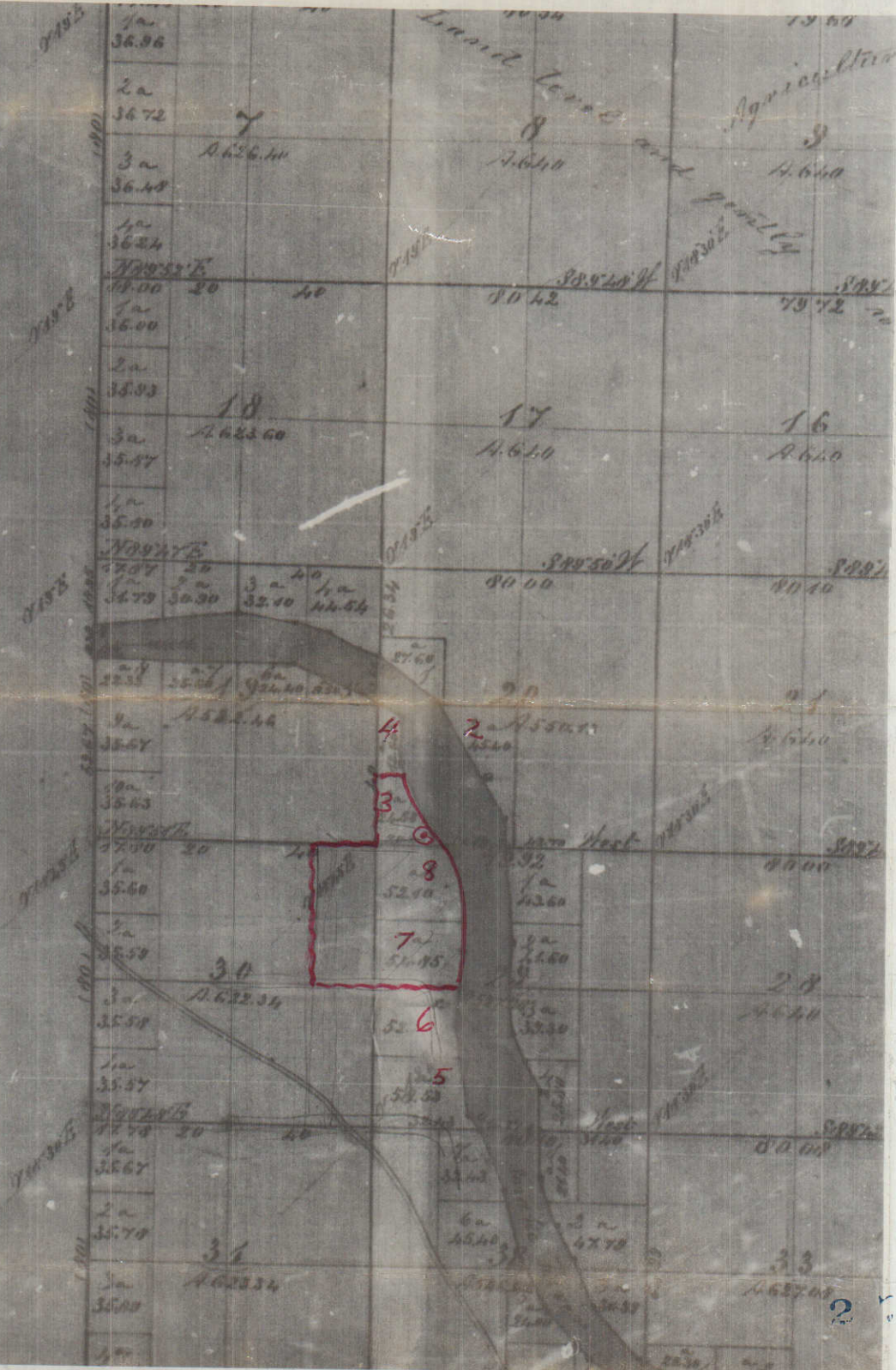
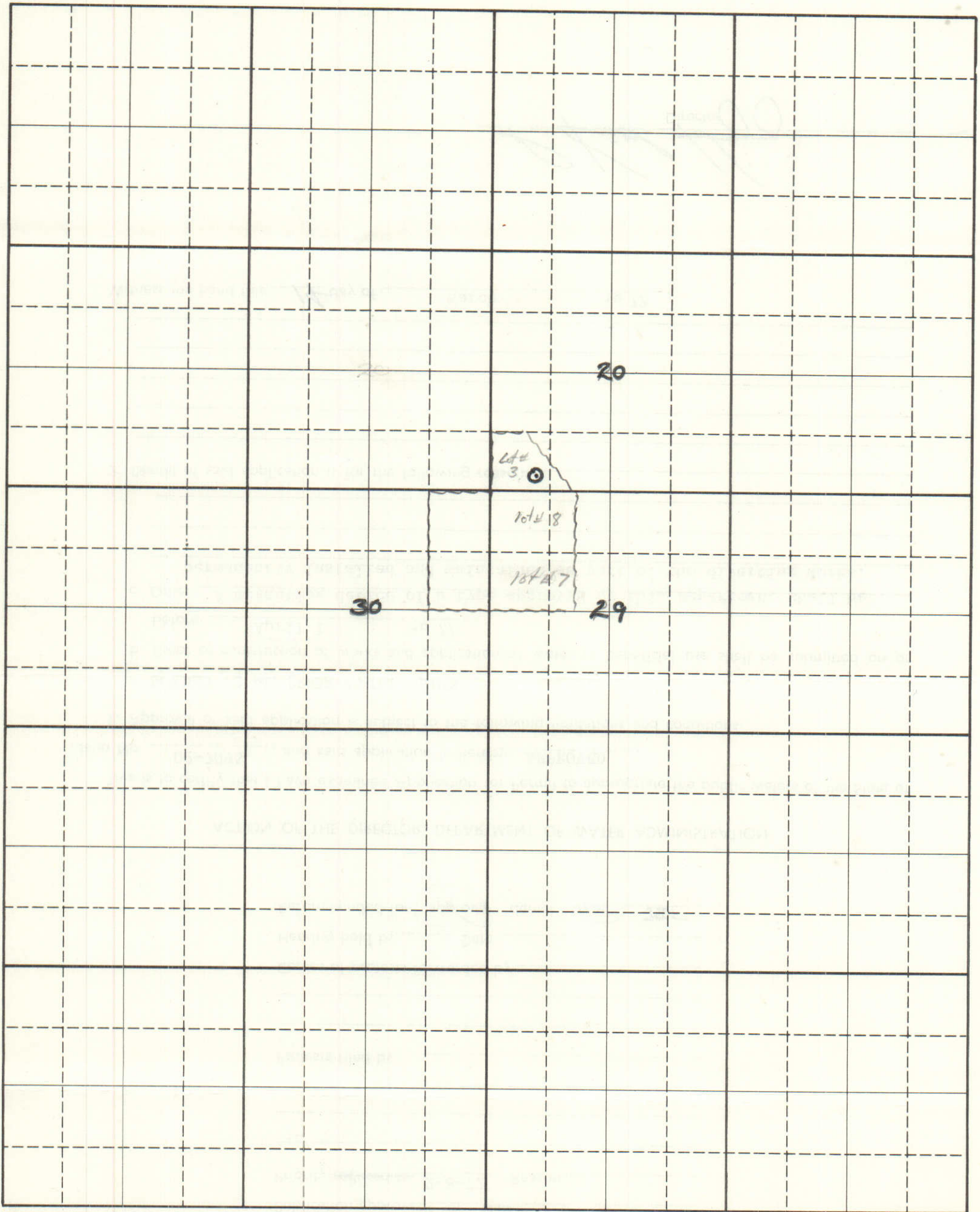


