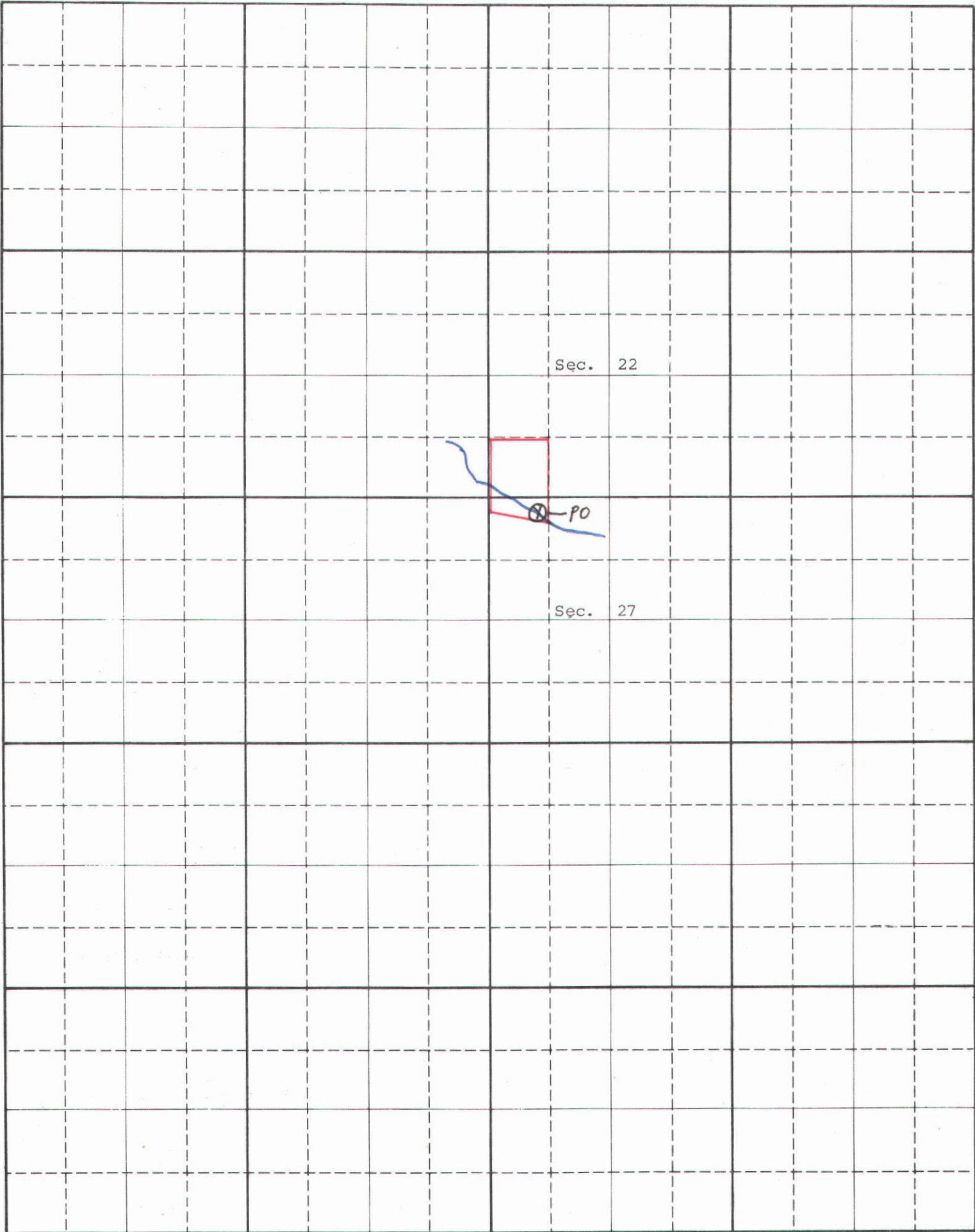


3. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



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

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Jerome } SS.

E. L. LANGDON
ASST. PUBLISHER

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

each week for Two consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 9th day of October 1980, and the date of the last publication was on the 16th day of October, 1980.

Subscribed and sworn to before me this 22nd day of October, 1980.
(SEAL)

Darla Brett
NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Numer of Picas per Line 13
Number of Lines in Notice 44
Number of Insertions 2
Lines tabular at 44 4¢ / Pica
Lines straight at 17.16 3¢ / Pica
Subsequent lines at 11.44 2¢ / Pica
TOTAL COST 28.60

COPY OF NOTICE

(Paste Here)

#36-2009-Foothill
TITLE OF NOTICE

PLAINTIFF ATTORNEY

DEFENDANT

PLAINTIFF

Dept of Water
BILL TO

NOTICE OF PROPOSED CHANGE OF WATER RIGHT No. 36-2009

Notice is hereby given that Foothill Ranches, Flora C. Larsen, trustee of Hansen, Idaho, has applied to the Department of Water Resources to change point of diversion and change place of use from Unnamed Stream source. The right sought to changed is evidenced by license No. 36-2009 and is recorded as follows:

Amount: .3 cfs - Priority: May 17, 1912.

Point of Diversion: NE¼NW¼, Sec. 27, T. 9S, R. 19E, B.M., Jerome County

The water is used for irrigation purposes of 15 acres from March 1 to October 31 within the SW¼SW¼, Sec. 22; SE¼SW¼, Sec. 21, T. 9S, R. 19E.

TO BE CHANGED AS FOLLOWS:
Amount: .3

Point of Diversion: NW¼NW¼, Sec. 27, T. 9S, R. 19E, B.M., Jerome County.

