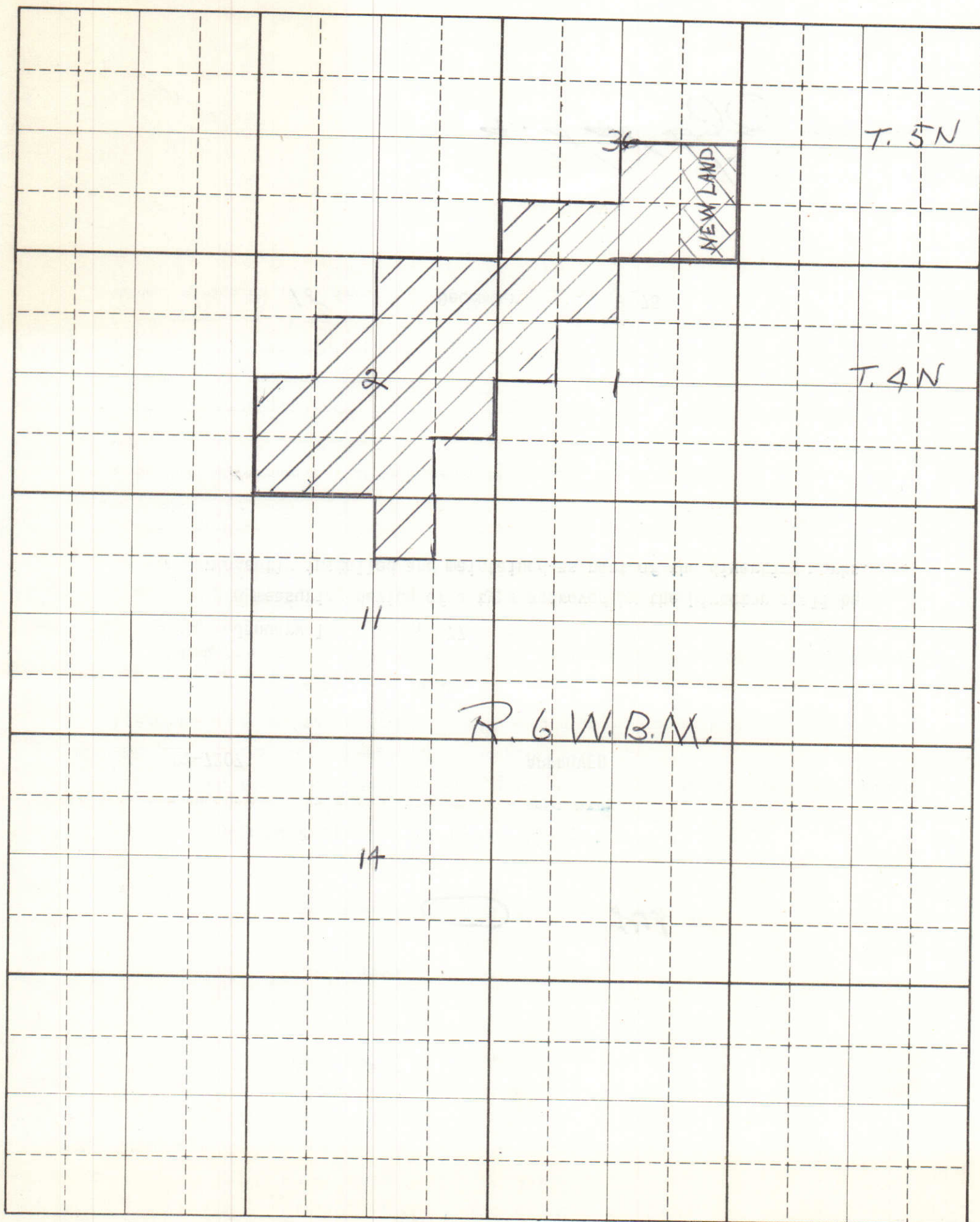


11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Munn - Schulthies
(Applicant)
By Lorin E Munn
partner

LEGAL NOTICE

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that MUNN - SHULTHIES Box 425, Rt. 1, Nyssa, OR has on Nov. 18, 1975 submitted Application No. 02-7207 for a permit to appropriate 5.48 cubic feet per second of water from the Snake River, trib. to Columbia River by means of well, pump and sprinkler system within Lot 3, Sec. 14, T. 4 N, R. 6W, B.M. Canyon County to be used from March 1 to Oct. 31 for irrigation of 806.62 acres within the Lot 1, Lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, Lot 1,2, S $\frac{1}{2}$ NE $\frac{1}{4}$,SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Lot 6,7, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11, T. 4N, R. 6W; S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 36, T. 5N. R.6W, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before Dec. 15, 1975.

R. Keith Higginson
Director

Published in the Parma Review, Parma, Id on Nov. 27, 1975 and Dec. 4, 1975.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)

COUNTY OF CANYON)

) ss.

Theron Gough, being first duly sworn, on his oath deposes and says:

That he is a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years and not a party to the action as per notice attached.

That he is Publisher of

THE PARMA REVIEW

a weekly newspaper published in the City of Parma, County of Canyon, State of Idaho, every Thursday; that the said newspaper is in general circulation in the said County of Canyon, and has been continuously and uninterruptedly published in said county during a period of 78 consecutive weeks prior to the first publication of the annexed

Legal Notice

; that said

Notice

being

Application For Water Permit, #02-7207,

was published in said newspaper in two (2) consecutive issues in the regular and entire issue of each and every number of every paper during the period and time of publication, and was printed in the newspaper proper and not in a supplement, said notice having been so published upon the following dates:

Nov. 27 & Dec. 4, 1975

Theron Gough

Subscribed and sworn to before me, this 8th day of December, 1975.

Patricia A. Scott

Notary Public for Idaho,
Residing at Parma, Idaho

Oh
CL
12-15-75

DEC 15 1975

MICROFILMED

LEGAL NOTICE

NOTICE OF APPLICATION FOR WATER PERMIT

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If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before Dec. 15, 1975.

