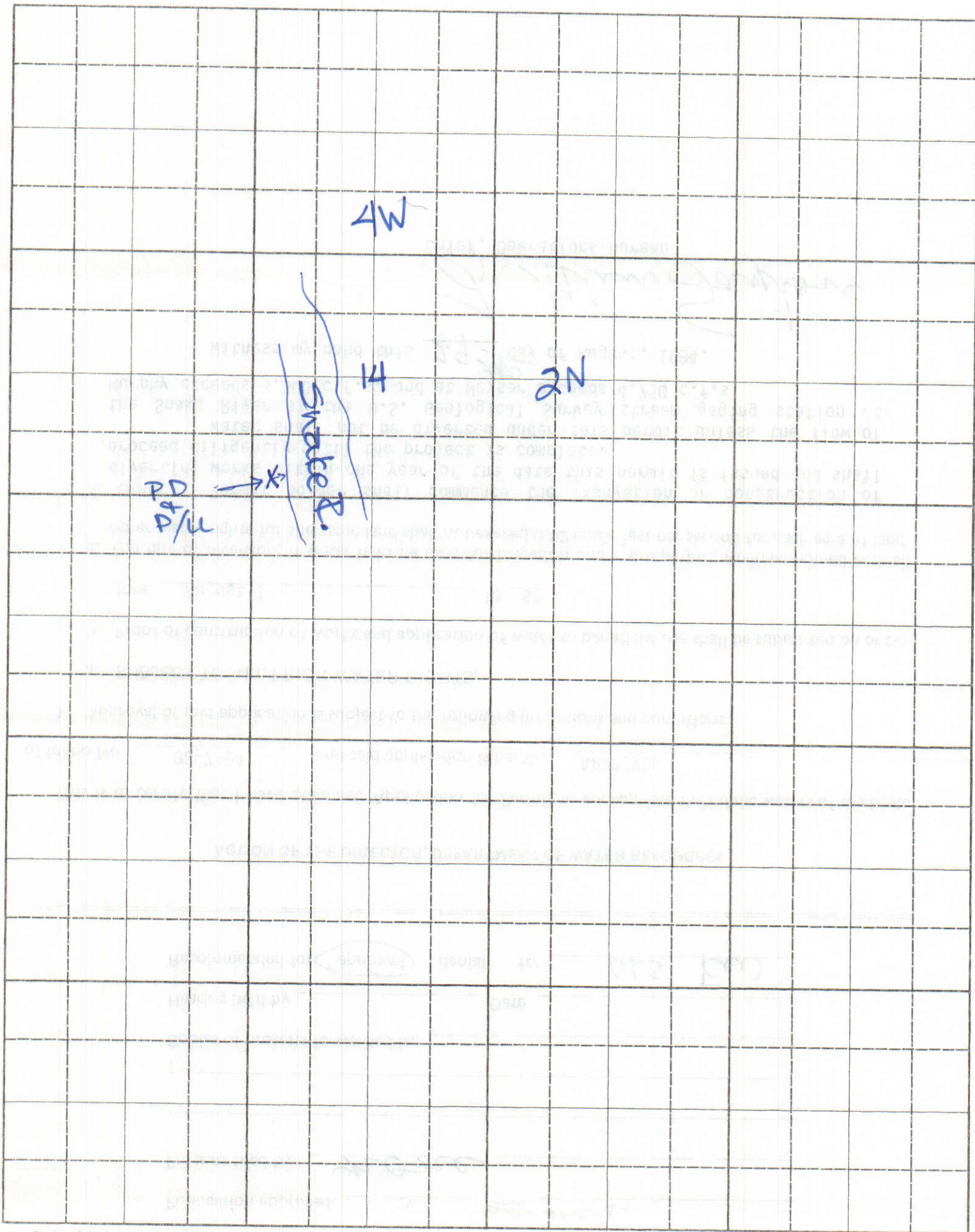


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

MICROFILMED

X S John Penz
(Applicant)

PROOF OF PUBLICATION

STATE OF IDAHO, County of Owyhee, s.s.

I, MICK HODGES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by MICK HODGES, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

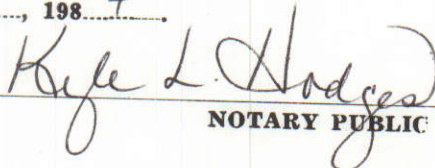
That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 1 day of August, 1984, and the last publication being on the 8 day of August, 1984;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy - eight consecutive weeks prior to the first publication of the attached notice.


PUBLISHER

Subscribed and sworn to before me this 8 day of

August, 1984.


NOTARY PUBLIC

My commission expires 3-86

(SEAL)

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

The following applications have been filed to appropriate the public waters of the State of Idaho:

02-7404 *VJP*

PERCY, L. JOHN
RT. 1 BOX 796, BRUNEAU
HWY., MARSING, ID 83639
Source: SNAKE RIVER trib. to
COLUMBIA RIVER
Date Filed: 07/16/1984
Diversion Pt: LOT 04 (SWSW) Sec
14 T 02N R 04W
Use: IRRIGATION (0.04 CFS)
In: LOT 04 (SWSW) Sec 14 T 02N
R 04W FOR 2 ACRES

02-7405

LOUCKS, LAVADA
STOWELL, DANA
2321 N. MIDDLETON RD.,
NAMPA, ID 83651
Source: SNAKE RIVER trib. to
COLUMBIA RIVER
Date Filed: 07/20/1984
Diversion Pt: NESW NWNW Sec
23 T 02N R 04W
Use: IRRIGATION (4.80 CFS)
In: NESW SWSW SESW Sec 28 T
02N R 04W NWNE SWNE SESE
Sec 29 T 02N R 04W FOR 240
ACRES

The permits will be subject to all prior water rights. Protests must be

filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on or before AUGUST 20, 1984.

KEN DUNN, Director
Published in the Owyhee Nugget,
Marsing and Homedale, Owyhee
County, Idaho, 8/1 & 8/8/1984.

RECEIVED
AUG 13 1984

Department of Water Resources
Western Regional Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
FEB 8 1993

Department of Water Resources

A. GENERAL INFORMATION

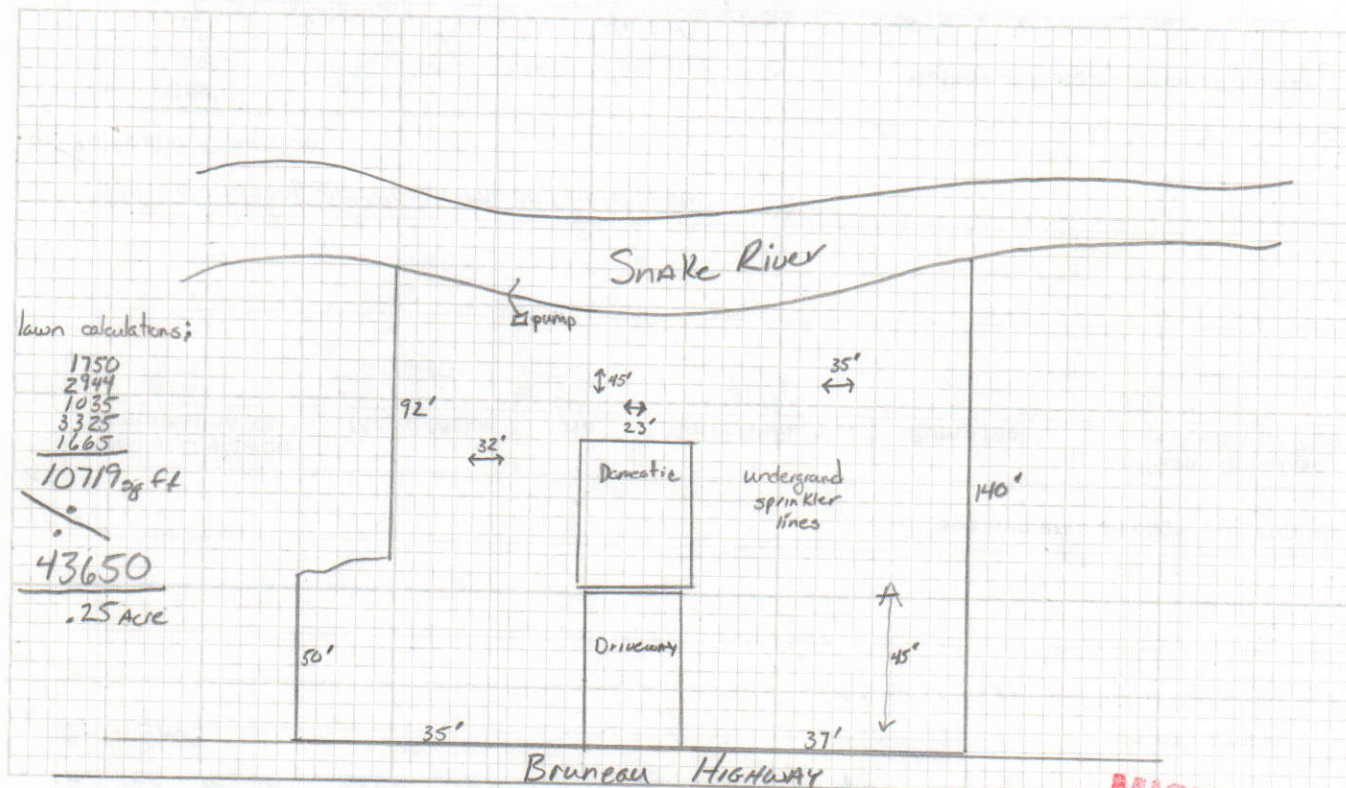
1. Owner: L. John Percy Permit No. 02-7404
Current Address: Rt. 1 Box 796 Bruneau Highway Marsing Ida. 83639 Phone No. 896-4624
2. Accompanied by: L. John Percy EXAM. DATE: 6-15-92
Address: same Phone No. same
Relationship to Permit Holder: same
3. Source: Snake River tributary to Columbia River

B. OVERLAP REVIEW

1. Other water rights with same place of use: 02-0799A Ashe, 02-7411 Symms, 02-0799 Daniel
☐ Copies Attached
2. Other water rights with same point of diversion: same (neighbors; overlaps do not occur)
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

