatts of Energy Consumed

$KW = 3.6 \times Kh \times \text{Multiplier} \times \text{No. of revolutions}(N) \div \text{Time}(T) \text{ in seconds per } N$

Cond.#1 $N = 6$ (No. of Disc Rev) Time (sec) = $(30.01) + (30.75) + (30.43) / 3 = 30.39$ Ave

3.6×1.8 (Kh) $\times 40$ (Mult) $\times 6$ (N) $\div 30.39$ (T) = 51.16 KW too low

Cond.#2 $N = 6$ (No. of Disc Rev) Time (sec) = $(19.62) + (19.39) + (19.40) / 3 = 19.47$ Ave

3.6×1.8 (Kh) $\times 40$ (Mult) $\times 6$ (N) $\div 19.47$ (T) = 79.88 KW too low

Cond.#3 $N = 6$ (No. of Disc Rev) Time (sec) = $(20.29) + (20.24) + (20.0) / 3 = 20.18$ Ave

3.6×1.8 (Kh) $\times 40$ (Mult) $\times 6$ (N) $\div 20.18$ (T) = 77.08 KW

Cond.#4

$T = 19.43, 19.28, 19.17, 19.29$ KW = 80.61

Measured Flow Rate and Discharge Pressure - Enter flow rate as determined by the "standard" water measurement meter in GPM, and discharge pressure measured in PSI. Attach documentation to support data such as notes, printout tapes etc.

GPM Cond. #1* 912 #2* 1597 #3* 1593 #4 1477

PSI Cond. #1* 58 #2* 60 #3* 60 #4 60

Power Consumption Coefficient (PCC) = KW $\times$ 5431 $\div$ GPM * See worksheet

PCC Cond. #1 = * _____ (KW) $\times$ 5431 $\div$ * _____ (gpm) = _____ (kWh/ac.ft)

Percent of seasonal use * _____ Description * _____

PCC Cond. #2 = * _____ (KW) $\times$ 5431 $\div$ * _____ (gpm) = _____ (kWh/ac.ft)

Percent of seasonal use * _____ Description * _____

PCC Cond. #3 = * _____ (KW) $\times$ 5431 $\div$ * _____ (gpm) = _____ (kWh/ac.ft)

Percent of seasonal use * _____ Description * _____

Is the system operator required to track and report changes in system operation? *Yes / No
(see form PCC3)

System Type (all that apply): Pivot linear Wheel In / Hand In / Gated pipe, flood / Drip / Open dsch

Water Level Data

Does the well have access to measure water levels? *Yes / No

Is this well part of USGS, DWR, or another network of water level monitoring wells? *Yes / No / Uncertain

Static Water Level * _____ ft Pumping Water Level * _____ ft (at condition # _____)

Date * _____

Date * _____

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2004

Further describe system operating conditions (if necessary) and how percentage of seasonal use was obtained:

COND #1 = ^{600 gpm} 1/2 pivot + 3 HL WELL ONLY (BOOSTER OFF)

COND #2 = BOOSTER ON 3/4 pivot (900 gpm) + 1/2 pivot (600 gpm) + 3 HL

COND #3 = BOOSTER ON 3/4 PIV (900) + near pivot (800) + 3 HL - Should be high flow

Sketch of pumping plant layout or attach photograph of pumping plant and piping:

* power (demand) meter has a problem - demands are low by factors of 2.0-2.5. Need to call power co.

COND #4 = BOOSTER ON 3/4 PIV (900) + 5 HL (Bert only) 2nd half '03

Comments: _____

I certify that the above information is true and correct to the best of my knowledge and ability and the measurements taken and recorded are in accordance with the standards and specifications of the equipment used.

Signature _____ Date _____
(person performing measurements)

MICRO-LOGIC
2003

7-18-03

C. Yenter

Sherry Anderson PCC Worksheet for Variance Analysis

* NOTE: all kW demand values are low due to a power meter error. PCC values calculated here are not valid but will be used for comparison as the power error should be consistent across all conditions. Magnitude of the error is not known at this time.

(Lo) Condition #1 912 gpm 51.16 kW PCC = 304.67

(HI) Condition #2 1597 gpm 79.88 kW PCC = 271.65

(HI) Condition #3 1593 gpm 77.08 kW PCC = 262.79

(MID) Condition #4 1477 gpm 80.61 kW PCC = 296.41

Theoretical demand

Deep well	200HP	149 kW
Booster	75HP	56 kW
		<u>205</u>

Cond 1 Well only 2.92

Cond 2 well + booster 2.56

Cond 3 " 2.65

Cond 4 " 2.54

> magnitude of error

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JAN 15 2004

Sherry Anderson

To: Idaho Department of Water Resources
Attn: Cindy Yenter, Water Master

Request for Variance Proposing the Power Consumption Coefficient (PCC) Method of Measurement

- i) Water right number: 36-7022
- ii) Included in Diagram
- iii) Motor horsepower: 200 hp with 75 hp booster
demand meter serial number: 3609623
electrical provider: Idaho Power
electric account number and billing name: 4108538606, LaDell Anderson
account service number: 07S23E0420/Paul Idaho
- iv) Map included
- v) The 200 hp pump will run 1 pivot and 3 wheelines at 60 pounds pressure. The 200 hp pump and 75 hp booster will run 2 pivots and 2-3 wheelines with approximately 55-60 pounds pressure. Included is the Water Measurement Report which shows the estimated flow rates.

RECEIVED

MAY 15 2003

Department of Water Resources
Southern Region

Landon 431-5483

Field Check TUS. July 1 9-10 am

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MAY 15 2003

Kimama
357.9 ac.

Field #2; 02
97.0 ac

900 gpm

1901 ft

8 in underground
pvc
mainline

(Beets)

600

gpm

Field #1; 02
70.7 ac

Half
pivot
here

(Spring
wheat)

Field #3; 02
63.8 ac

9PPX $\frac{1}{4}$ mile

8 in Alum above
ground mainline

(Pressure gauge)

8 in valve

Fallow

$\frac{1}{4}$ mile 10 in
aluminum above ground mainline

800 gpm
Field #4; 02
123.8 ac.

10 in valve

$\frac{1}{4}$ mile 12 in
underground pvc
mainline

(Spring wheat)

15 in underground
pvc
mainline

1800
ft

(Pressure
gauge)

200 hp

Pump

75 hp

Boost
Pump

0.5 Miles

(355.4ac.) Kimama; 02



Date: Nov 11, 2002
Farm Name: Kimama
Client Name: Landon Anderson
Number of Fields: 5
Total Acres: 357.9

JAN 15 2004

2001 Water Measurement Annual Report

Summary Sheet

LaDell and Sherry Anderson
304 North 500 West
Paul, ID 83347

The following chart summarizes the data that was collected on your wells this past summer. Estimated totals reflect flows near the water right in either the *CFS* column or the *Acre Feet* column or both. The figures in the shaded columns will be submitted to the Idaho Department of Water Resources as your water measurement annual report. If I do not hear from you it will be assumed you agree with the numbers.

If a measurement was made this year by Water Well Consultants, then copies of the field notes are enclosed for your files.

Point of Diversion	Diversion Name	PCC	Total KWhr	GPM	CFS	Water Right CFS	Acre Feet	Water Right AF	inches per acre	meas. or estimated.	Acres
7S 23E 4SESW		640	439320	1655	3.69	6.58	686	1316	25.04	WWC'01	329
9S 23E 3SWSW		557	62240	527	1.17	4.64	112	928	18.89	WWC'98	71



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 5, 2003

SHERRY HARRIS ANDERSON
304 N 500 W
PAUL ID 83347

RE: Transfer No.: 70168 - Water Rights 36-7022, 36-2632 - Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7940.

Sincerely,

for Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt

Enclosure(s)

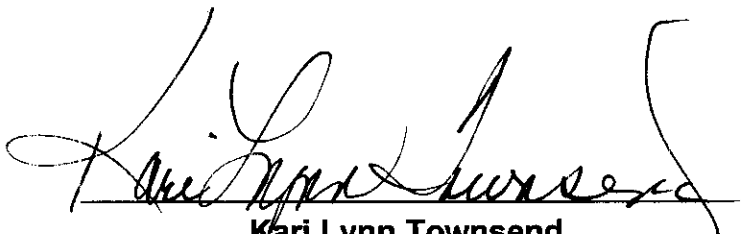
MICROFILMED
FEB 25 2003

CERTIFICATE OF SERVICE

I hereby certify that on February 5, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 70168 - WATER RIGHTS 36-7022, 36-2632

**SHERRY HARRIS ANDERSON
304 N 500 W
PAUL ID 83347**



**Kari Lynn Townsend
Secretary**

MICHAEL J. HARRIS
FEB 25 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

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

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

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

IDWR TRANSFER ANALYSIS SHEET

APPLICANT Anderson, Sherry Harris TRANSFER NO. 70168

1. Right number(s) 36-2632 etc

2. Type of right ☒ Decree ☐ License ☐ Statutory Claim
☐ SRBA Beneficial Use Claim

3. Purpose of transfer ☐ Change P/D ☐ Add P/D ☒ Change P/U
☐ Change N/U ☐ Change Source ☐ Split Right
☐ Other: _____

4. Check Existing Right: ☒ Source ☒ Priority ☐ Amount ☐ Purpose
☐ Period ☐ SRBA Claim
☐ Description of original point(s) of diversion
☐ Description of original place of use
☐ Overlapping rights on original place of use

Comments: See memo

5. Check Proposed Right for amount of land &/or water transferred:

☒ Also see attached memo for more analysis information

- a. ☒ All of right
- b. ☐ Part of right (NOTE! Part B should be filled in only if part of right is owned by the applicant)
- c. ☒ Description of point(s) of diversion
- d. ☐ Description of place of use
- e. ☒ Map showing P/D & P/U after transfer
- f. ☒ Correct notarized signature and \$100 fee
- g. ☐ Proof of ownership of right &/or land from which water is transferred
- h. ☐ Expansion in use of right - Comments: None apparent

70168

- i. ✓ Existing rights from same source, on land water is being transferred to; right number(s): _____

- j. SRBA claim(s) - Comments (NOTE: Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain)

- [illegible]

INITIAL ALLOCATION REVIEW BY
SRBA SUPERVISOR REVIEW BY
PUBLICATION REVIEW BY

DATE 10/15/02
DATE _____
DATE _____

1. Legal Notice electronically sent to DWR03::VAULT Yes

2. COMMENT LETTERS Copy of Pg 1 to AJ Yes

Watermaster recommendation requested on _____, Received on _____

Other comments letters - send to the following name(s) & address(es):

3. Transfer published correctly? ✓ Yes No

4. Affidavit of publication received? Yes No

5. Protests received? Yes No; Acknowledgement sent? Yes

6. Copies made for Region file (see attached supplemental page)? Yes

RECOMMENDED ACTION

1. ☒ Approve

2. Deny due to

- ### 3. Conditions (special conditions in Water Districts)

Also see attached memo for recommendation dated:

4. By

Date _____

1/31/03

JAN 31 2003

T# 70168

APPLICANT:

Anderson, Sherry Z.

WATER RIGHT NO.

36-2632-1c

INIT.	DATE	COMMENT
MB	10/02/02	Rec'd app. Stopped to John Freitag
JF	10/15/02	To MB for advertising
MB	10/22/02	Adv. Sch. LCJ 10/31 + 11/7/02 ; 11/18/02
MB	10/24/02	LTR. to App.
CY	11-13-02	Watermaster Comment
MB	11/21/02	Put. Off Rec (11/13/02); to ADM for signoff
MB	11/21/02	Back to JF, see ADM memo
JF	1/9/03	Back to ADM
~~MB~~	~~1/14/03~~	~~Put. Off Rec to ADM for signoff~~
ADM	1/29/03	Back to John to clarify lease in NWSE Sec 5 is it 20 acres or 13.15 acres
JF	1/29/03	NWSE Sec 5 - 13.15 acres is correct per phone conversation w/ applicant
JF	1/30/03	Changes made in Work Flow & Draft APP. to reflect 13.15 acres in NWSE 505
ADM	1/31/03	Shape also updated in SDE To MB to forward to S.D.

TRANSFER REVIEW SHEET

Trans # 70168

Date Reviewed 1-8-03

Right No(s). * 36-7022 36-2632
 Split? Y XN Y N Y XN Y N Y N Y N Y N

AREA OF CONCERN: No Yes ESPA

PURPOSE OF TRANSFER FOR EACH RIGHT:

Change p/d Change use period Change p/u
 Add p/d Change nature of use

RightID's of From & To records correct? Y N (resolve with S.O.)

Check for Partial Decree issuance, etc. since time of application's entry

PROOF OF OWNERSHIP COMPLETE FOR OLD & NEW P/U Y Lien Holder Release Y

GROUNDWATER:

DRILLING PERMIT

All wells - 046
 DP upgrade req'd Y N (contact GW)
 WMD - North/East/West
 ≤ 0.24 cfs/5 acres - No MD
 > 0.24 cfs/5 acres - 067

WMD

≤ 0.24 cfs/5 acres - No MD
 > 0.24 cfs/5 acres - 01M or 01Q

SUPPLEMENTAL
 SUPPLEMENTAL

- 065-104 (where irrigation is the only use)
 - 100-105 (where there are other uses besides irrigation)

WITHIN ESPA

- 113-114-116 (mitigation)
 - 115 (meas. Device)

USES:

STORAGE - 18C-R02-01P-18B-NA
 IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
 Volume only - R58/R59/R60/R61
 STOCKWATER - R37 (all BLM/USFS)
 MINING - 054-106
 FISH PROP - 029 (70's basins only)-007-122-106
 HEAT/COOL - R07 (injection well)
 FIRE PROT. - 077
 DAIRY - 082 (zoning if a concern)-106-WD8

SURFACE WATER:

WD - R05 (WD#) WM comments rec'd
 ≤ 0.20 cfs/others - R02, 01P or No MD
 > 0.20 cfs - R43
~~WD~~, SPRINGS/SINK, INACTIVE WD & REST OF STATE
 ≤ 0.24 cfs/5 acres - No MD
 > 0.24 cfs/5 acres - 01M or 01Q

STANDARD SEASON to (use X61 if extended season)

STANDARD VOLUME 4 af/ac

CONSUMPTIVE USE VOLUME 3 af/ac

USES:

POWER - 17H-17K (+uses)-025-106
 MUNICIPAL
 Restricted area - 022-075 RAFN - 007-109-X64
 Irr., GW supp to SW - 102
 DOMESTIC
 Surface water - WB5 (Big Wood or Boise above Star Bridge)
 - 27A (Payette River)
 >1 in restricted area - 070-071-075 (no parks/common areas, etc)
 Irr use listed separate - WB5

MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop
T08 - comply or rescind
T17 - >1 pd, measure all (use w/ WB4)
X18 - Special T17 & R43 combined - multiple pds in WD

Protested - 020-X19
 Water Quality - 106-R07

X27 - Number of acres/season in ppu
X35 - Combined totals of multiple rts

X49 - measure p/d's (source chg'd to orig trib)
 X51 - 2+ yrs to develop
 X53 - Use ltd to orig. source availability
 X54 - forfeited ac/rate (used rarely)
 X55 - (transfer shrink total water to less ac)
 004 - no right-of-way
 X58 - pending claim (statutory or AJ b/u claim)
X61 - extended irr season
 X62 - replaces N11 and N13
 X63 - replaces C12
 WB4 - + p/ds, cfs & afa (used with T17)
 WD8 - land application of waste water
 01Q - used instead of 01M when there's another meas. Cond (i.e. T17 & 01M)

Apply one to chg'd & unchg'd

rts that are subject to SRBA:

T09 - on-going SRBA (no Dir Rpt or Recomm yet)
T19 - replaces C18 (if at Recommendation or Partial Decree stage)

T20 - use only on unchg'd rts not subject to SRBA

OTHER CONDITIONS/REMARKS Draft approval on A012

COMMENTS

Database files updated Y Approval form printed Y Shape files created Y

Special Mailing Instructions (cc's, etc) Y

Final database update after approval Y *Comment to WR No(s). NA

2-4-2003

Transfer # 70168

Applicant Sherry Harris Anderson

Basin 36[illegible]

MICROFILMED

FEB 25 2003

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Application No: **Transfer 70168**

Right No(s): **36-2632 and 36-7022**

Applicant Name: **Sherry Anderson**

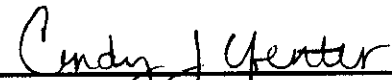
Watermaster's Recommendation:

- a) ☐ I do not oppose approval of this application
- b) ☒ I do not oppose approval of this application if it is conditioned as follows:

*Use is under the jurisdiction of Water District 130.
Measuring device required or approved use of power consumption method*
- c) ☐ I oppose approval of this application for the following reasons:
- d) ☐ Additional comment:

Dated: November 13, 2002

Water District 130



Cindy J Yenter, Watermaster

MICROFILMED

FEB 25 2003

Draft Transfer Approval - 70168
Jfreitag
1-9-03

This transfer is proposing to create a 424-acre PPU of which 329 acres are allowed to be irrigated in any one season. This will allow flexibility of crop rotation.

Rights 36-7022 and 36-2632 are limited together to 5.24 cfs, 1316 af, and 329 acres.

The neighbor owns 20 acres located in T07S, R 23E, S05 NWSE, a signed agreement along with proof of ownership has been provided.

Property is located within the ESPA. Since this transfer is only creating a PPU, I see no specific issues related to this. Measuring device and reporting language has been included in conditions.

Authority to File:

Tax notices in the name of applicant. Agreement and deed for property owned by neighbor located in T07S, R 23E, S05 NWSE.

Water Right Validity:

Rights are partially decreed.

Injury to Other Water Rights:

Transfer is only creating a PPU to allow flexibility of irrigation. No injury is foreseen.

Enlargement of Use:

No apparent increase in use proposed.

Local Public Interest:

Use is remaining as irrigation, I see no issues.

Beneficial Use/Conservation of Water Resources:

Does not appear to be contrary to conservation practices.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application

MICROFILMED

FEB 25 2003

AFFIDAVIT of PUBLICATION

State of Idaho } ss.
County of Lincoln

RECEIVED

NOV 13 2002

Department of Water Resources
Southern Region

Donna DeLue, being first duly sworn, deposes and says that he/she is the printer (publisher) of the Lincoln County Journal, a newspaper published every week in Shoshone, County of Lincoln, 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 31st day of October, 2002, and the date of the last publication was on the 7th day of November, 2002

On this 7th day of November, in the year of 2002, before me, a Notary Public, personally appeared Donna DeLue, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he/she executed the same.

SHELLEY STURGEON
Notary Public
State of Idaho

Shelley Sturgeon
Notary Public for Idaho

Residing at Home

My commission expires: 12/31/05

7313/43266
LINCOLN COUNTY JOURNAL
Shoshone, Idaho

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FEB 25 2003

COPY OF NOTICE

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Water Rights Anderson
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

IDWR

BILL TO

NOTICE OF PROPOSED CHANGE TO WATER RIGHTS

Notice is hereby given that an Application for Transfer has been filed with the Idaho Department of Water Resources for changes to water rights within Lincoln County: SHERRY HARRIS ANDERSON, 304 N 500 W; PAUL ID 83347 filed Application No. 70168 on 10/02/2002 for diversion of a combined total of 5.24 cfs from ground water. Transfer is proposing to create an 329 acre permissible place of use within a 424 acre farm located 16.5 miles North of Paul, Idaho. For specific details regarding the application(s), please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.state.id.us with detail provided under "New Water Right Applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St., Suite 200, Twin Falls, ID 83301 with a protest fee of \$100 for each application on or before November 18, 2002. The protestant must also send a copy of the protest to the applicant. Karl J. Dasher, Director
PUB: 10/31 - 11/7 L43266

No 7313

43266

OK
MB
11/21/02

NOTICE OF PROPOSED CHANGE TO WATER RIGHTS

Notice is hereby given that an Application for Transfer has been filed with the Idaho Department of Water Resources for changes to water rights within Lincoln County:

SHERRY HARRIS ANDERSON, 304 N 500 W; PAUL ID 83347 filed Application No. 70168 on 10/02/2002 for diversion of a combined total of 5.24 cfs from ground water. Transfer is proposing to create an 329 acre permissible place of use within a 424 acre farm located 16.5 miles North of Paul, Idaho.

For specific details regarding the application(s), please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.state.id.us with detail provided under "New Water Right Applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St.-Suite 200; Twin Falls, ID 83301 with a protest fee of \$25.00 for each application on or before November 18, 2002. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the Lincoln County Journal on 10/31 & 11/7/02.

MICROFILMED

FEB 25 2003

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE STREET-STE# 200
TWIN FALLS ID 83301

Phone: 736-3033

Fax#: 736-3037

October 24, 2002

ATTN: Norma
MAGIC VALLEY PUBLISHING
Lincoln County Journal
PO BOX 468
JEROME ID 83338

Dear Norma:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues).

