

AFFIDAVIT of PUBLICATION

State of Idaho,)
) SS.
County of Gooding)

Frank T. Crow, Jr., being first duly sworn, deposes and says that he is the printer (publisher) of the Gooding County Leader, a newspaper published every week in Gooding, County of Gooding, State of Idaho, that said newspaper has been continuously and uninterruptedly published for a period of seventy-eight consecutive weeks prior to the first publication of the annexed notice, and is a newspaper qualified to publish legal notices as provided by act of the 1919 session of the legislature of the State of Idaho, known as House Bill 145; that the annexed advertisement was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 23 day of April 19 85, and the date of the last publication was on the 30th day of April, 19 85.

[Signature]

Subscribed and sworn to before me this 30th day of April, 19 85.
(SEAL)

[Signature]
NOTARY PUBLIC

GOODING COUNTY LEADER
Gooding, Idaho
COST OF PUBLICATION

Number of Lines in Notice 54
Number of Insertions 2
Lines tabular at 48¢
54 Lines straight at 38¢ 20.52
54 Subsequent lines at .28.5¢ 15.39
Total Cost 35.91

COPY OF NOTICE NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 37-7001 37-7363

Notice is hereby given that Don and Carol McFarland of Eden, Idaho have applied to the Department of Water Resources for a change of place of use and a change of point of diversion of a right from a groundwater source. The right sought to be changed is evidenced by License Nos. 37-7001 and 37-7363 and recorded as follows:

Amount: 2.34 cfs &/or 468 acre feet

Priority: 37-7001 - July 25, 1967
37-7363 - May 31, 1974

Point of Diversion: NENW, Sec. 33, T6S, R14E, B.M., Gooding County

The water is used for irrigation of 117 acres within the N1/4NW1/4, SWNW, NWSW, Sec. 33, T6S, R14E

TO BE CHANGED AS FOLLOWS:

Amount: 2.34 cfs

Point of Diversion: SWSE, Sec. 27, T6S, R14E, B.M., Gooding County

Place of Use: S1/2SW1/4, SWSE, Sec. 27, T6S, R14E for irrigation of 117 acres

Any protest against the approval of the above proposed change of the right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before May 10, 1985.

A. KENNETH DUNN
Director

PUB: 4-23, 30 #3670

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1971)
7 pt. per line, straight 38¢
7 pt. per line, tabular 48¢
7 pt. per line, successive insertions 28.5¢

No. 3670

MICROFILMED

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

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6 S	14 E	33		30	28														58

Total number of acres to be irrigated 58

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

The map shows a 6x6 grid of sections. Sections 29, 28, 32, and 33 are labeled in red. Section 29 is in the 3rd row, 4th column. Section 28 is in the 3rd row, 5th column. Section 32 is in the 4th row, 4th column. Section 33 is in the 4th row, 5th column. A red circle is drawn around section 33, and a red line is drawn from the top of section 33 to the top of section 28.

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

T. 6 S., R. 14 E.

MICROFILMED

AFFIDAVIT of PUBLICATION

State of Idaho,)
) SS.
County of Gooding)

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

each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 24 day of Aug 19 83, and the date of the last publication was on the 30 day of Aug, 19 83.

Subscribed and sworn to before me this 31 day of Aug, 19 83.
(SEAL)

Frank J. Crow Jr.
NOTARY PUBLIC

GOODING COUNTY LEADER
Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice. 52
Number of Insertions. 2
Lines tabular at 42'
52 Lines straight at 32' 16.64
52 Subsequent lines at 21' 10.92
Total Cost 37.56

COPY OF NOTICE NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 37-7001

Notice is hereby given that First Security Bank of Idaho, N.A., of Boise, Idaho has applied to the Department of Water Resources for a change of place of use of a right from a groundwater source. The right sought to be changed is evidenced by License No. 37-7001 and is recorded as follows:

Amount: .7 cfs
Priority: July 25, 1967
Point of Diversion: NE 1/4 NW 1/4, Sec. 33, T6S, R14E, B.M. Gooding County
The water is used for irrigation of 58 acres from April 1 to October 1 and for stock water from October 15 to April 1 within the N 1/2 NW 1/4, Sec. 33, T6S, R14E

TO BE CHANGED AS FOLLOWS:

Amount: .7 cfs
Point of Diversion: No change
Place of Use: W 1/2 NE 1/4, Sec. 33, T6S, R14E for irrigation of 58 acres from April 1 to October 1

Any protest against the approval of the above proposed change of the right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301 on or before Sept. 12, 1983.

A. KEN DUNN, Director

PUB: 8-24, 31

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PUBLICATION RATES

(Idaho Code, Rev. Statutes 1971)
7 pt. per line, straight 32'
7 pt. per line, tabular 42'
7 pt. per line, successive insertions 21'

No. SEP 7 1983

Department of Water Resources
Southern District Office

11. Map of proposed project:

PUMP

33

Reg. 14 E.B.M.

Twp. 6 S.

The map is a grid of 10 columns and 10 rows. The top-left corner (rows 1-2, columns 1-2) is shaded with blue ink. The number '33' is written in the first row, second column. The text 'Reg. 14 E.B.M.' is written in the first row, fourth column. The text 'Twp. 6 S.' is written in the second row, first column.

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.

Daniel S. Danuser
(Applicant)

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED

MAY 3 1968

Department of Reclamation

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

State of Idaho)
County of GOODING)

DANIEL G. DANUSER of RT 2 BOX 208 GOODING
(name) (address)

State of IDAHO, being first duly sworn, upon his oath deposes and says that the following information is true and correct to the best of his knowledge:

1. That he is the owner or duly authorized agent of the owner of Permit 37-7001
2. State source of water supply PUMP FROM UNDER GROUND SUPPLY
3. The point of diversion of the water is 200 YDS OF NORTH EAST
CORNER NENW-33-6S-14E - 200 YDS WEST OF N.E. CORNER

4. State for what purpose water is used IRRIGATION & STOCK WATER
5. The amount of water used is ONE c.f.s. (state in what manner the quantity of water was determined and the qualifications of the person making such determination) C. B. EATON AND COMPANY OF WENDELL - ESTIMATED APP. ONE CFS

6. State the place of such use, and if for irrigation the description by legal subdivisions of the land so irrigated ~~IS THE~~ TWP 15S - RANGE 14E - SEC 33
N 1/4 OF NW 1/4 - NW 1/4 OF NW 1/4

7. Give description of works by which water is conducted to such place of use including the name of any canal or stream used to carry the water PUMP

8. The relation or understanding upon which the right to take water from the works is based is APPLICATION FOR PERMIT WHICH WAS APPROVED
SEPTEMBER 26, 1967

9. List all other water rights appurtenant to same place of use NONE

10. The date of priority to be established is OCTOBER 1, 1968 - July 21, 1967

11. Remarks

Daniel G. Danuser
(signature)

Subscribed and sworn to before me this 2nd day of May, 1968.

Mary Gargues
(notary public)

My commission expires January 27, 1969.

37 7001

Affidavit of Publication

State of Idaho, }
County of Gooding } SS.

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

was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of

the first publication of said advertisement was on the 3rd

day of August, 1967, and the date of the last publica-

tion was on the 10th day of August, 1967.

Thomas A Miller

Subscribed and sworn to before me this 23

day of August, 1967
(SEAL)

J. LaRose Hendrix
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice.....	<u>24</u>	<u>24</u>
Number of Insertions	<u>1</u>	
Lines at <u>14c</u>	<u>3.36</u>	
Lines at 10c		<u>2.40</u>
TOTAL COST		<u>5.76</u>

COPY OF NOTICE

(Paste Here)

Nature of application
For Water
Daniel G. Danuser
PLAINTIFF ATTORNEY

DEFENDANT

37-7001
PLAINTIFF

Dept. of Reclamation
107 State House
Boise, Idaho
(Cert. Bill.)

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Daniel G. Danuser has on July 25, 1967 applied for permit to (divert) 1.0 (cubic feet per second) of water from a subterranean source under application No. 37-7001. Water will be diverted by a well within the NE 1/4 NW 1/4, Sec. 33, T. 6S, R. 14E, B.M. Gooding County and is to be used from April 1 to October 15 for irrigation and stock watering in NE 1/4 NW 1/4, Sec. 33, T. 6S, R. 14E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. Keith Higginson
State Reclamation Engineer

Aug 31 1967

PUBLICATION RATES:

(Idaho Code, (Rev. Statutes) 1956	
7 pt. per line, straight	14c
7 pt. per line, tabular	20c
7 pt. per line, successive	
Insertions	10c
6 pt. per line, straight	15c
6 pt. per line, tabular	20c
6 pt. per line, successive	
Insertion	10c

RECEIVED
SEP 8 1967
No. 64
Department of Reclamation

37 7001

Rg. 14 E

Daniel Danuser

29 | 28
32 | 33

Well
28-40
35-40

30
37-7001

28

586000

T65

37-7001

R 14 E

58 acrs

33

Subdivisions = 2

AREA = 58 acrs

Q. = .70 cfs

✓ = 232 Acre-feet.

Priority July 25 1967

Permit No. 37-7001 934-5332

Name of Applicant Daniel G Danuser, Route #2, Box 208, Goodin, Idaho

Source of Water subterranean

a tributary of _____

Location of P.D. NE $\frac{1}{4}$ NW $\frac{1}{4}$, sec. 33, T. 6 S, R. 14 E, B.M.

Gooding County

(200 yds. west of north east corner)

Water is used for irrigation and stock water

Quantity of water claimed: Permit 1.0 Depositions 1.0

Type of measuring device installed or method of measurement and general description.

of diversion works well and pump

0.35' over 1' Cipolletti weir = .70 cfs or 35 inches

Land to be irrigated or place of use:				Description
TWP.	RGE.	SEC.		
6 S	14 E	33		N $\frac{1}{2}$ NW $\frac{1}{4}$

Total acreage 80

Filed - July 25, 1967 Made - May 2, 1967

Due - October 1, 1968 Priority - July 25, 1967

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and acreage covered by subdivision; also show land covered on the map.)

none

Have filing for waste water that comes down through place in an unnamed natural channel that is tributary to Malad River

37-7001

AFFIDAVIT of PUBLICATION

State of Idaho,)
) SS.
 County of Gooding)

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 deposes and says that he is the printer (publisher) of the Gooding
 County Leader, a newspaper published every week in Gooding, County
 of Gooding, State of Idaho, that said newspaper has been continuous-
 ly and uninterruptedly published for a period of seventy-eight consecu-
 tive weeks prior to the first publication of the annexed notice, and is
 a newspaper qualified to publish legal notices as provided by act of
 the 1919 session of the legislature of the State of Idaho, known as
 House Bill 145; that the annexed advertisement was published once
 each week for 2 consecutive issues in said newspaper
 proper and not in a supplement; that the date of the first publication
 of said advertisement was on the 23 day of April
 19 85, and the date of the last publication was on the 30th
 day of April, 19 85.

[Signature]

Subscribed and sworn to before me this 30th
 day of April, 19 85
 (SEAL)

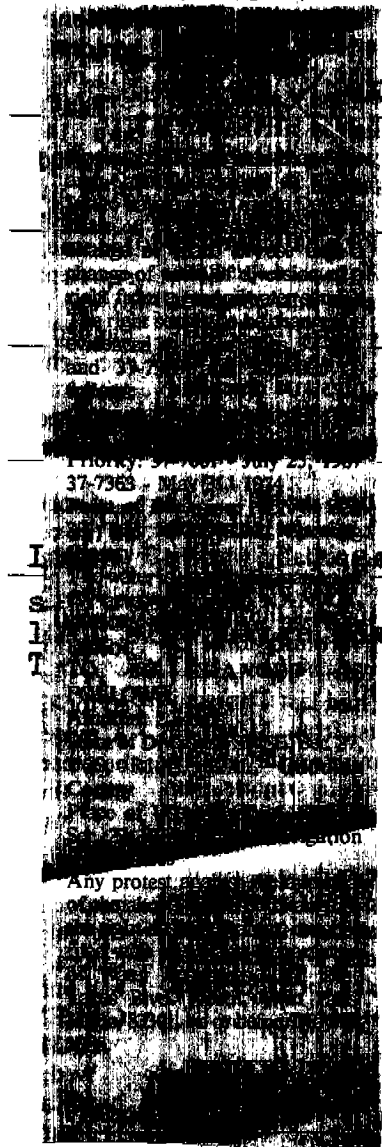
Linda E. Esterbrook
 NOTARY PUBLIC

GOODING COUNTY LEADER
 Gooding, Idaho
COST OF PUBLICATION

Number of Lines in Notice 54
 Number of Insertions 2
 _____ Lines tabular at 48¢
54 Lines straight at 38¢ 20.52
54 Subsequent lines at .285¢ 15.39
 Total Cost 35.91

dp mays
 MAY 3 1985
 Department of Water Resources
 Southern District Office

COPY OF NOTICE



CHANGE

Idaho Code, Rev. Statutes 1971
 37-7363, MAY 25, 1985
 I hereby certify that the foregoing is a true and correct copy of the original as filed in my office.
 Notary Public
 State of Idaho
 My Comm. Expires _____
 My Comm. No. 83301

PUBLICATION RATES
 (Idaho Code, Rev. Statutes 1971)
 7 pt. per line, straight 38¢
 7 pt. per line, tabular 48¢
 7 pt. per line, successive
 insertions 28.5¢

No. 3670

MICROFILMED

HAWLEY TROXELL ENNIS & HAWLEY

ATTORNEYS AND COUNSELORS

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

ONE CAPITAL CENTER
POST OFFICE BOX 1617
BOISE, IDAHO 83701

TELEPHONE
(208) 344-6000

TELECOPIER
(208) 342-3829

PAUL B. ENNIS
(1916-1982)

POCATELLO OFFICE
125 NORTH GARFIELD
POST OFFICE BOX 4167
POCATELLO, IDAHO 83205

TELEPHONE
(208) 233-0845

ROBERT I. TROXELL
JESS B. HAWLEY, JR.
JACK HAWLEY, R.A.
THOMAS A. MILLER
M. NEAL NEWHOUSE
CRAIG L. MEADOWS
JOSEPH D. MCCOLLUM, JR.
WAYNE B. SLAUGHTER, JR.
GARY D. SABBITT, R.A.
R. CRAIG STORTI
MERLYN W. CLARK
RICHARD F. GOODSON, R.A.
CARL W. HARDER
PHILLIP M. BARBER
DONALD E. KNICKREHM
EDWIN V. APEL, JR.
EUGENE A. RITTI
KAREN L. LANBING
RICHARD G. SMITH
JOHN F. KURTZ, JR.
ROBERT S. ERICKSON
LINDA L. HOLDEMAN
BRENT F. LLOYD
JOHN MCGOWN, JR.
ALBERT P. BARKER
JOHN T. HAWLEY, JR.
DON A. OLOWINSKI
J. CHARLES HEPWORTH
NICHOLAS G. MILLER
RONALD E. BUSH
STEVEN W. BERENTER
CATHY R. BILAK
KENNETH C. HOWELL
TERRY K. ELLER

September 12, 1985

Department of Water Resources
of the State of Idaho
450 West State Street
Boise, Idaho 83702

Re: NOTICE OF MORTGAGE LIEN - WATER LICENSES NOS.
36-7157, 36-7366, 36-7402, 36-7480A, 37-7001,
37-7019, 37-7315, 37-7316, 37-7363, 37-7470
and 37-7531

Gentlemen:

We write as attorneys for Connecticut General Life Insurance Company ("Connecticut General") which has closed a loan to Don and Carol L. McFarland, husband and wife, of P. O. Box 268, Eden, Idaho 83325, secured by a Mortgage recorded on May 7, 1985, as Instrument No. 114546, records of Gooding County, Idaho.

We are enclosing a copy of the recorded Mortgage which, you will notice, covers the above referenced Water Licenses as well as Water Permits Nos. 37-7480 and 37-7806 and (Application No. 37-8208) which are covered by separate assignments.

We are asking that you file copies of this notice in each of the referenced Water License files and return one file stamped copy to me along with your acknowledgment of receipt thereon.

We are giving this notice to prevent any purported change in any of these licenses without the prior written consent of the mortgagee Connecticut General.

see in
file
36-7157

MICROFILMED

Department of Water Resources
September 12, 1985
Page 2

In the event of any potential change of place of use, point of diversion, or otherwise, please notify Connecticut General with copies to us and to Tippet Land & Mortgage Company, Pasco, which is Connecticut General's loan correspondent for the northwest.

Please call me if you have any questions. Thank you for your usual consideration.

Yours truly,

HAWLEY TROXELL ENNIS & HAWLEY

By 
Thomas A. Miller

Attorneys for Connecticut General
Life Insurance Company

TAM:jw
Encl.

cc Connecticut General Life
Insurance Company
c/o CIGNA Capital Advisers, Inc.
S-311
Hartford, CT 06152 (203) 726-3874

Tippet Land & Mortgage Company
1103 W. Sylvester, P. O. Box 3027
Pasco, WA 99301 (509) 545-3355

Tippet Land & Mortgage Company
1705 N. Cole Road
Boise, ID 83704 (208) 375-6731

Receipt of the within and foregoing Notice of Mortgage
Lien is hereby acknowledged this _____ day of _____,
1985.

DEPARTMENT OF WATER RESOURCES
STATE OF IDAHO

By _____
Name:
Title:

MICROFILMED

JUL 24 1984

Transfer No. 3063

Water Right Nos. 37-7001
37-7363

RECEIVED

SEP 21 1984

Department of Water Resources STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

APPROVED

Department of Water Resources

To Change the Point of Diversion and/or the Place of Use

Don and Carol McFarland

Name of applicant First Security Bank of Idaho, N.A. Phone 338-2125

Post Office address Attn: Lamar Giles, P. O. Box 7069, Boise, Idaho 83730

P.O. Box 268, Eden, ID 83325

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)

b. License Nos. 37-7001 & 37-7363 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant acquired by purchase of underlying real estate; deeds have previously been provided to the Department.

See attached

3. Source of water Groundwater tributary to _____

4. Date of priority 37-7001: 7/25/67
37-7363: 5/31/74

5. Water is used for the following purposes:

amount .70 CFS for irrigation purposes from April 1 to October 1
amount 1.64 CFS for irrigation purposes from March 15 to November 15
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 2.34 CFS cubic feet per second
&/or
b. 468 acre feet per annum

7. Location of original point of diversion is NE ¼ of NW ¼ of Section 33
Township 6S Range 14E B.M., in Gooding County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	14E	33					28	30											58
6S	14E	33					40	40	5		32								117

MICROFILMED

Total number of acres to be irrigated 175 117

9. Describe any other water rights used for the same purpose as described above 37-7019

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

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

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum

MICROFILMED

2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____

3. Place of use:

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

Total number of acres to be irrigated _____

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

1. General Information

- a. Amount of water to be diverted 2.34 CFS c.f.s. &/or _____ acre feet
b. Description of diverting works groundwater well
c. Describe the reasons for the proposed changes To supplement water on Idaho Farms unit

2. Change in point of diversion

Point of diversion SW ¼ SE ¼, Section 27 Township 6S
Range 14E, B.M., Gooding County
Additional points _____

3. Change in place of use

- a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes X No _____. If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.
b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
These water rights are being replaced by License 36-7157 which is being
taken from ground which will be dry farmed.