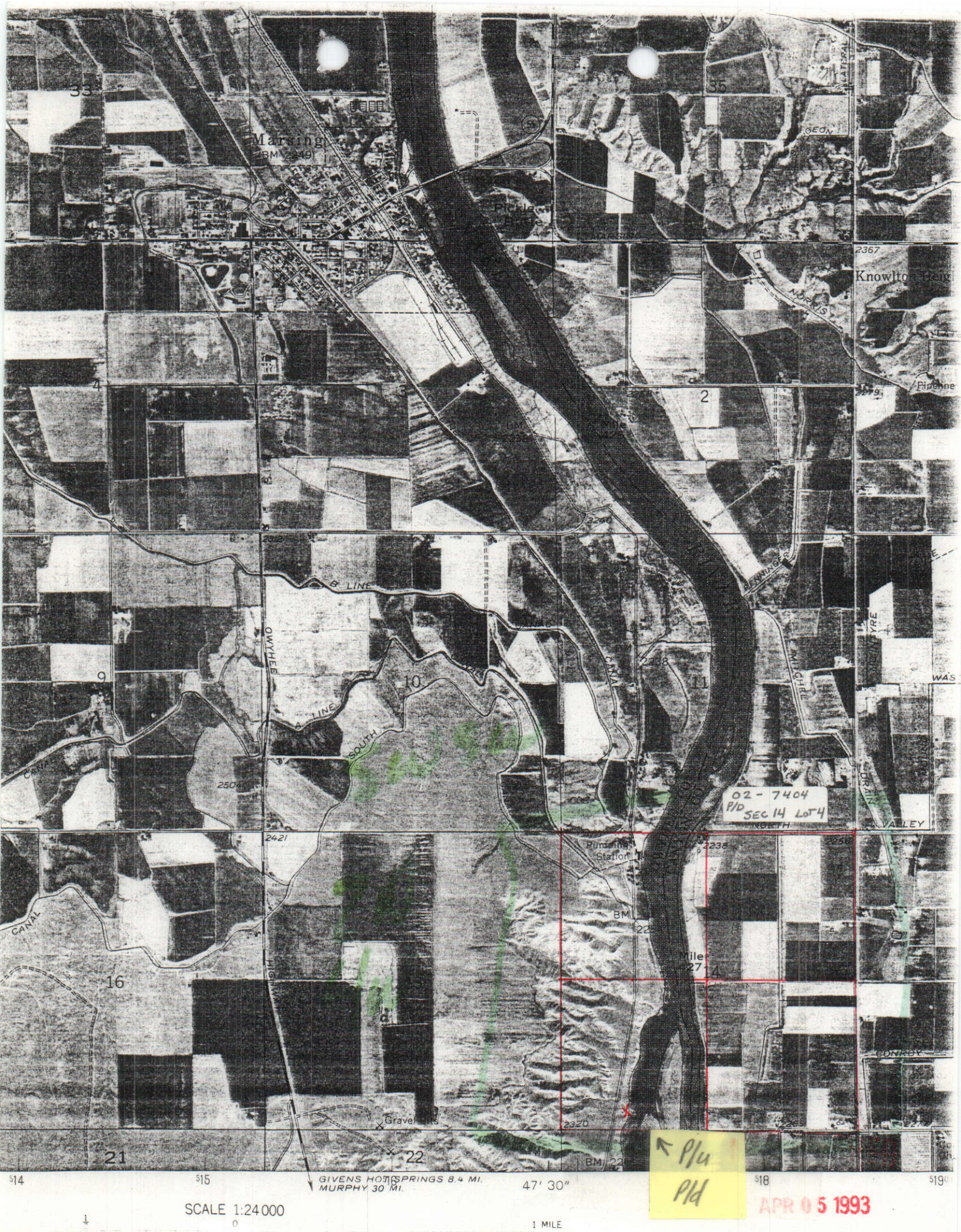
1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached

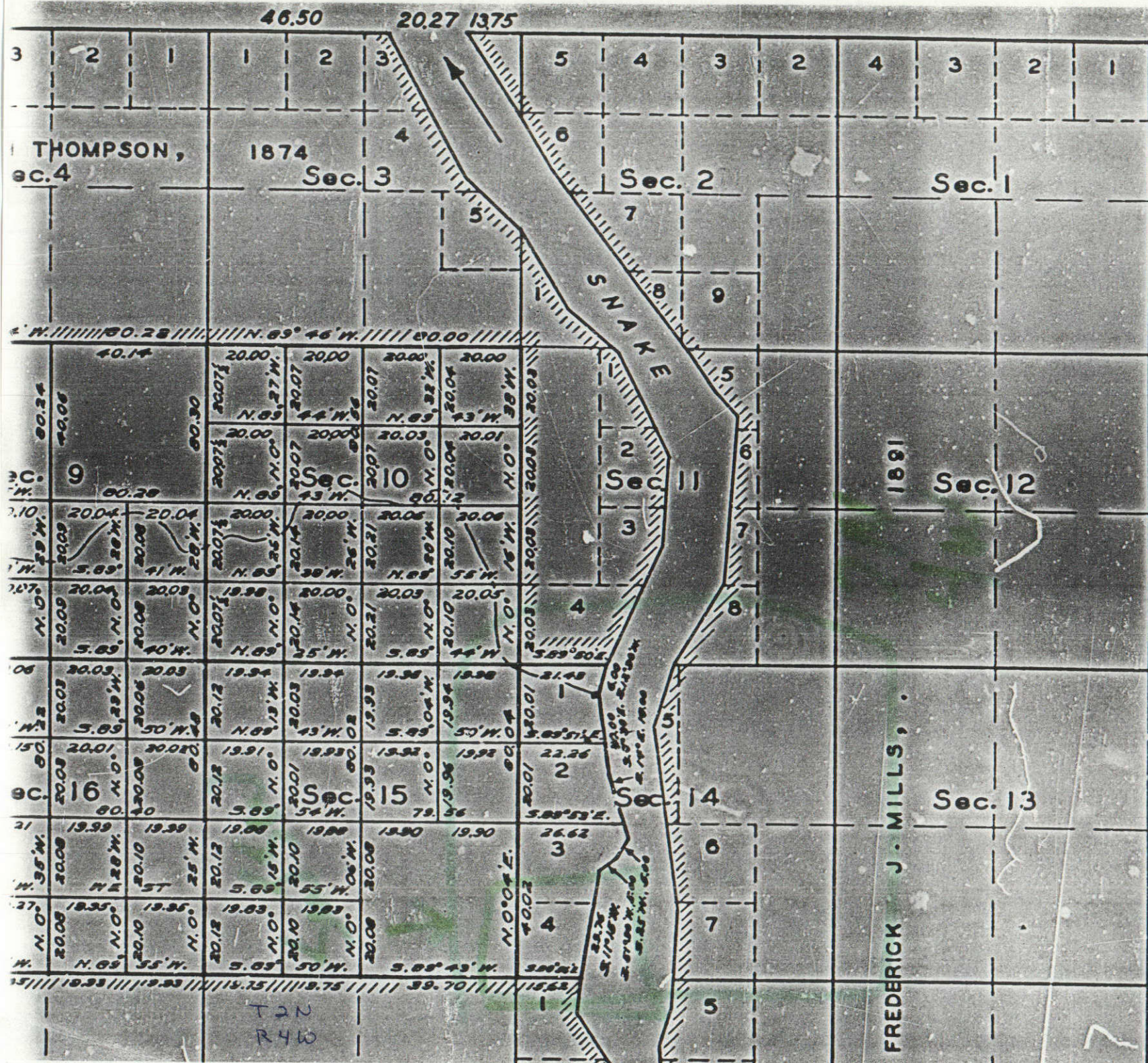


Scale: 1" = _____

2. ☐ Copy of U.S.G.S. 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 or more).
☐ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

MICROFILMED
APR 05 1993



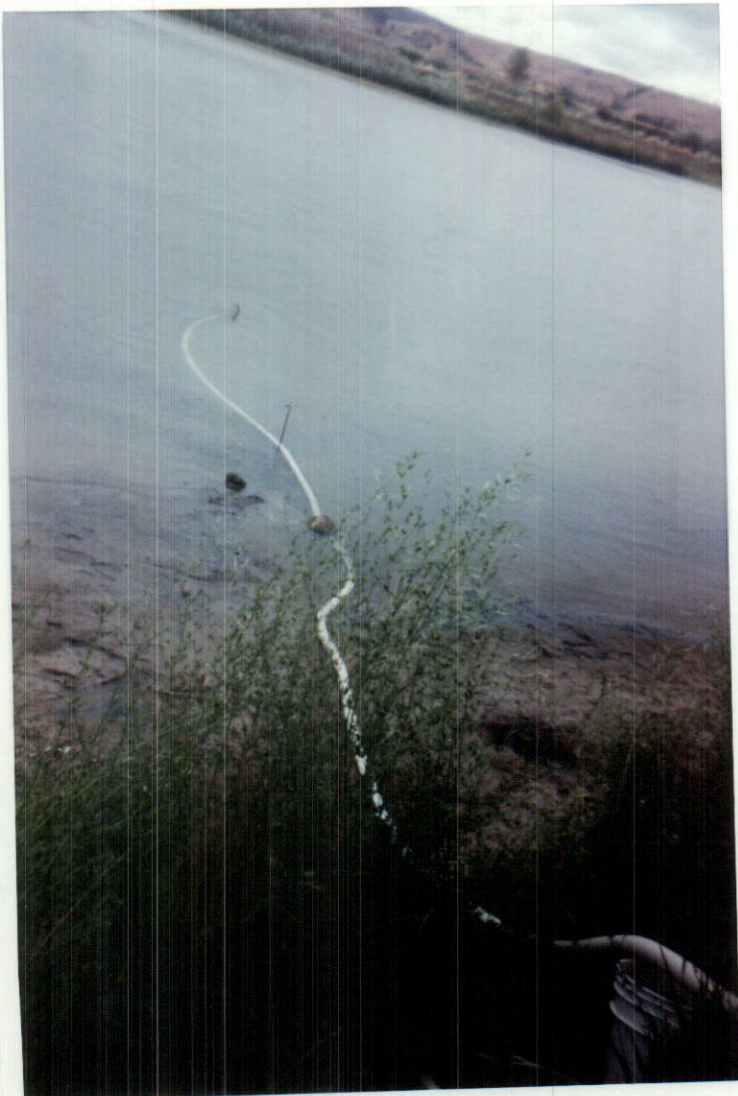


77.00
 APR 05 1993
 2 N, 4 W

THIS PLAT
 T. 2 N., R. 4 W.
 TRACEMANT AND
 THE LINES OF
 AS SHOWN UPON
 MAY 1, 1874,
 FINAL POSITION
 BEST AVAILABLE
 POSITION OF
 ALL DIFFERENC



View of the
Pump IN THE
Snake River.



A look at the draw
from the river to the
Pump.