as the U. S. Land Office at 3300 City State Building, Chicago, Ill.
 and 2000 N. La Salle Street, Chicago, Ill.



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.

Please inclose check

\$65.00

x Harwin A. Harp
(Applicant)

2 7095

PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

s.s.

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

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 17 day of Feb., 1972, and the last publication being on the 24 day of Feb., 1972;

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.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 24 day of Feb., 1972...

Lana L. Hawes
NOTARY PUBLIC

My commission expires 9-10-72

(SEAL)

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Dr. Marvin Hays, 9444 N. E. Sacramento, Portland, Oregon, has on February 8, 1972 submitted Application No. 02 - 7095 for a permit to appropriate 4.26 cubic feet per second of water from the Snake River by means of pump, ditches, and sprinklers within Lot 3, Sec. 20, T. 4 N., R. 5 W., B. M., Owyhee County to be used from March 15 to November 15 for the irrigation of 213 acres within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ (Lot 3), Sec. 20; NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 7); SW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 8), Sec. 29; E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 30, T. 4 N., R. 5 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 Administration, State house, Boise, Idaho, 83707, on or before March 6, 1972.

R. KEITH HIGGINSON,
Director

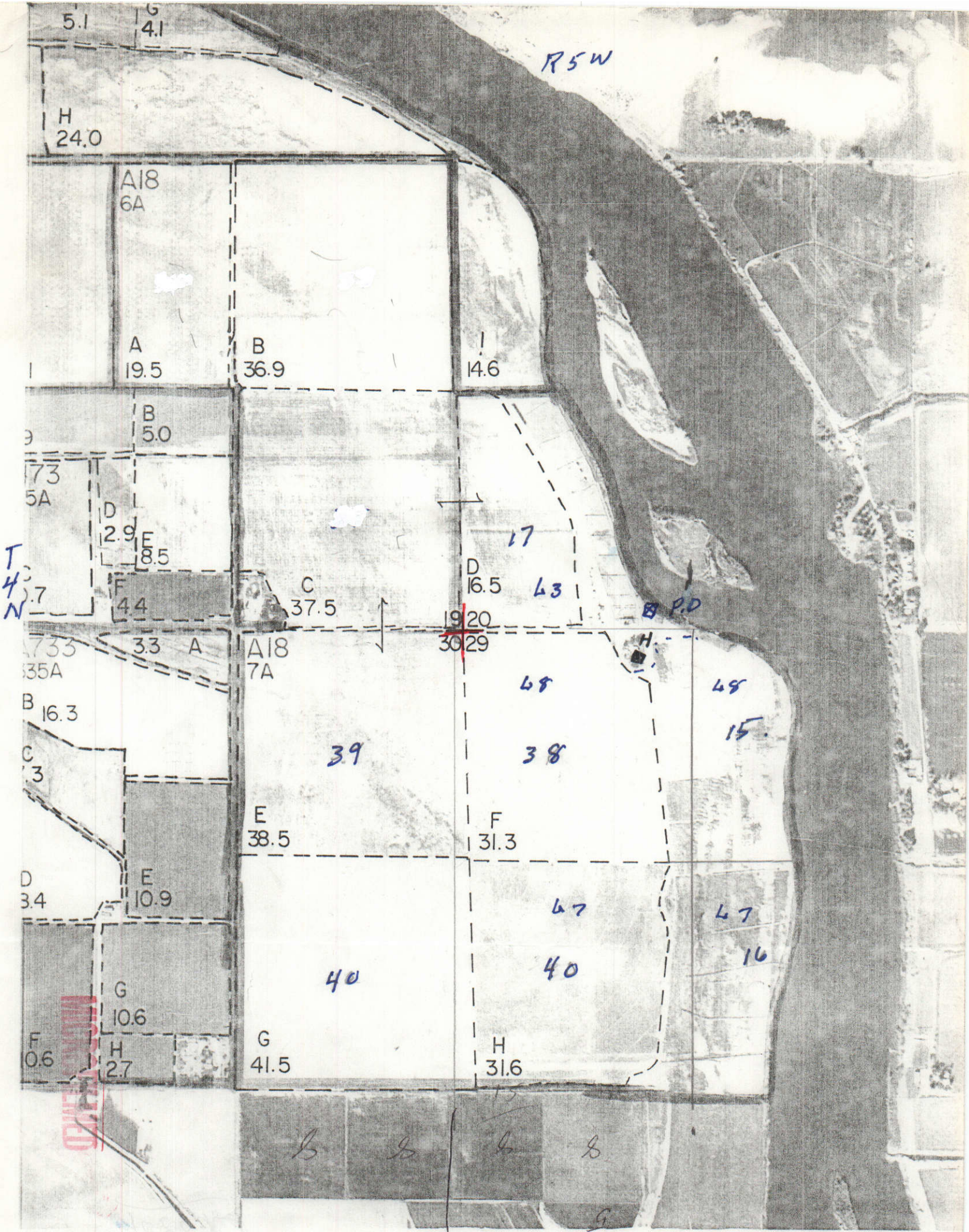
Published in the Owyhee Nugget, Marsing, Idaho, on February 17 and February 24, 1972.

