

SOUTH IDAHO PRESS
BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

MARGE BARENDRECHT being first

duly sworn, deposes and says that he is the

Clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for two (2)

consecutive weeks, commencing with the issue

dated Feb 4 1988, and ending

with the issue dated Feb 11, 1988

Marge Barendrecht

Subscribed and sworn to before me

this 14th day of Feb

1988.

Marge Barendrecht Notary Public

Cost of Publication 27.28

Notary Fee .50

Total Cost 27.78

RECEIVED

FEB 22 1988

Department of Water Resources
Southern Region Office

88-70

NOTICE OF APPLICATION FOR
EXTENSION OF TIME TO AVOID
FORFEITURE OF A
WATER RIGHT

No: 36-2193

Notice is hereby given that Acequia, Inc. of Sun Valley, ID has applied to the Department of Water Resources for an extension of time to avoid forfeiture of License No. 36-2193 and is recorded as follows:

Amount: 2.13 cfs

Priority: February 25, 1953

Source: Groundwater

Point of Diversion: Near Center of NW 1/4, Near Center of SW 1/4, SEC 26 T6S R23E 18 miles N. and 1 mile W. of Rupert.

The water is used for irrigation of 160 acres within the N 1/2 NW, S 1/2 NW SEC 26 T 6S R 23E

Any protests against the approval of the above proposed request described above must be filed with the Director, Dept. of Water Resources, Southern Region, 2148 Fourth Avenue East, Twin Falls, ID 83301 on or before 2-22-88

R. Keith Higginson

The extension is requested to avoid loss of the water right due to non-use while the land is in the Conservation Reserve Program.

Published in the South Idaho Press on February 4 and 11, 1988.

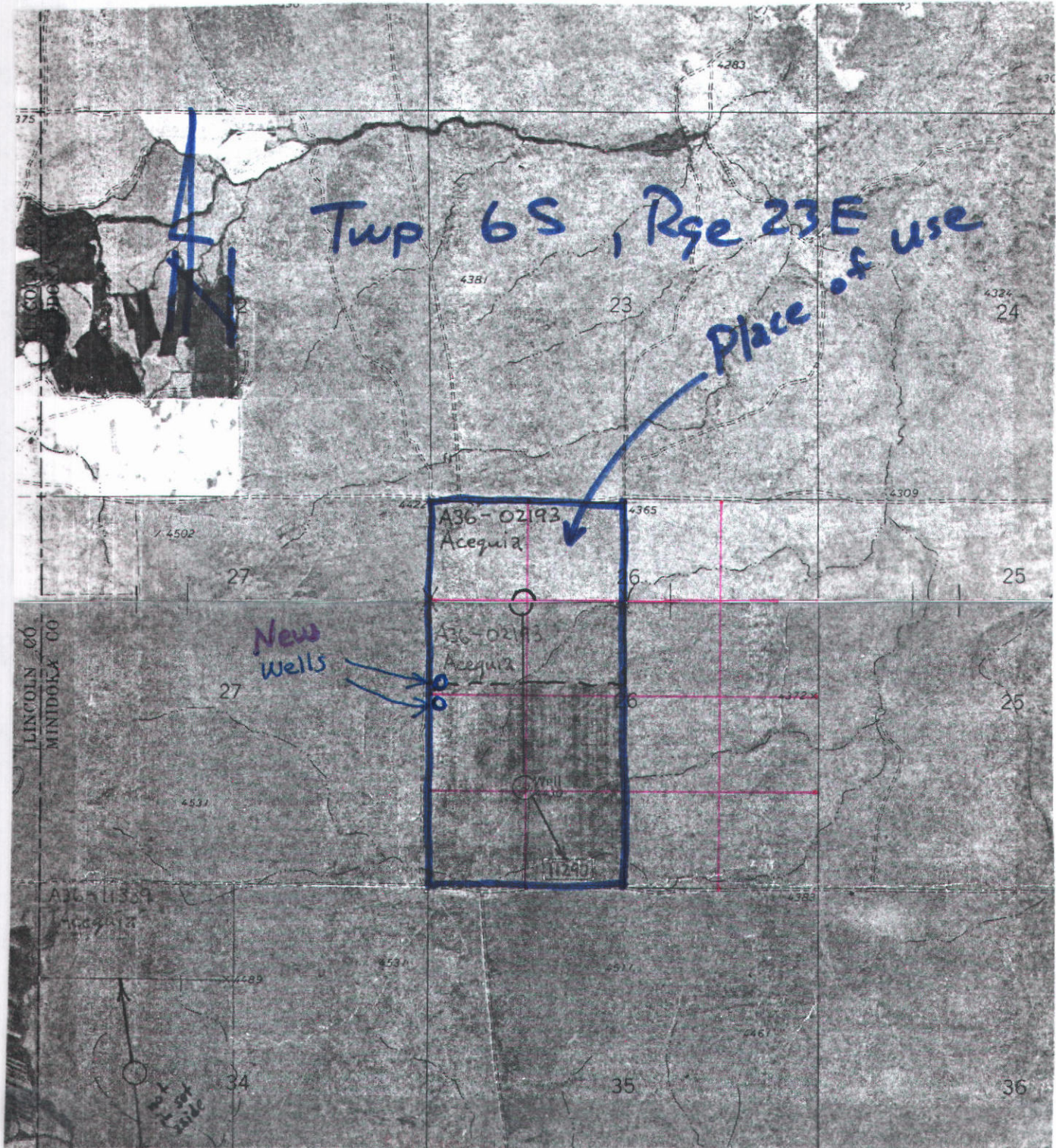
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JUN 17 1988

OK
MB
2/25/88

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.



27 26

34 35

ACRP
87-96
1964

Old Point of
Diversion

new Point of Div.

1850

1654

[303.8]

1P

old point
of diversion

1996

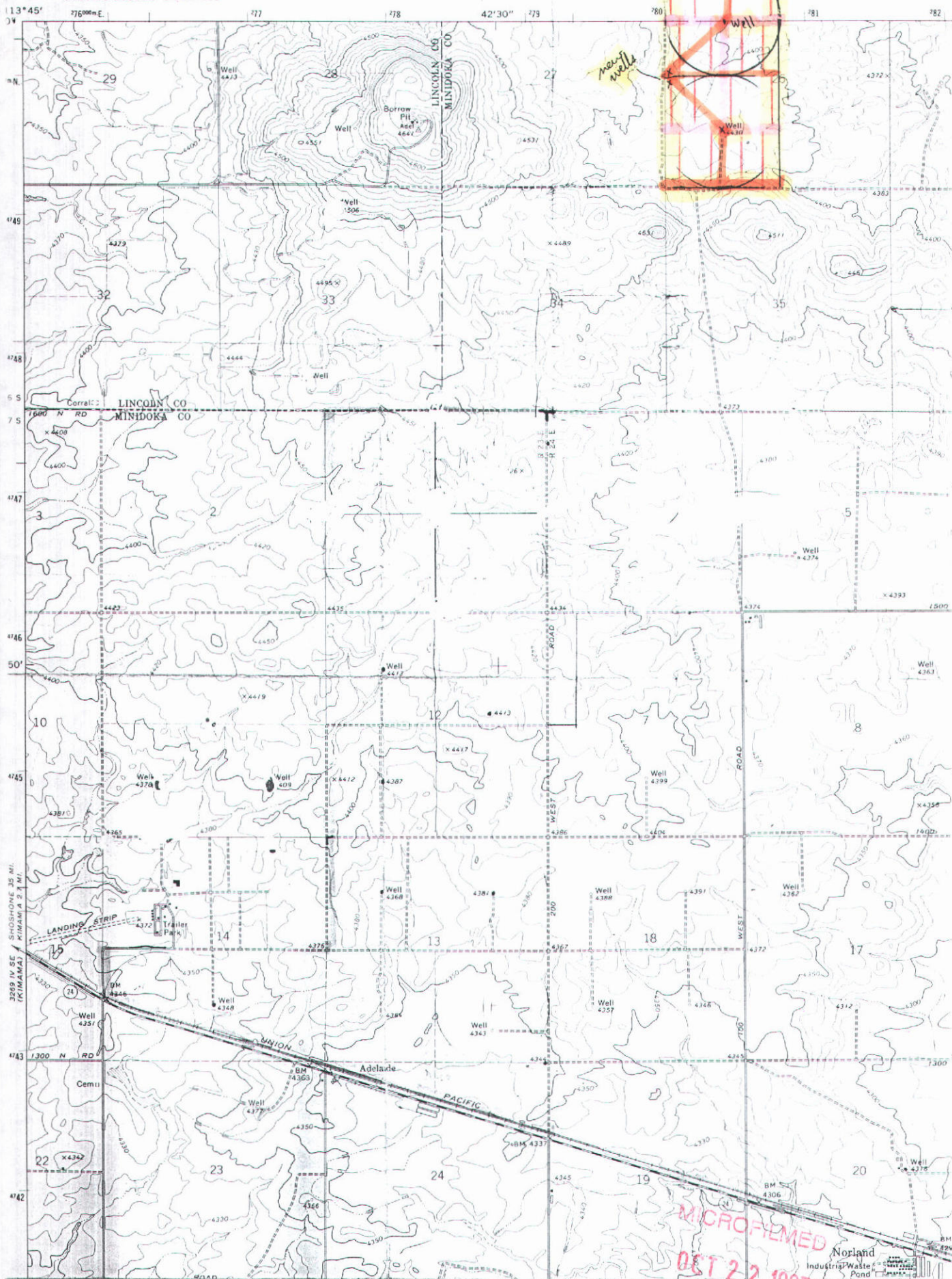
= 320.0
= 303.8
16.2

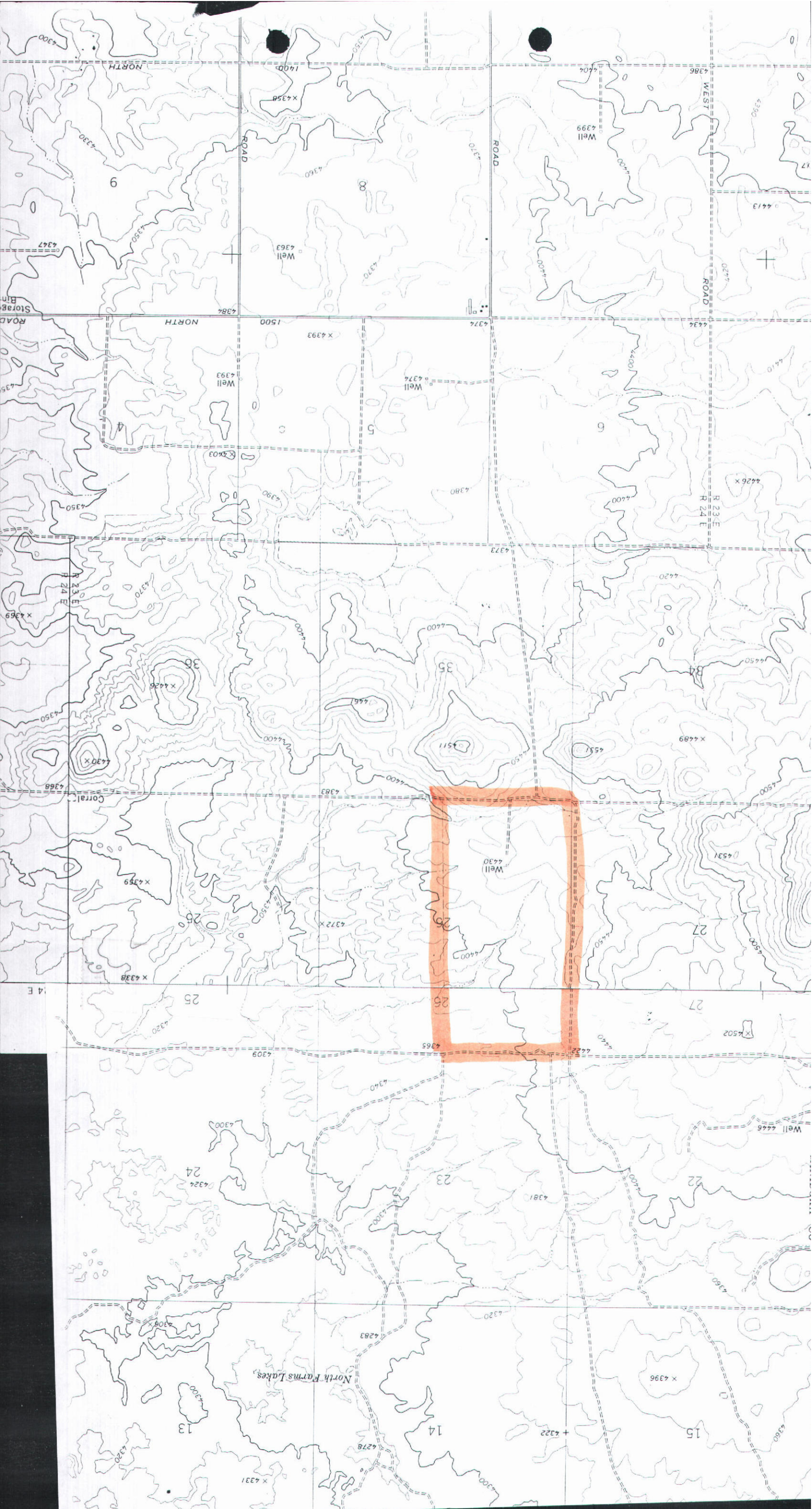
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OCT 27 1987

23/24
26/25

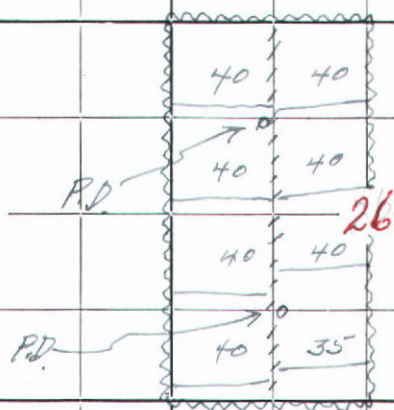
26/25
26/25

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY





T 6 S. R = 23 E.



Subdivisions = 8

Area = 315 acres.

$$Q = \begin{array}{r} 2.20 = \text{N. well} \\ 2.06 = \text{S. well} \\ \hline 4.26 \text{ cfs.} \end{array}$$

Capital Company
Box 619
Rupert, Idaho

Permit No. G-23808

Examination for Comp. of Works & Bene. Use

County Minidoka

INSTRUCTIONS TO EXAMINERS

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

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NOV 23 1956

Department of Reclamation

2 wells in S 26 - 63 - 23 E,

694

120 x 150 x 70 x 550

325
122
452

Q
62 1/2

636

320

138

463

- 2.2 cfa

636

355

138

493

- 2.06 cfa

1100 gpm
North Pump h=325'
150hp N-S. Motor
440V 1800 rpm 180amps

#998907 57°F

Wintworth Pump
8066

4'x4' Cone base. No.
protest

E M. Swatch #30823
on cone base 8' to NW

(SW 1/4 S 26) 26 D. pump.

1050 gpm

Wintworth 7266

8 stage 12-200 340'x8" col.

h=353' 376'x16" well

US. 954355 150hp

440V. 1800 rpm 180a.

Mongeson Panel. 30672
on cone base 12' to East.

8" ditch to W. into 6" main

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MAY 29 1956
Department of Reclamation

The Minidoka County News

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

County of Minidoka, {
STATE OF IDAHO, { ss.

LARRY H. ROBINSON

being first
duly sworn, deposes and says that he is the

CO- publisher of The Minidoka County News, a weekly newspaper published at Rupert, Idaho, in the county aforesaid, and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular weekly editions of The Minidoka County News

for FOUR (4) consecutive weeks, commencing
with the issue dated APRIL 26, 1956, and
ending with the issue dated MAY 17, 1956

Larry H. Robinson

Subscribed and sworn to before me this

20 day of May, 1956

Robert F. Baker Notary Public

Cost of Publication

Notary Fee

Total Cost

NOTICE OF PROOF OF COMPLETION OF WORKS

and

APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 A.M., on the 28th day of May, 1956, at Rupert, County of Minidoka, State of Idaho, before Floyd Fruit, Notary Public, proof will be submitted of the completion of works for the diversion of 6.4 cubic feet per second of the waters of wells located in the center of the NW $\frac{1}{4}$ and in the center of the SW $\frac{1}{4}$ of Section 26, Township 6 South, Range 23 EBM and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-23808 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Capital Company, Box 242, Rupert, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 6.4 cubic feet per second.

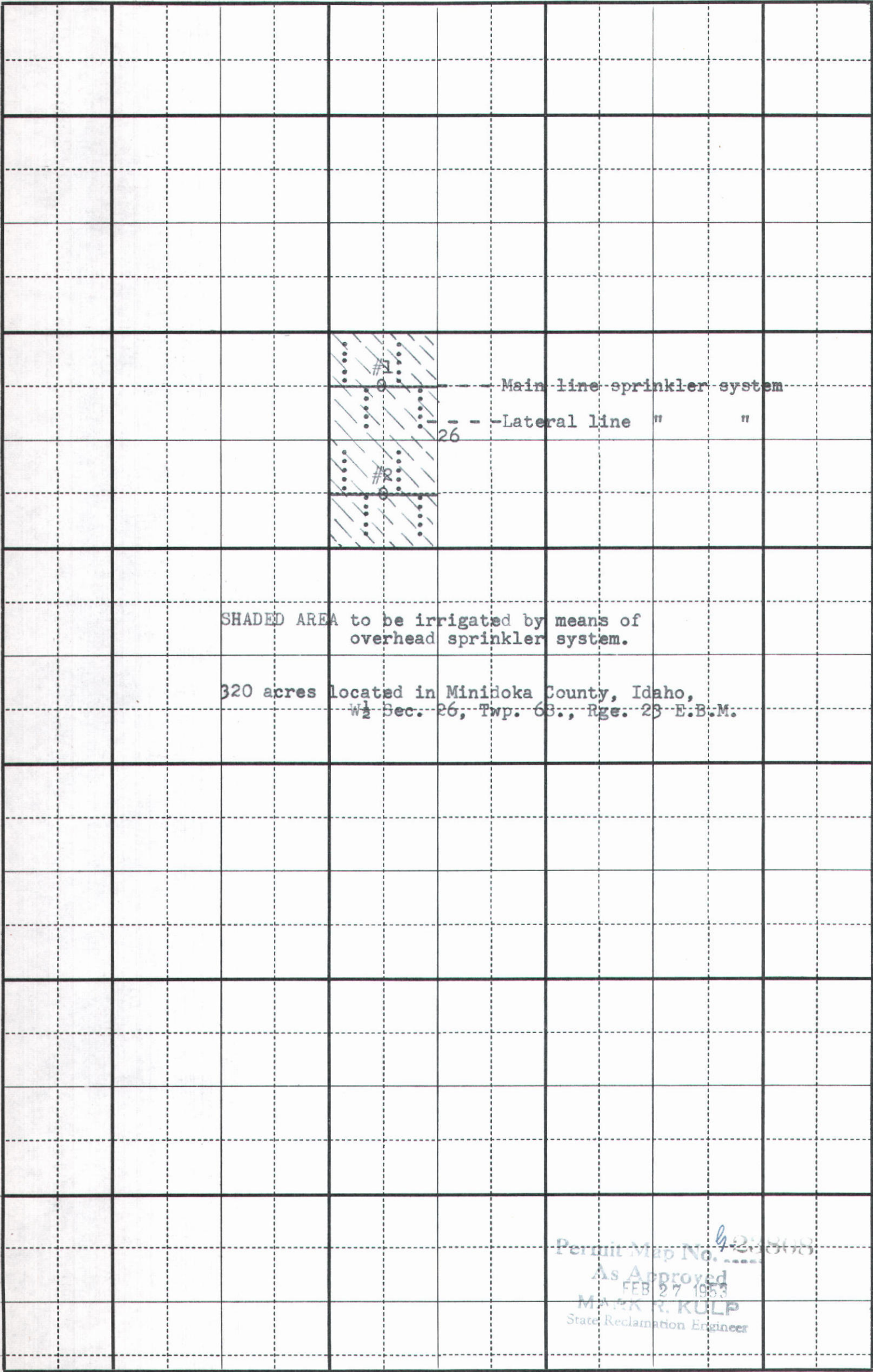
3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 6.4 cubic feet per second.

4. The place where said water is used is W $\frac{1}{2}$ of Section 26, Twp 6 South, Range 23 EBM.

5. The date of priority which said user is prepared to establish is February 25, 1953.

MARK R. KULP
State Reclamation Engineer
No. 695—April 26 - May 17.

23808



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1997 DEC 31 AM 11:13

JAN 02 1998

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

Department of Water Resources
Adjudication Bureau

FILED

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

ORDER OF PARTIAL DECREE

Case No. 39576

For Water Right 36-02193

On November 13, 1997, a *Special Master's Report and Recommendation* was filed for the above water right. No Challenges were filed to the *Special Master's Report and Recommendation* and the time for filing Challenges has now expired.

Pursuant to I.R.C.P. 53(e)(2) and *SRBA Administrative Order 1*, Section 13f, this court has reviewed the Findings of Fact and Conclusions of Law contained in the *Special Master's Report* and wholly adopts them as its own.

Therefore, IT IS ORDERED that water right 36-02193 is hereby **decreed** as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED DEC 31 1997.



DANIEL C. HURLBUTT, JR.
Presiding Judge
Snake River Basin Adjudication

ORDER OF PARTIAL DECREE

Page 1

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DEC 11 2002

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

1997 DEC 31 AM 11:13

In Re SRBA)
Case No. 39576)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR
Water Right 36-02193

DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO

NAME & ADDRESS: YOUNG & YOUNG
300A E 1600 N
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 4.26 CFS

USE OF THIS RIGHT WITH RIGHT NO. 36-11290 IS LIMITED TO A
TOTAL COMBINED DIVERSION RATE OF 4.26 CFS, AND A TOTAL COMBINED
ANNUAL DIVERSION VOLUME OF 1272 AF.

