

State of Idaho
Department of Water Resources

AMENDED

WATER RIGHT LICENSE

AMENDED

WATER RIGHT NO. 45-07290

Priority: July 26, 1977 Amount: 3.78 CFS 756.0 AFA

This is to certify, that MORGAN-SHILLINGTON FARM CO.

P.O. BOX 535

RUPERT, ID 833500000

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated April 7, 1977, and has submitted proof to the Department of Water Resources on May 20, 1982, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of 4.110 cfs of water from a GROUNDWATER source and that a water right has been established as follow:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	03/15 to 11/15	3.78 CFS	756.0 AFA

LOCATION OF POINT OF DIVERSION(S): SWNE , Sec. 10, Township 09S, Range 25E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	25E	3	SESW 16	LOT 2(SWSE) 23		39
		10	NWNE 40	SWNE 38	NENW 34	150
			SENW 38			

Total number of acres irrigated: 189

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
5. Point of diversion is located on the north-south line between the SWNE & SENW, S10, T9S, R25E.

RECEIVED

OCT 11 1988

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 45-07290

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 16th
day of August, 1988.

Director



OCT 11 1988

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 45-07290

Priority: July 26, 1977 Amount: 3.78 CFS 756.0 AFA

This is to certify, that MORGAN-SHILLINGTON FARM CO.

P.O. BOX 535

RUPERT, ID 833500000

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated April 7, 1977, and has submitted proof to the Department of Water Resources on May 20, 1982, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of 4.110 cfs of water from a **GROUNDWATER** source and that a water right has been established as follow:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	03/15 to 11/15	3.78 CFS	756.0 AFA

LOCATION OF POINT OF DIVERSION(S): SWNE , Sec. 10, Township 09S, Range 25E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	25E	3	LOT 2 (SESW) 16	LOT 2 (SWSE) 23		39
09S	25E	3	NWNE 40	SWNE 38	LOT 1 (NENW) 34	150
			SENE 38			

Total number of acres irrigated: 189

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
5. Point of diversion is located on the north-south line between the SWNE & SENW, S10, T9S, R25E.

MICROFILMED

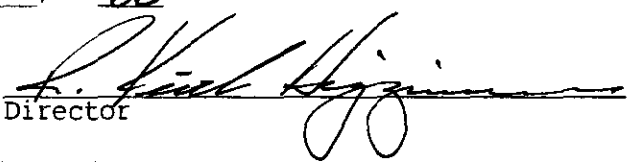
JUN 21 1988

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 45-07290

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 14th
day of June, 1988.


Director

MICROFILMED

JUN 21 1988

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT	)	
	)	
NO. 45-7290 IN THE NAME	)	ORDER ADVANCING
	)	DATE OF PRIORITY
OF MORGAN-SHILLINGTON FARM CO.	)	
_____	)	

This matter having come before the Department of Water Resources (Department) as a result of preparing Permit No. 45-7290 for the issuance of a license, the Department makes the following Findings of Fact, Conclusions of Law, and Order pursuant to the provisions of Idaho Code.

FINDINGS OF FACT

1. On June 13, 1977 the Department approved Application for Permit No. 45-7290 to appropriate the public waters of the State of Idaho with a priority of April 7, 1977.

2. On August 12, 1986 the Department sent the permit holder a notice that a license examination fee was required before an examination could be conducted to confirm the extent of use developed under the permit.

3. The fee was due on October 11, 1986, 60 days from the date of the notice; however, the fee was not received until January 29, 1987, 110 days late.

CONCLUSIONS OF LAW

1. The Director may advance the priority date of the permit one day for each day the fee was late, pursuant to the provisions of Section 42-217, Idaho Code.

MICROFILMED

JUN 21 1988

2. The date of priority of Permit No. 45-7290 should be advanced 110 days.

ORDER

IT IS HEREBY ORDERED that the date of priority of Permit No. 45-7290 is advanced to July 26, 1977.

Dated this 11th day of April, 1988.

J. Glen Sayton
Chief, Operations Bureau

ENCLOSURE

JUN 21 1988

5-101

WATER RIGHT SPLIT

SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Permit	45-7290	Morgan-Shillington Farm Co.	4.0 cfs
Full Assignment	45-7290	Patterson Farms of Idaho Inc.	4.0 cfs
Full Assignment	45-7290	Morgan-Shillington Farm Co.	4.0

MICROFILMED

MAR 20 1987

RECEIVED

State of Idaho
Department of Water Resources

RECEIVED

FEB 02 1987

JAN 29 1987

ASSIGNMENT OF PERMIT

Department of Water Resources
Patterson Farms of Idaho,
Southern Region Inc.

Department of Water Resources

, hereby assign to Morgan-Shillington Farm Co.

of Box 535, Rupert, ID 83350

Address

CHECK ONE



All my right, title, and interest in and to Permit No. 45-7290
to appropriate the public waters of the State of Idaho.



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

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

Made this 22nd day of January, 19 87.

PATTERSON FARMS OF IDAHO, INC.
Permit Holder

By

Russell V. Patterson Vice Pres.
Russell Patterson

Spouse of Permit Holder

State of Idaho)

County of Minidoka)

ss.

On this 22nd day of January, 19 86, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same on behalf of Patterson Farms of
Idaho, Inc.

seal

Louise Allen
Notary Public residing at
Rupert, Idaho

My commission expires:

3-31-87

MICROFILMED

MAR 20 1987

RECEIVED

FEB 02 1987

RECEIVED

JAN 29 1987

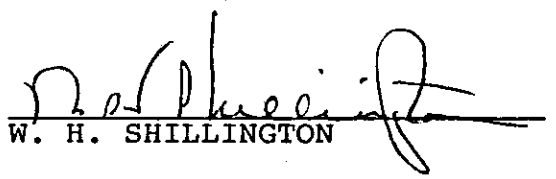
369662

Department of Water Resources
Southern Region OfficePOWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, That I, W. H. SHILLINGTON, of P. O. Box 535, Rupert, Minidoka County, Idaho, have made, constituted and appointed and by these presents do make, constitute and appoint LARRY R. DUFF of P. O. Box 61, Rupert, Minidoka County, Idaho, my true and lawful attorney for me and in my name, place and stead, and for my use and benefit, to ask, demand, sue for, recover, collect and receive all such sums of money, debts, dues, accounts, legacies, bequests, interests, dividends, annuities, and demands whatsoever as are now or shall hereafter become due, owing, payable or belonging to me and have, use and take all lawful ways and means in my name or otherwise for the recovery thereof, by attachments, arrests, distress or otherwise, and to compromise and agree for the same, and acquittances or other sufficient discharges for the same, for me and in my name, to make, seal and deliver; to bargain, contract, agree for, purchase, receive, and take lands, tenements, hereditaments and accept the seisin and possession of lands, and all deeds and other assurances, in the law therefor, and to lease, let, demise, bargain, sell, remise, release, convey, mortgage and hypothecate lands, tenements, and hereditaments upon such terms and conditions, and under such covenants as he shall think fit. Also, to bargain and agree for, buy, sell, mortgage, hypothecate, and in any and every way, and manner deal in and with goods, wares, and merchandise, choses in action, and other property in possession or in action and to make, do and transact all and every kind of business of whatsoever nature or kind, and also for me and in my name and as my act and deed to sign, seal, execute, deliver and acknowledge such deeds, leases and assignment of leases, covenants, indentures, agreements, mortgages, hypothecations, bottomries, charger-parties, bills of lading, bills, bonds, notes, receipts, evidence of debt, releases and satisfaction of mortgage, judgment and other debts, and such other instruments in writing of whatever kind and nature as may be necessary or proper in the premises.

