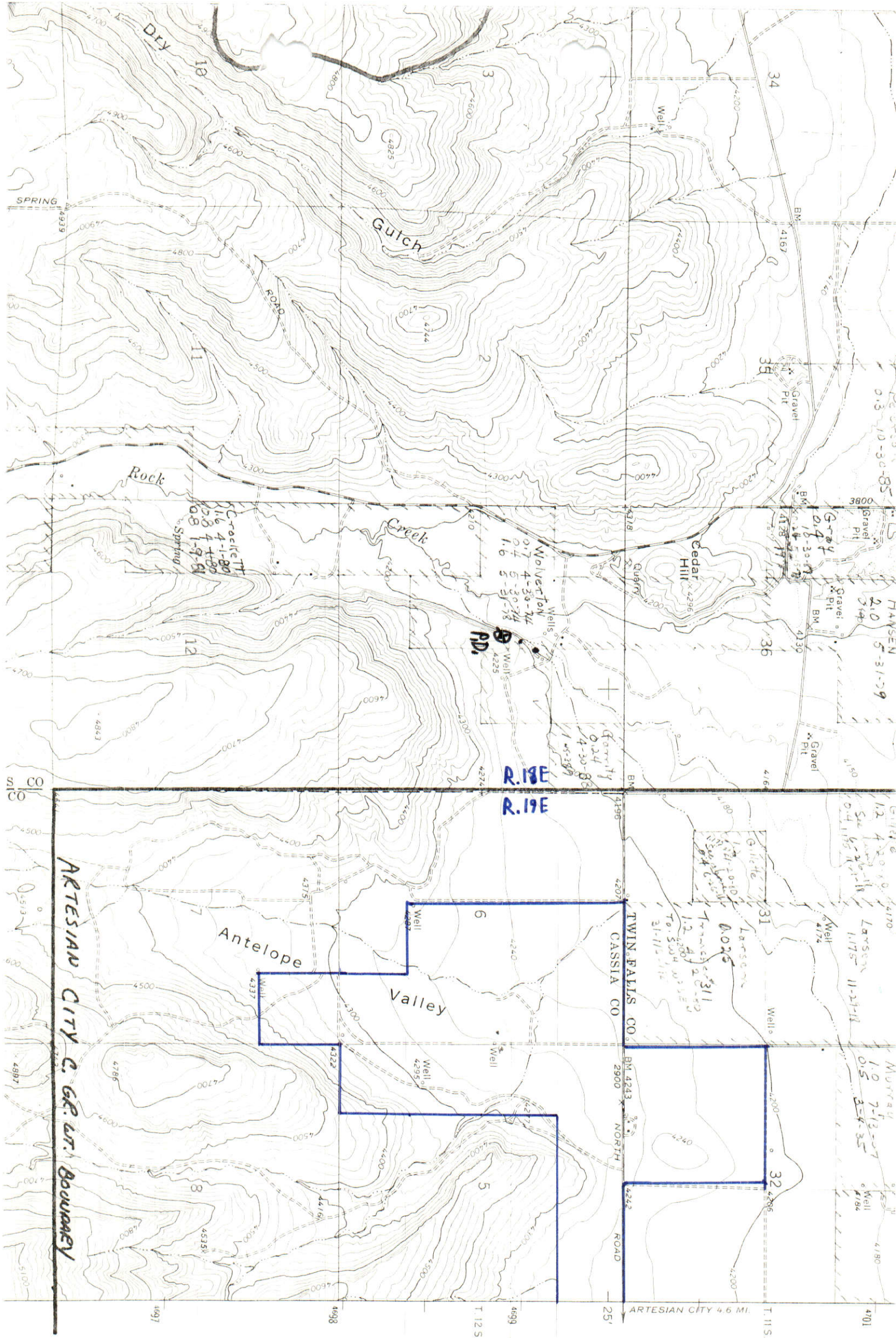




RECEIVED

47-7673
KUENY, PATRICK
MAC FARLANE, RALPH
RT. 1 BOX 330, HANSEN, ID
83334

Source: GROUNDWATER
Date Filed: 10/10/1980
Amount: 8.61 CFS
Diversion Point: SENW Sec
01 T 12S R 18E, TWIN
FALLS Co.

Use: IRRIGATION (8.61 CFS)
from 03/15 to 11/15

Place of Use: NESW NWSW
SWSW SESW Sec 32 T 11S
R 19E LOT 01 (NENE) LOT
02 (NWNW) LOT 03 (NENW)
LOT 04 (NWNW) SWNW
NWSW SWSW Sec 05 T
12S R 19E LOT 01 (NENE)
LOT 02 (NWNW) SWNE
SENE NESE NWSE SESE
Sec 06 T 12S R 19E NENE
Sec 07 T 12S R 19E FOR 760
ACRES

Diversion Means: WELLS
AND PUMPS

If issued, the permit(s) will
be subject to all prior water
rights. Protests against the
granting of any permit must
be filed with the Director of
the Idaho Department of
Water Resources, 1041 Blue
Lakes Blvd. North, Twin
Falls, Idaho 83301 and re-
ceived on or before NOV-
EMBER 10, 1980.

C. STEPHEN ALLRED
Director

PUBLISH: Thursday, Oct. 23,
and 30, 1980.

Affidavit of Publication

Nº 10690

STATE OF IDAHO,

COUNTY OF TWIN FALLS }

ss.

I, Linda Capps McBuire being first duly sworn up-
oath, depose and say that I am Print Clerk of the TIMES-NEWS,
published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of
the notice of advertisement, as per clipping attached, was published in the regular and
entire issue of said newspaper, and not in any supplement thereof, for Two
consecutive Weeks, commencing with the issue dated
October 23, 1980, and ending with the issue dated
October 30, 1980.

And I do further certify that said newspaper is a consolidation, effective February 16,
1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin
Falls News, published theretofore daily except Monday, both of which newspapers prior to
consolidation had been published under said names in said city and county continuously and
uninterruptedly during a period of more than twelve consecutive months, and said TIMES-
NEWS, since such consolidation, has been published as a daily newspaper except Saturday,
until July 31, 1978, at which time said newspaper began daily publication under said name
in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week
has been designated as the day on which legal notice by law or by order of any court of com-
petent jurisdiction within the state of Idaho, to be published weekly, will be published; and
that, at the head of the editorial column of said combined newspapers, and in each issue the-
of, Thursday is announced as the day on which said legal notices will be published.

Linda Capps McBuire
Subscribed and sworn to before me on this 14 day of

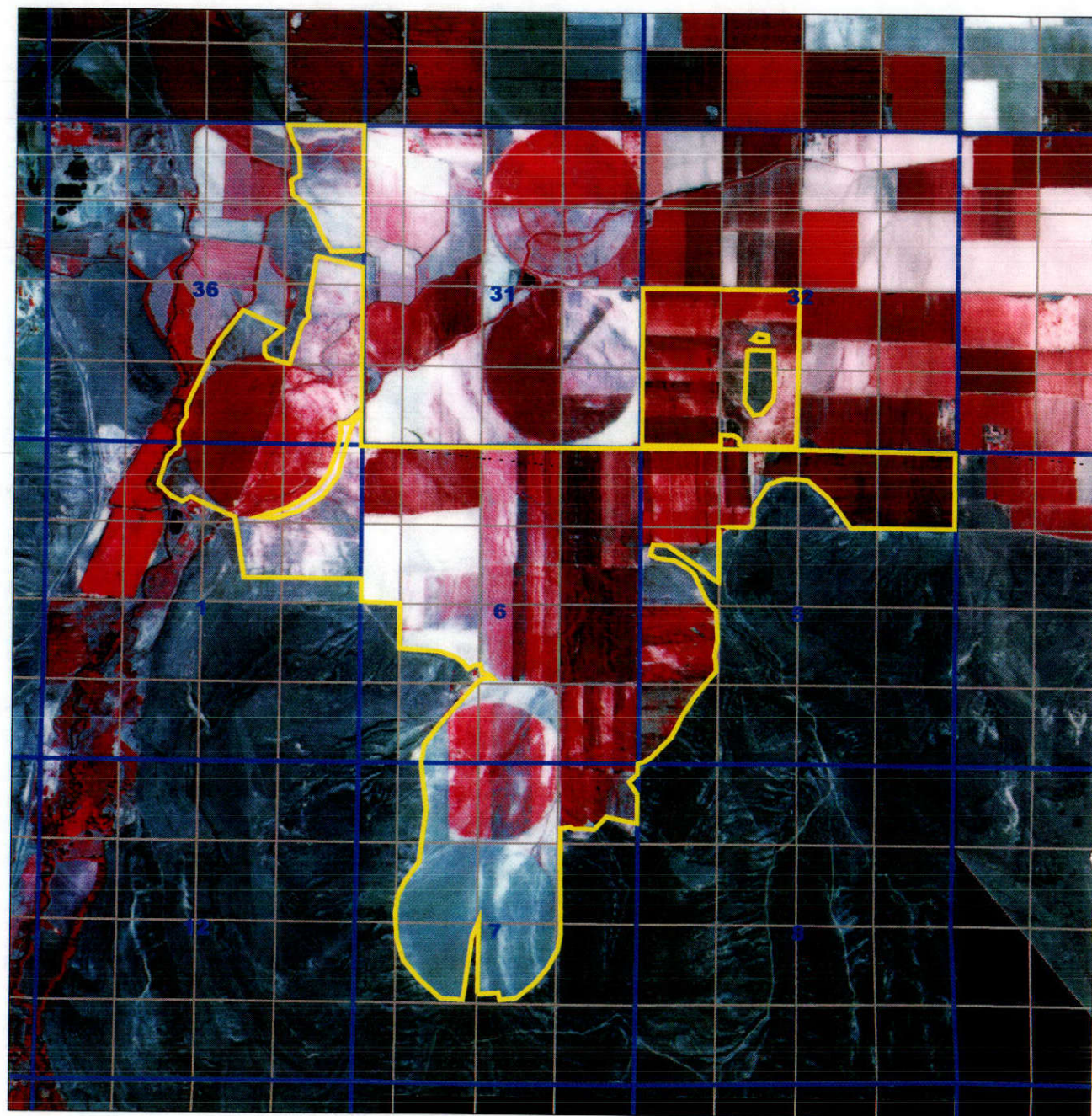
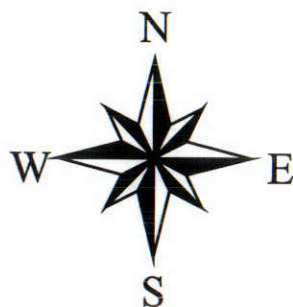
November, 1980.

Melba Rowlett-Smith
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

IDWR

PERMIT NO. 47-07376

-  Place of Use
-  Section Lines
-  1/4 1/4 Lines



NW

Shape	Township	Range	Sec	Qq	Area	Perimeter	Acres
Polygon	11S	18E	36	NENE	138085.361	1552.331	34.1
Polygon	11S	18E	36	SENE	52305.599	954.970	12.9
Polygon	11S	18E	36	SENE	28750.062	730.459	7.1
Polygon	11S	18E	36	NWSE	60461.982	1222.435	14.9
Polygon	11S	18E	36	NESE	122433.223	1510.026	30.3
Polygon	11S	18E	36	SESW	29593.894	921.276	7.3
Polygon	11S	18E	36	SWSE	161031.248	1597.195	39.8
Polygon	11S	18E	36	SESE	152045.040	1968.477	37.6

Acres found in GIS

NE

<i>Township</i>	<i>Range</i>	<i>Sec</i>	<i>Qq</i>	<i>Area</i>	<i>Perimeter</i>	<i>Acres</i>
11S	19E	32	NWSW	158096.969	1590.544	39.066
11S	19E	32	NESW	143697.745	1986.521	35.508
11S	19E	32	SWSW	151738.590	1558.211	37.495
11S	19E	32	SESW	116946.510	2040.829	28.898

SW

Shape	Township	Range	Sec	Qq	Area	Perimeter	Acres
Polygon	12S	18E	1	NENW	54245.785	945.014	13.4 ✓
Polygon	12S	18E	1	NWNE	148437.285	1762.072	36.7 ✓
Polygon	12S	18E	1	NENE	140241.303	2505.582	34.7 ✓
Polygon	12S	18E	1	SWNE	59190.684	985.424	14.6 ✓
Polygon	12S	18E	1	SENE	111594.458	1359.668	27.6 ✓

SE

Township	Range	Sec	Qq	Area	Perimeter	Acres
12S	19E	5	NENE	151527.241	1557.296	37.4
12S	19E	5	NWSW	153512.955	1526.722	37.9
12S	19E	5	SENW	5.307	135.474	0.0
12S	19E	5	SWNW	132142.426	2312.722	32.7
12S	19E	5	NWNW	158620.325	1593.142	39.2
12S	19E	5	NENW	108947.034	1500.212	26.9
12S	19E	5	NWNE	115215.928	1440.818	28.5
12S	19E	5	SWSW	76990.576	1262.255	19.0
12S	19E	6	NWNE	159313.203	1596.622	39.4
12S	19E	6	SWNE	161105.974	1605.550	39.8
12S	19E	6	SENE	160825.964	1604.168	39.7
12S	19E	6	NENE	159496.756	1597.539	39.4
12S	19E	6	NENW	157685.157	1588.406	39.0
12S	19E	6	SWNW	79063.051	1196.637	19.5
12S	19E	6	SENW	160006.144	1600.033	39.5
12S	19E	6	NESE	161984.351	1609.907	40.0
12S	19E	6	NWSE	159934.634	1704.449	39.5
12S	19E	6	NWNW	79169.059	1190.230	19.6
12S	19E	6	NWSW	0.836	45.788	0.0
12S	19E	6	NESW	102911.214	1414.709	25.4
12S	19E	6	SESE	161997.235	1609.740	40.0
12S	19E	6	SWSE	161912.455	1609.548	40.0
12S	19E	6	SESW	71451.406	1198.796	17.7
12S	19E	7	SWNE	162374.703	1626.540	40.1
12S	19E	7	NWNE	162556.847	1612.737	40.2
12S	19E	7	NENW	110298.765	1377.036	27.3
12S	19E	7	SWNW	180.189	149.344	0.0
12S	19E	7	SENW	142774.004	1529.263	35.3
12S	19E	7	NENE	121937.049	1651.181	30.1
12S	19E	7	SENE	6814.314	841.172	1.7
12S	19E	7	NWSW	2.625	16.405	0.0
12S	19E	7	NESW	114382.164	1381.845	28.3
12S	19E	7	NWSE	127895.594	1454.438	31.6
12S	19E	7	NESE	2257.338	311.110	0.6

18E

19E

=Permit

X = 47-02491/02511

X = 47-02526

X = 47-02536

O = 47-02546

O = 47-02552

O = 47-02554

Δ = 47-02556

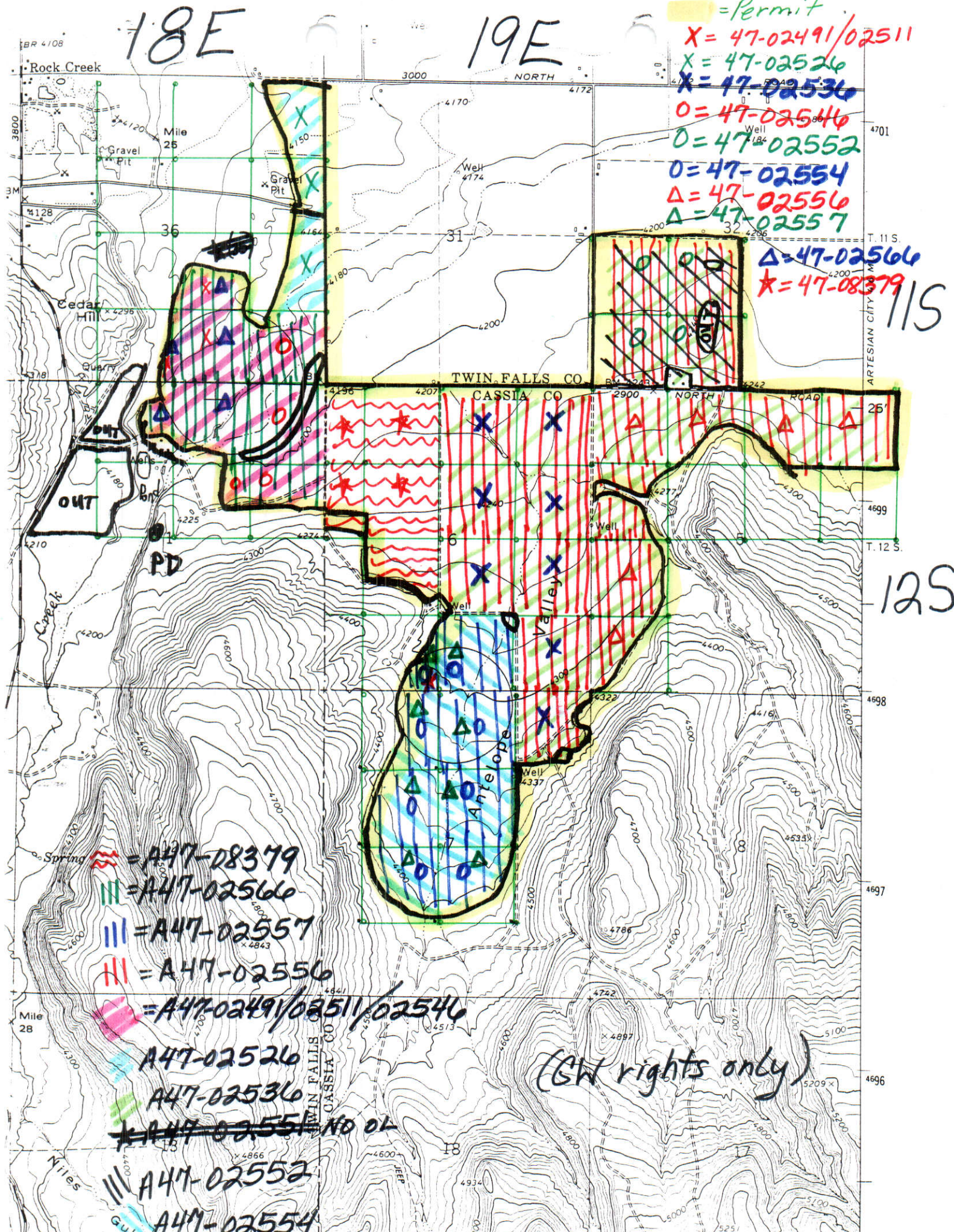
Δ = 47-02557

Δ = 47-02566

* = 47-08379

115

125



Spring = A47-08379

||| = A47-02566

||| = A47-02557

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||| = A47-02491/02511/02546

A47-02526

A47-02536

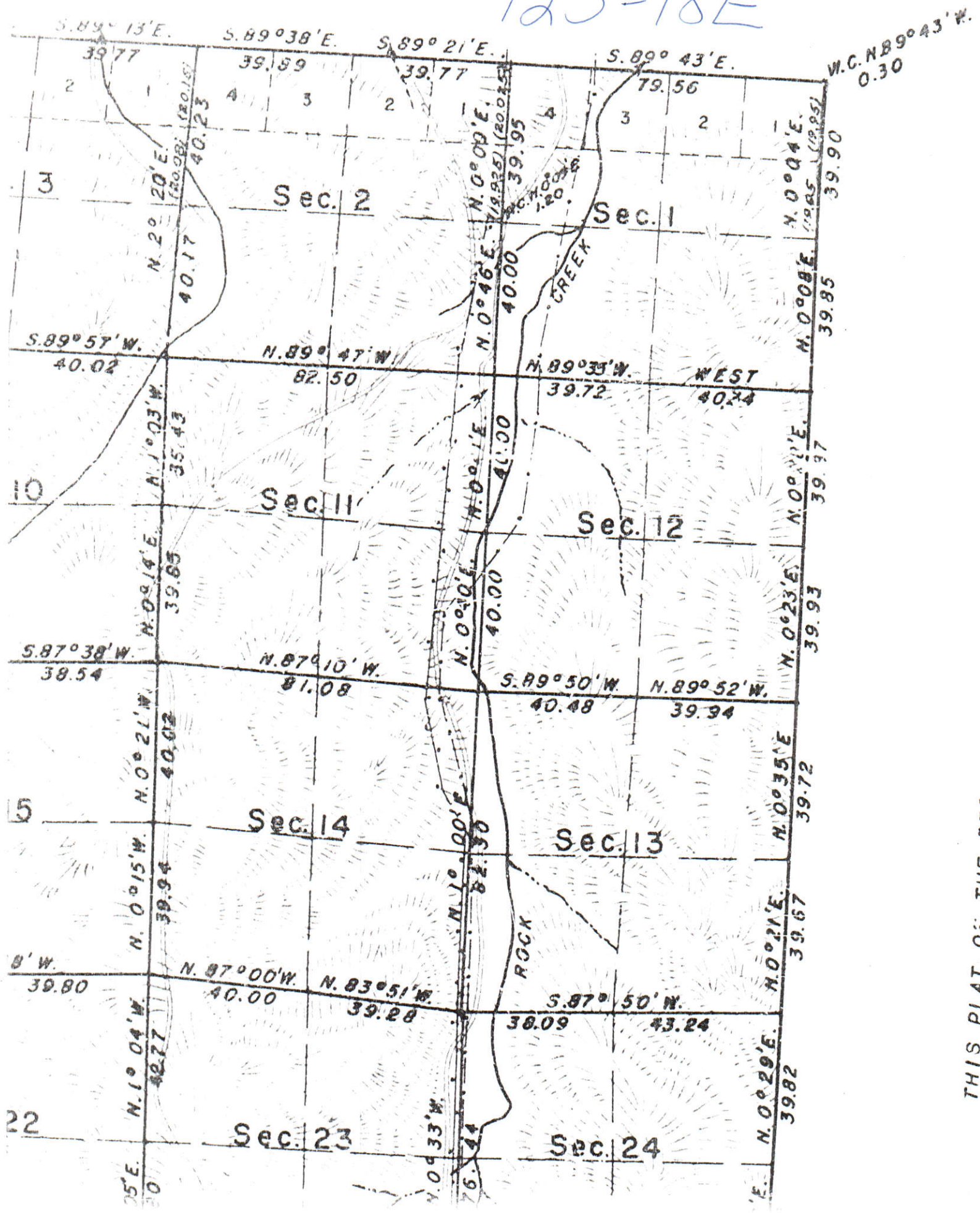
~~A47-02551~~ NO OL

A47-02552

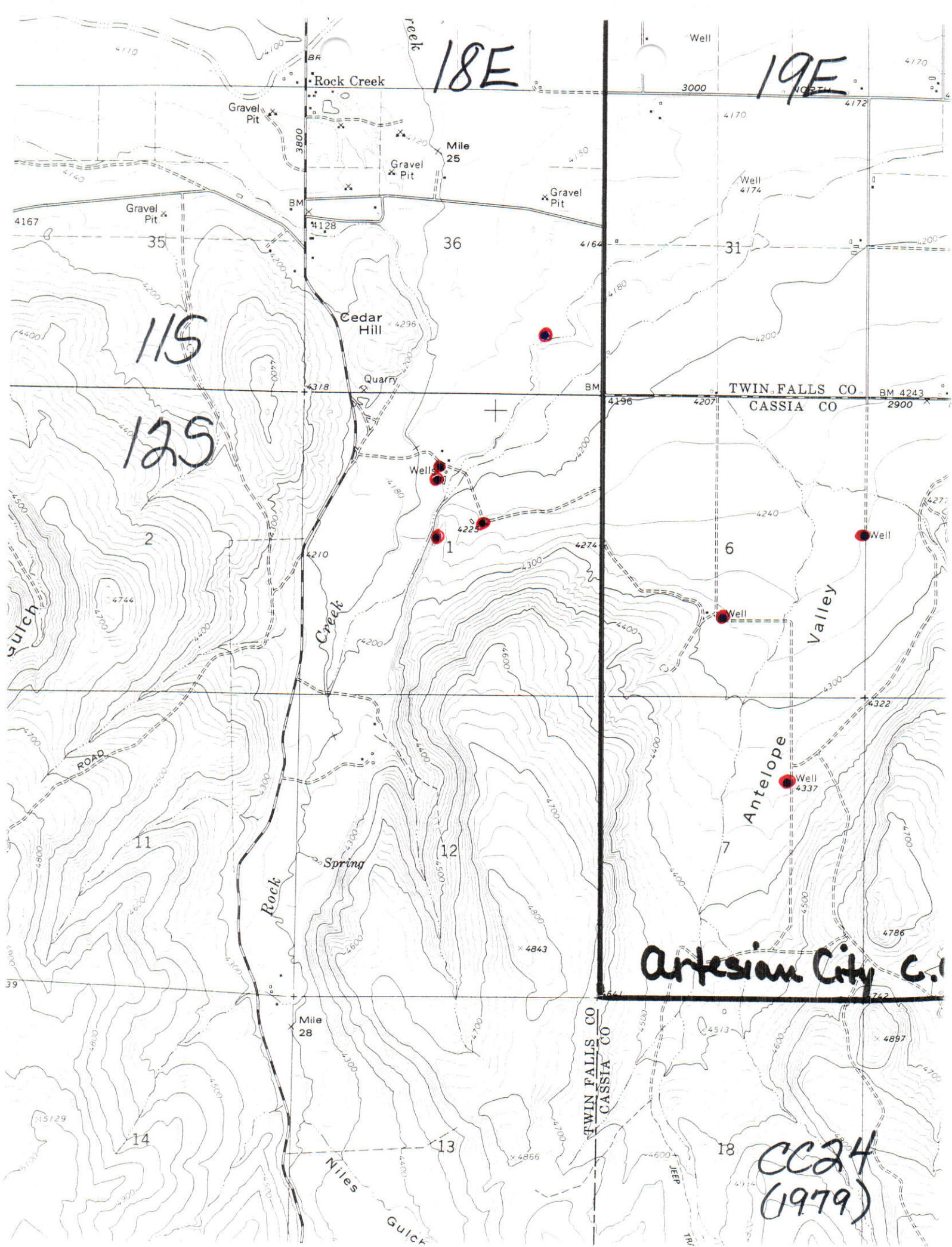
A47-02554

(GW rights only)