PRIORITY DATE: 02/25/1953

POINT OF DIVERSION: T06S R23E S26 SWNW SWNESW Within MINIDOKA County

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
	IRRIGATION	Irrigation Season	4.26 CFS

PLACE OF USE:	IRRIGATION	Within MINIDOKA County			
	T06S R23E S26	NENW 40	NWNW 40	SWNW 40	SENW 40
		NESW 40	NWSW 40	SWSW 40	SESW 38
	318 ACRES TOTAL				

USE OF THIS RIGHT WITH RIGHT NO. 36-11290 IS LIMITED TO THE
IRRIGATION OF A COMBINED TOTAL OF 318 ACRES IN A SINGLE
IRRIGATION SEASON.
THIS RIGHT IS LIMITED TO THE IRRIGATION OF 315 ACRES WITHIN THE
PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

RIGHT NO. 36-11290 IS AN EXPANSION OF THIS RIGHT PURSUANT TO
IDAHO CODE 42-1426.

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
JUN 11 2002

1997 DEC 31 PM 02:00
DISTRICT COURT - SRBA
TWIN FALLS CO., IDAHO
FILED _____

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)
_____)

CERTIFICATE OF MAILING

Water Right(s): 36-02193

CERTIFICATE OF MAILING

I certify that a true and correct copy of the PARTIAL DECREE
PURSUANT TO I.R.C.P. 54(b) for WATER RIGHT 36-02193 was mailed
on December 31, 1997, with sufficient first-class postage prepaid
to the following:

DIRECTOR OF IDWR
PO BOX 83720
BOISE, ID 83720-0098

ACEQUIA, INC.
Represented by:
JAMES P. SPECK
PO BOX 987
KETCHUM, ID 83340
Phone: 208-726-4421

STATE OF IDAHO
Represented by:
NICHOLAS B. SPENCER
DEPUTY ATTORNEY GENERAL
IDWR
1301 NORTH ORCHARD
BOISE, ID 83706
Phone: 208-327-7930

CERTIFICATE OF MAILING

PAGE 1
12/31/97

MICROFILMED
JAN 1 1998

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 36-02193

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 31, 1997. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this recommendation and the time period for filing objections has now expired.

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

PERIOD OF USE: 04-01 10-31

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

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

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AUG 1 1 2002

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

Important Information About Your Water Right

August 27, 2001

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

Dear Water Right Claimant(s):

The reverse side of this letter contains a copy of an *Order Amending Irrigation Period of Use Element in Partial Decree and Incorporating into Partial Decree An Express Statment Regarding General Provisions, Nunc Pro Tunc* (hereinafter "*Order*") for water right number 36-02193. 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 31, 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

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JUN 1 1 2002

• •

This
Right has been
Decreed in the
SRBA.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5167

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

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

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

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

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JUN 26 1988

*See 36-02058B for Complete transfer approval *

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, Jakkett Canal Company, Holley Water Users, Jefferson Irrigation Company,

RECORDED

MAY 19 1993

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.

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MAY 19 1993

2) The record of decision in the Montevue 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.

MEMORANDUM DECISION
AND ORDER - Page 3

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MAY 19 1993

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.

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MAY 19 1993

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

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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

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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.

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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?

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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

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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,

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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.

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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:

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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

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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

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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.

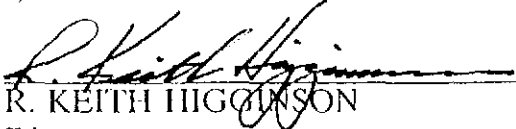
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ORDER

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

MEMORANDUM DECISION
AND ORDER - Page 17

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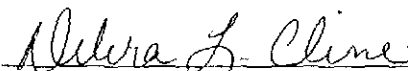
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Don Shenton, Watermaster
Water District 31
P.O. Box 33
Dubois, Idaho 83423


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

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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	198.3
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

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	19
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

9 1093

[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-

JAN 9 1993

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.

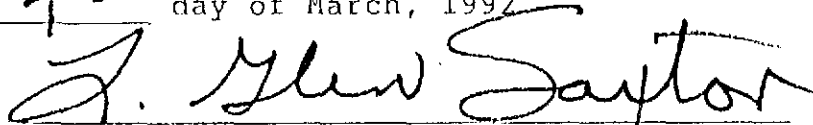
2. The transfers are approved for a period of one (1) year. On November 1, 1992, the water rights shall revert back to the original places of use and points of diversion with their original priority dates.

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

RECEIVED
MAY 1 8 1992

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
Karen L. Gustafson
Secretary/Records Manager

MAR 18 1993

**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. 4092

AMENDED

APPLICATION FOR TRANSFER OF WATER RIGHT

RECEIVED

PART 1

JAN 29 1993

Department of Water Resources

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	Nature of Use	Period of Use
<u>36-02198B</u>	<u>2/25/53</u>	<u>.62 c.f.s.</u>	<u>irrigation</u>	<u>Apr. 1 to Nov. 1</u>
<u>36-02122B</u>	<u>6/7/51</u>	<u>.67 c.f.s.</u>	<u>irrigation</u>	<u>Apr. 1 to Nov. 1</u>
<u>36-02124B</u>	<u>6/7/51</u>	<u>0.40 c.f.s.</u>	<u>irrigation</u>	<u>Apr. 1 to Nov. 1</u>
<u>36-02127B</u>	<u>6/7/51</u>	<u>2.47 c.f.s.</u>	<u>irrigation</u>	<u>Apr. 1 to Nov. 1</u>
<u>36-02190B</u>	<u>2/25/53</u>	<u>1.20 c.f.s.</u>	<u>irrigation</u>	<u>Apr. 1 to Nov. 1</u>
<u>36-02193B</u>	<u>2/25/53</u>	<u>2.16 c.f.s.</u>	<u>irrigation</u>	<u>Apr. 1 to Nov. 1</u>
<u>36-2195B</u>	<u>2/25/53</u>	<u>.49 c.f.s.</u>	<u>irrigation</u>	<u>Apr. 1 to Nov. 1</u>
<u>36-02197B</u>	<u>2/25/53</u>	<u>2.00 c.f.s.</u>	<u>irrigation</u>	<u>Apr. 1 to Nov. 1</u>

2. Total amount of water being transferred 10.01 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 _____

MICROFILMED

MAY 19 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. 38-02188B/2163B/2164B/2167B
And said application is hereby Approved, subject to the following limitations and conditions:

See attached Memorandum Decision and Order.

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

R. Keith Higginson
R. KEITH HIGGINSON
Director

RECEIVED
MAY 19 1993

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. 36-2198B 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, 1953

5. Water is used for the following purpose:

amount 5.08 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 _____

6. Total amount of water under right 5.08 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
			NW	17	7 S	24E	Minidoka	

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	
7S	24E	17	40	40	40	40	40		40	40									280

MAY 19 1993
Total acres 280

3. 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 6.2 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	
7S	24E	17		17.1	17.2														34.3

Total acres 34.3

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	
7S	24E	17	40	22.9	22.8	40	40		40	40									245.7

Total acres 245.7

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. _____

located _____ in _____ county of _____

b. License No. 36-2122 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 of priority June 7, 1951

5. Water is used for the following purpose:

amount 4.34 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 4.34 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	26	6S	24E	Minidoka	
		NW	SE	26	6S	24E	Minidoka	

8. Lands irrigated or place of use.

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SE ¼	SW ¼	NE ¼	NW ¼	SE ¼	SW ¼	NE ¼	NW ¼	SE ¼	SW ¼	NE ¼	NW ¼	SE ¼	SW ¼	
6S	24E	26									40	40	40	40	40	40	40	31	311

Total acres 311

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

MAY 19 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 .67 ~~3.26~~ 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)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SW	26	6S	24E	Minidoka	
		NW	SE	26	6S	24E	Minidoka	

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	
6S	24E	26														7.9	40		47.9

Total acres 47.9

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

1. amount 3.26 ~~1.08~~ 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)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		NW	SE	26	6S	24E	Minidoka	

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	
6S	24E	26									40	40	40	40	40	321	31		263.1

Total acres 263.1

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. 36-2124 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 19933. Source of water groundwater tributary to Snake River4. Date of priority June 7, 1951

5. Water is used for the following purpose:

amount 6.10 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 6.10 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
near	center	of	NE	35	6S	24E	Minidoka	
near	center	of	SE	35	6S	24E	Minidoka	

8. Lands irrigated or place of use.

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SE ¼	SW 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	24E	35	28	40	40	40									40	40	40	37	305

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

Total acres 305

MAY 19 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 0.40 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)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
near	center	of	NE	35	6S	24E	Minidoka	

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	
6S	24E	35		20															20

Total acres 20

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

1. amount 5.7 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)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
near	center	of	NE	35	6S	24E	Minidoka	
near	center	of	SE	35	6S	24E	Minidoka	

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	
6S	24E	35	28	20	40	40									40	40	40	37	285

Total acres 285

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. 36-2127 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 June 7, 1951

5. Water is used for the following purpose:

amount 4.94 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 4.94 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
near	center	of	SW	2	7S	24E	Minidoka	
near	center	of	SE	2	7S	24E	Minidoka	

8. Lands irrigated or place of use.

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SE ¼	SW ¼	NE ¼	NW ¼	SE ¼	SW ¼	NE ¼	NW ¼	SE ¼	SW ¼	NE ¼	NW ¼	SE ¼	SW ¼	
7S	24E	2									40	40	40	40	40	40	40	40	320

MAY 19 1993

Total acres 320

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 2.47 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)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
near	center	of	SW	2	7S	24E	Minidoka	

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	
7S	24E	2									40	40	40	40					160

Total acres 160

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

1. amount 2.47 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)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
near	center	of	SE	2	7S	24E	Minidoka	

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	
7S	24E	2													40	40	40	40	160

MAY 19 1993

Total acres 160

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. 36-2190 issued by the Idaho Department of Water Resources.

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, 1953

5. Water is used for the following purpose:

amount 1.6 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 1.6 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	26	6S	24E	Minidoka	

8. Lands irrigated or place of use.

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SE ¼	SW ¼	NE ¼	NW ¼	SE ¼	SW ¼	NE ¼	NW ¼	SE ¼	SW ¼	NE ¼	NW ¼	SE ¼	SW ¼	
6S	24E	35					40	40	40	40									160

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

160

MAY 19 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 1.2 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)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SW	26	6S	24E	Minidoka	

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	
6S	24E	35					40	40	40										120

Total acres 120

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

1. amount 0.4 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)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
		SE	SW	26	6S	24E	Minidoka	

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	
6S	24E	35								40									40

Total acres 40

MAY 19 1993

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. 36-2193 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, 1953

5. Water is used for the following purpose:

amount 4.26 cfs for irrigation purposes from April 1 to November 1

_____ /ac-ft)
bunt _____ for _____ purposes from _____ to _____

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

6. Total amount of water under right 4.26 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
near	center	of	SW	26	6S	23E	Minidoka	
near	center	of	NW	26	6S	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	
6S	23E	26					40	40	40	40	40	40	40	35					315

Total acres 315

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

MAY 19 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 2.16 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)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
near	center	of	NW	26	6S	23E	Minidoka	

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	
6S	23E	26					40	40	40	40									160

Total acres 160

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

1. amount 240 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)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
near	center	of	SW	26	6S	23E	Minidoka	

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	
6S	23E	26									40	40	40	35					155

Total acres 155

**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. 36-2195B 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, 1953

5. Water is used for the following purpose:

amount 5.42 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 5.42 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
near	center	of	NE 1/4	8	7S	24E	Minidoka	

8. Lands irrigated or place of use.

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NEN	NW1/4	SEN	SW1/4	NEN	NW1/4	SEN	SW1/4	NEN	NW1/4	SEN	SW1/4	NEN	NW1/4	SEN	SW1/4	
7S	24E	4									40	40	40	40					160
7S	24E	5													40	40	40	40	160
7S	24E	8	40	40	40	40													160

MAY 19 1993

Total acres 480

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 .49 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	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	
75	24E	4									7.5	7.5	7.5	7.5					30
75	24E	5														7	6		13

Total acres 43

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	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	24E	4									32.5	32.5	32.5	32.5					130
7S	24E	5													40	33	34	40	147
7S	24E	8	40	40	40	40													160

MAY 19 1993

Total acres 437

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. 36-2197 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 pertaining to 7AW for 1993

3. Source of water groundwater tributary to Snake River

4. Date or priority February 25, 1953

5. Water is used for the following purpose:

amount 5.7 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 5.7 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
center	of		N1/2	7	7S	24E	Minidoka	
center	of		S1/2	7	7S	24E	Minidoka	

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	24E	7	40	40	40	40	40			40	40	40	40	40	40	40	40	40	521.61

Total acres 521.61

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

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PART 2

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

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.)

- amount 2.0 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)

2. Point(s) of Diversion:

	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
center	of		N1/2	7	7S	24E	Minidoka	

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	
7S	24E	7	40	40	27	40													147

Total acres 147

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

- amount 3.7 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)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
center	of		S1/2	7	7S	24E	Minidoka	

3. Lands irrigated or place of use.

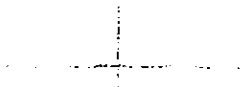
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	24E	7			13		40			40	40	40	40	40	40	40	40	40	374.61

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Total acres 374.61

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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PART 3

B. CHANGES IN NATURE OF USE

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

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

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

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

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

James L. Varin, Attorney In Fact
(Signature of Applicant)
For Blaine Larsen

Subscribed and sworn to before me this 27th day of January, 1993

Sandra C. Huntington
(Notary Public)

My commission expires 6/4/93

FOR DEPARTMENT USE ONLY

Transfer Contains _____ pages and _____ attachments

Received by _____ Date _____ Protest filed by _____

Prelim. check by _____ Fee _____

Received 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 _____

Copy of transfer sent to lien holder _____

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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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ATTACHMENT 1: Points of Diversion after requested change

[illegible]

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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

[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		
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

[illegible]

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ATTACHMENT 2: Places of use after requested change

[illegible]

MODIFICATION AND RESTATEMENT OF
RENEWAL OF LEASE OF WATER RIGHTS FOR 1993

This Modification and Restatement of Renewal of Lease of Water Rights for 1993 (the "Renewal"), is made and entered into effective the ____ day of January, 1993, amending and restating that certain Renewal of Lease of Water Rights for 1993 dated December 16, 1992 and is an addendum to:

(1) the "Lease of Water Rights Pertaining to 26A, 26C, 35B West, 2D, 26DW North, and 34A" dated January 9, 1990 (the "1990 Lease"); and

(2) the "Lease of Water Rights Pertaining to 7AW" dated April 8, 1991 (the "1991 Lease").

which are referred to herein collectively as the "Leases," copies of which are attached hereto. The Leases were executed by and between Acequia, Inc., Lessor, and Blaine Larsen and Blaine Larsen Farms, Inc., Lessee.

1. In consideration of the mutual covenants herein, Lessor and Lessee hereby modify and amend the Leases to extend and renew them for a term of one additional year ending on November 30, 1993 at the rate of \$15.00 per acre to be irrigated under each of the Leases, and further modify the Leases to provide Lessee with the option of renewing the Lease on the same terms, and on a year-to-year basis, for up to two additional years following the 1993 irrigation season.

2. The parties hereto contemplate the filing of a one-year transfer (the "1993 Transfer") to the Lessee's property of the places of use and points of diversion of the water rights described in the Leases for the 1993 irrigation season, which irrigation season shall be deemed to be the period from April 1, 1993 to November 30, 1993, inclusive. This Renewal is contingent upon the approval of the 1993 Transfer by the Idaho Department of Water Resources.

3. The total rent to be paid for this Renewal applying the formula specified in paragraph 1, above, shall be \$11,805.00. Lessee shall pay such sum to the Lessors on April 1, 1993 or within 10 days following the approval of the 1993 Transfer by the Idaho Department of Water Resources, whichever is later.

4. Water Right Nos. 36-02121 and 36-02194 are deleted from the 1990 Lease in their entirety and, therefore, are not subject to this Renewal. Water Right No. 36-02122B is hereby recognized as servings only 47.9 acres, and to that extent it remains subject to this Renewal.

5. Water Right Nos. 36-2198B (34.3 acres) and 36-2195B (43 acres), both of which are leased to Lessee pursuant to this Renewal, are hereby added to Exhibit A of

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the 1990 Lease, replacing the water rights or portions of water rights deleted by paragraph 4, above.

4. All other terms of the Leases not expressly modified and amended 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 of Water Rights for 1993 effective the day and year first above written.

LESSOR:

LESSEE:

ACEQUIA, INC.

By: _____
Michael Haley
President

Blaine Larsen, by Kevan Varin,
Attorney-in-fact

BLAINE LARSEN FARMS, INC.

By: _____
Blaine Larsen, President, by
Kevan Varin, Attorney-in-fact

State of Idaho)
) SS
County of)

On this ____ day of _____, in the year of 1993, before me, a Notary Public in and for said State, personally appeared KEVAN VARIN, known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of BLAINE LARSEN, and acknowledged to me that he subscribed the name of BLAINE LARSEN thereto as principal, and his own name as attorney in fact.

Notary Public for Idaho
Residing at _____
My Commission expires _____

RECORDED

MAY 19 1993

State of Idaho)
) ss
County of)

On this ____ day of _____, in the year of 1993, before me, a Notary Public in and for said State, personally appeared KEVAN VARIN, known or identified to me to be the person whose name is subscribed to the within instrument as the attorney in fact of BLAINE LARSEN, President of BLAINE LARSEN FARMS, INC., and acknowledged to me that he subscribed the name of BLAINE LARSEN, President of BLAINE LARSEN FARMS, INC. thereto as principal in his corporate capacity, and his own name as attorney in fact.

Notary Public for Idaho
Residing at _____
My Commission expires _____

State of Idaho)
) ss.
County of)

On this ____ day of _____, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared MICHAEL HALEY, president of ACEQUIA, INC., an Idaho corporation, 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 the corporation.

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 _____
My commission expires: _____

RECEIVED
MAY 19 1993

LEASE OF WATER RIGHTS

PERTAINING TO 26A, 26C, 35B WEST, 2D, 26DW NORTH, AND 34A

THIS LEASE made and entered into this 9th day of JAN, 1990 by and between ACEQUIA, INC., hereinafter called the LESSOR, and BLAINE LARSEN, LARSEN FARMS OF IDAHO and LARSEN FARM, hereinafter called the LESSEE.

WITNESSETH:

PROPERTY LEASED: The Lessor does hereby lease to the Lessee, and the Lessee does hereby lease from the Lessor those certain water rights, licences, and permits described on Exhibit "A." This Lease includes the complete use of said water rights, licenses, and permits.

TERM OF LEASE: The term of this Lease shall be for two years commencing April 1, 1990 and at Lessee's option may be extended for an additional year. Lessee shall notify Lessor in writing of Lessee's desire to extend this Lease for a one year period by no later than November 1, 1991. This Lease or an extension thereof entered into in the future cannot be terminated except upon written agreement by the Lessor and Lessee, or in the event of default.

RENT: Lessee shall pay to the Lessor as rent for said water rights a total of \$22,990.00 for the two year lease period, provided, however, that in the event the Idaho Department of Water Resources ("Department") grants permission to temporarily transfer the above described water rights for a one year period only, then Lessee shall pay to Lessor the sum of \$10.00 per acre per year for a total of \$12,100.00 for each year that this lease or any extension hereof is in effect. The rental amounts stated above for the two year period

MAY 19 1993

shall be paid by April 1, 1990 or within 10 days of approval of such temporary transfer and use by the Department whichever occurs later. In the event that lease payments are made on an annual basis because of the action of the Department as provided above, or in the event Lessee exercises its option to extend the lease for a third year, Lessee's annual rental payment shall be paid by April 1 of the crop year in which the water is to be used or within 10 days of the Department's approval of such temporary transfer and use.

OWNERSHIP OF WATER: Lessor covenants and represents that it 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 Department may recognize for transfer or diversion under the water rights, regardless of the amount stated in any claim, or license.

APPLICATION FOR TRANSFER: Lessee shall at its sole expense 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. Lessor shall cooperate in securing such transfers and processing such application(s) and shall execute any documents necessary to achieving the transfer. 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.

APPROVAL OF TRANSFER: This Lease and any extension hereof 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.

RECEIVED

MAY 19 1993

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. Lessee shall pay such cost promptly and pursue any action necessary to transfer said water rights and water licenses back to the Lessor's real property.

BENEFICIAL USE FOR IRRIGATION: Lessee's purpose in entering into this Lease is to obtain water for use upon land owned or leased by Lessee. During the term of the Lease and during any extension hereof, Lessee shall place to the beneficial use for irrigation purposes all water leased herein.

NON-LIABILITY OF LESSOR: 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.

REMEDY ON DEFAULT: In the event Lessee defaults in the performance of any of the covenants or conditions of this Lease, and remains in default for a period of thirty (30) days after receiving written notice of said default from the Lessor, the Lessor may, at its option, terminate this Lease, repossess the leased water rights and transfer the same back to Lessor's property at the cost of the Lessee. This remedy is not exclusive and the Lessor shall have any other remedy available to it at law or in equity, including the right to recover rental payments and damages caused by the breach of the Lease.

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.

MAY 19 1993

Lessor: Acequia, Inc.
P. O. Drawer 226
Sun Valley, Idaho 83353

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

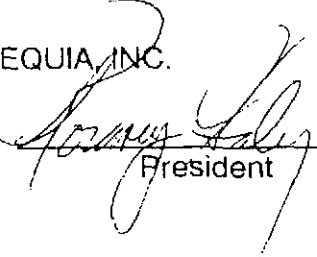
ATTORNEY FEES: In the event suit is instituted by either party to enforce any provisions of this Agreement, the successful party to said suit shall be entitled to recover their costs of the suit and a reasonable attorney fee in such amount as the Court may set.

