

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER OF WATER RIGHT
TRANSFER NO. 69682

This is to certify that: PICKETT RANCH & SHEEP CO
1650 S 568 W
OAKLEY ID 83346
(208)862-3482

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

Summary of Water Rights Before the Proposed Change

<u>Right</u>	<u>Origin/Basis</u>	<u>Priority</u>	<u>Rate</u>	<u>Volume</u>	<u>Acres</u>	<u>Total</u>	<u>Source</u>
45-2437	AJC/License	02/16/1953	2 cfs	432 af	108.0	561.0	GROUND WATER
45-2262	AJC/License	04/04/1950	0.97 cfs	272 af		68.0	GROUND WATER

Purpose of Transfer (Changes Proposed)

<u>Current Number</u>	<u>Split</u>	<u>POD</u>	<u>POU</u>	<u>Add POD</u>	<u>Period of Use</u>	<u>Nature of Use</u>
45-2437	NO	NO	YES	NO	NO	NO
45-2262	NO	NO	YES	NO	NO	NO

Summary of Water Rights After the Approved Change

<u>Existing Right</u>	<u>New No. (changed portion)</u>	<u>Transfer Rate</u>	<u>Transfer Volume</u>	<u>Acre Limit</u>	<u>Total Acres</u>	<u>New No. (remaining portion)</u>	<u>Remaining Rate</u>	<u>Remaining Volume</u>	<u>Remaining Acre Limit</u>	<u>Remaining Total Acres</u>
45-2437	45-2437	2.00 cfs	432 af	108.0	196.0		N/A	N/A	N/A	N/A
45-2262	45-2262	0.97 cfs	272 af	68.0	196.0		N/A	N/A	N/A	N/A
TOTALS		2.97 cfs	704 af	176.0	196.0		N/A	N/A	N/A	N/A

Detailed Water Right Description(s) attached

Dated this 28th day of August, 2002

[Signature]
Chief, Water Allocation Bureau

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WATER RIGHT NO. 45-2262
As Modified by Transfer No. 69682

In accordance with the approval of Transfer No. 69682, Water Right No. 45-2262 is now described as follows.

Right Holder: PICKETT RANCH & SHEEP CO
 1650 S 568 W
 OAKLEY ID 83346

Priority Date: 04/04/1950

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	0.97 CFS	272.0 AF
			0.97 CFS	272.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENESE Sec. 7 Twp 13S Rge 22E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE			NW			SW			SE			Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S 22E 19	38.0	39.0	40.0		39.0		40.0						196.0

Total Acres: 196

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 68 acres within the place of use described above in a single irrigation season.
2. Rights 45-2262 and 45-2437 when combined shall not exceed a total diversion rate of 2.97 cfs, a total annual maximum diversion volume of 704 af at the field headgate, and the irrigation of 176 acres within the above described place of use.
3. The right holder shall maintain control of a minimum of 0.97 shares in the Oakley Canal Company per acre on all lands covered by this transfer to maintain the historically established supplemental nature of this ground water use to avoid expansion of use.
4. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
5. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

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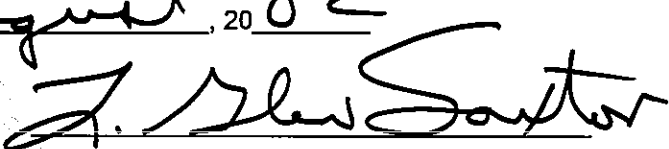
WATER RIGHT NO. 45-2262
As Modified by Transfer No. 69682

CONDITIONS OF APPROVAL

6. 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.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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

Dated this 28th day of August, 2002


Chief, Water Allocation Bureau

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WATER RIGHT NO. 45-2437
As Modified by Transfer No. 69682

In accordance with the approval of Transfer No. 69682, Water Right No. 45-2437 is now described as follows.

Right Holder: PICKETT RANCH & SHEEP CO
 1650 S 568 W
 OAKLEY ID 83346

Priority Date: 02/16/1953

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>From</u>	<u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>
IRRIGATION	04/01	to 10/31	2.00 CFS	432.0 AF
			2.00 CFS	432.0 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER SENESE Sec. 7 Twp 13S Rge 22E CASSIA County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
13S 22E 19	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	196.0
	38.0	39.0	40.0		39.0		40.0										

Total Acres: 196

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 108 acres within the place of use described above in a single irrigation season.
2. Rights 45-2262 and 45-2437 when combined shall not exceed a total diversion rate of 2.97 cfs, a total annual maximum diversion volume of 704 af at the field headgate, and the irrigation of 176 acres within the above described place of use.
3. The right holder shall maintain control of a minimum of 0.97 shares in the Oakley Canal Company per acre on all lands covered by this transfer to maintain the historically established supplemental nature of this ground water use to avoid expansion of use.
4. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this right and shall only divert ground water under this right when water from the appurtenant surface water rights cannot be delivered to the right holder.
5. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert groundwater shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.

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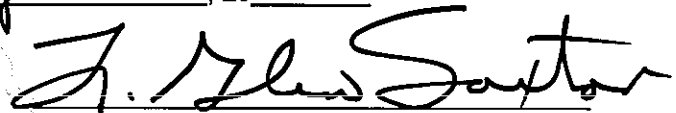
WATER RIGHT NO. 45-2437
As Modified by Transfer No. 69682

CONDITIONS OF APPROVAL

6. 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.
7. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
8. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
9. Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.

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

Dated this 28th day of August, 2002


Chief, Water Allocation Bureau

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RECEIVED

MAY 29 2002

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Department of Water Resources

Transfer No. 69682

Receipt No. 5024597

RECEIVED

FEB 12 2002

Department of Water Resources
Southern Region

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1**

1. Applicant Information PICKETT RANCH & SHEEP CO
1650 S 568 W
OAKLEY ID 83346
(208)862-3482

Will this transfer result in an ownership change? ☒ Yes ☐ No

2. Current Water Right**Part 2 Attached for Each Right**

	Origin/Basis	Rate	Volume	Acres	Total	Source
45-2262	AJC/License	0.97 cfs	272.0 af	68.0		GROUND WATER
45-2437	AJC/License	2.00 cfs	432.0 af	561.0		GROUND WATER

3. Purpose of Transfer (Change Proposed)**Part 3A Attached for Each Proposed Right****Part 3B Attached for Each Split Right**

Right	Split	POD	POU	Add POD	Period of Use	Nature of Use
45-2262	NO	NO	YES	NO	NO	NO
45-2437	NO	NO	YES	NO	NO	NO

Describe the reason for the proposed changes

To complete the transfer process that was instigated with the purchase of the property. We purchased the groundwater rights with part of the farm and Craig Hawker purchased the rest of the farm with the Little Cottonwood Creek water rights and without any of the well water rights involved with this transfer. Our Oakley Canal Company water will be comingled with the well water rights involved with this transfer and utilized on the property.

4. FOR CHANGES IN NATURE OF USE ONLY

A. Describe the expected quantity of the return flows and location of discharge after the proposed change

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

5. Total Amounts Transferred

	Rate	Acres	Total	Volume
T4418 → 45-2262	0.97 cfs	68.0	196.0	272.0 af
T4419 45-2437	2.00 cfs	108.0	196.0	432.0 af
TOTAL	2.97 cfs	176.0	196.0	704.0 af

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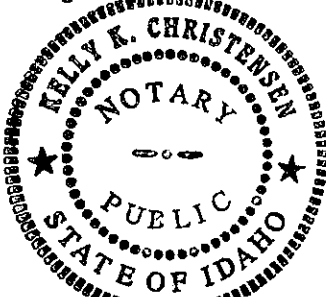
69682

Transfer No. 69682

Receipt No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1

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.



by PINEHILL RANCH & SHEEP CO
[Signature]
(Signature of Applicant)

SECRETARY
(Title or Office)

Subscribed and sworn to before me this 12th day of Feb, 2002

Kelly K. Christensen
(Notary Public)

My commission expires 3-11-04

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Transfer No. 69682
 Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 2**

Current Water Right No. 45-2262

Priority Date: 04/04/1950
 Origin: Adjudication Claim
 Basis: License
 Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01 10/31	0.97 CFS	272.0 AFA	
	Total Diversion	0.97 CFS	272.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Tw</u> <u>Range</u> <u>Section</u>	<u>1/4 of</u> <u>1/4 of</u> <u>1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	13S 22E 7	NESE		CASSIA

PLACE OF USE: IRRIGATION

<u>Tw</u> <u>Rge</u> <u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
13S 22E 20											30.0	38.0					68.0

Total Acres: 68

Conditions/Remarks:

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1. TRANS. 2628 WAS APPROVED TO MOVE THIS RIGHT TO A WELL AND LAND IN S. 19 T13S, R22E BUT THE WELL DEVELOPED DID NOT PROVE OUT SO THE USE HAS SINCE REVERTED BACK TO THE ORIGINAL LICENSED WELL & LAND. IT IS THE INTENT TO MOVE THIS RIGHT IN THE FUTURE TO ANOTHER WELL NEARBY IF ARRANGEMENTS CAN BE MADE TO USE THIS EXISTING WELL.

***** PURSUANT TO APPROVED TRANSFER 4418: A TOTALIZING MEASURING DEVICE OF A TYPE APPROVED BY THIS DEPARTMENT SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 4.0 AFA PER ACRE FOR THE LANDS ABOVE.

APPROVAL OF THIS TRANSFER IN NO WAY GRANTS ANY RIGHT-OF-WAY OR EASEMENT FOR USE OF A DELIVERY SYSTEM OWNED BY PERSON(S) OTHER THAN THE RIGHT OWNER.

THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL.

FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.

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.

THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF APPURTENANT SURFACE WATER RIGHTS, TO THE EXTENT THEY ARE AVAILABLE, IN CONJUNCTION WITH GROUNDWATER DIVERTED PURSUANT TO THIS RIGHT.

Documentation of Ownership of the Current Place of Use

WARRANTY DEEDS, QUIT CLAIM DEEDS, ETC.

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

YES

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Lands will still be irrigated with Oakley Canal Company water and some of the land (owned by Craig Hawker) will also be irrigated with Little Cottonwood Creek water.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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 Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 2**

Current Water Right No. 45-2437

Priority Date: 02/16/1953
 Origin: Adjudication Claim
 Basis: License
 Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	4/01 10/31	2.00 CFS	432.0 AFA	
	Total Diversion	2.00 CFS	432.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	13S	22E	7	NESE		CASSIA

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	22E	19	37.0	39.0	40.0		39.0		10.0	39.0	40.0	43.0	40.0	39.0		10.0	10.0		386.0
13S	22E	30					39.0	44.0	38.0	40.0		14.0							175.0
								L 1	L 2			L 3							

Total Acres: 561

Conditions/Remarks:

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1. ***** OWNERSHIP CHANGE & CONSUMPTIVE USE ADDED.

1/18/90 ADM ***** PURSUANT TO APPROVED TRANSFER 4419: A TOTALIZING MEASURING DEVICE OF A TYPE APPROVED BY THIS DEPARTMENT SHALL BE MAINTAINED AS A PART OF THE DIVERTING WORKS. THIS RIGHT WHEN COMBINED WITH ALL OTHER RIGHTS SHALL PROVIDE NO MORE THAN .02 CFS PER ACRE NOR MORE THAN 4.0 AFA PER ACRE FOR THE LANDS ABOVE.

APPROVAL OF THIS TRANSFER IN NO WAY GRANTS ANY RIGHT-OF-WAY OR EASEMENT FOR USE OF A DELIVERY SYSTEM OWNED BY PERSON(S) OTHER THAN THE RIGHT OWNER.

THE CHANGE AUTHORIZED BY THIS TRANSFER SHALL BE ACCOMPLISHED WITHIN ONE (1) YEAR OF THE DATE OF THIS APPROVAL.

FAILURE TO COMPLY WITH THE CONDITIONS OF THIS TRANSFER IS CAUSE FOR THE DIRECTOR TO ISSUE AN ORDER TO SHOW CAUSE WHY THE APPROVAL OF THE TRANSFER SHOULD NOT BE RESCINDED.

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.

THE RIGHT HOLDER SHALL USE THE FULL ALLOTMENT OF APPURTENANT SURFACE WATER RIGHTS, TO THE EXTENT THEY ARE AVAILABLE, IN CONJUNCTION WITH GROUNDWATER DIVERTED PURSUANT TO THIS RIGHT.

RIGHT NO. 45-02437 IS LIMITED TO THE IRRIGATION OF 108 ACRES IN THE PLACE OF USE DESCRIBED ABOVE IN A SINGLE IRRIGATION SEASON.

Documentation of Ownership of the Current Place of Use

WARRANTY DEED, Quit CLAIM DEEDS ETC.

Is this property subject to any liens, deeds of trust, mortgages, or contracts or other encumbrances?

YES

Describe the affect on the current place of use for this water right if the place of use is changed pursuant to this transfer

Land will continue to be irrigated with Oakley Canal Company water and some of the land (owned by Craig Hawker) will also be irrigated with Little Cottonwood Creek water.

To your knowledge, has any portion of the water right undergone a period of five(5) or more consecutive years of non-use?

NO

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Transfer No. 69682
 Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 45-2262

Priority Date: 04/04/1950
 Origin: Adjudication Claim
 Basis: License
 Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
Total Diversion		0.97 CFS	272.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	13S	22E	7	SENESE		CASSIA

Describe the proposed diversion system

Point of Diversion # 1 WELL & PUMP TO SPRINKLERS.

PLACE OF USE: IRRIGATION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	22E	19	38.0	39.0	40.0		39.0			40.0								196.0	

Total Acres: 196

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Transfer No. 69682
 Receipt No. _____

**IDAHO DEPARTMENT OF WATER RESOURCES
 APPLICATION FOR TRANSFER OF WATER RIGHT
 PART 3A**

Proposed Water Right No. 45-2437

Priority Date: 02/16/1953
 Origin: Adjudication Claim
 Basis: License
 Status: Active

Source: GROUND WATER

<u>Beneficial Use</u>	<u>From To</u>	<u>Diversion Rate</u>	<u>Volume</u>	<u>Subuse Code</u>
IRRIGATION	04/01 10/31	2.00 CFS	432.0 AFA	
	Total Diversion	2.00 CFS	432.0 AFA	

Source and Point(s) of Diversion:

<u>Source</u>	<u>Twp</u>	<u>Range</u>	<u>Section</u>	<u>1/4 of 1/4 of 1/4</u>	<u>Lot</u>	<u>County</u>
GROUND WATER	13S	22E	7	SENESE		CASSIA

Describe the proposed diversion system

Point of Diversion # 1 WELL & PUMP TO SPRINKLERS.

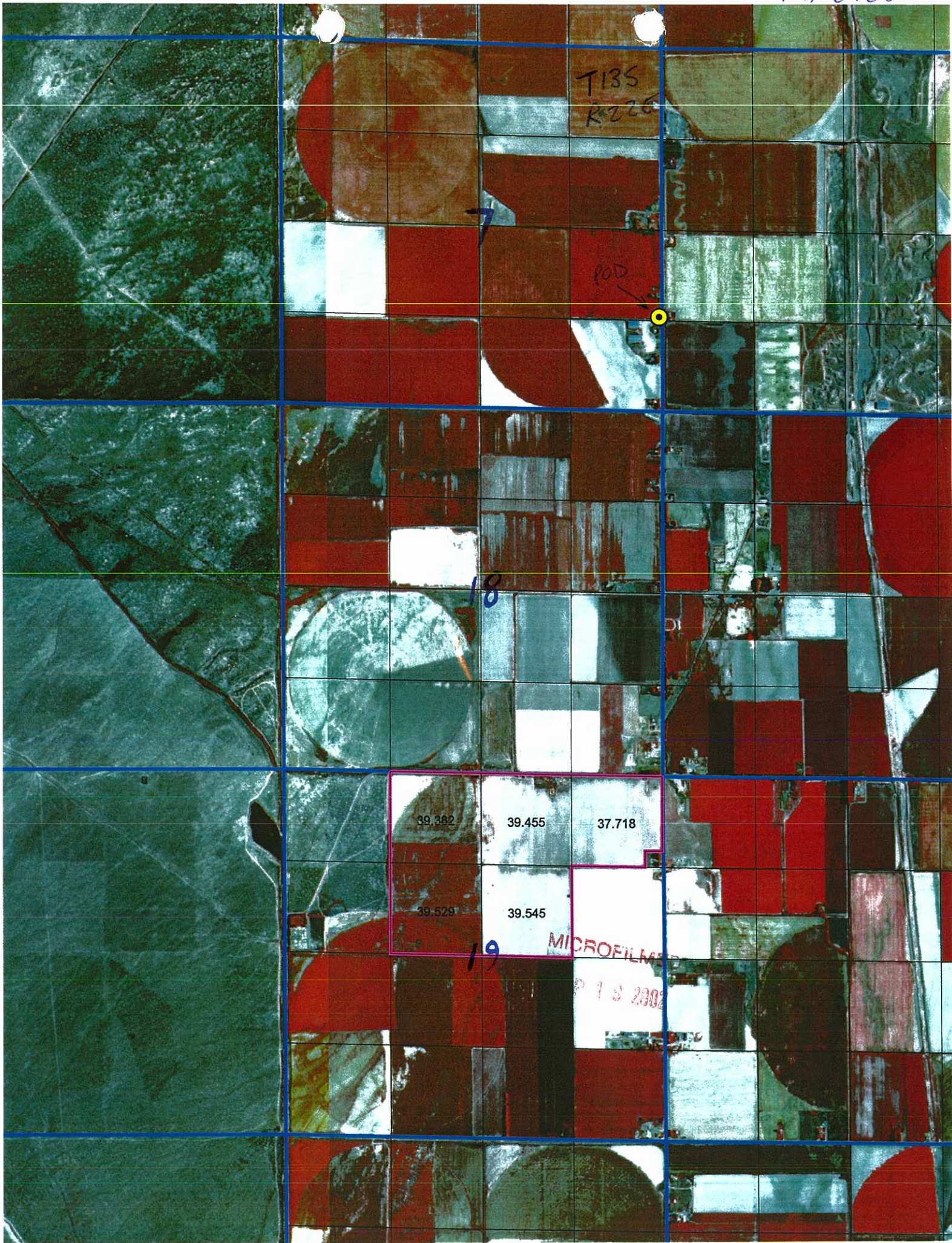
PLACE OF USE: IRRIGATION

<u>Twp</u>	<u>Rge</u>	<u>Sec</u>	<u>NE</u>				<u>NW</u>				<u>SW</u>				<u>SE</u>				<u>Totals</u>
			<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	<u>NE</u>	<u>NW</u>	<u>SW</u>	<u>SE</u>	
13S	22E	19	38.0	39.0	40.0		39.0			40.0								196.0	

Total Acres: 196

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SEP 19 2002



(19)

45-2437

39 40

45-2437

39

45-2437

37

(19)

(20)

45-2437

39 40

45-2437

40

45-2437
10

HAWKER
CLAIMS

45-179

WR

179

45-4177

177

45-12445

178

45-2437

43

45-2437

40

45-2437

10

40

45-2262

30

45-2437

40 46

45-2437

39 40

45-2437

10

20

20

45-2262

38

(19)

(19)

(30)

(30)

45-2437

44 46

45-2437

39 40

45-2437

38 46

45-2437

40 46

45-2437

14

45-2262 = 68 Ac.

45-2437 = 561 Ac.

(108 w/in)

176 Total

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SEP 19 2002



LANDS OWNED BY HAWKER



"PICKETT LANDS"

same well

PICKETT T#64682
HAWKER T#69686



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type
(see instructions on back of page)

DATE OF CLOSING: _____

LEGAL DESCRIPTION OF PROPERTY: Township 13 South Range 22 East
Section 7, SE 1/4 of NE 1/4 of SE 1/4, Govt. Lot _____, BM.
Lot _____, Block _____, Subdivision/Townsite _____
If you have additional legal descriptions, please attach separate sheet.

☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)

☒ Water Right Number(s) 45-02437 and 45-02262
Assigned by IDWR: _____

☒ Name and Address of Former Owner/Claimant(s)(Seller): Kyle R. Adams and Laurell M. Adams

1773 South 600 West

Oakley, Idaho 83346

☒ New Owner/Claimant (Purchaser): Pickett Ranch & Sheep Company

☒ New Mailing Address: 1650 South 570 West
Oakley, Idaho 83346

☒ New Telephone Number: (208) 862-3482

☐ Does the change in ownership result in a splitting of the water right owned/claimed? yes ☒ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

☒ Attach proof of ownership, describe proof attached: Warranty Deed

(proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☐ Signature of New Owner/Claimant(s) PICKETT RANCH & SHEEP COMPANY Date 12-01-98
Floyd Pickett, President Date _____

☐ Signature of Former Owner/Claimant(s): Kyle R. Adams Date 12-01-98
Laurell Adams Date 12-01-98

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: _____ By: _____

Further Action Needed:

Further Action Taken

Date: _____ By: _____

Final Review and Data-Entry

Date: _____ By: _____

Claim Numbers of Split, if any:

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

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SEP 19 2002

1 # 67600

CORRECTED WARRANTY DEED

DEED, made this 31st day of January 2002, between KYLE R. ADAMS and LAURELL ADAMS, husband and wife, of 12 Granata Place, Burley Idaho 83318, hereinafter called the "Grantor", and PICKETT RANCH & SHEEP COMPANY, an Idaho Corporation with office headquarters located at 1650 South 568 West, Oakley, Idaho 83346, hereinafter called the "Grantee."

The Grantor recites and declares:

1. This Corrected Warranty Deed is a correction of the water right description set out in an unrecorded Warranty Deed dated December 1, 1998, the original of which at the time of this correction is held by Land Title and Escrow, Inc., in Burley, Idaho pending Grantee's fulfillment of the terms and conditions of a contract of even date to purchase real estate.

FOR VALUABLE CONSIDERATION, paid to the Grantor by the Grantee, the receipt of which is hereby acknowledged, the Grantor hereby conveys to the Grantee, and to the successors and assigns of the Grantee, all of Grantor's right, title and interest in and to the following described real estate situated in the County of Cassia, State of Idaho, to-wit:

TOWNSHIP 13 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Parcel 1: Section 19: E $\frac{1}{2}$ NW $\frac{1}{4}$; W $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NE $\frac{1}{4}$ Excepting therefrom
therefrom the following described parcel:
Beginning at a point 65 rods South from the NE
corner thence West 14 rods;
Thence South 15 rods;
Thence East 14 rods;
Thence North 15 rods to the Point of Beginning.

Parcel 2: Section 19: Beginning at the Southwest Corner of the SE $\frac{1}{4}$ of
Section 19; thence running East 20 rods; thence
North 160 rods; thence West 20 rods; thence South
160 rods to the Point of Beginning.

DON F. PICKETT
ATTORNEY AT LAW
1659 S 600 W
OAKLEY, IDAHO 83346

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Parcel 3: Section 7: Beginning at the SE corner of the NE¼SE¼ of said Section 7, said corner marked by a P.K. Nail which shall be the Point of Beginning;
Thence North 88°51'19" West along the 1/16th section line for 77.89 feet to a ½ inch rebar;
Thence North 0°07'30" East for 51.97 feet to a ½ inch rebar;
Thence South 88°51'59" East for 77.89 feet to a P.K. Nail on section line;
Thence South 0°07'30" West along section line for 51.97 feet to the Point of Beginning.

EXCLUDING FROM the above parcels existing easements and right-of-ways on record at the Cassia County Recorder.

TOGETHER WITH all groundwater rights and pumping facilities located within the NE¼NE¼ of Section 7, Township 13 South Range 22 East, Boise Meridian, Water Right No. 45-02437 and 45-02262.

TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof and all estate, right, title and interest in and to the property.

TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the Grantee's successors and assigns forever. And the Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free and clear from all encumbrances and that Grantor will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, the Grantor has executed this Corrected Warranty Deed in the day and year first above written.

DON F. PICKETT
ATTORNEY AT LAW
1659 S 600 W
OAKLEY, IDAHO 83346

CORRECTED WARRANTY DEED -- Page 2

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SEP 19 2002

Kyle R. Adams
KYLE R. ADAMS

Laurell Adams
LAURELL ADAMS

[illegible]

On this 31 day of January, in the year 2002, before me, the undersigned, a Notary Public in and for said State, personally appeared KYLE R. ADAMS and LAURELL ADAMS, husband and wife, known to me to be the persons whose names are subscribed to the foregoing 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 first above written.

BARBARA EHLE
☆ NOTARY PUBLIC ☆
STATE OF IDAHO

RESIDING AT BURLEY, ID
MY COMMISSION EXPIRES 6-12-2003

Barbara Ehle
Notary Public for Idaho
Residing at: Burley, Idaho
My Commission Expires: 6-12-2013

ADDENDUM TO REAL ESTATE CONTRACT

ADDENDUM made this 14th day of December, 2001 by and between KYLE R. ADAMS and LAURELL ADAMS, husband and wife, of 12 Granada Place, Burley, Idaho 83318 ("Adams") and PICKETT RANCH & SHEEP COMPANY, an Idaho Corporation, of 1650 South 568 West, Oakley, Idaho 83346 ("Pickett").

RECITALS

A. The parties hereto have entered into a Real Estate Contract dated July 29, 1999, for the sale of certain real estate which includes all groundwater rights and pumping facilities located within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 7, Township 13 South Range 22 East, Boise Meridian, Water Right No. 45-02437 and 45-02262;

B. The said Real Estate Contract contemplates installments payments from Pickett to Adams through and including August 1, 2003, at which time the purchase price shall be paid in full and Pickett shall be entitled to a Warranty Deed from Adams, which Warranty Deed is presently held in escrow by Land Title and Escrow, Inc., in Burley, Idaho, pending Pickett's final payment and compliance with all other terms and conditions of the said contract; and

C. Pickett desires to transfer and Adams is willing to authorize the transfer of all or a portion of the said water rights to parcels of ground in addition to the property being conveyed by Adams to Pickett in the said Real Estate Contract.

WITNESSETH:

In consideration of ten dollars and other good and valuable consideration from Pickett to Adams, receipt of which is hereby acknowledged but not receipted, and the mutual covenants, representations, warranties and agreements herein set forth, the parties agree as follows:

1. Grant of Special Power of Attorney. Adams does hereby agree to designate and appoint in a separate document David J. Pickett, acting as Secretary of Pickett Ranch & Sheep Company as their attorney in fact, to act for them without limitation in their name, place and stead for the purposes of transferring the aforementioned Water Right Number 45-02437 and Water Right Number 45-02262 to any parcel or parcels of real property the said attorney in fact or deems to be in the best interest of Pickett Ranch & Sheep Company. He shall have full power to do and perform all and every act that Adams may legally do in the transfer of said water rights. Every proper power that may lawfully be granted an attorney in fact for the transfer of water to Title 42 of Idaho Code and in particular Idaho Code § 42-108 shall therein be granted.

