

45-02545

TRANSFER OF WATER RIGHT

NOV 20 2000

TRANSFER NO. 5389
WATER RIGHT NO(S) . 45-02545/45-02617/45-02687/45-07439B

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>
12S	22E	9	NENE 40.5	NWNE 40.4	SWNE 27.4	
			SENE 20.1	NENW 40.3	NWNW 27.5	
			SWNW 36.5	SENW 40.3	NESW 15.3	
			NWSW 7.3	NWSE 0.8		296.4
		15	NENE 37.9	NWNE 40.4	SWNE 39.7	
			SENE 37.9	NENW 40.3	NWNW 39.5	
			SWNW 39.5	SENW 40.2	NESW 40.3	
			NWSW 39.6	SWSW 38.9	SESW 35.9	
			NESE 39.1	NWSE 37.6	SWSE 38.7	
			SESE 39.4			624.9
Total number of acres irrigated:						**** 921.3

CONDITIONS OF APPROVAL AND REMARKS

1. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
2. This permit does not authorize the construction of any new well or the deepening or enlargement of any existing well.
3. The Director maintains jurisdiction of this transfer up to five (5) years for the purpose of determining potential injury to existing rights, both junior and senior, in the vicinity of the transferred point of diversion.
4. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
5. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
6. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- **** 8. Right 45-02545 is limited to the irrigation of 465.4 acres in the place of use described above in a single irrigation season.
- **** 9. Right 45-02617 is limited to the irrigation of 465.4 acres in the place of use described above in a single irrigation season.
- **** 10. Right 45-02687 is limited to the irrigation of 624.9 acres in the place of use described above in a single irrigation season.
- **** 11. Right 45-07439 is limited to the irrigation of 296.4 acres in the place of use described above in a single irrigation season.

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NOV 20 2000

TRANSFER NO. 5389
WATER RIGHT NO(S). 45-02545/45-02617/45-02687/45-07439B

CONDITIONS OF APPROVAL AND REMARKS

- * 12. Rights 45-02545 and 45-02617 when combined shall not exceed a total annual maximum diversion volume of 1861.6 af at the field headgate and the irrigation of 465.4 acres.
- ** 13. Rights 45-02545, 45-02617 and 45-02687 when combined shall not exceed a total annual maximum diversion volume of 2499.6 af at the field headgate and the irrigation of 624.9 acres.
- *** 14. The total instantaneous diversion of water from all points of diversion under Transfer 5389 shall not exceed 16.48 cfs, nor a total combined annual volume of 3685.2 af for the irrigation of 921.3 total acres.

Dated this 10th day of May, 2000.


Chief, Water Allocation Bureau

MICROFILMED

NOV 20 2000

RECEIVED 9

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 5389

NOV 12 1998

Department of Water Resources
Southern Region

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

RECEIVED

JUN 07 1999

Department of Water Resources

Name of applicant Becker Farms Inc. Phone 678-5669
Post Office address 1063 S Hwy. 27, Burley, ID 83318 678-4428-1565 mobile

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 Split rights, create PPU
2. Describe the reason for the proposed changes Land is being sold, & water rights need to be split for the sale.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>45-02545</u>	<u>3-25-1957</u>	<u>4.02/1706.3</u>	<u>Irrig.</u>	<u>4-1</u> to <u>10-31</u>
<u>45-02617</u>	<u>4-11-1960</u>	<u>3.76/189.7</u>	<u>"</u>	<u>"</u> to <u>"</u>
<u>45-02687</u>	<u>8-22-1962</u>	<u>4.78/616.0</u>	<u>"</u>	<u>"</u> to <u>"</u>
<u>45-07439B</u>	<u>2-29-1980</u>	<u>3.92/1230.0</u>	<u>"</u>	<u>"</u> to <u>"</u>

2. Total amount of water being transferred 16.48 cubic feet per second and/or 3732.0 acre-feet per annum.
3. Source of water Groundwater tributary to _____
4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
	SW	NW	SW	15	12S	22E	Cassia	
	SW	SW	SW	"	"	"	"	
	SW	SE	SW	"	"	"	"	

5. Lands irrigated or place of use: Permissible Place Of Use

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
12S	22E	9	40	40	26	20	40	30	39	40	18	9				3			305
		15	40	40	40	38	39	36	39	40	40	40	40	40	39	39	38	40	628

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NOV 20 2000

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T5389

Total acres 933

PART 1

6. General Information:

- a. Description of diversion system 3 connected wells & pumps, mainlines, sprinklers
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? N/A 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:
N/A
- d. Remarks:
Land was purchased from Howard Adams & Sons in 1992, but ownership was never changed. Land has been watered only from the wells in Sec. 15 since 1993.

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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NOV 20 2000

PART 2

TRANS NO. 5389

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 45-02545

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	4.02 CFS

SOURCE

GROUNDWATER

Priority: 03/25/1957

LOCATION OF POINT(S) OF DIVERSION:SWSW , Sec. 15, Township 12S, Range 22E
CASSIA CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12S	22E	15	NENE 40	NWNE 40	SWNE 40	
			SENE 38	NESW 40	NWSW 40	
			SWSW 40	SESW 40	NESE 39	
			NWSE 39	SWSE 38	SESE 40	474
				Total number of acres irrigated:		474

CONDITIONS/REMARKS:MICROFILMED
NOV 20 2000

PART 2

TRANS NO. 5389

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 45-02617

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	3.76 CFS

SOURCE

GROUNDWATER

Priority: 04/11/1960

LOCATION OF POINT(S) OF DIVERSION:SESW , Sec. 15, Township 12S, Range 22E
CASSIA CountyPLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12S 22E 15	NENE 40	NWNE 40	SWNE 40	
	SENE 38	NESW 40	NWSW 40	
	SWSW 40	SESW 40	NESE 39	
	NWSE 39	SWSE 38	SESE 40	474
		Total number of acres irrigated:		474

CONDITIONS/REMARKS:MICROFILMED
NOV 20 2007

PART 2

TRANS NO. 5389

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 45-02687

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	to	4.78 CFS

SOURCE

GROUNDWATER

Priority: 08/22/1962

LOCATION OF POINT(S) OF DIVERSION:NWSW , Sec. 15, Township 12S, Range 22E
CASSIA CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12S	22E	15	NENE 40	NWNE 40	SWNE 40	
			SENE 38	NENW 39	NWNW 36	
			SWNW 39	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 39	NWSE 39	SWSE 38	
			SESE 40			628
						628

Total number of acres irrigated:

628

CONDITIONS/REMARKS:MICROFILMED
NOV 20 2009

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 45-07439

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	5.38 CFS	1676.0 AF

SOURCE

GROUNDWATER

Priority: 02/29/1980

LOCATION OF POINT(S) OF DIVERSION:NWNE , Sec. 24, Township 12S, Range 21E
CASSIA CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12S	22E	9	NENE 40	NWNE 40	SWNE 26	
			SENE 20	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 35	
			NWSW 40	SWSW 35	SESW 20	
			NWSE 3			419
				Total number of acres irrigated:		419

CONDITIONS/REMARKS:

1. THIS RT. WHEN COMBINED WITH ALL OTHER RTS. SHALL PROVIDE NO MORE THAN 0.02 CFS/AC NOR MORE THAN 4.0 AFA/AC FOR THE LANDS ABOVE.

MICROFILMED

NOV 20 2000

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

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED 45-07439

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

1. amount 3.92 cfs for Irrig. purposes from 3-15 to 11-15
 (cfs/ac-ft)
 amount 1220.0 AFA for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion: Same as 2.A.7.

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	
<u>12S</u>	<u>22E</u>	<u>9</u>	<u>40</u>	<u>40</u>	<u>26</u>	<u>20</u>	<u>40</u>	<u>30</u>	<u>39</u>	<u>40</u>	<u>18</u>	<u>9</u>				<u>3</u>			<u>305</u>

Total acres _____

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

1. amount 1.46 cfs for Irrig. purposes from 3-15 to 11-15
 (cfs/ac-ft)
 amount 456.0 AFA for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
2. Point(s) of Diversion: See ~~SABA~~ Claim Same as 2.A.7.

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

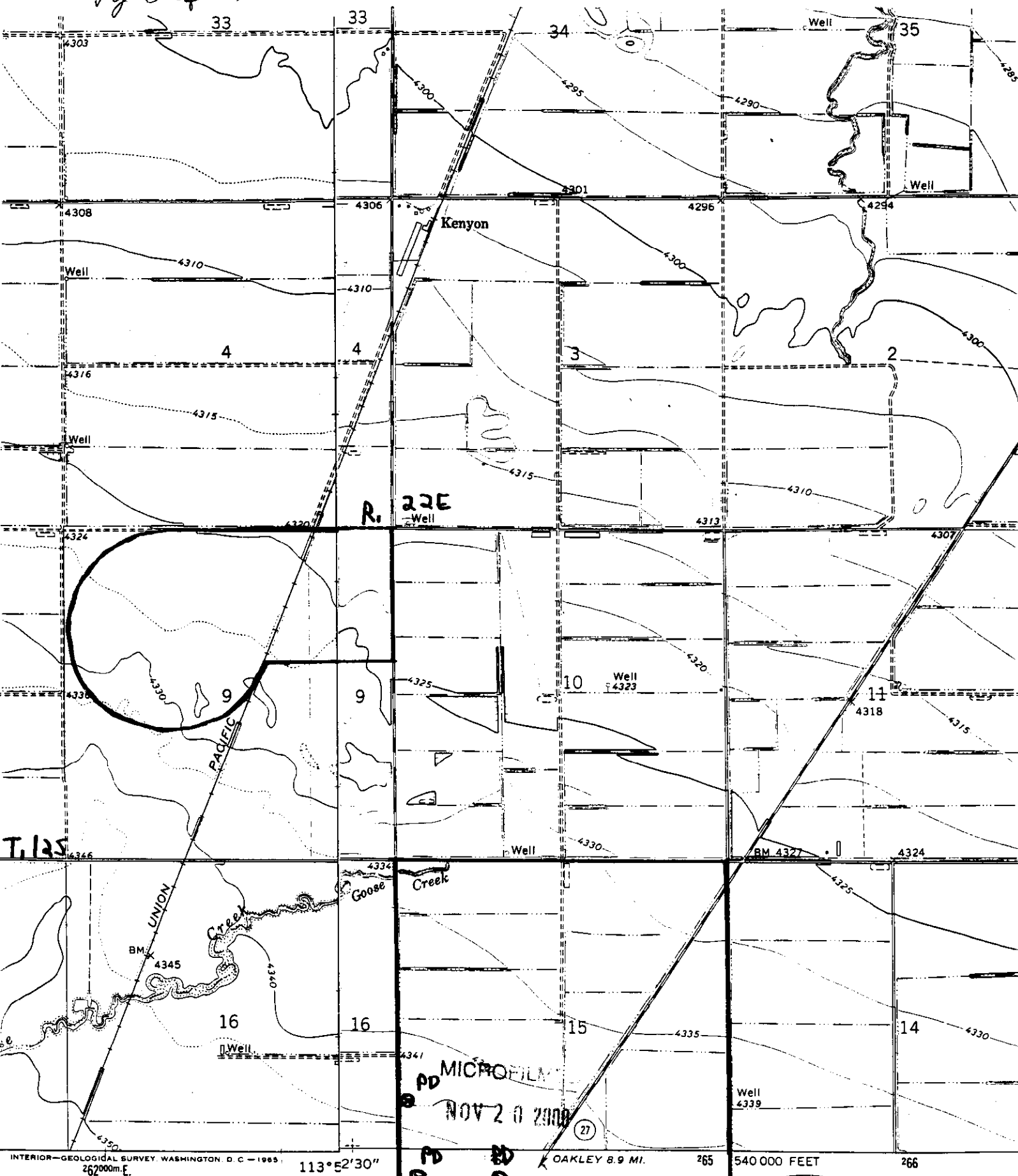
3. Lands irrigated or place of use:

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	
<u>12S</u>	<u>22E</u>	<u>9</u>						<u>10</u>	<u>1</u>		<u>17</u>	<u>31</u>	<u>35</u>	<u>20</u>					<u>114</u>

Total acres 114

Pg 8 of 9

T# 5389



INTERIOR-GEOLOGICAL SURVEY, WASHINGTON, D. C. - 1969.
262000m. E.

113°E 2'30"

Mapped, edited, and published by the Geological Survey

T5389

ROAD CLASSIFICATION

Control by USGS and USC&GS

um-duty

Light-duty

Planimetry by photogrammetric methods from aerial photographs



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

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

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

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

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

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

Allen G. Becken President Becken Farms Inc
(Signature of Applicant)

Subscribed and sworn to before me this 7th day of November, 19 98.

J. F. Stanton
(Notary Public)

My commission expires 10-25-2000

FOR DEPARTMENT USE ONLY

Transfer contains 9 pages and 9 attachments

Received by J. F. Stanton Date 11-12-98 Protest filed by None

Prelim. check by J. F. Stanton Fee \$100. 5021591

Receipted by J. F. Stanton Date 11-12-98

Published in So. Id. Press Copies of protest forwarded by _____

Pub. dates 02/08 + 02/15/99 Hearing held by _____ Date _____

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

_____ rec'd. _____ by AS

Copy of transfer sent to lien holder MICROFILMED

NOV 20 2000

RECEIVED

NOV 16 1998

Department of Water Resources
Southern Region

10

38.8

39.4

10, 11

T444

39.4

38.8
- 2.4
36.4

36.4

39.4
- 2.4
37.0

39.2

40

6
8.3

38.8

40.0

37.0
9
4.9

39.4
- 3.4
36.0

39.4

12
8.6

38.8

13
12.4.1

14
18.2

32
1.7

15

3
5.0
22

617.2

4.4 Home track
12.1 Light rail
10.1 Highway
6.6

8
133.3

T# 5389

9
6.0

222474

DEED

FOR VALUE RECEIVED

HOWARD R. ADAMS & SONS, INC., an Idaho

corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto
 BENJAMIN ADAMS, INC., an Idaho Corporation
 ADDRESS: Star Route, Box 194, Burley, Idaho 83318
 grantees, the following described real estate, to-wit:

Part of Section 15, Township 12 South, Range 22 East of the Boise Meridian,
 Cassia County, Idaho, more particularly described as follows:

Beginning at a point 280 feet East of the Southwest corner of said Section 15;
 Thence North 90 feet;
 Thence East 90 feet;
 Thence South 90 feet;
 Thence West 90 feet to the POINT OF BEGINNING.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon
 or appurtenant thereto.

SUBJECT TO:

All reservations contained in Deeds or Deeds in the chain of title.

Accruing taxes, levies and assessments; easements and rights-of-ways of
 record, if any.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee, and their
 heirs and assigns forever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its
 corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secre-
 tary this 22 day of December, 1992

HOWARD R. ADAMS & SONS, INC.,
 an Idaho Corporation

By Patricia Adams
 PATRICIA ADAMS

PRESIDENT

ATTEST:

Lisa Hatch
 LISA HATCH

SECRETARY

STATE OF IDAHO

County of CASSIA

On this 22nd day of December 1992
 before me, a Notary public in and for said State, personally

appeared
 PATRICIA ADAMS
 LISA HATCH

be the President and Secretary of the corporation that sub-
 scribed this instrument as the persons who executed the instru-
 ment as its President and Secretary, and acknowledged to me
 that such persons executed the same.

My commission expires the day and year in this certificate
 first given.

Lisa Hatch
 Notary Public
 My commission expires 6-01-93
 Burley, Idaho

RECORDED AT THE REQUEST OF
 LAND TITLE & EMBROW

FILE 240

NOV 24 1992

CASSIA COUNTY
 FRANK B. KEARNS
 RECORDER

FILE 300 DEPUTY M MICROC

LAND TITLE & EMBROW

222474

NOV 20 2000

T#5389

222475

QUITCLAIM

For Value Received

BECKER FARMS, INC., an Idaho corporation

Hereby calls the grantor's attention to the following description of the premises:

H. GEORGE BECKER and KILLEN BECKER, Trustees

ADDRESS: Star Route, Box 30

Burley, Idaho 83318

Hereby calls the grantee, the following described premises:

CASSIA

County, Idaho

Part of the SW $\frac{1}{4}$ of Section 15 of Township 12 South, Range 22 East of the Boise Meridian, Cassia County, State of Idaho

Beginning at the South quarter section corner of said Section 15, of Township 12 South, Range 22 East of the Boise Meridian, said corner marked by a U.S. General Land Office pipe with brass cap; thence North 89°43'00" West along section line for 213.28 feet to a $\frac{1}{4}$ inch rebar which shall be the POINT OF BEGINNING;

thence North 89°45'00" West along section line for 380.67 feet to a $\frac{1}{4}$ inch rebar on the westerly right of way of State Highway 27;

thence North 33°38'03" East along said highway right of way for 379.03 feet to a $\frac{1}{4}$ inch rebar;

thence South 62°31'23" East for 190.48 feet to a $\frac{1}{4}$ inch rebar;

thence South 0°34'28" West for 229.28 feet to the POINT OF BEGINNING.

RECEIVED

DEC 24 1992

DEC 24 A D 34

222475

CASSIA COUNTY, IDAHO
FRANK G. KEARNS
RECORDER

FEE 3.00 DEPUTY *LM*
LAND TITLE & RECORDS

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

Dated: December 18, 1992

BECKER FARMS, INC. MICROC

Allen G. Becker
ALLEN G. BECKER, President

Jane Becker
JANE BECKER, Secretary



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

STATE OF IDAHO, COUNTY OF CASSIA
On this 18th day of December, 1992, before me, a Notary Public in and for said State, personally appeared ALLEN G. BECKER and JANE BECKER, known to me to be the President and Secretary of the corporation that executed this instrument of the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

James Price
Notary Public
Residing at: Burley, Idaho
My commission expires: 2-96

Instrument No.

218824

CORPORATION WARRANTY DEED

FOR VALUE RECEIVED (stock), and pursuant to Agreement For Separation of Business Interests heretofore executed by the principal shareholders of the corporation, Howard R. Adams & Sons, Inc., an Idaho corporation, (hereinafter referred to as "Grantor"), does hereby Grant, Bargain, Sell and Convey unto Becker Farms, Inc., an Idaho corporation whose address is Star Route, Box 20, Burley, Idaho 83318 (hereinafter referred to as "Grantee"), real property located in Cassia County, Idaho, and more particularly described in Exhibit "A", attached hereto and made a part hereof.

SUBJECT, HOWEVER, to:

1. Liens including mortgages of record.
2. Zoning and land use regulations of lawful government authority.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its successors and assigns forever.

IN WITNESS WHEREOF, the Grantor, acting through its duly elected and authorized officers, has caused its corporate name to be hereunto subscribed to this instrument.

HOWARD R. ADAMS & SONS, INC.

By: Lisa Hark, Vice-President

Attest:

Patricia Adams
Secretary

MICROFILMED
NOV 20 2000

Attest:

Patricia Adams
Secretary

CORPORATION WARRANTY DEED - Page 1
10000-0-01

STATE OF IDAHO)

County of Cassia) ss.

On this 30 day of April, 1992, before me, the undersigned Notary Public in and for said State, personally appeared Lisa Hatch and Patricia Adams, known or identified to me to be the vice-president and secretary, respectively, of the corporation that executed the within instrument and acknowledged to me that such corporation executed the same.

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

Harold E. Price
NOTARY PUBLIC - STATE OF IDAHO
My commission expires 6-1-93

MICROFILMED

NOV 20 2000

CORPORATION WARRANTY DEED - Page 2
10000-0-01

Exhibit "A"

Township 12 South. Range 22 East, Boise Meridian

Section 16: ALL EXCEPT that part deeded to the State of Idaho for highway purposes, and EXCEPT THE FOLLOWING DESCRIBED PARCEL:

Beginning at a point 260 feet East of the Southwest corner of said Section 16; thence North 90 feet; thence East 90 feet; thence South 90 feet; thence West 90 feet to the point of beginning.

ALL IN CASSIA COUNTY, STATE OF IDAHO.

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW
234
R2 MAY - 1 P 3 55
CASSIA COUNTY, IDAHO
FRANK B. KEARNS
RECORDER
218824
REC'D DEPUTY CL
LAND TITLE & ESCROW

MICROFILM

NOV 20 2009

422883

RECORDED BY JAMES T. HALL AND COMPANY, INC.

LAND TITLE & ESCROW

222473

DEED

FOR VALUE RECEIVED. HOWARD R. ADAMS & SONS, INC.

a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant, Bargain, Sell and Convey unto **BECKER FARMS, INC.**, an Idaho Corporation
 ADDRESS: Star Route, Box 19A, Burley, Idaho 83318
 grantee, the following described real estate, to-wit:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

TOGETHER WITH all water and water rights, ditches and ditch rights, used thereon or appurtenant thereto.

SUBJECT TO:

All reservations contained in Patents or Deeds in the chain of title.

Accruing taxes, levies and assessments; easements and right-of-ways of record, if any.

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee, and their heirs and assigns forever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secretary this 22 day of December, 1992

HOWARD R. ADAMS & SONS, INC.
 a corporation

By Patricia Adams
 PATRICIA ADAMS

PRESIDENT

ATTEST: Lisa Hatch
 LISA HATCH

SECRETARY

STATE OF IDAHO

County of CASSIA

On this 22nd day of December, 1992
 before me, a Notary Public in and for said State, personally
 appeared PATRICIA ADAMS and

LISA HATCH, known to me to
 be the President and Secretary of the corporation that executed the instrument of conveyance, and acknowledged to me that said corporation executed the same.

