

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)

County of Canyon)

) ss.

Connie Cutberth

of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily, (except Saturday) newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two times

in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

July 1, 8, 1982

Connie Cutberth

Subscribed and sworn to before me this 8th
day of July

19 82

Janet Lusk
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1985

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
NO. 63-2754

Notice is hereby given that Bing/Frost Ranch Co. of 515 S. Flower St., Los Angeles, CA 90071 has applied to the Department of Water Resources for a change of the source of Water and Point of Diversion of the water of a groundwater source. The right sought to be changed is evidenced by License 63-2754 and is recorded as follows:

Amount: 2.24 cfs
Point(s) of Diversion: SENW Sec 22 and NENW Sec 23 T2N R3W Canyon Co.

The water is used for Irrigation purposes from March 15 to November 15 upon 160 acres within the E $\frac{1}{2}$ NW and E $\frac{1}{2}$ SW Sec 22 T2N R3W.

TO BE CHANGED AS FOLLOWS

Source of Water: Groundwater and Snake River

Amount: 2.24 cfs

Point(s) of Diversion: SESW, SWNE, SENW, SWSE, SESE Sec 22; SENE, NENW Sec 23; SENE Sec 26; NENW Sec 27 T2N R3W and NWNW Sec 16 T1N R3W

The water will be used for Irrigation purposes from March 15 to November 15 upon 160 acres within the E $\frac{1}{2}$ NW and E $\frac{1}{2}$ SW Sec 22 T2N R3W.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before July 19, 1982.

A. KENNETH DUNN
Director

July 1, 8, 1982

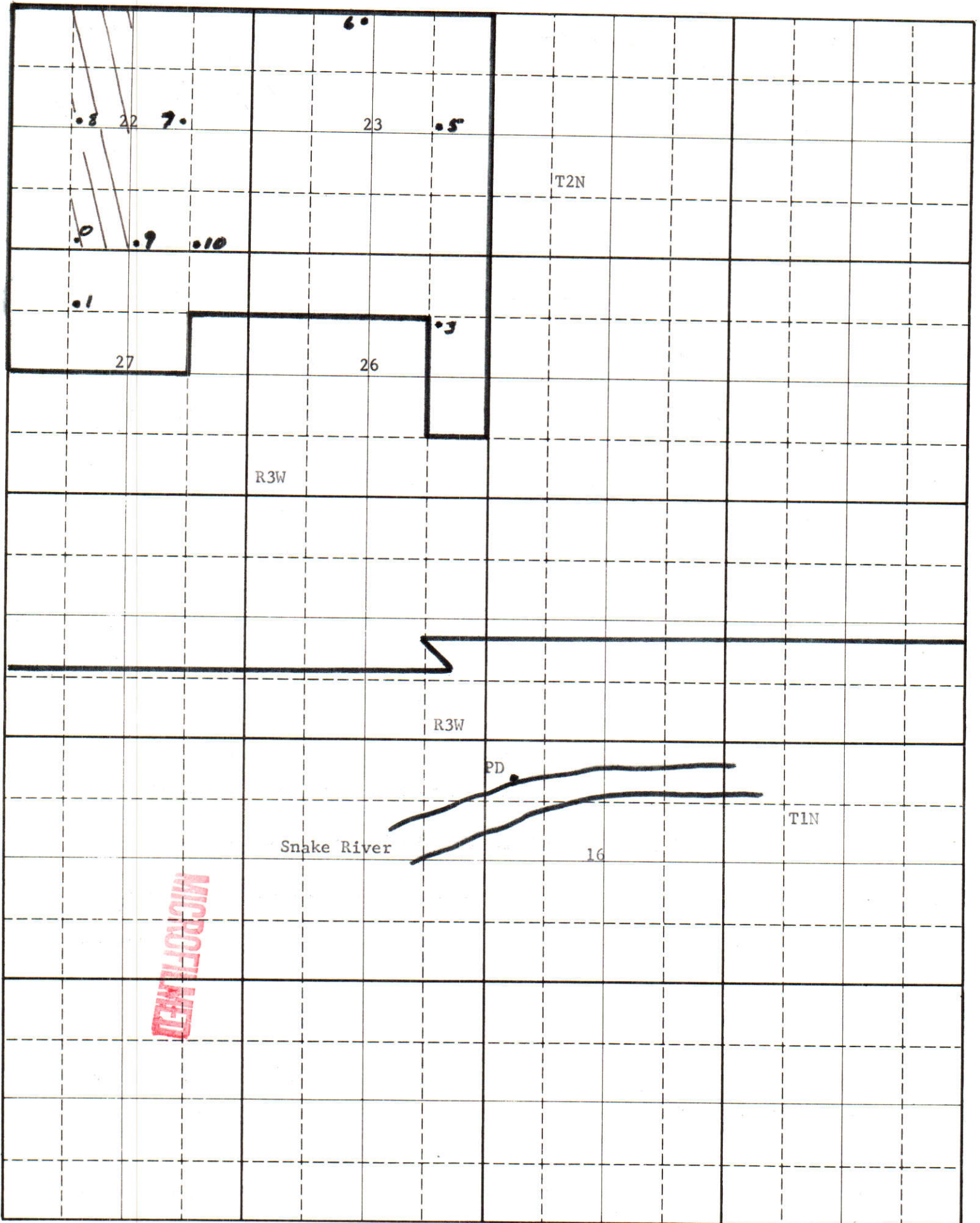
RECEIVED

JUL 9 1982

Department of Water Resources
Western Regional Office

MICROFILMED

3. 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.

AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)
County of Canyon) ss.

Suzanne Benkert
of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily, (except Saturday) newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times

in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

July 23, 30, 1981

Suzanne Benkert

Subscribed and sworn to before me this 30th day of July

19 81

Joanne Gresh
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1985

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
No. 63-2754

Notice is hereby given that Canyon Farms, Inc. of Rt. 4 Box 4325A, Nampa, ID 83651 has applied to the Department of Water Resources for a change of the point of diversion of the water of a groundwater source. The right sought to be changed is evidenced by Water Right License 63-2754 and is recorded as follows:

Amount: 2.24 cfs Priority January 1, 1949
Point(s) of Diversion: SESW, Sec. 22, T2N, R3W, B.M., Canyon County

The water is used for irrigation purposes for land located in the E $\frac{1}{2}$ NW $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 22, T2N, R3W.

TO BE CHANGED AS FOLLOWS

Amount: 2.24
Point(s) of Diversion NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, T2N, R3W

The water will be used for irrigation purposes for land located in the E $\frac{1}{2}$ NW $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 22, T2N, R3W.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before August 10, 1981.

A. KENNETH DUNN
Director

July 23, 30, 1981

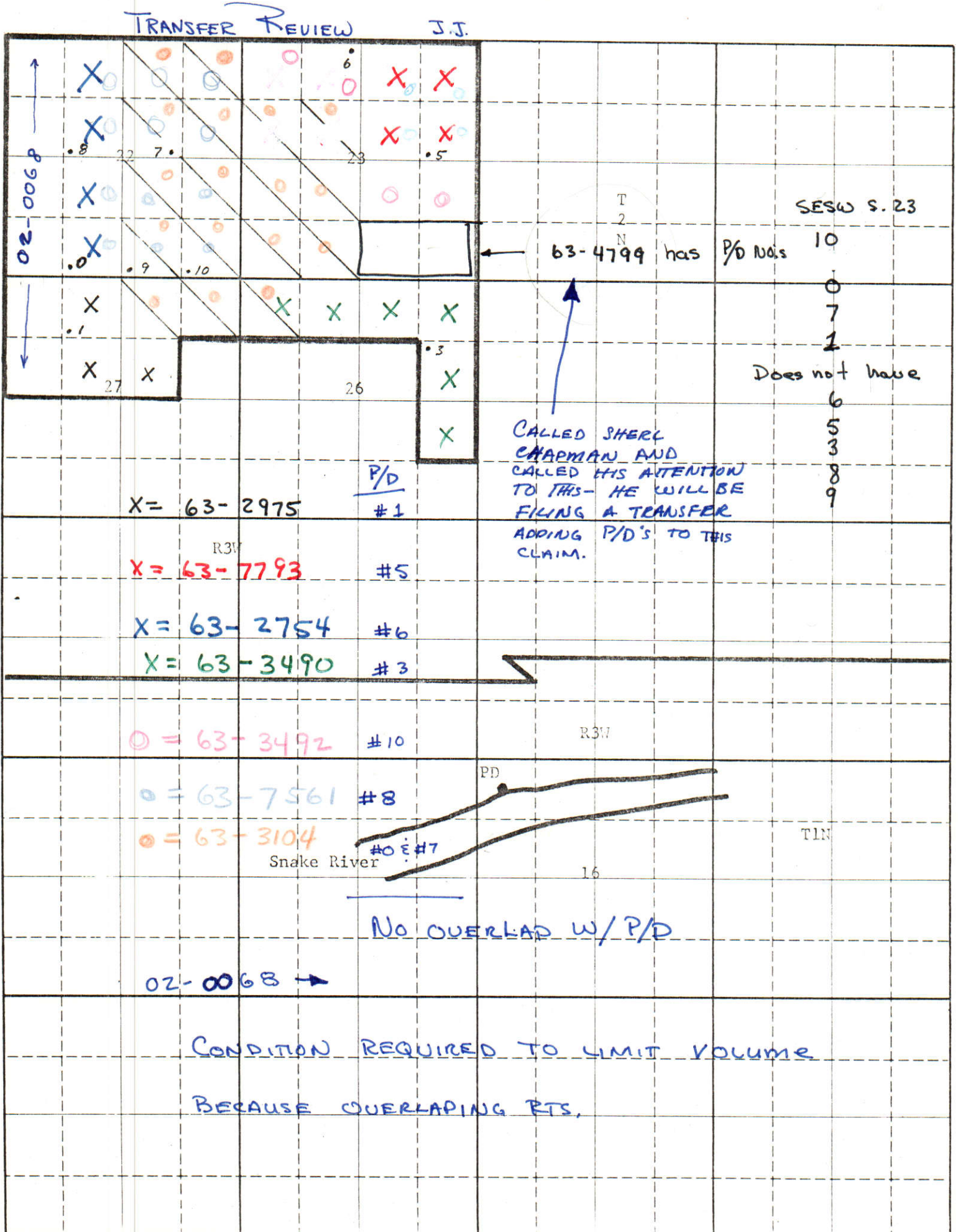
RECEIVED

AUG 13 1981

Department of Water Resources
Western Regional Office

RECORDED

3. 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.



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assigned to Barlow on Dec 10-1958

R-3W.

P.D. amended on Mar 25-59

c/w for this area with 112" on Jan 14-1954

✓ = land list amended on Mar 25-59

TO NAMP

27

Subdivisions = 4

Area = 140 acres

Q = 112" or 2.24 cfs.

T = 80°F

Amendment for P.D. needed.

RECEIVED
MAR 4 1957

Department of Reclamation

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,)
County of Canyon.) ss.
)

NOTICE FOR PUBLICATION

NOTICE OF PROOF APPLICATION
OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A.M. on the 27th day of February, 1957, at Nampa, County of Canyon, State of Idaho, before Wallace A. Sorenson, Notary Public, proof will be submitted of the application to beneficial use of 2.24 cubic feet per second of the waters of Subterranean flow in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22, T. 2 N., R. 3 W. in accordance with the terms and conditions of Permit No. 20905 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit is R. E. Balley, Rt. No. 4, Nampa, Idaho.

The use to which said water has been applied is Irrigation and Domestic.

The amount applied to beneficial use is 2.24.

The place where said water is used NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 22, Twp. 2 N., Rge. 3 W.

The right to take water from such works is based upon Permit No. 20905.

The source of supply from which such water is diverted is Subterranean flow.

The date of priority which said user is prepared to establish is January 17, 1949.

MARK R. KUIP
State Reclamation Engineer
Jan. 19, 26, Feb. 2, 9, 1957.

Lucille Copple
of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the IDAHO FREE PRESS, a daily, (except Sunday) newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Four times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

January 19, 26, 1957

February 2, 9, 1957

Lucille Copple

Subscribed and sworn to before me this 9th

day of February, 1957

Adam J. Kuip
Notary Public, Residing at Nampa, Idaho.

MY COMMISSION EXPIRES
JUNE 23, 1959

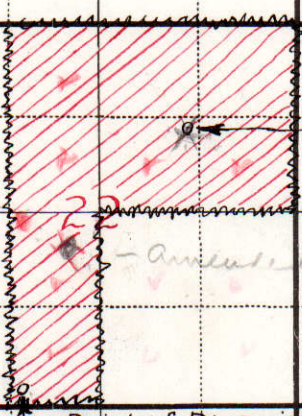
20905

T.2N., R.3W.

161514

212223

282726



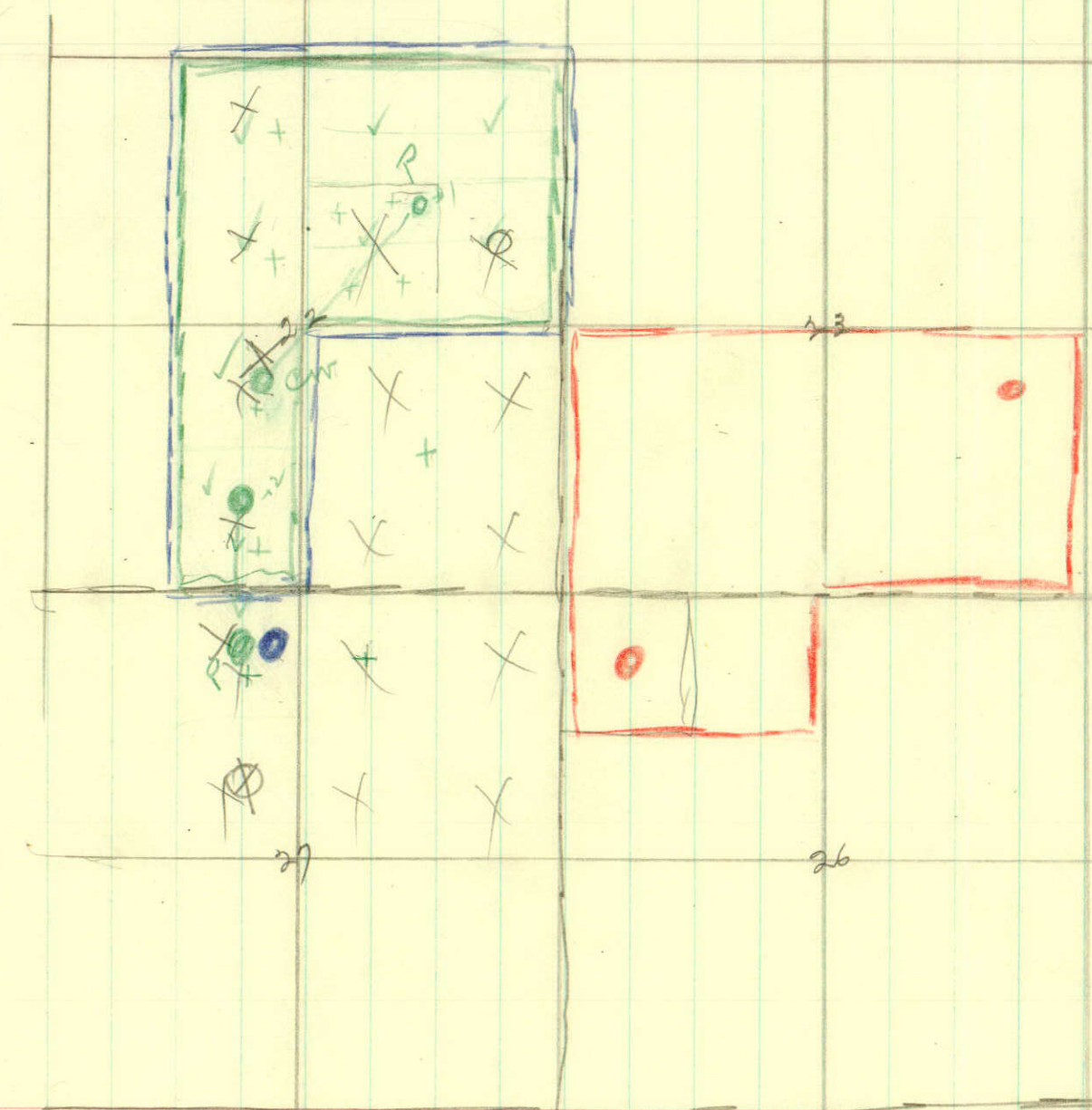
Permit Map No. 20905
As Approved
JAN 26 1949
MARK R. KULP
State Reclamation Engineer

MICROFILMED

20905
22299
G 24655

OW well No. 1 224 cfs

Prop shows



Proof	Not in Proof	Permit	Not in Permit
S 1/2 NE 1/4 22		SE 1/4 NE 1/4 22	NE 1/4 NE 1/4 SE 1/4 NE 1/4
E 1/2 NW 1/4 22		E 1/2 NW 1/4	
E 1/2 SW 22		E 1/2 SW 1/4	
SE 1/4 22	SE 1/4 22		
NW 1/4 NE 1/4 22	NW 1/4 NE 1/4 22		
NW 1/4 NW 1/4 22	NE 1/4 NW 1/4 22		

Can have 224 cfs under #20905
or the amount of completion of works
Then can get up to 224 cfs under
G-24655.

If pumps deliver what tests shows
1200 gpm + 1300 gpm or
207 cfs and 290 cfs
he can file on the difference

mkc
3/27/57

22
22
4.48
1200 gpm
1300 gpm
207
290
557
448
1.09

20905

RECEIVED
OCT 25 1965

Department of Reclamation

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,)
County of Canyon.) ss.

Jeanne Bruner
of Nampa, Canyon County, Idaho, being first duly sworn,
deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Free Press, a daily, (except Sunday) newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

September 18, 25, 1965

Jeanne Bruner
Subscribed and sworn to before me this

25th day of September, 19 65

Adrian D. Linn
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES JUNE 23, 1967

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Walter C. Russell of Nampa, Idaho has applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing him to change the point of diversion and/or place of use of the waters of Subterranean Source as follows: Amount: 2.24 cubic feet per second. Priority: January 17, 1949. Point of diversion: SE 1/4 NW 1/4, Section 22, Township 2N, Range 3W, B.M. Place of Use: SW 1/4 NE 1/4, E 1/4 NW 1/4, NE 1/4 SW 1/4, Section 22, Township 2N, Range 3W, B.M.

To Be Transferred To
Point of Diversion: SE 1/4 SW 1/4, Section 22, Township 2N, Range 3W, B.M. Place of Use: E 1/4 W 1/4, Section 22, Township 2N, Range 3W, B.M.

And that on the 29th day of September, 1965, at 10:00 o'clock A.M. at Room 107, Statehouse, Boise, Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

CARL E. TAPPAN
State Reclamation Engineer
September 18, 25, 1965.

