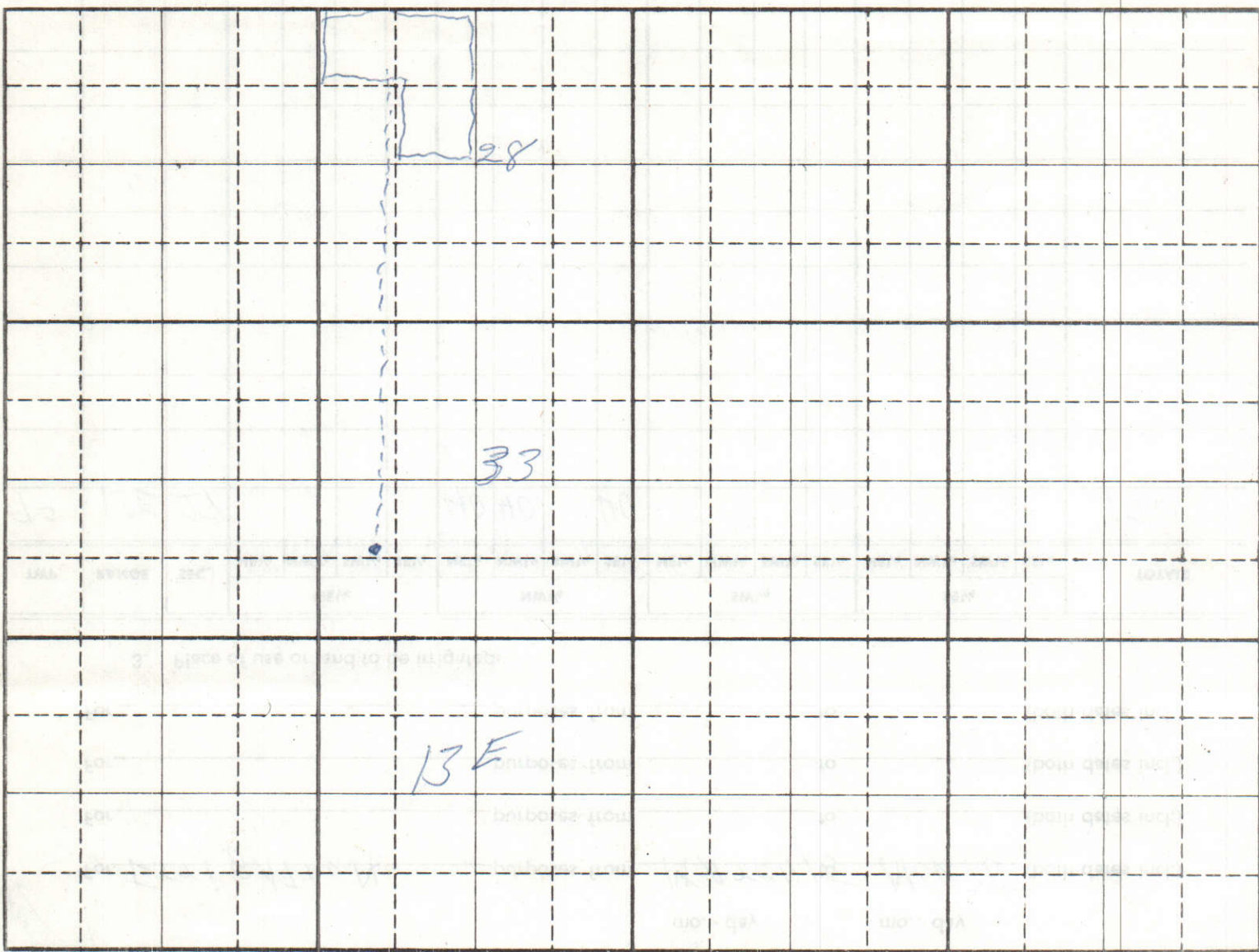


Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Boise, this 22 day of Feb., 1972
John Peterson and Farrell Peterson
(signature)

ACTION OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, Director, Dept. of Water Admin.
State Reclamation Engineer of the State of Idaho,

hereby approve the above application for amendment for Permit No. 47-7040.

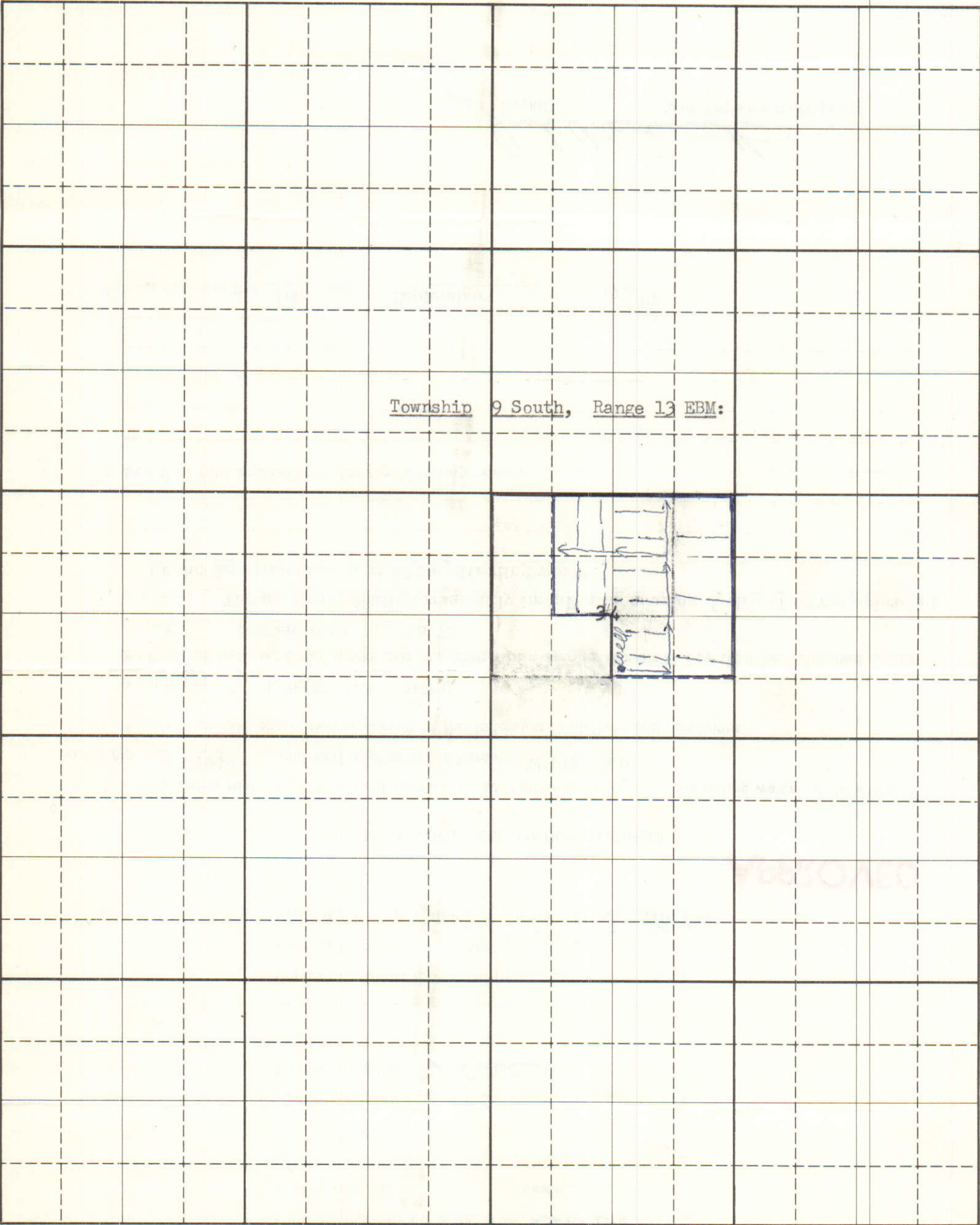
Witness my hand this 16 day of JUNE, 19 72

RECEIVED

R. Keith Higgins
Director

RECEIVED

11. Map of proposed project:



Scale: 2 inches equal 1 mile

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

Lorene L. Easterday
(Applicant)

AFFIDAVIT of PUBLICATION

STATE OF IDAHO }
County of Twin Falls } ss.

I, **Robert E. Bailey**, do solemnly swear that I am the printer and editor of **THE BUHL HERALD**, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper two..... consecutive weeks, the first publication having been made on the 8th..... day of August....., 19.68, and the last publication having been made on the 15th..... day of August....., 19.68; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in **Buhl, Twin Falls County, Idaho**, for a period of more than 78 weeks prior to the first publication of the attached notice.

Subscribed and sworn to before me this 16th..... day of August, 19.68

Notary Public.

Buhl, Idaho

Residing at

FEB 18 1971

My Commission Expires

NOTICE OF APPLICATION
FOR WATER

Notice is hereby given that Lorene I. Easterday, Route No. 2, Buhl, Idaho, has on July 22, 1968, applied for permit to divert 6.4 cubic feet per second of water from a subterranean source under application No. 47-7040. Water will be diverted by a well, pump, sprinkler system, and portable sprinklers within the NW 1/4, sec. 34, T. 9 S., R. 13 E., B.M., Twin Falls County and is to be used from April 1 to October 31 for irrigation in the NE 1/4, E 1/2 NW 1/4, N 1/2 SE 1/4, sec. 34, T. 9 S., R. 13 E., B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Buhl Herald,
Buhl, Idaho, on August 8 and August 15.
(30t2)

RECEIVED

AUG 19 1968

Department of Reclamation

47 7040

will sub 8/19/68

NOTICE OF AMENDED WATER PERMIT

Notice is hereby given that Permit No. 47-7040 in the name of Farrell and John Peterson was issued for the diversion of 6.4 c.f.s. of water from a ground water source, with the point of diversion within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T. 9S, R. 13E, B.M., Twin Falls County, to be used from April 1 to Oct. 31 for the irrigation of 320 acres within the NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 34, T. 9S, R. 13E, B.M.