If you cannot publish the notice on the proposed dates, please contact us immediately at 736-3033. An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Sincerely

Mary Baldwin

Mary A. Baldwin
Administrative Assistant

MICROFILMED
FEB 25 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 24, 2002

SHERRY HARRIS ANDERSON
304 N 500 W
PAUL ID 83347

RE: Application for **Transfer No. 70168**

Dear Applicant:

The Department of Water Resources acknowledges receipt of your application. Please refer to the number in all correspondence regarding the above referenced application.

This office has scheduled advertising the application in the Lincoln County Journal on 10/31 & 11/7/02. The advertisement will be published for two weeks, and a period of ten calendar days following the second publication will be allowed for the submittal of protests. (November 18, 2002)

If an application is protested, the applicant will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

State Office personnel will conduct a complete review prior to final processing of the application(s) and will notify the applicant regarding the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Mary A. Baldwin
Administrative Assistant

MICROFILMED

FEB 7 9 2003

RECEIVED

MAR 26 1971

Department of State Administration

AFFIDAVIT OF PUBLICATION

LINCOLN COUNTY JOURNAL

Shoshone, Idaho 83352

Notice

OF EXISTING WATER PERMIT

Notice is hereby given that Glenwin Harris, Rt. 1, Heyburn, Idaho has received an approved permit No. G-32682/36-2632 issued by the Idaho State Reclamation Department authorizing the diversion of 3.2 cubic feet per second of water from a groundwater source. The priority to be established under this permit is January 7, 1966 and the permit was approved January 10, 1966. Water is to be diverted by well, pump, motor, & gravity irrigation from a point within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, T. 7S, R. 23 E, B. M., Lincoln County to be used for irrigation and domestic in the SW $\frac{1}{4}$, Sec. 4, T. 7 S, R. 23 E, B.M.

Proof of the application of the water to beneficial use is to be submitted to the department on or before July 1, 1973. Any protests against the issuance of the license for the above reference permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation
Engineer

(F11-18)

Helene Love

Being first duly sworn, says that 5 he is the

Principal Clerk of

the Lincoln County Journal, a newspaper published weekly at Shoshone, Idaho, in Lincoln County and 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

February 11, 1971

and ending with the issue of

February 18, 1971

Helene Love

Subscribed and sworn to before me this

1st day of *March*, 1971

Zella Mae Carson
Notary Public, Shoshone, Idaho.

36 2632

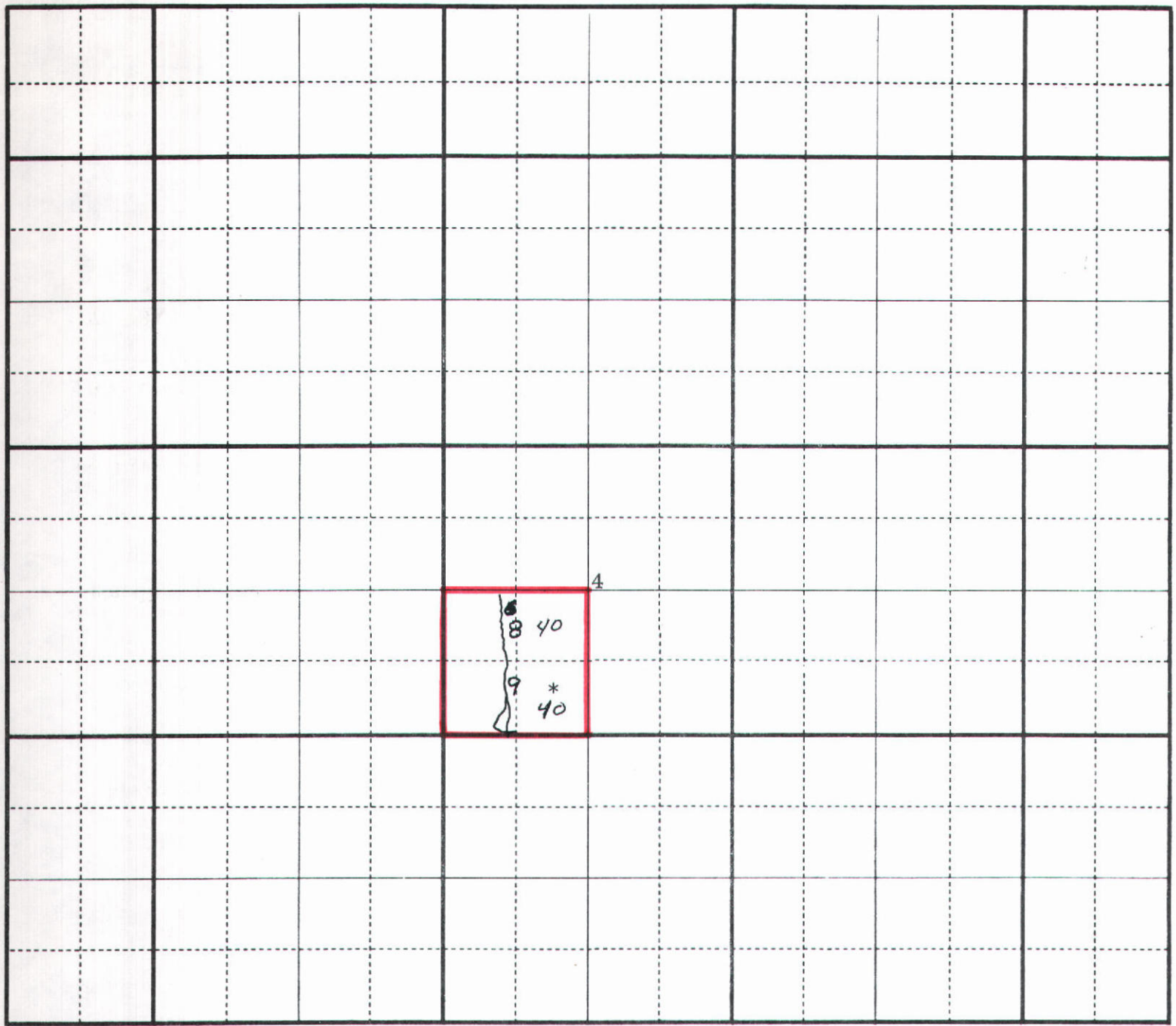
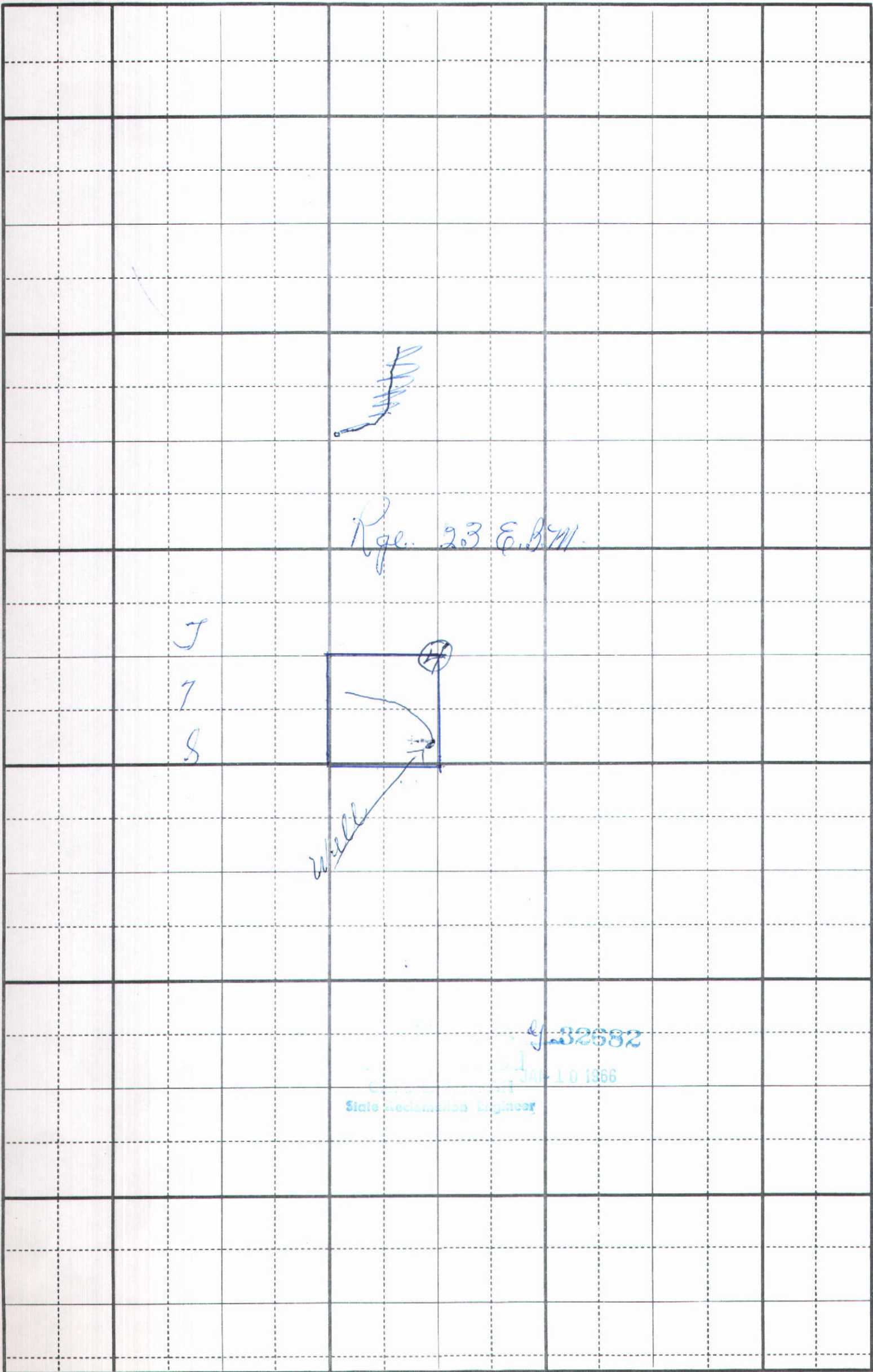
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7
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Diagram of System

NAME OF APPLICANT Glenwin Harris

Form No. 0



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

632482

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 36-02632

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: 03-15 11-15

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

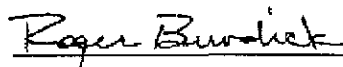
This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the court at a point in time no later than the entry of a final unified decree. I.C. section 42-1412(6).

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
Presiding Judge
Snake River Basin Adjudication

Important Information About Your Water Right

August 27, 2001

SHERRY HARRIS ANDERSON
RT 1 BOX 1316
PAUL, ID 83347

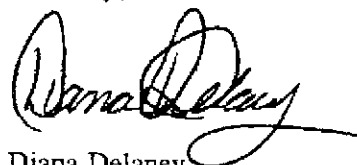
Dear Water Right Claimant(s):

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 36-02632. 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

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

In Re SRBA
Case No. 39576

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-02632

1997 DEC 29 PM 3:18

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

NAME & ADDRESS: SHERRY HARRIS ANDERSON
RT 1 BOX 1316
PAUL ID 83347

SOURCE: GROUNDWATER

QUANTITY: 1.94 CFS
388.0 AFY

USE OF THIS RIGHT WITH RIGHT NO. 36-07022 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 5.24 CFS.

PRIORITY DATE: 01/08/1966

POINT OF DIVERSION: T07S R23E S04 SESW Within LINCOLN County

PURPOSE AND
PERIOD OF USE:

PURPOSE OF USE
IRRIGATION

PERIOD OF USE
Irrigation Season

QUANTITY
1.94 CFS
388.0 AFY

PLACE OF USE:

IRRIGATION
T07S R23E S04
97 ACRES TOTAL

Within LINCOLN County
NESH 40

NWSW 8

SWSW 9

SESW 40

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

This

- Right has been
Decreed in the
SRBA.
-

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF TRANSFER NOS.)	
4825 AND 4827 IN THE NAME OF)	ORDER GRANTING
RINKER COMPANY)	PETITION FOR RECONSIDERATION
_____)	

On December 23, 1996, the Idaho Department of Water Resources (department) issued a Preliminary Order in connection with Application for Transfer Nos. 4824, 4825, 4826 and 4827 in the name of Rinker Company (Rinker).

On January 23, 1997, Brockway Engineering filed a Petition for Reconsideration with the department on behalf of Rinker seeking to submit additional information relative to the transfers.

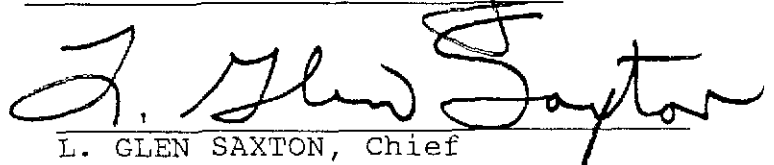
Since the department is receptive to correct discrepancies or errors in transfers it approves, the department should grant the petition even though it was not timely filed.

ORDER

IT IS THEREFORE HEREBY ORDERED that Rinker's Petition for Reconsideration to submit additional information is **APPROVED**.

IT IS FURTHER HEREBY ORDERED that Rinker shall submit any additional information for the department's consideration within thirty (30) days of the date of this order.

Dated this 5th day of February, 1997.


L. GLEN SAXTON, Chief
Water Allocation Bureau

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATIONS)
FOR TRANSFER BY BLAINE LARSEN)
AND BLAINE LARSEN FARMS, INC.)
OF WATER RIGHT AND CLAIM NOS.)
35-02821B, 35-02728, 35-02844, 35-7361,)
35-07632, A35-10948, 36-02727, ~~36~~-07495,)
35-07605, 35-07586, 36-02398B, 36-07022,)
36-02632, 36-07272, 36-07897, 36-02300,)
36-07015A, 36-02074B, 36-02198B, 36-02122B,)
36-02124B, 36-02127B, 36-02190B, 36-02193B,)
36-02195B, 36-02197B, AND APPLICATION)
FOR AMENDMENT OF PERMIT NO.)
36-7883(Part).)
_____)

MEMORANDUM DECISION
AND ORDER

Blaine Larsen and Blaine Larsen Farms, Inc. (Larsen) filed applications to transfer or amend a total of 27 separate water rights and permits to allow use of ground water for irrigation of lands near Hamer, Idaho for the 1993 irrigation season. Notices describing these applications were published in the South Idaho Press, Burley, Idaho; Times-News, Twin Falls, Idaho; Post-Register, Idaho Falls, Idaho; Lewiston Morning Tribune, Lewiston, Idaho; Morning News, Blackfoot, Idaho; Rigby Star, Rigby, Idaho; Lincoln County Journal, Shoshone, Idaho; and Idaho Statesman, Boise, Idaho.

Protests against the granting of the proposed transfers and permit amendment were filed by the Idaho Department of Fish and Game (Fish and Game); Owsley Canal Company, Jackett Canal Company, Holley Water Users, Jefferson Irrigation Company,

Producers Canal Company, Montevieu Canal Company, and Independent Canal Company (hereafter referred to collectively as Mud Lake Canals); U.S. Fish and Wildlife Service (USFWS); Edward Breiter (Breiter); Idaho Power Company (Idaho Power); and The Twin Falls and North Side Canal Companies (TF&NSCC).

A hearing concerning the protests against approval of the transfer applications and permit amendment was held at Rigby, Idaho February 23, 24 and 25, 1993. The Director of the Department of Water Resources served as hearing officer.

Prior to the start of the hearing the USFWS and Idaho Power withdrew their protests. Also, prior to the start of the hearing the Mud Lake Canals petitioned for a continuance of the hearing which was denied by Order of the Director dated February 17, 1993. The Mud Lake Canals participated at the beginning of the hearing on February 23, 1993, but withdrew their protest following noon recess on that date and discontinued their participation in the hearing. Their withdrawal was based on the fact that the applications propose water right transfers for the 1993 irrigation season only. (Tr. p. 83-85).

The TF&NSCC filed a protest related to only part of the applications but orally moved to intervene in all the applications being considered. This motion was granted by the Director. (Tr. p. 13).

It was agreed that the Director would take notice of the files and records of the Department, particularly the following:

- 1) The record of the 1988 hearing held on Larsen's applications for permits for the Larsen "A" wells.

2) The record of decision in the Montevieu Canal Company application for water right transfer dated May 11, 1990.

3) The claims to water rights filed by Larsen in the Snake River Basin Adjudication.

The hearing proceeded with the applicant, Larsen, represented by Jeffrey C. Fereday; protestant, Fish and Game, represented by Stephen V. Goddard; and TF&NSCC represented by Gary Slette. Protestant Edward Breiter represented himself, however, he did not remain throughout the hearing and did not testify or make a statement although the hearing officer stated that an opportunity to do so would be provided.

At the conclusion of the hearing, the parties agreed at the request of the Director to provide briefs on the following two questions along with other matters to be addressed in summation of the evidence:

1) What is the role of the public interest criterion under Section 42-222, Idaho Code, in balancing the need for protecting existing water rights under the prior appropriation doctrine against the need to provide for the full economic development of the water resources of the state?

2) What evidentiary value, if any, should the Director place in this transfer proceeding upon the results of pumping the Larsen "A" wells over some indeterminate time period as projected by the U.S.G.S. steady state hydrologic model?

The Director, having considered the evidence and testimony presented at the hearing on the matter, the files and records of the Department of which notice was taken, and the briefs submitted by the parties, now enters the following Findings of Fact, Conclusions of Law, and Order.

FINDINGS OF FACT

1. The Transfer Applications filed by Larsen propose to change the points of diversion and places of use of all or parts of licensed or claimed ground water rights as follows:

<u>Appl.</u> <u>No.</u>	<u>Location</u> <u>Sec. Twp. Rng.</u>	<u>County</u>	<u>Quan.</u> <u>cfs</u>	<u>Acreage</u>
35-02821B	24 4S 30E	Bingham	0.60	30
35-02728	23 4S 30E	Bingham	3.40	170
35-02844	23 4S 30E	Bingham	3.30	165
35-07361	23 4S 30E	Bingham	0.54	27
35-07632	16 4S 31E	Bingham	4.40	264
A35-10948	16 4S 31E	Bingham	0.56	28
35-02727	36 6S 22E	Lincoln	5.10	320
35-07495	36 6S 22E	Lincoln	4.58	320
35-07605	19 4N 35E	Jefferson	4.00	200
35-07586	19 4N 35E	Jefferson	6.41	391
36-02398B	13 7S 22E	Lincoln	2.44	124
36-07022	4 7S 23E	Lincoln	4.64*	232
36-02632	4 7S 23E	Lincoln	1.94*	97
36-07272	3 9S 23E	Minidoka	1.50	78.5
36-07897	25 6S 22E	Lincoln	2.84	203
36-02300	25 6S 22E	Minidoka	3.88	194
36-07015A	28 8S 22E	Minidoka	0.97	152.6
36-02074B	28 8S 22E	Minidoka	0.75	80
36-02198B	17 7S 24E	Minidoka	0.62	34.3
36-02122B	26 6S 24E	Minidoka	0.67	47.9
36-02124B	35 6S 24E	Minidoka	0.40	20
36-02127B	2 7S 24E	Minidoka	2.47	160
36-02190B	26 6S 24E	Minidoka	1.20	120
36-02193B	26 6S 23E	Minidoka	2.16	160
36-02195B	8 7S 24E	Minidoka	0.49	43
36-02197B	7 7S 24E	Minidoka	<u>2.00</u>	<u>147</u>
			60.52	3808.3

* Diversion of water under these two rights is limited to a combined maximum rate of 5.24 cfs.

2. Larsen proposes to divert the quantities of water specified in Finding of Fact No. 1 from wells located in Clark and Fremont Counties at locations shown on Attachment A and Applicant's Exhibit No. 12, for irrigation of a total of 4,230.4 acres of land described in Attachment B. Attachments A and B are incorporated herein by reference.

3. Claimed right No. A 35-10948 is included in Finding of Fact No. 1 and is based on a beneficial use claim. The right is subject to determination in the Snake River Basin Adjudication of water rights.

4. Larsen also has proposed to amend Permit 36-07883(Part) to allow the use of 9.97 cfs, out of the authorized 11.48 cfs, to be diverted from wells shown on Attachment A for irrigation of the 4,230.4 acres in the Attachment B tract of land. Permit 36-7883 provides for diversion of the 11.48 cfs from three wells for irrigation of 574 acres of land in Lincoln County. The prorated acreage represented by 9.97 cfs out of 11.48 cfs is 498 acres.

5. Transfer and amendment of the licensed rights, claim and permit as requested by Larsen would allow diversion of a total of 70.49 cfs of water from the Attachment A wells for irrigation of a total of 4,306.3 acres of land. Approval of all the transfers and amendment is unnecessary since the total acreage proposed to be irrigated is 4,230.4 acres or some 76 acres less than the rights would allow.

6. It is the position of Fish and Game that approval of the transfers and amendment will result in harm to prior water rights; that water is not available to satisfy the rights as they are proposed to be transferred; and that approval would not be in the public interest. The public interest concern includes possible induced losses of flow in the Henry's

Fork and Snake Rivers.