T-1058

63-2754

MILK HORN BRAND

Name of Applicant.....

SEC. SEC. SEC. SEC. SEC. SEC.

Range 3 West B. M.

SEC. SEC. SEC. SEC. SEC. SEC.

Township 2 North



(23)

SEC. SEC. SEC. SEC. SEC. SEC.



(27)

(26)

Scale: 2" = 1 mile

Scale: 2 Inches—1 Mile. Draw Map in Ink.

ATTACHMENT A

Applicant wishes to apply for transfer of water right with regard to all points of diversions applicable to this property. In the past the farm was developed in stages with wells being drilled or water being provided the land as the need developed. A portion of the property is irrigated with surface water from the Snake River and the balance irrigated from wells developed on the farm. With modernization of irrigation equipment, applicant irrigates the entire property through a single unitized irrigation system. Mainlines and lateral lines traverse the entire property and water from all of the sources of supply are comingled within the irrigation system. Since water from all sources is used to irrigate various portions of the farm property, applicant wishes to use this method of water distribution within compliance of Idaho State law. It is realized that commonly ground and surface waters are separated insofar as water right transfers are considered but because of the unique nature of the irrigation system and the comingling of all water supplies merging of the points of diversion in this manner is felt to be appropriate and necessary.

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AFFIDAVIT OF PUBLICATION
STATE OF IDAHO)
) ss.
County of Canyon)

Connie Cutberth
of Nampa, Canyon County, Idaho, being first duly
sworn, deposes and says:

1. That I am a citizen of the United States of
America, and at all times hereinafter mentioned
was over the age of eighteen years, and not a party
to the above entitled action.

2. That I am the Principal Clerk of the Idaho
Press-Tribune, a daily, (except Saturday)
newspaper published in the City of Nampa and
Caldwell, in the County of Canyon, State of Idaho;
that the said newspaper is in general circulation
in the said County of Canyon, and in the vicinity of
Nampa and Caldwell, and has been uninterrupted-
ly published in said County during a period of
seventy-eight consecutive weeks prior to the first
publication of the notice, a copy of which is hereto
attached.

3. That the notice, of which the annexed is a prin-
ted copy, was published in said newspaper

Two times

 in the regular and entire issue of said paper, and
was printed in the newspaper proper, and not in a
supplement.

4. That said notice was published the following
dates:

July 1, 8, 1982

Connie Cutberth

Subscribed and sworn to before me this 8th
day of July

19 82

Janet Lusk
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1985

RECEIVED

JUL 9 1982

Department of Water Resources
Western Regional Office

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WARRANTY DEED

THIS INDENTURE, made this 30th day of October, 1981, between CANYON FARMS, INC., an Idaho corporation, the "GRANTOR", and BING/FROST RANCH CO., an Idaho corporation, the "GRANTEE";

WITNESSETH:

IN CONSIDERATION of the sum of TEN AND NO/100 DOLLARS (\$10.00) lawful money of the United States of America, and other valuable considerations to the GRANTOR paid by the GRANTEE, the receipt of which is hereby acknowledged, the GRANTOR does hereby grant, bargain, sell, convey, and confirm to the GRANTEE those certain parcels of real property situated in the County of Canyon, State of Idaho, described on Exhibit A hereto, which Exhibit A, by this reference, is hereby made a part hereof, TOGETHER WITH all and singular the buildings, structures, improvements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, including, without limitation, an undivided 408/5500 interest in and to the irrigation system commonly known as The West End Project (said Agreement, as amended, is more particularly described in Paragraph 5 of Exhibit B hereto), the reversion and reversions, remainder and remainders, rents, issues and profits thereof; provided, however:

RESERVING unto the GRANTOR, its successors and assigns, from this conveyance, an undivided one-half interest, in common with GRANTEE, its successors and assigns, in and to all oil, gas, petroleum and other hydrocarbon substances in and under the said premises (but subject, however, to the prior reservations described on Exhibit "B" hereto, by GRANTOR'S predecessors to ownership of the premises); but GRANTOR shall not have the

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right to explore for or develop its reserved rights to such hydrocarbon substances or extract the same without the consent of GRANTEE, its successors and assigns,

SUBJECT to those exceptions to title which are described on Exhibit "B" hereto, which Exhibit "B" by this reference is hereby made a part hereof.

TO HAVE AND TO HOLD said premises unto the GRANTEE, its successors and assigns forever.

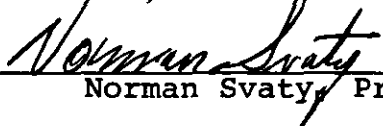
The GRANTOR covenants with the GRANTEE, its successors and assigns, that the GRANTEE shall enjoy the quiet and peaceful possession of said premises; that the GRANTOR is lawfully seized of said premises in fee simple, except as set forth above; that the GRANTOR warrants that the title to said premises is merchantable and is free from all liens and encumbrances, excepting those to which this conveyance is expressly made subject, and those made, suffered or done by the GRANTEE; and that GRANTOR will warrant and defend the same from all other lawful claims whatsoever.

The current address of the GRANTEE is 515 South Flower Street, Los Angeles, California 90071.

IN WITNESS WHEREOF, this Warranty Deed has been duly executed by, and on behalf of, the GRANTOR, the day and year herein first above written.

CANYON FARMS, INC.,
an Idaho corporation

By


Norman Svaty, President

ATTEST:

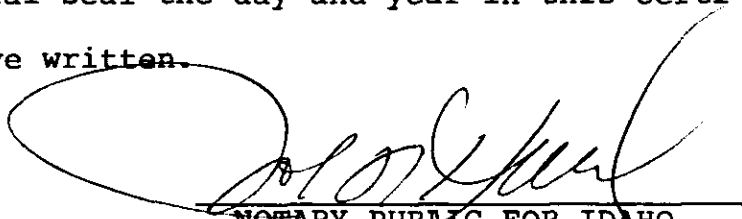

A. John Todd, III, Secretary

STATE OF IDAHO)
) ss
COUNTY OF Canyon)

On this 30 day of October, 1981, before me, a Notary Public in and for said State personally appeared NORMAN SVATY and A. JOHN TODD, III, known to me to be the President and Secretary, respectively, of CANYON FARMS, INC., the corporation that executed the within instrument, and acknowledged to me that they executed the same for and on behalf of said 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.




NOTARY PUBLIC FOR IDAHO
Residence: Nampa, ID.

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All in Township 2 North, Range 3 West, of the Boise Meridian in Canyon County, Idaho.

- SECTION 21: The East Half (E-1/2) of the East Half (E-1/2).
- SECTION 22: All, save and except the South 25 feet of the East 35 feet of the East 100 feet of the West Half (W-1/2) of the Northwest Quarter (NW-1/4).
- SECTION 23: All, save and except the following described parcel, to-wit:
Beginning at a point 528 feet North of the Southeast corner of Section 23, Township 2 North, Range 3 West, Boise Meridian, and running thence West and parallel to the South line of the said Section 23, 160.0 feet; thence running North 45°00' West 173.6 feet; thence running North and parallel to the East line of the said Section 23, 673.7 feet to a point on the North line of the Southeast Quarter (SE-1/4) of the Southeast Quarter (SE-1/4) of the said Section 23; thence running East with the said North line 282.8 feet to the Northeast corner of the said Southeast Quarter (SE-1/4) of the Southeast Quarter (SE-1/4) of Section 23; thence running South and with the said East line of the said Southeast Quarter (SE-1/4) of the Southeast Quarter (SE-1/4), Section 23, 796.5 feet to the Point of Beginning. LESS right of way 25 feet wide along and adjoining the East line of Section 23, from the Southerly line of the above described tract, South to the public highway on the South line of said Section 23.
- SECTION 26: The North Half (N-1/2) of the Northwest Quarter (NW-1/4), Northwest Quarter (NW-1/4) of the Northeast Quarter (NE-1/4), East Half (E-1/2) of the Northeast Quarter (NE-1/4) and the Northeast Quarter (NE-1/4) of the Southeast Quarter (SE-1/4).
- SECTION 27: The Northwest Quarter (NW-1/4), North Half (N-1/2) of the Northeast Quarter (NE-1/4) and the Southwest Quarter (SW-1/4) of the Northeast Quarter (NE-1/4).

EXHIBIT "A"

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EXCEPTIONS TO TITLE

1. General taxes for the year 1981.
 2. Rights of way for irrigation and drainage ditches and canals and roads.
 3. Power Line Easements to Idaho Power Company, a corporation, recorded April 29, 1954 as Instrument No. 409961 (E-1/2 NW-1/4 Section 27); recorded March 18, 1955 as Instrument No. 420087 (W-1/2 NW-1/4 Section 22, poles to be set no further than two feet from 1/16 section line); recorded August 15, 1955 as Instrument No. 424985 (W-1/2 SW-1/4 Section 22); recorded July 22, 1959 as Instrument No. 475051 (NE-1/4 SW-1/4; NW-1/4 SE-1/4 Section 22); recorded October 16, 1964 as Instrument No. 556086 (SE-1/4 Section 23); recorded August 1, 1966 as Instrument No. 584528 (S-1/2 SE-1/4 Section 23); recorded October 27, 1966 as Instrument No. 587320 (W-1/2 NW-1/4 NW-1/4 Section 26); recorded February 22, 1974 as Instrument No. 723543 (South 50 feet of S-1/2 NE-1/4 Section 23) and recorded January 28, 1975 as Instrument No. 743842 (NW-1/4 NE-1/4 NW-1/4 Section 26), all records of Canyon County, Idaho, together with all rights of ingress and egress, including the right to cut, trim and remove trees, brush, overhanging branches and other obstructions.
 4. Subject to any and all easements for right of way for existing roads, ditches, telephone lines, telegraph lines and electric power lines over and across property, as disclosed in Warranty Deed recorded as Instrument No. 502964, records of Canyon County, Idaho. (Affects: The East Half (E-1/2) of the Northeast Quarter (NE-1/4); the Northeast Quarter (NE-1/4) of the Southeast Quarter (SE-1/4); the Northwest Quarter (NW-1/4) of the Northeast Quarter (NE-1/4) and the Northeast Quarter (NE-1/4) of the Northwest Quarter (NW-1/4), all in Section 26, Township 2 North, Range 3 West of the Boise Meridian, in Canyon County, Idaho.
 5. Agreement dated May 16, 1963, by and among Nampa Land Ranch, a copartnership, party of the first part; and Donald K. Brandt, a single person, et al, parties of the second through sixth parts; regarding Nampa Land Ranch Irrigation Project; recorded December 4, 1963 in Book 24 of Bonds and Agreements, page 345, as Instrument No. 541917, records of Canyon County, Idaho, as amended by *Instrument* recorded October 30, 1981, as Instrument Number 932856 records of Canyon County, Idaho.
 6. A Lease, affecting the premises herein stated, executed by and between the parties named herein, for the term and upon the terms and provisions therein provided.
- Type of Lease: Oil and Gas Lease
Dated: November 11, 1977
Lessor: Spencer Farms, Inc., an Idaho corporation and Nampa Land Ranch, a Partnership
Lessee: Great Basins Petroleum Co.
Term: Five years from date, and as long there-
after as oil and gas or either of them is
produced from said land.
Recorded: June 23, 1978 as Instrument No. 834806,
records of Canyon County, Idaho
Affects: East Half (E-1/2) Northeast Quarter (NE-1/4)
Section 21 and West Half (W-1/2) Southwest

UNRECORDED

Quarter (SW-1/4) and West Half (W-1/2)
Northwest Quarter (NW-1/4) of Section
22, EXCEPT the East 100 feet of Section
22.

7. A Lease, affecting the premises herein stated,
executed by and between the parties named herein, for the
term and upon the terms and provisions therein provided.

Type of Lease: Oil and Gas Lease
Dated: November 11, 1977
Lessor: Spencer Farms, Inc., an Idaho corporation
and Farm Development Corporation, an
Idaho corporation
Lessee: Great Basins Petroleum Co.
Term: Five years from date, and as long there-
after as oil and gas or either of them
is produced from said land
Recorded: June 23, 1978 as Instrument No. 834807,
records of Canyon County, Idaho.
Affects: East Half (E-1/2) Southeast Quarter
(SE-1/4) Section 21.

8. A Lease, affecting the premises herein stated,
executed by and between the parties named herein, for the
term and upon the terms and provisions therein provided.

Type of Lease: Oil and Gas Lease
Dated: September 12, 1978
Lessor: Bruce L. Hoofnagle and Opal L. Hoffnagle,
husband and wife
Lessee: Great Basins Petroleum Co.
Term: Five years from date, and as long there-
after as oil and gas or either of them is
produced from said land
Recorded: October 17, 1978 as Instrument No. 844160,
records of Canyon County, Idaho
Affects: East Half (E-1/2) Northeast Quarter (NE-1/4),
Northwest Quarter (NW-1/4) Northeast Quarter
(NE-1/4), Northeast Quarter (NE-1/4) Northwest
Quarter (NW-1/4) and Northeast Quarter
(NE-1/4) Southeast Quarter (SE-1/4) Section
26.

9. Reservation, to wit: "Oil and Mineral Rights reserved
by Seller," contained in Warranty Deed dated January 1, 1957,
Josephine Hawley, a widow, Grantor, R. E. Balley and Anna
Balley, husband and wife, and R. E. Balley, Jr., and Lillian
Balley, husband and wife, Grantee; recorded July 13, 1959
as Instrument Number 474688, records of Canyon County, Idaho,
affects the West Half (W-1/2) of the West Half (W-1/2) of the
Southwest Quarter (SW-1/4) of Section 22.

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10. Reservation, to wit: "Oil and mineral rights reserved by Seller," contained in Warranty Deed dated January 1, 1957, C. W. Hawley and Gertrude W. Hawley, husband and wife, Grantor, R. E. Balley and Anna Balley, husband and wife, and R. E. Balley, Jr., and Lillian Balley, husband and wife, Grantee, recorded March 22, 1960, as Instrument Number 485070 records of Canyon County, Idaho; affects the Southeast Quarter (SE-1/4) of the Southeast Quarter (SE-1/4) of Section 22.

11. Reservation, to wit: "Excluding all gas, oil and mineral rights; contained in Warranty Deed dated March 2nd, 1966, Bruce L. Hoofnagle and Opal L. Hoofnagle, husband and wife, Grantor, and Mitsaw Naito and Hiroshi Naito, a copartnership, Grantee, recorded July 26, 1971, as Instrument Number 665024 records of Canyon County, Idaho; affects the East Half (E-1/2) of the Northeast Quarter (NE-1/4), the Northwest Quarter (NW-1/4) of the Northeast Quarter (NE-1/4) the Northeast Quarter (NE-1/4) of the Northwest Quarter (NW-1/4) and the Northeast Quarter (NE-1/4) of the Southeast Quarter (SE-1/4) of Section 26.

12. Reservation, to wit: "Reserving to Seller all mineral and oil and gas rights until December 22, 1990" contained in Warranty Deed dated October 30, 1981, Spencer Farms, Inc., Grantor, Canyon Farms, Inc., Grantee, recorded October 30, 1981 as Instrument Number 932865 records of Canyon County, Idaho; affects the West Half (W-1/2) of the Northwest Quarter (NW-1/4) (excepting therefrom the East 100 feet thereof) and the West Half (W-1/2) of the Southwest Quarter (SW-1/4) of Section 22, the East Half (E-1/2) of the East Half (E-1/2) of Section 21, and the West Half of the Northwest Quarter (NW-1/4) of Section 27.

932866

FILED

OCT 30 4 43 PM '81

BILL A. STAKER
CANYON COUNTY RECORDER

C. Lindley

RECORDED
AT THE REQUEST OF

SAFE CO TITLE INS CO

ON

FEE *14.00*

GRANTOR

Spencer Farms Inc

GRANTEE

King - Trust Fund

RETURN TO

W. H. I. Conover

If questions arise, please contact:
Sherl L. Chapman
921 S. Orchard, Suite N
Boise, ID 83705
344-6690

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

APPROVED

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

Name of applicant Bing/Frost Ranch Co. Phone 213-488-7338Post office address 515 S. Flower St., Los Angeles, CA 90071**A. DESCRIPTION OF RIGHT AS RECORDED****1. Right evidenced by:**

- a. Decree to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____
(Name of court)
- b. License No. 63-2754 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 Purchase of land to which water right is appurtenant.**3. Source of water** Ground Water tributary to ----**4. Date of priority** January 7, 1949**5. Water is used for the following purposes:**

amount 2.24 for Irrigation purposes from 3-15 to 11-15
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)

6. Total amount of water under right: a. 2.24 cubic feet per second
b. 720 &/or acre feet per annum

7. Location of original point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 22
Township 2N Range 3W, B.M., in Canyon * County
Additional points of diversion, if any NE NW Sec 23 T2N R3W Transfer No 1058

8. Lands irrigated or place of use:

* P/D ABANDONED
PER T. 1058 3.3

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 $\frac{1}{4}$	
2N	3W	22					40			40	40			40					160

Total number of acres to be irrigated 160**9. Describe any other water rights used for the same purposes as described above** 63-7561

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
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	

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

1. Change in point of diversion
- a. Amount of water to be diverted 2.24 c.f.s. &/or 720 acre feet
- b. Point(s) of diversion SE ¼ SW ¼, Section 22 Township 2N
Range 3W, B.M. Canyon County _____
(1) (3) (5) (6)
Additional points NE¼NW¼ Sec. 27; SE¼NE¼ Sec. 26; SE¼NE¼ Sec. 23; NE¼NW¼ Sec. 23;
(7) (8) (9) (10)
SW¼NE¼ Sec. 22; SE¼NW¼ Sec. 22; SW¼SE¼ Sec. 22; SE¼SE¼ Sec. 22 all in T2N, R3W and
NW¼NW¼ Sec. 16 T1N, R3W.
- c. Description of diverting works 8 wells and one pumping station on the Snake River.
- d. Describe the reasons for applying for a change in the point(s) of diversion See Attachment "A"

