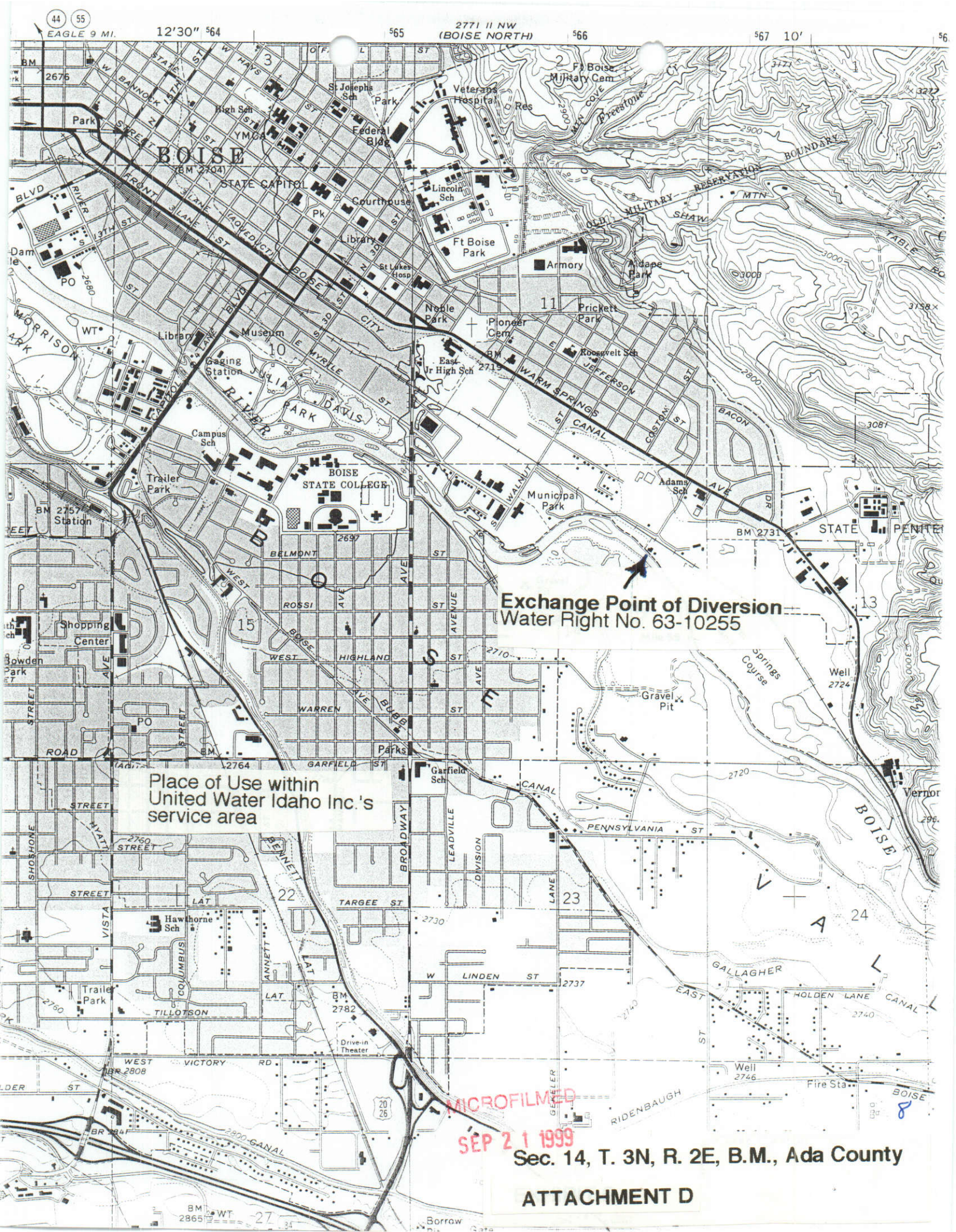




BOISE

Place of Use within
United Water Idaho Inc.'s
service area

Exchange Point of Diversion
Water Right No. 63-10255

MICROFILMED
SEP 21 1999

Sec. 14, T. 3N, R. 2E, B.M., Ada County

ATTACHMENT D

Former place of use
Water Right No. 02-2339



580 000
FEET

KUNA 16 MI

SWAN FALLS ROAD
SNAKE RIVER
BIRDS OF PREY
NATURAL AREA

S
7.

548

R. 1 W

Point of Diversion
Water Right No. 02-2339



MICROFILMED
SEP 21 1999

Sinker Butte x 321

Swan Falls

Swan Falls

Swan Falls BM 3618

Old Ferry Site

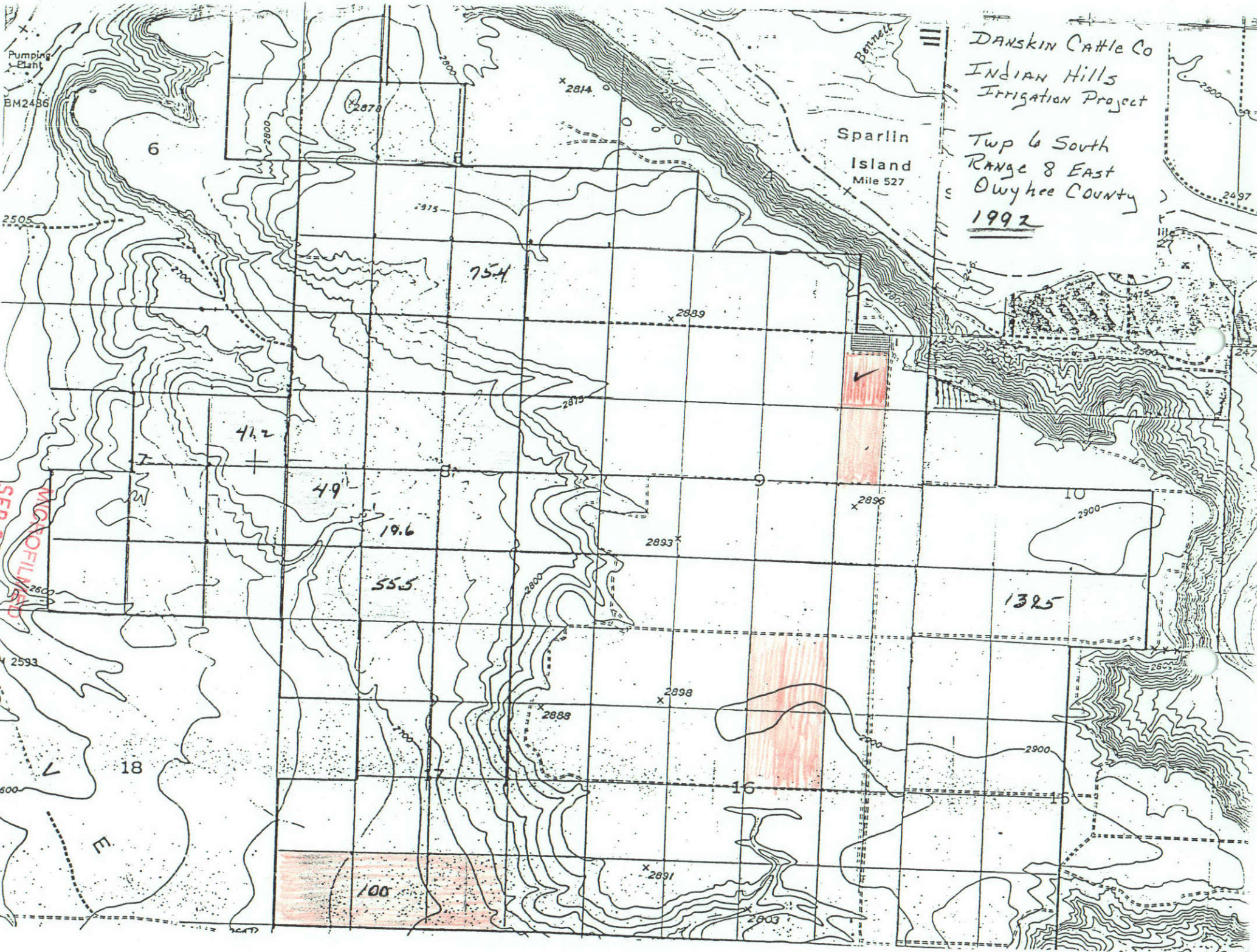
Radio Facility

x 3157

25

BM 2318

Sec. 19, T. 2S, R. 1E., B.M., Ada County
ATTACHMENT D



DANSKIN Cattle Co
INDIAN HILLS
Irrigation Project

Twp 6 South
Range 8 East
Owyhee County
1992

Pumping
Plant
BM2436

Bennett
Sparlin
Island
Mile 527

SEP 21 1992
MICROFILMED

6

2878

x 2814

75.4

x 2839

41.2

49

19.6

55.5

2893 x

x 2896

132.5

18

x 2898

x 2888

16

x 2891

100

2903

NOTICE OF
EXISTING WATER PERMIT

Notice is hereby given that Lowell C. Moore, Roberts, Idaho has received an approved Permit No. 32150/02-2339 issued by the Idaho Department of Water Resources authorizing the diversion storage of 12.80 cubic feet per second of water from Snake River tributary of Columbia River. The priority to be established under this permit is December 7, 1964 and the permit was approved December 10, 1964.