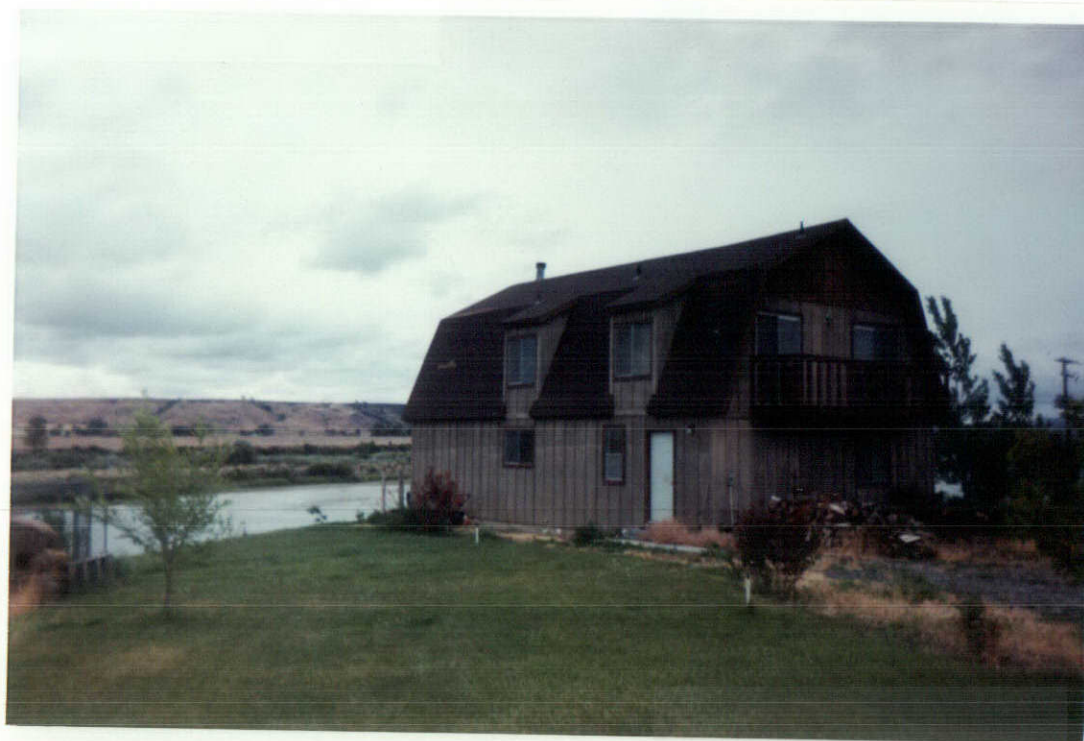
APR 05 1993

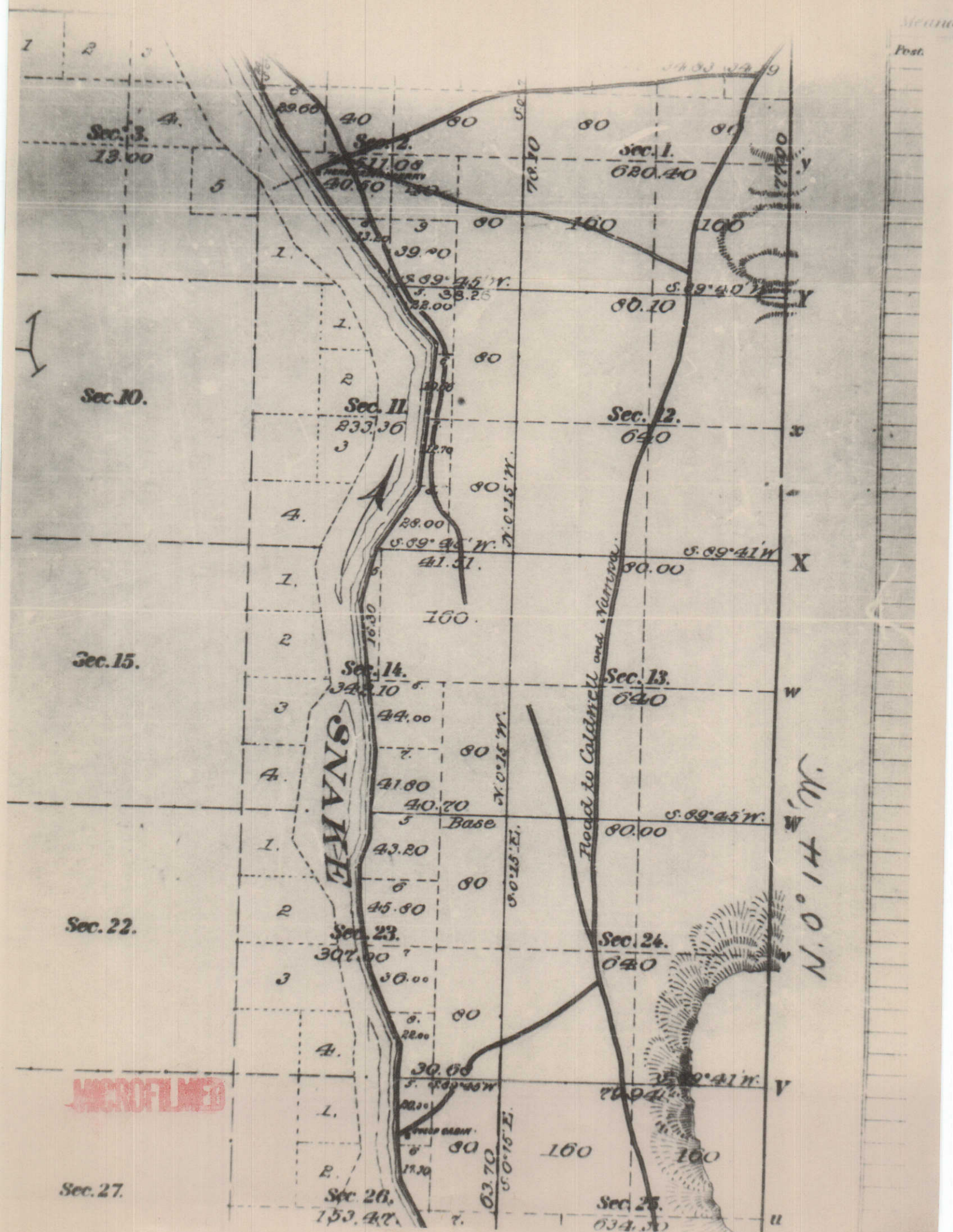
02-7404

02-7404

View of the Domestic AS WELL AS
THE P/U.

APR 05 1993





STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

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

RECEIVED

MAR 17 1999

**WATER RESOURCES
WESTERN REGION**

1. **Water Right No(s).:**

CZ-07404

RECEIVED

Adjudication Claim No(s).:

~~MAR 22 1999~~

2. The following **REQUIRED** information must be submitted with this form:

Department of Water Resources

A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

AND

B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

OR

C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. **Name and Address of Former Owner/Claimant**

ARLO E. and VAREN J. KUBBLE

4. New Owner/Claimant(s)

GORDON REICH

New Mailing Address

Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
4090 WALLOWA CRT

City, State and ZIP Code

BOISE 83709

New Telephone Number

(208) 362-0191

5. Date you acquired the property

9-22-98

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres you irrigate ~~2.5~~ 0.3 Number and type of stock NONE

Diversion rate in CFS _____ Number of homes 1 Other uses NONE

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

X 7. Signature of New Owner
or Claimant(s)

st IDWR office for assistance.

Gordon Fink

(Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

MICROFILMED

APR 08 1999

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1**. If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.
2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.
3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3**.
4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4**. Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.
5. At **Item 5**, please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.
6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6**.

Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately*.

7. The new owner(s) must sign the form in the space(s) provided at **Item 7**. Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.
8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190

IDWR Southern Region, 1341 Fillmore St. N., Twin Falls, ID 83301-3380 (208) 736-3033

IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450

IDWR Eastern Region, 900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

MICROFILMED

APR 08 1999

102-1-

tab # 12
226150 9-28-98
PC26468

WARRANTY DEED

FOR VALUE RECEIVED Arlo E. Kurrle and Karen J. Kurrle, husband and wife

the Grantors, do hereby grant, bargain, sell and convey unto Gordon E. Reich, an unmarried person

the Grantee, whose address is ROUTE 1, MARSHING, ID 83639-9585

the following described premises, to-wit:

See attached Exhibit "A", which by this reference is made a part hereof and is comprised of one (1) page.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantee, that he is the owner in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 1998 and subsequent years, covenants, conditions, restrictions and easements of record; and that he will warrant and defend the same from all lawful claims whatsoever.

DATED: September 17, 1998

Arlo E. Kurrle
Arlo E. Kurrle

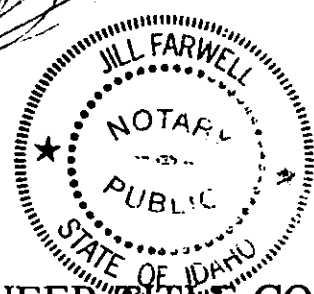
Karen J. Kurrle
Karen J. Kurrle

STATE OF IDAHO

COUNTY OF CANYON

On this 17th day of September in the year 1998, before me, a Notary Public, personally appeared Arlo E. Kurrle and Karen J. Kurrle known or identified to me to be the persons whose names subscribed to the within instrument, and acknowledged to me that they executed the same.

Jill Farwell
Notary Public
Residing at Caldwell
My commission expires 6/22/01



PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

MICROFILMED

APR 08 1999

226150

226150

Exhibit "A"

A tract of land situated in a portion of Government Lot 4 of Section 14, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho, more particularly described as follows:

Commencing at the Quarter corner common to Sections 14 and 15, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho; thence

South 00° 04' 00" West, 1949.62 feet along the Westerly line of said Section 14; thence

South 89° 54' 56" East, 1166.37 feet to the Westerly meander line of the Snake River marked by a found 5/8" iron pin with plastic cap stamped "JUB 972"; thence

South 11° 09' 39" West, 152.85 feet along said meander line to a set 1/2 inch iron pin with plastic cap stamped PLS 6552 and the TRUE POINT OF BEGINNING; thence continuing

South 11° 09' 39" West, 247.85 feet to a found 5/8 inch iron pin with plastic cap stamped "JUB 972"; thence

North 54° 50' 13" West, 162.22 feet to a found 5/8 inch iron pin with plastic cap stamped "JUB 972" on the Easterly right of way of Old Bruneau Road; thence

North 89° 54' 56" West, 25.38 feet to the centerline of said Old Bruneau Road; thence

North 10° 29' 32" East, 152.51 feet along said centerline; thence

South 89° 54' 56" East, 178.20 feet to the TRUE POINT OF BEGINNING.

226113

REQUEST OF
FEE \$6.05

MICROFILMED

SEP 08 1989

FILED - RECORDED

98 SEP 23 PM 2:53

JIM HUNTLEY JR.
OWYHEE COUNTY RECORDER
BY *[Signature]*
DEPUTY

The original list of tax numbers must be filed for record with the County Recorder on or before the fourth Monday of June in the year in which the assessment is made. A duplicate of each list must be filed with the Tax Collector. On the return of the original list, duly recorded, the Assessor shall file the same in his office.

ASSESSOR'S LIST OF TAX NUMBERS OWYHEE COUNTY, IDAHO

REICH, GORDON E

226113

SEC 14 2N 4W

Year 1998

REPLACES TAX 10D & TAX 11.

TAX NO.	DESCRIPTION OF EACH TRACT OF LAND DESIGNATED BY TAX NUMBER
12	A tract of land situated in a portion of Government Lot 4 of Section 14, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho, more particularly described as follows: Commencing at the Quarter corner common to Sections 14 and 15, Township 2 North, Range 4 West, Boise Meridian, Owyhee County, Idaho; thence South 00° 04' 00" West, 1949.62 feet along the Westerly line of said Section 14; thence South 89° 54' 56" East, 1166.37 feet to the Westerly meander line of the Snake River marked by a found 5/8" iron pin with plastic cap stamped "JUB 972"; thence South 11° 09' 39" West, 152.85 feet along said meander line to a set 1/2 inch iron pin with plastic cap stamped PLS 6552 and the TRUE POINT OF BEGINNING; thence continuing South 11° 09' 39" West, 247.85 feet to a found 5/8 inch iron pin with plastic cap stamped "JUB 972"; thence North 54° 50' 13" West, 162.22 feet to a found 5/8 inch iron pin with plastic cap stamped "JUB 972" on the Easterly right of way of Old Bruneau Road; thence North 89° 54' 56" West, 25.38 feet to the centerline of said Old Bruneau Road; thence North 10° 29' 32" East, 152.51 feet along said centerline; thence South 89° 54' 56" East, 178.20 feet to the TRUE POINT OF BEGINNING.

- 226150

FILED - RECORDED

93 SEP 20 AM 11:56

REQUEST OF
COURTNEY HUNTER
OWYHEE COUNTY RECORDER
BY
COURTNEY HUNTER
CLERK

STATE OF IDAHO, County of Owyhee, s.s.

I, JERNIE BAUFM, Assessor in and for said County and State, do hereby certify that the above and foregoing is a true and correct list of tax numbers placed upon the assessment rolls and assessor's plat book of said county to indicate the certain pieces of land described and shown opposite each number in the said list, in accordance with the provisions of Section 63-302, Idaho Code Annotated of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand this 25th day of SEPTEMBER, A.D. 19 98

[Signature]
Assessor in and for Owyhee County, Idaho.

