

St. Anthony, Idaho
Ashton, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Fremont

I, TERRY WEATHERSTON
being first duly sworn, depose and say,
that I am the printer of THE FREMONT
COUNTY HERALD-CHRONICLE, a semi-weekly
newspaper printed and published in
Fremont County, Idaho; and I do solemnly
swear that the NOTICE OF APPLICATION
a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not
in any supplement issue thereof
for TWO consecutive issues, the
first publication having been made on
FEBRUARY 8, 1990

and the last publication having been
made on FEBRUARY 15, 1990

Further, that said newspaper is one
of general circulation in said county;
that it is a legal newspaper, conforming
to legal specifications under Idaho
statutes; that it has at least two
hundred bona fide subscribers living
within the county of publication; and
that it has been continuously and
uninterruptedly published in said county
during a period of seventy-eight
consecutive weeks prior to the first
publication of said notice.

Terry Weatherston

STATE OF IDAHO)
COUNTY OF MADISON)

On this 16TH day of FEBRUARY
in the year of 1990, before me, a Notary
Public, personally appeared Terry
Weatherston, known or identified to me to
be the person whose name subscribed to
the within instrument, and being by me
first duly sworn, declared that the
statements therein are true, and
acknowledged to me that he executed the
same.

Gayle L. Good
Notary Public for Idaho
Residing at Rexburg, Idaho
My commission expires: June 8, 1993

RECEIVED
MAR 9 1990

Department of Water Resources

AMEND
NOTICE OF APPLICATION
TO TRANSFER A PORTION
OF WATER RIGHTS
Nos. 36-8133

Permit
Notice is hereby given that Blaine
Larsen, has applied to the Department of
Water Resources for a change in the point
of diversion and place of use of the waters
of ground water sources. The rights
sought to be changed are evidenced by
License Nos. 36-8133 and is recorded as
follows:

36-8133 — Amount: 0.40 c.f.s.
Priority: December 6, 1982

Point of diversion: center of NE $\frac{1}{4}$
NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10;
T7S, R24E, B.M., Minidoka County.

The water is used to irrigate 640 acres
within Sec. 10, T7S, R24E, B.M.

A PORTION TO BE CHANGED AS
FOLLOWS

The water will be diverted within the
SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 32, T8N, R37E, and will
be used to irrigate 160 acres within the
E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 32, T8N, R37E,
B.M., Fremont County.

Any protest against approval of the
above proposed change of water right
must be filed with the Idaho Department
of Water Resources, 150 Shoup, Suite 15,
Idaho Falls, ID, 83402, on or before
February 26, 1990.

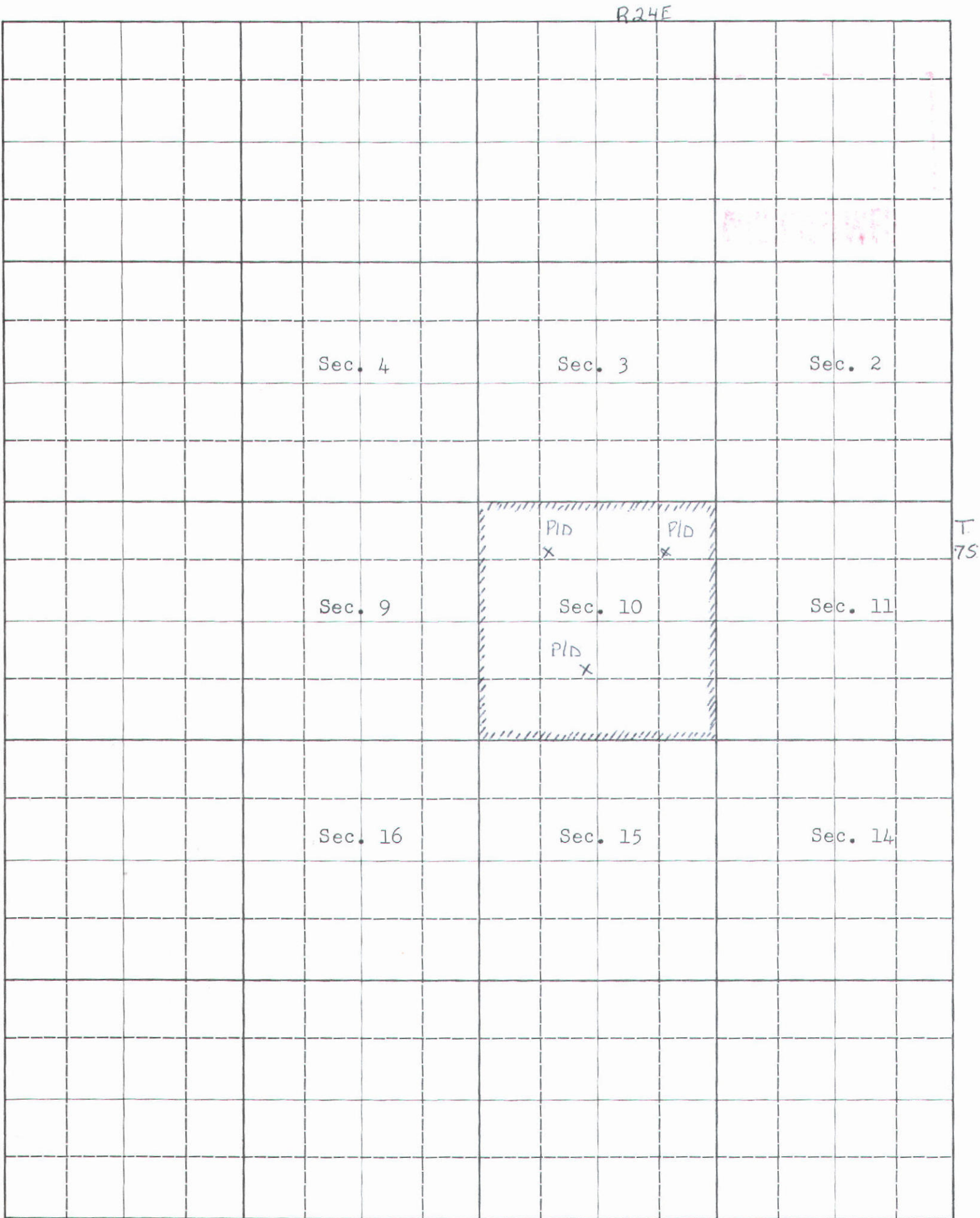
R. KEITH HIGGINSON
Director

Publ. Feb. 8 and 15, 1990HC.