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a weekly newspaper published in the City of Parma, County of Canyon, State of Idaho, every Thursday; that the said newspaper is in general circulation in the said County of Canyon, and has been continuously and uninterruptedly published in said county during a period of 78 consecutive weeks prior to the first publication of the annexed

Legal Notice

; that said

Notice

being

Application For Water Permit, #02-7207,

was published in said newspaper in consecutive issues in the regular and entire issue of each and every number of every paper during the period and time of publication, and was printed in the newspaper proper and not in a supplement, said notice having been so published upon the following dates:

Nov. 27 & Dec. 4, 1975

Theron Gough

Subscribed and sworn to before me, this 8th
day of December, 1975

Patricia C. Scott

Notary Public for Idaho,
Residing at Parma, Idaho

DEC 15 1975

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5/94

RECEIVED

APR 16 2001

WATER RESOURCES
WESTERN REGIONIdent. No. TC-2-1

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
TEMPORARY CHANGE APPLICATION
(To change point of diversion, place of use or purpose of use)

Name of applicant Big Bend Irrigation District Phone 541-724-6153Post Office address 747 Redton Road, Adrian, OR 97901**A. PURPOSE OF TRANSFER**

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change purpose of use ☐ Other

2. Describe the proposed change(s) and the reason(s) therefor Move Snake River supplemental water from lands within Wilder Irrigation District in Idaho to lands within Big Bend Irrigation District in Oregon. Primary water on both lands is via the Boise Project.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Right Number	Priority	Amount	Nature	Period of Use
<u>02-02390</u>	<u>2/24/1965</u>	<u>13.30 cfs</u>	<u>Irrigation</u>	<u>3/15 to 11/15</u>
<u>02-07207</u>	<u>11/18/1975</u>	<u>1.36 cfs</u>	<u>Irrigation</u>	<u>3/01 to 10/31</u>
<u>02-07259</u>	<u>12/16/1977</u>	<u>3.00 cfs</u>	<u>Irrigation</u>	<u>3/15 to 11/15</u>
				to

2. Total amount of water being transferred 17.66 cubic feet/second and/or _____ acre-feet per annum

3. Source of water Snake River tributary to Columbia River

4. Point(s) of Diversion:

Ident No.	Gov't Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
03	03		NE	SW	14	4N	6W	Canyon	

5. Lands irrigated or Place(s) of Use:

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

939.72 acres within the boundaries of the Park Unit of the
Big Bend Irrigation District in Oregon.

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Total acres 939.72

JUN 01 2001

RECEIVED

MAY - 7 2001

Department of Water Resources

6. General Information:

- a. Who owns the water right to be changed? Pon Smith
- b. Describe the arrangement allowing use of the right Water right, pump station, and pipeline
are being leased
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this application:

- d. Has the water right sought to be transferred been used this year? no If yes, explain. _____
- e. Absent the changes, how would the right be used for the remainder of the year? _____
- f. Describe other water rights used for the same purpose.
63-02388 (Boise River) 63-09074 (supplemental)
- g. Remarks:

I hereby assume all risk in accordance with Section 42-222A, Idaho Code, and assert that no one will be injured by such change and that the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in voiding its approval.

Nolan Laird Vice Presid
(Signature of applicant) Big Bend Irrigation

FOR DEPARTMENT USE ONLY

Received by dh Date 4/16/01 Fee \$50
Receipted 4/16/01 # 10027580 Recommend: approve deny
Watermaster recommendation _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Temporary Change Application No. _____
And said application is hereby _____, subject to the following limitations and conditions:

Witness my hand this _____ day of _____, 199____.

**BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO**

IN THE MATTER OF APPLICATION)
FOR TEMPORARY CHANGE OF A)
WATER RIGHT NOS. 02-02390,)
02-07207, & 02-07259 IN THE NAME)
OF BIG BEND IRRIGATION DISTRICT)
_____)

**ORDER AUTHORIZING
TEMPORARY CHANGE**

TC - 2 - 1

WHEREAS, a drought emergency has been declared for Canyon County to allow administrative actions to lessen the severe impacts of the drought conditions in the county; and

WHEREAS, section 42-222A, Idaho Code, provides that upon declaration of a drought emergency, the director of the Department of Water Resources ("Department") is authorized to allow temporary changes in the point of diversion, the place of use, and the purpose of use for valid existing water rights or temporary exchanges of water, as provided in section 42-240, Idaho Code, when the director determines that such changes can be accomplished in accordance with the provisions of section 42-222A, Idaho Code; and

WHEREAS, on April 16, 2001, Big Bend Irrigation District ("applicant") submitted the attached Temporary Change Application ("application") to the Department; and

WHEREAS, the Department has reviewed the application and has determined the application can be approved with certain conditions; and

WHEREAS, The applicant assumes all risk and is the responsible party if diversion and use of water under the temporary change approval causes injury to other water rights or constitutes an enlargement in use of the original right;

ORDER

IT IS HEREBY ORDERED that the application is **APPROVED** subject to the following conditions:

1. Diversion and use of right nos. is authorized only at the point of diversion and place of use described on the application or as otherwise approved in this order.
2. This temporary change approval does not authorize construction of a new well as a new point of diversion.

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JUN 01 2001

3. This temporary change approval may only be used to provide a replacement water supply to lands or other uses that normally have a full water supply, except for the drought condition. This temporary change approval may not be used to provide water for new development or to allow expansion of the use of water under existing water rights.
4. Rights 02-02390, 02-07207, and 02-07259 are limited to the irrigation of a total of 939.72 acres in a single irrigation season.
5. This temporary approval does not authorize the use of diversion works or a delivery system owned by or managed by a corporation or an irrigation district without the written consent of such corporation or irrigation district.
6. The applicant agrees to hold the director and the state of Idaho harmless from all liability on account of the diversion and use of water under this temporary change approval.
7. This temporary change approval does not grant any right-of-way or easement to use the diversion works or conveyance works of another person or entity.
8. The water rights transferred by this approval are subject to any minimum streamflow on the Snake River that bears a date of priority earlier than the water right transferred.
9. This temporary change approval expires on January 1, 2002 unless rescinded or extended by the director. Thereafter, the water right shall revert to the point of diversion, place of use and nature of use existing prior to the temporary change approval.

DATED this 27th day of April, 2001.



