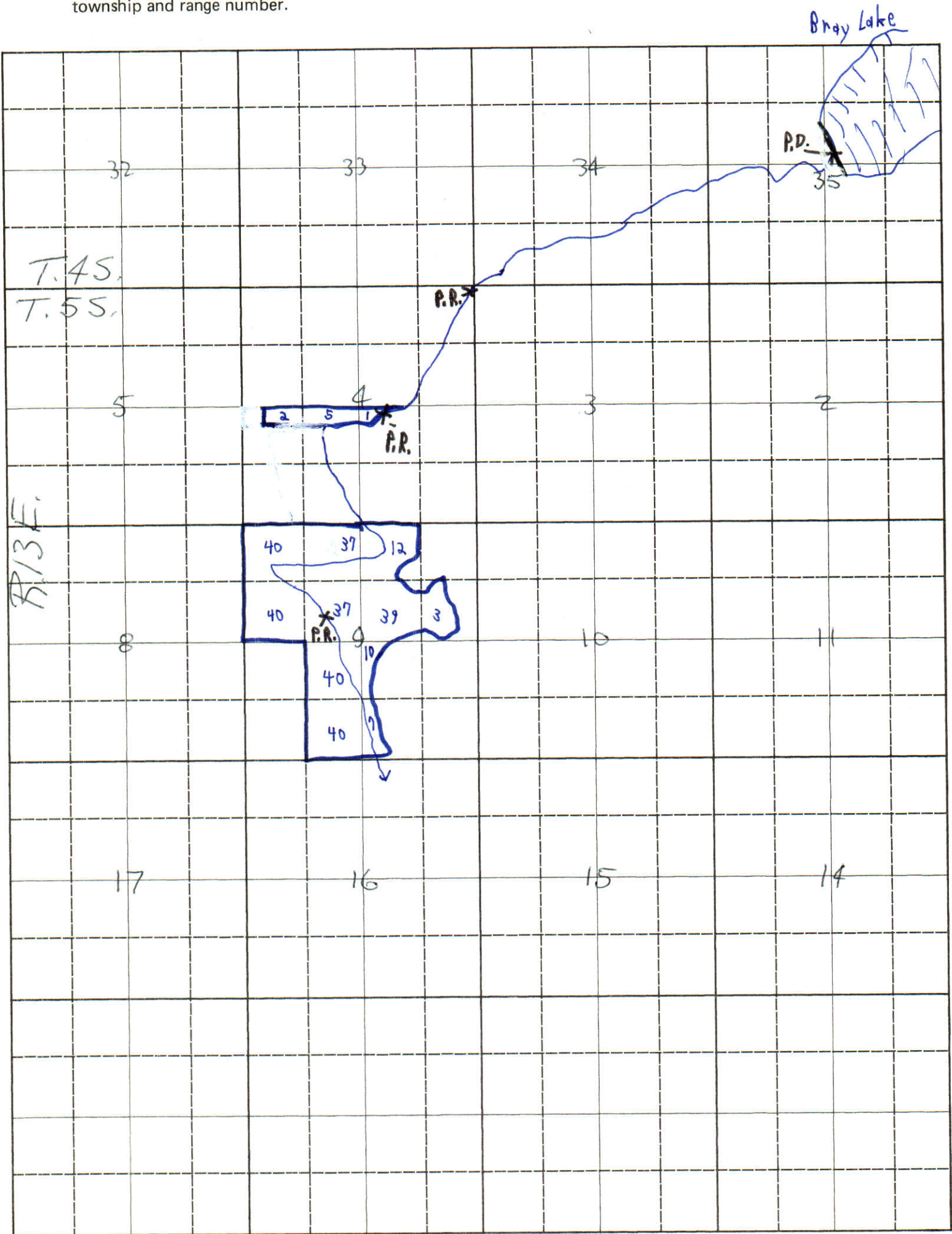


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

S. Paul Shaw
(Applicant)

MICROFILMED

4/3
9/10

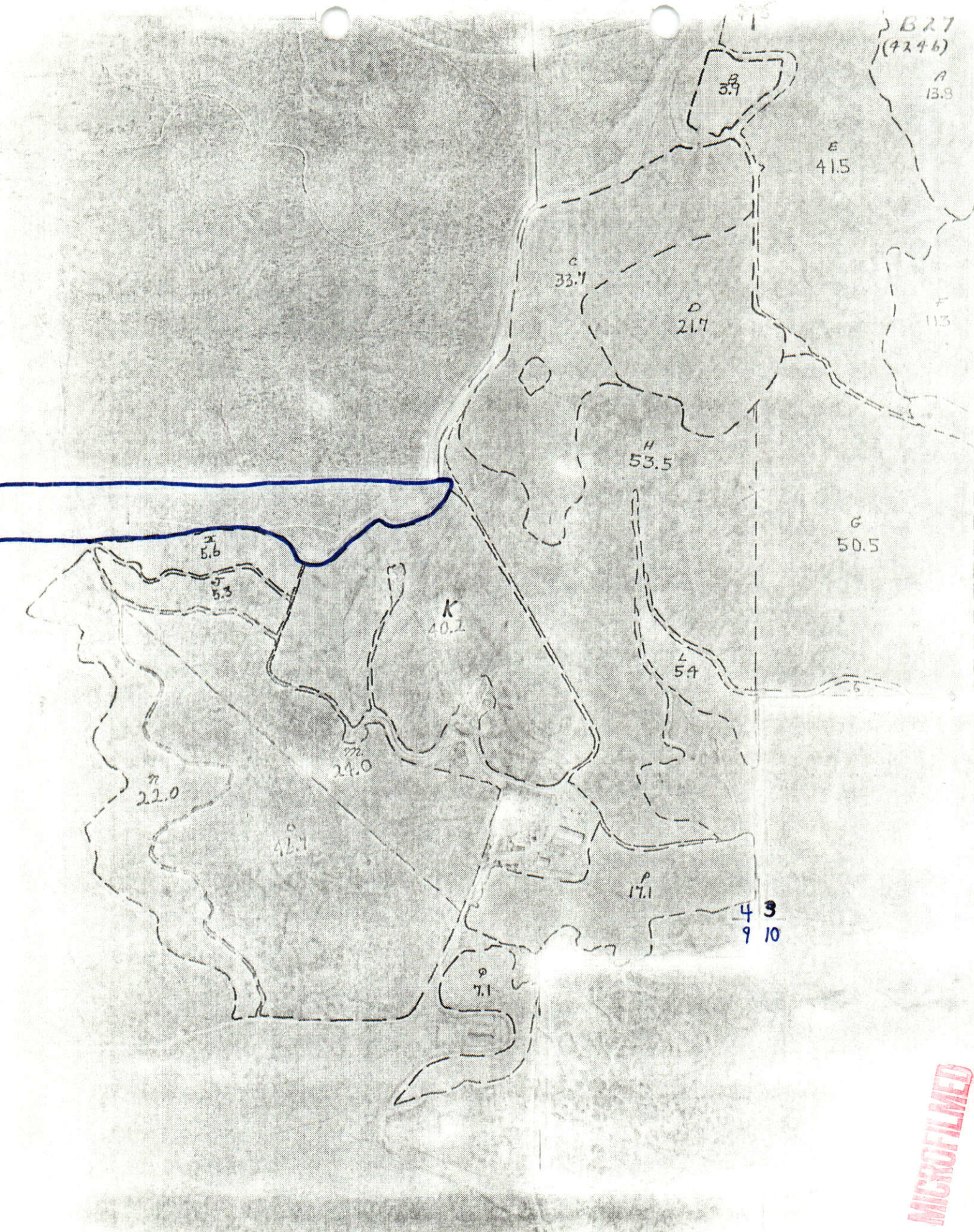


9 | 10
16 | 15

B 60
(3976)

MICROFILMED

"NOT TO SCALE"



B 27
(4246)
A
13.8

E
41.5

C
33.7

D
21.7

F
11.3

H
53.5

G
50.5

I
5.4

S
5.6

J
5.3

K
40.2

L
22.0

M
14.0

N
42.7

O
17.1

P
7.1

Q
4.3
R
9.10

MICROFILMED

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Gooding } SS.

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

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 22 day of February

19 79, and the date of the last publication was on the 1

day of March, 19 79.

Robert Crumpton

Subscribed and sworn to before me this 1

day of March, 19 79.
(SEAL)

Garnett Zuer
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice	<u>56</u>
Number of Insertions	<u>2</u>
Lines tabular at	315c
Lines straight at <u>56</u>	21c <u>11.76</u>
Subsequent lines at <u>56</u>	15c <u>8.40</u>
TOTAL COST	<u>20.16</u>

COPY OF NOTICE

(Paste Here)

37-7754

TITLE OF NOTICE

Paul Sears

NOTICE OF AMENDED APPLICATION FOR WATER PERMIT NO. 37-7754

Notice is hereby given that Application for Permit No. 37-7754 in the name of L. Paul Sears, Bliss, Idaho, was filed for the diversion of 6.26 cubic feet per second of water from Bray Lake in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 35, Twp. 4S, Rge. 13E, B.M., Gooding County. Re-diverted: NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4; SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, Twp. 5S, Rge. 13E, to be used from April 1 to November 1, for irrigation of 313 acres within the N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4; NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 9, Twp. 5S, Rge. 13E.

The applicant now proposes to amend Application for Permit No. 37-7754, requesting storage of 1565 acre feet per annum of water in Bray lake for irrigation purposes from January 1 to December 31; also, diversion from storage of 1565 acre feet per annum of water at a rate of 6.26 cfs from Bray lake for irrigation from April 1 to November 1.

No change in place of use.

Any protest against the proposed amending of this application must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, on or before March 12, 1979.

/s/ C. Stephen Allred
Director

Pub: 2-22: 3-1

No 2011

Department of Water Resources
Southern District Office

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Gooding } SS.

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

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 11 day of January

19 79, and the date of the last publication was on the 18

day of January, 19 79.

Subscribed and sworn to before me this 6

day of February, 19 79.

(SEAL)

Garnet H. Hild

NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice 32

Number of Insertions 2

Lines tabular at 315c

Lines straight at 32 21c 6.72

Subsequent lines at 32 15c 4.80

TOTAL COST 11.52

COPY OF NOTICE

(Paste Here)

37-7754

TITLE OF NOTICE

Seals

37-7754

SEARS, PAUL L.
BRAY LAKE RANCH, BOX
145, BLISS, ID 83314

Source: BRAY LAKE RES-
ERVOIR

Date Filed: 12/14/1978

Amount: 6.26 CFS

Diversion Point: SWNE Sec

35 T 04S R 13E NENE NW-

SE Sec 04 T 05S R 13E (RED-

IVERSI SENW Sec 09 T 05S

R 13E (REDIVERSI,

GOODING Co.

Use: IRRIGATION FROM

STORAGE (6.26 CFS) from

04/01 to 11/01

Place of Use: NESW NWSW

NWSE Sec 04 T 05S R 13E

NWNE SWNE SENE NENW

NWNW SWNW SENW Sec 09

T 05S R 13E NESW SESW

NWSE SWSE Sec 09T 05S R

13E FOR 313 ACRES

Diversion Means: EXIST-

ING D A M DELIVERING

TO DITCH &/OR PUMP TO

SPRINKLER SYSTEM

RECEIVED

FEB 8 1979

Department of Water Resources
Southern District Office

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1971)

7 pt. per line, straight 21c

7 pt. per line, tabular 315c

7 pt. per line, successive

insertions 15c

28988

N^o 1986

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 37-7754

1. Owner: Idaho State Bank

Phone No. 922-1105

Current Address: Drawer AE Glenns Ferry ID

2. Accompanied by: Donald Rowe

EXAM. DATE: 6/23/89

Address: P.O. Box 386 Kuna ID 83634

Phone No. Same

Relationship to Permit Holder: Property Manager

3. Source: Bray Lake Storage tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 37-0856, 37-2778, 37-2780

☐ Copies Attached

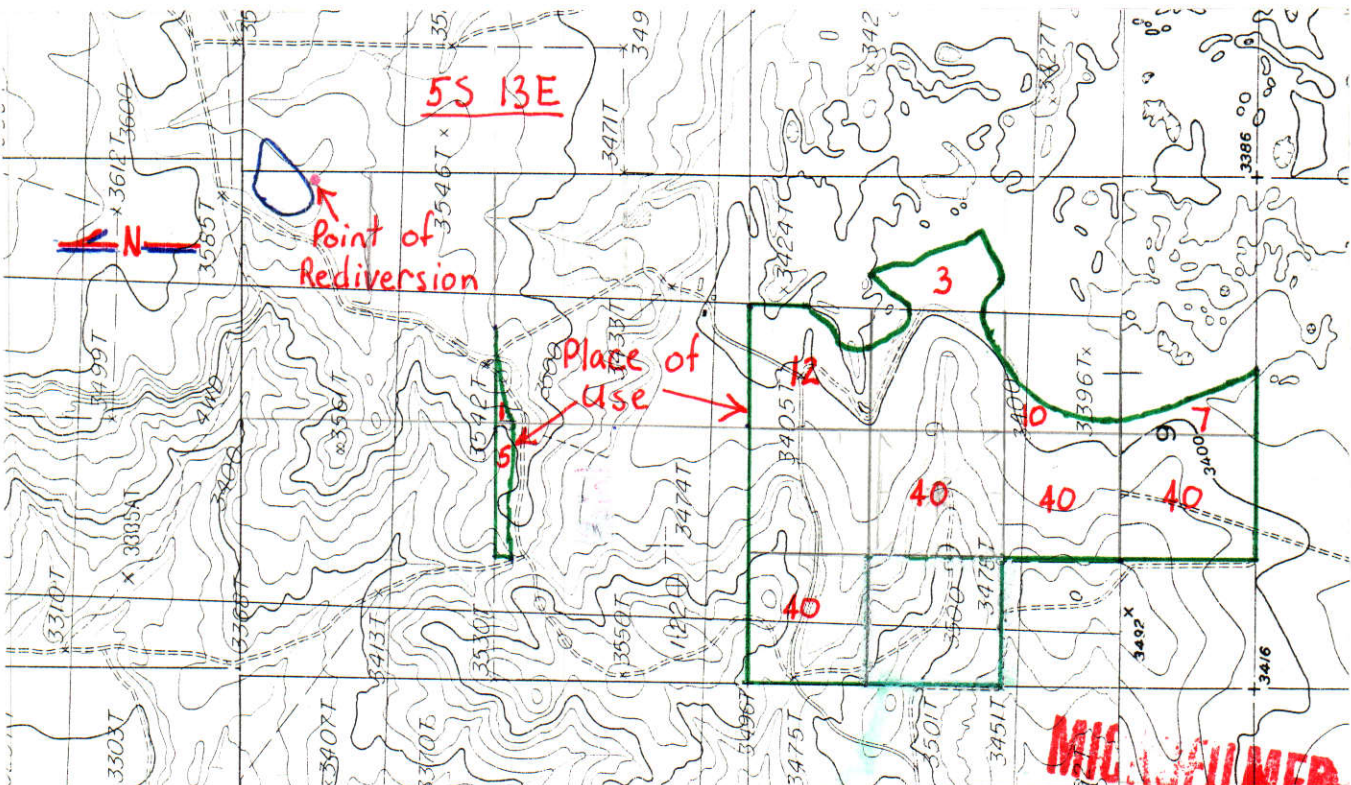
2. Other water rights with same point of diversion: 37-0856, 37-2778, 37-2780