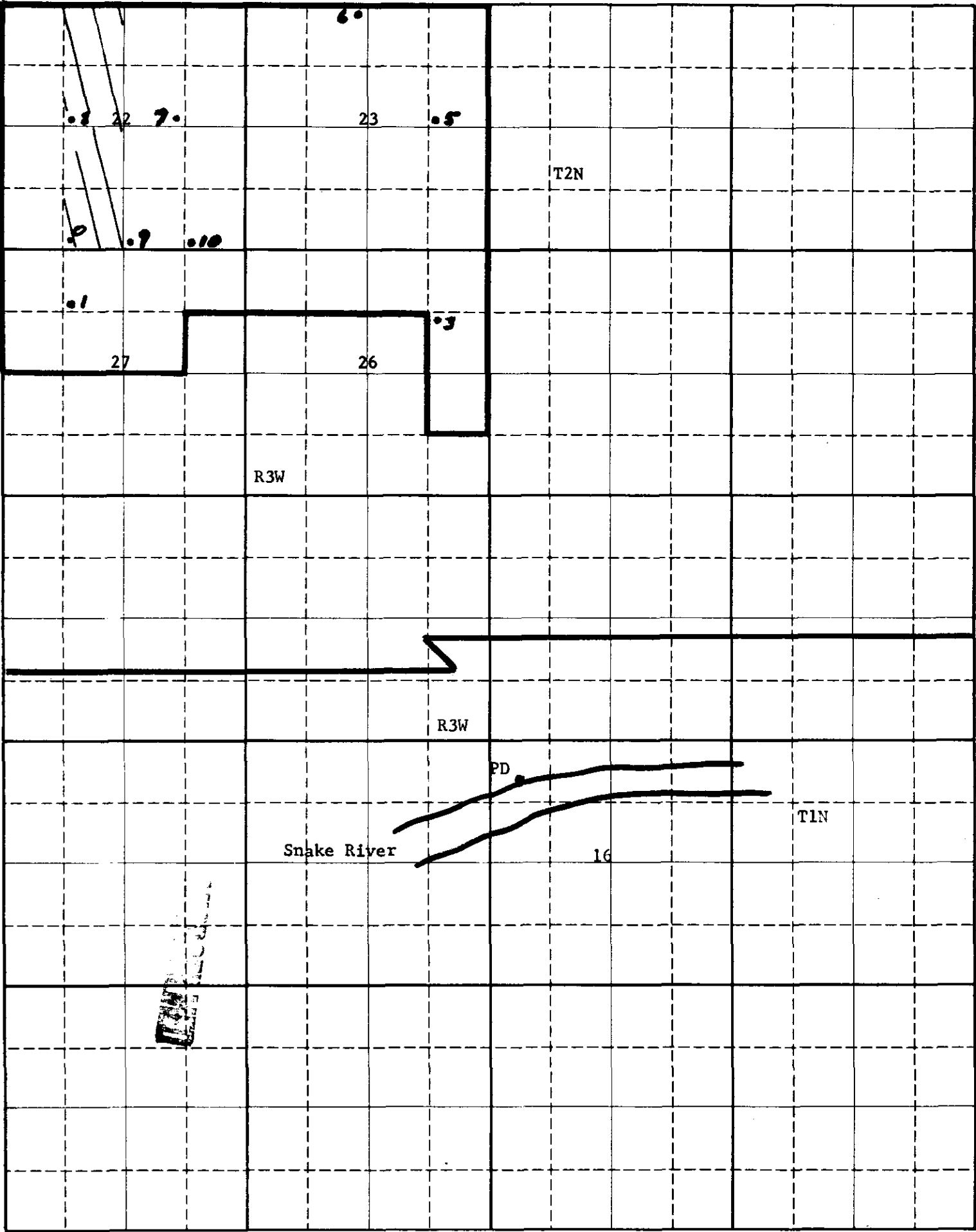
2. Change in place of use NO CHANGE

- a. 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	

Total number of acres to be irrigated _____

3. 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.

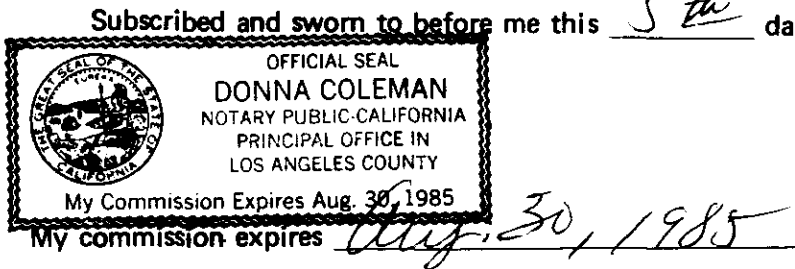


SCALE: 2 inches equal 1 mile. Draw plan in ink.

4. Remarks _____

I hereby assert that no one will be injured by such change and 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.

BING/FROST RANCH CO., an
Idaho Corporation
BY: [Signature]
(Signature of applicant)
E. Daniel Frost, President
April, 1983



[Signature]
(Notary public)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 63-2754 and said application is hereby APPROVED, subject to the following limitations and conditions:

1. The diversion rate of water and annual volume of water diverted at each and every point of diversion shall not exceed the amount originally licensed at that point of diversion.
2. Each point of diversion shall maintain its original priority date and in times of water shortage, each point of diversion shall be regulated according to the original priority date associated with that point of diversion.
3. No more than 1454.1 acres shall be irrigated during any irrigation season from groundwater and no more than 400 acres shall be irrigated each irrigation season with water diverted directly from the Snake River.
4. Failure to comply with condition #3 will void the approval of Transfers 2730 through 2737.

Witness my hand this 16th day of April, 1983.

[Signature]
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by GLS Date 5-25-82 4/16/82 Protest filed by _____
Prelim. check by GLS Fee 50.00
Receipted by GLS Date 4/16/82 # 22956 ~~22872~~
Published in Idaho Press Tribune Copies of protest forwarded by _____
Pub. dates 7/1, 7/8/82 Hearing held by _____ Date _____
Watermaster recommendation requested on _____ Recommended for approval denial
_____ rec'd. _____ by DBS Jim DBS

Transfer No. 2594

Water Right No. 63-2754

APPROVED

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

Name of applicant Canyon Farms, Inc. Phone 466-8857

Post Office address Route #4, Box 4325A, Nampa, ID 83651

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. 63-2754 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 Applicant purchased farm from Walter Russell, the original right holder.

3. Source of water Groundwater tributary to _____

4. Date of priority 1/1/1949

5. Water is used for the following purposes:

amount 2.24 for Irrigation purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

6. Total amount of water under right: a. 2.24 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 22
Township 2N Range 3W, B.M., in Canyon 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 $\frac{1}{4}$	
2N	3W	22					40			40	40			40					160

Total number of acres to be irrigated 160

9. Describe any other water rights used for the same purpose as described above 63-7561

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
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	

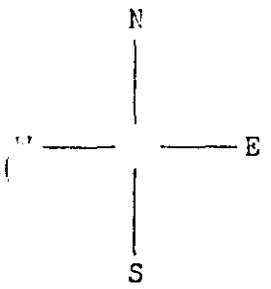
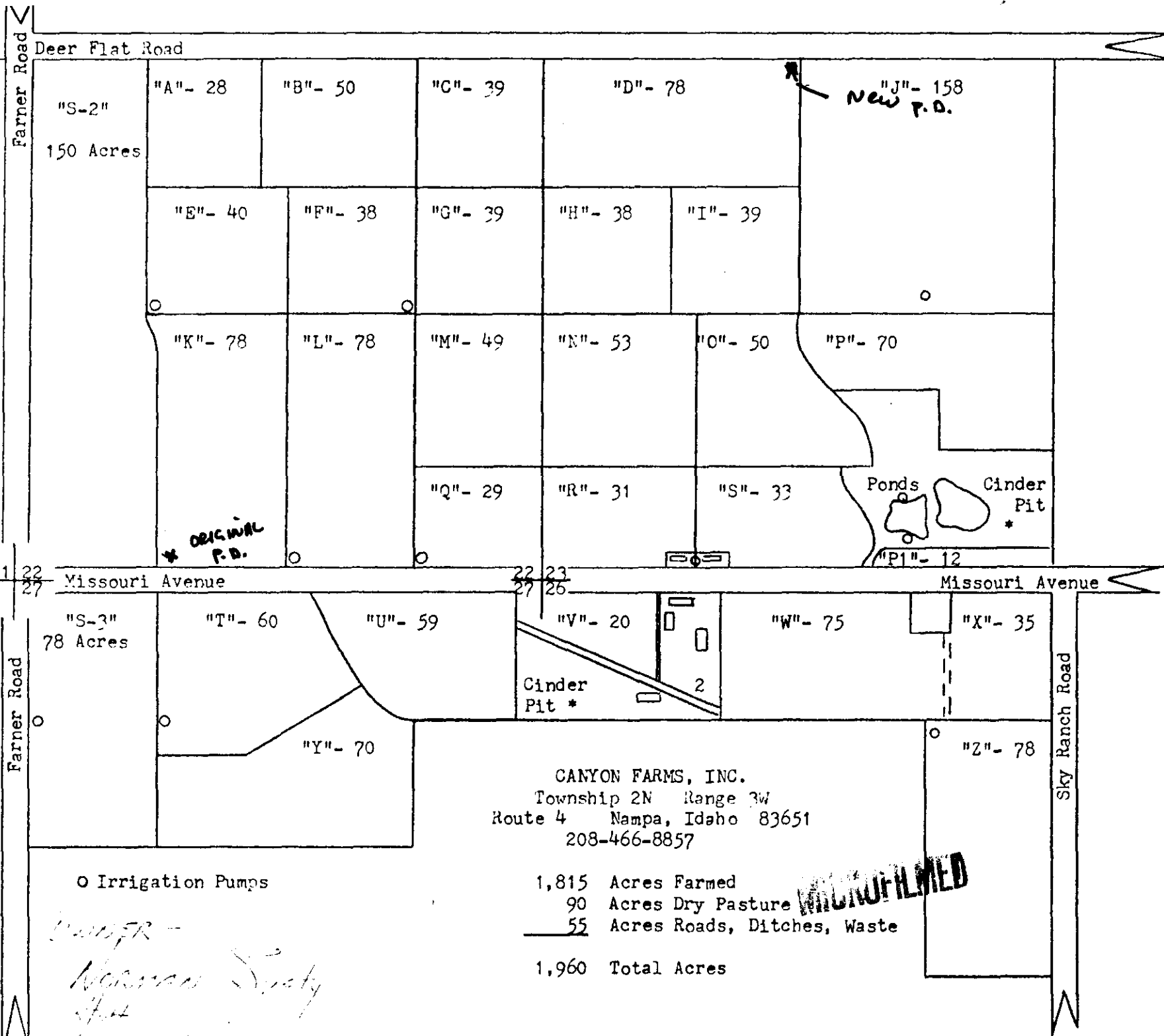
Total number of acres to be irrigated _____

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

1. General Information
- a. Amount of water to be diverted 2.24 c.f.s. &/or _____ acre feet
- b. Description of diverting works Well, pump, pipeline; gravity & sprinkler irrigation.
- c. Describe the reasons for the proposed changes Old well is silted in and has been abandoned.

2. Change in point of diversion
- Point of diversion NE ¼ NW ¼, Section 23 Township 2N
Range 3W, B.M., Canyon County
Additional points _____

3. Change in place of use NO CHANGE
- 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 _____. 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



○ Irrigation Pumps

*Owner -
Norman S. Stryker*

CANYON FARMS, INC.
Township 2N Range 3W
Route 4 Nampa, Idaho 83651
208-466-8857

1,815 Acres Farmed
90 Acres Dry Pasture
55 Acres Roads, Ditches, Waste
1,960 Total Acres

MICROFILMED

c. Describe the land 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	

Total number of acres to be irrigated _____

4. Describe any other water rights used for the same purpose as described above. 63-7561
5. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.

D. REMARKS

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

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

Norman Shultz President
(Signature of Applicant)

Subscribed and sworn to before me this 19 day of June, 19 81

Nancy M. Hathway
(Notary Public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 63-2754 and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 8th day of September, 19 81

L. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by <u>Com</u>	Date <u>24 June 1981</u>	Protest filed by _____
Prelim. check by <u>CHS</u>	Fee <u>\$50 #19979</u>	_____
Receipted by <u>Com</u>	Date <u>24 June 1981</u>	_____
Published in _____	<u>50</u>	Copies of protest forwarded by _____
Pub. dates _____		Hearing held by _____ Date _____
Watermaster recommendation requested on _____		Recommended for <u>approval</u> denial
_____ rec'd. _____		by <u>DBS</u> <u>June</u>

STATE OF IDAHO

County of Canyon

of Nampa, Canyon County, Idaho, being first duly sworn, deposes and says:

2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily, (except Saturday) newspaper published in the City of Nampa and Caldwell, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

Two Times

4. That said notice was published the following dates:

Subscribed and sworn to before me this 30th day of July

19 81

Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1985

RECEIVED

AUG 13 1981

Department of Water Resources
Western Regional Office

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION

CERTIFICATE OF WATER RIGHT
TRANSFERRED RIGHT NO. 1058

THIS IS TO CERTIFY, That Walter C. Russell of Route #4, Box 144, Nampa, Idaho, is the owner of and using a certain water right of 2.24 cubic feet per second of the waters of subterranean source, said water being obtained by virtue of License No. 20905, issued by the State of Idaho, Department of Reclamation, dated September 19, 1962, bearing priority date of January 17, 1949, for the purpose of irrigating the following described lands situate, lying and being in the County of Canyon, State of Idaho, to-wit:

SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, of
Section 22, Township 2 North,
Range 3 W. B. M.,

That said license has been entered in the records of the Department of Reclamation of the State of Idaho in Volume No. 12, Page 7447 thereof;

And that Walter C. Russell has become the owner of said right by conveyance;

And that now, upon the application of Walter C. Russell for the transfer of 2.24 cubic feet per second, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 2.24 cubic feet per second of the waters of subterranean source by well upon the above described lands is hereby abandoned, and the place of use of said water under such right is HEREBY CONFIRMED, shall by this certificate become appurtenant for irrigation purposes, is described as follows, to-wit:

E $\frac{1}{2}$ W $\frac{1}{2}$, Section 22, Township 2
North, Range 3 W. B. M.,

That said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

2.24 cubic feet per second of the
waters of subterranean source with
priority of January 17, 1949;

T-1058

12-10-64

And that the water right hereby transferred has heretofore been conducted from subterranean source with point of diversion in the SE¼ NW¼, Section 22, Township 2 North, Range 3 W. B. M., and delivered through a private ditch;

That the water right hereby transferred will hereafter be conducted to the last above described lands from subterranean source by well with point of diversion in the SE¼ SW¼, Section 22, Township 2 North, Range 3 W. B. M., and delivered through private ditch;

That the right to the use of the water aforesaid, hereby described, is restricted to the lands or place of use last above described as provided by the laws of the State of Idaho;

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 25th day of October, 1965.

CARL E. TAPPAN

State Reclamation Engineer
By

(SEAL)

s/

ALPH W. THOMAS

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RECEIVED

T-1057

6-2-2004

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of)

WALTER C. RUSSELL)
Route #4, Box 144)
Nampa, Idaho)

ORDER GRANTING TRANSFER
NO.1058

For a Transfer of Water Right in the)
County of Canyon, State of Idaho)

WHEREAS, On the 29th day of September, 1965, at the Department of Reclamation of the State of Idaho at Boise, Idaho, this matter of the application of Walter C. Russell of Route #4, Box 144, Nampa, Idaho, for a transfer of water right came on regularly for hearing, pursuant to the published notice in due and statutory form, and

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant with the application, shows that the water will be put to a higher and more efficient beneficial use and no one will be injured thereby.

NOW, THEREFORE, IT IS ORDERED, That the said application be, and the same is, HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 25th day of October, 1965.

CARL E. TAPPAN
State Reclamation Engineer
By

(SEAL)

s/

RALPH W. THOMAS

RALPH W. THOMAS, Deputy
State Reclamation Engineer

MICROFILMED

State of Idaho

License and Certificate of Water Right

Trans # 1058

Water License No. 20905

Amount 2.24 c.f.s.

Water District No.

Priority January 17, 1949

THIS IS TO CERTIFY that R. E. BAILEY - Assignee THE BARLOW COMPANY, Inc. of Nampa, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated January 17, 1949; that Permit No. 20905 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.24 second feet, was issued thereunder on January 11, 1954, showing that said works were completed on the 13th day of January, 1954; and that on the 27th day of February, 1957,

R. E. BAILEY - Assignee - THE BARLOW COMPANY, Inc.

of Nampa, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well, a tributary of subterranean flow, for the purpose of irrigation & domestic use, under Use Permit No. 20905 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 12 of Licenses at page 7447, on the 18 day of September, 1962;

The right hereby confirmed dates from January 17, 1949;

The Point of Diversion is located

in the SE 1/4 NW 1/4, Sec. 22, Tp. 2 N., R. 3 W., B. M. Canyon County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.24 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
2 N.	3 W.	22	SW 1/4 NE 1/4	40	40
			NE 1/4 NE 1/4	40	40
			SE 1/4 NE 1/4	40	40
			NE 1/4 SW 1/4	40	40
			Total number of acres to be irrigated:		

The right to the use of the water aforesaid 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

19th day of September, 1962.

CARL E. TAPPAN

Assistant State Reclamation Engineer.

(SEAL)

63 2754

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

63-2754

APPLICATION No. 28552
PERMIT No. 20905
DISTRICT No.

Assigned to The Barlow Co., Inc.
Dale - Oregon

1. Name of Applicant: R. E. BALLEY

Postoffice address: Route 1, Nampa

County: Canyon

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: 6.4

cubic feet per second.

3. Source of water supply: Subterranean flow (two wells)

which is a tributary of

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B.M., and is in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ SW $\frac{1}{4}$
of Section 22 , T. 2 N. , R. 3 W. , B.M., County of Canyon

5. Water is to be used for Irrigation and domestic purposes

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section

T. , R. , B.M., in the of Section , T. , R. , B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet

distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.

7. Estimated cost of works: \$14,000.00

8. Kind of works: Two wells, pumps and ditches

9. Height of dam feet; length of dam at top feet; length of dam at bottom

feet; material used in dam: .

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is Five (5) years.

13. The time required for the complete application of the water to the proposed use is Six (6) additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None

RECORDED

16. (a) Is reservoir to be used? If so, fill in (b) and (c) below:
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

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

R. E. BALLEY Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 11:40 A. M. January 17, 1949

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 20905
Recorded in Book 75 Page 20905 Approved January 26, 1949
This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:
Bond in the sum of \$ to be filed on or before
Work to begin on or before March 26, 1949 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.
One-fifth of the work above specified to be completed on or before July 26, 1951
The whole of said work to be completed on or before January 26, 1954
Beneficial use of water appropriated in accordance herewith, to be made on or before January 26, 1960

WITNESS My hand this 26th day of January, 1949

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, C. A. ROBINS, Governor of the State of Idaho, and J. D. "CY" PRICE, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 26th

day of January, 19 49

STATE OF IDAHO

Countersigned:

(SEAL)

By J. D. "CY" PRICE

By C. A. ROBINS

Governor.

Secretary of State.

REMARKS:

14.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2 N.	3 W.	22	40	40	40	40	40		40	40		40						320	
APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, NO. 20905.																			
Comes now R. E. Balley and represents to the State Reclamation Engineer of the State of Idaho:																			
That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 20905;																			
That one point of diversion is described in said Permit as being located SW¼ NE¼ Section 22, Twp. 2 N., Range 3																			
W., B.M.	That he now requests that this point of diversion be changed to a point located in the NE¼ SW¼ Section 22,																		
Twp. 2 N.,	Rge. 3 W. B.M.																		
therefore	That his reasons for desiring to make such change are as follows: New location is at a higher point, and more convenient and economical.																		
That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.																			
Signed at Boise, Idaho, this 29th day of November, 1950.																			
Date of Receipt at Department of Reclamation Nov. 29, 1950.															R. E. BALLEY				
APPROVAL OF STATE RECLAMATION ENGINEER																			
I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 20905. This approval constitutes a new permit and is issued as an amendment to the original permit to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.																			
															MARK R. KULP State Reclamation Engineer				

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 20905

Comes now R. E. BAILEY and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 20905

That one point of diversion is described in said permit as being located in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, Twp. 2 N., Range 3 W., B.M.