Water is to be diverted by pumping plant and sprinklers from a point within the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 19, Twp. 2S, Rge. 1E, B.M., Ada County to be used for irrigation purposes in all of Section 16, Twp. 2S, Rge. 1E, B.M.

Proof of the application of the water to beneficial use was submitted to the Department on or before November 4, 1975. Any protest against the issuance of the license for the above referenced permit should be filed with the Idaho Dept. of Water Resources, State Capitol, Boise, Idaho, 83720, 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

Pub. Nov. 13, 20, 1975 158

STATE OF IDAHO)

) ss.

COUNTY OF ADA)

Verna L. Johnson, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in the regular edition of The Idaho Statesman for

two insertions, beginning with the issue of November 13, 1975, and ending with the issue of November 20, 1975.

Verna L. Johnson
Subscribed and sworn to before me this 21st
day of November, 1975.

Shirley Engren
Notary Public for Idaho, Residing at Boise, Idaho

MICROFILMED

6. List any assessments, charges or fees currently being paid for the use of the water.

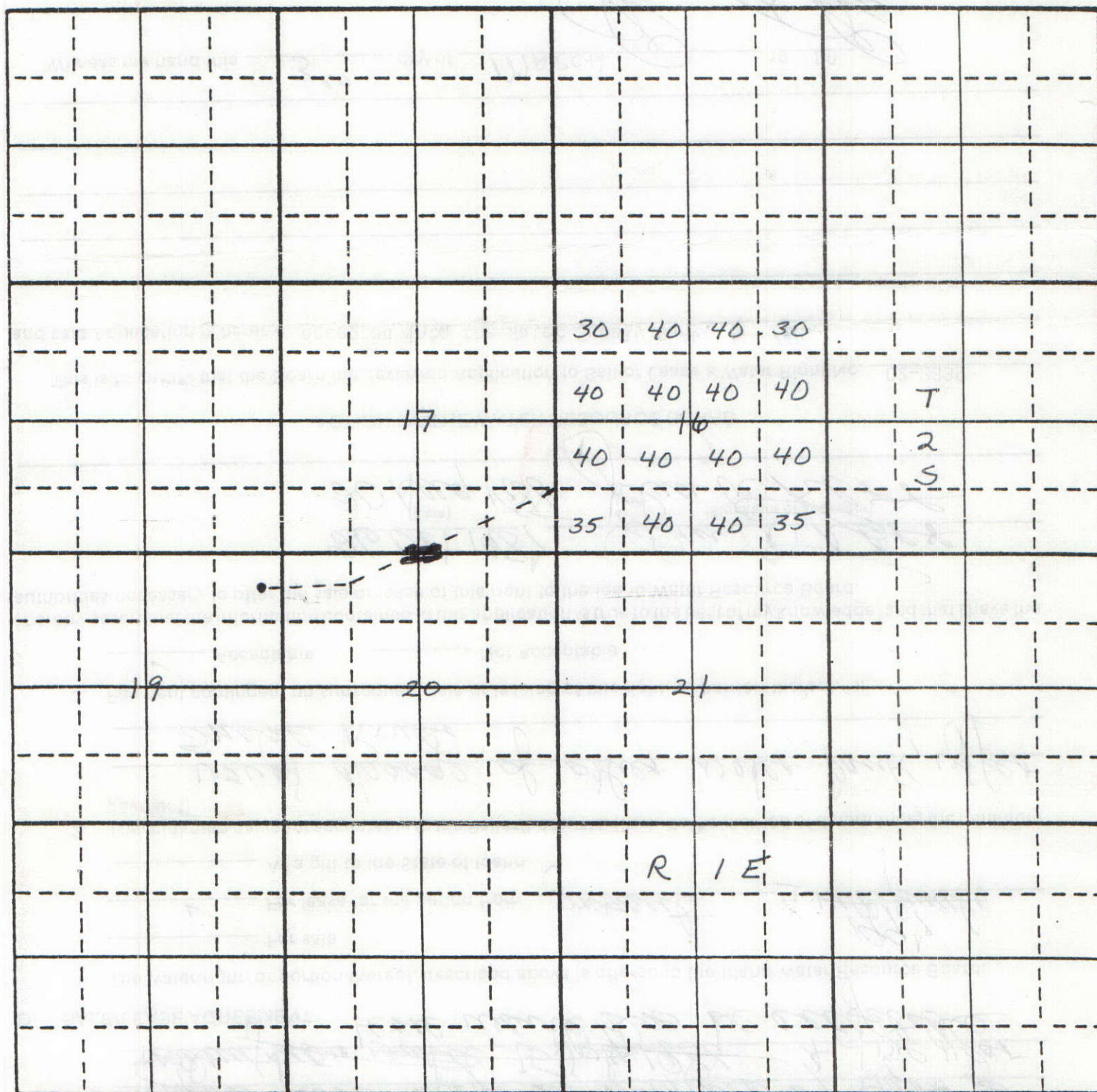
None

7. If the water right is a permit, describe the work accomplished toward developing the right.

N/A

8. If the right to the use of the water or the use of the diversion works or irrigation system is represented by shares of stock in a company or corporation, or if such works or system is owned or managed by an irrigation district, a written consent of the sale or lease must be attached.

9. Draw a map indicating the point(s) of diversion and place of use of the right, or portion thereof. Show clearly the land involved by section, township and range.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

MICROFILMED

SEP 21 1999

RECEIVED

JUN 17 1999

WATER RESOURCES
WESTERN REGIONNOTICE OF PROPOSED
EXCHANGE OF
WATER RIGHTS

Notice is given that UNITED WATER IDAHO INC. of PO Box 7488, Boise, ID 83707 has applied to the Department of Water Resources to exchange the following water rights in Ada County pursuant to I.C. § 42-240:

License #02-02339, priority 12-7-1964, 11.0 cfs from Snake River, diverted in NENE S19 near Swan Falls Dam to irrigate 610 acres in S16, all in T2S R1E.

Permit #63-12055, priority 9-8-1993, 24.8 cfs from Boise River, diverted in SENE S14 T3N R2E near Marden St. Water Treatment Plant for municipal use in applicant's service area. This junior right generally is entitled to divert during periods of higher flow and not necessarily in all years.

PROPOSED EXCHANGE

Contracted Boise River water is released from Lucky Peak Reservoir during the summer at about 400 cfs for fish flow augmentation in the lower Snake River system. During such times the applicant wants to divert up to 11.0 cfs at the Marden St. site in exchange for not diverting an equal amount from the Snake River site near Swan Falls. This will retain up to 11.0 cfs in the lower Snake River system for fish flow augmentation downstream from the mouth of the Boise River.

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 for each application on or before June 21, 1999. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

PUBLISH: June 3 and 10, 1999

Affidavit of Publication

STATE OF IDAHO }
COUNTY OF TWIN FALLS } SS.

No 31897

I, Carol Williams being first duly sworn upon oath, depose and say that I am principal clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive weeks, commencing with the issue dated June 3, 19 99, and ending with the issue dated June 10, 19 99.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 16th day of June in the year of 1999, before me,

a Notary Public, personally appeared Carol Williams, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Juwa R. Feltman
Notary Public for Idaho

Residing at Twin Falls, Idaho.

My commission expires: 5/19/2000

MICROFILMED

SEP 21 1999

TRIBUNE PUBLISHING COMPANY, INC.

The Lewiston Morning Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

**LEGAL ADVERTISING
INVOICE**

SOLD TO: DEPT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE ID 83705

Date 06/10/99INVOICE NO. 202818Account No. 964760Description 202818NOTICEOFPROPOSEDTimes 2Lines 50

Tab. Lines _____

\$ 68.75**RECEIVED****JUN 16 1999**WATER RESOURCES
WESTERN REGION

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

**NOTICE OF PROPOSED
EXCHANGE OF WATER RIGHTS**
Notice is given that UNITED WATER
IDAHO INC. of PO Box 7488, Boise
ID 83707 has applied to the Depart-
ment of Water Resources to exchange
the following water rights in Ada
County pursuant to I.C. § 42-240:

License #02-02339, priority 12-7-
1964, 11.0 cfs from Snake River, di-
verted in NENE S19 near Swan Falls
Dam to irrigate 610 acres in S16, all in
T2S R1E.

Permit #63-12055, priority 9-8-
1993, 24.8 cfs from Boise River, divert-
ed in SENE S14 T3N R2E near Marden
St. Water Treatment Plant for municip-
al use in applicant's service area. This
junior right generally is entitled to di-
vert during periods of higher flow and
not necessarily in all years.