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = _____

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

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

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

JUL 20 1990



Storage for Irrigation



Looking South

MICROFILMED

JUL 23 1990

Looking East





Storage for Irrigation

Looking South



MICROFILMED

JUL 23 1990

Looking East



Storage for Irrigation



Looking South

MICROFILMED

JUL 23 1990

Looking East



Storage for Irrigation

Looking South



MICROFILMED

JUL 23 1990

Looking East



Storage for Irrigation

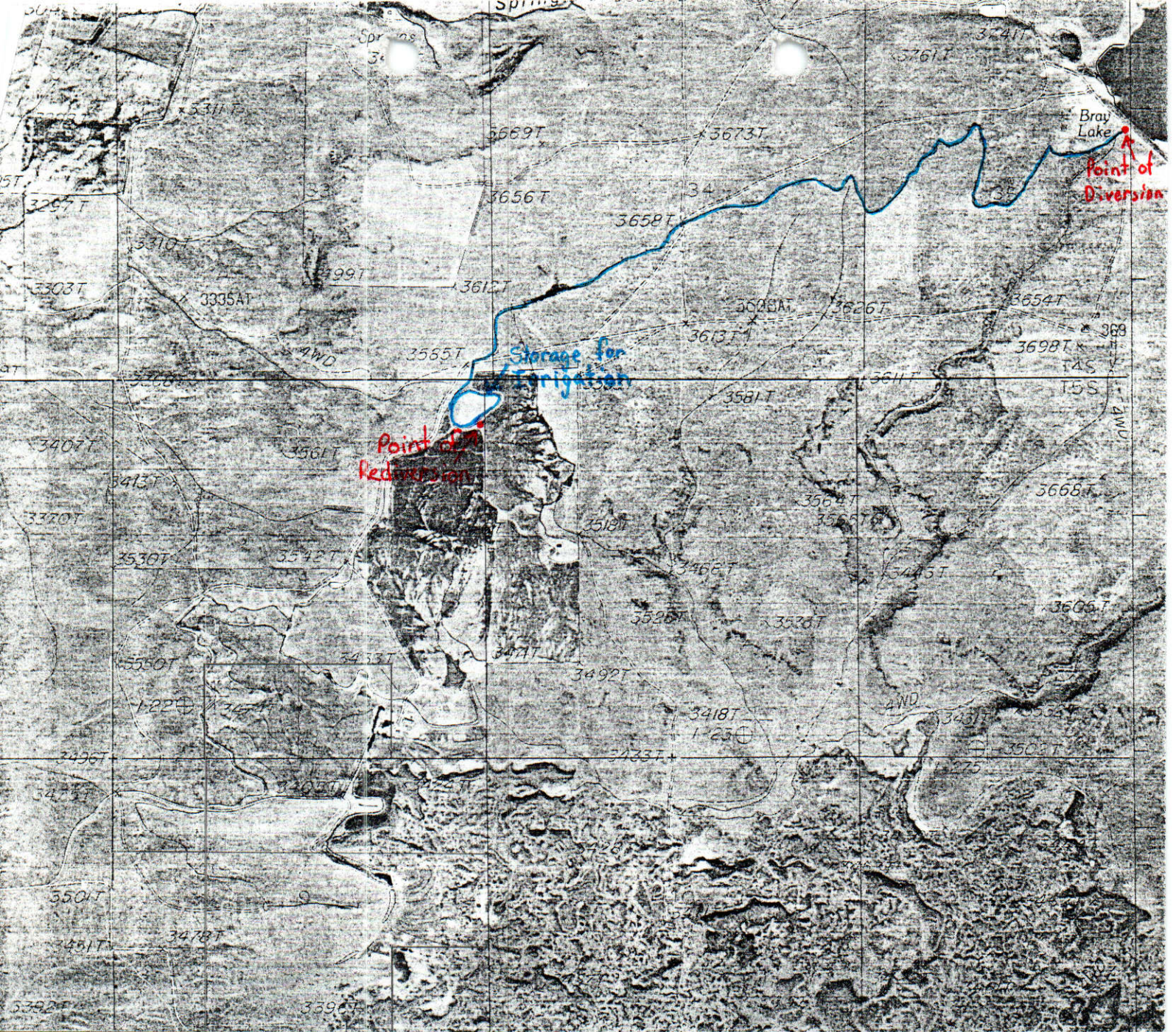
Looking South

MICROFILMED

JUL 23 1990

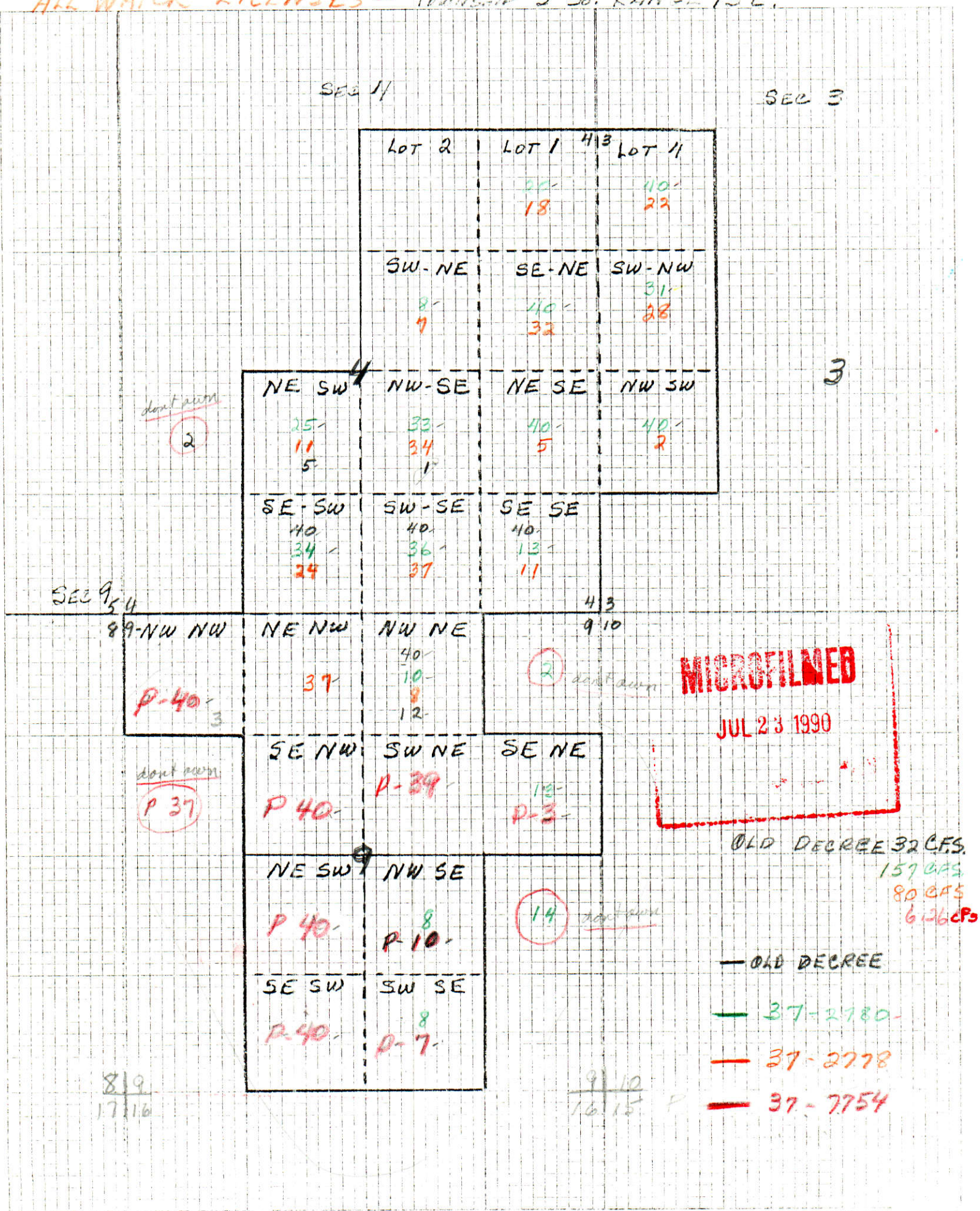
Looking East





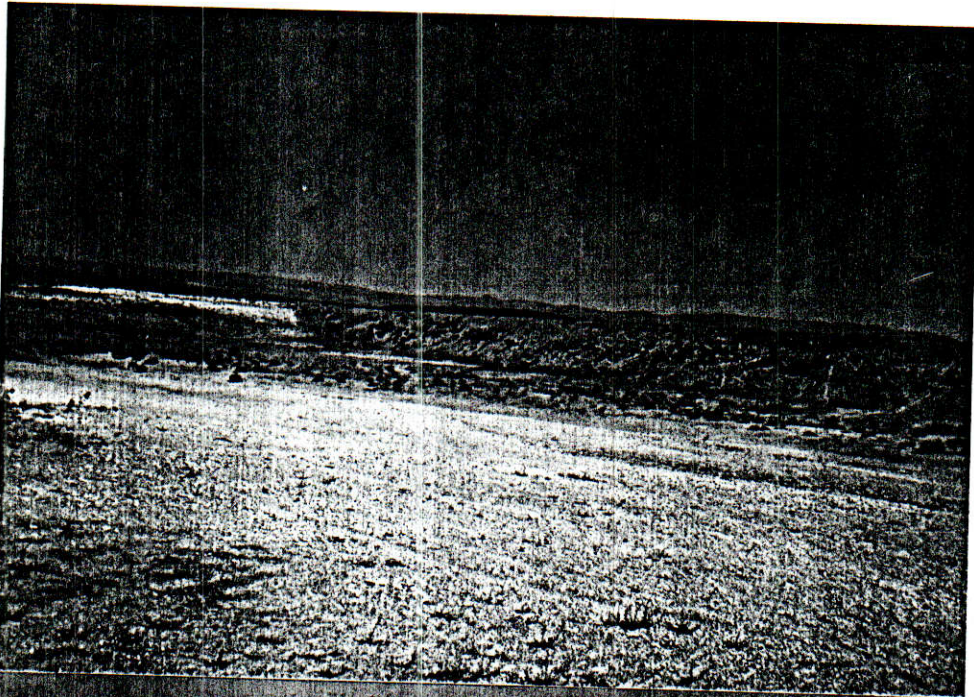
MICROFILMED
JUL 20 1990

ALL WATER LICENSES - TOWNSHIP 5 So. RANGE 13 E.



Bray Lake
D37-2778
7/31/87

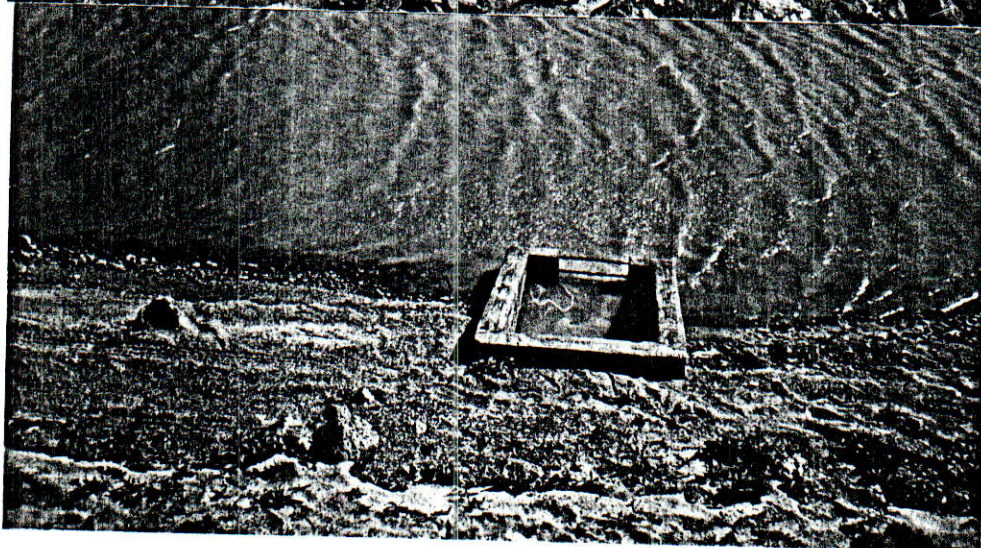
1/3



Downstream slope



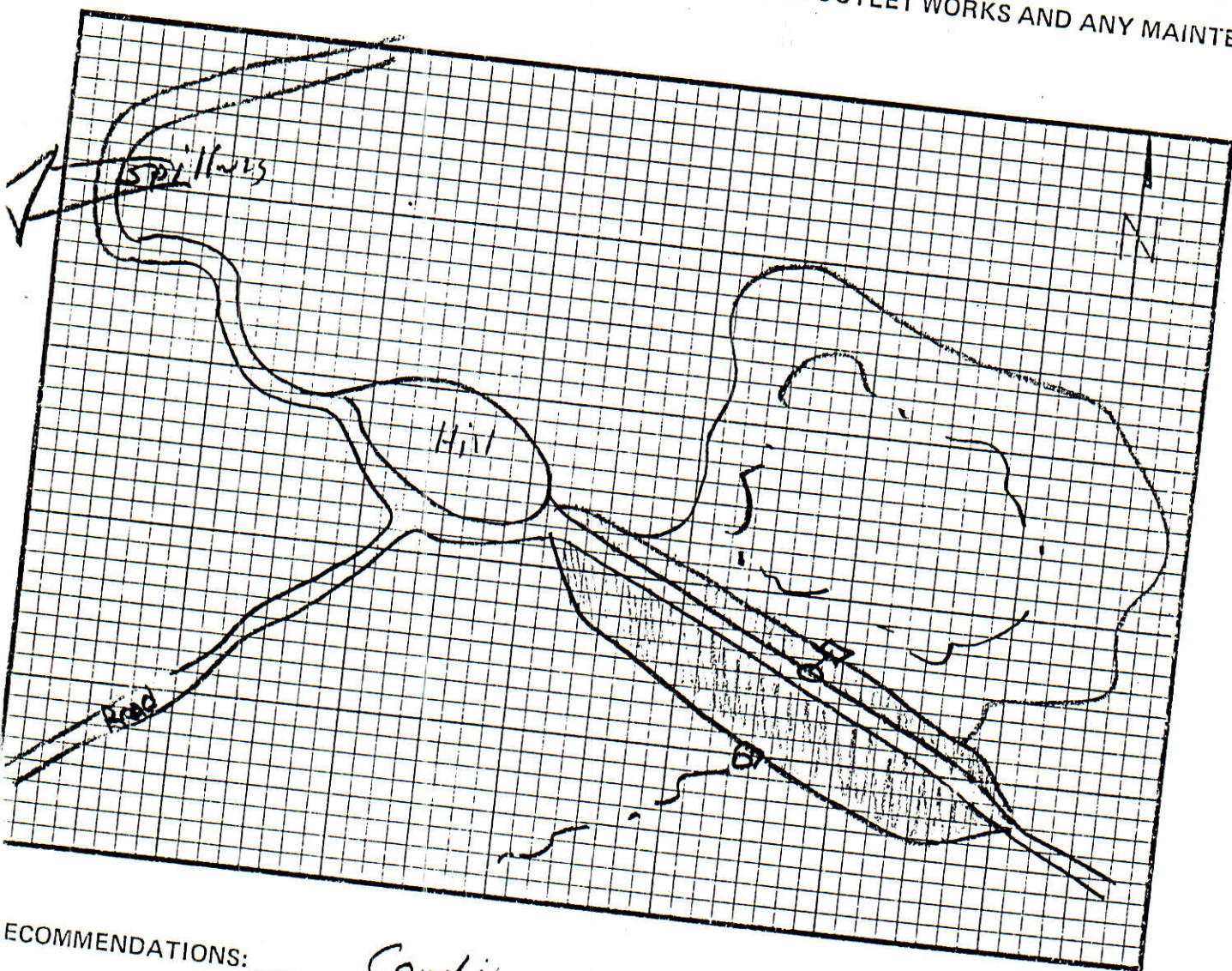
Upstream slope



Inlet box to
outlet pipe.

MICROFILMED
JUL 23 1990

SKETCH OF DAM SHOWING LOCATION OF SPILLWAY AND OUTLET WORKS AND ANY MAINTENANCE PROBLEMS:



RECOMMENDATIONS: Continue routine maintenance.

Issue Certificate for 2 yrs.

7/31

19 87

MICROFILMED

JUL 23 1990

Inspected by:

Allen D. Morris

State of Idaho
Department of Water Resources
AMENDED
WATER RIGHT LICENSE

THIS IS TO CERTIFY, that ALEX MASON
of Bliss, Idaho, has complied with the terms and conditions of Permit
No. R-864/27-2778 issued pursuant to Application for Permit dated October 12, 1950
and has submitted proof to the Department of Water Resources on March 15, 1958 (late proof)
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the storage of 1210 acre feet of water from Dry Creek
tributary to the Big Wood River and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Subject, however, to the condition that no more than 1210 acre feet of water be stored at any one time, and that the amount of water so diverted and to which such right is entitled and conveyed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 3.0 acre feet per acre per year, and waters to be diverted within the NE 1/4, Sec. 6, Twp. 48, Rge. 14 E, B. M., and rediverted at the outlet works in the SW 1/4, Sec. 35, Twp. 48, Rge. 13 E, B. M., in the County of Gooding.

Twp.	Range	Sec.	NW 1/4				SW 1/4				SE 1/4				Totals
			NW 1/4	NE 1/4	SW 1/4	SE 1/4	NW 1/4	NE 1/4	SW 1/4	SE 1/4	NW 1/4	NE 1/4	SW 1/4	SE 1/4	
68	13 E	3					22	26			2				52
		4	18		7	32				11		24	5	21	179
		11		8			3								11

MICROFILMED

JUL 23 1990

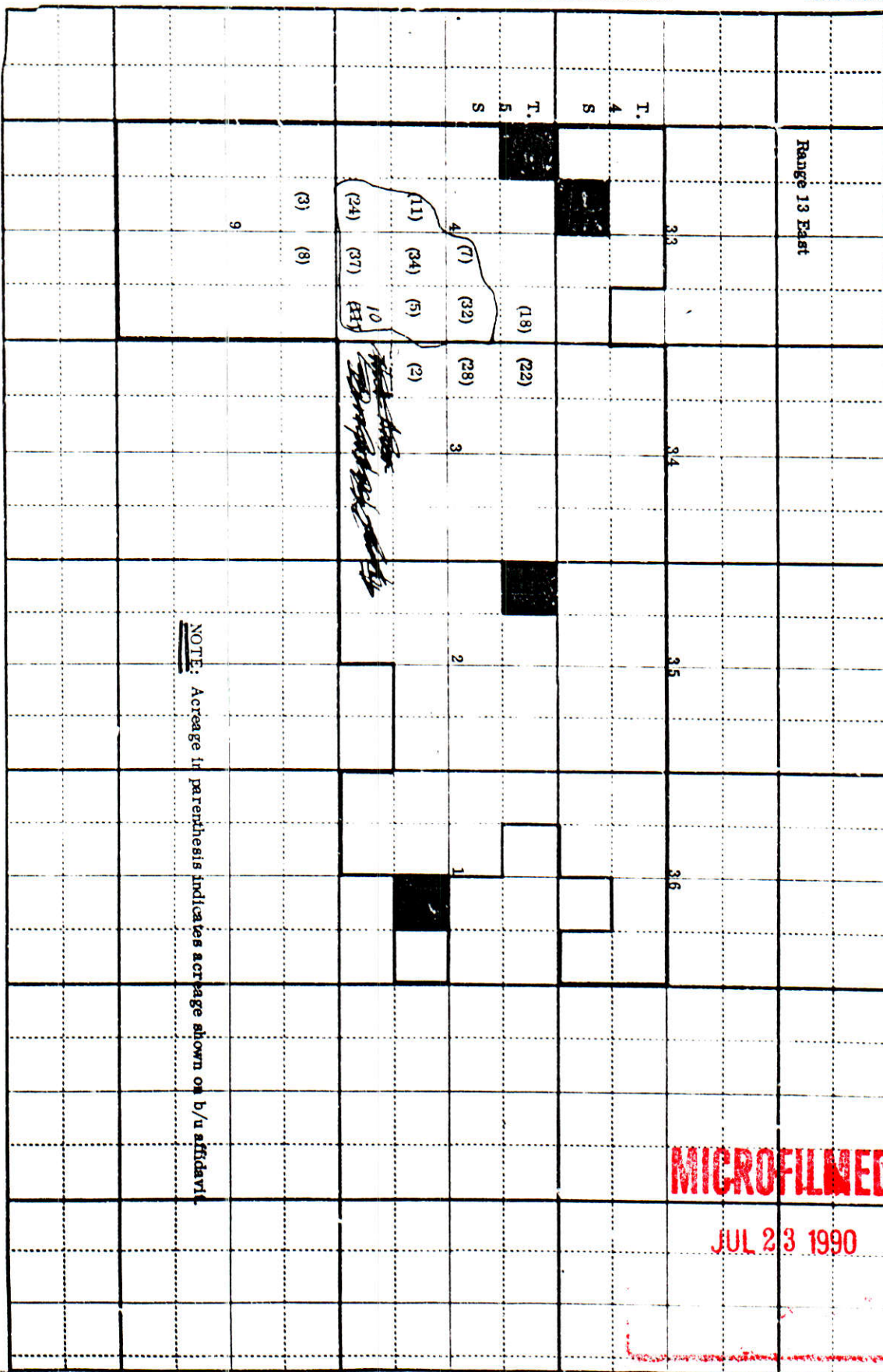
The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this

Director

POINT OF DIVERSION: NE 1/4 Sec. 6, Twp. 4S, Rge. 14E, B.M.

Range 13 East



NOTE: Acreage in parenthesis indicates acreage shown on b/u affidavit.

MICROFILMED

JUL 23 1990

AM
11/10

RECEIVED

State of Idaho

Department of Water Resources

ROUGH DRAFT

WATER RIGHT LICENSE

License of Water Right No. 37-2780 Priority _____ Amount 157
236.77 cfs

THIS IS TO CERTIFY, that Alex Mason
of Box 417, Bliss, Idaho, has complied with the terms and conditions of Permit
No. 37-2780 issued pursuant to Application for Permit dated _____,
and has submitted proof to the Department of Water Resources on _____,
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the ~~236.77 cfs~~ 236.77 cfs and storage of 2400 AF of water from Dry Creek
tributary to Big Wood River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Div. to Storage</u>	<u>from Jan 1 to Dec 31</u>	<u>at 236.77 cfs and</u>	<u>853 AF</u>
<u>Storage</u>	<u>from Jan 1 to Dec 31</u>	<u>at 157 cfs and</u>	<u>2003.5 AF</u>
<u>Irrigation</u>	<u>from April 1 to Oct 31</u>	<u>at 157 cfs and</u>	<u>1856 h AF/yr</u>
(both dates inclusive)			

Subject, however, to the condition that no more than 236.77 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
2003.5 acre feet per year, said waters to be diverted within the NE 1/4 SE 1/4 of Sec 6
T. 4S., R. 14E., B.M.

Description and location of place of use: 71 ft. 314 works in the SWNE Sec 5
Twp 4S, R. 13E, B.M. in the County of Gooding.

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	
<u>5S</u>	<u>13E</u>	<u>3</u>					<u>40</u>	<u>30</u>	<u>2</u>		<u>40</u>								<u>110.2</u>
		<u>4</u>	<u>95</u>		<u>7.3</u>	<u>40</u>				<u>245</u>		<u>332</u>	<u>40</u>	<u>33</u>	<u>X</u>	<u>17.3</u>			<u>246.3</u>
		<u>9</u>	<u>16</u>	<u>10</u>		<u>13</u>	<u>7.5</u>						<u>14</u>	<u>8</u>	<u>8</u>				<u>62.1</u>

No Mex. Device Req'd. Total number of acres irrigated 418.6

ROUGH DRAFT

2115
1210
1210
MICROFILMED

NOTE: 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 right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this _____ day of _____, 19 _____.

