

SWSW

T4N R5W S13

NWNW

NENW

T4N R5W S12

SWNW

SENW

2000 AERIAL PHOTO

MICROFILMED

JUL 10 2002

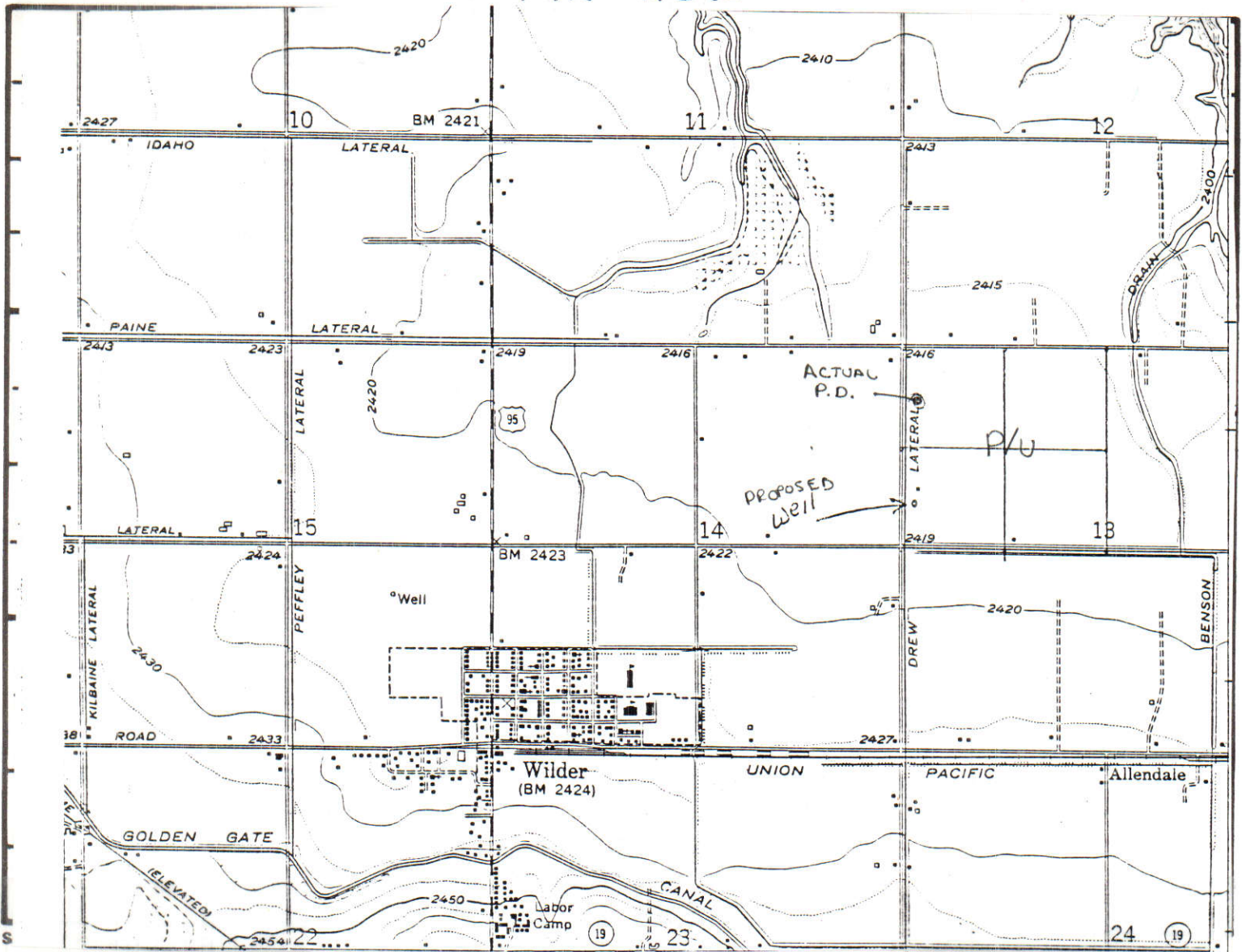
69621

ATTACH B

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

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

T4N - R5W



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, ID, this 5TH day of JULY, 19 88.

[Signature]
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by SL Fee = \$20.00

Receipted by AND Date 7/5/88 #W000431

Publication prepared by AP Date 7/13/88

Published in Press-tribune

Publication dates 7/20 & 7/27/88

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby
Approve the above referenced Application for Amendment provided the conditions
as set forth in Permit No. 63-10578 are met.

Witness my hand this 19th day of August, 19 88.

RECEIVED

DEC 02 1988

[Signature]
Chief, Operations Bureau

RECEIVED
JUL 28 1988

Department of Water Resources
Western Regional Office

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Canyon)

NOTICE OF APPLICATION
FOR AMENDMENT

Notice is hereby given that permit No. 63-10578 in the name of **Buckeye Ranch, Inc.** was filed on March 2, 1988, for the diversion of 3.20 cfs from groundwater with a point of diversion within the T4N, R5W, Sec. 13, SW NW to be used for irrigation purposes from March 15 to November 15 within portions of T4N, R5W, Sec. 13, NW 1/4.

The permit holder now proposes to amend the permit by changing the point of diversion to: T4N, R5W, Sec. 13, NWNW.

Any protest against the approval of the proposed amendment must be filed with the Department of Water Resources, State Office, 1301 N. Orchard St., Statehouse Mail, Boise, ID 83720, on or before August 8, 1988.

R. KEITH HIGGINSON
Director
July 20, 27, 1988

Debra Martin del Campo
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 20, 27, 1988

Debra Martin del Campo
Subscribed and sworn to before me this
27th day of July

19 88

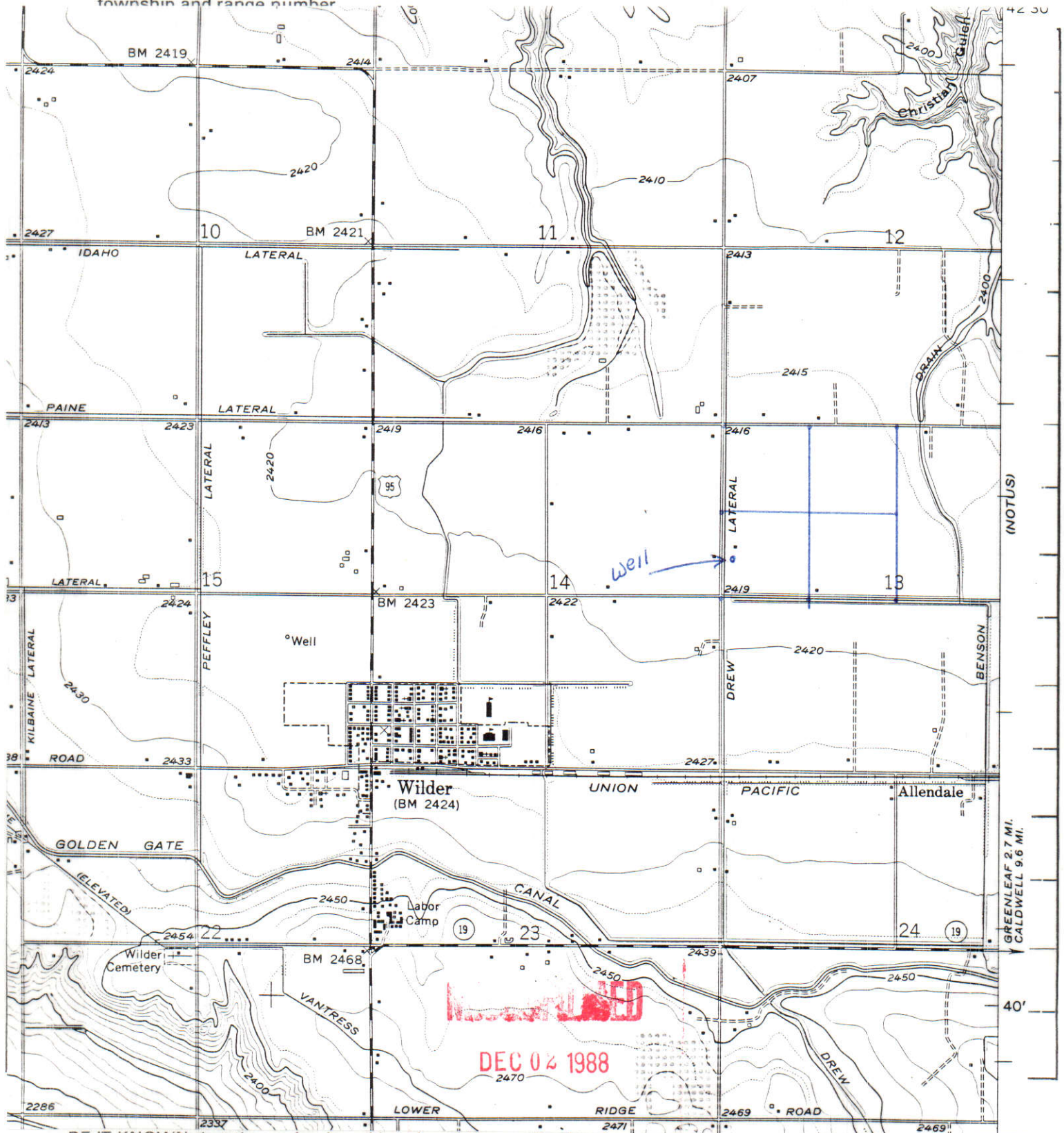
Janet Lusk
Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES
JULY 12th, 1991

MICROFILMED

DEC 02 1988

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



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

Paul H. Hansen V.P.
(Applicant)

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)

County of Canyon)

RECEIVED

SS. JAN 10 2002

WATER RESOURCES
WESTERN REGION

Traci L. Griffin
of Nampa, Canyon County, Idaho, being
first duly sworn, deposes and says:

1. That I am a citizen of the United States, 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 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 Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of this 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 2 time(s) 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:
01/02/2002, 01/09/2002

STATE OF IDAHO)
County of Canyon)

On the 9th day of January in the year of 2002
before me, a Notary Public, personally appeared.
Traci L. Griffin,
known or identified to me to be the person
whose name is subscribed to the within
instrument, and being by me first duly sworn,
declared that the statements therein are true, and
acknowledge to me that he/she executed the same.

Notary Public for Idaho
Residing at Nampa
My commission expires June 21, 2003

e0100285 04505922
1 Idaho Dept. of Water Resource
2735 Airport Way
BOISE ID 83705

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
TRANSFER NO. 69621**
CLAYTON TREE FARM LLC
PO BOX 10
STAR ID 83669, has filed Application No. 69621 for changes to the following water rights within CANYON County:

Right No. 63-10578
Priority 3/2/1988
Source GROUND WATER
Use IRRIGATION (148 acres)
2.00 CFS 666.0 AFA
Total Amount 2.00 CFS
666.0 AFA
Point(s) of Diversion
NWNW S13 T04N R05W
Place of Use
S13 T04N R05W
Right No. 63-21471
Priority 1/1/1909
Source GROUND WATER
Use DOMESTIC (0 acres)
0.10 CFS
STOCKWATER (0 acres)
Total Amount 0.06 CFS
Point(s) of Diversion
SWNW S13 T04N R05W
Place of Use
S13 T04N R05W

Remark: To create a permissible place of use in the NW 1/4 S12 and SWSW S13 T4N R5W and to combine the domestic well and irrigation well into a common system to allow irrigation of trees prior to planting and shipping and to use the irrigation well for a backup for the domestic well. These rights will be limited to 148 acres of irrigation from the wells within a 189 acre permissible place of use.

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before January 22, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director
January 2, 9, 2002 04505922

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JUL 10 2002

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
App	63-12329	PAULSEN FARMS,	GROUND WATER	04N05W12									40	40	40						120
Claim	63-21470	A W PAULSEN,	GROUND WATER	04N05W12											X						0
Rec	63-21470	A W PAULSEN,	GROUND WATER	04N05W12											X						0
App	63-11937	MICHIO TAKASUGI, PATRICK A TAKASUGI,	GROUND WATER	04N05W12											X						0
Claim	63-21469	A W PAULSEN,	GROUND WATER	04N05W12											X					40	40
Rec	63-21469	A W PAULSEN,	GROUND WATER	04N05W12											X						0
Claim	63-2388	UNITED STATES OF AMERICA ACTING THROUGH,	BOISE RIVER	04N05W12											X						0
Right	63-2388	US DEPT OF INTERIOR,	BOISE RIVER	04N05W12																	0
Claim	63-26510	SUN VALLEY FARMS INC,	GROUND WATER	04N05W12												X					0
Right	63-26510	SUN VALLEY FARMS INC,	GROUND WATER	04N05W12												X					0
Claim	63-26511	SUN VALLEY FARMS INC,	GROUND WATER	04N05W12				X													0
Right	63-26511	SUN VALLEY FARMS INC,	GROUND WATER	04N05W12				X													0
																					0

MICROFILMED
JUL 10 2002

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRS	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	Total
Right	63-10578	BUCKEYE RANCH INC.	GROUND WATER	04N05W13					39	39	31	39									148
Claim	63-21471	BUCKEYE RANCH INC.	GROUND WATER	04N05W13							X										0
Claim	63-21471	BUCKEYE RANCH INC.	GROUND WATER	04N05W13							X										0
Rec	63-21471	BUCKEYE RANCH INC.	GROUND WATER	04N05W13							X										0
Rec	63-21471	BUCKEYE RANCH INC.	GROUND WATER	04N05W13							X										0
Right	63-11744	E & B FARM INC.	GROUND WATER	04N05W13																	0
Right	63-11746	PATRICK A TAKASUGI,	GROUND WATER	04N05W13									38	36	33	35		36	33		211
Claim	63-20258	MICHIO TAKASUGI, AYAKO TAKASUGI,	GROUND WATER	04N05W13		34	36														70
Rec	63-20258	MICHIO TAKASUGI, AYAKO TAKASUGI,	GROUND WATER	04N05W13		X															0
Claim	63-21506	E & B FARMS INC.	GROUND WATER	04N05W13		X															0
Rec	63-21506	E & B FARMS INC.	GROUND WATER	04N05W13												X					0
Claim	63-21510	WILLIAM E MAXWELL, SID D MAXWELL,	GROUND WATER	04N05W13												X					0
Rec	63-21510	WILLIAM E MAXWELL, SID D MAXWELL,	GROUND WATER	04N05W13														X			0
Claim	63-23143	KATHRYN CARVER,	GROUND WATER	04N05W13															X		0
Claim	63-23143	KATHRYN CARVER,	GROUND WATER	04N05W13			X														0
Claim	63-23480	DONALD W HUME, LUCY M HUME,	GROUND WATER	04N05W13			X														0
Claim	63-23480	DONALD W HUME, LUCY M HUME,	GROUND WATER	04N05W13											X						0
Rec	63-23480	LUCY M HUME, DONALD W HUME,	GROUND WATER	04N05W13											X						0
Rec	63-23480	LUCY M HUME, DONALD W HUME,	GROUND WATER	04N05W13											X						0
Claim	63-23521	LINDA D ISOM, LAWRENCE M ISOM,	GROUND WATER	04N05W13											X						0
Claim	63-23521	LINDA D ISOM, LAWRENCE M ISOM,	GROUND WATER	04N05W13											X						0
Rec	63-23521	LAWRENCE M ISOM, LINDA D ISOM,	GROUND WATER	04N05W13											X						0
Rec	63-23521	LAWRENCE M ISOM, LINDA D ISOM,	GROUND WATER	04N05W13											X						0
Claim	63-23626	ED L MAXWELL,	GROUND WATER	04N05W13											X						0
Claim	63-23626	ED L MAXWELL,	GROUND WATER	04N05W13															X		0
Rec	63-23626	ED L MAXWELL,	GROUND WATER	04N05W13															X		0
Rec	63-23626	ED L MAXWELL,	GROUND WATER	04N05W13															X		0
Claim	63-23627	ED L MAXWELL, THOMAS CHURCH,	GROUND WATER	04N05W13				X											X		0
Claim	63-23627	ED L MAXWELL, THOMAS CHURCH,	GROUND WATER	04N05W13				X													0
Rec	63-23627	THOMAS CHURCH, ED L MAXWELL,	GROUND WATER	04N05W13				X													0
Rec	63-23627	THOMAS CHURCH, ED L MAXWELL,	GROUND WATER	04N05W13				X													0
Claim	63-2388	UNITED STATES OF AMERICA ACTING THROUGH,	BOISE RIVER	04N05W13																	0
Right	63-2388	US DEPT OF INTERIOR,	BOISE RIVER	04N05W13																	0

