

State of Idaho License and Certificate of Water Right

Water License No. G-26/43 Amount 1.62 c.f.s.
Water District No. Priority June 10, 1957

THIS IS TO CERTIFY that EDWIN L. TOLSON ESTATE
of Buhl, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated June 10, 1957, that Permit No. G-26/43
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
1.62 second feet, was issued thereunder on July 12, 1957, showing that said works
were completed on the 17th day of April, 1957, and that on the 17th
day of April, 1957.

EDWIN L. TOLSON ESTATE
of Buhl, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well
a tributary of subterranean flow, for the purpose of irrigation and stock water
under Use Permit No. G-26/45 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume
12 of Licenses at page 732 on the 12 day of July, 1957.

The right hereby confirmed dates from June 10, 1957.
The Point of Diversion is located
in the NE 1/4 SE 1/4 Sec. 14, Tp. 10 S., R. 13 E., County of Twin Falls.

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 1.62 second feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
10 S.	13 E.	13	34, 40,	40	8
		14	34, 36,	40	38
			38, 39,	40	15
			39, 38,	40	40
Total number of acres to be irrigated:					101

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

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this
17th day of July, 1957.

(SEAL) /s/ EDWIN L. TOLSON
Deputy State Reclamation Engineer.

17 2307

RECORDED

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS

ss.

Nº 5164

NOTICE OF PROPOSED CHANGE
OF WATER RIGHT
No. 47-2307

Notice is hereby given That Wells Livestock, Inc. of Buhl, Idaho has applied to the Department of Water Resources for a change of the place of use of the waters of a ground-water source. The right sought to be changed is evidenced by License No. 47-2307 and Transfer #2013 and is recorded as follows:

Amount: 1.62 cfs; Priority: June 10, 1957; Point of diversion: NW¼SE¼, Sec. 14, Twp. 10S, Rge. 13E, B.M., Twin Falls County.

The water is for the irrigation of 101 acres within the SE¼NE¼, N½, SE¼, Sec. 14 Twp. 10S, Rge. 13E, B.M.

TO BE CHANGED AS FOLLOWS
Amount: 1.62 cfs; Point of diversion: NW¼SE¼, Sec. 14, Twp. 10S, Rge. 13E, B.M., Twin Falls County.

The water will be used for the irrigation of 101 acres within the SE¼NE¼, E½SE¼, Sec. 14, Twp. 10S, Rge. 13E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho 83301, on or before December 27, 1976.

R. KEITH HIGGINSON
Director
PUBLISH: Dec. 9 and 16, 1976.

O.K.
LM
12-27-76

I, Kay Maloney being first duly sworn upon oath, depose and say that I am Prime Clerk of the TIMES-NEWS, published daily, except Saturday, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive Thursdays, commencing with the issue dated December 9, 1976, and ending with the issue dated December 16, 1976.

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

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

Subscribed and sworn to before me on this 16th day of

December, 1976.

Michael L. O'Leary

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

RECORDED

(3)

Edwin T. Wells and Alma S.
Wells, his wife
to
Idaho Livestock Production
Credit Association

MORTGAGE: \$25,000.00
Dated December 29, 1951.
Filed January 7, 1952.
Book 155 Mts., page 282

That certain mortgage of Dec. 29, 1951, for \$25,000.00, of Sec. 12; T. 10 N., R. 13 E., Sec. 13; E. of Sec. 14, and in T. 10 N., R. 13 E., in Twin Falls County, Idaho.

Given to secure payment of the principal sum of \$25,000.00, evidenced by and according to the terms of one promissory note; One note for \$25,000.00, dated December 20, 1951, due August 7, 1952 which note bears interest at the rate therein specified.

Edwin T. Wells
Alma S. Wells

Acknowledged December 29, 1951, before Jess O. Eastman, Notary Public, Twin Falls County, Idaho. (SPAL)

(4)

Idaho Land Livestock Production
Credit Association
to
Edwin T. Wells and Alma S.
Wells, his wife

SATISFACTION OF MORTGAGE
Dated December 13, 1955
Filed January 17, 1957
Book 58 Mtgr., page 157.

Certified that certain mortgage dated December 20, 1951, made and executed by Edwin T. Wells and Alma S. Wells, his wife, to Idaho Livestock Production Credit Association, recorded in the office of the County Recorder of Twin Falls County, Idaho, in Book 155 of Mortgages, on page 282 on January 7, 1952, together with the debt thereby secured, is fully paid, satisfied and discharged.

(SPAL)
Attest: A. G. Canfield,
Assistant Secretary

Idaho Land Livestock
Production Credit
Association
By A. H. Caine, Treasurer

Acknowledged December 13, 1955 before Leslie L. Williamson, Notary Public, Ada County, Idaho. (SPAL)

(5)

Chris Barnes
to
The Public

DECLARATION OF HOMESTEAD
Filed November 14, 1959.
Book 3 Dec. Home. page 11

Certified that he is the head of a family, is married, and is now residing with his family on the premises hereinafter described.

That property is described as: The S. 1/4 of Sec. 13 To. 10 S.E., 13 E.S.W., in Twin Falls County, Idaho, together with all water rights appurtenant thereto.

And he claims said premises as a homestead and that the estimated cash value of said premises is \$500.00.

Chris T. Barnes

No. 5 Continued

Verified November 13, 1939 before H. A. DeNeal, Notary
Public, Twin Falls County, Idaho (SRAL).

(6)

The Taxes for the year 1955 and prior years are fully paid. Taxes for 1956 amounted to the total sum of \$34.10, of which the first installment of one-half has been paid, balance of \$17.04 payable on or before June 20, 1957. Receipt Numbers 10283 and #10290. Taxes for 1957 are now a lien, not yet extended on the assessment rolls, and no statement of the amount can be made at this time.

CERTIFICATE

We hereby certify that Entries 1 to 6, both inclusive, are a true and correct abstract of all the records and files in the office of the Clerk of the District Court and Recorder of Twin Falls County, Idaho, affecting the title to the caption property, and we further certify that there are no delinquent taxes against the caption property, not herein shown.

TO: April 11, 1957 at 5:00 o'clock P. M.,

BOONE ABSTRACT COMPANY

By 
Abstractor pm

No. 13347

Edwin T. Wells

ABSTRACT OF TITLE

To

The East-half of the Southeast Quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$) of Section Fourteen (14); AND the West-half of the Southwest Quarter (W $\frac{1}{2}$ SW $\frac{1}{4}$) of Section Thirteen (13) all in Township Ten (10) South, Range Thirteen (13) East of the Boise Meridian, in Twin Falls County, Idaho,

Since April 11, 1957 at 5:00 o'clock P. M.,

(7)

Edwin T. Wells and Alma S. Wells, husband and wife to Fidelity National Bank of Twin Falls

MORTGAGE: \$5000.00
Dated April 15, 1957.
Filed April 16, 1957.
Book Htgs., page
INSTRUMENT NO. 462019.

