

RECEIVED

PROOF OF PUBLICATION

Department of Water Administration

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 8 day of Oct, 1970, and the last publication being on the 15 day of Oct, 1970;

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 15 day of Oct, 1970.

Louise A. Hawes
NOTARY PUBLIC

My commission expires 9-10-72

(SEAL)

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Harold A. Steiner, Oreana, Idaho has received an approved permit No. 32697/02-2384 issued by the Idaho State Department of Water Administration authorizing the diversion of 14.0 cubic feet per second of water from the Snake River, subject to all prior rights. The priority to be established under this permit is January 20, 1966 and the permit was approved January 21, 1966.

Water is to be diverted by pipe & pump for sprinkler irrigation from a point within the SW $\frac{1}{4}$ -SE $\frac{1}{4}$, Sec. 15, T. 4 S., R. 2 E., B. M., Owyhee County, to be used for irrigation in all of Sec. 16; E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ -SE $\frac{1}{4}$, Sec. 15; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 14, T. 4 S., R. 2 E., B. M.

Proof of the application of the water to beneficial use is to be submitted to the department on or before January 21, 1978. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON,
Director

Idaho Department of
Water Administration
Published in the Owyhee Nug-
get, Marsing, Idaho on October
8, and October 15, 1970.

ack
OK
10-23-70

02-2384
32697

ATTACHMENT



SRBA EXAM - 02-02384 & 57-07186

ATTACHMENT C

111 = 02
1220 BUT →
NOT 57-07186

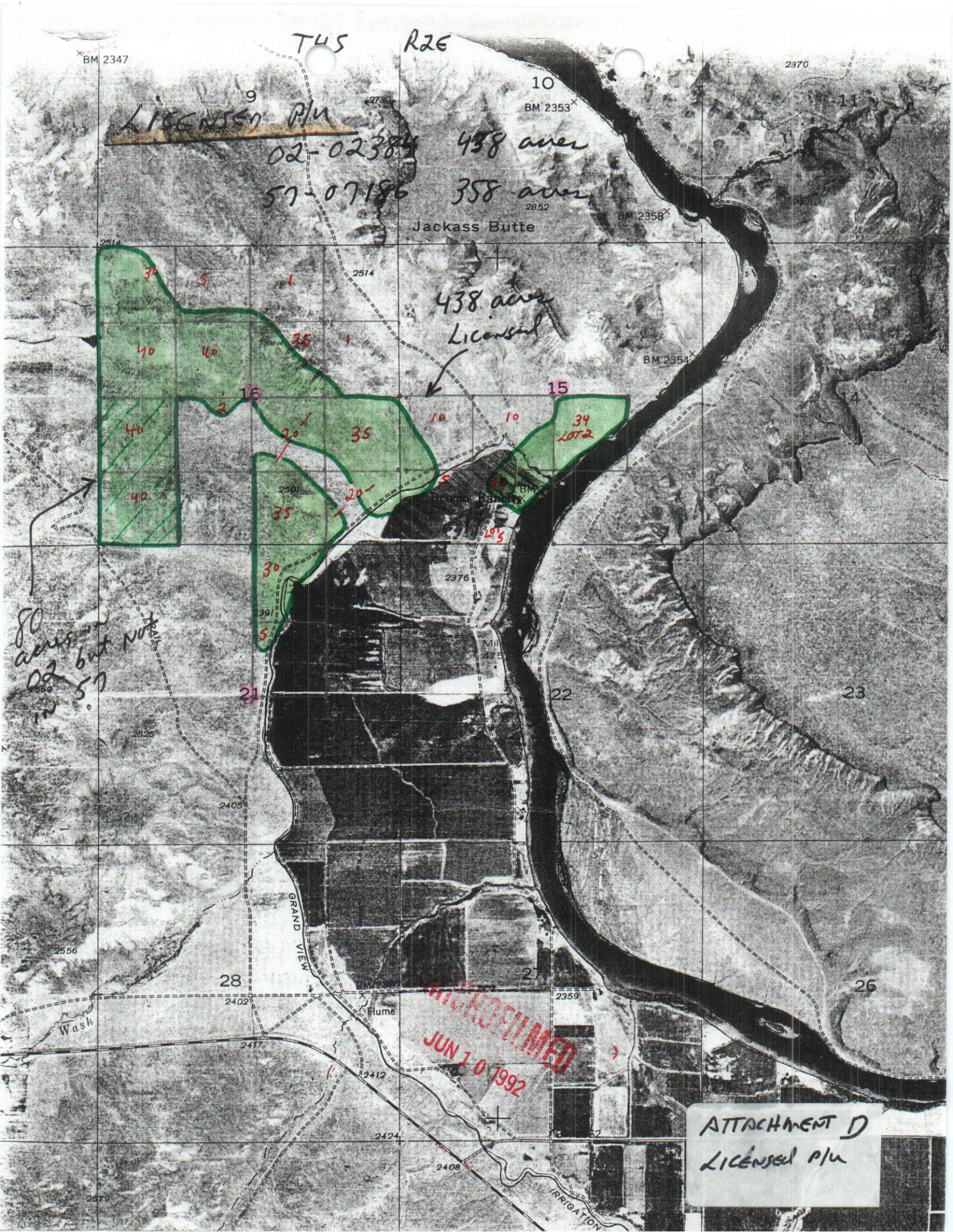
not involved in
fasten 1

A57-07222 111

A57-07186 

UNREPRODUCTION
JUN 10 1992





T45 R2E

BM 2347

2370

10

BM 2353

LICENSED P/u

02-02384

438 acres

57-07186

358 acres

2852

BM 2358

Jackass Butte

2514

2514

438 acres
Licensed

BM 2354

15

34
LOT 2

2501

2376

Mill

475

22

23

21

28

2402

27

2359

26

Flume

RECEIVED
JUN 10 1992

2417

2412

2424

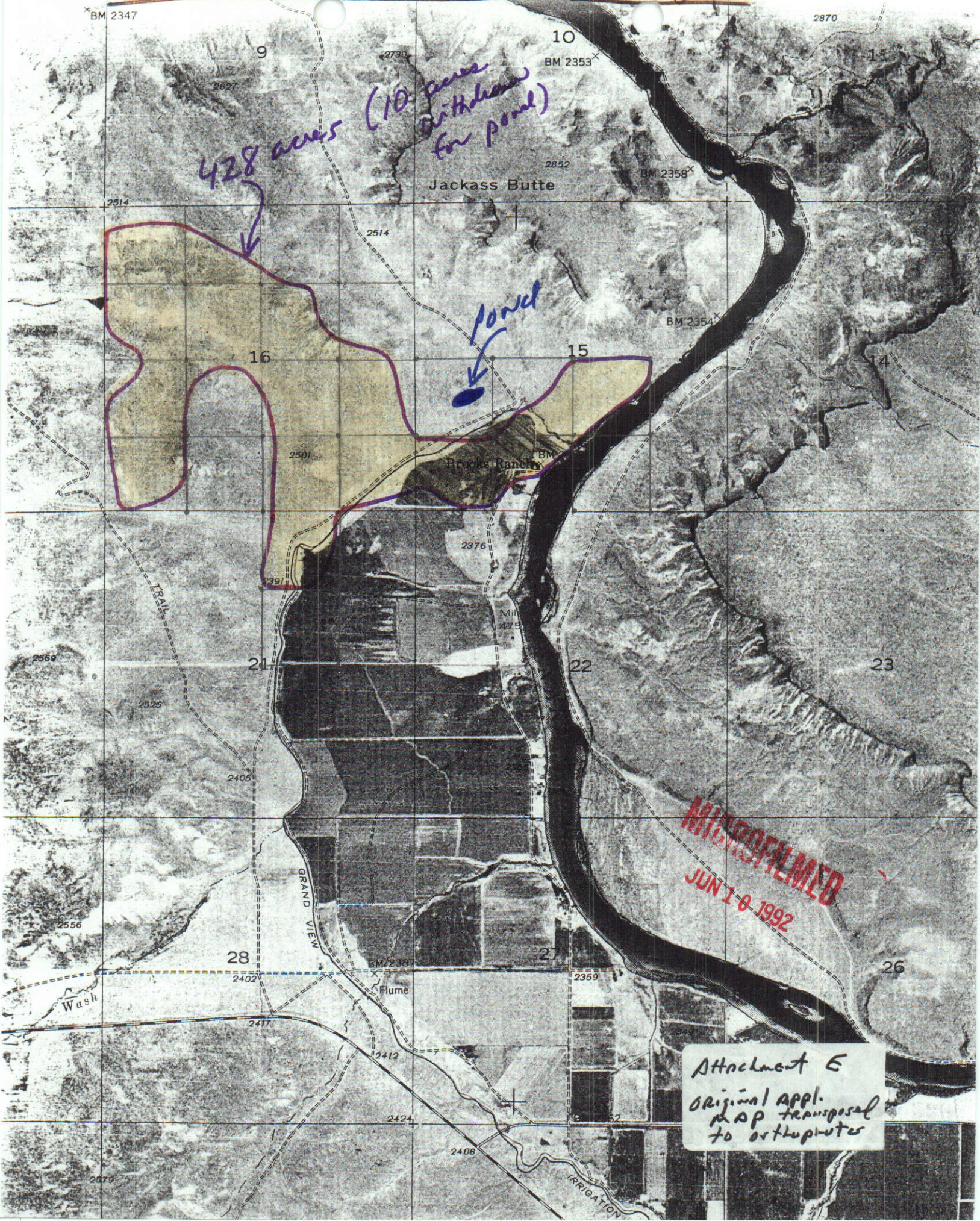
2408

52

IRIGATION

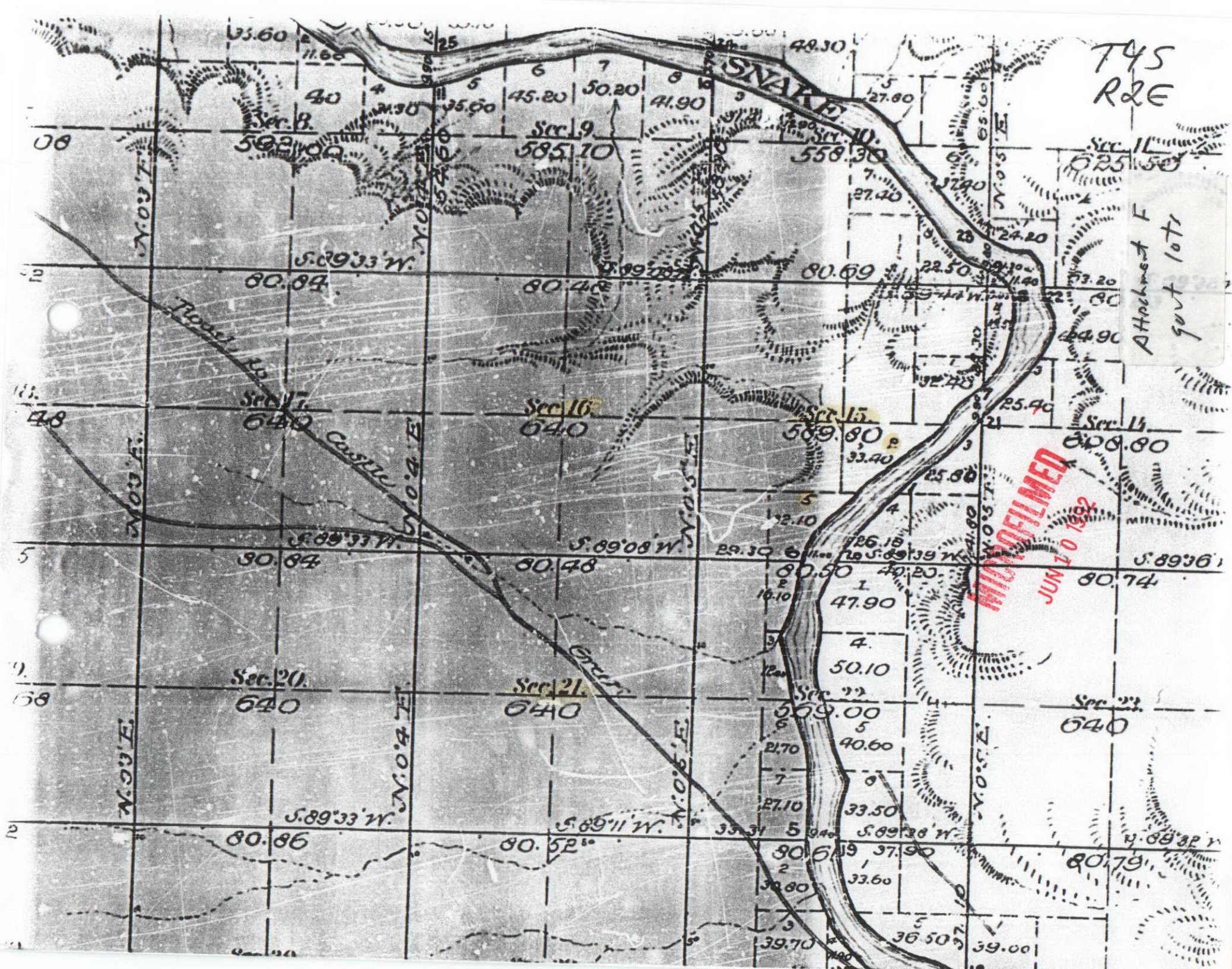
ATTACHMENT D
Licensed p/u

P/W PER TRANSFER MAP ON PG. 7



MICROFILMED
JUN 10 1992

Attachment E
Original Appl.
Map transferred
to orthophoto



Dept. of Water

THE OWYHEE AVALANCHE

P.O. BOX 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

RECEIVED
NOV 13 1989
Department of Water Resources
Western Regional Office

STATE OF IDAHO)
)ss
COUNTY OF OWYHEE)

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of **The Owyhee Avalanche**, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said **The Owyhee Avalanche** has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in said

newspaper, in

two (2)

(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

Sept. 6 & 13

Signed

Joe E. Aman

Subscribed and sworn to before me this 13th day of November A.D., 1989

Alicia Anna Poturich

Notary Public in and for the State of Idaho
Residing at Nampa, Idaho
Commission expires October 1990

NOTICE OF PROPOSED CHANGE OF WATER RIGHT ☒ NO. 02-02384 AND 57- 07186

Notice is hereby given that Joseph L. Parkinson of Boise, ID, has applied to the Department of Water Resources for a change of point of diversion, place of use of the water of Snake River and Waste Water. The rights sought to be changed are evidenced by licenses and are record as follows:

Amount: 02-02384B: .18 cfs
57-07186B: .19 cfs

Point(s) of Diversion: T04S, R02E, S. 15 lot 5 (SESW) & SWSW.

The water will be used for aesthetic & wildlife purposes in T04S, R02E, S. 15, NWSW.

Any protest against approval of the proposed change of water right

application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before "September 25, 1989."

R. Keith Higginson,
Director

Publish: September 6 and 13, 1989

RECEIVED
JUN 10 1992

The Owyhee Avalanche

P.O. BOX 97

HOMEDALE, IDAHO 83628

208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
COUNTY OF OWYHEE)

I, Joe E Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of **The Owyhee Avalanche**, a newspaper of general circulation printed and published weekly, Wednesday of each and every week, in the City of Homedale and County of Owyhee and State of Idaho.

3. That the said **The Owyhee Avalanche**, a continuation of the **Owyhee Chronicle** and the **Owyhee Nugget**, has been printed and published continuously and uninterruptedly in said County during a period of seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not in a supplement thereto, in said newspaper, in two (2) (consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

April 17, 1985

April 24, 1985

(Signed).....

Joe E Aman

Subscribed and sworn to before me this 24th day of April A.D., 1985.

Clara E. Brannen

Notary Public in and for the State of Idaho,

residing at Homedale, Idaho.

My commission expires March 26, 1985

NOTICE OF APPLICATION FOR EXTENSION OF TIME TO AVOID FORFEITURE OF WATER RIGHT ✓ SP

Notice is hereby given that John W. and Katherine Watson, Rt. B, Box 233, Grand View, Idaho 83623 has filed an application for extension of time to avoid forfeiture of Water Right License 02-2384.

The right was licensed for 8.29 cfs of water from the Snake River with a priority date of 1/20/1966 with a point of diversion within Lot 5 (SESW) Sec 15 T4S R2E Owyhee County; for irrigation purposes from 3/15 to 11/15 upon 438 acres located within the N1/2SW, SWSW, Lot 5 (SESW) and Lot 2 (NWSE) Sec 15; the W1/2NE, SENE, NW¼, N½SW, SWSW and SE¼ Sec 16; and the W½NE, Sec 21, T4S, R2E.

Section 42-222, Idaho Code provides that a water right shall be lost and forfeited and the water revert to the state upon failure to apply water to beneficial use for a period of five years. The state may allow an additional five-year period of non-use without forfeiture upon a showing of reasonable cause. The right holders have applied for this extension because they have developed a lower cost waste water source but wish to preserve the Snake River Right in the event that better water management disrupts the current wastewater source. The applicant requests the extension until 4/9/1990.

Any protest(s) against the granting of this extension may be filed with the Idaho Department of Water Resources, 450 W. State St., Boise, ID 83720 on or before May 6, 1985.

A. Kenneth Dunn
Director

Publish 4/17 & 4/24/1985 2t

RECEIVED
APR 26 1985

Department of Water Resources
Western Regional Office

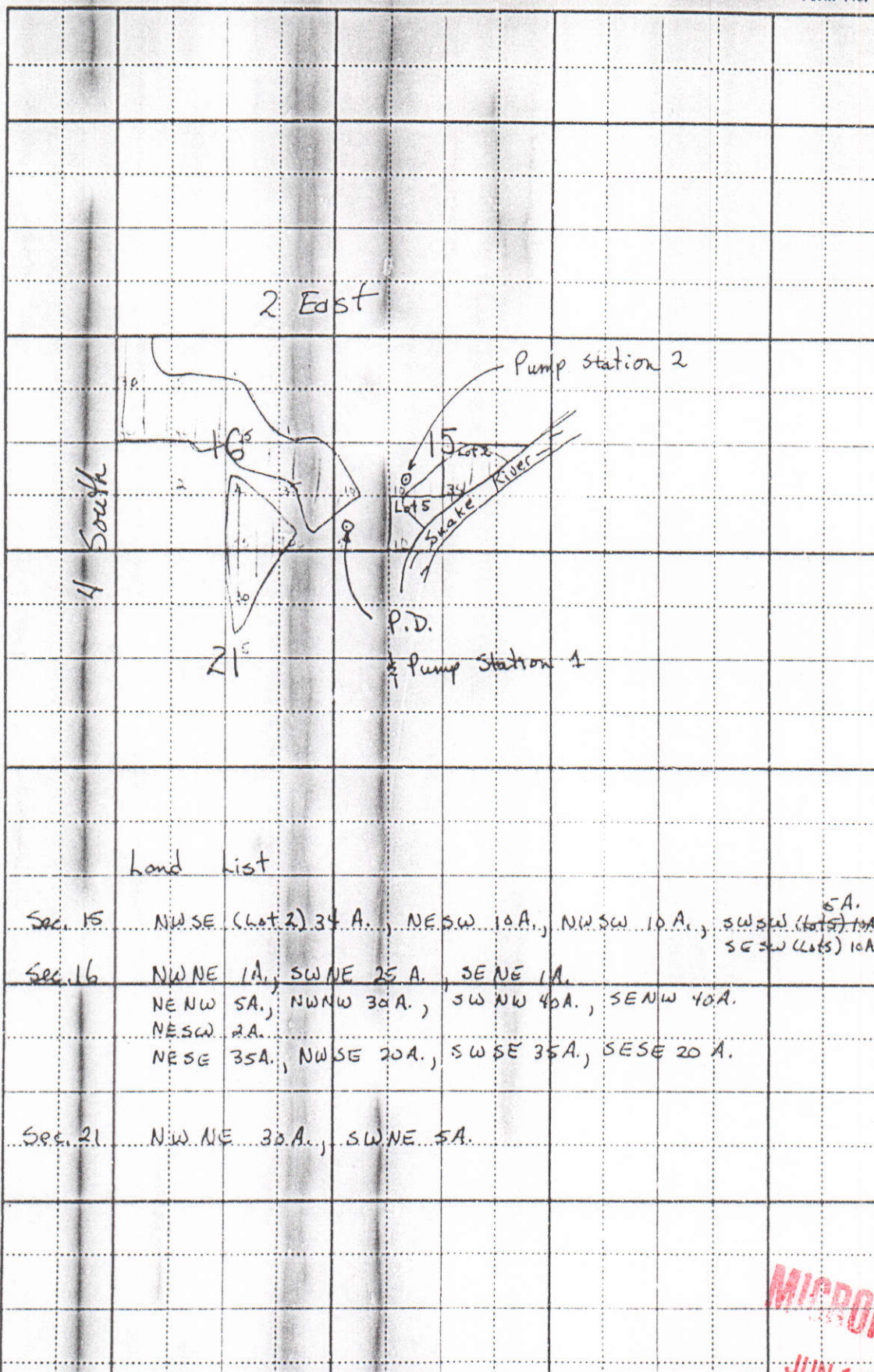
MICROFILMED

NAME OF APPLICANT

Field Exam 57-7186

POOR QUALITY

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

5-3' 78

Acreages taken from U-2 photos

MICROFILMED
JUN 10 1992

POOR QUALITY

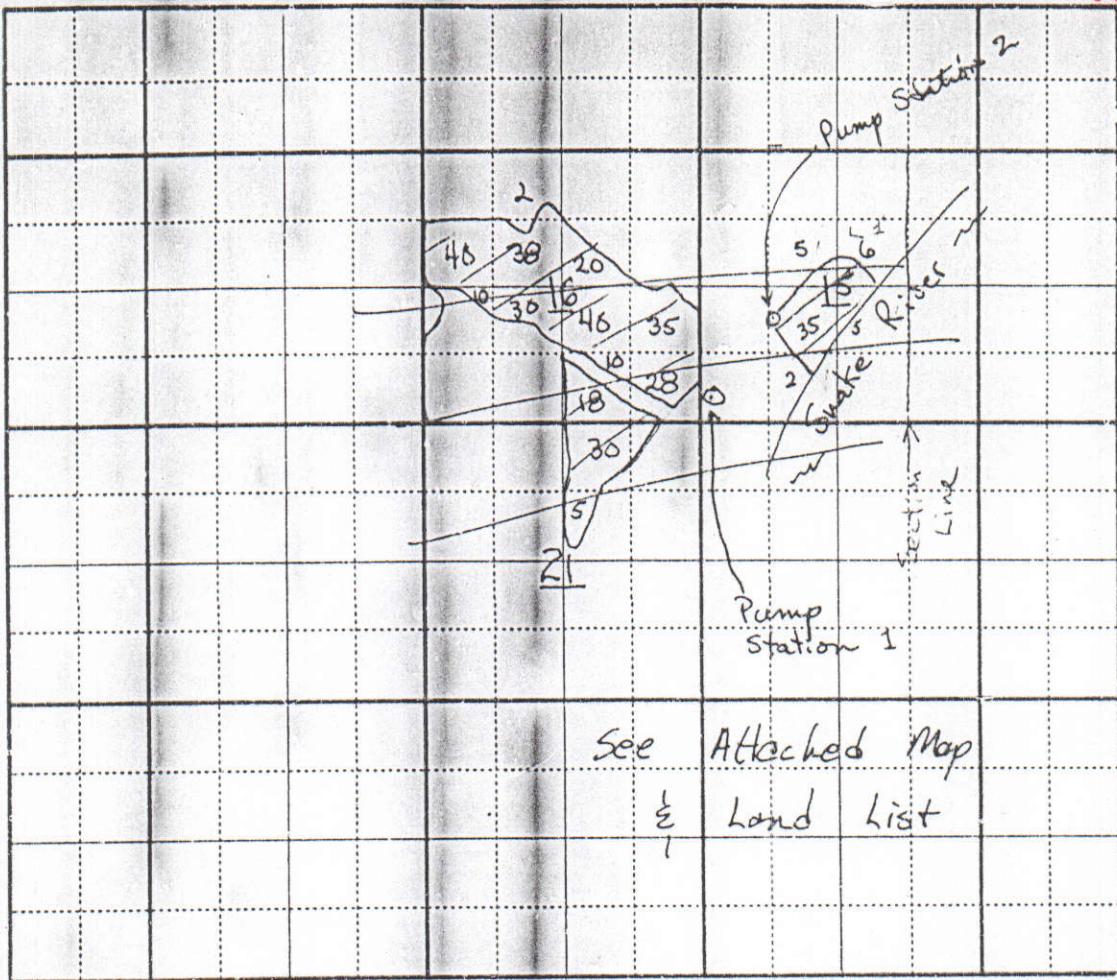
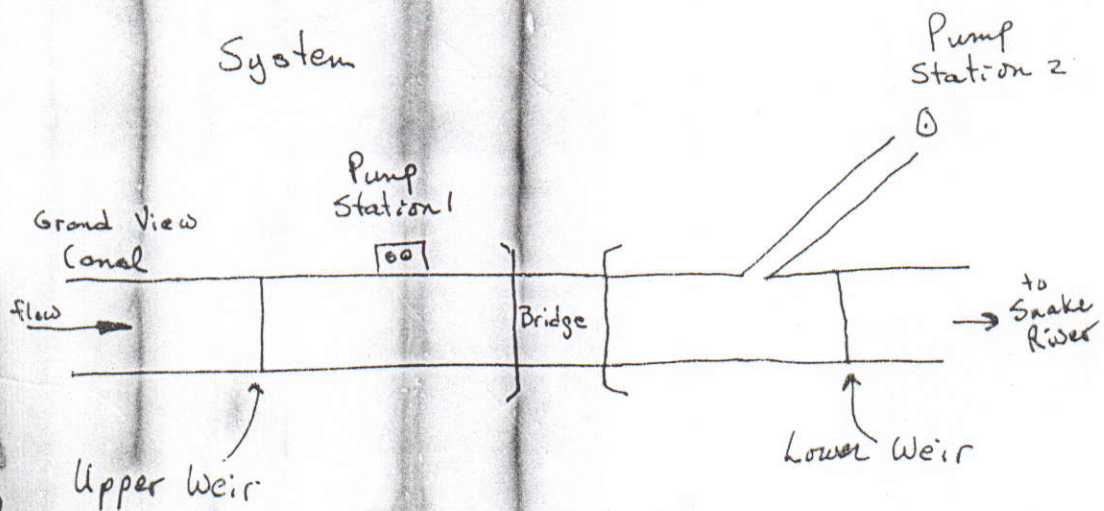


Diagram of System

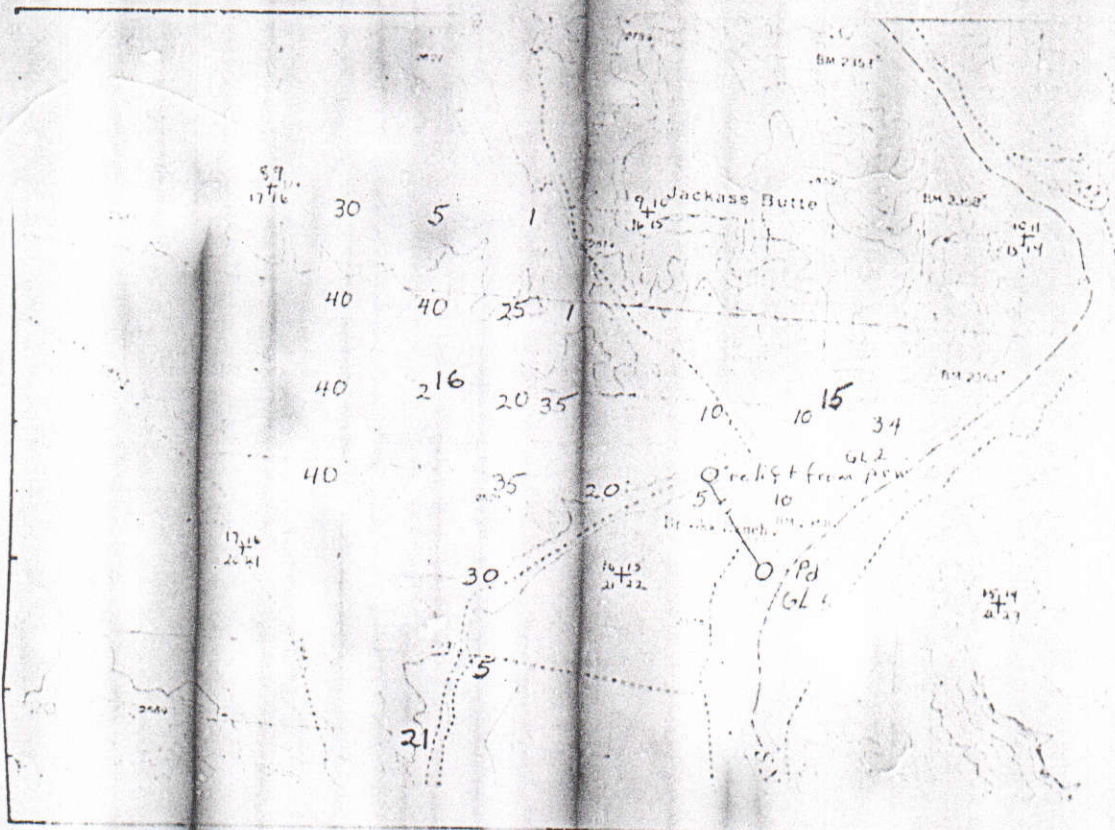


Not to Scale

MICROFILMED
JUN 10 1992

POOR QUALITY

Complete the following map by showing land and point of diversion as proposed by this amendment.
Show 40 acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Boise, ID, this 10 day of June, 1981.

