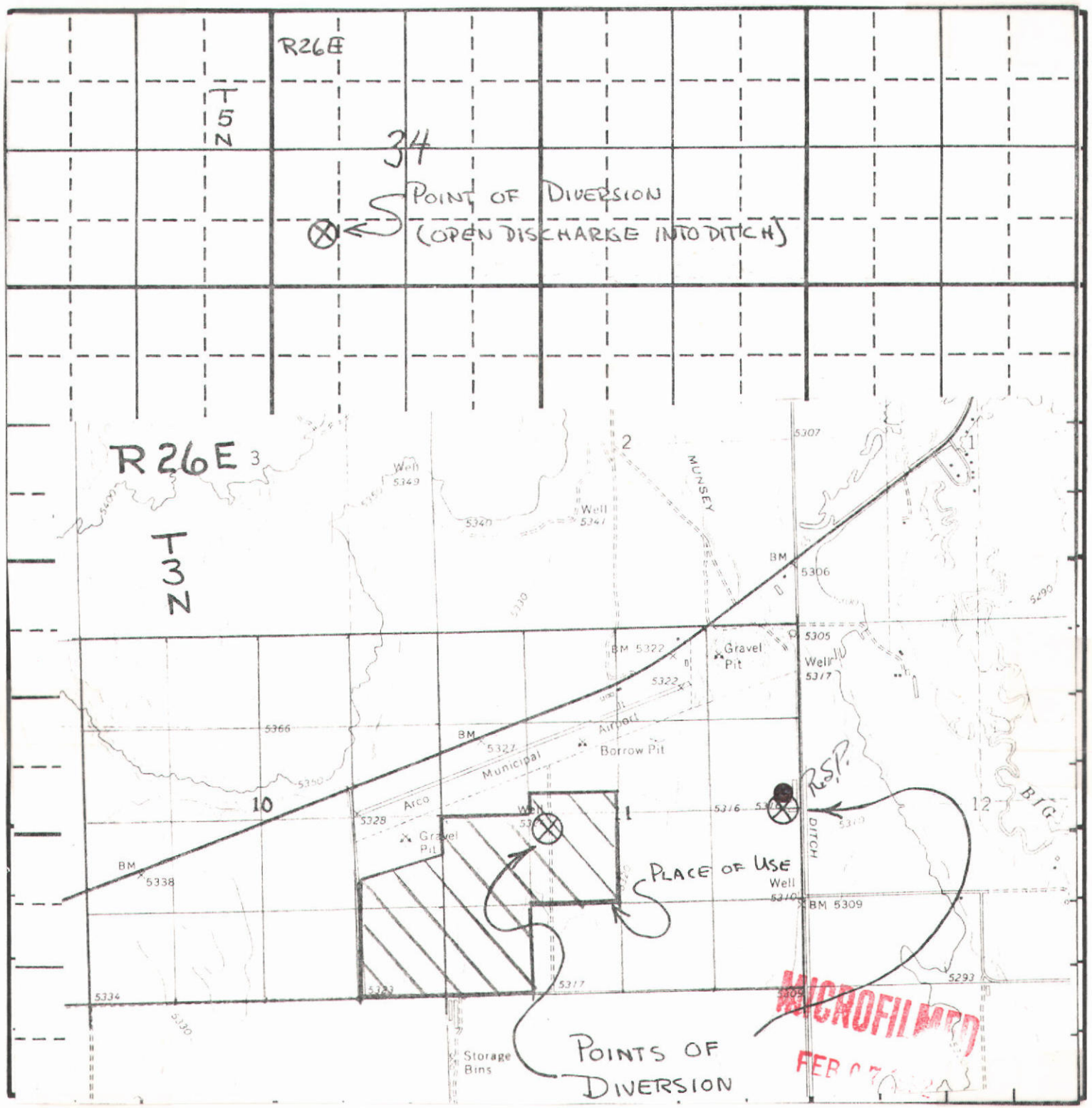


c. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	26E	10													25			40	65
		11							15	40	40	40							135

Total number of acres to be irrigated 200

4. Describe any other water rights used for the same purpose as described above. None
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



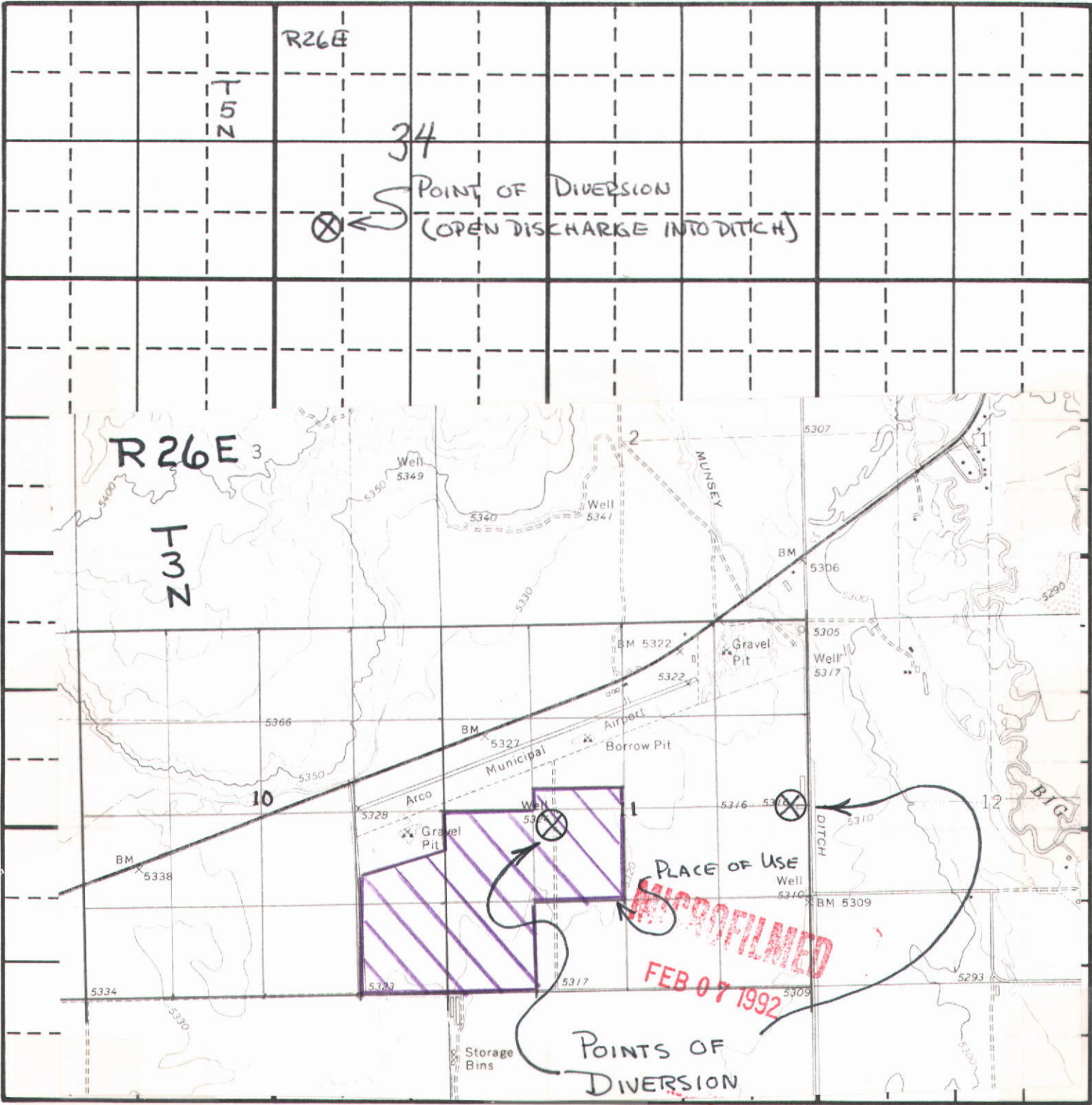
SCALE: 2 inches equal 1 mile. Draw plan in ink.

c. Describe the lands and place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	26E	10													25			40	65
		11								15	40	40	40						135

Total number of acres to be irrigated 200

4. Describe any other water rights used for the same purpose as described above. Big Lost River Decree and permit No. 34-7145
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



Affidavit of Publication

RECEIVED

MAY 26 1971

Department of Water Administration

I, Elizabeth L. Brammer, 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 two consecutive weeks, commencing with the issue dated April 22, 1971

and ending with the issue dated April 29, 1971

Elizabeth L. Brammer

Subscribed and sworn to before me this

29th day of April, 1971

Wesley Parker
Notary Public

Residence: Arco, Idaho.

My commission expires 7-27, 1974

PUBLIC NOTICE

NOTICE OF CLAIM TO A WATER RIGHT No. 34-4008

Notice is hereby given that Ralph S. Parkinson, Route 1, Box 64, Arco, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 2.6 cubic feet per second of water from a ground water source with point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 11, T. 3N, R. 26E, B.M., Butte County.

The water is claimed to be used from April 30 to October 30 for irrigation purposes with a priority of April 30, 1961; the place of use is within the E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 10; SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 11; T. 3N, R. 26E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho.

R. KEITH HIGGINSON
Director

Published in the Arco Advertiser, Arco, Idaho, on April 22 and April 29, 1971.

34-4008

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF APPLICATION)
FOR TRANSFER NO. 4573 (WATER) **FINAL ORDER**
RIGHT NOS. 34-02497, 34-02506,)
34-02505, & 34-04008) IN THE NAME)
OF PARKINSON FARMS)
_____)

Parkinson Farms (Parkinsons), a partnership, filed application for transfer no. 4573 with the Department of Water Resources (Department) seeking a new point of diversion in addition to three existing wells described by water right nos. 34-02497, 34-02506, 34-02505, and 34-04008. The three existing wells are located at the place of use described by the water rights. Parkinsons propose to drill another well approximately eight miles north of the place of use and divert water from the new well into canal systems owned and operated by the Big Lost Irrigation District for delivery to the place of use.