C.

[illegible]

Total number of acres to be irrigated 117

4. Describe any other water rights used for the same purpose as described above. 37-7316
-
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

		R	14	E			
	T						
	6		27				
S							
		37	40	40			
				Well			

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

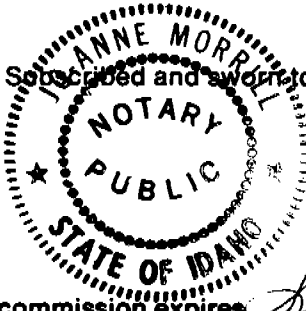
MICROFILMED

D. REMARKS

MICROFILMED

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

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



Subscribed and sworn to before me this 19th day of

Don McFarland
Morgan W. Richards Jr.
(Signature of Applicant)
Attorney for First Security Bank of Idaho, N.A., 19 85

Jeanne Morrill
(Notary Public)

My commission expires September 15, 1987

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-7001/7363

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

Witness my hand this 1st day of August, 19 85

L. Shw Saxon
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by Jim Date 8-8-84 Protest filed by None
Prelim. check by ADM Fee 50.00
Received by Jim Date 8-8-84 # 34978
Published in Garding Co. Ledger
Pub. dates 7/23 & 4/24 - 1985
Watermaster recommendation requested on N/A
rec'd. _____
Copies of protest forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial
by ADM Jim

Transfer No.

2908

Water Right No. 37-7001

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUL 11 1983

APPLICATION FOR TRANSFER OF WATER RIGHT

1983

To Change the Point of Diversion and/or the Place of Use

Department of Water Resources
Southern District OfficeName of applicant First Security Bank of Idaho, N.A. Phone 338-2125Post Office address Head Office, P. O. Box 7069, Boise, Idaho 83730

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated in _____ in _____ county of _____
(Name of court)
- b. License No. 37-7001 issued by the Idaho Department of Water Resources
- c. Claim No. _____ on file with the Idaho Department of Water Resources

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

3. Source of water ground water tributary to _____4. Date of priority July 25, 1967

5. Water is used for the following purposes:

amount .7 CFS for irrigation purposes from April 1 to October 1
amount and for stockwater purposes from October 15 to April 1
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. .7 cubic feet per second
&/or
b. 232 acre feet per annum

7. Location of original point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 33
Township 6 S Range 14 E, B.M., in Gooding County
Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6 S	14 E	33					28	30											58

Total number of acres to be irrigated 58

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

License #37-7019 could overlap to some extent.

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

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

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum

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2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

[illegible]

Total number of acres to be irrigated _____

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

1. General Information

a. Amount of water to be diverted .7 CFS c.f.s. &/or _____ acre feet

b. Description of diverting works same

c. Describe the reasons for the proposed changes Change license to reflect change
in place of use of the water.

2. Change in point of diversion

Point of diversion _____ ¼ _____ ¼, Section _____ Township _____

Range _____, B.M., _____ County

Additional points _____

3. Change in place of use

a. Are there liens, mortgages, or contracts on the lands from which you propose to transfer the water right which limit your authority to make the proposed change? Yes _____ No X . If yes, provide a statement agreeing to the proposed change from the holder of the lien, mortgage or contract.

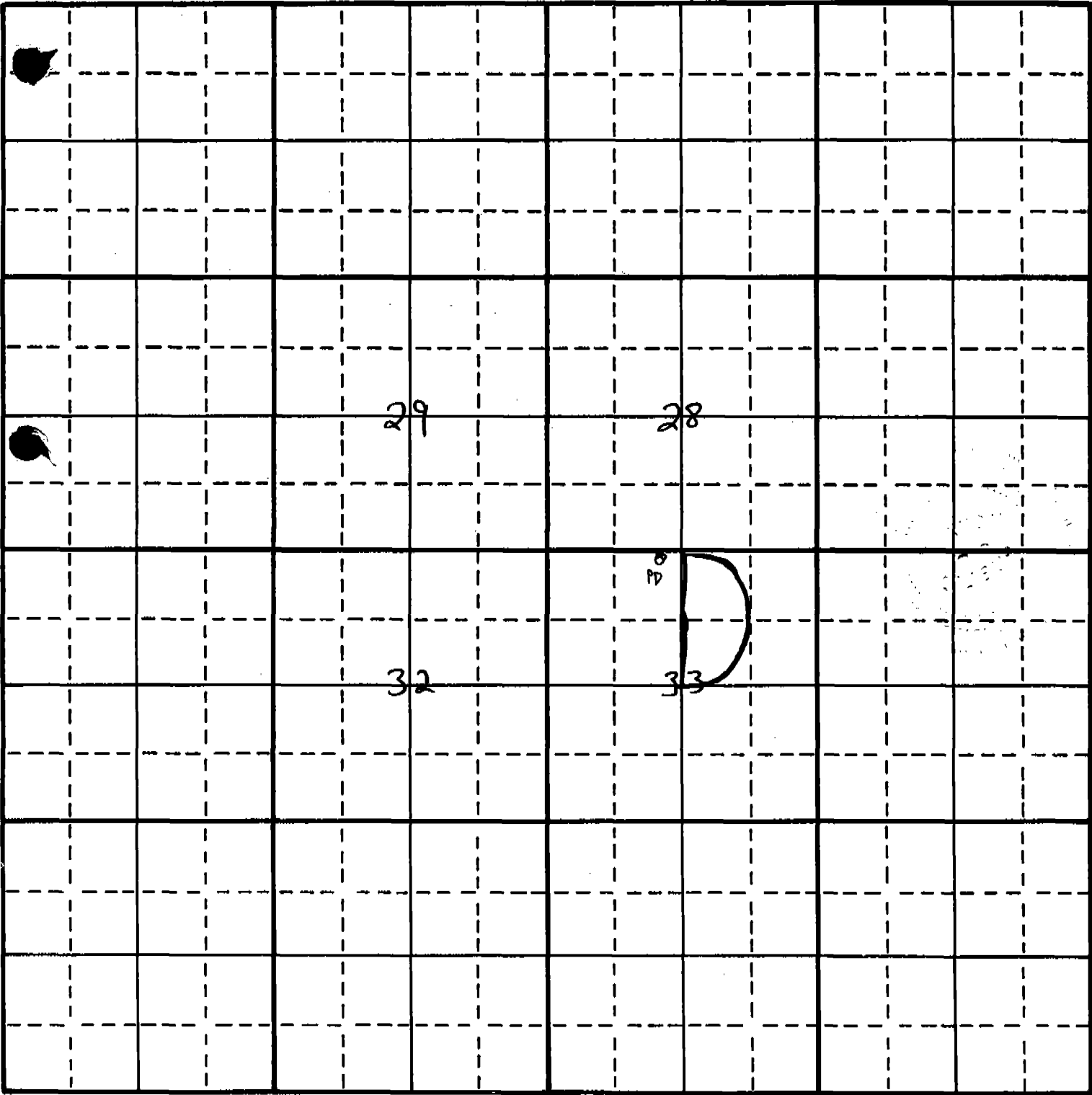
b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
None, there is still sufficient water remaining for intended
future purposes.

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6 S	14 E	33		30	28														58

Total number of acres to be irrigated 58

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



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

T. 6 S., R. 14 E.

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D. REMARKS

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

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

FIRST SECURITY BANK OF IDAHO N.A.
by [Signature]
(Signature of Applicant)

Subscribed and sworn to before me this 30th day of June, 1983

M. W. Rubeck
(Notary Public)

My commission expires _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

Witness my hand this _____ day of _____, 19____

FOR DEPARTMENT USE ONLY

Received by <u>src</u>	Date <u>7-11-83</u>	Protest filed by <u>None</u>
Prelim. check by <u>[Signature]</u>	Fee <u>\$50.00</u>	
Receipted by <u>src</u>	Date <u>7/12/83</u> # <u>29190</u>	
Published in <u>Gooding Co. Leader</u>		Copies of protest forwarded by _____
Pub. dates <u>8/24 + 8/31/83</u>		Hearing held by _____ Date _____
Watermaster recommendation requested on <u>N/A</u>		Recommended for <u>approval</u> denial
_____ rec'd. _____		by <u>ADM</u> <u>Applicant Withdrawn</u>

WARRANTY DEED

JAN 2 1983

Document of 1983, recorded

FOR VALUE RECEIVED, ALBERT ANDERSON AND SONS COMPANY, a corporation organized and existing under the laws of the state of Idaho, hereinafter called the "Grantor," hereby GRANTS, CONVEYS and WARRANTS to FIRST SECURITY BANK OF IDAHO, N.A., whose address is Post Office Box 7069, Boise, Idaho 83730, hereinafter called the "Grantee," the following described property in Gooding County, Idaho:

That property described in Exhibit A attached hereto and made a part hereof by reference.

SUBJECT TO the taxes, levies, assessments, easements, rights-of-way, restrictions, reservations, liens and encumbrances listed in Exhibit B attached hereto.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, oil, gas and other mineral rights and leases, water rights, licenses, permits, agreements, adjudications, claims and stock in water, ditch, canal and irrigation companies, appurtenant easements and rights-of-way, improvements, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law as in equity, of the Grantor.

TO HAVE AND TO HOLD, all and singular the said premises, together with the appurtenances, unto the Grantee and its successors and assigns forever. The Grantor does hereby covenant to and with the Grantee that the Grantor will warrant and defend the same from all lawful claims whatsoever. This deed is an absolute conveyance of title, in effect as well as in form, and is not intended as a mortgage, trust conveyance or security of any kind.

The officers who sign this deed hereby certify that this deed and the transfer represented thereby were duly authorized under a resolution adopted by the board of directors and stockholders of the Grantor at a lawful meeting duly held and attended by a quorum.

IN WITNESS WHEREOF, the Grantor has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Assistant Secretary, effective January 31, 1983.

ALBERT ANDERSON AND SONS COMPANY

By /s/
President

ATTEST:

/s/
Assistant Secretary

STATE OF IDAHO)
) ss.
County of _____)

On this 17th day of May, 1983, before me,
a notary public in and for said county and state, personally
appeared Wm. A. Anderson and Wm. A. Parsons, known
to me to be the President and Assistant Secretary, respectively,
of ALBERT ANDERSON AND SONS COMPANY, the corporation named in the
above instrument, and acknowledged to me that they executed the
same on behalf of such corporation.

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

15/ THOMAS C. MANNING
NOTARY PUBLIC for Idaho
Residing at Boise, Idaho

EXHIBIT A TO WARRANTY DEED FROM ALBERT ANDERSON AND
SONS COMPANY TO FIRST SECURITY BANK OF IDAHO, N.A.

PARCEL NO. 1:

TOWNSHIP 6 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 14: NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 15: NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$

That part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ North and East of the Railroad right of way.

That part of the W $\frac{1}{2}$ SE $\frac{1}{4}$ South and West of State Highway 25, EXCEPTING THEREFROM that portion deeded to the State of Idaho by Warranty Deed recorded December 20, 1973, as Instrument No. 48039, records of Gooding County, Idaho.

Section 15: That part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ described as follows:

Beginning at the West quarter corner of said Section 15, which is the True Point of Beginning; Thence South 89°18'12" East for a distance of 1330.14 feet to the Northeast corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 15; Thence South 0°49'19" West for a distance of 232.76 feet; Thence South 89°18'12" East for a distance of 643.40 feet to the Southwesterly frontage road right of way line; Thence South 43°24'25" East for a distance of 990.37 feet along the Southwesterly right of way line; Thence South 0°35'35" West for a distance of 384.72 feet to the Southeast corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 15; Thence North 89°05'09" West for a distance of 2670.86 feet to the Southwest corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 15; Thence North 1°03'02" East for a distance of 1318.49 feet and the True Point of Beginning.

Section 22: E $\frac{1}{2}$ SE $\frac{1}{4}$

Section 23: SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$

EXCEPTING THEREFROM 100 feet for Railroad right-of-way as conveyed in Deed dated August 25, 1909, recorded September 16, 1909 in Book 13 Deeds, Page 292, Lincoln County records, now in Book F Deeds, Page 126, Gooding County, across the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23.

AND EXCEPTING THEREFROM 100 feet for Railroad right of way as conveyed in Deed dated December 12, 1910, recorded December 27, 1910, in Book 18 Deeds, Page 245, Lincoln County records, now in Book I Deeds, Page 113, Gooding County, across the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23.

AND ALSO EXCEPTING THEREFROM a strip of land for Highway purposes as set forth in Deed to State of Idaho, dated October 8, 1973, and recorded December 20, 1973, as Instrument No. 48038, records of Gooding County, Idaho.

Section 26: W $\frac{1}{2}$ SW $\frac{1}{4}$, EXCEPTING THEREFROM all that portion lying South of the Highest point of the Malad River Rim Rock.

Section 27: E $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$
E $\frac{1}{2}$ SE $\frac{1}{4}$, EXCEPTING THEREFROM all that portion lying South of the highest point of the Malad River Rim Rock.

TOWNSHIP 6 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 27: SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 31: Part of the S $\frac{1}{2}$ SE $\frac{1}{4}$ lying South and West of Highway 25 and North and East of Interstate 80N Project No. I-80N-3(23) 142 Highway Survey as shown on the plans thereof now on file in the office of the Department of Highways of the State of Idaho, as conveyed by Deed recorded September 7, 1973, as microfilms Instrument No. 46841, records of Gooding County, Idaho.

Section 31: That part of Lots 1 and 2 and E $\frac{1}{2}$ NW $\frac{1}{4}$ lying Northeasterly of Project No. I-80N-3(23)142 Highway Survey and Southwesterly of State Highway No. 25.

EXCEPTING THEREFROM the following described tract of land:

Beginning at a point where the South boundary line of State Highway as presently constructed, intersects the North and South half section line;
Thence Northwesterly along the South boundary line of said highway, 214.3 feet to the True Point of Beginning;
Thence Northwesterly along the South boundary line of said highway 255.7 feet;
Thence Southwesterly along a line perpendicular to the South boundary line of said highway 45.0 feet;
Thence Southeasterly bearing left 45° from previous line 100 feet;
Thence Southeasterly, bearing left 45° from previous line, and parallel to said highway 185.0 feet;
Thence Northeasterly bearing left 90° and perpendicular to said highway 115.7 feet, more or less, to the True Point of Beginning.

Section 32: That part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ described as follows:

Beginning at the Northeast corner of the SE $\frac{1}{4}$ of said Section 32, which shall be the True Point of Beginning;
Thence South along section line for 1100.94 feet to a point;
Thence on a curve to the left for 1685.61 feet to a point on the quarter section line, said curve having a central angle of 71°58'20" and a radius of 1341.88 feet;
Thence South 89°44'18" East along the quarter section line for 1124.0 feet to the True Point of Beginning.

Section 33: SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$

EXCEPTING THEREFROM the following described parcel of land:

Beginning at the West quarter section corner of said Section 33, said point marked by a 5/8 inch rebar and shall be the Point of Beginning;
Thence North 0°01'48" East along section line for 343.32 feet to a P.K. nail;
Thence South 75°29'15" East for 612.31 feet to a $\frac{1}{2}$ inch rebar;
Thence South 67°21'00" East for 782.75 feet to a $\frac{1}{2}$ inch rebar;
Thence South 1°19'23" West for 345.98 feet to a $\frac{1}{2}$ inch rebar;
Thence South 71°59'00" West for 644.29 feet to a $\frac{1}{2}$ inch rebar;
Thence South 83°18'04" West for 298.53 feet to a $\frac{1}{2}$ inch rebar;
Thence North 83°44'14" West for 400.55 feet to a P.K. nail on section line;
Thence North 0°00'00" East (Basis of Bearing) along said section line for 647.85 feet to the Point of Beginning.

Section 35: N $\frac{1}{2}$ NW $\frac{1}{4}$, EXCEPTING THEREFROM that portion deeded to Gooding Highway District by Warranty Deed recorded August 16, 1979, as Instrument No. 78352, records of Gooding County, Idaho.

Section 35: N $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$

TOWNSHIP 7 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 3: Lots 1, 2, 3 and 4, N $\frac{1}{2}$ SE $\frac{1}{4}$.

Section 22: SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 27: That part of the W $\frac{1}{2}$ NW $\frac{1}{4}$, described as follows:

Beginning at the Northwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, which point shall be the True Point of Beginning;
Thence South 89°58' East along the section line for 1321.18 feet to a point at the Northeast corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence South 0°02'53" East for 339.89 feet to a point on the centerline of a canal;
Thence South 89°21'07" West for 297.01 feet along said canal centerline to a point;
Thence South 31°46'25" West for 202.87 feet along said canal centerline to a point;
Thence North 87°12'41" West for 210.16 feet along said canal centerline to a point;
Thence South 39°51'19" West for 210.73 feet along said canal centerline to a point;
Thence South 35°35'17" East for 185.35 feet along said canal centerline to a point;
Thence South 35°00'49" West for 450.96 feet along said canal centerline to a point;
Thence South 56°39'41" East for 140.82 feet along said canal centerline to a point;
Thence South 16°53'31" West for 207.02 feet along said canal centerline to a point;

Thence South 56°26'43" West for 219.39 feet along said canal centerline to a point;
 Thence South 71°04'25" West for 162.56 feet along said canal centerline to a point;
 Thence South 41°46'55" West for 225.10 feet along said canal centerline to a point on the section line;
 Thence North 0°14'57" East along section line for 1807.87 feet to the True Point of Beginning.

Section 27: That portion of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, lying North of the W-40 Canal of the North Side Canal Company, Ltd., as the same now exists.

TOWNSHIP 7 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
 GOODING COUNTY, IDAHO

Section 8: SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$

TOWNSHIP 8 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,
 GOODING COUNTY, IDAHO

Section 13: S $\frac{1}{2}$ SW $\frac{1}{4}$, EXCEPTING THEREFROM the following described parcel of land:

Beginning at a point on the West line of said Section 13, from which the Southwest corner of said section bears South 0°01' East, a distance of 292.43 feet;
 Thence North 0°01' West along said West line, 1028.73 feet;
 Thence South 89°51' East 871.00 feet to the center of the W-9 Irrigation Canal;
 Thence South 26°40' West along the center of said canal, 906.60 feet;
 Thence South 65°00' West along the center of said canal, 511.76 feet to the Point of Beginning.