7. TF&NSCC's protest is based on a position that pumping from the Larsen "A" wells depletes flows of the Henry's Fork and Snake River and will thereby injure prior rights to water from those sources.

8. The wells shown on Attachment A, and others not proposed for operation in 1993, are referred to as the Larsen "A" wells and were drilled without the benefit of approved permits from the Department. Some of the Larsen "A" wells were used for irrigation water supply beginning in 1986 and the others from 1987. Larsen filed applications for permanent water rights for these wells in April and November 1986. These applications were protested and a hearing was held on the protests in Rigby, Idaho in 1988. No decision was reached on these pending applications due to the fact that the applicant and the parties who filed protests and others, including the Department and the U.S. Geological Survey (USGS), entered into an agreement (Applicant's Exhibit No. 11) for the USGS to conduct a three-year study of the ground and surface water resources of the area. During the study period, which has extended over more than four years, Larsen has operated the Larsen "A" wells under authority of approved annual transfers of ground water rights similar to those being considered here.

9. Applicant's Exhibit No. 11, which outlines the proposed USGS study which has been the basis for annual consideration of approval of one-year transfer applications to cover use of the Larsen "A" wells provides:

Results of the study will be published as a Water-Resources Investigation by

the U.S. Geological Survey. Contents of the report will include a description of the geologic setting, surface-water system, ground-water system, surface-water/ground-water interactions, chemical quality of ground and surface water and lake and wetland bottom sediments, and an evaluation of model results that address water availability for real and hypothetical recharge and discharge conditions. Model description and calibration will be presented in the report appendix.

10. Although the study has apparently been completed, the final study report providing the information indicated in Finding of Fact No. 9 is not yet available. The hearing record does include Applicant's Exhibit No. 9, Geohydrologic and Chemical Data from Wells in the Mud Lake Area, Eastern Idaho, 1988-91 and Applicant's Exhibit Nos. 1, 2, 3, 4A, 4B, 4C, and 4D which contain information developed by the USGS during the course of the study. Joseph Spinazola, USGS hydrologist, appeared as a hearing witness and described the study activities which included the development of a hydrologic computer model.

11. Much of the hearing testimony by the hydrologic experts Spinazola, Dr. Charles Brockway, Terry Scanlan and Alan Robertson centered on the USGS model. It was described as an equilibrium-condition, steady-state hydrologic model of projected effects in the study area from operation of several groups of wells and from changes in water use practices on the Egin Bench.

12. Spinazola was unable to identify or forecast the time in the future when such condition might be reached. Model documentation was not provided so information on the number of annual cycles of model stresses used to reach equilibrium conditions could not be determined.

13. It was indicated by several witnesses that the USGS had difficulty with model calibration and convergence and that the model did not produce transient-state condition results anticipated by the entities which funded the study activities. As a result, the USGS was forced to use a technique of superposition which was described by Brockway as giving him "concern about the ability of the model to simulate over the full range of stresses." (Tr. p. 34). The model used numerous estimates of ground water withdrawals, ground water underflow across model boundaries, stream flow gains and losses, precipitation and other information.

14. Spinazola testified that the initial transient-state modelling results were not approved by reviewers within the USGS because of the addition of "some amount of stream flow loss to the Henry's Fork." (Tr. p. 106). Regarding the possible need for adding stream flow loss from the Henry's Fork, Spinazola testified as follows:

Maybe I had an error in well pumpage or recharge from tributary underflow or recharge from precipitation and irrigation returns. (Tr. p. 109).

15. Spinazola testified further that he adjusted the stresses in the model with regard to Henry's Fork gains and losses in order to obtain "relatively good correspondence between the measured water levels and the simulated water levels" and that such adjustment was the basis for rejection by USGS reviewers. The hearing record includes this colloquy between the applicant's attorney and witness Spinazola on this subject:

Q Let me see if I can characterize what was going on here. Is it accurate to say that in your transient model runs the model was finding less water recharged into the aquifer than the aquifer itself was telling you it had based on well levels actually measured in the field?

A Yeah, that's right. And I might add too that that doesn't mean that it was gains and losses to the Henry's Fork. That doesn't mean that that was the culprit. But given the method that I used that was my best insight as to where my problem lay. But that didn't mean necessarily that that in actuality was the problem.

Q So in other words you went to the Henry's Fork and just projected greater losses out of the Henry's Fork in order to make the model result add up to with what you actually saw in terms of water table measurements in the aquifer?

A That's right.

Q Okay. And your reviewers didn't like that?

A No, they didn't like that.

Q So what happened next?

A Well, at that point they gave me the option of spending the time to analyze the gain and loss regimen in Henry's Fork in greater detail and try to improve my estimates of what those gains and losses actually were or to step back and rely on the steady state analysis to address the custom runs which we were aware of at that time. We decided to go with the steady state mainly because of the time element involved. (Tr. p. 111-112).

16. The USGS model used information (stresses) from an eleven-year period, 1980-1990. This included an estimate of average annual pumpage from the Larsen "A" wells. However, the USGS erred in the estimate since the Larsen "A" wells have operated only since either 1986 or 1987. The figure developed for the average annual pumpage from these wells was based on the accumulated total pumpage during the five-year period, 1986 through 1990, divided by eleven years. The result, 5,300 acre feet per year (Applicant's Exhibit No. 1), is an under-estimate of the average annual pumpage of the Larsen "A" wells and the model would thus also under estimate any impact from such pumpage. Larsen

provided information (Applicant's Exhibit No. 14) indicating that the average annual pumpage from the Larsen "A" wells is actually about 8,985 acre feet.

17. The Larsen "A" wells have now operated for six or seven years and it is the apparent intention of Larsen to continue to pump these wells in future years if approval for such continued use can be obtained.

18. Pumping of water from wells results in ground water declines. The USGS model projected that at equilibrium conditions, which may occur at some indeterminate future point in time, the decline caused by Larsen "A" well pumping, adjusted by Scanlan for the USGS error in estimation of pumping, may be a maximum of as much as from 1.6 to 4.0 feet in the immediate vicinity of the wells and less than 0.4 foot elsewhere in the study area (Applicant's Exhibit No. 15). This projected decline was described as an average annual condition and seasonal declines resulting from well pumping would be greater.

19. Witness Scanlan estimated the drawdown of water levels caused by the pumping of the Larsen "A" wells using the Theis equation. Assuming a pumping rate for the Larsen "A" wells of 32,500 gallons per minute and an irrigation pumping season of 100 days, expected aquifer drawdown at a distance of one mile from the center of pumping was estimated to be 4.522 feet and 0.558 feet using an assumed aquifer transmissivity (T) value of 2,000,000 gpd/ft and 35,000,000 gpd/ft respectively. (Applicant's Exhibit No. 19).

20. The USGS model estimated changes in the study area water budget (Applicant's Exhibit No. 1) at equilibrium from the pumping of 5,300 acre feet of water per year from the Larsen "A" wells. The changes would include an increase in aquifer recharge

resulting from use of the water for irrigation, an increase in stream losses (Henry's Fork and Snake River), an increase in ground water flow across the southeast study boundary (from Henry's Fork and Snake River area), a decrease in ground water outflow across the southwest study boundary (Snake Plain aquifer), a decrease in artesian flow and a decrease in stream gains.

21. From the USGS model it is not possible to estimate when the hydrologic system of the Mud Lake area would reach equilibrium from the applied pumping stresses. (Tr. p. 174). Equilibrium was defined by Spinazola as "conditions whereby all the components of recharge equal all the components of discharge, and there is no change in storage in the system." (Tr. p. 173).

22. Applicant's Exhibits Nos. 9, 11 and 16 include hydrographs of water levels as measured in wells throughout the area. These hydrographs generally exhibit a downward trend in ground water levels for 1987-1991, the period of the USGS study. The Exhibits also show that the long-term (1954 to 1992) ground water level trend in the Mud Lake study area has been stable.

23. Spinazola used 1980 as a base case for the USGS modelling activity because he considered the aquifer to be in equilibrium at that point despite the fact that there was an estimated 235,000 acre feet of ground water being pumped from the aquifer in 1980. (Tr. p. 142).

24. Besides applicant Larsen and the Larsen "A" wells, there are a number of other users of ground water within the Mud Lake area. These include Larsen's "B" wells,

the irrigation districts and canal companies which also divert waters from Mud Lake and from Camas and Beaver Creeks, the federal and state wildlife refuges, and numerous private individuals. Each of these ground water uses influences the water levels and conditions under which other users are able to obtain a water supply from the aquifer system. The USGS model indicates that, at equilibrium, well pumping and the resulting declines in ground water levels also will affect losses from and gains to interconnected streams in the area.

25. The USGS model indicates that the hydrologic system of the area is impacted by ground water pumping. Operation of various groups of wells, such as the Larsen "A" wells, the Larsen "B" wells, the Mud Lake Canal Company wells, the refuge wells, and the non-party wells, causes changes in the water balance among streamflow gains and losses, artesian outflow, ground water flow across the model boundaries, and recharge from irrigation use. (Applicant's Exhibit No. 1). While the model produced figures attempting to show the extent of such changes at equilibrium, the figures are not considered usable for administrative purposes. They are, however, an indicator of changes which may be taking place in the hydrologic system as a result of well development.

26. The Henry's Fork and the Snake River support important fish and wildlife resource values. Fish and Game introduced several studies (Protestant Fish and Game's Exhibit Nos. 1, 2, 3, 4, 5, 6, and 7) and provided testimony through its witnesses that a reduction in the flow of these streams would be detrimental to those public values and would be contrary to the public interest.

27. Witness Brockway, testifying for the protestants TF&NSCC, indicated that the Mud Lake area was in the "Trust Water" area of the Snake River basin and that pumping of wells in that area probably would not affect the non-trust water area (inflow to the Snake River upstream from Milner Dam). (Tr. p. 216). He also indicated, however, that his understanding of the USGS model studies is that ground water pumping in the Mud Lake area may induce additional recharge into the area from Henry's Fork and the Snake Rivers and that this could result in impacts on water rights. (Tr. p. 217).

CONCLUSIONS OF LAW

1. Section 42-222, Idaho Code, provides the following with regard to the responsibility of the Director in connection with applications for transfer of water rights:

The director of the department of water resources shall examine all the evidence and available information and shall approve the change in whole, or in part, or upon conditions, provided no other water rights are injured thereby, the change does not constitute an enlargement in use of the original right, and the change is consistent with the conservation of water resources within the state of Idaho and is in the local public interest as defined in section 42-203A(5), Idaho Code

2. Section 42-211, Idaho Code, provides as follows with regard to the authority of the Director to approve applications for amendment of permits:

[I]f approval thereof would not result in the diversion and use of more water than originally permitted and if the rights of others will not be adversely affected thereby, the director of the department of water resources shall approve said application and return an approved copy to the permit holder.

3. Section 42-226, Idaho Code, provides, in part, as follows:

10-10-06
10-10-06

The traditional policy of the state of Idaho, requiring the water resources of this state to be devoted to beneficial use in reasonable amounts through appropriation, is affirmed with respect to the ground water resources of this state as said term is hereinafter defined and, while the doctrine of "first in time is first in right" is recognized, a reasonable exercise of this right shall not block full economic development of underground water resources. Prior appropriators of underground water shall be protected in the maintenance of reasonable ground water pumping levels as may be established by the director of the department of water resources as herein provided. (Emphasis added).

4. Section 42-237a, Idaho Code, provides, in part, as follows:

In the administration and enforcement of this act and in the effectuation of the policy to conserve its ground water resources, the director of the department of water resources is empowered:

....

g. To supervise and control the exercise and administration of all rights hereafter acquired to the use of ground waters and in the exercise of this power he may by summary order, prohibit or limit the withdrawal of water from any well during any period that he determines that water to fill any water right in said well is not there available.... Water in a well shall not be deemed available to fill a water right therein if withdrawal therefrom of the amount called for by such right would affect, contrary to the declared policy of this act, the present or future use of any prior surface or ground water right or result in the withdrawing of the ground water supply at a rate beyond the reasonably anticipated average rate of future natural recharge....

In connection with his supervision and control of the exercise of ground water rights the director of the department of water resources shall also have the power to determine what areas of the state have a common ground water supply and whenever it is determined that any area has a ground water supply which affects the flow of water in any stream or streams in an organized water district, to incorporate such area in said water district (Emphasis added).

5. The "declared policy of this act," referenced in Section 42-237a(g), Idaho Code, is designed to protect prior surface and ground water rights, and also includes the policy of providing for "full economic development" of surface and ground water resources as

referenced in Section 42-226, Idaho Code.

6. The ground water resources of the Mud Lake area presently are not administered as part of Water District 01 - Upper Snake River. Some of the wells in the area are administered by the watermaster of Water District 31 - Beaver and Camas Creeks.

7. The conditions under which water is available to Larsen and the other Mud Lake area ground water users is subject to the provisions of Section 42-226, Idaho Code, relating to "reasonable ground water pumping levels."

8. Applications seeking approval of a one-year transfer of existing water rights do not require consideration of long-term effects of the operation of wells to which the rights are sought to be transferred. In this instance, the Director is only required to determine if the 1993 diversion of water from the Larsen "A" wells would result in injury to other water rights, would constitute an enlargement in use of the original rights, is consistent with the conservation of water resources and is in the local public interest.

However, 1993 would be the seventh or eighth year that these wells will have been used if the transfers are approved and it is apparently Larsen's intent to use such wells in future years. The Department of Water Resources should not continue to treat the wells as temporary uses of water but must consider at some point that they are intended as permanent withdrawals of ground water from within the Mud Lake area. Consideration of any temporary use of these wells after 1993 should be treated in the same manner as approval of permanent water rights for the wells.

9. Without the availability of the planned study report with model description

and calibration information, the USGS model study is not a useful tool in evaluating short or long-term effects of the operation of the Larsen "A" wells. The USGS model results presented in the hearing provide no quantifiable information on the likely impact of the proposed operation of the Larsen "A" wells pursuant to the proposed transfer and amendment in 1993.

10. Protestants did not present adequate evidence, independent of the USGS model results, to establish injury to their existing water rights or the local public interest.

11. Approval of the Applications for Transfer and Amendment of Permit for use during the 1993 irrigation season, only, will not injure other water rights. Pumping of the Larsen "A" wells will result in drawdown of the aquifer in the vicinity of such wells but the water level will not be lowered beyond the reasonable ground water pumping level for other ground water users as a result of Larsen's 1993 operations.

12. Approval of the Applications for Transfer and Amendment of Permit for use during the 1993 irrigation season, only, will not constitute an enlargement in use of the original water rights.

13. Approval of the Applications for Transfer and Amendment of Permit for use during the 1993 irrigation season, only, is consistent with the conservation of water resources within the state of Idaho.

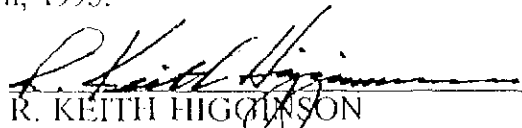
14. Approval of the Applications for Transfer and Amendment of Permit for use during the 1993 irrigation season, only, is in the local public interest.

ORDER

It is therefore ordered that Larsen's Applications for Transfer of Water Rights and the Application for Amendment of Permit considered in this proceeding are hereby APPROVED, subject to the following conditions:

1. No more ground water may be diverted from the wells to which the rights are transferred than the reasonable beneficial requirements of the 4,230.4 acres of lands to be irrigated as shown on Attachment B.
2. The water transferred may be diverted only from the wells on Attachment A and used only on the lands on Attachment B.
3. Approval of these transfers and the amendment are for use during the 1993 irrigation season only and such approval shall not be interpreted as any assurance that the use of the Larsen "A" wells will be permitted for additional years pursuant to temporary water right transfers or on a permanent basis. For future years, Larsen will be required to demonstrate that the impacts on water resources projected by the USGS model will not occur or can be mitigated.
4. Transfer of claimed right No. A35-10948 is REJECTED for the reason that transfer of the claimed right is not necessary to provide sufficient water and acreage to cover the 4,230.4 acres of land proposed to be served.

DATED This 15th day of April, 1993.


R. KEITH HIGGINSON
Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 15th day of April, 1993, I served a true and correct copy of the foregoing MEMORANDUM DECISION AND ORDER by placing a copy thereof in the United States mail addressed to the following:

Jeffrey C. Fereday
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Boise, Idaho 83701-2720

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Deputy Attorney General
Idaho Department of Fish & Game
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Idaho Falls, Idaho 83402

Kent W. Foster
HOLDEN, KIDWELL, HAHN &
CRAPO
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Idaho Falls, Idaho 83405

Barbara Scott-Brier
U.S. Department of Interior
Office of the Solicitor
500 N.E. Multnomah
Portland, Oregon 97232

Don Shenton, Watermaster
Water District 31
P.O. Box 33
Dubois, Idaho 83423


DEBRA L. CLINE
Administrative Secretary

ATTACHMENT 1: Points of Diversion after requested change

1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Pump
SE	SE	SE	4	7N	36E	Jefferson	49
SE	NW	SE	11	8N	36E	Jefferson	89
NE	SW	SW	11	8N	36E	Jefferson	90
NE	NE	NW	10	8N	36E	Jefferson	93
NE	NW	SW	3	8N	36E	Jefferson	94
SE	SW	SW	34	9N	36E	Clark	95
SE	SW	NW	34	9N	36E	Clark	96
SE	SE	NE	34	9N	36E	Clark	97
SE	NE	NW	34	9N	36E	Clark	98
NW	SE	SE	27	9N	36E	Clark	99
NW	SE	NE	27	9N	36E	Clark	100
NW	SE	NW	26	9N	36E	Clark	101
SE	NW	NE	26	9N	36E	Clark	102
NE	NW	NE	35	9N	36E	Clark	103
NW	SW	SE	24	9N	36E	Clark	104
SE	SE	SE	24	9N	36E	Clark	105
NW	NW	SW	22	9N	36E	Clark	106
NE	SW	NW	27	9N	36E	Clark	107
SE	SW	SW	27	9N	36E	Clark	108
SE	NW	NE	33	9N	36E	Clark	109
NW	SE	NW	28	9N	36E	Clark	110
NW	NW	SE	31	9N	36E	Clark	111
SE	NW	SE	33	10N	36E	Clark	112
NE	SW	SE	34	9N	36E	Clark	113
SW	NE	SW	25	9N	36E	Clark	119
SE	SW	NE	25	9N	36E	Clark	120
NW	SW	NW	13	8N	36E	Jefferson	123

[illegible]

ATTACHMENT 2: Places of use after requested change

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Pump	Acres
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
7N	35E	4													35			25		
		9	25			15													#49	75
8N	36E	11							2	5					40	27	27	38		
		12										10	7						#89	156
8N	36E	10				7									38			35		
		11							12	5.3	12	40	36	13					#90	193.3
8N	36E	3										7	7							
		9	5			1.7													#93	181.7
		10		8	6		40	40	31	36										
8N	36E	3			2				33	33	40	40	18	18		4				
		4				5									8				#94	201
8N	36E	3					19	40												
		4	10																	
9N	36E	33																13	#95	124.7
		34											36	6.7						
9N	36E	33				18									10					
		34							40	20	14.3	39							#96	141.3
9N	36E	34	27	16	37	40									30	19				
		35						8	20			10							#97	207
9N	36E	26											20	38			15			
		35		30	12		40	32	12	22.3									#98	221.3
9N	36E	27									1.6			4	20	27	40	32		
		34	4	8															#99	136.6
9N	36E	26						4	5											
		27	36	34	38	39									4.4	4			#100	164.4
9N	36E	26		8	18		35	20	30	40	9	4.7							#101	164.7

ATTACHMENT 2: Places of use after requested change

Twps	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Pump	Acres
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
7N	35E	4													35			25		
9N	36E	25						12	16											
		26	37	10.9	17	40													#102	132.9
9N	36E	25											12							
		26															4	31		
		35	28	3															#103	83
		36						5												
9N	36E	24			3					6	40	14.6	16	39		36	35			
		25		3			6												#104	198.6
9N	36E	24																22.5		
		25	38			5														
	37E	19											19						#105	119.5
		30						33		2										
9N	36E	21				23									31			10		
		22							36	15	17	40	18	3.2					#106	193.2
9N	36E	27					20	39	40	33	8	17								
		28	14			23									2				#107	15
9N	36E	27									7	14	40	36						
		28													2.4			23		
		33	16																#108	199.4
		34					24	37												
9N	36E	33	10.2	37	39	14	12			15									#109	127.2
9N	36E	28					32	32	32	32									#110	128
9N	36E	31			19				5	39	39	5				19			#111	126
10N	36E	33				23.5									40			25		
		34							23			40	25						#112	176.5

Twp	Rge	Sec	NE 1/4			NW 1/4			SW 1/4				SE 1/4			Pump	Acres
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼			
7N	35E	4												35		25	
8N	36E	3		27													
9N	36E	34											7			25	127.4
9N	36E	25								39.5	14	12	36		9	7	#119 117.5
9N	36E	25			30	35								26	23.4		#120 114.4
3N	36E	13					31.4										
		12										31.4					#123 62.5
																TOTAL ACRES	4074.4

[illegible]

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF TRANSFER NO'S	)	
3666, 3667, 3668, 3669, 3670, AND	)	ORDER EXTENDING
3671 ON WATER RIGHT NO.'S 35-2728	)	TEMPORARY APPROVAL
35-2821B/2844/7361/7586/7605/7632,	)	OF TRANSFERS
A35-10948, 36-2074/2121/2122/2124	)	
2127/2190/2193/2194/2300/2632/2727	)	
7015A/7022/7272/7495/7897	)	
	)	

Blaine Larsen, having received approved transfers from the Department of Water Resources in 1989, and having requested that the Department extend the two year approval period, the Director of the Department of Water Resource finds, concludes, and orders as follows:

FINDINGS OF FACT

1. On January 6, 1989, Blaine Larsen (Larsen) filed transfer applications no's 3502, 3503, 3504, 3505, 3506, 3507, 3508, and 3512 with the Department of Water Resources (department) proposing transfer of water right no.'s 35-7390, 35-7391, 35-7630, 35-7605, 35-7586, 36-7015A, 36-2074, 36-7613, 36-2409A, 36-7495, 37-2652, 36-2121, 36-2122, 36-2127, 36-2193, 36-2194, 35-2821A, 35-2728, 35-2844, 35-7361, 36-7022, 36-2632, 36-7272, 36-7897, and 36-2300. On January 25, 1989, Larsen filed transfer application no. 3500 with the Department, proposing transfer water right no.'s 21-7050 and 21-7051.