MICROFILMED

SEP 25 1990

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

CLINTON RANCH

[Signature]
(Applicant)

By: Vernon B. Clinton

[Signature]

Microfilm
SEP 19 1989

STATE OF IDAHO

For Office Use Only
\$15 FEE Received by [Signature]
Date 9-6-91
Receipt # C071681

RECEIVED
SEP 06 1991

DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

Department of Water Resources **TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF BENEFICIAL USE FOR A WATER RIGHT PERMIT**

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 36-8133

Name(s) of Permit Holder: Acequia INC

Post Office Address: PO Drawer 226

Sun Valley ID 83353 Telephone No. 208-726-8474

Date Proof is Due: 10/1/91

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

water right exists but changing tenants
& upgrading for new tenant

Costing \$ unertain

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Permit holder(s) request an extension to 10/1, 1992.
(1 yr. minimum)

FEE: \$15.00

(Signature)*
*IF OTHER THAN PERMIT HOLDER,
POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED
and the time within which to submit proof of beneficial use is extended to
October 1, 1992.

IT IS FURTHER ORDERED that the permit be REINSTATED and the priority advanced to
December 31, 1982, pursuant to Section 42-218a, Idaho Code.

Signed this 7th day of November, 19 91.

[Signature]
Chief, Water Allocation Bureau

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 36-8133)
IN THE NAME OF ACEQUIA INC.)

ORDER OF REINSTATEMENT

The Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before October 1, 1990.

The Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use.

On September 6, 1990, the permit holder assigned all right, title, and interest in and to Permit No. 36-8133.

On October 1, 199⁰~~1~~, the permit lapsed for failure of the permit holder to submit the proof of beneficial use.

The Department has determined that proper notice has not been given to the permit holder.

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated and proper notice given.

IT IS ORDERED that Permit No. 36-8133 be REINSTATED with no advance in priority and that proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 1991.

Dated this 26th day of July, 1991.

RECEIVED

DEC 10 1991


L. GLEN SAXTON, Chief
Water Allocation Bureau

RECEIVED
JAN 11 1990

Ident. No. _____

STATE OF IDAHO

Department of Water Resources

APPROVED

APPLICATION FOR AMENDMENT OF A PERMIT

EFFECTIVE ONLY UNTIL NOVEMBER 1990

To change the point of diversion and/or the place of use.

Comes now Blaine Larsen Phone 208/726-8474

of (address) Blaine Larsen Farms and Larsen of Idaho
P. O. Box 188, Hamer, ID 83425, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 36-8133B, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE ¼ NE ¼, Section 32, Township 8N, Range 37E, B.M.,
County of Fremont. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 0.1 for irrigation purposes from March 15 to Nov. 15 (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
8N	37E	32	40			40									40			40	160

Total number of acres to be irrigated = 160

4. a. Who owns the property at the point of diversion? Applicant
- b. Who owns the land to be irrigated or the place of use? Applicant
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

RECORDED

SEP 21 1990

See attached Lease of Water Rights Pertaining to 10A and accompanying applications for transfer of overlapping water licenses 36-2129 and 36-7403.

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 40-acre subdivisions, townships, ranges and ditches.

Scale: 2 inches equal 1 mile.

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

Signed at Boise, Idaho, this 10th day of January, 1990.

James D. Hansen
(Signature)

James D. Hansen, Attorney-in-Fact
for Blaine Larsen

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = \$20.00 Received by _____ Date _____

Publication prepared by _____ Date _____ Published in _____

Publication dates _____

MICROFILMED

SEP 25 1990

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby

Approve the above Application for Amendment provided the conditions as set forth in

Permit No. 36-8133 are met. Approval of this amendment is only effective until

November, 1990.

Witness my hand this 24th day of September, 1990.

L. Glen Saxton
Chief, Water Alloc. Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT

I, **Vernon B. Clinton, dba Clinton Ranch**, hereby assign to **Acequia Inc.**

of, P.O. Drawer 226 Sun Valley, Idaho 83353

All my right, title, and interest in and to Permit No. 36-8133 to appropriate the public waters of the State of Idaho.

Made this 6th day of SEPTEMBER, 1990.

Vernon B. Clinton
Permit Holder

d.b.a. CLINTON RANCH
Spouse of Permit Holder

State of Idaho)

County of Ada)

SS

On this 9th day of September, 1990, personally appeared before me the signer of the above instrument, duly acknowledged to me that he (she) (they) executed the same.

Brandy S. Holtz
Notary Public

seal

My commission expires: 1-3-1996

MICROFILMED

SEP 25 1990

LEASE OF WATER RIGHTS

PERTAINING TO 10A

THIS LEASE made and entered into this 9th day of June, 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.

TERMS OF LEASE: The term of this Lease shall be for one year commencing April 1, 1990. This Lease may be renewed on a year-to-year basis upon such terms as are mutually agreeable to all parties, for up to eight (8) additional years, with the written agreement of both parties. Lessee shall notify Lessor in writing of Lessee's desire to renew this Lease, by no later than November 1 of the year preceding the crop year in which the water will be used. 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 \$10.00 per year per acre for 160 acres, for a total of \$1,600.00. The rental amounts stated above shall be paid by April 1, 1990 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. In the event this Lease is renewed in

MICROFILMED

APR 17 1990

succeeding years, the rental payment due for the water leased shall be paid no later than ten (10) days after approval by the Department 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 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. 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 renewals 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^{water permits,} 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, water licenses, and water permits back to the Lessor's real property.

MICROFILMED

SEP 26 1990

MICROFILMED

APR 17 1990

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.

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

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

RECEIVED
SEP 28 1990

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.

APR 17 1990

MICROFILMED

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: *Forney Guley*

President

LESSEE:

Blaine Larsen

BLAINE LARSEN

LARSEN FARMS OF IDAHO

By: *Blaine Larsen*

LARSEN FARM

By: *Blaine Larsen*

MICROFILMED

SEP 25 1990

MICROFILMED

APR 17 1990

STATE OF IDAHO

County of Blaine

)
) ss.
)

On this 4th 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.

Corrin G. Rose

NOTARY PUBLIC FOR IDAHO

Residing at: Boise, Id.

