



Scale: 2 inches equal 1 mile.

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

+ Jay H. Hulet
(Applicant)

(Applicant)

32230 32230

36

FEB 19 1965

R/W
MERIDIAN
R/E

BM
2333

31

+ 2375

32

SNAKE

GOLD MINE
PUMP SITE

36" DIA
PIPE

PD

CANAL

1

TRAIL

BOISE

ADA CO
OWYHEE CO

5

Sinker Creek
Butte

VABM
3129

Other Massacre
Site

BM
2781

EMIGRANT

Jacob Reuben
Graves

2454

Montini
Ranch

Reservoir

18

13

17

PROV CANAL

24

19

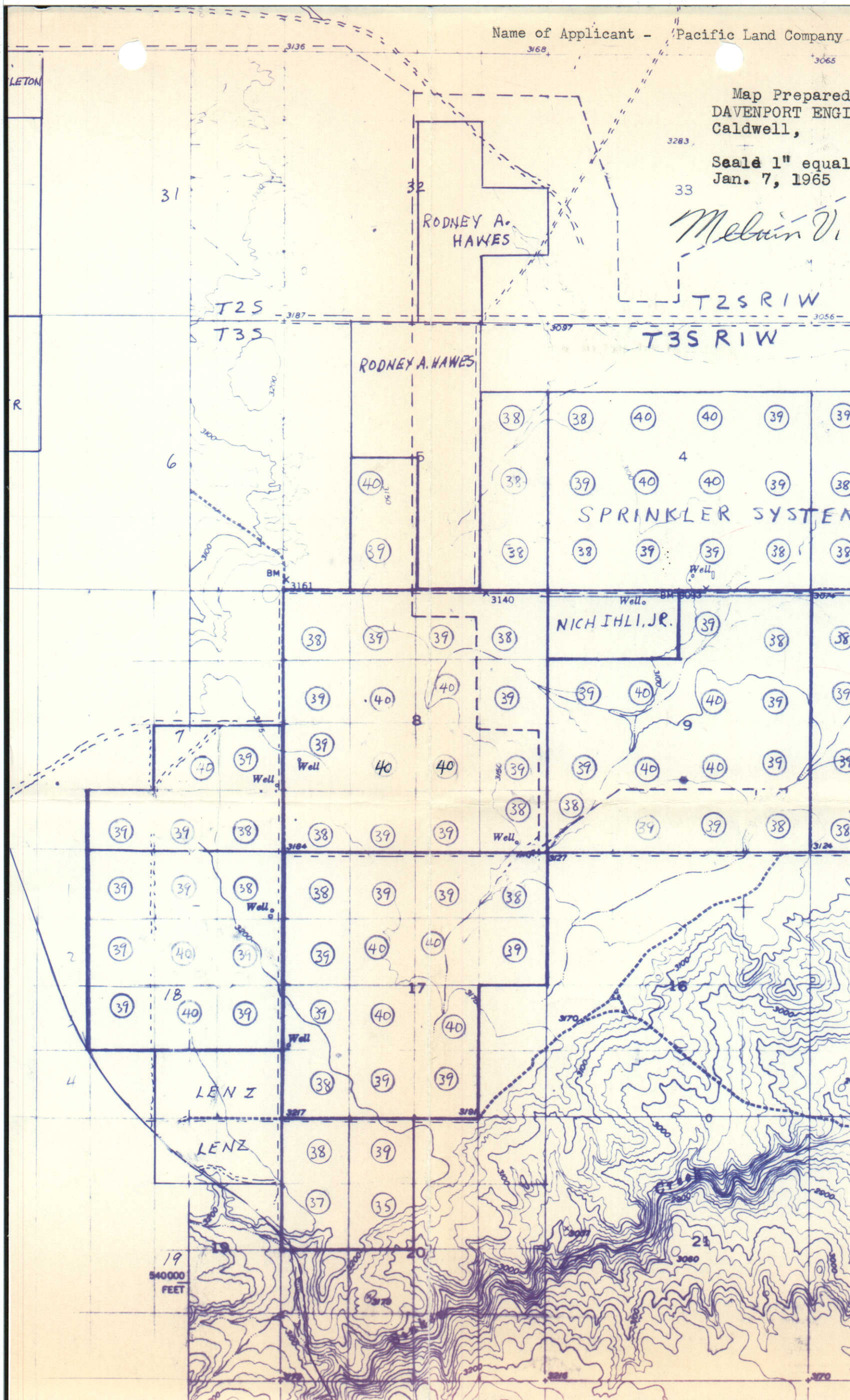
20

PRO
PM

Map Prepared
DAVENPORT ENGI
Caldwell,

Scale 1" equal
Jan. 7, 1965

Melvin V.



Name of Applicant - Pacific Land Company

Map Prepared By
DAVENPORT ENGINEERS
Caldwell, Idaho

Scale 1" equals 2000
Jan. 7, 1965

Permit Map No.
As Approved
CARL E. TAPPAN
State Reclamation Engineer

33

34

Melvin V. Davenport P.E.

T2S R1W

T3S R1W

N

RODNEY HAWES

SPRINKLER SYSTEM

RODNEY HAWES

RELIFT

PUMP
PIPE

NICHOLI, JR.

PIPE RELIFT CANAL

Gabies Ranch

Spring

32230

36



PROOF OF PUBLICATION

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

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

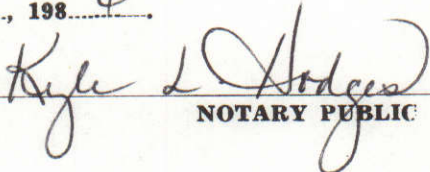
That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 25 day of July, 1984, and the last publication being on the 1 day of August, 1984;

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


PUBLISHER

Subscribed and sworn to before me this 1 day of

August, 1984.


NOTARY PUBLIC

My commission expires 3-86

(SEAL)

NOTICE OF PROPOSED CHANGE OF WATER RIGHT NO. 02-2361 ^{1/18}

Notice is hereby given that Jay H. Hulet of Murphy, Idaho 83650 has applied to the Department of Water Resources for a change in the nature of use of water of the Snake River. The right sought to be changed is evidenced by water right License No. 02-2361 and is recorded as follows:

Amount 66.04 cfs and 22,300 acre-feet per annum Priority: 1/8/1965 Point of diversion: Lot 3, Sec. 6, T 3S, R1E

The water is used for irrigation purposes from 4/1 to 10/15 upon 4,460 acres located within sections 2, 3, 4, 5, 7, 8, 9, 10, 11, 15, 17, 18 and 20, T3S, R1W.

TO BE CHANGED AS FOLLOWS

The amount will be changed as follows:

66.04 cfs for irrigation purposes from 4/1 to 10/15

66.04 cfs for diversion to storage from 4/1 to 10/15

7,000 acre-feet for storage for irrigation from 4/1 to 10/15

7,000 acre-feet for irrigation from storage from 4/1 to 10/14

The total diversion from the Snake River shall not exceed 66.04 cfs or 22,300 acre-feet per annum.

Point of diversion: Lot 3, Sec. 6, T 3S, R1E.

The water will be used for irrigation, storage for irrigation and irrigation from storage from 4/1 to 10/15 upon 4,460 acres located within sections 2, 3, 4, 5, 7, 8, 9, 10, 11, 15, 17, 18 and 20, T3S, R1W.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Statehouse, Boise, ID 83720 on or before August 13, 1984.

KEN DUNN, Director

Published in the Owyhee Nugget, Marsing and Homedale, Owyhee County, Idaho 7/25 & 8/1/1984.

RECEIVED
AUG 3 1984

Department of Water Resources
Western Regional Office

PROOF OF PUBLICATION

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

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

That the annexed notice was published in said newspaper once each week and every week for 3 consecutive weeks, the first publication being on the 14 day of Jan., 1965, and the last publication being on the 28 day of Jan., 1965;

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 29 day of Jan., 1965.

Lona S. Hawes
NOTARY PUBLIC

My commission expires 9-10-68
(SEAL)

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 42-203, IDAHO CODE

NOTICE IS HEREBY GIVEN, That the Pacific Land Company of Boise, Idaho, has made application No. 40308 on the 8th day of January 1965. to appropriate 89.2 cubic feet per second of the waters of Snake River for irrigation purposes.

That the point of diversion is located Lot 3, Section 6, Twp. 3 S., Rge. 1 E., B. M.

That the lands to be irrigated are 4460 acres in Twp. 3 S., Rge. 1 W., B. M., in Sections 2, 3, 4, 5, 7, 8, 9, 10, 11, 15, 17, 18, 20.

That any protests against the approval of this application must be filed in the Department of Reclamation at Boise, Idaho, within forty (40) days from the date of the notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said application.

Dated this 8th day of January, 1965.

RALPH W. THOMAS,
Deputy State Reclamation Engineer.

Date of First Publication —
January 14, 1965.