The application for transfer was protested by the Big Lost River Water Users Association (Association) and signed by Lawrence Babcock, Chairman of the Association. In addition, the protest was signed by 16 other individuals with addresses located in the Big Lost River Valley.

A hearing was conducted on November 1, 1995 regarding the protests. A recommended order was issued by the Department on December 13, 1995. No exceptions to the recommended order were filed. The following Findings of Fact, Conclusions of Law, and Order adopt the recommended order with some minor corrections.

FINDINGS OF FACT

1. The Director's adjudication report for basin 34 describes the points of diversion and place of use for water right nos. 34-02497, 34-02506, 34-02505 and 34-04008 as follows:

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POINTS OF DIVERSION

T03N R26E S11 NWNESW
 NENESE (two wells)

PLACE OF USE

<u>Location</u>		<u>Acres</u>
T03N R26E S10	NESE	20
	SESE	37
S11	NENE	7
	SWNE	34
	SENE	37
	SWNW	7
	SENW	21
	NESW	40
	NWSW	40
	SWSW	40
	SESW	40
	NESE	38
	NWSE	40
	SWSE	40
	SESE	39
TOTAL		480

The Director's Report states that not more than 472 acres may be irrigated by all the rights in combination in one year. It also limits the place of use for each of the water rights as follows: 34-02497, 55 acres; 34-02506, 114 acres; 34-02505, 103 acres; 34-04008, 200 acres.

2. The Director's Report also limits withdrawals for each of the water rights as follows: 34-02497, 0.57 cfs; 34-02506, 1.17 cfs; 34-02505, 1.06 cfs; 34-04008, 2.60 cfs. The total diversion rate for all four water rights is limited to 5.32 cfs.

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3. The place of use described by the four water rights is also described in the Director's Report as a portion of the place of use for water right no. 34-07145, which authorizes diversion from the Big Lost River. During recent drought years, flows in the Big Lost River have not been sufficient to supply adequate surface water for the place of use.

4. The place of use described by the four water rights is also described in the Director's Report as a portion of the place of use for water right nos. 34-07176 and 34-12368, which in combination authorize or claim to authorize diversion of 7.8 cfs from a well located in the NESWSW, S34, T5N, R26E. The existing well is located within one-half mile of the well site proposed by Parkinsons' application for transfer. Water right nos. 34-07176 and 34-12368 were not described by Parkinsons' application for transfer, and no evidence regarding water right nos. 34-07176 and 34-12368 was presented at the hearing.

5. The three wells described by the four water rights listed in Finding of Fact No. 1 (referred to hereafter as the old wells) presently produce the following approximate quantities of water from the following approximate depths.

<u>Location</u>		<u>Depth</u>	<u>Production</u>
T03N, R26E S11	NWNESW	225 ft (deep well)	1.2 cfs
	NENESE	90 ft (shallow well)	0.8 cfs
	NENESE	90 ft (shallow well)	0.8 cfs

6. Prior to the beginning of the drought in 1987, the old deep well produced approximately 2.6 cfs of water. The two old shallow wells each produced 0.8 cfs, or 1.6 cfs cumulatively. The decline of well production since the drought has resulted in a diversion reduction of 1.4 cfs from the old deep well. Production from the two old shallow wells has not diminished.

7. Parkinsons deepened the old deep well by approximately 30 feet to a depth of approximately 250 feet, cased the well to the bottom, and lowered the pump intake to the bottom of the well. Parkinsons attempted to screen fine material from entering into the pump intake. When Parkinsons tried to pump water, the bottom 25-30 feet of the well filled with sand. Parkinsons raised the pump intake to an elevation approximately three feet below its original depth of approximately 220-225 feet.

8. Parkinsons filed application for transfer no. 4573 because they cannot pump sufficient water from the three old wells to irrigate their crops.

9. Parkinsons proposes to drill a new well in the SESW, S34, T5N, R26E, B.M. The proposed well site is located approximately eight to ten miles north and hydrologically upstream from Parkinsons' place of use and the old wells.

10. If this application for transfer is approved, water pumped from the new well will be injected into the Island Ditch, will flow into the East Ditch, and will discharge into the Big Lost River. The water will be re-diverted at the Arco diversion, and will be delivered through the Munsee Ditch to the place of use.

11. The ground water in the vicinity of the proposed point of diversion is near the ground surface during normal water years.

12. A large number of irrigation wells have already been drilled in close proximity to the proposed well site. Department records show 19 irrigation wells located within a one-mile radius of the proposed well site and 43 irrigation wells located within a two-mile radius of the proposed well site. Many of the irrigation wells discharge into ditches which deliver water to the south and west of the proposed point of diversion location (locally known as the Era Flat).

13. Ground water migrating down-gradient to the south and west of the proposed point of diversion generally becomes deeper and less accessible. The water supply at the proposed point of diversion is more reliable than the water supply at the old points of diversion, and the water can be pumped more economically.

14. The applicants propose to divert all the water authorized by their water rights from the new proposed point of diversion.

15. Glen Guthrie, a well driller who resides in the Big Lost River area, has drilled replacement wells since the drought began in 1987. Many of these replacement wells were drilled for water users who could no longer pump from their wells because ground water levels declined below the bottom elevation of the original wells.

16. Multiple witnesses testified that when irrigation pumps located in the vicinity of the proposed well site turn on, water levels in their domestic wells drop significantly. In addition, ground water levels have generally declined in the last decade. Some of the witnesses testified they were forced to redrill their domestic wells because of the combination of declining ground water levels and local interference.

17. Ground water in the vicinity of the proposed well site is tributary to the Big Lost River. Consumptive use of ground water in the Moore area and upstream of Moore reduce flows in the Big Lost River. The shortage of water in the Big Lost River Basin has been aggravated by several years of drought. The Big Lost River has dried up below the Moore diversion and return flows from ground water have not replenished the stream. Water rights normally satisfied in the lower portions of the Big Lost River have not been delivered.

18. The Department has determined that wells located in the vicinity of the proposed well site and wells located in the vicinity of the old wells divert water tributary to the Big Lost River. The old wells are located in the south boundary line of tributary ground water, however, and withdrawals from a well at the location of the old wells will not impact river flows as significantly as withdrawals from a well located at the proposed well site.

19. Surface water delivered through canals owned by the Big Lost Irrigation District are assessed a reduction (shrink) for water loss in delivering water from the point of diversion to the place of use. A reduction percentage is calculated for each delivery canal. Depending on the length of the canal, and the characteristics of the soil through which the canal is constructed, these losses can be as high as 50 to 70 percent.

20. A reduction is also assessed against water diverted from wells and injected into canals for delivery. The proposed diversion and delivery by Parkinsons would be assessed a reduction for the canals through which the water is delivered. Witnesses testified that the reduction would probably be in the range of 50 to 60 percent.

21. Most of the losses in the canal are due to percolation, although some evaporation also occurs. Percolating water adds to the ground water and may be diverted by other ground water users, flow underground out of the Big Lost River Basin, or resurface in the Big Lost River.

22. No evidence was presented to show where or how much of the water percolating from the delivery ditches would recharge ground water or surface water use or the timing of return flows resulting from percolation recharge.

23. The issues of injury to surface water users caused by a reduction in flows to the Big Lost River and injury to ground water users caused by ground water withdrawals at

the location of the proposed point of diversion were not addressed by Parkinsons. No plan of mitigation was offered by Parkinsons.

24. Witnesses testified that maintenance of stream flows in the Big Lost River and tributary streams is in the public interest.

CONCLUSIONS OF LAW

1. Idaho Code § 42-222 sets forth the criteria that the Department can consider in determining whether an application for transfer should be approved:

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

2. The applicant carries the burden of coming forward with evidence that his proposed transfer will not result in an enlargement in use, will not injure other water rights and is consistent with conservation of water resources.

3. All parties carry the burden of coming forward with the evidence regarding matters of local public interest, but the applicant bears the burden to show that his proposal is in the local public interest or that public interests which favor the proposal are of greater worth than the public interests with which it conflicts.

4. The Association established that water users near the proposed point of diversion would be injured by the withdrawals from the proposed well.

5. The Association established that further depletions of water in the Moore area would affect stream flows in the Big Lost River and would lower or reduce available ground water down gradient of the proposed well.

6. Parkinsons did not satisfy their burden of proof regarding issues of injury, enlargement, or local public interest.

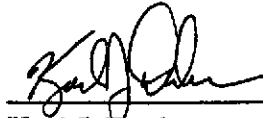
7. The Department should deny application for transfer no. 4573.

1/10/2011
10:00 AM

ORDER

IT IS HEREBY ORDERED that application for transfer no. 4573, in the name of Parkinson Farms is DENIED.

Dated this 30th day of May, 1996.



Karl J. Dreher
DIRECTOR

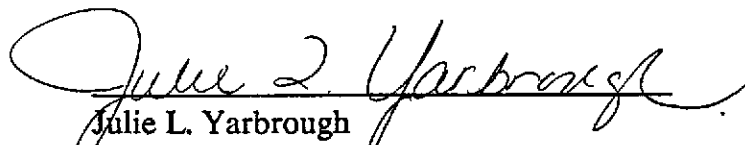
CERTIFICATE OF MAILING

I do hereby certify that on this 31st day of May, 1996, I mailed a true and correct copy, postage prepaid, of the foregoing FINAL ORDER to the following:

Ralph S. Parkinson
Parkinson Farms
Rt 1, Box 228
Arco, D 83213

Lawrence R. Babcock, Chairman
Big Lost River Water Users Association
Box 66
Moore, ID 83255

Pete Ampe
Attorney at Law
249 3 Avenue West
Twin Falls, ID 83303


Julie L. Yarbrough
Senior Secretary

Microfilm
1996-1997

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION FOR	)	
TRANSFER NO. 3052 OF RIGHT NO.	)	
34-02497, 3053 OF RIGHT NO. 34-02505,	)	
3054 OF RIGHT NO 34-02506 AND	)	ORDER
3055 OF RIGHT NO. 34-04008 IN THE	)	
NAME OF RALPH S. PARKINSON	)	

This matter having come before the Idaho Department of Water Resources (department) as a result of the review of pending applications for transfer and review of Snake River Adjudication claims filed in the Big Lost River Drainage, the department makes the following findings of fact, conclusions of law and order:

FINDINGS OF FACT

1. On July 12, 1984, Ralph S. Parkinson (applicant) filed the following Applications for Transfer with the department:

3052 of water right no. 34-02497
3053 of water right no. 34-02505
3054 of water right no. 34-02506
3055 of water right no. 34-04008 (applications).