MORTGAGES: The E $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 14; and the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 13, all in Tp. 10 S.R. 13 E.B.M., in Twin Falls County, Idaho, together with all water rights appurtenant thereto.

Given to secure the payment of two certain promissory notes described as follows: One note dated April 15, 1957 in the sum of \$2500.00, the principal thereof being payable April 15, 1958, together with interest thereon from date until paid at the rate according to the terms of said note; and note dated April 15, 1957 in the sum of \$2500.00, the principal thereof being payable April 15, 1958, together with interest thereon from date until paid at the rate according to the terms of said note.

Edwin T. Wells
Alma S. Wells

Acknowledged April 15, 1957 before Lucilo Wolfe, Notary Public, Twin Falls County, Idaho. (SEAL)

(8)

The Taxes for the year 1955 and prior years are fully paid. Taxes for 1956 amounted to the total sum of \$34.10, of which the first installment of one-half has been paid, balance of \$17.05 payable on or before June 20, 1957. Parcel Numbers 10283 and 10290. Taxes for 1957 are \$17.05, and are assessed on the assessment rolls, and no part of the amount can be paid at this time.

CERTIFICATE

We hereby certify that Entries 7 and 8, both inclusive, are a true and correct abstract of all the records and files in the office of the Clerk of the District Court and Recorder of Twin Falls County, Idaho, affecting the title to the caption property, and we further certify that there are no delinquent taxes against the caption property, not herein shown.

FROM: April 11, 1957 at 5:00 o'clock P. M.,
TO: April 16, 1957 at 5:00 o'clock P. M.,

BOONE ABSTRACT COMPANY

By Paul J. Marley
Abstractor pm

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHT
NO. 47-2307**

Notice is hereby given that Wells Livestock, Inc. of 512 North Broadway, Buhl, Idaho, has applied to the Department of Water Resources for a change of point of diversion and place of use of the waters of a groundwater source. The right sought to be changed is evidenced by License No. 47-2307 and is recorded as follows:

Amount: 1.62 cfs Point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, Twp. 10S, Rge. 13E, B.M., Twin Falls county and the water is used for irrigation of 101 acres within the N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 14, and the W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 13, Twp. 10S, Rge. 13E, B.M.

TO BE CHANGED AS FOLLOWS:
Amount: 1.62 cfs.
Point of Diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, Twp. 10S, Rge. 13E, B.M., Twin Falls County The water will be used for irrigation of 101 acres within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 14, Twp. 10S, Rge. 13E, B.M.

Any protest against approval of the above-proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, on or before September 27, 1976.

R. KEITH HIGGINSON
DIRECTOR
PUBLISH: Sept. 9 & 16, 1976

RECEIVED

SEP 20 1976

Department of Water Resources
Southern District Office

Affidavit of Publication

STATE OF IDAHO, }
COUNTY OF TWIN FALLS }

Nº 5334

I, Lay Mamm being first duly sworn upon oath, depose and say that I am Princ. Clerk of the TIMES-NEWS, published daily, except Saturday, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive Thursday, commencing with the issue dated September 9, 1976, and ending with the issue dated September 16, 1976.

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

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

Subscribed and sworn to before me on this 17th day of

September, 1976.

Sharon F. Clark
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

NOTICE OF PROOF OF COMPLETION OF WORK AND APPLICATION OF WATER TO BENEFICIAL USE

Notice is hereby given that at ten A.M., on the 17th day of April, 1962, at Room No. 4, Twin Falls Bank & Trust Company Building, Twin Falls, County of Twin Falls, State of Idaho, before Dorothy F. Dolling, Notary Public, at above address, proof will be submitted of the completion of works for the diversion of two cubic feet per second of underground water from a well, and of the application to beneficial use of said water, in accordance with the terms and conditions of Permit No. G 26949, heretofore issued by the Department of Reclamation of the State of Idaho.

1. The name and postoffice address of the person or corporation holding said permit is Edwin T. Wells Estate, Walter Wells, Executor, R.F.D. 2, Buhl, Idaho.

2. Said works of diversion will be fully completed on the date set for such completion, and the amount of water which said works are capable of conveying to the place of use is two cubic feet per second.

3. The use to which said water has been applied is irrigation & stock purposes, and the amount applied to beneficial use is two cubic feet per second.

4. The point of diversion of said water is NE corner of NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 14, Township 10 South, Range 13 E.B.M. Twin Falls County, Idaho.

5. The place where said water is used is NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 18; and NE $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 14, all in Twp. 10 S., Rge. 13 E.B.M.

6. The date of priority which said user is prepared to establish is June 10, 1957.

GEO. N. CARTER
State Reclamation
Engineer

Publish: Mar. 15, 22, 29, Apr. 5, 1962

47-2307

G-26949
mtc: John Hancock

APPLICATION FOR PERMIT To Appropriate the Subterranean Waters of The State of Idaho

Application No. G- 34862
Permit No. G- 26949
District No.

Edwin T. Wells
Route 2,
Buhl, Idaho

1. Name of Applicant: EDWIN T. WELLS
Postoffice address: Rt. # 2, Buhl County: Twin Falls, State: Idaho
2. Quantity of water claimed: 100 Miner's inches
 - (a) Rate of withdrawal in cubic feet per second. 2.0 or Idaho
Miners' inches 100 or gallons per minute. 900
 - (b) Annual withdrawal in acre feet per annum
3. Source of water supply: Subterranean, well
4. Location of point of diversion or well is in the NE 1/4 of the SE 1/4 of Section 14
Twp. 10 S., Rge. 13 E., B.M., County of Twin Falls
5. Water is to be used for: Irrigation and stock
6. If for municipal, industrial or recreational purposes, give:
 - (a) Point of use of water is in the 1/4 of the 1/4 of Section , Twp.
Rge. , B.M.
 - (b) Waste water or sewage effluent is to be returned to
at a point in the 1/4 of the 1/4 of Section , Twp. , Rge. , B.M.
7. Kind of works: Well, Pump and ditches
8. Estimated cost of works: \$ 9,000.
9. (a) Is reservoir to be used? No
(b) Capacity of reservoir:
10. The time required for the completion of such work and complete application of the water to the proposed use is Five years.
11. If applicant is a corporation, give:
 - I. (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) Bonds to be issued:
(d) Other resources:
12. The land to be irrigated is described in the following tabulation:
13. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: None
 - (a) 2 (cubic feet per second, ~~inches or gallons per minute~~) of the water herein applied for is to be supplemental to the existing water rights.
 - (b) 2 (cubic feet per second, inches or gallons per minute) is for new lands.

TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	Edwin T. Wells Estate	1.62		47-2307
2013	Wells Livestock Inc.	1.62	NA	47-2307
2027	Wells Livestock, Inc.	1.62	n/a	47-2307

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RECEIVED

NOV 15 1976

Transfer No. 2027

Application No. 47-2307

Department of Water Resources
Southern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT

APPROVED

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

Name of applicant Wells Livestock Inc. Phone 543-4618

Post office address 512 North Broadway, Buhl, Idaho 83316

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to (Name)
in case of vs
dated in county of (Name of court)

b. License No. 47-2307 & # 2013 issued by the Idaho Department of Water Resources

c. Claim No. on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant

3. Source of water groundwater tributary to

4. Date of priority June 10, 1957

5. Water is used for the following purposes:
amount 1.62 cfs for irrigation purposes from March 15 to Nov. 15
amount for purposes from to
amount for purposes from to (month/day - both dates inclusive)

6. Total amount of water under right: a. 1.62 cubic feet per second
&/or
b. acre feet per annum

7. Location of original point of diversion is NW ¼ of SE ¼ of Section 14
Township 10S Range 13E, B.M., in Twin Falls County
Additional points of diversion, if any

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10S	13E	14				21									40	40			101

Total number of acres to be irrigated 101

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

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

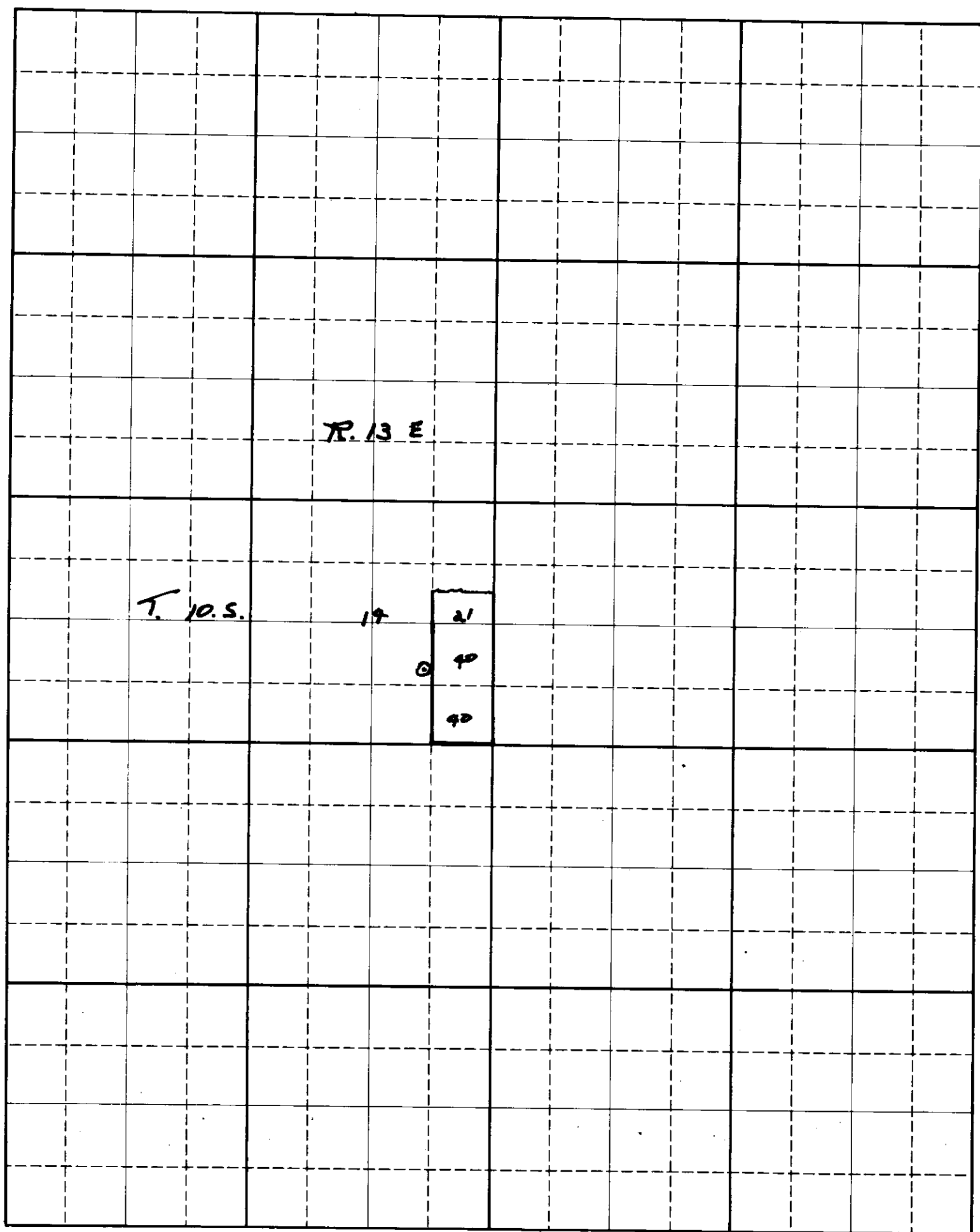
1. Change in point of diversion
- a. Amount of water to be diverted 1.62 c.f.s. &/or _____ acre feet
- b. Point(s) of diversion NW ¼ SE ¼, Section 14 Township 10S
Range 13E, B.M., Twin Falls County
Additional points _____
- c. Description of diverting works deep well, pump, sprinkler and open ditch.
- d. Describe the reasons for applying for a change in the point(s) of diversion None.

2. Change in place of use

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10S	13E	14				21									40			40	101

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



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

3. Remarks _____

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

Wesley L. Smith
by Wesley L. Smith, pres.
(Signature of applicant)

Subscribed and sworn to before me this fifteenth day of November, 19 76

[Signature]
(Notary public)

My commission expires 2-28-77

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 47-2307 (2027), and said application is hereby APPROVED.

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

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

Witness my hand this 29 day of December, 19 76

[Signature]
R. KEITH HIGGINSON, Director

FOR DEPARTMENT USE ONLY

Received by RIN Date 11-15-76

Prelim. check by ADM Fee 30.00 #2247

Receipted by LM Date 11-15-76

Published in Times-News

Pub. dates 12-9-76 & 12-16-76

Watermaster recommendation requested on D.N.A.
_____ rec'd. _____

Protest filed by _____

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial
by Michael L. Steele

December 29, 1976

Re: License No. 47-2307 (Trans. #2027)

Wells Livestock Inc.
512 North Broadway
Buhl, ID 83316

Gentlemen:

Enclosed herewith is a copy of your approved Application for Transfer as referenced above.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:mef

Enc.

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

ss.

No 5164

I, Kay Mallett being first duly sworn upon oath, depose and say that I am Print Clerk of the TIMES-NEWS, published daily, except Saturday, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive Thursdays, commencing with the issue dated December 9, 1976, and ending with the issue dated December 16, 1976.

