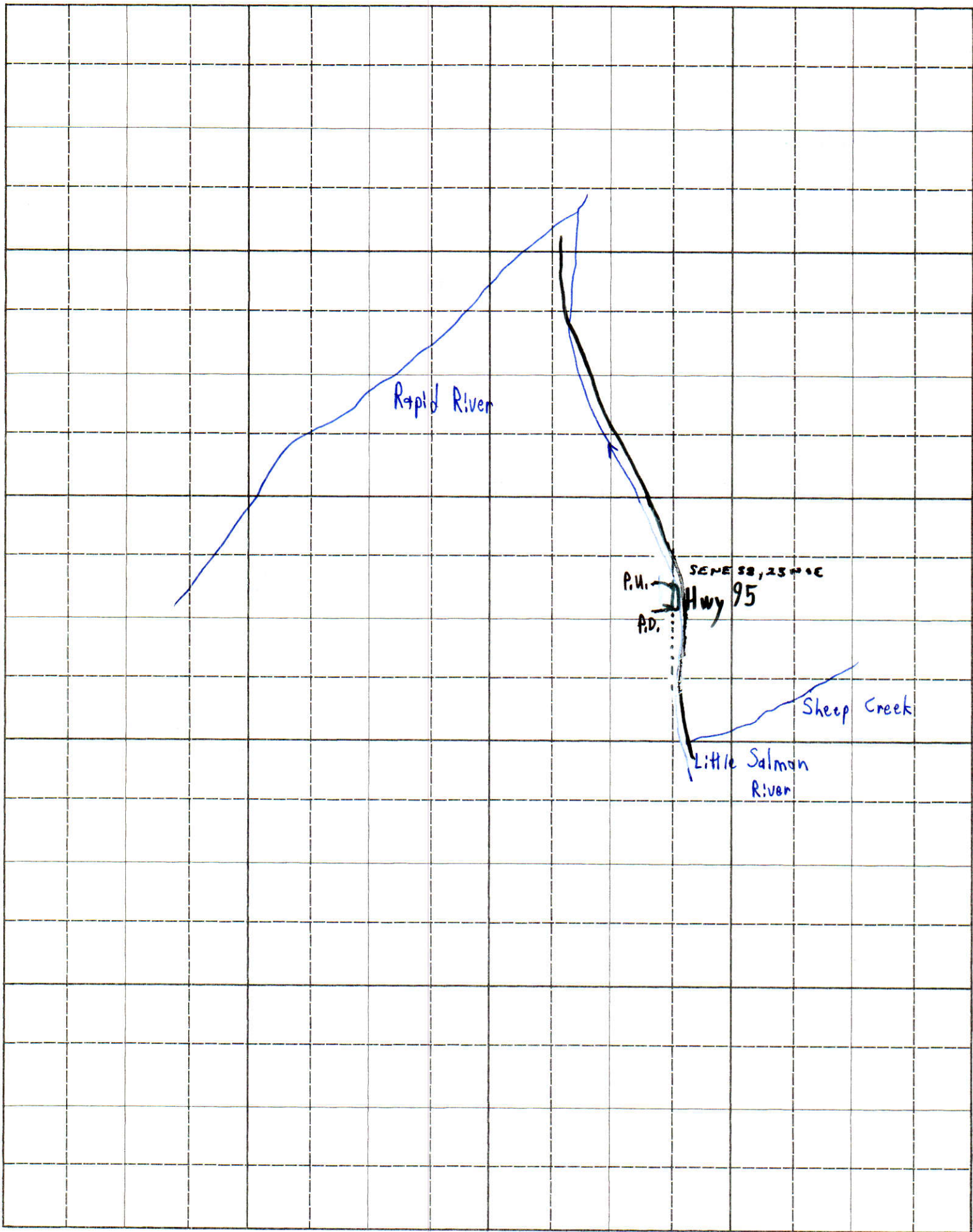


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Robert J. Hume
(Applicant)

NOTICE OF AP-
PLICATION

FOR WATER RIGHT

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

78-7115

Name: Husome, Robert
Address: 781 Greenwood Drive, Twin Falls, ID 83301
Source: Little Salmon River tributary to Salmon River
Date Filed: 9/12/1978
County: Idaho
Amount: 0.20 CFS
Point of Diversion: SENE S08 T23N R01E
Use: Irrigation from 3/1 to 12/1
Place of Use: SENE S08 T23N R01E for 1 acres
Means: Pump and Sprinkler System

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83705 on or before October 23, 1978.

C. STEPHEN ALLRED
Director

Published in the Idaho County Free Press on October 4, 1978 and October 11, 1978.

04-11

AFFIDAVIT OF PUBLICATION

..... Nona C. Donaldson being first duly sworn, says he is the Office Manager of the IDAHO COUNTY FREE PRESS, a weekly newspaper which is published and issued weekly at Grangeville, Idaho County, State of Idaho, and which is of general circulation in said county and state; that the said notice, of which the one hereto attached is a true copy, was published in said paper for 2 weeks, being published 2 times, the first publication being on the 4 day of October 1978....., and the last publication on the 11 day of October 1978.; and that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of said notice or advertisement.

..... Nona C. Donaldson

Subscribed and sworn to before me this 11 day of October 1978....

..... Marilyn J. Stalley Notary Public for State of Idaho, residing at Grangeville, Idaho.

OK
11-7-78

RECEIVED
IDAHO COUNTY
CLERK
OCT 11 1978

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

KEYPILIMQUED
SEP 14 1989

A. GENERAL INFORMATION

Permit No. 78-7115
Phone No. 345-5652
EXAM. DATE: 11/3/87
Phone No. _____

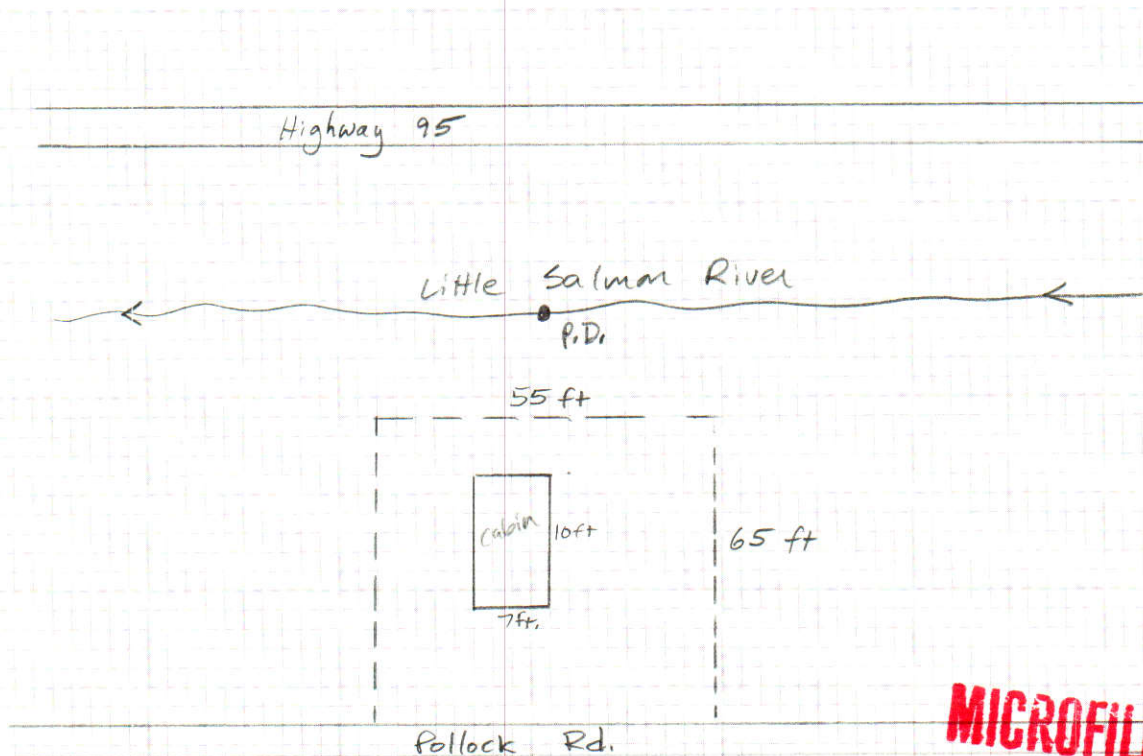
1. Owner: Robert Husome
Current Address: 3243 Betsy Ross Way, Boise, ID 83706
2. Accompanied by: unaccompanied
Address: _____
Relationship to Permit Holder: _____
3. Source: Little Salmon River tributary to Salmon River

B. OVERLAP REVIEW

1. Other water rights with same place of use: none
_____ ☐ Copies Attached
2. Other water rights with same point of diversion: none
_____ ☐ 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

SEP 14 1989

Scale: 1" = Not to Scale

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).