2. A review of the Snake River Adjudication claims filed in connection with the above captioned water rights shows that the proposed transfers do not agree with the later in time adjudication claims.

3. The adjudication claims have been filed pursuant to Section 42-1416A, Idaho Code, as if the change(s) proposed on the pending applications can be approved and decreed without the necessity of filing for a change as provided in Sections 42-108 and 42-222, Idaho Code.

4. On October 11, 1990, the department corresponded with the applicant to determine continued interest of the applicant and requested appropriate information from the applicant to justify separate consideration of the applications from the more recently filed Snake River Adjudication claims.

5. The applicant has not responded to the department and has not shown any reason why the applications should be considered separately from the adjudication claims.

CONCLUSIONS OF LAW

1. Section 42-1416A, Idaho Code, provides in part that:

(1) If any person entitled to the use of water has made a

RECORDED

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change in point of diversion, place of use, period of use or nature of use of all or a part of the water, including a change as part of an exchange as defined in section 42-105, Idaho Code, prior to the entry of an order commencing a general adjudication pursuant to section 42-1408, Idaho Code, and the person entitled to the use of water has not complied with the requirements of sections 42-108 and 42-222, Idaho Code, regarding such changes, the following shall apply:

(a) the water right may be claimed in the general adjudication as changed and an application for change of the water right is not required to be filed pursuant to section 42-222, Idaho Code, and

(b) the water right may be determined by the director in the director's report pursuant to section 42-1411, Idaho Code, and decreed by the district court pursuant to section 42-1412, Idaho Code, as changed, if the change meets the substantive criteria of section 42-222, Idaho Code, for approval of such changes, provided that the change may be approved subject to conditions necessary to satisfy the substantive criteria of section 42-222, Idaho Code, for approval of such changes.

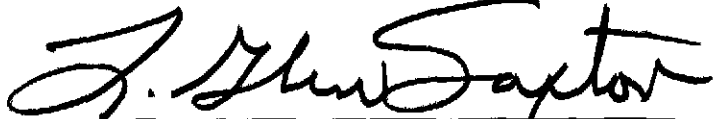
2. The department should set aside the captioned applications for transfer and should consider the change(s) proposed in the applications which have been claimed in the related adjudication claims as being combined with and included in the review and recommendation of the adjudication claims in the Director's report as required by Section 42-1411, Idaho Code.

ORDER

IT IS THEREFORE, HEREBY ORDERED that Applications for Transfer No. 3052 in connection with water right no. 34-02497, 3053 in connection with water right no. 34-02505, 3054 in connection with water right no. 34-02506 and 3055 in connection with water right no. 34-04008 are set aside and will not be separately considered by the department.

IT IS FURTHER, HEREBY ORDERED, that the change(s) proposed in the applications for transfer which have been claimed on the related Snake River Adjudication claims be included in and considered by the department in the Director's report required by Section 42-1411, Idaho Code.

Dated this 23rd day of November, 1990.


L. GLEN SAXTON, Chief
Water Allocation Bureau

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Transfer No. 3055
Water Right No. 34-4008

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Ralph S. Parkinson Phone 527-3161
Post Office address P.O. Box 228, Arco, ID 83213

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____ (Name of court)
 - b. License No. _____ issued by the Idaho Department of Water Resources
 - c. Claim No. 34-4008 on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

3. Source of water Groundwater tributary to _____

4. Date of priority April 30, 1961

5. Water is used for the following purposes:
amount 2.60 for Irrigation purposes from 4-30 to 10-30
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____ (month/day — both dates inclusive)

6. Total amount of water under right a. 2.60 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 11
Township 3N Range 26E, B.M., in Butte County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP	RANGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3N	26E	10													25			40	65
		11								15	40	40	40						135

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Total number of acres to be irrigated 200

9. Describe any other water rights used for the same purpose as described above None

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? no If yes, describe in item D, REMARKS

B DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

- 1 Amount of water. a _____ cubic feet per second
&/or
b. _____ acre feet per annum
- ✓ Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

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

1. General Information

- a. Amount of water to be diverted 2.60 c.f.s. &/or _____ acre feet
- b. Description of diverting works Well to ditch with relift pumps to mainline with groundwater wells to laterals with sprinklers.
- c. Describe the reasons for the proposed changes all well are interconnected.

2. Change in point of diversion
- | | | |
|--|---------------|---------------|
| | NE | SW |
| | SE | NE |
| | ~~NE~~ | ~~SE~~ |
- Point of diversion _____ ¼ _____ ¼, Section 11 Township 3N
Range 26E, B.M., Butte County
Additional points SW¼SW¼, Sec. 34, T. 5N, R. 26E

3. Change in place of use

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
None

PAID
FILED

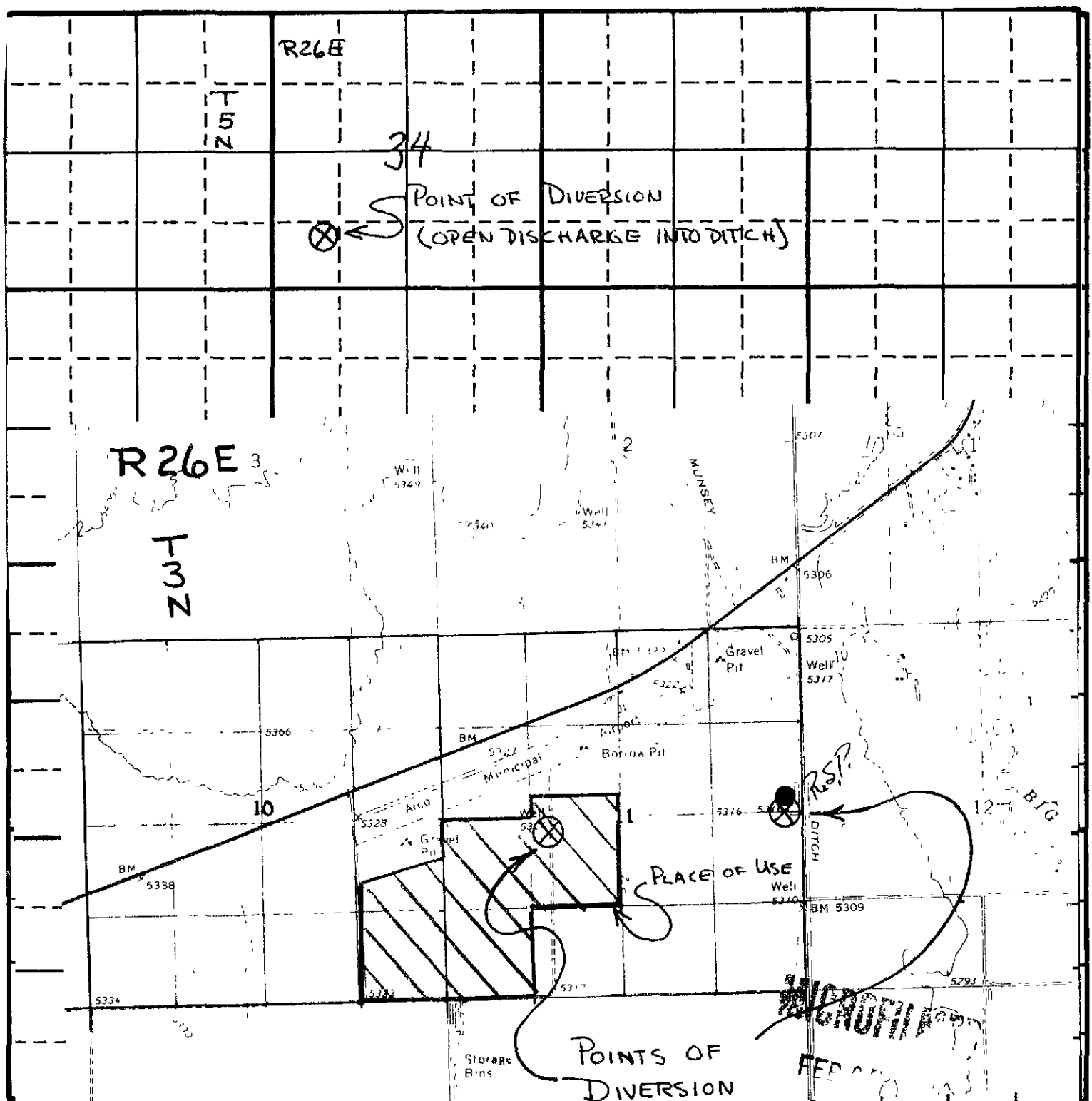
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c Describe the lands or place of use to which the right will be transferred

[illegible]

Total number of acres to be irrigated 200

4. Describe any other water rights used for the same purpose as described above. None
-
- 5 Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



SCALE 2 inches equal 1 mile Draw plan in ink

D REMARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.
I understand that any willfull misrepresentations made in this application may result in voiding its approval

Ralph S. Parkinson
(Signature of Applicant)

Subscribed and sworn to before me this 29 day of August, 19 84.

Carol Climer
(Notary Public)

My commission expires Life.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
and said application is hereby _____, subject to the following limitations and conditions:

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

assist by <u>JK</u>		FOR DEPARTMENT USE ONLY		RECORDED
Received by <u>RCW</u>	Date <u>8-30-84</u>	Protest filed by _____		
Prelim. check by <u>HWT</u>	Fee <u>\$50</u>	FEB 07 1992		
Receipted by <u>JK</u>	Date <u>7-12-84</u> #34237			
Published in <u>Arco Advertiser</u>	Copies of protest forwarded by _____			
Pub. dates <u>Aug 2 + 9 1984</u>	Hearing held by _____ Date _____			
Watermaster recommendation requested on _____	Recommended for <u>approval</u> denial			
_____ rec'd.	by <u>Jim</u>			

WATERWAYS TRANSPORT AGREEMENT

THIS AGREEMENT, made and entered into this 11 day of April
1980, by and between Ralph Parkinson for Lost River West

and THE BIG LOST RIVER IRRIGATION DISTRICT, an Irrigation District duly
organized under the laws of the State of Idaho, with its principal office
in Mackay, Custer County, State of Idaho.