Date of Last Publication —
January 28, 1965.

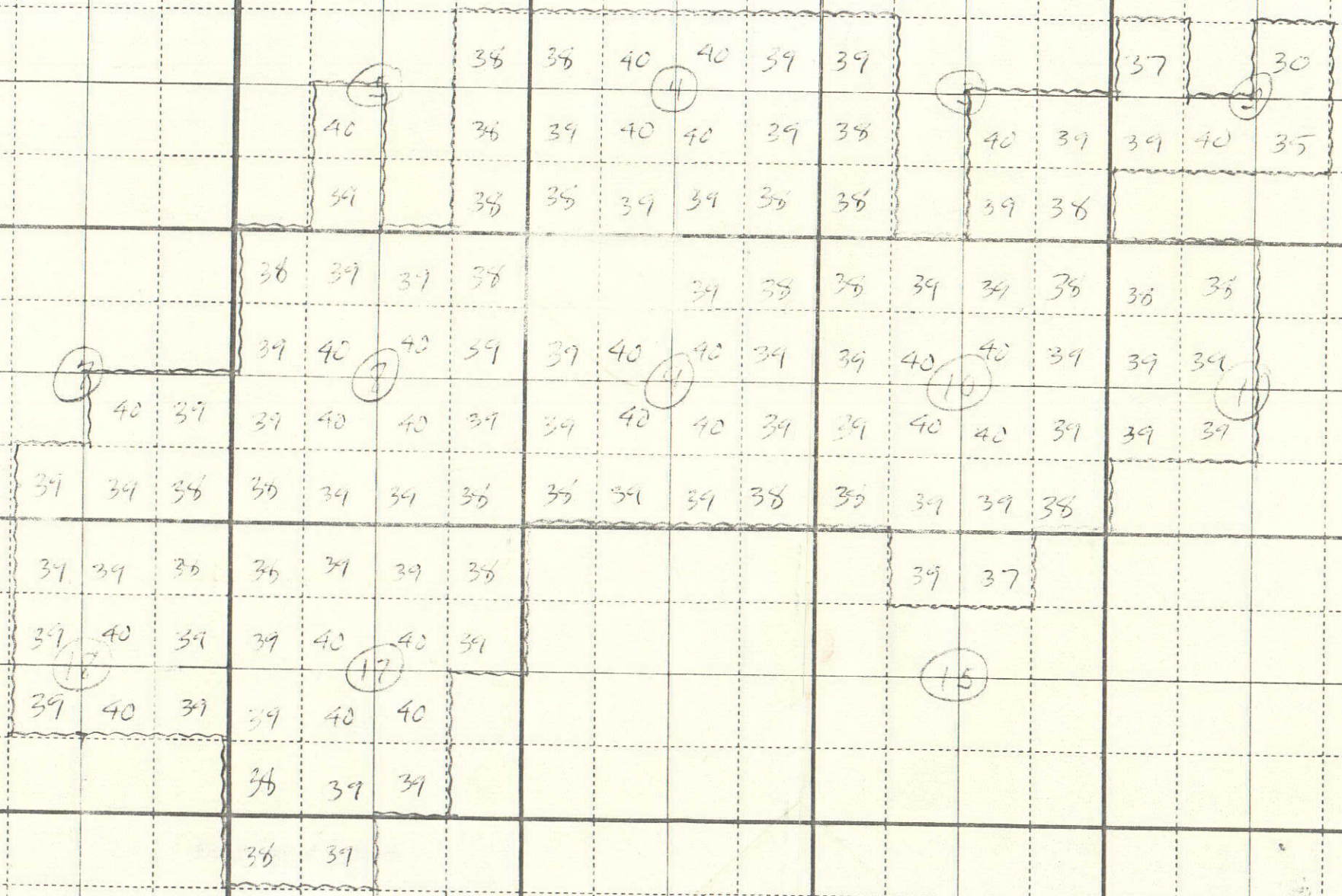
Last date for Protest: February 17, 1965.

832230

R. 1W

P.D.
in
Lot 3-
at Sub 6

T.
3
S.



B. DESCRIPTION OF PORTION OF RIGHT OWNED BY APPLICANT (If the entire right is owned by the applicant, omit part B).

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____

3. Place of use:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

1. Change in point of diversion
- a. Amount of water to be diverted _____ c.f.s. &/or _____ acre feet
- b. Point(s) of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____
- c. Description of diverting works _____
- d. Describe the reasons for applying for a change in the point(s) of diversion _____

2. Change in place of use

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

Total number of acres to be irrigated _____

3. CHANGE IN NATURE AND/OR SEASON OF USE.

See attached 1 sheet.

ATTACHMENT TO APPLICATION BY JAY H. HULET

FOR TRANSFER OF WATER RIGHT NO. 02-2361

3. CHANGE IN NATURE AND/OR SEASON OF USE.

a. Waters to be used for the following purposes:

amount	<u>66.04</u>	for	<u>irrigation</u>	purposes from	<u>4/1</u>	to	<u>10/15</u>
			<u>diversion to</u>				
amount	<u>66.04</u>	for	<u>storage</u>	purposes from	<u>4/1</u>	to	<u>10/15</u>
			<u>irrigation</u>				
amount	<u>7,000 a.f.a.</u>	for	<u>storage</u>	purposes from	<u>4/1</u>	to	<u>10/15</u>
			<u>irrigation from</u>				
amount	<u>7,000 a.f.a.</u>	for	<u>storage</u>	purposes from	<u>4/1</u>	to	<u>10/15</u>

4. REMARKS. The use of the present Snake River pumping station for pumping to storage under the existing right, License No. 02-2361, will give the applicant maximum flexibility in coordinating all water sources for these lands and is expected to yield best available efficiency for use of water and electrical energy. Applicant has an application, No. 57-7385, pending before the Department for a storage right from Sinker Creek, which would use the same reservoir as is contemplated by this application. Pending final action on the Sinker Creek application, and during times when the flow in Sinker Creek is inadequate, if that application is granted, diversion to storage under Licence No. 02-2361 will allow the applicant whatever economic advantage might be available from time to time from electrical power rates for off-season pumping, will allow the applicant to pump more water during high flow periods in the Snake River, thus reducing the demand on Idaho Power Company's system during the peak demand periods, will allow the applicant to create a reserve against potential breakdowns at the river pumping station during peak irrigation demand, and will allow the applicant to increase his delivery capacity during peak irrigation demand without adding additional pumps or pipelines and without increasing the amount of his diversion from Snake River.

Location of the reservoir site is shown on the attached copy of the map from Application No. 57-7385.

See attached "Quad" sheet for diversion point and cam!



+ Jay H Hulet
(Applicant)

213

Jay H. Hulet, 02-2361

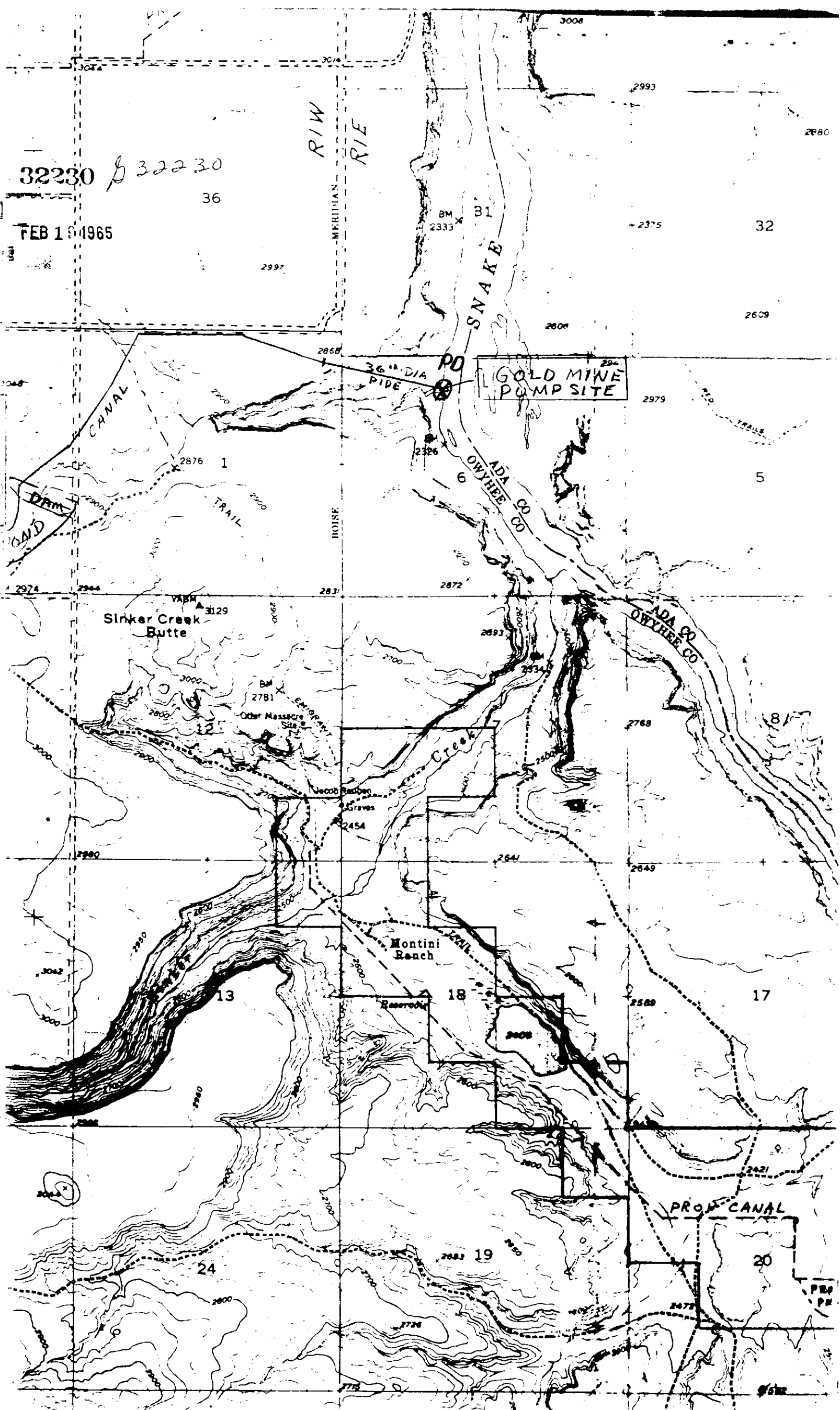
Description and location of place of use:

Total number of acres irrigated 4460

32230

36

FEB 19 1965



4. Remarks SEE ATTACHED SHEET.

I hereby assert that no one will be injured by such change and 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.

Subscribed and sworn to before me this 22nd day of June, 19 84.
Jay H. Hulst
(Signature of applicant)
Ainta C. McCormick
(Notary public)

My commission expires lifetime

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 02-2361 and said application is hereby APPROVED, subject to the following limitations and conditions:
1. Water diverted under this transfer shall exceed neither 66.04 cfs nor 22,300 acre feet/annum. 2. A totalizing meter of a type approved by the Department shall be permanently installed and maintained as part of the diverting works. 3. The priority date for diverting to storage under this right shall be June 22, 1984. 4. Use of this right for storage purposes is subject to the established minimum flows at the Murphy and Weiser gaging stations. 5. The storage of water under this permit is contingent upon certification of the dam & authorization of storage per the dam safety provisions of the Idaho Code. 6. Commencement of construction of the dam shall not be authorized until the water right holder receives approval from the Dept. of a plan for providing a supplemental water supply to compensate for evaporation losses in the reservoir.

Witness my hand this 11th day of September, 19 84.

A. Glen Saxton
Chief, Operations Bureau

FOR DEPARTMENT USE ONLY

Received by <u>DL</u>	Date <u>6/22/84</u>	Protest filed by _____
Prelim. check by <u>6/25</u>	Fee <u>150</u> # <u>34486</u>	_____
Receipted by <u>DL</u>	Date <u>6/22/84</u>	_____
Published in <u>our news report</u>		Copies of protest forwarded by _____
Pub. dates <u>7/20 & 8/2/84</u>		Hearing held by _____ Date _____
Watermaster recommendation requested on _____		Recommended for <u>approval</u> denial
_____ rec'd. _____		by <u>Juni Der</u>

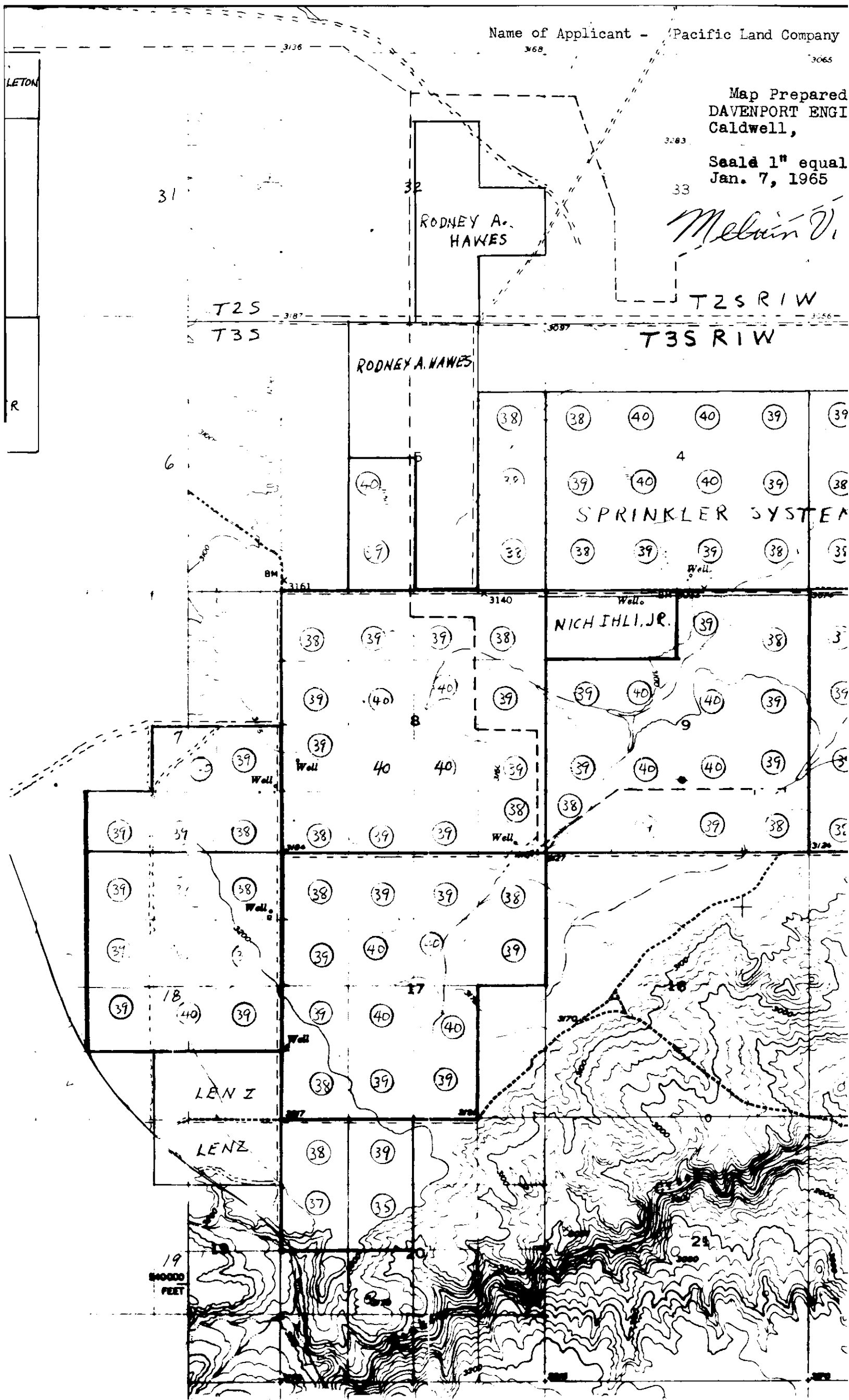
Map Prepared
DAVENPORT ENGI
Caldwell,

Scale 1" equal
Jan. 7, 1965

Melvin V.

LETON

R



Name of Applicant - Pacific Land Company

Map Prepared By
DAVENPORT ENGINEERS
Caldwell, Idaho

Scale 1" equals 2000
Jan. 7, 1965

Permit Map No.

As Approved

CARL E. TAPPAN

State Reclamation Engineer

33

34

Melvin V. Davenport P.E.