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JUL 10 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
FEB 06 1990

Department of Water Resources

A. GENERAL INFORMATION

1. Owner: BUCKEYE RANCH INC. Permit No. 63-10578
Current Address: 25270 RED TOP. WILDER ID. Phone No. _____
2. Accompanied by: DAVID PAULSEN EXAM. DATE: 6-13-89
Address: 22009 TRAVIS RD WILDER Phone No. _____
Relationship to Permit Holder: SON
3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

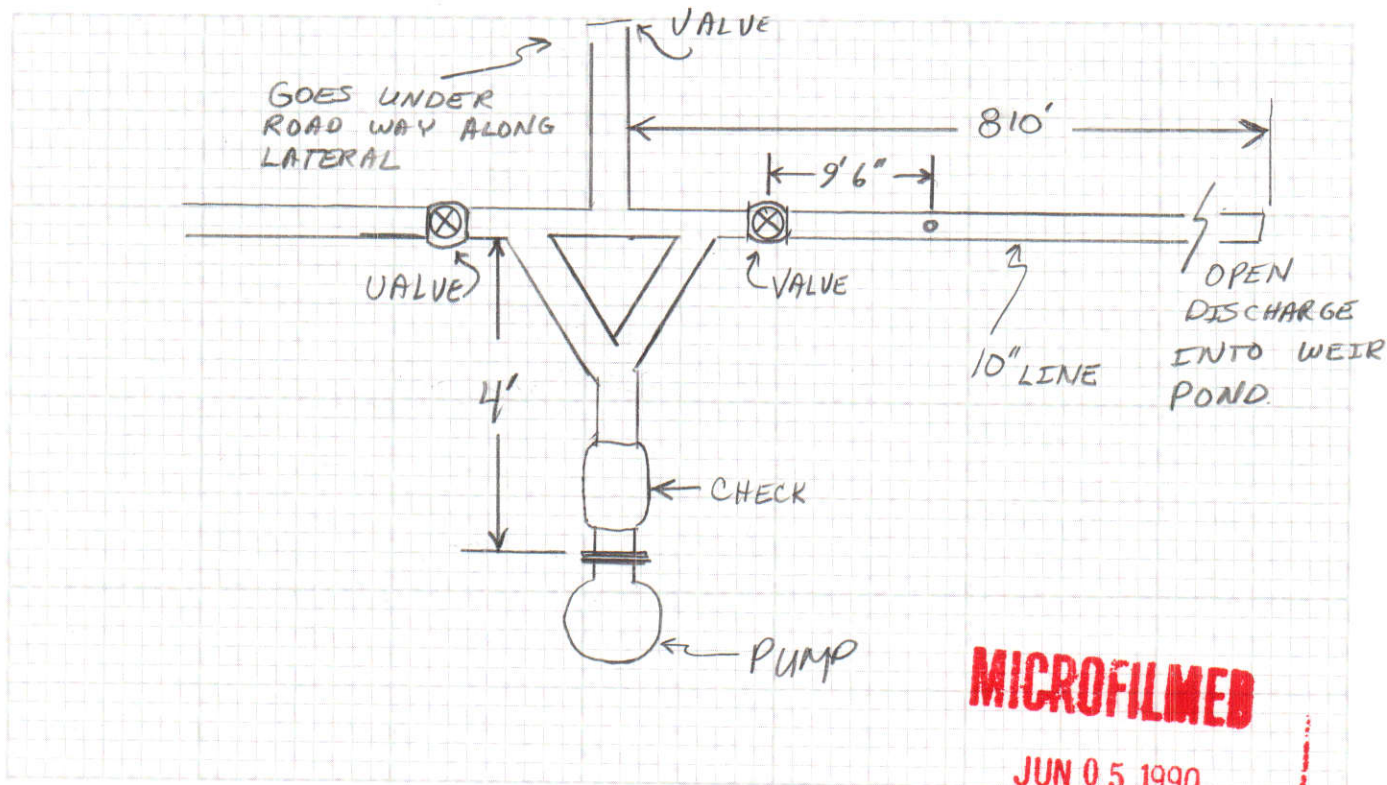
1. Other water rights with same place of use: DETC# Co. WATER

☐ Copies Attached
2. Other water rights with same point of diversion: NONE

☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



Scale: 1" = NOT TO SCALE

2. ☐ Copy of U.S.G.S. Quadrangle Attached
Showing location(s) of point(s) of diversion and
place(s) of use (required).
☐ Photo of Diversion and System Attached
(required for all but single household domestic groundwater, and stockwater.)
☐ Aerial Photo Attached
(required for irrigation of 10 acres or more.)

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

Measured by: K. CHRISTENSEN

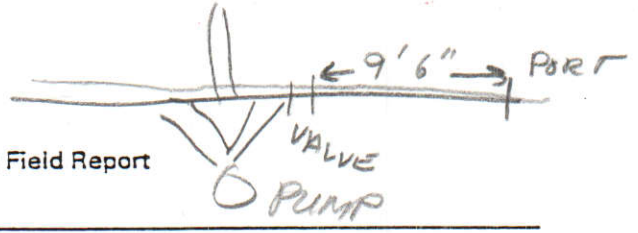
Date 6-13-89

Owner: BUCKEYE RANCH INC

Permit No. 63-10578

Description of well &/or measuring site

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



MEASURED INSIDE PIPE DIAMETER IN INCHES (ID)

CIR = Pipe Circumference in Inches = _____

T = Pipe Thickness in Inches = _____

ID = 2 [(0.1592 X CIR) - T] = ... 9.5" DIRECT

ANNUBAR DESCRIPTION & CONSTANT (C)

Size Used in Test 10"

State ID No. 91424

Select C based on size from Table below.

Nominal Pipe Size	C
4"	4.23
6"	3.75
8"	3.37
10"	3.94
12"	3.99
14"- 16"	4.01
18"- 24"	4.02
30" or larger	4.03

C selected 3.94

DIFFERENTIAL PRESSURE READING IN INCHES OF H₂O (H)

High Reading = 46 25.5

Low Reading = 16

High - Low = H = ... 9.5

CALCULATION OF DISCHARGE IN CFS (Q)

$$Q = \frac{(ID)^2 \cdot (\sqrt{H}) \cdot (C)}{448.3}$$

$$Q = \frac{(9.5)^2 \cdot (\sqrt{9.5}) \cdot (3.94)}{448.3} = 2.44 \text{ CFS}$$

SKETCH (If not shown on Field Report)

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JUN 05 1990





T. 4 N.

4840

42' 30"

4839

4838

4837

4836

4835

40'

4834

Flume

Christian

WEIR LOCATION

10" PIPE LINE

ANNULAR MEASUREMENT LOCATION

DITCH

95

BM 2423

Wilder

Labor Camp

BM 2

LOWER

CANAL

NOT FILLED

JUN 05 1990

RIDGE

PACIFIC

Allendale

DREW

2469

ROAD

P/D _____

LOOKING SOUTH

Picture # 1



LOOKING NORTH

Picture # 2

WEIR LOCATION



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JUN 05 1990

P/4

LOOKING SOUTH EAST

Picture # 3



Picture # _____

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JUN 05 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69621

This is to certify that: CLAYTON TREE FARM LLC
PO BOX 10
STAR ID 83669
(208)442-7100

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

Summary of Water Rights Before the Proposed Change

Right	Origin/Basis	Priority	Rate	Volume	Acres	Total	Source
63-10578	WR/License	03/02/1988	2.00 cfs	666.0 af		148.0	GROUND WATER
63-21471	AJC/Beneficial Use	01/01/1909	0.06 cfs			N/A	GROUND WATER

Purpose of Transfer (Changes Proposed)

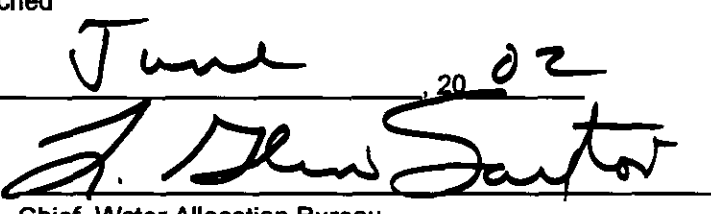
Current Number	Split	POD	POU	Add POD	Period of Use	Nature of Use
63-10578	NO	NO	YES	YES	NO	NO
63-21471	NO	NO	YES	YES	NO	NO

Summary of Water Rights After the Approved Change

Existing Right	New No. (changed portion)	Transfer Rate	Transfer Volume	Acres Limit	Total Acres	New No. (remaining portion)	Remaining Rate	Remaining Volume	Remaining Acres Limit	Remaining Total Acres
63-10578	63-10578	2.00 cfs	666.0 af	148.0	148.0		N/A	N/A	N/A	N/A
63-21471	63-21471	0.14 cfs	7.9 af	N/A	N/A		N/A	N/A	N/A	N/A
TOTALS		2.14 cfs	673.9 af	148.0	148.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 17th day of June, 2002


Chief, Water Allocation Bureau

MICROFILMED
JUL 10 2002

WATER RIGHT NO. 63-10578
As Modified by Transfer No. 69621

In accordance with the approval of Transfer No. 69621, Water Right No. 63-10578 is now described as follows.

Right Holder: CLAYTON TREE FARM LLC
 PO BOX 10
 STAR ID 83669

Priority Date: 03/02/1988

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	03/15 to 11/15	2.00 CFS	666.0 AF
		2.00 CFS	666.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNW Sec. 13 Twp 04N Rge 05W CANYON County

GROUND WATER SWNW Sec. 13 Twp 04N Rge 05W CANYON County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 05W 12											36.0						36.0
04N 05W 13					39.0	39.0	36.0	39.0									153.0

Total Acres: 189

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 148.0 acres within the place of use described above in a single irrigation season.
2. The total instantaneous diversion of water from all points of diversion under Rights 63-10578 and 63-21471 shall not exceed 2.14 cfs, nor total combined annual volume of 673.9 af.
3. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
4. After specific notification by the Department, the right holder shall measure the diversion or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.

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JUL 10 2002

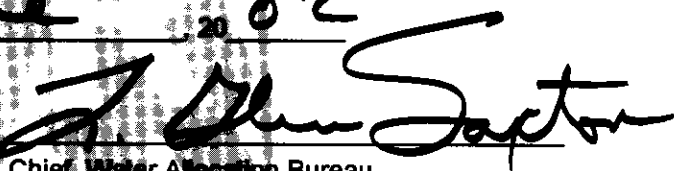
WATER RIGHT NO. 63-10578
As Modified by Transfer No. 69621

CONDITIONS OF APPROVAL

5. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
6. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
7. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.5 afa per acre at the field headgate for irrigation of the lands above.
8. The period of use for the irrigation described in this approval may be extended to a beginning date of 3/1 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 3/15 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
9. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
10. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.

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

Dated this 17th day of June, 2002


Chief, Water Allocation Bureau

MICROFILMED

JUL 10 2002

WATER RIGHT NO. 63-21471
As Modified by Transfer No. 69621

In accordance with the approval of Transfer No. 69621, Water Right No. 63-21471 is now described as follows.

Right Holder: CLAYTON TREE FARM LLC
 PO BOX 10
 STAR ID 83669

Priority Date: 01/01/1909

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
DOMESTIC	01/01	12/31	0.04 CFS	1.2 AF
STOCKWATER	01/01	12/31	0.10 CFS	6.7 AF
			0.14 CFS	7.9 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER NWNW Sec. 13 Twp 04N Rge 05W CANYON County

GROUND WATER SWNW Sec. 13 Twp 04N Rge 05W CANYON County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 05W 13							X										

PLACE OF USE: STOCKWATER

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 05W 13							X										

CONDITIONS OF APPROVAL

1. The total instantaneous diversion of water from all points of diversion under Rights 63-10578 and 63-21471 shall not exceed 2.14 cfs, nor total combined annual volume of 673.9 af.
2. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
3. The quantity of water decreed for this water right for domestic and stockwater use is not a determination of historical beneficial use and shall not exceed 13,000 gallons per day.