WITNESSETH:

WHEREAS, Ralph Parkinson ^{*herein noted as Lost River West by Ralph Parkinson}
is the owner of certain rights
to well waters with a point of diversion described as follows (legal description):
Section 4 Twp 5 Rge 26

and,

WHEREAS these rights to waters are in the amount of approximately
250 cubic inches of capacity, and

WHEREAS Ralph Parkinson desires to transport said waters
through an existing canal of District for use at a point other than the point
of diversion.

WHEREAS, the District is the owner of a canal known as the Inland-Battle
Canal, being a part of the facilities of the District for the transmission of
divided and storage waters within the boundaries of said district, and,

WHEREAS, Ralph Parkinson desires to transport said waters
described above through said noted Canal to the end of said canal at the
boundaries of the District, and thereafter beyond said boundary on to land
owned by Ralph Parkinson outside the boundary lines of the district, to
the end that said waters would be used on lands described as follows (legal
description):

Section 23 Twp 3 N rge 26 NE1/4NW1/4, NW1/4SE1/4, SW1/4SE1/4

Section 11 Fr; NE1/4, FR: SW1/4 SW1/4SE1/4, SE1/4SE1/4, NW1/4SE1/4 NE1/4SE1/4 Section 11 FR: NE1/4 FR: SW1/4
SE1/4, SW1/4.

Section 10 SE1/4SE1/4 NE1/4SE1/4.

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NOW, THEREFORE, it is mutually agreed as follows

1. Ralph Parkinson shall transport the well waters with the point of diversion at Island east side of murrey in the amount of approximately 260 miners inches capacity, in and through said noted Canal owned by the District, subject to the terms and conditions of this agreement.

2. Ralph Parkinson shall construct and maintain at their own expense, any additional ditch, structures, or other improvements, other than the existing noted Canal, that might be required to make the waters available to the land of Ralph Parkinson.

3. The right of Ralph Parkinson as set forth above is subordinated to all existing and prior rights for the transportation of waters of the District in and through said noted Canal, and the right granted herein is granted only as long as there is sufficient additional capacity in noted Canal beyond the needs and uses of District to carry said waters of Ralph Parkinson. The determination of the availability of additional capacity in noted Canal shall be the sole determination of District. In the event that there is no additional capacity in the noted Canal for the transportation of said waters, Ralph Parkinson agrees to construct at their sole expense any additional carrying capacity in the noted Canal. In the event Ralph Parkinson decides to forego the use of the noted Canal when there is no additional capacity, this agreement shall terminate.

4. Ralph Parkinson shall pay a proportionate part of the annual operation, maintenance, assessment and overhead costs of the District as a toll charge for the use of noted Canal. The operation and maintenance portions of the toll charge shall be based upon an assessment of the benefit received, said amount to be set by District on the same basis as other toll charges made concerning like rights. The assessment and overhead charges will be set against all lands benefitted hereby proportionately. Since all charges, including operation and maintenance are based on the number of irrigated acres, Ralph Parkinson shall notify District of the number of acres that have been irrigated by Ralph Parkinson with said waters each year. Notice of charges shall be given to Ralph Parkinson by the District on or after the 1st day of April and are payable in full within thirty (30) days of such notice.

FEB 07 1992

5. No water in this transmission line, or duct, pipe, in the noted Canal shall accrue to Ralph Parkinson by reason of this agreement, the rights of said Ralph Parkinson being contained only in the terms of this agreement.

6. This agreement shall be for a term of twenty(20) years beginning the 2 day of April 1942 and shall remain in full force and effect until the 1 day of April 1962 unless terminated as indicated in paragraph .

7. Failure to pay all charges and assessments agreed to when due shall be a breach of this agreement. Failure to accurately report the number of irrigated acres or to increase the flow of water through the noted Canal above that specified in this agreement without the written consent of the District shall also constitute a material breach of this agreement. In the event the District is required to file suit to collect past due charges or to remedy any other breach of this agreement, Ralph Parkinson agrees to pay the District's costs and attorney's fees. Ralph Parkinson is entitled to ten(10) days notice of any breach before suit is filed.

8. Ralph Parkinson agrees that no assignment or other transfer of this agreement may be made except as hereafter provided.

In the event Ralph Parkinson desires to assign this agreement to the Federal Land Bank as security for a farm loan, the District hereby agrees to give its written consent upon ten(10) days written notice of said assignment. In the event said assignment is consented to by the District, however, Ralph Parkinson agrees to continue to remain responsible and obligated under all the terms, covenants and conditions of this agreement.

9. This document constitutes the full agreement of the parties hereto and any amendments or changes shall be invalid unless written.

Lost River West
Ralph Parkinson
(Authorized Signature)

J. B. Ayler Jensen

THE BIG LOST RIVER IRRIGATION DISTRICT

BY
President

ATTEST:

Richard C. Rothwell
Secretary

STATE OF IDAHO

County of Custer

On this 1st day of April, 1980, before me, the undersigned a Notary Public in and for said County and State, personally appeared Ralph Jackson known to me to be the person(s) whose name(s) are subscribed to the within instrument, and acknowledged to me that he is the owner of 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.

(SEAL)

William L. Jackson
Notary Public for the State of Idaho
Residing at Blackfoot, Idaho

STATE OF IDAHO } ss
County of Custer }

On this 1st day of April, 1980, before me, the undersigned a Notary Public in and for said County and State, personally appeared William L. Jackson and William L. Jackson known to me to be the President and Secretary respectively, of the corporation that executed the foregoing instrument, and acknowledged to me that such Corporation executed the same.

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

(SEAL)

William L. Jackson
Notary Public for the State of Idaho
Residing at Blackfoot, Idaho

WATERWAYS TRANSPORT AGREEMENT- Page 4

RECORDED
FEB 07 1982

CONSENT TO ASSIGNMENT

THE LOST RIVER IRRIGATION DISTRICT (District) hereby consents to the assignment by Lost River West (Ralph Parkinson) (Landowner) to the Federal Land Bank of Spokane (Bank) of Landowner's rights under that certain Pumping Agreement dated 4/1, 1980, and that certain Waterways Transport Agreement dated 4/1/1980, 1980, both of said agreements being between Landowner and District.

The District agrees that it will not terminate either of said agreements without first having advised the Bank in writing of the pending cancellation and without allowing the Bank thirty (30) days from the date of such written notice to correct any default.

Should the Bank obtain title to Landowner's land through foreclosure or deed in lieu of foreclosure, or should the Bank thereafter transfer the property to a purchaser, then the District consents to the transfer of all rights under said agreements to the Bank or the Bank's transferee, if said transferee stand in the same position, both financially and with respect to the use of the water and land as did the Landowner.

DATED this 1 day of April, 1980.

THE LOST RIVER IRRIGATION DISTRICT

BY J. Doyle Jensen
President

ATTEST:

Richard C. Rothwell
Secretary

Diversion system from SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T. 5N, R. 26E to place of use in T. 3N, R. 26E, Secs. 10 & 11 is by means of a well, pump, mainline with open discharge into Island Ditch with discharge into the Eastside Canal which discharges into the Big Lost River for rediversion into Munsey ditch. From the Munsey ditch diversion is made by pump and mainline to sprinkler systems.

Ralph S. Parkinson
Ralph S. Parkinson

December 13, 1984

RECEIVED

DEC 14 1984

Department of Water Resources
Eastern District Office

FEB 07 1992

BUTTE COUNTY ASSESSOR

P O BOX 157
ARCO, IDAHO 83211

August 28, 1984

Enclosed please find the description you asked for yesterday on the phone. This is the only tax # that we can find. If Mr. Parkinson believes there is a problem with the description, we advise that he have the property surveyed.

Thank you,

Laurie Gamett

Laurie Gamett
Deputy Assessor

RECEIVED

AUG 30 1984

Department of Water Resources
Eastern District Office

30-72 Fr. N $\frac{1}{2}$ Section 11, Twp 3 North Range 26 EBM. Commencing at the SW corner of the Arco Municipal Airport thence Northeast to the Butte County highway; thence South to the SE corner of the Northeast quarter of Section 11; thence West to the Southwest corner of the NW $\frac{1}{4}$ of Section 11; thence North to the point of beginning. REV. 5/53 1970

Ralph Parkinson Real Estate Contract Dated 9-15-65

Micro# 1987

I cannot find where this tax # is in the records. The description on the records is as follows: N $\frac{1}{2}$ Sec 11, Twp 3 N, R 26 E, B 1 M. This appears to be a part of the

RECORDED

FEB 07 1992

INTER-DEPARTMENT MEMO — 1

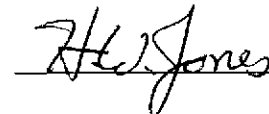
FROM H. Jones

DATE 9-4-1984

TO File 34-2505, 34-2506, 34-2497 & 34-4008

SUBJECT Verification of ownership.

The Butte County Assessor verified on 8-22-84 that Mr. Parkinson owned the S $\frac{1}{2}$ of Sec. 11, Twp. 3N, Rge. 26E and a fraction of the N $\frac{1}{2}$ of Sec. 11. I asked them to send a description of the fraction. The description seems to be inconclusive and their own notes indicate it may be in error.