Place of Use: SW¼SW¼, Sec. 22; NW¼NW¼, Sec. 27, T. 9S, R. 19E.

Any protest against the approval of the above proposed change of the portion of the right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301, on or before October 27, 1980.

C. STEPHEN ALLRED
Director
10-9-2tc

NO 109

MICROFILMED

ad merge 10/20/80

NOTY CRATH USED

STATE OF IDAHO

COUNTY OF JEROME

KNOW ALL MEN BY THESE PRESENTS, that Dr. H. C. Larson
In conformity with the terms

of a certain Declaration of Trust known as the First National Bank
executed by us under the date of August 21, 1978,
do by these presents release and forever Quit-Claim to ourselves
as Trustees under the terms of such Declaration of Trust, and
to our successor as Trustee under the terms such Declaration
of Trust, all right, title, interest, claim and demand what-
soever which we as Releaseors have or ought to have in or to
the property located at: Township 9 South, Range 19, East of
the Boise Meridian, Jerome County, Idaho Section 21: SE $\frac{1}{4}$ SW $\frac{1}{4}$
SW $\frac{1}{4}$ SE $\frac{1}{4}$;

SE $\frac{1}{4}$ SE $\frac{1}{4}$, Excepting Therefrom the following described parcel
of land:

Commencing at the Southeast corner of said SE $\frac{1}{4}$
Thence along the Easterly boundary of said SE $\frac{1}{4}$
North 0 degrees 20'00" West, 495.63 feet to the Real
Point of Beginning; Thence North 81 degrees 11'55" West,
199.70 feet; Thence North 84 degrees 52'20" West, 207.35
feet; Thence North 50 degrees 05' 30" West, 106.84 feet
Thence North 34 degrees 36' 45" West, 121.67 feet;
Thence North 12 degrees 49' 31" East, 155.70 feet;
Thence North 0 degrees 40' 57" West, 324.03 feet;
Thence along a line which lies perpendicular to the East-
erly boundary of said SE $\frac{1}{4}$, North 89 degrees 40'00" East, 500.00
feet to a point on the Easterly boundary of said SE $\frac{1}{4}$;
Thence South 0 degrees 20'00" East, 765.88 feet to the Real Point
of Beginning. Section 22: SW $\frac{1}{4}$ SW $\frac{1}{4}$; Section 27: NW $\frac{1}{4}$ NW $\frac{1}{4}$; Section
28: N $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$; EXCEPTING THEREFROM railroad rights of way.

To Have and to Hold the premises, with all appurtenances, as such
Trustees forever; and we declare and agree that neither we as ind-
ividuals nor our heirs or assigns shall have or make any claim or
demand upon such property.

In Witness Whereof, we have hereunto set our hands and seals
this 21 day of Sept., 1978.

H. C. Larson

STATE OF IDAHO
COUNTY OF BONNEVILLE

Personally appeared before me this 21 day of Sept.
1978, H. C. Larson and
known to me to be the signers and sealers of the foregoing in-
strument, and acknowledged the same to be their free act and deed.
Witness my hand and official seal.



Anthony Rutledge
Notary Public in and for Bonneville
County.

Name of Applicant

Oliver M. Gary

Township 9 South Range 19 East B.M.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC.

SEC. 24

SEC. 23

SEC. 22

SEC. 21

SEC.

SEC.

SEC. 25

SEC. 26

SEC. 27

SEC. 28

SEC.

SEC.

8172

B/M

Point where water is delivered

Place of use

Point where water is delivered

Point where water is delivered

S

Transfer No. 2477

Water Right No. 2-2009

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

RECEIVED
APPROVED
Department of Water Resources
Southern District Office

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

Name of applicant Foothill Ranches
Flora C. Larsen, trustee Phone 423-5700
Post office address Foothill Ranches, Rt. #1, Box 303, Hansen, Idaho 83334

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)
- b. License No. 8172/36-2009 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____
by purchase _____
3. Source of water Unnamed Stream tributary to _____
4. Date of priority 5/17/12
5. Water is used for the following purposes:
amount .3 for irrigation purposes from 3/1 to 10/31
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)
6. Total amount of water under right: a. .3 cubic feet per second
&/or
b. _____ acre feet per annum
7. Location of original point of diversion is NE ¼ of NW ¼ of Section 27
Township 9S Range 19E, B.M., in ~~Twin Falls~~ Jerome County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	19E	22											5						5
9S	19E	21												10					10

Total number of acres to be irrigated 15

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

applicant, omit part B).

- b. _____
g/or
acre feet per annum

acre feet per annum

- 1/4, Section**

County

Additional points

- Place of use:**

[illegible]

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

1. Change in point of diversion

- | a. | Amount of water to be diverted | .3 | c.f.s. &/or | acre feet |
|----|--------------------------------|----|-------------|-----------|
|----|--------------------------------|----|-------------|-----------|

- b. Point(s) of diversion

Range 19E, B.M., ~~Wash Falls~~
County ~~Wash~~

Additional points

- c. Description of diverting works the ditch is a concrete structure with cement

the water from the ditch
the reason for applying for a change in the point(s) of diversion
the 53 inches

- d. Describe the reasons for applying for a change in the point(s) of diversion the 52 inches

represented by the 2 applications for transfer will be used on the approximate

50 acres of pasture outlined in enclosed map. The only diversion of water for this

pasture is located in Section 27. This water will from this point in time be used

