

State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 29-07940

Priority: March 19, 1990

Maximum Diversion Rate: 2.00 CFS
Maximum Diversion Volume: 472.0 AF

It is hereby certified that GRANT NEIBAUR And BARBARA NEIBAUR
2374 NEIBAUR RD
AMERICAN FALLS ID 83211
And
ART WEST And JUNE WEST
2374 NEIBAUR RD
AMERICAN FALLS ID 83211 have complied with the terms and
conditions of the permit, issued pursuant to Application for Permit dated March 19, 1990; and have
submitted Proof of Beneficial Use on June 21, 1996. An examination indicates that the works have a
diversion capacity of 2 cfs of water from:

SOURCE

GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
IRRIGATION	04/01 to 10/31	2.00 CFS	472.0 AF

LOCATION OF POINT OF DIVERSION:

GROUND WATER SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 26, Twp 07S, Rge 31E, B.M., POWER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S 31E 25						34.0	30.0				13.0						77.0
07S 31E 26	28.0	1.0	27.0	40.0									16.0	9.0	2.0		123.0

Total Acres: 200

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 118 acres within the place of use described above in a single irrigation season.
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.

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State of Idaho
Department of Water Resources
Water Right License

WATER RIGHT NO. 29-07940

3. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
4. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed and sealed this 26th day of March, 2003.


for KARL J. DREHER
Director

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MAR 26 2003

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT

(For Licensing Purposes)
WATER RIGHT NO. 29-07940

RECEIVED
MAR 20 2003
Department of Water Resources

Date of Priority: March 19, 1990

Maximum Diversion Rate: 2.00 CFS
Maximum Diversion Volume: 472.0 AF

Comes now GRANT NEIBAUR And BARBARA NEIBAUR
And

ART WEST And JUNE WEST
2374 NEIBAUR RD

AMERICAN FALLS ID 83211 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. 29-07940, and requests that the permit be changed as follows:

Source: GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	04/01 to 10/31	2.00 CFS	472.0 AF

LOCATION OF POINT OF DIVERSION:

GROUND WATER SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 26, Twp 07S, Rge 31E, B.M., POWER County

PLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S 31E 25					34.0	30.0			13.0								77.0
07S 31E 26	28.0	1.0	27.0	40.0									16.0	9.0	2.0		123.0

Total Acres: 200

Permit holder asserts that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 17 day of March, 2003.

Grant Neibaur
(Signature)

Barbara Neibaur

Arthur W. West by [Signature]
June N. West by [Signature]

[Signature]
ROA.

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MAR 26 2003

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 29-07940

FOR DEPARTMENT USE ONLY

Preliminary check by KW Fee = 50.00 Received by jm # 0065840 Date 11/18/02

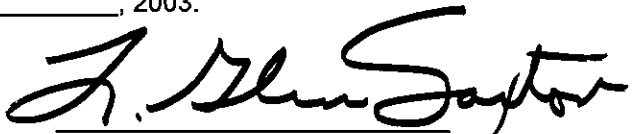
ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the
above Application for Amendment for Permit No. 29-07940 with the following:

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 118 acres within the place of use described above in a single irrigation season.
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. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
4. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

Witness my hand this 26th day of March, 2003.


for **KARL J. DREHER**
Director

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MAR 26 2003

130700

4009134

1-1027

copy

8 10:30 AM
 Art West
 FEB - 1994

ADA J. DAVEN
 J. DAVID LARSEN
 BOISE ID

PIONEER TITLE CO.
 '94 JAN 31 PM 4 31

Maurice Schelste
 Feb 13 94

FEB 12 94
 RECORDED AT THE REQUEST OF M. Z. Blang

POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, That we, ARTHUR W. WEST, and JUNE N. WEST, husband and wife, Room #130 Coronado Family Inn, 559 East St. George Blvd., St. George, Utah, have made, constituted and appointed, and by these presents do make, constitute, and appoint as our attorney our son, DORAN A. WEST, 2852 Garden Road, American Falls, Power County, Idaho, our true and lawful attorney, for us and in our name, and on our behalf, task, demand, to recover and receive, all and any sum of money or sums of money, debts, dues, merchandise or effects, due, payable, coming or belonging, or which may at any time be due, payable, or belonging to us from any person or persons whatsoever; to sell all, or any part of said goods, merchandise and effects, which may come to our attorney's possession or knowledge, on such credit, and for such prices as our attorney may deem meet; to purchase goods, merchandise, specie, currency, shares of stock including mining stock or other commodities, on our account for such prices and to such amount as our attorney may deem meet, and the same to sell again for our benefit on our account, for any prices whatsoever, to ship or transport the same, or any part thereof, on our behalf and account, to any post or posts, place or places, whatsoever, by any means of transportation, and with and to any person or persons whatsoever, and there barter, exchange, and dispose of the same; to insure and cause insurance to be made, of any such goods, merchandise, specie or other commodities, or if any part thereof, at such premiums, and for such risks as our attorney may deem meet; to borrow money for us and on our account in any amount or amounts; to accept any bill or bills or exchange or orders, make and execute any note or notes, bond or bonds, or other instruments of contracts, in our name and for any amount which our attorney may deem meet or expedient; to sell, barter, exchange or dispose of any real estate of which we are now seized or possessed in fee simple, or for any less estate, to any person or persons, for any price, or in any manner whatsoever, and for these purposes to execute and acknowledge any deed or deeds, lease or leases, or other assurances or assurance, with general covenants whatsoever, as our attorney may deem expedient; to purchase any real estate on our account, in fee simple or otherwise, at any

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MAR 26 2003

price or any exchange whatsoever, and for these purposes to receive, confirm, make and execute any contracts, deeds, conveyances, or other instruments whatsoever; to settle and adjust all partnership accounts and demands, and all other accounts or demands not subsisting, or which may hereafter subsist between us and any person or persons whatsoever, and submit the same to and decide them by arbitration; to compound for any debt, dues, or demands owing, or which may hereafter be owing to us, and to take less than the whole, or otherwise to agree for the same, in such manner, and on such terms as our attorney, in our attorney's discretion, may deem proper; and for all or any of these purposes, to make and execute any releases, compromises, compositions, agreements or contacts, by deed or otherwise, in our attorney's opinion necessary and expedient in the premises; to pay and discharge all debts and demands due and payable, or which may hereafter become due and payable by us unto any person or persons whatsoever; to enter into any lands or other real estate to which we are or may be entitled, and recover the possession thereof, and damages for any injury done thereto, and to distrain from rent due thereon, and also to commence and prosecute unto final judgment and execution, any suit or suits, action and actions, real, personal or mixed, which our attorney shall deem proper for the recovery, possession, or enjoyment of any matter or things which is or which may hereafter be due, payable, owing, belonging, accruing or appertaining to us for or by reason of the premises, or any part thereof, and, in any such suits or actions, for us in person, or by such attorney or attorneys, or counsel, our attorney may deem necessary or proper to retain or employ to appear and plead, before any courts or tribunals having jurisdiction thereof, and all stipulations, undertakings, recognizances and other requisites in any suits or actions, and any questions arising on the same, by arbitration or other compromise, and of all receipts and recoveries in the premises, due acquittance and discharges to execute and deliver, and generally to do and perform all matters and things, transact all business, make, execute and acknowledge all contracts, orders, deeds, mortgages, satisfaction of mortgage, leases and assignments of the same, and all other writing, assurances and instruments of every kind, which may be requisite or proper to effectuate all or any of the premises, or any other matter or thing appertaining or belonging to us, to exercise any right, option or privilege available to us under or in connection with any life insurance policy, including, but not limited to, the right to surrender

the policy, make a policy loan, and change the beneficiary, and to receive, endorse and deposit to our account, or any other account, any check, draft or warrant, including any check, draft or warrant issued by the United States Government, any state, county or city, or any federal, state, county or city government or governmental agency, body or unit, including, but not limited to, any social security, internal revenue service or veterans administration check, to sign federal internal revenue and state income tax returns, to represent us before any office of the Internal Revenue Service with respect to internal revenue tax matters of every type, kind and description, to receive confidential information with respect to us and our tax returns and affairs from the State of Idaho and/or Internal Revenue Service, and without limitation of the foregoing, (a) to execute waivers (including offers of waivers) of restrictions on assessments or collection of state and/or federal internal revenue taxes, (b) to execute consents extending the statutory period for assessment and collection of state and/or federal internal revenue service taxes, (c) to execute closing statements under Section 7121 of the Internal Revenue Code and under the applicable provisions of the State of Idaho tax laws, (d) to delegate authority or to substitute another representative, and (e) in general, to do each and every act, matter and thing which we might do pertaining to federal internal revenue service and/or state income tax taxes, with the same powers, and to all intents and purposes, with the same validity as we could, if personally present and acting.

GIVING AND GRANTING unto our said attorney, full power and authority to do and perform each, all and every act and thing whatsoever requisite and proper to be done in and about the premises, as fully to all intents and purposes as we might or could if personally present, with full power of substitution and revocation, thereby ratifying and confirming all that our said attorney, or our attorney's substitute or substitutes, shall lawfully do or cause to be done by virtue of these presents.

IT IS OUR INTENTION by this instrument to empower, and we do empower, our said attorney in fact, for us, and in our name, place and stead to do each and every lawful act, matter and thing which we could do if personally acting, whether or not such acts, matters and things are specifically listed and authorized by the preceding paragraphs of this instrument.

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All words used herein in the singular number shall extend to and include the plural. All words used herein in the plural number shall extend to and include the singular.

All words used in any gender shall extend to and include all genders.

THIS POWER OF ATTORNEY shall not be affected and shall survive the disability of the principal.

IN WITNESS WHEREOF, we hereunto set our hands and seals this 26 day of January, 1994.

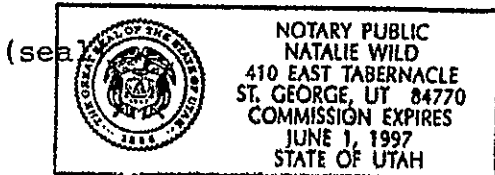
Arthur W. West
ARTHUR W. WEST

June N. West
JUNE N. WEST

STATE OF UTAH)
) ss.
County of Washington)

On this 26 day of January, 1994, before me a Notary Public in and for said State, personally appeared ARTHUR W. WEST and JUNE M. WEST, 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.



Natalie Wild
NOTARY PUBLIC FOR UTAH
Residing at: St. George, UT
Comm. Exp. 6-1-97

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State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 26, 2003

GRANT & BARBARA NEIBAUR
ART & JUNE WEST
2374 NEIBAUR RD
AMERICAN FALLS ID 83211

RE: License No. 29-7940 - Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a copy of the approved Application for Amendment.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

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

Sincerely,

for Shelley W. Keen
Shelley W. Keen
Water Rights Supervisor

SWK:klt

Enclosure(s)

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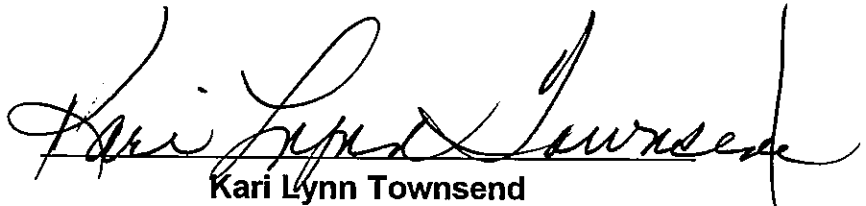
MAR 26 2003

CERTIFICATE OF SERVICE

I hereby certify that on March 26, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved License) to the person(s) listed below:

RE: WATER RIGHT NO. 29-7940

**ART WEST
JUNE WEST
GRANT NEIBAUR
BARBARA NEIBAUR
2374 NEIBAUR RD
AMERICAN FALLS ID 83211**


Kari Lynn Townsend
Secretary

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MAR 26 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources (department) unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the department or the Idaho Water Resource Board (Board) is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 27, 2003

GRANT and BARBARA NEIBAUR
ART and JUNE WEST
2374 NEIBAUR RD
AMERICAN FALLS ID 83211

RE: Permits 29-07940 and 29-07944

Dear Permit Holders:

We have received the information requested in our correspondence of December 16, 2002. We have re-evaluated the above referenced permits and find that we will be able to license your entire system under Permit 29-07940. Enclosed, you will find a revised licensing amendment that needs to be signed and returned to us. Please note that we have prepared the license for the irrigation of 118 acres in any irrigation season, within a 200-acre permissible place of use. This proposed license covers the use of 2.0 cfs, which is what our examiner determined is the capacity of your well.

Since the entire use of your system can be covered under proposed license of 29-07940 we request that you relinquish Permit No. 29-07944. I have enclosed a "Relinquishment" form for your use in this matter. Once we receive the signed relinquishment form, we will request that the \$50.00 fee you submitted for the licensing amendment of 29-07944, on November 20, 2002, be returned to you.

Please sign the enclosed amendment of Permit No. 29-07940 and the relinquishment form and return it to this office within the next 30 days so we can complete the processing of your water rights. If you have any questions in regard to this matter, please do not hesitate to contact me at (208)327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Enclosures

Cc: DORAN A. WEST
2852 GARDEN RD
AMERICAN FALLS ID 83211

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MAR 26 2003

Comment Report

29-7940

1. kwalker 2/25/2003 Proposed License

Comment: It has been determined that the right holders have never irrigated more than 118 acres in any irrigation season. Therefore, we have adjusted the proposed license limiting the use to 118 acres within a 200 acre ppu in any season. Since the entire system can be covered under this license we will request a relinquishment of 29-7944 and return the amendment fee that was submitted.

2. VAULT 6/7/1994 Proof of Beneficial Use Rcvd

Comment: Proof of Beneficial Use Rcvd

3. SCURTIS 6/24/1996 Proof of Beneficial Use Rcvd

Comment: Proof of Beneficial Use Rcvd

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MAR 26 2003

29-7940

permit = 120 ac / 2.4 cfs

29-7944

80 ac / 1.60 cfs

Capacity = 1.52 cfs @ pivot
└ 0.49 cfs @ sprinkler (handlines)
→ 2.00 cfs per examiner

Proposed:

118 ac within 200 ac ppu @ 2.0 cfs

Can allow 118 ac within 200 ac ppu
under Rt. 29-07940 -
no need for 29-07944 - return
\$50. amendment fee & request
relinquishment -

KW

2/25/03

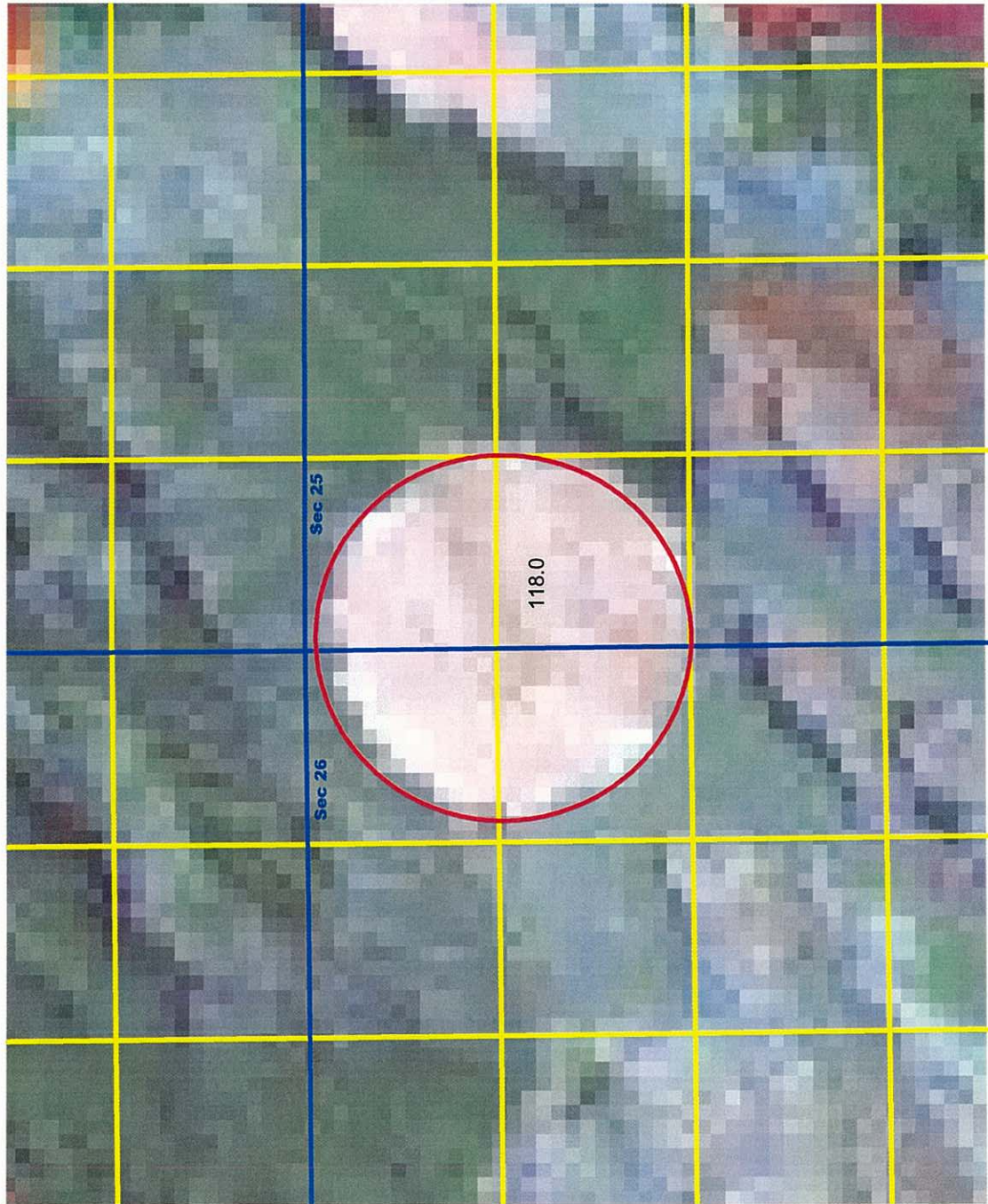
118 ac $\times$ 4.0 = 472 AFA
2.0 cfs $\times$ 19835 $\times$ 214 = 848.9 $\approx$ 849 AFA

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MAR 26 2003

29-7940

Prepared by kw 2/19/2003



29-7940.shp
S7s31e.shp
T07s31e.shp



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MAR 2 2003

Satellite P3940-200008-b453.sid (8/2000 photo)

MEMORANDUM

TO: Files 29-7940 & 29-07944

FROM: KAY WALKER *kw*

RE: Response to Correspondence of 12/16/2002

Date: February 25, 2003

.....

