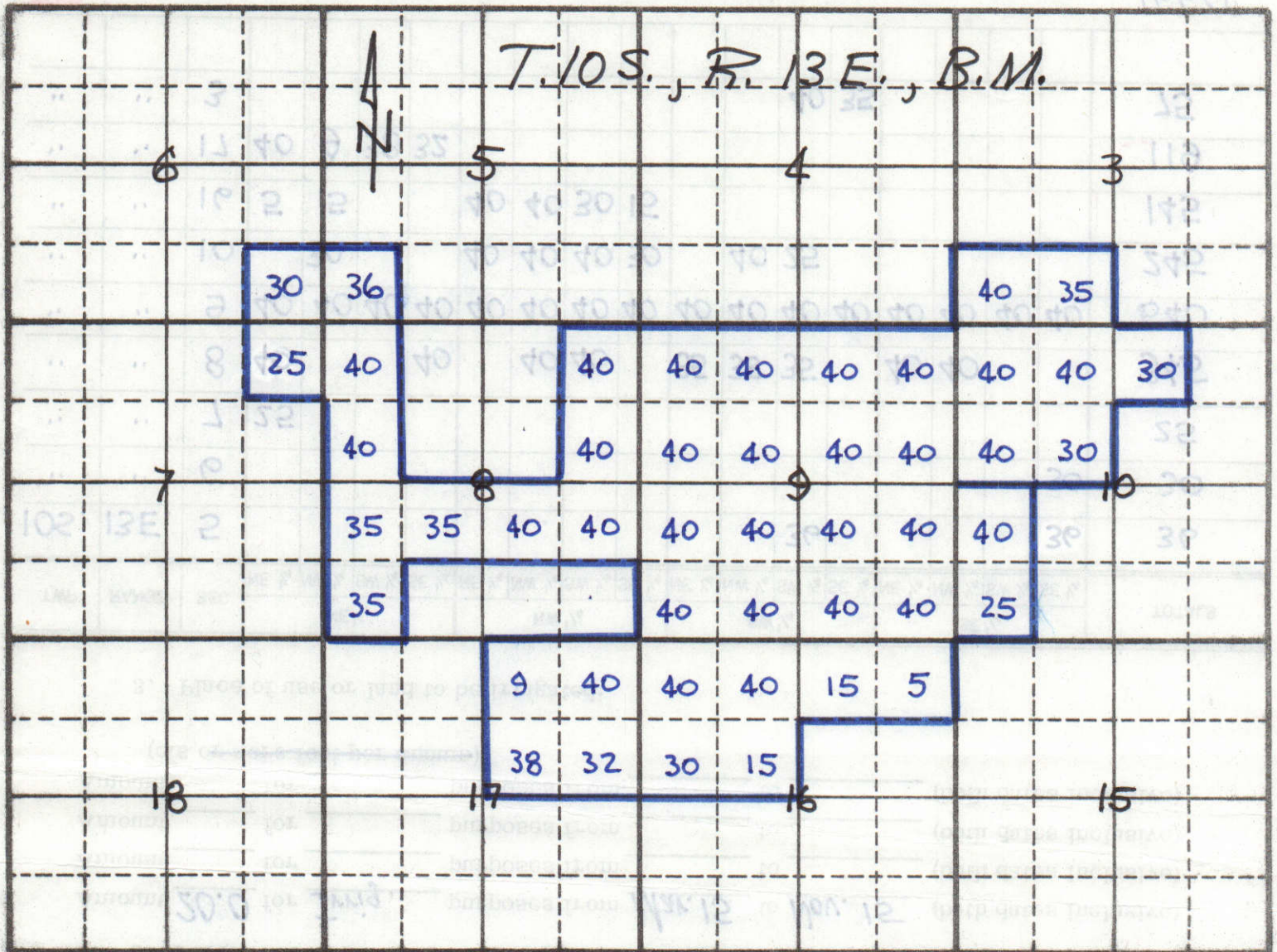


Complete the following map by showing land and point of diversion as proposed by this amendment. Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile

Point of Diversion in
SE 1/4 of NE 1/4 of Sec. 20, T. 10 S., R. 13 E.

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

Signed at Twin Falls, this 10 day of March, 19 77.

Kenneth W. Marshall
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Administrator, Operations Division

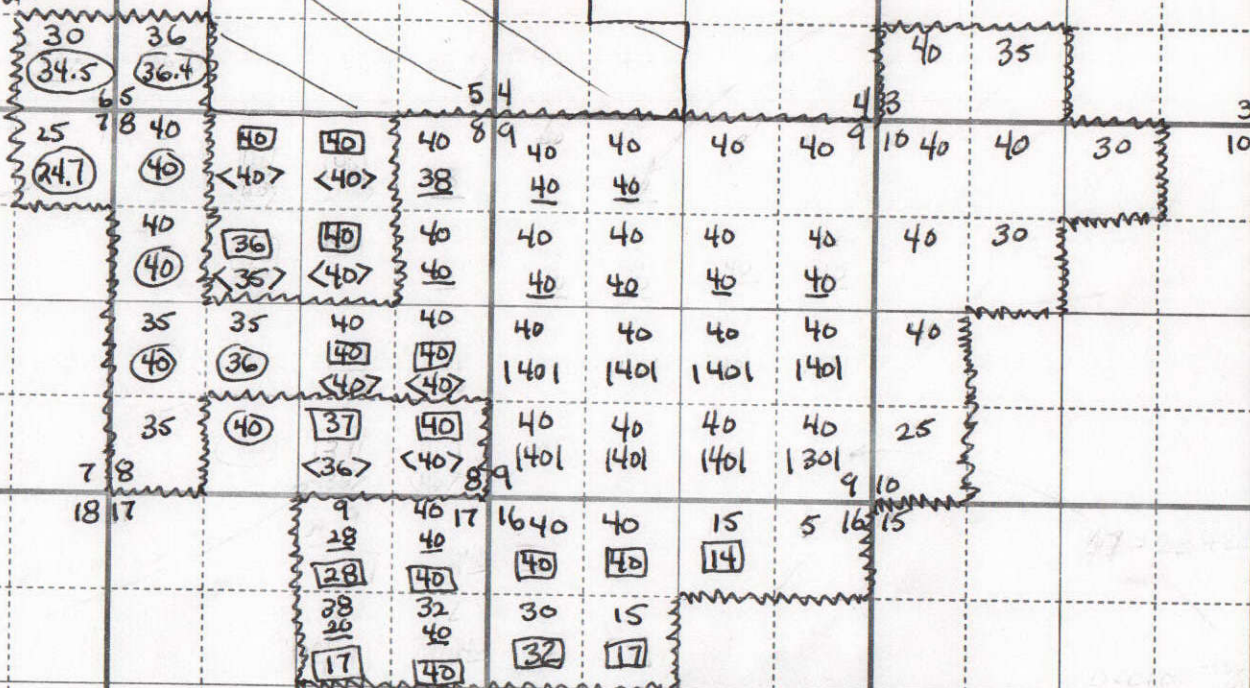
I, A. KENNETH DUNN, ~~Director~~ of the Department of Water Resources

hereby APPROVE the above application for amendment issued on the above Permit No. 47-2417.

Witness my hand this 24 day of March, 19 77.

