Identification No. 34 7160

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1. Name of applicant Edward R. Denison Phone: 588-2536

   post office address Rt. #1, Darlington, Idaho

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

3. a. Location of point of diversion is SE ¼ of SW ¼ of Section 2 Township 6N

   Range 25E B.M. Butte County; additional points of diversion if any: _____

   b. If water is not consumed, it will be discharged into _____ at a point in _____ ¼

   of _____ ¼ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

   Amount 3.69 (cfs or acre feet per annum) for irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)

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

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

5. Total quantity to be appropriated:

   a. 3.69 cubic feet per second and/or

   b. _____ acre feet per annum.

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. well, pump and open ditches

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

   Period of year during which storage will occur _____ (Mo. Day) to _____ (Mo. Day) inclusive.

   c. Proposed well diameter is 16 inches; proposed depth of well is 100 feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.

   b. Estimated construction cost is $ 6,000.00 .

8. Description of proposed uses:

   a. If water is **not** for irrigation:

   (1) Give the place of use of water: _____ ¼ of _____ ¼ of Section _____ Township _____

   Range _____ B.M.

   (2) Amount of power to be generated: _____ hp 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: _____

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	
6N	25E	2			15					20	40			40		40	40		195
		11		40	38		40			38									156

Total number of acres to be irrigated 351

c. Describe any other water rights used for the same purposes as described above License 34-2407 3.33 cfs for 351 acres

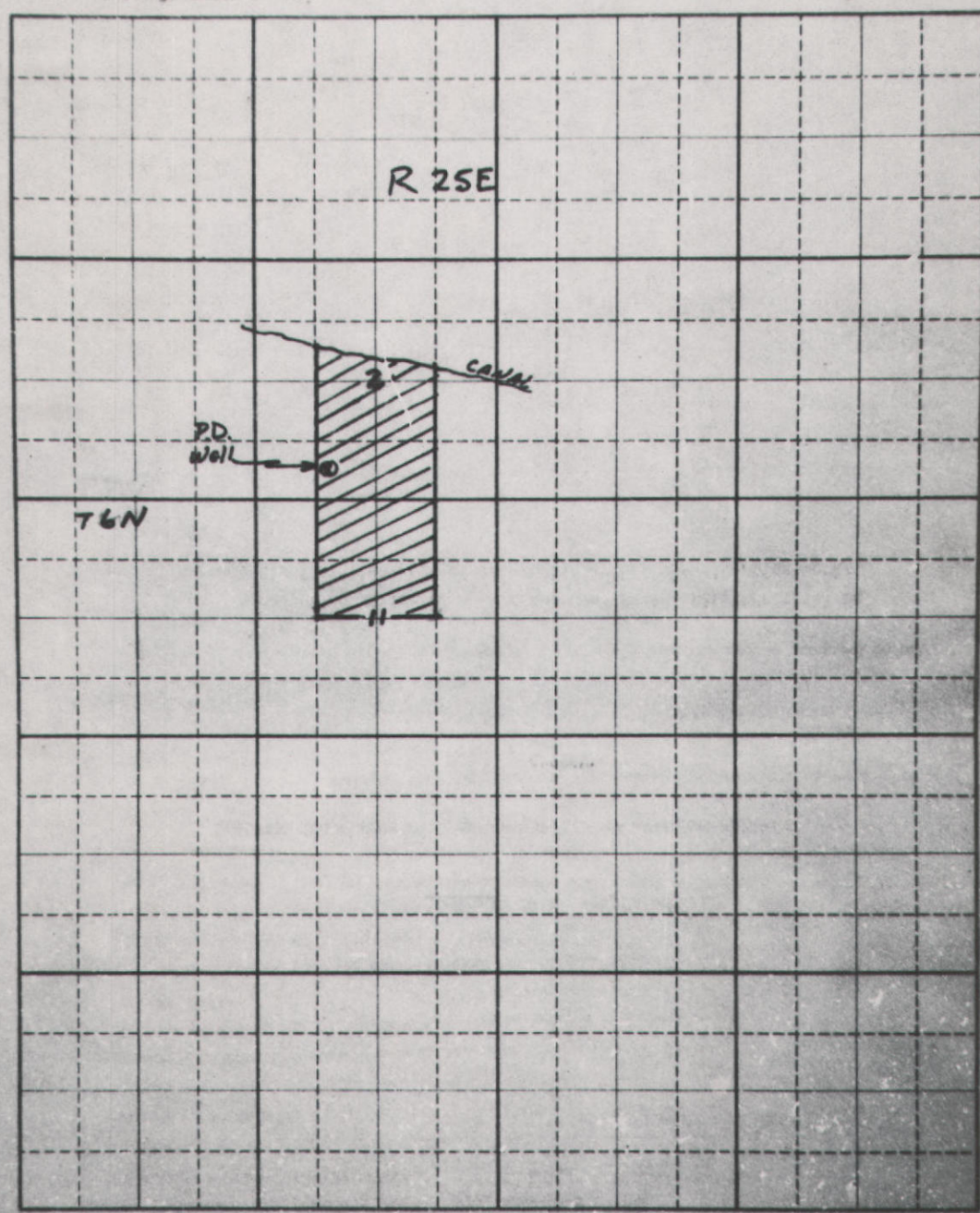
9. a. Who owns the property at the point of diversion Applicant

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

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.

Edward D. Rydalch
(Applicant)

Proposed Priority 9-13-76

Received by [illegible] Date [illegible] Time [illegible]

Preliminary check by [illegible] Fee $ [illegible]

Receipted by [illegible] Date [illegible]

Publication prepared by [illegible] Date 9-14-76

Published in [illegible]

Publication dates Sept 23 & 30, 1976

Publication approved [illegible] Date 11-09-76

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by RDC

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. 34-7160, and said application is hereby APPROVED.

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 November 1, 1981.

   c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

2. Denial of said application is for the following reasons: _____

Witness my hand this 16 day of November 19 76.

[signature] Director

Affidavit of Publication

RECEIVED
NOV 8 1976
Department of Water Resources
Eastern District Office

I, LeElla Commuck, of the Arco Advertiser, a weekly newspaper of general circulation, published weekly at Arco, Idaho, since March, 1909, do solemnly swear that a copy of this notice, per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof,

for 2 consecutive weeks, commencing with the issue dated 9-23-76

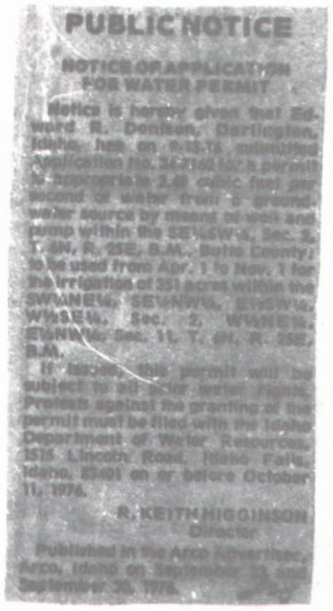
and ending with the issue dated 9-30-76

LeElla Commuck

Subscribed and sworn to before me this 5 day of Nov., 19 76

Charles Gross
Notary Public

Residence: Arco, Idaho.
My commission expires 5/14, 19 77



PUBLIC NOTICE

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Edward R. Denison, Darlington, Idaho, has on 9-13-76 submitted Application No. 24-7161 for a permit to appropriate 2.48 cubic feet per second of water from a ground water source by means of well and pump within the SE¼SW¼, Sec. 2, T.6N, R. 25E, B.M., Butte County, to be used from Apr. 1 to Nov. 1 for the irrigation of 351 acres within the SW¼NE¼, SE¼NW¼, E½W½, W½SE¼, Sec. 2, W½NE¼, E½NW¼, Sec. 11, T. 6N, R. 25E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 3515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before October 11, 1976.

R. KEITH HIGGINSON
Director

Published in the Arco Advertiser, Arco, Idaho on September 23 and September 30, 1976.

Form 219
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 34-7160

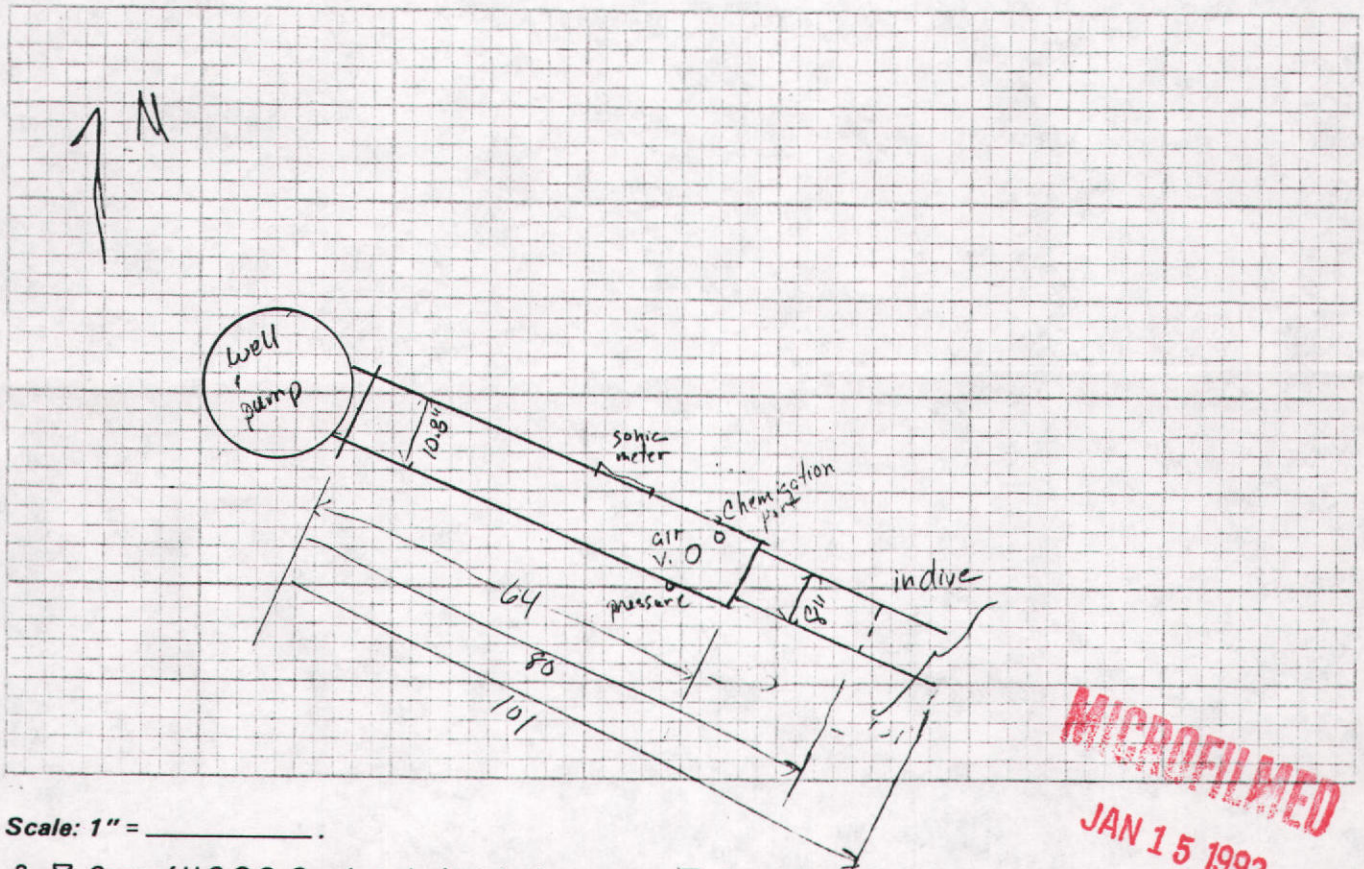
1. Owner: Edward Denison — Phone No. ✓
   Current Address: Rt #1, Darlington, ID
2. Accompanied by: Randy Peterson — EXAM. DATE: 6-27-91
   Address: P.O. Box 239 Mackay, ID — Phone No. 208-588-2532
   Relationship to Permit Holder: new owner
3. Source: Groundwater tributary to

B. OVERLAP REVIEW

1. Other water rights with same place of use: A35-10240, 34-0724/0725/0726/0729/0730 (Big Lost River), 34-0731/0550/0551 (Pass Creek), 34-2407 Groundwater ☐ Copies Attached
2. Other water rights with same point of diversion: ~~A35-10240~~, ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

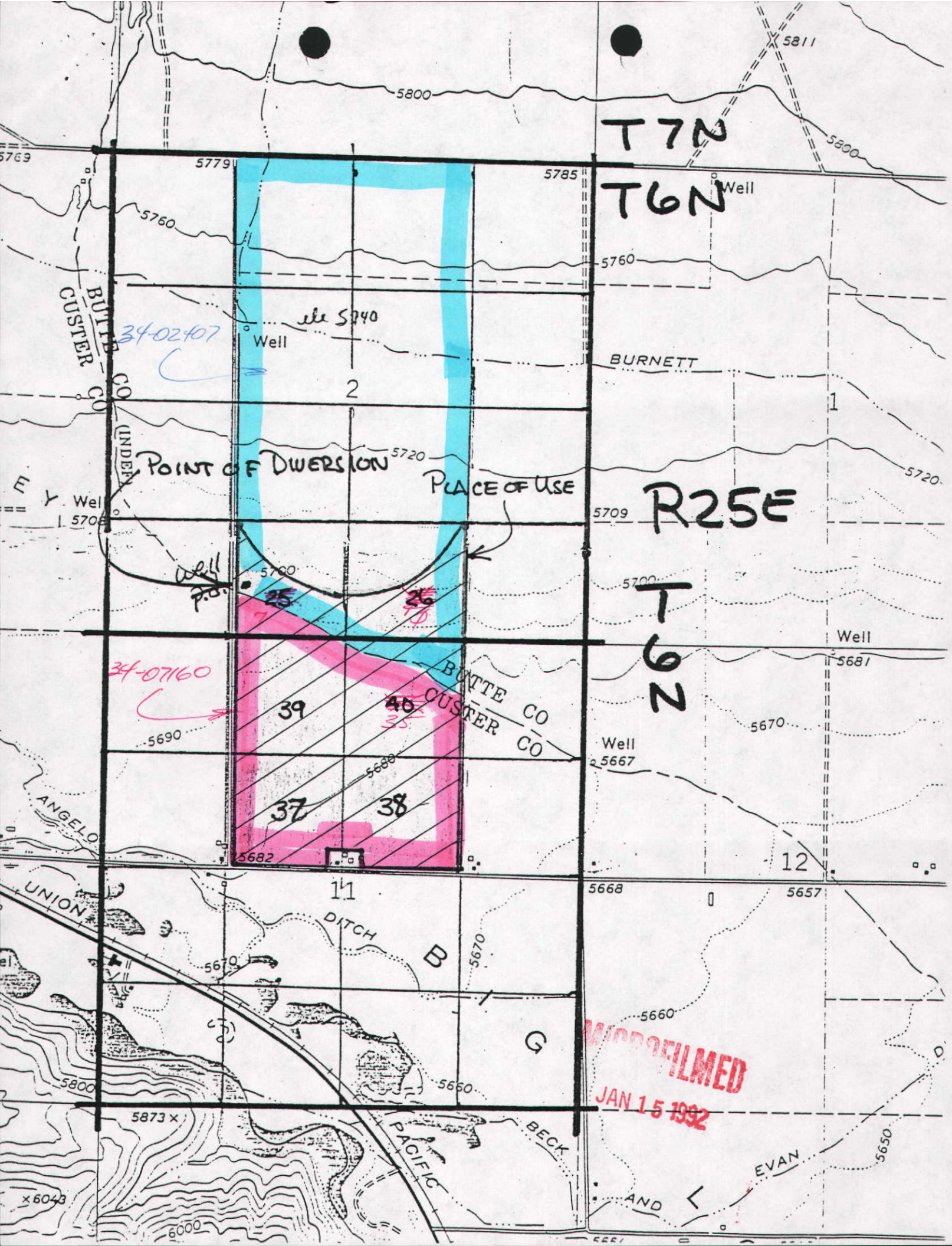
1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____.

2. ☒ Copy of U.S.G.S. Quadrangle Attached
   Showing location(s) of point(s) of diversion and place(s) of use (required).
   ☒ Aerial Photo Attached
   (required for irrigation of 10 acres or more).
   ☐ Photo of Diversion and System Attached
   (required for all but single household domestic groundwater, and stockwater.

MICROFILMED
JAN 15 1992


T7N
T6N
R25E
T6N
POINT OF DIVERSION
PLACE OF USE
34-02407
34-07160
BUTTE CO
CUSTER CO
BURNETT
UNDEF
Well
5811
5800
5779
5785
5760
5740
5720
5709
5700
5690
5681
5680
5670
5667
5660
5657
5650
5682
5668
5873
6000
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11
12
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ANGELO
UNION
PACIFIC
DITCH
BECK
EVAN
AND
MICROFILMED
JAN 15 1992



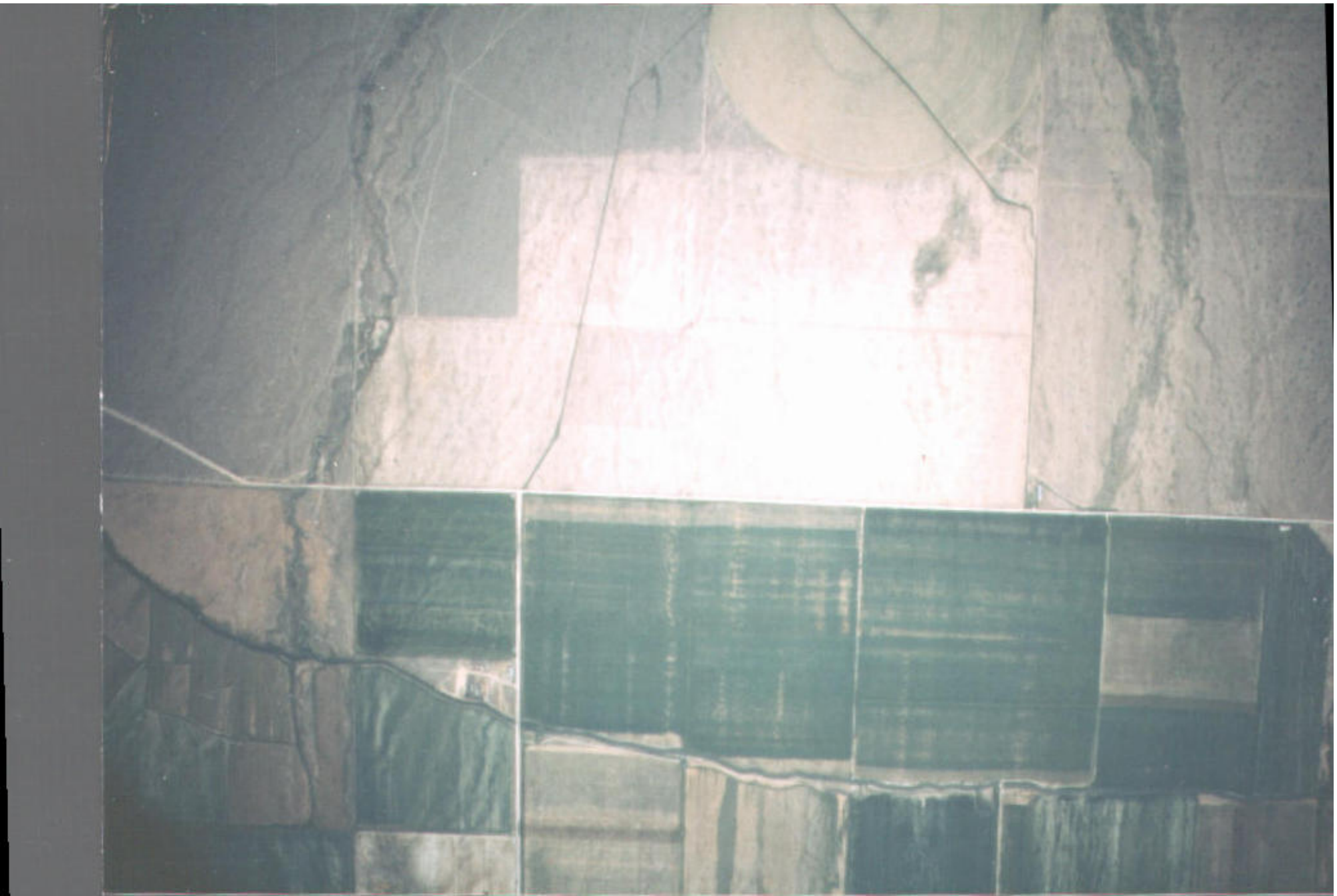


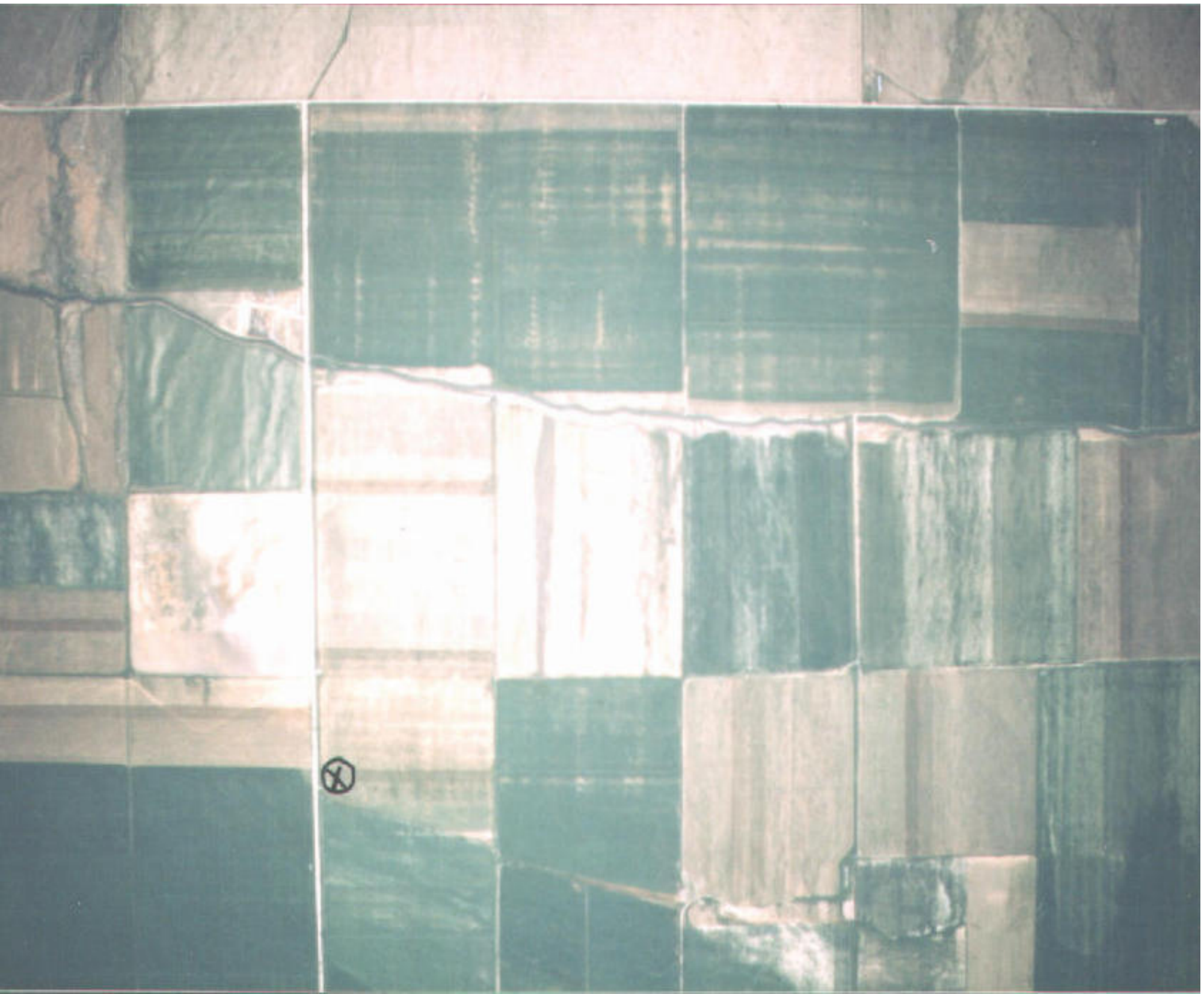




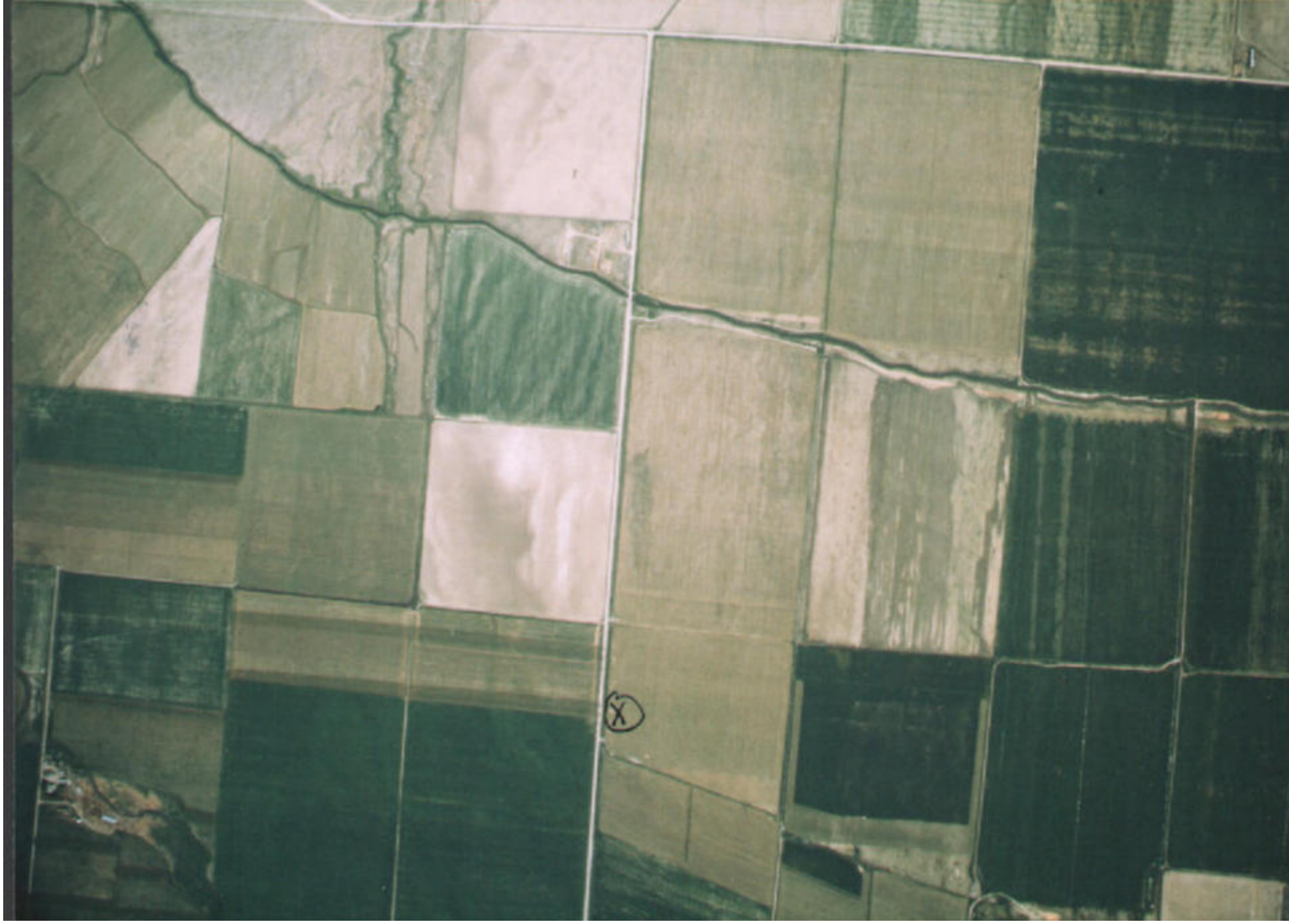



34-
7160













Form 219
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 34-7160

1. Owner: Edward Denison — Phone No. —
   Current Address: Rt #1, Darlington, ID
2. Accompanied by: Randy Pehrson — EXAM. DATE: 6-27-91
   Address: P.O. Box 239 Mackay, ID — Phone No. 208-588-2532
   Relationship to Permit Holder: new owner
3. Source: Groundwater — tributary to —

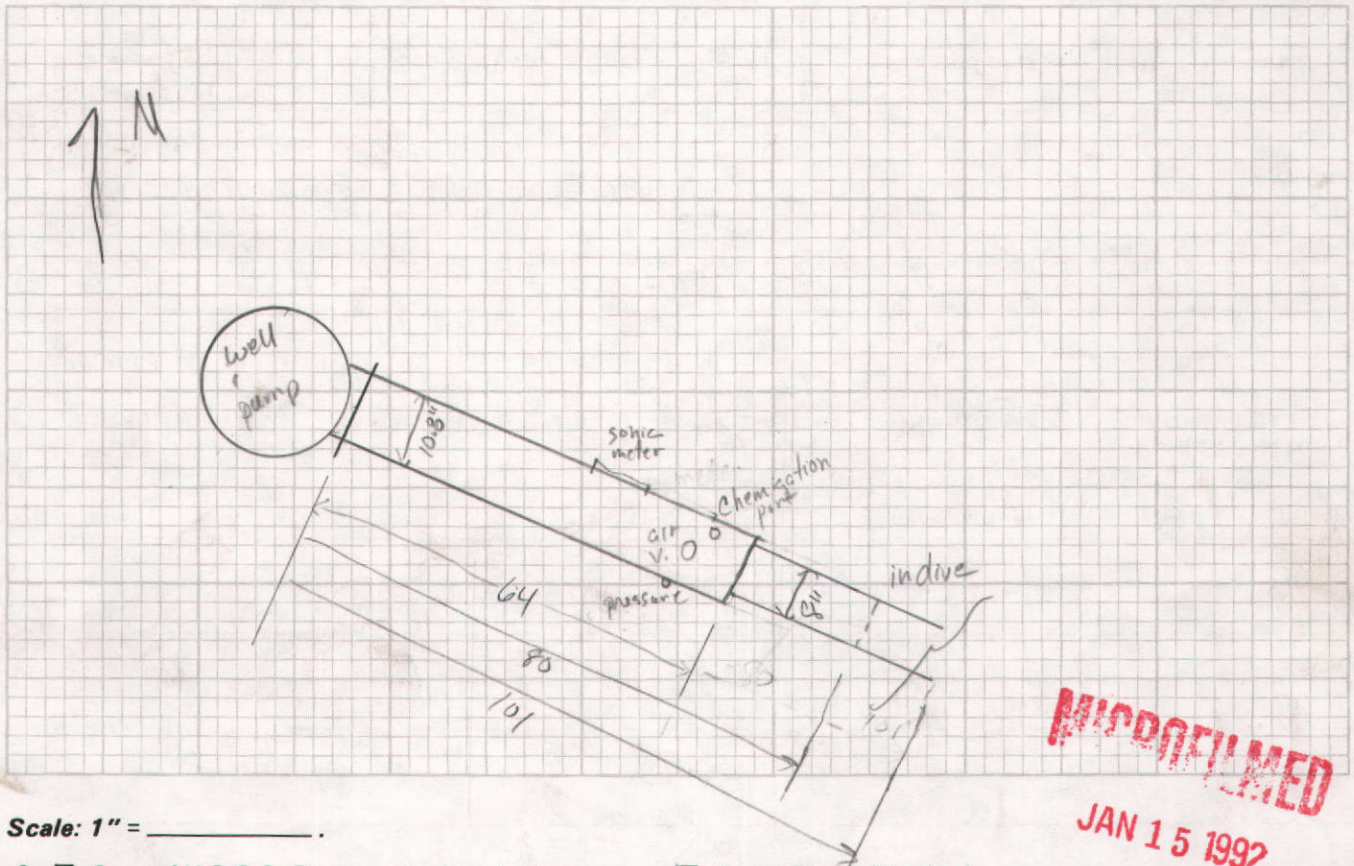
Recd in S.O. 8/26/91

B. OVERLAP REVIEW

1. Other water rights with same place of use: 35-10240, 34-0724/0725/0726/0729/0730 (Big Lost River), 34-0731/0550/0551 (Pass Creek), 34-2407 Groundwater ☐ Copies Attached
2. Other water rights with same point of diversion: 35-10240, ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached

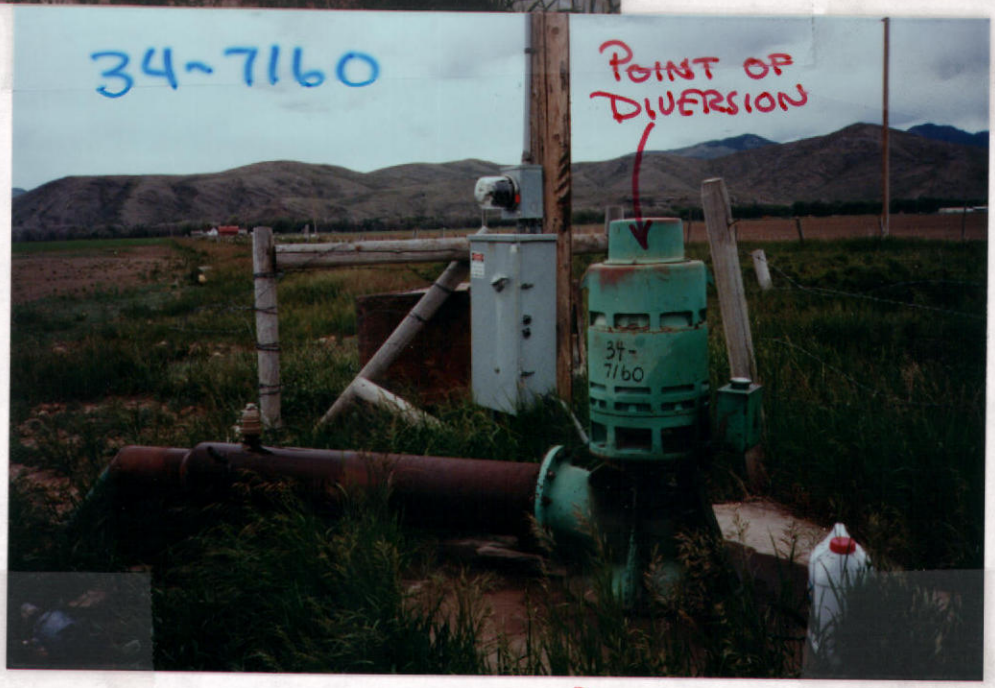


MICROFILMED
JAN 15 1992

Scale: 1" = _____.