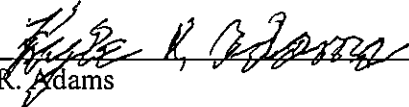
2. Reconveyance in Event of Default. In the event of default by Pickett on any term or condition of the aforementioned Real Estate Contract, if Pickett shall fail to cure any default after having received proper notice as described therein, Pickett hereby agrees to relinquish any right

or interest in the said water rights to Adams and further, at Pickett's expense, to promptly execute all documents necessary to seek and obtain a transfer of said water rights back to the original place of use.

All other terms and conditions of the Contract of Sale, including but not limited to the purchase price stated therein, shall remain unchanged and in full force and effect.

IN WITNESS WHEREOF, the parties hereto have entered into this Addendum to Real Estate Contract the day and year first above written.

ADAMS:



Kyle K. Adams

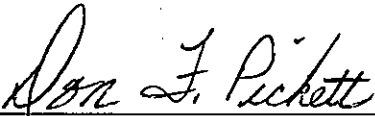


Laurell Adams

PICKETT:

PICKETT RANCH & SHEEP COMPANY

By:



Don F. Pickett, President

Attest:



David J. Pickett, Secretary

SPECIAL POWER OF ATTORNEY

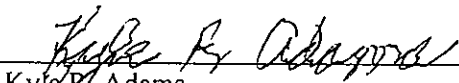
We, **KYLE R. ADAMS and LAURELL ADAMS**, of 12 Granata Place, Burley, Idaho 83318, designate and appoint **DAVID J. PICKETT**, acting in his official capacity as Secretary of Pickett Ranch & Sheep Company, a corporation located at 1650 South 568 West, Oakley, Idaho 83314, as our attorney in fact to act in our name without limitation for the purpose of transferring Water Right Number 45-02437 and Water Right Number 45-02262, as described in the official records of Idaho Department of Water Resources, from the existing place of use to any parcel or parcels of real property our said attorney in fact desires or deems to be in the best interest of Pickett Ranch & Sheep Company. He shall have full power to do and perform all and every act that we may legally do in our own name in the transfer in place of use of said water rights. Every proper power that may lawfully be granted an attorney in fact for the transfer in place of use of water right pursuant to Title 42 of Idaho Code and in particular pursuant to Idaho Code § 42-108 is granted hereby. I grant to my Agent full power and authority to do everything necessary in exercising any of the powers herein granted as fully as I might or could do if personally present and fully competent, hereby ratifying and confirming all that my Agent shall lawfully do or cause to be done by virtue of this power of attorney and the powers herein granted.

This is a Special Power of Attorney, and the powers hereby granted are to be exclusively used for the transfer of said Water Right numbers 45-02437 and 45-02262, and for no other purpose.

This power of attorney is revocable, provided, that insofar as any governmental agency (including but not limited to Idaho Department of Water Resources), court, bank, trust company, insurance company, transfer agent, escrow agent, closing agent or other person shall rely upon this power, this power may be revoked only by a notice in writing executed by me or my attorney in fact and delivered to such person or institution.

IN WITNESS WHEREOF, I have executed this General Power of Attorney this 14th day of December, 2001.

ADAMS:



Kyle R. Adams

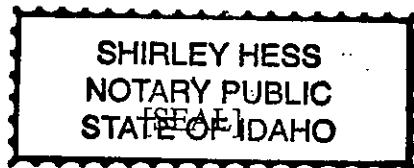


Laurell Adams

STATE OF IDAHO)
) ss
County of Cassia)

On this 14th day of December, in the year 2001, before me, the undersigned, a Notary Public in and for said State, personally appeared KYLE R. ADAMS and LAURELL ADAMS, husband and wife, known or identified by me to be the persons whose names are subscribed to the within and foregoing 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.



Shirley Hess
Notary Public for the State of Idaho
Residing at: Burley Id
My Commission Expires: 2/14/06

146760
RECEIVED
FEB 07 2002
Department of Water Resources
Southern Region

QUITCLAIM DEED

DEED, made this 5th day of February, 2002, by and between CRAIG S. HAWKER and RENAE B. HAWKER, husband and wife, of 2927 North 4300 East, Murtaugh, Idaho 83344, hereinafter called the "Grantor", and PICKETT RANCH & SHEEP COMPANY, a corporation organized and existing under the laws of the State of Idaho, of 1650 South 568 West, Oakley, Idaho 83346, hereinafter called the "Grantee".

RECITALS:

1. Within the past five years, Kyle R. Adams and Laurell M. Adams, husband and wife (herein "Adams"), sold various parcels of real property to the parties herein without adequately clarifying ownership of groundwater rights in respective deeds of conveyance.

2. The parties hereto acknowledge that all groundwater or groundwater rights and pumping facilities located within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, Township 13 South Range 22 East, Boise Meridian, Water Right Numbers 45-02437 and 45-02262, are intended to belong to Grantee, and that Grantor holds no right, title or interest in said groundwater.

3. That real property acquired by Grantor from Adams to which this quitclaim deed of groundwater applies is described as follows:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN

NOW THEREFORE, the said Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other valuable consideration to Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged but not receipted, does by these presents remise, release, and forever quitclaim unto the Grantee and to the heirs and assigns of Grantee all of the Grantor's interest in that groundwater or groundwater rights, together with pumping facilities, described as follows, to-wit:

DON F. PICKETT
ATTORNEY AT LAW
1659 S 600 W
OAKLEY, IDAHO 83346

~~MICROFILMED~~
QUITCLAIM DEED Page 1

SEP 19 2002

SEP 19 2002

EXHIBIT "A"

TOWNSHIP 13 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Parcel 1: Section 19: SW¼

Parcel 2: Section 20: W½SW¼

EXCEPTING THEREFROM the following described tract:

Beginning at the Southwest corner of said Section 20, said corner marked by a 5/8 inch rebar with a 3 inch Cassia County Survey cap on top which shall be the Point of Beginning;
Thence North 00°00'41" East along the West section line for a distance of 300.00 feet;
Thence South 89°14'18" East for a distance of 25.00 feet to a ½ rebar;
Thence South 89°14'18" East for a distance of 60.38 feet to a ½ rebar;
Thence South 44°27'39" East for a distance of 306.32 feet to a ½ rebar;
Thence South 00°00'41" West for a distance of 59.22 feet to a ½ rebar;
Thence South 00°00'41" West for a distance of 25.00 feet to a point on the South section line;
Thence North 89°14'18" West along said line for a distance of 300.00 feet to the Point of Beginning.

Parcel 3: Part of the SW¼SW¼, more particularly described as follows:

Beginning at the Southwest corner of said Section 20, said corner marked by a 5/8 inch rebar with a 3 inch Cassia County Survey cap on top; Thence North 00°00'41" East along the West section line for a distance of 27.00 feet to the Point Of Beginning;
Thence North 00°00'41" East continuing along said line for a distance of 20.00 feet;
Thence North 89°18'42" East for a distance of 155.94 feet;
Thence North 66°36'12" East for a distance of 20.48 feet;
Thence North 38°21'14" East for a distance of 106.51 feet;
Thence South 44°27'39" East for a distance of 20.16 feet;
Thence South 38°21'14" West for a distance of 109.02 feet;
Thence South 66°36'12" West for a distance of 29.52 feet;
Thence South 89°18'42" West for a distance of 160.20 feet to the Point Of Beginning.

Parcel 4: Section 30: Lots 1, 2 & 3 and the E½NW¼

QUITCLAIM DEED

DEED, made this 4 day of February, 2002, by and between OAKLEY CEMETERY DISTRICT, a/k/a Oakley Valley Cemetery Maintenance District, a/k/a Oakley Valley Cemetery District, a body politic and corporate situated within the County of Cassia, State of Idaho, of c/o George K Wells, 2073 Pole Line Road, Oakley, Idaho 83346, hereinafter called the "Grantor", and PICKETT RANCH & SHEEP COMPANY, a private Idaho corporation, of 1650 South 568 West, Oakley, Idaho 83346, hereinafter called the "Grantee".

RECITALS:

1. Kyle R. Adams and Laurell M. Adams, husband and wife (herein "Adams"), entered into a contract in the year 1998 for the sale of certain real property to Grantee, which real property included a pivot sprinkler irrigation system that, for a relatively short time, lapped over and irrigated approximately ten acres of certain real property belonging to and vested in the name of Grantor within Lot 2 of the Northwest Quarter of Section 19, Township 13 South Range 22 East of Boise Meridian; and

2. Since Grantee has taken possession of the parcel on which the said pivot irrigation system is located pursuant to said contract, Grantee has not, to the best of Grantor's knowledge and belief, diverted any water from said pivot irrigation system on any of the real property of Grantor; and

3. Given the circumstances under which said water was appropriated on the land of Grantor, Grantor claims no right, title or interest in any water or water rights described herein as having been diverted or appropriated by Adams on said land belonging to or vested in Grantor; and

4. Under such circumstances as described above, Grantor is authorized under the statutes of the State of Idaho to disclaim any ownership interest in said water and quitclaim unto Grantee any and all right, title or interest in said water or water rights without contravening Idaho Code § 27-118 relating to procedures for sale or exchange of property; and

5. Whereas, to the extent Idaho Code § 27-118 may apply to this conveyance, it is the opinion of Grantor that the value of this conveyance does not exceed Five Hundred Dollars (\$500.00), and as such Grantor may quitclaim to Grantee any interest that it may otherwise claim without independent appraisal, notice or competitive bids.

NOW THEREFORE, the said Grantor, for and in consideration of the sum of Ten Dollars (\$10.00), lawful money of the United States of America, and other valuable consideration to Grantor in hand paid by the Grantee, the receipt whereof is hereby acknowledged but not receipted, does hereby remise, release, and forever quitclaim unto the Grantee and to the successors and assigns of Grantee all of the Grantor's interest, if any, in that groundwater or in those groundwater rights described as follows, to-wit:

All groundwater or groundwater rights presently licensed by Idaho Department of Water Resources in the name of KYLE R. ADAMS, a/k/a Kyle Adams and LAURELL M. ADAMS, a/k/a Laurell Adams, husband and wife, and/or Grantor for groundwater diverted from the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 7, Township 13 South Range 22 East, Boise Meridian, more particularly described as Water Right Numbers 45-02437 and 45-02262.

TO HAVE AND TO HOLD all and singular the said groundwater rights and pumping facilities unto the Grantee, and to the successors and assigns of Grantee forever.

IN WITNESS WHEREOF, the Grantor, pursuant to a formal resolution of its Board of Directors, has executed this Quitclaim Deed the day and year first above written.

OAKLEY CEMETERY DISTRICT

By: George K Wells
George K Wells, Chairman

Attest: Carol Wells, Secretary
Carol Wells, Secretary

WARRANTY DEED

T # 69682

#30918

For Value Received

KYLE ADAMS, also known as Kyle R. Adams, and LAURELL ADAMS, also known as Laurell M. Adams, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto

CRAIG S. HAWKER and RENAE B. HAWKER, husband and wife

Address: 2917 North 4300 East
Murtaugh, Idaho 83344

Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho, to-wit:

TOWNSHIP 13 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 30: Lots 1, 2 & 3 and the E $\frac{1}{2}$ NW $\frac{1}{4}$

TOGETHER WITH all water and water rights including but not limited to 225 shares in Oakley Canal Company, 1 share in Marion Pipeline Company, and all water rights under State of Idaho Water Adjudication Nos. A45-12445, A45-04177 and A45-00179.

SUBJECT TO:

All reservations in patents or deeds in the chain of title.

Taxes subsequent to the year 1998.

Power Line Easement from Lyman P. Adams and Mrs. Verla H. Adams, his wife, Grantors to Idaho Power Company, a corporation, it's licensees, successors and assigns, Grantee, dated August 21, 1953 and recorded as Instrument No. 180384 in Book 15 of Miscellaneous on Page 26, records of Cassia County, Idaho.

Oil and Gas Lease between Kyle R. Adams and Laurell M. Adams, husband and wife and Inca Oil and Gas, dated April 1, 1981 and recorded May 6, 1981 as Instrument No. 134718 on Film No. 142, records of Cassia County, Idaho. (Lot 1 & E $\frac{1}{2}$ NW $\frac{1}{4}$, Section 30, Township 13 South, Range 22 East of the Boise Meridian.) ASSIGNMENT OF OVERRIDING ROYALTY from Inca Oil & Gas, Inc., to Alan R. Hansen et al dated May 5, 1983 and recorded June 11, 1983 as Instrument No. 153317 on Film No. 138, records of Cassia County, Idaho.

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TO HAVE AND TO HOLD, the said premises, with their appurtenances unto the said Grantee and to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are free from all incumbrances except as above described and that Grantor will warrant and defend the same from all lawful claims whatsoever.

Dated: November 30, 1998

Kyle R. Adams
Kyle Adams, aka Kyle R. Adams

Laurell M. Adams
Laurell Adams, aka Laurell M. Adams

STATE OF IDAHO)
COUNTY OF Cassia) ss.

On this 30th day of November, 1998, before me, the undersigned, a Notary Public in and for said State, personally appeared KYLE ADAMS and LAURELL ADAMS, known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

LARRY ROBERTS
☆ NOTARY PUBLIC ☆
STATE OF IDAHO
RESIDING AT BURLEY, ID
COMMISSION EXPIRES 6-30-03

[Signature]
Notary Public
Residing at: Burley, ID
My Commission expires: 6-30-03

RECORDED AT THE REQUEST OF
LAND TITLE & ESCROW
FILM 305
1998 DEC - 1 A 11:41
CASSIA COUNTY, IDAHO
DANIEL M. ROSKELLEY
RECORDER
FEE 600 DEPUTY KH
LAND TITLE & ESCROW
259344

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SEP 19 2002

TAKE CHECK PAYABLE TO: 2001 TAX BILL/RECEIPT 7# 69682 PARCEL NUMBER
AYLE EREKSON RP13S22E077
CASSIA COUNTY TAX COLLECTOR BILL# 13250 CODE AREA 15-00 L
459 OVERLAND PH: 878-7202
URLEY, ID 83318

1ST HALF DUE	2ND HALF DUE	FULL DUE	TOT MV
TAX .20	TAX .20	TAX .40	
LATE	LATE	LATE	
INT	INT	INT	
COST	COST	COST	WAC
TOT	TOT	TOT	TOT ACS

ADAMS KYLE R ETUX
% PICKETT RANCH & SHEEP CO
1650 SOUTH 570 WEST
OAKLEY ID 83346

TAXING DISTRICT	RATE
COUNTY	.003197485
SCH DIST 151	.006381862
OAKLEY HWY	.001673667
OAKLEY CEM	.000130090
OAKLEY FIRE	.000558694
FLOOD DIST 16	.000099270
OAKLEY LIB	.000113807
OAKLEY REC	.000195988
AMOUNT DUE	.012350863

T 5447 (NESE)
S 7 T 13 R 22
"WELL SITE"

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK
*** MONTHLY PAYMENTS ARE ACCEPTED ***

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

BRING ENTIRE NOTICE WHEN PAYING IN PERSON

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

% PICKETT RANCH & SHEEP CO 2001
13250



AMOUNT DUE .20

CASSIA COUNTY
RP13S22E077790A
15-00

MICROFILMED LATE
SEP 19 2002 COST
TOT

DELINQUENT IF NOT PAID ON OR BEFORE

JUNE 20, 2002

DATE PAID
PAID BY

CHECK #
CASH

K&E CHECK PAYABLE TO:
YLE EREKSON
SSIA COUNTY TAX COLLECTOR
59 OVERLAND PH: 878-7202
RLEY, ID 83318

2001 TAX BILL/RECEIPT

PARCEL NUMBI
RP13S22E1980
11.

BILL# 13355 CODE AREA 15-00 L

	1ST HALF DUE	2ND HALF DUE	FULL DUE	TOT MV
X	69.08	TAX 69.08	TAX 138.16	11.
TE		LATE	LATE	
IT		INT	INT	
ST		COST	COST	WAC
T		TOT	TOT	TOT ACS 19

ADAMS KYLE R ETUX
% PICKETT RANCH & SHEEP CO
1650 SOUTH 570 WEST
OAKLEY ID 83346

TAXING DISTRICT	RATE	AMT
COUNTY	.003197485	3
SCH DIST 151	.006381862	7
OAKLEY HWY	.001673667	1
OAKLEY CEM	.000130090	
OAKLEY FIRE	.000558694	
FLOOD DIST 16	.000099270	
OAKLEY LIB	.000113807	
OAKLEY REC	.000195988	
AMOUNT DUE	.012350863	13

T 4319 (W1/2SE)
S 19 T 13 R 22

20 ACRES

*** IMPORTANT ***

PLEASE READ BOTH FRONT AND BACK

*** MONTHLY PAYMENTS ARE ACCEPTED ***

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.

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ING ENTIRE NOTICE WHEN PAYING IN PERSON

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

PICKETT RANCH & SHEEP CO

2001
13355



AMOUNT DUE 69.08

SSIA COUNTY
13S22E198000A
15-00

LATE
INT
COST
TOT

MICROFILMED
SEP 19 2002

NUENT IF NOT PAID ON OR BEFORE

JUNE 20, 2002

ATE PAID
AID BY

CHECK #
CASH

CHECK PAYABLE TO:
KYLE EREKSON
MISSIA COUNTY TAX COLLECTOR
159 OVERLAND PH: 878-7202
ORLEY, ID 83318

2001 TAX BILL/RECEIPT

BILL# 13349 CODE AREA 15-00 L

PARCEL NUMB
RP13S22E192
44

	1ST HALF DUE	2ND HALF DUE	FULL DUE	TOT MV	
TAX	276.50	TAX 276.50	TAX 553.00		44
LATE		LATE	LATE		
INT		INT	INT		
COST		COST	COST	WAC	
TOT		TOT	TOT	TOT ACS	79

ADAMS KYLE R ETUX
% PICKETT RANCH & SHEEP CO
1650 SOUTH 570 WEST
OAKLEY ID 83346

TAXING DISTRICT	RATE	AM
COUNTY	.003197485	14
SCH DIST 151	.006381862	28
OAKLEY HWY	.001673667	7
OAKLEY CEM	.000130090	
OAKLEY FIRE	.000558694	2
FLOOD DIST 16	.000099270	
OAKLEY LIB	.000113807	
OAKLEY REC	.000195988	
AMOUNT DUE	.012350863	55

E1/2NW
19-13-22

80 ACRES

*** IMPORTANT ***
PLEASE READ BOTH FRONT AND BACK
*** MONTHLY PAYMENTS ARE ACCEPTED ***

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.
TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.
KEEP TOP PORTION FOR YOUR RECORDS.
PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

BRING ENTIRE NOTICE WHEN PAYING IN PERSON

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

PICKETT RANCH & SHEEP CO 2001
13349



AMOUNT DUE 276.50

MISSIA COUNTY
13S22E192400A
15-00

LATE
INT
COST
TOT

MICROFILMED
SEP 19 2002

DELINQUENT IF NOT PAID ON OR BEFORE

JUNE 20, 2002

DATE PAID
PAID BY

CHECK #
CASH

TAKE CHECK PAYABLE TO:
AYLE EREKSON
ASSIA COUNTY TAX COLLECTOR
459 OVERLAND PH: 878-7202
URLEY, ID 83318

2001 TAX BILL/RECEIPT

BILL# 13345 CODE AREA 15-00

PARCEL NUMBER
RP13S22E19C
66

1ST HALF DUE	2ND HALF DUE	FULL DUE	TOT MV	
AX 408.21	TAX 408.21	TAX 816.42		66
ATE	LATE	LATE		
NT	INT	INT		
OST	COST	COST	WAC	1
OT	TOT	TOT	TOT ACS	117

ADAMS KYLE R ETUX
% PICKETT RANCH & SHEEP CO
1650 SOUTH 570 WEST
OAKLEY ID 83346

TAXING DISTRICT	RATE	AMOUNT
COUNTY	.003197485	21
SCH DIST 151	.006381862	42
OAKLEY HWY	.001673667	13
OAKLEY CEM	.000130090	
OAKLEY FIRE	.000558694	
FLOOD DIST 16	.000099270	
OAKLEY LIB	.000113807	
OAKLEY REC	.000195988	
AMOUNT DUE	.012350863	81

80 40
W1/2NE T 1489
S 19 T 13 R 22

APP 120
ACR 65

*** IMPORTANT ***

PLEASE READ BOTH FRONT AND BACK

*** MONTHLY PAYMENTS ARE ACCEPTED ***

PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE
APPLIED TO THE OLDEST DELINQUENT YEAR.

TO AVOID LATE CHARGES, PAYMENTS MUST BE
RECEIVED OR POSTMARKED BY THE DUE DATE.

KEEP TOP PORTION FOR YOUR RECORDS.

PERSONAL CHECKS ARE YOUR RECEIPT
SUBJECT TO BANK CLEARANCE.

BRING ENTIRE NOTICE WHEN PAYING IN PERSON

FOR PROPER CREDIT THIS STUB MUST BE RETURNED WITH PAYMENT
PERSONAL CHECKS ARE SUBJECT TO BANK CLEARANCE

PICKETT RANCH & SHEEP CO

2001
13345



AMOUNT DUE 408.21

ASSIA COUNTY
RP13S22E190000A
15-00

LATE
INT
COST
TOT

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SEP 19 2002

DELINQUENT IF NOT PAID ON OR BEFORE

JUNE 20, 2002

DATE PAID
PAID BY

CHECK #
CASH



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

August 29, 2002

PICKETT RANCH & SHEEP CO
1650 S 568 W
OAKLEY ID 83346

RE: Transfer No.: 69682 - Water Rights 45-2262, 45-2437 - Transfer Approval Notice

Dear Water Right Holder(s):

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

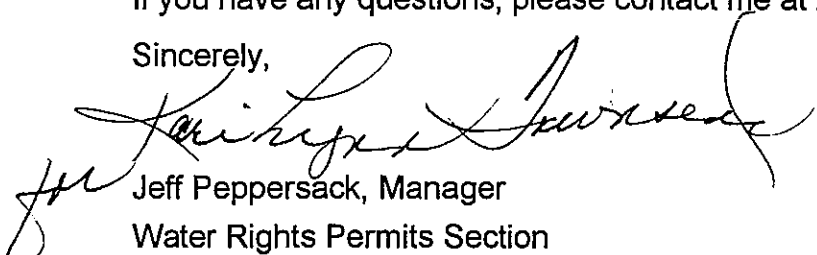
The Transfer of Water Right(s) is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless the APPLICANT petitions for reconsideration or files an exception and/or brief within fourteen (14)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

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

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

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

Sincerely,


Jeff Peppersack, Manager
Water Rights Permits Section

JP:klt

Enclosure(s)

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CERTIFICATE OF SERVICE

I hereby certify that on August 29, 2002 I mailed a true and correct copy, postage prepaid, of the foregoing TRANSFER APPROVAL to the person(s) listed below:

RE: TRANSFER NO. 69682 - WATER RIGHTS 45-2262, 45-2437

**PICKETT RANCH & SHEEP CO
1650 S 568 W
OAKLEY ID 83346**


**Kari Lynn Townsend
Secretary**

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**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

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SEP 19 2002

RECEIVED

MAY 29 2002

Department of Water Resources

MEMO

FROM: Allen Merritt

Am

DATE: May 24, 2002

TO: Transfer File No. T69682

In the name of: Pickett Ranch & Sheep Co

Water Right(s): 45-2262
45-2437

SUBJECT: Review and Recommendation

This transfer places these two rights into a 196 acre PPU. Review of original licenses and previous transfers seemed to indicate that rights have been used supplemental to Oakley Canal Co shares. I instructed Corey to evaluate the potential for expansion involving the use or non use of canal shares on the new PPU. Corey has completed the evaluation (Find enclosed). If canal shares are maintained on the property at the historical density then there should not be potential for expansion of use.

The transfer was processed without protest.

Recommendation

I recommend that this transfer be approved subject to the following conditions:

WATER RIGHT NO. 45 2262

- W27 This right is limited to the irrigation of 68 acres within the place of use described above in a single irrigation season.
- W35 Rights 45-2262 and 45-2437 when combined shall not exceed a total diversion rate of 2.97 cfs, a total annual maximum diversion volume of 704 af at the field headgate, and the irrigation of 176 acres within the above described place of use.
- GEN The right holder shall maintain control of a minimum of 0.97 shares in the Oakley Canal Company per acre on all lands covered by this transfer to maintain the historically established supplemental nature of this ground water use to avoid expansion of use.
- 100 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted for irrigation purposes under this right and shall only divert groundwater under this right for irrigation purposes when water from the appurtenant surface water rights cannot be delivered to the right holder.
- R64 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.
- T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.

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SEP 19 2002

69682

- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
- T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

WATER RIGHT NO. 45 2437

- W27 This right is limited to the irrigation of 108 acres within the place of use described above in a single irrigation season.
- W35 Rights 45-2262 and 45-2437 when combined shall not exceed a total diversion rate of 2.97 cfs, a total annual maximum diversion volume of 704 af at the field headgate, and the irrigation of 176 acres within the above described place of use.
- GEN The right holder shall maintain control of a minimum of 0.97 shares in the Oakley Canal Company per acre on all lands covered by this transfer to maintain the historically established supplemental nature of this ground water use to avoid expansion of use.
- 100 The right holder shall use the full allotment of appurtenant surface water rights in conjunction with groundwater diverted for irrigation purposes under this right and shall only divert groundwater under this right for irrigation purposes when water from the appurtenant surface water rights cannot be delivered to the right holder.
- R64 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.
- T07 The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
- T08 Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
- T09 Approval of this transfer does not preclude the opportunity for review of the validity of this water right in the ongoing Snake River Basin Adjudication.
- T19 Pursuant to Section 42-1412(6), Idaho Code, this water right is subject to such general provisions necessary for the definition of the rights or for the efficient administration of water rights as may be determined by the Snake River Basin Adjudication court at a point in time no later than the entry of the final unified decree.

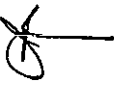
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SEP 19 2002

Memorandum

To: TRANSFER #69682 (Pickett Ranch & Sheep)

CC: 43-2262 & 43-2437

From: Jeanie Robertson 

Date: 4/26/2002

Re: AJ Review & Recommendation

I recommend approval of this transfer. It will resolve the ownership issues of these rights now that the groundwater and surface water of the rights were sold to different buyers. My recommendations prior to this transfer would have to be based on the two previously approved transfers (#4418 for right 43-2262 and #4419 for right 43-2437, both approved in May of 1995, and which do not reflect the current ownership of the property and water rights. As far as the previous transfers' remarks stating that the surface water must be used prior to the groundwater, I agree with Corey's analysis that the Picketts also have canal shares and so the groundwater will still be supplemental, and perhaps, as he noted, used even less.

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MEMORANDUM

TO: Transfer # 69682 File

FROM: Corey Skinner *CS*

DATE: April 24, 2002

SUBJECT: Possible Expansion of Supplemental Groundwater Analysis

Recently the issue of possible expansion in use before and after Transfer #69682 arose regarding the use of well water with canal water before the transfer, and after the transfer. Transfer #69682, filed by Pickett Ranch & Sheep Company, proposes changing the place of use of groundwater rights 45-2262 and 45-2437. The proposed change in place of use consists of reducing an existing permissible place of use for right 45-2437 from 561 acres to 196 acres, and changing the place of use of right 45-2262 by moving it from an existing 68-acre place of use to the proposed 196 acre permissible place of use with right 45-2437.