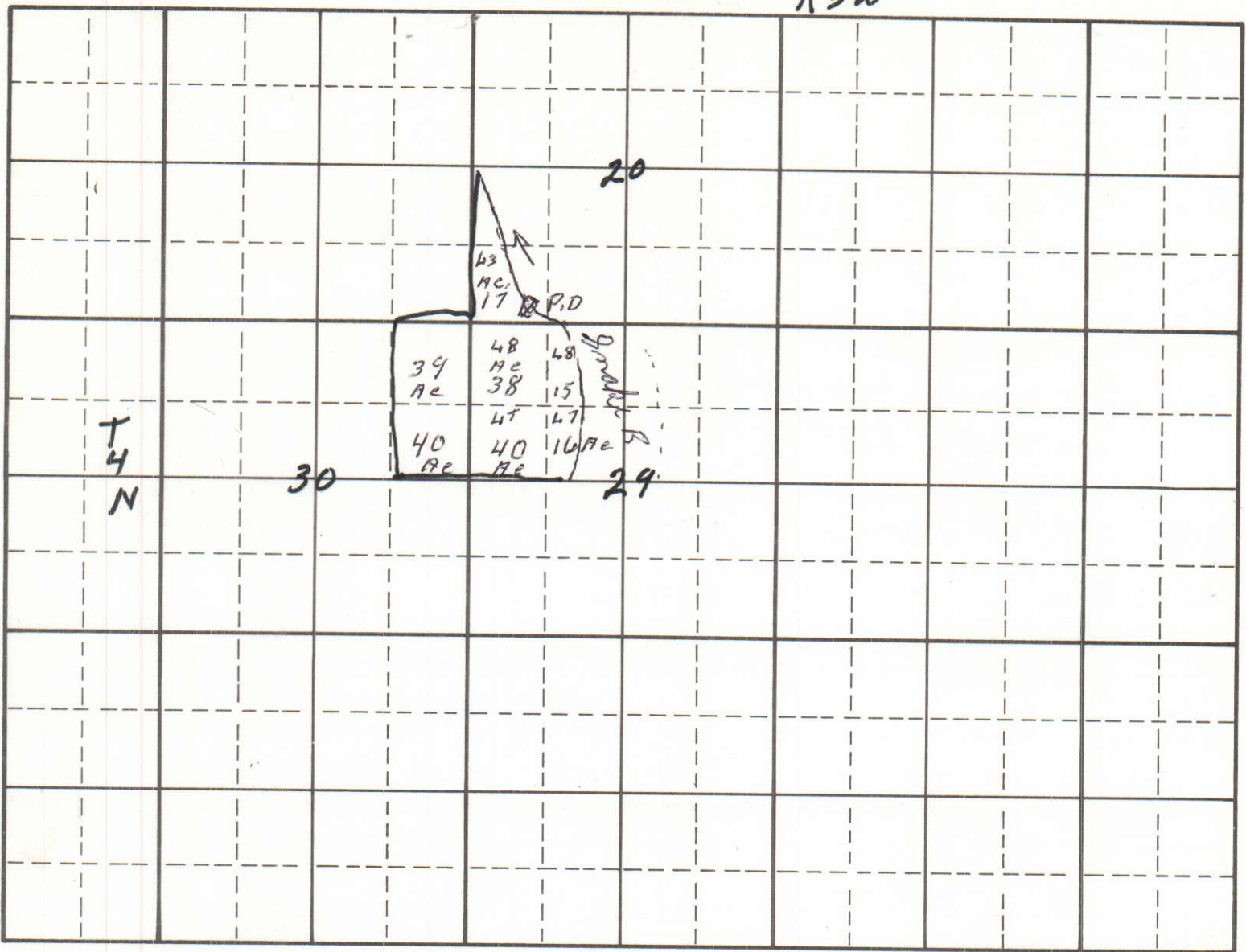
RECEIVED

FEB 25 1972

Department of Water Administration

2 700





SCHEMATIC DIAGRAM OF SYSTEM

(Include distance from pump to measuring device, if applicable.)

Point(s) of diversion: **L3 SW SW Sec 20 T4N R5W**

Place(s) of Use

TWP.	RGE.	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	5W	20											L3						~~12~~ 7
		29					L8	L8	L7	L7									~~12~~ 42
		30	~~39~~			~~40~~													~~72~~ 31
			14			17													

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

TOTAL 205
- 125
80 AC

Examiner's Signature: **John H. Noyes**
 Checked by: **6HS**
 Approved by: **[Signature]**

Date: **12/10/82**
 Date: **12/13/82**
 Date: **12/20/82**

RECEIVED

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

RECEIVED
DEC 04 1987

Department of Water Resources

I, FOSTER McSWAIN, hereby assign to REY McRAE
of RT 1 Box 96 Buckeye Az 85326
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 02-7095
to appropriate the public waters of the State of Idaho.

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

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

Made this 23rd day of September, 19 87.

Foster McSwain
Permit Holder

Bette McSwain
Spouse of Permit Holder

State of ~~Idaho~~ Oregon)
County of Coos) ss.