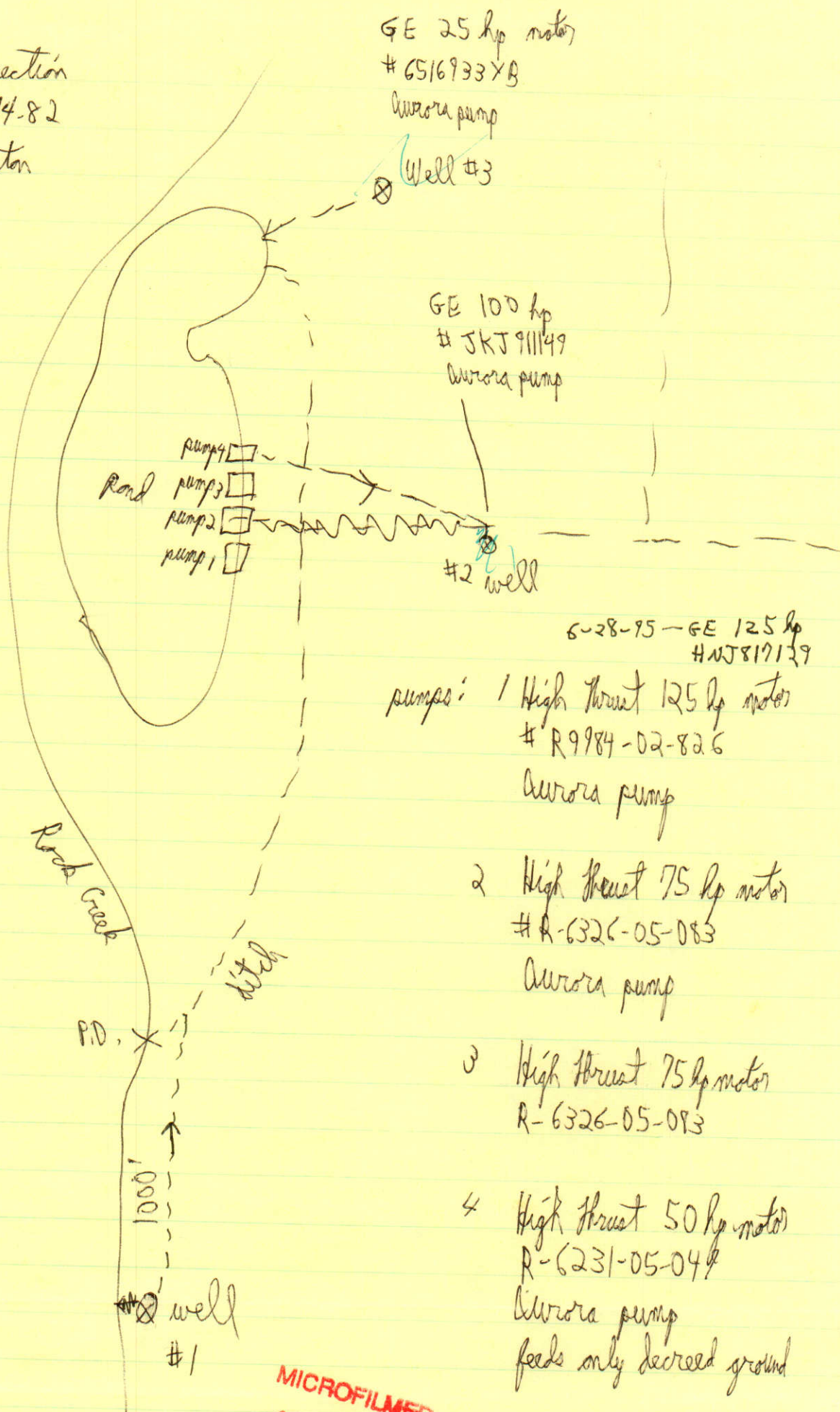
12S-18E



THIS PLAT OF THE RECORD



Site inspection
made 4-14-82
J F Stanton



MICROFILMED
OCT 19 2001

Well #1 dumps into creek, then is redirected at P.D. into a ditch which leads to the pond. Pumps in pond deliver water to decreed ground & also to ground under new permit. Well #2 well supplement



Pond



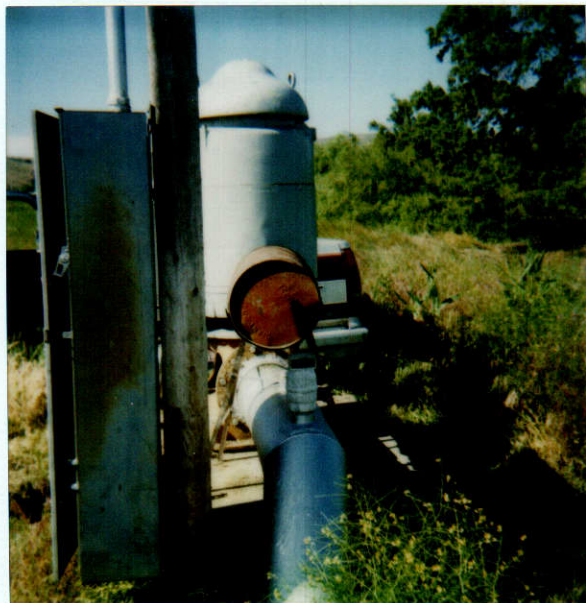
Re-lift Pumps In Pond



Mainline From
Re-lift Pumps
Across Feeder Ditch

MICROFILMED
OCT 19 2001

47-07673
6-28-95 JS



Well * Pump



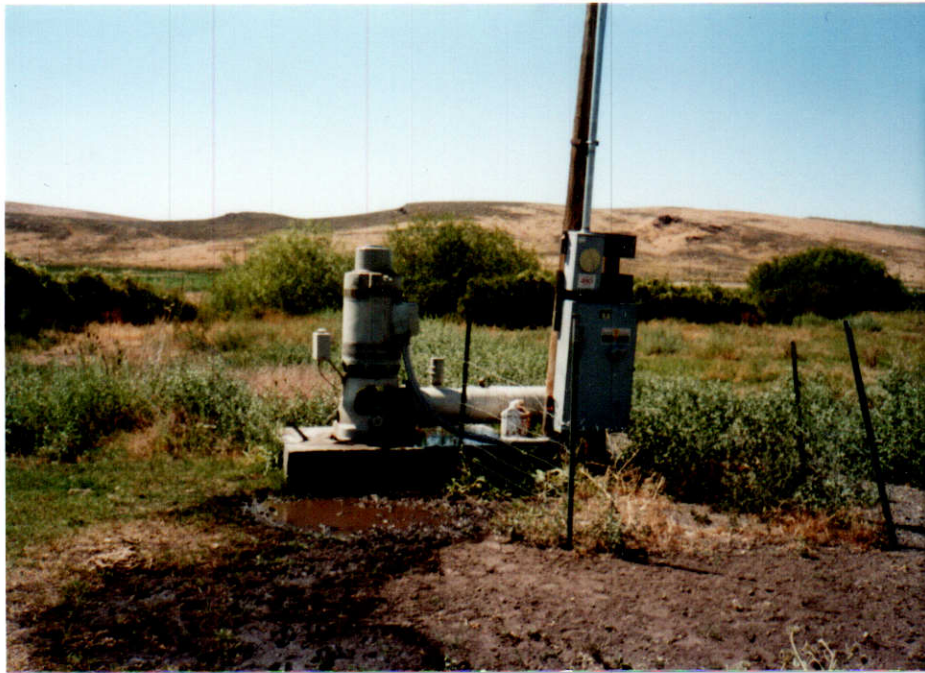
Measuring Point
(Note Transducer Marks)

Well Discharge
Point Into Ditch



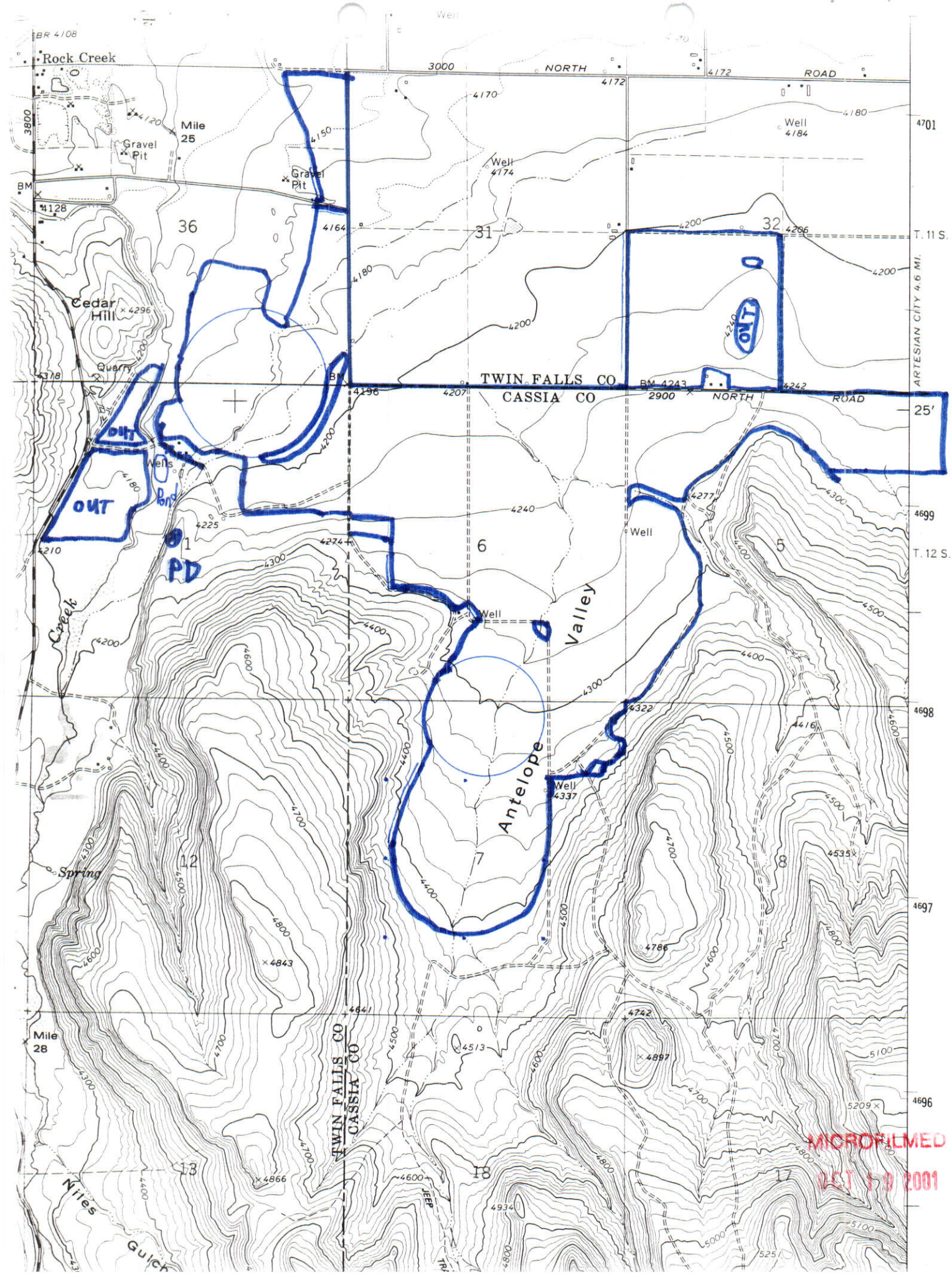
MICROFILMED
OCT 19 2001

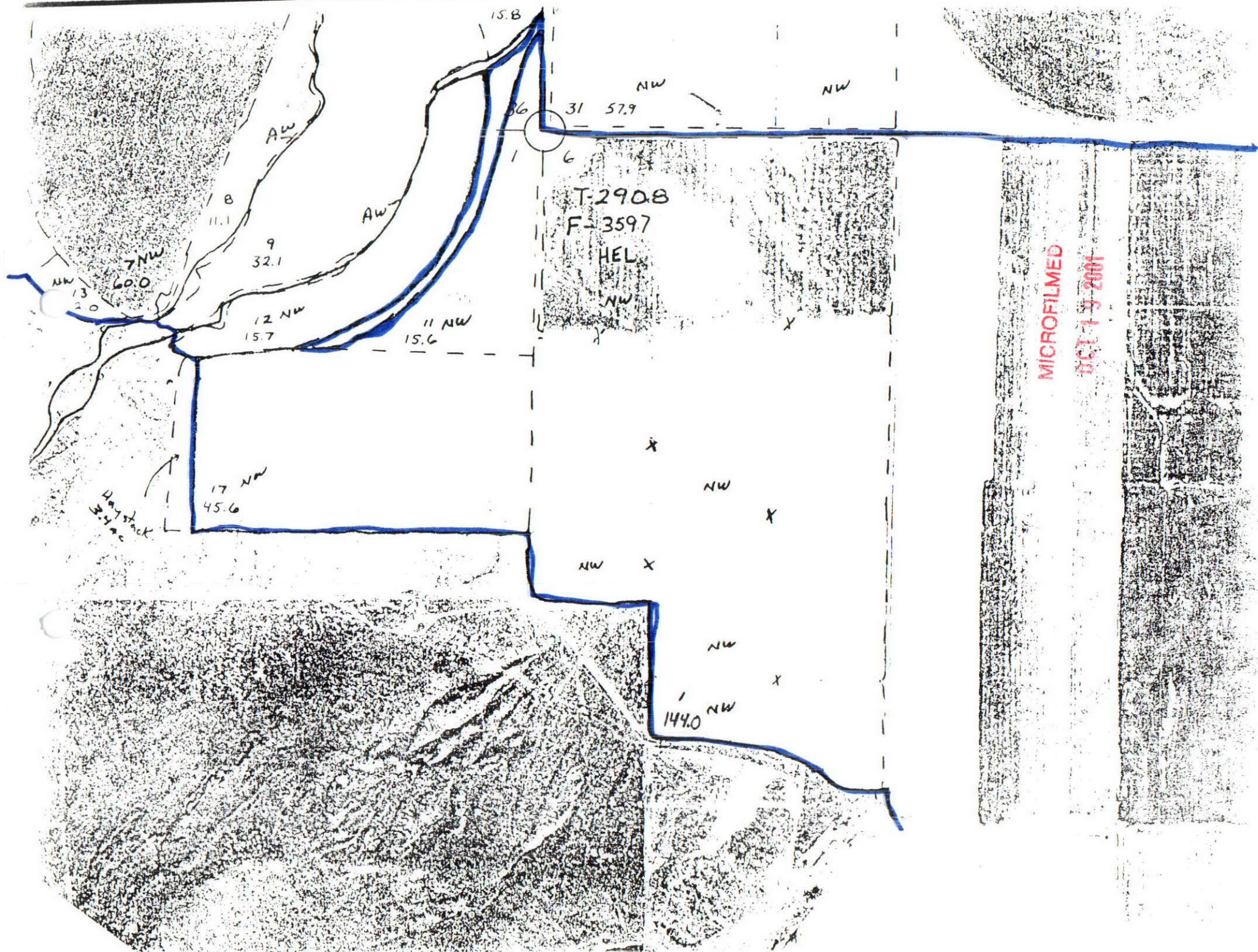
47-07673
6-28-95 JS



MICROFILMED
OCT 19 2001

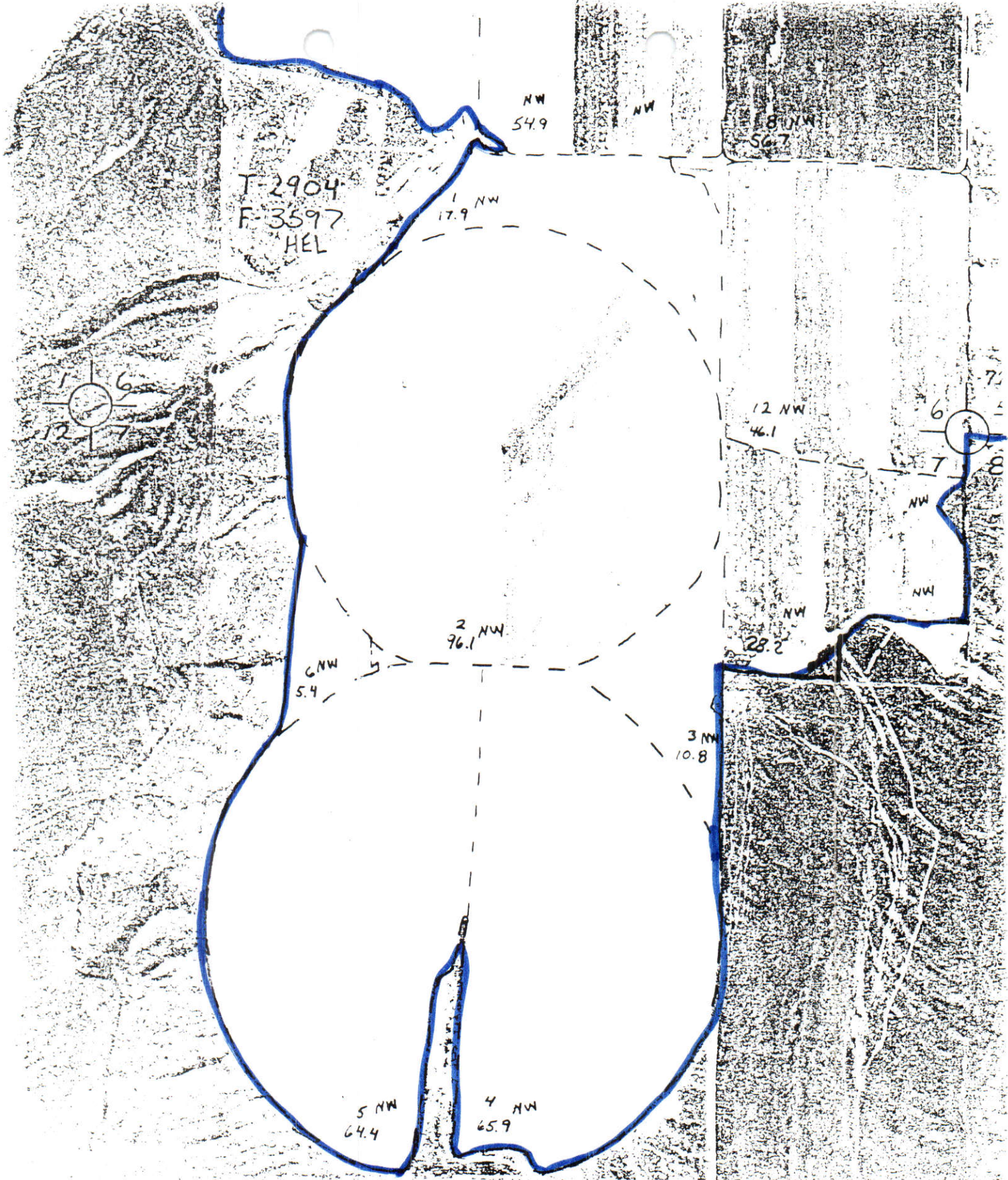
47-07673
5-28-95 JS



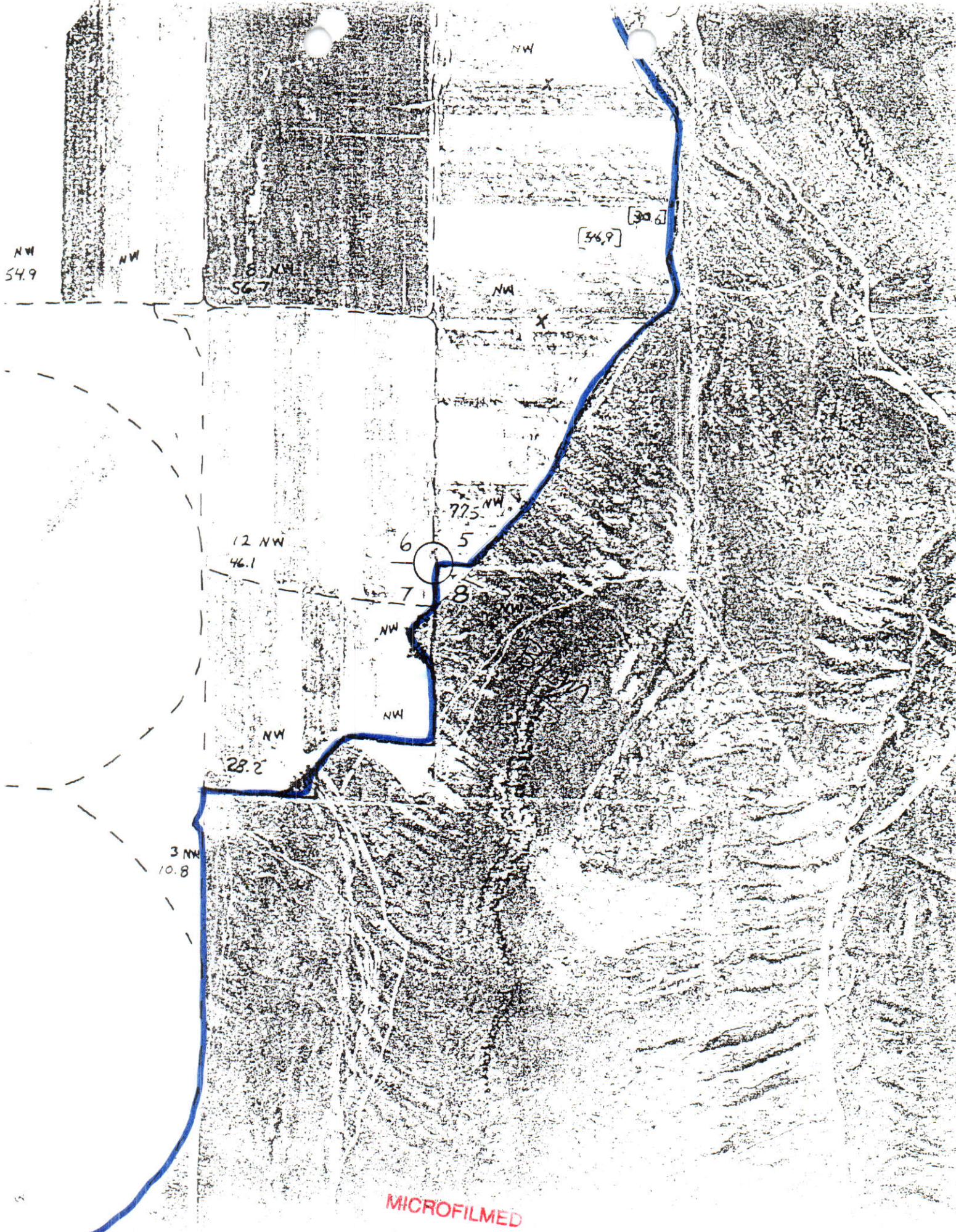


MICROFILMED

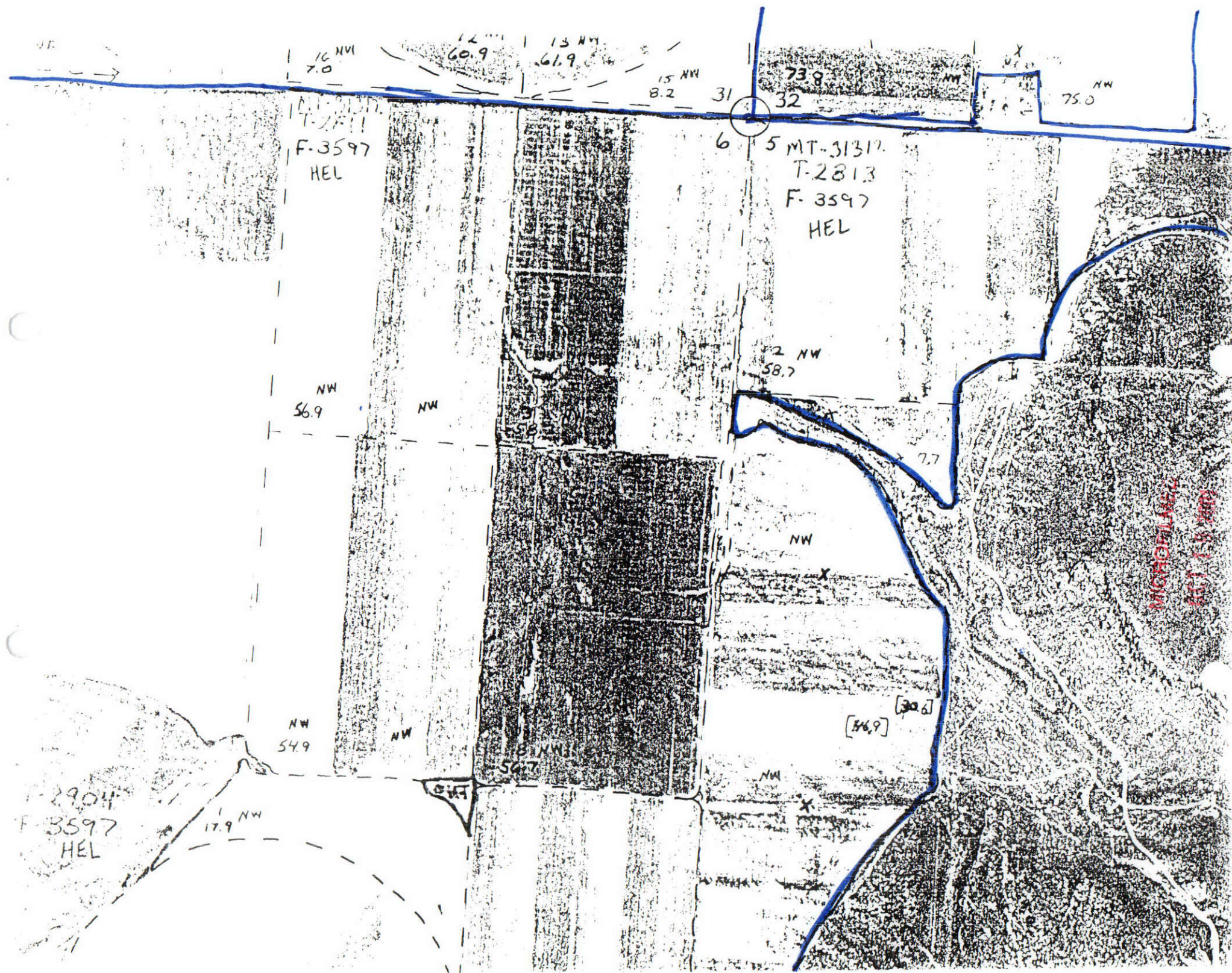
OCT 19 2001



MICROFILMED
OCT 19 2001



MICROFILMED
OCT 19 2001



16 NW
7.0

12 NW
60.9

13 NW
61.9

15 NW
8.2

73.8
32

NW
75.0

F-3597
HEL

6
5 MT-3131
T-2813
F-3597
HEL

NW
56.9

NW

12 NW
58.7

7.7

NW

NW
54.9

NW

8 NW
56.7

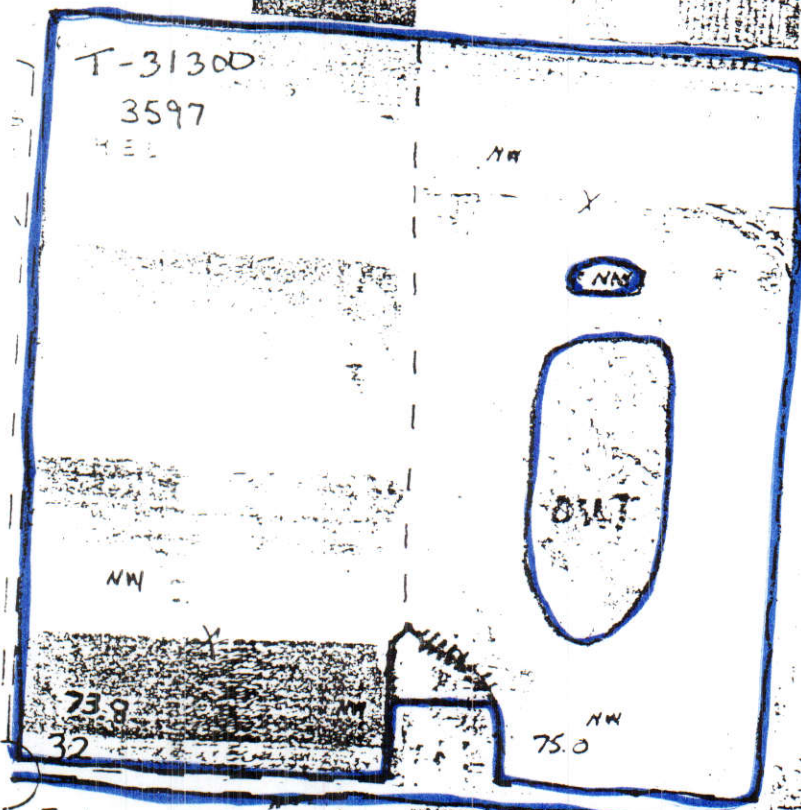
[56.9]

[30.6]

2904
F-3597
HEL

1 NW
17.9

MICHOPI
11.1 NW
11.1 NW



5 M.T-31317
T-2813
F. 3597
HEL



MICROFILMED
OCT 19 2001



11/99

For Office Use Only
 \$25 filing fee 8
 Receipt # 5024463
 Date 12-4-01

STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES

RECEIVED

12-3-2001
 NOV 30 2001

ASSIGNMENT OF PERMIT

To change the ownership of a permit

Department of Water Resources
 Southern Region

We, X KEVIN L. GUTHRIE and
 ANNE C. GUTHRIE, hereby assign to LUIS M. BETTENCOURT
 of PO BOX 587, JEROME, ID 83338 208.536.6148
 (Full Address) (Phone)

RECEIVED

All my right, title, and interest in and to Permit No. 47-7673 to DEC - 6 2001
 appropriate the public waters of the State of Idaho.