The application should be fairly straightforward, but the original farm (owned by Kyle Adams) covered by rights 45-2262 and 45-2437 was sold to two different buyers, with one of the buyers (Pickett Ranch & Sheep Company) obtaining just the groundwater rights appurtenant to the entire farm and the other buyer (Craig Hawker) obtaining just the surface water (Oakley Canal Company shares and Little Cottonwood Creek water) appurtenant to the entire farm. Pickett Ranch & Sheep Company plans on using their existing canal water shares currently used on their other farms with the recently purchased rights 45-2262 and 45-2437 on the portion of the original Adams farm they purchased. This shuffling of groundwater and surface water raises the issue of possible expansion in the use of groundwater after the purchase and subsequent transfer of the groundwater rights.

Examination of various deeds in the Transfer #69682 file and in the SRBA claim 45-179 file reveals that the currently recorded place of use of groundwater rights 45-2262 and 45-2437 had 610.8 shares of Oakley Canal Company water that was apparently used on the property by Kyle Adams prior to the sales to Pickett Ranch & Sheep Company and Mr. Hawker. The currently recorded place of use of right 45-2262 is 68 acres and the currently recorded place of use of right 45-2437 consists of a 561-acre permissible place of use (use of right 45-2437 limited to 108 acres in PPU). Therefore, it appears that prior to the splitting of the Adams farm, the ratio of shares of canal water to acres under the groundwater rights was approximately 0.97 shares per acre (610.8 / 629 acres).

When the property was split and sold to Pickett Ranch & Sheep Company and Mr. Hawker, Pickett Ranch & Sheep Company purchased approximately 196 acres of the original 561 acres covered under the groundwater rights, with Mr. Hawker purchasing the

SEP 19 2002

remaining 365 acres of the original 561 acres covered under the groundwater rights. As previously mentioned Pickett Ranch & Sheep Company purchased just the groundwater rights with their portion of the original farm, and Mr. Hawker purchased just the surface water. Transfer #69682 proposes moving the groundwater rights 45-2262 and 45-2437 to just the portion of the original farm purchased by Pickett Ranch & Sheep Company. Transfer application #69682 states that "our Oakley Canal Company water will be commingled with the well water rights involved with this transfer and utilized on the property".

By comparing the amount of canal water available to the farm prior to the splitting and sale of the original farm and the amount of canal water available to the proposed place of use after transfer #69682, light is shed on the possible expansion issue. David Pickett recently provided information regarding the number of acres and number of Oakley Canal Company shares currently utilized by Pickett Ranch & Sheep Company. Currently, Pickett Ranch & Sheep Company utilizes 2,292.9 shares on 1402.3 acres for a share to acre ratio of approximately 1.64 shares per acre. Adding in the 196 acres proposed by transfer # 69682 would bring the total acres to be covered by the Pickett's Oakley Canal Company shares to 1,598.3 acres. Using the same number of shares (2,292.9 shares) currently used by the Pickett's and the proposed 1,598.3 acres, results in a share to acre ratio of approximately 1.43 shares per acre. Note that prior to the splitting up of the Adams farm that the shares of canal water per acre under the groundwater rights ratio was approximately 0.97 shares per acre. Since the Picketts have more canal water available to be utilized with the groundwater than what Mr. Adams had, then it appears that the well that serves as the point of diversion for rights 45-2262 and 45-2437 may actually be used less than what it has been over the last several years.

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SEP 19 2002

TO: IDAHO DEPARTMENT OF WATER
RESOURCES

FROM: PICKETT RANCH

ATTN: LOREY SKINNER

DATE: 4/19/2

TIME: 11:50 AM

PAGES: 5 INCLUDING COVER

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SEP 19 2002

1999

bills

1971.34 shown Puckett Ranch
 → 120.00 shown Chalbury (RENTED)
 114.56 shown From J.R. Morton Purchase
 → 87.0 shown (Kloger Wake (RENTED))
 2292.90

Total shown -

OKELBERRY 121.5
 BARBARA 53.9
 S. Sessions 141.3
 N. Sessions 138.3
 BARNES 147.1
 Maloy Pratt 130.1
 Scott Fiddell 126.5
 Smith 33.9
 MARTIN 35.3
 F.P. Linn 31.0
 Groby 74.8
 Herald 18.0
 Mary HD 34.0
 Helms 61.9
 Briggs 11.0
 LARREY 70.0
 WADE 35.5
 Church Farm 138.4

1.6351 shown / ALMS
 1402.31 2292.90

David Pickett
 431-0656

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 SEP 19 2002

1402.3 ALMS

* BASED ON SYSTEM AT TIME OF ADAMS PURCHASE

Accounts Reports Profiles Forecasts Systems About Links Maps Outages PI System Dow

Customer Account Query Results (27)

Account #	Name	Address	Area	Division	USA	Rate	Statu
4756810073	Pickett Ranch&sheep	1050 W 880 S, 1518 / Oakley, Id	240	Southern	0722832259	✓ I24SB	Activ
4756810073	Pickett Ranch&sheep	11S22E3530 / Oakley, Id	240	Southern	4453409405	✓ I24SB	Activ
4756810073	Pickett Ranch&sheep	11S22E3531 / Oakley, Id	240	Southern	8009081170	✓ I24SB	Activ
4756810073	Pickett Ranch&sheep	11S22E3532 / Oakley, Id	240	Southern	7000367647	✓ I24SB	Activ
4756810073	Pickett Ranch&sheep	12S22E3230 / Oakley, Id	240	Southern	2520242169	✓ I24SB	Activ
4756810073	Pickett Ranch&sheep	13S22E0620 / Oakley, Id	240	Southern	2092577729	✓ I24SB	Activ
4756810073	Pickett Ranch&sheep	13S22E0710 / Oakley, Id	240	Southern	1548972431	✓ I24SB	Activ
4756810073	Pickett Ranch&sheep	13S22E0720 / Oakley, Id	240	Southern	3519245544	✓ I24SB	Activ
4756810073	Pickett Ranch&sheep	13S22E0721 / Oakley, Id	240	Southern	0848510536	✓ I24SB	Activ
4756810073	Pickett Ranch&sheep	13S22E0740 / Oakley, Id	240	Southern	5447867345	✓ I24SB	Activ
4756810073	Pickett Ranch&sheep	13S22E1720 / Oakley, Id	240	Southern	0326473209	✓ I24SB	Activ
4756810073	Pickett Ranch&sheep	13S22E1731 / Oakley, Id	240	Southern	9758246335	✓ I24SB	Activ
4756810073	Pickett Ranch&sheep	13S22E1732 / Oakley, Id	240	Southern	3649718368	✓ I24SB	Activ
4756810073	Pickett Ranch&sheep	13S22E1740 / Oakley, Id	240	Southern	8858646754	✓ I24SB	Activ
4756810073	Pickett Ranch&sheep	13S22E1810 / Oakley, Id	240	Southern	9461036810	✓ I24SB	Activ
4756810073	Pickett Ranch&sheep	13S22E1820 / Oakley, Id	240	Southern	7897147037	✓ I24SB	Close
4756810073	Pickett Ranch&sheep	13S22E1830 / Oakley, Id	240	Southern	3865849278	✓ I24SB	Activ
4756810073	Pickett Ranch&sheep	13S22E1821 / Oakley, Id	240	Southern	8063790866	✓ I24SB	Activ
4756810073	Pickett Ranch&sheep	13S22E1940 / Oakley, Id	240	Southern	2911671153	✓ I24SB	Activ
4756810073	Pickett Ranch&sheep	13S22E1940 / Oakley, Id	240	Southern	9697255088	✓ I24SB	Close
4756810073	Pickett Ranch&sheep	13S22E2010 / Oakley, Id	240	Southern	8494906218	✓ I24SB	Activ
4756810073	Pickett Ranch&sheep	13S22E2040 / Oakley, Id	240	Southern	0103001379	✓ I24SB	Close
4756810073	Pickett Ranch&sheep	13S22E2040 / Oakley, Id	240	Southern	1962663669	✓ I24SB	Activ
4756810073	Pickett Ranch&sheep	13S22E2041 / Oakley, Id	240	Southern	2096237482	✓ I24SB	Activ
4756810073	Pickett Ranch&sheep	13S22E2110 / Oakley, Id	240	Southern	8799334686	✓ I24SB	Activ
4756810073	Pickett Ranch&sheep	13S22E2121 / Oakley, Id	240	Southern	0032104000	✓ I24SB	Activ
4756810073	Pickett Ranch&sheep	575 W 1725 S, 1151 / Oakley, Id	240	Southern	5395644441	✓ I24SB	Close

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USA Links

Last Query New Query Help

This screen displays the CIS Links associated with the USA that was selected. In order to expand the associated links of the selected USA for each category, click the button. To collapse the links, click the button. For more information about the category ID of interest, click the button.

Person 6032017597 Pickatt Ranch&sheep
 Account 4756810073 Co-Applciant
4756810073 N/A
 USA Account 3519245544 4756810073 D751494557
 Status Active 03/16/1999
 Type Meter 03/16/1999
 Link Date 03/16/1999
 Unlinked
 Days
 Rate
 Cycle
 Code
 Billing Components
 Rate Analysis
 Legacy
 Tax City / State
 County
 Cyc-Rte-Seq
 Meter # / MRU's
 Landlord
 N/A

Usage	Acting	Read Dt	Days	Rate	Cycle	Code	Billing Components	Rate Analysis	Legacy
03/2002	03/01/02	03/07/02	30	124SB	06	R	0.0	0	\$ 2.50
02/2002	02/01/02	02/05/02	31	124SB	06	>	0.0	0	\$ 2.50
01/2002	01/01/02	01/05/02	31	124SB	06	V	0.0	0	\$ 2.50
12/2001	12/01/01	12/05/01	33	124SB	06	V	0.0	0	\$ 2.50
11/2001	11/01/01	11/05/01	30	124SB	06	R	102.0	1,880	\$ 102.92
10/2001	10/01/01	10/03/01	33	124SB	06	R	102.0	48,160	\$ 2,407.36
09/2001	09/01/01	08/31/01	31	124SB	06	R	70.0	48,600	\$ 2,293.66
08/2001	08/01/01	07/31/01	32	124SB	06	R	100.0	45,320	\$ 2,253.85
07/2001	07/01/01	06/29/01	30	124SB	06	R	100.0	66,600	\$ 3,154.01
06/2001	06/01/01	05/30/01	30	124SB	06	R	100.0	60,000	\$ 2,877.93
05/2001	05/01/01	04/30/01	32	124SB	06	R	102.0	28,840	\$ 1,066.44
04/2001	04/01/01	03/29/01	30	124SB	06	V	0.0	0	\$ 2.50
03/2001	03/01/01	02/27/01	32	124SB	06	V	0.0	0	\$ 2.50
02/2001	02/01/01	01/26/01	31	124SB	06	V	0.0	0	\$ 2.50
01/2001	01/01/01	12/26/00	29	124SB	06	V	0.0	0	\$ 2.50
12/2000	12/01/00	11/27/00	33	124SB	06	V	0.0	0	\$ 2.50
11/2000	11/01/00	10/25/00	29	124SB	08	R	58.0	2,600	\$ 98.42
10/2000	10/01/00	09/26/00	32	124SB	08	R	70.0	21,840	\$ 800.82
09/2000	09/01/00	08/25/00	29	124SB	08	R	102.0	39,280	\$ 1,519.65
08/2000	08/01/00	07/27/00	30	124SB	08	R	104.0	24,440	\$ 1,094.45
07/2000	07/01/00	06/27/00	32	124SB	08	R	70.0	41,040	\$ 1,456.37
06/2000	06/01/00	05/26/00	29	124SB	08	R	106.0	36,800	\$ 1,267.46
05/2000	05/01/00	04/27/00	29	124SB	08	R	0.0	0	\$ 2.50
04/2000	04/01/00	03/29/00	29	124SB	08	R	0.0	0	\$ 2.50
03/2000	03/01/00	02/29/00	32	124SB	08	R	0.0	0	\$ 2.50
02/2000	02/01/00	01/28/00	30	124SB	08	R	0.0	0	\$ 2.50
01/2000	01/01/00	12/28/99	29	124SB	08	R	0.0	0	\$ 2.50
12/1999	12/01/99	11/27/99	32	124SB	08	R	0.0	0	\$ 2.50
11/1999	11/01/99	10/29/99	29	124SB	08	R	104.0	5,240	\$ 180.81

Legacy of

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SEP 10 2002

USA	Legacy	Master	Usage	Acctg	Read Dt	Days	Rate	Cycle	Code	kW	kWh	Amount
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			08/1/99	08/01/99	08/31/99	32	24S	06	0	0.0	0	\$ 10.07
			08/1/99	08/01/99	07/30/99	30	24S	06	0	104.0	28,080	\$ 1,120.14
			07/1/99	07/01/99	06/30/99	29	24S	06	0	110.0	32,680	\$ 1,262.47
			06/1/99	06/01/99	05/31/99	32	24S	06	0	104.0	6,040	\$ 549.63
			04/1/99	04/01/99	03/31/99	15	24S	06	0	0.0	0	\$ 2.50
			03/1/99	03/01/99	03/16/99	61	24S	06	0	0.0	0	\$ 0.00

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SEP 19 2002



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 28, 2002

David Pickett
Pickett Ranch & Sheep Company
1650 S 568 W
Oakley, ID 83346

Dear Mr. Pickett:

As you recall, you recently filed an Application for Transfer in the name of Pickett Ranch & Sheep Company involving groundwater rights and property obtained from Kyle & Laurell Adams. The application involved a well located in the Southeast $\frac{1}{4}$ of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 07, Township 13 South, Range 22 East. It appears that the Adams transferred an additional right to this particular well in 1995. As part of the review process, the Department would like to review power records of the use of the well since 1995. In addition, the Department would also like a determination of the actual system capacity of the well since 1995.

I request your cooperation in submitting the above mentioned items, so that processing of your application does not experience any unnecessary delays. If you have any questions, or need any further assistance, feel free to contact me at your convenience.

Sincerely,

Corey Skinner, PE
Water Resource Engineer

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SEP 19 2002

3/25/02

To: Corey Skinner.

I have reviewed the file of WR files on micro film. It appears these rights were modified by transfers T4418 & T4419 in around 1995. It appears these rights may have been co-mingled with OCC shares since their initial development & for since recent transfers. Before we approve this new change we need to review power records over the last 5 years and get a system capacity for the well in Sec 7. These have applicant supply this information. Please also document status of Hawker Transfer.

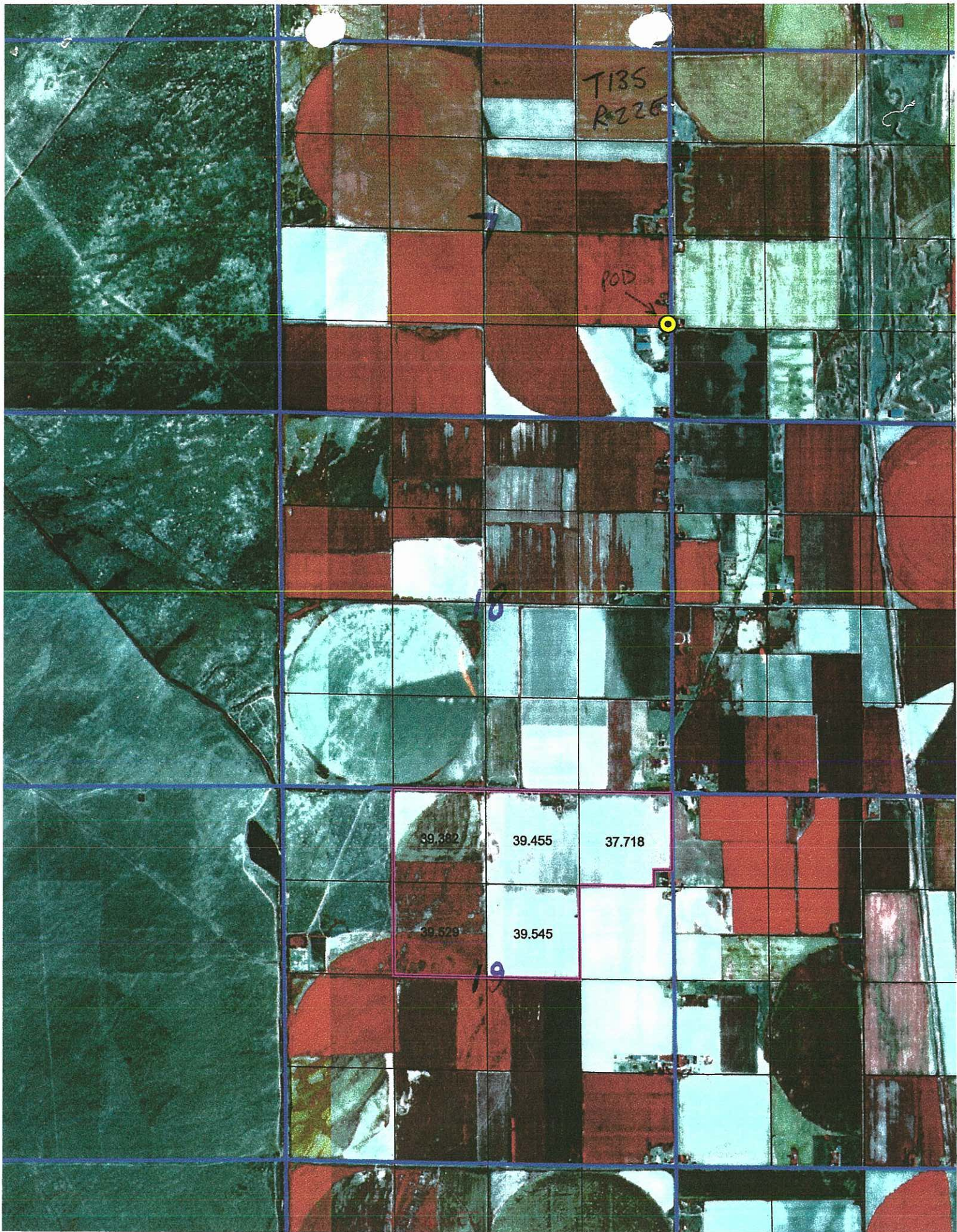
Thanks

Adam

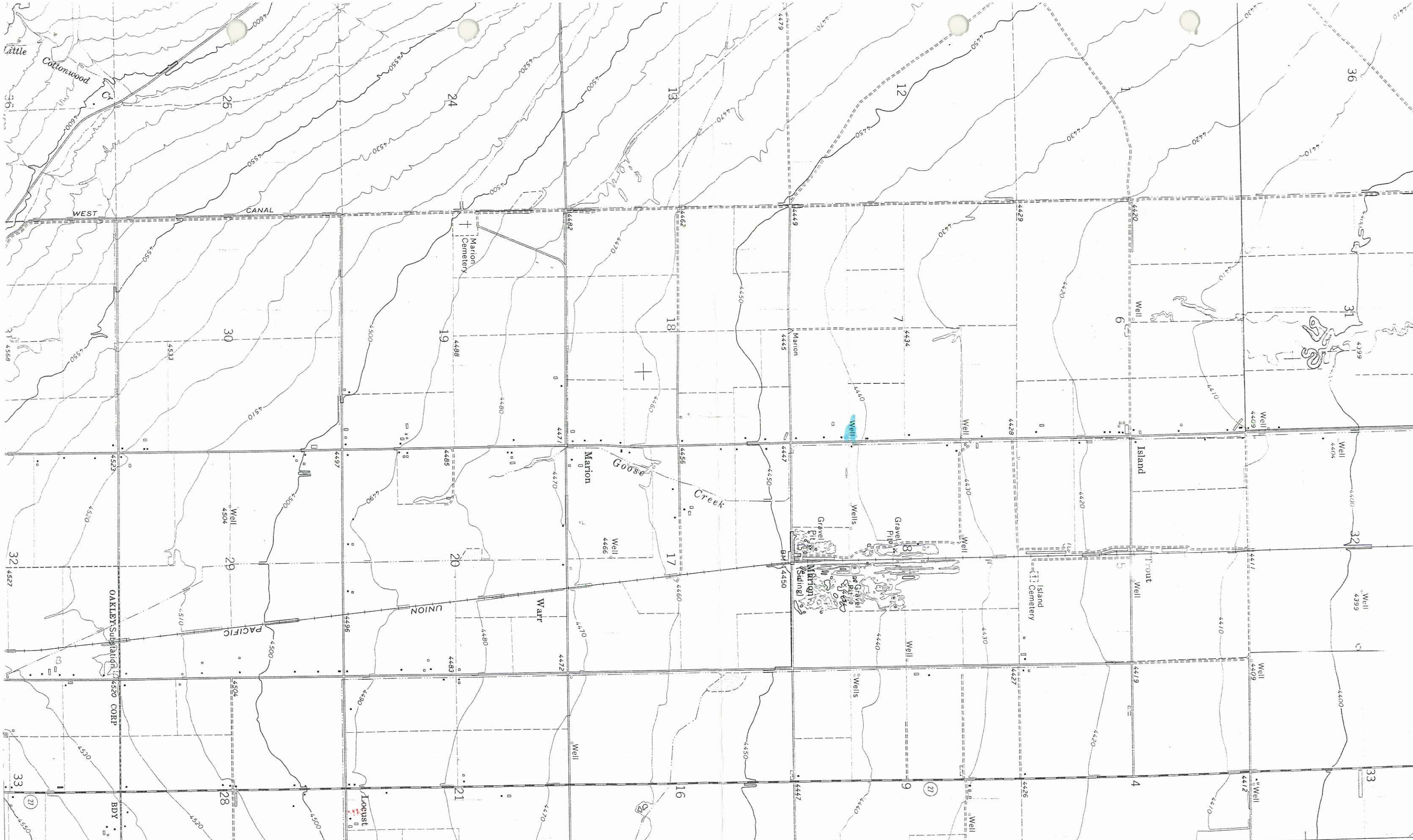
ps. Also have SPBA review.

MICROFILMED

SEP 19 2002



SEP 19 2002



MARION SE
3268 IV SE
MICROFILMED
SEP 19 2002

19005
4682000m N.
17°15'

FILE PROGRESS SUMMARY

69682

APPLICANT:

Pickett Ranch & Sheep Co.

WATER RIGHT NO.

45-2262
45-2437

INIT.	DATE	COMMENT
cel	2/12/02	Staffed to Corey Skinner
CS	2/13/02	GAVE TO MARY FOR ADVERTISING
MB	2/19/02	Adv. Sch - SP 2/25 & 3/4/02 ; 3/15/02
MB	2/20/02	ACK. LTR. TO applicant
MB	3/6/02	Pub. aff. rec.
MB	3/18/02	to ADM for signoff
AM	3/25/02	GAVE TO COREY FOR FURTHER INFORMATION
CS	3/28/02	SENT LETTER TO PICKETTS REQUESTING INFO.
CS	4/01/02	RECEIVED CALL FROM PICKETTS
CS	4/19/02	RECEIVED CALL AND CANAL ~~AND~~ SHARE INFO FROM PICKETTS
CS	4/24/02	GAVE TO JEANIE FOR SRBA REVIEW
CS	4/26/02	RECEIVED FILE FROM JEANIE, GAVE TO ALLEN FOR FINAL REVIEW
adm	5/24/02	to ab to send SD.
cel	5/28/02	Letter to State Office

David Pickett
want's copy of
regional recommendation
sent to Pickett Ranch
& Sheep Company

Where is
companion
Hewlett transfer?

HAS NOT BEEN
FILED

MICROFILMED
SEP 13 2002

SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION

County of Cassia)
) ss
STATE OF IDAHO)

Ruth Anne 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 25, 2002 and ending with the issue dated March 4, 2002.

Ruth Anne Holmes

STATE OF IDAHO)
COUNTY OF)
Cassia)

On this 4th day of March in the year of 2002 before me, a Notary Public, personally appeared Ruth Anne 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.

ANN HARPER
NOTARY PUBLIC
STATE OF IDAHO

Ann Harper
Notary Public for Idaho
Residing at: Burley, Idaho
My commission expires: 9-14-2007

Cost of Publication 68.64
Affidavit Fee 5.00
Total Cost 73.64

RECEIVED
MAR 06 2002
Department of Water Resources
Southern Region

02-073
NOTICE OF PROPOSED CHANGE TO WATER RIGHTS
Notice is hereby given that two Applications for Transfer have been filed with the Idaho Department of Water Resources for changes to water rights within Cassia County:
PICKETT RANCH & SHEEP CO., 1650 S 568 W; OAKLEY ID 83346, filed Application No. 69682 on 2/12/02 for diversion of 2.97 cfs from ground water (existing well located 4.25 miles North and 1.5 miles West of Oakley) for irrigation of 176 acres. The transfer proposes changing the place of use of the rights to property that the applicant has purchased 2.5 miles to 3.0 miles North and 1.5 miles to 2.25 miles West of Oakley.

Application For Transfer No. 69448 filed by MARK T. NEWCOMB, 251 E 200 S; RUPERT ID 83350 was **Amended** on 02/12/02. The transfer proposes to divert 1.22 cfs from ground water for irrigation. The purpose of the transfer is to change the place of use of 61 acres and change the point of diversion to two existing wells; this change to move water to a more productive farm. The new place of use is located 4 to 5 miles North and between 1 to 2 miles East of Declo, ID.

For specific details regarding the application(s), please contact IDWR Southern Regional Office at 208-736-3033 or visit www.idwr.state.id.us with detail provided under "New Water Right Applications". Protests may be submitted based on the criteria of Sec 42-222, Idaho Code. Protests against approval must be filed with IDWR, Southern Region, 1341 Fillmore St.-Suite 200; Twin Falls, ID 83301 with a protest fee of \$25.00 for each application on or before March 15, 2002. 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 25 and March 4, 2002.

Small errors noted.
mp
3/6/02

MICROFILMED
SEP 19 2002



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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 20, 2002

DAVID J. PICKETT SECRETARY
PICKETT RANCH & SHEEP CO
1650 S 568 W
OAKLEY ID 83346

RE: Application for Transfer No. **69682**, Water Right Nos. 45-2262, 45-2437

Dear Mr. Pickett:

The Department of Water Resources acknowledges receipt of your application. Please refer to the number in all correspondence regarding the above referenced application.

This office has scheduled advertising the application in the **South Idaho Press** for 2/25/02 and 3/4/02. The advertisement will be published for two weeks, and a period of ten calendar days following the second publication will be allowed for the submittal of protests. (March 15, 2002)

If an application is protested, the applicant 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.

In addition, please provide the names, titles and addresses of all partners and designation of the managing partner, if any. (Rule 035.03.b, i). This information must be received prior to completion of the Regional Review and Recommendation.