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.

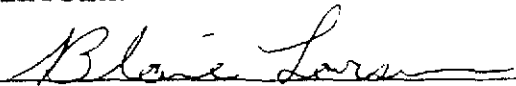
LESSOR:

ACEQUIA, INC.

By: 

President

LESSEE:


BLAINE LARSEN

LARSEN FARMS OF IDAHO

By: 

LARSEN FARM

By: 


MAY 19 1993

STATE OF IDAHO

County of Blaine

)
) ss.
)

On this 11 day of January, 1990, before me, the undersigned, a Notary Public in and for said State personally appeared ROSEMARY HALEY, known to me to be the President of Acequia, Inc. who executed the foregoing instrument on behalf of said corporation and acknowledged to me that such corporation 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.

Corina J. Rose
NOTARY PUBLIC FOR IDAHO
Residing at: Coise Ct.
My commission expires: 2-11-93

STATE OF IDAHO

County of Jefferson

)
) ss.
)

On this 9th day of JANUARY, 1990, before me, the undersigned, a 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.

Heather P. Varin
NOTARY PUBLIC FOR IDAHO
Residing at: Idaho Falls, Idaho
My commission expires: 8-19-91

MAY 19 1993

STATE OF IDAHO

County of Jefferson

)
) ss.
)

On this 9th day of JANUARY, 1990, 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 who executed the foregoing instrument on behalf of said corporation and acknowledged to me that such corporation 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: Idaho Falls, Idaho
My commission expires: 8-19-91

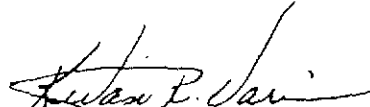
STATE OF IDAHO

County of Jefferson

)
) ss.
)

On this 9th day of JANUARY, 1990, before me, the undersigned, a Notary Public in and for said State personally appeared BLAINE LARSEN, on behalf of Larsen Farms, a corporation, known to me to be the person who executed the foregoing instrument on behalf of said corporation and acknowledged to me that such corporation 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: Idaho Falls, Idaho
My commission expires: 8-19-91

RECORDED

Exhibit "A"

WATER RIGHT(S)	LEGAL DESCRIPTION OF PLACE OF USE	PLACE OF USE	ACRES
36-02121	NW 1/4, W 1/2 NE 1/4, SEC 26, T 6S, R24E	(26A)	240
36-02122	SW 1/4, N 1/2 N1/2 SE 1/4, N 1/2 S1/2 N 1/2 SE 1/4, SW 1/4 SE 1/4, S 1/2 S1/2 NW 1/4 SE 1/4, SEC 26 , T 6S, R 24E	(26C, 35B WEST)	270
36-02124	W 1/2 NW 1/4 NE 1/4 SEC 35, T 6S, R 24E	(35B WEST)	20
36-02190	W 1/2 NW 1/4, NE 1/4 NW 1/4, SEC 35, T 6S, R 24E	(35B WEST)	120
36-02127	SW 1/4, SEC 2, T 7S, R 24E	(2D)	160
36-02193	NW 1/4, SEC 26, T 6S, R 23E	(26 DW NORTH)	160
36-02194	SW 1/4, S 1/2 NW 1/4, SEC 34, T 6S, R 23E	(34A)	240
TOTAL			1,210

17 1 9 1993

LEASE OF WATER RIGHTS

PERTAINING TO 7AW

THIS LEASE made and entered into this 5th day of April, 1991, by and between ACEQUIA, INC., hereinafter called the LESSOR, and BLAINE LARSEN, LARSEN FARMS OF IDAHO and LARSEN FARM, hereinafter called the LESSEE.

WITNESSETH:

PROPERTY LEASED: The Lessor does hereby lease to the Lessee, and the Lessee does hereby lease from the Lessor those certain water rights, licenses, and permits described on Exhibit "A". This Lease includes the complete use of said water rights, licenses, and permits.

TERMS OF LEASE: The term of this Lease shall be for one year commencing April 1, 1991. This Lease or any renewals thereof entered into in the future cannot be terminated except upon written agreement by the Lessor and Lessee, or in the event of default.

RENT: Lessee shall pay to the Lessor as rent for said water rights the sum of \$15.00 per year per acre for 147 acres, for a total of \$2,205.00. The rental amounts stated above shall be paid by April 1, 1991 or within ten (10) days of approval of temporary transfer and use of the above described water rights by the Idaho Department of Water Resources ("Department"), whichever occurs later.

OWNERSHIP OF WATER: Lessor covenants and represents that it 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 Department may

MAY 19 1993

recognize for transfer or diversion under the water rights, regardless of the amount stated in any permit, claim, or license.

APPLICATION FOR TRANSFER: Lessee shall at its sole expense 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. Lessor shall cooperate in securing such transfers and processing such application (s) and shall execute any documents necessary to achieving the transfer.

APPROVAL OF TRANSFER: 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 the lands owned or leased by Lessee.

TRANSFER OF WATER RIGHTS UPON TERMINATION OF LEASE: Upon the termination of this Lease for any reason, the Lessee shall surrender the water licenses, water permits, and water rights covered by the Lease to the Lessor. Lessee shall pay such cost promptly and pursue any action necessary to transfer said water rights, water licenses, and water permits back to the Lessor's real property.

BENEFICIAL USE FOR IRRIGATION: Lessee's purpose in entering into this Lease is to obtain water for use upon land owned or leased by Lessee. During the term of the Lease and during any extension hereof, Lessee shall place to the beneficial use for irrigation purposes all water leased herein.

NON-LIABILITY OF LESSOR: Lessor shall not be liable for any damage to Lessee sustained by reason of any action of the Department in bringing about the curtailment of some or all irrigation operations by Lessee under the leased water rights to protect the water rights of other appropriators.

MAY 19 1993

REMEDY ON DEFAULT: In the event Lessee defaults in the performance of any of the covenants or conditions of this Lease, and remains in default for a period of thirty (30) days after receiving written notice of said default from the Lessor, the Lessor may, at its option, terminate this Lease, repossess the leased water rights and transfer the same back to Lessor's property at the cost of the Lessee. This remedy is not exclusive and the Lessor shall have any other remedy available to it at law or in equity, including the right to recover rental payments and damages caused by the breach of the Lease.

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: Acequia, Inc.
P. O. Box 1678
Ketchum, Idaho 83340

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

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.

MAY 19 1993

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

LESSOR:

ACEQUIA, INC.

By: *[Signature]*

Its Secretary

LESSEE:

Blaine Larsen
BLAINE LARSEN

LARSEN FARMS OF IDAHO

By: *Blaine Larsen*

LARSEN FARMS

By: *Blaine Larsen*

RECORDED

MAY 19 1993

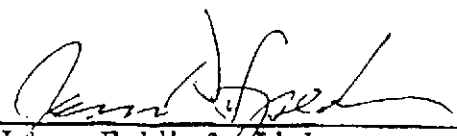
STATE OF IDAHO)

) ss.

County of Blaine)

On this 4th day of April, 1991, before me, the undersigned, a Notary Public in and for said State, personally appeared ROSEMARY HALEY, known or identified to me to be the Secretary of Acequia, Inc., the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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 East Fork, ID
My commission expires: 1/29/97

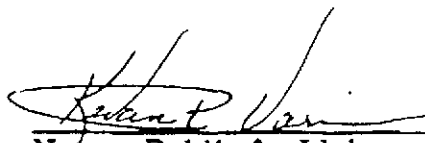
STATE OF IDAHO)

) ss.

County of Jefferson)

On this 8th day of April, 1991, 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 Idaho Falls, Idaho
My commission expires: 8-19-91

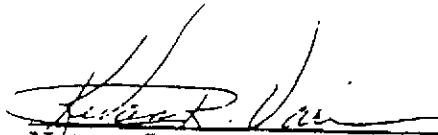
RECORDED

MAY 19 1993

STATE OF IDAHO)
) ss.
County of Jefferson)

On this 8th day of April, 1991, before me, the undersigned, a Notary Public in and for said State, personally appeared BLAINE LARSEN, known or identified to me to be the owner of LARSEN FARMS OF IDAHO, the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

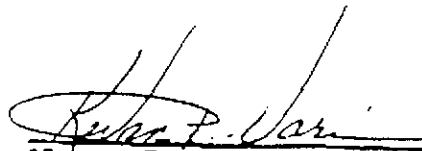
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.


Notary Public for Idaho
Residing at Idaho Falls, ID
My commission expires: 8-19-91

STATE OF IDAHO)
) ss.
County of Jefferson)

On this 8th day of April, 1991, before me, the undersigned, a Notary Public in and for said State, personally appeared BLAINE LARSEN, known or identified to me to be the owner of LARSEN FARMS, the corporation that executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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 Idaho Falls, ID
My commission expires: 8-19-91

NOTARIAL SEAL

MAY 19 1993

EXHIBIT A

The Lease of Water Rights Pertaining to 7AW is for the following portion of Water Right License 36-02197 which has a priority date of February 25, 1953 and is owned by the Lessor:

Point of Diversion: Center of N1/2 Sec. 7, T.7S., R.24E., Minidoka Co.
Place of use: 147 acres located in the NE1/4, Sec. 7., T.7S., R.24E.
Type of use: Irrigation.

MICROFILMED

MAY 19 1993

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-

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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.

MAY 19 1993

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.

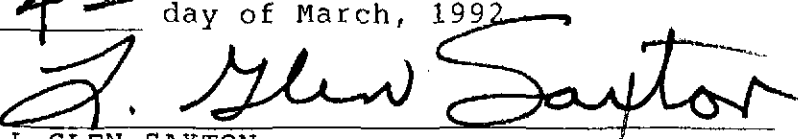
2. The transfers are approved for a period of one (1) year. On November 1, 1992, the water rights shall revert back to the original places of use and points of diversion with their original priority dates.

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

MAY 19 1993

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
Karen L. Gustafson
Secretary/Records Manager

RECEIVED

MAY 19 1993

**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

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

MICROFILMED

MAR 21 1990

Page 1 of 18STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3668

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

1. Acequia (there are 7 Part 2s)

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

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 (cfs/ac-ft)	Nature of Use	Period of Use
<u>36-2121</u>	<u>6-07-51</u>	<u>2.44 cfs</u>	<u>irrigation</u>	<u>Apr. 1 to Nov. 1</u>
<u>36-2122</u>	<u>6-07-51</u>	<u>3.26 cfs</u>	<u>irrigation</u>	<u>Apr. 1 to Nov. 1</u>
<u>36-2124</u>	<u>6-07-51</u>	<u>0.4 cfs</u>	<u>irrigation</u>	<u>Apr. 1 to Nov. 1</u>
<u>36-2127</u>	<u>6-07-51</u>	<u>2.47 cfs</u>	<u>irrigation</u>	<u>Apr. 1 to Nov. 1</u>
<u>36-2190</u>	<u>2-25-53</u>	<u>1.2 cfs</u>	<u>irrigation</u>	<u>Apr. 1 to Nov. 1</u>
<u>36-2193</u>	<u>2-25-53</u>	<u>2.16 cfs</u>	<u>irrigation</u>	<u>Apr. 1 to Nov. 1</u>
<u>36-2194</u>	<u>2-25-53</u>	<u>3.18 cfs</u>	<u>irrigation</u>	<u>Apr. 1 to Nov. 1</u>

2. Total amount of water being transferred 15.11 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.

Lot	¼	¼	¼	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 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	

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:

The transfer is similar to the one-year transfer of some of the same water rights approved on April 19, 1989, although this is for two years. 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.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 36-2121/2122/2124/2127/2190/2193/2194And said application is hereby APPROVED, subject to the following limitations and conditions:SEE ATTACHED CONDITIONS OF APPROVAL.

MICROFILMED

MAR 21 1990

Witness my hand this

19th

day of

March, 19 90A. 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
L. GLEN SAXTON, Chief
Water Alloc. Bureau

MICROFILMED

MAR 21 1990

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. 36-2121 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 & 1992

3. Source of water groundwater tributary to Snake River

4. Date or priority June 7, 1951

5. Water is used for the following purpose:

amount 2.44 cfs for irrigation purposes from April 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 2.44 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	NW	26	6S.	24E	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.	24E.	26		40	40		40	40	40	40									240

Total acres 240

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. 36-2122 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 & 1992

3. Source of water groundwater tributary to Snake River

4. Date or priority June 7, 1951

5. Water is used for the following purpose:

amount 4.34 cfs for irrigation purposes from April 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 4.34 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	26	6S	24E	Minidoka	
		NW	SE	26	6S	24E	Minidoka	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6S	24E	26									40	40	40	40	40	40	40	31	311

MICROFILMED

MAR 21 1950

Total acres 311

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 3.26 cfs for irrigation purposes from April 1 to Nov. 1
 (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
		SE	SW	26	6S	24E	Minidoka	
		NW	SE	26	6S	24E	Minidoka	

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	
6S	24E	26									40	40	40	40	40	32.1	31		263.1

Total acres 263.1**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 1.08 cfs for irrigation purposes from April 1 to Nov. 1
 (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
		NW	SE	26	6S	24E	Minidoka	

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	
6S	24E	26														7.9	40		47.9

Total acres 47.9

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. 36-2124 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 & 1992

3. Source of water groundwater tributary to Snake River

4. Date or priority June 7, 1951

5. Water is used for the following purpose:

amount 6.10 cfs for irrigation purposes from April 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 6.10 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
near center	of		NE	35	6S	24E	Minidoka	
near center	of		SE	35	6S	24E	Minidoka	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6S	24E	35	28	40	40	40									40	40	40	37	305

RECORDED

MAR 21 1991

Total acres 305

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 0.40 cfs for irrigation purposes from April 1 to Nov. 1
 (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
near center	of		NE	35	6S	24E	Minidoka	

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	
6S	24E	35		20															20

Total acres 20**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** (omit if there is no change)

1. amount 5.7 cfs for irrigation purposes from April 1 to Nov. 1
 (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
near center	of		NE	35	6S	24E	Minidoka	
near center	of		SE	35	6S	24E	Minidoka	

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				SW 1/4				SE 1/4								Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6S	24E	35	28	20	40	40									40	40	40	37	285

Total acres 285

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. 36-2127 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 & 1992

3. Source of water groundwater tributary to Snake River

4. Date or priority June 7, 1951

5. Water is used for the following purpose:

amount 4.94 cfs for irrigation purposes from April 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 4.94 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
near center	of		SW	2	7S	24E	Minidoka	
near center	of		SE	2	7S	24E	Minidoka	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	24E	2									40	40	40	40	40	40	40	40	320

Total acres 320

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

Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
near center	of		SW	2	7S	24E	Minidoka	

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	
7S	24E	2									40	40	40	40					160

Total acres 160**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT** (omit if there is no change)

1. amount 2.47 cfs for irrigation purposes from April 1 to Nov. 1
 (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
near center	of		SE	2	7S	24E	Minidoka	

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	
7S	24E	2													40	40	40	40	160

Total acres 160

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. 36-2190 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 & 1992

3. Source of water groundwater tributary to Snake River

4. Date or priority February 25, 1953

5. Water is used for the following purpose:

amount 1.6 cfs for irrigation purposes from April 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 1.6 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	26	6S	24E	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	24E	35					40	40	40	40									160

Total acres 160

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 1.2 cfs for irrigation purposes from April 1 to Nov. 1
 (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
		SE	SW	26	6S	24E	Minidoka	

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	
6S	24E	35					40	40	40										120

Total acres 120**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 0.4 cfs for irrigation purposes from April 1 to Nov. 1
 (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
		SE	SW	26	6S	24E	Minidoka	

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	
6S	24E	35																	40

Total acres 40

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. 36-2193 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 & 199

4. Date or priority February 25, 1953

5. Water is used for the following purpose:

amount 4.26 cfs for irrigation purposes from April 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 4.26 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
near center	of		SW	26	6S	23E	Minidoka	
near center	of		NW	26	6S	23E	Minidoka	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6S	23E	26					40	40	40	40	40	40	40	35					315

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Total acres 315

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

Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
near center of			NW	26	6S	23E	Minidoka	

3. 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	23E	26					40	40	40	40									160

Total acres 160**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 2.10 cfs for irrigation purposes from April 1 to Nov. 1
 (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
near center of			SW	26	6S	23E	Minidoka	

3. 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	23E	26									40	40	40	35					155

Total acres 155

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. 36-2194 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 & 1992

3. Source of water groundwater tributary to Snake River

4. Date or priority February 25, 1953

5. Water is used for the following purpose:

amount 3.18 cfs for irrigation purposes from April 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 3.18 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
near center	of	WL/2	34	6S	23E	Minidoka		

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6S	23E	34							40	40	40	40	40	40					240

Total acres 240

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 (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 Loran

(Signature of Applicant)

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

John R. Mori

(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 _____

Copy of transfer sent to lien holder _____

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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

[illegible]

[illegible]

100

MAR 21 1990

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

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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 right 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; Montevieu 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.

FILED
JUL 17 1989

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 the local public interest.

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JUL 17 1989

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.

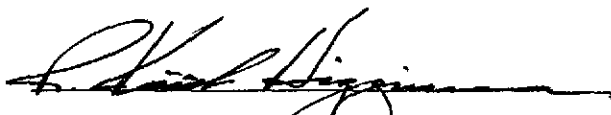
2. The transfers are approved for a period of one year. On November 1, 1989, the water rights shall revert back to the original places of use and points of diversion with their original priority dates.

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,

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

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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 DIVERSION NUMBER

			N E				N W				S W				S E				DIV		DIV.	
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	TOTAL	NUMBER	TOTAL	
6N	35E	31	:				30.9	30.9	30.9	30.9	:				:				123.6	8		
6N	35E	31	:								30.5	30.5	30.4	30.4	:				121.8	9		
6N	35E	31	:	31.7	31.6	31.6	31.6	:							:				126.5	10		
6N	35E	31	:									30.9	30.9	30.9	30.9	:			123.6	11		
7N	36E	4	:												35			25	60.0	49		
7N	36E	9	:	25			15	:							:				40.0	49	100.0	
8N	36E	11	:						2	5	:				40	27	27	38	139.0	89		
8N	36E	12	:									10	7	:					17.0	89	156.0	
8N	36E	10	:				7	:							38			35	80.0	90		
8N	36E	11	:						12	5.3	:	12	40	36	13	:			118.3	90	198.3	
8N	36E	3	:										14	:					14.0	93		
8N	36E	9	:	5			1.7	:							:				6.7	93		
8N	36E	10	:		8	6		:	40	40	31	36	:						161.0	93	181.7	
8N	36E	3	:				2	:			33	33	:	40	40	18	18	:	188.0	94		
8N	36E	4	:				5	:					:		8	4			13.0	94	201.0	
8N	36E	3	:					19	40				:						59.0	95		
8N	36E	4	:	10									:						10.0	95		
9N	36E	33	:										:					13	13.0	95		
9N	36E	34	:											36	6.7				42.7	95	124.7	
9N	36E	33	:				18	:							10				28.0	96		
9N	36E	34	:						40	20	14.3	39	:						113.3	96	141.3	
9N	36E	34	:	27	16	37	40	:						30	19				169.0	97		
9N	36E	35	:						8	20			10	:					38.0	97	207.0	
9N	36E	26	:										20	38	:		15		73.0	98		
9N	36E	35	:		30	12			40	32	12	22.3	:						148.3	98	221.3	
9N	36E	27	:												1.6		4	20	124.6	99		
9N	36E	34	:	4	8			:							:				12.0	99	136.6	
9N	36E	26	:						4	5	:								9.0	100		
9N	36E	27	:	36	34	38	39	:							4.4	4			155.4	100	164.4	
9N	36E	26	:		8	18			35	20	30	40	:	9	4.7				164.7	101		
9N	36E	25	:							12	16		:						28.0	102		
9N	36E	26	:	37	10.9	17	40	:											104.9	102	132.9	
9N	36E	25	:										12	:					12.0	103		
9N	36E	26	:														4	31	35.0	103		
9N	36E	35	:	28	3			:											31.0	103		
9N	36E	36	:						5		:								5.0	103	83.0	
9N	36E	24	:			3	:			6	:	40	14.6	16	39	:	36	35	189.6	104		

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 :		:		:	33	:	2	:		:			35.0	105 119.5
9N 36E 21 :		:	23	:		:		:		:	31	10	64.0	106
9N 36E 22 :		:		:	36	:	15	:	17	:	40	18	3.2	129.2 106 193.2
9N 36E 27 :		:		:	20	:	39	:	40	:	33	:	8	157.0 107
9N 36E 28 :	14	:	23	:		:		:		:		:	2	39.0 107 196.0
9N 36E 27 :		:		:		:		:	7	:	14	40	36	97.0 108
9N 36E 28 :		:		:		:		:		:			2.4	23 25.4 108
9N 36E 33 :	16	:		:		:		:		:				16.0 108
9N 36E 34 :		:		:	24	:	37	:		:				61.0 108 199.4
9N 36E 33 :	10.2	:	37	:	39	:	14	:	12	:				127.2 109
9N 36E 28 :		:		:	32	:	32	:	32	:	32	:		128.0 110
9N 36E 31 :		:	19	:		:	5	:	39	:	39	:	5	126.0 111
10N 36E 33 :		:	23.5	:		:		:		:		:	40	25 88.5 112
10N 36E 34 :		:		:	23	:		:	40	:	25	:		88.0 112 176.5
8N 36E 3 :	27	:	27	:		:		:		:		:		54.0 113
9N 36E 34 :		:		:		:		:	7	:	2.4	39	25	73.4 113 127.4
9N 36E 25 :		:		:		:		:	39.5	:	14	12	36	9 7 117.5 119
9N 36E 25 :		:	30	:	35	:		:		:	26	23.4		114.4 120
8N 36E 13 :		:		:	31.4	:		:		:		:		31.4 123
8N 36E 12 :		:		:		:		:	31.4	:		:		31.4 123 62.8
												TOTAL	4594.9	

6861 17 1989

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3512

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1 FEB 13 1989

Amended

Acequia Transfer (there are five Part 2s)

Name of applicant Blaine Larsen Department of Water Resources (208) 662-5522

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

A. PURPOSE OF TRANSFER

- ☒ 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 by the Applicant.