GIVING AND GRANTING unto my said attorney full power and authority to do and perform all and every act and thing whatsoever requisite and necessary to be done in and about the premises, as fully to all intents and purposes as he might or could do if personally present, with full power of substitution or revocation, hereby ratifying and confirming all that my said attorney or his substitute or substitutes, shall lawfully do or cause to be done by virtue of these presents.

IN WITNESS WHEREOF, I, W. H. SHILLINGTON, have hereunto set my hand and seal this 9th day of December, 1986.


W. H. SHILLINGTONMICROFILMED
MAR 20 1987

STATE OF IDAHO)

County of Minidoka)

ss.

On this 9th day of December, 1986, before me the undersigned, a Notary Public in and for said State, personally appeared W. H. Shillington known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

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

(SEAL)

Louise Allen

Notary Public

Residing at Rupert, Idaho

My Commission Expires: 3-31-87

369662

RECORDED AT REQUEST OF
Sadman & Duff
FILM NO. 312

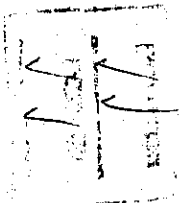
DEC 19 2 10 PM '86

MINIDOKA COUNTY, IDAHO

DUANE SMITH

RECORDER

FEE 4 DEPUTY 28



MICROFILMED
MAR 20 1987

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

REGISTERED
AUG 27 1984

I, Morgan-Shillington Farm Company hereby assign to Patterson Farms of Idaho Inc.
of Route No. 1, Box 81, Paul, Idaho 83347
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 45-7290
to appropriate the public waters of the State of Idaho.

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

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

Made this 14th day of August, 19 84.

Morgan-Shillington Farm Company
by W. H. Shillington
Permit Holder W. H. Shillington Individually
and as personal representative of the
Estate of Gerald Morgan, Deceased

Spouse of Permit Holder

* a partnership consisting of W. H. Shillington and the
estate of Gerald Morgan deceased.

State of Idaho)
County of Minidoka) ss.

On this 14th day of August, 19 84, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same. as general partners, both as an
individual and on behalf of the estate of Gerald Morgan

seal

Gary R. Deff
Notary Public residing at Rupert, Idaho

My commission expires:
Life

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF CHANGING THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 45-7290

ORDER

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

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

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

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

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

NOW THEREFORE, it is hereby ordered that the condition of approval of this permit related to water measurement is hereby changed as follows:

"The permit holder shall either install a measuring device or provide a certified measurement by a professional engineer or install an access port or other device as specified by the Department".

Dated this 1st day of June 1981.

Glen Saxton

GLEN SAXTON
Chief, Operations Bureau

RECEIVED

Identification No. _____

Application No. 45-7290

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

1. Name of applicant Morgan-Shillington Farm Co. Phone: 436-4255
post office address Box 535 Rupert, Idaho 83350

2. Source of water supply Ground Water which is a tributary of _____

3. a. Location of point of diversion is SW $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 10 Township 9 S.
Range 25 E.B.M. Cassia County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

Amount 4.0cfs for irrigation purpose from March 15 to Nov. 15 (both dates inclusive) *changed as per telephone call 4/13/77 M*

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)

5. Total quantity to be appropriated:

a. 4.0cfs cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 1000' of 10", 1800' of 8",
600' of 6" 125 HP motor

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

Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

c. Proposed well diameter is 20" inches; proposed depth of well is 80' feet.

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.

b. Estimated construction cost is \$50,000.00.

8. Description of proposed uses:

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

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

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

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

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

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

RECEIVED
APR 13 1977
MORGAN-SHILLINGTON FARM CO.

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

TWP.	RANGE	SEC.	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
9	25	3	Lot	2	40														40
9	25	10		40	40		40			40									160

Total number of acres to be irrigated 200

c. Describe any other water rights used for the same purposes as described above. Have water rights from Minidoka Irrigation project. Will hold water rights and pay fee, but not planning on using their water

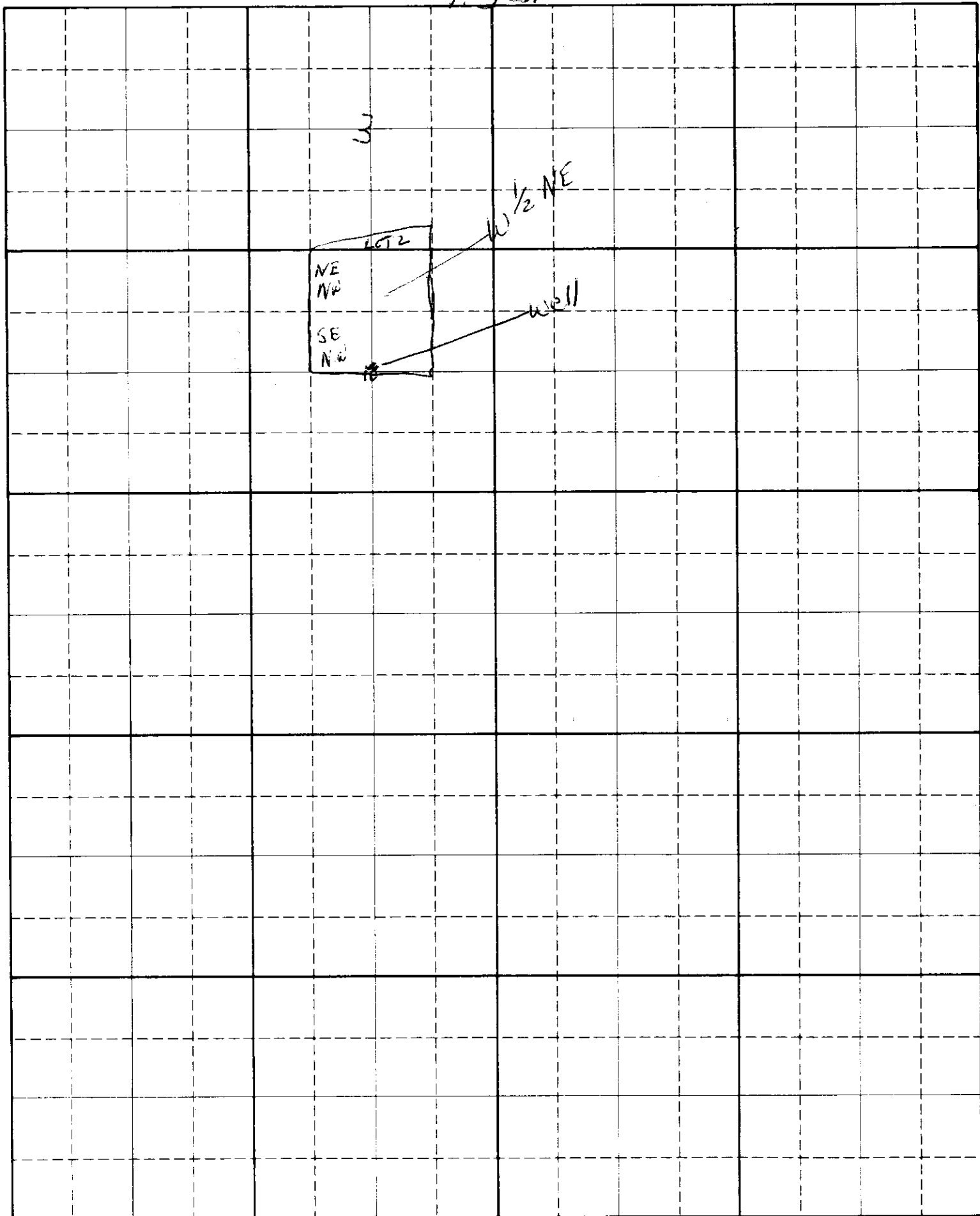
9. a. Who owns the property at the point of diversion Morgan-Shillington Farm Co.

b. Who owns the land to be irrigated or place of use Morgan-Shillington Farm Co.

