

**NOTICE OF
EXISTING WATER PERMIT**

Notice is hereby given that Noh Sheep Co., Kimberly, Idaho has received an approved permit No. R-1175 issued by the Idaho State Reclamation Department authorizing the storage of 3.0 acre feet per annum of water from two unnamed streams, subject to all prior rights. The priority to be established under this permit is January 29, 1964 and the permit was approved February 3, 1964. Water is to be diverted by dam and reservoirs from a point within the NW¼, NW¼, Sec. 7 and NW¼NE¼, Sec. 17, T. 14 S, R. 12 E, B.M., Owyhee County to be used for stock-water in the NW¼NW¼, Sec. 7 and NW¼NE¼, Sec. 17, T. 14 S, R. 12 E, B.M. Proof of the application of the water to beneficial use is to be submitted to the Department on or before February 3, 1969. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Owyhee Chronicle, Homedale, Idaho on June 12 and June 19, 1969.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
COUNTY OF OWYHEE) ss.

JUN 26 1969

Department of Reclamation

I, Everett A. Colley, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice herein after mentioned, I was and now am the printer or publisher of THE OWYHEE CHRONICLE, a newspaper of general circulation printed and published weekly, on Thursday of each and every week, in the City of Homedale and County of Owyhee and State of Idaho.

3. That the said THE OWYHEE CHRONICLE has been printed and published continuously and uninterruptedly in said County during a period of seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice _____

NOTICE OF EXISTING WATER PERMIT

of which a printed copy, taken from said newspaper, is hereto annexed, was published in the regular issue thereof, and not in a supplement

thereto, in said newspaper, in two (consecutive) calendar weekly issue(s) of said newspaper, on the following date(s):

June 12, 1969

June 19, 1969

(Signed)

Everett A. Colley

Subscribed and sworn to before me this 19th day of June
A. D., 1969

Emily S. Colley
Notary Public in and for the State of Idaho.

residing at Homedale, Idaho.

My commission expires 2-6, 1972

R-1175

Range 12 E

Earth Dam

~~H.S.~~^{P.O.}

7

Earth Dam

~~H.S.~~^{P.O.}

17

Q measured _____

Q recommended _____

Volume 3.0 AF

Acreage -

Found N/A

recommended _____

Subdv. _____

Ammendments

☒ None

☐ P.D.

☐ Place of use

☐ _____

NAME OF APPLICANT

Neh Sheep Co.

Form No. 0

TIRS, R 9E

Sec 7

Sec. 17

Permit Map No. R-1175
As Approved
CARL E. TAPPAN
State Reclamation Engineer

FEB 3 1964

AFFIDAVIT OF PUBLICATION

RECEIVED

JUN 26 1969

STATE OF IDAHO)
) ss.
COUNTY OF OWYHEE)

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residing at Homedale, Idaho.

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R-1175

Identification No. _____

Permit No. R-1175

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

RECEIVED

MAR 4 1969

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Reclamation

1. a) Name of Permit Holder Noh Sheep Co.
b) Post Office Address Kimberly, Idaho

2. Permit Number R-1175

3. Date of Priority that you are prepared to establish January 29, 1964

4. a) Source from which water was appropriated runnoff, two unnamed streams

b) Location of the point of diversion: NW 1/4 NE 1/4, Section 17
Township 14S., Range 12E Boise Meridian, Other points of diversion:
NW 1/4 NW 1/4, Sec. 7 and 8, T. 12 S., R. 9 E.B.M., Owyhee County
14 12

*Per letter
4-13-68
over*

5. a) The amount of water and use to which the water has been applied:

amount 3 for stockwater purposes from 1/1 to 12/31 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 not feasible to measure 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: _____

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) dams and reservoirs

b) Describe the type and size of measuring device which you have installed at your point of diversion: not feasible to measure

c) Give well drillers name and address and date the well was completed _____

R-1175

8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use livestock watering, Sections 7 and 17, T. 14 S., R. 12 E., B.M.
(note application for amendment)

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total number of acres irrigated none

10. Remarks:

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

3/3/69 (Date) Rob Shoup Co. Inc. & Mch (Signature) Eric J. Mch

State of Idaho)
County of Twin Falls) ss.

On this 3rd day of March, 19 69, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Michael H. Belth
Notary Public residing at Buhl, Idaho

My commission expires 9/29/69

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

47-2472
License of Water Right No. R-1175/51-2245 Priority Feb. 28, 1964 Amount 3 acre feet

THIS IS TO CERTIFY, that NOH SHEEP COMPANY
of Kimberly, Idaho, has complied with the terms and conditions of Permit
No. R-1175/51-2245 issued pursuant to Application for Permit dated January 29, 1964,
and has submitted proof to the Department of Water Resources on March 4, 1969 (late proof),
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the storage of 3 acre feet of water from two unnamed streams,
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
Stockwater	from <u>Jan. 1</u> to <u>Dec. 31</u> at <u>-</u> cfs and <u>-</u>		
	from _____ to _____ at _____ cfs and _____		
	from _____ to _____ at _____ cfs and _____		

(both dates inclusive)

Subject, however, to the condition that no more than 3 acre feet of water be stored at any one time, and
that the amount of water so stored 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 stored on the land~~
~~and stored on the land~~ said waters to be diverted within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 7 -and-
NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 17, Twp. 14 S, Rge. 12 E, B.M. in the County of Owyhee

Description and location of place of use:

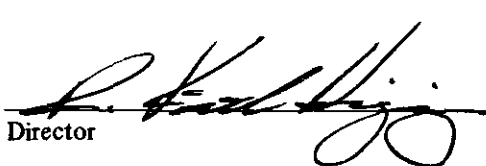
Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
14 S	12 E	7					X												
		17		X															

Total number of acres irrigated _____

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 16 day of
March, 19 76.

Director 

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF REINSTATEMENT OF PERMIT)
)
NO. R-1175 in the name of NOH SHEEP CO.)