WARRANTY DEED

FOR VALUE RECEIVED DANIEL B. ARRIOLA and MARGARET Y. ARRIOLA, husband and wife

the Grantors, do hereby grant, bargain, sell and convey unto
ARLO E. KURRLE and KAREN J. KURRLE, husband and wife

the Grantees, whose address is 240 Market Street, #C, Santa Cruz, CA 95060,

the following described premises, to-wit:

SEE ATTACHED EXHIBIT "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 1996 and subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same from all lawful claims whatsoever.

Dated: May 10, 1996

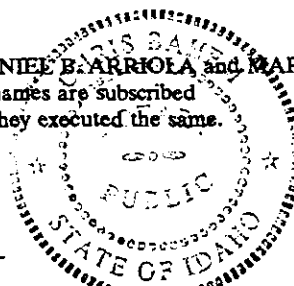

DANIEL B. ARRIOLA


MARGARET Y. ARRIOLA

State of Idaho
County of Owyhee

On this 10th day of May in the year 1996,
before me, a Notary Public, personally appeared **DANIEL B. ARRIOLA and MARGARET Y. ARRIOLA**
known or identified to me to be the persons whose names are subscribed
to within instrument, and acknowledged to me that they executed the same.


Notary Public
Residing at Homedale, ID. 83628
My Commission Expires April 17, 2002



OWYHEE TITLE COMPANY
200 BASEY STREET, MURPHY, ID. 83650

MICROFILMED

APR 22 1996

218800

EXHIBIT "A"

A tract of land situated in a portion of Government Lot 4 of Section 14, Township 2 North, Range 4 West, B. M., Owyhee County, Idaho, more particularly described as follows:

Commencing at the Quarter corner common to Sections 14 and 15, Township 2 North, Range 4 West, B. M., Owyhee County, Idaho; thence

South 00°04'00" West, 1949.62 feet along the Westerly line of said Section 14; thence South 89°54'56" East, 1166.37 feet to the westerly meander line of the Snake River marked by a found 5/8" iron pin with plastic cap stamped "JUB 972"; thence

South 11°09'39" West, 152.85 feet along said meander line to a set 1/2 inch iron pin with plastic cap stamped PLS 6552 and the True Point of Beginning; thence continuing South 11°09'39" West, 247.85 feet to a found 5/8 inch iron pin with plastic cap stamped "JUB 972"; thence

North 54°50'13" West, 162.22 feet to a found 5/8 inch iron pin with plastic cap stamped "JUB 972" on the Easterly right of way of Old Bruneau Road; thence

North 89°54'56" West, 25.38 feet to the centerline of said Old Bruneau Road; thence North 10°29'32" East, 152.51 feet along said centerline; thence

South 89°54'56" East, 178.20 feet to the TRUE POINT OF BEGINNING.

ADA
Griff

REQUEST OF
Onyiah TH
FEE *6.00*

JIM HUNTLEY JR.
OWYHEE COUNTY RECORDER
BY *J. J. J. J.*
DEPUTY

96 MAY 10 PM 12 04

FILED - RECORDED

218800

MICROFILMED

APR 23 1996

THIS FORM FURNISHED COURTESY OF:

STEWART TITLE

READ & APPROVED BY GRANTEE(S): X AK

SPACE ABOVE THIS LINE FOR RECORDING DATA

Order No.: 01789

WARRANTY DEED

94009432 KE

FOR VALUE RECEIVED JIMMY N. POTTS and EDITH M. POTTS, husband and wife

GRANTOR(S), does(do) hereby GRANT, BARGAIN, SELL and CONVEY unto DANIEL B. ARRIOLA and MARGARET Y. ARRIOLA, husband and wife

GRANTEE(S), whose current address is: ROUTE 1, BOX 796, MARSING, IDAHO 83639
the following described real property in OWYHEE County, State of Idaho, more particularly described as follows, to wit:

As set forth on the attached EXHIBIT "A", which by this reference becomes a part hereof.

SUBJECT TO that certain Deed of Trust/Mortgage dated January 16, 1987, and recorded January 23, 1987, as Instrument No. 191472 records of OWYHEE County, Idaho, in favor of FINANCIAL WEST, INC., an Idaho Corporation in the amount of \$56,700.00.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), and Grantee(s) heirs and assigns forever. And the said Grantor(s) does(do) hereby covenant to and with the said Grantee(s), that Grantor(s) is/are the owner(s) in fee simple of said premises; that said premises are free from all encumbrances, EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee(s); and subject to reservations, restrictions, dedications, easements, rights of way and agreements, (if any) of record, and general taxes and assessments, (including irrigation and utility assessments, if any) for the current year, which are not yet due and payable, and that Grantor(s) will warrant and defend the same from all lawful claims whatsoever.

Dated: October 31, 1994

Jimmy N. Potts
JIMMY N. POTTS

Edith M. Potts
EDITH M. POTTS

STATE OF CALIFORNIA
COUNTY OF Solano

On this 10 day of NOVEMBER, in the year of 1994, before me, the undersigned, a Notary Public in and for said State, personally appeared JIMMY N. POTTS and EDITH M. POTTS

known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument, and acknowledged to me that he/she/they executed the same.



Signature: Shelly Van Der Gaag
Name: Shelly Van Der Gaag
Residing at: Solano County, California
My Commission Expires: April 27, 1996

EXHIBIT "A", Land Description:

A tract of land situated in a portion of Government Lot 4 of Section 14, Township 2 North, Range 4 West, B. M, Owyhee County, Idaho, more particularly described as follows:

Commencing at the quarter corner common to Sections 14 and 15, Township 2 North, Range 4 West, B. M, Owyhee County, Idaho; thence South $00^{\circ}04'00''$ West, 1949.62 feet along the westerly line of said Section 14; thence South $89^{\circ}54'56''$ East, 1166.37 feet to the westerly meander line of the Snake River marked by a found $5/8$ " iron pin with plastic cap stamped "JUB 972"; thence South $11^{\circ}09'39''$ West, 152.85 feet along said meander line to a set $1/2$ inch iron pin with plastic cap stamped PLS 6552 and the True Point of Beginning; thence continuing South $11^{\circ}09'39''$ West, 247.85 feet to a found $5/8$ inch iron pin with plastic cap stamped "JUB 972"; thence North $54^{\circ}50'13''$ West, 162.22 feet to found $5/8$ inch iron pin with plastic cap stamped "JUB 972" on the easterly right of way of Old Bruneau Road; thence North $89^{\circ}54'56''$ West, 25.38 feet to the centerline of said Old Bruneau Road; thence North $10^{\circ}29'32''$ East, 152.51 feet along said centerline; thence South $89^{\circ}54'56''$ East, 178.20 feet to the TRUE POINT OF BEGINNING.

#214207

MICROFILM

APR 28 1977

WARRANTY DEED

FOR VALUE RECEIVED L. John Percy and Lila F. Percy, husband and wife

the Grantors, do hereby grant, bargain, sell and convey unto Jimmy N. Potts and Edith M. Potts, husband and wife as 1/2 interest and Elbert C. Hokit, a single man as 1/2 interest

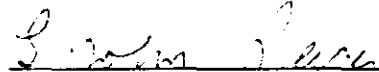
the Grantees, whose address is 3645 Sunny Hills Lane, Vacaville, CA 95688

the following described premises, to-wit:

See attached Exhibit "A", which by this reference is made a part hereof and is comprised of one (1) page.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they are the owners in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 1992 and subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: October 6, 1992

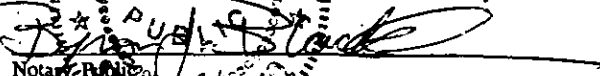

L. John Percy

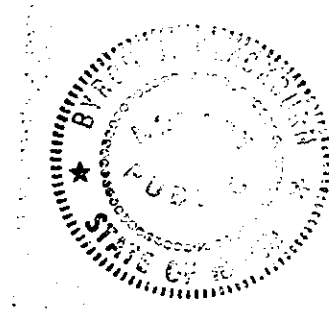

Lila F. Percy

STATE OF IDAHO

COUNTY OF CANYON

On this 6th day of October in the year 1992, before me, a Notary Public, personally appeared L. John Percy & Lila F. Percy known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.


Notary Public
Residing at Caldwell
My commission expires 10-19-95



PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

MICROFILMED

#209919
616608*

EXHIBIT "A"
to Warranty Deed Percy to Potts

That portion of the following described tract of land lying WEST of the centerline of the Bruneau Highway, as now constructed.

A parcel of land being a portion of Government Lot 4 of Section 14 and a portion of the SE $\frac{1}{4}$ of Section 15, all in Township 2 North, Range 4 West, B.M., Owyhee County, Idaho and more particularly described as follows: BEGINNING at a brass cap marking the Northwest corner of the Government Lot 1 of said Section 14; thence South 0°02'32" West 1,318.28 feet along the Westerly boundary of the said Government Lot 1 of Section 14 to the brass cap marking the Northwest corner of Government Lot 2 of said Section 14; thence South 0°04'00" West 1,320.38 feet along the Westerly boundary of the said government Lot 2 of Section 14 to a brass cap marking the Northwest corner of said Government Lot 3 of Section 14; thence continuing South 0°04'00" West 1,949.62 feet along the Westerly boundary of the said Government Lot 3 and Government Lot 4 of Section 14 to a point, also said point being the REAL POINT OF BEGINNING; thence South 89°54'56" East 1,166.36 feet, more or less, along a line Southerly of and parallel with the Northerly boundary of the said Government Lot 2 of Section 14 to an iron pin on the Original meander line of the Snake River; thence South 11°09'39" West 305.69 feet, more or less, along the said Original meander line of the Snake River to an iron pin; thence North 89°54'56" West 1,865.75 feet, more or less, along a line Southerly of and parallel with the Northerly boundary of the said Government Lot 2 of Section 14 to an iron pin; thence North 0°04'00" East 300.00 feet along a line Westerly of and parallel with the Easterly boundary of the SE $\frac{1}{4}$ of Section 15 to an iron pin; thence South 89°54'56" East 758.21 feet along a line Southerly of and parallel with the said Northerly boundary of the Government Lot 2 of Section 14 to the POINT OF BEGINNING.

208919

FILED - RECORDED

92 OCT 7 PM 2 16

BRUNEAU COUNTY

CLERK OF COUNTY RECORDER

DEPUTY

REQUEST OF

O.C.T.

FE 6.00

MICROFILMED

APR 28 1984

PC04430

WARRANTY DEED

FOR VALUE RECEIVED L. JOHN PERCY and LILA F. PERCY, husband and wife

the Grantors, do hereby grant, bargain, sell and convey unto JIMMY N. POTTS and EDITH M. POTTS, husband and wife

the Grantees, whose address is RT 1 BOX 796, MARSING, ID 83639

the following described premises, to-wit:

See Exhibit "A" attached hereto and made a part hereof for legal description

Subject to that certain Deed of Trust dated January 16, 1987 and recorded January 23, 1987, as Instrument No. 191472, records of Owyhee County, Idaho, which Deed of Trust the Grantees herein assume and agree to pay according to its terms.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they the owners in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 1992 and subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: January 21, 1992

L. John Percy
L. JOHN PERCY

Lila F. Percy
LILA F. PERCY

STATE OF IDAHO

COUNTY OF CANYON

On this 3rd day of February in the year 1992, before me, a Notary Public, personally appeared L. John Percy and Lila F. Percy known or identified to me to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

Leslie Roberts
Notary Public
Residing at Nampa
My commission expires 7-14-92

FILED - RECORDED
92 FEB 5 PM 1 35
BARBARA JAYO
OWYHEE COUNTY RECORDER
BY *G. Shepherd*
REQUEST DEPUTY
OCJ
FEB 6 1992

206950

MICROFILMED

APR 8 8 1992

EXHIBIT "A"

PARCEL NO I:

That portion of the following described tract of land lying EAST of the centerline of the Bruneau Highway, as now constructed.