On this 23rd day of September, 19 87, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

Susan C. Shreut
Notary Public residing at
Coos Bay, Oregon

seal

My commission expires:
03-06-90

LIC

State of Idaho
Department of Water Resources

DEC 04 1987

ASSIGNMENT OF PERMIT

Department of Water Resources

I, MARVIN A. HAYS, hereby assign to FOSTER McSWAIN
of 675 Stock Slough Coos Bay, Oregon 97420
Address

CHECK ONE

- ☒ All my right, title, and interest in and to Permit No. 02-7095
to appropriate the public waters of the State of Idaho.
- ☐ The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.
(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 19 day of Sept., 19 87.

Marvin A. Hays
Permit Holder

Carol Hays
Spouse of Permit Holder

Oregon
State of ~~Idaho~~)
County of Multnomah) ss.

On this 19th day of September, 19 87, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Randal S. Orr
Notary Public residing at
Portland, OR

My commission expires:
My Commission Expires Oct. 17, 1989

WATER RIGHT LICENSE

THIS IS TO CERTIFY, that Dr. Marvin Hays

Beneficial Use Period of Use Rate of Diversion Annual Volume

Irrigation from March 15 to November 15 at 1.6 cfs and 360.0 acre feet

_____ from _____ to _____ at _____ cfs and _____

_____ from _____ to _____ at _____ cfs and _____

(both dates inclusive)

Description and location of place of use:

[illegible]

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

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 24th day of March, 1983.

Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR EXTENSION OF TIME

Department of Water Resources

State of Idaho)
County of OWYHEE)

Permit No. 02-7095

DR. MARVIN HAYS of 9444 N.E. Sacramento Portland
(name) (address)

State of Oregon, being first duly sworn, upon his oath deposes and says:

That he is the holder, or the duly authorized agent of the holder *, of Permit to
Appropriate the Public Waters of the State of Idaho No. 02-7095.

That under the terms and conditions of said permit, work thereunder was required
to be completed on or before March 1,, 19 77.

That he has heretofore performed the following work described under said permit:

All of the work to pickup, pump and distribute the water thru
underground pipes to sprinkler systems is complete and in use.

Costing \$28,000.00

That he is unable to complete the remainder of the work within the required time for
the following reasons, to-wit: Have not installed an approved measuring
device, which is on order and is to installed soon.

Wherefore, he asks that the Department of Water Resources extend the time for the
completion of obligations under said permit to March 1,, 19 82.

Marvin Hays
(signature) *

Subscribed and sworn before me this 16 day of February, 19 77.

seal

Rosalene M. Lamm
Notary Public residing at
Blackman, Oregon

My commission expires June 25, 1980

ACTION OF THE DIRECTOR OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED
and the time within which to submit proof of beneficial use of water be extended
to March 1, 1978.

Witness my hand this 23 day of February, 19 77.

Billy D. Flannery
for A. KENNETH DUNN
Administrator, Operations Division

* IF OTHER THAN HOLDER, Power of Attorney must be supplied. Forms are available
through the Department of Water Resources, Statehouse, Boise, Idaho 83720.

MICROFILMED

Identification No. 02-7095

Application No. _____

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT **APPROVED**

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

1. Name of applicant DR. MARVIN HAYES
post office address 9444 N.E. Sacramento Portland, Oregon

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

3. a. Location of point of diversion is Lot #3 $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section 20 Township 4 N
Range 5 W B.M. Owyhee 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:
Amount 4.26 for irrigation purpose from Mar. 15 to Nov. 15 (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. 4.26 cubic feet per second and/or
b. _____ acre feet per annum.

6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
electric pump into both open ditches and sprinklers

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 5 years.
b. Estimated construction cost is \$ 3000.00.

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:

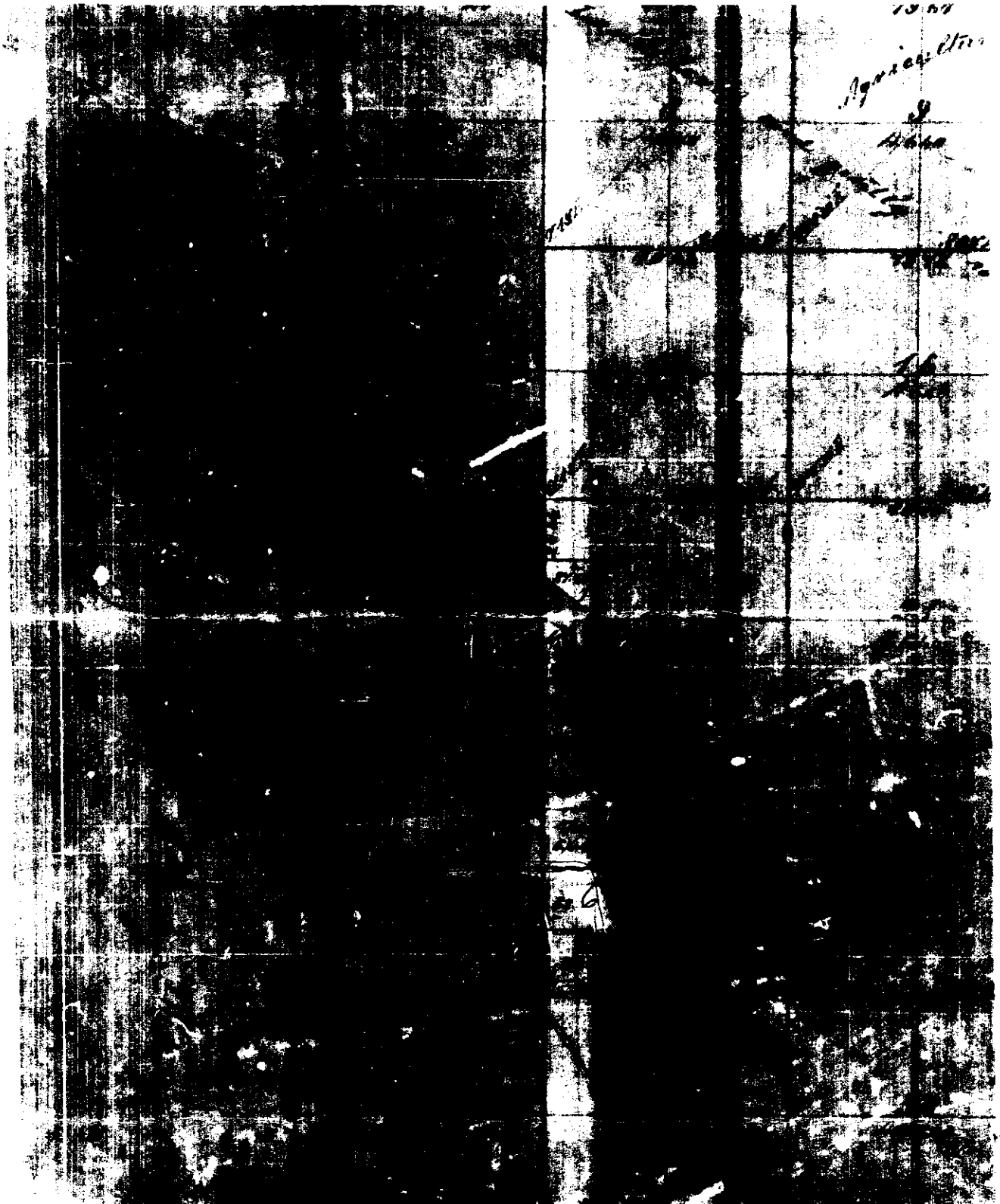
TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	5W	20											L.#3 25						25
		29					55	53											108
		30	40			40													80

