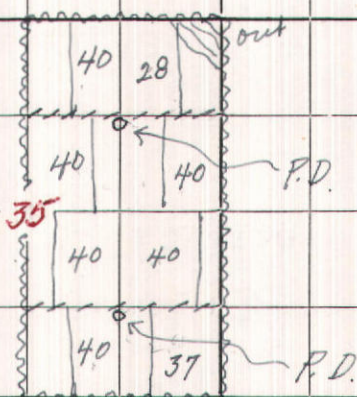


$T \approx 68$. $R_1 = 24 \text{ E.B.M.}$



Subdivisions = 8

Area = 305 acres.

$Q = 305$ inches.

157
148
305

agrees with public notice

6.44

SE well 157a, 1050 gpm

ventroath 6322

10 steps 12-400 bowls

260' x 10" Col. h = 232'

150 hp. U.S. 930813 440V,

1800 rpm 1800.

G.E. Panel 8' to W, on

2' x 2' concrete base

disch. to N. 8" - 6" - 6"

6' x 6' concrete base.

157a.

636

$$\frac{150 \times 110 \times 70 \times 550}{62^2} = \frac{W}{Q}$$

232
138
370

$$Q = 2.75 \text{ cfs}$$

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 15 1956

Department of Reclamation

Capital Company

Box 619

Rupert, Idaho

Permit No. G-22156

P11

Examination for Comp. of Works & Bene. Use

County Minidoka

2 wells S 35 - 65 - 24 E

N.E. well

1275

Peerless Turb 153933

Tatay 12" MA bowls

240' x 8" Col. h = 221'

125 hp U.S. motor

#870115-440V. 1800 rpm

1 stamp

Mongers Panel 30375

8' to W. on Cove block

8" disch. to N. into 6" - 6"

148a.

$$\frac{125 \times 110 \times 70 \times 550}{62^2} = \frac{W}{Q}$$

221
138
359

$$Q = 2.36 \text{ cfs}$$

$$\frac{2.36}{2.75} = 6.11$$

RECEIVED
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**....., 19**56**., and
ending with the issue dated **MAY 17**....., 19**56**

Larry H. Robinson

Subscribed and sworn to before me this

21 day of *May*....., 19**56**

Robert F. Balch 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 Mini-
doka, State of Idaho, before
Floyd Fruit, Notary Public proof
will be submitted of the comple-
tion of works for the diversion
of 6.4 cubic feet per second of
the waters of wells located in the
center of the SE $\frac{1}{4}$ and in the
center of the NE $\frac{1}{4}$ of Section 35,
Twp 6 South, Range 24 EBM and
of the application to beneficial
use of said water, in accordance
with the terms and conditions of
Permit No. G-22156 heretofore
issued by the Department of
Reclamation of the State of Ida-
ho.

1. The name and postoffice ad-
dress of the person or corpora-
tion holding said permit are
Capital Company, Box 242, Ru-
pert, 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 appli-
ed to beneficial use is 6.4 cubic
feet per second.

4. The place where said water
is used is E $\frac{1}{2}$ of Section 35, Twp
6 South, Range 24 EBM.

5. The date of priority which
said user is prepared to estab-
lish is June 7, 1951.

MARK R. KULP,
State Reclamation Engineer
No. 684 April 26-May 17

J-22156

APPLICANT: CAPIT COMPANY

MAP TO ACCOMPANY APPLICATION FOR AMENDMENT TO PERMIT G-22156

R-24E.

T.
6
S.

35

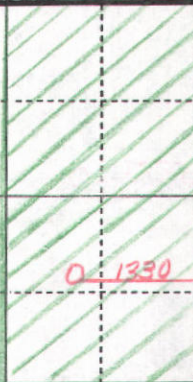
Well

Well

G 22156

NE $\frac{1}{4}$ AND SE $\frac{1}{4}$ SECT. 35,
T 6 S, R 24, E.B.M.

NORTH



0-1330

1334



WELL



AREA TO BE IRRIGATED
BY THIS WELL.

IRRIGATED BY OVER-
HEAD SPRINKLER SYSTEM
WITH MAIN 6" ALUMINUM
AND LATERALS 4" ALUMINUM.

Permit Map No. ~~22156~~

As Approved

JUN 9 1951

MARK R. KULP

State Reclamation Engineer

9-22156

Important Information About Your Water Right

August 27, 2001

MELYNDA KEARL
JOSEPH KEARL
RODNEY A JENTZSCH
SHIRLEY S JENTZSCH
RT 3 BOX 3256
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 36-02124. 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 July 15, 1997, sets forth all of the elements of your water right. The Snake River Basin Adjudication (SRBA) Court suggests that you keep this document in a safe location together with a copy of the *Partial Decree* to show evidence of the water right. The original of this *Order* and the original of the *Partial Decree* for this water right are on file with SRBA Court. If you do not have a copy of the original *Partial Decree*, one can be obtained by contacting the SRBA Court at (208) 736-3011. Please note that the *Order* is entered *Nunc Pro Tunc*, meaning that the *Order* will be treated as if it were issued the same date that the *Partial Decree* was originally issued.

Sincerely,



Diana Delaney
Case Administrator

MICROFILMED
SEP 22 2001

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

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

Water Right 36-02124

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 July 15, 1997. The period of use element was decreed as "irrigation season." In *A&B Irrigation Dist. v. Idaho Conservation League*, 131 Idaho 411, 423, 958 P.2d 568, 580 (1998), the Idaho Supreme Court remanded with the directive to include specific dates for the period of use element. Following remand, IDWR filed a *Supplemental Director's Report, Reporting Area 3, IDWR Basin 36, Regarding Revision of Period of use (For Irrigation Water Uses) and Conjunctive Management General Provisions*, which included an irrigation period of use recommendation for this water right. No objections were filed to this recommendation and the time period for filing objections has now expired.

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

PERIOD OF USE: 03-15 11-15

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

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

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

RULE 54(b) CERTIFICATE

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

Dated August 27, 2001

Roger Burdick
ROGER BURDICK
Presiding Judge
Snake River Basin Adjudication

MICROFILMED
SEP 22 2003

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JUL 17 1997

Department of Water Resources
Adjudication Bureau

1997 JUL 15 AM 11:30

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

) ORDER OF PARTIAL DECREE

Case No. 39576

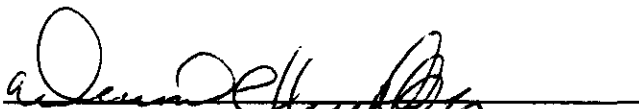
) For Water Right 36-02124
)
)
)

On May 15, 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 14a, 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 36-02124 be decreed as set forth in the attached *Partial Decree Pursuant to I.R.C.P. 54(b)*.