Department of Water Resources

OR (for partial assignments)

The following described portion of my right, title, and interest in and to for
 Permit No. _____ to appropriate the public waters of the State of Idaho.
 (Describe portion of the application for permit assigned, listing the number of acres in each 40 acre
 subdivision, point of diversion location, and amount of the water in cubic feet per second.)

Made this 1st day of October, 2001

Permit Holder(s) Kevin L. Guthrie

Anne C. Guthrie
 Anne C. Guthrie

State of Idaho)

County of Twin Falls)ss

On this 1st day of October, 2001, personally appeared before me the signer(s) of the above
 instrument, who duly acknowledged to me that he (she) (they) executed the same.

Susie Moore
 Notary Public residing at

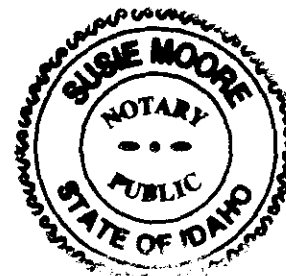
SEAL

My commission expires:

11-28 2002

MICROFILMED

OCT 1 2002



RECEIVED

FEB 10 2000

DEPARTMENT OF WATER RESOURCES
STATE OF IDAHO

For Office Use Only
\$25.00 Filing Fee
Receipt # 3022787
Date 02/09/2000

RECEIVED
FEB 09 2000
Department of Water Resources
Circulation Section

DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT

To change the ownership of a permit

RECEIVED
DEC 16 1999
Department of Water Resources
Circulation Section

I, B & H Farming, a partnership ^(Permit Holder) consisting of Randy A. Bauscher and Thomas R. Haynes
hereby assign to Kevin L. and Anne C. Guthrie
of 2872 Rock Creek Road, Hansen, Idaho, 83334
(Full Address and Phone Number)

All my right, title, and interest in and to Permit No. 47-07673
to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

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

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
point of diversion location, and the amount of water in cubic feet per second.

Made this 28th day of April, 19 99

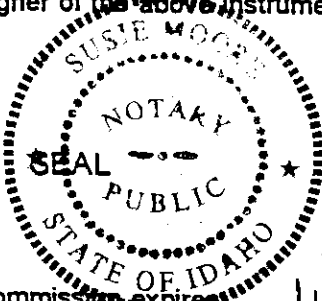
B & H FARMING, a partnership

[Signature]
Permit Holder(s)

By: RANDY A. BAUSCHER and THOMAS R. HAYNES

State of Idaho)
County of Twin Falls ^{SS}

On this 28th day of April, 199 99, personally appeared before me
the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.



[Signature]
Notary Public

My commission expires 11-28-2002

Signature

MICROFILMED

OCT 13 2001

RECEIPT # 5022786

02/09/2000

C. SKINNER

RECEIVED

FEB 03 2000

State of Idaho

Department of Water Resources

ASSIGNMENT OF PERMIT

RECEIVED

DEC 17 1999

Department of Water Resources
Southern Region

Department of Water Resources
Southern Region

Winding Brook Corporation, hereby assign to B & H Farming, a partnership

xx consisting of Randy A. Bauscher and Thomas R. Haynes, 520 Second Street,
Rupert, Idaho, 83350 Address

RECEIVED

CHECK ONE



All my right, title, and interest in and to Permit No. 47-07673
to appropriate the public waters of the State of Idaho.

FEB 10 2000

Department of Water Resources



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

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

Made this 20th day of April, 19 99.

WINDING BROOK CORPORATION

Rodney Moore

Permit Holder

By: RODNEY MOORE, Vice-President

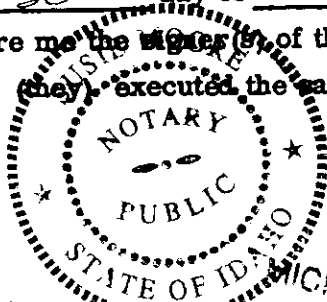
Spouse of Permit Holder

State of Idaho)

County of Twin Falls) ss.

On this 20th day of April, 19 99, personally
appeared before me the undersigned of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal



Notary Public residing at

Twin Falls

My commission expires

11-28-2002

MICROFILMED
DEC 18 2001

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
~~Original Application~~	~~47-07673~~	~~Patrick Kueny~~	
		~~Ralph Mac Farlane~~	~~8.61~~
~~Full Assignment~~	~~47-07673~~	~~Patrick Kueny~~	
		~~Ralph Mac Farlane~~	
		~~The Travelers Ins Co~~	~~8.61~~
~~Full Assignment~~	~~47-07673~~	~~The Travelers Ins Co~~	~~8.61~~
~~Full Assignment~~	~~47-07673~~	~~Van Diest Family~~	
		~~Partnership~~	~~8.61~~
~~Full Assignment~~	~~47-07673~~	~~Phillip C Uhlig~~	~~8.61~~
~~Full Assignment~~	~~47-07673~~	~~B & H Farming~~	~~8.61~~
Full Assignment	47-07673	Winding Brook Corp	8.61

RECORDED

MAR 23 1995

RECEIVED

State of Idaho
DEPARTMENT OF WATER RESOURCES

OFFICE USE ONLY

Amt. of Fee \$25.00

Date 2-6-95

Receipt No. 5017722

Receipt by sc

FEB 06 1995

Department of Water Resources
Southern Region

ASSIGNMENT OF APPLICATION FOR PERMIT

To change the ownership of an application for permit

I, B & H FARMING, an Idaho
general partnership, hereby assign to Winding Brook Corporation
(Applicant)
 of c/o Rodney Moore, P. O. Box 53, Nampa, Idaho, 83653 208/466-0419
(Full Address)

All my right, title, and interest in and to Application for Permit
 No. 47-07673 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

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

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision,
 point of diversion location, and the amount of water in cubic feet per second.

Made this 31st day of January, 1995

B & H FARMING

By: Randy A. Baucher

RANDY A. BAUCHER Applicant(s)
 Partner

State of Idaho)

ss

County of MINICO)

RECEIVED

FEB 07 1995

Department of Water Resources

On this 31st day of January, 1995, personally appeared before me the
 signer of the above instrument, duly acknowledged to me that he/she/they executed the same.



Diana Viveros
 Notary Public

Diana Viveros
 Signature

My commission expires: 12/19/96

MAR 23 1995

database updated 3/1/95 cz

RECEIVED

FEB 06 1995

Department of Water Resources
Southern Region

ASSIGNMENT OF PERMIT

FEE: \$25.00
DATE: 2-6-95
RECEIPT: 5017722
By: See

THIS AGREEMENT, made this 12 day of August, 1994,
by and between Phillip C. Uhlig (hereinafter referred to as the
"Assignors"), and B & H FARMING, an Idaho general partnership
consisting of Randy A. Bauscher and Thomas R. Haynes, P.O. Box 123,
Rupert, Idaho 83350 (hereinafter referred to as the "Assignee"),

W I T N E S S E T H:

In consideration of \$10 and other valuable consideration, the
said Assignor does hereby ASSIGN AND TRANSFER to Assignee all
right, title and interest in and to the Permit of Ground Water
Rights (hereinafter referred to as the "Permit") herein described:

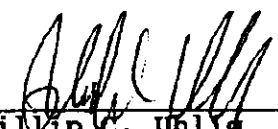
#47-7673, Licensee, Kueny/MacFarlene, C.F.S. 8.61
Priority, 10/10/1980, Acres 760, Point of Diversion,
Township Twelve (12) South, Range Eighteen (18) East,
B.M., Section One (1), Southeast Quarter Northwest
Quarter, Land List, Township Eleven (11) South, Range
Nineteen (19) East, B.M., Section Five (5), Lots 1, 2, 3,
and 4, Southwest Quarter Northwest Quarter, West Half,
Southwest Quarter; Section Six (6), Lots 1 and 2, South
Half Northeast Quarter, North Half Southeast Quarter,
Southeast Quarter Southeast Quarter, Section Seven (7),
Northeast Quarter Northeast Quarter; 8.61 CFS x 50 =
430.50 Inches.

used in connection with said premises described in Exhibit A,
together with all renewals and substitutions.

It is also agreed between Assignee and Assignor that said
Permit is subject to an Assignment of Permit dated April 15, 1991
with Mutual of New York as security on an indebtedness of
Assignors.

In the event of a failure of the Assignors to keep in full
force and effect said Permit prior to this Assignment transferring
the Assignor's interest to the Assignee, and to perform all acts
required thereunder, then such cancellation of said Permit shall,
at the election of the Assignee, entitle Assignee to all remedies
included in said Permit.

ASSIGNOR:



Phillip C. Uhlig

ASSIGNMENT OF PERMIT\1

RECEIVED

FEB 07 1995

Department of Water Resources

MICROFILMED

MAR 23 1995

database updated 2/9/95 czj.

RECEIVED

FEB 06 1995

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

Department of Water Resources
Southern Region

On this 12th day of August, 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared Phillip C. Uhlig, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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

Susan Moon
NOTARY PUBLIC
Residence: Twin Falls
My Commission Expires: 11-28-94

(n-9\assign.exe)

TWIN FALLS COUNTY, IDAHO
RECORDED FOR:

1994 AUG 15 P 2:33

ROBERT S. FORT
EX-OFFICIO RECORDER

FEE: 1.00 DEPUTY SDATITLEFACT, INC.
1994014588

ASSIGNMENT OF PERMIT\2

MAR 23 1995

RECEIVED

JAN 05 1994

ASSIGNMENT OF PERMIT

Department of Water Resources
Southern Region Office

THIS AGREEMENT, made this 13 day of July, 1993, by and between Van Diest Family Partnership, Ernest Van Diest, Martin F. Van Diest and Ernest W. Van Diest, General Partners (hereinafter referred to as the "Assignors"), and Phillip C. Uhlig (hereinafter referred to as the "Assignee"),

W I T N E S S E T H:

In consideration of the Agreement to Buy, Sell and Exchange between theses parties dated July 13, 1993, the said Assignors do hereby ASSIGN AND TRANSFER to Assignee all right, title and interest in and to the Permit of Ground Water Rights (hereinafter referred to as the "Permit") herein described:

#47-7673, Licensee, Kueny/MacFarlene, C.F.S. 8.61 Priority, 10/10/1980, Acres 760, Point of Diversion, Township Twelve (12) South, Range Eighteen (18) East, B.M., Section One (1), Southeast Quarter Northwest Quarter, Land List, Township Eleven (11) South, Range Nineteen (19) East, B.M., Section Five (5), Lots 1, 2, 3, and 4, Southwest Quarter Northwest Quarter, West Half, Southwest Quarter; Section Six (6), Lots 1 and 2, South Half Northeast Quarter, North Half Southeast Quarter, Southeast Quarter Southeast Quarter, Section Seven (7), Northeast Quarter Northeast Quarter; 8.61 CFS x 50 = 430.50 Inches.

used in connection with said premises described in Exhibit A, together with all renewals and substitutions.

It is also agreed between Assignee and Assignors that said Permit is subject to an Assignment of Permit dated April 15, 1991 with Mutual of New York as security on an indebtedness of Assignors.

In the event of a failure of the Assignors to keep in full force and effect said Permit prior to this Assignment transferring the Assignors' interest to the Assignee, and to perform all acts required thereunder, then such cancellation of said Permit shall constitute an event of default under the Agreement to Buy, Sell and Exchange above described and, at the election of the Assignee, shall entitle Assignee to all remedies included in said Permit.

In the event the Assignors are in default, Assignee may pursue any remedy authorized by law for the enforcement of the lien hereby created.

ASSIGNMENT OF PERMIT\1

FEB 22 1994

database updated 1/21/94 cz

ASSIGNORS:

VAN DIEST FAMILY PARTNERSHIP

By Ernest Van Diest
Ernest Van Diest
General Partner

By Martin E. Van Diest
Martin E. Van Diest
General Partner

By Ernest W. Van Diest
Ernest W. Van Diest
General Partner

ASSIGNEE:

Phillip C. Umrig
Phillip C. Umrig

ASSIGNMENT OF PERMIT\2

FEE \$ 8.00

RECEIVED

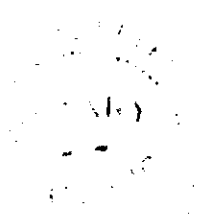
JAN 05 1994

STATE OF IDAHO)
County of Twin Falls) ss.

Department of Water Resources
Southern Region Office

On this 13 day of July, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared ERNEST VAN DIEST, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

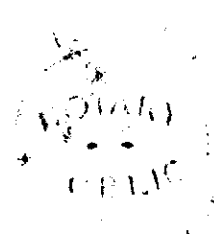
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.


Francis E. Crighton
NOTARY PUBLIC
Residence: Twin Falls
My Commission Expires: 1-20-98

STATE OF IDAHO)
County of Twin Falls) ss.

On this 12 day of July, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared MARTIN VAN DIEST, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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

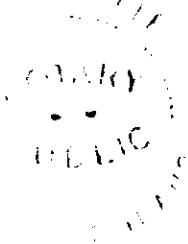

Francis E. Crighton
NOTARY PUBLIC
Residence: Twin Falls
My Commission Expires: 1-20-98

ASSIGNMENT OF PERMIT\3

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

On this 13 day of July, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared ERNEST W. VAN DIEST, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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

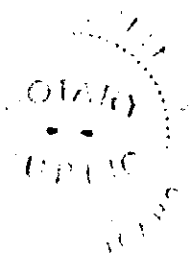


Francis E. Crighton
NOTARY PUBLIC
Residence: Twin Falls
My Commission Expires: 1-20-98

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

On this 13 day of July, 1993, before me, the undersigned, a Notary Public in and for said State, personally appeared PHILLIP C. UHLIG, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same.

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



Francis E. Crighton
NOTARY PUBLIC
Residence: Twin Falls
My Commission Expires: 1-20-98

(u-9\assign.per/jws/df)

ASSIGNMENT OF PERMIT\4

41994

RECEIVED

JUN 25 1990

Department of Water Resources
Southern Region Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

For Office Use Only
Amt. of Fee \$ 250.00
Date 6-26-90
Receipt No. 5012434
Received by J.F. Stanton

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

Permit No. 47-7677 Telephone No. 423-5782

Name(s) of Permit Holder(s): Van Diest Family Partnership

Post Office Address: 2872 Rock Creek Rd, Hansen, ID

Source of Water: Ground water 8334

If ground water, well driller's name: Chuck Jones Date drilled: 10/1980

Extent of Use:

Domestic _____ (No. of households)

Irrigation 700 (No. of acres)

Stockwater _____ (No. and type of stock)

Other _____

Total rate and/or volume for which proof is submitted 7 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: 6/1981

One of the following may be a condition of approval of your permit:

Measuring device: Required? Yes Yes No Installed? Yes Yes No

OR

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

Fee Enclosed: \$ 250.00 (See License Examination Fee Schedule)

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

Bill Van Diest 423-5782
Name Telephone No.

2872 Rock Creek Rd, Hansen, ID
Address

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

MICROFILMED

DEC 17 1990

6/25/90 Bill Van Diest (partner)
Date Signature (and title if on behalf of a company or organization)

State of Idaho

Department of Water Resources

ASSIGNMENT OF PERMIT

THE TRAVELERS INSURANCE COMPANY, hereby assigns to Van Diest Family Partnership
of Rock Creek Ranch, 2872 Rock Creek Road, Hansen, Idaho 83334
Address

- ☒ All my right, title, and interest, in and to Permit No. 47-7673
to appropriate the public waters of the State of Idaho, subject to the
Mortgage identified below.
- ☐ The following described portion of my right, title, and interest in and
to Permit No. _____ to appropriate the public waters of the State
of Idaho. (Describe that portion of the permit being assigned by list-
ing the acreage within each 40-acre subdivision, the point of diversion
and the amount of water in cubic feet per second for direct diversion,
or acre feet for storage.)

Subject to the lien of the Mortgage granted by Dunford & McCall, a
partnership, to The Travelers Insurance Company, a Connecticut
corporation, on January 20, 1989, recorded January 23, 1989, in the
office of the County Recorder of Cassia County, Idaho, under
Recorder's Instrument No. 199927.

Made this 10th day of March ~~March~~ May, 1990.

THE TRAVELERS INSURANCE COMPANY

Permit Holder

By: Gregory F. Lynch
Gregory F. Lynch, Assistant Director
~~Assistant Director~~

State of ~~Idaho~~ Connecticut)
County of Hartford) ss. Farmington

On this 10th day of March May, 1990, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

MICROFILMED
DEC 17 1990

Patricia H. Csaszar
Notary Public residing at Hartford, Connecticut
Patricia H. Csaszar

My commission expires: 3/31/91

STATE OF CALIFORNIA
COUNTY OF ORANGE

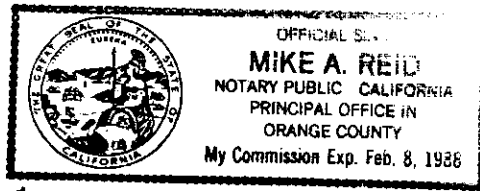
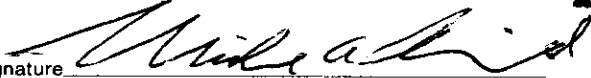
ss.

On NOV - 25, 1985, before me, the undersigned, a Notary Public in and forsaid State, personally appeared PATRICK J. KUENY &
LARONNA K KUENY

~~personally known to me~~ (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she they executed the same.

WITNESS my hand and official seal.

Signature



(This area for official notarial seal)

MICROFILMED

State of Idaho
Department of Water Resources

RECEIVED

MAR 17 1986

ASSIGNMENT OF PERMIT

Department of Water Resources

The Travelers Insurance Co. and
I, Patrick Kueny & Ralph MacFarlane hereby assign to Travelers Insurance Co.
of 960 Broadway, Suite 310, Boise, Idaho 83706
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 47-7673
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.
(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 12TH day of NOVEMBER, 19 85.

TRAVELERS INSURANCE CO.

Donald S. Reed
Donald S. Reed
General Manager

Patrick J. Kueny
Permit Holder

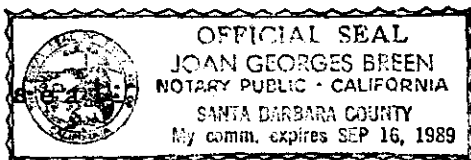
Ralph E. MacFarlane
Patrick J. Kueny and Ralph E. MacFarlane

LaRonna K. Kueny
Spouse of Permit Holder

Ann M. MacFarlane
LaRonna K. Kueny and Ann M. MacFarlane

State of ~~Idaho~~ CALIFORNIA)
County of SANTA BARBARA) ss.

On this 12TH day of NOVEMBER, 19 85, personally
appeared before me RALPH E. MACFARLANE & ANN M. MACFARLANE
the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.



Joan Georges Breen
Notary Public residing at
GOLETA, CALIFORNIA

My commission expires:

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
REQUEST FOR EXTENSION OF TIME

To provide additional time in which to submit
proof of beneficial use on a water right permit

RECEIVED
DEC 2 1985

Department of Water Resources

The Travelers Insurance Company &
Patrick Kueny & Ralph MacFarlane
(Name)

The Travelers Insurance Co.
P. O. Box 1077, Twin Falls, ID 83303
(Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public
Waters of the State of Idaho No. 47-7673.

That under the terms and conditions of said permit, work thereunder was required to be completed on or
before December 1, 1985.

That he has heretofore performed the following work described under said permit: _____

All work has been done.

Costing \$ 500,000.

That he is unable to complete the remainder of the work within the required time for the following
reasons, to-wit: The farm is being foreclosed on by Travelers Insurance Co. Additional
time is needed so that all necessary paperwork can be completed, and to allow time for
system maintenance and any additional upgrading of facilities that may be needed.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of
obligations under said permit to December 1, 1990.

TRAVELERS INSURANCE CO.

Gregory S. Ruddell
Gregory S. Ruddell
Investment Manager

Patrick J. Kueny and Ralph E. MacFarlane
(Signature)*
Patrick J. Kueny and Ralph E. MacFarlane

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time
within which to submit proof of beneficial use is extended to December 1, 1990.

UNFILMED

Signed this 16th day of December, 1985.

J. Glen Saxton
Chief, Operations Bureau

* IF OTHER THAN HOLDER, Power of Attorney must be supplied.

\$15.00 received 12-3-85 #37331 19

RECEIVED

AUG 24 1981

Department of Water Resources

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

ASSIGNMENT OF PERMIT

Patrick Kueny and
I, Ralph MacFarlane, hereby assign to The Travelers Insurance Company and
Patrick Kueny and Ralph MacFarlane
Real Estate Investment Dept., 707 S.W. Washington Street, Name Portland, Oregon 97205
of 1616 Anacapa Street, Santa Barbara, California 93101,
Address

CHECK ONE

☒ All my right, title, and interest, in and to Permit No. 47-7673
to appropriate the public waters of the State of Idaho.

☐ The following described portion of my right, title, and interest in and
to Permit No. _____ to appropriate the public waters of the State
of Idaho. (Give that portion of the permit being assigned by describing
the land list and the point of diversion - describe by acreage within
each 40-acre subdivision.)

Made this 29th day of May, 1981.

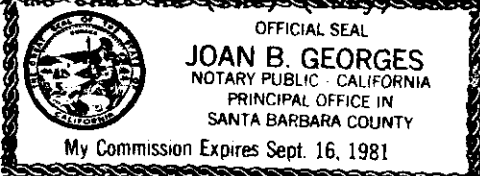
Patrick Kueny
Permit Holder Patrick Kueny

Ralph E MacFarlane
Permit Holder Ralph MacFarlane

State of ~~Idaho~~ CALIFORNIA)

County of SANTA BARBARA) ss.

On this 21ST day of JULY, 19 81, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that ~~they~~ they executed the same.



Joan B. Georges
Notary Public residing at _____
GOLETA, CALIFORNIA

My commission expires SEPT 16, 1981

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant Patrick Kueny & Ralph Mac Farlane Phone 423-4422

Post office address Route #1, Box 330, Hansen, ID 83334

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

3. Location of point of diversion is SE $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 1 Township 12 South

Range 18 E. B.M. Twin Falls County, additional points of diversion if any: _____

N/A

4. Water will be used for the following purposes:

Amount 8.61 cfs for Irrigation purposes from March 15 to Nov. 15 (both dates inclusive)
(cfs or acre-feet per annum)

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

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

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

5. Total quantity to be appropriated:

a. 8.61 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. Wells & Pumps

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

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

c. Proposed well diameter is 20" inches; proposed depth of well is 150 feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year – maximum 5 years).

8. Description of proposed uses:

a. If water is not for irrigation:

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

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

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

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

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

MICROFILMED

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

TWP	RANGE	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
11S	19E	32									40	40	40	40					160
12S	19E	5	Lot 1 40	Lot 2 40			Lot 3 40	Lot 4 40	40			40	40						280
12S	19E	6	Lot 1 40	Lot 2 40	40	40									40	40		40	280
12S	19E	7	40																40

Total number of acres to be irrigated 760

c. Describe any other water rights used for the same purposes as described above.