Total number of acres to be irrigated 213

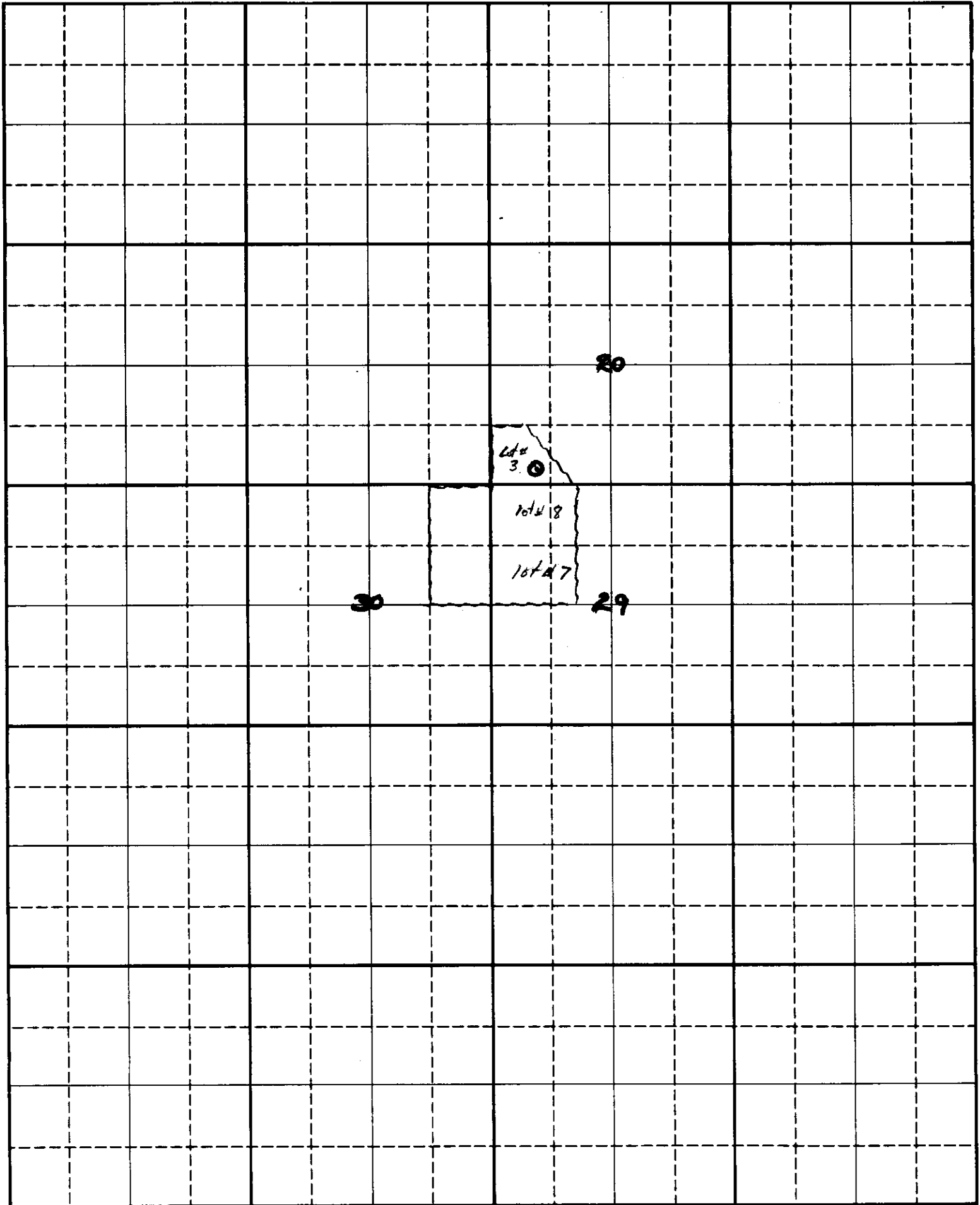
c. Describe any other water rights used for the same purposes as described above.

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



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.

Please inclose check

#6520

x Maurice A. Hay
(Applicant)

2 7095

Received by ef Date 2-8-72 Time 10:30 4
Preliminary check by FE Fee \$ 65.00
Received by ef Date 2-8-72
Publication prepared by cr Date 2-11-72
Published in Owyhee Nugget
Publication dates 2-17 & 2-24-72
Publication approved CR Date 2-28-72
Priority ~~reduced to~~ 2-8-72 Reason _____

Protests filed by: _____

Copies of protests forwarded by _____
Hearing held by _____ Date _____
Recommended for approval denial by Re BDF

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 02-7095, 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 March 1, 19 77.
- c. Other: A measuring device of a type approved by this Department 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 14 day of March, 19 72.