PROPOSED EXCHANGE

Contracted Boise River water is re-
leased from Lucky Peak Reservoir
during the summer at about 400 cfs for
fish flow augmentation in the lower
Snake River system. During such
times the applicant wants to divert up
to 11.0 cfs at the Marden St. site in ex-
change for not diverting an equal
amount from the Snake River site near
Swan Falls. This will retain up to 11.0
cfs in the lower Snake River system for
fish flow augmentation downstream
from the mouth of the Boise River.

Any protest against approval of the
proposed change must be filed with the
Department of Water Resources,
Western Region, 2735 Airport Way,
Boise, ID 83705-5082, together with a
protest fee of \$25 for each application
on or before June 21, 1999. The protes-
tant must also send a copy of the
protest to the applicant.

Karl J. Dreher, Director
Published in the Idaho Statesman, Le-
wiston Morning Tribune, Times News
and Post Register on June 3 and 10,
1999.

Karen Lewis, being duly sworn, deposes and says, I am
the Legal Clerk of the Tribune Publishing Company, a corporation
organized and existing under and by virtue of the laws of the
State of Idaho, publishers of the LEWISTON MORNING TRIBUNE,
a newspaper of general circulation published at Lewiston, Nez Perce County,
Idaho; That the said Lewiston Morning Tribune is an established newspaper
and has been published regularly and issued regularly at least once a day
for more than 21 consecutive years next immediately preceding the first
publication of this notice, and has been so published uninterrupted for
said period; that the 202818NOTICEOFP attached hereto and which is made
a part of this affidavit was published in the said Lewiston Morning Tribune,
2 time(s). Publication being on 06/03, or once a WEEK
for 2 consecutive WEEK, the first publication thereof being on
the 06/03/99, and the last publication thereof being on
the 06/10/99, and said 202818NOTICEOFP was so published in the
regular and entire issue of said newspaper and was not in a supplement
thereof and was so published in every issue and number of the said
paper, during the period and times of publication as set forth above.

Karen J. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS THE 10thday of June 1999

MICROFILMED

SEP 21 1999

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires June 4, 03

RECEIVED

JUN 15 1999

WATER RESOURCES
WESTERN REGIONThe Idaho
Statesman

P.O. BOX 40, BOISE, IDAHO 83707-0040

LEGAL ADVERTISING INVOICE

Amount Due

\$65.04

Account Number/Trans. #		Identification	
047628 51432		NOTICE OF PROPOSED EXCHANGE OF WATER RIGHTS	
Ordered By	P.O. Number	Rate	Run Dates
SUE TAYLOR		NT	JUNE 3, 10, 1999
STATE OF IDAHO DEPT. OF WATER RESOURCES WESTERN REG. 2735 AIRPORT WAY BOISE, IDAHO 83705 - 5082		Estimated Inches 47 LINES	Real Inches
		# Affidavits 1	Legal Number 4187

LEGAL NOTICE
NOTICE OF PROPOSED EXCHANGE OF
WATER RIGHTS

Notice is given that UNITED WATER IDAHO INC. of PO Box 7488, Boise ID 83707 has applied to the Department of Water Resources to exchange the following water rights in Ada County pursuant to I.C. § 42-240:

License #02-02339, priority 12-7-1964, 11.0 cfs from Snake River, diverted in NENE S19 near Swan Falls Dam to irrigate 610 acres in S16, all in T2S R1E.

Permit #63-12055, priority 9-8-1993, 24.8 cfs from Boise River, diverted in SENE S14 T3N R2E near Marden St. Water Treatment Plant for municipal use in applicant's service area. This junior right generally is entitled to divert during periods of higher flow and not necessarily in all years.

PROPOSED EXCHANGE

Contracted Boise River water is released from Lucky Peak Reservoir during the summer at about 400 cfs for fish flow augmentation in the lower Snake River system. During such times the applicant wants to divert up to 11.0 cfs at the Marden St. site in exchange for not diverting an equal amount from the Snake River site near Swan Falls. This will retain up to 11.0 cfs in the lower Snake River system for fish flow augmentation downstream from the mouth of the Boise River.

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 for each application on or before June 21, 1999. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Pub. June 3, 10, 1999

4187

JANICE HILDRETH

, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for TWO

☒ consecutive weekly☐ single☐ consecutive daily☐ odd skip

insertion(s) beginning with the issue of

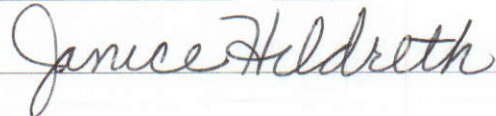
JUNE 3

, 1999

and ending with the issue of

JUNE 10

, 1999



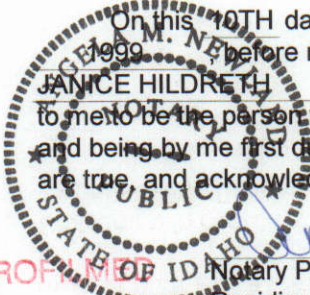
STATE OF IDAHO)

ss.

COUNTY OF ADA)

On this 10TH day of JUNE in the year of 1999, before me, a Notary Public, personally appeared JANICE HILDRETH known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

MICROFILMED
SEP 21 1999


Notary Public for Idaho
Residing at:

Boise, Idaho

My commission expires:

2/12/05

MP 103.5 - 109
W. HAMMETT
ITD #5341

McGOWAN'S
CONCRETE PRODUCTION
PLANT SITES
MP 107

INDIAN COVE (IDAH)
7.5 MINUTE SERIES
NE/4 INDIAN COVE

2870 II SE
(REVERSE)

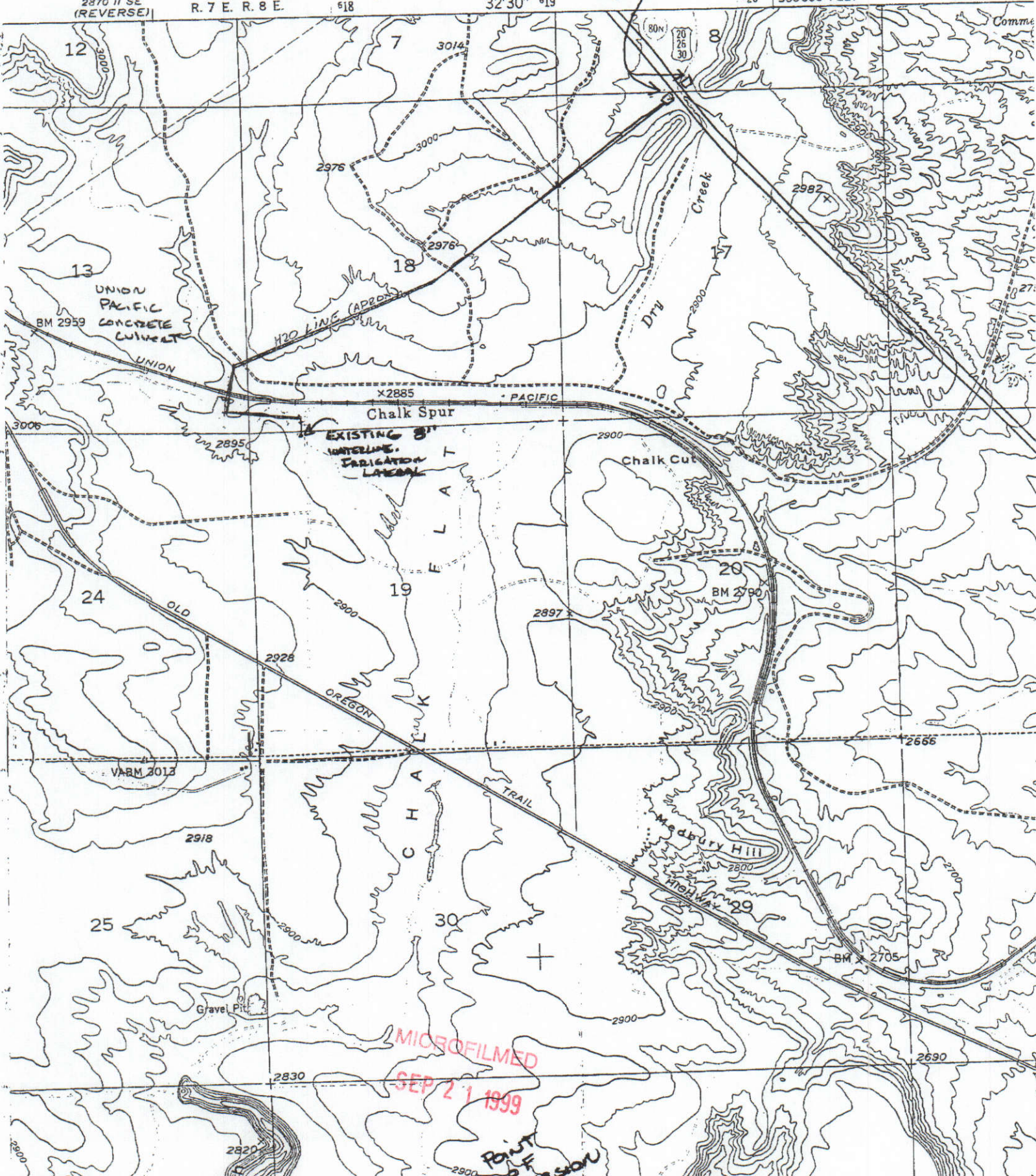
R. 7 E. R. 8 E.

