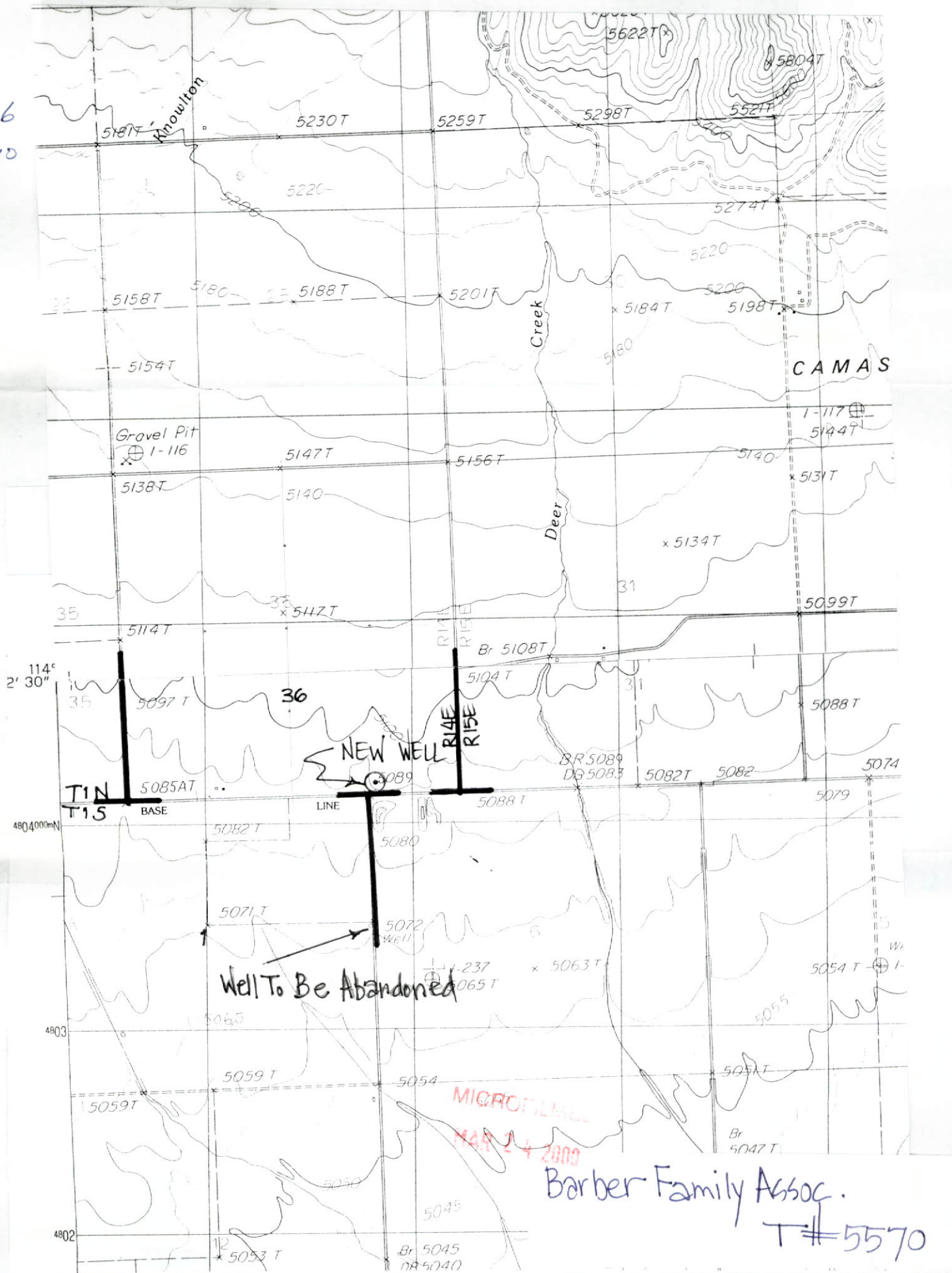


T# 70126807



Pg. 426
J#5570



Scale 1" = 2,000'

Barber Family Assoc.
T# 5570

36

36

Pg. 5 of 6

T# 5570

T243
BARBER FAMILY ASSOC.

2
75.5

1
132.1

63.1

69.7

3
160.5

104.5

Location
New
P/D



4
11.2

TOIN

5
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36

TOIS

ED KRAHN
TRUST
T198

1 6

T244
BARBER FAMILY ASSOC.

6
58.9

98.8 CHRIS KRAHN

R14E

R15E



P/D
to be
abandoned

3
58.8

2
257.9

1
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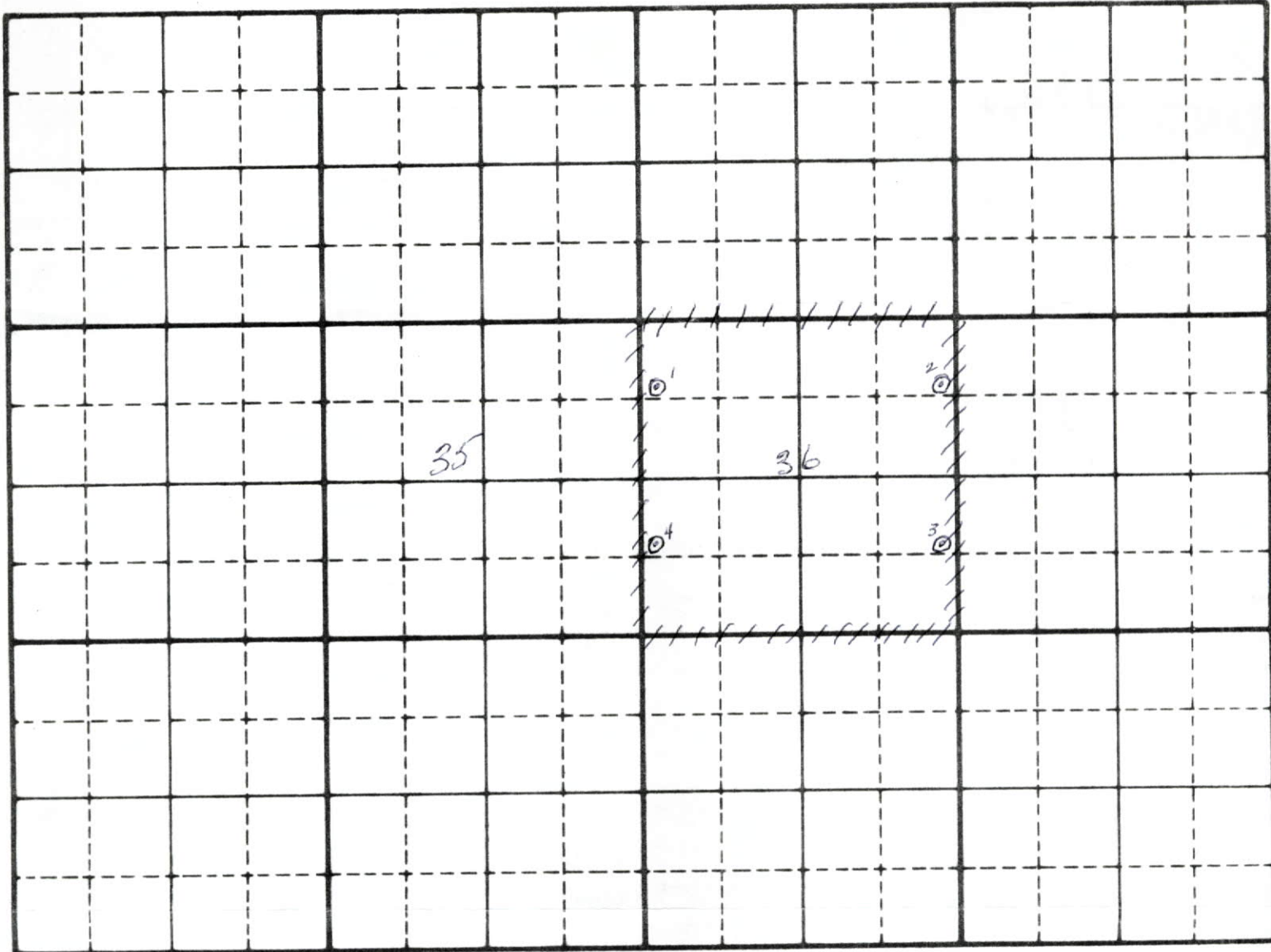
6

12 7

1987 FLIGHT

Barber Family Assoc.

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

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

Signed at Fairfield, this 12 day of October, 19 73.

Dora Oliver
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

I, R. KEITH HIGGINSON, Director of the Department of Water Administration, hereby approve the above application for amendment for Permit No. 37-7261.

Witness my hand this 14 day of October, 19 73.

R. Keith Higgins
Director

AKA

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

R14E

T1N

35

36

ORD

ORD

ORD

ORD

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.

Doran Chuer
(Applicant)

37 7261

**NOTICE OF APPLICATION FOR
WATER PERMIT FOR CAMAS
COUNTY**

Notice is hereby given that Doran and/or Mary Cluer, Rural Route, Fairfield, ID has on August 14, 1973 submitted Application No. 37-7261 for a permit to appropriate 12.8 cubic feet per second of water from groundwater by means of well and pump within the NW $\frac{1}{4}$ -NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T. 1N, R. 14E, B.M., Camas County to be used from Jan. 1 to Dec. 31 for stockwater, and from Apr. 1 to Nov. 1 for irrigation of 640 acres within the Sec. 36, T. 1N, R 14E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho, 83301 on or before September 10, 1973.

R. KEITH HIGGINSON
Director

Published in the Mountain Home News on August 23 and August 30, 1973.

RECEIVED

AUG 31 1973

Department of Water Administration
Bozeman District Office

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Gerald S. Waters do solemnly swear that I am the foreman, or publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of the proof of publication thereof, was published in said newspaper for

2 consecutive weeks, the first publication having been made on the 23 day of August, 1973, and the last publication having been made on the 30 day of August, 1973; every Thursday issue of the paper

during the period and time of publication and that the notice was published in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

Gerald S. Waters

Subscribed and sworn to me this 30

day of August, 1973

Gerald S. Waters
Notary Public

37 7261

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

1. Owner: James D. ^{AND} Mary Cluer

Permit No. 37-7261

Phone No. 764-2558

Current Address: Rt. 1 Box 1220, Fairfield ID.

2. Accompanied by: Brian Cluer

EXAM. DATE: 7/15/86

Address: Rt. #1 Box 1220, Fairfield ID

Phone No. 764-2558

Relationship to Permit Holder: SON

3. Source: Groundwater

tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: NONE

☐ Copies Attached

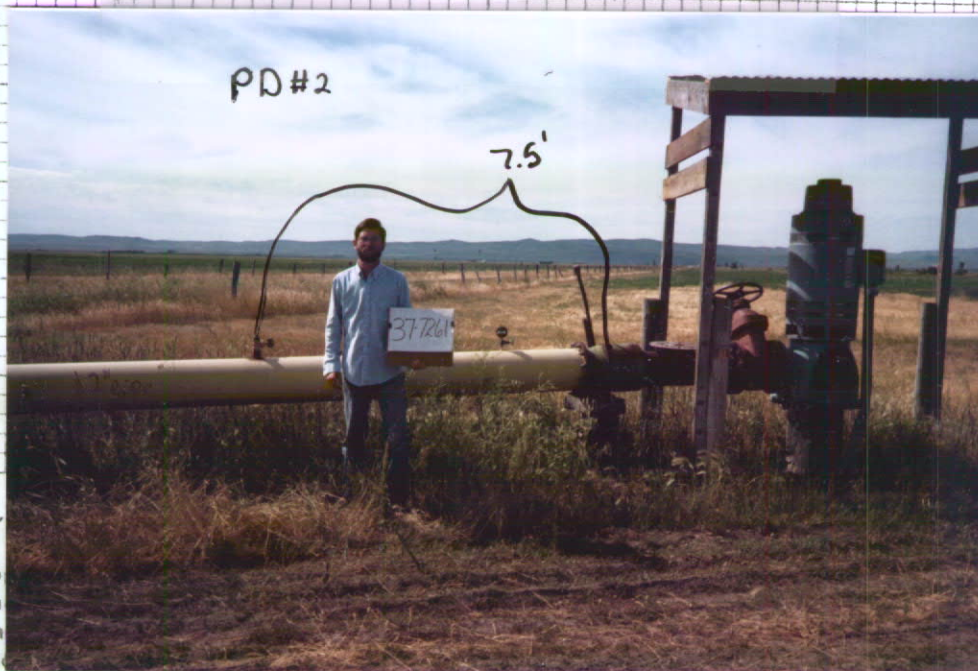
✓ 2. Other water rights with same point of diversion: NONE

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1"

2. ☒ Co
☐ Sh
☐ pla
☒ Ph

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

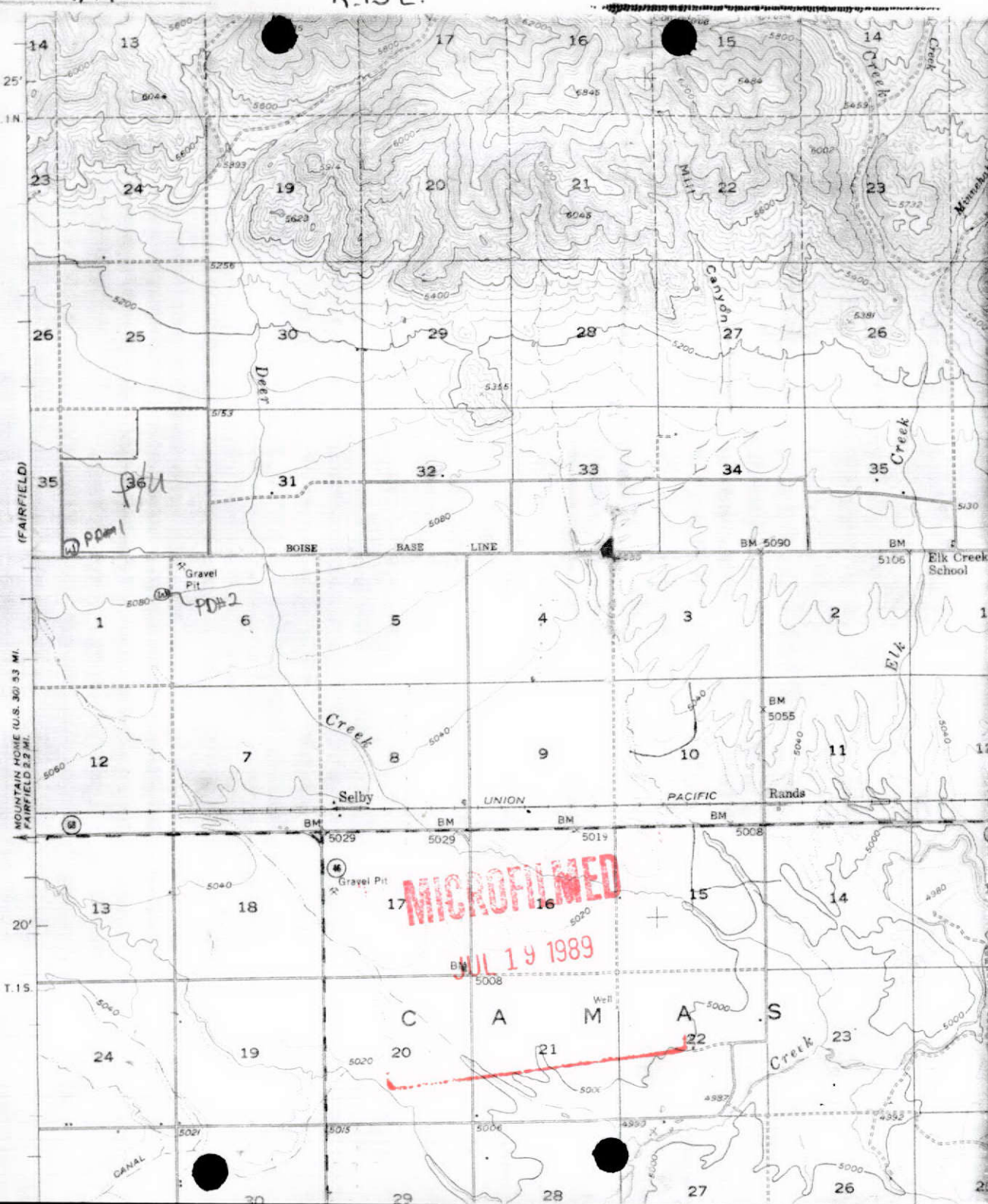
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JUL 19 1986
JUL 19 1986

es or more).



R14E.

R15E.



(53)

T20

309⁷

A-146

A-43

(1)

A

Grass
84

6861 61 101 T. IN R. 14E.

RECORDED BRYANT FARMS

25

T243

134

A

54

1A

BAR 86
80

(1)

APR 86

AIF

APR 86

AIF

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C

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CAVNESS

(2)

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65

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WIF

783

Ave 35

F

82

81

(6)

Ave 48.25

WIF

D

763

(7)

Ave 45.75

G

788

(7)

AIF

A-317

ECKLES

B

T244

A 126

AIF

(1)

64

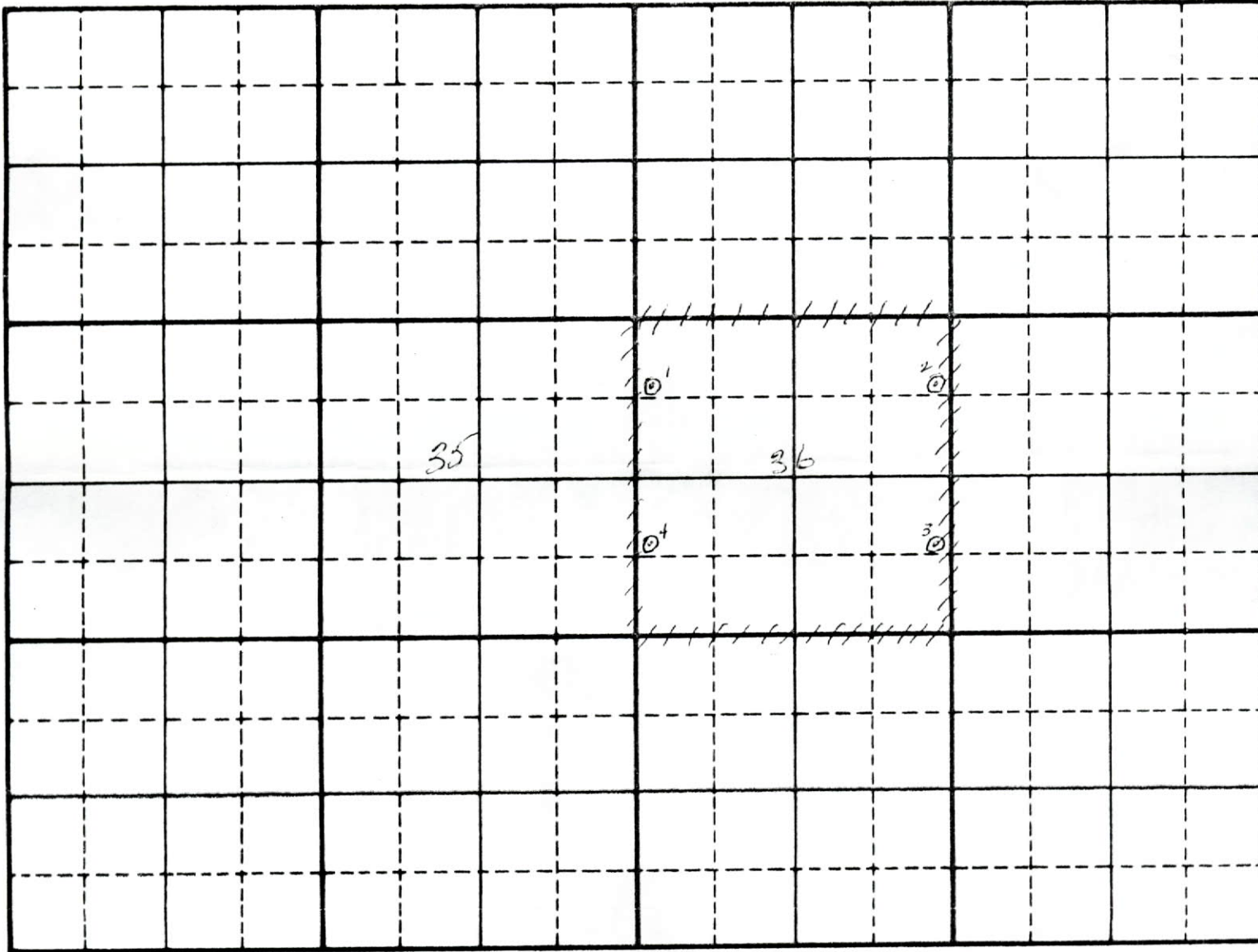
A-170

A-237

Ed

KRAHN

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

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

Signed at Frederick, this 12 day of October, 19 73.

Doris Oliver
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

I, R. KEITH HIGGINSON, Director of the Department of Water Administration, hereby approve the above application for amendment for Permit No. 37-7261.

Witness my hand this 16 day of October, 19 73.

R. Keith Higgins
Director

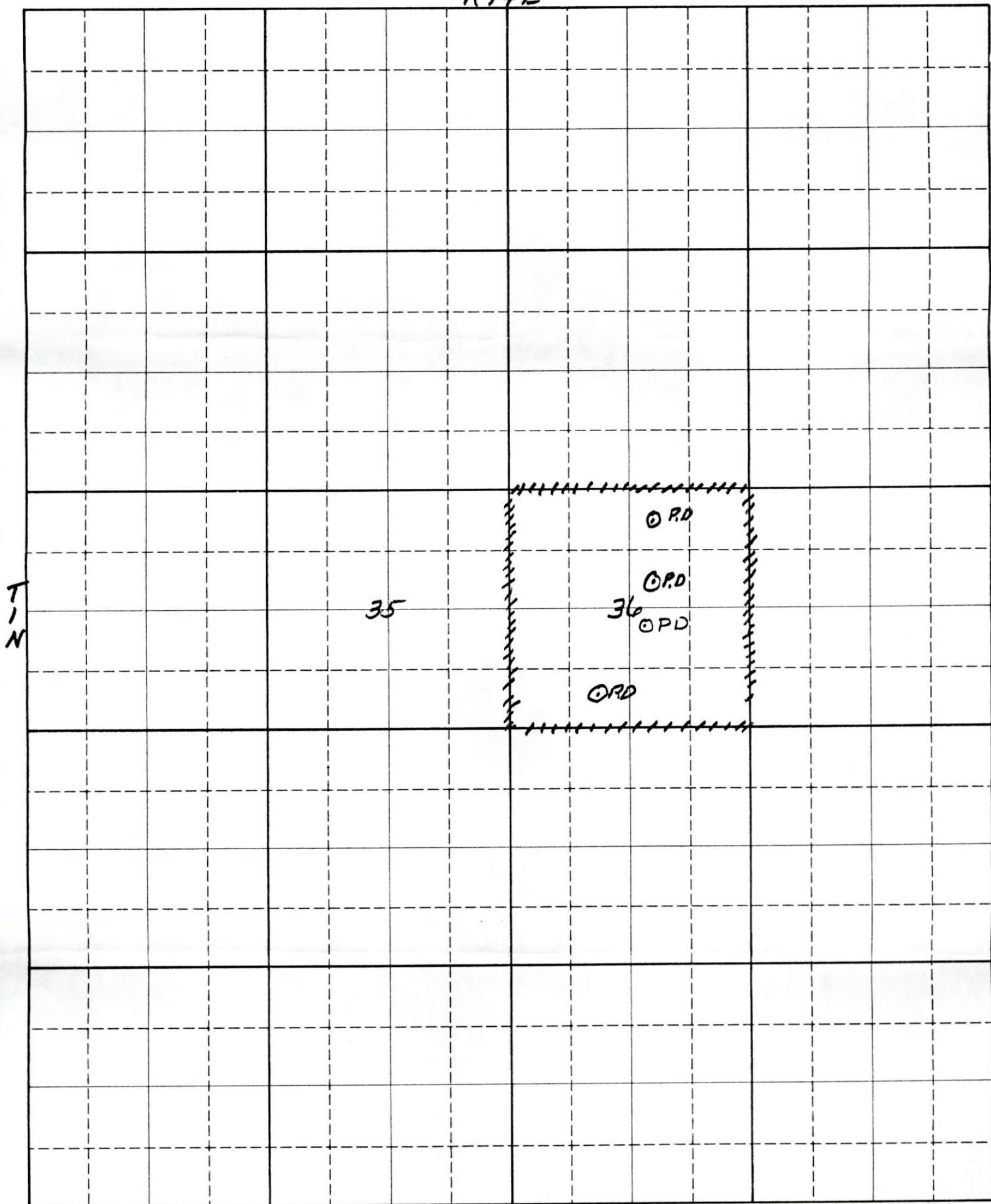
MICROFILMED

JUL 19 1989

AKH

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

R14E



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.