R. Keith Hiji
Director

2 7095

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No. 02-7095 Name Dr. Marvin Hays

Source Snake River

Point of Diversion Lot #3, Sec. 20, T. 4N, R. 5W, B.M., Owyhee County

Quantity 4.26 Use Irrigation Period March 15 - Nov. 15

Quantity Use Period

Quantity Use Period

Well Size Diameter Proposed Depth Feet

Use 213 acres

Date Forwarded 2-14-72 Date Returned 2-22-72 Received by S.S.

COMMENTS: Subject to prior rights.

RECOMMENDED:

Applied: Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

Maximum: Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

ACTION: Approved ☒ Denied

Conditions of approval or reason for denial:

INVESTIGATION By Paul M. Casteln Title W.R.I. - I

Date Feb. 22, 1972

PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

s.s.

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

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 17 day of Feb, 1972, and the last publication being on the 24 day of Feb, 1972;

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.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 24 day of Feb, 1972.

Gerald Schaver
NOTARY PUBLIC

My commission expires 9-10-72

(SEAL)

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Dr. Marvin Hays, 9444 N. E. Sacramento, Portland, Oregon, has on February 8, 1972 submitted Application No. 02-7095 for a permit to appropriate 4.28 cubic feet per second of water from the Snake River by means of pump, ditches, and sprinklers within Lot 3, Sec. 20, T. 4 N., R. 5 W., B. M., Owyhee County to be used from March 15 to November 15 for the irrigation of 213 acres within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ (Lot 3), Sec. 20; NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 7); SW $\frac{1}{4}$ NW $\frac{1}{4}$; (Lot 8), Sec. 20; E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 30, T. 4 N., R. 5 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 Administration, State house, Boise, Idaho, 83707, on or before March 6, 1972.

R. KEITH HIGGINSON,
Director

Published in the Owyhee Nugget on February 17, 1972.



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 1301 North Orchard Street Boise, Idaho 83706-2237 • (208) 334-4440

CECIL D. ANDRUS
Governor

R. KEITH HIGGINSON
Director

January 13, 1988

RE: Water Right Nos. 02-2178/2384/7095

Rey McRae
Rt. 1, Box 96
Buckeye, AZ 85326

Dear Mr. McRae:

We are in receipt of assignments of the above referenced water rights. Enclosed are copies of the licenses issued for each right and a copy of the approved Request for Extension of Time to Avoid Forfeiture of Right 02-2384.

The Department will change its computer records to show you as the current owner of the water rights. We noted on the assignment of Right 02-2384 that the signature of the right holder was different than the name shown on our records. If you are the current owner of the property, then the ownership of the right is yours since the water right is considered to be real property and appurtenant to the land unless the right was withheld at the time of sale by the owner.

The Department will nevertheless change its computer records on this right also to show you as the current owner.

If you have any questions, please let us know.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:sc

Enclosures

March 29, 1983

RE: Permit No. 02-7095

Dr. Marvin Hays
9444 N. E. Sacramento
Portland, OR 97212

Dear Dr. Hays:

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

Sincerely,



JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure

cc: Owyhee Dairy
Route #1, Box 1287A
Homedale, ID 83628



State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

January 11, 1983

RE: Permit No. 02-7095

Dr. Marvin Hays
9444 N. E. Sacramento
Portland, OR 97212

Dear Dr. Hays:

A representative of this Department has made an examination of the works covered by your Permit No. 02-7095, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 1.6 cfs Source: Snake River

The maximum quantity diverted shall not exceed 360.0 acre feet
per year.

Point(s) of diversion: Gov. Lot 3(SW $\frac{1}{4}$ SW $\frac{1}{4}$), Sec. 20, Twp. 4N, Rge. 5W,
Owyhee County

Beneficial use: Irrigation of 80 acres within the Gov. Lot 3(SW $\frac{1}{4}$ SW $\frac{1}{4}$),
Sec. 20; Gov. Lot 8(N $\frac{1}{2}$ NW $\frac{1}{4}$), Gov. Lot 7(S $\frac{1}{2}$ NW $\frac{1}{4}$), Sec. 29; E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 30;
Twp. 4N, Rge. 5W

Priority date established: February 8, 1972

Conditions (if any):

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

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw

cc: Owyhee Dairy
Route #1, Box 1287A
Homedale, ID 83628

R5W

5.1 G
4.1

H
24.0

A18
6.4

A
19.5

B
36.9

I
14.6

B
5.0

73
5A

D
2.9

E
8.5

F
4.4

C
37.5

D
16.5

43

1920
3029

33

A

A18

7A

35A

B
16.3

C
3

D
3.4

E
10.9

G
10.6

H
27

G
41.5

H
31.6

06

17

48

48

15

39

38

E
38.5

F
31.3

47

47

16

40

40

8

State of Idaho
DEPARTMENT OF WATER RESOURCES
FIELD REPORT

02-7095
Permit No.

CONTACT WITH PERMIT HOLDER

	DATE	INITIALS	REMARKS
☐ Appointment letter mailed:			
☐ Telephone call made: (List Telephone No. used)			
☐ Appointment scheduled for: (Date, time, location)			

EXAMINATION

Date 4/28/81 Accompanied by Eldon Jorgensen Total Q measured 4.90
If source is surface water, estimate total flow of source _____
Methods of measurement mechrometer Meets Permit requirements? _____

Measurement calculations:
 $2200 \text{ GPM} \times .002228 = 4.90 \text{ cfs}$ ^{capacity} ~~$205 \text{ acra} \times 4.5 = 922.5 \text{ AFA}$~~ ~~$205 \times .02 = 4.1 \text{ cfs}$~~ See overlap
 $205 \text{ acra} \times 4.5 = 922.5 \text{ AFA}$ Review
 $4.1 \times 1.9835 \times 245 = 1992.4$

WELL/DIVERSION* NO.	HP	MOTOR MAKE	MOTOR SERIAL NO.	PUMP MAKE	PUMP SERIAL NO.	MEASURING DEVICE TYPE	CONDITION OF MEAS. DEV.	REMARKS
	100	N.S. Electric	FD 07420-0184-04	-	-			
			350					

System Description 1-pivot & permanent direct sprinkler system

*Code with map on reverse side. Disregard code if only one.