2nd EXAM 337
82
157

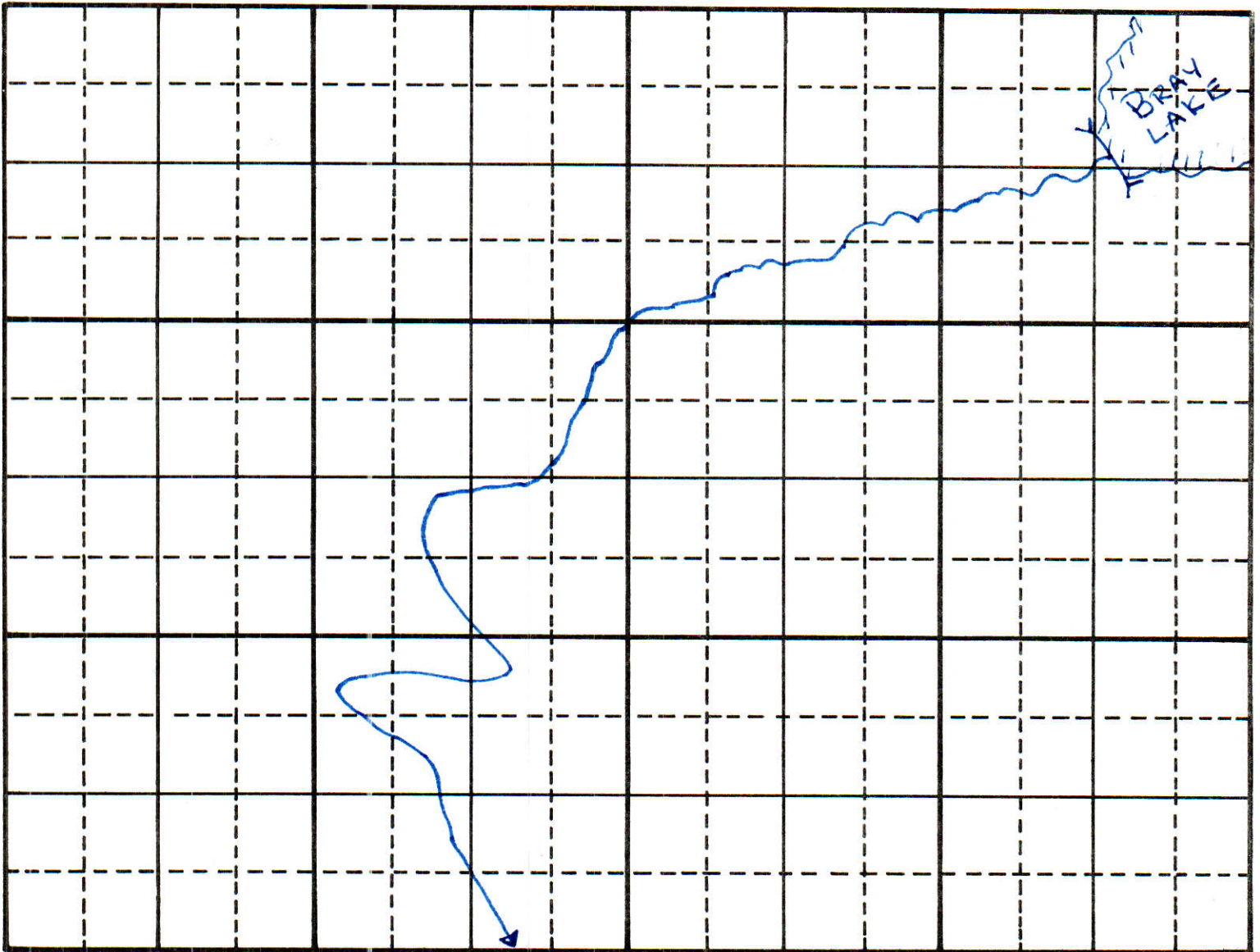
Director

JUL 23 1990

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

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

No Change - see original



Scale: 2 inches equal 1 mile.

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

Signed at Twin Falls, this 30 day of January, 1979.
L. Paul Sears
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = \$20.00

Received by TB

Date 1-30-79

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, _____, Director of the Department of Water Resources hereby

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

Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69896

This is to certify that: GARY A DE MOSS And/Or HELEN DE MOSS
PO BOX 61
BLISS ID 83314
(208)352-4385

has requested a change to the water right(s) listed below. This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code. A summary of the changes is also listed below. The authorized change for each affected water right, including conditions of approval, is shown on the following pages of this document.

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>Source</u>
37-856	AJC/Decreed	02/01/1917	32 cfs	760 af	160.0	160.0	DRY CREEK
37-2778	AJC/License	02/26/1957	80 cfs	1210 af	242.0	242.0	DRY CREEK
37-2780	AJC/License	04/13/1954	157 cfs	905 af		415.0	DRY CREEK
37-7754	AJC/Permit	12/14/1978	6.26 cfs	1565 af	313.0	313.0	DRY CREEK
37-7385B	WR/Decreed	09/20/1974	2.53 cfs	498.7 af		124.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
37-856	NO	YES	YES	NO	NO	NO
37-2778	NO	YES	YES	NO	NO	NO
37-2780	NO	YES	YES	NO	NO	NO
37-7754	NO	YES	YES	NO	NO	YES
37-7385B	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
37-856	37-856	32.00 cfs	760.0 af	N/A	808.0		N/A	N/A	N/A	N/A
37-2778	37-2778	80.00 cfs	1936.0 af	242.0	808.0		N/A	N/A	N/A	N/A
37-2780	37-2780	157.00 cfs	905.0 af	N/A	808.0		N/A	N/A	N/A	N/A
37-7754	37-7754	3.23 cfs	2504.0 af	313.0	808.0		N/A	N/A	N/A	N/A
37-7385B	37-7385B	2.53 cfs	498.7 af	124.0	808.0		N/A	N/A	N/A	N/A
TOTALS		274.76 cfs	6528.7 af	679.0*	808.0		N/A	N/A	N/A	N/A

*Direct flow irrigation limit; does not limit irrigation from storage use currently authorized on entire place of use.

Detailed Water Right Description(s) attached

Dated this

18

day of

February, 2003

Chief, Water Allocation Bureau

MICROFILMED

NOV 17 2003

SCANNED

NOV 10 2003

WATER RIGHT NO. 37-7385B
As Modified by Transfer No. 69896

In accordance with the approval of Transfer No. 69896, Water Right No. 37-7385B is now described as follows.

Right Holder: GARY A DE MOSS
 PO BOX 61
 BLISS ID 83314

And/Or

HELEN DE MOSS
 PO BOX 61
 BLISS ID 83314

Priority Date: September 20, 1974

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
STOCKWATER	01/01 to	12/31	0.05 CFS	2.7 AF
IRRIGATION	04/01 to	11/01	2.48 CFS	496.0 AF
			2.53 CFS	498.7 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWSENW Sec. 16 Twp 05S Rge 13E GOODING County

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S 13E 3						X L 4	X			X							
05S 13E 4	X L 1	X L 2	X	X					X			X	X	X	X	X	
05S 13E 9		X	X	X	X	X		X	X			X		X	X		
05S 13E 16		X			X	X	X	X									

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S 13E 3						28.0 L 4	32.0			36.0							96.0
05S 13E 4	25.0 L 1	1.0 L 2	11.0	40.0					27.0			40.0	38.0	34.0	39.0	21.0	276.0
05S 13E 9			32.0	38.0	19.0	34.0	18.0	40.0	40.0			40.0		25.0	18.0		304.0
05S 13E 16			13.0			40.0	39.0	30.0	10.0								132.0

Total Acres: 808

MICROFILMED

MAR 17 2003

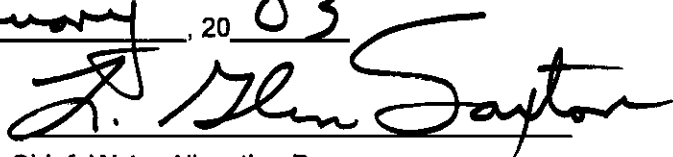
WATER RIGHT NO. 37-7385B
As Modified by Transfer No. 69896

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 124 acres within the place of use described above in a single irrigation season.
2. The direct flow irrigation use described by rights 37-7385B, 37-7754, and 37-2778 when combined shall not exceed a total annual maximum diversion volume of 2161 af at the field headgate, and the irrigation of 679 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 11/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than December 11, 2002.
5. Use of water under this right will be regulated by a watermaster with responsibility for the distribution of water among appropriators within a water district. At the time of this approval, this water right is within State Water District No. 130.
6. The right holder shall maintain lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the diversion.
7. Prior to the diversion and use of water under Transfer approval 69896, the right holder shall install and maintain acceptable measuring device(s), including data logger(s), at the authorized point of diversion, in accordance with Department specifications.
8. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
11. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 18th day of February, 2003


Chief, Water Allocation Bureau

MICROFILMED

MAR 17 2003

WATER RIGHT NO. 37-7754
As Modified by Transfer No. 69896

In accordance with the approval of Transfer No. 69896, Water Right No. 37-7754 is now described as follows.

Right Holder: HELEN DE MOSS
 PO BOX 61
 BLISS ID 83314

And/Or

GARY A DE MOSS
 PO BOX 61
 BLISS ID 83314

Priority Date: December 14, 1978

Source: DRY CREEK

Tributary: BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DIVERSION TO STORAGE	01/01 to	12/31	3.23 CFS	
IRRIGATION STORAGE	01/01 to	12/31		1,565.0 AF
IRRIGATION	04/01 to	11/01	3.23 CFS	939.0 AF
IRRIGATION FROM STORAGE	04/01 to	11/01		1,565.0 AF
			3.23 CFS	2,504.0 AF

LOCATION OF POINT(S) OF DIVERSION:

DRY CREEK SENESE Sec. 6 Twp 04S Rge 14E GOODING County

PLACE OF USE: IRRIGATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 13E 25									X		X						
04S 13E 26											L1		X				
04S 13E 35	X	X	X	X													
04S 13E 36	L1	L1	L4	L5													
						X	X										
						L1	L2										

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MAR 17 2003

WATER RIGHT NO. 37-7754
As Modified by Transfer No. 69896

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S 13E 3						28.0	32.0			36.0							96.0
						L 4											
05S 13E 4	25.0	1.0	11.0	40.0					27.0			40.0	38.0	34.0	39.0	21.0	276.0
	L 1	L 2															
05S 13E 9		32.0	38.0	19.0	34.0	18.0		40.0	40.0			40.0		25.0	18.0		304.0
05S 13E 16		13.0			40.0	39.0	30.0	10.0									132.0

Total Acres: 808

PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S 13E 3						28.0	32.0			36.0							96.0
						L 4											
05S 13E 4	25.0	1.0	11.0	40.0					27.0			40.0	38.0	34.0	39.0	21.0	276.0
	L 1	L 2															
05S 13E 9		32.0	38.0	19.0	34.0	18.0		40.0	40.0			40.0		25.0	18.0		304.0
05S 13E 16		13.0			40.0	39.0	30.0	10.0									132.0

Total Acres: 808

CONDITIONS OF APPROVAL

1. The direct flow irrigation use described by this right is limited to the irrigation of 313 acres within the place of use described above in a single irrigation season. Irrigation from storage is not limited but currently confined to the place of use described above.
2. The direct flow irrigation use described by rights 37-7385B, 37-7754, and 37-2778 when combined shall not exceed a total annual maximum diversion volume of 2161 af at the field headgate, and the irrigation of 679 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. The period of use for the irrigation and irrigation from storage described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 11/01 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
5. All storage uses described by rights 37-7754, 37-2780, 37-2778, 37-856, and 37-857 when combined shall not exceed the reservoir storage capacity of 4365 acre-feet.
6. The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.

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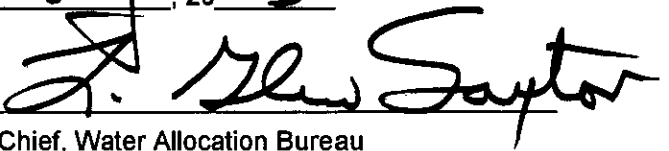
WATER RIGHT NO. 37-7754
As Modified by Transfer No. 69896

CONDITIONS OF APPROVAL

7. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 18th day of February, 2003


Chief, Water Allocation Bureau

MICROFILMED

MAR 17 2003

WATER RIGHT NO. 37-2780
As Modified by Transfer No. 69896

In accordance with the approval of Transfer No. 69896, Water Right No. 37-2780 is now described as follows.

Right Holder: GARY A DE MOSS And/Or HELEN DE MOSS
 PO BOX 61
 BLISS ID 83314

Priority Date: April 13, 1954

Source: DRY CREEK

Tributary: BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DIVERSION TO STORAGE	01/01	to 12/31	157.00 CFS	
IRRIGATION STORAGE	01/01	to 12/31		905.0 AF
IRRIGATION FROM STORAGE	04/01	to 10/31		905.0 AF
			157.00 CFS	905.0 AF

LOCATION OF POINT(S) OF DIVERSION:

DRY CREEK SENESE Sec. 6 Twp 04S Rge 14E GOODING County

PLACE OF USE: IRRIGATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 13E 25									X		X						
											L1						
04S 13E 26													X				X
																	L7
04S 13E 35	X	X	X	X													
	L1	L1	L4	L5													
04S 13E 36							X	X									
							L1	L2									

PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S 13E 3							28.0	32.0				36.0					96.0
							L4										
05S 13E 4	25.0	1.0	11.0	40.0					27.0			40.0	38.0	34.0	39.0	21.0	276.0
	L1	L2															
05S 13E 9			32.0	38.0	19.0	34.0	18.0	40.0	40.0			40.0		25.0	18.0		304.0
05S 13E 16			13.0			40.0	39.0	30.0	10.0								132.0

Total Acres: 808

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MAR 17 2003

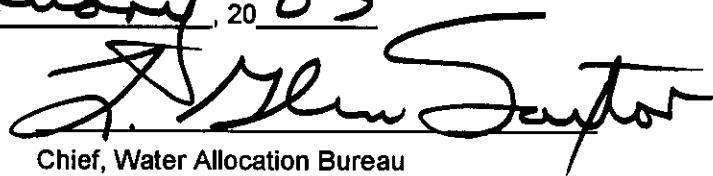
WATER RIGHT NO. 37-2780
As Modified by Transfer No. 69896

CONDITIONS OF APPROVAL

1. All storage uses described by rights 37-7754, 37-2780, 37-2778, 37-856, and 37-857 when combined shall not exceed the reservoir storage capacity of 4365 acre-feet.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. The period of use for the irrigation from storage described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
4. The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 18th day of February, 2003


Chief, Water Allocation Bureau

MICROFILMED

MAR 17 2003

WATER RIGHT NO. 37-2778
As Modified by Transfer No. 69896

In accordance with the approval of Transfer No. 69896, Water Right No. 37-2778 is now described as follows.

Right Holder: GARY A DE MOSS
 PO BOX 61
 BLISS ID 83314

And/Or

HELEN DE MOSS
 PO BOX 61
 BLISS ID 83314

Priority Date: February 26, 1957

Source: DRY CREEK

Tributary: BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION STORAGE	01/01 to	12/31		1,210.0 AF
IRRIGATION FROM STORAGE	04/01 to	10/31		1,210.0 AF
IRRIGATION	04/01 to	10/31	4.84 CFS	726.0 AF
DIVERSION TO STORAGE	01/01 to	12/31	80.00 CFS	
			80.00 CFS	1,936.0 AF

LOCATION OF POINT(S) OF DIVERSION:

DRY CREEK SENESE Sec. 6 Twp 04S Rge 14E GOODING County

PLACE OF USE: IRRIGATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 13E 25									X		X						
04S 13E 26											L1		X				
04S 13E 35	X	X	X	X													
04S 13E 36	L1	L1	L4	L5													
						X	X										
						L1	L2										

MICROFILM

4/18/17 2009

WATER RIGHT NO. 37-2778
As Modified by Transfer No. 69896

PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S 13E 3						28.0	32.0			36.0							96.0
						L 4											
05S 13E 4	25.0	1.0	11.0	40.0					27.0			40.0	38.0	34.0	39.0	21.0	276.0
	L 1	L 2															
05S 13E 9		32.0	38.0	19.0	34.0	18.0		40.0	40.0			40.0		25.0	18.0		304.0
05S 13E 16		13.0			40.0	39.0	30.0	10.0									132.0

Total Acres: 808

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S 13E 3						28.0	32.0			36.0							96.0
						L 4											
05S 13E 4	25.0	1.0	11.0	40.0					27.0			40.0	38.0	34.0	39.0	21.0	276.0
	L 1	L 2															
05S 13E 9		32.0	38.0	19.0	34.0	18.0		40.0	40.0			40.0		25.0	18.0		304.0
05S 13E 16		13.0			40.0	39.0	30.0	10.0									132.0

Total Acres: 808

CONDITIONS OF APPROVAL

1. The direct flow irrigation use described by this right is limited to the irrigation of 242 acres within the place of use described above in a single irrigation season. Irrigation from storage is not limited but currently confined to the place of use described above.
2. The direct flow irrigation use described by rights 37-7385B, 37-7754, and 37-2778 when combined shall not exceed a total annual maximum diversion volume of 2161 af at the field headgate, and the irrigation of 679 acres.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. The period of use for the irrigation and irrigation from storage described in this approval may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
5. All storage uses described by rights 37-7754, 37-2780, 37-2778, 37-856, and 37-857 when combined shall not exceed the reservoir storage capacity of 4365 acre-feet.
6. The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.

MICROFILMED

MAR 17 2003

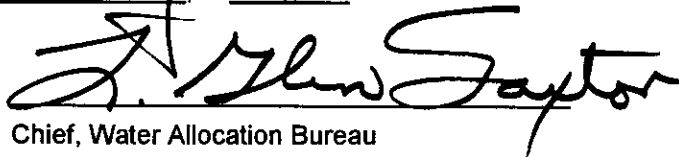
WATER RIGHT NO. 37-2778
As Modified by Transfer No. 69896

CONDITIONS OF APPROVAL

7. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
8. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
9. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
10. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 18th day of February, 2003


Chief, Water Allocation Bureau

MICROFILM

MAR 17 2003

WATER RIGHT NO. 37-856
As Modified by Transfer No. 69896

In accordance with the approval of Transfer No. 69896, Water Right No. 37-856 is now described as follows.

Right Holder: HELEN DE MOSS
 PO BOX 61
 BLISS ID 83314

And/Or

GARY A DE MOSS
 PO BOX 61
 BLISS ID 83314

Priority Date: February 01, 1917

Source: DRY CREEK

Tributary: BIG WOOD RIVER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DIVERSION TO STORAGE	01/01	to 12/31	32.00 CFS	
IRRIGATION FROM STORAGE	03/15	to 11/15		760.0 AF
STOCKWATER FROM STORAGE	03/15	to 11/15		15.0 AF
IRRIGATION STORAGE	01/01	to 12/31		760.0 AF
STOCKWATER STORAGE	01/01	to 12/31		15.0 AF
			32.00 CFS	760.0 AF

LOCATION OF POINT(S) OF DIVERSION:

DRY CREEK SENESE Sec. 6 Twp 04S Rge 14E GOODING County

PLACE OF USE: IRRIGATION FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S 13E 3						28.0	32.0			36.0							96.0
						L 4											
05S 13E 4	25.0	1.0	11.0	40.0					27.0			40.0	38.0	34.0	39.0	21.0	276.0
	L 1	L 2															
05S 13E 9		32.0	38.0	19.0	34.0	18.0		40.0	40.0			40.0		25.0	18.0		304.0
05S 13E 16		13.0			40.0	39.0	30.0	10.0									132.0

Total Acres: 808

MICROFILMED

MAR 17 2003

WATER RIGHT NO. 37-856
As Modified by Transfer No. 69896

PLACE OF USE: STOCKWATER FROM STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
05S 13E 3						X	X			X							
						L4											
05S 13E 4	X	X	X	X					X			X	X	X	X	X	
	L1	L2															
05S 13E 9		X	X	X	X	X		X	X			X		X	X		
05S 13E 16		X			X	X	X	X									

PLACE OF USE: IRRIGATION STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 13E 25										X	X						
											L1						
04S 13E 26													X				
																X	
04S 13E 35	X	X	X	X													
	L1	L1	L4	L5													
04S 13E 36						X	X										
						L1	L2										

PLACE OF USE: STOCKWATER STORAGE

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04S 13E 25										X	X						
											L1						
04S 13E 26													X				
																X	
04S 13E 35	X	X	X	X													
	L1	L1	L4	L5													
04S 13E 36						X	X										
						L1	L2										

CONDITIONS OF APPROVAL

1. All storage uses described by rights 37-7754, 37-2780, 37-2778, 37-856, and 37-857 when combined shall not exceed the reservoir storage capacity of 4365 acre-feet.
2. The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.
3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
4. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

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MAR 17 2003

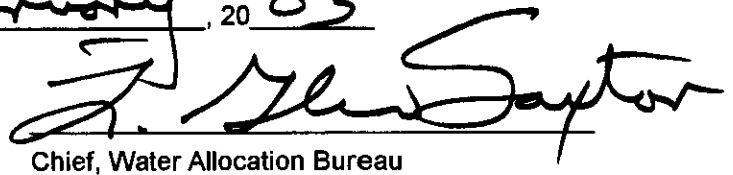
WATER RIGHT NO. 37-856
As Modified by Transfer No. 69896

CONDITIONS OF APPROVAL

5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

This water right is subject to all prior water rights and shall be administered in accordance with Idaho law and applicable rules of the Department of Water Resources.