(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by CE W1 Fee \$20.00 Received by DES Date 4/27/81 # 18870
Publication prepared by Date Published in
Publication dates

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, Director of the Department of Water Resources, hereby

APPROVE the above referenced Amendment for Permit No. 02-2384.

Witness my hand this 27 day of

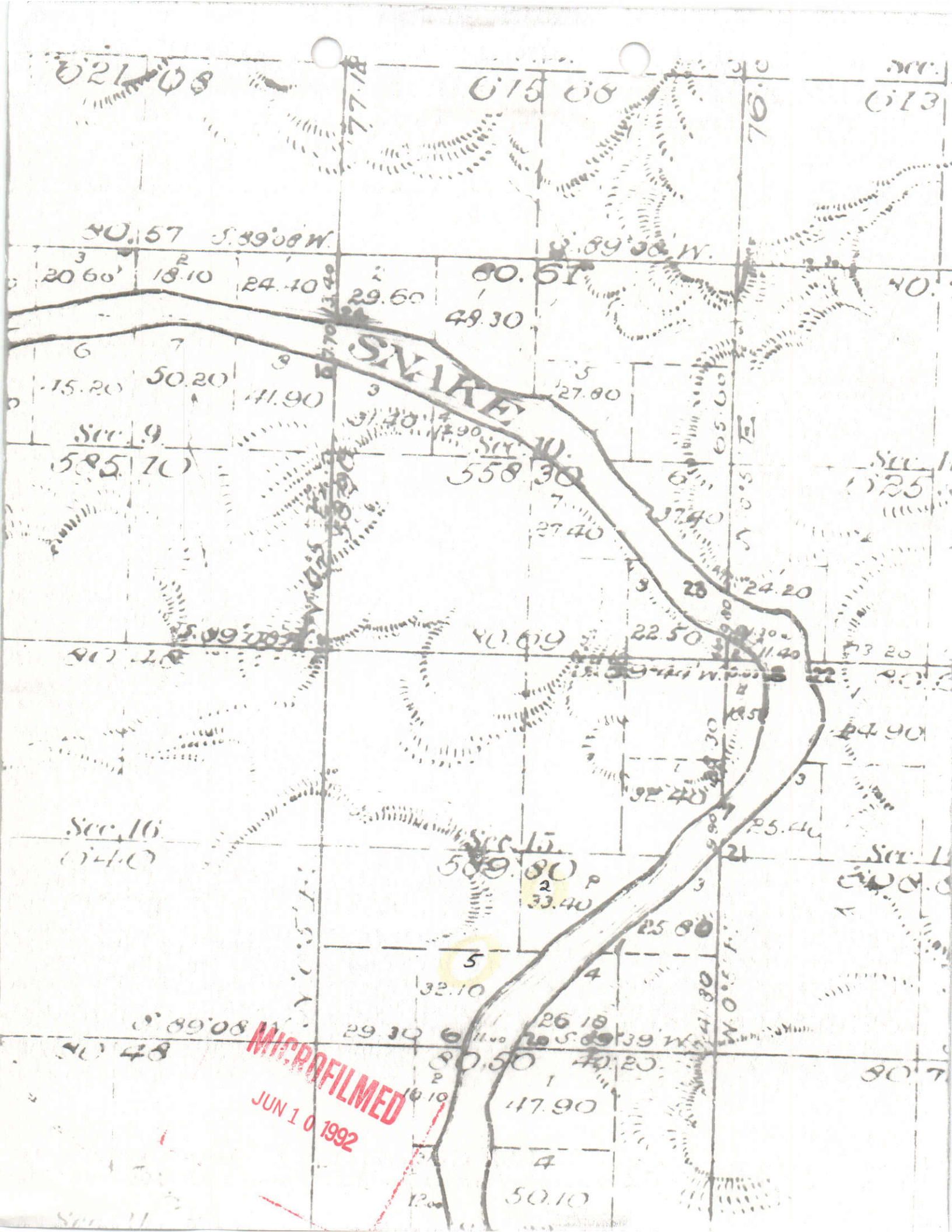
May

19 81

A. Kenneth Dunn
Director

MICROFILMED

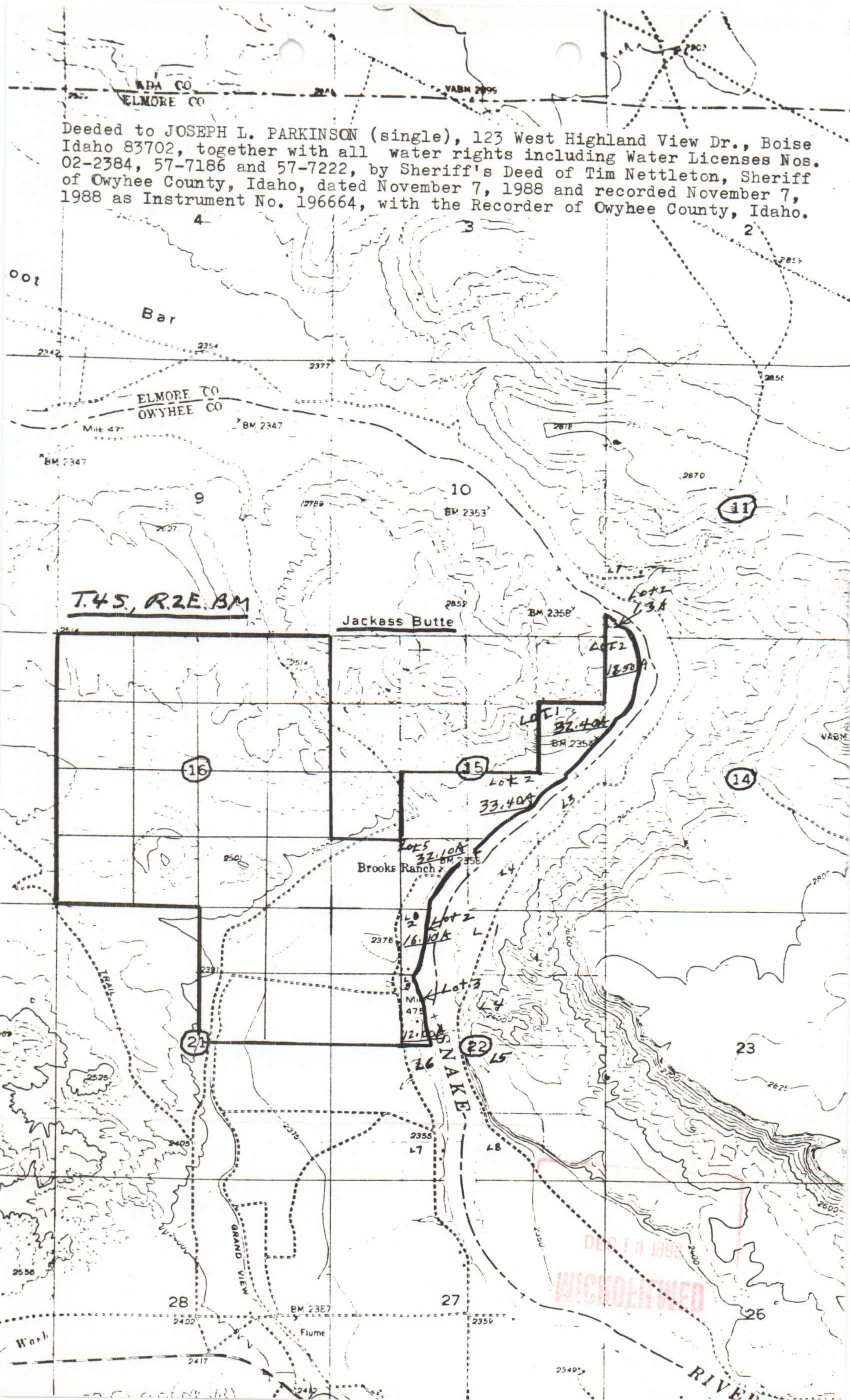
JUN 10 1992



MICROFILMED
JUN 10 1992

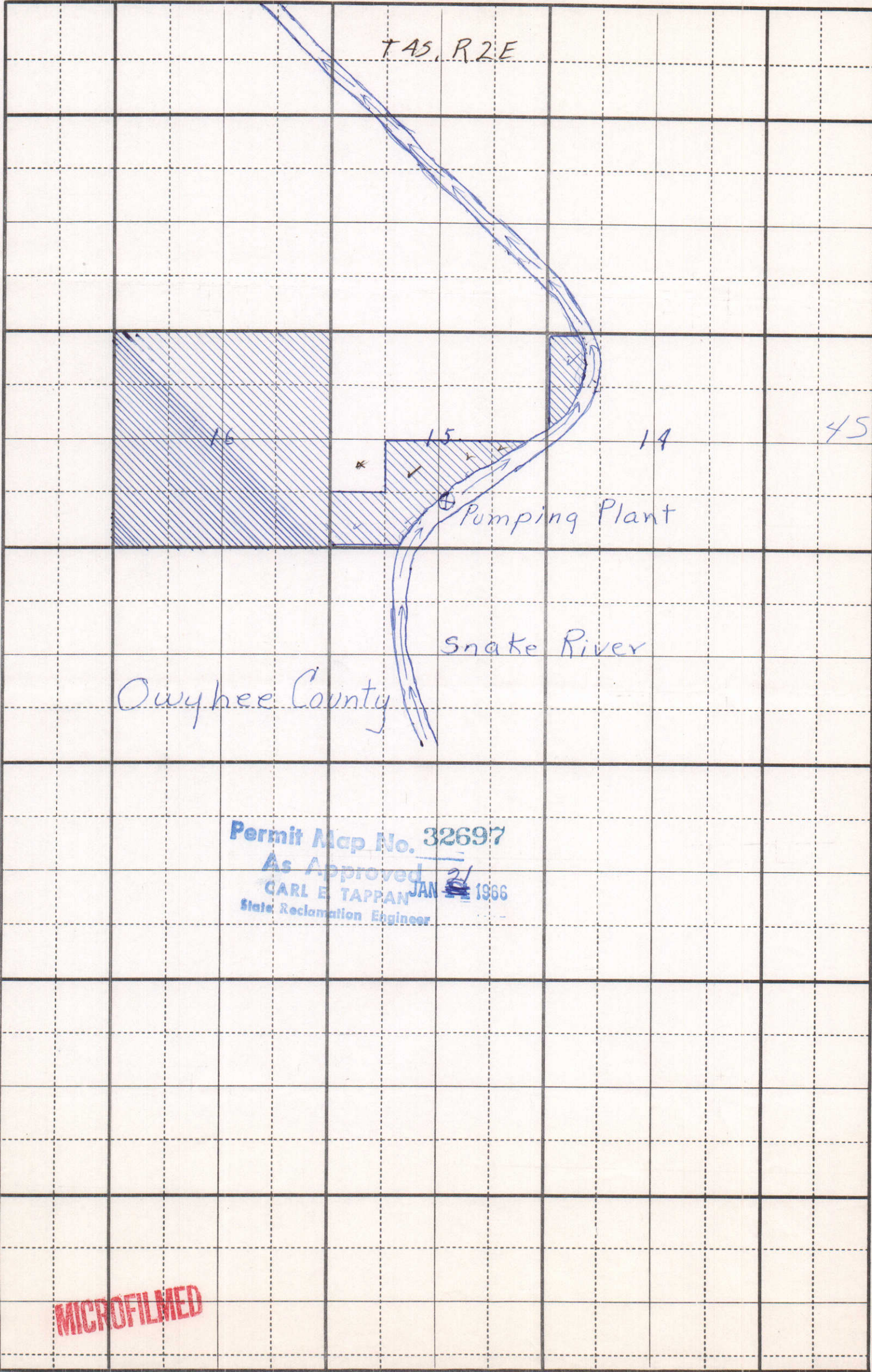
ADA CO
ELMORE CO

Deeded to JOSEPH L. PARKINSON (single), 123 West Highland View Dr., Boise Idaho 83702, together with all water rights including Water Licenses Nos. 02-2384, 57-7186 and 57-7222, by Sheriff's Deed of Tim Nettleton, Sheriff of Owyhee County, Idaho, dated November 7, 1988 and recorded November 7, 1988 as Instrument No. 196664, with the Recorder of Owyhee County, Idaho.



NAME OF APPLICANT Harold H. Steiner

Form No. 0



Permit Map No. 32697
As Approved
CARL E. TAPPAN JAN 21 1966
State Reclamation Engineer

MICROFILMED

J. W. WATSON
VICE PRESIDENT
INTERNATIONAL ALUMINUM DIVISION

Home: 547-1313

300, LAKESIDE DRIVE, OAKLAND, CALIFORNIA 94604 PHONE 271-3835

PROOF OF PUBLICATION

STATE OF IDAHO

County of Owyhee

S.S.

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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 15 day of Oct, 1970.

Lawrence H. Lawrence
NOTARY PUBLIC

My commission expires 6-10-72

(SEAL)

NOTICE OF EXISTING WATER PERMIT

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Water is to be diverted by pipe & pump for sprinkler irrigation from a point within the SW $\frac{1}{4}$ -SE $\frac{1}{4}$, Sec. 15, T. 4 S., R. 2 E., B. M., Owyhee County, to be used for irrigation in all of Sec. 16; E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ -SE $\frac{1}{4}$, Sec. 15; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 14, T. 4 S., R. 2 E., B. M.

Proof of the application of the water to beneficial use is to be submitted to the department on or before January 21, 1976. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Water Administration within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON,
Director

Idaho Department of
Water Administration
Published in the Owyhee Nug-
get, Marsing, Idaho on October
8, and October 15, 1970.

32-3224
32697

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF COMPLETED TRANSFER

The Idaho Department of Water Resources will consider this form as a statement regarding completion of the authorized water right(s) transfer.

1. Water Right No(s). 02-02 384 and 57-07186

Transfer No. 3628

2. Name of Water Right Holder(s): Joseph L. Parkinson

Address: 123 W. Highland View Drive, Boise, ID 83782

3. Water right transfer authorized by Department is:
(check appropriate space or provide description)

Complete ☒

Not Complete ☐

Partially Complete (describe work completed) _____

4. If the transfer has not yet been completed or is only partially complete, please provide a statement why the authorized change(s) have not been accomplished and the date which you expect the changes to be complete: _____

5. I hereby assert that the responses provided above are true to the best of my knowledge. I understand that any willful misrepresentations may result in Department action rescinding the approved water right(s) transfer.

John L. Parkinson
Signature
(& title if on behalf of a company or organization)

August 20, 1993

Date

AUG 30 1993

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

JUN 5 1991

Transfer No. 3628

Should questions arise during
the processing of this applica-
tion please contact:

SHERYL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83702
344-5580

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 1

MAR 10 1992

Name of applicant Joseph L. Parkinson Phone 368-4029
Post Office address 123 West Highland View Drive, Boise, Idaho 83702

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 Period of use
2. Describe the reason for the proposed changes The existing irrigation system will be modified to allow diversion of water to storage for wildlife habitat and aesthetics.

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>02-2384A</u> | <u>1/20/66</u> | <u>8.11/2140</u> | <u>Irrigation</u> | <u>3/15</u> to <u>11/15</u> |
| <u>02-2384B</u> | <u>1/20/66</u> | <u>.18/50</u> | <u>Wildlife/Aesthetics</u> | <u>1/1</u> to <u>12/31</u> |
| <u>57-7186A</u> | <u>4/4/77</u> | <u>6.63/1740</u> | <u>Irrigation</u> | <u>3/15</u> to <u>11/15</u> |
| <u>57-7186B</u> | <u>4/4/77</u> | <u>.19/50</u> | <u>Wildlife/Aesthetics</u> | <u>1/1</u> to <u>12/31</u> |
2. Total amount of water being transferred 15.11 cubic feet per second and/or 2190 acre-feet per annum.
3. Source of water Snake River (02-2384) Waste Water tributary to Snake River
4. Point(s) of Diversion: Columbia River

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
5		SE	SW	15	4S	2E	Owyhee	02-2384A
5		SE	SW	15	4S	2E	Owyhee	02-2384B
		SW	SW	15	4S	2E	Owyhee	57-7186A
5		SE	SW	15	4S	2E	Owyhee	57-7186B

5. 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	
02-2384	2E	15									14.7	5	35.5	13.3		6.2	6.5		99.5
		15										5/10							424.0
		16									38	34.5	22	31.1	37.1	3	32.2	39.1	290.8
		21																	32.7
57-7186		15									14.7	5	35.5	13.3		6.2	6.5		99.5
		15										5/10							348.0
		16									38	34.5	18	4.4		32.2	39.1	23.2	220.0
		21																	28.5

See item 4 above for initials
initials date

REVISED 12/11/91

Total acres 424.0

PART 1

6. General Information:

- a. Description of diversion system 50 HP short coupled vertical turbine pump and a 15 HP submersible turbine pump. Mainline and sumps as necessary.

- b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X 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:
The land from which the water is transferred will no longer be irrigated.

d. Remarks:

A total of 428⁴ acres will be irrigated under these two water rights because of duplicated lands in each water right license.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 02-02384 & 57-07186

And said application is hereby APPROVED, subject to the following limitations and conditions:

1. The maximum number of acres irrigated under Right No(s). 02-02384 & 57-07186 shall not exceed 424 acres.
 2. The combined annual volume of water diverted under Right No(s). 02-02384 & 57-07186 shall not exceed 1953 acre-feet.
 3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
 4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
 5. Approval of this transfer does not preclude the opportunity for review of the validity of water rights(s) in the ongoing Snake River Adjudication.
- Witness my hand this 12th day of May, 1992

J. Glen Saylor
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. 02-2384 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 Sheriffs Deed

3. Source of water Snake River tributary to Columbia River

4. Date or priority 1/20/66

5. Water is used for the following purpose:

amount 8.29/2190 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 8.29 cubic feet per second and/or 2190 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
5		SE	SW	15	4S	2E	Owyhee	

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	
4S	2E	15									10	10	5	10		L5 34			69
4S	2E	16		1	25	1	5	30	40	40	2	40	40		35	20	35	20	334
4S	2E	21		30	5														35

Total acres 438

9. Describe any other water rights used for the same purpose as described above 57-7186 (part)

PART 2Transfer No. 3528

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 _____

Part B shown to demonstrate which acres will not be irrigated.

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

1. amount .18/50 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)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
5		SE	SW	15	4S	2E	Owyhee	

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	
4S	2E	15									5								10.5
4S	2E	16														5			5

initials2/11/92
dateTotal acres 10**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

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 _____

JUN 10 1992

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. 57-7186 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 Sheriff's Deed

3. Source of water Wastewater tributary to Snake River

4. Date or priority 4/4/77

5. Water is used for the following purpose:

amount 6.82 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 6.82 cubic feet per second and/or 1790 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	15	4S	2E	Owyhee	(two points from license SL 8/25/89)

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	
4S	2E	15									10	10	5	15		12	34		69
4S	2E	16		1	25	1	5	30	40	40	2				35	20	35	20	254
4S	2E	21		30	5														35

Total acres 358

9. Describe any other water rights used for the same purpose as described above 02-2384 (part)

PART 2Transfer No. 3628

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**

Part B included only to show lands not irrigated.

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

1. amount .19/50 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)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	15	4S	2E	Owyhee	

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	
4S	2E	15									5	10							10 ⁵
4S	2E	16															5		5

982/14/92Total acres 10**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

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:

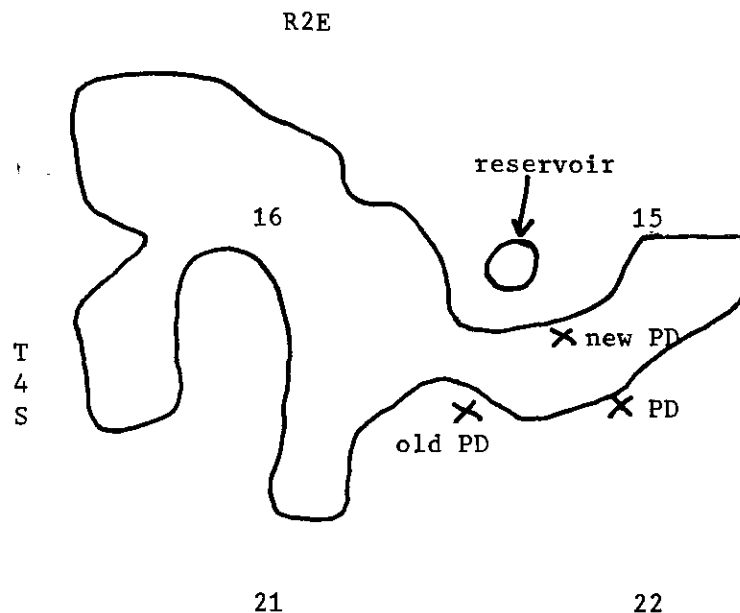
Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	

Total acres _____

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JUN 10 1992

**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 REVISED MAP (ATTACHMENT B)
FOR CORRECTED P/U
JR 12/11/91*

**RECEIVED
FILMED
JUN 10 1992**

PART 3**B. CHANGES IN NATURE OF USE**

- | New Nature of Use | Amount
(cfs/ac-ft) | Hours/days/year | Period of Use |
|---------------------------------|-----------------------|-----------------|---------------|
| Wildlife habitat and aesthetics | .37/100 | -- | 1/1 to 12/31 |
- Quantity and quality of return flows and location of discharge:
The only return flow to the Snake River will be through percolation. Quality will be improved.
- Describe effects on other water uses resulting from the proposed change:
Ten acres of presently irrigated land will be removed from irrigated cropland to provide for evaporation loss.

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.

Subscribed and sworn to before me this 31 day of May, 19 91.

Jill Devereaux
(Notary Public)

My commission expires 3/92

FOR DEPARTMENT USE ONLY

Transfer contains 14 pages and 7 attachments (A-H-H-A = Pgs 9-14)

Received by SL Date 6/5/91 * Protest filed by _____

Prelim. check by SL Fee \$50

Receipted by SL Date 4/11/89 W002552 \$30
8/25/89 W004971 \$20

Published in 1st ADV: Owyhee Avalanche Copies of protest forwarded by _____

Pub. dates 9/6 & 9/13/89 2nd ADV: 9/21 & 8/28/91 Hearing held by _____ Date _____

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

_____ rec'd. by DW

Copy of transfer sent to lien holder _____

MICROFILMED**JUN 10 1992**

* Original Received 4/11/89
 Revised " 8/24/89, 9/28/89
 THIS FORM RECEIVED 6/5/91 & REPLACES ORIGINAL & PREVIOUS REVISIONS
 modified and returned 3/10/92, SL

SL
 8/8/91

STEPHEN C. BROWN
ELLIS, BROWN & SHEILS, CHARTERED
Idaho First Plaza, Suite 1500
101 South Capitol Boulevard
Boise, Idaho 83702
Telephone: (208) 345-7832

Attorneys for Plaintiff

Attachment A
02-02384
57-07186

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF
THE STATE OF IDAHO IN AND FOR THE COUNTY OF OWYHEE

THE FEDERAL LAND BANK OF SPOKANE,)
a corporation,)

Plaintiff,)

vs.)

JOHN W. WATSON and KATHARINE R.)
WATSON, husband and wife; KIM ASTLE,)
a single man; INTERSTATE PRODUCTION)
CREDIT ASSOCIATION, a corporation;)
THE IDAHO FIRST NATIONAL BANK;)
GEORGE M. GRISSOM and CARMEN P.)
GRISSOM, husband and wife; JOHANNA)
A. SEYFFERT; WILLIAM R. SMITH and)
ISABELLA M. SMITH; IRENE L. PRICE,)
Trustee of the John W. Price Trust;)
WILLIAM HOBBS; J. R. SIMPLOT)
COMPANY, d/b/a Simplot Soilbuilders,)
a Nevada corporation; and INTERSTATE)
FEDERAL LAND BANK ASSOCIATION, a)
corporation;)

Defendants.)