78-7115

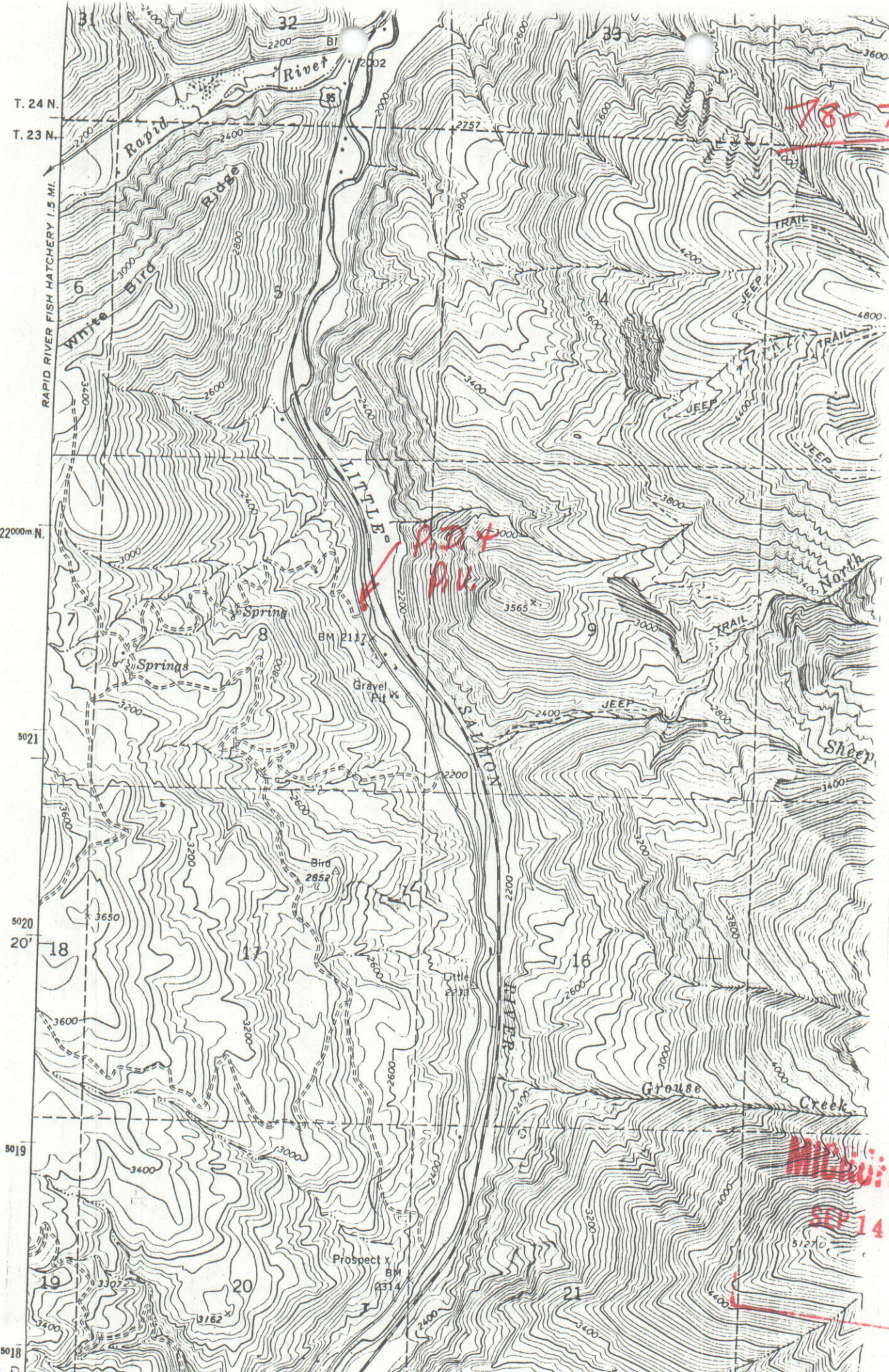


P.U.

P.D. located behind house along Little Salmon River; pump not in place during examination, although its location could be seen.

MICROFILMED

SEP 14 1989

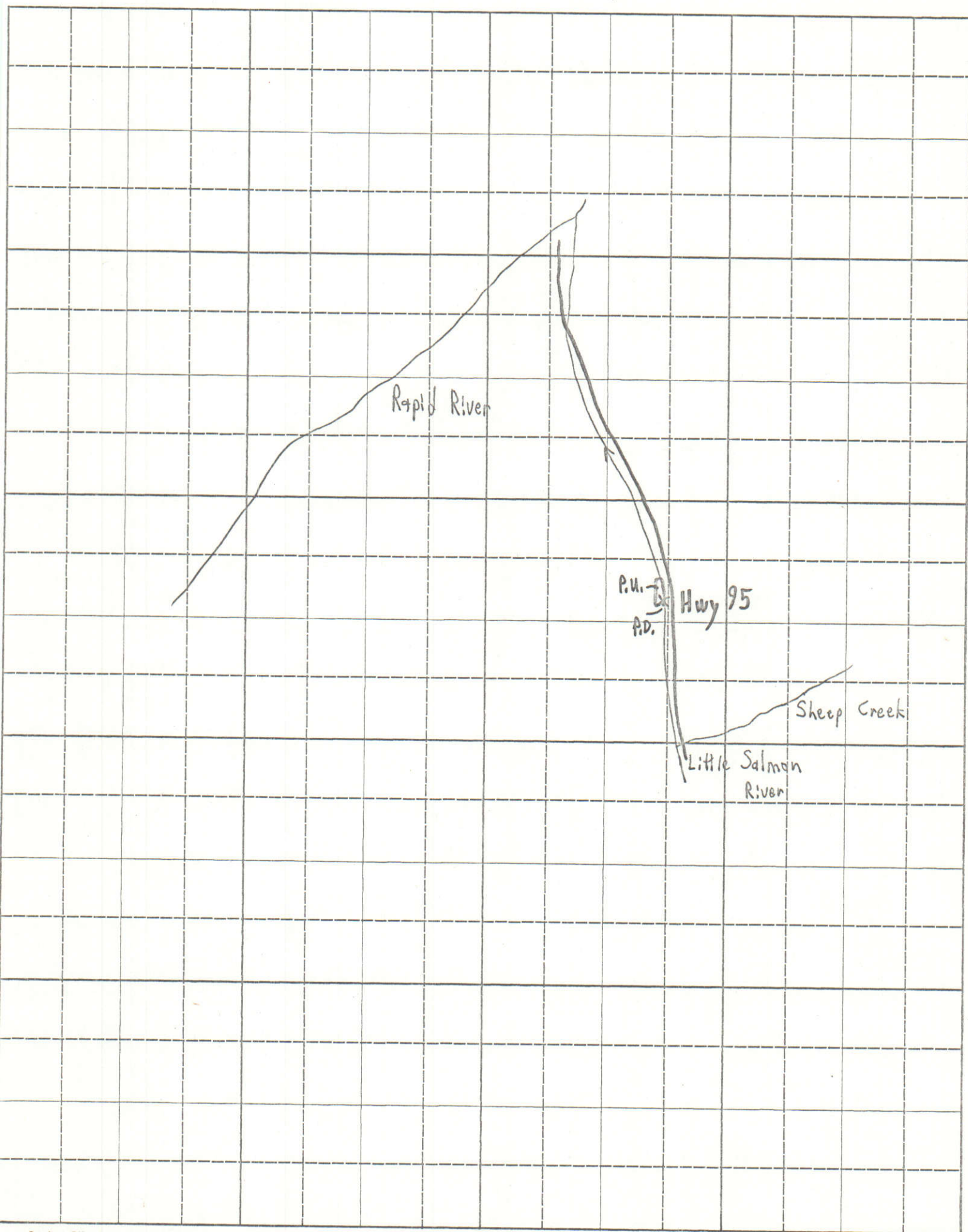


78-7115

P.D. 4
P.V.

MICROFILMED
SEP 14 1989

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



Scale: 2 inches equal 1 mile.

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

Robert D. [Signature]

(Applicant)

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 78-07115

Priority: October 16, 1978

Maximum Diversion Rate:
Maximum Diversion Volume:¹

0.03 CFS
0.4 AF

This is to certify, that ROBERT HUSOME
3243 BETSY ROSS WAY
BOISE, ID 83706

has complied with the terms and conditions
of the permit, issued pursuant to Application for Permit dated September 12, 1978; and
has submitted Proof of Beneficial Use on January 4, 1984. An examination indicates
that the works have a diversion capacity of .030 cfs of water from:

LITTLE SALMON RIVER tributary to SALMON RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/01 to 12/01	0.03 CFS	0.4 AF

LOCATION OF POINT(S) OF DIVERSION: SENE , Sec. 8, Township 23N, Range 01E
IDAHO County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
23N	01E	8	SENE	0.1		0.1

Total number of acres irrigated: 0.1

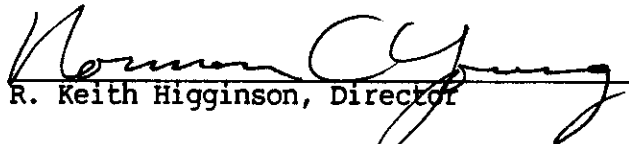
CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
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.