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

Howard R. Adams
 Notary Public
 My commission expires 6-01-93 Burley, Idaho

MICROFILMED

NOV 20 2000 PROPERTY DESCRIPTION - PARCEL 1

Part of the NE1/4 of Section 9 of Township 12 South,
 Range 22 East of the Boise Meridian, Cassia County,

T# 5384

PROPERTY DESCRIPTION - PARCEL 1

Part of the NE $\frac{1}{4}$ of Section 9 of Township 12 South,
Range 22 East of the Boise Meridian, Cassia County,
State of Idaho.

Beginning at the NE corner of Section 9 of T.12 S.,
R.22 E., B.M. said corner marked by a U.S. General Land
Office pipe with brass cap which shall be the Point of
Beginning;

Thence S 0°16'40" E along section line for 1986.79
feet to a $\frac{1}{2}$ " rebar at the SE corner of the
E $\frac{1}{4}$ S $\frac{1}{4}$ N $\frac{1}{4}$ of Section 9;

Thence N 89°40'50" W along the south line of the
E $\frac{1}{4}$ S $\frac{1}{4}$ N $\frac{1}{4}$ of Section 9 for 2000.59 feet to a
point on the east right of way of the Union
Pacific Railroad;

Thence N 21°44'01" E along said railroad right of
way for 2132.86 feet to a point on the north
line of Section 9;

Thence S 89°43'53" E along said section line for
1201.16 feet to the Point of Beginning.

Contains 72.99 acres more or less and is subject to
existing county road right of ways.

PROPERTY DESCRIPTION - PARCEL 2

Part of Section 9 of Township 12 South, Range 22 East
of the Boise Meridian, Cassia County, State of Idaho.

Beginning at the NE corner of Section 9 of T.12 S.,
R.22 E., B.M. said corner marked by a U.S. General Land
Office pipe with brass cap; Thence N 89°43'53" W along
section line for 1308.61 feet to a point on the
westerly right of way of the Union Pacific Railroad
which shall be the Point of Beginning;

Thence S 21°44'01" W along said railroad right of
way for 2952.27 feet to a point;

Thence on a curve to the right for 1221.98 feet,
said curve having a central angle of 41°14'00"
with a radius of 1697.99 feet with a long chord
bearing of S 62°44'03" W for a distance of
1195.78 feet;

Thence N 77°03'28" W for 1138.70 feet to a point;

Thence on a curve to the right for 1217.84 feet,
said curve having a central angle of 41°05'38"
with a radius of 1697.99 feet with a long chord
bearing of N 36°55'10" W for a distance of
1191.90 feet, said point lying on the west line
of Section 9;

Thence N 0°07'54" W along section line for 949.78
feet to a point;

Thence on a curve to the right for 1664.00 feet,
said curve having a central angle of 56°08'56"
with a radius of 1697.99 feet with a long chord
bearing of N 44°11'01" E for a distance of
1598.21 feet, said point lying on the north line
of Section 9;

Thence S 89°43'36" E along section line for 1531.10
feet to the north $\frac{1}{4}$ section corner of Section 9,
said corner marked by a $\frac{1}{2}$ " rebar with a county
cap on top;

Thence S 89°43'53" E along section line for 1339.09
feet to the Point of Beginning.

Contains 225.80 acres more or less.

MICROFILM
NOV 20 1977

T#5389

bearing of N 30° 30' 10" W 101.00 feet
 1191.90 feet, said point lying on the west line
 of Section 9.
 Thence N 0° 07' 54" W along section line for 949.
 feet to a point;
 Thence on a curve to the right for 1664.00 feet,
 said curve having a central angle of 56° 08' 56"
 with a radius of 1697.99 feet with a long chord
 bearing of N 44° 11' 01" E and a distance of
 1598.21 feet, said point lying on the north line
 of Section 9;
 Thence S 89° 43' 36" E along section line for 1531.10
 feet to the north & section corner of Section 9,
 said corner marked by a 5/8" rebar with a county
 cap on top;
 Thence S 89° 43' 53" E along section line for 1339.09
 feet to the Point of Beginning.

Contains 225.80 acres more or less.

RECORDED AT THE REQUEST OF
LAND TITLE & ESTATE

FILM 240

1992 DEC 24 A D 32

222473

CASSIA COUNTY
 FRANK B. HEARD
 RECORDER

FEE 6.00 DEPUTY LM
LAND TITLE & ESTATE

THIS SLANT FORWARDED BY Land Title and Estate Inc.

222474

DEED

NOV 20 2000

T# 5389

QUITCLAIM DEED

For Value Received

BECKER FARMS, INC., an Idaho corporation

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

H. GEORGE BECKER and EILEEN BECKER, husband and wife

ADDRESS: Star Route, Box 20

Burley, Idaho 83318

Hereinafter called the grantee, the following described premises, in CASSIA County, Idaho
to-wit:Part of the SW $\frac{1}{4}$ of Section 15 of Township 12 South, Range 22 East of the
Boise Meridian, Cassia County, State of Idaho.Beginning at the South quarter section corner of said Section 15, of Township
12 South, Range 22 East of the Boise Meridian, said corner marked by a U.S.
General Land Office pipe with brass cap; Thence North 89°45'00" West along
section line for 213.28 feet to a $\frac{1}{2}$ inch rebar which shall be the POINT OF
BEGINNING:Thence North 89°45'00" West along section line for 380.67 feet to a $\frac{1}{2}$ inch
rebar on the Easterly right of way of State Highway 27;Thence North 33°38'03" East along said highway right of way for 379.03 feet
to a $\frac{1}{2}$ inch rebar;Thence South 62°31'25" East for 190.58 feet to a $\frac{1}{2}$ inch rebar;

Thence South 0°24'36" East for 229.31 feet to the POINT OF BEGINNING.

MICROFILMED

NOV 20 1986

T#5389

DEED

FOR VALUE RECEIVED, HOWARD R. ADAMS & SONS, INC., an Idaho

corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant,
Bargain, Sell and Convey unto BECKER FARMS, INC., an Idaho Corporation

ADDRESS: Star Route, Box 19A, Burley, Idaho 83318
grantee, the following described real estate, to-wit:

Part of Section 15, Township 12 South, Range 22 East of the Boise Meridian,
Cassia County, Idaho, more particularly described as follows:

Beginning at a point 280 feet East of the Southwest corner of said Section 15;
Thence North 90 feet;
Thence East 90 feet;
Thence South 90 feet;
Thence West 90 feet to the POINT OF BEGINNING.

TOGETHER WITH all water and water rights, ditches and ditch rights used thereon
or appurtenant thereto.

SUBJECT TO:

All reservations contained in Patents or Deeds in the chain of title.

Accruing taxes, levies and assessments; easements and rights-of-ways of
record, if any.

MICROFILMED

NOV 20 2000

T#5389

Instrument No.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the grantee's heirs and assigns forever.

Dated: December 18, 1992

BECKER FARMS, INC.

BY: Allen G. Becker
ALLEN G. BECKER, President

BY: Jane Becker
JANE BECKER, Secretary

STATE OF IDAHO, COUNTY OF

On this _____ day of _____, 19____,
before me, a notary public in and for said State, personally appeared

known to me to be the person whose name
subscribed to the within instrument, and acknowledged
to me that _____ executed the same.

Notary Public
_____, Idaho.

Residing at _____
Commission expires: _____

STATE OF IDAHO, COUNTY OF CASSIA

On this 13th day of December, 1992, before me, a Notary Public in and for said State, personally appeared ALLEN G. BECKER and JANE BECKER, known to me to be the President and Secretary of the corporation that executed this instrument or the persons who executed the instrument on behalf of said corporation, and acknowledged to me that such corporation executed the same.

[Signature]
Notary Public
Residing at: _____
My commission expires: 2-96

MICROFILMED
NOV 20 1993

T # 5389

QUITCLAIM DEED

For Value Received

BECKER FARMS, INC., an Idaho corporation

Hereinafter called the grantor, hereby remises, releases, and forever Quitclaims unto

H. GEORGE BECKER and EILEEN BECKER, husband and wife

ADDRESS: Star Route, Box 20

Burley, Idaho 83318

Hereinafter called the grantee, the following described premises, in CASSIA County, Idaho
to-wit:

Part of the SW $\frac{1}{4}$ of Section 15 of Township 12 South, Range 22 East of the Boise Meridian, Cassia County, State of Idaho.

Beginning at the South quarter section corner of said Section 15, of Township 12 South, Range 22 East of the Boise Meridian, said corner marked by a U.S. General Land Office pipe with brass cap; Thence North 89°45'00" West along section line for 213.28 feet to a $\frac{1}{2}$ inch rebar which shall be the POINT OF BEGINNING:

Thence North 89°45'00" West along section line for 380.67 feet to a $\frac{1}{2}$ inch rebar on the Easterly right of way of State Highway 27;

Thence North 33°38'03" East along said highway right of way for 379.03 feet to a $\frac{1}{2}$ inch rebar;

Thence South 62°31'25" East for 190.58 feet to a $\frac{1}{2}$ inch rebar;

Thence South 0°24'36" East for 229.31 feet to the POINT OF BEGINNING.

MICROFILMED

NOV 20 1986

T #5389

222473

DEED

FOR VALUE RECEIVED, HOWARD R. ADAMS & SONS, INC.,

a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant,
Bargain, Sell and Convey unto BECKER FARMS, INC., an Idaho Corporation
ADDRESS: Star Route. Box 19A, Burley, Idaho 83318
grantee, the following described real estate, to-wit:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

TOGETHER WITH all water and water rights, ditches and ditch rights, used
thereon or appurtenant thereto.

SUBJECT TO:

All reservations contained in Patents or Deeds in the chain of title.

Accruing taxes, levies and assessments; easements and right-of-ways of record.
if any.

MICROFILMED

NOV 24 1988

T# 5389

PROPERTY DESCRIPTION - PARCEL 1

Part of the NE $\frac{1}{4}$ of Section 9 of Township 12 South,
Range 22 East of the Boise Meridian, Cassia County,
State of Idaho.

Beginning at the NE corner of Section 9 of T.12 S.,
R.22 E., B.M. said corner marked by a U.S. General Land
Office pipe with brass cap which shall be the Point of
Beginning;

Thence S 0°16'40" E along section line for 1986.79
feet to a $\frac{1}{2}$ " rebar at the SE corner of the
E $\frac{1}{2}$ N $\frac{1}{2}$ S $\frac{1}{2}$ N $\frac{1}{2}$ of Section 9;

Thence N 89°40'50" W along the south line of the
E $\frac{1}{2}$ N $\frac{1}{2}$ S $\frac{1}{2}$ N $\frac{1}{2}$ of Section 9 for 2000.59 feet to a
point on the east right of way of the Union
Pacific Railroad;

Thence N 21°44'01" E along said railroad right of
way for 2132.86 feet to a point on the north
line of Section 9;

Thence S 89°43'53" E along said section line for
1201.16 feet to the Point of Beginning.

Contains 72.99 acres, more or less and is subject to
existing county road right of ways.

PROPERTY DESCRIPTION - PARCEL 2

Part of Section 9 of Township 12 South, Range 22 East
of the Boise Meridian, Cassia County, State of Idaho.

Beginning at the NE corner of Section 9 of T.12 S.,
R.22 E., B.M. said corner marked by a U.S. General Land
Office pipe with brass cap; Thence N 89°43'53" W along
section line for 1308.61 feet to a point on the
westerly right of way of the Union Pacific Railroad
which shall be the Point of Beginning;

MICROFILMED

NOV 20 2000

T# 5389

TO HAVE AND TO HOLD The said premises, with their appurtenances unto the said Grantee, and their heirs and assigns forever.

IN WITNESS WHEREOF, The Grantor, pursuant to a resolution of its Board of Directors has caused its corporate name to be hereunto subscribed by its President and its corporate seal to be affixed by its Secretary this 22 day of December, 1992

HOWARD R. ADAMS & SONS, INC
a corporation

By Patricia Adams
PATRICIA ADAMS

PRESIDENT

ATTEST: Lisa Hatch
LISA HATCH
SECRETARY

STATE OF IDAHO }
County of CASSIA } ss.

On this 22nd day of December, 1992
before me, a Notary public in and for said State, personally
appeared PATRICIA ADAMS and

LISA HATCH, known to me to
be the President and Secretary of the corporation that executed this instrument of the persons who executed the instrument on behalf of said corporation, and acknowledged to me that said corporation executed the same.

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

Sherald E. Price

Notary Public

My commission expires 6-01-93

Burley, Idaho

REMINDER: BURLEY

MICROFILMED
NOV 20 2000

222473

DEED

FOR VALUE RECEIVED, HOWARD R. ADAMS & SONS, INC.,

a corporation duly organized and existing under the laws of the State of Idaho, grantor, does hereby Grant,
Bargain, Sell and Convey unto BECKER FARMS, INC., an Idaho Corporation
ADDRESS: Star Route. Box 19A, Burley, Idaho 83318
grantee, the following described real estate, to-wit:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

TOGETHER WITH all water and water rights, ditches and ditch rights, used
thereon or appurtenant thereto.

SUBJECT TO:

All reservations contained in Patents or Deeds in the chain of title.

Accruing taxes, levies and assessments; easements and right-of-ways of record,
if any.

MICROFILMED

APR 20 1980

T# 5389

State of Idaho
License and Certificate of Water Right

Water License No. G-26827

Amount 4.02 c.f.s.

Water District No.

Priority March 25, 1957

THIS IS TO CERTIFY that McMURRAY LAND & LIVESTOCK CO. & Assignee - J. O. McMURRAY
(part)
of Burley, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated March 25, 1957; that Permit No. G-26827
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
4.02 second feet, was issued thereunder on May 23, 1962, showing that said works
were completed on the 18th day of January, 1962; and that on the 18th
day of January, 1962,

McMURRAY LAND & LIVESTOCK CO. and JOHN O. McMURRAY

of Burley, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well

, a tributary of subterranean flow, for the purpose of irrigation

, under Use Permit No. G-26827 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
12 of Licenses at page 7277, on the 23 day of May, 1962;

The right hereby confirmed dates from March 25, 1957;

The Point of Diversion is located

in the SW 1/4 SW 1/4, Sec. 15, Tp. 12 S., R. 22 E., B. M. Cassia County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 4.02 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
12 S.	22E	15	NE 1/4 NE 1/4	40	40
			NW 1/4 NE 1/4	40	40
			SW 1/4 NE 1/4	40	40
			SE 1/4 NE 1/4	40	38
			NE 1/4 SW 1/4	40	40
			NW 1/4 SW 1/4	40	40
			SW 1/4 SW 1/4	40	40
			SE 1/4 SW 1/4	40	40
			NE 1/4 SE 1/4	40	39
			NW 1/4 SE 1/4	40	39
			SW 1/4 SE 1/4	40	38
			SE 1/4 SE 1/4	40	40
			Total number of acres to be irrigated:		474

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
23rd day of May, 1962.

RALPH W. THOMAS

Deputy State Reclamation Engineer.

(SEAL)

45 454

45-2545

APPLICATION FOR PERMIT

To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 34733
Permit No. G- 26827
District No.

Benoit & Benoit
Box 536, Twin Falls, Idaho

Assigned to

J. O. McMurray
217 N 30th Boise
Idaho

State: Idaho

1. Name of Applicant: McMurray Land & Livestock Co.

Postoffice address: Burley

County: Cassia

2. Quantity of water claimed: 6.4 cfs

(a) Rate of withdrawal in cubic feet per second. 6.4 or Idaho
Miners' inches 320 or gallons per minute.

(b) Annual withdrawal in acre feet per annum

3. Source of water supply: Underground water from well

4. Location of point of diversion or well is in the SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 15
Twp. 12 S , Rge. 22 E. , B.M., County of Cassia

5. Water is to be used for: irrigation

6. If for municipal, industrial or recreational purposes, give:

(a) Point of use of water is in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp.
Rge. , B.M.

(b) Waste water or sewage effluent is to be returned to
at a point in the $\frac{1}{4}$ of the $\frac{1}{4}$ of Section , Twp. , Rge. , B.M.

7. Kind of works: Well, electric pump, earth head ditch

8. Estimated cost of works: \$ 22,000.00

9. (a) Is reservoir to be used? No

(b) Capacity of reservoir:

10. The time required for the completion of such work and complete application of the water to the proposed use is 5
years.

11. If applicant is a corporation, give:

I. (a) Date and place of incorporation: Idaho, July 28, 1942

(b) Amount of capital stock: \$ 20,000.00

(c) Amount paid in: \$ 20,000.00

(d) Names and addresses of directors: Clara L. McMurray, Twin Falls, Idaho; J.O. McMurray, Boise, Idaho;
Moz McMurray, Burley, Idaho; Norma Lou Benoit, Twin Falls, Idaho; Thelma McMurray Hoppe, Twin Falls,
Idaho.

II. The financial resources of the applicant are (a) Cash onhand: \$ 20,000.00

(b) Treasury stock:

(c) Bonds to be issued:

(d) Other resources: \$150,000.00

12. The land to be irrigated is described in the following tabulation:

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

(a) (cubic feet per second, inches or gallons per minute) of the water herein applied for is to be supple-
mental to the existing water rights.

(b) (cubic feet per second, inches or gallons per minute) is for new lands.

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

s/ Mez. McMurray
Secretary-Treasurer

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 10:45 A.M., March 25, 1957

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is **G-26827**

Recorded in Book 95 Page 26827 Approved March 29, 1957

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before _____ and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before September 29, 1959

The whole of said work to be completed and beneficial use of water appropriated in accordance herewith, to be made on or before March 29, 1962.

Witness my hand this 29th day of March, 1957

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho,
and JAS. H. YOUNG, Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 29th
day of March, 19 57

Countersigned:

STATE OF IDAHO

(SEAL)

By JAS. H. YOUNG
Secretary of State.

By ROBERT E. SMYLIE
Governor

12.

Twp.	Range	Sec.	NE ¹ / ₄	NW ¹ / ₄	SW ¹ / ₄	SE ¹ / ₄	Totals
			NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	NE ¹ / ₄ NW ¹ / ₄ SW ¹ / ₄ SE ¹ / ₄	
12 S	22 E	15			X X X X	X X X X	320
Application for Amendment To Permit to Appropriate the Public Waters of the State of Idaho, No. <u>G-26827</u> Comes now McMurray Land Livestock Co., and represents to the State Reclamation Engineer of the State of Idaho, that it is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho, No. G-26827, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: South and Northeast Quarter (NE¹/₄) Section 15, Township 12 South, Range 22 E., B.M. Cassia County, Idaho, making a total of 1480 acres. That an additional amount of water is not asked for, and that the rights of others will not be adversely affected by such change. Signed at Boise, Idaho, this 9th day of May, 1957 /s/ McMurray Land & Livestock Co. By: Mez McMurray, Secretary Date of receipt at office of Department of Reclamation May 9, 1957. APPROVAL OF STATE RECLAMATION ENGINEER I, MARK R. KULP, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to Appropriate the Public Waters of the State of Idaho, No. G-26827. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby. /s/ Mark R. Kulp State Reclamation Engineer Recorded May 9, 1957.							

A S S I G N M E N T

FOR AND IN CONSIDERATION of the sum of One (\$1.00) Dollar and other good and valuable consideration, receipt whereof is hereby acknowledged, McMURRAY LAND & LIVESTOCK CO., an Idaho corporation, does hereby assign to A. D. MacKENZIE, a 100/320th interest in and to Permit No. G 26827, issued to said corporation by the State Reclamation Engineer of the State of Idaho, and further assigns the water rights evidenced by said portion of said permit for use on the Northeast Quarter (NE $\frac{1}{4}$) Section Fifteen (15) Township Twelve (12) South, Range Twenty-two (22) E.B.M.

DATED this 9th day of May, 1957.

McMURRAY LAND & LIVESTOCK CO.

By: Mez McMurray, Secretary

STATE OF IDAHO)
: ss.
County of Twin Falls)

On this 9th day of May, 1957, before me, the undersigned, a Notary Public in and for said State, personally appeared MEZ McMURRAY, known to me to be the Secretary of said corporation that executed the foregoing instrument and acknowledged to me that such corporation executed the same.

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

(SEAL)

/s/ Edward L. Benoit
Notary Public for Idaho
Residing at Twin Falls, Idaho

May 9, 1957
MARK R. KULP
State Reclamation Engineer

A S S I G N M E N T
To: J. O. McMURRAY - 1217 N. 20th, Boise, Idaho

FOR VALUABLE CONSIDERATION, the undersigned, A. D. MacKENZIE and MARIE Mac KENZIE, husband and wife, hereby assign to J. O. McMURRAY, all their right, title and interest in and to Permit No. G26827 issued by the State Reclamation Engineer of the State of Idaho and all the water rights evidenced thereby for irrigation of the following described ~~property situated in the County of Cassia~~, State of Idaho: The Northeast Quarter (NE $\frac{1}{4}$) Section Fifteen (15) Township Twelve (12) South, Range Twenty-two (22) E.B.M.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals this 17th day of May, 1957

/s/ A. D. MacKenzie
/s/ Marie MacKenzie

STATE OF IDAHO)
County of Twin Falls) ss.

On this 17th day of May, 1957, before me, the undersigned, a Notary Public in and for said State, personally appeared A. D. MacKENZIE and MARIE MacKENZIE, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they 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.

/s/ Edward L. Benoit
Notary Public for Idaho
Residing at Twin Falls, Idaho

Received and filed for record
in the Department of Reclamation at
Boise, Idaho, June 17, 1957.

ASSIGNMENT

For value received, I hereby assign 92/320 of my right, title, and interest in and to Permit to Appropriate the Public Waters of the State of Idaho, No. G-26827 to J. O. McMurray, 1207 Happy Drive, Boise, Idaho. To be used on NE $\frac{1}{4}$, Section 15 T12S-R22E., B.M., Idaho.