The permit holders now propose to amend Permit No. 47-7040, requesting 6.4 c.f.s. of water from a ground water source, to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ (2 pts.), Sec. 33, T. 9S, R. 13E, B. M., Twin Falls County, to be used from March 15 to Nov. 15 for the irrigation of 120 acres within the N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28, T. 9S, R. 13E, B.M.

Any protest to the proposed amending of the permit may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho 83707 within 10 days from the last date of publication of this notice.

R. Keith Higginson
Director

Published in the Times News, Twin Falls, Idaho on March 2, and March 9, 1972.

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

ss.

No. 1179

I, Carolynne Jennings

being first duly sworn upon

oath, depose and say that I am Princ. Clerk of the TIMES-NEWS, published daily, except Saturday, 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 Thursdays

March 2, 19 72, commencing with the issue dated March 9, 19 72, and ending with the issue dated March 9, 19 72.

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, 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 thereof, Thursday is announced as the day on which said legal notices will be published.

Carolynne Jennings

Subscribed and sworn to before me on this 13th day of March, 19 72.

W. W. Winstinger
Notary Public in and for the County of Twin Falls, State of Idaho, residing at Twin Falls, Idaho

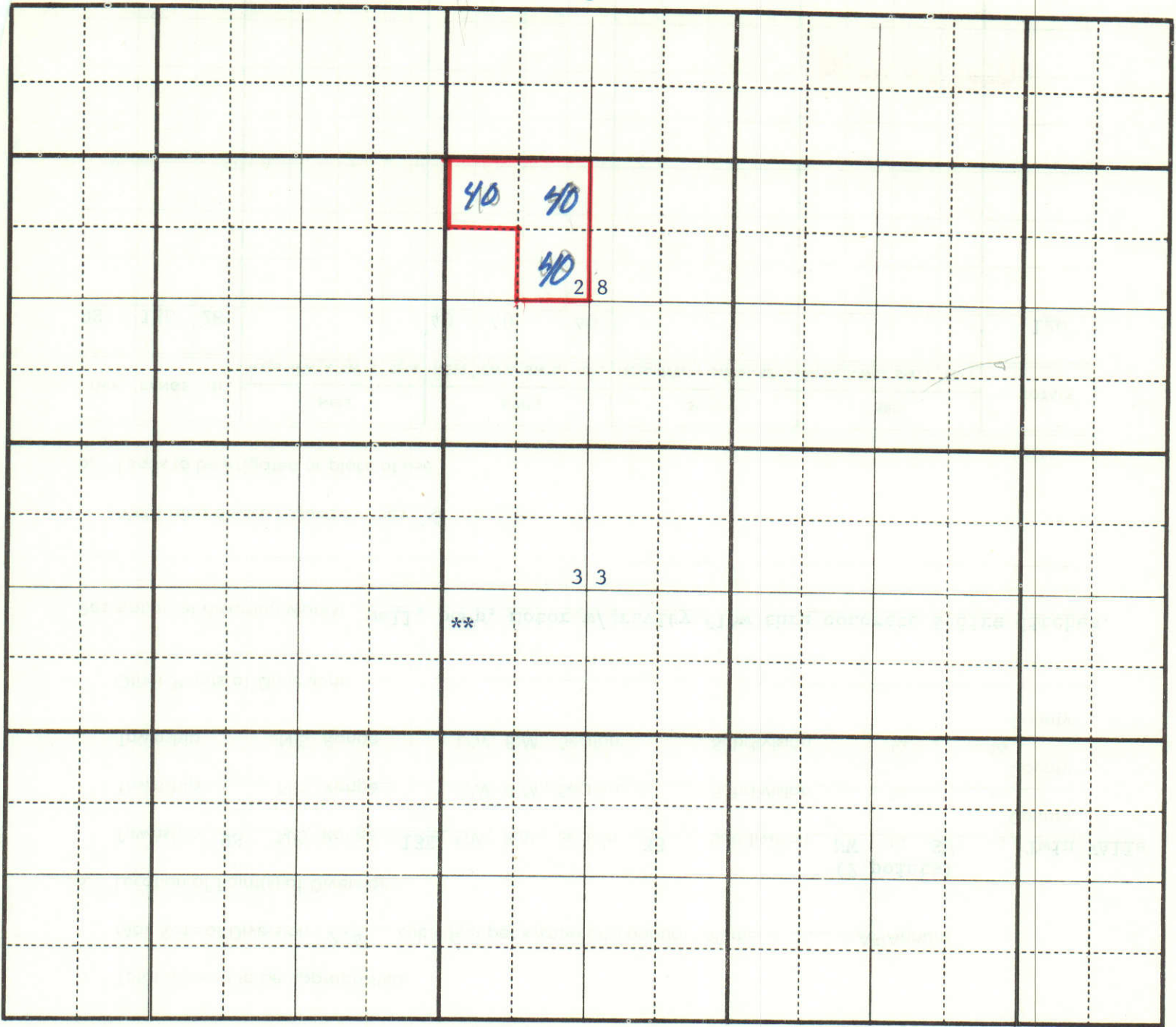
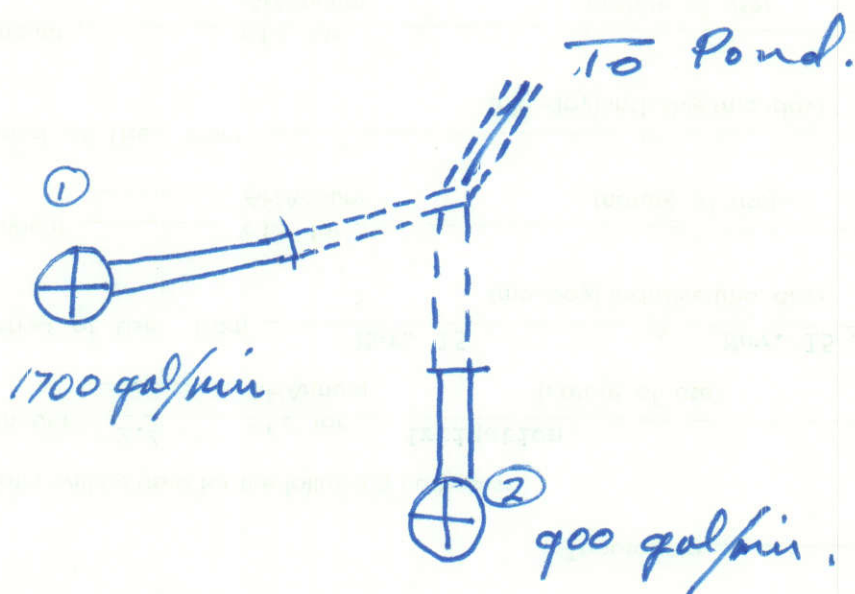
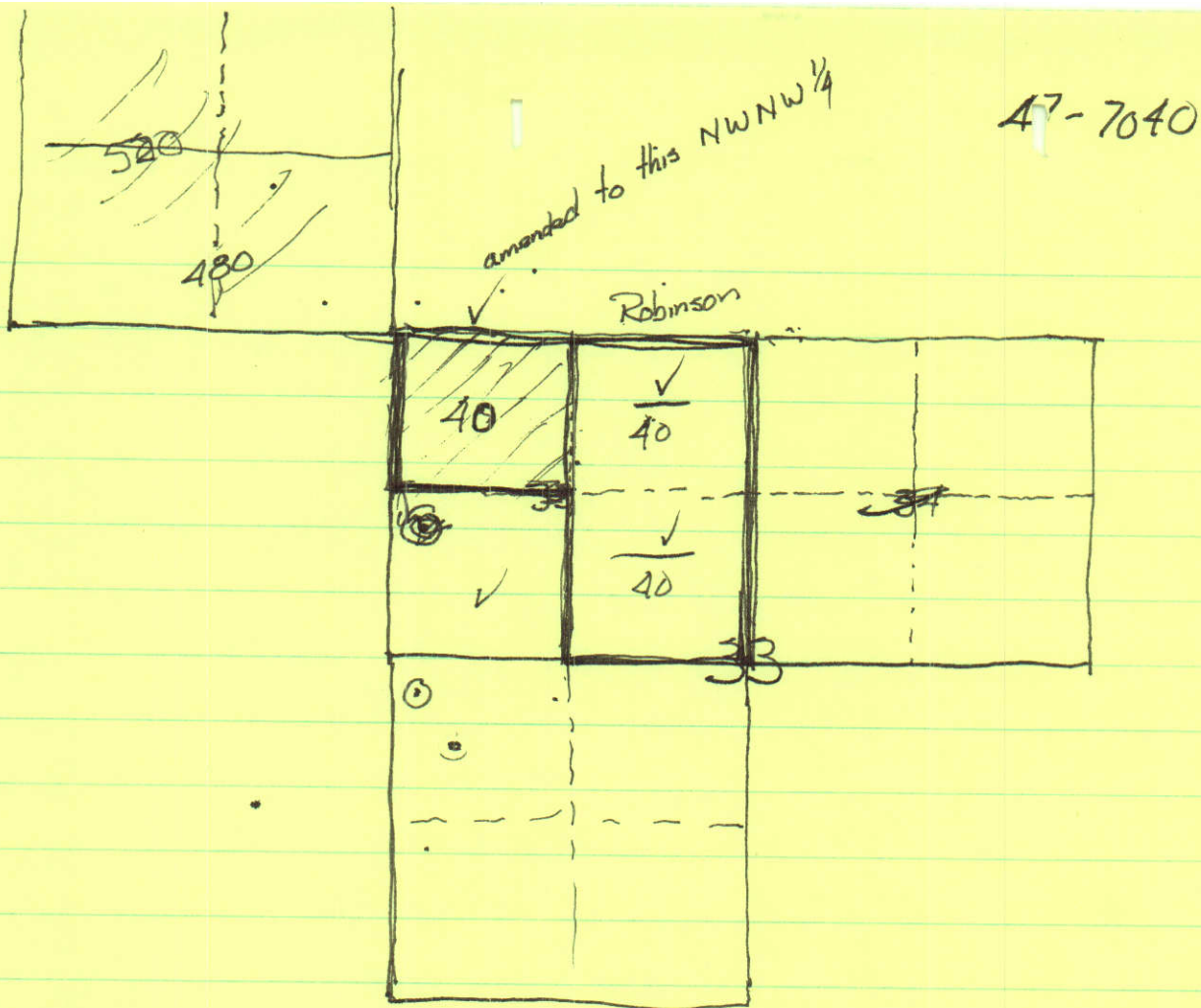


Diagram of System





120 originally deeded land clear title 1969

1. Need Measuring Device of existing licenses —
2. ¹²⁰ Land has been watered in the past for 3 years
3. ~~1~~
3. Mr. Jarelemik has a financial interest in the land.
- ~~4. 1~~
4. Approval subject to later priority than ~~existing~~ license
- 5.