My commission expires: 2-11-93

STATE OF IDAHO

County of Jefferson

)
) ss.
)

On this 9th day of January, 1990, before me, the undersigned, a Notary Public in and for said State personally appeared BLAINE LARSEN, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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

Robert P. Davis

NOTARY PUBLIC FOR IDAHO

Residing at: Idaho Falls, Idaho

My commission expires: 8-19-91

MICROFILMED

STATE OF IDAHO

County of Jefferson

)
) ss.
)

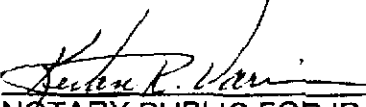
On this 9th day of January, 1990, before me, the undersigned, a Notary Public in and for said State personally appeared BLAINE LARSEN on behalf of Larsen Farms of Idaho, a corporation, known to me to be the person who executed the foregoing

SEP 25 1990

APR 17 1990

instrument on behalf of said corporation and acknowledged to me that such corporation executed the same.

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


NOTARY PUBLIC FOR IDAHO
Residing at: *Idaho Falls, Idaho*
My commission expires: *8-19-91*

STATE OF IDAHO)
County of *Jefferson*) ss.
)

On this *9th* day of *January*, 19*90*, before me, the undersigned, a Notary Public in and for said State personally appeared BLAINE LARSEN, on behalf of Larsen Farms, a coporation, known to me to be the person who executed the foregoing instrument on behalf of said corporation and acknowledged to me that such corporation executed the same.

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


NOTARY PUBLIC FOR IDAHO
Residing at: *Idaho Falls, Idaho*
My commission expires: *8-19-91*

RECORDED

JAN 25 1990

MICROFILMED

APR 17 1990

Exhibit "A"

WATER RIGHT(S)	LEGAL DESCRIPTION OF PLACE OF USE	PLACE OF USE	ACRES
36-2129, 36-7403, and 36-8133 (Permit)	NW 1/4, SEC 10, T 7S, R 24E	(10A)	160
TOTAL			160

MICROFILMED

SEP 25 1980

LEASE OF WATER RIGHTS PERTAINING TO 10A Page 7

MICROFILMED

APR 17 1990

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

LEASE OF WATER RIGHTS PERTAINING TO 26A, 26C, 35B WEST, 2D, 26DW NORTH, AND 34A - Page 1

MICROFILMED

SEP 25 1990

MICROFILMED

APR 17 1990

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.

MICROFILMED

SEP 25 1990

LEASE OF WATER RIGHTS PERTAINING TO 26A, 26C, 35B WEST, 2D, 26DW
NORTH, AND 34A - Page 2

MICROFILMED

APR 17 1990

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.

LEASE OF WATER RIGHTS PERTAINING TO 26A, 26C, 35B WEST, 2D, 26DW
NORTH, AND 34A - Page 3

MICROFILMED

APR 17 1990

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: *[Signature]*

President

LESSEE:

[Signature]
BLAINE LARSEN

LARSEN FARMS OF IDAHO

By: *[Signature]*

LARSEN FARM

By: *[Signature]*

MICROFILMED

SEP 25 1990

LEASE OF WATER RIGHTS PERTAINING TO 26A, 26C, 35B WEST 1/4, 29N
NORTH, AND 34A - Page - 1

MICROFILMED

APR 17 1990

STATE OF IDAHO

County of Blaine

)
) ss.
)

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

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

Barbara J. Rose
NOTARY PUBLIC FOR IDAHO
Residing at: Boise, ID.
My commission expires: 2-11-93

STATE OF IDAHO

County of Jefferson

)
) ss.
)

On this 9th day of JANUARY, 1990, before me, the undersigned, a Notary Public in and for said State personally appeared BLAINE LARSEN, known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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

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

MICROFILMED

SEP 25 1990

LEASE OF WATER RIGHTS PERTAINING TO 26A, 26C, 35B WEST 2D 35D
NORTH, AND 34A - Page 5

MICROFILMED

APR 17 1990

STATE OF IDAHO

County of Jefferson

)
) ss.
)

On this 9th day of January, 1990, before me, the undersigned, a Notary Public in and for said State personally appeared BLAINE LARSEN, on behalf of Larsen Farms of Idaho, a corporation, known to me to be the person who executed the foregoing instrument on behalf of said corporation and acknowledged to me that such corporation executed the same.

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

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

STATE OF IDAHO

County of Jefferson

)
) ss.
)

On this 9th day of JANUARY, 1990, before me, the undersigned, a Notary Public in and for said State personally appeared BLAINE LARSEN, on behalf of Larsen Farms, a corporation, known to me to be the person who executed the foregoing instrument on behalf of said corporation and acknowledged to me that such corporation executed the same.

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

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

MICROFILMED

SEP 25 1990

LEASE OF WATER RIGHTS PERTAINING TO 26A, 26C, 35B WEST 1/2
NORTH, AND 34A - Page 6

MICROFILMED

APR 17 1990

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

MICROFILMED

SEP 25 1990

LEASE OF WATER RIGHTS PERTAINING TO 26A, 26C, 35B WEST, 2D, 26DW
NORTH, AND 34A - Page 7

MICROFILMED

APR 17 1990

St. Anthony, Idaho
Ashton, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO
County of Fremont

I, TERRY WEATHERSTON
being first duly sworn, depose and say,
that I am the printer of THE FREMONT
COUNTY HERALD-CHRONICLE, a semi-weekly
newspaper printed and published in
Fremont County, Idaho; and I do solemnly
swear that the NOTICE OF APPLICATION
a copy of which notice appears attached
hereto, was published in the regular and
entire issue of said newspaper, and not
in any supplement issue thereof
for TWO consecutive issues, the
first publication having been made on
FEBRUARY 8, 1990

and the last publication having been
made on FEBRUARY 15, 1990

Further, that said newspaper is one
of general circulation in said county;
that it is a legal newspaper, conforming
to legal specifications under Idaho
statutes; that it has at least two
hundred bona fide subscribers living
within the county of publication; and
that it has been continuously and
uninterruptedly published in said county
during a period of seventy-eight
consecutive weeks prior to the first
publication of said notice.

Terry Weatherston
STATE OF IDAHO)
COUNTY OF MADISON)

On this 16TH day of FEBRUARY
in the year of 1990, before me, a Notary
Public, personally appeared Terry
Weatherston, known or identified to me to
be the person whose name subscribed to
the within instrument, and being by me
first duly sworn, declared that the
statements therein are true, and
acknowledged to me that he executed the
same.