MICROFILMED

JUL 10 2002

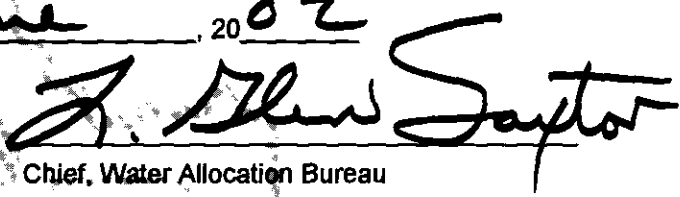
WATER RIGHT NO. 63-21471
As Modified by Transfer No. 69621

CONDITIONS OF APPROVAL

4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
5. Domestic use is for 1 home located in Parcel No. IR36800-000-0.
6. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
7. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
8. Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

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

Dated this 17th day of June, 2002


Chief, Water Allocation Bureau

MICROFILMED
JUL 10 2002

(Internet)

Page 1 of 9

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 69621

RECEIVED

APPLICATION FOR TRANSFER OF WATER RIGHT

FEB 25 2002

PART 1

Department of Water Resources

Name of applicant CLAYTON TREE FARM LLC Phone 208-442-7100

Post Office address P.O. Box 10 STAR id 83669

A. PURPOSE OF TRANSFER

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

2. Describe the reason for the proposed changes Combine the domestic & irrigation right into a single system & create a permissible place of use.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>63-10578</u>	<u>3-2-88</u>	<u>2.00 cfs</u>	<u>Irrigation</u>	<u>3-15</u> to <u>11-15</u>
<u>63-21471</u>	<u>1-1-09</u>	<u>.04</u>	<u>Domestic</u>	<u>1-1</u> to <u>12-31</u>
<u>63-21471</u>	<u>1-1-09</u>	<u>.10</u>	<u>Stock water</u>	<u>1-1</u> to <u>12-31</u>
				to

2. Total amount of water being transferred 2.14 cubic feet per second and/or 666 acre-feet per annum.

3. Source of water Ground water tributary to N/A

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use:

[illegible]

PART 1

6. General Information:

a. Description of diversion system 2 weirs will be connected by existing
ditch to allow irrigation of trees in process.

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

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

PROVIDE BETTER AND more efficient use of water
AND LAND

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

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

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Page 3 of 4

Page 1

11/30/2001

IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-10578

WATER RIGHT NUMBER: 63-10578

Owner Type Name and Address
Current Owner BUCKEYE RANCH INC
 C/O DAVE PAULSEN
 25270 RED TOP
 WILDER, ID 83676

Priority Date: 03/02/1988

Basis: License

Status: Active

Source Tributary
GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
IRRIGATION	3/15 to 11/15	2.000 CFS	666.00 AF
	<u>Total Diversion:</u>	2.000 CFS	666.00 AF

Location of Point(s) of Diversion

GROUND WATER NW1/4NW1/4 Sec. 13, Twp 04N, Rge 05W, B.M.
CANYON County

Place of Use

IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
04N 05W 13					39.0	39.0	31.0	39.0									148.0

Total Acres: 148

Conditions of Approval:

1. R32 This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for irrigation of the lands above.

Remarks:

Comments:

Dates and Other Information:

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IDAHO DEPARTMENT OF WATER RESOURCES

Water Right Report 63-10578

Dates and Other Information:

Licensed Date: 5/10/1990
 Decreed Date:
 Water Supply Bank Enrollment Accepted:
 Water Supply Bank Enrollment Removed:
 Enlargement Use Priority Date:
 Enlargement Statute Priority Date:
 State or Federal:
 Owner Name Connector:
 Water District Number:
 Generic Max Rate Per Acre:
 Generic Max Volume Per Acre:
 Decree Defendant:
 Decree Plaintiff:
 Civil Case Number:
 Judicial District:
 Swan Falls Trust or Nontrust:
 Swan Falls Dismissed:
 DLE Act Number:
 Carey Act Number:
 Mitigation Plan: False

Element Reviewed/Verified Dates:

<u>Element</u>	<u>Last Reviewed Date</u>	<u>Reviewer</u>	<u>Last Verified Date</u>	<u>Verifier</u>	<u>Status</u>
----------------	---------------------------	-----------------	---------------------------	-----------------	---------------

Verification Log:

<u>Element</u>	<u>Date Time Stamp</u>	<u>Reviewer</u>	<u>Log text</u>
----------------	------------------------	-----------------	-----------------

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 JUN 10 2002

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Page 5 OF 9

Page 1

11/29/2001

IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-21471 V1

WATER RIGHT NUMBER: 63-21471 V1

Owner Type Name and Address
Current Owner BUCKEYE RANCH INC
 C/O BILL PAULSEN
 24886 PECKHAM RD
 WILDER, ID 836765221
 (208)482-7588

Priority Date: 01/01/1909

Basis: Beneficial Use

Status: Active

Source Tributary
GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	1/01 to 12/31	0.040 CFS	
STOCKWATER	1/01 to 12/31	0.100 CFS	
	<u>Total Diversion:</u>	0.060 CFS	

DATA ENTRY
ERROR SHOULD
BE 0.14 CFS
DAN
11-29-01
CORRECT WITH
AFR.

Location of Point(s) of Diversion

GROUND WATER SW1/4NW1/4 Sec. 13, Twp 04N, Rge 05W, B.M.
CANYON County

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	05W	13							X										

STOCKWATER

Twp	Rge	Sec	NE				NW				SW				SE				
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
04N	05W	13							X										

Conditions of Approval:

1. N11 THE QUANTITY OF WATER DECREED FOR THIS WATER RIGHT IS NOT A DETERMINATION OF HISTORICAL BENEFICIAL USE.

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IDAHO DEPARTMENT OF WATER RESOURCES

Adjudication Recommendation Report 63-21471 V1

2. N13 THE QUANTITY OF WATER UNDER THIS RIGHT SHALL NOT EXCEED 13,000 GALLONS PER DAY.

Remarks:

1. Explanatory PARCEL NO. IR36800-000-0 STOCKWATER, 500 RANGE CATTLE PROPERTY ALSO KNOWN AS 21622 TRAVIS RD., WILDER.

Comments:

1. SSHERMAN 4/14/1999 ADDRESS CHANGE
Comment: ADDRESS CHANGE BY CLAIMANT LETTER.

Dates and Other Information:

Decreed Date:
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
Defendant:
Plaintiff:
Civil Case Number:
Judicial District:
Notice of Error Flag: NONE RECEIVED
State or Federal: S
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

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TRAVIS ROAD

1684

38.4

2
34.7

P
N

N/NW

2
21.6

13.0

2
47.8

N/NW

3
12.7

T 746

N/NW

N/NW

3
9.3

N/NW

5
7.0

4
14.8

1
37.3

2
2.2

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325

T 685

N/NW

N/NW

7.2

IRIGATION WELL

2
11.3

925

N/NW

3.5

TRANSFER
TO
OWYHEE

2
24.3

N/NW

367

N/NW

3
71.0

DOMESTIC & STOCK WELL

3
25.0

4
22.5

3
18.5

977

N/NW

T 856

N/NW

T 893

N/NW

T 713

N/NW

T 605

N/NW

LEGAL DESCRIPTION

SW 1/4, SW 1/4, Section 12, 4N, 5W

NW 1/4, Section 13, 4N, 5W

Page 8 of 9

ALL MAPS

DEEDS

Known water rights

Well - Pump information

~~known specific~~
~~area~~

TOOD

125 HP 300' - 400'

180 inches cut back

Domestic might be drilled last
20 years

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10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

For Both Rights

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

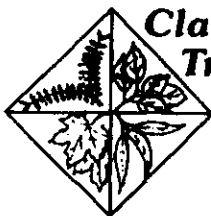
3. Lands irrigated or place of use:

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

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JUL 10 2002

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**Clayton
Tree Farm**

BILL CLAYTON
(208) 442-7100

6267 Joplin Road, Nampa, Idaho 83687-8112
Fax (208) 442-7103

PART 3**B. CHANGES IN NATURE OF USE**

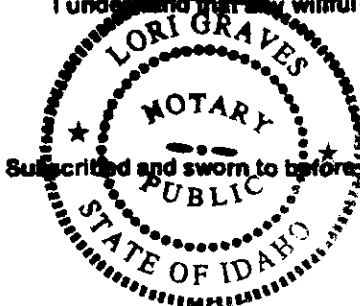
1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
	<u>NA combining systems</u>			to _____ to _____

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

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

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

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



Subscribed and sworn to before me this

29

day of

Nov2001

(Signature of Applicant)

Lori Graves

(Notary Public)

My commission expires

6/18/04**FOR DEPARTMENT USE ONLY**Transfer contains 9 pages and 4 attachmentsReceived by DAN Date 11-29-01

Protest filed by _____

Prelim. check by _____ Fee \$330.00 W228534Received by DAN Date 11-30-01Published in Press Tribune

Copies of protest forwarded by _____

Pub. dates 1-3 + 10-02

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

rec'd. _____

by _____

Copy of transfer sent to lien holder

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JUL 10 2002

69621

3792867

WARRANTY DEED

THE GRANTOR is Patricia A. Skelly, Carl Paulsen and Craig Paulsen, as personal representatives of the Estate of Albert W. Paulsen, Jr., deceased; and

Buckeye Ranch, Inc., an Idaho corporation, (herein called grantor).

THE GRANTEE is Clayton Tree Farm LLC, an Idaho limited liability company, (herein called grantee) whose current address is 6247 Joplin Road, Nampa, ID 83687.

FOR VALUE RECEIVED, the grantor hereby grants, bargains, sells and conveys unto the grantee those premises situated in Canyon County, Idaho, and described as follows:

Buckeye Farm

The Northwest Quarter of Section 13, Township 4 North, Range 5 West, Boise Meridian.

Together with all water rights under Water Right License No. 63-10578 and any water rights for beneficial use for domestic and stockwater under Adjudication Recommendation Report 63-21471 V1 pending decision by the Snake River Basin Adjudication Court.

Together with Lane Pump, 125 HP High Trust motor Serial No. R-9982-04146 and Lane Pump, 125 HP High Trust motor Serial No. R-2147536.

TOGETHER with all water rights, ditch rights, rights of way, improvements, fixtures, tenements, hereditaments and appurtenances thereto belonging or used in connection therewith.

TAXES PRORATED BY DATE: The term "taxes" when used in this deed means all general and special taxes levied against the premises and the improvements and fixtures thereon by any taxing unit for any purpose and includes, but is not limited to, those for bonds and special improvements, but excludes those for which other provisions are herein expressly made. All taxes, whether paid or unpaid, shall be prorated between the grantor and the grantee on a time basis as of the date of this deed. The grantor shall pay before delinquency all taxes prorated for the period of time before such date and the grantee shall pay all taxes prorated for the period of time of and after such date.

IRRIGATION CHARGES PRORATED BY IRRIGATION SEASON: The term "irrigation charges" when used in this deed means all general and special taxes and assessments levied against the premises by any irrigation or drainage unit for any purpose and includes but is not limited to bonds, construction charges, special improvements, irrigation, and drainage. For the purposes of prorating irrigation charges, the irrigation season shall be deemed to be the calendar year. The grantor shall pay before delinquency all irrigation charges levied for the irrigation season of 2001 and all irrigation seasons prior thereto. The grantee shall pay before delinquency all irrigation charges levied for the irrigation season of 2002 and all irrigation seasons subsequent thereto. The irrigation district assessment billed in December, 2001, will contain the Fall assessment for 2001 which shall be paid by the grantor and the Spring assessment for 2002 which shall be paid by the grantee.

MICROFILMED

JUL 10 2002

Attach. A 1

WARRANTY DEED

THE GRANTOR is **Carl Amos Paulsen, David Albert Paulsen and Mark Clark**, as successor Trustees of the **Berneta J. Paulsen Testamentary Trust** created by the provisions of the Last Will dated December 28, 1979, and admitted to probate on the date of March 5, 1980, by order of the Magistrate's Division of the District Court of the Third Judicial District of the State of Idaho, in and for the County of Canyon; and

Patricia Skelly, Carl Paulsen and Craig Paulsen, as successor Trustees of the **Albert W. Paulsen, Jr. Family Trust** created by that trust agreement in writing dated February 16, 1998, wherein Albert W. Paulsen, Jr. appears as "settlor" and Albert W. Paulsen, Jr. appears as "trustee"; and

Patricia A. Skelly, Carl Paulsen and Craig Paulsen, as personal representatives of the **Estate of Albert W. Paulsen, Jr., deceased**.

THE GRANTEE is **Clayton Tree Farm LLC**, an Idaho limited liability company, (herein called grantee) whose current address is 6247 Joplin Road, Nampa, ID 83687.

FOR VALUE RECEIVED, the grantor hereby grants, bargains, sells and conveys unto the grantee those premises situated in Canyon County, Idaho, and described as follows:

Cowdery Farm

A parcel of land being the Southwest Quarter of the Southwest Quarter of Section 12, Township 4 North, Range 5 West, Boise Meridian, Canyon County, Idaho, as shown on Record of Survey, filed for record in the office of the Canyon County Recorder, Caldwell, Idaho, under Instrument No. 200136299 and more particularly described as follows:

BEGINNING at a brass cap marking the Southwest corner of said Section 12; thence along the West boundary of said Section 12

North 00°03'36" West 1331.92 feet to an iron pin marking the Northwest corner of said SW ¼ of the SW ¼ of Section 12; thence along the North boundary of the said SW ¼ of the SW ¼ of Section 12

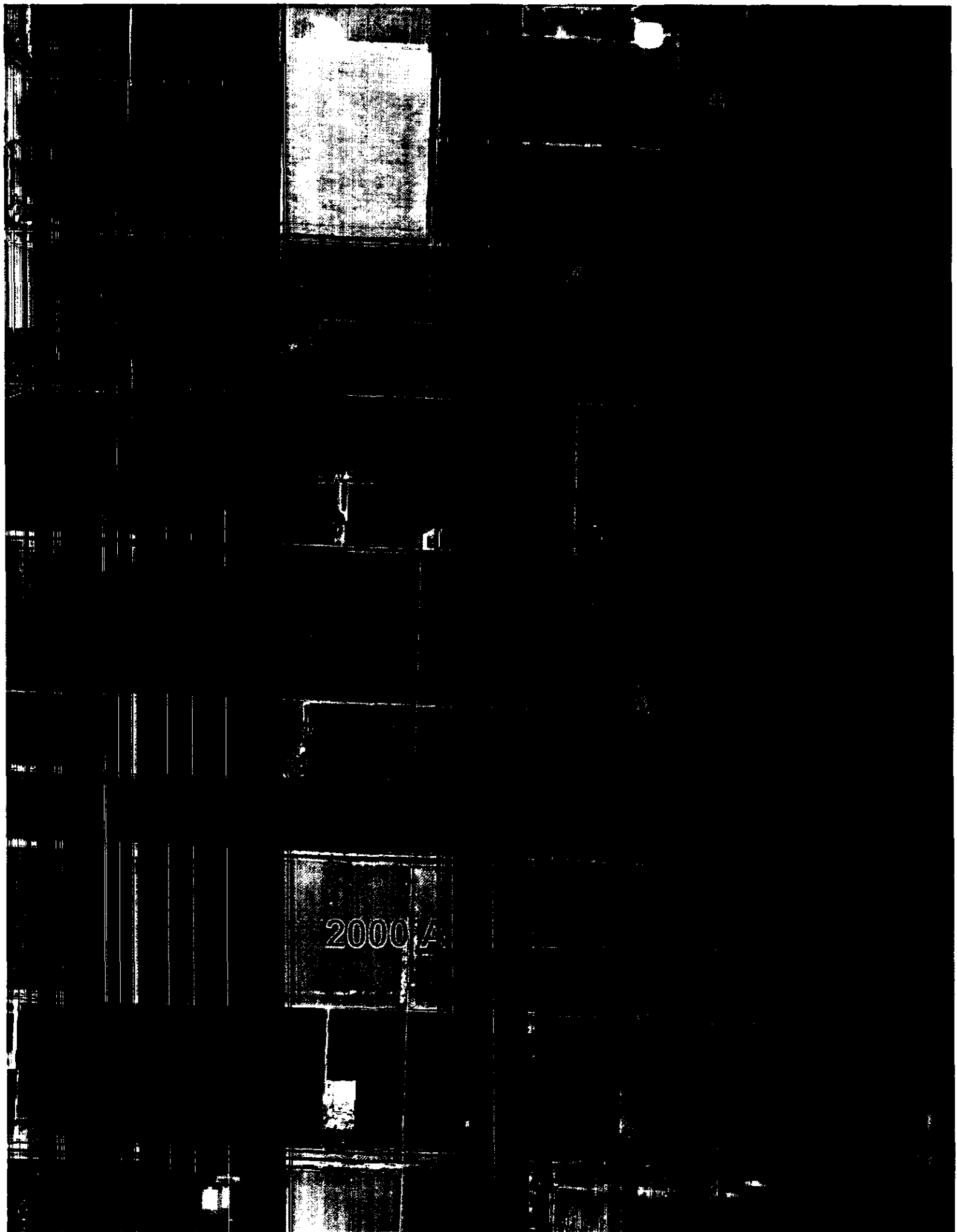
South 89°46'57" East 1341.48 feet to an iron pin marking the Northeast corner of said SW ¼ of the SW ¼ of Section 12; thence along the East boundary of said SW ¼ of the SW ¼ of Section 12

South 00°04'00" East 1331.14 feet to an iron pin marking the Southeast corner of said SW ¼ of the SW ¼ of Section 12; thence along the South boundary line

North 89°48'58" West 1341.64 feet to the **POINT OF BEGINNING**.