~~120~~
~~120~~
~~120~~

~~120~~

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 47-7040 Priority July 22, 1968 Amount 2.40 cfs

THIS IS TO CERTIFY, that John Peterson &/or Farrell Peterson
of Filer, Idaho, has complied with the terms and conditions of Permit
No. 47-7040 issued pursuant to Application for Permit dated July 22, 1968,
and has submitted proof to the Department of Water Resources on August 28, 1974,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 5.79 cfs of water from a ground water source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u>	at <u>2.40</u> cfs and	<u>480 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>4.0 af per acre</u>
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 2.40 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
480 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ (2 points) of
Sec. 33, Twp. 9 S, Rge. 13 E, B.M. in the County of Twin Falls

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
9 S	13 E	28					40	40		40									120

Total number of acres irrigated 120

Measuring devices of a type approved by this Department shall be permanently
maintained as part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 10 day of
March, 19 75.

47-7040

Director

FEB 22 1972

1972
Receipt # 8072

Department of Water Administration

APPROVED

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR AMENDMENT

Permit No. 47-7040

Comes now John Peterson and
Dr. Farrell Peterson of (address) RED, 1 FLOR, IDAHO

_____, and represents to the State Reclamation
Engineer of the State of Idaho:

No. 47-7040 and requests that the permit and permit map be changed as follows:

1. Point of diversion: ^(2 points) NW 1/4 SW 1/4, Sec. 33, T. 9S

R. 13 E, B.M. Other points of diversion _____

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

mo. - day

mo. - day

For Irrigation purposes from MARCH 15 NOV. 15 (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

For _____ purposes from _____ to _____ (both dates incl.)

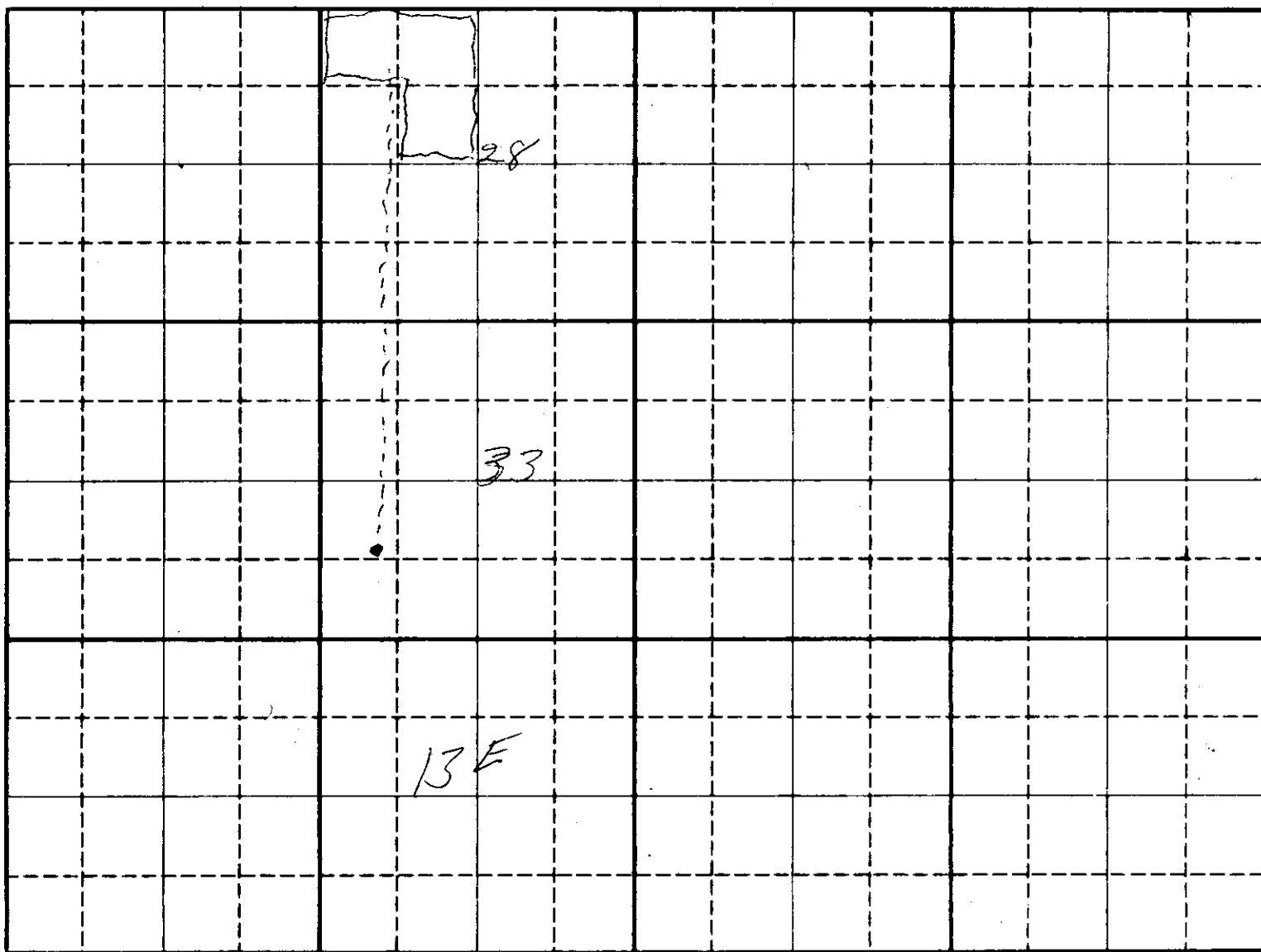
3. Place of use or land to be irrigated:

[illegible]**Total number of acres to be irrigated**

47 7040

120

Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40 acre subdivisions, sections, townships, ranges, and ditches.



Scale: 2 inches equal 1 mile

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Boise, this 22 day of Feb., 1972

John Peterson and Farrell Petersen
(signature)

ACTION OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, Director, Dept. of Water Admin., ~~State Reclamation Engineer~~ of the State of Idaho,

hereby approve the above application for amendment for Permit No. 47-7040.

Witness my hand this 16 day of JUNE, 19 72

R. Keith Higgins
Director

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

RECEIVED

AUG 30 1973

APPLICATION FOR EXTENSION OF TIME

Department of Water Administration

State of Idaho)

County of Twin Falls)

Permit No. 47-7040

John Peterson and/or
Farrell Peterson

of RFD 1, Filer, Idaho 83328

(name)

(address)

State of Idaho, being first duly sworn, upon his oath 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. 47-7040.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before September 1, 19 73.

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

All work is completed with the exception of the installation of the measuring
device.

Costing \$70,000.00

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit: unable to acquire totalizing meter

Wherefore, he asks that the Department of Water Administration extend the time for the completion of obligations under said permit to December 1, 19 73.

Farrell Peterson
(signature) *

Subscribed and sworn before me this 29th day of August, 19 73.

seal

Janet M. Messersmith
(notary public)

My commission expires June 15, 1977

ACTION OF THE DEPARTMENT OF WATER ADMINISTRATION

I, R. KEITH HIGGINSON, Director of the Idaho Department of Water Administration, State of Idaho, hereby approve the above application for extension of time for Permit No. 47-7040 to September 1, 1974.

Witness my hand this 4th day of September, 19 73.

R. Keith Higgins
Director

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available through the Department of Water Administration, Statehouse - Annex 2, Boise, Idaho, 83707.

47 7040

State of Idaho

Department of Water Administration

ASSIGNMENT OF PERMIT

I, Lorene L. Easterday, hereby assign to Barrell J. Peterson
of RT. 1 Piler Idaho
Address

☒ All my right, title, and interest, in and to Permit No. 47-2040
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. ~~47-2040~~ 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.)

N.W. 1/4 of S.E. of Section 34
Township 9 Range 13 E Twin Falls County
Well location in above location

Made this 22 day of Feb., 19 72.

Lorene L. Easterday
Permit Holder

Leonard L. Easterday
Spouse of Permit Holder

State of Idaho)
County of Twin Falls) ss.