McMurray Land & Livestock Co.
/s/ Mez McMurray
Permit Holder

STATE OF IDAHO)
 : ss
County of)

On this 9th day of January, 1962, before me, a Notary Public for the State of Idaho, residing at Burley, Idaho personally appeared Mex McMurray known to me to be the person whose name is subscribed to the within instrument, and duly acknowledged to me that he executed the same.

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

My commission expires October 31, 1965

/s/ Betty Critchfield
Notary Public residing at Burley, Idaho

(SEAL)

Permit No. G-26827 ✓
CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that McMURRAY LAND & LIVESTOCK CO - Assignee J. O. McMURRAY (Part) of Burley, Idaho County of Cassia, and State of Idaho, the holders of Permit No. G-26827, issued upon Application No. G-34733, bearing date of priority of March 25, 1957, authorizing the diversion of 6.4 second feet of the waters of a well, County of Cassia, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use 4.02 second feet of the waters of a well from subterranean flow; that the point of diversion of said waters SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, T. 12 S., R. 22 E., B. M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit:

474 acres in NE $\frac{1}{4}$, S $\frac{1}{2}$, Sec. 15, T. 12 S., R. 22 E., B. M.

Witness my hand this 23rd day of May, A. D. 1962.

s/ RALPH W. THOMAS
Deputy State Reclamation Engineer

Proof of Completion of Works Made: January 18, 1962

LICENSE ISSUED FOR 4.02 SEC. FT.

page 7277



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

May 10, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

BECKER FARMS INC
1063 S HWY 27
BURLEY ID 83318

RE: TRANSFER OF WATER RIGHTS 45-02545/45-02617/45-02687/45-07439B
(Transfer 5389)

Dear Water Right Holder(s):

Enclosed is the copy of your approved Transfer of Water Rights for the above referenced water rights (Transfer 5389). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as an **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

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

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

Sincerely,

Camela S. Skaggs
for Jeff Peppersack, Manager
Water Right Permits Sections

JP:klt

Enclosures

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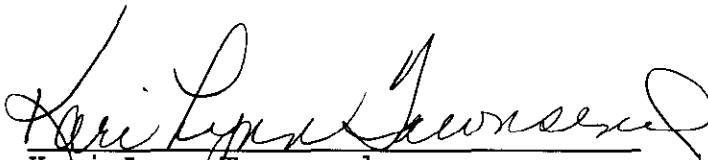
NOV 20 2000

CERTIFICATE OF MAILING

I hereby certify that on the 10th day of **May**, 2000 I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

RE: TRANSFER OF WATER RIGHTS 45-02545/45-02617/45-02687/45-07439B
(Transfer 5581)

BECKER FARMS INC
1063 S HWY 27
BURLEY ID 83318


Kari Lynn Townsend
Secretary

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

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

Within 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 a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have fourteen (14) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

CERTIFICATE OF SERVICE

All documents intended to be part of the Department record in connection with a preliminary order shall be served upon the representatives of each party of record. Every document filed with and intended to be part of the agency record must be attached to or accompanied by proof of service by the following or similar certificate.

I HEREBY CERTIFY (swear or affirm) that I have this day of _____, served the foregoing (name(s) of document(s)) upon all parties of record in this proceeding, (by delivering a copy thereof in person: (list names)) (by mailing a copy thereof, properly addressed with postage prepaid, to: (list names)).
(Signature)

ORAL ARGUMENT

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

FINAL ORDER

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

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.

RIGHT TO HEARING

Pursuant to Section 42-1701A(3), Idaho Code, unless the right to a hearing before the Department is otherwise provided by statute, any person aggrieved by any decision, determination, order, or action of the Department or any applicant for any permit, license, certificate, approval, registration, or similar form of permission required by law to be issued by the Department, who is aggrieved by a denial or conditional approval ordered by the Department, and who has not previously been afforded an opportunity for a hearing on the matter shall be entitled to a hearing before the Department to contest the denial or conditional approval upon filing with the Department, within fifteen (15) days after receipt of the denial or conditional approval, a written permission stating the grounds for contesting the action by the director and requesting a hearing.

APPEAL OF FINAL ORDER TO DISTRICT COURT

If a preliminary order becomes final, any party aggrieved by the final order or orders previously issued in the 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 (a) a hearing was held, or (b) the final agency action was taken, or (c) the party seeking review of the order resides, or (d) 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. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal. See Sections 67-5270 through 67-5273, Idaho Code.

TRANSFER REVIEW SHEET

(10-99)

Transfer # 5389

Date Reviewed 04-14-2000

Right(s) 45-02545 } 45-07439 -- Part
45-02617 } All
45-02687 }

☒ WRQ/Split Summary ☒ ^{No Activity} SRBA Status ☒ Run POU Comparison Report

B:Change P/D C:Add P/D D:Change P/U E:Change Nature of Use
F:Change Period of Use G:Other H:Change P/D & Add P/D
I:Change P/D & P/U J:Add P/D & Change P/U

Proof of Ownership Deeds from Adams & Sons to Becker Farms - Exhibit A All of
Sec 15 except highway. Parcel Description for Sec 9. ✓ Per Region *

Transfer ☒ All of Right ☒ Portion of Right
Resulting Split(s) 45-07439 & A
A) 1.46 cfs 114 acres 456aba (West Oakley Farm well)
B) 3.92 " 296.4 " 1185.6 "

Check Transfer Against Recorded Right:

Standard Season 3-15 to 11-15 Standard Volume 4.0 / 3.0

(1) ☒ Priority (2) ☒ Use (3) Season/W61 (4) ☒ Rate (5) Volume
(6) ☒ Source (7) P/D (8) P/U (9) ☒ Proof/Owner (10) ☒ Map
West ESPA
(11) NA Water District (12) No Pertinent Conditions (13) No Expansion
SRB overlap

(3) Standard Season
(5) Standard Vol. & combined Vol. limits
(7) Combine 3 wells under existing licenses & Part of Diversion from 45-07439 B
* See Hydrology review.

* Confirmed Ownership w/ Cassia Co. Assessor's Office - Becker Farms Inc owns
2 Parcels (186+112=298 acres) in N1/2 of S9 & 1631 Acres in S15, T12S, R22E. 474.0023

Transfer Remarks (W35)x2 P/U each rt. (W34) 4 acres

Conditions (067, 068, T02, R64, T07, T08, T09) T11
T05 (45-07439B)

Database/Processing Notes Standard ☒ Non-Standard _____
T files all - Clear original 45-07439 when splits approved.

"T" Files Update Complete ☒ Approval Form ☒ Transfer Memo _____
Database Updated Following Approval _____ Memo/Form Files Deleted ☒

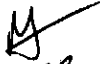
Overlapping Rt evaluation on back of this page. CB 05-10-00

45-02545	4.02 cts	465.4 Acres	1861.6 afa	} overlapping P/U
45-02617	3.76 "	" "	1827.2 "	
	7.78 cts	465.4 Acres	1861.6 afa	}
45-02687	4.78 cts	624.9 Acres	2322.9 afa	
	12.56 cts	624.9 Acres	2499.6 afa	
45-07439				
A)	1.46 cts	114.0 Acres	456.0 afa	Unchanged Portion
B)	3.92 cts	296.4 Acres	1185.6 afa	Transferred Portion
Transfer Totals	16.48 cts	921.3 Acres	3685.2 afa	

Acres per ADM recommendations

May 3, 2000

MEMORANDUM

To: Pam Skaggs
Through: Bob Sutter 
From: Shane Bendixsen 
Subject: Water Right Transfer 5389

It is our understanding water right transfer 5389 proposes to transfer a portion of ground water right 45-07439 (3.92 cfs) from the West Oakley Fan CGWA to the Oakley-Kenyon CGWA. Attachment #1 presents the locations for the current point of diversion and the proposed point of diversion.

The most detailed study of the area is by Young and Newton (1989). They describe the area as having four main aquifers; a limestone aquifer associated with the Cottonwood CGWA, a deep rhyolite aquifer which is overlain by a basalt aquifer and a sediment or alluvial aquifer. Two major faults are also known; the Churchill Knolls fault and the Foothill Road fault. Both are considered to influence the movement of ground water (i.e. a flow boundary)

Attachment #2 presents ground water elevations and flow directions based on 230 wells measured in April and March, 1984. This is the only mass ground water level measurement for the area. As presented, the faults do influence ground water flow directions and elevations and the hydraulic connection between the multiple aquifers is not completely understood. Therefore the "exact" elevations and flow directions are somewhat open to interpretation and can vary as to how one interprets the data, but the generalized flow directions remain the same.

Flow at the current point of diversion is northeast and at some point downgradient slowly turns to the north and then to the northwest. Ground water flow at the proposed point of diversion is approximately north and then downgradient turns northwest. Flow at both the current and proposed points of diversion exit the area at the same point. Flow then is northwest under the Snake River into the Eastern Snake River Plain Aquifer. In this area the Snake River is considered perched and not hydraulically connected to ground water.

The proposed transfer involves moving the point of diversion across a flow boundary. The Oakley Fan area is noted for large decreases in ground water levels due to pumpage. Therefore when moving across a flow boundary one could be moving from an area with stable water levels into an area with decreasing water levels. Attachments #3 and #4

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present ground water hydrographs for the West Oakley and Oakley-Kenyon CGWA's respectively. As presented, hydrographs nearest the current and proposed points of diversion show similar declines (50 to 200 feet since 1960). Directly west of the current point of diversion water levels appear to be quite stable, but these are shallow wells in a perched or upper system and are not related to the regional system.

At the current and proposed points of diversion ground water will exit the area at the same point. Both diversion points are in areas of decreasing ground water levels of approximately the same magnitude. The transfer may produce some local well interference problems, but on a regional basis spring flow or Snake River reach gains will not be affected.

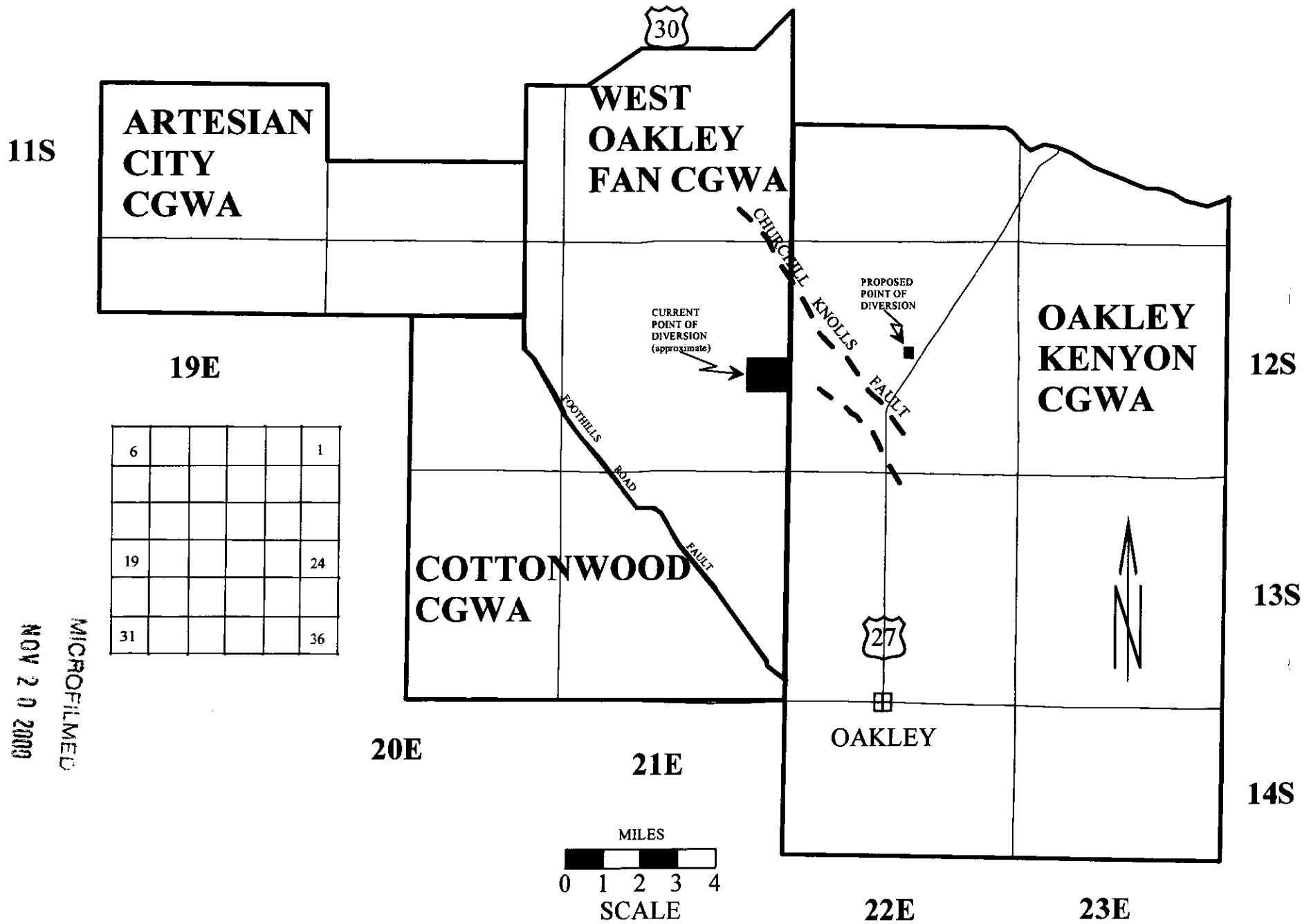
REFERENCES

- Young, H.W. and Newton, G.D., 1989, Hydrology of the Oakley Fan Area, South-Central Idaho, U.S. Geological Survey Water-Resources Investigations, Report 88-4065, Boise, Idaho (73 p.).

cc Helen Harrington

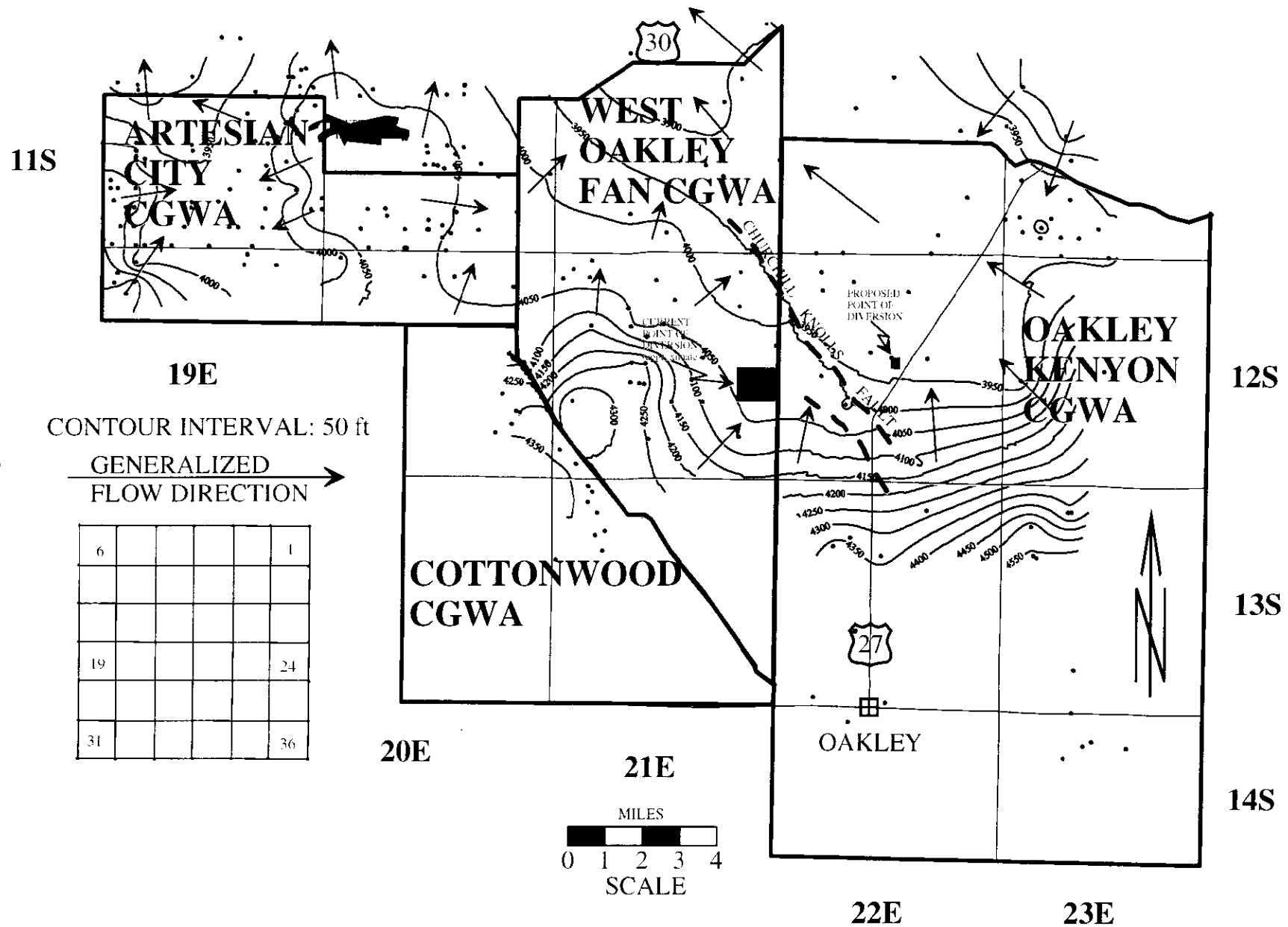
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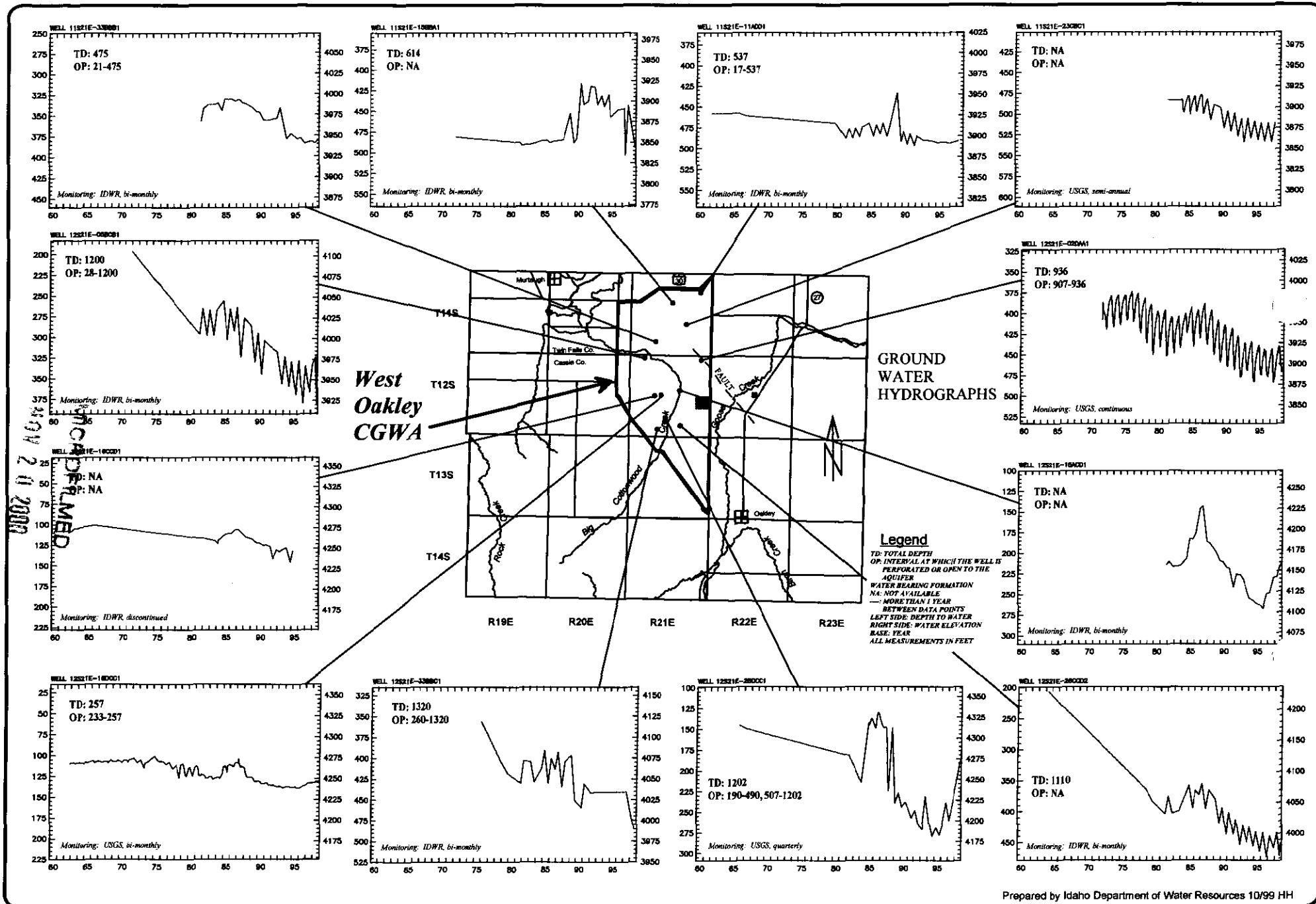


ATTACHMENT #1

GROUND WATER ELEVATIONS



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ATTACHMENT #4

MEMORANDUM

TO: Bob Sutter
Hydrology Section

FROM: Pam Skaggs 
WR Permits Section

SUBJECT: Hydrology Review of Transfer 5389
Rights 45-02545, 45-02617, 45-02687 & 45-07439

DATE: April 14, 2000

Transfer 5389 shifts diversion for a portion of Right 45-07439 from a well in the West Oakley Fan CGWA to wells located within the Oakley-Kenyon CGWA. Please review the proposed change and provide recommendations regarding the hydrologic impact of the proposed change between these closed areas. The application and region review information is located within water right file 45-02545.