ORDER OF REINSTATEMENT

WHEREAS, the Noh Sheep Company applied to the Department of Reclamation on January 29, 1964, for a permit to appropriate the public waters of the State of Idaho; and,

WHEREAS, the application proposed the storage of 3.0 acre feet per annum of the waters of two unnamed streams for stock watering purposes in secs. 7 and 17, T. 12 S, R. 9 E, B.M., Owyhee County, Idaho; and,

WHEREAS, on February 3, 1964, Permit R-1175 was approved with the condition that one-fifth of the work be completed on or before August 3, 1966 and that completion of works and application of the water to beneficial use be submitted on or before February 3, 1969; and,

WHEREAS, on December 2, 1969, the Department of Reclamation forwarded to the permit holder an order modifying the requirements for completion of Permit R-1175 as adopted under the Rules of Practice and Procedure on August 1, 1968; and,

WHEREAS, on December 2, 1968, the permit holder was notified by certified mail that he was required to submit proof of the application of the water to beneficial use and was instructed as to the steps to be taken to make that proof; and,

WHEREAS, on February 19, 1969, the permit holder was notified by the Department of Reclamation that the permit had lapsed for failure to submit proof of beneficial use of the water; and,

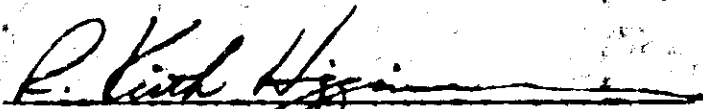
WHEREAS, on March 4, 1969, the Department of Reclamation received the required proof of beneficial use of the water; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why the permit should be reinstated;

THEREFORE, IT IS HEREBY ORDERED that Permit R-1175 be REINSTATED and that the priority be reduced to February 28, 1964.

Dated this 3RD day of April, 1969.


R. KEITH HIGGINSON
State Reclamation Engineer

APPLICATION FOR AMENDMENT

Permit No. R-1175

Comes now Noh Sheep Company of (address) _____

Kimberly, Idaho 83341, and represents to the State Reclamation
Engineer of the State of Idaho:

No. R-1175, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW 1/4 NW 1/4, Sec. 7, T. 14S
R. 12 E, B.M. Other points of diversion NW 1/4 NE 1/4, Sec. 17, T. 14 S, R. 12 E, B.M.

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

mo. - day mo. - day

For _____ purposes from _____ to _____ (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

R-170

A 10x10 grid with a solid border and dashed internal lines. Handwritten numbers are located at the following coordinates (row, column): 3 at (1, 4), 7 at (2, 5), 18 at (4, 5), 17 at (4, 7), and 6 at (4, 8).

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

Robt Sharp & Co Sancti Noh
(signature) Vancouver

I, R. KEITH HIGGINSON, State Reclamation Engineer of the State of Idaho,
hereby approve the above application for amendment for Permit No. R-1175.

May 19 1969
R. Keith Higgins
State Reclamation Engineer

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. R-1175)
in the name of Noh Sheep Company)
Kimberly, Idaho)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law; and,

WHEREAS, these changes raised questions as to the procedures to be followed by holders of permits issued prior to the effective date of the amendments, May 31, 1967; and,

WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. R-1175 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above-numbered permit are hereby modified to conform to the adopted Rules of Practice and Procedures as follows:

1. The above-numbered permit will be completed under the terms of Title 42, Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above-numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit holders expense for two weekly issues in the official newspaper of the county in which the point of diversion lies.
 - b. The permittee will not be required to submit proof of completion of works as originally specified, but will be required to submit proof to the Department of Reclamation of the application of the water to beneficial use on or before February 3, 1969. The permit holder should be aware that failure to complete one-fifth (1/5) of the works within one-half (1/2) of the time originally set for Completion of Works may be grounds for cancellation at the instance of the Department.

Dated this 3 day of December, 19 68.


R. KEITH HIGGINSON
State Reclamation Engineer

R-1175

APPLICATION FOR PERMIT

51-2245

To Construct a Reservoir and Appropriate and Store
The Public Waters of the State of IdahoApplication No. R 39798
Permit No. R 1175

1. Name of Applicant: Noh Sheep Co.

Post office address: Kimberly

County Twin Falls

State ID

I. If applicant is a corporation, give:

(a) Date and place of incorporation: 1961 - Twin Falls

(b) Amount of Capital Stock: \$ 250,000

(c) Amount paid in: \$ 230,000

(d) Names and addresses of directors: John W. Noh, Kimberly, Idaho
Ida L. Noh, " "
Laird Noh, Boise, "

II. The financial resources of the corporation are:

(a) Cash on hand: \$ 5,000

(b) Treasury Stock: \$ none

(c) Bonds to be issued: \$ None

(d) Other resources: Land, livestock

2. Quantity of water to be stored: 3.0

acre feet per annum.

3. Source of water supply is two unnamed streams (Creek) (River) (Spring), a tributary of

River.

4 The outlet of the proposed reservoir is located (bearing) feet, distant from the corner of Section , Township , Range , B.M. and is in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 7 , Township 12 S, Range 9 E., B.M. County of Owyhee

5. Fill out either (a) or (b).

(a) The reservoir is located in the channel of Unnamed (Creek) (River).

(b) The reservoir is to be filled through a feeder canal, the point of diversion for which is located (bearing) feet distant from the corner of Section , Township , Range , B.M., and is in the $\frac{1}{4}$ of $\frac{1}{4}$ of Section , Township , Range , B.M.; width at bottom feet, width at top feet, depth of water feet; average grade per mile feet; Capacity cubic feet per second

6. (a) The area of the high water line of the reservoir is each 1 acres.

(b) The reservoir capacity is each 1.5 acre feet.

7. Height of reservoir dam 8 feet, length at top 200 feet, length at bottom 20 feet, size of outlet none feet by feet. The dam is to be constructed of materials as follows: spillway - dam of earth and rock

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

8. (a) Will water stored in reservoir be diverted to canal or aqueduct, thence to land to be irrigated without commingling with natural flow of Unnamed (Creek) (River)? Yes

(b) Water stored in reservoir will be carried in the channel of (Creek) (River) a distance of miles to point of diversion located (bearing) feet, distant from the corner of Section , Township , Range , B.M., and is in the $\frac{1}{4}$ of $\frac{1}{4}$ of Section , Township , Range , B.M.

9. (a) Area of watershed above dam site square miles.

(b) Estimated maximum flow of stream cubic feet per second.

10. Water is to be used for Stock water purposes.

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

(a) Point of use of water feet, distant from Corner of Section , Township , Range (bearing) , B.M., and is in the $\frac{1}{4}$ of $\frac{1}{4}$ of Section , Township , Range , B.M.

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

(c) Water is to be returned to (Creek) (River) (Spring) at a point feet distant from the corner of Section , Township , Range (bearing) , B.M. in the $\frac{1}{4}$ of $\frac{1}{4}$ of Section , Township , Range , B.M.