On this 22nd day of February, 19 72, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

[Signature]
Notary Public residing at Buhl, Idaho

My commission expires: December 15, 1972

47 7040

LICENSE ISSUED FOR 2.40 SEC. FT.
LICENSE PAGE NO. _____

Identification No. 47-7040
Application No. 42685

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

ASSIGNED TO:

Farrell &/or John Peterson
Route # 1
Filer, Idaho 83328

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho

(TYPE OR PRINT IN INK)

APPROVED

1. Name of applicant Lorene I. Easterday
post office address Route #2, Buhl, Idaho 83316
2. Source of water supply underground which is a tributary of _____
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 34 Township 9 South
Range 13 E. B.M. Twin Falls County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 6.4 cfs for irrigation purpose from April 1 to October 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 6.4 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
Electric turbine pump, sprinkler system mainline, and portable irrigation
laterals - all irrigated by sprinklers.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 20 inches; proposed depth of well is 600 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 5 years.
b. Estimated construction cost is \$ 7000.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

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	
(9 So.)	13 EBM	34	40	40	40	40	40			40					40	40			320

Total number of acres to be irrigated 320

c. Describe any other water rights used for the same purposes _____

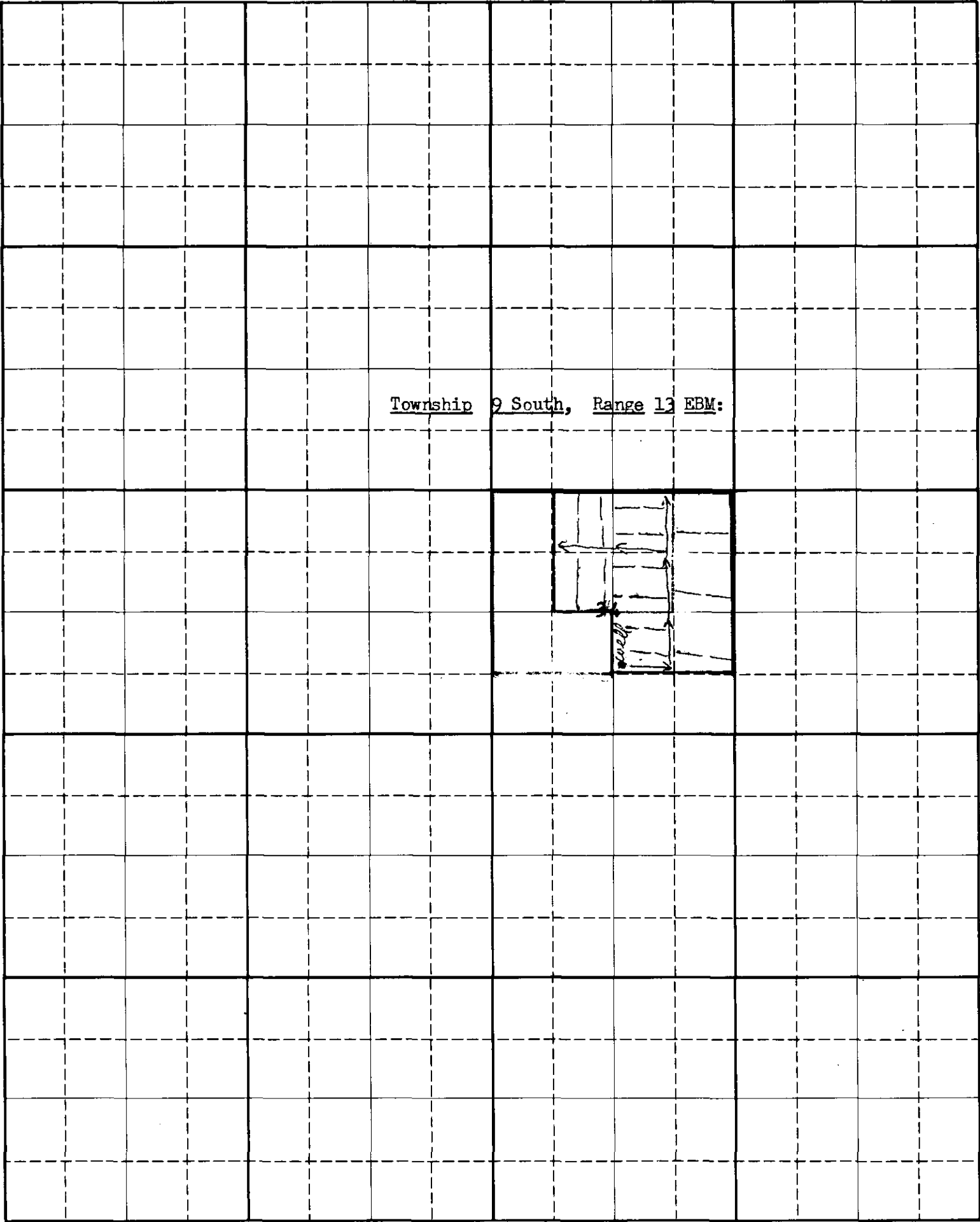
9. a. Who owns the property at the point of diversion U. S. Gov't.

b. Who owns the land to be irrigated or place of use U. S. Gov't.

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing Subject 320 acres is under Desert Entry application I-2012, Through the Bureau of Land Management. It is with their approval that this application for Water Permit is made.

10. Remarks A copy of this Permit is to be submitted to the BLM office, for which \$1.00 fee is enclosed.

11. Map of proposed project:



Scale: 2 inches equal 1 mile

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

Lorene L. Easterday
(Applicant)

Received by ef Date 7-22-68 Time 8:00 am

Preliminary check by DM Fee \$ 50.00

Receipted by ef Date 7-25-68

Publication prepared by BJ Date 8-1-68

Published in Buhl Herald

Publication dates 8-8/15-68

Publication approved BJ Date 8-6-68

Priority reduced to _____ Reason _____

AMENDMENT:
Times News: 2-25-72
3-2 & 3-9-72

OR 3-20-72 CF

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by AD

APPROVED

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 47-7040, and said application is hereby APPROVED.

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

- SUBJECT TO ALL PRIOR WATER RIGHTS.
- Proof of construction of works and application of water to beneficial use shall be submitted on or before September 1, 19 73.
- Other: The applicant shall permanently install a measuring device of a type approved by the department as part of the diverting works.

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

Witness my hand this 16th day of September, 19 68.

Jack A. Bennett
Deputy State Reclamation Engineer



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

IN REPLY REFER TO:

L:VSS
I-2012

Idaho Land Office
Room 334, Federal Building
550 W. Fort Street
Boise, Idaho 83702

Mrs. Lorene I. Easterday
Route #2
Buhl, Idaho 83316

Dear Mrs. Easterday:

On April 8, 1968, the Boise District Manager issued an "Initial Decision" approving your desert land petition I-2012.

According to your plan of development, water for irrigation is to be obtained from a well to be drilled. You must submit evidence of your right to appropriate and use the water. The evidence should consist of a copy of a State water permit approved by the State Reclamation Engineer. Attached is an extra copy of this letter. The copy should be submitted to the State Department of Reclamation at the time you apply for a permit. Unless they have knowledge that the land of the desert land application has been classified as suitable for entry, they may decline to issue the water permit. You should make arrangements with the State Reclamation Engineer to have a copy of the permit sent to this office.

We would appreciate receiving a copy of the permit as soon as possible.

Sincerely yours,

E. D. Barnes
Acting Manager, Land Office

Attachment

AFFIDAVIT of PUBLICATION

STATE OF IDAHO
County of Twin Falls

} ss.

I, **Robert E. Bailey**, do solemnly swear that I am the printer and editor of **THE BUHL HERALD**, a weekly newspaper of general circulation, published once each week at Buhl, Idaho; that the notice attached hereto was published in said newspaper two..... consecutive weeks, the first publication having been made on the 8th..... day of August....., 19.68....., and the last publication having been made on the 15th..... day of August....., 19.68.....; that said notice was published in the regular and entire issue of every number of the paper during the period and time of publication, and that the said notice was published in the newspaper proper, and not in the supplement thereof.

That said newspaper has been printed and published continuously in **Buhl, Twin Falls County, Idaho**, for a period of more than 78 weeks prior to the first publication of the attached notice.

Robert E. Bailey

Subscribed and sworn to before me this
.....16th..... day of August, 19.68.....

[Signature]
Notary Public.

Buhl, Idaho

Residing at

FEB 18 1971

My Commission Expires

RECEIVED

20 10 1968

For the State of Idaho

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS

ss.

N^o 1179

I, Carolyn Jennings being first duly sworn upon oath, depose and say that I am Princ. Clerk of the TIMES-NEWS, published daily, except Saturday, 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 Thursdays, commencing with the issue dated March 2, 19 72, and ending with the issue dated March 9, 19 72.

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, 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 thereof, Thursday is announced as the day on which said legal notices will be published.

Carolyn Jennings

Subscribed and sworn to before me on this 13th day of March, 19 72.

[Signature]
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

Any person to the proposed amendment of the permit may be filed with the Idaho Department of Water Administration, Boise, Idaho, within 10 days from the last day of publication of the notice of advertisement.

Published in the Times-News, Twin Falls, Idaho, on March 9, 1972.

Western Mortgage & Realty Company

2211 West Court, Suite D, P.O. Box 3110, Pasco, Washington 99302-3110

Phone (509) 545-4545 Fax (509) 545-4804

July 7, 1998

State of Idaho
Department of Water Resources
Attn: Julie Yarbrough
P.O. Box 83720
Boise, ID 83720-0098

RE: Water License Nos. 47-2374, 47-2376, 47-2377, 47-2379, 47-2419, 47-7040 and
Statutory Claim to Water Right No 47-2405 - R & L Farms

To Whom It May Concern:

The above referenced water licenses were previously pledged to Connecticut General Life Insurance Company ("CG") by way of a Notice of Lienholder's Interest dated January 18, 1988. On or about October 31, 1996, CG assigned all of its right, title and interest in and to said water licenses by way of a Notice of Lienholder's Interest to Western Mortgage & Realty Company.

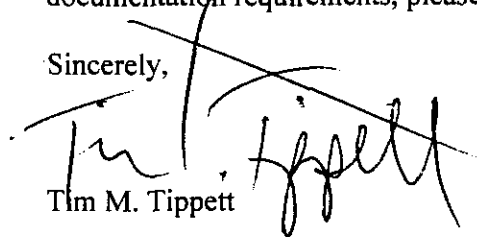
Please be advised that the obligation owing in connection with the Promissory Note and Mortgage for which the collateral security was pledged has been fully satisfied. The pledged interest referenced herein is hereby released and you are hereby notified and requested to mark your records accordingly.