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

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

Subscribed and sworn to before me on this 16th day of

December 1976.

Arthur T. Cook
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

O-K
lm
12-27-76

December 3, 1976

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

Re: Application for Transfer of Water Right No. 47-2307 - Wells Livestock, Inc.

Gentlemen:

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

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

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

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:lm

Enclosure

Bill submitted: 12-27-76
LM

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 47-2307

Notice is hereby given that Wells Livestock, Inc. of Buhl, Idaho has applied to the Department of Water Resources for a change of the place of use of the waters of a groundwater source. The right sought to be changed is evidenced by License No. 47-2307 and Transfer #2013 and is recorded as follows:

Amount: 1.62 cfs

Priority: June 10, 1957

Point of diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, Twp. 10S, Rge. 13E, B.M.,
Twin Falls County.

The water is used for the irrigation of 101 acres within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 14, Twp. 10S, Rge. 13E, B.M.

TO BE CHANGED AS FOLLOWS

Amount: 1.62 cfs

Point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, Twp. 10S, Rge. 13E, B.M.,
Twin Falls County.

The water will be used for the irrigation of 101 acres within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 14, Twp. 10S, Rge. 13E, B.M.

Any protest against approval of the above proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Boulevard North, Twin Falls, Idaho 83301, on or before December 27, 1976.

R. Keith Higginson
Director

Published in the Times-News on December 9 and December 16, 1976.

COPY

WARRANTY DEED

THIS INDENTURE, Made this 4th day of September, 1959, between EDWIN T. WELLS and ALMA S. WELLS, husband and wife, of Twin Falls, County of Twin Falls, State of Idaho, the parties of the first part, hereinafter called the grantors, and WELLS LIVESTOCK, INC., a corporation organized and existing under and by virtue of the laws of the State of Idaho, with its principal place of business at Twin Falls, Idaho, the party of the second part, hereinafter called the grantee.

WITNESSETH, That the grantors, for and in consideration of the sum of One and no/100 DOLLARS in lawful money of the United States of America, and other good and valuable considerations, to the grantors in hand paid by the grantee, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the grantee, and to the grantee's successors and assigns forever, all the following described real estate, situated in Twin Falls County, State of Idaho:

Township Ten (10) South, Range Thirteen (13) E.B.M.:

Section Eleven (11): Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$); Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$);

Section Twelve (12): Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$); South Half of the Southwest Quarter (S $\frac{1}{2}$ SW $\frac{1}{4}$); Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$);

Section Thirteen (13): West Half of the Northeast Quarter (W $\frac{1}{2}$ NE $\frac{1}{4}$); Northwest Quarter (NW $\frac{1}{4}$); North Half of the Southwest Quarter (N $\frac{1}{2}$ SW $\frac{1}{4}$); Southwest Quarter of the Southwest Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$);

Section Fourteen (14): Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$); Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$); Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$); Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$); Northeast Quarter (NE $\frac{1}{4}$);

Section Twenty-four (24): Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$); Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$); Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$); Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$,

together with the water and water rights appurtenant to the above described premises; subject to all established easements over and across said premises and the reservations and exceptions contained in State of Idaho and United States Patents and Deeds.

Said property is also conveyed subject to taxes and assessments, a certain real estate mortgage covering a part of the above described real estate in favor of John Hancock Mutual Life Insurance Company, and any other encumbrances now constituting liens against said premises.

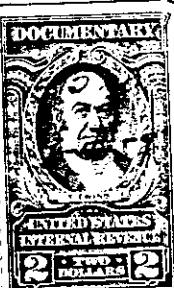
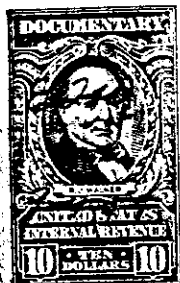
TOGETHER with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, the reversion and reversions, remainder and remainders, rents, issues and profits thereof, and all estate, right, title and interest in and to the said property, as well in law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

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with appurtenances, unto the grantee, and to the grantee's successors and assigns forever. And the grantors, and the grantors' heirs, the said premises in the quiet and peaceable possession of the grantee, and the grantee's successors and assigns, against the grantors, and the grantors' heirs, and against all and every person and persons whomsoever, lawfully claiming the same, shall and will WARRANT and by these presents forever DEFEND.

IN WITNESS WHEREOF, the grantors have subscribed this Deed the day and year first above written.

Edwin P. Wells

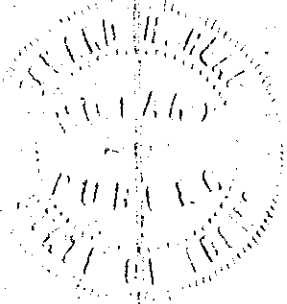
Abner S. Wells



STATE OF IDAHO,)
COUNTY OF TWIN FALLS.) SS.

On this 10th day of November, 1959, before me, the undersigned, a Notary Public in and for said State, personally appeared EDWIN T. WELLS and ALMA S. WELLS, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same,

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


Edward H. Wells
Notary Public for Idaho
Residing at Twin Falls, Idaho.

Presented to and Platted by me
CLIFFORD THOMPSON
Assessor Twin Falls County

Date 6/1/60

491557

Edwin T Wells

Wells Lumber Co., Inc.

STATE OF IDAHO } ss.
County of Twin Falls }

I hereby certify that this instrument
filed for record at the request of

Stephen, Stephen & Heap
3:10 clock, P.M. the MAY 31 1960

in my office and duly recorded in book
200 of *Deeds* page 592

I. W. STIVERS
Ex-Officio Recorder.

Nelson Porterfield
Deputy

Fee \$ 2.10

Return to
Stephen, Stephen & Heap

ABSTRACT OF TITLE
TO THE
FOLLOWING DESCRIBED REAL ESTATE
SITUATED IN
TWIN FALLS COUNTY, IDAHO

No. 13347

The East-half of the Southeast Quarter
(E $\frac{1}{2}$ SE $\frac{1}{4}$) of Section Fourteen (14); AND
the West-half of the Southwest Quarter
(W $\frac{1}{2}$ SW $\frac{1}{4}$) of Section Thirteen (13), all
in Township Ten (10) South, Range Thirteen
(13) East of the Boise Meridian, in Twin
Falls County, Idaho.

Boone Abstract Company

Twin Falls, Idaho

No. 13347

Edwin T. Wells

ABSTRACT OF TITLE

To

The East-Half of the Southeast Quarter ($E\frac{1}{2} SE\frac{1}{4}$) of Section Fourteen (14); AND the West-Half of the Southwest Quarter ($W\frac{1}{2} SW\frac{1}{4}$) of Section Thirteen (13) all in Township Ten (10) South, Range Thirteen (13) East of the Boise Meridian, in Twin Falls County, Idaho.