In Shelley's memo of 1/15/2003 it is noted that Tom Clark, of Merrill & Merrill, requested more time to respond to our letter of 12/16/02. Shelley told Mr. Clark we would hold the files for 30 additional days.

On February 13, 2003, we received information requested from Doran A. West.
(see in file 29-7940)

I called Mr. Clark's office and left a voice message asking him if he intended to submit more information. I have not received a reply to that voice message so am considering the non-response as a no. Also, the time for response, with the additional 30 days allowed for Mr. Clark, has lapsed.

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MAR 26 2003

RECEIVED

FEB 13 2003

Department of Water Resources

TO: Shelley Keen

February 6, 2003

From: Doran A. West
2852 Garden Rd
American Falls, ID 83211
(208) 226-2671

RE: Licensing of permits 29-7940 & 29-7944

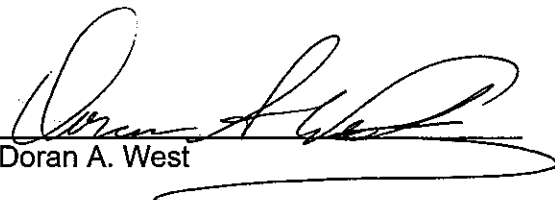
Doran West states that the enclosed FSA Report for 1997 accurately describes the number of acres (114.7 ac) irrigated under the pivot in Sec 25 & 26, T7S, R31E.

84.5 acres w/in NWNW Sec 25 & E ½ NE ¼ Sec 26, T7S, R31E
30.2 acres w/in SWNW Sec 25, T7S, R31E.

In addition to the above mentioned acres and additional 2 acres are irrigated in the SENE Sec 26, T7S, R31E, in the spring of the year when the pump capacity is greatest.

Owners of the NWNW Sec 25 & E ½ NE ¼ Sec 26, T7S, R31E, under the pivot are Grant & Barbara Neibaur and Art & June West. The SWMW Sec 25, T7S, R31E, is leased ground from Norman K. Moss, P.O. Box 214, Rockland, ID, 83271-0214.

The system is operated by A. West & Sons Farms. Doran A. West is one of the general partner.



Doran A. West

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MAR 26 2003

CERTIFICATE OF ASSUMED BUSINESS NAME

(Please type of print legibly. See instructions on other page.)

FILED

97 DEC 29 AM 8:52

SECRETARY OF STATE
STATE OF IDAHO

To the SECRETARY OF STATE, STATE OF IDAHO

Pursuant to Section 59-504, Idaho Code, the undersigned
gives notice of adoption of an Assumed Business Name.

1. The assumed business name which the undersigned uses(s) in the transaction of business is:

A. West & Sons Farms

2. The true name(s) and business address(es) of the entity or individual(s) doing business under the assumed business name is/are:

NameComplete AddressDoran A. West2854 Garden Road American Falls, ID 83211Kim W. West2852 Garden Road American Falls, ID 83211Arthur W. West2720 Bragg Road American Falls, ID 83211

3. The general type of business transacted under the assumed business name is:
(mark only those that apply)

☐

Retail Trade

☐

Manufacturing

☐

Transportation and Public Utilities

☐

Wholesale Trade

☒

Agriculture

☐

Finance, Insurance, and Real Estate

☐

Services

☐

Construction

☐

Mining

4. The name and address to which future correspondence should be addressed:

Phone number (optional): _____

A. West & Sons Farms2853 South Garden RoadAmerican Falls, ID 83211

5. Name and address for this acknowledgement copy is (if other than #4 above):

FIRST SECURITY BANK N.A.

COMMERCIAL LOAN DOCUMENTATION CENTER

P.O. BOX 8208

BOISE, IDAHO 83707

Submit Certificate of
Assumed Business

Name and \$20.00 fee to:

Secretary of State

700 West Jefferson

Basement West

PO Box 83720

Boise ID 83720-0080

208 334-2301

Signature: _____

Printed Name Doran A. West/Kim W. West/Arthur W. WestCapacity: General Partner/General Partner/ General Partner

(see instruction # 6 on other sheet)

Secretary of State

12/29/1997 09:00
CK: 1526 CT: 66269 MH: 67831

1 @ 20.00 = 20.00 ASSUM NAME

D 10741

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MAR 26 2003

POWER IDAHO

Form Approved - OMB No. 0560-0004

SA-578(02-01-91)

REPORT OF ACREAGE

PROGRAM YEAR 1997

FARM NUMBER: 1315

FARM AND TRACT DETAIL LISTING

DATE: 06-20-97

Operator Name and Address ID

Original: _____

STEVE KENT DEEG 2893

Revision: _____

3007 DEEG RD 83211-5554

Cropland: 2,181.6

Farmland: 2,490.0

Tract Number	Field Num ID	Irr Prc	Crop	Var/Type	Int Use	Land Use	Reported Acreage	Determined Acreage	U/M	Crop Stat	Prod Share	Prod ID	Ins Elig	Crop Type	Planting Date	Map Area
--------------	--------------	---------	------	----------	---------	----------	------------------	--------------------	-----	-----------	------------	---------	----------	-----------	---------------	----------

0		Ni	BARLY	SPR			.00				.5000	2893	N	092		
											.5000	2574				

Crop BARLY Irr .0

Photo Number/Legal Description: None

Cropland: .0 Reported: .0 Difference: .0 Reported D,B,S,R,A: .0

557	10	Ni	CRP		1		28.20			I	.5000	2893	N			
											.5000	2574				
	1	Ni	SUMFL				36.70			I	.5000	2893	N			
											.5000	2574				
	2	Ni	SUMFL				2.50			I	.5000	2893	N			
											.5000	2574				
	3	Ni	SUMFL				34.30			I	.5000	2893	N			
											.5000	2574				
	4	Ni	SUMFL				47.10			I	.5000	2893	N			
											.5000	2574				
	5	Ni	SUMFL				128.70			I	.5000	2893	N			
											.5000	2574				
	6	Ir	WHEAT	SWS	Grain		84.50			I	.5000	2893	N	012		
											.5000	2574				
	7	Ni	SUMFL				51.40			I	.5000	2893	N			
											.5000	2574				
	7A	Ni	WHEAT	SWS	Grain		40.70			I	.5000	2893	N	012		

MICROFILMED
MAR 26 2003

T-557
NI
Sumbl

1-36.7

NI
Sumbl

3-34.3

NI
Sumbl

4-47.1

23 24

24 23

#1315
Steve Deeg
Irr
SWS

NI
Sumbl

5-128.7

T-657

7-51.4
NI
Sumbl

NIrr
SWS

7a-40.7

Irr
SWS

6-83.4

1-30.2

NI
Sumbl
15-15.4

7-108.9

T-557

- 1-36.7 +
- 2-2.5 +
- 3-34.3 +
- 4-47.1 +
- 5-128.7 +
- 6-83.1 +
- 7-108.9 +

cont.

64.7

MICROFILMED

MAR 26 2003

POWER, IDAHO

Farm Approved - DMB No. 0560-0004

FSA-578(02-01-91)

REPORT OF ACREAGE

PROGRAM YEAR 1998

FARM NUMBER: 1315

FARM AND TRACT DETAIL LISTING

DATE: 06-22-1998

Operator Name and Address ID

Original: _____

STEVE KENT DEEG 2893

Revision: _____

3007 DEEG RD
AMERICAN FALLS, ID 83211-5554

Cropland: 2,181.6

Farmland: 2,490.0

Tract Number	Field Num ID	Irr Prc	Crop	Var/ Type	Int Use	Lnd Use	Reported Acreage	Determined Acreage	D/ H	Crop Stat	Plnt Prac	Prod Share	Prod ID
557	1	Ni	CRP		10		36.70			I		.5000 .5000	2893 2574
	2	Ni	CRP		10		2.50			I		.5000 .5000	2893 2574
	3	Ni	CRP		10		34.30			I		.5000 .5000	2893 2574
	4	Ni	CRP		10		47.10			I		.5000 .5000	2893 2574
	5	Ni	CRP		10		128.70			I		.5000 .5000	2893 2574
	6	Ir	PTATO	GRB	Fresh	F FAV	83.10			I		1.0000	2251
	7	Ni	CRP		10		51.40			I		.5000 .5000	2893 2574
	7A	Ir	BARLY	SPR	Grain		42.10			I		.5000 .5000	2893 2574
	7B	Ni	CRP		10		15.40			I		.5000 .5000	2893 2574
	8	Ni	CRP		10		264.20			I		.5000 .5000	2893 2574
	8A	Ir	BARLY	SPR	Grain		23.80			I		.5000 .5000	2893 2574
	9	Ni	CRP		10		52.70			I		.5000 .5000	2893 2574
	9A	Ir	BARLY	SPR	Grain		26.30			I		.5000 .5000	2893 2574
	9B	Ni	CRP		10		7.30			I		.5000 .5000	2893 2574
	10	Ni	CRP		10		28.20			I		.5000 .5000	2893 2574
	11	Ni	CRP		10		225.60			I		.5000 .5000	2893 2574
	11A	Ni	CRP		10		5.30			I		.5000 .5000	2893 2574
	11B	Ir	BARLY	SPR	Grain		14.20			I		.5000 .5000	2893 2574
	12	Ni	CRP		10		21.00			I		.5000 .5000	2893 2574

MICROFILMED

MAR 26 2003

Steve Deeg #1315
1998

T-557
CRP

3-36.7

CRP

3-34.3

CRP

4-47.1

23 | 24

5-128.7

#1315

Steve Deeg 100%
Koonpms

Irr
Potatoes
(Shepoly)

7-51.4
CRP

T-657

T-557

1-36.7 +
2-2.5 +
3-34.3 +
4-47.1 +
5-128.7 +
6-83.1 +
7-108.9 +

100%
Koonpin
Bas.

CRP & other
Cropland
Steve 5000

477.5008

See
Next map!

1615.4
CRP

6-83.1

7-108.9

100%
Koonpms
Irr
Potatoes
(Shepoly)

1-30.2

MICROFILMED

MAR 26 2003

POWER, IDAHO

Form Approved - OMB No. 0560-0004

FSA-578(02-01-91)

REPORT OF ACREAGE

PROGRAM YEAR 1999

FARM NUMBER: 1315

FARM AND TRACT DETAIL LISTING

DATE: 07-14-1999

Operator Name and Address ID

Original: _____

STEVE KENT DEEG 2893

Revision: _____

3007 DEEG RD
AMERICAN FALLS, ID 83211-5554

Cropland: 2,181.6

Farmland: 2,490.0

Tract Number	Field Num ID	Irr Prc	Crop	Var/ Type	Int Use	Lnd Use	Reported Acreage	Determined Acreage	O/ H	Crop Stat	Plnt Prac	Prod Share	Prod ID
0		Ir	OFAV			F FAV	.00					1.0000	0721
		Crop OFAV		Nirr .0	Irr								
		Photo Number/Legal Description: None											
		Cropland:		.0	Reported:	.0	Difference:		.0	Reported D,B,S,R,A:		.0	
557	1	Ni	CRP		10		36.70			I		1.0000	1368
	2	Ni	CRP		10		2.50			I		1.0000	1368
	3	Ni	CRP		10		34.30			I		1.0000	1368
	4	Ni	CRP		10		47.10			I		1.0000	1368
	5	Ni	CRP		10		128.70			I		1.0000	1368
	7	Ni	CRP		10		51.40			I		1.0000	1368
	8	Ni	CRP		10		264.20			I		1.0000	1368
	9	Ni	CRP		10		52.70			I		1.0000	1368
	10	Ni	CRP		10		28.20			I		1.0000	1368
	11	Ni	CRP		10		225.60			I		1.0000	1368
	12	Ni	CRP		10		21.00			I		1.0000	1368
	7B	Ni	CRP		10		15.40			I		1.0000	1368
	9B	Ni	CRP		10		7.30			I		1.0000	1368
	11A	Ni	CRP		10		5.30			I		1.0000	1368
	6	Ir	WHEAT	HRW	Grain		83.10			I		1.0000	0721
	7A	Ir	WHEAT	HRW	Grain		42.10			I		1.0000	0721
	8A	Ni	WHEAT	HRW	Grain		18.00			I		1.0000	0721
	8B	Ir	WHEAT	HRW	Grain		23.80			I		1.0000	0721
	9A	Ir	WHEAT	HRW	Grain		26.30			I		1.0000	0721
	11B	Ir	WHEAT	HRW	Grain		14.20			I		1.0000	0721
		Crop CRP		Nirr 920.4	Irr	Crop WHEAT	Nirr 18.0	Irr 189.5					

MICROFILMED

MAR 26 2003

T-557
CRP

1-36.7
CRP

CRP
3-34.3

CRP

4-47.1

23 24

26 25

CRP
5-128.7

T-657

#255

#1315

Steve Deeg

Irr
HRW

100%
A. West & Sons

T-557

- 1-36.7 +
- 2- 2.5 +
- 3-34.3 +
- 4-47.1 +
- 5-128.7 +
- 6- 83.1 +
- 7-108.9 +

cont.

NIR HRW

79 42.1

6-83.4

1-30.2

75 15.4

7-108.9

CRP

1999

Farm

1315

MICK
2003

POWER, IDAHO

Form Approved - OMB No. 0560-0004

FSA-578(02-01-91)

REPORT OF ACREAGE

PROGRAM YEAR 2000

FARM NUMBER: 2160

FARM AND TRACT DETAIL LISTING

DATE: 06-08-2000

Operator Name and Address ID

Original: _____

A WEST & SONS 0721

Revision: _____

2852 GARDEN RD
AMERICAN FALLS, ID 83211-5408

Cropland: 1,127.9

Farmland: 1,240.0

Tract Number	Field Num ID	Irr Prc	Crop	Var/ Type	Int Use	Lnd Use	Reported Acreage	Determined Acreage	O/ H	Crop Stat	Prod Share	Prod ID
0		Ir	OFAV			F FAV	.00				1.0000	0721
		Crop OFAV		Nirr .0	Irr							
		Photo Number/Legal Description: None										
		Cropland:		.0	Reported:		.0	Difference:		.0	Reported D,B,S,R,A:	.0
557	4	Ni	WHEAT	HRS	Grain		85.00			I	1.0000	0721
	5	Ir	WHEAT	HRS	Grain		83.10			I	1.0000	0721
	6	Ni	WHEAT	HRS	Grain		39.40			I	1.0000	0721
	1	Ir	CRP		10		235.90			I	1.0000	0721
	2	Ir	CRP		10		51.40			I	1.0000	0721
	3	Ir	CRP		10		13.40			I	1.0000	0721
	7	Ir	CRP		10		279.60			I	1.0000	0721
	8	Ir	CRP		10		58.00			I	1.0000	0721
	9	Ir	CRP		10		232.90			I	1.0000	0721
	10	Ir	CRP		10		28.20			I	1.0000	0721
	11	Ir	CRP		10		21.00			I	1.0000	0721
		Crop CRP		Nirr 920.4	Irr	Crop WHEAT	Nirr 124.4	Irr 83.1				
		Photo Number/Legal Description: *N-11,M-12* SEC 19,20,32 T8S R32E, CRP 8559A										
		Cropland:		1,127.9	Reported:		1,127.9	Difference:		.0	Reported D,B,S,R,A:	.0

MICROFILMED

MAR 26 2003

R-3|E

22	23
27	26

2000

See
N-11
CRP
8559A

Fields
2, 3, 7-11
End 2307

23	24
26	25

CRP
3-
13.4

T-557

CRP
2-51.4

100%
A West &
Sons

NE
1/4

4-85.0

5-
83.1

SEE N-

#2160
A. West & Sons

100%
A West
Sons

6-
39.4

CRP
27 26 7-279.6

34	35
----	----

T-569

CRP
8-58.0

100%
A West &
Sons

27	25
35	36

T-557

	2	51.4	+*
CRP:	3	13.4	+*
100%	4	85.0	+
Debaun-	5	83.1	+
West Farms	6	39.4	+
	7	279.6	+*
	8	58.0	+*
	9	232.9	+*
	10	28.2	+*
	11	21.0	+*

0011

1127.9

CRP 8559A - 07.21

T-5
R3|E

9-CRP
232.9

10
28.2

11-CRP
21.0

X M-12 X

Garden P.