Section 24: N $\frac{1}{2}$

TOWNSHIP 8 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
 GOODING COUNTY, IDAHO

Section 35: SW $\frac{1}{4}$

TOWNSHIP 9 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
 GOODING COUNTY, IDAHO

Section 1: Lot 2, 3, and 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$,

Section 2: Lot 1, S $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$, AND that part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ described as follows:

Beginning at the center of Section 2 (which is the Northwest corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$);
 Thence South 23°15' East 695.44 feet;
 Thence South 39°23' East 483.35 feet;
 Thence South 44°56' East 440.0 feet to the South line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Thence South 89°44'45" East along the South line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ 431.65 feet to the Southeast corner of said NW $\frac{1}{4}$ SE $\frac{1}{4}$;
 Thence North along the East line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ to the Northeast corner of said NW $\frac{1}{4}$ SE $\frac{1}{4}$;

Thence North 89°42'15" West, along the North line of said NW $\frac{1}{4}$ SE $\frac{1}{4}$ 1326.03 feet to the Point of Beginning.

ALSO ALL of the following legal subdivision or such parts thereof as lie North of and above the Snake River Canyon rim.

Section 2: Lots 5 and 6 and the East 26 rods of the SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 11: Lots 1, 8 and 9 EXCEPT the West 54 rods of Lot 1 North of said rimrock.

Section 12: Lots 4 and 11 EXCEPT tract conveyed to Frank A. Reid by Deed dated July 16, 1928, recorded July 16, 1928, in Book 22 Deeds, Page 162, records of Gooding County, Idaho. (Tract now owned by Idaho Power Company).

PARCEL NO. 2:

TOWNSHIP 6 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 2: S $\frac{1}{2}$ SW $\frac{1}{4}$

Section 3: S $\frac{1}{2}$ SE $\frac{1}{4}$

Section 10: E $\frac{1}{2}$, SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 11: W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$

PARCEL NO. 3:

TOWNSHIP 6 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 9: That part of the SE $\frac{1}{4}$ lying North and East of the Railroad right of way.

PARCEL NO. 4:

TOWNSHIP 6 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 27: SE $\frac{1}{4}$ SE $\frac{1}{4}$

PARCEL NO. 5:

TOWNSHIP 6 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 31: That part of Lots 1 and 2 lying Southwesterly of Project No. I-80N-3(23)142 Highway Survey and North of the ramp A-B Survey of Tuttle Interchange.

EXCEPTING THEREFROM county road on the West side of Lots 1 and 2.

PARCEL NO. 6:

TOWNSHIP 6 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 33: W $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$

NE $\frac{1}{4}$ SW $\frac{1}{4}$, EXCEPT the following described parcel of land:

Beginning at the Southwest corner of said NE $\frac{1}{4}$ SW $\frac{1}{4}$, which shall be the True Point of Beginning;
Thence North 1°34' East along the West line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$, 375.51 feet to a point marked by a steel pin;
Thence South 89°00' East for 147.71 feet to a point marked by a steel pin;
Thence South 71°53' East for 731.78 feet to a point marked by a steel pin;
Thence South 49°17' East for 223.93 feet to a point marked by a steel pin;
Thence West along the South line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ for 1022.95 feet to the True Point of Beginning.

PARCEL NO. 7:

TOWNSHIP 6 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 33: That part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ described as follows:

Beginning at the Southwest corner of said NE $\frac{1}{4}$ SW $\frac{1}{4}$, which shall be the True Point of Beginning;
Thence North 1°34' East along the West line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$, 375.51 feet to a point marked by a steel pin;
Thence South 89°00' East for 147.71 feet to a point marked by a steel pin;
Thence South 71°53' East for 731.78 feet to a point marked by a steel pin;
Thence South 49°17' East for 223.93 feet to a point marked by a steel pin;
Thence West along the South line of said NE $\frac{1}{4}$ SW $\frac{1}{4}$ for 1022.95 feet to the True Point of Beginning.

PARCEL NO. 8:

TOWNSHIP 7 SOUTH, RANGE 15 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 6: E $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$

PARCEL NO. 9:

TOWNSHIP 8 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 4: S $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, Lots 3 and 4.

Section 5: Lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$.

Section 9: N $\frac{1}{2}$ NW $\frac{1}{4}$

EXHIBIT B TO WARRANTY DEED FROM ALBERT ANDERSON AND
SONS COMPANY TO FIRST SECURITY BANK OF IDAHO, N.A.

The above-described property is conveyed SUBJECT TO the following exceptions, reservations, easements, rights-of-way, restrictions, taxes, levies, assessments, liens and encumbrances:

1. The second half of the 1982 taxes, which are due and payable but not yet delinquent.
2. Taxes for 1983 and subsequent years, a lien, but not yet due or payable.
3. Assessments of the American Falls Reservoir District and the rights and powers of said district as by law provided.
4. Assessments of the North Side Canal Company and the rights and powers of said company as by law provided.
5. Right of way for canals, laterals and waste ditches of the North Side Canal Company, Ltd.
6. Assessments of the America Falls Reservoir District No. 2 and the rights and powers of said District as by law provided.
7. Assessments of the Big Wood Canal Company and the rights and powers of said Company as by law provided.
8. Right of way for canals, laterals and waste ditches of Big Wood Canal Company and North Side Canal Co., Ltd.
9. The effect of Agreement by and between Lewis E. McMahon and the Twin Falls North Side Land and Water Company, a corporation, dated October 14, 1911, recorded October 24, 1911, as Instrument No. 24086, Gooding County records, wherein is granted a free uninterrupted right to convey water upon, over and across the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and Lot 5 in Section 2 and Lots 1 and 2 in Section 11, Township 9 South, Range 15 East of the Boise Meridian, for the purpose of wasting or for any other purpose.
10. Terms and conditions of Warranty Deed given by A. S. Henson and Walter T. Ivy, the duly appointed and qualified, acting executors of the Last Will and Testament of Jas. H. Mays, deceased, to Frank A. Reid, dated July 16, 1928, and recorded July 16, 1928, in Book 22 Deeds, Page 162, as Instrument No. 46459, Gooding County records, wherein is granted the permanent right to use the private roads now existing across Sections 4, 3, 10, 2, 11 and 12, Township 9 South, Range 15 East, Boise Meridian, with the right in part of the second part to straighten or widen such presently existing roads but to a width in no event to exceed 30 feet. Also such rights of way as are necessary for the development of the waters therein sold and conveyed through, across, under, over and above all of those portions of Sections 2, 10, 11 and 12, Township 9 South, Range 15 East, Boise Meridian, which constitute a part of the Estate of Jas. H. Mays, deceased, for the erection and continued maintenance of an electric transmission line of part of the second part, or his representatives, successors or assigns with the necessary supports for said lines, avoiding in the erection of said transmission lines the orchard tracts as now planted and for the additional purpose of constructing, installing and permanently maintaining such pipe or flume lines as are necessary for the development of said waters.

11. Transmission Line Easement given by Ida Owen Mays for herself and as Trustee under the will of Jas. H. Mays, deceased, and as guardian of the persons and the Estates of James Owen Mays, et al., to Idaho Power Company, a corporation, dated August 21, 1937, recorded August 26, 1937, in Book 4 Page 192, as Instrument No. 68410, Gooding County records, granting to said corporation a perpetual easement and right of way for the erection and maintenance of an electric transmission line upon and across a portion of Sections 2, 11 and 12, Township 9 South, Range 15 East, of the Boise Meridian.
12. Power Line Easement given by Asa H. Danforth and Mabel D. Danforth, husband and wife, to Idaho Power Company, a corporation, dated August 30, 1941, recorded November 12, 1941, as Instrument No. 81950, Gooding County records, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across a portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, Township 7 South, Range 14 East, Boise Meridian.
13. Power Line Easement given by Asa H. Danforth and Mabel D. Danforth, husband and wife, to Idaho Power Company, a corporation, dated August 30, 1941, and recorded November 12, 1941, as Instrument No. 81950, Gooding County records, granting to said corporation, a right of way and easement for erection and maintenance of an electric transmission line over and across a portion of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, Township 7 South, Range 14 East, Boise Meridian.
14. Power Line Easement given by T. A. Buckley and Gertrude Buckley, husband and wife, to Idaho Power Company, a corporation, dated March 1, 1941, and recorded November 12, 1941, in Book 5 Page 26, as Instrument No. 81986, Gooding County records, granting to said corporation, a right of way and easement for erection and maintenance of an electric transmission line over and across the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, Township 8 South, Range 15 East, Boise Meridian.
15. Power Line Easement given by William Janes and Mrs. Josephine Janes, husband and wife, to Idaho Power Company, a corporation, dated April 15, 1941, and recorded November 12, 1941, in Book 5 Page 27, as Instrument No. 81987, Gooding County records, granting to said corporation, a right of way and easement for erection and maintenance of an electric transmission line over and across the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, Township 8 South, Range 15 East, Boise Meridian.
16. Right of Way Deed given by Idaho Farms Company, a corporation of Jerome, to the State of Idaho, dated February 24, 1942, recorded April 3, 1942, in Book 33 Page 311, as Instrument No. 83595, Gooding County records, granting a right of way for a public highway over and across the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 15, Township 6 South, Range 13 East, Boise Meridian. There is also granted thereby an easement adjacent to the highway right of way for relocation of all irrigation and drainage ditches and structures and such surface drain ditches as may be necessary to the proper construction of the highway.
17. Right of Way Deed given by John Taylor and Arline Taylor, husband and wife, to the State of Idaho, dated February 24, 1942, recorded April 18, 1942, in Book 33 Page 332, as Instrument No. 83792, Gooding County records, granting a right of way for a public highway over and across the W $\frac{1}{2}$ NW $\frac{1}{4}$ and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15, Township 6 South, Range 13

East, Boise Meridian. There is also granted thereby an easement adjacent to the highway right of way for relocation of all irrigation and drainage ditches and structures and such surface drain ditches as may be necessary to the proper construction of the highway.

18. Easement in Right of Way Deed from Zalda Eakin Acker and Milton E. Acker, wife and husband, to the State of Idaho dated April 18, 1942, recorded June 6, 1942, Book 33, Page 388, as Instrument No. 84321, Gooding County records, granting an easement adjacent to the highway right of way located on a portion of the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, Township 6 South, Range 14 East, Boise Meridian for relocation of all irrigation and drainage ditches and structures and such surface drain ditches as may be necessary to the proper construction of the highway.
19. Easement contained in Right of Way Deed given by Maude Eakin Blount and Justin A. Blount, wife and husband, wife life estate held by Lida A. Eakin, a widow, to the State of Idaho, dated May 20, 1942, recorded July 24, 1942, in Book 33, Page 452, as Instrument No. 84781, wherein there is granted an easement adjacent to the highway right of way located over and across Lot 1 and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and a portion of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, Township 6 South, Range 14 East, Boise Meridian, for relocation of all irrigation and drainage ditches and structures and such surface drain ditches as may be necessary to the proper construction of the highway.
20. Power Line Easement given by Frank Potter and Madge Potter, husband and wife, to Idaho Power Company, a corporation, dated August 7, 1943, recorded October 13, 1943, as Instrument No. 88316, Gooding County records, granting to said corporation, a right of way and easement for erection and maintenance of an electric transmission line over and across the W $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, Township 6 South, Range 14 East, Boise Meridian.
21. Power Line Easement given by Oley A. Boyd and Myrtle O. Boyd, husband and wife, to Idaho Power Company, a corporation, dated March 19, 1946, recorded December 23, 1946, in Book 5, Page 156, as Instrument No. 99083, Gooding County records, granting a right of way and easement for erection and maintenance of an electric transmission line over and across the N $\frac{1}{2}$ N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 15, Township 6 South, Range 13 East, Boise Meridian.
22. Power Line Easement given by Maude Eakin Blount and Justin A. Blount, wife and husband, to Idaho Power Company, a corporation, dated October 14, 1946, recorded July 2, 1947, in Book 6 Page 228, as Instrument No. 101602, Gooding County records, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, Township 6 South, Range 14 East, Boise Meridian.
23. Power Line Easement given by J. E. Farmer and Marval Farmer, husband and wife, to Idaho Power Company, a corporation, dated August 22, 1951, recorded October 17, 1952, in Book 7, Page 155, as Instrument No. 119426, Gooding County records, granting to said corporation, a right of way and easement for erection and maintenance of an electric transmission line over and across the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 14, Township 6 South, Range 13 East, Boise Meridian.

24. Power Line Easement given by James R. Stringham and Joy Stringham, husband and wife, to Idaho Power Company, a corporation, dated May 12, 1953, recorded May 29, 1953, in Book 7 Page 226, as Instrument No. 121466, Gooding County records, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across the above described property in Sections 1 and 2, Township 9 South, Range 15 East, Boise Meridian.
25. Power Line Easement given by William Janes and Josephine Janes, husband and wife, to Idaho Power Company, a corporation, dated March 10, 1953, recorded May 29, 1953, in Book 7 Page 228, as Instrument No. 121469, Gooding County records, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across the E1/2SW1/4 of Section 35, Township 8 South, Range 15 East, Boise Meridian.
26. Power Line Easement given by Elmer Nielson and Jane Nielson, husband and wife, to Idaho Power Company, a corporation, dated March 5, 1953, recorded May 29, 1953, as Instrument No. 121478, Gooding County records, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across the S1/2SW1/4, W1/2SW1/4SE1/4 of Section 13 and NE1/4NE1/4 of Section 24, Township 8 South, Range 14 East, Boise Meridian.
27. Conditions and restrictions contained in Warranty Deed given by E. C. Hull, also known as Elmer C. Hull, Lois Hull, also known as Lois P. Hull, husband and wife, to the State of Idaho, dated May 11, 1956, recorded June 5, 1956, as Instrument No. 130232, Gooding County records, wherein there is granted an easement adjacent to that portion of the S1/2SE1/4 of Section 3, the SW1/4SW1/4 of Section 2, the N1/2NE1/4 of Section 10 and the NW1/4NW1/4 of Section 11, all in Township 6 South, Range 13 East, Boise Meridian, for relocation of all irrigation and drainage ditches and structures and such surface drain ditches as may be necessary to the proper construction of the highway to be constructed on said property. Grantors agreed that no buildings or structures, except irrigation or drainage structures, will be permitted to be constructed within 20 feet of the highway right of way. Grantors further agreed that no billboards or other advertising signs will be permitted closer than 100 feet from the highway right of way, excepting signs pertaining to business established on the lands adjacent to the highway right of way. The Grantors thereby waived and relinquished in favor of the State any and all claims to present and future direct access to said highway and highway right of way except for 1-W-20' farm approach Sta. 265+90 Rt. 1-W-20' farmstead approach Sta. 267+59 Rt. 1-W-20' farm approach Sta. 207+41 Lt., 1-W-20' farm approach Sta. 281+62 Lt., 1-W-16' farm approach Sta. 292+50 Lt., 1-W-20 farm approach Sta. 294+45 Rt.
28. Power Line Easement given by E. C. Hull and Lois Hull, husband and wife, to Idaho Power Company, a corporation, dated October 4, 1960, recorded November 8, 1960, as Instrument No. 142119, Gooding County records, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across the SE1/4SW1/4 of Section 2, Township 6 South, Range 13 East, Boise Meridian.

29. Reservation contained in Patent from the United States of America, to Ethel M. Clare, dated August 29, 1962, recorded September 11, 1962, as Instrument No. 5608, Gooding County records, reserving such rights for transmission line purposes as the Idaho Power Company may have under the Act of March 4, 1911 (36 Stat. 1253), as amended (43 U.S.C. Sec 961), pertaining to the W1/2NE1/4, SE1/4NW1/4, and NW1/4SE1/4 of Section 24, Township 8 South, Range 14 East, Boise Meridian.
30. Power Line Easement given by Lloyd H. Miller and Donnie Miller, husband and wife, to Idaho Power Company, a corporation, dated March 5, 1963, and recorded June 10, 1963, as Instrument No. 8257, Gooding County records, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across Lot 2, Section 1, Township 9 South, Range 15, East, Boise Meridian.
31. Power Line Easement given by Lloyd H. Miller and Helmut Moss, to Idaho Power Company, a corporation, dated March 25, 1964, recorded May 21, 1964, as Instrument No. 11462, Gooding County records, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across the Lot 2, Section 1, Township 9 South, Range 15 East, Boise Meridian.
32. Mortgage given by Ivan L. Garnard, a single person, to John Hancock Mutual Life Insurance Company, dated March 14, 1966, recorded March 15, 1966, as Instrument No. 17669, Gooding County records.
33. Power Line Easement given by Neal Ambrose and Leona Ambrose, husband and wife, to Idaho Power Company, a corporation, dated April 12, 1966, recorded July 29, 1966, as Instrument No. 19052, Gooding County records, granting to said corporation, a right of way and easement for erection and maintenance of an electric transmission line over and across a portion of the S1/2 of Section 22, Township 7 South, Range 14 East, Boise Meridian.
34. Power Line Easement given by Stanley Rose, Jr. and JoAnn Rose, husband and wife, to Idaho Power Company, a corporation, dated January 13, 1969, recorded May 16, 1969, as Instrument No. 28756, Gooding County records, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across a portion of the SW1/4SE1/4 of Section 22, Township 7 South, Range 14 East, Boise Meridian.
35. Easement contained in United States Patent, vesting title in Monna A. Moss on SW1/4NE1/4, S1/2SW1/4, W1/2SE1/4 Section 1, Township 9 South, Range 15 East, Boise Meridian, dated April 23, 1980, recorded April 30, 1970, as Instrument No. 31847, Gooding County records, for rights for power line purposes as have been granted to Idaho Power Company, its successors or assigns, by right of way Idaho 04130 under the Act of March 4, 1911, 36 Stat. 1253, as amended 43 U.S.C. 961.
36. Grant of Easement by and between William C. Davis and K. L. Owings, doing business as Ken-Spray, a partnership, and Russett Farms, Inc., an Idaho corporation, as joint venturers, parties of the first part, and North Side Canal Company, Ltd., party of the second part, dated November 30, 1971, recorded February 7, 1972, as Instrument No. 38973, Gooding County records, granting an easement for the conveyance of all irrigation and drainage water of the North Side Canal Company's lateral in Section 35, Township 8 South, Range 15 East, Boise Meridian.