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

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

Sincerely,

Mary A. Baldwin
Administrative Assistant

MICROFILMED

SEP 19 2002

NOTICE OF PROPOSED CHANGE TO WATER RIGHTS

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Karl J. Dreher, Director

Published in the South Idaho Press on 02/25 & 03/04/02.

MICROFILMED
SEP 19 2002

IDAHO DEPARTMENT OF WATER RESOURCES
1341 FILLMORE STREET-STE# 200
TWIN FALLS ID 83301

Phone: 736-3033

Fax: 736-3037

February 20, 2002

ATTN KAY MOORE
SOUTH IDAHO PRESS
230 E MAIN ST
BURLEY ID 83318

Dear Ms. Moore:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues).

If you cannot publish the notice on the proposed dates, please contact us immediately at 736-3033.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Sincerely



Mary A. Baldwin
Administrative Assistant

MICROFILMED
SEP 19 2002



Farm Credit Services

1305 Albion Avenue
P.O. Box 1168
Burley, Idaho 83318
208/678-3516 FAX 208/678-1302

December 1, 1998

Land Title & Escrow
211 W 13th
Burley, Idaho 83318

Re: Adams to Pickett Ranch & Sheep Company Contract Sale
Kyle Adams loan # 12177-343

Dear Mr. Roberts:

This letter is to confirm our understanding of the above contract sale, and provide information concerning Farm Credit's mortgage loan with Kyle and Laurell Adams. Farm Credit's current mortgage covers a portion of the land being sold to Picketts under the Lease Option Agreement and Real Estate Contract, a draft copy of which was recently provided to our office. Other land not being sold to Picketts is also secured under our mortgage. This letter will serve to verify that Farm Credit is aware of this pending sale, and consents to the contract sale occurring, subject to our existing mortgage.

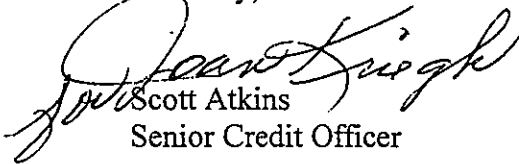
It is our understanding that the payments under this contract in the approximate amount of \$63,645.91 per year (due August 1 annually) will be sent to Farm Credit by Land Title & Escrow to be applied against loan # 12177-343. The current principal balance on this loan is \$232,095.85. Accrued interest as of 12-1-98 is \$12,722.67. Currently, annual payments are due April 1 in the approximate amount of \$31,118. However, Adams are now requesting a due date change to August 1 annually which will then coincide with the date of the contract payment to be received from Picketts. This letter will also serve as Farm Credit Service's approval of this request, subject to the following conditions: (1) Payment of a processing fee of \$250.00, (2) the accrued interest from April 1, 1998 to August 1, 1998 must be paid on or before March 1, 1999. This accrued interest amount is \$6,361.33.

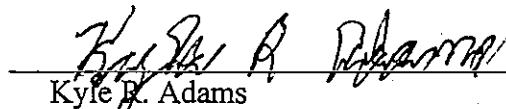
The Adams have requested that Farm Credit Services apply the full amount received from the escrow payment against the loan each year. This will be applied first to accrued interest, and the balance to principal. Based on the payment schedule described in the Lease Option Agreement, the Farm Credit loan will be paid in full by the time the last payment is received and applied. This is scheduled to be August 1, 2003 based on the terms noted in the Lease Option Agreement. Once the Farm Credit loan is paid in full, a satisfaction of mortgage will be recorded releasing all real estate collateral from the mortgage.

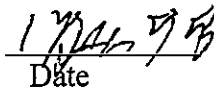
MICROFILMED
SEP 19 2002

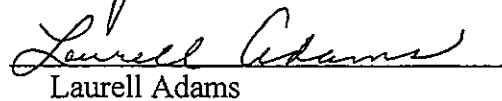
Please let me know if you have any further questions regarding our loan with Kyle and Laurell Adams. We are asking that the Adams sign this letter where indicated below to verify their consent and understanding of how the payments will be applied by our office. Please forward a signed copy of this letter to our office as soon as it is available for our file. Thanks.

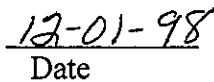
Sincerely,


Scott Atkins
Senior Credit Officer


Kyle R. Adams


Date


Laurell Adams


Date

MICROFILMED

SEP 19 2002

STAFF ANALYSIS SUPPLEMENT

Pickett Ranch & Sheep Co

Local Description of new proposed site:

_____ miles N/S and _____ miles E/W of _____

(City or local landmark).

Other:

THE TRANSFER PROPOSES CHANGING THE PLACE OF USE OF THE RIGHTS TO PROPERTY THAT THE APPLICANT HAS PURCHASED 2.5 MILES TO 3.0 MILES NORTH AND 1.5 MILES TO 2.25 MILES WEST OF OAKLEY. THE POINT OF DIVERSION IS AN EXISTING WELL LOCATED 4.25 MILES NORTH AND 1.5 MILES WEST OF OAKLEY

MICROFILMED

SEP 19 2002

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4418
WATER RIGHT NO. 45-02262

This is to certify that: LAURELL ADAMS
KYLE R ADAMS
RT 1 BOX 90
OAKLEY ID 83346

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	0.97 CFS	272.0 AF

SOURCE

GROUNDWATER

Priority: 04/04/1950

LOCATION OF POINT(S) OF DIVERSION:

NESE , Sec. 7, Township 13S, Range 22E
CASSIA County

PLACE OF USE: IRRIGATION

<u>TWN RGE SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
13S 22E 20	NWSW 30	SWSW 38		68
Total number of acres irrigated:				68

CONDITIONS/REMARKS:

1. A totalizing measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
2. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
3. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
4. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

APPROVED
MAY 18 1995

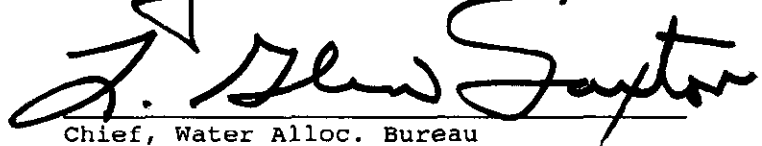
TRANSFER NO. 4418
WATER RIGHT NO. 45-02262

CONDITIONS/REMARKS:

5. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
6. 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.
7. The right holder shall use the full allotment of appurtenant surface water rights, to the extent they are available, in conjunction with groundwater diverted pursuant to this right.

Dated this 8 day of

May, 1995


Chief, Water Alloc. Bureau

RECORDED

MAY 18 1995

Page 1 of 6STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4418APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1RECEIVED
MAR 27 1995Name of applicant Kyle R. & Laurell Adams Phone 862-3406
Post Office address Rt. 1 Box 90, Oakley, ID 83346

Department of Water Resources

A. PURPOSE OF TRANSFER

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

2. Describe the reason for the proposed changes Original well dried up to where it was not feasible to pump in about 1986 or '88. We have purchased another well under Lic. 95-02437. A larger pump can be installed in that well so we can get our licensed water back!

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

1. Right Number 45-02262 Priority ~~0.97 cfs~~
4-4-1950 Amount (cfs/ac-ft) 0.97 cfs Nature of Use Irrig. Period of Use 3-15 to 11-15
2. Total amount of water being transferred 0.97 cubic feet per second and/or 272 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
	SE	NE	SE	7	13S	22E	Cassia	

5. Lands irrigated or place of use: As now irrigated

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	
13S	22E	20									30	38							68

Total acres 68

PART 1

6. General Information:

- a. Description of diversion system Existing well, larger pump to be installed, buried mainline with 75 hp booster pump, 2 miles to P/U, 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:
~~XXXX~~ Number of irrigated acres has decreased slightly as corrals, etc. were built. Land in Sec. 19 was never irrigated with groundwater, as the well never had any water. The well has always been used in Sec. 20.
- d. Remarks:
As the well declined, we bought more Oakley Congl Co. shares to supplement the well. It has not been economically feasible to drill a replacement well.

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 _____.

MICROFILMED

MAY 18 1995

PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 45-02262

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>
IRRIGATION	03/15 to 11/15	0.97 CFS

SOURCE

GROUNDWATER

Priority: 04/04/1950

LOCATION OF POINT(S) OF DIVERSION:SENW , Sec. 19, Township 13S, 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>
13S	22E	19	NENW 37	SENW 39		76
Total number of acres irrigated:						76

CONDITIONS/REMARKS:

1. TRANS. 2628.

Cassia Co. Assessor confirms ownership
of these acres to Kyle R & Laurell Adams.
3-4-95 Q8

RECORDED

MAY 18 1995

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2
 (Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
 in case of _____ vs. _____
 dated _____ in _____ county of _____
- b. License No. 45-02262 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. 2628 which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice☐ Warranty Deed☐ Other _____3. Source of water Groundwater tributary to _____4. Date or priority 4-4-1950

5. Water is used for the following purpose:

amount 0.97 cfs for Irrig. purposes from 3-15 to 11-15
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

6. Total amount of water under right 0.97 cubic feet per second and/or 304 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		~~SW~~	~~SW~~	20	13S	22E	Cassia	
		SE	NW					

8. 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	
13S	22E	~~20~~					37			39		~~36~~	~~40~~						76
		19																	

Total acres 769. Describe any other water rights used for the same purpose as described above Oakley Canal Shares

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

Yes

If yes, describe

Well got too low to effectively pump, probably due to the drought. Land has always been watered w/Oakley Canal shares.**B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED**

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

MAY 18 1995

Adams

45-02262

135, 22E

Well

8

Gravel Pit
x 4454

Gravel Pit

Marion

18

Marion

Well

Marion Cemetery

P14

1995

T#
4418

1.01

9.543

19

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RECEIVED
L 26

MAY 18 1995

T # 4418

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.**

A large grid of dashed lines, intended for drawing a map or attaching a USGS map. The grid is composed of approximately 10 columns and 10 rows of squares, with each square further subdivided into smaller units, likely representing sections of land.

MICROFILMED

MAY 18 1995

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

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.

Kyle R. Adams
(Signature of Applicant)

Subscribed and sworn to before me this 3rd day of May, 1994.

Mary A. Baldevin
(Notary Public)

My commission expires 10/16/1998**FOR DEPARTMENT USE ONLY**Transfer contains 6 pages and 2 attachmentsReceived by J. F. Stanton Date 5-3-94Protest filed by NonePrelim. check by MTS Fee \$50.00 50/6850Receipted by JD Date 5-3-94Published in So. Ed. Press

Copies of protest forwarded by

Pub. dates 8/22 + 8/29/94

Hearing held by Date

Watermaster recommendation requested on N/ARecommended for ☒ approval ☐ denial

rec'd.

by AD

Copy of transfer sent to lien holder

RECEIVED
MAY 18 1995

ARRANTY DEED

For Value Received

RANDY L. HARDY and KARLENE HARDY, husband and wife

Hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto
KYLE R. ADAMS and LAURELL ADAMS, husband and wifeADDRESS: Rt. 1, Box 90
Oakley, Idaho 83346Hereinafter called the Grantee, the following described premises situated in Cassia County, Idaho,
to-wit:TOWNSHIP 13 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN,
CASSIA COUNTY, IDAHO

Section 7: Part of the NEKSEK, described as follows:

Beginning at the Southeast corner of the NEKSEK of
said Section 7, said corner marked by a P.K.

Nail which shall be the Point of Beginning;

Thence North 88°51'19" West along the 1/16th sec-
tion line for 77.89 feet to a 1/2 inch rebar;Thence North 0°07'30" East for 51.97 feet to a 1/2
inch rebar;Thence South 88°51'59" East for 77.89 feet to a
P.K. Nail on section line;Thence South 0°07'30" West along section line for
51.97 feet to the Point of Beginning.SUBJECT TO a 25 foot wide county road right of way
along the East side.SUBJECT TO: 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 to the successors heirs and assigns of the Grantee forever. The Grantor does hereby covenant to
and with the said Grantee, that the Grantor is the owner in fee simple of said premises; that they are
free from all incumbrances except as above described and that Grantor will warrant and defend the
same from all lawful claims whatsoever.

Dated: May _____, 1990

Randy L. Hardy
RANDY L. HARDY*Karlene Hardy*
KARLENE HARDYSTATE OF IDAHO, COUNTY OF Cassia) ss.
On this _____ day of May, 19 90before me, a notary public in and for said State, per-
sonally appearedRANDY L. HARDY
KARLENE HARDYknown to me to be the person whose name is are
subscribed to the within instrument, and acknowledged
to me that they executed the same.*Harold K. Hallagos*
Notary Public
Residing at *Builey*, Idaho.RECORDED
MAY 18 1995

T # 4418

234672

QUITCLAIM DEED

For Value Received

RANDY L. HARDY and KARLENE HARDY, husband and wife

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

KYLE R. ADAMS and LAURELL ADAMS, husband and wife

Address: Route 1, Box 90

Oakley ID 83346

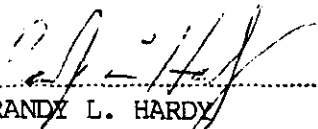
Hereinafter called the grantee, the following described premises, in Cassia County, Idaho
to-wit:

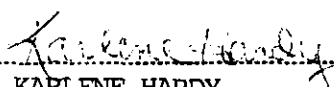
Water License No. 45-02437 Priority Date February 16, 1953 for a well located on:

TOWNSHIP 13 SOUTH, RANGE 22 EAST OF THE BOISE MERIDIAN, CASSIA COUNTY, IDAHO

Section 7: Part of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, described as follows:Beginning at the Southeast corner of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 7,
said corner marked by a P.K. Nail which shall be the Point of
Beginning.Thence North 88°51'19" West along the 1/16th section line for
77.89 feet to a $\frac{1}{2}$ inch rebar;Thence North 0°07'30" East for 51.97 feet to a $\frac{1}{2}$ inch rebar;Thence South 88°51'59" East for 77.89 feet to a P.K. Nail on
section line;Thence South 0°07'30" West along section line for 51.97 feet
to the Point of Beginning.TO HAVE AND TO HOLD the said premises, with their appurtenances unto said Grantee, and the gran-
tee's heirs and assigns forever.

Dated: January 4, 1995


 RANDY L. HARDY


 KARLENE HARDY

Individual

STATE OF IDAHO, COUNTY OF CASSIA

On this 4th day of January, 1995,
before me, a Notary Public in and for said State,
personally appeared

RANDY L. HARDY and KARLENE HARDY

known or identified to me to be the persons
whose names are subscribed to the within
instrument, and acknowledged to me that they
executed the same.Residing at
Commission expiresNotary Public
Idaho

RECORDED AT THE REQUEST OF

FILE

1995 JAN 11 A-11-500

MAY 18 1995

FEE 300 RECUT LHM

KE-1818 So. 500 W.

Oakley ID

234672

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

APPROVED

APPLICATION FOR TRANSFER OF WATER RIGHT

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

Name of applicant Kyle R. Adams

Phone 863-3406

Post Office address Oakley, Idaho 83346

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:
- a. Decree No. Decreed to (Name) in case of VS dated in in county of (Name of court)
- b. License No. 45-2262 issued by the Idaho Department of Water Resources
- c. Claim No. on file with the Idaho Department of Water Resources
2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant purchased from father
3. Source of water groundwater tributary to
4. Date of priority April 4, 1950
5. Water is used for the following purposes:
- amount 0.97 cfs for irrig. purposes from Mar 15 to Nov 15
- amount for purposes from to
- amount for purposes from to (month/day — both dates inclusive)
6. Total amount of water under right: a. 0.97 cubic feet per second &/or b. acre feet per annum
7. Location of original point of diversion is SW ¼ of SW ¼ of Section 20 Township 13S Range 22E, B.M., in Cassia County
- Additional points of diversion, if any
8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13S	22E	20										36	40						76

Describe any other water rights used for the same purpose as described above Oakley Canal Co. shares

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

Total number of acres to be irrigated 76

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

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

3. Place of use:

[illegible]

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

a. Amount of water to be diverted 0.97 c.f.s. &/or _____ acre feet

b. Description of diverting works well, pump, sprinkler

c. Describe the reasons for the proposed changes the water level in the old well has dropped to where deepening is necessary but due to method of construction deepening is impossible. Applicant wishes to transfer to an existing adequate well.

Point of diversion SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 19 Township 13S
Range 22E, B.M., Cassia County
Additional points _____

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

b. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer
no effect as there is canal water on this land. Well was used as the primary
source at one time, however as water levels dropped canal water was used.

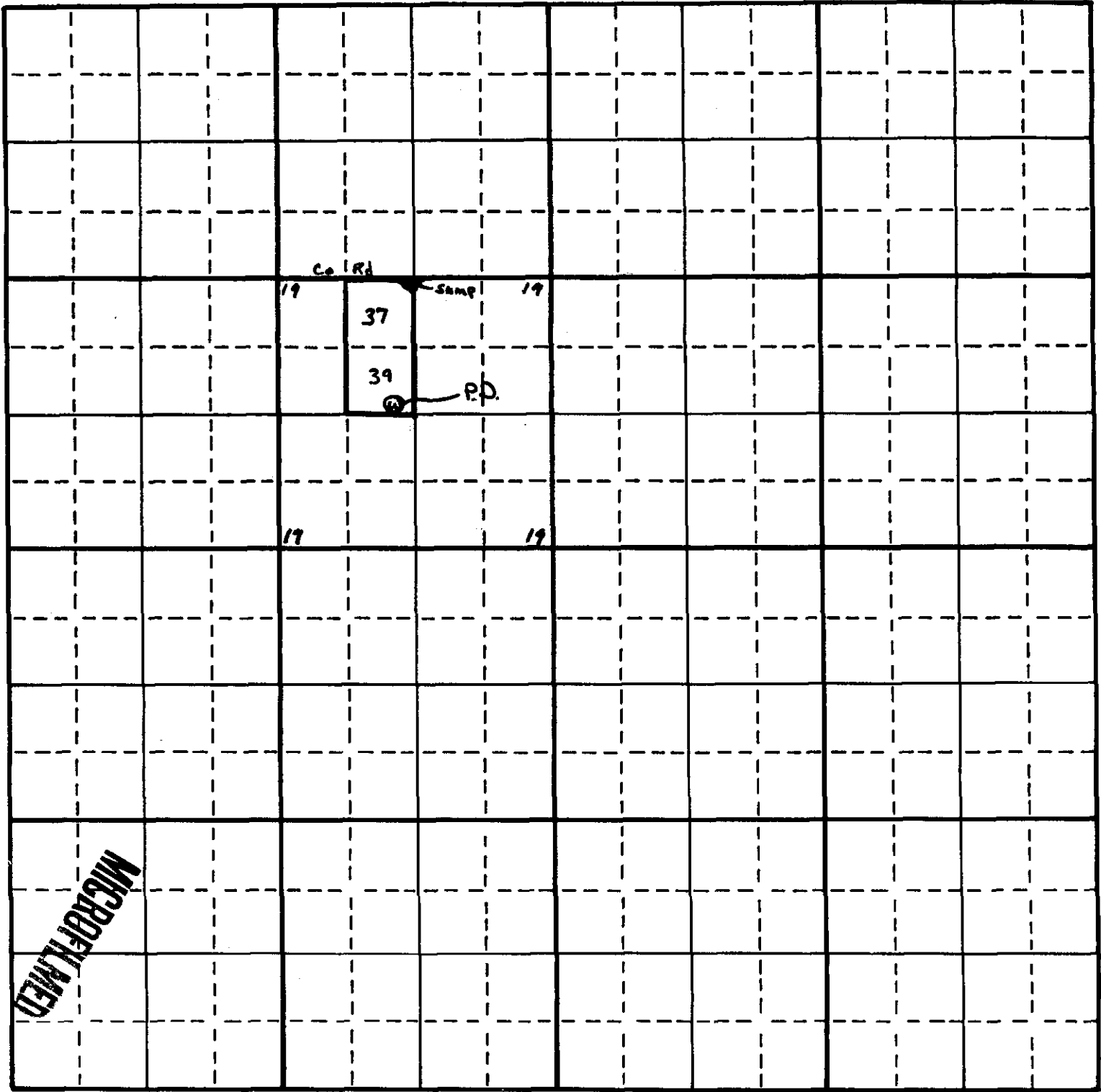
NOTED

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13S	22E	19					37			39									76

Total number of acres to be irrigated _____

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



D. REMARKS

New well is 16" by 600ft deep

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

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

Kyle R. Adams
(Signature of Applicant)

Subscribed and sworn to before me this 23rd day of November, 19 81

Loren O. Palmer
(Notary Public)

My commission expires Life

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 45-2262
and said application is hereby APPROVED, subject to the following limitations and conditions:

Witness my hand this 22nd day of June, 19 82

J. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by <u>TGB</u>	Date <u>11-23-81</u>	Protest filed by <u>None</u>
Prelim. check by <u>[initials]</u>	Fee <u>50.00 #20670</u>	
Receipted by <u>TGB</u>	Date <u>11-23-81</u>	
Published in _____		Copies of protest forwarded by _____
Pub. date _____		Hearing held by _____ Date _____
Watermaster recommendation requested on <u>N/A</u>		Recommended for <u>approval</u> denial
_____ rec'd. _____		by <u>ADM jmm DRT</u>

RECEIVED

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

Mary Summers, being first
duly sworn, deposes and says that s/he is the
Clerk

..... of the South Idaho
Press, a daily newspaper published at Bur-
ley, Idaho, in the county aforesaid and that
the paper is of general circulation therein.
Deponent further states that the printed no-
tice attached hereto was duly published
according to law in the regular editions of

The South Idaho Press for Two.....
consecutive weeks, commencing with the issue
dated December 3rd 1981, and ending
with the issue dated December 10th, 1981

Mary Summers

Subscribed and sworn to before me
this day of

19.....

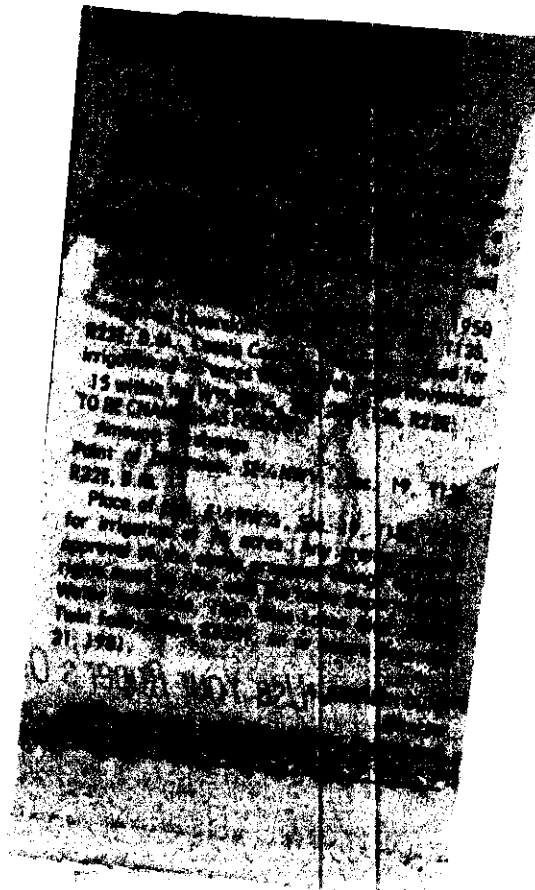
Norma M. Peterson Notary Public

Cost of Publication \$ 20.15

Notary Fee

Total Cost \$20.15

NOTARY PUBLIC RESIDING AT
RUPERT, IDAHO. MY COMMISSION
EXPIRES JUNE 21, 1985.



JAN 20 1982

Department of Water Resources
Southern District Office

MICROFILMED

SOUTH IDAHO PRESS

BURLEY, IDAHO

AFFIDAVIT OF PUBLICATION

County of Cassia,)
STATE OF IDAHO) ss.

Mary Summers, being first

duly sworn, deposes and says that she is the

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 two consecutive weeks, commencing with the issue

dated December 3rd, 1981, and ending

with the issue dated December 10th, 1981

Mary Summers

Subscribed and sworn to before me

this day of

1981

[Signature] Notary Public

Cost of Publication \$ 20.15

Notary Fee

Total Cost \$ 20.15

NOTARY PUBLIC RESIDING
RUPERT, IDAHO. MY COMMISSION
EXPIRES JUNE 21, 1985.

81-329

NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
No. 45-2262

Notice is hereby given that Kyle R. Adams of Oakley, Idaho, has applied to the Department of Water Resources for a change of point of diversion and change of place of use of the waters of a groundwater source. The right sought to be changed is evidenced by License No. 45-2262 and is recorded as follows:

Amount: 0.97 cfs

Priority: April 4, 1950

Point of Diversion: SW 1/4 SW 1/4, Sec. 20, T13S, R22E, B.M., Cassia County. The water is used for irrigation of 76 acres from March 15 to November 15 within the W 1/4 SW 1/4, Sec. 20, T13S, R22E.

TO BE CHANGED AS FOLLOWS:

Amount: No change

Point of Diversion: SE 1/4 NW 1/4, Sec. 19, T13S, R22E, B.M.

Place of Use: E 1/4 NW 1/4, Sec. 19, T13S, R22E for irrigation of 76 acres. Any protest against approval of the above proposed change of water rights must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301, on or before December 21, 1981.

A. KENNETH DUNN

Director

Published in the South Idaho Press December 3 and 10, 1981.

State of Idaho
License and Certificate of Water Right

Water License No. 20524

Amount 0.97 second foot

Water District No. _____

Priority April 4, 1950

THIS IS TO CERTIFY that **ORVIL B. ADAMS**
of **Oakley, Idaho**, made application for a permit to appropriate the
public waters of the State of Idaho, dated **June 26, 1948** ; that Permit No. **20524**
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
Two second feet, was issued thereunder on **August 31**, 1948, showing that said works
were completed on the **24th** day of **August**, 1948; and that on the **10th**
day of **July**, 1950,

ORVIL B. ADAMS

of **Oakley**, State of **Idaho**, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of **subterranean**
flow from a ~~surface~~ **well**, for the purpose of **irrigation**

, under Use Permit No. **20524** 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

8 of Licenses at page **4671**, on the **27th** day of **December**, 1950;

The right hereby confirmed dates from **April 4,**, 1950;

The Point of Diversion is located

in the **SW 1/4 SW 1/4** Sec. **20**, Tp. **13 S.**, R. **32 E.**, **Blaine** 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 **0.97** cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
13 S.	22 E.	20	NE 1/4 SW 1/4 SW 1/4 SW 1/4	40 40	36 40
			Number of Acres Actually Irrigated -	-	-

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
27th day of **December**, 1950.

MARK E. KULP

State Reclamation Engineer

(SEAL)

Nº 20524
45-2262

APPLICATION FOR PERMIT
To Appropriate the Public Waters of the State of Idaho

APPLICATION No. 28167
PERMIT No. 20524
DISTRICT No.

1. Name of Applicant: ORVIL ADAMS

Postoffice address: Oakley

County: Cassia

State: Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are:

(b) Treasury stock:

(d) Other resources:

(a) Cash on hand:

(c) Bonds to be issued:

2. Quantity of water claimed: Two (2)

cubic feet per second.