12. Water stored in accordance with this Permit will be carried to place of use through a canal heretofore constructed under the terms of Permit No. , which is hereby referred to and made a part hereof.

13. Kind of diversion works: None

(Dam, canal, flume, pipe, etc.)

14. Height of diversion dam: feet, length at top feet, length at bottom feet. The dam is to be constructed of materials as follows:

(If height will exceed 10 feet, plans must be approved by Department of Reclamation, before beginning construction.)

15. Size of headgate: Width feet, Height feet.
16. Diversion Canal: Width at bottom feet, width at water line feet, depth of water feet, Dimensions of Flume
- Diameter of Pipe inches; Length of Conduit miles. Average grade per mile feet.
17. Estimated Cost of Works: Storage Works: \$ 500.00 Diversion Works: \$
18. Time required for completion of work 5 years.
19. Time required for complete application of water to proposed beneficial use is 0 years.
20. The land to be irrigated is described in the following tabulation:

(Give Irrigable acreage in 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	

Total Number of Acres to Be Irrigated

21. Existing rights and/or valid permits appurtenant to lands described above are

REMARKS:

BE IT KNOWN That the undersigned hereby makes application for permit to construct a reservoir and appropriate and store the public waters of Idaho as herein set forth, and that the enclosed map is hereby made a part of this application.

s/ Noh Sheep Co., Applicant.

By John W. Noh, Pres., Agent.

Date of first receipt at Department of Reclamation: 3:00 P.M. January 29, 1964

Returned to applicant for correction:

Corrected application received:

APPROVAL OF STATE RECLAMATION ENGINEER

The number of this permit is R 1175

Recorded in book R 5, page 1175. Approved February 3, 1964

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

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

Work to begin on or before April 3, 1964 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which the permit holder has no control.

One-fifth of the work above specified to be completed on or before August 3, 1966

The whole of said work to be completed on or before February 3, 1969

Beneficial use of water stored in accordance herewith, to be made on or before February 3, 1969

Witness my hand this 3rd day of February, 1964.

s/ CARL E. TAPPAN

State Reclamation Engineer.

ARNOLD WILLIAMS

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLIE, Governor of the State of Idaho, and

Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State

of Idaho to be hereunto affixed, this 3rd day of February, 1964.

COUNTERSIGNED

STATE OF IDAHO

By s/ ARNOLD WILLIAMS
Secretary of State.

By s/ ROBERT E. SMYLIE
Governor.

(SEAL)

VOID

LICENSE ISSUED FOR 3 years
-860-71.
LICENSE PAGE NO.



ADMINISTRATIVE OFFICE

RECEIVED
JUN 16 1986

June 12, 1986

Department of Water Resources
450 West State Street
Boise, ID 83722

Department of Water Resources

Re: Water rights licenses held in the name of Thomas C. McClain Farms, Inc.
and Thomas C. McClain

Gentlemen:

This letter is to advise you that The Idaho First National Bank claims a security interest in all water rights held in the name of Thomas C. McClain Farms, Inc. and Thomas C. McClain as an individual. The bank's security interest is evidenced by the real estate mortgage, a photocopy of which I will attach hereto. The bank claims an interest in the following license numbers: 47-2312, 51-2258, 51-2259, 47-2244A, 51-7108, 47-7030, 47-7039, 47-2261, 51-2444, and 51-2445. It is my understanding, pursuant to our telephone conversation with Roberta, that license #51-2445 has been renumbered as license #47-2472.

The bank hereby requests that you maintain a record in your files of the bank's claimed security interest in the licenses enumerated above. Should any action be taken with respect to any of those licenses, please notify Frank M. Arana, Vice President and Manager, The Idaho First National Bank, Buhl Branch, P. O. Box 666, 819 Main Street, Buhl, Idaho 83316.

Thank your courtesies extended in this matter.

Sincerely,

THE IDAHO FIRST NATIONAL BANK


David E. Wynkoop
Counsel

DEW/ac

Enclosure

cc: John Ward
Attorney at Law

Frank M. Arana
Buhl Office - #1-02

Dale Bartles
Branch Administration - #1-5110

MICROFILMED



AFFILIATE OF
MOORE FINANCIAL GROUP

REAL ESTATE MORTGAGE

THIS MORTGAGE, made by THOMAS C. McCLAIN FARMS, INC.,

an Idaho Corporation,

of Buhl, County of Twin Falls, State of

Idaho, as mortgagor, and THE IDAHO FIRST NATIONAL BANK, a National Banking Association, of Boise, Idaho, as mortgagee.

WITNESSETH: That said mortgagor, in order to secure the payment to the mortgagee of the sum of -Two Million
Three Hundred Thousand and no/100----- Dollars

and interest and all other sums as provided herein, and the performance of all covenants herein contained, does hereby grant, bargain, sell and convey unto the said mortgagee, its successors and assigns forever, the following described real estate

situated in _____, County of Twin Falls, State of

Idaho, to-wit:

See Exhibit "A" attached hereto
and made part hereof.

Together with all right, title and interest to all water rights as follows:

1. 0.85 CFS on 103 Acres, License No. 47-2312;
2. 2.50 CFS on 664 Acres, License No. 51-2258;
3. 4.86 CFS on 664 Acres, License No. 51-2259;
4. 3.70 CFS on 289 Acres, License No. 47-2244A;
5. 3.20 CFS on 535 Acres, License No. 51-7108;
6. 6.83 CFS on 200 Acres, License No. 47-7030;
7. 6.83 CFS on 320 Acres, License No. 47-7039;
8. 4.55 CFS on 360 Acres, License No. 47-2261;
9. 3.33 CFS on 266 Acres, License No. 51-2444;
10. 3.49 CFS on 279 Acres, License No. 51-2445.

COPY

State of Idaho
Co. of Twin Falls } ss
I hereby certify that
this inst. filed for
record at _____
this
MAY 8 1986
In my office and recorded
in Book _____ of
MICHAEL A. PENN. of
Deputy
Fee \$ _____ return to

RECEIVED

JUN 16 1986

Department of Water Resources

TOGETHER WITH all the improvements, privileges and appurtenances thereunto belonging and the rents, issues and profits thereof, and all rights of homestead exemption, and all ditch and water rights of every nature, however evidenced, owned by said mortgagor or belonging to or with, leading to, connected with, or usually had and enjoyed in connection with said premises or any part or parts thereof, together with any and all fixtures upon said premises at the time of execution of this mortgage, or at any time during the term thereof, including but not limited to all apparatus and fixtures of every description for watering, lighting and heating said premises.