2. ☒ Copy of U.S.G.S. Quadrangle Attached
   Showing location(s) of point(s) of diversion and place(s) of use (required).
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   (required for irrigation of 10 acres or more).
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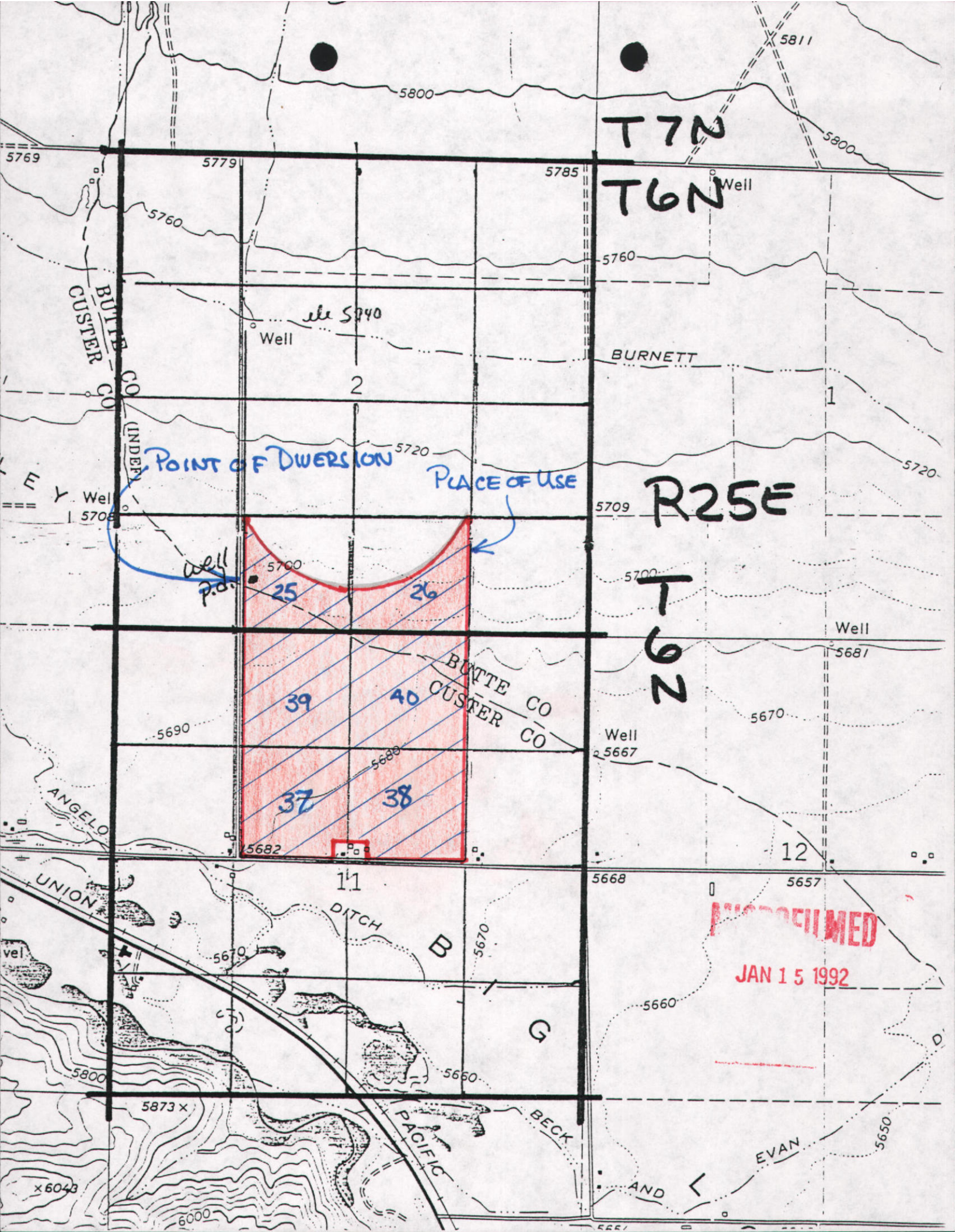


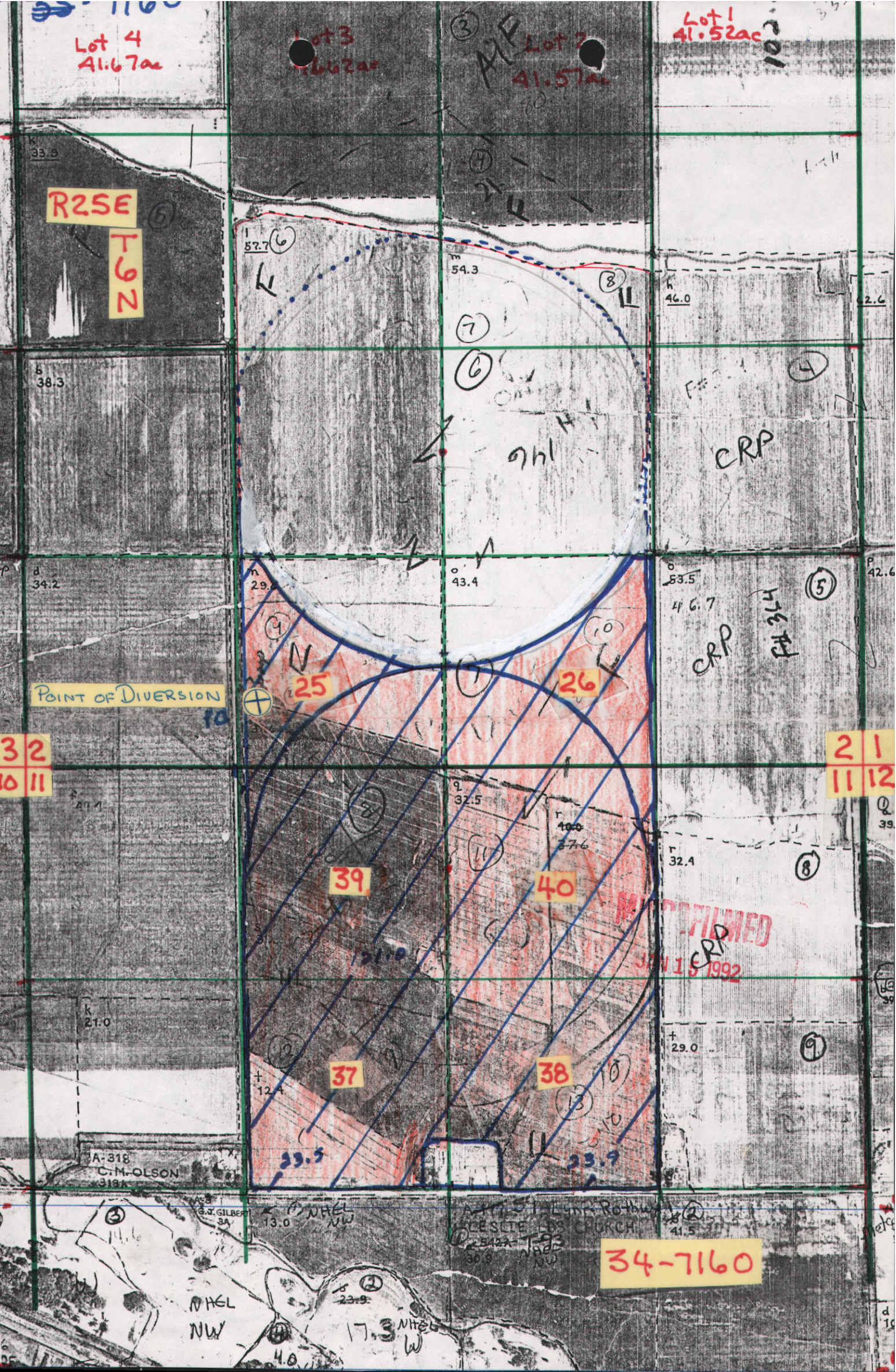


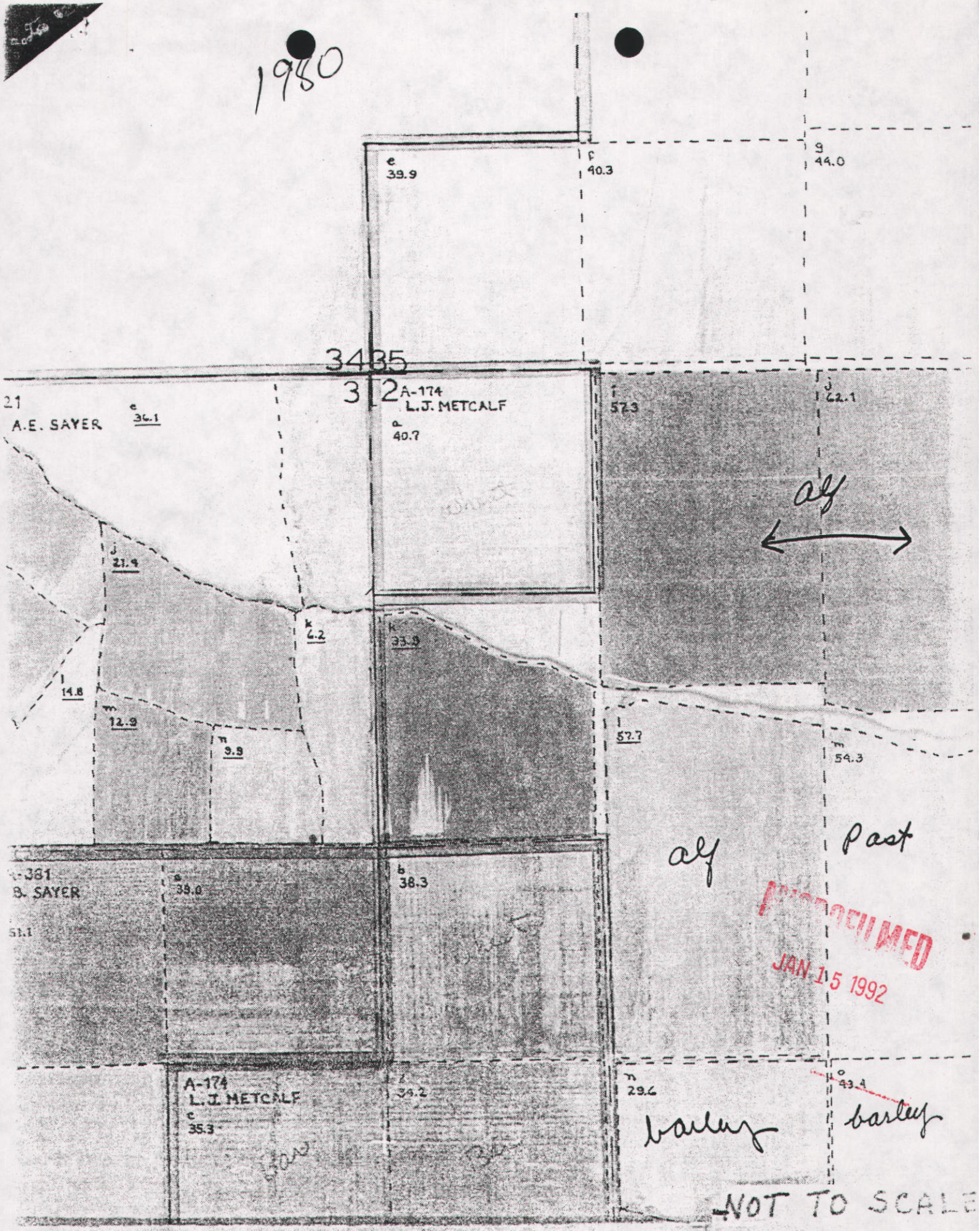
POINT OF DIVERSION

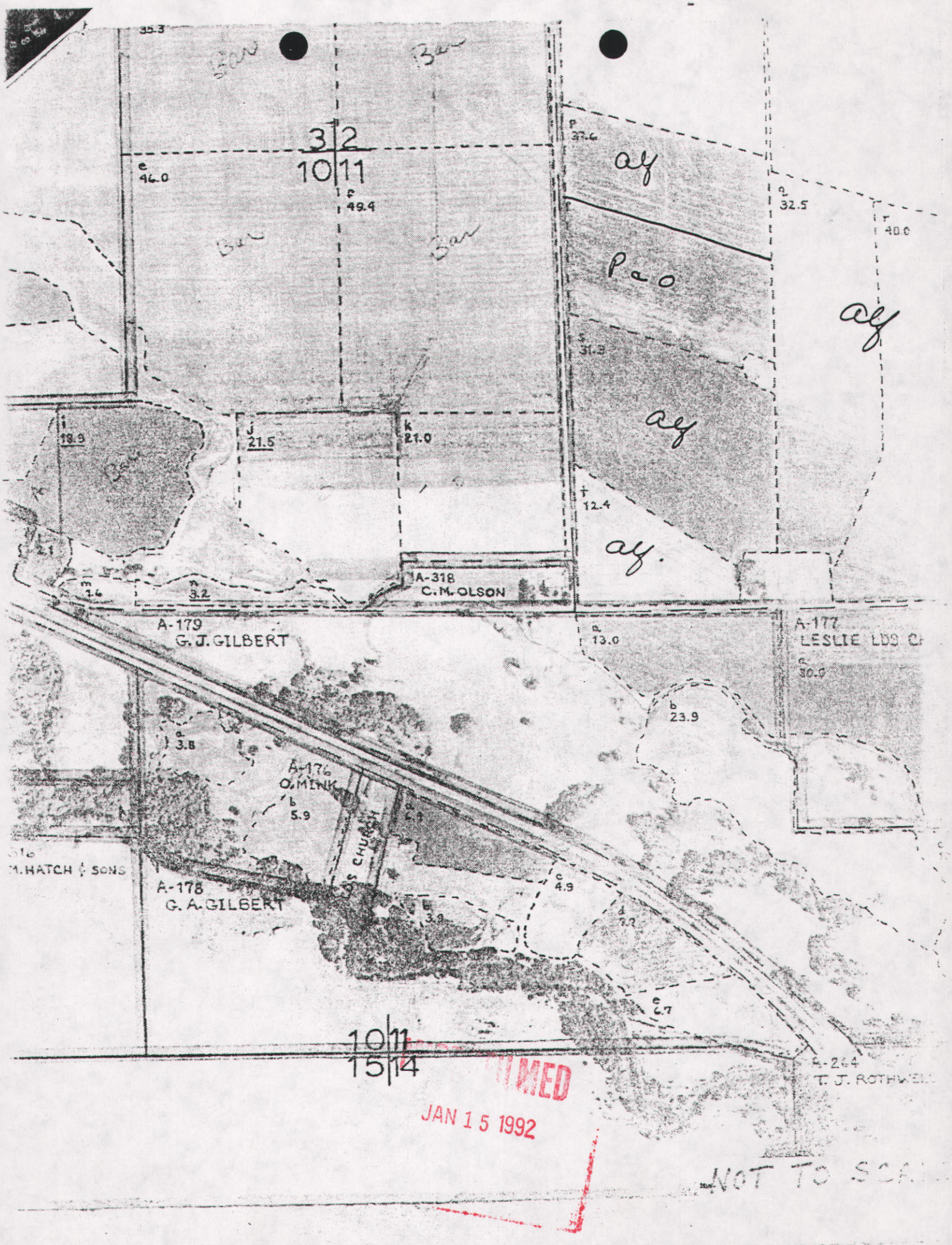
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JAN 15 1992

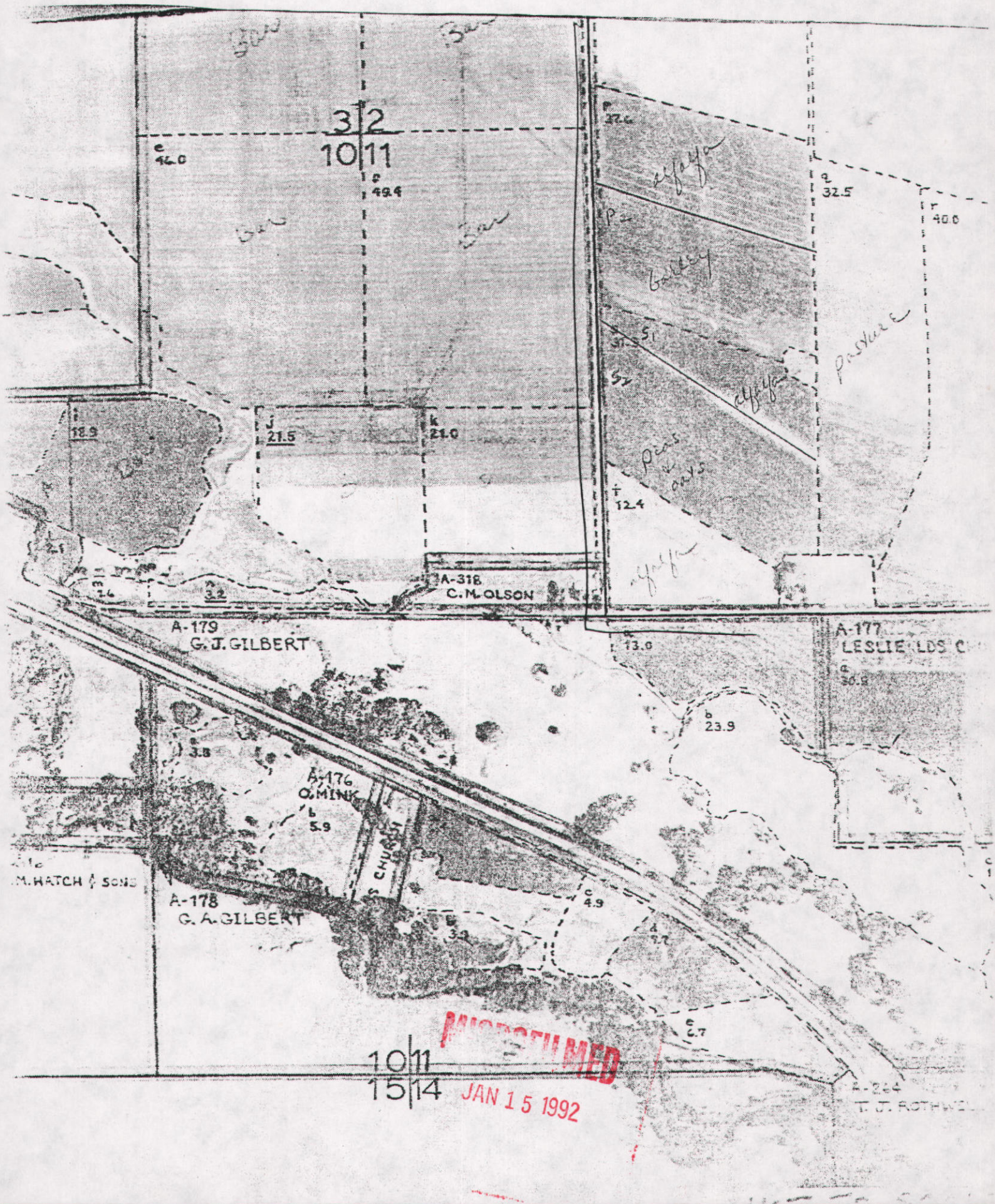
34-7160

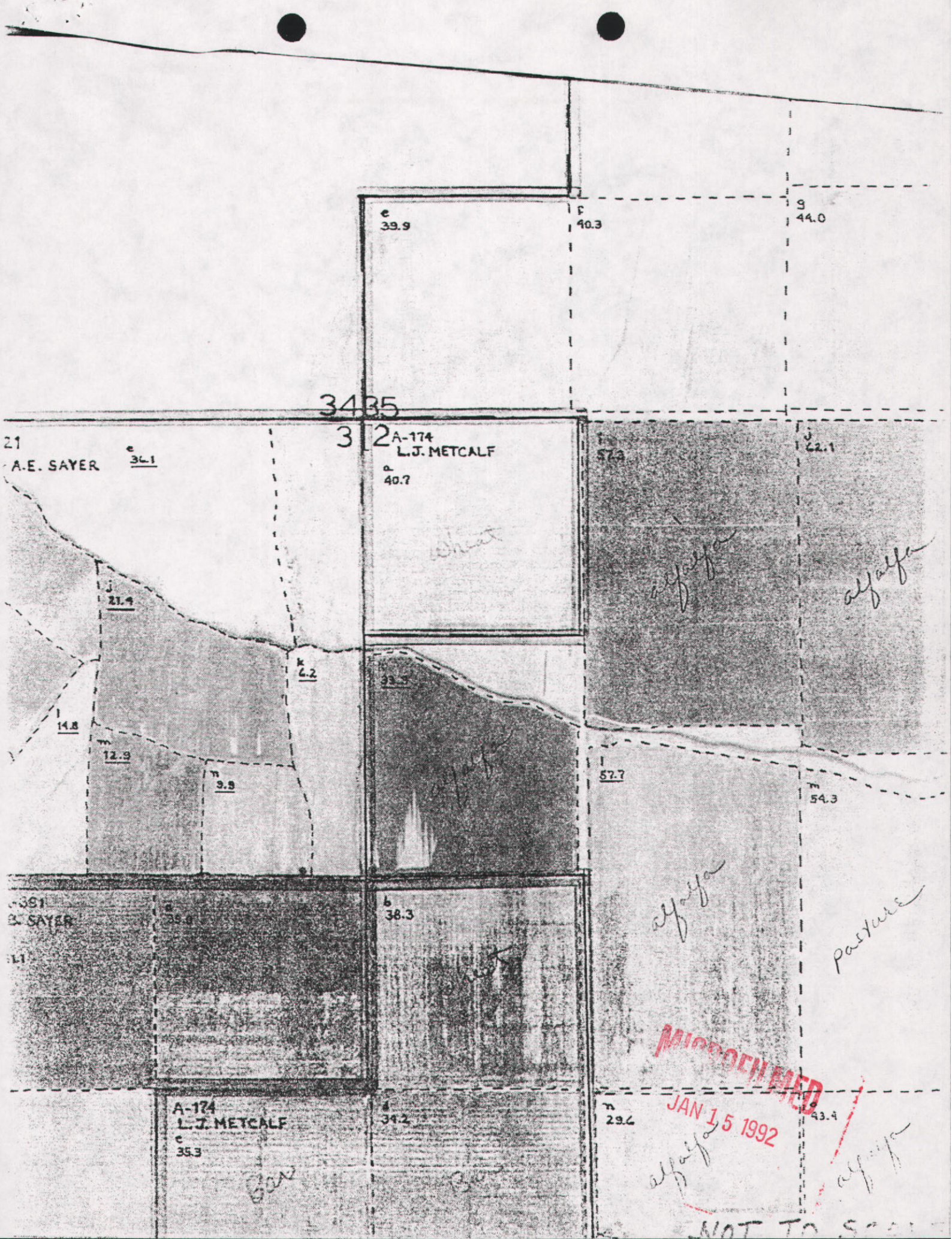

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R25E
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PLACE OF USE
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CUSTER CO
BURNETT
UNION
PACIFIC
DITCH
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BECK
EVAN
AND
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JAN 15 1992

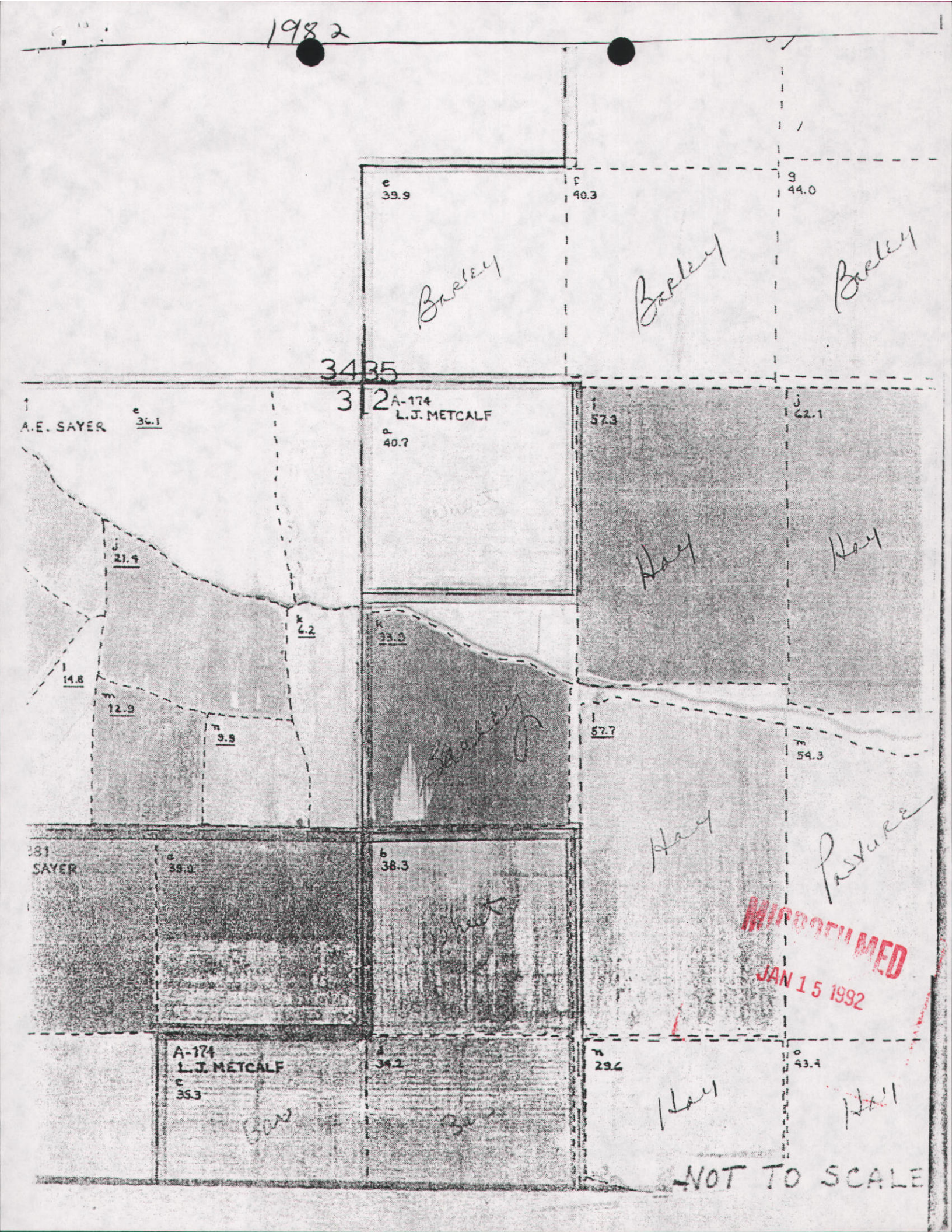

Lot 4
41.67ac
Lot 3
41.62ac
Lot 2
41.57ac
Lot 1
41.52ac
R25E
T6N
POINT OF DIVERSION
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CRP
FILED
JAN 15 1992
A-318
C.M. OLSON
34-7160

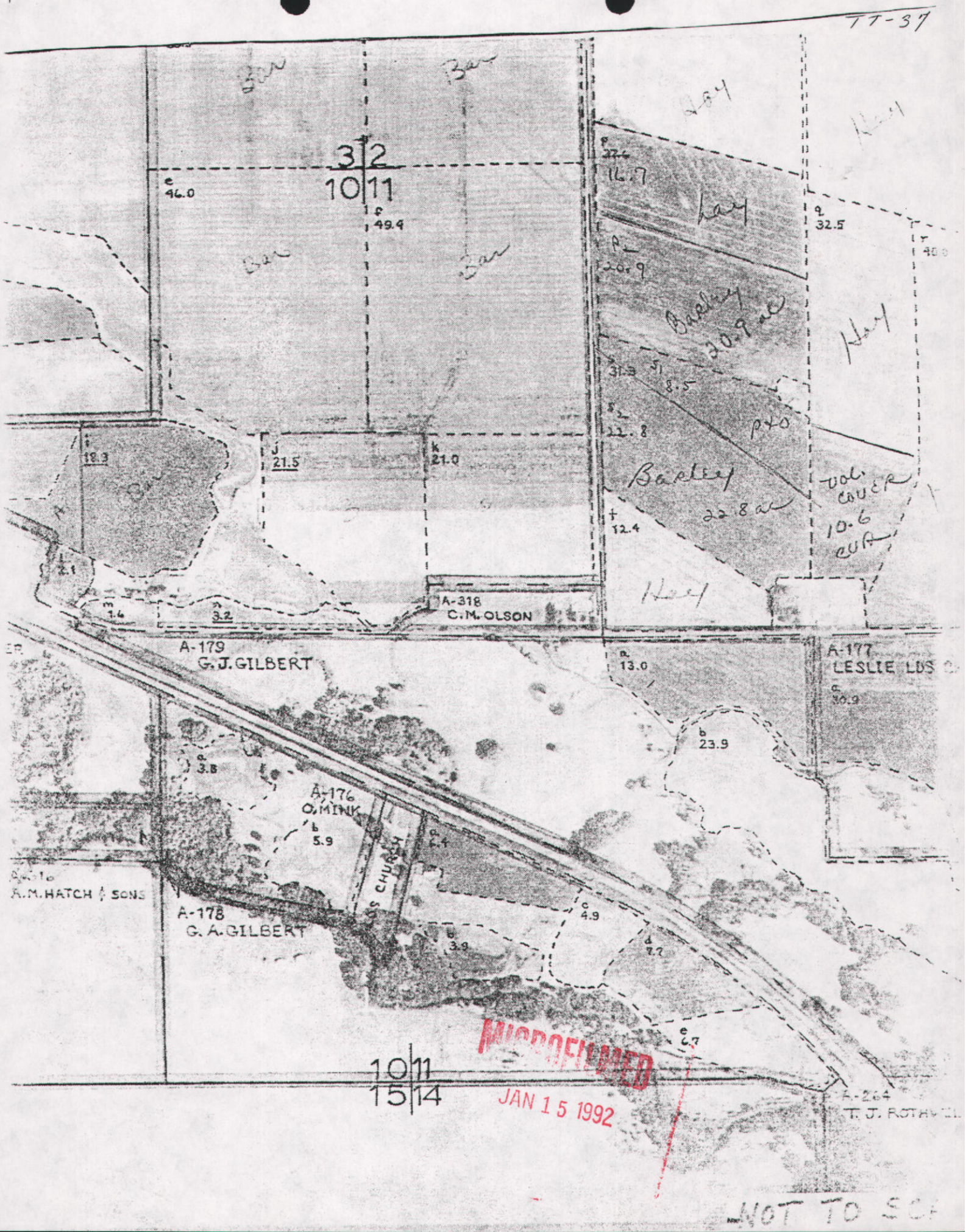

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A-179
G. J. GILBERT
A-178
G. A. GILBERT
A-176
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T. J. ROTHWELL
CHURCH
M. HATCH & SONS
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P.O.B.
NOT TO SCALE
JAN 15 1992


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G. J. GILBERT
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LESLIE LDS C
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O. MINK
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G. A. GILBERT
M. HATCH & SONS
CHURCH
A-264
T. J. ROTHWE
pasture
cliffs
grass
trees & cows
gully
JAN 15 1992

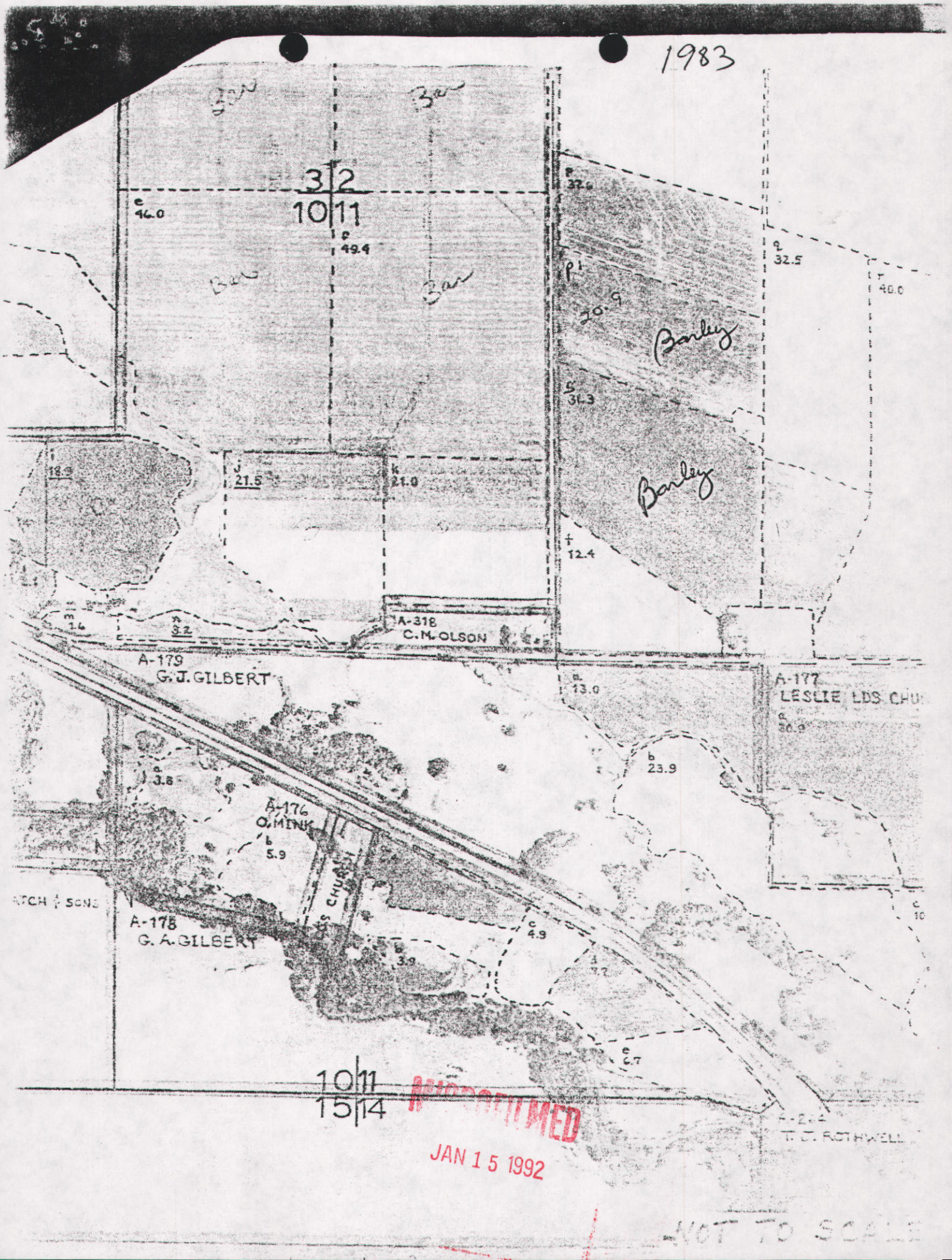

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JAN 15 1992
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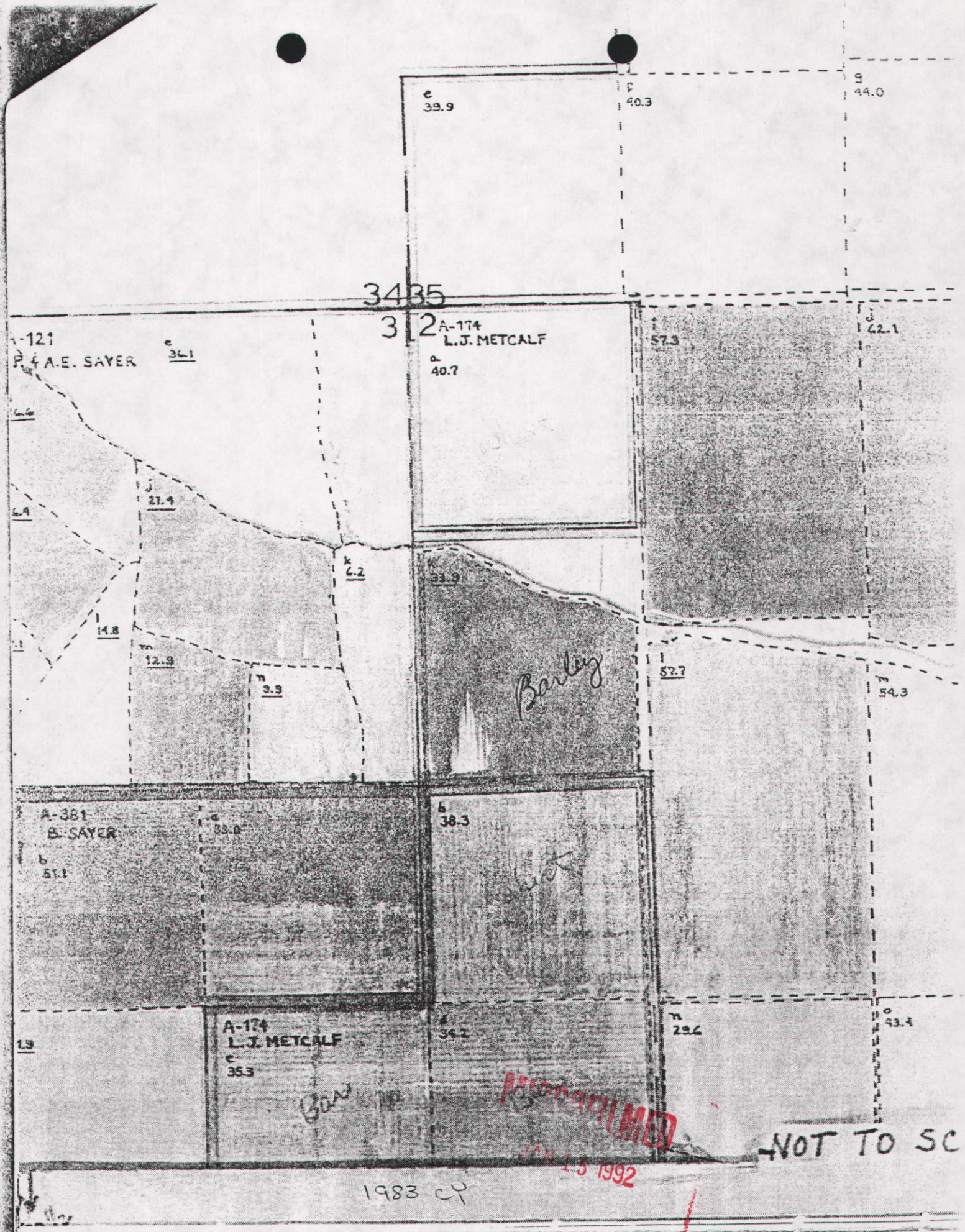

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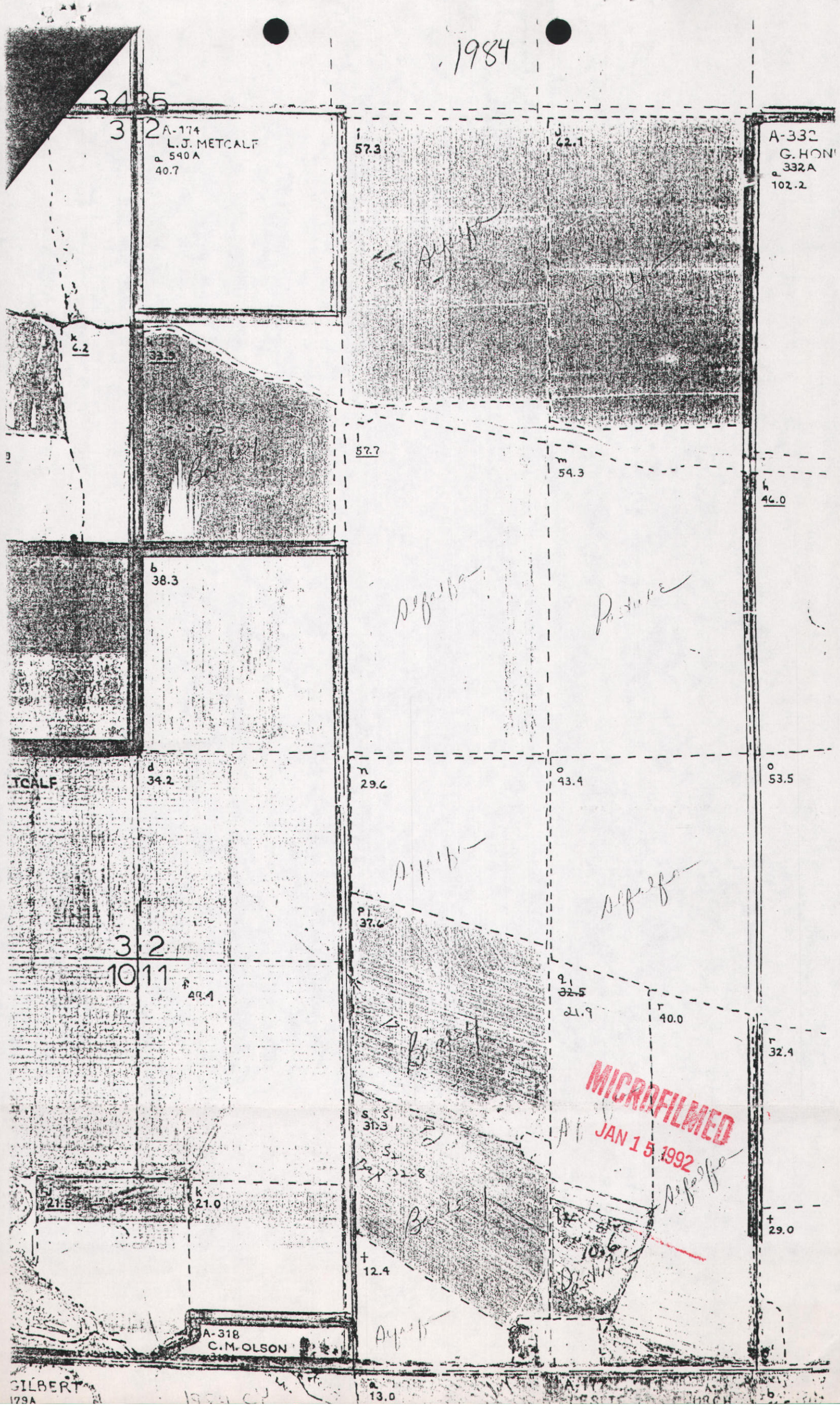
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G. J. GILBERT
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LESLIE LDS CHU
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G. A. GILBERT
T. C. ROTHWELL
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JAN 15 1992
NOT TO SCALE