Transfer 5389 combines 3 rights and a portion of the 4th right into a common system using three wells to irrigate 921.3 acres in two parcels of land. The 3 overlapping rights located in Section 15, T12S, R22 were all licensed from the proposed points of diversion under the transfer located within Section 15. These 3 rights irrigate 624.9 acres in Section 15 that are located within the Oakley-Kenyon CGWA.

The portion ^{of} Right 45-07439 proposed to be combined with these rights irrigates 296.4 acres located in Section 9, T12S, R22E within Oakley-Kenyon CGWA at a proposed diversion rate of 3.92 cfs. The original well licensed under this right is located in NWNE, S24, T12S, R21E within the West Oakley Fan CGWA. The transfer application remarks note that since the purchase of the property in 1992 all lands have been irrigated from the wells located in Section 15 and the transfer will officially modify the rights as currently used.

Please contact me if you have any additional questions regarding the proposed transfer. The application will be on hold pending your review.

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IDAHO DEPARTMENT OF WATER RESOURCES
T-R-S PLACE OF USE 1/4 1/4 COMPARISON REPORT

DATE: 04/14/00

PAGE: 1

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '**' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM	
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac				
T12S R22E S 9																			
4502035	GOOSE CREE (1908)			10	10	10	10	10	10	10	10	35	25	10	10	20	20	200	
T4502545	GROUNDWATE :	40	40	26	20	40	30	39	40	18	9				3			305	
T4502617	GROUNDWATE :	40	40	26	20	40	30	39	40	18	9				3			305	
A4502680	GROUNDWATE :			18	20	Different Owner + Parcel								10	38	39	40	40	205
T4502687	GROUNDWATE :	40	40	26	20	40	30	39	40	18	9				3			305	
4507439	GROUNDWATE :	40	40	26	20	40	40	40	40	35	40	35	20		3			419	
A4507439	GROUNDWATE :	40	40	26	20	40	40	40	40	35	40	35	20		3			419	
T4507439A	GROUNDWATE :					10	1			17	31	35	20					114	
T4507439B	GROUNDWATE :	40	40	26	20	40	30	39	40	18	9				3			305	
--86 MAP--	C31Q-CC 28 :	39	40	39	38	40	39	40	42	42	37	40	42	40	37	40	37	632	
T12S R22E S 15																			
4502034	GOOSE CREE (1908)									40	40	40	40		10	10		180	
4502040	GOOSE CREE :									40	40	40	40	40	40	40	40	320	
4502059	GOOSE CREE (1909)									40	40	40	40	40	40	40	40	320	
4502060	LITTLE COT :																		
4502545	GROUNDWATE :	40	40	40	38					40	40	40	40	39	39	38	40	474	
A4502545	GROUNDWATE :	40	40	40	38					40	40	40	40	39	39	38	40	474	
T4502545	GROUNDWATE :	40	40	40	38	39	36	39	40	40	40	40	40	39	39	38	40	628	
4502617	GROUNDWATE :	40	40	40	38					40	40	40	40	39	39	38	40	474	
A4502617	GROUNDWATE :	40	40	40	38					40	40	40	40	39	39	38	40	474	
T4502617	GROUNDWATE :	40	40	40	38	39	36	39	40	40	40	40	40	39	39	38	40	628	
4502687	GROUNDWATE :	40	40	40	38	39	36	39	40	40	40	40	40	39	39	38	40	628	
A4502687	GROUNDWATE :	40	40	40	38	39	36	39	40	40	40	40	40	39	39	38	40	628	
T4502687	GROUNDWATE :	40	40	40	38	39	36	39	40	40	40	40	40	39	39	38	40	628	
T4507439B	GROUNDWATE :	40	40	40	38	39	36	39	40	40	40	40	40	39	39	38	40	628	
--86 MAP--	C31Q-CC 28 :	40	41	40	39	39	40	40	40	40	38	38	39	40	40	40	40	634	

Goose Creek Rts. not claimed at original P/U.

No Apparent overlaps per licenses + SRBA Claims.

Transferred Rts 45-02545/2617/2687 overlap P/Us.

WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
45-02617	MC MURRAY LAND & LIVESTOCK CO.	C	04/11/1960	L/	GROUNDWATER	IRR	WR
T45-02617	BECKER FARMS INC	C	04/11/1960	L/	GROUNDWATER	IRR	WR

A45-02617	HOWARD R ADAMS & SONS INC	C	04/11/1960	L/	GROUNDWATER	IRR	AJ

WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
45-02687	MC MURRAY LAND & LIVESTOCK	C	08/22/1962	L/	GROUNDWATER	IRR	WR
T45-02687	BECKER FARMS INC	C	08/22/1962	L/	GROUNDWATER	IRR	WR

A45-02687	HOWARD R ADAMS & SONS INC	C	08/22/1962	L/	GROUNDWATER	IRR	AJ

IDAHO DEPARTMENT OF WATER RESOURCES
PREFIX/SPLIT QUERY

DATE: 04/14/00

TIME: 08:26:32

PAGE: 1

WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
45-07439	CRANNEY BROTHERS	C	02/29/1980	L/	GROUNDWATER	IRR	WR
T45-07439A	CRANNEY BROTHERS	C	02/29/1980	L/	GROUNDWATER	IRR	WR
T45-07439B	BECKER FARMS INC	C	02/29/1980	L/	GROUNDWATER	IRR	WR

A45-07439	HOWARD R ADAMS & SONS INC	C	02/29/1980	L/	GROUNDWATER	IRR	AJ

WATER RIGHT NO.	NAME	OWNER	PRIORITY DATE	STG/STS	SOURCE	USE DESC	SYSTEM
45-02545	MC MURRAY LAND & LIVESTOCK CO.	C	03/25/1957	L/	GROUNDWATER	IRR	WR
	MC MURRAY, J. O.	C					
T45-02545	BECKER FARMS INC	C	03/25/1957	L/	GROUNDWATER	IRR	WR

A45-02545	HOWARD R ADAMS & SONS INC	C	03/25/1957	L/	GROUNDWATER	IRR	AJ

IDWR TRANSFER ANALYSIS SHEET

APPLICANT Buckner Farms, Inc TRANSFER NO. 5389

1. Right number(s) 45-

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

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

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

Comments: _____

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

☒ Also see attached memo for more analysis information

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

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JUN 07 1999

Department of Water Resources

T5389

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

ANY N/A

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

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

INITIAL ALLOCATION REVIEW BY J.P. Stanton
SRBA SUPERVISOR REVIEW BY [Signature]
PUBLICATION REVIEW BY _____

DATE 12-7-98
DATE 2/3/99
DATE _____

1. Legal Notice electronically sent to DWR03::VAULT ☒ Yes 2/3/99 @ 1244

2. COMMENT LETTERS Copy of Pg 1 to AJ ☒ Yes 1/29/99

Watermaster recommendation requested on _____, Received on _____

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

3. Transfer published correctly? ☒ Yes _____ No

4. Affidavit of publication received? ☒ Yes _____ No

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

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

RECOMMENDED ACTION

1. ☒ Approve

2. _____ Deny due to _____

3. Conditions (special conditions in Water Districts) _____

☒ Also see attached memo for recommendation dated: 3/17/99

4. By [Signature]

Date 3/17/99

Am

FROM: Allen Merritt

DATE: March 17, 1999

TO: Transfer File No. 5389
Water Right(s): 45-02545
45-02617
45-02687
45-07439 Part (B)

In the Name of: Becker Farms Inc.

SUBJECT: Review and Recommendation

This transfer was filed to split up a much larger farm (once owned by Howard Adams & Sons Inc) due to the sale of a portion of the farm to Becker Farms Inc. The transfer identifies the purchased portion and creates a PPU out of those lands. It also associates the water rights appurtenant to the Becker portion with the wells that are located on the purchased property. Review of the water rights finds that the transfer deals with all the groundwater rights appurtenant to the purchased property. It is noted that in the SRBA Adams claimed the licenses as they were appurtenant but claimed an interconnected diversion system that consists of 11 wells. The 11 wells serve the above rights as well as 10 other rights (See A45-02605 remarks for list of rights).

All of the licenses above except 45-07439 were originally licensed from one or another of the wells in S15, T12S, R22E that are proposed to be the points of diversion after the transfer. License 45-07439 was licensed from a well in S24, T12S, R21E. (**Note that all of the 11 wells are in critical groundwater areas. The one in S24 is in the West Oakley Fan CGWA, the other 10 are in the Oakley Kenyon CGWA) Hydraulically this shift in use of wells from one critical area to the other may not present a problem but legally I do not know if it is a problem. I would suspect that in the future the entire basin would be managed as a unit based on priority irrespective of location in either CGWA. This issue needs to be reviewed by both the groundwater section and the legal section. On 3/16 I alerted Jim Johnson and Pam Skaggs about this situation.

Legal Review

During my discussion with Jim and Pam we talked about what to do with the other rights on the remaining Adams property that may be affected by the bifurcation of the delivery system. I posed the question; "Does Adams need to file a transfer to remove his connection to the wells in S15?" They indicated that Adams did not need to file a transfer but rather the wells in S15 should not be recommended in the SRBA as being associated with the Adams' remaining rights. The theory is that these wells are like wells on a right that are abandoned. The abandonment should be recognized in the SRBA recommendations.

I have created a shape file for the proposed PPU. Using arcview and Excel the attached map and table of acres was created. The transfer proposes a PPU of 933 acres based on the old licensed

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acres. The ASCS photo information in the file shows 912.9 acres. Arcview SRBA rounding shows 916.4 acres. Arcview without rounding but reported to 10ths of acres finds a total of 921.3 acres. I recommend that the transfer PPU be approved as 921.3 acres as the attached table lists.*

*The policy of using shapefiles to determine acreages and the standard for recommending acres within tracts should be established by appropriation staff. SRBA staff currently uses a rounding of areas above 10 acres in a particular $\frac{1}{4}$ to the nearest acre but reporting of acres to the nearest 10ths of acre for areas less than 10 acres in a particular $\frac{1}{4}$. This transfer is an excellent example of the variation of the determination of acres by the various means. It can be argued that the margin of error between the various numbers is small but this area when added up is significant in the context of drying it up to make a dairy. As stated above I recommend the standard of using arcview to calculate area to 10ths of an acre. †

RECOMMENDATION

I recommend that the transfer be approved subject to legal and groundwater review as well as the following conditions:

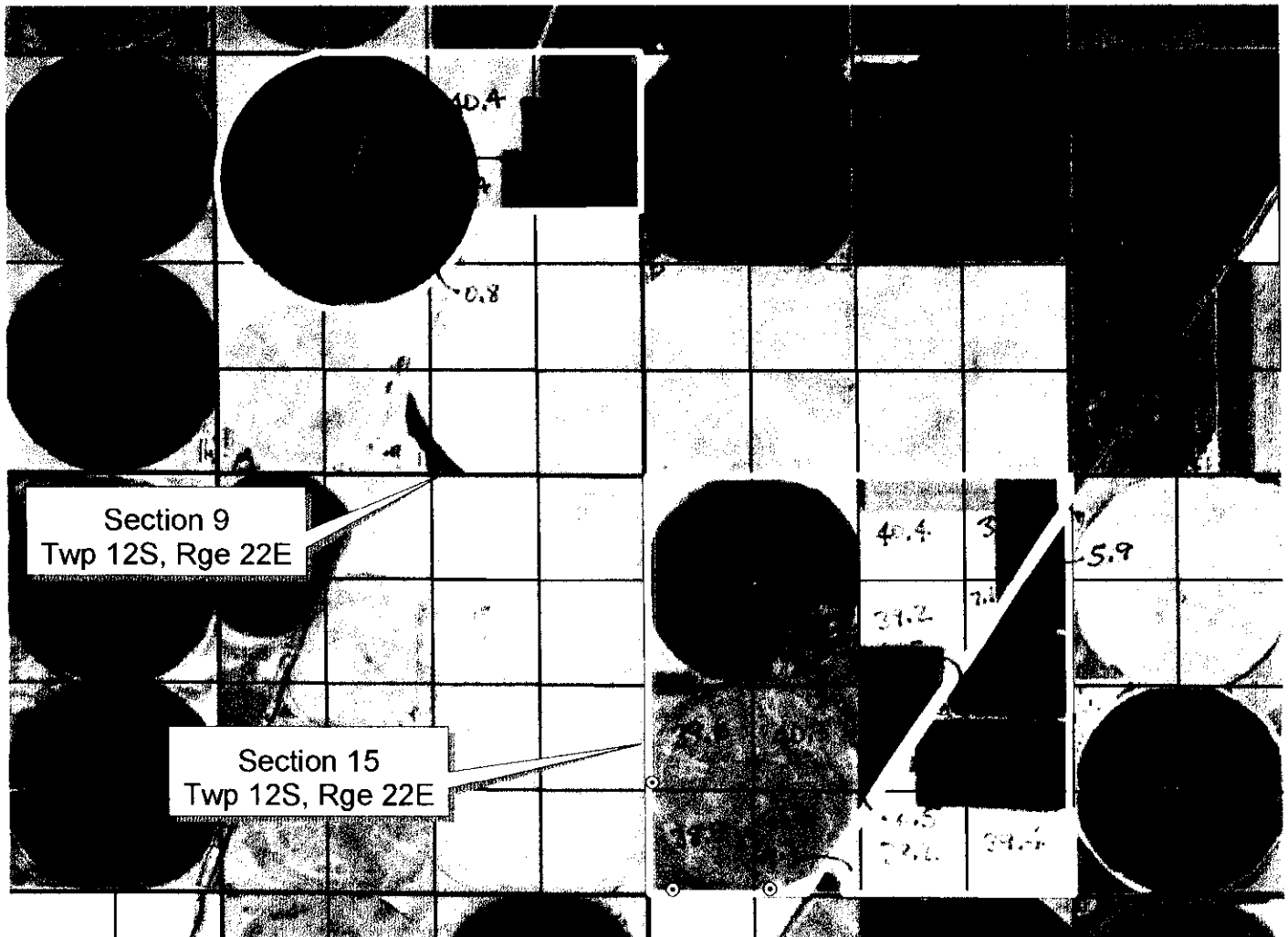
- Subject to SRBA.
- Use is limited to irrigation of a total of 921.3 acres within the boundary of the PPU shape. The rights are limited to 16.48 cfs and 3685.2 afa.
- Measuring devices or other suitable means of measuring and reporting use must be provided at all wells.
- Use is subject to Measuring and reporting through West ESPA Measurement District or through SW Irrigation District.

† 6/2/99, DJ: SRBA policy of rounding is an extension of existing IDWR direction. Describing large areas to $\frac{1}{10}$ ac implies a false precision and accuracy. Please review rounding policy with both bureaus in division.

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TRANSFER 5389
Becker Farms Inc.



1320 0 1320 2640 3960 5280 6600 7920 9240 Feet



PROPOSED PLACE OF USE

POINT OF DIVERSION

SECTION LINES

QUARTER/QUARTER LINES

10.0 10.0 3 10.0

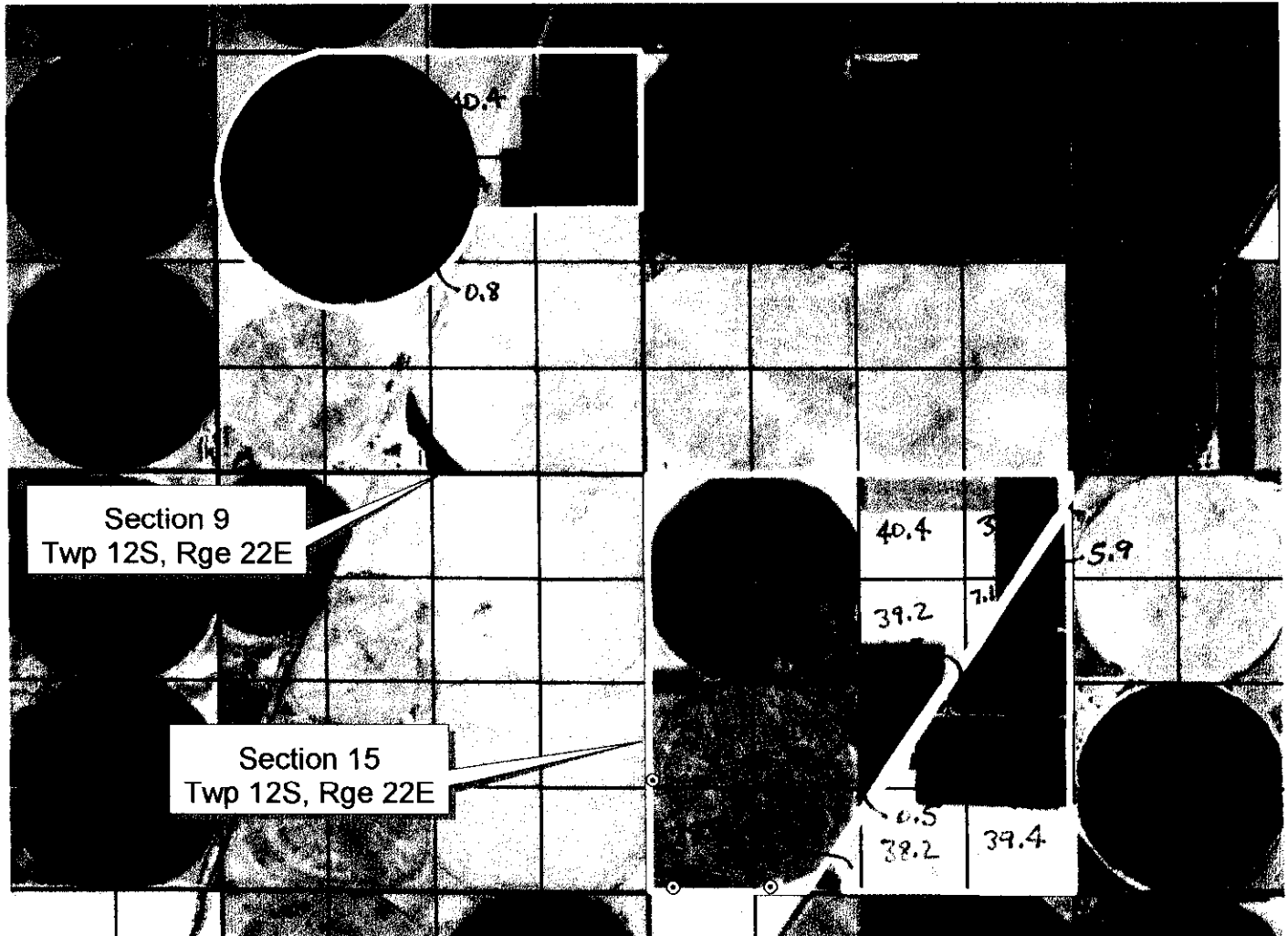


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2003 2 10 2005

GIS REPRESENTATION OF TRANSFER
1987 NAPP PHOTOGRAPHY

TRANSFER 5389
Becker Farms Inc.



1320 0 1320 2640 3960 5280 6600 7920 9240 Feet



PROPOSED PLACE OF USE
POINT OF DIVERSION
SECTION LINES
QUARTER/QUARTER LINES

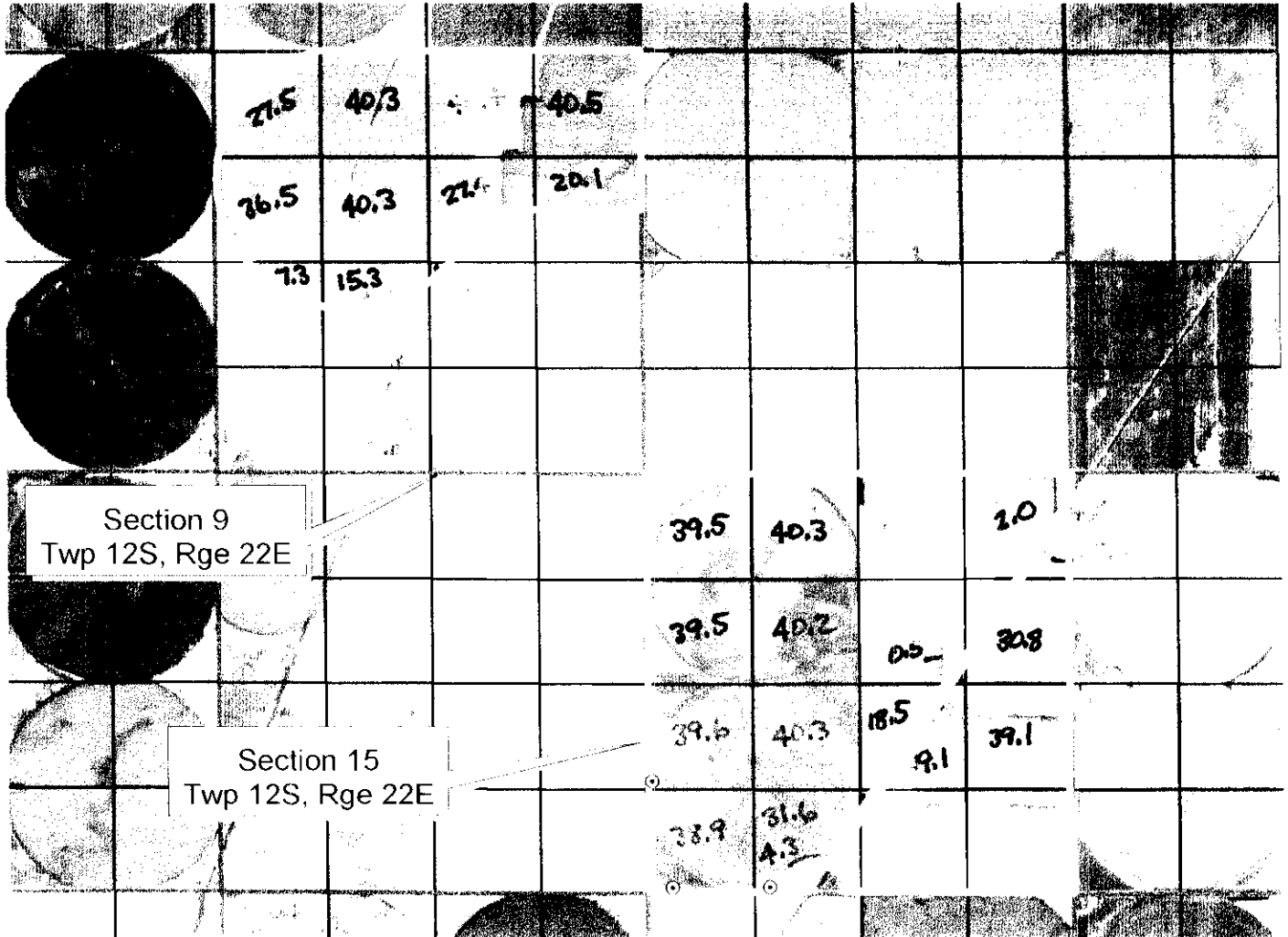
Total 921.3 acres



MICROFILMED
NOV 20 2000

GIS REPRESENTATION OF TRANSFER
1987 NAPP PHOTOGRAPHY

TRANSFER 5389 Becker Farms Inc.