Dated this 18th day of February, 2003


Chief, Water Allocation Bureau

MICROFILMED

MAR 17 2003

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-07754

Priority: December 14, 1978

Maximum Diversion Rate: 3.23 CFS
Maximum Diversion Volume:¹ 2504.0 AF

This is to certify, that GARY DE MOSS
HELEN DE MOSS

HC 69 BOX 3900
CAMBRIDGE, ID 83610

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated December 14, 1978; and has submitted Proof of Beneficial Use on January 5, 1984. An examination indicates that the works have a diversion capacity of 3.230 cfs of water from:

BRAY LAKE

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	04/01 to 11/01	3.23 CFS	939.0 AF
IRRIGATION STORAGE	01/01 to 12/31		1565.0 AF
IRRIGATION FROM STORAGE	04/01 to 11/01		1565.0 AF
Totals		3.23 CFS	2504.0 AF

LOCATION OF POINT(S) OF DIVERSION:
Rediversion

SWNE , Sec. 35, Township 04S, Range 13E
NENE , Sec. 4, Township 05S, Range 13E
GOODING 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>
05S	13E	4	NESW 5	NWSW 2	NWSE 1	8
		9	NWNE 12	SWNE 39	SENE 3	
			NENW 37	NWNW 40	SWNW 37	
			SENW 40	NESW 40	SESW 40	
			NWSE 10	SWSE 7		305

Total number of acres irrigated: 313

PLACE OF USE: IRRIGATION STORAGE, same as IRRIGATION use
PLACE OF USE: IRRIGATION FROM STORAGE, same as IRRIGATION use

MICROFILMED

JUL 25 1990

State of Idaho
Department of Water Resources**WATER RIGHT LICENSE**

WATER RIGHT NO. 37-07754

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 more accurately describe the beneficial use or to implement accepted standards of diversion and use 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.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.0 afa per acre for the lands above.

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 11th day of JULY, 1990.

Acting for

R. Keith Higginson, Director

MICROFILMED

JUL 23 1990

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Permit	37-7754	Sears, L. Paul	6.26
Full Assignment	37-7754	Idaho State Bank	6.26

RECEIVED

ASSIGNMENT AND ASSUMPTION AGREEMENT

THIS AGREEMENT made and entered into at Boise, Idaho, this 8th day of June, 1990, by and between IDAHO STATE BANK, hereinafter referred to as "Assignor" and GARY DEMOSS and HELEN DEMOSS, husband and wife, hereinafter referred to as "Assignee".

WITNESSETH:

1. Assignor for good and valuable consideration, the receipt of which is hereby acknowledged, does sell, assign, transfer and set over unto Assignee all of Assignor's right, title and interest in and to that certain Contract of Sale dated December 3, 1976, by and between Alex Mason and Patricia Mason, husband and wife, as Seller, and L. Paul Sears and Raelene W. Sears, husband and wife, as Buyer, the Buyer's interest in which was assigned to Assignor herein by an Assignment of Buyer's Equity dated April 13, 1983, recorded as Instrument No. 100612, records of Gooding County, Idaho, by Quitclaim Deed from L. Paul Sears and Raelene W. Sears, husband and wife, to Idaho State Bank, recorded April 30, 1985, as Instrument No. 114422, and Estoppel Affidavit recorded April 30, 1985, as Instrument No. 114423, records of Gooding County, Idaho. Said Real Estate Purchase and Sale Agreement is secured by the real property legally described as follows:

Township 5 South, Range 13 East of the Boise Meridian

Section 3, Lot 4, SW 1/4 NW 1/4, NW 1/4 SW 1/4.

Section 4, Lots 1 and 2, S 1/2 NE 1/4, SE 1/4, E 1/2 SW 1/4.

Section 9 N 1/2 NW 1/4, SE 1/4 NE 1/4, W 1/2 NE 1/4, SE 1/4 NW 1/4, E 1/2 SW 1/4, W 1/2 SE 1/4.

Together with Idaho Water License No., R-864/37-2778 consisting of 1210 acre feet of Bray Lake and all other water rights, rights-of-way and easements appurtenant to the above-described premises.

MICROFILMED

JUL 25 1990

2. Assignee hereby does accept and purchase all of Assignor's right, title and interest in and to said Contract of Sale and in and to the real property described as aforesaid. Assignee, their heirs and assigns hereby does assume and agree to perform and be bound by all of the terms, covenants, and conditions thereof and further does agree to indemnify, hold and save harmless the Assignor, their successors and assigns from any and all further liability thereunder.

3. Assignor represents that the principal balance owing under said Real Estate Purchase and Sale Agreement as of June 8, 1990, is \$359,863.01 with accrued interest of \$9,317.00 and that the payments are in the amount of \$30,969.90 plus one-half of the escrow fee, and include interest at 7.5 percent per annum, and are due on or before the 1st day of February each and every year until paid in full.

4. Also assigned hereby by Assignor to Assignee are all right, title and interest in and to all water rights, rights of way and easements appurtenant to the above described property, including but not limited to an easement for pipeline dated June 24, 1988.

5. All taxes and assessments of every kind and nature shall be prorated as of the date of closing of this transaction; Assignor to be responsible for all taxes and assessments prior to June 8, 1990, and Assignee to be solely liable for all taxes and assessments thereafter.

6. Assignee agrees to indemnify, hold and save harmless the Assignor, its successors and assigns from any and all claims, actions, suits, judgments, or liabilities or damage from any and all claims, actions, suits or judgments arising from or out of this Assignment and Assumption Agreement.

7. It is mutually agreed by and between Assignor and Assignee that this agreement shall be and is binding upon and shall inure to the benefit of the successors and assigns of each forever.

MICROFILMED

JUL 23 1990

IN WITNESS WHEREOF, the Assignor and Assignee have caused their names to be here and subscribed the day, month and year first above written.

ASSIGNOR

IDAHO STATE BANK,

By: *James E. Kevan*
JAMES E. KEVAN

ASSIGNEE

Gary Demoss
GARY DEMOSS

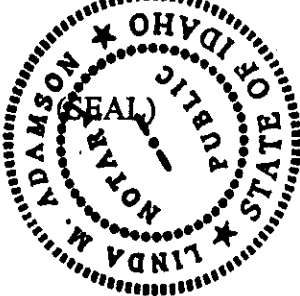
Helen Demoss
HELEN DEMOSS

STATE OF IDAHO

County of *Ada* } ss.

On this *24* day of *June*, 1990, before me, *Linda M. Adamson*, the undersigned, a Notary Public in and for said state, personally appeared JAMES E. KEVAN, known or identified to me to be the President of Idaho State Bank, the corporation who executed the instrument, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

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



Linda M. Adamson
NOTARY PUBLIC FOR IDAHO
Residing at *Boise*
My Commission Expires *5-22-94*



MICROFILMED

JUL 23 1990

STATE OF IDAHO

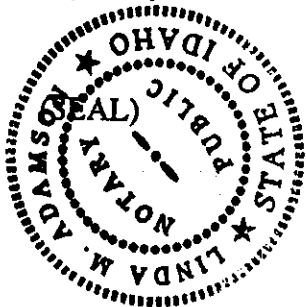
County of

Ada

ss.

On this 8th day of June, 1990, before me, Linda M. Adams, the undersigned, a Notary Public in and for said state, personally appeared GARY DEMOSS and HELEN DEMOSS, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they 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.



Linda M. Adams
NOTARY PUBLIC FOR IDAHO

Residing at: Boise, Idaho

My Commission Expires: 5/22/94

MICROFILMED

JUL 23 1990

MEMORANDUM OF SALE

Memorandum of Sale of the following described property the 8th day of June, 1990, by IDAHO STATE BANK, as Seller, and GARY DEMOSS and HELEN DEMOSS, husband and wife, as Buyers:

Township 5 South, Range 13 East of the Boise Meridian

Section 3, Lot 4, SW 1/4 NW 1/4, NW 1/4 SW 1/4.

Section 4, Lots 1 and 2, S 1/2 NE 1/4, SE 1/4, E 1/2 SW 1/4.

Section 9 N 1/2 NW 1/4, SE 1/4 NE 1/4, W 1/2 NE 1/4, SE 1/4 NW 1/4, E 1/2 SW 1/4, W 1/2 SE 1/4.

Together with Idaho Water License No., R-864/37-2778 consisting of 1210 acre feet of Bray Lake and all other water rights, rights-of-way and easements appurtenant to the above-described premises.

TO HAVE AND TO HOLD the same, to the Grantee, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that it will warrant and defend the sale of said property from all lawful claims whatsoever.

IDAHO STATE BANK

SEE EXHIBIT "A"
ATTACHED HERETO

GD TD JEK

By:

James E. Kevan
JAMES E. KEVAN

Gary Demoss
GARY DEMOSS

Helen Demoss
HELEN DEMOSS

MICROFILMED

JUL 23 1990

STATE OF IDAHO)

County of ADA)

ss.

On this 8th day of June, 1990, before me, Linda M. Adamson, the undersigned, a Notary Public in and for said state, personally appeared JAMES E. KEVAN, known or identified to me to be the President of Idaho State Bank, the corporation who executed the instrument, or the person who executed the instrument on behalf of said corporation, and acknowledged to me that said 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.



Linda M. Adamson
NOTARY PUBLIC FOR IDAHO
Residing at Boise, Idaho
My Commission Expires 5/22/94

STATE OF IDAHO)

County of Ada)

ss.

On this 8th day of June, 1990, before me, Linda M. Adamson, the undersigned, a Notary Public in and for said state, personally appeared GARY DEMOSS and HELEN DEMOSS, husband and wife, known or identified to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they 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.



Linda M. Adamson
NOTARY PUBLIC FOR IDAHO
Residing at: Boise, Idaho
My Commission Expires: 5/22/94

MICROFILMED

JUL 23 1990

EXHIBIT 'A'

INCLUDING BUT NOT LIMITED TO THE FOLLOWING WATER RIGHTS;

APPRAISAL PERMIT: #377754 FOR 1,565 ACRE FEET OF STORAGE AND 6.26 CFS

DECREED LICENSE; #370856 FOR 32 CFS OF STORAGE PRIORITY 2/1/17

LICENSE: #372780 FOR 157 CFS OF STORAGE OF 905 ACRE FEET

LICENSE; #37-2778 FOR 80 CFS STORAGE 1210 ACRE FEET

DOMESTIC WELLS ARE A37-11479
A37-11480

ALL ADJUDICATION FEES HAVE BEEN PAID

MICROFILMED

JUL 23 1990

QUITCLAIM DEED

For Value Received L. PAUL SEARS and RAELENE W. SEARS, husband and wife,

does (do) hereby convey, release, remise and forever quit claim
unto IDAHO STATE BANK

whose address is; P.O. Box 909, Glens Ferry, Idaho,
the following described premises, to-wit:

Gooding County, State of Idaho, Township 5 South, Range 13 EBM.
Section 3: Lot 4, SW1/4NW1/4, NW1/4SW1/4. Section 4: Lots 1
and 2, S1/2NE1/4, SE1/4, E1/2SW1/4. Section 9: N1/2NW1/4,
SE1/4NE1/4, W1/2NE1/4, SE1/4NW1/4, E1/2SW1/4, W1/2SE1/4.
Together with Idaho Water License #R-864/37-2778 consisting
of 1210 acre feet in Bray Lake and all other water rights
appurtenant to the above described premises.

MICROFILMED

together with their appurtenances.

Dated: April 9, 1985.

L. Paul Sears
L. PAUL SEARS

Raeleene W. Sears
RAELENE W. SEARS

STATE OF IDAHO, COUNTY OF ELMORE

On this 9 day of April, 1985,
before me, a notary public in and for said State, personally appeared L. PAUL SEARS and RAELENE
W. SEARS, husband and wife,

known to me to be the person s who se names are
subscribed to this within instrument, and acknowledged to
me that they executed the same.

James E. Kwan
Residing at Twin Falls, Idaho

Notary Public

MAIL DEED TO

MAY, HAY, SUDNECKS, SHINDURLING &
P.O. Box 1846 STUBBS
Twin Falls, ID. 83303-1846

STATE OF IDAHO, COUNTY OF

I hereby certify that this instrument was filed for re-
cord at the request of

at 1 minutes past 1 o'clock 1 m.,
this 9 day of

19 85 In my office, and duly recorded in Book
of Deeds at page

Ex-Officio Recorder

By _____ Deputy.

Fees \$

MAIL TAX NOTICE TO:

Name _____

Address _____

City and State _____ Zip _____

114422

No. _____

QUITCLAIM DEED

—TO—

Dated _____, 19__

STATE OF IDAHO

County of _____ } ss.

I hereby certify that this instrument was
filed for record at request of _____

at _____ minutes past _____

O'clock _____ M., this _____ day

of _____, A.D. 19__

in my office, and duly recorded in Book _____

of _____ at page _____

Ex-Officio Recorder.

By _____ Deputy.

Fees, \$ _____

STATE OF IDAHO
COUNTY OF GOODING, S S
RECORDED AT REQUEST _____

SECURITY TITLE CO

'85 APR 30 PM 4 51

MARGARET F. CLEMENTS, REC.

DEP. 2.4 FEE 2.00

RECORDED
FILMED

April 4, 1985

Personal Property exempt from Bill of Sale
to Idaho State Bank:

1. 1976 GMC Pickup
2. 1980 Charnac 4 Horse Trailer
3. Approximately 6-8 Homemade Steel gates and
2 powder River gate
4. 16 Head horses and Tack
5. Household furnishings and yard equipment
6. Misc Personal property such as Snow Machines, Motor
7. Jeff ^{Sears} Mobile Home and Homemade Utility trailer
8. Mule Leach stock - utility trailer
9. John Shannon Hay rack - Side delivery
✓ ✓ Baler - New Holland
Hay baling
10. 3600 bu approx. ^{Hay baling} Wheat in on farm grain
storage
11. 100 bu approx. Oats owned by Jeff Sears

Paul Sears
Rachael W. Sears

G. A. Webb
Vice Pres.

Idaho State Bank

UNRECORDED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED
APPROVED
DEC 14 1978

AMENDED

To appropriate the public waters of the State of Idaho

Department of Water Resources

Secretary's Office
Phone None

1. Name of applicant L. Paul Sears

Post office address Bray Lake Ranch, P.O. Box 145, Bliss, Idaho 83314

2. Source of water supply Bray Lake which is a tributary of N/A

3. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 35 Township 4S

Range 13E B.M. Gooding County, additional points of diversion if any:

Re-diverted: NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 4; SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 9 T. 5S R. 13E

4. Water will be used for the following purposes:

Amount 6.26 cfs for irrigation purposes from Apr 1 to Nov 1 (both dates inclusive)
(cfs or acre-feet per annum) from storage

Amount 1565 AF for Irrigation from purposes from Apr 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum) Storage

Amount 1565 AF for storage for Irrig purposes from Jan 1 to Dec. 31 (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. 6.26 cubic feet per second and/or b. 1565 ^{J.S.} acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Existing dam and ditch and/or pump to
sprinkler system

b. Height of storage dam 27 feet, active reservoir capacity 4380 ^{P.S.} acre-feet; total reservoir
capacity 2500 ^{P.S.} acre-feet, materials used in storage dam: earth

Period of year when water will be diverted to storage Jan 1 to Dec 31 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:

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5S	13E	4									5	2				1			8
		9		12	39	3	37	40	37	40	40			40		10	7		305

Total number of acres to be irrigated 313

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

Water licenses 37-2778, 37-2780

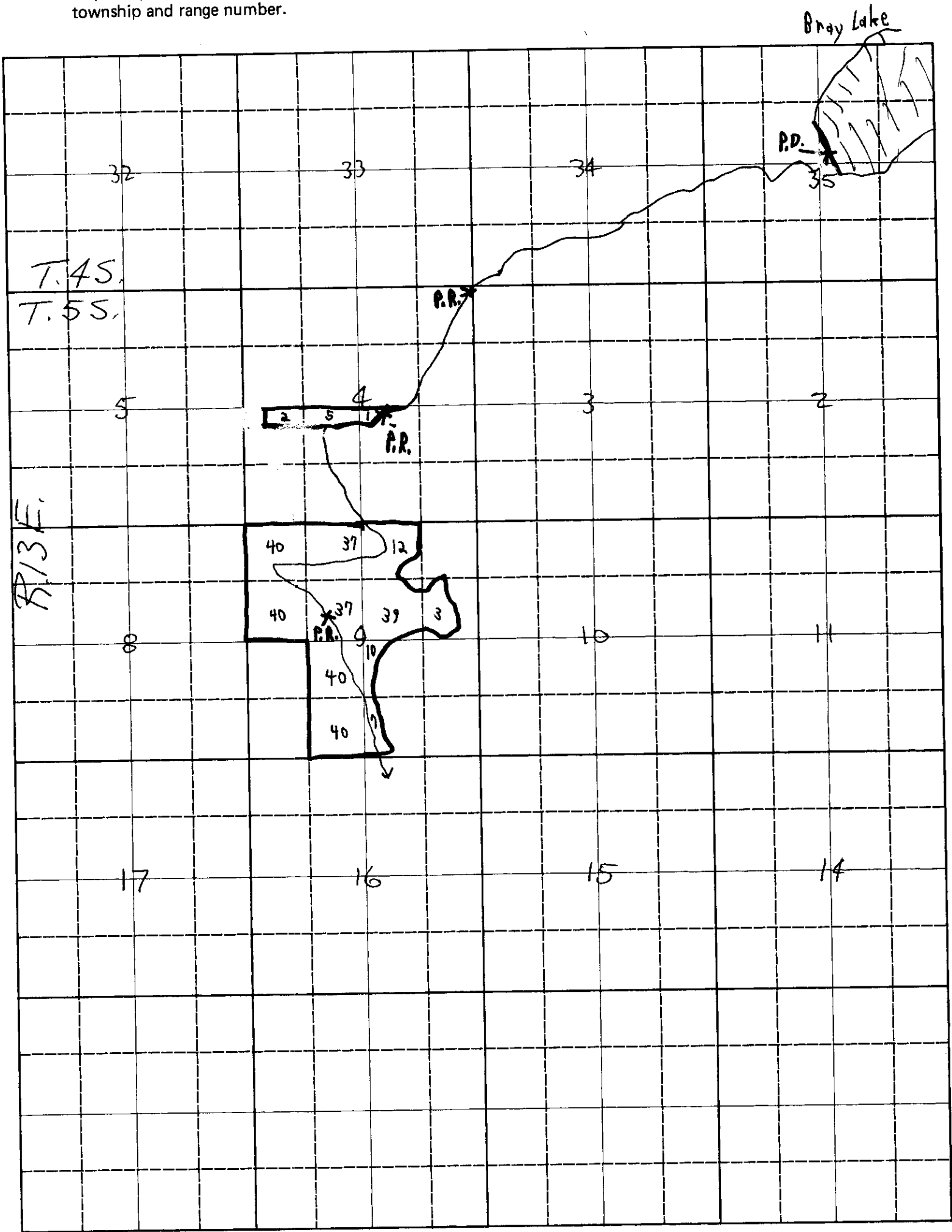
9. a. Who owns the property at the point of diversion B. L. M.