TOGETHER with all water rights, ditch rights, rights of way, improvements, fixtures, tenements, hereditaments and appurtenances thereto belonging or used in connection therewith.

TAXES PRORATED BY DATE: The term "taxes" when used in this deed means all general and special taxes levied against the premises and the improvements and fixtures thereon by any taxing unit for any purpose and includes, but is not limited to, those for bonds and special improvements, but excludes those for which other provisions are herein expressly made. All taxes, whether paid or unpaid, shall be prorated between the grantor and the grantee on a time basis as of the date of this deed. The grantor shall pay before delinquency all taxes prorated for the period of time before such date and the grantee shall pay



William C. CLAYTON, ^{President,} AS SOLE ~~manager~~ member

P.O. Box 10

STAR, ID 83669

MICROFILMED

101 1 0 2002

69621
ATTACH C



Farm Credit Services

411 Blaine Street
P.O. Box 730
Caldwell, Idaho 83606-0730
208/455-5500
800/819-3312
FAX 208/455-5505

November 30, 2001

Dan Nelson
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

RECEIVED

DEC 03 2001

WATER RESOURCES
WESTERN REGION

RE: Transfer of Application for Clayton Tree Farm LLC dated 11/29/01
63.10578 & 63.21471

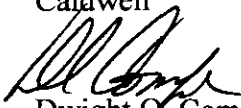
Dear Mr. Nelson:

Northwest Farm Credit Services, FLCA do not oppose the above proposed changes of combining domestic and irrigation rights and the addition of a permissible place of use.

If you have any other concerns and questions please feel free to give us a call at 455-5500. Thank you.

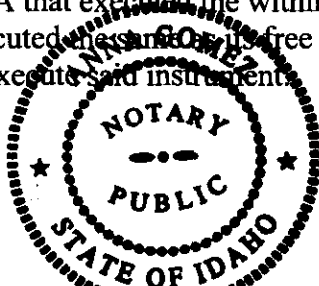
Sincerely

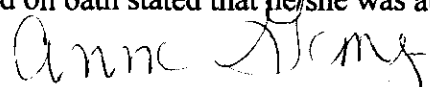
NORTHWEST FARM CREDIT SERVICES
Caldwell


Dwight O. Comfort
Senior Credit Officer

STATE OF IDAHO
County of CANYON ss.

On this 30th day of October, 2001, before me personally appeared Dwight O. Comfort, known to me to be an authorized agent of the Northwest Farm Credit Services, ACA that executed the within instrument, and acknowledged to me that such corporation executed the same as its free act and deed; and on oath stated that he/she was authorized to execute said instrument.




Notary Public for the State of Idaho
Residing at CAIDWELL, ID
My commission expires 10/11/2007

Northwest Farm Credit Services, Agricultural Credit Association

MICROFILMED

JUL 10 2002

69621
ATTACH D.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE
WATER RIGHT NO. 63-10578

Priority: March 2, 1988

Maximum Diversion Rate: 2.00 CFS
Maximum Diversion Volume:¹ 666.0 AF

This is to certify, that BUCKEYE RANCH INC.
C/O DAVE PAULSEN
25270 RED TOP

WILDER, ID 836760000 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated March 2, 1988; and has submitted Proof of Beneficial Use on March 22, 1989. An examination indicates that the works have a diversion capacity of 2.440 cfs of water from a **GROUNDWATER** source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	2.00 CFS	666.0 AF

LOCATION OF POINT(S) OF DIVERSION: NWNW , Sec. 13, Township 04N, Range 05W
CANYON County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
04N 05W 13	NENW 39	NWNW 39	SWNW 31	148
	SEnw 39			

Total number of acres irrigated: 148

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

MICROFILMED

JUN 05 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 63-10578

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 15th
day of MAY, 1990.

Acting for *Norm Young*
R. Keith Higginson, Director

MICROFILMED

JUN 05 1990

STATE OF IDAHO

APPLICATION FOR AMENDMENT OF A PERMIT

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

APPROVED

482-7311

Phone 482-7588

Comes now BUCKEYE RANCH, INC

of (address) ROUTE 2, WILDER, ID 83676, and represents to the

Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 63-10578, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW 1/4 NW 1/4, Section 13, Township 4N, Range 5W, B.M., County of CANYON. Other points of diversion: _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.) NO CHANGE

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

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

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

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

3. Place of use or land to be irrigated: NO CHANGE

TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres to be irrigated = _____

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

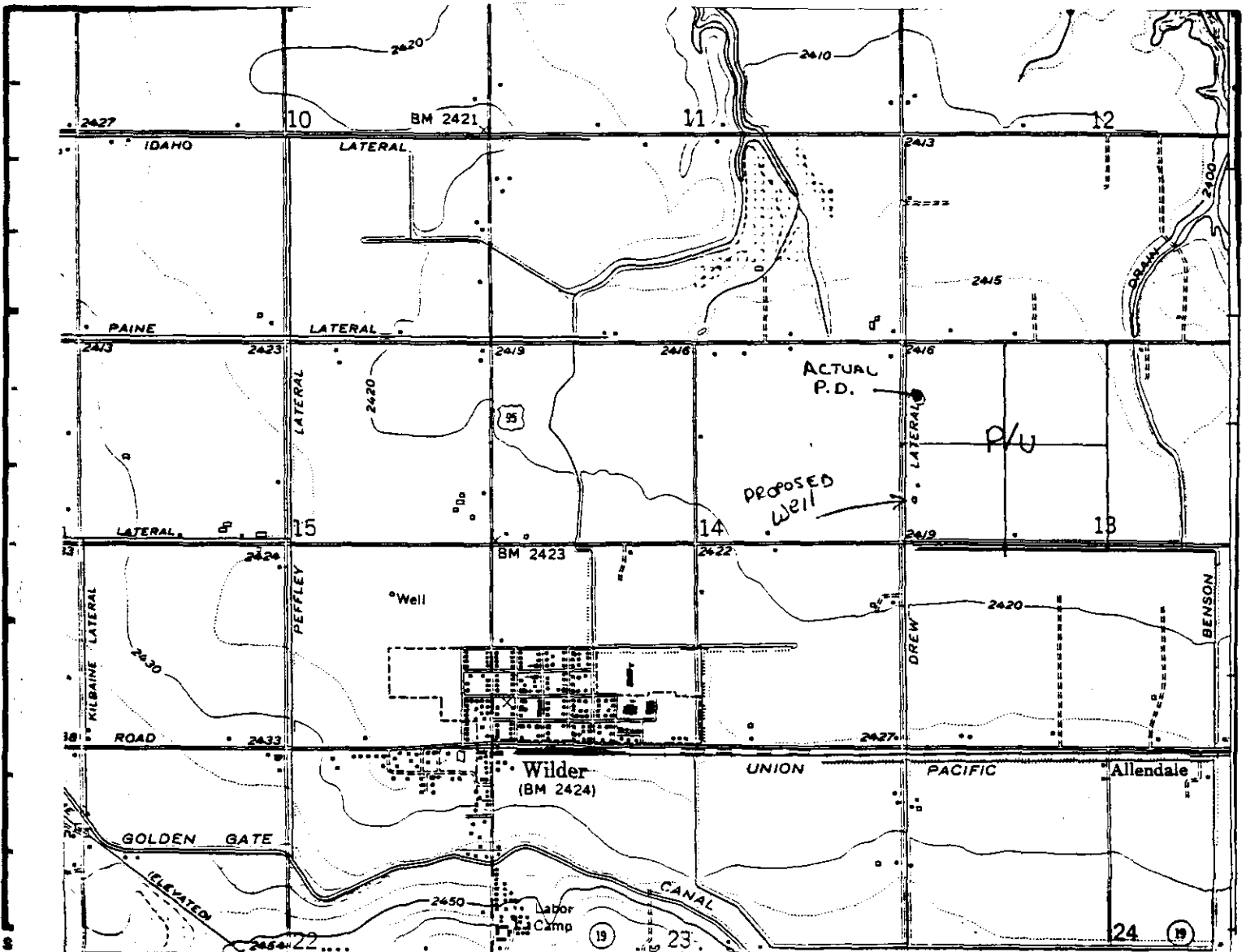
RECORDED

DEC 04 1988

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

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

T4N - R5W



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, ID, this 5TH day of JULY, 19 88.

[Signature]
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by SL Fee = \$20.00

#W000431
Received by AND Date 7/5/88

Publication prepared by AP Date 7/13/88

Published in Press Tribune

Publication dates 7/20 & 7/27/88

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby
Approve the above referenced Application for Amendment provided the conditions
as set forth in Permit No. 63-10578 are met.

Witness my hand this 19th day of August, 19 88.

[Signature]
DEC 04 1988

[Signature]
Chief, Operations Bureau

RECEIVED
JUL 20 1988

Department of Justice, Pacific
Western Regional Office

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
County of Canyon)

Debra Martin del Campo
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 uninter-
ruptedly 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 20, 27, 1988

Debra Martin del Campo
Subscribed and sworn to before me this
27th day of July
19 88

James Lusk
Notary Public, Residing at Nampa, Idaho
MY COMMISSION EXPIRES
JULY 12th, 1991

NOT RECORDED

DEC 02 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

482-7311

1. Name of applicant BUCKEYE RANCH, INC. Phone 482-7588

Post office address ROUTE 2, WILDER, ID 83676

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

3. Location of point of diversion is _____ 1/4 of SW 1/4 of NW 1/4, Govt. Lot _____

Sec. 13 Township 4N Range 5W B.M. CANYON County; additional

points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 3.2 for IRRIGATION purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated is (a) 3.2 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. WELL, PUMP FOR GRAVITY
IRRIGATION.

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

c. Proposed well diameter is 18" inches; proposed depth of well is 400 feet.

d. Is ground water with a temperature of greater than 90°F being sought? _____

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

DEC 02 1988

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	5W	13					40	40	40	40									160

Total number of acres to be irrigated 160

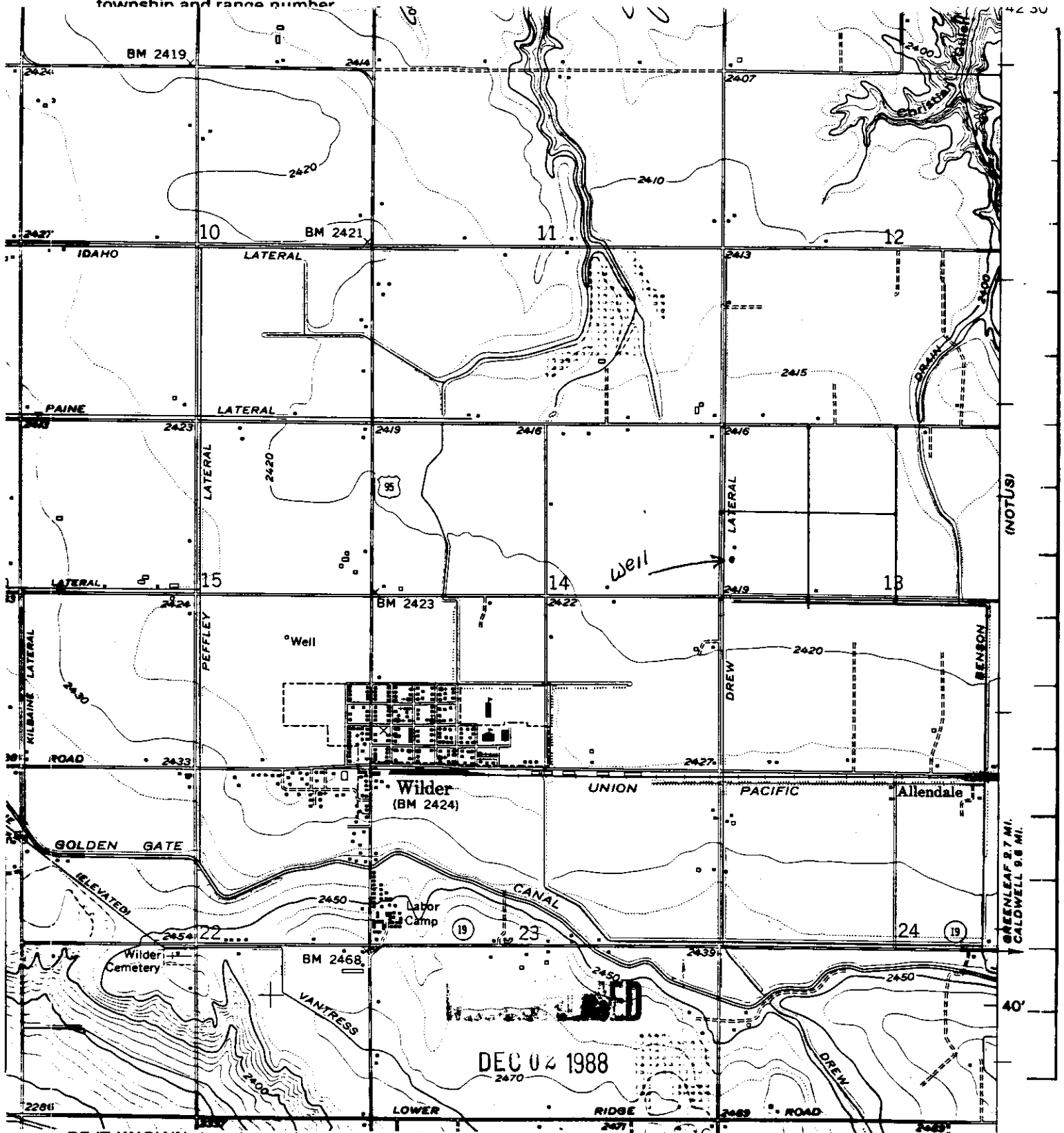
10. Describe any other water rights used for the same purposes as described above. WINDER IRRIGATION DISTRICT

- Who owns the property at the point of diversion? APPLICANTS
- Who owns the land to be irrigated or place of use? APPLICANTS
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: A. W. PAULSEN, PRES. GRAIG PAULSEN, SEC/TREAS
RT. 2, WINDER, ID RT. 2, WINDER, ID
DAVID PAULSEN, VICE PRES.
RT. 2, WINDER, ID

RECORDED

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



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

[Signature]
(Applicant)

Proposed Priority 3/2/88

Received by [Signature] Date 3/2/88 Time 2:40 Preliminary check by _____

Fee \$ 105.00 Receipted by [Signature] # W000015 Date 3/2/88

Publication prepared by GG Date 3-9-88 Published in Press-Tribune

Publication approved [Signature] Date 5/25/88

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-10578, and said application is hereby APPROVED.