For reference purposes, please find enclosed herewith the following:

1. Notice of Lienholder's Interest from R&L Farms to CG
2. Notice of Lienholder's Interest from CG to Western Mortgage

Thank you for your attention to this matter and if you should have any questions or additional documentation requirements, please advise us at your earliest convenience.

Sincerely,


Tim M. Tippet

TMT/ras

enclosures

deptofwa.ltr

NOTICE OF LIENHOLDER'S INTEREST

TO: Department of Water Resources
State of Idaho

YOU ARE HEREBY NOTIFIED that the undersigned, being a lienholder to claim to Water License Nos. 47-2374, 47-2376, 47-2377, 47-2379, 47-2419, 47-7040, and Statutory Claim to Water Right No. 47-2405, has assigned its lienholder's rights to WESTERN MORTGAGE AND REALTY COMPANY, a Washington corporation, whose address is 2211 West Court Street, Suite D, Pasco, Washington, 99301.

The purpose of this Notice is to advise you of this assignment of the undersigned's interest. The prior Notice of Lienholder's Interest is attached hereto and incorporated herein by this reference.

DATED this 31 day of October, 1996.

CONNECTICUT GENERAL LIFE
INSURANCE COMPANY

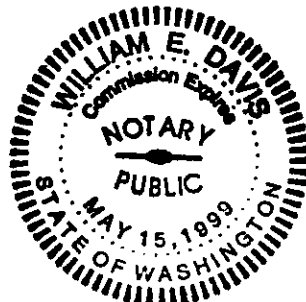
BY

Alpha O. Nicholson, III
Vice President

STATE OF Washington)
COUNTY OF Franklin) ss.

On this day personally appeared before me ALPHA O. NICHOLSON, III, to me known to be the individual described in and who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purpose therein mentioned.

GIVEN under my hand and official seal this 31 day of October, 1996.



William E. Davis
Notary Public in and for the
State of Washington
residing at Pasco

William E. Davis 5/15/99
NAME OF NOTARY PUBLIC (TYPE OR PRINT)

NOTICE OF LIENHOLDER'S INTEREST

TO: The Department of Water Resources, State of Idaho;

YOU ARE HEREBY NOTIFIED that R & L FARMS, a general partnership consisting of LaRay L. Easterday and Ronald D. Easterday, whose current address is P.O. Box 107C, Route 2, Buhl, Idaho 83316, has mortgaged to Connecticut General Life Insurance Company the real property described in the following:

Water License # 47-2374; and
Water License # 47-2376; and
Water License # 47-2377; and
Water License # 47-2379; and
Water License # 47-2419; and
Water License # 47-7040; and
Statutory Claim to Water Right # 47-4205.

Would you please notify Connecticut General Life Insurance Company of any notices, objections, petitions, or any other documents which may be filed in connection with the above listed Water Licenses and the Statutory Claim to a Water Right, at the following address:

Connecticut General Life Insurance Company
c/o CIGNA Investments, Inc.
Regional Agricultural Investment Operations
8100 Emerald St., Suite 130
Boise, Idaho 83704.

DATED this 28th day of January, 1988.

HAWLEY TROXELL ENNIS & HAWLEY

By Richard F. Goodson
Richard F. Goodson
One Capital Center, Suite 701
P.O. Box 1617
Boise, Idaho 83701

Attorneys for Connecticut
General Life Insurance
Company



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 1301 North Orchard Street Boise, Idaho 83706-2237 • (208) 334-4440

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

February 17, 1988

RE: Water Right Nos. 47-2374/2376/2377/2379/2419/4205/7040

Richard F. Goodson
Hawley, Troxell, Ennis & Hawley
Box 1617
Boise, ID 83701

Dear Mr. Goodson:

We are in receipt of your correspondence of 1/28/88 regarding the above referenced water rights.

As requested, we have placed a copy of the Notice of Lienholder's Interest in each of the files. Since you are not the right holder of record, the Department will not change it's computer records to show you as current owners. Unless you are the current owners of record, the Department cannot guarantee that you will be notified of all transactions pertaining to the water rights.

If this is not satisfactory, please let us know.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

1

HAWLEY TROXELL ENNIS & HAWLEY
ATTORNEYS AND COUNSELORS

ROBERT I. TROXELL
JESS B. HAWLEY, JR.
JOHN T. HAWLEY, P.A.
THOMAS A. MILLER
M. NEAL NEWHOUSE
CRAIG L. MEADOWS
JOSEPH D. McCOLLUM, JR.
WAYNE B. SLAUGHTER, JR.
GARY D. BABBITT, P.A.
P. CRAIG STORTI
MERLYN W. CLARK
RICHARD F. GOODSON, P.A.
CARL W. HARDER
PHILLIP M. BARBER
DONALD E. KNICKREHM
EDWIN V. APEL, JR.
EUGENE A. RITTI
KAREN L. LANSING
RICHARD G. SMITH
JOHN F. KURTZ, JR.
ROBERT S. ERICKSON

NICHOLAS G. MILLER
BRENT F. LLOYD
JOHN McGOWN, JR.
ALBERT P. BARKER
JOHN T. HAWLEY, JR.
DON A. OLOWINSKI
RONALD E. BUSH
STEVEN W. BERENTER
CATHY R. SILAK
KENNETH C. HOWELL
RITA L. BERRY
MICHAEL M. STODDARD
JOSEPH P. LANGFIELD
SUSAN D. MINER
KEVIN J. BEATON
PATRICK V. COLLINS
ANDREA M. POGUE
CHRIS F. ODE
DAVID A. CHANNER*

* ADMITTED TO PRACTICE
IN TEXAS ONLY

ONE CAPITAL CENTER
SUITE 701
POST OFFICE BOX 1617
BOISE, IDAHO 83701

TELEPHONE
(208) 344-6000
TELECOPIER
(208) 342-3829

PAUL B. ENNIS
(1916-1982)

POCATELLO OFFICE
125 NORTH GARFIELD
POST OFFICE BOX 4167
POCATELLO, IDAHO 83205
TELEPHONE
(208) 233-0845

January 28, 1988

The State of Idaho
Department of Water Resources
State Office
1301 North Orchard Street
Boise, Idaho 83706

JAN 29 1988

Re: Connecticut General Life Insurance Company
Property Owned Nos. F-01766 & F-01857
(Loan No. 8701350, Sale to R&L Farms)

Gentlemen:

We write as attorneys for Connecticut General Life Insurance Company. Our client has recently sold certain real property located in Twin Falls County, Idaho to R&L Farms, a general partnership consisting of LaRay L. Easterday and Ronald D. Easterday. As security for the repayment of the remaining balance of the purchase price for said property our client has been granted a mortgage on the real property which was sold together with the water rights and statutory claim to a water right appurtenant thereto. We would like the Department of Water Resources to place a copy of the enclosed Notice of Lienholder's Interest in the file for each one of the listed water licenses and the statutory claim to a water right.

Please acknowledge receipt of the Notice of Lienholder's Interest and the fact that you will incorporate it into the water right files.

Thank you very much for your usual time and consideration.

Very truly yours,

Richard F. Goodson

Richard F. Goodson

RFG/vk
Enclosure
cc: Robert M. Tippet (w/Enc.)

NOTICE OF LIENHOLDER'S INTEREST

TO: The Department of Water Resources, State of Idaho;

YOU ARE HEREBY NOTIFIED that R & L FARMS, a general partnership consisting of LaRay L. Easterday and Ronald D. Easterday, whose current address is P.O. Box 107C, Route 2, Buhl, Idaho 83316, has mortgaged to Connecticut General Life Insurance Company the real property described in the following:

Water License # 47-2374; and
Water License # 47-2376; and
Water License # 47-2377; and
Water License # 47-2379; and
Water License # 47-2419; and
Water License # 47-7040; and
Statutory Claim to Water Right # 47-4205.

Would you please notify Connecticut General Life Insurance Company of any notices, objections, petitions, or any other documents which may be filed in connection with the above listed Water Licenses and the Statutory Claim to a Water Right, at the following address:

Connecticut General Life Insurance Company
c/o CIGNA Investments, Inc.
Regional Agricultural Investment Operations
8100 Emerald St., Suite 130
Boise, Idaho 83704.

DATED this 28th day of January, 1988.

HAWLEY TROXELL ENNIS & HAWLEY

By Richard F. Goodson
Richard F. Goodson
One Capital Center, Suite 701
P.O. Box 1617
Boise, Idaho 83701

Attorneys for Connecticut
General Life Insurance
Company

March 10, 1975

Re: Permit No. 47-7040

John &/or Farrell Peterson
RFD # 1
Filer, Idaho 83328

Dear Mr. & Mrs. Peterson:

Enclosed herewith is a copy of the water license issued on the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosure

MICROFILMED

February 21, 1975

John &/or Farrell Peterson
RFD # 1
Filer, Idaho 83328

Dear Mr. & Mrs. Peterson:

A representative of this Department has made an examination of the works covered by your Permit No. 47-7040 and has found the following:

Quantity of water diverted: 5.79 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 2.40 cfs

The maximum quantity diverted shall not exceed 480 acre feet per year.

Beneficial use: For irrigation of 120 acres within the NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28, Twp. 9S, Rge. 13E

Point of diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$ (2 points), Sec. 33, Twp. 9S, Rge. 13E, B.M.