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 22ND
day of August, 1989.

MICROFILMED

Acting for


R. Keith Higginson, Director

Str 14 1989

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 78-7115 IN THE
NAME OF ROBERT HUSOME

} ORDER OF REINSTATEMENT
}
}

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before December 1, 1983; and,

WHEREAS, the Department has notified the permit holder by certified mail that proof was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, the Department has notified the permit holder that the permit has lapsed for failure of the permit holder to submit proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated by submitting proof of beneficial use on January 4, 1984;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 78-7115 be REINSTATED and the priority advanced to October 16, 1978.

Dated this 27th day of January, 1984.


L. GLEN SAXTON
Chief, Operations Bureau

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Robert Husome Phone 734-3026

Post office address 781 Greenwood Drive, Twin Falls, Idaho 83301

2. Source of water supply Little Salmon River which is a tributary of Salmon River

3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 8 Township 23N

Range 1E B.M. Idaho County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

ALLOW 0.04 cfs
Amount ~~0.20 cfs~~ for irrigation purposes from Mar 1 to Dec 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

ALLOW 0.04
a. ~~0.20~~ cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. $\frac{1}{2}$ hp pump, $1\frac{1}{2}$ " line to handline sprinkler system

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

c. Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

d. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

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

8. Description of proposed uses:

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

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

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

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

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

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

RECEIVED
JUN 10 1978
DEPT. OF WATER RESOURCES
TWIN FALLS, IDAHO

THIS DEED OF TRUST, Made this 3 day of May, 1977, BETWEEN

Robert Husome and Barbara A. Husome, husband and wife herein called GRANTOR, whose address is Route 3 Pox 64-A, Jerome, Idaho, AND INLAND ABSTRACT COMPANY, A CORPORATION, GRAMEVILLAS, IDAHO, herein called TRUSTEE, and Edward L. Gill and Polina C. Gill, husband and wife, herein called BENEFICIARY. WITNESSETH: That Grantor does hereby irrevocably GRANT, BARGAIN, SELL AND CONVEY TO TRUSTEE IN TRUST, WITH POWER OF SALE, that property in the County of Idaho State of Idaho, described as follows and containing not more than twenty acres:

Twp. 23 N., Rge. 1 E. B.M., Idaho County, Idaho
Sec. 8: Part of SE $\frac{1}{4}$ NE $\frac{1}{4}$ described as: Beginning at a 5/8"x30" rebar set on the easterly line of U. S. Highway 95, Section 9-G from which rebar the SW corner of said SE $\frac{1}{4}$ NE $\frac{1}{4}$ bears S.84°35'W. 385 feet and S.19°19'E. 197.70 feet
thence N.16°54'W. 192.80 feet to a 5/8"x30" rebar
thence N.13°09'W. 273.64 feet
thence N.2°43'W. 289.03 feet all along the easterly line of said highway to a 5/8"x30" rebar set on the left bank of the Little Salmon River
thence East 35 feet to the center of said River
thence S.14°16'E. 535.06 feet
thence S.7°26'E. 204.29 feet all along the center of said River to a point from which a 5/8"x30" rebar bears S.73°06'W. 30 feet
thence S.73°06'W. 64.74 feet to the place of beginning

Grantor in the sum of Four Thousand Five Hundred and no/100 Dollars, (\$4,500.00), final payment due on or before May 15, 1979

and to secure payment of all such further sums as may hereafter be loaned or advanced by the Beneficiary herein to the Grantor herein, or any or either of them, while record owner of present interest, for any purpose, and of any notes, drafts or other instruments representing such further loans, advances or expenditures together with interest on all such sums at the rate therein provided. Provided, however, that the making of such further loans, advances or expenditures shall be optional with the Beneficiary, and provided, further, that it is the express intention of the parties to this Deed of Trust that it shall stand as continuing security until paid for all such advances together with interest thereon.

A. To protect the security of this Deed of Trust, Grantor agrees:

1. To keep said property in good condition and repair; not to remove or demolish any building thereon; to complete or restore promptly and in good and workmanlike manner any building which may be constructed, damaged or destroyed thereon and to pay when due all claims for labor performed and materials furnished therefor; to comply with all laws affecting said property or requiring any alterations or improvements to be made thereon; not to commit or permit waste thereof; not to commit, suffer or permit any act upon said property in violation of law; to cultivate, irrigate, fertilize, fumigate, prune and do all other acts which from the character or use of said property may be reasonably necessary, the specific enumerations herein not excluding the general.

2. To provide, maintain and deliver to Beneficiary fire insurance satisfactory to and with loss payable to Beneficiary. The amount collected under any fire or other insurance policy may be applied by Beneficiary upon any indebtedness secured hereby and in such order as Beneficiary may determine, or at option of Beneficiary the entire amount so collected or any part thereof may be released to Grantor. Such application or release shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.

3. To appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of Beneficiary or Trustee; and to pay all costs and expenses, including cost of evidence of title and attorney's fees in a reasonable sum, in any such action or proceeding in which Beneficiary or Trustee may appear.

4. To pay: at least ten days before delinquency all taxes and assessments affecting said property, when due, all encumbrances, charges and liens, with interest, on said property or any part thereof, which appear to be prior or superior hereto; all costs, fees and expenses of this Trust. In addition to the payments due in accordance with the terms of the note hereby secured the Grantor shall at the option, and on demand of the Beneficiary, pay each month 1/12 of the estimated annual taxes, assessments, insurance premiums, maintenance and other charges upon the property, nevertheless in trust for Grantor's use and benefit and for the payment by Beneficiary of any such items when due. Grantor's failure so to pay shall constitute a default under this trust.

5. To pay immediately and without demand all sums expended by Beneficiary or Trustee pursuant to the provisions hereof, with interest from date of expenditure at eight per cent per annum.

6. Should Grantor fail to make any payment or to do any act as herein provided, then Beneficiary or Trustee, but without obligation so to do and without notice to or demand upon Grantor and without releasing Grantor from any obligation hereof, may: make or do the same in such manner and to such extent as either may deem necessary to protect the security hereof. Beneficiary or Trustee being authorized to enter upon said property for such purposes; appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of Beneficiary or Trustee; pay, purchase, contest or compromise any encumbrance, charge or lien which in the judgment of either appears to be prior or superior hereto; and, in exercising any such powers, or in enforcing this Deed of Trust by judicial foreclosure, pay necessary expenses, employ counsel and pay his reasonable fees.

B. It is mutually agreed that:

1. Any award of damages in connection with any condemnation for public use of or injury to said property or any part thereof is hereby assigned and shall be paid to Beneficiary who may apply or release such moneys received by him in the same manner and with the same effect as above provided for disposition of proceeds of fire or other insurance.