FSA-578 (02-01-91)

REPORT OF ACREAGE

PROGRAM YEAR 2001

FARM NUMBER: 2274

FARM AND TRACT DETAIL LISTING

DATE: 08-06-2001

Operator Name and Address ID

Original: _____

A WEST & SONS 0721
2852 GARDEN RD
AMERICAN FALLS, ID 83211-5408

Revision: _____

Cropland: 2,826.9

Farmland: 3,105.0

Tract Number	Field Num ID	Irr Prc	Crop	Var/ Type	Int Use	Lnd Use	Reported Acreage	Determined Acreage	O/ M	Crop Stat	Prod Share	Prod ID		
557	1	Ni	CRP		10		235.90			I	1.0000	0721		
	2	Ni	CRP		10		51.40			I	1.0000	0721		
	3	Ni	CRP		10		13.40			I	1.0000	0721		
	4	Ni	FALLOW				85.00			I	1.0000	0721		
	5	Ir	PTATO	SPC	Proces	F FAV	83.10			I	1.0000	0721		
	6	Ni	FALLOW				39.40			I	1.0000	0721		
	7	Ni	CRP		10		279.60			I	1.0000	0721		
	8	Ni	CRP		10		58.00			I	1.0000	0721		
	9	Ni	CRP		10		232.90			I	1.0000	0721		
	10	Ni	CRP		10		28.20			I	1.0000	0721		
	11	Ni	CRP		10		21.00			I	1.0000	0721		
Crop Type	Prac	IU	Non-Irrig	Irrigated	Crop Type	Prac	IU	Non-Irrig	Irrigated	Crop Type	Prac	IU	Non-Irrig	Irrigated
CRP	N	10	920.4		FALLOW	N		124.4		OFAV	I			83.1
PTATO	SPC	I	PR											

Photo Number/Legal Description: *N-11,M-12* SEC 19,20,32 T8S R32E, CRP 8559A

Cropland: 1,127.9 Reported: 1,127.9 Difference: .0 Reported D,S,R: .0

629	1	Ir	WHEAT	HRS	Grain		180.60			I	1.0000	0721
	2	Ir	WHEAT	SWW	Grain		160.40			I	1.0000	0721
Crop Type	Prac	IU	Non-Irrig	Irrigated	Crop Type	Prac	IU	Non-Irrig	Irrigated			
WHEAT	HRS	I	GR	180.6	WHEAT	SWW	I	GR	160.4			

Photo Number/Legal Description: *O-9* SEC 34 T6S R32E, SEC 5 T7S R32E

Cropland: 341.0 Reported: 341.0 Difference: .0 Reported D,S,R: .0

2289	1	Ni	GRASS	WCR	LftStd		109.00			I	1.0000	0721
	2	Ni	GRASS	WCR	LftStd		75.20			I	1.0000	0721
Crop Type	Prac	IU	Non-Irrig	Irrigated								
GRASS	WCR	N	LS	184.2								

Photo Number/Legal Description: *E-8* SEC 21 T6S R29E

Cropland: 184.2 Reported: 184.2 Difference: .0 Reported D,S,R: .0

2322	1	Ni	GRASS	WCR	LftStd		10.40			I	1.0000	0721
------	---	----	-------	-----	--------	--	-------	--	--	---	--------	------

R-31E

22 23
27 26

See
N-11
CRP
855.4

2, 3, 7-11
End 2007

23 24

T-557
CRP

26 25

CRP
3-13.4

I Potato
CRP

T-557
CRP

2-51.4

NI-Falou

4-85.0

5-83.1

SEE N-

6-39.4

NI-Falou

27 26 7-279.6
34 35

T-557

1-11.5

8-58.0

24 25
35 36

T-557

2	51.4	+	+
3	13.4	+	+
4	85.	+	
5	83.1	+	
6	39.4	+	
7	279.6	+	+
8	58.	+	+
9	232.9	+	+
10	28.2	+	+
11	21.	+	+

7 cher

HEL

T-5
R31E

5-9.3

4-63.1

HEL

6-25.6

CRP

CRP

9-232.9

10-28.2

CRD

11-21.0

0011

1:127.9

M-12

Garden Rd.

MICROFILMED
MAR 2 8 2003

FSA-578(02-01-91)

REPORT OF ACREAGE

PROGRAM YEAR 2002

FARM NUMBER: 2383

FARM AND TRACT DETAIL LISTING

DATE: 06-07-2002

Operator Name and Address ID

Original: _____

A WEST & SONS 0721
2852 GARDEN RD
AMERICAN FALLS, ID 83211-5408

Revision: _____

Cropland: 2,832.4

Farmland: 3,113.0

Tract Number	Field Num ID	Irr Prc	Crop	Var/ Type	Int Use	Lnd Use	Reported Acreage	Determined Acreage	O/ M	Crop Stat	Prod Share	Prod ID
329	1	Ir	SBEET		Proces		45.90			I	1.0000	0721

Crop Type	Prac IU	Non-Irrig	Irrigated
SBEET	I PR		45.9

Photo Number/Legal Description: *N-11* SEC 24 T7S R31E

Cropland:	45.9	Reported:	45.9	Difference:	.0	Reported D.S.R:	.0
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556	1	Ir	WHEAT	HRS	Grain		51.70			I	1.0000	0721
	2	Ir	GRASS	NAG	Forage		4.40			I	1.0000	0721
	3	Ir	GRASS	NAG	Forage		1.80			I	1.0000	0721

Crop Type	Prac IU	Non-Irrig	Irrigated	Crop Type	Prac IU	Non-Irrig	Irrigated
GRASS NAG	I FG		6.2	WHEAT HRS	I GR		51.7

Photo Number/Legal Description: *M11* SEC 23, T7S, R31E

Cropland:	57.9	Reported:	57.9	Difference:	.0	Reported D.S.R:	.0
-----------	------	-----------	------	-------------	----	-----------------	----

557	4	Ni	FALOW				85.00			I	1.0000	0721
	5	Ir	WHEAT	HRS	Grain		83.10			I	1.0000	0721
	6	Ni	FALOW				39.40			I	1.0000	0721
	1	Ni	CRP		10		235.90			I	1.0000	0721
	2	Ni	CRP		10		51.40			I	1.0000	0721
	3	Ni	CRP		10		13.40			I	1.0000	0721
	7	Ni	CRP		10		279.60			I	1.0000	0721
	8	Ni	CRP		10		58.00			I	1.0000	0721
	9	Ni	CRP		10		232.90			I	1.0000	0721
	10	Ni	CRP		10		28.20			I	1.0000	0721
	11	Ni	CRP		10		21.00			I	1.0000	0721

Crop Type	Prac IU	Non-Irrig	Irrigated	Crop Type	Prac IU	Non-Irrig	Irrigated
CRP	N 10	920.4		FALOW	N	124.4	
				WHEAT HRS	I GR		83.1

Photo Number/Legal Description: *N-11,M-12* SEC 19,20,32 T8S R32E, CRP 8559A

Cropland:	1,127.9	Reported:	1,127.9	Difference:	.0	Reported D.S.R:	.0
-----------	---------	-----------	---------	-------------	----	-----------------	----

629	1	Ir	WHEAT	SWW	Grain		180.60			I	1.0000	0721
-----	---	----	-------	-----	-------	--	--------	--	--	---	--------	------

MICROFILMED
MAR 26 2003

2-3 E

22 23
27 26

See
N-1
CRP
855.8

2, 3, 7-11
Sum 2207

23 24

26 25

3-13.4

T-557

2-51.4

4-85.0

5-83.1

SEE N-

27 26 7-279.6

34 35

T-569

1-11.5

8-58.0

21 25
35 36

T 557

2	51.4	+*
3	13.4	+*
4	85.0	+
5	83.1	+
6	39.4	+
7	279.6	+*
8	58.0	+*
9	232.9	+*
10	28.2	+*
11	21.0	+*

0011

1:127.9

T 75
R 31 E

MICRO
MAR 26 2003

9-232.9

10-28.2

11-21.0

m-12

Garden Rd.

POWER, IDAHO

Form Approved - OMB No. 0560-0004

SA-578(02-01-91)

REPORT OF ACREAGE

PROGRAM YEAR 1997

FARM NUMBER: 259

FARM AND TRACT DETAIL LISTING

DATE: 06-25-97

Operator Name and Address ID

Original: _____

NORMAN K NOSS 1849

Revision: _____

PO BOX 214 83271-0214

Cropland: 143.2

Farmland: 160.0

Tract Number	Field Num ID	Irr Prc	Crop	Var/Type	Int Use	Land Use	Reported Acreage	Determined Acreage	O/H	Crop Stat	Prod Share	Prod ID	Ins Elig	Crop Type	Planting Date	T Area	Map Area
657	2	Ni	CRP		1		48.30			I	1.0000	1849	N				
	1	Ir	WHEAT	SWS	Grain		30.20			I	.5000 .5000	2893 2574	N	012			
	3	Ni	CRP		1		64.70 <i>OK</i>			I	1.0000	1849	N				
		Crop CRP		Nirr 113.0	Irr	Crop WHEAT	Nirr	Irr 30.2									

Photo Number/Legal Description: 0-12a T7SRG31E SEC 25

Cropland: 143.2 Reported: 143.2 Difference: .0 Reported 0,B,5,R,A: .0

MICROFILMED
MAR 26 2003

#259 NORMAN MOSS 1977

T-657

4-
47

- 1- 30.2 +
- 2- 48.3 +
- 3- 64.7 +
- (143.2)

5-
128.7

T-657

#259
Norman Moss

2-
48.2

Dir
3005

- .5000 Steve Day
- .5000 Lynn Day

6-84.5

1-
30.2

HEL
3- 81-177
64.7

7- 107.5

MICROFILMED
MAR 26 2003

POWER, IDAHO

Form Approved - OMB No. 0560-0004

FSA-578(02-01-91)

REPORT OF ACREAGE

PROGRAM YEAR 1998

FARM NUMBER: 259

FARM AND TRACT DETAIL LISTING

DATE: 02-04-1999

Operator Name and Address ID

Original: _____

NORMAN K MOSS 1849

Revision: _____

PO BOX 214

ROCKLAND, ID 83271-0214

Cropland: 143.2

Farmland: 160.0

Tract Number	Field Num ID	Irr Prc	Crop	Var/ Type	Int Use	Lnd Use	Reported Acreage	Determined Acreage	O/ M	Crop Stat	Plnt Prac	Prod Share	Prod ID
0		Ir	WHEAT	HRW			.00	.00	00			1.0000	1849
		Crop WHEAT		Nirr	Irr .0								
		Photo Number/Legal Description: None											
		Cropland:		.0	Reported:		.0	Difference:		.0	Reported D,B,S,R,A:		.0
657	1	Ir	PTATO	GRB	Fresh	F FAV	30.20	30.20	00	I		1.0000	2251
	2	Ni	CRP		10		48.30	48.30	00	I		1.0000	1849
	3	Ni	CRP		10		64.70	64.70	00	I		1.0000	1849
		Crop CRP		Nirr 113.0	Irr	Crop OFAV		Nirr 30.2	Irr				
		Photo Number/Legal Description: 0-12a T7SRG31E SEC 25											
		Cropland:		143.2	Reported:		143.2	Difference:		.0	Reported D,B,S,R,A:		.0

MICROFILMED

MAR 26 2003

MAR 26 2003

POWER, IDAHO

Form Approved - DMS No. 0560-0004

FSA-578(02-01-91)

REPORT OF ACREAGE

PROGRAM YEAR 1999

FARM NUMBER: 259

FARM AND TRACT DETAIL LISTING

DATE: 06-08-1999

Operator Name and Address ID

Original: _____

NORMAN K MOSS 1849

Revision: _____

PO BOX 214
ROCKLAND, ID 83271-0214

Cropland: 143.2

Farmland: 160.0

Tract Number	Field Num ID	Irr Prc	Crop	Var/ Type	Int Use	Lnd Use	Reported Acreage	Determined Acreage	O/ W	Crop Stat	Plnt Prac	Prod Share	Prod ID
0		Ir	OFAV			F FAV	.00					1.0000	0721
		Crop OFAV		Nirr .0	Irr								
		Photo Number/Legal Description: None											
		Cropland:		.0	Reported:		.0	Difference:		.0	Reported D,B,S,R,A:		.0
657	2	Ni	CRP		10		48.30		RD	I		1.0000	1849
	3	Ni	CRP		10		64.70		RD	I		1.0000	1849
	1	Ir	WHEAT	HRW	Grain		30.20			I		1.0000	0721
		Crop CRP		Nirr 113.0	Irr	Crop WHEAT		Nirr 30.2	Irr				
		Photo Number/Legal Description: 0-12a T7SRG31E SEC 25											
		Cropland:		143.2	Reported:		143.2	Difference:		.0	Reported D,B,S,R,A:		.0

MICROFILMED

MAR 26 2003

Norman Moss

Fm # (257)

1999

T-657

- 1- 30.2 +
- 2- 48.3 +
- 3- 64.7 +
- 143.2 *

CRP 100% Norman Moss

5- 128.7

T-657

#259

Norman Moss

CRP

2- 48.3

6- 84.5

1- 30.2

100%

7- 107.5

CRP

HEL

3-

87-179

64.7

MICROFILMED

MAR 26 2001

POWER, IDAHO

Form Approved - OMB No. 0560-0004

FSA-578(02-01-91)

REPORT OF ACREAGE

PROGRAM YEAR 2000

FARM NUMBER: 259

FARM AND TRACT DETAIL LISTING

DATE: 06-27-2000

Operator Name and Address ID
 NORMAN K MOSS 1849
 PO BOX 214
 ROCKLAND, ID 83271-0214

Original: _____
 Revision: _____
 Cropland: 143.2
 Farmland: 160.0

Tract Number	Field Num ID	Irr Prc	Crop	Var/ Type	Int Use	Lnd Use	Reported Acreage	Determined Acreage	O/ H	Crop Stat	Prod Share	Prod ID
0		Ir	OFAV			F FAV	.00				1.0000 1.0000	1849 0721
		Crop OFAV		Nirr .0	Irr							
		Photo Number/Legal Description: None										
		Cropland:		.0	Reported:	.0	Difference:		.0	Reported D,B,S,R,A:		.0
657	2	Ni	CRP		10		48.30		RD	I	1.0000	1849
	3	Ni	CRP		10		64.70		RD	I	1.0000	1849
	1	Ir	WHEAT	HRS	Grain		30.20			I	1.0000	0721
		Crop CRP		Nirr 113.0	Irr	Crop WHEAT		Nirr 30.2	Irr			
		Photo Number/Legal Description: 0-12a T7SRG31E SEC 25										
		Cropland:		143.2	Reported:	143.2	Difference:		.0	Reported D,B,S,R,A:		.0

MICROFILMED

MAR 26 2003

Norman Moss
Form # 259
2000

T-657

4-
4-
1- 30.2 +
2- 48.3 +
3- 64.7 +
143.2

5-
123.7

CRP- 100% Norman Moss

T-657

#259

Norman Moss

2- CRP
48.3

6-84.5

1-
30.2

CRP

HEL
3- 87-129
64.7

7- 107.5

MILITARY
APR 25 2003

FSA-578(02-01-91)

REPORT OF ACREAGE

PROGRAM YEAR 2001

FARM NUMBER: 259

FARM AND TRACT DETAIL LISTING

DATE: 06-06-2001

Operator Name and Address ID

Original: _____

NORMAN K MOSS 1849

Revision: _____

PO BOX 214

ROCKLAND, ID 83271-0214

Cropland: 143.2

Farmland: 160.0

Tract Number	Field Num ID	Irr Prc	Crop	Var/ Type	Int Use	Lnd Use	Reported Acreage	Determined Acreage	O/ M	Crop Stat	Prod Share	Prod ID
657	2	Ni	CRP		10		48.30		RO	I	1.0000	1849
	3	Ni	CRP		10		64.70		RO	I	1.0000	1849
	1	Ir	PTATO	RUS	Fresh	F FAV	30.20			I	1.0000	1849
Crop Type	Prac	IU	Non-Irrig	Irrigated	Crop Type	Prac	IU	Non-Irrig	Irrigated	Crop Type	Prac	IU
CRP	N	10	113.0		OFAV	I		30.2	PTATO	RUS	I	FH
												30.2

Photo Number/Legal Description: 0-12a T7SRG31E SEC 25

Cropland: 143.2 Reported: 143.2 Difference: .0 Reported D,S,R: .0

MICROFILMED

MAR 26 2003

NORMAN MOSS
#259
2001

T-657

4-
4-

1- 30.2 +
2- 48.3 +
3- 64.7 +
143.2 *

5-
128.7

T-657

#259

Norman Moss

CRR

2-
48.3

Neighlon Moss

Ross
6.4

6-84.5

1-
30.2

7-107.5

CRR
HEL
3- 87-129
64.7

MICROFILMED

MAR 26 2003

FSA-578 (02-01-91)

REPORT OF ACREAGE

PROGRAM YEAR 2002

FARM NUMBER: 259

FARM AND TRACT DETAIL LISTING

DATE: 06-07-2002

Operator Name and Address ID

Original: _____

NORMAN K MOSS 1849

Revision: _____

PO BOX 214

ROCKLAND, ID 83271-0214

Cropland: 143.2

Farmland: 160.0

Tract Number	Field Num ID	Irr Prc	Crop	Var/ Type	Int Use	Lnd Use	Reported Acreage	Determined Acreage	O/ M	Crop Stat	Prod Share	Prod ID
657	2	Ni	CRP		10		48.30		RO	I	1.0000	1849
	3	Ni	CRP		10		64.70		RO	I	1.0000	1849
	1	Ir	WHEAT	HRS	Grain		30.20			I	1.0000	0721
Crop Type	Prac IU	Non-Irrig	Irrigated	Crop Type	Prac IU	Non-Irrig	Irrigated					
CRP	N 10	113.0		WHEAT HRS	I GR		30.2					

Photo Number/Legal Description: 0-12a T7SRG31E SEC 25

Cropland: 143.2 Reported: 143.2 Difference: .0 Reported D.S.R: .0

2002

Norman Moss

#259

T-657

4-
4

T- 30.2 +
2- 48.3 +
3- 64.7 +
143.2 *

5-
128.7

T-657

#259

Norman Moss

2-
48.3

6-84.5

1-
30.2

7-107.5

CLFO
HEL
3- 87-179
64.7

MICROFILMED
MAR 26 2003

MEMORANDUM

DATE: January 15, 2003

TO: Water Right Files 29-7940 and 29-7944

FROM: Shelley W. Keen *SK*

RE: Response to my letter about the irrigated acreage

This afternoon attorney Tom Clark of Merrill & Merrill in Pocatello (208-232-2286) called to ask for 30 additional days to respond to my letter to the permit holders. He also said the he thinks it is true that the permit holders have not irrigated all 200 acres in a single season from the permitted well.