RECOMMENDED AMOUNTS		Irrigation requirement = <u>4.5</u>		AFA/Acre	
USE		Q (cfs)	V (afa)	FROM	TO
<u>irrigation</u>	☒	~~4.1~~ ✓ 1.6	~~922.5~~ ✓ 360.0	3/15	11/15
	☒	See Overlap Review for calculations			
			360.0		
Total		~~4.1~~ 1.6	~~922.5~~	3/15	11/15

Remarks
Send copy of license to r
Owner
Owyhee Dairy
Box 1287A
Hamdale ID
Jim 4-12-83

RSW

Hand-drawn map on a grid showing a survey area. The map includes a central rectangular area with internal divisions and labels. To the left is a vertical line labeled 'T 4 N'. To the right is a vertical line labeled '29'. Above the central area is a triangular area labeled '20'. Below the central area is a horizontal line labeled '30'. The central area contains several labels: '43 AC 17 P.D.' at the top, '39 AC' on the left, '48 AC 38' in the middle, '40 AC' at the bottom, and '48 AC 15' on the right. A small 'P.D.' label is also present near the top right of the central area.

(Include distance from pump to measuring device, if applicable.)

acres which are
taken out are already
licensed in 022778
at 02243/AC

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%	
4N	5W	20											43						7
		29					48	48	47	47									42
		30					15	38	40	16									31
							20		22										

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

TOTAL 205
- 125
80 AC.

Examiner's Signature John H. Moyer
Checked by 6h5
Approved by [Signature]

Date 12/10/82
Date 12/13/82
Date 12/20/82

Overlap Review for 02-7095

License 02-2178 Snake R. P/D GLT (SWNW) Sec 29
T4N R5W

$$\frac{2.51}{125.4} = .02 \text{ c/s/Ac}$$

(different P/D but
same source) ✓

P/U see attached
license copy
(same land)

Note: In reviewing the field exam &
maps for 02-2178 it seem as ok
though this is the same land. =
02-7095 adds more acres.

$$205 \text{ ac} - 125 \text{ (already licensed)} = 80 \text{ Ac (new land)} \checkmark$$

02-2178

SAME
SOURCE
P/D

$$Q = 80 \text{ Ac} \times .02 = 1.6$$

Don't Recommend not licensing the 125 acres
on 02-7095 for they have .02 cfs/Ac &
4.5 AF/Ac from license 02-2178 ✓

$$V = 80 \text{ Ac} \times 4.5 = 360.0 \text{ AF}$$

RC 12/20/82

State of Idaho
Department of Water Administration
LICENSE OF WATER RIGHT

License of Water Right No. 30791/02-2178 Priority Nov. 5, 1962 Amount 2.51 cfs

THIS IS TO CERTIFY, that Marvin A. Hays, M.D.
of Portland, Oregon, has complied with the terms and conditions of Permit
No. 30791/02-2178 issued pursuant to Application for Permit dated November 5, 1962,
and has submitted proof to the Department of Water Administration on October 29, 1970,
that he has applied water to a beneficial use; an examination by the Department indicates that the
works have a capacity of 2.59 cfs, and that the water has in fact been applied to a
beneficial use; a right to the use of water from the Snake River
tributary of the Columbia River, is hereby confirmed in the following amounts:
Amount 2.51 cfs for irrigation from March 15 to Nov. 15 (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Amount _____ for _____ from _____ to _____ (both dates inclusive)
Subject, however, to the condition that no more than 2.51 cfs of water be diverted at
any one time, said waters to be diverted within ~~the~~ _____

Lot # 7 (SW $\frac{1}{4}$ NW $\frac{1}{4}$), Sec. 29, Twp. 4 N, Rge. 5 W, B.M.

in the county of Owyhee; and that the amount of water so diverted and to which such
right is entitled and confirmed is for the purposes aforesaid and is limited to the amount which can
actually be beneficially used and shall not exceed 564.3 acre feet per year or _____
4.5 acre feet per acre.

Description and location of place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4 N	5 W	20											9.7 (Lot 3)						9.7
		29					(Lot 8)	33.1	34.6	(Lot 7)									67.7
		30	25			23													48.0

Total number of acres irrigated 125.4

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 23 day of
March, 19 72.

R. K. Hays
Director

30791-2178

March 1, 1978

Re: Permit No. 02-7095

Dr. Marvin Hays
9444 N. E. Sacramento
Portland, Oregon 97212

Dear Dr. Hays:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

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

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

Sincerely,

JANICE RENK
Water Rights

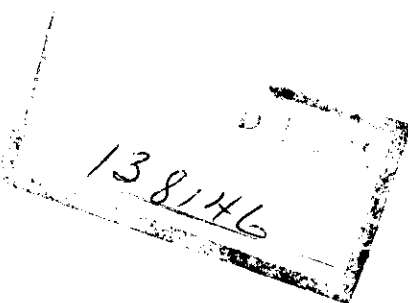
MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Statehouse
Boise, Idaho 83720



Dr. Marvin Hays
944 N. E. Sacramento
Portland, OR

NO SUCH NUMBER - 97212-97227



NSW
1222
2
1-3

1/4/77
S-B Ranch
Foster
675 Stacks
Slough
Department of Water Resources
Boise, OR
7420
MICROFILMED

Identification No. _____

Permit No. 02-7095

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 27 1978

Department of Water Resources

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Dr. Marvin Hays
b) Post Office Address 9444 N.E. Sacramento Portland, Oregon 97212
 2. Permit Number 02-7095
 3. Date of Priority that you are prepared to establish March 8, 1972
 4. a) Source from which water was appropriated Snake River
b) Location of the point of diversion: Lot 3 XX $\frac{1}{4}$ XX $\frac{1}{4}$, Section 20
Township 4 N, Range 5 W Boise Meridian, Other points of diversion: _____
 5. a) The amount of water and use to which the water has been applied:
Amount 4.12 for Irrigation purposes from March 15 to November 15 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 4.12 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: computed by pump size and system until this year..Now
by measuring device.
 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:
N.A.
b) Describe the agreement or understanding by which you take water from the works:
N.A.
 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) Water pumped from river via intake pipe to 100 HP pump into
buried 10 inch and 8 inch pipe to center pivot system, wheel lines and set sprinklers.
b) Describe the type and size of measuring device which you have installed at your point of diversion: MICRO METER 10 Inch
c) Give well driller's name and address and the date the well was completed: N.A.
- If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: N.A.