1320 0 1320 2640 3960 5280 6600 7920 9240 Feet

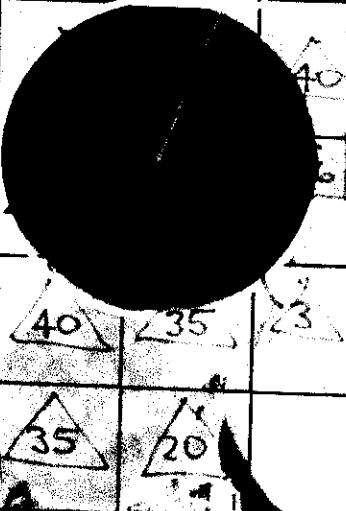


PROPOSED PLACE OF USE

POINT OF DIVERSION

SECTION LINES

QUARTER/QUARTER LINES



40	
<u>40</u>	
40	
<u>38</u>	
38	40
<u>38</u>	<u>40</u>

WATER RIGHT RECORDS

45-07439

419 acres

45-02545

45-02617

474 acres

45-02687

628 Acres

40

40

L

40

40

40

2

20

36

39

40

39

40

40

38

40

40

39

39

40

40

+

Attributes of 5389intersec.shp

Township	Range	Sec	Qq	Acres	Area meter2	acre dec
12	22	9	NENE	40	163840.943	40.5
12	22	9	NWNE	40	163449.865	40.4
12	22	9	NENW	40	163141.033	40.3
12	22	9	NWNW	27	111290.414	27.5
12	22	9	SENW	40	163158.771	40.3
12	22	9	SWNE	27	110890.378	27.4
12	22	9	SWNW	36	147741.504	36.5
12	22	9	SENE	20	81437.472	20.1
12	22	9	NWSW	7.3	29683.062	7.3
12	22	9	NESW	15	61795.284	15.3
12	22	9	NWSE	0.8	3247.807	0.8
12	22	15	NENE	5.9	23727.625	5.9
12	22	15	NENE	32	129462.641	32.0
12	22	15	NWNE	40	163304.439	40.4
12	22	15	NENW	40	163089.842	40.3
12	22	15	NWNW	40	159894.572	39.5
12	22	15	SENE	31	124518.304	30.8
12	22	15	SENE	7.1	28673.088	7.1
12	22	15	SWNE	0.5	2225.464	0.5
12	22	15	SWNE	39	158496.428	39.2
12	22	15	SENW	40	162884.633	40.2
12	22	15	SWNW	39	159692.118	39.5
12	22	15	NWSW	40	160057.201	39.6
12	22	15	NESW	40	163070.751	40.3
12	22	15	NWSE	19	77233.751	19.1
12	22	15	NWSE	18	74886.669	18.5
12	22	15	NESE	39	158092.481	39.1
12	22	15	SWSW	39	157423.07	38.9
12	22	15	SESW	4.3	17270.406	4.3
12	22	15	SESW	32	128071.27	31.6
12	22	15	SWSE	38	154597.738	38.2
12	22	15	SWSE	0.5	2160.763	0.5
12	22	15	SESE	39	159399.268	39.4

296.4

624.9

916.4

~~921.2~~

921.3

↑
AJ Rounding

1589 912.5

MICROFILMED

NOV 20 2000

WR5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROOF READING REPORT

03/12/99 09:53:21
Page 1

Water Right Number - 45-02035

Prefix Translation: WATER RIGHT

Old (D) Number - 3488

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
BEYMER

ARTHUR

1 -
2 -
3 -
City- RUPERT
Phone -

State- ID Zip-

*** O - ORIGINAL OWNER ***
GUSTAVUS

P. WALBERG

1 -
2 -
3 -
City-
Phone -

State- Zip-

ROOT

ANNA M.

1 -
2 -
3 -
City-
Phone -

State- Zip-

ROOT

DE FORREST L.

1 -
2 -
3 -
City-
Phone -

State- Zip-

COOK

HANS HENRY

1 -
2 -
3 -
City-
Phone -

State- Zip-

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - - +
03/07/1908 17 SOUTHERN L - LICENSE

+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
GOOSE CREEK SINKS

+ - - - - Point of Diversion - - - - - +
Twn Rng Sec Tract Lot RFlg County Diversion Name Diversion Rate Diversion No.

12S 22E 16 SW NW (31) CASSIA

+ - - - - Water Use - - - - - +
Code Description Period From Period To Diversion Rate Diversion Volume

01 - IRRIGATION
43 - DOMESTIC

7.700

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
7.700 0.0

MICROFILMED
NOV 20 2000

Not Claimed in
SRB
MICROFILMED
NOV 20 2000

Goose Creek does not exist in this
zone anymore.

Water right number - 45-02035

Prefix Translation: WATER RIGHT

+ - - - - Place of Use - - - - - +									
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County	
12S	22E	9	SW NE		10.0	01	IRRIGATION	(31)	CASSIA
12S	22E	9	SE NE		10.0	01	IRRIGATION	(31)	CASSIA
12S	22E	9	NE NW		10.0	01	IRRIGATION	(31)	CASSIA
12S	22E	9	NW NW		10.0	01	IRRIGATION	(31)	CASSIA
12S	22E	9	SW NW		10.0	01	IRRIGATION	(31)	CASSIA
12S	22E	9	SE NW		10.0	01	IRRIGATION	(31)	CASSIA
12S	22E	9	NE SW		10.0	01	IRRIGATION	(31)	CASSIA
12S	22E	9	NW SW		10.0	01	IRRIGATION	(31)	CASSIA
12S	22E	9	SW SW		35.0	01	IRRIGATION	(31)	CASSIA
12S	22E	9	SE SW		25.0	01	IRRIGATION	(31)	CASSIA
12S	22E	9	NE SE		10.0	01	IRRIGATION	(31)	CASSIA
12S	22E	9	NW SE		10.0	01	IRRIGATION	(31)	CASSIA
12S	22E	9	SW SE		20.0	01	IRRIGATION	(31)	CASSIA
12S	22E	9	SE SE		20.0	01	IRRIGATION	(31)	CASSIA
12S	22E	10	NE NE		30.0	01	IRRIGATION	(31)	CASSIA
12S	22E	10	NW NE		20.0	01	IRRIGATION	(31)	CASSIA
12S	22E	10	SW NE		10.0	01	IRRIGATION	(31)	CASSIA
12S	22E	10	SE NE		10.0	01	IRRIGATION	(31)	CASSIA
12S	22E	10	NE NW		10.0	01	IRRIGATION	(31)	CASSIA
12S	22E	10	NW NW		10.0	01	IRRIGATION	(31)	CASSIA
12S	22E	10	SW NW		10.0	01	IRRIGATION	(31)	CASSIA
12S	22E	10	SE NW		10.0	01	IRRIGATION	(31)	CASSIA
12S	22E	10	NW SW		30.0	01	IRRIGATION	(31)	CASSIA
12S	22E	10	SW SW		30.0	01	IRRIGATION	(31)	CASSIA
12S	22E	10	SE SW		10.0	01	IRRIGATION	(31)	CASSIA
12S	22E	10	NE SE		10.0	01	IRRIGATION	(31)	CASSIA

Total Acres: 390.0

+ - - Diversion Means -

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use -

+ - - - - Remarks - - - - - +
No Remarks found.

+ - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - - Decree Defendant - - - + + - Decree Date - +

00/00/0000

MICROFILMED
NOV 20 2000

MICROFILMED
NOV 20 2000

03/12/99 09:53:21
Page 3

Prefix Translation: WATER RIGHT

+ - - - - - Water Rights Dates and Flags Area - - - - -

Proof Due Date	- 00/00/0000	Field Exam Made	- 00/00/0000	Field Exam Fee	-
Approved/Denied	- 00/00/0000	Protested Date	- 00/00/0000	Swan Falls	-
Proof Made Date	- 00/00/0000	Hearing Date	- 00/00/0000	Temporary Right	- P
Exam to S.O. Date	- 00/00/0000	Verified Date	- 03/26/1985	DLE/Carey Act	-
Order Show Cause	- 00/00/0000	Receipt Number	-	Water District	-
Licensed Date	- 05/24/1979	Appl Received	- 00/00/0000	Transfer/Amended	-
Presumption Flag	-	Name Connector	-	POU Ownership Flag	-
SRBA Decreed Flag	-				

MICROFILMED
NOV 20 2000

AJ5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

03/12/99 10:36:13
Page 1

Water Right Number - A45-02605

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number - 28499

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
HOWARD R ADAMS & SONS INC

1 - STAR RT BOX 78
2 -
3 -
City- BURLEY
Phone - 208-678-2978

State- ID Zip- 83318

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
02/29/1960 17 SOUTHERN L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

Tw	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Diversion Name
12S	21E	24	NE NW NE		(31)	CASSIA		
	22E	8	SW SE NW		(31)	CASSIA		
			SW NW SW		(31)	CASSIA		
			SW SW SW		(31)	CASSIA		
			SW SE SW		(31)	CASSIA		
		15	SW NW SW		(31)	CASSIA		
			SW SW SW		(31)	CASSIA		
			SW SE SW		(31)	CASSIA		
		18	SE SW NE		(31)	CASSIA		
			SW SW SW		(31)	CASSIA		
		19	NE NE NE		(31)	CASSIA		

Handwritten: D/O of Lic 45-07435
Subject of this 5389

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15	1.600	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
1.600 2151.0

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
12S	22E	7	NE SE		38.0	01	IRRIGATION	(31) CASSIA
12S	22E	7	NW SE		38.0	01	IRRIGATION	(31) CASSIA
12S	22E	7	SE SE		38.0	01	IRRIGATION	(31) CASSIA
12S	22E	8	NE NE		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	8	NW NE		39.0	01	IRRIGATION	(31) CASSIA
12S	22E	8	SW NE		38.0	01	IRRIGATION	(31) CASSIA
12S	22E	8	SE NE		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	8	NE NW		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	8	NW NW		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	8	SW NW		38.0	01	IRRIGATION	(31) CASSIA
12S	22E	8	SE NW		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	8	NE SW		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	8	NW SW		38.0	01	IRRIGATION	(31) CASSIA
12S	22E	8	SW SW		40.0	01	IRRIGATION	(31) CASSIA

Reference for Remarks
MICROFILMED

NOV 20 2000

Water right number - A45-02605

Prefix Translation: ADJUDICATION CLAIM

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
12S	22E	8	SE SW		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	8	NE SE		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	8	NW SE		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	8	SW SE		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	8	SE SE		40.0	01	IRRIGATION	(31) CASSIA

Total Acres: 747.0

+ - - Diversion Means - WELLS AND PUMPS, SPRINKLERS

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A45-02392, A45-04041, A45-02504, A45-02377C

+ - - - - - Remarks - - - - -

GEN TRANS. 1861. ^{Part} ~~45-02377/2392/2504/2605~~ 11 74 ds 47/08 in Sec 8, 12S, 22E
ALL WELLS AND PUMPS ARE TIED INTO ONE SYSTEM AND ANY P/D CAN
SERVICE ANY P/U FOR MOST BENEFICIAL USE OF WATER AND ENERGY.
*****THIS IS REFERENCE RIGHT TO THE FOLLOWING RIGHTS*****
A45-10365 A45-04253 A45-02594A A45-02412
A45-02411 A45-07439 A45-04041 A45-02392
A45-02504 A45-02605 A45-02377C A45-02545
A45-02617 A45-02687

Subject to
turns 5389+ - - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.+ - - - - - Conditions of Approval - - - - -
R01 - A measuring device of a type approved by this Department shall
- be maintained as a part of the diverting works.+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields - 04/18/89 CLELLAND 03/30/95 POST-STD

+ - - - - - Comments - - - - -
No Comments Found

+ - - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 05/06/1985	Old Judicial District	-
Claim Received Date	- 04/18/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- S006899	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	-	Notice of Error Flag	-

MICROFILMED
NOV 20 2000

AJ5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

03/12/99 10:37:51
Page 1

Water Right Number - A45-02545

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number - 26827

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
HOWARD R ADAMS & SONS INC

1 - STAR RT BOX 78
2 -
3 -
City- BURLEY
Phone - 208-678-2978

State- ID Zip- 83318

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
03/25/1957 17 SOUTHERN L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

Tw	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Diversion Name
12S	21E	24	NE NW NE			(31) CASSIA		
	22E	8	SW SE NW			(31) CASSIA		
			SW NW SW			(31) CASSIA		
			SW SW SW			(31) CASSIA		
			SW SE SW			(31) CASSIA		
		15	SW NW SW			(31) CASSIA		
			SW SW SW			(31) CASSIA		
			SW SE SW			(31) CASSIA		
		18	SE SW NE			(31) CASSIA		
			SW SW SW			(31) CASSIA		
		19	NE NE NE			(31) CASSIA		

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15	4.020	
+ - Total Div. Rate - +	+ - Total Div. Volume - +	+ - Total Div. Capacity - +	+ - Total Consumptive Use - +	+ - KW Usage - +	
4.020			1422.0		

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
12S	22E	15	NE NE		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	NW NE		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	SW NE		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	SE NE		38.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	NE SW		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	NW SW		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	SW SW		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	SE SW		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	NE SE		39.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	NW SE		39.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	SW SE		38.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	SE SE		40.0	01	IRRIGATION	(31) CASSIA

Total Acres: 474.0

MICROFILMED
NOV 20 2000

Prefix Translation: ADJUDICATION CLAIM

+ - - Other Rights for Same Use - A45-02687, A45-02617

+ - - - - - Remarks - - - - -

+-----Old Water Right Numbers-----
No Old Water Right Numbers found.

----- Conditions of Approval -----
No Conditions of Approval found.

+ - - - Decree Plaintiff - - - +	+ - - - Decree Defendant - - - +	+ - Decree Date - + 00/00/0000
----------------------------------	----------------------------------	-----------------------------------

+ - - Audit Fields - 04/18/89 CLELLAND 03/30/95 POST-STD

+	-	Comments	+
		No Comments Found	

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 04/23/1985	Old Judicial District	-
Claim Received Date	- 04/18/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- S006899	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	-	Notice of Error Flag	-

MICROFILMED
#0V 2 0 2000

AJ5808NP
(CD-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

03/12/99 10:38:58
Page 1

Water Right Number - A45-02617

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number - 28603

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
HOWARD R ADAMS & SONS INC

1 - STAR RT BOX 78
2 -
3 -
City- BURLEY
Phone - 208-678-2978

State- ID Zip- 83318

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
04/11/1960 17 SOUTHERN L - LICENSE

+ - - - - Source - - - - + + - - - - - Tributary - - - - - +
GROUNDWATER

+ - - - - Point of Diversion - - - - - +							
Twn	Rng	Sec	Tract	Lot	RFlg	County	
12S	21E	24	NE NW NE		(31)	CASSIA	
		8	SW SE NW		(31)	CASSIA	
	22E		SW NW SW		(31)	CASSIA	
			SW SW SW		(31)	CASSIA	
			SW SE SW		(31)	CASSIA	
		15	SW NW SW		(31)	CASSIA	
		SW SW SW		(31)	CASSIA		
		SW SE SW		(31)	CASSIA		
	18	SE SW NE		(31)	CASSIA		
		SW SW SW		(31)	CASSIA		
	19	NE NE NE		(31)	CASSIA		
	+ - - - - Diversion Name - - - - - +						

+ - - - - Water Use - - - - - +						
Code	Description	Period From	Period To	Diversion Rate	Diversion Volume	
01 - IRRIGATION		03/15	11/15	3.760		
+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +						
3.760				1422.0		

+ - - - - Place of Use - - - - - +								
Twn	Rng	Sec	Tract	Lot	Acres	Code	Description	County
12S	22E	15	NE NE		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	NW NE		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	SW NE		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	SE NE		38.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	NE SW		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	NW SW		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	SW SW		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	SE SW		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	NE SE		39.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	NW SE		39.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	SW SE		38.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	SE SE		40.0	01	IRRIGATION	(31) CASSIA

Total Acres: 474.0

MICROFILMED
NOV 20 2008

Water right number - A45-02617

Prefix Translation: ADJUDICATION CLAIM

+ - - Diversion Means - WELLS AND PUMPS, SPRINKLERS.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A45-02545, A45-02687

+ - - - - - Remarks - - - - - +

GEN ALL WELLS AND PUMPS ARE TIED INTO ONE SYSTEM AND ANY P/D CAN
SERVICE ANY P/U FOR MOST BENEFICIAL USE OF WATER AND ENERGY.
*****SEE REF. RT. A45-02605 FOR OTHER WR*****

+ - - - - - Old Water Right Numbers - - - - - +
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - - +
No Conditions of Approval found.

+ - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields - 04/18/89 CLELLAND 03/30/95 POST-STD

+ - - - - - Comments - - - - - +
No Comments Found

+ - - - - - Adjudication Rights Dates and Flags Area - - - - - +

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 05/06/1985	Old Judicial District	-
Claim Received Date	- 04/18/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- S006899	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	-	Notice of Error Flag	-

MICROFILMED
NOV 20 2000

AJ5808NP
(00-26)

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIMS PROOF READING REPORT

03/12/99 10:40:00
Page 1

Water Right Number - A45-02687

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number - 30735

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
HOWARD R ADAMS & SONS INC

1 - STAR RT BOX 78
2 -
3 -
City- BURLEY
Phone - 208-678-2978

State- ID Zip- 83318

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
08/22/1962 17 SOUTHERN L - LICENSE

+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

Tw	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion -	Diversion Name
12S	21E	24	NE NW NE			(31) CASSIA		
	22E	8	SW SE NW			(31) CASSIA		
			SW NW SW			(31) CASSIA		
			SW SW SW			(31) CASSIA		
			SW SE SW			(31) CASSIA		
		15	SW NW SW			(31) CASSIA		
			SW SW SW			(31) CASSIA		
			SW SE SW			(31) CASSIA		
		18	SE SW NE			(31) CASSIA		
			SW SW SW			(31) CASSIA		
		19	NE NE NE			(31) CASSIA		

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15	4.780	

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
4.780 1884.0

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
12S	22E	15	NE NE		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	NW NE		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	SW NE		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	SE NE		38.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	NE NW		39.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	NW NW		36.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	SW NW		39.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	SE NW		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	NE SW		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	NW SW		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	SW SW		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	SE SW		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	NE SE		39.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	NW SE		39.0	01	IRRIGATION	(31) CASSIA

MICROFILMED
NOV 20 2000

Water right number - A45-02687

Prefix Translation: ADJUDICATION CLAIM

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
12S	22E	15	SW SE		38.0	01	IRRIGATION	(31) CASSIA
12S	22E	15	SE SE		40.0	01	IRRIGATION	(31) CASSIA

Total Acres: 628.0

+ - - Diversion Means - WELLS AND PUMPS, SPRINKLERS.

+ - - Non-Irrigation Use -

+ - - Other Rights for Same Use - A45-02545, A45-02617

+ - - - - - Remarks - - - - -

GEN ALL WELLS AND PUMPS ARE TIED INTO ONE SYSTEM AND ANY P/D CAN
SERVICE ANY P/U FOR MOST BENEFICIAL USE OF WATER AND ENERGY.
*****SEE REF. RT. A45-02605 FOR OTHER WR*****

+ - - - - - Old Water Right Numbers - - - - -
No Old Water Right Numbers found.

+ - - - - - Conditions of Approval - - - - -
No Conditions of Approval found.