2. The transfer applications proposed irrigation of 4,594 acres in Jefferson and Clark counties from groundwater and withdrawal from irrigation of 4,894 acres in Bingham, Lincoln, Minidoka, Jefferson and Fremont counties to compensate for the proposed water use.

3. Timely protests against the approval of the applications were filed by various parties. Two days before a scheduled hearing, the protestants withdrew their protests based on a stipulation between the parties. The parties agreed that Blaine Larsen should be allowed to temporarily transfer water rights to his existing places of use pending the completion of a study by United States Geological Survey (USGS). USGS predicted completion of its study in 1991. Blaine Larsen's pending transfers in 1989 were approved for one year. Blaine Larsen subsequently filed other applications for transfer, numbered 3666, 3667, 3668, 3669, 3670, and 3671, proposing transfer of water right no's 35-2728, 35-2821, 35-2844, 35-7361, 35-7586, 35-7605, 35-7632, A35-10948, 36-2074, 36-2121, 36-2122, 36-2124, 36-2127, 36-2190, 36-2193, 36-2194, 36-

2300, 36-2632, 36-2727, 36-7015A, 36-7022, 36-7272, 36-7495, and 36-7897.

4. The last set of applications for transfer were advertised properly, and the applications were not protested. The department approved the transfers in the spring of 1990 for a period of two irrigation seasons. The transfers authorized the irrigation of 4,075 acres listed on the summary attached, and labeled as Attachment 2.

5. In the spring of 1991, Blaine Larsen filed another application for transfer, numbered 3847, proposing to transfer water right no. 36-2197 for the irrigation of an additional 147 acres in Fremont County. The application was protested by some of the original protestants, but the protests were subsequently withdrawn. The application for transfer was approved for one year.

6. The approved transfer authorized the diversion of 1.47 cfs for irrigation of the following lands:

Township	Range	Section		Acres
08N	37E	32	NE NE	37
08N	37E	32	SE NE	37
08N	37E	32	NE SE	37
08N	37E	32	SE SE	36
			TOTAL	147

7. The transfers expired at the end of the 1991 irrigation season.

8. As the end of the transfer approval period approached, the USGS represented that it would not complete its study prior to the 1992 irrigation season. Larsen negotiated with and received consent from all the original protestants to extend the prior approved transfer for one more year.

CONCLUSIONS OF LAW

1. Idaho Code, Section 42-222 sets forth the criteria the department must consider in evaluation of an application for transfer:

The director of the Department of Water Resources shall examine all the evidence and available information and shall approve the change in whole, or in part, or upon conditions, provided no other water rights are injured thereby, the change does not constitute an enlargement in use of the original right, and the change is consistent with conservation of water resource within the state of Idaho and is in the local public interest.

2. All of the criteria listed above were considered in the prior applications for transfer listed above, which were approved by the Department of Water Resources.

3. The petition for renewal of the transfer approval does not propose any change in the points of diversion, places of use, or water rights which were originally approved in 1990. A one year extension of time will not change the Director's original analysis of the criteria of Idaho Code, § 42-222.

4. No additional notice to the public is required. The published notice of the applications described the present water use, and, at the time, the public had an opportunity to contest the applications.

5. The request for an extension of the transfer approval should be granted.

ORDER

IT IS HEREBY ORDERED that applications for transfer no.'s 3666, 3667, 3668, 3669, 3670, and 3671, are REAPPROVED, subject to the following conditions:

1. The department retains jurisdiction over the transfers to modify, amend or cancel the transfers if it finds that the diversion and use of water under the transfers injures other water rights.

2. The transfers are approved for a period of one (1) year. On November 1, 1992, the water rights shall revert back to the original places of use and points of diversion with their original priority dates.

3. The priority of all water rights involved in these transfers shall be advance to December 22, 1989.

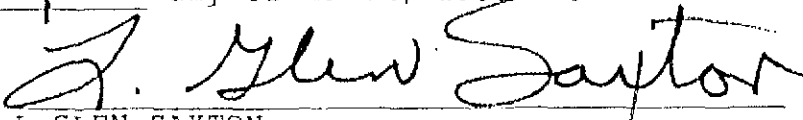
4. The place of use is limited to the 4221 acres listed in Attachment 2 and in finding of fact no.'s 4 through 6.

5. Any change in point of diversion, place of use, period of use, or nature of use, or any change in the water rights transferred to these lands for an additional years will require the filing of a new application of transfer.

Dated this

4th

day of March, 1992



L. GLEN SAXTON

Chief, Water Allocation Bureau

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT on the 4th day of March 1992, a true and correct copy of the ORDER EXTENDING TEMPORARY APPROVAL OF TRANSFERS was mailed, postage prepaid to:

Blaine Larsen
P.O. Box 188
Hamer, ID 83425

Michael C. Creamer
Givens, Pursley, Webb, and Huntley
P.O. Box 2720
Boise, ID 83701

Kent Foster
Idaho First National Bank
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Idaho Falls, ID 83405

Barbara Scott-Brier
Fish and Wildlife Service
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Portland, OR 97232

Steven V. Goddard
Idaho Department of Fish and Game
P.O. Box 25
Boise, ID 83707



Karen L. Gustafson
Secretary/Records Manager

SUMMARY OF
BLAINE TRANSFER APPLICATIONS 1990

NUMBER	PRIORITY	CFS	ACRES
1. ACEQUIA			
36-2121	12-13-1948	2.44	240
36-2122B	12-24-1948	3.26	263.1
36-2124B	06-07-1951	0.40	20
36-2127B	05-04-1950	2.47	160
36-2190B	02-25-1953	1.20	120
36-2193B	12-23-1950	2.16	160
36-2194	02-19-1951	3.18	240
		=====	=====
TOTAL		15.11	1203.1
2. ANDERSON			
36-2632	01-07-1966	1.94	97
36-7022	04-12-1968	4.64	232
36-7272	11-07-1972	1.50	78.5
36-7897	02-25-1980	2.84	203
36-2300	05-15-1956	3.88	194
		=====	=====
TOTAL		14.80	804.5
3. KERBS			
36-7495		4.58	320
36-2727		5.10	320
		=====	=====
TOTAL		9.68	640
4. MCFARLAND			
35-7015A	02-14-1968	0.94	152.6
36-2074	07-27-1943	0.75*	80*
		=====	=====
TOTAL		0.94	152.6
		* Same land as in 35-7015A	
5. STEWART			
35-2821B	05-02-1960	0.60	30
35-2728	07-09-1963	3.40	170
35-2844	10-17-1966	3.30	165
35-7361	12-26-1973	0.54	27
35-7632	08-05-1976	4.40	264
A35-10948	04-01-1978	0.56	28
		=====	=====
TOTAL		12.80	684
6. TAYLOR			
35-7605	04-28-1976	4.00	200
35-7586	02-23-1976	6.41	391
		=====	=====
TOTAL		10.41	591
			4075.2

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4094

APPLICATION FOR TRANSFER OF WATER RIGHT RECEIVED

PART 1

DEC 21 1992

Department of Water Resources

2. ANDERSON (There are five Part 2 forms to this application)

Name of applicant Blaine Larsen, Blaine Larsen Farms, Inc. Phone (208) 662-5501
 Post Office address P. O. Box 188, Hamer, Idaho 83425

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
 ☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes To provide irrigation water on crop land owned by the Applicant for the 1993 irrigation season. This is one of six transfers filed contemporaneously as a package. See Remarks on page 2.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>36-07022</u>	<u>4/12/68</u>	<u>4.64 c.f.s.</u>	<u>irrigation</u>	<u>May 1</u> to <u>Oct. 31</u>
<u>36-02632</u>	<u>1/8/66</u>	<u>1.94 c.f.s.</u>	<u>irrigation</u>	<u>Mar. 15</u> to <u>Nov. 15</u>
<u>36-07272</u>	<u>11/7/72</u>	<u>1.50 c.f.s.</u>	<u>irrigation</u>	<u>Apr. 1</u> to <u>Oct. 15</u>
<u>36-07897</u>	<u>2/25/80</u>	<u>2.84 c.f.s.</u>	<u>irrigation</u>	<u>Mar. 15</u> to <u>Nov. 15</u>
<u>36-02300</u>	<u>5/15/56</u>	<u>3.88 c.f.s.</u>	<u>irrigation</u>	<u>Apr. 1</u> to <u>Nov. 1</u>

2. Total amount of water being transferred 14.8 cubic feet per second and/or _____ acre feet per annum.

3. Source of water Groundwater tributary to _____

4. Point(s) of Diversion: See Attachment 1 and Remarks on page 2.

5. Lands Irrigated or place of use. See Attachment 2 and Remarks on page 2.

Total acres _____

MAY 20 1993

PART 1

6. General Information:

a. Description of diversion system Wells and pumps with pivot and lateral irrigation systems

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

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

The transfer is identical to the transfers of these rights approved in 1990 and 1992. The points of diversion and places of use after change are contained in Attachments 1 and 2, respectively, which accompany all six transfers in this package.

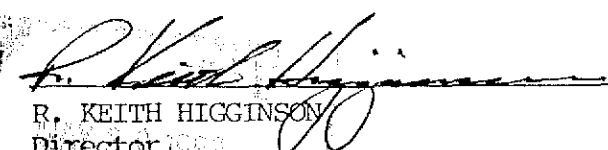
d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 36-7022/2632/7272/7897/2300
And said application is hereby APPROVED, subject to the following limitations and conditions:

see the attached Memorandum Decision and Order.

Witness my hand this 15th day of April, 19 93.


R. KEITH HIGGINSON
Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 36-07022 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice ☐ Warranty Deed ☒ Other lease of water rights for 1993

3. Source of water groundwater tributary to Snake River

4. Date or priority April 12, 1968

5. Water is used for the following purpose:

amount 4.64 cfs for irrigation purposes from May 1 to October 31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

*subject to condition that the maximum rate of diversion shall not exceed 5.24 cfs when combined with License 36-02632.

6. Total amount of water under right 4.64* cubic feet per second and/or _____ acre-feet per annum

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SW	4	7S	23E	Lincoln	

8. Lands irrigated or place of use.

Twp.	Rge.	Sec.	NE ¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SE¼	SW¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7S	23E	4						Lot 4, 26	20										46
		5	Lot 1, 26		40	40									40			40	136

Total acres 232

9. Describe any other water rights used for the same purpose as described above _____

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 No. _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use.

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use.

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 36-02632 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice ☐ Warranty Deed ☒ Other lease of water rights for 1993

3. Source of water groundwater tributary to SNAKE RIVER

4. Date or priority January 8, 1966

5. Water is used for the following purpose:

amount 1.94 cfs for irrigation purposes from March 15 to November 15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.94 cubic feet per second and/or _____ acre-feet per annum

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SW	4	7S	23E	Lincoln	

8. Lands irrigated or place of use.

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	
7S	23E	4									40	8	9	40					97

9. Describe any other water rights used for the same purpose as described above _____

Total acres 97

MAY 20 1993

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 No. _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use.

Twp.	Rge.	Sec.	NE ¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SE¼	SW¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total acres _____

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

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use.

Twp.	Rge.	Sec.	NE ¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SE¼	SW¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

MAY 20 1995

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 36-07272 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice ☐ Warranty Deed ☒ Other lease of water rights for 1993

3. Source of water groundwater tributary to Snake River

4. Date or priority November 7, 1972

5. Water is used for the following purpose:

amount 1.5 cfs for irrigation purposes from April 1 to October 15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.5 cubic feet per second and/or 314 acre-feet per annum

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	3	9S	23E	Minidoka	

8. Lands irrigated or place of use.

Twp.	Rge.	Sec.	NE ¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SE¼	SW¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	23E	3											38.5	40					78.5

Total acres 78.5

9. Describe any other water rights used for the same purpose as described above _____

MAY 20 1993

PART 2

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

No. _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED*(If the entire right is to be changed by the applicant, omit part B and C.)*

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use.

Twp.	Rge.	Sec.	NE ¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SE¼	SW¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total acres _____

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

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use.

Twp.	Rge.	Sec.	NE ¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SE¼	SW¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total acres _____

MAY 20 2005

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 36-07897 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice ☐ Warranty Deed ☒ Other lease of water rights for 1993

3. Source of water groundwater tributary to Snake River

4. Date or priority February 25, 1980

5. Water is used for the following purpose:

amount 2.84 cfs for irrigation purposes from March 15 to November 15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.84 cubic feet per second and/or 812 acre-feet per annum

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NE	25	6S	22E	Lincoln	

8. Lands irrigated or place of use.

Twp.	Rge.	Sec.	NE ¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SE¼	SW¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	22E	5	9	10	10						40	40	40	40	9	5			203

Total acres 203

9. Describe any other water rights used for the same purpose as described above _____

APR 11 1991

PART 2

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

No. _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use.

Twp.	Rge.	Sec.	NE ¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SE¼	SW¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total acres _____

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

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use.

Twp.	Rge.	Sec.	NE ¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SE¼	SW¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total acres _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 36-02300 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice ☐ Warranty Deed ☒ Other lease of water rights for 1993

3. Source of water groundwater tributary to Snake River

4. Date or priority May 15, 1956

5. Water is used for the following purpose:

amount 3.88 cfs for irrigation purposes from April 1 to November 1
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 3.88 cubic feet per second and/or _____ acre-feet per annum

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NE	25	6S	22E	Minidoka	

8. Lands irrigated or place of use.

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NEK	NWK	SEK	SWK	NEK	NWK	SEK	SWK	NEK	NWK	SEK	SWK	NEK	NWK	SEK	SWK	
6S	22E	25	30	30	30	39									30	35			194

Total acres 194

9. Describe any other water rights used for the same purpose as described above _____

PART 2

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
 No. _____ If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use.

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE¼	NW¼	SE¼	SW¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total acres _____

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

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

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use.

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE¼	NW¼	SE¼	SW¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total acres _____

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

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

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

1990

PART 3**9. CHANGES IN NATURE OF USE**

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

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

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

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

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

Subscribed and sworn to before me this 17th day of December, 1992.

Blaine Lerson
(Signature of Applicant)

Herrie Rodgers
(Notary Public)

My commission expires 5/15/95

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by SC Date 12/21/92 Protest filed by _____

relim. check by Jim F Fee 50⁰⁰ _____

Receipted by SC Date 1/5/93 #C026425 _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

ATTACHMENT 1: Points of Diversion after requested change

1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Pump
SE	SE	SE	4	7N	36E	Jefferson	49
SE	NW	SE	11	8N	36E	Jefferson	89
NE	SW	SW	11	8N	36E	Jefferson	90
NE	NE	NW	10	8N	36E	Jefferson	93
NE	NW	SW	3	8N	36E	Jefferson	94
SE	SW	SW	34	9N	36E	Clark	95
SE	SW	NW	34	9N	36E	Clark	96
SE	SE	NE	34	9N	36E	Clark	97
SE	NE	NW	34	9N	36E	Clark	98
NW	SE	SE	27	9N	36E	Clark	99
NW	SE	NE	27	9N	36E	Clark	100
NW	SE	NW	26	9N	36E	Clark	101
SE	NW	NE	26	9N	36E	Clark	102
NE	NW	NE	35	9N	36E	Clark	103
NW	SW	SE	24	9N	36E	Clark	104
SE	SE	SE	24	9N	36E	Clark	105
NW	NW	SW	22	9N	36E	Clark	106
NE	SW	NW	27	9N	36E	Clark	107
SE	SW	SW	27	9N	36E	Clark	108
SE	NW	NE	33	9N	36E	Clark	109
NW	SE	NW	28	9N	36E	Clark	110
NW	NW	SE	31	9N	36E	Clark	111
SE	NW	SE	33	10N	36E	Clark	112
NE	SW	SE	34	9N	36E	Clark	113
SW	NE	SW	25	9N	36E	Clark	119
SE	SW	NE	25	9N	36E	Clark	120
NW	SW	NW	13	8N	36E	Jefferson	123

2

[illegible]

ATTACHMENT 2: Places of use after requested change

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Pump	Acres
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
7N	35E	4													35			25		
9N	36E	25						12	16											
		26	37	10.9	17	40													#102	132.9
9N	36E	25											12							
		26															4	31		
		35	28	3															#103	83
		36						5												
9N	36E	24			3					6	40	14.6	16	39		36	35			
		25		3			6												#104	198.6
9N	36E	24																22.5		
		25	38			5														
	37E	19											19						#105	119.5
		30						33		2										
9N	36E	21				23									31			10		
		22							36	15	17	40	18	3.2					#106	193.2
9N	36E	27					20	39	40	33	8	17								
		28	14			23									2				#107	196
9N	36E	27									7	14	40	36						
		28													2.4			23		
		33	16																#108	199.4
		34					24	37												
9N	36E	33	10.2	37	39	14	12			15									#109	127.2
9N	36E	28					32	32	32	32									#110	128
9N	36E	31			19				5	39	39	5				19			#111	126
10N	36E	33				23.5									40			25		
		34							23			40	25						#112	176.5

ATTACHMENT 2: Places of use after requested change																					
Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Pump	Acres	
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼			
7N	35E	4													35			25			
8N	36E	3	27	27																	
9N	36E	34												7		2.4	39	25	#113	127.4	
9N	36E	25									39.5	14	12	36		9	7		#119	117.5	
9N	36E	25			30	35									26	23.4			#120	114.4	
8N	36E	13						31.4													
		12											31.4						#123	62.8	
																			TOTAL ACRES	4074.4	

TOTAL ACRES

4074.4

RENEWAL OF LEASE OF WATER RIGHTS FOR 1993

This Renewal, made and entered into on the 13th day of November 1992, is an addendum to the Lease of Water Rights dated December 7, 1988 ("Lease"), a copy of which is attached hereto, and executed by and between Sherry Anderson and Glenwinn Harris, Lessors, and Blaine Larsen and Blaine Larsen Farms, Inc., Lessee.

1. The Lessee hereby exercises and, Lessors hereby accept, Lessee's option to renew the Lease for a term of one additional year commencing April 1, 1993.

2. The parties hereto contemplate the filing of a one-year transfer to the Lessee's property of the places of use and points of diversion of the water rights described in the Lease for the 1993 irrigation season (the "1993 Transfer"), similar to the one-year transfer referenced in the Lease and approved by the Idaho Department of Water Resources on April 19, 1989. This Renewal is contingent upon the approval of the 1993 Transfer by the Idaho Department of Water Resources.

3. The amount of rent to be paid for this Renewal shall be \$4,022.50. The Lessee shall pay such sums to the Lessors on April 1, 1993 or within 10 days following the approval of the 1993 Transfer, whichever is later.

4. All other terms of the Leases not expressly modified herein shall govern the rights and obligations of the parties during the period of this Renewal. (NOTE: This Renewal also corrects the name of the Lessee Blaine Larsen Farms, Inc.)

IN WITNESS WHEREOF, the parties executed this Renewal of Lease on the day and year first above written.

LESSORS:

LESSEE:

Sherry Anderson
Sherry Anderson

Blaine Larsen
Blaine Larsen

Glenwinn Harris
Glenwinn Harris

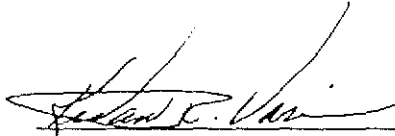
BLAINE LARSEN FARMS, INC.