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 19 89.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 25th day of April, 1988.

[Signature]
Director

DEC 04 1988

NOTICE OF APPLICATION OF WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

63-10576

M & W FARMS, INC.
404 WINDSOR DR.,
CALDWELL, ID 83605
Source: GROUNDWATER
Diversión Pt: NWNE SWNE
NESW Sec 15 T 05N R 04W
Use: IRRIGATION (3.0 CFS)
Date Filed: 02/22/1988
In: SWNE SENE NESW NWSW
LOT 04 (SWSW) LOT 03 (SESW)
NESE NWSE Sec 15 T 05N R 04W
FOR 200 ACRES

63-10577

M & W FARMS, INC.
404 WINDSOR DR.,
CALDWELL, ID 83605
Source: GROUNDWATER
Diversión Pt: SENE Sec 20 T 05N
R 04W
Use: IRRIGATION (1.6 CFS)
Date Filed: 02/22/1988
In: SWNE SENE Sec 20 T 05N R
04W FOR 80 ACRES
63-10578
BUCKEYE RANCH, INC.
RT. 2, WILDER, ID, 83676
Source: GROUNDWATER
Diversión Pt: SWNW Sec 13 T 04N
R 05W
Use: IRRIGATION (3.2 CFS)
Date Filed: 03/02/1988
In: NENW NWNW SWNW SENW
Sec 13 T 04N R 05W FOR 160
ACRES

63-10579

GOODING FARMS INC.
RT. 1 BOX 1312, PARMA, ID 83660
Source: GROUNDWATER
Diversión Pt: NWNE Sec 10 T 04N
R 05W
Use: IRRIGATION (1.6 CFS)
Date Filed: 03/01/1988
In: NENE NWNE Sec 10 T 04N R
05W FOR 80 ACRES

63-10580

MIKE GOODING
RT. 1 BOX 1312, PARMA, ID 83660
Source: GROUNDWATER
Diversión Pt: SWNW Sec 03 T 04N
R 05W
Use: IRRIGATION (1.4 CFS)
Date Filed: 03/01/1988
In: NESE NWSE Sec 03 T 04N R
05W FOR 80 ACRES

63-10581

CARSON, HELEN
RT. 6 BOX 152,
CALDWELL, ID 83605
Source: GROUNDWATER
Diversión Pt: NWSW Sec 34 T 04N
R 04W
Use: IRRIGATION (1.6 CFS)
Date Filed: 03/04/1988
In: SWNW NWSW Sec 34 T 04N R
04W FOR 80 ACRES

63-10583

NEWBILL FARMS, INC.
RT. 2 BOX 2150, NAMPA, ID 83651
Source: GROUNDWATER
Diversión Pt: SWSE Sec 24 T 04N
R 02W
Use: IRRIGATION (1.6 CFS)
Date Filed: 03/09/1988
In: SWSW SESW Sec 24 T 04N R
02W FOR 80 ACRES

63-10584

ROGERS BROTHERS SEED CO.
P.O. BOX 1069, NAMPA, ID 83651
Source: GROUNDWATER
Diversión Pt: SWSE Sec 24 T 04N
R 02W
Use: IRRIGATION (0.8 CFS)
Date Filed: 03/09/1988
In: SWSE Sec 24 T 04N R 02W FOR
40 ACRES

63-10574

HOSHAW, EDWARD M.
3311 ROSE HILL, BOISE, ID 83705
Source: DIXIE DRAIN trib. to
BOISE RIVER
Diversión Pt: SWNW LOT 04
(NWNW) Sec 02 T 03N R 03W
Use: IRRIGATION (1.5 CFS)
Date Filed: 02/29/1988
In: LOT 04 (NWNW) SWNW Sec 02
T 03N R 03W FOR 80 ACRES

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, U.S. Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before April 4, 1988.

R. KEITH HIGGINSON, Dir.
March 16, 23, 1988

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 time

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:

March 16, 23, 1988

Subscribed and sworn to before me this

23rd

day of March

19 88

Jane Gush
Notary Public, Residing at Nampa, Idaho

RECEIVED

MAR 24 1988

Department of Water Resources
Western Regional Office

DAVIT OF PUBLICATION

) ss.

)

sek

County, Idaho, being first duly sworn, deposes



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098

Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

June 18, 2002

CLAYTON TREE FARM LLC
PO BOX 10
STAR ID 83669

RE: Transfer No.: 69621 - Water Rights 63-10578, 63-21471

Transfer Approval Notice

Dear Water Right Holder(s):

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

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

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

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

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

Sincerely,

for Jeff Peppersack, Manager
Water Rights Permits Section

JP:kit

Enclosure(s)

MICROFILMED

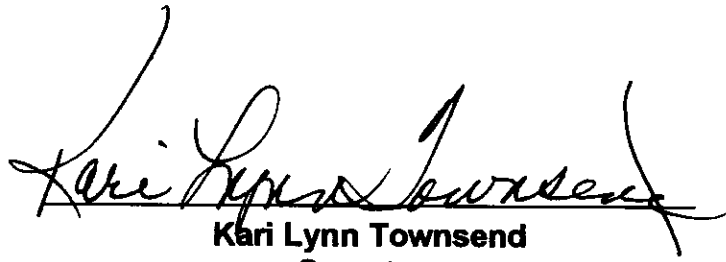
JUL 10 2002

CERTIFICATE OF SERVICE

I hereby certify that on June 18, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 69621 - WATER RIGHTS 63-10578 and 63-21471

**CLAYTON TREE FARM LLC
PO BOX 10
STAR ID 83669**


**Kari Lynn Townsend
Secretary**

MICROFILMED

JUL 10 2002

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

MICROFILMED

JUL 10 2002

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED

SEP 18 2002

TRANSFER REVIEW SHEET

(05-01)

TRANSFER # 69621

DATE REVIEWED 6-14-2002 28

SPLIT___ POD___ ADD POD ☒ POU ☒ PERIOD___ or NATURE___ of USE

ALL OF RIGHT(S) ☒ Water Right ☒ SRBA Claim ☒ SRBA Recommendation

W/63-10578	/	/	/	MAP	/
R/63-21471	/	/	/		/
/	/	/	/		/
/	/	/	/		/

PART OF RIGHTS(S)		(Unchanged)	(Changed)
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/
/	to	/	/

Standard Season 3-1 to 11-15 Standard Volume 4.5/3.5

- (1) ☒ Priority (2) ☒ Use (3) 3 Season W61 (4) ☒ Rate (5) 5 Volume
 (6) ☒ Source (7) 7 P/D (8) 8 P/U (9) ☒ Proof/Owner per region (10) ☒ Map
 (11) NA Water District (12) Yes Pertinent Conditions (13) No Expansion w/conditions

- (3) Allow extended IRR season - beginning 3-1 per standard
 (5) Standard Vol DOM = 1.2 afu STOCK = 4.7 afu for 500 range cattle
 (7) Add 2nd P/D to each right
 (8) Create 189 acre P/U

Correct typo to AJ record 63-21471 for total rate - .14 afu per Dan & Jan Shurte.

Conditions/Remarks W B4, T11, T07, T08
 63-10578 (IRR) W61, W27/148 acres, 010, 045, 104, R45
 63-21471 (DOM+STOCK) DOM/1 Home, W62, 046, T19

WRs for Update Comments - NA -

Database Updated to Reflect Final Action 6-17-2002 28

RECEIVED

FEB 25 2002

IDWR WESTERN REGION TRANSFER ANALYSIS

Department of Water Resources

Applicant CLAYTON TREE FARM Transfer No. 69621
Reviewed by DAN Date 12-19-01
Data entered by DAN : Lisa

1. Right number(s) 63-10578 & 63-21471

2. Type of right ☐ Decree ☒ License ☐ Stat. Claim ☒ BU Claim

3. Purpose of transfer ☐ Change P/D ☒ Add P/D ☒ Change P/U
☐ Change N/U ☐ Change Period ☐ Split Right
☐ Other: _____

4. Check Existing Right ☒ Source ☒ Priority ☒ Amount
☒ Purpose ☒ Period ☒ SRBA Claim
☒ Description of original point(s) of diversion
☒ Description of original place of use
☒ Overlapping rights for original P/D &/or P/U

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

- a. ☐ Analysis memo – always include unless justify why not needed
- b. ☒ All of right
- c. ☐ Part of right – Note: Part B should normally be completed only if part of right is owned by applicant
- d. ☒ Description of point(s) of diversion
- e. ☒ Description of place of use
- f. ☒ Map showing proposed P/D &/or P/U
- g. ☒ Correct notarized signature and fee – see Transfer Memo #23 about fees if necessary
- h. ☒ Proof of ownership of right &/or land from which water is transferred
- i. ☒ Expansion in use of right: check rate of flow, diversion volume and consumptive volume. Discuss in memo.
- j. N/A Surface water source: IDFG letter; notify Water Planning Bureau if protected river or minimum flow reach.

69621

k. ☒ Overlapping rights for current & proposed scenarios

Current NO CURRENT OVERLAPPING RIGHTS
 Proposed APPLICATION FOR PERMIT 63-12329 OVERLAPS PLACE OF USE, BUT SHOULD NOT CAUSE A PROBLEM.

l. ☒ SRBA Claim(s) CLAIM: RECOMMENDATION DONE ON 63-21471, NO CLAIM REQUIRED ON 63-10570

m. ☒ Comment letters ☒ No ☐ Yes as follows:
 _____ Water District # _____ IDFG _____ Other per attached

PUBLICATION REVIEW

1. Comment Letters

Watermaster comments requested on _____, received on _____

Other comment letters received ☐ Yes ☐ No

2. Affidavit of publication received: ☒ Yes

3. Published correctly: ☒ Yes ☐ No

If No, re-publication required: ☐ Yes ☐ No

4. Protests received: ☐ Yes ☒ No ☐ If yes, acknowledgement sent

RECOMMENDATIONS

1. ☒ Approve ☐ See attached memo

2. ☐ Deny due to _____

3. Conditions of Approval See permissible place of use discussion in Dan Nelson memo dated 12/20/01.

4. Recommended by Dary S Date 2/20/02

FORWARDING FILE TO S.O.

1. Copies made for Region file (see attached supplemental page): Yes _____

2. File forwarded to S.O. by _____ Date _____

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)

County of Canyon)

RECEIVED

SS. JAN 10 2002

WATER RESOURCES
WESTERN REGION

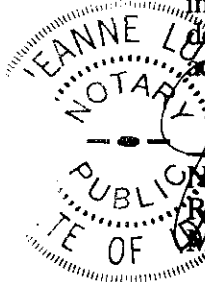
Traci L. Griffin
of Nampa, Canyon County, Idaho, being
first duly sworn, deposes and says:

e0100285 04505922
1 Idaho Dept. of Water Resource
2735 Airport Way
BOISE ID 83705

1. That I am a citizen of the United States, 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 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 Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of this 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 2 time(s) 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:
01/02/2002, 01/09/2002

STATE OF IDAHO)
County of Canyon)

On the 9th day of January in the year of 2002
before me, a Notary Public, personally appeared
Traci L. Griffin,
known or identified to me to be the person
whose name is subscribed to the within
instrument, and being by me first duly sworn,
declared that the statements therein are true, and
acknowledge to me that he/she executed the same.



Notary Public for Idaho
Residing at Nampa
My commission expires June 21, 2003

MICROFILMED

JUN 10 2002

MEMORANDUM

TO: FILE
FROM: DANIEL A. NELSON OAN
DATE: 12/20/01

RE: Clayton Tree Farm LLC. TRANSFER, RIGHTS 63-10578 & 63-21471

This application was filed to create a permissible place of use for water right 63-10578 and to connect the wells for both 63-10578 and 63-21471. The applicant has purchased this property and is going to turn it into a tree farm.

The applicant has included the 5 acres in the SWNW S12 into the permissible place of use that were not included during the licensing of 63-10578. This area was a feedlot during the original licensing of the application. The applicant plans to use this area as a staging area for the trees. In the staging area the applicant will receive trees for approximately three weeks in the spring for planting, and he will prepare the trees for approximately three weeks in the fall for shipping. During these times the applicant will need to keep the tree's root-balls watered and moist (irrigated). The applicant will use either the house well or the irrigation well to keep the trees in the staging area wet, so he will need both rights on the transfer in order to irrigate the trees from either well. The applicant also plans to use the irrigation well for backup domestic use, since the two wells will already be connected.

The applicant has also created a permissible place of use of 148 acres within the 189 acres described on page 1. The applicant needs to rotate the crops of trees with grain to attain a good growing condition for the trees. Therefore, he would like the ability to move the well water around from season to season to the land he is growing the trees on, so he does not have to depend solely on the canal water to irrigate his trees. The grain crops are not his main cash crop and could be allowed to dry up if drought conditions prevent canal water from being delivered, and he will be able to harvest the grain crops early during short water years.

DOCUMENTS AND APPLICATION PREPARATION

The application consists of 9 pages and 4 attachments. Note the location of the following application items:

Attach. A – Warranty deed showing ownership (A1-A-2).

Attach. B – 2000 aerial photo showing irrigation within the past 5 years.