A parcel of land being a portion of Government Lot 4 of Section 14 and a portion of the SE $\frac{1}{4}$ of Section 15, all in Township 2 North, Range 4 West, B.M., Owyhee County, Idaho and more particularly described as follows: BEGINNING at a brass cap marking the Northwest corner of the Government Lot 1 of said Section 14; thence South 0°02'32" West 1,318.28 feet along the Westerly boundary of the said Government Lot 1 of Section 14 to the brass cap marking the Northwest corner of Government Lot 2 of said Section 14; thence South 0°04'00" West 1,320.38 feet along the Westerly boundary of the said government Lot 2 of Section 14 to a brass cap marking the Northwest corner of said Government Lot 3 of Section 14; thence continuing South 0°04'00" West 1,949.62 feet along the Westerly boundary of the said Government Lot 3 and Government Lot 4 of Section 14 to a point, also said point being the REAL POINT OF BEGINNING; thence South 89°54'56" East 1,166.36 feet, more or less, along a line Southerly of and parallel with the Northerly boundary of the said Government Lot 2 of Section 14 to an iron pin on the Original meander line of the Snake River; thence South 11°09'39" West 305.69 feet, more or less, along the said Original meander line of the Snake River to an iron pin; thence North 89°54'56" West 1,865.75 feet, more or less, along a line Southerly of and parallel with the Northerly boundary of the said Government Lot 2 of Section 14 to an iron pin; thence North 0°04'00" East 300.00 feet along a line Westerly of and parallel with the Easterly boundary of the SE $\frac{1}{4}$ of Section 15 to an iron pin; thence South 89°54'56" East 758.21 feet along a line Southerly of and parallel with the said Northerly boundary of the Government Lot 2 of Section 14 to the POINT OF BEGINNING.

PARCEL NO II:

A parcel of land being a portion of Government Lot 4 of Section 14, Township 2 North, Range 4 West, B.M., Owyhee County, Idaho and more particularly described as follows: BEGINNING at a brass cap marking the Northwest corner of the Government Lot 1 of said Section 14; thence South 0°02'32" West 1,318.28 feet along the Westerly boundary of the said Government Lot 1 of Section 14 to a brass cap marking the Northwest corner of Government Lot 2 of the said Section 14; thence South 0°04'00" West 1,320.38 feet along the Westerly boundary of the said Government Lot 2 of Section 14 to a brass cap marking the Northwest corner of the said Government Lot 3 of Section 14; thence continuing South 0°04'00" West 2,249.62 feet along the Westerly boundary of the said Government Lot 3 and Government Lot 4 of Section 14 to a point; thence South 89°54'56" East 956.54 feet along a line Southerly of and parallel with the Northerly boundary of the said Government Lot 2 of Section 14 to the REAL POINT OF BEGINNING; thence continuing South 89°54'56" East 151.00 feet, more or less, along said line Southerly of and parallel with the Northerly boundary of Government Lot 2 of Section 14 to an iron pin in the Original meander line of the Snake River; thence South 11°09'39" West 95.00 feet along the said Original meander line of the Snake River to an iron pin; thence North 54°50'06" West 162.22 feet, more or less, to the POINT OF BEGINNING.

MICROFILM

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07404

Priority: July 16, 1984

Maximum Diversion Rate:

0.03 CFS

Maximum Diversion Volume:

1.4 AF

This is to certify, that L JOHN PERCY

RT 1 BOX 796

MARSING ID 83639

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated July 16, 1984; and has submitted Proof of Beneficial Use on June 5, 1989. An examination indicates that the works have a diversion capacity of .090 cfs of water from:

SNAKE RIVER

tributary to COLUMBIA RIVER

source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/15 to 11/15	0.03 CFS	1.4 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 4(SWSW), Sec. 14, Township 02N, Range 04W
OWYHEE 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>
02N	04W	14	Lot 4(SWSW)	0.3		0.3

Total number of acres irrigated: 0.3

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water shall not be diverted under this right unless the flow of the Snake River exceeds prior rights and established downstream minimum stream flows.
6. This right when combined with all other rights shall provide no more than 4.5 afa per acre for the lands above.

APR 06 1998

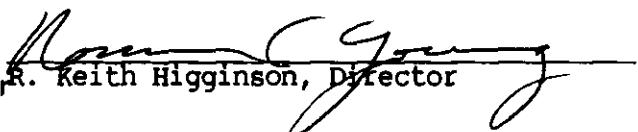
State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07404

CONDITIONS/REMARKS:

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 30TH
day of MARCH, 1993.

Acting for  R. Keith Higginson, Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

APPROVED

1. Name of applicant L. John Percy Phone (208) 896-4624
Post office address Rt 1, Box 796, BRUNEAU Highway, MARSING, Ida. 83639
2. Source of water supply Snake River which is a tributary of Columbia River
3. Location of point of diversion is Gov. Lot 4 (SW 1/4 of SW 1/4) of Section 14 Township 2N
Range 4W B.M. Owyhee County, additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.04 for irrigation purposes from 3/15 to 11/15 (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:

- a. 0.04 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc. pump & pipeline

- b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

Period of year when water will be diverted to storage _____ to _____ inclusive.
(Month/Day) (Month/Day)

- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years (minimum 1 year - maximum 5 years).

8. Description of proposed uses:

- a. If water is not for irrigation:

(1) Give the place of use of water: _____ 1/4 of _____ 1/4 of Section _____ Township _____
Range _____ B.M.

(2) Amount of power to be generated: _____ horsepower under _____ feet of head.

(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____.

(5) If water is to be used for other purposes describe: _____

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b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2N	4W	14											2.4						2

Total number of acres to be irrigated 2

c. Describe any other water rights used for the same purposes as described above. NONE

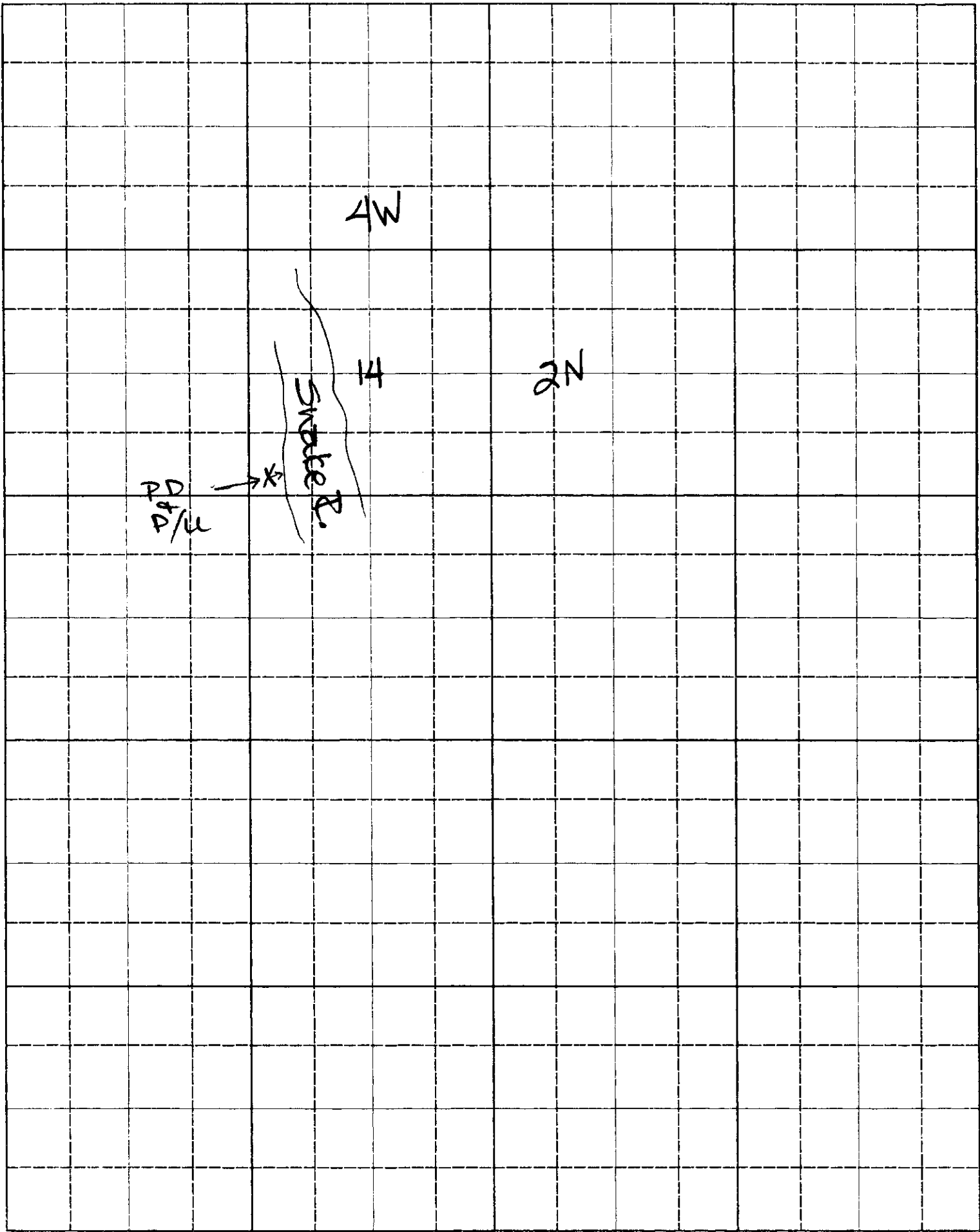
x 9. a. Who owns the property at the point of diversion applicant

x b. Who owns the land to be irrigated or 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 _____

10. Remarks _____

11. 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.

MICROFILMED

X⁸ John Perry
(Applicant)

Proposed Priority 7/16/84

7-17-84

8:00 am

Received by JS

Date 7/16/84

Time 3:30

Preliminary check by 6LS

Fee \$ 30.00

34524

Receipted by JP

Date 7/17/84

Publication prepared by jp

Date 7/26/84

Published in Owyhee Nugget

Publication dates 8/1 & 8/8/84

Publication approved JP

Date 8/13/84

Protests filed by: none

Copies of protests forwarded by _____

Hearing held by _____

Date _____

Recommended for approval

denial

by 6LS kw

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. 02-7404, and said application is hereby APPROVED.

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 August 1, 19 89.

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. Other: 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.

Water shall not be diverted under this permit unless the flow of the Snake River at the U.S. Geological Survey stream gaging station at Murphy exceeds 3,300 c.f.s. and at Weiser exceeds 4,750 c.f.s.

Witness my hand this 29th day of August, 1984.