+ - - - - Decree Plaintiff - - - + + - - - Decree Defendant - - - + + - Decree Date - +
00/00/0000

+ - - Audit Fields - 04/18/89 CLELLAND 03/30/95 POST-STD

+ - - - - - Comments - - - - -
No Comments Found

+ - - - - - Adjudication Rights Dates and Flags Area - - - - -

Court Report Filing - 00/00/0000	Field Inspection Made - 00/00/0000	Civil Case Number - 39576
Objection Filed Date - 00/00/0000	Field Inspection Flag -	Old Case Number -
Response Filed Date - 00/00/0000	Verified Date - 06/03/1985	Old Judicial District -
Claim Received Date - 04/18/1989	Last Amended Date - 00/00/0000	Temporary Right - P
Proof Due Date - 00/00/0000	Proof Made Date - 00/00/0000	Water District -
Licensed Date - 00/00/0000	Receipt Number - S006899	Federal/State Indicator - S
	POU Ownership Flag - Y	Presumption Flag -
	Name Connector -	Notice of Error Flag -

MICROFILMED
NOV 20 2000

Water Right Number - A45-07439

Prefix Translation: ADJUDICATION CLAIM

Old (D) Number -

+ - - - - Last Name - - - - + + - First Name - - + + - - - - - Address - - - - - +

*** C - CURRENT OWNER ***
HOWARD R ADAMS & SONS INC

1 - STAR RT BOX 78

2 -

3 -

City- BURLEY

State- ID Zip- 83318

Phone - 208-678-2978

+ - - Priority Date - - + + - - Region - - - + + - - Stage - - - + + - - Status - - - +
02/29/1980 17 SOUTHERN L - LICENSE+ - - - - Source - - - - - + + - - - - Tributary - - - - - +
GROUNDWATER

Tw	Rng	Sec	Tract	Lot	RFlg	County	Point of Diversion	Diversion Name
12S	21E	24	NE NW NE			(31) CASSIA		
	22E	8	SW SE NW			(31) CASSIA		
			SW NW SW			(31) CASSIA		
			SW SW SW			(31) CASSIA		
			SW SE SW			(31) CASSIA		
		15	SW NW SW			(31) CASSIA		
			SW SW SW			(31) CASSIA		
			SW SE SW			(31) CASSIA		
		18	SE SW NE			(31) CASSIA		
			SW SW SW			(31) CASSIA		
		19	NE NE NE			(31) CASSIA		

Code	Description	Period From	Period To	Diversion Rate	Diversion Volume
01 - IRRIGATION		03/15	11/15	5.380	1676.00

+ - Total Div. Rate - + + - Total Div. Volume - + + - Total Div. Capacity - + + - Total Consumptive Use - + + - KW Usage - +
5.380 1676.00 1257.0

Tw	Rng	Sec	Tract	Lot	Acres	Code	Description	County
12S	22E	9	NE NE		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	9	NW NE		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	9	SW NE		26.0	01	IRRIGATION	(31) CASSIA
12S	22E	9	SE NE		20.0	01	IRRIGATION	(31) CASSIA
12S	22E	9	NE NW		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	9	NW NW		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	9	SW NW		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	9	SE NW		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	9	NE SW		35.0	01	IRRIGATION	(31) CASSIA
12S	22E	9	NW SW		40.0	01	IRRIGATION	(31) CASSIA
12S	22E	9	SW SW		35.0	01	IRRIGATION	(31) CASSIA
12S	22E	9	SE SW		20.0	01	IRRIGATION	(31) CASSIA
12S	22E	9	NW SE		3.0	01	IRRIGATION	(31) CASSIA

MICROFILMED
NOV 20 2000

Total Acres: 419.0

MICROFILMED
NOV 20 2000

Prefix Translation: ADJUDICATION CLAIM

Court Report Filing	- 00/00/0000	Field Inspection Made	- 00/00/0000	Civil Case Number	- 39576
Objection Filed Date	- 00/00/0000	Field Inspection Flag	-	Old Case Number	-
Response Filed Date	- 00/00/0000	Verified Date	- 02/11/1985	Old Judicial District	-
Claim Received Date	- 04/18/1989	Last Amended Date	- 00/00/0000	Temporary Right	- P
Proof Due Date	- 00/00/0000	Proof Made Date	- 00/00/0000	Water District	-
Licensed Date	- 00/00/0000	Receipt Number	- S006899	Federal/State Indicator	- S
		POU Ownership Flag	- Y	Presumption Flag	-
		Name Connector	-	Notice of Error Flag	-

MICROFILMED
NOV 20 2009

T# 5389

FILE PROGRAM
 NAME: Becker Farms

45-02545 elat

[illegible]

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATIO

County of Cassia)
) ss
STATE OF IDAHO)

Ruth Holmes, being first duly sworn, deposes and says that she is the Legals clerk 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 2 consecutive week(s), commencing with the issue dated February 8 1999 and ending with the issue dated February 15 1999.

Ruth Holmes

STATE OF IDAHO)
COUNTY OF)
Cassia)

On this 15th day of February in the year of 1999 before me, a Notary Public, personally appeared Ruth Holmes, 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 acknowledged to me that she executed the same.

James R. Riser

Notary Public for Idaho

Residing at: Rupert, Idaho

My commission expires: 6-28-2000

Cost of Publication 88.44

Affidavit Fee 5.00

Total Cost 93.44

OK
NB
2/19/99

RECEIVED

FEB 17 1999

MICROFILMED
Department of Water Resources
Southern Region

NOV 20 2000

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

County of Cassia)
) ss
STATE OF IDAHO)

Ruth Holmes, being first duly sworn, deposes and says that she is the Legals clerk of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and the paper is of general circulation therein. Deponent further deposes that the printed notice attached hereto was duly published according to law in the regular editions of the South Idaho Press for 2 consecutive week(s), commencing with the issue dated January 8 1999 and ending with the issue dated January 15 1999.

STATE OF IDAHO)
COUNTY OF)
Cassia)

On this 10th day of January in the year of 1999, me, a Notary Public, personally appeared Ruth Holmes, identified to me to be the person whose name is subscribed within instrument, and being by me first duly sworn, the statements therein are true, and acknowledged to have executed the same.

James H. Hester
Notary Public for Idaho

Residing at: Rupert, Idaho

My commission expires: _____

Cost of Publication 18.44

Affidavit Fee 5.00

Total Cost 23.44

RECEIVED

FEB 17 1999

Department of Water Resources
Southern Region

MICROFILMED

99-045

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT, T# 5389

Notice is hereby given that BECKER FARMS INC., 1063 S HWY 27; BURLEY ID 83318 has applied to the Department of Water Resources for changes to the rights listed below.

The purpose of Transfer No. 5389 is to change points of diversion, split a right, and create a permissible place of use.

PRESENTLY, Water Right No. 45-02545 (4.02 cfs) with a priority date of 03/25/1957 is diverted from

groundwater within SW1/4SW1/4, S15, for irrigation of 474 acres within parts of S15, all T12S, R22E; Cassia County.

PRESENTLY, Water Right No. 45-02617 (3.76 cfs) with a priority date of 04/11/1960 is diverted from

groundwater within SE1/4SW1/4, S15 for irrigation of 474 acres within parts of S15, all T12S, R22E; Cassia County.

PRESENTLY, Water Right No. 45-02687 (4.78 cfs) with a priority date of 08/22/1962 is diverted from

groundwater within NW1/4SW1/4, S15 for irrigation of 628 acres within parts of S15, all T12S, R22E; Cassia County.

PRESENTLY, Water Right No. 45-07439 (5.38 cfs) with a priority date of 02/29/1980 is diverted from

groundwater within NW1/4NE1/4, S24, T12S, R21E for irrigation of 419 acres within parts of S09, T12S, R22E; Cassia County.

PROPOSED CHANGE

The applicant wishes to divert a combined total of 16.48 cfs from three (3) existing, interconnected wells within

NW1/4SW1/4, SW1/4SW1/4, SE1/4SW1/4, S15 for irrigation of a 933 acre permissible place of use located

within parts of Sections 09 & 15, all T12S, R22E; Cassia County by using the following listed rights.

Rt No.	Priority	Amt (cfs)
45-02545	03/25/1957	4.02
45-02617	04/11/1960	3.76
45-02687	08/22/1962	4.78
45-07439B	02/29/1980	3.92

Right No. 45-07439A (1.46 cfs) diverted within NW1/4NE1/4, S24, T12S, R21E

will continue to irrigate 114 acres within parts of W1/2, S09, T12S, R22E; Cassia County.

Any protest against the proposed changes must be filed with the Department of Water Resources,

Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301

together with a protest fee of \$25.00 on or before February 26, 1999 to be

considered by the Department in its decision to grant or deny any part of the proposed change. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press on

February 8 and 15, 1999.

LEGAL
STATEMENT

MEMBER OF ASSOCIATED PRESS
South Idaho Press

ESTABLISHED 1904
230 EAST MAIN BOX 190
BURLEY, IDAHO 83318

February 15, 1999.

RECEIVED
FEB 17 1999
Department of Water Resources
Southern Region

PHONE 678-2201

PUBLISHED
DAILY
MONDAY
THRU
FRIDAY
AND SUNDAY
MORNINGS

DEPARTMENT OF WATER RESOURCES
1341 FILLMORE STREET, SUITE 200
TWIN FALLS, IDAHO 83301-3380

TERMS:
ALL ACCOUNTS
DUE AND
PAYABLE ON
20TH OF MONTH
FOLLOWING CHARGE

99-045

\$ 93.44

Please detach this stub and mail with your remittance. Your cancelled check serves as your receipt.

DATE	DESCRIPTION	TIMES RAN	LINES	COST PER LINE	CHARGES	BALANCE
BALANCE FORWARD						
2/15	Notice of Proposed Change of Water Right T#5389 Affidavit Fee 75-02545 Total	2	67	1.32	88.44 5.00	88.44 93.44

\$ 93.44

Thank
You

▲
PAY LAST
AMOUNT IN
THIS COLUMN

MICROFILMED
NOV 20 2000

SOUTH IDAHO PRESS
BURLEY, IDAHO

**NOTICE OF PROPOSED CHANGE
OF WATER RIGHT, T# 5389**

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PRESENTLY, Water Right No. 45-07439 (5.38 cfs) with a priority date of 02/29/1980 is diverted from groundwater within NW1/4NE1/4, S24, T12S, R21E for irrigation of 419 acres within parts of S09, T12S, R22E; Cassia County.

PROPOSED CHANGE

The applicant wishes to divert a combined total of 16.48 cfs from three (3) existing, interconnected wells within NW1/4SW1/4, SW1/4SW1/4, SE1/4SW1/4, S15 for irrigation of a 933 acre permissible place of use located within parts of Sections 09 & 15, all T12S, R22E; Cassia County by using the following listed rights.

<u>Rt No.</u>	<u>Priority</u>	<u>Amt (cfs)</u>
45-02545	03/25/1957	4.02
45-02617	04/11/1960	3.76
45-02687	08/22/1962	4.78
45-07439B	02/29/1980	3.92

Right No. 45-07439A (1.46 cfs) diverted within NW1/4NE1/4, S24, T12S, R21E will continue to irrigate 114 acres within parts of W1/2, S09, T12S, R22E; Cassia County. Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before February 26, 1999 to be considered by the Department in its decision to grant or deny any part of the proposed change. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press on
02/08 & 02/15/99.

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NOV 20 2000



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

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

SOUTHERN REGION

February 3, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ATTENTION-LEGALS
SOUTH IDAHO PRESS
230 EAST MAIN ST
BURLEY ID 83318

Gentlemen:

Enclosed you will find a legal notice which we wish to have published in your newspaper. We have inserted the required publication dates.

We have attempted to submit this legal as camera ready. Please call me at your earliest convenience and prior to your staff re-typing the legal if it does not meet your specifications so I can possibly make adjustments.

If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Very truly yours,

Mary Baldwin
Administrative Assistant

Enclosure

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NOV 20 2000

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
T# 5389

Notice is hereby given that BECKER FARMS INC., 1063 S HWY 27; BURLEY ID 83318 has applied to the Department of Water Resources for changes to the rights listed below.

The purpose of Transfer No. 5389 is to change points of diversion, split a right, and create a permissible place of use.

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PRESENTLY, Water Right No. 45-02617 (3.76 cfs) with a priority date of 04/11/1960 is diverted from groundwater within SE1/4SW1/4, S15 for irrigation of 474 acres within parts of S15, all T12S, R22E; Cassia County.

PRESENTLY, Water Right No. 45-02687 (4.78 cfs) with a priority date of 08/22/1962 is diverted from groundwater within NW1/4SW1/4, S15 for irrigation of 628 acres within parts of S15, all T12S, R22E; Cassia County.

PRESENTLY, Water Right No. 45-07439 (5.38 cfs) with a priority date of 02/29/1980 is diverted from groundwater within NW1/4NE1/4, S24, T12S, R21E for irrigation of 419 acres within parts of S09, T12S, R22E; Cassia County.

PROPOSED CHANGE

The applicant wishes to divert a combined total of 16.48 cfs from three (3) existing, interconnected wells within NW1/4SW1/4, SW1/4SW1/4, SE1/4SW1/4, S15 for irrigation of a 933 acre permissible place of use located within parts of Sections 09 & 15, all T12S, R22E; Cassia County by using the following listed rights.

<u>Water Right No.</u>	<u>Priority Date</u>	<u>Amount (cfs)</u>
45-02545	03/25/1957	4.02
45-02617	04/11/1960	3.76
45-02687	08/22/1962	4.78
45-07439B	02/29/1980	3.92

Right No. 45-07439A (1.46 cfs) diverted within NW1/4NE1/4, S24, T12S, R21E will continue to irrigate 114 acres within parts of W1/2, S09, T12S, R22E; Cassia County.

Any protest against the proposed changes must be filed with the Department of Water Resources, Southern Region, 1341 Fillmore St., Suite 200; Twin Falls, ID 83301 together with a protest fee of \$25.00 on or before February 26, 1999 to be considered by the Department in its decision to grant or deny any part of the proposed change. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published in the South Idaho Press on 02/08 & 02/15/99.

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NOV 20 2000



State of Idaho
DEPARTMENT OF WATER RESOURCES

1341 Fillmore Street, Suite 200, Twin Falls, ID 83301-3380
Phone: (208) 736-3033 FAX: (208) 736-3037

SOUTHERN REGION

January 29, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

ALLEN BECKER PRESIDENT
BECKER FARMS INC
1063 S HWY 27
BURLEY ID 83318

Re: Application for Transfer No. 5389 (45-02545, 45-02617, 45-02687, 45-07439 Pt)

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your Application for Transfer.

This office has scheduled advertising the application in the South Idaho Press for 02/08 and 02/15/99. The advertisement will be published for two weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

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

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

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

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

Very truly yours,

James E. Stanton
Sr. Water Resource Agent

JS:MB

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NOV 20 2000

Volume Methodology - Becker Forms Transfer

1.45-02545 (Sec. 15)

$$4.02 \text{ cfs} \times 214 \text{ days (4-1 to 10-3)} \times 1,9835 \text{ AF/cfs/day} = 1706.3 \text{ AFA}$$

$$474 \text{ acres} \times 4.0 \text{ AFA/acre} = 1896 \text{ AFA}$$

$$\text{Allow lesser amount} = 1706.3 \text{ AFA}$$

2.45-02617 (Sec. 15)

Covers exact same land as #1

$$\text{Allow } 1896 \text{ AFA} - 1706.3 \text{ AFA} = 189.7 \text{ AFA}$$

3.45-02687 (Sec. 15)

Covers same land as #1 plus 154 new acres

$$154 \text{ ac} \times 4.0 \text{ AFA/acre} = 616.0 \text{ AFA}$$

$$4.78 \text{ cfs} \times 214 \text{ days} \times 1,9835 = 2029 \text{ AFA}$$

$$\text{Allow lesser amount} = 616.0 \text{ AFA}$$

4.45-07439 Ant (Sec. 9)

$$3.92 \text{ cfs} \times 214 \text{ days} \times 1,9835 = 1663.9 \text{ AFA}$$

$$305 \text{ ac} \times 4.0 \text{ AFA/acre} = 1220.0 \text{ AFA}$$

$$\text{Allow lesser amount} = 1220.0 \text{ AFA}$$

MICROFILMED

NOV 20 2000

T# 5389

TO: File

DATE: December 7, 1998

FROM: Jim Stanton

SUBJECT: App. for Transfer, Becker Farms Inc.

Last week I visited the subject property to verify the p/u & p/ds. The points of diversion are as shown on the app. There were 20 acres less irrigated land in each of the 2 sections (40 acres less in total) than what is licensed & shown on the application. So the present place of use is 893 acres instead of 933 acres. All of the farm land owned by the applicant is irrigated (no dry pivot corners). Some of the licensed ground is covered by roads and buildings; a state highway runs diagonally thru Section 15. If ras judicata applies to all the licensed acres, then the transfer should be approved as filed. If it does not apply, then the transfer should only be approved for the land shown in the attached "1998 P/U Becker Farms" land list. I doubt if the SRBA cares one way or the other, since they commonly recommend rights on roads & other non-farmed land as long as it is within 16 acres per section of reality (2.5%). This kind of slop factor is not allowed in licensing, however. The application does not propose to change the place of use, so this may or may not affect our final action. I will be interested to see how this comes out, as we will certainly see similar transfers in the future.

MICROFILMED

NOV 20 2000

T-#5389

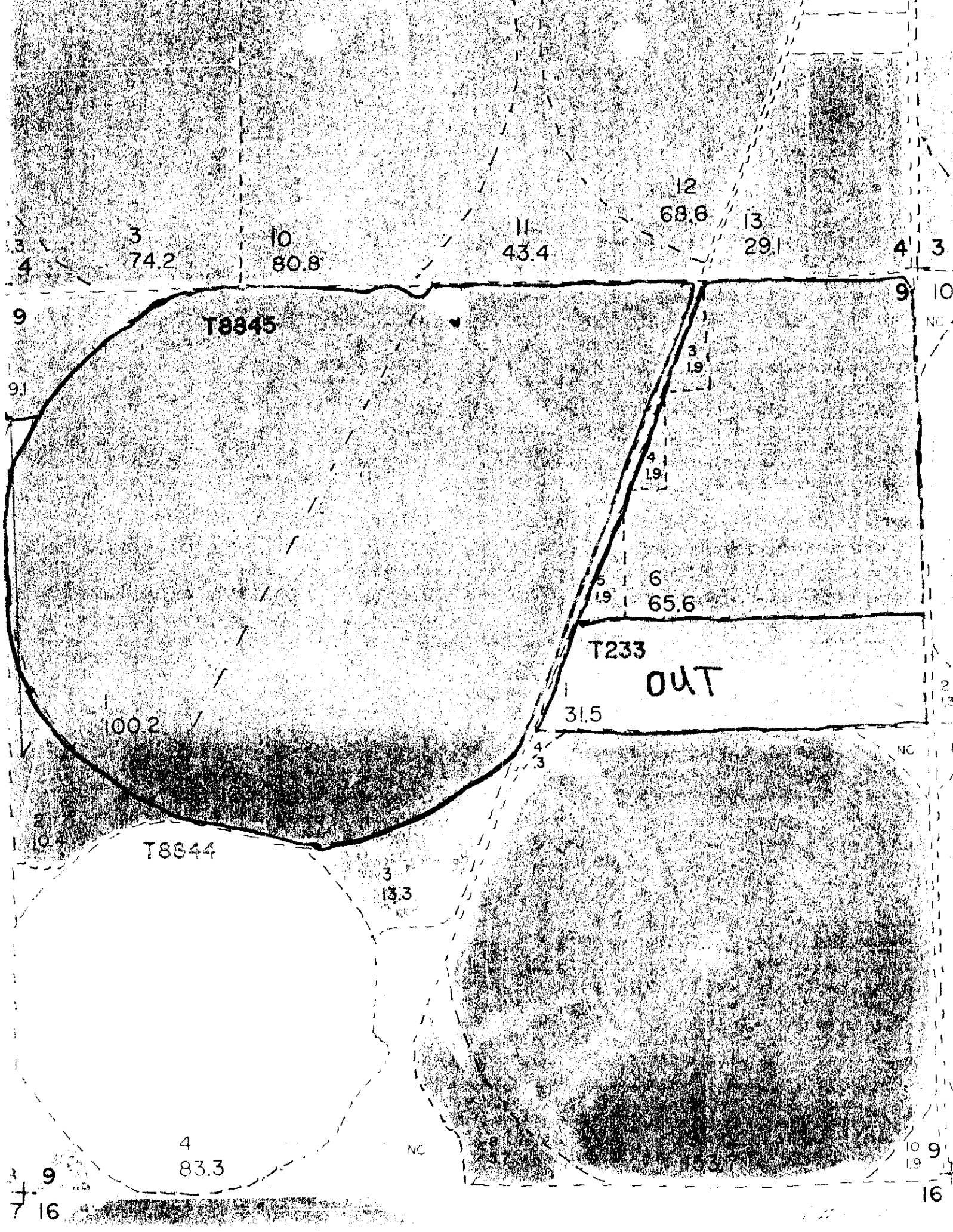
TRANSFER

893

MICROFILMED

NOV 20 2000

T#5389



T8845

T233

T8844

100.2

13.3

83.3

OUT

31.5

65.6

74.2

80.8

43.4

68.6

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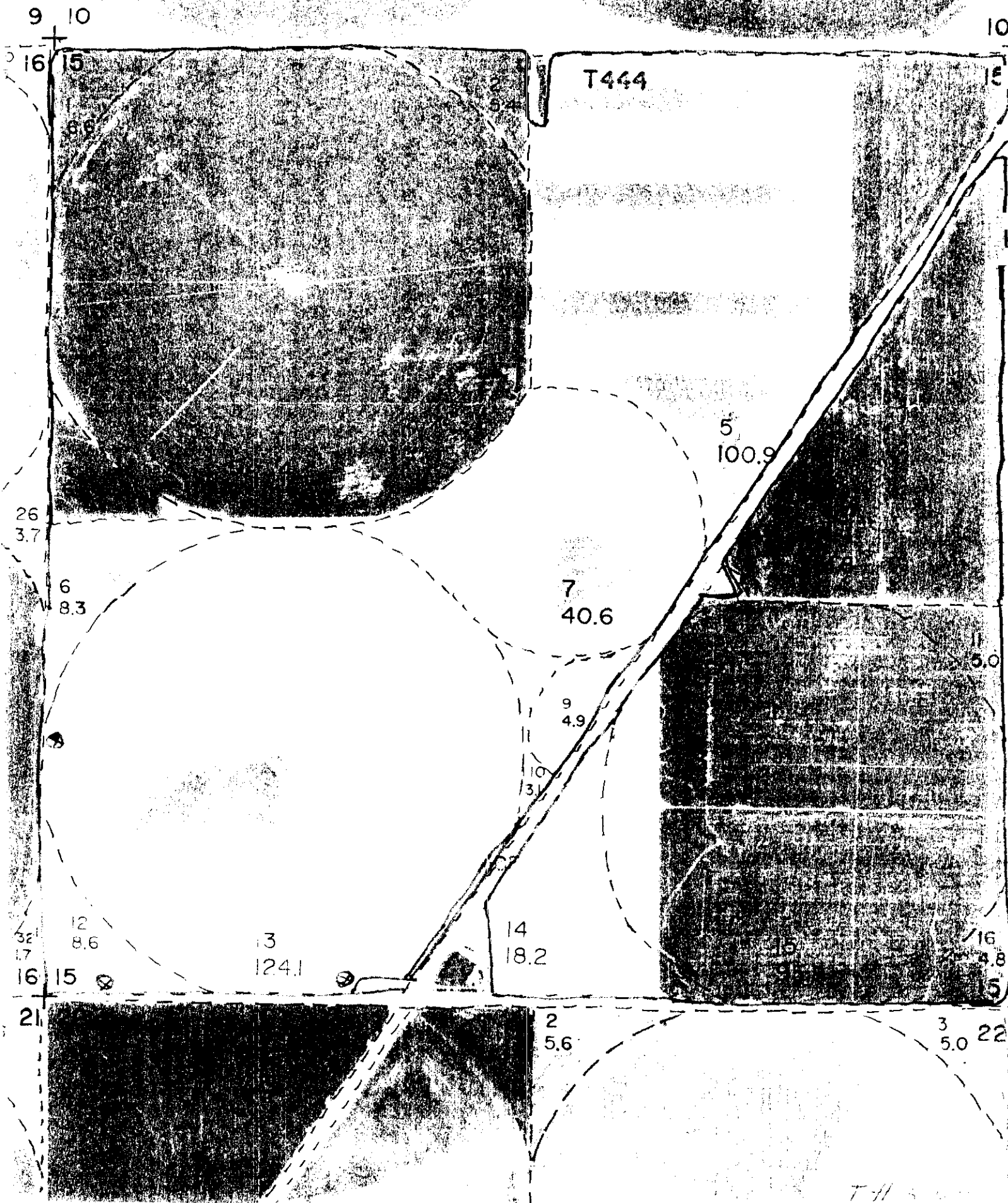
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January 12, 1967