Priority date established: July 22, 1968

If you do not concur with these findings, please advise us within 10 days; otherwise a license will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jr

110

DEPARTMENT OF WATER ADMINISTRATION
FIELD REPORT

- TOTAL ACREAGE** 120

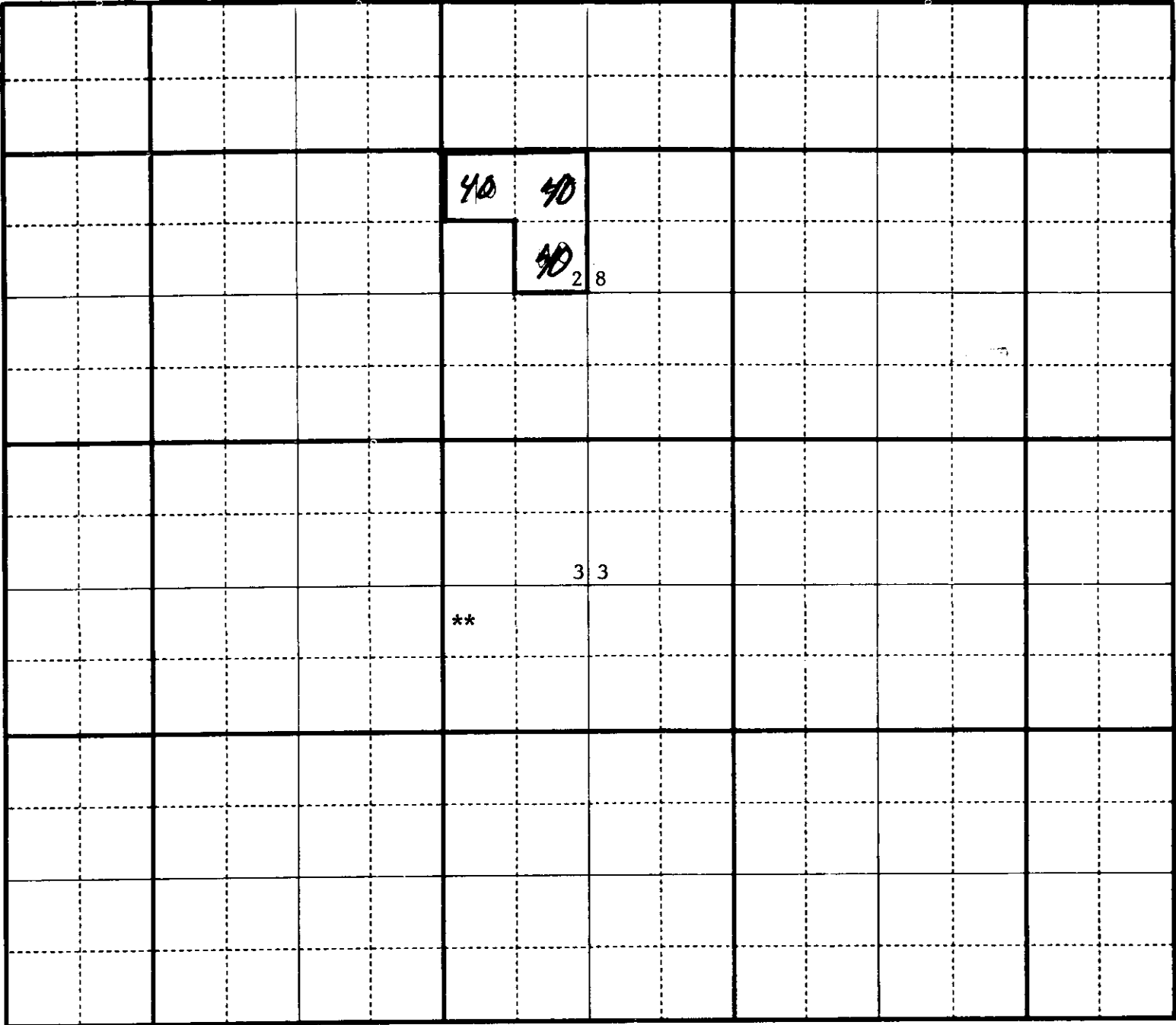
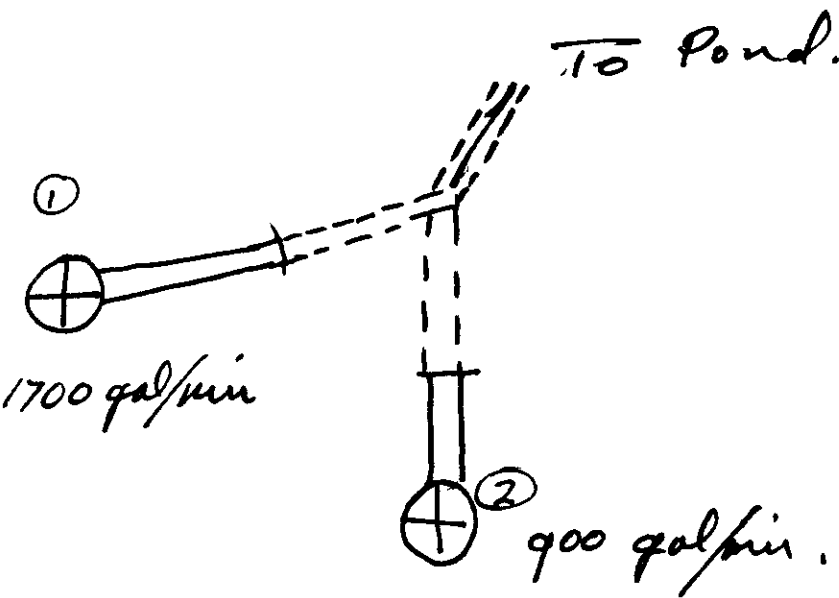


Diagram of System



DATE OF EXAM 9-23-74

ACREAGE
Found 120
Recommended 120

Irrigation Requirement 4.0 Ac Ft/Ac

USE
Irrigation Q = 2.4 c.f.s. V = 480 AF/Ann. from March-15 to Nov-15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 5.79 c.f.s. Method of measurement Badger Meter's

Total Q recommended 2.4 c.f.s. Meter No. N0588516 type 10" Condition New -
N0588369 type 12"

Total V recommended 480 Ac Ft/ANN.

Recommended Amendments:

P.D. ☒
Place of Use ☒
Other ☒
None ☒

MEASUREMENT CALCULATION:

$Q = 5.79 \text{ c.f.s.} @ 1700 \text{ gal/min} @ 900 \text{ gal/min} = 5.79 \text{ c.f.s.}$
 $V = 480 \text{ Ac Ft/ANN. (Irr Req) (Acres Irr)}$

SYSTEM DESCRIPTION:

G.E. Motor 300 Hp #BBJ209002 Layne & Bowler Pump
Hollow shaft 200 Hp #HC1000220 Layne & Bowler Pump.
The Two Wells pump into gether at a pond
which from this pond system is Irrigated From.

REMARKS:

Mr. Peterson accompany Exam.
GARY Peterson

Examiner's Signature Gary Sunderburg Date 9-23-74

Checked by Bob Haynes Date 10-30-74

Approved by _____ Date _____

September 5, 1974

Re: Permit No. 47-7040

Farell &/or John Peterson
Route #1
Filer, ID 83328

Dear Sirs:

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

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

If you have any questions regarding the field examination, please contact our District Office in **Twin Falls.**

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

Rec: 8-28-74 LT
OK
Jg
Identification No. _____

Permit No. 47-7040

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Farell and/or John Peterson
b) Post Office Address Rt. 1, Filer, Id.
2. Permit Number 47-7040
3. Date of Priority that you are prepared to establish _____
4. a) Source from which water was appropriated groundwater
b) Location of the point of diversion: NW 1/4 SW 1/4, Section 33
Township 9S, Range 13E, Boise Meridian, Other points of diversion:
(2) pt. of diversion
5. a) The amount of water and use to which the water has been applied:
amount 0 6.683 c.f.s. for irrigation purposes from Mar. 15 to Nov. 15 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 6.684 c.f.s. cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: Badger meter.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) well, pump, motor with gravity flow through concrete and dirt ditches
b) Describe the type and size of measuring device which you have installed at your point of diversion: Badger meter
c) Give well drillers name and address and date the well was completed Arnold Elsing

Exam typed 9/6/74 by Jg

RECORDED

11-30-74

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use _____

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivision: _____

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
9S	13E	28					40	40		40									120

Total number of acres irrigated 120

10. Remarks: _____

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

28 Aug 74 (Date) x Faull Petersen (Signature)

State of Idaho)
County of Twin Falls) ss.

On this 28th day of August, 19 74, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Lynia L. Tippett
Notary Public residing at
Twin Falls, Idaho 83301

My commission expires 2-24-78

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

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where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (Must always be filled in)

CERTIFIED NO.

25507

1

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

2

DATE DELIVERED

SHOW WHERE DELIVERED (Only if requested, and include ZIP Code)

7/3/74

3

47-7040

POSTAL SERVICE
ICIAL BUSINESS

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300

Postmark of Delivering Office

SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.

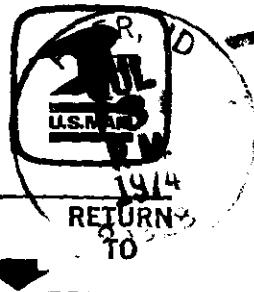
- If special services are desired, check block(s) on other side.
- Moisten gummed ends and attach to back of article.

PS Form 3811
June 1973

DEPARTMENT OF WATER ADMINISTRATION

EX-2

MILITARY MAIL



July 1, 1974

CERTIFIED MAIL

#25507

Re: Permit No. 47-7040

John &/or Farrell Peterson
RFD #1
Filer, Idaho 83328

Dear Sirs:

One of the conditions of approval of your water Permit No. 47-7040 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before September 1, 1974. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

Enc: Proof affidavit

MICROFILMED

September 4, 1973

Re: Permit No. 47-7040

John &/or Farrell Peterson
RFD #1
Filer, Klaho 83328

Dear Sirs:

Enclosed please find a copy of the approved application for extension of time in connection with the above referenced permit.