Case No. 4680

SHERIFF'S DEED

THIS INDENTURE, made this 7th day of November,
1988, between TIM NETTLETON, Sheriff of Owyhee County, State
of Idaho, the Grantor, JOSEPH L. PARKINSON, a single man, the
Grantee, whose current address is 123 West Highland View
Drive, Boise, Idaho 83702.

SHERIFF'S DEED

1

COPY

RECORDED
JUN 10 1989

Pgs. 9-14
of Transfer App.

WHEREAS, in and by that certain decree of foreclosure rendered by the District Court of the Third Judicial District of the State of Idaho, in and for the County of Owyhee, on the 17th day of September, 1987, in a certain action then pending in said court, wherein The Federal Land Bank of Spokane, was the plaintiff, and John J. Watson and Katharine R. Watson, Kim Astle, Interstate Production Credit Association, The Idaho First National Bank, George M. Grissom and Carmen P. Grissom, Johanna A. Seyffert, William R. Smith and Isabella M. Smith, Irene L. Price, Trustee of the John W. Price Trust, William Hobbs, J.R. Simplot Company, d/b/a Simplot Soilbuilders, and Interstate Federal Land Bank Association and Katharine R. Watson, were the defendants, and of which said decree a copy, with an order of sale thereon, was delivered to said sheriff, for execution, it was, among other things, ordered, adjudged and decreed that all and singular the mortgaged premises described in the complaint in said action, and specifically described in said decree, be sold at public auction by said sheriff in the manner required by law, and according to the course and practice of said court; that any of the parties to said action might become the purchaser at such sale; and, that said sheriff execute the usual certificates and deeds to the purchaser as required by law;

AND WHEREAS, said sheriff did, at the hour of 2:00 o'clock p.m., on the 4th day of November, 1987, after due

SHERIFF'S DEED

RECORDED
JUN 10 1992

public notice had been given as required by the laws of this State, and the course and practice of said court, duly sell at public auction, in front of the courthouse in the County of Owyhee, Idaho, pursuant to said decree, and the provisions of law, the premises in said decree mentioned; at which sale the premises in said decree, and hereinafter described, were fairly struck off to said The Federal Land Bank of Spokane for the sum of \$666,415.60, lawful money of the United States, it being the highest bidder, and that being the highest sum bid for the same;

AND WHEREAS, said The Federal Land Bank of Spokane thereupon paid to said sheriff said sum of money so bid by it;

AND WHEREAS, said sheriff thereupon made and issued the usual certificate, in duplicate, of said sale, in due form of law, and delivered one thereof to said purchaser, and caused the other to be filed and recorded on November 10, 1987, in the office of the Recorder of Owyhee County, Idaho, as Instrument No. 193646;

AND WHEREAS, the purchaser has duly assigned the certificate of sale to the Grantee by instrument recorded September 16, 1988, as Instrument No. 195654 in the office of the Recorder of Owyhee County, Idaho.

AND WHEREAS, more than one year has elapsed since the date of said sale, and no redemption has been made of the

SHERIFF'S DEED

3

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JUN 10 1992

premises so sold, as aforesaid, by or on behalf of said defendant, or by or on behalf of any other person;

NOW, said Owyhee County Sheriff, in order to carry into effect the sale so made by him as aforesaid, in pursuance of said decree, and in conformity to the statutes in such cases made and provided, and also, in consideration of the premises and of said sum of \$666,415.60 lawful money of the United States, so bid and paid to him by said purchaser, said The Federal Land Bank of Spokane, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto said Grantee, and to his successors and assigns forever, the following described real property located in Owyhee County, State of Idaho:

PARCEL NO. 1

Township 4 South, Range 2 East of the
Boise Meridian

Section 11: Lot 2
Section 14: Lot 2
Section 15: Lots 1, 2 and 5, SW1/4SW1/4,
NE1/4SW1/4
Section 21: NE1/4
Section 22: Lots 2 and 3, W1/2NW1/4

PARCEL NO. 2

Township 4 South, Range 2 East of the
Boise Meridian

Section 16: All

Together with a 150 H.P. 1775 RPM, U.S.
electric motor and Singer turbine pump,
30 H.P. 3600 RPM, U.S. electric motor and
Berkeley centrifugal pump, 100 H.P. 3555
RPM, G.E. electric motor and Cornell
centrifugal pump, 20 H.P. 3490 RPM,
Marathon electric motor and Cornell

SHERIFF'S DEED

4

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JUN 10 1992

COPY

centrifugal pump, 7-1/2 H.P. 3495 RPM, G.E. electric motor and Cornell centrifugal pump, and 2,500 feet of steel mainline, sizes 12" through 14", and any replacements thereof, all of which are hereby declared to be appurtenant thereto.

All water and water rights used upon or appurtenant to said property, however evidenced, and particularly License Nos. 57-7186, 57-7222, and 02-2384, issued by the Idaho Department of Water Resources.

Together with any and all tenements, hereditaments and appurtenances thereunto belonging or used in connection therewith.

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the premises above mentioned and described, and hereby conveyed, or intended so to be, together with the appurtenances, to said JOSEPH L. PARKINSON, a single man, his successors and assigns forever.

IN WITNESS WHEREOF, said grantor, as sheriff aforesaid, hereunto sets his hand the day and year first above written.

TIM NETTLETON

Tim Nettleton

Sheriff of Owyhee County
State of Idaho

RECORDED
JUN 10 1992

SHERIFF'S DEED

5

COPY

STATE OF IDAHO)
 (ss.
County of Owyhee)

On this 7th day of November, 1988, before me,
Stanley D. Smith, the undersigned, a Notary Public
in and for said State, personally appeared TIM NETTLETON,
Sheriff of Owyhee County, Idaho, known or identified to me to
be the person whose name is subscribed to the foregoing
instrument, and acknowledged to me that he executed the same
as Sheriff of Owyhee County, Idaho.

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

Stanley D. Smith
Notary Public for Idaho
Residing at Wilder
My Commission expires: 7-10-93

SHERIFF'S DEED

6

COPY

196664
FILED-RECORDED
NOV 7 11 26 AM '88
JUN 10 1992
IMPROFILMED
Notary Public
Payable to State
FEE 18.00

No govt. land S. 16
but some land protection
occurred in 1980 (with
WPA)

plenty of
trees
and up
to 10
feet
tall

MAP PREPARED 12/11/91 PER
1990 SRBA EXAMS. SEE
ATTACHMENT C FOR COPY OF
SRBA FIELD EXAM MAP.

57-07186 PLU { 348
348 ac.

57-02384 PLU { 424 ac.
plus
TOTAL PLU = 424 ac.

82 ⑤ + ⑤ = 10 ACRES
withdrawn, for pond

APPLICANT APPROVES OF
THIS MAP

initials

2/11/91

date

02-02384 & 57-07186
ATTACHMENT

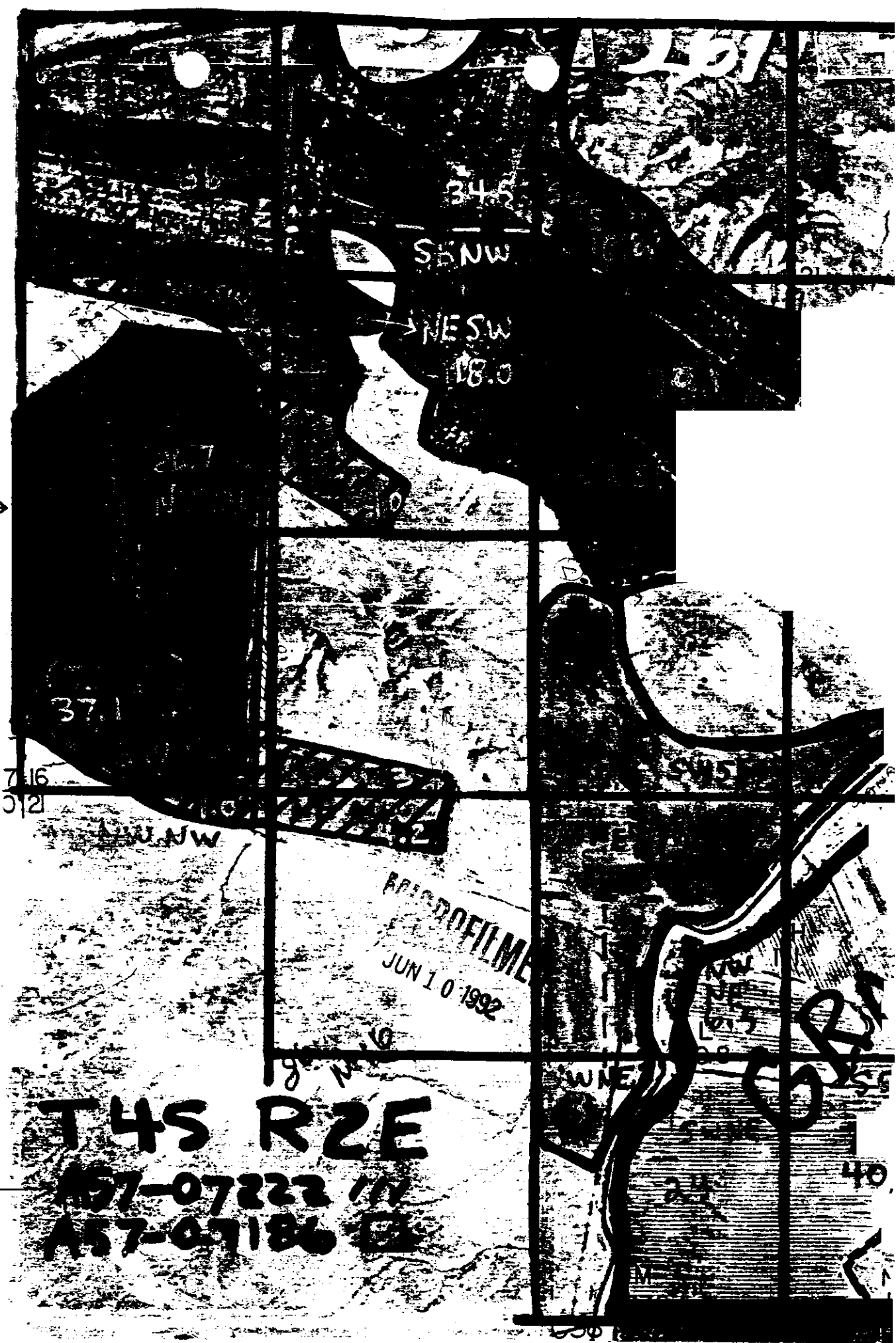


SRBA
EXAM - 02-02384 & 57-07186

ATTACHMENT C

1990 580A Exam
By RH

111 = 02
New But →
NOT 57-07186



Not involved in transfer

T45 RZE
A57-07222
A57-07186

T45 R2E

BM 2347

2870

10

BM 2353

after

2514

158.80
Lidwood

15

28

2402

GRAND VIEW

JUN 1 1992

2358

ATTACHMENT D
Lidwood plan

PLN PER TRANSFER MAP ON PG. 7



Attachment E
Original Appl.
Map transferred
to orthophoto



Dept. of Water

THE OWYHEE AVALANCHE

P.O. BOX 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
)ss
COUNTY OF OWYHEE)

RECEIVED
NOV 13 1989

Department of Water Resources
Western Regional Office

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of **The Owyhee Avalanche**, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said **The Owyhee Avalanche** has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in said

newspaper, in

two (2)

(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

Sept. 6 & 13

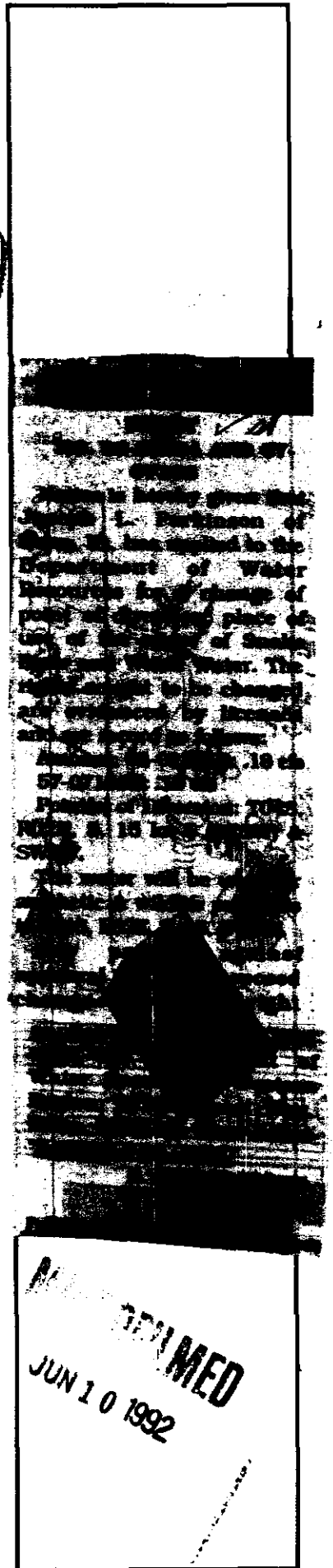
Signed

Joe E. Aman

Subscribed and sworn to before me this 13th day of November A.D., 1989

Alison Aman Potluch

Notary Public in and for the State of Idaho
Residing at Nampa, Idaho
Commission expires October 1990



NOTICE OF CORRECTION OF PROPOSED CHANGE OF WATER RIGHT

NO. 02-02384 AND 57-07186

Notice is hereby given that on September 6 and 13, 1989, application for permit No. 02-02384 and 57-07186 in the name of Joseph L. Parkinson was advertised in error. It did not include the change in place of use for irrigation use. The application is recorded as follows:

<u>Right No.</u>	<u>Amount</u>	<u>Priority</u>	<u>Point of Diversion</u>	<u>Place of Use</u>
02-02384	8.29 cfs	1-20-1966	T4S R2E S15 Lot 5 (SESW)	T4S R2E S15 SW1/4 & NWSE, S16 NWNE, S1/2 NE1/4, NW1/4, N1/2 SW1/4, SWSW, SE1/4, S21 W1/2NE1/4, 438 acres irrigated 3/15-11/15
57-07186	6.82 cfs	4-04-1977	T4S R2E S15 SWSW	T4S R2E S15 SW1/4, NWSE S16 NWNE, S1/2NE1/4, NW1/4, NESW, SE1/4, S21 W1/2NE1/4, 358 acres irrigated 3/15-11/15
TOTAL	15.11 cfs			438 acres when combined

TO BE CHANGED AS FOLLOWS

<u>Right No.</u>	<u>Amount</u>	<u>Point of Diversion</u>	<u>Place of Use</u>
02-02384A	8.11 cfs	T4S R2E S15 Lot 5 (SESW)	T4S R2E S15 NESW, S1/2SW1/4, N1/2SE1/4, SWSE S16 NWNE, S1/2NE1/4, NW1/4, N1/2SW1/4, SWSW, SE1/4 S21 NWNE 411 acres irrigated 3/15-11/15
02-02384B	.18 cfs	T4S R2E S15 Lot 5 (SESW)	T4S R2E S15 NWSW Wildlife & Aesthetics 1/1-12/31
57-07186A	6.63 cfs	T4S R2E S15 SWSW	T4S R2E S15 NESW, S1/2SW1/4, W1/2SE1/4 S16 NWNE, S1/2NE1/4, N1/2NW1/4, SENW, E1/2SW1/4, SE1/4 S21 NWNE 335 acres irrigated 3/15-11/15
57-07186B	.19 cfs	T4S R2E S15 Lot 5 (SESW)	T4S R2E S15 NWSW Wildlife & Aesthetics 1/1-12/31
TOTAL	15.11 cfs		428 acres irrigation and Wildlife and Aesthetic uses when combined

Any protest against approval of this water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before September 9, 1991.

R. Keith Higginson
Director

Dept. of Water-Western

REC- THE OWYHEE AVALANCHE

SEP 3 1991

P.O. BOX 97 • HOMEDALE, ID 83628 • 208/337-4681

Department of Water Resources **AFFIDAVIT OF PUBLICATION**
Western Regional Office

STATE OF IDAHO)
)ss
COUNTY OF OWYHEE)

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of **The Owyhee Avalanche**, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said **The Owyhee Avalanche** has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in said newspaper, in two (2)

(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

August 21 + 28, 1991

Signed

Joe E. Aman

Subscribed and sworn to before me this

29th day of August A.D., 1991

Chris Bohem

Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires April 1996

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JUN 10 1992

Page 1 of 14
Should questions arise during
the processing of this applica-
tion please contact:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No. 3628
VED

APPLICATION FOR TRANSFER OF WATER RIGHT
AUG 21 1989

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705

PART 1

AMENDED

Department of Water Resources
Western Regional Office

Name of applicant 344-6690 Joseph L. Parkinson

Phone 383-4029

Post Office address 123 West Highland View Drive, Boise, Idaho 83702

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 Period of use *7*
2. Describe the reason for the proposed changes The existing irrigation system will be modified to allow diversion of water to storage for wildlife habitat and aesthetics.

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>02-2384A</u>	<u>1/20/66</u>	<u>8.11/2140</u>	<u>Irrigation</u>	<u>3/15</u> to <u>11/15</u>
<u>02-2384B</u>	<u>1/20/66</u>	<u>.18/50</u>	<u>Wildlife/Aesthetics</u>	<u>1/1</u> to <u>12/31</u>
<u>57-7186A</u>	<u>4/4/77</u>	<u>6.63/1740</u>	<u>Irrigation</u>	<u>3/15</u> to <u>11/15</u>
<u>57-7186B</u>	<u>4/4/77</u>	<u>.19/50</u>	<u>Wildlife/Aesthetics</u>	<u>1/1</u> to <u>12/31</u>

2. Total amount of water being transferred 15.11 cubic feet per second and/or 3980 acre-feet per annum.

3. Source of water Snake River (02-2384) Waste Water (57-7186) tributary to Snake River & Columbia River *7*

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
<u>5</u>		<u>SE</u>	<u>SW</u>	<u>15</u>	<u>4S</u>	<u>2E</u>	<u>Owyhee</u>	<u>02-2384A</u>
<u>5</u>		<u>SE</u>	<u>SW</u>	<u>15</u>	<u>4S</u>	<u>2E</u>	<u>Owyhee</u>	<u>02-2384B</u>
		<u>SW</u>	<u>SW</u>	<u>15</u>	<u>4S</u>	<u>2E</u>	<u>Owyhee</u>	<u>57-7186A</u>
<u>5</u>		<u>SE</u>	<u>SW</u>	<u>15</u>	<u>4S</u>	<u>2E</u>	<u>Owyhee</u>	<u>57-7186B</u>

5. 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>02-2384A</u>	<u>4S</u>	<u>2E</u>	<u>15</u>								<u>12</u>		<u>37</u>	<u>19</u>	<u>1</u>	<u>30</u>	<u>1</u>		<u>100</u>
<u>4S</u>	<u>2E</u>	<u>16</u>		<u>1</u>	<u>25</u>	<u>8</u>	<u>10</u>	<u>14</u>	<u>31</u>	<u>36</u>	<u>2</u>	<u>26</u>	<u>39</u>		<u>33</u>	<u>20</u>	<u>27</u>	<u>20</u>	<u>292</u>
<u>4S</u>	<u>2E</u>	<u>21</u>		<u>36</u>															<u>36</u> <u>428</u>
<u>02-2384B</u>	<u>4S</u>	<u>2E</u>	<u>15</u>								<u>J/W</u>								
<u>57-7186A</u>	<u>4S</u>	<u>2E</u>	<u>15</u>								<u>14</u>		<u>37</u>	<u>26</u>		<u>30</u>	<u>1</u>		<u>108</u>
<u>4S</u>	<u>2E</u>	<u>16</u>		<u>1</u>	<u>25</u>	<u>8</u>	<u>10</u>	<u>14</u>		<u>36</u>	<u>6</u>			<u>4</u>	<u>33</u>	<u>20</u>	<u>27</u>	<u>20</u>	<u>204</u>
<u>4S</u>	<u>2E</u>	<u>21</u>		<u>36</u>															<u>36</u> <u>348</u>
<u>57-7186B</u>	<u>4S</u>	<u>2E</u>	<u>15</u>								<u>J/W</u>								

Total acres 796 *7*

PART 1

6. General Information:

a. Description of diversion system 50 HP short coupled vertical turbine pump and a 15 HP submersible turbine pump. Mainline and sumps as necessary.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X 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:
The land from which the water is transferred will no longer be irrigated.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____
And said application is hereby _____, subject to the following limitations and conditions:

MICROFILMED

JUN 10 1992

Witness my hand this _____ day of _____, 19 _____



**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. 02-2384 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 Sheriffs Deed

3. Source of water Snake River tributary to Columbia River

4. Date or priority 1/20/66

5. Water is used for the following purpose:

amount 8.29/2190 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 8.29 cubic feet per second and/or 2190 acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
5		SE	SW	15	4S	2E	Owyhee	

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	
4S	2E	15									10	10	5	4.5		2.2			69
4S	2E	16		1	25	1	5	30	40	40	2	40	40		35	20	35	20	334
4S	2E	21		30	5														35

Total acres 438

9. Describe any other water rights used for the same purpose as described above 55-7186 (part)

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.)

1. amount .18/50 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)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
5		SE	SW	15	4S	2E	Owyhee	

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	
4S	2E	15										10							10

Total acres 10**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 8.11/2140 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)

2. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
5		SE	SW	15	4S	2E	Owyhee	

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	
4S	2E	15									10		5	2.5		2.2			59
4S	2E	16			25	1	5	30	40	40	2	40	40		35	20	35	20	334
4S	2E	21			30	5													35

JUN 10 1992

Total acres 428

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. 57-7186 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 Sheriff's Deed

3. Source of water Wastewater tributary to Snake River

4. Date or priority 4/4/77

5. Water is used for the following purpose:

amount 6.82 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 6.82 cubic feet per second and/or 1790 acre-feet per annum.

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	15	4S	2E	Owyhee	(TWO POINTS - FROM LICENSE SA 8/25/79)

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	
4S	2E	15									10	10	5	2.5		2.2			69
4S	2E	16		1	25	1	5	30	40	40	2				35	20	35	20	254
4S	2E	21		30	5														35

Total acres 358

9. Describe any other water rights used for the same purpose as described above 02-2384 (part)

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.)

1. amount .19/50 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)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	15	4S	2E	Owyhee	

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	
4S	2E	15										10							10

Total acres 10**C. DESCRIPTION OF UNCHANGED PORTION OF RIGHT (omit if there is no change)**

1. amount 6.63/1740 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)

2. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
		SW	SW	15	4S	2E	Owyhee	

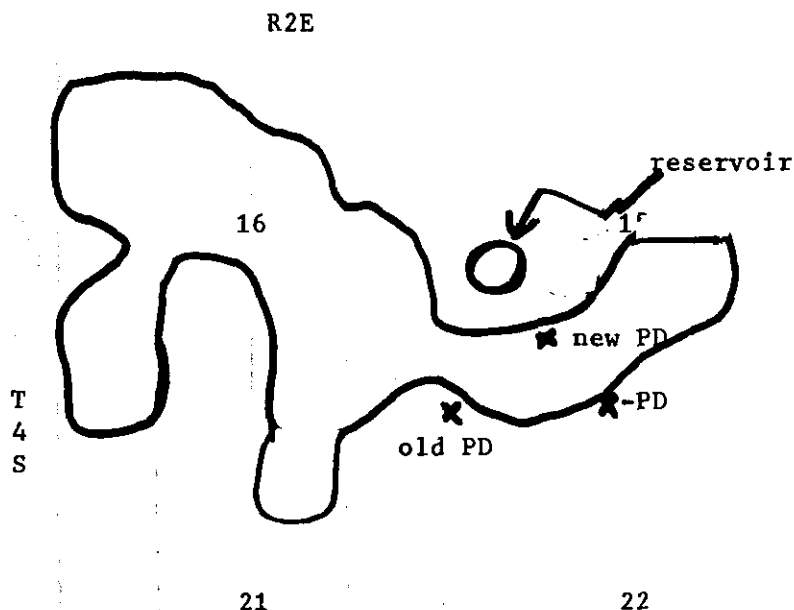
3. Lands irrigated or place of use:

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	
4S	2E	15									10		5	10		2.2	34		59
4S	2E	16		1	25	1	5	30	40	40	2				35	20	35	20	254
4S	2E	21			30	5													35

Total acres 348

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.



CHANGES TO THIS MAP
 APPROVED BY: [Signature]
 ON: Sept 15, 1989

MICROFILMED
JUN 10 1992

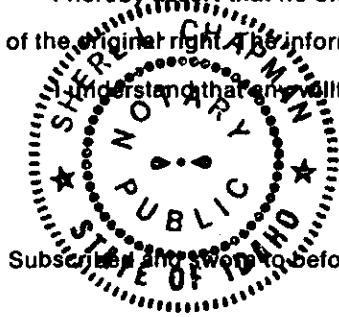
PART 3**B. CHANGES IN NATURE OF USE**

1.

<u>New Nature of Use</u>	<u>Amount (cfs/ac-ft)</u>	<u>Hours/days/year</u>	<u>Period of Use</u>
<u>Wildlife habitat and aesthetics</u>	<u>.37/100</u>	<u>-</u>	<u>1/1</u> to <u>12/31</u>
_____	_____	_____	_____ to _____
2. Quantity and quality of return flows and location of discharge:
The only return flow to the Snake River will be through percolation. Quality will be improved.
3. Describe effects on other water uses resulting from the proposed change:
Ten acres of presently irrigated land will be removed from irrigated cropland to provide for evaporation loss.

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.



Subscribed and sworn to before me this _____

21

day of

August

, 19 89

(Signature of Applicant)

Sheel H. Chapman

(Notary Public)

My commission expires

6/14/94

FOR DEPARTMENT USE ONLY

Transfer contains 8 pages and 1 attachments (attachment = pgs 9-14)

Received by SL Date 8/24/89 9/10/89 Protest filed by _____

Prelim. check by SL Fee \$50

Receipted by SL Date 4/11/89 W002552 #30

Published in Owyhee Avalanche 8/25/89 W004971 #20

Pub. dates 9/6 & 9/13/1989

Copies of protest forwarded by _____

Hearing held by _____ Date _____

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

_____ rec'd. _____ by DBT

Copy of transfer sent to lien holder _____

MICROFILMED

JUN 10 1992

STATE OF IDAHO
DEPARTMENT OF RECLAMATION WATER RESOURCES
Application for Extension of Time to Avoid Forfeiture
of a Water Right

Section 42-222 Idaho Code provides that a water right shall be lost and forfeited and the water revert to the state upon the failure of a water user to apply the water to beneficial use for a period of five (5) years. The State Reclamation Engineer may allow an additional five (5) year period of non-use without forfeiture upon a showing of reasonable cause.