Bobby D. Fleener
FOR A. KENNETH DUNN
Administrator, Operations Division

147-23421 $Q = 0.0100 \text{ cfs/A. G.W.}$



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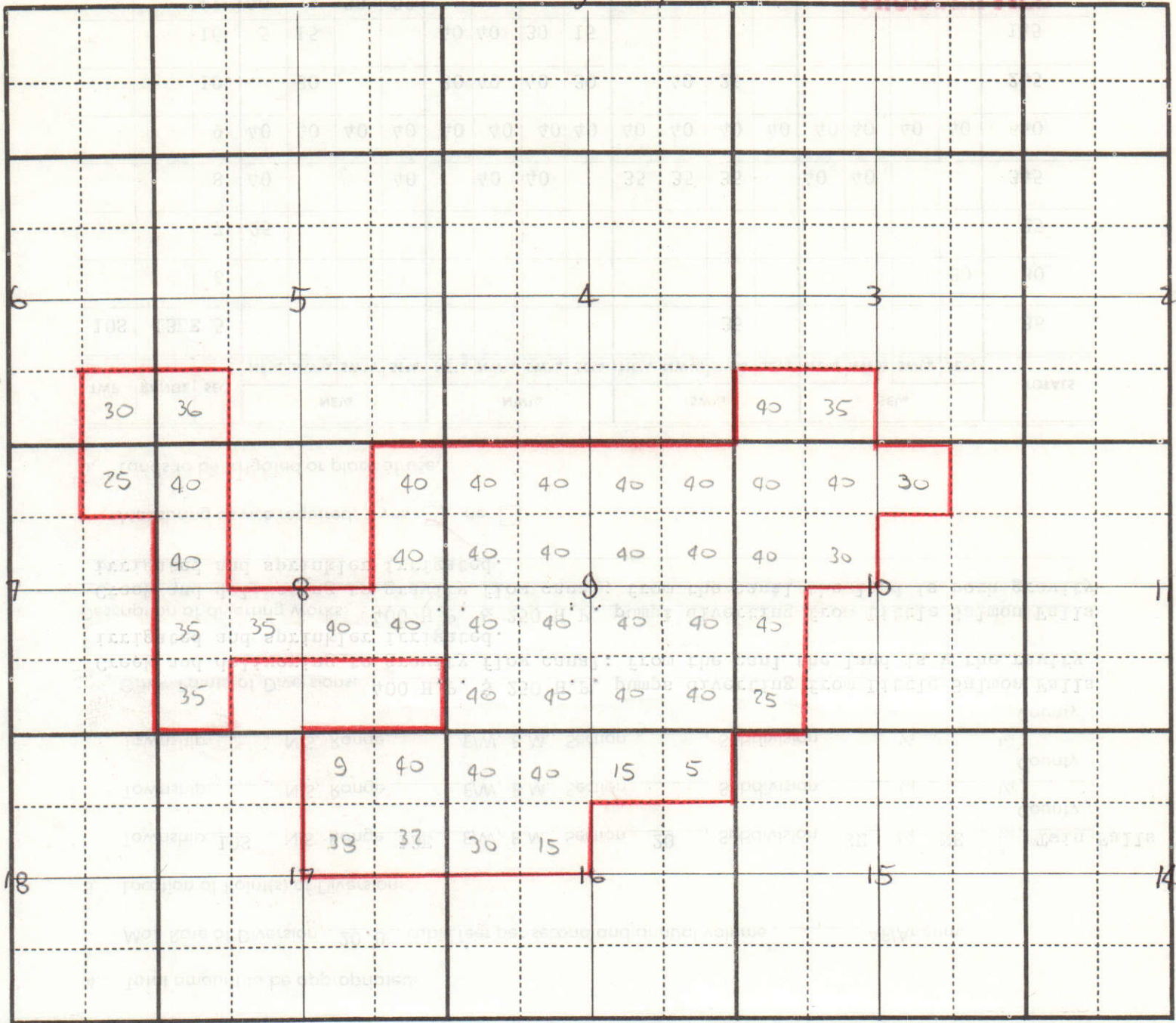
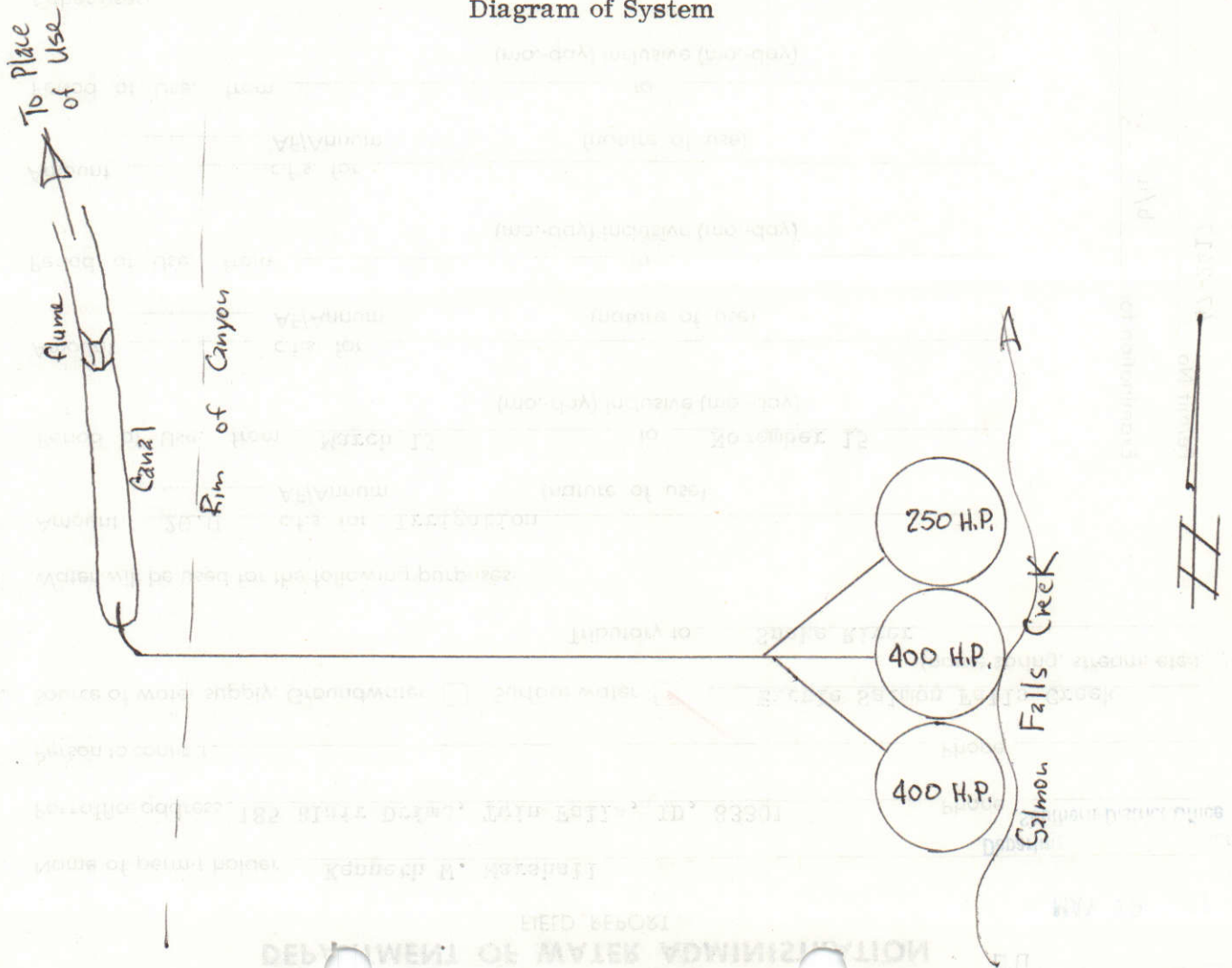


Diagram of System



NAME OF APPLICANT

Kenneth W. Marshall

Form No. 0

Office Copy

R 13 E

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Map No. 32841
As Approved APR 22 1956
CARL E. TAPPAN
State Reclamation Engineer