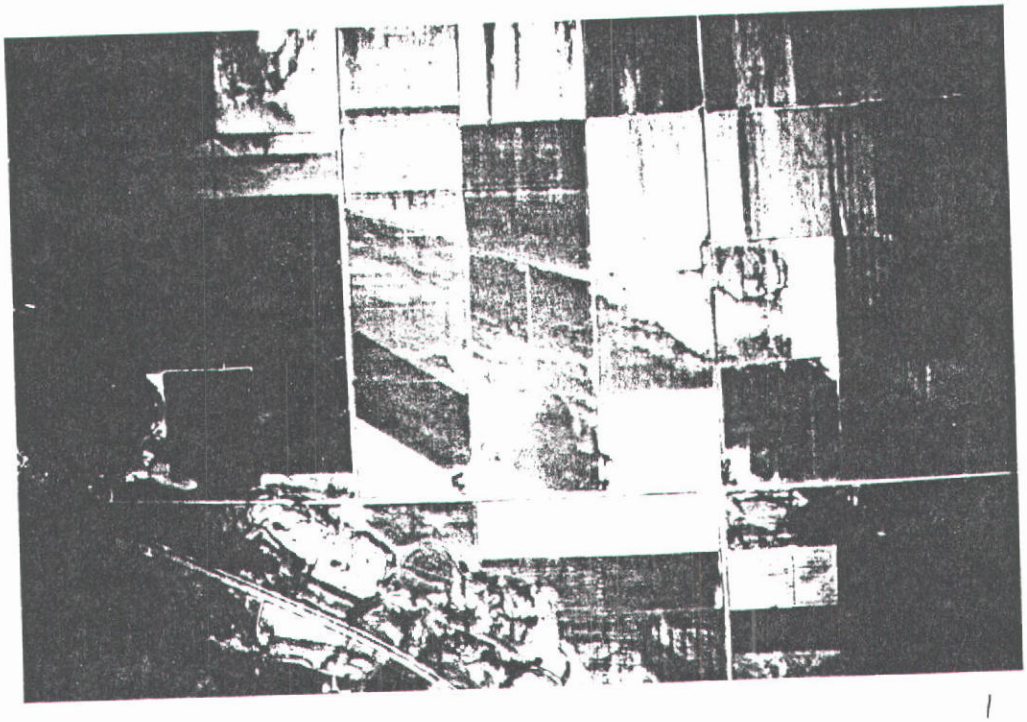


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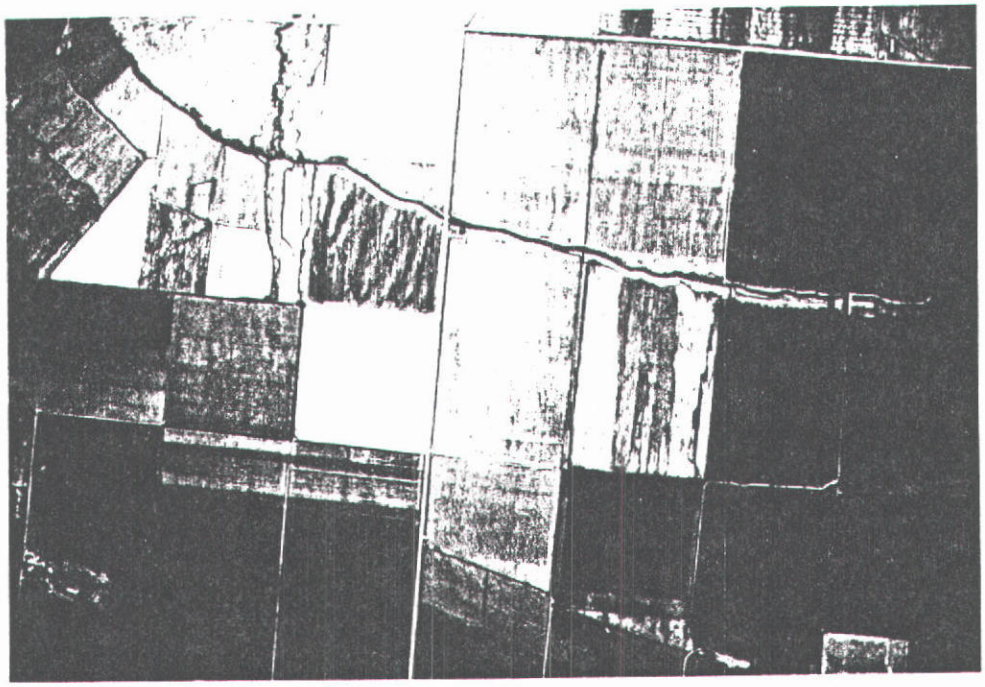
23. PREPARER'S INITS.	DATE	24. REVIEWER'S INITS.
PAS	4/10/83	


1984
34 35
3 2
A-174
L.J. METCALF
a 540 A
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i 57.3
j 42.1
A-332
G. HON
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A-318
C.M. OLSON
MICROFILMED
JAN 15 1992
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1985
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L.J. METCALF
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JAN 15 1992
A-318
C.M. OLSON
1985 CY 11A-174

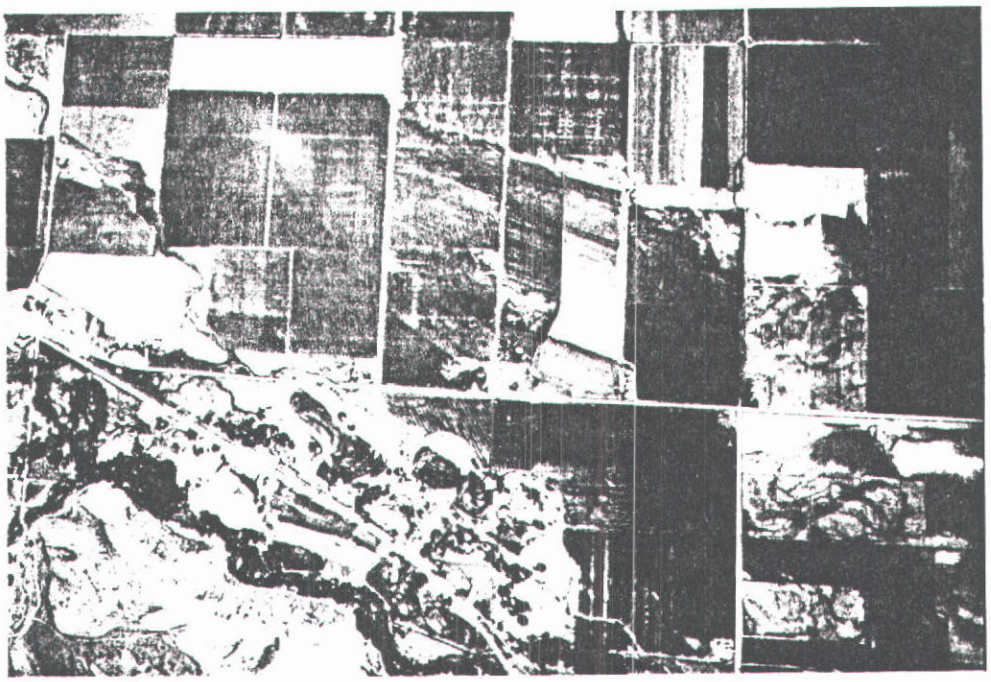


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JAN 15 1992



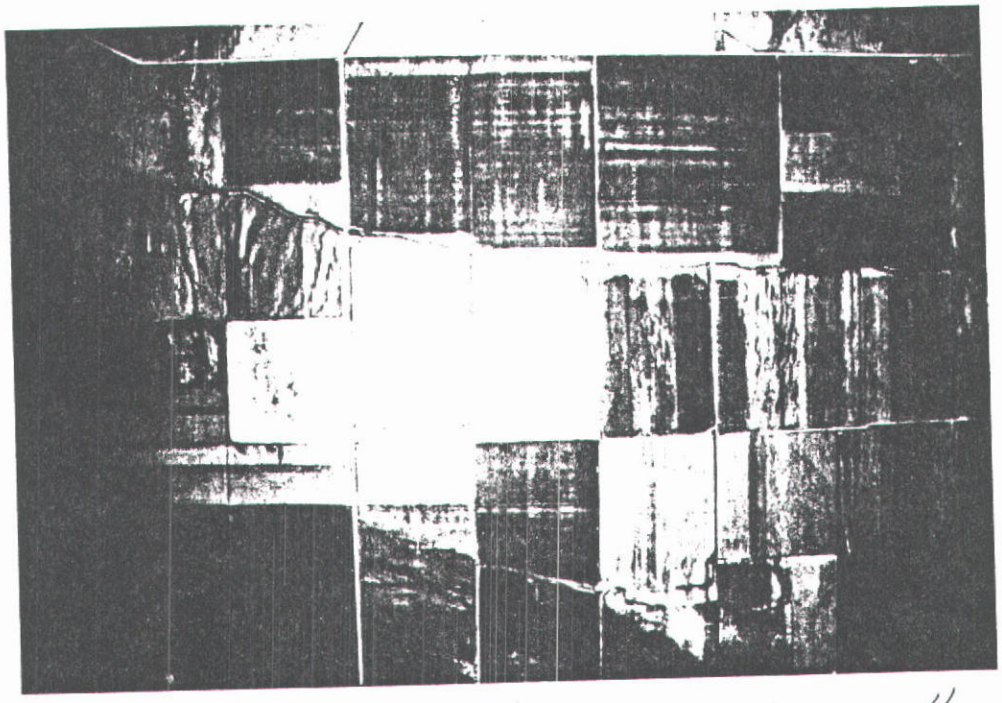
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MICROFILMED
JAN 15 1992



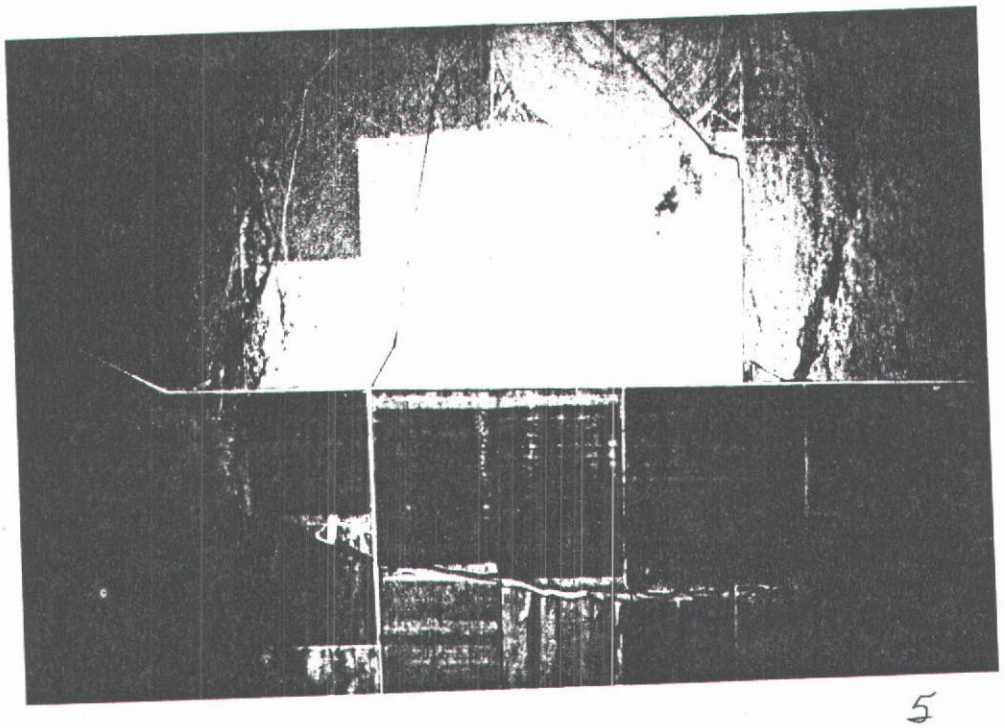
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JAN 15 1992



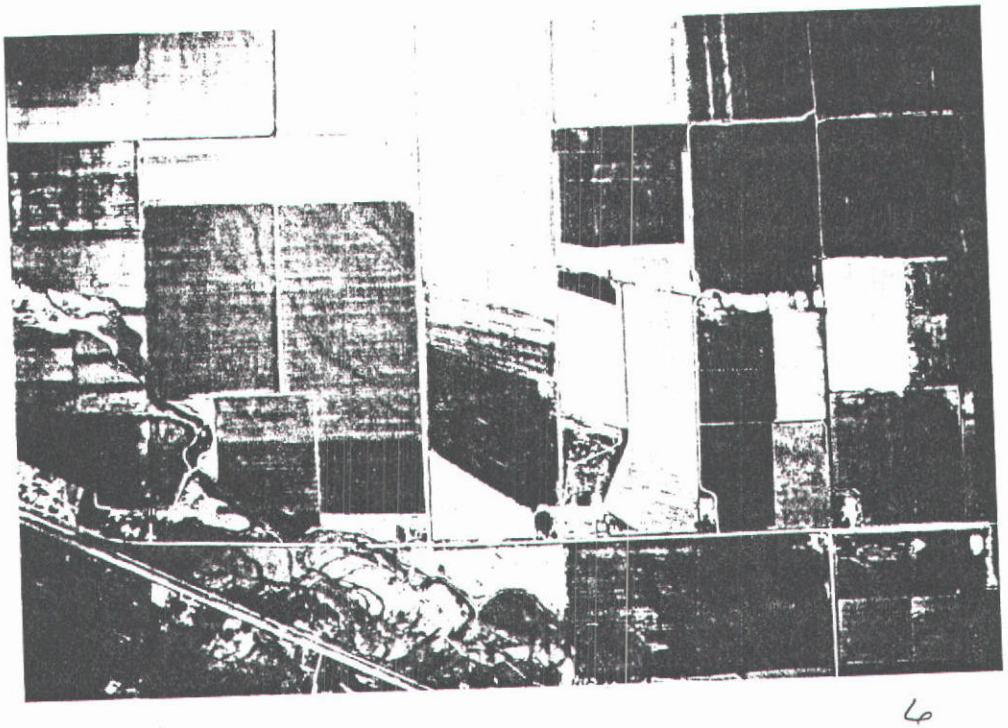
4

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JAN 15 1992

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Receipt No: C019875

Date: 3/ 8/1991
Time: 14:23:42

Received From: HOLDEN, KIDWELL, HAHN & C

Type of Payment	Program Acct Class	Amount
BENEFICIAL USE (34-7160)	530122 1238 6490	175.00
	Total	$175.00

CHECK 47667

Region: STATE

Signature: J. Jaquish

November 22, 1976

Re: Permit No. 34-7160

Edward R. Denison
Rt. #1
Darlington, ID 83231

Dear Mr. Denison:

Enclosed is a copy of your approved Application for Permit No. 34-7160. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

Enclosure: Copy of permit

October 12, 1976

RE: Application for Permit No. 34-7159
" " " No. 34-7160 DENISON

Arco Advertiser
Box "C"
Arco, Idaho 83213

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced applications. The legal notice was to have been published in your paper on September 23 and September 30, 1976.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

RDC:CN

cc: IDMR - State Office

Called 10-11-76 ed
Called 11-26-76 ed
Called 11-27-76 ed

September 15, 1976

RE: Application for Permit No. 34-7159
" " " No. 34-7160 DENISON

Arco Advertiser
Box "C"
Arco, Idaho 83213

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 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.

An affidavit of publication must be submitted to the Department along with the publication bill.

Very truly yours,

RONALD D. CARLSON
Supervisor,
Eastern Region

Bill submitted 11-19-76 by [illegible]

RDC:CW

Enc: Legal Notice (2)

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Edward R. Denison, Darlington, Idaho

has on 9-13-76 submitted Application No. 34-7160

for a permit to appropriate 3.69 cubic feet per second ~~acre feet per annum~~

of water from a ground-water source

by means of well and pump

within the SE¼SW¼, Sec. 2, T. 6N, R. 25E, B.M., Butte County;

to be used from Apr. 1 to Nov. 1

for the irrigation of 351 acres

within the SW¼NE¼, SE¼NW¼, E½SW¼, W½SE¼, Sec. 2, W½NE¼, E½NW¼, Sec. 11, T. 6N, R. 25E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1515 Lincoln Road, Idaho Falls, Idaho, 83401 on or before October 11, 1976.

R. KEITH HIGGINSON
Director

Published in the Arco Advertiser, Arco, Idaho
on September 23 and September 30, 1976

PUBLIC NOTICE

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Edward R. Denison, Darlington, Idaho, has on 9-13-76 submitted Application No. 34-7160 for a permit to appropriate 3.49 cubic feet per second of water from a groundwater source by means of well and pump within the SE¼SW¼, Sec. 2, T. 9S, R. 28E, B.M., Butte County; to be used from Apr. 1 to Nov. 1 for the irrigation of 303 acres within the SW¼NE¼, SE¼NW¼, E½SW¼, W½SE¼, Sec. 2, NW¼NE¼, E½NW¼, Sec. 11, T. 9S, R. 28E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of this permit must be filed with the Idaho Department of Water Administration, 650 Lincoln Road, Idaho Falls, Idaho, 83401 on or before October 11, 1976.

R. KEITH HIGGINSON
Director

Published in the Arco Advertiser, Arco, Idaho on September 16 and September 23, 1976.

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item	Initial	Date
(1)	LL	9-14-76
(2)	"	"
(3)	"	"
(4)	"	"
(5)		
(6)	"	"
(7)	"	"
(8)	"	"
(9)	"	"
(10)	"	"
(11)	TRL	11-8-76
(12)	RDC	11/9/76
(13)	"	"
(14)	"	"

Application No. _____

✓ Source
✓ Point of Diversion
✓ County
✓ Quantity of Water and Period of Use
✓ Description of Diverting Works
✓ Time required for B/U of water
✓ Place of Use or Acres Irrigated
✓ Map
✓ Signature
✓ Fee

In form to receipt yes

Send Copies to:
_____ Idaho State Health Department
_____ Idaho Fish and Game Department
NA _____ Bureau of Land Management
_____
_____ Request Special Use Permit from U.S.F.S.
NA _____ Request Easement from B.L.M.
_____ Request Information from Applicant

In form for advertising yes

Platted on Map No. _____

NA Located within Water District No. _____

Critical groundwater area: yes _____ no ✓

Groundwater levels:

_____ Declining, ✓ Stable, _____ Increasing

(comment) Ref obs well 6N25E 34AA1

Other rights on the same place of use yes

Comments: Lic 34-2407 Q ok

Affidavit of Publication received (date) 11-08-76

Final date for protests October 11, 1976
Protests received: yes _____ no _____

All requested information received from agencies or applicant: yes _____ no _____

Action recommended:

✓ Approve _____ Deny

9/13/76 Proposed Priority

_____ Reason for Reduction _____

✓ Measuring device required

_____ See attached sheet for other conditions of approval

_____ No special conditions for approval

(15) District E By RDC Date _____

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 34-07160

Priority: February 21, 1981 — Maximum Diversion Rate: 1.92 CFS; Maximum Diversion Volume: 468.0 AF

This is to certify, that EDWARD R. DENISON
RT. 1
DARLINGTON ID 83231 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated September 13, 1976; and has submitted Proof of Beneficial Use on July 29, 1981. An examination indicates that the works have a diversion capacity of 1.920 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	04/01 to 11/01	1.92 CFS	468.0 AF

LOCATION OF POINT(S) OF DIVERSION: SWSESW , Sec. 2, Township 06N, Range 25E
BUTTE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
06N	25E	2	SESW	7					7
		11	NWNE	35	SWNE	38	NENW	39	
			SENW	37					149

Total number of acres irrigated: 156

CONDITIONS/REMARKS:

1. The maximum diversion volume listed within this right is defined as the maximum allowable volume of water that may be diverted annually from the source identified under this right, or limited to the amount that can actually be beneficially used on the above described place of use. This right is further limited to a maximum diversion of water onto the above described place of use of 0.02 cfs per acre or 3.0 acre feet per acre per year when combined with all other appurtenant water rights.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

JAN 15 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 34-07160

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 6TH day of DECEMBER, 1991.

Acting for R. Keith Higginson, Director

JAN 15

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 34-7160 IN THE NAME OF EDWARD R. DENISON	ORDER OF REINSTATEMENT

This matter having come before the Department of Water Resources (Department) as a result of preparing Permit No. 34-7160 for issuance of a license, the Department finds, concludes and orders:

FINDINGS OF FACT

1. The Department approved Application for Permit No. 34-7160 to appropriate the public waters of the State of Idaho with a proposed priority of SEPTEMBER 13, 1976.

2. On JULY 30, 1986 the Department advised the permit holder that a license examination fee was required before an examination could be conducted to confirm the extent of use developed under the permit. The examination fee was due on SEPTEMBER 28, 1986.

3. The license examination fee was not paid within one year of the date, and the permit lapsed for failure to pay the license examination fee.

RECEIVED

MAY 14 1991

4. The license examination fee was received on MARCH 08, 1991, 1621 day(s) late.

CONCLUSIONS OF LAW

1. The Director may advance the priority date of the permit one day for each day the license examination fee is late, pursuant to the provisions of Section 42-217, Idaho Code.

2. The date of priority of Permit No. 34-7160 should be advanced 1621 day(s).

ORDER

IT IS HEREBY ORDERED that Permit to Appropriate Water No. 34-7160 is reinstated.

IT IS FURTHER ORDERED that the date of priority of Permit No. 34-7160 is advanced to FEBRUARY 21, 1981.

Dated this 6th day of May, 1990.

Chief, Water Allocation Bureau

MAY 14 1991

Form 217
08/89

For Office Use Only
Amt of Fee $_____
Date _____
Receipt No. _____
Received by _____

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 34-7160 Telephone No. 588-2532

Name(s) of Permit Holder(s): RANDY PEHRSON

Post Office Address: BOX 239 MACKEY ID 83251

Source of Water: WELL

If ground water, well driller's name. BOYD LAMBERT Date drilled: WINTER 76-77

Extent of Use:

Domestic _____ (No. of households) Irrigation _____ (No. of acres)

Stockwater _____ (No. and type of stock) Other _____

Total rate and/or volume for which proof is submitted 3.69 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit MAY 5 1977

One of the following may be a condition of approval of your permit:

Measuring device: Required? __Yes __No Installed? __Yes __No

OR

Flow Measurement Port: Required? __Yes __No Installed? __Yes __No

Fee Enclosed: $ _____ (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

RANDY PEHRSON — Name
588-2532 — Telephone No

BOX 238, MACKEY ID 83251 — Address

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.

Oct 22 1990 — Date
Randy Pehrson — Signature (and title if on behalf of a company or organization)

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has complied with development to the extent shown below of Permit No. 37-7160.

Name(s) of Permit Holder: EDWARD R. Denison

Post Office Address: RT#1 DARLington IDa

Tel. No. 535-7536

Source of Water: Ground

Extent of Use:
- ☐ Domestic _____ (number of households)
- ☐ Stockwater _____ (number and type of stock)
- ☒ Irrigation 331 (acres)
- ☐ Other _____

Measuring Device: Required? ☐ Yes ☒ No Installed? ☐ Yes ☐ No

Access Port: Required? ☒ Yes ☐ No Installed? ☒ Yes ☐ No

The above information is a true statement of the extent to which the above numbered permit has been developed.

7/24/81
Date

Edward R Denison
Signature of Permit Holder

PLACE
TEN CENT
STAMP
HERE

RECEIVED
JUL 24 1981
Department of Water Resources

RECEIVED
JUL 30 1981

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING DEVICE REQUIREMENT FOR PERMIT NO. 34-7160

ORDER

WHEREAS, the above numbered permit was approved with the condition that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on July 1, 1978, the Department adopted a new water measurement condition which states: "An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department"; and,

WHEREAS, the former condition required the permit holder to purchase and install a measuring device or hire a professional engineer to certify the rate of diversion; and,

WHEREAS, the measuring device condition effective July 1, 1978, requires less capital expenditure by the permit holder; and,

WHEREAS, to be equitable to holders of permits issued prior to July 1, 1978, the new condition should be retroactive;

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows: "The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 16th day of August, 1978.

C. J. STEPHEN ALLRED
Director

Identification No 34 7160

Application No

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1 Name of applicant Edward R. Denison Phone 588-2536

post office address Rt. #1, Burlington, Idaho

2 Source of water supply ground water which is a tributary of

3 a Location of point of diversion is SE ¼ of SW ¼ of Section 2 Township 8S

Range 25E B M Butte County, additional points of diversion if any:

b If water is not consumed, it will be discharged into at a point in ¼

of ¼ of Section Township Range B.M

4 Water will be used for the following purposes.

Amount 3.69 (cfs or acre feet per annum) for irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)

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

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

5 Total quantity to be appropriated

a. 3.69 cubic feet per second and/or

b. acre feet per annum

6 Proposed diverting works:

a Description of ditches, flumes, pumps, headgates, etc well, pump and open discharge

b Height of storage dam feet, active reservoir capacity acre feet, total capacity acre feet, materials used in storage dam

Period of year during which storage will occur (Mo. Day) to (Mo. Day)

c Proposed well diameter is 16 inches; proposed depth of well is 100 feet.

7 a. Time required for the completion of the works and application of the water to the proposed use is 5 years.

b. Estimated construction cost is $ 4,000.00.

8 Description of proposed uses:

a If water is not for irrigation:

(1) Give the place of use of water ¼ of ¼ of Section

Range B.M.

(2) Amount of power to be generated hp under feet head

(3) Other purposes for which water is to be used

(4) Nature of use

(5) Period of year during which water is to be used

(6) Place of use if water is to be stored

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

Twp.	Range	Sec.	SE¼ NE¼	SE¼ NW¼	SE¼ SW¼	SE¼ SE¼	NE¼ NE¼	NE¼ NW¼	NE¼ SW¼	NE¼ SE¼	NW¼ NE¼	NW¼ NW¼	NW¼ SW¼	NW¼ SE¼	SW¼ NE¼	SW¼ NW¼	SW¼ SW¼	SW¼ SE¼	Totals
6N	25E	2			15					20	40			40		40	40		195
		11		40	38		40			38									156

Total number of acres to be irrigated 351

c Describe any other water rights used for the same purposes as described above License 34-2407 3.33 cfs for 351 acres

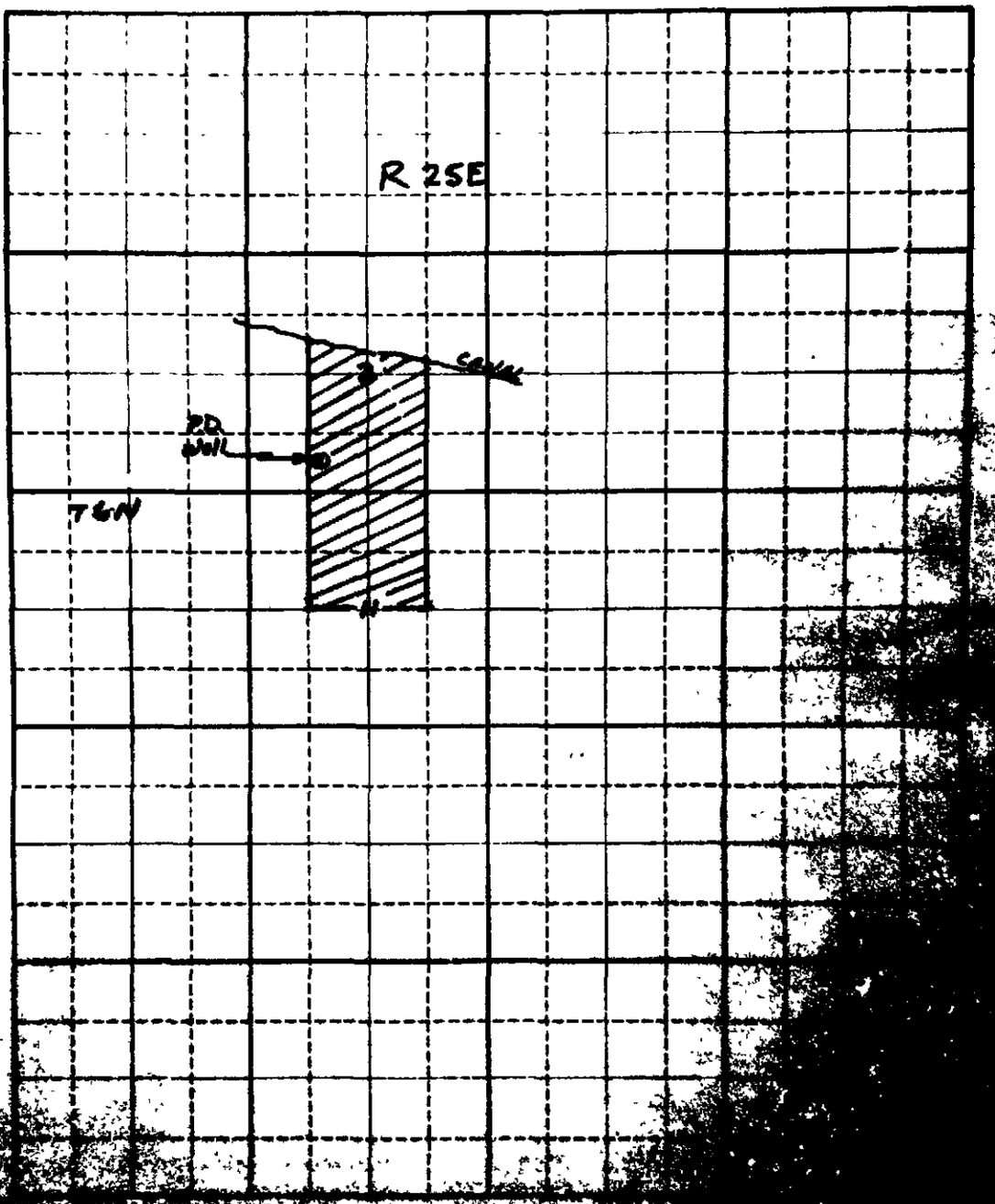
9 a. Who owns the property at the point of diversion Applicant

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

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



Proposed Priority 9-13-76

Received by Date Time

Preliminary check by Fee $

Receipted by Date

Publication prepared by Date

Published in

Publication dates

Publication approved Date 11-09-76

Priority reduced to Reason

Protests filed by

Copies of protests forwarded by

Hearing held by Date

Recommended for approval denial by

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 36-7160, and said application is hereby APPROVED

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 November 1, 1981.

   c. Other. A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting

2. Denial of said application is for the following reasons:

Witness my hand this 9th day of November, 19 76.

Affidavit of Publication

RECEIVED
NOV 8 1976
Department of Water Resources
Eastern District Office

I, L Ella Cimmeck, of the Arco Advertiser, a weekly newspaper of general circulation, published weekly at Arco, Idaho, since March, 1969, do solemnly swear that a copy of this notice, per clipping attached, was published weekly in the regular and entire issue of said newspaper, and not in any supplement thereof,

for 1 consecutive weeks, commencing with the issue dated 9-23-76

and ending with the issue dated 9-30-76

L Ella Cimmeck

Subscribed and sworn to before me this 5 day of Nov, 19 76

Charles Jones
Notary Public

Residence: Arco, Idaho.
My commission expires 5/14, 19 78



State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 9, 1992

EDWARD R. DENISON
RT. 1
DARLINGTON ID 83231

RE: WATER RIGHT NO. 34-07160

Dear Water Right Holder(s):

Enclosed is a copy of your water right license.

This right is included in the Snake River Basin Adjudication and you will be receiving further information regarding this in the near future.

If you have any questions, please let me know.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

RECEIVED
JAN 15 1992

Form 219
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 34-7160

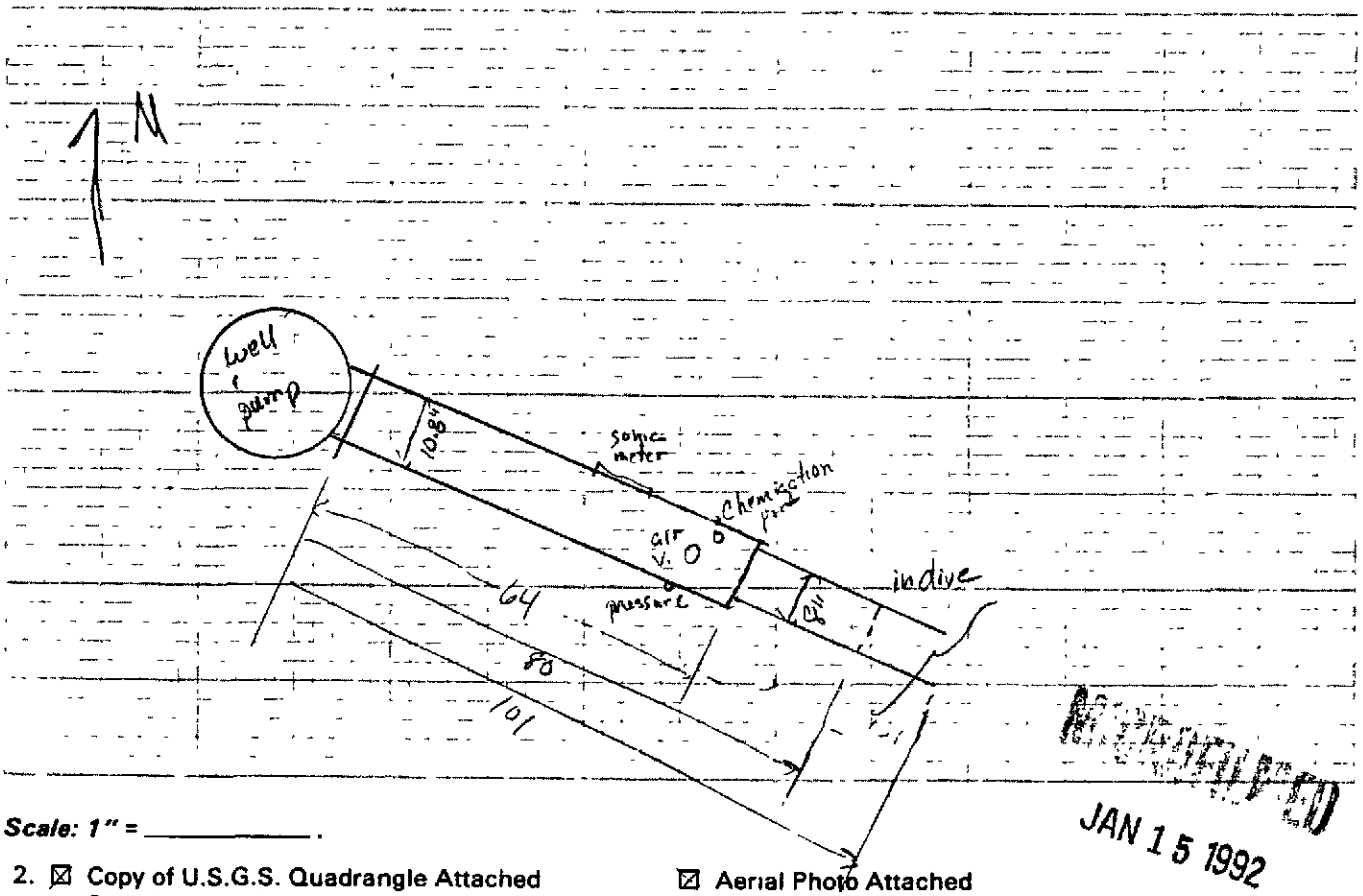
1. Owner: Edward Denison — Phone No. ✓
   Current Address: Rt #1, Darlington, ID
2. Accompanied by: Randy Kinnison — EXAM. DATE: 6-27-91
   Address: P.O. Box 239 Mackay, ID — Phone No. 208-588-2532
   Relationship to Permit Holder: New owner
3. Source: Groundwater tributary to

B. OVERLAP REVIEW

1. Other water rights with same place of use 43-10210, 34-0724/0725/0726/0729/0730 (Big Lost River), 34-0731/0550/0551 (Pass Creek), 34-2407 Groundwater ☐ Copies Attached
2. Other water rights with same point of diversion: ~~43-10240~~, ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____.

2. ☒ Copy of U.S.G.S. Quadrangle Attached
   Showing location(s) of point(s) of diversion and place(s) of use (required).
   ☒ Aerial Photo Attached
   (required for irrigation of 10 acres or more).
   ☐ Photo of Diversion and System Attached
   (required for all but single household domestic groundwater, and stockwater.