SIGNATURE

RECEIVED

FEB 07 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

Name of applicant Ralph S. Parkinson Phone 527-3161
Post Office address P.O. Box 228, Arco, Idaho 83213

A. DESCRIPTION OF RIGHT AS RECORDED

- 1 Right evidenced by.
- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____ (Name of court)
- b. License No. _____ issued by the Idaho Department of Water Resources
- c. Claim No. 34-4008 on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

3 Source of water Groundwater tributary to _____

4. Date of priority April 30, 1961

5 Water is used for the following purposes:
amount 2.60 cfs for Irrigation purposes from 4/30 to 10/30
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____ (month/day — both dates inclusive)

6. Total amount of water under right: a. 2.60 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is NE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 11
Township 3N Range 26E, B.M., in Butte County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3N	26E	10													25			40	65
		11								15	40	40	40						135

Total number of acres to be irrigated 200

9 Describe any other water rights used for the same purpose as described above _____
Big Lost River Decree and permit No. 34-7145

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of nonuse? No If yes, describe in item D, REMARKS 10/12

B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B)

- 1 Amount of water a _____ cubic feet per second
&/or
b _____ acre feet per annum
- ✓ Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B M , _____ County
Additional points _____
3. Place of use.

TWP	RANGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

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

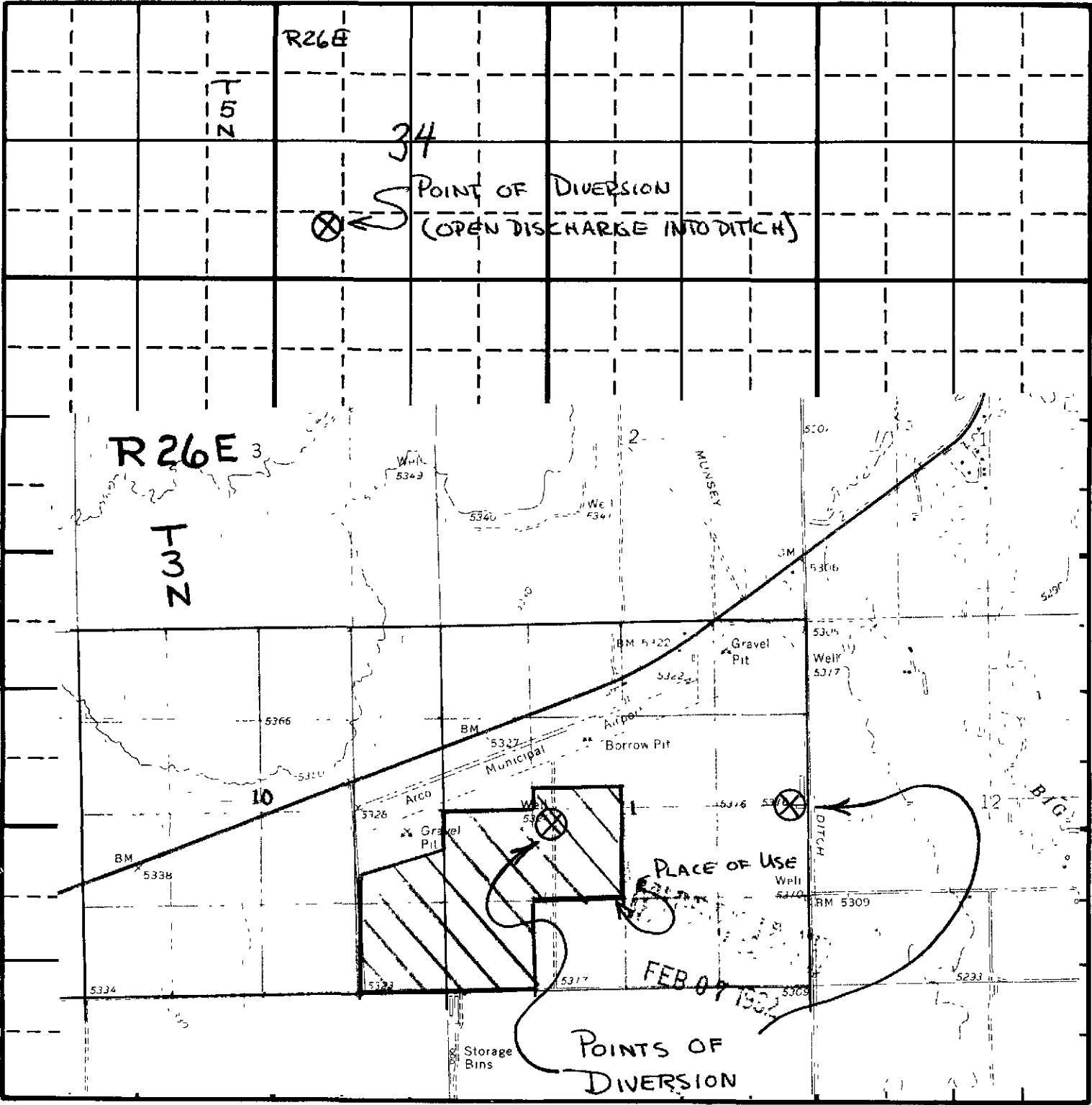
1. General Information
- a. Amount of water to be diverted 2.60 c.f.s. &/or _____ acre feet
- b. Description of diverting works well to ditch with relift pumps to mainline with groundwater wells to laterals with sprinklers
- c. Describe the reasons for the proposed changes all wells are interconnected
2. Change in point of diversion
- NE SE SW NE SE
- Point of diversion _____ ¼ _____ ¼, Section 11 Township 3N
- Range 26E, B.M., Butte County
- Additional points SW¼SW¼, Sec. 34, T. 5N, R. 26E
- 3 Change in place of use
- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No~~X~~_____. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
- b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
None

c. Describe the lands and place of use to which the right will be transferred.

TWP	RANGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
3N	26E	10													25			40	65
		11								15	40	40	40						135

Total number of acres to be irrigated 200

4. Describe any other water rights used for the same purpose as described above
- Big Lost River Decree and permit No. 34-7145
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



D REMARKS

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.
I understand that any willfull misrepresentations made in this application may result in voiding its approval.

Ralph S. Parkinson
(Signature of Applicant)

Subscribed and sworn to before me this 12th day of July, 19 84

William Way
(Notary Public)

My commission expires 6-15-85

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
and said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

FOR DEPARTMENT USE ONLY

ASSISTED BY Received by <u>KCW</u>	Date <u>12 July 1984</u>	Protest filed by _____
Prelim check by <u>HWS</u>	Fee _____	
Receipted by <u>JK</u>	Date <u>7-12-84 # 34233</u>	
Published in <u>Once A Week</u>	Copies of protest forwarded by _____	
Pub. dates <u>Aug. 2 & 9, 1984</u>	Hearing held by _____ Date _____	
Watermaster recommendation requested on _____	Recommended for _____ approval _____ denial _____	
_____ rec'd _____	by _____	

Affidavit of Publication

I, Donald L. Cammack
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 August 2, 1984

and ending with the issue dated

August 9, 1984

Donald L. Cammack

Subscribed and sworn to before me this

9th day of August, 1984

Lella A. Cammack
Notary Public

Residence: Arco, Idaho.

My commission expires *Sept.*, 19

RECEIVED

AUG 13 1984

Department of Water Resources
Eastern District Office

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

34-4008

Notice is hereby given that Ralph S. Parkinson, Arco, ID, has applied to the Department of Water Resources for a change in the point of diversion of the waters of a ground water source. The right sought to be changed is evidenced by Claim No. 34-4008 and is recorded as follows:

Amount: 2.60 c.f.s.

Priority: April 30, 1961

Point of Diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 11, T. 3N, R. 26E, B.M., Butte County.

The water is used to irrigate 200 acres within the E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 10, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 11, T. 3N, R. 26E.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 3N, R. 26E, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T. 5N, R. 26E, B.M.

Any protest against the approval of the above change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup, Suite 15, Idaho Falls, ID, 83402, on or before August 20, 1984.

A. KENNETH DUNN
Director

Published in the Arco Advertiser, Arco, ID
on August 2 and 9, 1984

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FEB 07 1992

Identification No. 2
Claim No. 34-4008
Map No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

CLAIM TO A WATER RIGHT

Established by Diversion and Application to Beneficial Use

Under the provisions of Section 42-225a, Idaho Code, a person may file a claim to a right to use water which has been established by diversion and application to beneficial use. **The filing of this claim does not confirm the water right but will serve for information purposes only.** It may, however, become the basis for future adjudication of the water right by the Court.

(Please refer to the instructions on the back of this form)

1. Name of claimant Ralph S. Parkinson
post office address RT. 1 Box 64 Arco, Idaho 83213
2 The point of diversion is in NE $\frac{1}{4}$ of SW $\frac{1}{4}$ Section 11 Township 3N
Range 26E B.M. located on well
(name of source)
tributary to _____ in Butte County.

3 Dates of priority claimed: list the priority for each separate quantity that you claim. Priority dates should be based upon the earliest diversion of the water which has resulted in continued beneficial use since that time. If there has been an interval of five years or greater when the water was not beneficially used for the same purpose as originally appropriated, the priority that you claim should date from the time that the water was again beneficially applied following the period of non-use.

a. Date of priority claimed: April 30, 1961 amount: 130 miners inches 2.6 c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
_____ amount: _____ c.f.s. or _____ acre feet
Total claimed 2.6 c.f.s. or _____ acre feet.

b. Explain the purpose for which the water has been used and the time during the year when you have used the right claimed.

use irrigation period of use from April 30 to Oct. 30 (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive)
use _____ period of use from _____ to _____ (both dates inclusive).

4. Description of diverting works.

a. Surface water diversion dam and/or headgate: material is composed of _____
_____ ; length is _____ feet; height is _____ feet;
width at bottom is _____ feet; width at top is _____ feet, explain any increase in diversion capacity since structure was first built, giving dates and estimated capacities if known _____

b. Underground water diverting works. is well flowing or pumped pumped ; depth of well is 220 feet; diameter of well is 16 inches; type of pump is Layne & Bowler
capacity of pump is 1170 g.p.m., name and address of well driller is _____
_____ ;

34-4008

attach well logs if available, has there been any change in pump or motor since well was first completed
yes, if so, give dates and explain In 1961 + 1962 it was a 125 h.P.

pump and motor run by Butane. In 1965 a 125 H.P. Pump
and motor was installed and Electricity provided as source of power.
It has remained the same to this date.

c. Conveying works length of ditch to place of use is _____ feet; width of ditch at top is _____ feet;
 width of bottom of ditch is _____ feet; depth of water is _____ feet; grade of ditch per 1000
 feet is _____ feet; material through which ditch passes is _____,
 maximum length of pipe line to first place of use is 1100 feet, diameter of pipe line is 10 inches;
 type of pipe aluminum; grade of pipe per 1000 feet is _____.