(1)

United States
to
Edwin T. Wells

PATENT.
Dated August 17, 1950.
Filed September 7, 1950.
Dood Book 169, page 247.

GRANTS to Edwin T. Wells $SW\frac{1}{2} SW\frac{1}{4}$ Sec. 13; $SE\frac{1}{2}$ Sec. 14 Tp. 10 S.R. 13 E.B.M.

Excepting and reserving to the United States, all uranium, thorium or any other material which is or may be determined to be peculiarly essential to the production of fissionable materials, together with the right of the United States through its authorized agents or representatives at any time to enter upon the land and prospect for mine and remove the same.

(SEAL)

For the Director, Bureau
of Land Management
By Nellie B. Jeffery,
Acting Chief, Patents
Section

(2)

United States
to
Edwin T. Wells

PATENT.
Dated July 3, 1952.
Filed September 9, 1952.
Dood Book 176, page 442.

GRANTS to Edwin T. Wells, Sec. 11, $SE\frac{1}{2} SE\frac{1}{4}$, Sec. 12, $S\frac{1}{2} SW\frac{1}{4}$, $NE\frac{1}{2} SW\frac{1}{4}$, $SW\frac{1}{2} SE\frac{1}{4}$; Sec. 13; $NE\frac{1}{2} SW\frac{1}{4}$, $SE\frac{1}{2} SE\frac{1}{4}$, Sec. 14; $NE\frac{1}{2}$, all in Tp. 10 S.R. 13 E.B.M.

Excepting and reserving to the United States, all uranium, thorium or any other material which is or may be determined to be peculiarly essential to the production of fissionable materials, together with the right of the United States through its authorized agents or representatives at any time to enter upon the land and prospect for mine and remove the same.

(SEAL)

For the Director, Bureau
of Land Management
By Nellie B. Jeffery,
Acting Chief, Patents
Section

(3)

Edwin T. Wells and Alma S.
Wells, his wife
Idaho Livestock Production
Credit Association

MORTGAGE: \$25,000.00
Dated December 29, 1951
Filed January 7, 1952.
Book 155 Mts., page 282

That certain land in Sec. 12, T. 10 S., R. 13 E.,
of Sec. 12; and Sec. 13, T. 10 S., R. 13 E.,
E. of Sec. 14, all in Tp. 10 S.R. 13 E.S.E., in Twin
Falls County, Idaho.

Given to secure payment of the principal sum of \$25,000.00,
evidenced by and according to the terms of one promissory
note; One note for \$25,000.00, dated December 20, 1951,
due August 7, 1952 which note bears interest at the rate
therein specified.

Edwin T. Wells
Alma S. Wells

Acknowledged December 29, 1951, before Jess O. Eastman,
Notary Public, Twin Falls County, Idaho. (S.F.A.L)

(4)

Idaho Land Livestock Production

to
Edwin T. Wells and Alma S.
Wells, his wife

SATISFACTION OF MORTGAGE
Dated December 13, 1955
Filed January 17, 1957
Book 38 Sat. Mts., page
157.

Certified that certain mortgage dated December 20, 1951,
made and executed by Edwin T. Wells and Alma S. Wells,
his wife, to Idaho Livestock Production Credit Association,
recorded in the office of the County Recorder of Twin Falls
County, Idaho, in Book 155 of Mortgages, on page 282 on
January 7, 1952, together with the debt thereby secured,
is fully paid, satisfied and discharged.

(S.F.A.L)
Attest: A. G. Canfield,
Assistant Secretary

Idaho Land Livestock
Production Credit
Association
By A. H. Caine, Treasurer

Acknowledged December 13, 1955 before Lucille V. Williamson,
Notary Public, Ada County, Idaho. (S.F.A.L)

(5)

Chris Barnes
to
The Public

DECLARATION OF POSTEAL
Filed November 14, 1939.
Book 3 Dec. Home, page 11

Certified that he is the head of a family, is married,
and is now residing on his homestead in the premises
hereinafter described.

Said property is described as: The E. 1/2 of Sec. 13
Tp. 10 S.R. 13 E.S.E., in Twin Falls County, Idaho,
together with all water rights appurtenant thereto.

And he claims said premises as a homestead and that
the estimated cash value of said premises is \$500.00.

Chris T. Barnes

No. 5 Continued

(6)

The Taxes for the year 1955 and prior years are fully paid. Taxes for 1956 amounted to the total sum of \$34.10, of which the first installment of one-half has been paid, balance of \$17.04 payable on or before June 20, 1957. Receipt Numbers 10283 and #10290. Taxes for 1957 are now a lien, not yet extended on the assessment rolls, and no statement of the amount can be made at this time.

CERTIFICATE

We hereby certify that Entries 1 to 6, both inclusive, are a true and correct abstract of all the records and files in the office of the Clerk of the District Court and Recorder of Twin Falls County, Idaho, affecting the title to the caption property, and we further certify that there are no delinquent taxes against the caption property, not herein shown.

Witness my hand and seal this 11th day of April, 1957, at 5:00 o'clock P. M.,

BOONE ABSTRACT COMPANY

By


Abstractor

pm

ABSTRACT OF TITLE

To

The East-half of the Southeast Quarter (E $\frac{1}{2}$ SE $\frac{1}{4}$) of Section Fourteen (14); AND the West-half of the Southwest Quarter (W $\frac{1}{2}$ SW $\frac{1}{4}$) of Section Thirteen (13) all in Township Ten (10) South, Range Thirteen (13) East of the Boise Meridian, in Twin Falls County, Idaho,

Since April 11, 1957 at 5:00 o'clock P. M.,

(7)

Edwin T. Wells and Alma S. Wells, husband and wife
Fidelity National Bank of Twin Falls

MORTGAGE: \$5000.00
Dated April 15, 1957
Filed April 18, 1957
Book 118, page 1
EXHIBIT NO. 40219.

MORTGAGES: The E $\frac{1}{2}$ SE $\frac{1}{4}$ of Sec. 14; and the W $\frac{1}{2}$ SW $\frac{1}{4}$ of Sec. 13, all in Tp. 10 S.R. 13 E.B.M., in Twin Falls County, Idaho, together with all water rights appurtenant thereto.

Given to secure the payment of two certain promissory notes described as follows: One note dated April 15, 1957 in the sum of \$2500.00, the principal thereof being payable April 15, 1958, together with interest thereon from date until paid at the rate according to the terms of said note; and note dated April 15, 1957 in the sum of \$2500.00, the principal thereof being payable April 15, 1958, together with interest thereon from date until paid at the rate according to the terms of said note.

Edwin T. Wells
Alma S. Wells

Acknowledged April 15, 1957 before Lucile Wolfe, Notary Public, Twin Falls County, Idaho. (SEAL)

November 24, 1976

Walter Wells
Wells Livestock Inc.
512 North Broadway
Buhl, Idaho 83316

Re: Transfer No. 47-2307 - Wells Livestock Inc.