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>36-2121</u>	<u>6/07/51</u>	<u>2.44 c.f.s.</u>	<u>irrigation</u>	<u>April 1</u>	<u>November 1</u>
<u>36-2122</u>	<u>6/07/51</u>	<u>2.10 c.f.s.</u>	<u>irrigation</u>	<u>April 1</u>	<u>to November 1</u>
<u>36-2127</u>	<u>6/07/51</u>	<u>4.94 c.f.s.</u>	<u>irrigation</u>	<u>April 1</u>	<u>to November 1</u>
<u>36-2193</u>	<u>2/25/53</u>	<u>2.13 c.f.s.</u>	<u>irrigation</u>	<u>April 1</u>	<u>to November 1</u>
<u>36-2194</u>	<u>2/25/53</u>	<u>3.18 c.f.s.</u>	<u>irrigation</u>	<u>April 1</u>	<u>to November 1</u>

2. Total amount of water being transferred _____ 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

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

5. 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	

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:
Will receive only natural rain fall and snow fall and will not otherwise be irrigated in 1989. The land will be set-aside from production.
- d. Remarks:
This application is filed to replace the previously filed transfer of the same name (Acequia) by the same applicant which inadvertently identified the water rights as being in basin 35 rather than 36. The same attachments that accompanied the original Acequia Transfer are attached to this filing for convenience.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 36-2121/2122/2127/2193/2194

And said application is hereby APPROVED, subject to the following limitations and conditions:

PURSUANT TO ORDER DATED APRIL 19, 1989

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

MICROFILMEDJUL 7 1989

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. 36-2121 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 June 7, 1951

5. Water is used for the following purpose:

amount 2.44 c.f.s. 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 2.44 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	NW	26	6S	24E	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	24E	26		40	40		40	40	40	40									240

Total acres 240

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	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
			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	

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
			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	

Total acres _____

RECORDED
JUL 17 1989

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. 36-2122 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 June 7, 1951

5. Water is used for the following purpose:

amount 2.10 c.f.s. 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 2.10 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	26	6S	24E	Minidoka	
		NW	SE	26	6S	24E	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	24E	26									40	20			40	40		11	151

Total acres 151

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	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
			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	

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
			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	

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. 36-2127 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 June 7, 1951

5. Water is used for the following purpose:

amount 4.94 c.f.s. 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 4.94 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	2	7S	24E	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	
7S	24E	2									40	40	40	40	40	40	40	40	320

Total acres 320

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. 36-2193 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, 1953

5. Water is used for the following purpose:

amount 2.13 c.f.s. 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 2.13 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
near center	of		NW	26	6S	23E	Minidoka	
near center	of		SW	26	6S	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	
6S	23E	26					40	40	40	40									160

Total acres 160

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	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
			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	

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
			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	

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. 36-2194 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 Rights3. Source of water groundwater tributary to Snake River4. Date or priority February 25, 1953

5. Water is used for the following purpose:

amount 3.18 c.f.s. 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 3.18 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
near center of			W1/2	34	6S	23E	Minidoka	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6S	23E	34							40	40	40	40	40	40					240

Total acres 240

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	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
			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	

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
			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	

Total acres _____

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.

Blaine Loran

(Signature of Applicant)

Subscribed and sworn to before me this 13th day of December, 19 88.Gena Cameron

(Notary Public)

My commission expires 9/26/94**FOR DEPARTMENT USE ONLY**

Transfer contains _____ pages and _____ attachments

Received by JIM Date 1-10-89 Protest filed by _____Prelim. check by JIM Fee \$50.00Receipted by CP Date 1/10/89 C004992

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 _____

RECEIVED
JAN 17 1989

26-AMW

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

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

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

1. Name of water right holder Acequia Inc.
Post office address P.O. Drawer 226 Sun Valley, ID 83353
2. The right was obtained or is evidenced by:
a. Decree to _____ in Case of _____
(Name)
vs. _____, Dated _____ in _____
(Name of Court)
Court, County of _____. Fully describe decree _____
- b. License No. 36-2193 issued by the Department of Water Resources.
- c. Claim No. _____ on file with the Department of Water Resources.
3. Source of water groundwater tributary to _____
(Name of stream or source)
4. Date of priority of right February 25, 1953
5. Amount of water a. 2.13 c.f.s. and/or
b. _____ acre feet/annum
6. Water is used for Irrigation from _____ to _____
from _____ to _____
from _____ to _____
(Purpose) (Month-Day) (Month-Day)
7. Location of point of diversion is NW 1/4 of Section 26
Near Center of
Township 6S, Range 23E, B.M., in Minidoka County;
Additional points of diversion, if any Near Center of SW 1/4 of Sec. 26
T6S, R.23E.
8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6S	23E	26					40	40	40	40									160

9. Give last date when water was applied to beneficial use September 1, 1985
Length of extension of time requested 5 years, 5 until September 1, 1990
(Date)

10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and reasons for non-use Acreeage conservation reserve.

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

Forney, Henry pos. Acreeage
(Signature of Applicant)

Subscribed and sworn to before me this 3rd day of September, 19 87.

Mary Baldwin
(Notary Public)

My commission expires 10/16/92 Residing at Gooding, ID

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

Beneficial use of water under this right shall resume on or before September 1, 1990.

Witness my hand this 31st day of May, 19 88.

MICROFILMED
JUN 17 1988

J. Glen Saxton
Chief, Operations Bureau

For Department Use Only

Received by *J. J. J. J.* Date 9/3/87 Time 11:00AM Preliminary check by ADN
Fee \$ 50.00 Receipted by M. Baldwin Date 11/2/88 Publication prepared by LW
Published in So. Id Press Dates 2/4 + 2/11
Publication approved by MB Date 2/25/88 Protests filed by: _____
Copies of protests forwarded by _____ Hearing held by _____ Date _____
Recommended for // Approval // Denial by ADN

SOUTH IDAHO PRESS
BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)

MARGE BARENDRECHT being first

duly sworn, deposes and says that she is the

Clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for two (2)

consecutive weeks, commencing with the issue

dated Feb 4 1988, and ending

with the issue dated Feb 11 1988

Marge Barendrecht

Subscribed and sworn to before me

this 14th day of Feb

1988.

Marge Barendrecht Notary Public

Cost of Publication 27.28

Notary Fee .50

Total Cost 27.78

RECEIVED

FEB 22 1988

Department of Water Resources
Southern Region Office

88-70

NOTICE OF APPLICATION FOR
EXTENSION OF TIME TO AVOID
FORFEITURE OF A
WATER RIGHT

No: 36-2193

Notice is hereby given that Acequia, Inc. of Sun Valley, ID has applied to the Department of Water Resources for an extension of time to avoid forfeiture of License No. 36-2193 and is recorded as follows:

Amount: 2.13 cfs

Priority: February 25, 1953

Source: Groundwater

Point of Diversion: Near Center of NW 1/4, Near Center of SW 1/4, SEC 26 T6S R23E 18 miles N. and 1 mile W. of Rupert.

The water is used for irrigation of 160 acres within the N 1/2 NW, S 1/2 NW SEC 26 T 6S R 23E

Any protests against the approval of the above proposed request described above must be filed with the Director, Dept. of Water Resources, Southern Region, 2148 Fourth Avenue East, Twin Falls, ID 83301 on or before 2-22-88

R. Keith Higginson

The extension is requested to avoid loss of the water right due to non-use while the land is in the Conservation Reserve Program.

Published in the South Idaho Press on February 4 and 11, 1988.

RECORDED

JUN 17 1988

OK
MB
2/25/88

State of Idaho
License and Certificate of Water Right

Water License No. G-23808

Amount 4.26 c.f.s.

Water District No.

Priority February 25, 1953

THIS IS TO CERTIFY that THE CAPITAL COMPANY
of Rupert, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated February 25, 1953; that Permit No. G-23808
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
4.26 second feet, was issued thereunder on March 22, 1957, showing that said works
were completed on the 28th day of May, 1956; and that on the 28th
day of May, 1956, Everett Warner for THE CAPITAL COMPANY

of Rupert, State of Idaho, made proof to the satisfaction of the
of Idaho, of the right to use the waters of 2 wells
subterranean ~~contributory~~ of flow, for the purpose of Irrigation
, under Use Permit No. G-23808 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
10 of Licenses at page 5952, on the 22nd day of March, 1957;
The right hereby confirmed dates from February 25, 1953;

The Point of Diversion is located
Center of:
in the NW 1/4 & SW 1/4, Sec. 26, Tp. 6 S., R. 23 E., B. M. County Minidoka
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 4.26 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 S.	23 E.	26	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	40	40
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	~~40~~ 35
			Total number of acres irrigated		

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
22nd day of March, 1957.

/s/ Mark R. Kulp

State Reclamation Engineer. 35 2103

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. G-23807
Water District No. _____

Amount 3.48 c.f.s.
Priority February 25, 1953

THIS IS TO CERTIFY that THE CAPITAL COMPANY
of Rupert, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated February 25, 1953; that Permit No. G-23807
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
3.48 second feet, was issued thereunder on March 22, 1957, showing that said works
were completed on the 28th day of May, 1956; and that on the 28th
day of May, 1956, Everett Warner for THE CAPITAL COMPANY
of Rupert, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
subterranean ~~tributary of~~ flow, for the purpose of Irrigation
, under Use Permit No. G-23807 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
10 of Licenses at page 5951, on the 22nd day of March, 1957;
The right hereby confirmed dates from February 25, 1953;
The Point of Diversion is located
in the Center of: ~~SE 1/4~~ Sec. 31, Tp. 6 S., R. 24 E., B. M. County Minidoka
That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 3.48 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 S.	24 E.	31	NE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40	--
			Lot 9		
			Lot 10		
Irrigating approximately 319.63 acres - - - -					

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
22nd day of March, 1957.

/s/ Mark R. Kulp
State Reclamation Engineer.

(SEAL)

36-2193

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 31586
Permit No. G- 23808
District No.

Lawrence H. Duffin
Box 61
Rupert, Idaho

1. Name of Applicant: THE CAPITAL COMPANY
Postoffice address: Box 242, Rupert County: Minidoka State: Idaho
2. Quantity of water claimed: 6.4 cubic feet per second
 - (a) Rate of withdrawal in cubic feet per second. 6.4 or Idaho
Miners' inches or gallons per minute.
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean
Well #1 is in the center of the NW $\frac{1}{4}$ and Well #2 is in the center of the
4. Location of ~~point of diversion or well in the center of the~~ SW $\frac{1}{4}$ of Section 26
Twp. 6 S , Rge. 23 E , B.M., County of Minidoka
5. Water is to be used for: Irrigation
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.
7. Kind of works: Deep well turbine pumps and sprinkler system
8. Estimated cost of works: \$40,000.00
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 five years.
11. If applicant is a corporation, give:
 - I. (a) Date and place of incorporation: Feb. 1929, San Francisco, Calif.
(b) Amount of capital stock: \$2,000,000.00 (c) Amount paid in: \$857,310.00
(d) Names and addresses of directors: See list on Application No. G-31579, Permit No. G-23801.
 - II. The financial resources of the applicant are (a) Cash onhand: \$244,000.00 Dec. 31, 1952
(b) Treasury stock: None (c) Bonds to be issued: None
Pd. in surplus \$3,875,000.00
(d) Other resources: \$19,000,000.00 Earned surplus 5,072,000.00
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) None (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 6.4 (cubic feet per second, ~~inches or gallons per minute~~) is for new lands.

Remarks:

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.

THE CAPITAL COMPANY Applicant.

By THOMAS M. CHRISMAN Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M. Feb. 25, 1953

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is G-23808

Recorded in Book 85 Page 23808 Approved Feb. 27, 1953

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

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

Work to begin on or before April 27, 1953 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before August 27, 1955

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before February 27, 1956

Witness my hand this 27th day of February, 1953

MARK R. KULP State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, LEN JORDAN Governor of the State of Idaho, and IRA H. MASTERS Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 27th day of February, 1953.

Countersigned:

STATE OF IDAHO

(SEAL)

By IRA H. MASTERS

Secretary of State.

By LEN JORDAN

Governor

12.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
6 S	23 E	26					40	40	40	40	40	40	40	40					320
Total Number of Acres to be Irrigated																			320
Permit No. <u>G-23808</u>																			
Certificate of Completion of Works																			
TO ALL WHOM IT MAY CONCERN:																			
This is to certify that THE CAPITAL COMPANY of Rupert, County of Minidoka, and State of Idaho, the holder of Permit No. G-23808, issued upon Application No. G-31596 bearing date of priority of February 25, 1953, authorizing the diversion of 6.4 second feet of the waters of Subterranean Flow - 2 wells, County of Minidoka, State of Idaho, for Irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 4.26 second feet of the waters of 2 wells - subterranean flow that the point of diversion of said waters Center of NW ¹ / ₄ Center of SW ¹ / ₄ Section 26, Township 6 South, Range 23 E.B.M. and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: W ¹ / ₂ of Section 26, Township 6 South, Range 23 East B.M. Proof of Completion of Works made: May 28, 1956.																			
Witness my hand this 22nd day of March, A.D. 1957																			
/s/ Mark R. Kulp State Reclamation Engineer																			
Proof of Completion of Works made: May 28, 1956																			
Certificate of Completion of Works issued March 22, 1957																			
LIVESTOCK ISSUED FOR 4.26 2nd Ft.																			
Page 5952																			

This
Right has been
Decreed in the
SRBA.

MICROFILMED

1985-1-20

MEMORANDUM

TO: FILE 36-2193
FROM: VAULT
RE: TRANSFER # 5707-5727
DATE: 6-6-00

=====

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

FILE # 36-2658

MICROFILMED
JUN 11 2002

MEMORANDUM

TO: Young & Young Water Right Files

FROM: Pam Skaggs²⁸/State Office

SUBJECT: Transfer 5167

DATE: May 6, 1998

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

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

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

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

MICROFILMED

JUN 23 1998

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

✓ Combined Rts.

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

✓ Combined Rts.

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

MICROFILMED

JUN 23 1998

MEMORANDUM

TO: FILE 36-02193

FROM: PAM SKAGGS

RE: TRANSFER # 5167

DATE: 1-9-98

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

MICROFILMED

JUN 25 1998

To: STATE OF IDAHO
DEPT OF WATER RESOURCES
1341 FILLMORE-SUITE 200
TWIN FALLS ID 83301-3380

Gentlemen:

I/we wish to withdraw Applications for ^{Transfer} ~~Permit To~~ Appropriate
the Public Waters of the State of Idaho, No. 4981, 4982, 4956
filed in the name of Young & Young Partnership.

Dated this 2nd day of October, 1997.

Young & Young By Steven D. Young
Name
Partner
Title
300AE 1600N
Address
Rupert Id. 83350
Address

Witness: J. B. Stanton

RECEIVED

OCT 02 1997

Department of Water Resources
Southern Region

MICRO-21411
OCT 02 1997

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4956RECEIVED APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

JAN 03 1997

Name of applicant Steve Young &/or Maria Young Phone 208-532-4405
Department of Water Resources
Post Office address 300AE 1600N Rupert ID 83350

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 Relocate wells to allow installation of two center pivots. Existing wells will be abandoned.

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>36-02193</u> | <u>2-25-1953</u> | <u>4.26</u> | <u>Irrigation</u> | <u>4-1</u> to <u>10-31</u> |
| <u>36-11290</u> | <u>5-1-1985</u> | <u>0.06</u> | <u>Irrigation</u> | <u>4-1</u> to <u>10-31</u> |
| | | | | to |
| | | | | to |
2. Total amount of water being transferred 4.26 cubic feet per second and/or 1272 acre-feet per annum.
3. Source of water Groundwater tributary to
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	SW	NW	26	6S	23E	Minidoka	New Well #1
	NW	NW	SW	26	6S	23E	Minidoka	New Well #2

5. Lands irrigated or place of use: No Change

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

Total acres

PART 1

6. General Information:

a. Description of diversion system Two wells delivering to sprinkler system

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A 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:
None - Same land will remain irrigated.

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. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19____.

REC'D
OCT 22 1988

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 36-02193

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	4.26 CFS

SOURCE

GROUNDWATER

Priority: 02/25/1953

LOCATION OF POINT(S) OF DIVERSION:

SWNENW , Sec. 26, Township 06S, Range 23E
 SWNESW , Sec. 26, Township 06S, Range 23E
 MINIDOKA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06S	23E	26	NENW 40	NWNW 40	SWNW 40		
			SEnw 40	NESW 40	NWSW 40		
			SWSW 40	SESW 38			318
Total number of acres irrigated:							318

CONDITIONS/REMARKS:

1. RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION PURSUANT TO SECTION 42-1425, IDAHO CODE.
2. RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO SECTION 42-1425, IDAHO CODE.
3. USE OF THIS RIGHT WITH RIGHT NO. 36-11290 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.26 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1272 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 954 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 318 ACRES IN A SINGLE IRRIGATION SEASON.
4. RIGHT NO. 36-11290 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
5. RIGHT NO. 36-11290 IS AN EXPANSION OF THIS RIGHT PURSUANT TO IDAHO CODE 42-1416(2).
6. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 315 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

RECORDED
 04/22/07

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

Part of land has been in CRP which ended fall of 1996.
The remainder has been irrigated.

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 _____

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Claim No. 36-11290

STAGE: BENEFICIAL USE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	04/01 to 10/31	0.06 CFS

SOURCE

GROUNDWATER

Priority: 05/01/1985

LOCATION OF POINT(S) OF DIVERSION:

SWNENW , Sec. 26, Township 06S, Range 23E
SWNESW , Sec. 26, Township 06S, Range 23E
MINIDOKA County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
06S 23E 26	NENW 40	NWNW 40	SWNW 40	
	SEnw 40	NESW 40	NWSW 40	
	SWSW 40	SESW 38		318
		Total number of acres irrigated:		318

CONDITIONS/REMARKS:

1. USE OF THIS RIGHT WITH RIGHT NO. 36-02193 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.26 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1272 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 954 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 318 ACRES IN A SINGLE IRRIGATION SEASON.
2. RIGHT NO. 36-02193 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE.
3. THIS RIGHT IS AN EXPANSION OF RIGHT NO. 36-02193 PURSUANT TO IDAHO CODE 42-1416(2).
4. THIS RIGHT IS LIMITED TO THE IRRIGATION OF 3 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

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 Part of land has been in CRP which ended fall of 1996.
The remainder has been irrigated.

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

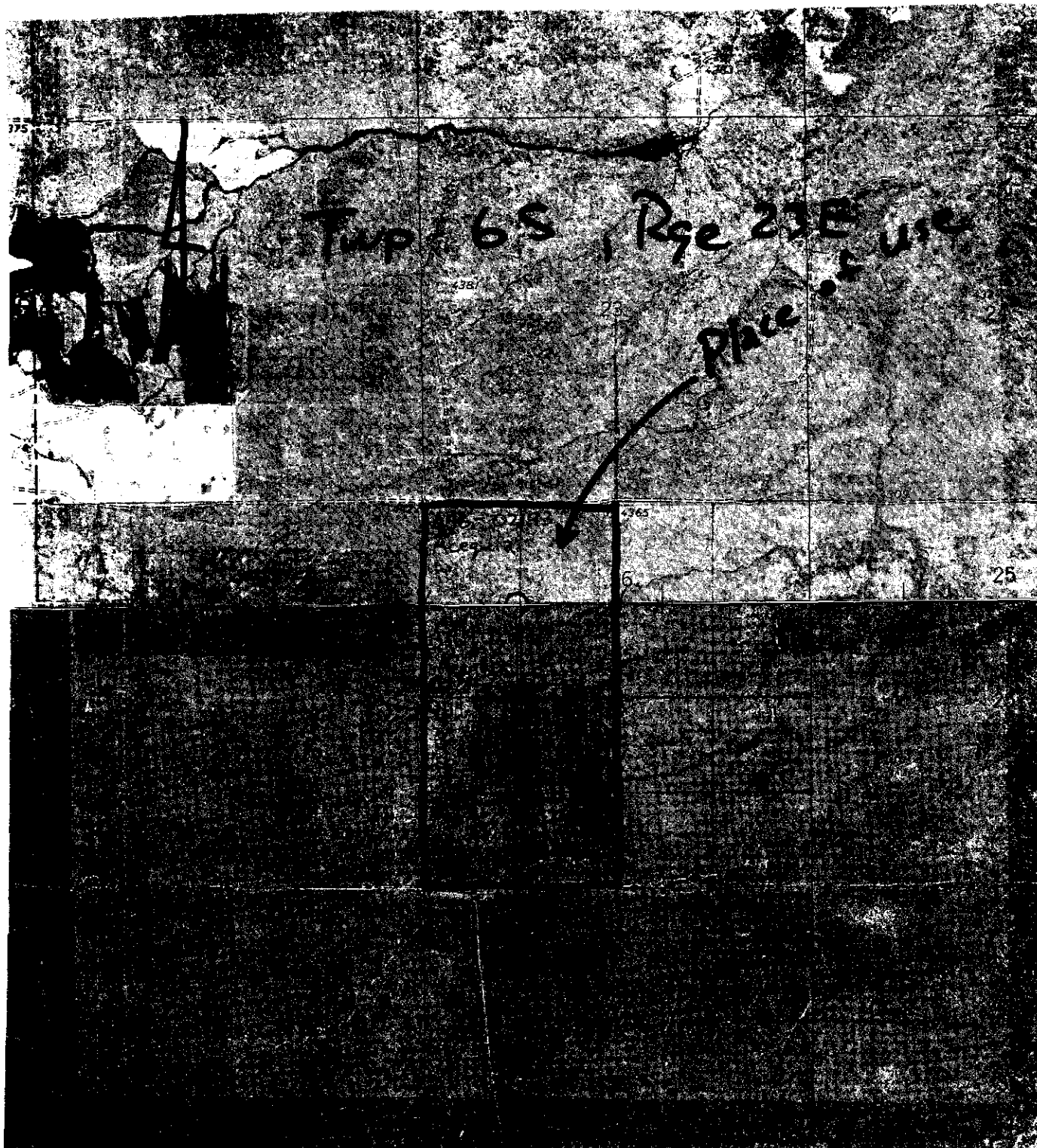
3. Lands irrigated or place of use:

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.