37. Terms and conditions of a Materials Lease by and between Robert L. Erickson and Susan S. Erickson, his wife, as Lessors, and The Idaho Department of Highways, as Lessee, recorded April 13, 1972, as Instrument No. 39977, Gooding County records, pertaining to portions of the SE $\frac{1}{4}$ of Section 15, Township 6 South, Range 13 East, Boise Meridian.
38. Power Line Easement given by Helmut Moss, to Idaho Power Company, a corporation, dated November 4, 1971, recorded August 4, 1972, as Instrument No. 41414, Gooding County records, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across the W $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 2, Township 9 South, Range 15 East, Boise Meridian.
39. Power Line Easement given by A. N. Ambrose and Leona Ambrose, husband and wife, to Idaho Power Company, a corporation, dated May 3, 1971, recorded October 10, 1972, as Instrument No. 42254, Gooding County records, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across the North 50 feet of the NW $\frac{1}{4}$ of Section 9, Township 8 South, Range 14 East, Boise Meridian, and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 4, Township 8 South, Range 15 East, Boise Meridian.
40. Conditions and restrictions contained in Corporation Warranty Deed given by Circle Lazy H., Inc., an Idaho corporation, to the State of Idaho, dated October 13, 1972, recorded January 23, 1973, as Instrument No. 43716, Gooding County records, wherein it is agreed that no buildings or structures, except irrigation or drainage structures will be permitted to be constructed within 20 feet of the highway right of way, being a portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$ and S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 9, Township 6 South, Range 13 East, Boise Meridian, and the right to prohibit junkyards on any of its remaining land within 1000 feet of the highway right of way and the right to prohibit advertising signs, displays and devices within 660 feet thereof; provided that advertising relating to business conducted on any of the Grantor's remaining land be permitted not closer than 20 feet therefrom, but only on the land utilized exclusively for said business.
41. Power Line Easement given by Helmut Moss, a bachelor, to Idaho Power Company, a corporation, dated February 9, 1972, recorded January 29, 1973, as Instrument No. 43785, Gooding County records, granting to said corporation, a right of way and easement over and across a portion of Section 1, Township 9 South, Range 15 East, Boise Meridian.
42. Restrictions and conditions contained in Corporation Warranty Deed given by Western Farms, Inc., to the State of Idaho, dated September 25, 1973, recorded November 13, 1973, as Instrument No. 47529, Gooding County records, wherein Grantor agreed that no building or structures except irrigation or drainage structures will be permitted to be constructed within 20 feet of the right of way located over a portion of Lots 1 and 2 and the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, Township 6 South, Range 14 East, Boise Meridian. Grantor conveyed unto the Grantee the right to prohibit junkyards on any of its remaining land within 1000 feet of the right of way of the said project and the right to prohibit advertising signs, displays and devices within 660 feet thereof; provided that advertising relating to business conducted on any of the Grantor's remaining land be permitted not closer than 20 feet therefrom, but only on the land utilized exclusively for said business, and together

with all rights of access between the right of way and project except for access to the County road Easterly of Station 57+50.00 of said County road Survey and Westerly of Station 41+50.00 of said County road Survey.

43. Easement given by Western Farms, Inc., a corporation, grantor, to the State of Idaho, grantee, dated September 25, 1973, recorded November 13, 1973, as Instrument No. 47530, Gooding County records, granting unto the State of Idaho the right to go upon, occupy, and use a portion of Government Lot 1 of Section 31, Township 6 South, Range 14 East, Boise Meridian, for the purpose of constructing thereon a concrete diversion box by the State of Idaho or its agents or contractors.
44. Easement given by Western Farms, Inc., a corporation, grantor, to the State of Idaho, grantee, dated September 25, 1973, recorded November 13, 1973, as Instrument No. 47532, Gooding County records, granting unto the State of Idaho the right to go upon, occupy, and use a portion of Government Lot 1 of Section 31, Township 6 South, Range 14 East, Boise Meridian, for the purpose of constructing thereon a concrete diversion box by the State of Idaho or its agents or contractors.
45. Restrictions contained in Warranty Deed given by Robert L. Erickson, to the State of Idaho, dated October 8, 1973, recorded December 20, 1973, as Instrument No. 48038, Gooding County records, wherein Grantors agree that no building or structures, except irrigation or drainage structures, will be permitted to be constructed within 20 feet of the highway right of way located on a portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ and a portion of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23, Township 6 South, Range 13 East, Boise Meridian, and Grantors convey unto the Grantee the right to prohibit junkyards on any of their remaining land within 1000 feet of the right of way and the right to prohibit advertising signs, displays and devices within 660 feet thereof; provided that advertising relating to business conducted on any of the Grantors' remaining land be permitted not closer than 20 feet therefrom, but only on land utilized exclusively for said business. The Grantor waived and relinquished in favor of the State any and all claims to present and future direct access to said highway and highway right of way.
46. Easements and restrictions and limited access contained in Warranty Deed from Bernice I. Robinson, a widow, to the State of Idaho, dated July 26, 1973, and recorded September 7, 1973, as Instrument No. 46841, Gooding County records. Grantor agreed that no buildings or structures, except irrigation or drainage structures, will be permitted to be constructed within 20 feet of the highway right of way located on a portion of the S $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 31, Township 6 South, Range 14 East, Boise Meridian. Grantor conveyed unto the Grantee the right to prohibit junkyards on any of Grantor's remaining land within 1000 feet of the highway right of way, and the right to prohibit advertising signs, displays and devices within 660 feet thereof; provided that advertising relating to business constructed on any of the Grantor's remaining land be permitted not closer than 20 feet therefrom, but only on land utilized exclusively for said business.
47. Easement given by Bernice I. Robinson, a widow, to the State of Idaho, dated July 26, 1973, recorded September 7, 1973, as Instrument No. 46842, Gooding County records, granting the right to go upon, occupy and use a strip of land in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, Township 6 South, Range

14 East, Boise Meridian, adjacent and contiguous to and on the Northeasterly side of the right of way boundary of Interstate 80N, for the purpose of constructing thereon a 12.0 foot patrol road and a 50.0 foot turnaround by the State of Idaho.

48. Easement given by Bernice I. Robinson, a widow, to the State of Idaho, dated July 26, 1973, recorded September 7, 1973, as Instrument No. 46844, Gooding County records, granting the right to go upon, occupy and use a strip of land 20.0 feet wide in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, Township 6 South, Range 14 East, Boise Meridian, adjacent and contiguous to and on the Northeasterly side of the right of way boundary of Interstate 80N, for the purpose of constructing thereon a concrete diversion box and headwall by the State of Idaho.
49. Easement given by Bernice I. Robinson, a widow, to the State of Idaho, dated July 26, 1973, recorded September 7, 1973, as Instrument No. 46846, Gooding County records, granting the right to go upon, occupy and use a strip of land irregular in shape in the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, Township 6 South, Range 14 East, Boise Meridian, lying on the Northeasterly side of the right of way boundary of Interstate 80N, for the purpose of constructing thereon a Channel Change by the State of Idaho.
50. Easement given by Robert L. Erickson to the State of Idaho, dated October 8, 1973, recorded December 20, 1973, as Instrument No. 48040, Gooding County records, granting the right to go upon, occupy and use a portion of the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23, Township 6 South, Range 13 East, Boise Meridian, for the purpose of constructing thereon a concrete headwall by the State of Idaho and granting the right to perform any maintenance necessary in connection with the aforesaid facility.
51. Mortgage given by 2-Plus Ranch, a partnership, consisting of William C. Davis and Kenneth L. Owings, and William C. Davis and Janice M. Davis, husband and wife, and Kenneth L. Owings, also known as K. L. Owings, and Violet M. Owings, husband and wife, to The Travelers Insurance Company, dated March 4, 1974, and recorded March 15, 1974, as Instrument NO. 49306, Gooding County records. AMENDED BY Correction Mortgage dated September 5, 1975, and recorded November 3, 1975, as Instrument No. 56837, Gooding County records.
52. Financing Statement No. 6238 from 2-Plus Ranch, a partnership, as Debtor, to The Travelers Insurance Company, as Secured Party, recorded March 15, 1974, as Instrument No. 49307, Gooding County records, covering irrigation equipment. AMENDMENT TO FINANCING STATEMENT recorded November 3, 1975, as Instrument No. 56838, Gooding County records. CONTINUATION TO FINANCING recorded February 5, 1979, as Instrument No. 74675, Gooding County records.
53. Power Line Easement given by F. F. Gunning and Irene E. Gunning, husband and wife, to Idaho Power Company, a corporation, dated August 15, 1973, recorded August 6, 1974, as Instrument No. 51197, Gooding County records, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across the NE $\frac{1}{2}$ of Section 24, and a portion of the SE $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 13, all in Township 8 South, Range 14 East, Boise Meridian.

54. Terms and conditions of an unrecorded Contract of Sale, dated March 26, 1973, by and between A. N. Ambrose and Leona Ambrose, husband and wife, as Vendors, and William C. Davis and Kenneth Owings, dba 2 Plus Ranch as Purchasers.
ASSIGNED TO: Anderson-Nafziger Farms, a partnership, by an unrecorded Assignment from A.N. Ambrose and Leona Ambrose, husband and wife, dated April 5, 1976.
ASSIGNED TO: Sage Land and Cattle Company, a corporation, by and unrecorded Assignment.
ASSIGNED TO: Albert Anderson and Sons Company, an Idaho corporation, by an unrecorded Assignment dated January 31, 1983.
ASSIGNED TO: First Security Bank of Idaho, N.A., by an unrecorded Assignment.
55. Power Line Easement given by Western Farms, Inc., to Idaho Power Company, a corporation, dated January 25, 1974, recorded August 6, 1974, as Instrument No. 51202, Gooding County records, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across the SW $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31, Township 6 South, Range 14 East, Boise Meridian.
56. Power Line Easement given by Daniel G. Danuser, and Effie M. Danuser, to Idaho Power Company, a corporation, dated March 6, 1974, recorded August 6, 1974, as Instrument No. 51209, Gooding County records, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across the West 25 feet of the South 25 feet of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, Township 7 South, Range 15 East, Boise Meridian.
57. Power Line Easement given by Robert O. Anderson and Evelyn F. Anderson, husband and wife, and Bruce Olsen and Sharyn Olsen, husband and wife, and Circle Lazy H, Inc., by Robert Bryce, President, to Idaho Power Company, a corporation, dated November 8, 1974, recorded July 14, 1975, as Instrument No. 55531, Gooding County records, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across a portion of the E $\frac{1}{2}$ SE $\frac{1}{4}$ of Section 9, Township 6 South, Range 13 East, Boise Meridian.
58. Terms and conditions of an unrecorded Contract of Sale, by and between Circle Lazy H., Inc., an Idaho corporation, as Seller, and Bruce P. Olsen, and Sharyn Olsen, husband and wife, as Purchasers, dated January 29, 1974.
59. Terms and conditions of an unrecorded Contract of Sale of Real Estate, by and between Bruce P. Olsen, and Sharyn Olsen, husband and wife, as Sellers, and San Tan Ranches, a partnership, as Buyer, dated December 15, 1975.
ASSIGNED TO: Sage Land and Cattle Company, a Nevada corporation, by an unrecorded Assignment from Anderson-Nafziger of Wendell, a partnership.
ASSIGNED TO: Albert Anderson and Sons Company, an Idaho corporation, by an unrecorded Assignment from Sage Land and Cattle Company, a Nevada corporation, dated January 31, 1983.
ASSIGNED TO: First Security Bank of Idaho, N.A., by an unrecorded Assignment from Albert Anderson and Sons Company, an Idaho corporation, and San Tan Ranches, a partnership.

60. Easement given by A & M Farms to the Wendell Highway District, dated January 31, 1975, recorded February 10, 1975, as Instrument No. 53372, Gooding County records, granting to said District a right-of-way for a public road over and across the West 30 feet of Lot 4 in Section 3, Township 7 South, Range 14 East, Boise Meridian.
61. Easement in Second Judgment and Decree of Condemnation in the case of The State of Idaho, et al, Plaintiff, vs. Oley A. Boyd, et al, Defendants, dated July 23, 1975, and recorded July 28, 1975, as Instrument No. 55702, Gooding County records, wherein there is granted a 30.0 foot easement in the NE1/4SE1/4 of Section 15, Township 6 South, Range 13 East, Boise Meridian, for constructing concrete ditch and other facilities together with ingress and egress. Rights of access to highway are extinguished and prohibited.
62. Power Line Easement given by Twin V Ranch, Inc., to Idaho Power Company, a corporation, dated March 6, 1975, recorded December 24, 1975, as Instrument No. 57481, Gooding County records, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across the SW1/4NW1/4 of Section 8, Township 7 South, Range 15 East, Boise Meridian.
63. Underground Power Line Easement executed by Mac Martin in behalf of San Tan Ranches, to Idaho Power Company, a corporation, dated April 15, 1975, recorded January 14, 1976, as Instrument No. 57744, Gooding County records, granting to said corporation a permanent and perpetual easement and right of way to install and maintain an underground electric power line over, through, under and across the SW1/4SE1/4SE1/4 of Section 22, Township 7 South, Range 14 East, Boise Meridian.
64. Underground Power Line Easement given by A. N. Ambrose and Leona Ambrose, husband and wife, to Idaho Power Company, a corporation, dated April 15, 1975, recorded January 14, 1976, as Instrument No. 57745, Gooding County records, granting to said corporation a permanent and perpetual easement and right of way to install and maintain an underground electric power line over, through, under and across the SW1/4SE1/4SE1/4 of Section 22, Township 7 South, Range 14 East, Boise Meridian.
65. Power Line Easement given by Mario Demodena and Catherine Demodena, to Idaho Power Company, a corporation, dated July 25, 1975, recorded February 10, 1976, as Instrument No. 58117, Gooding County records, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across the SE1/4SW1/4, SW1/4SE1/4 of Section 6, Township 7 South, Range 15 East, Boise Meridian.
66. Power Line Easement given by Dan Danuser and Effie Danuser, to Idaho Power Company, a corporation, dated February 27, 1975, recorded February 10, 1976, as Instrument No. 58118, Gooding County records, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across the SE1/4SW1/4, SW1/4SE1/4 of Section 6, Township 7 South, Range 15 East, Boise Meridian.
67. Terms and conditions of an unrecorded Contract of Sale dated and November 14, 1975, by and between Ivan L. Garnand and Alice M. Garnand, husband and wife, as Vendors, and San Tan Ranches, a partnership, as Purchasers.

71. Power Line Easement given by A. J. Harms and Lois G. Harms, husband and wife, to Idaho Power Company, a corporation, dated January 29, 1976, recorded September 15, 1976, as Instrument No. 61188, Gooding County records, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across the SW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, Township 7 South, Range 14 East, Boise Meridian.
72. Power Line Easement given by Mac Martin, sole owner, to Idaho Power Company, a corporation, dated November 6, 1975, recorded September 15, 1976, as Instrument No. 61190, Gooding County records, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, Township 6 South, Range 14 East, Boise Meridian.
73. Financing Statement No. 9070 from Anderson-Nafziger of Wendell, a general partnership, as Debtor, and Connecticut General Life Insurance Company, as Secured Party, recorded November 16, 1976, as Instrument No. 61980, Gooding County records, covering irrigation equipment.
CONTINUATION TO FINANCING recorded September 28, 1981, as Instrument No. 91597, Gooding County records.
74. Mortgage given by Anderson-Nafziger of Wendell, a general partnership consisting of James D. Nafziger and others, to Connecticut General Life Insurance Company of Bloomfield, a corporation, dated November 15, 1976, and recorded November 16, 1976, as Instrument No. 61981, Gooding County records.
MORTGAGE LOAN MODIFICATION AGREEMENT between Anderson-Nafziger of Wendell, a partnership consisting of James D. Nafziger and others, and Connecticut General Life Insurance Company of Bloomfield, a corporation, dated January 26, 1977, and recorded January 26, 1977, as Instrument No. 62986, Gooding County records.
75. Assignment and Supplemental Mortgage and Security Agreement by and between Anderson-Nafziger of Wendell, a general partnership consisting of James D. Nafziger and others, and Connecticut General Life Insurance Company of Bloomfield, a corporation, dated November 15, 1976, and recorded November 16, 1976, as Instrument No. 61982, Gooding County records.
76. Mortgage given by San Tan Ranches, a general partnership, and others, to Connecticut General Life Insurance Company of Bloomfield, a corporation, dated November 15, 1976, recorded November 17, 1976, as Instrument No. 61997, Gooding County records.
MODIFICATION AGREEMENT dated January 26, 1977, recorded January 26, 1977, as Instrument No. 62987, Gooding County records.
77. Financing Statement No. 9073 from San Tan Ranches, a general partnership, as Debtor, and Connecticut General Life Insurance Company, as Secured Party, recorded November 17, 1976, as Instrument No. 62004, Gooding County records, covering irrigation equipment.
CONTINUATION TO FINANCING STATEMENT recorded September 28, 1981, as Instrument No. 91596, Gooding County records.
78. Financing Statement No. 9169 from A.N.S.T., a general partnership, as Debtor, and Connecticut General Life Insurance Company, as Secured Party, recorded December 27, 1976, as Instrument No. 62486, Gooding County records,

covering potato storage facilities located or to be located on property in Section 32, Township 6 South, Range 14 East, Boise Meridian.

CONTINUATION TO FINANCING STATEMENT recorded November 6, 1981, as Instrument No. 92174, Gooding County records.

79. Well Use Agreement by and between San Tan Ranches, a partnership composed of Max Martin, a single man, and others, and A.N.S.T., a partnership composed of Mac Martin, a single man, and others, dated December 14, 1976, recorded January 26, 1977, as Instrument No. 62982, Gooding County records, wherein San Tan granted to A.N.S.T. the right to use water from the well located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, Township 6 South, Range 14 East, Boise Meridian, and received water from San Tan for use on a portion of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, Township 6 South, Range 14 East, Boise Meridian, and San Tan granted to A.N.S.T. right of ingress and egress to the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, Township 6 South, Range 14 East, Boise Meridian, for the purpose of making repairs to the pump and motor.
80. Mortgage from A.N.S.T., a general partnership, consisting of Mac Martin, a single man, and others, to Connecticut General Life Insurance Company of Bloomfield, a corporation, dated January 26, 1977, and recorded January 26, 1977, as Instrument No. 62985, records of Gooding County, Idaho. MODIFICATION AGREEMENT dated January 26, 1977, and recorded January 26, 1977, as Instrument No. 62986, Gooding County records. MODIFICATION AGREEMENT dated January 26, 1977, and recorded January 26, 1977, as Instrument No. 62987, Gooding County records.
81. Mortgage given by Anderson-Nafziger of Wendell, a partnership composed William Albert Anderson and others, to Homer Bayless, a widower, dated February 8, 1977, recorded March 2, 1977, as Instrument No. 63513, Gooding County records, covering a part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 15, Township 6 South, Range 13 East, Boise Meridian.
82. Water Easement given by Homer Bayless, a widower, Grantor, to Anderson-Nafziger of Wendell, a partnership, Grantee, recorded March 3, 1977, as Instrument No. 63526, Gooding County records, wherein the Grantor did grant unto the Grantee a right of way over and across a parcel of land located in part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ and part of the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 15, Township 6 South, Range 13 East, Boise Meridian, conveying water through ditches for the purpose of irrigating real estate adjacent and contiguous to the South and East of the real estate therein described. The Grantors further did grant to the Grantee an easement over and across a continuous strip of ground for the purpose of clearing, trenching, laying, constructing, maintaining, and repairing an underground pipeline for the conveyance of said water.
83. Underground Power Line Easement given by James D. Nafziger, sole owner, to Idaho Power Company, a corporation, dated August 13, 1976, recorded April 5, 1977, as Instrument No. 64053, Gooding County records, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 27, Township 6 South, Range 14 East, Boise Meridian.
84. Power Line Easement given by Michael Martin, Jeffery Martin and Mac Martin, to Idaho Power Company, a corporation, dated November 5, 1976, recorded April 19, 1977, as Instrument No.