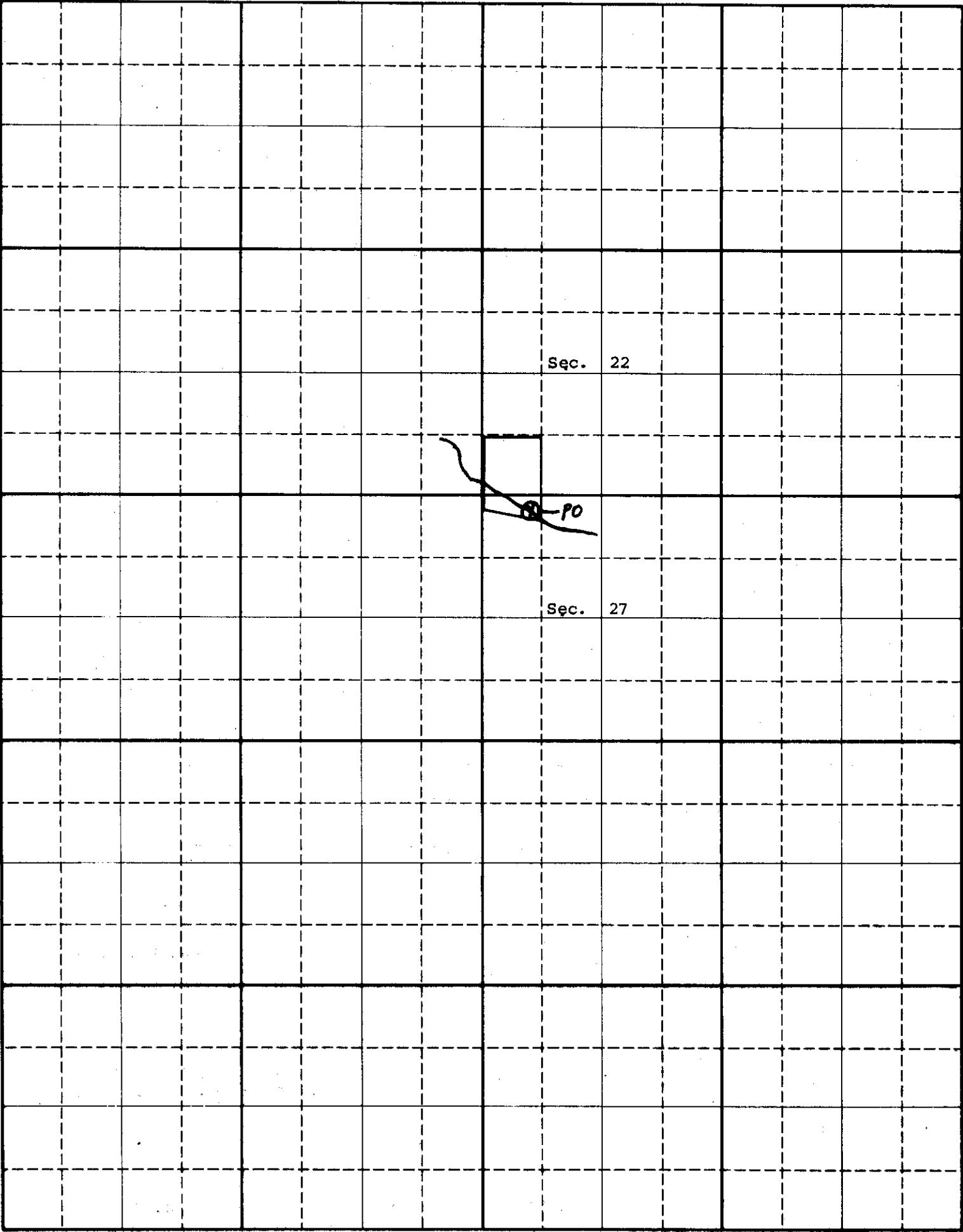
2. exclusively on this pasture ground. Change in place of use

- a. Describe the lands or place of use to which the right will be transferred:

[illegible]

15 Total number of acres to be irrigated

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



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

4. Remarks _____

I hereby assert that no one will be injured by such change and 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.

Forrest L. Sanchez - Harold G. Lanyon
(Signature of applicant) Trustee

Subscribed and sworn to before me this 30th day of May, 19 80.

Vicki D. Reinhart
(Notary public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 36-2009
and said application is hereby approved, subject to the following limitations and conditions:
No more than 15 acres shall be irrigated under this transfer.

Witness my hand this 15TH day of December, 19 80.

Norman C. Young
NORMAN C. YOUNG
Administrator, Resources Admin. Div.

ck 90-6 (30⁰⁰) \$50⁰⁰
90-117 (90⁰⁰)

FOR DEPARTMENT USE ONLY

Received by maeya Date 9/12/80 Protest filed by _____
Prelim. check by OK Fee 50⁰⁰ + 16600 _____
Receipted by maeya Date 9/16/80 _____
Published in Times news north side copies of protest forwarded by _____
Pub. dates 10/2 + 10/9/80 + 10/19 + 10/16/80 Hearing held by _____ Date _____
Watermaster recommendation requested on _____ Recommended for approval denial
_____ rec'd. _____ by DRT

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Jerome } SS.

E. L. LANGDON
ASST. PUBLISHER

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

each week for Two consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 9th day of October 1980, and the date of the last publication was on the 16th day of October, 1980.