Relief Pump

Little Salmon Falls Creek

Canyon Pumps

7941 Lic - 27711; 6.92 cfs - 581 A

7939 Lic - G-29009; 3.42 cfs - 446 A

7940 Lic - G-29010; 3.10 cfs - 310 A

Permit - G-28546; 6.4 - 320 A

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5588
WATER RIGHT NO(S). 47-02316B/47-02316C/47-02331/47-02341
47-02342/47-02381/47-02402/47-02417/47-07642

This is to certify that: **VISSER HOLSTEINS**
DBA EAGLE VIEW FARM
6851 BICKMORE
CHINO CA 91790

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

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 47-02316B :			
Priority: 01/12/1959			
IRRIGATION	04/01 to 10/31	3.33 CFS	1166.4 AF
Right No. 47-02316C :			
Priority: 01/12/1959			
IRRIGATION	03/15 to 11/15	6.92 CFS	2324.0 AF
Right No. 47-02402 :			
Priority: 04/05/1965			
IRRIGATION	03/15 to 11/15	6.40 CFS	1280.0 AF
Right No. 47-02417 :			
Priority: 04/19/1966			
IRRIGATION	03/15 to 11/15	16.89 CFS	6640.0 AF
Right No. 47-07642 :			
Priority: 04/30/1980			
IRRIGATION STORAGE	04/01 to 10/31		140.0 AF
IRRIGATION FROM ST	04/01 to 10/31		140.0 AF
DIVERSION TO STORA	04/01 to 10/31	12.00 CFS	
		* 24.71 CFS	7374.0 AF
Right No. 47-02331 :			
Priority: 03/22/1960			
IRRIGATION	03/15 to 11/15	3.91 CFS	1244.0 AF
Right No. 47-02341 :			
Priority: 09/12/1960			
IRRIGATION	03/15 to 11/15	3.42 CFS	1662.0 AF
Right No. 47-02342 :			
Priority: 09/12/1960			
IRRIGATION	03/15 to 11/15	3.10 CFS	1240.0 AF
Right No. 47-02381 :			
Priority: 11/13/1963			
IRRIGATION	04/01 to 10/31	2.31 CFS	1122.6 AF
		** 12.74 CFS	5548.0 AF **
TOTAL:		*** 37.45 CFS	7374.0 AF ***

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Jul 27 2000

TRANSFER NO. 5588
 WATER RIGHT NO(S) . 47-02316B/47-02316C/47-02331/47-02341
 47-02342/47-02381/47-02402/47-02417/47-07642

SOURCETRIBUTARY OF

Right Nos. 47-02316B/47-02316C/47-02402/47-02417/47-07642 :

SALMON FALLS CREEK

SNAKE RIVER

Right Nos. 47-02331/47-02341/47-02342/47-02381 :

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

Right Nos. 47-02316B/47-02316C/47-02402/47-02417/47-07642 :

SENE , Sec. 20, Township 10S, Range 13E
 TWIN FALLS County

Right Nos. 47-02331/47-02341/47-02342/47-02381 :

NWSW , Sec. 5, Township 10S, Range 13E
 SENW , Sec. 8, Township 10S, Range 13E
 SESW , Sec. 8, Township 10S, Range 13E
 NENE , Sec. 9, Township 10S, Range 13E
 NWSW , Sec. 9, Township 10S, Range 13E
 NWNW , Sec. 10, Township 10S, Range 13E
 TWIN FALLS County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
10S	13E	3	SWSW 39.4	SESW 39.0		78.4
		5	NWNW 25.0	SWNW 39.2	NWSW 39.2	
			SWSW 37.8			141.2
		6	SESE 37.8			37.8
		7	NENE 29.7			29.7
		8	NENE 37.6	NWNE 38.6	SWNE 39.2	
			SENE 37.6	NENW 38.6	NWNW 37.6	
			SWNW 38.5	SESW 35.1	NESW 33.7	
			NWSW 39.2	SESW 40.0		415.7
		9	NENE 39.3	NWNE 39.3	SWNE 39.3	
			SENE 39.3	NENW 39.3	NWNW 38.6	
			SWNW 38.6	SESW 39.3	NESW 39.3	
			NWSW 38.6	SWSW 38.6	SESW 39.3	
			NESE 39.3	NWSE 39.3	SWSE 39.3	
			SESE 38.2			624.9
		10	NWNE 31.8	NENW 39.3	NWNW 39.3	
			SWNW 39.3	SESW 36.7	NWSW 40.0	
			SWSW 29.0			255.4
		16	NENE 3.2	NWNE 25.2	NENW 40.0	
			NWNW 39.0	SWNW 34.0	SESW 24.5	165.9
		17	NENE 33.4	SWNE 27.1	SENE 34.0	94.5
Total number of acres irrigated:						1843.5 ****

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111 27 2000

TRANSFER NO. 5588
WATER RIGHT NO(S). 47-02316B/47-02316C/47-02331/47-02341
47-02342/47-02381/47-02402/47-02417/47-07642

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this right may be affected by an agreement between the protestant and the right holder.
2. This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 4.0 afa per acre at the field headgate for irrigation of the lands above.
3. The right holder shall accomplish the change authorized by this transfer within one (1) year of the date of this approval.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. The period of use for the irrigation described under Rights 47-02316B, 47-02381 and 47-07642 may be extended to a beginning date of 3/15 and an ending date of 11/15 provided that beneficial use of the water can be shown and other elements of the right are not exceeded. The use of water before 4/1 and after 10/31 is subordinate to all water rights having no subordinated early or late irrigation use and a priority date earlier than the date of this approval.
7. The right holder shall use the full allotment of appurtenant surface water rights in conjunction with ground water diverted under this approval.
8. If the surface water right(s) appurtenant to the place of use is sold, transferred, leased or used on any other place of use, this right to divert ground water shall not be used without an approved transfer pursuant to Section 42-222, Idaho Code, or approval of the Department if a transfer is not required.
9. Use of water under Rights 47-02316B, 47-02316C, 47-02402, 47-02417 and 47-07642 will be regulated by the watermaster of State Water District No. 47-G, Salmon Falls Creek.
10. The right holder shall maintain a measuring device and lockable controlling works of a type approved by the Department in a manner that will provide the watermaster suitable control of the Salmon Falls Creek diversion.
- * 11. Rights 47-02316B, 47-02316C, 47-02402, 47-02417 and 47-07642 when combined with Rights 47-07565, 47-07569, 47-07615 and 47-07618 shall not exceed the 24.71 cfs diversion capacity of the Salmon Falls Creek diversion system.

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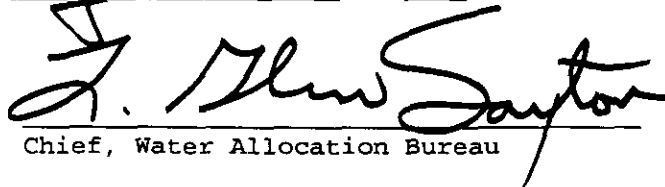
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TRANSFER NO. 5588
 WATER RIGHT NO(S). 47-02316B/47-02316C/47-02331/47-02341
 47-02342/47-02381/47-02402/47-02417/47-07642

CONDITIONS OF APPROVAL AND REMARKS

12. Prior to diversion of ground water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized ground water points of diversion which will allow determination of the total rate of diversion of ground water.
- ** 13. The total instantaneous diversion of ground water from all ground water points of diversion under Rights 47-02331, 47-02341, 47-02342 and 47-02381 shall not exceed 12.74 cfs, nor a total combined annual volume of 5548.0 af for the irrigation of 1387.0 acres.
- *** 14. The total instantaneous diversion of water from all points of diversion under Transfer 5588 shall not exceed 37.45 cfs, nor a total combined annual volume of 7374.0 af for the irrigation of 1843.5 acres.
- **** 15. Right 47-02316B is limited to the irrigation of 291.6 acres in the place of use described above in a single irrigation season.
- **** 16. Right 47-02316C is limited to the irrigation of 581.0 acres in the place of use described above in a single irrigation season.
- **** 17. Right 47-02331 is limited to the irrigation of 311.0 acres in the place of use described above in a single irrigation season.
- **** 18. Right 47-02341 is limited to the irrigation of 446.0 acres in the place of use described above in a single irrigation season.
- **** 19. Right 47-02342 is limited to the irrigation of 310.0 acres in the place of use described above in a single irrigation season.
- **** 20. Right 47-02381 is limited to the irrigation of 320.0 acres in the place of use described above in a single irrigation season.
- **** 21. Right 47-02402 is limited to the irrigation of 320.0 acres in the place of use described above in a single irrigation season.
- **** 22. Right 47-02417 is limited to the irrigation of 1660.0 acres in the place of use described above in a single irrigation season.
23. The storage of water under Right 47-07642 is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.