Complete fully the following application and submit it to the Department of Reclamation, Statehouse Annex 2, Boise, Idaho 83707, with the statutory fee of \$10.00 if the application involves 0.5 c.f.s. or 50 acre feet or ~~\$20.00~~ ^{\$50.00} if in excess of these amounts.

1. Name of water right holder John W. and Katherine Watson

Post office address At. B, Box 233 Grandview, Idaho 83624

2. The right was obtained or is evidenced by:

a. Decree to _____ in Case of _____
(Name)

vs. _____, Dated _____ in _____
(Name of Court)

Court, County of _____ Fully describe decree _____

b. License No. 02-2384 issued by the Department of Reclamation

c. Claim No. _____ on file with the Department of Reclamation

3. Source of water Snake River tributary to Columbia River
(Name of stream or source)

4. Date of priority of right 1/20/1966

5. Amount of water a. 8.29 cfs c.f.s. and/or

b. 2190 acre feet/annum

6. Water is used for Irrigation from 3/15 to 11/15
(Purpose) (Month-Day) (Month-Day)

_____ from _____ to _____
(Purpose) (Month-Day) (Month-Day)

7. Location of point of diversion is Lot 5 SE 1/4 SW 1/4 of Section 15,
Lot 5

Township 4S, Range 2E, B.M., in Owyhee County;

Additional points of diversion, if any _____

8. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NEX				NWEX				SWEX				SEX				TOTALS
			NEX	NWEX	SWEX	SEX	NEX	NWEX	SWEX	SEX	NEX	NWEX	SWEX	SEX	NEX	NWEX	SWEX	SEX	
<u>45</u>	<u>2E</u>	<u>15</u>									<u>10</u>	<u>10</u>	<u>5</u>	<u>10</u>	<u>34</u>				<u>69</u>
		<u>16</u>		<u>1</u>	<u>25</u>	<u>1</u>	<u>5</u>	<u>30</u>	<u>40</u>	<u>40</u>	<u>2</u>	<u>40</u>	<u>40</u>		<u>35</u>	<u>20</u>	<u>35</u>	<u>20</u>	<u>334</u>
		<u>21</u>		<u>30</u>	<u>5</u>														<u>35</u>

MICROFILMED

MICROFILMED

9. Give last date when water was applied to beneficial use 12/29/1980
Length of extension of time requested 5 years, or until 4/9/1990 (Date)

10. Explain fully your reasons for requesting an extension of time within which to resume the use of your water right and reasons for non-use Have developed a lower cost waste water source (57-7186)(57-7222) on the end of Grandview canal. Wish to preserve the Snake River right in the event that better canal management could disrupt the current wastewater source. IF this occurred, then the Snake River right would again be put to use.

I hereby assert that no one will be injured by such extension. The information contained in this application is true to the best of my knowledge.

Subscribed and sworn to before me this 9th day of April, 19 85.
John W. Watson (Signature of Applicant)

Nancy M. Northway (Notary Public)
My commission expires Life

ACTION OF THE STATE RECLAMATION ENGINEER

This is to certify that I have examined this application for extension of time within which to resume the use of a water right and I hereby APPROVE said application subject to the following conditions or reasons.

Use of water under this right must resume on or before April 1, 1990.

Witness my hand this 28th day of May, 19 85.

J. Glen Saxton
Chief, Operations Bureau

For Department Use Only

Received by BLS Date 4/9/85 Time 3:24 Preliminary check by AP
Fee \$ 50.00 Receipted by AP Date 4/9/85 Publication prepared by AP
Date 4/11/85 Published in Owyhee Avalanche Dates 4/17 & 4/24/85
Publication approved AP Date 4/29/85 Protests filed by:

Copies of protests forwarded by Hearing held by Date
Recommended for ☒ approval ☐ denial by DBS Jim

The Owyhee Avalanche

P.O. BOX 97

HOMEDALE, IDAHO 83628

208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) ss.
 COUNTY OF OWYHEE)

I, Joe E Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now am over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of The Owyhee Avalanche, a newspaper of general circulation printed and published weekly, Wednesday of each and every week, in the City of Homedale and County of Owyhee and State of Idaho.

3. That the said The Owyhee Avalanche, a continuation of the Owyhee Chronicle and the Owyhee Nugget, has been printed and published continuously and uninterruptedly in said County during a period of seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not in a supplement thereto, in said newspaper, in _____ (consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

.....

(Signed).....

Joe E Aman

Subscribed and sworn to before me this.....day of.....
 A.D., 19.....

Delora E. Bruner
 Notary Public in and for the State of Idaho,

residing at....., Idaho.

My commission expires.....

NOTICE OF APPLICATION FOR EXTENSION OF TIME TO AVOID FORFEITURE OF WATER RIGHT

Notice is hereby given that John W. and Katherine Watson, Rt. B, Box 233, Grand View, Idaho 83623 has filed an application for extension of time to avoid forfeiture of Water Right License 02-2384.

The right was licensed for 8.29 cfs of water from the Snake River with a priority date of 1/20/1966 with a point of diversion within Lot 5 (SESW) Sec 15 T4S R2E Owyhee County; for irrigation purposes from 3/15 to 11/15 upon 438 acres located within the N1/2SW, SWSW, Lot 5 (SESW) and Lot 2 (NWSE) Sec 15; the W1/2NE, SENE, NW1/4, N1/2SW, SWSW and SE1/4 Sec 16; and the W1/2NE, Sec 21, T4S, R2E.

Section 42-222, Idaho Code provides that a water right shall be lost and forfeited and the water revert to the state upon failure to apply water to beneficial use for a period of five years. The state may allow an additional five-year period of non-use without forfeiture upon a showing of reasonable cause. The right holders have applied for this extension because they have developed a lower cost waste water source but wish to preserve the Snake River Right in the event that better water management disrupts the current wastewater source. The applicant requests the extension until 4/9/1990.

Any protest(s) against the granting of this extension may be filed with the Idaho Department of Water Resources, 450 W. State St., Boise, ID 83720 on or before May 6, 1985.

A. Kenneth Dunn
 Director

Public 447 & 4/24/1985 21

Department of Water Resources
 Western Regional Office

MICROFILMED

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 02-2384 Priority 1/20/1966 Amount 8.29 cfs

THIS IS TO CERTIFY, that JOHN W. and KATHERINE WATSON
of Piedmont, CA, has complied with the terms and conditions of Permit
No. 02-2384 issued pursuant to Application for Permit dated 1/20/1966,
and has submitted proof to the Department of Water Resources on 9/23/1980,
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 8.29 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
Irrigation	from <u>3/15</u> to <u>11/15</u>	at <u>8.29</u> cfs and	<u>2190.0</u> AF
	from _____ to _____	at _____ cfs and	_____
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 8.29 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 for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
2190.0 acre feet per year, said waters to be diverted within the GL 5 (SESN), Sec. 15,
T4S, R2E in the County of Owyhee

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
4S	2E	15									10	10	5	10	69
		16	1	25	1	5	30	40	40	2	4		35	20	334
		21	30	5											35

Total number of acres irrigated 438

This right when combined with all other rights shall provide no more than 5.0 afa
per acre for the lands above.

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 29 day of
May, 19 81.

MICROFILMED

Director

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR AMENDMENT OF A PERMIT

To change the point of diversion and/or the place of use.

Comes now John W. and Katharine R. Watson

of (address) Watson Ranch, Route B-Box 233, Grand View, ID 83624, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 02-2384, and requests that the permit and permit map be changed as follows:

Lot 5
1. Point of diversion: SE 1/4 SW 1/4, Section 15, Township 4S, Range 2E, B.M.,
County of Owyhee. Other points of diversion: _____

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

Amount 8.29 for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE1/4				NW1/4				SW1/4				SE1/4				TOTALS
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4S	2E	15									10	10	5	10		L2 34			69
		16		1	25	1	5	30	40	40	2	40	40		35	20	35	20	334
		21		30	5														35

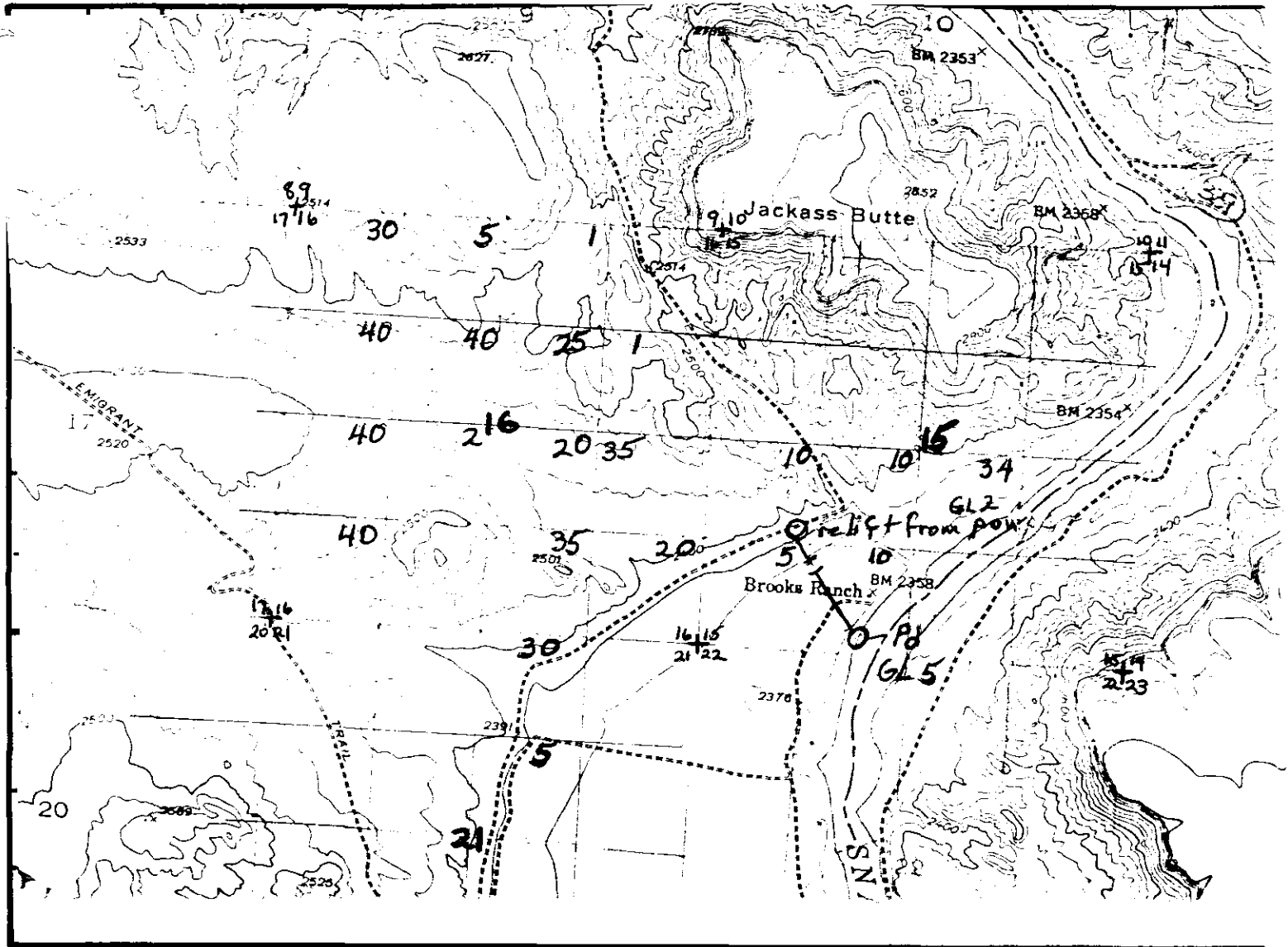
Total number of acres to be irrigated = 438

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

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

Show 40-acre subdivisions, townships, ranges and ditches.



Scale: 2 inches equal 1 mile.

That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Boise, ID, this 27 day of April, 1981.

John W. Watson
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by CEM Fee = \$20.00

Received by DBS Date 4/27/81 # 18870

Publication prepared by _____ Date _____

Published in _____

Publication dates _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, Director of the Department of Water Resources hereby

APPROVE the above referenced Amendment for Permit No. 02-2384.

Witness my hand this 29 day of _____ May, 19 81.

A. Kenneth Dunn
Director

RECEIVED

JUN 22 1977

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
373 W. FRANKLIN ST.
BOISE, IDAHO 83720

ATTENTION: JAN GROVER

WOULD APPRECIATE YOUR REFLECTING THIS CHANGE OF ADDRESS
IN YOUR RECORDS IN ANY FUTURE NOTICES TO ME RELATIVE TO
WATER PERMIT NO. 02-2384 WHICH APPLIES TO THE WATSON RANCH
LOCATED AT P.O. BOX 233, GRAND VIEW, IDAHO.

NOTICE OF CHANGE OF ADDRESS

THIS IS TO ADVISE THAT EFFECTIVE JUNE 15, 1977
THE WATSON FAMILY WILL BE MOVING FROM PIEDMONT,
CALIFORNIA TO LAFAYETTE, CALIFORNIA WHERE THEIR
NEW ADDRESS WILL BE:

JOHN W. WATSON
1240 MEDFIELD ROAD
LAFAYETTE, CALIFORNIA 94549
TELEPHONE: 415-283-5455

PLEASE NOTE THIS ADDRESS CHANGE IN YOUR RECORDS
TO INSURE THAT ALL FUTURE MAILING FROM YOU IS
SENT TO THE NEW ADDRESS.

THANK YOU,

John W. Watson
JOHN W. WATSON

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR EXTENSION OF TIME

State of Idaho)
County of Ada)

Permit No. 02-2384

John W. Watson of 133 Caperton Ave., Piedmont, California 94611
(name) (address)

State of California, 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. 32697/02-2384.

That under the terms and conditions of said permit, work thereunder was required
to be completed on or before January 21, 19 76.

That he has heretofore performed the following work described under said permit:
Thirty per cent of the land has been cleared and approximately 70 acres put under
sprinkler system.

Costing \$ 80,000.00

That he is unable to complete the remainder of the work within the required time for
the following reasons, to-wit: Acquired property and permit in November, 1973; also
have had difficulty in getting contractor bids and materials.

Wherefore, he asks that the Department of Water Resources extend the time for the
completion of obligations under said permit to January 21, 19 81.

John W. Watson
(signature) *

Subscribed and sworn before me this 3rd day of September, 19 75.

seal

Lyle Glen Taylor
Notary Public residing at
Boise, Idaho

My commission expires For Life

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN Administrator, Operations Division
Director of the Idaho Department of Water Resources,
hereby approve the above application for extension of time for Permit no. 02-2384
to January 1, 1981

Witness my hand this 4th day of September, 19 75.

A. Kenneth Dunn
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, State Capitol, Boise, Idaho 83720.

State of Idaho

Department of Water Administration

ASSIGNMENT OF PERMIT

Department of Water Administration
W. H. SCHRIER and EILEEN
WE X SCHRIER, husband and wife, hereby assign to JOHN W. WATSON and
KATHARINE R. WATSON,
husband and wife
of 235 Hillside Avenue, Piedmont, California 94611
Address

our

☒ xx

All ~~xx~~ right, title, and interest, in and to Permit No. 32697/02-2384
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 list-
ing 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 22 day of NOVEMBER, 19 73.

W. H. Schrier

Permit Holder

Eileen M. Schrier

Spouse of Permit Holder

State of Idaho)
County of Ada) ss.

On this 22nd day of NOVEMBER, 19 73, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

W. B. [Signature]
Notary Public residing at Boise, Idaho

My commission expires: 9.22.76

02-2384

State of Idaho

Department of Water Administration

ASSIGNMENT OF PERMIT

Department

I, HAROLD A. STEINER, hereby assign to W. H. SCHRIER and EILEEN SCHRIER, husband and wife,
of 9223 Overland, Boise, Idaho 83705
Address

☒

All my right, title, and interest, in and to Permit No. 32697/02-2384
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 list-
ing 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 19th day of December, 19 72.

Harold A. Steiner

Permit Holder

Deborah J. Steiner

Spouse of Permit Holder

State of Idaho)

County of ADA) ss.

On this 19th day of December, 19 72, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he ~~(she)~~ ~~(they)~~ executed the same.

Loore H. Fodine

Notary Public residing at Boise, Idaho

My commission expires: My commission expires April 10, 1973

02-2384

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 32697/02-2384)

in the name of Harold A. Steiner)

ORDER MODIFYING REQUIREMENTS
FOR COMPLETION OF PERMIT TO
APPROPRIATE WATER

WHEREAS, the 39th Idaho Legislature made certain amendments to the Idaho Water Law;
and,

WHEREAS, these changes raised questions as to the procedures to be followed by
holders of permits issued prior to the effective date of the amendments, May 31, 1967;
and,

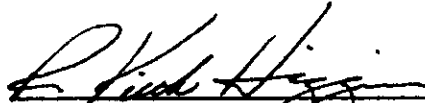
WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice
and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 32697 was issued previous to that date;

NOW THEREFORE, the requirements for completion of the above-numbered permit are
hereby modified to conform to the adopted Rules of Practice and Procedures as follows:

1. The above-numbered permit will be completed under the terms of Title 42,
Chapter 2, Idaho Code, as amended by the 39th Idaho Legislature.
2. The conditions of the above-numbered permit are modified as follows:
 - a. Notice of the issuance of the permit will be published at the permit
holders expense for two weekly issues in the official newspaper of
the county in which the point of diversion lies.
 - b. The permittee will not be required to submit proof of completion of
works as originally specified, but will be required to submit proof
to the Department of Reclamation of the application of the water to
beneficial use on or before January 21, 1976. The permit holder
should be aware that failure to complete one-fifth (1/5) of the works
within one-half (1/2) of the time originally set for completion of
works may be grounds for cancellation at the instance of the department.

Dated this 25th day of May, 1970.


R. KEITH HIGGINSON
State Reclamation Engineer

RKH/DG

MICROFILMED

32697
02-2384

Application For Permit To Appropriate the Public Waters of the State of Idaho

ASSIGNED TO: JOHN W. & KATHARINE R. WATSON
235 Hillside Ave.
Piedmont, California 94611

APPLICATION No. 40863
 PERMIT No. 32697
 DISTRICT No.

1. Name of Applicant: HAROLD A. STEINER

Postoffice address: OREANA

County: Owyhee

State: Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are:

(a) Cash on hand:

(c) Bond to be issued:

(b) Treasury stock:

(d) Other resources:

2. Quantity of water claimed: 14 cubic feet per second.

3. Source of water supply: SNAKE RIVER which is a tributary of

4. Location of point of diversion: 200' south ~~feet~~ distant from the SE
~~NE~~ SW
 corner of Section 15, T. 4 S, R. 2 E, B.M., and is in the SW ~~SE~~
 of section 15, T. 4 S, R. 2 E, B. M., County of Owyhee

5. Water is to be used for irrigation

6. If for mining, milling, power or manufacturing purposes, give:

(a) Point of use of water: feet distant from corner of Section
T., R., B.M., in the of Section of, T. R., B.M.

(b) Amount of power generated: H.P., under feet head.

(c) Water is to be returned to at a point feet
distant from the corner of Section, T. R., B.M., in the
of Section, T. R., B.M.

7. Estimated cost of works: \$ 26,000.00

8. Kind of works: pipe, and pump for sprinkler irrigation

9. Height of dam feet; length of dam at top feet; length of dam at bottom feet;
 material used in dam:

10. Size of headgate: Width feet; height feet.

11. Ditch: Width at bottom feet; width at water line feet; depth of water feet;
 dimensions of flume:

Diameter of pipe 16 inches; length of conduit 1/2 miles.

Average grade per mile 70 feet.

12. The time required for the completion of such work is 5 years.

13. The time required for the complete application of the water to the proposed use is 6 additional years.

14. The land to be irrigated is described in the following tabulation: See remarks.

15. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are: none

16. (a) Is reservoir to be used? No If so, fill in (b) and (c) below:
(b) Name of Reservoir and number of Storage Permit:
(c) Date of filing of Application for Storage Permit and Name of Applicant:

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

HAROLD A. STEINER Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 9:00 A. M., January 20, 1966

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 32697
Recorded in Book 114 Page 32697 Approved January 21, 1966
This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:
Bond in the sum of \$ to be filed on or before
Work to begin on or before March 21, 1966 and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.
One-fifth of the work above specified to be completed on or before July 21, 1968
The whole of said work to be completed on or before January 21, 1971
Beneficial use of water appropriated in accordance herewith, to be made on or before January 21, 1976

WITNESS My hand this 21 day of January, 1966

CARL E. TAPPAN
State Reclamation Engineer.

IN TESTIMONY WHEREOF, WE, ROBERT E. SMYLIE, Governor of the State of Idaho, and ARNOLD WILLIAMS, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 21st

day of January, 1966.
Countersigned:

STATE OF IDAHO
ROBERT E. SMYLIE

(SEAL) By ARNOLD WILLIAMS Secretary of State. By Governor.

REMARKS:

14.

Twp.	Range	Sec.	NE1/4				NW1/4				SW1/4				SE1/4				Totals
			NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	NE1/4	NW1/4	SW1/4	SE1/4	
4 S	2 E	16	20	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	620
		15											5	5	9	18			77
		14					14	7											21
															TOTAL				718

RECEIVED

EP 17 1998 RECEIVED

SEP 16 1998

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

Department of Water Resources

WATER RESOURCES WESTERN REGION

Department of Water Resources
ADDRESS
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

- Incomplete forms will be returned.
1. Water Right No(s): 57-07584, 57-07635, 57-10496, 57-07186, 57-07222, Transfer 3628 62-02384, 57-11527, 55-10234, 55-04021, 55-02094, 155-13663, 55-13677, 55-10346,
Adjudication Claim No(s): 55-10203
2. The following REQUIRED information must be submitted with this form:
- A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.
AND
B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)
OR
C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.
3. Name and Address of Former Owner/Claimant _____
4. ~~New Owner/Claimant(s)~~ Joe Parkinson
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or
→ New Mailing Address 123 W. Highland View Dr.
City, State and ZIP Code Boise, ID 83702
New Telephone Number (208) 342-5827 ; fax 208-345-1817
5. Date you acquired the property _____
6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.
- Number of acres you irrigate _____ Number and type of stock _____
- Diversion rate in CFS _____ Number of homes _____ Other uses _____
- If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.
7. Signature of New Owner or Claimant(s) [Signature]
Sept 15, 1998
- (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)
8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 9, 1993

JOSEPH L PARKINSON
123 W HIGHLAND VIEW DR
BOISE ID 83702

RECEIVED
AUG 23 1993
Department of Water Resources

RE: Approved Transfer No. 3628/Water Right No(s). 02-02384 and
57-07186

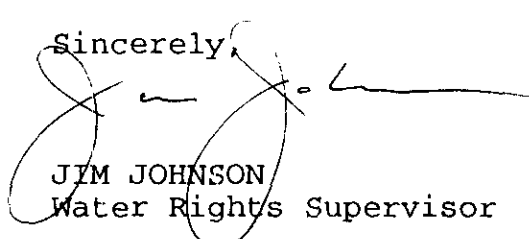
Dear Water Right Holder:

On May 12, 1992, the Department approved an application for transfer of the above referenced water rights. A copy of the transfer as approved has been enclosed for your reference. One of the conditions of approval of this transfer was that the authorized change(s) be accomplished within one year of the date of approval.

Please complete and return the enclosed form to confirm that the transfer has been accomplished. If the approved transfer has not been completed or is only partially complete, please provide an explanation why the changes have not been made and give an expected date for completion. The form must be returned to this office within 14 days of the date of this letter. If you wish to return the form by FAX, the number is (208)327-7866.

Please contact me if you have questions concerning this matter.

Sincerely,


JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

Jim - It is complete.



APPROVED

AUG 30 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 9, 1993

JOSEPH L PARKINSON
123 W HIGHLAND VIEW DR
BOISE ID 83702

RE: Approved Transfer No. 3628/Water Right No(s). 02-02384 and
57-07186

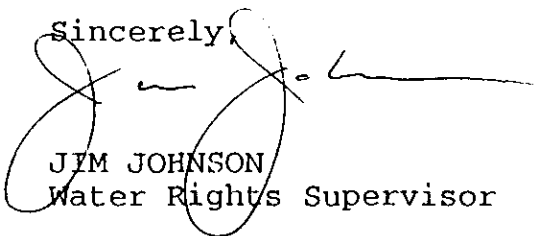
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Please contact me if you have questions concerning this matter.

Sincerely,


JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosures

RECEIVED
AUG 30 1993

June 8, 1992

JOSEPH L PARKINSON
123 W HIGHLAND VIEW DR
BOISE ID 83702

RE: Transfer of Water Right Nos. 02-02384 & 57-07186

Dear Water Right Holder:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 3628). Be sure to note any conditions of approval as listed on the second page.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:cz

Enclosure

MICROFILMED
JUN 10 1992

MEMORANDUM

TO: FILE

FROM: TIM LUKE

DATE: November 20, 1991

RE: TRANSFER 3628/LICENSE NO.S 02-2384 & 57-7186

Steve,

I Don't understand

this transfer. why does the

transfer propose splitting the RTS? Also, why are the P/U descriptions inconsistent between the two RTS.

I Am having some problems w/ the DATA entry, particularly w/ Rate of Diversion & Annual Volume. perhaps you

can help me out.

Tim
11/21/91

The transfer proposes a change in nature of use for a small portion of both rights, as well as a change in place of use. This transfer was first reviewed in 1989 and returned to the region because of an advertising problem and for further clarification regarding a possible expansion.

I see that some changes have been made and the total acreage between the two rights has been adjusted. Although the final place of use descriptions between the two rights are not entirely consistent as they once were, it does not appear that there is any expansion. No more acreage will be irrigated after the transfer than was irrigated before the transfer. The total consumptive use under the two rights will also remain unchanged. I recommend approval of the transfer subject to the conditons below.

Note: The transfer has been prepared in a manner that splits both rights so that the wildlife/aesthetics use is separate from the irrigation component. I disagree with this approach. The ownership documentation indicates that the transfer applicant is the sole proprietor of the water rights and the land to which the rights are appurtenant. Since there is no split in ownership, I see no need to split the rights.