MICROFILMED

JUL 19 1989

Doran Chuer
(Applicant)

37 7261

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 70126

This is to certify that: BARBER FAMILY ASSOCIATES LP
C/O HOLDEN KIDWELL HAHN & CRAPO PLLC
PO BOX 50130
IDAHO FALLS ID 83405
(208)523-0620

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. 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>Acres</u>	<u>Total</u>	<u>Source</u>
37-7261	AJC/License	08/14/1973	4.67 cfs	N/A		490.0	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>
37-7261	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>
37-7261	37-7261	4.67 cfs	1470.0 af	N/A	490.0		N/A	N/A	N/A	N/A
TOTALS		4.67 cfs	1470.0 af	N/A	490.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 30th day of December, 2002

 Chief, Water Allocation Bureau

MICROFILMED

FEB 25 2003

SCANNED

JAN 29 2003

WATER RIGHT NO. 37-7261
As Modified by Transfer No. 70126

In accordance with the approval of Transfer No. 70126, Water Right No. 37-7261 is now described as follows.

Right Holder: BARBER FAMILY ASSOCIATES LP
 C/O HOLDEN KIDWELL HAHN & CRAPO PLLC
 PO BOX 50130
 IDAHO FALLS ID 83405

Priority Date: August 14, 1973

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/15 to 10/15	4.67 CFS	1,470.0 AF
		4.67 CFS	1,470.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SWSWSW Sec. 36 Twp 01N Rge 14E CAMAS County

GROUND WATER NENESE Sec. 1 Twp 01S Rge 14E CAMAS County

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	
01N 14E 36	31.5	31.5	31.5	31.5	28.0	28.0	27.0	27.0	33.4	33.4	30.6	28.6	31.5	31.5	33.5	31.5	490.0

Total Acres: 490

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 37-7261 shall not exceed 4.67 cfs, nor total combined annual volume of 1470.0 af.
2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
3. After specific notification by the Department, the right holder shall measure the diversion 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.
4. The period of use for the irrigation described in this approval may be extended to an ending date of 10/31 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water after 10/15 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.

MICROFILMED

SCANNED

FEB 25 2003

JAN 29 2003

WATER RIGHT NO. 37-7261
As Modified by Transfer No. 70126

CONDITIONS OF APPROVAL

5. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. 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 30th day of December, 2002


Chief, Water Allocation Bureau

MICROFILMED

FEB 25 2003

SCANNED

JAN 29 2003

RECEIVED

DEC 20 2002

Transfer No.

70126

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART I

RECEIVED

AUG 29 2002

Department of Water Resources
Southern RegionName of Applicant Barber Family Associates, L.P. Phone (208) 523-0620
Post Office address c/o Holden, Kidwell, Hahn & Crapo, P.L.L.C., P.O. Box 50130, Idaho Falls, Idaho 83405

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes To conform place of use to new configuration with pivot and well line sprinkler irrigation system.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1.	Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
	<u>37-7261</u>	<u>08/14/1973</u>	<u>4.67 cfs</u>	<u>Irrigation</u>	<u>4/15</u> to <u>10/31</u>
	_____	_____	_____	_____	_____ to _____
	_____	_____	_____	_____	_____ to _____

2. Total amount of water being transferred 4.67 cfs cubic feet per second and/or 1470 acre-feet per annum.
3. Source of water Groundwater
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	36	1N	14E	CAMAS	NORTH WELL
		NE	SE	01	1S	14E	CAMAS	SOUTH WELL

5. Lands irrigated or place of use: (Permissible place of use for all water rights)

Twp	Rge	Sec	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	14E	36	31.5	31.5	31.5	31.5	28	28	27	27	33.4	33.4	30.6	28.6	31.5	31.5	33.5	31.5	490

Total Acres 490

MICROFILMED

FEB 25 2003

SCANNED

DEC 10 2002

70126

6. General Information:

- a. Description of diversion system 2 wells and pumps with mainline to pivots and risers for wheel lines.
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts?
Yes _____ No X If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the effect on the land now irrigated if the place of use is changed pursuant to this transfer:
Because of the conversion to pivots and wheel lines, the same number of acres within section 36 will be irrigated, but the number of acres within each quarter-quarter will be re-configured because of the new equipment.
- d. Remarks:

ACTION OF THE DIRECTOR DEPARTMENT OF WATER RESOURCES

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

Witness my hand this _____ day of _____, 2002.

MICROFILMED
FEB 23 2003

SCANNED
DEC 10 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESAPPLICATION FOR TRANSFER OF WATER RIGHT
PART 2

(ATTACH ONE COPY FOR EACH RIGHT)

SEE ATTACHED COPY OF LICENSE FOR RIGHT NO. 37-07261

RECEIVED
AUG 29 2002
Department of Water Resources
Southern Region

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. _____ issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☒ Warranty Deed☐ Other _____

3. Source of Water _____ tributary to _____

4. Date of priority _____

5. Water is used for the following purpose:

amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____

6. Total amount of water under right _____ cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec	Twp	Rge	County	Local name for diversion

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4			NW 1/4			SW 1/4			SE 1/4			TOTALS

Total Acres _____

9. Describe any other water rights used for the same purpose as described above

MICROFILMED

SCANNED

FEB 25 2003

DEC 10 2002

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use? No. If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C)

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4			NW 1/4			SW 1/4			SE 1/4			TOTALS

Total Acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

1. amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4			NW 1/4			SW 1/4			SE 1/4			TOTALS

Total Acres _____

MICROFILMED

FEB 25 2003

SCANNED

DEC 10 2002

T# 70126⁸⁰⁷



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5039T

B. CHANGES IN NATURE OF USE

- New Nature of Use Amount Hours/days/year Period of Use
(cfs/ac-ft)

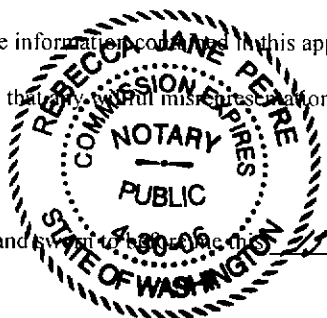
_____ to _____
_____ to _____
- Quantity and quality of return flows and location of discharge:

- Describe effects on other water uses resulting from the proposed change:

I hereby asset that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any intentional misrepresentations made in this application may result in voiding its approval.

Subscribed and sworn to before me this 29th day of August, 2002.



(Signature of Applicant)

Notary Public

My Commission Expires 4/30/06

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 4 attachments

Received by C. SKINNER Date 8/29/2002 Protest filed by _____

Prelim. check by C. SKINNER Fee \$410.00 S025184

Received by C. SKINNER Date 8/29/2002

Published in Camas Courier Copies of protest forwarded by _____

Pub. dates 9/11 & 9/18/02 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial

_____ rec'd _____ by MM 12/19/02

Copy of transfer sent to lien holder _____

WARRANTY DEED

T# 70126

FOR VALUE RECEIVED GEORGE E. BARBER AND JULEE K. BARBER, husband and wife

GRANTOR(s), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto

BARBER FAMILY ASSOCIATES L.P., a Washington limited partnership

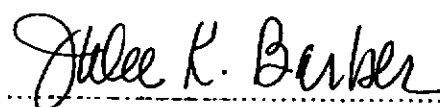
GRANTEE(S), whose current address is: P. O. Box 6363 Lynnwood, WA 98036
the following described real property in CAMAS County, State of Idaho,
more particularly described as follows, to wit:

See Exhibit A attached hereto and incorporated herein by this reference.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: December 28, 1992


GEORGE E. BARBER


JULEE K. BARBER

STATE OF Washington, County of Snohomish, ss.

On this 28th day of December
in the year of 1992, before me, the undersigned, a Notary
Public in and for said State, personally appeared
George E. Barber and
Julee K. Barber

67692

SCANNED
DEC 10 2002
MICROFILMED

Recorded at the Request of
Camas Abstract
at 10:30 A.M.
FEB 25 2003

EXHIBIT A

T # 70126

Township 1 North, Range 14 East, Boise Meridian.
Section 36: All.

Township 1 South, Range 14 East, Boise Meridian.
Section 1: $S\frac{1}{2}$ NW $\frac{1}{4}$, $S\frac{1}{2}$.

Camas County, Idaho.

Subject to all matters of record.

SCANNED

MICROFILMED

DEC 10 2002

FEB 25 2003

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF TRANSFER NO.)
5570 OF WATER RIGHT NO. 37-07261)
IN THE NAME OF BARBER FAMILY)
ASSOC. LP)
_____)

PRELIMINARY ORDER

FINDINGS OF FACT

1. On March 21, 2000, the Department of Water Resources ("Department") approved Application for Transfer No. 5570 ("transfer") submitted in the name of Barber Family Assoc. LP ("right holder"). The transfer changed the location of a point of diversion from the NE1/4SE1/4 Section 1, T1S, R14E, B.M. to the SE1/4SE1/4 Section 36, T1N, R14E, B.M.

2. On November 6, 2000, the right holder asked the department to rescind the transfer approval allowing the points of diversion to revert back to the locations authorized before the transfer was approved. The right holder described that the reason for the request is that the wells constructed at the new point of diversion are not productive.

CONCLUSIONS OF LAW

1. The Department is authorized to issue Preliminary Orders changing a prior approval.

2. The right holder having shown sufficient cause, the Department should issue a Preliminary Order rescinding the March 21, 2000 transfer approval.

ORDER

IT IS THEREFORE HEREBY ORDERED that Transfer 5570 approved on March 21, 2000 is **RESCINDED** and that the authorized points of diversion are within the SW1/4SW1/4 Section 36, T1N, R14E, B.M. and NE1/4SE1/4 Section 1, T1S, R14E, B.M.

Dated this 13th day of November, 2000.


L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED

NOV 17 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5570
WATER RIGHT NO. 37-07261

This is to certify that: **BARBER FAMILY ASSOC LP**
PO BOX 1449
EDMONDS WA 98020

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/31	* 4.67 CFS	* 1470.0 AF

SOURCE

GROUNDWATER

Priority: 08/14/1973

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 36, Township 01N, Range 14E
SESE , Sec. 36, Township 01N, Range 14E
CAMAS County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N 14E 36	NENE 39	NWNE 40	SWNE 40	
	SENE 39	SWNW 12	SENE 12	
	NESW 40	NWSW 39	SWSW 35	
	SESW 38	NESE 39	NWSE 40	
	SWSE 39	SESE 38		490
		Total number of acres irrigated:		490

CONDITIONS OF APPROVAL AND REMARKS

1. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
2. 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.

MICROFILMED

MAR 24 2000

TRANSFER NO. 5570
WATER RIGHT NO. 37-07261

CONDITIONS OF APPROVAL AND REMARKS

3. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
4. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. The well previously used under Right 37-07261 in the NESE, S1, T01S, R14E shall be abandoned in a manner which complies with Department well abandonment rules.
8. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- * 9. The total instantaneous diversion of water from all points of diversion under Transfer 5570 shall not exceed 4.67 cfs, nor total combined annual volume of 1470.0 af.

Dated this 21st day of March, 2000


Chief, Water Allocation Bureau

MICROFILMED
MAR 24 2000

RECEIVED APPLICATION FOR TRANSFER OF WATER RIGHT RECEIVED

MAR 7 . 2000

PART 1

OCT 08 1999

Department of Water Resources
Name of applicant Barber Family Assoc Phone 425-745-8600

Post Office address P.O. Box 1449 Edmonds Wa. 98020

A. PURPOSE OF TRANSFER

1. ☒ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

- 2. Describe the reason for the proposed changes**

ABANDON EXISTING WELL SEC 1, T01S, R14E NESE 1/4
AND DRILL NEW WELL SEC 31, T01N, R14E SESE 1/4

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|--|------------|--------------------------|------------------------------|--------------------------|
| 37-07261 | 08.14.1973 | 4.67 | Irrigation | 4/15 to 10/15 |
| | | | | to |
| | | | | to |
| | | | | to |
| | | | | to |
| 2. Total amount of water being transferred | | 4.67 | cubic feet per second and/or | 1225 acre-feet per annum |
| 3. Source of water | | GROUNDWATER tributary to | | |
| 4. Point(s) of Diversion: | | | | |

[illegible]

5. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
			NO CHANGE																
			SEE PART 2 P/U																

Total acres _____

PART 1

6. General Information:

a. Description of diversion system

EXISTING SYSTEM NOT EFFICIENT

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

NONE

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 19 _____

MICROFILMED

MAR 24 2000

PART 2

TRANS NO. 5570

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 37-07261

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/15 to 10/15	4.67 CFS	1470.0 AF

SOURCE

GROUNDWATER

Priority: 08/14/1973

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 36, Township 01N, Range 14E
NESE , Sec. 1, Township 01S, Range 14E
CAMAS County

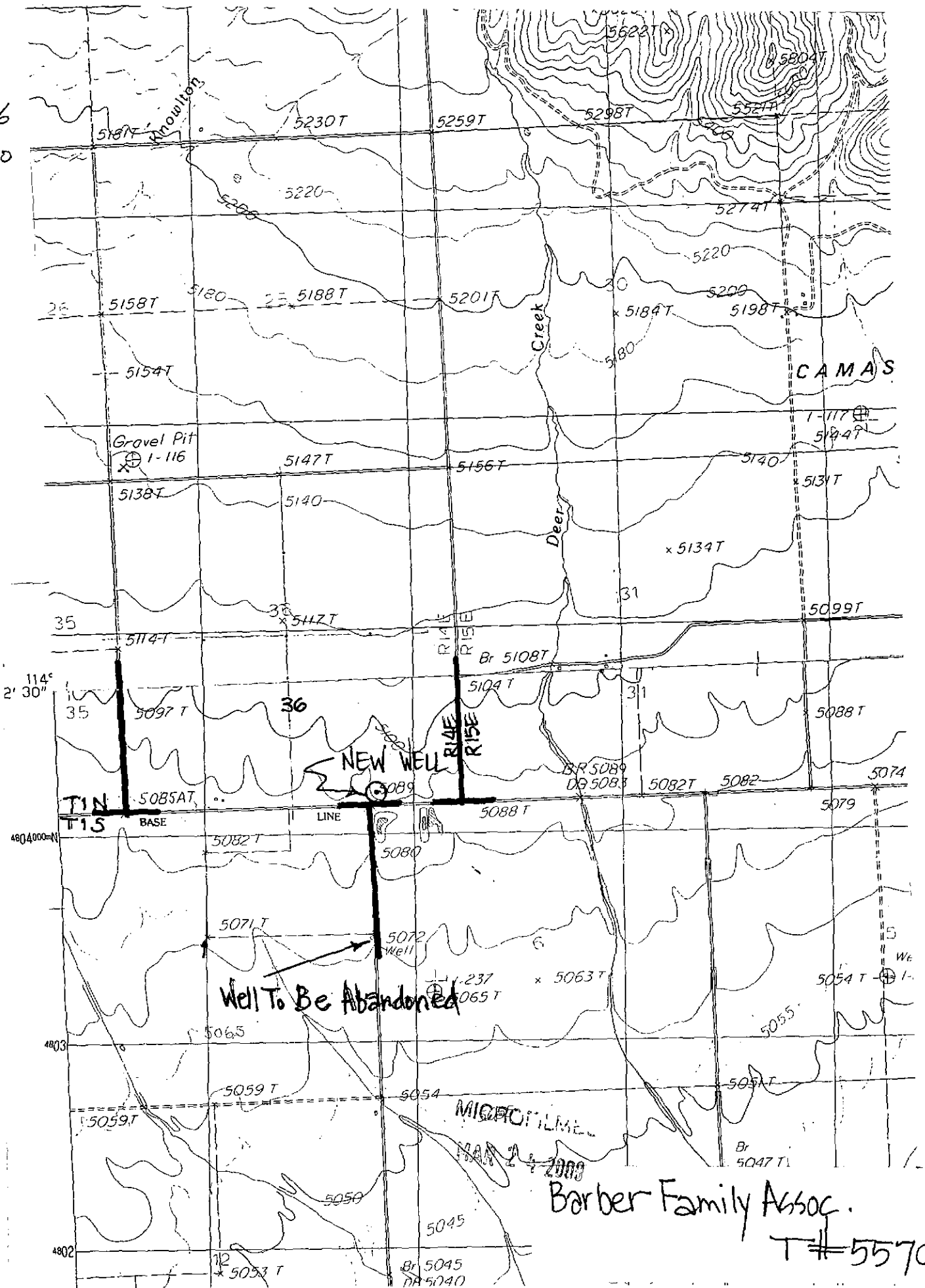
PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	14E	36	NENE 39	NWNE 40	SWNE 40	
			SENE 39	SWNW 12	SENE 12	
			NESW 40	NWSW 39	SWSW 35	
			SESW 38	NESE 39	NWSE 40	
			SWSE 39	SESE 38		490
				Total number of acres irrigated:		490

CONDITIONS/REMARKS:

MICROFILMED
MAR 24 2000

J#5570



Barber Family Assoc.

T#5570

36

36

Pg 5 of 6

T# 5570

T243
BARBER FAMILY ASSOC.

2
75.5

1
132.1

63.1

69.7

3
160.5

TOIN

5
237.3

36

TOIS

ED KRAHN
TRUST
T198

1

6

FAMILY ASSOC.

R14E

R15E

1988 CHRIS KRAHN



P/D
to be
abandoned

3
58.8

6

1987 FLIGHT

Barber Family Assoc.

MICROFILM
MAR 24 2008

1987 FLIGHT ASCS

T#5570



PART 3

B. CHANGES IN NATURE OF USE

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				_____ to _____
				_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

I hereby assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

I understand that any willful misrepresentations made in this application may result in voiding its approval.

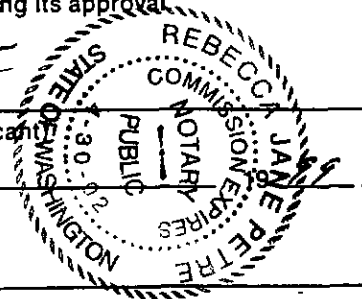
Barbar Family Assoc
[Signature]

(Signature of Applicant)

Subscribed and sworn to before me this 5th day of October

[Signature]
[Signature]

(Notary Public)

My commission expires 4/30/2002

FOR DEPARTMENT USE ONLY

Transfer contains 6 pages and 1 attachmentsReceived by GLS Date 08 Oct 1999Prelim. check by GLS Fee \$100 S022604Receipted by GLS Date 10 Oct 1999Published in Camas CourierPub. dates 12/15 & 12/22/99Watermaster recommendation requested on N/A

_____ rec'd. _____

Copy of transfer sent to lien holder _____

Protest filed by None

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for ☒ approval ☐ denialby ADm

MICRO

PAID 2 4 2000

02

10/14/99 21:35 FAX

T# 5570

Print Key Output
5716981 V3R7MO 961108

S1057WNG

Page 1
10/14/99 08:36:59

Display Device : W5
User : MICKEY

10/14/99 PM0100 - PARCEL MASTER INQUIRY 8:36:57

PARCEL: RP 01N14E360100 A F1=SL

F23=AG

NAME/ADDRESS
BARBER FAMILY ASSOCIATES L P

LEGAL DESCRIPTION
E2
SEC 36 T1N R14E

PO BOX 6363

CODE AREA 200 OWNER CODE
PARC TYPE AG LOC CODE 3333
EFFDATE 1081985 EXPDATE
PREV PARCEL

LYNNWOOD WA 98036

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
1	1998	313500	AC	54627				
19	1998	6500	AC					

TOTALS 320000 54627

ENTER NEXT PARCEL NUMBER RP

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=Scrch F22=EU

MICROFILMED
MAR 24 2003

RECEIVED
OCT 14 1999
Department of Water Resources
Southern Region

Print Key Output
5714981 U3R7M0 961108

S1057WNG

Page 1
10/14/99 08:37:02

Display Device : W5
User : MICKEY

10/14/99 PM0100 - PARCEL MASTER INQUIRY

8:37:00

PARCEL: RP 01N14E362400 A

F12=RC
F23=AG

NAME/ADDRESS
BARBER FAMILY ASSOCIATES L P

*TREND

LEGAL DESCRIPTION

W2
SEC 36 T1N R14E

PO BOX 6363

CODE AREA 200 OWNER CODE
PARC TYPE AG LOC CODE 3333
EFFDATE 1011996 EXPDATE
PREV PARCEL RP01N14E362400A

LYNNWOOD WA 98036

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
1	1998	175700	AC	25993				
3	1998	135300	AC	20172				
10	1998	1000	AC	12700				
19	1998	8000	AC					
TOTALS		320000		144715				

ENTER NEXT PARCEL NUMBER RP

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TM F18=HS F20=Srch F22=EU

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Department of Water Resources
Southern Region
MICRONLMALL
MAR 24 2003

Print Key Output
5716881 V3R7M0 961108

81057WNG

Page 1
10/14/99 08:37:24

Display Device : W5
User : MICKEY

10/14/99 PM0100 - PARCEL MASTER INQUIRY

8:37:22

PARCEL: RP 01S14E014200 A

NAME/ADDRESS
BARBER FAMILY ASSOCIATES L P

LEGAL DESCRIPTION
F23=AG
S2, S2NW4
SEC 1 T1S R14E

PO BOX 6363

LYNNWOOD WA 98036

CODE AREA 200 OWNER CODE
PARC TYPE AG LOC CODE 3333
EFFDATE 1161985 EXPDATE
PREV PARCEL

CAT	RY	QUANTITY	UN	VALUE	HO MRKT	HO EXMP	CB MRKT	OTHER
3	1999	391000	AC	64389				
19	1999	9000	AC					

TOTALS 400000 64389

ENTER NEXT PARCEL NUMBER RP

FKeys: F2=TX F3=Exit F5=SS F6=NM F7=LG
F8=CT F13=TH F18=HS F20=Grch F22=EU

MICROFILMED
MAR 24 2003

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Department of Water Resources
Southern Region

04

10/14/99 21:35 FAX



IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION
1341 FILLMORE ST STE 200
TWIN FALLS ID 83301-3380
(208) 736-3033

PHILIP E BATT
GOVERNOR

KARL J DREHER
DIRECTOR

CHANGE IN ADDRESS

RECEIVED

OCT 08 1999

Department of Water Resources
Southern Region

☐ Water Right Number(s):

(A) 37-07261

☐ Old Mailing Address:

☐ New Mailing Address:

PO Box 1449

Edmonds Wa. 98020

☐ New Telephone Number: (425) 775-6000

☐ Signature of Claimant(s):

[Signature]

Barber Family Assoc Inc

Date:

10/5/99

FOR IDWR USE ONLY

Initial Review and Data Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data Entry

Date: By:

MICROFILMED

MAR 24 2003

T# 5570

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-07261

Priority: August 14, 1973 Maximum Diversion Rate: 4.67 CFS
Maximum Diversion Volume:¹ 1470.0 AF

This is to certify, that GEORGE BARBER
JULEE BARBER

P.O. BOX 6363
LYNNWOOD, WA 98036

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 14, 1973; and has submitted Proof of Beneficial Use on July 21, 1983. An examination indicates that the works have a diversion capacity of 4.670 cfs of water from a **GROUNDWATER** 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	04/15 to 10/15	4.67 CFS	1470.0 AF

LOCATION OF POINT(S) OF DIVERSION: SWSW , Sec. 36, Township 01N, Range 14E
NESE , Sec. 1, Township 01S, Range 14E
CAMAS County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N 14E 36	NENE 39	NWNE 40	SWNE 40	
	SENE 39	SWNW 12	SENW 12	
	NESW 40	NWSW 39	SWSW 35	
	SESW 38	NESE 39	NWSE 40	
	SWSE 39	SESE 38		490

Total number of acres irrigated: 490

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 right to use water confirmed by this license is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222 Idaho Code, or the applicable Idaho law.