Dated this 14th day of July, 2000


 Chief, Water Allocation Bureau

MICROFILMED

101 27 2000

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 47-2417 Priority April 19, 1966 Amount 16.89 cfs

THIS IS TO CERTIFY, that Kenneth W. Marshall
of Twin Falls, Idaho, has complied with the terms and conditions of Permit
No. 47-2417 issued pursuant to Application for Permit dated April 19, 1966,
and has submitted proof to the Department of Water Resources on March 10, 1977,
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 16.89 cfs of water from Little Salmon Falls Creek,
tributary to the Snake River, 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>November 15</u> at <u>16.89</u> cfs and <u>6640</u> acre feet		
	from _____ to _____ cfs and _____		
	from _____ to _____ at _____ cfs and _____		

(both dates inclusive)

Subject, however, to the condition that no more than 16.89 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
6640 acre feet per year, said waters to be diverted within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 20, Twp. 10S,
Rge. 13E, B. M. in the County of Twin Falls

Description and location of place of use: see land list attachment

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 $\frac{1}{4}$	

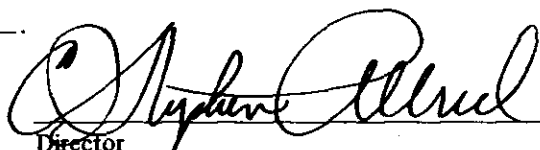
Total number of acres irrigated 1660

This right when combined with rights 47-2316 (part), 47-2316B, 47-2331, 47-2341,
and 47-2342 shall produce a maximum rate of diversion of 0.02 cfs per acre.

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 22 day of
March, 19 78.


Director

License No. 47-2417

LAND LIST ATTACHMENT

Description and location of place of use:

[illegible]

Total number of acres irrigated 1660

Filing Fee: \$10.00
Receipt # 2372

ADM

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 10 1977

Department of Water Resources
Southern District Office

APPLICATION FOR AMENDMENT

Permit No. 47-2417

Comes now Kenneth W. Marshall of (address) _____

185 Blair Drive, Twin Falls, Idaho, and represents to the Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 47-2417, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 20 Twp. 10S.
Rge. 13E., B. M., County of Twin Falls. Other points of diversion:

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

Amount 20.0 for Irrig. purposes from Mar. 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre foot per annum)

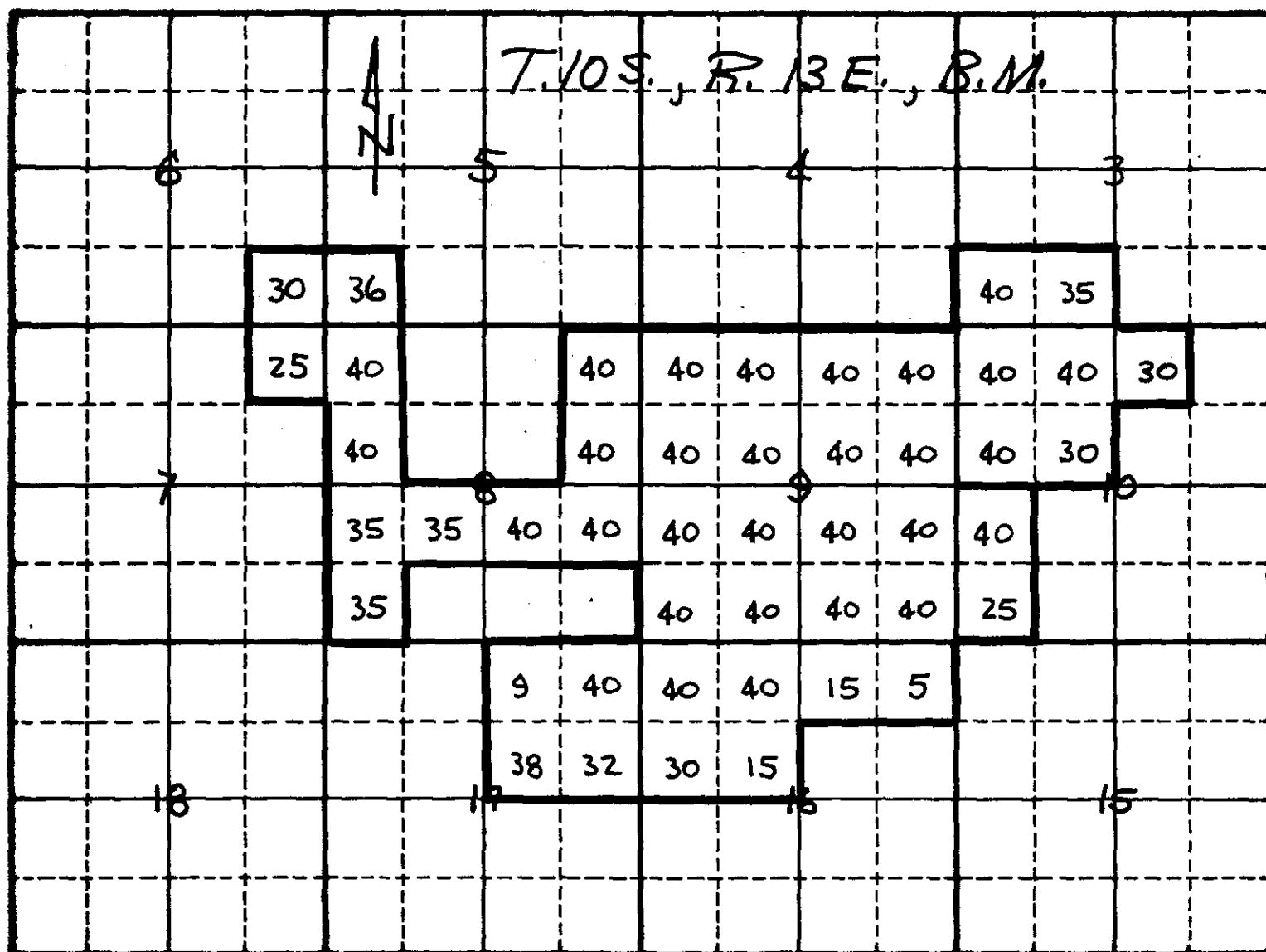
3. Place of use or land to be irrigated:

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 $\frac{1}{4}$	
10S.	13E.	5											36						36
"	"	6																30	30
"	"	7	25																25
"	"	8	40			40		40	40		35	35	35		40	40			345
"	"	9	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	10		30			40	40	40	30		40	25						245
"	"	16	5	15			40	40	30	15									145
"	"	17	40	9	38	32													119
"	"	3											40	35					75

Total number of acres to be irrigated 1660

MICROFILMED

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



Scale: 2 inches equal 1 mile

Point of Diversion in
SE 1/4 of NE 1/4 of Sec. 20, T. 10 S., R. 13 E.

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

Signed at Twin Falls, this 10 day of March, 19 77.

Kenneth W. Marshall
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

Administrator, Operations Division

I, A. KENNETH DUNN, ~~Director~~ of the Department of Water Resources

hereby APPROVE the above application for amendment issued on the above Permit No. 47-2417.