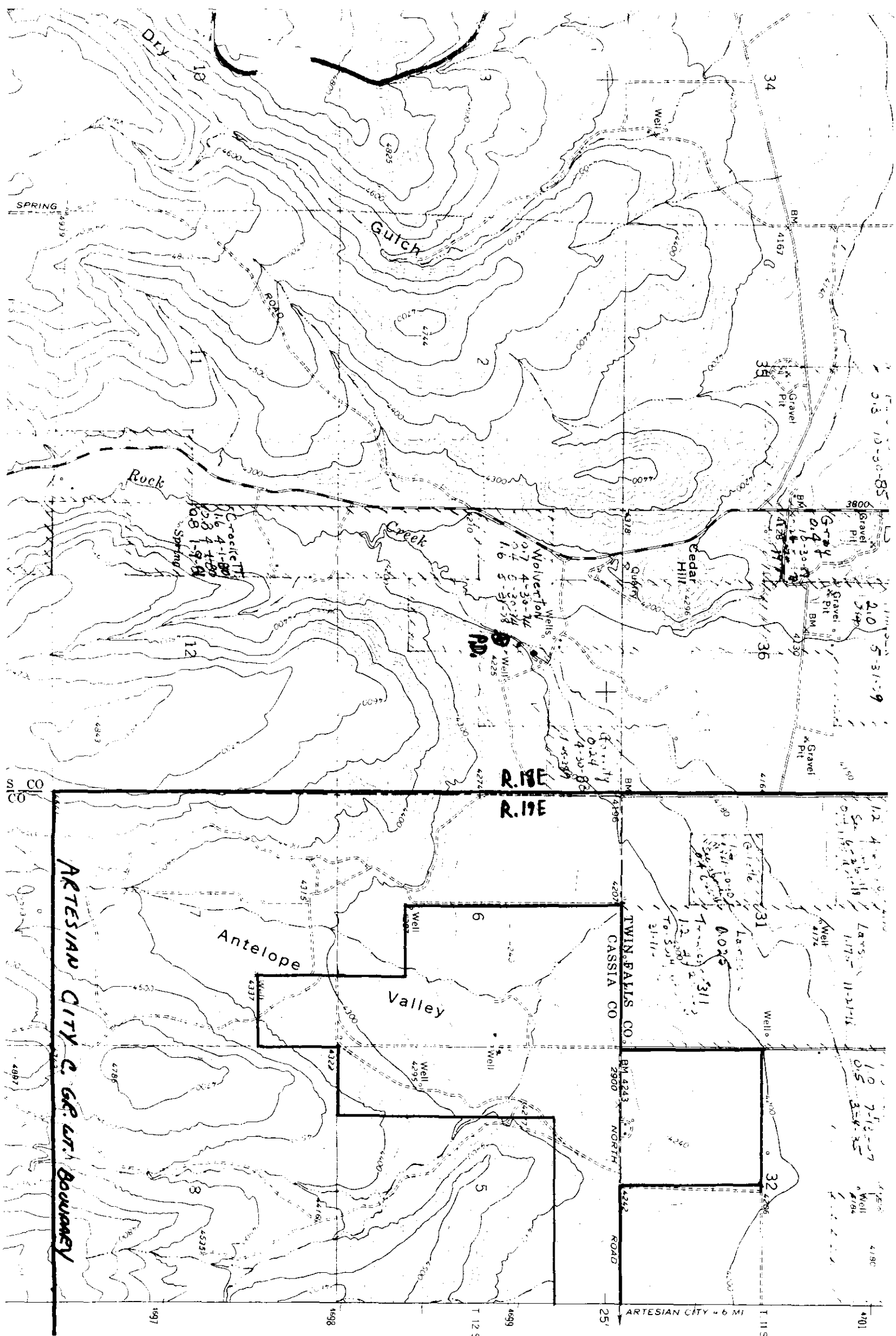
License 47-2536; 47-2552; 47-2556

9. a. Who owns the property at the point of diversion Applicant

b. Who owns the land to be irrigated or place of use Applicant

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

10. Remarks



Proposed Priority 10/10/80

Received by JP Date 10-10-80 Time 11:55 am
Preliminary check by TGB Fee \$ \$205.00 # 16625
Received by JP Date 10-10-80
Publication prepared by marry Date 10/15/80
Published in times news
Publication dates 10/23 + 10/30/80
Publication approved marry Date 10/21/80
Protests filed by: none

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by JK RH

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 47-7673 , and said application is hereby approved .

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

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before December 1 , 19 85 .
- c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- d. Other: An access port or other device as specified by the Department shall be installed by the permit holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 2nd day of December , 19 80 .

J. Glen Saylor
Chief, Office of the Bureau

Affidavit of Publication

Nº 10690

STATE OF IDAHO,
COUNTY OF TWIN FALLS

ss.

I, Linda Capps McBuire being first duly sworn up-
oath, depose and say that I am Print Clerk of the TIMES-NEWS,
published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of
the notice of advertisement, as per clipping attached, was published in the regular and
entire issue of said newspaper, and not in any supplement thereof, for Two
consecutive Weeks, commencing with the issue dated
October 23, 19 80, and ending with the issue dated
October 30, 19 80.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue the of, Thursday is announced as the day on which said legal notices will be published.

Linda Capps McBuire
Subscribed and sworn to before me on this 14 day of

November, 19 80

Melba Rowlett-Smith
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho



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

December 6, 2001

LUIS M BETTENCOURT
PO BOX 587
JEROME ID 83338

RE: Change of Ownership for Water Right 47-7673

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

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

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

Sincerely,

Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED
FEB 23 2002



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

October 11, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

KEVIN GUTHRIE
2872 ROCK CREEK RD
HANSEN, ID 83334

RE: Permit 47-7673

Dear Mr. Guthrie:

I received your request for a re-examination to quantify the beneficial use of water established in accordance with Permit 47-7673. I will ask staff from IDWR's office in Twin Falls to contact you to schedule a time to conduct the re-examination.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

C: IDWR Southern Region -- Jim Stanton

MICROFILMED
OCT 14 2001

RECEIVED

OCT 04 2001

**Department of Water Resources
Southern Region**

October 3, 2001

RECEIVED

OCT 9 - 2001

Department of Water Resources

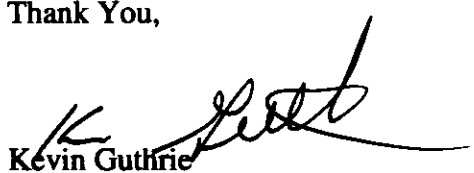
Dept. of Water Resources
Statehouse
Boise, ID
83270

RE: Permit 47-7673, Kevin Guthrie

Dear Sirs;

I do hereby request a licensing re-examination on this permit, as land was inadvertently left off of the recommendation due to incorrect information supplied to the examiner by our farm manager. Attached is the re-examination fee of \$300.

Thank You,


Kevin Guthrie
2872 Rock Creek Rd
Hansen, ID
83334

MICROFILMED

OCT 13 2001



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 23, 2001

J. D. May, Attorney
PO Box 1846
Twin Falls ID 83301

RE: Permit No. 47-07673 in the name of Kevin L. & Anne C. Guthrie

Dear Mr. May:

We have been withholding action in regard to the licensing of Permit No. 47-07673 pursuant to your request of June 9, 2000. We would like to proceed with processing of the license but we are still awaiting the submittal of an additional examination fee and the licensing amendment that was requested in our correspondence of March 29, 2000.

It was my understanding that you were going to meet with Jim Stanton and/or a SRBA (Snake River Basin Adjudication) agent in our Southern Regional Office regarding this water right and you would get back to me after that meeting. I have not heard from you, since last June, and would like to know if the permit holders are now agreeable with the proposed licensing of this permit.

Please either submit the additional examination fee, along with the licensing amendment to me within the next 30 days or submit a reason why we should not take further action on this permit at this time.

If you have any questions regarding this matter, please contact me as soon as possible at (208)327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosures: Copy of March 29, 2000 correspondence
Copy of licensing amendment

MICROFILMED

SEP 13 2001

9-13-01
Jack McCall
called - says
wells & Rock
CR - all integrated
into / system in
1980 will discuss
with Jim Stanton
a get back to
me. allow 30
more days for
call-up since Jim
is on vacation
KW

MEMORANDUM

TO: File 47-07673

FROM: Kay Walker *KW*

Date: June 9, 2000

.....

J.D. May, Attorney for Guthrie's, came into the office this afternoon to discuss the licensing of this permit. Mr. May and his clients are concerned that we have only recommended 1390 acres under this permit when their farm consists of approx. 2200 acres. They would like to see a license issued for all the acres on their farm since the water rights are integrated into a single system. I explained that we have made our recommendations based on Jim Stanton's field visits in 1982 and 1995 and this is the place of use that this well could serve.

I mentioned to Mr. May that in order for us to recognize the entire farm as a single system at this time a transfer would need to be filed and approved. I reminded him that the adjudication could recognize accomplished transfers and since this system was in place in 1982 when Jim was out there, he should probably amend the SRBA claims to claim a ppu so the SRBA agents will review the claims as a ppu. I also mentioned that a claim should be filed on this permit if the owner's wanted this right included in the SRBA and in the ppu for the entire farm.

Mr. May requested that we withhold further action towards licensing of this permit until he had a chance to talk with Jim Stanton and possibly a SRBA agent at the region. I told him that we would hold up any further action until he requested it.

MICROFILMED

OCT 13 2001

RECEIVED

MAY 26 2000

May, Sudweeks & Browning

Department of Water Resources

Attorneys at Law

Jay D. Sudweeks

J. Dee May

Bart D. Browning

516 Second Street East • P. O. 1846 • Twin Falls, ID 83303

Telephone (208) 733-7180

Facsimile (208) 733-7967

May 25, 2000

*Appt. scheduled
for 1:30 PM 6/9/2000*

Kay Walker

Senior Water Resource Agent

Department of Water Resources

P. O. Box 83720

Boise, ID 83720-0098

RE: Permit No. 47-07673 in the name of
Kevin L. and Anne C. Guthrie

Dear Ms. Walker:

I have called and left a couple of messages over the last few days but you have been out of the office and we have not been able to talk about the above-entitled permit which is currently being reviewed for licensing. You were kind enough to give us a 30-day extension from the original 30 days given under your March 29, 2000 letter. Within that 30-day extension I have had an opportunity to talk with my clients and we have some significant questions with regard to the terms of your March 29, 2000 letter. My clients have an integrated irrigation system, which waters approximately 2,190 acres as opposed to 1,390 acres mentioned in your letter and we believe that the license ought to be issued for 8.02 cfs rather than 7.51 cfs. I need an opportunity to discuss this matter with you and do not want the water right to be advanced in accordance with Section 42-217 until we have an opportunity to talk.

I believe it would be appropriate to perhaps get another extension of 30 days so that we can deal with these issues. In that regard I am setting a meeting with Jim Stanton here in our local office to discuss not only this water right but all other water rights that my client has which are part and parcel of the integrated irrigation system. If you could please give me a call upon receipt of this letter I would appreciate it so that we can get this matter resolved, hopefully, to everyone's satisfaction.

MICROFILMED

OCT 1 1999

Kay Walker
May 25, 2000
Page 2

In the meantime I will assume, that until we talk that this water right will not be advanced. Please let me know if that is not the case.

Very truly yours,

MAY, SUDWEEKS & BROWNING

A handwritten signature in black ink, appearing to read "J. Dee May", with a stylized flourish at the end.

J. DEE MAY

JDM:mab
cc: Kevin Guthrie

MICROFILMED

OCT 15 2001

FAX**Date** *May 25, 2000***Number of pages including cover sheet** *3***TO:** *Kay Walker***Phone** *327-7900***Fax Phone** *327-7866***FROM:** *J. Dee May
May, Sudweeks &
Browning
516 Second Street East
PO Box 1846
Twin Falls, ID 83303-
1846***Sent By** *Marilyn***Phone** *208-733-7180***Fax Phone** *208-733-7967***CC:****REMARKS:** ☐ *Urgent* ☐ *For your review* ☐ *Reply ASAP* ☐ *Please Comment***Please deliver immediately!**

The information contained in this facsimile message is attorney privileged and confidential information intended only for the use of the individual or entity named above. If you have received this communication in error, please immediately notify us by telephone to arrange for return of the original document to us.

MICROFILMED

MAY 25 2000

May, Sudweeks & Browning

Attorneys at Law

516 Second Street East • P. O. 1846 • Twin Falls, ID 83303
Telephone (208) 733-7180
Facsimile (208) 733-7967

Jay D. Sudweeks
J. Dee May
Bart D. Browning

May 25, 2000

Kay Walker
Senior Water Resource Agent
Department of Water Resources
P. O. Box 83720
Boise, ID 83720-0098

RE: Permit No. 47-07673 in the name of
Kevin L. and Anne C. Guthrie

Dear Ms. Walker:

I have called and left a couple of messages over the last few days but you have been out of the office and we have not been able to talk about the above-entitled permit which is currently being reviewed for licensing. You were kind enough to give us a 30-day extension from the original 30 days given under your March 29, 2000 letter. Within that 30-day extension I have had an opportunity to talk with my clients and we have some significant questions with regard to the terms of your March 29, 2000 letter. My clients have an integrated irrigation system, which waters approximately 2,190 acres as opposed to 1,390 acres mentioned in your letter and we believe that the license ought to be issued for 8.02 cfs rather than 7.51 cfs. I need an opportunity to discuss this matter with you and do not want the water right to be advanced in accordance with Section 42-217 until we have an opportunity to talk.

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MICROFILMED

OCT 13 2001

Kay Walker
May 25, 2000
Page 2

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Very truly yours,

MAY, SUDWEEKS & BROWNING



L. DEE MAY

JDM:mab
cc: Kevin Guthrie

MICROFILMED

001 13 2001

May, Sudweeks & Browning

Attorneys at Law

516 Second Street East • P. O. 1846 • Twin Falls, ID 83303
Telephone (208) 733-7180
Facsimile (208) 733-7967

Jay D. Sudweeks
J. Dee May
Bart D. Browning

April 26, 2000

RECEIVED

APR 27 2000

Department of Water Resources

Kay Walker
Senior Water Resource Agent
Department of Water Resources
P. O. Box 83720
Boise, ID 83720-0098

RE: Permit No. 47-07673 in the name of
Kevin L. and Anne C. Guthrie

Dear Mrs. Walker:

This letter will confirm our telephone conversation wherein you were kind enough to extend the time for us to respond an additional 30 days and that you would hold in abeyance any action by the Department until I am able to get back to you with that extension. I really appreciate your courtesy in that regard and will be getting with my client right after I return from California and will be getting an answer back to you as quickly as possible.

Thank you very much again for your courtesy.

Very truly yours,

MAY, SUDWEEKS & BROWNING



J. DEE MAY

JDM:mab

cc: Kevin Guthrie

MICROFILMED
OCT 19 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

March 29, 2000

J. D. May, Attorney
PO Box 1846
Twin Falls ID 83301

RE: Permit No. 47-07673 in the name of Kevin L. & Anne C. Guthrie

Dear Mr. May:

Permit No. 47-07673 is currently being reviewed for licensing. Our review has revealed two issues that need to be addressed.

First, the Department's field examiner reported that the well under this permit could divert up to 8.02 cfs. However, because the previous owner submitted proof of beneficial use of only 7.0 cfs the license will be limited to a diversion rate of 7.0 cfs unless an additional examination fee is submitted as described below. I have enclosed a copy of the Proof of Beneficial Use form that was submitted for your reference. If the permit holders want their water right license to reflect 7.51 cfs found to be beneficially useful by our licensing review, they must submit an additional examination fee of \$25.00, plus the late penalty of \$25.00, within 30 days. If we receive the examination fees after 30 days from the date of this letter, the priority date of this water right will be advanced in accordance with Section 42-217 of Idaho Code.

Second, before a license can be issued, the permit must be amended to correspond with the field examiner's findings related to the place of use description. The examiner has recommended a permissible place of use since this well can be used to irrigate the entire farm. We propose issuing the license with a 1390 acre place of use and then limiting the use to 760 acres within any irrigation season. We have prepared and enclosed a GIS (Global Information System) shape file showing the recommended place of use. Please review this shape carefully to make sure we have included all the lands irrigated under this well. If this GIS shape covers the entire property as reported, all the groundwater rights appurtenant to the property when combined will be limited to an inch of water per acre, which is the standard allowable amount in Idaho. Please review the enclosed amendment application carefully. If you concur with the examiner's findings, have the permit holder's sign the amendment form and return it with the statutory \$50.00 amendment fee within 30 days.

MICROFILMED

OCT 18 2000

4-20-2000
telecon w/ J.D. May -
Mr. May needs
more time to meet
w/ permit holders.
allow 30 more
days for response
& submittal of
lic. amendment.
KJW

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

If you have any questions regarding this matter, please contact me as soon as possible at (208)327-7944.

Sincerely,

A handwritten signature in cursive script that reads "Kay Walker". The signature is written in black ink and is positioned above the printed name and title.

KAY WALKER
Sr. Water Resource Agent

Enclosures

MICROFILMED

OCT 19 2001

Memorandum

To: File 47-07673

From: Kay Walker

Date: March 28, 2000

RE: License Recommendations

.....

In reviewing this permit, I found that there are eleven water right licenses utilizing groundwater on different parts of this property along with this right. In order to issue a license for this permit to the full extent we have several considerations to look at.

The place of use recommended consists of the entire farm since this well can supply water to the entire place. In a phone conversation with examiner this morning, I found that all the wells located close to the pond are being diverted into the pond and pumped into the same irrigation system utilized by their decreed Rock Creek water. I would like to recommend that we show all the wells in Sec. 1 as a part of this license but it appears in looking at the field examinations in the files and topographical map CC24 that the licenses do not reflect the correct location of the wells and the right holders may be confused if I include "new" well locations under this license. The locations of these old wells should probably be scrutinized and corrected, if necessary, during SRBA review.

Examiner found 1401 acres irrigated; in light of the overlapping rights on this property, I made a GIS shape and found only 1390 acres irrigated which would require 27.80 cfs if all acres are brought up to 1" per acre. I found one license issued for the irrigation of 100 acres at 2.0 cfs. The lands under 47-02526 would not require any additional flow but the lands licensed are not consistent with the system as it is used now. It would not be in the property owner's interest to leave the 100 acres found licensed under Rt. 47-02526 out of the system review.

The place of use under the entire system needs to be revisited during SRBA review of this farm. The licenses previously issued consist of 20.29 cfs on various parts of the farm (see map showing overlap). A transfer should probably be solicited to tie all the rights to the 1390 acres found irrigated under this permit. However, the SRBA will be reviewing this basin within the next year and they may find an accomplished transfer has occurred since an examiner visited this property in 1982 and found this same system in place.

I recommend we license this permit as recommended by the examiner but for only 1390 acres and with a limitation on the rate of diversion and volume when all rights are used.

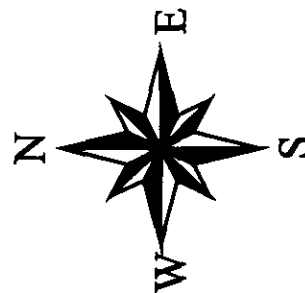
MICROFILMED

JUL 13 2000

IDWR

PERMIT NO. 47-07376

Place of Use
Section Lines
1/4 1/4 Lines



2 Miles

1

0

1

NW

Polygon	11S	18E	36	NENE	138085.361	1552.331
Polygon	11S	18E	36	SENE	52305.599	954.970
Polygon	11S	18E	36	SENE	28750.062	730.459
Polygon	11S	18E	36	NWSE	60461.982	1222.435
Polygon	11S	18E	36	NESE	122433.223	1510.026
Polygon	11S	18E	36	SESW	29593.894	921.276
Polygon	11S	18E	36	SWSE	161031.248	1597.195
Polygon	11S	18E	36	SESE	152045.040	1968.477

34.1
12.9
7.1
14.9
30.3
7.3
39.8
37.6

} 20
✓
✓

increases found in GIS

NE

11S	19E	32	NWSW	158096.969	1590.544	39.066
11S	19E	32	NESW	143697.745	1986.521	35.508
11S	19E	32	SWSW	151738.590	1558.211	37.495
11S	19E	32	SESW	116846.510	2040.829	28.898

SW

Polygon	12S	18E	1	NENW	54245.785	945.014	13.4 ✓
Polygon	12S	18E	1	NWNE	148437.285	1762.072	36.7 ✓
Polygon	12S	18E	1	NENE	140241.303	2505.582	34.7 ✓
Polygon	12S	18E	1	SWNE	59190.684	985.424	14.6 ✓
Polygon	12S	18E	1	SENE	111594.458	1359.668	27.6

SE

		Sec				
12S	19E	5	NENE	151527.241	1557.296	37.4 ✓
12S	19E	5	NWSW	153512.955	1526.722	37.9 ✓
~~12S~~	~~19E~~	~~5~~	~~SENW~~	~~5.307~~	~~135.474~~	~~0.0~~ ✓
12S	19E	5	SWNW	132142.426	2312.722	32.7 ✓
12S	19E	5	NWNW	158620.325	1593.142	39.2 ✓
12S	19E	5	NENW	108947.034	1500.212	26.9 ✓
12S	19E	5	NWNE	115215.928	1440.818	28.5 ✓
12S	19E	5	SWSW	76990.576	1262.255	19.0 ✓
12S	19E	6	NWNE	159313.203	1596.622	39.4 ✓
12S	19E	6	SWNE	161105.974	1605.550	39.8 ✓
12S	19E	6	SENE	160825.984	1604.168	39.7 ✓
12S	19E	6	NENE	159496.756	1597.539	39.4 ✓
12S	19E	6	NENW	157685.157	1588.406	39.0 ✓
12S	19E	6	SWNW	79063.051	1196.637	19.5 ✓
12S	19E	6	SENW	160006.144	1600.033	39.5 ✓
12S	19E	6	NESE	161984.351	1609.907	40.0 ✓
12S	19E	6	NWSE	159934.634	1704.449	39.5 ✓
12S	19E	6	NWNW	79189.059	1190.230	19.6 ✓
~~12S~~	~~19E~~	~~6~~	~~NWSW~~	~~0.896~~	~~45.788~~	~~0.0~~ ✓
12S	19E	6	NESW	102911.214	1414.709	25.4 ✓
12S	19E	6	SESE	161997.235	1609.740	40.0 ✓
12S	19E	6	SWSE	161912.455	1609.548	40.0 ✓
12S	19E	6	SESW	71451.406	1198.796	17.7 ✓
12S	19E	7	SWNE	162374.703	1626.540	40.1 ✓
12S	19E	7	NWNE	162556.847	1612.737	40.2 ✓
12S	19E	7	NENW	110298.765	1377.036	27.3 ✓
12S	19E	7	SWNW	180.189	149.344	0.0 ✓
12S	19E	7	SENW	142774.004	1529.263	35.3 ✓
12S	19E	7	NENE	121937.049	1651.181	30.1 ✓
12S	19E	7	SENE	6814.314	841.172	1.7 ✓
12S	19E	7	NWSW	2.625	16.405	0.0 ✓
12S	19E	7	NESW	114382.164	1381.845	28.3 ✓
12S	19E	7	NWSE	127895.594	1454.438	31.6 ✓
12S	19E	7	NESE	2257.338	311.110	0.6 ✓

18E

19E

= Permit

X = 47-02491/02511

X = 47-02526

X = 47-02536

O = 47-02546

O = 47-02552

O = 47-02554

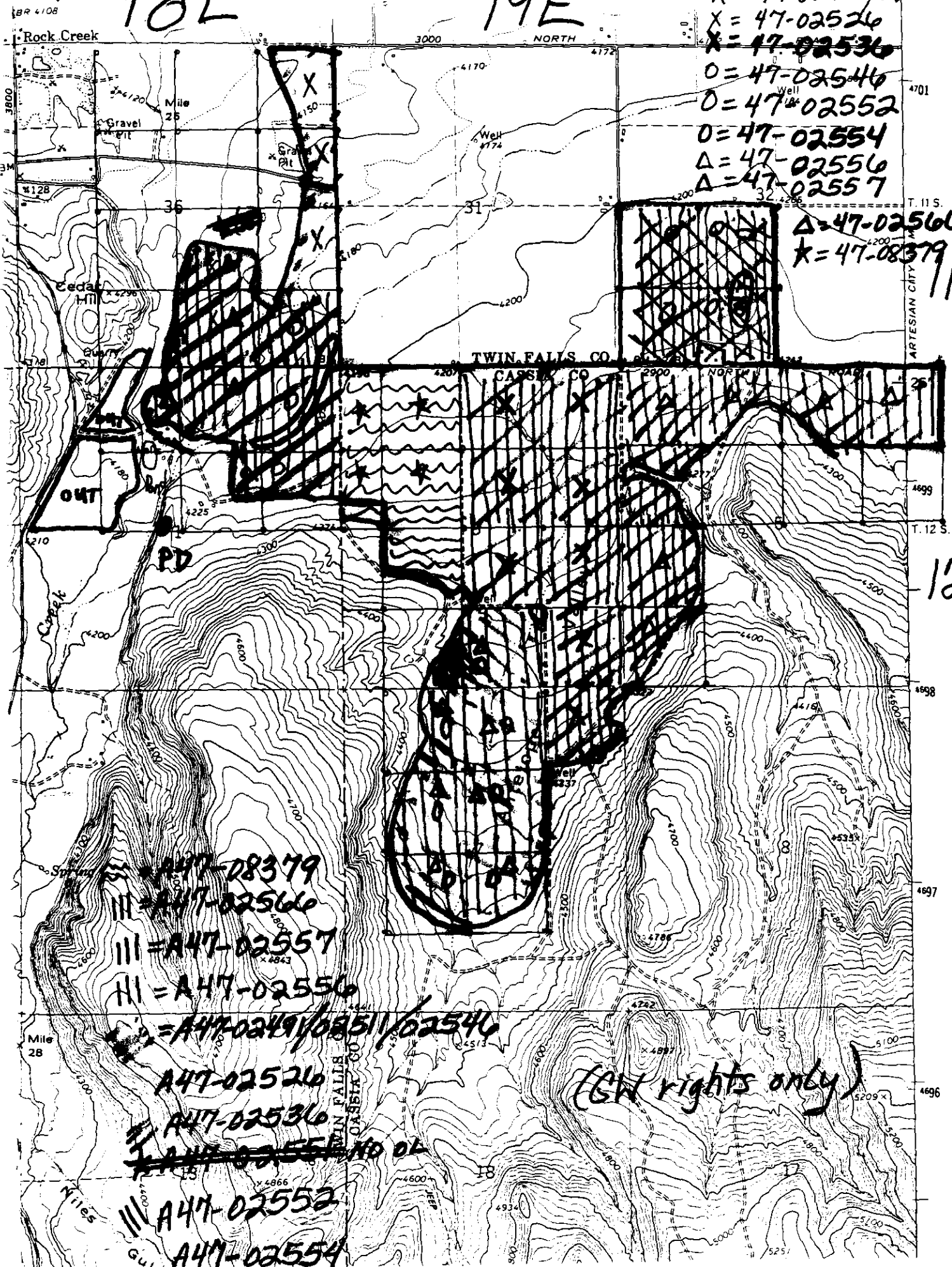
Δ = 47-02556

Δ = 47-02557

Δ = 47-02566

K = 47-08379 / 115

125



III = A47-08379

III = A47-02566

III = A47-02557

III = A47-02556

III = A47-02554

III = A47-02491/02511/02546

III = A47-02526

III = A47-02536

III = A47-02552

III = A47-02554

(GW rights only)