1) The maximum number of acres irrigated under Right No(s). 02-2384 & 57-7186 shall not exceed 428 acres.

424 TJL 3/24/92

2) The combined annual volume of water diverted under Right No(s). 02-2384 & 57-7186 shall not exceed 2190 acre-feet.

1953 TJL 3/24/92

3) <<T07>> The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.

4) <<T08>> Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.

5) <<T09>> Approval of this transfer does not include the opportunity for review of the validity of the water rights in the ongoing Snake River Basin Adjudication.

MICROFILMED
JUN 10 1992

T-Files created 11/21/91 - DATA Entry not complete.

MEMORANDUM

TO: FILE

FROM: STEVE LESTER

DATE: MARCH 17, 1992

RE: TRANSFER 3628 / LICENSES 02-02384 AND 57-07186

The slightly revised edition of the Parkinson transfer was provided to the consultant on 12/16/91 for the applicant's consideration. The application was returned to the region on 3/10/92 with the applicant's initials at pertinent places on the form and attachments.

Although the P/U for irrigation is slightly modified in the latest version, another advertisement is unnecessary according to Dave Tuthill's analysis. Adequate public notice has occurred without protests.

The present application P/U on page 1 reflects the acres found in SRBA field work in 1990. The 348 acres currently served by 57-07186 and the same acres plus an additional 76 acres covered by 02-02384 are outlined on the orthophoto (see Attachment B). The orthophoto also shows the pond location and the ten acres to be withdrawn from production.

Note that 02-02384 totals 424 acres on page 1. The original license included 438 acres. Ten acres are withdrawn per transfer, and four acres appear to be forfeited per SRBA exam. The consultant indicated that Mr. Parkinson is aware of the loss of four acres in the license and does not intend to challenge this.

MICROFILMED

JUN 10 1992

MEMORANDUM

TO: FILE

FROM: STEVE LESTER

DATE: DECEMBER 11, 1991

RE: TRANSFER 3628 / LICENSES 02-02384 AND 57-07186

The place of use shown in Part 1, item B5 was revised today following a meeting with the consultant (Sherl Chapman) and Tim Luke. The revision agrees with the recommended acres for R57-07186 plus the additional 76 acres found in 02-02384 (02-02384 includes the acres in 57-07186 plus 76 other acres).

10 acres will not be irrigated under the proposal. Five of these acres derive from reduced irrigation in NWSW S.15 (licensed for 10 acres but found 5 remaining acres in 1990; pond installed in 1988). It is difficult to be entirely accurate when identifying the other 5 acres that will not be irrigated. Due to possible errors in the acres/tract in licensing and to shifts in acres/tract recognized in the SRBA recommendation, the 5 acres could be traced to one of several locations.

Therefore, to remain consistent with the licenses and SRBA exam results, 5 of the 35 licensed acres in SWSE S.16 are identified as land withdrawn from production. 1990 information shows 19.8 acres remain in production in that tract. Revision of the 10 acres to be withdrawn from use is noted on application pages 4 and 6.

MICROFILMED
JUN 10 1992

NOTICE OF CORRECTION OF PROPOSED CHANGE OF WATER RIGHT NO. 02-02384 AND 57-07186

— Show original ADV. from 9/6 & 9/13/1989 Notice —
original change in place of use for
did not include irrigation use.

— Then show following correction —

RECORDED AS FOLLOWS

RIGHT NO.	AMOUNT	PRIORITY	POINT OF DIVERSION	PLACE OF USE
02-02384	8.29 cfs	1/20/1966	T04S R02E S.15 L5 (SESW)	T04S R02E S.15 SW 1/4 & NWSE S.16 NWNE, S 1/2 NE 1/4, NW 1/4, N 1/2 SW 1/4, SWSW, SE 1/4 S.21 W 1/2 NE 1/4 438 acres irrigated 3/15-11/15
57-07186	6.82 cfs	4/4/1977	T04S R02E S.15 SWSW	T04S R02E S.15 SW 1/4, NWSE S.16 NWNE, S 1/2 NE 1/4, NW 1/4, NESW, SE 1/4 S.21 W 1/2 NE 1/4 358 acres irrigated 3/15-11/15
TOTAL	15.11 cfs			438 acres when combined

cont. next pg.

MICROFILMED

JUN 10 1992

SL
8/18/90

TO BE CHANGED AS FOLLOWS

<u>RIGHT NO.</u>	<u>ACREAGE</u>	<u>POINT OF DIVISION</u>	<u>PLACE OF USE</u>
02-02384A	8.11 cfs	T04S R02E S.15 L.5 (SESW)	T04S R02E S.15 NESW, S $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SWSE S.16 NWNE, S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SWSW, SE $\frac{1}{4}$ S.21 NWNE 411 acres irrigated 3/15-11/15
02-02384B	.18 cfs	T04S R02E S.15 L.5 (SESW)	T04S R02E S.15 NWSW Wildlife & aesthetic 1/1-12/31
57-07186A	6.63 cfs	T04S R02E S.15 SWSW	T04S R02E S.15 NESW, S $\frac{1}{2}$ SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$ S.16 NWNE, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$, SWNW, E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ S.21 NWNE 335 acres irrigated 3/15-11/15
57-07186B	.19 cfs	T04S R02E S.15 L.5 (SESW)	T04S R02E S.15 NWSW Wildlife & aesthetic 1/1-12/31
TOTAL	15.11 cfs		428 acres irrigation and wildlife and aesthetic uses when combined

MICROFILMED
JUN 10 1992

PL
8/8/91

NOTICE OF C~~OR~~RECTION OF PROPOSED CHANGE OF WATER RIGHT
NO. 02-02384 AND 57-07186

Notice is hereby given that on September 6 and 13, 1989, application for permit No. 02-02384 and 57-07186 in the name of Joseph L. Parkinson was advertised in error. It did not include the change in place of use for irrigation use. The application is recorded as follows:

<u>Right No.</u>	<u>Amount</u>	<u>Priority</u>	<u>Point of Diversion</u>	<u>Place of Use</u>
02-02384	8.29 cfs	1-20-1966	T4S R2E S15 Lot 5 (SESW)	T4S R2E S15 SW1/4 & NWSE, S16 NWNE, S1/2 NE1/4, NW1/4, N1/2 SW1/4, SWSW, SE1/4, S21 W1/2NE1/4, 438 acres irrigated 3/15-11/15
57-07186	6.82 cfs	4-04-1977	T4S R2E S15 SWSW	T4S R2E S15 SW1/4, NWSE S16 NWNE, S1/2NE1/4, NW1/4, NESW, SE1/4, S21 W1/2NE1/4, 358 acres irrigated 3/15-11/15
TOTAL	15.11 cfs			438 acres when combined

TO BE CHANGED AS FOLLOWS

<u>Right No.</u>	<u>Amount</u>	<u>Point of Diversion</u>	<u>Place of Use</u>
02-02384A	8.11 cfs	T4S R2E S15 Lot 5 (SESW)	T4S R2E S15 NESW, S1/2SW1/4, N1/2SE1/4, SWSE S16 NWNE, S1/2NE1/4, NW1/4, N1/2SW1/4, SWSW, SE1/4 S21 NWNE 411 acres irrigated 3/15-11/15
02-02384B	.18 cfs	T4S R2E S15 Lot 5 (SESW)	T4S R2E S15 NWSW Wildlife & Aesthtics 1/1-12/31
57-07186A	6.63 cfs	T4S R2E S15 SWSW	T4S R2E S15 NESW, S1/2SW1/4, W1/2SE1/4 S16 NWNE, S1/2NE1/4, N1/2NW1/4, SENW, E1/2SW1/4, SE1/4 S21 NWNE 335 acres irrigated 3/15-11/15
57-07186B	.19 cfs	T4S R2E S15 Lot 5 (SESW)	T4S R2E S15 NWSW Wildlife & Aesthetics 1/1-12/31
TOTAL	15.11 cfs		428 acres irrigation and Wildlife and Aesthetic uses when combined

Any protest against approval of this water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before September 9, 1991.

R. Keith Higginson

Published in the Owyhee Avalanche on 8/21 and 8/28/1991

MICROFILMED

JUN 10 1992

Transfer No. 3628

SL
8/8/91

RE: REDUCTION OF IRRIGATED ACRES BY 17 ACRES TO 428 ACRES
TOTAL

(1) Current revision of application (dated 6/5/91) proposes a reduction of
02 H2O by 17 acres & 57 H2O by 13 acres.

(2) Current revision

02 H2O	411	acres	
(was 428, now 411)	17	"	Reduced from previous revisions
	10	"	for pond use
	428	"	total, same as license 02-02384
57 H2O	335	"	
(was 348, now 335)	13	"	Reduced from previous revisions
	10	"	for pond use
	358	"	total, same as license 57-07186

(3) There should be a 17 acre difference in acres receiving 57
H2O compared to 02 H2O:

411 ac. - 02 H2O	746	acre sum	335 acres - 57 H2O
335 " - 57 "	428	" limit	318 acres overlap
746 " sum	318	" overlapping	17 acre difference

(4) The 17 acres receiving 57 H2O but not 02 H2O are:

S.15 NE1/4 2 SE1/4 7

S.16 NE1/4 4 SE1/4 4

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(5) When combined, no more than 428 acres will be irrigated
via both rights.



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

October 1, 1990

CECIL D. ANDRUS

GOVERNOR

Mr. Sherl Chapman
410 S. Orchard, Suite 144
Boise, ID. 83705

R. KEITH HIGGINSON

DIRECTOR

RE: Application for Permit and Application for Transfer No. 3628 for J. L. Parkinson

Dear Sherl:

The recent application for permit for a well to irrigate 231 acres in T4S, R1W, S. 21, 22, 28, and 29 cannot be advertised and processed at this time due to delays associated with trust water applications ("Swan Falls hold"). The application will be advertised and processed when it reaches the top of the list of backlogged filings that must be processed in order of dates of priority.

Based on Idaho Code 42-203A(5)(a-e) and 42-203C(2), additional information is needed for applications for permit involving irrigation of more than 200 acres and/or diversions exceeding 5.00 cfs or 500 acre-feet of storage. Please provide information relating to the proposed water right as outlined in the attached copy of Water Appropriation Rules 4,5,3,1 through 4,5,3,6,7. This covers the following items:

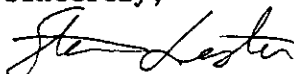
- a) effect on existing water rights,
- b) sufficiency of water supply,
- c) good faith, delay, or speculative purposes,
- d) financial resources,
- e) local public interest, and
- f) public interest criteria concerning trust water.

If your client needs to use the irrigation well before the trust water application can be approved, transferring an existing ground and/or surface water right may be useful.

Concerning transfer application no. 3628 for 02-02384 and 57-07186, we still need to resolve the acreage problem outlined in my 2/22/90 letter. We discussed but did not resolve the 17 acre problem during our 4/2/90 telephone conversation.

Please let me know if I can do anything for you on the above situations.

Sincerely,


Steve Lester
Sr. Water Resource Agent

Enclosure

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CONVERSATION MEMORANDUM

DATE 4-2-90FILE 02-02384

NAME OF PARTY

Sharl Chapman57-07186

EMPLOYEE

Steven Lester

RE:

Transfer DPL

Previously	i.d.	331	common	acres
		114	different	acres
		<u>445</u>	total	acres

now	in	45 2E 516	NWNE	1 ac.	02-02384A
-----	----	-----------	------	-------	-----------

				1 ac.	57-07186 A
				are different	acres

				10 ac.	02-02384A
--	--	--	--	--------	-----------

				10 ac.	57-07186 A
				8 acres are different	

Thus 9 different acres found instead of common as thought earlier.

322	common
-----	--------

123	different
-----	-----------

445	acres total, same as above for total.
-----	---------------------------------------

Still need to i.d. 17 unique acres to remove from transfer.

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State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

Feb. 22, 1990

Mr. Sherl Chapman
410 S. Orchard, Suite 144
Boise, ID. 83705

Re: Application for Transfer No. 3628 (J. Parkinson)

Dear Sherl:

Transfer application number 3628 for rights 02-02384 and 57-07186 was recently returned to the regional office by the state office. The state office analysis centered on an expansion of use outlined in the transfer. Enclosed is the original document and a working copy of page 1 of the transfer.

Some of the information in the transfer resulted from my previous suggestions, and I regret any inconvenience imposed on you or your client.

License 02-02384 covers 438 acres and license 57-07186 includes 358 of the same acres. The 80 acre difference occurs in the W1/2 of SW1/4, Sec. 16. The total area irrigated by the licenses is 438 acres. The total volume associated with both rights is limited to 5 afa/acre or 2190 afa (5 x 438). The limitation is found as a condition of license 02-02384. An expansion of the rights will occur if more than 438 acres or 2190 afa is involved.

Page 1 of the transfer lists the total volume in item B2 and the desired place of use in item B5. Note the change to the maximum volume for the two rights, 2190 afa. Also, note that 331 identical acres are shown under 02-02384A and 57-07186A. The acres include 99 in Sec. 15, 196 in Sec. 16, and 36 in Sec. 21. Refer to the unhighlighted acres in the working copy of page 1 for the common acres. However, 114 different acres occur between the rights in Sec. 15 and 16. The working copy highlights the tracts with different acres per 1/4-1/4 per right. The red numbers indicate the acres that are not common to both rights. 331 common acres and 114 different acres yield 445 acres proposed in the transfer.

+9

Ten acres in the NWSW Sec. 15 will be withdrawn from production. Therefore, of the original 438 total acres, 428 may remain in production. The difference between the 428 and the 445 discussed above represents an expansion and cannot be approved. A reduction of 17 acres should occur before the transfer application may proceed. Please review page 1 and make the changes on the original document. Remember that any changes to acres irrigated under both rights should be shown for both rights. The total acres per section per right should be changed accordingly. The grand total at the bottom of page 1 cannot exceed 428.

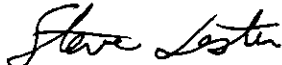
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Sherl Chapman re: Parkinson transfer
page 2

On pages 4 and 6, item C is noted as N/A. Item B is retained for informational purposes to define the ten acres to be withdrawn from production. After your revision of the transfer, please have your client initial all the changes. A blank form is included if you want to rewrite the transfer. Please let me know if additional help may be provided.

Sincerely,



Steve Lester
Sr. Water Resource Agent

SL: sl
Enclosures

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JUN 10 1992

working copy of pg. 1

3628
VED

Page 1 of 14
Should questions arise during
the processing of this applica-
tion please contact:

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Transfer No.

APPLICATION FOR TRANSFER OF WATER RIGHT

AUG 24 1989

PART 1

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705

AMENDED

Department of Water Resources
Western Regional Office
383-4029

Name of applicant 344-6690 Joseph L. Parkinson Phone 383-4029
Post Office address 123 West Highland View Drive, Boise, Idaho 83702

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 period of use
2. Describe the reason for the proposed changes The existing irrigation system will be modified to allow diversion of water to storage for wildlife habitat and aesthetics.

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
02-2384A	1/20/66	8.11/2140	Irrigation	3/15 to 11/15
02-2384B	1/20/66	.18/50	Wildlife/Aesthetics	1/1 to 12/31
57-7186A	4/4/77	6.63/1740	Irrigation	3/15 to 11/15
57-7186B	4/4/77	.19/50	Wildlife/Aesthetics	1/1 to 12/31

2. Total amount of water being transferred 15.11 cubic feet per second and/or 3980-2190 acre-feet per annum.

3. Source of water Snake River (02-2384) Waste Water (57-7186) tributary to Snake River & Columbia River

4. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
5		SE	SW	15	4S	2E	Owyhee	02-2384A
5		SE	SW	15	4S	2E	Owyhee	02-2384B
		SW	SW	15	4S	2E	Owyhee	57-7186A
5		SE	SW	15	4S	2E	Owyhee	57-7186B

5. 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	
02-2384A	4S	2E	15	*	11	8	10	14	31	36	12		37	19	1	30	1		100
4S	2E	16		1	25	8	10	14	31	36	2	26	39		33	20	27	20	292
4S	2E	21		36							2	26	39		33	20	27	20	36
02-2384B	4S	2E	15										37	19	1	30	1		428
57-7186A	4S	2E	15								14		37	19	1	30	1		108
4S	2E	16		1	25	8	10	14	31	36	6			4	33	20	27	20	204
4S	2E	21		36															36
57-7186B	4S	2E	15																348

* = diff across flow in * 57.11 need to ~17 Total acres 296-428

Office visit
5/15/91 by
Sterl C. =
Almost done with
revision. -gz

POOR QUALITY

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 57-7186 Priority April 4, 1977 Amount 6.82 cfs

THIS IS TO CERTIFY, that John W. &/or Katherine R. Watson
of Grandview, Idaho, has complied with the terms and conditions of Permit
No. 57-7186 issued pursuant to Application for Permit dated April 4, 1977
and has submitted proof to the Department of Water Resources on December 5, 1977
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 6.82 cfs of water from a wastewater source
tributary to Snake 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
Irrigation	from <u>March 15</u> to <u>November 15</u>	at <u>6.82</u> cfs and	<u>1790</u> acre feet
	from _____ to _____	_____ cfs and	_____
	from _____ to _____	_____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 6.82 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 beneficial for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1790 acre feet per year, said waters to be diverted within the SW¹/4 SW¹/4 (2 points), Sec. 15,
Twp. 4S, Rge. 2E, B. M. in the County of Cwyhee

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 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	
4S	2E	15									10	10	5	10	69
		16	1	25	1	5	30	40	40	2			35	20	254
		21	30	5											35

Total number of acres irrigated 358

A measuring device of a type approved by the Department shall be maintained as
part of the diverting works.

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 31 day of

August, 19 78

Director

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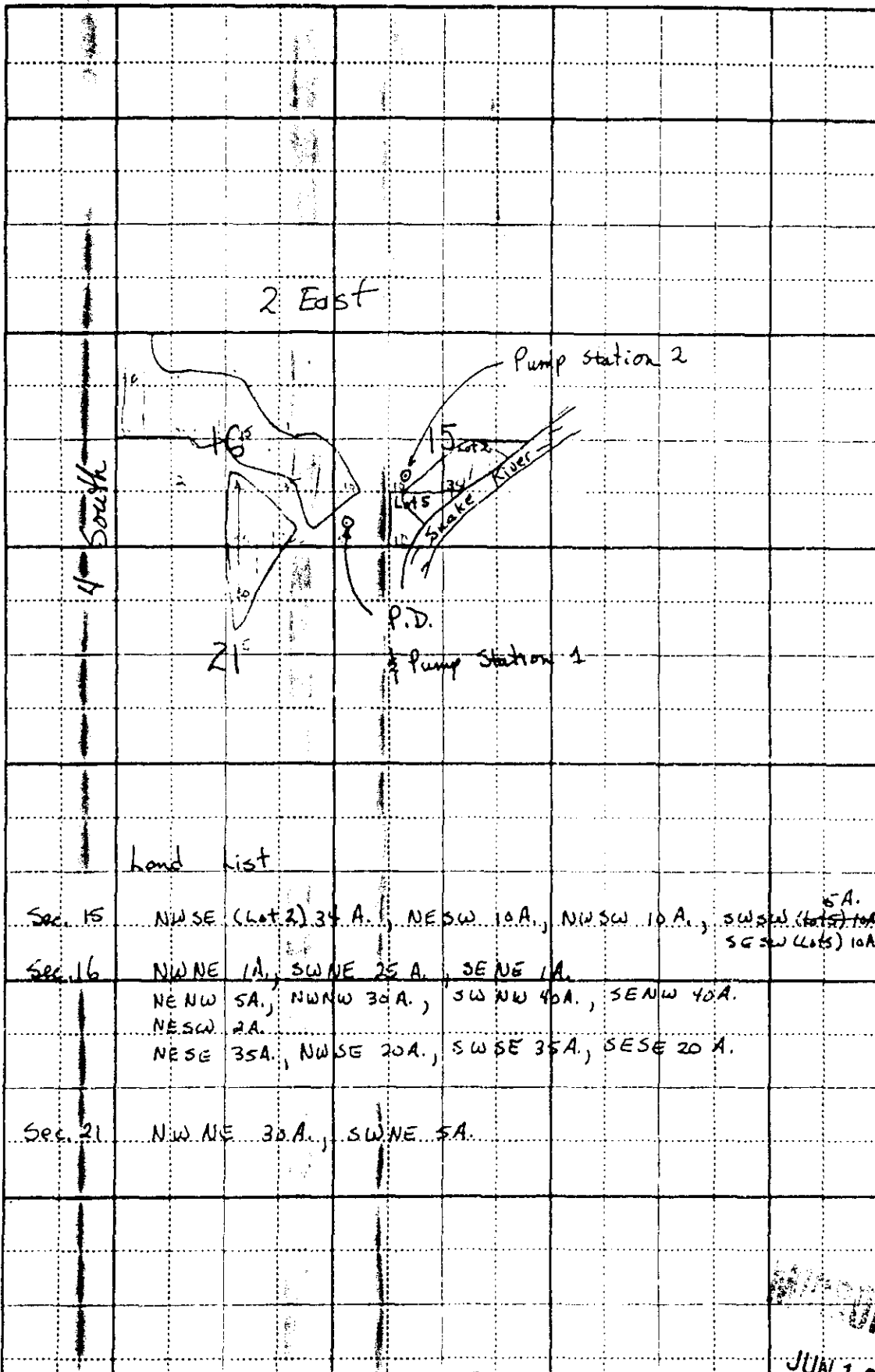
JUN 10 1992

NAME OF APPLICANT

Edm 57-7186

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Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan in Ink.

5-31-78

Acreages taken from U-2 photos

JUN 10 1992

POOR QUALITY

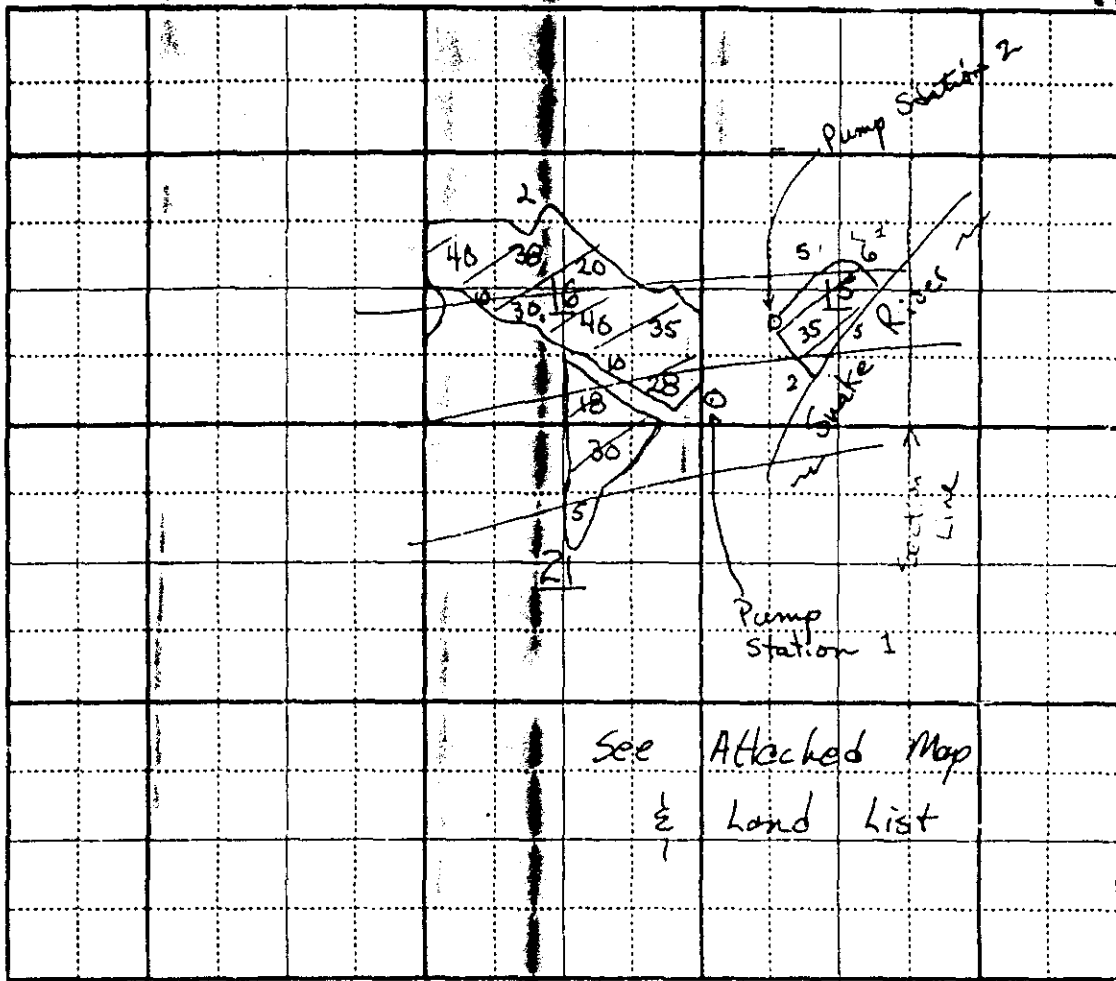
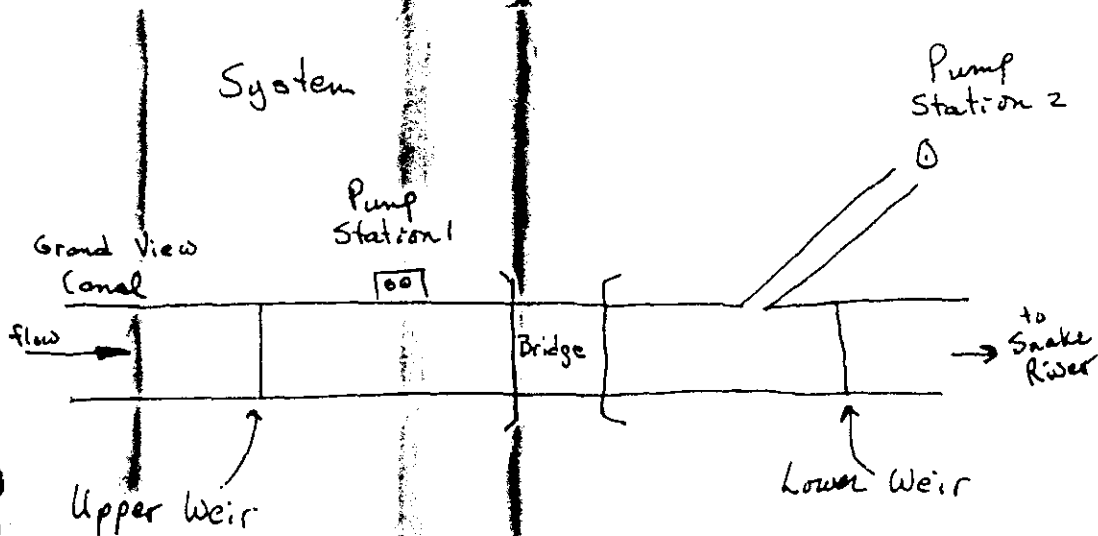


Diagram of System



Not to Scale

JUN 10 1992

MEMORANDUM

TO: DAVE TUTHILL

FROM: TIM LUKE

RE: TRANSFER APPLICATION NO. 3628

DATE: 12-15-89

The above transfer application is being returned for several reasons as follows:

- 1) Transfer proposes changes in both nature of use and place of use. The advertisement does not reference any change in place of use.
- 2) The transfer appears to represent an expansion of use. A before and after overlap analysis reveals that the applicant proposes to irrigate a total of 445 acres. This exceeds the number of acres originally licensed (i.e.; 02-2384 and 57-7186 overlap each other, the total number of acres actually irrigated under the two rights is 438 acres).