Gary Spackman
Western Regional Manager

MICROFILMED

JUN 9 1 2001

AGREEMENT BETWEEN

Ronald G. Smith
25357 Wamstad Road
Parma, Idaho 83660

ATTENTION:
CLARY SPACK

and

Big Bend Irrigation District
747 Red Top Road
Adrian, Oregon 97901

Smith, who owns Idaho water rights, number 32250/02-2390, 02-7207 and 02-7259, containing about 8,000 gallons per minute more or less, agrees to lease these water rights to Big Bend Irrigation District for the 2001-2003 irrigation seasons. Smith also agrees to lease his pumping station and about 6,400 feet of twenty-four inch steel pipeline along State Line Road which will divert said 8,000 gallons Snake River water per minute to the Golden Gate Canal owned by the Boise Project Board of Control of which the Big Bend Irrigation District is a part.

Big Bend Irrigation District agrees to furnish two pumps which have a combined total of 400 horsepower to be located at said pumping station. The District also agrees to contract with Idaho Power for the power needed to operate said pumps and to pay all power costs.

Big Bend Irrigation District has removed a section of the twenty-four inch pipe and constructed a weir pool at the Golden Gate Canal to deliver and measure 8,000 gallons per minute into the canal.

If the twenty-four inch pipeline is damaged or is rendered unusable, Big Bend Irrigation shall not be held liable. If Big Bend Irrigation District prefers to repair the pipeline, it may do so at its option. Big Bend Irrigation District agrees to indemnify and hold harmless against damages and injury relating to the

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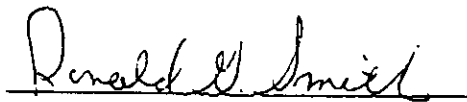
JUN 9 1 2071

pumping and delivery of this water unless such damages and injury result from the actions of Smith.

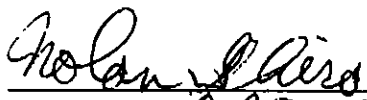
Compensation to Smith shall be \$2,000.00 per month commencing when pumping starts, but not more than \$8,000.00 in any one year.

Either Smith or Big Bend may terminate this lease for the 2001, 2002 and 2003 irrigation seasons by giving written notice prior to February 1, 2002 for the 2002 irrigation season or February 1, 2003 for the 2003 irrigation season.

Any time after the 2003 irrigation season, at Smith's request, the pipe coming into the weir pool constructed by the District shall be capped at the expense of the District so water will continue up the pipeline to the Smith property. Any time after the 2003 irrigation season, at Smith's request, the permit issued to Big Bend Irrigation District will automatically be transferred back to Smith through action of the Idaho Department of Water Resources.



Ronald G. Smith


Vice President BBID
Big Bend Irrigation District

MICROFILMED

JUN 01 2001

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED
Transfer No.

Transfer No. 3803

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

SEE TRANSFER
No. 3718

Name of applicant Big Bend Irrigation District Phone 503-724-6153
Post Office address 747 Reeltop Rd Adrian OR 97901

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes move Snake River supplemental water from
lands within Wilder Irrig. Dist. in Idaho to lands within Big Bend
Irrig. Dist. in Oregon. Primary water on both lands is via the
Boise Project.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|--|------------|-----------------------|------------------|---------------|
| 02-02390 | 2/24/1965 | 13.30 cfs | Irrigation | 3/15 to 11/15 |
| 02-07207 | 11/18/1975 | 1.36 cfs | Irrigation | 3/01 to 10/31 |
| 02-07259 | 12/16/1977 | 3.00 cfs | Irrigation | 3/15 to 11/15 |
| | | | | to |
| 2. Total amount of water being transferred <u>17.66</u> cubic feet per second and/or _____ acre-feet per annum | | | | |
| 3. Source of water <u>Snake River</u> tributary to <u>Columbia River</u> | | | | |
| 4. Point(s) of Diversion: | | | | |

[illegible]

5. Lands irrigated or place of use:

[illegible]

Total acres 939.72

PART 1

6. General Information:

- a. Description of diversion system Two 200 hp. pumps, 2' pipeline to Golden Gate Canal, laterals throughout the Big Bend Irrig. Dist. (within the Park unit of district).
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land will continue to be irrigated via the primary Boise Project water & by ground water. The supplemental Snake River water was used in Big Bend district in the previous season (re: transfer # 3718).
- d. Remarks:
This transfer intends to move the water to the Big Bend Irrig. Dist. through the 1993 irrigation season. (end of 1993 season).

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 02-2390/7207/7259And said application is hereby APPROVED, subject to the following limitations and conditions:

- 1) This transfer shall expire, and the place of use under the above rights shall revert to the place of use prior to the transfer, on November 15, 1993.

FILMED

APR 11 1991

Witness my hand this

28th

day of

March19 91

Chief, Water Allocation Bureau

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 02-02390 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water SNAKE RIVER tributary to COLUMBIA RIVER

4. Date or priority 2/24/1965

5. Water is used for the following purpose:

amount 13.30 cfs for irrigation purposes from 3/15 to 11/15
(cfs/ac-ft) _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____

6. Total amount of water under right 13.30 cubic feet per second and/or 2987 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
3		NE	SW	14	4N	6W	Canyon	

8. Lands irrigated or place of use:

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	
4N	6W	1					2.3	2.4	30										98
		2	2.1	2.2	34	40				38	34			40	40	34	40		376.72
		11		35															35
5N	6W	36																	154

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APR 11 1991

Total acres 663.72

9. Describe any other water rights used for the same purpose as described above

63-09074 (supplemental)

63-02388 (Boie River)

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

NO

If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

N/A

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

N/A

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

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	

APR 11 1991

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 02-07207 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Snake River tributary to Columbia River

4. Date or priority 11/18/1975

5. Water is used for the following purpose:

amount 1.36 cfs for Irrigation purposes from 3/1 to 10/31
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____

6. Total amount of water under right 1.36 cubic feet per second and/or 306 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
03		NE	SW	14	4N	6W	Canyon	

8. Lands irrigated or place of use:

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	
5N	6W	36													34			34	68

MICROFILMED

APR 11 1991

Total acres 68

9. Describe any other water rights used for the same purpose as described above 63-02388 (Boise River)
63-09074 (supplemental)

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?