618

32°30' 619

620 560000 FEET

621



MICROFILMED
SEP 21 1999

POINT
OF
BEGINNING



**NOTICE OF PROPOSED RENTAL
OF WATER RIGHT NO. 02-2339**

Notice is hereby given pursuant to Section 42-222, Idaho Code and Water Bank Rule 4.2 that the Danskin Cattle Company has submitted a request to the Idaho Water Resource Board to rent a portion of Water Right No. 02-2339 from the Water Supply Bank for a four (4) year period starting in 1991. The proposed rental is for 1,350 acre feet of water to be diverted from the Snake River within the SESE Section 4, T6S, R8E, BM at a rate not to exceed 6.0 cfs for the irrigation of 300 acres within parts of Sections 8 and 9, T6S, R8E, BM.

Licensed right 02-2339 provides a rate of diversion of 11.0 cfs of water from the Snake River within the NENE Section 19, T2S, R1E, BM. for the irrigation of 610 acres within Section 16, T2S, R1E, BM. The priority of the right is December 7, 1964.

Any protest against the proposed rental must be filed with the Idaho Department of Water Resources, 1301 N. Orchard St., Boise, ID 83720 on or before September 24, 1990.

R. KEITH HIGGINSON, Director
First Publication: Sept. 5, 1990
Last Publication: Sept. 12, 1990

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Mike Thornberry do
solemnly swear that I am the foreman, or
publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation,
published once a week at MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of the proof of publication
thereof, was published in said newspaper for

2 consecutive weeks, the first publica-
tion having been made on the 5th day
of September, 1990, and

the last publication having been made on the
12th day of September,
1990; every Wednesday issue of the paper

during the period and time of publication and
that the notice was published in the newspaper
proper and not in a supplement thereof.

And I further swear that the said MOUN-
TAIN HOME NEWS has been continuously and
uninterruptedly published in said Elmore County
during a period of 78 consecutive weeks prior
to the first publication of the attached notice.

Mike Thornberry
Subscribed and sworn to me this 13th

day of September, 1990

Allen D. Sue
Notary Public

MICROFILMED

SEP 21 1999

**NOTICE OF WATER FOR
LEASE FROM THE WA-
TER SUPPLY BANK**

Notice is hereby given that Licensed water right 02-2339 has been accepted into the Water Supply Bank by the Idaho Water Resource Board and is available for lease from the Water Supply Bank pursuant to provisions of Section 42-1761, et. seq., Idaho Code, and the Water Supply Bank rules and regulations.

The right provides a rate of diversion of 11.0 cubic feet per second for the irrigation of 610 acres and bears a priority of December 7, 1964. The maximum annual volume diverted under this right is 2,745 acre feet.

The water is available for lease on a year to year basis or for a longer period not to extend beyond the 1996 water year. The cost of the leased water will be consistent with the rate for stored water rented from the Upper Snake River rental pool which is approximately \$2.50 per acre foot diverted.

Applications to lease the water is available from the Director, Idaho Department of Water Resources at 1301 N. Orchard St., Boise, ID 83720 or from the department's regional offices. Applications received in the office of the Director on or before 5:00 p.m. April 3, 1989, will be considered.

R. Keith Higginson
Director

PUBLISH: Thursday,
March 16 and 23, 1989.

Affidavit of Publication

STATE OF IDAHO, }
COUNTY OF TWIN FALLS } ss.

Nº 19618

I, Linda Capps McGuire being first duly sworn upon oath, depose and say that I am Print Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive Weeks, commencing with the issue dated March 16, 1989, and ending with the issue dated March 23, 1989.

STATE OF IDAHO }
COUNTY OF }

On this 23 day of March in the year of 1989, before me, a Notary Public, personally appeared Linda Capps McGuire known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

MICROFILMED

SEP 21 1999

Sheva R. Feltman
Notary Public for Idaho

Residing at Twin Falls County Feltman
My commission expires: 5/19/94 County of Twin Falls,
Twin Falls, Idaho

, effective February 16, not Sunday, and the Twin which newspapers prior to county continuously and onths, and said TIMES-spapaper except Saturday, ication under said name

, Thursday of each week order of any court of com- y, will be published; and , and in each issue there- be published.

McGuire
23 day of

Proof of Publication
The Post-Register

RECEIVED
MAR 29 1989

State of Idaho, }
County of Bonneville } ss

Department of Water Resources

I, Ted Delezene, first being duly sworn, depose and say: That I am the Foreman of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 16th day of March, 19..89., last publication having been made on the 23rd day of March, 19..89., and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this ... 27th day of March, 19..89..

Ted Delezene
.....
Don R. Napier
.....
Notary Public

My commission expires .. September 30,, 19..94.

**NOTICE OF WATER FOR LEASE
FROM THE WATER SUPPLY BANK**

Notice is hereby given that Licensed water right 02-2339 has been accepted into the Water Supply Bank by the Idaho Water Resource Board and is available for lease from the Water Supply Bank pursuant to provisions of Section 42-1761, et. seq., Idaho Code, and the Water Supply Bank rules and regulations.

The right provides a rate of diversion of 11.0 cubic feet per second for the irrigation of 610 acres and bears a priority of December 7, 1964. The maximum annual volume

diverted under this right is 2,745 acre feet.

The water is available for lease on a year to year basis or for a longer period not to extend beyond the 1996 water year. The cost of the leased water will be consistent with the rate for stored water rented from the Upper Snake River rental pool which is approximately \$2.50 per acre foot diverted.

Applications to lease the water are available from the Director, Idaho Department of Water Resources at 1301 N. Orchard St., Boise, ID 83720 or from the department's regional offices. Applications received in the office of the Director on or before 5:00 p.m. April 3, 1989, will be considered.

R. KEITH HIGGINSON, Director
Published: March 16, 23, 1989

MICROFILMED

SEP 21 1999

09-10-110-1101
[Signature]

RECEIVED

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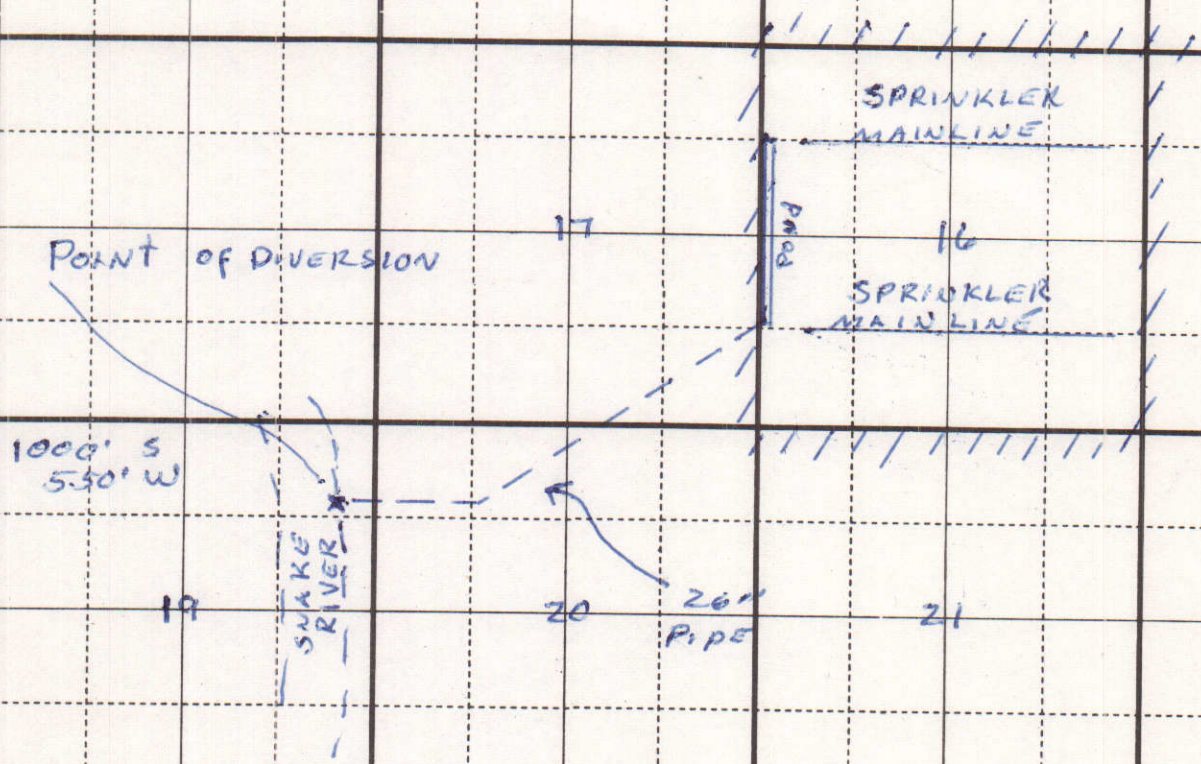
40 40 40 40

35 40 40 35

Diagram of System

DEPARTMENT OF WATER ADMINISTRATION

LOWE C MOORE



T. 2 S R. 1 E B. 1 M

Permit Map No. 32150
As Approved
CARL E. TAPPAN
State Reclamation Engineer
DEC 10 1964

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

IN THE MATTER OF APPLICATION)
FOR EXCHANGE OF WATER IN THE) **PRELIMINARY ORDER**
NAME OF UNITED WATER IDAHO, INC))
_____)

This matter having come before the Idaho Department of Water Resources ("Department"), the Department makes the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. On December 6, 1976, the Department issued License No. 02-02339 as follows:

Source:	Snake River
Priority:	December 7, 1964
Rate of diversion:	11 cubic feet per second ("cfs")
Point of diversion:	NENE Section 19, T2S, R1E, B.M.
Use:	Irrigation
Season of use:	March 15 to November 15
Place of use:	610 acres in Section 16, T2S, R1E, B.M.