64257, Gooding County records, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across the E1/2SW1/4 of Section 10, Township 6 South, Range 13 East, Boise Meridian.

85. Power Line Easement given by Bill Anderson and James D. Nafziger, dba Anderson & Nafziger, to Idaho Power Company, a corporation, dated July 31, 1974, recorded October 11, 1977, as Instrument No. 66881, Gooding County records, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across a strip of land 50 feet wide in the NW1/4SE1/4SE1/4 of Section 31, Township 6 South, Range 14 East, Boise Meridian.
86. Power Line Easement given by Mac Martin, a single person, to Idaho Power Company, a corporation, dated November 12, 1975, recorded October 11, 1977, as Instrument No. 66882, Gooding County records, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across the NW1/4SW1/4NW1/4 of Section 33, Township 6 South, Range 14 East, Boise Meridian.
87. Power Line Easement given by Michael K. Martin, Jeffy Martin Mac Martin and William Anderson, to Idaho Power Company, a corporation, dated September 15, 1976, recorded October 11, 1977, as Instrument No. 66890, Gooding County records, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across the NE1/4SE1/4 of Section 32, Township 6 South, Range 14 East, Boise Meridian.
88. Easement given by Anderson-Nafziger of Wendell, a partnership consisting of William A. Anderson and James D. Nafziger; Bonnie Anderson, wife of William A. Anderson and Pattie Lois Nafziger, wife of James D. Nafziger, as Grantors, to State of Idaho, Grantee, dated September 23, 1977, and recorded November 7, 1977, as Instrument No. 67264, Gooding County records, wherein Grantors did grant unto the State of Idaho the right to go upon, occupy and use a portion of the SE1/4SE1/4 of Section 31, Township 6 South, Range 14 East, Boise Meridian for the purpose of constructing thereon an irrigation pipeline and facilities by the State of Idaho or its agents or contractors.
89. Easement contained in Warranty Deed given by William L. Anderson and Bonnie Anderson, husband and wife, and James D. Nafziger and Patty Lois Nafziger, husband and wife, Grantors, to the Gooding Highway District of Gooding, Idaho, Grantee, dated February 20, 1979, recorded August 16, 1979, as Instrument No. 78352, Gooding County records, wherein Grantors agreed that no building or structures, except irrigation or drainage structures, will be permitted to be constructed within 20 feet of the right of way located on a portion of the N1/2NW1/4, N1/2NE1/4 of Section 35, Township 6 South, Range 14 East, Boise Meridian, of said project. Grantors conveyed unto the Grantee the right to prohibit advertising signs, displays and devices within 660 feet thereof; provided that advertising relating to business conducted on any of the Grantors' remaining land be permitted not closer than 20 feet therefrom, but only on land utilized exclusively for said business.
90. Easement given by William L. Anderson and Bonnie Anderson, husband and wife, and James D. Nafziger and Pattie Lois Nafziger, husband and wife, as Grantors, to Gooding Highway District of Gooding, Idaho, Grantee, dated February 20, 1979,

recorded August 16, 1979, as Instrument No. 78353, Gooding County records, wherein Grantors did grant unto the Grantee the right to go upon, occupy, and use a portion of the NW1/4NW1/4 of Section 35, Township 6 South, Range 14 East, Boise Meridian, for the purpose of constructing or installing thereon an irrigation facility.

91. Contract of Sale from Western Farm, Inc., a corporation, as Vendor, to James D. Nafziger, Mac Martin and William A. Anderson, as Purchasers.
ASSIGNED TO: Anderson-Nafziger of Wendell, a partnership, by an unrecorded Assignment from James D. Nafziger, Mac Martin and William A. Anderson.
ASSIGNED TO: Sage Land and Cattle Company, a Nevada corporation, by an unrecorded Assignment from Anderson-Nafziger of Wendell, a partnership.
ASSIGNED TO: Albert Anderson and Sons Company, an Idaho corporation, by an unrecorded Assignment from Sage Land and Cattle Company, a Nevada corporation, dated January 31, 1983.
ASSIGNED TO: First Security Bank of Idaho, N.A., by an unrecorded Assignment from Albert Anderson and Sons Company, an Idaho corporation.
92. Contract of Sale from Dan Danuser and Effie M. Danuser, husband and wife, as Vendors, to Anderson-Nafziger Farms, a partnership, as Purchaser, dated February 29, 1976.
ASSIGNED TO: Sage Land and Cattle Company, a Nevada corporation, by an unrecorded Assignment from Anderson-Nafziger of Wendell, a partnership.
ASSIGNED TO: Albert Anderson and Sons Company, an Idaho corporation, by an unrecorded Assignment from Sage Land and Cattle Company, a Nevada corporation, dated January 31, 1983.
ASSIGNED TO: First Security Bank of Idaho, N.A., by an unrecorded Assignment from Albert Anderson and Sons Company, an Idaho corporation.
93. Power Line Easement given by Robert Erickson, a single man, to Idaho Power Company, a corporation, dated June 1, 1979, recorded June 27, 1980, as Instrument No. 83913, Gooding County records, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across a 10.0 foot strip of land in the SE1/4NW1/4 of Section 15, Township 6 South, Range 13 East, Boise Meridian.
94. Power Line Easement given by Sage Land & Cattle Company, an Idaho corporation, dated February 18, 1981, and recorded August 7, 1981, as Instrument No. 90752, Gooding County records, granting to said corporation a right of way and easement for erection and maintenance of an electric transmission line over and across a 10.0 foot strip of land in the SW1/4SE1/4 and SE1/4SW1/4 of Section 15, Township 6 South, Range 13 East, Boise Meridian.
95. LIS PENDENS in the Matter of the General Determination of Rights to the Use of The Surface Waters of the Snake River from the Base of Milner Dam to the Idaho-Oregon Border recorded February 26, 1981, as Instrument No. 87957, Gooding County records.

AMENDED LIS PENDENS in the matter of the General Determination of Rights to the Use of The Surface Waters of the Snake River from the Base of Milner Dam to the Idaho-Oregon Border, recorded May 8, 1981, as Instrument No. 89374, Gooding County records.

BARGAIN AND SALE DEED

THIS INDENTURE, MADE as of the 31st day of January, 1983, between SAGE LAND & CATTLE COMPANY, the party of the first part and ALBERT ANDERSON & SONS COMPANY, an Idaho corporation, whose current mailing address is P.O. Box 910, Burley, Idaho 83318, the party of the second part,

W I T N E S S E T H:

That the said party of the first part, for and in consideration of the sum of Ten Dollars lawful money of the United States of America and other good and valuable consideration to it in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has bargained, sold and conveyed, and by these presents does bargain, sell and convey unto the said party of the second part, and to its successors and assigns, forever, all that certain real property situate, lying and being in the County of Gooding and State of Idaho, particularly described as follows, to-wit:

That real estate described on Exhibit A attached hereto and made a part hereof by reference.

SUBJECT TO: Taxes, levies and assessments, and easements of record; and obligations of record.

together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the said party of the second part and to its successors and assigns forever.

MICROFILMED

IN WITNESS WHEREOF, the said party of the first part
has hereunto caused these presents to be executed this 31st
day of January, 1983.

SAGE LAND & CATTLE COMPANY

By Gordon C. Smith
Its Vice President

ATTEST:

Ronald N. Shaver
Secretary

STATE OF IDAHO)
) ss
COUNTY OF ADA)

On this 31st day of January, 1983, before me, a
Notary Public in and for said State, personally appeared Gordon
C. Smith and Ronald N. Shaver, the Vice President
and Secretary, respectively, of the corporation that executed
the foregoing instrument on behalf of the said corporation, and
acknowledged to me that such corporation executed the same.

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

Barbara J. Holbrook
Notary Public for Idaho
Residing at Boise, Idaho

EXHIBIT A

PARCEL NO. 1:

TOWNSHIP 6 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 33: SW $\frac{1}{4}$ NW $\frac{1}{4}$; NW $\frac{1}{4}$ SW $\frac{1}{4}$; N $\frac{1}{2}$ NW $\frac{1}{4}$; S $\frac{1}{2}$ S $\frac{1}{2}$;

TOWNSHIP 7 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 3: Lots 1, 2, 3 and 4; N $\frac{1}{2}$ SE $\frac{1}{4}$;

PARCEL NO. 2:

TOWNSHIP 7 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 22: E $\frac{1}{2}$ SW $\frac{1}{4}$; S $\frac{1}{2}$ SE $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$;

Section 27: That portion of the NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$,
lying North of the W-40 Canal of the North
Side Canal Company, Ltd., as the same now exists.

PARCEL NO. 3:

TOWNSHIP 7 SOUTH, RANGE 15, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 8: SW $\frac{1}{4}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$ SW $\frac{1}{4}$;

PARCEL NO. 4:

TOWNSHIP 8 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 13: S $\frac{1}{2}$ SW $\frac{1}{4}$, EXCEPTING THEREFROM the following
described parcel of land:

Beginning at a point on the West line of said
Section 13, from which the Southwest corner
of said section bears South 0°01' East, a
distance of 292.43 feet;
Thence North 0°01' West, along said West line,
1028.73 feet;
Thence South 89°51' East, 871.00 feet to the
center of the W-9 Irrigation Canal;
Thence South 26°40' West, along the center of
said Canal, 906.60 feet;
Thence South 65°00' West, along the center of
said Canal, 511.76 feet to The Point of
Beginning.

Section 24: N $\frac{1}{2}$;

PARCEL NO. 5:

TOWNSHIP 6 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 33: W $\frac{1}{2}$ NE $\frac{1}{4}$; NW $\frac{1}{4}$ SE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$;

NE $\frac{1}{4}$ SW $\frac{1}{4}$; EXCEPT the following described parcel
of land:

Beginning at the Southwest corner of said
NE $\frac{1}{4}$ SW $\frac{1}{4}$, which shall be the True Point of
Beginning;
Thence North 1°34' East along the West line of
said NE $\frac{1}{4}$ SW $\frac{1}{4}$, 375.51 feet to a point marked
by a steel pin;
Thence South 89°00' East for 147.71 feet to a
point marked by a steel pin;
Thence South 71°53' East for 731.78 feet to a
point marked by a steel pin;
Thence South 49°17' East for 223.93 feet to a
point marked by a steel pin;
Thence West along the South line of said
NE $\frac{1}{4}$ SW $\frac{1}{4}$ for 1022.95 feet to the True Point of
Beginning.

PARCEL NO. 6:

TOWNSHIP 7 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 22: W $\frac{1}{2}$ SW $\frac{1}{4}$;

Section 27: That part of the W $\frac{1}{2}$ NW $\frac{1}{4}$, described as follows:

Beginning at the Northwest corner of the
NW $\frac{1}{4}$ NW $\frac{1}{4}$, which point shall be The True Point
of Beginning;
Thence South 89°58' East along the section line
for 1321.18 feet to a point at the Northeast
corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence South 0°02'53" East for 339.89 feet to a
point on the centerline of a canal;
Thence South 89°21'07" West for 297.01 feet
along said canal centerline to a point;
Thence South 31°46'25" West for 202.87 feet
along said canal centerline to a point;
Thence North 87°12'41" West for 210.16 feet
along said canal centerline to a point;
Thence South 39°51'19" West for 210.73 feet
along said canal centerline to a point;
Thence South 35°35'17" East for 185.35 feet
along said canal centerline to a point;
Thence South 35°00'49" West for 450.96 feet
along said canal centerline to a point;
Thence South 56°39'41" East for 140.82 feet
along said canal centerline to a point;
Thence South 16°53'31" West for 207.02 feet
along said canal centerline to a point;
Thence South 56°26'43" West for 219.39 feet
along said canal centerline to a point;
Thence South 71°04'25" West for 162.56 feet
along said canal centerline to a point;
Thence South 41°46'55" West for 225.10 feet
along said canal centerline to a point on the
section line;
Thence North 0°14'57" East along section line
for 1807.87 feet to The True Point of
Beginning.

PARCEL NO. 7:

TOWNSHIP 6 SOUTH, RANGE 13, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 2: $S\frac{1}{2}SW\frac{1}{4}$;
Section 3: $S\frac{1}{2}SE\frac{1}{4}$;
Section 10: $E\frac{1}{2}$; $SW\frac{1}{4}$; $SE\frac{1}{4}NW\frac{1}{4}$;
Section 11: $W\frac{1}{2}NW\frac{1}{4}$; $NW\frac{1}{4}SW\frac{1}{4}$;

TOWNSHIP 6 SOUTH, RANGE 13, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 9: That part of the $SE\frac{1}{4}$ lying North and East of
the Railroad right of way.

AND AN UNDIVIDED ONE-HALF INTEREST IN THE FOLLOWING PARCEL:

TOWNSHIP 6 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 32: That part of the $NE\frac{1}{4}SE\frac{1}{4}$, described as follows:

Beginning at the Northeast corner of the $SE\frac{1}{4}$
of Section 32, which shall be the True Point
of Beginning;
Thence South along Section line for 1100.94
feet to a point;
Thence on a curve to the left for 1685.61 feet
to a point on the Quarter Section line, said
curve having a central angle of $71^{\circ}58'20''$
and a radius of 1341.88 feet;
Thence South $89^{\circ}44'18''$ East along the Quarter
Section line for 1124.0 feet to the True
Point of Beginning.

TOWNSHIP 6 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 31: That part of Lots 1 and 2 and $E\frac{1}{2}NW\frac{1}{4}$ lying
Northeasterly of Project No. I-80N-3(23)142
Highway Survey and Southwesterly of State
Highway No. 25.

EXCEPTING THEREFROM the following described
tract of land:

Beginning at a point where the South boundary
line of State Highway as presently
constructed intersects the North and South
half section line;
Thence Northwesterly along the South boundary
line of said highway, 214.3 feet to The True
Point of Beginning;
Thence Northwesterly along the South boundary
line of said highway, 255.7 feet;
Thence Southwesterly along a line
perpendicular to the South boundary line of
said highway, 45.0 feet;
Thence Southeasterly, bearing left 45° from
previous line, 100 feet;

Thence Southeasterly, bearing left 45° from previous line, and parallel to said highway, 185.0 feet;
Thence Northeasterly bearing left 90° and perpendicular to said highway, 115.7 feet, more or less, The True Point of Beginning.

AN UNDIVIDED ONE-HALF INTEREST IN THE FOLLOWING PARCEL:

TOWNSHIP 6 SOUTH, RANGE 14, EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 31: That part of Lots 1 and 2 lying Southwesterly of Project No. I-80N-3(23)142 Highway Survey and North of the ramp A-B Survey of Tuttle Interchange;

EXCEPTING THEREFROM county road on the West side of Lots 1 and 2.

EXCEPTING AND RESERVING UNTO THE GRANTOR the following described parcel:

Part of Section 33 of Township 6 South, Range 14, East of the Boise Meridian.

Beginning at the West $\frac{1}{4}$ section corner of Section 33 of T. 6 S., R. 14 E., B.M., said point marked by a $\frac{5}{8}$ " rebar and shall be the Point of Beginning.

Thence N 0°01'48" E along section line for 343.32 feet to a P.K. nail;

Thence S 75°29'15" E for 612.31 feet to a $\frac{1}{2}$ " rebar;

Thence S 67°21'00" E for 782.75 feet to a $\frac{1}{2}$ " rebar;

Thence S 1°19'23" W for 345.98 feet to a $\frac{1}{2}$ " rebar;

Thence S 71°59'00" W for 644.29 feet to a $\frac{1}{2}$ " rebar;

Thence S 83°18'04" W for 298.53 feet to a $\frac{1}{2}$ " rebar;

Thence N 83°44'14" W for 400.55 feet to a P.K. nail on section line;

Thence N 0°00'00" E (Basis of Bearing) along said section line for 647.85 feet to the Point to Beginning.

ASSIGNMENT OF WATER RIGHTS

JUL 1 1983

RECEIVED AT REGISTRY

The undersigned (hereinafter "Grantor"), for good and valuable consideration, receipt of which is hereby acknowledged, does hereby sell, assign, transfer, grant, convey and warrant to FIRST SECURITY BANK OF IDAHO, N.A. (hereinafter "Grantee"), all right, title and interest in the licenses, decrees, adjudications, claims, permits, written agreements and stock in water companies, listed in Exhibit J attached hereto and incorporated by reference, along with any and all interest the Grantor may have, acquire, claim or otherwise hold over any other unspecified public waters of the State of Idaho (hereinafter "Water Rights") which have been or are now used and applied to beneficial purposes upon the real property described in Exhibits A and C attached hereto and incorporated by reference.

Grantor warrants that it has performed all acts and made all filings necessary to maintain in full force and effect all of the Exhibit J Water Rights, and that there are no written or oral agreements which adversely affect or change the aforementioned Water Rights.

Grantor further covenants and warrants that a notice of claim has been or will be filed prior to June 30, 1983, pursuant to Idaho Code Section 42-243 by Grantor for the benefit of Grantee for all unspecified public waters of the State of Idaho which have been or are now used and applied to beneficial purposes upon the real property described in Exhibits A and C attached hereto and by this reference incorporated herein.

MICROFILMED

IN WITNESS WHEREOF, the Grantor has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Assistant Secretary effective January 31, 1983.

ALBERT ANDERSON AND SONS COMPANY

By 15/
President

ATTEST:

15/
Assistant Secretary

STATE OF IDAHO)
County of Cassia) ss.

On this 17th day of May, 1983, before me, a notary public in and for said county and state, personally appeared Wm. A. Anderson and Wm. A. Parsons, known to me to be the President and Assistant Secretary, respectively, of ALBERT ANDERSON AND SONS COMPANY, the corporation named in the above instrument, and acknowledged to me that they executed the same on behalf of such corporation.

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

15/
NOTARY PUBLIC for Idaho
Residing at _____, Idaho

EXHIBIT A TO ASSIGNMENT OF WATER RIGHTS FROM ALBERT ANDERSON
AND SONS COMPANY TO FIRST SECURITY BANK OF IDAHO, N.A.

PARCEL NO. 1:

TOWNSHIP 6 SOUTH, RANGE 13 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 14: NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 15: NE $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$

That part of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$ North and East of the Railroad right of way.

That part of the W $\frac{1}{2}$ SE $\frac{1}{4}$ South and West of State Highway 25, EXCEPTING THEREFROM that portion deeded to the State of Idaho by Warranty Deed recorded December 20, 1973, as Instrument No. 48039, records of Gooding County, Idaho.

Section 15: That part of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and part of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ described as follows:

Beginning at the West quarter corner of said Section 15, which is the True Point of Beginning;
Thence South 89°18'12" East for a distance of 1330.14 feet to the Northeast corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 15;
Thence South 0°49'19" West for a distance of 232.76 feet;
Thence South 89°18'12" East for a distance of 643.40 feet to the Southwesterly frontage road right of way line;
Thence South 43°24'25" East for a distance of 990.37 feet along the Southwesterly right of way line;
Thence South 0°35'35" West for a distance of 384.72 feet to the Southeast corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 15;
Thence North 89°05'09" West for a distance of 2670.86 feet to the Southwest corner of the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 15;
Thence North 1°03'02" East for a distance of 1318.49 feet and the True Point of Beginning.