Exam typed 2/28/78 by [signature]

MICROFILMED

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4N	5W	20											25						25
		29						55	53										108
		30	40			40													80

In 1972, diesel pump and system leased from Courtwright Irrigation, La Grande. In early 1973
10. Remarks: Courtwright installed a dual underground system using 2 creepers (big guns). This system was used along with open ditches as long as the property was in feed for cattle. This system was changed to a system using a center pivot along with wheel lines and sets. The beneficial use, up until this year was completed by Burr Courtwright from the pumps and system in use. The measuring device we ordered was finally installed in late 1977 and is now in place.

Total number of acres irrigated 213

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

2/23/78

(Date)

Marvin A. Hays

(Signature)

State of Oregon)
County of Multnomah) ss.

On this 23 day of Feb., 1978, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Robert J. Domenech

Notary Public residing at

2320 S.W. Cactus Dr. Apt. 1
Portland Ore. 97205

My commission expires 2/27/82

December 30, 1977

CERTIFIED MAIL

62
138264

Re: Permit No. 02-7095

Dr. Marvin Hays
9444 N. E. Sacramento
Portland, Oregon 97212

c/o Foster McSwain 13872
675 STOCK SLough Rd.
COOS BAY, OR 97420

Dear Dr. Hays:

One of the conditions of approval of your water Permit No. 02-7095 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before March 1, 1978. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



C. STEPHEN ALLRED
Director

CSA:jfr

Enc: Proof affidavit

MICROFILMED

February 24, 1977

Re: Permit No. 02-7095

Dr. Marvin Hays
675 Stock Slough Rd.
Coos Bay, Oregon 97420

Dear Dr. Hays:

Enclosed is a copy of the approved application for extension of time in connection with the above referenced permit.

The time within which to submit proof of beneficial use of water has been extended to March 1, 1978.

Sincerely,

Jan Grover
Water Rights Supervisor

MICROFILMED

9/B Ranch

ROUTE 1, BOX 214
HOMEDALE, IDAHO 83628

ACCOUNTING OFFICE
675 STOCK SLOUGH ROAD
COOS BAY, OREGON 97420

RECEIVED

FEB 22 1977

Department of Water Resources

February 17, 1977

Mr. Bob Fleenor
Dept of Water Resources
Boise, Idaho

Dear Mr. Fleenor,

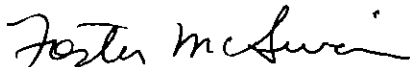
I want to thank you for the help you extended when I was in your office last week regarding permit 02-7095.

I am enclosing the application for extension of time on this water right. After considering what you told me about only one extension of time, I decided to make it for the five year period, just to be on the safe side.

We are proceeding with the installation of a measuring device and undoubtedly will close this out this year or next.

Again, I want to thank you for your courtesy.

Sincerely,



Foster Mc Swain
675 Stock Slough Road
Coos Bay, Oregon 97420

MICROFILMED

December 31, 1976

CERTIFIED MAIL

138116

Re: Permit No. 02-7095

Dr. Marvin Hays
944 N. E. Sacramento
Portland, Oregon

Dear Dr. Hays:

One of the conditions of approval of your water Permit No. 02-7095 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before March 1, 1977. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.


R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

MICROFILMED



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Statehouse - Annex 2
Boise, Idaho 83707
(208) 384-2215

March 15, 1972

Re: Permit No. 02-7095 - Dr. Marvin Hays

Dr. Marvin Hays
9444 N.E. Sacramento
Portland, Oregon

Dear Dr. Hays:

Enclosed is a copy of your approved Application for Permit No. 02-7095. 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.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:cr

Enclosures

2 7095

February 11, 1972

Re: Application No. 02-7093 - Indian Cove Water Company
" " 02-7094 - Robert H. Blankens
" " 02-7095 - Dr. Marvin Hays
" " 57-7058 - Helen M. Nanney
" " 51-7062 - W. L. &/or Leona F. Parnell

Owyhee Nugget
Marsing,
Idaho 83639

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 on 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)

Very truly yours,

Fred Eisenbarth
Appropriation Examiner

FE:CR

Enc: Legal Notices (5)

2 709

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Dr. Marvin Hays, 9444 N.E. Sacramento,
Portland, Oregon
has on February 8, 1972 submitted Application No. 02-7095
for a permit to appropriate 4.26 cubic feet per second ~~xxxxx feet per second~~
of water from the Snake River
by means of pump, ditches, and sprinklers
within ~~xxxx~~ Lot 3, Sec. 20, T. 4N, R. 5W, B.M., Owyhee County

to be used from March 15 to Nov. 15
for the irrigation of 213 acres

within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ (Lot 3), Sec. 20; NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 7); SW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 8);; Sec. 29;
E $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 30, T. 4N, R. 5W, 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
Administration, Statehouse, Boise, Idaho, 83707, on or before March 6, 1972.

R. KEITH NICOLSON

Director

Published in the Owyhee Nugget, Marsing, Idaho
on Feb. 17 and FEB. 24, 1972.

February 8, 1972

Dr. Marvin Hays
9444 N.E. Sacramento
Portland, Oregon

Dear Dr. Hays:

Attached herewith is your receipt No. 8021 in the amount of \$ 65.00
for your application for permit
which was received in this office.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure: Receipt

2 7095