That he now requests that this point of diversion be changed to a point located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Twp. 2 N., Range 3 W., B.M.

That his reasons for desiring to make such change are as follows: The latter location is the highest point on the property.

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

Signed at Boise, Idaho, this 26th day of September 1953.

R. E. BAILEY

Date of receipt at Department of Reclamation Sept. 26, 1953.

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 20905. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

MARK R. KULP
State Reclamation Engineer

Permit No. 20905

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that R. E. BAILEY of Route 1, Nampa, County of Canyon, and State of Idaho, the holder of Permit No. 20905, issued upon Application No. 28552 bearing date of priority of January 17, 1949, authorizing the diversion of 6.4 second feet of the waters of two wells (subterranean flow), County of Canyon, State of Idaho, for irrigation and domestic purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 112 inches or 2.24 second feet of the waters of one well; that the point of diversion of said waters is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, Township 2 North, Range 3 West, B.M., and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 22, Township 2 North, Range 3 West, B.M.

Witness my hand this 14th day of January, A.D. 1954.

MARK R. KULP
State Reclamation Engineer

Proof of Completion of Works made January 13th, 1954.
Certificate of Completion of Works issued January 14, 1954.

RECORDED

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 20905

Comes now R. E. Balley, and represents to the State Reclamation Engineer of the State of Idaho: That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 20905. That the point of diversion is described in said permit as being located NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, Twp. 2 N. R. 3 W. That he now requests that the point of diversion be changed to a point located NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22 and NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Twp. 2 N. R. 3 W. That his reasons for desiring to make such change are as follows: Better location of wells, That no one will be injured by such change, and that such change will be made at Permit Holder's own risk.

Signed at Boise Idaho, this 25 day of March, 1957

/s/ R. E. Balley

Date of receipt at Department of Reclamation March 25, 1957.

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 20905. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ Mark R. Kulp
State Reclamation Engineer

Received and recorded in the Department of
Reclamation March 25, 1957.

Application for Amendment
To Permit to appropriate the Public Waters
of the State of Idaho, No. 20905

Comes now R. E. Balley, and represents to the State Reclamation Engineer of the State of Idaho. That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 20905, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: S $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{4}$ SW $\frac{1}{4}$ and Section 22 and NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 27, Twp. 2 N. R. 3 W., making a total of _____ acres.

That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change.

Signed at Boise, Idaho, this 25 day of March, 1957.

/s/ R. E. Balley

Date of receipt at office of Department of Reclamation March 25, 1957

APPROVAL OF STATE RECLAMATION ENGINEER

I, MARK R. KULP, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 20905. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

/s/ Mark R. Kulp
State Reclamation Engineer

Received and recorded in the Department of
Reclamation March 25, 1957.

MICROFILMED

ASSIGNMENT

For value received, I hereby assign my right, title, and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. 20905 to The Barlow Company, Inc., of Vale, Oregon.

/s/ R. E. Balley
Permit Holder

/s/ Lillian Balley
Wife of Permit Holder

State of Idaho)ss
County of Canyon)

On this 10 day of Dec., 1958, before me, a Notary Public for the State of Idaho, residing at Nampa personally appeared above signed known to me to be the persons whose names are subscribed to the within instrument, and duly acknowledged to me that they executed the same.

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

(SEAL)
My commission expires Sept. 5, 1961

/s/ Webster L. Caldwell
Notary Public, residing at

Filed for record in the Department
of Reclamation in Book 75 of Permits
at Page 20905 - January 20, 1959
GEO. N. CARTER
State Reclamation Engineer

APPLICATION FOR AMENDMENT
POINT OF DIVERSION
Permit No. 20905

Comes now BARLOW COMPANY, Inc. and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. 20905.

That the point of diversion is described in said Permit as being located: NW¹/₄SW¹/₄, Sec. 22; NE¹/₄NW¹/₄, Sec. 27, T. 2 N., R. 3 W., B. M.

That he now requests that the point of diversion be changed to a point located: SE¹/₄NW¹/₄, Sec. 22, T. 2 N., R. 3 W., B. M.

That the reason for desiring to make such change is as follows: The previous points of diversion as listed were in error.

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

Signed at Boise, Idaho, this 14 day of September, 1962.

BARLOW CO., Inc.

By: Max F. Barlow

Date of Receipt at Department of Reclamation: September 14, 1962

APPROVAL OF STATE RECLAMATION ENGINEER

I, CARL E. TAPPAN, Assistant State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. 20905. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

s/ CARL E. TAPPAN, Assistant
State Reclamation Engineer

Recorded: September 18, 1962

LICENSE ISSUED FOR 22.4 SEC. FT.
Page 7447

MICROFILMED

MEMORANDUM

TO: Files 63-2754/2975/3104/3490/3492/7561/7793

FROM: Sharla

DATE: November 30, 1992

RE: Transcript of Hearing

See file 02-0068 for a copy of the transcript of hearing conducted on the transfers filed in connection with these rights.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

April 21, 1983

RE: Water Right Nos. 02-0068, 63-2754, 63-2975, 63-3104, 63-3490, 63-3492,
63-7561 and 63-7793

Bing/Frost Ranch Co.
515 S. Flower St.
Los Angeles, CA 90071

Gentlemen:

Enclosed are copies of your approved applications for transfer of the above referenced water rights (Transfers Nos. 2730 through 2737). Be sure to note the conditions of approval as listed on the fourth pages of the approved transfers.

Sincerely,

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

DRT:kw
Enclosures

MICROFILMED

TRANSFER REVIEW

cfs/AC

~~W~~

63-2975	-	1.53	110 AC	0.014
63-7793	-	3.20	160 AC	0.02
63-3104	-	6.80	650 AC	0.01
63-3490	-	3.85	196.6 AC	0.02
63-3492	-	2.11	160. AC	0.01
63-7561	-	2.25	640. AC	0.004
63-2754	-	<u>2.24</u>	<u>160. AC</u>	0.014
		21.98	2076.6 - 1451.1 = 625.5 overlap	

System

Total irrigated land by section:

S. 22	=	480
23	=	⁵⁵⁰ ~~234.1~~
26		234.1
27		<u>190</u>

$$\underline{\underline{1454.1}} \times .02 = 29.08 \text{ cfs}$$

CHECK FOR	COMMON	P/D's	well No.
63-2975	NE NW	S. 27	1
63-3104	SE SW	S. 22	0
	SW NE	S. 22	7
63-3490	SE NE	S. 26	3
	NE NE	S. 26	
63-7561	SE NW	S. 22	8
63-2754	NE NW	S. 23	6
63-3492	SE SE	S. 22	10
63-7793	SE NE	S. 23	5

OK - only 1 P/D
under right
← Not on transfer

MICROFILMED

OVERLAP REVIEW

63-2754

$$\text{cfs/ac} = 0.014$$

160 ac

63-7561

$$\text{cfs/ac} = 0.004$$

640 ac

Overlap - 160 ac rate/ac of both Rts.

$$0.014$$

$$+ 0.004$$

$$0.018 \text{ cfs} < 0.02 \text{ cfs/ac}$$

NO REDUCTION NECESSARY

63-3104

$$\text{cfs/ac} = 0.01$$

650 ac

63-7561

$$\text{cfs/ac} = 0.004$$

640 ac

rate/ac w/ both rights combined

$$0.01$$

$$+ 0.004$$

$$0.014 \text{ cfs} < 0.02 \text{ cfs/ac}$$

NO REDUCTION NECESSARY

MICROFILMED

63-7793

160 AC

0.02 cfs/ac

63-7561

640 AC

0.004 cfs/AC

Overlap

160 AC.

rate/ac w/ both rts

0.02

+ 0.004

0.024 > 0.02 cfs/ac

REDUCTION REQUIRED

63-7793 (Junior Priority)

160 AC. x 0.004 cfs = 0.64 cfs

$$3.20 \text{ cfs} - 0.64 = \underline{\underline{2.56 \text{ cfs}}}$$

Condition on transfer 2736

✓

Maximum rate of diversion under the right
shall not exceed 2.56 cfs.

MICROFILMED

63-3490 - Priority 5-4-66
cts/ac = 0.02 cts

63-3104 Priority 3-25-57
cts/ac = 0.01 cts

REDUCTION REQUIRED .03 cts = combined

2.5 ac overlap - X .01 cts = 0.025 cts

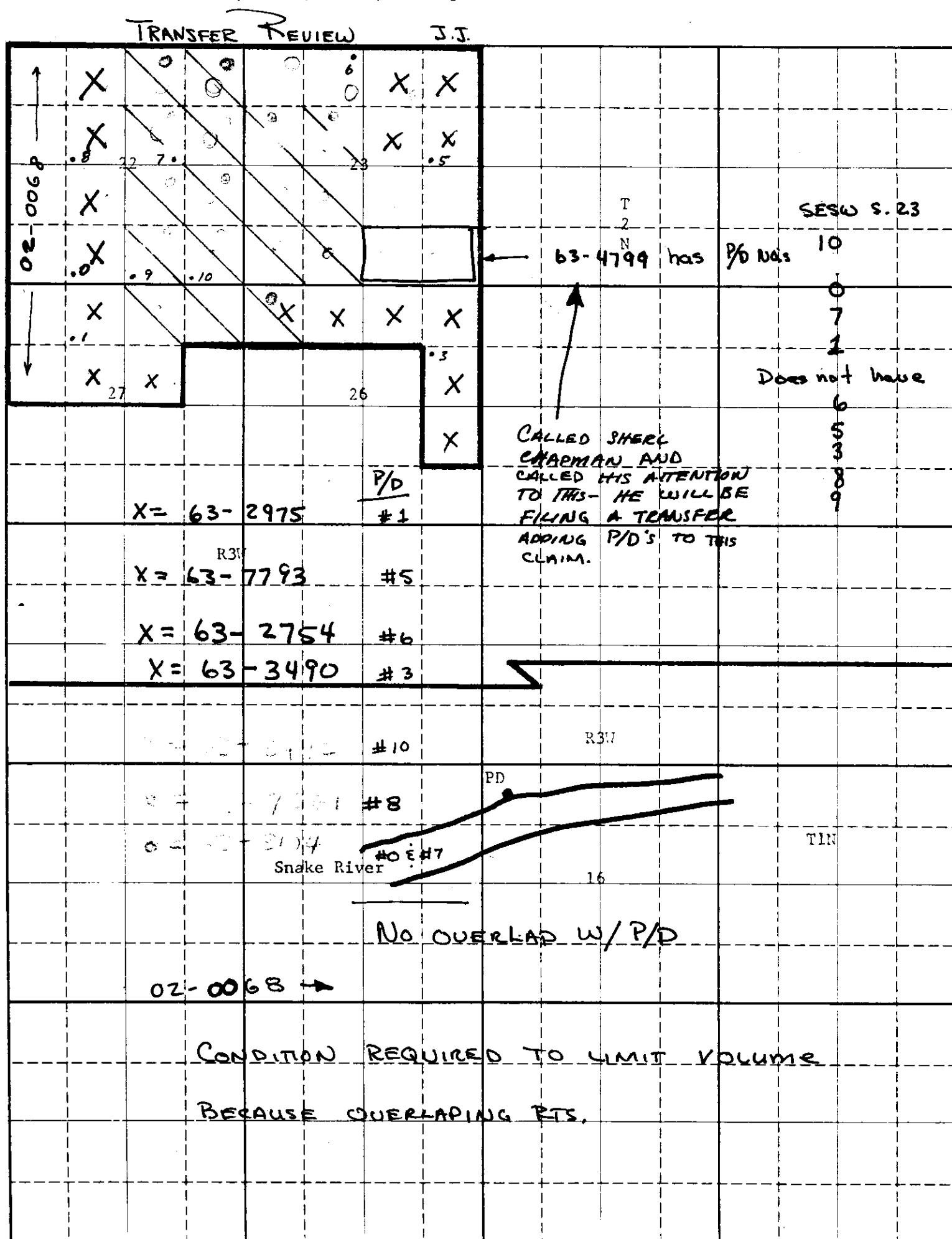
3.85 - 0.025 = 3.82

Condition for Rt. 63-3490 trans 2730

✓ Maximum Rate of diversion from
this right shall not exceed 3.83 cts.

RECEIVED
FILMED

3. 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 1:100,000

MICROFILMED

LAND LIST ATTACHMENT

Description and location of place of use:

[illegible]

Total number of acres irrigated _____

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: 6LS

1. Right number 63-2754 Applicant Bing/Frost Ranch Co.
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☐ Change point of diversion ☒ Add diversion point(s) ☐ Change place of use
☐ Other additional source (Snake River)

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.
- N/A — d. ☒ Check description of place of use. No change
- (e) ☒ Check map (shows p.d. and p.u. after transfer).
- (f) ☒ Check for correct signature, notarization, and fee.
- N/A — g. ☒ Check proof of ownership of right &/or land from which water is transferred.
- (h) ☒ Check for expansion in use of right. Comments None

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

Right number(s) 63-7561 ✓

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

If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

- N/A — 1. Watermaster recommendation requested on _____ Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No Trans. Date 7/22/82 50/224513
- (3) Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

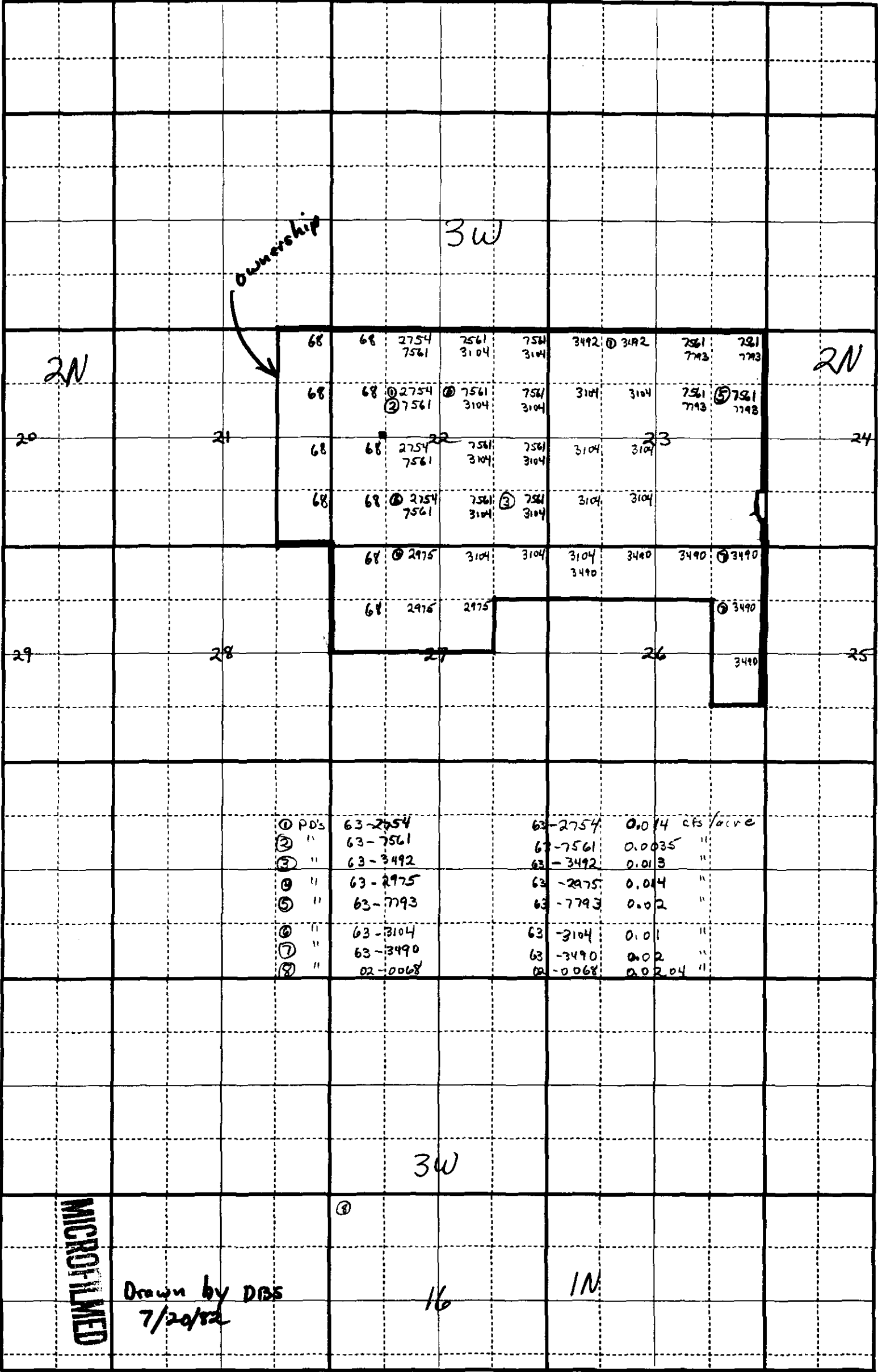
1. ☒ Approve
2. ☐ Deny
3. Conditions* See attached

4. By DBS

Date 7/22/82

RECEIVED
SEP 13 1982

* All uses within Watermaster Districts require special conditions.





State of Idaho
DEPARTMENT OF WATER RESOURCES
WESTERN REGION, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-2190

August 16, 1982

John H. Brandt, President
West End Project
203 11th Ave. South
Nampa, ID 83651

Re: Applications for Transfer No. 63-2754, 63-2975, 63-63-3104, 63-3490, 63-3492
63-7561, 63-7793 & 02-0068

Dear Mr. Brandt:

I am in receipt of your letter dated August 4, 1982 regarding the above numbered applications for transfer. I am aware that you did call this office prior to the dead line for submitting protests against their approval. At that time, however, I believe you were advised that this Department can accept only written protests and that those written protests must be submitted within the time limit specified by statute. Even though your earlier letter was dated July 7, 1982, which was well within the time limit for submitting protests, it was not postmarked until July 22, 1982 and was not received by our office until July 23, 1982. As I indicated in my previous letter to you the final date for submitting protests against the approval of these transfers was July 19, 1982.

You should also be aware that the granting of a transfer by this Department does not change the provisions of any legally binding contract between the West End Project and its water users. If your contract with the water users places specific conditions upon the water they receive from the project, the granting of a transfer by this agency would not serve to negate that contract.

If I can provide you with any additional information or if you have further questions regarding these applications for transfer, please feel free to contact this office.