J. Glen Saxton
Chief, Operations Bureau

PARCEL NO. 1:

A parcel of land being a portion of Government Lot 4 of Section 14 and a portion of the SE $\frac{1}{4}$ of Section 15, all in Township 2 North, Range 4 West, B. M., Owyhee County, Idaho and more particularly described as follows:

Beginning at a brass cap marking the Northwest corner of the Government Lot 1 of said Section 14; thence South 0°02'32" West 1,318.28 feet along the Westerly boundary of the said Government Lot 1 of Section 14 to the brass cap marking the Northwest corner of Government Lot 2 of said Section 14; thence South 0°04'00" West 1,320.38 feet along the Westerly boundary of the said Government Lot 2 of Section

14 to a brass cap marking the Northwest corner of said Government Lot 3 of Section 14; thence continuing South 0°04'00" West 1,949.62 feet along the Westerly boundary of the said Government Lot 3 and Government Lot 4 of Section 14 to a point, also said point being the REAL POINT OF BEGINNING; thence South 89°54'56" East 1,166.36 feet, more or less, along a line Southerly of and parallel with the Northerly boundary of the said Government Lot 2 of Section 14 to an iron pin on the Original meander line of the Snake River; thence South 11°09'39" West 305.69 feet, more or less, along the said Original meander line of the Snake River to an iron pin; thence North 89°54'56" West 1,865.75 feet, more or less, along a line Southerly of and parallel with the Northerly boundary of the said Government Lot 2 of Section 14 to an iron pin; thence North 0°04'00" East 300.00 feet along a line Westerly of and parallel with the Easterly boundary of the SE $\frac{1}{4}$ of Section 15 to an iron pin; thence South 89°54'56" East 758.21 feet along a line Southerly of and parallel with the said Northerly boundary of the Government Lot 2 of Section 14 to the point of beginning.

PARCEL NO. 2:

A parcel of land being a portion of Government Lot 4 of Section 14, Township 2 North, Range 4 West, B. M., Owyhee County, Idaho and more particularly described as follows:

Beginning at a brass cap marking the Northwest corner of the Government Lot 1 of said Section 14; thence South 0°02'32" West 1,318.28 feet along the Westerly boundary of the said Government Lot 1 of Section 14 to a brass cap marking the Northwest corner of Government Lot 2 of the said Section 14; thence South 0°04'00" West 1,320.38 feet along the Westerly boundary of the said Government Lot 2 of Section 14 to a brass cap marking the Northwest corner of the said Government Lot 3 of Section 14; thence continuing South 0°04'00" West 2,249.62 feet along the Westerly boundary of the said Government Lot 3 and Government Lot 4 of Section 14 to a point; thence South 89°54'56" East 956.54 feet along a line Southerly of and parallel with the Northerly boundary of the said Government Lot 2 of Section 14 to the REAL POINT OF BEGINNING; thence continuing South 89°54'56" East 151.00 feet, more or less, along said line Southerly of and parallel with the Northerly boundary of Government Lot 2 of Section 14 to an iron pin in the Original meander line of the Snake River; thence South 11°09'39" West 95.00 feet along the said Original meander line of the Snake River to an iron pin; thence North 54°50'06" West 162.22 feet, more or less, to the POINT OF BEGINNING.

RECEIVED

PROOF OF PUBLICATION

STATE OF IDAHO, County of Owyhee, s.s.

I, MICK HODGES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by MICK HODGES, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 1 day of August, 1984, and the last publication being on the 8 day of August, 1984;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy - eight consecutive weeks prior to the first publication of the attached notice.

Mick Hodges
PUBLISHER

Subscribed and sworn to before me this 8 day of

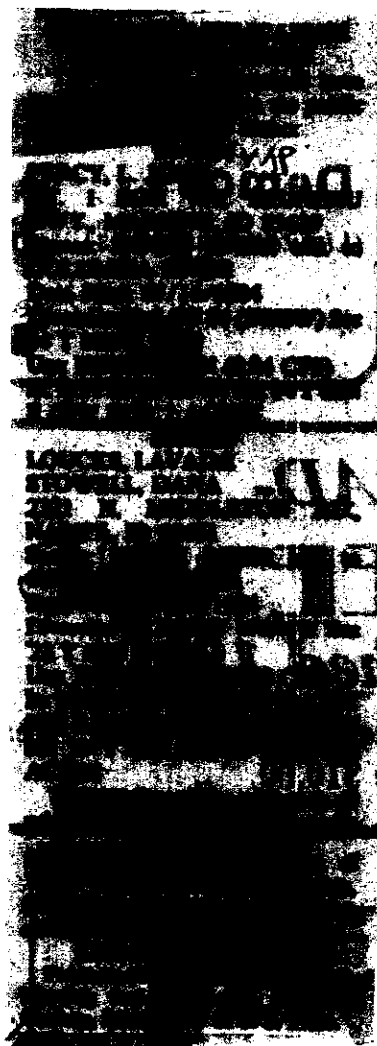
August, 1984.

Kyle L. Hodges
NOTARY PUBLIC

My commission expires 3-86

(SEAL)

MICROFILMED



RECORDED
AUG 10 1984

Department of Water Resources
Western Regional Office



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

March 31, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

GORDON REICH
9090 WALLOWA CRT
BOISE ID 83709

RE: Water Right 02-07404

Dear Mr. Reich:

The Department is in receipt of the correspondence changing ownership of the above referenced water right to you. We have modified our records to reflect this change in ownership and a computer generated report is enclosed.

Just a reminder, because of a law that went into effect July 1, 1996, all water right owners are required to report change of address or ownership to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee to the water right owner. If you have other water rights that haven't had the ownership updated please contact the department as soon as possible.

If you have any questions regarding this matter, please feel free to contact me at (208) 327-7947.

Sincerely,

for JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosure

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APR 08 1999



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

March 30, 1993

L JOHN PERCY
RT 1 BOX 796
MARSING ID 83639

RE: WATER RIGHT NO. 02-07404

Dear Water Right Holder(s):

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

Sincerely,

A handwritten signature in cursive script that reads "Pamela Skaggs".

PAMELA SKAGGS
Water Resource Agent

PS:cz

Enclosure

NOT RECORDED
APR 05 1993

WRO749NP
No. L02-07404

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT
(REGIONAL)

DATE: 02/25/93
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	L JOHN PERCY RT 1 BOX 796 MARSING ID 83639 (208) 896-4624	07/16/1984	IRRIGATION	03-15 11-15	0.03 CFS	1.4 AFA
TOTAL DIVERSION:					0.03 CFS	1.4 AFA

Water Source: SNAKE RIVER

Tributary to: COLUMBIA RIVER

Stage: LICENSE

Point(s) of Diversion Capacity: 0.09 CFS

Point(s) of Diversion: T02N R04W S14 Lot 04(SW SW)

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
02N	04W	14	:																	:	0.3
																				TOTAL ACRES	0.3

Pou County: OMYHEE

Other Water Rights with Same Point(s) of Diversion and Source:

02-07199A 02-07199D 02-07404 02-07411 02-07451 A02-07199A

Other Water Rights Listing Overlapping Place(s) of use:

02-07404 02-07451 57-07561

Conditions of Approval:

- 012 - Water shall not be diverted under this right unless the flow
- of the Snake River at the U.S. Geological Survey stream gaging
- station at Murphy exceeds 3,300 c.f.s. and at Weiser exceeds
- 4,750 c.f.s.
R27 - This right when combined with all other rights shall provide no
- more than 4.5 afa per acre for the lands above.

Dates: App. Received: 07/16/1984 Priority Date: 07/16/1984
Proof Due Date: 08/01/1989 Proof Made Date: 06/05/1989
Exam Made Date: 06/15/1992 Exam Sent to S.O.: 02/16/1993
Licensed Date:

Misc: Water District Number: Field Exam Fee: N (Not Required)

Audit: 02/25/93 SKAGGS

28 02-25-93

APR 05 1993

RECORDED

①

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
FEB 8 1993

Department of Water Resources

A. GENERAL INFORMATION

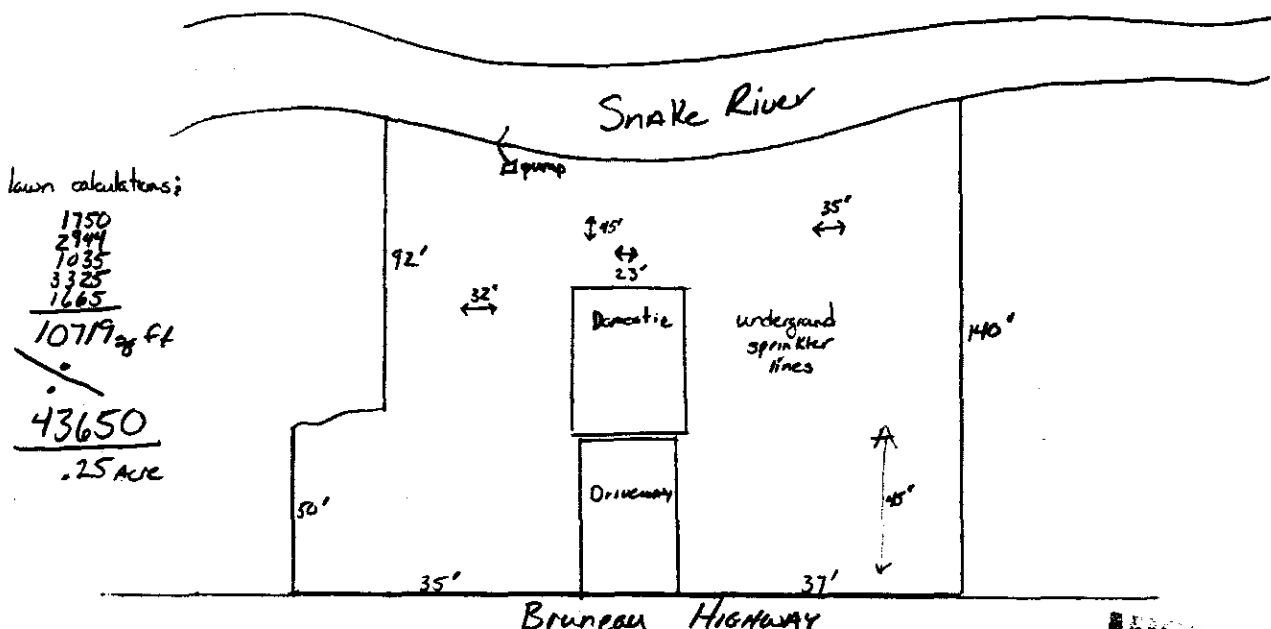
1. Owner: L. John Percy Permit No. 02-7404
Current Address: Rt. 1 Box 796 Brunau Highway Marsing Ida. 83639 Phone No. 896-4624
2. Accompanied by: L. John Percy EXAM. DATE: 6-15-92
Address: same Phone No. same
Relationship to Permit Holder: same
3. Source: Snake River tributary to Columbia River

B. OVERLAP REVIEW

1. Other water rights with same place of use: 02-07199A Ashe, 02-7411 Symms, 02-07199 Daniel
☐ Copies Attached
2. Other water rights with same point of diversion: same (neighbors; overlaps do not occur)
☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☐ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required).
☐ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).
☐ Aerial Photo Attached (required for irrigation of 10 acres or more).

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APR 05 1993

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

This system uses a 2hp pump to irrigate a lawn. The pump system comes out of the Snake River to underground sprinklers in the lawn. The draw is approximately 15' up the hill to the sprinklers.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
NA	Franklin	2	NA	NA	3/4"

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

5. ☒ **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	4		SW	SW	14	2n	4w	Dwyhee	Quads, Dwyhee Id.

6. **Place(s) of Use:**

Indicate Method of Determination _____

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
2n	4w	14																	.3
																			.3

Do not use this space

RECORDED

APR 05 1993

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
		UA-				

2. Measurements:

$$\text{Theoretical} : \frac{2 \cdot 8.8 \cdot .70}{15 + (2.3 \times 50 \text{ psi})} = \frac{12.32}{130} = \frac{.09}{110 \text{ cfs}} \cdot \text{capacity}$$

E. FLOW CALCULATIONS

☐ Additional Computation Sheets Attached

1. Measured Method:

$$\text{Theoretical} = \frac{.09}{110 \text{ cfs}}$$

< 1 Acre/Allow .03 cfs (IRR)

Allow

.03 as minimum

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3)

Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

NONE

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) = \frac{.3}{125} \times 4.5 = \frac{1.4}{113 \text{ AFA}}$$

$$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 = .03 \times 245 \times 1.9835 = 14.58$$

$$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} = \frac{1.4}{113 \text{ AFA (IRR)}}$$

2. Volume Calculations for Other Uses:

NONE

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H. REMARKS AND OVERLAP REVIEW ANALYSIS

7850

Realize that at the time of the exam there was an Area or so that was undeveloped; not considered in the calculations.