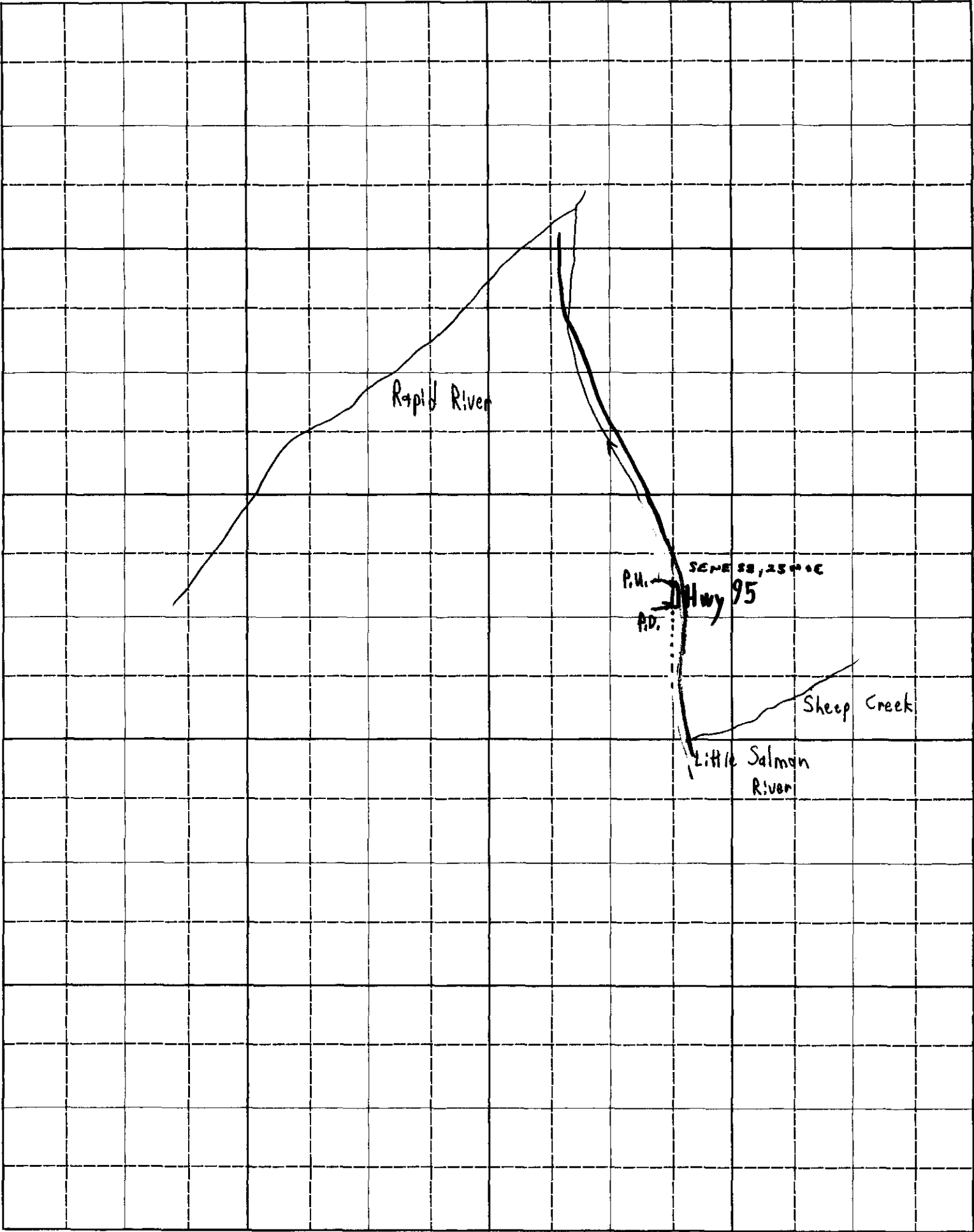
2. By accepting payment of any sum secured hereby after its due date, Beneficiary does not waive his right either to require prompt payment when due of all other sums so secured or to declare default for failure so to pay.

3. At any time or from time to time, without liability therefor and without notice, upon written request of Beneficiary and presentation of this Deed and said note for endorsement, and without affecting the personal liability of any person for payment of the indebtedness secured hereby, Trustee may: reconvey all or any part of said property; consent to the making of any map or plat thereof; join in granting any easement thereon; or join in any extension agreement or any agreement subordinating the lien or charge hereof.

4. Upon written request of Beneficiary stating that all sums secured hereby have been paid, and upon surrender of this Deed and said note to Trustee for cancellation and retention and upon payment of its fees, Trustee shall reconvey, without warranty, the property then held hereunder. The recitals in any reconveyance executed under this deed of trust of any matters or facts shall be conclusive proof of the truthfulness thereof. The grantee in such reconveyance may be described as "the person or persons legally entitled thereto."

5. As additional security, Grantor hereby gives to and confers upon Beneficiary the right, power and authority, during the continuance of these Trusts, to collect the rents, issues and profits of said property, reserving unto Grantor the right, prior to any default by Grantor in payment of any indebtedness secured hereby or in performance of any agreement hereunder, to collect and retain such rents, issues and profits as they become due and payable. Upon any such default, Beneficiary may at any time without notice, either in person, by agent, or by a receiver to be appointed by a court, and without regard to the adequacy of any security for the indebtedness hereby secured, enter upon and take possession of said property or any part thereof, in his own name, and or otherwise collect such rents, issues and profits, including those past due and unpaid, and apply the same, less costs and expenses of operation and collection, including reasonable attorney's fees, upon any indebtedness secured hereby, and in such order as Beneficiary may determine. The entering upon and taking possession of said property, the collection of such rents, issues and profits, and the application thereof as aforesaid, shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.

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.

Robert J. Hanne
(Applicant)

Proposed Priority 9-12-78

Received by del JS Date 9-22-78 Time 11:05 am
9-12-78 Time 11:30 am

Preliminary check by _____ Fee \$ 20.00 # 10560

Receipted by maya Date 9/12/78

Publication prepared by _____ Date _____

Published in Idaho Co. Free Press

Publication dates 10/5/78 & 10/12/78

Publication approved JS Date 11-7-78

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by DBS J.S.

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. 78-7115, and said application is hereby APPROVED.

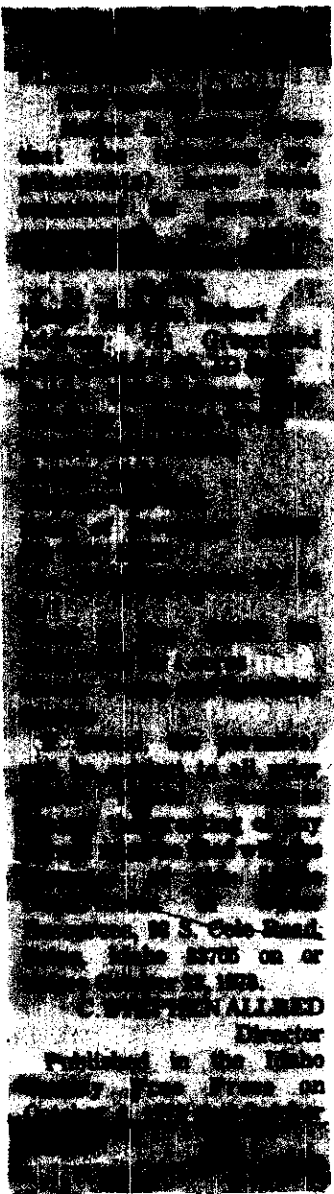
1. Approval of said application is subject to the following limitations and conditions:

- 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 December 1, 19 83.
- c. ~~The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.~~
- d. Other: No more than 0.04 cfs shall be diverted under this permit.

Witness my hand this 18 day of December, 19 78.

A. Glen Saxton

Chief, Operations Bureau



AFFIDAVIT OF PUBLICATION

..... Nona C. Donaldson being first duly sworn, says he is the Office Manager of the IDAHO COUNTY FREE PRESS, a weekly newspaper which is published and issued weekly at Grangeville, Idaho County, State of Idaho, and which is of general circulation in said county and state; that the said notice, of which the one hereto attached is a true copy, was published in said paper for 2 weeks, being published 2 times, the first publication being on the 4 day of October 1978....., and the last publication on the 11 day of October 1978.; and that the said notice was published in the newspaper proper and not a supplement; that said newspaper has been continuously and uninterruptedly published in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of said notice or advertisement.

..... Nona C. Donaldson

Subscribed and sworn to before me this 11 day of October 1978....

..... Marilyn J. Stalley Notary Public
for State of Idaho, residing at Grangeville, Idaho.

5K
11-7-78

August 24, 1989

ROBERT HUSOME
3243 BETSY ROSS WAY
BOISE, ID 83706

RE: PERMIT NO. 78-07115

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

SEP 14 1989

August 2, 1989

ROBERT HUSOME
3243 BETSY ROSS WAY
BOISE, ID 83706

RE: PERMIT NO. 78-07115

Dear Permit Holder(s):

Enclosed is a draft copy of the license proposed to be issued on the above referenced water right.

This right is currently being reviewed by this office for licensing. The enclosed preliminary copy is subject to change upon further administrative review.

We ask that you review the proposed license and if you do not concur with the information, please let us know within 10 days.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

SEP 14 1989

POINT OF DIVERSION OVERLAP REVIEW

WR-NUMBER	TWP	RNG	SC	TRACT			LT	#SOURCE	#NAME
				1\4	1\4	1\4			
7807115	23N	01E	8	SE	NE			LITTLE SALMON RIVER	HUSOME, ROBERT
7804043								GROUNDWATER	HOLLENBEAK, LO
7807117								LITTLE SALMON RIVER	BERGENSTOCK, C

MICROFILMED

SEP 14 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

78-7115
Permit No.

Staff Analysis Sheet
for
Beneficial Use Field Report

A. Prior to Conducting the Exam, the File Contains:

☒ Blank Field Report Form

☒ Copy of Permit

None ☐ Copies of any Amendments/Orders with conditions of approval

☒ ~~Computer Data Proof Report~~

☒ Copy of U.S.G.S. Quad

None ☐ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index _____ (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of exam(s) attached?

Type of Overlap? ☐ Add acres or uses to existing system

☐ Increase rate of flow or volume

☐ Other: _____

Check of P/U index _____ (Initial and date)

Overlap? ☐ yes ☒ no If yes: ☐ copy of water right(s) attached?