No If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

(If the entire right is to be changed by the applicant, omit part B and C.) N/A

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

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	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)

N/A

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

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	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 02-07259 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Snake River tributary to Columbia River

4. Date or priority 12/16/1977

5. Water is used for the following purpose:

amount 3.00 cfs for Irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 3.00 cubic feet per second and/or 1040 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>03</u>		<u>NE</u>	<u>SW</u>	<u>14</u>	<u>4N</u>	<u>6W</u>	<u>CANYON</u>	

8. Lands irrigated or place of use:

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	
<u>5N</u>	<u>6W</u>	<u>36</u>					<u>38</u>	<u>34</u>	<u>34</u>	<u>31</u>	<u>32</u>	<u>31</u>							<u>208</u>

APR 11 1991

Total acres 208

9. Describe any other water rights used for the same purpose as described above 63-02388 (Borie

River) 63-09074 (supplemental)

10. To your knowledge, has any portion of this water right undergone a period of five or more consecutive years of non-use?
NO If yes, describe _____

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERREDN/A

(If the entire right is to be changed by the applicant, omit part B and C.)

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change) N/A

1. amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)
 amount _____ for _____ purposes from _____ to _____
 (cfs/ac-ft)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion

3. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	

Total acres _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 3

- A. Draw a map or attach a USGS map indicating the new point(s) of diversion and/or the new place of use for rights described in part 1. Clearly depict the land by section, township and range number.

See map in transfer # 3718

MICROFILMED

APR 11 1981

PART 3

B. CHANGES IN NATURE OF USE

N/A

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				to
				to

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

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

I understand that any willful misrepresentations made in this application may result in voiding its approval.

Big Bend IHS Dick Bennett President
(Signature of Applicant)

Subscribed and sworn to before me this 27 day of December, 19 90.

Lori Harris

(Notary Public)

My commission expires 12-8-94

FOR DEPARTMENT USE ONLY

Transfer contains 10 pages and attachments

Received by SL Date 12/27/90 Protest filed by

Prelim. check by Fee \$50 W012923

Receipted by SL Date 12/27/90

Published in Press-Tribune Copies of protest forwarded by

Pub. dates 1/16 & 1/23/91 Hearing held by Date

Watermaster recommendation requested on NA Recommended for ☒ approval ☐ denial

 by DRT

Copy of transfer sent to lien holder APR 11 1991

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3718

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

APPROVED

Name of applicant Big Bend Irrigation District Phone 503-724-6153
Post Office address 747 Redtop Road Adrian OR. 97901

A. PURPOSE OF TRANSFER

1. ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
2. Describe the reason for the proposed changes Move Snake River supplemental water from lands within Wilder Irrig. Dist. in Idaho to lands within Big Bend Irrig. Dist. in Oregon. Primary water on both lands is via the Boise Project.

B. DESCRIPTION OF RIGHT(S) OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use | |
|---|-------------------|-----------------------|-------------------|---------------|-----------------|
| <u>02-02390</u> | <u>2/24/1965</u> | <u>13.30 cfs</u> | <u>Irrigation</u> | <u>3/15</u> | to <u>11/15</u> |
| <u>02-07207</u> | <u>11/18/1975</u> | <u>1.36 cfs</u> | <u>Irrigation</u> | <u>3/01</u> | to <u>10/31</u> |
| <u>02-07259</u> | <u>12/16/1977</u> | <u>3.00 cfs</u> | <u>Irrigation</u> | <u>3/15</u> | to <u>11/15</u> |
| _____ | _____ | _____ | _____ | _____ | to _____ |
| 2. Total amount of water being transferred <u>17.66</u> cubic feet per second and/or _____ acre-feet per annum. | | | | | |
| 3. Source of water <u>Snake River</u> tributary to <u>Columbia River</u> | | | | | |
| 4. Point(s) of Diversion: | | | | | |

[illegible]

5. Lands irrigated or place of use: 939.72 acres within the boundaries of the Big Bend

[illegible]

Irrigation District, as shown in Attachment A
Per Unit Total acres 939.72

PART 1

6. General Information:

- a. Description of diversion system Two 200 hp pumps, 2' pipeline to Golden Gate Canal, laterals throughout Big Bend Irrig. Dist. (within the Park Unit of district).
- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes _____ No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.
- c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:
Land will continue to be irrigated via Boise Project water & ground water. Supplemental Snake River water has not been used in past 2 or 3 years, thus transfer will not affect the land.
- d. Remarks:
Essentially, the transfer will move supplemental water to other land for supplemental use due to the drought conditions. Primary right on existing & proposed places of use is Boise River water via Boise Project. ground water is also a supplemental source on existing plu in Idaho.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 02-2390/7207/7259

And said application is hereby APPROVED, subject to the following limitations and conditions:
This transfer shall expire on November 15, 1990 and the place of use shall revert to the place of use prior to the transfer.

MICROFILMED

JUN 26 1990

Witness my hand this

25th day ofJune1990A. Glen Saxton

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 02-02390 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Snake River tributary to Columbia River

4. Date or priority 2/24/1965

5. Water is used for the following purpose:

amount 13.30 cfs for Irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 13.30 cubic feet per second and/or 2,987 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
3		NE	SW	14	4N	6W	Canyon	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
4N	6W	1					23	24	30										98
		2	21	22	34	40	34	34	30	38	34			40	40	34	40		376.72
		11		35															35
5N	6W	36									34	40			40	40			154

Total acres 663.72

9. Describe any other water rights used for the same purpose as described above 63-02388 (Boise River, Boise Project, Primary source), 63-09074 (supplemental)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 02-07207 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water S Snake River tributary to Columbia River

4. Date or priority 11/18/1975

5. Water is used for the following purpose:

amount 1.36 cfs for Irrigation purposes from 3/1 to 10/31
(cfs/ac-ft) _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____ for _____ purposes from _____ to _____
(cfs/ac-ft) _____ for _____ purposes from _____ to _____

6. Total amount of water under right 1.36 cubic feet per second and/or 306 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>03</u>		<u>NE</u>	<u>SW</u>	<u>14</u>	<u>4N</u>	<u>6W</u>	<u>Canyon</u>	

8. Lands irrigated or place of use:

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	
<u>5N</u>	<u>6W</u>	<u>36</u>													<u>34</u>			<u>34</u>	<u>68</u>

MICROFILMED

JUN 26 1990

9. Describe any other water rights used for the same purpose as described above:

Total acres 68

63-02388

Boise River,

Boise Project, Primary source), 63-09074 (Supplemental)