3. Source of water supply: A well being constructed

which is a tributary of

4. Location of point of diversion: 40 ft. North and 40 ft. East ~~feet distant~~ from the Southwest
of SW $\frac{1}{4}$

corner of Section 20, T. 13 S., R. 22 E., B.M., and is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$

of Section 20, T. 13 S., R. 22 E., B.M., County of Cassia

5. Water is to be used for Irrigation

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

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

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

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

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

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

7. Estimated cost of works: \$ 5,200.00

8. Kind of works: Well and pump equipment

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

feet; material used in dam:

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

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

dimensions of flume:

Diameter of pipe inches; length of conduit miles.

Average grade per mile feet.

12. The time required for the completion of such work is years. September 1, 1948

13. The time required for the complete application of the water to the proposed use is One month additional years.

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: Applicant is the owner of 62 shares of capital stock in the Oakley Canal Company, which is not sufficient to irrigate his property.

16. (a) Is reservoir to be used? No If so, fill in (b) and (c) below:
 (b) Name of Reservoir and number of Storage Permit:
 (c) Date of filing of Application for Storage Permit and Name of Applicant:

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

ORVIL ADAMS

Applicant.

By

Agent.

Date of first receipt at Department of Reclamation: 11:00 A. M. June 26, 1948

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 20524

Recorded in Book 74 Page 20524 Approved July 3, 1948

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 permit holder has no control.

One-fifth of the work above specified to be completed on or before - -

The whole of said work to be completed on or before September 1, 1948

Beneficial use of water appropriated in accordance herewith, to be made on or before October 1, 1948

WITNESS My hand this 3rd day of July, 1948

MARK R. KULP
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE,.....C. A. ROEBS....., Governor of the State of Idaho,
and.....J. D. "CY" PRICE....., Secretary of State of the State of Idaho, have caused this instrument to
be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this.....3rd.....
day of July....., 1948.....

STATE OF IDAHO

Countersigned:

(SEAL)

By J. D. "CY" PRICE

Secretary of State.

By C. A. ROBINS

Governor,

Applicant is the owner of the following described real estate located in Cassia County, Idaho, to-wit:

REMARKS: Commencing at the Southwest corner of the SW¹/₄, Section 20, Twp. 13 S., Range 22 E., B.M.; thence East 125 feet; thence North 125 ft.; thence West 125 ft.; thence South 125 ft. to the place of beginning.

Upon this property applicant is constructing a well. The water from the well will be carried along the public road where applicant now has a right-of-way to applicant's property.

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
13 S.	22 E.	20 29					12½	12½			40	40						80 25	

Applicant is the owner of and expects to use water on the following described premises in Cassia County, Idaho, to-wit:	Total Number of Acres to be Irrigated - 105
NW$\frac{1}{4}$ SW$\frac{1}{4}$ Section 20, Twp. 13 S., Range 22 East, B.M.	Applicant is leasing from his mother, Sarah Adams, the SW$\frac{1}{4}$ SW$\frac{1}{4}$ of last above described land.
Applicant is negotiating to purchase the following described real estate situate in County of Cassia, State of Idaho, to-wit: Beginning at a point 2$\frac{1}{2}$ rods South from the Northwest corner of Section 29, Twp. 13 S., Range 22 E., B. M., thence running East 160 rods, thence South 25 rods, thence West 160 rods, thence North 25 rods, to the place of beginning.	

CERTIFICATE OF COMPLETION OF WORKS

TO ALL WHOM IT MAY CONCERN:

This is to certify that ORVILLE ADAMS of Oakley, County of Cassia, and State of Idaho, the holder of Permit No. 20524, issued upon Application No. 28167 bearing date of priority of June 26, 1948, authorizing the diversion of Two (2) second feet of the waters of a well (subterranean), 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 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 Two (2) second feet of the waters of said well; that the point of diversion of said waters is located 40 feet North and 40 feet East of the Southwest corner of the Southwest Quarter of Section 20, Township 13 South, Range 22 East, B.M., and in the $SW\frac{1}{4}$ $SW\frac{1}{4}$ of said Section 20; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: $NW\frac{1}{4}$ $SW\frac{1}{4}$ Section 20; Township 13 South, Range 22 East, B.M. And also a tract described as follows: Beginning at a point $2\frac{1}{2}$ rods South from the Northwest corner of Section 29, Township 13 South, Range 22 East, B.M., thence running East 160 rods, thence South 25 rods, thence West 160 rods, thence North 25 rods, to the place of beginning.

Witness my hand this 31st day of August, A.D. 1948.

Proof of Completion of Works made August 24, 1948

Certificate of Completion of Works Issued August 31, 1948

MARK R. KULP
State Reclamation Engineer

APPLICATION FOR AMENDMENT
TO PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, NO. 20524.

Comes now Orvil Adams and represents to the State Reclamation Engineer of the State of Idaho.

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 20524, and requests that the list of lands to be irrigated, as described in said permit, be changed to read as follows: Northwest Quarter of the Southwest Quarter and the Southwest Quarter of the Southwest Quarter of Section Twenty, Township Thirteen South, Range Twenty-two, East Boise Meridian, located in Cassia County, Idaho, making a total of 80 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 Oakley, Idaho, this 20th day of March, 1950.

ORVIL ADAMS.

Date of receipt at Office of Department of Reclamation March 24, 1950.

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. 20524. This approval constitutes a new permit and is issued as an amendment to the original permit, to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

MARK R. KULP
State Reclamation Engineer

LICENSE ISSUED FOR 0-27-SEC. FI.

Page 4671



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

MAY 8, 1995

LAUREL ADAMS
KYLE R ADAMS
RT 1 BOX 90
OAKLEY ID 83346

Transfer of Water Right No. 45-02262

Dear Water Right Holder(s):

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water right (Transfer No. 4418). Please be sure to thoroughly review the "Conditions/Remarks:" as listed on the transfer.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

Enclosure

RECORDED

MAY 18 1995

MEMORANDUM

TO: FILE NO. 45-02262

FROM: PAM SKAGGS/²⁸STATE OFFICE

SUBJECT: TRANSFER NO. 4418

DATE: May 4, 1995

=====

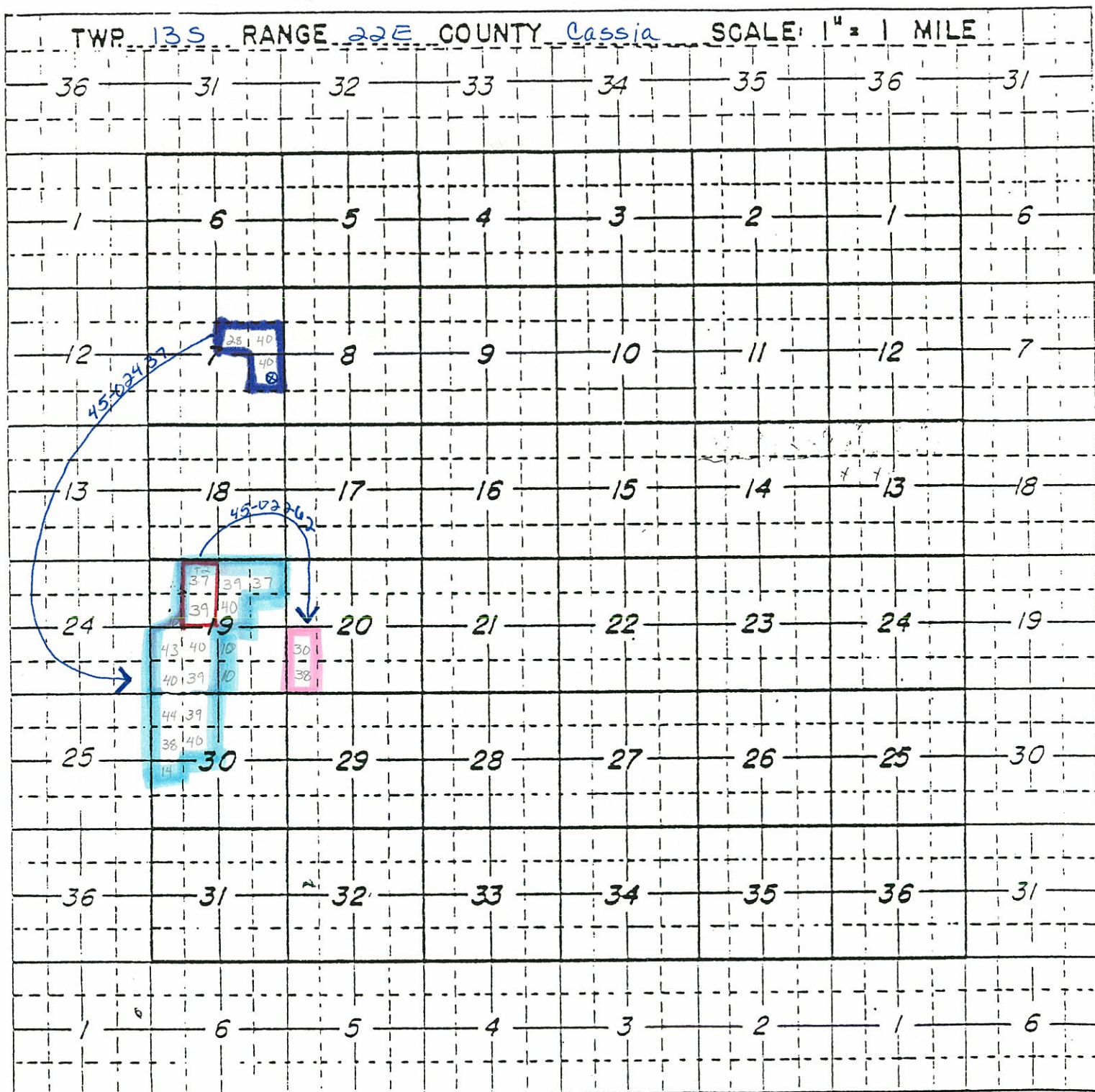
This is one of two transfers (4418 and 4419) being processed concurrently resulting with both Right Nos. 45-02262 and 45-02437 being diverted from the same well, but delivered to separate places of use. Transfer No. 4418 was filed to change the point of diversion and place of use under Right No. 45-02262.

Both the original and transfer place of use have multiple surface water rights from canal companies appurtenant to the same lands. This groundwater right is for supplemental use and use will be limited to use after surface shares have been used.

Season of use and diversion volume have been adjusted to current standards. Other recommended conditions include totalizing measuring device, irrigation overlap and standard transfer conditions.

RECORDED

MAY 18 1995



45-02262 T# 4418 T-P/U-68 Acres

45-02437 T# 4419 T-P/U-561 Acres

MICROFILMED

MAY 18 1995

TRANSFER REVIEW SHEET
(04-95)

Transfer # 4418

Date Reviewed 05-04-95
CS

Right(s) 45-02262 _____

☒ Print Split Summary ☒ 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 Confirmed by Cassia Co. Assessor 5-4-95
Well owned per attached deeds.

Transfer ☒ All of Right _____ Portion of Right
Resulting Split(s) NONE

Check Transfer Against Right Season/Vol. C/4.0

(1) ☒ Priority (2) ☒ Use (3) _____ Season (4) ☒ Rate (5) _____ Volume
(6) ☒ Source (7) _____ P/D (8) _____ P/U (9) ☒ Proof/Owner (10) ☒ Map
(11) NA Water District (12) NO Pertinent Conditions (13) NO Expansion
Limit Acres

(3) Reduce to standard season - 4-1 to 10-31
(5) No vol on rt. - $68 \times 4 = 272 \text{ a/c}$ $5.97 \times 213 \times 1.9835 = 409.8$
(7) Change P/D to existing well
(8) Change P/U - Reduce Acres per findings + Application

Transfer Remarks WB3
Conditions R19, R31, T04, T07, T08, T09

Database/Processing Notes T file ☒ 5/9/95

WR Reports File _____ Transfer Memo Complete ☒

WR0749NP
No. T45-02262

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/04/95
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	LAURELL ADAMS	04/04/1950	IRRIGATION	04-01 10-31	0.970 CFS	272.00 AFA
C	KYLE R ADAMS RT 1 BOX 90 OAKLEY ID 83346 (208) 862-3406					
TOTAL DIVERSION:					0.970 CFS	272.00 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion: T13S R22E S07 NESE CASSIA County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
13S	22E	20	:											30	38					:	68.0
TOTAL ACRES																				68.0	

Pou County: CASSIA

Other Water Rights with Same Point(s) of Diversion and Source:
45-02437 T45-02437

Other Water Rights Listing Overlapping Place(s) of use:
45-00093 45-02040 45-02059

Conditions of Approval:

- R19 - A totalizing measuring device of a type approved by this
- Department shall be maintained as a part of the diverting works.
- R31 - This right when combined with all other rights shall provide no
- more than .02 cfs per acre nor more than 4.0 afa per acre for the
- lands above.
- T04 - Approval of this transfer in no way grants any right-of-way or
- easement for use of a delivery system owned by person(s) other
- than the right owner.
- T07 - The change authorized by this transfer shall be accomplished
- within one (1) year of the date of this approval.
- T08 - Failure to comply with the conditions of this transfer is cause
- for the director to issue an order to show cause why the approval
- of the transfer should not be rescinded.
- T09 - 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.

Remarks: The right holder shall use the full allotment of appurtenant
surface water rights, to the extent they are available, in
conjunction with groundwater diverted pursuant to this right.

WR0749NP
No. T45-02262

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 05/04/95
PAGE: 2

=====
Dates: App. Received: Priority Date: 04/04/1950
Proof Due Date: Proof Made Date:
Exam Made Date: Exam Sent to S.O.:
Licensed Date: 01/18/1983

Misc: Water District Number: Field Exam Fee:

Comments: Date: 08/10/1994 User-ID: SCURTIS Subject: ~~TRANSFER NO. 4418~~
Transfer #4418 was filed to change the point of diversion and
place of use under this right.

Audit: 08/10/94 SCURTIS 08/11/94 SCURTIS

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '1' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM		
		NE		NW		SW		SE		NE		NW		SW		SE				
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac			
T13S R22E S 19 : Original P/U																				
4500093	GOOSE CREE :	I	I	I	I	:	I	01-I	02-I	I	:	I	03-I	04-I	I	:	I	I	I	:
A4500093	GOOSE CREE :	39	37	40	40	:	30			30	:	31	03-30	04-38	38	:	37	39	38	35 : 502
A4500094	GOOSE CREE :	39	37	40	40	:	30			30	:	31	03-30	04-38	38	:	37	39	38	35 : 502
A4500132	GOOSE CREE :	39	37	40	40	:	30			30	:	31	03-30	04-38	38	:	37	39	38	35 : 502
A4500133	GOOSE CREE :	39	37	40	40	:	30			30	:	31	03-30	04-38	38	:	37	39	38	35 : 502
4500174	WASTE WATE :					:					:				I	:				:
4500177	LITTLE COT :					:					:				40	:		20		:
4500178	LITTLE COT :					:					:					:	40	20		:
A4500179	LITTLE COT :					:	40			40	:	40	03-46	04-46	40	:		10	10	:
4502040	GOOSE CREE :	40	40	40	40	:				40	:				40	:	40	40	40	:
A4502040	GOOSE CREE :	39	37	40	40	:	30			30	:	31	03-30	04-38	38	:	37	39	38	35 : 502
4502059	GOOSE CREE :	40	40	40	40	:					:				20	:	40	40	40	:
4502060	LITTLE COT :					:					:					:				:
A4502187	BATES SPRI :		???		???	:	???	???			:		???	???		:		???	???	:
4502262	GROUNDWATE :					:	37				:					:				:
4502437	GROUNDWATE :	37	39	40		:	39		10	39	:	40	03-43	40	39	:		10	10	:
4504177	LITTLE COT :					:					:	40	40	40	40	:		16	16	:
A4504273	GROUNDWATE :		0		0	:	???	0		40	:	40	???	???	40	:		10	???	1 :
A4512438	GOOSE CREE :	39	37	40	40	:	30			30	:	31	03-30	04-38	38	:	37	39	38	35 : 502
A4512442	GOOSE CREE :	39	37	40	40	:	30			30	:	31	03-30	04-38	38	:	37	39	38	35 : 502
A4512443	GOOSE CREE :	39	37	40	40	:	30			30	:	31	03-30	04-38	38	:	37	39	38	35 : 502
A4512445	LITTLE COT :					:	40			40	:	40	03-46	04-46	40	:		10	10	:
A4512448	GROUNDWATE :	39	37	40	40	:	30			30	:	31	03-30	04-38	38	:	37	39	38	35 : 502
A4512449	GOOSE CREE :	39	37	40	40	:	30			30	:	31	03-30	04-38	38	:	37	39	38	35 : 502
A4512455	GOOSE CREE :	39	37	40	40	:	30			30	:	31	03-30	04-38	38	:	37	39	38	35 : 502
A4512457	GROUNDWATE :	39	37	40	40	:	30			30	:	31	03-30	04-38	38	:	37	39	38	35 : 502
A4512749	GOOSE CREE :	39	37	40	40	:	30			30	:	31	03-30	04-38	38	:	37	39	38	35 : 502
A4512750	GOOSE CREE :	39	37	40	40	:	30			30	:	31	03-30	04-38	38	:	37	39	38	35 : 502
--86 MAP--	C31Q-CC 77 :	40	39	39	40	:	41			40	:	37			39	:	37	40	42	39 : 473
NO QTRS	MAPPING	Lot01-10 Lot02-29 Lot03-47 Lot04-49																		

T13S R22E S 20 New Transfer P/U

4500093	GOOSE CREE :	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	
A4500093	GOOSE CREE :	38	38	38	38	37	25	37	37	37	38	39	30	37	38	37	32	576
A4500094	GOOSE CREE :	38	38	38	38	37	25	37	37	37	38	39	30	37	38	37	32	576
A4500132	GOOSE CREE :	38	38	38	38	37	25	37	37	37	38	39	30	37	38	37	32	576
A4500133	GOOSE CREE :	38	38	38	38	37	25	37	37	37	38	39	30	37	38	37	32	576
4502029	MILL CREEK :	40	35	40	40				20	35				40	40			290
4502040	GOOSE CREE :	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
A4502040	GOOSE CREE :	38	38	38	38	37	25	37	37	37	38	39	30	37	38	37	32	576
4502059	GOOSE CREE :	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640

(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	
		NE		NW		SW		SE		NE		NW		SW		SE			
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac		
4502060	LITTLE COT :																	:	
A4502186	SIMMONS SP :			0				0				1	0	1			0	:	
A4502187	BATES SPRI :			0				0				1	0	1			0	:	
A4502262	GROUNDWATE :											36	40					:	
T4502262	GROUNDWATE :											30	38					:	
4502425	GROUNDWATE :							11	40	20	6							:	
A4502425	GROUNDWATE :							11	40	20	6							:	
4502444	GROUNDWATE :									20	40			40		20		:	
4502495	GROUNDWATE :																	:	
A4502495	GROUNDWATE :							38										:	
4504051	GROUNDWATE :									10	16			40		40		:	
A4504051	GROUNDWATE :									10	20			40		33		:	
A4504273	GROUNDWATE :			0				0		0			1	0	1		0	:	
A4511164	GROUNDWATE :																12	:	
A4512438	GOOSE CREE :	38	38	38	38			37	25	37	37	37	38	39	30	37	38	37	:
A4512442	GOOSE CREE :	38	38	38	38			37	25	37	37	37	38	39	30	37	38	37	:
A4512443	GOOSE CREE :	38	38	38	38			37	25	37	37	37	38	39	30	37	38	37	:
A4512448	GROUNDWATE :	38	38	38	38			37	25	37	37	37	38	39	30	37	38	37	:
A4512449	GOOSE CREE :	38	38	38	38			37	25	37	37	37	38	39	30	37	38	37	:
A4512455	GOOSE CREE :	38	38	38	38			37	25	37	37	37	38	39	30	37	38	37	:
A4512457	GROUNDWATE :	38	38	38	38			37	25	37	37	37	38	39	30	37	38	37	:
A4512749	GOOSE CREE :	38	38	38	38			37	25	37	37	37	38	39	30	37	38	37	:
A4512750	GOOSE CREE :	38	38	38	38			37	25	37	37	37	38	39	30	37	38	37	:
--86 MAP--	C31Q-CC 77 :	42	40	40	40			40	43	43	39	40	42	43	38	40	42	40	:

WR5747NP

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NUMBER INDEX

DATE: 05/02/95
PAGE: 1

WATER RIGHT
NUMBER

NAME

CFS

45-02262

ADAMS , KYLE R.

0.97

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: MTS

1. Right number 45-02262 Applicant Kyle Adams
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☐ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred.
 - h. ☒ Check for expansion in use of right. Comments See memo dated 6-20-94
See Part 2 - A. 10 about possible forfeiture.
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) _____
 - j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No
If yes, what district? _____

FINAL PROCESSING REVIEW BY: _____

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

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny

3. Conditions* See memo dated 3/23/95 & subject maps in file Turns # 4419

RECEIVED
MAR 2 1995
Department of Water Resources

4. By ADm Date 3/23/95

FROM: Allen Merritt

DATE: March 23, 1995

TO: Transfer files # 4418 & 4419 in the name of Kyle Adams

SUBJECT: Review and Recommendation

The two subject transfers involve the same existing well located in the SE1/4NE1/4SE1/4 of Section 7 T13S, R22E. The well currently serves license 45-02437 subject of Transfer # 4419.

TRANSFER #4419

This transfer proposes to remove the license from its present place of use located in the area of the well and place the 108 licensed acres into a PPU of 561 acres. The original P/U has Oakley Canal Company shares and the new PPU is also covered by Oakley Canal Company shares. A review of the AJ claims finds that the acres claimed by Oakley Canal Co. may be short 55 acres in the PPU from full coverage for the 561 acres but this is an estimate. The lands of the original P/U is short approximately 4 acres short from full coverage for the original 108 licensed acres; again, this is an estimate. This shortage of full coverage has the potential to allow this supplemental well to become a primary right if all acres in the proposed PPU are allowed to be irrigated at one time or it may be an indication that the Oakley Canal Co.'s AJ claims do not correctly correspond to actual acres irrigated. In reviewing NAPP CC77SE it appears that all acres have been cultivated in the PPU but it is not evident that all are watered at the same time.

TRANSFER #4418

This transfer proposes to change the point of diversion from its present location to the well described above which currently serves 45-02437. This license subject to this transfer is license 45-02262. The P/U of this license is also served by Oakley Canal Co. shares and is supplemental in nature. In the transfer process the applicant admits the acres have been reduced from the original licensed acres.

RECOMMENDATION

I recommend that both transfers be approved subject to the following conditions:

1. Measuring device with totalizing meter be maintained at the subject well.
2. The rights involved are subject to SRBA review.
3. The subject rights are supplemental in nature and the lands served or irrigated in any particular year must have Oakley Canal Company shares as the primary source of water. Trans. #4419 is limited to 108 acres use in any one season and these lands must have shares delivered.

EX-18 1995

3/23/95 memo
page 2

4. When the rights are combined under both transfers the total capacity of the well is limited to 2.97 cfs and the annual volume pumped in any one season is 4.0 afa at the field headgate when combined with Oakley Canal Co. shares. The maximum number of acres served in any one season is to be 176 acres. (108 in the PPU under trans. #4419 and 68 on the adjacent land in section 20 under trans. #4418)

MICROFILMED

MAY 18 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

Kyle R. Adams
Rt. 1 Box 90
Oakley, ID
83346

September 30, 1994

RE: Application for Transfer of Water Right #4419

Dear Mr. Adams;

There is a problem with your proof of ownership for this transfer, which covers the well on the Randy Hardy property. Although we have a deed from Mr. Hardy to you for the well site, the deed says nothing about the water license. Mr. Hardy has also assigned the SRBA claim on this license to you, but this does not convey the license itself. We need some document, such as a warranty deed, that conveys the water license from Mr. Hardy to you. We will hold your transfer application until this item is received.

Thank You,

James E. Stanton
Sr. Water Resource Agent

RECEIVED

MAY 18 1995

INTER-DEPARTMENT MEMO

TO: Jim StantonSUBJECT: Ownership of waterFROM: AdmDATE: 9/27/98

I do not find in the file a clear indication about
Adm's owning the water right. ⁽⁴⁵⁻⁰²⁴³⁷⁾ There is a deed
showing ownership of the well site but nothing clear
about the water right. Please document ownership
of the water right.

Trans #4419 & #4418

RECEIVED

MAY 18 1995

() For your information

() Response required

Adm
signature

**SOUTH IDAHO PRESS
BURLEY, IDAHO
AFFIDAVIT OF PUBLICATION**

SEP 2 1994

Department of Water Resources
Northern Region Office

County of Cassia
STATE OF IDAHO

)
) ss
)

Kary B. Miller being first duly sworn, deposes and says that she is the General Manager of the South Idaho Press, a daily newspaper published at Burley, Idaho, in the county aforesaid and that the paper is of general circulation therein. Deponent further states that the printed notice attached hereto was duly published according to law in the regular editions of The South Idaho Press for two consecutive week(s), commencing with the issue dated Aug 22 19 94, and ending with the issue dated Aug 29, 19 94.

Kary B Miller

STATE OF IDAHO

COUNTY OF Cassia

On this 15th day of September in the year of 1994 before me, a Notary Public, personally appeared Kary Miller, 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 he executed the same.

Kelly Solomon
Notary Public for Idaho

Residing at Burley, ID

My commission expires: May 23, 1997

OK
MB
9/5/94

Cost of Publication 39.96
Notary Fee .50
Total Cost 40.46

MICROFILMED

MAY 18 1995

94-311

**NOTICE OF PROPOSED CHANGE OF
WATER RIGHT NO. 45-02262
TRANSFER #4418**

Notice is hereby given that Kyle R. &/or Laurell Adams of Oakley, ID have applied to the Department of Water Resources to change the point of diversion and place of use for the following described water right pursuant to Section 42-222 of IDAHO CODE.

WATER RIGHT AS RECORDED:

License No. 45-02262
Source: Groundwater
Priority: 4/4/1950
Amount: 0.97 cfs
Use: Irrigation (3/15 - 11/15)
Point of Div: SENW, S19, T13S,
R22E, Cassia County
Place of Use: 76 acres in E1/2NW,
S19, T13S, R22E

A claim has been filed in the Snake River Basin Adjudication.

**WATER RIGHT TO BE CHANGED AS
FOLLOWS:**

Point of Div: SENESE, S7, T13S,
R22E, Cassia County
Place of Use: 68 acres in W1/2SW,
S20, T13S, R22E

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before September 9, 1994. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson
Director

Published in the South Idaho Press on
August 22 & 29, 1994.

**SOUTH IDAHO PRESS
BURLEY, IDAHO
AFIDAVIT OF PUBLICATION**

SEP 2 1994

Department of Water Resources
Southern Region Office

I, Kary D Miller, duly sworn, deposes and says that she is the General Manager of a daily newspaper published at Burley, Idaho, in the county of Blaine. The paper is of general circulation therein. Deponent further states that the instrument attached hereto was duly published according to law in the South Idaho Press for two consecutive week(s), commencing on August 22, 19 94, and ending with the issue of August 29, 19 94.