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

10. Remarks Morgan-Shillington Farm Co. is buying land under lease option contract from Maurice and Flora Giraud. We feel better to have our own water supply because of rise and fall of water in ditches.

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



Scale: 2 inches equal 1 mile

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

MORGAN-SHILLINGTON FARM CO.

BY M. A. Phelan
(Applicant)

Partner

RECEIVED

APR 8 1977

Department of Water Resources
Southern District Office

Proposed Priority 4/ 7/77

Received by AB Date 3:00 p.m. Time 4/7/77

Preliminary check by ADM Fee \$ 55.00 Rec.# 3428

Received by AB Date 4/12/77

Publication prepared by AB Date 4/14/77

Published in Smith D. Press

Publication dates 7/26 & 5/3/77

Publication approved AB Date 5/5/77

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by mls jg

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. 45-7290, and said application is hereby APPROVED.

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

- SUBJECT TO ALL PRIOR WATER RIGHTS.
- Proof of construction of works and application of water to beneficial use shall be submitted on or before June 1, 19 82.
- Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 13 day of June, 19 77.


Deputy Director

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
) ss.
STATE OF IDAHO)
 Brenda Eagle

....., being first

duly sworn, deposes and says that S. he is the

bookkeeper of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of

The South Idaho Press for two consecutive weeks, commencing with the issue dated April 26, 1977, and ending with the issue dated May 3, 1977

Brenda Eagle

Subscribed and sworn to before me

this 3rd day of May

19 77.

Notary Public

Cost of Publication

Notary Fee

Total Cost \$9.45

Notary Public Residing at Burley, Idaho
My Commission Expires Oct. 10, 1980

RECEIVED

MAY 6 1977

Department of Water Resources
Southern District Office

OK/SB - 5/5/77

77-156

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Morgan-Shillington Farm Co. Box 535, Rupert, Idaho 83350 has on 4/7/77 submitted Application No. 45-7290 for a permit to appropriate 4.0 cubic feet per second of water from groundwater by means of pump, motor, pipeline within the SW 1/4 NE 1/4, Sec. 10, Twp. 9S, Rge. 25E., B.M., Cassia County to be used from March 15 to Nov. 15 for irrigation purposes of 200 acres within the Lot 2, SE 1/4 NE 1/4, Sec. 3; W 1/4 NE 1/4, E 1/4 NW 1/4, Sec. 10, Twp. 9S, Rge. 25E., B.M.

If issued, this permit will be subject

to all provisions of the Idaho Water Code and the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before 5/13/77.

Director
Published in the South Idaho Press on 4/26 and 5/3/77.



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

October 6, 1988

RE: Water Right No. 45-7290

Morgan-Shillington Farm Co.
Box 535
Rupert, ID 83350

Gentlemen:

Enclosed is a copy of the Amended License issued on the above referenced right. The license was amended to correctly describe the place of use within Sections 3 and 10 rather than just section 3 as originally listed on the first license.

If you have any questions concerning this matter, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosure

RECEIVED

OCT 11 1988

WILLIAM T. GOODMAN
LARRY R. DUFF
STEVEN A. TUFT
ALAN GOODMAN

LAW OFFICE
Goodman and Duff

CHARTERED
717 7TH STREET
BOX D
RUPERT, IDAHO 83350

June 21, 1988

AREA CODE 208
TELEPHONE NO.
436-4774

RECEIVED
JUN 22 1988

Department of Water Resources

Mr. Jim Johnson
Water Rights Supervisor
Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720

Dear Mr. Johnson:

I am enclosing Water Right License on Water Right No. 45-07290 which you mailed to Morgan-Shillington Farm Co. on June 15, 1988.

In regard to the Water License, there is an error in the legal description for the place of use. The point of diversion is correctly described as being in Section 10 and also the first 39 acres as being in Section 3. However, the remaining 150 acres are shown in Section 3 and that property is actually Section 10.

Please correct the same and return it to this office. Thank you.

Very truly yours,

GOODMAN & DUFF


Larry R. Duff

LRD:mb

Enclosure

cc: W. H. Shillington
Joe Morgan


OCT 11 1988

requested amended
license be prepared-
kw 7/11/88

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 45-07290

Priority: July 26, 1977 Amount: 3.78 CFS 756.0 AFA

This is to certify, that MORGAN-SHILLINGTON FARM CO.

P.O. BOX 535

RUPERT, ID 833500000

has complied with the terms and conditions of the permit issued pursuant to Application for Permit dated April 7, 1977, and has submitted proof to the Department of Water Resources on May 20, 1982, that water has been applied to a beneficial use; an examination by the Department indicates that the works have a diversion capacity of 4.110 cfs of water from a **GROUNDWATER** source and that a water right has been established as follow:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>VOLUME</u>
IRRIGATION	03/15 to 11/15	3.78 CFS	756.0 AFA

LOCATION OF POINT OF DIVERSION(S): SWNE , Sec. 10, Township 09S, Range 25E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
09S	25E	3	LOT 2 (SESW) 16	LOT 2 (SWSE) 23		39
09S	25E	3	NWNE 40	SWNE 38	LOT 1 (NENW) 34	150
			SENE 38			

Total number of acres irrigated: 189

CONDITIONS/REMARKS:

1. The right to the use of water hereby confirmed is limited to the amount which can actually be beneficially used and is restricted and appurtenant to the lands or place of use and to the purpose herein described, as provided by the laws of Idaho.
2. This right is subject to all prior water rights and may be forfeited by five years of non-use.
3. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
4. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
5. Point of diversion is located on the north-south line between the SWNE & SENW. S10, T9S, R25E.