Section 22: E $\frac{1}{2}$ SE $\frac{1}{4}$

Section 23: SW $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$

EXCEPTING THEREFROM 100 feet for Railroad right-of-way as conveyed in Deed dated August 25, 1909, recorded September 16, 1909 in Book 13 Deeds, Page 292, Lincoln County records, now in Book F Deeds, Page 126, Gooding County, across the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 23.

AND EXCEPTING THEREFROM 100 feet for Railroad right of way as conveyed in Deed dated December 12, 1910, recorded December 27, 1910, in Book 18 Deeds, Page 245, Lincoln County records, now in Book 1 Deeds, Page 113, Gooding County, across the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 23.

AND ALSO EXCEPTING THEREFROM a strip of land for Highway purposes as set forth in Deed to State of Idaho, dated October 8, 1973, and recorded December 20, 1973, as Instrument No. 48038, records of Gooding County, Idaho.

Section 33: SW $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, S $\frac{1}{2}$ S $\frac{1}{2}$

EXCEPTING THEREFROM the following described parcel of land:

Beginning at the West quarter section corner of said Section 33, said point marked by a 5/8 inch rebar and shall be the Point of Beginning;
Thence North 0°01'48" East along section line for 343.32 feet to a P.K. nail;
Thence South 75°29'15" East for 612.31 feet to a 1/2 inch rebar;
Thence South 67°21'00" East for 782.75 feet to a 1/2 inch rebar;
Thence South 1°19'23" West for 345.98 feet to a 1/2 inch rebar;
Thence South 71°59'00" West for 644.29 feet to a 1/2 inch rebar;
Thence South 83°18'04" West for 298.53 feet to a 1/2 inch rebar;
Thence North 83°44'14" West for 400.55 feet to a P.K. nail on section line;
Thence North 0°00'00" East (Basis of Bearing) along said section line for 647.85 feet to the Point of Beginning.

Section 35: N $\frac{1}{2}$ NW $\frac{1}{4}$, EXCEPTING THEREFROM that portion deeded to Gooding Highway District by Warranty Deed recorded August 16, 1979, as Instrument No. 78352, records of Gooding County, Idaho.

Section 35: N $\frac{1}{2}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ N $\frac{1}{2}$

TOWNSHIP 7 SOUTH, RANGE 14 EAST OF THE BOISE MERIDIAN,
GOODING COUNTY, IDAHO

Section 3: Lots 1, 2, 3 and 4, N $\frac{1}{2}$ SE $\frac{1}{4}$.

Section 22: SW $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 27: That part of the W $\frac{1}{2}$ NW $\frac{1}{4}$, described as follows:

Beginning at the Northwest corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$, which point shall be the True Point of Beginning;
Thence South 89°58' East along the section line for 1321.18 feet to a point at the Northeast corner of the NW $\frac{1}{4}$ NW $\frac{1}{4}$;
Thence South 0°02'53" East for 339.89 feet to a point on the centerline of a canal;
Thence South 89°21'07" West for 297.01 feet along said canal centerline to a point;
Thence South 31°46'25" West for 202.87 feet along said canal centerline to a point;
Thence North 87°12'41" West for 210.16 feet along said canal centerline to a point;
Thence South 39°51'19" West for 210.73 feet along said canal centerline to a point;
Thence South 35°35'17" East for 185.35 feet along said canal centerline to a point;
Thence South 35°00'49" West for 450.96 feet along said canal centerline to a point;
Thence South 56°39'41" East for 140.82 feet along said canal centerline to a point;
Thence South 16°53'31" West for 207.02 feet along said canal centerline to a point;

WATER RIGHTS

EXHIBIT J

Licenses and Permits

36-2412	37-7363	45-2066	45-2579
36-2665	37-7470	45-2109	45-2611
36-7119	37-7480	45-2254	45-2613
36-7157	37-7531	45-2299	45-2614
36-7304	37-7806	45-2351	45-2620
36-7366	45-2016	45-2490	45-2628
36-7402	45-2018	45-2494	45-2629
36-7480	45-2019	45-2512	45-2630
36-7561	45-2020	45-2519	45-2642
36-7877	45-2028	45-2520	45-2657
✓ 37-7001	45-2029	45-2526	45-2668
37-7019	45-2031	~~45-2547~~	45-2688
37-7315	45-2050	45-2556	45-7379
37-7316	45-2053	45-2567	

Decrees and Adjudications

45-0166	45-0170	45-0514	45-0698
45-0168	45-0171	45-0695	45-0701
45-0169	~~45-0425~~	45-0696	45-0702

Claims

45-4000	45-4006	45-4011	45-4023
45-4001	45-4007	45-4013	45-4026
45-4002	45-4008	45-4014	45-4048
45-4005	45-4009		

Agreements

1. "99 YEAR LEASE" dated April 1, 1954, between Albert Anderson and Sons Company and Parley C. Clark, Clarence A. Elquist and Dallon Elquist.
2. "AGREEMENT" dated April 3, 1963, between Albert Anderson and Sons Company and Parley C. Clark, Clarence A. Elquist, Bertha Elquist, Dallon C. Elquist and Norma Jean Elquist.

Stock in Water Companies

<u>Name of Company</u>	<u>Number of Shares</u>
Oakley Canal Co.	1,167.02
Northside Canal Co.	1,006.02

AFFIDAVIT of PUBLICATION

State of Idaho,)
) SS.
 County of Gooding)

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

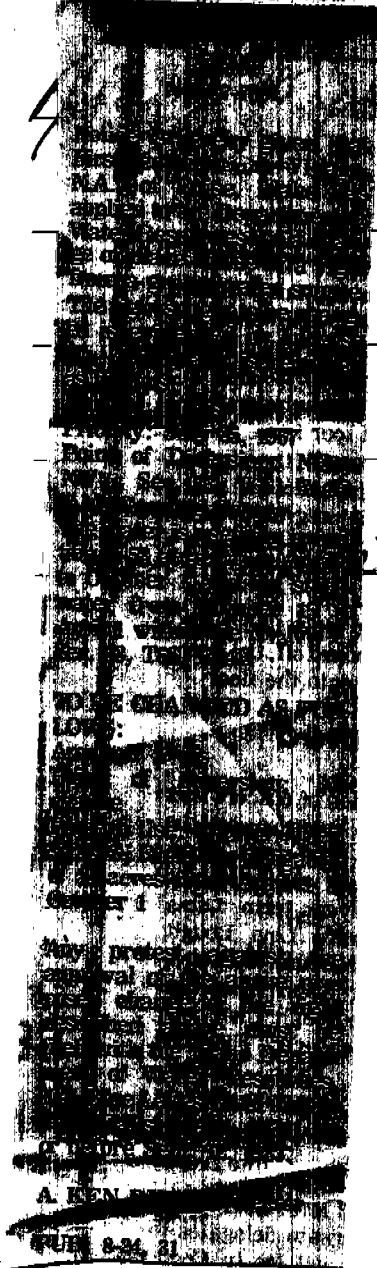
each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of the first publication of said advertisement was on the 24 day of Aug 19 83, and the date of the last publication was on the 31 day of Aug, 19 83

Frank J. Crow Jr.
 Subscribed and sworn to before me this 31 day of Aug, 19 83
 (SEAL)

Cindy Davis
 NOTARY PUBLIC
 GOODING COUNTY LEADER
 Gooding, Idaho
 COST OF PUBLICATION

Number of Lines in Notice. 52
 Number of Insertions. 2
 Lines tabular at 42¢
52 Lines straight at 32¢ 16.64
52 Subsequent lines at 21¢ 10.92
 Total Cost 27.56

COPY OF NOTICE



MICROFILMED

PUBLICATION RATES

(Idaho Code, Rev. Statutes 1971)

7 pt. per line, straight 32¢
 7 pt. per line, tabular 42¢
 7 pt. per line, successive
 insertions 21¢

SEP 7 1983

No. _____
 Department of Water Resources
 Southern District Office

Identification No.

Application No.

37-7001

APPROVED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

1. Name of applicant DANIEL G. DANUSER
post office address RT 2 BOX 208 GOODING, IDAHO

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

3. a. Location of point of diversion is NE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 33 Township 6 S
Range 14 E B.M. GOODING County; additional points of diversion if any:
200 YDS OF WEST OF NORTH EAST CORNER

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. Quantity to be appropriated:

a. ONE cubic feet per second and/or
b. _____ acre feet per annum will be stored.

5. Water will be used for the following purposes:

IRRIGATION purpose from APRIL 1 to OCTOBER 15 (both dates inclusive)
STOCK WATER purpose from OCTOBER 15 to APRIL 1 (both dates inclusive)
_____ purpose from _____ to _____ (both dates inclusive)

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. _____

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

c. Proposed well diameter is 12 inches; proposed depth of well is 120 feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.

b. Estimated construction cost is \$3500.00.

8. Description of proposed uses:

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

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

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

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

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

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

37 7001

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
65	14E	33					40	40											80

Total number of acres to be irrigated_____

c. Describe any other water rights used for the same purposes_____

9. a. Who owns the property at the point of diversion_____

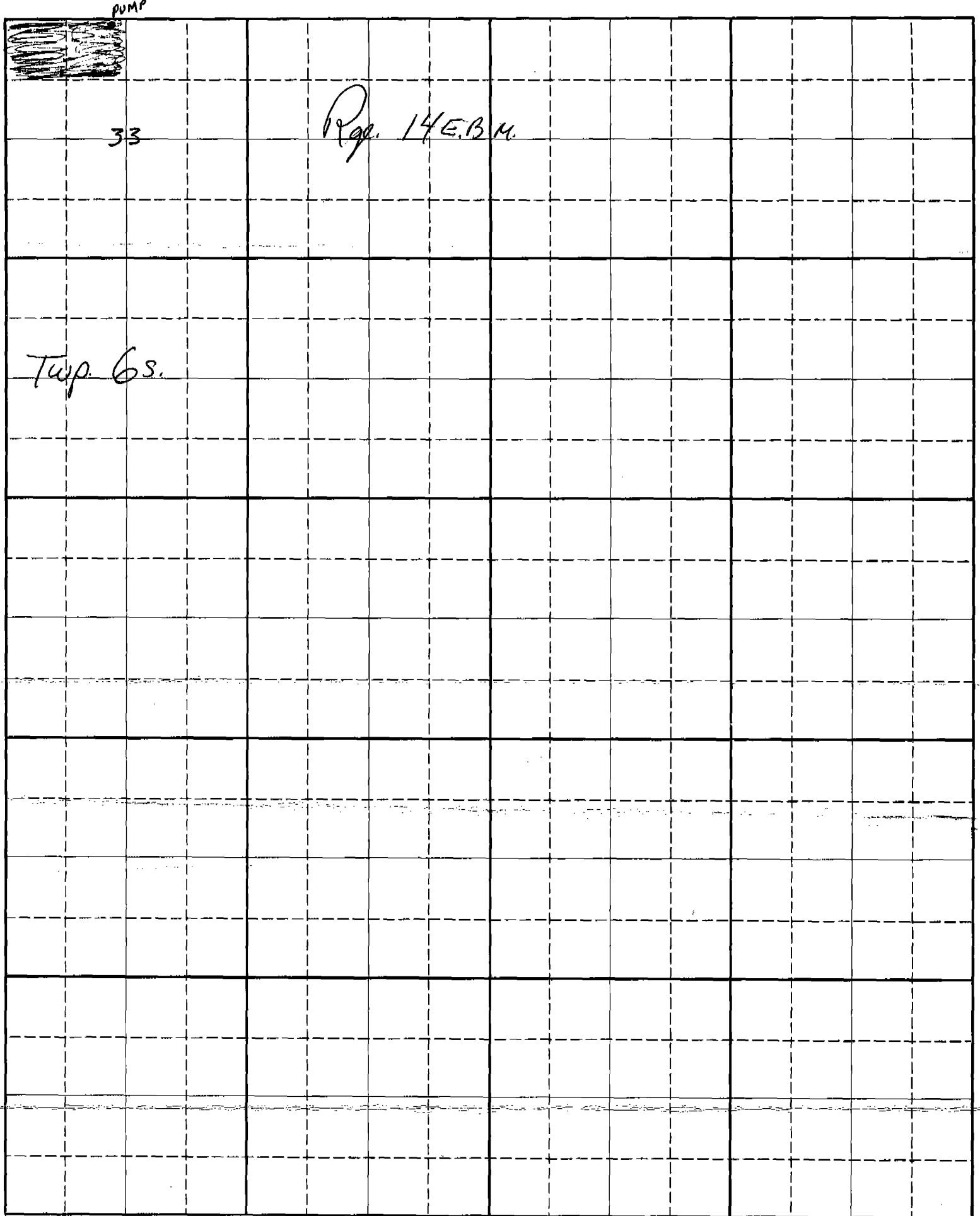
b. Who owns the land to be irrigated or place of use DANIEL G DANUSER

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 C.B. EATON AND COMPANY OF WENDELL WILL DO THE DRILLING.

HAROLD J TRAXLER OF RT 3 BUHL IS TO DO THE LAND LEVELING

11. Map of proposed project:



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.

Daniel S. Danuser
(Applicant)

Received by ef Date 7-25-67 Time 8:15 AM

Preliminary check by Delut Fee \$ 20.00

Received by ef Date 7-25-67

Publication prepared by KS Date 7-26-67

Published in The Evening Leader

Publication dates Aug 3-10

Publication approved KS Date 8-2-67

Priority reduced to _____ Reason _____

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval ~~denial~~ by JAB

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 37-7001, 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 October 1, 19 68.

c. Other: The applicant shall permanently install a measuring device of a type approved by the department as part of the diverting works.

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

Witness my hand this 26th day of September 19 67.

R. Keith Higgins
State Reclamation Engineer

WATER LICENSE

Water License No. 37-7001 Priority July 25, 1967 Amount 0.70 c.f.s.

THIS IS TO CERTIFY, that DANIEL G. DANUSER
 of Gooding, Idaho, made application for a permit to appropriate the public waters of
 the State of Idaho, dated July 25, 1967; that Permit 37-7001 was issued pursuant
 to said application; that the proposed works were completed on or about May 2, 1968
 with a storage/or carrying capacity of 0.7 c.f.s., said works consisting of
well, pump, motor, pipe, and ditch; and that on May 3, 1968,
 proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 232
 acre feet per season, with a maximum rate of diversion of 0.70 cubic feet per second of the waters
 of ground-water, tributary of _____,
 for the purpose of Irrigation from April 1 to October 1;
 and for Stockwater from October 15 to April 1; and for
 _____ from _____ to _____; and that the use
 of said waters has been made in accordance with the laws of Idaho, and is hereby confirmed by the State Recla-
 mation Engineer and entered in the records of the Idaho Department of Reclamation: the point of diversion is
 located in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33, T. 6 S, R. 14 E, B.M., and
 other additional points _____, in the County of
Gooding; and that the amount of water to which such right is
 entitled and which is hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially
 used for said purposes and shall not exceed 232 acre feet per year.

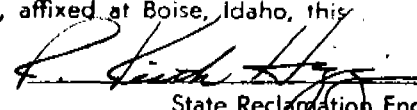
Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
6 S	14 E	33					28	30											58

Total number of acres irrigated 58

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

Witness the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

6th day of August, 19 70.

 State Reclamation Engineer

37-7001

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED

MAY 3 1968

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

State of Idaho
County of GOODING

DANIEL G. DANUSER of RT 2 BOX 208 GOODING
(name) (address)

State of IDAHO, being first duly sworn, upon his oath deposes and says that the following information is true and correct to the best of his knowledge:

1. That he is the owner or duly authorized agent of the owner of Permit 37-7001
2. State source of water supply PUMP FROM UNDER GROUND SUPPLY
3. The point of diversion of the water is 200 YDS OF NORTH EAST CORNER SECTION 22-45-14N - 30.11.10 WEST OF ALL CORNER.

4. State for what purpose water is used IRRIGATION & STOCK WATER
5. The amount of water used is ONE c.f.s. (state in what manner the quantity of water was determined and the qualifications of the person making such determination) C. B. EATON AND COMPANY OF WENDELL - ESTIMATED APP. ONE CFS

6. State the place of such use, and if for irrigation the description by legal subdivisions of the land so irrigated ~~SECTION 22-45-14N - 30.11.10 WEST OF ALL CORNER~~ TWP 45 - RANGE 14E - SEC 33
N 1/4 OF NW 1/4 - NW 1/4 OF NW 1/4

7. Give description of works by which water is conducted to such place of use including the name of any canal or stream used to carry the water PUMP

8. The relation or understanding upon which the right to take water from the works is based is APPLICATION FOR PERMIT WHICH WAS APPROVED
SEPTEMBER 26, 1967

9. List all other water rights appurtenant to same place of use NONE

10. The date of priority to be established is OCTOBER 1, 1968 - JULY 21, 1967

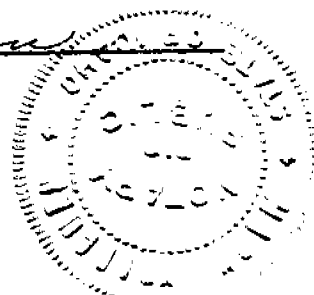
11. Remarks

Daniel G. Danuser
(signature)

Subscribed and sworn to before me this 2nd day of May, 1968

Mary Garguen
(notary public)

My commission expires January 27, 1968



37 7001

Form 6

Affidavit of Publication

State of Idaho, }
County of Gooding } SS.

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

was published once each week for 2 consecutive issues in said newspaper proper and not in a supplement; that the date of

the first publication of said advertisement was on the 3rd

day of August, 1967, and the date of the last publica-

tion was on the 10th day of August, 1967.

Subscribed and sworn to before me this 23

day of August, 1967.
(SEAL)

J. Le Rose Hendrix
NOTARY PUBLIC

GOODING COUNTY LEADER

Gooding, Idaho

COST OF PUBLICATION

Number of Lines in Notice.....	<u>24</u>	<u>24</u>
Number of Insertions	<u>1</u>	
Lines at 15c	<u>3.36</u>	
Lines at 10c		<u>2.40</u>
TOTAL COST		<u>5.76</u>

COPY OF NOTICE

(Paste Here)

Notice of application
For Water
Daniel M. Danuser
PLAINTIFF ATTORNEY

DEFENDANT

37-7001
PLAINTIFF

Dept. of Reclamation
107 State House
Boise, Idaho
(Cert. Bill.)