Remarks -

Conditions - B27

I. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Irrigation	3/15	11/15	.03 cfs	1.4713 AFA
Totals:			.03 cfs	1.4713 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

J. AUTHENTICATION

Field Examiner's Name

DAVID GRAY

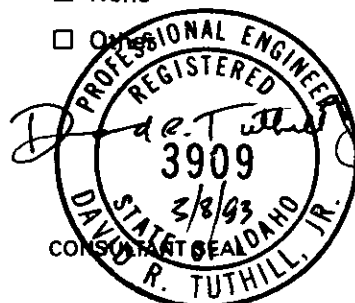
Signature

David Gray

Certification Date

Field Report Preparation Date

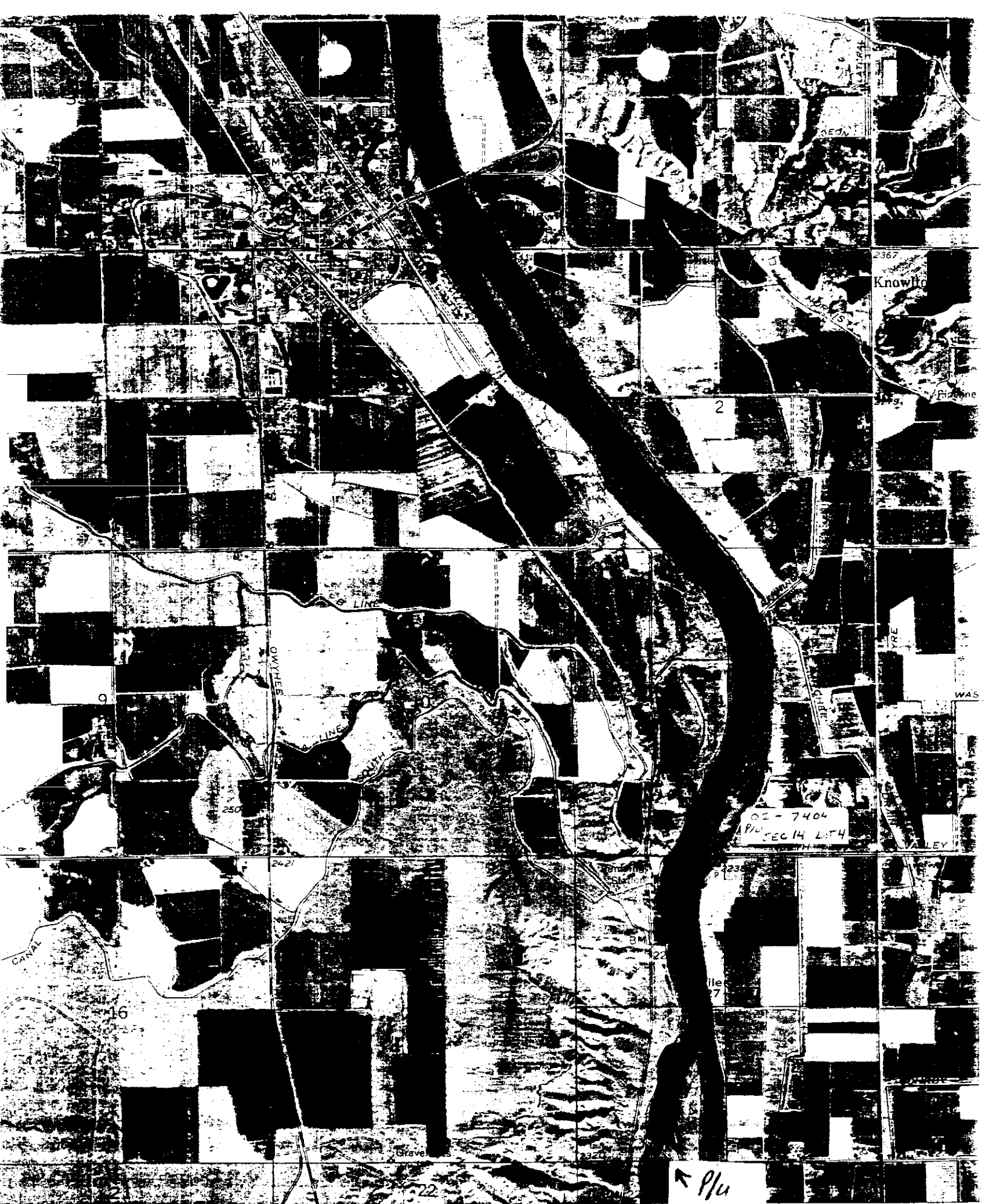
07-07-92



K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

NOT FILMED

APR 05 1993



14

15

GIVENS HOT SPRINGS 8.4 MI.
MURPHY 30 MI

47° 30"

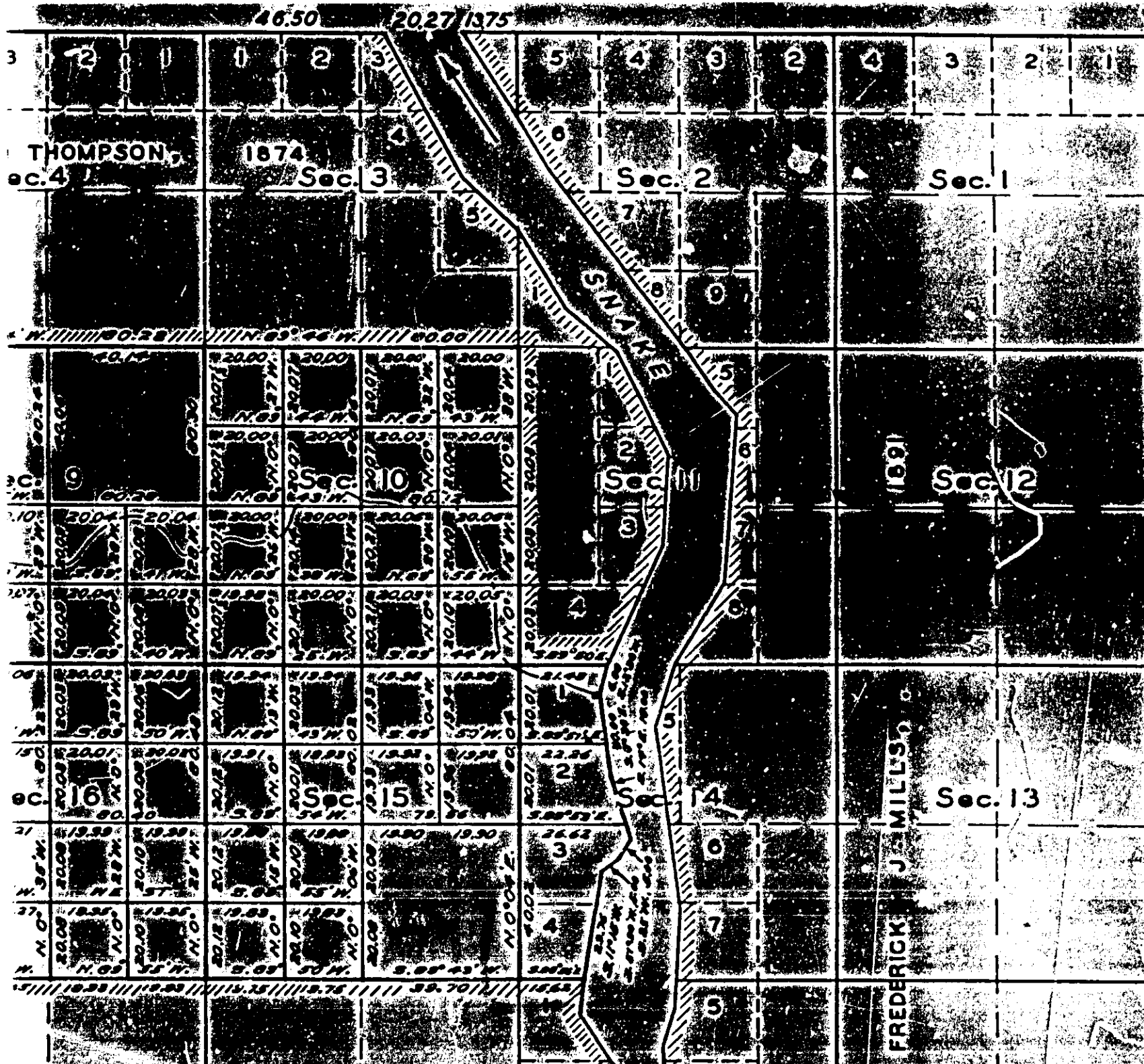
18

19

SCALE 1:24 000

1 MILE

17433



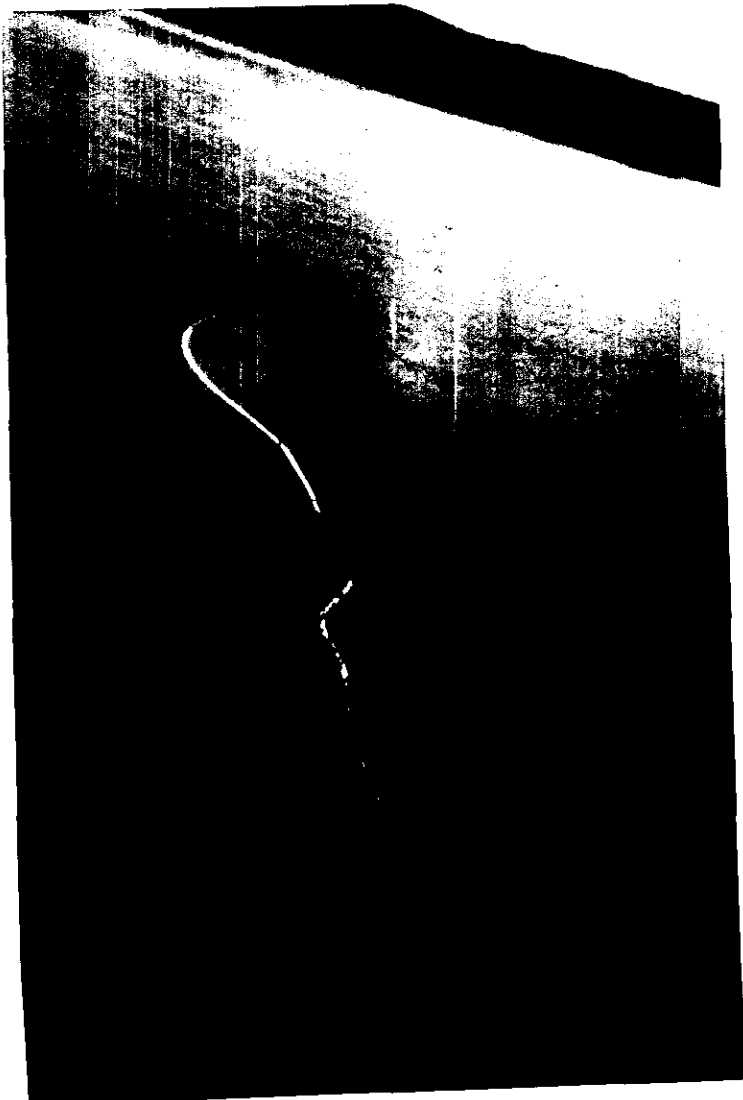
77.00
APR 05 1993

2N, 4W

THIS PLAT
T. 2 N., R. 4
TRACEMANT AND
THE LINES OF
AS SHOWN UPON
MAY 1, 1874.
FINAL POSITION
BEST AVAILABLE
POSITION OF
ALL DIFFERENC



View of the
Pump in THE
Snake River.