By: Blaine Larsen
Blaine Larsen, President

STATE OF IDAHO)
) ss.
County of Jefferson)

On this 16th day of Dec ~~October~~, 1992, before me, the undersigned, a Notary Public in and for said State, personally appeared BLAINE LARSEN, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

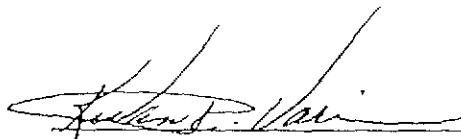
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.


Notary Public for Idaho
Residing at Castlegarden, Id
My commission expires: 8-16-97

STATE OF IDAHO)
) ss.
County of Jefferson)

On this 16th day of Dec ~~October~~, 1992, before me, the undersigned, a Notary Public in and for said State, personally appeared BLAINE LARSEN, on behalf of Larsen Farms, and on behalf of Larsen of Idaho, corporations, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same on behalf of said corporations.

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


Notary Public for Idaho
Residing at Castlegarden, Id
My commission expires: 8-16-97

STATE OF Idaho)
County of Cassia) ss.

On this 15th day of ^{November} October, 1992, before me, the undersigned, a Notary Public in and for said State, personally appeared SHERRY ANDERSON, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

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

Valerie A. Kelsey
Notary Public for OF ESTATE Bank
Residing at Boise
My commission expires: 11-94

MY COMMISSION EXPIRES 11-1-94
NOTARY PUBLIC
RESIDING AT DECLO, IDAHO

STATE OF Idaho)
County of Cassia) ss.

On this 15th day of ^{November} October, 1992, before me, the undersigned, a Notary Public in and for said State, personally appeared GLENWINN HARRIS, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

Valerie A. Kelsey
Notary Public for OF ESTATE Bank
Residing at Boise
My commission expires: 11-94

MY COMMISSION EXPIRES 11-1-94
NOTARY PUBLIC
RESIDING AT DECLO, IDAHO

LEASE OF WATER RIGHTS

SHERRY ANDERSON ("Lessor") hereby leases to BLAINE LARSEN, LARSEN OF IDAHO and LARSEN FARMS ("Lessee") all of Lessor's right, title and interest in and to Water Right Nos. 36-07022, 36-02632, 36-07272, 36-07898, and 36-02300 (collectively, the "water rights") in exchange for \$5.00 per acre.

1. Lessor covenants that all lands to which the water rights are appurtenant shall be set-aside from production and shall not be irrigated in 1989 whether or not that land is accepted into the Conservation Reserve Program ("CRP") sponsored by the United States Department of Agriculture.

2. During the term of this Lease and during any extension, Lessee shall place to beneficial use for irrigation purposes all waters approved for use under the water rights.

3. The term of this Lease shall be one (1) year to commence on April 1, 1989 and may be renewed on a year-to-year basis for up to eight (8) additional years upon the request of the Lessee and with the written approval of the Lessor. To renew, the Lessee must so notify the Lessor in writing prior to April 1 of the year in which the water is to be leased. This Lease or any renewal thereof cannot be terminated except upon written agreement by the Lessor and the Lessee.

4. Lessor covenants and represents that she is the true and lawful owner of the water rights and that these rights have not lapsed, been abandoned or forfeited either in whole or in part. Lessor makes no covenant or representation about the actual quantities of water that the Idaho Department of Water Resources ("Department") may recognize for transfer or diversion under the water rights, regardless of the amount stated in any permit, claim or license.

5. Lessee shall be entitled to file all necessary applications with the Department to transfer the places of use and points of diversion of the water rights on a temporary basis. Lessee shall cooperate in securing such transfers and processing such application(s) and shall execute any documents necessary to achieving the transfer.

6. This Lease is conditioned upon the Department's approval of a transfer of the water rights from Lessor's present places of use and points of diversion to places of use and points of diversion located on lands owned or leased by Lessee. Payment shall be made on or before April 15, 1989 or within 10 days after such approval whichever is later.

7. Lessor shall not be liable for any damage to Lessee sustained by reason of any action of the Department effecting the shutdown of some or all irrigation operations by Lessee under the leased water rights to protect the water rights of other appropriators.

8. At the termination of the Lease, Lessee shall be responsible for all actions necessary to transfer the water rights back to such place of use as shall be specified by Lessor.

9. This Lease shall be binding upon the respective heirs, successors and assigns of the Lessor and the Lessee.

DATED this 7th day of December, 1988.

LESSOR

Sherry Anderson
SHERRY ANDERSON

Glenwin Harris
GLENWINN HARRIS

LESSEE

Blaine Larsen
BLAINE LARSEN, individually
and on behalf of LARSEN OF
IDAHO and LARSEN FARMS

STATE OF IDAHO)
) ss.
County of Ada)

On this 12th day of December, 1988, before me, the undersigned, a Notary Public, in and for said State, personally appeared Blaine Larsen, known or identified to me to be the person whose name is subscribed to the within and foregoing instrument, and acknowledged to me that he executed the same.

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

Hena Cameron
Notary Public for Idaho
Residing at Bose, Idaho
My commission expires: 9/26/94

STATE OF IDAHO)
) ss.
County of Cassia)

On this 7th day of December, 1988, before me, the undersigned, a Notary Public, in and for said State, personally appeared Sherry Anderson, known or identified to me to be the person whose name is subscribed to the within and foregoing instrument, and acknowledged to me that she executed the same.

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

Valerie Kellogg
Notary Public for Idaho
Residing at Declo, Idaho
My commission expires: 11-1-94

STATE OF IDAHO)
) ss.
County of Blaine)

On this 5th day of September, 1988, before me, the undersigned, a Notary Public, in and for said State, personally appeared Glenwinn Harris, known or identified to me to be the person whose name is subscribed to the within and foregoing instrument, and acknowledged to me that he executed the same.

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

Valerie K. Kell
Notary Public for Idaho
Residing at Declo, Idaho
My commission expires: 11-1-94

and the Lessor shall have any other remedy available to it at law or in equity, including the right to recovery rental payments and damages caused by the breach of this lease.

TRANSFER OF WATER RIGHTS UPON TERMINATION OF LEASE:

Upon the termination of this lease for any reason, the Lessee shall surrender the water licenses and water rights covered by this lease to the Lessor and shall pay such cost as is necessary to transfer said water rights and water licenses back to the Lessor's real property described on Exhibit "A" attached hereto.

OPTION TO RENEW: It is further understood and agreed that the Lessee, after the expiration of the first lease period hereunder, shall have the option to continue this lease for four (4) additional terms of one (1) year each upon the same terms and conditions. The amount of rent to be paid during the renewal period shall be \$4,200 per year. The amount of the annual rent to be paid for the renewal period shall be paid at the time of renewal. The option to renew shall be exercised by the Lessee giving written notice to the Lessor prior to March 1 of the year in which the water is to be leased.

NOTICES: Any notices required or desired to be given by one party to the other may be given by placing the same in a sealed envelope and mailing the same, postage prepaid, in the United States Mail to the other party at the address hereinafter set forth.

Lessor:

c/o William Kerbs
213 Pleasant Way
Rupert, Idaho 83350

Lessee:

c/o Blaine Larsen
P. O. Box 188
Hamer, Idaho 83245

In addition to the foregoing notices, copies of notices will be sent to the attorneys for the party to whom notice is sent.

Attorney for Lessor:
Larry R. Duff
Goodman & Duff
P. O. Box D
Rupert, Idaho 83350

Attorney for Lessee:
James D. Hansen
Given, McDevitt, Pursley, Webb & Buser
P. O. Box 2720
Boise, Idaho 83701

ATTORNEY FEES: In the event suit is instituted by either party to enforce any provisions of this agreement, the successful party to said suit shall be entitled to recover their costs of the suit and a reasonable attorney fee in such amount as the Court may set.

SUCCESSORS AND ASSIGNS: This agreement shall inure to the benefit of and be binding upon the heirs, personal representatives, successors and assigns of each of the parties hereto.

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

KERBS & ROUTH

By William Kerbs
William Kerbs
LESSOR

Blaine Larsen
Blaine Larsen

LARSEN FARMS OF IDAHO

By Blaine Larsen
Blaine Larsen

LARSEN FARM

By Blaine Larsen
Blaine Larsen
LESSEE

STATE OF ~~IDAHO~~)
) ss.
County of ~~Minidoka~~ Yuma)

On this 12th day of DECEMBER, 1988, before me the undersigned Notary Public in and for said State personally appeared WILLIAM KERBS for Kerbs & Routh, a partnership, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.

(SEAL)

Robert L. Peterson
Notary Public Yuma, Idaho
Residing at Report, Idaho
My Commission Expires: 7/1/91

STATE OF IDAHO)
) ss.
County of Jefferson)

On this 22nd day of December, 1988, before me the undersigned Notary Public in and for said State personally appeared BLAINE LARSEN known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and affixed my official seal the day and year first above written.

(SEAL)

Robert L. Peterson
Notary Public
Residing at: Report, Idaho
My Commission Expires: 7/1/91

STATE OF IDAHO)
) ss.
County of Jefferson)

On this 28th day of December, 1988, before me, the undersigned, a Notary Public in and for said State, personally appeared BLAINE LARSEN, on behalf of Larsen Farms of Idaho, a corporation, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same on behalf of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and
affixed my official seal the day and year first above written.

(SEAL)

[Signature]
Notary Public
Residing at: [Address]
My Commission Expires: [Date]

STATE OF IDAHO)
County of [County]) ss.

On this 17 day of December, 1988,
before me the undersigned Notary Public in and for said State
personally appeared BLAINE LARSEN, on behalf of Larsen Farm, a
partnership, known to me to be the person whose name is
subscribed to the within instrument and acknowledged to me that
he executed the same.

IN WITNESS WHEREOF I have hereunto set my hand and
affixed my official seal the day and year first above written.

(SEAL)

[Signature]
Notary Public
Residing at: [Address]
My Commission Expires: [Date]

ⓧ = 36-7883 - Amended Permit

well-discharge = 5.17

xx = Permit Acres for 36-2398

xy = Licensed acres for 36-2398

xx = Permit acres for 36-2403

xx = Licensed acres for 36-2403

36-2398- 138

36-2403- 94

232

36-2403

94 Ac @ 0.02 cfs = 1.88
Ac

36-2398 $\frac{2.71}{138} = 0.019$

2.76

- 2.71

0.05 cfs

36-7883 $\frac{11.48}{574} = 0.02$

Keith
Permit 36-7883 excluded acres
Irrigated by 36-2398 & 36-2403
The rate and acres identified
under this permit are not overlapping.
Jim

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF TRANSFER NO'S	)	
3666, 3667, 3668, 3669, 3670, AND	)	ORDER EXTENDING
3671 ON WATER RIGHT NO.'S 35-2728	)	TEMPORARY APPROVAL
35-2821B/2844/7361/7586/7605/7632,	)	OF TRANSFERS
A35-10948, 36-2074/2121/2122/2124	)	
2127/2190/2193/2194/2300/2632/2727	)	
7015A/7022/7272/7495/7897	)	
	)	

Blaine Larsen, having received approved transfers from the Department of Water Resources in 1989, and having requested that the Department extend the two year approval period, the Director of the Department of Water Resource finds, concludes, and orders as follows:

FINDINGS OF FACT

1. On January 6, 1989, Blaine Larsen (Larsen) filed transfer applications no's 3502, 3503, 3504, 3505, 3506, 3507, 3508, and 3512 with the Department of Water Resources (department) proposing transfer of water right no.'s 35-7390, 35-7391, 35-7630, 35-7605, 35-7586, 36-7015A, 36-2074, 36-7613, 36-2409A, 36-7495, 37-2652, 36-2121, 36-2122, 36-2127, 36-2193, 36-2194, 35-2821A, 35-2728, 35-2844, 35-7361, 36-7022, 36-2632, 36-7272, 36-7897, and 36-2300. On January 25, 1989, Larsen filed transfer application no. 3500 with the Department, proposing transfer water right no.'s 21-7050 and 21-7051.

2. The transfer applications proposed irrigation of 4,594 acres in Jefferson and Clark counties from groundwater and withdrawal from irrigation of 4,894 acres in Bingham, Lincoln, Minidoka, Jefferson and Fremont counties to compensate for the proposed water use.

3. Timely protests against the approval of the applications were filed by various parties. Two days before a scheduled hearing, the protestants withdrew their protests based on a stipulation between the parties. The parties agreed that Blaine Larsen should be allowed to temporarily transfer water rights to his existing places of use pending the completion of a study by United States Geological Survey (USGS). USGS predicted completion of its study in 1991. Blaine Larsen's pending transfers in 1989 were approved for one year. Blaine Larsen subsequently filed other applications for transfer, numbered 3666, 3667, 3668, 3669, 3670, and 3671, proposing transfer of water right no's 35-2728, 35-2821, 35-2844, 35-7361, 35-7586, 35-7605, 35-7632, A35-10948, 36-2074, 36-2121, 36-2122, 36-2124, 36-2127, 36-2190, 36-2193, 36-2194, 36-

2300, 36-2632, 36-2727, 36-7015A, 36-7022, 36-7272, 36-7495, and 36-7897.

4. The last set of applications for transfer were advertised properly, and the applications were not protested. The department approved the transfers in the spring of 1990 for a period of two irrigation seasons. The transfers authorized the irrigation of 4,075 acres listed on the summary attached, and labeled as Attachment 2.

5. In the spring of 1991, Blaine Larsen filed another application for transfer, numbered 3847, proposing to transfer water right no. 36-2197 for the irrigation of an additional 147 acres in Fremont County. The application was protested by some of the original protestants, but the protests were subsequently withdrawn. The application for transfer was approved for one year.

6. The approved transfer authorized the diversion of 1.47 cfs for irrigation of the following lands:

Township	Range	Section			Acres
08N	37E	32	NE	NE	37
08N	37E	32	SE	NE	37
08N	37E	32	NE	SE	37
08N	37E	32	SE	SE	36
			TOTAL		147

7. The transfers expired at the end of the 1991 irrigation season.

8. As the end of the transfer approval period approached, the USGS represented that it would not complete its study prior to the 1992 irrigation season. Larsen negotiated with and received consent from all the original protestants to extend the prior approved transfer for one more year.

CONCLUSIONS OF LAW

1. Idaho Code, Section 42-222 sets forth the criteria the department must consider in evaluation of an application for transfer:

The director of the Department of Water Resources shall examine all the evidence and available information and shall approve the change in whole, or in part, or upon conditions, provided no other water rights are injured thereby, the change does not constitute an enlargement in use of the original right, and the change is consistent with conservation of water resource within the state of Idaho and is in the local public interest.

2. All of the criteria listed above were considered in the prior applications for transfer listed above, which were approved by the Department of Water Resources.

3. The petition for renewal of the transfer approval does not propose any change in the points of diversion, places of use, or water rights which were originally approved in 1990. A one year extension of time will not change the Director's original analysis of the criteria of Idaho Code, § 42-222.

4. No additional notice to the public is required. The published notice of the applications described the present water use, and, at the time, the public had an opportunity to contest the applications.

5. The request for an extension of the transfer approval should be granted.

ORDER

IT IS HEREBY ORDERED that applications for transfer no.'s 3666, 3667, 3668, 3669, 3670, and 3671, are REAPPROVED, subject to the following conditions:

1. The department retains jurisdiction over the transfers to modify, amend or cancel the transfers if it finds that the diversion and use of water under the transfers injures other water rights.

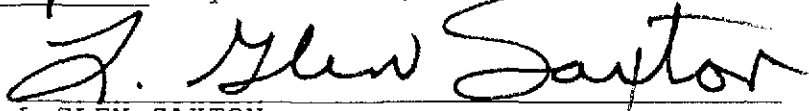
2. The transfers are approved for a period of one (1) year. On November 1, 1992, the water rights shall revert back to the original places of use and points of diversion with their original priority dates.

3. The priority of all water rights involved in these transfers shall be advance to December 22, 1989.

4. The place of use is limited to the 4221 acres listed in Attachment 2 and in finding of fact no.'s 4 through 6.

5. Any change in point of diversion, place of use, period of use, or nature of use, or any change in the water rights transferred to these lands for an additional years will require the filing of a new application of transfer.

Dated this 4th day of March, 1992


L. GLEN SAXTON
Chief, Water Allocation Bureau

CERTIFICATE OF MAILING

I HEREBY CERTIFY THAT on the 4th day of March 1992, a true and correct copy of the ORDER EXTENDING TEMPORARY APPROVAL OF TRANSFERS was mailed, postage prepaid to:

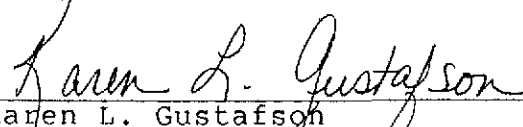
Blaine Larsen
P.O. Box 188
Hamer, ID 83425

Michael C. Creamer
Givens, Pursley, Webb, and Huntley
P.O. Box 2720
Boise, ID 83701

Kent Foster
Idaho First National Bank
P.O. Box 50130
Idaho Falls, ID 83405

Barbara Scott-Brier
Fish and Wildlife Service
500 N.E. Multnomah Street
Suite 607
Portland, OR 97232

Steven V. Goddard
Idaho Department of Fish and Game
P.O. Box 25
Boise, ID 83707



Karen L. Gustafson
Secretary/Records Manager

**SUMMARY OF
BLAINE TRANSFER APPLICATIONS 1990**

NUMBER	PRIORITY	CFS	ACRES
1. ACEQUIA			
36-2121	12-13-1948	2.44	240
36-2122B	12-24-1948	3.26	263.1
36-2124B	06-07-1951	0.40	20
36-2127B	05-04-1950	2.47	160
36-2190B	02-25-1953	1.20	120
36-2193B	12-23-1950	2.16	160
36-2194	02-19-1951	3.18	240
		=====	=====
TOTAL		15.11	1203.1
2. ANDERSON			
36-2632	01-07-1966	1.94	97
36-7022	04-12-1968	4.64	232
36-7272	11-07-1972	1.50	78.5
36-7897	02-25-1980	2.84	203
36-2300	05-15-1956	3.88	194
		=====	=====
TOTAL		14.80	804.5
3. KERBS			
36-7495		4.58	320
36-2727		5.10	320
		=====	=====
TOTAL		9.68	640
4. MCFARLAND			
35-7015A	02-14-1968	0.94	152.6
36-2074	07-27-1943	0.75*	80*
		=====	=====
TOTAL		0.94	152.6
	* Same land as in 35-7015A		
5. STEWART			
35-2821B	05-02-1960	0.60	30
35-2728	07-09-1963	3.40	170
35-2844	10-17-1966	3.30	165
35-7361	12-26-1973	0.54	27
35-7632	08-05-1976	4.40	264
A35-10948	04-01-1978	0.56	28
		=====	=====
TOTAL		12.80	684
6. TAYLOR			
35-7605	04-28-1976	4.00	200
35-7586	02-23-1976	6.41	391
		=====	=====
		10.41	591
TOTAL			4075.2

The approved transfer under this sheet is valid for the irrigation seasons of 1990 and 1991 only.

Page 1 of 14STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3669

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

2. Anderson (there are 5 Part 2s)

Name of applicant Blaine Larsen Phone (208) 662-5501Post Office address P. O. Box 188, Hamer, Idaho 83425

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes To provide irrigation water on cropland owned by the Applicant for the 1990 and 1991 irrigation seasons. This is one of six transfers filed contemporaneously as a package. See Remarks on page 2.

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

1. Right Number	Priority	Amount	Nature	Period of Use
36-07022	4/12/68	(cfs/ac-ft) 4.64 cfs	Use irrigation	May 1 to Oct. 31
36-02632	1/8/66	1.94 cfs	irrigation	Mar. 15 to Nov. 15
36-07272	11/7/72	1.5 cfs	irrigation	Apr. 1 to Oct. 15
36-07897	2/25/80	2.84 cfs	irrigation	Mar. 15 to Nov. 15
36-02300	5/15/56	3.88 cfs	irrigation	Apr. 1 to Nov. 1

2. Total amount of water being transferred 14.8 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water groundwater tributary to Snake River

4. Point(s) of Diversion: See Attachment 1 and Remarks on page 2.

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

5. Lands irrigated or place of use: See Attachment 2 and Remarks on page 2.

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

RECEIVED
DEC 22 1989
Department of Water Resources

PART 1**6. General Information:**

a. Description of diversion system Wells and pumps with pivot irrigation system.

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

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

That land will be set aside from production and will not be irrigated
in 1990 and 1991.

d. Remarks:

This transfer is identical to the one-year transfer of the same water
rights approved on April 19, 1989, except that this is for two years.

The points of diversion and places of use after change are contained in
Attachments 1 and 2, respectfully, which accompany all six transfers in
this package.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 36-2300/2632/7022/7272/7897

And said application is hereby APPROVED, subject to the following limitations and conditions:
SEE ATTACHED CONDITIONS OF APPROVAL.