NOTICE OF APPLICATION
I, Daniel M. Danuser, of the County of Gooding, State of Idaho, do hereby certify that the following is a true and correct copy of the original as the same appears on the files of the Department of Reclamation, at Boise, Idaho, on the 25th day of August, 1967.
Any person applying for the Department of Reclamation within the first day of September, 1967, shall be entitled to a copy of this notice.
R. Keith Higginson
State Reclamation Engineer

PUBLICATION RATES:

(Idaho Code, (Rev. Statutes) 1956)	
7 pt. per line, straight	14c
7 pt. per line, tabular	20c
7 pt. per line, successive	
insertions	10c
6 pt. per line, straight	15c
6 pt. per line, tabular	20c
6 pt. per line, successive	
insertions	10c

SEP 8 1967
No. 64
Department of Reclamation

37 7001

STATEMENT RENDERED EVERY THIRTY DAYS

GOODING COUNTY LEADER

AND GOODING INDEPENDENT COMBINED

P. O. BOX 56

One Newspaper • One Coverage • One Cost

Account of Gooding, Idaho, Sept. 6, 1967

Dept. of Reclamation
107 State House
Boise, Idaho

RECEIVED
SEP 8 1967

Department of Reclamation

ADVERTISING—								
Weeks of Month	1st	2nd	3rd	4th	5th	Total	Rate	Cost
DISPLAY, Col. Inches								

JOB PRINTING AND SUPPLIES

Previous Balance

Aug. 3, 1967 - Legal Notice - Notice of Application for Water
37-7001 - Daniel G. Danhusser
24 Lines - 2 times @ 14¢ and 10¢ \$ 5.76
1st. Pub. 8/3/67
Last. Pub. 8/10/67

" I hereby certify that the foregoing account is correct and just, that the services were actually rendered as charged and we have not received payment therefor."

DATE 9/6/67

SIGNED BY

Mr. Frank Stone
Bookkeeper

37 7001

August 1, 1985

RE: Transfer of Water Right Nos. 37-7001/7363

Don & Carol McFarland
Box 268
Eden, ID 83325

Dear Mr. and Mrs. McFarland:

Enclosed is a copy of your approved Application for Transfer of the
above referenced water rights (Transfer No. 3063).

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

Rq. 14 E

Daniel Danuser

29 28
32 33

well

55-400

30
27

37-7001

28

58000

T65

37-7001

RECEIVED

JUL 5 1968

REPORT OF WELL DRILLER State of Idaho

Department of Reclamation

State law requires that this report shall be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

WELL OWNER:

Name Don Danush
Address Gooding, Idaho

Owner's Permit No. 37-7001

NATURE OF WORK (check): Replacement well ☐
New well ☒ Deepened ☐ Abandoned ☐

Water is to be used for: Irrigation

METHOD OF CONSTRUCTION: Rotary ☐ Cable ☒
Dug ☐ Other ☐

(explain)
CASING SCHEDULE: Threaded ☐ Welded ☒
14"Diam. from 0 ft. to 2 1/2 ft.
"Diam. from ft. to ft.
"Diam. from ft. to ft.
"Diam. from ft. to ft.

Thickness of casing: 1/4" Material:
Steel ☒ concrete ☐ wood ☐ other ☐

(explain)
PERFORATED? Yes ☐ No ☒ Type of
perforator used:

Size of perforations: " by "
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

WAS SCREEN INSTALLED? Yes ☐ No ☒

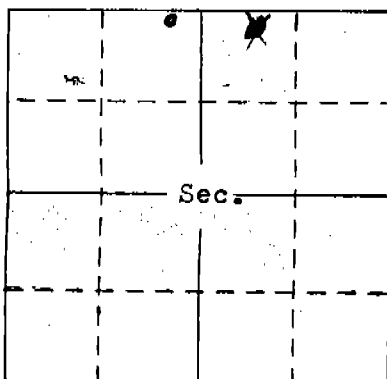
Manufacturer's name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

CONSTRUCTION: Well gravel packed? Yes ☐
No. ☒ size of gravel Gravel
placed from ft. to ft. Surface seal
provided? Yes ☒ No ☒ To what depth?
 ft. Material used in seal:

Did any strata contain unusable water? Yes ☐
No. ☐ Type of water:
Depth of strata ft. Method of sealing
strata off:

Surface casing used? Yes ☒ No. ☐
Cemented in place? Yes ☐ No ☒

Locate well in section



LOCATION OF WELL: County Gooding
NE 1/4 Sec. 32 T. 6 N/S R. 14 E/W

NE 1/4 32
Permit

Use other side for additional remarks

Size of drilled hole: 12 in Total
depth of well: 92 1/2 Standing water
level below ground: Temp.
Fahr. ° Test delivery: no test gpm
or cfs Pump? ☐ Bail ☐
Size of pump and motor used to make test:

Length of time of test: Hrs. Min.
Drawdown: ft. Artesian pressure: ft.
above land surface Give flow cfs
or gpm. Shutoff pressure:
Controlled by: Valve ☐ Cap ☐ Plug ☐
No control ☐ Does well leak around casing?
Yes ☐ No ☐

DEPTH		MATERIAL	WATER YES OR NO
FROM	TO		
FEET	FEET		

0	2	top Soil & Rock	
2	28	Hard Gray Sand	
28	50	Red Sand & Gravel	
50	73	Red Sand & Gravel	
73	92	Gray Sand & Gravel	
92	103	Black Layer Cinders and Rock Lining	yes

Work started: July 10
Work finished: July 12
Well Driller's Statement: This well was
drilled under my supervision and this report
is true to the best of my knowledge.
Name: James Stator
Address: Gooding, Ida
Signed by: James Stator
License No. Date: Aug 14, 1967

37 7001

37-7001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: Adm

1. Right number 37-7001 Applicant MC FARLAND, Don & Carol
37-7363
2. Type of right: ☐ Decree ☒ Licenses ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Other _____

4. Check:

- a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
- b. ☒ Description of original point of diversion. 37-7001 Stock use deleted.
- c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:

- ☒ All of right.
- ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
- ☒ Check description of point(s) of diversion.
- ☒ Check description of place of use.
- ☒ Check map (shows p.d. and p.u. after transfer).
- ☒ Check for correct signature, notarization, and fee.
- ☒ Check proof of ownership of right &/or land from which water is transferred. info in file 37-7001
- ☒ Check for expansion in use of right. Comments Appears to be none

☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) _____

- j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No

If yes, what district? _____

FINAL PROCESSING REVIEW BY: Adm

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

RECOMMENDED ACTION

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

4. By Adm Date 5/16/85

Jim 7-29-85

* All uses within Watermaster Districts require special conditions.

MICROFILMED

RECEIVED

MAY 21 1985

Department of Water Resources

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 37-7001
37-7363

Notice is hereby given that Don and Carol McFarland of Eden, Idaho have applied to the Department of Water Resources for a change of place of use and a change of point of diversion of a right from a groundwater source. The right sought to be changed is evidenced by License Nos. 37-7001 and 37-7363 and recorded as follows:

Amount: 2.34 cfs &/or 468 acre feet

Priority: 37-7001 - July 25, 1967
37-7363 - May 31, 1974

Point of Diversion: NENW, Sec. 33, T6S, R14E, B.M, Gooding County

The water is used for irrigation of 117 acres within the N1/2NW1/4, SWNW, NWSW, Sec. 33, T6S, R14E

TO BE CHANGED AS FOLLOWS:

Amount: 2.34 cfs

Point of Diversion: SWSE, Sec. 27, T6S, R14E, B.M., Gooding County

Place of Use: S1/2SW1/4, SWSE, Sec. 27, T6S, R14E for irrigation of 117 acres

Any protest against the approval of the above proposed change of the right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301, on or before May 10, 1985.

A. KENNETH DUNN
Director

Published in April 23 and April 30, 1985 ~~XX~~

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

April 12, 1985

Gooding County Leader
Box 56
Gooding, Idaho 83330

Re: Notice of Proposed Change of Water Right 37-7001, 37-7363;
36-7480 - 12899; 36-7157; 37-7316; 37-7019;
Notice of Amendment to a Water Right No. 37-7806

Gentlemen:

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

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

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

Very truly yours,

Mary A. Newby
Sec/Office Coord.

Encl:

MICROFILMED

LAW OFFICE

MOFFATT, THOMAS, BARRETT & BLANTON

CHARTERED

FIRST SECURITY BUILDING

P. O. BOX 829

BOISE, IDAHO 83701

August 6, 1984

WILLIS C. MOFFATT
(1907-1980)

OFFICE ADMINISTRATOR
DONNA K. BROWN

TELEPHONE
(208) 345-2334

TELECOPIER
(208) 345-2340

EUGENE C. THOMAS
JOHN W. BARRETT
J. CHARLES BLANTON
R. B. ROCK
RICHARD C. FIELDS
RICHARD E. HALL
MYRON D. GABBERT, JR.
PAUL S. STREET
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LARRY C. HUNTER
PHILLIP S. OBERRECHT
JEFFREY A. STROTHER
GLENN M. CHRISTENSEN
MARK S. PRUSYNSKI
MORGAN W. RICHARDS, JR.
MICHAEL G. MCPECK

STEPHEN R. THOMAS
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ROBERT C. GRISHAM
GERALD T. HUSCH
DONALD D. SAINT-JUST
THOMAS C. MANNSCHRECK
THOMAS V. MUNSON
KIRK R. HELVIE
RAYMOND D. POWERS
THOMAS C. MORRIS
CANDY WAGAHOFF DALE
ROBERT B. LUCE
MICHAEL E. THOMAS
DOUGLAS M. CONDE
STEVEN V. CAMPBELL
LARRY D. SPURGEON

RECEIVED
AUG 24 1984

Department of Water Resources
Southern District Office

RECEIVED
AUG 8 1984

Idaho Department of Water Resources
450 West State
Boise, Idaho 83702

Attention: Mr. Jim Johnson

Re: Transfer Applications 37-7001, 37-7363, and
36-7157
MTB&B File No. 4-620.122

Gentlemen:

Enclosed is our check for \$100 representing the filing fee for the above-entitled applications. If you should have any further questions concerning the water rights, please contact us.

Sincerely,

Woody

Morgan W. Richards, Jr.

MWR:bd
Enclosure

MICROFILMED

LAW OFFICE

MOFFATT, THOMAS, BARRETT & BLANTON

CHARTERED

FIRST SECURITY BUILDING

P. O. BOX 829

BOISE, IDAHO 83701

July 19, 1984

WILLIS C. MOFFATT
(1907-1980)

OFFICE ADMINISTRATOR
DONNA K. BROWN

TELEPHONE
(208) 345-2334

TELECOPIER
(208) 345-2340

RECEIVED
JUL 21 1984

Department of Water Resources

EUGENE C. THOMAS
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MICHAEL E. THOMAS
DOUGLAS M. CONDE
STEVEN V. CAMPBELL
LARRY D. SPURGEON

Mr. Jim Johnson
Idaho Department of Water Resources
Statehouse
Boise, Idaho 83720

Re: Water Rights
MTB&B File No. 4-620.122

Dear Jim:

Enclosed are copies of applications for transfer of water licenses 36-7157, 37-7001 and 37-7363. A substantial part of license 36-7157 is being transferred from our Cliffhanger unit to our San Tan unit. The Cliffhanger land from which the water is being transferred will be dry farmed. License 36-7157 will, in part, replace license nos. 37-7001 and 37-7363 which are being transferred by the other enclosed application to our Idaho Farms unit to supplement the existing license at that location. These applications should be considered linked with our application to transfer License 36-7480 which is already on file with the ~~Commission~~ ^{Dept.}. As a consequence of these filings, we will withdraw our application for a new permit on the San Tan unit relating to Section 33, T. 6 S., R. 14 E.B.M. in Gooding County.

If you should have any questions regarding these water rights' applications, please contact me.

Sincerely,

Woody
Morgan W. Richards, Jr.

MWR/jam

Enclosures

cc: Mr. LaMar Giles w/out enc.

MICROFILMED

WATER RIGHT NUMBER 37-7001 ✓

OWNER LAST NAME - DANUSER

FIRST NAME - DANIEL G.

ORIG OWNER -

ADDRESS LINE 1 - RT. 2 BOX 208 ✓

ADDRESS LINE 2 -

ADDRESS LINE 3 -

CITY - GOODING

STATE - ID ZIP CODE - 83330

SOURCE - GROUNDWATER

TREASURY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 07-25-1967 COUNTY - GOODING

TOTAL DIV. RATE -

.7000 -CFS

TOTAL DIV. VOLUME - 232.00 AFA TRFR/AMEND -

WATER DIST. -

JLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - NENW 33 06S 14E LOT REDIV -

0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0 0.0

FROM - 04-01 TO - 10-01 USE - IRRIGATION

USE DIV. RATE - .7000 CFS USE DIV. VOLUME - 232.00 AFA

FROM - 10-15 TO - 04-01 USE - STOCKWATER

USE DIV. RATE - .0000 CFS USE DIV. VOLUME - .00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 06S RNG 14E SEC 33 TRACT NENW LOT AC 28 TRACT NWNW LGT AC 50

DECREE NAME -

DATE -

TOTAL ACRES

58

REMARKS -

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE -

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. -

PROOF MADE - FLD EXAM - CONJ. OF APPROVAL -

DIVERSION MEANS -

VERIFIED JDC



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

April 3, 1984

First Security Bank of Idaho, N.A.
P. O. Box 7060
Boise, Idaho 83730

Attn: LaMar Giles &/or Morgan Richards, Jr.

Re: Applications for Transfer of License 37-7001 and 45-2628

Gentlemen:

Pursuant to your letter dated April 2, 1984, requesting that your application for transfer of License 37-7001 be withdrawn, our office is forwarding the application to IDWR - State Office with a recommendation the application be voided.

Additionally, our office is still holding your transfer application on License 45-2628. Our office initially advertised the application then forwarded it to IDWR - State Office for approval. They returned it requesting that our office gather further documentation showing the bank aquired the W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 23, T12S, R22E which a portion of 45-2628 is now appurtenant. On December 20, 1983 I discussed this matter by phone with Mr. Richards who indicated that he would forward the appropriate documents. As of this date our office has not received the requested information.

Please review this matter and advise our office of the ownership of the above described lands and/or show proof that First Security Bank of Idaho has obtained the full water right evidenced by License 45-2628. Our office will continue to hold your application for transfer of License 45-2628 until we hear from you, and we request that you respond as soon as possible.

If you have any questions please feel free to contact our office.

Very truly yours,

Allen D. Merritt
Sr. Water Resource Analyst

LOH:ADM:marya

MICROFILMED

LAW OFFICE

MOFFATT, THOMAS, BARRETT & BLANTON

CHARTERED

FIRST SECURITY BUILDING

P. O. BOX 829

BOISE, IDAHO 83701

April 2, 1984

WILLIS C. MOFFATT
(1907-1980)

OFFICE ADMINISTRATOR
DONNA K. BROWN

TELEPHONE
(208) 345-2334

TELECOPIER
(208) 345-2340

RECEIVED

APR 3 1984

Department of Water Resources
Sawatch District Office

Mr. Allen D. Merritt
Senior Water Resource Analyst
1041 Blue Lakes Boulevard North
Twin Falls, Idaho 83301

Re: Application for transfer of License 37-7001
MTB&B File No. 4-620.122

Dear Allen:

Pursuant to your letter dated March 2, 1984, we have reviewed our application and decided to withdraw the transfer request. Thank you for your courtesy in resolving this matter.

Sincerely,

Woody

Morgan W. Richards, Jr.

MWR/jam

MICROFILMED

LAW OFFICE

MOFFATT, THOMAS, BARRETT & BLANTON

CHARTERED

FIRST SECURITY BUILDING

P. O. BOX 829

BOISE, IDAHO 83701

March 15, 1984

WILLIS C. MOFFATT
(1907-1980)

OFFICE ADMINISTRATOR
DONNA K. BROWN

TELEPHONE
(208) 345-2334

TELECOPIER
(208) 345-2340

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DOUGLAS M. CONDE
STEVEN V. CAMPBELL

Mr. Allen D. Merritt
Idaho Department of Water Resources
1041 Blue Lakes Blvd. North
Twin Falls, Idaho 83301

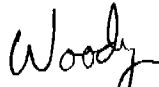
Re: First Security Bank Water Rights
Application to transfer License No. 37-7001
MTB&B File No. 4-620.122

Dear Allen:

I am in receipt of your March 2, 1984 letter to First Security Bank relating to the proposed transfer of water right 37-7001. I have requested information from the prior owners of the real property and following receipt of that information, I will be able to resolve the problem you have identified. I anticipate an answer prior to the expiration of 30 days but wanted to alert you to the possibility that our answer might be delayed beyond the time limit in case that is a problem.

If you should have any questions, please contact me.

Sincerely,



Morgan W. Richards, Jr.

MWR/jam

cc: Mr. LaMar Giles

RECEIVED

MAR 19 1984

Department of Water Resources
Southern District Office

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

Joan V. Evans
Governor

A. Kenneth Dunn
Director

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

March 2, 1984

First Security Bank of Idaho, N.A.
P. O. Box 7069
Boise, Idaho 83730

Attn: Mr. LaMar Giles

Re: Application for Transfer of License 37-7001

Dear Mr. Giles:

The Department has identified a problem with your application and cannot presently approve the transfer.

There exists a potential for expansion of the right if the transfer is approved while the other rights appurtenant to the property where 37-7001 is being removed are allowed to remain.

Please find enclosed a copy of a memorandum which addresses this issued. Also enclosed are copies of the place of use report and copies of the licenses which are found to be appurtenant to the property from which 37-7001 is attempting to be removed.

Please review the enclosed and advise our office of your course of action. Our office will hold your application for 30 days prior to forwarding it to our State Office with a recommendation that it be denied.

If you have any questions please feel free to contact our office.

Very truly yours,

Allen D. Merritt
Sr. Water Resource Analyst

LOH:ADM:marya

Encl:

MICROFILMED

LAW OFFICE

MOFFATT, THOMAS, BARRETT & BLANTON

CHARTERED

FIRST SECURITY BUILDING

P. O. BOX 829

BOISE, IDAHO 83701

EUGENE C. THOMAS
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RAYMOND D. POWERS
THOMAS C. MORRIS
CANDY R. WAGAHOFF
ROBERT B. LUCE
MICHAEL E. THOMAS

RECEIVED

WILLIS C. MOFFATT
(1907-1980)

JUL 1 1983

June 30, 1983

RECEIVED

JUL 11 1983

TELEPHONE

(208) 345-2334

TELECOPIER

(208) 345-2340

HAND DELIVEREDDepartment of Water Resources
Southern District Office

Idaho Department of Water Resources
450 W. State
Boise, Idaho 83702

Re: First Security Bank of Idaho, N.A.
MTB&B File No. 4-620.122

Gentlemen:

Enclosed please find the following applications and filing fees:

1. Commencement of works card and request for extension of time for Permit No. 45-7379. \$15 filing fee is required.

2. A completion card for Permit No. 36-7877 which requests inspection and approval for license. No filing fee is required.

3. A completion card for Permit No. 37-7480 which requests inspection and approval for license. No filing fee is required.