Kary D Miller

On this 15th day of September in the year of 1994 before me, a Notary Public, personally appeared Kary Miller, 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 he executed the same.

Nelly Johnson
Notary Public for Idaho

Residing at Burley, ID

My commission expires: May 23, 1997

Cost of Publication 39.96

Notary Fee .50

Total Cost 40.46

MICROFILMED

MAY 18 1995

OK
MB
9/5/94



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

12-Aug-1994

R. KEITH HIGGINSON
Director

KYLE R &/OR LAURELL ADAMS
RT 1 BOX 90
OAKLEY ID 83346

Re: Application for Transfer No. 4418 (45-02262)

Dear Applicants:

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 8/22 and 8/29/94. 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 the 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.

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,

Mary Baldwin
Sr. Secretary

RECEIVED

MAY 18 1995

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 45-02262
TRANSFER #4418

Notice is hereby given that Kyle R. &/or Laurell Adams of Oakley, ID have applied to the Department of Water Resources to change the point of diversion and place of use for the following described water right pursuant to Section 42-222 of IDAHO CODE.

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Source: Groundwater
Priority: 4/4/1950
Amount: 0.97 cfs
Use: Irrigation (3/15 - 11/15)
Point of Div: SENW, S19, T13S, R22E, Cassia County
Place of Use: 76 acres in E1/2NW, S19, T13S, R22E

A claim has been filed in the Snake River Basin Adjudication.

WATER RIGHT TO BE CHANGED AS FOLLOWS:

Point of Div: SENESE, S7, T13S, R22E, Cassia County
Place of Use: 68 acres in W1/2SW, S20, T13S, R22E

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Southern Region, 222 Shoshone Street East, Twin Falls, ID 83301 on or before September 9, 1994. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson, Director

Published in South Idaho Press on 8/22 and 8/29/94.

MICROFILMED

MAY 18 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region, 222 Shoshone St. East, Twin Falls, Idaho 83301 (208) 736-3033

CECIL D. ANDRUS
Governor

A. KEITH HIGGINSON
Director

August 12, 1994

South Idaho Press
PO Box 190
Burley, ID 83318

Gentlemen:

Enclosed you will find legal notices which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the required publication dates. If time allows, please submit a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notices are correct. If we have any corrections, we will notify you before the first publication. If you cannot publish the notices 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
Sr. Secretary

Enclosures

RECEIVED

MAY 18 1995

INTER-DEPARTMENT MEMO

TO: Kyle Adams Transfer Apps.

SUBJECT: Field Inspection

FROM: Jim Stanton

DATE: 6-20-94

In early May I inspected the Adams property and the irrigation well involved in these
transfer apps. Rt. 45-02262 presently irrigates about 58 acres under 2 pivots and some
handlines; the app. says that 68 acres are irrigated. The license is for 76 acres. I don't
think that Mr. Adams plans to put in more ground under this transfer, but there are definitely
less acres now irrigated than what the transfer shows.
The other Adams transfer also appears to cover about 10 acres that are not now irrigated.
I put these transfers together for Mr. Adams, so I may not have understood his system
descriptions totally. I think he just plans to mix this water into the existing system.
not to increase what is now being irrigated.

☒ For your information

MAY 18 1995

☐ Response required


signature

June 24, 1982

RE: Water Right No. 45-2262

Kyle R. Adams
Oakley,
Idaho 83856

Dear Mr. Adams:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 2628).

Sincerely,

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

DRT:kw
Enclosure

MICROFILMED

RECEIVED

MAY 17 1982

Department of Water Resources

May 10, 1982

Mr. David R. Tuthill, Jr., P. E.
Supervisor, Water Allocation Section
State of Idaho
Department of Water Resources
State Office, 450 W. State Street
Boise, Idaho 83720

Re: Application for Transfer ⁴⁵⁻²²⁶²
No. 2628, Water Right ~~#45-2622~~

Dear Mr. Tuthill:

In answer to your letter dated April 13, 1982, I am submitting the following answers to your questions referred to therein:

1. The land from which the water is to be removed is still short of water from the Oakley Canal Co. I rent water from neighbors at the end of the irrigation season who have water left at \$30.00 per 100 miner inches. I rent about \$800.00 worth. All water from the Oakley Canal Co. can be used on any field that a farmer owns.
2. This well from which the water was pumped was one of the first wells drilled in Oakley. It was only drilled 260 ft. deep and the bowls were set at 190 ft. It pumped for 2 years then with the drilling of other wells in the Valley it would only pump half the time then surge. Therefore, we had to give it up. It was turned on about April 15th and turned off about Sept. 1st.
3. The land to which the water right is to be transferred has been partly farmed from waste water off from 200 acres just above it. This land has a well 600 ft. deep which has never been used or tested.

I hope this information will adequately answer the questions which you have and that my application will continue to be processed.

Sincerely,

Kyle R. Adams
Kyle R. Adams
Oakley, Idaho

Adequate responses to indicate that expansion will be minimal

DET

MICROFILMED

April 13, 1982

Mr. Kyle R. Adams
Oakley, Idaho 83346

RE: Application For Transfer No. 2628 on Water Right No. 45-²²⁶²2622

Dear Mr. Adams:

This office is currently evaluating the above referenced Application For Transfer. We find that to properly complete the evaluation some additional information is required, as follows:

1. You have indicated on the application that the land from which the water is to be removed is irrigated via shares in the Oakley Canal Company. At the time the groundwater right was developed on the land, the water provided by the Oakley Canal Company was inadequate to properly irrigate the ground. How has this condition been remedied since 1954?
2. What has been the use of groundwater on the land from which the water is to be removed during the past 10 years? Please estimate the date the well water was turned on each year, the date turned off, and the frequency of use while it was turned on.
3. Has there been any irrigation on the land to which the water right is to be transferred? If so, why has there not been enough water?

Please respond to these three questions by May 15, 1982 to allow us to continue with timely processing of the application.

Sincerely,

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

DRT:jg

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRANSFER ANALYSIS SHEET

INITIAL REVIEW BY: J.F. Stanton

1. Right number 45-2262 Applicant ADAMS, Kyle R.
2. Type of right: ☐ Decree ☒ License ☐ Claim
3. Purpose of transfer: ☒ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Other _____
4. Check:
 - a. ☒ Source ☒ Priority ☒ Amount ☒ Purpose ☒ Period of use
 - b. ☒ Description of original point of diversion.
 - c. ☒ Description of original place of use.
5. Amount of land &/or water transferred:
 - a. ☒ All of right.
 - b. ☒ Part of right (NOTE! Part B should be filled in only if part of the right is owned by the applicant).
 - c. ☒ Check description of point(s) of diversion.
 - d. ☒ Check description of place of use.
 - e. ☒ Check map (shows p.d. and p.u. after transfer).
 - f. ☒ Check for correct signature, notarization, and fee.
 - g. ☒ Check proof of ownership of right &/or land from which water is transferred. reported from applicant
 - h. ☒ Check for expansion in use of right. Comments ok yes
no expansion ✓
 - i. ☒ Check for existing water rights from same source, on land water is being transferred to.
Right number(s) none - none found
 - j. ☒ Is use within a Watermaster District? ☐ Yes ☒ No
If yes, what district? _____

FINAL PROCESSING REVIEW BY: ADM

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

RECOMMENDED ACTION

1. ☒ Approve
2. ☐ Deny

Conditions* Access - source or access point.

By ADM Date 1/14/82

* All uses within Watermaster Districts require special conditions.

November 24, 1981

South Idaho Press
Box 180
Burley, Idaho 83316

Re: Notice of Proposed Change of Water Right No. 45-2262

Gentlemen:

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

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

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

Sincerely,

Mary A. Hill
Sr. Secretary

for

Loren O. Holmes
Southern Region Supervisor

Encl:

Bill submitted: _____

MICROFILMED

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 45-2262

Notice is hereby given that Kyle R. Adams of Oakley, Idaho has applied to the Department of Water Resources for a change of point of diversion and change of place of use of the waters of a groundwater source. The right sought to be changed is evidenced by License No. 45-2262 and is recorded as follows:

Amount: 0.97 cfs

Priority: April 4, 1950

Point of Diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 20, T13S, R22E, B.M., Cassia County

The water is used for irrigation of 76 acres from March 15 to November 15 within the W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 20, T13S, R22E

TO BE CHANGED AS FOLLOWS:

Amount: No change

Point of Diversion: SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 19, T13S, R22E, B.M.,

Place of Use: E $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 19, T13S, R22E for irrigation of 76 acres.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301, on or before December 21, 1981.

A. KENNETH DUNN
Director

Published in South Idaho Press on December 3 and December 10, 1981.

MICROFILMED

RECEIVED
JAN 25 1982

Department of Water Resources

81-329

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT**

Notice is hereby given that Kyle R. Adams of Oakley, Idaho, has applied to the Department of Water Resources for a change of point of diversion and change of place of use of the waters of a groundwater source. The right sought to be changed is evidenced by License No. 45-2262 and is recorded as follows:

Amount: 0.97 cfs Priority: April 4, 1950

Point of Diversion: SW¹/₄ SW¹/₄, Sec. 20, T13S, R22E, B.M., Cassia County. The water is used for irrigation of 76 acres from March 15 to November 15 within the W¹/₄ Sec. 20, T13S, R22E.

TO BE CHANGED AS FOLLOWS:

Amount: No change

Point of Diversion: SE¹/₄ NW¹/₄, Sec. 19, T13S, R22E, B.M.

Place of Use: E¹/₂ NW¹/₄, Sec. 19, T13S, R22E for irrigation of 76 acres. Any protest against approval of the above proposed change of water rights must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301, on or before December 21, 1981.

A. KENNETH DUNN

Director

Published in the South Idaho Press December 3 and 10, 1981.

*called
association
12/1/81*

*ok
mays
12/82*

MICROFILMED

86957

WARRANTY DEED

DEC 16 1981

Department of Water Resources
Southern District Office

THIS INDENTURE, made this 8th day of January, 1975, between
ORVIL B. ADAMS and MERNA C. ADAMS, husband and wife, of Burley,
Cassia County, Idaho, hereinafter called the "Grantors" and, KYLE ADAMS
and LAURELL M. ADAMS, husband and wife of Oakley, Cassia County,
Idaho, hereinafter called the "Grantees".

W I T N E S S E T H:

That the Grantors for and in consideration of the sum of Ten Dollars
(\$10.00) lawful money of the United States of America, and other good and
valuable consideration, to the Grantors in hand paid by the Grantees, the
receipt whereof is hereby acknowledged, has granted, bargained and sold
and by these presents does grant, bargain and sell, convey and confirm
unto the Grantees and the Grantees' heirs and assigns forever, all the
following described real estate, situated in the County of Cassia, State of
Idaho, to-wit:

The West half of the Southwest Quarter of Section 20
Township 13 South, Range 22, East of the Boise Meridian
The Northwest Quarter of the Northwest Quarter of Section
30 Township 13 South, Range 22, East Boise Meridian.
Together with all water rights with the Oakley Canal Company
appurtenant to the above property.

TOGETHER with all and singular the tenements, hereditaments and
appurtenances thereunto belonging or in anywise appertaining, the reversion
and reversions, remainder and remainders, rents, issues and profits thereof,
and all estate, right, title and interest in and to the said property as well
in law as in equity of the Grantors.

To have and to hold, all and singular the above mentioned and
described premises, together with appurtenances unto the Grantees and to
the Grantees' heirs and assigns forever.

The Grantors shall and will warrant and by these presents will
forever defend the said premises in the quiet and peaceable possession of
the Grantees and the Grantees' heirs and assigns against all and every
person and persons whomsoever lawfully claiming the same, except as

NIELSON, NIELSON & NIELSON
ATTORNEYS AT LAW
P. O. BOX 367
BURLEY, IDAHO 83318

MICROFILMED

aforesaid.

IN WITNESS WHEREOF, the Grantors have executed this Deed
the day and year first above written.

Orvil B. Adams
Orvil B. Adams

Merna C. Adams
Merna C. Adams

STATE OF IDAHO)
) ss.
County of Cassia)

On this 8th day of January, 1975, before me the undersigned,
a Notary Public in and for said State, personally appeared, ORVIL B.
ADAMS and MERNA C. ADAMS, 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.

My Commission Expires:
May 12, 1978

Harry Nielson
Notary Public for Idaho
Residing: Burley, Idaho

State of Idaho } SS 86957
County of Cassia }

I hereby certify that the within instrument was
filed at the request of Orvil B. Adams

On Dec 1, 19 75
At Burley, Idaho M., and
recorded on Film 98
Inst. # 86957
by Frank B. Kiggins, Recorder
Kenneth J. Carrell, Deputy

12 Dec 75

Eva Lauer

\$2.00 H.E. Kyle Adams
Burley, Idaho

NIELSON, NIELSON & NIELSON
ATTORNEYS AT LAW
P. O. Box 367
BURLEY, IDAHO 83318

MICROFILMED

ACT
ION

N	OWNER LAST NAME - ADAMS	FIRST NAME - GRVIL B.
N		CITY - OAKLEY
N	SOURCE - GROUNDWATER	STATE - ID
N	STAGE - LICENSE	PRIORITY - 04-04-1950
N	DIVERSION POINT - SWSW 20 13S 22E	COUNTY - CASSIA
N		TOTAL DIV. RATE - .9700CFS
N	USE - IRRIGATION	USE DIV. RATE - .9700CFS
N	PLACE OF USE - TWN 13S RNG 22E SEC 20 TRACT NWSW	AC 36 TRACT SWSW AC 40
N		OLD NO. - 20524

IDENT. NO. 45-2262

WATER RIGHT
DATA ENTRY LOG

[illegible]

WATER RIGHT ANALYSIS FORM

- DATA ENTRY -

Identification No. 20524 145-2262
Old No. New No.

Record

1. Original Owner: Orvil B. Adams

Present Owner: _____

2. Address:

3. City: Oakley State: 10 Zip: _____

4. A. Source of Water: gw

B. Tributary of: _____

5. A. Stage (A,P,L,D,S,J): L

B. Status (D,L,R,C,A,I,F - leave blank if valid):

C. Priority Date: 4-4-1950

D. County: 31

E. Total Diversion Rate: .97

F. Total Diversion Volume:

G. Transfer/Amendment (P,T of A or blank):

H. Water District:

I. DLE/Carey Act (D,C or blank):

J. Right Basis (for adjudication claims A,B,C only):

	Tract	Sec.	Twp.	Rge.	Gov't Lot	Rediv.
6. A. Point of Diversion	<u>SWSW</u>	<u>20</u>	<u>130</u>	<u>22E</u>		
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____
	_____	_____	_____	_____	_____	_____

7. Period of Use, Use, Diversion Rate/Volume:

from _____ to _____ for 17 purposes. Amount .97
(cfs or ~~AC-FT/yr.~~)

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

from _____ to _____ for _____ purposes. Amount _____

8. Use Code: *A*

[illegible]

9. A. Decree Name:

B. Decree Date:

10. Remarks: A.
B.
C.
D.
E.

11. Other Uses (Non-irrigation explanatory information):

12. Other Rights for Same Use:

13. A. Proof Due Date:

B. Date Permit Approved or Denied:

C. Protested Date:

D. Hearing Date:

E. Old Number: 20524

F. Proof Made (P or blank):

G. Field Exam Made (P,R,F or blank):

H. Conditions of Approval: _____

14. Diversion Means (brief narrative):

LKO 5-14-79

December 29, 1950

Re: Permit No. 20524

Mr. Orvil B. Adams
Oakley, Idaho

Dear Mr. Adams:

We enclose License and Certificate of Water Right issued under Permit No. 20524, confirming your right to the use of 0.97 of a second foot of water from a well in the SW¹/₄ SW¹/₄ Section 20, Township 13 South, Range 22 East, B.M., with priority of April 4, 1950, for irrigation of land in the SW¹/₄ SW¹/₄ of said Section 20.

We also enclose Departmental Receipt No. 22944 for the \$4.00 fee paid in connection with this proof.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

20524

✓
December 18, 1950

Re: Permit No. 20524

Mr. Orvil B. Adams
Oakley, Idaho

Dear Mr. Adams:

The report of our Field Engineer on examination for beneficial use under Permit No. 20524 shows that your well in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20, Township 13 South, Range 22 East, B.M. is capable of delivering 48.25 inches of water.

Therefore, upon receipt of the statutory fee of \$4.00, a License will be issued for .97 second foot (or 48 $\frac{1}{2}$ inches) of water for use on the W $\frac{1}{2}$ SW $\frac{1}{4}$ of said Section 20.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

20524

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

Permit No. 20524This proof is for Beneficial use

In Water District No. _____

1. Name of applicant Orvil B. Adams, Oakley, Idaho
2. Source of water supply: Subterranean from a well
3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20
T. 13 S. R. 22 E. County of Cassia
4. Describe works as they exist, giving dimensions and capacities of same: Well is 260 ft. deep, cased full depth. 200' of 12" casing, 60' of 10" casing. Perforated from 60' to bottom. The water rises to 75' and draws down to 140'. Pump sets 180' down into the well, has 8" column, 10" bowl. 195' to the bottom of the suction line. There is no well house. There is a good concrete base 35" by 42", pump and motor rests on concrete base.
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):
W $\frac{1}{2}$ SW $\frac{1}{4}$ Section 20, Township 13 South, Range 22 East, B. M.

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

8. What large stream would the water here appropriated finally reach?
- Remarks: Motor is a Westinghouse 30 h.p., 3 ph, 220 V., 71 amps, 1770 rpm, #25EMM6378. The pump is a Peerless pump, #47477. The discharge is through a 7 3/4" diameter pipe, 58" long, discharges to the Southwest into a heavy concrete sump 40" by 40" by 17" deep, inside measure, Concrete is 8" thick. Switches and controls are Sq. D. G. E. Meter, 50 amp, 240 V., 60 cy., Type VM-3S. 3 wire, 3 ph., Kh - 24, Model AL4AAD. Min. int. - 15. #27729831, T1216X. 15 rpm equals the dial reading. 2.15 Kw. equals sweep reading. The gage reading was .33'. Q - 48.25 inches. Temperature - 9.5° C. or 49.1° F.

This examination was made on the 4th day of August, 19 50(Signed) E. M. Humphrey Examiner.

20524

Motor
Westinghouse 30 hp.
3 ph. 220V 71 amp.
1770 rpm. #25 EMM637B

Pump 47477
Peerless Pump.

260' cased full depth
200' x 12" - 60' x 10'
perforated 60' and down.
h. = 75' draws down to 140'
column 8" bowl 10"
pump sets 180' down
195' to bottom of section -

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.

Orvil Adams
Oakley, Idaho

Permit No. 20524

Examination for Beneficial use

County Cassia

20 well
135 - 22 E

Q = 2 cfs.
land = 80 acres.

P.d. = SW₄ SW₄ Sec 20.

RECEIVED
DEC 12 1950
Department of Reclamation

Gage = 33' .35 = pile up
Q = 52.75' on scale.
T =

stabilized at a
gage of 33' (pile up)

Q = 48.25"
T = 9.5°C.
= 49.1°F

.83
1.28
2.11
1.055
52.75

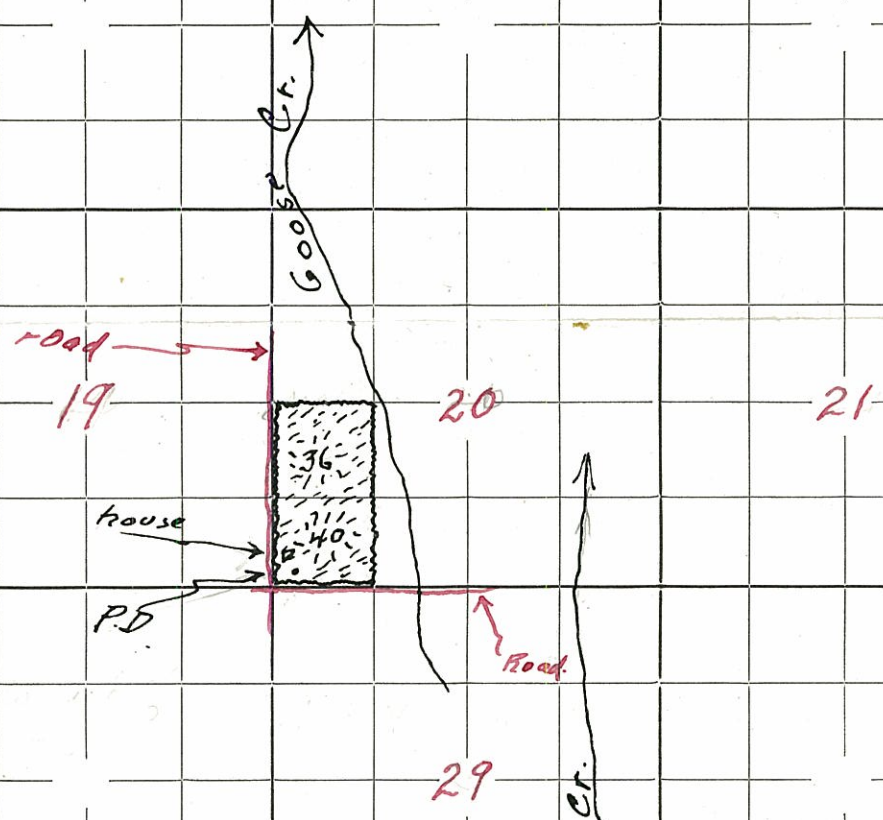
1.28
.83
45
135
.83
9.65
52
48.25

48.25
171
52
49.1

15 yds of water					
2.15 km of water					
18' water					
angle 56 V. 240					
type VM-35 - 30 m 3 ph					
KH=24					
min. int 15					
# 929831					
T 1.216 X					
square D panel					
concrete base					
20 m long house					
good concrete base					
35" x 42"					
1 pump & water meter on base					
discharge 1/4" pipe					
58" long.					
discharge to S.W. end					
concrete rising 40' x 45'					
inside measure 17' deep					
concrete 8" thick					

N.

T 13 S. R 22 E.



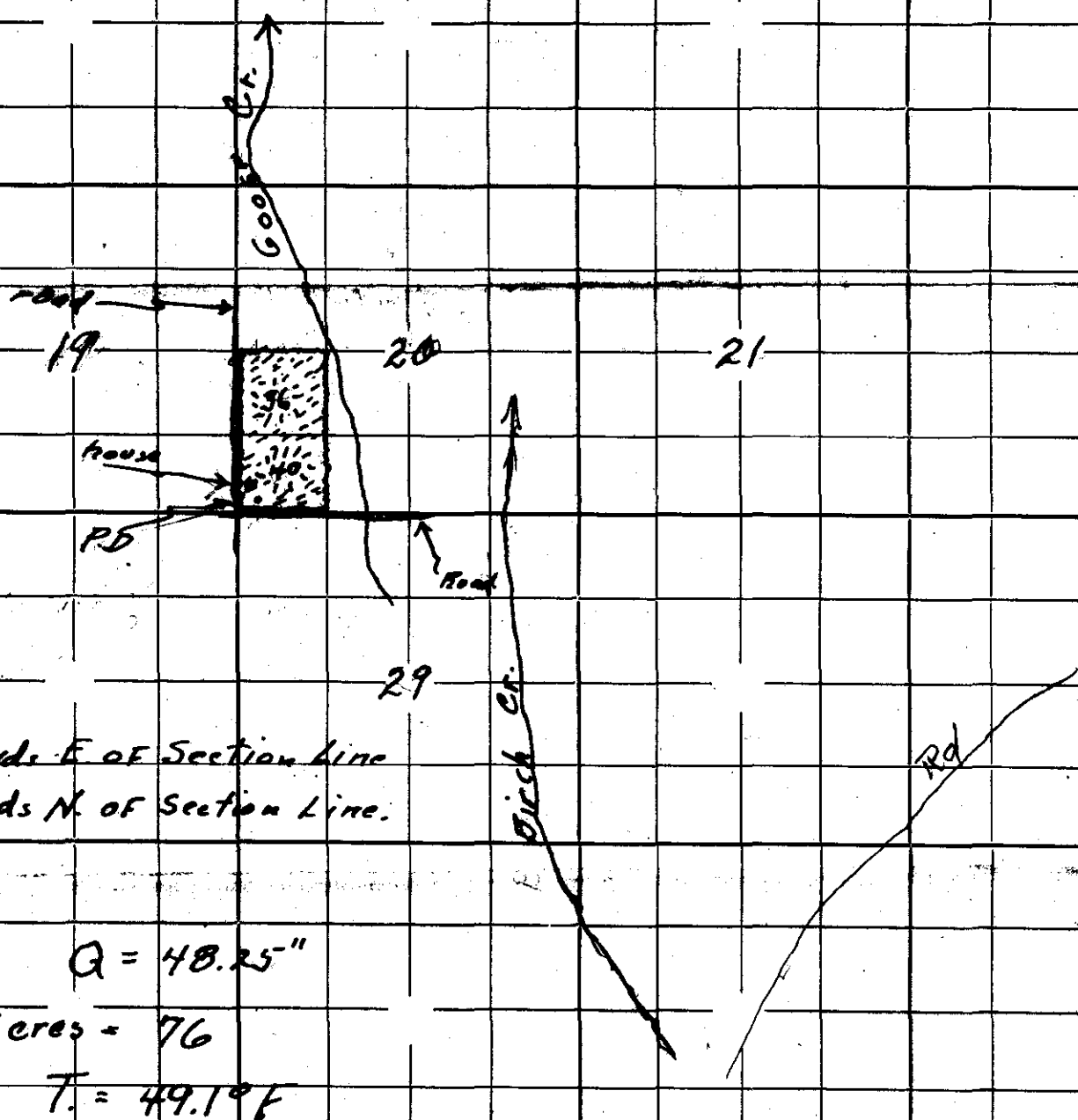
P.D. = 36 yds E. of Section Line
 = 19 yds N. of Section Line.

Q = 48.25"
 Acres = 76
 T. = 49.1° F.

15' x 8' meters	
2.15 - 15m 5' rough	
4.3 meters	
avg. 50 V. 240	avg 60.
Type VM-35 - 3 wire 3/4"	
K _h = 24	model = AL 444D
min. int 1/5"	
# 27 229831	
T 1216 X	
Square D panel control	
no pump house	
good concrete base	
35" x 42"	
runway & water pipe on base.	
drainage 1/4" pipe	
38" long.	
drainage to S.W. corner	
concrete ramp. 40' x 45"	
curb measure 17" deep	
concrete = 8" thick.	

T 13 S R 22 E

N



P.D. = 36 yds. E of Section line
= 19 yds N. of Section Line.

$$Q = 48.25''$$

$$\text{Acres} = 76$$

$$T = 49.1^\circ F$$

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 20524

REPORT ON PROOF OF Beneficial use

app. 2 cfs.