RE: License G-26827

Max McMurray, Secretary
McMurray Land and Livestock Company
P.O. Box 368
Burley, Idaho 83318

Dear Mr. McMurray:

Enclosed herewith is departmental receipt No. G-11236
in the amount of 50¢ which covers the fee for a copy of
the above referenced license which was mailed to you on
January 10, 1967.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:efw

Encl: Receipt

26827

Don W. Samuelson
XXXXXXXXXXXXX
ROBERT E. SMYTHE
Governor



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

January 10, 1967

RECEIVED
JAN 12 1967

Department of Reclamation

RE: License G-26827

Mez McMurray, Secretary
McMurray Land and Livestock Company
P.O. Box 368
Burley, Idaho 83318

Gentlemen:

Forwarded herewith is the duplicate copy of the water
license and certificate issued as requested by your letter
of January 5, 1967.

The fee for the copies will be \$.50 which you may
remit to this department at your earliest convenience.

Very truly yours,

M. Russell Bosch
M. RUSSELL BOSCH
Office Manager

MRB:ejw

Encl: Copy of license

Gentlemen:

26827

*enclosed is check for \$0.50 as per
your Request - see Murray Submittal
By Mrs. McMurray*

XXXXXXX

January 10, 1967

RE: License G-26827

Mez McMurray, Secretary
McMurray Land and Livestock Company
P.O. Box 368
Burley, Idaho 83318

Gentlemen:

Forwarded herewith is the duplicate copy of the water
license and certificate issued as requested by your letter
of January 5, 1967.

The fee for the copies will be \$.50 which you may
remit to this department at your earliest convenience.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Encl: Copy of license

26827



McMURRAY-LOVELAND AGENCY 239 West 13th, P.O. Box 368, Burley, Idaho 83318
Department of Reclamation

January 5, 1967

SAFECO INSURANCE COMPANY OF AMERICA
SAFECO LIFE INSURANCE COMPANY
GENERAL INSURANCE COMPANY OF AMERICA
FIRST NATIONAL INSURANCE COMPANY OF AMERICA

State of Idaho
Department of Reclamation
State House
Boise, Idaho

RE: License & Certificate of
Water Right # G 26827

Gentlemen:

We received the above mentioned from you some time ago, at the same time, I believe, that we received License & Certificate of Water Right # G 28603. The priority date for the latter was dated April 11, 1960, and was signed by Ralph W. Thomas on the 27th of May, 1965. If my memory serves me correctly the tests were made on the same day, for the wells under each permit, by your field men.

We have misplaced the License and Certificate of Water Right # G 26827 and would appreciate your issuing a duplicate. We do not know the charge for this, so would you please advise us of the charge when you send the duplicate and we will mail you our check by return mail.

This matter is urgent and we would appreciate your immediate attention to it.

Yours truly,

McMURRAY LAND & LIVESTOCK COMPANY

Mez McMurray
Mez McMurray, Secretary

MMcM/c

26827

May 23, 1962

Re: Permit No. G-26827

McMurray Land & Livestock Co.
Burley, Idaho

Gentlemen:

Enclosed are Certificate of Completion of Works and
License and Certificate of Water Right issued on Permit No.
G-26827.

Also enclosed is departmental receipt No. G-6977 in
the amount of \$29.00 covering the fees.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) dna P. Rule
Chief Clerk

EPR:cw

Enc. certificates
receipt

26827

May 22, 1962

Re: Permit No. G-26827
McMurray Land & Livestock Co.
& J. O. McMurray

Mez McMurray
McMurray Land & Livestock Co.
Burley, Idaho

Dear Mr. McMurray:

We received your letter of May 21st in regard to
the Certificates of Water Right under the above noted permit.

One set of certificates will be issued, however
they will show both owners, according to our record of the permit,
with amendments.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

26827



GENERAL INSURANCE COMPANY OF AMERICA
SAFECO® INSURANCE COMPANY OF AMERICA
LIFECO® INSURANCE COMPANY OF AMERICA

HOME OFFICE SEATTLE 5, WASHINGTON

MEZ McMURRAY - DON LOVELAND AGENCY

P. O. BOX 368
BURLEY, IDAHO

May 21, 1962

RECEIVED

MAY 22 1962

Department of Reclamation

State of Idaho
Department of Reclamation
107 State House
Boise, Idaho

RE: Permit No. G 26827

Attention: Mr. Ralph W. Thomas, Deputy State Reclamation Engineer

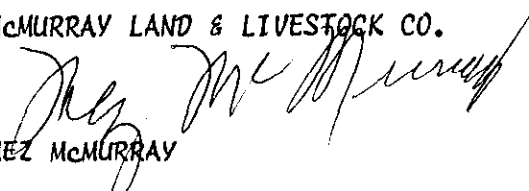
Dear Mr. Thomas:

Please refer to your letter of May 18, 1962. Will you please issue the certificate in the name of McMurray Land & Livestock Company, rather than split as you suggested in paragraph 3 of your letter?

Thank you for your attention.

Yours truly,

McMURRAY LAND & LIVESTOCK CO.


MEZ McMURRAY

26827

May 18, 1962

Re: Permit No. G-26827
McMurray Land & Livestock Co.
& J. O. McMurray

Max McMurray
McMurray Land & Livestock Co.
Burley, Idaho

Dear Mr. McMurray:

We billed you and you paid the fee of \$29.00 for the Certificate of Completion of Works and License and Certificate of Water Right for the permit as a unit.

The water right can be shown on one set of certificates with 4.02 c.f.s. appurtenant to all the land or the land list can be divided with 2.41 c.f.s. appurtenant to the NE $\frac{1}{4}$, Section 15, and 1.61 c.f.s. appurtenant to the S $\frac{1}{2}$, Section 15, T. 12 S., R. 22 E., B. M., to agree with 192/320 assigned to J. O. McMurray.

Two sets of certificates can be issued, one in the name of J. O. McMurray for 2.41 c.f.s. and one in the name of McMurray Land & Livestock Co., for 1.61 c.f.s. This would require an additional fee of \$5.00 for the Certificate of Completion of Works and J. O. McMurray would owe the Company \$8.00 of the fee for the License.

Kindly notify us of your wish, at your earliest convenience.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

cc: J. O. McMurray
1207 Happy Dr.
Boise, Idaho

26827



GENERAL INSURANCE COMPANY OF AMERICA
SAFECO® INSURANCE COMPANY OF AMERICA
LIFECO® INSURANCE COMPANY OF AMERICA

HOME OFFICE SEATTLE 5, WASHINGTON

MEZ McMURRAY - DON LOVELAND AGENCY

P. O. BOX 368
BURLEY, IDAHO

May 17, 1962

RECEIVED

MAY 18 1962

Department of Reclamation

State of Idaho
Department of Reclamation
Boise, Idaho

RE: Permit No. G-26827

Attention: Mrs. Edna P. Rule, Chief Clerk

Dear Madam:

In accordance with your request of May 15th, we are enclosing our check for \$29.00 representing the statutory fees in connection with issuance of the Certificate of Completion of Works, etc.

Thank you,

Yours truly,

McMURRAY LAND & LIVESTOCK CO.

Mez McMurray
By Mez McMurray *36*

26827

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-26827

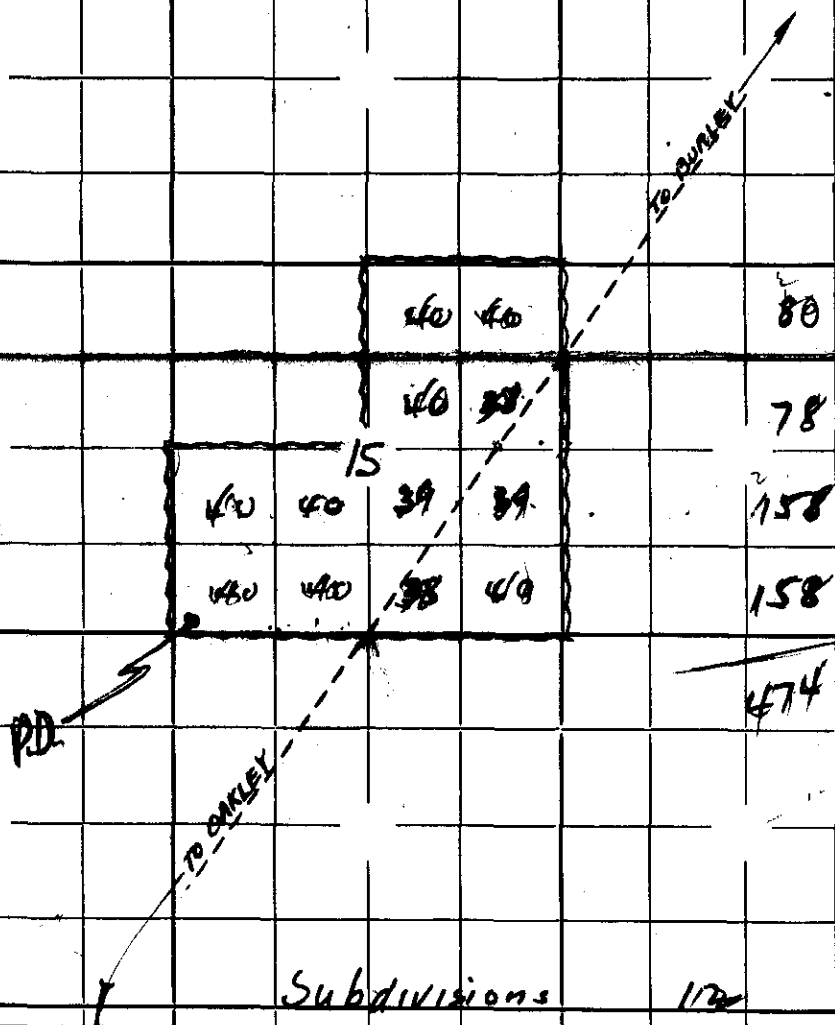
REPORT ON PROOF OF Completion of Works & Beneficial Use

J. O. McMurray, 1207 Happy Drive, Boise, Idaho

26827

R-22E

T
12
S.



G-28403 376 cfs. 474

G-26827 402

778 474 acres

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-26827

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant McMurray Land & Livestock Co., and J. O. McMurray

2. Source of water supply: Subterranean

3. Location of point of diversion: Is in the _____ of Section 15

T. 12 S. R. 22 E.B.M. County of Cassia

4. Describe works as they exist, giving dimensions and capacities of same: 250 H.P. U.S. Motor
NO. 1093910 LAYNE & Bowler Pump No. 23992 2000 H.P.M. @ 415'
head @ 1775 R.P.M. 10" discharge into concrete distribution box.
5'x10'x2' INTO OPEN ditches.

5. Water is used for: irrigation

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

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

S $\frac{1}{2}$ and NE $\frac{1}{4}$ Sec. 15., Twp. 12 S., Rgs. 22 E.B.M. Making a total of 480 acres

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

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

Remarks: Mr. May McMurray along

Measurement was made with spurling meter 5 rev.
in 1 min. 58 sec.

Will send copy of well Logs and well Tests.

G-28603

This examination was made on the 8th day of May, 1962

(Signed) Lloyd Johnson & Ron Helberg
Examiner.

26827

26827

INSTRUCTIONS TO EXAMINERS

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

RECEIVED

MAY 15 1962

Department of Reclamation

McMurray Land & Livestock Co. and J. O. McMurray, Boise, Idaho
Burley, Idaho

Permit No. G-26827

9:30 AM - 5/8/62 at well

Examination for Completion of Works & Beneficial Use

County Cassia

Sec. 15 T12 S R. 22 E B.M.

Quantity: 6.4 c.f.s.

Source: Well

P.D.: SW. SW., Sec. 15, T. 12 S. - R. 22 E B.M.

Use: Irrigation

Filed: March 25, 1957

Due: March 29, 1962

Extension:

Completion of Works:

Other Rights: none

RT McClure & Bushey

May 15, 1962

Re: Permit No. G-26827

Mez McMurray
McMurray Land & Livesotck Co.
Burley, Idaho

Dear Mr. McMurray:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-26827 shows the well is (are) capable of conveying 201 miner's inches, or 4.02 c.f.s. of water for the irrigation of 474 acres.

Upon receipt of the statutory fees, totaling \$ 29.00 , we will issue the Certificate of Completion of Works (fee \$5.00) and the License and Certificate of Water Right (fee \$ 24.00 , based at the rate of \$2.00 for each 40-acre subdivision) confirming the right, with priority of March 25, 1957 to the use of 4.02 second feet of subterranean water with the point of diversion in SW¹/₄SW¹/₄, Sec. 15 for irrigation of 474 acres in the NE¹/₄, S¹/₂, Sec. 15, T. 12 S., R. 22 E., B.M.

Very truly yours,

GEO. W. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EMR:mr

26827

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JAN 22 1962
Department of Reclamation

Permit No. 26827

Proof of Application of Water to Beneficial Use

and Completion of Works Deposition of Holder

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

Ans. McMurray Land & Livestock Co., Burley, Idaho, Farm Corporation
J. O. McMurray, 1207 Happy Drive, Boise, Idaho, Insurance & Farming

Ques. 2. If acting in behalf of corporation, state its name, principal place of business (if a foreign corporation, give name of postoffice of statutory agent), your position with reference to same, and your authority for appearing in its behalf. (ans.) Mez McMurray, as duly elected and acting Secretary of McMurray Land & Livestock Co., which has Burley, Idaho as its principal place of business; ~~xxx~~ is acting on behalf of said corporation, pursuant to authority granted by the Board of Directors of said corporation.

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

Ans. No. 26827, dated March 25, 1957, which date will be established as the priority date. 3-29-57

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

Ans. Subterranean water by means of well located in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, Twp. 12 S., R. 22, E.B.M., Cassia County, Idaho

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

Ans. 20" well 775' deep with 200' of 18" steel casing with water pumped from a depth of 440' with Layne Bowler Pump with 250 H.P. motor. Water then flows through earthen ditches.

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

Ans. Water is used to irrigate all of S $\frac{1}{2}$ and NE $\frac{1}{4}$, Sec. 15, Twp. 12 S., R. 22, E.B.M., Cassia County, Idaho. Land is cultivated and by use of said water desert land has been changed to cultivated land.

Ques. 6-a If this is a ground water permit, give name and address of person that drilled the well.

Ans. R. T. McClure & Robert Bushey, Kimberly, Idaho

26827

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

Ans. _____

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

Ans. _____ 5 cubic feet per second _____

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

Ans. _____ Interest in permit has been previously assigned by McMurray Land & Livestock Co., to J. O. McMurray

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

Ans. _____ 5 cubic feet per second has been diverted under said permit in _____ the crop years of 1958, 1959, 1960 and 1961 to irrigate the lands described in answer to question 6. _____

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

Ans. _____

Sign _____ J. O. McMurray

McMurray Land & Livestock Co.

(Sign)

Mez McMurray - Secretary

I hereby certify that the foregoing testimony was read to the above subscribed before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me, at my office in _____ Burley _____, County of _____ Cassia _____, State of Idaho, on this _____ 18th _____ day of _____ January _____, A. D. 1962.

My commission expires _____ October 31, 1965 _____

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO**

RECEIVED
JAN 22 1962

Department of Reclamation

Permit No. 26827

Proof of Application of Water to Beneficial Use
Deposition of Witness

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

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

Ans. Don Loveland, 45, Burley, Idaho, insurance & farming, Burley, Idaho

Ques. 2. Are you acquainted with J. O. McMurray Land & Livestock Co., and/____, the holder of Permit No. 26827.....? How long have you known him and where does he reside?

Ans. 20 years, J. O. McMurray resides at Boise, Idaho. McMurray
Land & Livestock Co. has principal place of business in Burley, Idaho

Ques. 3. Have you read or heard read said Permit No. 26827....., and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Subterranean well in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, Twp. 12 S., R. 22, E.B.M. Cassia County, Idaho. Water is pumped from level of 440' by Layne Bowler pump with 250 h.p. motor and water then flows in earthen ditches to place of use.

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

Ans. 4.5 cubic feet per second, which amount I have seen being conveyed.

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

Ans. 4.5 cubic feet per second with standard measuring device.

26827

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

Ans. Water is used to irrigate cultivated land which is S $\frac{1}{4}$ and NE $\frac{1}{4}$ of Sec. 15, Twp. 12 S., R. 22, E.B.M., Cassia County, Idaho, which land irrigated is composed of 480 acres.

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

Ans.

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

Ans. Desert land and I estimate 4.5 cubic feet necessary for profitable cultivation.

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

Ans. No.

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

Ans. I have witnessed 4.5 cubic feet per second being applied to crops located on the lands described in the answer to question 7 above, in the crop years of 1958, 1959, 1960, and 1961.

(Signed)

Don Louland

I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Burley, County of Cassia, State of Idaho, on this 18th day of January, A. D. 1962.

Betty Critchfield

Notary Public.

My commission expires Oct. 31, 1965

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

RECEIVED
JAN 2 1907

Department of Reclamation

Permit No. 26827

Proof of Application of Water to Beneficial Use
Deposition of Witness and Completion of Works

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

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

Ans. Ray Barlow ; 37 ; Burley, Idaho ; Farming ; 2444 Laurel Drive,
Burley, Idaho

Ques. 2. Are you acquainted with McMurray Land & Livestock Co. and J. O. McMurray, the holder of Permit No. 26827? How long have you known him and where does he reside?

Ans. 15 years - Boise, Idaho (J. O. McMurray) McMurray Land &
Livestock Co., Burley, Idaho

Ques. 3. Have you read or heard read said Permit No. 26827, and are you familiar with its provisions and conditions?

Ans. Yes

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

Ans. Subterranean well in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, Twp. 12 S., R. 22, E.B.M. Cassia County, Idaho. Water is pumped from level of 440' by Layne Bowler Pump with 250 h.p. motor and water then flows in earthen ditches to place of use.

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

Ans. 4.5 cubic feet per second, which amount I have seen being conveyed.

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

Ans. 4.5 cubic feet per second with standard measuring device.

26827

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

Ans. Water is used to irrigate cultivated land which is S $\frac{1}{2}$ and NE $\frac{1}{4}$ of Sec. 15, Twp. 12 S., Range 22, E.B.M., Cassia County, Idaho, which land irrigated is composed of 480 acres.

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

Ans. _____

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

Ans. Desert land and I estimate 4.5 cubic feet necessary for profitable cultivation.

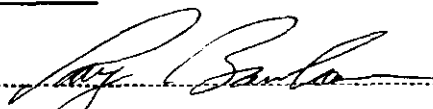
Ques. 10. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. No

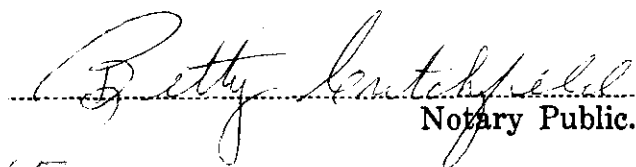
Ques. 11. State when, how, in what amount and to what extent you have witnessed the application to beneficial use of water diverted under said permit.