RECEIVED

OCT 11 1988

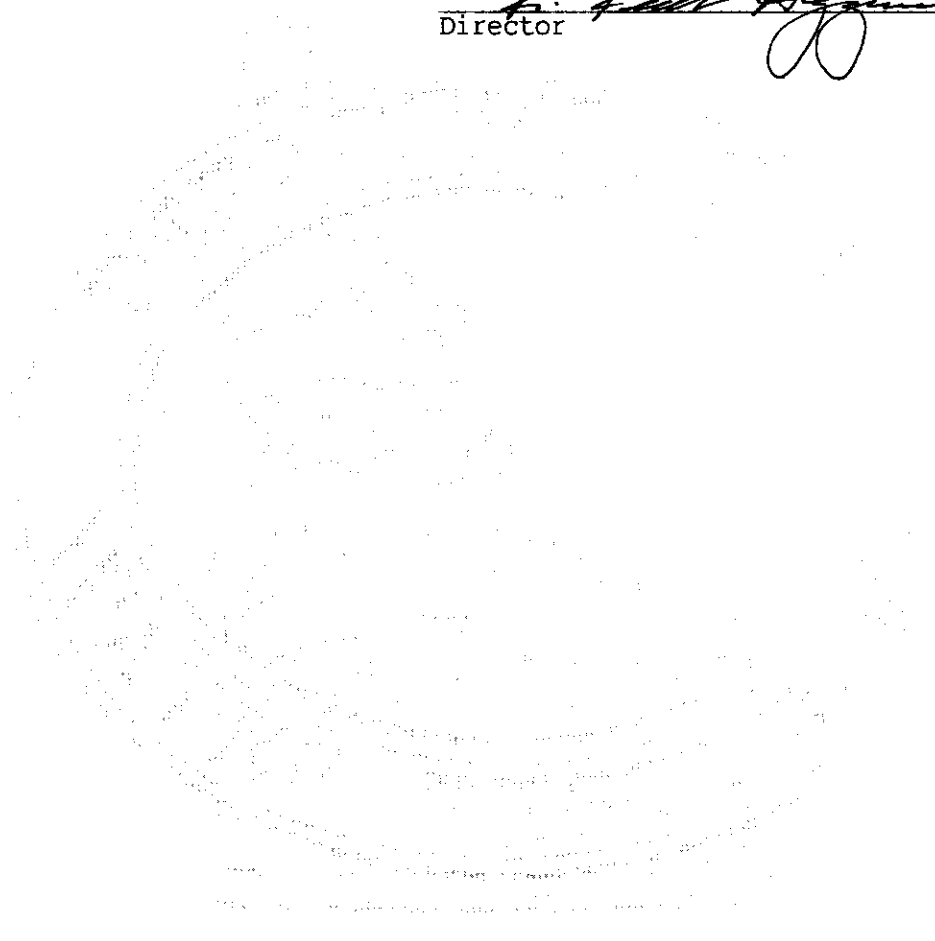
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 45-07290

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 14th
day of June, 19 88.

Director



OCT 11 1988



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

June 15, 1988 DIRECTOR

copy

MORGAN-SHILLINGTON FARM CO.
P.O. BOX 535
RUPERT, ID 833500000

RE: PERMIT NO. 45-07290

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

MICROFILMED

JUN 21 1988

April 26, 1988

MORGAN-SHILLINGTON FARM CO.
P.O. BOX 535
RUPERT, ID 83350

RE: Permit No. 45-7290

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.

Also enclosed is an order advancing the date of priority of this right due to late submittal of the examination fee.

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 21 1988

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
LICENSING REPORT

Permit No. _____

1. **Measurement Calculations**

a) Field Measurement Calculations (Include theoretical capacities and system capacity)

b) Volume Calculations for Irrigation:

$$\begin{aligned} V_{I.R.} &= (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \underline{4.0} = \underline{756.0} \\ V_{D.R.} &= [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = \underline{1836.9} \\ V &= \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{\hspace{2cm}} \end{aligned}$$

c) Volume Calculations for Other Uses:

2. **Overlap Review** *per VAX:*

a) Other water rights with same place of use: 0-0008, 01-0219 - *Recommend R 31 OK*

b) Other water rights with same point of diversion: none OK

c) Analysis:

MICROFILMED
JUN 21 1988

pd. \$175.00
exam fee
late

RECOMMENDED AMOUNTS

10 day

3.	Permit No.	Priority	Amount	App. Date	Date Proof Submitted	System Capacity
	45-7290	7-26-1977	3.78 cfs	4-7-1977	5-20-1982	4.11 cfs

4. Permit Holder: Morgan-Shillington Farm Co.

Address: P.O. Box 535, Rupert, ID 83350

5. Source: gw tributary to ☒

6. Beneficial Use	Period of Use From To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
<u>Irrig.</u>	<u>3-15 11-15</u>	<u>3.78 cfs</u>	<u>756.0 AFA</u>

Allowable Maximums: 3.78 cfs 756.0 AFA

7. Point(s) of Diversion: ☒

No.	Govt. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County
			SW	NE	10	9S	25E	Cassia

8. Place(s) of Use ☒ (note: Gov. Lot 2 used to cover SESW, S3 - no amendment req'd. for this)

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	
9S	25E	3												16			GL2 23		39
		10			40	38		34		38									150
Total Acres <u>189</u>																			

9. Recommended Conditions/Remarks:

P/D is on centerline of S1/2N1/2, S10, T9S, R25E.
R31

Needs an Order advancing priority date due to late exam fee submittal.

FILED

10. Recommended Amendments

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None

☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

JUN 21 1988

11. Examiner's Signature _____ Date _____

Checked in Regional Office by _____ Date _____

Approved in State Office by K. Walker Date 2-5-88

RECEIVED

SEP 16 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 45-7290

1. Owner: Morgan-Shillington Farm Co.

Phone No. 436-4255

Current Address: P.O. 535, Rupert, ID 83350

2. Accompanied by: Richard Edwards

EXAM. DATE: 8-12-87

Address: _____

Phone No. _____

Relationship to Permit Holder: Farm operator

3. Source: groundwater

tributary to _____

B. OVERLAP REVIEW

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

☐ Copies Attached

2. Other water rights with same point of diversion: none

☐ Copies Attached

☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

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



RECEIVED

JUN 21 1988

Scale: 1" = _____

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

☒ Photo of Diversion and System Attached

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

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

System Description (continued)

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

Well, motor, pump, mainline to 13 wheel lines.

Well is exactly on the 40 line between SW/NE & SE/NW Sec. 10.

☐ 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
	U.S. Motors	125	R-9982-00-814	Lynne & Bowler	46019

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

5. Point(s) of Diversion:

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SW	NE	10	9S	25E	Cassia	

6. Place(s) of Use:

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
9S	25E	3												172 16			172 23		39
		10		40	38		34			38									150

189

MICROFILMED

JUN 21 1988

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
Macrometer				76-10-280	10"	

2. Measurements:

$$2000 \text{ gal} / 65.0 \text{ sec} = 1846 \text{ gpm} = 4.11 \text{ cfs}$$

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

$$\text{Allow } 189 \text{ ac} \times .02 \text{ cfs/ac} = 3.78 \text{ cfs}$$

2. Alternate Method for Checking Purposes:

$$\text{Measured about } 1700 \text{ gpm w/12 lines on.} \approx 140 \text{ gpm/line} \approx 1840 \text{ gpm/13 lines}$$

meter 308700 63080036

F. PUMP EFFICIENCY DATA (Optional)

$$\text{Discharge Pressure: } 58 \text{ psi} \times 2.31 = 134 \text{ ft (1); Dynamic pumping level: } 38.5 \text{ ft (2)}$$

$$\text{Total Head: (1) + (2) = } 172.5 \text{ (3)} \quad ; \text{ Flow rate: } 4.11 \text{ cfs (4)}$$

$$\text{Water HP: (3) } \times \text{ (4) } \div 8.8 = 80.56 \text{ (5)}$$

$$\text{Meter Input KW: } 3.6 \times 4.8 \text{ KH} \times 1 \text{ CTR or } 40 \text{ MULT} \times 5 \text{ PK}_h \text{ PTR} \times 10 \text{ N/ } 67.9 \text{ T} = \text{ (6)}$$

$$\text{Meter Input HP: (6) } \times 1.34 = \text{ (7)}$$

$$\text{Panel Input KW: Ave PF} \times \text{ Ave Volts} \times \text{ Ave Amps} \times .001732 = \text{ (6)}$$

$$\text{Panel Input HP: (6) } \times 1.34 = \text{ (7)} \quad \text{Efficiency: (5)/(7) } \times 100 = \text{ \%}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 189 \times 4.0 = 756 \text{ AFA}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 3.78 \times 245 \times 1.9835 = 1836.9 \text{ AFA}$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 756.0 \text{ AFA}$$