JUL 19 1989

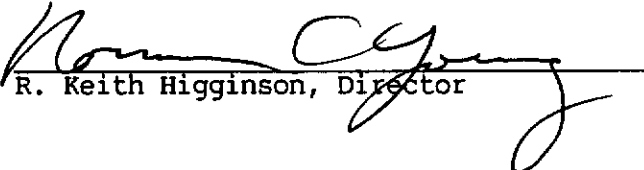
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 37-07261

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 14TH
day of July, 1989.

Acting for


R. Keith Higginson, Director

MICROFILMED

JUL 19 1989

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-07261

RECEIVED
APR 24 1989

Date of Priority: August 14, 1973

Comes now

GEORGE BARBER
JULEE BARBER

P.O. BOX 6363
LYNWOOD, WA 98036

APPROVED
Department of Water Resources

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. 37-07261, and requests that the permit be changed as follows:

Source: GROUNDWATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	04/15 to 10/15	4.67 CFS	1470.0 AFA

LOCATION OF POINT(S) OF DIVERSION:
SWSW , Sec. 36, Township 01N, Range 14E
NESE , Sec. 1, Township 01S, Range 14E
CAMAS County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N 14E 36	NENE 39	NWNE 40	SWNE 40	
	SENE 39	SWNW 12	SENE 12	
	NESW 40	NWSW 39	SWSW 35	
	SESW 38	NESE 39	NWSE 40	
	SWSE 39	SESE 38		490
				Total number of acres irrigated: 490

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

Signed at Lynnwood, Washington, this 14th day of April, 1989.

JUL 19 1989

(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 37-07261

FOR DEPARTMENT USE ONLY

Preliminary check by KW Fee = \$20.00 ✓ Received by K Young Date 4/24/89
ACTION OF THE DEPARTMENT OF WATER RESOURCES #0006473

I, R. Keith Higginson, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 37-07261 with the following;

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

Witness my hand this 14TH day of JULY, 1989.

R. Keith Higginson
(Director)

MICROFILMED

JUL 19 1989

WATER RIGHT SPLIT

SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT C.F.S.
~~Original Permit~~	~~37-7261~~	~~Doran &/or Mary Cluer~~	~~12.8 cfs~~
Full Assignment	37-7261	Helyn C. Conway Trust	12.8 cfs
Full Assignment	37-7261	Cavness Conway Farms	12.8 cfs
Full Assignment	37-7261	O Cluer, James D. Mary	12.8 cfs
Full Assignment	37-7261	Helyn C. Conway Trust	12.8
Full Assignment	37-7261	Barber, George Julee	4.67 to be <u>licensed</u>

MICROFILMED

JUL 19 1989

RECEIVED

FEB 27 1989

State of Idaho
Department of Water Resources

Department of Water Resources

ASSIGNMENT OF PERMIT

WILLIAM T. CAVNESS, Trustee of the
I, HELYN C. CONWAY TRUST, hereby assign to GEORGE and/or JULIE BARBER
of Box 6363 Lynwood, WA 98036
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 37-7261
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 13 day of February, 19 89.

William T. Cavness, Trustee

Permit Holder
HELYN C. CONWAY TRUST,
By William T. Cavness, Trustee

Spouse of Permit Holder

State of Arizona
~~Idaho~~
County of Maricopa) ss.

On this 13th day of February, 19 89, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

Julie A. Almore

Notary Public residing at

seal

My commission expires:
My Commission Expires Dec. 19, 1989

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

I, Doran and/or Mary Cluer, hereby assign to Helyn C. Conway Trust
of Route #1, Gooding, Idaho 83330
Address

CHECK ONE



application for
All my right, title, and interest in and to Permit No. 37-7261
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 7th day of August, 1981.

Doran Cluer
Permit Holder Doran Cluer

Mary Cluer
Spouse of Permit Holder Mary Cluer

State of Idaho)
County of Gooding) ss.

On this 10th day of August, 1981, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that ~~he~~ (she) (they) executed the same.

seal

[Signature]
Notary Public residing at
Hagerman, Idaho

My commission expires:
6/17/84

MICROFILMED

APR 04 1988

RECEIVED

JUN 26 1986

State of Idaho
Department of Water Resources

RECEIVED

JUL 2 1986

Department of Water Resources
Southern District Office

ASSIGNMENT OF PERMIT

I, Cavness Conway Farms, hereby assign to James D. Dorian &/or Mary Cluer
of Rt. 1 Box 1220, Fairfield, ID 83327
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 37-7261
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 25 day of June, 19 86.

James D. Dorian
Permit Holder

Helene Dorian
Spouse of Permit Holder

State of Idaho)
County of Camas) ss.

On this 25 day of June, 19 86, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Derral Hipper
Notary Public, residing at

Fairfield

My commission expires:

01/07/87

MICROFILMED

RECEIVED

JUL 21 1983

State of Idaho
Department of Water Resources

RECEIVED

Department of Water Resources
Southern District Office

ASSIGNMENT OF PERMIT

JUL 25 1983

Department of Water Resources

I, Helyn C. Conway Trust, hereby assign to Cavness-Conway Farms
of Route #1 Box 27A, Gooding, ID 83330
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 37-7261
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

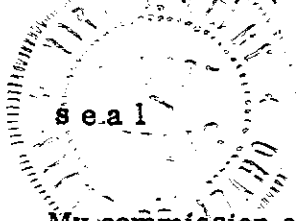
Made this 21 day of July, 19 83.

Helyn C. Conway Trust
Permit Holder

Spouse of Permit Holder

State of Idaho)
County of Twin Falls) ss.

On this 21 day of July, 19 83, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.



Mary A. Newbery
Notary Public residing at

Shoshone, ID 83552

My commission expires:

Life

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

OK to process
RC 9/1/81

I, Doran and/or Mary Cluer, hereby assign to Helyn C. Conway Trust
of Route #1, Gooding, Idaho 83330
Address

CHECK ONE



application for
All my right, title, and interest in and to Permit No. 37-7261
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 7th day of August, 1981.

Doran Cluer
Permit Holder Doran Cluer

Mary Cluer
Spouse of Permit Holder Mary Cluer

State of Idaho)
County of Gooding) ss.

On this 10th day of August, 1981, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that ~~he~~ (she) (they) executed the same.

seal

[Signature]
Notary Public residing at
Hagerman, Idaho

My commission expires:
6/1/84

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 37-7261

ORDER

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

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

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

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

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

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

Dated this 18th day of August, 1978.


C. STEPHEN ALLRED
Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit
proof of beneficial use on a water right permit

Doran &/or Mary Cluer of Rural Route, Fairfield
(Name) (Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public
Waters of the State of Idaho No. 37-7261.

That under the terms and conditions of said permit, work thereunder was required to be completed on or
before September 1, 19 78.

That he has heretofore performed the following work described under said permit: _____

Drilled 2 wells & irriagted approximately 320 acres

Costing \$ 60,000

That he is unable to complete the remainder of the work within the required time for the following
reasons, to-wit: Poor production from the wells will require additional drilling. Present
economic conditions and the 1977 drought have prevented this.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of
obligations under said permit to September 1, 19 83.

Doran Cluer
(Signature)*

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time
within which to submit proof of beneficial use of water is extended to September 1, 1983.

Signed this 22 day of August, 19 78.

Bobby D. Flemer
Chief, Regional Office Bureau

RECEIVED

201 1973

Supervisor: _____
 Date: _____

Permit No. 37-7261

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 37-1261, and requests that the permit and permit map be changed as follows:

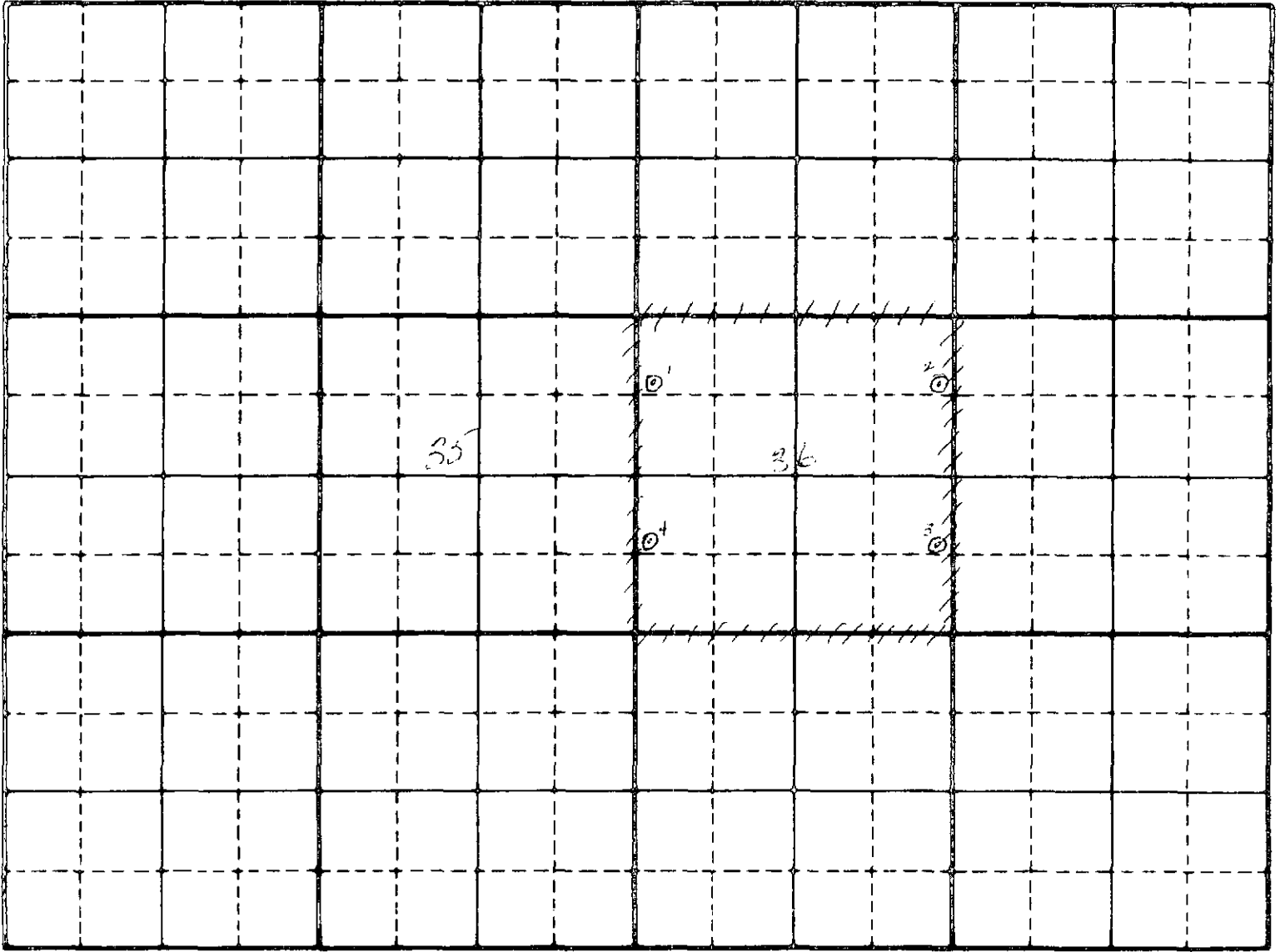
2. Period and nature of use: (irrigation, domestic (stockwatering, industrial, etc.)

3. Place of use or land to be irrigated:

[illegible]

Total number of acres to be irrigated 640

37 7261



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

(signature)

I, R. KEITH HIGGINSON, Director of the Department of Water Administration,
hereby approve the above application for amendment for Permit No. 37-7261.

[Signature]
Director

22

Identification No. _____

Application No. 37-7261

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

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

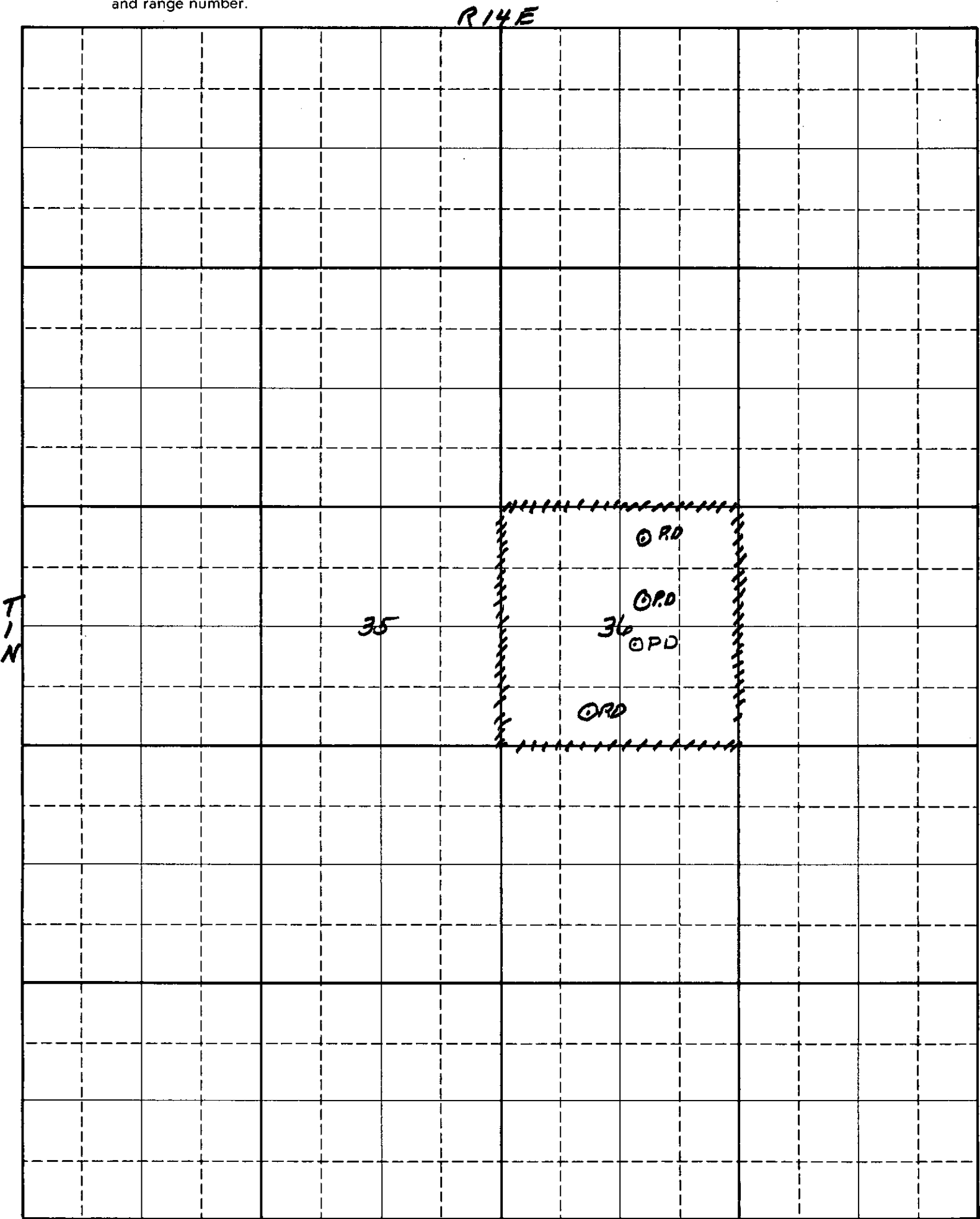
1. Name of applicant Doran and/or Mary Cluer
post office address Rural Route, Fairfield, Idaho 83327
2. Source of water supply Groundwater which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 36 Township 1N
Range 14E B.M. Camas County; additional points of diversion if any: _____
SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T. 1N, R. 14E, B.M.
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 12.8 cfs for Irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .03 cfs for Stockwater purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 12.8 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well and pump

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 16 inches; proposed depth of well is 300 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 20,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
Same as 8b.
(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: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 250

(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: _____

37 7261

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.

Daron Chuer
(Applicant)

Received by RAA Date 8-14-73 Time 11:00 AMPreliminary check by KDF Fee \$ 145.00Received by hmm Date 8-14-73 # 169811601 Publication prepared by JMM Date 8-14-73Published in Mountain Home NewsPublication dates 8-23 & 8-30-73Publication approved jmm Date 8-31-73Priority ~~reduced to~~ 8-14-73 Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by SK BDF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 37-7261, 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 September 1, 1978.
- c. Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 17 day of September 1973.

P. Karl Higgin
Director

DEPARTMENT OF WATER ADMINISTRATION
- STAFF ANALYSIS -

Item Initial Date

- (1) mm 8-14-73 Application No. 37-7261 Don and Mary Cluer
- (2) KOF 8-14-73
- ☒ 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
- (3) KOF 8-14-73 In form to receipt
- Send Copies to:
- ☐ Idaho State Health Department
 - ☐ Idaho Fish and Game Department
 - ☐ Bureau of Land Management
- (4) _____ _____
- ☐ Request Special Use Permit from U. S. F. S.
 - ☐ Request Easement from B. L. M.
 - ☐ Request Information from Applicant
- (5) KOF 8-14-73 In form for advertising
- (6) _____ _____ Located within Water District No. _____
- (7) _____ _____ Critical groundwater area: yes _____ no ☒
- (8) _____ _____ Groundwater levels:
- ☐ Decline (comment) _____
 - ☒ Stable (comment) _____
 - ☐ Increasing (comment) _____
- (9) _____ _____ Comments: _____
- (10) mm 8-31-73 Affidavit of Publication received (date) _____
- (11) _____ _____ Final date for protests September 10, 1973
- Protests received: yes _____ no ☒
- (12) _____ _____ Date and Place of hearing _____
- Decision reached at hearing _____
- (13) _____ _____ All requested information received from agencies or applicant
- yes ☒ no _____
- (14) _____ _____ Action recommended:
- ☒ Approve
 - ☐ Deny
 - ☒ Measuring device required
 - ☐ See attached sheet for additional conditions of approval
 - ☐ No additional conditions for approval
- Priority 8-14-73
- Reason for Reduction _____
- (15) District Southem By Bob Hayner Date 9-10-73

**NOTICE OF APPLICATION FOR
WATER PERMIT FOR CAMAS
COUNTY**

Notice is hereby given that Doran and/or Mary Cluer, Rural Route, Fairfield, ID has on August 14, 1973 submitted Application No. 37-7261 for a permit to appropriate 12.8 cubic feet per second of water from groundwater by means of well and pump within the NW $\frac{1}{4}$ -NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T. 1N, R. 14E, B.M., Camas County to be used from Jan. 1 to Dec. 31 for stockwater, and from Apr. 1 to Nov. 1 for irrigation of 640 acres within the Sec. 36, T. 1N, R 14E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho, 83301 on or before September 10, 1973.

R. KEITH HIGGINSON
Director

Published in the Mountain Home News on August 23 and August 30, 1973.

RECEIVED

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Gladys S. Waters do solemnly swear that I am the foreman, or publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation, published once a week at MOUNTAIN HOME, IDAHO, that the notice attached hereto and which is a part of the proof of publication thereof, was published in said newspaper for

2 consecutive weeks, the first publication having been made on the 23 day of August, 1973, and

the last publication having been made on the 30 day of August, 1973; every Thursday issue of the paper

during the period and time of publication and that the notice was published in the newspaper proper and not in a supplement thereof.

And I further swear that the said MOUNTAIN HOME NEWS has been continuously and uninterruptedly published in said Elmore County during a period of 78 consecutive weeks prior to the first publication of the attached notice.

Gladys S. Waters

Subscribed and sworn to me this 30 day of August, 1973

Gladys S. Waters
Notary Public

37 7261



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 31, 2002

BARBER FAMILY ASSOCIATES LP
C/O HOLDEN KIDWELL HAHN & CRAPO PLLC
PO BOX 50130
IDAHO FALLS ID 83405

RE: Transfer No.: 70126 - Water Right 37-7261 - Transfer Approval Notice

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed approved Transfer of Water Right(s). Please be sure to thoroughly review the conditions of approval and remarks listed on the approval document.

The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

ANY PERSON aggrieved by any decision, determination, order or action of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Department and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7940.

Sincerely,

Camela S. Skaggs

for Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt

Enclosure(s)

MICROFILMED

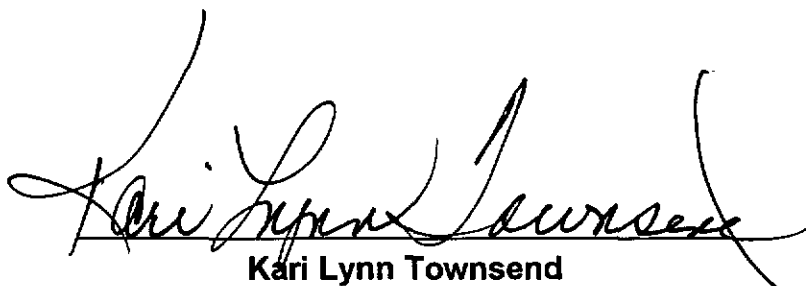
FEB 25 2003

CERTIFICATE OF SERVICE

I hereby certify that on December 31, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 70126 - WATER RIGHT 37-7261

**BARBER FAMILY ASSOCIATES LP
C/O HOLDEN KIDWELL HAHN & CRAPO PLLC
PO BOX 50130
IDAHO FALLS ID 83405**



**Kari Lynn Townsend
Secretary**

MICROFILMED

FEB 25 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

Revised 12-20-02
(2) S.D.

IDWR TRANSFER ANALYSIS SHEET

APPLICANT

Barber Family Assoc

TRANSFER NO.

70126

1. Right number(s)

37-7261

2. Type of right

☐ Decree ☒ License ☐ Statutory Claim
☐ SRBA Beneficial Use Claim

3. Purpose of transfer

☐ Change P/D ☐ Add P/D ☒ Change P/U
☐ Change N/U ☐ Change Source ☐ Split Right
☐ Other:

4. Check Existing Right:

☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period ☒ SRBA Claim
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights on original place of use

Comments: NO OVERLAPPING RIGHTS IN ORIGINAL PLACE OF USE

RIGHT HAD PREVIOUSLY BEEN TRANSFERRED ^{TRANSFER} (CHANGE P/D) BUT

THE OWNERS DID NOT GET A GOOD WELL SO TRANSFER #5570 WAS

RESCINDED. HOWEVER NOTE TRANSFER APPROVAL CONDITIONS STILL IN

DATABASE FOR WATER RIGHT RECORD. CLAIMED SEASON OF USE IS 4/15 TO 10/15

BUT LICENSED SEASON IS 4/15 TO 10/31. TRANSFER IS 4/15 TO 10/31

5. Check Proposed Right for amount of land &/or water transferred:

Also see attached memo for more analysis information

From
TRANSFER #5570
ORIGINALLY
LICENSED
4/15 TO 10/15

- a. ☒ All of right
- b. ☐ Part of right (NOTE: Part B should be filled in only if part of right is owned by the applicant)
- c. ☒ Description of point(s) of diversion ADJ CLAIM HAS 16 ACRE TRACT
- d. ☒ Description of place of use
- e. ☒ Map showing P/D & P/U after transfer
- f. ☒ Correct notarized signature and \$100 fee
- g. ☒ Proof of ownership of right &/or land from which water is transferred
- h. ☒ Expansion in use of right - Comments: NONE APPARENT

POU ID 670753

70126

i. X Existing rights from same source, on land water is being transferred to; right number(s): _____

NONE

j. X SRBA claim(s) - Comments (NOTE! Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain) SEE COMMENTS FIRST PAGE

k. X Comment letters _____ Yes X No
If yes _____ Water District # _____
_____ Lienholder, others, see #2
_____ below for name and address

INITIAL ALLOCATION REVIEW BY A. SKINNER
SRBA SUPERVISOR REVIEW BY _____
PUBLICATION REVIEW BY _____

DATE 8/29/2002
DATE _____
DATE _____

1. Legal Notice electronically sent to DWR03::VAULT _____ Yes

2. COMMENT LETTERS _____ Copy of Pg 1 to AJ _____ Yes

Watermaster recommendation requested on _____, Received on _____

Other comments letters - send to the following name(s) & address(es): _____

3. Transfer published correctly? ✓ Yes _____ No

4. Affidavit of publication received? ✓ Yes _____ No

5. Protests received? _____ Yes ✓ No; Acknowledgement sent? _____ Yes

6. Copies made for Region file (see attached supplemental page)? _____ Yes

RECOMMENDED ACTION

1. ✓ Approve

2. _____ Deny due to _____

3. Conditions (special conditions in Water Districts) _____

_____ Also see attached memo for recommendation dated: _____

4. By AD _____ Date 12/17/02

FILE PROGRESS SUMMARY

APPLICANT

WATER RIGHT NO.