Shirley L. Good
Notary Public for Idaho
Residing at Rexburg, Idaho
My commission expires: June 8, 1993

RECEIVED
MAR 9 1990

Department of Water Resources

**NOTICE OF APPLICATION
TO TRANSFER A PORTION
OF WATER RIGHTS
Nos. 36-8133**

Notice is hereby given that Blaine
Larsen, has applied to the Department of
Water Resources for a change in the point
of diversion and place of use of the waters
of ground water sources. The rights
sought to be changed are evidenced by
License Nos. 36-8133 and is recorded as
follows:

36-8133 — Amount: 0.40 c.f.s.
Priority: December 6, 1982

Point of diversion: center of NE $\frac{1}{4}$
NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 10;
T7S, R24E, B.M., Minidoka County.

The water is used to irrigate 640 acres
within Sec. 10, T7S, R24E, B.M.

A PORTION TO BE CHANGED AS
FOLLOWS

The water will be diverted within the
SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 32, T8N, R37E, and will
be used to irrigate 160 acres within the
E $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 32, T8N, R37E,
B.M., Fremont County.

Any protest against approval of the
above proposed change of water right
must be filed with the Idaho Department
of Water Resources, 150 Shoup, Suite 15,
Idaho Falls, ID, 83402, on or before
February 26, 1990.

R. KEITH HIGGINSON
Director

Publ. Feb. 8 and 15, 1990HC.

Permit

ok
as is

SL

RECORDED

MAR 17 1990

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 36-08133

Proposed Priority: December 6, 1982 Maximum Diversion Rate: 0.40 CFS

This is to certify, that **VERNON B. CLINTON**
DBA CLINTON RANCH
P.O. DRAWER C
RUPERT, ID 83350

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.40 CFS

LOCATION OF POINT(S) OF DIVERSION:

NENE	Sec. 10, Township 07S, Range 24E
NENW	Sec. 10, Township 07S, Range 24E
NESW	Sec. 10, Township 07S, Range 24E

MINIDOKA County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
07S 24E 10	NENE 40	NWNE 40	SWNE 40	
	SENE 40	NENW 40	NWNW 40	
	SWNW 40	SENW 40	NESW 40	
	NWSW 40	SWSW 40	SESW 40	
	NESE 40	NWSE 40	SWSE 40	
	SESE 40			640

Total number of acres irrigated: 640

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **October 1, 1990**.
2. Subject to all prior water rights.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 36-08133

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

1st day of September, 1989.

J. Glen Saxton
for R. Keith Higginson, Director

All Collect P

Rosemary Haley

Acquada Inc

P O Doraet 226

San Valley ID 8343

STATE OF IDAHO

Well No. 10-A/B/C DEPARTMENT OF WATER RESOURCES

Station No. 805

Station No. 806

Station No. 88

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Vernon B. Clinton dba CLINTON RANCH Phone 208/436-0393

Post office address P. O. Drawer C, Rupert, Idaho, 83350

2. Source of water supply groundwater which is a tributary of _____

3. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 10 Township 7 south
NE $\frac{1}{4}$ of SW
Range 24 E B.M. Minidoka County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.40 for irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 0.40 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. three (3) wells, motors & pumps

b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.

c. Proposed well diameter is 16" inches; proposed depth of well is 339' feet. Well 10-A
16" 342' Well 10-B
16" 339' Well 10-C

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year — maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____

(5) If water is to be used for other purposes describe: _____

MICROFILMED

SEP 19 1989

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
7S	24E	10	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640

Total number of acres to be irrigated 640

c. Describe any other water rights used for the same purposes as described above. Lic. #36-2129
issued 6/7/51 for 8.84 cfs. Lic. #36-7403 issued 11/8/73 for
1.35 cfs for total 10.19 cfs. Applying for additional 0.40 cfs
for revised total 10.59 cfs.

9. a. Who owns the property at the point of diversion applicant

b. Who owns the land to be irrigated or place of use applicant

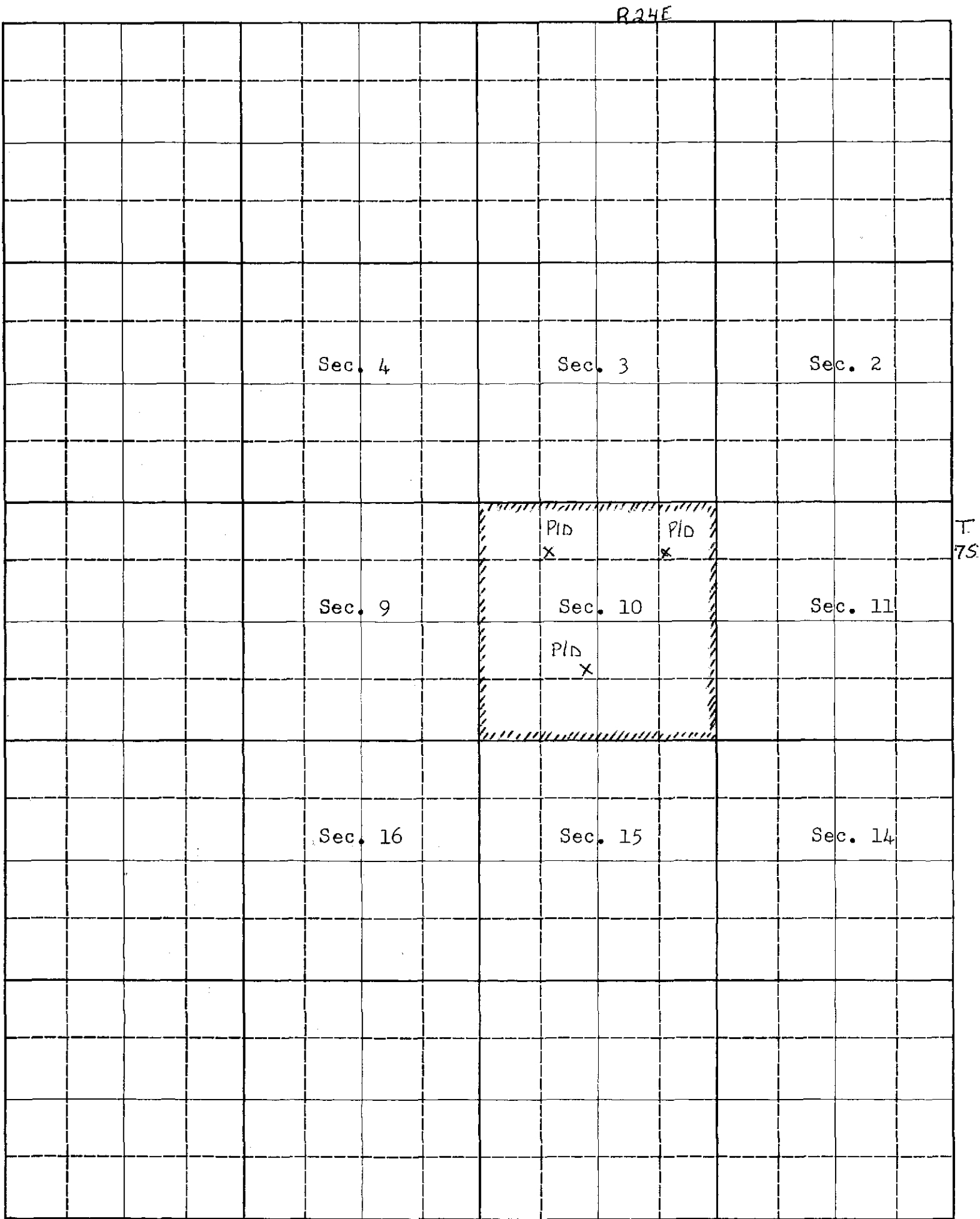
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