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

1.

<u>New Nature of Use</u>	<u>Amount (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.

Subscribed and sworn to before me this 7th day of November, 19 96.

Steven D. Young
(Signature of Applicant)

John D. Merritt
(Notary Public)

My commission expires 6/30/2000

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 0 attachments

Received by ADW Date 11/7/96 Protest filed by None

Prelim. check by J.P. Harton Fee 100.00 #SD19678

Receipted by ADW Date 11/7/96

Published in So. Ill. Press Copies of protest forwarded by _____

Pub. dates 11/18 & 11/25/96 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial

_____ rec'd. _____ by ADW

Copy of transfer sent to lien holder _____

RECEIVED

NOV 07 1996

Department of Water Resources
Southern Region

COPY

RECEIVED

DEC 02 1996 AGREEMENT FOR PURCHASE AND SALE

OF

Department of Water Resource
Southern Region

REAL PROPERTY AND IRRIGATION EQUIPMENT

PARCELS 26AW AND 26DW

(ACEQUIA - YOUNG)

THIS AGREEMENT is made and entered into as of the date of the last signature hereto by and between STEVEN D. YOUNG and MARIA YOUNG, husband and wife, whose address is Route 3, Box 3263, Rupert, Idaho 83350 (hereinafter collectively referred to as "Buyer"), and ACEQUIA, INC., an Idaho corporation, whose address is P. O. Drawer 226, Sun Valley, Idaho 83353 (hereinafter referred to as "Seller").

RECITALS

A. Seller is the owner of certain agricultural real property situated in the County of Minidoka, State of Idaho, particularly described as follows (the "Real Property"):

West Half of Section 26, Township 6 South, Range 23 East, B.M.,
Minidoka County, Idaho.

B. Seller is the owner of certain water rights appurtenant to the Real Property described as follows:

All of Water Rights Nos. 36-02193 and 36-11290 as recommended
in the Directors Report for Reporting Area 3 in the SRBA.

(the "Water Rights").

C. Seller is the owner of certain irrigation equipment located on and used in the agricultural operation on the Real Property, the description of which is set forth in Exhibit A attached hereto and made a part hereof by this reference (the "Equipment").

D. Seller desires to sell the Property, and Buyer is willing to purchase the Real Property, Water Rights and Equipment (collectively the "Property") from Seller, all on the terms and conditions hereinafter set forth.

TERMS AND CONDITIONS

1. INCORPORATION OF RECITALS. The Recitals set forth above are an integral part of this Agreement and are fully incorporated herein by this reference.

2. SALE. The Seller, for and in consideration of the payments to be made and the

covenants and conditions to be kept and performed by the Buyer, as hereinafter set forth, does hereby contract and agree to sell and convey to the Buyer, and the Buyer does hereby agree to buy from the Seller, the Property.

3. PURCHASE PRICE. The total purchase price of the Property shall be Two Hundred Ten Thousand Dollars (\$210,000.00). The purchase price shall be paid as follows:

a. Earnest Money. The sum of Five Thousand Dollars (\$5,000.00) (the "Earnest Money") has been deposited by Buyer with the law firm of Hogue, Speck & Aanestad, P.A.. The Earnest Money shall be delivered to the Closing Agent simultaneously with the execution of this Agreement, to be deposited by the Closing Agent in an interest bearing account, with interest to accrue for the Earnest Money and any accrued interest thereon shall be paid by the Closing Agent to the Seller at the time of closing.

b. Cash at Closing. On or before the date of closing, Buyer shall deliver to the Closing Agent in cash or certified funds, the balance of the purchase price in the sum of Two Hundred Five Thousand Dollars (\$205,000.00), increased or decreased by those prorations and Buyer's closing costs as shown on the closing statement prepared by the Closing Agent and approved by Buyer, to be paid by the Closing Agent to Seller at the time of closing after deducting therefrom the title insurance premium and Seller's closing costs as shown on the closing statement prepared by the Closing Agent and approved by Seller.

4. CONTINGENCIES. The closing of the purchase and sale transaction contemplated by this Agreement is subject to and contingent upon the following:

a. Financing. This sale is contingent upon Buyer obtaining adequate financing from a suitable lender to complete the purchase of the Property. Buyer shall use its best good faith efforts to obtain such financing and shall either satisfy or waive this contingency on or before November 1, 1996 by written notice to Seller. If Buyer fails to timely satisfy or waive this contingency, this Agreement shall terminate, and any monies paid or documents delivered to the Closing Agent shall be returned to the parties.

b. No Material Adverse Change. The closing of this sale is also contingent upon there being no material adverse change in the financial condition of either party or the institution or commencement of any bankruptcy, court or other adversary proceeding or process against or adversely affecting either party, their credit or the Property prior to the closing date.

5. TITLE; WARRANTY DEED. Seller shall transfer title to the Real Property and Water Rights to Buyer by warranty deed (the "Warranty Deed"). Title to the Property and Water Rights shall be free and clear of all claims, liens, and encumbrances, except taxes and assessments for the current year, easements and rights-of-way of public record. However, Seller does not make any representation or warranty as to the amount, volume or any other element of the Water Rights, and Buyer shall accept title to the Water Rights subject to all of the proceedings in In Re the General Adjudication of Rights to the Use of Water From the Snake River Basin Water System, Twin Falls District Court Case No. 39576.

6. BILL OF SALE TO EQUIPMENT. Seller shall execute and deliver a bill of sale (the "Bill of Sale"), conveying title to said personal property from Seller to Buyer free and clear of all claims, liens, and encumbrances upon the closing of this transaction. Buyer acknowledges and agrees that Buyer has had adequate opportunity to examine and inspect the Equipment and has made a thorough independent examination and inspection thereof; that Buyer is relying upon Buyer's own examination and inspection of said Equipment and is not relying upon any representations or statements of Seller; that Buyer is acquiring said personal property "AS IS"; and that there are no warranties, express or implied, as to the fitness of the Equipment for any purpose nor as to merchantability.

7. TITLE INSURANCE. As soon as possible after the full execution of this Agreement by all parties, Seller shall cause to be delivered to Buyer a preliminary report or commitment for issuance of a title insurance policy insuring title to the Real Property and naming Buyer as the insured in the amount of Two Hundred Ten Thousand Dollars (\$210,000.00) showing title is merchantable in Seller free from all liens, encumbrances and exceptions, EXCEPT the standard exceptions contained in the title insurance company's standard form policy, taxes and assessments for the current year. Buyer shall examine said preliminary title report or commitment and shall, in writing, make any objections thereto known to Seller within ten (10) days of Buyer's receipt of said preliminary title report or commitment. Failure by Buyer to object in writing to the condition of title shown in said preliminary report or commitment within this time period shall constitute acceptance by Buyer of the condition of such title and a waiver of any defects in title. In the event there exist any defects in title to which Buyer objects in the manner provided above, Seller shall have thirty (30) days to cure and remove said defects. In the event Seller is unable to cure and remove said defects within the time provided or any extension thereof that Buyer may grant, this Agreement shall be deemed canceled, and the Seller's Earnest Money shall, upon Buyer's request, be forfeited and delivered to Buyer. Upon acceptance by Buyer of said title report or commitment in the manner provided above, Seller shall cause the Closing Agent to deliver to Buyer as soon as reasonably possible after the Closing Date a standard purchaser's policy of title insurance issued by Closing Agent naming Buyer as the insured in the amount of Two Hundred Ten Thousand Dollars (\$210,000.00), insuring that the title to the Real Property is merchantable and free from all liens and encumbrances except as described herein. The premium for said title insurance policy shall be paid by Seller.

8. GRAIN BASE. Seller shall, at closing, assign and convey to Buyer all of its right, title and interest in and to the "grain base" for the United States Department of Agriculture programs associated with the Property.

9. CLOSING.

a. Closing Agent; Closing Date. The closing of this transaction and the delivery of all the executed documents and instruments contemplated by the parties shall take place at the offices of Land Title and Escrow, Rupert, Idaho, which shall be the "Closing Agent", on or before December 1, 1996 (the "Closing Date").

i. Seller and Buyer Documents. On or before the Closing Date, Seller

and Buyer shall deposit with the Closing Agent the following executed documents:

- (1) A copy of the executed original of this Agreement;
- (2) Such closing instructions and closing statements as shall be required by the Closing Agent to effect the closing of this transaction;
- (3) Such other documents and instruments as shall be required to effect the agreements contained in this Agreement.

ii. Seller's Documents. On or before the Closing Date, Seller shall deposit with the Closing Agent the following executed documents:

- (1) The Warranty Deed, described in paragraph 5, above, properly executed by Seller and acknowledged;
- (2) The Bill of Sale, described in paragraph 6, above, properly executed by Seller and acknowledged;

iii. Buyer's Documents. On or before the Closing Date Buyer shall deposit with the Closing Agent the following executed documents and monies:

- (1) Cash, cashier's check or evidence of interbank transfer of funds in the amount shown due from Buyer on the closing statement prepared by the Closing Agent and approved by Buyer.

iv. Closing Agent's Duties. Upon receipt of the documents and instruments listed above, the Closing Agent shall determine if the title insurance policy on the Property can be issued to Buyer as required under the terms of this Agreement and if so, the Closing Agent shall obtain said title insurance policy, cause the Warranty Deed to be recorded in the records of Minidoka County, Idaho, deliver the title insurance policy to Buyer, prepare its accounting reflecting the applications, charges and prorations provided for in this Agreement and deliver the balance due Seller as shown on such accounting to Seller. The Closing Agent's duties shall then terminate.

v. Default. If the Closing Agent is unable to close on the Closing Date, the Closing Agent shall notify Seller and Buyer in writing of the reasons it is unable to close. If a party is the cause of the delay that party shall have ten (10) days from the date of delivery of the Closing Agent's notification in which to cure the default, and the Closing Date shall be extended accordingly. If such default is not cured within such period, the Closing Agent shall forfeit the defaulting party's Earnest Money to the party not at fault, and shall return all documents and instruments held by it to the party depositing the same, and its duties shall terminate.

vi. Remedies. The return of such documents by the Closing Agent shall not affect the obligations of the parties under the terms of this Agreement, and the party not in

default shall be entitled to receive the defaulting party's Earnest Money as its sole and exclusive remedy.

vii. Closing Agent's Fees. The Closing Agent's fee shall be divided equally between the Seller and Buyer.

10. POSSESSION; PRORATIONS. The Buyer has possession, use and occupancy of the Property pursuant to a lease with Seller. Taxes and all assessments on the Property shall be prorated as of the Closing Date. The Seller shall pay all such taxes and assessments which have accrued prior to the Closing Date and the Buyer shall pay for all subsequent taxes and assessments upon the Property.

11. REAL ESTATE AGENT/BROKER. Buyer and Seller represent to each other that no real estate agent or broker is involved in this transaction and no such fee or commission will be paid by either party.

12. DEFAULT; REMEDIES. Time is of the essence of the closing of this Agreement. If closing does not occur in the manner and within the time provided herein, then the parties hereto shall have the following exclusive remedies:

a. If due to a default of the Seller, the Buyer shall be entitled to the prompt return of all monies and documents delivered to the Closing Agent, including, but not limited to, the Buyer's Earnest Money, and to such other remedies as may be available under Idaho law.

b. If due to the default of the Buyer, the Seller shall be entitled to the prompt return of all monies and documents delivered to the Closing Agent. The Buyer's Earnest Money shall be forfeited to the Seller as liquidated damages and not as a penalty, and the Buyer shall have no further claim thereto, the Seller shall be released from all obligations in law, or in equity to convey the property to Buyer, and the Seller shall be entitled to such other remedies as may be available under Idaho law.

13. REPRESENTATION BY COUNSEL. By executing this Agreement, the parties represent they have relied upon the advice of their attorneys who are attorneys of their choice, that the terms of this Agreement have been completely read by them and explained to them by their attorneys, and that those terms are fully understood and voluntarily accepted by them.

14. CONFIDENTIALITY. Seller and Buyer agree that maintaining the confidentiality of all of the terms and conditions of this Agreement is a material term and condition of Seller's agreement to sell the Property and Buyer's agreement to purchase the Property. However, any notice to third parties required to obtain financing and or approval of the sale shall not be deemed a violation of this condition.

15. GENERAL PROVISIONS.

a. Severance and Validity. In the event any provision of this Agreement or any

part thereof shall be determined by any court of competent jurisdiction to be invalid, void, or otherwise unenforceable, the remaining provisions hereunder, or party thereof, shall remain in fully force and effect, and shall in no way be affected, impaired, or invalidated thereby, it being agreed that such remaining provision shall be construed in a manner most closely approximately the intention of the parties with respect to the invalid, void, or unenforceable provision or part thereof.

b. Attorney Fees. In the event of any suit or proceeding by either party herein against the other party, in any way arising out of this Agreement, or attempting to enforce any right herein granted, the losing party, in such suit or proceeding shall pay to the prevailing party such sum or sums as the court shall adjudge reasonable, in such suit or proceeding, for attorney's fees, including such fees on appeal, for such prevailing party.

c. Governing Law. The validity, meaning and effect of this Agreement shall be determined in accordance with the laws of the State of Idaho applicable to contracts made and performed in that state.

d. Captions to Paragraphs. The captions to the paragraphs of this Agreement are for convenience only and shall not be deemed to enlarge, diminish, explain or in any manner affect the meaning of such paragraphs.

e. Binding Contract. This Agreement shall be binding upon and inure to the benefit of the heirs, personal representative, administrators, successors, and assigns of the parties hereto.

f. Non-Merger. This Agreement shall not be merged in the execution and delivery by the Seller to the Buyer of the Warranty Deed contemplated herein. Instead, this Agreement shall remain in effect, even after closing, until all obligations created hereunder have been fully performed.

g. Notices. Except for any notice required under applicable law to be given in another manner, any notice provided for in this Agreement shall be given by either personal service or by mailing such notice by certified mail, return receipt requested, addressed as set forth in the introductory paragraph to this Agreement or at such other address as either party may designate by notice to the other party as provided herein.

h. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original, but all of which taken together shall be one and the same instrument.

i. Facsimile Transmission. Facsimile transmission of any signed original document, and retransmission of any signed facsimile transmission, shall be the same as delivery of an original of such document. At the request of either party, or the closing Agent, the parties will confirm facsimile transmitted signatures by signing an original document.

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates set forth below.

"SELLER"

ACEQUILA, INC.

DATE: 11/8/96

By: Michael Haley
Michael Haley, President

"BUYER"

Date: _____

STEVEN D. YOUNG

Date: _____

MARIA YOUNG

INVENTORY OF EQUIPMENT
SECTION 26W

1 200 HP US Motor/Pump
71 8"x30' ring lock mainline
17 6"x30' ring lock mainline
264 joints 3"x40' A&M handlines

EXHIBIT A

RECEIVED

DEC 02 1996

Department of Water Resources
Southern Region

**AGREEMENT FOR PURCHASE AND SALE
OF**

REAL PROPERTY AND IRRIGATION EQUIPMENT

**PARCELS 26AW AND 26DW
(ACEQUIA - YOUNG)**

THIS AGREEMENT is made and entered into as of the date of the last signature hereto by and between STEVEN D. YOUNG and MARIA YOUNG, husband and wife, whose address is Route 3, Box 3263, Rupert, Idaho 83350 (hereinafter collectively referred to as "Buyer"), and ACEQUIA, INC., an Idaho corporation, whose address is P. O. Drawer 226, Sun Valley, Idaho 83353 (hereinafter referred to as "Seller").

RECITALS

A. Seller is the owner of certain agricultural real property situated in the County of Minidoka, State of Idaho, particularly described as follows (the "Real Property"):

West Half of Section 26, Township 6 South, Range 23 East, B.M.,
Minidoka County, Idaho.

B. Seller is the owner of certain water rights appurtenant to the Real Property described as follows:

All of Water Rights Nos. 36-02193 and 36-11290 as recommended
in the Directors Report for Reporting Area 3 in the SRBA.

(the "Water Rights").

C. Seller is the owner of certain irrigation equipment located on and used in the agricultural operation on the Real Property, the description of which is set forth in Exhibit A attached hereto and made a part hereof by this reference (the "Equipment").

D. Seller desires to sell the Property, and Buyer is willing to purchase the Real Property, Water Rights and Equipment (collectively the "Property") from Seller, all on the terms and conditions hereinafter set forth.

TERMS AND CONDITIONS

1. **INCORPORATION OF RECITALS.** The Recitals set forth above are an integral part of this Agreement and are fully incorporated herein by this reference.

2. **SALE.** The Seller, for and in consideration of the payments to be made and the

covenants and conditions to be kept and performed by the Buyer, as hereinafter set forth, does hereby contract and agree to sell and convey to the Buyer, and the Buyer does hereby agree to buy from the Seller, the Property.

3. PURCHASE PRICE. The total purchase price of the Property shall be Two Hundred Ten Thousand Dollars (\$210,000.00). The purchase price shall be paid as follows:

a. Earnest Money. The sum of Five Thousand Dollars (\$5,000.00) (the "Earnest Money") has been deposited by Buyer with the law firm of Hogue, Speck & Aanestad, P.A.. The Earnest Money shall be delivered to the Closing Agent simultaneously with the execution of this Agreement, to be deposited by the Closing Agent in an interest bearing account, with interest to accrue for the Earnest Money and any accrued interest thereon shall be paid by the Closing Agent to the Seller at the time of closing.

b. Cash at Closing. On or before the date of closing, Buyer shall deliver to the Closing Agent in cash or certified funds, the balance of the purchase price in the sum of Two Hundred Five Thousand Dollars (\$205,000.00), increased or decreased by those prorations and Buyer's closing costs as shown on the closing statement prepared by the Closing Agent and approved by Buyer, to be paid by the Closing Agent to Seller at the time of closing after deducting therefrom the title insurance premium and Seller's closing costs as shown on the closing statement prepared by the Closing Agent and approved by Seller.

4. CONTINGENCIES. The closing of the purchase and sale transaction contemplated by this Agreement is subject to and contingent upon the following:

a. Financing. This sale is contingent upon Buyer obtaining adequate financing from a suitable lender to complete the purchase of the Property. Buyer shall use its best good faith efforts to obtain such financing and shall either satisfy or waive this contingency on or before November 1, 1996 by written notice to Seller. If Buyer fails to timely satisfy or waive this contingency, this Agreement shall terminate, and any monies paid or documents delivered to the Closing Agent shall be returned to the parties.

b. No Material Adverse Change. The closing of this sale is also contingent upon there being no material adverse change in the financial condition of either party or the institution or commencement of any bankruptcy, court or other adversary proceeding or process against or adversely affecting either party, their credit or the Property prior to the closing date.

5. TITLE; WARRANTY DEED. Seller shall transfer title to the Real Property and Water Rights to Buyer by warranty deed (the "Warranty Deed"). Title to the Property and Water Rights shall be free and clear of all claims, liens, and encumbrances, except taxes and assessments for the current year, easements and rights-of-way of public record. However, Seller does not make any representation or warranty as to the amount, volume or any other element of the Water Rights, and Buyer shall accept title to the Water Rights subject to all of the proceedings in In Re the General Adjudication of Rights to the Use of Water From the Snake River Basin Water System, Twin Falls District Court Case No. 39576.

6. BILL OF SALE TO EQUIPMENT. Seller shall execute and deliver a bill of sale (the "Bill of Sale"), conveying title to said personal property from Seller to Buyer free and clear of all claims, liens, and encumbrances upon the closing of this transaction. Buyer acknowledges and agrees that Buyer has had adequate opportunity to examine and inspect the Equipment and has made a thorough independent examination and inspection thereof; that Buyer is relying upon Buyer's own examination and inspection of said Equipment and is not relying upon any representations or statements of Seller; that Buyer is acquiring said personal property "AS IS"; and that there are no warranties, express or implied, as to the fitness of the Equipment for any purpose nor as to merchantability.

7. TITLE INSURANCE. As soon as possible after the full execution of this Agreement by all parties, Seller shall cause to be delivered to Buyer a preliminary report or commitment for issuance of a title insurance policy insuring title to the Real Property and naming Buyer as the insured in the amount of Two Hundred Ten Thousand Dollars (\$210,000.00) showing title is merchantable in Seller free from all liens, encumbrances and exceptions, EXCEPT the standard exceptions contained in the title insurance company's standard form policy, taxes and assessments for the current year. Buyer shall examine said preliminary title report or commitment and shall, in writing, make any objections thereto known to Seller within ten (10) days of Buyer's receipt of said preliminary title report or commitment. Failure by Buyer to object in writing to the condition of title shown in said preliminary report or commitment within this time period shall constitute acceptance by Buyer of the condition of such title and a waiver of any defects in title. In the event there exist any defects in title to which Buyer objects in the manner provided above, Seller shall have thirty (30) days to cure and remove said defects. In the event Seller is unable to cure and remove said defects within the time provided or any extension thereof that Buyer may grant, this Agreement shall be deemed canceled, and the Seller's Earnest Money shall, upon Buyer's request, be forfeited and delivered to Buyer. Upon acceptance by Buyer of said title report or commitment in the manner provided above, Seller shall cause the Closing Agent to deliver to Buyer as soon as reasonably possible after the Closing Date a standard purchaser's policy of title insurance issued by Closing Agent naming Buyer as the insured in the amount of Two Hundred Ten Thousand Dollars (\$210,000.00), insuring that the title to the Real Property is merchantable and free from all liens and encumbrances except as described herein. The premium for said title insurance policy shall be paid by Seller.