37. 7261

INIT.	DATE	COMMENT
all CS MB	8/29/02 8/29/02 9/3/02	Staffed to Corey Skinner GAVE TO MARY FOR ADVERTISING. Adj. Sch CC 9/11 + 9/18/02; 9/30/02 ~~Ltr. to Atty~~
MB	10/4/02	e-mail to Camas Courier re: Pub. Aff.
MB	11/21/02	T/C to Edward Reagan re: Pub. Aff.
MB	12/9/02	Pub. aff. rec 12/3/02
MB	12/10/02	Back to Corey for Draft Memo.
CS	12/11/02	DRAFTED APPROVAL, UPDATED DATABASE AND SDE CREATED MEMO.
AOL	12/19/02	To MP to forward to SC,

MEMORANDUM

Date: December 11, 2002
To: Transfer 70126 File
From: Corey Skinner
Re: Evaluation of Sufficiency of Information Submitted

Transfer proposes changing the place of use of water right to match acres irrigated under a sprinkler irrigation system on a farm located approximately 2.0 to 3.0 miles north and 2.25 miles to 3.25 miles east of Fairfield, north of Base Line Road. The water right is diverted from two existing wells. One of the wells is located approximately 2.0 miles north and 2.25 miles east of Fairfield and the other well is located approximately 1.5 miles north and 3.0 miles east of Fairfield.

The right involved with this transfer was involved with a transfer (#5570) that was approved to change a POD. However, the new well did not produce, and the transfer was rescinded which reverted the PODs to their original locations. POD description on claim lists 10-acre tracts, but only 40-acre tracts on license and transfer. Approval should list 10-acre tracts. Transfer lists longer season (4/15 to 10/31) of use than claimed in SRBA (4/15 to 10/15). Season of use on transfer matches previous rescinded transfer approval (#5570). Original license lists a season of use of 4/15 to 10/15, but current standard is 4/15 to 10/31. Transfer approval drafted to reflect original licensed season of use, and condition code X61 added to reflect longer season allowance. Note that transfer approval date needs to be added into this condition. Right involved with transfer licensed at 3.0 afa/acre, but current standard is 3.5 afa per acre. Transfer approval drafted to reflect original licensed volume allowance.

- **Authority to File:**
See Warranty Deed in file conveying property involved in transfer to applicant.
- **Water Right Validity:**
Rights involved with the transfer are still pending in the SRBA and NAPP photography indicates the property involved with the application was irrigated around 1987. Forfeiture does not appear to be an issue.
- **Injury to Other Water Rights:**
No change in point of diversion. Water to be used for original use (irrigation) in same general area as originally licensed.
- **Enlargement of Use:**
None apparent
- **Local Public Interest:**
No protests were received and no negative impact on public interest is anticipated.
- **Beneficial Use/Conservation of Water Resources:**
Sprinklers will be used for irrigation.

Review of the application finds there is no clear inconsistency with criteria set forth in Section 42-222 Idaho Code preventing processing of this application.

MICROFILMED

FEB 25 2003

TRANSFER REVIEW SHEET

Trans # 70126

Date Reviewed 12/11/2007

Right No(s). * 37-7261

Split? Y X N Y N Y N Y N Y N Y N

AREA OF CONCERN: No/Yes Metastasis Area
Big Wood GUMA

PURPOSE OF TRANSFER FOR EACH RIGHT:

Change p/d Change use period Change p/u
Add p/d Change nature of use

RightID's of From & To records correct? X Y N (resolve with State Office personnel)

Check for Partial Decree issuance, etc. since time of application's entry

PROOF OF OWNERSHIP COMPLETE FOR OLD & NEW P/U X Lien Holder Release NA

GROUNDWATER:

DRILLING PERMIT

All wells -046
DP upgrade req'd Y N (contact GW personnel)

WMD - North/East/West

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 067

WMD

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 01M or 01Q

SUPPLEMENTAL (irr = only use) - 065-104

SUPPLEMENTAL (irr + other uses) - 100-105

SURFACE WATER:

WD - R05 (WD#) WM comments rec'd
≤ 0.20 cfs/others - R02, 01P or No MD
> 0.20 cfs - R43

WD, SPRINGS/SINK, INACTIVE WD & REST OF STATE

≤ 0.24 cfs/5 acres - No MD

> 0.24 cfs/5 acres - 01M or 01Q

STANDARD SEASON 4/15 to 10/31 (use X61 if extended season) ORIGINALLY LICENSED @ 4/15 TO 10/15

STANDARD VOLUME 3.5 af/ac LICENSED @ 3 AFA/ACAS

CONSUMPTIVE USE VOLUME 2.5 af/ac

USES:

STORAGE - 18C-R02-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER - R37 (all BLM/USFS)
MINING - 054-106
FISH PROP - 029(70'S only)-007-122-106
HEAT/COOL - R07 (injection well)
FIRE PROT. - 077
DAIRY - 082 (zoning if a concern)-106-WD8

USES:

POWER - 17H-17K (+uses)-025-106
MUNICIPAL
Restricted area - 022-075 RAFN - 007-109-X64
Irr., GW supp to SW - 102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
- 27A (Payette River)
> 1 in restricted area - 070-071-075 (no parks/common areas, etc)
Irr use listed separate - WB5

MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop
T08 - comply or rescind
T17 - measure all p/d's (used with WB4)
T18 - Special T17 & R43 combined - multiple pds in WD

Protested - 020-X19
Water Quality - 106-R07

X27 - Number of acres/season in ppu
X35 - Combined totals of multiple rts

X49 - measure p/d's (source chg'd to orig trib)
X51 - 2+ yrs to develop
X53 - Use ltd to orig. source availability
X54 - forfeited ac/rate (used rarely)
X55 - (transfer shrinks total water to less ac)
X57 - no right-of-way
X58 - pending claim (statutory or AJ b/u claim)
X61 - extended irr season
X62 - replaces N11 and N13
X63 - replaces C12

WB4 - p/ds, cfs & afa (used with T17)

WD8 - land application of waste water

01Q - used instead of 01M when there's another meas. Cond (i.e. T17 & 01m)

Apply one to chg'd and unchg'd rts:

T09 - on-going SRBA (no Dir Rpt or Recomm yet)
T19 - replaces C18 (if at Recommendation or Partial Decree stage)
T20 - use instead of T09 where not ongoing in SRBA

OTHER CONDITIONS/REMARKS

COMMENTS

Database files updated ✓ Approval form printed ✓ Shape files created 15

Special Mailing Instructions (cc's, etc)

Final database update after approval ✓ *Comment to WR No(s). 37-7261

S.O. Review 12-30-02 28

12-31-02 28

Irrigated Pastures Workshop

SALMON, Idaho—A four-day, hands-on workshop on intensive management of irrigated pastures will be held Sept. 25-28 at the University of Idaho's new Nancy M. Cummings Research, Extension and Education Center at Salmon.

The "Lost River Grazing Academy" is aimed at farm and ranch operators, state and federal agency representatives, and others in the private and public sectors who are interested in improving their understanding and skills in integrated management of pastures. "We have thousands of acres of irrigated pasture that could be making their owners and operators a lot more money than they currently are," says Chad Cheyney, UI Extension educator in Butte County and workshop coordinator. "With a little more management and not a lot more purchased inputs, we can improve harvesting efficiency, growth rate, carrying capacity and profitability."

Jim Gerrish, a research assistant professor with the University of Missouri's Forage Systems Research Center who has more than 20 years of experience with management-intensive grazing, will lead the workshop's 11-member faculty. Other faculty will include Tom Griggs of the University of Utah, who is an expert on grass morphology, physiology and species adaptation; Mark Olsen, district conservationist with the USDA Natural Resources Conservation Service in Salmon; and soil fertility specialist Jason Ellsworth, veterinarian Jim England, animal scientist Benton Glaze, economist C. Wilson Gray and educators Jim Hawkins, Shannon Williams and Scott Jensen, all of UI Extension.

The workshop will cover grazing management principles, fencing technology, forage allocation, forage plant anatomy and physiology, pasture economics, forage quantity estimation, resource inventory, feed banking, grazing cell design, ecological basis of management, livestock health considerations, bloat management, livestock nutrition and feed allocation, body condition scoring, and pasture operation and trouble shooting.

The cost of the program is \$250 per person and includes seven meals, breaks and all workshop materials. The second, third and fourth members of farm and ranch management teams will be admitted for \$100 per person. Scholarships for up to 100 percent of the workshop cost, including travel and lodging, are available to qualified participants.

For more information on the workshop and scholarship, call Chad Cheyney or Sharon Sluder at 208/527-8587 in Arco, Jim Hawkins at 208/879-2344 in Challis or Shannon Williams at 208/756-2824 in Salmon.

Workshop co-sponsors include the Butte, Custer and Lemhi Idaho Soil and Water Conservation Districts, USDA Western Sustainable Agriculture Research and Education and USDA Natural Resources Conservation Service.

The following volunteer groups and businesses will sponsor booths:

Camas County Sheriff,	Gooding County Farm Bureau,
Camas County Weed Department,	Camas County Fire Department,
Emergency Medical Services,	University of Idaho Extension,
Camas County FFA,	Camas County Senior Center,
Camas Medical Clinic,	Life flight,
Gooding Memorial Diabetes Education	The Eye Center
USDA Forest Service- Fairfield Ranger District,	
Advocates for Survivors of Domestic Violence,	

Some booths and materials are funded in part by J.A. & Kathryn Albertson Foundation Education Fund and Unrestricted South Western Region Fund/Donald W. & Gretchen C. Fraser Fund/Curtis Turner Memorial Fund.

Attention:

The Camas Creek Co-Operative Weed Management Area now has a facility available for empty herbicide containers.

Requirements for spent containers are as follows:

1. Labels must be removed.
2. Containers must be triple rinsed.
3. Containers must have a hole/vent cut in them.

For access, please call the CWMA office at 764-3512. The deadline for having your chemical containers turned in is October 10, 2002.

Thank you

Camas Creek Co-Operative Weed Management Area
Terry Lee, Weed Superintendent

Legal Advertisements

NOTICE OF PROPOSED CHANGE TO WATER RIGHTS

Notice is hereby given that an Application for Transfer has been filed with the Idaho Department of Water Resources for changes to water rights within Camas County:

BARBER FAMILY ASSOCIATES, LP, C/O HOLDEN, KIDWELL, HAHN & CRAPO PLLC, PO BOX 50130, IDAHO FALLS ID 83405 filed Application No. 70126 on 8/29/02 for diversion of 4.67cfs from ground water. Transfer proposes changing the place of use of water right to match acres irrigated under a sprinkler irrigation system on a farm located approximately 2.0 to 3.0 miles North and 2.25 miles to 3.25 miles East of Fairfield, North of Base Line Road. The water right is diverted from two existing wells. One of the wells is located approximately 2.0 miles North and 2.25 miles East of Fairfield and the other well is located approximately 1.5 miles North and 3.0 miles East of Fairfield.

For specific details regarding the application(s), please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.state.id.us with detail provided under "New Water Right Applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St.-Suite 200; Twin Falls, ID 83301 with a protest fee of \$25.00 for each application on or before September 30, 2002. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

published on 9/11 & 9/18, 2002.

25 X 200/400ms = 501.0ms

1ST AM
50 X .35 = 17.50

2ND AM
50 X .30 = 15.00

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
 ss.
County of Camas)

Edward Reagan, being first duly sworn, deposes and says that he/she is the designated agent for the publisher of The Camas Courier, a newspaper published every week in Fairfield, County of Camas, 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, a copy of which is hereto attached, 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 11th day of September, 2002, and the date of the last publication was on the 18th day of September, 2002.

Edward Reagan

On this 22nd day of November in the year of 2002, before me, a Notary Public, personally appeared Edward Reagan, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Karen Bloodlett
Notary Public for Idaho
Residing in Fairfield
My commission expires: Deputy Clerk

T# 70126

THE CAMAS COURIER
Post Office Box 339
Fairfield, Idaho

Cost of Publication

Number of lines in notice	<u>50</u>	
Number of insertions	<u>2</u>	
Cost for advertisement	First insertion	\$ <u>17.50</u>
	Second insertion(s)	\$ <u>15.00</u>
	Total cost	\$ <u>32.50</u>

RECEIVED
DEC 03 2002
Department of Water Resources
Southern Region

OK
MB
12/9/02

MICROFILMED



Audience member Mr. Fred Johnson was recognized by the Mayor. Mr. Johnson inquired about the lowest bid. "I never heard anybody say what the lowest bid was." Mr. Jones addressed Mr. Johnson question and said that at the special meeting of August 27th, 2002 that Anderson put in a bid for \$7,800, Valley Paving put in a bid for \$8,000 and that Diamond put in a bid for \$13,460.

Audience member, Mr. Wayne Clifford was recognized by the mayor. Mr. Clifford felt that putting in a basketball court was a terrible thing to do to the downtown area. He thought that it was a nice little park, and the concept strayed from the whole idea of beautification. Mr. Clifford would like to have seen a vacant lot cleaned up and used instead.

Mr. Larry Jones interjected that for the record that he didn't want it. Council member, Kenneth Lee joined the discussion in stating that he was against the idea, too. Mr. Clifford felt that the public should have been notified about the location of the basketball court.

Mr. Jones speculated as to why the council was in the position it was in. He stated that former council member, Buz Vanskike wanted to get rid of the noise of the skateboarders on the tennis court, and that this whole thing about a basketball court was started by him. Mr. Jones then directed a threatening statement to the mayor, "We are all going to take the heat for it, and it will all come your way." Audience member, Mr. Fred Johnson said for the record, "I don't like it. You've taken the park out of the hands of the community and have given it to the kids."

Council member Scott Marolf, drew the council members back to the task of ratifying the lowest bid for the basketball project. Mr. Marolf made the motion and Mr. Terry Lee seconded the motion. Mr. Jones and Mr. Kenneth Lee gave nay votes and Mr. Marolf and Mr. Terry Lee gave the yes votes. The Mayor broke the tie by voting in favor of the project.

Mr. Jones wanted it reflected in the minutes of the meeting that the company that put in the lowest bid and was taking on the project, also owns the building adjacent to the park.

Next the council moved on to accept the ICRIMPO insurance and moved quickly on to the noise ordinance.

Mr. Kenneth Lee felt it was necessary that Mr. Phil Brown review the ordinance and make a decision on it at their regular meeting in October.

Council member quickly moved through the council reports in which Mr. Marolf said that he had been approached by a member of the community who would match \$600 for money raised by the Baseball program. According to Mr. Kenneth Lee \$250 has been raised.

The city council went into executive session to define procedures and roles of the council, mayor and employees.

Upon returning to regular meeting, Mr. Larry Jones requested that the city's attorney be present at all regularly scheduled meetings as well as special meetings.

The council recessed until Thursday, September 19, 2002.

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Ketchum, Idaho 83340

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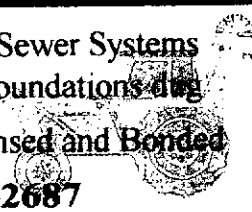


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208-764-2621
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...THE MAYOR'S DESK CONTINUED

Why a Basketball Court?

Fairfield needs more activities to attract residents in to town. A basketball court is a start. Basketball attracts both kids and adults. It is a free, universal, outdoor activity accessible virtually every day, useable by participants of all ages, varying group sizes and fun for observers. Participants do not need a key or to purchase a membership, expensive sports equipment or clothing. Basketball generates, attracts and invites social activity by observers and participants of all ages, professions and gender. At the present time, downtown virtually empties and closes at the end of the work and school day. Present and future businesses depend on community coming to town to linger, socialize, plan and play.

Why the Location (Soldier and Camas)?

This location is near downtown, near the school, visible to passersby and enhances the picnic area and gives visitors something to do or watch. Presently, the site gets very little use, yet it requires city maintenance funds to keep it watered and mowed. After years of neighborhood complaints about noise, vandalism and fear of substance abuse in and around the skateboarding activities at the tennis courts, it was clear that neither a remote location nor one in the middle of a neighborhood would be wise.

Why the Resistance?

Can't answer that one, although the opponents for the basketball court seem to be the same individuals who oppose other projects and goals we have pursued and they are highly visible during City Council meetings. Rather than representing the citizens of Fairfield and supporting progressive ideas, their goal appears to be a personal one: that is to criticize, attack, and defeat any progress or improvements.

Until a recent all-out effort to turn it around, this interference nearly resulted in our losing the industrial park grant monies and still could jeopardize future requests. Just this month, their actions forced a volunteer grant writer to withdraw from writing a simple grant which would have provided thousands of dollars to purchase large trees to line the entrance into town and place a windbreak near the medical clinic. Now it looks like they may adversely impact our Forest Service grant as well. Our long-range plans to request grant funds to purchase replacement playground equipment, to replace curbs and sidewalks, to support start-up businesses and other infrastructure enhancements are in jeopardy.

Witnessing this powerful stalemate activity from the "inside" has given me new respect for a previous mayor who was forced to resign because he attempted to "move the ball forward." It also makes it painfully clear why Fairfield has been unsuccessful in progressing forward in the past decade. I think I saw the real heart and desire of this city this summer as we worked hundreds of hours side by side to clean up town, open a pocket park, plant flowers, and care for them all with volunteer efforts and donations. To the many who came forward, I thank you for the kind comments of appreciation.

In my enthusiasm to move things along, I have made the occasional procedural mistake. Our City Council, City Clerk and City Attorney have as well.

It is not as though things have been running fine for the past decade so "why change?" The hard reality is that Fairfield is in a struggle to survive. Much of downtown is vacant and dilapidated buildings and visually uninviting. School enrollment has dropped, private retail and restaurants can barely make payroll even with volunteer staff. I love this prairie, the spirit of the community and its potential for greatness. It is worth the good effort. It is worth the long hours of volunteering. It is even worth the sacrifices to my personal business, family and life. However, it is not worthy of constant roadblocks, negative campaigns, liability threats, attacks to my character and credibility. These non-productive, non-supportive activities reduce my effectiveness, the City Council's progress, and drain my enthusiasm.

Although I may not be your Mayor much longer, I want you to know why and directly from me. Although disappointed, I remain proud to have attempted to pursue everything (and then some) I promised during my mayoral campaign. I am truly honored to have had the chance to work alongside my friends and neighbors in the heat of a long summer day to make a little difference in the town I call home. I will continue to be a good neighbor and friend to all the citizens of Fairfield including my opponents.

I honor and respect each of you who have been a part of the progress and sincerely thank you for allowing me to serve you.

Warm Regards, **Matthew R. Croner, Mayor of City of Fairfield**

Legal Advertisements

NOTICE OF PROPOSED CHANGE TO WATER RIGHTS

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Karl J. Dreher, Director

published on 9/11 & 9/18, 2002.

MEMORANDUM

DATE: November 21, 2002
TO: File
FROM: Mary A. Baldwin, Southern Region
SUBJECT: Publishing Affidavit

I again spoke with Edward Reagan, Editor of the Camas Courier about the Publishing Affidavit for publications on 9/11 & 9/18/02. Mr. Reagan predicted one would be mailed to the Department today or tomorrow at the latest.

MICROFILMED
FEB 25 2003

Baldwin, Mary

From: Baldwin, Mary
Sent: Friday, October 04, 2002 2:07 PM
To: Camas Courier (E-mail)
Cc: Baldwin, Mary
Subject: publishing Affidavit

Good Afternoon, Edward:

I need publishing affidavit on Notice of Proposed Change for Barber Family published mid September as soon as possible, please. Thanks!

Thanks

MICROFILMED

FEB 25 2003

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Karl J. Dreher, Director

Published in the Camas Courier on 9/11 & 9/18/02.

MICROFILMED
FEB 25 2003

Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

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WILLIAM D. FALER
CHARLES A. HOMER
GARY L. MEIKLE
DONALD L. HARRIS
DALE W. STORER
MARIE T. TYLER
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US BANK BUILDING
330 SHOUP AVENUE, THIRD FLOOR
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
FACSIMILE (208) 523-9518
E-MAIL KFOSTER@HOLDENLEGAL.COM

Arthur W. Holden
(1877-1967)
Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

Of Counsel
Fred J. Hahn

September 13, 2002

RECEIVED
SEP 16 2002
Department of Water Resources
Southern Region

Mary A. Baldwin
Idaho Department of Water Resources
1341 Fillmore St., Ste. 200
Twin Falls, ID 83301-3380

RE: Application for Transfer No. 70126

Dear Ms. Baldwin:

Enclosed with this letter is a list of the names, titles and addresses of all partners and the designation of the managing partner for Barber Family Associates, L.P. Since the general partner or managing partner is Pacific Funding Corporation, we have also enclosed a certificate showing the names of the officers of Pacific Funding and a Corporate Resolution pursuant to which Mr. Barber signed the application for transfer. If we may provide any additional information, please feel free to call upon us at your convenience.

Very truly yours,



Kent W. Foster

Enclosures

G:\WPDATA\KWF\10968 BARBER FAMILY ASSOC\Baldwin, IDWR 91302.wpd:cdv

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FEB 25 2003

SCANNED

DEC 10 2002

IDAHO DEPARTMENT OF WATER RESOURCES
SOUTHERN Regional Manager
1341 FILLMORE STREET-SUITE #200
TWIN FALLS ID 83301

Phone: 736-3033

Fax#: 736-3037

September 3, 2002

EDWARD REAGAN EDITOR
CAMAS COURIER
PO BOX 339
FAIRFIELD ID 83327

Dear Mr. Reagan:

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

Sincerely



Mary A. Baldwin
Administrative Assistant

MICROFILMED

FEB 25 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 3, 2002

KENT W. FOSTER
HOLDEN, KIDWELL, HAHN & CRAPO PLLC
PO BOX 50130
IDAHO FALLS ID 83405

RE: Application for Transfer No. 70126

Dear Mr. Foster:

The Department of Water Resources acknowledges receipt of the application filed on behalf of BARBER FAMILY ASSOCIATES, LP. Please refer to the number in all correspondence regarding the above referenced application.

This office has scheduled advertising the application in the Camas Courier on 9/11 & 9/18/02. The advertisement will be published for two weeks, and a period of ten calendar days following the second publication will be allowed for the submittal of protests. (September 30, 2002)

If an application is protested, the applicant will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

The department's review process may have to include field investigation and verification of the claims which is required as part of the Snake River Basin Adjudication.

In addition, please provide a list of the names, titles and addresses of all partners and designation of the managing partner, if any. (Rule 035.03.b, i). This information must be received prior to completion of the Regional Review and Recommendation.

State Office personnel will conduct a complete review prior to final processing of the application and will notify the applicant regarding the outcome of this review.