RODNEY A.
HAWES

T2S R1W

T3S R1W

N

RODNEY HAWES

HAWES

SPRINKLER SYSTEM

RODNEY
HAWES

RELIFT

PUMP
PIPE

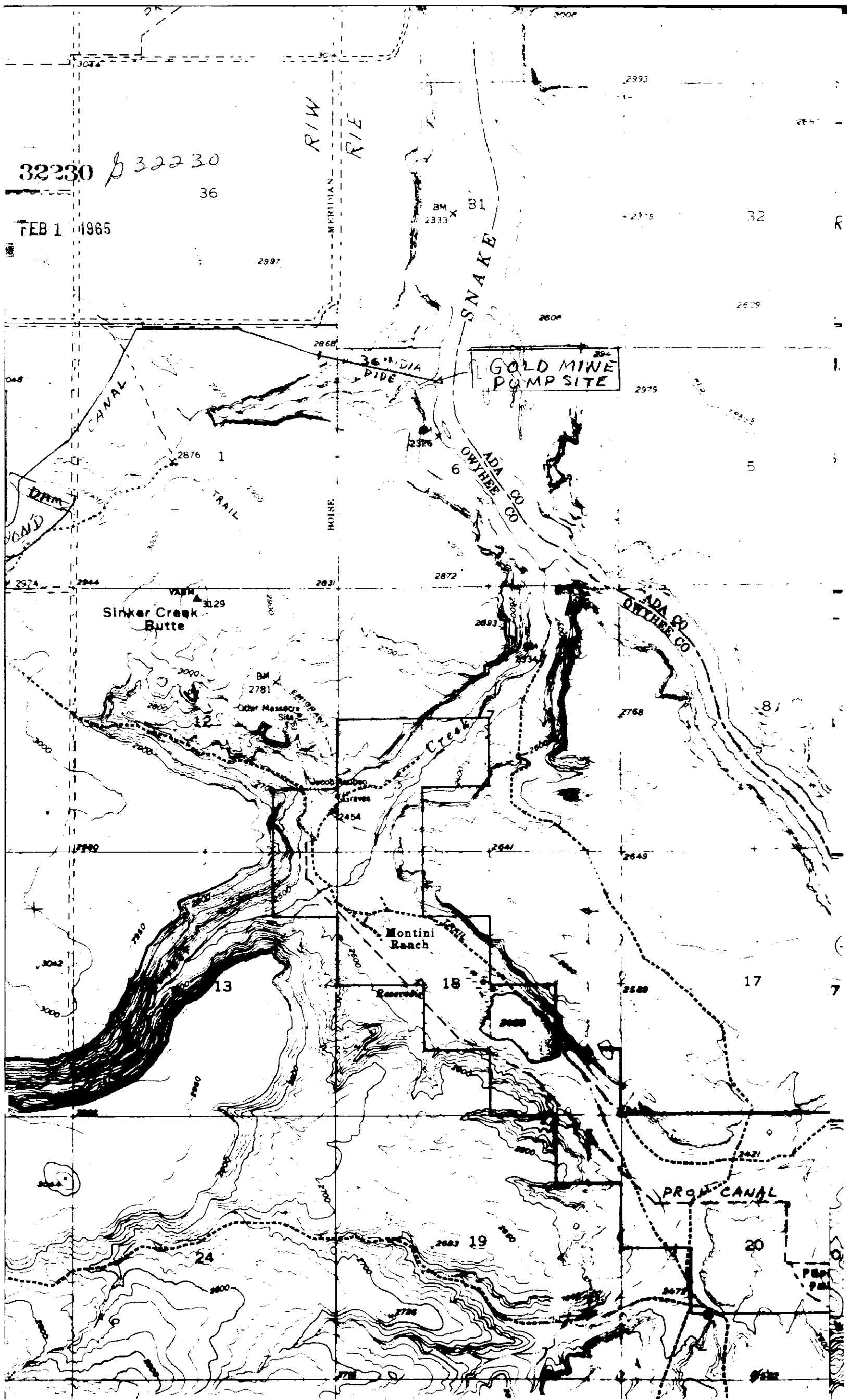
NICHOLI, JR.

PIPE RELIFT CANAL
PUMP

Gabier
Canyon

Spring

FEB 1 1965



PROOF OF PUBLICATION

STATE OF IDAHO, County of Owyhee, I.S.

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

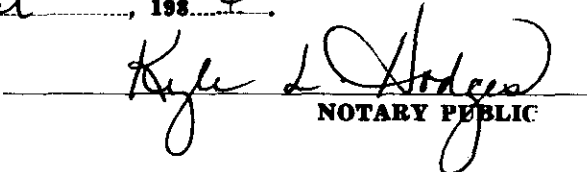
That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 25 day of July, 1984, and the last publication being on the 1 day of August, 1984;

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


PUBLISHER

Subscribed and sworn to before me this 1 day of

August, 1984.


NOTARY PUBLIC

My commission expires 3-86

(SEAL)

RECEIVED
AUG 3 1984

Department of Water Resources
Western Regional Office

State of Idaho
Department of Water Administration
WATER RIGHT LICENSE

License of Water Right No. 32230/02-2361 Priority Jan. 8, 1965 Amount 66.04 cfs

THIS IS TO CERTIFY, that JAY H. HULET
of Murphy, Idaho, has complied with the terms and conditions of Permit
No. 32230/02-2361 issued pursuant to Application for Permit dated January 8, 1965,
and has submitted proof to the Department of Water Administration on December 28, 1973,
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 66.04 cfs of water from the Snake River,
tributary to the Columbia River, and that the permit holder has applied to a beneficial use &
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>April 1</u> to <u>Oct. 15</u>	at <u>66.04</u> cfs and	<u>22,300 acre feet or</u>
	from _____ to _____	at _____ cfs and	<u>5.0 af per acre</u>
	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than * 66.04 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
22,300 acre feet per year, and waters to be diverted within the Lot # 3 of Sec. 6,
Twp. 3 S, Rge. 1 E, B. M. in the County of Owyhee

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
<u>See</u>	<u>Land</u>	<u>List</u>	<u>Attachment</u>																

Total number of acres irrigated _____

* Subject to the condition that the maximum rate of diversion shall not exceed
66.04 cfs when combined with License No. 32347/02-2370.

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 20 day of
February, 19 74.

Director

02-2361

LAND LIST ATTACHMENT

[illegible]

Total number of acres irrigated 4,460

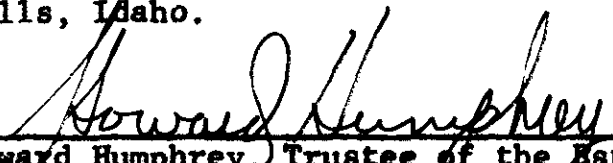
02-2361

32230

RECEIVED
MAR 31 1967
Department of Reclamation

A S S I G N M E N T

For value received, Howard Humphrey, Trustee of the Estate of Pacific Land Corporation, a Bankrupt, which said bankrupt is the successor of Pacific Land Company, hereby assigns all of the right, title and interest of Pacific Land Corporation and Pacific Land Company in and to Permit to appropriate the Public Waters of the State of Idaho, Permit No. 32230, to J. H. Hulet, whose address is 1000 Falls Avenue, American Falls, Idaho.


Howard Humphrey, Trustee of the Estate of Pacific Land Corporation, a Bankrupt

STATE OF IDAHO)
) ss.
County of Ada)

On this 28th day of March, 1967, before me, the undersigned, a Notary Public in and for said State, personally appeared Howard Humphrey, Trustee of the Estate of Pacific Land Corporation, an Idaho corporation, Bankrupt, known to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same for and on behalf of the Estate of Pacific Land Corporation, an Idaho corporation, Bankrupt.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official not arial seal the day and year in this certificate first above written.


Notary Public for Idaho
Residing at Boise, Idaho

532230

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

APPLICATION No. 40308
PERMIT No. 32230
DISTRICT No.

Assigned to

J. H. Hulet
see Father's
American Falls
Idaho

1. Name of Applicant: **Pacific Land Company, a limited partnership**
Postoffice address: **Box 2864, Boise** County: **Ada** 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:

JAY H. HULET
MURPHY TCATS
MURPHY, IDA.
83650

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: **89.2** cubic feet per second.

3. Source of water supply: **Snake River** which is a tributary of

4. Location of point of diversion: **S 74° 55' 2003.2** feet distant from the **Northwest**
corner of Section **6**, T. **3 S.**, R. **1 E.**, B.M., and is in the **Lot 3**
of section **6**, T. **3 S.**, R. **1 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: **\$ 1,000,000**

8. Kind of works: **Pumping plant, pipelines, canals, reservoirs and dams**

9. Height of dam feet; length of dam at top feet; length of dam at bottom
feet; material used in dam: **see separate filing for reservoirs & dams**

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

11. Ditch: Width at bottom **4** fee; width at water line **12.4** feet; depth of water **4.2** feet;
dimensions of flume:

Diameter of pipe **36** inches; length of conduit **6** miles.

Average grade per mile **10** feet.

Pipe lines under pressure

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

13. The time required for the complete application of the water to the proposed use is **Six** 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: **Water from Sinkor Creek**

16. (a) Is reservoir to be used? **Yes** If so, fill in (b) and (c) below:
(b) Name of Reservoir and number of Storage Permit: **Swan Lake No. 1**
(c) Date of filing of Application for Storage Permit and Name of Applicant: **Being filed by Sinker Butte Land Development Corporation or by Pacific Land Company (applicant herein)**

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.

Pacific Land Company

Applicant.

By **s/ Paul R. Roesch**

Agent.