Subscribed and sworn to before me this 22nd

day of October, 1980.
(SEAL)

Darla Bratt

NOTARY PUBLIC

NORTH SIDE NEWS

Jerome, Idaho

COST OF PUBLICATION

Number of Picas per Line 13
Number of Lines in Notice 44
Number of Insertions 2

Lines tabular at _____ 4¢ / Pica

44 Lines straight at 17.16 3¢ / Pica

44 Subsequent lines at 11.44 2¢ / Pica

TOTAL COST 28.60

COPY OF NOTICE

(Paste Here)

#36-2009-Foothill
TITLE OF NOTICE

PLAINTIFF ATTORNEY

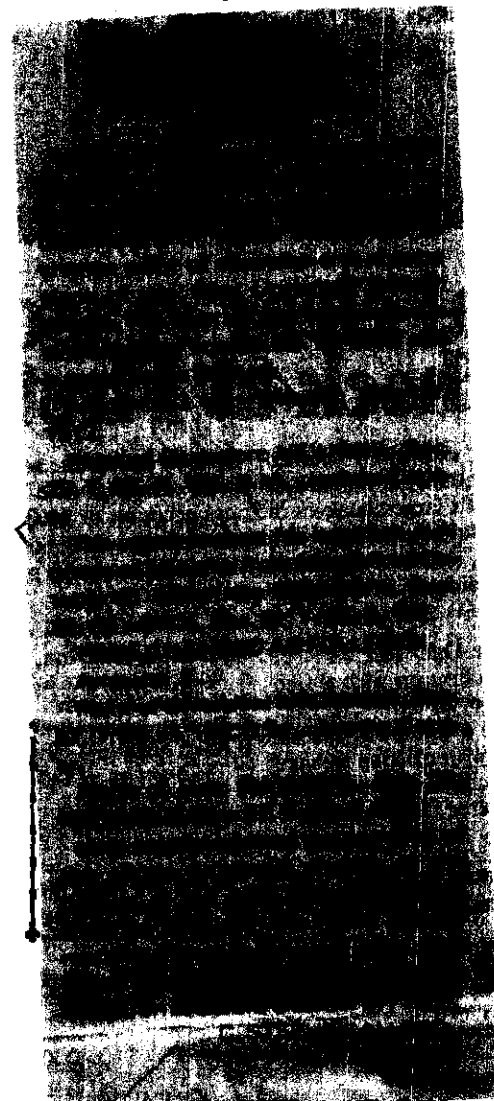
DEFENDANT

PLAINTIFF

Dept of Water
BILL 74

MICROFILMED

all
mug
10/20/80



No 109

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT**

No. 36-2009

Notice is hereby given that Foothill Ranches, Flora C. Larsen, trustee of Hansen, Idaho has applied to the Department of Water Resources to change point of diversion and change place of use from Unnamed Stream source. The right sought to be changed is evidenced by license No. 36-2009 and is recorded as follows:

Amount: 3 cfs
Priority: May 17, 1912
Point of Diversion:
NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 27, T.9S,
R.19E, B.M., Twin Falls
County

The water is used for irrigation purposes of 15 acres from March 1 to October 31 within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22; SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T.9S, R.19E.

**TO BE CHANGED AS
FOLLOWS:**

Amount: 3
Point of Diversion:
NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 27, T.9S,
R.19E, B.M., Twin Falls
County
Place of Use: SW $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 22; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 27,
T.9S, R.19E.

Any protest against the approval of the above proposed change of the portion of the right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301, on or before October 20, 1980.

C. STEPHEN ALLRED
Director

PUBLISH: Thursday,
October 2 and 9, 1980.

Affidavit of Publication

Nº 10630

STATE OF IDAHO,

COUNTY OF TWIN FALLS }

ss.

I, Linda Capps McGuire being first duly sworn upon oath, depose and say that I am Quinn Clark of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive Weeks

, commencing with the issue dated October 2, 1980, and ending with the issue dated October 9, 1980.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

Linda Capps McGuire
Subscribed and sworn to before me on this 10 day of

October, 1980.

Melba Rowlett-Smith
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

REFILED

NOTICE OF TAXES DUE

JEROME COUNTY, IDAHO

Nº 2206

1979

TAXES D
MENT

RE the 4th Monday
this day.

ent — your tax dr
value and levy. I
CONTACT ASSES
ceive your tax

errors IF REPC
ssor NOW of any
or the correctio

gory number. I
st number desc

ALL CHECKS AND DRAFTS
SHOULD BE MADE PAYABLE TO

CARL C. STEPHENS

Jerome County Tax Collector

Court House

JEROME, COUNTY 83338

TAXES PAID IN FULL BY

MARKET VALUE	DISTRIBUTION OF GENERAL TAXES					EQUALIZED VALUE	TOTAL TAXES	
	STATE	COUNTY	HIGHWAY	COLLEGE	SCHOOL DIST.		AMOUNT	CODE
2,500	5.00	5.00	5.00	5.00	10.00	1.75	20.02	
	CEMETERY	CITY	JEROME REC.	REG. AIRPORT	FIRE DIST.			
	DISTRIBUTION OF GENERAL TAXES							

*PAID 1/2 Taxes
12-14-79
Just apt 360*

LESS EXEMPTION

DELINQUENT TAXES
ARE INDICATED BELOW:

1978 CERT. NO.

1977 CERT. NO.

1976 CERT. NO.

TOTAL TAX

20.02

SPECIAL TAX CODE

- American Falls Irrigation
- Hilldale Irrigation
- Weed Control
- Penalty, Assessed by Assessor,
for failure to report Personal
Property by Deadline

PENALTY	
TAX & PEN.	
INTEREST	
COSTS	
TOTAL	

RECEIPTS ISSUED SUBJECT
TO COLLECTION OF ITEMS
GIVEN IN PAYMENT.

RECEIVED: PAYMENT IN FULL

Tax Collector

Deputy

MICROFILMED

FROM Terry Blau

DATE 10-1-80

TO File #s 36-2008 + 36-2009

SUBJECT Proof of ownership for transfers.