(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	
L4707673	T11S R18E S36	GROUNDWATER																
		33		20														
		-1		-20														
0100209	SNAKE RIVE :																	
4700121	ROCK CREEK :	40		35		10		23		25		25		34		20		212
A4700121	ROCK CREEK :	39		35		06				25		22				18		145
4700122	ROCK CREEK :	40		35		10		23		25		25		34		20		212
A4700122	ROCK CREEK :	39		35		06				25		22				18		145
4700123	ROCK CREEK :	40		35		10		23		25		25		34		20		212
4700124B	ROCK CREEK :	40		35		10		23		25		25		34		20		212
A4700124B	ROCK CREEK :	40		35		10		15		25		30				05		195
A4700127A	ROCK CREEK :	33		20												09		182
4700127B	ROCK CREEK :	33		20												09		182
4700138	ROCK CREEK :	40		35		10		23		25		25		34		20		212
A4700138	ROCK CREEK :	40		35		10		15		25		30				05		195
A4700138B	ROCK CREEK :							01										1
A4700140	ROCK CREEK :															40		156
A4700141	ROCK CREEK :															40		156
A4700142	ROCK CREEK :															40		156
4700143	ROCK CREEK :									1						1		
A4700143	ROCK CREEK :															40		156
4700157	ROCK CREEK :																	
A4700157	ROCK CREEK :															40		40
A4700157A	ROCK CREEK :															40		156
4700158	ROCK CREEK :	40		35		10		23		25		25		34		20		212
A4700158	ROCK CREEK :	39		35		06				25		22				18		145
4700162A	ROCK CREEK :	40		35		10		23		25		25		34		20		212
A4700162A	ROCK CREEK :							18										18
4702491	GROUNDWATE :															1		
A4702491	GROUNDWATE :															40		156
4702511	GROUNDWATE :															1		
A4702511	GROUNDWATE :															40		156
4702526	GROUNDWATE :	40		40												20		100
A4702526	GROUNDWATE :	40		40												20		100
4702546	GROUNDWATE :																	40
A4702546	GROUNDWATE :															40		156
4702551	GROUNDWATE :	40		35		10		23		25		25		34		20		212
A4702551	GROUNDWATE :	40		35		10		15		25		30				05		195
4702566	GROUNDWATE :															1		
A4702566	GROUNDWATE :															40		156
4704347	GROUNDWATE :							03										3
A4704347	GROUNDWATE :							03										3
4707643	GROUNDWATE :							07										7
A4707643	GROUNDWATE :							10										10
A4710693	ROCK CREEK :	39		35		06				25		22				18		145

L4707673 Differences T11S R19E S32 GROUNDWATER
NOCL

4 1 2 11
36 39 38 29

: 142

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

[illegible]

L4707673	T12S R18E S 1	GROUNDWATER																			:		:	129
		: 01-36	02-37	14	30	: 03-12		:		:		:		:		:		:		:				
4700116B	ROCK CREEK :					:			:	28	11	02 :		:		:		:		41				
4700117	ROCK CREEK :					:			:	28	11	02 :		:		:		:		41				
A4700127A	ROCK CREEK :	36	37	14	30	:	27	06	17	12 :			:		:		:		:	179				
4700127B	ROCK CREEK :	36	37	14	30	:	27	06	17	12 :			:		:		:		:	179				
4700140	ROCK CREEK :					:	03-I		I	I :	I		:		:		:		:					
A4700140	ROCK CREEK :	40	40	40	40	:	40	33	33	33 :			:		:		:		:	299				
4700141	ROCK CREEK :					:	03-I		I	I :	I		:		:		:		:					
A4700141	ROCK CREEK :	40	40	40	40	:	40	33	33	33 :			:		:		:		:	299				
4700142	ROCK CREEK :	01-I		I		:				:			:		:		:		:					
A4700142	ROCK CREEK :	40	40	40	40	:	40	33	33	33 :			:		:		:		:	299				
A4700143	ROCK CREEK :	40	40	40	40	:	40	33	33	33 :			:		:		:		:	299				

(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	NE	NW	SW	SE	NE	NW	SW	SE	
		Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	Lt Ac	
4700157	ROCK CREEK :		02-I				03-I	I	I	I								:
A4700157A	ROCK CREEK :	40	40	40	40	40	33	33	33									: 299
4700177	ROCK CREEK :										28	11	02					: 41
A4700177B	ROCK CREEK :											0						:
A4700177D	ROCK CREEK :											10	02					: 12
A4700177E	ROCK CREEK :										28							: 28
4702477	ROCK CREEK :												17					: 17
4702491	GROUNDWATE :		I			I		I	I									:
A4702491	GROUNDWATE :	40	40	40	40	40	33	33	33									: 299
4702511	GROUNDWATE :		I			I												:
A4702511	GROUNDWATE :	40	40	40	40	40	33	33	33									: 299
4702546	GROUNDWATE :	40		05	03													: 48
A4702546	GROUNDWATE :	40	40	40	40	40	33	33	33									: 299
4702566	GROUNDWATE :		I			I												:
A4702566	GROUNDWATE :	40	40	40	40	40	33	33	33									: 299
4708324	GROUNDWATE :							04		03	22		16					: 45
A4716640B	ROCK CREEK :											0						:
A4716640D	ROCK CREEK :											10	02					: 12
A4716640E	ROCK CREEK :										28							: 28
L4707673	T12S R19E S 5 GROUNDWATER																	
	: 01-39 02-29						03-24	04-39	33		40	21						: 225
A4700127A	ROCK CREEK :	39	29			24	39	33		40	21							: 225
4700127B	ROCK CREEK :	39	29			24	39	33		40	21							: 225
A4702536	GROUNDWATE :	01-40	02-40			03-40	04-40	40		40	40							: 280
4702556	GROUNDWATE :	01-40	02-32			03-15	04-30			25	20							: 162
A4702556	GROUNDWATE :	01-40	02-40			03-40	04-40	40		40	40							: 280
4707673	GROUNDWATE :	01-40	02-40			03-40	04-40	40		40	40							: 280
A4716392	ROCK CREEK :	01-40	02-40			03-40	04-40	40		40	40							: 280
L4707673	T12S R19E S 6 GROUNDWATER																	
	: 01-39 02-39	40	40			03-39	04-19	05-20	40	27		19		40	40	39	40	: 481
A4700127A	ROCK CREEK :	39	39	40	40	39	39	22	40	27		19		40	40	39	40	: 503
4700127B	ROCK CREEK :	39	39	40	40	39	39	22	40	27		19		40	40	39	40	: 503
4702536	GROUNDWATE :	12	38	40	28									40	40		40	: 238
A4702536	GROUNDWATE :	01-40	02-40	40	40									40	40		40	: 280
4702554	GROUNDWATE :											40				40		: 80
A4702554	GROUNDWATE :											20				40		: 60
R4702554	GROUNDWATE :											20				40		: 60
A4702556	GROUNDWATE :	01-40	02-40	40	40									40	40		40	: 280
4702557	GROUNDWATE :											40				40		: 80
A4702557	GROUNDWATE :											20				40		: 60
R4702557	GROUNDWATE :											20				40		: 60
4707673	GROUNDWATE :	01-40	02-40	40	40									40	40		40	: 280
4708379	GROUNDWATE :					40	40	40	40			30						: 190

(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		NE		NW		SW		SE										
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac									
A4708379	GROUNDWATE :									20		40		10		40		:	20						:					130				
A4716392	ROCK CREEK :	01-40	02-40			40		40		:								:			40		40				40		280					
L4707673	T12S R19E S 7 ⁵ ✓ GROUNDWATER									⁹ 29						¹⁶ 36			⁹ 31						:		¹⁶ 34			245				
A4700127A	ROCK CREEK :	35		40		40				29	01	01		36		31					34						34			247				
4700127B	ROCK CREEK :	35		40		40				29	01	01		36		31					34						34			247				
4702536	GROUNDWATE :	20																											20					
A4702536	GROUNDWATE :	40																											40					
4702554	GROUNDWATE :			40		40				40				40		40					20						40		220					
A4702554	GROUNDWATE :			40		40				20				30		40					40						40		210					
R4702554	GROUNDWATE :			40		40				20				30		40					40						40		210					
A4702556	GROUNDWATE :	40																											40					
4702557	GROUNDWATE :			40		40				40				40		40					20						40		220					
A4702557	GROUNDWATE :			40		40				20				30		40					40						40		210					
R4702557	GROUNDWATE :			40		40				20				30		40					40						40		210					
4707673	GROUNDWATE :	40																											40					
A4716392	ROCK CREEK :	40																											40					

WR-NUMBER	SOURCE*****	PRIORITY**	STG	TWP	RGE	SN	QQQ***	CFS*****	AFY**	ACRES**	USE1	USE2	PRF	CFS/ACRE
A47-02491	GROUNDWATER	5/25/20	L	12S	18E	1	NWNW	1.1		455	1	4	E	0.002
A47-02511	GROUNDWATER	9/3/47	L	12S	18E	1	SENW	0.8		455	1		E	0.002
A47-02546	GROUNDWATER	8/29/51	L	12S	18E	1	SWNE	1.76		455	1	4	E	0.004
A47-02566	GROUNDWATER	6/3/36	L	12S	18E	1	SENW	2.5		455	1		E	0.005
A47-02526	GROUNDWATER	7/18/49	L	11S	18E	36	NESE	2		100	1			0.02
A47-02536	GROUNDWATER	10/5/50	L	12S	19E	6	SENE	3.33		760	1		E	0.004
A47-02556	GROUNDWATER	5/28/59	L	12S	19E	5	NWSW	2.92		760	1		E	0.004
A47-02552	GROUNDWATER	11/7/55	L	12S	19E	6	SENE	0.34		109	1			0.003
A47-02554	GROUNDWATER	4/17/56	L	12S	19E	7	SWNE	3.2		270	1			0.01
A47-02557	GROUNDWATER	12/8/59	L	12S	19E	6	SESW	0.84	1960	270	1			0.003
A47-08379	GROUNDWATER	7/13/49	L	12S	19E	6	SESW	1.5		130	1			0.01

20.29

$$1390 \text{ ac} \times 0.02 \text{ cfs} = 27.80$$

$$- 20.29$$

7.51 could be licensed

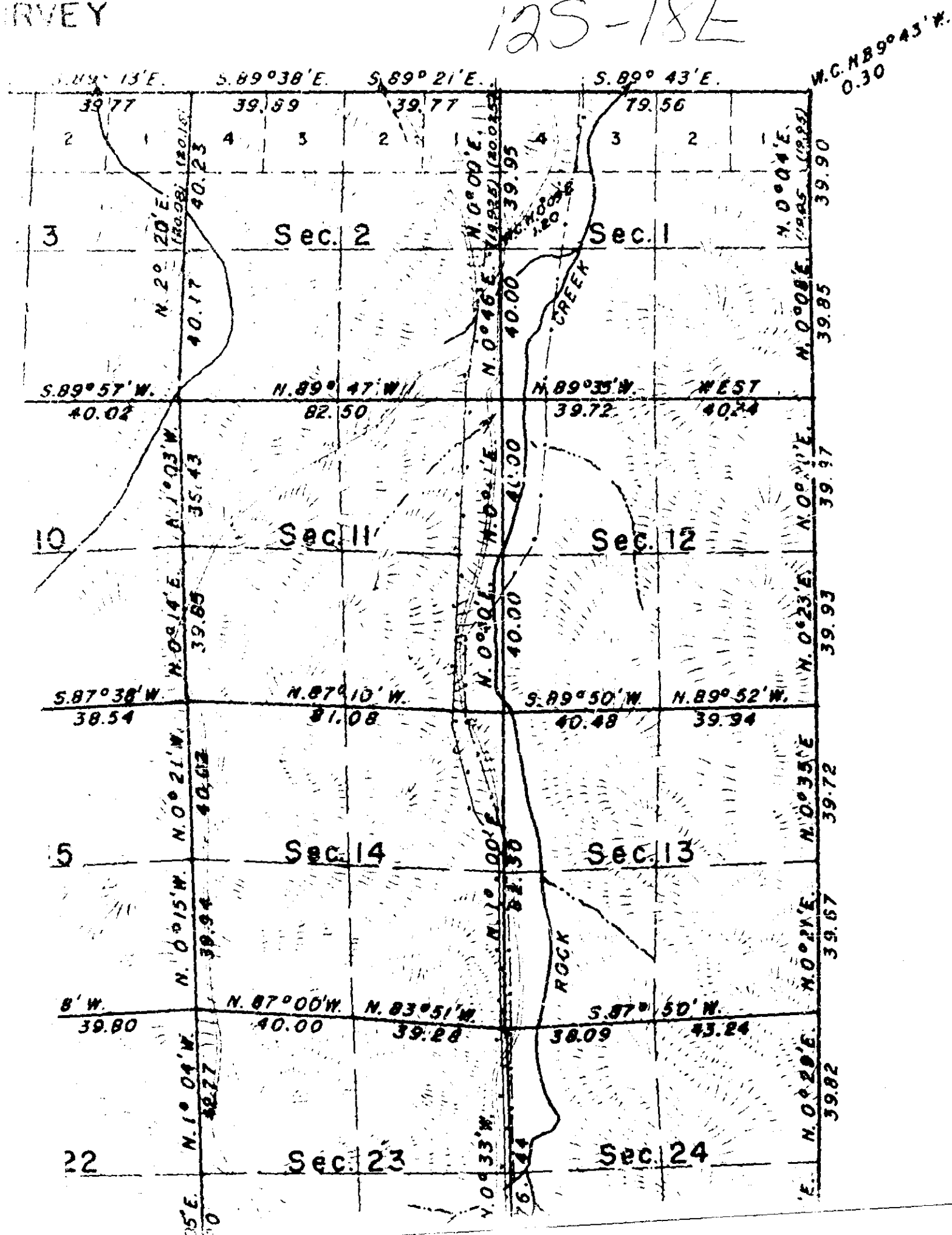
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IRVEY

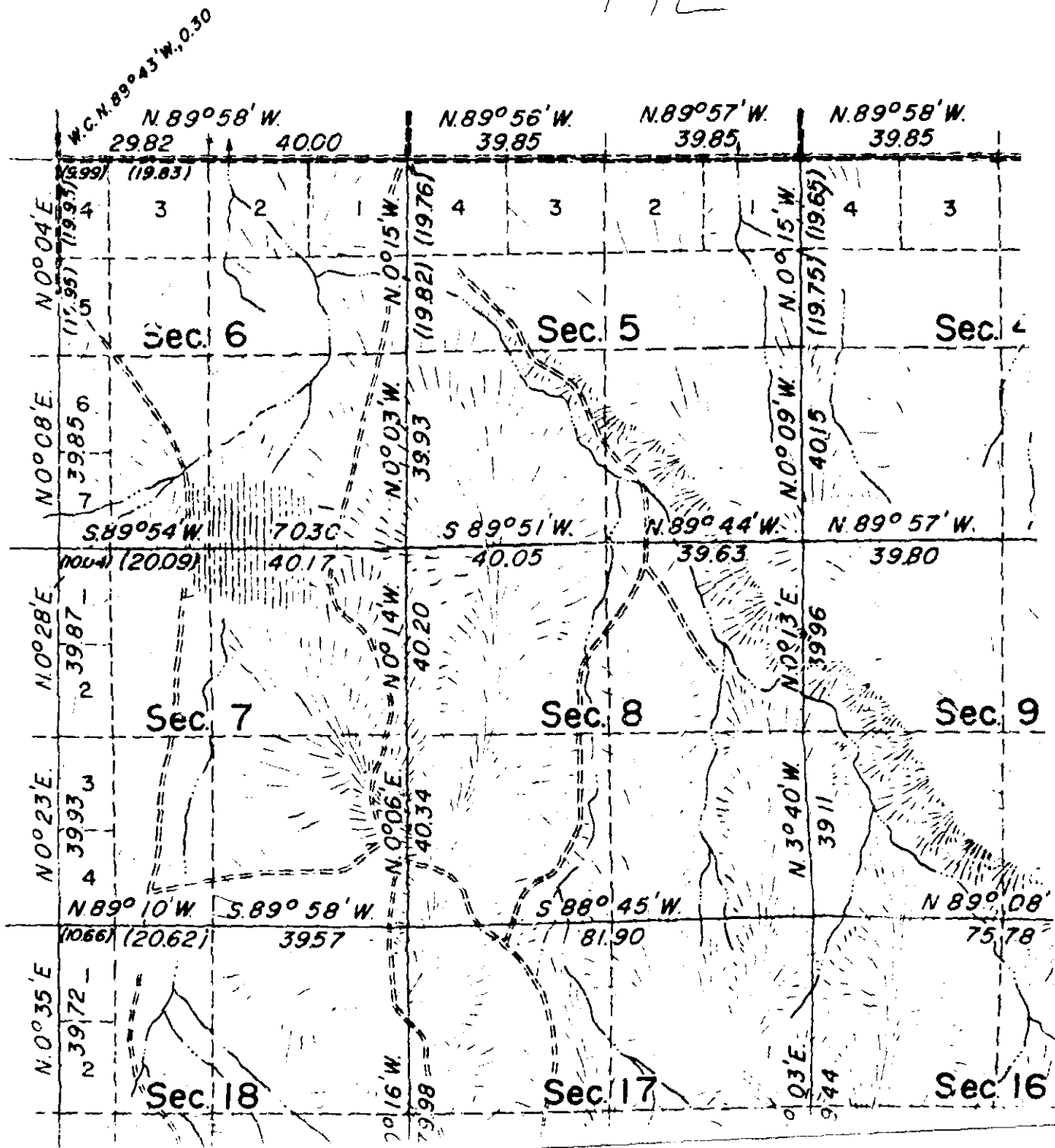
125-18E



THIS DISTRICT

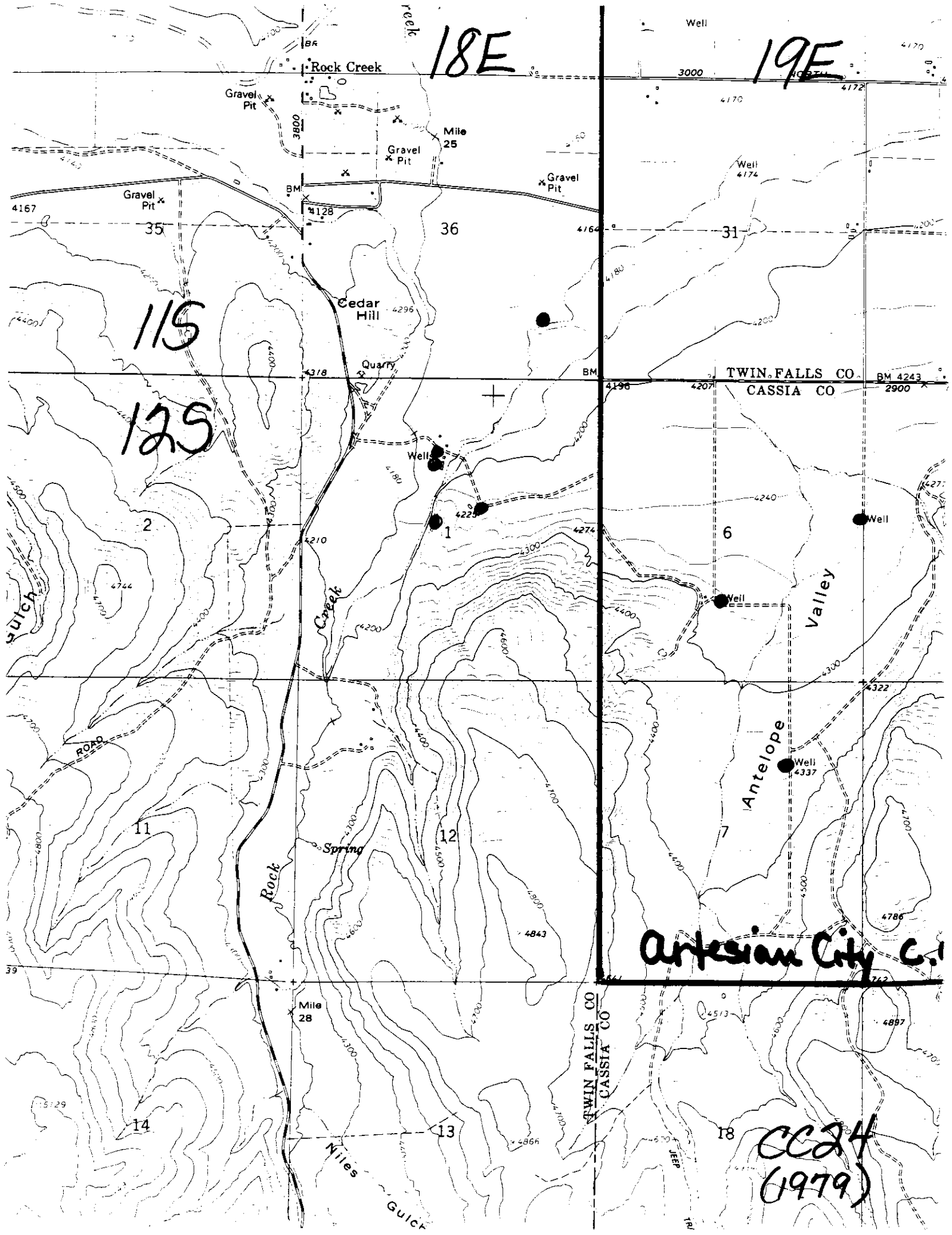
TOWNSHIP 12 SOUTH,

19E



19E





DATE: 03/23/00
TIME: 08:32:47
PAGE: 1

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION POD INDEX

00-XXX
AJ5804NP
SELECTION FILE: KW-GUTHRIE-OVERLAP-AJ

TWP	RNG	SECT	TRACT	LOT	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	CLAIMANT NAMES	O	C	WATER SOURCE	DIVERSION RATE-VOLUME	DIV TY
11S	18E	36	NE SE	01	A47-02526	L	07/18/1949	0	VAN DIEST FAMILY PARTNE WINDING BROOK CORP ROCK CREEK FARMS	O	C	GROUNDWATER	2.000 CFS	
12S	18E	1	SW NE	01,04	A47-02546	L	08/29/1951	0	ROCK CREEK FARMS VAN DIEST FAMILY PARTNE WINDING BROOK CORP	O	C	GROUNDWATER	1.760 CFS	
12S	18E	1	NW NW	01,04	A47-02491	L	05/25/1920	0	WINDING BROOK CORP ROCK CREEK FARMS VAN DIEST FAMILY PARTNE	C	O	GROUNDWATER	1.100 CFS	
12S	18E	1	NE SE	01	A47-02511	L	09/03/1947	0	WINDING BROOK CORP ROCK CREEK FARMS VAN DIEST FAMILY PARTNE	C	O	GROUNDWATER	0.800 CFS	
12S	18E	1	NE SE	01	A47-02566	L	06/03/1936	0	ROCK CREEK FARMS VAN DIEST FAMILY PARTNE WINDING BROOK CORP	O	C	GROUNDWATER	2.500 CFS	
12S	19E	5	NW SW	01	A47-02556	L	05/28/1959	0	ROCK CREEK FARMS VAN DIEST FAMILY PARTNE WINDING BROOK CORP	O	C	GROUNDWATER	2.920 CFS	
12S	19E	6	SE NE	01	A47-02536	L	10/05/1950	0	WINDING BROOK CORP VAN DIEST FAMILY PARTNE ROCK CREEK FARMS	C	O	GROUNDWATER	3.330 CFS	
12S	19E	6	SE NE	01	A47-02552	L	11/07/1955	0	ROCK CREEK FARMS VAN DIEST FAMILY PARTNE WINDING BROOK CORP	O	C	GROUNDWATER	0.340 CFS	
12S	19E	6	SE NE	01	A47-02556	L	05/28/1959	0	ROCK CREEK FARMS VAN DIEST FAMILY PARTNE WINDING BROOK CORP	O	C	GROUNDWATER	2.920 CFS	
12S	19E	6	SE SW	01	A47-02554	L	04/17/1956	0	WINDING BROOK CORP CLARENCE A DEGNER	C	O	GROUNDWATER	3.200 CFS	
12S	19E	6	SE SW	01	A47-02557	L	12/08/1959	0	WINDING BROOK CORP CLARENCE A DEGNER LOIS A DEGNER	C	O	GROUNDWATER	0.840 CFS	
12S	19E	6	SE SW	01	A47-08379	L	07/13/1949	0	MARWIN VIESELMAYER CLARENCE A DEGNER WINDING BROOK CORP	O	C	GROUNDWATER	1.500 CFS	
12S	19E	6	NW SE	01	A47-02536	L	10/05/1950	0	WINDING BROOK CORP VAN DIEST FAMILY PARTNE ROCK CREEK FARMS	C	O	GROUNDWATER	3.330 CFS	

different
wells
part of
expansion

OD-XXX
AJ5804NP
SELECTION FILE: KW-GUTHRIE-OVERLAP-AJ

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION POD INDEX

DATE: 03/23/00
TIME: 08:32:48
PAGE: 2

TWP	RNG	SECT	TRACT	LOT	WATER USES	WATER RIGHT NUMBER	STG	PRIORITY	CLAIMANT NAMES	O	C	WATER SOURCE	DIVERSION RATE-VOLUME	DIV TY
12S	19E	6	SE SE	01		A47-02536	L	10/05/1950	WINDING BROOK CORP VAN DIELST FAMILY PARTNE ROCK CREEK FARMS	O	C	GROUNDWATER	3.330	CFS
12S	19E	6	SE SE	01		A47-02556	L	05/28/1959	ROCK CREEK FARMS VAN DIELST FAMILY PARTNE WINDING BROOK CORP	O	C	GROUNDWATER	2.920	CFS
12S	19E	7	SW NE	01		A47-02554	L	04/17/1956	WINDING BROOK CORP CLARENCE A DEGNER	O	C	GROUNDWATER	3.200	CFS
12S	19E	7	SW NE	01		A47-02557	L	12/08/1959	WINDING BROOK CORP CLARENCE A DEGNER LOIS A DEGNER	O	C	GROUNDWATER	0.840	CFS

No old overlaps for well to be licensed
under this permit for examiner.