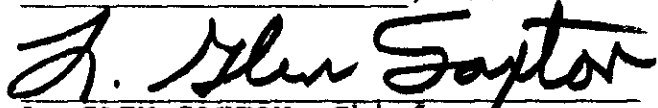
Witness my hand this 19th day of March, 19 90

A. Glen Saxton
Chief, Water Alloc. Bureau

CONDITIONS OF APPROVAL
of Transfer Nos. 3666, 3667, 3668, 3669, 3670 & 3671
on Water Right Nos. 35-2728/2821~~8~~/2844/7361/
7586/7605/7632, A35-1094~~8~~, 36-2074/2121/2122/2124/
2127/2190/2193/2194/2300/2632/2727/7015A/
7022/7272/7495/7897

1. The department retains jurisdiction over the transfers to modify, amend or cancel the transfers if it finds that the diversion and use of water under the transfers injures other water rights.
2. The transfers are approved for a period of two (2) years. On November 1, 1991, the water rights shall revert back to the original places of use and points of diversion with their original priority dates.
3. The priority of all water rights involved in these transfers shall be advanced to December 22, 1989.
4. The place of use is limited to the 4074.4 acres listed on Attachment 2.

Dated this 19th day of March, 1990.


L. GLEN SAXTON, Chief
Water Alloc. Bureau

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 In case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 36-07022 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below: **Renewal of lease of water**
☐ Tax Notice ☐ Warranty Deed ☒ Other rights for 1990 & 1991

3. Source of water groundwater tributary to Snake River

4. Date or priority April 12, 1968

5. Water is used for the following purpose:

amount 4.64 cfs for irrigation purposes from May 1 to Oct. 31
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft) _____

6. Total amount of water under right 4.64* cubic feet per second and/or _____ acre-feet per annum
 not exceed 5.24 cfs when combined with License 36-02632

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SW	4	7S.	23E.	Lincoln	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7S.	23E.	4																	46
		5	lot 26	1	40	40									40			40	186

Total acres 232

9. Describe any other water rights used for the same purpose as described above _____

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 36-02632 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below: Renewal of lease of water
☐ Tax Notice ☐ Warranty Deed ☒ Other rights for 1990 & 1991

3. Source of water groundwater tributary to Snake River

4. Date or priority January 8, 1966

5. Water is used for the following purpose:

amount 1.94 cfs for irrigation purposes from Mar. 15 to Nov. 15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.94 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SW	4	7S.	23E.	Lincoln	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7S.	23E.	4									40	8	9	40					97

Total acres 97

9. Describe any other water rights used for the same purpose as described above _____

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 36-07272 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below: Renewal of lease of water
☐ Tax Notice ☐ Warranty Deed ☒ Other rights for 1990 & 1991

3. Source of water groundwater tributary to Snake River

4. Date or priority November 7, 1972

5. Water is used for the following purpose:

amount 1.5 cfs for irrigation purposes from Apr. 1 to Oct. 15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 1.5 cubic feet per second and/or 314 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	3	9S.	23E.	Minidoka	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
9S.	23E.	3											38.5	40					78.5

Total acres 78.5

9. Describe any other water rights used for the same purpose as described above _____

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 36-07897 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below: Renewal of lease of water
☐ Tax Notice ☐ Warranty Deed ☒ Other rights for 1990 & 1991

3. Source of water groundwater tributary to Snake River

4. Date or priority February 25, 1980

5. Water is used for the following purpose:

amount 2.84 cfs for irrigation purposes from Mar. 15 to Nov. 15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 2.84 cubic feet per second and/or 812 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NE	25	6S.	22E.	Lincoln	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
6S.	22E.	5	9	10	10						40	40	40	40	9	5			203

Total acres 203

9. Describe any other water rights us or the same purpose as described above _____

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 36-02300 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below: Renewal of lease of water
☐ Tax Notice ☐ Warranty Deed ☒ Other rights for 1990 & 1991

3. Source of water groundwater tributary to Snake River

4. Date or priority May 15, 1956

5. Water is used for the following purpose:

amount 3.88 cfs for irrigation purposes from Apr. 1 to Nov. 1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 3.88 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NE	25	6S.	22E	Minidoka	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
6S.	22E.	25	30	30	30	39									30	35			194

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MAR 21 1990

Total acres 194

9. Describe any other water rights used for the same purpose as described above _____

PART 3**B. CHANGES IN NATURE OF USE**

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

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

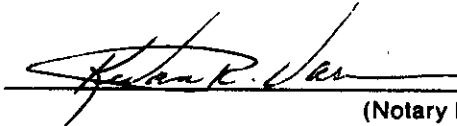
3. Describe effects on other water uses resulting from the proposed change:

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

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



(Signature of Applicant)

Subscribed and sworn to before me this 18 day of December, 19 89.

(Notary Public)

My commission expires 8-19-91**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee _____

Receipted by _____ Date _____

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster recommendation requested on _____ Recommended for ☐ approval ☐ denial_____ rec'd. _____ by **MICROFILMED**

Copy of transfer sent to lien holder _____

MAR 21 1990

ATTACHMENT 1: Points of Diversion after requested change							
1 / 4	1 / 4	1 / 4	Sec.	Twp.	Rge.	County	Pump
SE	SE	SE	4	7N	36E	Jefferson	49
SE	NW	SE	11	8N	36E	Jefferson	89
NE	SW	SW	11	8N	36E	Jefferson	90
NE	NE	NW	10	8N	36E	Jefferson	93
NE	NW	SW	3	8N	36E	Jefferson	94
SE	SW	SW	34	9N	36E	Clark	95
SE	SW	NW	34	9N	36E	Clark	96
SE	SE	NE	34	9N	36E	Clark	97
SE	NE	NW	34	9N	36E	Clark	98
NW	SE	SE	27	9N	36E	Clark	99
NW	SE	NE	27	9N	36E	Clark	100
NW	SE	NW	26	9N	36E	Clark	101
SE	NW	NE	26	9N	36E	Clark	102
NE	NW	NE	35	9N	36E	Clark	103
NW	SW	SE	24	9N	36E	Clark	104
SE	SE	SE	24	9N	36E	Clark	105
NW	NW	SW	22	9N	36E	Clark	106
NE	SW	NW	27	9N	36E	Clark	107
SE	SW	SW	27	9N	36E	Clark	108
SE	NW	NE	33	9N	36E	Clark	109
NW	SE	NW	28	9N	36E	Clark	110
NW	NW	SE	31	9N	36E	Clark	111
SE	NW	SE	33	10N	36E	Clark	112
NE	SW	SE	34	9N	36E	Clark	113
SW	NE	SW	25	9N	36E	Clark	119
SE	SW	NE	25	9N	36E	Clark	120
NW	SW	NW	13	8N	36E	Jefferson	123

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MAR 21 1990

ATTACHMENT 2: Places of use after requested change:		SW																				
Twp.	Rge.	Sec.	NE1/4				SW1/4				SE1/4				NW1/4				SW			
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4				
7N	35E	4														35			25			
8N	36E	9	25			15													#49	75		
		11							2	5						40	27	38				
		12											10	7					#89	156		
8N	36E	10				7										38		35				
		11							12	53	12	40	36	13					#90	198.3		
8N	36E	3										7	7									
		9	5			1.7													#93	181.7		
		10																				
8N	36E	3			8	6		40	40	31	36											
		4				2			33	33	40	40	18	18		8	4		#94	201		
8N	36E	3						19														
		4	10																			
9N	36E	33																				
		34																				
9N	36E	33				18							36	6.7		10						
		34							40	20	14.3	39							#96	141.3		
9N	36E	34	27	16	37	40				20		10				30	19		#97	207		
		35							8	20			20	38				15				
9N	36E	26																				
		27	36	34	38	39																
9N	36E	26		8	18			40	32	12	22.3				4	20	27	40	32			
9N	36E	27																	#98	221.3		
		34	4	8																		
9N	36E	26							4	5									#99	136.6		
		27	36	34	38	39																
9N	36E	26		8	18			35	20	30	40	9	4.7			4.4	4		#100	164.4		
9N	36E	25							12	16									#101	164.4		
		26	37	10.9	17	40																
9N	36E	25																	#102	137.9		
		26											12					4	31			
		28																	#103			
		35	28	3																		
		36							5													
9N	36E	24			3						6	40	14.6	16	39		36	35				
		25		3				6														
9N	36E	24																	#104			
		25	38			5													22.5			
		37E	19																			
		30							33		2			19					#105	119.5		
9N	36E	21				23																
		22																				
9N	36E	27						20	39	40	33	8	17									
		28	14			23										2						
9N	36E	27										7	14	40	36							
		28														2.4		23				
		33	16																#108	199.4		
		34						24	37													
9N	36E	33	10.2	37	39	14																
		34																				
9N	36E	28						32	32	32	15								#109	127.2		
		29																				
9N	36E	31			19					5	39	39	5				19					
		32														40		25				
10N	36E	33				23.5																
		34								23			40	25					#112	176.5		
8N	36E	3	27	27																		
9N	36E	34													7		2.4	39	25			
																			#113	127.4		

[illegible]

RECEIVED

MAR 21 1990

The approved transfer contained under this sheet was valid only
for the 1989 irrigation season.

MICROFILMED

MAR 21 1990

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR)
TRANSFER NOS. 3500, 3502, 3503, 3504,)
3505, 3506, 3507, 3508, 3512 PROPOSING)
TRANSFER OF WATER RIGHTS NOS. 35-7390,)
35-7391, 35-7630, 35-7605, 35-7586,)
36-7015A, 36-2074, 36-7613, 36-2409A,)
36-7495, 37-2652, 36-2121, 36-2122,)
36-2127, 36-2193, 36-2194, 35-2821A,)
35-2728, 35-2844, 35-7361, 21-7050)
21-7051, 36-7022, 36-2632, 36-7272,)
36-7897, 36-2300 IN THE NAME OF)
BLAINE LARSEN.)

ORDER APPROVING
TRANSFERS

Blaine Larsen having applied to transfer the above-captioned water rights, protests having been filed and withdrawn, and the Director of the Department of Water Resources, having reviewed the available information, finds concludes and orders as follows:

FINDINGS OF FACTS

1. On January 6, 1989, Blaine Larsen ("Larsen") filed transfer application nos. 3502, 3503, 3504, 3505, 3506, 3507, 3508, 3512 with the Department of Water Resources ("department") proposing transfer of water right nos. 35-7390, 35-7391, 35-7630, 35-7605, 35-7586, 36-7015A, 36-2074, 36-7613, 36-2409A, 36-7495, 37-2652, 36-2121, 36-2122, 36-2127, 36-2193, 36-2194, 35-2821A, 35-2728, 35-2844, 35-7361, 36-7022, 36-2632, 36-7272, 36-7897, and 36-2300. On January 25, 1989, Larsen filed transfer application no. 3500 with the department proposing transfer of water rights nos. 21-7050 and 21-7051.

2. The transfer applications propose irrigation of 4594 acres in Jefferson and Clark Counties, and the withdrawal from

irrigation of 4894 acres in Bingham, Lincoln, Minidoka, Jefferson, and Fremont counties for the 1989 irrigation season.

3. The department published notice of the applications for transfer on February 2 and 9, 1989. Due to errors in some of the original transfer applications, the department republished notice of the applications on February 16 and 23, 1989.

4. Timely protests against approval of the application were filed by Burgess Canal Company; Great Feeder Canal Company; Lloyd R. Hicks; Owsley Canal Company; Jackett Canal Company; Holly Water Users Association; Jefferson Irrigation; Producers Canal Company; Montevue Canal Company; Level Canal Company; Independent Water Users of Mud Lake; U.S. Department of Interior, Fish and Wildlife Service; State of Idaho, Department of Fish & Game; and Ray Sanders.

5. A hearing was scheduled for March 29, 1989. Lloyd R. Hicks, Burgess Canal Company, and Great Feeder Canal Company withdrew their protests on February 27, 1989.

6. Protestant Ray Sanders withdrew his protest on March 16, 1989.

7. Two days prior to the hearing, Larsen informed the Department that the remaining protestants had agreed to withdraw their protests. As a result, the department vacated the scheduled hearing.

8. On April 6, 1989, the parties filed with the department a stipulation withdrawing the protests of the U.S. Fish & Wildlife Service, the Idaho Department of Fish & Game, and the other remaining protestants.

9. The applications for transfer do not propose an enlargement in the rights as originally defined.

10. The stipulation for withdrawal of protests calls for a three year study to determine the effects of groundwater pumping in the Mud Lake hydrologic basin.

11. Many of the transfer applications propose to transfer water rights from a considerable distance and from areas outside the Mud Lake basin. Information does not presently exist to determine the probable impact of pumping the tranferred rights in the Mud Lake area.

12. If the original priority dates of the rights proposed to be changed are retained, later in time appropriators in the Mud Lake hydrologic basin could be injured.

CONCLUSIONS OF LAW

1. Idaho Code § 42-222 sets forth the criteria the department must consider in evaluating an application for transfer:

The director of the department of water resources shall examine all the evidence and available information and shall approve the change in whole, or in part, or upon conditions, provided no other water rights are injured thereby, the change does not constitute an enlargement in use of the original right, and the change is in the local public interest as defined in section 42-203A, Idaho Code. . .

2. Approval of the applications for transfer will not result in an enlargement of the water rights sought to be transferred.

3. Approval of the applications for transfer will not conflict with local public interest.

4. The department should retain jurisdiction over the transfer to modify, amend or cancel the transfer if it finds that other water rights are being injured by groundwater withdrawals authorized by the transfer.

5. The priority dates of water rights transferred under this transfer should be advanced to the date the transfer was filed to protect water users in the Mud Lake hydrologic basin from possible injury.

6. The transfers must be limited to one year as requested.

ORDER

IT IS HEREBY ORDERED that transfer nos. 3500, 3502, 3503, 3504, 3505, 3506, 3507, 3508, and 3512 proposing transfer of water right nos. 35-7390, 35-7391, 35-7630, 35-7605, 35-7586, 36-7015A, 36-2074, 36-7613, 36-2409A, 36-7495, 37-2652, 36-2121, 36-2122, 36-2127, 36-2193, 36-2194, 35-2821A, 35-2728, 35-2844, 35-7361, 21-7050, 21-7051, 36-7022, 36-2632, 36-7272, 36-7897, 36-2300 are APPROVED subject to the following conditions:

1. The department retains jurisdiction over the transfers to modify, amend or cancel the transfers if it finds that the diversion and use of water under the transfers injures other water rights.

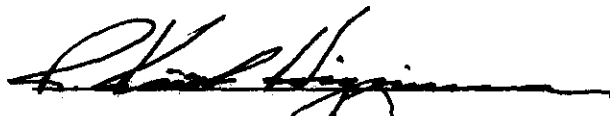
2. The transfers are approved for a period of one year. On November 1, 1989, the water rights shall revert back to the original places of use and points of diversion with their original priority dates.

3. The priority of water right nos. 35-7390, 35-7391, 35-7630, 35-7605, 35-7586, 36-7015A, 36-2074, 36-7613, 36-2409A, **JUL 17 1989**

36-7495, 37-2652, 36-2121, 36-2122, 36-2127, 36-2193, 36-2194, 35-2821A, 35-2728, 25-2844, 35-7361, 36-7022, 36-2632, 36-7272, 36-7897, and 36-2300 shall be advanced to January 6, 1989. The priority of water right nos. 21-7050 and 21-7051 shall be advanced to January 25, 1989.

4. The place of use is limited to the 4594 acres listed on the summary attached hereto.

Dated this 19th day of April, 1989.


R. KEITH HIGGINSON, Director
Department of Water Resources

MICROFILMED

JUL 17 1989

CERTIFICATE OF MAILING

I hereby certify that on the 3rd day of May, 1989, I mailed a true and correct copy, postage prepaid, of the foregoing ORDER APPROVING TRANSFERS to the following:

Jeff Fereday
277 N. 6th Street, Suite 200
P.O. Box 2720
Boise, Idaho 83701

Mr. Ray Sanders
112 E. 20th
Idaho Falls, Idaho 83404

Stephen V. Goddard
Deputy Attorney General
Idaho Department of
Fish & Game
P.O. Box 25
Boise, Idaho 83707

Kent Foster
Idaho First National Bank
P.O. Box 50130
Idaho Falls, Idaho 83405

United States Department
of Interior, Fish & Wildlife
Service
Attn: Barbara Scott-Brier
500 N.E. Multnomah Street
Suite 607
Portland, Oregon 97232

Lloyd R. Hicks
225 North 3600 East
Rigby, Idaho 83442

Diana Schuett

DIANA SCHUETT, Clerical
Assistant

MICROFILMED

JUL 17 1989

BLAINE LARSEN TRANSFERS 1989
PLACE OF USE
LISTED BY DIVISION NUMBER

	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	TOTAL	DIV.
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	TOTAL	DIV.
6N 36E	30.9	30.9	30.9	30.9	30.9	30.9	30.9	30.9	30.9	30.9	30.9	30.9	123.6	8
6N 35E					30.5	30.5	30.4	30.4					121.8	9
6N 34E	31.7	31.6	31.6	31.6									126.5	10
6N 33E									30.9	30.9	30.9	30.9	123.6	11
7N 36E													60.0	49
7N 35E	25			15									40.0	49
8N 36E	11				2	5			40	27	27	38	139.0	89
8N 35E	12												17.0	89
8N 36E	10												80.0	90
8N 35E	11				12	5.3	12	40	36	13			118.3	90
8N 36E	3												14.0	93
8N 35E	9												6.7	93
8N 36E	10				8	6	1.7						161.0	93
8N 36E	3												188.0	94
8N 35E	4				33	33	40	40	18	18	4		13.0	94
8N 36E	3												59.0	95
8N 35E	4												10.0	95
9N 36E	33												13	95
9N 36E	34												42.7	95
9N 36E	33				18								28.0	96
9N 35E	34												113.3	96
9N 36E	34				40	20	14.3	39					169.0	97
9N 36E	34												38.0	97
9N 36E	26												73.0	98
9N 35E	35				40	32	12	22.3					148.3	98
9N 36E	27												124.6	99
9N 35E	34												12.0	99
9N 36E	26												9.0	100
9N 35E	27				36	34	38	39					155.4	100
9N 36E	26												164.7	101
9N 35E	25												28.0	102
9N 36E	26				37	10.9	17	40					104.9	102
9N 36E	25												12.0	103
9N 35E	26												35.0	103
9N 36E	25												31.0	103
9N 35E	24												5.0	103
9N 36E	24												189.6	104

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3 JUL 1 1989

9N 36E 25 :	3	:	6	:	:	:	9.0	104	198.6
9N 36E 24 :		:		:			22.5	22.5	105
9N 36E 25 :	38	:	5	:				43.0	105
9N 37E 19 :		:		:		19		19.0	105
9N 37E 30 :		:		:	2			35.0	105
9N 36E 21 :		:	23	:				64.0	106
9N 36E 22 :		:		:	36	15	17	129.2	106
9N 36E 27 :	14	:		:	39	40	8	157.0	107
9N 36E 28 :		:	23	:				39.0	107
9N 36E 27 :		:		:		7	14	97.0	108
9N 36E 28 :		:		:				25.4	108
9N 36E 33 :	16	:		:				16.0	108
9N 36E 34 :		:	24	:	37			61.0	108
9N 36E 33 :	10.2	:	39	14	12	15		127.2	109
9N 36E 28 :		:		32	32	32		128.0	110
9N 36E 31 :		:	19		5	39	39	126.0	111
10N 36E 33 :		:	23.5					88.5	112
10N 36E 34 :		:			23		40	88.0	112
8N 36E 3 :	27	:						54.0	113
9N 36E 34 :		:					2.4	73.4	113
9N 36E 25 :		:			39.5	14	12	117.5	119
9N 36E 25 :		:	30	35				114.4	120
8N 36E 13 :		:						31.4	123
8N 36E 12 :		:					31.4	31.4	123
TOTAL									4594.9

RECEIVED
(Transfer No. 3507)
JAN 09 1989

14M 09 1989

SA RIGHT
APPROVED
Department of Motor Vehicle
Phone (408) 662-5522

Name of applicant Blaine Larsen Phone (708) 662-5522

Post Office address P.O. Box 188 Hamer, Idaho 83425

1. ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes To provide irrigation water on cropland owned by the Applicant for 1989. This is one of several transfers filed contemporaneously.

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
36-07022	4/12/68	4.64 cfs	irrigation	April 1 to November 1
36-02632	1/7/66	1.94 cfs	irrigation	April 1 to November 1
36-07272	11/7/72	1.5 cfs	irrigation	April 1 to October 15
36-07897	2/25/80	2.84 cfs	irrigation	March 15 to November 15
36-02300	5/15/56	3.88 cfs	irrigation	April 1 to November 1

2. Total amount of water being transferred 10.16 cubic feet per second and/or _____ acre-feet per annum.

3. Source of water groundwater tributary to Snake River

4. Point(s) of Diversion: See Attachment and Remarks on page 2

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total acres _____

PART 1**6. General Information:**a. Description of diversion system Wells and pumps with pivot irrigation system

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

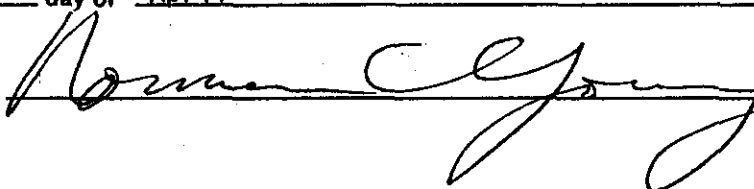
c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

That land will not be irrigated in 1989.

d. Remarks:

The places of use and points of diversion after change are contained in the attachment accompanying this and all eight transfers in this package.**ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES**This is to certify that I have examined Application for Transfer of Water Rights No. 36-7022/2632/7272/7897/2300And said application is hereby APPROVED, subject to the following limitations and conditions:PURSUANT TO ORDER DATED APRIL 19, 1989**MICROFILMED**

JUL 17 1989

Witness my hand this 19th day of April, 19 89.