DATED July /5, 1997.


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

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

In Re SRBA)
Case No. 39576)
_____)

PARTIAL DECREE PURSUANT TO
I.R.C.P. 54(b) FOR

Water Right 36-02124

1997 JUL 15 AM 11:30
DISTRICT COURT-SRBA
TWIN FALLS CO., IDAHO
FILED

NAME & ADDRESS: SHIRLEY S JENTZSCH
JOSEPH KEARL
MELYNDA KEARL
RODNEY A JENTZSCH
RT 3 BOX 3256
RUPERT ID 83350

SOURCE: GROUNDWATER

QUANTITY: 6.1 CFS
1220.0 AFY

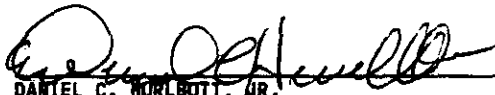
PRIORITY DATE: 06/07/1951

POINT OF DIVERSION: T06S R24E S26 SESW Within MINIDOKA County
S35 NWSE
NWSENE
SWNESW
SWNESE

PURPOSE AND PERIOD OF USE:	PURPOSE OF USE	PERIOD OF USE	QUANTITY
IRRIGATION		Irrigation Season	6.1 CFS 1220.0 AFY

PLACE OF USE:	IRRIGATION	Within MINIDOKA County				
T06S R24E S35	NENE 28.0	NWNE 40.0	SWNE 40.0	SENE 40.0		
	NESE 40.0	NWSE 40.0	SWSE 40.0	SESE 37.0		
305.0 ACRES TOTAL						

DATED: JUL 15 1997


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

RULE 54(b) CERTIFICATE

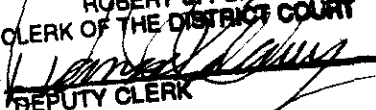
With respect to the issues determined by the above judgment or order, it is hereby CERTIFIED, in accordance with Rule 54(b), I.R.C.P., that the court has determined that there is no just reason for delay of the entry of a final judgment and that the court has and does hereby direct that the above judgment 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.

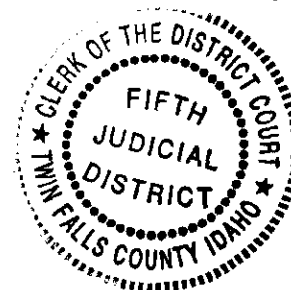
DATED: JUL 15 1997


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

MICROFILMED
SEP 22 2003

PARTIAL DECREE PURSUANT TO I.R.C.P. 54(b)
Water Right 36-02124

State of Idaho ss.
County of Twin Falls
I hereby certify the foregoing to be a true and correct copy of the original on file in the above entitled action.
ROBERT S. FORT
CLERK OF THE DISTRICT COURT
By 
DEPUTY CLERK



PAGE 1
JUN-10-1997

This
Right has been
Decreed in the
SRBA.

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

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

MEMORANDUM DECISION
AND ORDER

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

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

MEMORANDUM DECISION
AND ORDER - Page 1

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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.

MEMORANDUM DECISION
AND ORDER - Page 2

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MAY 19 1993

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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>Acreage</u>
			<u>cfs</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.

MEMORANDUM DECISION
AND ORDER - Page 4

MICROFILMED

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

Fork and Snake Rivers.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

A That's right.

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

A No, they didn't like that.

Q So what happened next?

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CONCLUSIONS OF LAW

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

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

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

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

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

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

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

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

....

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

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

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

referenced in Section 42-226, Idaho Code.

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

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

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

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

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

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

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

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

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

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

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

ORDER

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

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

DATED This 15TH day of April, 1993.


R. KEITH HIGGINSON
Director

RECEIVED

MAY 19 1993

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
GIVENS PURSLEY & HUNTLEY
277 North 6th Street
P.O. Box 2720
Boise, Idaho 83701-2720

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

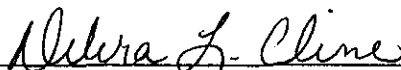
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Barbara Scott-Brier
U.S. Department of Interior
Office of the Solicitor
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Portland, Oregon 97232

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


DEBRA L. CLINE
Administrative Secretary

ATTACHMENT 1: Points of Diversion after requested change

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

ATTACHMENT 1: Point of Diversion 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
			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		
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	33	40	40	18	18		4				
		4				5									8				#94	201
8N	36E	3					19	40												
		4	10																	
9N	36E	33																		
		34																		
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														#98	221.3
9N	36E	27									1.6				4	20	27	40	32	
		34	4	8				4	5										#99	136.6
9N	36E	26																		
		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
			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		
7N	35E	4													35			25		
9N	36E	25						12	16											
		26																		
9N	36E	25											12						#102	132.9
		26																		
		35																	#103	83
		36																		
9N	36E	24																		
		25																	#104	198.6
9N	36E	24																		
		25																		
		38																		
37E	19																			
		30																		
9N	36E	21																		
		22																		
9N	36E	27																		
		28																		
9N	36E	27																		
		28																		
9N	36E	27																		
		28																		
		33																		
		34																		
9N	36E	33																		
9N	36E	28																		
9N	36E	31																		
10N	36E	33																		
		34																		

REPRODUCTION
MAY 19 1993

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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.

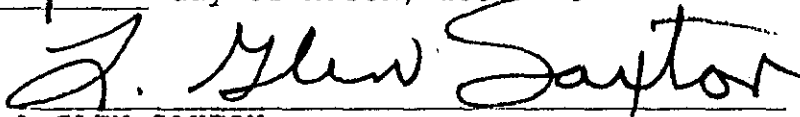
4. The place of use is limited to the 4221 acres listed in Attachment 2 and in finding of fact no.'s 4 through 6.

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

ORDER EXTENDING APPROVAL OF TEMPORARY TRANSFERS - Page 1

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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:

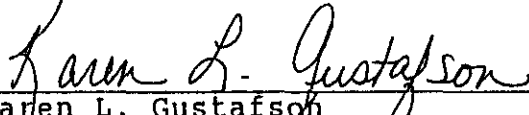
Blaine Larsen
P.O. Box 188
Hamer, ID 83425

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
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Portland, OR 97232

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


Karen L. Gustafson
Secretary/Records Manager

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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.	