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 long-term lease

10. Remarks Water will be pumped into sprinkler system from the lower two points of rediversion, or will be gravity fed into sprinklers from the uppermost rediversion point.

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



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.

S Paul Sears
(Applicant)

RECEIVED

Proposed Priority 1-30-79

1-30-79

Received by gs Date 12-14-78 Time 4:10 pm

Preliminary check by ADM Fee \$ 95.00

Receipted by gs Date 12-14-78 # 12646 # 110 # 12678 # 90 ^{\$20 amendment} _{Additional fee}

Publication prepared by ADM Date 12/22/78

Published in Garding Co. Leader

Publication dates Jan 11 - 18, 1979

Publication approved menya Date 3/8/79

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by LD 3.13.

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. 37-7754, and said application is hereby APPROVED.

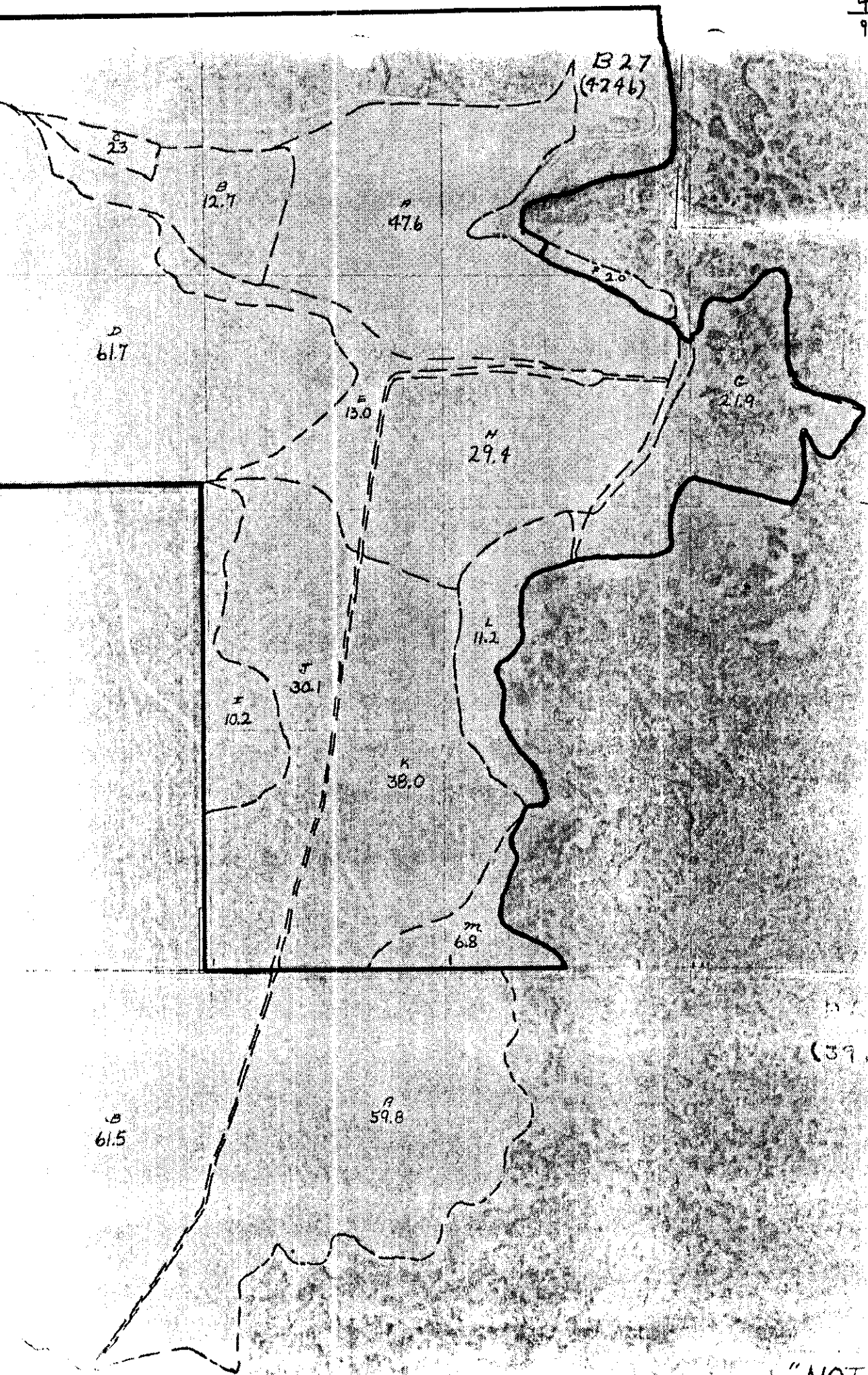
1. Approval of said application is subject to the following limitations and conditions:

- 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 March 1, 19 84.
- 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: An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 22nd day of March, 1979.

L. Glen Saxton
Chief, Operations Bureau

4/3
9 10



9 10
16 15

(39.1)

"NOT TO S"

AFFIDAVIT of PUBLICATION

State of Idaho, }
County of Gooding } SS.

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

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication

of said advertisement was on the 22 day of February 19 79, and the date of the last publication was on the 1 day of March, 19 79.

Robert Crompton

Subscribed and sworn to before me this 1

day of March, 19 79.
(SEAL)

Garnett Ulin
NOTARY PUBLIC

GOODING COUNTY LEADER Gooding, Idaho COST OF PUBLICATION

Number of Lines in Notice	<u>56</u>
Number of Insertions	<u>2</u>
Lines tabular at	315c
Lines straight at <u>56</u>	21c <u>11.76</u>
Subsequent lines at <u>56</u>	15c <u>8.40</u>
TOTAL COST	<u>20.16</u>

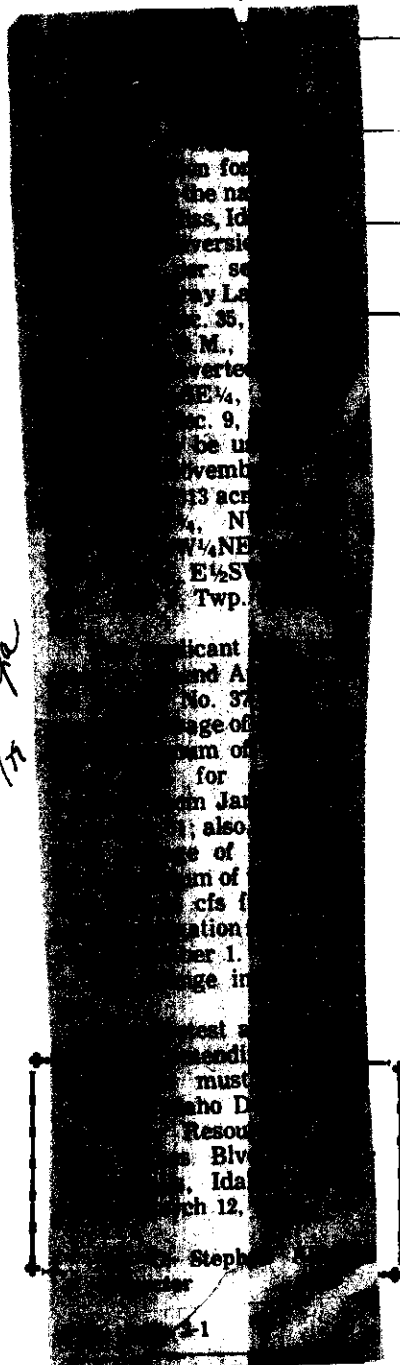
COPY OF NOTICE

(Paste Here)

37-7754

TITLE OF NOTICE

Paul Sears



No 2011

(Paste Here)

7 pt. per line, straight 21c
7 pt. per line, tabular 315c
7 pt. per line, successive
insertions

№ 1986

MICROFILMED

MEMORANDUM

TO: FILE 37-7754
FROM: VAULT
RE: TRANSFER # 69896
DATE: 2.18.03

=====

Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:

FILE # 37-856

MICROFILMED
MAR 17 2003

SCANNED
NOV 10 2003

July 16, 1990

GARY DE MOSS
HELEN DE MOSS
HC 69 BOX 3900
CAMBRIDGE, ID 83610

RE: PERMIT NO. 37-07754

Dear Permit Holder(s):

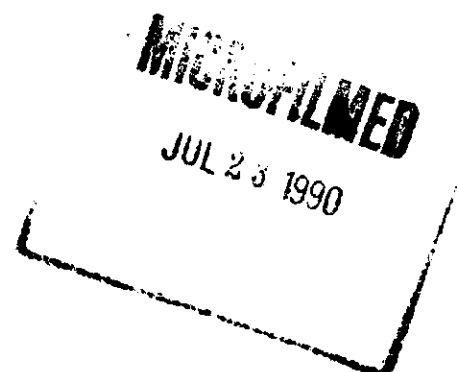
Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure





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

June 19, 1990

RE: Water Right Nos. 37-0856/2778/2780/7754

Gary &/or Helen DeMoss
HC 69, Box 3900
Cambridge, ID 83610

Dear Mr. and Mrs. DeMoss:

We received the documentation regarding transfer of ownership of the above referenced water rights. Water Right Nos. 37-2778 and 37-2780 are licenses and Right No. 37-0856 is a decreed right.

In Idaho, licensed and decreed water rights are considered real property and are acquired when the property to which they are appurtenant is purchased. Proof of owning the land is proof of owning the water right, if the previous land owner did not exclude the water right from the sale. The Department does not attempt to follow the chain of title for ownership of such lands.

We have placed your correspondence in the file for future reference and have added your names to our computer records as the present owners of the rights.

Right No. 37-7754 is in a permit stage and we are in the process of issuing a license on this right, therefore, we have changed our computer records and will be sending a copy of the final license to you shortly.

If you have any questions, please let us know.

Sincerely,

SHARLA CURTIS
Clerical Specialist

SC:js

MICROFILMED

JUL 23 1990

PENLAND & MUNTHNER

CHARTERED

ATTORNEYS AT LAW

JEFFERSON PLACE

350 N. 9TH STREET, SUITE 500

P. O. BOX 199

BOISE, IDAHO 83701

RICHARD C. BOARDMAN*
RICHARD S. CHRISTENSEN
JAMES C. DALE
GARY W. EDSON
MICHAEL J. FLANAGAN
LARRY L. GOINS
MERRILY MUNTHNER
PAUL S. PENLAND**

***ALSO ADMITTED IN WASHINGTON**
****ALSO ADMITTED IN OREGON**

TELEPHONE
(208) 344-4566

FACSIMILE
(208) 344-9836

June 14, 1990

RECEIVED
JUN 14 1990

HAND DELIVERED

Department of Water Resources

Kay Walker
Idaho Department of Water Resources
1301 N. Orchard Street
Statehouse Mail
Boise, Idaho 83720

Re: License Nos. 37-02780 and A37-02780
Permit Nos. 37-07754 and A37-07754
Decreed Right 37-00856 and A37-00856
Permit Nos. 37-02778 and A37-02778

Dear Kay:

As I indicated to you on the phone, our clients were looking at buying property that is the subject of the above-entitled water rights.

The sale has closed as of June 8, 1990, and we are forwarding to you with this letter the Assignment and Assumption Agreement and Memorandum of Sale so that you may prepare the necessary paperwork to change your records to reflect the new owners of Gary and Helen DeMoss.

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

Very truly yours,

Tanya Rossum

Tanya Rossum
Legal Assistant to
Merrily Munther

TR:cgj
Enclosures

cc: Gary and Helen DeMoss
HC 69, Box 3900
Cambridge, ID 83610

MICROFILMED

JUL 25 1990

May 21, 1990

IDAHO STATE BANK
P.O. DRAWER AE
GLENN'S FERRY, ID 836230000

RE: PERMIT NO. 37-07754

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

JUL 23 1990

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE								NW				SW				SUM	SE
							NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE						
3702778	MASON	L	DRY CREEK	05S	13E	4	18	7	32	:	:	11		24	:	5	34	37	11	179				
3707754	IDAHO STATE BANK	P	BRAY LAKE RESERVOIR	05S	13E	4				:	:	5	2		:	1			8					
L3707754	IDAHO STATE BANK	L	BRAY LAKE RESERVOIR	05S	13E	4				:	:	5	2		:	1			8					
	1986 MAPPING DATA	---	COUNTY 47 QUAD Z	69	05S	13E	4		4	:	:	33	11	11	40	:	6	36	39	11	191			
3702778	MASON	L	DRY CREEK	05S	13E	9	8		3	:	:				:				11					
3707754	IDAHO STATE BANK	P	BRAY LAKE RESERVOIR	05S	13E	9	12	39	3	:	37	40	37	40	:	40	40	:	10	7	305			
L3707754	IDAHO STATE BANK	L	BRAY LAKE RESERVOIR	05S	13E	9	12	39	3	:	37	40	37	40	:	40	40	:	10	7	305			
	1986 MAPPING DATA	---	COUNTY 47 QUAD Z	69	05S	13E	9	2	30	37	10	37	25	13	38	:	39	14	17	37	1	19	8	327

No overlap

JUL 23 1990

INDEXED

POINT OF DIVERSION OVERLAP REVIEW

WR-NUMBER	TWP	RNG	SC	TRACT 1\4 1\4 1\4	LT	#SOURCE	#NAME
3707754 3702778 3702780	04S	13E	35	SW NE		BRAY LAKE RESERVOIR DRY CREEK DRY CREEK	SEARS, L. PAUL STROUT, LEONARD E. STROUT, LEONARD E.
3707754	05S	13E	4	NE NE		BRAY LAKE RESERVOIR	SEARS, L. PAUL
3707754	05S	13E	4	NW SE		BRAY LAKE RESERVOIR	SEARS, L. PAUL
3707754	05S	13E	9	SE NW		BRAY LAKE RESERVOIR	SEARS, L. PAUL

MICROFILMED

JUL 23 1990

INVENTORY OF DAMS BY DAM NAME

3-Jun-1987

Page 4

NAME	NUMBER	HAZARD CLASS	TYPE	STORAGE CAPACITY	HEIGHT FT	NAME OF OWNER	DRAINAGE SQ MI	RES AREA ACRES	YEAR COMP	CREST LENGTH	STREAM TYPE	SPILLWAY DEPTH	DISC-CFS	PURPOSE INSPECT DATE	LOCATION COND EXPIR
BLUE CREEK NO 3	2		D21-4007 EARTH	IDAHO FISH AND GAME DEPARTMENT 168	6.0	10.0	39	FREMONT	1965	3400	BLUE CREEK PIPE	3.0		H 785	10-10N-41E GD 1187
BLUE CREEK NO 4	2		D21-2159 EARTH	IDAHO FISH AND GAME DEPARTMENT 390	8.0	10.5	78	FREMONT	1960	5300	BLUE CREEK CNCHAN	4.0		H 785	09-10N-41E GD 1187
BLUE CREEK UPPER	3		D21-2170 EARTH	IDAHO FISH AND GAME DEPARTMENT 166	16.0	6.0	16	FREMONT	1950	396	BLUE CREEK RKCHAN	5.0	137	L 886	03-10N-41E NA 0000
BOGGEMAN	2		D77-4053 EARTH	WORTH BOGGEMAN 50	16.0	34.0	9	LEMHI	1963	300	SILVER CREEK CNCHAN	7.0	375	RH 886	27-18N-17E GD 1188
BOHANNON	3		D74-XX02 ROCK	WILLIAM B SWAHLEN 50	10.0	.2	6	LEMHI	1950	67	BOHANNON CREEK OVFL	0.0		I 981	18-22N-24E GD 1186
BOHN	3		D25-4107 EARTH	H D AND REED ELKINGTON 100	27.0	5.5	4	BONNEVILLE	1918	250	SQUAW CREEK RPCHAN	4.2		L 686	07-01S-40E FR 1187
BOISE DIVERSION	1		D63-2388 CNGRV	U S BUREAU OF RECLAMATION 800	35.0	2800.0	80	ADA	1908	500	BOISE RIVER CNOVFL	17.0	40000	IP 386	03-02N-03E GD 1188
BOULDER LAKE	2		D65-3115 RKMAS	ROSEBERRY IRRIGATION DIST 1310	15.0	2.1	114	VALLEY	1922	450	BOULDER CREEK OVFL	0.0	121	I 886	27-18N-04E GD 1188
BOULDER MEADOW	2		D65-2963 EARTH	JOHN CAREY AND RAY POTTER 490	30.0	3.7	39	VALLEY	1968	580	BOULDER CREEK GLHOLE	5.0	288	I 886	28-18N-04E GD 1188
BOWER	3		D86-XX12 EARTH	CHARLES BOWER 9	15.0		2	LATAH		345	(OS) ERCHAN	2.0		I 685	16-39N-02W GD 1188
BOX LAKE	2		D65-10520 EARTH	LAKE RESERVOIR CO 1295	9.0	.8	160	VALLEY	1935	200	BOX CREEK RPCHAN	5.0	141	I 885	33-20N-04E GD 1187
BRADSHAW DIVERSION NO 3	3		D72-XX01B EARTH	U S BUREAU OF LAND MGMT 27	17.0	.4	1	CUSTER	1971	360	BRADSHAW GULCH ERCHAN	5.0	274	F 487	33-12N-19E GD 1192
BRADSHAW DIVERSION NO 4	3		D72-XX01A EARTH	U S BUREAU OF LAND MGMT 83	42.0	9.7	7	CUSTER	1971	522	BRADSHAW GULCH RPCHAN	6.0	574	F 487	06-11N-19E GD 1192
BRAY LAKE	2		D37-2778 EARTH	IDAHO STATE BANK 4365	32.5	2.5	204	GOODING	1958	1800	DRY CREEK (OS) RKCHAN	4.0	287	I 885	35-04S-13E GD 1187
BROWN	2		D57-4005 EARTH	MARK SHENK 80	25.0	.1	10	OWYHEE	1958	500	MCBRIDE CREEK (OS) ERCHAN	2.5	6	I 685	31-01S-05W GD 1187

JUL 2 1998
 MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

37-7754
Permit No.