On the above date Mrs. Flora C. Larsen brought in her tax notices showing that she was being taxed for the lands which the water was being transferred from in the above-numbered transfers. I made an attempt to copy the forms however the portion with the legal description on was a blue carbon copy and would not copy.

Terry Blau
SIGNATURE

RECEIVED
MICHIGAN
10-1-80

of a certain tract of land
situated in the County of
of these premises, and
as Trustees have agreed to
to our successor as Trustees of the
of Trust, all rights, claims, demands, and
soever which we as Belongers have in and to
the property located at [illegible]
the Swiss Meridian, Jarvis County, Idaho, [illegible]
and all;

SAY, ETC., Respecting Therefore the following
of land:

Commencing at the Southeast corner of said
Thence along the Eastern boundary of said
North 0 degrees 15' 00" East, 100 feet to
Point of Beginning, thence North 15 degrees
15' 00" East, 150 feet to [illegible]
feet; Thence North 15 degrees 15' 00" East,
Thence North 15 degrees 15' 00" East, 150 feet to
Thence North 15 degrees 15' 00" East, 150 feet to
Thence North 15 degrees 15' 00" East, 150 feet to
Thence North 15 degrees 15' 00" East, 150 feet to
Thence North 15 degrees 15' 00" East, 150 feet to
erly boundary of said [illegible]
feet to a point [illegible]
Thence South 8 degrees 15' 00" East, 150 feet to
of Beginning. Section 28, Township 28N, Range 28E,
28; N. 28N; E. 28E.

To have and to hold unto the said [illegible]
Trustees forever, and to their heirs and assigns, and to
individuals nor our heirs, and to the said [illegible]
demand upon such [illegible]

In witness whereof, we have hereunto set our hands and
seals, at the County of [illegible], State of Idaho, this
[illegible] day of [illegible], 19[illegible].

STATE OF IDAHO
COUNTY OF [illegible]

Personally appeared before me this [illegible] day of [illegible]
19[illegible], [illegible]
known to me to be the signers and sealers of the foregoing
instrument, and acknowledged the same to be their free and
voluntary act, and witness my hand and official seal.



[Signature]
Notary Public in and for
County, Idaho.

NOTICE OF TAXES DUE
JEROME COUNTY, IDAHO

Nº 2203

1979

TAXES DUE.
MENT

ARE the 4th Monday in June.
this day.

ent — your tax dollar is
value and levy. IF ANY
INTACT ASSESSOR'S
receive your tax notice

errors IF REPORTED
ssor NOW of any ques-
or the corrections are

agory number. Please
st number description

Second installment due
1980, or it will become
2% will be added, pl
percent (1%) per month
1980. Payments CANN
20 and the fourth Mon

ALL CHECKS AND DRAFTS
SHOULD BE MADE PAYABLE TO

CARL C. STEPHENS

Jerome County Tax Collector

Court House

JEROME, COUNTY 83338

TAXES PAID IN FULL BY

MARKET VALUE	DISTRIBUTION OF GENERAL TAXES					EQUALIZED VALUE	TOTAL TAXES			FINAL
	STATE	COUNTY	HIGHWAY	COLLEGE	SCHOOL DIST.		AMOUNT	CODE	TOTAL TAX	
	CEMETERY	CITY	JEROME REC	REG. AIRPORT	FIRE DIST.					
	DISTRIBUTION OF GENERAL TAXES									
	<i>DL 7394</i> <i>Just ckt 360</i> <i>12-19-79</i> LESS EXEMPTION									

DELINQUENT TAXES ARE INDICATED BELOW:
1978 CERT. NO.
1977 CERT. NO.
1976 CERT. NO.

TOTAL TAX →

SPECIAL TAX CODE
1. American Falls Irrigation
2. Haledale Irrigation
3. Weed Control
4. Penalty, Assessed by Assessor for failure to report Personal Property by Deadline

PENALTY	PENALTY
TAX & PEN.	TAX & PEN.
INTEREST	INTEREST
COSTS	COSTS
TOTAL	TOTAL

RECEIPTS ISSUED SUBJECT
TO COLLECTION OF ITEMS
GIVEN IN PAYMENT.

RECEIVED: PAYMENT IN FULL

Tax Collector

Deputy

1979 N

County: Minidoka
Stream: Unnamed stream.
Amount: 3 of 1 s.f.
Use: Irrigation
Priority: May 17 1912.

STATE OF IDAHO

Water License No. 8172

WHEREAS, On the 1st day of April, A. D. 1912, Oliver M. Gary

of Eden, County of Minidoka, State of Idaho, duly made application (No. 12205) to me for a permit to use 1.6 cubic feet per second of the waters of an unnamed stream County of Minidoka (formerly Lincoln), State of Idaho, for irrigation and domestic purposes, and,

WHEREAS, On the 13th day of April, A. D. 1912, Permit No. 8172 was issued to said applicant for the diversion of said water and providing for the completion of the works of diversion therein described on or before the 13th day of December, A. D. 1914, and for the application to beneficial use of said water on or before the 13th day of December, A. D. 1914, and,

WHEREAS, On the 30th day of October, A. D. 1912, Oliver M. Gary

the holder of said permit, duly made proof of the completion of adequate works for the diversion of 1.6 cubic feet per second of said waters, as evidenced by my Certificate No. 8172 dated November 30, 1912, confirming the completion of works of sufficient capacity for diverting and conveying to the place of intended use 1.6 cubic feet per second of said waters, with date of priority of April 1st, 1912, and

WHEREAS, On the 31st day of December, A. D. 1914, the time for beneficial use of water under said permit was extended to the 1st day of October, A. D. 1915, and