I told Mr. Clark that I would hold the files for 30 additional days.

1/21/2003

This morning Doran ^{West} ~~Hickman~~ called to say that he, too, is working on gathering information to respond to our letter. Because of the ownership change, he may not be able to provide records from the development period. I told him we may be able to accept what happened in the past few years as an indication of what has occurred even earlier.

S. Keen MICROFILMED

MAR 26 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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 16, 2002

GRANT and BARBARA NEIBAUR
ART and JUNE WEST
2374 NEIBAUR RD
AMERICAN FALLS ID 83211

RE: Permits 29-07940 and 29-07944

Dear Permit Holders:

Upon further review of these permits in the licensing process it was noted that you may not irrigate your entire 200 acres every year. In review of satellite imagery for the years of 97/98, 2000 and 2002, we noticed that each year you either irrigate the pivot or 1/2 of the pivot and the remaining lands under these permits. We would like to incorporate your normal use of the system into the water right licenses for these permits. I have enclosed maps of your recommended 200 acres on satellite photos so you can view what we are seeing for these permits. On the maps, it appears that the place of use outlined does not accurately portray your property, this is due to the resolution of the photography.

Under Section 42-219, *Idaho Code*, IDWR is required to limit water right licenses to the maximum beneficial use that occurred in a single year. Because your diversion rate is less than the 0.015 cfs per acre typically seen in your area, and because satellite imagery from recent years shows less than the entire 200 acres being irrigated, it appears that you have not been capable of irrigating the entire 200 acres in any single year. Please provide documentation of the maximum number of acres you irrigated during any single irrigation season during the authorized development period, which ended in 1996.

Please submit your documentation within the next 30 days so we can complete the licensing of these permits or we may issue your licenses with the information available to us. If you have any questions, please feel free to contact me at (208)327-7946.

Sincerely,

SHELLEY KEEN
Water Rights Supervisor

Enclosures

MICROFILMED

MAR 26 2003

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 29-07940

RECEIVED

NOV 18 2002

Department of Water Resources

Date of Priority: March 19, 1990

Maximum Diversion Rate: 1.20 CFS

Maximum Diversion Volume: 480.0 AF

Comes now GRANT NEIBAUR And BARBARA NEIBAUR

2374 NEIBAUR RD

AMERICAN FALLS ID 83211

And

ART WEST And JUNE WEST

2374 NEIBAUR RD

AMERICAN FALLS ID 83211

and represents to the Director of the Idaho Department of Water Resources that they are the owners and holders of Permit to Appropriate the Public Waters of the State of Idaho No. 29-07940, and request that the permit be changed as follows:

Source: GROUND WATER

BENEFICIAL USE

IRRIGATION

PERIOD OF USE

04/01 to 10/31

RATE OF DIVERSION

1.20 CFS

ANNUAL VOLUME

480.0 AF

LOCATION OF POINT OF DIVERSION:GROUND WATER SE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 26, Twp 07S, Rge 31E, B.M., POWER CountyPLACE OF USE: IRRIGATION

Twp Rge Sec	NE				NW				SW				SE				Totals
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
07S 31E 25					34.0	30.0			13.0								77.0
07S 31E 26	28.0	1.0	27.0	40.0									16.0	9.0	2.0		123.0

Total Acres: 200

Permit holders assert that no one will be injured by such change and that such change will be made at permit holder's own risk. Signed this 13 day of November, 2002

Grant Neibaur
(Signature)

Barbara Neibaur
(Signature)

Arthur W. West
(Signature)

June West
(Signature)

MICROFILMED

MAR 26 2003

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 29-07940

Preliminary check by kw ~~#~~ FOR DEPARTMENT USE ONLY Fee = 50.00 Received by don # 1065840 Date 11/18/02

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 29-07940 with the following:

CONDITIONS OF APPROVAL

1. This right is limited to the irrigation of 120 acres within the place of use described above in a single irrigation season.
2. Right 29-07944 is also diverted through the point of diversion described above.
3. 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.
4. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.
5. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

Witness my hand this _____ day of _____, 2002.

KARL J. DREHER
Director

MICROFILMED
MAR 26 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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 18, 2002

GRANT NEIBAUR
2374 NEIBAUR RD.
AMERICIAN FALLS, ID 83211

RE: Amendments of Permits 29-07940 and 29-07944

Dear Mr. Neibaur:

Pursuant to our telephone conversation this morning, enclosed you will find one set of the amendments that we had sent to you. I have retained one set to be used in the licensing of the permits once we receive the additional \$50.00 from you.

If you have any questions regarding this matter, please do not hesitate to contact me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:k
Enclosures

MICROFILMED
MAR 26 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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 15, 2002

GRANT and BARBARA NEIBAUR
ART and JUNE WEST
2374 NEIBAUR RD
AMERICAN FALLS ID 83211

RECEIVED

NOV 18 2002

Department of Water Resources

RE: Water Right Permit Nos. 29-07940 and 29-07944

Dear Permit Holders:

The Department of Water Resources is reviewing the above referenced permits prior to issuing water right licenses. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permits have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before licenses can be issued, your permits must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on these permits:

☒ **Place of Use – add permissible place of Use**

The enclosed Application for Amendment forms depict the elements of the water rights as they will appear on the licenses when issued. Please review the amendment forms carefully. If you concur with the information presented, please sign the forms and return **each form with a \$50.00 filing fee** within 14 days.

If you have any questions, please call me at 208-327-7944.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

KW:klt

11-18-02
per phone con.
w/ Grant Neibaur -
he will send in
the fee for 29-7944.
submitted today
applied to 29-7940.
KW

MICROFILMED

MAR 26 2003

Kay:
We think these
are duplicated but
we signed all of them
and you can see
which ones apply.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 4, 2002

GRANT & BARBARA NEIBAUR
ART & JUNE WEST
2374 NEIBAUR RD
AMERICAN FALLS ID 83211

RE: Water Right Permits 29-07940 & 29-07944

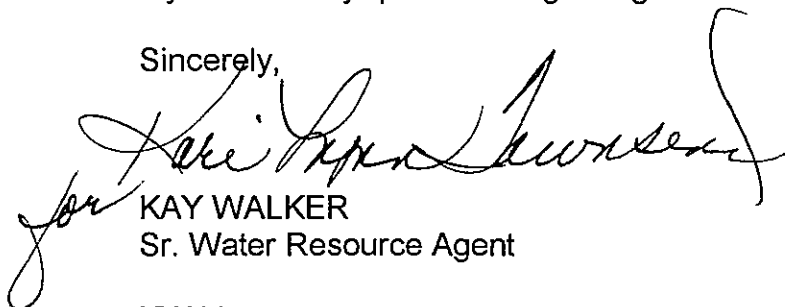
Dear Permit Holder(s):

I previously forwarded to you an Application for Amendment so that you could amend your permit to depict your water rights as they have actually been developed.

As of this date, I have not received the amendments. If I do not receive the amendments within 14 days, a Water Right License will be issued for less than could have been allowed. In case the amendment forms I sent you have been misplaced, new ones are enclosed. Please note that the filing fee per amendment is \$50.00.

If you have any questions regarding this matter, please call me at 208-327-7944.

Sincerely,


KAY WALKER
Sr. Water Resource Agent

KW:klt

Enclosures

MICROFILMED

MAR 26 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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

October 15, 2002

GRANT and BARBARA NEIBAUR
ART and JUNE WEST
2374 NEIBAUR RD
AMERICAN FALLS ID 83211

RE: Water Right Permit Nos. 29-07940 and 29-07944

Dear Permit Holders:

The Department of Water Resources is reviewing the above referenced permits prior to issuing water right licenses. By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit. The examiner who verified your water use reported that certain elements of the permits have been developed differently than described on your permit. Changes that do not increase the authorized use of water under the permit can be requested and approved in accordance with Section 42-211, Idaho Code. Before licenses can be issued, your permits must be amended to depict your water use as it was actually developed.

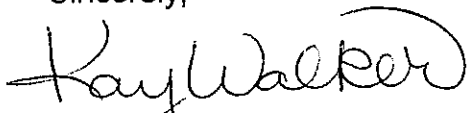
Based on the examiner's report, the following elements were developed differently than described on these permits:

✓ **Place of Use – add permissible place of Use**

The enclosed Application for Amendment forms depict the elements of the water rights as they will appear on the licenses when issued. Please review the amendment forms carefully. If you concur with the information presented, please sign the forms and return **each form with a \$50.00 filing fee** within 14 days.

If you have any questions, please call me at 208-327-7944.

Sincerely,


KAY WALKER
Sr. Water Resource Agent

KW:klt

Enclosures

MICROFILMED

MAR 25 2003

LICENSE REVIEW CHECKLIST

Permit No. 29-7940 Date: 10-11-02 Reviewer: Kay Walker

Change/OK

Name/Address

OK - see DE - not exam

Source

Point of Diversion:

OK
OK

Does change clarify original intended source? If no, void permit.

Change (P39/P49) Add (P45/P44) Feds (P40)

W32 (multiple in 1/4/1/4)

W36 (overlap)

W59 (subdivision description)

29-7944

Place of Use

add ppu
X27

Change (P41/P49) Add (P41/P44) Feds (P43)

W60 (subdivision description)

W27 (ppu acre limit)

Overlaps: Right(s):

File reviewed Profile reports printed

29-7944 also in license process

P/D & P/U amend (P37) Feds (P48)

Rate of Diversion:

Permitted rate 2.40 cfs

Fee Limit 3.0 cfs

Measured 2.0 cfs

Theoretical cfs

Recommended Total Diversion Rate 1.20

Water Uses

OK Change (P46)

Season of Use per new Standards

4-1 10-31

Irrigation 1.20 cfs 480 af
Stockwater cfs af
Domestic cfs af
cfs af
Total 1.20 cfs 480 af

Irrigation - overlap (R58-R61, R62-R65, R66-R69)

Supp. Gw (WB7/065/104)

overlap spec combined rts (W35)

<1 acre (W31)

Domestic (W01/wb5/070/071/075)

Power (W42 or W43/025/027/R22 or R23)

Fish (042)

Fire (077)

Water Quality (106/R07)

Payette (W22/047/27A)

Stockwater for US (R37)

200 ac PPU / 2.0 cfs
- 120 ac / 1.2 cfs (7940)
- 80 ac / .8 cfs (7944)
200 ac / 2.0 cfs

Volume Determination

1.2 cfs x 1.9835 x 214 days = 509.4 af (vs) 120 acres x 4.0 (FHR) = 480.0 af
3.0 (coh)

Remarks:

Additional Conditions

Watermaster Control

GW Measurement/Measuring Device

Other

Trust R55 - remove 051)

Non-trust (048)

GW Dist?

Water Msmt. Dist?

Crit. GWMA?

GWMA?

Government Lots?

Advance Priority? yes

no

If yes, explain why below.

SRBA Claim?

NO

Adjust memo

Amend Letters

P87, S06

Second Amendment Notice

P44

S06

7/34

For Office Use Only
 \$25 Filing Fee
 Receipt 2245441
 Date 5-14-99

RECEIVED

APR 26 1999

Department of Water Resources

STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES
 ASSIGNMENT OF PERMIT

I, LAMAR & VIOLET ISAAK, hereby assign to GRANT & BARBARA NEIBAUR & ART & JUNE WEST,
 of, 2374 Neibaur Road, American Falls, ID 83211
 (Full Address) (Phone) (208) 226-2738

All my right, title, and interest in and to Permit No. 29-07940 to appropriate the public waters of the State of Idaho.

Of, (for partial assignments)

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

Made this 22nd day of April, 1999.

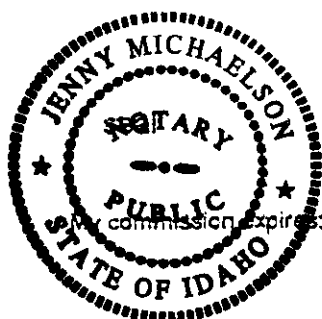
Lamar Isaak
 Permit Holder LAMAR ISAAK

Violet Isaak
 VIOLET ISAAK

State of Idaho)

County of Power) ss

On this 22nd day of April, 1999, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.



Jenny Michaelson
 Notary Public residing at
American Falls

7-20-2004

MICROFILMED

MAY 27 1999

794

For Office Use Only
 \$25 Filing Fee
 Receipt 204544
 Date 5.14.99

RECEIVED

APR 26 1999

Department of Water Resources

STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES
 ASSIGNMENT OF PERMIT

I, STEVEN K. & LYNN DEEG, hereby assign to LAMAR & VIOLET ISAAK
 of, 3298 S. Isaak Loop, American Falls, ID 83211 (208) 226-2618
 (Full Address) (Phone)

All my right, title, and interest in and to Permit No. 29-07940 to
 appropriate the public waters of the State of Idaho.

Q. (for partial assignments)

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

Made this 22nd day of APRIL, 19 99.

Steven K. Deeg

Permit Holder STEVEN K. DEEG

Lynn Deeg

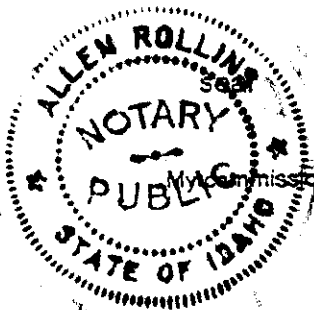
LYNN DEEG

State of Idaho)

County of PAVIA) ss

On this 22nd day of April, 19 99, personally appeared before me the signer(s) of the
 above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Allen Rollins
 Notary Public residing at
Bozeman, Idaho



My commission expires: 6/28/2001

MICROFILMED

MAY 27 1999

WATER RIGHT SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
Original Application	29-07940	Glade H. Davis	2.40
Full Assignment	29-07940	Steven K. Deeg Lynn Marie Deeg	2.40

RECEIVED

JAN 10 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUN 21 1996

Department of Water Resources

PROOF OF BENEFICIAL USE

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

1. Permit No. 29-07940 Telephone No. 226-7103

2. Name(s) of Permit Holder(s): Lynn Marie Deeg, Steve Kent Deeg

3. Mailing Address: 3007 Deeg Rd., Am. Falls, Idaho 83211

4. Source of Water: well If **GROUNDWATER** (well), Date Drilled: mo. 6 / yr. 95

a. Well Driller: Sherm Couch Drilling Permit Number: 29-94-E-027

b. **OPTIONAL:**
Pump Horsepower: 150 Pressure (psi): 100 Dynamic pumping level (ft): 420

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): _____ Stockwater (No. and type of stock): _____

Irrigation (No. of acres): 120 Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 2.40 cfs OR 240 acre feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required?	Yes _____ or No <u>X</u>
Has the measuring device been installed?	Yes _____ or No <u>X</u>
Flow Measurement Port: Is a flow measurement port required?	Yes <u>X</u> or No _____
Has the measurement port been installed?	Yes _____ or No <u>X</u>

8. Fee Enclosed: \$ 150 (See Fee Schedule on back of the instructions for filing proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Steve Deeg Telephone Number: 226-7103

Address: 3007 Deeg Rd. Am. Falls Ida 83211

10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: Steve Deeg owner Date: 6/11/96
(include your title if on behalf of company or organization)

AUG 07 1996

JUL 31 1995

Receipt No. 6021159
 Received By RB
 Date 6-19-95

Department of Water Resources

APPLICATION FOR AMENDMENT OF A PERMIT

Address 3007 DEEG RD AMERICAN FALLS, ID 83211

I am the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 29-67940, and request that the permit and permit map be amended and/or changed as follows:

Purpose of Amendment: _____ Change point of diversion _____ Add point of diversion
 _____ ~~Change place of use~~ _____ Change nature of use _____ Change period of use _____ Other _____

1. Point of diversion: 1/4 SE 1/4 NE 1/4, Section 26, Township 7S, Range 31E, B.M.,
County of Power. Other points of diversion SW 1/4, NE 1/4, 26-7S 31E, NE 1/4, SE 1/4
26-7S-31E

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

Amount 2.40 for IRR purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)

3. Place of use or land to be irrigated:

[illegible]

Total number of acres to be irrigated = 20

4. a. Who owns the property at the point of diversion? Applicant
b. Who owns the land to be irrigated at the place of use? Applicant
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

AUG 25 1995

Complete the following map by showing land and point of diversion as proposed by this amendment.