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 36-07022 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice ☐ Warranty Deed ☒ Other Lease of Water Rights

3. Source of water groundwater tributary to _____

4. Date or priority April 22, 1968

5. Water is used for the following purpose:

amount 4.64 cfs for irrigation purposes from April 1 to November 1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 4.64* cubic feet per second and/or _____ acre-feet per annum.
 *subject to condition that the maximum rate of diversion shall not exceed 5.24 cfs when combined with License 36-02632

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SW	4	7S	23E	Lincoln	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7S	23E	4						L. 4	20										46
		5	L. 1					26							40			40	186

Total acres 232

9. Describe any other water rights used for the same purpose as described above _____

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

No

If yes, describe

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

PART 2
(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED**1. Right evidenced by:**

- a. Decree No. _____ Decreed to _____
 In case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 36-02632 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:☐ Tax Notice☐ Warranty Deed☒ Other Lease of Water Rights**3. Source of water** groundwater tributary to Snake River**4. Date or priority** January 7, 1966**5. Water is used for the following purpose:**

amount 1.94 cfs for irrigation purposes from April 1 to November 1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 1.94 cubic feet per second and/or _____ acre-feet per annum.**7. Point(s) of Diversion:**

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SW	4	7S	23E	Lincoln	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
7S	23E	4									40	8	9	40					97

Total acres 97**9. Describe any other water rights used for the same purpose as described above** _____

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

NO

If yes, describe

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 36- 07272 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice

☐ Warranty Deed

☒ Other Lease of Water Rights

3. Source of water groundwater tributary to Snake River

4. Date or priority November 7, 1972

5. Water is used for the following purpose:

amount 1.5 cfs for irrigation purposes from April 1 to October 15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 1.5 cubic feet per second and/or 314.0 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	3	9S	23E	Minidoka	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
9S	23E	3											38.5	40					78.5

Total acres 78.5

9. Describe any other water rights used for the same purpose as described above _____

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

No

If yes, describe

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 36-07897 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice

☐ Warranty Deed

☒ Other Lease of Water Rights

3. Source of water groundwater tributary to Snake River

4. Date or priority February 25, 1980

5. Water is used for the following purpose:

amount 2.84 cfs for irrigation purposes from March 15 to November 15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 2.84 cubic feet per second and/or 812 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NE	25	6S	22E	Lincoln	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
6S	22E	5	9	10	10						40	40	40	40	9	5			203

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JUL 17 1989

Total acres 203

9. Describe any other water rights used for the same purpose as described above _____

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

No

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
		NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 In case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 36-02300 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☐ Tax Notice

☐ Warranty Deed

☒ Other Lease of Water Rights

3. Source of water groundwater tributary to Snake River

4. Date or priority May 15, 1956

5. Water is used for the following purpose:

amount 3.88 cfs for irrigation purposes from April 1 to November 1
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 3.88 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	NE	25	6S	22E	Lincoln	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
6S	22E	25	30	30	30	39									30	35			194

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JUL 17 1989

Total acres 194

9. Describe any other water rights used for the same purpose as described above _____

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

No _____

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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

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

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JUL 17 1989

PART 3**B. CHANGES IN NATURE OF USE**

- | 1. | <u>New Nature of Use</u> | <u>Amount</u>
<u>(cfs/ac-ft)</u> | <u>Hours/days/year</u> | <u>Period of Use</u> |
|----|--------------------------|-------------------------------------|------------------------|----------------------|
| | | | | to _____ |
| | | | | to _____ |
2. Quantity and quality of return flows and location of discharge:

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

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

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

Blaine Larsen

(Signature of Applicant)

Subscribed and sworn to before me this 13th day of December, 19 88.

Glen Cameron

(Notary Public)

My commission expires 7/26/94

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by JIM Date 1-10-89 Protest filed by _____

Prelim. check by JIM Fee \$50.00

Receipted by CP Date 1/10/89 0004992

Published in _____ Copies of protest forwarded by _____

Pub. dates _____ Hearing held by _____ Date _____

Watermaster requested on _____ Recommended for ☐ approval ☐ denial

JUL 17 1989 rec'd. _____ by _____

Copy of transfer sent to lien holder _____

State of Idaho
Department of Water Administration

LICENSE OF WATER RIGHT

License of Water Right No. 32682/36-2632 Priority Jan. 8, 1966 Amount 1.94 cfs
(late proof)

THIS IS TO CERTIFY, that GLENWIN HARRIS
of Heyburn, Idaho, has complied with the terms and conditions of Permit
No. 32682/36-2632 issued pursuant to Application for Permit dated January 7, 1966,
and has submitted proof to the Department of Water Administration on July 2, 1973,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 5.24 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from a ground water source
tributary of _____, is hereby confirmed in the following amounts:

Amount 1.94 cfs for Irrigation from March 15 to Nov. 15 (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Amount _____ for _____ from _____ to _____ (both dates inclusive)

Subject, however, to the condition that no more than 1.94 cfs of water be diverted at
any one time, said waters to be diverted within the _____

SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 4, Twp. 7 S, Rge. 23 E, B.M.

in the county of Lincoln; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 388 acre feet per year or _____
4.0 acre feet per acre.

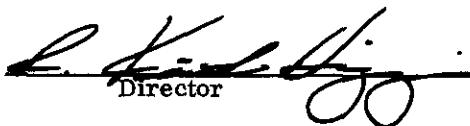
Description and location of place of use:

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 $\frac{1}{4}$	
7 S	23 E	4									40	8	9	40					97

Total number of acres irrigated 97

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 29 day of
November, 19 73.


Director

36 2632

RECEIVED

MAR 10 1971

AFFIDAVIT OF PUBLICATION

LINCOLN COUNTY JOURNAL

Department of _____

Shoshone, Idaho 83352

Helene Lone

Being first duly sworn, says that 5 he is the

Principal Clerk of
the Lincoln County Journal, a newspaper published
weekly at Shoshone, Idaho, in Lincoln County and
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

February 11, 1971

and ending with the issue of

February 18, 1971

Helene Lone

Subscribed and sworn to before me this

1st day of March, 1971

Zella Mae Carson
Notary Public, Shoshone, Idaho.

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER of Permit No. 32682/36-2632)
in the name of GLENWIN HARRIS)
_____)

ORDER OF REINSTATEMENT

WHEREAS, on January 7, 1966, Glenwin Harris filed with the Department of Water Administration (formerly the Department of Reclamation) an application for permit to appropriate 3.2 cfs of water from a ground water source within the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 4, Twp. 7S, Rge. 23E, B.M., Lincoln County, to be used for irrigation and domestic purposes; and,

WHEREAS, on January 10, 1966, the Department approved said application and issued Permit No. 32682/36-2632 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before January 10, 1971; and,

WHEREAS, on January 6, 1971, the Department extended the time in which to submit proof of beneficial use of water to July 1, 1973; and,

WHEREAS, on May 1, 1973, the Department notified the permit holder by certified mail that proof of beneficial use was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on July 1, 1973, proof of beneficial use had not been submitted, and Permit No. 32682/36-2632 automatically lapsed; and,

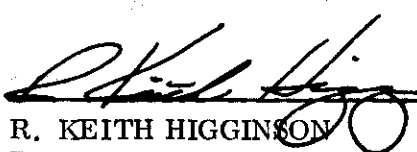
WHEREAS, on July 2, 1973, the Department received the required proof of beneficial use of water; and,

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

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

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 32682/36-2632 be REINSTATED and the priority advanced to January 8, 1966.

Dated this 6th day of July, 1973.


R. KEITH HIGGINSON
Director

36-2632

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR EXTENSION OF TIME

Department of Water Administration

State of Idaho)
County of _____)

Permit No. G-32682

Glenwin Harris of Rt. #1 - Heyburn - Idaho
(name) (address)

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

That he is the holder, or the duly authorized agent of the holder *, of Permit to appropriate the Public Waters of the State of Idaho No. G-32682

That under the terms and conditions of said permit, work thereunder was required to be completed on or before January 10, 1971.

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

Surveying - Brush & Rock removal and
Drilled Well Costing \$ 5200⁰⁰

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Unforeseen Circumstances - And Finances

WHEREFORE, he asks that the Department of Water Administration extend the time for the completion of obligations under said permit to July 1, 1973.

Glenwin Harris
(signature)

Subscribed and sworn before me this 29 day of Dec, 19 70.

My Commission expires Oct. 1, 1971
Notary Public Residing at Burley, Idaho

[Signature]
(notary public)

My commission expires _____

ACTION OF THE DEPARTMENT OF WATER ADMINISTRATION

I, R. KEITH HIGGINSON, Director of the Idaho Department of Water Administration, State of Idaho, hereby APPROVE the above application for extension of time for permit no. G-32682/36-2632 to July 1, 1973.

Witness my hand this 6th day of January, 19 71.

[Signature]
Director

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are obtainable through the Department of Water Administration, Statehouse-Annex 2, Boise, Idaho.

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. G-32682/36-2632)

in the name of Glenwin Harris)

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,

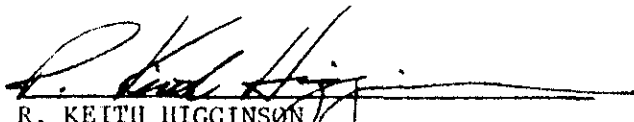
WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice
and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. G-32683 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 25th day of May, 1970.


R. KEITH HIGGINSON
State Reclamation Engineer

RKH/DG

36-2632
32682

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

Application No. G- 40844
Permit No. G- 32682
District No.

1. Name of Applicant: **GLENWIN HARRIS**
Postoffice address: Rt. #1, Heyburn County: **Minidoka** State: **Idaho**
2. Quantity of water claimed: **3.2 c.f.s.**
 - (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 **4**
Twp. **7 S**, Rge. **23 E**, B.M., County of **Lincoln**
5. Water is to be used for: **irrigation and domestic**
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: **Deep well Turbine pump Motor Gravity irrigation**
8. Estimated cost of works: **\$15,000.00**
9. (a) Is reservoir to be used? **No**
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is **5**
years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: **None**
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) **3.2** (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.

Applicant.

Agent.

Corrected application received:

/s/ CARL E. TAPPAN
STATE RECLAMATION ENGINEER.

STATE OF IDAHO

By /s/ ROBERT E. SMYLLIE
Governor

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	
7 S	23 E	4									40	40	40	40					160

LICENSE ISSUED FOR 1.04 SEC. FT.
 LICENSE PAGE NO. 101 102 103 104

LICENSE ISSUED FOR 1.04 SEC. FT.
 LICENSE PAGE NO. 1

This
Right has been
Decreed in the
SRBA.

MICROFILMED
JUN 27 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 5, 1997

CHUCK BROCKWAY
706 SUNRISE BLVD
TWIN FALLS ID 83301

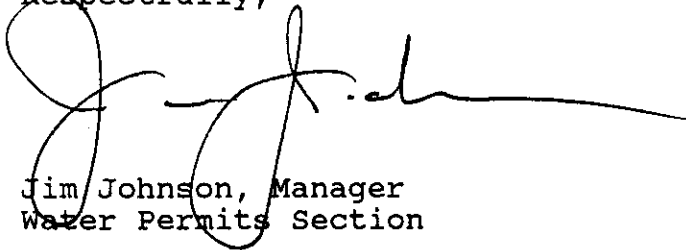
RE: TRANSFER NOS. 4825 AND 4827

Dear Chuck:

Enclosed is an Order Granting Petition for Reconsideration for the above referenced transfers in the name of Rinker Company.

If you have any questions about this order, please contact me as soon as possible. My telephone number is (208) 327-7947.

Respectfully,



Jim Johnson, Manager
Water Permits Section

JJ:ph

Enclosure

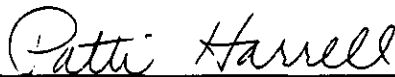
MICROFILMED
JUN 27 2003

CERTIFICATE OF MAILING

I hereby certify that on the 5th day of February, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing **Order Granting Petition for Reconsideration** to the person(s) listed below:

Transfer Nos. 4825 and 4827

**CHUCK BROCKWAY
706 SUNRISE BLVD
TWIN FALLS ID 83301**



Patti Harrell
Secretary

MICROFILMED
JUN 27 2003

MEMORANDUM

Date: April 30, 1994
From: Jim Johnson
To: FILE
Subject: APPLICATION FOR TRANSFER NO. 4281

=====

Blaine Larsen filed the above referenced transfer application which included this right along with several other water rights. The transfer application was denied on April 7, 1994. See file 35-02210 for a more information concerning this transfer.

MICROFILMED

JUN 27 2003

MEMORANDUM

TO: FILE 36-02632

FROM: PAM SKAGGS

RE: TRANSFER # 4094

DATE: 04-28-93

Original Transfer Application, Form and correspondence regarding the above referenced Transfer is located within file # 36-02300.

MICROFILMED

MAY 20 1993

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

Place of use Legal Description for: IRRIGATION

T	R	S	NE			NW			SW			SE			SUM
			NAME	NAME	SENE	NAME	NAME	SENW	NAME	NAME	SESW	NAME	NAME	SESE	
Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
09N	36E	28	14		23		32	32	32			04		23	
09N	36E	31		19			05	39					19		
09N	36E	33	26	37	32		12	15				10		13	
09N	36E	34	31	24	37	40	24	37	40	20	13	30	21	39	25
09N	36E	35	28	33	12		40	40	32	22					
09N	36E	36						05							
09N	37E	19									19				
09N	37E	30					33		02						
10N	36E	33			23							40		25	
10N	36E	34						23		40	25				
															TOTAL ACRES
															4236.4

Pou County: JEFFERSON, FREMONT, CLARK

Other Water Rights with Same Point(s) of Diversion and Source:

31-07440	36-021228	836-078838	T35-02728	T35-028218	T35-02844	T35-07361	T35-07586	T35-07605	T35-07632
T35-10948	T36-020748	T36-021248	T36-021278	T36-021908	T36-021938	T36-021958	T36-021978	T36-021988	T36-02300
T36-023988	T36-02632	T36-02727	T36-07015A	T36-07022	T36-07272	T36-07495	T36-07897	X35-028218	X35-02844
X35-07586	X35-07605	X36-020748	X36-021228	X36-021248	X36-021278	X36-021908	X36-021938	X36-021958	X36-021978
X36-021988	X36-023988	X36-02727	X36-07015A	X36-07495	X36-078838				

Other Water Rights Listing Overlapping Place(s) of use:

31-00045	31-00106	31-00114	31-00124	31-00247	31-00248	31-02107	31-02452	31-07112	31-07147
31-07299	31-07332	31-07447	31-07448	31-07449	31-07450	31-07451	31-07452	31-07453	31-07454
31-07455	31-07456	31-07457	31-07458	31-07459	31-07461	31-07462	31-07463	31-07464	31-07465
31-07466	31-07467	31-07468	31-07469	31-07470	31-07471	31-07472	31-07476	31-07477	31-07479
31-07480	36-021228	836-078838	T35-02728	T35-028218	T35-02844	T35-07361	T35-07586	T35-07605	T35-07632
T35-10948	T36-020748	T36-021248	T36-021278	T36-021908	T36-021938	T36-021958	T36-02197	T36-021978	T36-021988
T36-02300	T36-023988	T36-02632	T36-02727	T36-07015A	T36-07022	T36-07272	T36-07495	T36-07897	X35-028218
X35-02844	X35-07586	X35-07605	X36-020748	X36-021228	X36-021248	X36-021278	X36-021908	X36-021938	X36-021958
X36-021978	X36-021988	X36-023988	X36-02727	X36-07015A	X36-07495	X36-078838			

Remarks: This right is authorized under approved Transfer No. 4094 and subject to the conditions of the Memorandum Decision and Order signed 04-15-93 for use in the 1993 irrigation season.

Dates: App. Received: Priority Date: 01/08/1966
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Audit: 04/28/93 SKAGGS

DEBRA ALSAKER-BURKE
REBECCA W. ARNOLD
J. RANDOLPH AYRE*
JOSEPH H. BAIRD
NANCY A. BASKIN
CHRISTOPHER J. BEESON
JOANN C. BUTLER
MICHAEL C. CREAMER
JEFFREY C. FEREDAY
ALAN R. GARDNER
RAYMOND D. GIVENS
JUDITH K. HOLCOMBE
ROBERT C. HUNTLEY, JR.
DAVID R. LOMBARDI
KENNETH R. MCCLURE
CHRISTOPHER H. MEYER†
L. EDWARD MILLER
PATRICK J. MILLER
TERRY L. MYERS
STEVEN L. OLSEN
KENNETH L. PURSLEY
MICHAEL T. SPINK
CONLEY WARD
JAY L. WEBB
STEPHANIE C. WESTERMEIER

† ADMITTED ONLY IN COLORADO
& WASHINGTON, D.C.
* ADMITTED ONLY IN UTAH
& WASHINGTON, D.C.

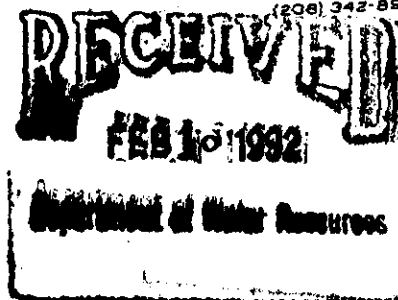
LAW OFFICES
GIVENS, PURSLEY, WEBB & HUNTLEY
SUITE 200, PARK PLACE
277 NO. 6TH STREET
POST OFFICE BOX 2720
BOISE, IDAHO 83701

JAMES A. MCCLURE
OF COUNSEL

TELEPHONE
(208) 342-6571

FACSIMILE
(208) 343-9492
(208) 342-8920

February 7, 1992



via Hand Delivery

Jim Johnson
Idaho Department of Water Resources
1301 Orchard
Boise, ID 83706

RE: Extension of Temporary Transfers of Blaine Larsen
Our File: 1207-25

Dear Mr. Johnson:

At your instruction, I am submitting this letter on behalf of Blaine Larsen to request that the Department of Water Resources grant an extension of the temporary transfers of groundwater rights that were approved for Blaine Larsen during the 1991 irrigation season. Mr. Larsen proposes to use these same water rights on the same places of use again in 1992. This request includes those water rights that were included in the group transfer application in 1991 and the portion of water right 36-02197, that was approved for temporary transfer as an individual application in 1991. Extension of the 1991 transfer approval through 1992 will not result in any changes from the previous year.

I am enclosing copies of the original lease agreements between Mr. Larsen and the water right lessors, together with copies of the extensions of the same lease agreements for the 1992 irrigation season. Also enclosed, is a copy of an extension of the 1989 Mud Lake Memorandum Agreement, executed by Blaine Larsen, the U.S. Fish and Wildlife Service, the Idaho Department of Fish and Game and the eight Mud lake area canal companies together with a stipulation by the same parties. This extension carries the 1989 Agreement forward through the 1992 irrigation season.

MICROFILMED

MAY 20 1993

Jim Johnson
February 7, 1992
Page 2

Based upon my conversation with you, and upon the Director's position at the last U.S.G.S. status meeting regarding the Mud Lake Study, we understand that this request should be directed to the Boise office rather than the Eastern Region, and that the extension of the transfers for one additional year will not require submission of new transfer application forms or publication of notice. This seems appropriate since there will be no change from last year's situation.

Because we are anxious to move forward with this process as quickly as possible, please contact either me or Jeff Fereday immediately if you require additional information. Thank you in advance for your assistance.

Sincerely,



Michael C. Creamer

cc: R. Keith Higginson (w/o encl.)
Blaine Larsen c/o Kevan Varin (w/encl.)
Kent Foster, Esq. (w/encl.)
Barbara Scott-Brier, Esq. (w/encl.)
Stephen Goddard, Esq. (w/encl.)

MICROFILMED

MAY 20 1993

INTER-DEPARTMENT MEMO — 1

FROM Sharla

DATE 3//8/90

TO Files 36-2632/7022/7272/7897

SUBJECT

Trans. No. 3669

See file 36-2300 for all correspondence regarding the above referenced transfer.

MICROFILMED

MAR 21 1990

SIGNATURE

FROM Sharla

DATE 3/8/90

TO Blaine Larsen Transfer Files for 1990/1991

SUBJECT Copies

See file 35-2728 for copies of the advertising and misc. correspondence preceeding the approval of the transfers for the 1990/1991 irrigation seasons.