Attach. C – List of corporate officers.

Attach D – Letter from lender approving application.

Applicant prepared the application with assistance from Dan Nelson.

MICROFILMED

JUL 10 2002

Other information used in this review includes 11/30/2001 memo fro Dan Nelson, Place of Use Comparison Sheets, and Point of Diversion comparison Sheet attached to this memo.

NARRATIVE

This application has been filed to incorporate a permissible place of use for an irrigation right that is supplemental to Wilder Irrigation District. The warranty deed shows proof of ownership for the property. The 2000 aerial photo shows that the property was irrigated in 2000. The irrigation right was applied for after Snake River Basin Adjudication (SRBA) was in place and no claim is required.

The only overlap is the 36 acres described in S12. These acres are overlapped by an application for permit that is currently in the Basin 63 processing hold. This transfer was filed to allow the applicant the ability to cover these acres until the application for permit can be processed.

The domestic right, 63-21471, has been claimed and recommended in the SRBA. However, there looks to be a typographical error in this claim. The domestic use is listed for 0.04 cfs and the stockwater is listed for 0.10 cfs with a total diversion rate of 0.06 cfs. The total cfs rate should be listed as 0.14 cfs. I have spoken to Jan Shurte and she agrees that this transfer can correct the SRBA recommendation. This water right has not been decreed yet, so the correction of the recommendation should not be a problem.

The applicant is not asking to expand the irrigation use or the domestic use. The applicant is requesting the ability to use the domestic well to irrigate the trees in transition. The wells will be connected by a ditch system, so either well can be used for either use if needed. This will give the applicant the back up system if the domestic or irrigation well should go down during the spring or fall transition times.

RECOMENDATIONS

This transfer should be approved as listed on the application for 148 acres of irrigation within a permissible place of use of 189 acres. The irrigation and stockwater wells should be included on each right. The domestic and the stockwater place of use will not change. The volume should be changed from 666, which is only for the irrigation use, to include the domestic and stockwater uses volume of 7.9 afa for a total of 673.9 afa. The domestic volume should be 1.2 afa and the stockwater volume should be 6.7 afa for a total of 673.9 afa. Both the stockwater and the domestic use will be limited to 13,000 gallons per day. At 13,000 gallons per day the maximum annual volume is 14.6 afa well above the limitation for the combined total of domestic and stock that is suggested.

MICROFILMED

JUL 10 2002

MEMORANDUM

TO: TRANSFER APPLICATION

FROM: DANIEL A. NELSON *DAN*

DATE: 11/30/01

SUBJECT: REVIEW INFORMATION FOR TRANSFER APPLICATION FOR
WATER RIGHTS 63-10578 AND 63-21471

This application was filed to create a permissible place of use for water right 63-10578 and to connect the wells for both 63-10578 and 63-21471. The applicant has purchased this property and is going to turn it into a tree farm.

The applicant has included the 5 acres in the SWNW S12 into the permissible place of use that were not included during the licensing of 63-10578. This area was a feedlot during the original licensing of the application. The applicant plans to use this area as a staging area for the trees. In the staging area the applicant will receive trees for approximately three weeks in the spring for planting, and he will prepare the trees for approximately three weeks in the fall for shipping. During these times the applicant will need to keep the tree's root-balls watered and moist (irrigated). The applicant will use either the house well or the irrigation well to keep the trees in the staging area wet, so he will need both rights on the transfer in order to irrigate the trees from either well. The applicant also plans to use the irrigation well for backup domestic use, since the two wells will already be connected.

The applicant has also created a permissible place of use of 148 acres within the 189 acres described on page 1. The applicant needs to rotate the crops of trees with grain to attain a good growing condition for the trees. Therefore, he would like the ability to move the well water around from season to season to the land he is growing the trees on, so he does not have to depend solely on the canal water to irrigate his trees. The grain crops are not his main cash crop and could be allowed to dry up if drought conditions prevent canal water from being delivered, and he will be able to harvest the grain crops early during short water years.

MICROFILMED

JUL 10 2002

Idaho Dept. of Water Resources
Place of Use Comparison Report

Type	WR #	Owner	Source	TRs	NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SESW	NESE	NWSE	SWSE	SESE	Total
App	63-12329	PAULSEN FARMS,	GROUND WATER	04N05W12										40	40					120
App	63-11937	MICHIO TAKASUGI, PATRICK A TAKASUGI,	GROUND WATER	04N05W12															40	40
Right	63-2236	US DEPT OF INTERIOR,	BOISE RIVER	04N05W12																0
Right	63-28610	SUN VALLEY FARMS INC,	GROUND WATER	04N05W12																0
Right	63-28611	SUN VALLEY FARMS INC,	GROUND WATER	04N05W12				X												0

MICROFILMED
JUL 10 2002

[illegible][illegible]

P/D SEARCH FOR T4N R5W S13 NWNW										
<u>BASIN</u>	<u>Sequence</u> <u>Number</u>	<u>Split</u> <u>Suffix</u>	<u>Basis</u>	<u>Status</u>	<u>Priority</u> <u>Date</u>	<u>RATE</u>	<u>Source</u> <u>List</u>	<u>Water Use List</u>	<u>Owner List</u>	<u>Source Table</u>
63	10578		License	Active	3/2/1988	2	GROUND WATER	IRRIGATION	BUCKEYE RANCH INC (Current)	wrWaterRight

Idaho Department of Water Resources Receipt

Receipt ID W028534

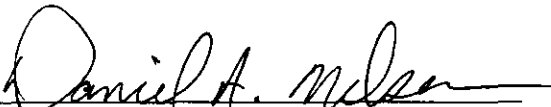
Payment Amount	\$330.00	Date Received	11/30/2001 7:11:24 AM	Region	Western	Status	
Payment Type	Check	Check Number	005801				

Payer CLAYTON TREE FARM

Comment APPLICATION FOR TRANSFER FEE FOR WATER RIGHTS 63-10578 AND 63-21471.

Fee Detail

Amount	Description	Fund	FD	PCA	SO
\$330.00	TRANSFERS	0229	21	62105	1155


Signature Line (Dept. Representative)

MICROFILMED

December 27, 2001

Legal Notice Department

Press-Tribune

PO Box 9399

Nampa ID 83652

RE: Legal Ads

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find legal notices which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notices on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 01/22/2002. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

MICROFILMED

2001-12-28

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 69621

CLAYTON TREE FARM LLC
PO BOX 10

STAR ID 83669, has filed Application No. 69621 for changes to the following water rights within CANYON County:

Right No. 63-10578

Priority 3/2/1988

Source GROUND WATER

Use IRRIGATION (148 acres) 2.00 CFS 666.0 AFA

Total Amount 2.00 CFS 666.0 AFA

Point(s) of Diversion NWNW S13 T04N R05W

Place of Use S13 T04N R05W

Right No. 63-21471

Priority 1/1/1909

Source GROUND WATER

Use DOMESTIC (0 acres) 0.10 CFS
STOCKWATER (0 acres)

Total Amount 0.06 CFS

Point(s) of Diversion SWNW S13 T04N R05W

Place of Use S13 T04N R05W

Remark: To create a permissible place of use in the NW 1/4 S12 and SWSW S13 T4N R5W and to combine the domestic well and irrigation well into a common system to allow irrigation of trees prior to planting and shipping and to use the irrigation well for a backup for the domestic well. These rights will be limited to 148 acres of irrigation from the wells within a 189 acre permissible place of use.

Protests may be submitted based on the criteria of Sec 42-222, Idaho Code.

Any protest against the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before January 22, 2002. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director Published on January 2 and 9, 2002.

MICROFILMED

JAN 11 2002

May 17, 1990

BUCKEYE RANCH INC.
C/O DAVE PAULSEN
25270 RED TOP
WILDER, ID 836760000

RE: PERMIT NO. 63-10578

Dear Permit Holder(s):

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECEIVED

JUN 17 1990

April 11, 1990

BUCKEYE RANCH INC.
C/O DAVE PAULSEN
25270 RED TOP
WILDER, ID 836760000

RE: PERMIT NO. 63-10578

Dear Permit Holder(s):

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

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

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

MICROFILMED

JUN 05 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
FEB 06 1990

Department of Water Resources

A. GENERAL INFORMATION

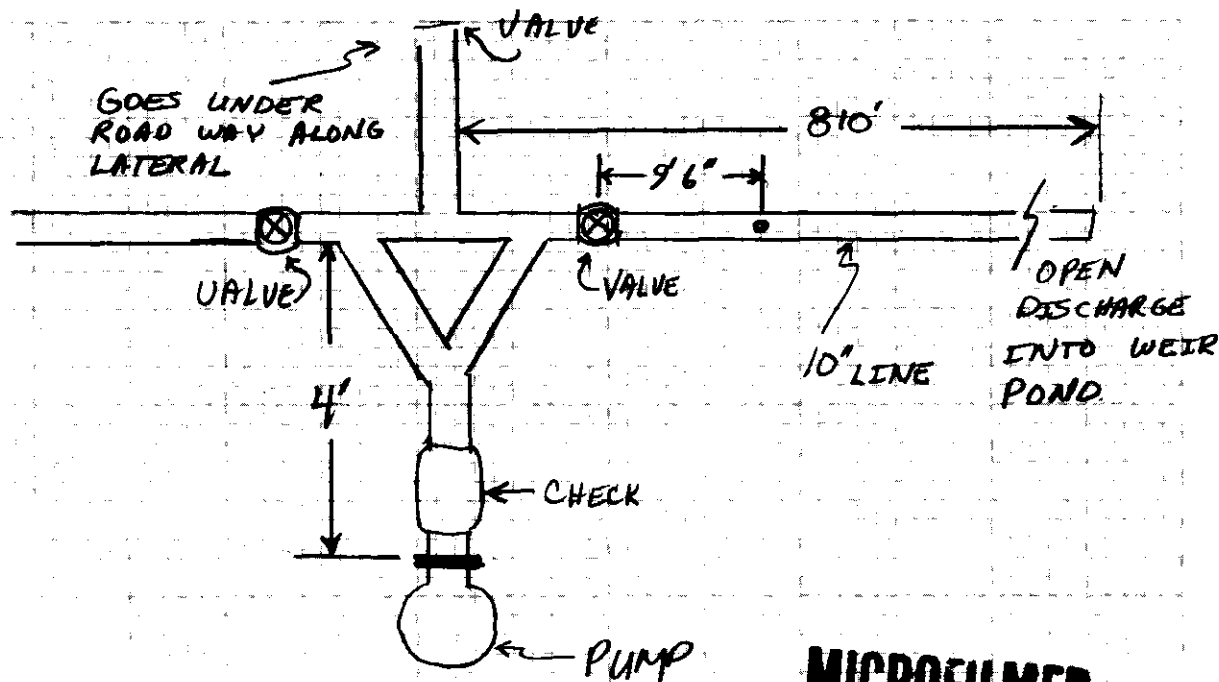
Permit No. 63-10578
Phone No. _____
1. Owner: BUCKEYE RANCH INC.
Current Address: 25270 RED TOP. WILDER ID.
2. Accompanied by: DAVID PAULSEN EXAM. DATE: 6-13-89
Address: 22009 TRAVIS RD WILDER Phone No. _____
Relationship to Permit Holder: SON
3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with same place of use: DETCH Co. WATER ☐ Copies Attached
2. Other water rights with same point of diversion: NONE ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



MICROFILMED

JUN 05 1990

Scale: 1" = NOT TO SCALE

2. ☐ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
☐ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).
☐ Aerial Photo Attached (required for irrigation of 10 acres or more).

System Description (continued)

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

SYSTEM IS A WELL PIPED TO DITCHES WITH OPEN DISCHARGE. SYPHON TUBE IRRIGATION COVERS THE PLACE OF USE. NORMAL OPERATION IS 120 1 1/4" TUBES. THE DISCHARGE LINE RUNS NORTH APPROX. 810 FE AND DUMPS INTO A CEMENT DITCH. IT CROSSES A WEIR AT THIS POINT. A SECOND LINE RUNS SOUTH TO THE END OF THE PROPERTY WHERE IT ALSO DUMPS INTO A CEMENT DITCH. A THIRD LINE RUNS WEST WHERE

See Remarks on page 4 for continuation

- 4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	US ELECTRIC	125	R-9982-04-146	LAYNE & BOWLER	10"

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			NW	NW	13	4N	14W 5W	CANYON	AERIAL PHOTO

6. Place(s) of Use:

Indicate Method of Determination AERIAL PHOTO

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4N	14W 5W	13					39	39	31	39									148

MICROFILMED

JUN 05 1990

Do not use this space

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
2' CIPOLLETTE WEIR					2'	

2. Measurements:

MEASURED 0.47' OVER WEIR = 2.16 CFS (SECONDARY MEASUREMENT)

SEE ANNULAR MEASUREMENT SHEET FOR
PRIMARY MEASUREMENT.

MEASURED 2.44 CFS.

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

2. Alternate Method for Checking Purposes:

WEIR MEASURED 2.16 CFS.

F. PUMP EFFICIENCY DATA (Optional)

Meter No 42441447

112KW

Discharge Pressure: 2 psi x 2.31 = 4.62 ft (1); Dynamic pumping level: 185 ft (2)

Total Head: (1) + (2) = (3) ; Flow rate: cfs (4)

Water HP: (3) x (4) ÷ 8.8 = (5)

Meter Input KW: 3.6 x 3.6 KH x CTR or 40 MULT x PTR x N/ T = (6) METER COVERED UNABLE TO TIME DESK.