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 02-07259 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

2. Attach a copy of last year's tax notice for the property to which the water right is appurtenant or other documents which show ownership. Label document as attachment A. Check appropriate box below:

☐ Tax Notice

☐ Warranty Deed

☐ Other _____

3. Source of water Snake River tributary to Columbia River

4. Date or priority 12/16/1977

5. Water is used for the following purpose:

amount 3.00 cfs for Irrigation purposes from 3/15 to 11/15
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 3.00 cubic feet per second and/or 1040 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
03		NE	SW	14	4N	6W	Canyon	

8. Lands irrigated or place of use:

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	
5N	6W	36					38	34	34	39	32	31							208

MICROFILMED

JUN 26 1990

Total acres 208

9. Describe any other water rights used for the same purpose as described above 63-02388 (Boise River, Boise Project, Primary Source), 63-09074 (supplemental)

PART 3

B. CHANGES IN NATURE OF USE N/A

1	New Nature of Use	Amount (cfs/ac-ft)	Hours/days/year	Period of Use
				_____ to _____
				_____ to _____

2. Quantity and quality of return flows and location of discharge:

3. Describe effects on other water uses resulting from the proposed change:

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

I understand that any willful misrepresentations made in this application may result in voiding its approval.

x Dick Bennett (President)
(Signature of Applicant)

Subscribed and sworn to before me this 19th day of April, 19 90.

M. L. [Signature]
(Notary Public)

My commission expires 9-2-1994

FOR DEPARTMENT USE ONLY

Transfer contains 10 pages and _____ attachments

Received by SL Date 4/19/90 Protest filed by _____

Prelim. check by SL Fee \$50⁰⁰

Receipted by SL Date 4/19/90 # W012208

Published in Press-Tribune and Statewide Copies of protest forwarded by _____

Pub. dates 5/2 & 5/9/90 5/3 & 5/10/90 Hearing held by _____ Date _____

Watermaster recommendation requested on N/A Recommended for ☒ approval ☐ denial

_____ rec'd. _____

Copy of transfer sent to lien holder N/A

MICROFILMED

JUN 26 1990

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 02-7207 Priority Nov. 18, 1975 Amount 1.36 cfs

THIS IS TO CERTIFY, that MUNN - SHULTHIES
of Nyssa, Oregon, has complied with the terms and conditions of Permit
No. 02-7207 issued pursuant to Application for Permit dated November 18, 1975,
and has submitted proof to the Department of Water Resources on September 14, 1976,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 14.8 cfs of water from the Snake River,
tributary to the Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 1</u> to <u>Oct. 31</u> at <u>1.36</u> cfs and	<u>306 acre feet or</u>	
	from _____ to _____ cfs and	<u>4.5 af per acre</u>	
	from _____ to _____ at _____ cfs and		
	(both dates inclusive)		

Subject, however, to the condition that no more than 1.36 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
306 acre feet per year, said waters to be diverted within the Lot 3 of Sec. 14,
Twp. 4 N, Rge. 6 W, B.M. in the County of Canyon

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5 N	6 W	36													34			34	68

Total number of acres irrigated 68

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 24 day of
September, 19 76.

Director

Identification No. _____

Application No. 02-7207

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPROVED

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Munn - Shulthies Phone: 503-372-3278
post office address Box 425, Rt. 1, Nyssa, OR

2. Source of water supply Snake River which is a tributary of Columbia River

3. a. Location of point of diversion is for 1.25 mi $\frac{1}{4}$ of Lot 3 $\frac{1}{4}$ of Section 14 Township 4 N
Range 6 W B.M. Canyon County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____

4. Water will be used for the following purposes:

See Remarks

Amount 5.48 for Irrigation purpose from March 1 to Oct. 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated:

a. 5.48 cubic feet per second and/or

b. _____ acre feet per annum.

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. 2 - 300 H.P. motors with pumps, 24" penstock from river. 1 - 150, 1 - 200 and 1 - 250 H.P. booster pumps. Sprinkler system.

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)

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

7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 1 years.

b. Estimated construction cost is \$ installed.

8. Description of proposed uses:

a. If water is **not** for irrigation:

(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M.

(2) Amount of power to be generated: _____ hp 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: _____

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	
5 N	6 W	36											40	40	40	40	40	40	240
4 N	6 W	1					Lot 1 33	Lot 4 40	30										103
"	"	2	Lot 1 41.36	Lot 2 41.36	40	40				40	40	Lot 6 10.22	Lot 7 10.68	40	40	40	40		423.62
"	"	11		40															40