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 4092

APPLICATION FOR TRANSFER OF WATER RIGHT

RECEIVED

JAN 29 1993

Department of Water Resources

AMENDED

APPROVED

PART 1

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
36-02198B <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>
36-02124B	<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. 36-02198B/2193B/2195B/2197B
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

RECORDED

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

(fs/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 5.08 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									

Total acres 280

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 0.62 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

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MAY 19 1993

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. _____
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 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 4.34 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				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	40	40	31	311

RECORDED

Total acres 311

Describe any other water rights used for the same purpose as described above MAY 19 1993

PART 2

0. 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 _____

DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

- amount ^{.67}~~8.26~~ 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)

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)

- amount ^{3.26}~~1.00~~ 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	32.1		31	263.1

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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 or 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				NW¼				SW¼				SE¼				Totals
			NE	NW	SE	SW	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
6S	24E	35	28	40	40	40									40	40	40	37	305

Total acres 305

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 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

MINIDOKA
MAY 19 1993

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 19933. Source of water groundwater tributary to Snake River4. 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				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	40	40	40	40	320

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

Total acres 320

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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 2.47 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				NW ¼				SW ¼				SE ¼				Totals
			NEK	NWK	SEK	SWK	NEK	NWK	SEK	SWK	NEK	NWK	SEK	SWK	NEK	NWK	SEK	SWK	
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				NW ¼				SW ¼				SE ¼				Totals
			NEK	NWK	SEK	SWK	NEK	NWK	SEK	SWK	NEK	NWK	SEK	SWK	NEK	NWK	SEK	SWK	
7S	24E	2													40	40	40	40	160

Total acres 160

MINIDOKA
 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. 36-2190 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:

☐ Tax Notice☐ Warranty Deed☒ Other lease of water rights for 19933. Source of water groundwater tributary to Snake River4. 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 _____

(s/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				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	40									160

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

Total acres 160

MAY 19 1993

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)

- i. 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

RECORDED

MAY 19 1993

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:

☐ 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

(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	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

RECEIVED
MAY 19 1993

Total acres 315

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 2.16 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	¼	¼	¼	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 ¼				NW ¼				SW ¼				SE ¼				Totals
			NEN	NWN	SEN	SWN	NEN	NWN	SEN	SWN	NEN	NWN	SEN	SWN	NEN	NWN	SEN	SWN	
7S	24E	4									40	40	40	40					160
7S	24E	5													40	40	40	40	160
7S	24E	8	40	40	40	40													160

RECORDED

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use.

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
7S	24E	4									7.5	7.5	7.5	7.5					30
7S	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	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	4									32.5	32.5	32.5	32.5					130
7S	24E	5																	147
7S	24E	8	40	40	40	40													160

Total acres 437

RECORDED
MAY 10 1993

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.

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 TAW 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 _____

(fs/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	¼	¼	¼	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 ¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SE¼	SW¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
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 other water rights used for the same purpose as described above _____

RECORDED

MAY 19 1993

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)

- Point(s) of Diversion:

	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
center	of		N1/2	7	7S	24E	Minidoka	

- 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	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)

- Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
center	of		S1/2	7	7S	24E	Minidoka	

- 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	7			13		40			40	40	40	40	40	40	40	40	40	374.61

MINIDOKA

MAY 19 1993 res 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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MAY 19 1993

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.

Robert. Vain, Attorney In Fact
(Signature of Applicant)
for Blaine Larsen

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

Dandra R. 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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MAY 19 1993

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

MAY 19 1993

ATTACHMENT 1: Points of Diversion after requested change

[illegible]

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MAY 19 1993

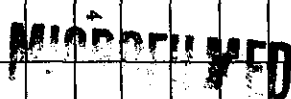
ATTACHMENT 2: Places of use after requested change

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Pctg	Acres
			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		
7N	36E	4													35			25		
9N	36E	25						12	16											
		26	37	10.9	17	40														
9N	36E	25											12					31		
		26															4			
		35	28	3															#103	83
		36						6												
9N	36E	24			3					6	40	14.6	16	39		36	35		#104	198.6
		25		3																
9N	36E	24																22.5		
		25	38			5														
		19										19							#105	119.5
		30						33		2										
9N	36E	21				23									31			10		
		22							36	16	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

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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
			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		
7N	36E	4													35			25	#49	75
		9	25			15														
8N	36E	11							2	5					40	27	27	38		
		12									10		7						#89	156
8N	36E	10				7									38			35	#90	198.3
		11							12	5.3	12	40	36	13						
8N	36E	3										7	7						#93	181.7
		9	5			1.7														
		10		8	6		40	40	31	36										
8N	36E	3			2				33	33	40	40	18	18					#94	201
		4				5									8					
8N	36E	3					19	40												
		4																		
		4	10																	
9N	36E	38																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					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																		
		26																		
9N	36E	26																		
		27	36	34	38	39														
9N	36E	26																	#101	164.7


 MAY 19 1993

[illegible]

MAY 19 1993

ATTACHMENT 2: Places of use after requested change

[illegible]

11-10-50

MAY 19 1993

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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MAY 19 1993

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: _____

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

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.

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.

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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

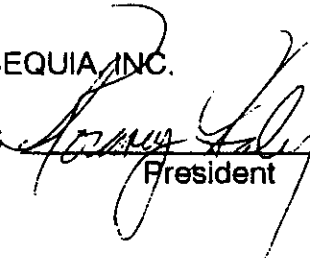
ATTORNEY FEES: In the event suit is instituted by either party to enforce any provisions of this Agreement, the successful party to said suit shall be entitled to recover their costs of the suit and a reasonable attorney fee in such amount as the Court may set.

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.

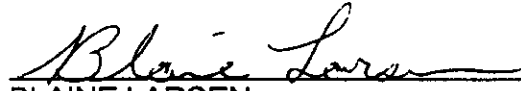
LESSOR:

ACEQUIA, INC.

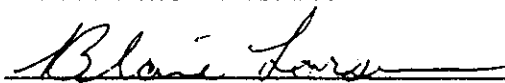
By: 

President

LESSEE:


BLAINE LARSEN

LARSEN FARMS OF IDAHO

By: 

LARSEN FARM

By: 

MAY 19 1993

STATE OF IDAHO

)

) ss.

County of Blaine

)

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: Boise, ID.

My commission expires: 2-11-93

STATE OF IDAHO

)

) ss.

County of Jefferson

)

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 R. Van

NOTARY PUBLIC FOR IDAHO

Residing at: Idaho Falls, Idaho

My commission expires: 8-19-91

STATE OF IDAHO

)

) ss.

County of Jefferson

)

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.

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

STATE OF IDAHO

)

) ss.

County of Jefferson

)

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.

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

MICROFILMED

MAY 19 1993

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

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.

MICROFILMED

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.

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

LESSOR:

ACEQUILA, INC.

By: [Signature]
Its Secretary

LESSEE:

[Signature]
BLAINE LARSEN

LARSEN FARMS OF IDAHO

By: [Signature]

LARSEN FARMS

By: [Signature]

RECORDED

MAY 19 1993

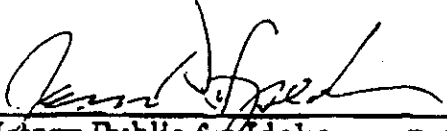
STATE OF IDAHO)

) ss.