Ans. I have witnessed 4.5 cubic feet per second being applied to crops located on the lands described in the answer to question 7 above, in the crop years of 1958, 1959, 1960 and 1961.

(Signed) X



I hereby certify that the foregoing testimony was read to the above subscriber before its signing, that I believe him to be the person he represents himself to be, and that said testimony was subscribed and sworn to before me in Burley, County of Cassia, State of Idaho, on this 18th day of January, A. D. 1962.


Notary Public.

My commission expires Oct 31, 1965

26827

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

COUNTY OF CASSIA

SS.

Carl Jones, first being duly sworn, deposes and says: That he is the printer of The Herald-Bulletin, a daily newspaper published at Burley, in the County of Cassia, State of Idaho; that the said newspaper has a general circulation in said county, and that the said newspaper is published daily and has been continuously and uninterruptedly published in said county, not less frequently than once a day, during a period of seventy-eight consecutive weeks immediately prior to the first publication of the printed notice herein referred to;

That said newspaper at all times herein mentioned, has been a newspaper of general circulation, made up of at least four pages of at least five columns each, printed from typed matter or stereotyped forms of at least seventeen and three-fourths inches depth, and during the whole of said time has had at least two hundred bona-fide subscribers living within said County of Cassia.

Affiant further states that the printed notice attached hereto was duly published according to law, in the regular weekly editions of the said newspaper and not in any supplement thereof, for 4 consecutive weeks, commencing with the issue dated Dec 15, 1961, and ending with the issue dated Jan 5, 1962.

Subscribed and sworn to before me this 8 day of Jan, 1962

Martha Nelson
Notary Public in and for the State of Idaho,
Residing at Burley, Idaho.

LEGAL NOTICE

NOTICE OF PROOF OF
COMPLETION OF WORKand
APPLICATION OF WATER TO
BENEFICIAL USE

Notice is hereby given that at 10 A.M., on the 18th day of January, 1961, at Burley, County of Cassia, State of Idaho, before Betty Critchfield, Notary Public, at 239 West 13th, proof will be submitted of the completion of works for the diversion of 5.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-26827, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Mc-Murray Land & Livestock Co., Burley, Idaho, and J. O. Mc-Murray, 1207 Happy Drive, Boise, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 5.0 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 5.0 cubic feet per second.

4. The point of diversion of said water is subterranean well in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15, Twp. 12 S., R. 22, E.B.M., Cassia County, Idaho.

5. The place where said water is used is S $\frac{1}{2}$ and NE $\frac{1}{4}$, Sec. 15, Twp. 12 S., R. 22, E.B.M., Cassia County, Idaho.

6. The date of priority which said user is prepared to establish is March 25, 1957.

GEO. N. CARTER,
State Reclamation Engineer
Published in the Herald Bulletin Dec. 15, 22, 29, 1961, Jan. 5, 1962.

Affirmation of Publication.

The Herald-Bulletin

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

COUNTY OF CASSIA

ss.

Carl Jones, first being duly sworn, deposes and says: That he is the printer of The Herald-Bulletin, a daily newspaper published at Burley, in the County of Cassia, State of Idaho; that the said newspaper has a general circulation in said county, and that the said newspaper is published daily and has been continuously and uninterruptedly published in said county, not less frequently than once a day, during a period of seventy-eight consecutive weeks immediately prior to the first publication of the printed notice herein referred to;

That said newspaper at all times herein mentioned, has been a newspaper of general circulation, made up of at least four pages of at least five columns each, printed from typed matter or stereotyped forms of at least seventeen and three-fourths inches depth, and during the whole of said time has had at least two hundred bona-fide subscribers living within said County of Cassia.

Affiant further states that the printed notice attached hereto was duly published according to law, in the regular weekly editions of the said newspaper and not in any supplement thereof, for 4 consecutive weeks, commencing with the issue dated Dec 15, 1961, and ending with the issue dated Jan 5, 1962.

Subscribed and sworn to before me this 8 day of Jan, 1962.

Shirley Nelson
Notary Public in and for the State of Idaho,
Residing at Burley, Idaho.

January 22, 1962

Re: Permit No. 0-26827

J. O. McMurray
McMurray Land & Livestock Co.
Burley, Idaho

Gentlemen:

We acknowledge receipt of the depositions of holder and two witnesses, also affidavit of publication in the Harold Bulletin, all submitted in proof of completion of works and beneficial use on Permit No.

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

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

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

EPR:

cc: J. O. McMurray
1207 Happy Dr.
Boise, Idaho

26827

January 18, 1962

RE: Permit No. G-26827
McMurray Land & Livestock Co.

Harley M. McDowell
Idaho Land & Appraisal Service
Box 2161
Boise, Idaho

Dear Mr. McDowell:

Enclosed is assignment of a portion of Permit No. G-26827 to
J. O. McMurray which has been recorded in this department.

Also enclosed is departmental receipt No. G-6777 in the amount
of \$0.50 for the recording fee.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. assignment
receipt

26827

January 15, 1962

Re: Permit Nos. G-26827 & G-28603
McMurray Land & Livestock Co.

Mr. Harley M. McDowell,
Idaho Land & Appraisal Service,
Box 2161,
Boise, Idaho.

Dear Mr. McDowell:

In compliance with your telephone request, we are enclosing two copies each of Permit No. G-26827 and Permit No. G-28603, one of which has been certified.

We also enclose Departmental Receipt No. G-6775 which was issued covering payment in the amount of \$6.75 for the copies and certifications.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

Encl.
EPR:pmk

26827

December 11, 1961

Re: Permit No. G-26827

McMurray Land & Livestock Co. , Burley
J. O. McMurray, Boise

McMurray Land & Livestock Co.,
Burley, Idaho.

Gentlemen:

This acknowledges the Notice of Proof of Completion of Works and Application of Water to Beneficial Use under Permit No. G-26827. The proofs are to be made at 10:00'clock A.M., on the 18th day of January, 1962, before Betty Critchfield, 239 West 13th, Burley, Idaho, Notary Public.

As of this date we have mailed the Notice to the Harold, Burley, Idaho, with instructions to publish it once a week for four consecutive weeks prior to the date set for final proof then mail the affidavit of publication and statement of costs to you.

It is important that the enclosed depositions be executed by you and two disinterested witnesses who are familiar with the terms of the permit and the work done thereunder, at the place, on the date, and at the time and before the Notary, as advertised. It is very important and necessary that each question be answered in detail.

In returning the depositions to this office, be sure that all copies have been signed, the Notary's seal has been placed on each and that all depositions, (holder and two witnesses) are being returned. Also be sure to enclose the Affidavit of Publication.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

(Mrs.) Edna P. Rule
Chief Clerk

Enc.
EPR:pmk
cc: Notary

26827

Form No. 11
2M - 10/60

RECEIVED
DEC 11 1961

Department of Reclamation

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) December 8, 1961
(P. O.) 536, Twin Falls, Idaho

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho

Dear Sir:

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

Herald of Burley, Idaho, published in
the county in which the works are situated. *Carroll Co.*

McMurray Land & Livestock Co.

By

Meg Mc Murray
Mc Murray

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

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

Engineer.

26827

NOTICE OF PROOF OF COMPLETION OF WORKS
and
APPLICATION OF WATER TO BENEFICIAL USE

DOMESTIC WATER

Notice is hereby given that at 10 A. M., on the 18th day of January,
19 61, at Burley, County of Cassia, State of Idaho,
before Betty Critchfield, Notary Public, at (address) 239 West 13th
_____, proof will be submitted of the completion of works for
the diversion of 5.0 cubic feet per second of underground water from a well, and of
the application to beneficial use of said water, in accordance with the terms and
conditions of Permit No. 26827, heretofore issued by the Department of Reclamation
of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit
is McMurray Land & Livestock Co., Burley, Idaho, and J. O. McMurray.
1207 Happy Drive, Boise, Idaho.

2. Said works of diversion will be fully completed on the date set for such com-
pletion, and the amount of water which said works are capable of conveying to the place of
use is 5.0 cubic feet per second.

3. The use to which said water has been applied is agricultural purposes
_____, and the amount applied to beneficial use is 5.0
cubic feet per second.

4. The point of diversion of said water is subterranean well in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 15,
Twp. 12 S., R. 22, E.B.M., Cassia County, Idaho.

5. The place where said water is used is S $\frac{1}{2}$ and NE $\frac{1}{4}$, Sec. 15, Twp. 12 S.,
R. 22, E.B.M., Cassia County, Idaho

6. The date of priority which said user is prepared to establish is March 25, 1957.

State Reclamation Engineer

26827

RT

1200
6-28-61

S T A T E O F I D A H O
DEPARTMENT OF RECLAMATION

Boise, Idaho

Re: Permit No. G-26827
McMurray Land & Livestock Co., and
J. O. McMurray

Date: Dec. 11, 1961

The Herald,
Burley, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for four consecutive
weeks prior to **January 18, 1962** the date set for proof;

the expense of the publication is to be paid by the applicant

McMurray Land & Livestock Co.,

of **Burley, Idaho**

to whom you should furnish proof of publication on or prior to the date set for
proof.

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

Very truly yours,



GEO. N. CARTER

State Reclamation Engineer

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

Encl.

26827

January 10, 1961

Re: Permit No. G-26827 - McMurray Land &
Livestock Co. and J. O. McMurray
Permit No. G-26706 - Floyd Bell

The Herald Bulletin
Burley, Idaho

Gentlemen:

To date we have not received a copy or tear sheet on
the Notices of Publication mailed to you on December 11 and 18 on
the above numbered permits.

We would appreciate a copy on each be mailed to this
office as soon as possible for checking purposes.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer

By:

H. Petri
Water Rights Clerk

HP:ew

76825

26827

June 21, 1957

Re: Permit No. G-26827

Bureau of Land Management
P. O. Box 2237
Boise, Idaho

Gentlemen:

At the request of Mr. J. O. McMurray,
we enclose two prints of an assignment of Permit
No. G-26827.

These are in connection with a Desert
Land Entry filed in your office.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

A
CC to J. O. McMurray

June 21, 1957

Re: Permit No. G-26827

Mr. J. O. McMurray
No. 1217 N. 20th St.
Boise, Idaho

Dear Mr. McMurray:

By this same mail we are sending two photo prints of the assignment of the above numbered permit to the Bureau of Land Management, as per copy of letter enclosed.

We return the original assignment, which has been recorded; also Receipt No. G-2667 for the \$1.00 fee for the prints.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Roy W. Thompson
Office Manager

A
Encl.

26827

June 19, 1957

Re: Permit No. G-26827

Mr. J. O. McMurray
1217 North 20th
Boise, Idaho

Dear Mr. McMurray:

Enclosed is the Assignment of Permit No. G-26827 to you by A. D. MacKenzie, permit holder, and Marie MacKenzie, his wife, which has been recorded in the Department of Reclamation in Book 95 of Permits at Page 26827. It should now be attached to the original permit to which it refers.

Also enclosed is departmental receipt No. G-2658 for 50¢ issued as receipt of the 50¢ fee for recording the assignment.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

JA/nls

26827

J. O. McMurray
1217 N. 20th
Boise

ASSIGNMENT

FOR VALUABLE CONSIDERATION, the undersigned, A. D. MacKENZIE and MARIE MacKENZIE, husband and wife, hereby assign to J. O. McMURRAY, all their right, title and interest in and to Permit No. G26827 issued by the State Reclamation Engineer of the State of Idaho and all the water rights evidenced thereby for irrigation of the following described property situated in the County of Cassia, State of Idaho:

The Northeast Quarter (NE $\frac{1}{4}$) Section Fifteen (15)
Township Twelve (12) South, Range Twenty-two (22)
E.B.M.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and seals this 17th day of May, 1957.

A. D. MacKenzie
Marie MacKenzie

STATE OF IDAHO)
County of ^{Twin Falls} ~~Minidoka~~) ss.

On this 17th day of May, 1957, before me, the undersigned, a Notary Public in and for said State, personally appeared A.D. MacKENZIE and MARIE MacKENZIE, husband and wife, known to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they 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.

Edward L. Seash
Notary Public for Idaho
Residing at Rupert, Idaho
Twin Falls

26827

Received and filed for record in the Department of Reclamation,
at Boise, Idaho, June 11, 1957.

Application for Amendment

To Permit to appropriate the Public Waters
of the State of Idaho, No. 6-26827

Comes now McMURRAY LAND & LIVESTOCK CO., and represents to the State Reclamation Engineer of the State of Idaho.

That it is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 6-26827, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

South Half (S 1/2) and Northeast Quarter (NE 1/4)
Section 15 Township 12 South Range
22 E. B.M. Cassia County, Idaho

making a total of 480 acres.

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

Signed at Boise, Idaho, this 9th day of MAY, 1957
McMURRAY LAND & LIVESTOCK CO.
By W. H. McMurray
Secretary

Date of receipt at office of Department of Reclamation

APPROVAL OF STATE RECLAMATION ENGINEER

I, MARK R. KUIP, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 6-26827. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

26827

Mark R. Kuip

State Reclamation Engineer

**To Permit to appropriate the Public Waters
of the State of Idaho, No. 626827**

Comes now McMURRAY LAND & LIVESTOCK CO., and represents to the State Reclamation Engineer of the State of Idaho.

That ~~he~~^{it} is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 626827, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

South Half (S 1/2) and Northeast Quarter (NE 1/4)
Section 15 Township 12 South Range
22 E. B.M. Cassia County, Idaho

making a total of 480 acres.

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

Signed at Bose, Idaho, this

9th

day of

MAY

1957

McMURRAY LAND & LIVESTOCK CO.
By M. J. Mc Murray
Secretary

Date of receipt at office of Department of Reclamation

APPROVAL OF STATE RECLAMATION ENGINEER

I, MARK R KUIP, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 626827. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

26827

Mark R Kuip

State Reclamation Engineer

**To Permit to appropriate the Public Waters
of the State of Idaho, No. 626827**

Comes now McMURRAY LAND & LIVESTOCK CO., and represents to the State Reclamation Engineer of the State of Idaho.

That it is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 626827, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows:

South Half (S 1/2) and Northeast Quarter (NE 1/4)
Section 15 Township 12 South Range
22 E. B.M. Cassia County, Idaho

making a total of 480 acres.

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

Signed at Bose, Idaho, this 9th day of MAY, 1957
By McMurray Land & Livestock Co.
Secretary

Date of receipt at office of Department of Reclamation

APPROVAL OF STATE RECLAMATION ENGINEER

I, MARK R KULP, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 626827. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

26827

Mark R Kulp
State Reclamation Engineer

A S S I G N M E N T

FOR AND IN CONSIDERATION of the sum of One (\$1.00) Dollar and other good and valuable consideration, receipt whereof is hereby acknowledged, McMURRAY LAND & LIVESTOCK CO., an Idaho corporation, does hereby assign to A. D. MacKENZIE, a 100/320th interest in and to Permit No. G 26827, issued to said corporation by the State Reclamation Engineer of the State of Idaho, and further assigns the water rights evidenced by said portion of said permit for use on the Northeast Quarter (NE $\frac{1}{4}$) Section Fifteen (15) Township Twelve (12) South, Range Twenty-two (22) E.B.M.

DATED this 9th day of May, 1957.

McMURRAY LAND & LIVESTOCK CO.

By *MEZ McMurray*
Secretary

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 9th day of May, 1957, before me, the undersigned, a Notary Public in and for said State, personally appeared MEZ McMURRAY, known to me to be the Secretary of said corporation that executed the foregoing instrument and acknowledged to me that such corporation executed the same.

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

Edward L. Zahab
Notary Public for Idaho
Residing at Twin Falls, Idaho

26827

ASSIGNMENT

FOR AND IN CONSIDERATION of the sum of One (\$1.00) Dollar and other good and valuable consideration, receipt whereof is hereby acknowledged, McMURRAY LAND & LIVESTOCK CO., an Idaho corporation, does hereby assign to A. D. MacKENZIE, a 100/320th interest in and to Permit No. G 26827, issued to said corporation by the State Reclamation Engineer of the State of Idaho, and further assigns the water rights evidenced by said portion of said permit for use on the Northeast Quarter (NE $\frac{1}{4}$) Section Fifteen (15) Township Twelve (12) South, Range Twenty-two (22) E.B.M.

DATED this 9th day of May, 1957.

McMURRAY LAND & LIVESTOCK CO.

By *Mez Mc Murray*
Secretary

STATE OF IDAHO)
) ss.
County of Twin Falls)

On this 9th day of May, 1957, before me, the undersigned, a Notary Public in and for said State, personally appeared MEZ McMURRAY, known to me to be the Secretary of said corporation that executed the foregoing instrument and acknowledged to me that such corporation executed the same.

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

Edward L. Smith
Notary Public for Idaho
Residing at Twin Falls, Idaho

26827

May 9, 1957

Re: Permit No. G-26827
McMurray Land & Livestock Co.

Benoit & Benoit
P. O. Box 563
Twin Falls, Idaho

ATTENTION: Mr. Edward L. Benoit

Dear Mr. Benoit:

Enclosed you will find the following:

Application for Amendment to Permit No. G-26827,
in the name of McMurray Land & Livestock Co., which amends the
land list as described in the original permit to read as follows:
S $\frac{1}{2}$ and NE $\frac{1}{4}$ of Section 15, Township 12 South, Range 22 E., B.M.

Assignment of 100/320th of the interest in and to
Permit No. G-26827 to A. D. MacKenzie from McMurray Land & Live-
stock Co.

Both the amendment and the assignment have been re-
corded in the Department of Reclamation in Book 95 of Permits
at Page 26827.

Departmental receipt No. G-2590 for \$2.50 was issued
and handed to you when you were in the office as receipt of pay-
ment of the fee for recording the assignment (50¢) and for two
copies of Permit No. G-26827, one of which was certified, (\$2.00).

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

EPR/nls
Enc:

26827

April 17, 1957

Re: Permit No. G-26827
McMurray Land & Livestock Co.

Benoit & Benoit
Box 536
Twin Falls, Idaho

Gentlemen:

We enclose Permit No. G-26827 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

Departmental receipt No. G-2530 was issued covering the payment in the amount of \$6.50, and is enclosed herewith. Also enclosed herewith is \$1.00 which was an overpayment of the \$6.50 fee.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

ER:d
Enclosures

26827

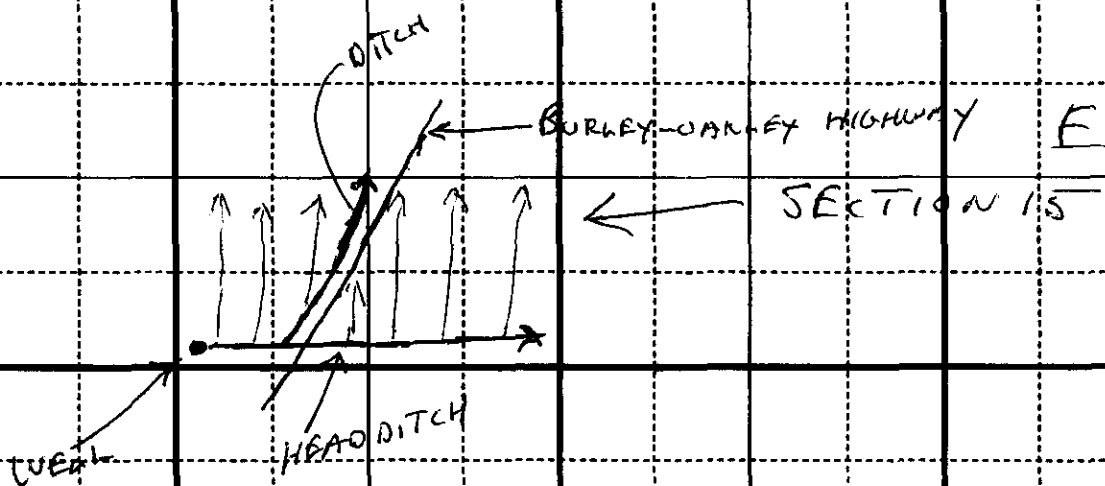
NAME OF APPLICANT

M^r MURRAY LAND & LIVESTOCK CO.

Form No. 0

T12S R 22E B1M

W



S

Permit Map No. 7-26827

As Approved MAR 28 1957

MAKER & KULSH
Surveyors at Large, St. Louis, Mo.

SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

26827

LEGAL NOTICE

NOTICE OF P. OF COMPLETION OF WORK and APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10 A.M., on the 18th day of January, 1961, at Burley, County of Cassia, State of Idaho, before Betty Critchfield, Notary Public, at 239 West 13th, proof will be submitted of the completion of works for the diversion of 5.0 cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G-26827, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is, McMurray Land & Livestock Co., Burley, Idaho, and J. O. McMurray, 1207 Happy Drive, Boise, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is 5.0 cubic feet per second.

3. The use to which said water has been applied is irrigation purposes, and the amount applied to beneficial use is 5.0 cubic feet per second.

4. The point of diversion of said water is subterranean well in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 15, Twp. 12 S., R. 22, E.B.M., Cassia County, Idaho.

5. The place where said water is used is SW $\frac{1}{4}$ and NE $\frac{1}{4}$, Sec. 15, Twp. 12 S., R. 22, E.B.M., Cassia County, Idaho.

6. The date of priority which said user is prepared to establish is March 25, 1957.

GEO. N. CARTER,
State Reclamation Engineer
Published in the Herald Bulletin Dec. 15, 22, 29, 1961, Jan. 5, 1962.