Dear Mr. Wells:

I reviewed the Abstract of Title you left in the office on the 19th. According to the title, Mr. Edwin T. Wells owns the land. We need some kind of document which specifically relates this land to the name of Wells Livestock Inc. This might be articles of incorporation or a later deed. The reason for this requirement is to assure that the present owner of the land from which the water is being removed will not be injured. This is why we require documented evidence that Wells Livestock Inc. owns the land from which the water right is being transferred. The land in question is the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, Twp. 10S, Rge. 13E, B.M.

If you have any questions, please contact me.

Sincerely,

Allen Merritt
Water Resource Analyst

AM:lm

Enclosure: Abstract of Title

October 13, 1976

Re: License No. 47-2307 (Trans. #2013)

Wells Livestock, Inc.
512 North Broadway
Buhl, ID 83316

Gentlemen:

Enclosed is a copy of your approved Application for Transfer as referenced above.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:mef

Enc.

RECEIVED

AUG 30 1976

Div. of Water Resources
Southern District Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 2013

Application No. 47-2307

APPLICATION FOR TRANSFER OF WATER RIGHT
To Change the Point of Diversion and/or the Place of Use

APPROVED

Name of applicant Wells Livestock, Inc. Phone 543-4618

Post office address 512 North Broadway, Buhl, Idaho

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree to _____ (Name)
in case of _____ VS _____
dated _____ in _____ county of _____
(Name of court)

b. License No. 47-2307 issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant _____

3. Source of water groundwater tributary to _____

4. Date of priority 1957 - June 10

5. Water is used for the following purposes:

amount 1.62 cfs for irrigation purposes from March 15 to Nov. 15
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day - both dates inclusive)

6. Total amount of water under right: a. 1.62 cubic feet per second
&/or
b. _____ acre feet per annum

7. Location of original point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 14
Township 10S Range 13E, B.M., in Twin Falls County

Additional points of diversion, if any _____

8. Lands irrigated or 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 $\frac{1}{4}$	
10S	13E	14													15	~~40~~	40		55
		13									8	38							46

Total number of acres to be irrigated 101

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____
3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

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

1. Change in point of diversion

a. Amount of water to be diverted 1.62 c.f.s. &/or _____ acre feet

b. Point(s) of diversion NW ¼ SE ¼, Section 14 Township 10S
Range 13E, B.M., Twin Falls County
Additional points _____

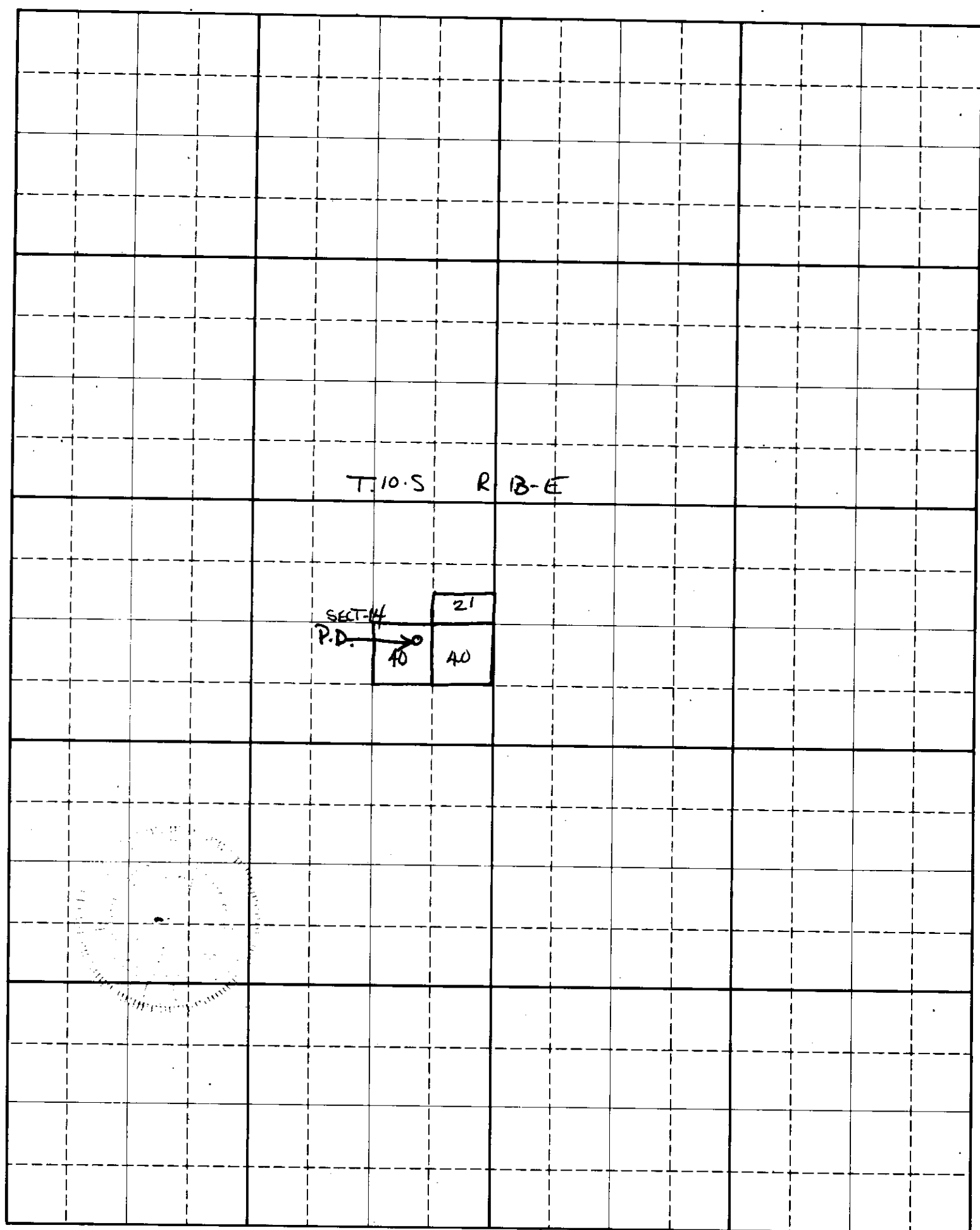
c. Description of diverting works deep well, pump, sprinkler and open ditch

d. Describe the reasons for applying for a change in the point(s) of diversion _____
to record the corrected location of the well
2. Change in place of use

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

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
10s	13E	14				21									40	40			101

- b. Draw a map indicating the new point(s) of diversion and/or the new land to be irrigated. Show clearly the land involved by section, township and range number.



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

3. Remarks _____

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

Willy Swisher, Jr.
x Mr. Wm. S. Nees, pres.
(Signature of applicant)

Subscribed and sworn to before me this 30 day of August, 19 76

Michael L. Steele
(Notary public)

My commission expires Life term

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 47-2307, and said application is hereby APPROVED.