Show 1/4 1/4, section, township, range and ditches. (the smallest subdivision represents 40 acres)

Scale: 2 inches equal 1 mile

I hereby request approval of this change subject to the fact that no one will be injured by the change, and that the change will be made at my own risk.

Signed this 19 day of June, 19 95.

Steve Kent Deery
Permit Holder

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Preliminary check by _____ Publication prepared by RB Date _____

Published in Lower County Press Publication dates July 7-14-95

I, L. GLEN SAXTON, of the Department of Water Resources hereby approve the above referenced application for amendment. See the attached sheet for conditions of approval.

Witness my hand this 10th day of August, 19 95.

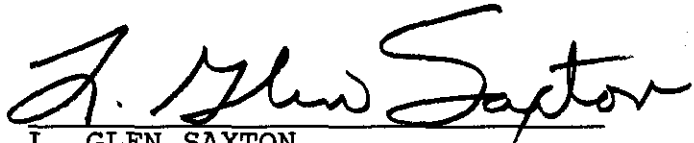
L. Glen Saxton
SIGNATURE

CONDITIONS OF APPROVAL

Amendment of Permit No. 29-07940

1. The previous conditions as set forth in Permit No. 29-07940 must be met.
2. After specific notification by the department, the right holder shall install a suitable measuring device or shall enter into an agreement with the department to determine the amount of water diverted from power records and shall annually report the information to the department.

Dated this 10th day of August, 1995.


L. GLEN SAXTON
Chief, Water Allocation Bureau

RECEIVED
AUG 25 1995

F. C. VED

MAY 23 1994

Department of Water Resources

For Office Use Only

\$15 Fee Received by SW
Date 5-27-94
Receipt No. C030390

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 29-07940

Name(s) of Permit Holder: Steven K. Deeg and/or Lynn Marie Deeg

Mailing Address: 3007 Deeg Road, American Falls, ID 83211

Date Proof Is Due July 1, 1994 Telephone No. 226-7103

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

A well driller has been employed and is on site. Applicant has purchased a well casing necessary to drill the well and secured bids for the irrigation system. Applicant is awaiting financing arrangements until the quantity and depth of well is determined. Costing \$ 20,000.00

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Do not have a working tested well and cannot finalize all development plans until the success or lack of success of the well is known, and request the time of completion until July 1, 1996.

Permit holder(s) request an extension to July 1, 19 96.

FEE: \$15.00

(Signature)*

*If other than permit holder, Power of Attorney must be supplied

ACTION OF THE DEPARTMENT OF WATER RESOURCES

JUN 28 1994

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to July 1, 1996.

Signed this 1st day June, 19 94

J. Shw Saylor
Chief, Water Allocation Bureau

Form 211
1979
RECEIVED
JAN 12 1994

APPROVED

Receipt No. E019351
Received By PRM
Date 12-7-92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

APPLICATION FOR AMENDMENT OF A PERMIT

Applicant STEVEN K. OR LYNN MARIE DEEG Phone (208) 226-7103

Address 3007 DEEG RD., AMERICAN FALLS, ID 83211

I am the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 29-07940, and request that the permit and permit map be amended and/or changed as follows:

Purpose of Amendment: ☒ Change point of diversion ☒ Add point of diversion
☒ Change place of use ☐ Change nature of use ☐ Change period of use ☐ Other

1. Point of diversion: 1/4 SE 1/4 NE 1/4, Section 26, Township 7S, Range 31E, B.M.,
County of POWER. Other points of diversion SW 1/4 NE 1/4, 26-7S-31E, NE 1/4 SE 1/4,
26-7S-31E

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

Amount 2.40 cfs for IRRIGATION purposes from 4/13/15 to 4/11/15 (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum) (water use) (Begin month) (End month)

3. Place of use or land to be irrigated:

T w p	R g e	S e c	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7S	31E	25						31											31
		26	32			32									13	2	10		89

Total number of acres to be irrigated = 120

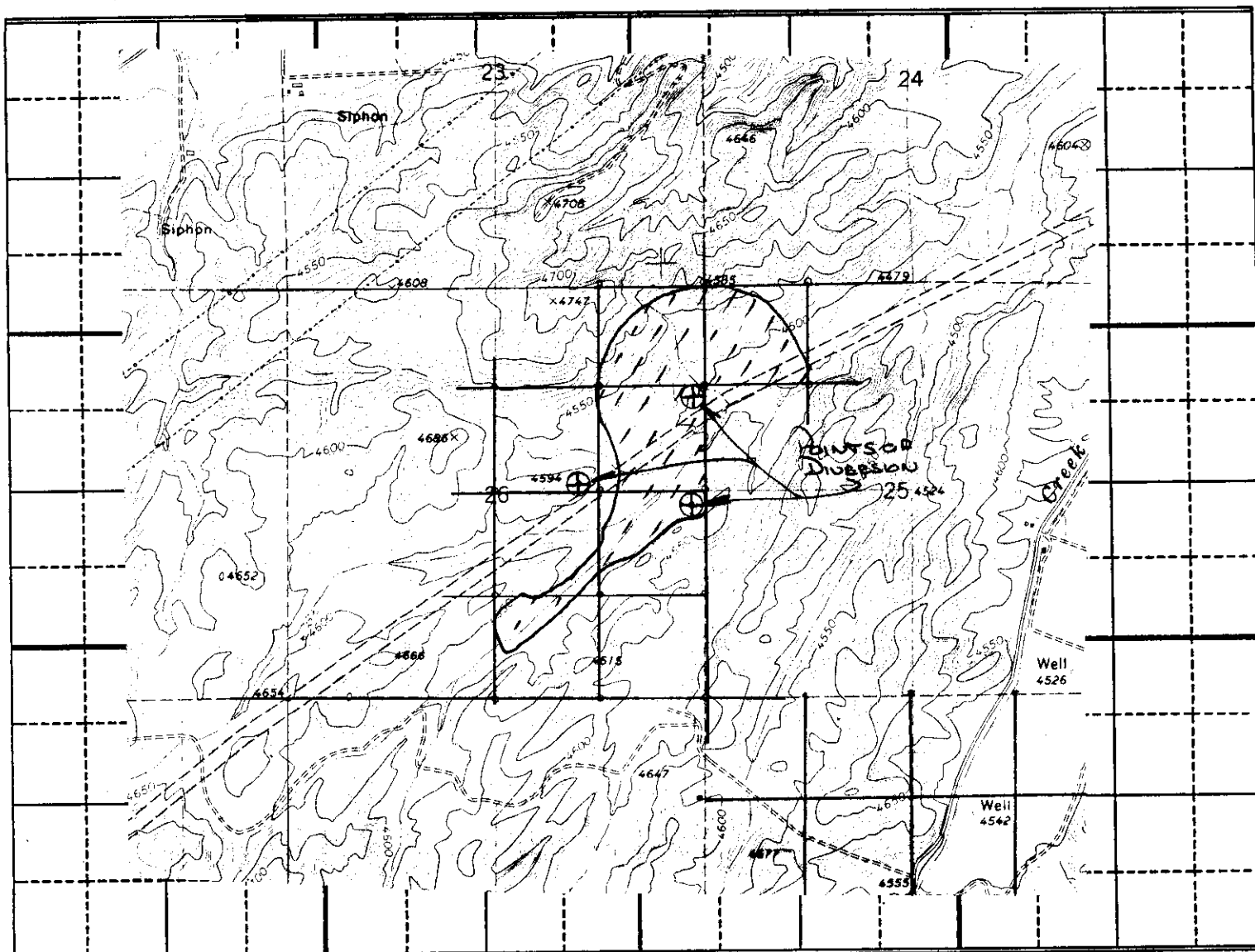
4. a. Who owns the property at the point of diversion? APPLICANT
b. Who owns the land to be irrigated at the place of use? APPLICANT
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

RECEIVED

* NOTE: SEE ALSO AMENDMENT OF 29-07944

FEB 22 1994

Show 1/4 1/4, section, township, range and ditches. (the smallest subdivision represents 40 acres)



Scale: 2 inches equal 1 mile

I hereby request approval of this change subject to the fact that no one will be injured by the change, and that the change will be made at my own risk.

Signed this 7 day of Dec., 1993.

Steve Kent
Permit Holder

ACTION OF THE DEPARTMENT OF WATER RESOURCES

Preliminary check by _____ Publication prepared by LB Date _____

Published in Lower County Press Publication dates 12-15-22-93

I, L. GLEN SAXTON, of the Department of Water Resources hereby approve the above referenced application for amendment. See the attached sheet for the conditions of approval.

Witness my hand this 21st day of January, 1994

L. Ann Saxton
SIGNATURE

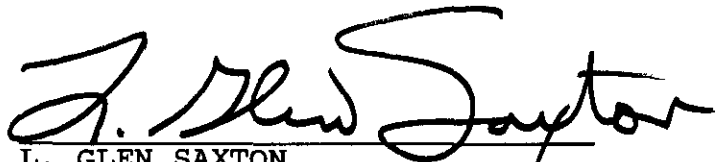
FEB 22 1994

CONDITIONS OF APPROVAL

Amendment of Permit No. 29-07940

1. The previous conditions as set forth in Permit No. 29-07940 must be met.
2. Prior to the diversion of water under this right a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
3. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. A well drilled pursuant to this permit must be located at least 500 feet from any existing well. Well spacing closer than 500 feet must be approved by the Department of Water Resources.
5. Construction of the well must comply with Idaho well construction standards.

Dated this 21st day of January, 1994.


L. GLEN SAXTON
Chief, Water Allocation Bureau

RECORDED
FEB 22 1994

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

RECEIVED
DEC 27 1993
Department of Water Resources

I, GLADE H. DAVIS AND JANE P. DAVIS, hereby assign to STEVEN K. DEEG and LYNN MARIE DEEG
of 3007 DEEG ROAD, American Falls, ID 83211
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 29-07940
to appropriate the public waters of the State of Idaho.

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

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

Made this 24th day of November, 19 93.

Glade H. Davis
Permit Holder GLADE H. DAVIS

Jane P. Davis
Spouse of Permit Holder JANE P. DAVIS

State of Idaho)
County of Power) ss.

On this 24th day of November, 1993, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Bow Carrales
Notary Public residing at
AMERICAN FALLS, ID

My commission expires:

11/15/97

MICROFILMED

JAN 10 1994

database updated 12/27/93 c.z.

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 29-07940

Proposed Priority: March 19, 1990 Maximum Diversion Rate: 2.40 CFS

This is to certify, that **GLADE H. DAVIS**
21128 S. MARSH CREEK RD.
DOWNEY, ID 83234

has applied for a permit to appropriate water from: **GROUNDWATER**
and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
-----------------------	----------------------	--------------------------

IRRIGATION	03/15 to 11/15	2.40 CFS
------------	----------------	----------

LOCATION OF POINT(S) OF DIVERSION: NWSE Sec. 23, Township 11S, Range 36E
BANNOCK 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>
11S	36E	23	SWNE 40	NESW 40	NWSE 40	120

Total number of acres irrigated: 120

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **July 1, 1994**.
2. Subject to all prior water rights.
3. The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.
4. The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
5. Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.
7. The rate of diversion of water for irrigation under this permit and all other water rights on the same land shall not exceed 0.02 cubic feet per second for each acre of land.

MICROFILMED

JUL 20 1990

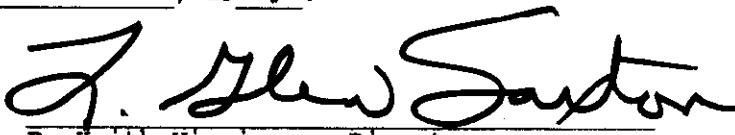
State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 29-07940

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this

28th day of June, 19 90

for 
R. Keith Higginson, Director

MICROFILMED

JUL 20 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of applicant Blake H Davis Phone 897-5500
Post office address 21128 South Marsh Creek Road, Downey Id 83234
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point of diversion is _____ 1/4 of NW 1/4 of SE 1/4, Govt. Lot _____
Sec. 23 Township 11S Range 36E B.M. Banner County; additional
points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 2.40 for Irrigation purposes from 15 March to 15 Nov (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 2.40 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Description of ditches, flumes, pumps, headgates, etc. Well and pump to a sprinkler system.
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.
 - c. Proposed well diameter is 16" inches; proposed depth of well is 250' feet.
 - d. Is ground water with a temperature of greater than 90°F being sought? NO
7. Time required for the completion of the works and application of the water to the proposed use is:
4 years (minimum 1 year).

MICROFILMED

JUL 20 1990

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in KW. _____
- Stockwatering; list number and kind of livestock. _____
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. _____

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
11S	36E	23			40						40					40			120

Total number of acres to be irrigated 120

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

A29-70131

- Who owns the property at the point of diversion? Applicant
- Who owns the land to be irrigated or place of use? Applicant
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing. _____

12. Remarks: Supplemental to Surface water

MICROFILMED

JUL 20 1990

13. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

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

Glenn H. Savin
(Applicant)

Received by DML Date 19 Mar 1990 Time 14:51 Preliminary check by _____
Fee \$ BS⁹⁰ Received by ER # E012420 Date 3-19-90
Publication prepared by RB Date 5-17-24-90 Published in ID State Journal
Publication approved RB Date 6-5-90

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

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

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

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before _____, 19 ____.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other:

MICROFILMED

JUL 20 1990

POCATELLO, ID 83201
Source: SPRING
Tributary: SINKS
Diversion Pt:
NENESW Sec 8 T 07S R 35E
Use: IRRIGATION (.200 CFS)
Total Diversion: (.200 CFS)
Date Filed: 3-26-1990
In: T07S R35E S08 SENW NESW
NWSE
12.0 ACRES TOTAL
29-07940

DAVIS, GLADE H.
21128 S. MARSH CREEK RD.
DOWNEY, ID 83234
Source: GROUNDWATER
Diversion Pt:
NWSE Sec 23 T 11S R 36E
Use: IRRIGATION (2.400 CFS)
Total Diversion: (2.400 CFS)
Date Filed: 3-19-1990
In: T11S R36E S23 SWNE NESW
NWSE
120.0 ACRES TOTAL
29-07941

KIRKHAM, DALE B.
KIRKHAM, JR., DALE B.
P.O. BOX 4026
POCATELLO, ID 83201
Source: GROUNDWATER
Diversion Pt:
NWSW Sec 22 T 06S R 34E
Use: COMMERCIAL (.080 CFS)
Total Diversion: (.080 CFS)
Date Filed: 3-26-1990
In: T06S R34E S22 NWSW
29-07942

KIRKHAM, DALE B.
KIRKHAM, DALE B.
P.O. BOX 4026
POCATELLO, ID 83201
Source: GROUNDWATER
Diversion Pt:
NESW Sec 8 T 07S R 35E
Use: IRRIGATION (.090 CFS)
Total Diversion: (.090 CFS)
Date Filed: 3-26-1990
In: T07S R35E S08 NESW
3.0 ACRES TOTAL
29-07943

SNOOK, DONALD W.
SNOOK, MARILYN F.
RT. 1, BOX 86C
POCATELLO, ID 83401
Source: GROUNDWATER
Diversion Pt:
NWNENE Sec 36 T 05S R 33E
Use: IRRIGATION (.090 CFS)
Total Diversion: (.090 CFS)
Date Filed: 3-23-1990
In: T05S R33E S36 NENE
3.0 ACRES TOTAL
29-07944

DAVIS GLADE H.
DOWNEY, ID 83234
Source: GROUNDWATER
Diversion Pt:
NENE Sec 26 T 11S R 36E
Use: IRRIGATION (1.600 CFS)
Total Diversion: (1.600 CFS)
Date Filed: 3-19-1990
In: T11S R36E S26 NENE NWNE
80.0 ACRES TOTAL
35-08887

ANTHONY, JAY N.
ANTHONY, GOLDIE O.
P.O. BOX 210
INKOM, ID 83245
Source: SPRING
Diversion Pt:
NENESW Sec 9 T 10S R 38E
Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)
Date Filed: 3-15-1990
In: T10S R38E S09 SWNE
35-08888