County of Blaine)

On this 17th 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

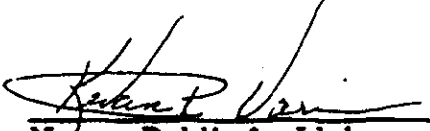
STATE OF IDAHO)

) 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

RECEIVED

MAY 19 1993

STATE OF IDAHO)

) ss.

County of Jefferson)

On this 5th 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.

[Signature]
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.

[Signature]
Notary Public for Idaho

Residing at Idaho Falls, ID

My commission expires: 8-19-91

RECORDED

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-

MAY 19 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.

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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.

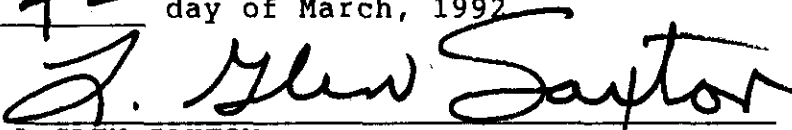
2. The transfers are approved for a period of one (1) year. On November 1, 1992, the water rights shall revert back to the original places of use and points of diversion with their original priority dates.

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

ORDER EXTENDING APPROVAL OF TEMPORARY TRANSFERS - Page 3

RECEIVED
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
Secretary/Records Manager

MICROFILMED

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.

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MAR 21 1990

Page 1 of 18STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 3468

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

1. Acequia (there are 7 Part 2s)

Name of applicant Blaine LarsenPhone 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</u> to <u>Nov. 1</u>
<u>36-2122</u> B	<u>6-07-51</u>	<u>3.26 cfs</u>	<u>irrigation</u>	<u>Apr. 1</u> to <u>Nov. 1</u>
<u>36-2124</u> B	<u>6-07-51</u>	<u>0.4 cfs</u>	<u>irrigation</u>	<u>Apr. 1</u> to <u>Nov. 1</u>
<u>36-2127</u> B	<u>6-07-51</u>	<u>2.47 cfs</u>	<u>irrigation</u>	<u>Apr. 1</u> to <u>Nov. 1</u>
<u>36-2190</u> B	<u>2-25-53</u>	<u>1.2 cfs</u>	<u>irrigation</u>	<u>Apr. 1</u> to <u>Nov. 1</u>
<u>36-2193</u> B	<u>2-25-53</u>	<u>2.16 cfs</u>	<u>irrigation</u>	<u>Apr. 1</u> to <u>Nov. 1</u>
<u>36-2194</u>	<u>2-25-53</u>	<u>3.18 cfs</u>	<u>irrigation</u>	<u>Apr. 1</u> to <u>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	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

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

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

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. 36-2121/2122/2124/2127/2190/2193/2194

And 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

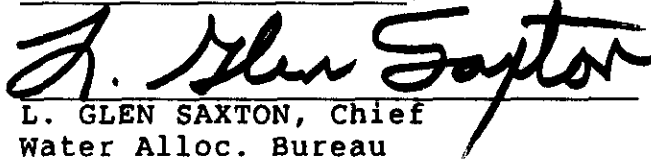
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J. Glen Saxton
Chief, Water Alloc. Bureau

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, A35-10948~~0~~, 36-2074/2121/2122/2124/
2127/2190/2193/2194/2300/2632/2727/7015A/
7022/7272/7495/7897

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

Dated this 19th day of March, 1990.


L. GLEN SAXTON, Chief
Water Alloc. Bureau

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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

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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

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	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				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	32.1	81		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	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				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														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	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	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	28	40	40	40									40	40	40	37	305

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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				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	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	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	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 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		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

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MAR 21 1990

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	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				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										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	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				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

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 & 199

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 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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MAR 21 1990

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) _____

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	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 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

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	1/4	1/4	1/4	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 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	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	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 _____

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 Larsen

(Signature of Applicant)

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

John R. Van

(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 _____

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. _____

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

MICROFILMED

MAY 11 1990

[illegible]

MAN 1 1990

State of Idaho
License and Certificate of Water Right

Water License No. G-22156 Amount 6.10 c.f.s.
Water District No. _____ Priority June 7, 1951

THIS IS TO CERTIFY that S. A. CAMP FARMS COMPANY - THE CAPITAL COMPANY, Assignee of Rupert, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 7, 19 51; that Permit No. G-22156 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 6.10 second feet, was issued thereunder on March 22, 19 57, showing that said works were completed on the 28th day of May, 19 56; and that on the 28th day of May, 19 56, 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 2 wells subterranean ~~contributor~~ flow, for the purpose of Irrigation, under Use Permit No. G-22156 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 5928, on the 22 day of March, 19 57; The right hereby confirmed dates from June 7, 19 51;

The Point of Diversion is located Center of: in the SE 1/4 & NE 1/4, Sec. 35, 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 6.10 cubic feet per second.

Description and location of use:

Twsp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
6 S.	24 E.	35	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40	28
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40	40
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	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	<u>37</u>
			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, 19 57.

/s/ Mark R. Kulp
State Reclamation Engineer.

(SEAL)

State of Idaho
License and Certificate of Water Right

Water License No. G-22155 Amount 2.72 c.f.s.
Water District No. _____ Priority June 7, 1951

THIS IS TO CERTIFY that S. A. CAMP FARMS COMPANY - THE CAPITAL COMPANY, Assignee of Rupert, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated June 7, 1951; that Permit No. G-22155 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.72 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 ~~perennial~~ flow, for the purpose of Irrigation, under Use Permit No. G-22155 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 5927, on the 22 day of March, 1957; The right hereby confirmed dates from June 7, 1951;

The Point of Diversion is located in the NE 1/4 SW 1/4, Sec. 35, 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 2.72 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.	35	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 $\frac{1}{4}$ SW $\frac{1}{4}$	40	40
			Total number of acres irrigated - - - - -		160

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)

APPLICATION FOR PERMIT 36-2124

To Appropriate the Subterranean Waters of The State of Idaho

Smith & Jacob
Box 426, Twin Falls, Idaho

Application No. G- 29885
Permit No. G- 22156
District No.