The mortgagor shall be entitled to the rents, issues, and profits of the real property hereby mortgaged unless and until he defaults hereunder. Immediately following a default the mortgagee shall be entitled to the rents, issues, and profits of said real property, and the same are hereby assigned to the mortgagee from and after the date of said default.

MICROFILMED

This grant is intended as a mortgage:

(1) To secure payment of the principal sum of -Two Million Three Hundred Thousand and no/100-

Dollars

In lawful money of the United States evidenced by and according to the terms of a promissory note executed and delivered by
THOMAS C. McCLAIN FARMS, INC.

as maker, said note being
made, executed and delivered to the mortgagee herein as payee, and in form and substance as follows, to-wit:

Thomas C. McClain Farms, Inc.

015-835-1957

018

Buhl, IDAHO, May 1, 1986 \$ -2,300,000.00-

On demand or March 1, 1987 after date, for value received, I, we, or either of us, promise to pay to THE IDAHO FIRST NATIONAL BANK,
or order, at its Buhl Office at Buhl, Idaho, the sum of

-Two Million Three Hundred Thousand and no/100- DOLLARS

in lawful money of the United States, payable, together with interest thereon computed on the daily outstanding unpaid balance at a rate per annum
equal to the Idaho First National Bank Base Agricultural which rate is changed from time to time and is effective as of the
date of such change, plus -2.75- percent. Interest is payable quarterly beginning June 1, 1986

If default be made in the payment of any installment of principal, or of any interest payment, the whole unpaid balance of said principal and the
accrued interest shall become immediately due at the option of the holder hereof. In case suit or action is instituted to collect this note, or any portion
thereof, I, we, or either of us, promise to pay, besides all costs of collection, a reasonable attorney's fee to be fixed by the court. Any unpaid balance,
after maturity, including principal and interest and late charges, shall bear interest at the maximum rate allowable by law. Presentment, demand of
payment, protest, and notice of non-payment and of protest, are hereby waived.

ADDRESS P. O. Box 346, Buhl, ID 83316

THOMAS C. McCLAIN FARMS, INC.

NO. 10889

By: Thomas C. McClain
Thomas C. McClain, President

SECURITY S/A Crops & Equipment dtd 5-1-86;
Real Estate Mortgages & Deeds of Trust dtd 5-1-86
SECURITY AGREEMENT DATED

CR00840 (IN-37) STRAIGHT MATURITY - FLOATING RATE

208 570 710

23,000 Com. Loan Fee

(2) To secure payment of any and all extensions or renewals, and successive extensions or renewals of the note above
described, or of the indebtedness represented by the same, and of any other indebtedness at any time secured by this mort-
gage, whether represented by notes, drafts, open accounts or otherwise, and all the interest on all the same, all of which ex-
tensions or renewals shall be optional with the mortgagee, but at the mortgagee's option may be made by new notes or other-
wise, and at, before or after maturity, and for all of which this mortgagee's option may be made by new notes or otherwise,
and at, before or after maturity, and for all of which this mortgage shall stand as a continuing security until paid.

(3) To secure payment of any note or notes given by said mortgagor to said mortgagee for future loans and advances to
the amount of, but not in excess of, -Three Million Five Hundred Thousand and no/100----- Dollars
which the said mortgagee may at its option make to the said mortgagor.

The mortgagor does jointly and severally covenant and agree that said premises are free and clear of all liens or en-
cumbrances superior to this mortgage and to warrant and defend the same against the lawful claims and demands of all per-
sons whomsoever.

The said mortgagor hereby covenants and agrees to pay, before the same become delinquent, all taxes and
assessments upon said premises, or this mortgage, or debt secured thereby, and to exhibit receipts showing the payment
thereof at the office of the holder of this mortgage within twenty days after such taxes or assessments become due and
payable; also all personal taxes; and in event of default so to do, the holder hereof may pay the same; to keep the present
building or buildings upon, and any which may hereafter be erected upon said premises, insured against fire in a sum not less

than -Zero- Dollars,

with loss, if any, payable to the said mortgagee, or assigns, in some company to be approved by the mortgagee, and deliver
all policies and renewals thereof to it, and said policies are hereby assigned to the mortgagee as additional security for the
payments of the indebtedness secured hereby, and in event of default of the mortgagor to obtain and keep in force the in-
surance on said premises, the holder hereof may at its option insure the same in such amount as it may deem desirable.
Nothing herein shall be deemed to hold the mortgagee responsible for failure to have insurance placed or for any loss grow-
ing out of any defect in any policy or because of failure of any insurance company to pay for any loss or damage insured
against.

MICROFILMED

In case of the foreclosure hereof the mortgagor agrees to pay, in addition to the costs and disbursements allowed by law, such sum as the court may adjudge reasonable as an attorney's fee in said action, said sum to be a lien upon the said premises and due and payable when suit is begun. The plaintiff in such suit of foreclosure shall be entitled without notice, to the appointment of a receiver to collect and receive the rents, issues and profits of the mortgaged premises, and to exercise such other powers as the court shall confer. It is also agreed that should this mortgage be foreclosed, then in the decree of foreclosure entered in such action, the property described therein may be sold en masse, or as more than one lot or parcel, at the option of the mortgagee. In the event of sale on foreclosure of this mortgage, should the premises sell for less than the sum required to satisfy the entire indebtedness and all costs, the deficiency shall stand as a judgement against the mortgagor and be collectible in the manner provided by law, and the mortgagor further agrees that the amount for which said mortgaged property may sell at foreclosure sale upon lawful notice shall be conclusively deemed in any foreclosure suit to be the reasonable value of such property.

Said mortgagor further covenants and agrees to keep the improvements erected or to be erected on said premises, in good order and repair, and to commit or suffer no waste of the mortgaged premises.

The mortgagor agrees that he will not sell and convey the mortgaged premises, or any part thereof or interest therein, during the life of this mortgage without the written consent of the mortgagee first had and obtained.

The Mortgagor also agrees to pay a "late charge" not to exceed two cents for each one dollar of each payment more than fifteen (15) days in arrears to cover extra expense involved in handling delinquent payments.