2. Volume Calculations for Other Uses:

REPRODUCED

JUN 21 1988

H. REMARKS AND OVERLAP REVIEW ANALYSIS

I. RECOMMENDATIONS

1. Recommended Amounts

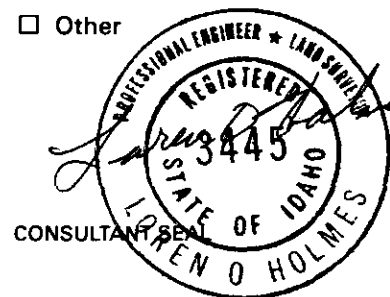
Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	3-15	11-15	3.78	756.0
Totals:				

2. Recommended Amendments

- | | | |
|---|--|--|
| ☐ Change P.D. as reflected above | ☐ Add P.D. as reflected above | ☒ None |
| ☐ Change P.U. as reflected above | ☐ Add P.U. as reflected above | ☐ Other |

J. AUTHENTICATION

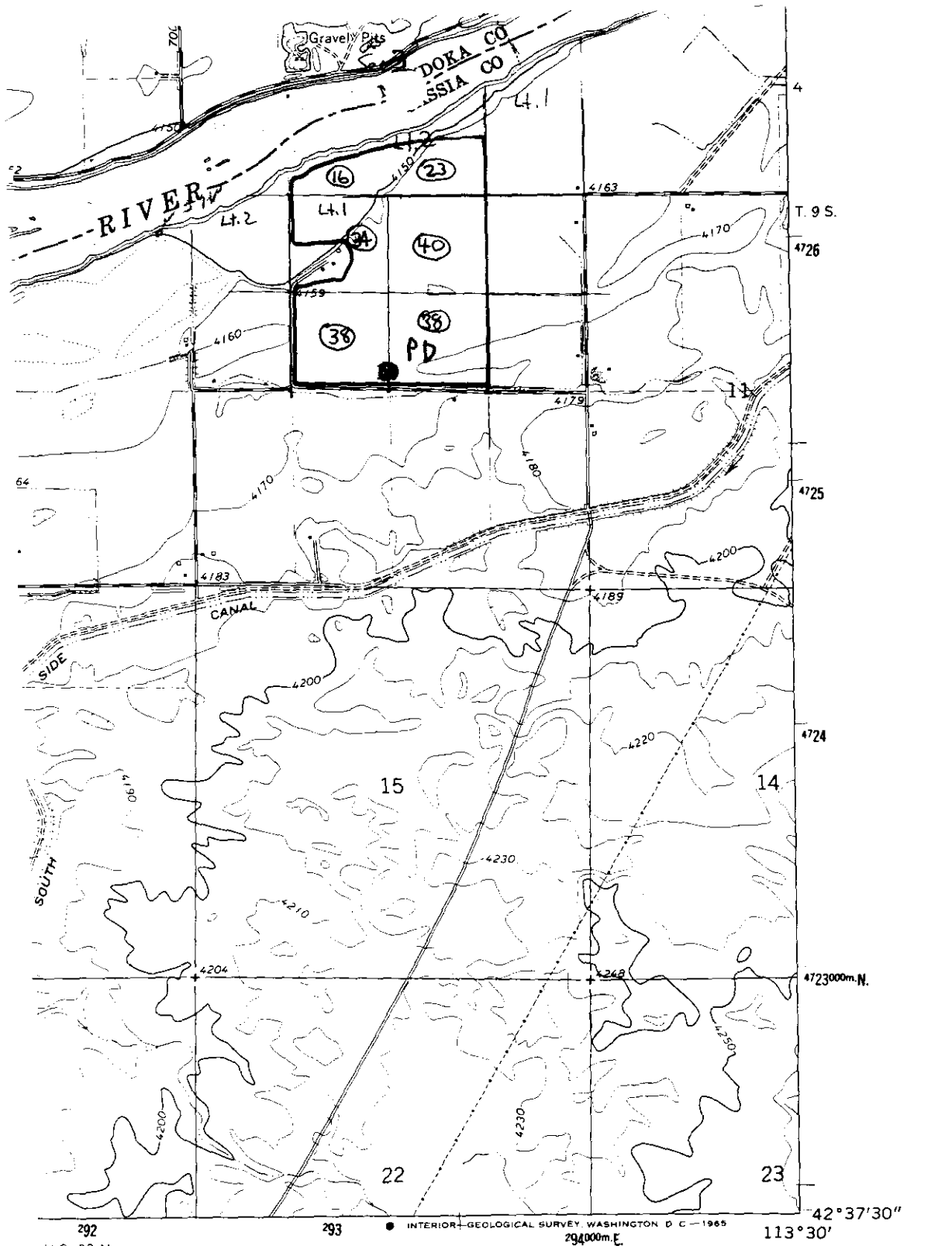
Field Examiner's Name J. E. Stanton
Signature J. E. Stanton
Certification Date 5/15/87
Field Report Preparation Date 8-13-87