ANTHONY, JAY N.
ANTHONY, GOLDIE O.
P.O. BOX 210
INKOM, ID 83245
Source: SPRING
Tributary: SINKS
Diversion Pt:
NESWSE Sec 20 T 10S R 38E
Use: DOMESTIC (.040 CFS)
Total Diversion: (.040 CFS)
Date Filed: 3-15-1990
In: T10S R38E S20 SWSE
The permit(s) will be subject to all
prior water rights. Protests may be
submitted based on the criteria of
Sec. 42-203A, Idaho Code and/or the
new public interest criteria of Sec.
42-203C, Idaho Code. Protests must
be filed with the Director, Dept. of
Water Resources, 150 Shoup Ave.,
Suite 15, Idaho Falls, Idaho 83402 on
or before JUNE 4, 1990.
S/R. Keith Higginson,
Director
May 17, 24, 1990
No. 383

MICROFILMED

JUL 20 1990

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUL - 6 1999

29-07940
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 29-07940/07941

1. Owner: Steve K. or Lynn Deeg Phone No. (208) 226-7103

Current Address: 3007 Deeg Rd. America Falls, ID 83211

2. Accompanied by: Steve K. Deeg EXAM DATE: 7-2-1998

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: GROUNDWATER tributary to _____

B. OVERLAP REVIEW

1. Other water rights with the same place of use: _____

2. Other water rights with the same point of diversion: 29-07944

C. DIVERSION AND DELIVERY SYSTEM

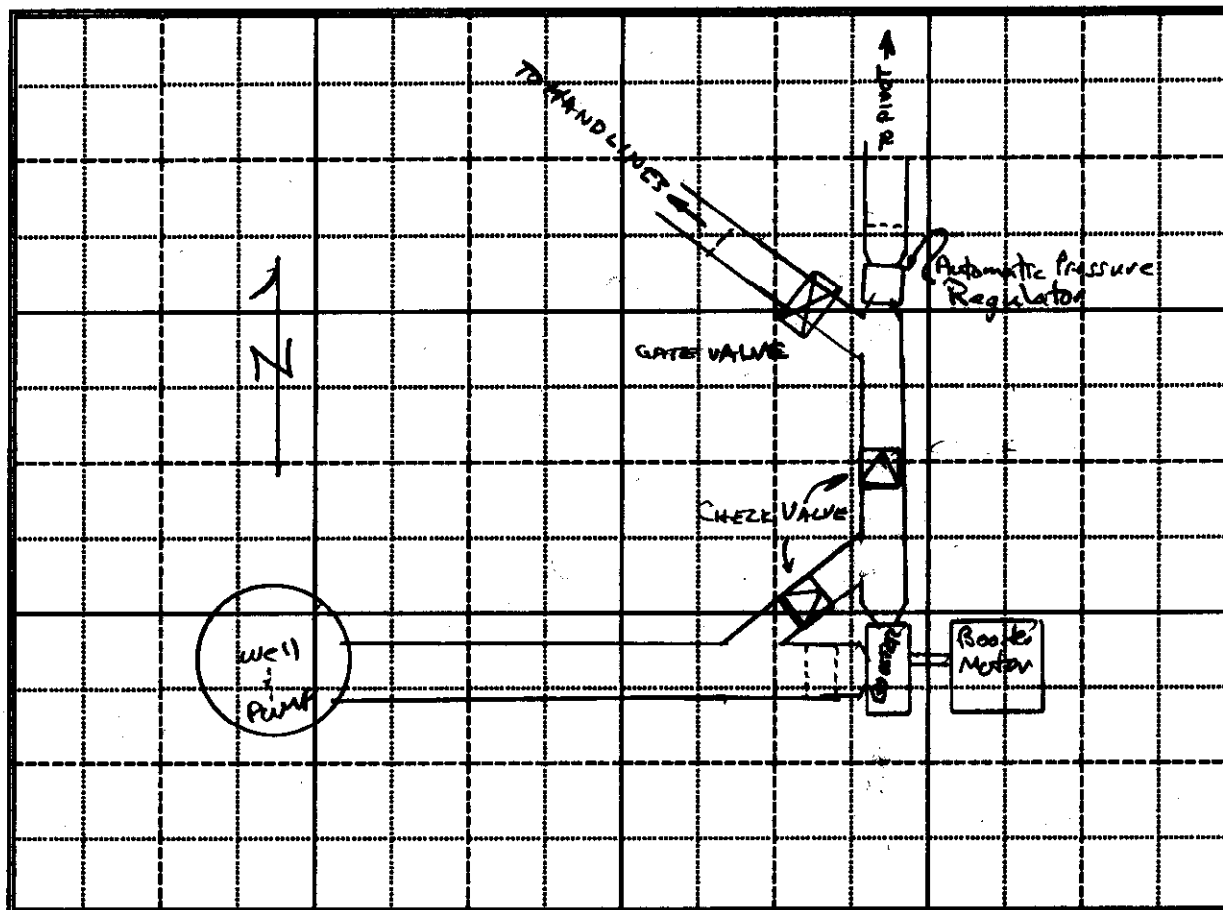
1. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
		SE	SE	NE	26	7S	31E	Power	On Site / FSA AERIAL, USGS QUAD

2. Place(s) of Use: 120 ac w/IN PERMISSIBLE PLACE OF USE Indicate Method of Determination FSA AERIAL

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
7S	31E	25						34	30			13							77
		26	28	1	27	40									16	9	2		123
																			200

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



Scale: 1" =

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

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

☐ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Well	U.S. Motors	150	G1007370	Well-Line	LP95149
Booster	Baldor	25	295C-1506	Cornell	88975

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

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
SONIC		Polysonic	DET-7088	32736		

2. Measurements: 2 hand lines (34) $\frac{5}{32}$ " 20-30 psi; 26 ($\frac{5}{32}$) 30-20 psi

29-67940/07944

Pipe
Material = DOWRYN
OD = 8.658 inches
WT = 0.128 inches
ID = 7.810 inches
Sound Vel. = 18597 FPS
Roughness = 0 Ft
Liner
Material = NONE
Thickness = 0.000 inches
Sound Vel. = 0 FPS
Roughness = 0 Ft
Fluid
Type = WATER
Sound Vel. = 4863 FPS
Viscosity = 1.13
Transducer
Type = S
Mounting = U
Flow
Scale Fact = 0.9788
Offset = 0.00 GPM
Damping = 38 secs
Max Range = 4778.18 GPM
Min Range = -4778.18 GPM
Cutoff
Low Flow = 0.00
Low Signal = 0.00 %

Flow = 565.59 GPM
Vel = 3.29 FPS
Net = 6168 x16al
Pos = 7883 x16al
Neg = 915 x16al
SigStr = 100.02
Cutoff = 0.02
Reynolds = 191595
Factor = -0.941493
SigStr = 100.02
Margin = 532
Delta = 212.94 ns
Speed = 4888.44 FPS
4-20mA = 13.89 mA

Observed 680gpm on
Pivot

Flow = 573.52 GPM
Neg = 0 x16al
Flow = 575.99 GPM
Neg = 0 x16al

Two Handlines

LINE 1 - (34) $\frac{5}{8}$ " - Pressure 20-30 psi
LINE 2 - (26) $\frac{5}{8}$ " - Pressure 30-20 psi

29-07940

~~29-07944~~

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern District Office
900 N. Skyline Dr.
Idaho Falls, ID 83402-1718

29-7940/7944
Measurement tape

29-67940/07944

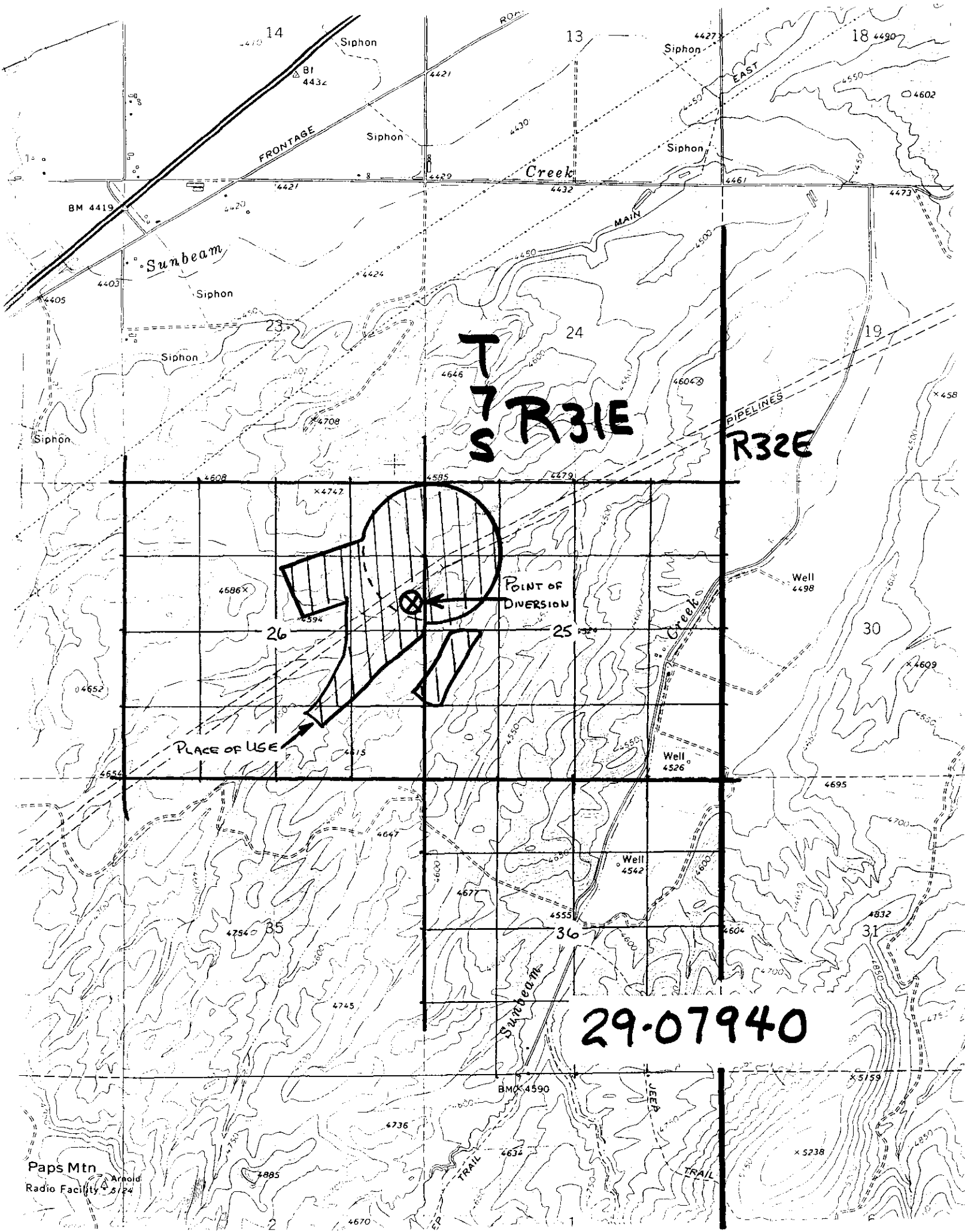
Pipe
Material = CROWN
OD = 8.650 inches
WT = 8.120 inches
ID = 7.810 inches
Sound Vel. = 10597 FPS
Roughness = 0 Ft
Liner
Material = NONE
Thickness = 0.000 inches
Sound Vel. = 0 FPS
Roughness = 0 Ft
Fluid
Type = WATER
Sound Vel. = 4863 FPS
Viscosity = 1.13
Transducer
Type = S
Mounting = U
Flow
Scale Fact = 0.9700
Offset = 0.00 GPM
Damping = 30 secs
Max Range = 4778.18 GPM
Min Range = -4778.18 GPM
Cutoff
Low Flow = 0.00
Low Signal = 0.00 %

Flow = 565.59 GPM
Vel = 3.79 FPS
Net 6168 x16al
Pos 7083 x16al
Neg 915 x16al
SigStr = 100.02
Cutoff = 0.02
Reynolds = 191595
Factor = 0.941493
SigStr = 100.02
Gain = 93%
Signal = 212.94 ns
Sensed = 4808.44 FPS
4-20mA = 13.09 mA