2. On March 10, 1995, the Department issued Permit No. 63-12055 to United Water Idaho, Inc. ("applicant" or "right holder") authorizing the diversion of 24.8 cfs of water from the Boise River to be diverted for municipal purposes at its Marden Street plant located in Lot 7, (SENE) Section 14, T3N, R2E, B.M. The priority of use of the permit is September 8, 1993.

3. On April 29, 1999, the applicant filed an application to exchange Snake River water represented by License No. 02-02339 with water in the Boise River. More specifically, the U.S. Bureau of Reclamation ("Bureau") holds uncontracted space in the Upper Boise River storage reservoirs ("reservoirs") and from time to time obtains other stored water. In most years since 1992, the Bureau has released up to 400 cfs from the reservoirs between June 10 and August 31 to improve downstream passage conditions for salmon and steelhead in the lower Snake River. The releases have been made in accordance with Sections 42-1763A and 42-1763B, Idaho Code. The exchange proposes that during times the Bureau is releasing water from the reservoirs to augment Snake River flow, the applicant will divert up to 11 cfs of water from the Boise River at its Marden Street plant and will simultaneously forego the diversion of a like amount of Snake River water under License No. 02-02339.

4. The location of the point of diversion of License No. 02-02339 on the Snake River is upstream from the confluence of the Boise River and Snake River. An equal amount of Boise River water can be replaced at the mouth of the Boise River by foregoing the diversion of water under License No. 02-02339 from the Snake River.

5. Diversion of water from the Boise River under Permit No. 63-12055 is not always possible due to the late priority of use. The point of diversion described on the permit is proposed as the point of diversion under the exchange.

6. The Department advertised the application as required by statute. Protests were not filed against approval of the application.

CONCLUSIONS OF LAW

1. Section 42-240, Idaho Code, provides in part as follows:

The director shall examine all the evidence and available information and shall approve the exchange in whole, or in part , or upon conditions, provided no other water rights are injured thereby, the exchange does not constitute an enlargement in use of the original right or rights, the exchange is consistent with the conservation of water resources within the state of Idaho, and the exchange is in the local public interest as defined in section 42-203A, Idaho Code.

2. The release of an equal rate and volume of water under License No. 02-02339 will replace a like amount of water at the mouth of the Boise River which will be diverted from the Boise River by the applicant at its Marden Street plant in Boise, Idaho.

3. The proposed exchange will not injure other water rights.

4. The proposed exchange does not constitute an enlargement in use of the original right. To ensure no enlargement, the right holder should be required to keep records of the rate and volume of water diverted and should be required to report the information to the Department.

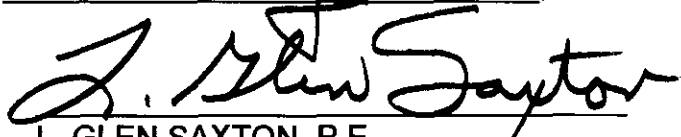
5. The proposed exchange is in the local public interest.

6. The proposed exchange is consistent with the conservation of water resources within the state of Idaho.

IT IS THEREFORE HEREBY ORDERED that the exchange is approved subject to the following conditions:

1. The applicant shall not divert water at its Marden Street plant under terms of this exchange unless the Bureau is simultaneously providing flow augmentation water to the Boise River from the Upper Boise River reservoirs.
2. Diversion of water from the Boise River shall not exceed the lesser of:
 - a. The instantaneous rate at which the exchange water is available in priority under the Snake River water right, not to exceed 11 cfs, or
 - b. The instantaneous rate of release of stored water from the Bureau's Upper Boise River reservoirs for Snake River flow augmentation.
3. The right holder is not entitled to require release of stored water by the Bureau.
4. Prior to use of water under this exchange, the right holder shall install a measuring device to measure the rate and volume of water diverted from the Boise River and shall annually report the amount of water diverted under the exchange to the Department.
5. Use of water under this exchange is subject to the control of the watermaster of State Water District 63, Boise River and tributaries.
6. The right holder shall notify the Department and the Boise River watermaster each year before the exchange is exercised and when the exchange will cease for the year.
7. Failure of the right holder to comply with conditions of this exchange is cause for the Director to rescind approval of the exchange.
8. This exchange is effective for up to five (5) years from the date of the approval unless extended by the Director or rescinded for cause by the Director.

Dated this 22nd day of July, 1999.


L. GLEN SAXTON, P.E.

RECEIVED

APR 29 1999

Exchange No. _____

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

APPLICATION FOR EXCHANGE OF WATER

MAY 05 1999

WATER RESOURCES
WESTERN REGION

Under the provisions of Section 42-240, *Idaho Code*, any person holding a surface water right may apply to exchange such water for the use of water from the same source or a different surface water source. Surface water right holders may also apply to exchange for the use of water authorized for diversion under one or more other valid water rights from the same source or a different surface water source. A filing fee of \$100.00 must be submitted with this application.

1. INFORMATION ABOUT THE APPLICANT

Applicant United Water Idaho Inc.
(Name of Applicant)

P. O. Box 7488, Boise, ID 83707 Telephone No.: 362-1300
(Mailing Address) (Zip Code)

Applicant's Water Right(s) to be exchanged 12055 63-10255 and 02-2339
Attach a photocopy of the License, Permit, Transfer, Decree, or Claim evidencing the right(s) or attach a printout obtained from IDWR.

2. INFORMATION ABOUT THE CO-APPLICANT

Complete this portion if the applicant proposes to exchange for water diverted under a water right held by another party. The co-applicant is the holder of the right to be exchanged for the applicant's right. If more space is needed, please attach another sheet containing information about each co-applicant.

Co-applicant N/A
(Name of Applicant)

Telephone No.:
(Mailing Address) (Zip Code)

3. **EXCHANGE AGREEMENT** — Attach a copy of the written agreement between the applicant and the co-applicant(s).

4. **EXCHANGE INFORMATION** — Complete **Part A** or **Part B** to explain how the proposed exchange will operate.

Part A — For an exchange involving two or more water right holders.

The applicant proposes to divert _____ cfs and/or _____ acre feet per year of water authorized to be diverted under the co-applicant's water right(s) listed above at _____ 1/4 of _____ 1/4, Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County.

1. made available to the co-applicant for diversion at _____ 1/4 of _____ 1/4, Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County.
Additional points of diversion, if any: _____

2. released from storage by the co-applicant into _____ at _____ 1/4 of _____ 1/4, Govt. Lot _____ Sec. _____ Township _____ Range _____ B.M., _____ County.

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SEP 21 1999

* per Appl. ps. 6
JR 5/25/99

Part B — For an exchange involving the applicant's water right(s).

The applicant proposes to divert 11 cfs and/or acre feet per year of water at SE 1/4 of NE 1/4, Govt. Lot 7 Sec. 14 Township 3N Range 2E B.M., Ada County. Additional points of diversion, if any: None

1. diverted from at 1/4 of 1/4, Govt. Lot Sec. Township Range B.M., County and injected into at 1/4 of 1/4, Govt. Lot Sec. Township Range B.M., County.
2. released from storage by applicant into at 1/4 of 1/4, Govt. Lot Sec. Township Range B.M., County.

Additional Explanation — Attach additional sheets if necessary.

See Attachments A, B and C

If this exchange is not intended to be a permanent arrangement, please describe the circumstances under which the proposed exchange will terminate. See Attachment A

5. MAPS — Attach two maps, one showing the water right(s) as it is (they are) now used, and another showing how the water right(s) will be used under the proposed exchange. Each map should be on an 8 1/2" x 11" sheet and should clearly identify the locations of the point(s) of diversion, injection, and re-diversion of water and the place(s) of use by 40-acre subdivisions, section, township and range of the public land survey. Photocopies of USGS 7 1/2-minute topographic quadrangles are preferred as base maps. **See Attachment D**

SIGNATURE

Applicant hereby asserts that no one will be injured by such exchange of water and acknowledges that the applicant and/or the co-applicant will be responsible for all actions taken pursuant to this exchange. I understand that any willful misrepresentations made in this application may result in voiding its approval.