4. Application for Amendment of Permit No. 36-7877. \$20 filing fee is required.

5. An application for transfer for License No. 36-7480. \$50 filing fee is required.

6. An application for transfer for License No. 37-7001. \$50 filing fee is required.

7. Application for transfer of water right for License No. 45-2628. \$50 filing fee is required.

8. Deeds for real property and assignments of numerous water rights to First Security Bank of Idaho, N.A. If anything should arise with regard to any of these rights, The Bank would appreciate receiving notice.

MICROFILMED

Idaho Department of Water Resources
June 30, 1983
Page Two

Our check in the total amount of \$185 is enclosed which amount was quoted to us by the Department as the proper filing fees. We have also been advised that, while there will be an increase in filing fees after June 30, 1983, nonetheless, claims may continue to be filed.

If you should have any questions, please contact us. Thank you in advance for your assistance.

Very truly yours,

Morgan W. Richards, Jr.
Morgan W. Richards, Jr.

MWR:jam

Enclosures

cc w/o enc: Mr. LaMar Giles

MICROFILMED

INTER-DEPARTMENT MEMO — 1

FROM

Jim Johnson *Jim*

DATE 1/18/84

TO

Allen
~~Alan~~ Merritt

SUBJECT Application for Transfer on Right 37-7001.

Per our telecon, I am returning the said transfer for further review on the issue of possible expansion if Right 37-7019 is not also removed from the N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 33.

RECEIVED

JAN 25 1984

Department of Water Resources
Southern District Office

SIGNATURE

filed E-2

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 37-7001

Notice is hereby given that First Security Bank of Idaho, N. A., of Boise, Idaho has applied to the Department of Water Resources for a change of place of use of a right from a groundwater source. The right sought to be changed is evidenced by License No. 37-7001 and is recorded as follows:

Amount: .7 cfs

Priority: July 25, 1967

Point of Diversion: NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33, T6S, R14E, B.M. Gooding County

The water is used for irrigation of 58 acres from April 1 to October 1 and for stockwater from October 15 to April 1 within the N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 33, T6S, R14E

TO BE CHANGED AS FOLLOWS:

Amount: .7 cfs

Point of Diversion: No change

Place of Use: W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 33, T6S, R14E for irrigation of 58 acres from April 1 to October 1

Any protest against the approval of the above proposed change of the right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301 on or before Sept. 12, 1983 .

A. KEN DUNN, Director

Published in Gooding County Leader on August 24 and August 31, 1983 .

MICROFILMED

OK
Adm
5/14/87

LEGAL (257) le

**NOTICE OF PROPOSED
CHANGE OF WATER
RIGHT
NO. 37-7001**

Notice is hereby given that First Security Bank of Idaho, N.A., of Boise, Idaho has applied to the Department of Water Resources for a change of place of use of a right from a groundwater source. The right sought to be changed is evidenced by License No. 37-7001 and is recorded as follows:

Amount: .7 cfs

Priority: July 25, 1967

Point of Diversion: NE $\frac{1}{4}$ -NW $\frac{1}{4}$, Sec. 33, T6S, R14E, B.M. Gooding County

The water is used for irrigation of 58 acres from April 1 to October 1 and for stock-water from October 15 to April 1 within the N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 33, T6S, R14E

**TO BE CHANGED AS FOL-
LOWS:**

Amount: .7 cfs

Point of Diversion: No change

Place of Use: W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 33, T6S, R14E for irrigation of 58 acres from April 1 to October 1

Any protest against the approval of the above proposed change of the right described above must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, 83301 on or before Sept. 12, 1983.

A. KEN DUNN, Director

PUB: 2-24, 31

*ok
may*



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN DISTRICT

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

August 17, 1983

Gooding County Leader
Box 56
Gooding, Idaho 83330

Re: Notice of Proposed Change of Water Right No. 37-7001, 36-7480

Gentlemen:

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

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

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

Sincerely,

Mary A. Newby
Sec/Office Coord.

Encl:

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: JF Stanton

1. Right number 37-7001 Applicant FIRST SEC. BANK OF IDAHO, N.A.

2. Type of right: ☐ Decree ☒ License ☐ Claim

3. Purpose of transfer: ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Other _____

4. Check:

a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use

b. ☒ Description of original point of diversion.

c. ☒ Description of original place of use.

5. Amount of land &/or water transferred:

a. ☒ All of right.

b. ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).

c. ☒ Check description of point(s) of diversion.

d. ☒ Check description of place of use.

e. ☒ Check map (shows p.d. and p.u. after transfer).

f. ☒ Check for correct signature, notarization, and fee.

g. ☒ Check proof of ownership of right &/or land from which water is transferred.

h. ☒ Check for expansion in use of right. Comments _____

Strong overlap with 37-7019 (wasterter)(source on license is unnamed stream)
Also over-lap with 37-7363

i. ☒ Check for existing water rights from same source, on land water is being transferred to.

Right number(s) none

j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No

If yes, what district? _____

FINAL PROCESSING REVIEW BY: ADM + LOH

1. Watermaster recommendation requested on N/A Received on _____

2. Is transfer published correctly? ☒ Yes ☐ No

3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

1. ☒ Approve Application withdrawn

2. ☐ Deny

3. Conditions* May. Device Requirement Department of Water Resources

4. By ADM Date 11/14/83

ADM

4/3/84



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

August 3, 1983

RE: License Nos. 36-2412 (Transfer No. 2299), 36-2665, 36-7119, 36-7157, 36-7304, 36-7366, 36-7402, 36-7480, 36-7561, 37-7001, 37-7019, 37-7315, 37-7316, 37-7363, 37-7470, 45-2016, 45-2018, 45-2019, 45-2020, 45-2028, 45-2029, 45-2031, 45-2050, 45-2053, 45-2066, 45-2109, 45-2254 (Transfer No. 2590), 45-2299, 45-2351 (Transfer No. 2329), 45-2490, 45-2494, 45-2512, 45-2519 (Transfer No. 1849), 45-2520 (Transfer No. 1849), 45-2526 (Transfer No. 1849), 45-2556, 45-2567 (Pending Transfer No. 2332), 45-2579, 45-2611, 45-2613, 45-2614, 45-2620, 45-2628, 45-2629, 45-2630, 45-2642, 45-2657, 45-2668 (Pending Transfer No. 2332), and 45-2688

First Security Bank of Idaho
ATTN: Mr. LaMar Giles
P.O. Box 7069
Boise, ID 83730

Dear Mr. Giles:

Our office acknowledges receipt of Assignment of the above referenced water rights. However, in reviewing the files I find that the water rights are Licenses.

In Idaho, a licensed water right is considered real property and is acquired when the property to which it is appurtenant to is purchased. Proof of owning the land is proof of owning the water right license.

Therefore, I have put the Assignment into the files for future reference only and no other action will be taken. I have also enclosed copies of the Licenses for your records.

If you have any questions please feel free to contact our office.

Sincerely,

ROBYN CARLSON
Chief Clerk

RC:kw
Enclosures

MICROFILMED

OK to process
Re 8/2/83

ASSIGNMENT OF WATER RIGHTS

The undersigned (hereinafter "Grantor"), for good and valuable consideration, receipt of which is hereby acknowledged, does hereby sell, assign, transfer, grant, convey and warrant to FIRST SECURITY BANK OF IDAHO, N.A. (hereinafter "Grantee"), all right, title and interest in the licenses, decrees, adjudications, claims, permits, written agreements and stock in water companies, listed in Exhibit J attached hereto and incorporated by reference, along with any and all interest the Grantor may have, acquire, claim or otherwise hold over any other unspecified public waters of the State of Idaho (hereinafter "Water Rights") which have been or are now used and applied to beneficial purposes upon the real property described in Exhibits A and C attached hereto and incorporated by reference.

Grantor warrants that it has performed all acts and made all filings necessary to maintain in full force and effect all of the Exhibit J Water Rights, and that there are no written or oral agreements which adversely affect or change the aforementioned Water Rights.

Grantor further covenants and warrants that a notice of claim has been or will be filed prior to June 30, 1983, pursuant to Idaho Code Section 42-243 by Grantor for the benefit of Grantee for all unspecified public waters of the State of Idaho which have been or are now used and applied to beneficial purposes upon the real property described in Exhibits A and C attached hereto and by this reference incorporated herein.

MICROFILMED

IN WITNESS WHEREOF, the Grantor has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Assistant Secretary effective January 31, 1983.

ALBERT ANDERSON AND SONS COMPANY

By 15/
President.

ATTEST:

15/
Assistant Secretary

STATE OF IDAHO)
County of Cassia) ss.

On this 17th day of May, 1983, before me, a notary public in and for said county and state, personally appeared Wm. A. Anderson and Wm. A. Parsons, known to me to be the President and Assistant Secretary, respectively, of ALBERT ANDERSON AND SONS COMPANY, the corporation named in the above instrument, and acknowledged to me that they executed the same on behalf of such corporation.

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

15/
NOTARY PUBLIC for Idaho
Residing at _____, Idaho

WATER RIGHTS

EXHIBIT J

Licenses and Permits

36-2412	37-7363	45-2066	45-2579
36-2665	37-7470	45-2109	45-2611
36-7119	✓37-7480	45-2254	45-2613
36-7157	37-7531	45-2299	45-2614
36-7304	37-7806	45-2351	45-2620
36-7366	45-2016	45-2490	45-2628
36-7402	45-2018	45-2494	45-2629
36-7480	45-2019	45-2512	45-2630
36-7561	45-2020	45-2519	45-2642
✓36-7877	45-2028	45-2520	45-2657
37-7001	45-2029	45-2526	45-2668
37-7019	45-2031	~~45-2547~~	45-2688
37-7315	45-2050	45-2556	45-7379
37-7316	45-2053	45-2567	

Decrees and Adjudications

45-0166	45-0170	45-0514	45-0698
45-0168	45-0171	45-0695	45-0701
45-0169	~~45-0425~~	45-0696	45-0702

Claims

45-4000	45-4006	45-4011	45-4023
45-4001	45-4007	45-4013	45-4026
45-4002	45-4008	45-4014	45-4048
45-4005	45-4009		

Agreements

1. "99 YEAR LEASE" dated April 1, 1954, between Albert Anderson and Sons Company and Parley C. Clark, Clarence A. Elquist and Dallon Elquist.

2. "AGREEMENT" dated April 3, 1963, between Albert Anderson and Sons Company and Parley C. Clark, Clarence A. Elquist, Bertha Elquist, Dallon C. Elquist and Norma Jean Elquist.

Stock in Water Companies

<u>Name of Company</u>	<u>Number of Shares</u>
Oakley Canal Co.	1,167.02
Northside Canal Co.	1,006.02

MICROFILMED

ACT
ION

N OWNER LAST NAME - DANUSER

FIRST NAME - DANIEL G.

N CITY - GOODING STATE - ID

N SOURCE - GROUNDWATER

N STAGE - LICENSE

PRIORITY - 07-25-1967 COUNTY - GOODING TOTAL DIV. RATE - .7000CFS

N TOTAL DIV. VOLUME - 232.00 AFA

N DIVERSION POINT - NENW 33 06S 14E

N FROM - 04-01 TO - 10-01 USE - IRRIGATION

USE DIV. RATE - .7000CFS USE DIV. VOLUME - 232.00 AFA

N FROM - 10-15 TO - 04-01 USE - STOCKWATER

N USE - IRRIGATION

PLACE OF USE - TWN 06S RNG 14E SEC 33 TRACT NENW

AC 28 TRACT NWNW

AC 30

IDENT. NO. 937.7001

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

WATER RIGHT
DATA ENTRY LOG[illegible]

August 6, 1970

Re: Permit No. 37-7001

C

O

Mr. Daniel G. Danuser
Route 2, Box 208
Gooding, Idaho 83330

Dear Mr. Danuser:

P

Enclosed herewith is your Water License issued on the above numbered permit.

Very truly yours,

Y

C. Stephen Allred
Deputy Director

CSA:kh

Enclosure

37-7001

July 21, 1970

Re: Permit No. 37-7001

Mr. Daniel G. Danuser
Route 2, Box 208
Gooding, Idaho 83330

Dear Mr. Danuser:

A representative of this department has made an examination of the works covered by your Permit No. 37-7001 and has found the following:

Quantity of water diverted: 0.7 c.f.s.

Amount of water that can be recognized as beneficially used under Idaho law: 0.7 c.f.s.

The maximum quantity diverted shall not exceed 232 acre feet per season.

Beneficial Use: Stockwater and irrigation of 58 acres within the N¹/₄ NW¹/₄ Sec. 33, T. 6 S., R. 14 E., B.M.

The priority date established is : July 25, 1967

If you do not concur with these findings, please advise us within 10 days; otherwise, a license will be issued as set forth in this letter.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:kh

37-7001

June 1, 1970

Mr. Daniel G. Danuser
Route 2, Box 208
Gooding, Idaho 83330

Dear Mr. Danuser:

During our conversation while I was inspecting your well located in Section 33, Twp. 6S, Rge. 14E, B.M., you expressed concern as to whether the well south of your house had been filed on. Our records show that Walter E. Zeigler filed on the well in the SE1/4SE1/4, Sec. 34; Twp. 6S, Rge. 14E, B.M., March 8, 1963 for 2.4 c.f.s. under Permit No. G-31034/37-2687. This well was licensed for 2.32 c.f.s. with a priority of March 8, 1963, to irrigate 120 acres of land located in the NW1/4SE1/4, SE1/4SE1/4, SW1/4SE1/4, Section 34; Twp. 6S, Rge. 14E, B.M. The above license should be included in your deed of the property.

Very truly yours,

Loy H. Johnson
Well Construction Supervisor

LHJ:mjl

37-7001

37-7001

939-5332

Source of Water subterranean

a tributary of

Location of P.D. NE $\frac{1}{4}$ NW $\frac{1}{4}$, sec. 33, T. 6 S, R. 14 E, B.M.

Gooding County

(200 yds. west of north east corner)

Water is used for irrigation and stock water

Quantity of water claimed: Permit 1.0 Depositions 1.0

Type of measuring device installed or method of measurement and general description.

of diversion works well and pump

$0.35' \text{ over } 1' \text{ Cipollatti weir} = .70 \text{ cfs} \approx 35 \text{ inches}$

Land to be irrigated or place of use:

TWP.

RGE.

SEC.

Description

6 S

14 I

33

N $\frac{1}{2}$ NW $\frac{1}{4}$

Total acreage 80

Filed - July 25, 1967

Made - May 2, 1967

Due - October 1, 1968

Priority - July 25, 1967

Other rights and acreage covered: (Indicate amounts, source, licensed or decreed, and acreage covered by subdivision; also show land covered on the map.

none

Have filling for waste water that comes down through place in an unnamed natural channel that is tributary to Maled River.

Source of supply Well

a tributary of ~~NE NW 33 T6S, R14E~~

Location of P.D.(s) NE NW 33 T6S, R14E

Water is used for Irrigation and Stock water

Quantity of water found 0.7 cfs

How was the measurement made? Portable Cipolletti weir

Measurement calculations _____

Diversion works description and diagram

10 HP GE Motor # SV1572235

L-B Pump # D17645

(300 GPM @ 100' @ 1750 RPM)

3 RML Bowls - 5" @ 15.0

discharge pipe south into
open ditch

Pump setting atop of 12"
casing, no base.

Indicate area irrigated in each subdivision on the map.

Total acreage irrigated 58 acres

If water is used for purposes other than irrigation, fully describe how the water is used and what is done with it after the use.

Water is used for stock water during the
winter by filling stock tank (500 gallon size) daily

Who represented the permit holder at the examination?

Mr. Daniel Danner a10219

Recommended allowance for licensing 0.70 cfs.

Description of required amendments. Comments. _____

Report checked? _____

Examination date May 20, 1970

Signature Leona Johnson

AKD
6-1-70

6-1-70
K.H.

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Daniel G. Danuser
has on July 25, 1967 applied for permit to (divert) ~~store~~
1.0 (cubic feet per second) ~~XXXXXXX~~ of water from a sub-
terranean source under application No. 37-7001. Water will be
diverted by a well within the NE1/4, Sec. 33, T. 6S,
R. 14E, B.M., Gooding County and is to be used from April 1
to October 15 for irrigation and from October 15 to April 1 for stock watering
in NE1/4, Sec. 33, T. 6S, R. 14E, B.M.

Any protest against this application must be filed with the Department
of Reclamation within ten days from the last date of publication of this
notice.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Gooding Leader Gooding
August 3 August 10
Idaho, on _____ and _____.

July 26, 1967

Re: Application No. 37-7001

The Gooding Leader
Gooding,
Idaho 83330

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 proofing before publication.

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

The expense of this publication is to be paid by the Department of Reclamation to whom you must furnish an affidavit of publication with the bill as soon as the publication is completed.

Very truly yours,

Donald W. McEldowney
Water Right Clerk

DWM:ks

Enclosure: legal notice

P.S. Please enclose a certified bill in order to receive prompt payment.

37 7001

Form 3

**NOTICE OF APPLICATION
FOR WATER**

Notice is hereby given that Daniel G. Danuser has on July 25, 1967 applied for permit to (divert) 1.0 (cubic feet per second) of water from a subterranean source under application No. 37-7001. Water will be diverted by a well within the NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 33, T. 6S, R. 14E, B.M., Gooding County and is to be used from April 1 to October 15 for irrigation and stock watering in N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 33, T. 6S, R. 14E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. Keith Higginson
State Reclamation Engineer
41-42

August 25, 1967

Re: Application No. 37-7001

The Gooding Leader
Gooding,
Idaho 83330

Gentlemen:

Please be advised that this department has not received the affidavit or the bill of publication on the above referenced application. These were to be submitted immediately after the last date of publication.

Please send a certified bill stating that the bill is just and correct and that no part of the bill has been paid. Your prompt attention to this matter will be greatly appreciated.

Very truly yours,

C. Stephen Allred
Assistant State Reclamation Engineer

CSA:KS

37 7001

September 26, 1967

Re: Permit 37-7001

**Daniel G. Danuser
Route 2, Box 208
Gooding, Idaho**

Dear Mr. Danuser:

We enclose a copy of your approved application for permit 37-7001 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

**Donald W. McEldowney
Water Rights Clerk**

DWM:nw

**Enclosure: Copy of application
Receipt No. 33890 for \$20.00**

37 7001

Form 4

April 29, 1968

Re: Application No. 37-7001

C
O
P
Y

Danial Danuser
Route #2
Box 208
Gooding, Idaho

Dear Mr. Danuser:

Pursuant to your request, we are forwarding proof forms for your use in submitting proof of beneficial use.

Please contact this department if you need further assistance in this matter.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

Enclosure: Form 6

37 7001

May 7, 1968

Re: Permit No. 37-7001

Daniel G. Danuser
Route #2, Box 208
Gooding, Idaho

Dear Mr. Danuser:

We acknowledge receipt of your affidavit submitted as proof of beneficial use on application for permit 37-7001.

Before a license can be issued a field examination must be made by a representative from 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 may show him the system. If someone other than you should be contacted by the examiner, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

*exam made
5-20-70*

37 7001

Form 8

exam typed