Witness my hand this 24 day of March, 19 77.

Bobby D. Fleener
Director

FOR A. KENNETH DUNN
Administrator, Operations Division

BEFORE THE DEPARTMENT OF WATER ADMINISTRATION

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 32841/47-2417)

in the name of Kenneth W. Marshall)

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,

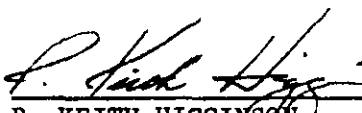
WHEREAS, on August 1, 1968, the Department of Water Administration adopted Rules of Practice and Procedure for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 32841 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 Procedure 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 Water Administration of the application of the water to beneficial use on or before April 22, 1977. 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 17th day of July, 1970.


R. KEITH HIGGINSON
Director

RKH/DG

47-2417
32841

Application For Permit To Appropriate the Public Waters of the State of Idaho

47-2417

APPLICATION No. 41012
PERMIT No. 32841
DISTRICT No.

1. Name of Applicant: **Kenneth W. Marshall**

Postoffice address: **185 Blair Drive, Twin Falls** County: **Twin Falls** State: **Idaho**

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock;

(c) Amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are:

(a) Cash on hand:

(b) Treasury stock:

(c) Bond to be issued:

(d) Other resources:

2. Quantity of water claimed: **20** cubic feet per second.

3. Source of water supply: **Little Salmon Falls Creek** which is a tributary of **Snake River**

4. Location of point of diversion: feet distant from the

corner of Section , T. , R. , B.M., and is in the **SE 1/4**

of section **20** , T. **10S**, R. **13 E** , B. M., County of **Twin Falls**

5. Water is to be used for **Irrigation**

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

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

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

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

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

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

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

7. Estimated cost of works: \$ **50,000.00**

8. Kind of works: **Electric pumps, steel pipeline, canal and ditches**

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

feet; material used in dam:

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

11. Ditch: Width at bottom **4** fee; width at water line **8** feet; depth of water **2** feet;

dimensions of flume:

Diameter of pipe **26** inches; length of conduit **2** miles.

Average grade per mile **5** feet.

12. The time required for the completion of such work is **5** years.

13. The time required for the complete application of the water to the proposed use is **6** additional years.

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

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: **#27711 (part) G-29010, G-29009, G-28546**

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

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

/s/ KENNETH W. MARSHALL Applicant.

By _____ Agent.

Date of first receipt at Department of Reclamation: 9:00 A.M. April 19, 1966

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 32841

Recorded in Book 115 Page 32841 Approved April 22, 1966

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

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

Work to begin on or before **June 22, 1966** and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before **October 22, 1968**

The whole of said work to be completed on or before **April 22, 1971**

Beneficial use of water appropriated in accordance herewith, to be made on or before April 22, 1977

WITNESS My hand this 22nd day of April, 1966

/s/ R. KEITH HIGGINSON, Deputy
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, ROBERT E. SMYLIE, Governor of the State of Idaho,
and LOUIS E. CLAPP, 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 22nd

day of April, 19 66

STATE OF IDAHO

Countersigned:

(SEAL)

By /s/ LOUIS E. CLAPP

By /s/ ROBERT E. SMYLIE

.....
Governor.

.....
Secretary of State.

REMARKS:

14.

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 $\frac{1}{4}$	
10 S	13 E	5																40	
		6															40		
		7	40														40		
		8	40	40	40	40	40	40	40	40	40	40	40	40	40	40	600		
		9			40	40	40	40	40	40	40	40	40	40	40	40	560		
		16	15	35	8		40	40	40	30			12				220		
		17	40	40	40	40											160		
Total number of acres to be irrigated:																	1660		

Memorandum

To: Water Right Files Nos. 47-2316C, 47-2402, 47-2417, 47-7642, 47-2331, 47-2341, 47-2342, and 47-2381

From: Deborah Gibson

Date: Oct. 22, 2003

Re: **Holsteins' Water Supply Bank Leases Extended**

See water right file no. 47-2316B for the Application to Sell or Lease A Water Right to the Water Supply Bank for Visser Holsteins, dba Eagle View Farms, regarding the above-referenced water rights. The application, received August 19, 2003, extends the term of the lease until December 31, 2006.

MICROFILMED
OCT 29 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

October 22, 2003

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

CHARLES E BROCKWAY
BROCKWAY ENGINEERING
2016 N WASHINGTON ST
TWIN FALLS ID 83301

**RE: APPLICATION TO LEASE WATER RIGHT NOS. 47-2316B, 47-2316C,
47-2402, 47-2417, AND 47-7642 FROM SALMON FALLS CREEK AND
47-2331, 47-2341, 47-2342, AND 47-2381 FROM GROUND WATER TO
THE WATER SUPPLY BANK**

Dear Mr. Brockway:

The department received your request, submitted on behalf of Visser Holsteins, to extend the term the Water Supply Bank ("bank") lease for the above referenced water rights from December 31, 2003 to December 31, 2006. Please consider that the offered water rights will remain leased to the bank.

Several items to keep in mind in connection with the lease of a water right to the bank are as follows:

1. There is no rental payment to the owner of the water right if the right or a part thereof is not rented from the bank.
2. While a right is in the bank, the owner of the right may not use the right even if the right is not rented.
3. A right accepted into the bank stays in the bank until the Board releases it or until the lease term expires.
4. While a water right is in the bank, forfeiture provisions are stayed.
5. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right.
6. The lessor may be required to provide evidence of availability of the surface water source prior to rental of the right.

Upon receipt of an application to rent water under the Salmon Falls rights, the

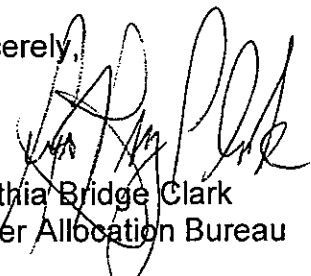
MICROFILMED

OCT 29 2003

department will seek comment from Charlie Runyon, the water master on Salmon Falls Creek, relative to water availability.

Additionally, the documentation of Limited Power of Attorney submitted with the application does not recognize right nos. 47-2316B and 47-2316C. If you will provide documentation of power of attorney with respect to these rights, department records will be updated accordingly. If you have questions, please feel free to contact me.

Sincerely,



Cynthia Bridge Clark
Water Allocation Bureau

c: Allen Merritt – IDWR Southern Region
Charlie Runyon – Watermaster

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OCT 29 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAY - 6 2002

Department of Water Resources

CHANGE IN ADDRESS

This form can be used to notify the Department of a change in
address of the owners of record for the listed water rights.
(Please print or type)

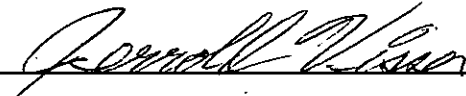
[] Water Right Number(s): 47-11872 47-02371 47-02331
47-02316B 47-02316C 47-02341
47-02342 47-02381 47-02402
47-02417 47-07642

[] Name(s): VISSER HOLSTEINS DBA EAGLE VIEW FARM

[] Old Mailing Address: 6851 BICKMORE
CHINO CA 91790

[] New Mailing Address: PO BOX 665
CASTLEFORD ID 83321-0665

Telephone Number: (208) 537 - 0918

[] Signature(s) of Owner(s) 

(Include your title if on behalf of company or organization)

MICROFILMED Date: 4-30-02

OCT 29 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
MAY 25 2001
Department of Water Resources
Southern Region

Notice of Security Interest in a Water Right

And Request for Notification of a Change in Ownership or Any Proposed
Or Final Action to Amend, Transfer, or Otherwise Modify a Water Right

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED
JUN 08 2001
Department of Water Resources
Southern Region