Date of first receipt at Department of Reclamation: **11:30 A.M. January 8, 1965**

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is **32230**

Recorded in Book **113** Page **32230**

Approved **February 19, 1965**

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 \$ **1000.00** to be filed on or before **April 19, 1965**

Work to begin on or before _____ 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 **August 19, 1967**

The whole of said work to be completed on or before **February 19, 1970**

Beneficial use of water appropriated in accordance herewith, to be made on or before **February 19, 1976**

WITNESS My hand this **19th** day of **February, 1965**

s/ 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 **19th** day of **February**, 19**65**.

Countersigned:

STATE OF IDAHO

(SEAL) By **s/ ARNOLD WILLIAMS**
Secretary of State.

By **s/ ROBERT E. SMYLIE**
Governor.

REMARKS:

14.

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
3 S	1 W	2			30				37		40	39				35			181
		3							39			38			39	40	39	38	271
		4			40	39			38	40	40	39	38		39	40	39	38	469
		5				38					40			39	38			38	193
		7												39	39	40	39	38	195
		8	38	39	40	39	39	38	39	40	40	39	38	39	39	40	39	38	624
		9	38	39	40	39			39	40	40	39	38	39	39	40	39	38	547
		10	38	39	40	39	39	38	39	40	40	39	38	39	39	40	39	38	624
		11					38	38	39	39	39	39	38	39	39	40	39	38	232
		15			37		39												76
		17	38	39	40	39	39	38	39	40	40	39	38	39		40	39		547
		18	38	39	40	39	39				39				39	40			352
		20					39	38	37	35									149
Total number of acres to be irrigated																			4460

A S S I G N M E N T ✓

For value received, Howard Humphrey, Trustee of the Estate of Pacific Land Corporation, a Bankrupt, which said bankrupt is the successor of Pacific Land Company, hereby assigns all of the right, title and interest of Pacific Land Corporation and Pacific Land Company in and to Permit to Appropriate the Public Waters of the State of Idaho, Permit No. 32230, to J. H. Hulet, whose address is 1000 Falls, American Falls, Idaho.

/s/ HOWARD HUMPHREY
Trustee of the Estate of Pacific Land Corp., a
Bankrupt.

State of Idaho)
 : ss
County of Ada)

On this 28th day of March, 1967, before me, the undersigned, a Notary Public for the said State, personally appeared Howard Humphrey, Trustee of the Estate of Pacific Land Corporation, an Idaho corporation, Bankrupt, known to me to the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same for and on behalf of the Estate of Pacific Land Corporation, an Idaho corporation, Bankrupt.

In witness whereof, I hereunto set my hand and affixed my official not arial seal the day and year in the certificate first above written.

(S E A L)

/s/ CHERYL L. CORNWALL
NOTARY PUBLIC FOR IDAHO
Residing at Boise, Idaho

PROOF OF PUBLICATION

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

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

That the annexed notice was published in said newspaper once each week and every week for 3 consecutive weeks, the first publication being on the 14 day of Jan., 1965, and the last publication being on the 28 day of Jan., 1965;

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 29 day of Jan., 1965.

Lena S. Hawes
NOTARY PUBLIC

My commission expires 9-10-68

(SEAL)

NOTICE OF PUBLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO, IN ACCORDANCE WITH THE PROVISIONS OF SECTION 42-243, IDAHO CODE

NOTICE IS HEREBY GIVEN That the Pacific Land Company of Boise, Idaho, has made application No. 40938 on the 3rd day of January 1965 to appropriate 89.2 cubic feet per second of the waters of Snake River for irrigation purposes.

That the point of diversion is located Lot 3, Section 6, Twp. 3 S., Rge. 1 E., B. M.

That the lands to be irrigated are 4460 acres in Twp. 3 S., Rge. 1 W., B. M., in Sections 2, 3, 4, 5, 7, 8, 9, 10, 11, 15, 17, 18, 20.

That any protests against the approval of this application must be filed in the Department of Reclamation at Boise, Idaho, within forty (40) days from the date of the notice, and each protest shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said application.

Dated this 8th day of January, 1965.

RALPH W. THOMAS,
Deputy State Reclamation Engineer.

Date of First Publication — January 14, 1965.

Date of Last Publication — January 28, 1965.

Last date for protest: February 17, 1965.

832230



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 8372
(208) 334-4440

October 4, 1984

Jay Hulet
Murphy Flat Road
Murphy, ID 83650

RE: Hulet Dam No. 2

D57-7385

Dear Mr. Hulet:

Your plans to start construction of your new water storage dam are approved. Please contact our Western Regional Office (phone 334-2190) to schedule the necessary construction inspections.

This approval for construction does not ensure the future approval of any water rights necessary to utilize this dam. Your petition for a hearing on the conditions of approval of the transfer to store water in this reservoir from the Snake River has been received and granted. Your application for additional storage to replace the evaporative loss from this reservoir has also been received and is being processed. The application to store water in this reservoir from Sinker Creek is awaiting re-hearing.

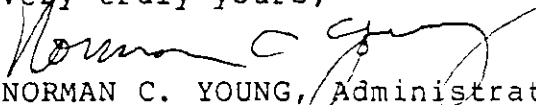
If you choose to construct this dam at this time you are hereby notified that you are doing so at your own risk without any certainty that water rights will ever be available to store water behind the dam. The Department will not consider any costs incurred in constructing this dam when considering action on any water rights associated with the dam.

Should the water right issue be resolved, an initial pool raising plan, an operations plan including emergency procedures, as-built plans (if necessary) and a construction report prepared by a registered professional engineer must be submitted for Department approval before storage can be authorized.

Jay Hulet
RE: D57-7385
Page 2

If you have any questions, please call either David LePard (phone 334-4490) or David Hollingshead (phone 334-4009) in our Dam Safety Section. You will be contacted to schedule a time for the hearing on your transfer.

Very truly yours,


NORMAN C. YOUNG, Administrator
Resources Administration Division

NCY:DS:ldt(7-1.19)

CC: IDWR - Western Region,
Carl Meyers,
William. F. Ringert,
James Kiser

RECEIVED
SEP 27 1984

Department of Water Resources
Western Regional Office

William F. Ringert
ANDERSON, KAUFMAN, RINGERT & CLARK
P.O. Box 2773, 599 W. Bannock
Boise, Idaho 83701-2773
Telephone: (208) 342-4591

Attorneys for Applicant

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
OFFICE OF THE DIRECTOR

*
*
*

In the Matter of the Application	)	
of JAY H. HULET	)	
for a Change in Nature and/or	)	PETITION
Season of Use Under Water License	)	
No. 02-2361	)	

*
*
*

Jay H. Hulet, whose address is Murphy, Idaho 83650, contests the conditional approval of his Application, filed June 22, 1984, to change the nature and/or season of use under Water License No. 02-2361. The grounds for contesting the action by the Director are as follows:

1. The priority date for diverting water to storage under the water right evidenced by License No. 02-2361 should be January 8, 1965, the same as for diversion directly to irrigation, and not June 22, 1984, as stated in Condition 3 in the Action of the Director.

2. The minimum stream flows established for the Snake River by the State Water Plan are unconstitutional and, even if constitutional, the minimum stream flows are of later priority than the water right evidenced by License No. 02-2361.

Applicant requests a hearing on the grounds hereinbefore stated for contesting Conditions 3 and 4 of the Action of the Director.

DATED This 27th day of September, 1984.

ANDERSON, KAUFMAN, RINGERT & CLARK

By



William F. Ringert
Attorney for Applicant

INTER-DEPARTMENT MEMO — 1

DATE September 26, 1984

FROM Dave Tuthill *DT*

TO File

SUBJECT T3067 on License No. 02-2361

Conditions of Approval Nos. 3-6 on the above-referenced transfer were added based on discussions between Norman C. Young, Dave B. Shaw, Bobby D. Fleenor, L. Glen Saxton and myself. The conditions are not documented by the regional office because they were added after regional office review.

SIGNATURE

CONVERSATION MEMORANDUM

DATE 9/12/84

FILE 02-2361

NAME OF PARTY Jim Kiser

EMPLOYEE David Shaw

RE: Hulet Transfer

Jim said he was aware of the transfer
to store Snake River Water. He had
contacted his clients & they had
decided they would not oppose
the transfer.

September 12, 1984

RE: Transfer of Water Right No. 02-2361

Jay H. Hulet
Murphy,
Idaho 83650

Dear Mr. Hulet:

Enclosed is a copy of your approved Application for Transfer of the above referenced water right (Transfer No. 3067). Be sure to note the conditions of approval as listed on the final page.

Sincerely,

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

DRT:sc

Enclosure

cc: Bill Ringert

NOTICE OF PROPOSED CHANGE OF WATER RIGHT

NO. 02-2361

Notice is hereby given that Jay H. Hulet of Murphy, Idaho 83650 has applied to the Department of Water Resources for a change in the nature of use of water of the Snake River. The right sought to be changed is evidenced by water right License No. 02-2361 and is recorded as follows:

Amount 66.04 cfs and 22,300 acre-feet per annum Priority: 1/8/1965

Point of diversion: Lot 3, Sec. 6, T3S, R1E

The water is used for irrigation purposes from 4/1 to 10/15 upon 4,460 acres located within sections 2, 3, 4, 5, 7, 8, 9, 10, 11, 15, 17, 18 and 20, T3S, R1W.