10. Remarks _____

MICROFILMED

SEP 19 1989

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

CLINTON RANCH

Microfilm

SEP 19 1989

[Signature]
(Applicant)

By: Vernon B. Clinton

[Signature]

Received by ZH Date 12/6/82 Time 12:40
Preliminary check by TGB Fee \$ 45⁰⁰
Receipted by ZH Date 12/6/82 # 23870
Publication prepared by mine Date 12/16/82
Published in minidaho co. news
Publication dates 12/23 + 12/30/82
Publication approved _____ Date _____
Protests filed by: none

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by KW

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other:

MICROFILMED

SEP 19 1989

MINIDOKA COUNTY NEWS

RUPERT, IDAHO

AFFIDAVIT OF PUBLICATION

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

Edward L. Mitchell, being first

duly sworn, deposes and says that he is the

Editor 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

two consecutive weeks, commencing with the issue dated Dec. 22, 1982, and ending with the issue dated Dec. 29, 1982.

Edward L. Mitchell
Subscribed and sworn to before me this

29 day of December, 1982.

Brenda J. Norman Notary Public

Cost of Publication \$34.45

Notary Fee _____

Total Cost _____

36-8133

CLINTON, VERNON B.
DBA CLINTON RANCH, P.O. DRAW-
ER C. RUPERT ID 83350
Source: GROUNDWATER
Date Filed: 12/06/1982

Amount: 0.40 CFS
Diversion Point: NENE NENW NESW
Sec 10 T 07S R 24E, MINIDOKA Co.
Use: IRRIGATION (0.40 CFS) from
03/15 to 11/15

Place of Use: NENE NWNE SWNE
SENE NENW NWNW SWNW SENW
NESW NWSW SWSW SESW NESE
NWSE SWSE SESE Sec 10 T 07S R
24E for 640 ACRES

Diversion Means: WELL, PUMP

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before JANUARY 10, 1983.

/s/ A. Kenneth Dunn
Director

No. 82-278 - December 22, and 29, 1982.

ok
Mary
MICROFILMED

SEP 19 1989

October 2, 1992

ACEQUIA INC.
PO BOX 1678
KETCHUM ID 83340

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 36-08133

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

I note that the permit issued to you by the department requires the installation of a flow measurement port to allow the department to determine the rate of diversion. The proof which you submitted does not show that you have installed this equipment.

The installation of the flow measurement port must be complete by the time the department representative conducts the examination of your system unless the department has rescinded the requirement prior to the field examination. In some cases, the equipment requirement can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)736-3033.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

RECEIVED
OCT 26 1992

RECEIVED

SEP 28 1992

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

OFFICE USE ONLY
Amt. of Fee \$ 100.00
Date 9-29-92
Receipt No. 005601
Receipt by [Signature]

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 36-08133 Telephone No. 208/726-4421

2. Name(s) of Permit Holder(s): ACEQUIA, INC.

3. Mailing Address: P.O. Box 1678, KETCHUM, ID 83340

4. Source of Water: GROUNDWATER
If GROUNDWATER, Well Driller's Name: 10A - unknown Date Drilled: 10A - May 25, 1953
10B - Cushman & Scott 10B - March 29, 1957
10C - Hiddleston & Haynes 10C - April 16, 1952

OPTIONAL:

Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 640 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 0.4 cfs OR _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? _____ Yes _____ No Installed? _____ Yes _____ No

OR

Flow Measurement Port: Required? _____ Yes _____ No Installed? _____ Yes _____ No

8. Fee Enclosed: \$ 100.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

JIM SPECK 208/726-4421
Name Telephone No.

P.O. Box 987, KETCHUM, ID 83340
Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

9/23/92 J. A. Speck, attorney-in-fact for Acequia, Inc.
Date Signature (and title, if on behalf of a company or organization)

OCT 26 1992

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 36-08133

Reviewed by Klg

Date 9/28/92

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
no Address same as permit?
yes Proof timely received?
if not, complete calculation below.

irrigate - 640
Correct Uses? yes

SOURCE OF WATER

Surface water source
Ground water source

1951 NA Drilling permit required?
1952 / Copy in the file? Drilling Permit No. _____
1953 / Amount paid for permit _____ Correct?
/ Well log in the file?

LICENSE EXAMINATION FEE

yes Required?
100 Amount Submitted
yes Correct?

MEASURING DEVICE

yes Required?
no Installed?
no Waiver requested?

PRIORITY CALCULATION

Date proof received NA
Date proof due / -
No. of days late / =
Priority Date / +
New Priority Date /

DEFICIENCIES OR ACTION ITEMS

proof acceptable

needs a flow

DATA ENTRY

New Address PO Box 1678 Ketchikan 99901 Proof Made 9/28/92

HOGUE, SPECK & AANESTAD

A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567
FAX (208) 788-4230

September 25, 1992

RECEIVED

SEP 28 1992

Department of Water Resources

CERTIFIED MAIL P 059 723 344
RETURN RECEIPT REQUESTED

Ms. Karen L. Gustafson
Secretary/Records Manager
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

Re: Permit No. 36-08133
Acequia, Inc.

Dear Ms. Gustafson:

In response to your letter of July 31, 1992, addressed to Acequia, Inc., please find enclosed a completed and signed Proof of Beneficial Use form together with our check payable to the Department in the sum of \$100.00 as the required license examination fee.