SPP also memo to Tom Johnson dated 12/15/89

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JUN 10 1992

MEMORANDUM

TO: JIM JOHNSON

FROM: TIM LUKE

DATE: December 12, 1989

RE: TRANSFER APPLICATION NO. 3628

I can not recommend that the above transfer application be approved at this time. As the application is presently prepared, there appears to be an expansion of use.

Analysis:

The transfer application involves two licenses, 02-2384 and 57-7186. The two licenses overlap one another, except that 02-2384 includes an additional 80 acres that is not found on 57-7186. One of the licenses, 02-2384, contains the following condition: "This right when combined with all other rights shall provide no more than 5.0 afa per acre for the lands above."

The total number of acres under both rights is the number of acres under 02-2384, which is for 438 acres and 2190 AFA. Although the two rights have separate diversion and volume capacities, no more than 438 acres can be irrigated and no more than 2190 AFA can be diverted in any one season.

The transfer application also involves a change in the place of use and period of use. An overlap review of the proposed transfer reveals that the applicant intends to irrigate a total of 445 acres. Thus, the remaining irrigation component as shown on page 1 of the application, represents an expansion upon the existing licenses. Further confusion is added to this application due to the fact the applicant completed part C of part 2 of the application. The information in this latter section conflicts with that given on page 1 of the application.

Please advise as to how we should proceed with this application.

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JUN 10 1992

WR-NUMBER	NAME	STG	SOURCE	T	R	S	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	SUM			
0202384																										
0202034	GRANDVIEW IRRIGATION	D L	SNAKE RIVER	04S	02E	15				:				:			34	:					34			
0202384	WATSON	L	SNAKE RIVER	04S	02E	15				:				:		10	10	5	:				25			
5707186	WATSON	L	WASTE WATER	04S	02E	15				:				:		10	10	5	:				25			
A0200029	GRAND VIEW IRRIGATION	J	SNAKE RIVER	04S	02E	15				:				:		X	X	X	:							
A0200203	GRAND VIEW IRRIGATION	D	SNAKE RIVER	04S	02E	15				:				:		X	X	X	:							
A0202034	GRAND VIEW IRRIGATION	L	SNAKE RIVER	04S	02E	15				:				:		X	X	X	:							
0202384	WATSON	L	SNAKE RIVER	04S	02E	15				:				:		10	10	5	:				25			
1986 MAPPING DATA ---		-	COUNTY 73 QUAD Z	59	04S	02E	15		8	:				3	:	35	19	41	:				106			
TRANSFER 3628																							12 - 37 19 1 30 1			
0202384																										
0202384	WATSON	L	SNAKE RIVER	04S	02E	16		1	25	1	:	5	30	40	40	:	2	40	40	:	35	20	35	20	334	
4707186	RAY	L	SPRINGS	04S	02E	16					:				:				:	35	20	35	20	110		
5707186	WATSON	L	WASTE WATER	04S	02E	16		1	25	1	:	5	30	40	40	:	2			:	35	20	35	20	254	
5707222	WATSON	L	WASTE WATER	04S	02E	16					:				:	4	27	36	4	:				71		
A0200029	GRAND VIEW IRRIGATION	J	SNAKE RIVER	04S	02E	16					:				:				:				X			
A0200203	GRAND VIEW IRRIGATION	D	SNAKE RIVER	04S	02E	16					:				:				:				X			
A0202034	GRAND VIEW IRRIGATION	L	SNAKE RIVER	04S	02E	16					:				:				:				X			
A0202384	WATSON	L	SNAKE RIVER	04S	02E	16		1	25	1	:	5	30	40	40	:	2	40	40	:	35	20	35	20	334	
1986 MAPPING DATA ---		-	COUNTY 73 QUAD Z	59	04S	02E	16		19		:	6	10	39	40	:	38	38	37	31	:	37	40	40	43	418
TRANSFER																							1 25 8 10 14 31 36 2 26 39 33 20 27 20 292			
0202384																										
0202034	GRANDVIEW IRRIGATION	D L	SNAKE RIVER	04S	02E	21	38	12	23	40	:			:					:	40	31		40	224		
0202384	WATSON	L	SNAKE RIVER	04S	02E	21				30	5	:		:					:					35		
5707186	WATSON	L	WASTE WATER	04S	02E	21				30	5	:		:					:					35		
5707222	WATSON	L	WASTE WATER	04S	02E	21						:	3	2	:				:					5		
A0200029	GRAND VIEW IRRIGATION	J	SNAKE RIVER	04S	02E	21	X	X	X	X	:			:					:	X	X	X	X			
A0200203	GRAND VIEW IRRIGATION	D	SNAKE RIVER	04S	02E	21	X	X	X	X	:			:					:	X	X		X			
A0202034	GRAND VIEW IRRIGATION	L	SNAKE RIVER	04S	02E	21	X	X	X	X	:			:					:	X	X	X	X			
A0202384	WATSON	L	SNAKE RIVER	04S	02E	21				30	5	:		:					:					35		
1986 MAPPING DATA ---		-	COUNTY 73 QUAD Z	59	04S	02E	21	41	39	42	43	:	14		5	:	4		1	:	40	38	39	43	349	
TRANSFER																							36			

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JUN 10 1992

WR-NUMBER	NE				NW				SW				SE				LOT	+	SUM
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
0202384	T04S	R02E	S15																
0202034				:				:				5L25	:			:		25	
0202384				:				:				5L10	:	2L34		:		44	
5707186				:				:				5L10	:	2L34		:		44	
A0200029				:				:				5LX	:			:			
A0200203				:				:				5LX	:			:			
A0202034				:				:				5LX	:			:			
A0202384				:				:				5L10	:	2L34		:		44	
73 MAPPING: 2L14 5L10																			
Transfer 30																		24	

0202384 T04S R02E S16

0202384 T04S R02E S21

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JUN 10 1992

WR-NUMBER		NAME	STG	SOURCE		T	R	S	NE				NW				SW				SE				SUM			
5707186																												
0202034		GRANDVIEW IRRIGATION	D L	SNAKE	RIVER	04S	02E	15									34					34						
0202384		WATSON	L	SNAKE	RIVER	04S	02E	15									10	10	5			25						
5707186		WATSON	L	WASTE	WATER	04S	02E	15									10	10	5			25						
A0200029		GRAND VIEW IRRIGATION	J	SNAKE	RIVER	04S	02E	15									X	X	X									
A0200203		GRAND VIEW IRRIGATION	D	SNAKE	RIVER	04S	02E	15									X	X	X									
A0202034		GRAND VIEW IRRIGATION	L	SNAKE	RIVER	04S	02E	15									X	X	X									
A0202384		WATSON	L	SNAKE	RIVER	04S	02E	15									10	10	5			25						
		1986 MAPPING DATA ---	-	COUNTY 73 QUAD Z	59	04S	02E	15		8					3		35	19	41			106						
5707186																												
0202384		WATSON	L	SNAKE	RIVER	04S	02E	16		1	25	1		5	30	40	40		2	40	40		35	20	35	20	334	
4707186		RAY	L	SPRINGS		04S	02E	16															35	20	35	20	110	
5707186		WATSON	L	WASTE	WATER	04S	02E	16		1	25	1		5	30	40	40		2				35	20	35	20	254	
5707222		WATSON	L	WASTE	WATER	04S	02E	16									4	27	36	4						71		
A0200029		GRAND VIEW IRRIGATION	J	SNAKE	RIVER	04S	02E	16																	X			
A0200203		GRAND VIEW IRRIGATION	D	SNAKE	RIVER	04S	02E	16																	X			
A0202034		GRAND VIEW IRRIGATION	L	SNAKE	RIVER	04S	02E	16																	X			
A0202384		WATSON	L	SNAKE	RIVER	04S	02E	16		1	25	1		5	30	40	40		2	40	40		35	20	35	20	334	
		1986 MAPPING DATA ---	-	COUNTY 73 QUAD Z	59	04S	02E	16			19			6	10	39	40		38	38	37	31		37	40	40	43	418
5707186																												
0202034		GRANDVIEW IRRIGATION	D L	SNAKE	RIVER	04S	02E	21	38	12	23	40									40	31		40		224		
0202384		WATSON	L	SNAKE	RIVER	04S	02E	21			30	5														35		
5707186		WATSON	L	WASTE	WATER	04S	02E	21			30	5														35		
5707222		WATSON	L	WASTE	WATER	04S	02E	21						3	2											5		
A0200029		GRAND VIEW IRRIGATION	J	SNAKE	RIVER	04S	02E	21	X	X	X	X									X	X	X	X				
A0200203		GRAND VIEW IRRIGATION	D	SNAKE	RIVER	04S	02E	21	X	X	X	X									X	X		X				
A0202034		GRAND VIEW IRRIGATION	L	SNAKE	RIVER	04S	02E	21	X	X	X	X									X	X	X	X				
A0202384		WATSON	L	SNAKE	RIVER	04S	02E	21			30	5														35		
		1986 MAPPING DATA ---	-	COUNTY 73 QUAD Z	59	04S	02E	21	41	39	42	43		14		5		4		1		40	38	39	43	349		

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JUN 10 1992

WR-NUMBER	NE	NW	NE	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	LOT	+	SUM
5707186	T04S	R02E	S15																	
0202034					:				:			5L25	:				:			25
0202384					:				:			5L10	:		2L34		:			44
5707186					:				:			5L10	:		2L34		:			44
A0200029					:				:			5LX	:				:			
A0200203					:				:			5LX	:				:			
A0202034					:				:			5LX	:				:			
A0202384					:				:			5L10	:		2L34		:			44
73 MAPPING: 2L14 5L10																				24

5707186 T04S R02E S16

5707186 T04S R02E S21

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JUN 10 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 02-2384 Priority 1/20/1966 Amount 8.29 cfs

THIS IS TO CERTIFY, that JOHN W. and KATHERINE WATSON

of Piedmont, CA has complied with the terms and conditions of Permit

No. 02-2384 issued pursuant to App. 4, then amended, date: 1/30/1966

and has submitted proof to the Department of Water Resources. 9/23/1930

that he has applied water to a beneficial use, and that the Snake River has a capacity for the diversion of 8.29 cfs to the Columbia River and that the water is applied to a beneficial use and a right to use water follows.

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from 3/15 to 11/15	at 8.29 cfs and	2190.0 AF
	from to	at cfs and	
	from to	at cfs and	

(Both dates inclusive)

Subject, however, to the condition that no more than 8.29 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 consumed is for the purpose aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed 2190.0 acre feet per year, said water to be diverted within the GL 5 (SESN), Sec. 15, T4S, R2E in the County of Owyhee

Description and location of place of use:

[illegible]

438

This right when combined with all other rights shall provide no more than 5.0 afa per acre for the lands above.

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 forfeited¹ 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, attached at these, this 29 day of May 1981.

Director

These 80 are
are the
only difference
between
02-2384 &
57-7186

MICROFILMED

JUN 10 1992

POOR QUALITY

Overlap Review for 02-2384

License 57-7186

P/D different (wastewater)
P/U same

$$\frac{6.62 \text{ cfs}}{358} = .019 \text{ cfs/AC}$$

Permit 57-7222

P/D different (wastewater)

License 02-2034

P/D 248 Sec 32 (Snake)

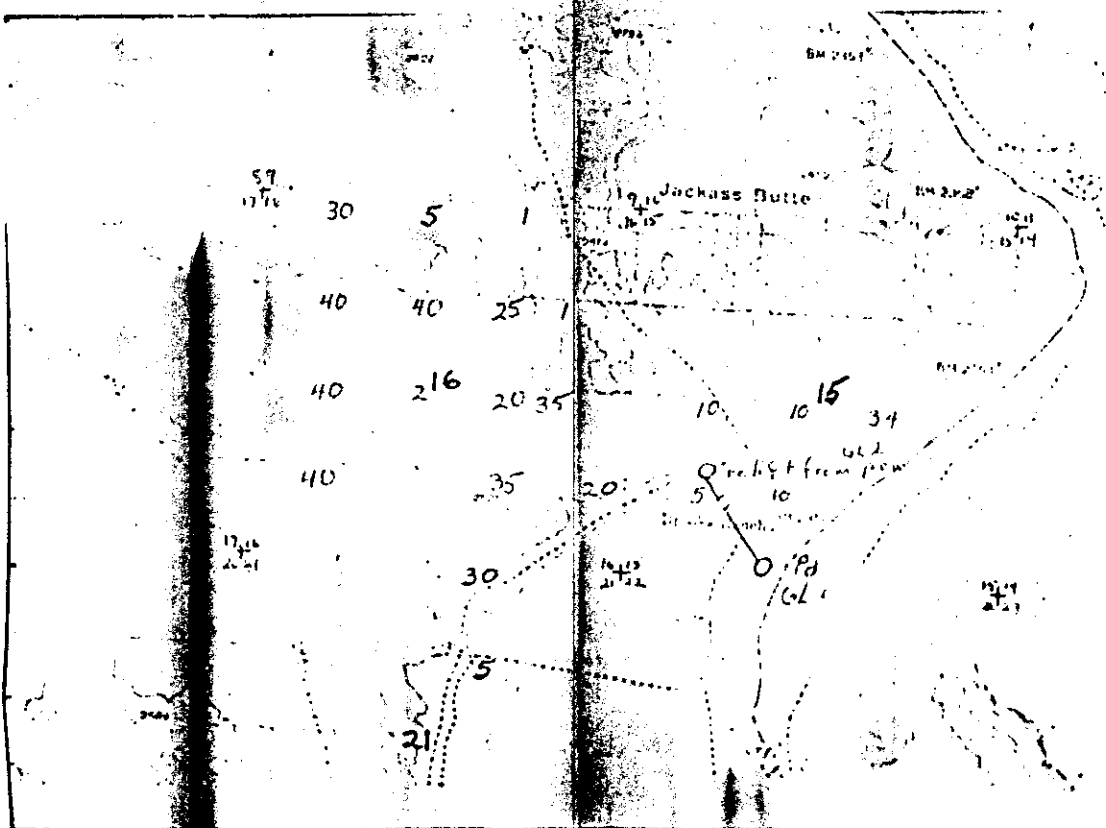
No Overlap based on above rights.
License 02-2034 is Grandview-Sub Dist
which overlaps P/U. Recommend
R15(5.0)

7/1 4/23/81

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JUN 10 1992

Complete the following map by showing land and point of diversion as proposed by this amendment.
Show 40 acre subdivisions, townships, ranges and ditches.



That no one will be injured by such change, and that such change will be made at permit holder's own risk.

Signed at Boise, ID, this 14th day of June, 1981.
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by CEW: Fee: \$20.00 Received by DES Date 4/27/81 # 18870
Publication prepared by Date Published in
Publication dates

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

A. KENNETH DUNN, Director of the Department of Water Resources hereby

APPROVE the above referenced Amendment for Permit No. 02-2384.

Witness my hand this 27th day of

May 1981

(Signature)
Director

MICROFILMED

JUN 10 1992

CONVERSATION MEMORANDUM

DATE 11/27/89FILE 02-0238457-07186NAME OF PARTY Skarl Chapman, ConsultantEMPLOYEE Stan LosterRE: Pond Size

1) previous info from Applicant's Sec'y was that pond was $\approx$ 1.6 a.f.

2) Skarl corrected this, said pond is $\approx$ 5 a.f.

He thinks that prior info was probably related to a stockwater pond on ~~an~~ other property owned by applicant. Prior info was not supplied by Skarl C.

The transfer application specified $\approx$.19 a.f. to fill & maintain the pond; this seems more reasonable for $\approx$ 5 a.f. pond than for 1.6 a.f. pond.

Retirement of 10 acres of irrigated ground is more than enough compensation for the impact of this small pond.

DET

11/27/1989

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JUN 10 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

November 1, 1989

Owyhee Avalanche
P.O. Box 97
Homedale, ID 83628

Re: Advertising Affidavits

Dear Sir:

Would you please send me a copy of the proof of advertising affidavit for the following water right transfer application:

57-07186 Joseph L. Parkinson Advertised on 9/6 and 9/13/89

Thank you for assisting me in this matter.

Sincerely,

Sue Taylor
Secretary, Office Coordinator

RECEIVED
JAN 10 1990

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

No. 02-02384[✓] and 57-07186

Notice is hereby given that Joseph L. Parkinson of Boise, ID, has applied to the Department of Water Resources for a change of point of diversion, place of use of the water of Snake River and Waste Water. The rights sought to be changed are evidenced by licenses and are ~~recorded~~² as follows:

Amount: 02-02384 - 8.29 cfs Priority: 1/20/1966
 57-07186 - 6.82 cfs Priority: 4/04/1977

Point(s) of Diversion: T04S, R02E, S. 15 lot 5 (SESW) & SWSW.

The water is used for irrigation purposes in T04S, R02E, S. 15, 16 & 21..

TO BE CHANGED AS FOLLOWS

Amount: 02-02384B: .18 cfs
 57-07186B: .19 cfs

Point(s) of Diversion: T04S, R02E, S. 15 lot 5 (SESW) & SWSW.

The water will be used for aesthetic & wildlife purposes in T04S, R02E, S .15, NWSW.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705 on or before September 25, 1989.

R. Keith Higginson, Director

Published in the Owyhee Avalanche on 9/6 and 9/13/1989.

MICROFILMED

JUN 10 1992

CONVERSATION MEMORANDUM

DATE 8/28/89 (2 of 2)FILE 02-02384

NAME OF PARTY _____

57-07186

EMPLOYEE Frank L. ListerRE: ① Rate of flow ② Volume

①

02-02384

Lic.

438 ac.

8.29 cfs

$$8.29 / 438 = .01893 \text{ cfs/ac.}$$

$$\therefore (10)(.01893) = .1893 \text{ cfs}$$

$$(428)(.01893) = 8.1020 \text{ cfs}$$

$$8.2913 \text{ cfs} = 8.29 \text{ cfs}$$

$$\text{Round 10 ac.} \rightarrow .19 \text{ cfs}$$

$$428 \text{ ac.} \rightarrow 8.10 \text{ cfs}$$

instead of .18 & 8.11 as shown on pg. 4.

57-07186

Lic.

358 ac.

6.82 cfs

$$6.82 / 358 = .01905 \text{ cfs/ac.}$$

$$\therefore (10)(.01905) = .1905 \text{ cfs}$$

$$(348)(.01905) = 6.6294 \text{ cfs}$$

$$6.8199 \text{ cfs} = 6.82 \text{ cfs}$$

$$\text{Round 10 ac.} \rightarrow .19 \text{ cfs}$$

$$348 \text{ ac.} \rightarrow 6.63 \text{ cfs}$$

OK AS shown on pg. 6. JUN 10 1992

②

VOLUME diverted is used:

Since expanding period of use for J/W purposes,
need to determine volume diverted at headgate, delivered to
fields, consumed before & after transfer? "Loser" program?
Retirement of 10 acres of irr is sufficient (more than enough) compensation.

FILED

CONVERSATION MEMORANDUM

DATE 8/28/89 (1 of 2)

FILE 02-02384

NAME OF PARTY Steel Chapman, Consultant

57-07186

EMPLOYEE John Lester

RE:

Land list pg. 1 is correct. Map changes
should agree with pg. 1.

Reservoir on S. 15 NWSW not NESW.

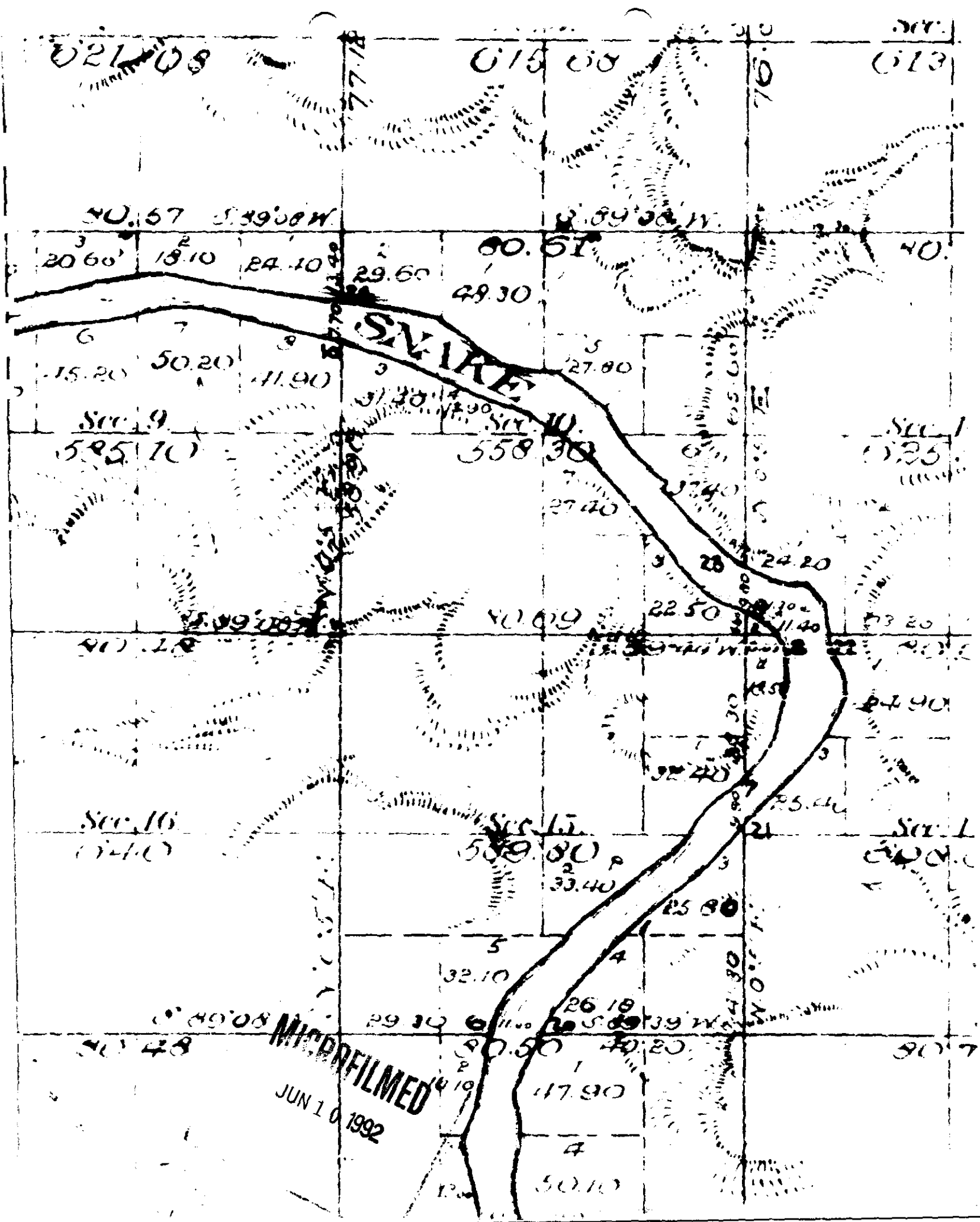
NO irrig. S. 15 SWNE.

IS irrig. S. 21 NWNE.

3 P/O when done, are the 3 shown on map.

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JUN 10 1992



CONVERSATION MEMORANDUM

DATE 5/3/89FILE 02-02384NAME OF PARTY Jill Henson for Joe ParkinsonEMPLOYEE John Lott

RE: Pool dimensions previously requested at time of
appl. for transter and in phone request 4/12 & 4/25,
1989.

Pool is circular, ~~depth 30'~~

diameter 30'

& depth 10'

$$V = \pi r^2 d$$

$$= (3.1412)(15)^2(10) = 7067.7 \text{ ft}^3$$

$$= 7067.7 / 43560 = .162 \text{ ac-ft. - Pool Volume}$$

$$.10 \text{ cfs} \times 1.4835 \text{ yields } .198 \text{ ac-ft/24 hrs. - Div. Volume}$$

$\therefore$ $\overset{\text{div volume}}{.198 \text{ ac-ft}} > \overset{\text{pool volume}}{.162 \text{ ac-ft}}$, don't need storage as part
of right in transfer application

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JUN 10 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705 - (208) 334-2190

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

May 26, 1989

Sherl L. Chapman
410 S. Orchard, Suite 144
Boise, Id. 83705

Re: Application for Transfer 02-02384

Dear Sherl:

The Joe Parkinson transfer application was delivered to me by his secretary, Jill Henson, on 4/11/89. I did not see your name stamped on the upper left of page 1 as it was covered by her business card, and your name did not come up in the conversation. I pursued some questions concerning the transfer with Jill when I should have contacted you. I apologize for the oversight.

The remaining concerns are discussed in this letter. Enclosed are the original application (I retained a copy), new application form with inserts, and related copies of licenses.

The five acres within the NESW, S.15 proposed for transfer under 02-02384 appear to also be irrigated with 57-07186, a junior waste water license. If the ten acres shown in NESW, S.15 in both licenses are indeed the same acres, the five acres involved need to be dried up in the transfer process. The senior and junior rights for the five acres should then be involved in the transfer application. Under the transfer process, no irrigation should occur on the five acres after the application is approved.

If the above is the case, please prepare a new or modified transfer application showing both rights. A separate Part 2 insert is used for each right involved in a transfer. Note that the original application incorrectly listed 02-02384 place of use on page 3, item A8. Refer to the enclosed license to correctly record the right as it presently exists. The licenses should be the most current descriptions of the rights as no previous transfers were found.

For each Part 2 insert, items B and C allow the splitting of the right. Item B should show the irrigated acres that are to be dried up. Item C will contain the unchanged portion of the water right. Thus, Part 2 of the application contains the following:

- A. description of the right as it currently is recorded.
- B. description of the portion of the right that will be changed; if irrigation is the recorded current use, show the number of acres per appropriate 1/4-1/4 that will be removed from the right.
- C. description of the unchanged part of the right.