1. Name of Applicant: **S. A. CAMP FARMS COMPANY**
Postoffice address: **Box 51, Rupert** County: **Minidoka** State: **Idaho**
2. Quantity of water claimed:
 - (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**
4. Location of point of diversion or well is in the **NW** $\frac{1}{4}$ of the **SE** $\frac{1}{4}$ of Section **35**
Twp. **6 S.**, Rge. **24 E.**, B. M., County of **Minidoka**
5. Water is to be used for: **Irrigation**
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B. M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B. M.
7. Kind of works: **Well, pump and overhead irrigation system**
8. Estimated cost of works: \$ **17,000.00**
9. (a) Is reservoir to be used?
(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 (5)** years.
11. If applicant is a corporation, give: **(See Permit No. G-22153)**
 - I. (a) Date and place of incorporation:
(b) Amount of capital stock: \$ (c) Amount paid in: \$
(d) Names and addresses of directors:
 - II. The financial resources of the applicant are (a) Cash on hand: \$
(b) Treasury stock: (c) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: **None known**
 - (a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) (cubic feet per second, inches or gallons per minute) is for new lands.

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.

By **Harley M. McDowell** *Agent.*

Corrected application received:

MARK R. KULP
State Reclamation Engineer.

Secretary of State.

Twp.	Range	Sec.	NE ¹ / ₄				NW ¹ / ₄				SW ¹ / ₄				SE ¹ / ₄				Totals
			NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	
6 S.	24 E.	35	40	40	40	40									40	40	40	40	320
<u>ASSIGNMENT</u>																			
For value received, we hereby assign all our right, title, and interest in and to Permit to Appropriate the Public Waters of the State of Idaho No. G-22156 to CAPITAL COMPANY, a California corporation licensed to do business in the State of Idaho, with its principal place of business at Rupert, Idaho. S. A. CAMP FARMS COMPANY, INC. By JAMES Y. CAMP Its Vice-President State of California) ss. County of Kern) On this 31st day of August, 1954, before me, a Notary Public in and for the State of California, personally appeared James Y. Camp, known to me to be the Vice-President of the corporation that executed the within instrument 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. W. M. LOWE Notary Public Residence: Commission Expires: Commission Expires Oct. 26, 1957 Received and filed for record in the Department of Reclamation at Boise, Idaho, September 8, 1954. MARK R. KULP State Reclamation Engineer																			

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. G-22156

Comes now Capital Company and represents to the State Reclamation Engineer of the State of Idaho:
That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho,
No. G-22156.

That the point of diversion is described in said permit as being located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section
35, Twp. 6 S., Rge. 24 East, B.M.

That he now requests that the point of diversion be changed to a point located center of SE $\frac{1}{4}$ and an
additional well in the center of the NE $\frac{1}{4}$ Sec. 35, Township 6 S., Range 24 East, B.M.

That his reasons for desiring to make such change are as follows: Wells actually located as herein
requested.

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

Signed at Rupert, Idaho, this 19th day of April, 1956.

CAPITAL COMPANY
BY: E. WARNER, Agent

Date of receipt at Department of Reclamation April 20, 1956.

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and
foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G-22156.
This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and
of which it becomes a part, and said application is approved only insofar as the rights of others will not be
adversely affected thereby.

MARK R. KULP
State Reclamation Engineer

Permit No. G-22156
Certificate of Completion of Works

TO ALL WHOM IT MAY CONCERN:

This is to certify that S. A. CAMP FARMS COMPANY - THE CAPITAL COMPANY, Assignee
of Rupert, County of Minidoka, and State of Idaho, the holder of Permit No. G-22156, issued upon Application
No. G-29665 bearing date of priority of June 7, 1951, 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 convey-
ing to the place of intended use 6.10 second feet of the waters of 2 wells - subterranean flow that the point
of diversion of said waters # 1 - Center of SE $\frac{1}{4}$ # 2 Center of NE $\frac{1}{4}$ Section 35, Township 6 S., Rge 24 E.B.M.
and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: E $\frac{1}{2}$
of Section 35, Township 6 South, Range 24 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

LICENSE ISSUED FOR 6.10 SEC. FL.

Page 5928

This
Right has been
Decreed in the
SRBA.

MICROFILMED

SEP 22 2003

MEMORANDUM

TO: FILE 36-02124B

FROM: PAM SKAGGS

RE: TRANSFER # 4092

DATE: 4-27-93

=====

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

UNCLASSIFIED

MAY 19 1993

Stage: LICENSE

Place of use Legal Description for: IRRIGATION																																				
NE										NW										SW										SE						
NENE		NNNE		SUNE		SENE		NENE		NNNW		SNNW		SENN		NENW		NNWS		SWSW		SESW		NENE		NWSE		SWSE		SESE		SUM				
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				
T	R	S																																		
07N	35E	4																																		
07N	35E	9																																		
08N	36E	3	25																																	
08N	36E	4	10	27	02	15																														
08N	36E	9	05																																	
08N	36E	10	08	06	07	01	40	40	31	36																										
08N	36E	11																																		
08N	36E	12																																		
08N	36E	13																																		
08N	37E	32	39																																	
09N	36E	21	39	39	23																															
09N	36E	22																																		
09N	36E	24																																		
09N	36E	25	38	03	30	40																														
09N	36E	26	37	18	35	40	06	12	16	06																										
09N	36E	27	36	34	38	39	20	39	40	33																										
09N	36E	28	36	34	38	39	20	39	40	33	16	31	40	40																						
09N	36E	29	36	34	38	39	20	39	40	33	16	31	40	40																						
09N	36E	30	36	34	38	39	20	39	40	33	16	31	40	40																						
09N	36E	31	36	34	38	39	20	39	40	33	16	31	40	40																						
09N	36E	32	36	34	38	39	20	39	40	33	16	31	40	40																						
09N	36E	33	36	34	38	39	20	39	40	33	16	31	40	40																						
09N	36E	34	36	34	38	39	20	39	40	33	16	31	40	40																						
09N	36E	35	36	34	38	39	20	39	40	33	16	31	40	40																						
09N	36E	36	36	34	38	39	20	39	40	33	16	31	40	40																						
09N	36E	37	36	34	38	39	20	39	40	33	16	31	40	40																						
09N	36E	38	36	34	38	39	20	39	40	33	16	31	40	40																						
09N	36E	39	36	34	38	39	20	39	40	33	16	31	40	40																						
09N	36E	40	36	34	38	39	20	39	40	33	16	31	40	40																						
09N	36E	41	36	34	38	39	20	39	40	33	16	31	40	40																						
09N	36E	42	36	34	38	39	20	39	40	33	16	31	40	40																						
09N	36E	43	36	34	38	39	20	39	40	33	16	31	40	40																						
09N	36E	44	36	34	38	39	20	39	40	33	16	31	40	40																						
09N	36E	45	36	34	38	39	20	39	40	33	16	31	40	40																						
09N	36E	46	36	34	38	39	20	39	40	33	16	31	40	40																						
09N	36E	47	36	34	38	39	20	39	40	33	16	31	40	40																						
09N	36E	48	36	34	38	39	20	39	40	33	16	31	40	40																						
09N	36E	49	36	34	38	39	20	39	40	33	16	31	40	40																						
09N	36E	50	36	34	38	39	20	39	40	33	16	31	40	40																						
09N	36E	51	36	34	38	39	20	39</																												