Please explain any changes or increase in size of conveying system since water was first appropriated, giving
 date and dimensions if possible In 1961 + 1962 a ditch was

used to carry the water. In 1965 the above
mentioned pipe was installed. It has remained
the same to this date.

d. If water is stored name of reservoir _____;
 total capacity of reservoir is _____ acre feet, active capacity of reservoir is _____ acre feet,
 year construction commenced _____; year completed _____, date first used _____
 period of storage is from _____ to _____; is reservoir drained each year _____,
 is reservoir on or off stream _____ explain _____

if feeder canal is used give maximum carrying capacity _____ c f s.; if reservoir is off stream, describe
 location of reservoir by 40-acre subdivisions _____

has there been any enlargement of the reservoir since it was first built _____, if so, give dates and
 describe _____

5. a. Where water is used for irrigation, describe area irrigated by 40-acre subdivisions and give total acres:

TWP	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
3N	26E	11								15	40	40	40						135
3N	26E	10													25		40		65

Total number of acres to be irrigated 200

Explain any significant increase in area irrigated since first use, give dates and acreages if known In 1961-
and 1962 approx. 125 acres was watered with this well,
In 1965 when the pipe was added the amount of
land irrigated was increased to 200 acres. This was
made possible because of increased efficiency of sprinkler
irrigation.

b. Do you get water through a ditch owned by several users? no If yes, give the name of the ditch _____ The other users and their respective interests in the ditch are (if known) _____

6. Where water is used for stock watering, give number of each kind of stock watered _____

7. Where water is used for domestic or municipal purposes give number of families served _____ name of town supplied _____

8. Where water is used for other purposes not above enumerated, give the nature of use, the extent of use, and any details regarding the initiation of the right or subsequent later expansion. Be as specific as possible, giving dates and quantities _____

9. Remarks please explain any details of your claim which you feel need clarification or additional explanation

Rulon N. Burke and Carol Burke ran this farm in 1961 & 1962. I bought this farm on Sept. 14, 1964 and installed the present irrigation pump and pipe in April of 1965.

Rulon N. Burke and Carol Burke are presently engaged in farming and live in Moor, Idaho.

State of Idaho

County of

Butte

ss.

Be it known that the undersigned, being duly sworn, deposes and says that he, she, they subscribed the foregoing claim to a water right, together with all attached information, and that the matters and facts therein are true to the best of the affiants knowledge.

Ralph S. Parkinson

Claimant

Sworn to before me this

1st

day of

April

, 1971.

Notary Public

Residing at

Arco, Butte County, Idaho

My commission expires

Nov 16, 1975.

For Department Use Only

Received by

Date

4-9-71

Exception filed by

Forwarded to

Date

Prelim. check by

Date

4-9-71

Fee received by

Date

5/3/71 Fee \$10.00

Approved for publication by

Published in

Arco Advertiser

Dates 4-22 & 4-29, 1971

34-4008

INSTRUCTIONS

Your claim should set forth all necessary information to describe your claimed right. Failure to give enough information may make your claim of little value. Some of the items in the form may not apply to your situation. Please use additional sheets if space provided is not sufficient to fully answer the questions.

Paragraph No.

1. Give full name and post office address of person or company making the claim.
2. Describe the point of diversion by 40-acre subdivision. Give the name of the source, the drainage to which it is tributary if surface water, and the county in which the point of diversion is located. If there is more than one point of diversion, list others in the remarks section.
3. Give the priority dates and the quantities of water that you claim. You should accurately list the dates that you initiated each new use of the water. List separately the dates and amounts of water involved in each enlargement of the diversion. (Example: if you diverted 0.8 c.f.s. of water for irrigation on May 18, 1871, for the first time for use on 40 acres of land, and then later you enlarged the diversion by diverting an additional 0.4 c.f.s. of water to irrigate an additional 20 acres of land on June 1, 1901, your right should be described as follows:

Date of priority claimed:	<u>May 18, 1871</u>	amount: <u>0.8</u> c.f.s. or	<u> </u> acre feet
	<u>June 1, 1901</u>	amount: <u>0.4</u> c.f.s. or	<u> </u> acre feet
	Total claimed:	<u>1.2</u> c.f.s. or	<u> </u> acre feet

Since the water was used for irrigation between April 1 and October 31 on that particular farm, part b. would be completed as follows.

use irrigation period of use from April 1 to October 31 (both dates inclusive). If the water had been used for any other purpose, you would have described the priority date, amount, use, and period of use in a similar manner.

4. Describe the diversion works and explain any changes since the right was first initiated.
5. If the water is used for irrigation, give the total acreage and list the lands irrigated by 40-acre subdivisions and complete the other questions.
- 6, 7, & 8. Describe any other uses of water.
9. In the remarks section, give any information or details that you feel are not fully covered or that need clarifying. You might explain your operation, where the water is returned to if for an industrial or non-consumptive right, the condition and temperature of the returned water, and any other information to help explain your claim.

You may wish to include as a part of your claim, affidavits of witnesses who are familiar with your right and who have a personal knowledge of the circumstances which you have described in your claim. You may submit maps, drawings, certified copies of posted notices which may have been filed in the county courthouse, water measurement records, or any other document which you feel will support your claim.

Your claim will be advertised in a county newspaper for two weeks. Exceptions to your claim which dispute the water right that you have described may be received by the Department of Reclamation and you will be provided a copy of such exceptions.

The fee for filing this claim with the Department of Reclamation, Room 107, Statehouse, Boise, Idaho 83701, is \$10.00.

Affidavit of Publication

I, Elizabeth L. Brammer, 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 two consecutive weeks, commencing with
the issue dated April 22, 1971

and ending with the issue dated April 29, 1971

Elizabeth L. Brammer

Subscribed and sworn to before me this

29th day of April, 1971

Rebecca Parker
Notary Public

Residence: Arco, Idaho.

My commission expires 7-27, 1974

PUBLIC NOTICE

NOTICE OF CLAIM TO A WATER RIGHT No. 34-4008

Notice is hereby given that
Ralph S. Parkinson, Route 1, Box
64, Arco, Idaho has filed a claim
to a water right established by
diversion and application to bene-
ficial use of 2.6 cubic feet per
second of water from a ground
water source with point of diver-
sion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 11,
T. 3N, R. 26E, B.M., Butte County.

The water is claimed to be used
from April 30 to October 30 for
irrigation purposes with a priori-
ty of April 30, 1961; the place of
use is within the E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec.
10; SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$
SW $\frac{1}{4}$, Sec. 11; T. 3N, R. 26E, B.M.

Any exception to this claim of
water right may be filed with the
Idaho Department of Water Ad-
ministration, Statehouse, Boise,
Idaho

R. KEITH HIGGINSON
Director

Published in the Arco Adver-
tiser, Arco, Idaho, on April 22 and
April 29, 1971.



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 31, 1996

RE: In the Matter of Application for Transfer No. 4573 of Water Right Nos. 34-02497, 34-02506, 34-02505 and 34-04008 in the name of Parkinson Farms

Dear Interested Party:

The accompanying order is a "final order" issued by the department pursuant to section 67-5246 or 67-5247, Idaho Code.

Section 67-5246 provides as follows:

(1) If the presiding officer is the agency head, the presiding officer shall issue a final order.

(2) If the presiding officer issued a recommended order, the agency head shall issue a final order following review of that recommended order.

(3) If the presiding officer issued a preliminary order, that order becomes a final order unless it is reviewed as required in section 67-5245, Idaho Code. If the preliminary order is reviewed, the agency head shall issue a final order.

(4) Unless otherwise provided by statute or rule, any party may file a petition for reconsideration of any order issued by the agency head within fourteen (14) days of the issuance of that order. The agency head shall issue a written order disposing of the petition. The petition is deemed denied if the agency head does not dispose of it within twenty-one (21) days after the filing of the petition.

(5) Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

MICROFILMED
JUN 1996

(6) A party may not be required to comply with a final order unless the party has been served with or has actual knowledge of the order. If the order is mailed to the last known address of a party, the service is deemed to be sufficient.

(7) A non-party shall not be required to comply with a final order unless the agency has made the order available for public inspection or the nonparty has actual knowledge of the order.

(8) The provisions of this section do not preclude an agency from taking immediate action to protect the public interest in accordance with the provisions of section 67-5247, Idaho Code.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a final order within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5246(4) Idaho Code.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, any party aggrieved by a final order or orders previously issued in a matter before the department may appeal the final order and all previously issued orders in the matter to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days a) of the service date of the final order, b) of an order denying petition for reconsideration, or c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. See section 67-5273, Idaho Code. The filing of an appeal to district court does not in itself stay the effectiveness or enforcement of the order under appeal.

Sincerely,



L. GLEN SAXTON
Chief, Water Allocation Bureau

RECEIVED
JUL 14 1990

MEMORANDUM

TO: FILE 34-0400B

FROM: PAM SKAGGS

RE: TRANSFER # 4573

DATE: 4/4/95

=====

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 34-02497.

MICROFILMED
NOV 29 1996

November 26, 1990

Ralph S. Parkinson
P O Box 228
Arco, ID 83213

Re: Application for Transfer No. 3052 of Water Right No. 34-02497,
Application for Transfer No. 3053 of Water Right No. 34-02505,
Application for Transfer No. 3054 of Water Right No. 34-02506,
Application for Transfer No. 3055 of Water Right No. 34-04008

Enclosed is a copy of the Order which sets aside the above referenced transfer. The change(s) proposed in the application for transfer which have been claimed on the related Snake River Adjudication claim(s) will be included in and considered by the department in the Director's report required by statute.