Type of Overlap? ☐ Increase rate of flow or volume

☐ Add P/D's

☐ Increase number of acres within tracts

☐ Other: _____

Aerial Photo

Required? ☐ yes ☒ no If yes: ☐ copy attached?

Scheduling Letter sent? _____ (Initial and date)

☒ Appointment made and telephone conversation memo attached

B. After Conducting the Exam, the File Contains:

☒ Fully completed and signed Field Report Form

☒ Photographs of Point of Diversion and Place of Use

☒ ~~Corrected Computer Data Proof Report with recommended license information, and date and signature of examiner.~~

C. Review and Processing:

Exam Completed Grand E. Dinger 6/9/88 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent _____ (Initial and date)

Exam Reviewed by Manager of Regional Office Dms 7/28/88 (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office MS 7/29/88 (Initial and date)

Copy of Staff Analysis Sheet sent to Manager of Regional Office and Original
Refiled in White File _____ (Initial and date)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

KEYPIPING

A. GENERAL INFORMATION

Permit No. 78-7115
Phone No. 342 345-5652

1. Owner: Robert Husome
Current Address: 3243 Betsy Ross Way, Boise, ID 83706
2. Accompanied by: unaccompanied EXAM. DATE: 11/3/87
Address: _____ Phone No. _____

Relationship to Permit Holder: _____

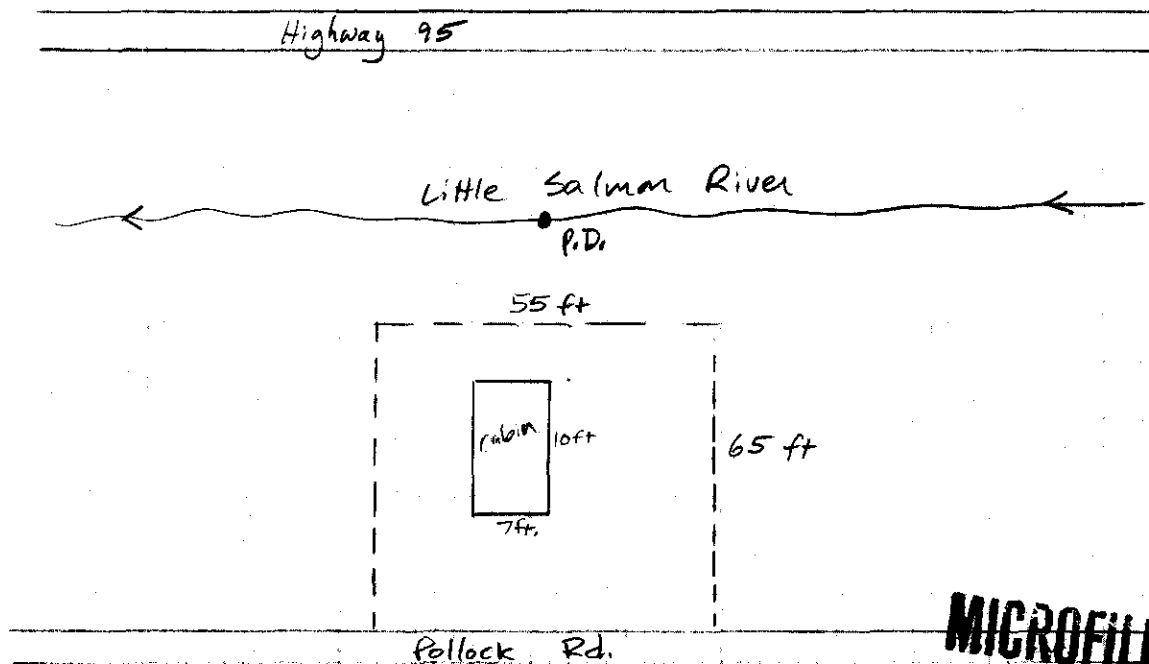
3. Source: Little Salmon River tributary to Salmon River

B. OVERLAP REVIEW

1. Other water rights with same place of use: none
_____ ☐ Copies Attached
2. Other water rights with same point of diversion: none
_____ ☐ 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

SEP 14 1989

Scale: 1" = Not to Scale

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.)

Mr. Husome uses a portable 1/2 HP pump to irrigate the property surrounding his cabin with Little Salmon River water. Pump was not in place during field examination, but I could see where it had been placed in the past. Total area irrigated: about 3505 ft² (.1 acre).

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
		1/2	portable pump; not		present during examination

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

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

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	NE	8	23N	1E	Idaho	Topog. Map

6. **Place(s) of Use:**

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
23N	1E	8				-1													.1

MICROFILMED

SEP 14 1989

Do not use this space

Do not use this space

MICROFILMED

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. Measurements:

none possible; allow .03 cfs irrigation

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3); Flow rate: _____ 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 Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = .1 \times 4.0 = .4 \text{ afa}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .03 \times 275 \times 1.9835 = 16.4 \text{ afa}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = .4 \text{ afa}$

2. Volume Calculations for Other Uses:

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SEP 14 1989

H. REMARKS AND OVERLAP REVIEW ANALYSIS

255 14 1989
WICKOLITTED

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	3/1	12/1	.03	.4
Totals:			.03	.4

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 Brad E. Dingee
Signature Brad E. Dingee
Certification Date _____
Field Report Preparation Date 8 6/9/88