It is also agreed that the failure to pay when due any sum herein covenanted to be paid, or secured hereby, or the failure to comply with any one or more of the agreements hereof, shall cause the whole debt to become due and collectible at the option of the mortgagee, without notice; that all sums paid by the said mortgagee for insurance, taxes, rents or assessments, abstract charges, as well as any sum otherwise paid in the protection of the lien of this mortgage, shall bear in-

terest from date of such payment at the rate of * _____ per cent per annum, and shall be secured hereby and collected with said principal note. * 2.75 percent above the Idaho First National Bank Base Agricultural Rate, floating

And also that the mortgagee may at any time, without notice, release portions of said mortgaged premises from the lien of this mortgage without affecting the personal liability of any person for the payment of said indebtedness or the lien of this mortgage upon the remainder of the mortgaged premises for the full amount of said indebtedness then remaining unpaid.

This mortgage and the note secured hereby shall be governed and construed according to the laws of the State of Idaho at the date of execution. COPY

The mortgagor agrees that in the event of the passage after the date of this mortgage of any law of the State of Idaho deducting from the value of property for the purpose of taxation, any lien thereon, or changing in any way the laws now in force for the taxation of mortgages or debts secured thereby for State or Local purposes, or the manner of the collection of any such taxes so as to affect the interest of the owner and holder of this mortgage, then the whole of the principal sum secured by this mortgage, together with the interest due thereon shall at the option of the owner and holder of this mortgage, without notice to any party, become immediately due and payable.

The word "mortgagor" and the language of this instrument shall, where there is more than one mortgagor, be construed as plural, and be binding equally on all mortgagors; and the word "mortgagee" shall be construed as including any lawful holder hereof; and both the words "mortgagor" and "mortgagee" shall be construed as including the heirs, executors, administrators, successors and assigns of each, as the case may be.

IN WITNESS WHEREOF, the said mortgagor has _____, hereunto set its hand and seal this 1st day of May, 19 86.

Signed, sealed and delivered in the presence of THOMAS C. McCLAIN FARMS, INC. (SEAL)

By: Thomas C. McClain (SEAL)

Thomas C. McClain, President

(SEAL)

MICROFILMED

INDIVIDUAL ACKNOWLEDGEMENT
PARTNERSHIP ACKNOWLEDGEMENT
CORPORATION ACKNOWLEDGEMENT

STATE OF IDAHO,

ss

COUNTY OF _____

On this _____ day of _____, in the year 19____, before me _____

_____, a notary public in and for said State of Idaho, personally

appeared _____

known or identified to me (or proved to me on the oath of _____) to be the person _____

whose name _____ subscribed to the within instrument and acknowledged to me that _____ he _____
executed the same.

Notary Public for Idaho,

Residing at _____

My commission expires _____

STATE OF IDAHO,

ss

COUNTY OF _____

On this _____ day of _____, in the year 19____, before me _____

_____, a notary public in and for said State of Idaho, personally

appeared _____

known or identified to me (or proved to me on the oath of _____), to be one

of the partners in the partnership of _____, and the partner or one of the
partners who subscribed said partnership name to the foregoing instrument, and acknowledged to me that he ex-
ecuted the same in said partnership name.

Notary Public for Idaho,

Residing at _____

My commission expires _____

STATE OF IDAHO,

ss

COUNTY OF Twin Falls

On this 1st day of May, in the year 19 86, before me _____

the undersigned, a notary public in and for said State of Idaho, personally

appeared Thomas C. McClain

known or identified to me (or proved to me on the oath of _____), to

be the President of the corporation that
executed the instrument or the person who executed the instrument on behalf of said corporation, and acknowledged
to me that such corporation executed the same.

Notary Public for Idaho,

Residing at Twin Falls, Buhl, Idaho

My commission expires Continuous 9-2-87

No. _____
Real Estate Mortgage

From _____

to _____

Office of County Recorder

County of _____ ss.

State of _____

I hereby certify that the within mortgage

was filed in this office for the record on the

day of _____, A.D.

19____ at _____ o'clock _____ m.

and was duly recorded in Book _____

of Mortgages, page _____

of County Records.

Recorder.

By _____ Deputy.

MICROFILMED

EXHIBIT "A"

PARCEL I - RECORD OWNER: Thomas C. McClain Farms, Inc.

Township 9 South, Range 12 East of the Boise Meridian, Twin Falls County, Idaho

SECTION 24: E $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ SE $\frac{1}{4}$

Township 9 South, Range 13 East of the Boise Meridian, Twin Falls County, Idaho

SECTION 19: Lots 1 and 2; E $\frac{1}{2}$ NW $\frac{1}{4}$; W $\frac{1}{2}$ NE $\frac{1}{4}$

PARCEL II - RECORD OWNER: Thomas C. McClain Farms, Inc.

Township 9 South, Range 12 East of the Boise Meridian, Twin Falls County, Idaho

SECTION 25: SW $\frac{1}{4}$ NW $\frac{1}{4}$

SECTION 26: N $\frac{1}{2}$ NW $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$

COPY

PARCEL IV - RECORD OWNER: Thomas C. McClain Farms, Inc.

Township 9 South, Range 12 East of the Boise Meridian, Twin Falls County, Idaho

SECTION 26: S $\frac{1}{2}$ SW $\frac{1}{4}$; SE $\frac{1}{4}$

SECTION 35: That portion of the Southeast quarter of Section 35 described as follows, to-wit:

CONTINUED

THOMAS C. MCCLAIN FARMS, INC.

By: Thomas C. McClain
Thomas C. McClain, President

MICROFILMED

EXHIBIT "A" CONTINUED

BEGINNING at the Southeast corner of Section 35, Township 9 South, Range 12 East of the Boise Meridian; THENCE North $0^{\circ} 01'$ West, along the East boundary line of said Section 35 a distance of 2641.07 feet to the East quarter corner of said Section 35; THENCE South $89^{\circ} 52'$ West along the North boundary line of the Southeast quarter of said Section 35 a distance of 1397.5 feet to a point on the centerline of an existing private road; THENCE South $42^{\circ} 48'$ East 481.1 feet, along the centerline of said private road; THENCE South $11^{\circ} 26'$ East 1095.4 feet, along the centerline of said private road; THENCE South $35^{\circ} 06'$ East 1484.3 feet, along the centerline of said private road to the point of beginning.

Township 10 South, Range 12 East of the Boise Meridian, Twin Falls County Idaho

SECTION 1: Lot 4; $S\frac{1}{2}NW\frac{1}{4}$; $SW\frac{1}{4}NE\frac{1}{4}$; $E\frac{1}{2}SW\frac{1}{4}$; $W\frac{1}{2}SE\frac{1}{4}$; and the North 400 feet of the $NW\frac{1}{4}SW\frac{1}{4}$

PARCEL V - RECORD OWNER: Thomas C. McClain Farms, Inc.