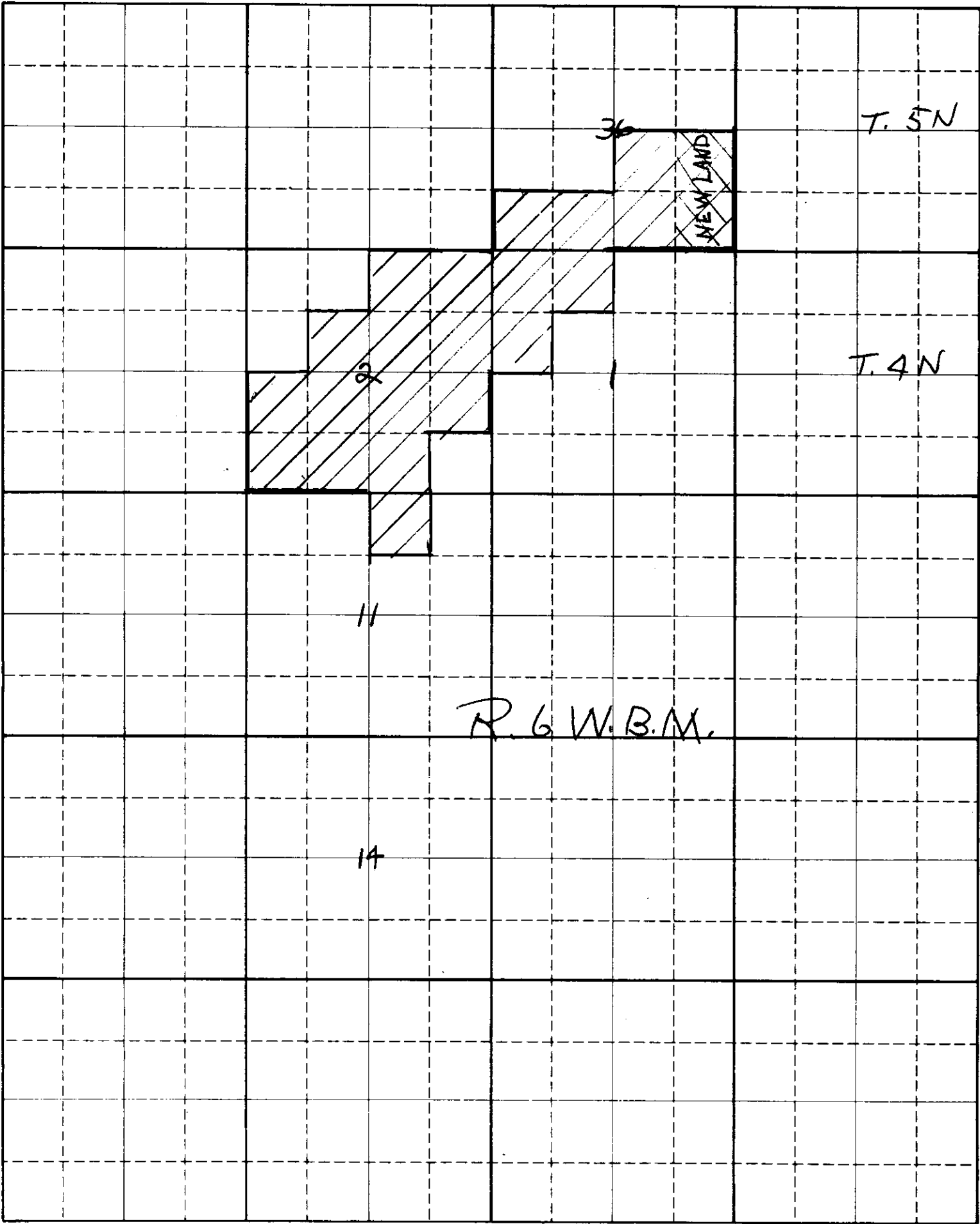
Total number of acres to be irrigated 806.62

c. Describe any other water rights used for the same purposes as described above. 02-2390

9. a. Who owns the property at the point of diversion Applicant
- 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 1.25 inches of water per acre is needed to adequately irrigate this land. Permit No. 02-2390 supplies only one inch per acre of land. This application is to bring the total up to 1.25 inches of water per acre plus supply 1.25 inches per acre for an additional 80 acres. Our system supplies 9,000 g.p.m. now and this amount has been adequate. Justification for this amount of water is supplied in the enclosed letter.

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.

Munn - Schulthies
(Applicant)
By Lorin E Munn
partner

Proposed Priority 11-18-1975

Received by dlh Date 11-18-75 Time 1:15 p.m.

Preliminary check by 6/5 Fee \$ 75.00

Receipted by dlh Date 11/18/75

Publication prepared by cls Date 11-20-75

Published in Norma Review

Publication dates Nov. 27 & Dec. 4

Publication approved cls Date 12-15-75

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by dlh

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. 02-7207, 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 January 1, 19 77.

c. Other: A measuring device of a type approved by the Director shall be permanently installed and maintained as part of the diverting works.

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

Witness my hand this 18 day of December 19 75.


Director

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF REMOVAL OF THE MEASURING
DEVICE REQUIREMENT FOR PERMIT NO. 02-7207
IN THE NAME OF MUNN-SHULTHIES

ORDER

WHEREAS, on November 18, 1975, Munn-Shulthies applied to the Department of Water Resources for a permit to appropriate 5.48 cubic feet per second of water from the Snake River to be diverted within Lot 3, Sec. 14, Twp. 4N, Rge. 6W, B.M., Canyon County, to be used for irrigation purposes; and,

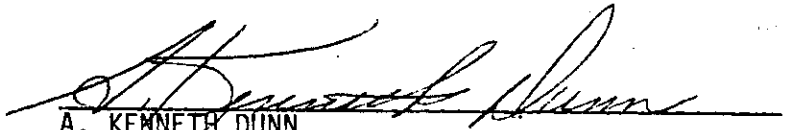
WHEREAS, on December 18, 1975, the Department approved said application and issued Permit No. 02-7207 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before January 1, 1977, and that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works; and,

WHEREAS, on September 14, 1976, the Department received the required proof of application of water to beneficial use along with a request that the measuring device requirement be removed from said permit; and,

WHEREAS, it has been determined by the Department that a measuring device is not required at this time for a determination of the quantity of water appropriated under said permit;

IT IS, THEREFORE, HEREBY ORDERED that the condition of approval that a measuring device of a type approved by the Department be permanently installed and maintained as part of the diverting works, be and is, REMOVED from Permit No. 02-7207.

Dated this 21 day of September, 1976.


A. KENNETH DUNN
Administrator, Operations Division

RECEIVED

LEGAL NOTICE

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that MUNN - SHULTHIES Box 425, Rt. 1, Nyssa, OR has on Nov. 18, 1975 submitted Application No. 02-7207 for a permit to appropriate 5.48 cubic feet per second of water from the Snake River, trib. to Columbia River by means of well, pump and sprinkler system within Lot 3, Sec. 14, T. 4 N, R. 6W, B.M. Canyon County to be used from March 1 to Oct. 31 for irrigation of 806.62 acres within the Lot 1, Lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, Lot 1,2, S $\frac{1}{2}$ NE $\frac{1}{4}$,SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Lot 6,7, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11, T. 4N, R. 6W; S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 36, T. 5N. R.6W, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before Dec. 15, 1975.

R. Keith Higginson

Director

Published in the Parma Review, Parma, Id on Nov. 27, 1975 and Dec. 4, 1975.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)

COUNTY OF CANYON) ss.

Theron Gough, being first duly sworn, on his oath deposes and says:

That he is a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years and not a party to the action as per notice attached.