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

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

Enclosure: Order

c: IDWR - E. Reg. - Water Rights
- Adjudication
- Harold Jones

FEL 07 1992



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

October 11, 1990

Ralph S. Parkinson
P.O. Box 228
Arco, ID 83213

RE: APPLICATIONS FOR TRANSFER NOS.
3052 OF RIGHT NO. 34-02497
3053 OF RIGHT NO. 34-02505
3054 OF RIGHT NO. 34-02506
3055 OF RIGHT NO. 34-04008

Dear Mr. Parkinson:

On July 12, 1984, you submitted the above referenced applications for transfer which are still pending in department files. Final action to either approve or deny the applications has not occurred.

A review of department records shows that the Snake River Basin adjudication claims which you filed on these water rights claim the right differently than the original rights and differently from the pending applications for transfer.

Since the adjudication claims are likely the more current representation of the water rights than the applications for transfer, the department intends to void the applications for transfer and allow the adjudication claims to be the documents to represent the water rights unless you can show within thirty (30) days why the applications for transfer should be considered separately by the department.

Please feel free to contact the department if you have questions.

Sincerely,


L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - E. Region - Water rights
- Adjudication
- Harold Jones

FEB 07 1992



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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

RECEIVED

MAY 6 1985

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

Department of Water Resources
Eastern District Office

April 24, 1985

Ralph S. Parkinson
P.O. Box 228
Arco, ID 83213

Re: Applications for Transfer Nos. T3052 (License No. 34-2497);
T3053 (License No. 34-2505); T3054 (License No. 34-2506);
T3055 (Claim No. 34-4008)

Dear Mr. Parkinson:

This office is currently reviewing the four above-referenced applications for transfer. As you are aware, each of the four applications proposes to add two additional points of diversion from groundwater--one in Sec. 11, Twp 3N, Rge 26E, and one in Sec. 34, Twp 5N, Rge 26E.

Please be advised that the position of this Department with respect to the addition of a point of diversion in Sec. 34, Twp 5N, Rge 26E has not changed since the position was conveyed to you in a letter dated March 28, 1983 regarding Application for Transfer No. T2426 on License No. 34-2506. The Department still considers the proposed additional point of diversion in Sec. 34, Twp 5N, Rge 26E to be located near the center of controversy regarding the availability of water from the groundwater source in the Big Lost River drainage basin. Progress toward a determination of the availability of groundwater has been under study and resolution of the Swan Falls water rights controversy, because waters in the Big Lost River drainage basin are considered to be tributary to the Snake River System.

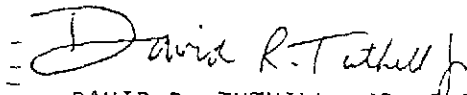
If you have input regarding the availability of groundwater within Sec. 34, Twp 5N, Rge 26E, I would again ask that you would provide this information to my attention. Alternatively, if you wish to delete this point of diversion from the four applications for transfer, then further action can be taken toward approving the four applications to enable the addition of a point of diversion within Sec. 11, Twp 3N, Rge 26E to each of the four water rights.

FEB 07 1992

Mr. Ralph S. Parkinson
April 24, 1985
Page 2

Meanwhile, this Department will place the applications for transfer in a hold status, pending your response or a further determination regarding the availability of groundwater within the Big Lost River drainage basin.

Sincerely,


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

DRT/lis

cc: Eastern Region

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: HWJ

1. Right number 34-4008 Applicant _____
2. Type of right: ☐ Decree ☐ License ☒ Claim
3. Purpose of transfer: ☒ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☐ Check proof of ownership of right &/or land from which water is transferred. S 1/2 Sect 11 confirmed & Fract of N 1/2 by Butte Co. 1753 ssor
 - h. ☒ Check for expansion in use of right. Comments NO Need to readjust
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) _____
 - j. ☒ Is use within a Watermaster District? ☐ Yes ☐ No
If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

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

RECOMMENDED ACTION

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

APPROVAL OF THIS TRANSFER DOES NOT VALIDATE
THE RIGHT CLAIMED.

4. By _____ Date _____

4-15-85 - USE ABOVE CONDITION
* All uses within Watermaster Districts require special conditions.

RECEIVED
MAR 14 1985
Department of Water Resources

MEMO

FROM: E. CARLSEN *ELC*
TO: APPLICATIONS FOR TRANSFER OF WATER RIGHTS
34-2497, 34-2505, 34-2506 & 34-4008.

January 9, 1985

PROOF OF OWNERSHIP: A review of the legal descriptions provided by the Butte County Assessor indicates the applicant does own all of Sec.11 T.3N R.26E that is identified as a place of use on the four applications to transfer water rights 34-2497, 34-2505, 34-2506 & 34-4008. The Assessor's Office also verified the applicants ownership of the E1/2 Sec.10 T.3N R.26E which is a portion of the place of use on application for transfer of water right 34-4008. In summary, the applicants ownership of the place of use for each water right being transferred has been confirmed by the Butte County Assessor's Office.

INTENT OF APPLICATION: The intent of these applications is to retain the original place of use, while modifying the points of diversion to include the same 3 wells on each water right plus the claim. Two of the wells are located on the property being irrigated. The applications indicate these two wells are connected to a common mainline that services the entire place of use. The third well is approximately 8 miles north. Water from this well must be transported by open channels to the place of use. A description of the transport network is included with each application, along with a transport agreement between the Big Lost River Irrigation District and the applicant.

FEB 07 1992

IN THE MATTER OF:)
APPLICATION FOR TRANSFER)
34-4008/2497/2505/2506)
State of Idaho)
County of _____)

GETV
AFFIDAVIT
DEC 14 1984
Department of Water Resources
Eastern District Office

_____ being first duly sworn,
deposes and says: it is not the purpose of these transfers to increase
the rate of flow from the well in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T. 5N, R. 26E.
The purpose is to utilize the water in the most efficient manner.
The systems are interconnected and water is diverted from the point
or points of diversion that will best irrigate the land depending
on the crop.

Ralph S. Parkinson
(signature)

Subscribed and sworn to before me this 13th day of Dec 19 84.

[Signature]
(notary public)

Residing at Arco ID
My commission expires 1-25-85

December 7, 1984

Ralph S. Parkinson
P.O. Box 228
Arco, ID 83213

Dear Mr. Parkinson:

On December 4, 1984 Scott Parkinson and I discussed the additional information that I requested in my letter of Nov. 16, 1984. Enclosed is a description of how the water is transported from the well to the place of use, and an affidavit that states that there will be no increased diversion of water from the well in Section 34, T. 5N, R. 26E. Please review both forms, sign (the affidavit must be signed in front of a notary), and return to this office by December 20, 1984.

Sincerely,

KEITH C. WILSON
Senior Resource Agent

KCW/cz

Enclosures

MICROFILMED

FEB 07 1992



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

November 16, 1984

Ralph S. Parkinson
P.O. Box 228
Arco, ID 83213

RE: Application for Transfer 34-4008, 2497, 2505, 2506

Dear Mr. Parkinson:

The above referenced transfer applications indicate you may intend to utilize canals belonging to the Big Lost River Irrigation District in order to deliver groundwater to the place of use. Since the Department can not grant right-of-way or easement into these canals, you are responsible for obtaining a conveyance agreement with the irrigation district.

Prior to the Department recommending final action of your application, we need evidence that a right-of-way into the canal has been granted. So, if you will send us a copy of your carrying capacity agreement with the irrigation district that would be sufficient evidence of right-of-way.

Also since the transfer applications intend to establish a new point of diversion eight miles up valley from the place of use a detailed description is needed of how the water will be transported from the point of diversion to the place of use.

Please provide the description and a copy of the right-of-way agreement within 30 days of the date of this letter.

Sincerely,

KEITH C. WILSON
Senior Resource Agent

KCW/cz



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES EASTERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

150 Shoup

Idaho Falls, Idaho 83401

(208) 525-7161

RECEIVED

AUG 30 1984

Department of Water Resources
Eastern District Office

August 22, 1984

Ralph Parkinson
P.O. Box 228
Arco, ID 83213

Dear Mr. Parkinson:

Enclosed is your application for transfer of claim #34-4008. I found that on the original application we had listed permit #34-7145 as being appurtenant to the same ground. This however, is not the case and I have deleted this reference from line A9 and C4 of the new application. In addition I also called Big Lost River Irrigation District and they don't seem to have a record of a water right being appurtenant to the ground claimed in 34-4008. I deleted this reference also from the new application.

If you agree please sign and have this new application notarized and return it to this office.

Sincerely,

Keith C Wilson

KEITH C. WILSON
Sr. Resource Agent

KCW:jk

Enclosure

*Thank you Keith, for your
help & special attention.*

Ralph

MICROFILMED

FEB 07 1992

August 22, 1984

Ralph Parkinson
P.O. Box 228
Arco, ID 83213

Dear Mr. Parkinson:

Enclosed is your application for transfer of claim #34-4008. I found that on the original application we had listed permit #34-7145 as being appurtenant to the same ground. This however, is not the case and I have deleted this reference from line A9 and C4 of the new application. In addition I also called Big Lost River Irrigation District and they don't seem to have a record of a water right being appurtenant to the ground claimed in 34-4008. I deleted this reference also from the new application.

If you agree please sign and have this new application notarized and return it to this office.

Sincerely,

KEITH C. WILSON
Sr. Resource Agent

KCW:jk

Enclosure

RECEIVED

FEB 07 1992

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
34-4008

Notice is hereby given that Ralph S. Parkinson, Arco, ID, has applied to the Department of Water Resources for a change in the point of diversion of the waters of a ground water source. The right sought to be changed is evidenced by Claim No. 34-4008 and is recorded as follows:

Amount: 2.60 c.f.s. Priority: April 30, 1961

Point of Diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 11, T. 3N, R. 26E, B.M., Butte County.

The water is used to irrigate 200 acres within the E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 10, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 11, T. 3N, R. 26E.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 3N, R. 26E, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T. 5N, R. 26E, B.M.

Any protest against the approval of the above change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup, Suite 15, Idaho Falls, ID, 83402, on or before August 20, 1984.

A. KENNETH DUNN

Director

Published in the Arco Advertiser, Arco, ID, on August 2 and 9, 1984.