WHEREAS, On the 18th day of November, A. D. 1915, Oliver M. Gary

the holder of said permit, duly made proof of the application to beneficial use of 3/10 of 1 cubic foot per second of said water:

NOW, THEREFORE, By virtue of authority vested in me by the laws of the State of Idaho, I hereby grant and confirm to Oliver M. Gary

of Eden, County of Minidoka, State of Idaho, the holder and owner of said Permit No. 8172, a perpetual right, dating from May 17th, 1912 to the use of 3/10 of 1 cubic foot per second of the waters of an unnamed stream

in the County of Minidoka and State of Idaho, or so much thereof as may be necessary for the purposes hereinbelow mentioned, to be diverted at a point near the east line of the NE $\frac{1}{4}$ of NW $\frac{1}{4}$ Sec. 27., T. 9 S., R. 19 E., B.M., about 400 feet south of quarter section corner between Secs. 22 and 27 T. 9 S., R. 19 E. B.M.,

and conducted to and upon 15 acres, as follows; 5 acres in SW $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 22, and 10 acres in SE $\frac{1}{4}$ of SW $\frac{1}{4}$ Sec. 21, T. 9 S., R. 19 E., B.M.

for the purpose of irrigation and domestic use, subject, however, to the laws of the State of Idaho, applicable to a license for the use of the waters of the State, and subject, also, to the local or community customs, rules and regulations which have been or may be adopted from time to time by a majority of the users from a common source of supply, canal or lateral from which such water may be taken, when such rules and regulations have for their object the economical use of such water.

WITNESS, My hand and the seal of my office at Boise, Idaho, this 15th day of December A. D. nineteen hundred and Fifteen.

J. H. SMITH

(Seal)

State Engineer: 36 2009

36-2009

No. 12205

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of Applicant: Oliver M. Gary

Postoffice address: Hillsdale

County: Lincoln

State: Idaho

2. The quantity of water claimed is 1.6 cubic feet per second.

3. Source of water supply: an unnamed stream.

4. Location of point of diversion: SE corner of SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22 T. 9 So. R. 19 E. B. M.County of Lincoln *Jerome*

5. To be used for: Irrigation

I. Irrigation and domestic use:

(a) Amount of land to be irrigated: 80 acres.

(b) In the following legal subdivisions: SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 21 and SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 22 T. 9 So. R. 29 E. B. M.

6. Estimated cost of works: \$250.00

7. Description of works for diversion:

I. Kind of works: Dam, flume and ditch

II. Dimensions of work:

(a) Height of dam 10 feet, length of dam at top 30 feet, length of dam at bottom 6 feet. Material used in construction: rock and earth.

(c) Size of headgate: Width 3 feet, height 18-in.

(d) Conduit pipe and ditch, width at bottom 2 $\frac{1}{2}$ feet, width at water line 3 feet, depth of water 1 foot; diameter of pipe: 12 inches; average grade per mile is 16 feet. Length of conduit is $\frac{1}{2}$ mile, and it crosses the following quarter sections: SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22, SE $\frac{1}{4}$ and SW $\frac{1}{4}$ Sec. 21 T. 9 So. R. 19 E. B. M.

8. The time required for the completion of the construction of such work is 8 months.

9. Time required for the complete application of the water to the proposed use is two additional years.

BE IT KNOWN That the undersigned hereby makes application for a permit to appropriate the public waters of the State of Idaho as herein set forth.

Oliver M. Gary,

Applicant.

APPROVAL OF STATE ENGINEER.

The number of this permit is 8172.

Date of first receipt at office of State Engineer 9.00 a.m. April 1, 1912.

Recorded in Book 26. Page 8172 Approved April 13, 1912.

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

Work to begin on or before June 12, 1912, and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before August 13, 1912.

The whole of said work to be completed on or before December 13, 1912.

Beneficial use of water appropriated in accordance herewith, to be made on or before December 13, 1914.

Witness my hand this thirteenth day of April, 1912.

A. E. Robinson,
State Engineer

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 8172.

Comes now OLIVER M. GARY, and represents to the State 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. 8172, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 21, and SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec. 22, all of T.S. 9 S., R. 19 E.B.M., making a total of Eighty acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Eden, this 14th day of Sept. 1912.

Oliver M. Gary.

Date of receipt at Office of State Engineer 9:00 A.M. Sep. 18, 1912.

APPROVAL OF STATE ENGINEER.

I, A. E. Robinson, State 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. 8172. 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.

Witness my hand this 18th day of September, 1912.

A. E. Robinson,

State Engineer.

ARC

1st Notice received September 18th, 1912, fixing October 30th, 1912, as date, and Rupert, Idaho, as place of proof.

Deposition blanks mailed October 4th, 1912, to A. C. DeMary of Rupert.

Publication Notice mailed September 30th, 1912, to the Rupert Pioneer Record.

Depositions, affidavit and fees received November 1st, 1912.

D. T. McDonough of Hazleton authorized November 1st, 1912, to make the required examination.

Report received November 30th, 1912.

Certificate issued November 30th, 1912.

Permit No. 8172.

CERTIFICATE OF COMPLETION OF WORKS.

To All Whom it May Concern:

This is to certify that OLIVER M. GARY, of Eden, County of Lincoln and State of Idaho, the holder of Permit No. 8172, issued upon Application No. 12205, bearing date of priority of April 1st, 1912, authorizing the diversion of 1.6 second feet of the waters of an UNNAMED STREAM, County of Lincoln, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 1.6 second-feet of the waters of an Unnamed Stream; that the point of diversion of said waters is at a point in the Southeast Corner of the Southwest quarter of the Southwest quarter, (SW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 22, Township 9 South, Range 19, East of the Boise Meridian, and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: Southeast quarter of the Southwest quarter, (SE $\frac{1}{4}$ SW $\frac{1}{4}$), Section 21, and the Southwest quarter of the Southwest quarter, (SW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 22, Township 9 South, Range 19, East of the Boise Meridian.