1. Water Right No(s): (see attached) 47-02417
Adjudication Claim No(s): _____
2. The following **REQUIRED** information must be submitted with this form:
 - A) Evidence of the security interest. This may be a copy of a **DEED of TRUST, MORTGAGE, CONTRACT OF SALE** or other legal document indicating your interest in the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**
 - B) A **FEE** of \$25.00 per water right or adjudication claim.
3. Name and Mailing Address of Person or Company holding Security Interest

American AgCredit, FLCA
P.O. Box 1120
Santa Rosa, California 95402-1120
4. Name of Water Right Owner/Claimant(s) Visser Holsteins, a General Partnership dba Eagle View Farms
5. Expiration Date of Notification Period May 1, 2031
6. Is this a Renewal of Request for Notification? YES X NO
7. Signature(s) (and title if applicable) American AgCredit, FLCA
By: [Signature]

RECEIVED
JUN 15 2001
Department of Water Resources

For Office Use Only

Received by [Signature] Date 6/21/01 Fee \$250.00
Received by [Signature] Date 6/21/01 Receipt No. 3024051
Processed by [Signature] AJ Date _____ WR _____ Date _____

See file 47-2316 for support documentation
~~47-023618~~

MICROFILMED
AUG 08 2001

SCANNED
DEC 21 2001

ATTACHMENT

RECEIVED

JUN 08 2001

Department of Water Resources
Southern Region

Idaho Department of Water Resources License Number 47-02371, Priority Date March 4, 1963, 2.02 CFS.
Idaho Department of Water Resources License Number 47-02316B, Priority Date January 12, 1959, 3.33 CFS.
Idaho Department of Water Resources License Number 47-02316C, Priority Date January 12, 1959, 6.92 CFS.
Idaho Department of Water Resources License Number 47-02402, Priority Date April 5, 1965, 6.40 CFS.
Idaho Department of Water Resources License Number 47-02417, Priority Date April 19, 1966, 16.89 CFS.
Idaho Department of Water Resources License Number 47-07642, Priority Date April 30, 1980, 12.00 CFS.
Idaho Department of Water Resources License Number 47-02331, Priority Date March 22, 1960, 3.91 CFS.
Idaho Department of Water Resources License Number 47-02341, Priority Date September 12, 1960, 3.42 CFS.
Idaho Department of Water Resources License Number 47-02342, Priority Date September 12, 1960, 3.10 CFS.
Idaho Department of Water Resources License Number 47-02381, Priority Date November 13, 1963, 2.31 CFS.

MICROFILMED

AUG 08 2001

MEMORANDUM

TO: 47-02316C, 47-02402, 47-02417, 47-07642 from Salmon Falls Creek and 47-02331, 47-02341, 47-02342, 47-02381 from groundwater to the Water Supply Bank.

FROM: Sunny Healey

DATE: 5-21-2001

SUBJECT: Application to lease water right numbers listed above.

All information regarding the Application to Lease these water rights listed above, is located within:

FILE # 47-02316B

MICROFILMED

AUG 08 2001

MEMORANDUM

TO: FILE 47-02417

FROM: VAULT

RE: TRANSFER # 5588

DATE: 12/17/99

=====

**Original Transfer Application, Form and correspondence regarding the above
referenced Transfer is located within:**

FILE # ~~47-02316~~
47-02316 B

MICROFILMED

JUL 27 2000

47-2417

Common Acreage		Q
80	}	
160		
14		
17		
32		0.0119 cfs/A
28		
17		
<u>348</u>		4.14 cfs
	total	
34.5	}	
36.4		
24.7		0.0114 cfs/A
40.0		
80		
<u>36</u>		
<u>251.6</u>	total	2.87 cfs

Already licensed out of Little Salmon Falls Creek 7.01 cfs

$$1660 \text{ A.} \times 0.02 \text{ cfs/A.} = 33.20 \text{ cfs allowable}$$

$$\text{Left to be license} = 25.19 \text{ cfs}$$

Recommend Condition: This right when combined with rights 47-2316 (Port), 47-2316B, 47-2331, 47-2341, and 47-2342 shall produce a maximum rate of diversion of 0.02 cfs per acre.

MICROFILMED

KENNETH W. MARSHALL SALMON FALLS CREEK DIVERSION

Station #	H. P.	Motor Type & Serial #	Pump Type & Serial #
5	400	General Electric BLJ219014	Layne 77980
3	400	General Electric BLJ219015	Layne 77981
4	250	AC Partwinding 2775469	Verti-Line D00167

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47-2417

47-2316 (Part)

$Q = 0.0119 \text{ cfs/A.}$ L. Sal. Falls

47-2316 B

$Q = 0.0114 \text{ cfs/A.}$ L. Sal. Falls

47-2331

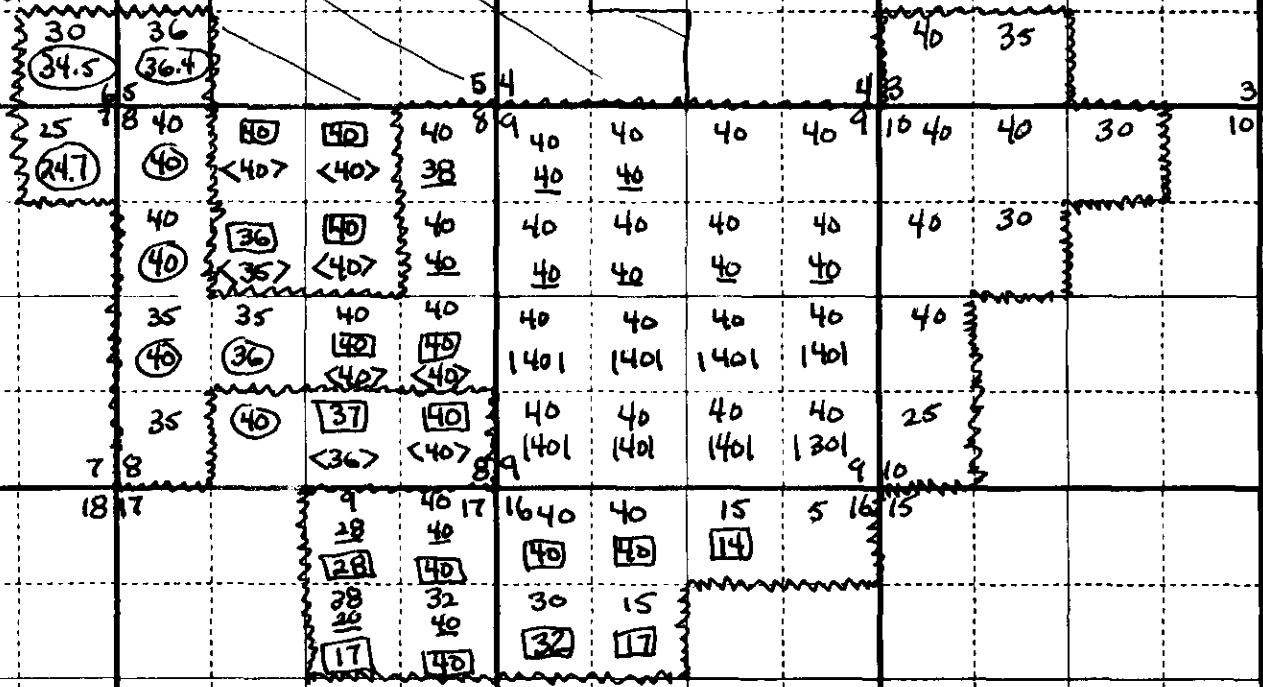
$Q = 0.0126 \text{ cfs/A.}$ G.W.

47-2341

$Q = 0.0077 \text{ cfs/A.}$ G.W.

47-2342

$Q = 0.0100 \text{ cfs/A.}$ G.W.