Place of use Legal Description for: IRRIGATION

T	R	S	NE			NW			SW			SE			SUM
			NAME	NAME	SENE	NAME	NAME	SENE	NAME	NAME	SESW	NAME	NAME	SESE	
			Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
09N 36E 28 :			14		23		32	32	32	32		04		23	192.4
09N 36E 31 :				19				05	39	05			19		126.0
09N 36E 33 :			26	37	39	32	12		15					13	184.2
09N 36E 34 :			31	24	37	40	24	37	40	20	13	30	21	39	471.4
09N 36E 35 :			28	33	12		40	40	32	22					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

Other Water Rights with Same Point(s) of Diversion and Source:

31-07440	36-021228	836-078838	T35-02728	T35-028218	T35-02844	T35-07361	T35-07586	T35-07605	T35-07632
T35-10948	T36-020748	T36-021248	T36-021278	T36-021908	T36-021938	T36-021958	T36-021978	T36-021988	T36-02300
T36-023988	T36-02632	T36-02727	T36-07015A	T36-07022	T36-07272	T36-07495	T36-07897		

Other Water Rights Listing Overlapping Place(s) of use:

31-00045	31-00106	31-00114	31-00124	31-00247	31-00248	31-02107	31-02452	31-07112	31-07147
31-07299	31-07332	31-07447	31-07448	31-07449	31-07450	31-07451	31-07452	31-07453	31-07454
31-07455	31-07456	31-07457	31-07458	31-07459	31-07461	31-07462	31-07463	31-07464	31-07465
31-07466	31-07467	31-07468	31-07469	31-07470	31-07471	31-07472	31-07476	31-07477	31-07479
31-07480	36-021228	836-078838	T35-02728	T35-028218	T35-02844	T35-07361	T35-07586	T35-07605	T35-07632
T35-10948	T36-020748	T36-021248	T36-021278	T36-021908	T36-021938	T36-021958	T36-02197	T36-021978	T36-021988
T36-02300	T36-023988	T36-02632	T36-02727	T36-07015A	T36-07022	T36-07272	T36-07495	T36-07897	

Remarks:

This right is authorized under approved Transfer No. 4092 and subject to the condition of the Memorandum Decision and Order signed 04-13-93 for use in the 1993 irrigation season.

Dates: App. Received: Priority Date: 06/07/1951
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Audit: 04/27/93 SKAGGS

DEBRA ALSAKER-BURKE
REBECCA W. ARNOLD
J. RANDOLPH AYRES
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.

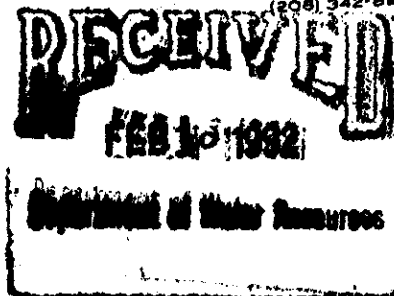
LAW OFFICES
GIVENS, PURSLEY, WEBB & HUNTLEY
SUITE 200, PARK PLACE
277 NO. 6TH STREET
POST OFFICE BOX 2720
BOISE, IDAHO 83701

JAMES A. MCCLURE
OF COUNSEL

TELEPHONE
(208) 342-8571

FACSIMILE
(208) 343-9492
(208) 342-8820

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.)

MICROFILMED

MAY 19 1993

FROM Sharla

DATE 3/8/90

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

SUBJECT Trans. No. 31de8

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

SIGNATURE

MICROFILMED
MAR 21 1990

FROM Sharla

TO Blaine Larsen Transfer Files for 1990/1991

SUBJECT Copies

DATE 3/8/90

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

RECEIVED

MAR 11 1990

3/79

IDENT. NO. 32-2124

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

WATER RIGHT
DATA ENTRY LOG

[illegible]

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

WELL PERMITS & WATER RIGHTS

<u>Well No.</u>	<u>Date of Priority</u>	<u>Permit No.</u>	<u>Authorized Feet Per Sec.</u>	<u>Requested 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 is Certificate of Completion of Works and License and Certificate of Water Right issued under Permit No. G-22156 for the diversion of and confirming the right to the use of 6.10 second feet of the water from two wells, subterranean flow, with points of diversion in the Center of the SE $\frac{1}{4}$ and center of the NE $\frac{1}{4}$ of Section 35, Township 6 South, Range 24 East B.M., with priority of June 7, 1951, for the irrigation of land located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 35.

Departmental receipt No. G-2490 was issued and includes the \$21.00 fee paid for the Certificate of Completion of Works (\$5.00) and the License (\$16.00).

MARK E. KULP
State Reclamation Engineer

Edna P. Rutledge
Chief Clerk

G-22156

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
Boise, 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-23808, 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

4-22156
ER:als
Encs: 36 itemized sheets
7 amendments

Permit No. G-22156

CAPITAL COMPANY, Rupert, Idaho

Everett Warner, District Manager

	<u>Statutory Fees</u>
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-22156

Point of Diversion	--	Well 1 Center of SE $\frac{1}{4}$)	--Section 35, Twp.
		Well 2 Center of NE $\frac{1}{4}$)	6 South, Rgs. 24 E.B.M.
Lands to be irrigated	--	E $\frac{1}{2}$ of Section 35, Township 6 South, Range	24 East B.M.
Number of acres irrigated	--	305	
Amount	--	6.10 cubic feet per second.	

G-22156

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-22156

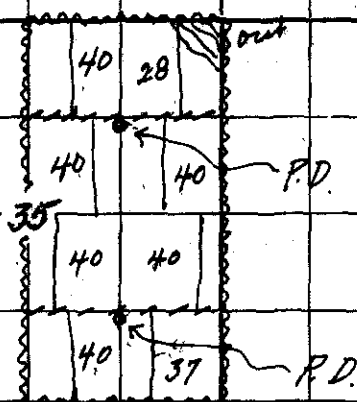
REPORT ON PROOF OF COMPLETION OF WORKS & BENEFICIAL USE

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

6.10 cfs
max

App. 6.4 cfs
Sub. 8
acres 305-

$T=6S$, $R=24$ E.B.M.



Subdivisions = 8

Area = 305 acres

$Q = 305$ inches

157
148
505

agrees with public notice

b. y. c.