Yours truly,

DAVID B. SHAW
Western Regional Supervisor

DBS:jp

cc: Sherl Chapman
Bing/Frost Ranch Co.

MICROFILMED

August 4, 1982

Mr. David B. Shaw
Western Regional Supervisor
Dept. of Water Resources
Statehouse
Boise, Idaho 83720

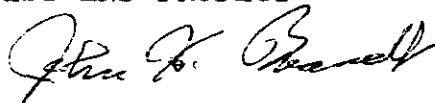
Dear Mr. Shaw:

This is to acknowledge receipt of your letter of August 3, in which you indicate a protest against the use of West End Project water on other lands than those to which the water had been allocated was received after the deadline set. That is true so far as the letter was concerned, but the protest was entered many days before the deadline by telephone.

We control this West End water according to our recorded contract. It is appurtenant to certain lands only and we will not permit its use on other lands.

Very truly yours,

WEST END PROJECT



John H. Brandt, President

JHB/ama

MICROFILMED

RECEIVED

AUG 5 1982

Department of Water Resources
Western Regional Office



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, 1982

Mr. John H. Brandt
West End Project
203 11th Ave. South
Nampa, ID 83651

Re: Applications for Transfer Numbers 63-2754, 63-2975, 63-3104, 63-3490
63-3492, 63-7561, 63-7793 & 02-0068

Dear Mr. Brandt:

The Department is in receipt of your letter dated July 7, 1982, concerning the above numbered applications for transfer. Your letter, however, was not received by the Department until July 23, 1982. The final date for submitting protests against the above numbered applications for transfer was July 19, 1982, as specified in Section 42-222 of the Idaho Code.

Since your letter was not received within the time limits specified by the statute, the Department cannot consider your letter as a protest against the above referenced transfers.

I am forwarding a copy of your letter along with a copy of this letter to the applicants for their information. If you have any questions, please feel free to contact this office.

Yours truly,

DAVID B. SHAW
Western Regional Supervisor

DBS:jp

cc: Sherl L. Chapman
Bing/Frost Ranch Company

MICROFILMED

July 7, 1982

Dept. of Water Resources
92 South Cole Road
Boise, Idaho 83709

Gentlemen:

The West End Project hereby enters an official protest against the request of Bing/Frost Ranch Company of 515 South Flower Street, Los Angeles, California 90071, for a change of a source of water and a point of diversion of the water as set forth in published notices No. 63-7793, No. 63-3490, No. 63-2754, No. 63-2975, No. 02-0068, No. 63-7561, No. 63-3492, and No. 63-3104 appearing in the Press-Tribune newspaper dated July 1, 1982.

Protest made → It has been explained to us in a telephone conversation with the Department of Water Resources representative that the purpose of the published request was to co-mingle all waters from wells and Snake River used on this farm. We have no objection to the co-mingling of well water, which could be used on any portion of the farm as far as we are concerned. But the water from the Snake River delivered by the West End Project is appurtenant to certain lands and the point of diversion and lands upon which the water may be used cannot be changed. This was provided by the contractual agreement entered into the 16th day of May, 1963, and recorded in Canyon County, Idaho.

Quoting from said contract: "Each of the parties shall hold and own as appurtenant to the lands owned and to be irrigated by such party the undivided interest above set forth, which shall be freely divisible and transferable as appurtenant to lands divided and transferred." There are 408 acres of the Bing/Frost lands served by West End Project.

We do not intend to permit the use of West End Project water on any other lands than those within the Project.

Very truly yours,

WEST END PROJECT

John H. Brandt

John H. Brandt

RECEIVED

JUL 23 1982

Department of Water Resources
Washington Regional Office

MICROFILMED

JHB/ama

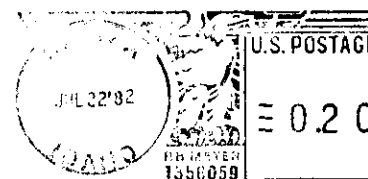
BRANDT AGENCY

INSURANCE - REAL ESTATE

203-11TH AVENUE SOUTH
NAMPA, IDAHO 83651

MICROFILMED

Dept. of Water Resources
92 South Cole Road
Boise, Idaho 83709



ACTION REQUIRED

5/24/82

FROM:

Norm

TO:

Dave Shaw

Ken suggests we condition so
that diversion rate from any & each
point of diversion cannot be
increased.

RECEIVED

MAY 25 1982

Department of Water Resources
Western Regional Office

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 63-2754

Notice is hereby given that Bing/Frost Ranch Co.
CA 90071
of 515 S. Flower St., Los Angeles has applied to the Department of Water
Resources for a change of the source of Water and Point of Diversion
of the water of a groundwater source

The right sought to be changed is evidenced by License 63-2754
and is recorded as follows:

Amount: 2.24 cfs Priority 1/17/1949

Point(s) of Diversion: SE $\frac{1}{2}$ W Sec 22 and NE $\frac{1}{2}$ W Sec 23 T2N R3W Canyon Co.

The water is used for Irrigation purposes from 3/15 to 11/15
upon 160 acres within the E $\frac{1}{2}$ NW and E $\frac{1}{2}$ SW Sec 22 T2N R3W

TO BE CHANGED AS FOLLOWS

source of water: Groundwater and Snake River

Amount: 2.24 cfs

Point(s) of Diversion SE $\frac{1}{2}$ W, SWNE, SE $\frac{1}{2}$ W, SWSE, SESE Sec 22; SENE, NE $\frac{1}{2}$ W Sec 23;
~~SENE Sec 26; NE $\frac{1}{2}$ W Sec 27 T2N R3W and NW $\frac{1}{2}$ W Sec 16 T1N R3W~~

The water will be used for Irrigation purposes from 3/15 to 11/15
upon 160 acres within the E $\frac{1}{2}$ NW and E $\frac{1}{2}$ SW Sec 22 T2N R3W

Any protest against approval of the proposed change of water right appli-
cation must be filed with the Department of Water Resources, 92 S. Cole Road,
Boise, Idaho 83709 on or before July 19, 1982

A. KENNETH DUNN

Director

Published in the Press-Tribune

on 7/1 and 7/8/82

MICROFILMED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 63-2754

Notice is hereby given that Bing/Frost Ranch Co.
of 515 S. Flower St., Los Angeles, CA 90071 has applied to the Department of Water
Resources for a change of the source of water and point of diversion
of the water of a groundwater source

The right sought to be changed is evidenced by License 63-2754

and is recorded as follows:

Amount: 2.24 cfs Priority 1/17/1949

Point(s) of Diversion: SE NW Sec 22 and NE NW Sec 23 T2N R3W Canyon Co.

The water is used for Irrigation purposes from 3/15 to 11/15

upon 160 acres within the E $\frac{1}{2}$ NW and
E $\frac{1}{2}$ SW Sec 22 T2N R3W

Source of water: TO BE CHANGED AS FOLLOWS
Groundwater and Snake River

Amount: 2.24 cfs

Point(s) of Diversion SE SW, SW NE, SE NW, SW SE, SE SE Sec 22, SENE, NE NW Sec.
23, SENE Sec 26, NE NW Sec 27 T2N R3W and
NW NW Sec 16 T1N R3W

The water will be used for Irrigation purposes from 3/15 to 11/15

upon 160 acres within the E $\frac{1}{2}$ NW and E $\frac{1}{2}$ SW Sec
22 T2N R3W

Any protest against approval of the proposed change of water right appli-
cation must be filed with the Department of Water Resources, 92 S. Cole Road,
Boise, Idaho 83709 on or before _____.

A. KENNETH DUNN

Director

Published the _____

on _____ and _____

MICROFILMED

September 14, 1981

RE: Application for Transfer of Water Right No. 63-2754

Canyon Farms, Inc.
Route #4, Box 4325A
Nampa, ID 83651

Gentlemen:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right.(Transfer No. 2594).

Sincerely,

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

DRT:kw
Enclosed

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

Called
7/6/81
will send
copy of deed
CHS

INITIAL REVIEW BY: CHS

- ① Right number 63-2754 Applicant Canyon Farms, Inc.
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:

- ① ☒ Source ☐ Priority ☒ Amount ☒ Purpose ☐ Period of use
② ☒ Description of original point of diversion.
③ ☒ Description of original place of use.

5. Amount of land &/or water transferred:

- ① ☒ All of right.
② ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
③ ☒ Check description of point(s) of diversion.
④ ☒ Check description of place of use.
⑤ ☒ Check map (shows p.d. and p.u. after transfer).
⑥ ☒ Check for correct signature, notarization, and fee.
g. ☐ Check proof of ownership of right &/or land from which water is transferred.
⑦ ☒ Check for expansion in use of right. Comments No expansion
P/D change only
⑧ ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) 63-7561-
⑨ ☒ Is use within a Watermaster District? ☐ Yes ☒ No
If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

1. Watermaster recommendation requested on N/A Received on _____
2. Is transfer published correctly? ☒ Yes ☐ No Query 23 - 30, 1981 - Free title
3. Protest received? ☐ Yes ☒ No

RECOMMENDED ACTION

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

RECEIVED
AUG 27 1981

Department of Water Resources

4. By CHS Date 8/24/81

Jim 9/8/81
*All uses within Watermaster Districts require special conditions.

WARRANTY DEED

RECEIVED

JUL 8 1981

For Value Received

Department of Water Resources
Western Regional Office

WALTER C. RUSSELL and IONE E. RUSSELL, husband and wife,

the grantors , do hereby grant, bargain, sell and convey unto
CANYON FARMS, INC., a corporation, 200 North Third, Boise, Idaho,

the grantee , the following described premises, to-wit:

The real property described in Exhibit "A," attached hereto and made
a part hereof, and all items therein listed are considered by the
parties hereto as affixed to the real property.

Subject to power line easements to the Idaho Power Company; subject
to any United States Patent restrictions; and subject to any easements
or rights of way of record or of usage.

Subject to all taxes and assessments for the year 1974, and all
subsequent years.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee ,
its successors ~~and~~ and assigns forever. And the said Grantor s do hereby covenant to and
with the said Grantee , that they are the owners in fee simple of said premises; that said
premises are free from all incumbrances

and that they will warrant and defend the same from all lawful claims whatsoever.
Dated: October 15, 1973.

Walter C. Russell
Walter C. Russell
Ione E. Russell
Ione E. Russell

STATE OF IDAHO, COUNTY OF Canyon: ss.
On this 16th day of October, 19 73,
before me, a notary public in and for said State, personally
appeared WALTER C. RUSSELL and IONE
E. RUSSELL, husband and wife,

known to me to be the personS whose name s are
subscribed to the within instrument, and acknowledged to
me that they executed the same.

Grant L. Givens
(SEAL) Notary Public
Residing at Nampa, Idaho
Comm. Expires

STATE OF IDAHO, COUNTY OF
I hereby certify that this instrument was filed for record at
the request of

at _____ minutes past _____ o'clock m.,
this _____ day of _____,
19 _____, in my office, and duly recorded in Book
of Deeds at page _____

Ex-Officio Recorder

By _____ Deputy.
Fees \$ _____
Mail to: _____

INSTRUMENT No.

RECORDED

RECEIVED

JUL 8 1981

EXHIBIT "A"

Department of Water Resources
Western Regional Office

IN CANYON COUNTY, IDAHO:
Township 2 North, Range 3 West, Boise Meridian;
Tract No. 1.

Section 22. The SE $\frac{1}{4}$,
Except all minerals in or under said land including but not
limited to metals, oil, gas, coal, stone and mineral rights, mining
rights and easement rights or other matters relating thereto whether
expressed or implied. (As to W $\frac{1}{2}$ W $\frac{1}{2}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 22).

Section 23. S $\frac{1}{2}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$; the S $\frac{1}{2}$, SAVE & EXCEPT therefrom the
following described parcel, to-wit: Beginning at a point 528 feet
North of the SE corner of Section 23, Twp. 2 N., R. 3 W., B. M., and
running thence West and parallel to the South line of the said Section
23, 160.0 feet; thence running North 45°00' West 173.6 feet; thence
running North and parallel to the East line of the said Section 23,
673.7 feet to a point on the North line of the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of the
said Section 23; thence running East with the said North line 282.8
feet to the NE corner of the said SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 23; thence
running South and with the said East line of the said SE $\frac{1}{4}$ of SE $\frac{1}{4}$, Sec.
23, 796.5 feet to the point of beginning. Less right of way 25 feet
wide along and adjoining the East line of Section 23, from the Southerly
line of the above described tract, South to the public highway on the
South line of said Section 23.

Section 26. NW $\frac{1}{4}$ NW $\frac{1}{4}$.

Section 27. N $\frac{1}{2}$ NE $\frac{1}{4}$; SW $\frac{1}{4}$ NE $\frac{1}{4}$; and E $\frac{1}{2}$ NW $\frac{1}{4}$.

TRACT No. 2.

Section 22. SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; and E $\frac{1}{2}$ SW $\frac{1}{4}$.

TRACT No. 3.

Section 22. SE $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ NE $\frac{1}{4}$; and NE $\frac{1}{4}$ NW $\frac{1}{4}$.

TRACT No. 4.

Section 23. NW $\frac{1}{4}$ NW $\frac{1}{4}$.

TRACT No. 5.

Section 22. The East 100 feet of the W $\frac{1}{2}$ NW $\frac{1}{4}$, Except the South 25
feet of the East 35 feet thereof.

Together with the following:

Well Pumps

Serial No.	F432348, 60 hp.
"	" 1385701, 125 hp.
"	" SSJ52202, 250 hp.
"	" OTJ212112, 125 hp.
"	" 904411, 125 hp.
"	" CHJ315111, 200 hp.
"	" WPJ930013, 200 hp.

Booster Pumps

Serial No.	VWJ824134, 125 hp.
"	" SLJ511009, 50 hp.
"	" 3648335, 30 hp.
"	" DAJ421397, 30 hp.
"	" 2-34V8410, 25 hp.

64-88 lengths of 40' x 4" hand lines.
64-112 lengths of 40' x 3" hand lines.
6 lengths of 20' x 3" hand lines.
8 lengths of 20' x 5" portable main line with 3" risers.

MICROFILMED

WARRANTY DEED

For Value Received **ROBERT WALTER RUSSELL**, a single man, dealing with his sole and separate property,

the grantor , **does** hereby grant, bargain, sell and convey unto

WALTER C. RUSSELL and IONE E. RUSSELL, husband and wife,
Address: Route 4, 10th Ave. and Karcher Road, Caldwell, Idaho,
the grantee **s**, the following described premises, to-wit:

PARCEL I: The SE $\frac{1}{4}$ of the SW $\frac{1}{4}$, the NW $\frac{1}{4}$ of the SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 15, Township 2 North, Range 3 West of the Boise Meridian, in Canyon County, Idaho;

PARCEL II: The NE $\frac{1}{4}$ of Section 23, Township 2 North, Range 3 West of the Boise Meridian, in Canyon County, Idaho;

PARCEL III: The SW $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 15, Township 2 North, Range 3 West of the Boise Meridian, in Canyon County, Idaho.

RECEIVED
JUL 8 1981

Department of Water Resources
Western Regional Office

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees **s**, **their** heirs and assigns forever. And the said Grantor **does** hereby covenant to and with the said Grantee **s**, that he **is** the owner in fee simple of said premises; that said premises are free from all incumbrances

and that he will warrant and defend the same from all lawful claims whatsoever.
Dated: **July 14, 1976**

Robert W. Russell

STATE OF IDAHO, COUNTY OF **CANYON: ss.**
On this **20** day of **July**, 19 **76**
before me, a notary public in and for said State, personally appeared
ROBERT WALTER RUSSELL

known to me to be the person who **se** name **is**
subscribed to the within instrument, and acknowledged to
me that **he** executed the same.

Deana Nichols

Notary Public
hanson, Idaho

Residing at
Comm. Expires **12-23-78**

STATE OF IDAHO, COUNTY OF

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

at _____ minutes past _____ o'clock m.,
this _____ day of _____,
19 _____, in my office, and duly recorded in Book _____
of Deeds at page _____

Ex-Officio Recorder

By _____ Deputy.
Fees \$ _____
Mail to: _____

MICROFILMED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 63-2754

Notice is hereby given that Canyon Farms, Inc.
of Rt. 4 Box 4325A, Nampa, ID 83651 has applied to the Department of Water
Resources for a change of the point of diversion
of the water of a groundwater source.

The right sought to be changed is evidenced by Water Right License

63-2754 and is recorded as follows:

Amount: 2.24 cfs Priority 1/1/1949

Point(s) of Diversion: SESW, Sec. 22, T2N, R3W, B.M. Canyon County

The water is used for irrigation purposes for land located
in the E $\frac{1}{2}$ NW $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 22, T2N, R3W.

TO BE CHANGED AS FOLLOWS

Amount: 2.24

Point(s) of Diversion NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23, T2N, R3W

The water will be used for irrigation purposes for land
located in the E $\frac{1}{2}$ NW $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 22, T2N, R3W.

Any protest against approval of the proposed change of water right appli-
cation must be filed with the Department of Water Resources, 92 S. Cole Road,
Boise, Idaho 83709 on or before August 10, 1981.

A. KENNETH DUNN

Director

Published in the Idaho Press-Tribune

on July 23rd and July 30, 1981

PAYEE: DETACH THIS STATEMENT () RE DEPOSITING CHECK

CANYON FARMS, INC., NAMPA, IDAHO

DATE	ACCOUNT OR INVOICE NO.	DESCRIPTION	AMOUNT	DISCOUNT OR DEDUCTION	NET AMOUNT
6/22/81		Water Rights Filing Fees for S $\frac{1}{2}$ of SE $\frac{1}{4}$ of Sec 23	80.00		80.00

EMPLOYEE'S NAME

PAY PERIOD ENDING	HOURS	RATE	GROSS EARNINGS	F.I.C.A.	FED WITH TAX	STATE WITH TAX	NET EARNINGS PAID
	REG. T. O.T.			DEDUCTIONS			

EMPLOYEE: THIS IS A STATEMENT OF YOUR EARNINGS AND DEDUCTIONS FOR PERIOD INDICATED. KEEP THIS FOR YOUR PERMANENT RECORD.

3/79

IDENT. NO. 63-2754

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]

RECEIVED

HOLLOWAY DRILLING CO. APR 2 1964

MAX HOLLOWAY
ONTARIO, OREGON

Department of Reclamation



State Reclamation Engineer

4-1-64

Dear Sir:

The well under permit 20905 drilled on the place that now belongs to Mr. Walt Russell, was drilled by Mr. Bailey.

This was never a good well and was worked on by several drillers, so Mr. Russell thought it would be better to drill a new well, to irrigate the same ground as the previous well. In the hopes that the pump expense would be cut down and that the water supply would be more stable.

This is the log of the new well and I understand that the pump will just be moved to this well. Thank you

Yours Sincerely
Max Holloway.