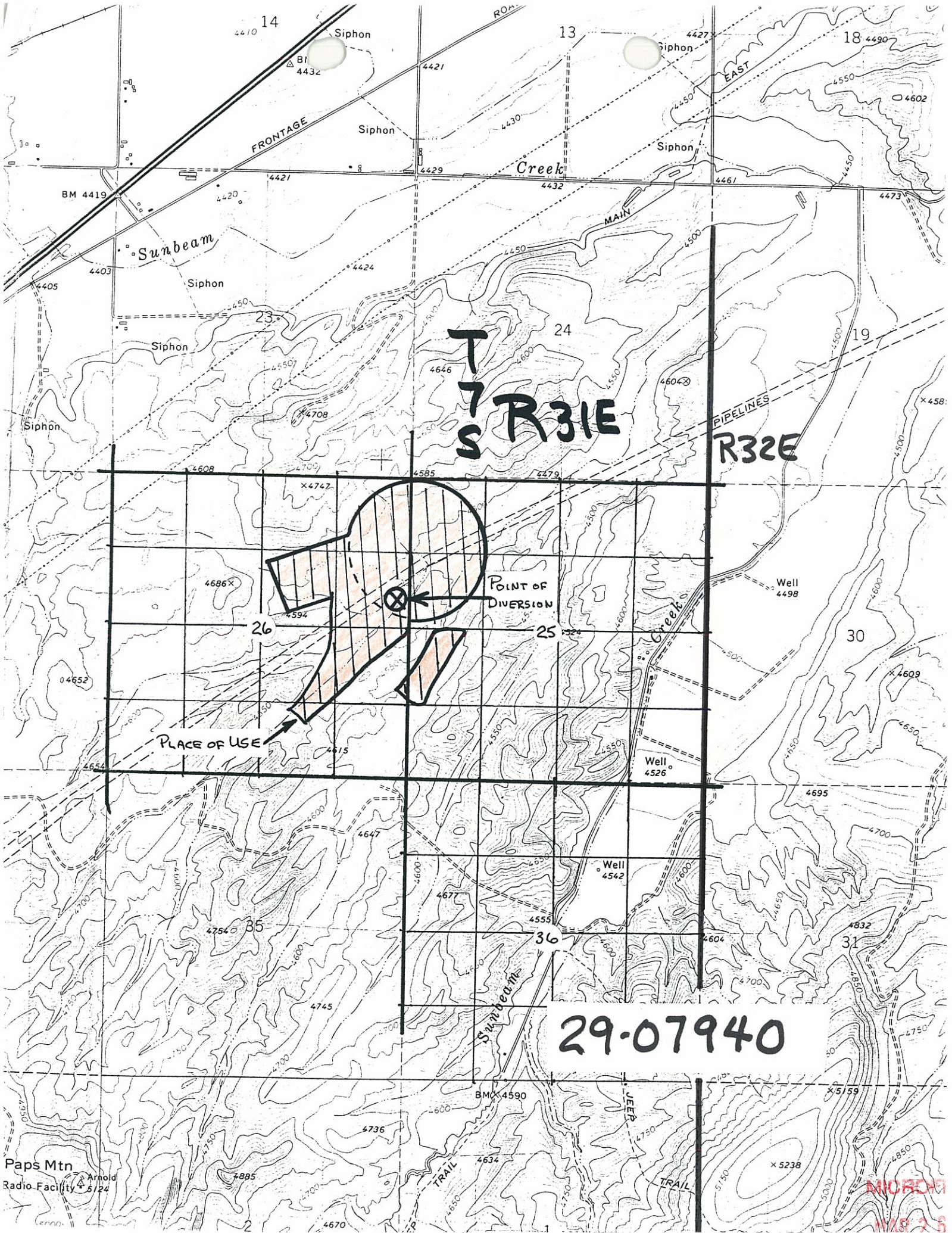
Pivot

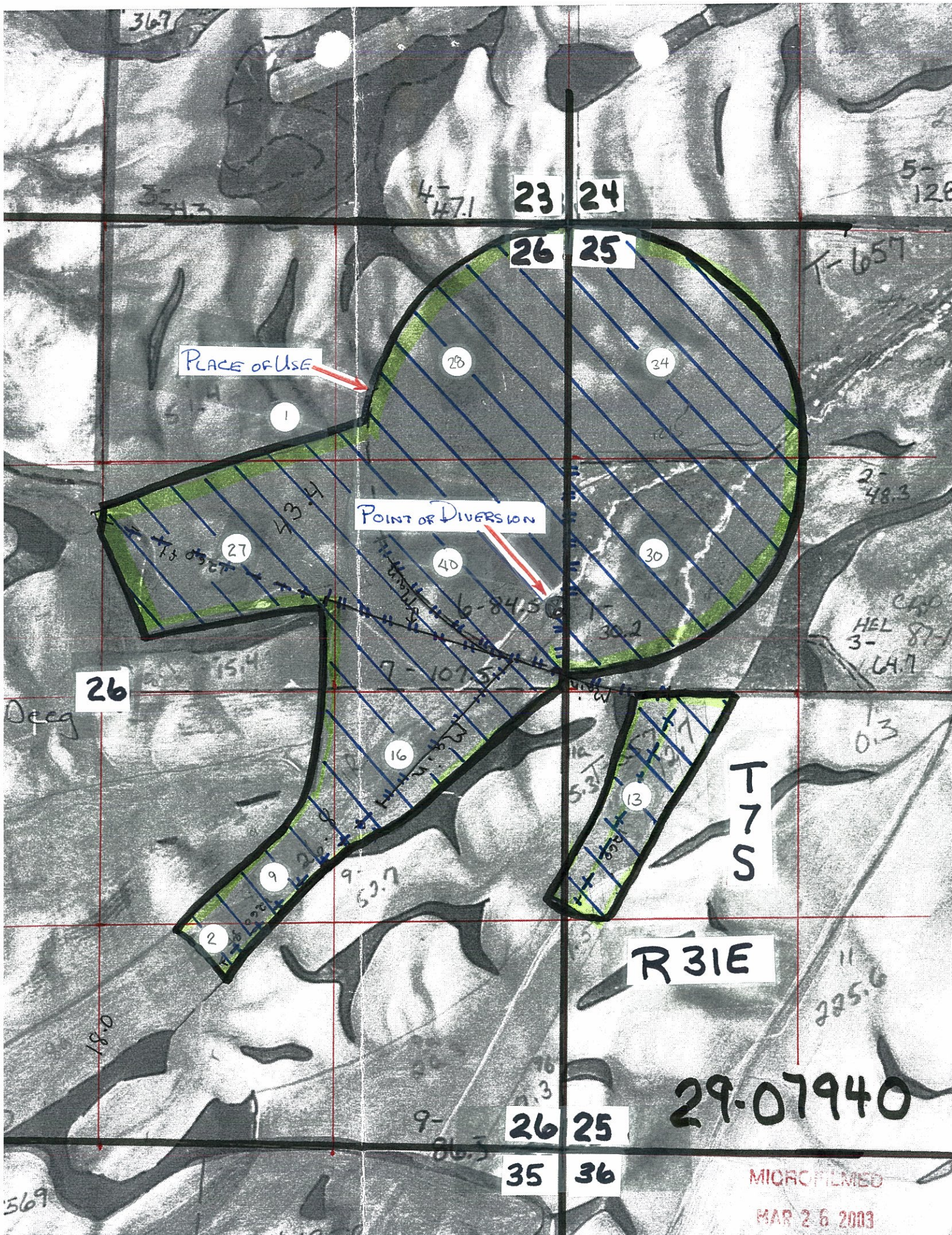
OBSERVED 680 gpm on
Pivot

Flow = 573.52 GPM
Neg 0 x16al
Flow = 575.99 GPM
Neg 0 x16al



Paps Mtn
Radio Facility 5/24







BOOSTER

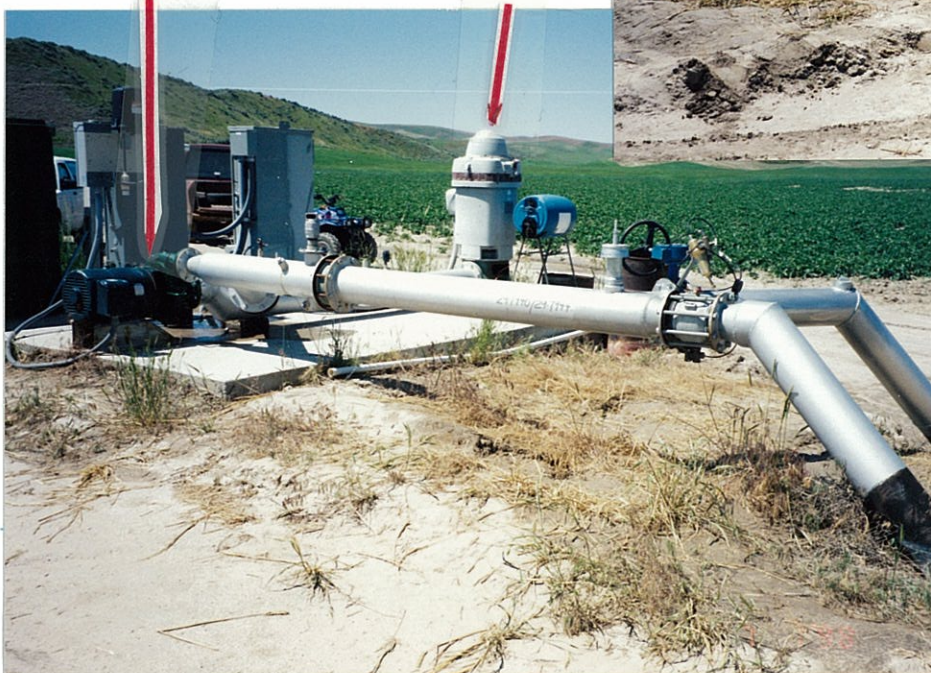
WELL



WELL

BOOSTER

WELL



TO HAND LINES

POINT OF
DIVERSION

29-07940

~~29-07944~~

MAR 26 2003

E. NARRATIVE/REMARKS/COMMENTS

Well pump marginaline to Center Pivot (1215') & Two hand lines

Observed reading of 680 gpm at Pivot prior to printer being attached

120ac Within Permissible Place of Use

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

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method: 680 gpm @ Pivot

$$60 \left(\frac{5}{32} \right) \text{ sprinklers @ } 25 \text{ PSI} = 3.64 \text{ gpm/nozzle} (60) = 218.4 \text{ gpm}$$

$$\text{TOTAL } Q = 680 \text{ gpm} + 218.4 = 898.4 \text{ gpm} = 2.00 \text{ cfs} / 200 \text{ ac} = 0.01 \text{ cfs/ac}$$
$$29-07940-120 \text{ ac} \times 0.01 \text{ cfs/ac} = 1.20 \text{ cfs}$$
$$29-07944-80 \text{ ac} \times 0.01 \text{ cfs/ac} = 0.80 \text{ cfs}$$
$$\underline{\hspace{1cm}} \\ 2.00 \text{ cfs}$$

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = 120 \text{ ac} (4) = 480 \text{ afa}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = 1.2 (214) (1.9835) = 509.4$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = 480 \text{ afa}$$

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
IRRIGATION	4/1	11/1	1.20 cfs	480 afa
Totals:			1.20 cfs	480 afa

2. Recommended Amendments

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

I. AUTHENTICATION

Field Examiner's Name KEITH C. WILSON Date 7-2-1998

Reviewer _____ Date _____

SEAL



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

May 17, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

GRANT & BARBARA NEIBAUR
ART & JUNE WEST
2374 NEIBAUR RD
AMERICAN FALLS ID 83211

RE: ASSIGNMENT OF PERMIT 29-07940/29-07944

Dear Mr. & Mrs. Neibaur & Mr. & Mrs. West:

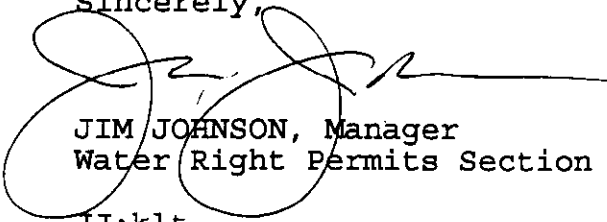
We acknowledge receipt of the correspondence changing ownership of the above referenced water rights to you. We have modified our computer records to reflect these changes in ownership. Computer generated reports are enclosed for your information.

Also, please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address to the department. If you have acquired a water right or have changed your mailing address PRIOR TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address AFTER July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes could result in a \$100 late filing fee. Contact any office of the department to obtain the proper reporting form.

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

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosure

MICROFILMED
MAY 27 1999

M E M O R A N D U M

DATE: April 20, 1999
TO: Files 29-07940 & 29-07944
FROM: Kari Lynn Townsend
RE: Change of Ownership

=====

We received a change of ownership package including warranty deeds showing two separate owners within 2 days. The package included a memo from Aberdeen-American Falls Ground Water District generated by Jenny.

As I examined the files I found that both are still in permit stage and therefore require Assignment of Permit forms. In this case there will be 4 assignments required.

I called Jenny to discuss this with her and she told me that Hank Boomer, attorney, is involved (she works part time for him), and because this whole transaction is somewhat convoluted with some hard feelings between buyers and sellers, she wants to get Hank's input before starting the assignment process.

June 27, 1996

LYNN MARIE DEEG
STEVEN K DEEG
3007 DEEG RD
AMERICAN FALLS ID 83211

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 29-07940

Dear Permit Holder:

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

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

c: IDWR - Region

RECEIVED
AUG 07 1996

April 30, 1996

LYNN MARIE DEEG
STEVEN K DEEG
3007 DEEG RD
AMERICAN FALLS ID 83211

PROOF DUE NOTICE

RE: PERMIT NO. 29-07940

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before July 1, 1996.

(See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

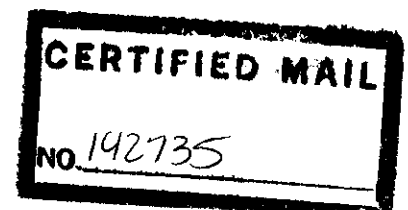
Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

RECEIVED
AUG 07 1996



IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLER'S REPORT

page no 1 of 3

MAR 14 1995

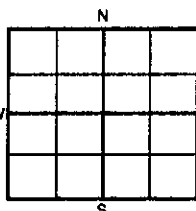
Use Typewriter
or
Ball Point Pen1. DRILLING PERMIT NO. 29 - 94 - E - 027 - 000
Other IDWR No. 29-07940, 29-07944

2. OWNER:

Name STEVEN K DEEG
Address 3007 DEEG RD.
City AMERICAN FALLS State ID Zip 83211

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

Twp. 7 North ☐ or South ☒
Rge. 31 East ☒ or West ☐
Sec. 26 1/4 SE 1/4 NE 1/4
Gov't Lot _____ County POWERAddress of Well Site 3 mi east of
lakeview cafe then sw 2nd City AM. FALLS ID
(Give at least name of road + Distance to Road or Landmark)

Lt. _____ Blk. _____ Sub. Name _____

4. PROPOSED USE:

☐ Domestic ☐ Municipal ☐ Monitor ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK

☒ New Well ☐ Modify or Repair ☐ Replacement ☐ Abandonment

6. DRILL METHOD

☐ Mud Rotary ☐ Air Rotary ☒ Cable ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
cement	0	18		mix

Was drive shoe used? Y ☒ N ☐Was drive shoe seal tested? Y ☐ N ☒ How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
20	1	156	250	steel	☒	☐	☒	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

☒ Perforations Method knife
☐ Screens Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
115	145	1/2 x 2	240	250	steel	☒	☐
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

114 ft. below ground Artesian pressure _____ lb.

Depth flow encountered _____ ft. Describe access port or control devices: _____

11. WELL TESTS: Department of Water Resources

☒ Pump ☐ Bailor ☐ Fasten ☐ Airt ☐ Off ☒ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
700	365	480	

Water Temp. _____ Bottom hole temp. _____

Water Quality test or comments: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
24	0	3	topsoil		
	3	20	brown sandy clay		
29	20	115	yellow & brown sandy clay		
	115	127	gravel	x	
	127	155	gray rhyolite firm	x	
	155	187	gray rhyolite hard		
	187	240	brown rhyolite solid		
	240	255	fractured brown rhyolite	x	
	255	295	brown rhyolite solid		
	295	305	broken brown rhyolite	x	
	305	330	brown rhyolite solid		
	330	360	hard brown rhyolite		
	360	408	brown rhyolite solid		
	408	427	brown rhyolite solid & green quartz		
	427	436	brown rhyolite firm	x	
	436	458	black rhyolite solid		
	458	461	black rhyolite firm	x	
	461	464	orange sandstone		
	464	503	tan rhyolite firm (maybe)	x	
	503	592	tan rhyolite soft (talc)	x	
	592	603	tan rhyolite firm		
	603	616	soft rhyolite	x	
	616	624	brown rhyolite firm		
	624	638	brown rhyolite soft	x	
	638	642	brown sticky clay		
	642	652	black rhyolite firm	x	
	652	659	brown sticky clay		
	659	732	tan sandstone (maybe)		
	732	748	brown sticky clay		
	748	753	brown rhyolite firm		
	753	765	brown sticky clay		
	765	775	tan clay & sandstone		

Completed Depth 1185Date: Started 6-30-94(Measurable)
Completed 2-10-95

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were followed with at the time the rig was removed.

Firm Name SHERMAN COUCH WELL DRILLING Firm No. 161Firm Official Sherman Couch Date 2-10-95and Scott CouchSupervisor or Operator Scott Couch Date _____

(Sign once if Firm Official & Operator)

page no. 2 of 3

1. DRILLING PERMIT NO. 29-94E-027 -000
Other IDWR No. 2

2. OWNER:

Name STEVE DEFG
Address _____
City _____ State _____ Zip _____

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N
 W E S
 Twp. 7 North ☐ or South ☒
 Rge. 31 East ☒ or West ☐
 Sec. 26 _____ 1/4 _____ 1/4 _____ 1/4
 Gov't Lot _____ County _____
 S
 Address of Well Site _____

Address of Well Site _____
City _____

(Give at least name of road + Distance to Road or Landmark)

Lt. _____ Blk. _____ Sub. Name _____

4. PROPOSED USE:

☐ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other

5. TYPE OF WORK

☐ New Well ☐ Modify or Repair ☐ Replacement ☐ Abandonment

6. DRILL METHOD

☐ Mud Rotary ☐ Air Rotary ☐ Cable ☐ Other_____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	

Was drive shoe used? Y ☐ N ☐

Was drive shoe seal tested? Y ☐ N ☐ How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
					☐	☐	☐	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

☐ Perforations Method_____

☐ Screens Screen Type_____

From	To	Slot Size	Number	Diameter	Material

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

_____ ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or
control devices: _____

11. WELL TESTS

☐ Pump ☐ Baller ☐ Air ☒ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
	MAR 14 1995		
	Department of Water Resources		

Water Temp. _____ Eastern District Office temp. _____

Water Quality test or comments: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Water

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
10	775	784	brown sticky clay		
	784	801	sandy tan clay		
	801	820	brown sticky clay		
	820	826	hard sticky clay		
	826	859	gray sandy clay		
	859	866	tan sticky clay		
	866	872	hard brown sticky clay		
	872	884	brown sticky clay		
	884	874	gray sandy clay		
	974	931	hard gray sandy clay		
16	981	990	brown rhvolite firm		
	990	997	hard gray sticky clay		
	997	1002	brown sticky clay		
	1002	1004	yellow clay		
	1004	1008	brown sticky clay		
	1008	1012	yellow clay		
	1012	1025	gray sandy clay		
	1025	1031	brown sticky clay		
	1031	1034	brown rhvolite		
	1034	1043	yellow claystone		
	1043	1052	gray sandy clay		
	1052	1054	yellow claystone		
	1054	1059	brown sticky clay		
	1059	1069	brown claystone		
	1069	1075	brown claystone		
	1075	1090	yellow claystone		
	1090	1096	brown claystone		
	1096	1103	brown claystone & sandstone		
	1103	1106	brown sticky clay		
	1106	1112	gray sandy clay		
0	1112	1121	reddish brown clay		
	1121	1133	brown sticky clay		
	1133	1142	gray sandy clay		

Completed Depth _____ (Measurable)

Gate: Started _____ Completed _____

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name SHERMAN COUCH WELL DRILLING Firm No. 161

Firm Official _____ Date _____

and

Supervisor or Operator _____ Date _____

(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

FORWARD WHITE COPY TO WATER RESOURCES



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

AUGUST 10, 1995

STEVEN K DEEG
LYNN DEEG
3007 DEEG RD
AMERICAN FALLS ID 83211

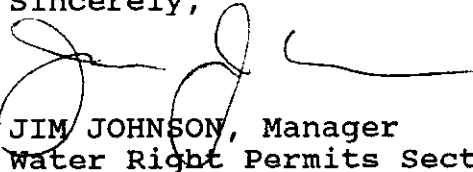
RE: Permit No. 29-07940

Dear Water Right Holder(s):

Enclosed is a copy of your approved Application for Amendment submitted in connection with the above referenced permit.

If you have any questions concerning this document, please contact me at (208) 327-7946.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

Enclosure

RECEIVED
AUG 25 1995

RECEIVED
JUL 17 1967

JUL 17 1995

JUL 17 1995
 Department of Water Resources
 Eastern District Office

County of Power

[illegible]

RECEIVED
JUN 25 1964

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 5 day of July 1925 and the date of the last publication being the 12 day of July 1925.

Signed

County of Power

On this 13 day of July in the year of 1985, before me, a Notary Public, personally appeared Erma Crompton, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Burt Compton

Notary Public for Idaho
Residing at American Falls, Idaho
My commission expires: June 8, 1999

Affidavit of Publication

State of Idaho

County of Power

Erma Crompton being first duly sworn on oath, states:

That she is the publisher of The Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for _____ successive weekly issues thereof, the date of the first publication being the _____ day of _____ 19____ and the date of the last publication being the _____ day of _____ 19____.