4/24/99 William C. Linam
Applicant's Signature (and Title if application is for an organization)

William C. Linam, President
United Water Idaho Inc.

4/27/99
Date

FOR DEPARTMENT USE ONLY

2 pgs + 4 Attachments = 5 pgs.

This exchange application contains 9 pages, including attachments.

Received by Unknown Date 4/29/99 Fee \$100

Received by S.O. Date 4/29/99 Receipt No. C045280

Preliminary review by SL

Published in Ed. Stateman, Junction Tribune, Times News, Post Register

Publication dates June 3 & 10, 1999

Protests filed by

Copies of protests forwarded by

Watermaster recommendation requested on

Watermaster recommendation received on

Hearing held by Date

Recommended for Approval Denial By

per file info & d'base research

RECEIVED
SEP 21 1999

Attachment A
to
Application for Exchange of Water
United Water Idaho

United Water Idaho Inc. ("United Water") holds an option to purchase licensed water right no. 02-2339 (the "Snake River water right"), which is a 1964-priority right to divert 11 cubic feet per second ("cfs") through a high-lift pump from the Snake River near the Swan Falls Dam for irrigation of 610 acres of desert land. A copy of the license for the Snake River water right is attached to the Exchange Application as Attachment B.

United Water also holds a 1993 priority water right, number 63-12055 (the "Boise River water right"), which entitles United Water to divert 24.8 cfs from the Boise River near the Marden Street Water Treatment Plant for use in its municipal water supply system. A copy of the Boise River water right is attached as Attachment C.

The purpose of this Application is to exchange deliveries under the Snake River water right for Boise River diversions under United Water's natural flow right.

The Boise River water right carries a junior priority and generally is entitled to divert only during periods of higher flow in the winter or spring, and not necessarily in all years. However, during the last several years, the U. S. Bureau of Reclamation ("Bureau") has been augmenting flows in the Boise River by releasing some 400 cfs from its Boise River reservoir system. The Bureau's flow releases, which are intended to improve downstream passage conditions for migrating juvenile salmon and steelhead, occur between June 10 and August 31. Idaho law provides authorities and procedures whereby the Idaho Department of Water Resources may "shepherd" or otherwise assure that this amount of water, free from diversion by others, will be delivered to the mouth of the Boise River and then down the Snake River to the state border at Lewiston. See I.C. § 42-1763B.

Under this exchange, during those times when the Bureau is making flow releases to the Boise River, United Water would be entitled to divert up to 11 cfs from the Boise River at or near its Marden Street plant and simultaneously forego a like amount of diversions under its 11 cfs Snake River water right. This amount of flow thus made available under the Snake River water right would be delivered in the Snake River from its current point of diversion in the Swan Falls pool to the mouth of the Boise River where it would fully replace the depletion occurring to the Bureau's storage releases. The entire amount of the Bureau's released storage thus would be available, as before, in the Snake River and protected to Lewiston. United Water anticipates that the Bureau would not oppose such a program provided that the exchange water from the Snake River water right fully replaces all depletions to the Bureau's storage releases.

The amounts United Water would divert from the Boise River under this exchange would be used within United Water's service area. To assure that other water right holders, including the Bureau, can be assured that this exchange will

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SEP 21 1999

ATTACHMENT A

cause no injury to any other water right, United Water requests that the following conditions be placed on this exchange:

1. United Water's Boise River diversions under this exchange would occur only during times when the Bureau is providing flow augmentation water from Boise River reservoirs, so as not to affect any other senior Boise River water rights.
2. Such Boise River diversions would not exceed the lesser of:
 - a. The instantaneous rate at which the exchange water is available in priority under the Snake River water right and is being delivered in the Snake and protected from diversion in accordance with Idaho law to the confluence of the Boise and the Snake Rivers, not to exceed 11 cfs, or
 - b. The instantaneous rate of the Bureau's Boise River reservoir releases.
3. United Water recognizes that the Bureau is not expected or required to alter its operations in any way to accommodate this exchange, that the exchange depends upon the Bureau's release of such storage water, and that United Water is not entitled to demand that any storage releases occur.
4. United Water would divert from the Boise River under this exchange only pursuant to a lawful order of the Director of the Idaho Department of Water Resources approving the exchange consistent with these conditions.

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SEP 21 1999

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 32150/02-2339 Priority Dec. 7, 1964 Amount 11.0 cfs

THIS IS TO CERTIFY, that SWAN FALLS FARMS, INC.

of Idaho Falls, Idaho, has complied with the terms and conditions of Permit No. 32150/02-2339 issued pursuant to Application for Permit dated December 7, 1964, and has submitted proof to the Department of Water Resources on November 4, 1975, 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 11.0 cfs of water from the Snake River, tributary to the Columbia River, and that the permit holder has applied to a beneficial use and established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u>	at <u>11.0</u> cfs and	<u>2,745 acre feet or</u> <u>4.5 af per acre</u>
	from _____ to _____	at _____ cfs and	
	from _____ to _____	at _____ cfs and	

(both dates inclusive)

Subject, however, to the condition that no more than 11.0 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 2,745 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 19, Twp. 2 S, Rge. 1 E, B. M. in the County of Ada

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
2 S	1 E	16	30	40	40	40	40	30	40	40	40	40	35	40	40	40	40	35	610

Total number of acres irrigated 610

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SEP 21 1999

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 6 day of December, 19 76.

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AUG 21 1999

Director

ATTACHMENT B

5

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 63-12055

Proposed Priority: September 8, 1993 Maximum Diversion Rate: 24.80 CFS

This is to certify, that **BOISE WATER CORPORATION**

PO BOX 7488

BOISE ID 83707-7488

has applied for a permit to appropriate water from:
BOISE RIVER tributary of SNAKE RIVER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
MUNICIPAL	01/01 to 12/31	24.80 CFS

LOCATION OF POINT(S) OF DIVERSION: Lot 7(SENE), Sec. 14, Township 03N, Range 02E
ADA County

PLACE OF USE: See Remarks

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before March 1, 2000.
2. Subject to all prior water rights.
3. Use of water under this right may be affected by an agreement between the protestant and the right holder.
4. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
5. Use of water under this right is subject to control by the watermaster of State Water District No. 63.
6. A measuring device and lockable controlling works of a type acceptable to the Department shall be permanently installed and maintained as part of the diverting works prior to diversion of water under this right.
7. The Director retains jurisdiction of this right and any license subsequently issued to require streamflow augmentation or other action determined to be appropriate to protect prior surface water or ground water rights. Such streamflow augmentation or other action will be required only upon a determination of need and applicability by the Director.

MICROFILMED
SEP 21 1999

31000011250

MAR 29 1999

ATTACHMENT C

PAGE 2

State of Idaho
Department of Water Resources

Permit To Appropriate Water

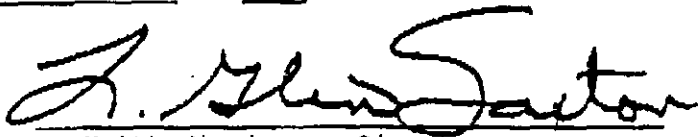
NO. 63-12055

CONDITIONS/REMARKS:

8. A separate stream alteration permit from the IDWR is required for any activity in the stream channel other than construction and/or maintenance of the diversion structure. If the proposed construction or operation involves construction of an outfall or any other work in the stream channel other than a water diversion, the right holder shall contact the Department and obtain a Stream Channel Alteration permit prior to the start of construction.
9. The issuance of this right in no way grants any right-of-way or easement across the land of another.
10. Place of use is within city limits of Boise and within the Area of Certification as shown by the 18th Amended Certificate of Convenience and Necessity No. 143 issued by the Idaho Public Utilities Commission.
11. The domestic use occurring under this municipal right shall not exceed 13,000 gallons per day per dwelling in accordance with Section 42-111, Idaho Code.
12. The daily diversion volume for the non-domestic uses under this municipal right shall not exceed 2,500 gallons per day in accordance with the provisions of Section 42-111, Idaho Code.
13. This permit authorizes irrigation of up to 1/2 acre within each platted subdivision lot upon which a domestic dwelling has been constructed.
14. Use of water for large projects such as irrigation of parks, golf courses, or sports activities fields is not authorized under this permit.