That he is Publisher of

THE PARMA REVIEW

a weekly newspaper published in the City of Parma, County of Canyon, State of Idaho, every Thursday; that the said newspaper is in general circulation in the said County of Canyon, and has been continuously and uninterruptedly published in said county during a period of 78 consecutive weeks prior to the first publication of the annexed

Legal Notice

; that said

Notice

being

Application For Water Permit, #02-7207,

was published in said newspaper in two (2) consecutive issues in the regular and entire issue of each and every number of every paper during the period and time of publication, and was printed in the newspaper proper and not in a supplement, said notice having been so published upon the following dates:

Nov. 27 & Dec. 4, 1975

Theron Gough

Subscribed and sworn to before me, this 8th

day of December, 1975.

Patricia A. Scott

Notary Public for Idaho,
Residing at Parma, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO

COUNTY OF CANYON

)
) ss.
)

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Theron Gough

Subscribed and sworn to before me, this

day of December, 19 75

Patricia C. Scott

Notary Public for Idaho,
Residing at Parma, Idaho

RECEIVED

MAR 29 1991

Department of Water Resources
Western Regional Office

AGREEMENT

between

Ronald G. Smith

25357 Wamstad Road

Parma, Idaho 83660

and

Big Bend Irrigation District

747 Red Top Road

Adrian, Oregon 97901

Smith, who owns Idaho water rights, numbers 32250/02-2390, 02-7207 and 02-7259, containing about 8,000 gallons per minute more or less, agrees to lease these water rights to Big Bend Irrigation District for the 1991-1993 irrigation seasons. Smith also agrees to lease his pumping station and about 6400 feet of twenty-four inch steel pipeline along State Line Road which will divert said 8,000 gallons Snake River water per minute to the Golden Gate Canal owned by the Boise Project Board of Control of which the Big Bend Irrigation District is a part.

Big Bend Irrigation District agrees to furnish two pumps which have a combined total of 400 horsepower to be located at said pumping station. The District also agrees to contract with Idaho Power for the power needed to operate said pumps and to pay all power costs.

Big Bend Irrigation District has removed a section of the twenty-four inch pipe and constructed a weir pool at the Golden Gate Canal to deliver and measure 8,000 gallons per minute into the canal.

MICROFILMED

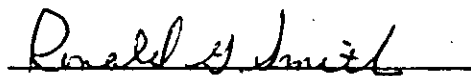
JUN 9 1 2001

If the twenty-four inch pipeline is damaged or is rendered unusable, Big Bend Irrigation shall not be held liable. If Big Bend Irrigation District prefers to repair the pipeline, it may do so at its option. Big Bend Irrigation District agrees to indemnify and hold Smith harmless against damages and injury relating to the pumping and delivery of this water unless such damages and injury result from the actions of Smith.

Compensation to Smith shall be \$2,000.00 per month commencing when pumping starts, but not more than \$8,000.00 in any one year.

Either Smith or Big Bend may terminate this lease for the 1992 or 1993 irrigation seasons by giving written notice prior to February 1, 1992, for the 1992 irrigation season or February 1, 1993, for the 1993 irrigation season.

Any time after the 1993 irrigation season, at Smith's request, the pipe coming into the weir pool constructed by the District shall be capped at the expense of the District so water will continue up the pipeline to the Smith property. Any time after the 1993 irrigation season, at Smith's request, the permit issued to Big Bend Irrigation District will automatically be transferred back to Smith through action of the Idaho Department of Water Resources.



Ronald G. Smith



President,

Big Bend Irrigation District

MICROFILMED

JUN 01 2001

MEMORANDUM

TO: Files 02-7207 & 02-7259
FROM: Brenda
DATE: March 27, 1991
RE: Transfer No. 3803

See file 02-2390 for all correspondence regarding the above referenced transfer.

MICROFILMED
APR 11 1991

FROM Sharla

DATE 6/21/90

TO File 02-7207

SUBJECT Trans. 3718

See file 02-2390 for all correspondence regarding the above referenced transfer.

MICROFILMED

JUN 26 1990

SIGNATURE

September 28, 1976

Re: Permit No. 02-7207

Munn-Shulthies
Box 425
Nyssa, OR 97913

Gentlemen:

Enclosed herewith is a copy of the water right license issued on the above referenced permit.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:mef

Enc.

cc: Jack Hetherington
Federal Land Bank Assn.
P.O. Box 789
Caldwell, ID 83605

RE: 02-7207

Field exam made in connection
w/other filing. See file
02-2390.

He

9-23-76



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

September 21, 1976

Re: Permit No. 02-7207

Munn-Shulthies
Box 425
Nyssa, Oregon 97913

Gentlemen:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit. Enclosed is an Order which removes the measuring device requirement from this permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell during which part of the irrigation season this exam will be made, but our examiner will try to contact you at the time he makes the exam so that you may show him the system.

If you have any questions regarding the field exam, please contact our Regional Office in Boise.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:JR

Enclosure

*See field
exam in
file # 02-2390!*

Identification No. _____

Permit No. 02-7207

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED
SEP 14 1976
OFJ

Department of Water Resources
Western Regional Office

1. a) Name of Permit Holder Munn-Schulthies
b) Post Office Address Box 425 Nyssa, Ore. Rt. 1

2. Permit Number 02-7207

3. Date of Priority that you are prepared to establish _____

4. a) Source from which water was appropriated Snake River

b) Location of the point of diversion: _____ $\frac{1}{4}$ Lot 3 $\frac{1}{4}$, Section 14

Township 4N, Range 46W BM Boise Meridian, Other points of diversion: _____

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

Amount 5.48 for Irrigation purposes from Mar 1 to Oct 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)

b) Total amount appropriated 5.48 cfs and/or acre-feet per annum

c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: By Curve chart from Johnston Pump Mfg Co based on maximum

performance - Distribution facilities Examined considering bird-rangeland size, line size, lift from river + pressure

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:

a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use:

Does Not Apply

b) Describe the agreement or understanding by which you take water from the works:

Does Not Apply

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch)

Pumped from by 2-300 HP Turbine pumps into a 24" steel main line to farm + re-pressurized by 3 pumps of which H.P. are 150 HP, 250 HP + 200 HP.

b) Describe the type and size of measuring device which you have installed at your point of diversion: Performance Curves Max. Cap.

Device was not required on obtaining license on 14.8 cfs. which is the bulk of farm land. This Application is for Additional land added at this later time. Nothing was changed to facilities except one pump of more HP at river.

c) Give well driller's name and address and the date the well was completed:

Does Not Apply

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

Exam typed

9/21/76

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

Legal Attached

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres irrigated _____

10. Remarks: This App. is a small addition to Existing facilities already approved. Inasmuch as this App. is in direct connection with old permit already approved + all is in excellent working order byt without measuring divide, we would appreciate the States Approval of this prop App. in the manner it is now in use.