57 cfs
min

76 acres
2-40's

✓
July 18, 1950

Re: Permit No. 20524

Mr. A. E. Nielson
Attorney at Law
Burley, Idaho

Dear Mr. Nielson:

We acknowledge receipt of your letter of July 13, 1950, enclosing depositions of Orvil Adams and two witnesses, also Affidavit of Publication in the Oakley Herald, all in Proof of Beneficial Use under Permit No. 20524.

These have been placed on file, but before final action is taken in the matter, the law requires that a field examination be made by an Engineer from this Department.

We are unable to say just when this examination will be made, as this Department has but one Field Engineer who makes examinations all over the State.

However, the Field Engineer for this Department will try and contact Mr. Adams at the time he makes the examination in order that he may arrange to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh

20524

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

July 13, 1950

A. H. NIELSON

N. H. NIELSON

RECEIVED
JUL 14 1950
Department of Reclamation

State of Idaho
Department of Reclamation
Boise, Idaho

Re: Permit No. 20524

Gentlemen:

I am sending the affidavit of publication, the proof of application of water for beneficial use, the deposition of two witnesses, and the deposition of the holder.

I believe you will find these all as required by your regulations. If they are not would you notify me?

Very truly yours,

NIELSON & NIELSON

By


A. H. Nielson

AHN:ws
Encs.

20524

WATER
Notice is hereby given that
100 A. M. on the 10th day of July
1950, at County Court of Cassia
County, Idaho, before A. A. Nielsen,
Notary Public, a copy will be submitted
of the application to beneficial
use of the water feet per second
of waters of a certain well in a
conjunction with the terms and conditions
of Permit No. 20524 heretofore
issued by the State Reclamation Engineer
of the State of Idaho.
The name and postoffice address
of the person or corporation holding
said permit are ORVIL B. ADAMS
Oakley, Cassia County, Idaho.
The use to which said water has
been applied is irrigation.
The amount applied to beneficial
use is two cubic feet per second.
The place where said water is used
is the Southwest Quarter of the Southwest
Quarter and the Southwest Quarter
of the Southwest Quarter of Section
Twenty, Township Thirteen South
Range Twenty-two, East Boise
Meridian, in Cassia County, Idaho.
The name of the canal or ditch
other works by which said water
is conducted to such place of use is
said ditches located on land
allotment.
The right to take water from such
source is based upon Permit No.
20524.
The source of supply from which
said water is diverted is a certain
well located 40 feet North and 40
feet East of the Southwest corner
of Section Twenty, Township Thirteen
South, Range Twenty-two, East Boise
Meridian, in Cassia County,
State of Idaho.
The date of priority which said
water is prepared to establish is April
2, 1950.
20524
WALTER B. KULP
State Reclamation Engineer.
First publication June 15, 1950.
Second publication July 8, 1950.

Affidavit of Publication

I, Charles Brown, being first duly sworn on oath, say:

That I am the publisher and printer of THE OAKLEY HERALD, which
is a newspaper of general circulation in Cassia County, Idaho, and which has
been continuously and uninterruptedly published at said place during a period
of more than 78 consecutive weeks prior to the final publication of
the notice

herein mentioned; that a notice

of which the attached clipping is a copy, was published in the regular issue
of said newspaper for 4 consecutive weeks, to-wit, on

June 15, 22, 29, July 6, 1950.

Charles Brown

Subscribed and sworn to before me this 8th
day of July, 1950.

C. G. Larson

Notary Public.

20524

NOTICE / PUBLICATION
NOTICE OF PUBLICATION
OF WATER TO BENEFICIAL USE

Notice is hereby given that at 10:00 A. M. on the 10th day of July, 1950, at Burley, County of Cassia, State of Idaho, before A. H. Nielson, Notary Public, proof will be submitted of the application to beneficial use of two cubic feet per second of the waters of a certain well in accordance with the terms and conditions of Permit No. 20524 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are ORVIL B. ADAMS, Oakley, Cassia County, Idaho.

The use to which said water has been applied is irrigation.

The amount applied to beneficial use is two cubic feet per second.

The place where said water is used Northwest Quarter of the Southwest Quarter and the Southwest Quarter of the Southwest Quarter of Section Twenty, Township Thirteen South, Range Twenty-two, East Boise Meridian, in Cassia County, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is unnamed ditches located on land of applicant.

The right to take water from such works is based upon Permit No. 20524.

The source of supply from which such water is diverted is a certain well located 40 feet North and 40 feet East of the Southwest corner of Section Twenty, Township Thirteen South, Range Twenty-two, East Boise Meridian, in Cassia County, State of Idaho.

The date of priority which said user is prepared to establish is April 4, 1950.

20524

MARK R. KULP

State Reclamation Engineer.

First publication June 15, 1950,

Fourth publication July 6, 1950

Affidavit of Publication

I, Charles Brown, being first duly sworn on oath, say:

That I am the publisher and printer of THE OAKLEY HERALD, which is a newspaper of general circulation in Cassia County, Idaho, and which has been continuously and uninterruptedly published at said place during a period of more than 78 consecutive weeks prior to the final publication of

the

herein mentioned; that a

of which the attached clipping is a copy, was published in the regular issue

of said newspaper for consecutive weeks, to-wit, on

19

Subscribed and sworn to before me this

day of 19

C. H. Larson

Notary Public.

20524

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 20524

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Orvil Adams, Oakley, Idaho, farmer, Oakley, Idaho.

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. I am acting only on behalf of myself

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

Ans. 20524, July 3, 1948. ~~September 25, 1948~~ 4-4-50 -

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

Ans. Well located 40 feet north and 40 feet east of the southwest corner of Section Twenty, Township Thirteen South, Range Twenty-two, East Boise Meridian. S.W. 1/4

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.

Ans. The water is taken from the well by a pump driven by electric motor. The pump is capable of taking 2 cubic feet per second. The ditches from the pump to the place of use are capable of conveying 2 cubic feet per second. The ditches from the pump are private ditches of this applicant and are used by applicant to transport water from the Oakley Canal Company to the same land.

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

Ans. Water is used for irrigation. Water is to be used on the NW 1/4 SW 1/4 and the SW 1/4 SW 1/4 of Sec. 20, Twp. 13 S., R. 22, E.B.M. There are 40 acres in each subdivision that have been actually irrigated with said water. The said 80 acres are cultivated and the crops have been benefited by the use of this well water.

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

Ans.

20524

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

Ans. ---

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. ---

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

Ans. Since Sept. 25, 1948, there has been 1 cubic foot per second of water from the well diverted under the above mentioned Permit, which water has been used on the 80 acres of land described in Question 6 hereof.

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. Applicant has water in the Oakley Canal Company. This water, however, is not sufficient to adequately irrigate the 80 acres described under Question 6. Applicant has 62 shares of stock in the Oakley Canal Company. Applicant's mother, who at the present time is the owner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 20, Twp. 13 S., R. 22, has 57.96 shares in the Oakley Canal Company.

(Sign)

Orvil Adams

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 10th day of July, A. D. 1950.

[Signature]
Notary Public

My commission expires February 20, 1954.

20524

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 20524

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. Eugene Pickett, 64, Oakley, Idaho, rancher and farmer, Oakley, Idaho

Ques. 2. Are you acquainted with Orvil Adams, the holder of Permit No. 20524? How long have you known him and where does he reside?

Ans. Yes. I have known him all his life, and he resides at Oakley, Idaho.

Ques. 3. Have you read or heard read said Permit No. 20524, 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. The source of water is a well constructed 40 feet north and 40 feet east of the southwest corner of Sec. 20, Twp. 13 S., R. 22, E.B.M. The water is taken at the well and conveyed by ditches to the place of use. The land on which it is to be used is within a short distance from the well. The water can be taken along the barrow pit of the highway, where a ditch has been used by applicant for years to convey Oakley Canal Water and the same ditch can be used to transport the water from the well.

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. One cubic foot per second of water.

Ques. 6. 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 for irrigation on the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 20, Twp. 13 S., R. 22, E.B.M. There are 80 acres of this property susceptible to irrigation. These 80 acres are cultivated and have been cultivated for more than 50 years. The use of this well water has improved the crops growing on the land.

20524

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Heretofore water from the Oakley Canal system has been used on the 80 acres described in Paragraph 6. However, there has not been enough water to properly irrigate the said 80 acres. It takes at least 1 inch per acre to properly irrigate the land described under Question 6 to make a profitable cultivation.

Ques. 8. (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. _____

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. _____

Ques. 10. 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 live within a mile and a half of the well described. My trade area is in Oakley, Idaho, and I pass at least on an average several times a day by the well and the land operated by Orvil Adams. I have been interested in the well, have stopped there several times, have noticed the flow from the well, and have seen the water being transported to the land.

(Signed) Engure Dickitt

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 10th day of July,
A. D. 1950.

[Signature]
Notary Public.

My commission expires February 20, 1954.

20524

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 20524

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. Joel E. Rasmussen, age 38, Oakley, Idaho, farmer and stockman, Oakley, Idaho

Ques. 2. Are you acquainted with Orvil Adams, the holder of Permit No. 20524? How long have you known him and where does he reside?

Ans. I have known Orvil Adams for fourteen years last past. He resides at Oakley, Idaho.

Ques. 3. Have you read or heard read said Permit No. 20524, 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. The source of water is a well constructed 40 feet north and 40 feet east of the southwest corner of Section Twenty, Township Thirteen South, Range Twenty-two, East Boise Meridian. The water is taken at the well and conveyed by ditches to the place of use. The land on which it is to be used is within a short distance from the well. The water can be taken along the barrow pit of the highway, where a ditch has been used by applicant for years to convey Oakley Canal Water, and the same ditch can be used to transport the water from the well.

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. One cubic foot per second of water.

Ques. 6. 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 for irrigation on the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 20, Twp. 13 S., R. 22, E.B.M. There are 80 acres of this property susceptible to irrigation. This 80 acres is cultivated and has been cultivated for more than 50 years. The use of this well water has improved the crops growing on the land.

20524

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. Heretofore water from the Oakley Canal system has been used on the 80 acres described in Paragraph 6. However, there has not been enough water to properly irrigate the said 80 acres. It takes at least 1 inch per acre to properly irrigate the land described under Question 6 to make a profitable cultivation.

Ques. 8. (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. _____

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. I have no interest in any manner whatever in the well, pump or pumping equipment or any land to which this water is to be used.

Ques. 10. 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 live within a mile distance of Orvil Adams' well. I pass by the well several times a week. I have been to the well a number of times. I have seen the water being pumped and have seen the water being used on the land. I have been interested in Orvil Adams' experiment of getting water from the well.

(Signed) Joel E. Rasmussen

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 10th day of July,
A. D. 1950.

[Signature]

Notary Public.

My commission expires February 20, 1954.

20524

205-58

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE
INSTRUCTIONS
PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, June 30, 1950

Re: Permit No. 20524
Orvil B. Adams

Mr. A. H. Nielson
Attorney at Law
Burley, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 20524

DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On July 10, 1950, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Burley, Idaho before A. H. Nielson, Notary Public

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly.

MARK R. KULP
Commissioner of Reclamation
State Reclamation Engineer

20524

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date).....

(P. O.).....

TO THE STATE RECLAMATION ENGINEER:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
..... Oakley Herald of Oakley, Idaho published in
the county in which the works are situated.

Orvil B. Adams

(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.

205241

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

Notice is hereby given that at 10.00 A. M. on the 10th day of July, 1950,
 at Burley, County of Cassia, State of Idaho, before
A. H. Nielson, Notary Public, proof will be submitted of the
Burley Idaho
 application to beneficial use of two cubic feet per second of the waters of a certain well
in accordance with the terms and conditions of Permit No. 20524
 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are

ORVIL B. ADAMS, Oakley, Cassia County, Idaho.

The use to which said water has been applied is irrigation

The amount applied to beneficial use is two cubic feet per second

The place where said water is used (if for irrigation, give full and accurate description of the
~~lands irrigated~~ Northwest Quarter of the Southwest Quarter and the Southwest Quarter
of the Southwest Quarter of Section Twenty, Township Thirteen South, Range Twenty-two,
East Boise Meridian, in Cassia County, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of
 use is unnamed ditches located on land of applicant

The right to take water from such works is based upon Permit No. 20524

The source of supply from which such water is diverted is a certain well located 40 feet
North and 40 feet East of the Southwest corner of Section Twenty, Township Thirteen
South, Range Twenty-two, East Boise Meridian, in Cassia County, State of Idaho.

The date of priority which said user is prepared to establish is April 4, 1950

MARK R. KULP
 State Reclamation Engineer.

20524

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Date: **June 10, 1950**

Re: Permit No. 20524

Oakley Herald

Oakley, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **July 10, 1950**, the date set for proof, the expense of the publication to be paid by the applicant, **Orvil R. Adams** of **Oakley Idaho**, to whom you should furnish proof of publication on or prior to the date set for proof.

Please acknowledge receipt of this notice, and furnish this office with a copy of the first publication.

Very truly yours,

MARK R. KULP

State Reclamation Engineer

By

Chief Clerk

20524

20524
✓

June 10, 1950

Mr. A. H. Nielson
Attorney at Law
Burley, Idaho

Dear Mr. Nielson:

Reference is made to your letter of June 7, 1950 enclosing notice of beneficial use proof on Permit No. 20524, Orvil B. Adams:

We have set the date at 10:00 A. M., July 10, 1950, and have sent a copy to the Oakley Herald, with instructions to publish it once a week for four consecutive weeks prior to that date, and to send Mr. Adams the affidavit of publication, together with statement of costs.

Since this proof was actually due on or before October 1, 1948, the original priority of June 26, 1948, will be set at April 4, 1950.

We shall send you before July 10th the forms of deposition to be used in making these proofs. We would enclose them in this letter, but we are a little short, and are expecting a supply from the printers shortly.

Very truly yours,

Mark R. Kyp
State Reclamation Engineer
By

Chief Clerk

20524

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW

BURLEY, IDAHO
June 7, 1950

A. H. NIELSON
N. H. NIELSON

RECEIVED
JUN 9 1950
Department of Reclamation

State Reclamation Engineer
State of Idaho
Boise, Idaho

Dear Sir:

Re: Orvil B. Adams

I am sending two copies of Form No.10. You will notice I have not given the date when proof will be submitted. You can fill that date in any time to comply to the statutes, as I will be in the office.

The Oakley-Herald is published on Thursday of each week.

I am also sending your authorization to publish in the Oakley Herald.

If these forms are not according to your requirements, will you let me know.

Very truly yours,

NIELSON & NIELSON

By



A. H. Nielson

AHN:ew
Enclosures

20524

✓
March 2, 1950

Re: Permit No. 20524

Mr. A. H. Nielson
Attorney at Law
Burley, Idaho

Dear Mr. Nielson:

Reference is made to your letter of February 28, 1950, in regard to Permit No. 20524 in the name of Orville B. Adams of Oakley, Idaho.

We enclose a form of Application for Amendment to the Permit which Mr. Adams may execute and return to this Department for approval, after which notice can be republished and Beneficial Use Proof made on the amended land list.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

20524

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO

February 28, 1950

A. H. NIELSON
N. H. NIELSON

RECEIVED
MAR 2 1950
Department of Reclamation

State of Idaho
Department of Reclamation
Boise, Idaho

Re: Permit No. 20524
Orville B. Adams, Oakley

Gentlemen:

At the time the notice was published in the above entitled matter it was my understanding that Mr. Adams was making some arrangements with his mother about the Southwest Quarter of the Southwest Quarter of Section Twenty.

Mr. Adams now tells me he wants that land included in his application for permit.

We would, therefore, like to follow your second option to withdraw the proofs, amend the permit, and republish and make proof, and receive a license for one cubic foot per second.

Would you send me the necessary forms to carry out this procedure?

Very truly yours,

NIELSON & NIELSON

By

A. H. Nielson

AHN:ws

20524

✓
February 24, 1950

Re: Permit No. 20524

Mr. Orvil B. Adams
Oakley, Idaho

Dear Mr. Adams:

Our Field Engineer has made his inspection and report on Permit No. 20524 and finds that 35 acres have been irrigated in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and 40 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20, Township 13 South, Range 22 East, B.M.

Both of these fortys were in the original application for Permit, along with 40 acres in Section 29, but when Proof of Completion of Works was made, the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20 was omitted. We called your attention to this fact through our letter of August 26, 1948 to Mr. A. H. Nielson and were informed by his letter of August 27, 1948 that the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20 was to be left out of the Notice.

The published notice therefore did not include this 40 acres (SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20) and under the Statutes, a License cannot be issued for land not described in the published notice.

We can issue a license for .7 cubic foot per second of subterranean water appurtenant to the 35 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20.

The proofs of application to beneficial use show only one cubic foot actually diverted and put to beneficial use and the license would be limited to this amount even if the other 40 had been described in the notice.

You may therefore elect to (1) accept the license for .7 cubic foot per second or (2) withdraw the proofs, amend the Permit, and republish and make proof and receive a license for 1 cubic foot per second.

Very truly yours,

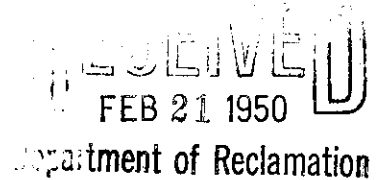
MARK R. KULP
State Reclamation Engineer

MRK:bh

20524

Oakley Idaho
Feb. 18th 1950

Bureau of Reclamation
Boise, Ida.



Re: Permit No. 20524

Gentlemen:

The correct description of the land
I use the water from the well ^{on} is:
SW $\frac{1}{4}$ of SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ both of which are
in Section 20, Township 13 So., Range 22.

I planned on purchasing $N\frac{1}{2}$ NW $\frac{1}{4}$ Section 29
when I drilled the well, but finally
did not get it, so it is to be left out,
as it ^{has} nothing to do with the well.

yours truly,

Orvil B. Adams

20524

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 20524

This proof is for Beneficial use

In Water District No.

1. Name of applicant Orvil Adams, Oakley, Idaho

2. Source of water supply: Well (subterranean)

3. Location of point of diversion: Is in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20

T. 13 S. R. 22 E. County of Cassia

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

Well 260 ft. deep cased 200 ft. with 12 in. casing and 60 ft. with 10 in. casing.

Peerless Deep Well turbine, Westinghouse 30 H.P. motor, 220/440 volts, 73.0/36.5 amps.

1475 r.p.m., and 71.0/35.5 amps., 1770 r.p.m. Pump has pressure gage attached, show draw down of 30 ft. Discharge pipe 8 in. diameter running 55% full at end of pipe.

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):

NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20, Twp. 13 South, Range 22 East, B. M.

Well 260 d, cased 200 x 20' of 12" + 60' of 10"

Peerless D.W. Turbine, Westinghouse Motor 30 H.P. 220/440 Volts

1475 - 36.5 Amps, + 1770 - 35.5 Amps, Pump has pressure gage attached

Shows draw down of (60 - 30) = 30 ft.

Disch. pipe 8" diam. running 55% full @ end of pipe

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

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

Remarks: Discharge appears cloudy-aerated

disch appear cloudy (aerated)

This examination was made on the 28th day of April, 1949

(Signed)

Examiner.

20524

Orvil Adams
Oakley, Idaho

87

Permit No. 20524

Examination for Beneficial use

County Cassia

20

135 - 22 E

5 1/2 M. S. of angle in the
7 1/4 E. 1 1/2 M.

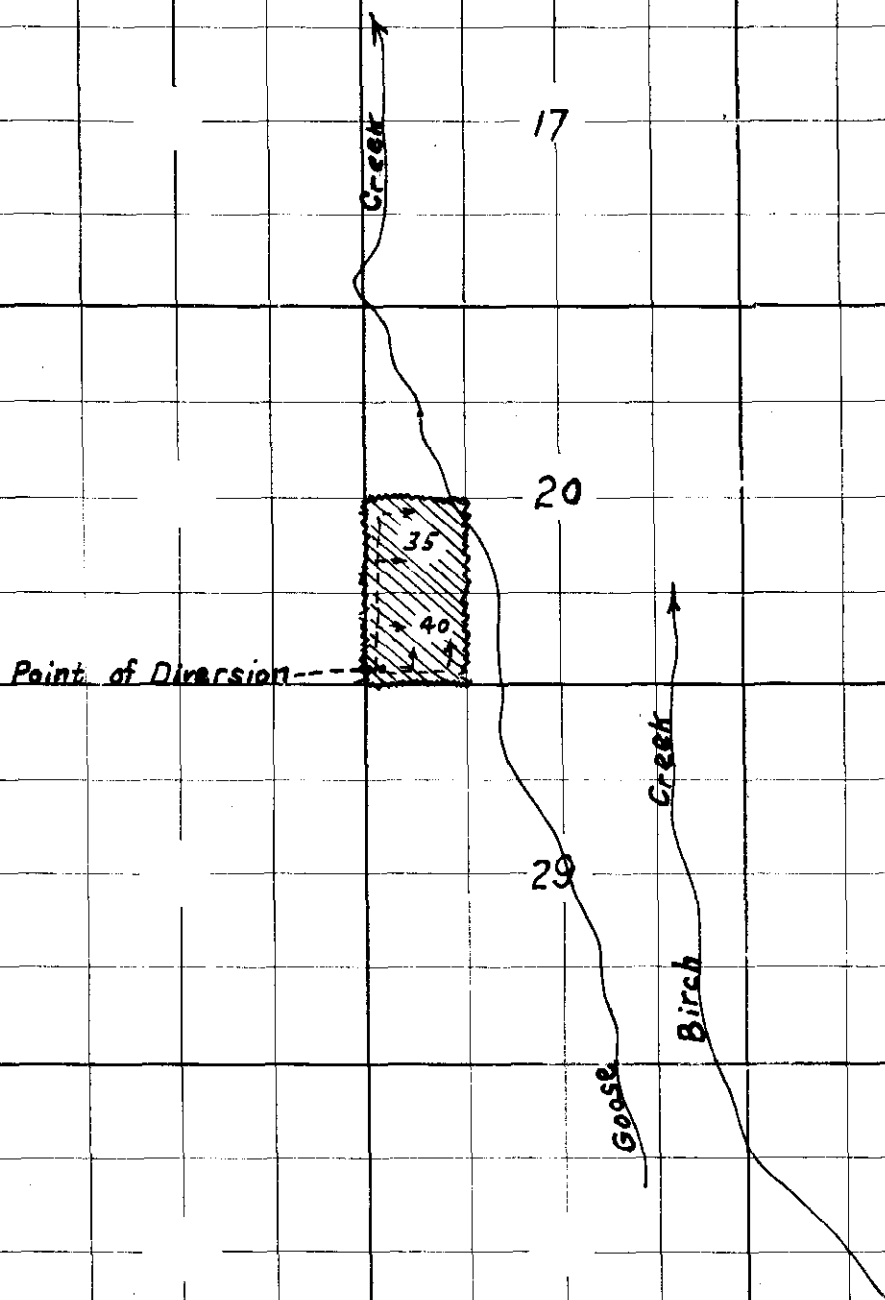
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42.0

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.
-

T. 13 S., R. 22 E.



STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. 20524

REPORT ON PROOF OF Beneficial use

February 16, 1950

Re: Permit No. 20824

Mr. Orvil Adams
Oakley, Idaho

Dear Mr. Adams:

In checking your Proofs under Permit No. 20824, we find the following apparent discrepancies:

The Permit describes the place of use of water from the well in the SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 20, Township 13 South, Range 22 East, as in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20, and a meter and bounds description in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 29.

Your Proof of Completion of Works described only the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20 and that portion of Section 29 and published notice of Beneficial Use Proof contained only the same land description, both omitting the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20.

However, the depositions of yourself and your two witnesses describe the land irrigated as the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20, omitting the land in Section 29 which was included in the notice and describing the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20 which was not included in the notice.

Before a License can be issued, it will be necessary to clarify where the water has been used and we shall appreciate your advice in the matter.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn

CC: Mr. A. H. Nielson.

20524

✓
April 17, 1950

Re: Permits Nos. 20524 and 20408

Mr. A. E. Nielson
Attorney at Law
Burley, Idaho

Dear Mr. Nielson:

In reply to your letter of April 13, 1950, we enclose the necessary forms in connection with Notice of Beneficial Use Proof to be made under the above numbered Permits.

As you know, Form 10 should be made in duplicate setting the time and place and naming the Notary Public before whom the proof is to be made, and both copies to be returned to this Department, together with Form 11 which is authorization for us to have the notice published in the designated County Newspaper.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bh
Enc.

20524

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW
BURLEY, IDAHO
April 13, 1950

A. H. NIELSON
N. H. NIELSON

RECEIVED
APR 17 1950
Department of Reclamation

State of Idaho
Department of Reclamation
Boise, Idaho

Gentlemen: Re: Permits Nos. 20524 & 20406

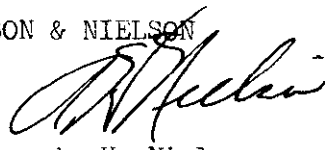
Our understanding was, when your department allowed the amendment to the above permits, that it would be necessary to publish notice of intention to show the water had been beneficially used.

If that is true, would you send us the necessary forms so that the showing can be made. Thank you.

Very truly yours,

NIELSON & NIELSON

By


A. H. Nielson

AHN:ew

20524

NOTICE FOR PUBLICATION
NOTICE OF PROOF
OF WATER TO BENEFICIAL USE

Notice is hereby given that at ten A. M. on the 30th day of September, 1948, at Burley, County of Cassia, State of Idaho, before A. H. Nielson, a Notary Public, proof will be submitted of the application to beneficial use of two cubic feet per second of the waters of a certain well in accordance with the terms and conditions of Permit No. 20524 heretofore issued to Mark R. Kulp, State Reclamation Engineer of the State of Idaho.

The name and post office address of the person or corporation holding said permit are Orvil Adams, Oakley, Idaho.

The use to which said water has been applied is irrigation.

The amount applied to beneficial use is 100 inches.

The place where said water is used Northwest Quarter of the Southwest Quarter of Section Twenty, Township Thirteen South, Range Twenty-two, East Boise Meridian. Also Beginning at a point $2\frac{1}{2}$ rods South from the Northwest corner of Section 29, Township 13 S., R. 22, East of the Boise Meridian, thence running East 160 rods, thence South 25 rods, thence West 160 rods, thence North 25 rods, to the point of beginning.

The name of the canal or ditch or other works by which said water is conducted to such place of use is private ditch constructed by Orvil Adams.

The right to take water from such works is based upon Permit No. 20524.

The source of supply from which such water is diverted is well located on the SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 20, Twp. 13 South, Range 22 East, B. M.

The date of priority which said user is prepared to establish is June 26, 1948.

20524
MARK R. KULP
State Reclamation Engineer.
First publication Sept. 2, 1948,
Fourth publication Sept. 23, 1948

Affidavit of Publication

I, Charles Brown, being first duly sworn on oath, say:

That I am the publisher and printer of THE OAKLEY HERALD, which is a newspaper of general circulation in Cassia County, Idaho, and which has been continuously and uninterruptedly published at said place during a period of more than 78 consecutive weeks prior to the final publication of the notice

herein mentioned; that a notice

of which the attached clipping is a copy, was published in the regular issue of said newspaper for 4 consecutive weeks, to-wit, on

Sept. 2, 9, 16, 23, 1948

19

Charles Brown,

Subscribed and sworn to before me this 25th

day of September, 1948.