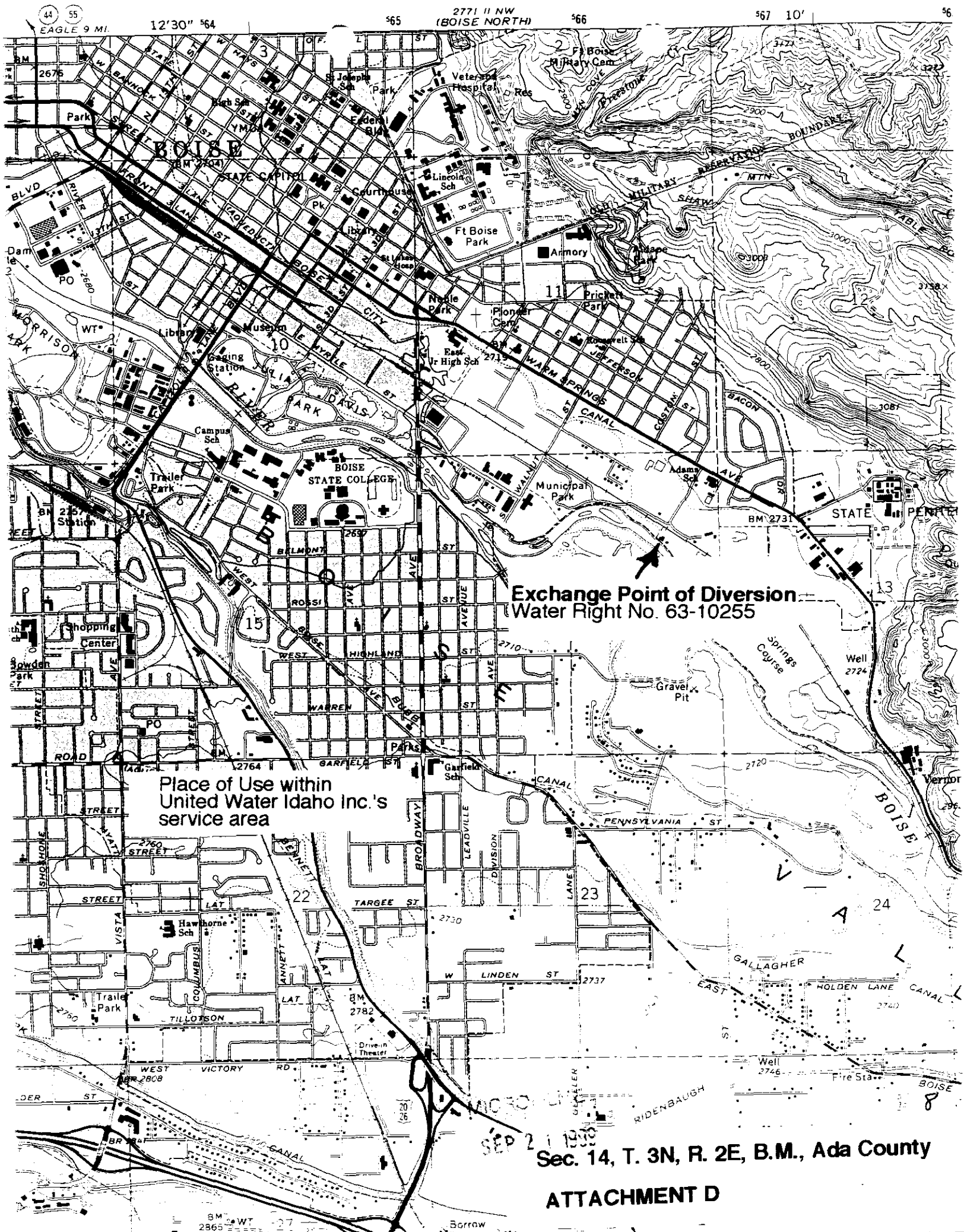
This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

10th day of March, 1995


for R. Keith Higginson, Director

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SEP 21 1999



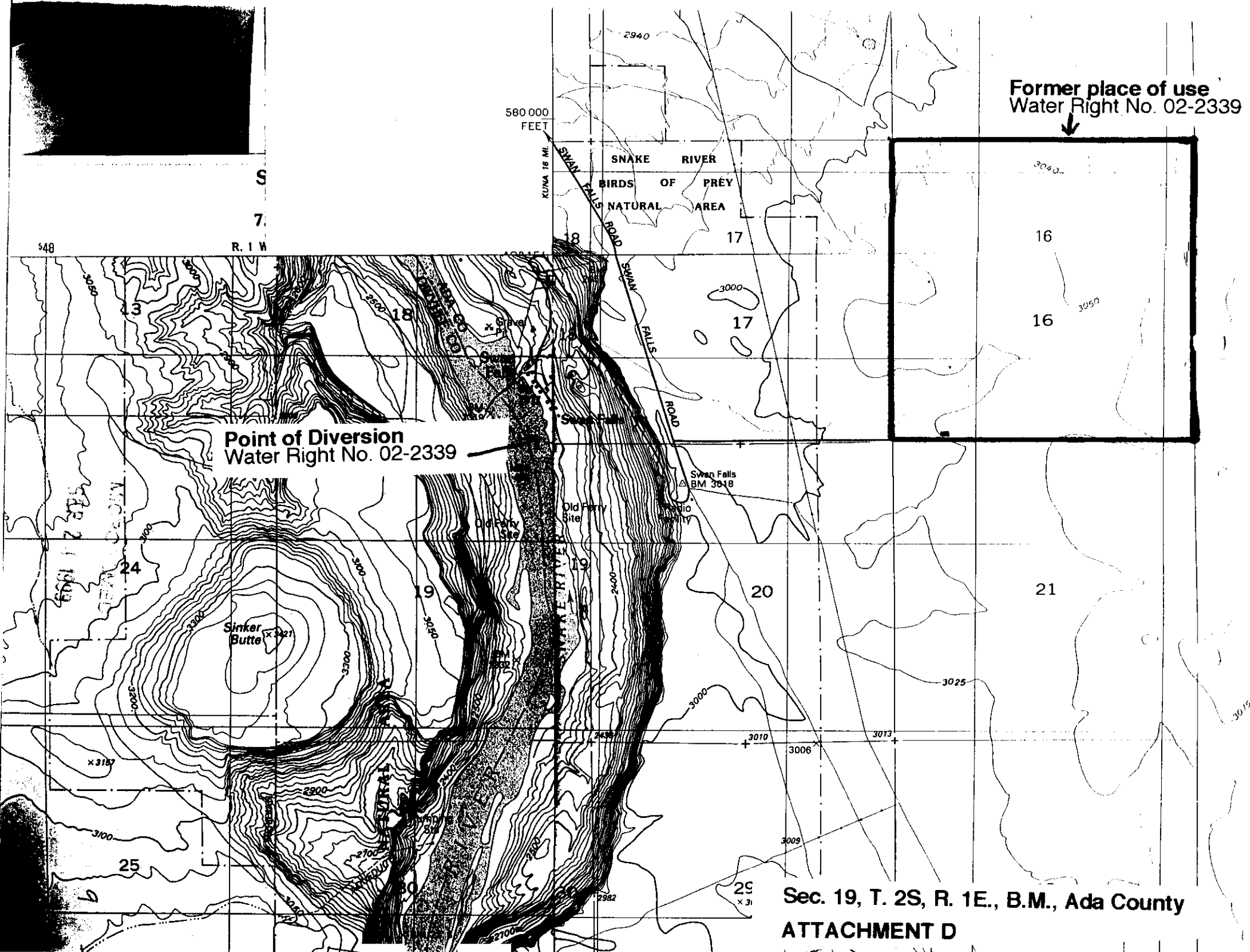
Exchange Point of Diversion
Water Right No. 63-10255

Place of Use within
United Water Idaho Inc.'s
service area

SEP 21 1960

Sec. 14, T. 3N, R. 2E, B.M., Ada County

ATTACHMENT D



Former place of use
Water Right No. 02-2339

Point of Diversion
Water Right No. 02-2339

Sec. 19, T. 2S, R. 1E., B.M., Ada County
ATTACHMENT D

WILDISH STANDARD PAVING
TACOMA INTERCHANGE JOBSITE
8255 SE McLoughlin
Portland, OR 97202
Phone: (503) 238-0722
Fax 238-1371

TO: GLEN SAXTON

DATE: 6-02-93

COMPANY: DEPT. OF WATER RESOURCES

FROM: TOM JAMES

FAX NO.: 208-327-7866

RE: AMENDMENT: WATER SUPPLY BANK RENTAL AGREEMENT.

I Thank you. MICROFILMED

SEP 21 1993



Since 1935

WILDISH LAND CO.

P.O. BOX 7428
EUGENE, OREGON 97401
(503) 485-1700
FAX: (503) 683-7722
June 02, 1993

L. Glen Saxton, P.E.
Water Allocation Bureau Chief
Idaho Department of Water Resources
1301 N. Orchard
Boise, Idaho 83706

**SUBJECT: Amendment: Water Supply Bank
Rental Agreement**

Glen:

As previously discussed, Wildish Land Co. requests permission to change diversion locations previously submitted with our Application to Rent Water from the Supply Bank in April 1993.