February 7, 1978

Re: Permit No. 32841/47-2471¹²

Mr. Kenneth W. Marshall
185 Blair Drive
Twin Falls, ID 83301

Dear Mr. Marshall:

A representative of this Department made an examination of the works covered by your Permit No. 32841/47-2471 on May 20, 1977, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 16.89 cfs Source: Little Salmon Falls Creek

The maximum quantity diverted shall not exceed 6640 acre feet per
year.

Point of diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 20, Twp. 10S, Rgc. 13E, B.M.

Beneficial use: Irrigation of 1660 acres

Priority date established: April 19, 1966

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

BOBBY D. FLEENOR
Chief, Operations Bureau

BDF/cah

MICROFILMED

March 27, 1978

Re: Permit No. 32841/47-2417

Kenneth W. Marshall
185 Blair Drive
Twin Falls, ID 83301

Dear Mr. Marshall:

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

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw
Enclosure

MICROFILMED

RECORDED

FIELD REPORT

3. Water will be used for the following purposes:

Other uses: _____

4. Total amount to be appropriated:

Max Rate of Diversion 20.0 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 10S N/S, Range 13E E/W, B.M., Section 20, Subdivision SE ¼ NE ¼, Twin Falls County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ ¼ _____ ¼, _____ County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ ¼ _____ ¼, _____ County

Other Points of Diversions:

Description of diverting works: 400 H.P. & 250 H.P. pumps diverting from Little Salmon Falls Creek and delivering to gravity flow canal; from the canal the land is both gravity irrigated and sprinkler irrigated.

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10S	13E	5											36					36	
		6															30	30	
		7	25															25	
		8	40			40		40	40		35	35	35		40	40		345	
		9	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640	
		10		30			40	40	40	30		40	25					245	
		16	5	15			40	40	30	15								145	
		17 3	40	9	38	32							40	35		MICROFILMED			

TOTAL ACREAGE _____ 1660

Rge 13E

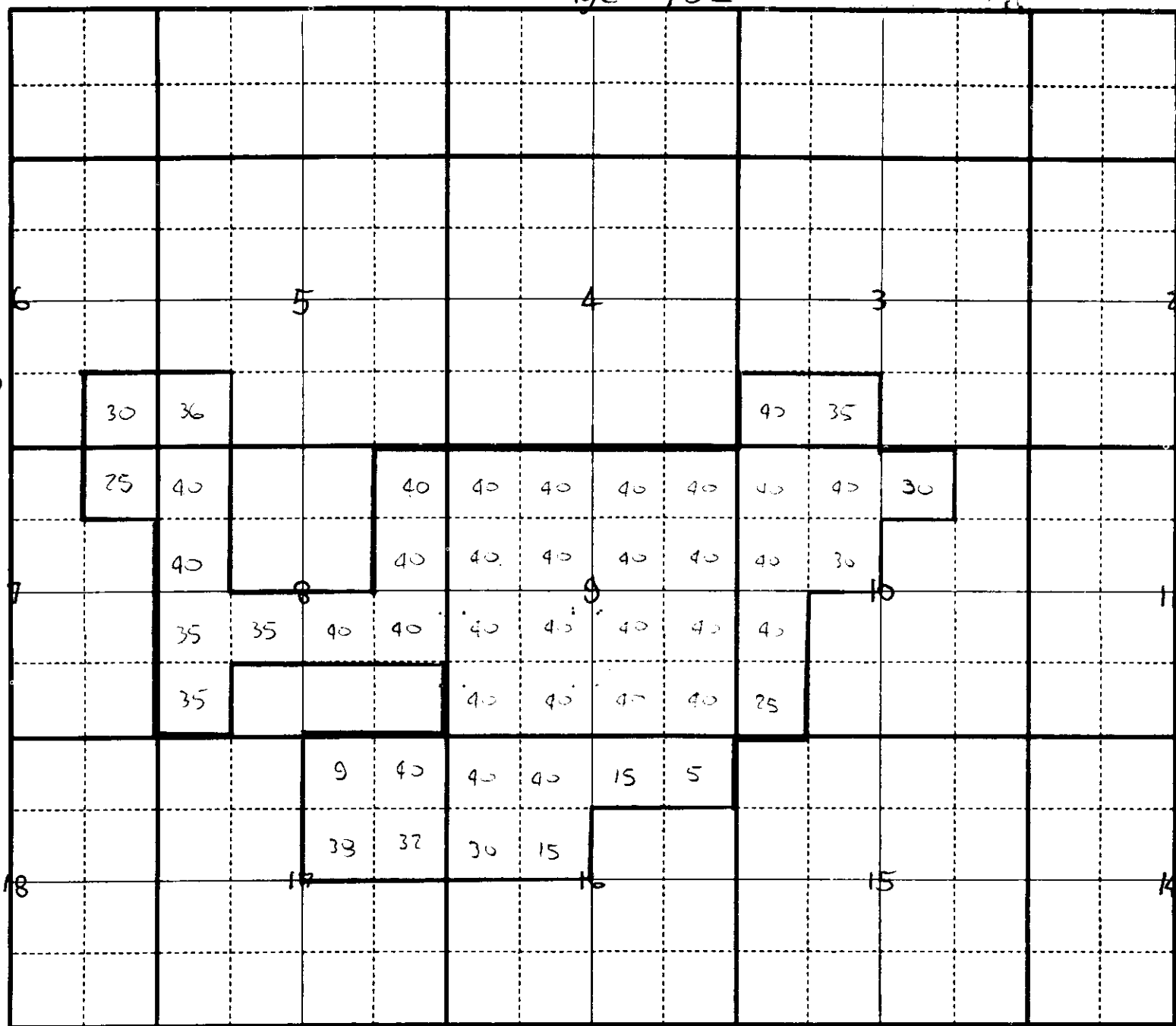
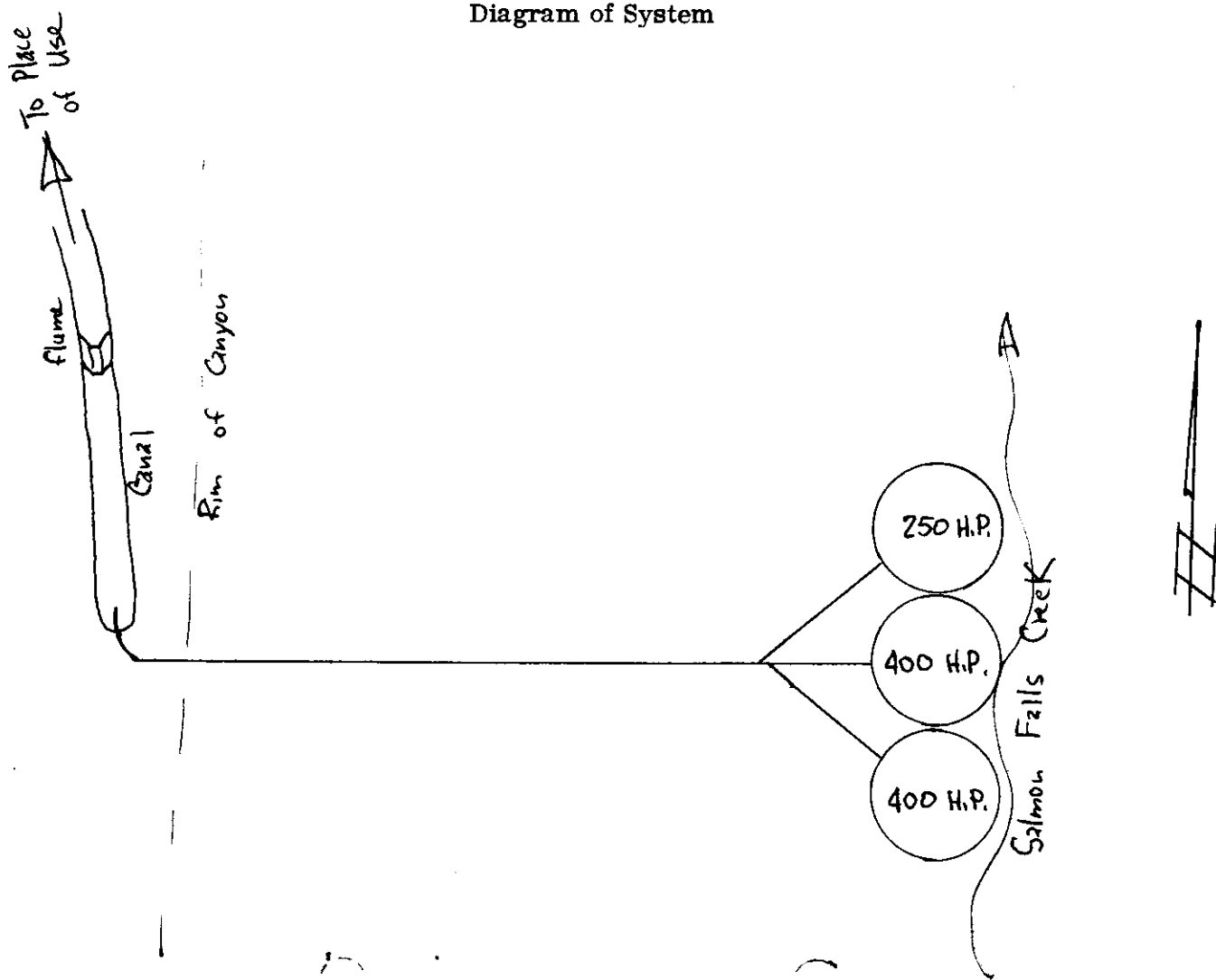