In the example of 02-02384, if the only change to the current license is the five acres in NESW, S.15, Part 2-B should list the five acres and Part 2-C should list the remainder of the right. Page 1, Part 1-B would then show

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JUN 10 1992

Application for Transfer 02-02384
Page 2

02-02384B in Part 1-B-1 and the place of use for wildlife/aesthetics in Part 1-B-5. The unchanged remainder of the license would be known as 02-02384A and does not need to be shown on page 1, Part 1-B. The details of 02-02384A are assumed from the description of the unchanged portion in Part 2-C.

The transfer application fee is based on the amount shown on page 1, Part 1-B-2.

If the waste water of 57-07186 is involved in the revised transfer application, show the point or points of diversion for the waste water on the map in Part 3. It is helpful to show existing and proposed points of diversion on the map.

I hope that this letter proves helpful. Please contact me if additional information is needed.

Sincerely,

Steve Lester
Sr. Water Resource Agent

SL: sl
Enclosure

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JUN 10 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. **02-2384** Priority **1/20/1966** Amount **8.29 cfs**

THIS IS TO CERTIFY that **JOHN W. and KATHERINE WATSON**
of **Piedmont, CA** has complied with the terms and conditions of Permit
No. **02-2384** issued pursuant to Act of March 1, 1966, Permit dated **1/20/1966**
and has submitted proof to the Department of Water Resources on **9/23/1980**
that he has applied water to a beneficial use and the Department certifies that the works have a
capacity for the diversion of **8.29 cfs** of water from **the Snake River**
tributary to **the Columbia River** and that the permit holder has applied it to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from 3/15 to 11/15	at 8.29 cfs and	2190.0 AF
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(Both dates inclusive)

Subject, however, to the condition that no more than **8.29 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
2190.0 acre feet per year, said water to be diverted within the **GL 5 (SESW), Sec. 15,**
T4S, R2E in the Cont. of **Owyhee**

Description and location of place of use

Twp	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NEW	NWN	SWW	SEN	NEW	NWN	SWW	SEN	NEW	NWN	SWW	SEN	NEW	NWN	SWW	SEN	
4S	2E	15									10	10	5	10	10	34			69
		16		1	25	1	5	30	40	40	2	40	40		35	20	35	20	334
		21		30	5														35

Total number of acres irrigated **438**

This right when combined with all other rights shall provide no more than **5.0** acre feet per acre for the lands above.

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 land 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 **29** day of
May 19 **81**

Director

MICROFILMED
JUN 10 1982

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 57-7186 Priority April 4, 1977 Amount 6.82 cfs

THIS IS TO CERTIFY, that John W. &/or Katherine R. Watson
of Grandview, Idaho, has complied with the terms and conditions of Permit
No. 57-7186 issued pursuant to Application for Permit dated April 4, 1977
and has submitted proof to the Department of Water Resources on December 5, 1977
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 6.82 cfs of water from a wastewater source
tributary to Snake 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
Irrigation	from March 15 to November 15	6.82 cfs and	1790 acre feet
	from	cfs and	
	from	cfs and	

Subject, however, to the condition that no more than 6.82 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 for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
1790 acre feet per year, said waters to be diverted within the SW 1/4 Sec. 15,
Twp. 4S, Rge. 2E, B. M. in the County of Cwyhee.

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Total
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
4S	2E	15									10	10	10	10					69
		16	1	25	1	5	30	40	40	2				35	20	35	20	254	
		21		30	5														35

Total number of acres irrigated 358

A measuring device of a type approved by the Department shall be maintained as
part of the diverting works.

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 31 day of

August, 19 78

Director

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JUN 10 1982

Attachment 1.

- license as presently recorded.

no transfer found on this license

5/3/89
82.

LAND LIST ATTACHMENT

Description and location of place of use:

TWP.	RANGE	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	
45	2E	15									10	10	5	1.5 10		1.2 34			69
		16		1	25	1	5	30	40	40	2	40	40		35	20	35	20	334
		21		30	5														35
															TOTAL				438

Proposal causing irrigation on 5 acres in:

45 2E 15 02-02384 10
1/20/1966 d.o.p.

Other rights on NESW:

45 2E 15 57-07186 10
wastewater
4/4/1977 d.o.p.

Appears that the 5 acres in NESW are irrigated by
2 rights. Proposed transfer of senior right
would require transfer of junior right also.

DETERMINE: Are the 10 acres in NESW
same acres in both rights?

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JUN 10 1982

02-02384
as
recorded

*original to S.O. file 8/25/89
RE: Ext. of Time to Avoid Forfeiture,
Appraisal on 5/26/85.*

RECEIVED
AUG 24 1989

Department of Water Resources
Western Regional Office

123 W. Highland Drive
Boise, Idaho 83702
August 21, 1989

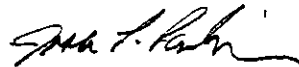
Mr. Dave Tuthill
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

Dear Mr. Tuthill:

The previous owner of property I've purchased in Owyhee County filed an application for extension of time to avoid forfeiture of a water right for water right #02-2384. The application was granted with the condition that use of water under this right must resume on or before April 1, 1990. The purpose of my letter is to inform you that use of water from the diversion facilities for lands described under that water right has resumed and the water is being put to beneficial use.

If you need additional information regarding this water right, please feel free to contact me or my consultant on this matter, Mr. Sherl Chapman, 410 S. Orchard, Suite 144, Boise, Idaho 83705.

Sincerely yours,



Joseph L. Parkinson

MICROFILMED

JUN 10 1992

March 5, 1990

Joseph L. Parkinson
HC 85, Box 233
Grand View, ID 83624

Dear Mr. Parkinson:

Re: Permit No. 02-7431/57-7484 and
Licensed Right No. 02-2384

The department acknowledges receipt of the proof of beneficial use form submitted in lieu of the request for extension of time for Permit No. 02-7431/57-7484. Returned is the request form.

Before a license can be issued, the department will conduct a field inspection of your system to review and confirm the extent of beneficial use being made of the water. The examiner will attempt to contact Mr. Rutan to schedule a convenient time.

For Licensed Right No. 02-2384, the department received the statement advising that water has again been put to a beneficial use. I also note that an Application for Transfer is pending before the department.

Be assured that both the water right file and the database file now indicate you as the property owner.

If you have questions, please contact me.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

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JUN 10 1992

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
FEB 20 1990

STATEMENT OF RESUMPTION OF BENEFICIAL USE

Department of Water Resources

The Idaho Department of Water Resources will consider this form as a statement that the water right holder(s) has/have resumed the use of water for the water right identified below. This form must be returned for the department to consider the water right valid after the period of non-use.

Water Right No. 02-2384

Name(s) of Water Right Holder: Joseph L. Parkinson

Post Office Address: 123 W Highland View Drive Boise
Idaho 83702 Telephone No. 208-834-2734
208-383-4029
208-342-5827

Source of Water: Snake River

Extent of Use:

Domestic _____ (number of households)

Stockwater _____ (number and type of stock)

Irrigation 438 (acres)

Other/Remark _____

Total rate and/or volume of use: 8.29 cfs 2190 acre-feet

Show the date water use will be/was resumed under this water right:

March 15, 1989

Person to contact to accompany the Department representative if a field examination is conducted:

Sheri L. Chapman 208-344-6690
(Name) (Telephone Number)

4105 Orchard Suite 144 Boise Id 83705
(Address)

The above information is my true statement of the extent to which use of the above numbered water right has been resumed.

2/19/90
Date

Joseph L. Parkinson
Signature

JUN 10 1992

I am the owner. Please change
from John W. Watson to Joseph
L. Parkinson, 123 W. Highland View
Drive, Boise, ID 83702

DRAFT

123 W. Highland Drive
Boise, Idaho 83702
August 2, 1989

Mr. Dave Tuthill
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

Dear Mr. Tuthill:

The previous owner of property I've purchased in Owyhee County filed an application for extension of time to avoid forfeiture of a water right for water right #02-2384. The application was granted with the condition that use of water under this right must resume on or before April 1, 1990. The purpose of my letter is to inform you that use of water from the diversion facilities for lands described under that water right has resumed and the water is being put to beneficial use.

If you need additional information regarding this water right, please feel free to contact me or my consultant on this matter, Mr. Sherl Chapman, 410 S. Orchard, Suite 144, Boise, Idaho 83705.

Sincerely yours,

Joseph L. Parkinson

MICROFILMED

JUN 10 1992

January 31, 1990

CERTIFIED MAIL

138193

John W. and Katherine Watson
Rt. B, Box 233
Grand View, ID 83624

Dear Mr. and Mrs. Watson:

Re: Water Right No. 02-2384

NOTICE TO RESUME WATER USE

One of the conditions of approval of the Application for Extension of Time to Avoid Forfeiture of a Water Right is that diversion and use of water be resumed on or before April 1, 1990. Enclosed is a form when submitted, will notify the department that you have again established beneficial use to the extent indicated on the form.

Failure to resume the use of water and to notify the department will be cause for the water to revert back to the state and be again available for appropriation.

If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

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JUN 10 1992

RECEIVED

AUG 24 1989

Department of Water Resources
Western Regional Office

RECEIVED

AUG 25 1989

Department of Water Resources

123 W. Highland Drive
Boise, Idaho 83702
August 21, 1989

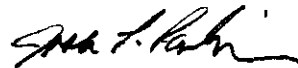
Mr. Dave Tuthill
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705

Dear Mr. Tuthill:

The previous owner of property I've purchased in Owyhee County filed an application for extension of time to avoid forfeiture of a water right for water right #02-2384. The application was granted with the condition that use of water under this right must resume on or before April 1, 1990. The purpose of my letter is to inform you that use of water from the diversion facilities for lands described under that water right has resumed and the water is being put to beneficial use.

If you need additional information regarding this water right, please feel free to contact me or my consultant on this matter, Mr. Sherl Chapman, 410 S. Orchard, Suite 144, Boise, Idaho 83705.

Sincerely yours,



Joseph L. Parkinson

RECEIVED
JUN 13 1992



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 334-7900

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

December 15, 1988

RE: Water Right Nos. 02-2384, 57-7186/7222

Thomas Miller
Hawley, Troxell, Ennis & Hawley
Attorneys and Counselors
P.O. Box 1617
Boise, ID 83701

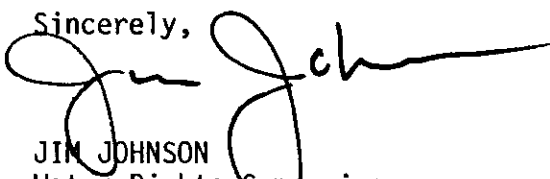
Dear Mr. Miller:

We acknowledge receipt of your correspondence regarding ownership of the above referenced water rights.

We have changed our computer records to show Mr. Parkinson as the present owner of these rights.

If you have any questions, please let us know.

Sincerely,



JIM JOHNSON
Water Rights Supervisor

JJ:ky

cc: Joseph Parkinson

MICROFILMED

DEC 19 1988

HAWLEY TROXELL ENNIS & HAWLEY

ATTORNEYS AND COUNSELORS

RECEIVED

DEC 08 1988

PAUL B. ENNIS
(1916-1982)

Department of Water Resources

125 NORTH GARFIELD
POST OFFICE BOX 4167
POCATELLO, IDAHO 83205

TELEPHONE
(208) 233-0845

TELECOPIER
(208) 233-1304

ROBERT I. TROXELL
JESS B. HAWLEY, JR.
JOHN T. HAWLEY, P.A.
THOMAS A. MILLER
M. NEAL NEWHOUSE
CRAIG L. MEADOWS
JOSEPH D. MCCOLLUM, JR.
WAYNE B. SLAUGHTER, JR.
GARY D. BABBITT
P. CRAIG STORTI
MERLYN W. CLARK
RICHARD F. GOODSON
CARL W. HARDER
PHILLIP M. BARBER
DONALD E. KNICKREHM
EDWIN V. APEL, JR.
EUGENE A. RITTI
KAREN L. LANSING
RICHARD G. SMITH
JOHN F. KURTZ, JR.
ROBERT S. ERICKSON
NICHOLAS G. MILLER

BRENT F. LLOYD
JOHN MCGOWN, JR.
ALBERT P. BARKER
DON A. OLOWINSKI
JOHN T. HAWLEY, JR.
RONALD E. BUSH
STEVEN W. BERENTER
CATHY R. SILAK
KENNETH C. HOWELL
RITA L. BERRY
MICHAEL M. STODDARD
JOSEPH P. LANGFIELD
SUSAN D. MINER
KEVIN J. BEATON
PATRICK V. COLLINS
CHRIS F. ODE
DAVID A. CHANNER
BRAD P. MILLER
STEVEN R. ORMISTON
MICHAEL K. CORAN
BART J. PATTERSON*

*ADMITTED TO PRACTICE
IN ARIZONA ONLY

ONE CAPITAL CENTER
SUITE 701
POST OFFICE BOX 1617
BOISE, IDAHO 83701

TELEPHONE
(208) 344-6000

TELECOPIER
(208) 342-3829

December 6, 1988

Idaho Department of Water Resources
State Office
1301 North Orchard St.
Boise, Idaho 83706

RE: Water Licenses Nos. 02-2384, 57-7186 & 57-7222 (now
owned by Joseph L. Parkinson)

Gentlemen:

Our client, Joseph L. Parkinson, 123 West Highland View Drive, Boise, Idaho 83702, acquired the Watson Ranch and appurtenant water rights in Owyhee County, including the above-referenced licenses. I am enclosing a copy of the Sheriff's Deed to him dated November 7, 1988 and recorded November 7, 1988 as Instrument No. 196664, office of the Recorder, Owyhee County, Idaho. The land is described on Page 4 and the water licenses are referred to on Page 5. Also enclosed are three copies of maps of the ranch, one for each file.

Would you please change your records, including your computer records, to show this change of ownership of lands in connection with Licenses Nos. 02-2384, 57-7186 and 57-7222, and please direct future correspondence and notices in connection with these licenses to Mr. Parkinson.

License No. 02-2384 has been inactive under a formal extension of time to avoid forfeiture pursuant to which use must be resumed prior to April 1, 1990. Mr. Parkinson plans to resume such use well in advance of that date, but in particular would appreciate receiving any notices and requests for information and the like, in connection with this special situation, addressed to him at the above address.

MICROFILMED

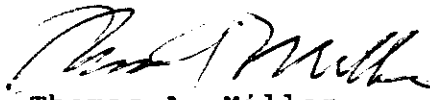
DEC 19 1988

Idaho Department of Water Resources
December 6, 1988
Page 2

If you have any questions that I may be able to answer,
please feel free to contact me.

Thank you for your usual consideration.

Yours truly,



Thomas A. Miller

TAM:cw

Encls.

cc: Idaho Department of Water Resources
Western Region
2735 Airport Way
Boise, Idaho 83705
ATTN: Mr. David Tuthill (W/Encl.)

Mr. Joseph L. Parkinson

MICROFILMED

DEC 19 1988

STEPHEN C. BROWN
ELLIS, BROWN & SHEILS, CHARTERED
Idaho First Plaza, Suite 1500
101 South Capitol Boulevard
Boise, Idaho 83702
Telephone: (208) 345-7832

Attorneys for Plaintiff

RECEIVED
DEC 08 1988

Department of Water Resources

IN THE DISTRICT COURT OF THE THIRD JUDICIAL DISTRICT OF
THE STATE OF IDAHO IN AND FOR THE COUNTY OF OWYHEE

THE FEDERAL LAND BANK OF SPOKANE,
a corporation,

Plaintiff,

vs.

JOHN W. WATSON and KATHARINE R.
WATSON, husband and wife; KIM ASTLE,
a single man; INTERSTATE PRODUCTION
CREDIT ASSOCIATION, a corporation;
THE IDAHO FIRST NATIONAL BANK;
GEORGE M. GRISSOM and CARMEN P.
GRISSOM, husband and wife; JOHANNA
A. SEYFFERT; WILLIAM R. SMITH and
ISABELLA M. SMITH; IRENE L. PRICE,
Trustee of the John W. Price Trust;
WILLIAM HOBBS; J. R. SIMPLOT
COMPANY, d/b/a Simplot Soilbuilders,
a Nevada corporation; and INTERSTATE
FEDERAL LAND BANK ASSOCIATION, a
corporation;

Defendants.

Case No. 4680

SHERIFF'S DEED

THIS INDENTURE, made this 7th day of November,
1988, between TIM NETTLETON, Sheriff of Owyhee County, State
of Idaho, the Grantor, JOSEPH L. PARKINSON, a single man, the
Grantee, whose current address is 123 West Highland View
Drive, Boise, Idaho 83702.

SHERIFF'S DEED

1

MICROFILMED

DEC 19 1988

COPY

WHEREAS, in and by that certain decree of foreclosure rendered by the District Court of the Third Judicial District of the State of Idaho, in and for the County of Owyhee, on the 17th day of September, 1987, in a certain action then pending in said court, wherein The Federal Land Bank of Spokane, was the plaintiff, and John J. Watson and Katharine R. Watson, Kim Astle, Interstate Production Credit Association, The Idaho First National Bank, George M. Grissom and Carmen P. Grissom, Johanna A. Seyffert, William R. Smith and Isabella M. Smith, Irene L. Price, Trustee of the John W. Price Trust, William Hobbs, J.R. Simplot Company, d/b/a Simplot Soilbuilders, and Interstate Federal Land Bank Association and Katharine R. Watson, were the defendants, and of which said decree a copy, with an order of sale thereon, was delivered to said sheriff, for execution, it was, among other things, ordered, adjudged and decreed that all and singular the mortgaged premises described in the complaint in said action, and specifically described in said decree, be sold at public auction by said sheriff in the manner required by law, and according to the course and practice of said court; that any of the parties to said action might become the purchaser at such sale; and, that said sheriff execute the usual certificates and deeds to the purchaser as required by law;

AND WHEREAS, said sheriff did, at the hour of 2:00 o'clock p.m., on the 4th day of November, 1987, after due

SHERIFF'S DEED

RECORDED

DEC 19 1988

public notice had been given as required by the laws of this State, and the course and practice of said court, duly sell at public auction, in front of the courthouse in the County of Owyhee, Idaho, pursuant to said decree, and the provisions of law, the premises in said decree mentioned; at which sale the premises in said decree, and hereinafter described, were fairly struck off to said The Federal Land Bank of Spokane for the sum of \$666,415.60, lawful money of the United States, it being the highest bidder, and that being the highest sum bid for the same;

AND WHEREAS, said The Federal Land Bank of Spokane thereupon paid to said sheriff said sum of money so bid by it;

AND WHEREAS, said sheriff thereupon made and issued the usual certificate, in duplicate, of said sale, in due form of law, and delivered one thereof to said purchaser, and caused the other to be filed and recorded on November 10, 1987, in the office of the Recorder of Owyhee County, Idaho, as Instrument No. 193646;

AND WHEREAS, the purchaser has duly assigned the certificate of sale to the Grantee by instrument recorded September 16, 1988, as Instrument No. 195654 in the office of the Recorder of Owyhee County, Idaho.

AND WHEREAS, more than one year has elapsed since the date of said sale, and no redemption has been made of the

SHERIFF'S DEED

3

MICROFILMED

DEC 19 1988

COPY

premises so sold, as aforesaid, by or on behalf of said defendant, or by or on behalf of any other person;

NOW, said Owyhee County Sheriff, in order to carry into effect the sale so made by him as aforesaid, in pursuance of said decree, and in conformity to the statutes in such cases made and provided, and also, in consideration of the premises and of said sum of \$666,415.60 lawful money of the United States, so bid and paid to him by said purchaser, said The Federal Land Bank of Spokane, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto said Grantee, and to his successors and assigns forever, the following described real property located in Owyhee County, State of Idaho:

PARCEL NO. 1

Township 4 South, Range 2 East of the Boise Meridian

Section 11: Lot 2

Section 14: Lot 2

Section 15: Lots 1, 2 and 5, SW1/4SW1/4, NE1/4SW1/4

Section 21: NE1/4

Section 22: Lots 2 and 3, W1/2NW1/4

PARCEL NO. 2

Township 4 South, Range 2 East of the Boise Meridian

Section 16: All

Together with a 150 H.P. 1775 RPM, U.S. electric motor and Singer turbine pump, 30 H.P. 3600 RPM, U.S. electric motor and Berkeley centrifugal pump, 100 H.P. 3555 RPM, G.E. electric motor and Cornell centrifugal pump, 20 H.P. 3490 RPM, Marathon electric motor and

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SHERIFF'S DEED

4

DEC 19 1988

COPY

centrifugal pump, 7-1/2 H.P. 3495 RPM, G.E. electric motor and Cornell centrifugal pump, and 2,500 feet of steel mainline, sizes 12" through 14", and any replacements thereof, all of which are hereby declared to be appurtenant thereto.

All water and water rights used upon or appurtenant to said property, however evidenced, and particularly ~~License Nos.~~ 57-7186, 57-7222, and 02-2384, issued by the Idaho Department of Water Resources.

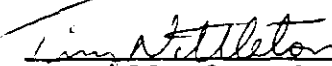
Together with any and all tenements, hereditaments and appurtenances thereunto belonging or used in connection therewith.

Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging, or in anywise appertaining, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof.

TO HAVE AND TO HOLD, all and singular, the premises above mentioned and described, and hereby conveyed, or intended so to be, together with the appurtenances, to said JOSEPH L. PARKINSON, a single man, his successors and assigns forever.

IN WITNESS WHEREOF, said grantor, as sheriff aforesaid, hereunto sets his hand the day and year first above written.

TIM NETTLETON



Sheriff of Owyhee County
State of Idaho

SHERIFF'S DEED

5

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DEC 19 1988

COPY

STATE OF IDAHO)
 (ss.
County of Owyhee)

On this 7th day of November, 1988, before me,
Stanley D. Smith, the undersigned, a Notary Public
in and for said State, personally appeared TIM NETTLETON,
Sheriff of Owyhee County, Idaho, known or identified to me to
be the person whose name is subscribed to the foregoing
instrument, and acknowledged to me that he executed the same
as Sheriff of Owyhee County, Idaho.

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

Stanley D. Smith
Notary Public for Idaho
Residing at Wilder
My Commission expires: 7-10-93

196664

FILED-RECORDED

NOV 7 11 26 AM '88

Debbie J. Smith

Payable to State
18.00

MICROFILMED

SHERIFF'S DEED

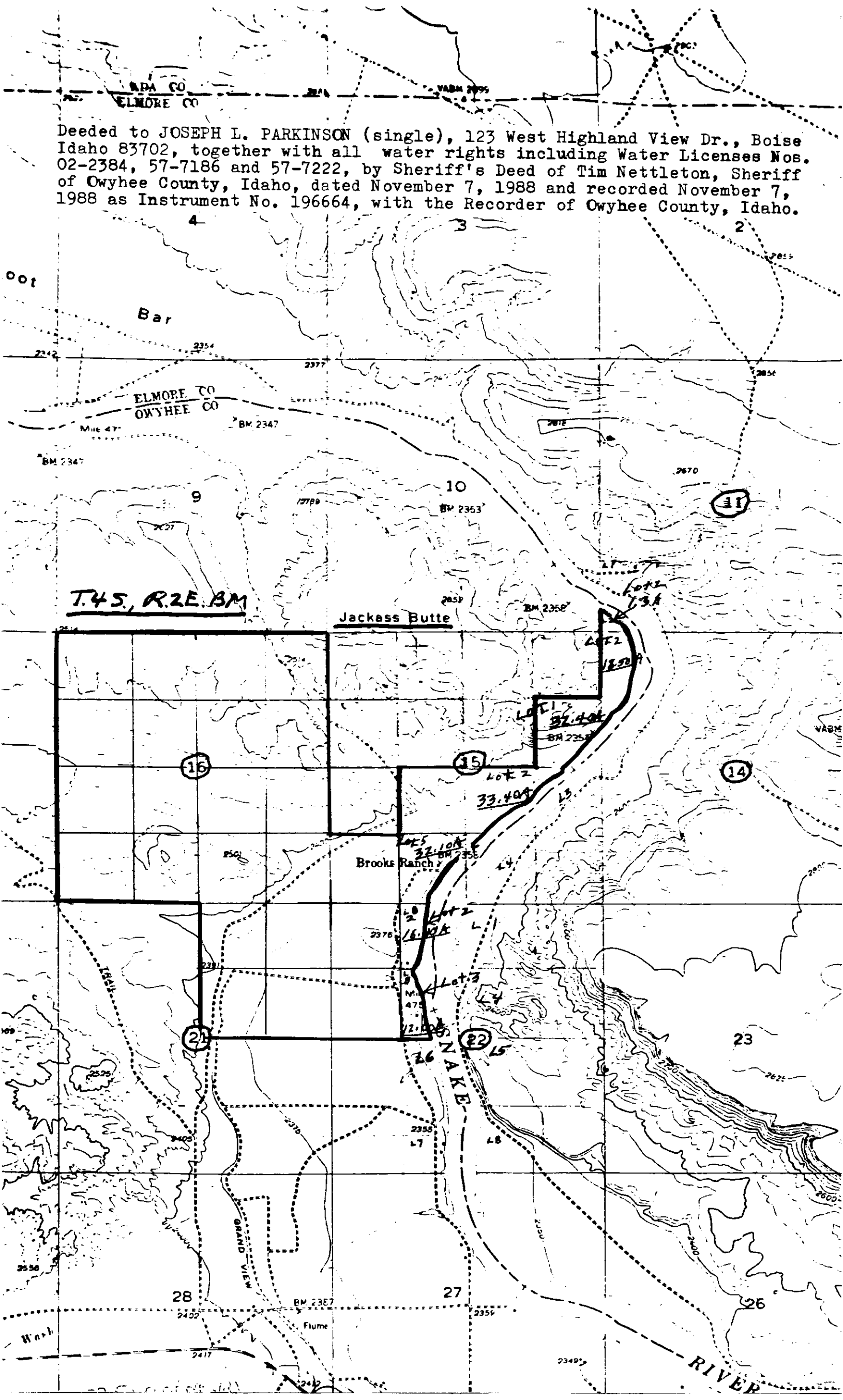
6

DEC 19 1988

COPY

IDAHO CO
ELMORE CO

Deeded to JOSEPH L. PARKINSON (single), 123 West Highland View Dr., Boise Idaho 83702, together with all water rights including Water Licenses Nos. 02-2384, 57-7186 and 57-7222, by Sheriff's Deed of Tim Nettleton, Sheriff of Owyhee County, Idaho, dated November 7, 1988 and recorded November 7, 1988 as Instrument No. 196664, with the Recorder of Owyhee County, Idaho.