SE 77 S. 22, T. 27 R. 37

1800 gpm

20905

Sept. 18, 1962

Re: Permit No. 20905; G-26823

M. F. Barlow, President
The Barlow Company, Inc.
Box 126, Vale, Oregon

Dear Sir:

Enclosed are Certificate of Completion of Works and
Licenses and Certificate of Water Rights on the above numbered
permits.

Also enclosed is an Amendment to the point of diversion
on Permit No. 20905 which has been recorded and Departmental
Receipt No. 31237 in the amount of \$9.00 covering fees on Permit
No. 20905 and departmental receipt No. G-7409 in the amount
of \$39.00 covering fees on Permit No. G-26823.

Very truly yours,

GEO. H. CARTER
State Reclamation Engineer

B:

(Mrs.) Edna P. Kule
Chief Clerk

EPR:ew

Enc. certificate
licenses (2)
amendment
receipt (2)

20905

SEP 14 1962
Department of Reclamation

Permit No. 20905

That he is (are) the owner_ and holder_ of Permit to appropriate the Public Waters of the State of Idaho, No. 20905 .

That he now requests that the point of diversion be changed to a point
located: SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 22, T. 2 N., R 3 W., B.M.

The previous points of diversion as listed were in error

Signed at Boise, Idaho, this 11 day of September 19 62

APPROVAL OF STATE RECLAMATION ENGINEER

I, ~~George H. Cooper~~, State Reclamation Engineer of the State of Idaho, HEREBY APPROVE the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. _____. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

Carl P. Tappan, Ass't.
State Reclamation Engineer

20905

August 7, 1961

RE: Permit No. G-26823
20905

M. F. Barlow, President
The Barlow Company, Inc.
Box 126
Vale, Oregon

Dear Mr. Barlow:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-26823 shows the wells are capable of conveying 340 miner's inches, or 6.80 c.f.s. of water for the irrigation of 650 acres.

Upon receipt of the statutory fees, totaling \$39.00, we will issue the Certificate of Completion of Works (fee \$5.00) and the License and Certificate of Water Right (fee \$34.00, based at the rate of \$2.00 for each 40-acre subdivision) confirming the right, with priority of March 25, 1957 to the use of 6.80 second feet of subterranean water with the point of diversion in the SW¹/₄, Sec. 22 for irrigation of 650 acres in E¹/₄, Sec. 22; SW¹/₄, Sec. 23; NW¹/₄, Sec. 26; NE¹/₄, Sec. 27, T. 2 N., R. 3 W., P.M.

We refer you to our letter of August 30, 1960 in which we notified you that it would be necessary to amend the point of diversion on Permit No. 20905; also that the License and Certificate of Water Right would be issued upon payment of the statutory fees of \$8.00 plus an additional fee of \$1.00 for recording the amendment.

To date neither the amendment nor the fees have been received in this office. May we hear from you regarding this matter?

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

Ralph W. Thomas
Deputy State Reclamation Engineer

RWT:mr

20905

August 30, 1960

RE: Permit No. 20905

Max F. Barlow
Barlow Company, Inc.
Rt 4
Nampa, Idaho

Dear Mr. Barlow:

Our field engineer's report on his inspection of proof of beneficial use of the water under the terms of Permit No. 20905 shows the well is capable of conveying 112 miner's inches or 2.24 c.f.s. of water for the irrigation of 140 acres.

Upon receipt of the statutory fees, totaling \$8.00, based at the rate of \$2.00 for each 40-acre subdivision, we will issue the License and Certificate of Water Right confirming the right, with priority of January 17, 1949, to the use of 2.24 second feet of subterranean water with the point of diversion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 22 for irrigation of 140 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, Township 2 North, Range 3 West, B.M.

Since your permit named two points of diversion, one in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, the other in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section, there will have an amendment to the point of diversion. Please complete the enclosed Application for Amendment to the Point of Diversion and return it to this department. There is a fee of \$1.00 for recording the amendment which should also be enclosed as well as the above mentioned fees for the License.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Hale
Chief Clerk

KRR:mr
Enc. amendment

20905

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF ENGINEER

Permit No. 20905

This proof is for Beneficial Use

In Water District No. _____

1. Name of applicant Barlow Company, Inc.

2. Source of water supply: Subterranean flow (two wells)

3. Location of point of diversion: Is in the NW¹/₄SW¹/₄ of Section 22
NE¹/₄NW¹/₄ of Section 27
T. 2 N R. 3 W County of Canyon

4. Describe works as they exist, giving dimensions and capacities of same: _____

1.5 hp. 24.3. 440V. #904411
Worthington Turbine Type 10 QGE-10 #8TL332159
Westinghouse Controls on North 4' on platform. Case, Ccnds. 8'x10'
No protection 8" delivery To North into stand pipe. There are 2 stand pipe
one is 2'x7' other is 2'x10' 8" gate

5. Water is used for: Irrigation and domestic purposes

6. State whether or not water has been turned into works of diversion: Yes

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

SW¹/₄NE¹/₄, E¹/₂NW¹/₄, E¹/₂SW¹/₄, and SE¹/₄ of Sec. 22; NW¹/₄NE¹/₄, NE¹/₄NW¹/₄ Sec. 27, T 2 N, R 3 W., B.M.

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach? _____

Remarks: _____

This well was measured at time of 9/25.

This examination was made on the 18 day of August, 1960

(Signed) E. H. Humphrey Examiner.

20905

Barlow Company Inc
Vale, Oregon

Permit No. 20905

Examination for Beneficial Use

County Canyon

22827, 2N.-3W.

Q2 6.4 c.f.s.

52 Wells.

P.D. NW.SW., Sec. 22 } T. 2N. - R. 3W.
NE.NW., " 27 }

Use - Irrigation & Domestic

Filed - Jan. 17, 1949

Due - Jan. 26, 1960

Proof made 27th Feb., 1957

W. - 1-14-54

no other right noted

112' on well in NE SW, 22
15' " " " NE NW, 27

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

RECEIVED
AUG 1 1960

Department of Reclamation

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 20905

REPORT ON PROOF OF Beneficial Use
Barlow Company, Inc.
Vale, Oregon

SW proof lists only one well
with 2.24 c.f.s. delivery

There is some mistake in
applicant's figures some
place. - see SW proof - as
one well was refilled (B-24655),
due on 1-18-59

Due: Jan. 26, 1960

Saturday, February 2, 1957—5

LEGAL NOTICES

NOTICE FOR PUBLICATION

**NOTICE OF PROOF APPLICATION
OF WATER TO BENEFICIAL USE**

Notice is hereby given that at 10:00 A.M. on the 27th day of February, 1957, at Nampa, County of Canyon, State of Idaho, before Wallace A. Sorenson, Notary Public, proof will be submitted of the application to beneficial use of 2.24 cubic feet per second of the waters of Subterranean flow in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22, T. 2 N., R. 3 W. in accordance with the terms and conditions of Permit No. 20905 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit is R. E. Bailey, Rt. No. 4, Nampa, Idaho.

The use to which said water has been applied is Irrigation and Domestic.

The amount applied to beneficial use is 2.24.

The place where said water is used NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22, Twp. 2 N., Rge. 3 W.

The right to take water from such works is based upon Permit No. 20905.

The source of supply from which such water is diverted is Subterranean flow.

The date of priority which said user is prepared to establish is January 17, 1949.

MARK R. KULP

State Reclamation Engineer

Jan. 19, 26, Feb. 2, 9, 1957.

NOTICE FOR PUBLICATION

**NOTICE OF PROOF APPLICATION
OF WATER TO BENEFICIAL USE**

Notice is hereby given that at 10:00 A.M., on the 27th day of February, 1957, at Nampa, County of Canyon, State of Idaho, before Wallace A. Sorenson, Notary Public, proof will be submitted of the application to beneficial use of 2.24 cubic feet per second of the waters of Subterranean flow in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22, T. 2 N., R. 3 W. in accordance with the terms and conditions of Permit No. 20905 heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit is R. E. Balley, Rt. No. 4, Nampa, Idaho.

The use to which said water has been applied is Irrigation and Domestic.

The amount applied to beneficial use is 2.24.

The place where said water is used NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 22, Twp. 2 N., R. 3 W.

The right to take water from such works is based upon Permit No. 20905.

The source of supply from which such water is diverted is Subterranean flow.

The date of priority which said user is prepared to establish is January 17, 1949.

MARK R. KILP
State Reclamation Engineer
Jan. 19, 26, Feb. 2, 9, 1957.

June 10, 1960

RE: Permit No. 20905
R. E. Balley

The Barlow Company Inc.
Vale, Oregon

Gentlemen:

We acknowledge receipt of the Deposition of Holder and two witnesses, also affidavit of publication in the Idaho Free Press, all submitted in proof of beneficial use of water on Permit No. 20905.

Before final action is taken in the matter, the law requires that a field examination be made by an engineer from this department.

We cannot tell just when this examination will be made, but our field engineer will try and contact you at the time he makes the examination so that arrangements may be made to show him over the grounds.

Very truly yours,

GEO. N. CARVER
State Reclamation Engineer
By

(Mrs.) Edna P. Ruks
Chief Clerk

EPR:mf

20905

January 20, 1959

Re: Permits No. 20905, G-22299
G-24655, G-26823

The Barlow Company, Inc.
Vale
Oregon

Gentlemen:

Enclosed are Assignments to Permits No. 20905, G-22299, G-24655
and G-26823 to The Barlow Company, Inc., Vale, Oregon, by R. E.
Balley, Permit Holder and Lillian Balley, his wife.

These have been recorded in the Department of Reclamation in con-
junction with the permits to which they refer and should now be
attached to the original permit to which each refers and becomes
title to.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enclosures (4)
cc: R. E. Balley, Jr.
Route #3
Caldwell, Idaho

20905

January 20, 1959

Re: Permits No. 20905, G-22299
G-24655, G-26823

Mr. R. E. Balley, Jr.
Route #3
Caldwell, Idaho

Dear Mr. Balley:

Enclosed are departmental receipts #29457 and G-3822 for fees
of recording the assignments to the above numbered permits.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR:nls
Enc. (3)

20905



ROBERT E. SMYLLIE
Governor

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
GEO. N. CARTER, STATE RECLAMATION ENGINEER
BOISE

RECEIVED
JAN 19 1959
Department of Reclamation

January 14, 1959

RE: Permit Nos. 20905, G-24655,
G-26823, G-22299

Mr. R. E. Balley
Route #4
Nampa, Idaho

Dear Mr. Balley:

We refer you to our letter of December 11, 1958, in which we requested the balance of the recording fee (\$1.50) for the four assignments made in connection with the Permits above listed.

Unless this fee is received in this Department at once we will conclude that you are no longer interested in having the assignments recorded and we will return them together with the .50¢ fee.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Edna O. Rutledge
Chief Clerk

EPR

*All correspondence should be sent
To. R. E. Balley Jr.
Rt 3
Caldwell, Idaho*

*Thanks
REB
20905*

January 14, 1959

RE: Permit Nos. 20905, G-24655,
G-26823, G-22299

Mr. R. E. Balley
Route #4
Nampa, Idaho

Dear Mr. Balley:

We refer you to our letter of December 11, 1958, in which we requested the balance of the recording fee (\$1.50) for the four assignments made in connection with the Permits above listed.

Unless this fee is received in this Department at once we will conclude that you are no longer interested in having the assignments recorded and we will return them together with the .50¢ fee.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR

20905

December 11, 1958

RE: Permit Nos. 20905, G-24655,
G-26823, G-22299

Mr. R. E. Balley
Route #4
Nampa, Idaho

Dear Mr. Balley:

This acknowledges receipt of the Assignments made in connection with each of the above mentioned Permits to the Barlow Company, Inc.

The statutory fee for ~~the~~ recording of each Assignment is .50¢. Therefore, there is a balance due of \$1.50 for these Assignments.

Upon receipt of the balance of the fee the Assignments will be recorded in this Department and then sent to you for your files.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

Chief Clerk

EPR

20905

April 10, 1957

Re: Permit Nos. G-22299 and 20905

Mr. R. E. Balley
Route # 4
Nampa, Idaho

Dear Mr. Balley:

Enclosed are the following amendments:

Application for Amendment to Permit No. G-22299 to change the point of diversion as described on the original permit to read: SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 23, Township 2 North, Range 3 West B.M.

Application for Amendment to Permit No. 20905 to change the point of diversion as described on the original permit to read: NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22 and NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Township 2 North, Range 3 West B.M.

Application for Amendment to change the list of lands as described in the original permit to read: S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 22; NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27; all in Township 2 North, Range 3 West B.M.

These amendments have been approved by the State Reclamation Engineer and recorded in conjunction with their respective permits in the Department of Reclamation. They should now be attached to the original permit to which they refer and of which they become a part.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

ER:nls
Enc:

20905

**To Permit to appropriate the Public Waters
of the State of Idaho, No. 20905**

Comes now R.E. Balley, and represents to the State
Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of
Idaho, No. 20905, and requests that the list of lands to be irrigated, as described in said
permit, be changed to read as follows:

S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ and SE $\frac{1}{4}$ Section 22 and NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section
27, Twp. 2.N. R.3.W.

making a total of _____ acres.

That an additional amount of water is not asked for, and that the rights of others will not be ad-
versely affected by such change.

Signed at Boise Idaho, this 25 day of March, 19 57

R.E. Balley

Date of receipt at office of Department of Reclamation March 25, 1957

APPROVAL OF STATE RECLAMATION ENGINEER

I, MARK. R. KULP., State Reclamation Engineer of the State of Idaho, hereby approve
the above and foregoing application for amendment to Permit to appropriate the Public Waters of
the State of Idaho, No. 20905. This approval constitutes a new permit and is issued as an
amendment to the original permit, to which it refers, and of which it becomes a part, and said appli-
cation is approved only insofar as the rights of others will not be adversely affected thereby.

Mark R Kulp 20905

State Reclamation Engineer

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. -20905

Comes now R.E. Balley, and represents to the State
Reclamation Engineer of the State of Idaho;

That he is the owner and holder of Permit to appropriate the Public
Waters of the State of Idaho, No. -20905.

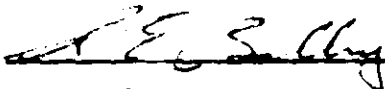
That the point of diversion is described in said permit as being
located ~~NE 1/4 SW 1/4 Section 22, Twp. 2.N. R. 3.W.~~
& ~~NE 1/4 NW 1/4 Section 27,~~

That he now requests that the point of diversion be changed to a
point located NW 1/4 SW 1/4 Section 22 and NE 1/4 NW 1/4 Section 27, Twp. 2.N.
R.3.W.

That his reasons for desiring to make such change are as follows:
Better location of wells.

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

Signed at Boise Idaho., this 25 day of March, 19 57


Date of receipt at Department of Reclamation March 25, 1957

APPROVAL OF STATE RECLAMATION ENGINEER

I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho,
hereby approve the above and foregoing application for amendment to Permit to
Appropriate the Public Waters of the State of Idaho, No. 20905. This
approval constitutes a new permit and is issued as an amendment to the original
permit, to which it refers and of which it becomes a part, and said application
is approved only insofar as the rights of others will not be adversely affected
thereby.


State Reclamation Engineer

20905

March 7, 1957

Re: Permit No. 20905

Mr. R. E. Balley
Route # 4
Nampa, Idaho

Dear Mr. Balley:

We have returned herewith your Proof of Application of Water to Beneficial Use (Deposition of Holder) made in connection with the above numbered permit. It is not complete in the information it contains.

Please try to answer question No. 6 giving the number of acres irrigated. If you cannot give the acres irrigated in each 40-acre subdivision, please state the number of acres irrigated in the total number of subdivisions.

It is necessary that you answer questions 7, 8, 9, 10 and 11 of this proof, provided, the same is applicable.

Kindly state the information requested above and return the Proof to this department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

RWT:nls
Enclosure (1)

20905

RECEIVED
MAR 4 1957

Department of Reclamation
AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,)
County of Canyon.) ss.

Lucille Copple
of Nampa, Canyon County, Idaho, being first duly sworn, deposes
and says:

1. That I am a citizen of the United States of America, and at
all times hereinafter mentioned was over the age of twenty-one
years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the
IDAHO FREE PRESS, a daily, (except Sunday) newspaper pub-
lished in the City of Nampa, in the County of Canyon, State of
Idaho; that the said newspaper is in general circulation in the said
County of Canyon, and in the vicinity of Nampa, and has been un-
interruptedly published in said County during a period of seventy-
eight consecutive weeks prior to the first publication of the notice,
a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy,
was published in said newspaper

Four times in the regular and entire
issue of said paper, and was printed in the newspaper proper, and
not in a supplement.

4. That said notice was published the following dates:

January 19, 26, 1957

February 2, 9, 1957

Lucille Copple

Subscribed and sworn to before me this 9th

day of February, 19 57.

Adam J. K...
Notary Public, Residing at Nampa, Idaho.

MY COMMISSION EXPIRES
JUNE 23, 1959

20905

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JAN 17 1949
Department of Reclamation

Permit No. ✓ 20905

Proof of Application of Water to Beneficial Use

Deposition of Holder

Ques. 1. State your name, residence, occupation and postoffice address.

Ans. R. E. Balley Route 4 Nampa Idaho, Farmer.

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf.

Ans. _____

Ques. 3. State number and date of permit, and date of priority you propose to establish under the permit.

Ans. Permit No. ✓ 20905 Dated 26th day of Jan. 1949 Date ~~Feb. 27, 1949~~ Jan. 17, 1949

Ques. 4. State source of water supply and give exact location of point of diversion.

Ans. Source of water Irrigation. Sub. flow one well being in the SE $\frac{1}{4}$ ~~SW $\frac{1}{4}$~~ NE $\frac{1}{4}$ Sec 22 T 2N R3w Div. one in NE $\frac{1}{4}$ NW $\frac{1}{4}$ T 2 N R 3 W. B. M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use. If a well, state depth of well, depth and size of casing and depth to water. If pump is used, state discharge of pump and tell how it was measured or determined. If sprinkler irrigation, give number and size of nozzles and operating pressure.

Ans. Well in Sec 22 Depth 400' pump under test pumps 1200gpm. equip. is 8" pump 12" bowels Casing down to 832' 12". Well in Sec. 27 8" pump 478' setting under test will pump 1300 gpm 12" casing to 416' 10" casing to 516'

Ques. 6. State for what purpose water is used and describe place of use. (If for irrigation, name each subdivision in which used, and number of acres in each subdivision that have actually been irrigated with said water.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Water is used for Irrigation p rpose under the last few years the two wells irrigate 400 acers of water the distribution being made by pipe lines and open ditches goin in thru the fields linking the wells together it is impossible to state in what specific sub division the water is used. All irrigated as follows, S $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and SE $\frac{1}{4}$ Section 22 and NW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{2}$ NW $\frac{1}{4}$ Section 27, Twp. 2.N. R. 3. W.

20905

RMT

Ques. 7. If for other than irrigation purposes; state how applied, amount of horse power generated, etc.