A. H. Nielson

Notary Public.

20524

March 29, 1950

Re: Permits Nos. 20524 and 20406

Mr. A. H. Nielson
Attorney at Law
Burley, Idaho

Dear Mr. Nielson:

We return the applications of Orvil Adams and
Albert Anderson & Sons Company for Amendment to Permits
Nos. 20524 and 20406, respectively.

These have been approved by the State Reclamation
Engineer and duly recorded.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A:bn
Enc.

20524

NIELSON & NIELSON
ATTORNEYS AND COUNSELORS AT LAW

BURLEY, IDAHO
March 21, 1950

A. H. NIELSON
N. H. NIELSON

RECEIVED
MARCH 21 1950
Department of Reclamation

Commissioner of Reclamation
State of Idaho
Boise, Idaho

Gentlemen:

At the request of ORVIL ADAMS I am sending Application for
Amendment to Permit No.20524.

I am also sending on behalf of ALBERT ANDERSON & SONS COMPANY
Application for Amendment to Permit No.20406.

If you find these in order and according to our understanding
through letters, would you send me the proper notices to publish.

Very truly yours,

NIELSON & NIELSON



By

A. H. Nielson

AHN:ew
Enclosures

20524

✓
October 19, 1948

Re: Permit No. 20524

Mr. Orvil Adams
Oakley, Idaho

Dear Mr. Adams:

We acknowledge receipt of the depositions of yourself and two witnesses, also affidavit of publication in the Oakley Herald, all in proof of beneficial use under your Permit No. 20524.

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

We are unable to say just when this examination will be made as this Department has but one Field Engineer who makes examinations all over the State.

However, Mr. Tolman, Field Engineer for this Department, will try and contact you at the time he makes the examination in order that you may arrange to show him over the grounds.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

20524

Affidavit of Publication

I, Charles Brown, being first duly sworn on oath, say:

That I am the publisher and printer of THE OAKLEY HERALD, which is a newspaper of general circulation in Cassia County, Idaho, and which has been continuously and uninterruptedly published at said place during a period of more than 78 consecutive weeks prior to the final publication of the notice

herein mentioned; that a notice

in which the attached clipping is a copy, was published in the regular issue of said newspaper for 4 consecutive weeks, to-wit, on

Sept. 2, 9, 16, 23, 1948

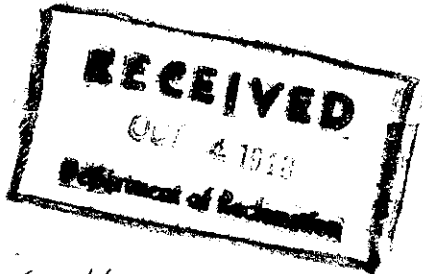
19

Charles Brown,

Subscribed and sworn to before me this 25th
day of September, 1948.

Ed. Larson
Notary Public.

Notary Public in and for the State of Idaho
Residing in Cassia County, Idaho.
My Commission Expires Dec. 26, 1948.



20524

Notice is hereby given that a
on the 30th day of Septem
at Burley, County of Ca
of Idaho, before A. H. Nie
Notary Public, proof will be
of the application to be
use of two cubic feet per se
the waters of a certain we
ordance with the terms and
ons of Permit No. 20524 ha
issued to Mark R. Kulp, S
Reclamation Engineer of the
Idaho.

The name and post office ad
the person or corporation ho
d permit are Orvil Adams, Oa
Idaho.

The use to which said water
en applied is irrigation.
The amount applied to 'bene
is 100 inches.

The place where said water is
northwest Quarter of the South
quarter of Section Twenty, Tow
thirteen South, Range Twenty
East Boise Meridian. Also Begin
a point 2 1/2 rods South from
northwest corner of Section
Township 13 'S., R. 22, East of
Boise Meridian, thence running
80 rods, thence South 25 ro
thence West 160 rods, thence No
5 rods, to the point of beginning.

The name of the canal or ditch
ther works by which said water
conducted to such place of use
ivate ditch constructed by O
ams.

The right to take water from s
arks is based upon Permit
24.

The source of supply from wh
ch water is diverted is well loca
the SW 1/4 SW 1/4 Section 20, T
South, Range 22 East, B. M.
The date of priority which
er is prepared to establish is J
1948.

20524
MARK R. KULP
State Reclamation Engin
rst publication Sept. 2, 1948,
urth publication Sept. 23, 1948

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Permit No. 20524-----

Proof of Application of Water to Beneficial Use

Deposition of Holder

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

Ans. Orvil Adams, Oakley, Idaho, farmer, Oakley, Idaho.

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. I am acting only on behalf of myself.

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

Ans. 20524, July 3, 1948. September 25, 1948.

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

Ans. Well located 40 feet north and 40 feet east of the SW corner of Sec. 20, Twp. 13 S., R. 22, E.B.M.

Ques. 5. Describe your works of diversion, and state amount of water they are capable of conveying from point of diversion to place of use, and give name of canal or ditch or other works by which water is conducted to such place of use.

Ans. The water is taken from the well by a pump driven by electric motor. The pump is capable of taking 2 cubic feet per second. The ditches from the pump to the place of use are capable of conveying 2 cubic feet per second. The ditches from the pump are private ditches of this applicant and are used by applicant to transport water from the Oakley Canal Company to the same land.

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

Ans. Water is used for irrigation. Water is to be used on the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 20, Twp. 13 S., R. 22, E.B.M. There are 40 acres in each subdivision that have actually been irrigated with said water. The said 80 acres are cultivated and the crops have been benefited by the use of this well water.

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

Ans. -

20524

1348

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

Ans. ---

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. ---

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

Ans. Since Sept. 25, 1948, there has been 1 cubic foot per second of water from the well diverted under the above mentioned Permit, which water has been used on the 80 acres of land described in Question 6 hereof.

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. Applicant has water in the Oakley Canal Company. This water, however, is not sufficient to adequately irrigate the 80 acres described under Question 6. Applicant has 62 shares of stock in the Oakley Canal Company. Applicant's mother, who at the present time is the owner of the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 20, Twp. 13 S., R. 22, has 57.96 shares in the Oakley Canal Company.

(Sign) Orvil Adams

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 30th day of September, A. D. 1948.

[Signature]
Notary Public

My commission expires February 20, 1950

20524

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 20524

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. Eugene Pickett, 63, Oakley, Idaho, rancher and farmer, Oakley, Idaho

Ques. 2. Are you acquainted with Orvil Adams, the holder of Permit No. 20524? How long have you known him and where does he reside?

Ans. Yes. I have known him all his life, and he resides at Oakley, Idaho.

Ques. 3. Have you read or heard read said Permit No. 20524, 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. The source of water is a well constructed 40 feet north and 40 feet east of the southwest corner of Sec. 20, Twp. 13 S., R. 22, E.B.M. The water is taken at the well and conveyed by ditches to the place of use. The land on which it is to be used is within a short distance from the well. The water can be taken along the barrow pit of the highway, where a ditch has been used by applicant for years to convey Oakley Canal water and the same ditch can be used to transport the water from the well.

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. One cubic foot per second of water.

Ques. 6. 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 for irrigation on the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 20, Twp. 13 S., R. 22, E.B.M. There are 80 acres of this property susceptible to irrigation. This 80 acres is cultivated and has been cultivated for more than 50 years. The use of this well water has improved the crops growing on the land.

20524

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 8. (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. Heretofore water from the Oakley Canal system has been used on the 80 acres described in Paragraph 6. However, there has not been enough water to properly irrigate the said 80 acres. It takes at least 1 inch per acre to properly irrigate the land described under Question 6 to make a profitable cultivation.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. I do not have any interest in the well or pump or pump equipment or in the land described under Ques. 6. Mr. Orvil Adams and I have had some discussion about Mr. Adams purchasing the land described in Sec. 29 in the application. However, so far no definite arrangements have been made.

Ques. 10. 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 live within a mile and a half of the well described. My trade area is in Oakley, Idaho, and I pass at least on an average several times a day by the well and the land operated by Orvil Adams. I have been interested in the well, have stopped there several times, have noticed the flow from the well, and have seen the water being transported to the land.

(Signed) Eugene Dickett

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 30th day of September,
A. D. 1948.

[Signature]

Notary Public.

My commission expires Feb. 20, 1950.

20524

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

PERMIT NO. 20524

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. Joel E. Rasmussen, age 36, Oakley, Idaho, farmer and stockman, Oakley, Idaho.

Ques. 2. Are you acquainted with Orvil Adams, the holder of Permit No. 20524? How long have you known him and where does he reside?

Ans. I have known Orvil Adams for twelve years last past. He resides at Oakley, Idaho.

Ques. 3. Have you read or heard read said Permit No. 20524, 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. The source of water is a well constructed 40 feet north and 40 feet east of the southwest corner of Sec. 20, Twp. 13 S., R. 22, E.B.M. The water is taken at the well and conveyed by ditches to the place of use. The land on which it is to be used is within a short distance from the well. The water can be taken along the barrow pit of the highway, where a ditch has been used by applicant for years to convey Oakley Canal Water and the same ditch can be used to transport the water from the well.

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. One cubic foot per second of water.

Ques. 6. 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 for irrigation on the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 20, Twp. 13 S., R. 22, E.B.M. There are 80 acres of this property susceptible to irrigation. This 80 acres is cultivated and has been cultivated for more than 50 years. The use of this well water has improved the crops growing on the land.

20524

Ques. 7. If for power or other purposes than irrigation, state how water has been applied and to what extent.

Ans. _____

Ques. 8. (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. Heretofore water from the Oakley Canal system has been used on the 80 acres described in Paragraph 6. However, there has not been enough water to properly irrigate the said 80 acres. It takes at least 1 inch per acre to properly irrigate the land described under Question 6 to make a profitable cultivation.

Ques. 9. Have you any interest in the works, water or lands above mentioned? If so, in what way and to what extent?

Ans. I have no interest in any manner whatever in the well, pump or pumping equipment or any land to which this water is to be used.

Ques. 10. 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 live within a mile distance of Orvil Adams' well. I pass by the well several times a week. I have been to the well a number of times. I have seen the water being pumped and have seen the water being used on the land. I have been interested in Orvil Adams' experiment of getting water from the well.

(Signed) Joel E. Rasmussen

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 30th day of September,
A. D. 1948

[Signature]

Notary Public.

My commission expires February 20, 1950

28524

State of Idaho
DEPARTMENT OF RECLAMATION
BOISE

INSTRUCTIONS
PROOF OF BENEFICIAL USE OF WATER

BOISE, IDAHO, September 18, 1948

Re: Permit No. 20524
Orvil Adams

Mr. A. H. Nielson
Notary Public
Burley, Idaho

DEAR SIR:

I enclose herewith the following forms to be used in connection with proof of beneficial use of water under Permit No. 20524.

DEPOSITION OF PERMIT HOLDER,
DEPOSITIONS OF TWO WITNESSES.

In submitting this proof the following instructions should be CAREFULLY followed out, since failure to do so may result in the loss of rights:

1. On September 30, 1948, the date set for proof, the enclosed forms (one for permit holder and one each for two disinterested witnesses) should be filled out and sworn to, at Burley, Idaho before A. H. Nielson, Notary Public.

2. When the depositions have been taken they should be mailed to this office, together with affidavit of publication of notice.

When these have been received, together with report of the examining engineer, if everything is properly executed, you will be further advised as to fees due, etc., before certificate is issued.

Yours truly,

MARK R. KULP

~~Commissioner of Reclamation~~
State Reclamation Engineer

20524

✓
September 4, 1948

Re: Permit No. 20524

Mr. A. H. Nielson
Attorney at Law
Burley, Idaho

Dear Mr. Nielson:

We enclose Certificate of Completion of Works issued under Permit No. 20524 in the name of Orvil Adams for the diversion of two (2) second feet of water from a well in the SW 1/4 SW 1/4 of Section 20, Twp. 13 S., Range 22 E. B.M. for irrigation and domestic uses in the same area.

Departmental Receipt No. 20842 is also enclosed for the \$5.00 statutory fee.

Very truly yours,

MAURICE R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

Enc. 2

205

August 30, 1948

Re: Permit No. 20524

Mr. A. H. Nielson
Attorney at Law
Burley, Idaho

Dear Mr. Nielson:

We acknowledge receipt of your letter of August 27
in regard to Permit No. 20524 in the name of Orvil Adams.

Certificate of Completion of Works will be issued
and sent you within a few days.

We have set 10 A.M. of September 30, 1948, for making
proof of beneficial use under this permit and a copy of the notice
has been sent to the Oakley Herald with instructions to publish
it once a week for four consecutive weeks prior to that date.

The letter is going out by this same mail in the hope
that it will reach them in time for the first publication to be
made this week; otherwise, there will not be time for the four
weeks publication prior to September 30 and the date will have
to be advanced to October 1, 1948.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

20524

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

Re: Permit No. 20524

Date: August 30, 1948

Oakley Herald

Oakley, Idaho

Gentlemen:

Enclosed you will find notice for publication once a week for four consecutive weeks prior to **September 30, 1948** ~~beginning with your next issue~~ the date set for proof, the expense of the publication to be paid by the applicant, **Orvil Adams** of **Oakley, Idaho,** **Burley, Idaho** **C/o A. H. Nielson,** to whom you should furnish proof of publication on or prior to the date set for proof.

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

Very truly yours,

MARK R. KULP

State Reclamation Engineer
BY

Chief Clerk

P. S. If for any reason this cannot appear in your issue of September 2, 1948, please change the date for proof to October 1, 1948.

20524

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

Notice is hereby given that at ten A. M. on the 30th day of September, 1948,
at Burley, County of Cassia, State of Idaho, before
A. H. Nielson, a Notary Public, proof will be submitted of the
application to beneficial use of two cubic feet per second of the waters of a certain well
~~on the premises of~~ Orvil Adams in accordance with the terms and conditions of Permit No. 20524
heretofore issued by ~~Mr.~~ Mark R. Kulp, State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are.....

Orvil Adams, Oakley, Idaho

The use to which said water has been applied is.....irrigation.....

The amount applied to beneficial use is.....~~between 10 and~~ 100 inches.....

The place where said water is used (if for irrigation, give full and accurate description of the
lands irrigated) Northwest Quarter of the Southwest Quarter of Section Twenty,
Township Thirteen South, Range Twenty-two, East Boise Meridian. ^{Also} Beginning at a
point 2½ rods South from the Northwest corner of Section 29, Township 13 S., R.
22, East of the Boise Meridian, thence running East 160 rods, thence South 25
rods, thence West 160 rods, thence North 25 rods, to the point of beginning.

The name of the canal or ditch or other works by which said water is conducted to such place of
use is.....private ditch constructed by Orvil Adams.....

The right to take water from such works is based upon Permit No. 20524.....

The source of supply from which such water is diverted is well located on the ^{SW¼ SW¼} ~~premises of~~
Section 20, Twp. 13 South ~~on the premises of~~ Range 22 East, B. M.

The date of priority which said user is prepared to establish is June 26
~~August 26~~, 1948

MARK R. KULP

State Reclamation Engineer.

20524

A. H. NIELSON
ATTORNEY AND COUNSELOR AT LAW
BURLEY, IDAHO

August 27, 1948



Department of Reclamation
State of Idaho
Boise, Idaho

Re: Permit No. 20524

Gentlemen:

In regard to the above permit obtained by Orvil Adams of Oakley, Idaho, the land described in your letter of August 26, 1948, is rented this year from the mother of Orvil Adams and Mr. Adams is not sure, of course, how many years he will rent this land, and would like the water made available to the land that is described in the notice, which does not include the Southwest Quarter of the Southwest Quarter of Section Twenty, Township Thirteen South, Range Twenty-two, East Boise Meridian.

The day of the taking of proof of beneficial use was not placed in the notice to allow your Department to place a date therein which would give adequate time for publication. The date does not make any difference to Mr. Adams or to myself.

Very truly yours,

A. H. Nielson

AHN:ws

20524

✓
August 26, 1948

Re: Permit No. 20524

Mr. A. H. Nielson
Attorney at Law
Burley, Idaho

Dear Mr. Nielson:

We acknowledge receipt of the affidavit of Orvil Adams in proof of completion of works under Permit No. 20524 accompanied by his check for the statutory fee of \$5.00, also notice of beneficial use proof to be made under this Permit before you as Notary Public and authorization to have the notice published in the Oakley Herald.

We note that neither of these instruments describes the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20 as part of the land irrigated from this source although this 40 is included in the Permit. Please advise if this omission is intentional or if this 40 should also be included.

Please also advise the date on which the proof of beneficial use is to be made as this was left blank in the notice. As publication can not start until next week the date should be sufficiently far ahead to allow for the four weeks publication.

Very truly yours,

MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/gt

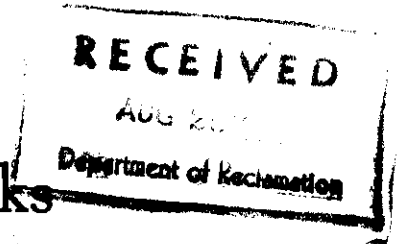
20425

Permit No. 20524

STATE OF IDAHO
Department of Reclamation

Proof of Completion of Works

AFFIDAVIT OF HOLDER



STATE OF IDAHO

County of Cassia

SS.

Orvil Adams, being first duly sworn, upon his oath deposes and says:

First: That he is the holder and owner of Permit to Appropriate the Public Waters of the State of Idaho, No. 20524, and that his postoffice address is Oakley.

State of Idaho.

Second: That the name of the stream ^{FROM} which said water is to be ~~directed~~ ^{DIVERTED} is Well on the property belonging to Orvil Adams.

Third: That the point of diversion of said water is A well located 40 feet North and 40 feet East of the SW corner of Sec. 20, Twp. 13 S., R. 22, E.B.M.

Fourth: That under the terms and conditions of said permit, construction thereunder was required to be completed by September 1, 1948.

Fifth: That the use for which said water is intended is Irrigation.

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

I. Kind of works: Well and pumping equipment
(Reservoir, dam, ditch, flume, pipe or otherwise)

II. Dimensions of work:

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

(State whether wood, earth, stone or concrete)

(b) Capacity of reservoir acre feet.

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

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

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

Seventh: That said works are capable of conducting to the place of intended use two second feet of water.

Eighth: That water appropriated under said permit is available for acres of land described as follows: NW 1/4 SW 1/4 of Sec. 20, Twp. 13 S., R. 22, E.B.M.
Beginning at a point 2 1/2 rods South from the Northwest corner of Section 29, Twp. 13 S., R. 22, E.B.M., thence running East 160 rods, thence South 25 rods, thence West 160 rods, thence North 25 rods, to the point of beginning

Ninth: Remarks: That

Orvil Adams
(Sign Here)

Subscribed and sworn to before me this 24th day of August, 1948

My commission expires February 20, 1950

Notary Public.

20524

NOTICE TO ACCOMPANY THIS LETTER MUST BE MADE IN DUPLICATE

(Date) August 24, 1948

(P. O.) Orvil Adams, Oakley, Idaho

STATE RECLAMATION ENGINEER
TO THE ~~COMMISSIONER OF RECLAMATION~~:

Boise, Idaho.

Dear Sir:

You are hereby authorized to have the attached notice published at my expense in the
..... Oakley Herald of Oakley, Cassia County, Idaho .., published in
the county in which the works are situated.

..... Orvil Adams

(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.

20524

July 16, 1948

RE: Permit No. 20524

Mr. A. H. Nielson
Attorney at Law
Burley, Idaho

Dear Mr. Nielson:

We enclose Permit No. 20524 in the name of Orvil B. Adams and direct his attention to the limitations and conditions of same as described on the 4th page under Approval of the State Reclamation Engineer.

As you will note, proof of completion of works is due on or before September 1, 1948 and proof of beneficial use on or before October 1, 1948.

The first proof or proofs of completion of works is made by executing Form 8 enclosed before a Notary Public, and returning to this department with a statutory fee of \$5.00, upon receipt and approval of such, a certificate of completion of works will be issued.

The final or beneficial use proof requires publication once a week in a county newspaper for four consecutive weeks prior to the date set for making proof. Notice should be made in duplicate on Form 10 enclosed, setting the time and place and naming the Notary Public before whom proof is to be made. Both copies of the notice to be returned to this department together with Form 11 which is your authorization for us to have the notice published in the designated newspaper at your expense.

We shall then send a copy of the notice to the newspaper with instructions in regard to publishing, and on the date set you should appear before the Notary Public together with two disinterested witnesses to execute depositions of proof on forms furnished by this department.

Very truly yours,

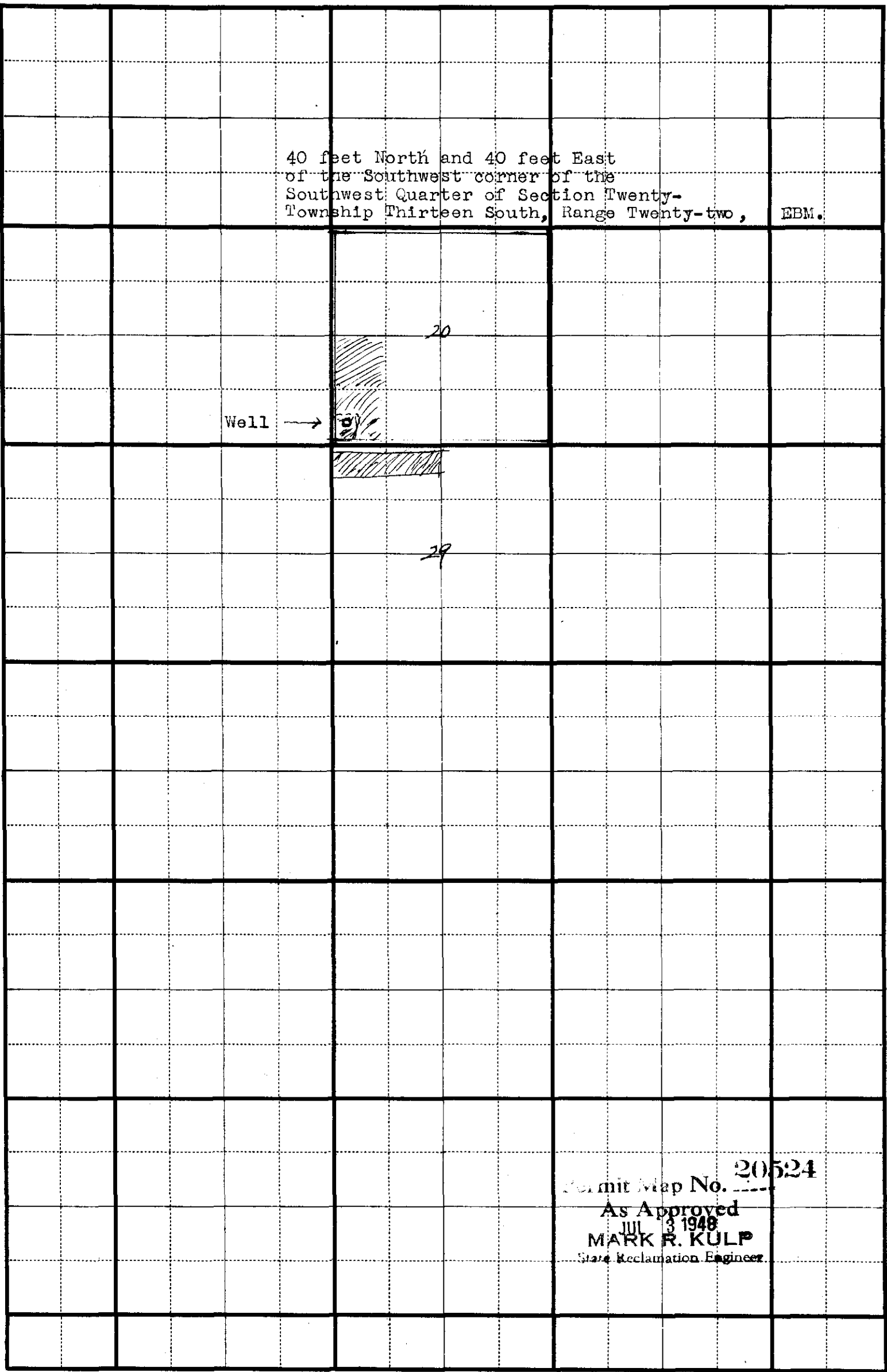
MARK R. KULP
State Reclamation Engineer
By

Chief Clerk

A/et

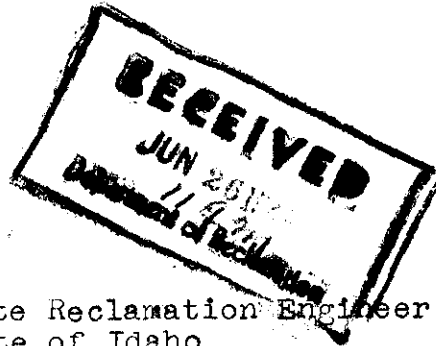
Enc. 3

20524



20524

A.H.NIELSON
ATTORNEY AND COUNSELOR AT LAW
BURLEY, IDAHO



June 25, 1948

State Reclamation Engineer
State of Idaho
Boise
Idaho

Dear Sir:

At the request of ORVIL B. ADAMS I am
sending Application for Permit.

If there is any additional information
you need in this matter, would you let me know?

I am also sending Mr. Adams's check for
\$5.25, which is the filing fee in this matter.

Yours very truly,

A. H. Nielson

AHN:ew
Enclosure

20524

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

Notice is hereby given that at 10:00 A. M. on the 10th day of July, 1950, at Burley, County of Cassia, State of Idaho, before A. H. Nelson, Notary Public, proof will be submitted of the application to beneficial use of two cubic feet per second of the waters of a certain well in accordance with the terms and conditions of Permit No. 20524 heretofore issued by the State Reclamation Engineer of the State of Idaho.

The name and postoffice address of the person or corporation holding said permit are ORVIL B. ADAMS, Oakley, Cassia County, Idaho.

The use to which said water has been applied is irrigation.

The amount applied to beneficial use is two cubic feet per second.

The place where said water is used Northwest Quarter of the Southwest Quarter and the Southwest Quarter of the Southwest Quarter of Section Twenty, Township Thirteen South, Range Twenty-two, East Boise Meridian, in Cassia County, Idaho.

The name of the canal or ditch or other works by which said water is conducted to such place of use is unnamed ditches located on land of applicant.

The right to take water from such works is based upon Permit No. 20524.

The source of supply from which such water is diverted is a certain well located 40 feet North and 40 feet East of the Southwest corner of Section Twenty, Township Thirteen South, Range Twenty-two, East Boise Meridian, in Cassia County, State of Idaho.

The date of priority which said user is prepared to establish is April 4, 1950.

MARK R. KULP

State Reclamation Engineer.

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