WR5804NP
00-5804

SELECTION FILE: KW-GUTHRIE-OVERLAP

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT POO INDEX

DATE: 03/23/00
TIME: 09:05:05
PAGE: 1

TWP	RNG	SECT	TRACT	LOT	WATER USES	WATER RIGHT NUMBER	STG STA	PRIORITY DATE	OWNER NAMES	O	WATER SOURCE	DIVERSION RATE-VOLUME	DIV TY
11S	18E	36	SW NW	01		~~47-02551~~	L/	05/02/1955	MACK GRAY CHAMP GRAY DBA GRAY BROTHERS LUCY GRAY	O	GROUNDWATER	3.940 CFS	
11S	18E	36	SE	01		47-02526	L/	07/18/1949	W. A. COINER	C	GROUNDWATER	2.000 CFS	
12S	18E	1	SW NE	01		47-02546	L/	08/29/1951	W. A. COINER W. A. CORNER EST.	O	GROUNDWATER	1.760 CFS	
12S	18E	1	NE NW	01,43		47-02491	L/	05/25/1920	UTAH CONSTRUCTION CO. W. A. COINER	O	GROUNDWATER	1.100 CFS	
12S	18E	1	SE NW	01		47-02511	L/	09/03/1947	W. A. COINER	C	GROUNDWATER	0.800 CFS	
12S	18E	1	SE NW	01		47-02566	L/	06/03/1936	L. W. MADDEN W. A. COINER	O	GROUNDWATER	2.500 CFS	
12S	19E	5	NW SW	01,43		47-02556	L/	05/28/1959	NOMA M. CREED CREED CONCERN INC.	O	GROUNDWATER	2.920 CFS	
12S	19E	6	SE NE	01,43		47-02536	L/	10/05/1950	J. WOODSON CREED CREED CONCERN INC.	O	GROUNDWATER	3.330 CFS	
12S	19E	6	SE NE	01		47-02552	L/	11/07/1955	J. WOODSON CREED NOMA M. CREED CREED CONCERN INC.	O	GROUNDWATER	0.340 CFS	
12S	19E	6	SE NE	01,43		47-02556	L/	05/28/1959	NOMA M. CREED CREED CONCERN INC.	O	GROUNDWATER	2.920 CFS	
12S	19E	6	SE SW	01		47-02554	L/	04/17/1956	MARGARET E. GRAY CLARENCE A. DEGNER	O	GROUNDWATER	3.200 CFS	
12S	19E	6	SE SW	01		47-02557	L/	12/08/1959	THURMAN WILLIS CLARENCE A. DEGNER	O	GROUNDWATER	0.840 CFS	
12S	19E	6	SE SW	01		47-08379	L/	07/13/1949	HAROLD H. ROURKE MACK GRAY	O	GROUNDWATER	1.500 CFS	
12S	19E	6	NW SE	01,43		47-02536	L/	10/05/1950	J. WOODSON CREED CREED CONCERN INC.	O	GROUNDWATER	3.330 CFS	
12S	19E	6	SE SE	01,43		47-02536	L/	10/05/1950	J. WOODSON CREED CREED CONCERN INC.	O	GROUNDWATER	3.330 CFS	
12S	19E	6	SE SE	01,43		47-02556	L/	05/28/1959	NOMA M. CREED CREED CONCERN INC.	O	GROUNDWATER	2.920 CFS	

WR5804NP
00-5804
SELECTION

FILE: KW-GUTHRIE-OVERLAP

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT POD INDEX

DATE: 03/23/00
TIME: 09:05:05
PAGE: 2

TWP	RNG	SECT	TRACT 1/4 1/4 1/4	LOT	WATER USES	WATER RIGHT NUMBER	STG	PRIORITY DATE	OWNER NAMES	O	WATER SOURCE	DIVERSION RATE-VOLUME	DIV TY
12S	19E	7	SW	NE	01	47-02554	L/	04/17/1956	MARGARET E. GRAY CLARENCE A. DEGNER	O C	GROUNDWATER	3.200 CFS	
12S	19E	7	SW	NE	01	47-02557	L/	12/08/1959	THURMAN WILLIS CLARENCE A. DEGNER	O C	GROUNDWATER	0.840 CFS	



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

February 11, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

KEVIN L GUTHRIE
ANNE C GUTHRIE
2872 ROCK CREEK RD
HANSEN ID 83334

RE: Assignment of Permit 47-07673

Dear Mr. & Mrs. Guthrie:

The department acknowledges receipt of correspondence changing ownership of the above referenced permit to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

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

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

Sincerely,

for 
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED

OCT 19 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED

MAY 14 1997

Department of Water Resources

A. GENERAL INFORMATION

Permit No. 47-07673

1. Owner: Winding Brook Corp.

Phone No. 466-0419

Current Address: c/o Rodney Moore, PO Box 53, Nampa, ID 83653

2. Accompanied by: Tom Haynes

EXAM DATE: 6-28-95

Address: PO Box 123, Rupert, ID 83350

Phone No. 436-0292

Relationship to Permit Holder: partner in B & H Inc. (lease ground & operate farm)

3. Source: Groundwater

tributary to _____

B. OVERLAP REVIEW

plus Rock Creek decrees

1. Other water rights with the same place of use: 47-02536, 2556, 2552, 2554, 2557, 8377

2. Other water rights with the same point of diversion: —

C. DIVERSION AND DELIVERY SYSTEM

1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	SE	NW	1	12S	18E	Twin Falls	ASCS photo

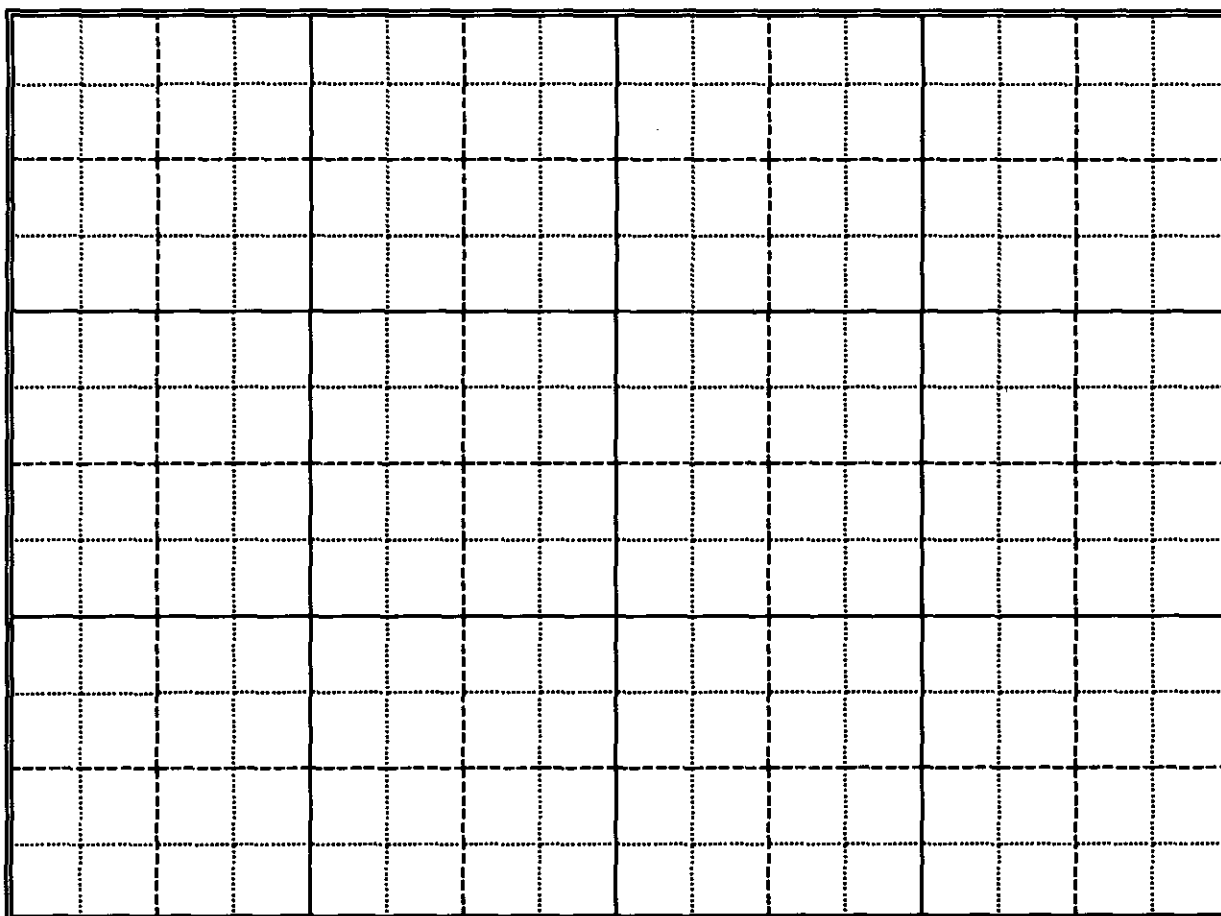
2. Place(s) of Use: PPU not exceeding 760 acres/900000 Indicate Method of Determination ASCS photos, dot grid

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
11S	18E	36	33			20								46	30	16	39	35	179
	19E	32									36	39	38	29					142
12S	18E	1	41	42			43	44	45	46									129
	19E	5	36	37	14	30	23	24	25	26									225
		6	37	29			24	39	32			40	21						481
		7	39	39	40	40	39	19	20	40	27			19	40	40	39	40	345
			35	40	40		29			36	31					34			1401

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DEC 13 2001

3. **Delivery System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____

☒ Copy of USGS Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

☒ Aerial Photo Attached (required for irrigation of 10+ acres)

☒ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	US Motors	200	856272	Lytne & Fowler	

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Polysonic flow meter						

2. Measurements: Measured 3598 gpm average flow. = 8.02 cfs

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E. NARRATIVE/REMARKS/COMMENTS

Well, motor, pump, mainline to ditch out of Rock Creek. Ditch flows into pond. Four re-lift pumps in pond pump water to sprinklers. This well can be used anywhere on this farm, which is much larger than just the permitted ground. The wells on the permitted ground are tied into the common mainline, but are used only on that part of the farm. The Rock Creek rights on this farm also go into the big pond. Mr. Haynes said that he thought all the other wells on the farm had been licensed. The quad map shows 2 other wells in the SE/NW, both in the NE/SE/NW. Licenses 47-2511 & 2566 have P/Ds in the SE/NW, with 25 hp & 100 hp pumps. So it appears that there are no other rights on the well covered by this permit.

I visited this property in 1982. The same system was in place at that time. Instead of dumping directly into Rock Creek, the big well now dumps into a ditch out of Rock Cr. I also visited this property last year in connection with a pending application for transfer. I worked with aerial photos, and drove all over the property to verify the P/U. My recommended P/U is based on that visit.

* Well capacity is 8.02 cfs (Exam fee = \$300.), but proof was filed on 7.0 cfs by former owner (Exam fee = \$250.).

A portion of the p/u in Sec 36 & Sec. 1 was sold to Kevin Guthrie in 1995, but is still watered by this well. A broken red line shown on the ASCS photo is the east boundary of the Guthrie property. It is expected that the existing pivot will be removed in a couple of years to accommodate the ownership change. I don't know how his portion of the ground will be watered without using the Ranch system, however. Not to exceed 0.02 cfs/acre or 4.0 AFA/acre for all rights combined on this property.

Have conditions of permit approval been met? ☒ yes ☐ no

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F. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

Measured Method:

$$3598 \text{ gpm} = 8.02 \text{ cfs}$$

of \$50. + \$25. penalty

Permit = 8.61 cfs, but proof = 7.0 cfs. Additional Fee^v due to license full amount. *

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \frac{1401 - 1027}{\text{licensed}} = 372 \text{ new acres} \times 4 = 1488$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 8.02 \times 214 \times 1.9835 = 3404.2$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \underline{1488 \text{ AFA}}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	4-1	10-31	* 8.02	1488
Totals:			8.02	1488

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name J. P. Stanton Date 5-9-97

Reviewer _____ Date _____

SEAL

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OCT 19 2005

MODE SELECT
INPUT

OUTER DIAMETER
12.095 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
0.2492 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
9.548 IN U

06-28 11:0300 *R
+ 3.598E 3GPM

06-28 11:0500 *R
+ 3.594E 3GPM

06-28 11:0600 *R
+ 3.603E 3GPM

06-28 11:0600 *R
+ 3.604E 3GPM

06-28 11:0600 *R
+ 5.198E 0MGD

06-28 11:0600 *R
+ 10.948E 0FPS

06-28 11:0700 *R
+002.90 % AI2

06-28 11:0800 *R
+002.90 % AI2

06-28 11:0800 *R

MODE SELECT
INPUT

OUTER DIAMETER
12.095 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
0.2492 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
9.548 IN U

06-28 11:0300 *R
+ 3.598E 3GPM

06-28 11:0500 *R
+ 3.594E 3GPM

06-28 11:0600 *R
+ 3.603E 3GPM

06-28 11:0600 *R
+ 3.604E 3GPM

06-28 11:0600 *R
+ 5.198E 0MGD

06-28 11:0600 *R
+ 10.948E 0FPS

06-28 11:0700 *R
+002.90 % AI2

06-28 11:0800 *R
+002.90 % AI2

06-28 11:0800 *R

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OCT 19 2001

site inspection
made 4-14-82
JF Stanton

GE 25 hp motor
651693378
Aurora pump

Well #3

GE 100 hp
JKT 911149
Aurora pump

#2 well

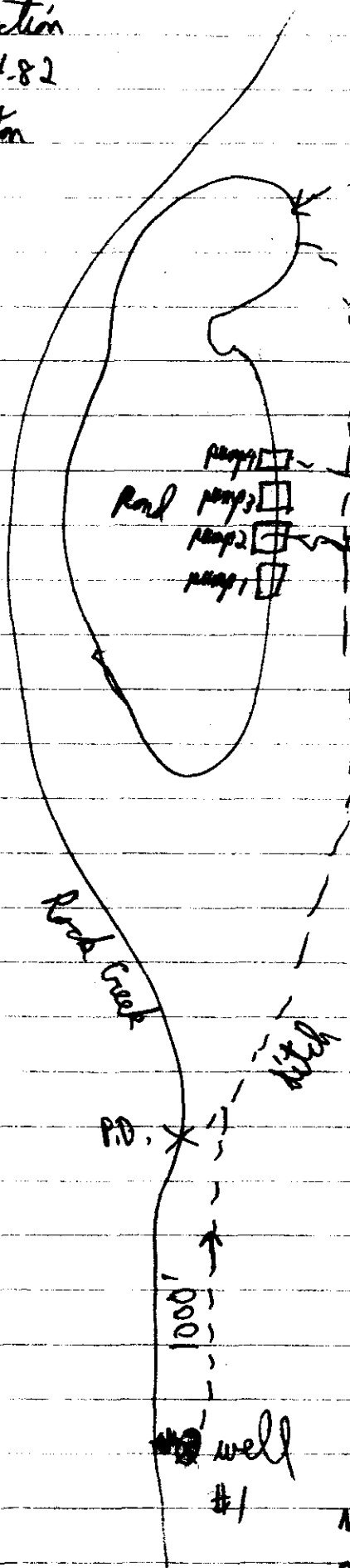
6-28-75 - GE 125 hp
HJT 817139

pumps: 1 High Thrust 125 hp motor
R9984-02-826
Aurora pump

2 High Thrust 75 hp motor
R-6326-05-083
Aurora pump

3 High Thrust 75 hp motor
R-6326-05-083

4 High Thrust 50 hp motor
R-6231-05-047
Aurora pump
feeds only decreased ground



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Well #1 dumps into creek, then is rerouted at P.D. into a ditch which leads to the pond. 3 pumps in pond deliver water to decreased ground & also to ground under new permit. Well #2 will supplement

Licensed P/U-Winding R- & Grp.

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SE¼	SW¼	
115	18E	36																	
	19E	32									22	39	30	18					109
125	18E	1																	
	19E	5	40	32			15	30			25	20							162
		6	12	38	40	28	40	40	40	40				40	40	40	40	40	478
		7	20	40	40		40			40	40			40		20			280

Total number of acres to be irrigated 1029

12.13 d/s

416 AFA

.0118 d/s

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OCT 13 2001

Present P/U - Winding R & Corp.

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11S	18E	36	33			20								6	30	16	37	35	179
	19E	32									36	39	38	29					142
12S	18E	1	36	37	14	30	12												129
	19E	5	39	29			34	39	33		40	21							225
		6	39	39	40	40	39	19	20	40	27			19	40	40	39	40	481
		7	35	40	40		29			36	31				24				245

Total number of acres to be irrigated 1401

12.13 cfs + 8.02 =

20.15 cfs

5604 AFA allowed

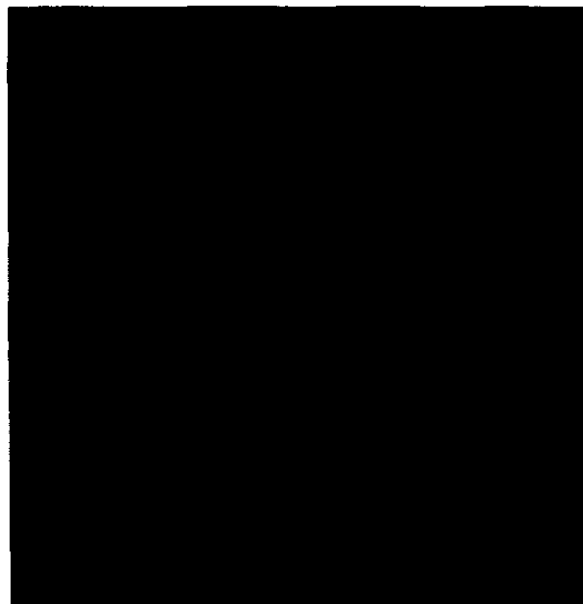
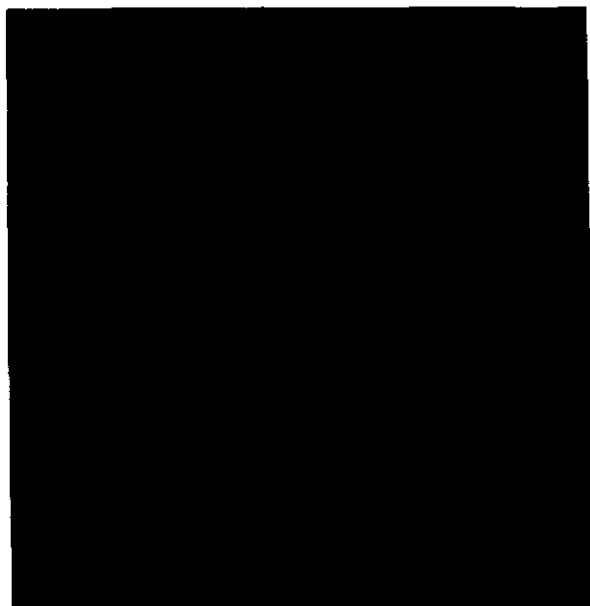
- 4116 = 1488 AFA

to be licensed

0.014 cfs/ac

MICROFILMED

OCT 13 2001



Pond

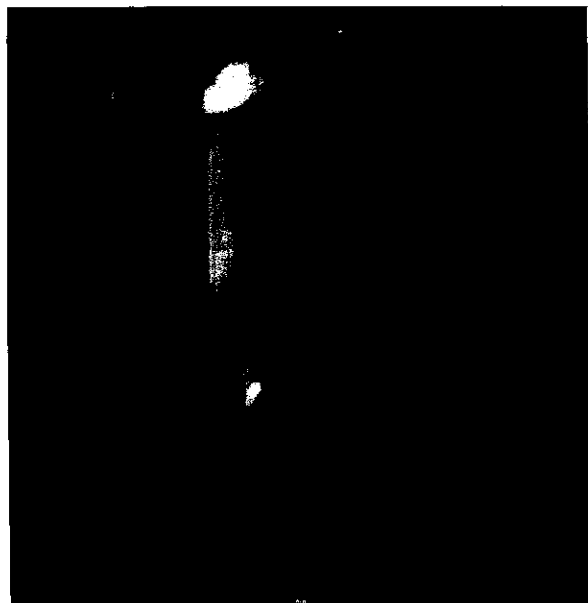
Re-Lift Pumps In Pond

Mainline From
Re-lift Pumps
Across Feeder Ditch

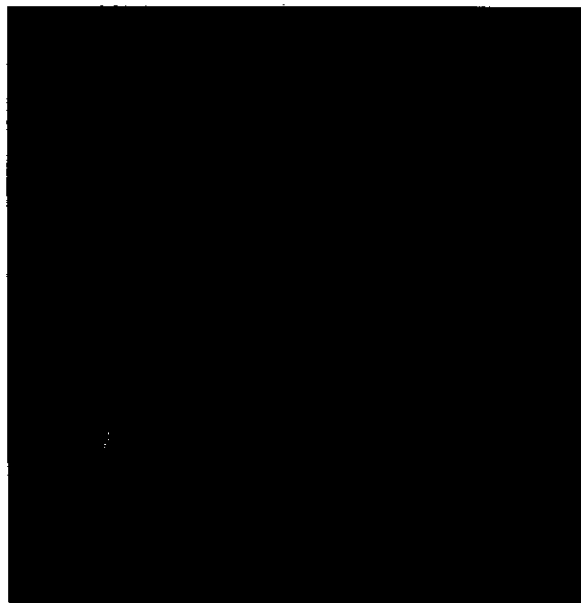


MICROFILMED
OCT 19 2001

47-07673
6-28-95 JS



Well * Pump



Measuring Point
(Note Transducer Marks)