Please feel free to contact this office if you have any questions regarding this procedure.

Sincerely,

Mary A. Baldwin
Administrative Assistant I

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FEB 25 2003

Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

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Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

Of Counsel
Fred J. Hahn

August 28, 2002

RECEIVED
AUG 29 2002
Department of Water Resources
Southern Region

Idaho Department of Water Resources
Southern Region
1341 Fillmore St., Ste 200
Twin Falls, ID 83301-3380

RE: Application for Transfer of Barber Family Associates, L.P.

Dear Ladies and Gentlemen:

Enclosed is an Application for Transfer on behalf of Barber Family Associates, L.P. respecting land and water rights in Camas County, Idaho. We have also enclosed our check in the amount of \$410.00 for the filing fee. When you have had the opportunity to review the application, please let us know of any corrections or modifications that need to be made and we will be happy to do so. Thank you for your kind assistance in this matter.

Very truly yours,



Kent W. Foster

Enclosures

G:\WPDATA\KWF\10968 BARBER FAMILY ASSOC\IDWR.ltr82802.wpd:cdv

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FEB 25 2003

SCANNED
DEC 10 2002

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF TRANSFER NO.)
5570 OF WATER RIGHT NO. 37-07261)
IN THE NAME OF BARBER FAMILY)
ASSOC. LP)
_____)

PRELIMINARY ORDER

FINDINGS OF FACT

1. On March 21, 2000, the Department of Water Resources ("Department") approved Application for Transfer No. 5570 ("transfer") submitted in the name of Barber Family Assoc. LP ("right holder"). The transfer changed the location of a point of diversion from the NE1/4SE1/4 Section 1, T1S, R14E, B.M. to the SE1/4SE1/4 Section 36, T1N, R14E, B.M.

2. On November 6, 2000, the right holder asked the department to rescind the transfer approval allowing the points of diversion to revert back to the locations authorized before the transfer was approved. The right holder described that the reason for the request is that the wells constructed at the new point of diversion are not productive.

CONCLUSIONS OF LAW

1. The Department is authorized to issue Preliminary Orders changing a prior approval.

2. The right holder having shown sufficient cause, the Department should issue a Preliminary Order rescinding the March 21, 2000 transfer approval.

ORDER

IT IS THEREFORE HEREBY ORDERED that Transfer 5570 approved on March 21, 2000 is **RESCINDED** and that the authorized points of diversion are within the SW1/4SW1/4 Section 36, T1N, R14E, B.M. and NE1/4SE1/4 Section 1, T1S, R14E, B.M.

Dated this 13th day of November, 2000.


L. GLEN SAXTON, Chief
Water Allocation Bureau

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FEB 25 2003

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DEC 10 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

November 14, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BARBER FAMILY ASSOCIATES LP
PO BOX 1449
EDMONDS WA 98020

RE: Preliminary Order in the Matter of Transfer 5570 of Water Right 37-07261

Dear Permit Holder(s):

The accompanying order is a "preliminary order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the department unless a party petitions for reconsideration within fourteen (14) days after issuance as described in the enclosed information sheet.

If you have any questions regarding this matter, please call me at 208-327-7940.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff Peppersack'.

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

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NOV 17 2000

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FEB 25 2003

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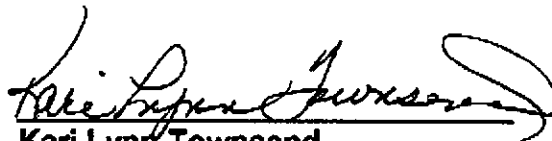
DEC 10 2002

CERTIFICATE OF MAILING

I hereby certify that on the 14th day of **November, 2000**, I mailed a true and correct copy, certified, postage prepaid, of the foregoing **PRELIMINARY ORDER** to the person(s) listed below:

RE: Preliminary Order in the Matter of Transfer 5570 of Water Right 37-07261

**BARBER FAMILY ASSOCIATES LP
PO BOX 1449
EDMONDS WA 98020**


**Kari Lynn Townsend
Secretary**

SCANNED

DEC 10 2002

MICROFILMED

MICROFILMED

NOV 17 2002

FEB 25 2003

FIRST WESTERN INVESTMENTS

WASHINGTON / OREGON / IDAHO

DATE: September 11, 2002

TO: Kent Foster/ HOLDEN, KIDWELL, HAHN & CRAPO

FROM: George Barber

SUBJECT: WATER RIGHTS TRANSFER
RIGHT # 37-7261

MEMO / ACTION REQUIRED:

Per your request, following is a listing of all the partners and designation of managing partner for Barber Family Associates:

General Partner & Managing General Partner

Pacific Funding Corporation 5%
114 Second Avenue South, #105
PO Box 1449
Edmonds, WA 98020

Limited Partners

JAL Associates 75%
PO Box 1449
Edmonds, WA 98020

George & Julee Barber 20%
PO Box 1449
Edmonds, WA 98020

Please give me a call (425-775-6000) if you need additional information to process this transfer.

THANK YOU!!

RECEIVED

SEP 16 2002

Department of Water Resources
Southern Region

Post-it® Fax Note	7671	Date	9/11/02	# of pages	1
To	Kent Foster	From	George Barber		
Co/Dept	HOLDEN, KIDWELL, HAHN & CRAPO	Co.			
Phone #	208-523-0620	Phone #	425-775-6000		
Fax #	208-523-9518	Fax #	425-775-2775		

MICROFILMED

SCANNED

FEB 25 2003

DEC 10 2002

PACIFIC FUNDING CORPORATION

P. O. BOX 1449
EDMONDS, WA 98020

RECEIVED
SEP 16 2002
Department of Water Resources
Southern Region

CERTIFICATE

I, Mark O. Zenger, Secretary of Pacific Funding Corporation, do hereby certify that:

- 1) The attached resolution was adopted by the Board on November 9, 1984.
- 2) This resolution has not been modified or changed and remains in full force and effect.
- 3) The officers of Pacific Funding Corporation are:

President &
Chairman

George E. Barber

Vice President

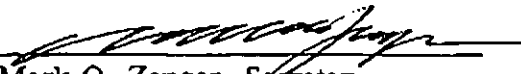
Andrew J. Barber

Secretary/Treasurer

Mark Zenger

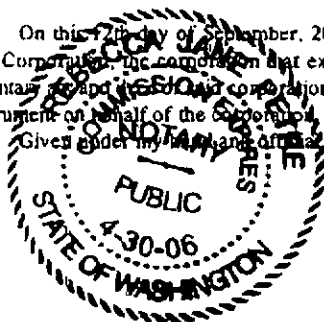
IN WITNESS WHEREOF, I have executed this certificate this 12th day of September, 2002.

BY:


Mark O. Zenger, Secretary
Pacific Funding Corporation

STATE OF WASHINGTON)
) ss.
COUNTY OF SNOHOMISH)

On this 12th day of September, 2002, before me personally appeared Mark O. Zenger to me known to be the Secretary of Pacific Funding Corporation, the corporation that executed the within and foregoing instrument and acknowledged the said instrument to be the free and voluntary act and deed of said corporation, for the uses and purposes therein mentioned, and on oath stated that he was authorized to execute said instrument on behalf of the corporation.
Given under my hand and official seal the day first set forth in the certificate above.




Notary Public in and for the State of Washington,
residing at Bellevue. My commission expires 4/30/2006

MICROFILMED

FEB 25 2003

SCANNED

DEC 10 2002

PACIFIC FUNDING CORPORATION
AUTHORIZATION RESOLUTION

RESOLVED, that the President, Vice-President, or Secretary of the Corporation are hereby authorized for and on behalf of the corporation: to negotiate for and to purchase, acquire by exchange, lease as lessee, or otherwise obtain and acquire real property for and on behalf of the corporation; to execute and deliver any agreements, instruments, or other documents necessary or appropriate with respect thereto.

RESOLVED FURTHER, that any note, mortgage, loan, or other evidence of indebtedness in excess of \$1,000 requires the signature of two of the three officers shown above.

RESOLVED FURTHER, that the President, Vice President, or Secretary of the corporation are hereby authorized to negotiate for the sale, mortgage, exchange, lease as lessor, or other transfer or disposal of any real property now or hereafter owned by the corporation.

RESOLVED FURTHER, that any two of the above officers signing together are hereby authorized to sell, mortgage, exchange, lease as lessor, or otherwise transfer or dispose of any real property now or hereafter owned by the corporation and in connection therewith, are authorized for and on behalf of the corporation, to execute and deliver any agreements, instruments, or documents necessary or appropriate thereto.

RESOLVED FURTHER, that the President, Vice President, or Secretary (or two of them signing or acting together if the amount involved exceeds \$500) are hereby authorized for and on behalf of the corporation, to negotiate for the purchase or sale, exchange, lease, or other acquisition, transfer or disposal of any personal property now or hereafter owned by the corporation and in connection therewith, are authorized for and on behalf of the corporation, to execute and deliver any agreements, instruments, or documents necessary or appropriate with respect thereto.

MICROFILMED

SCANNED

FEB 25 2003

DEC 10 2002

BARBER FAMILY ASSOCIATES L.P.

P. O. Box 1449
Edmonds, WA 98020

RECEIVED

NOV 06 2000

Department of Water Resources
Southern Region

November 1, 2000

Mr. Glen Saxton
IDAHO DEPARTMENT OF WATER RESOURCES
P. O. Box 83720
Boise, Idaho 83720-0098

Re: Water Right #(A)37-07261

Dear Mr. Sexton,

We recently transferred the location of the above water right to allow drilling of a new well in a more efficient (closer) location. (A copy of the transfer paperwork is enclosed for ease of reference.) However, after several attempts we have been unable to make the new well location productive.

Accordingly, we respectfully request that our water right be transferred back to its prior location so that we are allowed to re-drill a well at that location.

If there are any questions or if you need further information to process this request, please contact Lou Anderson at (208) 539-2245. If Lou is unavailable, you may also contact either George Barber or me at (425) 775-6000.

Thank you for your assistance with this matter.

Sincerely,

Barber Family Associates L.P., by Its Managing General Partner,
Pacific Funding Corporation


Mark Zenger
Secretary/Treasurer

Enc: as noted above

cc: Mr. Alan Merritt
IDAHO DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301

Lou Anderson (via fax: 208-764-3305)

MICROFILMED

DEC 25 2002

SCANNED

DEC 10 2002

A37-07261-T#5570

MEMO

FROM: Allen Merritt



DATE: October 27, 2000

TO: 37-07261

SUBJECT: Phone conversation with Lew Anderson.

Mr. Anderson called indicating that the proposed well under T5570 in the SESE S 36, T01N, R14E did not get any water. They wanted to move back to the original 40 acre tract (NESE S01, T01S, R14E) and try again. We discussed the possibility of getting T5570 rescinded or withdrawn.

I called Saxton and I described the situation. Glen indicated to have the owner send him a letter and he would cancel the transfer moving the well site back to the original tract.

I phoned Mr. Anderson back (539-2245) and instructed him to have the owners send Glen a letter with a copy to me.

Once the transfer is cancelled we can process a replacement well drilling permit application.

37-07261

MICROFILMED

FEB 25 2003

SCANNED

DEC 10 2002

WATER RIGHT LICENSE

WATER RIGHT NO. 37-07261

Priority: August 14, 1973

Maximum Diversion Rate:
Maximum Diversion Volume:¹

4.67 CFS
1470.0 AF

This is to certify, that GEORGE BARBER
JULEE BARBER

P.O. BOX 6363
LYNNWOOD, WA 98036

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated August 14, 1973; and has submitted Proof of Beneficial Use on July 21, 1983. An examination indicates that the works have a diversion capacity of 4.670 cfs of water from a GROUNDWATER 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	04/15 to 10/15	4.67 CFS	1470.0 AF

LOCATION OF POINT(S) OF DIVERSION:

SWSW , Sec. 36, Township 01N, Range 14E
NESE , Sec. 1, Township 01S, Range 14E
CAMAS County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
01N	14E	36	NENE 39	NWNE 40	SWNE 40		
			SENE 39	SWNW 12	SENE 12		
			NESW 40	NWSW 39	SWSW 35		
			SESW 38	NESE 39	NWSE 40		
			SWSE 39	SESE 38			490

Total number of acres irrigated: 490

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 right to use water confirmed by this license is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to reflect cropping patterns or acceptable standards of water delivery efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.

MICROFILMED
FEB 25 2003

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Claim Report 37-7261

WATER RIGHT NUMBER: 37-7261

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	JULEE BARBER PO BOX 1449 EDMONDS, WA 98020 (206)775-6000
Current Owner	GEORGE BARBER PO BOX 1449 EDMONDS, WA 98020 (206)775-6000
Original Owner	DORAN CLUER ID
Original Owner	MARY CLUER ID

No OVERLAPS

Priority Date: 08/14/1973

Basis: License

Status: Active

SourceTributary

GROUND WATER

Beneficial Use

<u>From</u>	<u>To</u>
4/15	10/15

Diversion RateAnnual Volume

IRRIGATION

4.670 CFS

Total Diversion: 4.670 CFSLocation of Point(s) of Diversion

GROUND WATER

NE1/4NE1/4SE1/4

Sec. 1, Twp 01S, Rge 14E, B.M.

CAMAS County

GROUND WATER

SW1/4SW1/4SW1/4

Sec. 36, Twp 01N, Rge 14E, B.M.

CAMAS County

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	
01N	14E	36	39.0	40.0	40.0	39.0	12.0	12.0	40.0	39.0	35.0	38.0	39.0	40.0	39.0	38.0	490.0		

Total Acres: 490

Conditions of Approval:

MICROFILMED

FEB 25 2003

IDAHO DEPARTMENT OF WATER RESOURCES
Adjudication Claim Report 37-7261

Remarks:

1. General 11/29/99, CHANGED ADDRESS AS PER REQUEST REC'D 1/8/99. C.T.
1/5/00, CORRECTED TYPO ON ZIP CODE. C.T.

Comments:

Dates and Other Information:

Claim Received Date: 11/15/1989
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal: S
Owner Name Connector: OR
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

MICROFILMED
FEB 25 2003

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-7261

WATER RIGHT NUMBER: 37-7261

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	BARBER FAMILY ASSOC LP PO BOX 1449 EDMONDS, WA 98020 (425)775-6000
Original Owner	DORAN CLUER , ID
Original Owner	MARY CLUER , ID

Priority Date: 08/14/1973

Basis: License

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	4/15 to 10/31	4.670 CFS	1,470.00 AF
	<u>Total Diversion:</u>	4.670 CFS	1,470.00 AF

Location of Point(s) of Diversion

GROUND WATER	SW1/4SW1/4	Sec. 36, Twp 01N, Rge 14E, B.M.
CAMAS County		
GROUND WATER	NE1/4SE1/4	Sec. 1, Twp 01S, Rge 14E, B.M.
CAMAS County		

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	
01N	14E	36	39.0	40.0	40.0	39.0			12.0	12.0	40.0	39.0	35.0	38.0	39.0	40.0	39.0	38.0	490.0

Total Acres: 490

Conditions of Approval:

- 01M 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.
- 046 Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
- R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.

MICROFILMED

FEB 25 2003

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 37-7261

4. T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
5. T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
6. T09 Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
7. T17 Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.

Remarks:

1. General The total instantaneous diversion of water from all points of diversion under Transfer 5570 shall not exceed 4.67 cfs, nor total combined annual volume of 1470.0 af.
The well previously used under Right 37-07261 in the NESE, S1, T01S, R14E shall be abandoned in a manner which complies with Department well abandonment rules.

Comments:

1. GSATTERL 10/14/1999 TRANSFER NO. 5570
Comment: Abandon existing well situated in Sec 1, T01S, R14E NESE Drill new well in SESE of Sec 36, T01N, R14E
2. AMERRITT 3/3/2000 Correct Name
Comment: Association to Associates L P
3. PSKAGGS 11/13/2000 TRANSFER 5570 RESCINDED
Comment: Transfer was Rescinded by Order dated 11-13-2000.

Dates and Other Information:

Licensed Date: 7/14/1989
Decreed Date:
Water Supply Bank Enrollment Accepted:
Water Supply Bank Enrollment Removed:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Decree Defendant:
Decree Plaintiff:
Civil Case Number:
Judicial District:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

November 14, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BARBER FAMILY ASSOCIATES LP
PO BOX 1449
EDMONDS WA 98020

RE: Preliminary Order in the Matter of Transfer 5570 of Water Right 37-07261

Dear Permit Holder(s):

The accompanying order is a "**preliminary order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the department unless a party petitions for reconsideration within fourteen (14) days after issuance as described in the enclosed information sheet.

If you have any questions regarding this matter, please call me at 208-327-7940.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jeff Peppersack'.

Jeff Peppersack, Manager
Water Right Permits Section

JP:kit

Enclosures

MICROFILMED

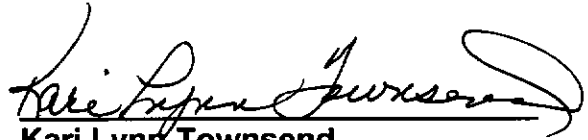
NOV 17 2000

CERTIFICATE OF MAILING

I hereby certify that on the **14th** day of **November, 2000**, I mailed a true and correct copy, certified, postage prepaid, of the foregoing **PRELIMINARY ORDER** to the person(s) listed below:

RE: Preliminary Order in the Matter of Transfer 5570 of Water Right 37-07261

**BARBER FAMILY ASSOCIATES LP
PO BOX 1449
EDMONDS WA 98020**


**Kari Lynn Townsend
Secretary**

**MICROFILMED
NOV 17 2000**

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED

BARBER FAMILY ASSOCIATES L.P.

P. O. Box 1449
Edmonds, WA 98020

RECEIVED

NOV - 6 2000

Department of Water Resources

November 1, 2000

Mr. Glen Saxton
IDAHO DEPARTMENT OF WATER RESOURCES
P. O. Box 83720
Boise, Idaho 83720-0098

Re: Water Right #(A)37-07261

Dear Mr. Sexton,

We recently transferred the location of the above water right to allow drilling of a new well in a more efficient (closer) location. (A copy of the transfer paperwork is enclosed for ease of reference.) However, after several attempts we have been unable to make the new well location productive.

Accordingly, we respectfully request that our water right be transferred back to its prior location so that we are allowed to re-drill a well at that location.

If there are any questions or if you need further information to process this request, please contact Lou Anderson at (208) 539-2245. If Lou is unavailable, you may also contact either George Barber or me at (425) 775-6000.

Thank you for your assistance with this matter.

Sincerely,

Barber Family Associates L.P., by Its Managing General Partner,
Pacific Funding Corporation



Mark Zenger
Secretary/Treasurer

Enc: as noted above

cc: Mr. Alan Merritt
IDAHO DEPARTMENT OF WATER RESOURCES
1341 Fillmore Street, Suite 200
Twin Falls, Idaho 83301

MICROFILMED

Lou Anderson (via fax: 208-764-3305)

NOV 17 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

March 22, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BARBER FAMILY ASSOC LP
PO BOX 1449
EDMONDS WA 98020

RE: Water Right 37-07261 (Transfer 5570)

Dear Water Right Holder(s):

Enclosed is the copy of your approved Transfer of Water Right for the above referenced water right (Transfer 5570). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,

for *Sharla Curtis*
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED

MAR 24 2000

CERTIFICATE OF MAILING

I hereby certify that on the 22nd day of March, 2000 I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

RE: WATER RIGHT 37-07261 (Transfer 5570)

**BARBER FAMILY ASSOC LP
PO BOX 1449
EDMONDS WA 98020**


**Kari Lynn Townsend
Secretary**

**MICROFILMED
MAR 24 2000**

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

RECEIVED MAIL

TRANSFER OF WATER RIGHT ANALYSIS

Reviewed by Sharla Curtis on 3/11/00

Trans # 5570 WR No(s). 37-07261
Resulting Splits N/A

Name: Barker Farm Assoc Correct Fee Pd ☒ Ad ok ☒

AREA OF CONCERN: No/Yes Moratorium XFER TYPE:
GWMA TRUST/NON-TRUST
B - Change p/d F - Change use period
C - Add p/d G - Other
D - Change p/u H - Change p/d & add p/d
E - Change use I - Change p/d & p/u
J - Add p/d & change p/u

GROUNDWATER:

DRILLING PERMIT

All wells -046
Basin 34 -085
WMD - North/East/West
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres -067

WMD

Supp irr (irr = only use) -065-104
Supp irr (+ other uses) -100-105
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres -01M

USES:

-STORAGE -18A-R02-01P-18B-NA
IRR ≤ 5 ac - R66/R67/R68/R69 (0.03 cfs/ac)
> 5 ac - R62/R63/R64/R65 (0.02 cfs/ac)
STOCKWATER -R37 (BLM/USFS)
MINING -054-081
FISH/PROP -029(70'S only)-007-042-081
HEAT/COOL -R07(injection well)
ERE PROT. -077

MISC CONDITIONS/REMARKS:

T07 - 1 yr to develop
T08 - comply or rescind
T09 - on-going Snake River Basin Adjudication
T17 - measure all p/d's (used with WB4)

Protested -020-W19
Multiple pd's per 1/4 - W32
Non-consumptive -027
Water Quality -081-R07
Subd lot desc (pd) - W59
Subd lot desc (pu) - W60
Use definitions - W02 example - S/50 range
Single p/d intended -076
Zoning ord. (dairys only) -082

SURFACE WATER:

WD R04 (WD#)
≤ 0.20 cfs/others - R02, 01P or No MD
> 0.20 cfs - R43
WD, SPRINGS/SINK, INACTIVE WD & REST OF STATE
≤ 0.24 cfs/5 acres - No MD
> 0.24 cfs/5 acres -01M or 01Q

LOCATION:

Boise Front LoGeo -058 (<85 GW)
Mitigation -121
Trust -051 (consumptive uses)
Non-Trust -048-049 (cons uses or non-cons. > 1.0 cfs)

USES:

POWER -17H-17K (+uses)-025-081
MUNICIPAL
Restricted area -022,075
Irr. GW supp to SW -102
DOMESTIC
Surface water - WB5 (Big Wood or Boise above Star Bridge)
27A (Payette R)
>1 in restricted area -070-071-075(no parks/common areas, etc)
Irr use listed separate - WB5

W51 - 2+ yrs to develop
W54 - forfeited ac/rate (used rarely)
W55 - transfer shrinks total water to less ac
W57 - no right-of-way
W58 - pending claim (statutory or AJ b/u claim)
W59 - measure p/d's (source changed to original trib)
WB4 - # p/ds, cfs & afa (used with T17)
WD5 - remaining right (only if specifically requested, i.e. protest)
WD6 - measure & report "
WD7 - irr ac removed "

Special T17 & R43 combined - multiple pds in WD T18

IRRIGATION SEASON 4/15 - 10/31 (Per updated map) WSO

IRRIGATION VOLUME/AC 3.5

OTHER CONDITIONS/REMARKS

COMMENTS

Prov. of ownership N/A for pld chg only ok vol. irate

T files created/updated ☒ Approval form printed ☒ Transfer Memo
Post approval update ☒

MEMO

RECEIVED
MAR 7 . 2000

FROM: Allen Merritt

AM Department of Water Resources

DATE: March 3, 2000

TO: Transfer File No. 5570

Water Right(s): 37-07261

In the Name of: Barber Family Associates L P

SUBJECT: Review and Recommendation

This transfer requests the abandonment of one well and replacement in another tract. There does not appear to be issues of forfeiture. The application was advertised without protest.

The subject water right is currently in the name of George and Juliee Barber but the application is in the name of Barber Family Associates with tax notices in the name of Barber Family Associates L P. I recommend the approval be in the name of Barber Family Associates L P.

Recommendation

I recommend that the transfer be approved subject to the following conditions:

- Subject to future SRBA determinations.
- New well is authorized to be drilled within SESE S36, T01N, R14E. but must be pursuant and subject to drilling permit requirements.
- The old irrigation well with NESE S01 T01S, R14E. must be properly abandoned and subject to abandonment approval by IDWR.