8. GRAIN BASE. Seller shall, at closing, assign and convey to Buyer all of its right, title and interest in and to the "grain base" for the United States Department of Agriculture programs associated with the Property.

9. CLOSING.

a. Closing Agent; Closing Date. The closing of this transaction and the delivery of all the executed documents and instruments contemplated by the parties shall take place at the offices of Land Title and Escrow, Rupert, Idaho, which shall be the "Closing Agent", on or before December 1, 1996 (the "Closing Date").

i. Seller and Buyer Documents. On or before the Closing Date, Seller

and Buyer shall deposit with the Closing Agent the following executed documents:

- (1) A copy of the executed original of this Agreement;
- (2) Such closing instructions and closing statements as shall be required by the Closing Agent to effect the closing of this transaction;
- (3) Such other documents and instruments as shall be required to effect the agreements contained in this Agreement.

ii. Seller's Documents. On or before the Closing Date, Seller shall deposit with the Closing Agent the following executed documents:

- (1) The Warranty Deed, described in paragraph 5, above, properly executed by Seller and acknowledged;
- (2) The Bill of Sale, described in paragraph 6, above, properly executed by Seller and acknowledged;

iii. Buyer's Documents. On or before the Closing Date Buyer shall deposit with the Closing Agent the following executed documents and monies:

- (1) Cash, cashier's check or evidence of interbank transfer of funds in the amount shown due from Buyer on the closing statement prepared by the Closing Agent and approved by Buyer.

iv. Closing Agent's Duties. Upon receipt of the documents and instruments listed above, the Closing Agent shall determine if the title insurance policy on the Property can be issued to Buyer as required under the terms of this Agreement and if so, the Closing Agent shall obtain said title insurance policy, cause the Warranty Deed to be recorded in the records of Minidoka County, Idaho, deliver the title insurance policy to Buyer, prepare its accounting reflecting the applications, charges and prorations provided for in this Agreement and deliver the balance due Seller as shown on such accounting to Seller. The Closing Agent's duties shall then terminate.

v. Default. If the Closing Agent is unable to close on the Closing Date, the Closing Agent shall notify Seller and Buyer in writing of the reasons it is unable to close. If a party is the cause of the delay that party shall have ten (10) days from the date of delivery of the Closing Agent's notification in which to cure the default, and the Closing Date shall be extended accordingly. If such default is not cured within such period, the Closing Agent shall forfeit the defaulting party's Earnest Money to the party not at fault, and shall return all documents and instruments held by it to the party depositing the same, and its duties shall terminate.

vi. Remedies. The return of such documents by the Closing Agent shall not affect the obligations of the parties under the terms of this Agreement, and the party not in

default shall be entitled to receive the defaulting party's Earnest Money as its sole and exclusive remedy.

vii. Closing Agent's Fees. The Closing Agent's fee shall be divided equally between the Seller and Buyer.

10. POSSESSION; PRORATIONS. The Buyer has possession, use and occupancy of the Property pursuant to a lease with Seller. Taxes and all assessments on the Property shall be prorated as of the Closing Date. The Seller shall pay all such taxes and assessments which have accrued prior to the Closing Date and the Buyer shall pay for all subsequent taxes and assessments upon the Property.

11. REAL ESTATE AGENT/BROKER. Buyer and Seller represent to each other that no real estate agent or broker is involved in this transaction and no such fee or commission will be paid by either party.

12. DEFAULT; REMEDIES. Time is of the essence of the closing of this Agreement. If closing does not occur in the manner and within the time provided herein, then the parties hereto shall have the following exclusive remedies:

a. If due to a default of the Seller, the Buyer shall be entitled to the prompt return of all monies and documents delivered to the Closing Agent, including, but not limited to, the Buyer's Earnest Money, and to such other remedies as may be available under Idaho law.

b. If due to the default of the Buyer, the Seller shall be entitled to the prompt return of all monies and documents delivered to the Closing Agent. The Buyer's Earnest Money shall be forfeited to the Seller as liquidated damages and not as a penalty, and the Buyer shall have no further claim thereto, the Seller shall be released from all obligations in law, or in equity to convey the property to Buyer, and the Seller shall be entitled to such other remedies as may be available under Idaho law.

13. REPRESENTATION BY COUNSEL. By executing this Agreement, the parties represent they have relied upon the advice of their attorneys who are attorneys of their choice, that the terms of this Agreement have been completely read by them and explained to them by their attorneys, and that those terms are fully understood and voluntarily accepted by them.

14. CONFIDENTIALITY. Seller and Buyer agree that maintaining the confidentiality of all of the terms and conditions of this Agreement is a material term and condition of Seller's agreement to sell the Property and Buyer's agreement to purchase the Property. However, any notice to third parties required to obtain financing and or approval of the sale shall not be deemed a violation of this condition.

15. GENERAL PROVISIONS.

a. Severance and Validity. In the event any provision of this Agreement or any

part thereof shall be determined by any court of competent jurisdiction to be invalid, void, or otherwise unenforceable, the remaining provisions hereunder, or party thereof, shall remain in fully force and effect, and shall in no way be affected, impaired, or invalidated thereby, it being agreed that such remaining provision shall be construed in a manner most closely approximately the intention of the parties with respect to the invalid, void, or unenforceable provision or part thereof.

b. Attorney Fees. In the event of any suit or proceeding by either party herein against the other party, in any way arising out of this Agreement, or attempting to enforce any right herein granted, the losing party, in such suit or proceeding shall pay to the prevailing party such sum or sums as the court shall adjudge reasonable, in such suit or proceeding, for attorney's fees, including such fees on appeal, for such prevailing party.

c. Governing Law. The validity, meaning and effect of this Agreement shall be determined in accordance with the laws of the State of Idaho applicable to contracts made and performed in that state.

d. Captions to Paragraphs. The captions to the paragraphs of this Agreement are for convenience only and shall not be deemed to enlarge, diminish, explain or in any manner affect the meaning of such paragraphs.

e. Binding Contract. This Agreement shall be binding upon and inure to the benefit of the heirs, personal representative, administrators, successors, and assigns of the parties hereto.

f. Non-Merger. This Agreement shall not be merged in the execution and delivery by the Seller to the Buyer of the Warranty Deed contemplated herein. Instead, this Agreement shall remain in effect, even after closing, until all obligations created hereunder have been fully performed.

g. Notices. Except for any notice required under applicable law to be given in another manner, any notice provided for in this Agreement shall be given by either personal service or by mailing such notice by certified mail, return receipt requested, addressed as set forth in the introductory paragraph to this Agreement or at such other address as either party may designate by notice to the other party as provided herein.

h. Counterparts. This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original, but all of which taken together shall be one and the same instrument.

i. Facsimile Transmission. Facsimile transmission of any signed original document, and retransmission of any signed facsimile transmission, shall be the same as delivery of an original of such document. At the request of either party, or the closing Agent, the parties will confirm facsimile transmitted signatures by signing an original document.

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates set forth below.

"SELLER"

ACEQUIA, INC.

DATE: _____

By: _____
Michael Haley, President

"BUYER"

Date: Oct. 25/1996

Steven D. Young
STEVEN D. YOUNG

Date: 25 October 1996

Maria Young
MARIA YOUNG

INVENTORY OF EQUIPMENT
SECTION 26W

1 200 HP US Motor/Pump
71 8"x30' ring lock mainline
17 6"x30' ring lock mainline
264 joints 3"x40' A&M handlines

EXHIBIT A

May 2, 1997

to firm Johnson Dept of Water Id.
I request that transfer no. 4956

Be held at Boise without action for
the 1997 ~~season~~ season.

From:
Steven D. Young
Steven D. Young
300 A E 1600 N.
Rupert Id. 83350
208 532 4487

RECEIVED
MAY 13 1997

FROM: Allen Merritt *AM*

DATE: December 30, 1996

RECEIVED

TO: Transfer File No. 4956

In the Name of: Steve & Maria Young

JAN 03 1997

SUBJECT: Review and Recommendation

Department of Water Resources

This transfer proposes to change two points of diversion (relocate two wells due to installation of pivots.

The transfer was processed without protest.

I recommend that the transfer be approved subject to the following conditions:

- Subject to SRBA.
- The new wells must have drilling permits approved prior to construction.
- All wells must comply with measuring and reporting requirement. Both wells must have measuring devices installed or qualify to report use by power records.
- Both old wells must be properly abandoned.

*Per telecon today
Steve Young will
be sending a fax
to request a hold
on processing this
application for awhile.*

Jim

5-2-97

RECEIVED

OCT 17 1997

IDWR TRANSFER ANALYSIS SHEET

APPLICANT Steve Young TRANSFER NO. 4956

1. Right number(s) 36-02193, 11290

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: Transfer based on SRBA Director's Report. No site
inspection planned

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 None in file - Rec'd 12/2/96
- h. ☒ Expansion in use of right - Comments: N/A

RECEIVED

JAN 03 1997

Department of Water Resources

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

- 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)

- k. ✓ Comment letters _____ Yes ✓ No
If yes _____ Water District #
_____ Lienholder, others, see #2
_____ below for name and address

INITIAL ALLOCATION REVIEW BY
SRBA SUPERVISOR REVIEW BY
PUBLICATION REVIEW BY

DATE _____
DATE _____
DATE _____

1. Legal Notice electronically sent to DWR03::VAULT
2. COMMENT LETTERS

☒ Yes *MB*
@ 10:50 am
11/14/96

Watermaster recommendation requested on _____, Received on _____

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

3. Transfer published correctly? ☒ Yes ☐ No *Mr. 20 7/7/72*
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 See memo 12/30/94
3. Conditions (special conditions in Water Districts) _____

Also see attached memo for recommendation dated: 12/30/96

4. By Adm Date 12/30/96

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

County of Cassia)
) ss
STATE OF IDAHO)

Amy Cantrell, being first duly sworn, deposes and says that she is the Legals clerk at the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of the South Idaho Press for 2 consecutive week(s), commencing with the issue dated November 18 1996, and ending with the issue dated November 26 1996.

Amy Cantrell

STATE OF IDAHO)
COUNTY OF)
MINIDOKA)

On this 2nd day of December in the year of 1996 before me, a Notary Public, personally appeared Amy Cantrell, known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Laura K. Burns
Notary Public for Idaho

Residing at: Rupert, Idaho

My commission expires: 6-28-2000

Cost of Publication 29.16
Notary Fee 50
Total Cost 29.06

minor error noted
MB
12/10/96

MICROFILMED
APR 7 1997

96-562

**NOTICE OF PROPOSED CHANGE OF
WATER RIGHT**

Notice is hereby given that STEVE & OR MARIA YOUNG, 300-A E 1600 N; RUPERT ID 83350 has filed a transfer application pursuant to Section 42-222 of IDAHO CODE. The purpose of Transfer No. 4956 is to change point diversion by drilling two (2) new wells and abandon two (2) existing wells.

Water Right No. 36-02193 (4.26 cfs) with a priority date of 2/25/1953 and Water Right No. 36-11290 (0.06 cgs) with a priority date of 5/1/1985 will be diverted from wells within SW1/4NW1/4, NW1/4SW1/4, S26, T6S, R23E to irrigate 318 acres within W1/2, S26, T6S, R23E; Minidoka County. A total of 4.26 cfs of water is being transferred.

Any protest against approval of the proposed changes must be filed with the Department of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before December 6, 1996. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press on
11/18 & 11/25/96.

[3G-11335
3G-02194

Disallowed
Disallowed

75 29E 18

Ask Tim Johnson

Steven (Steve) D. Young, President



300A E. 1600 N.
Rupert, ID 83350

Home Ph. (208) 532-4487
Bus. Ph. (208) 532-4405
FAX (208) 532-4499
Cellular Ph. (208) 431-4405

MICROFILM
907 21 357

1.

Nov, 12, 1996

To I.D of W

From Steven D. Young

we will be changing the portable irrigation
system of aluminum mainline & Hardlines
over to Center pivots and Buried
P.V.C. main line with Hardlines used
on the Pivot Corners

RECEIVED

DEC 02 1996

Department of Water Resources
Southern Region

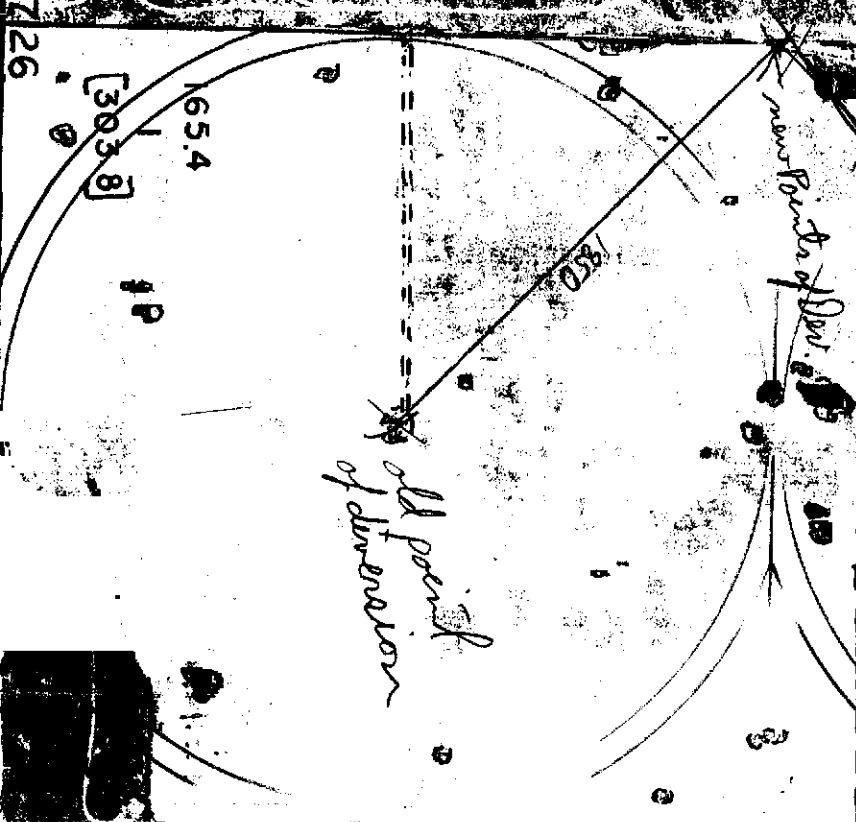
Steven D. Young

MICROFILMED

DEC 11 1996

Old Point of
diversion

Old point
of diversion

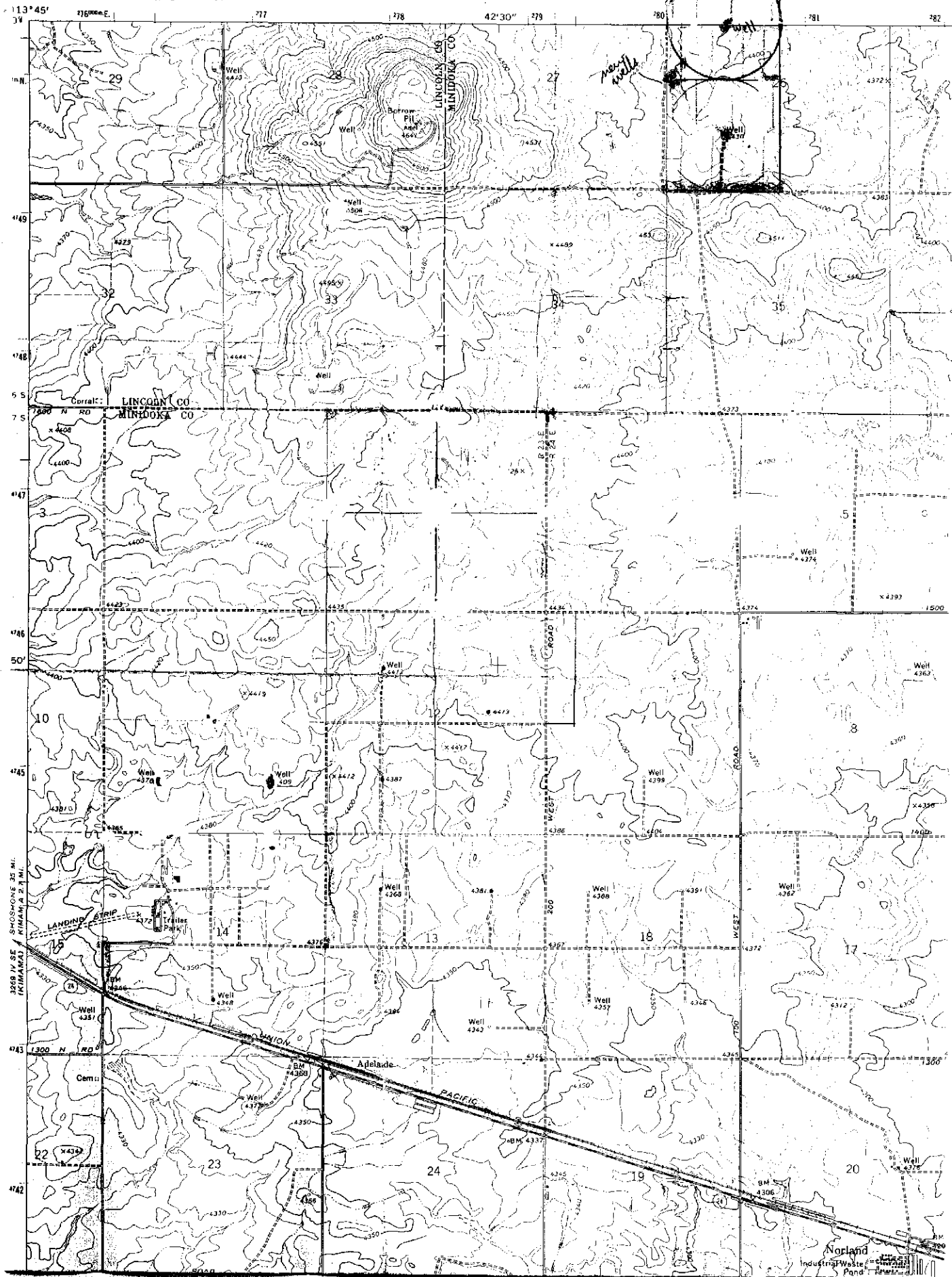


1996

220
3038
1654

UNITED STATES
DEPARTMENT OF THE INTERIOR
GEOLOGICAL SURVEY

old alumina main line
new P.S.C. main line





**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT**

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Karl J. Dreher, Director

Published in the South Idaho Press on
11/18 & 11/25/96.

NOTICE FILED

OCT 27 1997



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE ST E
TWIN FALLS ID 83301
(208) 736-3033 Fax 736-3037

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

November 14, 1996

SOUTH IDAHO PRESS
PO BOX 190
BURLEY ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

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

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

Very truly yours,

Mary Baldwin
Sr. Secretary

Enclosure

MICROFILMED
OCT 22 1997

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

Notice is hereby given that STEVE &/OR MARIA YOUNG, 300-A E 1600 N; RUPERT ID 83350 has filed a transfer application pursuant to Section 42-222 of IDAHO CODE. The purpose of Transfer No. 4956 is to change point of diversion by drilling two (2) new wells and abandon two (2) existing wells.

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Any protest against approval of the proposed changes must be filed with the Department of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before December 6, 1996. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press on 11/18 & 11/25/96.

RECORDED

NOV 22 1996

OK
AD



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
222 SHOSHONE ST E
TWIN FALLS ID 83301
(208) 736-3033 Fax 736-3037

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

November 13, 1996

STEVE YOUNG &/OR
MARIA YOUNG
300-A E 1600 N
RUPERT ID 83350

Re: Application for Transfer No. 4956 (36-02193, 36-11290)

Dear Applicants:

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office has scheduled advertising the application in The South Idaho Press for 11/18 and 11/25/96.

The advertisement(s) will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If an application is protested, you 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.

Before we can forward your application to our state office for approval we must include in the file evidence of ownership of the land to which the water is appurtenant such as copies of deeds, tax records, etc. and a notarized statement from any lien holder on the property agreeing to the proposed change.

State Office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

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

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

RECEIVED

NOV 17 1996

WR0749NP
No. T36-02193

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/13/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	STEVE YOUNG 300-A E 1600 N RUPERT ID 83350 (208) 532-4405	02/25/1953	IRRIGATION	04/01 10/31	4.260 CFS	
TOTAL DIVERSION:					4.260 CFS	
C	MARIA YOUNG 300-A E 1600 N RUPERT ID 83350					

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T06S R23E S26 SWSWNW NWNWSW MINIDOKA County

Point of Diversion Name(s):

	Name	Rate	Number
T06S R23E S26	SW SW NW		NEW WELL #1
S26	NW NW SW		NEW WELL #2

Place of use Legal Description for: IRRIGATION

NE				NW				SW				SE				
T	R	S		T	R	S		T	R	S		T	R	S		SUM
06S	23E	26	:				:				:				:	
			:	40	40	40	:	40	40	40	:				:	318.0
TOTAL ACRES															318.0	

Pou County: MINIDOKA

Other Rights: SEE REMARKS

Conditions of Approval:

- C03 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN POINT OF DIVERSION
- PURSUANT TO SECTION 42-1425, IDAHO CODE.
- C05 - RIGHT INCLUDES ACCOMPLISHED CHANGE IN PLACE OF USE PURSUANT TO
- SECTION 42-1425, IDAHO CODE.