Well Discharge
Point Into Ditch



MICROFILMED
OCT 13 2001

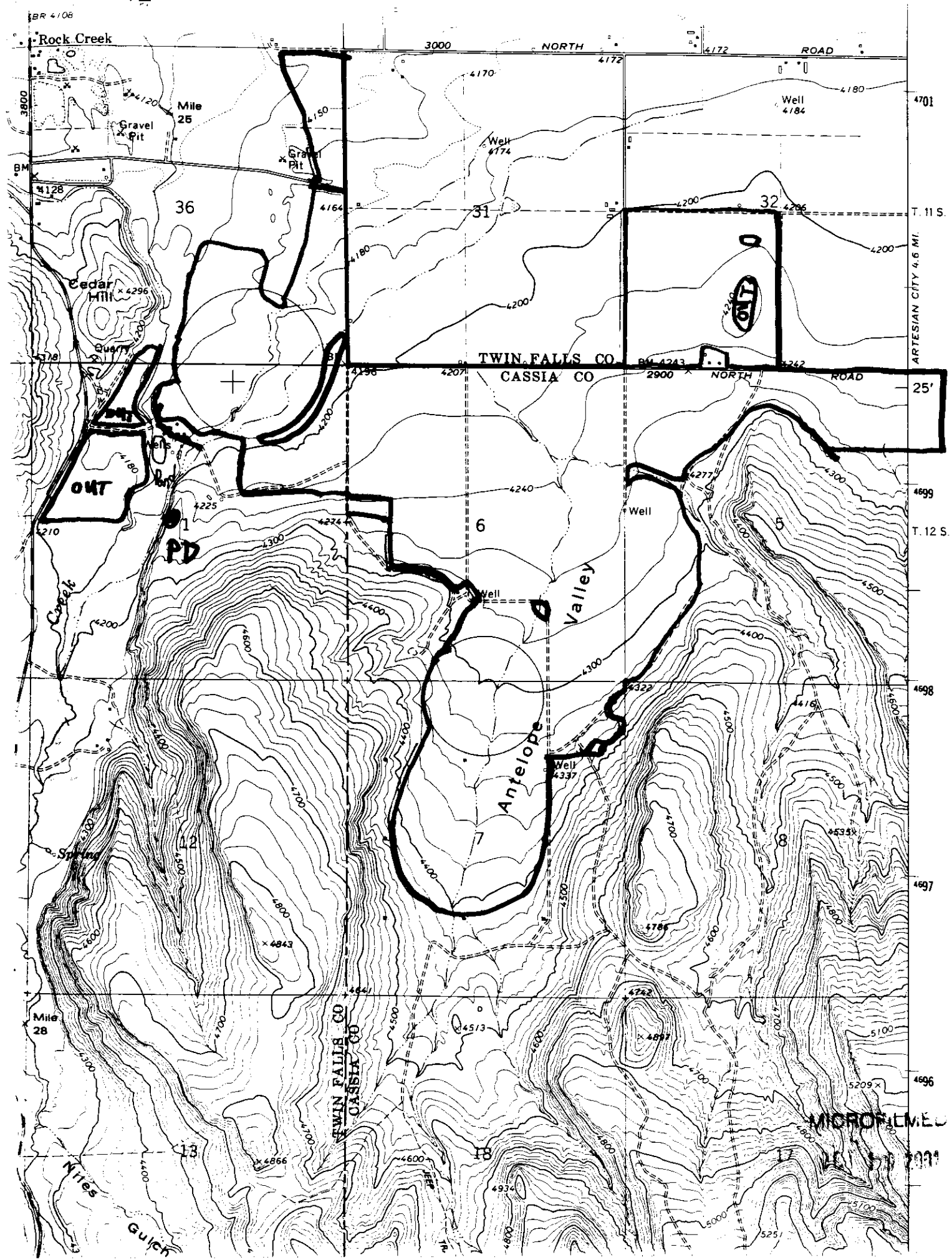
47-07673
6-28-95 JS

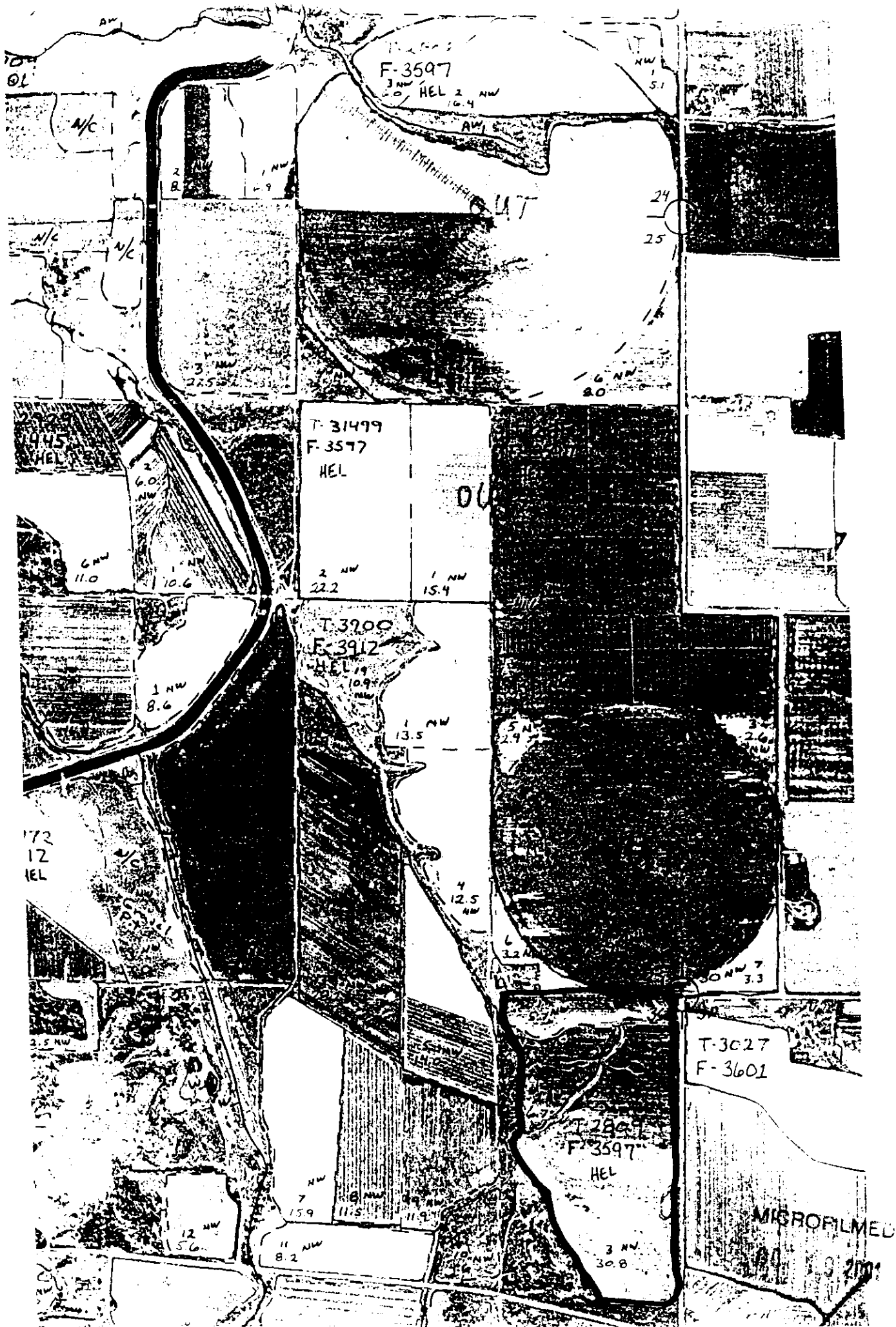


MICROFILMED

OCT 13 2003

47-07673
5-28-95 JS



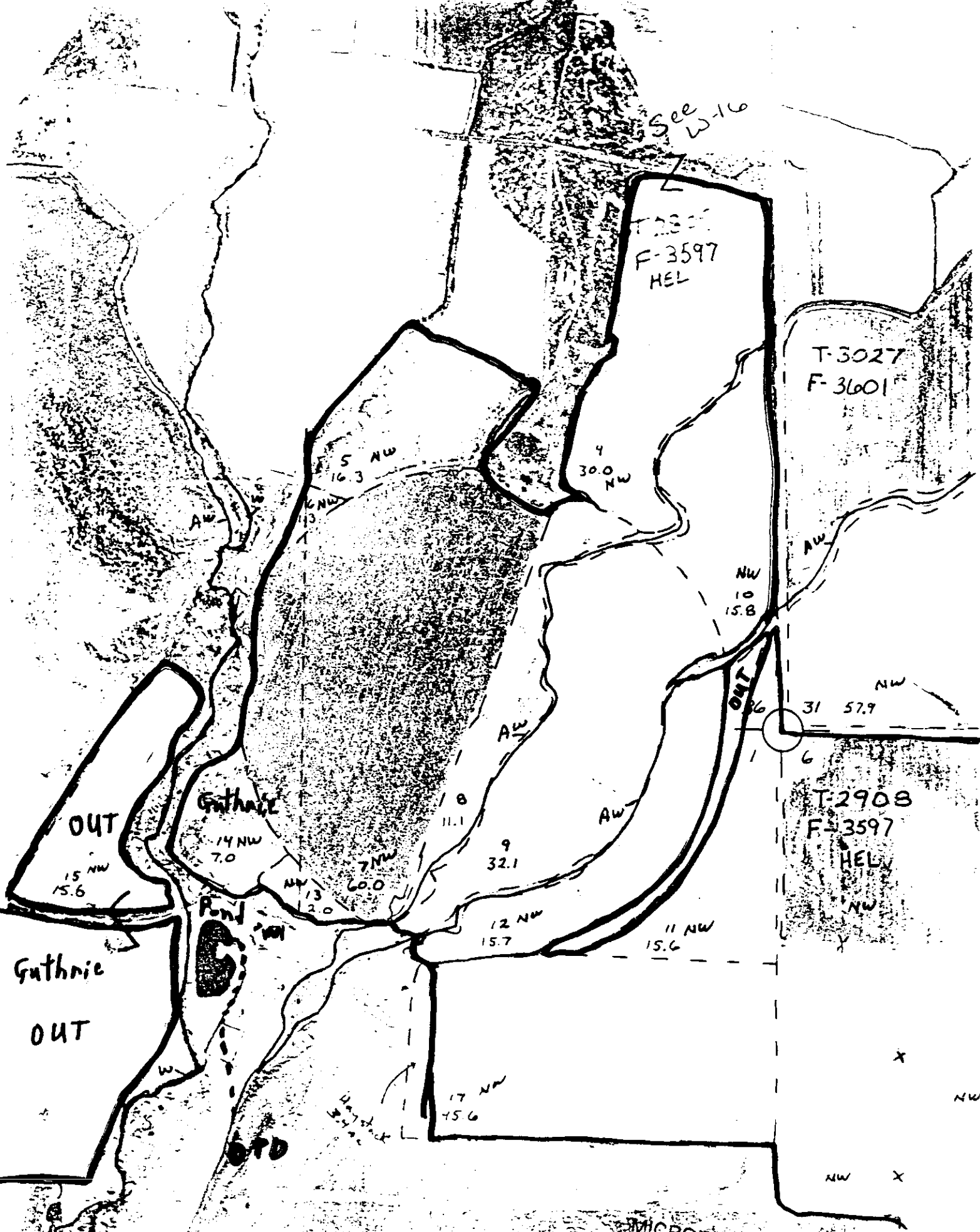


See W-16

T-2305
F-3597
HEL

T-3027
F-3601

T-2908
F-3597
HEL



MICROFILMED

OCT 1 2 2001

T-2904
F-3597
HEL

NW
54.9

NW

18 NW
56.7

1 NW
17.9

12 NW
46.1

6

7

8

NW

NW

28.2
NW

2 NW
96.1

6 NW
5.4

3 NW
10.8

5 NW
64.4

4 NW
65.9

MICROFILMED

OCT 18 2001

NW
54.9

NW

58 NW
56.7

NW

[30.6]
[56.9]

NW

77.5 NW

12 NW
46.1

6

5

7

8

NW

NW

28.2

3 NW
10.8

MICROFILMED

2007 1 2 2000

2904
F. 3597
HEL

17.9 NM

54.9 NM

56.9 NM

F. 3597
HEL

16 NM
7.0

60.9 15 NM
61.9

15 NM
8.2

6

31
32

5 MT-3131
T. 2813
F. 3597
HEL

58.7 NM

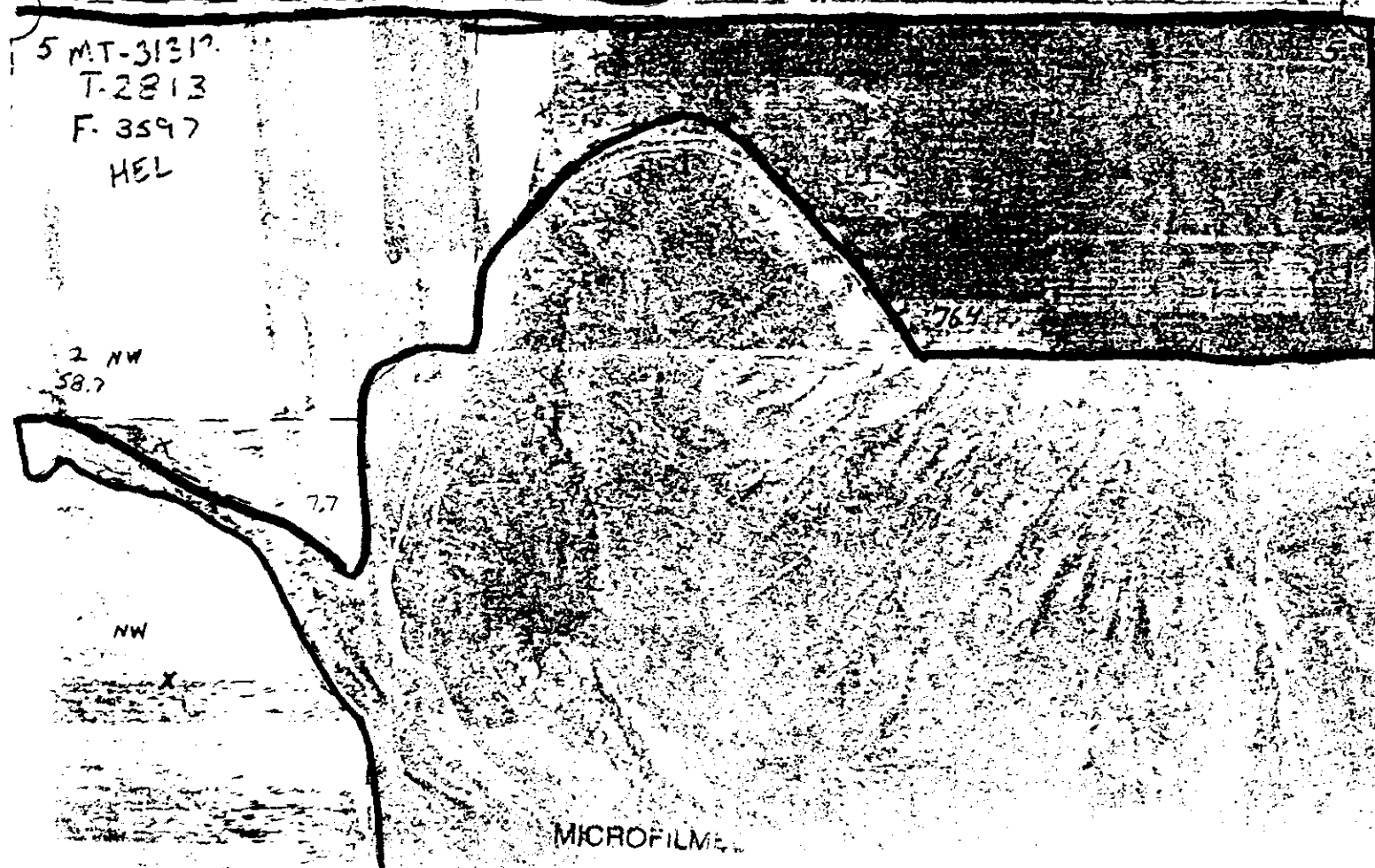
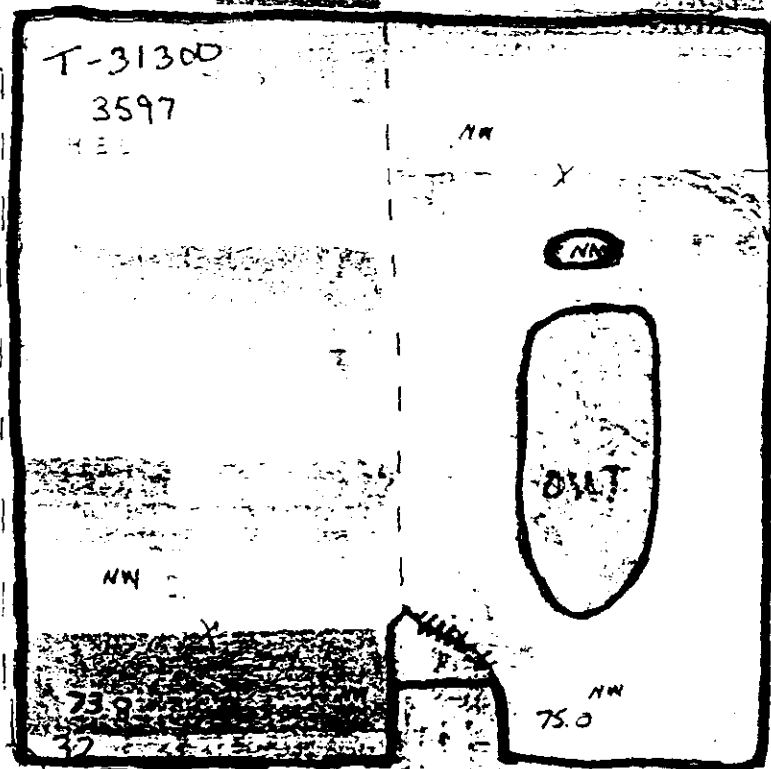
NM

[34.9]

[30.8]

7.7

75.0 NM



MICROFILMED

OCT 10 2001



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

MARCH 22, 1995

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

WINDING BROOK CORPORATION
C/O RODNEY MOORE
P O BOX 53
NAMPA ID 83653

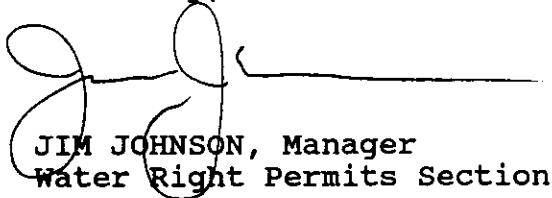
RE: Permit No. 47-07673

Dear Mr. Moore,

This letter is to confirm that the assignment of ownership on the above referenced water right is satisfactory. We have modified our computer records to reflect this change in ownership.

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

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

MICROFILMED

MAR 23 1995



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

MARCH 22, 1995

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

B & H FARMING
RANDY A BAUSCHER
THOMAS R HAYNES
P O BOX 123
RUPERT ID 83350

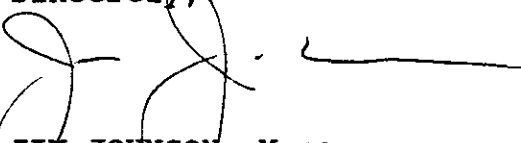
Permit No. 47-07673

Dear Sirs,

This letter is to confirm receipt of the following assignments on the above referenced water right: Phillip C Uhlig to B & H Farming, and B & H Farming to Winding Brook Corporation. We find these assignments satisfactory and have modified our computer records to reflect these changes in ownership.

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

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

RECEIVED
MAR 23 1995

Batterymarch: AgrVest

RECEIVED

FEB 15 1995

Department of Water Resources

RODNEY H. MOORE, A.R.A.
VICE PRESIDENT

February 14, 1995

Cindy Zimmerman
State of Idaho Dept. of Water Resources
Statehouse Mail
1301 North Orchard St.
Boise, ID 83720-9000

RE: WBC #77, Rock Creek
Assignment of Water Permit No. 74-07673

Dear Cindy:

This letter will acknowledge receipt of yours dated February 9, 1995 requesting the names, title and addresses of the officers of Winding Brook Corp. That list is attached. With this information, I assume that you can proceed with the assignment of the above captioned permit.

If you need any further information in this process, please feel free to call me.

Sincerely,



Rodney H. Moore

RHM/jt

Enclosure

cc: Glastonbury Office
John Ritchie

RECEIVED

MAR 23 1995

WINDING BROOK CORPORATION

Title	Name	Address
President, Treasurer, Director	James B. McCandless	c/o Batterymarch:AgriVest 500 Winding Brook Drive Glastonbury, CT 06033
Senior Vice President, Director	George E. Schwab	c/o Batterymarch:AgriVest 24123 Boerne Stage Road Suite 400 San Antonio, TX 78255
Vice President	Rodney H. Moore	c/o Batterymarch:AgriVest 310 3rd St. South Nampa, ID 83651
Vice President	Kim E. Morgan	c/o Batterymarch:AgriVest 4112 Crestline Ave. #4 Fair Oaks, CA 95628
Vice President	Michael P. Septer	c/o Batterymarch:AgriVest 14550 Excelsior Blvd., Ste.202 Minnetonka, MN 55345
Vice President	J. Scott Haffner	c/o Batterymarch:AgriVest 500 Winding Brook Drive Glastonbury, CT 06033
Clerk	Marilyn Pitchford	c/o Batterymarch Financial Management 200 Clarendon Street Boston, MA 02116
Secretary	Rose Marie Beaulieu	c/o Batterymarch:AgriVest 500 Winding Brook Drive Glastonbury, CT 06033

RECEIVED
MAR 23 1995



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

February 9, 1995

R. KEITH HIGGINSON
DIRECTOR

WINDING BROOK CORPORATION
% RODNEY MOORE
PO BOX 53
NAMPA ID 83653-0053

RE: Assignment of Permit No. 47-07673

Dear Mr. Moore:

I recently received an 'Assignment of Permit' form on the above referenced permit assigning the permit to Winding Brook Corporation. However, due to a statutory requirement I need a list of the names, titles, and addresses of all the officers and/or partners of Winding Brook Corporation.

I will hold further processing on your assignment for 14 days pending your response. Please submit this information as quickly as possible within the 14-day period to prevent any further undue delay in processing your assignment.

If you have any questions, please feel free to contact me at (208) 327-7944.

Sincerely,

Cindy Zimmerman
Water Resource Agent

RECEIVED
MAR 23 1995

MEMORANDUM

DATE: February 18, 1994
TO: File No. 47-07673
FROM: Donna Corless
SUBJECT: RETURNED MAIL

=====

An assignment acknowledgement letter sent to the new owner of record, Phillip C. Uhlig, at W of Hansen, Hansen, ID was returned by the U.S. Postal Service as:

Box Closed. Unable to Forward.

A call to the Twin Falls County Assessor revealed that their address of record for Mr. Uhlig is as follows:

Phillip C Uhlig
4434 E 3500 N
Murtaugh ID 83344

The correspondence was forwarded to that address today.

47-07673
FEB 2 1994



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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 25, 1994

PHILLIP C UHLIG
W OF HANSEN
HANSEN ID 83334

Re: Permit No. 47-07673

Dear Mr. Uhlig:

We acknowledge receipt of the correspondence assigning the ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

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

Sincerely,

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

JIM JOHNSON
Water Rights Supervisor

JJ:dc

FEB 22 1994

December 7, 1990

VAN DIEST FAMILY PARTNERSHIP
ROCK CREEK RANCH
2872 ROCK CREEK RD
HANSEN, ID 83334

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 47-07673

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the SOUTHERN Regional Office in Twin Falls at (208)734-3578.

Sincerely,

Rita Fleck
Secretary/Records Manager

c: IDWR - Region

MICROFILMED

DEC 17 1990

THE TRAVELERS REAL ESTATE INVESTMENT DEPARTMENT
DENVER PRODUCTION OFFICE

TELECOPIER TRANSMITTAL

TO: Rita Fleck
Idaho Dept of Water Resources

DATE: 9/5/90

FROM: Joe Daniels
Travelers - Denver

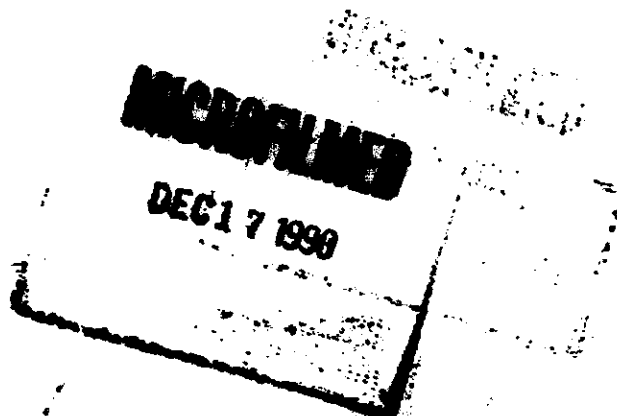
SUBJECT: Loan No. 205-230 - Van Drest

Total Number of Pages, including Transmittal Sheet: 7

Travelers REID Denver Telecopy Number: (303) 740-7241

If this transmission is not received in its entirety, please contact Denver REID
(303) 740-1813 or (303) 740-1829. IMMEDIATELY.

COMMENTS:



The Travelers

Real Estate Investments

The Travelers Companies
One Tower Square
Hartford, CT 06183-2020

May 11, 1990

Mr. Marty Van Diest
2872 Rock Creek Road
Hansen, Idaho 83334

Re: Loan No. 205230
Van Diest Family Partnership

Dear Mr. Van Diest:

At the request of Joe Daniels of our Denver Agricultural Production Office, I have caused execution of an Assignment of Permit related to public water Permit No. 47-7673 and enclose the document with this letter. The document was prepared by Attorney W.F. Ringert and should be sufficient to meet you needs.

Please contact me if you have questions or concerns.

Very truly yours,

Marilyn K. Rupard

Marilyn K. Rupard
Investment Administration

MKR/dkm

Enclosure

cc: J. Daniels, Denver (w/enclosure)

W.F. Ringert (w/enclosure)
Ringert, Clark, Harrington, Reid,
Christenson & Kaufman
P. O. Box 2773
Boise, Idaho 83701

051190MR.D3

RECEIVED

MAY 14 1990

**R.E.I.D.
DENVER****MICROFILMED**

DEC 17 1990

Ringert, Clark, Harrington, Reid, Christenson & Kaufman

WILLIAM F. RINGERT
D. BLAIR CLARK
ANDREW M. HARRINGTON
JAMES G. REID
JEFFREY R. CHRISTENSON
JAMES P. KAUFMAN
LAURA E. BURRI

CHARTERED
LAWYERS

599 WEST BANNOCK STREET
P.O. BOX 2773
BOISE IDAHO 83701
TELEPHONE (208) 342-4891
FAX (208) 342-4857

SAMUEL KAUFMAN (1921-1988)

April 13, 1989

Mr. R. Keith Higginson, Director
Idaho Department of Water Resources
1301 North Orchard Avenue
Boise, ID 83706

Re: Snake River Basin Adjudication - Change in Ownership

Dear Mr. Higginson:

Pursuant to the requirements of Idaho Code §42-1409(7), you are hereby notified that the property described in the enclosed "Description of Lands" has been sold by The Travelers Insurance Company, a Connecticut corporation to Dunford and McCall, a partnership, whose current mailing address, according to our records is P.O. Box 1598, Twin Falls, Idaho 83303.

The water rights appurtenant to those lands and for which the owner is required to file a notice of claim in the Snake River Adjudication are identified by the water right numbers listed in Exhibit A hereto.

The Travelers Insurance Company holds a mortgage on the described property as security for payment of the balance of the purchase price in the transaction under which Dunford and McCall acquired title to the property. Therefore, The Travelers Insurance Company requests that any notices in the Snake River Basin Adjudication, Twin Falls County Case No. 39576, affecting the water rights identified above, be served on the undersigned counsel for The Travelers Insurance Company, in addition to any notices now required to be served on the present owner of the property.

Yours very truly,

W. F. Ringert

W. F. Ringert

WFR:am

Enclosure

cc: Donald S. Reed
Margaret Veglia
Marilyn J. Smith
Dunford and McCall

MICROFILMED

DEC 17 1990

Letter to B. 205230 - Van Dine
8/30/90
TD

57+98.94; THENCE Southwesterly for 230.34 feet on the arc of a curve to the left having a delta angle of 11°52'48", radius of 1,110.92 feet, and a chord which bears south 24°13'21" West 229.93 feet, more or less, to a point 35.00 feet Easterly of and at right angles to said highway centerline station 60+36.54, said point also lying on the Southerly boundary of said SW¼NW¼; THENCE along the Southerly boundary of SW¼NW¼ North 89°25'24" West 72.10 feet, more or less, to a point lying 33.89 feet Westerly of and at right angles to said highway centerline station 60+57.84, said point also being the Southwest corner of said SW¼NW¼; THENCE along the Westerly boundary of said SW¼NW¼ North 0°21'04" East 20.50 feet, more or less, to a point 40.00 feet Westerly of and at right angles to said highway centerline station 60+38.88; THENCE Northeasterly 248.31 feet along the arc of a curve to the right having a delta angle of 11°59'49", radius of 1,185.92 feet, and a chord which bears North 24°09'50" East 247.86 feet, more or less, to a point 40.00 feet Westerly of and at right angles to said highway centerline station P.C. 57+98.94; THENCE North 27°46'20" East 599.46 feet to a point 65.00 feet Westerly of and at right angles to said highway centerline station 52+00; THENCE North 34°08'01" East 286.80 feet to a point 45.00 feet Westerly of and at right angles to said highway centerline station P.T. 49+11.89; THENCE Northeasterly 912.83 feet along the arc of a curve to the left having a delta angle of 35°16'11", radius of 1,562.89 feet, and a chord which bears North 12°31'40" East 898.48 feet to a point 45.00 feet Westerly of and at right angles to said highway centerline station P.C. 39+71.37; THENCE along a line 45.00 feet Westerly of and parallel to (with) said highway centerline North 5°06' 26" West 741.42 feet, more or less, to a point on the Northerly boundary of said Lot 4; THENCE along the Northerly boundary of said Lot 4 South 89°30'56" East 45.22 feet, more or less, to the Real Point of Beginning.

PARCEL C

TOWNSHIP 11 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN,
TWIN FALLS COUNTY, IDAHO

SECTION 25: E¼SE¼, N¼NE¼, SE¼NE¼.

PARCEL D

TOWNSHIP 11 SOUTH, RANGE 18 EAST OF THE BOISE MERIDIAN,
TWIN FALLS COUNTY, IDAHO

SECTION 24: S¼SE¼.

MICROFILMED

DEC 17 1990

WATER RIGHTS

The Idaho Department of Water Resources records in Boise, Idaho, were researched for licenses or applications to appropriate the Public Waters of the State of Idaho on the subject property.