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

Permit No. G-2 2156

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

1. Name of applicant Capital Company, Box 619, Rupert. Everett Warner (Dist. Mgr.)

2. Source of water supply: Subterranean from 2 wells

3. Location of point of diversion: Is in the center of SE $\frac{1}{4}$ and
in center of NE $\frac{1}{4}$ of Section 35

T. 6 S. R. 24 E. B.M. County of Minidoka

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

NE $\frac{1}{4}$ well = 125 hp. U.S. Motor & 153933 Peerless Turbine
SE $\frac{1}{4}$ " = 150 hp. " " & 6322 Wintroath Pump
Sprinkler irrigation. Fully portable lines

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):

E $\frac{1}{2}$ Section 35, Twp. 6 South, Range 24 E., 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
motor at 110% load
wire to water 70%
H = lift plus 60'

This examination was made on the 27 day of Sept, 19 56

(Signed) E. H. Humphrey Engineer

G-22156

SE well 157a, 1050 gpm
 vent throat 6322
 10 steps 12-400 fowls
 260' x 10" Col. h = 232'

150 hp. U.S. 930813 440V,
 1800 rpm 1800.

G.E. Panel 8' to W, on
 2' x 2' concrete base
 disch. to N. 8" - 6" - 6"

6' x 6' concrete base.

157a.
 636

$$\frac{150 \times 110 \times 70 \times 550}{62^2} = \frac{W}{Q} = Q$$

$$\frac{232}{138} = 370$$

$$Q = 2.754$$

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 3 5 1956
 Department of Reclamation

Capital Company
 Box 619
 Rupert, Idaho
 Permit No. G-22156 ✓ P11

Examination for Comp. of Works & Bene. Use

County Minidoka

2 wells S 35 - 65 - 24 E

2.30
 2.75
 6.11

N.E. well 1275
 Peerless Turb 153953
 7.5 hp 12" M.A. Jumbo
 240' x 8" Col. h = 221'

125 hp U.S. Motor
 #870115 440V. 1800 rpm
 1572 rpm

Mongers Panel 30375
 8' to W. on concrete block
 8" disch. to N. into 6" - 6"

1480.

$$\frac{125 \times 110 \times 70 \times 550}{62^2} = \frac{W}{Q} = Q$$

$$\frac{221}{138} = 359$$

$$Q = 2.364$$

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAY 23 1951
Department of Reclamation

Permit No. G-22156

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 Company.

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

Ans. Permit Number is G-22156 dated June 9, 1951; date of priority we propose to establish is June 7, 1951.

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 SE $\frac{1}{4}$ and in the center of the NE $\frac{1}{4}$ of Section 35, Twp 6 South, Range 24 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 Section 35, Twp 6 South, Range 24 EBM, is 350' deep, cased 15' with 16" casing. The water stands at 221'. The water is pumped with a turbine pump which, according to the curve, delivers 1275 gpm. Water is delivered to the land by 128 sprinklers most of which have two openings 3/32 and 11/64". The 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. Water is used for irrigation. 148 acres of the NE $\frac{1}{4}$ of Section 35 has been irrigated since 1952 and 157 acres of the SE $\frac{1}{4}$ of Section 35 has been irrigated since 1951.

* The well located in the SE $\frac{1}{4}$ of Section 35 is 310' deep, cased 8' with 16" casing and water stands at 232'. The water is pumped with a turbine pump which, according to the curve, delivers 1050 gpm. Water is delivered to the land by 128 sprinklers which have one opening most of which are 11/64". The operating pressure is 60#.

J. 22156
NWT

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. By assignment

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 NE $\frac{1}{4}$ of Section 35 has been used for irrigation, through sprinklers, to the full capacity of the pump since 1952. The water from the well located in the SE $\frac{1}{4}$ of Section 35 has been used through sprinklers, for irrigation, to the full capacity of pump since 1951.

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 *Reupert*, County of *Teton*,

State of Idaho, on this *28th* day of *May*, A. D. 19*56*.

My commission expires

Feb 16th 1960

W. J. Hunt

9-22156

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAY 28 1966
Department of Reclamation

Permit No. G-22156

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-22156? 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-22156, 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 Section 35, Twp 6 South, Range 24 EBM is 350' deep, cased 15' with 16" casing. The water stands at 221'. The water is pumped with a turbine pump which, according to the curve, delivers 1275 gpm. Water is delivered to the land by 128 sprinklers most of which have two openings 3/32 and 11/64". The 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 SE $\frac{1}{4}$ of Section 35 is 310' deep, cased 8' with 16" casing and water stands at 232'. The water is pumped with a turbine pump which, according to the curve, delivers 1050 gpm. Water is delivered to the land by 128 sprinklers which have one opening most of which are 11/64". The operating pressure is 60#.

G-22156

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. Water is used for irrigation. 148 acres of the NE $\frac{1}{4}$ of Section 35 has been irrigated since 1952 and 157 acres of the SE $\frac{1}{4}$ of Section 35 has been irrigated since 1951.

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 Blaine, County of Minidoka, State of Idaho, on this 25th day of May, A. D. 1956.

Glenn H. Hunt
Notary Public.

My commission expires Feb. 16th 1960

22156

RECEIVED
MAY 22 1956

Department of Agriculture

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 thathe 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

26..... day of *May*....., 19**56**.....

Robert F. Hatch..... Notary Public

Cost of Publication

Notary Fee

Total Cost

J-22156

APPLICANT'S STATEMENT

Notarized hereby on the 10th day of May, 1956, at Rupert, Idaho, by me, **Floyd Fruit**, Notary Public, that the following application of works for the diversion of 6.4 cubic feet per second of the waters of wells located at the center of the SE1/4 and at the center of the NE1/4 of Section 35, Twp 6 South, Range 24 EBM, and of the application to beneficial use of said water is in accordance with the terms and conditions of Permit No. G-22156 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 E1/4 of Section 35, Twp 6 South, Range 24 EBM.

5. The date of priority which said user is prepared to establish is June 7, 1951.

MARK R. KULP,
State Reclamation Engineer
No. 684 April 22-May 17

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. G-22156

RECEIVED
APR 20 1956
Department of Reclamation

Comes now Capital Company and represents to the State
Reclamation Engineer of the State of Idaho,

That he is the owner and holder of Permit to appropriate the Public
Waters of the State of Idaho, No. G-22156.

That the point of diversion is described in said permit as being
located in the NW 1/4 Section 35, Twp. 6 S., Rge. 24 East B.M.

That he now requests that the point of diversion be changed to a
point located center of NE 1/4 and an additional well in the center of the NE 1/4
Sec. 35, Township 6 S., Range 24 East, B.M.

That his reasons for desiring to make such change are as follows:
Well is actually located as herein requested.