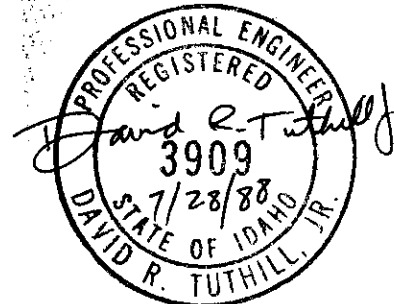
CONSULTANT SEAL

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

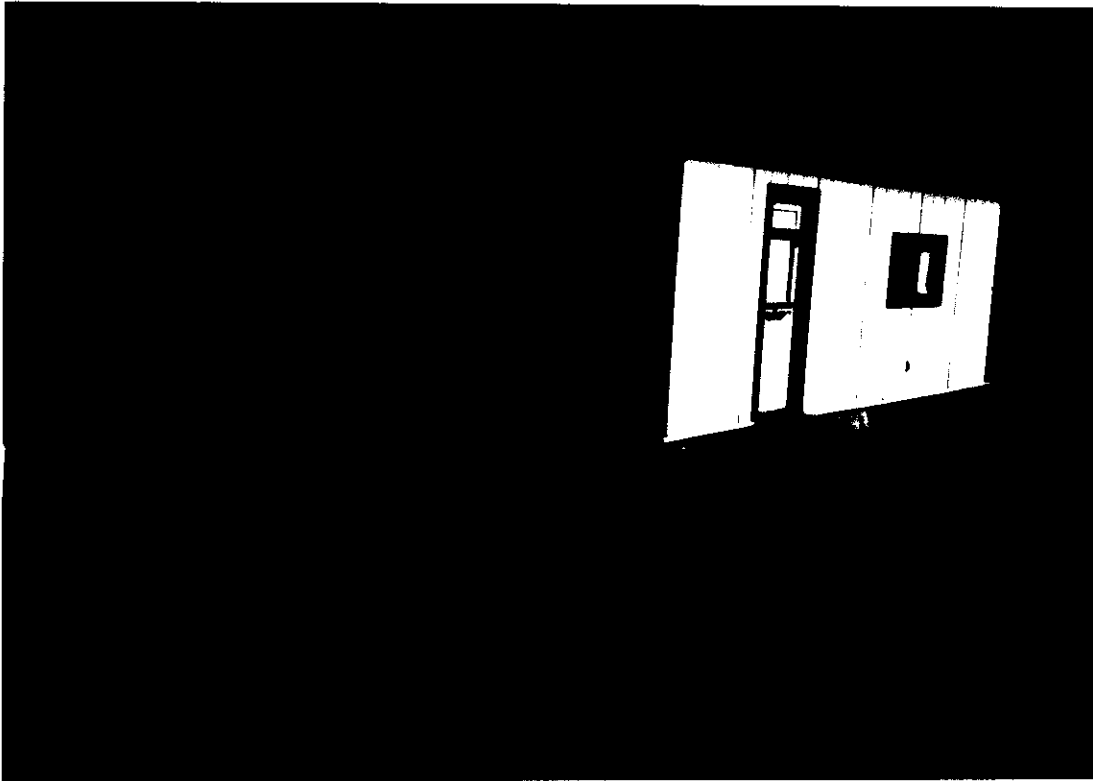
DOM 3/20/89

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SEP 14 1989



78-7115

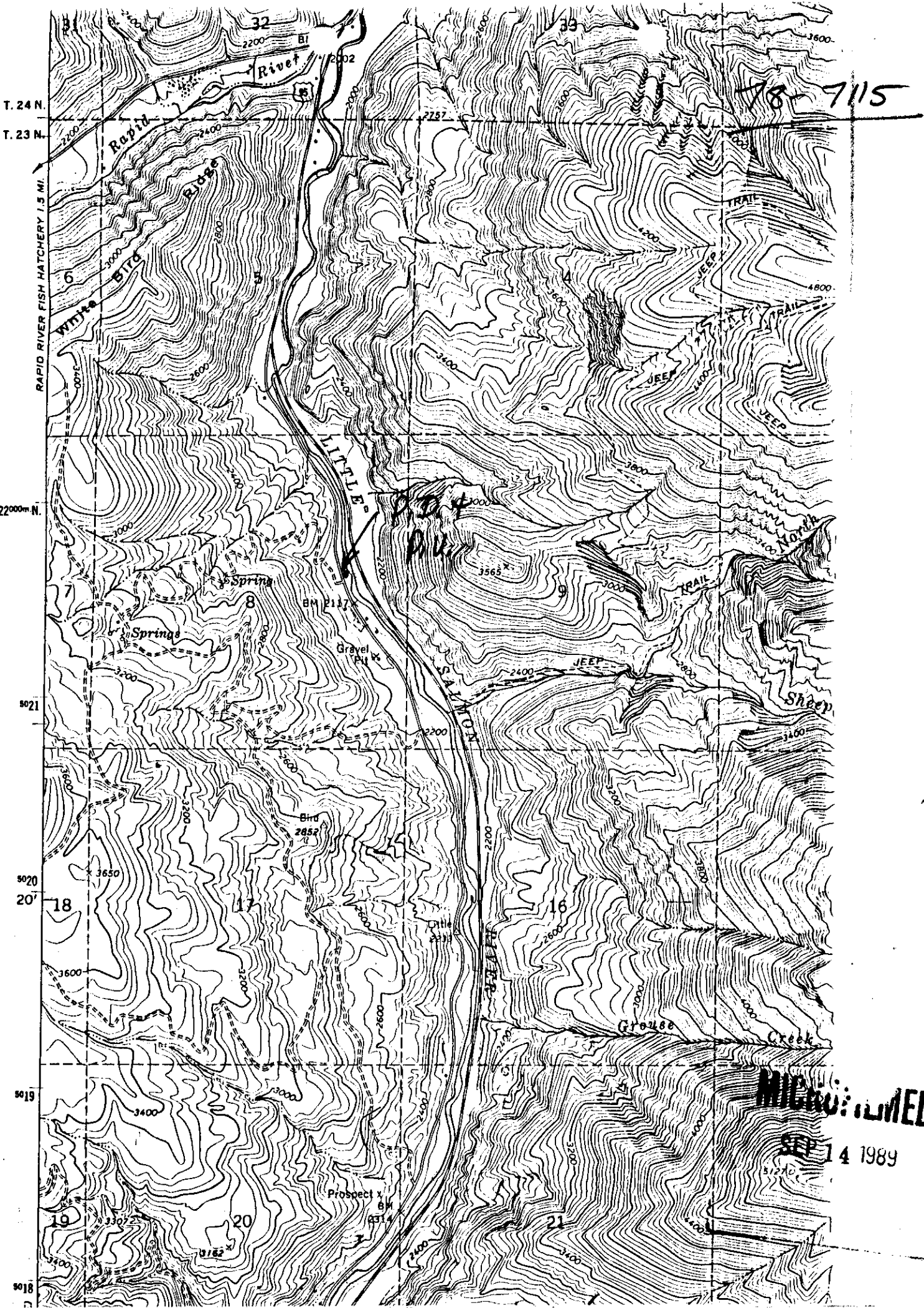


P.U.

P.D. located behind house along Little Salmon River; pump not in place during examination, although its location could be seen.

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SEP 14 1989



78-7115

MICROFILMED

SEP 14 1989

CALCULATION OF NEW PRIORITY DATE

FROM: RITA FLECK

TO: FILE # 78-7115

DATE: 1-27-1984

Date proof received

389

Jan. 4 '84

Proof due

- 335

Dec. 1

Number of day proof late

34

Priority date

+ 255

Sept 12, 1978

New priority date

289

Oct. 16, 1978

Remarks:

Return ext. request

MICROFILMED

February 2, 1984

Robert G. Husome
3243 Betty Ross Way
Boise, ID 83706

Dear Mr. Husome:

Re: Permit No. 78-7115

This office acknowledges receipt of the statement of beneficial use postcard submitted for this permit. The permit has been reinstated with an advance in priority as per enclosed order. Also enclosed is the extension of time form submitted with the postcard, as it is not necessary to submit both forms.

Before a license can be issued, a field examination must be made by a representative of this department. We cannot tell just when this examination will be made, but our examiner will contact you to schedule the exam at a convenient time.

If you have any questions regarding the field examination, please feel free to contact our Western Regional Office at 334-#190.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

25 FEB 1984

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 78-7115.

Name(s) of Permit Holder: Robert E. Hammond

Post Office Address: 3242 B. St., Rosalia,
Boise, Id. 83206 Tel. No. 345-3652

Source of Water: Little Salmon River

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 1 (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.

January 3, 1968 Date Robert E. Hammond Signature of Permit Holder

PLACE
13 CENT
STAMP
HERE

RECEIVED

JAN 4 1984



Department of Water Resources
IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Statehood
Boise, Idaho 83720

UNDELIVERABLE AS ADDRESSED

this
address



ALWAYS
USE ZIP CODE

Attempted
G89m 11-15-83

RECEIVED

2243 2000 11-16 1983

Boise, Idaho 83720

INTER-DEPARTMENT MEMO — 1

FROM Rita Fleck

DATE 12-20-83

TO File 78-7115

SUBJECT Returned B/U Notice

The Idaho County Assessor has an address of 3243 Betsy Ross Way, Boise,
Idaho 83706 for Robert Husome. The notice is sent to that address.


SIGNATURE

INTER-DEPARTMENT MEMO — 1

DATE 11-4-83

FROM

Rita Fluck

TO

File 78-7115

SUBJECT

Returned B/L Notice

Because the notice was returned unclaimed
I returned it to the same address to try delivering
again.

SIGNATURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
house
e, Idaho 83720

RETURNED TO SENDER

REASON RETURNED

Unclaimed ☒ Refused ☐

Addressee unknown ☐

Insufficient address ☐

No such street ☐ No such office in state ☐

Do not forward in this envelope ☐

RECEIVED

OCT 19 1983

Department of Water Resources

CLERK OVERSEER
135684

DEVELOP

DATE

CERTIFIED MAIL

10-3
10-11
10-18

NO. 138044

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL

138044

HUSOME, ROBERT
781 GREENWOOD DRIVE
TWIN FALLS, ID 83301

PROOF DUE NOTICE

SEPTEMBER 30, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 78-7115 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE DECEMBER 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

IF YOU HAVE NOT FULLY COMPLETED YOUR PROJECT, AND YOU OR A PREVIOUS OWNER OF THIS PERMIT HAVE NOT RECEIVED A PRIOR EXTENSION OF TIME, YOU MAY REQUEST AN EXTENSION OF TIME IF THE DELAY IS FOR REASONABLE CAUSE AS PROVIDED IN SECTION 42-204, IDAHO CODE. IF YOU HAVE BEEN PREVENTED FROM PROCEEDING BY A GOVERNMENTAL AGENCY OR BY LITIGATION, MORE THAN ONE EXTENSION OF TIME CAN BE GRANTED. AN EXTENSION OF TIME REQUEST FORM IS ENCLOSED FOR YOUR CONVENIENCE.

EITHER THE BENEFICIAL USE POSTCARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

MICROFILM



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

December 18, 1978

Re: Permit No. 78-7115

Robert Husome
781 Greenwood Drive
Twin Falls, Idaho 83301

Dear Mr. Husome:

Enclosed is a copy of your approved Application for Permit No. 78-7115. We direct your attention to the conditions of approval as listed on the fourth page.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

LGS:kw
Enclosure

MICROFILMED

78-7115

*TAFF REVIEW - STATE OFFICE

1. ✓ Name vs. Signature
2. S.W. Source
3. ✓ Point of Diversion
4. ✓ Amnt. & Period of Use
5. ✓ Descrip. of Diverting Wrks.
6. 5 Time req. for Proof of B/U
7. N/A Place of Use for other than irrig.
8. 1 Place of Use for irrigation (add acres)
9. App Property Owner at Pt. ✓ of Div. & Pl. ✓ of Use
10. ✓ Map
11. 20 Fee & Rec't. No.