Witness my hand this 30th day of November, A. D. 1912.

A. E. Robinson,

State Engineer.

Upon proper request of the holder of the above numbered Permit, I have this 31st day of December, 1914, extended the time for Beneficial Use proof thereunder to the 1st day of October, 1915.

Herbert Wing,

Acting State Engineer.

License issued for 3/16 4/1 second

Page 1945

STATE OF IDAHO)
) ss.
 COUNTY OF MINIDOKA)

Oliver M. Gary being first duly sworn, upon his oath deposes and says:
 That he is the owner of ^a Permit water right appurtenant to the following described land, to-wit:- SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 21 and SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22 T. 9 S. R. 19 E. B.M.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 8172.

That he intends to change the point of diversion, as described in said permit to the following described point; Near East line of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec 27 T 9 S R 19 E. B.M. about 400 feet south of the quarter section corner between Sections 22 and 27.

That such change will be made for the following reason, to-wit: Mistaken survey in first description of point of diversion in application for permit. It would be impossible to divert the water at the point designated in application.

That no one will be injured by such change and that deponent will make such change at his own risk.

And further deponent saith not.

Oliver M. Gary.

Subscribed and sworn to before me this 29th day of November, 1915.

J. Levin,

(SEAL)

Notary Public.

My commission expires Dec. 23rd, 1918.

Received and filed for record in the Office of the
 State Engineer, at Boise, Idaho, at 9:00 A.M. Dec. 3, 1915.
 J. H. Smith,
 State Engineer.

This
Right has been
Decreed in the
SRBA.

MICROFILMED

JAN 29 2000

December 16, 1980

Foothill Ranches
Flora C. Larsen
Rt. 1, Box 303
Hansen, Idaho 83334

Dear Ms. Larsen,

RE: Transfer of Water Right No. 36-2009

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 2477). Be sure to note the conditions of approval as listed on the fourth page.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:mmr

Enclosure

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: J.F. Stanton

1. Right number 36-2009 Applicant Foothill Ranches
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred.
 - h. ☒ Check for expansion in use of right. Comments no expansion - use conditions
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) → Permit 36-2667 - constructive no overlap
 - j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No
If yes, what district? _____

FINAL PROCESSING REVIEW BY: LA

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

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny
3. Conditions* _____

MICROFILMED

* NO MORE THAN 15 ACRES SHALL BE IRRIGATED UNDER THIS TRANSFER

4. By Loren O. Halmer Date 11-4-80

11/15/80 * use above condition
* All uses within Watermaster Districts require special conditions.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301
(208) 734-3578

September 23, 1980

Foothill Ranches
Flora C. Larsen, trustee
Route 1 Box 303
Hansen, Idaho 83334

Re: Application for Transfer of Water Right No. 36-2009

Dear Mrs. Larsen:

Enclosed is your receipt No. 16600 for check No. 92-177 in the amount of \$70.00 for the above referenced application which was received in this office September 16, 1980.

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

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

MICROFILMED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 36-2009

Notice is hereby given that Foothill Ranches, Flora C. Larsen, trustee of Hansen, Idaho has applied to the Department of Water Resources to change point of diversion and change place of use from Unnamed Stream source. The right sought to changed is evidenced by license No. 36-2009 and is recorded as follows:

Amount: .3 cfs

Priority: May 17, 1912

Point of Diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 27, T.9S, R.19E, B.M., Jerome County

The water is used for irrigation purposes of 15 acres from March 1 to October 31 within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22; SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T.9S, R.19E.

TO BE CHANGED AS FOLLOWS:

Amount .3

Point of Diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 27, T.9S, R.19E, B.M., Jerome County

Place of Use: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 27, T.9S, R.19E.

Any protest against the approval of the above proposed change of the portion of the right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301, on or before October 27, 1980.

C. STEPHEN ALLRED
Director

Published in Times News on October 9 and October 16 1980

MICROFILMED

**NOTICE OF
PROPOSED CHANGE
OF WATER RIGHT**

No. 36-2009

Notice is hereby given that Foothill Ranches, Flora C. Larsen, trustee of Hansen, Idaho, has applied to the Department of Water Resources to change point of diversion and change place of use from Unnamed Stream source. The right sought to be changed is evidenced by license No. 36-2009 and is recorded as follows:

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The water is used for irrigation purposes of 15 acres from March 1 to October 31 within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22; SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 21, T. 9S, R. 19E.

TO BE CHANGED AS FOLLOWS:

Amount: .3

Point of Diversion: NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 27, T. 9S, R. 19E, B.M., Jerome County.

Place of Use: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 27, T. 9S, R. 19E.

Any protest against the approval of the above proposed change of the portion of the right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301, on or before October 27, 1980.