MICROFILMED

MAR 24 2000

Memo

From: Allen Merritt
Date: March 3, 2000



Subject: Phone conversation with George Barber

On this day in reviewing transfer 5570 it appears that the question of the recent use of the water right was not clearly documented. I contacted Barber Family Associates and George Barber called me back since he was most familiar with the operation near Fairfield.

George indicated that they have used the water every year over the last five years. He indicated that they grow alfalfa hay. He indicated that the well they wish to replace is pumping sand and chewing up the pumps. He indicate that they wish to get started in drilling the well as soon as possible before the irrigation season.

I told him that we might be able to issue the drilling permit prior to approval of the transfer but they would need to complete an "expedited approval request".

He asked that I send the paper work to his farm manager at:

Lew Anderson
PO Box 507
Fairfield, ID 83327

MICROFILMED

MAR 24 2000

T# 5570

NT: Barber Family Ass

37-07261

[illegible]

IDWR TRANSFER ANALYSIS SHEET

APPLICANT Barber Family Assoc

TRANSFER NO. 5570

1. Right number(s) 37-07261

2. Type of right ☐ Decree ☒ License ☐ Statutory Claim
☐ SRBA Beneficial Use Claim

3. Purpose of transfer ☒ Change P/D ☐ Add P/D ☐ Change P/U
☐ Change N/U ☐ Change Source ☐ Split Right
☐ Other: Abandon Existing

4. Check Existing Right: ☒ Source ☒ Priority ☒ Amount ☒ Purpose
☒ Period ☒ SRBA Claim
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights on original place of use

Comments: _____

5. Check Proposed Right for amount of land &/or water transferred:

Also see attached memo for more analysis information

- a. ☒ All of right
- b. ☐ Part of right (NOTE: Part B should be filled in only if part of right is owned by the applicant)
- c. ☒ Description of point(s) of diversion
- d. ☒ Description of place of use
- e. ☒ Map showing P/D & P/U after transfer
- f. ☒ Correct notarized signature and \$100 fee
- g. ☒ Proof of ownership of right &/or land from which water is transferred
- h. ☒ Expansion in use of right - Comments: _____

i. ☒ Existing rights from same source, on land water is being transferred to; right number(s): _____

j. ☒ SRBA claim(s) - Comments (NOTE! Approved transfer amends SRBA claim; differences between existing water right and SRBA claim? any ownership or other outstanding issues? Explain) _____

k. _____ Comment letters _____ Yes ☒ No ☒
If yes ☒ Water District # _____
Lienholder, others, see #2 below for name and address

INITIAL ALLOCATION REVIEW BY GLS
SRBA SUPERVISOR REVIEW BY _____
PUBLICATION REVIEW BY _____

DATE 14 Oct 99
DATE _____
DATE _____

1. Legal Notice electronically sent to DWRO3::VAULT _____ Yes

2. COMMENT LETTERS Copy of Pg 1 to AJ _____ Yes

Watermaster recommendation requested on N/A, Received on _____

Other comments letters - send to the following name(s) & address(es): _____

*No
GLS
Done

3. Transfer published correctly? ☒ Yes ☐ No

4. Affidavit of publication received? ☒ Yes ☐ No

5. Protests received? ☐ Yes ☒ No; Acknowledgement sent? ☐ Yes

6. Copies made for Region file (see attached supplemental page)? ☐ Yes

RECOMMENDED ACTION

1. ☒ Approve

2. ☐ Deny due to _____

3. Conditions (special conditions in Water Districts) _____

☒ Also see attached memo for recommendation dated: 3/3/2000

4. By AD

Date 3/3/2000

AFFIDAVIT OF PUBLICATION

RECEIVED
FEB 29 2000
Department of Water Resources
Southern Branch

STATE OF IDAHO)
)
)
County of Camas)

Edward Reagan, being first duly sworn, deposes and says that he/she is the designated agent for the publisher of The Camas Courier, a newspaper published every week in Fairfield, County of Camas, 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, a copy of which is hereto attached, 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 15th day of December, 1999, and the date of the last publication was on the 22nd day of December, 1999.

Edward Reagan

On this 28th day of February, in the year of 2000, before me, a Notary Public, personally appeared Edward Reagan, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Korri Blodgett
Notary Public for Idaho
Residing in Fairfield.
My commission expires: Deputy Clerk

THE CAMAS COURIER
Post Office Box 339
Fairfield, Idaho

Cost of Publication

Number of lines in notice	<u>40</u>	
Number of insertions	<u>2</u>	
Cost for advertisement	First insertion	\$ <u>16.00</u>
	Second insertion(s)	\$ <u>14.00</u>
	Total cost	\$ <u>30.00</u>

MICROFILMED

MAR 24 2000

OK
MB
3/1/00



It's the Key!

The Post Office has a new way of getting your parcels to you. It's in the key.

The Post Office has provided you with twenty boxes where you can pick up packages. You will receive a key in your post office box. The key will tell you which locker number your parcel is in.

Put the key in the lower lock (the silver one). Et Voila, there is your package. Leave the key in the lock and the Postmaster will get the key later.

However, at Christmas time when parcels are big or they have to be signed for, you will receive a yellow slip in your box.

Snake River Fugue

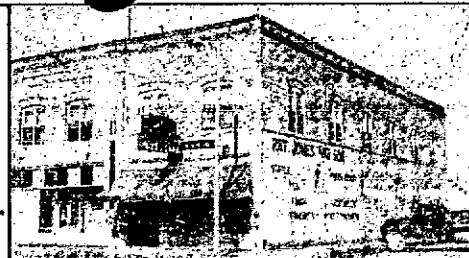


With Love To A Land

Lalene Cargill Meyer

L.C. Meyer \$7.75 ppd
Poetry
Box 63
Fairfield, Idaho 83327

A Long
Time Ago
~
Right
Next Door



December 1954

New Snow Helps Ski Runs Here

Recent snow falls have aided considerably the skiing area up Soldier creek, known as the Soldier Mountain Ski lift.

Operator Bob Frostenson reported that large numbers of skiers have been using the rope tow, especially during weekends, and have been "wearing out" the snow. The new snow falls have obliterated the previous ski trails and the operators are prepared to handle a record crowd this coming weekend.

Last Saturday, the Gooding Ski club, numbering 31, chartered a bus and enjoyed a day of sports. Many of them returned the following day. About 75 skiers were seen using the rope tow during one count Sunday afternoon.

Leadership Idaho Agriculture Announces The Fall Class of 2000

The Leadership Idaho Agriculture Foundation has announced the participants in the program for 1999-2000. These individuals have been selected from agriculture and agribusiness organizations to participate in the fall class sessions throughout the next four months.

The LIA program is designed to enhance the leadership, personal development and awareness of agriculture for each participant. Since 1985, 314 have graduated from the statewide program. Sessions will be held in Moscow, Idaho Falls, Twin Falls and Boise before the graduation in February.

Class participants and the organizations they represent are as follows:

HOMETOWN	PARTICIPANT	SPONSOR
BOISE	Tom Schafer	Idaho State Dept. of Agriculture
BUHL	Scott Blick	Western Farm Service
BUHL	R.J. "Butch" Pierce	Western Farm Service
BUHL	Roger Stutzman	Idaho Sugarbeet Growers Association
CALDWELL	Shawna Paine	J.S. Farms
CHUBBUCK	Kenneth Funk	Western Farm Service
CORRAL	Carl Rey	Idaho State Dept. of Agriculture, self
EMMETT	Deborah Sorenson	Idaho Farm Service Agency
GLENN FERRY	Wesley Wootan	Zion's Bank, LIA Foundation
GREENLEAF	David Dixon	Northwest Farm Credit Services
HAZELTON	Cevin Jones	Idaho Cattle Association
IDAHO FALLS	Don Dixon	Idaho Wheat Commission
IDAHO FALLS	Todd Rottrell	Dave Kingston Produce
IDAHO FALLS	Colleen Thompson	Idaho Crop Improvement Association
JEROME	Paul Boesiger	Aronmore West
MARSING	Thomas Dobbin	Idaho Farm Service Agency
MOORE	Todd Perkes	Idaho Crop Improvement Association
Moscow	Caroline Nilsson	University of Idaho College of Agriculture
NAMPA	Aaron Ball	Northwest Farm Credit Services
PARMA	Mike Edens	Canyon County Farm Bureau
PAYETTE	Rory Clinton	Payette County, Idaho Asso. of Weed Control Supts.
PECK	Christina Kuykendall	Nez Perce Tribe
RUPERT	Douglas Jones	Magic Valley Foods, Redland Jones Potatoes, Carmela Winery
SPOKANE, WA	Gene Weinmeister	Zeneca Ag Products
TERRETON	Lisa Shively	Idaho Cooperative Council, Idaho Alfalfa Seed Commission
TWIN FALLS	Jim Patrick	Simplot Soilbuilders, Northwest Farm Credit Services
TWIN FALLS	Robert Forster	University of Idaho College of Agriculture
TWIN FALLS	Lloyd Stockton	Novartis Seeds
WASH., DC	Jani Brackett	Idaho Cooperative Council, Northwest Farm Credit Services
WILDER	Ray Gross	Idaho Mint Commission, Pioneer Hi-Bred International

The LIA Foundation is dedicated to leadership development for men and women across Idaho, according to Rick Waitley, President of the Foundation. Class members will hear from over 150 different speakers, participate in tours, have speaking opportunities and experience personal growth situations which will better prepare them for leadership opportunities in the agriculture industry of the future. To obtain additional information about participation in the LIA program or to offer financial support for the Foundation, contact Waitley at the following address: 1741 Gibson Way, Meridian ID 83642, or call 208-888-0988.

Legal Advertisements Legal Advertisements

NOTICE OF SALE

Notice is hereby given that, pursuant to Section 31-808 Idaho Code, Camas County will sell by public auction, to the highest bidder, the following item:

1. Sulaire Detroit powered 750 FM Air Compressor.

The item may be inspected by contacting the Road and Bridge Department until the day of the sale.

The sale shall occur at the Courthouse door of The Camas County Courthouse, Fairfield, Idaho, on the 28th day of December, 1999 at 1:00 p.m.

Bidders are notified that the purchase price of the item may be paid for in cash at the time of the sale or financed for a term not to exceed 10 years at 12% interest per annum.

Camas County reserves the right to reject any and all bids.

DATED this 10th day of December, 1999

F.R. Bennett, Clerk

Published 12-15-1999

NOTICE OF PROPOSED CHANGE OF A WATER RIGHT

Notice is hereby given that Barber Family Associates, PO Box 1449, EDWARDS WA has filed an application with the Department of Water Resources for changes to point of diversion as described below.

Transfer NO 5570 involves Right No. 37-07261 (4.67 cfs) recorded with priority date of 08/14/1973 from groundwater within SWSW, S36, T01N, R14E & NESE, S01, T01S, R14E for irrigation of 490 acres within Section 36, T01N, R14E; Camas County. Transfer No. 5570 proposes to abandon existing well in NESE, S01, T01 S, R14E and drill a new well within SESE, S36, T01N, R14E; all Camas County for continued irrigation of the same 490 acres described above.

Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite #200; Twin Falls ID 83301 together with a protest fee of \$25.00 on or before January 3, 2000 to be considered by the Department in its decision to grant or deny any part of the proposed change. (Each transfer requires a separate protest.) The Protest must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in on 12/15 & 12/22/99.

MICROFILMED

MAR 24 2000

20 lines X 2 columns = 40 lines

151 14
40 X .40 = 16.00

40 X .35 = 14.00

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Karl J. Dreher, Director

Published in the Camas Courier on 12/15 & 12/22/99.

MICROFILMED
MAR 24 2000

K. J. Dreher



State of Idaho

DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380

Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 10, 1999

ATTN EDWARD REAGAN
THE CAMAS COURIER
PO BOX 339
FAIRFIELD ID 83327

Ladies and 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 required publication dates. 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.

Very truly yours,

Mary Baldwin
Administrative Assistant

Enclosure

MICROFILMED
MAR 14 2000

MEMO TO THE FILE

FROM: Georgia Satterlee
DATE: 30 September 1999
RE: 37-07261
TO: Barber Family et. al.

Per phone conversation w/ Lou Anderson, 539-2244, enclosed is the application for transfer to change the point of diversion from Section 1 to Section 36.

If there is a change of address from what we have on record, please fill out the Change in Address form included. All the yellow areas of the application for transfer will need to be filled out by applicant, too.

My card is included plus a self-addressed envelope to send back the information. The fee is \$100 which is for the advertisement in the local paper in Camas County.

Thanks for your help!

RECEIVED
OCT 08 1999
Department of Water Resources
Southern Region

MICROFILM

MAR 24 2000

T #5570

July 17, 1989

GEORGE BARBER
JULEE BARBER
P.O. BOX 6363
LYNNWOOD, WA 98036

RE: PERMIT NO. 37-07261

Dear Permit Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved application for amendment.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED
JUL 19 1989

PACIFIC FUNDING CORPORATION

TRANSMITTAL MEMORANDUM

RECEIVED

APR 24 1989

Jim Johnson
STATE OF IDAHO DEPT OF
WATER RESOURCES
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

Date: April 21, 1989

Re: Permit No. 37-07261
George Barber
Department of Water Resources

The following materials are enclosed:

Application for Amendment
Our check No. 1133 for \$20.00 (application fee)

[X] Original(s)

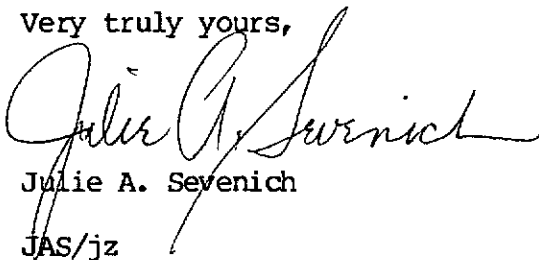
[] Copy(ies)

Please take the following action:

- ___ For your information and/or for your records.
- ___ Review the enclosed and call for an appointment.
- ___ Call me upon receipt of this letter.
- ___ Approve for entry and return original.
- ___ File/Record.
- ___ File original; advise date of entry and name of Judge so that we may conform our copies.
- ___ Review and if approved, sign on the lines indicated by check mark and return.
- X Other: Please process the enclosed application.

If you have any questions regarding the above, please call.

Very truly yours,


Julie A. Sevenich
JAS/jz

[X] Enclosures

cc: George Barber

March 20, 1989

GEORGE BARBER
JULEE BARBER
P.O. BOX 6363
LYNWOOD, WA 98036

2

RE: PERMIT NO. 37-07261

Dear Permit Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed application for amendment contains information that will be included on the license when it is issued. Please review carefully and if you concur, sign the amendment and return with the \$20.00 filing fee within 30 days.

If you do not concur with these findings or if you have any questions, please contact us within the 30-day period.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECEIVED
JUL 19 1989

PACIFIC FUNDING CORPORATION

February 23, 1989

RECEIVED
FEB 27 1989

Jim Johnson
Water Rights Supervisor
STATE OF IDAHO, DEPT. OF WATER RESOURCES
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

Department of Water Resources

Re: Permit No. 37-7261

Dear Mr. Johnson:

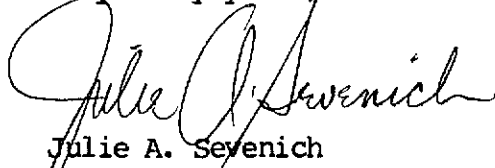
In August 1988, you wrote and advised Mr. George Barber that the assignment of permit No. 37-7261 to George and Julee Barber from Doran Cluer could not be accepted because the permit was no longer in Mr. Cluer's name and had previously been assigned from Mr. Cluer to Helyn C. Conway Trust.

Please find enclosed a new assignment of permit No. 37-7261 to George and/or Julee Barber from William T. Cavness - Trustee of the Helyn C. Conway Trust.

I believe this will satisfy the needs of the Department of Water Resources allow your records to show George and/or Julee Barber as the current permit holders.

If you have any questions or concerns, or need any additional information please contact me at your convenience.

Very truly yours,


Julie A. Sevenich
JAS/jz

Enclosure

cc: George Barber

MICROFILMED
JUL 19 1989

MEMORANDUM

TO:FILE #37-7261

FROM:ROXANNE MCCARTHY

RE: CHANGES TO FIELD EXAM RECOMMENDATIONS

DATE: 11-JAN-1989

=====

Several figures are given for the diversion rates of the two points defined by this right. They are:

	#1(cfs)	#2(cfs)
annubar measurement	1.39	2.86
measurement at nozzles	1.81	2.86
theoretical calc.(100% eff.)	3.09	4.92

In addition, my theoretical calculations are done using an assumed 80% efficiency:

	2.57	4.05
--	------	------

The examiner recommends the lower annubar measurements, a combined total of 4.25 cfs. I feel more comfortable with the measurements of actual use, 1.81 cfs and 2.86 cfs for a total diversion rate of 4.67 cfs. This rate is supported by a more than adequate theoretical figure.

Also, the examiner calculated the proper volume figure, 1470.0 afa, and then listed it under his recommendations as 1410.0 afa. Allow 1470.0 afa.

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JUL 19 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

A. GENERAL INFORMATION

1. Owner: James D. ^{AND} Mary Cluer

Permit No. 37-7261

Phone No. 764-2558

Current Address: Rt. 1 Box 1220, Fairfield ID

2. Accompanied by: Brian Cluer

EXAM. DATE: 7/15/86

Address: Rt. #1 Box 1220, Fairfield ID

Phone No. 764-2558

Relationship to Permit Holder: SON

3. Source: Groundwater tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: NONE

☐ Copies Attached

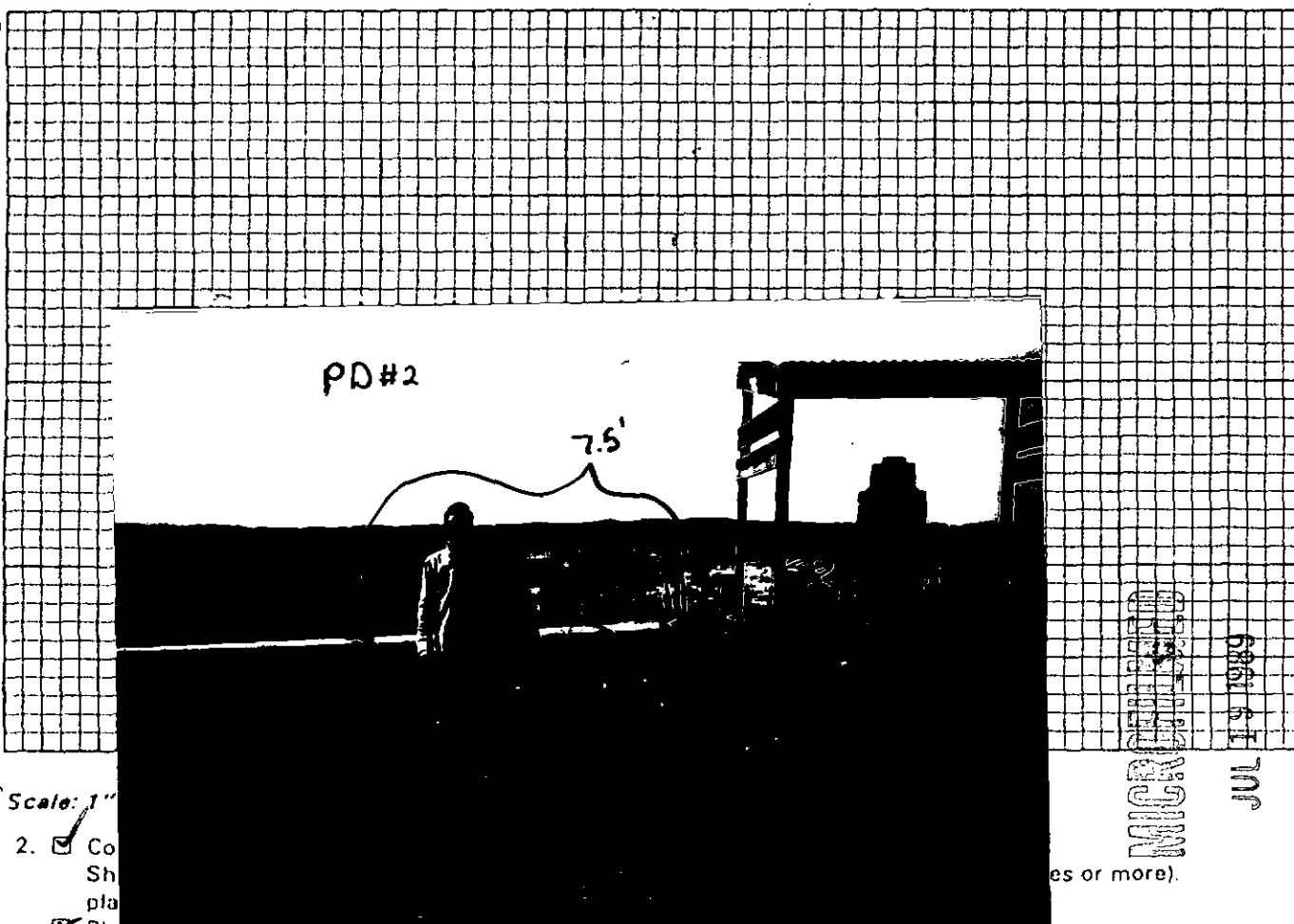
✓ 2. Other water rights with same point of diversion: NONE

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = _____

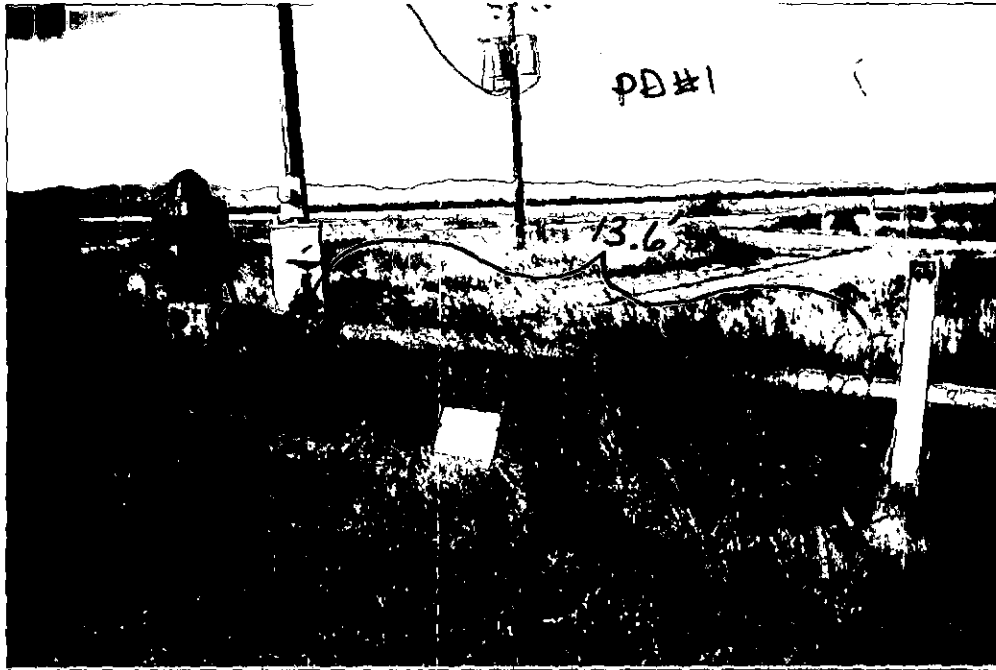
2. ☒ Co

Sh

pla

☒ Ph

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



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				091410	7.881"	
"				091430	12"	

P/O #1
P/O #2

2. Measurements:

	P/O #1	P/O #2
ID	Cir 25.2" ÷ 3.14 = 8.0214" - 2 x 3/32" = 7.84"	Cir 37 1/4" ÷ 3.14 - 1/32" = 11.87"
ANNubar	45.7 - 38.8 = 6.9	38.6 - 33.1 = 5.5
Meas	45.6 - 38.7 = 6.8	39.1 - 33.5 = 5.6
	45.6 - 38.8 = 6.8	39 - 33.5 = 5.5
	3.85 √ 6.9 7.84² = 621.61 gpm	3.85 √ 5.6 11.87² = 1283.68 gpm
	= 1.39 cfs	= 2.86 cfs