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

Signed at Rupert, Idaho, this 19th day of April 19 56

CAPITAL COMPANY

BY: E. Warner, Agent

Date of receipt at Department of Reclamation April 20, 1956

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho,
hereby approve the above and foregoing application for amendment to Permit to
appropriate the Public Waters of the State of Idaho, No. G-22156. This
approval constitutes a new permit and is issued as an amendment to the original
permit, to which it refers and of which it becomes a part, and said application
is approved only insofar as the rights of others will not be adversely affected
thereby.

Mark R Kulp
State Reclamation Engineer

G-22156

April 17, 1956

RE: Permits Nos. G-22154, G-22156, G-22159, G-22161,
22162, G-22164, G-22174, G-22175

Capital Company
Box 242
Rupert, Idaho

Gentlemen:

We acknowledge receipt of a number of notices in proof of completion of Works and Beneficial Use to be published once a week for four weeks together with authorization for us to have same published in the Minidoka County News.

However, in checking these notices we note that the notices on the above numbered permits differ from the original permits in that they describe additional points of diversion, as follows:

1. In Permit No. G-22154, the original permit shows one well located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 26, Twp. 6 S., Rge. 24 E.B.M. with no mention of a second well in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 26, Twp. 6 S., Rge. 24 E.B.M., as given in the notice.
2. In Permit No. G-22156, the original permit shows one well located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 35, Twp. 6 S., Rge. 24 E.B.M. with no mention of a second well in the center of the NE $\frac{1}{4}$ Sec. 35, same Township and Range, as given in the notice.
3. In Permit No. G-22159, the original permit shows one well located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 2, Twp. 7 S., Rge. 24 E.B.M. with no mention of a second well located in the center of the SW $\frac{1}{4}$ Sec. 2, same Township and Range, as given in the notice.
4. In Permit No. G-22161, the original permit shows two wells located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 10, Twp. 7 S., Rge. 24 E.B.M. with no mention of a third well located in the center of the NW $\frac{1}{4}$ Sec. 10, same Township and Range as given in the notice.
5. In Permit No. 22162, the original permit shows one well located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 15, Twp. 7 S., Rge. 24 E.B.M. with no mention of a second well in the center of the W $\frac{1}{2}$ Sec. 15, same Township and Range, as in the notice.
6. In Permit No. G-22164, the original permit shows one well in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 6, Twp. 7 S., Rge. 35 E.B.M. with no mention of a second well in the center of the S $\frac{1}{2}$ Sec. 6, same Township and Range, as given in the notice.
7. In Permit No. G-22174, the original permit shows one well in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 17, Twp. 7 S., Rge. 25 E.B.M. with no mention of a second well in the center of the NW $\frac{1}{4}$ Sec. 17, Same Township and Range, as given in the notice.

9-22156

April 17, 1956

8. In Permit No. G-23815, the original permit shows three wells, No. 1 in the center of the NE $\frac{1}{4}$ Sec. 7; No. 2 in the center of the SW $\frac{1}{4}$ Sec. 7; and No. 3 in the center of the SE $\frac{1}{4}$ Sec. 7, all in Township 7 South, Range 24 East, B.M., but the notice describes one well in the center of the NW $\frac{1}{4}$ and a second well in the center of the S $\frac{1}{2}$ Sec. 7, Twp. 7 South, Range 24 East, B.M.

We have prepared Applications for Amendment to the points of diversion on the above numbered permits and if, after you have checked them over, you find them to be correct, please sign and return to this department as soon as possible in order that the notices may be sent to the paper for publication prior to May 28, the date set for proof. If these applications for amendment are returned promptly there will be time for us to have them sent to the paper in time for four weeks publication, without changing the date for taking the proofs. If it is impossible for the notices to reach the paper in time for the statutory four weeks publication, the date for the taking of the proofs will have to be set far enough ahead to allow for such publication.

Very truly yours,

MARK H. KULP
State Reclamation Engineer
By

Chief Clerk

R:hl1
Enc.

9-22156

APPLICANT: CAPIT. COMPANY

MAP TO ACCOMPANY APPLICATION FOR AMENDMENT TO PERMIT G-22156

R-24E.

T.
6
S.

35

Well

Well

G 22156

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

RECEIVED
APR 13 1956

Department of Reclamation

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 2 wells located in the center of the SE 1/4
and in the center of the NE 1/4 NW 1/4
of Section 35, Twp 6 South, Range 24 EBM and of
the application to beneficial use of said water, in accordance with the terms and
conditions of Permit No. 9-22156 heretofore issued by the Department of Reclama-
tion 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 SE 1/4 of Section 35, Twp 6 South,
Range 24 EBM

5. The date of priority which said user is prepared to establish is
June 7, 1951.

Mark R. Kulp
State Reclamation Engineer

9-22156
Acknowledgement in 22153

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

DEPARTMENT OF RECLAMATION

April 1, 1956

Capital Company
Rupert
Idaho

Dear Sir:

We enclose herewith blank notice for proof of completion of works and application of water to beneficial use under your Permit No. G-22156. This notice should be filled out in duplicate and returned to this office at least 40 days before the date upon which you wish to make this proof, in order to allow time for the four weeks' publication required by law.

This proof must be submitted before a Notary Public or other officer authorized by law to administer oaths.

The date for proof, as set out in your permit, is not later than June 9, 1956.

Very truly yours,

MARK B. KULP
State Reclamation Engineer

G-22156

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) _____

(P. O.) _____

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

Minidoka County News

of Rupert, Idaho,

published in

the county in which the works are situated.

Everett Warner

Agent for CAPITAL COMPANY

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

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

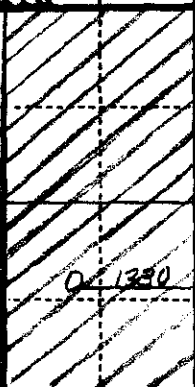
Engineer.

9-18-54

G-22153

NE 1/4 AND SE 1/4 SECT. 35,
T 6 S, R 24, E. B. M.

NORTH



○

WELL



AREA TO BE IRRIGATED
BY THIS WELL.

IRRIGATED BY OVER-
HEAD SPRINKLER SYSTEM
WITH MAIN 6" ALUMINUM
AND LATERALS 4" ALUMINUM.

Permit Map No. 4-22156

As Approved
JUN 9 1951
MARK R. KULP
State Reclamation Engineer

**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 SE $\frac{1}{4}$ and in the center of the NE $\frac{1}{4}$ of Section 35, Twp 6 South, Range 24 EBM and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-22156 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 E $\frac{1}{2}$ of Section 35, Twp 6 South, Range 24 EBM.

5. The date of priority which said user is prepared to establish is June 7, 1951.

MARK R. KULP,
State Reclamation Engineer
No. 684 April 26-May 17