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

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

Witness my hand this 9 day of October, 19 76

R. Karl Hjorne

FOR DEPARTMENT USE ONLY

Received by mls Date 8-30-76

Protest filed by NONE

Prelim. check by TGB Fee 30.00 #2195

Receipted by DJ Date 8-30-76

Published in The Times News

Copies of protest forwarded by _____

Pub. dates September 9 and 16, 1976

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for approval denial

N/A rec'd. _____

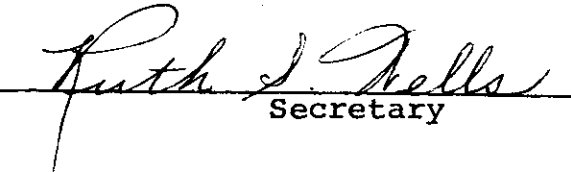
by Michael L. Steele

CERTIFIED COPY OF RESOLUTION

"Upon motion duly made and unanimously carried, Walter E. Wells was elected President of the corporation for the ensuing year."

I hereby certify that I am the duly elected, qualified and acting Secretary of the above named corporation; that the foregoing is a true and correct copy of an extract from the minutes of the proceedings of a special meeting of the Board of Directors of Wells Livestock, Inc., at its office on the 5th day of December, 1972, at which meeting all Directors were present, constituting a quorum of said Board; that the resolution of which said foregoing is a copy has not been rescinded or revoked.

DATED This 30 day of August, 1976.


Secretary

WARRANTY DEED

THIS INDENTURE, Made this 4th day of September, 1959, between EDWIN T WELLS and ALMA S WELLS, husband and wife, of Twin Falls, County of Twin Falls, State of Idaho, the parties of the first part, hereinafter called the grantors and WELLS LIVESTOCK, INC, a corporation organized and existing under and by virtue of the laws of the State of Idaho, with its principal place of business at Twin Falls, Idaho, the party of the second part, hereinafter called the grantee.

) WITNESSETH, That the grantors, for and in consideration of the sum of One and no/100 DOLLARS in lawful money of the United States of America, and other good and valuable considerations, to the grantors in hand paid by the grantee, the receipt whereof is hereby acknowledged, have granted, bargained and sold, and by these presents do grant, bargain, sell, convey and confirm unto the grantee, and to the grantee's successors and assigns forever, all the following described real estate, situated in Twin Falls County, State of Idaho:

Township Ten (10) South, Range Thirteen (13) E B M: Section Eleven (11):
Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4}SE\frac{1}{4}$); Southeast Quarter of the Southeast Quarter ($SE\frac{1}{4}SE\frac{1}{4}$);

Section Twelve (12): Northwest Quarter of the Southwest Quarter ($NW\frac{1}{4}SW\frac{1}{4}$);
South Half of the Southwest Quarter ($S\frac{1}{2}SW\frac{1}{4}$); Southwest Quarter of the Southeast Quarter ($SW\frac{1}{4}SE\frac{1}{4}$);

Section Thirteen (13): West Half of the Northeast Quarter ($W\frac{1}{2}NE\frac{1}{4}$); Northwest Quarter ($NW\frac{1}{4}$); North Half of the Southwest Quarter ($N\frac{1}{2}SW\frac{1}{4}$); Southwest Quarter of the Southwest Quarter ($SW\frac{1}{4}SW\frac{1}{4}$);

Section Fourteen (14): Northeast Quarter of the Southeast Quarter ($NE\frac{1}{4}SE\frac{1}{4}$);

Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$); Southwest Quarter of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$); Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$); Northeast Quarter (NE $\frac{1}{4}$);

Section Twenty-four (24): Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$); Southwest Quarter of the Northwest Quarter (SW $\frac{1}{4}$ NW $\frac{1}{4}$); Northeast Quarter of the Southwest Quarter (NE $\frac{1}{4}$ SW $\frac{1}{4}$); Northwest Quarter of the Southwest Quarter (NW $\frac{1}{4}$ SW $\frac{1}{4}$). Together with the water and water rights appurtenant to the above described premises; subject to all established easements over and across said premises and the reservations and exceptions contained in State of Idaho and United States Patents and Deeds.

Said Property is also conveyed subject to taxes and assessments, a certain real estate mortgage covering a part of the above described real estate in favor of John Hancock Mutual Life Insurance Company, and any other encumbrances now constituting liens against said premises.

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

TO HAVE AND TO HOLD, all and singular the above mentioned and described premises, together with appurtenances, unto the grantee, and to the grantee's successors and assigns forever. And the grantors, and the grantors' heirs, the said premises in the quiet and peaceable possession of the grantee, and the grantee's successors and assigns, against the grantors, and the grantor's heirs, and against all and every person and persons whomsoever, lawfully claiming the same, shall and will WARRANT and by these presents forever DEFEND.

RECORDED

first above written.

(\$77.00 doc stamps cancelled)

Edwin T Wells

Alma S Wells

STATE OF IDAHO)
)ss
COUNTY OF TWIN FALLS)

On this 10th day of November, 1959, before me, the undersigned, a Notary Public in and for said State, personally appeared EDWIN T WELLS and ALMA S WELLS, husband and wife, known to me to be the persons whose names are subscribed to the within instrument and acknowledged to me that they executed the same.

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

(Edward H Heap, Notary Public)
(State of Idaho)

Edward H Heap
Notary Public for Idaho
Residing at Twin Falls, Idaho

Filed for record at the request of Stephan, Stephan & Heap at 3:10 o'clock P M May 31, 1960.

Fee \$2.10
br

T W STIVERS
By Helen Porterfield

Recorder
Deputy

STATE OF IDAHO }
COUNTY OF TWIN FALLS } ss.

I HEREBY CERTIFY THE FOREGOING TO BE A
FULL, TRUE AND CORRECT COPY OF THE
ORIGINAL RECORDED IN BOOK 200 OF
Deeds AT PAGE 592

~~H.A. LANCASTER~~
~~EXPIRED~~
BY Helen Porterfield
DEPUTY

RECORDED

NOTICE OF CHANGE

Notice is hereby given that the
Livestock, in the
Broadway, Public
to the Department of
Resources for a change
diversion and place
waters of a stream
The right sought is
evidenced by License
and is recorded as
Amount: 1.82
Version: NE14014
S. Rge. 13E, E2E
County and the water
igation of 161
SE1/4, Sec. 14,
E. 13, Twp. 18S,
TO BE CHANGED
Amount: 1.82
Point of change
E. 14, Twp. 18S,
Twin Falls County
d for irrigation of
SE1/4NE1/4, N1/2
10S, Rge. 13E, E2E
ay protest against
above-proposed
right must be made
to Department of
Resources, 1041 Elm Street,
Twin Falls, Idaho 83421
September 27, 1976
LATH HOGGINS
ECTOR
ON: Sept. 9 & 10, 1976

DL
9-20-76
12

RECEIVED

SEP 20 1976

Department of Water Resources
Southern District Office

Affidavit of Publication

STATE OF IDAHO,
COUNTY OF TWIN FALLS

No. 5334

I, Kay Maury being first duly sworn upon
oath, depose and say that I am Princ. Clerk of the TIMES-NEWS,
published daily, except Saturday, at Twin Falls, Idaho, and do solemnly swear that a copy
of the notice of advertisement, as per clipping attached, was published in the regular and
entire issue of said newspaper, and not in any supplement thereof, for two
consecutive Thursday, commencing with the issue dated
September 9, 1976, and ending with the issue dated
September 16, 1976.