Township 9 South, Range 12 East of the Boise Meridian, Twin Falls County, Idaho

SECTION 35: $NE\frac{1}{4}$; $N\frac{1}{2}NW\frac{1}{4}$; $SE\frac{1}{4}NW\frac{1}{4}$; $NE\frac{1}{4}SW\frac{1}{4}$

EXCEPT that portion thereof described as follows:

A tract of land in the $SW\frac{1}{4}NE\frac{1}{4}$, the $SE\frac{1}{4}NW\frac{1}{4}$ and the $NE\frac{1}{4}SW\frac{1}{4}$ of Section 35, Township 9 South, Range 12 East of the Boise Meridian, Twin Falls County, Idaho, described as follows:

BEGINNING at the quarter corner common to Sections 35 and 36, Township 9 South, Range 12 East of the Boise Meridian; THENCE South $89^{\circ} 52'$ West, a distance of 1397.5 feet to the True Point of Beginning, said point being on the centerline of an existing private road and on the North boundary line of the $NW\frac{1}{4}SE\frac{1}{4}$ of Section 35; THENCE North $42^{\circ} 48'$ West, a distance of 60.0 feet along the centerline of said road; THENCE North $47^{\circ} 58'$ West, a distance of 948.0 feet along the centerline of said road; THENCE North $15^{\circ} 08'$ West, a distance of 421 feet along the centerline of said

CONTINUED

THOMAS C. MCCLAIN FARMS, INC.

By Thomas C. McClain
Thomas C. McClain, President

MICROFILMED

EXHIBIT "A" CONTINUED

road; THENCE North $46^{\circ} 28'$ West, a distance of 229.4 feet along the centerline of said road to a point; THENCE South $53^{\circ} 42'$ West, a distance of 1138.8 feet along the centerline of said road; THENCE South $34^{\circ} 44'$ East, a distance of 693.1 feet to a point on the centerline of said road; THENCE South $25^{\circ} 23'$ East, a distance of 381.8 feet to a point on the centerline of said road; THENCE South $8^{\circ} 06'$ East, a distance of 984.9 feet to the 1/16 corner, said corner being the Southeast corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35; THENCE North $0^{\circ} 01'$ West, a distance of 1320.5 feet along the East boundary line of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ to the Northeast corner of said 40 acre tract (NE $\frac{1}{4}$ SW $\frac{1}{4}$); THENCE North $89^{\circ} 52'$ East along the South boundary line of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 35, a distance of 1241.65 feet to the Point of Beginning.

PARCEL VI - RECORD OWNER: Thomas C. McClain Farms, Inc.

Township 9 South, Range 12 East of the Boise Meridian, Twin Falls County, Idaho

SECTION 36: NE $\frac{1}{4}$ NW $\frac{1}{4}$

Township 10 South, Range 12 East of the Boise Meridian, Twin Falls County, Idaho

SECTION 11: Lots 1, 2 and 3; SE $\frac{1}{4}$ NE $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$

SECTION 12: S $\frac{1}{2}$ NE $\frac{1}{4}$

PARCEL VII - RECORD OWNER: Thomas C. McClain Farms, Inc.

Township 9 South, Range 12 East of the Boise Meridian, Twin Falls County, Idaho

SECTION 36: SW $\frac{1}{4}$ SW $\frac{1}{4}$; E $\frac{1}{2}$ SW $\frac{1}{4}$

PARCEL VIII - RECORD OWNER: Thomas C. McClain Farms, Inc.

Township 10 South, Range 12 East of the Boise Meridian, Twin Falls County, Idaho

SECTION 12: N $\frac{1}{2}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$

CONTINUED

THOMAS C. MCCLAIN FARMS, INC.

By Thomas C. McClain
Thomas C. McClain, President

MICROFILMED

EXHIBIT "A" CONTINUED

PARCEL X - RECORD OWNER: Thomas C. McClain Farms, Inc.

Township 9 South, Range 13 East of the Boise Meridian, Twin Falls County, Idaho

SECTION 19: E $\frac{1}{2}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ SE $\frac{1}{4}$

SECTION 30: NW $\frac{1}{4}$ NE $\frac{1}{4}$; NE $\frac{1}{4}$ NW $\frac{1}{4}$

PARCEL XI - RECORD OWNER: Thomas C. McClain Farms, Inc.

Township 9 South, Range 13 East of the Boise Meridian, Twin Falls County, Idaho

SECTION 30: Lots 3 and 4; E $\frac{1}{2}$ SW $\frac{1}{4}$; W $\frac{1}{2}$ SE $\frac{1}{4}$

SECTION 31: Lots 1 and 2; E $\frac{1}{2}$ NW $\frac{1}{4}$

PARCEL XII - RECORD OWNER: Thomas C. McClain Farms, Inc.

Township 9 South, Range 13 East of the Boise Meridian, Twin Falls County, Idaho

SECTION 29: NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$

SECTION 30: E $\frac{1}{2}$ NE $\frac{1}{4}$

EXCEPT all minerals in or under the above described Parcels I thru XII inclusive including but not limited to metals, oil, gas, coal, stone and mineral rights, mining rights and easement rights or other matters relating thereto whether expressed or implied.

THOMAS C. MCCLAIN FARMS, INC.

By Thomas C. McClain
Thomas C. McClain, President

MICROFILMED

March 17, 1976

Re: Permit No. R-1175/51-2245

Noh Sheep Company
Laird Noh, Vice Pres.
Route # 1
Kimberly, Idaho 83341

Gentlemen:

Enclosed herewith is a copy of the Water License issued on the above referenced permit.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

ddr
Enc: Copy of license

2-12-6

Earth Dam

~~As~~ P.O.

7

Earth Dam

~~As~~ P.O.

17

Q measured _____
Q recommended _____
Volume 3.0 AF
Acreage -
Found N/A
recommended _____
Subdv. _____
Amendments
☒ None
☐ P.D.
☐ Place of use
☐ _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. R-1175 / 51-2245

REPORT ON PROOF OF _____

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

23
no photo

Permit No. R-1175 /51-2245

This proof is for _____ In Water District No. _____

1. Name of applicant Noh Sheep Company, Kimberly, Idaho 83341 Rt. # 1

2. Source of water supply: two unnamed streams

3. Location of point of diversion: Is in the NW 1/4, Sec. 17, T. 14S, R. 12E; of Section 7

T. 14S R. 12E County of Owyhee

4. Describe works as they exist, giving dimensions and capacities of same: measuring device not required; dams and reservoirs

5. Water is used for: stock water

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

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

Res. #1 NW 1/4 NE 1/4, Sec. 17, T. 14S, R. 12E - approx 6' deep reservoir with 10' high earth fill dam holding 2 AF when full. Res. #1 + #2 in Owyhee Co.
Res. #2 - NW 1/4 NW 1/4, Sec. 7, T. 14S, R. 12E, Owyhee County - approx 4' deep res with 8' high earth & rock fill dam holding approx 1 AF of water when full.