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

MICROFILMED

JUN 21 1988



ROAD CLASSIFICATION

Medium-duty ——— Light-duty ———
Unimproved dirt - - - - -

○ State Route



QUADRANGLE LOCATION

MANUSCRIPT

JUN 21 1988

ACEQUIA, IDAHO
N4237.5—W11330/7.5

1964

AMS 3269 II NE—SERIES V893

BB 30

45-7290

C393

A
95.7

C12
A 1.4
B 2.3

D
6.2

C16

7.4

C
52.9

B
4.5

C
13.6

C32

B 8.0

D
1.5

C324

C15

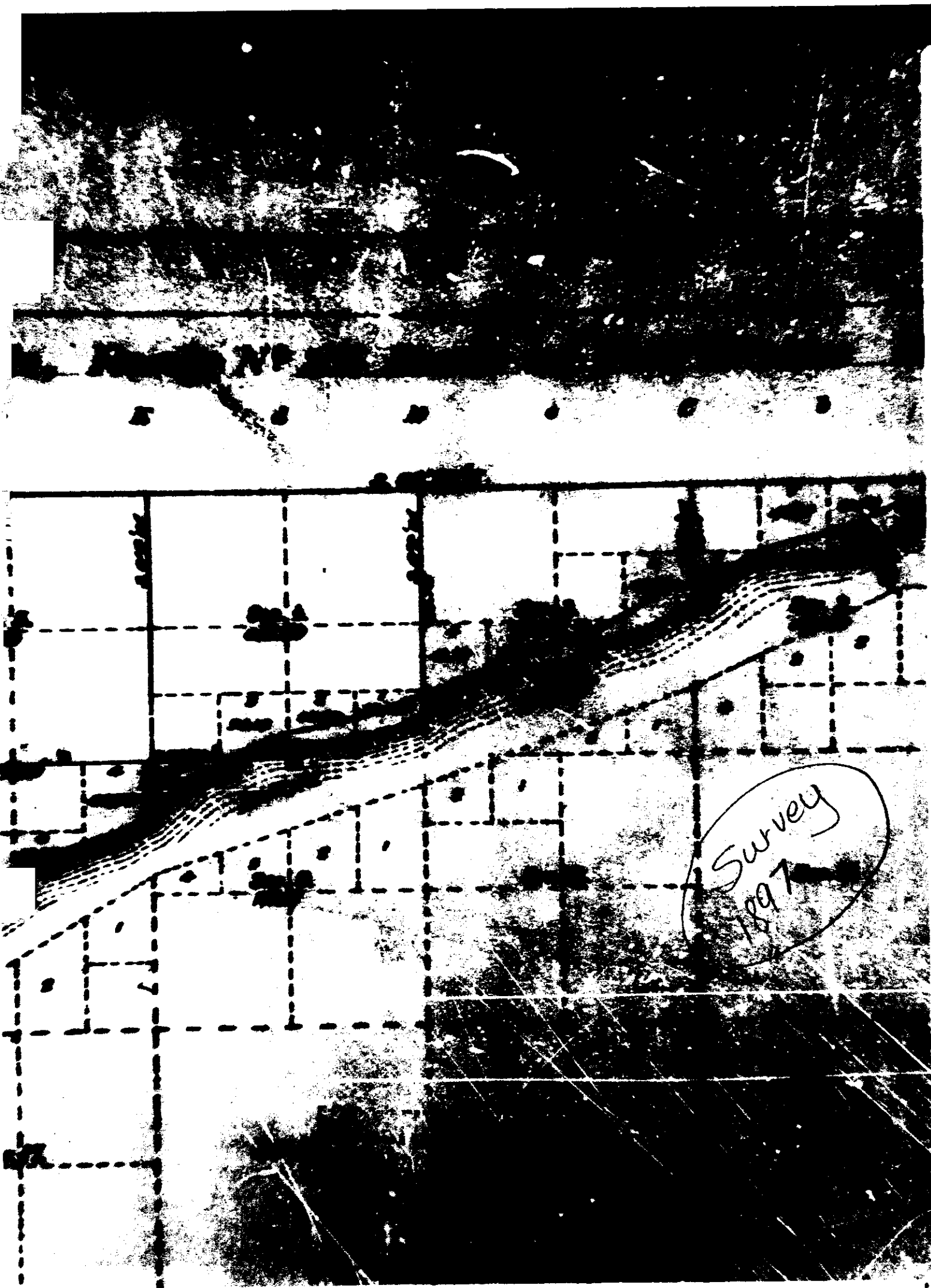
2 3.8

J
3.1

C16

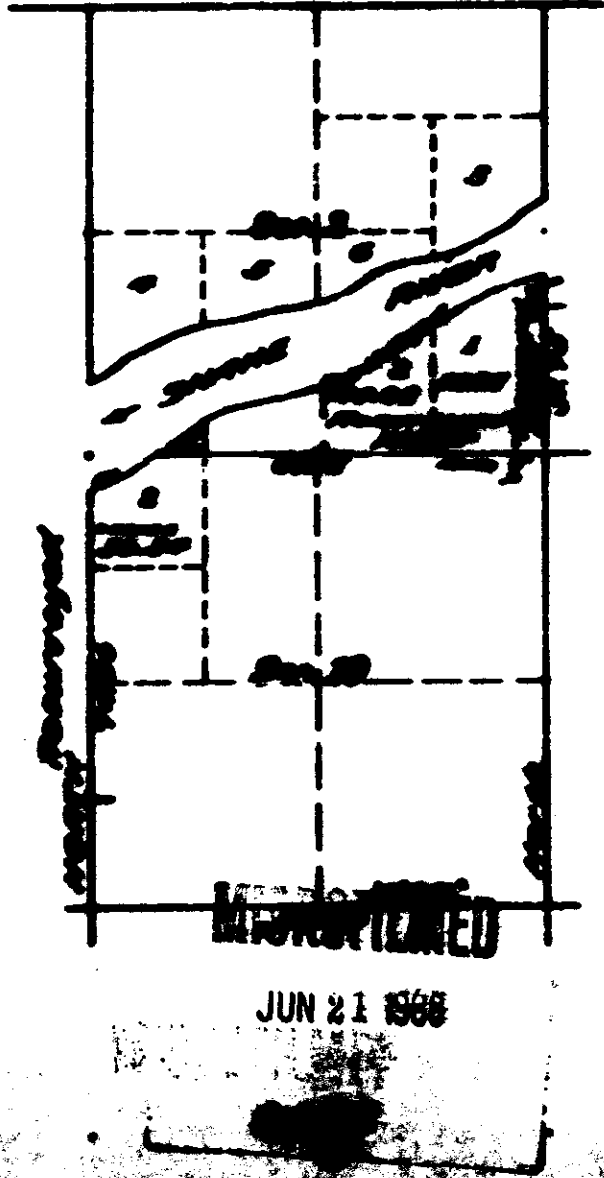
B

35.9





25 Feet of the River



Survey of 1911

Well 9 flow
meter.

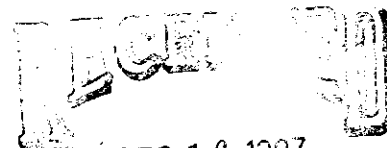


View NE from P.D.



View NW from P.D.





SEP 16 1987

CALCULATION OF NEW PRIORITY DATES
LATE EXAM FEES

Department of Water Resources

FOR PERMIT NO. 45-7290

BY: ADM

	DATE	NUMBER OF DAYS (From Table of Days Between Two Dates)
A. EXAMINATION FEE NOTICE SENT *	8/12/86 ✓	224 ✓
B. DATE FEE DUE (60 days)	10/11/86 ✓	284 ✓
C. DATE FEE RECEIVED *	1/29/87 ✓	365 + 29 = 394
D. NUMBER OF DAYS LATE (C - B)		110 ✓
E. ORIGINAL PRIORITY DATE (Check Reinstatement, etc.)	4/7/77 ✓	97 ✓
F. NEW PRIORITY DATE (D + E)	7/26/77 ✓	207 ✓

REMARKS:

kw
2/5/88

* Sent to Patterson Farms

* Fee paid by Morgan-Shillington Farm Co. after assignment.