Copies Sent To:

<u>No</u> Idaho Health Department	<u>No</u> U.S.F.S.
<u>1</u> Idaho Fish & Game Dept.	<u>1</u> Dept. of Lands
<u>1</u> Bureau of Land Management	<u>1</u> Other

Dam Safety Information N/A (Goes to Permit Section)

Check:

Critical G.W. Area yes ✓ noOther rights on same land None plottedWithdrawals of all protests received yes no

Conditions:

ID Power Co. Letter - Snake R. NoID Power Co. Letter - G.W. & Tribs. NoSnake River Condition NoPayette River Letter NoPriority Date 9-12-78Water Quality #16 NoWater Quality #10 Nointrastate interstate Meas. Dev. or Sc. Meas. NoTotalizing meter NoSupplemental NoRight-of-Way Cond. NoWatermaster Cond. No
Wtr. Dist No. Meas. Dev. Cond. for apps within
a Water Dist. NoFIRST make change on item
#4John

Reviewer

12-18-78
Date

Condition:

No more than 0.04 cfs shall
be diverted under this permit.

IDENT. 1

[illegible]

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 78-715

☒ 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 CORRECTED
☒ Signature
☒ Fee

(1) CRB 25 Sept 78

In form to receipt

(2) _____

Send Copies to:

_____ Idaho State Health Department
_____ Idaho Fish and Game Department
_____ Bureau of Land Management

(3) _____

_____ Request Special Use Permit from U.S.F.S.
_____ Request Easement from B.L.M.
_____ Request Information from Applicant
_____ Request Dam Safety Information

(4) CRB 25 Sept 78

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no _____

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use

(10) _____

Comments: _____

(11) st 11-7-78

Affidavit of Publication received (date) 10-30-78

(12) _____

Final date for protests 10-23-78

Protests received: yes _____ no ✓

(13) _____

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

(14) _____

Action recommended:

✓ Approve _____ Deny

9-12-78 Proposed Priority

_____ Reason for Reduction _____

No Measuring device required

_____ See attached sheet for other conditions of approval

_____ No special conditions for approval

(15) District W

By [Signature] Date 12/12/78

Allow 0.04 cfs
RECEIVED
DEC 14 1978

Department of Water Resources

November 20, 1978

Mr. Robert Husome
781 Greenwood Drive
Twin Falls, ID 83301

RE: Application for Permit No. 78-7115

Dear Mr. Husome:

The Department has reviewed the above-numbered application for permit filed by you on September 12, 1978. It appears that the diversion rate requested by you may have been misstated as 0.2 cfs whereas the amount should have been 20 gallons per minute or .04 cfs.

In the remarks portion of your application you state that the requested diversion rate is the approximate pump capacity. From my calculations it appears that the approximate pump capacity is more likely 20 gallons per minute. Additionally, the Department usually allows only .02 cfs per acre of land however on small acreages such as yours, we are aware that it is often necessary to use higher diversion rates.

Based upon the apparent capacity of your pump and the Department's diversion rate per acre, it is our intention to allow a total of 0.04 cfs per this application. The 0.04 cfs is approximately 18 gallons per minute and should be about the capacity of your pump. It should also be adequate to irrigate the one acre you have applied for.

If the diversion rate of 0.04 cfs is not acceptable, please notify this Department by December 1, 1978. If we do not hear from you by that date, your application will be recommended for approval with a diversion rate of 0.04 cfs. If you have any questions in this matter please feel free to contact this office.

Yours truly,

DAVID B. SHAW
Western Regional Supervisor

DBS/st

UNRECORDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

SEPTEMBER 27, 1978

Idaho County Free Press
Box 267
Grangeville, ID 83530

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. 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)

Please send the affidavit of publication and publication billing to this office before OCTOBER 23, 1978.

Yours truly,

Sally Trinkaus
Secretary

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NOTICE OF APPLICATION FOR WATER RIGHT

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

Z8-Z115-

Name: HUSOME, ROBERT

Address: 781 GREENWOOD DRIVE, TWIN FALLS, ID 83301

Source: LITTLE SALMON RIVER tributary to SALMON RIVER

Date Filed: 09/12/1978

County: IDAHO

Amount: 0.20 CFS

Point of Diversion: SENE S08 T23N R01E

Use: IRRIGATION from 03/01 to 12/01

Place of Use: SENE S08 T23N R01E FOR 1 ACRES

Means: PUMP AND SPRINKLER SYSTEM

RECEIVED
NOV 1 1978
FBI - TWIN FALLS

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83705 on or before OCTOBER 23, 1978.

C. STEPHEN ALLRED

Director

Published in the Idaho County Free Press
on October 5, 1978 and October 12, 1978.

ROUTING SLIP

DATE <u>7/21</u>	ME _____
TO: _____	REF. No. (if any) _____
FROM: (show title) _____	_____

FOR YOUR:

- ☐ Information
- ☐ Approval
- ☐ Signature

REVIEW AND:

- ☐ Call Me ☐ See Me
- ☐ Comment & Return
- ☐ Take Proper Action
- ☐ Draft a Reply for Me

PER:

- ☐ Our Conversation
- ☐ Your Request
- ☐ Boss's Request

sent original to

Western —

Basin #
T + R.



TO _____

LE YOU WERE OUT

DATE _____ TIME _____

M _____

OF _____

PHONE: _____
AREA CODE NUMBER EXT.

- | | | |
|--------------------------------------|---|--|
| ☐ Telephoned | ☐ Returned Your Call | ☐ Will Call Again |
| ☐ Please Call | ☐ Called to See You | |

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Robert Husome Phone 734-3026

Post office address 781 Greenwood Drive, Twin Falls, Idaho 83301

2. Source of water supply Little Salmon River which is a tributary of Salmon River

3. Location of point of diversion is SE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 8 Township 23N

Range 1E B.M. Idaho County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.20 cfs for irrigation purposes from Mar 1 to Dec 1 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated:

a. 0.20 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. $\frac{1}{2}$ hp pump, $1\frac{1}{2}$ " line to handline sprinkler
system

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

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

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

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

8. Description of proposed uses:

a. If water is not for irrigation:

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

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

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

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

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

RECEIVED

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

[illegible]

Total number of acres to be irrigated 1

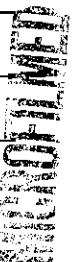
c. Describe any other water rights used for the same purposes as described above. _____

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

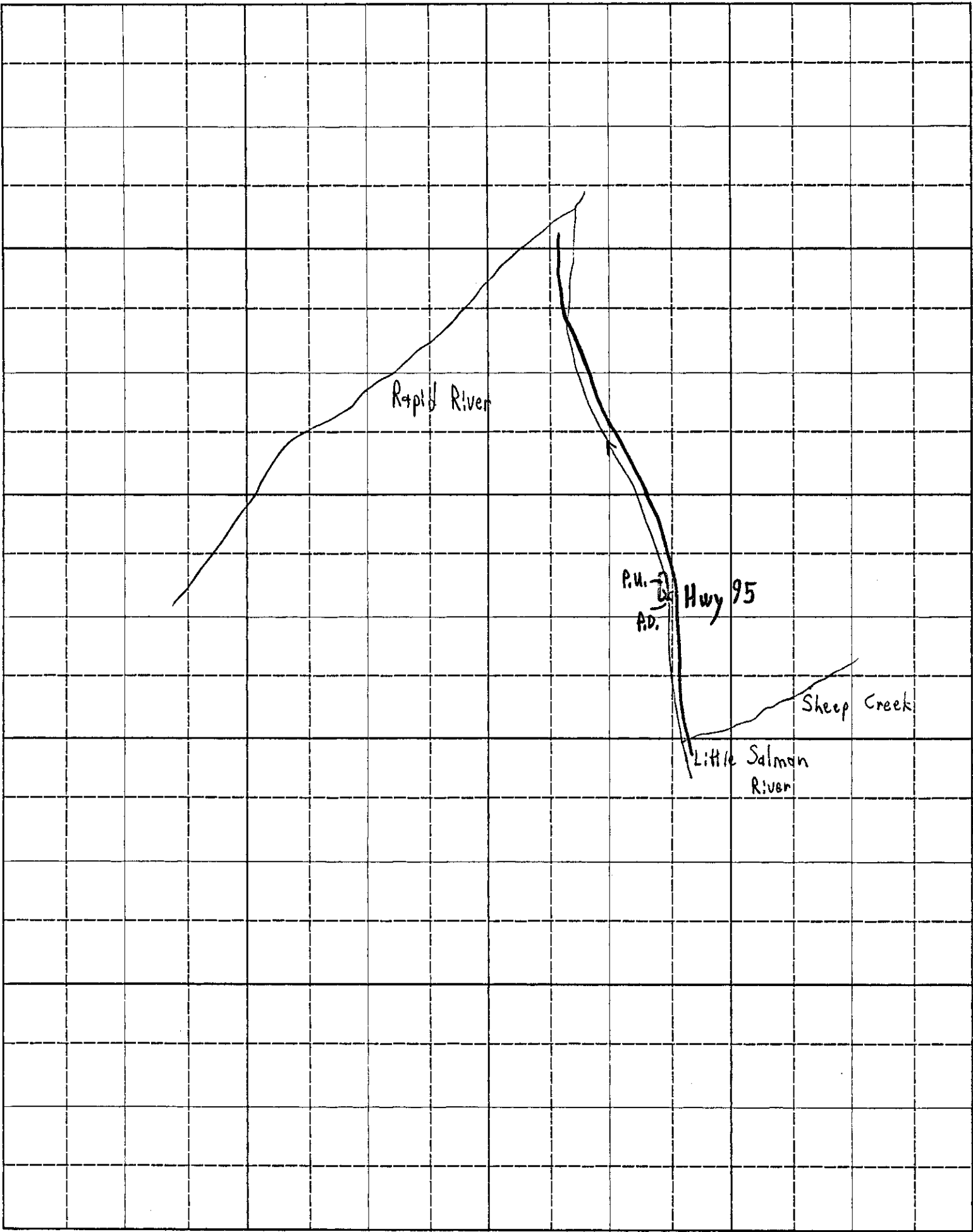
b. Who owns the land to be irrigated or place of use Applicant

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 Amount filed on is approximate capacity of the pump. Soil is rocky, and
does not hold water very well.