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

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

Remarks: Land is B. L. M. grazing allotment with max 1500 sheep & 500 cattle
Period of use April 25 to Dec. 1. Laird Noh was present for exam - V. P. of Noh Sheep Co. Water is for stock water and wild life.

This examination was made on the 30 day of Oct., 1975

(Signed) Peter Chomali

Examiner.

✓ JHS

11-3-75

DATE EXAMINATION RECORDS

_____	_____
_____	by: _____
_____	_____
_____	by: _____
_____	_____
_____	by: _____
_____	_____
_____	by: _____

INSTRUCTIONS TO EXAMINERS

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

Land Map

Permit No. R-1175/51-2245

Examination for Water Right to Irrigate

County Owyhee 7-14-S-12-E

Sec. 17 T. 14 S. R. 12 E

Quantity:

Permit: 3.0 acre ft./annum

Proof: 3.0 acre ft./annum

Source:

two unnamed streams

P.D.: NW 1/4, Sec. 7, T. 14S, R. 12E; NW 1/4, Sec. 17, T. 14S, R. 12E.

Use: Stock water

Extension:

Protest:

Completion of Works:

Other Rights: None

Filed: January 29, 1964

Due: February 3, 1969

Made: March 4, 1969

Priority: February 23, 1964 (late proof)

733-3617
734-6515

R
1:00

June 27, 1969

Re: Permit No. R-1175

Noh Sheep Company
Mr. Laird Noh
Kimberly, Idaho

Dear Mr. Noh:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

Before a license can be issued, a field examination must be made by a representative from 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. If someone other than yourself should be contacted, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

exam typed

R-1175

**NOTICE OF
EXISTING WATER PERMIT**

Notice is hereby given that Noh Sheep Co., Kimberly, Idaho has received an approved permit No. R-1175 issued by the Idaho State Reclamation Department authorizing the storage of 3.0 acre feet per annum of water from two unnamed streams, subject to all prior rights. The priority to be established under this permit is January 29, 1964 and the permit was approved February 3, 1964. Water is to be diverted by dam and reservoirs from a point within the NW $\frac{1}{4}$ -NW $\frac{1}{4}$, Sec. 7 and NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T. 14 S, R. 12 E, B.M., Owyhee County to be used for stockwater in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 7 and NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T. 14 S, R. 12 E, B.M. Proof of the application of the water to beneficial use is to be submitted to the Department on or before February 3, 1969. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer
Published in the Owyhee Chronicle,
Homedale, Idaho on June 12
and June 19, 1969.

R-1175

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Noh Sheep Co., Kimberly, Idaho
_____ has received an approved permit No.
R-1175 issued by the Idaho State Reclamation Department authorizing the
~~Bank/Abn/~~ storage of 3.0 ~~total/total/total/total/~~ acre feet per annum
of water from two unnamed streams,
subject to all prior rights. The priority to be established under this permit is
January 29, 1964 and the permit was approved February 3, 1964.
Water is to be diverted by dam and reservoirs
from a point within the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 7 and NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T. 14 S, R. 12 E,
B.M., Owyhee County
to be used for stockwater
in the NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 7 and NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 17, T. 14 S, R. 12 E, B.M.

Proof of the application of the water to beneficial use is to be submitted to the
Department on or before February 3, 1969. Any protests against
the issuance of a license for the above referenced permit should be filed with the
Department of Reclamation within ten (10) days of the last date of publication of
this notice or prior to the licensing of the permit. Licensing may commence prior
to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Owyhee Chronicle, Homedale, Idaho on
June 12 and June 19, 1969.

R-1175

June 5, 1969

Re: Permit No. R-1175

Noh Sheep Company
Mr. Laird Noh
Kimberly, Idaho

Dear Mr. Noh:

In answer to your letter of May 31, 1969. We are sorry for the inconvenience to you but we asked for an affidavit of publication when we had inadvertently neglected to have the legal notice published for the above permit.

We have of this date sent the legal notice to the Owyhee Chronicle. (See copy of enclosed letter). The affidavit of publication may be obtained from the Owyhee Chronicle, after June 19th, upon payment of the bill of publication.

Please accept our apology for this mistake.

Very truly yours,

Gary L. Page
Survey Examiner

GLP:DR

Enc: Copy of letter to paper

R-1175

June 5, 1969

Re: Permit No. R-1175
Noh Sheep Company

Owyhee Chronicle
Homedale, Idaho

Gentlemen:

Enclosed is a legal notice which we wish to have published 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 our 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 the Department of Reclamation immediately.

The expense of the publication is to be paid by Noh Sheep
Company, Kimberly, Idaho

to whom you should furnish an affidavit of publication.

Very truly yours,

Gary L. Page
Survey Examiner

GLP:DR

Enc: Legal notice
cc: Noh Sheep Co.

NOTE: The permit holder is required to obtain an affidavit of publication from the above referenced newspaper and to submit it to the Department at once.

At:
Humboldt
La 8 83341



Noh Sheep Co.
Attn: Laird Noh
No 15 Canyon Villa
Twin Falls, Idaho 83301

Dear Mr. Noh - O. May 24

We are in receipt of your letter requesting an Affidavit of Publication for Water Permit No. B-1175. We shall be glad to furnish the Affidavit if the legal notice ran in our newspaper. However, you neglected to say when the legal was published. Can you let us know as we can't seem to find it in the files of our paper.

The Owyhee Chronicle
Homedale, Idaho 83628

Noh Sheep Company

ROUTE ONE
KIMBERLY, IDAHO 83341

PHONE 733-6164



May 31, 1969

RECEIVED

JUN 2 1969

Mr. Donald W. McElDowney
Appropriation Examiner
State Department of Reclamation
Boise, Idaho

Department of Reclamation

Re: Permit No. R-1175

Dear Sir:

Enclosed is a postcard I received from the OWYHEE CHRONICLE which refers to my request from them of an affidavit of publication for water permit No. R-1175.