Staff Analysis Sheet
for
Beneficial Use Field Report

RECEIVED
AUG 22 1989

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

- ☒ Blank Field Report Form
- ☒ Copy of Permit
- ☒ Copies of any Amendments/Orders with conditions of approval
- ☒ Computer Data Proof Report
- ☒ Copy of U.S.G.S. Quad
- ☒ Check for Government Lots. If so, make a copy of Government Plat

Check of P/D index RPL 8/3/89 (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 RPL 8/3/89 (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 Russell J. Durin 8/8/89 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent TR 8/11/89 (Initial and date)

Exam Reviewed by Manager of Regional Office RH 8/14/89 (Initial and date)

Exam Date Entered in Computer _____ (Initial and date)

Exam sent to State Office _____ (Initial and date)

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

DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE EXAMINATION

CHECKLIST

WATER RIGHT 32-7254

REVIEWER DRS

DATE 8/11/89

[EACH RULE MUST BE CHECKED]

SEE FOOTNOTE FOR SYMBOLS

RULE 5 EXAMINATION FOR BENEFICIAL USE;

1,2. <u>/</u>	1,3. <u>/</u>	1,4. <u>/</u>	1,5. <u>N/A</u>
1,6. <u>/</u>	1,7. <u>/</u>	1,8. <u>/</u>	1,9. <u>N/A</u>
1,10. <u>N/A</u>	1,11. <u>N/A</u>	1,12. <u>N/A</u>	1,13. <u>/</u>
1,14. <u>N/A</u>	1,15. <u>/</u>	1,16. <u>N/A</u>	1,17. <u>/</u>

RULE 6 MEASUREMENT TERMINOLOGY;

1,1. <u>/</u>	1,2. <u>/</u>	2. <u>/</u>	3. <u>/</u>
4. <u>N/A</u>	5. <u>/</u>		

RULE 7 DRAWINGS, MAP, AND SCHEMATIC DIAGRAM;

1,1. <u>/</u>	1,2. <u>/</u>	1,3. <u>/</u>	1,4. <u>/</u>
1,5. <u>/</u>			

RULE 5,2. FIELD REPORT ACCEPTABILITY [STATE OFFICE REVIEW]

2,1. <u>/</u>	2,2. <u>/</u>	2,3. <u>/</u>	2,4. <u>/</u>
---------------	---------------	---------------	---------------

Reviewer

Date

N/A = NOT APPLICABLE

** = SEE ATTACHMENT NO.

* = SEE ITEM IN BENEFICIAL USE RPT

*** = SEE REMARKS ATTACHED

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JUL 23 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

Permit No. 37-7754

Phone No. 922-1105

1. Owner: Idaho State Bank

Current Address: Drawer AE Glenns Ferry ID

2. Accompanied by: Donald Rowe

EXAM. DATE: 6/23/89

Address: P.O. Box 386 Kuna ID 83634

Phone No. Same

Relationship to Permit Holder: Property Manager

3. Source: Bray Lake Storage tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: 37-0856, 37-2778, 37-2780

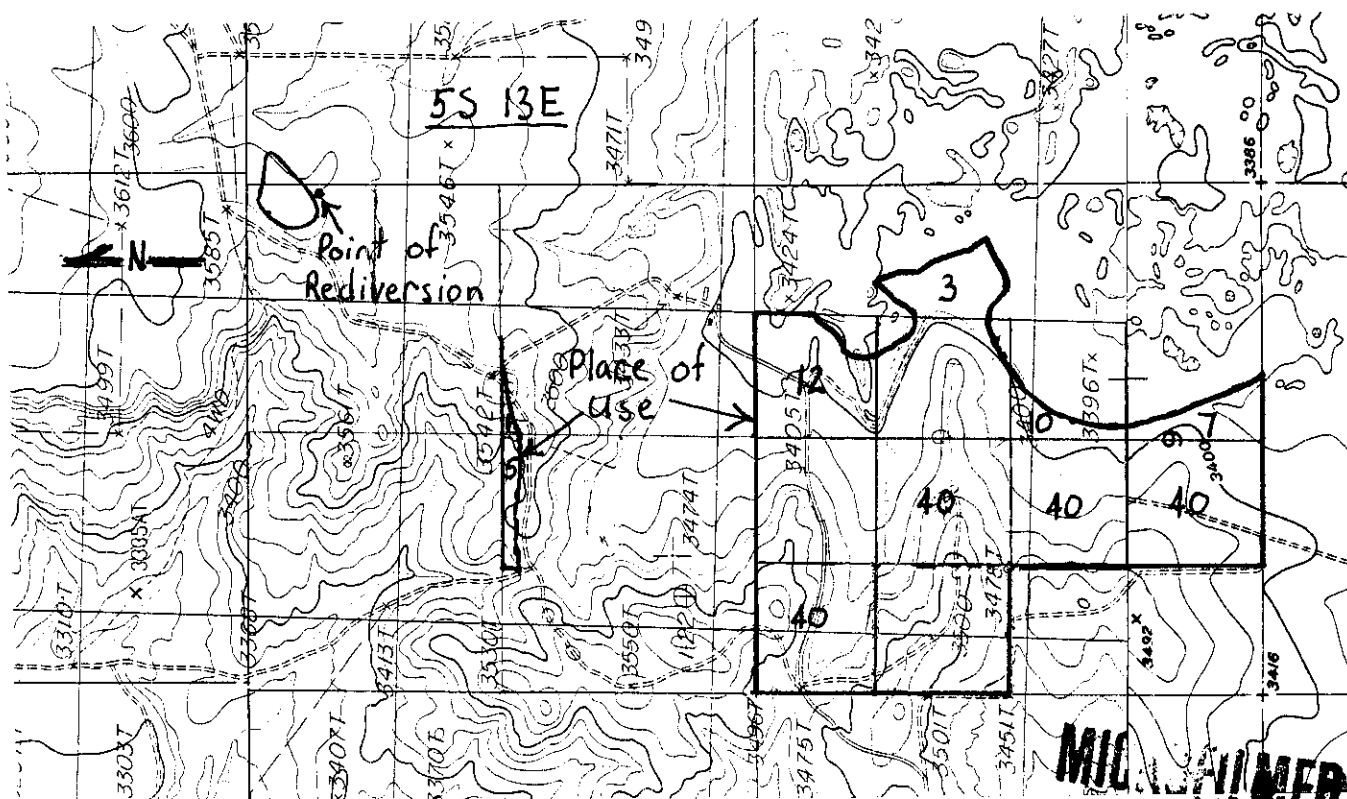
☐ Copies Attached

2. Other water rights with same point of diversion: 37-0856, 37-2778, 37-2780

☐ Copies Attached☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = _____

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

☒ Photo of Diversion and System Attached

(required for all but single household domestic groundwater, and stockwater.)

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

JUL 20 1990

System Description (continued)

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

Water flows from Bray Lake through a ditch to the place of storage for irrigation. From the storage pond the water is both pumped and gravity fed ^{to sprinklers} to the places of use. The system operating pressure at the time of measurement was 30 psi. The entire system used hand line sprinklers.

☐ 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
	Deutz (6 cyl)	99	6437859	Cornell	4560C / 10"

*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
			SW	NE	35	4S	13E	Gooding	Quadrangle / Aerial
		SE	NE	NE	4	5S	13E	Gooding	Quadrangle / Aerial

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	
5S	13E	4									5	2				1			8
5S	13E	9		12	39	3	37	40	37	40	40			40		10	7		305
																			313

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JUL 23 1990

Do not use this space

State of Idaho
DEPARTMENT OF WATER RESOURCES
SUPPLEMENTAL FIELD REPORT FOR ANNUBAR MEASUREMENT

Measured by: Russ Lewins Date 6/23/89
Owner: Idaho State Bank Permit No. 37-7754

Description of well &/or measuring site

- Include any clarifications of the sketch
- Include legal description if more than one p.d. is described in the Field Report

MEASURED INSIDE PIPE DIAMETER IN INCHES (ID)

CIR = Pipe Circumference in Inches = _____
T = Pipe Thickness in Inches = _____
ID = $2 [(0.1592 \times CIR) - T] = \dots\dots\dots 11.938$

*system operating pressure
is 30psi
12" schedule 40*

ANNUBAR DESCRIPTION & CONSTANT (C)

Size Used in Test _____
State ID No. _____

Select C based on size from Table below.

Nominal Pipe Size	C
4"	4.23
6"	3.75
8"	3.87
10"	3.94
12"	3.99
14" - 16"	4.01
18" - 24"	4.02
30" or larger	4.03

C selected $\dots\dots\dots 3.99$

DIFFERENTIAL PRESSURE READING IN INCHES OF H₂O (H)

High Reading = 41.4
Low Reading = 34.9
High - Low = H = $\dots\dots\dots 6.5$

CALCULATION OF DISCHARGE IN CFS (Q)

$$Q = \frac{(ID)^2 \cdot (\sqrt{H}) \cdot (C)}{448.8}$$

$$Q = \frac{(11.938)^2 \cdot (\sqrt{6.5}) \cdot (3.99)}{448.8} = 3.23 \text{ cfs}$$

SKETCH (If not shown on Field Report)

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JUL 23 1989

Do not use this space

D. FLOW MEASUREMENTS

☒ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Annubar / Manometer	75	—	—	091431	12.00	—

2. Measurements:

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:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{237 \times 3 \quad 711 \text{ afa}}$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{3.23 \times 215 \times 1.9835 = 1377 \text{ afa}}$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{711 \text{ afa}}$

2. Volume Calculations for Other Uses:

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JUL 23 1990

H. REMARKS AND OVERLAP REVIEW ANALYSIS

The total capacity of the system is 3.23 cfs. Applicant applied for 6.26 cfs allow 3.23 cfs on license.

The total capacity of storage applied for is 1565 AF. This permit 37-7754 when combined with permits 37-0856, 37-2778 and 37-2780 shall not exceed 4365 AF. See Dam Safety File 37-2778.

There is land irrigated with this permit that is not owned by the applicant. It is located in: NW 1/4 SW 1/4, NE 1/4 SW 1/4, NW 1/4 SE 1/4, SEC 4, T5S, R13E
SW 1/4 NW 1/4 SEC 9, T5S, R13E
* See Attached

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	Apr 1	Nov 1	3.23	711
Storage for Irrigation				1,565
Totals:			3.23	3,276

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

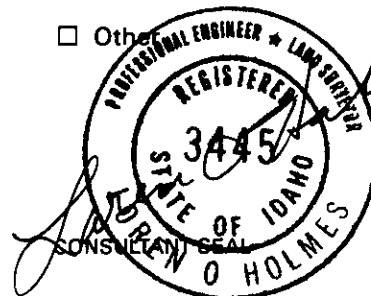
J. AUTHENTICATION

Field Examiner's Name Russ Lewins

Signature Russell J Lewins

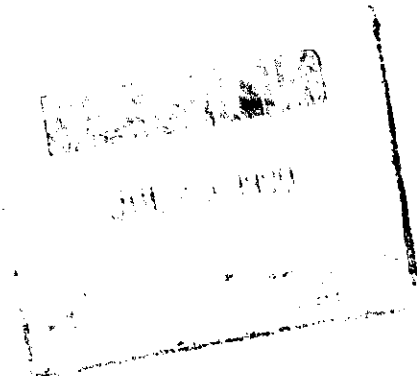
Certification Date 2/21/89

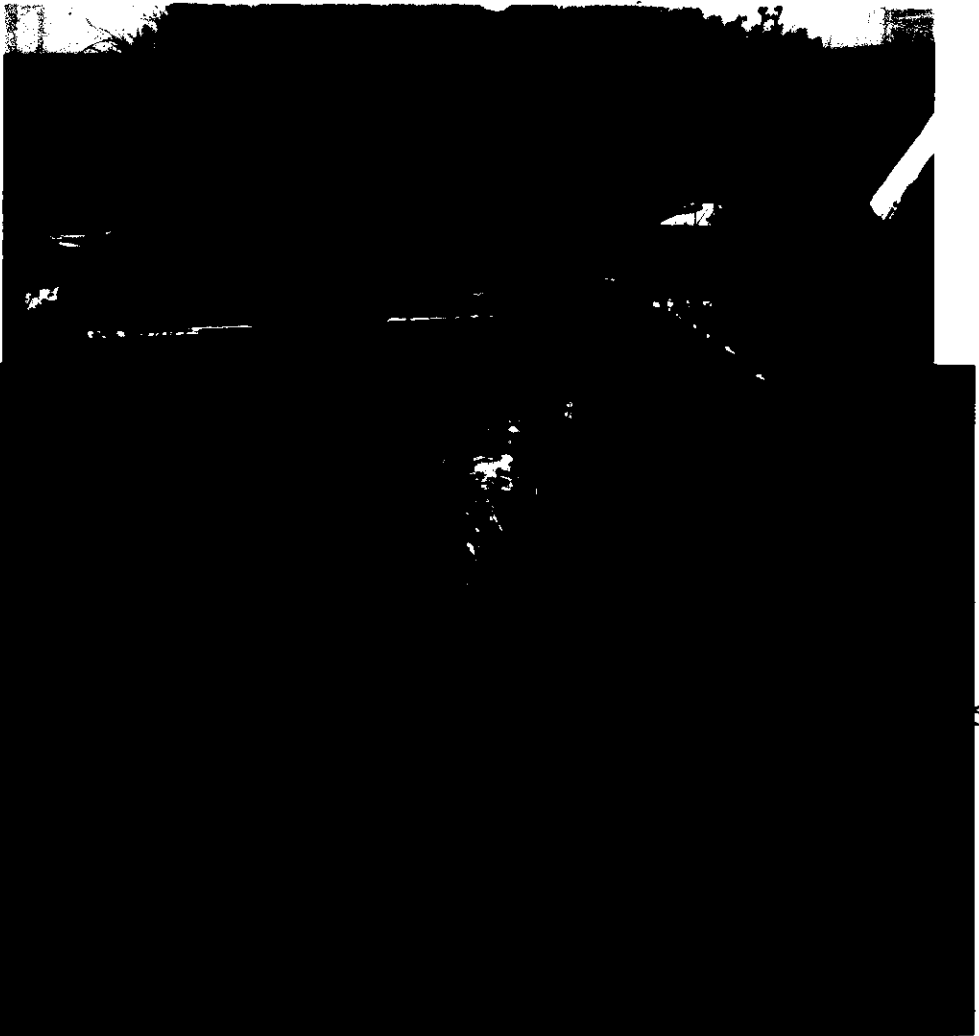
Field Report Preparation Date 8/8/89



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

DM 8/30/89





Storage for Irrigation

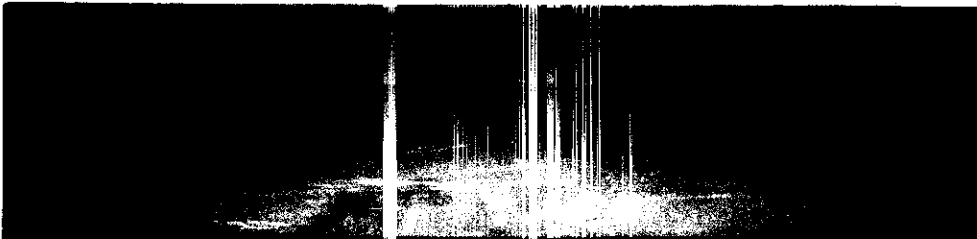
Looking South

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JUL 23 1990

Looking East





Storage for Irrigation

Looking South

MICROFILMED

JUL 23 1990

Looking East



Storage for Irrigation

Looking South

MICROFILMED

JUL 23 1990

Looking East



Storage for Irrigation

Looking South

MICROFILMED

JUL 23 1990

Looking East



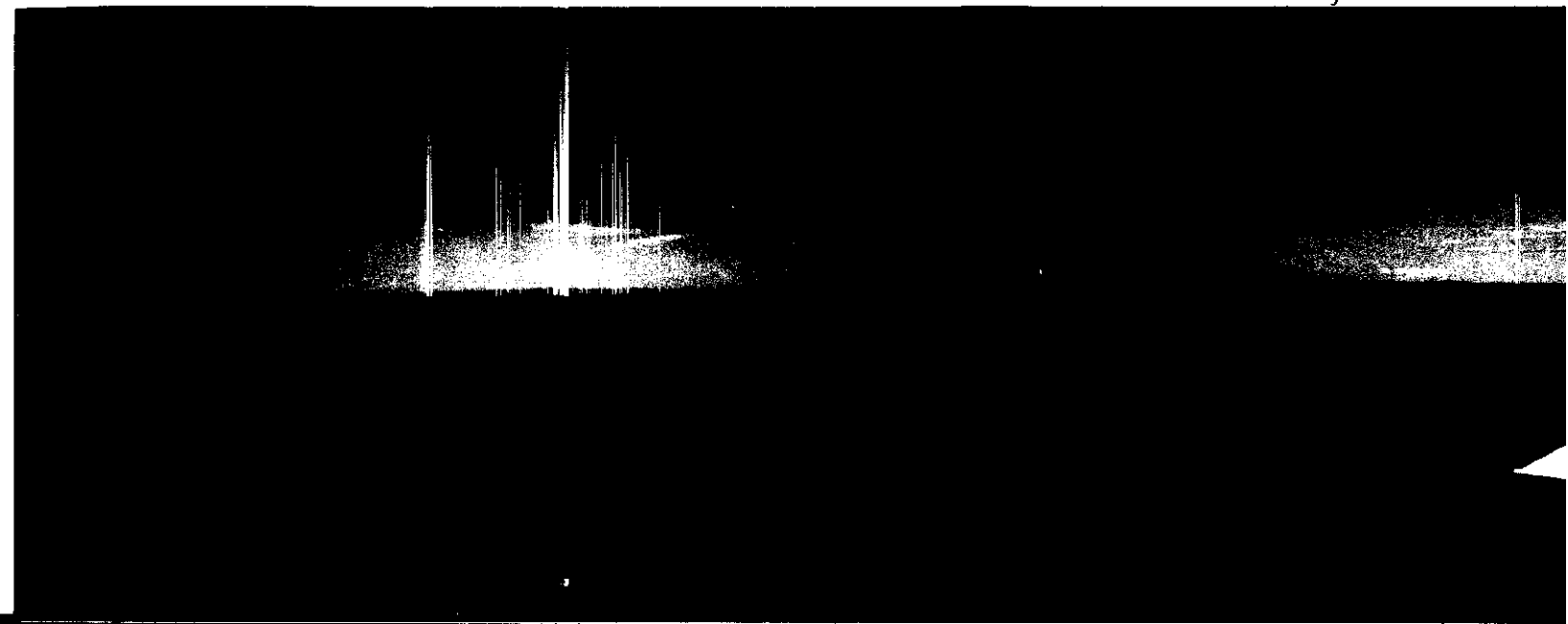
Storage for Irrigation

Looking South

MICROFILMED

JUL 23 1990

Looking East





ALL WATER LICENSES - TOWNSHIP 5 So. RANGE 13 E.

SEC 14

SEC 3

LOT 2

LOT 1

LOT 1

20-
18

10-
22

SW-NE

SE-NE

SW-NW

8-
7

40-
32

31-
28

NE SW

NW-SE

NE SE

NW SW

25-
11
5

33-
34
17

40-
5

40-
2

SE-SW

SW-SE

SE SE

40-
34
24

40-
36
37

40-
13
11

45
9-10

9-10 NW NW

NE NW

NW NE

40-
10-
8
12

37

(2) dont own

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JUL 23 1990

P-40-3

SE NW

SW NE

SE NE

P-39

P-40

13-
P-3

(P 37)

NE SW

NW SE

P-40

P-10-8

(14) dont own

OLD DECREE 32 CFS.
157 CFS.
80 CFS.
636 CFS.