C. STEPHEN ALLRED

Director

10-8-2tc

*id
margy
10/9/80*

October 1, 1980

North Side News
P.O. Box 468
Jerome, Idaho 83338

Re: Notice of Proposed Change of Water Right No. 36-2009 and 36-2008

Gentlemen:

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

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

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

Sincerely,

Mary A. Hill
Secretary

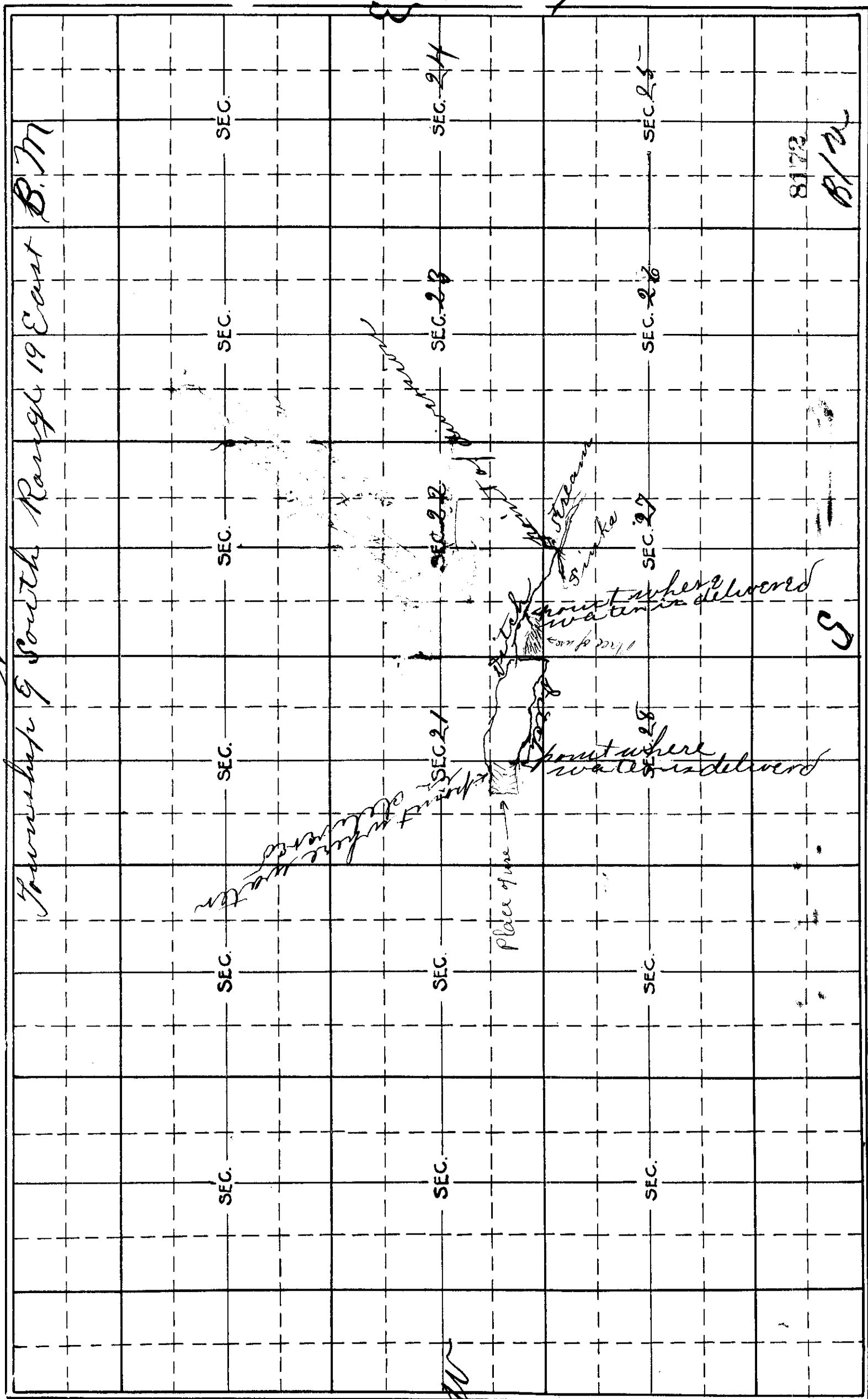
for

Loren O. Holmes
Southern Region Supervisor

Encl:

Bill submitted: **MICROFILMED**

Name of Applicant Oliver M. Gary



REPORT OF ENGINEER

1. State name of applicant and number of permit: Oliver M. Gary, no 8172
2. State source of water supply: An unnamed stream
3. Location of point of diversion: 350 ft south of NE corner of the NW 1/4 Section 27, Township 9 South of Range 19 East B.M.
4. State whether or not the works of diversion are fully completed and in accordance with terms of permit: Yes
5. Describe works as they exist, giving dimensions and capacities of same: Dam 30 ft long ten feet high at highest point built in workman like manner consisting of rock dirt and cement with spillway of lumber 160 rods of ditch with a carrying capacity two second feet & 400 rods of ditch with capacity of one second foot
6. State whether or not water has been turned into works of diversion: Yes
7. Give exact location of lands to be irrigated. Give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if for other than irrigation): in the SW corner of the SW 1/4 of the SW 1/4 of section 27, Town 9 S. Range 19 East B.M. & five acres in the above described 40 acres and ten acres in the NE eastern part of the SE 1/4 of the SW 1/4 section 21 of Town 9 S. Range 19 East B.M.
8. Submit map on enclosed plat, showing location and details of above description.

Remarks: the point of diversion is 80 rods east & 350 ft south of that described in the permit which should be a mistake in the first description as there is no stream at that point. The work is done in good shape and good crops are now growing on the land irrigated.

This examination was made on the 27 day of September 1915.

(Signed) Jos. Day

8172

Examiner.

(This report must be sworn to when not made by an attaché of the State Engineer's office)

STATE OF IDAHO

County of Minidoka } ss.

Joe Day, being first duly sworn, deposes and says that the statements contained in the within report are correct to the best of his knowledge and belief.

Subscribed and sworn to before me this 12th day of October 1915

A. B. Demary
Notary Public.

My Commission Expires July 6, 1919.