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

well, pump - mainline to south center Pivot (low pressure 10 psi system) (end gun has been in water this season - will be in future - soon to "in" position). System also third irrigates all ground south (to road - including yard @ house.) and ground north between pivots - will have hand lines on corners soon. (in SE SW & SW SE)

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor ~~Serial~~ Model No.	Pump Make	Pump Serial No. or Discharge Size
Well #1	GE - Marathon	40	5K6256XC5A	Johnston	(15713)

*Code to correspond with No. on map and aerial photo

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	SE	SW	2	6N	25E	Butte	on site / Quad map

6. **Place(s) of Use:** Indicate Method of Determination

Twp.	Rge.	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
~~6N~~	~~25E~~	2												21			21		~~42~~
		11		40	38		40			38									156
6N	25E	2												~~25~~ 7			~~25~~		~~51~~ 7
		11		~~40~~	38		39			37									~~154~~ 149
																			~~205~~ 156
																			198

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JAN 15 1992

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Flow meter	Ultra-Sonic	Polysonic	Tyco-Hydro TE-D		8in	VO 8.5
pressure gauge					0-60	

2. **Measurements:**

32.5' dynamic dep[illegible]
38 psi - } = 2.05 cfs = 920 gpm
(40 hp)

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:
PolySonic - 861.2 gpm = 1.918 cfs

2. Alternate Method for Checking Purposes:
Theoretical - $\frac{40\ hp\ (8.814)(.7)}{32.5 + (38\ psi \times 2.308)}$ = 2.053 cfs = 921.4 gpm

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: 38 psi x 2.31 = 87.78 ft (1); Dynamic pumping level: 32.5' ft (2)
Total Head: (1) + (2) = 120.28 (3) ; Flow rate: 2.05 cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)
Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)
Meter Input HP: (6) x 1.34 = _____ (7)
Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Ampsx .001732 = _____ (6)
Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

V_{IR} = (Acres Irrigated) x (Irrigation Requirement) = (~~205~~ 156 ac)(3.0) = ~~615~~ 468 afa

V_{DR} = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = 1.92 cfs (214) 1.9835 = 814.98 = 815.0

V = Smaller of V_{IR} and V_{DR} = ~~615~~ afa 468 a/a.

2. Volume Calculations for Other Uses:

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JAN 15 1992

H. REMARKS AND OVERLAP REVIEW ANALYSIS

Adjudication claims do not reflect how system is operated.
According to field examination this is the only ground water source for the place of use described in Item C6

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Irrigation	4/1	11/1	1.92 cfs	~~615~~ afa 468 afa.
		Totals:	1.92 cfs	615 afa

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☐ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

J. AUTHENTICATION

Field Examiner's Name Lyn Bushaw Kenny C Wilson

Signature Lyn Bushaw, Keith C Wilson

Certification Date _____

CONSULTANT SEAL

Field Report Preparation Date _____

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

RECEIVED
1 5 1992

6-27-91 JS

34-7160

MODE SELECT
INPUT

OUTER DIAMETER
10.8324 IN

PIPE MATERIAL
? CS.SS

WALL THICKNESS
.25900 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? H

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
9.485 IN H

ZERO MODE
AUT ZERO

00-00 00:2200 *P
+833.198E 0GPM

MODE SELECT
TO CHECK

0393.1 MMSEC
102.30 % T0

00-00 00:2200 *P
+841.652E 0GPM

00-00 00:2300 *P
+ 3.251E 0FPS

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+002.70 % AI2

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+002.70 % AI2

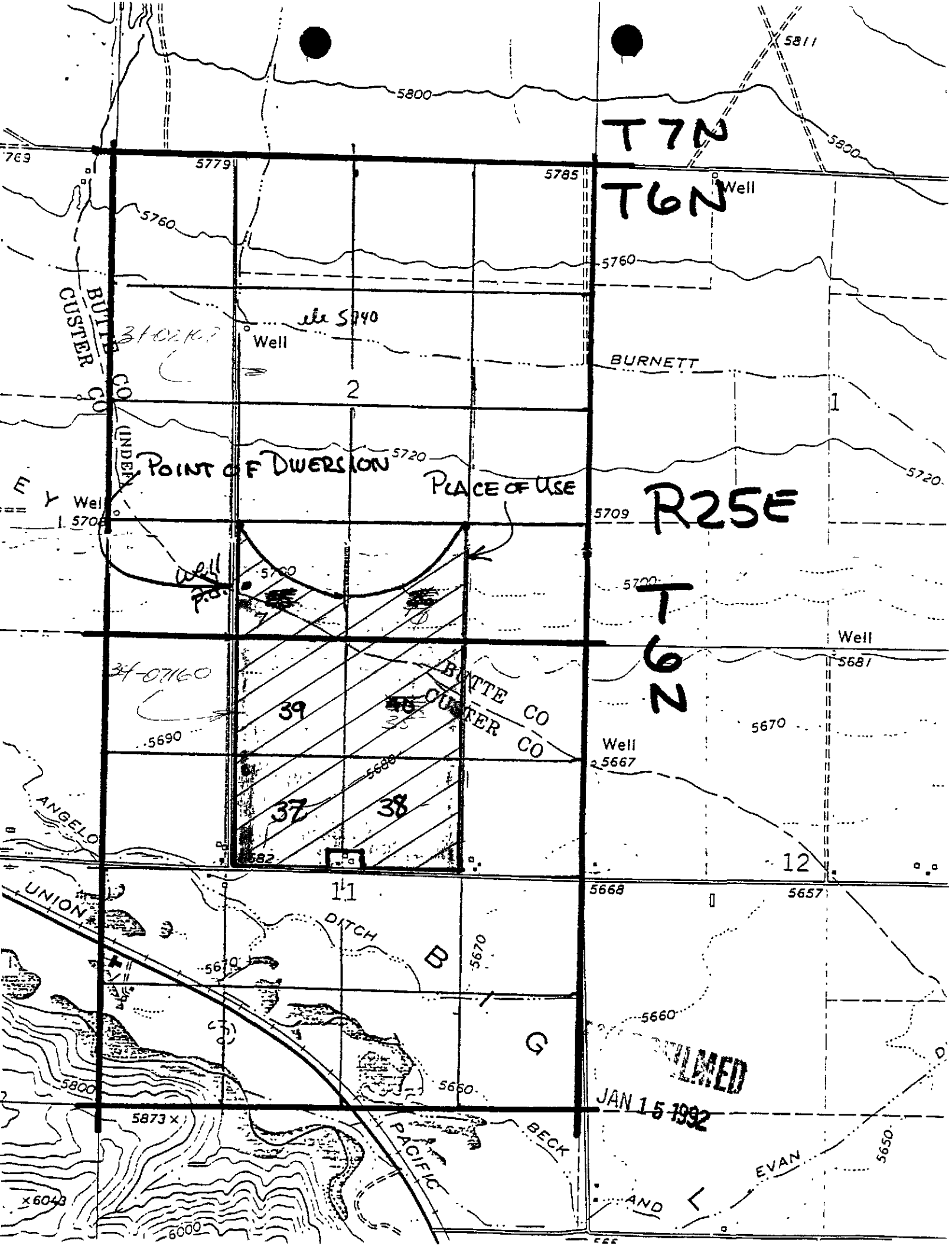
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= 1,918 cfs

FLOW MEASUREMENT TAPE

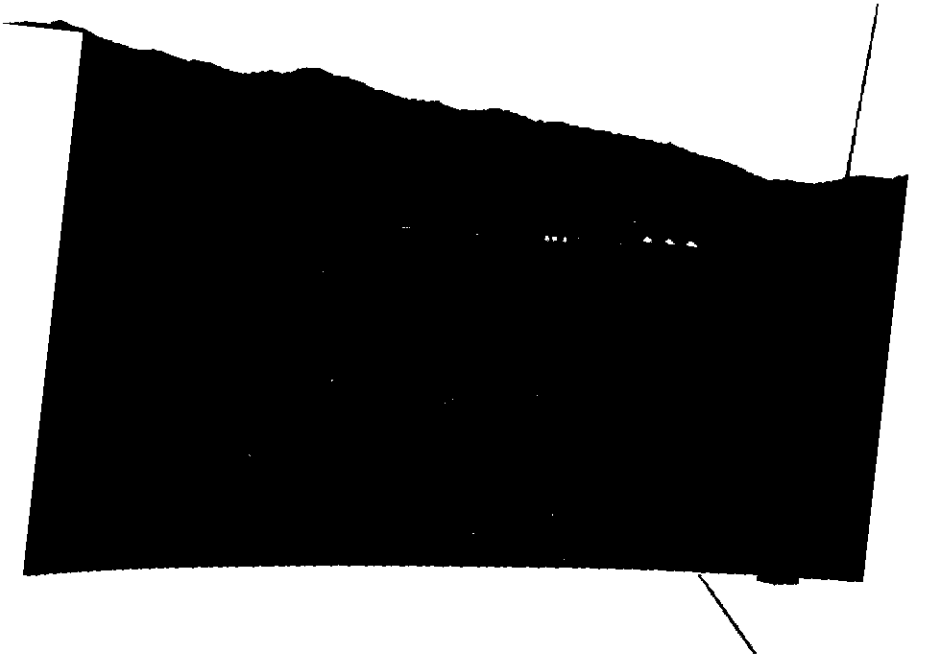
34-7160

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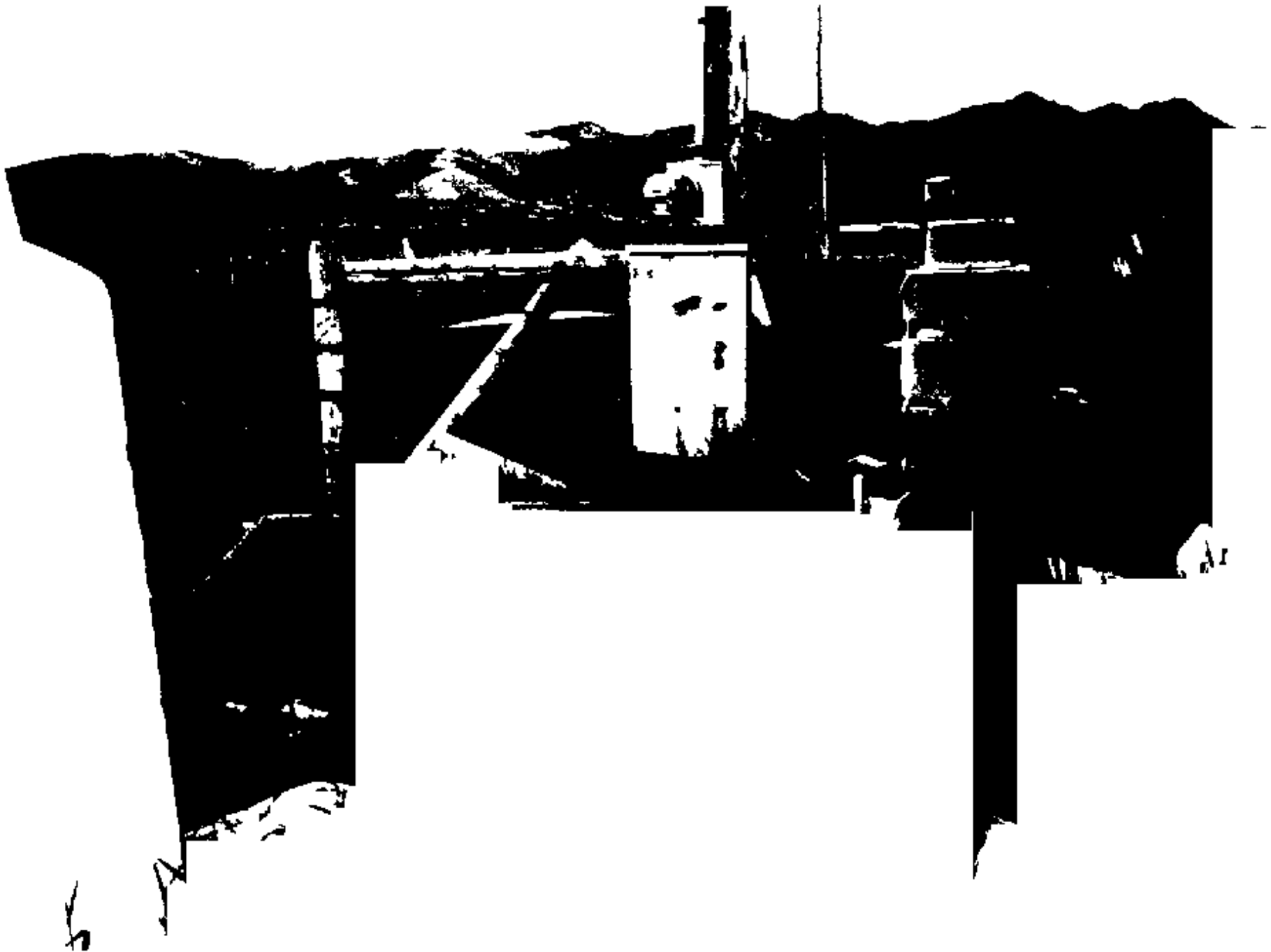

T7N
T6N
R25E
T6S
POINT OF DIVERSION
PLACE OF USE
BUTTE CO
CUSTER CO
BURNETT
UNDEN
Well
5800
5760
5720
5709
5700
5690
5680
5670
5660
5650
5811
5779
5785
5768
5681
5667
5668
5657
5873
6000
39
37
38
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2
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12
DITCH
UNION
PACIFIC
BECK
EVAN
ANGELO
FILMED
JAN 15 1992



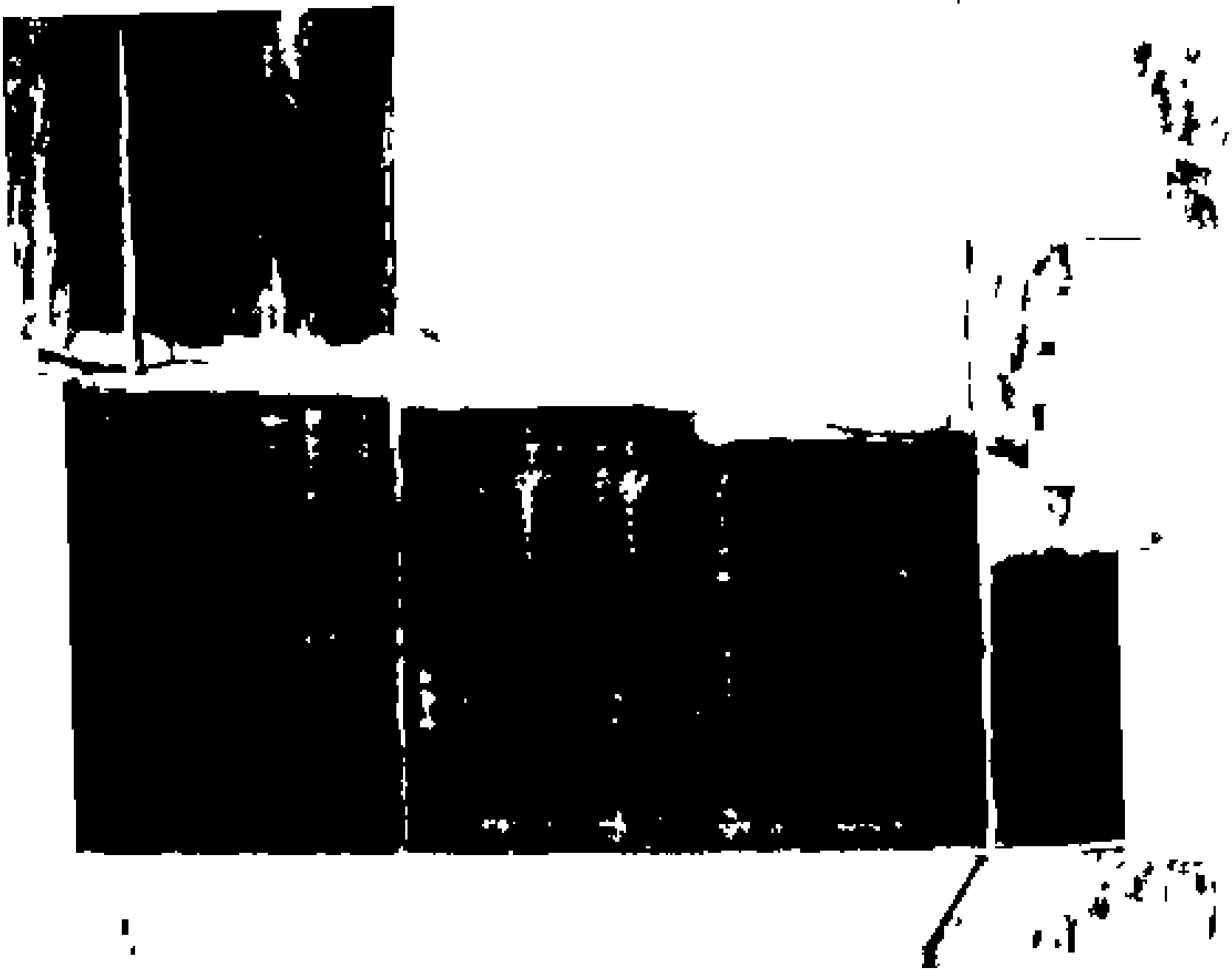








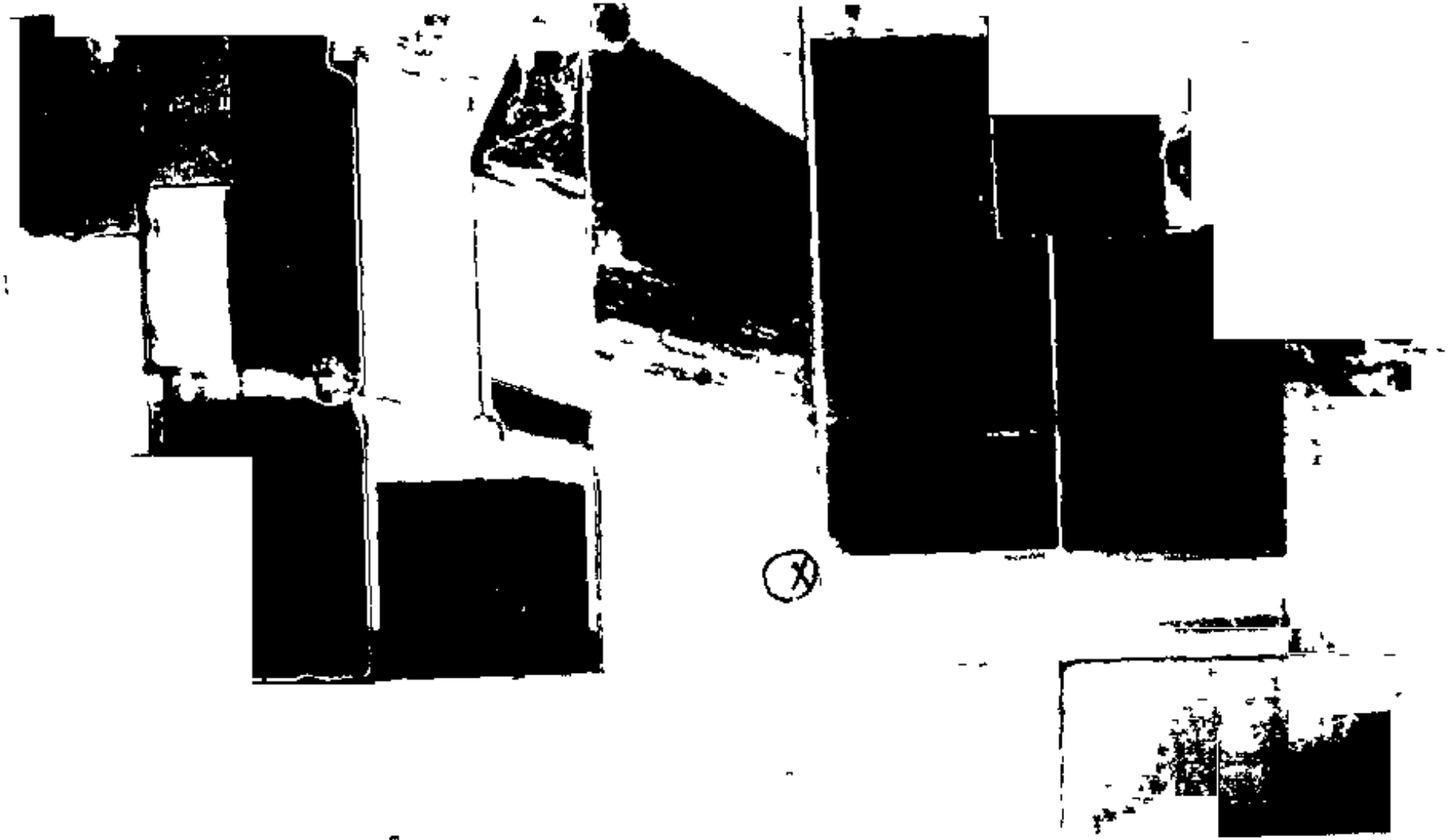












Form 219
6/86

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 34-7160

1 Owner: Edward Denison — Phone No. —

Current Address: Rt #1, Burlington, Id

2 Accompanied by: Tony Denison — EXAM. DATE: 6-27-91

Address: P.O. Box 239 Malad, Id — Phone No. 208-233-2552

Relationship to Permit Holder: new owner

3. Source: Groundwater — tributary to —

Rec'd S.O. in 8/26/91

B. OVERLAP REVIEW

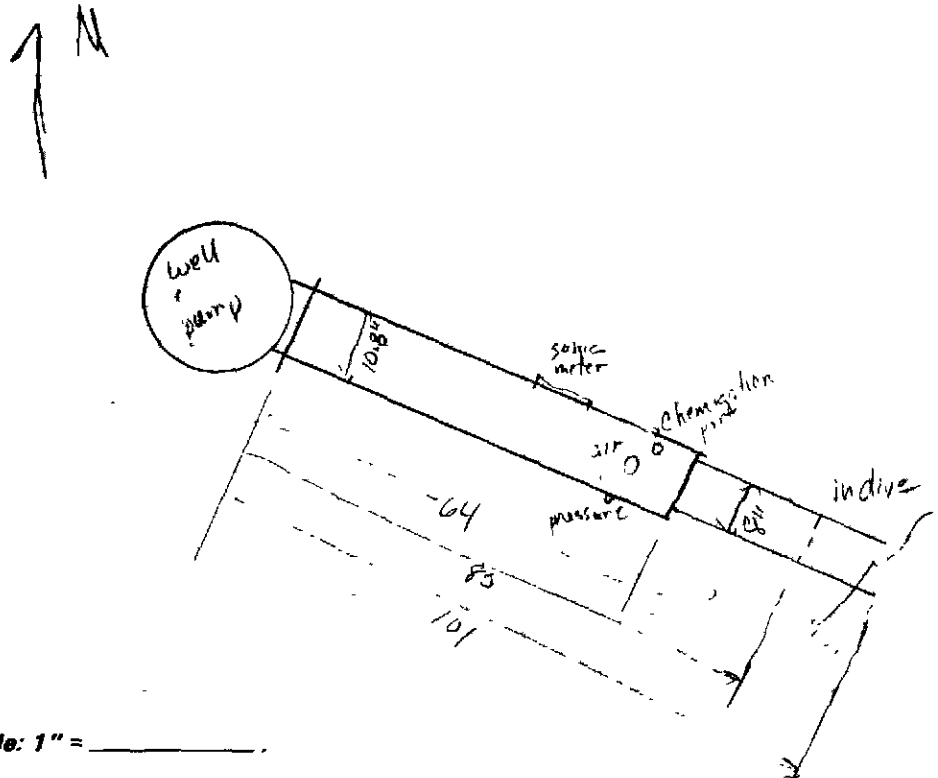
1. Other water rights with same place of use: A35-10310, 34-0724/0725/0726/0729/0730 (Big Lost River), 34-0731/0550/0551 (Pass Creek), 34-2407 Groundwater ☐ Copies Attached

2 Other water rights with same point of diversion: A35-10240, —

— ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



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Scale: 1" = _____.

2. ☒ Copy of U.S G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and place(s) of use (required).

☒ Aerial Photo Attached
(required for irrigation of 10 acres or more).

☒ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

well, pump - main line to South run in first (low pressure 10 travel system) (end gun low pressure, 2 water at a time on - will be in either 2 or 3 runs) Sprinkle two irrigate all ground south (to road - including yard @ house.) and ground north of house.
- will have Mark lines on corners soon.
(in SE SW & SW SE)

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No. (Model)	Pump Make	Pump Serial No. or Discharge Size
Well #1	GE - Marathon	40	5K6256XC5A	Johnston	(15713)

*Code to correspond with No. on map and aerial photo

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SW	SE	SW	2	6N	25E	Butte	On site inspection

6. **Place(s) of Use:** Indicate Method of Determination

Twp.	Rge.	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
~~6N~~	~~25E~~	~~2~~												21			21		~~42~~
		~~4~~		40	39		40			23									~~156~~
6N	25E	2												25			26		51
		11		40	38		39			37									154
																			205
																			198

JAN 15 1992

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Flow meter	Ultrasonic	Fuji	Fuji TF-P		8in	VO 8.5
pressure gauge					0-60	

2 **Measurements:**

32.5' dynamic depth
38 psi - (40 hp) } = 2.05 cfs = 920 gpm

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1 Measured Method.

Polysonic - 861.2 gpm = 1.918 cfs ≈ 861 gpm

2. Alternate Method for Checking Purposes.

Theoretical - $\frac{40\ hp\ (8.814)(.7)}{32.5 + (38\ psi \times 2.31)}$ = 2.053 cfs = 921.4 gpm

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: 38 psi x 2.31 = 87.78 ft (1); Dynamic pumping level: 32.5 ft (2)
Total Head: (1) + (2) = 120.28 (3) ; Flow rate: 2.05 cfs (4)

Water HP: (3) x (4) ÷ 8 8 = _____ (5)
Meter Input KW. 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)
Meter Input HP: (6) x 1.34 = _____ (7)
Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Ampsx .001732 = _____ (6)
Panel Input HP (6) x 1 34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1 Volume Calculations for Irrigation:

V_{IR} = (Acres Irrigated) x (Irrigation Requirement) = (205ac)(3.0) = 615 afa

V_{DR} = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = 1.92 cfs (214) 1.9835 = 814.98 = 815.0

V = Smaller of V_{IR} and V_{DR} = 615 afa

2. Volume Calculations for Other Uses:

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

Adjudication claims do not reflect how system is operated.
According to field exam, this is the only ground water source for the place of use described in Item C6

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
Irrigation	4/1	11/1	1.92 cfs	615 afa
Totals:			1.92 cfs	615 afa

2. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D as reflected above ☐ None

☐ Change P.U. as reflected above ☐ Add P U as reflected above ☐ Other

J. AUTHENTICATION

Field Examiner's Name Lyn Bushnell Keith C Wilson

Signature Lyn Bushnell Keith C Wilson

Certification Date _____

CONSULTANT SEAL

Field Report Preparation Date _____

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

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PERMIT # 34-07160

DETERMINE IF LICENSED AMOUNT WILL EXCEED 0.02 CFS/ACRE

34-2407/T2069 - 3.33 CFS/351 AC = 0.0094871 CFS/ACRE

FOR 86 ACRES UNDER 34-2407/T2069 & THIS PERMIT 34-7160
(25 AC SESW, 26 AC SWSE SEC 2; 35 AC NENW SEC 11,T6N,R25E)

(0.02 CFS/AC) - (0.0094871 CFS/AC) = 0.0105128 CFS/AC

(86 AC) X (0.0105128 CFS/AC) = **0.904 CFS**

THEREFORE; THE 86 AC @ 0.02 CFS/AC REQUIRES AN ADDITIONAL **0.904 CFS**

34-7160 - REMAINING ACRES LISTED ITEM C.6, PLACE OF USE

119 ACRES
(40 AC NWNE, 38 AC SWNE, 4 AC NENW, 37 AC SENW SEC 11, T06N, R25E)

(119 ACRES) X (0.02 CFS/AC) = **2.38 CFS**

FLOW RATE @ 0.02 CFS/ACRE

(0.904 CFS) + (2.38 CFS) = **3.284 CFS**

FLOW RATE @ 0.02 CFS/ACRE > SYSTEM CAPACITY

3.284 CFS > 1.92 CFS

THEREFORE; LICENSE 34-07160 @ THE SYSTEM CAPACITY OF 1.92 CFS.

20 August 1991
DATE

Keith C Wilson
KEITH C. WILSON

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JAN 15 1992

34-07160

6-27-91

34-7160

MODE SELECT
INPUT

OUTER DIAMETER
[illegible]4 IN

PIPE MATERIAL
CS-SS

WALL THICKNESS
.26400 IN

INNER LINING
NO LING.

KIND OF FLUID
WATER

[illegible]

TYPE OF SENSOR
SMALL

DATA CHANGE
NO

SPACING
[illegible] IN

ZERO MODE
[illegible]

[illegible]

MODE SELECT
TO CHECK

0393.1 MMSEC
102.30 [illegible]

[illegible]

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+841.652E 0GPM

00-00 00:2300 *P
+ [illegible]

00-00 00:2300 *P
+[illegible]

00-00 00:2400 *P
+[illegible]

= 1,918 cfs

FLOW MEASUREMENT TAPE

34-7160

[illegible]

JAN 1 [illegible]992

6-27-91

34-7160

MODE SELECT
INPUT

OUTER DIAMETER
18.8224 IN

PIPE MATERIAL
CS-SS

WALL THICKNESS
.26900 IN

INNER LINING
NO LING.

KIND OF FLUID
WATER

SENSOR MOUNTING
[illegible]

TYPE OF SENSOR
SMALL

DATA CHANGE
NO

SPACING
9.485 IN [illegible]

ZERO MODE
AUT ZERO

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TO CHECK

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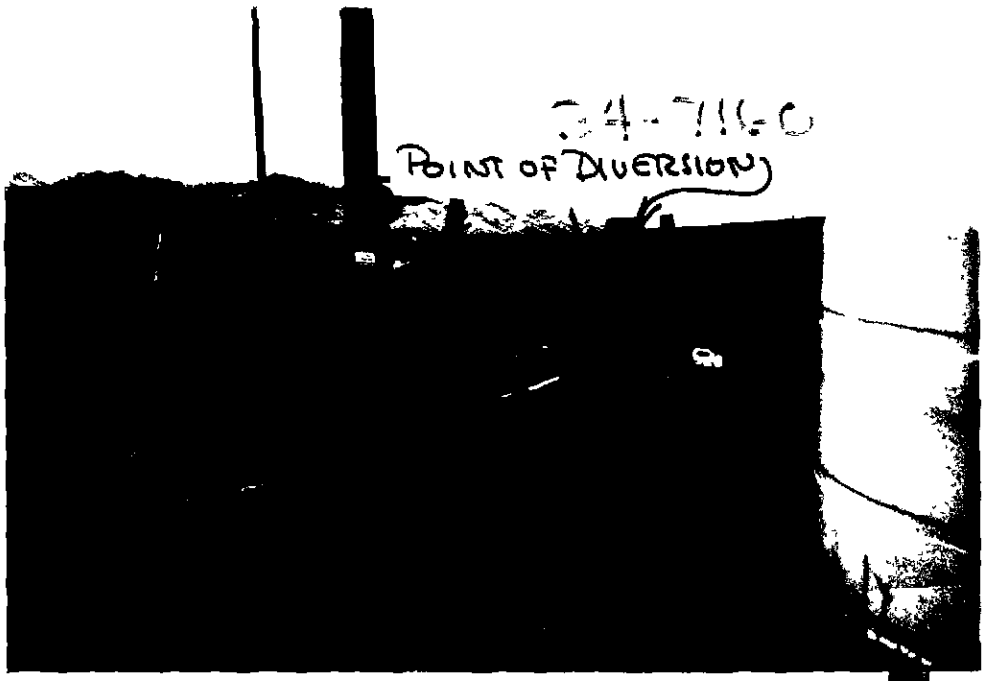
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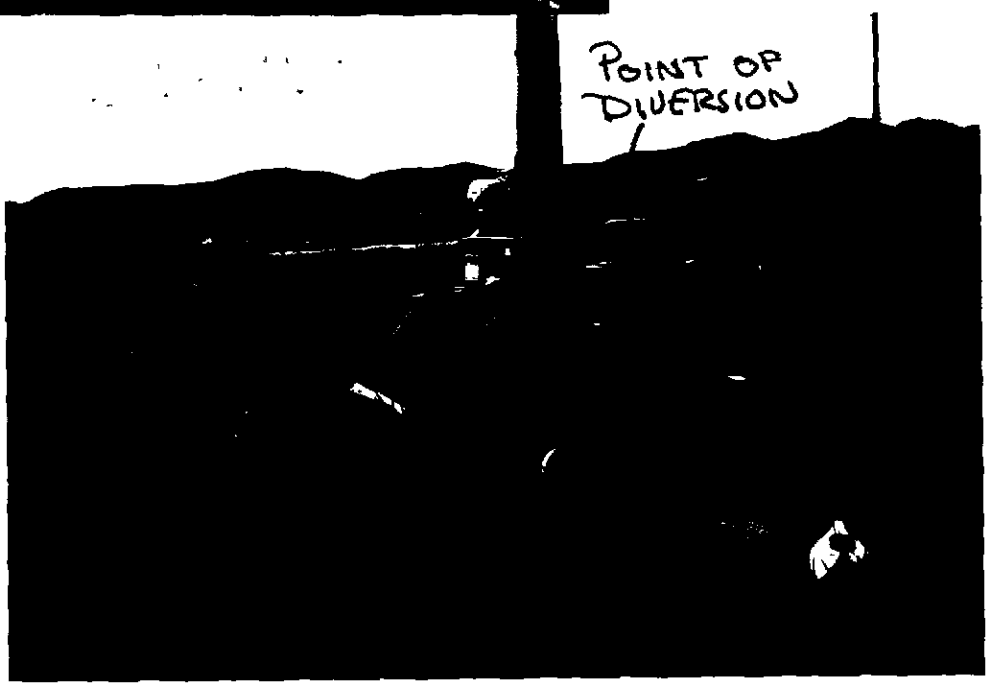
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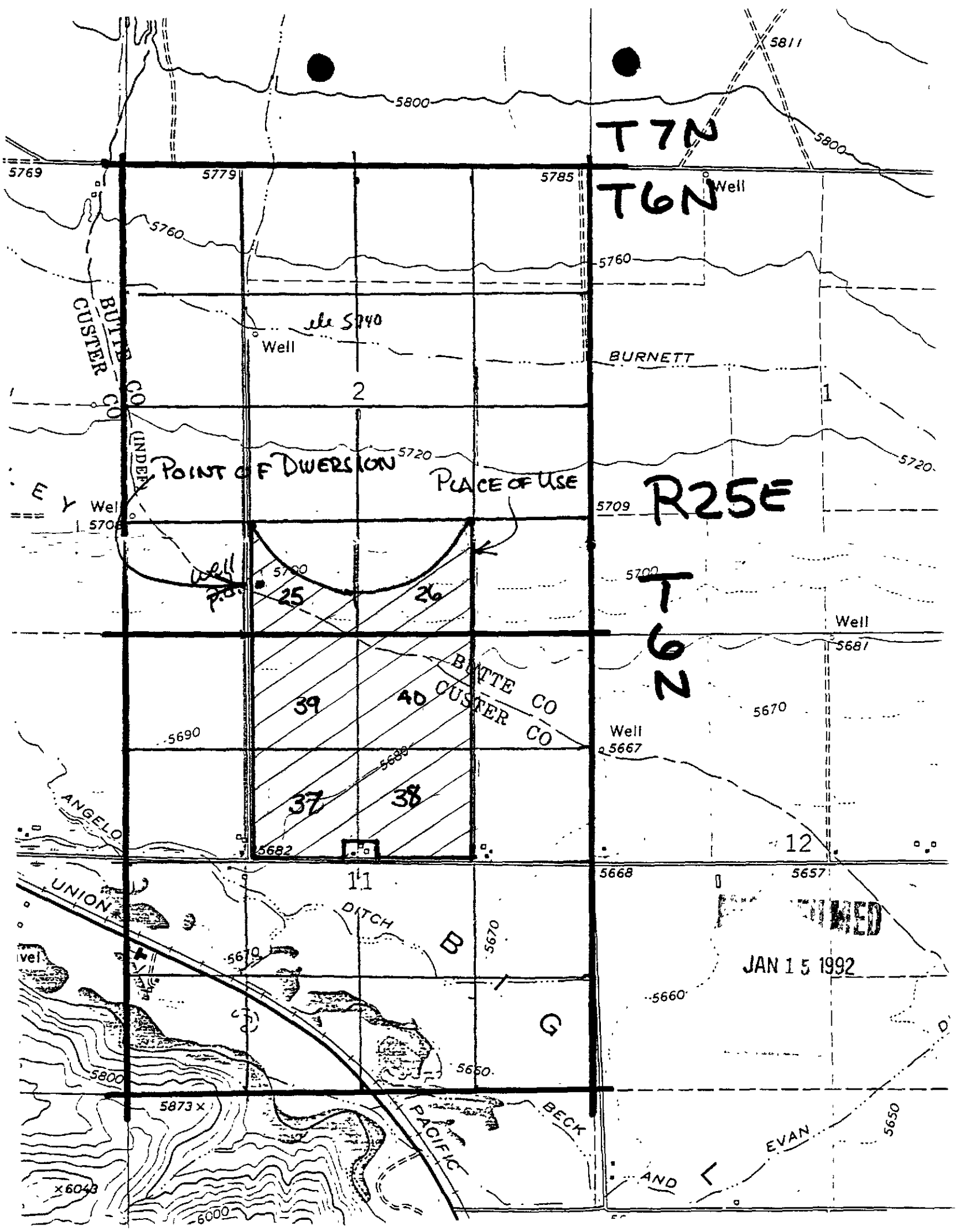
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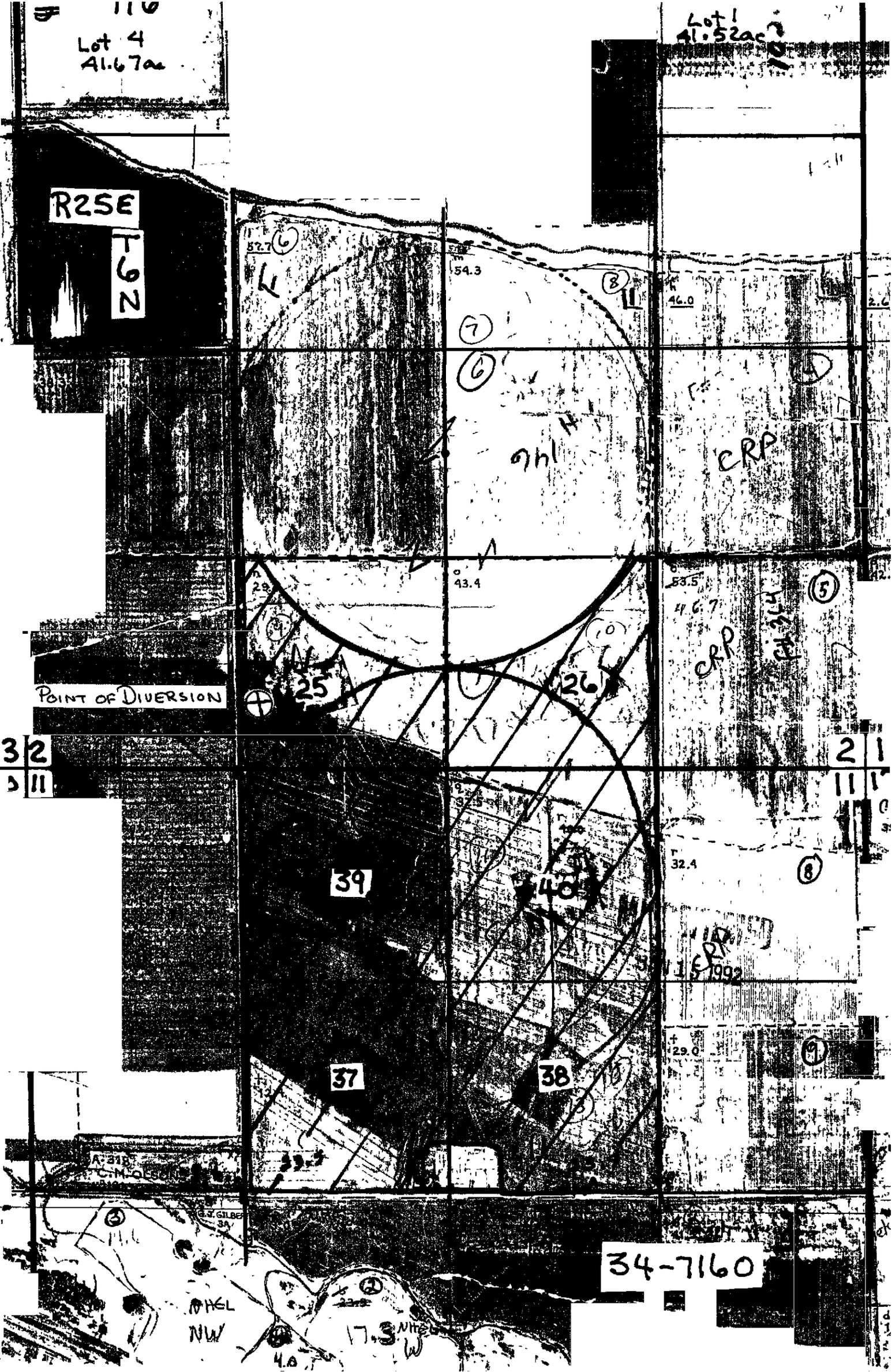
00-00 00:2400 *P
+861.201E 0GPM

= 1,918 cfs


34-7160
POINT OF DIVERSION


POINT OF
DIVERSION


T7N
T6N
R25E
T6N
POINT OF DIVERSION
PLACE OF USE
BUTTE CO
CUSTER CO
BURNETT
Well
5811
5800
5769
5779
5785
5760
5720
5709
5700
5690
5680
5670
5667
5682
5668
5657
5660
5650
5873
6000
25
26
39
40
37
38
1
2
11
12
UNION
PACIFIC
DITCH
BECK
EVAN
AND
ANGELO
RECEIVED
JAN 15 1992


Lot 4
41.67ac
Lot 1
41.52ac
R25E
T92
54.3
46.0
43.4
53.5
32.4
29.0
CRP
POINT OF DIVERSION
25
26
39
40
37
38
34-7160
NW
17.3

LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO

FRED J. HAHN
KENT W FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E MARTIN
CHARLES A HOMER
GARY L MEIKLE
MICHAEL D CRAPO
GAYLE A SORENSON
DONALD L HARRIS
RANDALL B REED
MARIE T FEELEY
JOHN G SIMMONS
ROBERT M FOLLETT

WEST ONE BANK BUILDING
P O BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518

ARTHUR W HOLDEN (1877-1967)
ROBERT B HOLDEN (1911-1971)
TERRY L CRAPO (1939-1982)
WILLIAM S HOLDEN (1907-1988)

February 20, 1991

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MAR 04 1991
Department of Water Resources

L. Glen Saxton, Chief
Water Allocation Bureau
IDAHO DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

RE: Permit No. 34-7160

Dear Mr. Saxton:

By this letter, Farm Credit Bank, through Farm Credit Services, applies for a reinstatement of Permit No. 34-7160 originally filed by Edward R. Denison, Route 1, Darlington, Idaho, pursuant to Idaho Code § 42-218(a)(2).