Meter Input HP: (6) x 1.34 = (7)

Panel Input KW: Ave PF x Ave Volts x Ave Ampsx .001732 = (6)

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

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 148 \times 4.5 = 666$

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 2.00 \times 245 \times 1.9835 = 977.9$

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 666 \text{ AFA}$

2. Volume Calculations for Other Uses:

MICROFILMED

JUN 05 1990

H. REMARKS AND OVERLAP REVIEW ANALYSIS

IT DISCHARGES INTO THE DREW LATERAL. THIS RIGHT
SUPPLEMENTS DITCH Co WATER ONLY. NO OTHER OVERLAP
FOUND

PERMIT FOR 160 ACRES @ 3.2 CFS
FEES PD. FOR 2.00 CFS MAX *
FOUND 148 ACRES * @ 2.44 CFS

148 ACRES @ 0.02 CFS = 2.96 CFS LEGAL LIMIT.

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	3-15	11-15	2.00 CFS	666
Totals:			2.00 CFS	666 AFA

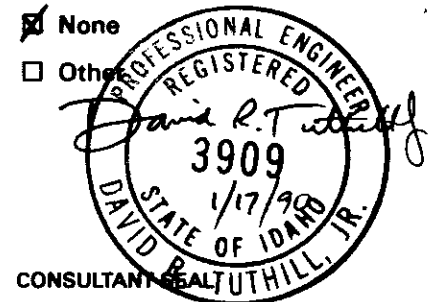
2. Recommended Amendments

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

- ☒ None
☐ Other

J. AUTHENTICATION

Field Examiner's Name KELLY K. CHRISTENSEN
Signature Kelly K. Christensen
Certification Date _____
Field Report Preparation Date 9-11-89



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

MICROFILMED

JUN 05 1990

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

Measured by: K. CHRISTENSEN

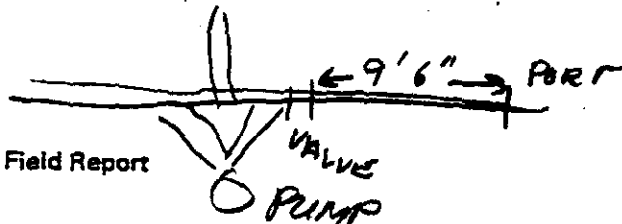
Date 6-13-89

Owner: BUCKEYE RANCH INC

Permit No. 63-10578

Description of well &/or measuring site

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



MEASURED INSIDE PIPE DIAMETER IN INCHES (ID)

CIR = Pipe Circumference in Inches = _____

T = Pipe Thickness in Inches = _____

ID = $2 [(0.1592 \times \text{CIR}) - T] = \dots \dots \dots \underline{9.5''} \text{ DIRECT}$

ANNUBAR DESCRIPTION & CONSTANT (C)

Size Used in Test 10"

State ID No. 91424

Select C based on size from Table below.

Nominal Pipe Size	C
4"	4.23
6"	3.75
8"	3.37
10"	3.94
12"	3.99
14" - 16"	4.31
18" - 24"	4.02
30" or larger	4.03

C selected 3.94

DIFFERENTIAL PRESSURE READING IN INCHES OF H₂O (H)

High Reading = 46 25.5

Low Reading = 16

High - Low = H = 9.5

CALCULATION OF DISCHARGE IN CFS (Q)

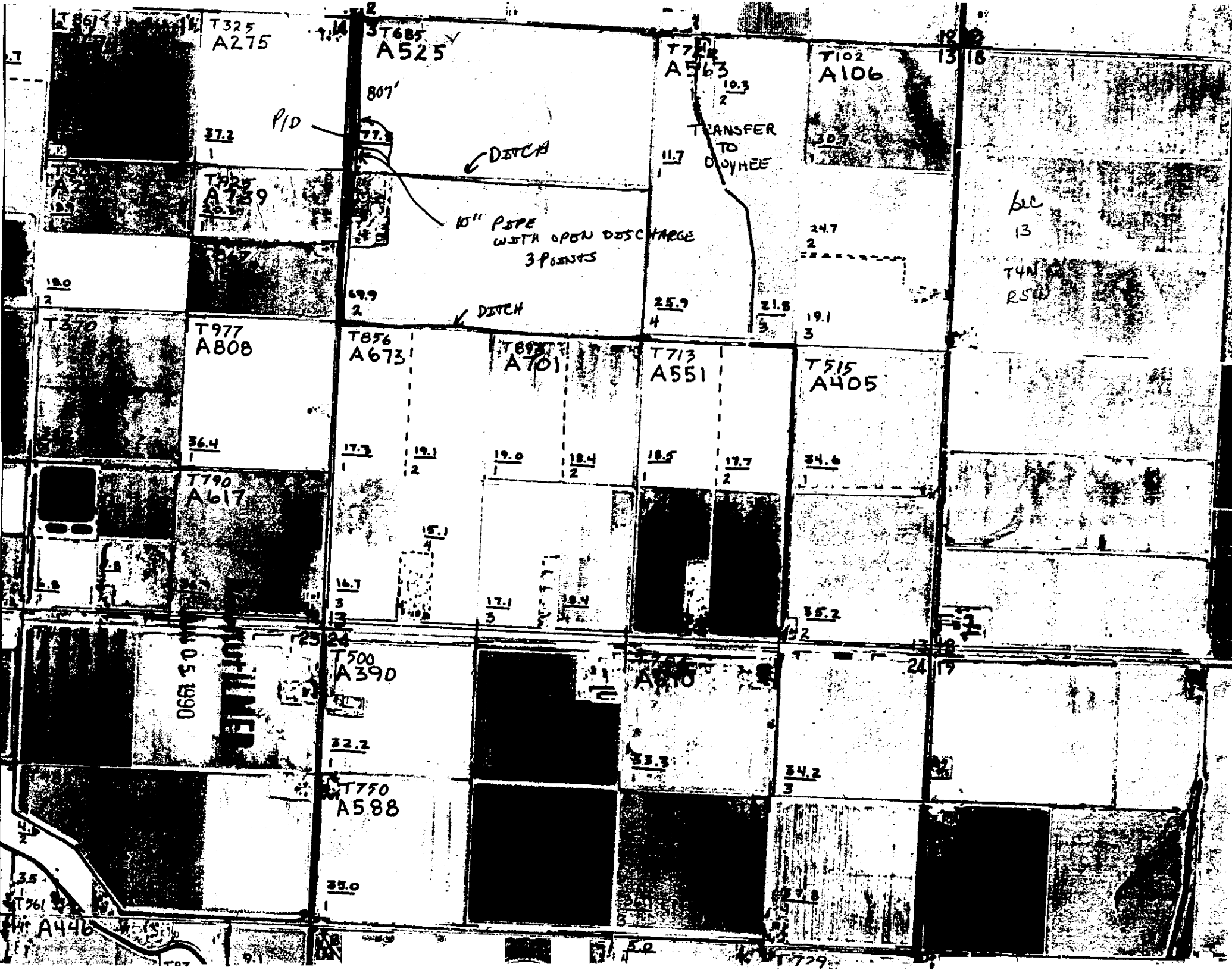
$$Q = \frac{(ID)^2 \cdot (\sqrt{H}) \cdot (C)}{448.8}$$

$$Q = \frac{(9.5)^2 \cdot (\sqrt{9.5}) \cdot (3.94)}{448.8} = \underline{2.44} \text{ cfs}$$

SKETCH (If not shown on Field Report)

MICROFILMED

JUN 03 1990





P/D _____

LOOKING SOUTH

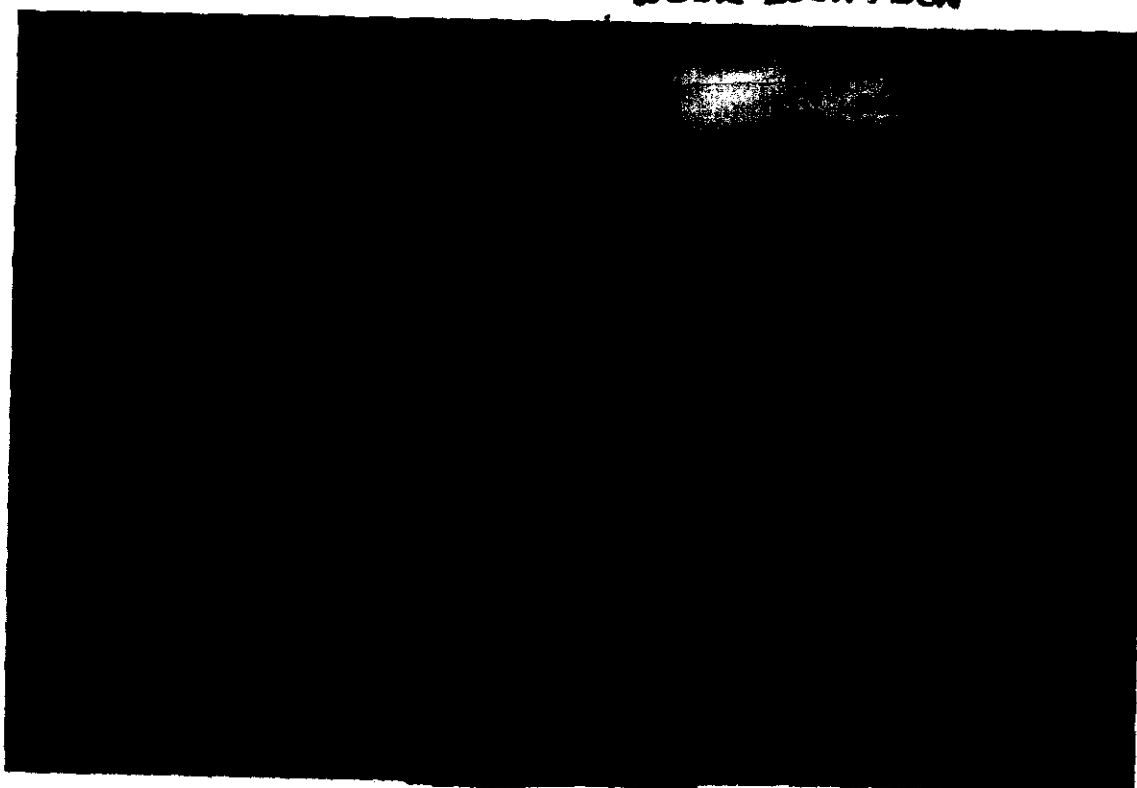
Picture # 1



LOOKING NORTH

Picture # 2

WEIR LOCATION

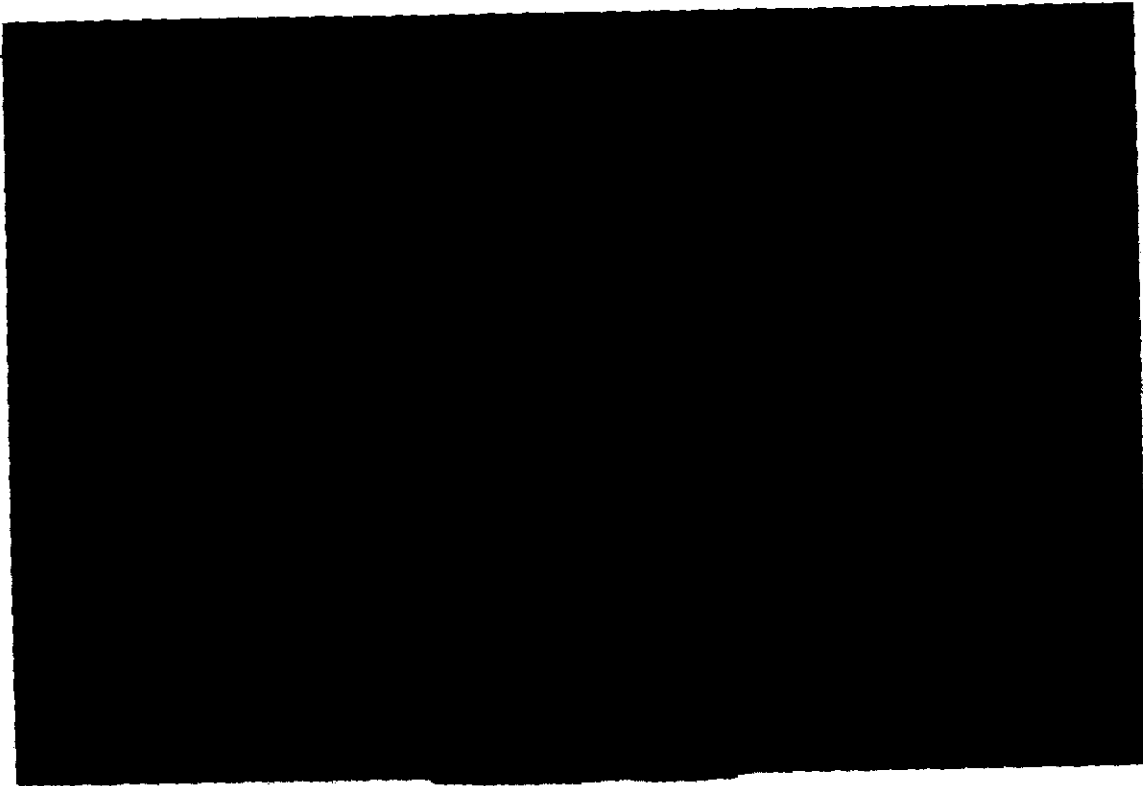


MICROFILMED
JUN 05 1990

P/4

LOOKING SOUTH EAST

Picture # 3



Picture #

MICROFILMED
JUN 05 1990

1/88

PROOF OF BENEFICIAL USE

ANALYSIS SHEET

Permit No. 13-10578

Date: 3.23.89

General Considerations:

Y Name same as permit
Y Signature the same as permit holder
Y Address change _____ If yes, prepare a data entry
Y Proof received timely _____
_____ Reinstated

Source of Water:

_____ Surface water
Y Groundwater
 Y 1. well log in file
 Y 2. drilling permit
 Y A. amount of drilling fee paid for proposed uses

Extent of Use and Rate of Diversion:

Y Rate of diversion appropriate for uses
 Y Is rate or volume and fee appropriate?
Y Has permit holder indicated when water was first put to a beneficial use?

Measuring Device:

Y Is a measuring device or access port required?
Y Has one been installed?
N/A Waiver or modification of measuring device requested

Remarks:

Proof acceptable

N/A Priority Calculation:
Date proof received _____
Date proof due _____
No. of days late _____
Priority date _____
NEW PRIORITY DATE _____

SEND FILES TO DATA ENTRY AND THEN TO MICROFILM

RECEIVED
MAR 22 1989

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only

Fee Received 125.00

Date 3/22/89

Receipt # 105945

Receipt by S. Young

Reviewed by CFJ

Sent to region

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 63-10578

Name(s) of Permit Holder: Buckeye Ranch Inc.

Post Office Address: 25270 Red Top

Wilder, Id. 83676 Telephone No. 208-482-7588

Source of Water: Ground

Extent of Use:

Domestic (number of households) Stockwater (number and type of stock)

Irrigation 160 (acres) Other/Remark

Total rate and/or volume for which proof is submitted 1.01-2.0 cfs 101-200 acre-feet

Show the date water was first diverted and beneficially used under this permit: 7/20/88

Measuring Device: Required? Yes X No
Installed? X Yes No

Fee enclosed \$ 125.00
(See License Examination Fee Schedule)

Flow Measurement Port: Required? X Yes No
Installed? X Yes No

Person to contact to accompany the Department representative during the field examination:

David Paulsen 208-482-7588
(Name) (Telephone Number)

22009 Travis Rd. Wilder, Ida. 83676
(Address)

The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

MICKFILMED

3/20/89
Date

David Paulsen *V.P. MAY 15 1989
Signature of Permit Holder (and title, if appropriate)

*Per App. for Permit

Paulsen Bros.
% David Paulsen
Rt. #2
Wilder, Idaho 83676



Paul Dudley White MD



State of IDAHO
Department of Water Resources
1301 North Orchard St.
Statehouse MAIL
Boise, ID 83702

BUCKEYE RANCH INC.
C/O DAVE PAULSEN
RT. 2
WILDER, ID 836760000

February 28, 1989

138030

PROOF DUE NOTICE

RE: PERMIT NO. 63-10578

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before May 1, 1989. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

RECEIVED

MAY 15 1989



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

November 15, 1988

RE: Permit No. 63-10578

Buckeye Ranch, Inc.
Route 2
Wilder, ID 83676

Gentlemen:

Enclosed is a copy of the approved application for amendment submitted in connection with the above referenced permit.