MICROFILMED

JUN 21 1988

TABLE OF DAYS BETWEEN TWO DATES

FOR LEAP YEAR, ONE DAY MUST BE ADDED TO NUMBER OF DAYS AFTER FEBRUARY 28

Day No.	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.
1	1	32	60	91	121	152	182	213	244	274	305	335
2	2	33	61	92	122	153	183	214	245	275	306	336
3	3	34	62	93	123	154	184	215	246	276	307	337
4	4	35	63	94	124	155	185	216	247	277	308	338
5	5	36	64	95	125	156	186	217	248	278	309	339
6	6	37	65	96	126	157	187	218	249	279	310	340
7	7	38	66	97	127	158	188	219	250	280	311	341
8	8	39	67	98	128	159	189	220	251	281	312	342
9	9	40	68	99	129	160	190	221	252	282	313	343
10	10	41	69	100	130	161	191	222	253	283	314	344
11	11	42	70	101	131	162	192	223	254	284	315	345
12	12	43	71	102	132	163	193	224	255	285	316	346
13	13	44	72	103	133	164	194	225	256	286	317	347
14	14	45	73	104	134	165	195	226	257	287	318	348
15	15	46	74	105	135	166	196	227	258	288	319	349
16	16	47	75	106	136	167	197	228	259	289	320	350
17	17	48	76	107	137	168	198	229	260	290	321	351
18	18	49	77	108	138	169	199	230	261	291	322	352
19	19	50	78	109	139	170	200	231	262	292	323	353
20	20	51	79	110	140	171	201	232	263	293	324	354
21	21	52	80	111	141	172	202	233	264	294	325	355
22	22	53	81	112	142	173	203	234	265	295	326	356
23	23	54	82	113	143	174	204	235	266	296	327	357
24	24	55	83	114	144	175	205	236	267	297	328	358
25	25	56	84	115	145	176	206	237	268	298	329	359
26	26	57	85	116	146	177	207	238	269	299	330	360
27	27	58	86	117	147	178	208	239	270	300	331	361
28	28	59	87	118	148	179	209	240	271	301	332	362
29	29	--	88	119	149	180	210	241	272	302	333	363
30	30	--	89	120	150	181	211	242	273	303	334	364
31	31	--	90	--	151	--	212	243	--	304	--	365

 1988
 1984
 1980
 1976
 1972
 1968
 1964
 1960
 1956
 1952
 *****LEAP YEARS*****

TABLE OF DAYS BETWEEN TWO DATES

March 12, 1987

RE: Permit No. 45-7290

Morgan-Shillington Farm Co.
Box 535
Rupert, ID 83350

Dear Permit Holder(s):

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

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

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc
Enclosures

MICROFILMED

MAR 20 1987

WILLIAM T. GOODMAN
LARRY R. DUFF
STEVEN A. TUFT
ALAN GOODMAN

LAW OFFICE
Goodman and Duff

CHARTERED
717 7TH STREET
BOX 61
RUPERT, IDAHO 83350
January 23, 1987

AREA CODE 208
TELEPHONE NO.
436-4774

RECEIVED **RECEIVED**
JAN 29 1987
FEB 02 1987

Department of Water Resources
Southern Region Office

Mr. Jim Stanton
Senior Water Resource Agent
Department of Water Resources
1041 Blue Lakes North
Twin Falls, Idaho 83301

Re: Permit No. 45-7290 (Meter on Well)

Dear Mr. Stanton:

This letter will confirm my telephone conversation concerning the above permit to the fact that we finally got the Assignment executed by Pattersons. It took us some time to get this cleared through the Bankruptcy Court.

I am also enclosing the Examination Fee Information form which I have signed for Mr. Shillington under a Power of Attorney. A photocopy of the Power of Attorney, which is recorded, is enclosed, together with our check for the statutory fee of \$175.00.

Very truly yours,

GOODMAN & DUFF


Larry R. Duff

LRD:KH
Encl.

MICROFILMED

MAR 20 1987

4/86

RECEIVED

JAN 29 1987

Department of Water Resources
Southern Region Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

EXAMINATION FEE INFORMATION

Department of Water Resources

FEB 02 1987

For Office Use Only

Fee Received 175.00Date 1/29/87Receipt # 40664Receipt by M. BaldwinSent to S.O. 1/29/871. Permit No. 45-7290

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

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

2. Permit Holder: Morgan-Shillington Farm Co.3. Post Office Address: P.O. Box 535Rupert, Idaho 83350Telephone No. 436-42534. Source of Water: Well

5. Extent of Use:

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

Irrigation 210 (acres) Other/Remark _____6. Total rate &/or volume for which proof is submitted 4 cfs _____ acre-feet

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

April 7, 1977

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

Mr. W. H. Shillington

(Name)

MICROFILMED

MAR 20 1987

P.O. Box 535, Rupert, Idaho 83350

(208) 436-4255

(Address)

(Telephone Number)

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

1/23/87

Date

Signature of Permit Holder (and title, if appropriate)

Partner

attorney in fact

State of Idaho

Department of Water Resources

LICENSE EXAMINATION FEE SCHEDULE

(c.f.s. = cubic feet per second
AF = acre feet)

cfs	AF	Fee
0 - 0.04	0 - 4	\$ 0
.05 - 0.20	5 - 20	50.00
.21 - 1.0	21 - 100	100.00
1.01 - 2.0	101 - 200	125.00
2.01 - 3.0	201 - 300	150.00
3.01 - 4.0	301 - 400	175.00
4.01 - 5.0	401 - 500	200.00
5.01 - 6.0	501 - 600	225.00
6.01 - 7.0	601 - 700	250.00
7.01 - 8.0	701 - 800	275.00
8.01 - 9.0	801 - 900	300.00
9.01 - 10.0	901 - 1000	325.00
10.01 - 11.0	1001 - 1100	350.00
11.01 - 12.0	1101 - 1200	375.00
12.01 - 13.0	1201 - 1300	400.00
13.01 - 14.0	1301 - 1400	425.00
14.01 - 15.0	1401 - 1500	450.00
15.01 - 16.0	1501 - 1600	475.00
16.01 - 17.0	1601 - 1700	500.00
17.01 - 18.0	1701 - 1800	525.00
18.01 - 19.0	1801 - 1900	550.00
19.01 - 20.0	1901 - 2000	575.00
20.01 & over	2001 & over	600.00

Checks should be made payable to the
Department of Water Resources

No fee is required for single family
domestic use or stockwater use.



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

A. Kenneth Dunn
Director

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

45-7290
PATTERSON FARMS OF IDAHO INC.
RT. 1 BOX 81
PAUL, ID 83347

138082

CERTIFIED MAIL

August 12, 1986

EXAMINATION FEE NOTICE

Dear Permit Holder:

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

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

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

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

MICROFILMED

MAR 20 1987

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

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

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

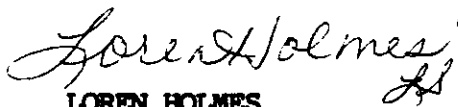
FAILURE TO SUBMIT WITHIN THE SIXTY (60) DAY PERIOD, THE FEE OR THE STATEMENT THAT A CERTIFIED EXAMINER HAS BEEN RETAINED TO MAKE THE FIELD EXAMINATION, WILL BE CAUSE TO ADVANCE THE PRIORITY OF THE PERMIT ONE DAY FOR EACH DAY THAT THE FEE SUBMITTAL IS LATE.

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

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

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

Sincerely,


LOREN HOLMES
Southern Regional Manager

Enclosures

RECEIVED

MAR 20 1987



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

August 23, 1984

RE: Permit No. 45-7290

Patterson Farms of Idaho Inc.
Rt. 1, Box 81
Paul, ID 83347

Gentlemen:

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

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

In reviewing the permit, we find that the requirement for submitting proof of construction of works and application of water to beneficial use has been met. The next step towards licensing of the permit will be for our regional office to examine your water right system.

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

Sincerely,


KAY WALKER
Technical Records Specialist

KW:sc
Enclosures

cc: Larry R. Duff

RECEIVED

WILLIAM T. GOODMAN
LARRY R. DUFF
ALAN GOODMAN
THOMAS P. BASKIN

LAW OFFICE
Goodman and Duff
CHARTERED
717 7TH STREET
BOX 61
RUPERT, IDAHO 83350

AREA CODE 208
TELEPHONE NO.
436-4774

August 16, 1984

RECEIVED
AUG 21 1984

Department of Water Resources

Department of Water Resources
Statehouse
Boise, Idaho 83701

Gentlemen:

Enclosed is an Assignment of Permit from Morgan-Shillington Farm Co. to Patterson Farms of Idaho, Inc. The permit number is 45-7290.