NOTICE OF PROPOSED
CHANGE OF WATER RIGHT

34-4008

Notice is hereby given that Ralph S. Parkinson, Arco, ID, has applied to the Department of Water Resources for a change in the point of diversion of the waters of a ground water source. The right sought to be changed is evidenced by Claim No. 34-4008 and is recorded as follows:

Amount: 2.60 c.f.s.

Priority: April 30, 1961

Point of Diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 11, T. 3N, R. 26E, B.M., Butte County.

The water is used to irrigate 200 acres within the E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 10, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 11, T. 3N, R. 26E.

TO BE CHANGED AS FOLLOWS

The water will be diverted within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 11, T. 3N, R. 26E, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 34, T. 5N, R. 26E, B.M.

Any protest against the approval of the above change of water right must be filed with the Idaho Department of Water Resources, 150 Shoup, Suite 15, Idaho Falls, ID, 83402, on or before August 20, 1984.

A. KENNETH DUNN

Director

Published in the Arco Advertiser, Arco, ID on August 2 and 9, 1984

MEMORANDUM

Date: August 18, 1987

To: T3052 (Lic. 34-2497)
T3053 (Lic. 34-2505)
T3054 (Lic. 34-2506)
T3055 (Lic. 34-4008)

From: L. Glen Saxton

RE: ACTION ON THE TRANSFER APPLICATIONS

Action should not be taken on the above listed applications for transfer until there is some common concurrence within the department relative to a general policy or strategy in the Big Lost River Basin. The real question basically boils down to a conjunctive use consideration since the groundwater and surface water seems to be closely related.

There is quite a bit of information compiled in draft reports of the department entitled "Big Lost River Groundwater Study" but the reports have not been finalized or adopted.

The Swan Falls controversy which still is not resolved has slowed the momentum of developing a groundwater strategy in the Big Lost River Basin.

7-100-2497

7 27 1992



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
(208) 334-4440

April 24, 1985

Ralph S. Parkinson
P.O. Box 228
Arco, ID 83213

Re: Applications for Transfer Nos. T3052 (License No. 34-2497);
T3053 (License No. 34-2505); T3054 (License No. 34-2506);
T3055 (Claim No. 34-4008)

Dear Mr. Parkinson:

This office is currently reviewing the four above-referenced applications for transfer. As you are aware, each of the four applications proposes to add two additional points of diversion from groundwater--one in Sec. 11, Twp 3N, Rge 26E, and one in Sec. 34, Twp 5N, Rge 26E.

Please be advised that the position of this Department with respect to the addition of a point of diversion in Sec. 34, Twp 5N, Rge 26E has not changed since the position was conveyed to you in a letter dated March 28, 1983 regarding Application for Transfer No. T2426 on License No. 34-2506. The Department still considers the proposed additional point of diversion in Sec. 34, Twp 5N, Rge 26E to be located near the center of controversy regarding the availability of water from the groundwater source in the Big Lost River drainage basin. Progress toward a determination of the availability of groundwater has been under study pending resolution of the Swan Falls water rights controversy, because waters in the Big Lost River drainage basin are considered to be tributary to the Snake River System.

If you have input regarding the availability of groundwater within Sec. 34, Twp 5N, Rge 26E, I would again ask that you would provide this information to my attention. Alternatively, if you wish to delete this point of diversion from the four applications for transfer, then further action can be taken toward approving the four applications to enable the addition of a point of diversion within Sec. 11, Twp 3N, Rge 26E to each of the four water rights.

FEB 07 1982

Mr. Ralph S. Parkinson
April 24, 1985
Page 2

Meanwhile, this Department will place the applications for transfer in a hold status, pending your response or a further determination regarding the availability of groundwater within the Big Lost River drainage basin.

Sincerely,



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

DRT/ljs

cc: Eastern Region

MEMORANDUM

TO: Dave Tuthill *DRT*

FROM: Jim Johnson

DATE: April 15, 1985

RE: Transfer Review for Rights 34-2497, 34-2505, 34-2506 & 34-4008

On this day, I reviewed the above applications for transfer and found that the regional office was not necessarily recommending them for approval but forwarding them to the state office for additional follow-up per correspondence written by you on March 28, 1983.

I have reviewed the specific elements of each transfer and found no errors. I have recorded recommendations for approval without consideration of previous recommendation by Ernest Carlson on transfer of right 34-2506 (T. 2426); which has since been withdrawn by the applicant at the advice of the regional office.

Therefore, it appears that the only remaining item on these transfers is to follow-up on the subject of your correspondence.

SEARCHED
SERIALIZED
FEB 27 1982

IDENT. NO. 34-4005

WATER RIGHT
DATA ENTRY LOG

[illegible]

May 27, 1971

Re: Claim to a Water Right No. 34-4008

C
Mr. Ralph S. Parkinson
Route #1, Box 64
Arco, Idaho 83213

O
Dear Mr. Parkinson:

The Department of Water Administration has completed the processing of your claim to a water right, and no further action is authorized under Sections 42-225a and 42-225b, Idaho Code. Your claim will be retained in our files and will be available at any time for use by you or the court.

P
As you are aware, the filing of your claim does not, in itself, guarantee you a water right; it only records and preserves the information and the evidence which you included in your claim.

Y
If, at a later date, you find that you have additional information or supporting evidence that you would like to have included in your claim file, you may have that information or evidence added at any time. Please refer to your claim number when corresponding with this office.

We are enclosing, for your records, a copy of your claim. If you have any questions, or if we can be of further assistance, please feel free to call upon us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:dr
Enclosure: Copy of claim

34-4008

May 12, 1971

Re: Claim No. 34-4008 - Ralph S. Parkinson

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 claim. The legal notice was to have been published in your paper on April 22nd and 29th, 1971.

Thank you for your cooperation in these matters.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

by Darlene Reich

DWM:DR

34-4008

April 14, 1971

Re: Claim No. 34-4008 - Ralph S. Parkinson

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 ample time for you to submit us a galley proof for our 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 date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Legal notice

34-4008

NOTICE OF CLAIM
TO A WATER RIGHT
No. 31-4008

Notice is hereby given that Ralph S Parkinson, Route 1, Box 64, Arco, Idaho has filed a claim to a water right established by diversion and application to beneficial use of 26 cubic feet per second of water from a ground water source with point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 11, T. 3N, R. 26E, B.M., Butte County.

The water is claimed to be used from April 30 to October 30 for irrigation purposes with a priority of April 30, 1961; the place of use is within the E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 10, SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 11; T. 3N, R. 26E, B.M.

Any exception to this claim of water right may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho

R KEITH HIGGINSON
Director

Published in the Arco Advertiser, Arco, Idaho, on April 22 and April 29 1971.

Galley Proof

0 2. 71
4-21-71
B. H.

31-4008

NOTICE OF CLAIM TO A WATER RIGHT

No. 34-4008

Notice is hereby given that Ralph S. Parkinson, Route 1, Box 64,
Arco, Idaho,

has filed a claim to a water right established by diversion and appli-
cation to beneficial use of 2.6 cubic feet per second ~~acre feet~~
of water from a ground water source
with point of diversion in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 11, T. 3N, R. 26E, B.M.,
Butte County

The water is claimed to be used from April 30 to Oct. 30 for
irrigation purposes
with a priority of April 30, 1961;
the place of use is within the E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 10; SE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$,
SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 11; T. 3N, R. 26E, B.M.

Any exception to this claim of water right may be filed with the
Idaho Department of Water Administration., Statehouse, Boise, Idaho.

R. KEITH HIGGINSON

Director

Published in the Arco Advertiser, Arco, Idaho,
on April 22 and April 29, 1971.

34 4008

April 12, 1971

Ralph S. Parkinson
Route #1, Box 64
Arco, Idaho 83213

Dear Mr. Parkinson:

Returned herewith is your receipt No. 5875 in the amount of \$10.00
for your claim application

which was received in this office under the above date.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

34-4008

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

March 23, 1971

Mr. Ralph S. Parkinson
Rt. #1, Box 64
Arco, Idaho 83213

Dear Mr. Parkinson:

Pursuant to your letter of March 19, 1971, please find enclosed the Departments' application for permit form with instructions and claim to a water right. The application for permit should be used for all new water developments and those ground water developments after March 25, 1963. If your system was in use prior to that time, then perhaps you have already established a water right with a priority dating back to the first time of use. If this is the case, then you should use the claim to a water right form.

If you should have any questions in completing either of these forms, please do not hesitate to contact us.

Very truly yours,

Dorian Clay

Dorian Clay
Appropriation Examiner

DC/bb

Enc: application form
claim form

Dorian Clay
Dear Sir:

Enclosed please find a claim to a water right form which I have filled out. If there is anything further which I should do on this matter please let me know.

34-4008

Thank you,

Ralph S. Parkinson
Rt. 1 Box 64
Arco, Idaho 83213

March 23, 1971

Mr. Ralph S. Parkinson
Rt. #1, Box 64
Arco, Idaho 83213

Dear Mr. Parkinson:

Pursuant to your letter of March 19, 1971, please find enclosed the Departments' application for permit form with instructions and claim to a water right. The application for permit should be used for all new water developments and those ground water developments after March 25, 1963. If your system was in use prior to that time, then perhaps you have already established a water right with a priority dating back to the first time of use. If this is the case, then you should use the claim to a water right form.

If you should have any questions in completing either of these forms, please do not hesitate to contact us.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC/bb

Enc: application form
claim form

34-4008

RECEIVED

MAR 22 1971

Department of Water

Mar. 19, 1971
Arco, Idaho

Dear Sir:

I bought a farm with a well already drilled and had been pumped out of and a crop raised on the land 2 years before I bought it. Since that time I have ~~of~~ used it every year.

This well is located in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec. 11 Township 3 N R 26 E. of the Boise meridian.

I bought this farm in the fall of 1964.

Please send me the forms I need to get a licence ~~for~~ or and whatever else I need to get ~~for~~ this well.

Thank you,

Ralph S. Parkinson
R.F. Box 64
Arco, Idaho 83213

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