TO BE CHANGED AS FOLLOWS

The amount will be changed as follows:

66.04 cfs for irrigation purposes from 4/1 to 10/15

66.04 cfs for diversion to storage from 4/1 to 10/15

7,000 acre-feet for storage for irrigation from 4/1 to 10/15

7,000 acre-feet for irrigation from storage from 4/1 to 10/15

The total diversion from the Snake River shall not exceed 66.04 cfs or 22,300 acre-feet per annum.

Point of diversion: Lot 3, Sec. 6, T3S, R1E.

The water will be used for irrigation, storage for irrigation and irrigation from storage from 4/1 to 10/15 upon 4,460 acres located within sections 2, 3, 4, 5, 7, 8, 9, 10, 11, 15, 17, 18 and 20, T3S, R1W.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Statehouse, Boise, ID 83720 on or before August 13, 1984

Ken Dunn, Director

Published in the Owyhee Nugget on 7/25 and 8/2/84

August 3, 1984

Tom Nelson, Attorney
Idaho First National Bank Bldg.
Twin Falls, ID 83301

Dear Mr. Nelson;

Pursuant to your request, please find enclosed a copy of Mr. Jay Hulet's **Transfer Application 02-2361**.

This Transfer was advertised on 7/26 and 8/2/84, the protest period is up on the 13th of August, 1984. All protests must be received in this office by 5:00 p.m. on the 13th.

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

Sincerely,

LEE SISCO
Senior Water Resource Agent

LS:jp

Enc:

August 6, 1979

Mr. James W. Kiser
Attorney at Law
5000 Fairview Avenue
Boise, ID 83704

Dear Mr. Kiser:

In response to your letter of July 20, 1979, enclosed are copies of pertinent documents and correspondence of Permits R-320/57-2315 and 57-2191. Included is a copy of "Abstract of Water Rights Granted Under Decrees for the Waters of Sinker Creek."

A research of our records did not disclose any recorded rights for storage in or near Section 11, T. 4 S., R. 2 W. between the years 1923 and 1975. Permit No. 57-7152 dated October 28, 1975, listed in our Inventory of Dams in Idaho, and Permit No. R-320/57-2315 dated August 15, 1923, identify storage in the same section, township, and range.

Determining water rights held by Pacific Land Company to the waters of Sinker Creek is more difficult since decreed rights, licensed rights, and claims are considered real property and appurtenant to the land with the ownership of a water right evidenced by proof of ownership of the land unless specifically reserved. There is no provision in our statutes for a change of name on this type of water right when a transfer of ownership of lands is involved. We do have in file an agreement between Nettleton and Pacific Land Company involving decreed waters of Sinker Creek of which a copy is enclosed. Listed below are existing rights as referenced in permits and licenses held by Pacific Land Company or assignee:

File No.

Reference to Existing Water Rights
Appurtenant to the Same Lands

R-1196 (cancelled)
32222/02-2360 (lapsed)
26520/57-2217 (unnamed lake)
25414 (cancelled) - groundwater

See other rights -- Application 40308
Sinker Cr., 1885; 26520 and 27514
None
None

Mr. Kiser

2

August 6, 1979

<u>File No.</u>	<u>Reference to Existing Water Rights Appurtenant to the Same Lands</u>
32165/02-2342	None
40308/32230/02-2361	Sinker Creek
32347/02-2370	Sinker Creek - 02-2361
02-7001	See other filing - Application 40308
31756/02-2283 (cancelled)	None
57-7152 (Sinker Creek)	02-7001

A comparison of the lands listed in the water rights referencing Sinker Creek with the lands listed in the rights for the waters of Sinker Creek and transfers is necessary to determine the rights in question. I have taken the liberty of enclosing copies of water right Nos. 02-2360 and 02-2361.

Please feel free to visit our office if you wish to review the rights named and Sinker Creek decrees more thoroughly. You may also want to contact Bob Hamilton at Western Region, 92 South Cole Road, phone 384-2190, as he is familiar with the dams located in Basin 57.

There is a duplicating cost of 25¢ per sheet for IBM copies and 50¢ per sheet for microfilm copies. The fee for the enclosed copies is \$15.75 which you may remit to this office. Please contact me if you need copies of additional rights or feel I did not include enough information in those sent to meet your needs.

Sincerely,

Roberta Garrett
Records Supervisor

Enclosures

cc Bob Hamilton

JAMES W. KISER

ATTORNEY AT LAW

5000 FAIRVIEW AVE.

(FAIRVIEW AT MTN. VIEW DR.)

BOISE, IDAHO 83704

208 376-3100

RECEIVED

JUL 24 1979

Department of Water Resources

July 20, 1979

Idaho Department of Water Resources
373 W. Franklin
Boise, Idaho 83702

Sirs:

57-2315 Would you please supply me with copies of any and all documents and what information you have regarding an application of Murphy Irrigation District for Permit to Construct Reservoir and Store Unappropriated Waters of the State of Idaho apparently dated August 14, 1923 as Application No. R22535 and Approval of State Engineer regarding the same, dated August 20, 1923 and Certificate of Completion of Reservoir and Right to Store Water dated December 7, 1923.

57-2315 Also, what information do you have regarding any storage of water in or near this same location from 1923 to 1975?

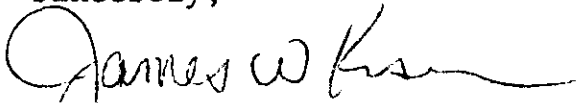
57-2315 I also need copies of any and all documents regarding the application for Permit to Appropriate Public Waters of the State of Idaho, Permit No. 20551 (57-2191) dated June 19, 1948 and Approval of State Reclamation Engineer, Dated July 23, 1948.

57-2191 Also Application for Amendment to Permit dated February 25, 1954 by Murphy Mutual Canal Company and Certificate of Completion of Workds, dated March 15, 1954. Apparently this all regards Permit No. 20551.

Also, how can I find out what water rights were ever held by Pacific Land Company to the water of Sinker Creek in Owyhee County.

Please send me your bill for copying expenses, etc.

Sincerely,



James W. Kiser

JWK/clb

MICROFILMED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
STATE OFFICE



Cecil D. Andrus
Governor
R. Keith Higginson
Director

614 State Street
Statehouse -- Annex 2
Boise, Idaho 83720
(208) 384-2215

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

February 21, 1974

Re: Permit No. 32230/02-2361
32347/02-2370
02-7001

Mr. Jay H. Hulet
Murphy Flats
Murphy, Idaho 83650

Dear Mr. Hulet:

Enclosed herewith are copies of the water licenses issued on the above referenced permits.

We are also enclosing a copy of the approved amendment for Permit No. 02-7001 along with Receipt #13710 in the amount of \$10.00.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

jfr

Enclosures

02-2361

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

January 30, 1974

Re: Permits No. 02-2361 (32230)
02-2370 (32347)
02-7001

Mr. Jay H. Hulet
Murphy Flats
Murphy, Idaho 83650

Dear Mr. Hulet:

We acknowledge receipt of your affidavits submitted as proof of beneficial use for Permits 02-2361 and 02-2370.

A representative of this Department has made an examination of the works covered by the above referenced permits and has found the following:

Permit 02-2361

Quantity of water diverted: 66.04 cfs

Amount of water that can be recognized as beneficially used under Idaho law: * 66.04 cfs

The maximum quantity diverted shall not exceed 22,300 acre feet per year.

Beneficial use: Irrigation of 4,460 acres (see enclosed copy of land list)

Point of diversion: Lot # 3 of Sec. 6, Twp. 3 S, Rge. 1 E, B. M.

Priority date established: Jan. 8, 1965

* Subject to the condition that the maximum rate of diversion shall not exceed 66.04 cfs when combined with License No. 32347/02-2370.

Permit 02-2370

Quantity of water diverted: 66.04 cfs

Amount of water that can be recognized as beneficially used under Idaho law: * 1.60 cfs

The maximum quantity diverted shall not exceed 400 acre feet per year.

02-2361

Page 2
Mr. Jay H. Hulet
Re: 02-2361, 23-2370, 02-7001
January 30, 1974

Beneficial use: Irrigation of 80 acres within the N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 9,
Twp. 3 S, Rge. 1 W, B. M.

Point of diversion: Lot # 3 of Sec. 6, Twp. 3 S, Rge. 1 E, B. M.

Priority date established: April 30, 1965

* Subject to the condition that the maximum rate of diversion shall not
exceed 66.04 cfs when combined with License No. 32230/20-2361.