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

PD#1: 1 1/4" nozzle @ 50 PSI = 6.16 gpm x 64 Nozzles @ Ave P 57 PSI (6.566) ÷ 448.8 gpm = 1.81 cfs
 PD#2: 64 1/4" nozzle @ 5.15 gpm (35 PSI) + 64 1/4" nozzle @ 6.03 gpm (48 PSI) + 64 nozzle @ 5.9 gpm (46 PSI) + 32 5/8" nozzle @ 6.0 gpm (70 PSI) ÷ 448.8 gpm/cfs = 2.86 cfs
 PD#1: 8.8 x 100 HP ÷ 2.31 x 97 + 60 PSI = 3.09 cfs @ 100% 1.39 cfs = 45% eff
 PD#2: 8.8 x 200 HP ÷ 2.31 x 97 + 150 PSI = 4.92 cfs @ 100% eff 2.86 cfs is 58% eff

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_{IR} = (Acres Irrigated) x (Irrigation Requirement) = 490A x 3.0 AF/Ac/Ave = 1470 AF/ANN
 V_{DR} = [Diversion Rate (cfs)] x [Days in Irrigation Season] x 1.9835 = 1804 AF/ANN
 V = Smaller of V_{IR} and V_{DR} = 1470 AF/ANN

2. Volume Calculations for Other Uses:

MICROFILMED

JUL 19 1989

System Description (continued)

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

Well #1 is 16" x 377' with pumping water level approx 60ft. Water is pumped by a 100 hp turbine pump into 1/4 mile 8" Al. Mainline then into 1/4 mile of 6" Al. Mainline, delivering to two 1/2 mile wheelines with ave. pressure of 57psa and 52psa. 1/4 in. nozzle. Well #2 is 16" x 500' with pumping water level at approx 150'. Water is pumped by a 200 hp turbine pump into 1 mile of 12" mainline which reduces to 10" for 1/3 mile and 8" for the remaining 2/3 mile, delivering to 3-1/2 mile wheelines with ave. pressure of 46-48 and 35psa. The minimum system pressure is 32. Max is 97 psia @ Pump #1. ☐ See Remarks on page 4 for continuati

4. Pressure at Pump #2 is 90 psia. Pumps are not connected but could be in emergency.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Sec. 36 #1	US	100	0521202	Peerless	F19161
Sec. 1 #2	GE	200	DL 3402B3	Johnston	TH 15314

*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
#1		SW	SW	SW	36	1N.	14E.	COMAS	Aerial Photo
#2		NE	NE	SE	1	1S.	14E.	"	" "

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	
1N.	14E	36	39	40	40	39			12	12	40	39	35	38	39	40	39	38	490

MICROFILMED

JUL 19 1989

H. REMARKS AND OVERLAP REVIEW ANALYSIS

There was no evidence of Stockwater use at the time of Exam

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	April 1	Nov. 1	4.25 cfs	1410 AFA
Totals:			4.25 cfs	1410 AFA

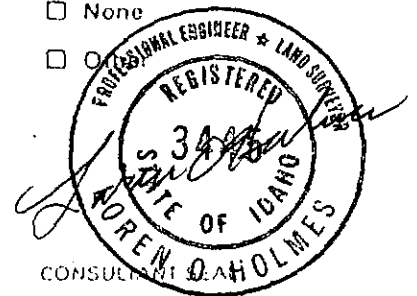
2. Recommended Amendments

- ☒ Change P.D. as reflected above ☐ Add P.D. as reflected above
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above

☐ None

J. AUTHENTICATION

Field Examiner's Name Terry Blair
 Signature Terry Blair
 Certification Date 5/15/87
 Field Report Preparation Date 1-19-87



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

Roxanne McElrath

1/11/89

MICROFILMED
JUL 19 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Staff Analysis Sheet
for
Beneficial Use Field Report

37-7261

Permit No.

*Original Assignment
attached.*

RECEIVED
MAR 11 1988

Department of Water Resources

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 TS 7/14/86 (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 TS 7/14/86 (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 Larry Blau 1-19-87 (Signature of examiner and date)

Exam Reviewed by Senior Water Resource Agent ADN 2/7/88 (Initial and date)

Exam Reviewed by Manager of Regional Office JH 2/10/88 (Initial and date)

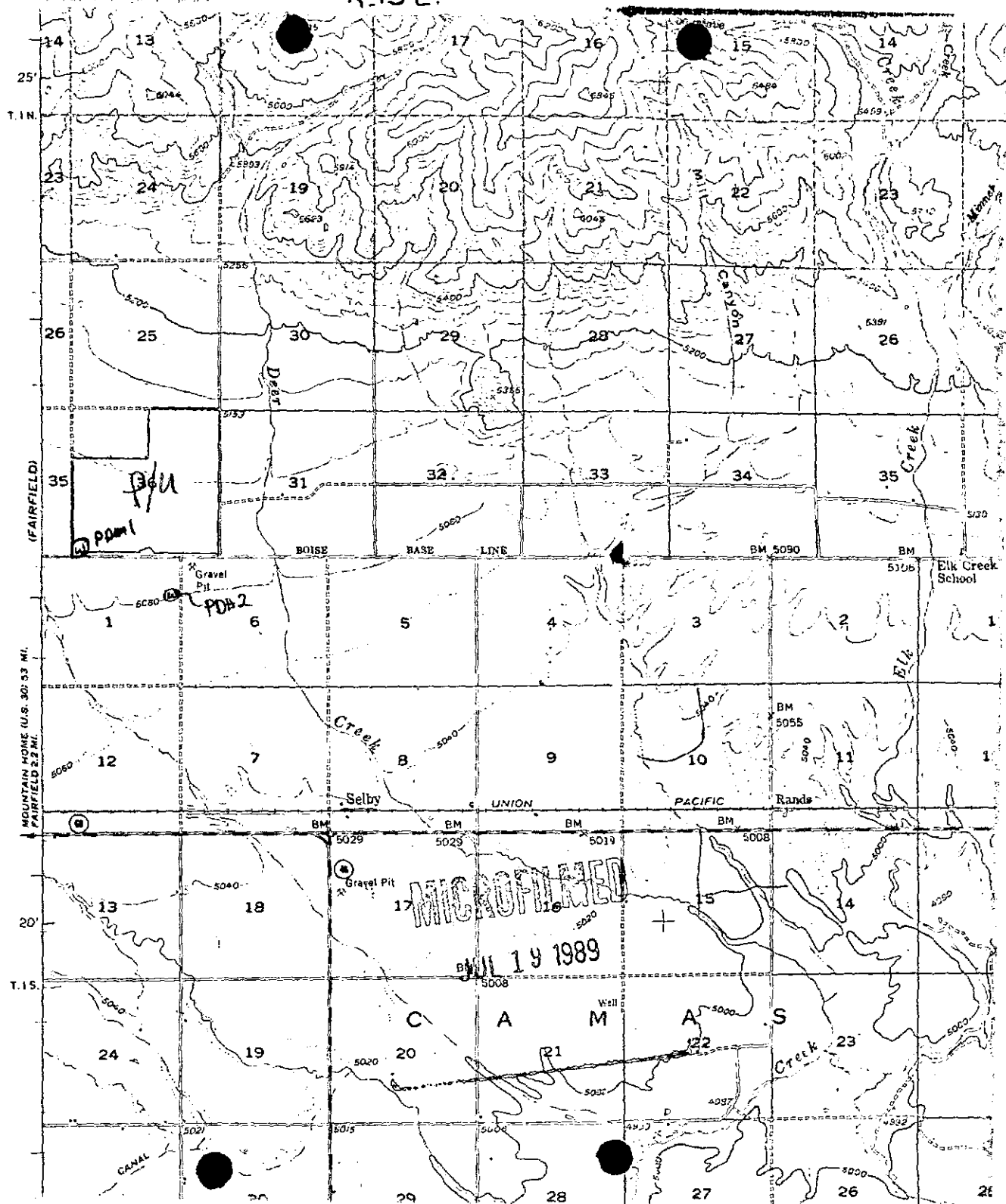
Exam Date Entered in Computer _____ (Initial and date)

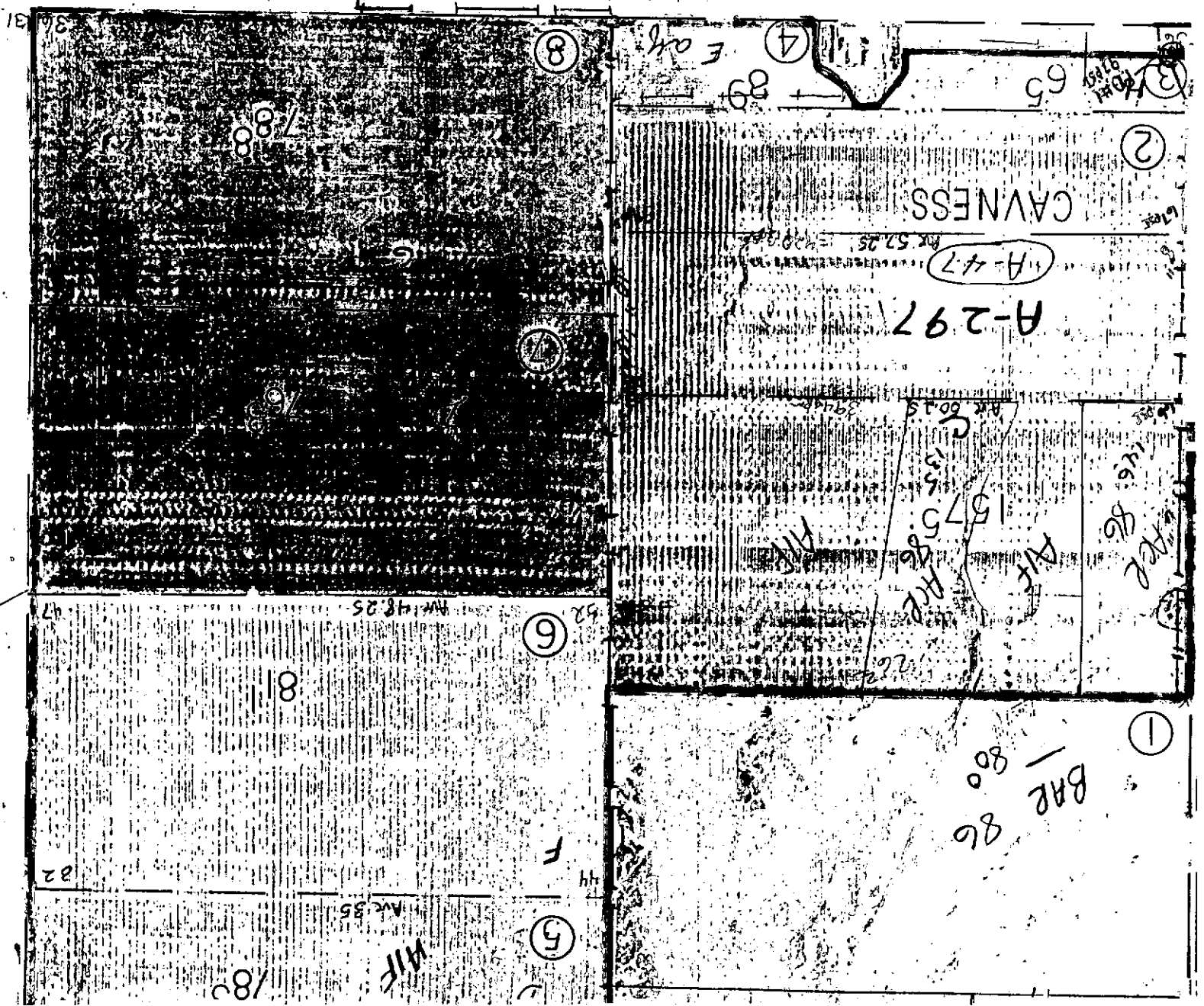
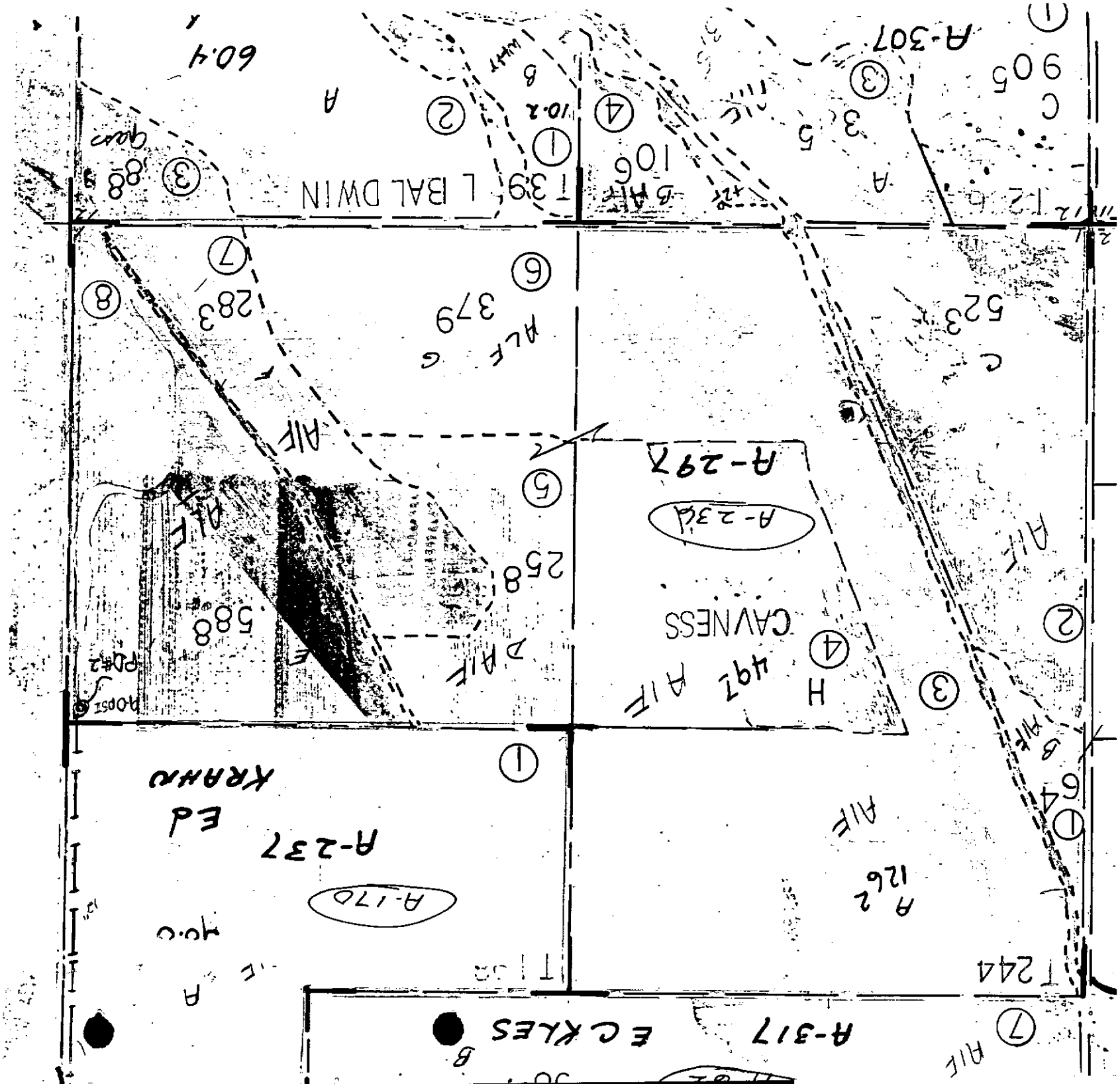
Exam sent to State Office _____ (Initial and date)

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

JUL 19 1989

R.15E.





Owner Sharon Chua
 Address Fairfield State
 Owner's Permit No. 37-7261

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (Show the method of abandonment)

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ Specify type

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Hydraulic ☒ Reverse rotary
☐ Cable ☐ Dig ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
25.6 inches	16 inches	1.5 feet	15.0 feet
1.1 inches	16 inches	18.0 feet	20.7 feet
1.1 inches	16 inches	22.7 feet	29.0 feet
1.1 inches	16 inches	30.0 feet	31.2 feet

Was casing drive shoe used? ☐ Yes ☒ No 227 - 334
 Was a packer or seal used? ☐ Yes ☒ No 334 - 369
 Perforated? ☐ Yes ☒ No
 How performed? ☐ Factory ☐ Kelle ☐ Trench
 Size of perforation _____ inches by _____ inches

Thickness	Diameter	From	To
100 inches	16 inches	15.0 feet	19.0 feet
100 inches	16 inches	20.7 feet	22.7 feet
100 inches	16 inches	22.7 feet	29.0 feet
100 inches	16 inches	30.0 feet	32.7 feet

Was screen installed? ☒ Yes ☐ No
 Manufacturer's name Johnson

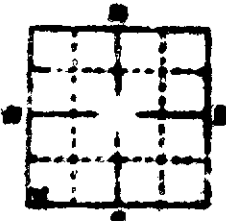
Type Johnson Model No. _____
 Diameter 16 inches Set from 33.4 feet to 35.9 feet
 Diameter 16 inches Set from 36.8 feet to 37.1 feet
 Gravel packed? ☒ Yes ☐ No ☐ Size of gravel 3/8
 Placed from 50 feet to 37.7 feet

Surface seal depth 50 feet Material used in seal: ☐ Cement grout ☐ Puddling clay ☐ Seal cuttings
 Sealing procedure used: ☐ Sherry pit ☐ Temp. surface casing ☒ Overhaul in seal depth
 Method of joining casing: ☐ Threaded ☒ Welded ☐ Staked

Describe cement port 1" pipe plug

6. LOCATION OF WELL

Sketch map location must agree with surface location.



Construction Name _____

Lot No. _____ Subd. No. _____

SWSW Sec 36 T14N R1E

7. WATER LEVEL

Static water level _____ feet below land surface
 Pumping? ☐ Yes ☒ No G.P.M. _____
 Artesian closed in pressure _____ psf
 Controlled by: ☐ Valve ☐ Cap ☒ Plug
 Temperature _____ °F. Quality _____

8. WELL TEST DATA

☒ Pump ☐ Sucker ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Mean Pumped
1200	25.8	4

9. LITHOLOGIC LOG

Depth	From	To	Material	Water
0	0	2	Topsoil	✓
2	2	4.0	Gravel + sand	✓
4.0	4.0	6.0	Clay - light and heavy	✓
6.0	6.0	6.8	Light clay interbedded	✓
6.8	6.8	10.0	Clay - sand interbedded	✓
10.0	10.0	10.9	Clay	✓
10.9	10.9	11.5	Clay	✓
11.5	11.5	12.9	Light grey gravel	✓
12.9	12.9	13.0	Clay - blue	✓
13.0	13.0	13.7	Light	✓
13.7	13.7	14.0	Clay	✓
14.0	14.0	15.3	Light + clay	✓
15.3	15.3	15.5	clay	✓
15.5	15.5	16.7	Light grey gravel	✓
16.7	16.7	16.9	clay	✓
16.9	16.9	17.2	clay	✓
17.2	17.2	17.5	clay	✓
17.5	17.5	18.0	clay	✓
18.0	18.0	20.7	Clay - blue	✓
20.7	20.7	22.7	Light grey gravel	✓
22.7	22.7	23.3	Clay - light and heavy	✓
23.3	23.3	25.8	Light grey clay interbedded	✓
25.8	25.8	30.1	Light grey gravel	✓
30.1	30.1	30.3	clay	✓
30.3	30.3	32.1	Light grey gravel	✓
32.1	32.1	32.3	clay	✓
32.3	32.3	32.7	clay	✓
32.7	32.7	33.2	clay	✓
33.2	33.2	35.0	Light grey gravel	✓
35.0	35.0	35.9	Light grey gravel	✓
35.9	35.9	36.8	clay	✓
36.8	36.8	37.7	Light grey gravel	✓

10.

Work started 11/01/79 finished 1/19/79

11. DRILLERS CERTIFICATION

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

Firm Name Cor. 275

Address Cor. 275 On 1/19/79

Signed by (Firm Official) Edna Burton

WELL DRILLER'S REPORT

1. WELL OWNER

Daran Clover
Fairfield, Idaho

37-7240

2. NATURE OF WORK

X

Drilled

See attached idea of method of work

X

1200

33

4

3. PROPOSED USE

Domestic

X Irrigation

Test

Other (specify type)

Municipal

Industrial

Stock

Waste disposal or injection

4. METHOD DRILLED

Shank

X Rotary

Auger

Other

5. WELL CONSTRUCTION

26" diameter

X Size

0.25

16

inches

2

inches

115

inches

135

inches

153

inches

2.5

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State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

August 24, 1988

RE: Permit No. 37-7261

George &/or Julie Barber
Box 6363
Lynwood, WA 98036

Dear Mr. and Mrs. Barber:

We are in receipt of the assignment of the above referenced permit to you from Doran Cluer.

The assignment cannot be accepted, however, since this permit is no longer in the name of Mr. Cluer. We previously received an assignment from Mr. Cluer to Helyn C. Conway Trust. Therefore, in order for the permit to be assigned to you, a representative of the Trust must make the assignment. The last address we have for the current permit holder is Rt. 1, Gooding, ID 83330.

We have enclosed a partially completed assignment form for your use in this matter. If you have any questions, please feel free to contact us.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

JUL 19 1989

RECEIVED
MAR 22 1988

RECEIVED

MAR 23 1988

Department of Water Resources

State of Idaho
Department of Water Resources

Department of Water Resources
Southern Region Office

ASSIGNMENT OF PERMIT

I, Doran Cluer, hereby assign to George & Julie Barber
of P.O. Box 6363, Lynwood, Washington 98036
Address

CHECK ONE



All my right, title, and interest in and to Permit No. 37-7261
to appropriate the public waters of the State of Idaho.



The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

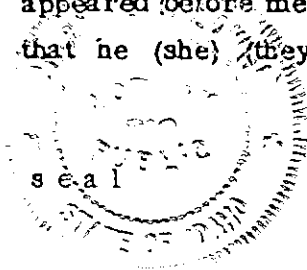
Made this 21 day of March, 19 88.

Doran Cluer
Permit Holder

Mary Cluer
Spouse of Permit Holder

State of Idaho)
County of Twin Falls) ss.

On this 21st day of March, 19 88, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.



Mary G. Baldwin
Notary Public residing at
Gooding, ID 83330

My commission expires:
10/16/1992

RECORDED

JUL 1 1988

Figure 1 is a line graph showing the percentage of total catch versus the number of hauls for various fish species. The x-axis is labeled 'Number of hauls' and ranges from 0 to 10. The y-axis is labeled 'Percentage of total catch' and ranges from 0 to 100. There are 20 data series, each represented by a different line style and marker. The series are numbered 1 through 20. The graph shows that for many species, the percentage of total catch increases rapidly in the first few hauls and then levels off. For example, series 1 (solid line, circles) reaches nearly 100% catch by the 5th haul. Series 2 (dashed line, squares) reaches about 80% by the 5th haul. Series 3 (dotted line, triangles) reaches about 60% by the 5th haul. Series 4 (dash-dot line, diamonds) reaches about 40% by the 5th haul. Series 5 (solid line, circles) reaches about 30% by the 5th haul. Series 6 (dashed line, squares) reaches about 20% by the 5th haul. Series 7 (dotted line, triangles) reaches about 10% by the 5th haul. Series 8 (dash-dot line, diamonds) reaches about 5% by the 5th haul. Series 9 (solid line, circles) reaches about 2% by the 5th haul. Series 10 (dashed line, squares) reaches about 1% by the 5th haul. Series 11 (dotted line, triangles) reaches about 0.5% by the 5th haul. Series 12 (dash-dot line, diamonds) reaches about 0.2% by the 5th haul. Series 13 (solid line, circles) reaches about 0.1% by the 5th haul. Series 14 (dashed line, squares) reaches about 0.05% by the 5th haul. Series 15 (dotted line, triangles) reaches about 0.02% by the 5th haul. Series 16 (dash-dot line, diamonds) reaches about 0.01% by the 5th haul. Series 17 (solid line, circles) reaches about 0.005% by the 5th haul. Series 18 (dashed line, squares) reaches about 0.002% by the 5th haul. Series 19 (dotted line, triangles) reaches about 0.001% by the 5th haul. Series 20 (dash-dot line, diamonds) reaches about 0.0005% by the 5th haul.