Please call Jim Speck or myself if you have any questions.
Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD



Deborah Kirby
Secretary

JPS\dmk
Enclosures

j\corres92\gustafkl

MICROFILMED

OCT 26 1992

July 31, 1992

ACEQUIA INC.
P.O. DRAWER 226
SUN VALLEY ID 83353

PROOF DUE NOTICE

RE: PERMIT NO. 36-08133

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before October 1, 1992. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

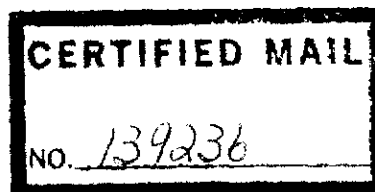
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures



MICROFILMED

OCT 26 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 7, 1991

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

Re: Permit No. 36-08133

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to October 1, 1992. However, since the extension was received after the proof of beneficial use date, it was necessary for the department to reinstate your permit and advance your priority date to December 31, 1982.

Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

If you have any questions or if I can be of any further assistance, please feel free to contact this office.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

Enclosure

C: ~~Eastern~~ Region
Southern

RECEIVED

DEC 10 1991

STAFF REVIEW SHEET - EXTENSION OF TIME

Permit No. 36-8133Reviewed by KLGDate 11/1/91

BASIC INFORMATION

9/6/91 Date stamp received
10/1/91 Extension received timely (not too early not too late)
yes Fee received and receipted
yes Name and signature same as permit
no Address change

BASIS FOR EXTENSION REQUEST

- _____ Has adequate work been completed to demonstrate due diligence?
_____ Has the cost incurred been adequate to demonstrate an intent to complete the project?
_____ Has the permit been involved in litigation?
a. Swan Falls _____ Dismissed from Swan Falls _____
Other _____ Identify _____
b. Is supporting documentation needed to complete the file? _____
Requested _____
c. Calculate the period of delay

Date litigation completed _____

Date litigation began _____

Total period of delay = _____

Present proof due date + _____

NEW PROOF DUE DATE = _____

- _____ Is delay by a government agency?
Is supporting documentation needed to complete the file? _____
Requested? _____

ACTION TAKEN

*per Glen - approve
extend to 10/1/92*

_____ Reinstated	Date extension received	<u>10/1/91</u>	=	<u>274</u>
	Proof due date	<u>9/6/91</u>	=	<u>249</u>
	No. of days late		=	<u>25</u>
	Priority date	<u>12/6/82</u>	=	<u>+340</u>
	ADJUSTED PRIORITY DATE	<u>12/31/82</u>	=	<u>365</u>

DATE ENTRY

✓ Change proof due date _____ Address change
✓ Priority date change

July 31, 1991

CERTIFIED MAIL

138883

ACEQUIA INC
P O DRAWER 226
SUN VALLEY ID 83353

PROOF DUE NOTICE

RE: PERMIT NO. 36-8133

Dear Permit Holders:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before October 1, 1990. Enclosed is a copy of a reinstatement that extends the proof due date to October 1, 1991. Also, enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time provided the delay is for reasonable cause as described in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

cc: James P. Speck w/enc.

DEC 10 1991

October 18, 1990

ACEQUIA INC.
P.O. DRAWER 226
SUN VALLEY, ID 83353

LAPSE NOTICE

RE: PERMIT NO. 36-08133

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated July 31, 1990. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:rf

Enclosures

DEC 10 1990

CERTIFICATION OF MAILING

I hereby certify that on _____
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

September 25, 1990

RE: Permit No. 36-8133B

Blaine Larsen
Blaine Larsen Farms and Larsen of Idaho
P.O. Box 188
Hamer, ID 83425

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Amendment submitted in connection with the above referenced permit.

If you have any questions concerning this document, please feel free to contact us.

Sincerely,


JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

MICROFILMED

SEP 25 1990

HOGUE, SPECK & AANESTAD
A PROFESSIONAL ASSOCIATION
ATTORNEYS

TERRY G. HOGUE
JAMES P. SPECK
DOUGLAS J. AANESTAD
J. STEPHEN CRABTREE
TRACY DUNLAP

120 EAST AVENUE
POST OFFICE BOX 987
KETCHUM, IDAHO 83340
(208) 726-4421
FAX (208) 726-0752

Stamped in error
~~FILE COPY~~

HAILEY OFFICE:
16 WEST CROY STREET
SUITE K
POST OFFICE BOX 460
HAILEY, IDAHO 83333
(208) 788-3567

September 13, 1990

Mr. Jim Johnson
Water Rights Supervisor
Dept. of Water Resources
1301 N. Orchard St., Statehouse Mail
Boise, ID 83720

Department of Water Resources

Re: Idaho Water Permit No. 36-8133
Assignment of Permit - Vernon B. Clinton to
Acequia, Inc.

Dear Jim:

Enclosed you will find the fully executed Assignment of Permit for the above-referenced Permit transferring it from Mr. Vernon B. Clinton to Acequia, Inc.. I understand you will now be able to proceed with an application for amendment of Permit filed by Mr. Blaine Larsen pursuant to his lease of this water permit together with other water rights from Acequia, Inc..

Please send me the Proof of Beneficial Use form for this Permit and I will make arrangements to have it completed, signed by Acequia, Inc., and returned to the Department prior to the due date which I understand to be October 1, 1990.

Thank you once again for your continuing cooperation and assistance in these matters. Please call me if you have any questions. Thank you.

Sincerely yours,

HOGUE, SPECK & AANESTAD


James P. Speck

JPS:b
Encl

RECEIVED
SEP 25 1990

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name Acquino, Inc.
Address P.O. Box 2332 - Ketchikan, Alaska 99901
Drilling Permit No. 36-92-5-030 OK
Water Right Permit No. 36-7403, 8133, 2129

2. NATURE OF WORK

- ☐ New well ☒ Deepened ☐ Replacement
☐ Well diameter increase ☐ Modification
☐ Abandoned (describe abandonment or modification procedures such as liners, screen, materials, plug depths, etc. in lithologic log, section 9.)

3. PROPOSED USE

- ☐ Domestic ☒ Irrigation ☐ Monitor
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

4. METHOD DRILLED

- ☐ Rotary ☐ Air ☐ Auger ☐ Reverse rotary
☒ Cable ☐ Mud ☐ Other _____
(backhoe, hydraulic, etc.)