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

Sept. 10. 1976
(Date)

Murray Schultzes
Adrian S. Martin
(Signature)

State of Oregon)
County of Malheur) ss.

On this 10 day of Sept, 19 76, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Adrian S. Martin
Notary Public residing at Adrian Oreg.

My commission expires May, 3 1980

Land in Canyon County, State of Idaho, to-wit:

In Twp. 5 N., R. 6 W., B.M.:

Sec. 36: E $\frac{1}{2}$ SE $\frac{1}{4}$, EXCEPTING THEREFROM the following described parcel: Beginning at the Southeast corner of the SE $\frac{1}{4}$ SE $\frac{1}{4}$, which is the TRUE POINT OF BEGINNING;

thence North 89° 50' West 658 feet, along the South line of the said, SE $\frac{1}{4}$ SE $\frac{1}{4}$;

thence North 44° 44' East 923.49 feet to a point on the east line of the said SE $\frac{1}{4}$ SE $\frac{1}{4}$;

thence South 0° 42' East 658 feet along the said East line to the POINT OF BEGINNING.

September 3, 1976

Re: Permit No. 32250/02-2390
Connecticut Mutual Life Ins. Co.

Mr. Lorin E. Munn
Route 1, Box 425
Nyssa, OR 97913

Dear Mr. Munn:

Enclosed for your records is a copy of the Water License issued on the above referenced permit.

We are herewith returning the proof of beneficial use affidavit which was recently submitted as it is unacceptable. The affidavit pertains to permit 02-2390, which was just licensed; whereas we believe it was your intent to make proof under Permit No. 02-7207.

136
You should be aware that if you were to make proof under 02-7207 at this time, that we could only license that permit for 68 acres in the E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 36, Twp. 5 N, Rge. 6 W, B.M. in the amount of 1.28 cfs. We are enclosing another proof affidavit for your consideration along with a copy of permit 02-7207. Please note that this permit was issued with the condition that a measuring device be installed.

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

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

Enc: Copy of license / 02-2390
Copy of permit / 02-7207
Proof affidavits (2)

cc: Mr. Jack Hetherington
Federal Land Bank Assn.

December 19, 1975

Re: Permit No. 02-7207

Munn-Shulthies
Box 425, Route 1
Nyssa, OR 97913

Gentlemen:

Enclosed is a copy of your approved Application for Permit No. 02-7207 . We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:jfr

Enclosures



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
WESTERN DISTRICT — ANNEX 3

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2190

November 21, 1975

Parma Review
Parma, ID 83660

RE: Application for Permit No. 02-7207

Gentlemen:

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

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

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear in the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(Signature of Claimant)

Sincerely,

*Bill submitted
12-15-75
cls*

LEGAL NOTICE

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that MUNN—SHULTHIES Box 425, Rt. 1, Nyssa, OR has on Nov. 18, 1975 submitted Application No. 02-75-11-24-75 for a permit to appropriate 5 feet per second of water from the Snake River, trib. to Columbia River by means of well, pump and sprinkler system within Lot 3, Sec. 14, T. 4N, R. 6 W, B.M. Canyon County to be used from March 1 to Oct. 31 for irrigation of 806.62 acres within the Lot 1, Lot 4, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 1, Lot 1, 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Lot 6, 7, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 2, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 11, T. 4 N, R. 6 W; S $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec. 36, T. 5 N, R. 6 W, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before Dec. 15, 1975.

R. KEITH HIGGINSON
Director

Published in the Parma Review, Parma, ID on Nov. 27, 1975 and Dec. 4, 1975.

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that MUNN - SHULTHIES
Box 425, Rt. 1, Nyssa, OR
has on Nov. 18, 1975 submitted Application No. 02-7207
for a permit to appropriate 5.48 cubic feet per second ~~none feet~~
~~excess~~ of water from the Snake River, trib. to Columbia River
by means of well, pump and sprinkler system
within ~~the~~ Lot 3, Sec. 14, T. 4 N, R. 6 W, B.M. Canyon County

to be used from March 1 to Oct. 31
for irrigation of 306.62 acres

within the Lot 1, Lot 4, SW¹/₄NE¹/₄, Sec. 1, Lot 1, 2, S¹/₂NE¹/₄, SE¹/₄NE¹/₄, E¹/₂SW¹/₄,
Lot 6, 7, N¹/₂SE¹/₄, SW¹/₄SE¹/₄, Sec. 2, NE¹/₄NE¹/₄, Sec. 11, T. 4 N, R. 6 W; S¹/₂SW¹/₄,
SE¹/₄, Sec. 36, T. 5 N, R. 6 W, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Resources, Statehouse, Boise, Idaho, 83720, on or before Dec. 15, 1975.

R. KEITH HIGGINSON

Director

Published in the Parma Review, Parma, ID
on Nov. 27, 1975 and Dec. 4, 1975.



MACROFILMED

JOHN P. TABERNA
SOIL SCIENTIST

WESTERN LABORATORIES, INC.
P.O. Box 400
Parma, Idaho 83660
Phone (208) 722-6564

WESTERN LABORATORIES
P. O. BOX 400
PARMA, IDAHO 83660
Phone: (208) 722-6564

November 14, 1975

Mr. Munn:

It has been brought to my attention that you plan to file for $1\frac{1}{4}$ inches of water on your property in Canyon County. I strongly support this move because of my work on the pivot site.

The soil series on the farm is primarily the Quincy series which consists of coarse-textured, excessively drained sands. These sands have a low available water holding capacity and a high infiltration and percolation rate.

With 1 inch of allowable water usage we stand the risk of roughing potatoes. The reason being that potatoes must be maintained at 65% to 70% of the available water holding capacity and with a consumptive use of .3 inches water/day. This is very difficult to maintain.

If the pivots are to be managed with proper efficiency it is imperative that you have $1\frac{1}{4}$ inches to give you latitude in your management decision processes and to help prevent catastrophic crop losses should weather conditions change.

John P. Taberna
JOHN P. TABERNA
SOIL SCIENTIST

RECEIVED