MAR 25 1988

George Barker
is the
current
owner

owner -
Mrs. Clever
stated assignment
was filed in 19
falls recently

owner - Mrs. Clever stated (no



State of Idaho
DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 1301 North Orchard Street Boise, Idaho 83706-2237 • (208) 334-4440

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

March 21, 1988

RE: Permit No. 37-7261

Helyn C. Conway Trust
Rt. 1
Gooding, ID 83330

Dear Permit Holder(s):

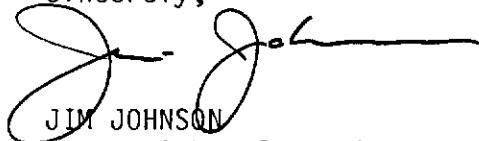
This office acknowledges receipt of the Assignment of the above referenced permit to you.

Enclosed for your records is a copy of the permit. Be sure to note the special conditions of approval on the fourth page that identify requirements necessary for developing the permit into a licensed water right.

In reviewing the permit, we find that the requirement for submitting proof of construction of works and application of water to beneficial use has been met, and the field examination completed. The next step will be for our office to review the field examination and prepare a water right license.

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

Sincerely,


JIM JOHNSON
Water Rights Supervisor

JJ:sc
Enclosure

MICROFILMED

JUL 19 1989

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

I, Doran and/or Mary Cluer, hereby assign to Helyn C. Conway Trust
of Route #1, Gooding, Idaho 83330
Address

CHECK ONE



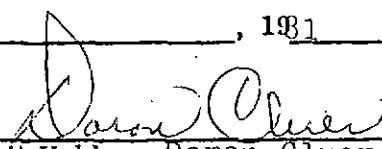
application for
All my right, title, and interest in and to Permit No. 37-7261
to appropriate the public waters of the State of Idaho.

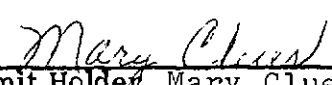


The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 7th day of August, 1981.

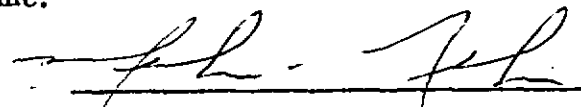

Permit Holder Doran Cluer


Spouse of Permit Holder Mary Cluer

State of Idaho)
County of Gooding) ss.

On this 10th day of August, 1981, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that ~~he~~ (she) (they) executed the same.

seal


Notary Public residing at
Hagerman, Idaho

My commission expires:
6/1/84

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 37-7261

ORDER

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

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

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

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

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

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

Dated this 18th day of August, 1978.


C. STEPHEN ALLRED
Director

MICROFILMED

JUL 19 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit
proof of beneficial use on a water right permit

Doran &/or Mary Cluer of Rural Route, Fairfield
(Name) (Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public Waters of the State of Idaho No. 37-7261.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before September 1, 19 78.

That he has heretofore performed the following work described under said permit: _____

Drilled 2 wells & irriagted approximately 320 acres

Costing \$ 60,000

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: Poor production from the wells will require additional drilling. Present economic conditions and the 1977 drought have prevented this.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to September 1, 19 83.

Doran Cluer
(Signature)*

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit proof of beneficial use of water is extended to September 1, 1983.

Signed this 22 day of August, 19 78.

MICROFILMED

JUL 19 1989

Betty D. Flannery
Chief, Regional Office Bureau

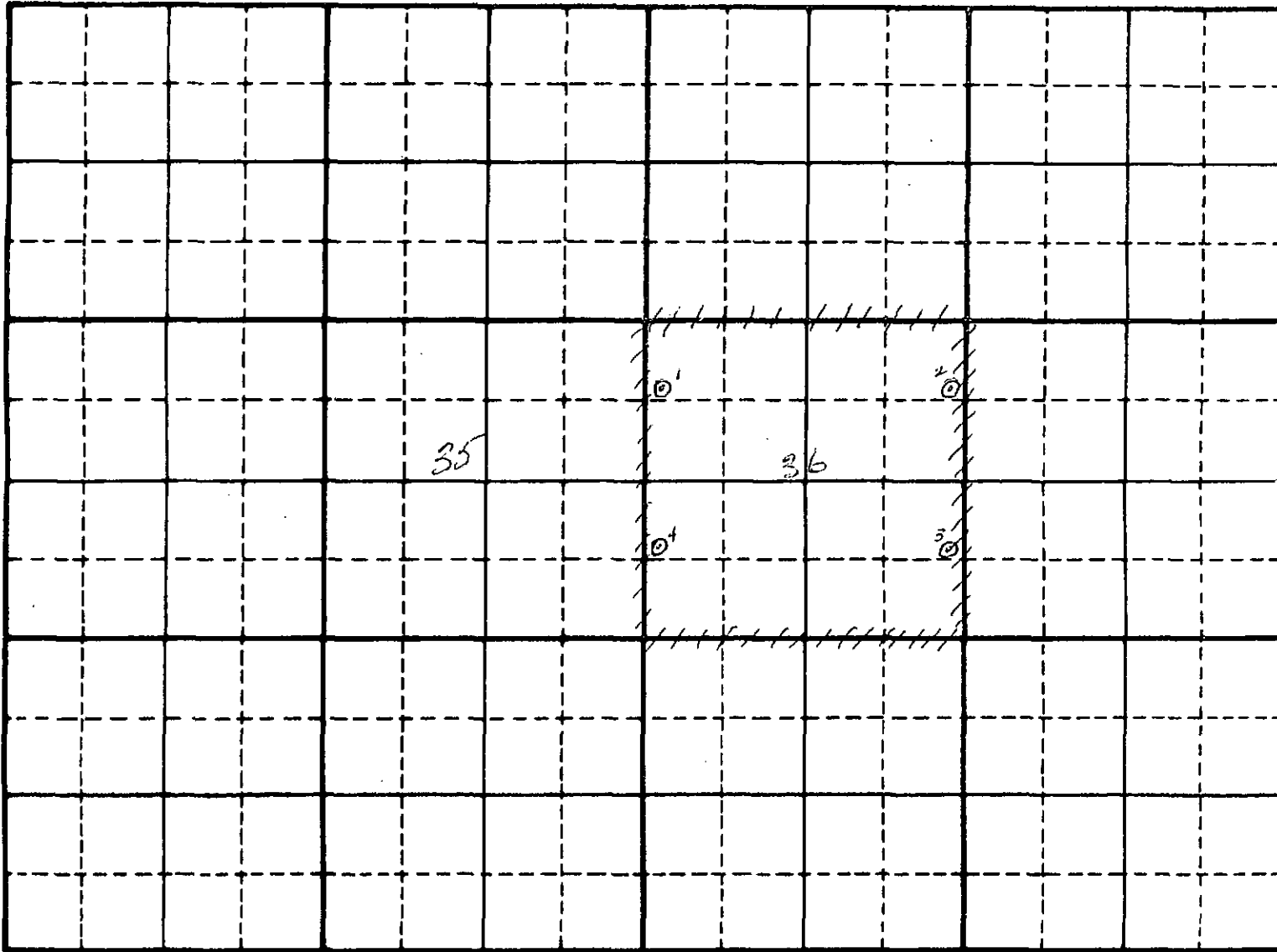
APPLICATION FOR AMENDMENT

640

JUL 19 1989

37 7261

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

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

Signed at Fairfield, this 12 day of October, 19 73.

Doris Oliver
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

I, R. KEITH HIGGINSON, Director of the Department of Water Administration, hereby approve the above application for amendment for Permit No. 37-7261.

Witness my hand this 16 day of October, 19 73.

R. Keith Higgins
Director
MICROFILMED

JUL 19 1989

Identification No. _____

Application No. 37-7261

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
APPLICATION FOR PERMIT

APPROVED

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

1. Name of applicant Doran and/or Mary Cluer
post office address Rural Route, Fairfield, Idaho 83327
2. Source of water supply Groundwater which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 36 Township 1N
Range 14E B.M. Camas County; additional points of diversion if any: _____
SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T. 1N, R. 14E, B.M.
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 12.8 cfs for Irrigation purpose from Apr. 1 to Nov. 1 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .03 cfs for Stockwater purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 12.8 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Well and pump

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 16 inches; proposed depth of well is 300 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 20,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
Same as 8b.
(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: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 250

(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: _____

JUL 14 1989

37 7261

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

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	
1N	14E	36	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640

Total number of acres to be irrigated 640

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

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

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

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

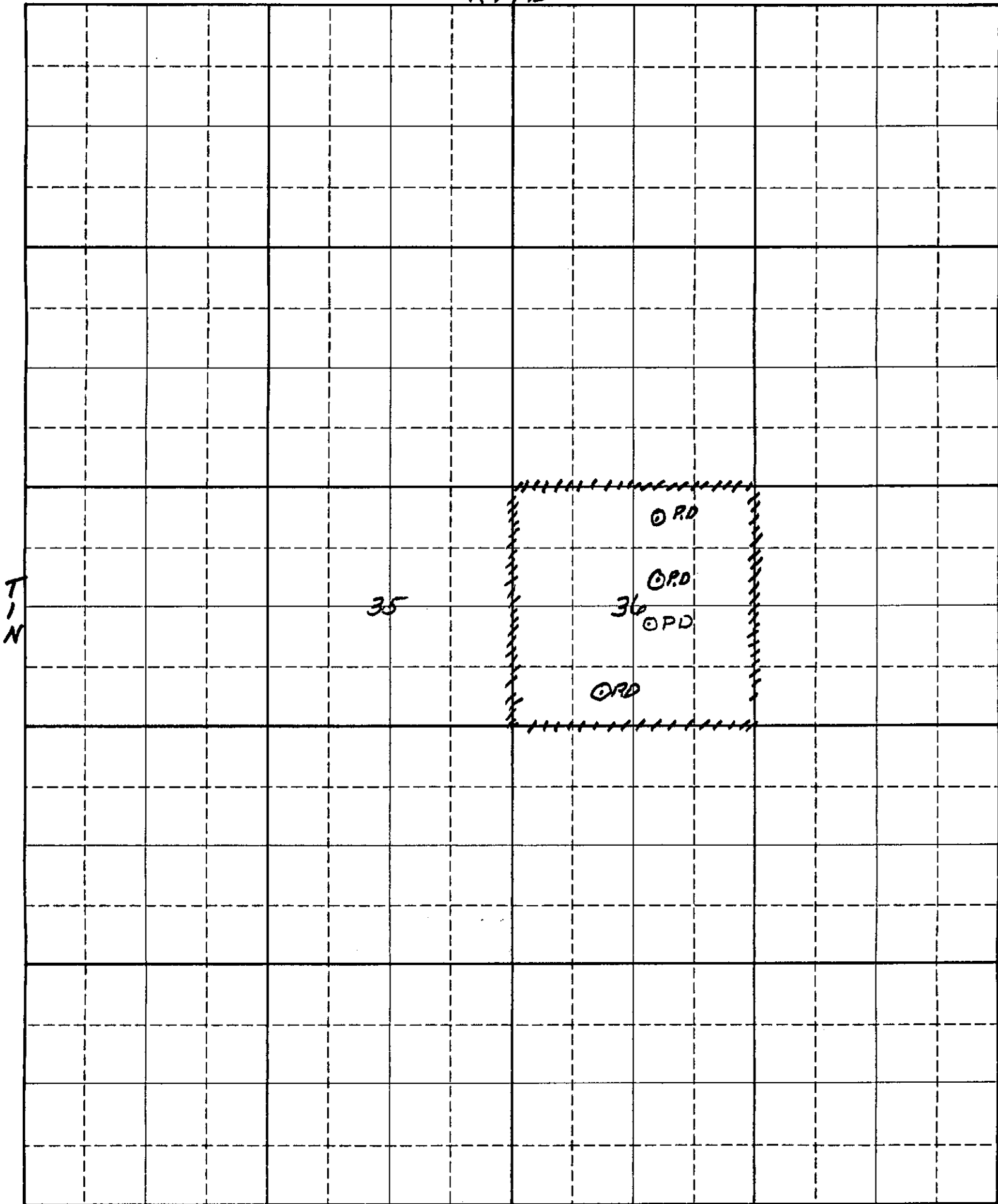
10. Remarks

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JUL 19 1989

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

R14E



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.

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JUL 19 1989

Daron Chier
(Applicant)

37 7261

Received by RWA Date 8-14-73 Time 11:00 AM
 Preliminary check by KOT Fee \$ 145.00
 Receipted by jmm Date 8-14-73 # 10981
KOT Publication prepared by JMM Date 8-14-73
 Published in Mountain Home News
 Publication dates 8-23 & 8-30-73
 Publication approved jmm Date 8-31-73
 Priority reduced to 8-14-73 Reason _____

 Protests filed by: _____

 Copies of protests forwarded by _____
 Hearing held by _____ Date _____
 Recommended for approval denial by h 30F

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 37-7261, and said application is hereby APPROVED.

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

- SUBJECT TO ALL PRIOR WATER RIGHTS.
- Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 1978.
- Other: A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 17 day of September 1973.

L. Karl Higin
 Director

MICROFILMED
 JUL 19 1989



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 1301 North Orchard Street Boise, Idaho 83706-2237 • (208) 334-4440

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

March 21, 1988

RE: Permit No. 37-7261

Helyn C. Conway Trust
Rt. 1
Gooding, ID 83330

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. Be sure to note the special conditions of approval on the fourth page that identify requirements necessary for developing the permit into a licensed water right.

In reviewing the permit, we find that the requirement for submitting proof of construction of works and application of water to beneficial use has been met, and the field examination completed. The next step will be for our office to review the field examination and prepare a water right license.

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc
Enclosure

MICROFILMED

APR 04 1988

Permit No. 37-7261

ASSIGNMENT REVIEW CHECK LIST

1. Signature of Permit Holder? *Mary Clier acceptable (Doran must also be known as James D. - he also signed blu)*
 2. Notary? ✓
 3. a. Full Assignment? ✓
b. Partial Assignment?
 4. "No assignment" condition on permit? *NO*
 5. Commencement of Works received? *Blu 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 *#1 axe (comp. shows exam made 1986)*
 4. Copy to region.

Date 3/21/8

Employee S Curtis

July 24, 1986

RE: Permit No. 37-7261

James D. & Mary Cluer
Rt. 1, Box 1220
Fairfield, ID 83327

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

MICROFILMED

Permit No. 37-7261

ASSIGNMENT REVIEW CHECK LIST

1. Signature of Permit Holder? Yes
2. Notary? - Yes
3. a. Full Assignment? - Yes
b. Partial Assignment?
4. "No assignment" condition on permit? - NO
5. Commencement of Works received? — Yes
 - 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? - N/A
(If yes, commencement of works is not required.)

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

Shawla —
Shawla —
Shawla #1a mod. feed
Shawla —

Date 7-23-86

Employee *[Signature]*

MICROFILMED

4/86

RECEIVED

JUN 19 1986

Department of Water Resources
Southern District Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

For Office Use Only
 Fee Received \$225.
 Date 6-19-86
 Receipt # 40/89
 Receipt by 98
 Sent to S.O. 6/30/86

RECEIVED

JUL 2 1986

1. Permit No. 37-7261

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.)

Department of Water Resources

2. Permit Holder: DORAN CLUER3. Post Office Address: Rt. 1 Box 1220 Fairfield, ID 83327Telephone No. 764-25584. Source of Water: Wells

5. Extent of Use:

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

Irrigation 480 (acres) Other/Remark _____6. Total rate &/or volume for which proof is submitted 6.0 cfs _____ acre-feet

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

1976

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

DORAN CLUER

(Name)

Rt. 1 Box 1220 Fairfield, ID 83327

(Address)

764-2558

(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.)

Date 6-19-86

Signature of Permit Holder (and title, if appropriate)

MICROFILMED



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

37-7261
CAVNESS CONWAY FARMS
RT. 1 BOX 27A
GOODING, ID 83330

13867

April 30, 1986

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

MICROFILMED

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

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

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

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

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

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

Northern Region

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

Eastern Region

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

Southern Region

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

Western Region

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

Sincerely,



L. GLEN SAXTON
Chief, Operations Bureau

Enclosures

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

AUGUST 4, 1983

0000000000000000 CAVNESS-CONWAY FARMS
RT. 1 BOX 27A
GOODING ID 83330

RE: Permit No. 37-7261

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 condition of approval of your original permit required the installation of a measuring device which, according to the proof card submitted by you, has not been installed. A measuring device must be installed and operating at the time the field examination is made. If a measuring device is not installed your permit may be subject to cancellation.

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 A. Newby
Secretary

August 4, 1983

Cavness-Conway Farms
Rt. 1, Box 27A
Gooding, ID 83330

Gentlemen:

Re: Permit No. 37-7261

This office acknowledges receipt of the assignment conveying this permit to you. The assignment has been entered into the department's records. A copy of the permit is enclosed for your records.

Also, this office acknowledges receipt of the statement of beneficial use submitted for the permit. Before a license can be issued, a field examination must be made by a representative of this department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you or a representative may show him the system.

If you have any questions regarding the field examination, please contact our Southern Regional office at 734-3578.

Sincerely,

RITA I. FLECK
Sr. Secretary

Enclosures

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. 37-7261.

Name(s) of Permit Holder: /Helen C. Conway Cavness-Conway Farms

Post Office Address: Route #1 Box 27A

Gooding, ID Tel. No. 934-8152

Source of Water: Groundwater

Extent of Use: ☐ Domestic (number of households)
☐ Stockwater (number and type of stock)
☒ Irrigation 640 (acres)
☐ Other

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

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

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

7/21/83
Date

[Signature]
Signature of Permit Holder

PLACE
13 CENT
STAMP
HERE

RECEIVED



JUL 25 1983

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED

JUL 22 1983

Department of Water Resources
State Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

Helyn C. Conway Trust
Rt. 1
Gooding, ID 83330

138790

PROOF DUE NOTICE

JUNE 30, 1983

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 37-7261 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE SEPTEMBER 01, 1983. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A POSTCARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

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

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

SINCERELY,

RIITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

September 29, 1981

Helyn C. Conway Trust
Rt 1
Gooding, ID 83330

RE: Permits No. 37-7270 & 37-7261

Dear Sirs,

This office acknowledges receipt of the Assignment of the above referenced permit to you.

Enclosed for your records is a copy of the permit. Be sure to note the special conditions of approval on the fourth page that identify requirements necessary for developing the permit into a licensed water right.

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:jg

Enclosure

Land Title and Escrow, Inc.

RECEIVED

AUG 28 1981

Department of Water Resources

August 25, 1981

Department of Water Resources
1041 Blue Lakes Blvd, North
Twin Falls, Idaho 83301

Subject: Cluer-Helyn C. Conway Trust ASSIGNMENT OF PERMIT (37-7270 (37-7261)
Pertaining to subject enclosed please find ASSIGNMENT OF PERMIT. Please
retain one for your records, mark the copy received and return to our
office in the enclosed self-addressed stamped envelope.
Your cooperation is appreciated.

LAND TITLE AND ESCROW, INC.

BY

Diane H. Hough

RECEIVED

AUG 25 1981

Department of Water Resources
Southern District Office

Box 177
Burley, Idaho 83318
Phone 678-3524

Box 36
Jerome, Idaho 83338
Phone 324-3357

Box 473
Gooding, Idaho 83330

Refer to: CL#152
Office: Gooding

August 23, 1978

Re: Permit Nos. 37-7261 & 37-7270

Doran &/or Mary Cluer
Liberal Route
Fairfield, ID 83327

Dear Mr. & Mrs. Cluer:

Enclosed is a copy of the Order modifying the requirement of a measuring device and a copy of the approved extension of time request for each of the above referenced permits.

Please note that the time within which to submit proof of beneficial use of water has been extended to September 1, 1983 for Permit No. 37-7261 and October 1, 1983 for Permit No. 37-7270.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:rf

Enc:



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

CERTIFIED MAIL

June 30, 1978

Re: Permit No. 37-7261

158822

Doran &/or Mary Cluer
Rural Route
Fairfield, ID 83327

Dear Mr. & Mrs. Cluer:

One of the conditions of approval of your water Permit No. 37-7361 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before September 1, 1978. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise, the permit will lapse and be of no further force or effect.


RITA FLECK
Water Rights

Encl: Proof affidavit

October 17, 1973

Re: Permit No. 37-7261

Doran &/or Mary Cluer
Rural Route
Fairfield, Idaho 83327

Dear Mr. & Mrs. Cluer:

Enclosed please find the approved application for amendment submitted in connection with the above referenced permit.

If you need any further assistance, please contact us.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:JC
Enclosure

cc: Southern District Office

37 7261

October 15, 1973

RE: Amendment No. 37-7261

Mr. and Mrs. Doran Cluer
Fairfield, Idaho
83327

Dear Mr. and Mrs. Cluer:

Enclosed is your Receipt No. 11677 for Check No. 92-121 in the amount of \$10.00 for the above referenced amendment which was received in our office under the above date.

Very truly yours,

Janet M. Messersmith
Secretary
Southern District

37 7261

September 18, 1973

Re: Permit No. 37-7261

Doran & Mary Cluer
Rural Route
Fairfield, ID 83327

Dear Mr. & Mrs. Cluer:

Enclosed is a copy of your approved Application for Permit No. 37-7261. We direct your attention to the conditions of approval as listed on the fourth page.

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

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:cd

Enclosures

37 7261

August 14, 1973

RE: Application No. 37-7261

Mountain Home News
P.O. Drawer 0
Mountain Home, Idaho 83647

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.

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

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

(signature of claimant)

Very truly yours,

Bob Haynes
District Engineer
Southern District

BH:jmm

Enc.: Legal Notice

All Submitted 8-31-73 jmm

37 7261

OK jmm 8-21-73

**NOTICE OF APPLICATION FOR
WATER PERMIT FOR CAMAS
COUNTY**

Notice is hereby given that Doran and/or Mary Cluer, Rural Route, Fairfield, ID has on August 14, 1973 submitted Application No. 37-7261 for a permit to appropriate 12.8 cubic feet per second of water from groundwater by means of well and pump within the NW $\frac{1}{4}$ -NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T. 1N, R. 14E, B.M., Camas County to be used from Jan. 1 to Dec. 31 for stockwater, and from Apr. 1 to Nov. 1 for irrigation of 640 acres within the Sec. 36, T. 1N, R. 14E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho, 83301 on or before September 10, 1973.

R. KEITH HIGGINSON
Director

Published in the Mountain Home News on August 23 and August 30, 1973.

37 7261

NOTICE OF APPLICATION FOR WATER PERMIT FOR CAMAS COUNTY

Notice is hereby given that Doran and/or Mary Cluer

Rural Route, Fairfield, ID

has on August 14, 1973 submitted Application No. 37-7261

for a permit to appropriate 12.8 cubic feet per second XXXXXXXXXXXXXXXXXXXXXX
of water from groundwater

by means of well and pump

within the NW $\frac{1}{4}$ NE $\frac{1}{2}$, SW $\frac{1}{4}$ NE $\frac{1}{2}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 36, T. 1N, R. 14E, B.M., Camas County

to be used from Jan. 1 to Dec. 31 for stockwater, and from Apr. 1 to Nov. 1
for irrigation of 640 acres

within the Sec. 36, T. 1N, R. 14E, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho, 83301 on or before September 10, 1973.

R. KEITH HIGGINSON

Director

Published in the Mountain Home News

August 23, 1973

and

August 30, 1973

37 7261