A look at the draw
from the river to the
Pump.

APR 05 1993

02-7404

02-7404

View of the Domestic AS WELL AS
THE P/u.

APR 05 1993



May 19, 1992

L. JOHN PERCY
RT. 1 BOX 796
MARSING ID 83639

RE: Water Right No. 02-07404

Dear Water Right Holder(s):

Department water right records show that you divert water from the Snake River or its tributaries under a water right that has a priority date later than December 29, 1976. This is the priority of the established minimum stream flow of the Snake River at the Weiser Gage (Weiser) in the amount of 4,750 cubic feet per second.

Because of the continuing drought conditions in the Snake River Basin, department hydrologists project that during 1992, there could be periods when the required minimum flow will not be satisfied due to low flows of the Snake River. The department urges you to not divert at a higher rate than authorized by your water right and to not use your right in any manner different than authorized. In addition, when the minimum flow will not be satisfied or is not being satisfied, you are required to cease diverting water under your water right, because your right is of later priority than the minimum stream flow at Weiser.

If the department determines the minimum flow will not be satisfied, the department will advise you and will provide as much lead time as possible in requiring that you temporarily cease your diversion of water. The greatest likelihood for this to occur is during a period from mid-June to late June.

While the department expects good cooperation from junior water right holders, water users should be aware that Section 42-352, Idaho Code, provides for penalties of up to \$100 per day for unauthorized diversions of water.

The department has contacted both the Idaho Power Company and the U.S. Bureau of Reclamation with respect to the timing of storage releases from upstream reservoirs for flow enhancement purposes. This type of coordination could minimize the impact on

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APR 05 1993

existing water users and reduce the need to curtail diversions.

The department has scheduled public information meetings relative to this potential regulation as follows:

Mountain Home - June 4, 1992 - 10:00 a.m. - gymnasium at
North Elementary School, 290 E. 12th N.

Caldwell - June 4, 1992 - 7:00 p.m. - Ballroom in the
Student Union Building, Albertson College of Idaho,
2112 Cleveland

If you have questions concerning this letter or wish to provide the name of a different contact person or address to receive department correspondence, please contact the department.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

APR 05 1992

138247
May 31, 1989

L. JOHN PERCY
RT. 1 BOX 796
MARSING, ID 83639

PROOF DUE NOTICE

RE: PERMIT NO. 02-07404

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 August 1, 1989. (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,

Rita Fleck
Secretary/Records Manager

Enclosures

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JUL 14 1989

For Office Use Only
Fee Received _____
Date _____
Receipt # _____
Receipt by _____
Reviewed by 7/12/89
Sent to region _____

RECEIVED
JUN 05 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as a statement that the permit holder(s) has 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 02-07404

Name(s) of Permit Holder: L. JOHN PERCY

Post Office Address: RT 1 Box 796

MARSING, IDAHO Telephone No. 896-4624

Source of Water: SNAKE RIVER

Extent of Use:

Domestic _____ (number of households) Stockwater _____ (number and type of stock)
Irrigation 2 (acres) Other/Remark _____

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JUL 14 1989

Total rate and/or volume for which proof is submitted 0.04 cfs 2 acre-feet

Show the date water was first diverted and beneficially used under this permit: 4/89

Measuring Device: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☐ No Fee enclosed \$ 0
(See License Examination Fee Schedule)

Flow Measurement Port: Required? ☐ Yes ☒ No
Installed? ☐ Yes ☐ No

Person to contact to accompany the Department representative during the field examination:

L. JOHN PERCY 896-4624 AFTER 5pm
(Name) (Telephone Number) WEEKDAYS

RT 1 Box 796 MARSING, IDAHO
(Address)

The above information 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.

6-2-89
Date

John Percy
Signature of Permit holder (and title, if appropriate)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 02-7404
Name(s) of Permit Holder(s): L JOHN PERCY
Post Office Address: RT 1 Box 776
MASSIMO TIDAL Tel. No. 896-4624

☐ I hereby certify that construction of diverting works for the above referenced permit began on _____ (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☒ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

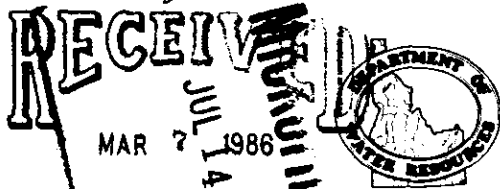
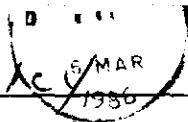
MY JOB HAS KEPT ME OUT
OF TOWN

*Note: A financing difficulty is not an acceptable reason.

3-5-86
Date

L John Percy
Signature of Permit Holder

L John Pence
Rt #1 Box 786
Matsig Idaho



Department of Water Resources
STATEHOUSE
BOISE, IDAHO 83720

January 29, 1985

RE: Permit No. 02-7404

L. John Percy
Bruneau Highway
Rt. 1, Box 796
Marsing, ID 83639

Dear Permit Holder:

Enclosed is a copy of your approved Application for Permit. We direct your attention to the conditions of approval on the fourth page.

Note also that water shall not be diverted under this permit unless a base flow of the Snake River at the U.S. Geological Survey stream gaging station at Murphy exceeds 3,300 cfs and at Weiser exceeds 4,750 cfs. In addition, there are many applications for permit for the use of Snake River water that are prior to your permit. These applications have been filed for the irrigation of lands that the applicants are attempting to obtain under the Federal Land Laws such as Desert Entry and Carey Act. If these lands are developed, and if the base flow is maintained, then no water would be available for this permit. Therefore, you should carefully consider these facts before making any expenditures for the construction of your system.

The 1982 Idaho Legislature added a 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 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.

This permit was originally sent in the wrong envelope and was therefore mailed to the wrong person. We apologize for the delay and any inconvenience this may have caused.

Sincerely,

DAVID R. TUTHILL, JR., P.E.
Supervisor, Water Allocation Section

DRT:sc

Enclosures

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FROM Roberta Garrett

DATE 9-13-84

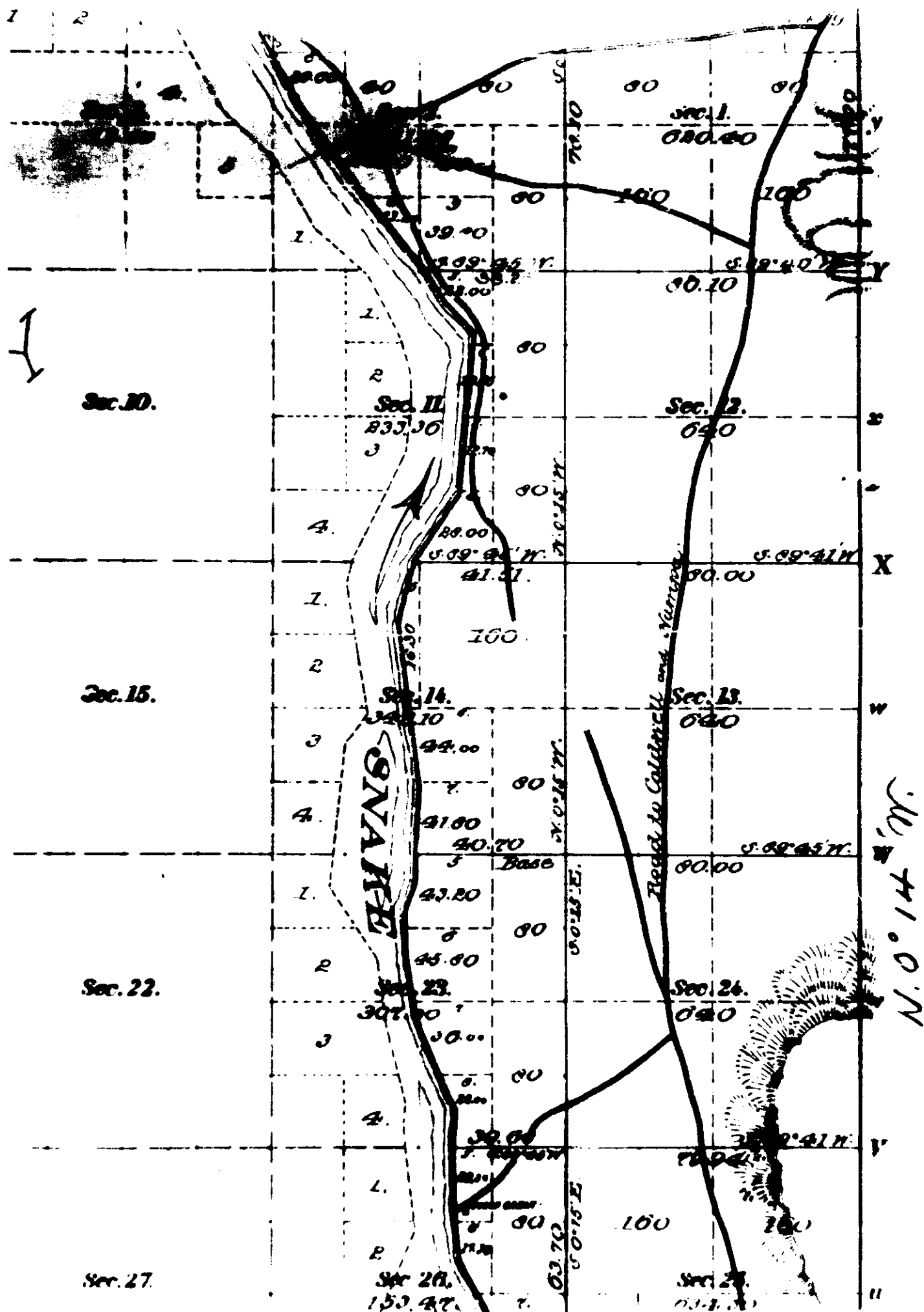
TO File 02-7403 and 02-7404

SUBJECT Number Change

Water right No. 02-7403 was erroneously issued No. 02-7404 for a short time.

SIGNATURE

MICROFILMED



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Western Region

Statehouse
Boise, Idaho 83720
(208) 334-2190

JULY 26, 1984

Dwvhee Nusset
Marsing, ID 83639

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

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

Please send the affidavit of publication and publication billing to this office before AUGUST 20, 1984.

Yours truly,

JUDY PENSE
Secretary

Encl.

RECEIVED

NOTICE OF APPLICATION FOR WATER RIGHT

The following application(s) have been filed to appropriate the public waters of the State of Idaho:

The permit(s) will be subject to all prior water rights. Protests must be filed with the Director, Dept. of Water Resources, Western Region, Statehouse, Boise, Idaho 83720 on or before AUGUST 20, 1984.

KEN DUNN, Dir.

Published 08/01 & 08/08/84.

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02-7404

PERCY, L. JOHN

RT. 1 BOX 796, BRUNEAU HWY., MARSING, ID 83639

Source: SNAKE RIVER trib. to COLUMBIA RIVER

Date Filed: 07/16/1984

Diversion Pt: LOT 04 (SWSW) Sec 14 T 02N R 04W

Use: IRRIGATION (0.04 CFS)

In: LOT 04 (SWSW) Sec 14 T 02N R 04W FOR 2 ACRES

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