The time within which to submit proof of beneficial use of water has been extended to September 1, 1974.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JC
Enclosure

47-7040

July 2, 1973

Certified Mail # 24617

Re: Permit No. 47-7040

Farehl &/or John Peterson
Route #1
Filer, Idaho 83328

Gentlemen:

One of the conditions of approval of your water Permit No. 47-7040 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before September 1, 1973. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

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R. KEITH HIGGINSON
Director

Enc: Proof affidavit

47 7040

SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)



Show to whom, date and address
where delivered



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to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

24617

1

Mrs. John Petersen

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

6-30-73

3

SHOW WHERE DELIVERED *(Only if requested, and include ZIP Code)*

17 7040

**U.S. POSTAL SERVICE
OFFICIAL BUSINESS**

**PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300**



Postmark of Delivering Office

SENDER INSTRUCTIONS

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- If special services are desired, check block(s) on other side.
- Moisten gummed ends and attach to back of article.

**RETURN
TO**

**DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANNEX #2
BOISE, IDAHO 83702**

17 7040

PS Form 3811 Nov. 1970 **c55-16-81277-1**

June 19, 1972

Re: Permit No. 47-7040

Farrell &/r John Peterson
Route # 1
Filer, Idaho 83328

Gentlemen:

Enclosed please find a copy of the APPROVED application for amendment in connection with the above referenced permit.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enclosure

bc: Southern District Office

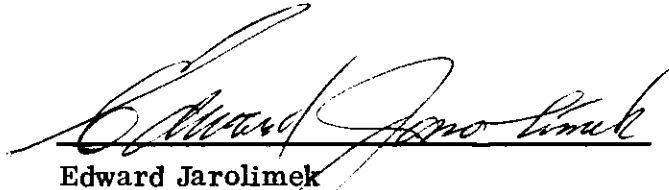
47 7040

TO WHOM IT MAY CONCERN:

Department of Water Administration

I, the undersigned, hereby withdrawn my protest against the amending of Permit No. 47-7040 in the name of Farrell &/or John Peterson.

Signed at BONH IOANO this 7th day of JUNE 1972.


Edward Jarolimek


Witness

17 7040

June 5, 1972

Re: Permit No. 47-7040 - Farrell &/or John Peterson

Mr. Edward Jarolimek
712 - 13th Ave.
Buhl, Idaho 83316

Dear Mr. Jarolimek:

To this date we have not yet received a withdrawal of your protest against the application for amendment in connection with the above referenced permit.

We are enclosing a form for your use in withdrawing your protest. Please return the completed form to this office within ten days or notify us of your intentions regarding this matter.

Your cooperation is greatly appreciated.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enclosure

17 7040

M E M O

To: File # 47-7040

From: Bob Fleenor

Date: May 3, 1972

A conference was held on April 18, 1972, at Twin Falls, Idaho, to consider the protest of the application for amendment for Permit No. 47-7040.

Both the permittees and Edward Jarolimek, the protestant, represented themselves at that conference.

After explaining the effect of this amendment and that this permit is later in priority than Licenses No. 47-2419 and 47-2379, the protestant decided that he would withdraw the protest against approval of the amendment application.

Mr. Jarolimek will send a letter within 15 days withdrawing his protest.

Bob
Bob

47 7040

After discussing the problem Mr. Jarolimik (the protestant) & Mr Peterson reached an agreement.

Mr. Jarolimik agreed to withdraw the Protest ~~on~~ the amendment on Mr. Peterson permit ~~would be~~ if the Department of Water Adm. would approve amendment with condition that ~~permit~~ Priority of Permit #17-704 be later than Licenses #17-2419 & 17-2379 as they are all on the same wells

Mr. Jarolimik will send letter withdrawing Protest.

47-7040

4/18/1972 10:30

Lorine J Easterday

Assigned to

Farrell E/Or John Peterson

7 People attended conference (names on attendance record in file)

Bob Flemer Hearings Officer opened conference by explaining purpose of conference.

Mr Peterson then made his statement describing his protest & the intent of the protested amendment

Mr. Tarolimik then made his statement naming his reasons for the protest.

Mr Tarolimik's main point of concern was that the Two P.D. Covered under Mr. Peterson's amended Permit # 47-7040 would ~~be~~ have a later Priority than the priority established under two existing licensed # 47-2412 & 47-2379

47-7040 - Farrell &/or John Peterson

Twin Falls City Hall, Twin Falls, Idaho

April 18, 1972 - 10:30 a.m.

ROSTER OF ATTENDANCE

Name	Address	Representing
Edw. Jarolmek	762-1312	Buhl Idaho
John Peterson	Filer Idaho	
Farrell Peterson	RT #4 Buhl	
Larry Buhl	Castelford, Idaho	
Kay Meierhoff	Buhl Idaho	
Ernest D. Easterday	Buhl Idaho	
Larry L. Easterday	Buhl, Idaho	

47 7640

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION
OF THE
STATE OF IDAHO

IN THE MATTER OF Protest Against Approval of)
Application for Amendment for Permit No. 47-7040)
in the name of FARRELL &/or JOHN PETERSON)

NOTICE OF CONFERENCE
AND/OR HEARING

On September 16, 1968, the Department of Water Administration (formerly the Department of Reclamation) issued Permit No. 47-7040 to Lorene I. Easterday. On February 22, 1972, Lorene I. Easterday assigned all her right, title and interest in and to Permit No. 47-7040 to Farrell &/or John Peterson of Filer, Idaho. On February 22, 1972, the Department received an Application for Amendment from the permit holders. On March 15, 1972, the Department received a protest against the approval of the amendment application from Edward Jarolimek of Buhl, Idaho.

The Department has set the matter of protest for conference and/or hearing on Tuesday, April 18th, 1972, at 10:30 a.m., in the Twin Falls City Hall, Council Room, at Twin Falls, Idaho. Any hearing will be held in accordance with the Rules and Regulations of the Idaho Code and adopted Rules of Practice and Procedure of the Department of Water Administration. Opportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.

Any party may request in writing five (5) days before any hearing that the oral proceedings thereof be taken in the form of stenographic notes. Any party may have such stenographic notes of the oral proceedings, or part thereof, transcribed at his own expense. A taped record of the proceedings will be maintained for the appeal period.

Failure to appear at the time and place set for hearing by the permit holders or protestant may allow the Department without prejudice to dismiss the protest or the application. Any and all cost incurred by reason of such non-appearance may be assessed against such non-appearing parties.

Dated this 4 day of April, 1972.

7040


BOBBY D. FLEENOR
Assistant Director

Mailed this 4th day of April, 1972, to the following:

Certified Mail No.

Farrell &/or John Peterson, Route # 1, Filer, Idaho.....23506

Edward Jarolimek, 712 - 13th Avenue, Buhl, Idaho.....23507

By *Shelene Smith*

APR 7 1972

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REQUIRED FEE(S) PAID.

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CERTIFIED NO.

23506

1

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

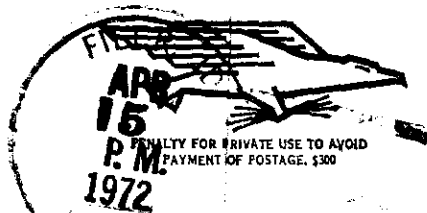
4/5/72

3

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17 7040

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TO

DEPARTMENT OF WATER ADMINISTRATION
STATEHOUSE - ANGLE
BOISE, IDAHO 83701

FD-36 (Rev. 3-1-69) Apr. 1969 c55-16-71648-11

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RECEIPT

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REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE (*Must always be filled in*)

CERTIFIED NO.

23507

1

Edw. Terahime R

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

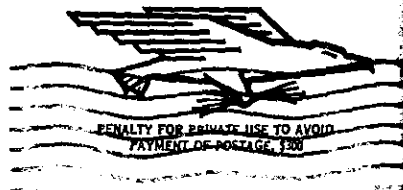
11/5/72

3

SHOW WHERE DELIVERED (*only if requested*)

17 7040

**POST OFFICE DEPARTMENT
OFFICIAL BUSINESS**



POSTMARK OF DELIVERING OFFICE

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**RETURN
TO**

DEPARTMENT OF REVENUE
STATEHOUSE
BOISE, IDAHO 83707

POD Form 3811, Apr. 1969 c55-16-71548-11

27 7000

April 3, 1972

Twin Falls City Hall
City Clerk
321 - 2nd Ave. East
Twin Falls, Idaho 83301

Gentlemen:

This is to confirm the use of the Council Room for conference &/or hearing to be held by this office at 10:30 a.m. on Tuesday, April 18, 1972.

Thank you for your cooperation in this matter.

Very truly yours,

Darlene Reich, Secretary to
BOBBY D. FLEENOR
Assistant Director

BDF:DR

17 7040

March 28, 1972

Re: Permit No. 47-7040

Farrell &/or John Peterson
Route # 1
Filer, Idaho 83328

Gentlemen:

Enclosed you will find a copy of the protest which has been filed against the application for amendment in connection with your Permit No. 47-7040.

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DF
Enc: Copy of protest

17 7040

March 28, 1972

Re: Permit No. 47-7040 - Farrell &/or John Peterson

Mr. Edward Jarolimek
712 - 13th Avenue
Buhl, Idaho 83316

Dear Mr. Jarolimek:

This is to acknowledge receipt of your protest against the application for amendment in connection with the above referenced permit.

You will be notified at a later date as to the time and place set for a conference and/or hearing to discuss the matters of protest.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

17 7040

Accepted 3/29/72
BDF

Department of Water Resources

I, Edward Jarolimek, of 712 13th Avenue, Buhl, Idaho, do hereby protest the approval of the Application for Amendment filed in connection with Permit No. 47-7040, in the name of John and Farrell Peterson.