Remarks:

USE OF THIS RIGHT WITH RIGHT NO. 36-11290 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.26 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1272 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 954 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 318 ACRES IN A SINGLE IRRIGATION SEASON. RIGHT NO. 36-11290 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. RIGHT NO. 36-11290 IS AN EXPANSION OF THIS RIGHT PURSUANT TO IDAHO CODE 42-1416(2). THIS RIGHT IS LIMITED TO THE IRRIGATION OF 315 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

WR0749NP
No. T36-02193

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/13/96
PAGE: 2

=====

Dates:	App. Received:	11/07/1996	Priority Date:	02/25/1953
	Proof Due Date:		Proof Made Date:	
	Exam Made Date:		Exam Sent to S.O.:	
	Licensed Date:			

Misc: Water District Number: Field Exam Fee:

Comments: Date: 07/30/1991 User-ID: WELLS Subject: COPIED FROM REMARKS
P/D CENTER OF NW1/4 & SW1/4, S26, T6S, R23E.
NORTHERN HALF OF LANDS IS PRESENTLY IN CONSERVATION RESERVE
PROGRAM.

Date: 07/27/1992 User-ID: SCHULTZ Subject: ADDED CONDITION C05
CLAIM VERIFIED 8/2/91, DID NOT REVERIFY ANY PART OF CLAIM.

Date: 09/28/1992 User-ID: SCHULTZ Subject: NOTICE OF ERROR (NOE)
NOE RECEIVED 9/25/92. CHANGED NOE FLAG FROM BLANK TO A.

Date: 10/08/1992 User-ID: ROBERTSO Subject: ADDRESS CHANGE & NOTICE OF APPEARANCE ENTERED

Date: 10/08/1992 User-ID: MERRITT Subject: RESPONDED TO NOE
MET WITH SPECK 10/7. NO CHANGE.

Date: 11/13/1996 User-ID: MBALDWIN Subject: TRANSFER NO. 4956
T# 4956 filed on 11/7/96 proposes to change points of diversion.
Rights in this transfer are 36-02193 (4.26 cfs) and 36-11290
(0.06 cfs). A total of 4.26 cfs of water is being transferred.

Audit: 11/13/96 MBALDWIN

WR0749NP
No. T36-11290

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 11/13/96
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	STEVE YOUNG 300-A E 1600 N RUPERT ID 83350 (208) 532-4405	05/01/1985	IRRIGATION	04/01 10/31	0.060 CFS	
				TOTAL DIVERSION:	0.060 CFS	
C	MARIA YOUNG 300-A E 1600 N RUPERT ID 83350					

Water Source: GROUNDWATER

Tributary to:

Stage: STATUTORY CLAIM

Point(s) of Diversion: T06S R23E S26 SWSWNW NWNWSW MINIDOKA County

Point of Diversion Name(s):

	Name	Rate	Number
T06S R23E S26	SW SW NW		NEW WELL #1
S26	NW NW SW		NEW WELL #2

Place of use Legal Description for: IRRIGATION

	NE	NW	SW	SE	
T R S	NENE NWNE SWNE SENE	NENW NWNW SWNW SENW	NESW NWSW SWSW SESW	NESE NWSE SWSE SESE	:
	Lt Ac Lt Ac Lt Ac Lt Ac	Lt Ac Lt Ac Lt Ac Lt Ac	Lt Ac Lt Ac Lt Ac Lt Ac	Lt Ac Lt Ac Lt Ac Lt Ac	: SUM
06S 23E 26		40 40 40 40	40 40 40 38		: 318.0
				TOTAL ACRES	: 318.0

Pou County: MINIDOKA

Other Rights: SEE REMARKS

Remarks: USE OF THIS RIGHT WITH RIGHT NO. 36-02193 IS LIMITED TO A TOTAL COMBINED DIVERSION RATE OF 4.26 CFS, A TOTAL COMBINED ANNUAL DIVERSION VOLUME OF 1272 AF, A TOTAL COMBINED ANNUAL CONSUMPTIVE USE VOLUME OF 954 AF, AND TO THE IRRIGATION OF A COMBINED TOTAL OF 318 ACRES IN A SINGLE IRRIGATION SEASON. RIGHT NO. 36-02193 IS ALSO DIVERTED THROUGH POINT OF DIVERSION DESCRIBED ABOVE. THIS RIGHT IS AN EXPANSION OF RIGHT NO. 36-02193 PURSUANT TO IDAHO CODE 42-1416(2). THIS RIGHT IS LIMITED TO THE IRRIGATION OF 3 ACRES WITHIN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Dates: App. Received: 11/07/1996 Priority Date: 05/01/1985
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 07/30/1991 User-ID: WELLS Subject: COPIED FROM REMARKS
P/D CENTER OF NW1/4 & SW1/4, S26, T6S, R23E.
NORTHERN HALF OF LANDS IS PRESENTLY IN CONSERVATION RESERVE
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Rights in this transfer are 36-02193 (4.26 cfs) and 36-11290
(0.06 cfs). A total of 4.26 cfs of water is being transferred.

Audit: 11/13/96 MBALDWIN 11/13/96 MBALDWIN

SD-0611-2 Basin: 36 Starting Water Right: 02193

S	Water	Name	O	Priority	STG/	Use	S
E	Right No.	Last, First	W	Date	STS	Desc	Y
L			N				S
-	36-02193	CAPITAL CO.	C	02/25/1953	L/	GROUNDWATER	WR
-	36-02193	ACEQUIA INC	C	02/25/1953	L/	GROUNDWATER	AJ
-	A36-02193	ACEQUIA INC	C	02/25/1953	L/	GROUNDWATER	AJ

(GOLD6=Print Profile Rpt For All Rights/Claims on Screen)
(Enter=Continue) (GOLD7=This Query) (GOLD8=Cancel) (Menu _____)

SD-0611-2 Basin: 36 Starting Water Right: 11290

S	Water	Name	O	Priority	STG/	Use	S
E	Right No.	Last, First	W	Date	STS	Desc	Y
L			N				S
-	-	-	-	-	-	-	-
-	36-11290	ACEQUIA INC	C	05/01/1985	J/	GROUNDWATER	AJ
-	A36-11290	ACEQUIA INC	C	05/01/1983	J/	GROUNDWATER	AJ

(GOLD6=Print Profile Rpt For All Rights/Claims on Screen)
(Enter=Continue) (GOLD7=This Query) (GOLD8=Cancel) (Menu _____)

MEMORANDUM

TO: FILE 36-02143B

FROM: PAM SKAGGS

RE: TRANSFER # 4092

DATE: 04-27-93

=====

Original Transfer Application, Form and correspondence regarding the above referenced Transfer is located within file # 36-02122B.

RECEIVED

MAY 19 1993

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	BLAINE LARSEN PO BOX 188 HAMER ID 83425	02/25/1953	IRRIGATION	04-01 11-01	2.16 CFS	
TOTAL DIVERSION:					2.16 CFS	

C BLAINE LARSEN FARMS INC

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion:

T07N R36E S04	SE SE			
T08N R36E S03	NW SW			
S10	NE NW			
S11	SW SW	NW SE		
S13	SW NW			
R37E S32	SE NE			
T09N R36E S22	NW SW			
S24	SW SE	SE SE		
S25	SW NE	NE SW		
S26	NW NE	SE NW		
S27	SE NE	SW NW	SW SW	SE SE
S28	SE NW			
S31	NW SE			
S33	NW NE			
S34	SE NE	NE NW	SW NW	SW SW
S34	SW SE			
S35	NW NE			
T10N R36E S33	NW SE			

Place of use Legal Description for: IRRIGATION

			NE				NW				SW				SE																				
			NENE		NWNE		SWNE		SENE		NENW		NWNW		SWNW		SENW		NESW		NWSW		SWSW		SESW		NESE		NWSE		SWSE		SESE		
T	R	S	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	SUM		
07N	35E	4	:								:								:																
07N	35E	9	:	25					15		:								:															60.0	
08N	36E	3	:	27		27		02			:	19	40		33		33		:	40	40		25		18			04					308.0		
08N	36E	4	:	10					05		:								:							08								23.0	
08N	36E	9	:	05					01		:								:															6.7	
08N	36E	10	:			08		06		07	:	40	40		31		36		:							38				35			241.0		
08N	36E	11	:								:				14		10		:	12	40		36		13		40	27		27	38			257.3	
08N	36E	12	:								:								:		10		38											48.4	
08N	36E	13	:								:		31						:															31.4	
08N	37E	32	:	39					39		:								:							39				39				156.0	
09N	36E	21	:						23		:								:							31					10			64.0	
09N	36E	22	:								:			36		15			:	17	40		18		03									129.2	
09N	36E	24	:					03			:					06			:	40	14		16		39			36	35	22				212.1	
09N	36E	25	:	38		03		30		40	:	06	12		16				:	39	14		12		36		26	32		07				311.9	
09N	36E	26	:	37		18		35		40	:	35	24		35		40		:	09	04		20		38				19		31			386.6	
09N	36E	27	:	36		34		38		39	:	20	39		40		33		:	16	31		40		40		24	31		40	32			534.0	
09N	36E	28	:	14					23		:	32	32		32		32		:								04				23			192.4	

Place of use Legal Description for: IRRIGATION

T	R	S	NE				NW				SW				SE				SUM
			NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
09N	36E	31			19				05	39	39	05				19			126.0
09N	36E	33	26	37	39	32	12			15					10			13	184.2
09N	36E	34	31	24	37	40	24	37	40	20	14	39	36	13	30	21	39	25	471.4
09N	36E	35	28	33	12		40	40	32	22		10							217.3
09N	36E	36						05											5.0
09N	37E	19											19						19.0
09N	37E	30						33		02									35.0
10N	36E	33				23									40			25	88.5
10N	36E	34							23			40	25						88.0
TOTAL ACRES																			4236.4

Pou County: JEFFERSON, FREMONT, CLARK

Remarks: This right is authorized under approved Transfer No. 4092 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: 02/25/1953
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 5, 1992

Acequia Inc.
P.O. Box 1678
Ketchum, ID 83340

RE: WATER RIGHTS - 36-2121, 36-2122, 36-2193 AND 36-2194

Gentlemen:

In 1987, you filed with the department applications for extension of time to avoid forfeiture of the above referenced water rights pursuant to section 42-222, Idaho Code. The department approved the extension requests requiring resumption of use of the rights as follows:

36-02121 - On or before November 1, 1994.
36-02122 - On or before November 1, 1993.
36-02193 - On or before September 1, 1990.
36-02194 - On or before November 1, 1992.

The department did not send you notice of resumption of use for rights 36-02193 and 36-02194 by certified mail as required in Section 42-222(2), Idaho Code. The department, however, will consider that you have resumed use of right no. 36-02193 to the extent found to be valid in the Snake River Basin Adjudication (SRBA) and will not send you specific notice regarding the resumption of use of the right. The department also will not send you a notice of resumption of use for right no. 36-02194 since the right is recommended for forfeiture in the SRBA.

The Director's report for basin 36 also shows that right 36-02121 has been recommended to be disallowed. In addition, the water right files show that all four (4) rights have been included in a transfer filed by Blaine Larsen during the past two (2) years. The department will consider available evidence concerning the validity of rights 36-02121 and 36-02194 in any future transfers involving the two rights.

Sincerely,


L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - S. Region
IDWR - Adj. Bur

RECEIVED
MAY 19 1992

MAY 19 1992

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.

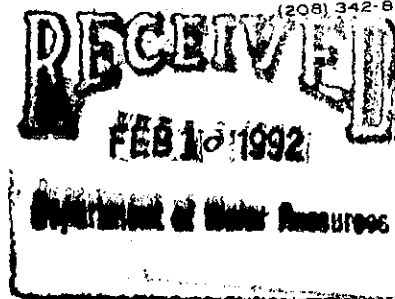
LAW OFFICES
GIVENS, PURSLEY, WEBB & HUNTLEY
SUITE 200, PARK PLACE
277 NO. 6TH STREET
POST OFFICE BOX 2720
BOISE, IDAHO 83701

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.

RECEIVED

MAY 19 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.)

MAY 19 1993

FROM Sharla

DATE 3/8/90

TO Files 36-2122/2124/2127/2190/2193/2194

SUBJECT Trans. No. 3668

See file 36-2121 for all correspondence regarding the above referenced transfer.

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

FILMED

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,

A handwritten signature in cursive script that reads "Gary Spackman".

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



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

June 6, 1988

RE: Water Right No. 36-2193

Acequia Inc.
P.O. Drawer 226
Sun Valley, ID 83353

Dear Water Right Holder(s):

Enclosed is a copy of the approved Application for Extension of Time to Avoid Forfeiture of the above referenced water right. Note that beneficial use of water under this right must resume on or before September 1, 1990.

If you have any questions concerning this matter, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECEIVED

JUN 17 1988

NOTICE OF APPLICATION FOR EXTENSION OF TIME TO AVOID
FORFEITURE OF A WATER RIGHT

No.36-2193

Notice is hereby given that Acequia, Inc. of Sun Valley, ID has applied to the Department of Water Resources for an extension of time to avoid forfeiture of License No.36-2193 and is recorded as follows:

Amount: 2.13 cfs

Priority: February 25, 1953

Source: Groundwater

Point of Diversion : Near Center of NW1/4, Near Center of SW1/4, SEC 26 T6S R23E 18 miles N. and 1 mile W. of Rupert

The water is used for irrigation of 160 acres within the N1/2NW, S1/2NW SEC 26 T 6S R 23E

Any protests against the approval of the above proposed request described above must be filed with the Director, Dept. of Water Resources, Southern Region, 2148 Fourth Avenue East., Twin Falls, ID 83301 on or before 2/22/88

R. Keith Higginson

The extension is requested to avoid loss of the water right due to non-use while the land is in the Conservation Reserve Program.

Published in Southern Idaho Press on 2/4/88 & 2/11/88.

RECEIVED

JUN 17 1988

RECEIVED
MAR 02 1988

Department of Water Resources

88-70

**NOTICE OF APPLICATION FOR
EXTENSION OF TIME TO AVOID
FORFEITURE OF A
WATER RIGHT**

No. 36-2193

Notice is hereby given that Acequia, Inc. of Sun Valley, ID has applied to the Department of Water Resources for an extension of time to avoid forfeiture of License No. 36-2193 and is recorded as follows:

Amount: 2.13 cfs

Priority: February 25, 1953

Source: Groundwater

Point of Diversion: Near Center of NW¼, Near Center of SW¼, SEC 26 T6S R23E 18 miles N. and 1 mile W. of Rupert.

The water is used for irrigation of 160 acres within the N½NW, S½NW SEC 26 T 6S R 23E

Any protests against the approval of the above proposed request described above must be filed with the Director, Dept. of Water Resources, Southern Region, 2148 Fourth Avenue East., Twin Falls, ID 83301 on or before 2-22-88

R. Keith Higginson

The extension is requested to avoid loss of the water right due to non-use while the land is in the Conservation Reserve Program.

Published in the South Idaho Press on February 4 and 11, 1988.

LW
1/27/88

REPROFILMED

JUN 17 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

January 21, 1988

Mailing Address:
Southern Region
2148 4th Ave. East
Twin Falls, Idaho 83301
(208) 734-3578

Southern Idaho Press
Box 190
Burley, ID 83318

Re: 36-2193, 36-2121, 36-2122, 36-2194

Gentlemen:

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

After sending us the galley proofs, proceed with the publications on the dates we have inserted, assuming the notices are correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notices on the proposed dates, please contact us immediately.

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

Very truly yours,

Lori White

Lori White
Clerk

RECEIVED

JUN 17 1988



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

January 21, 1988

Mailing Address:
Southern Region
2148 4th Ave. East
Twin Falls, Idaho 83301
(208) 734-3578

Acequia, Inc.
P.O. Drawer 226
Sun Valley, ID 83353

Re: Application for Extension of Time To Avoid Forfeiture,
No. 36-2193, 36-2121, 36-2122, 36-2194

Dear Gentlemen:

The Department of Water Resources acknowledges receipt of your applications for extension of time to avoid forfeiture as referenced above.

This office will be advertising the applications in the Southern Idaho Press on 2/4/88 & 2/11/88. The advertisements will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If an application is protested you 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.

If an application is not protested, it will be forwarded to our State Office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review.

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

Very truly yours,

LW for LH

Loren O. Holmes, P.E.
Southern Region Manager

LH:LW
Enclosure

RECEIVED

JUN 17 1988

STAFF ANALYSIS SUPPLEMENT

1) Water District _____ Basin # 3C

2) Local Description: (of one P/O)

☐

At the above street address

☒

18 miles N/S N and 1 miles E/W W
or Rupert, Idaho (City or landmark).

☐

Other (describe) _____

EXTENSION OF TIME TO AVOID FORFEITURE

ANALYSIS SHEET

1. INITIAL REVIEW BY: ADm
2. RIGHT NUMBER 36-2193 Pzt APPLICANT Acequia, Inc.
3. TYPE OF RIGHT: ☐ Decree ☒ License ☐ Claim
4. Is reason for request extension given on application?
☒ Yes ☐ No (If No, return Application)

5. CHECK:
- (a) ☒ Source ☒ Priority ☒ Amount ☒ Purpose
☐ Period of Use
- (b) ☒ Description of Point(s) of Diversion
(c) ☒ Description of Place of Use
(d) ☒ Check for correct Signature, Notarization, Fee

6. OWNERSHIP OF RIGHT

Applicant's ownership confirmed by: ADm

- (a) ☐ Copy of Tax Notice, Deed, or other _____
in file.
- (b) ☒ County Assessor records. Date Contacted 1/13/88
7. Is the right in a Watermaster District? ☐ Yes ☒ No Dist.
(If Yes, send copy to Watermaster)

FINAL REVIEW IN REGION by ADm

- (a) Is Application published correctly? ☒ Yes ☐ No
- (b) Protest Received? ☐ Yes ☒ No

RECOMMENDED ACTION

- ☒ Approve
☐ Deny

Conditions: _____

C L I N T O N R A N C H

WELL PERMITS & WATER RIGHTS

<u>Well No.</u>	<u>Date of</u> <u>Priority</u>	<u>Permit No.</u>	<u>Authorized</u> <u>Feet Per Sec.</u>	<u>Requested</u> <u>Feet Per Sec.</u>
1 C 724	6/7/51	G-22158	3.2	-
1 D 724	6/7/51	G-22157	3.2	-
2 C 724	6/7/51	G-22159)	6.4 (2 wells)	-
2 D 724	6/7/51	G-22159) 2 wells	-	-
3 D 724	6/7/51	G-22160	4.8	-
5 C 724	2/25/53	G-23813	9.6	-
6 A 725	6/7/51	G-22165	5.0	-
6 B 725	6/7/51	G-22164)	8.66 (2 wells)	-
6 C 725	6/7/51	G-22164) 2 wells	-	-
7 A 725	6/7/51	G-22166)	6.08 (2 wells)	-
7 B 725	6/7/51	G-22166) 2 wells	-	-
7 C 725	6/7/51	G-22168	3.2	-
7 D 725	6/7/51	G-22167	2.88	-
7 AW 724	2/25/53	G-23815)	8.8 (3 wells)	-
7 BW 724	2/25/53	G-23815) 3 wells	-	-
8 A 725	6/7/51	G-22170	5.6	-
8 B 725	6/7/51	G-22169	2.4	-
8 C 725	6/7/51	G-22171	3.2	-
8 D 725	2/25/53	G-23801	6.4	-
9 D 725	6/7/51	G-22172	7.2	-
10 A 724	6/7/51	G-22161)	-	-
10 B 724	6/7/51	G-22161)	-	-
10 C 724	6/7/51	G-22161) 3 wells	12.80	-
15 B 724	6/7/51	G-22162)	9.6 (2 wells)	-
15 D 724	6/7/51	G-22162) 2 wells	-	-
17 A 725	6/7/51	G-22174) 2 wells	6.4	-
17 AW 724	2/25/53	G-23816)	6.4	-
17 BW 724	2/25/53	G-23816) 2 wells	-	-
17 CW 724	2/25/53	G-23817	6.4	-
18 A 724	2/25/53	G-23820)	10.0	-
18 B 724	2/25/53	G-23820)	-	-
18 C 724	2/25/53	G-23820)	-	-
18 D 724	2/25/53	G-23820)	-	-
22 A 724	6/7/51	G-22163	3.2	-
26 AW 623	2/25/53	G-23808)	6.4	-
26 DW 623	2/25/53	G-23808) 2 wells	-	-
26 A 624	6/7/51	G-22153	4.8	-
26 C 624	6/7/51	G-22154) 2 wells	6.4 (2 wells)	-
26 D 624	2/25/53	G-23804) 2 wells	9.6 (2 wells)	-
31 B 624	2/25/53	G-23806) 2 wells	7.2 (2 wells)	-
31 D 624	2/25/53	G-23807	7.2	-
34 A 623	2/25/53	G-23809	6.4	-
35 B 624	6/7/51	G-22156) 2 wells	6.4 (2 wells)	-
35 C 624	6/7/51	G-22156)	-	-
35 D 624	6/7/51	G-22155	5.6	-

THE CAPITAL COMPANY
Rupert, Idaho

Herewith: Certificate of Completion of Works and License and Certificate of Water Right issued under Permit No. G-23808 for the diversion of and confirming the right to the use of 4.26 second feet of the water from 2 wells, subterranean flow, with points of diversion in the center of the NW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of Section 26, Township 6 South, Range 23 E.B.M., with priority of February 25, 1953, irrigating land in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$ and the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, Township 6 South Range 23 E.B.M.

Departmental receipt No. G-2493 was issued and includes the \$21.00 fee paid for the Certificate of Completion of Works (\$5.00) and the License (\$16.00).