Diagram of System



DATE OF EXAM 5-20-77

ACREAGE

Found 1660

Recommended 1660

Irrigation Requirement 4.0 Ac Ft/Ac

USE

Irrigation Q = 16.89 c.f.s. V = 6640.0 AF/Ann. from Mar. 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 16.89 Method of measurement Trapezoidal Flume

Total Q recommended 16.89 Meter No. _____ Type #2 Condition Good

Total V recommended 6640.0 A.F./Ann.

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None ☒

MEASUREMENT CALCULATION:

Measurement of 1.58' measured in the verticle direction yields 16.89 cfs on 3 flume #2 trapezoidal flume.
(See Water Measurement Bulletin No. 552)

$V = (1660 \text{ Acres}) (4.0 \text{ A.F./Acre/Ann.}) = 6640.0 \text{ A.F./Ann.}$

SYSTEM DESCRIPTION:

Three pumps at Salmon Falls Creek pumping station diverts the waters to a canal. (See attached sheet for pump description) From the canal the waters are delivered to the place of use by sprinklers and gravity flow ditches.

REMARKS:

Mr. Marshall was present during the exam.
The waters diverted into the canal are also used on other lands.

Examiner's Signature Allen Merritt Date 5-31-77

Checked by Gary S. Sorenson Date 10-19-77

Approved by Michael L. Steele Date 10-19-77

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Kenneth W. Marshall, 185 Blair Drive,
Twin Falls, Idaho has received an approved Permit No.
32841/47-2417 issued by the Idaho Department of Water Administration auth-
orizing the diversion ~~storage~~ of 20.0 cubic feet per second ~~acre/feet/~~
~~per/annum~~ of water from Little Salmon Falls Creek, tributary of the Snake River.
The priority to be established under this permit is April 19, 1966
and the permit was approved April 22, 1966.

Water is to be diverted by pumps, pipeline, canal, and ditches
from a point within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 20, T. 10 S, R. 13 E, B. M., Twin Falls
County
to be used for irrigation
in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 5; SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 7; N $\frac{1}{2}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$,
SE $\frac{1}{4}$, Sec. 8; S $\frac{1}{2}$ NE $\frac{1}{4}$, W $\frac{1}{2}$, SE $\frac{1}{4}$, Sec. 9; N $\frac{1}{2}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 16;
NE $\frac{1}{4}$, Sec. 17, T. 10 S, R. 13 E, B. M.

Proof of the application of the water to beneficial use is to be sub-
mitted to the Department on or before April 22, 1977. Any protests
against the issuance of the license for the above referenced permit should
be filed with the Idaho Department of Water Administration 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, Director
Idaho Dept. of Water Administration

Published in the Buhl Herald, Buhl, Idaho
on _____ and _____.

47-2417
32841

July 31, 1970

Re: Permit No. 32841/47-2417

Mr. Kenneth W. Marshall
185 Blair Drive
Twin Falls, Idaho

Dear Mr. Marshall:

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 these 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; 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 them upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG
Enc: order
advertising package

32841
47-2417

January 31, 1977

CERTIFIED MAIL

138247

Re: Permit No. 47-2417 (Old No. 32841)
47-2402 (Old No. 32306)

Kenneth W. Marshall
185 Blair Dr.
Twin Falls, ID 83301

Dear Mr. Marshall:

One of the conditions of approval of your water Permit No. 47-2417, 47-2402 (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 April 1 and April 22, 1977. 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

RKH:jg
Enc: Proof affidavit

MICROFILMED

Identification No. _____

Permit No. 47-2417

OK

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Kenneth W. Marshall
b) Post Office Address 185 Blair Drive, Twin Falls, Idaho
2. Permit Number 47-2417
3. Date of Priority that you are prepared to establish 4-19-66
4. a) Source from which water was appropriated Little Salmon Falls Creek
b) Location of the point of diversion: SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 20
Township 10S., Range 13E. Boise Meridian, Other points of diversion: _____

5. a) The amount of water and use to which the water has been applied:
Amount 20.0 cfs for Irrig. 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 20.0 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: Applicant

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) 400 H.P. & 250 H.P. pump diverting from Little Salmon Falls Creek and delivering to gravity flow canal. From the Canal the land is both gravity irrigated and sprinkler irrigated.
b) Describe the type and size of measuring device which you have installed at your point of diversion: Trapezoidal flume installed in the canal
c) Give well driller's name and address and the date the well was completed: _____

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

MICROFILMED

at district
5/19/77

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	
10S.	13E.	5											36						36
"	"	6																30	30
"	"	7	25																25
"	"	8	40			40		40	40		35	35	35		40	40			345
"	"	9	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
"	"	10		30			40	40	40	30		40	25						245
"	"	16	5	15			40	40	30	15									145
"	"	17	40	9	38	32													119
"	"	3											40	35					75

Total number of acres to be irrigated 1660

10. Remarks:

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

March 9, 1977
(Date)

Kenneth W. Marshall
(Signature)

State of Idaho)
County of Twin Falls) ss.

On this Ninth day of March, 19 77, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Notary Public residing at Hansen

My commission expires 2-22-81

March 24, 1977

Re: Permit No. 47-2417

Kenneth W. Marshall
185 Blair Dr.
Twin Falls, Idaho 83301

Dear Mr. Marshall:

Enclosed is a copy of the approved application for amendment issued on the above permit.

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 during which part of the irrigation season this examination will be made, but our examiner will try to contact you at the time he makes the exam so that you may show him the system.

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

Sincerely,

JANICE RENK
Water Rights Bureau

/jr

MICROFILMED

April 26, 1966

Re: Permit No. ³²⁸⁴¹

Kenneth W. Marshall
185 Blair Drive
Twin Falls, Idaho

Dear Mr. Marshall:

We enclose Permit No. 32841 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. 33174
which was issued covering payment in the amount of \$ 9.75
for the filing fee of the above mentioned permit.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Enc: permit
receipt

532841

Kenneth W. Marshall