The basis of my protest is as follows:

1. It would reduce the quantity of water and damage existing water rights.
2. There is insufficient water for the proposed purpose.
3. The application was not made in good faith, but for speculative purposes.
4. I, the protestant, wish to protect my financial resources.

DATE: March 15, 1972

SIGNATURE:

Edward Jarolimek

47 7040

March 9, 1972

Federal Land Bank of Spokane
West 705 First Avenue
Spokane, Washington 99204

Re: Permit No. 47-7040

ATTENTION: Robert A. Fery, Engineer Appraiser

Dear Mr. Fery:

Pursuant to your letter of March 6, 1972, we offer the following information in answer to your questions.

Any new permits that are issued for the appropriation of water are held to be subject to all prior rights. That is, any new use of water can only be made after all prior rights have been fulfilled.

The granting of an approved permit does not infer any right-of-ways. The means of appropriation and conveyance are left to the individual to establish.

If, in fact, Permit No. 47-7040 will use water from the two (2) wells you mentioned, then the holder of this permit will have to make some agreement with the owner of the wells to use his works.

If we can be of further assistance in this matter, please feel free to contact this Department.

Very truly yours,

James Booker
Appropriation Examiner

JB:cs

47 7040

THE FEDERAL LAND BANK OF SPOKANE

WEST 705 FIRST AVENUE

SPOKANE, WASHINGTON 99204



RECEIVED

MAR 7 1972

Department of Water Administration

March 6, 1972

Mr. R. Keith Higginson, Director
Idaho Department of Water Administration
Statehouse
Boise, Idaho 83707

Dear Mr. Higginson:

I received the enclosed "Notice of Amended Water Permit" and have several questions. The Federal Land Bank of Spokane presently has a mortgage on Section 33, T. 9S, R. 13E. At the time of our mortgage, the land was irrigated under license number 47-2379 (4.84 cfs, priority 10/11/63) and license number 47-2419 (1.85 cfs, priority 5/21/66). The diversion points for the two wells are listed as the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 33, said township and range.

From the publication notice it appears that Permit number 47-7040 is now proposed to be transferred to the same wells as stated above for the two licenses, or at least within the same 40 acre tract. My first question is; will the lands in Section 33, evidenced by the two license numbers stated above, lose any of their present rights?

As we do not have a lien on the entire lands proposed to be irrigated in Section 28, does the granting of this amended permit infer any right-of-ways to the wells in Section 33?

I cannot say at this time if we will protest the proposed permit, neither am I saying we are approving the proposed amended permit.

Your information will be appreciated.

Very truly yours,

Bob Ferry

Robert A. Ferry
Engineer Appraiser

dh

47 7040



RECEIVED

MAR 7 1972

Department of Water Administration

NOTICE OF AMENDED WATER PERMIT

Notice is hereby given that Permit No. 47-7040 in the name of Farrell and John Peterson was issued for the diversion of 6.4 c.f.s. of water from a ground water source, with the point of diversion within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T. 9S, R. 13E, B.M., Twin Falls County, to be used from April 1 to Oct. 31 for the irrigation of 320 acres within the NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 34, T. 9S, R. 13E, B.M.

The permit holders now propose to amend Permit No. 47-7040, requesting 6.4 c.f.s. of water from a ground water source, to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ (2 pts.), Sec. 33, T. 9S, R. 13E, B. M., Twin Falls County, to be used from March 15 to Nov. 15 for the irrigation of 120 acres within the N $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28, T. 9S, R. 13E, B.M.

Any protest to the proposed amending of the permit may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho 83707 within 10 days from the last date of publication of this notice.

R. Keith Higginson
Director

Published in the Times News, Twin Falls, Idaho on March 2, and March 9, 1972.

47 7040

February 25, 1972

Re: Permit No. 47-7040 - Farrell and John Peterson (amended)

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

Gentlemen:

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

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

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

(signature of claimant)

Very truly yours,

Fred Eisenbarth
Appropriation Examiner

FE:CR

Enc; Legal Notice

47 7040

NOTICE OF AMENDED WATER PERMIT

Notice is hereby given that Permit No. 47-7040 in the name of Farrell and John Peterson was issued for the diversion of 6.4 c.f.s. of water from a ground water source, with the point of diversion within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 34, T. 9S, R. 13E, B.M., Twin Falls County, to be used from April 1 to Oct. 31 for the irrigation of 320 acres within the NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 34, T. 9S, R. 13E, B.M.

The permit holders now propose to amend Permit No. 47-7040, requesting 6.4 c.f.s. of water from a ground water source, to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ (2 pts.), Sec. 33, T. 9S, R 13E, B.M., Twin Falls County, to be used from March 15 to Nov. 15 for the irrigation of 120 acres within the NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 28, T. 9S, R. 13E, B.M.

Any protest to the proposed amending of the permit may be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho 83707 within 10 days from the last date of publication of this notice.

R. KEITH HIGGINSON
Director

Published in the Times News, Twin Falls, Idaho on March 2, and March 9, 1972.

47 7040

December 15, 1970

Re: Permit No. 47-7040

C Lorene I. Easterday
Route #2
Buhl, Idaho 83316

Dear Ms. Easterday:

O This letter is to notify you as a permit holder in the Blue Gulch area that a portion of the land west of Salmon Falls Creek has been declared a critical ground-water area and closed to further appropriation of ground water. This designation went into effect December 9, 1970 and will remain until it is shown that ground-water withdrawals do not exceed the estimated natural recharge to the area.

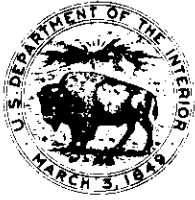
P A public hearing will be held at the Buhl Senior High School, January 7, 1971 at 8:00 P.M., to accept any testimony or comment regarding the closure. A copy of the notice and hearing and description of the area is enclosed for your information.

Very truly yours,

Y Sherl L. Chapman
Acting Assistant Director

SLC:rh
Enc.

47 7040



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
Idaho Land Office

IN REPLY REFER TO:

L:VSS
I-2012

NOTICE OF ALLOWANCE

Lorene I. Easterday
Route #2
Buhl, Idaho 83316

Department of Reclamation

Serial No. I-2012 320 Acres

T. 2 S., R. 13 E., Boise Meridian, Idaho
Sec. 34: E1/4, NE1/4, NW1/4

Your desert land application for the above described land has this day been approved and allowed, subject to any valid existing rights and your further compliance with laws and regulations applicable thereto. The acceptability of final proof is contingent upon development and reclamation of the land in accordance with your plan of development which is on file in the Boise Land Office. Any substantial change in source of water or deviation in the construction of the irrigating facilities must have the approval of the Bureau of Land Management. The irrigable acreage of this entry has been determined to be approximately 320 acres. In correspondence relating to this entry, always refer to the serial number shown above.

Subject to the Act of July 17, 1914, which will require the reservation of all oil and gas deposits to the United States.

IN WITNESS WHEREOF, I have hereunto set
my hand and seal this 25th
day of September, 19 68

cc: State Dept. of Reclamation

 ORVAL G. HADLEY

MANAGER, LAND OFFICE
BOISE, IDAHO

47 7040

DON SAMUELSON
GOVERNOR



P. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

September 18, 1968

Re: Permit Nos. 36-7035, 47-7031, 47-7037,
47-7038 & 47-7040

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

Gentlemen:

Enclosed are copies of the above referenced permits which
have been approved by this office.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures

47 7040

September 17, 1968

Re: Permit No. 47-7040

Lorene I. Easterday
Route # 2
Buhl, Idaho 83316

Dear Mrs. Easterday:

We enclose a copy of your approved application for permit 47-7040
in which we direct your attention to the limitations and conditions as given
on the fourth page under approval of the State Reclamation Engineer.

Very truly yours,

C. Stephen Allred, Assistant
State Reclamation Engineer

CSA:kh

Enclosures: Copy of application
Receipt No. W-243 for \$51.00
2 letters

August 1, 1968

Re: Application No. 47-~~7040~~ - Lorene I. Easterday
Application No. 47-7038 - Orin Roy Givens
Application No. 47-7031 - LeRoy L. Easterday
Application No. 47-7039 - Rose E. McClain
Application No. 47-7037 - Janet M. Easterday
Application No.

The Buhl Herald
Buhl, Idaho 83316
Gentlemen:

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

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

An affidavit of publication must be submitted to the Department of Reclamation, along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

(Do not sign here)

Signature of claimant

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

Enclosure: legal notice

47-7040

RECEIVED

AUG 6 1968

Department of Reclamation

Galley ONE

LEGAL

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that ~~Lorone I. Easterday, Route No. 2, Buhl, Idaho, has on July 22, 1968,~~ applied for permit to divert ~~64~~ cubic feet per second of water from a subterranean source under application No. 47-7040. Water will be diverted by a well, pump, sprinkler system, and portable sprinklers within the ~~NW 1/4 SE 1/4, sec. 34, T. 9 S., R. 13 E., B.M., Twin Falls County and is to be used from April 1 to October 31 for irrigation in the NE 1/4, E 1/2 NW 1/4, NW 1/4 SE 1/4, sec. 34, T. 9 S., R. 13 E., B.M.~~

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON

State Reclamation Engineer

Published in the Buhl Herald, Buhl, Idaho, on August 8 and August 15.

(30t2)

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Lorene I. Easterday, Route #2, Buhl, Idaho has on July 22, 1968 applied for permit to divert ~~store~~ 6.4 cubic feet per second ~~acres~~ of water from a subterranean source under application No. 47-7040. Water will be diverted by a well, portable sprinklers ~~pump, sprinkler system, and/~~ within the NW1/4, sec. 34, T. 9 S., R. 13 E, B.M., Twin Falls County and is to be used from April 1 to October 31 for irrigation in the NE1/4, E1/4, NW1/4, sec. 34, T. 9 S., R. 13 E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Buhl Herald, Buhl, Idaho on August 8 and August 15.