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.

Paul J. Hume
(Applicant)

Received by JA Date 9-12-78 Time 11:30 am
Preliminary check by _____ Fee \$ 20.00 # 10560
Receipted by macja Date 9/12/78
Publication prepared by _____ Date _____
Published in _____
Publication dates _____
Publication approved _____ Date _____
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. _____, and said application is hereby _____.

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

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

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

Director

THIS DEED OF TRUST, Made this 3 day of May, 1977,
BETWEEN _____ wife

Robert Husome and Barbara A. Husome, husband and / herein called GRANTOR,
 whose address is Route 3 Pox 64-A, Jerome, Idaho, AND TELAND ABSTRACT COMPANY, A
 CORPORATION, GRANGEVILLE, IDAHO, herein called TRUSTEE, and
 Edward L. Gill and Dolina C. Gill, husband and wife, herein called BENEFICIARY,
 WITNESSETH: That Grantor does hereby irrevocably GRANT, BARGAIN, SELL AND CONVEY TO TRUSTEE
 IN TRUST, WITH POWER OF SALE, that property in the County of Idaho
 State of Idaho, described as follows and containing not more than twenty acres:

Twp. 23 N., Rge. 1 E. B.M., Idaho County, Idaho
Sec. 8: Part of SE $\frac{1}{4}$ NE $\frac{1}{4}$ described as: Beginning at a 5/8"x30"
rebar set on the easterly line of U. S. Highway 95,
Section 9-G from which rebar the SW corner of said
SE $\frac{1}{4}$ NE $\frac{1}{4}$ bears S.84°35'W. 385 feet and S.19°19'E. 197.70
feet
thence N.16°54'W. 192.80 feet to a 5/8"x30" rebar
thence N.13°09'W. 273.64 feet
thence N.2°43'W. 289.03 feet all along the easterly
line of said highway to a 5/8"x30" rebar set on the
left bank of the Little Salmon River
thence East 35 feet to the center of said River
thence S.14°16'E. 535.06 feet
thence S.7°26'E. 204.29 feet all along the center of
said River to a point from which a 5/8"x30" rebar
bears S.73°06'W. 30 feet
thence S.73°06'W. 64.74 feet to the place of beginning

Grantor in the sum of Four Thousand Five Hundred and no/100 Dollars, (\$4,500.00)
final payment due on or before May 15, 1979

final payment due on or before May 15, 1979 and to secure payment of all such further sums as may hereafter be loaned or advanced by the Beneficiary herein to the Grantor herein, or any or either of them, while record owner of present interest, for any purpose, and of any notes, drafts or other instruments representing such further loans, advances or expenditures together with interest on all such sums at the rate therein provided. Provided, however, that the making of such further loans, advances or expenditures shall be optional with the Beneficiary, and provided, further, that it is the express intention of the parties to this Deed of Trust that it shall stand as continuing security until paid for all such advances together with interest thereon.

A. To protect the security of this Deed of Trust, Grantor agrees:

1. To keep said property in good condition and repair; not to remove or demolish any building thereon; to complete or restore promptly and in good and workmanlike manner any building which may be constructed, damaged or destroyed thereon and to pay when due all claims for labor performed and materials furnished therefor; to comply with all laws affecting said property or requiring any alterations or improvements to be made thereon; not to commit or permit waste thereof; not to commit, suffer or permit any act upon said property in violation of law; to cultivate, irrigate, fertilize, fumigate, prune and do all other acts which from the character or use of said property may be reasonably necessary, the specific enumerations herein not excluding the general.

2. To provide, maintain and deliver to Beneficiary fire insurance satisfactory to and with loss payable to Beneficiary. The amount collected under any fire or other insurance policy may be applied by Beneficiary upon any indebtedness secured hereby and in such order as Beneficiary may determine, or at option of Beneficiary the entire amount so collected or any part thereof may be released to Grantor. Such application or release shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.

3. To appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of Beneficiary or Trustee; and to pay all costs and expenses, including cost of evidence of title and attorney's fees in a reasonable sum, in any such action or proceeding in which Beneficiary or Trustee may appear.

4. To pay: at least ten days before delinquency all taxes and assessments affecting said property, when due, all encumbrances, charges and liens, with interest, on said property or any part thereof, which appear to be prior or superior hereto; all costs, fees and expenses of this Trust. In addition to the payments due in accordance with the terms of the note hereby secured the Grantor shall at the option, and on demand of the Beneficiary, pay each month 1/12 of the estimated annual taxes, assessments, insurance premiums, maintenance and other charges upon the property, nevertheless in trust for Grantor's use and benefit and for the payment by Beneficiary of any such items when due. Grantor's failure so to pay shall constitute a default under this trust.

5. To pay immediately and without demand all sums expended by Beneficiary or Trustee pursuant to the provisions hereof, with interest from date of expenditure at eight per cent per annum.

6. Should Grantor fail to make any payment or to do any act as herein provided, then Beneficiary or Trustee, but without obligation so to do and without notice to or demand upon Grantor and without releasing Grantor from any obligation hereof, may: make or do the same in such manner and to such extent as either may deem necessary to protect the security hereof, Beneficiary or Trustee being authorized to enter upon said property for such purposes; appear in and defend any action or proceeding purporting to affect the security hereof or the rights or powers of Beneficiary or Trustee; pay, purchase, contest or compromise any encumbrance, charge or lien which in the judgment of either appears to be prior or superior hereto; and, in exercising any such powers, or in enforcing this Deed of Trust by judicial foreclosure, pay necessary expenses, employ counsel and pay his reasonable fees.

B. It is mutually agreed that:

1. Any award of damages in connection with any condemnation for public use of or injury to said property or any part thereof is hereby assigned and shall be paid to Beneficiary who may apply or release such moneys received by him in the same manner and with the same effect as above provided for disposition of proceeds of fire or other insurance.

2. By accepting payment of any sum secured hereby after its due date, Beneficiary does not waive his right either to require prompt payment when due of all other sums so secured or to declare default for failure so to pay.

3. At any time or from time to time, without liability therefor and without notice, upon written request of Beneficiary and presentation of this Deed and said note for endorsement, and without affecting the personal liability of any person for payment of the indebtedness secured hereby, Trustee may: reconvey all or any part of said property; consent to the making of any map or plat thereof; join in granting any easement thereon; or join in any extension agreement or any agreement subordinating the lien or charge hereof.

4. Upon written request of Beneficiary stating that all sums secured hereby have been paid, and upon surrender of this Deed and said note to Trustee for cancellation and retention and upon payment of its fees, Trustee shall reconvey, without warranty, the property then held hereunder. The recitals in any reconveyance executed under this deed of trust of any matters or facts shall be conclusive proof of the truthfulness thereof. The grantee in such reconveyance may be described as "the person or persons legally entitled thereto."

5. As additional security, Grantor hereby gives to and confers upon Beneficiary the right, power and authority, during the continuance of these Trusts, to collect the rents, issues and profits of said property, reserving unto Grantor the right, prior to any default by Grantor in payment of any indebtedness secured hereby or in performance of any agreement hereunder, to collect and retain such rents, issues and profits as they become due and payable. Upon any such default, Beneficiary may at any time without notice, either in person, by agent, or by a receiver to be appointed by a court, and without regard to the adequacy of any security for the indebtedness hereby secured, enter upon and take possession of said property or any part thereof, in his own name, or for or otherwise collect such rents, issues and profits, including those past due and unpaid, and apply the same, less costs and charges of operation and collection, including reasonable attorney's fees, upon any indebtedness secured hereby, and in such order as Beneficiary may determine. The entering upon and taking possession of said property, the collection of such rents, issues and profits, and the application thereof as aforesaid, shall not cure or waive any default or notice of default hereunder or invalidate any act done pursuant to such notice.