5. WELL CONSTRUCTION

Casing schedule: ☐ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
_____ inches	_____ inches	+ _____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☐ Yes ☐ No

Was a packer or seal used? ☐ Yes ☐ No

Perforated? ☐ Yes ☐ No

How perforated? ☐ Factory ☐ Knife ☐ Torch ☐ Gun

Size of perforation? _____ inches by _____ inches

	Number	From	To
_____ perforations	_____	_____ feet	_____ feet
_____ perforations	_____	_____ feet	_____ feet
_____ perforations	_____	_____ feet	_____ feet

Well screen installed? ☐ Yes ☐ No
 Manufacturer _____ Type _____
 Top Packer or Headpipe _____
 Bottom of Tailpipe _____

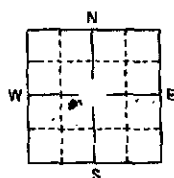
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Gravel packed? ☐ Yes ☐ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet

Surface seal depth ____ Material used in seal: ☐ Cement grout
☐ Bentonite ☐ Puddling clay ☐ _____
Sealing procedure used: ☐ Slurry pit
☐ Temp. surface casing ☐ Overbore to seal depth
Method of joining casing: ☐ Threaded ☐ Welded
☐ Solvent Weld ☐ Cemented between strata

Describe access port _____

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County Minidoka

NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 10, T. 7 S. R. 24 E. ☒ W ☐

7. WATER LEVEL

Static water level 242 feet below land surface.
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ °F. Quality _____
Describe artesian or temperature zones below.

8. WELL TEST DATA

- ☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
------------------	---------------	--------------

no test

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
16	335	343	gray lava		
16	343	370	gray lava + cinders	X	
~~16~~	~~370~~		lost 90% of cuttings		
16	370	375	gray lava (soft formation)		
#6	375	412	gray lava		
16	412	440	brown lava (could be some water)		

10.

Work started 3-13-92 finished 3-25-92

11. DRILLER'S CERTIFICATION

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

Firm Name Denton Bell Firm No. 83

Address Paul, Idaho Date 3-25-92

Signed by Drilling Supervisor Robert E. Danton

and
(Operator) Robert E. Denton
(If different than the Drilling Supervisor)

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

Indicate type of mail
☐ Registered
☐ Insured
☐ COD
☐ Certified
☐ Express Mail

Check appropriate block for
☐ Registered Mail:
☐ With Postal Insurance
☐ Without Postal Insurance

Affix stamp here if issued as
certificate of mailing or for
additional copies of this bill.

POSTMARK AND DATE OF RECEIPT

Line	Number of Article	Name of Addressee, Street, and Post-Office Address	Postage	Fee	Handling Charge	Act. Value (If Regis.)	Insured Value	Due Sender If C.O.D.	R. R. Fee	S. D. Fee	S. H. Fee	Regt. Del. Fee	Remarks
1	138168	Clinton, Vernon B. DBA Clinton Ranch P.O. Drawer C Rupert, ID 83350	25	85									36-8133
2													
3													
4													
5													
6													
7													
8													
9													
10													
11													
12													
13													
14													
15													
Total Number of Pieces Listed by Sender		Total Number of Pieces Received at Post Office	POSTMASTER, PER (Name of receiving employee)		The full declaration of value is required on all domestic and international registered mail. The maximum indemnity payable for nonnegotiable documents under Express Mail document reconstruction insurance is \$50,000 per piece subject to a limit of \$500,000 per occurrence. The maximum indemnity payable on Express Mail merchandise insurance is \$500. The maximum indemnity payable is \$25,000 for Registered Mail, \$500 for COD and \$500 for Insured Mail. Special handling charges apply only to Third- and Fourth-Class parcels.								
1		1	AS 8/11/90										

RECEIVED

SEP 25 1990

FORM MUST BE COMPLETED BY TYPEWRITER, INK OR BALL POINT PEN



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

August 7, 1990

VERNON B. CLINTON
DBA CLINTON RANCH
P.O. DRAWER C
RUPERT, ID 83350

RE: PERMIT NO. 36-8133

Dear Mr. Clinton:

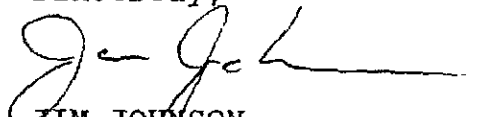
Some months ago the Department received an application for amendment of permit. Along with the application the Department received a copy of a lease which identified Acequia, Inc. as owner of this water permit. I have reviewed the lease agreement and believe that an assignment of permit would better identify the change in ownership of this right.

Enclosed is an assignment of permit form that you should sign before a notary.

Under a separate cover the Department sent you on this day a letter identifying that Proof to beneficial use was also due on this permit. In case you have any questions you can elect to sign the proof and submit the examination fee or you can sign the assignment of permit form and the new owner will be sent the proof due notice once the assignment of permit form is returned to this office.

If you have any questions on this matter you can call me at Ph. 327-7947.

Sincerely,


JIM JOHNSON
Water Rights Supervisor

Enclosure

MICROFILMED

SEP 20 1990

FROM

Glen

TO

Tim

DATE

7-24-90

SUBJECT

- I think Acquia, Inc. needs to provide documentation to the Dept to show its interest in this permit in the name of Vernon B. Clinton & Co. Clinton Ranch and authority to change the permit.
- I request the information from Acquia, Inc.

SIGNATURE

July 31, 1990

VERNON B. CLINTON
DBA CLINTON RANCH
P.O. DRAWER C
RUPERT, ID 83350

PROOF DUE NOTICE

RE: PERMIT NO. 36-08133

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before October 1, 1990. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

RECEIVED

SEP 2 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 -(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

January 31, 1990

Herald Chronicle
Box 10
Rexburg, ID 83440

Dear Legal Dept.:

Enclosed you will find legal notices which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notices on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before February 26, 1990.

Sincerely,

SHARLA CURTIS
Secretary

Enclosures

MICROFILMED

SEP 25 1990

NOTICE OF APPLICATION TO AMEND ~~OF~~ A PORTION OF WATER RIGHT

No. 36-8133

Notice is hereby given that Blaine Larsen has applied to the Department of Water Resources for a change in the point of diversion and place of use of a groundwater source. The right sought to be changed is evidenced by Permit No. 36-8133 and is recorded as follows:

36-8133 - Amount: 0.40 c.f.s

Priority: December 6, 1982

Point of diversion: NE1/4NE1/4, NE1/4NW1/4,
NE1/4SW1/4, Sec. 10; T7S, R24E, B.M., Minidoka County

The water is used to irrigate 640 acres within Sec. 10;
T7S, R24E, B.M.