SE SW

SW SE

P-40

P-7-8

— OLD DECREE

— 37-2780

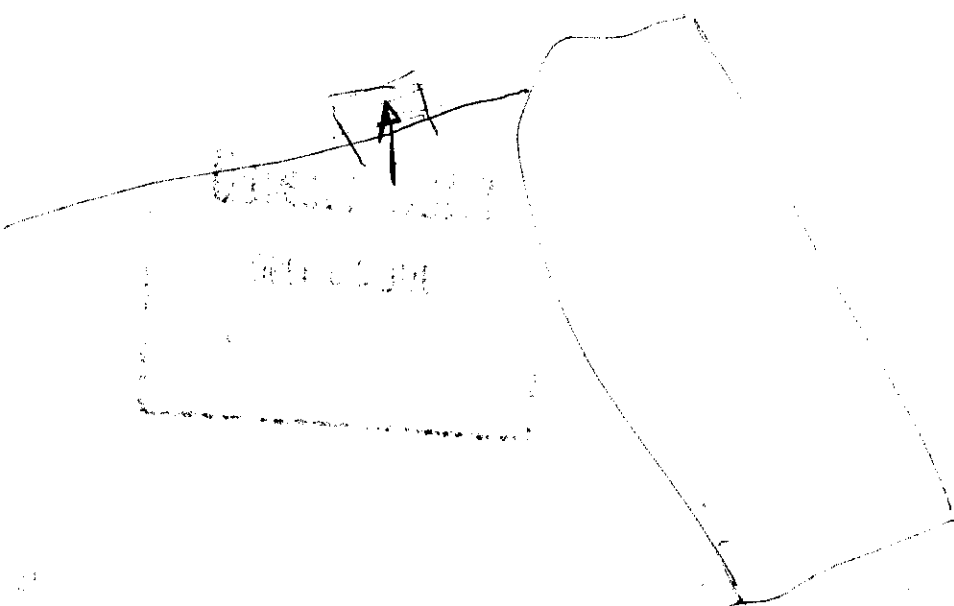
— 37-2778

— 37-7754

8/9
17/16

9/10
16/15

Oct - 15 to April 15 - then of Lev
Storage

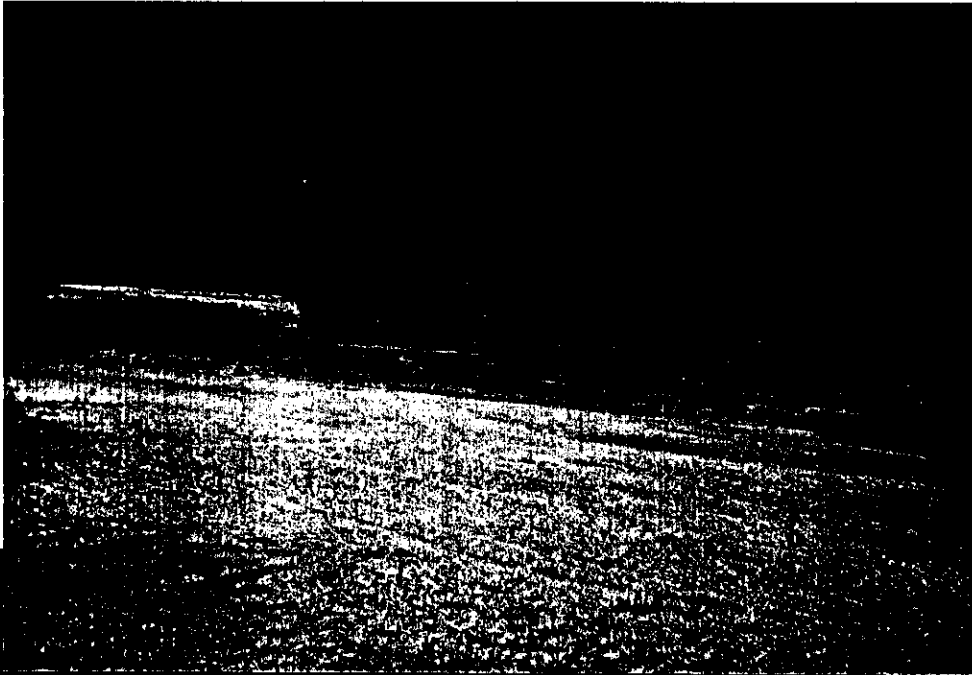


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JUL 23 1990

Bray Lake
D37-2778
7/31/87

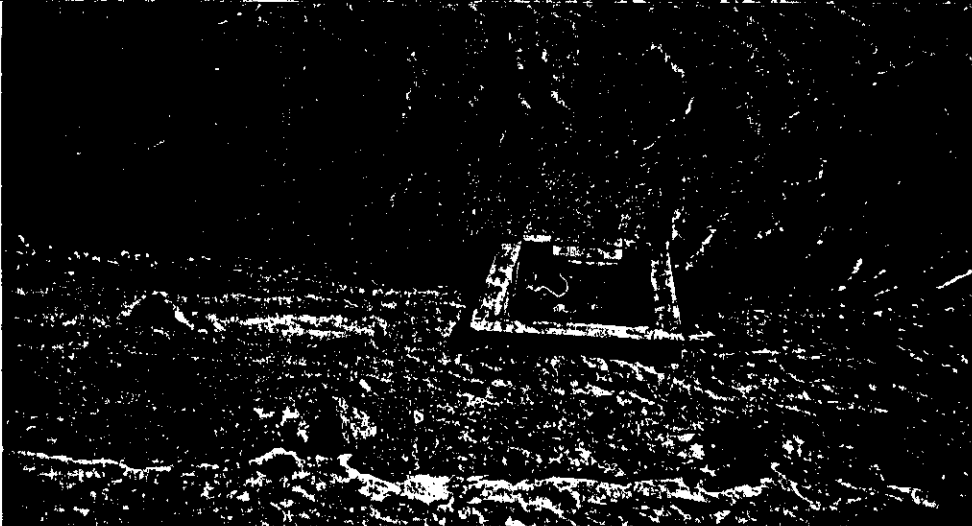
1/3



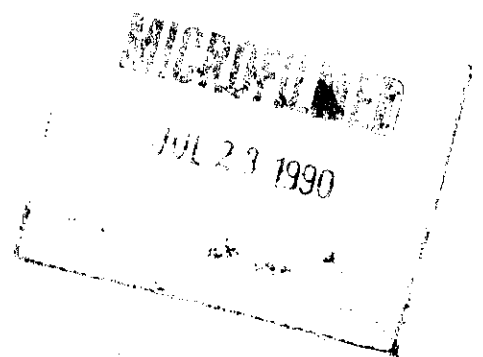
Downstream slope



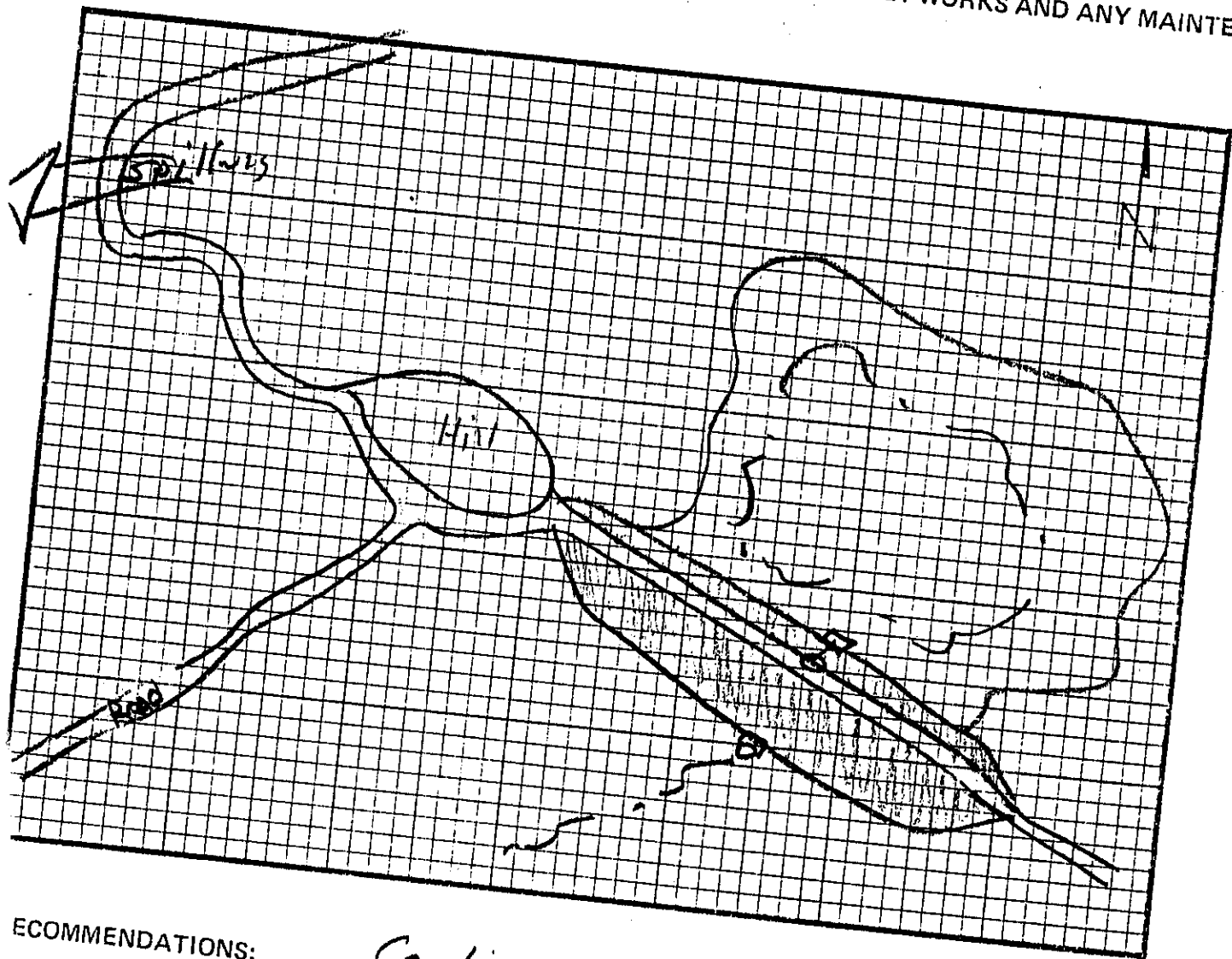
Upstream slope



Inlet box to
outlet pipe.



SKETCH OF DAM SHOWING LOCATION OF SPILLWAY AND OUTLET WORKS AND ANY MAINTENANCE PROBLEMS:



RECOMMENDATIONS: Continue routine maintenance.

Issue Certificate for 2 yrs.

7/31

MICROFILMED

19

87

JUL 23 1990

Inspected by:

Allen M. Smith

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECORD OF INSPECTION OF DAM

Name of dam: Bray Lake Dam Stream: Dry Creek ☒ Offstream

Name of owner: Idaho State Bank Location: _____

Individuals accompanying inspector: Dave Miller (Dank's Farm Manager)
Loren Holmes - IDWR

Reservoir characteristics: Dam height 32.5 Hyd Surface area 204 Ac Storage capacity 4365 A.F.
36.5 structural

Hazard class: Significant Photographs: Yes

CONDITION OF EMBANKMENT OR STRUCTURE: ☐ Poor ☐ Fair ☒ Good ☐ Excellent

Type: ☒ Earth ☐ Rockfill ☐ Conc. arch ☐ Conc. gravity ☐ Timber crib ☐ Other _____

	UPSTREAM SLOPE	CREST	DOWNSTREAM SLOPE	TOE AREA
Surface cover material	<u>Large rock riprap</u>	<u>earth</u>	<u>earth</u>	
Growth	<u>few weeds</u>	<u>none</u>	<u>few sage</u>	
Settlement or cracks	<u>None noted</u>	_____	_____	
Surface erosion	<u>None noted</u>	_____	_____	
Debris	<u>None noted</u>	_____	_____	
Animal burrows	<u>None noted</u>	_____	<u>Few old badger holes</u>	
Crest width and slope measurements	<u>3' 1</u>	<u>14'</u>	<u>2' 1</u>	

CONDITION OF OUTLET WORKS: ☐ Poor ☐ Fair ☒ Good ☐ Excellent

Location: ☐ Left side ☒ Center ☐ Right side ☐ Other _____

Description and condition: 15" steel pipe

Gate hoist: ☒ Manual ☐ Electric ☐ Other _____

Stem: ☒ Inclined from entrance to crest ☐ Vertical on tower at entrance
☐ Vertical through dam from crest ☐ Downstream valve

MICROFILMED

JUL 23 1990

POOR QUALITY

State of Idaho
Department of Water Resources
**AMENDED
WATER RIGHT LICENSE**

License of Water Right No. R-864/27-2776 Priority Feb. 26, 1937 Amount 1210 acre feet

THIS IS TO CERTIFY that ALEX MASON
of Idaho, Idaho has complied with the terms and conditions of Permit
No. R-864/27-2776 issued pursuant to Application for Permit dated October 12, 1950
and has submitted proof to the Department of Water Resources on March 15, 1956 (date proof)
that he has applied water to a beneficial use, an examination by the Department indicates that the works have a
capacity for the storage of 1210 acre feet of water from Dry Creek
tributary to the Big Wood River and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Storage for:	from <u>Jan. 1</u> to <u>Dec. 31</u>	<u>80.0</u> cfs and	<u>1210 acre feet</u>
Irrigation	from <u>April 1</u>	<u>1.0</u> cfs and	<u>726 acre feet or</u>
	from	<u>1.0</u> cfs and	<u>3.0 af per acre</u>

(Such device exclusive)

Subject, however, to the condition that no more than 1210 acre feet of water be stored at any one time, and
that the amount of water so diverted and to which such right is extended and reserved for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
3.0 acre feet per acre per year, said waters to be diverted within the NE 1/4 Sec. 3,
Twp. 4N, Rge. 14E, B.M., and rediverted at the outlet works in the SW 1/4 Sec. 25,
Twp. 4N, Rge. 13E, B.M., in the County of Gooding.

Description and location of place of use

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				Total
			North	West	South	East	North	West	South	East	North	West	South	East	
55	13E	3					22	28			2				52
		4	18		38					11		24	5	27	119
		9		8		3									11

Total number of acres irrigated 242

MICROFILMED

JUL 23 1990

NOTE: 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 right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this

March 27, 19 56.

[Signature]
Director

AM
4-1

State of Idaho
Department of Water Administration

ROUGH DRAFT

WATER RIGHT LICENSE

License of Water Right No. 37-2780 Priority _____ Amount 236.77 cfs

THIS IS TO CERTIFY, that Alex Mason
of Bliss, Idaho, has complied with the terms and conditions of Permit

No. 37-2780 issued pursuant to Application for Permit dated _____
and has submitted proof to the Department of Water Administration on _____
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 236.77 cfs of water from Dry Creek
tributary to Snake River and that the permit holder has applied to a beneficial use
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
✓ <u>Storage</u>	from <u>Jun. 1</u> to <u>Dec. 31</u>	at <u>236.77</u> cfs and	<u>8000 Ac. Ft./Ann.</u>
✓ <u>Irrigation</u>	from <u>Apr. 1</u> to <u>Nov. 1</u>	at _____ cfs and	<u>480.0 Ac. Ft./Ann.</u>
	from _____ to _____	at _____ cfs and	

(Both dates inclusive)

Subject, however, to the condition that no more than 236.77 of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1280.0 acre feet per year, said waters to be diverted within the NE 1/4 SE 1/4 of Sec.
6, T.4S., R.4E., B.M. in the County of Gooding

Description and location of place of use:

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	
55.	13E	4			7	32					11			24	5	34	37	10	160

Total number of acres irrigated 160

No Measuring Device Required

MICROFILMED

See 37-2778

JUL 23 1990

NOTE: 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 right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this _____ day of _____, 19 _____.

EXAM

ROUGH DRAFT
Director

POINT OF DIVERSION: NEISEL, Sec. 6, Twp. 4S, Rge. 14E, B.M.

Range 13 East

MICROFILMED

JUL 23 1990

NOTE: Acreage in parenthesis indicates acreage shown on b/u affidavits.

AM
157

RECEIVED

State of Idaho

Department of Water Resources

ROUGH DRAFT

Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 37-2780 Priority _____ Amount ✓ 157
236.77 cfs

THIS IS TO CERTIFY, that Alex Mason
of Box 417, Bliss, Idaho, has complied with the terms and conditions of Permit
No. 37-2780 issued pursuant to Application for Permit dated _____
and has submitted proof to the Department of Water Resources on _____
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the 236.77 cfs and storage of 2900 AF of water from Dry Creek
tributary to Big Wood River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Div. to Storage	from Jan 1 to Dec 31	236.77 cfs and	853 AF
Storage	from Jan 1 to Dec 31	157 cfs and	20025 AF
Irrigation	from April 1 to Oct 31	80 cfs and	12561 AF
(both dates inclusive)			

Subject, however, to the condition that no more than 236.77 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
20025 acre feet per year, said waters to be diverted within the NE 1/4 SE 1/4 of Sec 6
T. 4S., R. 14E., B.M. 2nd 1/4 Sec 6, T. 4S., R. 14E., B.M. 2nd 1/4 Sec 6, T. 4S., R. 14E., B.M. 2nd 1/4 Sec 6

Description and location of place of use: T. 4S., R. 14E., B.M. 2nd 1/4 Sec 6, T. 4S., R. 14E., B.M. 2nd 1/4 Sec 6

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	
✓ 5S	13E	3					40	30	2		40								110.2
		4	85		7.3	40				245		32	40	33	8	12.5			246.3
		9	16	10		13	7.5							14	8	8			62.1

✓ No Mex. Device Reg'd. Total number of acres irrigated 418.6

ROUGH DRAFT

2115
MICROFILMED

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this _____ day of _____, 19 _____.

2nd EXAM

237
82
157

Director

JUL 2 1990

September 5, 1986

RE: Permit No. 37-7754

Idaho State Bank
Box 909
Glenns Ferry, ID 83623

Dear Permit Holder(s):

This office acknowledges receipt of the Assignment of the above referenced permit to you. Enclosed for your records is a copy of the permit.

In reviewing the permit, we find that the next step towards licensing of the permit will be for our regional office to examine your water right system.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc
Enclosures

RECEIVED

Permit No. 37-7754

ASSIGNMENT REVIEW CHECK LIST

1. Signature of Permit Holder? - Quitclaim Deed
2. Notary? Yes
3. a. Full Assignment? Yes
b. Partial Assignment?
4. "No assignment" condition on permit? NO
5. Commencement of Works received? B/u rec'd
 - a. Commencement of works requested?
 - b. Show Cause Order drafted & sent?
 - c. Cancellation necessary?
6. Affidavit of residency required? NO
7. Extension granted due to litigation?
(If yes, commencement of works is not required.)

1. Type permit summary sheet. ✓
2. Coding sheet. ✓
3. Acknowledgement letter type.
4. Copy to region.

Shavla —

Shavla —

1a

Shavla —

Date 9-2-86

Employee Jw

MICROFILMED

4/86

For Office Use Only
Fee Received \$250.00
Date 7-30-86
Receipt # 38871
Receipt by 18
Sent to S.O.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
EXAMINATION FEE INFORMATION

1. Permit No. 37-7754

ONE OF THE FOLLOWING BOXES SHOULD BE MARKED TO DESIGNATE YOUR CHOICE:

☒ I choose to have the department make the field examination of this permit; attached is the examination fee. (If this box is marked, complete items 1 thru 8.)

2. Permit Holder: Idaho State Bank c/o Harry Knox

3. Post Office Address: Drawer AE

Glenns Ferry, Idaho Telephone No. 922-1105

4. Source of Water: Bray Lake Storage

5. Extent of Use:

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

Irrigation 313 (acres) Other/Remark

6. Total rate &/or volume for which proof is submitted 6.26 cfs 1565 acre-feet

7. Show the date water was first diverted and beneficially used under this permit:

April 1979

8. Person to contact to accompany the department representative during the field examination:

Dave Miller
(Name)

Blise, Idaho 352-4325
(Address) (Telephone Number)

☐ I choose to have the field examination conducted by a certified water right examiner. Attached is a statement from the certified examiner I have selected verifying that he has been retained to conduct the examination. (If this box is marked, complete items 1 thru 7.)

7-28-86
Date

S. Donald Rowe
Idaho State Bank (S. Donald Rowe) Property Manager
Signature of Permit Holder (and title, if appropriate)



State of Idaho DEPARTMENT OF WATER RESOURCES

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Idaho State Bank
c/o Harry Knox
Glenns Ferry, ID 83623

37-7754

June 19, 1986

138807
CERTIFIED MAIL

EXAMINATION FEE NOTICE

Dear Permit Holder:

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

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

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

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

MICROFILMED

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

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

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

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

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

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

Northern Region

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

Eastern Region

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

Southern Region

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

Western Region

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

Sincerely,


L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

MICROFILMED

Box 145
Blin, Ida
83314

State of Idaho
Dept. of Water Resources
Statehouse
Boise, Idaho 83720



RECEIVED
MAY 15 1986

Department of Water Resources

The should be sent
to Idaho State Bank
at Glenn Ferry, Idaho
% Harry Knox. They
Now own the Ranch

MICROFILMED

Paul Sears



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

37-7754
SEARS, PAUL L.
BRAY LAKE RANCH
BOX 145
BLISS, ID 83314

RECEIVED
MAY 15 1986

Mailing address:
Statehouse
Boise, Idaho 83720

Department of Water Resources

138722

April 30, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

100.00

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MICROFILMED

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

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

RECEIVED



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

37-7754
SEARS, PAUL L.
BRAY LAKE RANCH
BOX 145
BLISS, ID 83314

138722

April 30, 1986

CERTIFIED MAIL

EXAMINATION FEE NOTICE

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MICROFILMED

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Phone: 765-4639

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Idaho Dept. of Water Resources
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Southern Region

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

Western Region

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

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

RECEIVED MED
JAN 10 1981

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Southern Region

1041 Blue Lakes Blvd. N.
Twin Falls, Idaho 83361
(208) 734-3578

MARCH 22, 1984

L. PAUL SEATS
BOX 145
BLISS

ID 83314

RE: Permit No. 37-7754

Dear Permit Holder:

We acknowledge receipt of your statement submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this department.