It was my understanding from your communications that the request to publish had come from you. If so could you please advise the CHRONICLE of the appropriate date. If not, could you please advise me of the appropriate procedures to follow to properly publish our request for water use.

Thank you very much for your consideration of this little problem.

Sincerely,

Laird Noh

encl.



R-1175

May 2, 1969

C
O
P
Y
ReP Permit No. R-1175

Noh Sheep Comapny
Kimberly, Idaho 83341

Gentlemen:

Please find enclosed a copy of the APPROVED application for amendment for the above referenced permit.

1 The Department has noted the changes on the proof form as you requested and wishes to advise you that before a license can be issued, the Department must be in receipt of an affidavit of publication from the Owyhee Chronicle, Homedale, Idaho. You may obtain this affidavit of publication after the 22nd day of May, 1969.

Also before a license can be issued, a field examination must be made by a representative from 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 someone other than yourself should be contacted, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

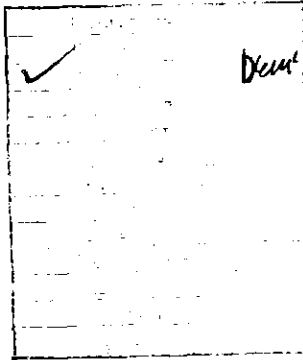
DWM:TG

Enc: copy of amendment
receipt no. 2983 in the amount
of \$5.00

R-1175

Noh Sheep Company

NO. 15 CANYON VILLA
TWIN FALLS, IDAHO 83301
PHONE 733-3617



April 13, 1969

RECEIVED

APR 15 1969

Department of Reclamation

Donald W. McEldowney
Appropriation Examiner
Department of Reclamation
Statehouse Annex #2
Boise, Idaho 83707

Re: Permit No. R-1175

Dear Sir:

Our beneficial use form is not correct; and I therefore assume that the proof form should be changed to conform with the submitted amendment.

I appreciate your prompt consideration of this matter.

Very truly yours,

Laird Noh

Laird Noh
Noh Sheep Company



R-1175

April 7, 1969

Re: Permit No. R-1175

Mr. Laird Noh
Vice-President
Noh Sheep Company
Route #1
Kimberly, Idaho 83341

Dear Mr. Noh:

Enclosed is an order REINSTATING the above referenced permit.

Please be advised that we acknowledge receipt of your affidavit submitted as proof of beneficial use. Before a license can be issued a field examination must be made by a representative from 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 someone other than you should be contacted by the examiner, please advise.

The Department is also preparing to process your application for amendment. In reviewing the permit, however, the Department finds that the proof form you submitted reads exactly as the permit rather than as the amendment you submitted. If your proof form accurately describes the beneficial use of the permit it should read as the permit will after it is amended. If, however, the beneficial use form is correct at this time, the Department sees no need for you to submit the amendment. Please advise the Department so that we may continue processing the amendment if necessary and submit the notice of existence to the newspaper with the corrections made.

If we may be of assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

enclosure: Order of Reinstatement

Ham typed

R-1175

C
O
P
Y

Noh Sheep Company

ROUTE ONE
KIMBERLY, IDAHO 83341
PHONE 733-6164



February 27, 1969

Department of Reclamation
State of Idaho
State House Annex 2
Boise, Idaho, 83707

Re: Permit No. R-1175

Gentlemen:

I have received your letter stating our time for establishing proof on the above water permit has lapsed and that I must show due cause in order to get the permit re-established.

The proof was not submitted to you on the appropriate date due to administrative oversight on my part. Therefore, I am submitting the appropriate papers to you in hope that you will be able to re-establish the permit. Enclosed are, I believe, the necessary fees.

Sincerely yours

Laird Noh
Vice-President
Noh Sheep Company

Enc.



R-1175

February 19, 1969

Re: Permit No. R-1175

Noh Sheep Company
Kimberly, Idaho

Gentlemen:

You are hereby notified that under the provisions of Section 42-218a, Idaho Code, Permit R-1175 has lapsed.

You are further advised that the department cannot reinstate the permit except upon a showing of reasonable cause within sixty days from the date of this notice of lapsing.

State Reclamation Engineer

RKH:tg

Form 7

R-1175

December 2, 1968

Re: Permit No. R-1175

Neh Sheep Company
Kimberly, Idaho

Gentlemen:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

The enclosed order modifies your permit to comply with those rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department, stating that you have been issued a permit and are now submitting proof of beneficial use. Previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply it upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg
Enc: order
proof due notice
proof package
advertising package

R-1175

December 2, 1968

Re: Permit No. R-1175

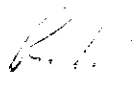
Noh Sheep Company
Kimberly, Idaho

Condition:

One of the conditions of the approval of your permit
was that proof of application of the water to
beneficial use be submitted to this office on or before _____
~~February 3~~, 19 ~~69~~.

Enclosed is an affidavit form which must be used to submit
this proof. You may request an extension of time provided the
delay is for reasonable cause as indicated in Section 42-204, ICA.

Either the proof or a request for extension 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.



State Reclamation Engineer

Enclosure: Proof form

Form 5

R-1175

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

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

CERTIFIED NO.

28559

INSURED NO.

DATE DELIVERED

12-5

1

2

3

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

SHOW WHERE DELIVERED *(only if requested)*

655-15-71543-10 GPO

R-1155

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

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

POST OFFICE OF
DELIVERING OFFICE

5
PM
1968
85341

RETURN
TO

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article **RETURN RECEIPT REQUESTED.**

NAME OF SENDER

STREET AND NO. OR P.O. BOX

Annex # 2 Statehouse

POST OFFICE, STATE, AND ZIP CODE Boise, Idaho 83707

682-16-71548-10

Apr. 1967

POD Form 3811

R-1152

February 11, 1964

Re: Permit No. R-1175
Noh Sheep Company

Noh Sheep Company,
Kimberly, Idaho.

Gentlemen:

We enclose Permit No. R-1175 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer.

We also enclose Departmental Receipt No. 32061 which was issued covering payment in the amount of \$ 5.00 for the filing fee of the above mentioned permit.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk

R-1175

Neh Sheep Co.

Form No. 0

A blank sheet of graph paper with a grid pattern. The grid consists of solid lines forming large squares and dashed lines forming smaller squares within each large square. Handwritten text is visible:

- TUES, 19E
- X
- Sep 7
- X
- FEB 8 1964
- State Information Engineer

R-1175