A PORTION TO BE CHANGED AS FOLLOWS

The water will be diverted within the SE1/4NE1/4, Sec. 32, T8N, R37E, B.M. and will be used to irrigate 160 acres in the E1/2NE1/4, E1/2SE1/4, Sec. 32, T8N, R37E, B.M., Fremont County.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup, Suite 15, Idaho Falls, ID, 83402, on or before February 26, 1990.

R. KEITH HIGGINSON
Director

Published 2/8/1990 & 2/15/1990

MICROFILMED

SEP 25 1990

S T A T E O F 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

Statehouse
Boise, Idaho 83720
(208) 334-7900
September 1, 1989

VERNON B. CLINTON
DBA CLINTON RANCH
P.O. DRAWER C
RUPERT, ID 83350

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. P36-08133

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

RECORDED

SEP 19 1989

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit. Also enclosed for your convenience is a form entitled "Proof of Beneficial Use" that must be submitted to the Department when your project is completed. If development is complete, you may submit proof of beneficial use immediately.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

RECEIVED

1971

State of Idaho
Department of Water Resources

8/73

APPLICATION FOR PERMIT ANALYSIS SHEET

CLINTON RANCH

INITIAL REVIEW BY: T. G. Blau

CLINTON, Vernon B. dba
APPLICATION NUMBER: 36 8133

CHECK:

- ☒ Source.
☒ Point of diversion.
☒ County.
☒ Quantity of water and period of use.
☒ Description of diverting works.
☒ Time required for beneficial use of water.
☒ Place of use or acres irrigated.
☒ Map.
☒ Signature.

Field check by: _____

Date: _____

Comments: _____

☒ Fee.

☐ Yes ☒ No

Field check required.

☐ Yes ☒ No

Critical groundwater area.

☐ Yes ☒ No

Request dam safety information. Sent by: _____ Date: _____

☒ Yes ☐ No*

In form to receipt.

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT: _____

SEND COPIES TO:

- ☐ Idaho State Health Department.
☐ Idaho Fish and Game Department.
☐ Idaho Department of Lands.
☐ U.S. Bureau of Land Management.
☐ U.S. Forest Service.
☐ Other _____

Copies sent by: _____ Date: _____

PROCESSING:

☐ Yes ☒ No

Platted by: _____ Map No. AA-79

☒ Yes ☐ No

Other rights on same place of use. 36-2129

☒ Yes ☐ No*

36-7403

☒ Yes ☐ No*

In form for advertising.

☐ Yes ☐ No

Final date for protests: 1/10/83

☐ Yes ☐ No

Protests received. If yes, record information on 4th page of application.

FINAL REGIONAL PROCESSING REVIEW:

- ☒ Affidavit of publication received. Date: _____
☒ Application published correctly. If not, record action taken: _____
☒ Fee amount, receipt date & number, recorded on application.
☒ Publication dates and paper, recorded on application.
☒ Protests, dates, withdrawal, etc., recorded on application.
☒ Recommendation & initial, recorded on application.
☐ Yes ☒ No Measuring device required.
☒ Yes ☐ No Access port required.
☒ Yes ☐ No Will water be delivered by watermaster? If yes, what district? 01-P05
12-6-1982 Date of priority recommended.
Special conditions of approval or cover letter. _____

Allow 1 yr. for B/U development -
App. in TRUST area -

By: _____ Date: _____

STATE OFFICE REVIEW: P05, P23, P03, P16

46 OIG

RECEIVED

☐ See attached sheet for more information.

By: KW Date: 8/25/89

AUG 14 1989

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Southern Region

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

DECEMBER 16, 1982

Minidoka County News
625 Fremont Avenue
Rupert, Idaho 83350

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JANUARY 10, 1983.

Yours truly,

Mary A. Hill
Secretary

Encl.

MICROFILMED

SEP 19 1989

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

36-8133-

CLINTON, VERNON B.

DBA CLINTON RANCH, P.O. DRAWER C, RUPERT, ID 83350

Source: GROUNDWATER

Date Filed: 12/06/1982

Amount: 0.40 CFS

Diversion Point: NENE NENW NESH Sec 10 T 07S R 24E, MINIDOKA Co.

Use: IRRIGATION (0.40 CFS) from 03/15 to 11/15

Place of Use: NENE NWNE SWNE SENE NENW NWNW SWNW SENW NESH NWSW SWSW SESW NESE
NWSE SWSE SESE Sec 10 T 07S R 24E FOR 640 ACRES

Diversion Means: WELL, PUMP

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before JANUARY 10, 1983.

A. KENNETH DUNN

Director

Published 12/23 & 12/30/82.

RECORDED

SEP 19 1983

CLINTON, VERNON B.
 DBA CLINTON RANCH, P.O. DRAW.
 RR C, RUPERT ID 83350
 SOURCE: GROUNDWATER
 Date Filed: 12/20/1982
 Amount: 0.40 CFS
 Diversion Point: NENE NENW NESW
 Sec. 10 T. 07S R. 24E, MINIDOKA Co.
 Use: IRRIGATION (0.40 CFS) from
 03/15 to 11/15
 Place of Use: NENE NENW NESW
 SENE NENW NENW SENE SENE
 NESW NESW SENE SENE
 NENE SENE SENE Sec. 10 T. 07S R.
 24E for 640 ACRES
 Diversion Means: WELL, PUMP
 If issued, the permits will be
 subject to all prior water rights.
 Protests against the granting of any
 permit must be filed with the Director
 of the Idaho Department of Water
 Resources, 1041 Blue Lakes Blvd.
 North, Twin Falls, Idaho 83301 and
 received on or before JANUARY 10,
 1983.
 /s/ A. Kenneth Dunn
 Director
 No. 82-278 - December 22, and 29,
 1982.

Handwritten:
 12/22/82
 [Signature]

MEMORANDUM

TO: FILE

FROM: TIM LUKE

RE: SWAN FALLS PROCESSING
APPLICATION NO. 36-8132 & 36-8133

DATE: 8-14-89

=====

Both of the applications above were filed to reflect increase in diversion capacities for groundwater wells used on lands which have long been licensed. Overlap analysis confirms that the place of use and points of diversion under these apps. have previously been licensed and that these filings were made only to record an increase in rates of diversion.

Since the permits do not represent any expansion or increase in consumptive use, and the filings cover wells and lands already licensed, I recommend that the department exempt these applications from the review requirements of Section 42-203C and remove them from the Swan Falls process list. The department may proceed with the normal approval and processing of the application. I would further recommend that the proof due date be set at one year from the date of approval.

MICROFILMED

SEP 19 1989

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]