SIGNATURE

MICROFILMED
MAR 21 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

(208) 327-7900

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - [REDACTED]

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 3, 1989

Blaine Larsen
Box 188
Hamer, Idaho 83425

Re: Application for Transfer

Dear Applicant:

Enclosed is a copy of an Order Approving Transfers for the applications for transfer listed above.

Please be advised that if you do not agree with the decision of the Department, you may, within fifteen (15) days of receipt of the Order Approving Transfers, request a hearing before the Director. Failure to timely petition the Director within fifteen days of the receipt of the Order may prevent further contest of the Order.

Sincerely,

GARY SPACKMAN, Supervisor
Water Allocation Section

GS:ds

Enclosure

cc: Jeff Fereday
Ray Sanders
Stephen V. Goddard
Kent Foster
U.S. Dept. of Interior, Fish & Wildlife Service
Lloyd R. Hicks

MICROFILMED
JUL 17 1989

3/79

IDENT. NO. 36-2632

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

WATER RIGHT
DATA ENTRY LOG[illegible]

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83720
(208) 384-2190

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

December 3, 1973

Re: Permit No. 32682/36-2632

Glenwin Harris
Route 1
Heyburn, Idaho 83336

Dear Mr. Harris:

Enclosed herewith is a copy of the Water License issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

Enclosure

CS 2632

RECEIVED

160

S
7
I

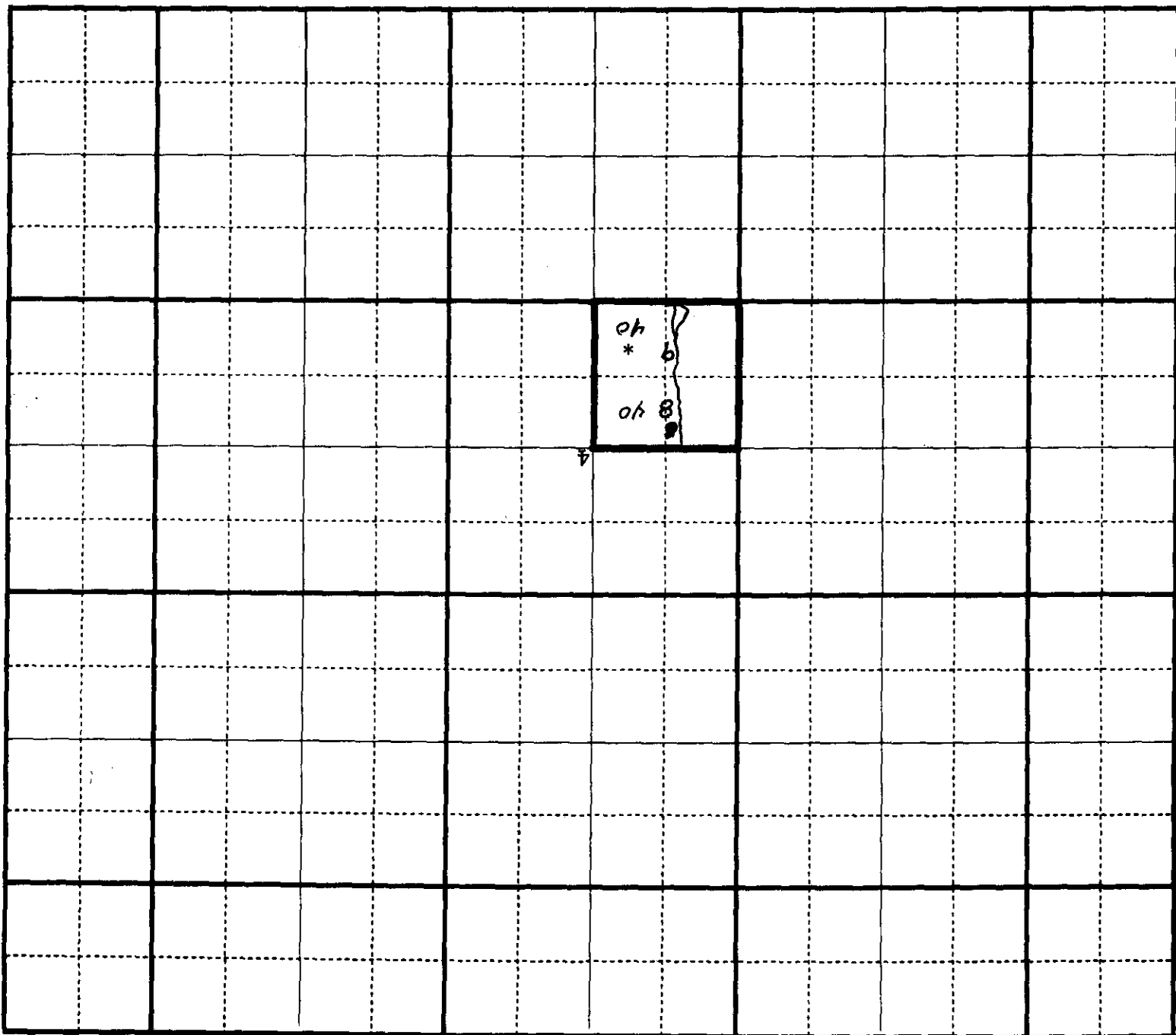


Diagram of System

DATE OF EXAM 8-9-73

ACREAGE
Found 97.0
Recommended 97.0

Irrigation Requirement 4.0 Ac Ft/Ac

USE
Irrigation Q = 1.94 c.f.s. V = 388 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 5.24 C.F.S. Method of measurement Sparling Meter

Total Q recommended 1.94 cfs Meter No. 61015 Type Sparling Condition Good

Total V recommended 388 AF/ANN

Recommended Amendments:

P.D. NO
Place of Use NO
Other NO
None NO

MEASUREMENT CALCULATION:

$Q = 10 \text{ Rev.} / 93 \text{ Sec.} = 435.60 \div 93 \text{ Sec.} = 5.248 \text{ Correction} = \times 1 = 5.24$
 $= 97.0 \text{ Acres} \times 0.02 \text{ cfs.} = 1.94 \text{ C.F.S.}$
 $V = 388 \text{ AF/ANN} - (97.0 \text{ Acres}) \times (\text{IRR. Req } 4.0)$

SYSTEM DESCRIPTION:

HollosHAFT Motor 200Hp # CC1009968 PHASE 3
Pump LAYNE BOWLER VERTI-LINE
Pump delivers water to a ditch which conveys the water
to the lands to be irrigated. Gravity Flow SYSTEM.

REMARKS:

This well also is used under an other permit on lands
separate than these lands. There is no domestic use.

Permit 36-7022

Examiner's Signature Gary Lee Funderburg Date 8-10-73

Checked by K.E. Flawender Date 8/15/73

Approved by _____ Date _____

November 15, 1973

Re: Permit No. 32682/36-2632

Glenwin Harris
Route 1
Heyburn, Idaho 83336

Dear Mr. Harris:

A representative of this Department has made an examination of the works covered by your Permit No. ~~32682/36-2632~~ and has found the following:

Quantity of water diverted: 5.24 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 1.94 cfs

The maximum quantity diverted shall not exceed 300 acre feet per year.

Beneficial use: irrigation of 97 acres within the SW 1/4 Sec. 4
Twp. 7 S, Rge. 23 E

Point of diversion: SW 1/4 Sec. 4, Twp. 7 S, Rge. 23 E, B.M.

Priority date established: January 8, 1966 (late proof)

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

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

36 2632

July 6, 1973

Re: Permit No. 36-2632

Clemwin Harris
Route #1
Heyburn, Idaho 83336

Dear Mr. Harris:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit. Enclosed you will find an Order of Reinstatement; please note that the priority has been advanced to January 8, 1966.

Before a water license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions regarding the field exam, please contact our Southern District Office at 1041 Blue Lakes Blvd. North, Twin Falls, Idaho.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:je
Enclosure

Identification No. _____

Permit No. G-32682

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

late
jc

1. a) Name of Permit Holder Glenwin Harris
b) Post Office Address Rt. #1, Heyburn, Idaho 83336
2. Permit Number G-32682/36-2632
3. Date of Priority that you are prepared to establish January 7, 1966
4. a) Source from which water was appropriated Subterranean
b) Location of the point of diversion: SE 1/4 SW 1/4, Section 4
Township 7S, Range 23 E. Boise Meridian, Other points of diversion:
5. a) The amount of water and use to which the water has been applied:
amount 135 ~~131~~ CFS irrigating purposes from May 15th to July 1st incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 135 CFS 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: Measured by Byron Fisher, Canal Rider for Burley Irrigation Dist. and Minidoka Irrigation Dist. for approx. ten years.
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) 200 H.P. Electric Pump and Motor
20 Inch Casing Well Depth--371 Ft.--Standing Water--292 Ft.
b) Describe the type and size of measuring device which you have installed at your point of diversion: 3 Ft. Concrete Ciprolletti Weir
c) Give well drillers name and address and date the well was completed R. J. Strasser Drilling Co.,
Box 155, Rupert, Idaho 83350 Date completed - November 21, 1967.

36 2632

Exam typed 7/3/73 by jc

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	
7S	22E	4									36	28	17	13					94

Total number of acres irrigated

94

10. Remarks:

One daughter, Shirley Harris Anderson, who has a divorce, will be filing an affidavit of water, proof of possession due May 1, 1973.

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

6-30-73

(Date)

Shirley Harris

(Signature)

State of Idaho

County of Cassia ss.

On this 30th day of June, 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.

John B. Jandine
Notary Public residing at Burley

My commission expires May 1, 1976

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)
(Additional charges required for these services)

☐ Show to whom, date and address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

24462

CERTIFIED NO.

24462

INSURED NO.

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

①

Mrs. Eleanor Harris

②

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

DATE DELIVERED

5-2-73

SHOW WHERE DELIVERED *(Only if requested, and include ZIP Code)*

③

36 2632

U.S. POSTAL SERVICE
OFFICIAL BUSINESS



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



Postmark of Delivering Office

SENDER INSTRUCTIONS

↑
↑ : Print in the space below your name, address, including ZIP Code.
↑ : If special services are desired, check block(s) on other side.
↑ : Moisten gummed ends and attach to back of article.

RETURN
TO



DEPARTMENT OF WATER ADMINISTRATION

STATEHOUSE - ANNEX #2

BOISE, IDAHO 83702

PS Form **3811** Nov. 1970 c55-16-81277-1

36 2632

May 1, 1973 CERTIFIED MAIL

24462

Re: Permit No. 32682/36-2632

Mr. Glenwin Harris
Route 1
Heyburn, Idaho 83336

Dear Mr. Harris:

One of the conditions of approval of your water Permit No. 32682/36-2632 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before July 1, 1973. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an 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.



R. KEITH HIGGINSON
Director

Enc: Proof affidavit

36 2632

April 5, 1971

Re: Permit No. G-32682/36-2632

Mr. Glenwin Harris
Route 1
Hayburn, Idaho 83336

Dear Mr. Harris:

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

Since proof of beneficial use of water is not required until July 1, 1973, the Department will notify you sixty days in advance of the due date. We wish to advise you, however, that if you have fulfilled the requirements under this permit, you may submit proof at any time prior to the above mentioned date.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

36 2632

March 29, 1971

Re: Permit No. G-32682/36-2632

Mr. Glenwin Harris
Route # 1
Heyburn, Idaho 83336

Dear Mr. Harris:

As of this date we have not yet received the affidavit of publication to be submitted in connection with the above referenced permit. Proof of beneficial use is not required until July 1, 1973. However, many newspapers do not keep copies of these advertisements in their files. We, therefore, recommend that you obtain this affidavit from the Lincoln County Journal, Shoshone, Idaho and submit it to the Department as soon as possible. This insures that when you are ready to submit proof of beneficial use there will be no unnecessary delay or added expense.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:CM

36 2632

February 1, 1971

Re: Permit No. G-32682/36-2632

Mr. Glenwin Harris
Route # 1
Heyburn, Idaho 83336

Dear Mr. Harris:

The legal notice for the above-referenced permit is being published in the
The Lincoln County Journal on February 11, 1971
and February 18, 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,

Dorian Clay
Appropriation Examiner

DC:CM

36 2632

February 1, 1971

Re: Permit No. G-32682/36-2632

The 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 Mr. Glenwin Harris, Route #1,
Heyburn, Idaho 83336, to whom you should furnish
an affidavit of publication.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:CM

Enc: Legal Notice

36 2622

RECEIVED

Department of Health and Welfare
 Heyburn, Idaho

36 2632

January 6, 1971

Re: Permit No. G-32682/36-2632

Mr. Glenwin Harris
Route #1
Mayburn, Idaho 83336

Dear Mr. Harris:

Please find enclosed a copy of the APPROVED extension of time in connection with the above referenced permit. Please note that your extension has been granted to July 1, 1973.

One of the conditions of your permit is that a notice of the existence of your permit be published at your expense for two consecutive weeks in a newspaper as prescribed by the Department. A copy of this notice was sent to you on May 28, 1970. As of this date, we have not received the signed copy.

Your prompt attention to this matter is greatly appreciated.

Very truly yours,

Dorian Clay,
Appropriation Examiner

DC/DG

Enc: copy of extension of time

36 2632

December 9, 1970

Re: Permit No. G-32682/36-2632

C
Mr. Glenwin Harris
Route #1
Mayburn, Idaho 83336

Dear Mr. Harris:

O
In order to evaluate your request, we will need you to execute the enclosed extension of time application. Please do so on or before January 10, 1971.

If we may be of any assistance, please contact us.

Very truly yours,

P
Donald W. McKelowney
Appropriation Supervisor

Y
RM/DG

Enc: application for extension of time form

36 2632

RECEIVED

DEC 3 1970

December 1, 1970
Department of Water Administration

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

Dear Mr. Higginson:

We received your letter in regards to water permit
#G-32682/36-2632, which is due January 10, 1971.

We have been unable to complete all of this work, due to
some unforeseen circumstances, finances, and weather, and we
would like to ask for an extension of time to complete this
application.

Please advise us if this is possible. We would appreciate
what time extension you could give us.

Sincerely,

Glenwin Harris
Glenwin Harris
Route #1
Hayburn, Idaho 83336

36 2632

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

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

CERTIFIED NO.

1

Glen Harris

INSURED NO.

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

Sherry Anderson

DATE DELIVERED

SHOW WHERE DELIVERED *(only if requested)*

3

11-31-70

36-2632

c55-10-71548-10 GPO

36 2632

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**

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

OD Form 3811 Apr. 1967

3811

3811

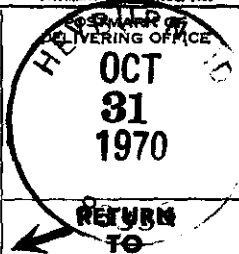
INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED**.

NAME OF SENDER

STREET, AND NO. OR P.O. BOX

POST OFFICE, STATE, AND ZIP CODE

DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83707



October 30, 1970

Re: Permit No. G-32682 (New No. 36-2632)

Mr. Glenwin Harris
Route 1
Heyburn, Idaho 83336

Dear Mr. Harris:

One of the conditions of the approval of your Permit No. G-32682/36-2632 was that proof of application of the water to beneficial use be submitted to this office on or before January 10, 1971.

Enclosed is an affidavit form which must be used to submit proof of beneficial use. 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 affidavit 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.

R. Keith Higginson

Director

Enc: Proof affidavit
dr

CERTIFIED MAIL

22295

36-2632

32682

May 28, 1970

Re: Permit No. G-32682/36-2632

Mr. Glenwin Harris
Route #1
Heyburn, Idaho

Dear Mr. Harris:

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 them upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

Enc: order

advertising package

cc: Connecticut Mutual Life Ins. Co.

36-2632
32682

TO ALL PERMIT HOLDERS:

Well logs are an important part of your recorded water right and State Statutes require that well drillers supply logs on all wells, whether irrigation, domestic, drain or stock wells, to be filed in the Department of Reclamation. In view of the rapidly increasing demand for ground water, the lowering of the ground water level, and the creation of critical ground water areas, it is important that you, as owner, make sure a log on your well is filed in this office. See Idaho Code 42-238.

Very truly yours,


CARL E. TAPPAN
State Reclamation Engineer

CET:pmk

L 32682

January 25, 1966

Re: Permit No. **G-32682**

Glenwin Harris
Rt. #1
Mayburn, Idaho

Dear Mr. Harris:

We enclose Permit No. **G-32682** in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer

~~XXXXXXXXXXXX~~
We also enclose Departmental Receipt No. **G-10074** which was issued covering payment in the amount of \$ **5.75** for the filing fee of the above mentioned permit, was given to you,.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) **Edna P. Rule**
Chief Clerk

Enc: **permit**

G 32682

(A C K N O W L E D G E M E N T)

Q-32682

Date: Jan. 7, 1966

JAN 10 1966

State Reclamation Engineer

Re: Application No. _____

I hereby acknowledge that, even though I was assisted by employees of the Idaho State Department of Reclamation in the preparation of Application No. _____, all responsibility with regard to the accuracy and completeness of the information contained therein rests with me.

Signed:

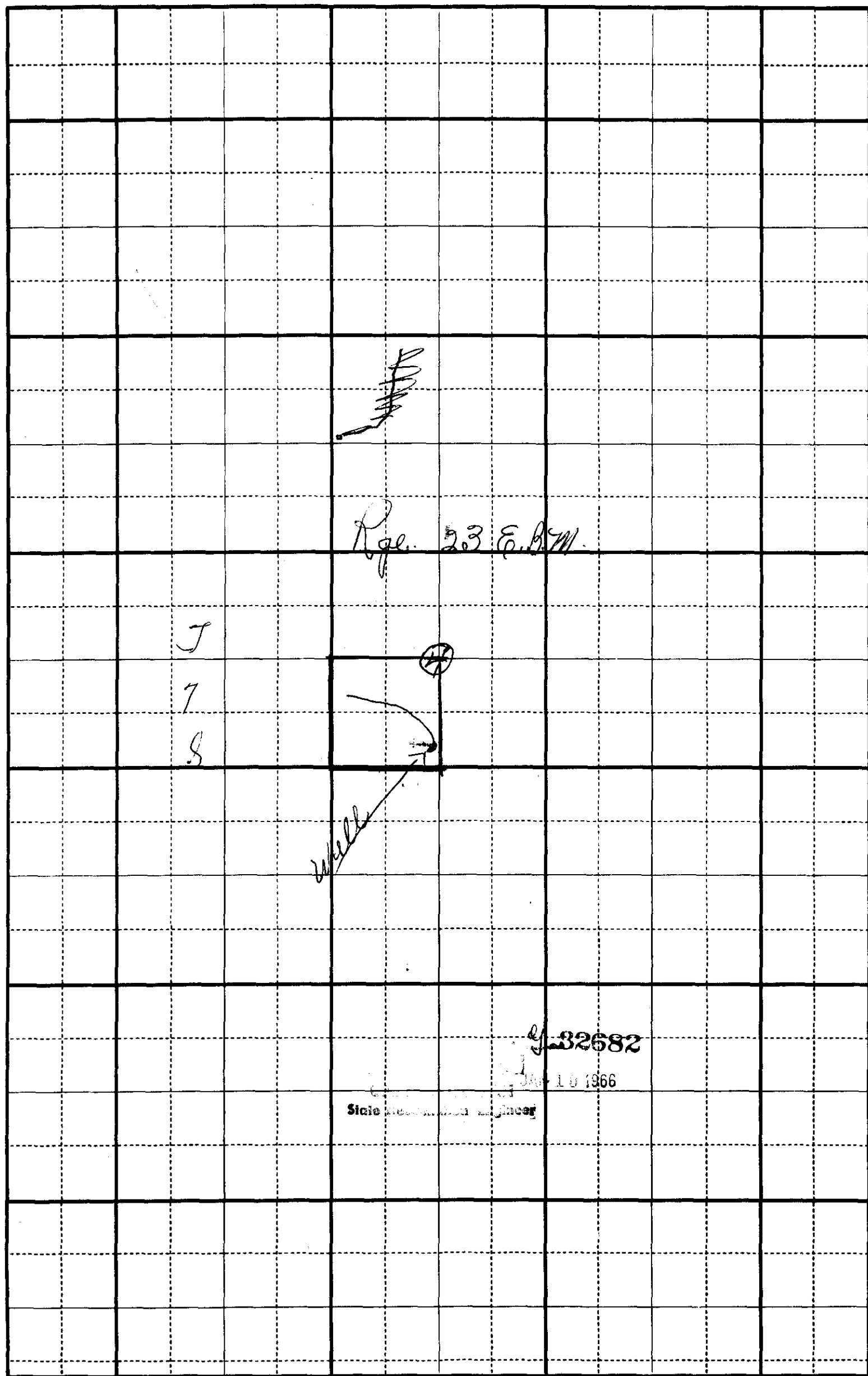
Glenn Harris

Applicant

532682

NAME OF APPLICANT Glenwin Harris

Form No. 0



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

5324682