MARK R. KULP
State Reclamation Engineer

Edna P. Rutledge
Chief Clerk

See letter of transmittal Permit No. G-22153

23808

January 14, 1957

Re: Permit Nos.	G-22153	G-22160	G-22167	G-22174	G-23809
	G-22154	G-22161	G-22168	G-22175	G-23813
	G-22155	G-22162	G-22169	G-23801	G-23814
	G-22156	G-22163	G-22170	G-23804	G-23815
	G-22157	G-22164	G-22171	G-23806	G-23816
	G-22158	G-22165	G-22172	G-23807	G-23817
	G-22159	G-22166	G-22173	G-23808	G-23820

Mr. Everett Warner, District Manager
Capital Company
901 11th Street
Rupert, Idaho

Dear Mr. Warner:

We have the Reports made by our Field Engineer in your files now in connection with the Permits captioned above. You are entitled to a "Certificate of Completion of Works" and a "License and Certificate of Water Right" for each Permit upon receipt of the statutory fees, (based upon \$5.00 for completion of works and \$2.00 for each 40-acre subdivision for License) itemized and enclosed with this letter.

Before Certificate of Completion of Works and a License can be issued on Permit Nos: G-22164, G-22165, G-22169, G-23807, G-23809, G-23815 and G-23816, it is necessary that you sign and return to this department the amendments to the land list (amendments are attached to corresponding itemized sheet and enclosed with this letter) together with the statutory fees in connection with these seven permits.

If you wish to obtain a Certificate of Completion of Works and a License for all the Permits at this time; the fees amount to \$175.00 for Completion of Works and \$691.00 for License, making a total of \$866.00.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

ER:nls
Encs: 35 itemized sheets
7 amendments

23808

Permit No. G-23808

CAPITAL COMPANY, Rupert, Idaho

Everett Warner, District Manager

Statutory Fees

Certificate of Completion of Works	\$ 5.00
License and Certificate of Water Right	<u>16.00</u>
Total	\$21.00

To be issued for Completion of Works and Beneficial Use
in connection with Permit No. G-23808

2 wells

Point of diversion	--	Center of NW $\frac{1}{4}$) Center of SW $\frac{1}{4}$)	--Section 26, Township 6 South, Range 23 E.B.M.
Lands to be irrigated	--	W $\frac{1}{2}$ Section 26, Township 6 South, Range 23 East B.M.	
Number of acres irrigated	--	315	
Amount	--	4.26 cubic feet per second	

A 23808

pg and

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-23808

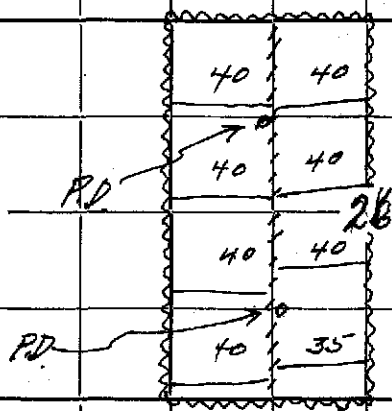
REPORT ON PROOF OF COMPLETION OF WORKS AND BENEFICIAL USE

Capital Company, Box 619, Rupert, Idaho
Everett Warner, 901 - 11th St., Rupert, Idaho (District Manager)

4.26 cfs
inlet

app. 6.4
Sub 8
acres 315-

T 6 S. R = 23 E.



Subdivisions = 8

Area = 315 acres.

$$Q = \begin{array}{r} 2.20 = \text{N. well} \\ 2.06 = \text{S. well} \\ \hline 4.26 \text{ cfs.} \end{array}$$

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

Permit No. G-23808

This proof is for Comp. of Works & Bene. Use In Water District No. _____

1. Name of applicant Capital Company, Box 619, Rupert

2. Source of water supply: Subterranean from 2 wells

3. Location of point of diversion: Is in the Center of the NW $\frac{1}{4}$ and center of the SW $\frac{1}{4}$ of Section 26

T. 6 S R. 23 E.B.M. County of Minidoka

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

#8066 Wintreath 150 hp U.S. motor = North well
#7866 " 150 " " " " " " " " " " " " = South " "
Sprinkler system - Two pumps on one main line

5. Water is used for: Irrigation

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

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

W $\frac{1}{2}$ section 26, Township 6 South, Range 23 East, B.M.

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

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

Remarks: _____

Q = by calculation (max)

Motor = 110%

Wintreath water = 70%

H = lift plus 60'

This examination was made on the 27 day of Sept., 1926

(Signed) E. H. Humphrey Examiner.

#23808

INSTRUCTIONS TO EXAMINERS

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

RECEIVED
NOV 23 1956

Department of Reclamation

Reclamation, Idaho

Permit No. G-23803

Examination for Comp. of Works & Bene. Use

County Minidoka

2 wells in S26 - 63 - 23E,

648

120 x 100 x 70 x 530

325

137

= Q

62 1/2

636

320

139

463

= 2.2 cfs

636

353

138

493

= 2.06 cfs

North Pump h=325'

150hp N.S. Motor

440V. 1800rpm 180amps.

#998907. 570F

Winthrop Pump.

8066.

4'x4' Cone. base. No.

protect

F.M. Luntz Ltd. 30823

on Cone. base 8'x16'.

(SW 1/4 S26) 26 D. pump.

1050gpm

Winthrop 7266

8 steps 12-200 340x8'x8'.

h=333' 376'x16'xall

US. 954355- 150hp

440V. 1800rpm 180a.

Morgeson Panel. 30672

on old base 12'x15' East.

8" discharge W. into 6" main

RE: Permits Nos. G-22153	G-22154	G-22155	G-22156	G-22157
G-22158	G-22159	G-22160	G-22161	G-22162
G-22163	G-22164	G-22165	G-22166	G-22167
G-22168	G-22169	G-22170	G-22171	G-23801
G-22173	G-22174	G-22175	G-22172	G-23804
G-23806	G-23807	G-23813	G-23814	G-23815
G-23808	G-23809	G-23816	G-23817	G-23820

See letter of Acknowledgment of Depositions and Affidavits dated
June 7, 1956. Also, advising of inspection, to be made before
final action is taken.

In file No. G-22153

23808

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JAN 20 1954
Department of Reclamation

Permit No. G-23808

Proof of Application of Water to Beneficial Use
and Completion of Works
Deposition of Holder

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

Ans. Everett Warner, 901 - 11th St., Rupert, Idaho. District Manager for Capital Company. My postoffice address is Box 619, Rupert, Idaho

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

Ans. Capital Company, 1 Powell St., San Francisco, California. I am the local representative and have authority to appear for Capital Co.

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. Permit Number G-23808 dated February 27, 1953; date of priority we propose to establish is February 25, 1953.

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Water is from wells located in the center of the NW $\frac{1}{4}$ and in the center of the SW $\frac{1}{4}$ of Section 26, Twp 6 South, Range 23 EBM

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Water is from wells. The well located in the NW $\frac{1}{4}$ of Sec. 26, Twp 6 So., Range 23 EBM is 395' deep, cased 6' with 16" casing; water stands at 325'. Water is delivered to the land by 132 sprinklers with two openings of 5/32 and 3/32". Water is pumped with a turbine pump which, according to the curve, delivers 1100 gpm. Operating pressure is 60#. *See below.

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. The water is used for irrigation. The NW $\frac{1}{4}$ of Sec. 26, containing 160 acres is being irrigated and 155 acres of the SW $\frac{1}{4}$ of Sec. 26, Twp 6 South, Range 23 EBM is being irrigated.

* The well located in the SW $\frac{1}{4}$ of Sec. 26 is 376' deep, cased 19' with 16" casing and the water stands at 355'. Water is delivered to the land with 132 sprinklers most of which have one opening of 11/64". Water is pumped with a turbine pump which, according to the curve, delivers 1050 gpm. Operating pressure is 60#.

23808

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. -----

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. As stated in answer to question 5.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. -----

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. The water from the well located in the NW $\frac{1}{4}$ of Sec 26 was used, through sprinklers, during 1955 to the full capacity of the pump. The water from the well located in the SW $\frac{1}{4}$ of Sec. 26 was used, through sprinklers, during 1953 and 1954 to irrigate 180 acres and was used in 1955 to irrigate 155 acres being the farmable land in the SW $\frac{1}{4}$ of Sec. 26.

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. none

(Sign) Everett Warner

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in Repaet, County of Minidoka, State of Idaho, on this 28th day of May, A. D. 1956.

My commission expires Oct 16th 1960

23808

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAY 29 1956
Department of Reclamation

Permit No. G-23808

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Works

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

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

Ans. J. MELVIN PARR, Age 35, Farm Manager, 824 G St., Rupert, Idaho

Ques. 2. Are you acquainted with Capital Company, the holder of Permit No G-23808? How long have you known him and where does he reside?

Ans. Capital Company is a California corporation, licensed to do business in the State of Idaho, with its principal place of business in San Francisco, California.

Ques. 3. Have you read or heard read said Permit No. G-23808, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Water is from wells. The well located in the NW $\frac{1}{4}$ of Sec. 26, Twp 6 South, Range 23 EBM is 395' deep, cased 6' with 16" casing; water stands at 325'. Water is delivered to the land by 132 sprinklers with two openings of 5/32 and 3/32". Water is pumped with a turbine pump which, according to the curve, delivers 1100 gpm. Operating pressure is 60#. *See below.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. See answer to question 4.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. See answer to question 4.

* The well located in the SW $\frac{1}{4}$ of Sec. 26 is 376' deep, cased 19' with 16" casing and the water stands at 355'. Water is delivered to the land with 132 sprinklers most of which have one opening of 11/64". Water is pumped with a turbine pump which, according to the curve, delivers 1050 gpm. Operating pressure is 60#.

L 23808

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. The water is used for irrigation. The NW $\frac{1}{4}$ of Sec. 26, (160 acres)
is being irrigated and 155 acres of the SW $\frac{1}{4}$, Twp 6 South, Range 23 EBM
is being irrigated.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. -----

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

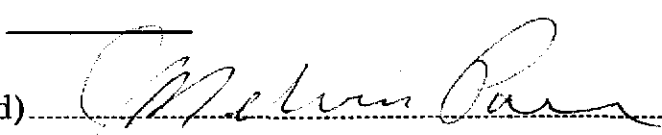
Ans. The land is porous, silt loam, rolling in character, and requires
full capacity of the pumps as stated in answer to question 4.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

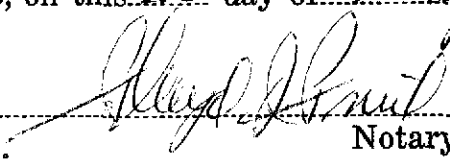
Ans. no

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I HAVE PERSONALLY OBSERVED THE BENEFICIAL USE OF THE WATER DIVERTED
UNDER SAID PERMIT SINCE THE DRILLING OF THE WELLS LOCATED ON THIS LAND.

(Signed) 

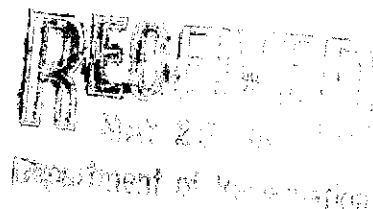
I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Boise,
County of Minidoka, State of Idaho, on this 28th day of May,
A. D. 19 56.


Notary Public.

My commission expires Feb 16 - 1960

23808

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO



Permit No. G-23808

Proof of Application of Water to Beneficial Use

Deposition of Witness and Completion of Works

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

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

Ans. KENNETH STEPHENS, Age 44, Shop Foreman, 818 B St., Rupert, Idaho

Ques. 2. Are you acquainted with Capital Company, the holder of Permit No. G-23808? How long have you known him and where does he reside?

Ans. The Capital Company is a California corporation, licensed to do business in the State of Idaho, with its principal place of business in San Francisco, California.

Ques. 3. Have you read or heard read said Permit No. G-23808, and are you familiar with its provisions and conditions?

Ans. Yes

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Water is from wells. The well located in the NW $\frac{1}{4}$ of Sec. 26, Twp 6 So., Range 23 EBM is 395' deep, cased 6' with 16" casing; water stands at 325'. and is delivered to the land by 132 sprinklers with two openings of 5/32 and 3/32". Water is pumped with a turbine pump which, according to the curve, delivers 1100 gpm. Operating pressure is 60#. *See below.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. See answer to question 4.

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. See answer to question 4.

* The well located in the SW $\frac{1}{4}$ of Sec. 26 is 376' deep, cased 19' with 16" casing and the water stands at 355'. Water is delivered to the land with 132 sprinklers most of which have one opening of 11/64". Water is pumped with a turbine pump which, according to the curve, delivers 1050 gpm. Operating pressure is 60#.

L 23808

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. The water is used for irrigation. The NW $\frac{1}{4}$ of Sec. 26, (160 acres) is being irrigated and 155 acres of the SW $\frac{1}{4}$, Twp 6 South, Range 23 EBM is being irrigated.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. -----

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. The land is porous, silt loam, rolling in character, and requires full capacity of the pumps as stated in answer to question 4.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. no

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have personally observed the beneficial use of the water diverted under said permit since the drilling of the wells located on this land.

(Signed)

Kenneth Stephens

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Payson County of Minidoka, State of Idaho, on this 28th day of May, A. D. 1956.

Raymond
Notary Public.

My commission expires

Dec 16th 1960

23808

RE: Permits Nos. G-22154, G-22156, G-22159, G-22161, G-22162, G-22164,
G-22174, G-22815, G-23801, G-23809, G-23813, G-23814,
G-23808, G-22170, G-22155, G-22153, G-23807, G-23806,
G-23804, G-23820, G-23817, G-23816, G-22157, G-22158,
G-22160, G-22163, G-22165, G-22166, G-22167, G-22168,
G-22169, G-22171, G-22172, G-22175, G-22173

4 23808

See letter of transmittal dated April 23, 1956, in file No. G-22154

The Minidoka County News

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

County of Minidoka, {
STATE OF IDAHO, { ss.

LARRY H. ROBINSON

....., being first
duly sworn, deposes and says that he is the

CO-.....publisher of The Minidoka County
News, a weekly newspaper published at Rupert,
Idaho, in the county aforesaid, and that the paper
is of general circulation therein. Deponent further
states that the printed notice attached hereto was
duly published according to law in the regular
weekly editions of The Minidoka County News

for **FOUR (4)** consecutive weeks, commencing
with the issue dated **APRIL 26**, 19**56**, and
ending with the issue dated **MAY 17**, 19**56**

Larry H. Robinson
Subscribed and sworn to before me this

28 day of **May**, 19**56**

Robert F. Baker Notary Public

Cost of Publication

Notary Fee

Total Cost

**NOTICE OF PROOF OF
DIVERSION OF WORKS
and
APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that at
10 A.M., on the 28th day of May,
1956, at Rupert, County of Mini-
doka, State of Idaho, before Floyd
Fruit, Notary Public, proof will be
submitted of the completion of
works for the diversion of 6.4
cubic feet per second of the waters
of wells located in the center of
the NW¼ and in the center of the
SW¼ of Section 26, Township 6
South, Range 23 EBM and of the
application to beneficial use of
said water, in accordance with
the terms and conditions of Per-
mit No. G-23808 heretofore issued
by the Department of Reclamation
of the State of Idaho.

1. The name and postoffice ad-
dress of the person or corporation
holding said permit are Capital
Company, Box 242, Rupert, Idaho.

2. Said works of diversion will
be fully completed on the date set
for such completion, and the
amount of water which said works
are capable of conveying to the
place of use, in accordance with
the plans accompanying the ap-
plication for such permit, is 6.4
cubic feet per second.

3. The use to which said water
has been applied is irrigation pur-
poses, and the amount applied to
beneficial use is 6.4 cubic feet
per second.

4. The place where said water
is used is W½ of Section 26, Twp
6 South, Range 23 EBM.

5. The date of priority which
said user is prepared to establish
is February 25, 1953.

MARK R. KULP
State Reclamation Engineer
No. 695—April 26 - May 17.

23808

RE: Permits Nos. G-22154, G-22156, G-22159, G-22161, G-22162, G-22164,
G-22174, G-22815, G-23801, G-23809, G-23813, G-23814,
G-23808, G-22170, G-22158, G-22153, G-23807, G-23806,
G-23804, G-23820, G-23817, G-23816, G-22157, G-22158,
G-22160, G-22163, G-22165, G-22166, G-22167, G-22168,
G-22169, G-22171, G-22172, G-22175, G-22173,

See letter of transmittal dated April 23, 1956, in file No. G-22154.

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

Notice is hereby given that at 10 A. M., on the 28th day of May, 19 56 at Rupert, County of Minidoka, State of Idaho, before Floyd Fruit, Notary Public proof will be submitted of the completion of works for the diversion of 6.4 cubic feet per second of the waters of wells located in the center of the NW $\frac{1}{4}$ and in the center of the SW $\frac{1}{4}$ of Section 26, Township 6 South, Range 23 EBM and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-23808 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Capital Company, Box 242, Rupert, Idaho
2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 6.4 cubic feet per second.
3. The use to which said water has been applied is Irrigation purposes, and the amount applied to beneficial use is 6.4 cubic feet per second.
4. The place where said water is used is W $\frac{1}{4}$ of Section 26, Twp 6 South, Range 23 EBM
5. The date of priority which said user is prepared to establish is February 25, 1953.

Mark R. Kulp
Mark R. Kulp
State Reclamation Engineer

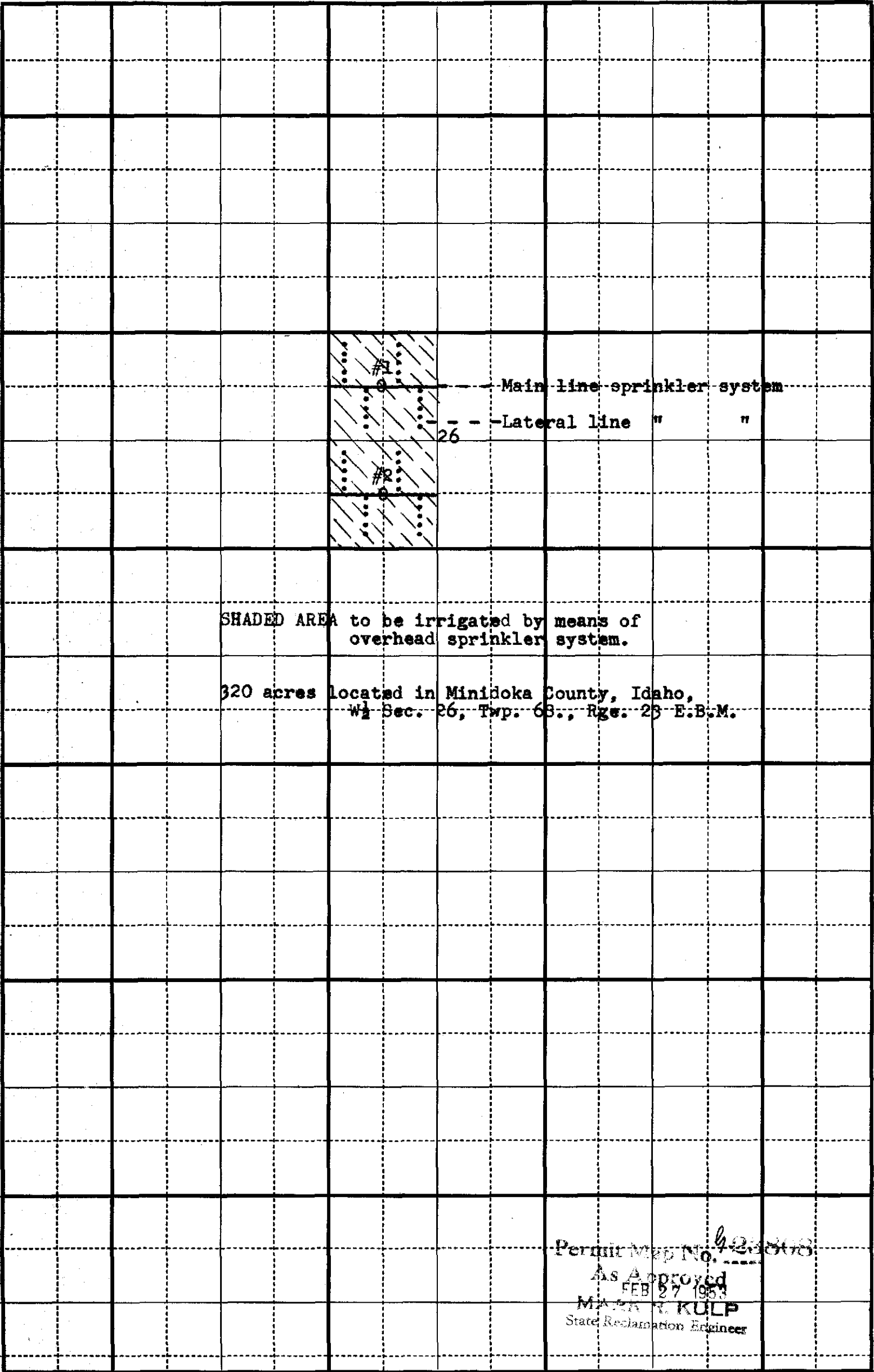
*Acknowledgment in
File # 2-22153*

23808

Permit No. G-23808

See letter of transmittal with Permit No. G-23801

A 23808



**NOTICE OF PROOF OF
COMPLETION OF WORKS**

a

**APPLICATION OF WATER
TO BENEFICIAL USE**

Notice is hereby given that at 10 A.M., on the 28th day of May, 1956, at Rupert, County of Minidoka, State of Idaho, before Floyd Fruit, Notary Public, proof will be submitted of the completion of works for the diversion of 6.4 cubic feet per second of the waters of wells located in the center of the NW¼ and in the center of the SW¼ of Section 26, Township 6 South, Range 23 EBM and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-23808 heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit are Capital Company, Box 242, Rupert, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use, in accordance with the plans accompanying the application for such permit, is 6.4 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 6.4 cubic feet per second.

4. The place where said water is used is W½ of Section 26, Twp 6 South, Range 23 EBM.

5. The date of priority which said user is prepared to establish is February 25, 1953.

MARK R. KULP

State Reclamation Engineer
No. 695—April 26 - ~~May~~ 17.