Mr. Denison had purchased the property from Richard C. Rothwell in 1973. On October 5, 1976, Mr. Denison and his wife mortgaged the property. The mortgage was recorded October 12, 1976. The mortgagee was Federal Land Bank of Spokane in Spokane, Washington. Shortly after the application for permit was approved in 1976, Mr. Denison had the well drilled and began to irrigate in 1977. He continued to irrigate from 1977 until the Federal Land Bank of Spokane foreclosed on the property for default in payment.

On July 30, 1987, the Department, through Mr. Saxton, sent a lapse notice to Mr. Denison. Mr. Denison was no longer operating the farm when the lapse notice was sent and he did not advise Federal Land Bank of the notice. On December 9, 1987, the Sheriff's Deed and Foreclosure was issued to Federal Land Bank of Spokane. Farm Credit Bank (FCB) is the successor to Federal Land Bank of Spokane. Farm Credit Bank did not become aware of the lapse of the permit until 1989 when they learned of the problem from Randy Pehrson who had purchased the property from FCB after the foreclosure.

We have enclosed the following information in support of this application for reinstatement.

JAN 15 1992

*1. The application for permit signed by Ed Denison for Permit No. 34-7160;

*2. Foreclosure Complaint;

*3. Decree of Foreclosure and Order of Sale;

*4. Sheriff's Certificate of Sale;

*5. Sheriff's Deed;

*6. Lapse Notice;

7. Affidavit of Boyd Lambert, well driller;

8. Letter from Lost River Cooperative, Inc.;

9. Affidavit of Richard Rothwell with regard to the drilling of the well and beneficial use of the water;

10. Affidavit of Reed Asay with regard to irrigation practices;

11. Affidavit Randy Pehrson;

12. Affidavit of Dan Holden, district conservation officer for the Soil Conversation Service with regard to photographs taken of the land at issue;

13. Affidavit of Chris Richardson of the Idaho Cultural Stabilization & Conservation Service with regard to crop planting documents;

14. Affidavit of Harry Gambles; and

*15. Proof of beneficial use.

If you have need of any further information, please contact me.

* Discarded after review Sue J. MAY 3, 1991

Very truly yours,

Donald L. Harris

JAN 15 1992

#5811.00/srs

Enclosure

ENCLOSED FOR YOUR INFORMATION

FILED
OCT 22 1986
DISTRICT COURT
BUTTE
COUNTY

GREEN, SERVICE,
GASSER & KERL
ATTORNEYS AT LAW
P O BOX 4883
POCATELLO IDAHO
83205-4883
(208) 232-4471

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NOV 5 1986

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT

OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BUTTE

THE FEDERAL LAND BANK OF SPOKANE, a corporation,	CASE NO. 18-84
Plaintiff,	DECREE OF FORECLOSURE AND ORDER OF SALE
v.	
EDWARD R. DENISON; PEGGY ANN DENISON; RICHARD C. ROTHWELL and ETHEL ROTHWELL, husband and wife; UNITED STATES OF AMERICA, acting through the Farmers Home Administration; RONAN, INC., a corporation; COMMODITY CREDIT CORPORATION; STATE OF IDAHO, Department of Land Management; AGRICULTURE SERVICE, INC., a corporation; FIRST SECURITY BANK OF IDAHO, N.A.; LOST RIVER CO-OP, INC., an Idaho corporation; and FEDERAL LAND BANK ASSOCIATION OF BLACKFOOT, a corporation;	
Defendants.	

JAN 15 1992

Copy sent to John Johnson FHA Area 11-10-86

Copy to Terry Allen Controller Dept 11-17-86

GREEN, SERVICE,
GASSER & KERL
ATTORNEYS AT LAW
P.O. BOX 4883
POCATELLO, IDAHO
83205-4883
(208) 232-4471

This matter having come on regularly for hearing before the Court, the Honorable Arnold T. Beebe presiding, upon the Motion for Entry of a Decree filed on behalf of The Federal Land Bank of Spokane, Plaintiff, and the Court having considered the pleadings, affidavits, and arguments of counsel, finds that there is no genuine issue of material fact and that The Federal Land Bank of Spokane is entitled as a matter of law to the Decree of Foreclosure and Order of Sale herein sought;

NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED AS FOLLOWS:

1. The Mortgage made, executed and delivered by Edward R. Denison and Peggy Ann Denison, husband and wife, Richard C. Rothwell and Ethel Rothwell, husband and wife, to The Federal Land Bank of Spokane, recorded October 19, 1976, under Recorder's Instrument No. 143100, in the records of Custer County, Idaho, and recorded October 12, 1976, as Recording No. M-5331, records of Butte County, Idaho, is a valid first lien on the parcel one of the below described real property and a valid second lien on parcel two, all of which secures an indebtedness of $288,852.01, as of October 21, 1986, plus costs and disbursements of $207.27, attorney's fees of $10,000.00, less the sum of $10,000.00 for shares of stock in The Federal Land Bank of Spokane which shall be

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JAN 15 1992

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ATTORNEYS AT LAW
P.O. BOX 4883
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applied as a payment upon the aforesaid indebtedness as of the date of this Decree, for a total indebtedness of $289,058.28, plus legal interest on the entire sum of the aforesaid indebtedness from the date of this Decree to and including the date of Sheriff's sale at the rate of 18% per annum;

The real property situated in the Counties of Custer and Butte, State of Idaho, is more particularly described as follows:

PARCEL 1:

CUSTER COUNTY LANDS:

Township 6 North, Range 25 East of the Boise Meridian

Section 2: That part of the SE¼SW¼ and of the SW¼NW¼ Southwest of Pass Creek.

Section 11: SW¼NE¼, SE¼NW¼ and that part of the NE¼NW¼ and of the NW¼NE¼ Southwest of Pass Creek.

EXCEPTING THEREFROM that part conveyed in deed from William T. Tew, Jr., et ux, to Alice M. Sutter, recorded March 17, 1926, in Book 19, page 315 records of Custer County, Idaho.

BUTTE COUNTY LANDS:

Township 6 North, Range 25 East of the Boise Meridian

Section 2: Lots 2 and 3, SW¼NE¼, S½NW¼, W½SE¼, E½SW¼, EXCEPTING that portion lying in Custer County.

Section 11: W½NE¼, E½NW¼, EXCEPT that portion lying in Custer County.

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ATTORNEYS AT LAW
P O BOX 4883
POCATELLO, IDAHO
83205-4883
(208) 232-4471

PARCEL 2:

BUTTE COUNTY LANDS:

Township 7 North, Range 25 East of the Boise Meridian

Section 35: E½, E½SW¼, SW¼SW¼.

Together with 60 HP G.E. motor, Serial No. TVJ609114, and a Johnston turbine pump, Serial No. JS3920; a 50 HP G.E. motor, Serial No. DKJ417412, and a Johnston turbine pump, serial number unknown; a 30 HP Century motor, serial number unknown, and a Berkeley centrifugal pump, Serial No. 767334; and 2000 feet of buried steel mainline, sizes 4-inch through 8-inch; or any replacements thereof; all of which are hereby declared to be appurtenant thereto.

All water and water rights used upon or appurtenant to said property, however evidenced;

Together with any and all tenements, hereditaments and appurtenances thereunto belonging or used in connection therewith.

2. The mortgage lien described in paragraph 1 is foreclosed, and all interests of which the Defendants Edward R. Denison, Peggy Ann Denison, Richard C. Rothwell, Ethel Rothwell, United States of America, acting through the Farmers Home Administration and the Commodity Credit Corporation, Ronan, Inc., Agricultural Services, Inc., First Security Bank of Idaho, N.A., Lost River Co-op, Inc., an Idaho Corporation, and the Fedearl Land Bank Association of Blackfoot, a corporation, have in the above described real property, as well as, the

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JAN 15 1992

GREEN, SERVICE, GASSER & KERL
ATTORNEYS AT LAW
P O BOX 4883
POCATELLO, IDAHO
83205-4883
(208) 232-4471

interest of the Defendant State of Idaho Department of Lands in regard to parcel one, shall be sold by the Sheriff of Butte County, Idaho, in separate parcels. Unless otherwise directed by the Debtor, as provided in Idaho Code Sec. 11-304, the Sheriff shall conduct the sale by first offering parcel one, then offering parcel two. In the event there are no purchasers of the parcels by separate bid, then the two parcels shall be jointly offered for sale. Any sale shall be conducted in the manner provided by law, payable in cash lawful money of the United States of America and in accordance with the practice of this Court. The reasonable value of said property as of the date of this Decree is the sum of $280,000.00.

3. The proceeds of sale shall be applied as follows: First, to the costs of sale; second, towards the satisfaction of the indebtedness owing to The Federal Land Bank of Spokane as set forth in paragraph 1 above; and third, any surplus thereafter remaining shall be paid into the District Court for further determination regarding priority among those parties to this litigation.

4. Except as to the State of Idaho Department of Lands in regard to parcel two above described, the Defendants, Edward R. Denison, Peggy Ann Denison, Richard C. Rothwell, Ethel Rothwell, United States of

MAY 15 1992

GREEN, SERVICE,
GASSER & KERL
ATTORNEYS AT LAW
P.O. BOX 4883
POCATELLO, IDAHO
83205-4883
(208) 232-4471

America, acting through the Farmers Home Administration and Commodity Credit Corporation, Ronan, Inc., State of Idaho Department of Lands, Agricultural Services, Inc., First Security Bank of Idaho, N.A., Lost River Co-op, Inc., and The Federal Land Bank Association of Blackfoot, and all persons claiming through or under them as purchasers, encumbrancers, or otherwise and all persons claiming to have acquired any equity or interest in said premises subsequent to the filing of a Lis Pendens with the County Recorder of Custer County, Idaho, on September 13, 1984, recorded as Instrument No. 172077, and with the County Recorder of Butte County, Idaho, on the 12th day of September, 1984, recorded as Instrument No. 14725 are foreclosed of all interests, liens, or claims in the real property hereinabove described, and every portion thereof, save and except such statutory rights of redemption as said parties or any of them may have.

5. The Plaintiff or any party to this suit may become the purchaser at the sale of said property, and the purchaser thereof shall be entitled to all of the rights and privileges of such a purchaser under the laws of the State of Idaho.

DATED This 21st day of October, 1986.

ARNOLD T. BEEBE
DISTRICT JUDGE

GREEN, SERVICE,
GASSER & KERL
ATTORNEYS AT LAW
P O BOX 4883
POCATELLO, IDAHO
83205-4883
(208) 232-4471

STATE OF IDAHO)
) ss
COUNTY OF BUTTE)

I certify that the foregoing is a full, true and correct copy of the original on file in this office.

Dated 10-27-86

Deanna Jardine - Dep. Clerk

District Court 7th Judicial Dist.
Butte County, Arco, Idaho

FILED
JUL 15 1992

RECEIVED
SEP 14 1994

Jay H. Stout
Stout & Moss
75 East Judicial
Blackfoot, Idaho 83221
(208) 785-1940

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE STATE OF IDAHO IN AND FOR THE COUNTY OF BUTTE

THE FEDERAL LAND BANK OF SPOKANE, a corporation,

Plaintiff,

vs.

EDWARD R. DENISON; PEGGY ANN DENISON; RICHARD C. ROTHWELL and ETHEL ROTHWELL, husband and wife; UNITED STATES OF AMERICA, acting through the Farmers Home Administration; RONAN, INC.,a corporation; COMMODITY CREDIT CORPORATION; STATE OF IDAHO,Department of Land Management; AGRICULTURE SERVICE, INC., a corporation; FIRST SECURITY BANK OF IDAHO, N.A.; LOST RIVER CO-OP,INC., an Idaho corporation; and FEDERAL LAND BANK ASSOCIATION OF BLACKFOOT, a corporation;

Defendants.

NO. 1884

COMPLAINT TO FORECLOSE REAL ESTATE MORTGAGE

Plaintiff for cause of suit against the above-named defendants complains and alleges:

1. Status of Plaintiff. At all times herein mentioned Plaintiff has been and now is a corporation organized under the Federal Farm Loan Act, a law of the United States of America approved July 17, 1916, presently existing and doing business as an instrumentality of the United States of America under the Farm

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Credit Act of 1971, as amended. Plaintiff has its place of business at Spokane, Washington, and is authorized, among other things, to loan money and to take notes and mortgages as security therefor in the State of Idaho.

2. Status of Defendants. The defendants, Edward R. Denison, and Peggy Ann Denison, were husband and wife at the time of the execution of the note and mortgage herein sought to be foreclosed, but have since divorced. Said defendants have or claim to have an interest in said premises by virtue of the following:

1. Makers of the note and mortgage.

2. Purchasers under contract dated April 1, 1973, recorded July 31, 1978, as Instrument No. 147248, records of Custer County, Idaho.

3. Purchasers under contract dated April 1, 1973, recorded June 23, 1978, as Instrument No. M-6829, records of Butte County, Idaho.

The defendants, Richard C. Rothwell and Ethel Rothwell, are now, and were at all times hereinafter mentioned, husband and wife. Said defendants have or claim to have an interest in the premises by virtue of the following:

1. Makers of the note and mortgage herein sought to be foreclosed.

2. Owners in fee simple of a portion of the premises.

3. Vendors under that Contract of Purchase dated April 1, 1973, recorded July 31, 1978, as Instrument No. 147248, records of Custer County, Idaho.

4. Vendors under that Contract of Purchase dated April 1, 1973, recorded June 23, 1978, as Instrument No. M-6829, records of Butte County, Idaho.

The defendant, United States of America, acting through the

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Farmers Home Administration, has or claims to have an interest in said premises by virtue of the following:

1. Financing Statement No. 1988, filed June 15, 1978, as Instrument No. 146876, records of Custer County, Idaho.

2. Prior Lienholder Agreement, dated June 23, 1978, recorded July 31, 1978, as Instrument No. 147246, Custer County, Idaho.

3. Mortgage dated June 23, 1978, recorded July 31, 1978, as Instrument No. 147247, records of Custer County, Idaho.

4. Mortgage dated September 19, 1980, recorded September 22, 1980, as Instrument No. 156035, records of Custer County, Idaho.

5. Financing Statement No. 4661, filed August 8, 1983, as Instrument No. 167954, records of Custer County, Idaho.

6. Agreement with Prior Lienholder, dated June 23, 1978, recorded June 23, 1978, as Instrument No. M-6830, records of Butte County, Idaho.

7. Mortgage dated June 23, 1978, recorded June 23, 1978, as Filing No. M-6831, records of Butte County, Idaho.

8. Financing Statement filed June 23, 1978, as Instrument No. 3646, records of Butte County, Idaho. Continued by No. 1168, on June 20, 1983.

9. Mortgage dated September 19, 1980, recorded September 19, 1980 as Instrument No. M-9822, records of Butte County, Idaho.

The defendant, Ronan, Inc., has or claims to have an interest in said premises by virtue of the following:

1. Oil and Gas Lease, dated March 30, 1981, recorded June 29, 1981, as Instrument No. 158775, records of Custer County, Idaho.

2. Oil and Gas Lease, dated March 31, 1981, recorded October 30, 1981, as Instrument No. M-10892, records of Butte County, Idaho.

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3. Ratification of Oil and Gas Lease, dated March 12, 1981, recorded October 30, 1981, as Instrument No. M-10893, records of Butte County, Idaho.

The defendant, Commodity Credit Corporation, Agricultural Stabilization and Conservation Service, has or claims to have an interest in said premises by virtue of the following:

1. Financing Statement No. 4716, filed November 28, 1983, as Instrument No. 169709, records of Custer County, Idaho.

2. Financing Statement No. 4104, filed December 1, 1981, as Instrument No. 161676, records of Custer County, Idaho.

3. Financing Statement filed December 1, 1982, as Filing No. 874, records of Butte County, Idaho.

4. Financing Statement filed November 28, 1983, as Filing No. 1388, records of Butte County, Idaho.

The defendant, Agriculture Service, Inc., a corporation, has or claims to have an interest in said premises by virtue of Financing Statement filed February 22, 1980, as Filing No. 4397, records of Butte County, Idaho.

The defendant, First Security Bank of Idaho, N.A., formerly Butte County Bank, has or claims to have an interest in said premises by virtue of the following, being the records of Butte County, Idaho:

1. Financing Statement filed April 30, 1980, as Filing No. 4465.

2. Financing Statement filed May 14, 1982, as Filing No. 606.

The defendant, Lost River Co-Op, Inc., is a corporation organized and existing under the laws of the State of Idaho. Said

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defendant has or claims to have an interest in the premises by virtue of Judgment dated January 16, 1984, recorded January 18, 1984, as Instrument No. M-13478, records of Butte County, Idaho.

The defendant, The Federal Land Bank Association of Blackfoot, is and at all times herein mentioned has been a federally chartered corporation doing business under the Farm Credit Act of 1971, as amended, with its place of business at 10 West Judicial, Blackfoot, Idaho 83221.

3. Inferior Interests. The above-named defendants, and each of them, except the State of Idaho, Department of Land Management, claim some right, title, lien or interest in the property in plaintiff's mortgage described, but their interest, if any, in and to said property is junior, subordinate and subsequent to the right and lien of the plaintiff.

4. Promissory Note. On the 5th day of October, 1976 plaintiff loaned to Edward R. Denison and Peggy Ann Denison, husband and wife, and Richard C. Rothwell and Ethel Rothwell, husband and wife, through the Federal Land Bank Association of Blackfoot, the sum of Two Hundred Thousand Dollars ($200,000.00), and as evidence of said loan the said defendants made, executed and delivered to the plaintiff herein their promissory note in writing, which said note was dated the 5th day of October, 1976, in the principal sum of Two Hundred Thousand Dollars ($200,000.00), both principal and interest being payable in words and figures as set forth in Exhibit "A" attached, which is a true and correct copy of said promissory note, hereby incorporated by reference as if set forth in full at this place.

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5. Description of Security. As security for the repayment of said loan, together with interest, costs, and attorney's fee, the defendants, Edward R. Denison and Peggy Ann Denison, and Richard C. Rothwell and Ethel Rothwell, husband and wife, made, executed, and delivered to the plaintiff their certain mortgage dated October 5, 1976 on the following described real property situated in Butte and Custer Counties, State of Idaho, to-wit:

CUSTER COUNTY LANDS

Township 6 North, Range 25 East of the Boise Meridian

Section 2: That part of the SE1/4SW1/4 and of the SW1/4NW1/4 Southwest of Pass Creek.
Section 11: SW1/4NE1/4, SE1/4NW1/4 and that part of the NE1/4NW1/4 and of the NW1/4NE1/4 Southwest of Pass Creek.

EXCEPTING THEREFROM that part conveyed in the Deed from William T. Tew, Jr., et ux, to Alice M. Sutter, recorded March 17, 1926, in Book 19, Page 315, records of Custer County, Idaho.

BUTTE COUNTY LANDS

Parcel 1: Township 6 North, Range 25 East of the Boise Meridian

Section 2: Lots 2 and 3, SW1/4NE1/4, S1/2NW1/4, W1/2SE1/4, E1/2SW1/4, EXCEPTING that portion lying in Custer County.
Section 11: W1/2NE1/4, E1/2NW1/4, EXCEPT that portion lying in Custer County.

Parcel 2: Township 7 North, Range 25 East of the Boise Meridian

Section 35: E1/2, E1/2SW1/4, SW1/4SW1/4

Together with 60 HP G.E. motor, Serial No. TVJ609114, and a Johnson turbine pump, Serial No. JS3920; a 50 HP G.E. motor, Serial No. DKJ417412, and a Johnson turbine pump, serial number unknown; a 30 HP Century motor, serial number unknown, and

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a Berkeley centrifugal pump, Serial No. 767334; and 2000 feet of buried steel mainline, sizes 4-inch through 8-inch; or any replacements thereof; all of which are hereby declared to be appurtenant thereto.

All water and water rights used upon or appurtenant to said property, however evidenced;

Together with any and all tenements, hereditaments and appurtenances thereunto belonging or used in connection therewith.

Said mortgage was recorded October 19, 1976, as Recording No. 143100, records of Custer County, Idaho, and recorded October 12, 1976, as Recording No. M-5331, records of Butte County, Idaho, and contains covenants, conditions and agreements of the mortgagors as set forth in Exhibit "B" attached, which is a true and correct copy of said mortgage, hereby incorporated by reference as if set forth in full at this place.

In addition to the mortgage above described, the pumps and motors were secured by a financing statement filed October 12, 1976 as No. 2712, records of Butte County, Idaho. Continued on September 25, 1981, as Instrument No. 356. Also, Financing Statement filed June 23, 1977, as Instrument No. 3067, records of Butte County, Idaho, covering wheellines and portable equipment. Continued on May 5, 1982, by Instrument No. 592.

At the time the said mortgage was executed, the said defendants, Richard C. Rothwell and Ethel Rothwell, husband and wife, were and they still are the record owners of the premises therein described.

6. Paramount Interest. That plaintiff's mortgage set forth

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as Exhibit "B" herein included as part of the security the following:

Parcel 2: Township 7 North, Range 25 East of the Boise Meridian, Butte County, Idaho.

Section 35: E1/2, E1/2SW1/4, SW1/4SW1/4.

Plaintiff's lien against Parcel 2 is junior to the interest of the State of Idaho, Department of Land Management, vendors under Land Sale Certificate No. 24957, dated July 16, 1976, wherein said State of Idaho agreed to sell and Edward R. Denison agreed to purchase the above-described Parcel 2. This foreclosure will not affect the rights or interests of the State of Idaho, Department of Land Management. Plaintiff's lien against said Parcel 2 is paramount to any and all other interests of record and the interest of all other defendants named herein is junior to plaintiff's lien.

7. Default and Acceleration. Plaintiff is the owner and holder of said note and mortgage.

On May 18, 1984, the defendants Edward R. Denison and Peggy Ann Denison, and Richard C. Rothwell and Ethel Rothwell, and each of them, were in default in that they failed to pay an installment of Twenty-four Thousand Two Hundred Fifty-nine and 10/100 Dollars ($24,259.10) which became due December 1, 1983, together with interest thereon. On May 18, 1984 plaintiff declared, and does hereby declare, all sums owing under said note and mortgage due and payable in full.

On the 20th day of July, 1984, plaintiff paid the sum of Three Hundred Eighty-one and 50/100 Dollars ($381.50) for a title report

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in Custer County, and on the 30th day of July, 1984, plaintiff paid the sum of Six Hundred Sixteen Dollars ($616.00) for a title report in Butte County, preliminary to foreclosure.

There is now due and owing upon said note and mortgage and the advances aforesaid the following:

Installment due 12-1-83	$ 24,259.10
Default interest at 10% on $24,259.10 from 12-1-83 to 5-18-84	$ 1,125.35
Unmatured balance as of 12-1-83	$192,699.63
Interest on unmatured balance at 11.75% from 12-1-83 to 5-18-84	$ 10,503.46
Total amount due 5-18-84	$228,587.54
Advance for foreclosure report preliminary to foreclosure 7-20-84	$ 381.50
Default interest at 10% on $381.50 from 7-20-84 to 9-15-84	$ 5.83
Advance for foreclosure report preliminary to foreclosure 7-30-84	$ 616.00
Default interest at 10% on $616.00 from 7-30-84 to 9-15-84	$ 7.70
Default interest at 10% on past due installments from 5-18-84 to 9-15-84	$ 788.42
Default interest at 10% on $203,203.09 from 5-18-84 to 9-15-84	$ 6,604.10
Total amount due 9-15-84	$236,991.09

together with interest at the rate of 10% per annum on Two Hundred Twenty-eight Thousand Four Hundred Fifty-nine and 69/100 Dollars ($228,459.69), said sum representing the total amount due September 15, 1984, less default interest and less default interest on advances. Said interest shall run from September 15, 1984 until

JAN 15 1992

entry of decree herein.

8. Attorney's Fees. Plaintiff has had to employ counsel to represent it in this action and has obligated itself to pay a reasonable fee for such services. Plaintiff is entitled to recover reasonable attorney fees from defendants Edward R. Denison and Peggy Ann Denison, and Richard C. Rothwell and Ethel Rothwell by virtue of the attorney fees provisions contained in the promissory note and mortgage hereinabove described and attached hereto as Exhibit "A" and Exhibit "B". Plaintiff alleges that Fifteen Thousand Dollars ($15,000.00) is a reasonable sum to be allowed as attorney's fees herein if this action is uncontested, plus such additional sums as the court may adjudge as reasonable attorney fees in the event of contest, trial, or appeal.

9. Retirement of Stock. At the time said loan was made, the Federal Land Bank Association of Blackfoot purchased Ten Thousand Dollars ($10,000.00) in stock in The Federal Land Bank of Spokane and, pursuant to the provisions of the Farm Credit Act of 1971, as amended, said stock was pledged by said association to The Federal Land Bank of Spokane as additional security for said loan. Plaintiff, pursuant to the provisions of the said Farm Credit Act of 1971, as amended, acting through its Board of Directors with the approval of the Farm Credit Administration, has directed said stock to be retired upon the entry of a decree in this case and the par value thereof to be applied to the indebtedness secured by said mortgage.

10. Water Rights. Said mortgage covers all water and water

JAN 15 1982

rights used upon or appurtenant to said property, however evidenced.

11. Irrigation Equipment. By the terms of plaintiff's mortgage the irrigation equipment set forth in said mortgage hereinbefore described is expressly declared to be a part of the real property mortgaged and should be included in this foreclosure, and in any sale hereinafter to be ordered as part of the security for the repayment of said loan from plaintiff.

12. Use of Premises Said mortgaged premises have at all times heretofore been used together as one lot or parcel and every part thereof is necessary for the best use and enjoyment of said mortgaged property and the same cannot be sold in separate parcels without material injury to the parties hereto.

13. Reasonable Value. The reasonable value of the property herein above described is the sum of Six Hundred Thousand Dollars ($600,000.00).

14. No Other Action. The plaintiff has no plain, speedy or adequate remedy at law, and no other proceeding at law or in equity has been commenced or is pending to collect said note or any portion thereof or to foreclose this mortgage.

WHEREFORE, Plaintiff prays for judgment as follows:

1. That plaintiff have judgment against defendants, Edward R. Denison, Peggy Ann Denison, and Richard C. Rothwell and Ethel Rothwell, individually and as a marital community, and each of them, for the sum of Two Hundred Thirty-six Thousand Nine Hundred Ninety-one and 09/100 Dollars ($236,991.09), together with interest

JAN 15 1982

at the rate of 10% per annum on Two Hundred Twenty-eight Thousand Four Hundred Fifty-nine and 69/100 Dollars ($228,459.69) from September 15, 1984 until entry of decree; for any sums advanced by plaintiff or which plaintiff becomes obligated to advance for the payment of ground rents, taxes, assessments, hazard insurance premiums, mortgage insurance premiums, water charges and other governmental charges, fines or impositions levied, assessed or charged against the mortgaged property during the pendency of this action; for the sum of Fifteen Thousand Dollars ($15,000.00) as attorney's fee if this action is uncontested, plus such additional sums as the Court may adjudge as reasonable attorney fees in the event of trial or appeal; and for plaintiff's taxable costs and disbursements herein, and for interest on the entire amount of said judgment at the rate of 18% per annum from the date of judgment and thereafter through sale.

2. That it be decreed that the stock in The Federal Land Bank of Spokane, owned by the Federal Land Bank Association of Blackfoot, and pledged as security for said loan, be retired, and the par value thereof applied on the indebtedness secured by said mortgage.

3. That plaintiff's mortgage described herein be adjudged a first and prior lien upon the mortgaged property superior to any right, title, claim, lien or interest on the part of the named defendants or persons claiming by, through or under said defendants, except the lien of the State of Idaho, Department of Land Management, the Court to decree the lien of the State of Idaho

Department of Land Management to be superior to the plaintiff's with respect to parcel 2 of the Butte County lands hereinbefore described in plaintiff's complaint.

4. That the plaintiff's mortgage described herein be foreclosed and said real property, together with water rights, and irrigation equipment herein described, be sold in one parcel in accordance with and in the manner provided by law; that plaintiff be permitted to be a purchaser at sale; that the net proceeds of said sale be applied first toward the payment of the costs of said sale and then towards the payment of plaintiff's judgment; that plaintiff have and retain a deficiency judgment against defendants, Edward R. Denison, Peggy Ann Denison, and Richard C. Rothwell and Ethel Rothwell, individually and as a marital community, and each of them, in the event that the bid at said sale is less than the sum of plaintiff's entire judgment, plus costs of sale.

5. That the decree provide that after the sale of said property, all right, title, claim, lien or interest of the named defendants, except the State of Idaho, Department of Land Management, and of every person claiming by, through or under said defendants, in or to said property, including the right of possession thereof from and after said sale, be forever barred and foreclosed and that the purchaser at said sale be entitled to immediate possession of the premises as allowed by law subject only to such statutory right of redemption as said defendants may have by law.

6. That in the event the plaintiff is the purchaser at said sale and possession of said premises is not surrendered to said

plaintiff, a writ of assistance be issued directing the Sheriff of Custer and Butte Counties, Idaho, to deliver possession of said premises to the plaintiff; and

7. That the plaintiff may have such other and further relief as may be just and equitable in the premises.

DATED this 7th day of September, 1984.

STOUT & MOSS

By: Jay H. Stout
Jay H. Stout
ATTORNEY FOR PLAINTIFF

JAN 15 1985

STATE OF WASHINGTON)
: ss
County of Spokane)

I, William B. Nourse, being first duly sworn, on my oath, depose and say: That I am an officer of The Federal Land Bank of Spokane, a corporation, the plaintiff in the above-entitled action, to-wit: The Secretary thereof, and make this verification for and on behalf of said plaintiff corporation; that I have read the foregoing Complaint, know the contents thereof, and that I believe the facts therein stated to be true.

/s/ William B. Nourse
William B. Nourse

Subscribed and sworn to before me this 29th day of August, 1984.

/s/ Thomas M. Tracy
Notary Public in and for the State of Washington, residing at Spokane.
My commission expires: 1-11-86

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165834

36-year Annual Loan

No. _____ EXHIBIT "A" $ 200,000.00

PROMISSORY NOTE

(Annual or Semiannual Level Payment, Variable Interest Rate)

State of Idaho October 5, 19 76

FOR VALUE RECEIVED, I promise to pay to the order of The Federal Land Bank of Spokane, at its office in the City of Spokane, Washington, the sum of

Two Hundred Thousand ---------- DOLLARS

with interest from date at the rate of 8¼ per cent per annum, both principal and interest being payable as follows: A first installment of interest only payable on December 1, 19 76; and thereafter 35 equal installments of

Eighteen Thousand Four Hundred Eighty-one and 08/100 ---------- DOLLARS

each, payable on the first day of December ~~and~~ _____ in each year, beginning on the first day of December, 19 77, and the final installment payable on the first day of December, 2011, unless this note shall be matured sooner by extra payments on account of principal; each of said installments shall be applied first to the payment of interest, the remainder to be applied to payment of principal.

The bank may, from time to time, establish a higher or lower rate of interest which shall then apply to the unmatured balance of the debt evidenced hereby and shall remain in effect until a different rate is established. Such different rates shall be established in accordance with the provisions of the Farm Credit Act of 1971 and the regulations of the Farm Credit Administration as then existing. As and when any different rate of interest is established as provided above, the amount of each subsequent installment shall be increased or decreased to reflect the different rate of interest, but the due date of any installment so increased or decreased shall remain the same.

All installments not made when due shall bear interest thereafter until paid at ten per cent per annum. If any default be made in any such installments, or in case of failure to comply with any of the requirements or covenants contained in the mortgage or deed of trust given by the makers hereof to secure the payment of this note, then at the election of the holder of this note, without presentment or demand, the principal sum hereof, and all accrued interest thereon shall become due and payable at once.

Any maker hereof may at any time pay any amount of principal hereon in advance of its maturity. Unless the holder otherwise elects, any such payment shall operate to reduce the balance owing and to discharge the debt evidenced hereby at an earlier date, but shall not alter the obligation to pay full installments periodically as above provided until the debt is paid in full.

The makers, sureties, endorsers, guarantors, and all other persons liable for the payment hereof, waive presentment for payment, notice of dishonor, protest and notice of protest, and consent to all indulgences, extensions, renewals and reamortizations granted or permitted by the holder.

This note is secured by deed of trust or mortgage on real estate in Butte & Custer Counties State of Idaho.

In case of suit hereon or foreclosure, the makers hereof agree to pay a reasonable attorney's fee in addition to other costs.

Peggy [illegible] Rogers

Richard [illegible] Rothwell

Ethel Rothwell

COPY

FLB 682 (Rev. 12-74)

143100 EXHIBIT "B"

FEDERAL LAND BANK MORTGAGE

FLB LOAN 1653[illegible]

Recorded ... Approved ...
at ... o'clock ...
..., Page ...
Auditor, Clerk or Recorder

No. [illegible]
FILED
OCT 12 1976
4:30
BUTTE COUNTY Auditor

KNOW ALL MEN BY THESE PRESENTS, That on this 5th day of October, 19 76

Edward R. Denison and Peggy Ann Denison, husband and wife; and Richard C. Rothwell and Ethel Rothwell, husband and wife,

hereinafter called the Mortgagors, hereby grant, bargain, sell, convey and mortgage to THE FEDERAL LAND BANK OF SPOKANE, a corporation in Spokane, Washington, hereinafter called the Mortgagee, the following described real estate in the County of Butte and Custer, State of Idaho.