Very truly yours,

GOODMAN & DUFF


Larry R. Duff

LRD:ms
Enclosure

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
SOUTHERN REGION

John V. Evans
Governor

C. Stephen Allred
Director

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

July 8, 1982

Morgan-Shillington Farm Co.
Box 535
Rupert, Idaho 83350

Re: Permit No. 45-7290

Gentlemen:

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

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

Field examinations must be done while the system is in operation. For this reason we concentrate on irrigation permits during the summer months and do examinations on permits for other uses during the non-irrigating months.

If you have any questions regarding the field examination, please contact our office.

Sincerely,

Gary L. Funderburg
Sr. Water Resource Agent

LOH:GLF:marya

MICROFILMED

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has conducted development to the extent shown below of P No. 45-7290.

Name(s) of Permit Holder: Morgan Stillington Farms Co

Post Office Address: Bx 535

Rupert, IDA Tel. No. _____

Source of Water: groundwater

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

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

Access Port: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

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

6-24-82

Date

RECEIVED

M. A. Stillington
Signature of Permit Holder

PLACE
TEN CENT
STAMP
HERE

Department of Water Resources

JUN 29 1982



DECEIVED

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 45-7290.

Name(s) of Permit Holder: Morgan-Shillington Farm Co.

Post Office Address: Box 535

Rupert, Idaho 83350

Tel. No. 436-4255

Source of Water: Underground

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

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

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

5/19/82

Date

MICROFILMED

N. M. Shillington

Signature of Permit Holder



RECEIVED



MAY 20 1962

Department of Water Resources

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720



INTER-DEPARTMENT MEMO — 1

FROM Rita Fleck

DATE 5/12/82

TO Gary Funderburg

SUBJECT Statement of beneficial use postcard

Attached is a copy of the letter I received from Bill Shillington. Can you verify the information. Did you receive a statement of beneficial use postcard? The proof due date is June 1, please let me know soon.

May 19, 1982

I contacted Mr. Shillington concerning this permit. I explained that Gary had not worked on a field exam and that proof had not been submitted. He will send the postcard in.

MICROFILMED

rf

SIGNATURE

GERALD MORGAN
BOX 86
MINIDOKA, IDAHO 83343
531-5254 RESIDENCE
531-4411 OFFICE

Morgan - Shillington Farm Co.

RECEIVED

W. H. SHILLINGTON
BOX 535
RUPERT, IDAHO 83350
RESIDENCE 436-6761
OFFICE 436-4255
APR 5 1982
Department of Water Resources

Rupert, Idaho
April 2, 1982

Department of Water Resources
Statehouse
Boise, Idaho 83720

Gentlemen:

Water Permit No. 45-7290

We are in receipt of your letter dated March 31, 1982 in which you inquire about final proof on this Water Permit.

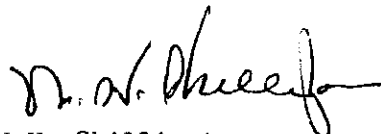
Gary Fundeberg checked this installation and the Tree Farm the same day with our farm manager, Fred Archer, and o.k'd each of them at that time.

There should be no further requirements for your issuing a final permit.

I am sure that if you contact me Fundberg he will be able to substantiate this.

We will appreciate hearing from you at your earliest convenience.

Yours very truly,



W.H. Shillington
Box 535
Rupert, Idaho 83350

s/h

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

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

138590

MORGAN-SHILLINGTON FARM CO.
P.O. BOX 535
RUPERT, ID 83350

MARCH 31, 1982

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 45-7290 WAS THAT EVIDENCE OF THE EXTENT OF DEVELOPMENT MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE JUNE 01, 1982. (SEE LAST PAGE OF YOUR APPROVED PERMIT). ENCLOSED IS A POST CARD WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF OF BENEFICIAL USE.

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

EITHER THE BENEFICIAL USE POST CARD OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE MENTIONED DATE, OTHERWISE, THE PERMIT WILL LAPSE AND BE OF NO FURTHER FORCE OR EFFECT WITHIN 60 DAYS.

SINCERELY,

RITA FLECK
SR. SECRETARY

ENC: 1

NOT RECORDED



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

March 19, 1982

Dear Wateruser:

The enclosed Order changes the measuring device condition of approval on your water right permit.

The changed condition is less restrictive and provides you the option to install an access port or have your system measured and certified by a professional engineer. Instructions for access port installation are also enclosed.

If you have questions regarding this matter, please contact the regional office nearest to you.

Sincerely,

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

DRT:jg

Enclosures

NORTHERN REGION OFFICE
Route #5, Box 203, Government Way
Coeur d'Alene, Idaho 83814
Telephone 667-6484

SOUTHERN REGION OFFICE
1041 Blue Lake Boulevard North
Twin Falls, Idaho 83301
Telephone 734-3578

EASTERN REGION OFFICE
150 Shoup Avenue
Idaho Falls, Idaho 83401
Telephone 525-7161

WESTERN REGION OFFICE
92 South Cole Road
Boise, Idaho 83709
Telephone 334-2190

ENCLOSURE

June 15, 1977

Re: Permit No. 45-7290

Morgan - Shillington Farm Co.
Box 535
Rupert, ID 83350

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 45-7290 . We direct your attention to the conditions of approval as listed on the fourth page.

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

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

Enclosure: Copy of permit

RECEIVED

April 14, 1977

South Idaho Press
Box 190
Burley, Id. 83318

RE: Application For Permit #45-7290 - Morgan-Shillington Farm Co.

Gentlemen:

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

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

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

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:sb

Enclosure

Bill submitted: _____

MICROFILMED

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Morgan-Shillington Farm Co.

Box 535, Rupert, Idaho 83350

has on 4/7/77 submitted Application No. 45-7290

for a permit to appropriate 4.0 cubic feet per second ~~surface water~~

of water from groundwater

by means of pump, motor, ~~XXXXXX~~ pipeline

within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, Twp. 9S, Rge. 25E., B.M., Cassia County

to be used from March 15 to Nov. 15

for irrigation purposes of 200 acres

within the Lot 2, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3; W $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 10, Twp. 9S, Rge. 25E., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before 5/13/77.

~~XXXXXXXXXXXXXXXXXXXX~~

Director

Published in the South Idaho Press

4/26 and 5/3/77

RECEIVED

77-156

**NOTICE OF APPLICATION FOR
WATER PERMIT**

Notice is hereby given that Morgan-Shillington Farm Co. Box 535, Rupert, Idaho 83350 has on 4/7/77 submitted Application No. 45-7290 for a permit to appropriate 4.0 cubic feet per second of water from groundwater by means of pump and/or pipeline within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 10, Twp. 9S, Rge. 25E., B.M., Cassia County to be used from March 1 to Nov. 15 for irrigation purposes on 400 acres within the Lot 2, SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 3; W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 10, Twp. 9S, Rge. 25E., B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd., North, Twin Falls, Idaho, 83301 on or before 5/13/77.

Director

Published in the South Idaho Press on
4/26 and 5/3/77.

OK/SP4/mn