A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office by phone at 734-3578 or in person at our office at 1041 Blue Lakes Blvd. N. Twin Falls, Idaho.

Sincerely,
s/Mary R. Newby
Secretary

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM TERRY Blau

DATE 3-14-84

TO Jim Johnson

SUBJECT Amendment of Permit 37-7759

Upon reviewing The file it appears that ON 12-14-78 Mr. Sears filed an application for 6.26 cfs for irrigation from storage. ON JAN 3, 1979 Allen Morratt wrote him a letter advising him to Amend his application to include additional storage. Consequently ON 1-30-79 Mr. Sears filed an application for Amendment of Permit (The document in question) Apparently It was then discovered that he should have filed an Amended Application instead. The 1565 AF irrigation from storage and storage from irrigation were then added to the original application and "Amended" Typed in at the top. Apparently The ~~amended~~ application for amendment was not discarded and found its way to Boise. This Document is invalid and should be discarded. A note should be attached to file to omit it from the microfilm record to avoid confusion in the future.

Terry A. Blau
SIGNATURE

RECEIVED

INTER-DEPARTMENT MEMO — 1

MAR 13 1984

DATE 3-9-84

FROM Jim

Department of Water Resources
San Joaquin District Office

TO TERRY B.

SUBJECT AMENDMENT OF PERMIT 37-7754

TERRY, I don't see where this AMENDMENT
CHANGES ANYTHING. THE PERMIT SHOWS SAME P/D LOCATIONS
AND THE USES ARE THE SAME. PLEASE FOLLOW-UP.

SIGNATURE

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

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

Department of Water Resources
Southern District Office

Comes now L. Paul Sears

of (address) Bray Lake Ranch, Box 145, Bliss, Idaho 83314, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 37-7754, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SW 1/4 NE 1/4, Section 35, Township 4S, Range 13E, B.M.,
County of Gooding. Other points of diversion: Rediverted NENE, NWSE,
Sec. 4; SENW, Sec. 9, Twp. 5S, Rge. 13E

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

Amount 1565 AF for irrigation purposes from Jan 1 to Dec. 31 (both dates inclusive)
(cfs or acre feet per annum) storage for
Amount 1565 AF for Irrigation from purposes from Apr 1 to Nov. 1 (both dates inclusive)
(cfs or acre feet per annum) Storage
Amount 6.26 cfs for Irrigation purposes from Apr 1 to Nov. 1 (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated: No Change

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	

Total number of acres to be irrigated = _____

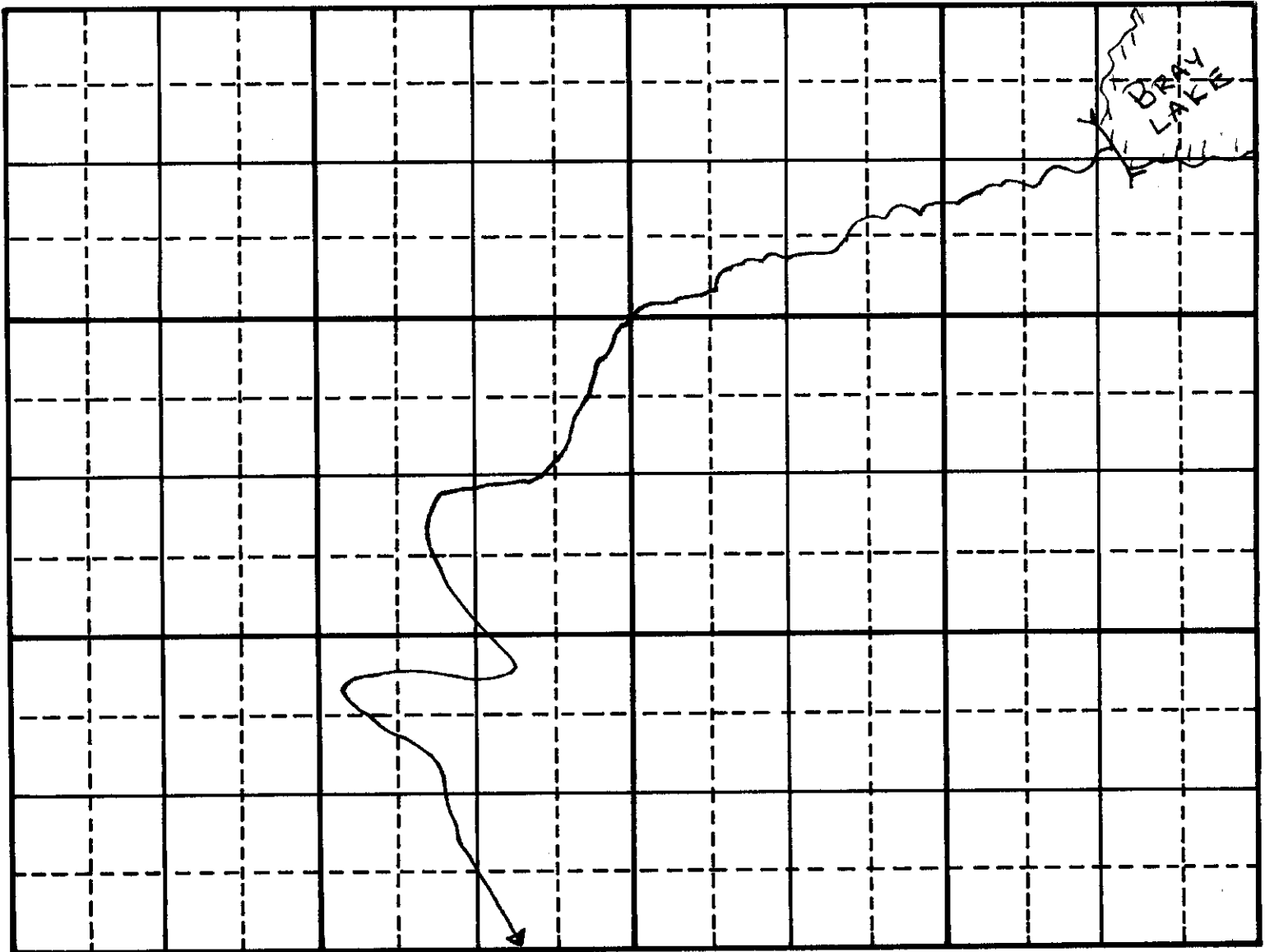
4. a. Who owns the property at the point of diversion? B.L.M.
b. Who owns the land to be irrigated or the place of use? Applicant
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the
applicant to make this filing: Long-term lease

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

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

No Change - see original



Scale: 2 inches equal 1 mile.

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

Signed at Twin Falls, this 30 day of January 1979.
J. Paul Sears
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by _____ Fee = \$20.00

Received by TB Date 1-30-79 ^{#12478}

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, _____, Director of the Department of Water Resources hereby

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

Director

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 37-7754

Name(s) of Permit Holder: L. Paul Sears

Post Office Address: Box 145

Bliss, Idaho 83314 Tel. No. 352 4609

Source of Water: Bray Lake

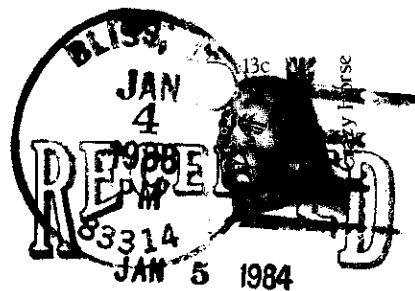
Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 920 (acres)
☐ Other

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.

1-3-84 Date L. Paul Sears Signature of Permit Holder

L. Paul Sears
Box 145
Bliss, Idaho
83314



Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

MICROFILMED

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

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

SEARS, PAUL L.
BRAY LAKE RANCH
BOX 145
BLISS, ID 83314

138302

P R O O F D U E N O T I C E

D E C E M B E R 3 1 , 1 9 8 3

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 37-7754 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE MARCH 01, 1984. (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

MICROFILMED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

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

C. STEPHEN ALLRED
Director

March 26, 1979

Re: Permit No. 37-7754

L. Paul Sears
Bray Lake Ranch
Box 145
Bliss, Idaho 83314

Dear Mr. Sears:

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

Please note the special condition requiring you to install an access port or other device to provide for the installation of measuring equipment by the Department. Enclosed are specifications for the installation of the access port, as well as a list of measuring device options.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power.

While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,

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

DRT:lr

Enclosures

FILED
MAR 29 1979
IDAHO POWER
COMMISSION

37-7754

STAFF REVIEW - STATE OFFICE

1. ✓ Name vs. Signature
2. Lake Source
3. ✓ Point of Diversion
4. 1565 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. 313 Place of Use for irrigation (add acres)
9. BLM Property Owner at Pt. of Div. & Pl. of Use A
10. ✓ Map
11. 95 Fee & Rec't. No.

Copies Sent To:

NO Idaho Health Department
7 Idaho Fish & Game Dept.
7 Bureau of Land Management

NO U.S.F.S.
7 Dept. of Lands
7 Other

\$185 - 1565 A.F.
 - 95 - 6.25 cfs
 90 - Balance sk
 + 20 - Roadwork fee
 \$110 amt fee
 Rec'd - #12678

Dam Safety Information yes (Goes to Permit Section)

Check:

Critical G.W. Area yes ✓ no

Other rights on same land 37-2778, 37-2780 - land from these lands are not the same as identified on this application

Withdrawals of all protests received N/A yes no

Conditions:

ID Power Co. Letter - Snake R. NO

ID Power Co. Letter - G.W. & Tribs. yes

Snake River Condition NO

Payette River Letter NO

Priority Date 1/30/79

Water Quality #16 NO

Water Quality #10 intrastate interstate

Meas. Dev. or Sc. Meas. yes

Totalizing meter NO

Supplemental NO

Right-of-Way Cond. NO

Watermaster Cond. NO
 Wtr. Dist No. NO

Meas. Dev. Cond. for apps within a Water Dist. NO

Jain Reviewer

3/21/79 Date

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM Loten Holmes

DATE 3-13-79

TO File 37-7754

SUBJECT

This Application was originally filed for the diversion rate only.

It was later mistakenly amended to add storage using an application for amendment. The date of amendment & the additional filing fee received were noted on the amendment form, & the information on storage was added to the Application for Permit.

Since the Addition of Storage to the Application is an enlargement, the Priority should be advanced to the date the amendment was received - 1-30-79.


SIGNATURE

MICROFILMED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 37-7754 - SEARS, L. PAUL

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

(1) ADM 12-18-78

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)

In form for advertising

(5) LH 3-13-79

Platted on Map No. 2-19

(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) map 3/8/79
2/9/79

Affidavit of Publication received (date) 2/8/79 ^{Amended} 3/8/79

(12) map 12/22/78

Final date for protests ^{Amended 3/12/79} 1/29/79
Protests received: yes no

(13) LH 3-13-79

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

(14) LH 3-13-79

Action recommended:

☒ Approve

1-30-79 Proposed Priority

☒ Reason for Reduction Amended to include storage

☒ Measuring device required

 See attached sheet for other conditions of approval

 No special conditions for approval

RECEIVED
MAR 19 1979

Department of Water Resources

(15) District S By Larry O. Halme Date 3-13-79

FILMED

State of Idaho
Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: J E Stanton

Right Number 37-7754

Applicant L. Paul Sears

Purpose of Amendment: ☐ Change point of diversion. ☐ Add diversion point(s).

☒ Increase amount. ☐ Change place of use. ☐ Other _____

CHECK:

- ☒ Description of amended point(s) of diversion.
- ☒ Amount, nature and period of use. If increased, delay date of priority.
- ☒ Description of amended places of use. If expanded, delay date of priority.
- ☒ Ownership of point of diversion and place of use.
- ☒ Map.
- ☒ Signature (must be permit holder).
- ☒ Fee.
- ☒ Existing water rights from the same source, amended place of use.
- ☒ Right number(s) 37-2778, 37-2780
- ☒ Yes ☐ No Should amendment be advertised?
- ☒ Yes ☐ No Should date of priority be delayed? If yes, to what date? 1-30-79

FINAL REGIONAL PROCESSING REVIEW:

- ☐ Affidavit of publication received.
- ☐ Amendment published correctly.
- ☐ Protests processed.
- ☐ Approve.
- ☐ Deny.

Conditions _____

By _____ Date _____

STATE OFFICE PROCESSING:

- ☐ Amendment correct and complete. By _____ Date _____
- ☐ Approved copy sent to applicant and to Region. By _____ Date _____

MICROFILMED

NOTICE OF AMENDED APPLICATION FOR WATER PERMIT

NO. 37-7754

Notice is hereby given that Application for Permit No. 37-7754 in the name of L. Paul Sears, Bliss, Idaho, was filed for the diversion of 6.26 cubic feet per second of water from Bray Lake in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 35, Twp. 4S, Rge. 13E, B.M., Gooding County. Re-diverted: NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4; SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 9, Twp. 5S, Rge. 13E, to be used from April 1 to November 1, for irrigation of 313 acres within the N $\frac{1}{2}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 4; NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 9, Twp. 5S, Rge. 13E.

The applicant now proposes to amend Application for Permit No. 37-7754, requesting storage of 1565 acre feet per annum of water in Bray Lake for irrigation purposes from January 1 to December 31; also, diversion from storage of 1565 acre feet per annum of water at a rate of 6.26 cfs from Bray Lake for irrigation from April 1 to November 1.

No change in place of use.

Any protest against the proposed amending of this application must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, on or before March 12, 1979.

C. STEPHEN ALLRED
Director

Published in Gooding County Leader February 22, 1979 and March 1, 1979.

RECEIVED
MAR 1 1979

LEGAL (257) 1e

**NOTICE OF AMENDED
APPLICATION FOR
WATER PERMIT
NO. 37-7754**

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No change in place of use.

Any protest against the proposed amending of this application must be filed with the Idaho Department of Water Resources, 1641 Blue Lakes Blvd., North, Twin Falls, Idaho, on or before March 12, 1979.

/s/ C. Stephen Allred
Director

Pub: 2-22; 3-1

RECEIVED

FEB 15 1979

Department of Water Resources
Southern District Office

February 7, 1979

Gooding County Leader
Box 56
Gooding, Idaho 83330

Re: Notice of Amended Application for Water Permit No. 37-7754 - L. Paul Sears

Gentlemen:

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

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

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

Sincerely,

Mary A. Hill
Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

January 3, 1979

L. Paul Sears
Bray Lake Ranch
Box 145
Bliss, Idaho 83314

Re: Application for Permit No. 37-7754 - L. Paul Sears

Dear Mr. Sears:

Upon review of your recent Application for Permit our office has found that it may be necessary for you to provide additional explanation of your intended use.

As the application was taken, you have requested 6.26 cfs from storage for irrigation of 313 additional acres. The rights covering the storage are reflected in License #37-2778 for 1210 A.F. storage and License #37-2780 for 905 A.F. storage. These rights total 2110 A.F.

If the recent application is left as is, the proposed 313 additional acres would have to be watered from the 2110 A.F. which is now appurtenant to 242 acres under License #37-2780 and 423 acres under License #37-2778. Since the reservoir capacity may be more than 2110 A. F., you may wish to change the recent application to include additional storage in the reservoir to cover the entire capacity of the reservoir and also provide additional storage for the land you propose to irrigate.

To amend the application would require that you file a correction within ten days and pay a \$20.00 fee for readvertising.

If we do not hear from you within ten days we will assume you do not wish to change the application and we will continue to process your application.

If you have any questions please don't hesitate to contact our office.

Sincerely,

Allen D. Merritt
Allen D. Merritt *marya*
Water Resource Analyst

ADM:marya

PRE-PERMIT EXAM

Applic. No: 37-7754

Date: 12-28-78

Source: Bray Lake Reservoir

Offstream storage from Dry Creek
~~Sub. to:~~

Stream flow data: Inventory of Dams indicates reservoir capacity
is 4,365 A.F. max. however field inspections indicate
2,500 A.F.

Other uses in general area: Reservoir is used to store irrigation
waters for other lands belonging to Bray Lake
Ranch Lic. 37-2778 80 cfs from dry creek
1210 A.F. Storage

4.84 cfs from storage for
irrig. of 242 acres
~~Special considerations:~~ Lic. 37-2780 157 cfs from dry creek
905 A.F. Storage for irrig.
of 423 acres

There are other rights on Dry Creek itself belonging
to other interests.

Water District or Canal Company which may have jurisdiction: None

Explain: Dam is privately owned

Do all items on application appear to be correct? Yes ☒ No ☐

Explain: As per Amended Applic

Recommendation and other comments: Approve

Signed: ADM

Persons present during review of site:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

DECEMBER 22, 1978

Goodins County Leader
P.O. Box 56
Goodins, Idaho 83330

Gentlemen:

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

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

Please send the affidavit of publication and publication billings to this office before JANUARY 29, 1979.

Yours truly,

Mary A. Hill
Secretary

Encl.



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:

32-2234-

SEARS, PAUL L.

BRAY LAKE RANCH, BOX 145, BLISS, ID 83314

Source: BRAY LAKE RESERVOIR

Date Filed: 12/14/1978

Amount: 6.26 CFS

Diversion Point: SWNE Sec 35 T 045 R 13E NENE NWSE
Sec 04 T 055 R 13E (REDIVERSI SENW
Sec 09 T 055 R 13E (REDIVERSI, GOODING Co.

Use: IRRIGATION FROM STORAGE (6.26 CFS) from 04/01 to 11/01

Place of Use: NESW NWSW NWSE Sec 04 T 055 R 13E NWNE SWNE SENE NENW NWNW SWNW
SENW Sec 09 T 055 R 13E NESW SESW NWSE SWSE Sec 09 T 055 R 13E
FOR 313 ACRES

Diversion Means: EXISTING DAM DELIVERING TO DITCH &/OR PUMP TO 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, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 on or before

C. STEPHEN ALLRED JANUARY 29, 1979.

Director

Published 1/11 & 1/18/79.

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RECEIVED

DEC 27 1978

37-7754
SEARS, PAUL L.
BRAY LAKE RANCH, BOX
145, BLISS, ID 83314
Source: BRAY LAKE RES-
ERVOIR
Date File: 12/14/1978
Amount: 6.26 CFS
Diversion Point: SWNE Sec
5 T 045 R 13E NENE NWSE
Sec 04 T 05S R 13E (RE-
DIVERSI SENW Sec 09 T ;5S
ERVOIR (REDIVERSI, GOOD-
ING Co.
IRRIGATION FROM
STORAGE (6.26 CFS) from
04/01 to 11/01
Place of Use: NESW NWSW
NWSE Sec 04 T 05S R 13E
NWSE SWNE SENE NENW
WNW SWNW SENW Sec 09
05S R 13E NESW SESW
NWSE SWSE Sec 09 T 05S R
13E FOR 313 ACRES
Diversion Means: EXIST-
ING DAM DELIVERING TO
DITCH &/OR PUMP TO
SPRINKLER SYSTEM



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

SOUTHERN REGION

John V. Evans
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ADM:marya

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