CUSTER COUNTY LANDS

Township 6 North, Range 25 East of the Boise Meridian

Section 2: That part of the SE¼SW¼ and of the SW¼NW¼ Southwest of Pass Creek.
Section 11: SW¼NE¼, SE¼NW¼ and that part of the NE¼NW¼ and of the NW¼NE¼ Southwest of Pass Creek.

EXCEPTING THEREFROM that part conveyed in the Deed from William T. Taw, Jr., et ux, to Alice M. Sutter, recorded March 17, 1926, in Book 19, page 315 records of Custer County, Idaho.

BUTTE COUNTY LANDS

Parcel 1: Township 6 North, Range 25 East of the Boise Meridian

Section 2: Lots 2 and 3, SW¼NE¼, S½NW¼, W½SE¼, E½SW¼, EXCEPTING that portion lying in Custer County.
Section 11: W½NE¼, E½NW¼, EXCEPT that portion lying in Custer County.

Parcel 2: Township 7 North, Range 25 East of the Boise Meridian

Section 35: E½, E½SW¼, SW¼SW¼

The property described above as Parcel 2 in Butte County is hereby mortgaged as additional security subject to interests and encumbrances of record.

Together with 60 HP G.E. motor, Serial No. TVJ609114, and a Johnston turbine pump, Serial No. JS3920; a 50 HP G.E. Motor, Serial No. DKJ417412, and a Johnston turbine pump, serial number unknown; a 30 HP Century motor, serial number unknown, and a Berkeley centrifugal pump, Serial No. 767334; and 2000 feet of buried steel mainline, sizes 4-inch through 8-inch; or any replacements thereof; all of which are hereby declared to be appurtenant thereto.

COPY

Mailed

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EXHIBIT "B"

including all leases, permits, licenses or privileges written or otherwise, appurtenant or nonappurtenant to said mortgaged premises, now held by mortgagors or hereafter issued, extended or renewed to them by the United States or the State or any department, bureau, or agency thereof, which have been or will be assigned or waived to mortgagee.

Together with the tenements, hereditaments, rights, privileges and appurtenances, including private roads, now or hereafter belonging to or used in connection with the above described premises; and all plumbing, lighting, heating, cooling, ventilating, elevating, watering and irrigating apparatus, stationary scales and other fixtures, now or hereafter belonging to or used in connection with the above described premises, all of which are hereby declared to be appurtenant to said land; and together with all waters and water rights of every kind and description and however evidenced, and all ditches or other conduits, rights therein and rights of way therefor, which now are or hereafter may be appurtenant to said premises or any part thereof, or used in connection therewith.

This conveyance is intended as a mortgage securing the performance of the covenants and agreements hereinafter contained, and the payment of the debt represented by one promissory note made by the mortgagors to the order of the mortgagee, of even date herewith, for the principal sum of $ 200,000.00 . with interest as provided for in said note, being payable in installments, the last of which being due and payable on the first day of December, 2011 . All payments not made when due shall bear interest thereafter until paid at 10 per cent per annum.

MORTGAGORS COVENANT AND AGREE:

That they are lawfully seized of said premises in fee simple, have good right and lawful authority to convey and mortgage the same, and that said premises are free from encumbrance; and each of the mortgagors will warrant and defend the same forever against the lawful claims and demands of all persons whomsoever, and this covenant shall not be extinguished by any foreclosure hereof, but shall run with the land.

To pay all debts and moneys secured hereby when due.

To keep the buildings and other improvements now or hereafter existing on said premises in good repair; to complete any building, structure or improvement being built or about to be built thereon, including improvements to any existing structures; not to remove or demolish or permit the removal or demolishment of buildings and other improvements now or hereafter existing on said premises; to restore promptly and in a good and workmanlike manner any building, structure or improvement thereon which may be damaged or destroyed; not to cut or permit the cutting of timber from said premises except for domestic use; to maintain and cultivate the premises in a good and husbandlike manner, using approved methods of preserving the fertility thereof; to keep the orchards on said land properly irrigated, cultivated, sprayed, pruned and cared for; not to commit or suffer waste of any kind upon said premises; not to use or permit the use of said premises for any unlawful or objectionable purpose; and to do all acts or things necessary to preserve all water rights now or hereafter appurtenant to or used in connection with said premises.

To pay before delinquency all taxes, assessments and other charges upon said premises, including assessments upon water company stock, and all rents, assessments and charges for water appurtenant to or used in connection with said land, and to deliver to the mortgagee proper receipts therefor; and to suffer no other encumbrance, charge or lien prior to the lien of this mortgage to exist at any time against said premises.

To keep all buildings insured against loss or damage by fire and such other risks in manner and form and in such company or companies and in such amounts as shall be satisfactory to the mortgagee; to pay all premiums and charges on all such insurance when due; to deposit with the mortgagee upon request all insurance policies affecting the mortgaged premises, with receipts showing payment of all premiums and charges affecting said policies; and that all insurance whatsoever affecting the mortgaged premises shall be made payable, in case of loss, to the mortgagee, with a mortgagee clause in favor of and satisfactory to the mortgagee. The mortgagee shall be entitled to receive the proceeds of any loss under any such policy which may be applied by the mortgagee upon the indebtedness hereby secured in such manner as it may elect.

If any of the mortgaged property shall be taken under right of eminent domain, the mortgagee shall be entitled at its option to receive all compensation for the portion taken and damages to the remaining portion, to be applied by the mortgagee upon the indebtedness hereby secured in such manner as it shall elect.

Should the mortgagors be or become in default in any of the covenants or agreements herein contained, then the mortgagee (whether electing to declare the whole indebtedness hereby secured due and payable or not) may, at its option, perform the same in whole or in part, and all expenditures made by the mortgagee in so doing shall draw interest at the rate of 10 per cent per annum, and shall be immediately repayable by the mortgagors without demand, and, together with interest and costs accruing thereon, shall be secured by this mortgage.

Time is material and of the essence hereof; and in case of breach of any of the covenants or agreements hereof, or if default be made in the payment of any of the sums hereby secured, or if the whole or any portion of said loan shall be expended for purposes other than those specified in the original application therefor except, by the written permission of said mortgagee, or if said land or any portion thereof shall be hereafter included in any special assessment district, then, in any such case, all indebtedness hereby secured, shall, at the election of the mortgagee, become immediately due without notice, and this mortgage may be foreclosed; but the failure of the mortgagee to exercise such option in any one or more instances shall not be considered as a waiver or relinquishment of the right to exercise such option upon or during the continuance of the same or any other default.

In case of any suit to foreclose this mortgage or to collect any charge growing out of the debt hereby secured, or any suit which the mortgagee may deem it necessary to prosecute or defend to effect or protect the lien hereof, the mortgagors agree to pay a reasonable sum as attorney's fees and all costs and legal expenses in connection with said suit, and further agree to pay the reasonable costs of searching records and abstracting or insuring the title, and such sums shall be secured hereby and included in the decree of foreclosure.

COPY

Upon or during the continuance of any default hereunder, the mortgagee shall have the right forthwith to enter into and upon the mortgaged premises and take possession thereof, and collect the rents, issues and profits thereof, and apply the same, less reasonable costs of collection, upon the indebtedness hereby secured, and the mortgagee shall have the right to the appointment of a receiver to collect the rents, issues and profits of the mortgaged premises. The rents, issues and profits of said premises after default are hereby assigned and mortgaged to the mortgagee as additional security for the indebtedness herein described.

EXHIBIT "B"

This mortgage and the note secured hereby are executed and delivered under and in accordance with the Farm Credit Act of 1971 and any acts amendatory or supplementary thereto and the regulations of the Farm Credit Administration, and are subject to all the terms, conditions and provisions thereof, which are made a part hereof the same as if set out in full herein.

The covenants and agreements herein contained shall extend to and be binding upon the heirs, executors, administrators, successors and assigns of the respective parties hereto.

It is agreed that this mortgage, without affecting the validity as a real estate mortgage, is also executed and shall be construed as a "Security Agreement" under the Idaho Uniform Commercial Code granting to Mortgagee a security interest in the personal property collateral described herein and in addition to the rights and remedies provided herein, Mortgagee shall have the rights and remedies granted by such Code; and reasonable notice, when notice is requested, shall be five (5) days.

Mortgagors shall be entitled to a release of this mortgage as to Parcel 2 of Butte County lands when the principal balance of the note secured by this mortgage has been reduced to $100,000.00, the release to be available at any time thereafter upon request of mortgagors or either of them.

IN WITNESS WHEREOF, The mortgagors have hereunto set their hands the day and year first above written.

STATE OF Idaho }
County of Butte } ss.

On Oct 12, 1976, before me personally appeared

Edward R. Denison and Peggy Ann Denison,

to me known to be the person(s) described in and who executed the foregoing instrument, and acknowledged that (he) (she) (they) executed the same as (his) (her) (their) free act and deed

Blair N. Archibald
NOTARY PUBLIC

My Commission Expires Life

STATE OF Idaho }
County of Butte } ss

On Oct. 12, 1976, before me personally appeared

Richard C. Rothwell and Ethel Rothwell,

to me known to be the person(s) described in and who executed the foregoing instrument, and acknowledged that (he) (she) (they) executed the same as (his) (her) (their) free act and deed

Blair N. Archibald
NOTARY PUBLIC

My Commission Expires Life

EXHIBIT "B"

STATE OF IDAHO)
COUNTY OF CUSTER) ss. No. 142/20

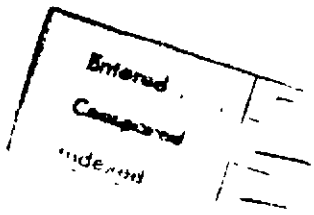
This instrument was filed for record
at the request of Custer County Title
at 11:15 o'clock A.M. 12-14 19 72
and duly filmed and indexed in the
Records of Custer County, Idaho.

Ex-Officio Recorder.
By Deputy
Fees 3.00

JAN 15 1932

165834

GREEN SERVICE,
GASSER & KERL
ATTORNEYS AT LAW
P O BOX 4883
POCATELLO IDAHO
83205-4883
(208) 232-4471



No. 18956

FILED

DEC 0 1 1986

10:51 P.M.

BUTTE COUNTY RECORDER

Joann Wastchow

STATE OF IDAHO)
COUNTY OF CUSTER) ss 181419

This instrument was filed for record at the request of Sheriff, Darrell G. Richards at 1:30 o'clock P M. Dec 11 19 86 and duly filmed and indexed in the Records of Custer County.

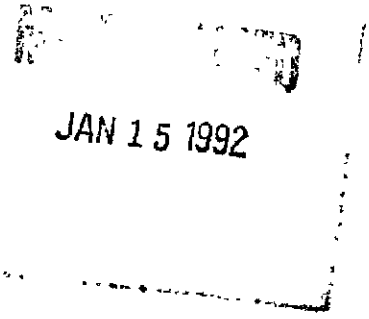
ETHEL M. PECK
Ex-Officio Recorder

By Kay Ivie *Deputy*

Fees 10.00

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF BUTTE

THE FEDERAL LAND BANK OF SPOKANE, a corporation, Plaintiff, v. EDWARD R. DENISON; PEGGY ANN DENISON; RICHARD C. ROTHWELL and ETHEL ROTHWELL, husband and wife; UNITED STATES OF AMERICA, acting through the Farmers Home Administration; RONAN, INC., a corporation; COMMODITY CREDIT CORPORATION; STATE OF IDAHO, Department of Land Management; AGRICULTURE SERVICE, INC., a corporation; FIRST SECURITY BANK OF IDAHO, N.A.; LOST RIVER CO-OP, INC., an Idaho corporation; and FEDERAL LAND BANK ASSOCIATION OF BLACKFOOT, a corporation, Defendants.	CASE NO. 18-84 SHERIFF'S CERTIFICATE OF SALE UNDER FORECLOSURE



I, DARRELL G. RICHARDS, Sheriff of the County of Butte, State of Idaho, do hereby certify that under and

GREEN SERVICE,
GASSER & KERL
ATTORNEYS AT LAW
P O BOX 4883
POCATELLO, IDAHO
83205-4883
(208) 232-4471

by virtue of a Decree of Foreclosure and Order of Sale entered in the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Butte, an action in which The Federal Land Bank of Spokane obtained a Decree of Foreclosure and Order of Sale against Edward R. Denison, Peggy Ann Denison, Richard G. Rothwell, Ethel Rothwell, United States of America, acting through the Farmers Home Administration and the Commodity Credit Corporation, Ronan, Inc., Agriculture Services, Inc., First Security Bank of Idaho, N.A., Lost River Co-Op, and the Federal Land Bank Association of Blackfoot, a corporation; and

An Execution in Foreclosure thereunder issued to me as such Sheriff, and duly delivered to me whereby I was commanded to sell the property hereinafter described according to law, and apply the proceeds of said sale towards satisfaction of the lien of The Federal Land Bank of Spokane, which lien amounted to the sum of $294,902.80 as of the date of sale, plus accruing costs including my fees and commission, amounting to the sum of $61.00 and costs of service of Notice of Sale, amounting to the sum of $46.52, plus costs in publication of the Notice of Sale with the Arco Advertiser, amounting to the sum of $172.90, and the costs of recording this Certificate and the Return on Execution amounting to the sum of $[illegible] all due and

JAN 15 1992

owing as of the date of sale in lawful money of the United States of America.

On the 1st day of December, 1986, at 10:30 o'clock a.m. on said day, at the front entrance of the Courthouse of Butte County, Idaho, in Arco, Idaho, I duly sold at public auction, according to law after due and legal notice, to The Federal Land Bank of Spokane who made the highest and best bid therefore in the sum of $295,231.22, lawful money of the United States, the real estate described in said Decree of Foreclosure and Execution issued thereunder and described as follows:

GREEN, SERVICE, GASSER & KERL
ATTORNEYS AT LAW
P.O. BOX 4883
POCATELLO IDAHO
83205-4883
(208) 232-4471

PARCEL 1:

CUSTER COUNTY LANDS:

Township 6 North, Range 25 East of the Boise Meridian

Section 2: That part of the SE¼SW¼ and of the SW¼NW¼ Southwest of Pass Creek.

Section 11: SW¼NE¼, SE¼NW¼ and that part of the NE¼NW¼ and of the NW¼NE¼ Southwest of Pass Creek.

EXCEPTING THEREFROM that part conveyed in deed from William T. Tew, Jr., et ux, to Alice M. Sutter, recorded March 17, 1926, in Book 19, page 315 records of Custer County, Idaho.

BUTTE COUNTY LANDS:

Township 6 North, Range 25 East of the Boise Meridian

Section 2: Lots 2 and 3, SW¼NE¼, S½NW¼, W½SE¼, E½SW¼, EXCEPTING that portion lying in Custer County.

15 1932

GREEN, SERVICE,
GASSER & KERL
ATTORNEYS AT LAW
P O BOX 4883
POCATELLO, IDAHO
83205-4883
(208) 232-4471

Section 11: W½NE¼, E½NW¼, EXCEPT that portion lying in Custer County.

PARCEL 2:

BUTTE COUNTY LANDS:

Township 7 North, Range 25 East of the Boise Meridian

Section 35: E½, E½SW¼, SW¼SW¼.

Together with 60 HP G.E. motor, Serial No. TVJ609114, and a Johnston turbine pump, Serial No. JS3920; a 50 HP G.E. motor, Serial No. DKJ417412, and a Johnston turbine pump, serial number unknown; a 30 HP Century motor, serial number unknown, and a Berkeley centrifugal pump, Serial No. 767334; and 2000 feet of buried steel mainline, sizes 4-inch through 8-inch; or any replacements thereof; all of which are hereby declared to be appurtenant thereto.

All water and water rights used upon or appurtenant to said property, however evidenced;

Together with any and all tenements, hereditaments and appurtenances thereunto belonging or used in connection therewith.

AND I DO FURTHER CERTIFY that The Federal Land Bank of Spokane being the purchaser of said property at said sale receipted me for the amount of said bid less accruing costs of $328.42, leaving $294,902.80 to be credited upon mortgage lien identified in the Decree of Foreclosure and Order of Sale above described.

I FURTHER CERTIFY that said property is subject to redemption in lawful money of the United States of America within one year from the date of said sale,

pursuant to Idaho statutes in such cases made and provided.

DATED This 1 day of December, 1986.

GREEN, SERVICE,
GASSER & KERL
ATTORNEYS AT LAW
P O BOX 4883
POCATELLO, IDAHO
83205-4883
(208) 232-4471

DARRELL G. RICHARDS
BUTTE COUNTY SHERIFF

BY Darrell G. Richards

STATE OF IDAHO)
ss
County of Butte)

On this ___ day of December, 1986, before me, the undersigned Notary Public in and for said County and State, personally appeared DARRELL G. RICHARDS, known to me to be the Sheriff of the County of Butte, State of Idaho, and the party who executed the foregoing instrument and he duly acknowledged to me that he executed the same as Sheriff.

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

(SEAL)

LEANN WARTCHOW NOTARY PUBLIC STATE OF IDAHO

Leann Wartchow
NOTARY PUBLIC FOR IDAHO
Residing at: Arco, Id

JAN 1

SHERIFF'S DEED UNDER FORECLOSURE

GREEN SERVICE
GASSER & KERL
ATTORNEYS AT LAW
P.O. BOX 4883
POCATELLO IDAHO
83205-4883
(208) 232-4471

THIS INDENTURE, made this 9 day of December, 1987, between DARRELL G. RICHARDS, Sheriff of Butte County, State of Idaho, party of the first part, and The Federal Land Bank of Spokane, party of the second part,

WITNESSETH:

That, WHEREAS, in that certain Decree of Foreclosure and Order of Sale made and entered in the District Court of the Seventh Judicial District of the State of Idaho, in and for the County of Butte on the 21st day of October, 1986, wherein the The Federal Land Bank of Spokane, was Plaintiff and Edward R. Denison, and others, were Defendants, in which said Decree it was, among other things, ordered, adjudged and decreed that all and singular the mortgaged premises described in the complaint or so much thereof as might be sufficient to raise the amount due the Plaintiff, should be sold at public auction by the Sheriff of Butte County, State of Idaho, in the manner prescribed by law and according to the course and practice of said Court; that any party to the action might become a purchaser at said sale; that said Sheriff would issue the usual certificate and deeds to the purchaser or purchasers as required by law; and

FILED
JAN 15 1992

GREEN, SERVICE,
GASSER & KERL
ATTORNEYS AT LAW
P O BOX 4883
POCATELLO IDAHO
83205-4883
(208) 232-4471

WHEREAS, an execution in foreclosure was duly issued out of the above entitled Court, which execution was delivered to Darrell G. Richards, the then Sheriff of the County of Butte, State of Idaho whereby he was, among other things, commanded to sell the property therein described; and

WHEREAS, the Sheriff did, on the 1st day of December, 1986, after due public notice had been given as required by the laws of the State of Idaho, sold at public auction the premises herein mentioned, to The Federal Land Bank of Spokane, for the sum of TWO HUNDRED NINETY-FIVE THOUSAND TWO HUNDRED THIRTY-ONE DOLLARS AND 22/100, ($295,231.22), lawful money of the United States, it being the highest bidder and that being the highest bid for the same; and

WHEREAS, the said purchaser thereupon paid the Sheriff his fees and disbursements on said sale and directed that the balance thereof be applied towards the satisfaction of the judgment obtained by it; and

WHEREAS, the Sheriff thereupon made, executed and delivered the usual certificate to the purchaser, The Federal Land Bank of Spokane, and caused the other to be filed of record in the office of the County Recorders of the County of Butte and Custer, State of Idaho; and

WHEREAS, more than one year has elapsed since the date of the sale and no redemption has been made of the

JAN 15 1992

premises so sold by or on behalf of the judgment debtors or by or on behalf of any other person;

NOW, THEREFORE, THIS INDENTURE, WITNESSETH:

GREEN SERVICE
GASSER & KERL
ATTORNEYS AT LAW
P.O. BOX 4883
POCATELLO, IDAHO
83205-4883
(208) 232-4471

That the said party of the first part, the said Sheriff of Butte County, in order to carry into effect the sale, in pursuance of the said Decree of Foreclosure and Order of Sale, and in conformity to the statutes in such cases made and provided and in consideration of the sum of TWO HUNDRED NINETY-FIVE THOUSAND TWO HUNDRED THIRTY-ONE DOLLARS AND 22/100, ($295,231.22), so bid by such purchaser, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and does by these presents grant, bargain, sell and convey unto said party of the second part, and to its successors and assigns forever, all those certain lots, pieces or parcels of land situate, lying and being in the Countys of Butte and Custer, State of Idaho, and bounded and more particularly described as follows:

SEE EXHIBIT "A"

and also the estate, right, title or interest, property, possession, claim and demand whatsoever, as well in law as in equity, of the said party of the first part and of the Defendants, Edward R. Denison, Peggy Ann Denison;

FILED
JAN 15 1992

GREEN, SERVICE,
GASSER & KERL
ATTORNEYS AT LAW
P O BOX 4883
POCATELLO, IDAHO
83205-4883
(208) 232-4471

Richard C. Rothwell and Ethel Rothwell, husband and wife; United States of America, acting through the Farmers Home Administration; Ronan, Inc., a corporation; Commodity Credit Corporation; State of Idaho, Department of Land Management; Agricultural Services, Inc., a corporation; First Security Bank of Idaho, N.A.; Lost River Co-op, Inc., an Idaho corporation; and Federal Land Bank Association of Blackfoot, a corporation and to said premises and every part and parcel thereof.

TO HAVE AND TO HOLD ALL AND SINGULAR the said premises hereby conveyed or intended to be, together with the appurtenances thereunto to the said party of the second part and to its successors and assigns, to its own use and benefit, forever.

IN WITNESS WHEREOF, the said party of the first part to these premises has hereunto set his hand the day and year first above written.

Darrell G. Richards
Butte County Sheriff
Butte County, State of Idaho

JAN 15 1992

STATE OF IDAHO)
ss
County of Butte)

On this 9 day of December, 1987, before me, the undersigned Notary Public in and for said County and State, personally appeared DARRELL G. RICHARDS, known to me to be the Sheriff of the County of Butte, State of Idaho, and the party who executed the foregoing instrument and he duly acknowledged to me that he executed the same as Sheriff.

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

GREEN, SERVICE,
GASSER & KERL
ATTORNEYS AT LAW
P O BOX 4883
POCATELLO, IDAHO
83205-4883
(208) 232-4471

LEANN WARTCHOW NOTARY PUBLIC STATE OF IDAHO (SEAL)

Leann Wartchow
NOTARY PUBLIC for Idaho
Residing at: Arco

JAN 15 1992

PARCEL 1:

CUSTER COUNTY LANDS:

Township 6 North, Range 25 East of the Boise Meridian

Section 2: That part of the SE¼SW¼ and of the SW¼NW¼ Southwest of Pass Creek.

Section 11: SW¼NE¼, SE¼NW¼ and that part of the NE¼NW¼ and of the NW¼NE¼ Southwest of Pass Creek.

EXCEPTING THEREFROM that part conveyed in deed from William T. Tew, Jr., et ux, to Alice M. Sutter, recorded March 17, 1926, in Book 19, page 315 records of Custer County, Idaho.

BUTTE COUNTY LANDS:

Township 6 North, Range 25 East of the Boise Meridian

Section 2: Lots 2 and 3, SW¼NE¼, S½NW¼, W½SE¼, E½SW¼, EXCEPTING that portion lying in Custer County.

RECORDED
JAN 15 1992

[redacted]

Section 11: W½NE¼, E½NW¼, EXCEPT that portion lying in Custer County.

PARCEL 2:

BUTTE COUNTY LANDS:

Township 7 North, Range 25 East of the Boise Meridian

Section 35: E½, E½SW¼, SW¼SW¼.

Together with 60 HP G.E. motor, Serial No. TVJ609114, and a Johnston turbine pump, Serial No. JS3920; a 50 HP G.E. motor, Serial No. DKJ417412, and a Johnston turbine pump, serial number unknown; a 30 HP Century motor, serial number unknown, and a Berkeley centrifugal pump, Serial No. 767334; and 2000 feet of buried steel mainline, sizes 4-inch through 8-inch; or any replacements thereof; all of which are hereby declared to be appurtenant thereto.

All water and water rights used upon or appurtenant to said property, however evidenced;

Together with any and all tenements, hereditaments and appurtenances thereunto belonging or used in connection therewith.

187827

CUSTER COUNTY
REQUEST OF Greene, Service, Gasser, Keal

'87 DEC 14 AM 11 22

ETHEL M. PECK, CLERK
M. Thompson DEPUTY
FEES $ 2/00

No. 20399
FILED
DEC 09 1987
A.M. 1:20 P.M.
BUTTE COUNTY RECORDER
Lynn Watkins

JAN 15 1992

May 8, 1991

RE: Permit No. 34-7160

Edward R. Denison
Rt. 1
Darlington, ID 83231

Dear Mr. Denison:

Enclosed is a copy of the Order of Reinstatement which advances the date of priority of the above referenced permit to February 21, 1981 due to late submittal of the exam fee.

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:blm

Enclosure

BENEFICIAL USE FIELD REPORT REVIEW

TO: FILE 34-7160

FROM: JIM JOHNSON

RE: PRIORITY ADVANCE REVIEW

DATE: 3-MAY-1991

==========

This review memo is prepared to show the process for determining what elements were involved in advancement of the priority.

	DATE	JULIAN	
PERMIT			
Permit priority Date:	SEPTEMBER 13 1976	256	
EXAM FEE NOTICE			
Exam Fee Notice Date:	JULY 30 1986	211	
Exam Fee/Info Sheet Received Date:	MARCH 08 1991	1892	
Exam Fee or Info Due Date:	SEPTEMBER 28 1986	271	
Days Late:		1621	DAY(S)
NEW PRIORITY DATE			
Original Priority Date:	SEPTEMBER 13 1976	256	
Total Days Late:		1621	DAY(S)
New Priority Date:	**FEBRUARY 21 1981**	52	

RECEIVED
MAY 14 1991

Donald L. Harris, Esq.
HOLDEN, KIDWELL, HAHN & CRAPO
P.O. Box 50130
Idaho Falls, Idaho 83405
Telephone: (208) 523-0620

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 34-7160.) AFFIDAVIT OF CHRIS RICHARDSON

STATE OF IDAHO)
)
County of Custer)

CHRIS RICHARDSON, first being duly sworn upon oath, deposes and says:

1. That I am an employee of the Agricultural Stabilization and Conservation Service of the United States Department of Agriculture located in Mackay, Idaho.

2. That I am the custodian of the documents contained in the ASCS office in Mackay, including maps demonstrating crop production and of crops reports.

3. That the maps appended hereto from 1980 to 1985 are true and accurate copies of the maps in possession of ASCS.

4. That the maps depict, among other information, the

JAN 15 1992

property located in Sections 2 and 11, Township 6 North, Range 25 East, Boise Meridian in Butte County and Custer County, Idaho.

Chris Richardson

Chris Richardson

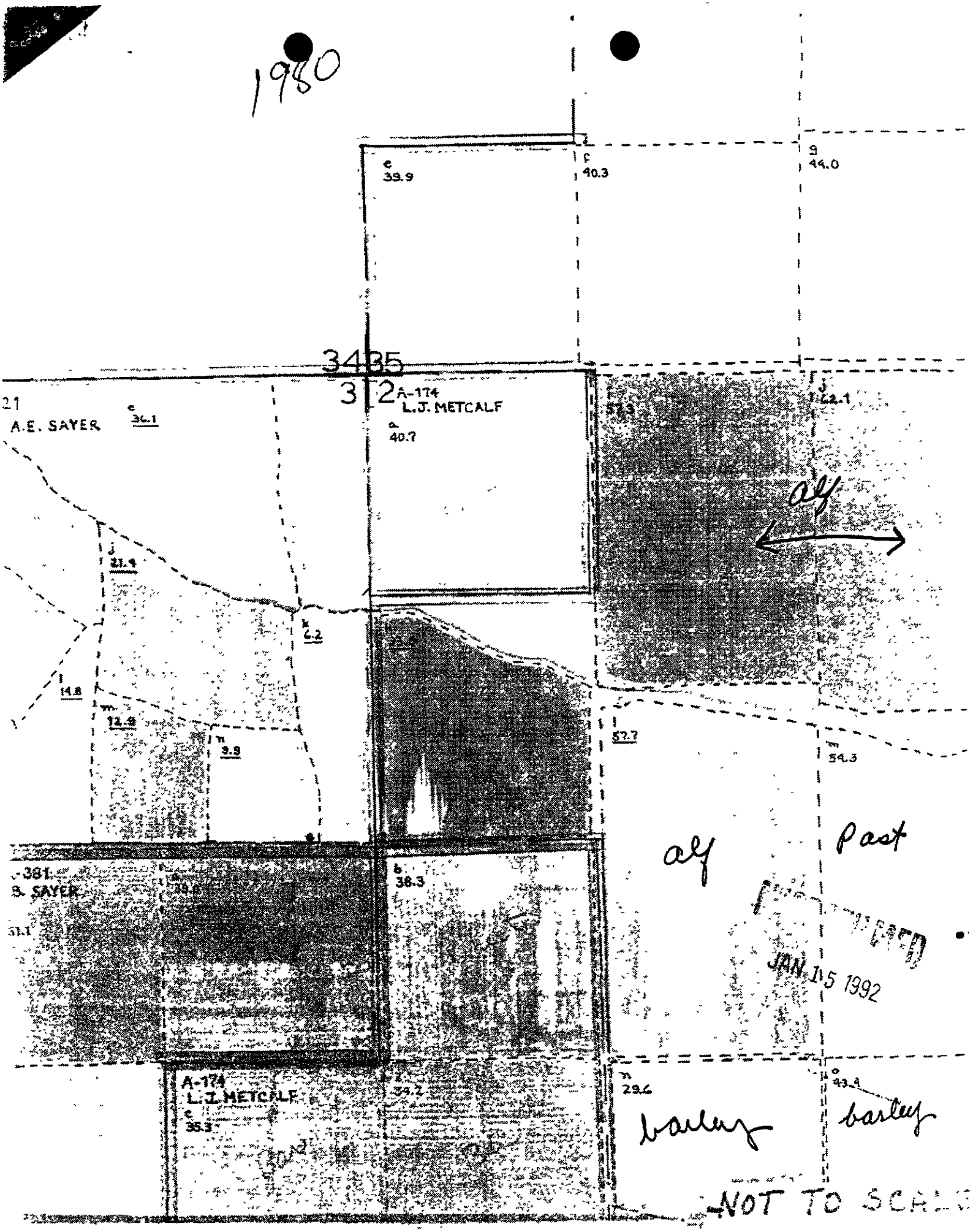
SUBSCRIBED and sworn to before me this 13th day of June, 1990.

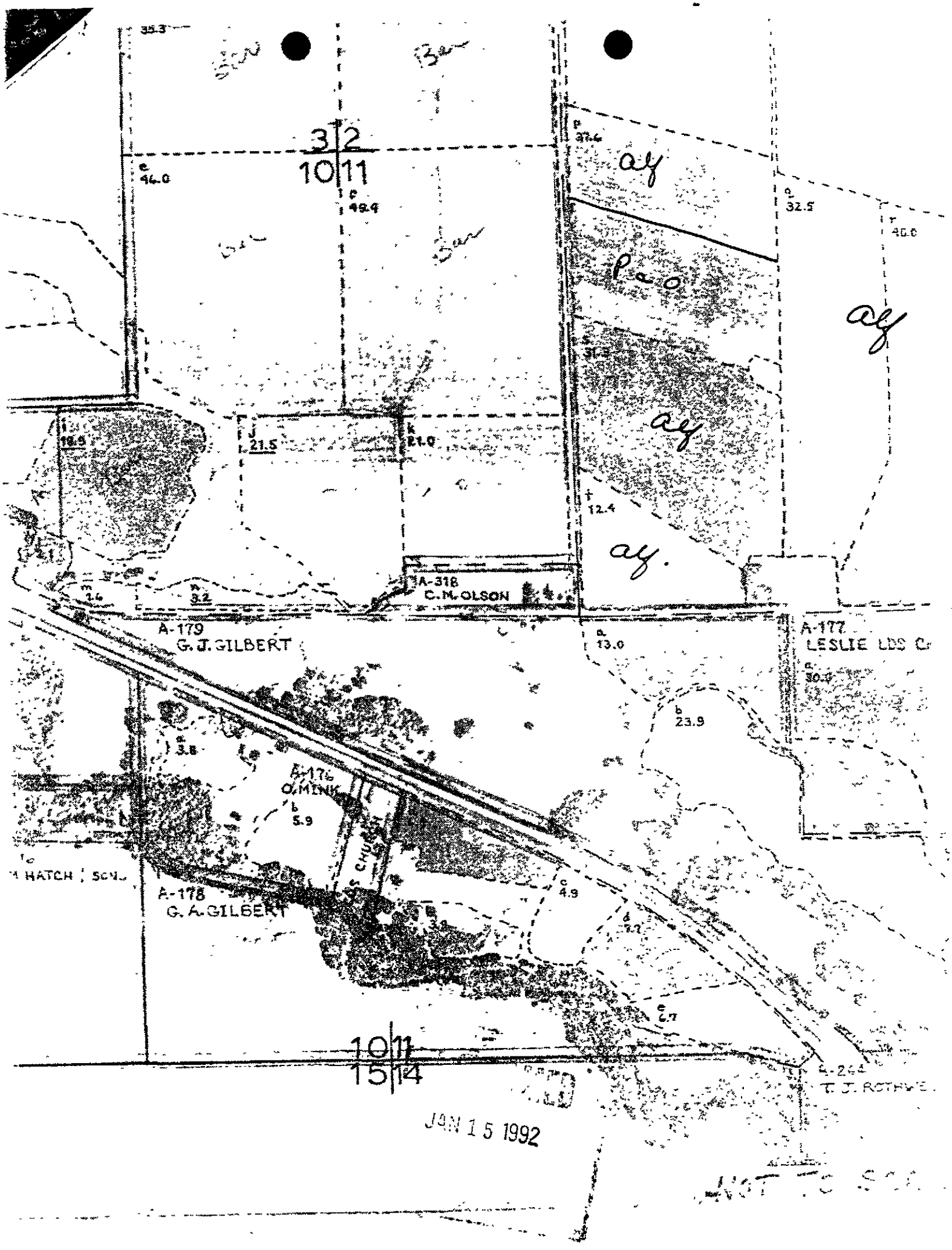
Notary Public for Idaho
Residing at Arco, Idaho
My Commission Expires: 3/14/93

(seal)

#5811.00
9100h/srr

JAN 15 1992


1980
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A-174
L.J. METCALF
21
A.E. SAYER
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c 39.9
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g 44.0
j 42.1
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af
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m 12.8
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JAN 15 1992
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A-318
C. M. OLSON
A-179
G. J. GILBERT
A-177
LESLIE LDS C
A-176
O. MINK
A-178
G. A. GILBERT
A-264
T. J. ROTHWE
af
P.O.B.
JAN 15 1992

ASCS-578 (6-7-78)

REPORT OF ACREAGE

USDA-ASCS

NOTE: Sect. 1374a, 7 U.S.C., authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing this data is voluntary; however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the Act.

KEY 1 OPERATOR	FARM NO.	NAME AND ADDRESS	FARMLAND	CROPLAND

KEY 2 OWNER

OTHER FARMS: OPERATOR / OWNER

PROGRAM YEAR

OTHER

OTHER INTERESTED PRODUCERS KEY	NAME AND ADDRESS	OTHER FARMS	ASSIGNMENT CROP	JOB
3				
4				
5				
6				
7				

SECTION I - FARM FIELD REPORT (NOTE: Grey Shaded Area to be Filled in by Reporter ONLY.)

TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY 4: Bar	wht	oats	P&O	alf	Total NCA		KEY 5	SHARE 6	DISPOSITION 7	METHOD 8	GROSS ACRES 9	DEDUCTIONS IDENT./MEAS. 10	ACRES 11	NET ACRES 12	INITIAL & DATE 13
	p1	alfalfa					37.6											
	p2	Peas & Oats																
	q	alfalfa					32.5		1									
	r	alfalfa					40.0											
	s	alfalfa					31.3											
	t	alfalfa					12.4											
TOTAL OPERATOR REPORT																		
TOTAL REPORTER'S REPORT																		

JAN 15 1992

SECTION II - OPERATOR'S CERTIFICATION

[illegible]ertify to the best of my knowledge and belief that the acreages of crops and land uses [illegible]d herein are true and correct. Further, my signature constitutes authority for ASCS [illegible] determinations.

OPERATOR'S SIGNATURE	DATE	OPERATOR'S SIGNATURE	DATE

SECTION I - FARM FIELD REPORT (Continued) (Grey Area to be Filled in by Reporter ONLY.)

TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY: Bar	wht	oats	P&P	alf	Past	Total	KEY 5	SHARE 6	DISPOSITION 7	METHOD 8	GROSS ACRES 9	DEDUCTIONS: IDENTITY & MEAS. 10	DEDUCTIONS: ACRES 11	NET ACRES 12	INITIAL & DATE 13
			29.6						29.6									
	n	barley																
			43.4						43.4									
	o	barley																
							57.3											
	i	alfalfa																
							63.1											
	j	alfalfa																
							33.9											
	k	alfalfa																
							57.7											
	l	alfalfa																
								54.3										
	m	pasture																
									73.0									
									1									

SKETCHES OR REMARKS

JAN 15 1992

JAN 15 1992

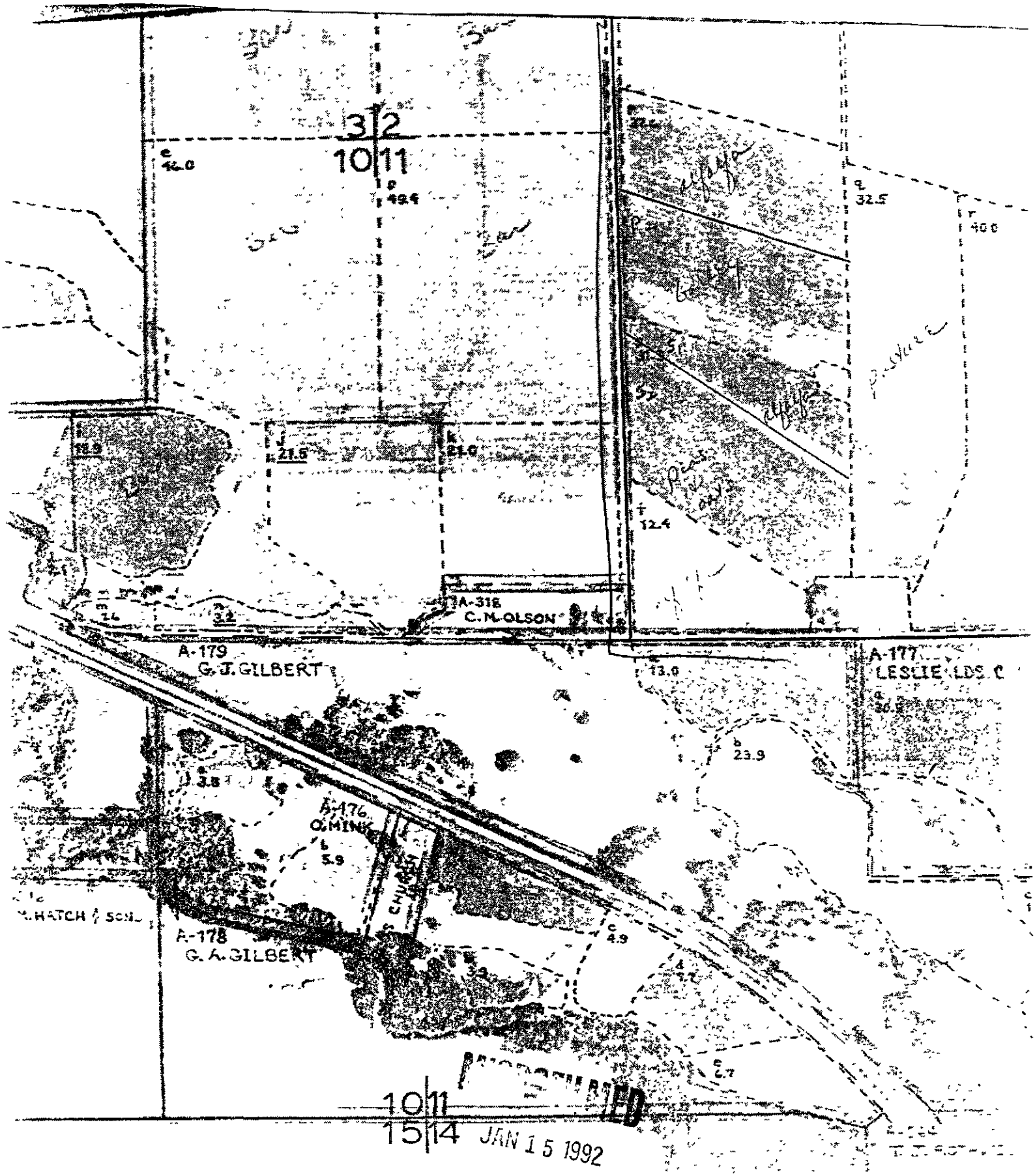
TOTAL OPERA

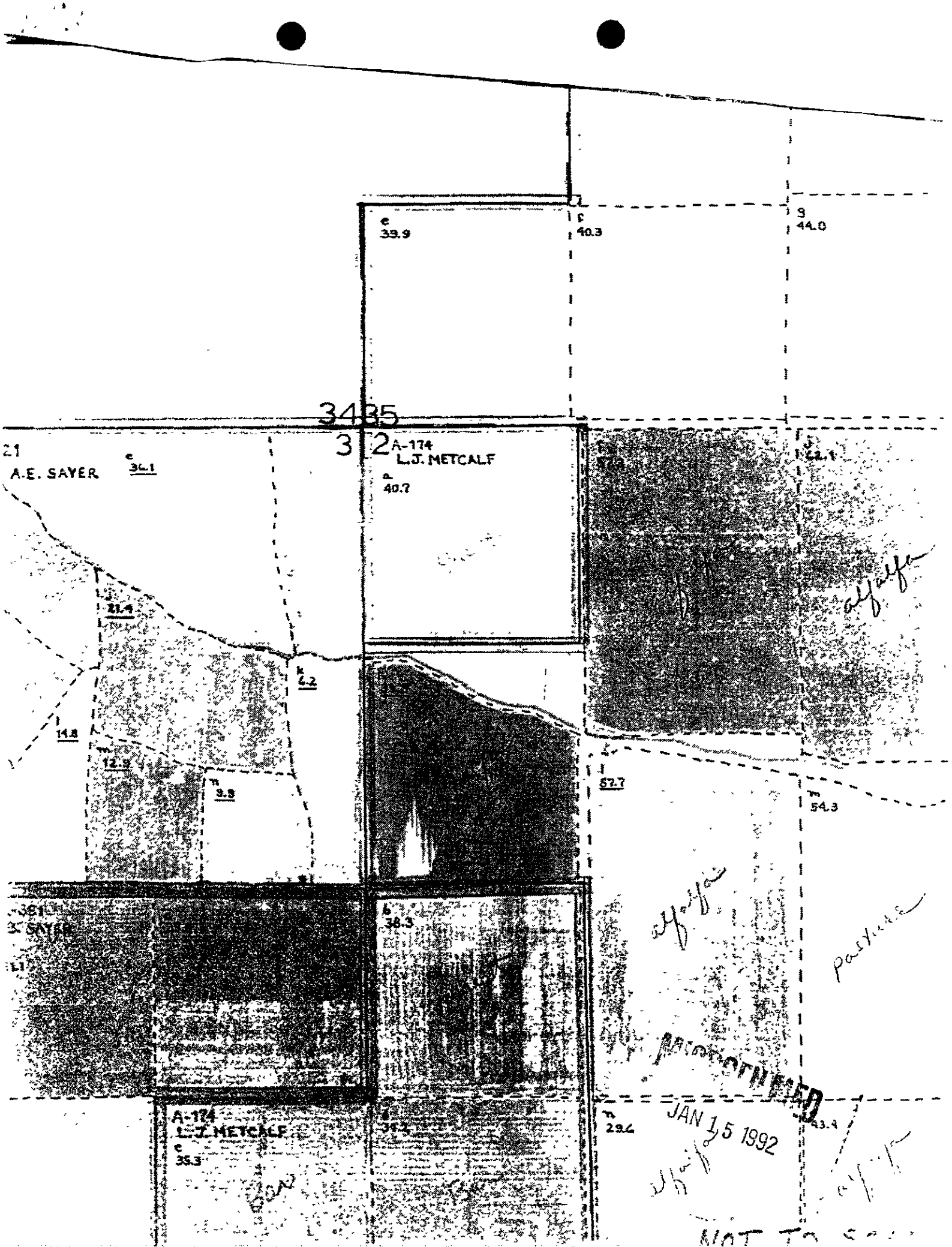
TOTAL REPOR

TION II - O

to the

in are


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10 11
A-179
G. J. GILBERT
A-316
C. M. OLSON
A-177
LESLIE LDS C
A-178
G. A. GILBERT
A-176
O. MINK
10 11
15 14
JAN 15 1992


3435
3 2
A-174
L.J. METCALF
e
40.7
A.E. SAYER
e
36.1
21.4
14.8
12.9
9.3
4.2
57.7
54.3
38.3
A-174
L.J. METCALF
e
35.3
29.4
JAN 15 1992

SECTION I - FARM FIELD REPORT (Continued) (Grey Area to be Filled in by Reporter ONLY.)

TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY 4							KEY 5	SHARE 6	DISPOSITION 7	METHOD 8	GROSS ACRES 9	DEDUCTIONS		NET ACRES 12	INITIAL DATE 13
			alfalfa	pasture	pens + corrals										IDENTITY & MEAS. 10	ACRES 11		
	T	alfalfa	40.0															
	S_1	alfalfa																
	S_2	pens + corrals			22.8													
	+	alfalfa	12.4															

SKETCHES OR REMARKS

OPERATOR

OWNER

ECTIO

RACT NO. 1

USDA 1992

ASCS-578 (6-7-78)

REPORT OF ACREAGE

USDA-ASCS

NOTE: Sect. 1374a, 7 U.S.C., authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing this data is voluntary; however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the Act.

PAGE - OF

KEY 1 OPERATOR: FARM NO. 380 — NAME AND ADDRESS: EDWARD R DENISON / A / 00 — R R 1 — DARLINGTON ID 83231 — FARM-LAND 966 — CROP-LAND 905

KEY 2 OWNER: 519 52 0929 0

OTHER FARMS: OPERATOR / OWNER

PROGRAM YEAR: 1981

OTHER:

OTHER INTERESTED PRODUCERS

KEY	NAME AND ADDRESS	OTHER FARMS	ASSIGNMENT CROP	ASSIGNMENT JOB
3				
4				
5				
6				
7				

SECTION I - FARM FIELD REPORT (NOTE: Grey Shaded Area to be Filled in by Reporter ONLY.)

TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY 4: alfalfa	pasture	peas & oats					KEY 5	SHARE 6	DISPOSITION 7	METHOD 8	GROSS ACRES 9	DEDUCTIONS IDENT./MEAS. 10	DEDUCTIONS ACRES 11	NET ACRES 12	INITIA DATE 13
	i	alfalfa	57.3															
	j	alfalfa	62.1															
	k	alfalfa	33.9															
	l	alfalfa	57.7															
	m	pasture		54.3														
	n	alfalfa	29.6															
		alfalfa	43.4															
	p_1	alfalfa	9.3															
	q	pasture		32.5														
TOTAL OPERATOR REPORT			345.7	86.8	22.8													
TOTAL REPORTER'S REPORT																		

JUL 6 1982

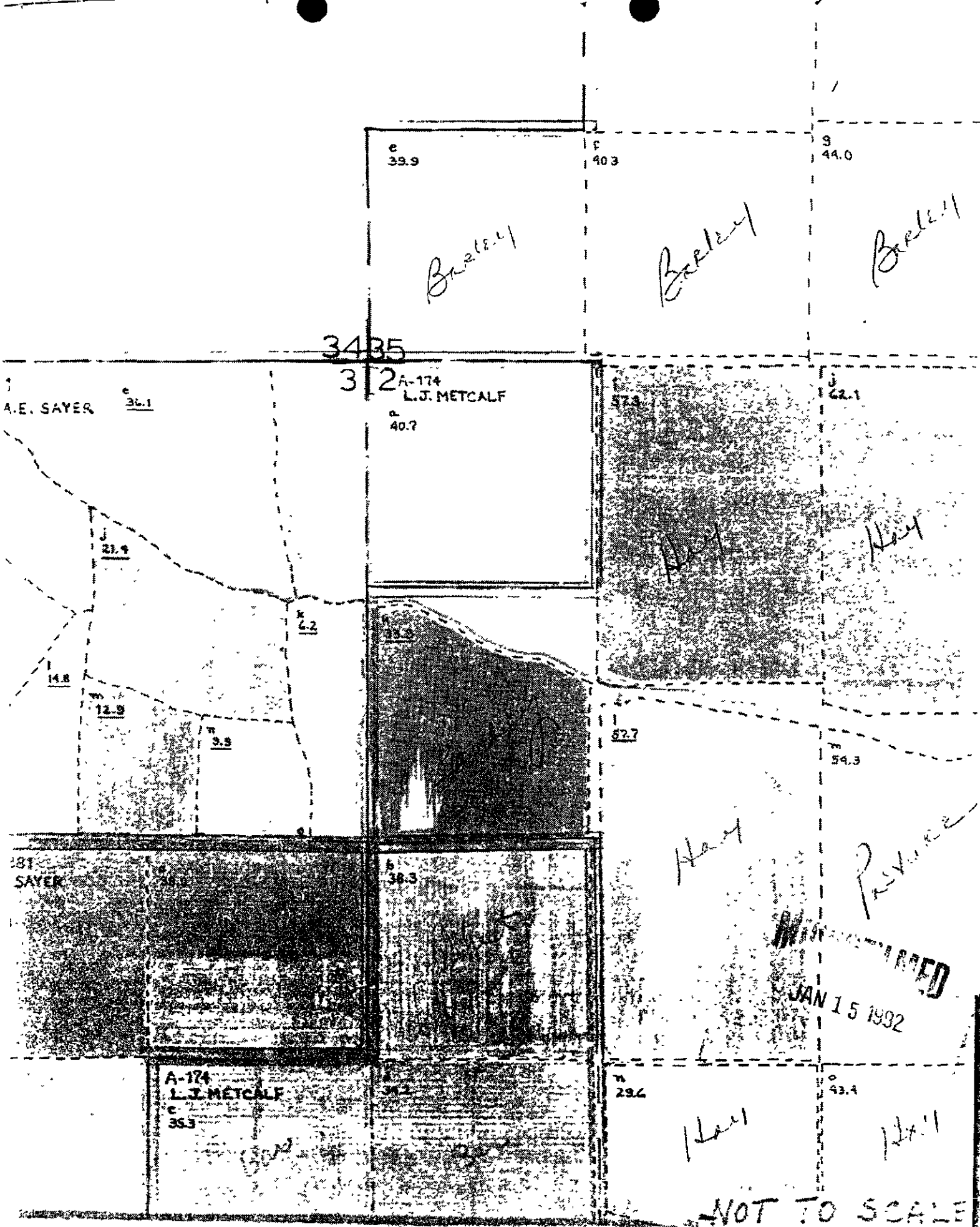
SECTION II - OPERATOR'S CERTIFICATION

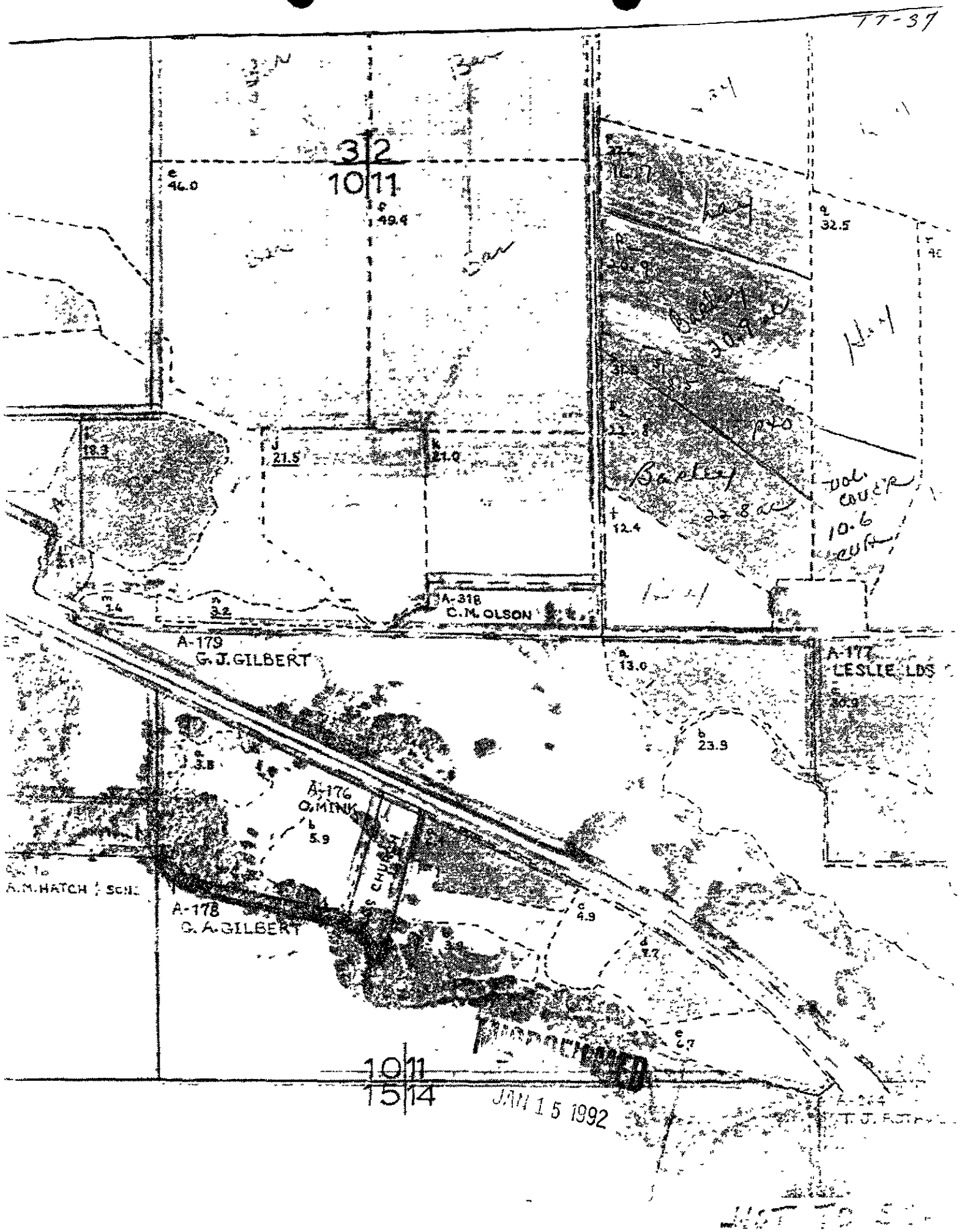
I certify to the best of my knowledge and belief that the acreages of crops and land uses reported herein are true and correct. Further, my signature constitutes authority for ASCS personnel to enter my farm for making any program determinations.

OPERATOR'S SIGNATURE: [signature] — DATE: 6-15-81

OPERATOR'S SIGNATURE — DATE

1982


e
39.9
f
40.3
g
44.0
Barlow
Barlow
Barlow
3435
312
A-174
L.J. METCALF
a
40.7
A.E. SAYER
e
36.1
f
37.3
j
42.1
j
23.9
k
6.2
14.8
m
12.9
n
3.3
n
28.8
57.7
m
54.3
New
New
Pavilion
31
SAYER
c
38.8
b
38.3
RECEIVED
JAN 15 1992
A-174
L.J. METCALF
c
38.3
n
29.6
o
43.4
New
New
NOT TO SCALE


TT-37
3 2
10 11
46.0
49.4
32.5
18.3
21.5
21.0
12.4
A-318
C.M. OLSON
A-179
G.J. GILBERT
A-177
LESLIE LDS
13.0
23.9
A-176
O. MINK
5.9
A.M. HATCH
A-178
G.A. GILBERT
4.9
10 11
15 14
JAN 15 1992

SECTION I - FARM FIELD REPORT (Continued) (Grey Area to be Filled in by Reporter ONLY.)

TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY: Barley	Oats	4				CUR	KEY 5	SHARE 6	DISPOSITION 7	METHOD 8	GROSS ACRES 9	DEDUCTIONS: IDENTITY & MEAS. 10	DEDUCTIONS: ACRES 11	NET ACRES 12	INSPECTION DATE 13
	P_2	Barley	20.9															
	S_1	Peas & Oats		8.5														
	S_2	Barley	22.8															
	9	Volunteer Cover CUR							10.6									
No other program crops planted					Total program crops planted					509.3 PS 488H								
All other crops: 509.9 4/30/82 PS																		

SKETCHES OR REMARKS

RECEIVED
JAN 15 1992

ASCS-578
(6-7-78)

REPORT OF ACREAGE

USDA-ASCS

NOTE: *Sect. 1374a, 7 U.S.C., authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing this data is voluntary; however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the Act.*

PAGE OF

KEY 1 OPERATOR

FARM NO. 380 | NAME AND ADDRESS: EDWARD R DENISON / A / R R 1 / 00 / DARLINGTON ID 83231 | FARM-LAND 966 | CROP-LAND 905

KEY 2 OWNER

519 52 0929 0

OTHER FARMS
- OPERATOR
- OWNER

PROGRAM YEAR: 1982

OTHER

OTHER INTERESTED PRODUCERS

KEY	NAME AND ADDRESS	OTHER FARMS	ASSIGNMENT CROP	ASSIGNMENT JOB
3				
4				
5				
6				
7				

SECTION I - FARM FIELD REPORT (NOTE: *Grey Shaded Area to be Filled in by Reporter ONLY.*)

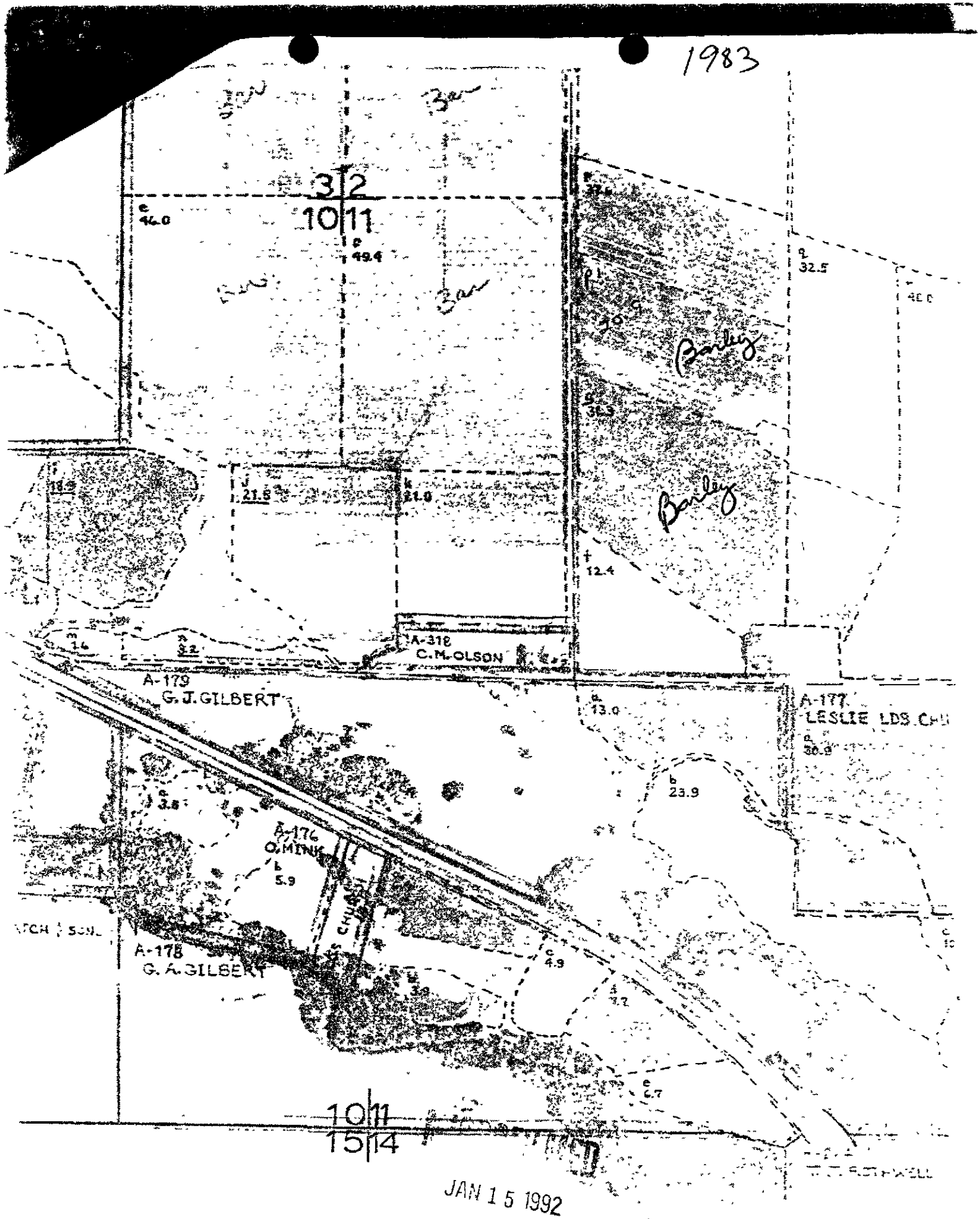
TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY: Barley	Oats	4				CUA	KEY 5	SHARE 6	DISPOSITION 7	METHOD 8	GROSS ACRES 9	DEDUCTIONS IDENT./MEAS. 10	DEDUCTIONS ACRES 11	NET ACRES 12	INITIAL & DATE 13
	a	Barley	128.0															
	b	CC CUA							40.6									
	c	Barley	40.0															
	d	Barley	38.1															
	e	Barley	39.9															
	f	Barley	40.3															
	g	Barley	44.0															
	h	Barley	41.7															
	k	Barley	33.9															
TOTAL OPERATOR REPORT			449.6 455.85	8.5					51.2									
TOTAL REPORTER'S REPORT																		

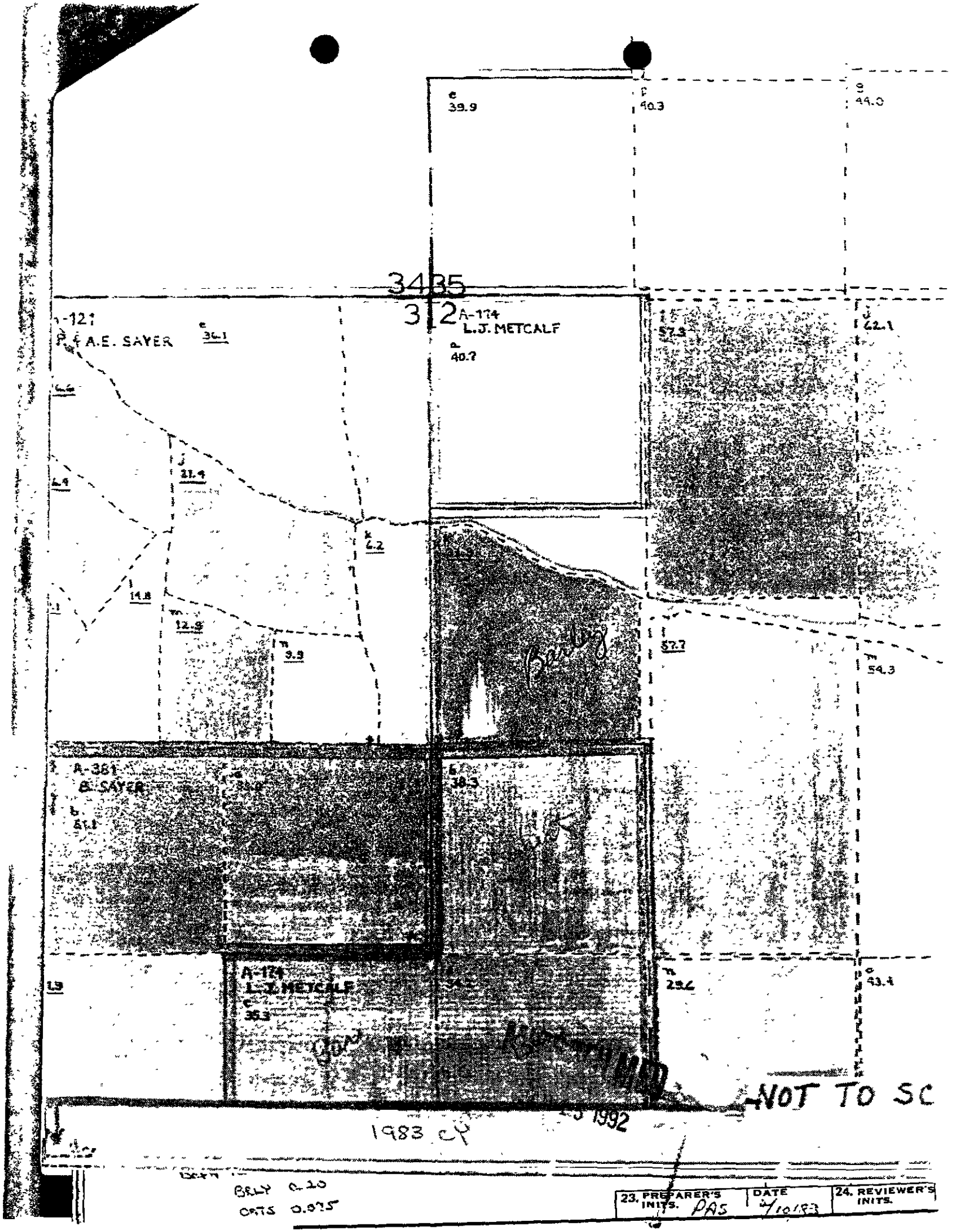
JAN 15 1992

SECTION II - OPERATOR'S CERTIFICATION

I certify to the best of my knowledge and belief that the acreages of crops and land uses reported herein are true and correct. Further, my signature constitutes authority for ASCS personnel to enter my farm for making any program determi...

OPERATOR'S SIGNATURE | DATE 12/20/91 | OPERATOR'S SIGNATURE | DATE


1983
3 2
10 11
15 14
A-318
C. M. OLSON
A-179
G. J. GILBERT
A-177
LESLIE LDS CHU
A-176
O. MINK
A-178
G. A. GILBERT
Barley
Barley
JAN 15 1992


3435
3 2
A-174
L.J. METCALF
A-121
P & A.E. SAYER
A-381
E. SAYER
A-174
L.J. METCALF
Barley
NOT TO SC
1983 CP
BELT 0.20
OATS 0.075
23. PREPARER'S INITS. PAS
DATE 4/10/83
24. REVIEWER'S INITS.

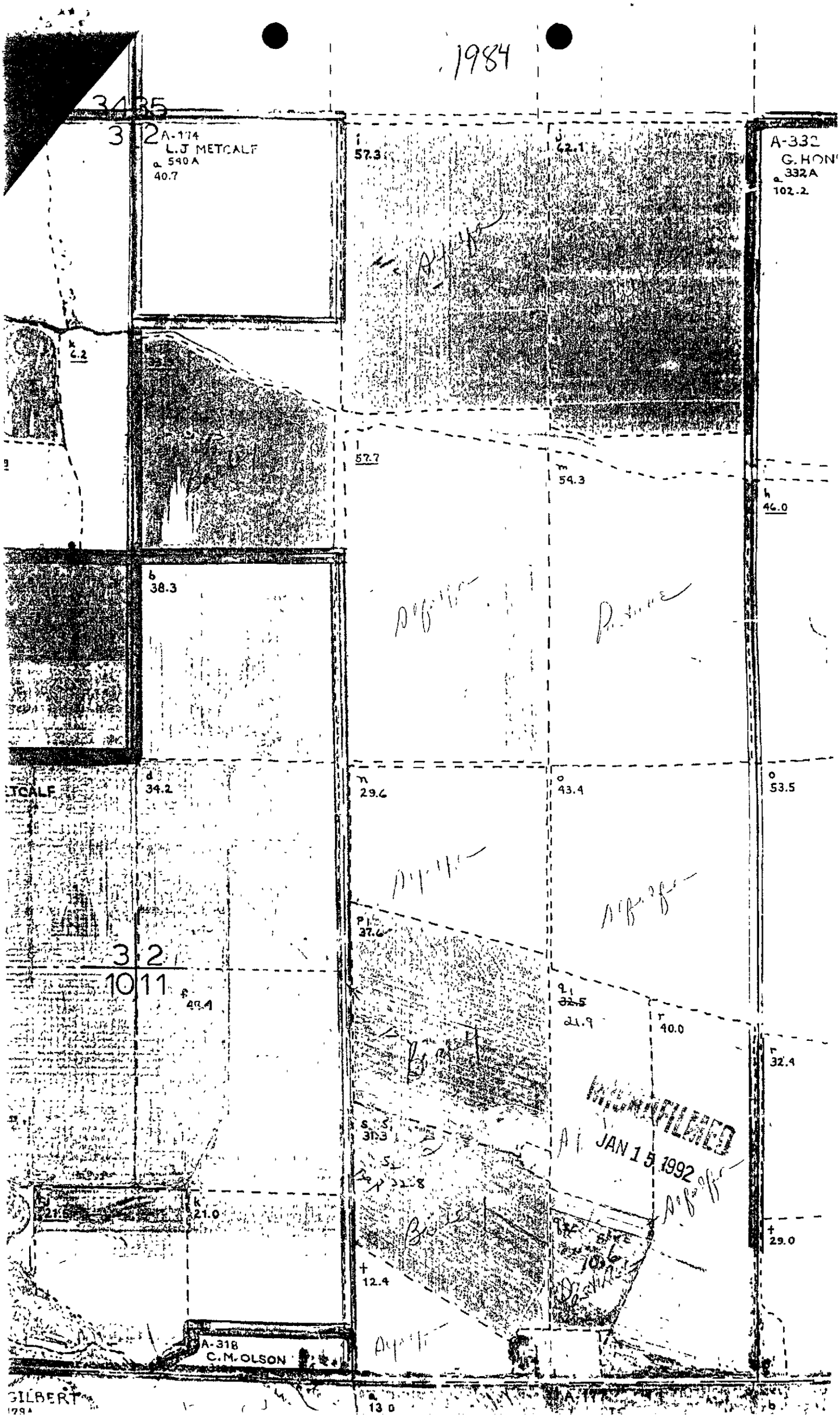
TRACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY: Barley	ACR	Forage Production	Idle 4	Pasture			KEY 5	SHARE 6	DISPOSITION 7	METHOD 8	GROSS ACRES 9	IDENTITY & MEAS. 10	ACRES 11	NET ACRES 12	DATE 13
	i	Alfalfa			57.3													
	j	Alfalfa			62.1													
	k	Barley for grain	33.9										slide official	33.9			33.5	jm 5-7-84
	l	Alfalfa	33.9		57.7													
	m	Pasture - grass and alfalfa			PS		54.3											
	n	Alfalfa			29.6													
	o	Alfalfa			43.1													
	p	Barley for grain	37.6		PS								slide official	37.6			37.6	jm 8-7-
	q	Alfalfa	37.6		21.9 PS													

SKETCHES OR REMARKS

* U.S. GOVERNMENT PRINTING OFFICE: 1983-607-113:1058

JAN 15 1992

Land designated for ACR meets two-year cropping requirements or other eligibility requirements as applicable SD


1984
3435
3 2
A-174
L.J METCALF
a 540 A
40.7
A-332
G. HON
a 332A
102.2
i
57.3
j
42.1
k
6.2
l
57.7
m
54.3
h
46.0
b
38.3
d
34.2
n
29.6
o
43.4
o
53.5
METCALF
3 2
10 11
e
49.4
p
37.6
q
32.5
21.9
r
40.0
r
32.4
s
31.3
t
29.0
12.4
j
21.6
k
21.0
A-318
C.M. OLSON
GILBERT
a
13.0
A-17
RECEIVED
JAN 15 1992

SECTION I - FARM FIELD REPORT (Continued) (Gray Area to be Filled in by Reporter ONLY.)

ACT NO. 1	FIELD NO. 2	CROP OR LAND USE 3	CROP OR LAND USE SUMMARY: Barley	ACR	Forage Production 4	Pasture	Fallow			KEY 5	SHARE 6	DISPOSITION 7	METHOD 8	GROSS ACRES 9	DEDUCTIONS: IDENTITY & MEAS. 10	DEDUCTIONS: ACRES 11	NET ACRES 12	INITIAL & DATE 13
	1 10	Silage for hay			57.3													
	11	Silage for hay			62.1													
	12	Barley for grain	33.9							1	100%							
	13	Silage for hay			52.7													
	14	Pasture				54.3												
	15	Barley for grain	29.6							1	100%							
	16	Silage for hay			43.4													
	17	Barley for grain	32.6							1	100%							
	18	Grass for hay			32.5													

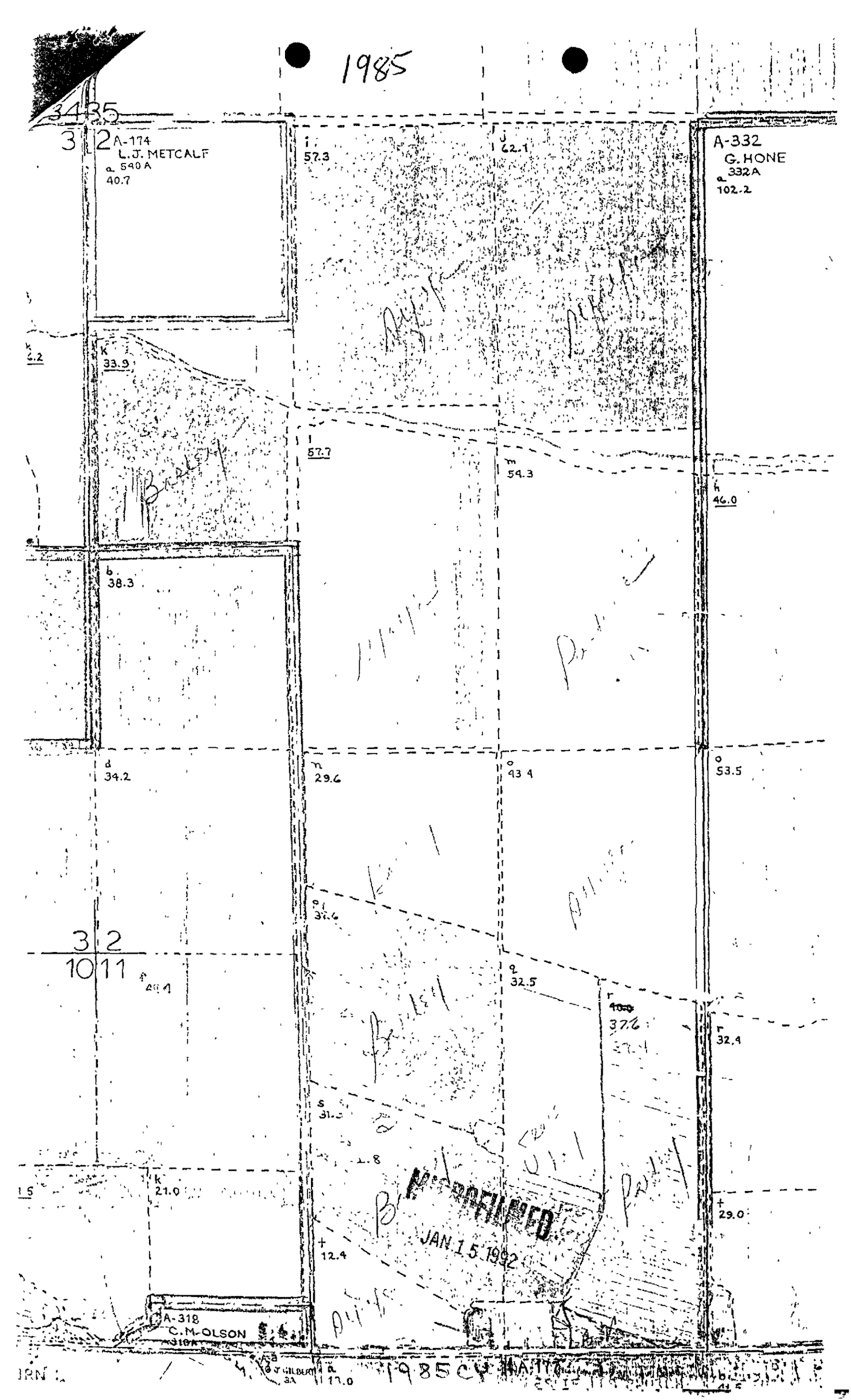
SKETCHES OR REMARKS

* U.S. GOVERNMENT PRINTING OFFICE: 1983-607-313 1058

Land designated for ACR acreage meets the cropping requirements or other eligibility requirements as applicable.