Ans. Non other

Ques. 8. What is the minimum amount of water required for the purpose specified above?

Ans. Can get by on $\frac{1}{2}$ inch per acre.

Ques. 9. If you are not the person or representative of the corporation to whom above mentioned permit was originally issued, please state how ownership was acquired by present holder.

Ans. Original owner.

Ques. 10. State when, how, in what amount and to what extent the water diverted under above mentioned permit has been used.

Ans. approximately 250 miner inches from both wells,
Started to irrigated said lands in 1955 in its intirety

Ques. 11. State when, how, in what amount and to what extent waters other than those diverted under the above mentioned permit have been diverted and applied to beneficial use upon the lands herein described. Give full particulars regarding such other appropriations and rights claimed thereunder.

Ans. None.

(Sign) H. E. Sallay

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed

and sworn to before me, at my office in Hamper, County of Canyon,
State of Idaho, on this 27 day of Feb, A. D. 1957.

Hallau Atkinson

My commission expires 2-21-61

20905

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JUL 12 1937
Department of Reclamation

Permit No. 20905

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Robert D. McFarley Age 39 Reg. 1807 47 st. Se. Nampa, Ida.
Service Manager - Burke Trucking Co.

Ques. 2. Are you acquainted with E. Balley, the holder of Permit No. 20905? How long have you known him and where does he reside?

Ans. Mr. Balley resides south west of Nampa Idaho on Route 4.
I know Mr. Balley for the last 4 years.

Ques. 3. Have you read or heard read said Permit No. 20905, and are you familiar with its provisions and conditions?

Ans. yes I have. 2

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. Under this permit Mr. Balley has two wells which he pumps with
on the land known as Balley Valley Farm.

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. _____

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. I have seen a lot of crop being raised and from the flow out of the
discharge pipes and in the open ditches I would estimate from the two
wells 200 inches or better.

20905

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. ~~The water is used for irrigation and to subdivide the fast acreage I could not do. The land lays all in one tract and Mr. Bailey has water flowing every where linking the wells all to gether. Mr Bailey has taken desert ground out of brush and put it in cultivation to a great good use.~~

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. ~~The land was brush ground dry and high for free flowing water. The land has and produces very good crops. The water needed I could not~~

^{say} Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. ~~None~~ _____

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. ~~I have been on the farm through out the years for business and also during the hunting season seeing the texture and wonderful crops at harvest.~~

(Signed) Robert W. May

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Nampa, County of Canyon, State of Idaho, on this 27 day of Feb, A. D. 1957.

Hallen Ahrens
Notary Public.

My commission expires 2-21-61

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
MAR 4 1957
Department of Reclamation

Permit No. 20905

Proof of Application of Water to Beneficial Use

Deposition of Witness

The deposition of two witnesses, on this form, taken separately, required in each case.

Ques. 1. State your name, age, residence, occupation and postoffice address.

Ans. Burke Hudelson age 34 - Res. - 63 Old Blvd -
Nampa, Idaho - OCCUPATION - AUTOMOBILE DEALER - P.O. Address
P.O. Box #9 - Nampa, Idaho

Ques. 2. Are you acquainted with R. E. Balley, the holder of Permit No. 20905? How long have you known him and where does he reside?

Ans. I have known him for the past four years and he resides
on the end of Missouri Ave. Route 4 Nampa Idaho.

Ques. 3. Have you read or heard read said Permit No. 20905, and are you familiar with its provisions and conditions?

Ans. yes I have. 2.

Ques. 4. State source of water supply, place of diversion, and describe works for conveying water from point of diversion to place of use.

Ans. The Source of water is wells on the Balley Valley Farm and the
water is being pumped to the vast acers that Mr. Balley farms .

Ques. 5. How many second feet of water do you estimate said works will safely conduct to place of use, and how much water have you seen being so conveyed?

Ans. Not knowing it by Sec. Feet but I would say 2000 gpm from both wells

Ques. 6. (Pumps) How much water in cubic feet per second, miner's inches, or gallons per minute have you seen the pump deliver, and how did you measure or estimate the amount?

Ans. I have seen Mr. Balley set 140 one inch tubes from one well and
with the fall I have figured that a tube will draw 9 inches per minute .
I also have seen a ditch with a check that could be awier thro a 100"

20905

Ques. 7. State for what purpose water is used and at what place. (If for irrigation, give each subdivision in which water has been used and number of acres irrigated in each subdivision.) State whether cultivated or natural meadow land and the nature of all improvements which have been made as a direct result of said use.

Ans. Irrigation.....The water is being used on ground known to be the Balley Valley Farm the Balley's farm to my knowledge 700 acers all being watered fro three wells. To sub divide said farm I cannot do but I do know the land lays in Sec . 22 23 26 27 T. 2 R # N. BM in Canyon Co. State Of Idaho.

Ques. 8. If for power or other purposes than irrigation, state how water has been applied and to what etxent.

Ans.

Ques. 9. (If for irrigation) state character of land that has been reclaimed, and give your estimate of the amount of water required for its profitable cultivation.

Ans. The Land reclaimed was all desert and to me /as a business Associate The Balleys seem to hold thier own. Aso the crops are genrally very good.

Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. None

Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. Being out to the farm on many occasions for business purposes.

(Signed) Burke Wadell

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Trampa, County of Canyon, State of Idaho, on this 27 day of Oct, A. D. 19 57.

Thellau Admenarr
Notary Public.

My commission expires 2-21-61

20905

February 8, 1957

RE: Permit Nos. 20905 - R.E. Balley
G-22673 - Leonard A. Tiegs

Nampa Free Press
Nampa, Idaho

Gentlemen:

On January 15th and 16th, 1957, we mailed you a Notice of proof Application of Water to Beneficial use on Permit No. 20905, in the name of R.E. Balley, Route #4, Nampa, Idaho, to be published for four weeks prior to February 27th, 1957 and a Notice of proof of Completion of Works and Application of Water to Beneficial Use on Permit No. G-22673 in the name of Leonard A. Tiegs, Route #2, Nampa, Idaho, to be published for four weeks prior to February 25, 1957, and a request that you acknowledge the receipt of the Notices and to send us a copy of the first publication.

We presume you are publishing the notices now, but to date we have not received an acknowledgment of the Notices nor a copy of your paper containing same.

We would appreciate receiving a copy of your paper containing the Notices in order that we may check them.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

KPR:ven

20905

January 16, 1957

RE: Permit No. 20905

Mr. R.E. Bailey
Route #4
Nampa, Idaho

Dear Mr. Bailey:

We acknowledge receipt of Notice in proof of Beneficial Use on Permit No. 20905 to be made February 27th, 1957 before Mr. Wallace A. Sorenson, Notary Public.

We shall send a copy of the Notice to the Nampa Free Press with instructions to publish it once a week for four weeks prior to that date and to send you the affidavit of publication together with statement of costs.

At the time set, you should appear before Mr. Sorenson, Notary Public, together with two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder for the purpose of executing the enclosed depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR:vem

Encl.

CC. Wallace A. Sorenson
Nampa, Idaho

20905



ROBERT E. SMYLLIE
GOVERNOR

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

MARK R. KULP, STATE RECLAMATION ENGINEER

BOISE

January 16, 1957

RE: Permit No. 20905

Mr. R.E. Balley
Route #4
Nampa, Idaho

Dear Mr. Balley:

We acknowledge receipt of Notice in proof of Beneficial Use on Permit No. 20905 to be made February 27th, 1957 before Mr. Wellece A. Sorenson, Notary Public.

We shall send a copy of the Notice to the Nampa Free Press with instructions to publish it once a week for four weeks prior to that date and to send you the affidavit of publication together with statement of costs.

At the time set, you should appear before Mr. Sorenson, Notary Public, together with two disinterested witnesses who are familiar with the terms of the Permit and the work done thereunder for the purpose of executing the enclosed depositions.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Edna D. Rutledge
Chief Clerk

EPR:vem

Encl.

CC. Wallace A. Sorenson
Nampa, Idaho

20905

NOTICE FOR PUBLICATION
NOTICE OF PROOF APPLICATION OF WATER
TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 27th day of February, 1957,
at Nampa, County of Canyon, State of Idaho, before
Wallace A. Sorenson, Notary Public, proof will be submitted of the
application to beneficial use of 2.24 cubic feet per second of the waters of Subterranean flow
in NE 1/4 SW 1/4 Sec. 22, T. 2 N., R. 3 W. in accordance with the terms and conditions of Permit No. 20905
heretofore issued by the Department of Reclamation of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit is
R.E. Belley, Rt. #4, Nampa, Idaho

The use to which said water has been applied is Irrigation & Domestic

The amount applied to beneficial use is 2.24

The place where said water is used (if for irrigation, give full and accurate description of the lands irrigated)
NE 1/4, E 1/4, E 1/4 SW 1/4, Sec. 22, Twp. 2 N., Rge. 3 W.

~~The name of the owner of right of water works by which said water is conveyed to such place or places is~~

The right to take water from such works is based upon Permit No. 20905

The source of supply from which such water is diverted is Subterranean flow ~~(two wells)~~

The date of priority which said user is prepared to establish is January 17, 1949

MARK R. KULP
State Reclamation Engineer.

20905

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RE: Permit No. 20905
R.E. Balley

Date: January 15, 1957

Nampa Free Press
Nampa, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to February 27th, 1957 the date set for proof, the expense of the publication to be paid by the applicant, R.E. Balley, Rt. #4, of Nampa Idaho, to whom you should furnish proof of publication on or prior to the date set for proof.

Please ~~acknowledge receipt~~ of this ~~notice~~, and ~~furnish~~ this ~~office~~ with a ~~copy~~ of the ~~first publication~~, in order that we may check same.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

KPR:VEM
Encl.

20905

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) January 14, 1957

(P. O.) Route #4, Nampa, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the

Nampa Free Press of Nampa, Idaho published in

the county in which the works are situated.

R. E. Belling

(In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well-known and competent engineer.)

I hereby certify that the facts set forth in the attached notice are true.

Engineer.

20905

✓
January 15, 1954

RE: Permit No. 20905

Mr. R. E. Balley
Route 1
Nampa, Idaho

Dear Mr. Balley:

We enclose Certificate of Completion of Works issued on Permit No. 20905 for the diversion of 112 inches of 2.24 second feet of water from a well in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, Township 2 North, Range 3 West, B.M. for irrigation and domestic use on the NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ and E $\frac{1}{2}$ SW $\frac{1}{4}$ of said section.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/re
Enc.

20905

Permit No. 20904

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER

STATE OF IDAHO

County of Ada } ss.

R. E. Balley, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 20904, and that his postoffice address is Rt. 1, Nampa State of Idaho.

Second: That the name of the stream from which said water is to be diverted is Subterranean from two wells.

Third: That the points of diversion of said water ~~is~~ are in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, and in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 27, Twp. 2 North, Range 3 West, B. M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by January 26, 1954.

Fifth: That the use for which said water is intended is irrigation and domestic purposes

Sixth: That on the date above mentioned, the works constructed under said permit were (or were not) fully completed and consisted of the following:

I. Kind of works: Two wells, one equipped with pump, and ditches
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

(a) Height of dam feet, length of dam at top feet, length of dam at bottom feet. Material used in construction

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

(c) Size of headgate: Width feet, height feet.

(d) Conduit width at bottom feet, width at water line
(State whether ditch, flume or pipe)

feet, depth of water feet; diameter of pipe inches, average grade per mile is feet. Length of conduit is miles.

Seventh: That said works are capable of conducting to the place of intended use 112" from second feet of water well in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 22; and 15" from well in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 27

Eighth: That water appropriated under said permit is available for 320 acres of land described as follows: NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 22, Twp. 2 N., Rge. 3 W., B.M.

Ninth: Remarks: That Well No. 1 is 396 feet deep, 12" casing, 390 ft. setting on pump. Worthington turbine pump- 125 H.P. The static water level is 334 ft. and the draw down 56 ft. Well # 2 tested 15" of water, static water level of 406 ft. Well was dug to 429 ft. casing froze; to complete well will have to reduce to 10" casing and go further down. Have filed a new application on this second well. (2-24655)

(Sign Here)

Subscribed and sworn to before me this 13 day of Jan, 1954

My Commission Expires
August 14, 1956

My commission expires

Notary Public.

20905

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

November 3, 1953

INSTRUCTIONS

PROOF OF COMPLETION OF WORKS

Mr. R. E. Balley
Route 1
Nampa, Idaho

Boise, Idaho

Dear Sir:-

Under the terms of your permit No. 20905 you are required to complete your diversion works on or before January 26, 1954. I enclose herewith blank affidavit to be filled out, sworn to by you before a Notary Public or a Justice of the Peace, and returned to this office on or before the above date, or within ten days thereafter, for the purpose of making proof of completion under the permit. Upon receipt of this affidavit in this office, provided the same satisfactorily shows the completion of the works substantially in accordance with the terms of the permit, together with a fee of \$5.00, a Certificate of Completion will be issued to you.

The certificate to be issued under this proof will not give a perpetual right to the use of water for which application was made, as it only confirms the completion of works of a capacity to divert and convey to the place of intended use a certain amount of water. The law requires that another proof be submitted when the water has been fully applied to a beneficial use, at which time license is issued for the amount of water actually in use. Information in regard to this last proof will be furnished on request.

Yours truly,

MARK R. KULP

State Reclamation Engineer

20905

✓
September 30, 1953

RE: Permit No. 20905

Mr. R. E. Balley
Route 1
Nampa, Idaho

Dear Mr. Balley:

We return your application for amendment to the point of diversion in Permit No. 20905, which has been approved by the State Reclamation Engineer and recorded in this department.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:fg
Enc.

20905

✓
November 30, 1950

Re: Permit No. 20905

Mr. R. E. Balley
Rt. 1
Nampa, Idaho

Dear Mr. Balley:

We enclose your Application for Amendment to the point of diversion in Permit No. 20905, which has been approved by the State Reclamation Engineer and duly recorded.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

20905

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

Permit No. 20905

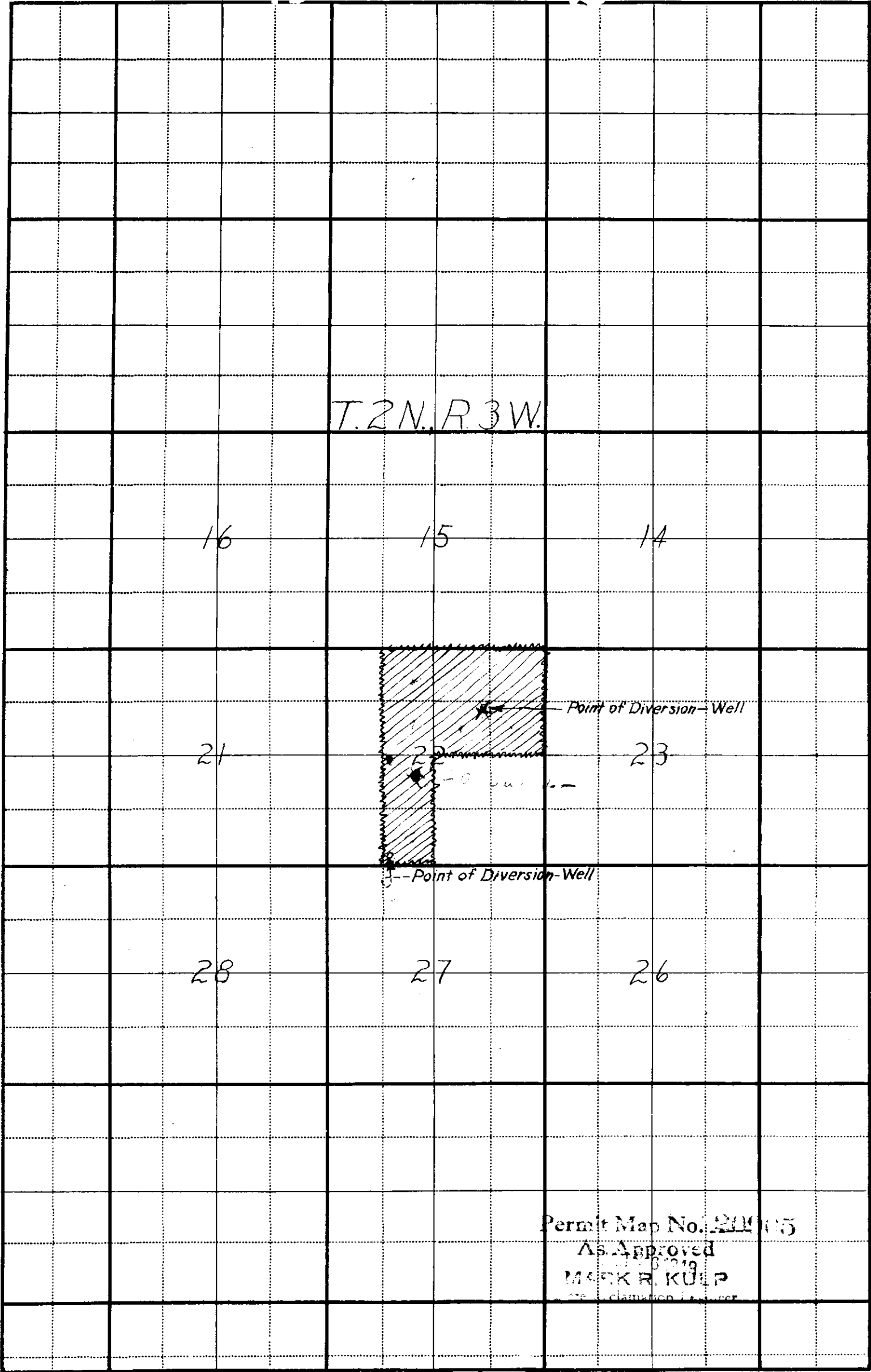
Date January 31, 1949

We enclose herewith the above numbered permit. BE SURE AND
NOTE LIMITATIONS AND CONDITIONS OF SAME as given under approval of the
State Reclamation Engineer, on the fourth page.