And I do further certify that said newspaper is a consolidation, effective February 16,
1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the
Twin Falls News, published theretofore daily except Monday, both of which newspapers
prior to consolidation had been published under said names in said city and county con-
tinuously and uninterruptedly during a period of more than twelve consecutive months, and
said TIMES-NEWS, since such consolidation, has been published as a daily newspaper
except Saturday, under said name in said city and county continuously and uninterruptedly.
And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each
week has been designated as the day on which legal notice by law or by order of any
court of competent jurisdiction within the state of Idaho, to be published weekly, will be
published; and that at the head of the editorial column of said combined newspapers, and
in each issue thereof, Thursday is announced as the day on which said legal notices will
be published.

Subscribed and sworn to before me on this Kay Maury
September 17th, 1976 day of

William F. Clark
Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

August 31, 1976

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

Re: Application for Transfer of Water Right No. 47-2307 - Wells Livestock, Inc.

Gentlemen:

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

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

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

Sincerely,

Michael L. Steele
Southern Region Supervisor

MLS:pj

ENC.

Bill submitted: 9-20-76 *ps*

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NOS.47-2307

Notice is hereby given that Wells Livestock, Inc. of 512 North Broadway, Buhl, Idaho, has applied to the Department of Water Resources for a change of point of diversion and place of use of the waters of a groundwater source. The right sought to be changed is evidenced by License No. 47-2307 and is recorded as follows:

Amount: 1.62 cfs

Point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, Twp. 10S, Rge. 13E, B.M., Twin Falls County

The water is used for irrigation of 101 acres within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, and the W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 13, Twp. 10S, Rge. 13E, B.M.

TO BE CHANGED AS FOLLOWS:

Amount: 1.62 cfs

Point of Diversion: NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, Twp. 10S, Rge. 13E, B.M., Twin Falls County

The water will be used for irrigation of 101 acres within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 14, Twp. 10S, Rge. 13E, B.M.

Any protest against approval of the above-proposed change of water right must be filed with the Idaho Department of Water Resources, 1041 Blue Lakes Blvd. North, Twin Falls, Idaho, on or before September 27, 1976.

R. KEITH HIGGINSON
DIRECTOR

Published in the Times News September 9 and September 16, 1976.

December 15, 1970

Re: Permit No. 47-2307 (26949)

C
Edwin T. Wells
Route #2
Buhl, Idaho 83316

O
Dear Mr. Wells:

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

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

Y
Very truly yours,

Sheri L. Chapman
Acting Assistant Director

SLC:rh
Enc.

17 2307

July 5, 1962

Re: Permit No. G-26949
Edwin T. Wells, Estate

Walter Wells
Rt 2
Buhl, Idaho

Dear Mr. Wells:

Our field engineer's report on his inspection of proof of completion of works and application of water to beneficial use under the terms of Permit No. G-26949 shows the well is (are) capable of conveying 81 miner's inches, or 1.62 c.f.s. of water for the irrigation of 101 acres.

Upon receipt of the statutory fees, totaling \$ 15.00 , we will issue the Certificate of Completion of Works (fee \$5.00) and the License and Certificate of Water Right (fee \$ 3.00 , based at the rate of \$2.00 for each 40-acre subdivision) confirming the right, with priority of June 10, 1957 to the use of 1.62 second feet of subterranean water with the point of diversion in the NE 1/4, Sec. 14 for stock water and irrigation of 101 acres in the W 1/2, Sec. 13; E 1/2, Sec. 14, T. 10S., R. 13 E., B.M.

Very truly yours,

GEO. N. CARTER
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

26949

240
112
128

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO

REPORT OF ENGINEER

Permit No. G-26949

This proof is for Completion of Works & Beneficial Use In Water District No. _____

1. Name of applicant Edwin T. Wells (Deceased)
2. Source of water supply: Subterranean
3. Location of point of diversion: Is in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 14
T. 10 S. R. 13 E.B.M. County of Twin Falls
4. Describe works as they exist, giving dimensions and capacities of same: 75 HP Westinghouse Motor #1607114 - Ser. 1-298300, Layne Bowler Pump #21814 8" discharge to open ditches Well - 287' x 12" h: 164'
5. Water is used for: irrigation and stock
6. State whether or not water has been turned into works of diversion: yes.
7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):
W $\frac{1}{2}$ SW $\frac{1}{4}$ Sec. 13., E $\frac{1}{2}$ SE $\frac{1}{4}$ Sec. 14., Twp. 10 S., Rge. 13 E.B.M.

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

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

Remarks: Alex Wells along

This examination was made on the 29th day of June, 1962

(Signed)

Logan Johnson

Examiner.

26949

OD
ALEX
557-2872

Walter Wells, Executor of Edwin T. Wells Estate
R. F. D. #2, Buhl, Idaho

Permit No. G-26949

Examination for Completion of Works & Beneficial Use

County Twin Falls

Sec. 14 T. 10 S R. 13 E B.M.

Quantity: 2.0 c.f.s.

Sources: Well

P.D.: NE SE, Sec. 14, T. 10 S. - R. 13 E B.M.

Use: Irrigation & Stock

Filed: June 10, 1957

Due: June 17, 1962

Extension: —

Completion of Works: —

Other Rights: none

Driller TF Canal Co and
Jim Moore.

Protests none.

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.

RECEIVED
JUL 3 1962

Department of Reclamation

64692

5 Rev. 5 Min 15 Sec.

300
1.8

315/500

1.59 x 102

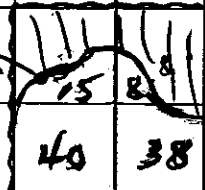
1.62 cfs or 81 inches
3 + 2

R-13E.

T.
10
S.

PD

14



13

23

78

101

TO CASTLE FORD

Subdivisions

4

AREA

101 acres

Q

1.62 cfs or 81 inches

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF ENGINEER

PERMIT NO. G-26949

REPORT ON PROOF OF Completion of Works & Beneficial Use

Walter Wells, Executor of estate of Edwin T. Wells, deceased.
R. F. D. #2, Buhl, Idaho

26949