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

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DEC 19 1988



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

June 4, 1985

RE: Water Right No. 02-2384

John W. & Katherine Watson
Rt. B, Box 233
Grand View, ID 83624

Dear Mr. and Mrs. Watson:

Enclosed is a copy of your approved Application for Extension of Time to Avoid Forfeiture of a Water Right. Please note that use of water under this right must resume on or before April 1, 1990.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

Enclosure

MICROFILMED

Notice of Application for Extension of Time
to Avoid Forfeiture of Water Right

Notice is hereby given that John W. and Katherine Watson, Rt. B, Box 233, Grandview, Idaho 83624 has filed an application for extension of time to avoid forfeiture of Water Right License 02-2384.

The right was licensed for 8.29 cfs of water from the Snake River with a priority date of 1/20/1966 with a point of diversion within Lot 5 (SESW) Sec 15 T4S R2E Owyhee County; for irrigation purposes from 3/15 to 11/15 upon 438 acres located within the N1/2SW, SWSW, Lot 5 (SESW) and Lot 2 (NWSE) Sec 15; the W1/2NE, SENE, NW1/4, N1/2SW, SWSW and SE1/4 Sec 16; and the W1/2NE, Sec 21, T4S, R2E.

Section 42-222, Idaho Code provides that a water right shall be lost and forfeited and the water revert to the state upon failure to apply water to beneficial use for a period of five years. The state may allow an additional five-year period of non-use without forfeiture upon a showing of reasonable cause. The right holders have applied for this extension because they have developed a lower cost waste water source but wish to preserve the Snake River Right in the event that better water management disrupts the current wastewater source. The applicant requests the extension until 4/9/1990.

Any protest(s) against the granting of this extension may be filed with the Idaho Department of Water Resources, 450 W. State St., Boise, ID 83720 on or before May 6, 1985.

A. Kenneth Dunn
Director

Published in the Owyhee Avalanche on April 17 and April 24, 1985.

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June 1, 1981

John & Katharine Watson
Watson Ranch
Rt. B, Box 233
Grandview, Idaho 83624

Dear Mr. & Mrs. Watson,

RE: License No. 02-2384

Enclosed is a copy of the Water Right License issued on the above referenced Permit, along with a copy of the approved Application for Amendment.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:mr
Enclosure

MICROFILMED

Overlap Review
attached

MAP (Attach Aerial Photo)

[illegible]

SCHEMATIC DIAGRAM OF SYSTEM

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

Point(s) of diversion: Government lot 5 Sec 15 T4S R2E
Onyhee County
 Place(s) of Use

[illegible]

Recommended Amendments:

- ☐ None
- ☐ Other

Examiner's Signature G. H. Sisco

Checked by OBS

Approved by _____

Date 1/7/81

Date 4/22/81

Date 4/23/81

DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources will consider this card as a statement that the permit holder(s) has completed development to the extent shown below of Permit No. 02-2384

Name(s) of Permit Holder: JOHN W. WATSON

Post Office Address: WATSON RANCH - Route 6 - Box 233

GRAND VIEW, IDAHO 83624

Tel. No. (208) 834-2484
(415) 271-3835

Source of Water: SNAKE RIVER

Extent of Use:

☐ Domestic

(number of households)

☐ Stockwater

(number and type of stock)

☒ Irrigation

718

(acres)

☐ Other

Measuring Device:

Required?

☒ Yes ☐ No

Installed?

☐ Yes ☐ No

Access Port:

Required?

☒ Yes ☐ No

Installed?

☒ Yes ☐ No

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

9-18-80

Date

John W. Watson

Signature of Permit Holder

MICROFILMED

JOHN W WATSON

WATSON RANCH

Route B, Box 233

GRAND VIEW, IDAHO 83624

Department of Water Resources
Western Regional Office

SEP 23 1980

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IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED

PLACE
TEN CENT
STAMP
HERE

SEP 24 1980

Department of Water Resources



State of Idaho

DEPARTMENT OF WATER RESOURCES

WESTERN REGION, 92 South Cole Road, Boise, Idaho 83709

JOHN V. EVANS

Governor

(Office at the corner of
Franklin and Cole Roads)

C. STEPHEN ALLRED

Director

(208) 384-2190

October 17, 1980

John W. Watson
Watson Ranch
Rt. B-Box 233
Grand View, ID 83624

RE: Permit No. 02-2384

Dear Mr. Watson:

We acknowledge receipt of your statement 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.

☐ A field examination of your system has been scheduled for

If this time and date is not convenient for you, please contact this office as soon as possible.

☒ A field examiner will contact you to arrange to examine your system.

If you have any questions regarding the field examination, please contact this office.

Sincerely,

Kay Walker
Secretary

MICROFILMED

September 5, 1975

Re: Permit No. 02-2384

Mr. John Watson
133 Caperton Avenue
Piedmont, CA 94611

Dear Mr. Watson:

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 January 1, 1981.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

*New address:
1240 Medford Rd.
Zafra, CA 94544*

November 27, 1973

Mr. Marshall Neal Newhouse
HAWLEY, TROXELL, ENNIS & HAWLEY
P.O. Box 1617
Boise, ID 83701

RE: Permit Number 32697/02-2384 in the name
of Harold A. Steiner

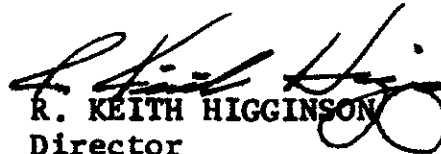
Dear Mr. Newhouse:

In your letter of November 15th, 1973, written on behalf of Mr. John W. Watson, you asked whether provision 2(b) of the above permit would be invoked to cancel the permit for failure to complete one-fifth the work in one-half the time.

As I told you in previous conversations, the policy of this office has been to allow the permit holder to submit proof of completion of works and proof of beneficial use at the same time. The Department of Water Administration has not as a matter of policy invoked the provision referred to and will not in the present case as long as the permit holder is proceeding reasonably towards completion of the project. If your client is proceeding in the manner described in your letter and proceeds with actual construction, there would not be grounds for the Department to cancel the permit.

I trust that this letter answers your inquiry. A copy of this letter will be placed in the Department's file. If you have any further inquiries, please feel free to contact us again.

Very truly yours,


R. KEITH HIGGINSON
Director

MICROFILMED

RKH/slg

02-2384

HAWLEY TROXELL ENNIS & HAWLEY
ATTORNEYS AND COUNSELORS
BANK OF IDAHO BUILDING
POST OFFICE BOX 1617
BOISE, IDAHO 83701

RECEIVED

NOV 19 1973

Department of Water Administration
AREA CODE 208
TELEPHONE: 344-7683

ROBERT I. TROXELL
JESS B. HAWLEY, JR.
PAUL B. ENNIS
JOHN T. HAWLEY
THOMAS A. MILLER
MARSHALL NEAL NEWHOUSE
ROBERT J. ENNIS
CRAIG L. MEADOWS
ROBERT L. BILOW
JOSEPH D. MCCOLLUM, JR.
WAYNE B. SLAUGHTER, JR.

November 15, 1973

Mr. R. Keith Higgenson, Director
Idaho Department of Water Administration
614 W. State Street
Boise, Idaho

Re: Permit Number 32697/02-2384 in the name of
Harold A. Steiner

Dear Mr. Higgenson:

This letter is written as a result of our telephone conversation of November 9, 1973, in respect to the aforementioned Permit. As you now know, this office represents Mr. John W. Watson who is in the process of purchasing the property to be irrigated by water rights represented by said Permit. The transfer of the Permit and its validity and good standing are essential parts of Mr. Watson's purchase.

In reviewing your office files with respect to the Permit, we became concerned with the provisions of your Order Modifying Requirements for Completion of Permit to Appropriate Water, dated May 25, 1970, and specifically paragraph 2 (b) thereof which provides in part as follows:

"The permit holder should be aware that failure to complete one-fifth (1/5) of the work within one-half (1/2) of the time originally set for completion of works may be grounds for cancellation at the instance of the department."

The Permit was approved January 21, 1966. The time originally set for completion of works was January 21, 1971. The time set for application of the water to beneficial use is January 21, 1976. It would therefore appear the Department is in a position to cancel the permit if one-fifth of the works has not completed as of this date.

RECEIVED

02-2384

Mr. R. Keith Higgenson, Director
November 15, 1973
Page Two

If I understood you correctly, in amending Title 42, Chapter 2, Idaho Code, in 1969, it was the intent of the 39th Session of the Idaho Legislature to remove the duplication of proof requirements of former law, and provide that proof of the completion of the works be submitted simultaneously with proof of application to beneficial use. In this matter, then, the completion of works and application to beneficial use would have to be proved by January 21, 1976. Unfortunately, the Legislature overlooked the provisions of Title 42, Chapter 3, Idaho Code, when so amending Chapter 2 of Title 42, Idaho Code, and consequently, the former chapter still provides that a junior permittee may petition for cancellation by the Department of a senior permit if the holder thereof has failed to complete one-fifth of the construction work within one-half the original time specified in his permit. While it is probable Chapter 3 was amended by implication in 1969, there is at least an ambiguity in the statutes at this point. The Department therefore inserted the above quoted paragraph in its Order Modifying Requirements respecting then outstanding permits.

Mr. Watson is in the process of obtaining bids for the construction of the irrigation works, and intends that the same be completed well before January 21, 1976. His prospective bidders advise him, however, that there are irrigation supplier shortages which may cause delay in the amount of work that can be accomplished during the next year. Mr. Watson expects the work will be complete and in operation by at least the 1975 irrigation season.

You have advised me that the Department has not cancelled a permit for failure to complete one-fifth of the works within one-half the time specified since the 1969 amendments became effective, and that Mr. Watson may be assured this Permit will not be cancelled on this ground. It is the purpose of this letter to obtain formalization of this assurance.

In the event you provide Mr. Watson with such written assurance, we request that a copy of the same be placed in the Department file with respect to this Permit.

Your early reply will be appreciated, which may be by affixing your signature to a copy of this letter where noted:

Very truly yours,

Marshall Neal Newhouse
MARSHALL NEAL NEWHOUSE

MICROFILMED

02-2384

Mr. R. Keith Higgenson, Director
November 15, 1973
Page Three

The foregoing correctly states the position of the Idaho Department of Water Administration. The Department will not cancel Permit Number 32697/02-2384 for failure to complete one-fifth of the works in one-half of the time as originally specified. The holder shall have until January 21, 1976 to complete the actual construction work and apply the water to full beneficial use on said property and submit proof thereof to the Department of Water Administration.

Dated:

IDAHO DEPARTMENT OF WATER ADMINISTRATION

By _____
R. Keith Higgenson, Director

RECORDED

02-2384

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DEC 12 1973

Department of Water Administration

December 10, 1973

Ms. D. Darlene Reich
State of Idaho
Department of Water Administration
614 State Street
Statehouse - Annex 2
Boise, Idaho 83720

Dear Ms. Reich:

Re: Assignment of Water Permit No. 32697/02-2384

Thank you for your December 4 letter acknowledging receipt of the assignment of subject water permit.

To insure that your files are complete, I am attaching the latest exchange of letters with Mr. Keith Higginson which relate to this same permit.

Thank you.

Very truly yours,

John W. Watson

John W. Watson
235 Hillside Avenue
Piedmont, California 94611

JWW/hb
Attachment

02-2384

MICROFILMED

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor

R. Keith Higginson
Director

614 State Street
Statehouse - Annex 2
Boise, Idaho 83720
(208) 384-2190



Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Waste Disposal Wells
Stream Channel Protection

November 27, 1973

Mr. Marshall Neal Newhouse
HAWLEY, TROXELL, ENNIS & HAWLEY
P.O. Box 1617
Boise, ID 83701

RE: Permit Number 32697/02-2384 in the name
of Harold A. Steiner

Dear Mr. Newhouse:

In your letter of November 15th, 1973, written on behalf of Mr. John W. Watson, you asked whether provision 2(b) of the above permit would be invoked to cancel the permit for failure to complete one-fifth the work in one-half the time.

As I told you in previous conversations, the policy of this office has been to allow the permit holder to submit proof of completion of works and proof of beneficial use at the same time. The Department of Water Administration has not as a matter of policy invoked the provision referred to and will not in the present case as long as the permit holder is proceeding reasonably towards completion of the project. If your client is proceeding in the manner described in your letter and proceeds with actual construction, there would not be grounds for the Department to cancel the permit.

I trust that this letter answers your inquiry. A copy of this letter will be placed in the Department's file. If you have any further inquiries, please feel free to contact us again.

Very truly yours,


R. KEITH HIGGINSON
Director

MICROFILMED

RKH/slg

02-2384

HAWLEY TROXELL ENNIS & HAWLEY
ATTORNEYS AND COUNSELORS
BANK OF IDAHO BUILDING
POST OFFICE BOX 1617
BOISE, IDAHO 83701

ROBERT J. TROXELL
JESS B. HAWLEY, JR.
PAUL B. ENNIS
JOHN T. HAWLEY
THOMAS A. MILLER
MARSHALL NEAL NEWHOUSE
ROBERT J. ENNIS
CRAIG L. MEADOWS
ROBERT L. SILOW
JOSEPH D. MCCOLLUM, JR.
WAYNE B. SLAUGHTER, JR.

November 15, 1973

AREA CODE 208
TELEPHONE: 344-7683

Mr. R. Keith Higgenson, Director
Idaho Department of Water Administration
614 W. State Street
Boise, Idaho

Re: Permit Number 32697/02-2384 in the name of
Harold A. Steiner

Dear Mr. Higgenson:

This letter is written as a result of our telephone conversation of November 9, 1973, in respect to the aforementioned Permit. As you now know, this office represents Mr. John W. Watson who is in the process of purchasing the property to be irrigated by water rights represented by said Permit. The transfer of the Permit and its validity and good standing are essential parts of Mr. Watson's purchase.

In reviewing your office files with respect to the Permit, we became concerned with the provisions of your Order Modifying Requirements for Completion of Permit to Appropriate Water, dated May 25, 1970, and specifically paragraph 2 (b) thereof which provides in part as follows:

"The permit holder should be aware that failure to complete one-fifth (1/5) of the work within one-half (1/2) of the time originally set for completion of works may be grounds for cancellation at the instance of the department."

The Permit was approved January 21, 1966. The time originally set for completion of works was January 21, 1971. The time set for application of the water to beneficial use is January 21, 1976. It would therefore appear the Department is in a position to cancel the permit if one-fifth of the works has not completed as of this date.

02-2384

MICROFILMED

Mr. R. Keith Higgenson, Director
November 15, 1973
Page Two

If I understood you correctly, in amending Title 42, Chapter 2, Idaho Code, in 1969, it was the intent of the 39th Session of the Idaho Legislature to remove the duplication of proof requirements of former law, and provide that proof of the completion of the works be submitted simultaneously with proof of application to beneficial use. In this matter, then, the completion of works and application to beneficial use would have to be proved by January 21, 1976. Unfortunately, the Legislature overlooked the provisions of Title 42, Chapter 3, Idaho Code, when so amending Chapter 2 of Title 42, Idaho Code, and consequently, the former chapter still provides that a junior permittee may petition for cancellation by the Department of a senior permit if the holder thereof has failed to complete one-fifth of the construction work within one-half the original time specified in his permit. While it is probable Chapter 3 was amended by implication in 1969, there is at least an ambiguity in the statutes at this point. The Department therefore inserted the above quoted paragraph in its Order Modifying Requirements respecting then outstanding permits.

Mr. Watson is in the process of obtaining bids for the construction of the irrigation works, and intends that the same be completed well before January 21, 1976. His prospective bidders advise him, however, that there are irrigation supplier shortages which may cause delay in the amount of work that can be accomplished during the next year. Mr. Watson expects the work will be complete and in operation by at least the 1975 irrigation season.

You have advised me that the Department has not cancelled a permit for failure to complete one-fifth of the works within one-half the time specified since the 1969 amendments became effective, and that Mr. Watson may be assured this Permit will not be cancelled on this ground. It is the purpose of this letter to obtain formalization of this assurance.

In the event you provide Mr. Watson with such written assurance, we request that a copy of the same be placed in the Department file with respect to this Permit.

Your early reply will be appreciated, which may be by affixing your signature to a copy of this letter where noted:

Very truly yours,

MARSHALL NEAL NEWHOUSE

MNN/d

RECEIVED

02-2384

Mr. R. Keith Higgenson, Director
November 15, 1973
Page Three

The foregoing correctly states the position of the Idaho Department of Water Administration. The Department will not cancel Permit Number 32697/02-2384 for failure to complete one-fifth of the works in one-half of the time as originally specified. The holder shall have until January 21, 1976 to complete the actual construction work and apply the water to full beneficial use on said property and submit proof thereof to the Department of Water Administration.

Dated:

IDAHO DEPARTMENT OF WATER ADMINISTRATION

By R. Keith Higgenson, Director

MICROFILMED

02-2384

December 4, 1973

Re: Permit No. 32697/02-2384

John W. & Katharine R. Watson
235 Hillside Avenue
Piedmont, California 94611

Dear Mr. & Mrs. Watson:

We acknowledge receipt of the assignment conveying the above referenced permit to you. The assignment has been recorded and the Department's records changed.

Enclosed is a copy of your permit for your records. Please note the conditions of approval as listed on the back page.

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

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JC
Enc: Copy of permit

02-2384

MICROFILMED

October 26, 1970

Re: Permit No. 32697/02-2384

Mr. Harold A. Steiner
Oreana,
Idaho 83659

Dear Mr. Steiner:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit. Since proof of beneficial use of the water is not required until January 21, 1976, the Department will notify you sixty days in advance of this date as to further requirements. We wish to advise you, however, that if you have fulfilled the requirements under the permit you may submit proof anytime prior to the above date.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

32697
02-2384

September 25, 1970

Re: Permit No. 32697/02-2384

Mr. Harold A. Steiner
Oreana,
Idaho 83659

Dear Mr. Steiner:

The legal notice for the above-referenced permit is being published in the
Owyhee Nugget, Marsing, Idaho on October 8
and October 15, 1970.

You will be required to submit an affidavit of publication to this department.
The affidavit may be obtained from the above-mentioned newspaper upon payment of
the bill of publication.

Thank you for your cooperation in this matter.

Very truly yours,

Dorian Clay,
Appropriation Examiner

DC/DG

RECEIVED

02-2384
32697

September 25, 1970

Re: Permit No. 32697/02-2384

Owyhee Nugget
Marsing,
Idaho 83639

Gentlemen:

Enclosed is a legal notice which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates, allowing ample time for you to submit to us a galley proof for our 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 date. If you cannot publish the notice on the proposed dates, please contact the Department of Water Administration immediately.

The expense of the publication is to be paid by Harold A. Steiner, Oreana, Idaho, to whom you should furnish an affidavit of publication.

Very truly yours,

Dorian Clay,
Appropriation Examiner

DC/DG
Enc: legal notice

MICROFILMED

32697
02-2384

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Harold A. Steiner, Oreana, Idaho

RECEIVED
JAN 21 1970
Department of Water Administration

_____ has received an approved permit No.

32697/02-2384 issued by the Idaho State Reclamation Department authorizing the diversion ~~of~~ of 14.0 cubic feet per second ~~acre/feet/ft/ft/ft~~ of water from the Snake River

subject to all prior rights. The priority to be established under this permit is January 20, 1966 and the permit was approved January 21, 1966

Water is to be diverted by pipe, pump for sprinkler irrigation from a point within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 15, T. 4 S, R. 2 E, B. M., Owyhee County

_____ to be used for irrigation

in ~~the~~ all of Sec. 16; E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 15; W $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 14, T. 4 S, R. 2 E, B. M.

Proof of the application of the water to beneficial use is to be submitted to the department on or before January 21, 1976. Any protests against the issuance of a license for the above referenced permit should be filed with the Department of Reclamation within ten (10) days of the last date of publication of this notice or prior to the licensing of the permit. Licensing may commence prior to the date beneficial use proof is due without further notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Owyhee Nugget, Marsing, Idaho on October 8 and October 15, 1970

State Reclamation Engineer:

Permit No. 02-2384

You are hereby authorized to have the attached notice published at my expense in the Owyhee Nugget of Marsing, Idaho; published in the county in which the works are situated.

Harold A. Steiner
(Signature)

Oreana, Idaho
(Address)

Sept 21 1970
(Date)

MICROFILMED

32697
02-2384

May 28, 1970

Re: Permit No. 32697/02-2384

Mr. Harold A. Steiner
Oreana,
Idaho

Dear Mr. Steiner:

During the 1967 session of the Idaho Legislature, certain amendments were made in the law pertaining to the procedures for making proof of beneficial use of water. In order for the Department to comply with these changes, Rules of Practice and Procedure were adopted on August 1, 1968. Generally, these procedures and the amended law make it simpler for a person to make proof and relieve the permit holder from making separate proofs of completion of works and beneficial use of water.

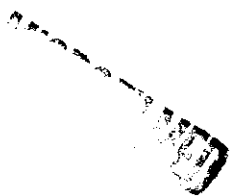
The enclosed order modifies your permit to comply with these rules and regulations. As a part of the new procedure, you will be required to publish a notice at your expense for two consecutive weeks in a paper as prescribed by the Department; previously, a permit holder had to publish a notice for four weeks when he submitted proof under his permit.

If you will complete the enclosed forms, we will cause the notice to be published. Should you require additional forms or information, we will be glad to supply them upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG
Enc: order
advertising package



32697
02-2384

February 3, 1966

Re: Permit No. 32697

Mr. Harold A. Steiner,
Oreana, Idaho.

Dear Mr. Steiner:

We enclose Permit No. 32697 in which we direct your attention to the limitations and conditions as given on the fourth page under approval of the State Reclamation Engineer

We also enclose Departmental Receipt No. 33084 which was issued covering payment in the amount of \$ 8.25 for the filing fee of the above mentioned permit.

Very truly yours,

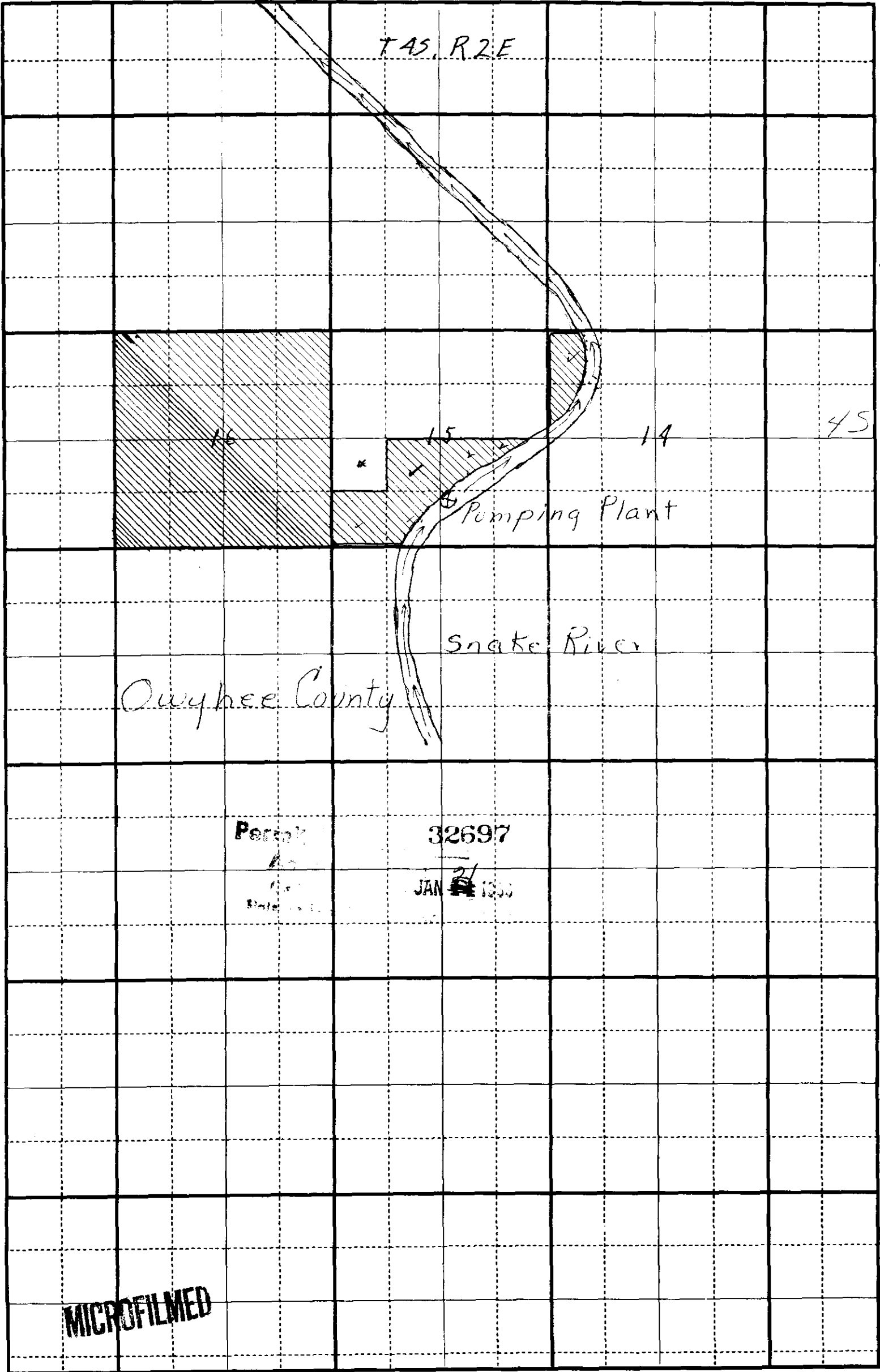
(MRS.) EDNA P. RULE
Chief Clerk

EPH:pmk

32697

NAME OF APPLICANT Harry H. Steiner

Form No. 0



SCALE: 2 Inches Equal 1 Mile. Draw Plan In Ink.

2 E

32697

January 17, 1966

RE: Application for Permit

Harold A. Steiner
Oreana, Idaho

Dear Mr. Stiner:

Returned find your permit application with \$8.25 fee.

Note additions under 4.

Under 14 the land listed for Section 15 is the NE~~X~~SW~~X~~,
NE~~X~~SE~~X~~, and NW~~X~~SE~~X~~ while the maps show all these plus
the SW~~X~~SW~~X~~ and SE~~X~~SW~~X~~. Please bring the land list
and maps into agreement and return the application to
this department.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

Donald J. Watts
Office Engineer

DJW:mr

Enc. application, check

326 97