MARK R. KULP
State Reclamation Engineer

Mr. R. E. Balley
Route 1
Nampa, Idaho

20905



20905

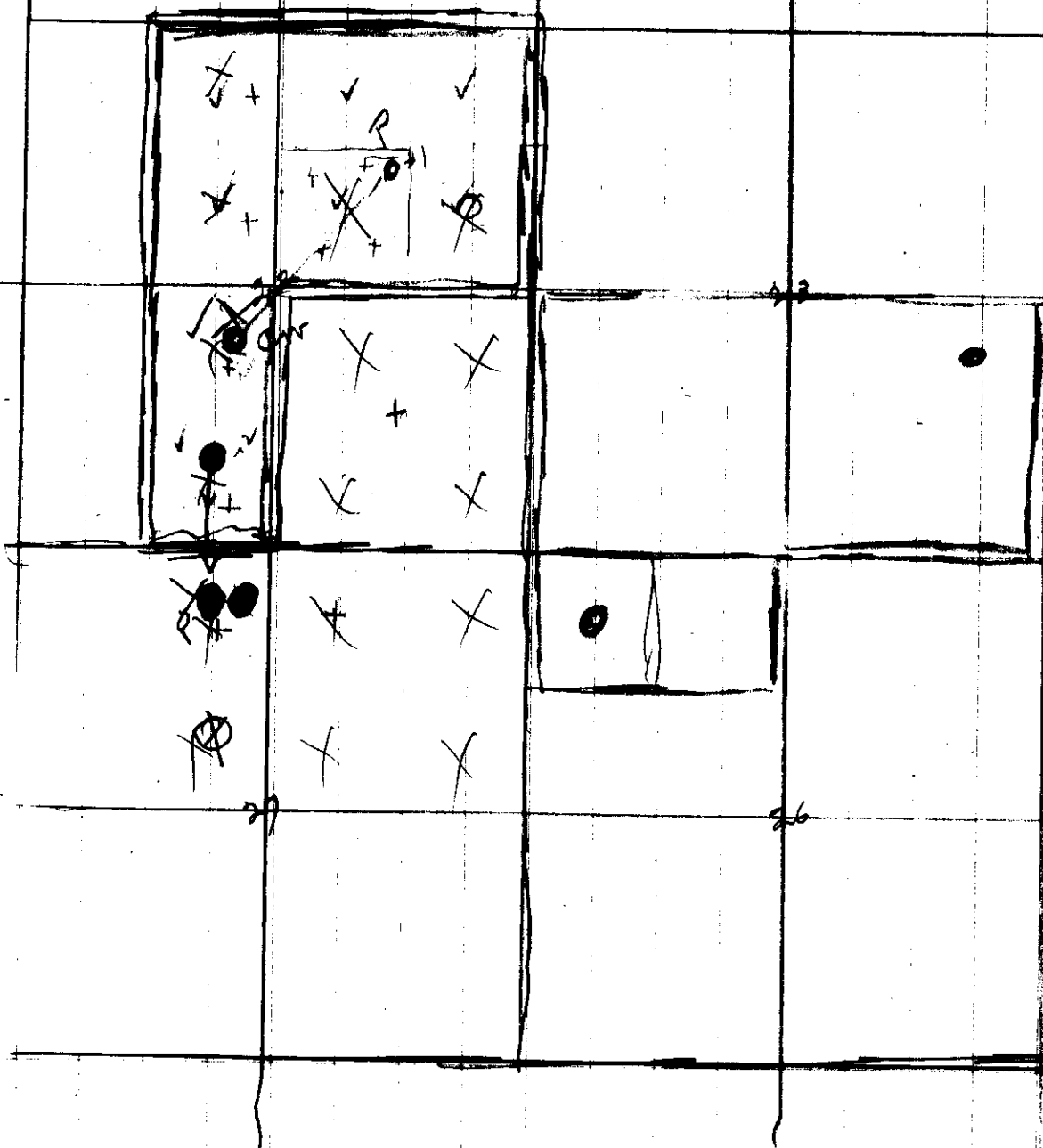
22299

G 24655

OPW well No. 1 224 cfs

Prody's house

UNFILED



Proof

5 1/2 NW 1/4 22

6 1/2 NW 1/4 22

6 1/2 SW 22

SE 1/4 22

NW 1/4 22

NE 1/4 NW 1/4 22

Not in Part

SE 1/4 22

NW 1/4 NW 1/4 22

NE 1/4 NW 1/4 22

Permit

SE 1/4 NE 1/4 22

6 1/2 NW 1/4

6 1/2 SW 1/4

Not in Part

NW 1/4 NE 1/4

SE 1/4 NE 1/4

Can have 224 cfs under #20905
or the amount of completion of work
Then can get up to 224 cfs under
G 24655.

If pumps deliver what tests shows
1200 gpm + 1300 gpm or
2507 cfs and 290 cfs
he can file on the difference

MEK
3/27/57

22'
22'
4.48
1200 gpm 267
1300 gpm 290
557
445
107

20905

October 25, 1965

Re: Transfer of Water Right No. 1058

Mr. Walter C. Russell,
Route #4,
Box 144,
Nampa, Idaho.

Dear Mr. Russell:

We enclose Certificate of Transfer of Water Right Transferred Right No. 1058, together with Departmental Receipt No. G-9925, which was issued covering payment in the amount of \$1.00 for the recording fee of the above mentioned transfer.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

ROBERT W. HAMILTON
Supervisor of Water Distribution

Encl. - Certificate
Receipt

RWH:pak

T-1058
63-2754

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

In the Matter of the Application of)

WALTER C. RUSSELL
Route #4, Box 144
Nampa, Idaho)

ORDER GRANTING TRANSFER
NO. 1058

For a Transfer of Water Right in the)
County of Canyon, State of Idaho)

WHEREAS, On the 29th day of September, 1965, at the Department of Reclamation of the State of Idaho at Boise, Idaho, this matter of the application of Walter C. Russell of Route #4, Box 144, Nampa, Idaho, for a transfer of water right came on regularly for hearing, pursuant to the published notice in due and statutory form, and

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant with the application, shows that the water will be put to a higher and more efficient beneficial use and no one will be injured thereby.

NOW, THEREFORE, IT IS ORDERED, That the said application be, and the same is, HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 25th day of October, 1965.

CARL E. TAPPAN
State Reclamation Engineer
By

(SEAL)

s/

RALPH W. THOMAS

RALPH W. THOMAS, Deputy
State Reclamation Engineer

T-1058
62-2154

S T A T E O F I D A H O

DEPARTMENT OF RECLAMATION

CERTIFICATE OF WATER RIGHT
TRANSFERRED RIGHT NO. 1058

THIS IS TO CERTIFY, That Walter C. Russell of Route #4, Box 144, Nampa, Idaho, is the owner of and using a certain water right of 2.24 cubic feet per second of the waters of subterranean source, said water being obtained by virtue of License No. 20905, issued by the State of Idaho, Department of Reclamation, dated September 19, 1962, bearing priority date of January 17, 1949, for the purpose of irrigating the following described lands situate, lying and being in the County of Canyon, State of Idaho, to-wit:

SW¼ NE¼, E½ NW¼, NE¼ SW¼, of
Section 22, Township 2 North,
Range 3 W. B. M.,

That said license has been entered in the records of the Department of Reclamation of the State of Idaho in Volume No. 12, Page 7447 thereof;

And that Walter C. Russell has become the owner of said right by conveyance;

And that now, upon the application of Walter C. Russell for the transfer of 2.24 cubic feet per second, made before the State Reclamation Engineer of the State of Idaho, and said application having been granted, the right to the use of 2.24 cubic feet per second of the waters of subterranean source by well upon the above described lands is hereby abandoned, and the place of use of said water under such right is HEREBY CONFIRMED, shall by this certificate become appurtenant for irrigation purposes, is described as follows, to-wit:

E½ W¼, Section 22, Township 2
North, Range 3 W. B. M.,

That said water is to be limited at any given time to an amount actually needed and beneficially used for such purposes and shall not exceed the following amount, to-wit:

2.24 cubic feet per second of the
waters of subterranean source with
priority of January 17, 1949;

T-1058

63-2754

And that the water right hereby transferred has heretofore been conducted from subterranean source with point of diversion in the SE¼ NW¼, Section 22, Township 2 North, Range 3 W. B. M., and delivered through a private ditch;

That the water right hereby transferred will hereafter be conducted to the last above described lands from subterranean source by well with point of diversion in the SE¼ SW¼, Section 22, Township 2 North, Range 3 W. B. M., and delivered through private ditch;

That the right to the use of the water aforesaid, hereby described, is restricted to the lands or place of use last above described as provided by the laws of the State of Idaho;

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 25th day of October, 1965.

CARL E. TAPPAN
State Reclamation Engineer
By

(SEAL)

s/

RALPH W. THOMAS

RALPH W. THOMAS, Deputy
State Reclamation Engineer

T-1252
63-2754

RECEIVED
OCT 25 1965

Department of Reclamation

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,)
County of Canyon.) ss.

Jeanne Bruner
of Nampa, Canyon County, Idaho, being first duly sworn,
deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. That I am the Principal Clerk of the Idaho Free Press, a daily, (except Sunday) newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

September 18, 25, 1965

Jeanne Bruner

Subscribed and sworn to before me this

25th day of September, 19 65

Adam D. Linn

Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES JUNE 23, 1967

T-1058

63-2754

October 20, 1965

Re: Transfer of Water Right

Mr. Walter C. Russell,
Route #4, Box 144,
Nampa, Idaho.

Dear Mr. Russell:

Upon receipt of an Affidavit of Publication, which the
Nampa Free Press will supply, and a \$1.00 recording fee, your
Certificate of Water Right Transfer will be issued.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

ROBERT W. HAMILTON
Supervisor of Water Distribution

RWH:pmk

T-1057

63-2754

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

September 10, 1965

Nampa Free Press
315 11 ave. South
Nampa, Idaho

Gentlemen:

Enclosed you will find notica for publication, once a week for two consecutive weeks prior to **September 29 th** the date set for hearing; the expense of the publication is to be paid by the applicant **Walter C. Russell** of **Route #4 Box 144 Nampa, Idaho** to whom you should furnish proof of publication on or prior to the date set for hearing.

Please acknowledge receipt of this notice and furnish this office with a copy or tear-sheet of the first publication.**

Very truly yours,
Carl E. Tappan

State Reclamation Engineer
By

Robert W. Hamilton
Supervisor of Water Distribution

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

Encl.

T-1058

63-2754

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Walter C. Russell of
Nampa, Idaho has applied to the State Reclamation Engineer of the
State of Idaho for a certificate authorizing him to change the point of diversion
and/or place of use of the waters of Subterranean Source as follows:
Amount: 2.24 cubic feet per second. Priority: January 17, 1949
Point of diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 22, Township 2N Range 3W., B.M.
Place of Use: ~~SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 22, Township 2N. Range 3W. B.M.~~

To Be Transferred To

Point of Diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22, Township 2N., Range 3W., B.M.
Place of Use: E $\frac{1}{2}$ SW $\frac{1}{4}$ Section 22, Township 2 N. Range 3W. B. M.

And that on the 29th day of September, 1965, at 10:00 o'clock A.M.
at Room 107, Statehouse, Boise, Idaho, before the State Reclamation Engineer,
or his authorized agent, the opportunity will be given to any and all persons to
appear and present, for his consideration any reason or reasons why a certificate
should not be issued authorizing such transfer.

Carl E. Tarpan
State Reclamation Engineer

T-1052
63-2754

Please Publish in Nampa
Free
Press.

Application For Transfer of Water Right

RECEIVED

STATE OF IDAHO

County of Canyon

SEP 10 1965

Department of Reclamation

Walter C. Russell

being first duly sworn, deposes and says:

That his name is Walter C. Russell; that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is Route 4, Box 144
Nampa, Idaho

That he is the owner and using a certain water right, bearing date of priority of 1-17, 1949, for 2.24 cubic feet per second of the waters of subterranean flow
County of Canyon, State of Idaho, ~~decreed to~~

~~by decree of Judge~~ ~~of the~~ ~~Judicial District of the State of~~
~~Idaho, in and for the County of~~ ~~Idaho~~ ~~on the date of~~

vs. ~~said decree hearing~~ ~~of~~

(or obtained by virtue of License No. 20905, issued by the State Department of Reclamation of the State of Idaho, dated Sept. 18, 1962, bearing date of January 17, 1949)
for the purpose of irrigating the following described lands situate, lying and being in Water District No. _____ in the County of Canyon and State of Idaho, to-wit:

SW1/4; E2NW1/4; NE1/4SW1/4 of Section 22, Township 2 North, Range 3 West
Boise Meridian

and is the person (or representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i.e. conveyance

as per abstract of title of said water right hereto attached and made a part of this statement;

That said waters are now diverted from said stream in the SE1/4NW1/4 of Section 22, Township 2 North, Range 3 West, B. M., and conducted to the above described lands through a private ditch
as per map herewith and of this affidavit made a part.

CHANGE IN PLACE OF USE

That affiant and petitioner desires to abandon the use of 2.24 cubic feet per second of said water upon the above described land, and to convey and use same upon the following tract, situate, lying and being in the County of Canyon and State of Idaho, to-wit:
E2NW1/4; E2SW1/4 of Section 22, Township 2 North, Range 3 West Boise Meridian

That reasons for desiring to make such transfer are as follows: The well located in the SE1/4NW1/4 of Section 22, T. 2N., R. 3W. is no longer producing satisfactorily. This is due to an apparent casing separation as well as some drilling tools lodged in the well. Also, 40 acres (described as the SW1/4NE1/4 of Sec. 22, T.2N., R.3W.B.M.) is irrigated with water furnished from another source.

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63-2754

MICROFILMED

That he intends to divert and convey said 2.24 second feet of water to the tract of land last above described in the following manner and as per map accompanying this application: by private ditch.

Note—If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit.

CHANGE IN POINT OF DIVERSION

That affiant desires to change the point of diversion of said waters from the point above described to a point located in SE 1/4 of SW 1/4 of Section 22, Township 2 North, Range 3 West, and thereafter conduct same to the above described land through the private ditch, as per map appended.

That his reasons for desiring to make such change are as follows: The well located in the SE 1/4 of Section 22, T. 2 North, R. 3 West B.M. has proved unsatisfactory in its production and use. There was apparently a casing separation as well as some drilling tools lodged in the well.

Petitioner asserts that no one will be injured by such transfer, or change in point of diversion, and that the change will be made at petitioner's own risk.

WHEREFORE, Affiant and Petitioner prays that the State Reclamation Engineer of the State of Idaho issue to him the proper certificate authorizing such change in point of diversion and/or place of use, in accordance with the provisions of Sections 42-108 and 42-222 of the Idaho Code.

Walter Russell
Applicant.

Subscribed and sworn to before me this 9th day of September, 1965.

Francis W. Long
Notary Public.

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted? subterranean

Where is the diversion point located? SE 1/4 of Section 22, T. 2N., R. 3W.B.M.

Through what ditch is it now conducted? private ditch

How much land is now irrigated by the water sought to be transferred? 140 acres

Give the description: E 1/4 NW 1/4; E 1/4 SW 1/4 of Section 22, Township 2 North, Range 3 West B.M.

MICROFILMED

What is the total amount of water in inches, or second feet, dedicated to said land?.....2.24 C.F.S.....
What kind of crops are being raised? Sugar Beets, Beans, Grains, Alfalfa & Veg. Seed.....
How much water per acre is now required to irrigate said land?.....9 G.P.M.....
What will be the effect on the land now irrigated, if the use of water on it is discontinued? Land.....
would become arid.....

Give location of new point of diversion, if change is to be made SE 1/4 SW 1/4 of Section 22, T2N., R3W
Through what ditch will it be conducted after transfer?.....private ditch.....

How much water will be required per acre to irrigate the land to which this water is transferred?.....
.....9 G.P.M./acre.....

Do you claim any other water right for the land from which you seek to abandon the use of this water?
If so, give amount, date and source SW 1/4 NE 1/4 of Sec. 22, T.2N, R3W. covered under G-26823.....
Is there any other water right for the land to which you seek to make this transfer? If so, give amount,
date and source.....None.....

Signed Walter Russell
Applicant.

STATE OF IDAHO, }
County of } ss.

I, ..., Watermaster of.....
Water District No....., County of....., State of Idaho, whose postoffice address
is....., have read or heard read the foregoing affidavit and petition
of....., and, of my own knowledge, believe the same to be true
as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized;
and I hereby endorse my approval of said petition, and request that the State Reclamation Engineer
issue the certificate of transfer as petitioned; or (do not approve of the issuance of the certificate of
transfer prayed for) for the following reasons:.....
.....
.....
.....

Watermaster, District No.....

Dated at....., Idaho, this..... day of....., 19.....

T-1058
63-2754

RECEIVED

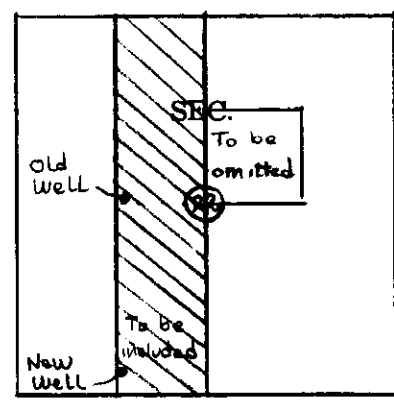
Name of Applicant

SEC. SEC. SEC. SEC. SEC. SEC.

Range 3 West B. M.

SEC. SEC. SEC. SEC. SEC. SEC.

Township 2 North



SEC. SEC. SEC. SEC. SEC. SEC.

SEC. SEC. SEC. SEC. SEC. SEC.



Scale: 2" = 1 mile

Scale: 2 Inches—1 Mile. Draw Map in Ink.

WATER RIGHT NUMBER 63-2754

OWNER LAST NAME - BALLEY

FIRST NAME - R. E.

ORIG OWNER - 0

X > OWNER LAST NAME - RUSSELL *Bing/Frost Ranch Co.*

FIRST NAME - WALTER C.

ORIG OWNER -

ADDRESS LINE 1 - ~~RT. 4 BOX 144~~

ADDRESS LINE 2 -

ADDRESS LINE 3 - *515 S. Fowler ST.*CITY - ~~NAMPA~~ *Las Angeles*STATE - ~~ID~~ *CA* ZIP CODE - *90071*

SOURCE - GROUNDWATER

TRIBUTARY OF -

STAGE - LICENSE

STATUS -

PRIORITY - 01-17-1949 COUNTY - CANYON

TOTAL DIV. RATE - 2.2400 -CFS

TOTAL DIV. VOLUME - *720* .00 AFA TRFR/AMEND - T

WATER DIST. -

DLE/CAREY ACT -

RIGHT BASIS -

DIVERSION POINT - SESW 22 02N 03W LOT

REDIV -

0.0 0.0 0.0

0.0 0.0 0.0

0.0 0.0 0.0

0.0 0.0 0.0

0.0

FROM - *3-15* TO - *11-15* USE - IRRIGATION

USE DIV. RATE -

2.2400 CFS

USE DIV. VOLUME -

720 .00 AFA

USE - IRRIGATION

PLACE OF USE - TWN 02N RNG 03W SEC 22

TRACT NENW LOT

AC 40 TRACT SENW LOT

AC 40

TRACT NESW LOT

AC 40 TRACT SESW LOT

AC 40

DATE -

TOTAL ACRES

160

DECREE NAME -

X > REMARKS - TRANS. ~~1058~~ *2730*,

NON IRRIG USE -

OTHER RIGHTS FOR SAME USE - *63-7561*

PROOF DUE -

PERMIT/DENIED -

PROTESTED -

HEARING -

OLD NO. - 20905

PROOF MADE -

FLD EXAM -

COND. OF APPROVAL -

DIVERSION MEANS -

see TRANS.