The following data is a summary of these findings:

Decreed Rights Rock Creek

<u>NUMBER</u>	<u>DECREEED OWNER</u>	<u>C.F.S.</u>	<u>PRIORITY</u>
#47-0140 #45-0387	Patrick Garrity <u>Land List</u> T12S, R18E, B.M., Section 1, NE1/4 SW1/4, S1/2 NW1/4, and Lot 3	.40	05/30/1874
#47-0141 #45-0388	Patrick Garrity <u>Land List</u> T12S, R18E, B.M., Section 1, NE1/4 SW1/4, S1/2 NW1/4, and Lot 3	1.60	05/31/1878
#47-0142 #45-0389	Patrick Garrity <u>Land List</u> T12S, R18E, B.M., Section 1, Lot, SW1/4 NE 1/4	.24	04/30/1888
#47-0143 #45-0390	Patrick Garrity <u>Land List</u> T11S, R18E, B.M., Section 36, E1/2 SW1/4	.70	04/30/1874
#47-0157 #45-0351	A.J. Harrell <u>Land List</u> T11S, R18E, B.M., Section 23, SW1/4 NE1/4, E1/2 SE1/4, NW1/4 SE1/4, SW1/4; Section 26, N1/2 NE1/4, NW1/4, N1/2 SW1/4; Section 36, SW1/4 SE1/4; T12S, R18E, B.M. Section 1, NE1/4 SW1/4, S1/2 NW1/4, Lots 2 & 3 ***Portion of lands are appurtenant, but no record can be substantiated***	9.50	03/14/1892
#47-0163 #45-0357	A.B. Norton <u>Land List</u> T11S, R18E, B.M., Section 25, E1/2 SE1/4, SE1/4 NE1/4; T11S, R19E, B.M., Section 30, Lots 3 & 4	2.40	03/14/1892
#47-0164 #45-0358	Edward Domrose <u>Land List</u> T11S, R18E, B.M., Section 24, S1/2 SE1/4, Section 25, N1/2 NE1/4	2.40	03/14/1892

7.74 CFS X 50 = 387 INCHES

#47-0157 EXCLUDED

MICROFILMED

DEC 17 1990

EXHIBIT A

MICROFILMED

1990

Ground Water Rights

<u>License #</u>	<u>Licensee</u>	<u>C.F.S.</u>	<u>Priority</u>	<u>Acres</u>
#47-2491 #14735	W.A. Coiner	1.10	05/25/1920	260
	Point of Diversion: T12S, R18E, B.M., Section 1, NW1/4 NW1/4			
	Land List T11S, R18E, B.M., Section 36, SE1/4 SW1/4, SW1/4 SE1/4, S1/2 NW1/4 SE1/4; T12S, R18E, B.M., Section 1, NW1/4 NE1/4, NE1/4 NW1/4, S1/2 NW1/4			
	Covered under transfer (768)			
#47-2511 #20101	W.A. Coiner	0.80	09/03/1947	
	Point of Diversion: T12S, R18E, B.M., Section 1, SE1/4 NW1/4			
	Land List T11S, R18E, B.M., Section 36, S1/2 NW1/4 SE1/4, SW1/4 SE1/4, SE1/4 SW1/4; T12S, R18E, B.M., Section 1, NE1/4 NW1/4, NW1/4 NE1/4			
	0.80 CFS X 50 = 40 INCHES			
#47-2515 #20280	W.A. Coiner	1.19	02/02/1948	160
	Point of Diversion: T11S, R19E, B.M., Section 30, SW1/4 SW1/4			
	Land List T11S, R18E, B.M., Section 25, SE1/4 NE1/4, NW1/4 SE1/4, SE1/4 SE; T11S, R19E, B.M., Section 30, Lots 3 & 4			
#47-2516 #20281	W.A. Coiner	1.49	02/02/1948	160
	Point of Diversion: T11S, R18E, B.M., Section 25, NE1/4 NE1/4			
	Land List T11S, R18E, B.M., Section 24, S1/2 SE1/4; Section 25, N1/2 NE1/4			
#47-2526 #21161	W.A. Coiner	2.00	07/18/1949	100
	Point of Diversion: T11S, R18E, B.M., Section 36, NE1/4 SE1/4			
	Land List T11S, R18E, B.M., Section 36, E1/2 NE1/4, NE1/4 SE1/4			
#47-2536 #21737	J. Woodson Creed	3.33	10/05/1950	258
	Point of Diversion: T12S, R19E, B.M., Section 6, three wells in SE1/4 NE1/4, NW1/4 SE1/4, SE1/4 SE1/4			
	Land List T12S, R19E, B.M., Section 6, NE1/4, NE1/2 SE1/4, SE1/4 SE1/4; Section 7, NE1/4 NE1/4			
#47-2544 #G-22255	***W.A. Coiner	3.95	07/14/1951	290
	Point of Diversion: T11S, R19E, B.M., Section 30, Lot 3			
	Land List T11S, R18E, B.M., Section 24, S1/2 SE1/4; Section 25, N1/2 NE1/4, NE1/4 SE1/4, NE1/4 SE1/4, N1/2 SE1/4 SE1/4			

MICROFILMED

DEC 17 1980

#47-2546 W. Coiner 1.76 08/29/1951 68
#G22345 Point of Diversion: T12S, R18E, B.M., Section 1,
SW1/4 NE1/4
Land List T12S, R18E, B.M., Section 1, NE1/4;
T11S, R18E, B.M., Section 36, S1/2 SE1/4

#47-2252 J. Woodson Creed 0.34 11/07/1955 109
#G-26055 Point of Diversion: T12S, R19E, B.M., Section 6,
SE1/4 NE1/4
Land List T11S, R19E, B.M., Section 32, SW1/4

#47-2556 Norma M. Creed 2.92 05/28/1959 162
#G-27953 Point of Diversion (3 Wells): T12S, R19E, B.M.,
Section 5, NW1/4 SW1/4; Section 6, SE1/4 NE1/4,
SE1/4 SE1/4
Land List T12S, R19E, B.M., Section 5, Lots 1, 2,
3, and 4, W1/2 SW1/4

#47-2566 *W.A. Coiner 2.5 06/23/1936 180
#18265 Point of Diversion: T12S, R18E, B.M., Section 1,
SE1/4 NW1/4
Land List T11S, R18E, B.M., Section 36,
S1/2 NW1/4 SE1/4, SW1/4 SE1/4, SE1/4 SW1/4;
T12S, R18E, B.M., Section 1, NE1/4 NW1/4
Covered under transfer (769)

2.5 CFS X 50 = 125 INCHES

#47-2567 ***W.A. Coiner 3.35 07/14/1951 290
#G-22253 Point of Diversion: T11S, R19E, B.M., Section 30,
Lot 3
Land List T11S, R18E, B.M., Section 24, S1/2 SE1/4;
Section 25, N1/2 NE1/4, SE1/4 NE1/4, NE1/4 SE1/4,
N1/2 SE1/4 SE1/4

#47-7526 ** Taylor Cattle Co 3.2 08/19/1974 160
#45-7188 Point of Diversion: T11S, R18E, B.M., Section 25,
NW1/4 NE1/4
Land List T11S, R18E, B.M., Section 25, N1/2 NE1/4;
Section 24, S1/2 SE1/4

#47-7558 ** Kueny/MacFarlane 40.0 07/10/1979 N.A.
Point of Diversion: T12S, R18E, B.M., Section 1,
SE1/4 NW1/4
For Commercial Fish propagation
Source Rock Creek

MICROFILMED

DEC 17 1990

#47-7673 ** Kueny/MacFarlane 8.61 10/10/1980 760
 Point of Diversion: T12S, R19E, B.M., Section 1,
 SE1/4 NW1/4
Land List T11S, R19E, B.M., Section 5, Lots 1, 2, 3,
 and 4, SW1/4 NW1/4, W1/2 SW1/4; Section 6, Lots 1 and
 2, S1/2 NE1/4, N1/2 SE1/4, SE1/4 SE1/4; Section 7,
 NE1/4 NE1/4

8.61 CFS X 50 = 430.50 INCHES

* TRANSFER

** APPLICATION

*** #47-2544 and #47-2567 are the same right.

MICROFILMED

DEC 17 1990

MEMORANDUM

August 23, 1990

TO: Permit Nos. 47-7558 and 47-7673

FROM: Rita Fleck

RE: Current Status of Permits

Pursuant to a telephone conversation with Bill Van Diest today, Permit No. 47-7558 should lapse since no work has been done toward the project. If fish propagation is proposed for future use of water, a new application will be filed.

The Van Diest Partnership also owns the property covered by Permit No. 47-7673 for which a proof of beneficial use form has been submitted. The permit is still in the name of the Travelers Insurance Co. The Van Diest Partnership will secure an assignment from Travelers.

MICROFILMED

DEC 17 1990

MEMORANDUM

TO: FILE/PERMIT NO. 47-7673

FROM: TIM LUKE *TL*

RE: SWAN FALLS PROCESSING

DATE: 5-15-89

=====

The attached questionnaire and 1984 aerial photo indicates that nearly all of the lands had been irrigated in 1984. Most of the acreage under the permit is also covered by existing licenses. A December, 1985 extension of time request states that the project had been completed at that time. The extension was filed due to a pending foreclosure and to allow the permit holder additional time for system maintenance and upgrading. Permits which were developed prior to July of 1985 are exempt from the review of Section 42-203D, Idaho Code (i.e.; Swan Falls processing).

Inspection of the attached 1984 aerial photo copy shows two 20 acre parcels which do not appear to be irrigated. These parcels are not covered by existing licenses. On May 15, 1989, the permit holder returned my phone call concerning the questionable acres. The permittee stated that those lands have been irrigated as pasture since before 1985. Based on this additional information, it is recommended that the 40 acres not be counted as trust water acres and the whole permit be exempt from any further Swan Falls review, including readvertising.

The regional office should proceed with scheduling a field examination upon submittal of proof.

Copy: Southern Region

MICROFILMED

DEC 17 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TRUST WATER INFORMATION QUESTIONNAIRE

RECEIVED
MAY 10 1989

PERMIT NO. 47-7673

Department of Water Resources

IF YOU ARE NOT INTERESTED IN HAVING YOUR PERMIT PROCESSED,
PLEASE COMPLETE AND RETURN THE ENCLOSED RELINQUISHMENT FORM.

INSTRUCTIONS: Please answer the following questions as
thoroughly as possible and submit the \$20.00 readvertisement
fee if applicable.

1. Did irrigation occur on the lands identified under your
permit prior to July 1, 1985? Yes X No

If yes, you are requested to submit clear evidence that shows the
number and location of acres irrigated.

Aerial photographs taken prior to July 1, 1985, located in area
ASCS offices, are best forms of evidence. Photos submitted to the
the Department must be accompanied by a signed statement from an
ASCS representative which verifies the photo date and that the
lands were irrigated prior to July 1, 1985. If ASCS does not have
photos for the land and/or time in question, you must have the ASCS
provide the Department with a statement that photos are not avail-
able and then proceed to submit other forms of suitable evidence.

2. Please state the number of acres you have irrigated under this
permit since July 1, 1985. 760

3. If you have not irrigated lands under this permit, please
state the number of acres you plan to complete. None

NOTE: You must submit the \$20.00 readvertisement fee if any or
all of the lands were not irrigated before July 1, 1985.

4. If the permit is a supplemental filing please identify other
water rights which are used on the same land.

A 47-02536 ; A 47-02556 ; A 47-02552

Use the reverse side of this form if you wish to add any comments.

I hereby assert that the responses provided above are true to the
best of my knowledge. I understand that any willful misrepresentations
may result in voiding of the application.

Permit Holder Rock Creek Farms

Date 5/9/89

by Jack M. Hall

MICROFILMED

DEC 17 1990

About 40 acres of
760 total are not
covered by easements
OR are ~~are~~ ^{are} ~~any~~ ^{any} prior
to 7/1/85.

Verified w/ Dept 02 flight
from 1983

28.8

5

5A

T2812

T2896

235

22.7

2

31 32

2

62.6

1.7

4.3

MICROFILMED

DECEMBER

1984 J. H. G. H.
P.H.

62.5

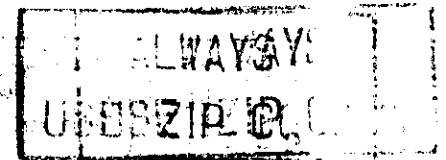
5

DUNFORD, McCALL AND ASSOCIATES

1132 LOCUST STREET

P.O. BOX 1598

TWIN FALLS, IDAHO 83303-1598



Tim Luke
Sr. Water Resource Agent
State of Idaho
Dep't. of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, ID 83720





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - [REDACTED]

(208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

April 6, 1989

RE: PERMIT NO. 47-7673

Dear PERMIT HOLDER:

Due to the Swan Falls litigation, development proposed by the enclosed permit may have been delayed. The Department is presently reviewing the permit and may authorize completion of development proposed under the permit.

The purpose of this letter is to determine: (1) the extent of development under the permit, and (2) your continued interest in developing or completing development under the permit.

Enclosed are two forms which will help the Department expedite the reprocessing of the permit.

Please complete and return the enclosed questionnaire if you wish to continue with your plans of development or have completed all or a portion of your development before July 1, 1985.

Please complete the enclosed relinquishment form and return it to the Department if you have abandoned or have no interest in continuing with your plans for development of the project.

If the entire project was not completed prior to July 1, 1985, and you still wish to proceed with your plans of development, then you must submit a \$20.00 re-advertisement fee to the Department as required by Water Appropriation Rule 4,2,3. and Section 42-221F, Idaho Code.

Failure to return the questionnaire and pay any required re-advertisement fee within thirty (30) days of the date of this letter is cause for the Department to cancel the permit.

If the incomplete portion of your project is for irrigation of more than 200 acres, the Department will issue a notice requesting additional information as required by Water Appropriation Rule 4,5 (copy enclosed).

MICROFILMED

DEC 17 1990

Page 2

If you have questions concerning the content of this letter or about completing the forms, please contact Tim Luke at the address below or by calling directly at 327-7864. The enclosed forms and all other relative information must be returned within thirty (30) days to:

Idaho Department of Water Resources
Statehouse Mail
Boise, Idaho 83720
Attn: Tim Luke - Water Allocation/Trust Water

Please note that a copy of your permit is enclosed. The permit number is shown on the enclosed questionnaire.

Sincerely,

TIM LUKE
Sr. Water Resource Agent

Enclosures

MICROFILMED

DEC 17 1990

April 14, 1986

RE: Permit No. 47-7673

Travelers Insurance Co.
960 Broadway, Suite 310
Boise, ID 83706

Dear Permit Holders:

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

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

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

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc
Enclosure

MICROFILMED

Ringert, Clark, Harrington, Reid, Christenson & Kaufman

CHARTERED
LAWYERS

WILLIAM F. RINGERT
D. BLAIR CLARK
ANDREW M. HARRINGTON
JAMES G. REID
JEFFREY R. CHRISTENSON
JAMES P. KAUFMAN
MICHAEL J. GAFFNEY
SAMUEL KAUFMAN
OF COUNSEL

599 WEST BANNOCK STREET
P.O. BOX 2773
BOISE, IDAHO 83701
TELEPHONE (208) 342-4501

March 14, 1986

RECEIVED
MAR 17 1986

Department of Water Resources

Mr. A. Kenneth Dunn, Director
Department of Water Resources
Statehouse
Boise, Idaho 83720

Re: Kueny/MacFarlane - The Travelers Insurance Company
Water Permit No. 47-7673

Dear Mr. Dunn:

Enclosed is Assignment of Permit from The Travelers Insurance Company, Patrick Kueny and Ralph MacFarlane to The Travelers Insurance Company, which please file in your office. This Assignment pertains to Permit No. 47-7673.

Yours very truly,



W. F. Ringert

WFR:am
Enclosure
cc: Don Reed
Larry Harris
Richard Greener

MICROFILMED

December 18, 1985

Patrick Kueny and Ralph MacFarlane
The Travelers Insurance Co.
P. O. Box 1077
Twin Falls, ID 83303

Gentlemen:

Re: Permit No. 47-7673

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to December 1, 1990.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

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

EXTENSION OF TIME

December 9, 1985

Ringert, Clark, Harrington, Reid,
Christenson & Kaufman
P. O. Box 2773
Boise, ID 83701

PERMIT NO. 47-7673, The Travelers Insurance Company & Patrick Kueny &
Ralph MacFarlane

We are in receipt of the \$15 extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No. 37334.

Roberta Garrett
Records Supervisor

Enclosure

cc The Travelers Insurance Company

MICROFILMED

Ringert, Clark, Harrington, Reid, Christensen & Kaufman

CHARTERED
LAWYERS

WILLIAM F. RINGERT
D. BLAIR CLARK
ANDREW M. HARRINGTON
JAMES G. REID
JEFFREY R. CHRISTENSEN
JAMES P. KAUFMAN
MICHAEL J. GARTNEY
SAMUEL KAUFMAN
OF COUNSEL

500 WEST BANNOCK STREET
P.O. BOX 2773
BOISE, IDAHO 83701
TELEPHONE (208) 342-4881

December 2, 1985

RECEIVED
DEC 2 1985

Mr. A. Kenneth Dunn, Director
Department of Water Resources
Statehouse
Boise, Idaho 83720

Department of Water Resources

Re: Water Permit No. 47-7673
Kueny and MacFarlane/The Travelers Insurance Co.

Dear Mr. Dunn:

Enclosed is Request for Extension of Time by Patrick Kueny, Ralph MacFarlane, and The Travelers Insurance Company, together with our check in the amount of \$15.00 in payment of the statutory filing fee.

Yours very truly,


W. F. Ringert

WFR:am
Enclosures
cc: Don Reed
Greg Ruddell
Larry Harris
Richard Greener

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440
CERTIFIED MAIL
138575 138376

THE TRAVELERS INSURANCE CO.
REAL ESTATE INVESTMENT DEPT.
707 S.W. WASHINGTON ST.
PORTLAND, OR 97205

Patrick Kueny & Ralph MacFarlane
1616 Anacapa St.
Santa Barbara, CA 93101

PROOF DUE NOTICE

SEPTEMBER 30, 1985

DEAR PERMIT HOLDER:

ONE OF THE CONDITIONS OF APPROVAL OF YOUR WATER PERMIT NO. 47-7673 WAS THAT PROOF OF THE EXTENT OF YOUR BENEFICIAL USE MUST BE SUBMITTED TO THIS OFFICE ON OR BEFORE DECEMBER 01, 1985. (SEE LAST PAGE OF YOUR APPROVED PERMIT OR YOUR LAST APPROVED EXTENSION REQUEST). ENCLOSED IS A FORM WHICH MAY BE USED TO SUBMIT THE REQUIRED PROOF.

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

EITHER THE BENEFICIAL USE FORM OR A REQUEST FOR AN EXTENSION OF TIME MUST BE RECEIVED BY THIS DEPARTMENT ON OR BEFORE THE ABOVE DESCRIBED PROOF DUE DATE. IF NEITHER IS RECEIVED, THE DEPARTMENT WILL SEND YOU A LAPSE NOTICE. WITHIN SIXTY (60) DAYS OF THE MAILING OF THE LAPSE NOTICE, THE PERMIT WILL NO LONGER BE OF ANY FORCE NOR EFFECT.

SINCERELY,

RITA FLECK
SECRETARY/RECORDS MANAGER

ENCLOSURES

MICROFILMED



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

JOHN V. EVANS

Governor

A. KENNETH DUNN

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 334-4440

SEPTEMBER 1, 1985

DEAR PERMIT HOLDER:

ACCORDING TO OUR RECORDS, YOU ARE THE HOLDER OF A WATER PERMIT ON WHICH PROOF OF BENEFICIAL USE OF WATER WAS NOT SUBMITTED BEFORE JULY 1, 1985, WHICH INDICATES YOUR PROJECT IS NOT COMPLETE. THEREFORE, YOU NEED TO BE AWARE OF CHANGES IN IDAHO LAW, EFFECTIVE JULY 1, 1985, WHICH IMPACT ALL WATER PERMITS ISSUED BY THIS DEPARTMENT.

SPECIFICALLY, PURSUANT TO SECTION 42-203D, IDAHO CODE, THE DEPARTMENT MUST REVIEW ALL PERMITS FOR WHICH DEVELOPMENT OF WATER USE WAS NO COMPLETED ON OR BEFORE JULY 1, 1985, TO DETERMINE IF THEY MEET THE NEW REQUIREMENTS OF CHAPTER 2, TITLE 42, IDAHO CODE. RULES AND REGULATIONS GOVERNING THE RE-EVALUATION OF PERMITS ARE NOT YET FINALIZED. HOWEVER, IF YOU COMPLETED THE DEVELOPMENT UNDER YOUR PERMIT BEFORE JULY 1, 1985, YOU SHOULD SUBMIT A PROOF OF BENEFICIAL USE STATEMENT, STATING THAT THE PROJECT WAS COMPLETED BEFORE JULY 1, 1985 SO THAT YOUR PERMIT WILL NOT BE SUBJECT TO THE REVIEW REQUIREMENTS OF SECTION 42-203D, WHICH READS AS FOLLOWS:

42-203D. REVIEW OF PERMITS - OPPORTUNITY FOR HEARING. - (1)THE DEPARTMENT SHALL REVIEW ALL PERMITS ISSUED PRIOR TO THE EFFECTIVE DATE [JULY 1, 1985] OF THIS SECTION, EXCEPT TO THE EXTENT A PERMIT HAS BEEN PUT TO BENEFICIAL USE PRIOR TO JULY 1, 1985, TO DETERMINE WHETHER THEY COMPLY WITH THE PROVISIONS OF CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PROPOSED USE DOES NOT SATISFY THE CRITERIA OF CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL EITHER CANCEL THE PERMIT OR IMPOSE THE CONDITIONS REQUIRED TO BRING THE PERMIT INTO COMPLIANCE WITH CHAPTER 2, TITLE 42, IDAHO CODE. IF THE DEPARTMENT FINDS THAT THE PERMIT SATISFIES THE CRITERIA ESTABLISHED IN CHAPTER 2, TITLE 42, IDAHO CODE, THEN THE DEPARTMENT SHALL ENTER AN ORDER CONTINUING THE PERMIT. (2)THE DEPARTMENT SHALL PROVIDE AN OPPORTUNITY FOR HEARING IN ACCORDANCE WITH SECTION 42-1701A, IDAHO CODE, AND SECTIONS 67-5209 THROUGH 67-5215, IDAHO CODE, FOR EACH HOLDER OF A PERMIT THAT IS PROPOSED EITHER TO BE CANCELLED OR MADE SUBJECT TO NEW CONDITIONS.

YOU MAY OBTAIN PROOF OF BENEFICIAL USE FORMS FROM THE DEPARTMENT. IF YOU HAVE ANY QUESTIONS, PLEASE LET US KNOW.

SINCERELY,

L. GLEN SAXTON
CHIEF, OPERATIONS BUREAU

MICROFILMED



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

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

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

September 29, 1981

The Travelers Insurance Company &
Patrick Kueny & Ralph MacFarlane
Real Estate Investment Dept
707 S.W. Washington St
Portland, OR 97205

RE: Permit No. 47-7673

Dear Sirs,

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

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

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:jg

Enclosure

RECEIVED
SEP 30 1981
WATER RESOURCES



THE TRAVELERS

RECEIVED

AUG 24 1981

Department of Water Resources

Real Estate Investment Department
Agricultural Division
Emil A. Schmitt, Regional Manager
Telephone: (503) 248-2022

August 20, 1981

Department of Water Resources
State Capitol
Boise, Idaho 83720

Re: Loan No. 600164 8
Patrick Kueny and Ralph MacFarlane, 1616 Anacapa Street,
Permit No. 47-7673 Santa Barbara, Ca. 93101

Gentlemen:

Enclosed is an Assignment which we hold in connection with our real estate loan on the property served by the permit indicated. We hope to have the permit developed into a license at the earliest possible date.

Would you please file this Assignment so that the permit may not be transferred.

Very truly yours,

THE TRAVELERS INSURANCE COMPANY


Emil A. Schmitt
Regional Manager

EAS:kp

Enclosure

cc: Greg S. Ruddell
cc: Messrs. Kueny and MacFarlane
cc: Real Estate Investment Department - HOME OFFICE

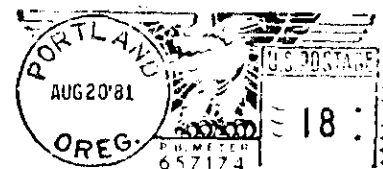
RECEIVED



THE TRAVELERS

PORTLAND OREGON OFFICE

7 S.W. Washington Street • Portland, Oregon 97205



Department of Water Resources
State Capitol
Boise, Idaho 83720

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

STATEHOUSE
BOISE, IDAHO 83720
(208) 334-4440

KUENY, PATRICK
RT.1 BOX 330
HANSEN, ID 83334

DECEMBER 17, 1980

RE: PERMIT NO. 47-7673

DEAR PERMIT HOLDER:

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

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

WE HAVE ENCLOSED A FORM ENTITLED "MAKING PROOF OF BENEFICIAL USE". PLEASE READ THE INSTRUCTIONS CAREFULLY SINCE YOU MUST TAKE FURTHER ACTION TO DEVELOP THIS PERMIT INTO A LICENSE.

SINCERELY,

DAVID R. TUTHILL, JR., P.E.
SUPERVISOR, WATER ALLOCATION SECTION

ENCLOSURE

MICROFILMED

47-2556 2.92 cfs

$$\frac{162 \text{ ac}}{2.92 \text{ cfs}} = .01 \text{ cfs per acre}$$

47-2552

$$\frac{109 \text{ ac}}{.34 \text{ cfs}} = .003 \text{ cfs per acre}$$

47-2536

$$\frac{258 \text{ ac}}{3.33 \text{ cfs}} = .01 \text{ cfs per acre}$$

$$\begin{array}{r} 2.92 \\ .34 \\ \hline 3.33 \\ 8.61 \\ \hline 15.2 \text{ cfs} = 0.02 \frac{\text{cfs}}{\text{ac}} \\ 760 \text{ ac} \end{array}$$

47-7673

$$\frac{760 \text{ AC}}{8.61 \text{ cfs}} = .01 \text{ cfs per acre}$$

1/10 Overlap
Rt 12/2/00

Permit 47-7673 is
supplemental water
for license 47-2556,
47-2552, & 47-2536

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

42-2623-

KUENY, PATRICK
MAC FARLANE, RALPH

RT.1 BOX 330, HANSEN., ID 83334

Source: GROUNDWATER

Date Filed: 10/10/1980

Amount: 8.61 CFS

Diversion Point: SENW Sec 01 T 12S R 18E, TWIN FALLS Co.

Use: IRRIGATION (8.61 CFS) from 03/15 to 11/15

Place of Use: NESW NNSW SWSW SESW Sec 32 T 11S R 19E LOT 01 (NENE)
LOT 02 (NWNE) LOT 03 (NENW) LOT 04 (NWNW) SWNW NWSW SWSW
Sec 05 T 12S R 19E LOT 01 (NENE) LOT 02 (NWNE) SWNE SENE NESE
NWSE SESE Sec 06 T 12S R 19E NENE Sec 07 T 12S R 19E
FOR 760 ACRES

Diversion Means: WELLS AND PUMPS

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho 83301 and received on or before NOVEMBER 10, 1980.

C. STEPHEN ALLRED

Director

Published 10/23 & 10/30/80.

MICROFILM

10/10/80

47-7873
KUENY, PATRICK
MAC FARLANE, RALPH
RT. 1 BOX 398, HANSEN, ID
83334

Source: GROUNDWATER

Date Filed: 10/16/1980

Amount: 8.61 CFS

Diversion Point: SENW Sec
01 T 12S R 18E, TWIN
FALLS Co.

Use: IRRIGATION (8.61 CFS)
from 03/15 to 11/15

Place of Use: NESW NWSW

SWSW SESW Sec 32 T 11S

R 19E LOT 01 (NENE) LOT

02 (NWNE) LOT 03 (NENW)

LOT 04 (NWNW) SWNW

NWSW SWSW Sec 05 T

12S R 19E LOT 01 (NENE)

LOT 02 (NWNE) SWNE

SENE NESE NWSE SESE

Sec 06 T 12S R 19E NENE

Sec 07 T 12S R 19E FOR 760

ACRES

Diversion Means: WELLS

AND PUMPS

If issued, the permit(s) will
be subject to all prior water
rights. Protests against the
granting of any permit must
be filed with the Director of
the Idaho Department of
Water Resources, 1041 Blue
Lakes Blvd. North, Twin
Falls, Idaho 83301 and re-
ceived on or before NOV-
EMBER 18, 1980.

C. STEPHEN ALLRED

Director

PUBLISH: Thursday, Oct. 23,
and 30, 1980.

*de
mays
10/21/80*

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Southern Region

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

OCTOBER 15, 1980

Times News
P. O. Box 548
Twin Falls, Idaho 83301

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billing to this office before NOVEMBER 10, 1980.

Yours truly,

Mary R. Hill
Secretary

Encl.

MICROFILMED