Permit 02-7001

Quantity of water stored: 235 acre feet

Amount of water that can be recognized as beneficially used under
Idaho law: 235 acre feet

Beneficial use: Storage for irrigation of 4,540 acres (see land list
under 02-2361 and 02-2370)

Point of diversion: Lot # 3 of Sec. 6, Twp. 3 S, Rge. 1 E, B. M.

Priority date established: July 15, 1967

As Permit 02-7001 now stands, it does not cover all the land presently irrigated as
listed under 02-2361 and 02-2370. Therefore, it will be necessary to amend 02-7001
to include the 72 acres in the S $\frac{1}{2}$ NW $\frac{1}{4}$ of Sec. 20 before a water license can be issued.
We have enclosed a partially completed application for amendment for your use in this
matter. Please sign the application and return it to this office with a \$10.00 filing fee
within 20 days of the date of this letter in order that licenses may be issued for all
three permits as set forth above.

If you do not concur with these findings or have any questions, please contact us within
the 20-day period.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enc: App for amend
Land list for 02-2361

02-2361

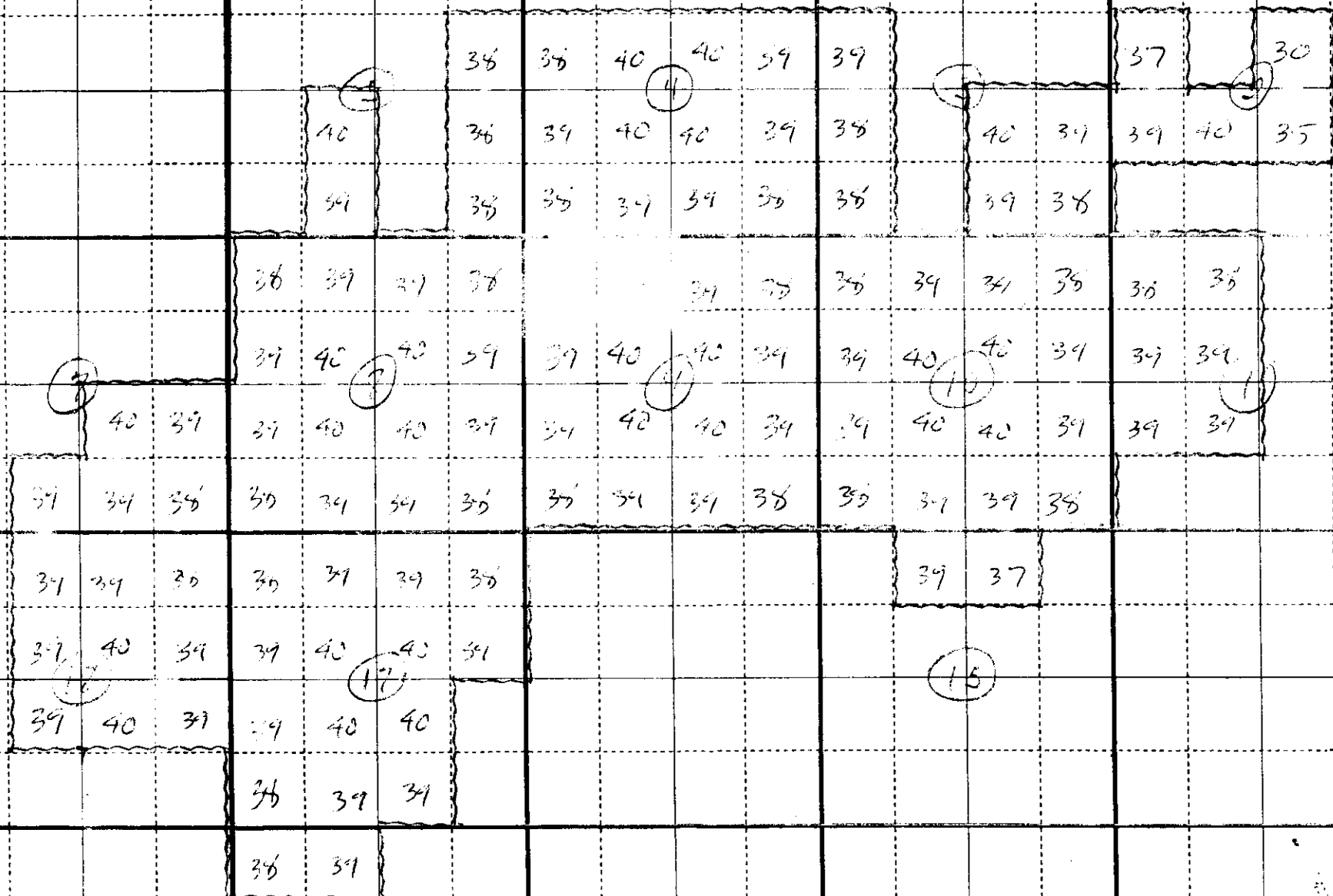
FIELD REPORT

- TOTAL ACREAGE** _____

P. 1W

P.D.
in
Lot 3-
at S. 6

T.
3
S.



DATE OF EXAM _____

ACREAGE

Found 44 60.0
Recommended 44 60.0

Irrigation Requirement 5.0 Ac Ft/Ac

USE

Irrigation Q = 66.04 c.f.s. V = _____ AF/Ann. from 4/1 to 10/31
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange:
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 66.04 Method of measurement Trapezoidal Flume

Total Q recommended 66.04 Meter No. — Type Flume Condition good

Total V recommended 22,300 A.F./Ann.

Recommended Amendments:

P.D. _____
Place of Use _____
Other _____
None _____

MEASUREMENT CALCULATION:

$Q = 66.04 \text{ cfs}$ (3/15 Vert Depth in Flume (USDA TABLES))
 $V = (4460)(5.0) = 22,300 \text{ A.F./Ann.}$ See 02-7001

SYSTEM DESCRIPTION:

Seven 700 HP Hollowshaft Pumps & Motors at River pumping station. 36" penstock lifts water approx 700 ft. into concrete canal w/ Trapezoidal Flume measuring device. Four holding ponds at intermediate points along canal with relief pumps & sprinkler systems. (Five 150 HP pumps lift from P2 to P3, & Two 75 HP pumps lift from P3 to P4).

REMARKS:

Permits 02-7001 & 02-2370 also cover this system.
Total Q of permits 02-2370 & 02-2361 shall not exceed 66.04 cfs. when combined.

Examiner's Signature W. Clary Lantz Date _____

Checked by _____ Date _____

Approved by _____ Date _____

02-2361

Permit 02-7001
02-2361

Description and location of place of use:

Total number of acres irrigated ~~11,111~~ 9460

02-236/

Identification No. _____

Permit No. 02-2361

**STATE OF IDAHO
DEPARTMENT OF RECLAMATION**

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

RECEIVED

1973

Department of Water Administration

1. a) Name of Permit Holder Jay H. Hulet
b) Post Office Address Murphy Flats, Murphy, Idaho 83650
2. Permit Number 02-2361
3. Date of Priority that you are prepared to establish January 8, 1965
4. a) Source from which water was appropriated Snake River
b) Location of the point of diversion: Lot 3 1/4 1/4, Section 6
Township 3 S, Range 1 E Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
amount 66.04 cfs for irrigation purposes from March 15 to Nov. 15 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 66.04 cfs cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: By Water Administration Examiner, trapezoidal flume measurement.
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Pumping plant, pipelines, canals, reservoirs with relift pumps and sprinkler systems.
b) Describe the type and size of measuring device which you have installed at your point of diversion: Trapazoidal flume (USDA design)
c) Give well drillers name and address and date the well was completed _____

02-2361

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

[illegible]

10. Remarks: _____

(Date)

(Signature)

Notary Public residing at Boise, Idaho

My commission expires June 15, 1977

LAND LIST ATTACHMENT

Description and location of place of use:

[illegible]

Total number of acres irrigated 4460

02-2361

RECEIVED

JAN 20 1970 gms

NOTICE to the Department of Reclamation

Department of Reclamation

Gentlemen:

As of this date, you are requested to change my name from J. H. Hulet to Jay H. Hulet with my mailing address changed to Murphy Flats, Murphy, Idaho 83650.

Please make this change on the following permits: 02-2360, 02-2342, 02-2361, 02-2370.

Dated this 2nd date of Jan -, 1970.

Jay H. Hulet
Jay H. Hulet

Donna M. McEllen
Witnessed by

32230
02-2361

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

October 10, 1969

Re: Permit No. 32230 (New No. 02-2361)

J. H. Hulet
1000 Falls Avenue
American Falls, Idaho 83211

Dear Mr. Hulet:

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. Should you require additional information, we will be glad to supply it upon request at any time.

Very truly yours,

A handwritten signature in cursive script, reading "Donald W. McEldowney".