JAN 15 1992

TOTAL OPERATOR R
REPORTER'S
OPERA
best of
true
my


1985
3435
3 2
A-174
L.J. METCALF
a 540 A
40.7
i
57.3
j
62.1
A-332
G. HONE
332A
a
102.2
K
33.9
l
57.7
m
54.3
h
46.0
b
38.3
d
34.2
n
29.6
o
43.4
o
53.5
3 2
10 11
p
32.6
q
32.5
r
37.6
r
32.4
s
31.3
k
21.0
+
12.4
+
29.0
A-318
C.M. OLSON
318A
A-3
GILBERT
3A
a
17.0
RECORDED
JAN 15 1992
1985 CV 11A 1772

Donald L. Harris, Esq.
HOLDEN, KIDWELL, HAHN & CRAPO
P.O. Box 50130
Idaho Falls, Idaho 83405
Telephone: (208) 523-0620

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 34-7160.	AFFIDAVIT OF HARRY GAMBLES

STATE OF IDAHO)
)ss.
County of Bingham)

HARRY GAMBLES, first being duly sworn upon oath, deposes and says:

1. I was formerly employed by the Federal Lank Bank of Spokane, now known as Farm Credit Services;

2. In 1987, I held the position of Sr. Credit Officer

3. At that time, I was responsible for the foreclosure action against the property owned by Mr. and Mrs. Edward R. Denison with interest by Mr. and Mrs. Richard Rothwell;

4. At the time of the foreclosure action, we believed that the well drilled on the Denison property, with Permit No. 34-7160, was properly permitted;

RECEIVED
JAN 15 1992

5. At no time did Edward R. Denison ever advise us that there was not a license for the well;

6. At no time did Edward R. Denison advise us that the permit had lapsed nor did he send us any documents from the Idaho Department of Water Resources with regard to the lapse; and

7. We did not become aware of the lapse until the property was sold to Randy Pehrson and he was ordered to stop pumping from the well.

Harry E. Gambles

HARRY GAMBLES

OCT 15 1992

STATE OF IDAHO)
)ss.
County of Bingham)

On the 26th day of February, in the year of 1991, before me, the undersigned, a Notary Public, in and for the State of Idaho, personally appeared HARRY GAMBLES, known or identified to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same.

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

Notary Public for Idaho
Residing at Blackfoot
My Commission Expires: 7-28-91

(seal)

#5811.00
6448i/srs

Donald L. Harris, Esq.
HOLDEN, KIDWELL, HAHN & CRAPO
P.O. Box 50130
Idaho Falls, Idaho 83405
Telephone: (208) 523-0620

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 34-7160.) AFFIDAVIT OF DAN HOLDEN

STATE OF IDAHO)
County of Bingham)

DAN HOLDEN, being first duly upon oath, deposes and says:

1. That I am the District Conservation Officer for the Soil Conservation Service of the United States Department of Agriculture located in Arco, Idaho.

2. That I am the custodian of slides and photographs depicting various areas of farmland that is in the custody of the Soil Conservation Service.

3. That the photographs appended hereto are taken from slides which are in my custody and depict lands located in

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JAN 15 1992

Sections 2 and 11, Township 6 North, Range 25 East, Boise Meridian in Butte County and Custer County, Idaho.

Dan Holden
[redacted] DAN Holden
DH

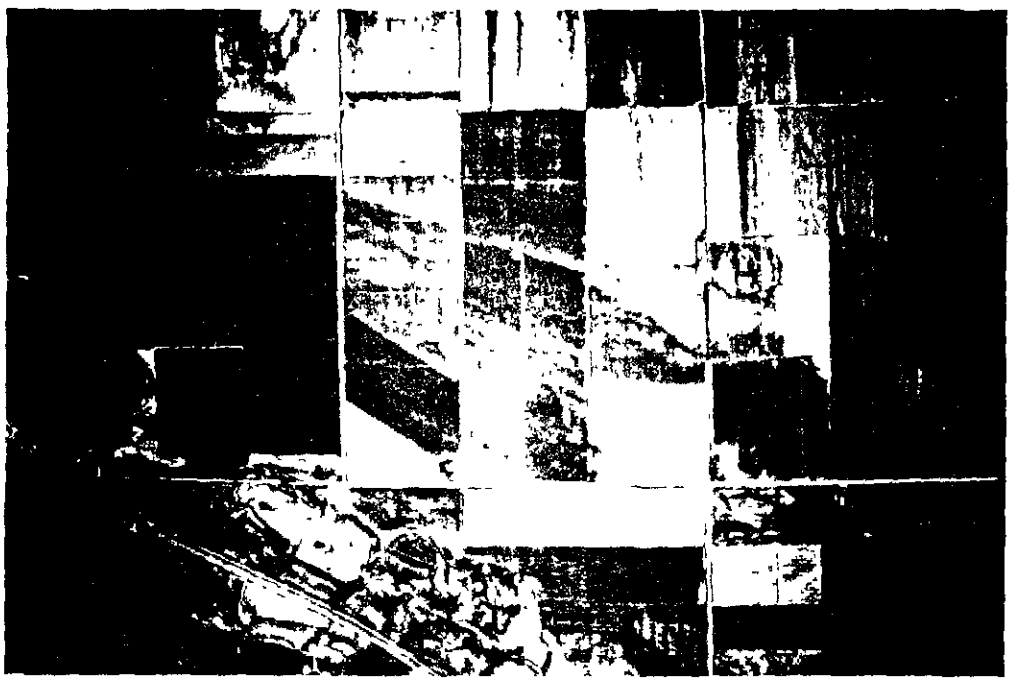
SUBSCRIBED and sworn to before me this 29th day of June, 1990.

Notary Public for Idaho
Residing at BLACKFOOT
My Commission Expires: 6/22/93

(seal)

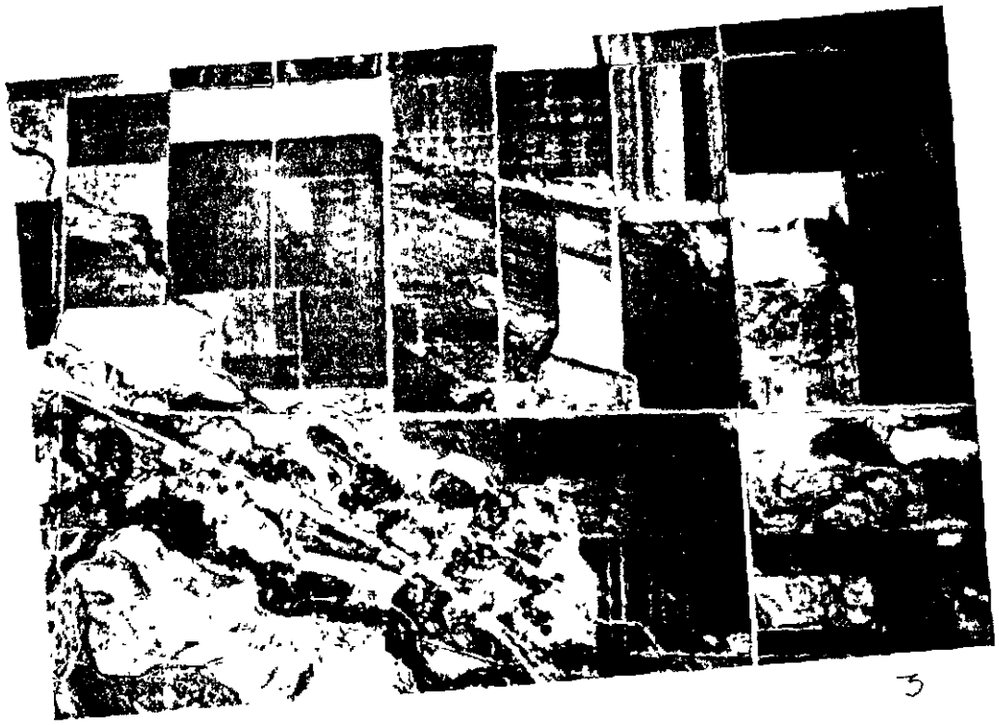
#5811.00
9100h/srr

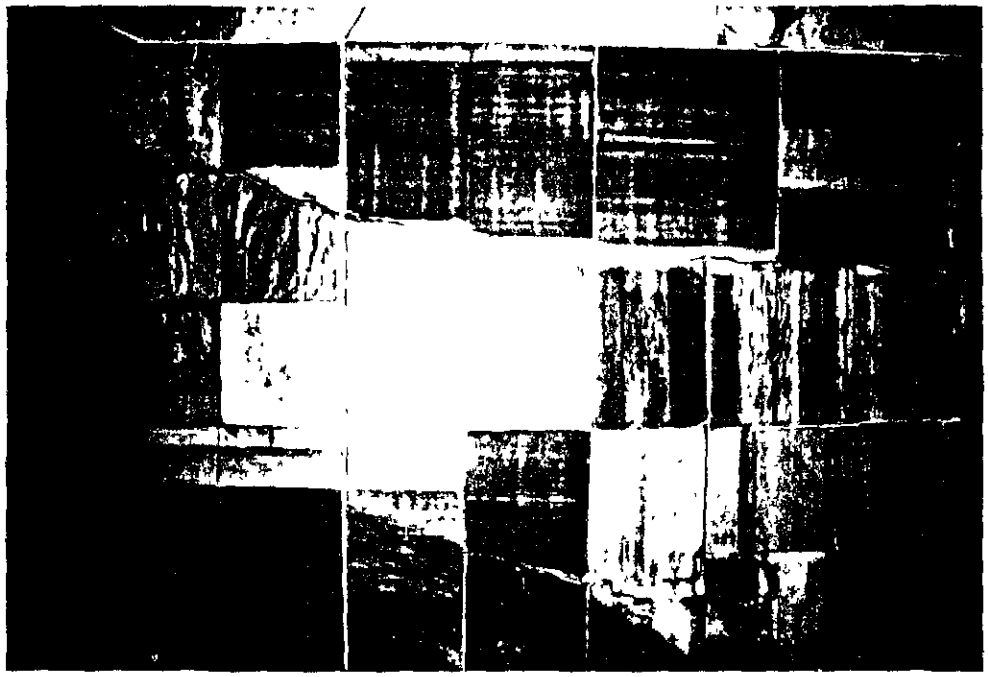
RECEIVED
JAN 15 1992



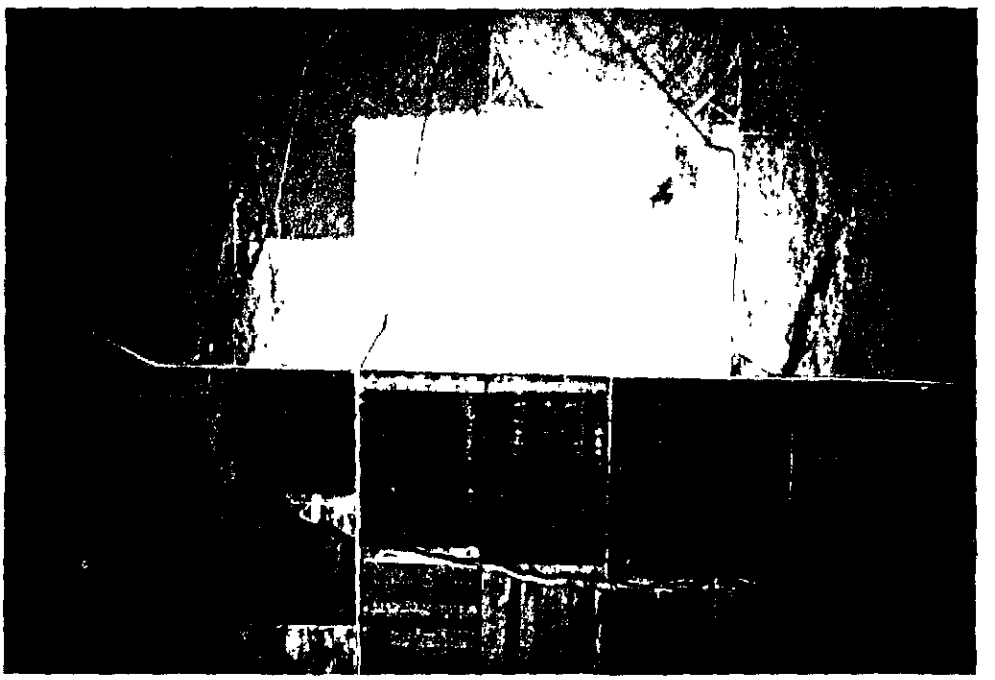


2

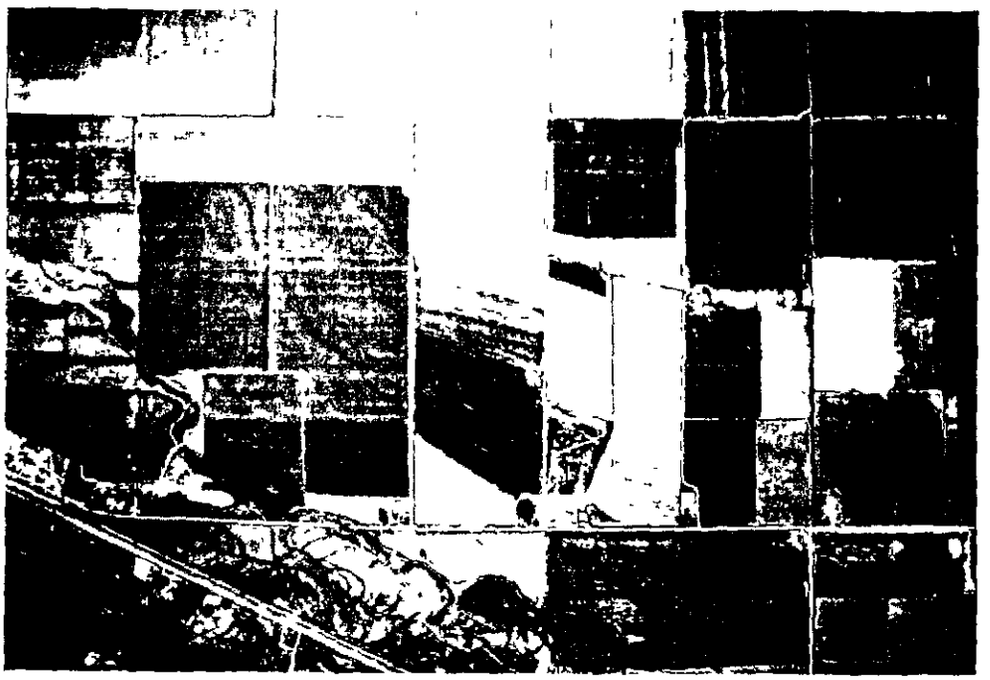




4



5



Donald L. Harris, Esq.
HOLDEN, KIDWELL, HAHN & CRAPO
P.O. Box 50130
Idaho Falls, Idaho 83405
Telephone: (208) 523-0620

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 34-7160.	)	AFFIDAVIT OF REED ASAY

STATE OF IDAHO	)	
	)	ss.
County of Custer	)	

REED ASAY, first being duly sworn upon oath deposes and says:

1. I am a resident of Leslie, Idaho and operate a farming operation near the farm that previously belonged to Richard Rothwell and Ed Dennison.

2. I am familiar with the property and the farm as I frequently pass by the fields owned by Richard Rothwell and Ed Dennison and now owned by Randy Pehrson.

3. I shared Pass Creek water with Richard Rothwell and Ed Dennison and now Randy Pehrson.

4. I am aware that commencing in 1977 Ed Dennison was using water from a well to flood irrigate his hay and grain fields in Sections 2 and 11 of Township 6 N Range 25 E.B.M.

5. The well had not been in operation prior to the crop year of 1977.

6. Ed Dennison used the well until he ceased farming the ground in 1987.

7. Randy Pehrson began using the well again during 1989 to irrigate his crops.

REED ASAY

SUBSCRIBED and sworn to before me this 18th day of April, 1990.

(SEAL)

Notary Public for State of Idaho
Residing at: Mackay, Idaho
Commission Expires: 1-8-94

7304h/jah/srr

Donald L. Harris, Esq.
HOLDEN, KIDWELL, HAHN & CRAPO
P.O. Box 50130
Idaho Falls, Idaho 83405
Telephone: (208) 523-0620

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 34-7160.

AFFIDAVIT OF RANDY PEHRSON

STATE OF IDAHO)
)ss.
County of Custer)

RANDY D. PEHRSON, first being duly sworn upon oath deposes and says:

1. I am a resident of Mackay ~~Leslie~~, Idaho.

2. On November 8, 1988, I purchased from Farm Credit Services the following described premises in Custer County and Butte County, Idaho. Custer County:

Township 6 N, R 25 E.B.M.

Section 2: That part of the SE1/4 SW1/4 and of the SW1/4 NW1/4 southwest of Pass Creek.

Section 11: SW1/4 NE1/4, SE1/4 NW1/4 and that part of the NE1/4 NW1/4 and of the NW1/4 NE1/4 southwest of Pass Creek.

Excepting therefrom that part conveyed in the deed from William T. Tew, Jr. et ux to Alice M. Sutter, recorded March 17, 1926, in Book 19, Page 315 Records of Custer County, Idaho.

Butte County:

Parcel 1: Township 6 N Range 25 E.B.M.

Section 2: Lots 2 and 3, SW1/4 NE1/4, S1/2 NW1/4, W1/2 SE1/4, E1/2 SW1/4, EXCEPTING that portion lying in Custer County.

Section 11: W1/2 NE1/4, E1/2 NW1/4, EXCEPT that portion lying in Custer County.

3. The lands which I purchased were used for the purpose of farming and more specifically raising hay and grain commencing in the Spring of 1989.

4. Located upon my property in the SE1/4 SW1/4 Section 2, Township 6 N., Range 25 E.B.M., was a well which I caused to be energized in the Spring of 1989.

5. Applied the water to hay and grain on approximately 351 acres on the following land:

Section 2: SW1/4 NE1/4, SE1/4 NW1/4, E1/2 SW1/4, W1/2 SE1/4.

Section 11: W1/2 NE1/4, E1/2 NW1/4.

RANDY PEHRSON

SUBSCRIBED and sworn to before me this 5th day of April, 1990.

(SEAL)

Notary Public for State of Idaho
Residing at: Blackfoot
Commission Expires: 6/22/93

7304h/jah/srr

OUR 50th YEAR
1939-1989

P.O. BOX 420
MACKAY, IDAHO 83251-0420
208 - Telephone 588-3311

Lost River Electric Cooperative, Inc.

March 27, 1990

Harry Gamble
Farm Credit Service
P. O. Box 10
Blackfoot, Idaho 83221

Dear Mr. GAmble:

As per your telephone request on March 23, 1990, the installation number:

30 HP pump, Co-op # 343

was first energized on May 5, 1977.

If you have further questions, we must have permission from the operator during the time in question in order to release any further information.

Sincerely yours,

LOST RIVER ELECTRIC COOPERATIVE, INC.

Kenneth M. Day, Cashier

Donald L. Harris, Esq.
HOLDEN, KIDWELL, HAHN & CRAPO
P.O. Box 50130
Idaho Falls, Idaho 83405
Telephone: (208) 523-0620

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 34-7160.) AFFIDAVIT OF RICHARD ROTHWELL

STATE OF IDAHO)
) ss.
County of Custer)

RICHARD ROTHWELL, first being duly sworn upon oath deposes and says:

1. I am a resident of Leslie, Idaho.

2. I was the owner of record of a farm purchased on contract from me by my former son-in-law, Ed Dennison, located at:

Custer County:

Township 6 N., Range 25 E.B.M.

Section 2: That part of the SE1/4 SW1/4 and of the SW1/4 NW1/4 Southwest of Pass Creek.

Section 11: SW1/4 NE1/4, SE1/4 NW1/4 and that part of the NE1/4 NW1/4 and of the NW1/4 NE1/4 Southwest of Pass Creek.

EXCEPTING THEREFROM that part conveyed in the deed from William T. Tew, Jr., et ux, to Alice M. Sutter, recorded March 17, 1926, in Book 19, Page 315 Records of Custer County, Idaho.

Butte County:

Parcel 1: Township 6 N., Range 25 E.B.M.

Section 2: Lots 2 and 3, SW1/4 NE1/4, S1/2 NW1/4, W1/2 SE1/4, E1/2 SW1/4, EXCEPTING that portion lying in Custer County.

Section 11: W1/2 NE1/4, E1/2 NW1/4, EXCEPT that portion lying in Custer County.

3. I sold the farm on contract in 1973 to Ed Dennison and my daughter.

4. I assisted Ed Dennison in operating his farm from 1973 until 1979 when ill health forced me to discontinue that effort. However, I was still familiar with the operation of the farm until Ed Dennison quit farming in 1987.

5. I am familiar with the well drilled in 1975-1976 by Boyd Lambert on Ed Dennison's farm. The well is located in the SE1/4 SW1/4 of Section 2, Township 6 N Range 25 E.B.M.

6. I was present on the farm and assisted in irrigating the land when the pump was energized on May 7, 1977.

7. From the time the pump was energized for the crop year of 1977 the water pumped from the well was applied to crops located on land in Township 6 N Range 25 E.B.M. Section 2: SW 1/4 NE 1/4, SE 1/4 NW 1/4, E 1/2 SW 1/4, W 1/2 SE 1/4 and on Section 11: W 1/2 NE 1/4, E 1/2 NW 1/4.

8. The water was used for the purpose of flood irrigating alfalfa hay and grain which were the only crops raised.

9. The water was used continuously from year to year as needed to supplement Pass Creek and Big Lost Irrigation District water until Ed Dennison ceased farming in 1987.

Richard E Rothwell
RICHARD ROTHWELL

SUBSCRIBED and sworn to before me this 17 day of April, 1990.

Robert J. Vaden
Notary Public for State of Idaho
Residing at: Malad
Commission Expires: 11-4-94

(SEAL)

7304h/jah/srr

Donald L. Harris, Esq.
HOLDEN, KIDWELL, HAHN & CRAPO
P.O. Box 50130
Idaho Falls, Idaho 83405
Telephone: (208) 523-0620

IN THE MATTER OF PERMIT)
NO. 34-7160.) AFFIDAVIT OF BOYD LAMBERT
)
)

STATE OF IDAHO)
)ss.
County of Custer)

BOYD LAMBERT, first being duly sworn upon oath deposes and says:

1. I was a well driller located in Mackay, Idaho.

2. At the request of Ed Dennison I drilled an irrigation well on his property in the SE1/4 SW1/4, Section 2, Township 6 N., Range 25 E.B.M. in Butte County, Idaho.

3. The well I drilled was 130 feet deep and 16 inches in diameter and was to be used for irrigation.

4. I completed the project in January of either 1976 or 1977.

5. The total cost of the well $2,565.00 which amount was paid by Ed Dennison.

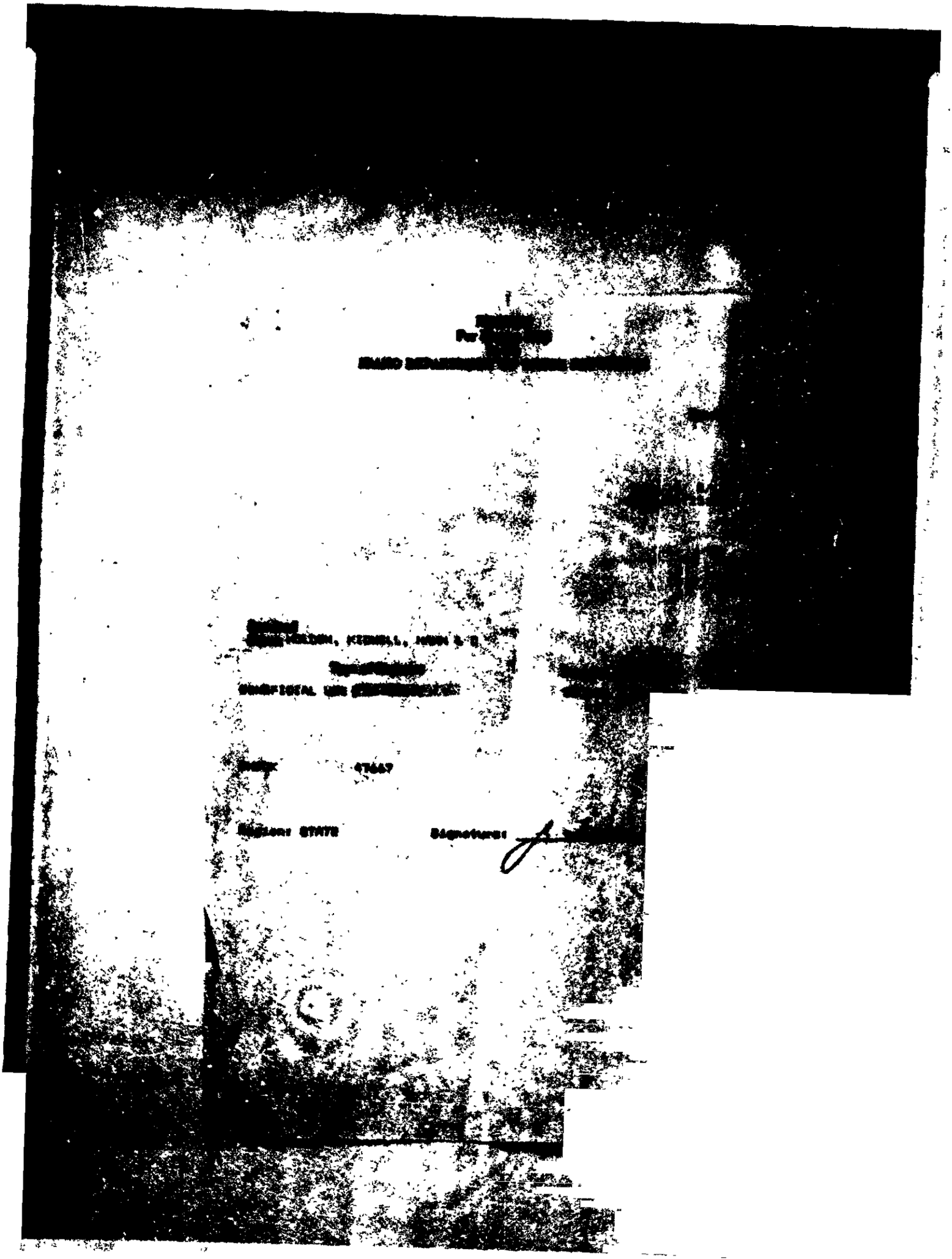
BOYD LAMBERT

SUBSCRIBED and sworn to before me this 5th day of April, 1990.

(SEAL)

Notary Public for State of Idaho
Residing at: Blackfoot
Commission Expires: 6/22/93

7304h/jah/srr



LAW OFFICES
HOLDEN, KIDWELL, HAHN & CRAPO
WEST ONE BANK BUILDING
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
MICHAEL D. CRAPO
GAYLE A. BORLINSON
DONALD L. HARRIS
RANDALL B. REED
MARIE T. FEELEY
JOHN G. SIMMONS
ROBERT M. POLLETT

ARTHUR W. HOLDEN (1877-1957)
ROBERT B. HOLDEN (1911-1971)
TERRY L. CRAPO (1939-1985)
WILLIAM S. HOLDEN (1937-1989)

March 5, 1991

RECEIVED
MAR 08 1991
Department of Water Resources

L. Glen Saxton, Chief
Water Allocation Bureau
IDAHO DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

RE: Permit No. 34-7160

Dear Mr. Saxton:

Please find enclosed with this correspondence our check in the amount of $175.00 for the fee of reinstating the Proof of Beneficial Use which was previously submitted to the Department.

If you have any questions or concerns, please do not hesitate to contact me.

Very truly yours,

Donald L. Harris

#5811.00/srs

Enclosure

I certify that file No. 34-7160 has been reviewed and is ready to be MICROFILMED and DESTROYED.

Kay Walker
Signature

10-21-88
Date

...ate of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 450 W. State Street, Boise, Idaho

CECIL D. ANDRUS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

34-7160
DENISON, EDWARD R.
RT. 1
DARLINGTON, ID 83231

July 30, 1987

Dear Permit Holder:

LAPSE NOTICE
License Examination Fee

You are hereby notified that under the provisions of Section 42-217 and 42-218a, Idaho Code, the above referenced permit will lapse and be of no further force nor effect on September 29, 1987, for failure of the permit holder to submit either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Provisions of § 42-217, Idaho Code, and the Beneficial Use Examination Rules and Regulations provide that failure of the permit holder to submit either the fee or an acceptable field examination report within one (1) year and sixty (60) days after notification by the director that the submittal is due is cause for the director to reject the proof of beneficial use and lapse the permit. The Department notified you of the required submittal on July 30, 1986.

The lapsed permit can be reinstated upon a showing of reasonable cause for late submittal of proof of beneficial use, if you submit to the Department on or before November 30, 1987, either the license examination fee or an acceptable field examination report prepared by or under the supervision of a certified water right examiner.

Enclosed is a fee information sheet that must be completed and submitted to the Department to keep the permit in good standing. If you have questions, please contact any office of the Department.

Sincerely,

L. GLEN SAXTON, Chief
Operations Bureau

Enclosure

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

October 22, 1986

150 Shoup — Suite 15
Idaho Falls, Idaho 83402
(208) 525-7161

34-7160
DENISON, EDWARD R.
Rt. 1
DARLINGTON, ID 83231

Dear Permit Holder:

On July 29, 1986 this Department sent you a certified letter explaining the recent statutory changes in the licensing procedure that will pertain to the above referenced permit. The new statutes provide the permit holder with a choice of who will perform the licensing field examination. You may either choose a certified water rights examiner from the private sector, or select the Department. If you elect to have the examination done by the Department there is now a fee for this service based on the amount of water being diverted.

The letter advised you had a period of 60 days to notify the Department of your decision. You were to notify the Department by returning the examination fee information form which accompanied the certified letter and the appropriate examination fee, provided you wanted the Department to do the examination. As indicated in the certified letter, failure to return the form and submit the examination fee within the 60 days would cause the priority of your permit to be advanced.

Our records indicate you did not respond within the 60 day period. Starting with September 29, 1986 the priority of your permit will be advanced one day for each day your response is late. Failure to submit a completed examination fee information form, with the examination fee, by July 29, 1987 will result in the permit being lapsed.

As always our staff is available to assist you or answer questions concerning the above matter. For your convenience, we have enclosed another examination fee information form.

Respectfully submitted,

Ernest Carlsen
Assistant Regional Supervisor

EC/md

State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE. 450 W. State Street. Boise, Idaho

JOHN V EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720

34-7160
DENISON, EDWARD R.
RT. 1
DARLINGTON, ID 83231

0013473

JUL 30 1986

EXAMINATION FEE NOTICE

Dear Permit Holder:

Department records show that proof of beneficial use has been submitted for the above-referenced permit, but that a field examination has not yet been conducted to determine the extent of beneficial use of the water for licensing purposes.

House Bill 671 (effective April 4, 1986) enacted by the 1986 Idaho Legislature requires the payment of a fee before this department can conduct the field examination needed to issue a license confirming use of water under the permit. This letter is notification that the license examination fee is due within sixty (60) days of the date of this letter. The examination fee information sheet (enclosed) must be returned with the fee.

As an alternative to submitting the fee, the department will accept a field examination report completed by a certified water right examiner from the private sector. If you choose to have the examination done by a certified water right examiner, you need not submit the license examination fee to the department, but you must within sixty (60) days of the date of this letter return to the department, the examination fee information sheet showing appropriate information together with a statement from the certified examiner to verify that you have retained a certified examiner to conduct the field examination. If you choose this alternative, a completed field examination report must be submitted within one year of the date of this letter. You cannot later change your decision to use this alternative and submit the fee needed for the department to conduct the field examination, but you may change to another certified examiner.

Certified water right examiners are licensed engineers, geologists, or land surveyors certified by the department to conduct water right examinations. The procedure for certifying examiners results from the recently enacted HB 671 and is being developed at this time. A listing

of certified water right examiners will be available from this department when examiners have been certified.

If your permitted use, in fact, has already been examined by the department and you have not asked to have the examination repeated, the fee requirement is not applicable to your permit. If you believe this is the case, please contact the department.

The license examination fee is to be based on the amount of water you indicate you have developed, as listed in item 6 on the examination fee information sheet. The amount of water on which the examination fee is based can be less than the permitted amount, if less water has been diverted and beneficially used. The licensed amount of water, however, will not exceed the amount you claim on the examination fee information sheet. The enclosed license examination fee schedule shows a listing of applicable fees.

FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

FAILURE TO SUBMIT THE FEE OR THE COMPLETED FIELD EXAMINATION REPORT WITHIN A YEAR WILL BE CAUSE TO CONSIDER THE PROOF OF BENEFICIAL USE TO BE INCOMPLETE AND TO LAPSE THE PERMIT.

The attached examination fee information sheet and the fee may be submitted to the following department offices.

Northern Region
Idaho Dept. of Water Resources
4055 Government Way
Coeur d'Alene, ID 83814
Phone: 765-4639

Eastern Region
Idaho Dept. of Water Resources
150 Shoup Ave., Suite 15
Idaho Falls, ID 83401
Phone: 525-7161

Southern Region
Idaho Dept. of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, ID 83301
Phone: 734-3578

Western Region
Idaho Dept. of Water Resources
450 W. State St., (Third Floor)
Boise, ID 83720
Phone: 334-2190

Sincerely,

L. Glen Saxton

L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

October 31, 1980

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the Regional Office nearest to you.

Sincerely,

David R. Tuthill Jr.

DAVID R. TUTHILL JR., P.E.
Supervisor, Water Allocations Section

DRT:jg

Enclosures

Northern Region Office
Rt. #5 Box 203, Government Way
Coeur d'Alene, Idaho 83814

Eastern Region Office
1515 Lincoln Road
Idaho Falls, Idaho 83401

Southern Region Office
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301

Western Region Office
92 South Cole Road
Boise, Idaho 83705

November 22, 1976

Re: Permit No. 34-7160

Edward R. Davison
Rt. #1
Carrington, ND 58421

Dear Mr. Davison:

Enclosed is a copy of your approved application for [illegible]. Your attention is [illegible] conditions of approval as listed [illegible]

Be sure to [illegible]

October 12, 1976

RE: Application for Permit No. 34-7150
No. 34-7160

[redacted]

September 18, 1996

RE: Application for Permit to [redacted]

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Edward R. Davison,
Burlington, Idaho

has on 9-13-76 submitted Application No. 34-7180

for a permit to appropriate 3.60 cubic feet per second

of water from a ground-water source

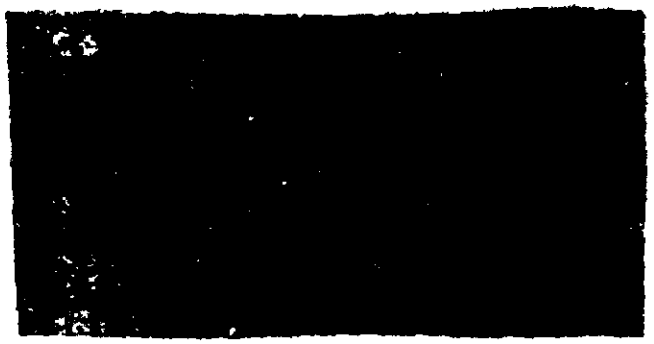
by means of well and pump

within the [illegible], Sec. 2, T. 6N, R. 20E, B.M., Bonneville

to be used from Apr. 1 to Nov. 1

for the irrigation of 204 acres

within the [illegible]
T. 6N, R. 20E, B.M.



DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item	Initial	Date	
			Application No._____
			✓ Source
			✓ Point of Diversion
			✓ County
			✓ Quantity of Water and Period of Use
			✓ Description of Diverting Works
			✓ Time required for B/U of water
			✓ Place of Use or Acres Irrigated
			✓ Map
			✓ Signature
			✓ Fee
(1)	LL	9-14-76	In form to receipt yes
(2)	"	"	Send Copies to:
			_____ Idaho State Health Department
			_____ Idaho Fish and Game Department
			NA _____ Bureau of Land Management
			_____
(3)	"	"	_____ Request Special Use Permit from U.S.F.S.
			_____ Request Easement from B.L.M.
			NA _____ Request Information from Applicant
(4)	"	"	In form for advertising yes
(5)	_____	_____	Platted on Map No._____
(6)	"	"	NA Located within Water District No._____
(7)	"	"	Critical groundwater area: yes_____ no ✓
(8)	"	"	Groundwater levels:
			_____ Declining, ✓ Stable, _____
			(comment) Ref obs [illegible]
(9)	"	"	Other rights on the same place of use [illegible]
(10)	"	"	Comments: Lic 34-[illegible]
(11)	TW	11-2-76	Affidavit of Publication Received
(12)	BDC	11/9/76	Final date for protests [illegible]
			Protests received: yes_____
(13)	"	"	All requested information received from applicant: yes_____ no_____
(14)	"	"	Action recommended:
			✓ Approve
			[illegible]