Signed

Erma Crompton

State of Idaho

County of Power

On this _____ day of _____ in the year of _____, before me, a Notary Public, personally appeared Erma Crompton, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Erma Crompton

Notary Public for Idaho
Residing at American Falls, Idaho
My commission expires: June 8, 1999

RECEIVED
JUL 17 1995
Department of Water Resources
Eastern District Office

Proposed amending
of water right

Published in The Power County Press,
July 5, 12, 1995.

NOTICE OF PROPOSED AMENDING
OF WATER RIGHT

No. 29-07940

Notice is hereby given that Permit No. 29-07940 in the name of Steven K. or Lynn Deeg, 3007 Deeg Rd., American Falls, ID, was issued for the diversion of 2.40 cfs of water from a groundwater source with the point of diversion within the SENE, SWNE, NESE, S26, T07S, R31E, Power County; to be used for irrigation from 03/15 to 11/15 within the NWNW, S25, E1/2NE, N1/2SE SWSE, S26, T7S, R31E, B.M.

The permit holder now proposes to amend Permit No. 29-07940, changing the place of use to the W1/2NW, SEC 25, E1/2NE, S26, T07S, R31E, Power County.

Any protest to the proposed amending of the permit must be filed, along with a \$25 fee, with the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID 83402, on or before July 24, 1995.
R. Keith Higginson, Director

RECEIVED
JUL 5 1995

NOTICE OF PROPOSED AMENDING OF WATER PERMIT
29-07940

Notice is hereby given that Permit No. 29-07940 in the name of Steven K. or Lynn Deeg, 3007 Deeg Rd., American Falls, ID, was issued for the diversion of 2.40 cfs of water from a groundwater source with the point of diversion within the SENE, SWNE, NESE, S26, T07S, R31E, Power County; to be used for irrigation from 03/15 to 11/15 within the NWNW, S25, E1/2NE, N1/2SE SWSE, S26, T7S, R31E, B.M.

The permit holder now proposes to amend Permit No. 29-07940, changing the place of use to the W1/2NW, SEC 25, E1/2NE, S26, T07S, R31E, Power County.

Any protest to the proposed amending of the permit must be filed, along with a \$25 fee, with the Idaho Department of Water Resources, 900 N. Skyline Dr., Idaho Falls, ID 83402, on or before July 24, 1995.

R. Keith Higginson
Director

Published in the Power County Press on July 7 & 14, 1995.

RECEIVED
AUG 25 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

June 28, 1995

KARL J. DREHER
DIRECTOR

POWER COUNTY PRESS
PO BOX 547
AMERICAN FALLS ID 83211

Dear Publisher:

Enclosed you will find a legal notice which we wish to have published on the date indicated in your newspaper. If you cannot publish the notice on the proposed date, please contact us immediately.

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

Please send the affidavit of publication and publication billing to this office before July 24, 1995.

Yours truly,

Rita Bodell
Secretary

Enc.

RECEIVED
AUG 25 1995



State of Idaho
DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Idaho Falls, Idaho 83402-1718 - (208) 525-7161 - Fax (208) 525-7177

EASTERN REGION

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 19, 1995

STEVEN K OR LYNN DEEG
3007 DEEG RD
AMERICAN FALLS ID 83211

RE: Application for Amendment of Permit No. 29-07940

Dear Applicant:

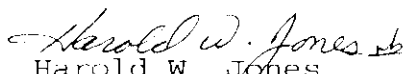
The Department of Water Resources acknowledges receipt of your water right application. This office is currently in the process of advertising the application in the Power County Press on July 7 & 14, 1995. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State Office Personnel will conduct a complete review prior to final processing of the applications and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,


Harold W. Jones
Water Right Supervisor

HWJ/rb

Aug 18 1995

June 1, 1994

Steven K. Deeg
3007 Deeg Rd.
American Falls, ID 83211

RE: Permit No. 29-07940

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to July 1, 1996. Please note that the department has granted this extension based on due diligence. It is important that you work diligently toward the completion of this project during the construction period allowed since the department will not be able to grant additional extensions based on due diligence.

If you have any questions or if I can be of any further assistance, please feel free to contact this office.

Sincerely,

JULIE L. YARBROUGH
Senior Secretary

Enclosure

C: IDWR - Regional Office, Ben Cavaness

RECEIVED

JUN 28 1994

Cavaness & Boomer

BEN CAVANESS
HENRY R. (Hank) BOOMER

ATTORNEYS-AT-LAW
376 Roosevelt - P.O. Box 70
American Falls, Idaho 83211

Telephone
(208)226-2562
Fax (208)226-2578

May 17, 1994

Julie L. Yarbrough
Department of Water Resources
Statehouse Mail
Boise, ID 83720-9000

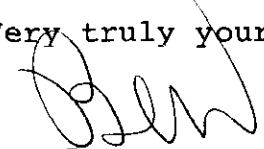
RECEIVED
MAY 23 1994
Department of Water Resources

Re: Steve Deeg - Permit 29-07940

Dear Ms. Yarbrough:

I am in receipt of your letter dated May 16, 1994 confirming that there have been no previous extension requests filed in regard to the above referenced permit. Accordingly, since my client will have a difficult time completing all of the beneficial use requirements of your office prior to the July 1, 1994 deadline, we are herewith extending an extension of time to enable Mr. Deeg to accomplish all requirements. I am enclosing the Request for Extension of Time accordingly.

Very truly yours,


Ben Cavaness

BC:mh

cc: Steve Deeg

RECEIVED

JUN 28 1994



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

May 16, 1994

Ben Cavaness
CAVANESS & BOOMER
376 Roosevelt
P.O. Box 70
American Falls, ID 83211

RE: Permit No. 29-07940 / Steve Deeg

Dear Mr. Cavaness:

This is in response to your letter concerning the status of any extension requests for the above referenced permit. No previous extension requests have been filed with the department, so I do not see any problem with filing an extension at this time.

If you have any questions or if I can be of any further assistance, please do not hesitate to contact me at (208)327-7953.

Sincerely,

A handwritten signature in cursive script that reads "Julie L. Yarbrough".

JULIE L. YARBROUGH
Senior Secretary

RECEIVED
MAY 28 1994

Cavaness & Boomer

BEN CAVANESS
HENRY R. (Hank) BOOMER

ATTORNEYS-AT-LAW
376 Roosevelt - P.O. Box 70
American Falls, Idaho 83211

Telephone
(208)226-2562
Fax (208)226-2578

May 12, 1994

RECEIVED

MAY 16 1994

Department of Water Resources

Julie L. Yarbrough
Department of Water Resources
Statehouse Mail
Boise, ID 83720-9000

Re: Steve Deeg - Permit 29-07940

Dear Ms. Yarbrough:

In response to your letter dated April 30, 1994, addressed to Mr. Steven K. Deeg, he has asked me to followup to determine whether or not any prior extension has ever been granted on this application. He recently received this license in a transfer proceeding, and does not know whether or not a prior extension was granted.

Please advise me as to the status of any prior extensions at your earliest convenience.

Mr. Deeg is making every effort possible to to complete the element within the present deadline but may need a short extension.

Very truly yours,



Ben Cavaness

BC:mh

cc: Steve Deeg

RECEIVED

JUN 28 1994

April 30, 1994

STEVEN K DEEG
LYNN MARIE DEEG
3007 DEEG RD
AMERICAN FALLS ID 83211

PROOF DUE NOTICE

RE: PERMIT NO. 29-07940

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before July 1, 1994. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

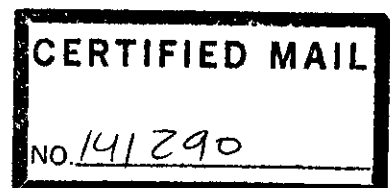
SINCERELY,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

RECEIVED

JUN 28 1994





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 21, 1994

STEVEN K DEEG
LYNN MARIE DEEG
3007 DEEG RD
AMERICAN FALLS ID 83211

RE: Permit Nos. 29-07940 and 29-07944

Dear Water Right Holders:

Enclosed are copies of your approved Applications for Amendment submitted in connection with the above referenced permits.

If you have any questions concerning these documents, please feel free to contact us.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECORDED
FEB 22 1994

RECEIVED

DEC 27 1993

Department of Water Resources
Eastern District Office

Erma Crompton being first duly sworn on oath, states:

That she is the publisher of The Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 15 day of DEC 1993 and the date of the last publication being the 22 day of DEC 1993.

Signed

State of Idaho

County of Power

On this 23 day of December in the year of 1993, before me, a Notary Public, personally appeared Erma Crompton, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Brett Crompton

Notary Public for Idaho

Residing at American Falls, Idaho

My commission expires: June 8, 1999

FEB 22 1994

Affidavit of Publication

State of Idaho

County of Power

Erma Crompton being first duly sworn on oath, states:

That she is the publisher of The Power County Press, a newspaper of general circulation in Power County, Idaho, published weekly at American Falls in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That the annexed notice or advertisement was published as per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for 2 successive weekly issues thereof, the date of the first publication being the 17 day of Dec 1993 and the date of the last publication being the 22 day of Dec 1993.

Signed

Erma Crompton

State of Idaho

County of Power

On this 23 day of December in the year of 1993, before me, a Notary Public, personally appeared Erma Crompton, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Brett Crompton

Notary Public for Idaho
Residing at American Falls, Idaho
My commission expires: June 8, 1999

RECEIVED

DEC 21 1993

Department of Water Resources
Eastern District Office

Amending of
water permit 27

Published in The Power County Press
Dec. 15, 22, 1993.

NOTICE OF PROPOSED AMENDING
OF WATER RIGHT

- Notice is hereby given that Permit No. 29-07940 in the name of Gladys Davis, Downey, ID, was issued for diversion of 2.40 cfs of water from groundwater source with the point of diversion within the NWSE Sec 23 T11S R36E, Bannock County; to be used for the irrigation of 120 acres from May 15 to November 15 within the SWNE Sec 26 T7S R31E, M.
- The permit holder now proposes to amend Permit No. 29-07940 changing the point of diversion to the SE1/4 Sec 26 T7S R31E, M.
- used to irrigate 120 acres within the NWNW Sec 25 E1/2NE N1/2SE SWNE Sec 26 T7S R31E, M.
- Any protest to the proposed amending of the permit must be filed with the Idaho Department of Water Resources, 900 N. Skyline, Idaho Falls, ID 83404, on or before January 3, 1994.
- Keith Higginson, Director

NOTICE OF PROPOSED AMENDING OF WATER PERMIT

Notice is hereby given that Permit No. 29-07940 in the name of Glade H. Davis, Downey, ID, was issued for the diversion of 2.40 cfs of water from a groundwater source with the point of diversion within the NWSE Sec 23 T11S R36E, Bannock County; to be used for the irrigation of 120 acres from March 15 to November 15 within the SWNE NESW NWSE Sec 23 T11S R36E, B.M.

The permit holder now proposes to amend Permit No. 29-07940 changing the point of diversion to the SENE SWNE NESE Sec 26 T7S R31E, to be used to irrigate 120 acres within the NWNW Sec 25 E1/2NE N1/2SE SWSE Sec 26 T7S R31E, B.M.

Any protest to the proposed amending the the permit must be filed with the Idaho Department of Water Resources, 900 N. Skyline, Idaho Falls, ID 83404, on or before January 3, 1994.

Keith Higginson

Director

Published in the Power County Press on December 15 & 22, 1993.

15--Dec-1993

STEVEN K OR LYNN MARIE DEEG
3007 DEEG RD
AMERICAN FALLS ID 83211

RE: Application No. 29-07940 & 29-07944

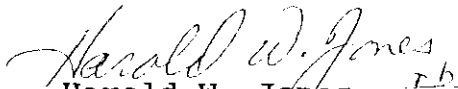
Dear Applicant:

The Department of Water Resources acknowledges receipt of your application for amendment of a permit. This office is currently in the process of advertising the application in the Power County Press on 12-16 & 23-1993. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is not protested, it will be forwarded to our State Office in about five weeks. State Office Personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,


Harold W. Jones
Water Right Supervisor

HWJ/rb

2 1994

WATER RIGHT TRANSFER AGREEMENT

THIS AGREEMENT MADE AND ENTERED INTO THIS 24th day of November, 1993, by and between GLADE H. DAVIS and JANE P. DAVIS, husband and wife, of Downey, Bannock County, Idaho, hereinafter referred to as "Davis", and STEVEN K. DEEG and LYNN MARIE DEEG, husband and wife, of American Falls, Power County, Idaho, hereinafter referred to as "Deeg",

WITNESSETH:

1. That Davis is the owner of Water Right Nos. 29-07940 and 29-07944 with priority dates of March 19, 1990, for 2.4 cfs of water relating to 120 acres of land, and 1.6 cfs of water for an 80 acre tract, both located in Bannock County, Idaho, with a completion date requirements of August 1, 1994.

2. That Deeg is the owner of certain property in Power County, Idaho, within the same Water Basin.

3. That Davis has agreed to sell to Deeg and Deeg has agreed to purchase from Davis the rights of Davis in the aforementioned approved permits with the Department subject to the terms and conditions hereinafter set out.

4. Deeg agrees to pay all attorney's fees and costs incurred in the Idaho Department of Water Resources in securing a transfer of the water right from Davis to Deeg. That upon completion of the ten (10) day protest period following the publication of the transfer without any protest being received, and approval of the assignment by the appropriate officials of the Idaho Department of Water Resources Deeg agrees to pay to Davis the sum of \$2,500 in lawful money of the United States.

5. That Davis agrees to sign the Assignments of Application for Permit forms used by the State of Idaho, Department of Water Resources upon execution hereof to enable Deeg to seek the requested transfers.

6. That Deeg agrees that in the event there is a protest that is not withdrawn within ten days by the protestant,

that he will transfer back to Davis by assignment the subject water rights.

7. Davis stipulates that they are the only ones having any interest in the aforementioned water rights and there is no mortgage of the subject right to any lender and they have the full power and authority to transfer said permits to others.

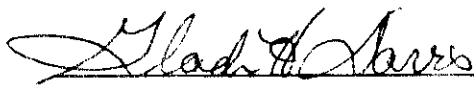
8. Davis further stipulates that the original applications were filed in good faith and that they had intended to drill a well to which these permits were appurtenant and use said well for sprinkler irrigation.

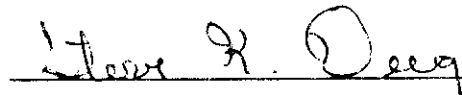
9. Due to a change in circumstances since the date of the original water right applications, and the shortness of time between the present date and the completion date of the subject permits, Davis has decided to transfer his rights to insure that said permits will be used prior to the required proof due date.

10. That Deeg agrees to execute a promissory note with Davis for \$2,500 without interest, which note will be held by Davis subject to the terms and conditions set out in the subject note.

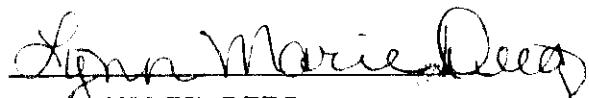
11. The parties agree that if the water rights or either of them are protested and cannot be used within a reasonable time by Deeg, and Deeg transfers the Permits back to Davis, that the promissory note obligation will be cancelled, and the parties shall revert to their prior legal positions.

DATED THIS 24th day November, 1993.


GLADE H. DAVIS


STEVEN K. DEEG


JANE P. DAVIS


LYNN MARIE DEEG



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 3, 1994

STEVEN K DEEG
LYNN MARIE DEEG
3007 DEEG RD
AMERICAN FALLS ID 83211

Re: Permit Nos. 29-07940 and 29-07944

Dear Mr. and Mrs. Deeg:

We acknowledge receipt of the correspondence assigning the ownership of the above referenced water rights to you. We have modified our computer records to reflect these changes in ownership.

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

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', followed by a horizontal line.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

A faint, circular stamp or seal, possibly a library or archival mark, located at the bottom right of the page.

JAN 10 1994

S T A T E O F I D A H O

DEPARTMENT OF WATER RESOURCES

Statehouse
Boise, Idaho 83720
(208) 327-7900
June 29, 1990

GLADE H. DAVIS
21128 S. MARSH CREEK RD.
DOWNEY, ID 83234

PERMIT APPROVAL NOTICE

RE: PERMIT NO. P29-07940

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the

FILED

1990

permit was approved.

We have enclosed a form entitled "Instructions for Proof of Beneficial Use". Please read the instructions carefully since you must take further action to develop this permit into a license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

JUL 20 1994

10-May-1990

Glade H. Davis

Downey, ID 83234

RE: Application for Permit No. 29-7940, 29-7944

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right permit. This office is currently in the process of advertising the application in the Idaho State Journal on MAY 17 & 24, 1990. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our state office in about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

MICROFILMED

JUL 20 1990

29-07940

DAVIS, GLADE H.
21128 S. MARSH CREEK RD.
DOWNEY, ID 83234

Source: GROUNDWATER

Diversion Pt: NWSE Sec 23 T 11S R 36E

Use: IRRIGATION (2.400 CFS)
Total Diversion: (2.400 CFS)

Date Filed: 3/19/ 1990

In: T11S R36E S23 SWNE NESW NWSE
120.0 ACRES TOTAL

MICROFILMED

JUL 20 1990