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

Enc. Order

32230
02-2361

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 32230)

in the name of J. H. Hulet, 1000 Falls)

Avenue, American Falls, Idaho)

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

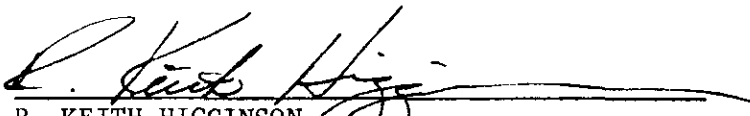
WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice
and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 32230 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. 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 February 19, 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 13th day of OCTOBER, 1969.


R. KEITH HIGGINSON
State Reclamation Engineer

32230
02-2361

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

October 10, 1969

Re: Permit Nos. 32222/02-2360
32165/02-2342
32230/02-2361

J. H. Hulet
Murphy Flats
Murphy, Idaho 83650

Dear Mr. Hulet:

Enclosed please find modification orders and advertising authorizations for Permits No. 32222/02-2360, 32165/02-2342, and 32230/02-2361. Please note that the modification order for Permit No. 32230/02-2361 is different from the other two.

If you will sign the advertising authorizations and return them to us, we shall cause these permits to be advertised. Please retain the modification orders for your personal file.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

Enc. Modification orders & advertising authorizations-
Permit Nos. 32222, 32165, 32230

32230
02-2361

THESE ORDERS WERE RETURNED 10-10-69 FOR REASONS UNKNOWN.
ADVERTISING AUTHORIZATIONS WERE NOT SIGNED, JMB

March 31, 1967

RE: Permits 32230, 32222, 23165 and 32347
J. H. Hulet of American Falls

Anderson, Kaufman, Anderson and Ringert
Attorneys at Law
Idaho Building
Boise, Idaho 83701

Dear Mr. Ringert:

Enclosed herewith are the assignment on the above referenced permit which have been recorded in this office under each number.

Also enclosed is departmental receipt No. 33717 in the amount of \$2.00 which covers the recording fees.

Very truly yours,

M. RUSSELL BOSCH
Office Manager

MRB:ejw

Enclosures

32230

ANDERSON, KAUFMAN, ANDERSON AND RINGERT

LAWYERS

EUGENE H. ANDERSON
SAMUEL KAUFMAN
RICHARD ANDERSON
WILLIAM F. RINGERT

IDAHO BUILDING
BOISE, IDAHO 83701

AREA CODE 208
TELEPHONE 342-4591
POST OFFICE BOX 2773

March 30, 1967

RECEIVED
MAR 31 1967

Department of Reclamation

State of Idaho Department
of Reclamation
State House
Boise, Idaho

Gentlemen:

Herewith, in duplicate, with respect to each Permit,
are Assignments of Water Permits Nos. 32165, 32222, 32230
and 32347, from Howard Humphrey, Trustee of the Estate of
Pacific Land Corporation, a Bankrupt, to J. H. Hulet. Please
record each such assignment in your office and return Mr.
Hulet's copies to me.

Our check for \$2.00 is herewith in payment of your
fees.

Very truly yours,

ANDERSON, KAUFMAN, ANDERSON & RINGERT

By

William F. Ringert
William F. Ringert

WFR:sm

Encl.

32230

Fidelity and Deposit Company

HOME OFFICE OF MARYLAND BALTIMORE 3

License and Permit Bond

(Annual—Renewable by Continuation Certificate)

KNOW ALL MEN BY THESE PRESENTS:

That we, PACIFIC LAND CORPORATION, an IDAHO CORPORATION,
as Principal, and FIDELITY AND DEPOSIT COMPANY OF MARYLAND, a corporation organized under the laws
of the State of Maryland with its principal office in the City of Baltimore, Maryland, and duly authorized
to transact surety business in the State of IDAHO, as Surety, are held and
firmly bound unto STATE OF IDAHO, DEPARTMENT OF RECLAMATION as Obligee,
in the full penal sum of ONE THOUSAND AND NO/100 - - - - - Dollars,
lawful money of the United States, for the payment of which, well and truly to be made, we bind ourselves,
our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

Signed, sealed and dated this 15th day of April 19 65

WHEREAS, the above bounden Principal has or is about to obtain from the said Obligee a license or
permit for Appropriation of Public Waters of the State of Idaho under Permit No. 32230

and

WHEREAS, the Principal is required by law to file with State of Idaho - Department of
Reclamation
a bond conditioned as hereinafter set forth.

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, That if the above
bounden Principal shall on and after the 15th day of April 19 65,
indemnify said Obligee against all loss, costs, expenses or damage to it caused by said Principal's non-com-
pliance with or breach of any laws, statutes, ordinances, rules or regulations pertaining to such license or
permit, then the above obligation shall be void, otherwise to be and remain in full force and effect.

PROVIDED, THE LIABILITY OF THE SURETY upon this bond shall be and remain in full force
and effect for the full period of the license or permit issued to the Principal above named but not beyond
April 15th, 1966; and

PROVIDED, that this bond may be continued from year to year by Certificate executed by the Principal
and Surety hereon; and

PROVIDED FURTHER, regardless of the number of years this bond shall continue or be continued
in force and of the number of premiums that shall be payable or paid, the Surety shall not be liable here-
under for a larger amount, in the aggregate, than the amount of this bond.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the day and year first above
written.

PACIFIC LAND CORPORATION

by

Paul R. Roesch
Secretary

FIDELITY AND DEPOSIT COMPANY OF MARYLAND

Attest:

G1103a-10M 10-58 150635

By

Paul R. Roesch
Attorney-in-Fact

32230

Re: Permit No. 32230
Pacific Land Company

February 26, 1965

Mr. Paul R. Roesch,
212 Jones Building,
Walla Walla, Washington.

Dear Mr. Roesch:

We enclose Permit No. 32230 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. 32582 which was issued covering payment in the amount of \$29.25 for the filing fee of the above mentioned permit, ~~and for the two~~ copies of the permit which are attached.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk
cc: Pacific Land Co.,
Box 2864
Boise, Idaho

g 32230

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, IN ACCORDANCE WITH THE PROVISIONS OF
SECTION 42-203, IDAHO CODE

NOTICE IS HEREBY GIVEN, That the Pacific Land Company of Boise, Idaho, has made application No. 40306 on the 8th day of January, 1965, to appropriate 89.2 cubic feet per second of the waters of Snake River for irrigation purposes.

That the point of diversion is located Lot 3, Section 6, Twp. 3 S., Rge. 1 E., B.M.

That the lands to be irrigated are 4460 acres in Twp. 3 S., Rge. 1 W., B. M., in Sections 2, 3, 4, 5, 7, 8, 9, 10, 11, 15, 17, 18, 20.

That any protests against the approval of this application must be filed in the Department of Reclamation at Boise, Idaho, within forty (40) days from the date of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objection to the approval of said application.

Dated this 8th day of January, 1965.

Deputy State Reclamation Engineer

Date of First Publication _____

Date of Last Publication _____

Last date for Protest: Feb. 17, 1965

SERVICE OF THE FOREGOING, by copy, is hereby acknowledged this
_____ day of _____, 1965.

By _____

932230

**NOTICE OF APPLICATION
FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS
OF THE STATE OF IDAHO, IN
ACCORDANCE WITH THE
PROVISIONS OF SECTION 42-
203, IDAHO CODE**

NOTICE IS HEREBY GIVEN,
That the Pacific Land Company
of Boise, Idaho, has made appli-
cation No. 40308 on the 8th day
of January 1965, to appropriate
89.2 cubic feet per second of the
waters of Snake River for irriga-
tion purposes.

That the point of diversion is
located Lot 3, Section 6, Twp. 3
S., Rge. 1 E., B. M.

That the lands to be irrigated
are 4460 acres in Twp. 3 S., Rge.
1 W., B. M., in Sections 2, 3, 4, 5,
7, 8, 9, 10, 11, 15, 17, 18, 20.

That any protests against the
approval of this application must
be filed in the Department of Re-
clamation at Boise, Idaho, with-
in forty (40) days from the date
of the notice, and such protest
shall state the name and address
of the protestant, and shall clear-
ly set forth his objection to the
approval of said application.

Dated this 8th day of January,
1965.

RALPH W. THOMAS,
Deputy State Reclamation
Engineer.

Date of First Publication --
January 14, 1965.

Date of Last Publication --
January 28, 1965.
Last date for Protest: Febru-
ary 17, 1965.

January 8, 1965

Re: Application for Permit
Pacific Land Co.

Paul R. Roesh
212 Jones Bldg.
Walla Walla, Wash.

Dear Mr. Roesh:

Enclosed are three copies of a legal notice. Acknowledge receipt by dating and signing each copy. Insert the dates of first and last publication. Send the original to be published in an Owyhee County paper for three successive weekly issues, first publication to be within ten days of your receipt of the notice, return one copy to this office and retain one copy for your file.

File the affidavit of publication in this office prior to February 17, 1965.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. 3 copies of legal notice

532230