If you have any questions concerning this matter, please contact us.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jim Johnson', written over the typed name and title.

JIM JOHNSON
Water Rights Supervisor

JJ:ky

MAILED

DEC 02 1988

State of Idaho
Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: SL

Right Number 63-10578 Applicant Buckeye Ranch Inc.

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

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

CHECK:

☒ Description of amended point(s) of diversion.

☐ N/A Amount, nature and period of use. If increased, delay date of priority.

☐ N/A Description of amended places of use. If expanded, delay date of priority.

☒ Ownership of point of diversion and place of use.

☒ Map.

☒ Signature (must be permit holder).

☒ Fee.

☐ N/A Existing water rights from the same source, amended place of use.

☐ N/A Right number(s) _____

☒ Yes ☐ No Should amendment be advertised?

☐ Yes ☒ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

☒ Affidavit of publication received. 7/28/88

☒ Amendment published correctly. 2014000431
Russ - tub

☐ Protests processed. 7/20 & 7/27/88

☒ Approve.

☐ Deny.

Conditions _____

By DMA Date 8/15/88

STATE OFFICE PROCESSING:

☒ Amendment correct and complete. By Jm

☐ Approved copy sent to applicant and to Region. By _____

8-18-88
RECEIVED
Date
AUG 17 1988

Department of Water Resources

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

TRACT SEC TWP RGE gov't rediv. REACH
lot (R)

IDAHO STREAM CODE INDEX

NOTICE OF APPLICATION FOR AMENDMENT

Notice is hereby given that permit No. 63-10578 in the name of Buckeye Ranch, Inc. was filed on March 2, 1988, for the diversion of 3.20 cfs from groundwater with a point of diversion within the T4N, R5W, Sec. 13, SW NW to be used for irrigation purposes from March 15 to November 15 within portions of T4N, R5W, Sec. 13, NW 1/4.

The permit holder now proposes to amend the permit by changing the point of diversion to: T4N, R5W, Sec. 13, NW NW.

Any protest against the approval of the proposed amendment must be filed with the Department of Water Resources, State Office 1301 N. Orchard St., Statehouse Mail, Boise, ID, 83720, on or before August 8, 1988.

R. Keith Higginson
Director

Published Press-Tribune

7/20 and 7/27/88

MICROFILMED
DEC 02 1988

RECEIVED
JUL 18 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

USE TYPEWRITER OR
BALLPOINT PEN

the law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

RECEIVED
JUN 29 1988

1. WELL OWNER Water Resources

Name Buckeye Ranch Inc 400 Ave
Address Road 2 Miller T 83676 Paulse.
Owner's Permit No. 13-88-44-036

7. WATER LEVEL

Static water level _____ feet below land surface
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Artesian closed-in pressure _____ p.s.i.
Controlled by: ☐ Valve ☐ Cap ☐ Plug
Temperature _____ OF. Quality _____
Describe artesian or temperature zones below.

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe abandonment procedures such as materials, plug depths, etc. in lithologic log)

8. WELL TEST DATA

☒ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☐ Other _____ (specify type)

9. LITHOLOGIC LOG

Bore Diam.	Depth		Material	Water	
	From	To		Yes	No
	0	6	Top Soil		
	6	24	Hard Pan		
	24	33	gravel		
	33	36	Green clay		
	36	45	Sandy		
	45	48	Blue clay		
	48	49	Black sand		
	49	50	Blue clay		
	50	55	with sand strip		
	55	60	Blue clay		
	60	70	Sandy Blue Clay		
	70	80	Blue Clay		
	80	410	red sandstone		
	410	440	Black sand		

4. METHOD DRILLED

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

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
250 inches	14 inches	1 feet	415 feet
145 inches	12 inches	415 feet	440 feet

Was casing drive shoe used? ☐ Yes ☒ No
Was a packer or seal used? ☐ Yes ☐ No
Perforated? ☒ Yes ☐ No
How perforated? ☒ Factory ☐ Knife ☐ Torch
Size of perforation 1/8 inches by 3 inches

Number	From	To

Well screen installed? ☐ Yes ☐ No

Manufacturer's name Rusco Moss

Type _____ Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☒ Yes ☐ No ☐ Size of gravel 3/8

Placed from _____ feet to _____ feet

Surface seal depth 20 Material used in seal: ☒ Cement grout

☐ Bentonite ☐ Pudding clay ☐ _____

Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing

☒ Overbore to seal depth

Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent

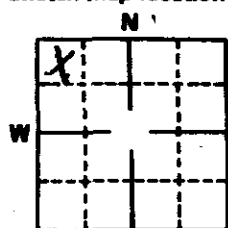
Weld

☐ Cemented between strata

Describe access port _____

6. LOCATION OF WELL

Sketch map location must agree with written



Subdivision No. DEC 02 1988

Lot No. _____ Block No. _____

County SN

QND 1/4 NW 1/4 Sec. 13 T. 4N N/S, R. 1W E/W.

10.

Work started 5/4/88 finished 6/4/88

11. DRILLERS CERTIFICATION

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

Firm Name K&H well Drilling Firm No. 194

Address 815 Plymouth Date _____

Signed by (Firm Official) Norah Thir

and

(Operator) M. J. Thir

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

- - - - -

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
APRIL 29, 1988

BUCKEYE RANCH, INC.
C/O DAVE PAULSEN
RT. 2
WILDER, ID 83676

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 63-10578

DEAR PERMIT HOLDER:

ENCLOSED IS A COPY OF YOUR APPROVED APPLICATION FOR PERMIT. WE DIRECT YOUR ATTENTION TO THE CONDITIONS OF APPROVAL ON THE FOURTH PAGE.

BE SURE TO NOTE THE SPECIAL CONDITION REQUIRING YOU TO INSTALL A MEASURING DEVICE, OR A FLOW MEASUREMENT PORT TO PROVIDE FOR THE INSTALLATION OF MEASURING EQUIPMENT BY THE DEPARTMENT. ENCLOSED PLEASE FIND A LIST OF MEASURING DEVICE OPTIONS, AND SPECIFICATIONS FOR THE INSTALLATION OF THE FLOW MEASUREMENT PORT.

YOU SHOULD BE AWARE THAT THE GROUNDWATER YOU PROPOSE TO DIVERT IS LOCATED WITHIN A DRAINAGE BASIN WHERE SURFACE WATERS ARE REGULATED DURING THE MONTHS OF LOW FLOW. IT IS POSSIBLE THAT DIVERSION OF GROUNDWATER MAY HAVE AN ADVERSE IMPACT ON THESE SURFACE WATER FLOWS. INFORMATION AVAILABLE TO US AT THIS TIME DOES NOT WARRANT REFUSING TO ISSUE PERMITS IN YOUR AREA, BUT WE DO CAUTION THAT DIVERSIONS OF GROUNDWATER ARE NOT ALLOWED TO DEplete FLOWS AVAILABLE FOR SURFACE WATER USERS WITH EARLIER PRIORITY DATES. SITING YOUR WELL AS FAR FROM SURFACE SOURCES AS POSSIBLE AND CASING OUT UPPER WATER PRODUCING ZONES MAY REDUCE THE POTENTIAL OF INTERFERENCE.

SECTION 42-235, IDAHO CODE, REQUIRES THAT A "DRILLING PERMIT" MUST BE OBTAINED FROM THE DEPARTMENT FOR ALL WELLS CONSTRUCTED AFTER JULY 1, 1987. A DRILLING PERMIT IS A SEPARATE PERMIT THAT MUST BE ISSUED IN ADDITION TO YOUR PERMIT TO APPROPRIATE WATER. COMMENCEMENT OF WELL CONSTRUCTION OR DIVERSION OF WATER UNDER YOUR PERMIT TO APPROPRIATE WATER IS PROHIBITED UNLESS A DRILLING PERMIT IS OBTAINED.


DEC 02 1988

RE: PERMIT NO. 53-10578

2

WE HAVE ENCLOSED A FORM ENTITLED "INSTRUCTIONS FOR PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT. ALSO ENCLOSED FOR YOUR CONVENIENCE IS THE STATEMENT OF BENEFICIAL USE FORM THAT MUST BE SUBMITTED WHEN YOUR PROJECT IS COMPLETED.

SINCERELY,

GARY SPACKMAN
SUPERVISOR, WATER ALLOCATION SECTION

GS: SC
ENCLOSURES

DEC 11 1977

Drilling Permit No. 63-88-W-036
Water Permit No.
Injection Permit No.

State of Idaho
Department of Water Resources

DRILLING PERMIT

RECEIVED
MAR 25 1988

(Authorizing Construction of a Well)*

Department of Water Resources

1. Applicant BUCKEYE RANCH, INC. c/o DAVE PAULSEN
2. Address ROUTE 2, WINDER, ID 83676

☒ Well Owner () Well Operator () Other, specify _____

3. Water right ^{APP. FOR} permit no. #63-10578; Injection well permit no. _____

4. Proposed well location 1/4 SW 1/4 NW 1/4, or Gov't lot No. _____,
Sec. 13, Twp. 4N, Rge. 5W, County CANYON,
Lot, block and subdivision _____

5. Proposed use of well: (Check all that apply)
() Domestic () Stockwater () Monitoring
☒ Irrigation () Industrial () Municipal
() Injection () Other, Specify _____

6. Well construction information:
☒ New well () Deepen () Replace
Proposed surface diameter 18" Proposed depth 400'

Anticipated bottom hole temperature:

☒ 85° F or less (Cold water well)
() 85° F to 212° F (Low temp. geothermal well)
() 212° F or more (Geothermal well)

7. Anticipated construction start date MID-APRIL
~~WIND WATER RIGHT APP. IS APPROVED~~
8. Well Driller (if known) HANNOON AT THIS TIME K & H DRILLING
Address 815 W. PLYMOUTH, CAROLLE, ID 83605
Date 3/2/88 Applicant's signature Dave Paulsen
Title _____

RECEIVED

DEC 04 1988

ACTION OF IDWR

N) Approved () Denied

The approval of this permit authorizes the construction of a well as described on this application subject to the conditions on this permit.

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. The permit holder or his representative shall notify the Department ten (10) days prior to the start of construction unless good cause for later notification can be shown.
4. The well shall be constructed by a driller currently licensed in the State of Idaho who must maintain a copy of the drilling permit at the drilling site.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.

SPECIFIC CONDITIONS:

1. THIS DRILLING PERMIT DOES NOT GIVE THE RIGHT TO DIVERT AND USE THE WATER FROM THIS WELL. PRIOR TO DIVERSION OF WATER, APP. FOR PERMIT NO. 63-10578 MUST BE APPROVED.

Dated this 23rd day of March, 1988.

Signed

Title

Jan Skute for
Western Region Mgr.

Received by

Fee

100.00

Date

3/2/88

Receipt No.

6000015

Construction start date

Mid April

Construction start extension to

DEC 02 1988

Extension approved by

4N5W Sec. 13 SW 1/4
P.V. 4N5W Sec. 13 NW 1/4

Form No. 202a
/87

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT ANALYSIS SHEET

INITIAL REVIEW BY BD DATE 3/8/88 APPLICATION NUMBER 63-10578

REQUIRED INFORMATION

- ☒ Name (If applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivisions, local name, flow and/or volume)
- ☒ County
- ☒ Quantity (flow and/or volume)
- ☒ Period of Use
- ☒ Nature of proposed use (Include description of use.)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map
- ☐ Signature (If applicant is corp. partnership, or municipality, title of signator is required)
- ☒ Fee
- ☒ Yes ☐ No* In form to receipt

ADDITIONAL INFORMATION

- ☐ Overlapping place of use (Describe source & relationship to present application on the back.) 63-2388 (Bur. of Rec.)
- ☐ Overlapping point of diversion
- ☐ Yes ☒ No Field check required
- ☐ Yes ☒ No Field report attached
- ☐ Yes ☒ No Critical groundwater area
- ☐ Yes ☒ No Groundwater management area
- ☐ Yes ☒ No Send dam safety information
- ☐ Yes ☒ No Send power requirement letter
- ☐ Yes ☒ No Send fish farm requirement letter
- ☐ Yes ☒ No Power residency affidavit
- ☐ Yes ☒ No Power efficiency form
- ☐ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet.)
- ☐ Yes ☒ No Diversion greater than 5 cfs or 500 acre ft. (If yes, attach large diversion supplementary analysis sheet.)
- ☐ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

Date Requested APR 06 1988

Department of Water Resources

PROCESSING

☒ Yes ☐ No I. Form for advertising
☐ Yes ☒ No Statewide advertising
☒ Yes ☐ No Fee amount, receipt date & No. recorded on application

END COPIES TO

N/A

☐ Idaho Dept. of Health & Welfare
☐ Idaho Dept. of Fish & Game
☐ Idaho Dept. of Lands
☐ Adjudication Bureau Unit

☐ U.S. BLM
☐ U.S. Forest Service
☐ Water District
☐ Other _____

FINAL REGIONAL PROCESSING REVIEW

☒ Yes ☐ No Affidavit of publication received
☒ Yes ☐ No Application published correctly. If not, record action taken.

☒ Yes ☐ No Publication dates & paper, recorded on application

☐ Yes ☒ No Protests received

Final date for protest April 4 1988

☐ Yes ☒ No Protests, dates, resolution of protest, recorded on application

☐ Yes ☒ No Recommendations attached

☐ Yes ☒ No Measuring device required

☒ Yes ☐ No Access port required

☐ Yes ☒ No Will water be delivered by watermaster? If yes, what Dist. _____

☐ Yes ☒ No Special conditions of approval or cover letter below. _____

off Recommend that 1 year be allowed for completion of this project
OIC

☐ See below for additional information

Date of priority recommended 3/2/1988 ✓

By DET Date 4/5/1988

STATE OFFICE REVIEW

LD3, LD3, LD5, L16

46 OIG

By FW ☐ See below for additional information

Date 4/13/88

ADDITIONAL INFORMATION

see approved drilling permit below-

63-10578

BUCKEYE RANCH, INC.

RT. 2, WILDER, ID 83676

Source: GROUNDWATER

Diversion Pt: SWNW Sec 13 T 04N R 05W

Use: IRRIGATION (3.2 CFS)

Date Filed: 03/02/1988

In: NENW NWNW SWNW SENW Sec 13 T 04N R 05W FOR 160 ACRES

RECORDED

DEC 02 1988