Amendments to the original application are as follows:

- 1) Point of Diversion will be the Indian Cove Water District Pump Station, T.6 S., R.8 E., NW 1/4, NW 1/4, Section 6, B.M., Owyhee County.
The pump station feeds irrigation canals to the South. A 4" suction pump will in turn pump water through a 4" maximum PVC waterline approximately 1/4 mile to three holding ponds. The ponds will be located in T.6 S., R.8 E., NW 1/4, NW 1/4, Section 18, B.M., Owyhee County. This property is owned by Danskin Cattle Company, 1230 N. 18 East, Mountain Home, ID 83647.
- 2) The amount of water to be rented remains unchanged from 18.5 acre-feet. The only change is that the aggregate production site has changed from MP 107 on I-84 to the site described in 1). The aggregate will be used in the production of concrete at MP 107 which in turn will be placed at MP 103.5 to MP 109.0.

Your assistance with this application is appreciated.

Sincerely,

WILDISH LAND CO.


Thomas M. James
Project Engineer

CORPORATE HEADQUARTERS OFFICE: 3800 COUNTY FARM ROAD, EUGENE, OREGON
AN EQUAL OPPORTUNITY EMPLOYER

MICROFILMED
JUN 21 1993

11/92

Before the Idaho Water Resource Board

WATER SUPPLY BANK RENTAL AGREEMENT

* * AMENDED * *

The Idaho Water Resource Board (Board) being authorized to operate a Water Supply Bank (bank) and to contract by and through the Director of the Idaho Department of Water Resources (Director) for rental of water from the bank agrees to rent water as follows:

1. Renter: Wildish Land Co.
2. Address: P.O. Box 7428, Eugene, OR 97401-0428
3. Source of water: Snake River
4. Volume of water rented 18.5 AF, Max rate 0.45 cfs.
5. Diversion period from April 1993 to December 1993.
6. Use of water Production of aggregates and concrete.
6. a) Renter's point of diversion:

Legal description: Indian Cove Water District pump station
- NW1/4NW1/4 Section 6, T6S, R8E, B.M.

Pump HP: _____ Lift: _____

- b) Renter's place of use:

Legal description: Interstate I-84, MP 103.5 to MP 109.00.

The undersigned renter has paid \$ \$ 60.13 to the Board for rental of the above described water and agrees to use the water in compliance with the Water Supply Bank rules and in compliance with the conditions of water use shown below:

Conditions of water use:

1. Use of water under this agreement is subject to all prior water rights.
2. The renter shall provide for the measurement of the water diverted under this agreement in a manner determined by and acceptable to the Director.
3. Use of water under this agreement does not constitute a dedication of the water to renter's land or use and upon expiration of this agreement, the place of use of the water shall revert to its original place of use and/or again be available to rent from the bank.

AGREEMENT - Pg 1

SEP 21 1999

4. Renter agrees to comply with all applicable state and federal laws in the use of water under this agreement.

5. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter in the use of water under this agreement.

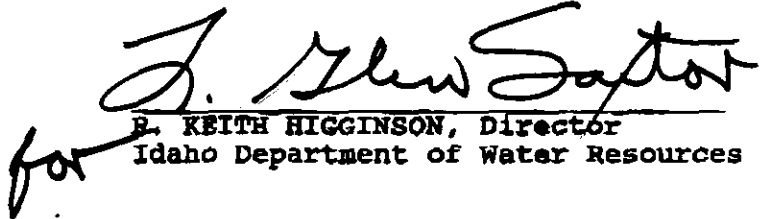
6. Renter acknowledges and agrees that the Director may terminate diversion of water under the agreement if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.

7. This agreement does not grant a right-of-way across the land of another or to use privately owned diversion and/or conveyance facilities.

Dated this 2nd day of JUNE, 1993.


Renter Land Co.

I hereby execute this Amended Rental Agreement on behalf of the Idaho Water Resource Board this 2nd day of JUNE, 1993.


for B. KEITH HIGGINSON, Director
Idaho Department of Water Resources

Before the Idaho Water Resource Board

WATER SUPPLY BANK RENTAL AGREEMENT

The Idaho Water Resource Board (Board) being authorized to operate a Water Supply Bank (bank) and to contract by and through the Director of the Idaho Department of Water Resources (Director) for rental of water from the bank agrees to rent water as follows:

1. Renter: Wildish Land Co.
2. Address: P.O. Box 7428, Eugene Oregon, 97401-0428
3. Source of water: Snake River
4. Volume of water rented: 18.5 AF, Max rate: 0.45 cfs.
5. Diversion period from April 1993 to December 1993.
6. Use of water: Production of aggregates and concrete.
7. a) Renter's point of diversion:

Legal description: NE1/4SE1/4 Section 31, T5S, R8E, B.M.,
Elmore County.

Pump HP: 200 Lift: 460 feet.

Canal or conveyance works: The water will be delivered through the conveyance system of Jeffrey, Robert and Harold Blanksma of Hammett, Idaho.

- b) Renter's place of use: In I-84 and westbound, MP 103.5 to MP 109.00.

The undersigned renter agrees to pay \$ 60.13 to the Board for rental of the above described water and agrees to use the water in compliance with the Water Supply Bank rules and in compliance with the conditions of water use shown below:

Conditions of water use:

1. Use of water under this agreement is subject to all prior water rights. Wildish Land Co. will not use any of the water rights of Jeffery, Robert and Harold Blanksma.
2. The renter shall provide for the measurement of the water diverted under this agreement in a manner acceptable to the Director.
3. Use of water under this agreement does not constitute a dedication of the water to renter's land and upon expiration of this agreement, the place of use of the

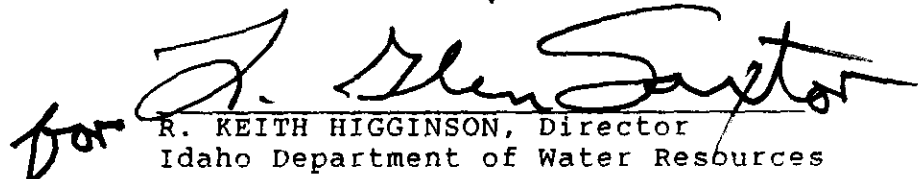
water shall revert to its original place of use and/or again be available to rent from the bank.

4. Renter agrees to comply with all applicable state and federal laws in the use of water under this agreement.
5. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter in the use of water under this agreement.
6. Renter acknowledges and agrees that the Director may terminate diversion of water under the agreement if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
7. If water is to be used for irrigation under this agreement, the rate of diversion when combined with all other water rights for the same land shall not exceed 0.02 cfs for each acre of land.
8. This agreement does not grant a right-of-way across the land of another or to use privately owned diversion and/or conveyance facilities.

Dated this 20th day of APRIL, 1993.


Renter
WILDISH LAND CO.

I hereby execute this Rental Agreement on behalf of the
Idaho Water Resource Board this 20th day of April, 1993.


for R. KEITH HIGGINSON, Director
Idaho Department of Water Resources

11/92

Before the Idaho Water Resource Board

WATER SUPPLY BANK RENTAL AGREEMENT

The Idaho Water Resource Board (Board) being authorized to operate a Water Supply Bank (bank) and to contract by and through the Director of the Idaho Department of Water Resources (Director) for rental of water from the bank agrees to rent water as follows:

1. Renter: Danskin Cattle Company
2. Address: c/o Bob Baker, P.O. Box 488, Mountain Home, ID 83647
3. Source of water: Snake River
4. Volume of water rented: 600 AF, Max rate: 6.0 cfs.
5. Diversion period from May 12 to October 31, 1993.
6. Use of water: Irrigation of 200 acres
6. a) Renter's point of diversion:

Legal description: SESE Section 4, T6S, R8E, BM.

Pump HP: 3 - 400 Hp and 1 - 200 Hp Lift: 300 feet

- b) Renter's place of use:

Legal description: Parts of Sections 8, 9, 16 and 17, T6S
8E, BM.

Total number of acres to be irrigated: 200

The undersigned renter agrees to pay \$ 1,950 to the Board for rental of the above described water and agrees to use the water in compliance with the Water Supply Bank rules and in compliance with the conditions of water use shown below:

Conditions of water use:

1. Use of water under this agreement is subject to all prior water rights.
2. Before diversion of water under this agreement, the renter shall provide for the measurement of the water diverted under this agreement in a manner acceptable to the Director.
3. Use of water under this agreement does not constitute a dedication of the water to renter's land and upon expiration of this agreement, the place of use of the water shall revert to its original place of use and/or again be available to rent from the bank.

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SEP 21 1999

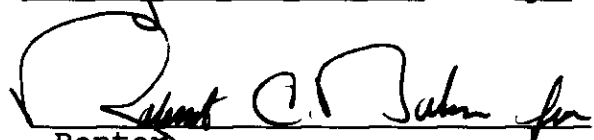
4. Renter agrees to comply with all applicable state and federal laws in the use of water under this agreement.

5. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter in the use of water under this agreement.

6. Renter acknowledges and agrees that the Director may terminate diversion of water under the agreement if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.

7. If water is to be used for irrigation under this agreement, the rate of diversion when combined with all other water rights for the same land shall not exceed 0.02 cfs for each acre of land.

Dated this 12th day of May, 1993.

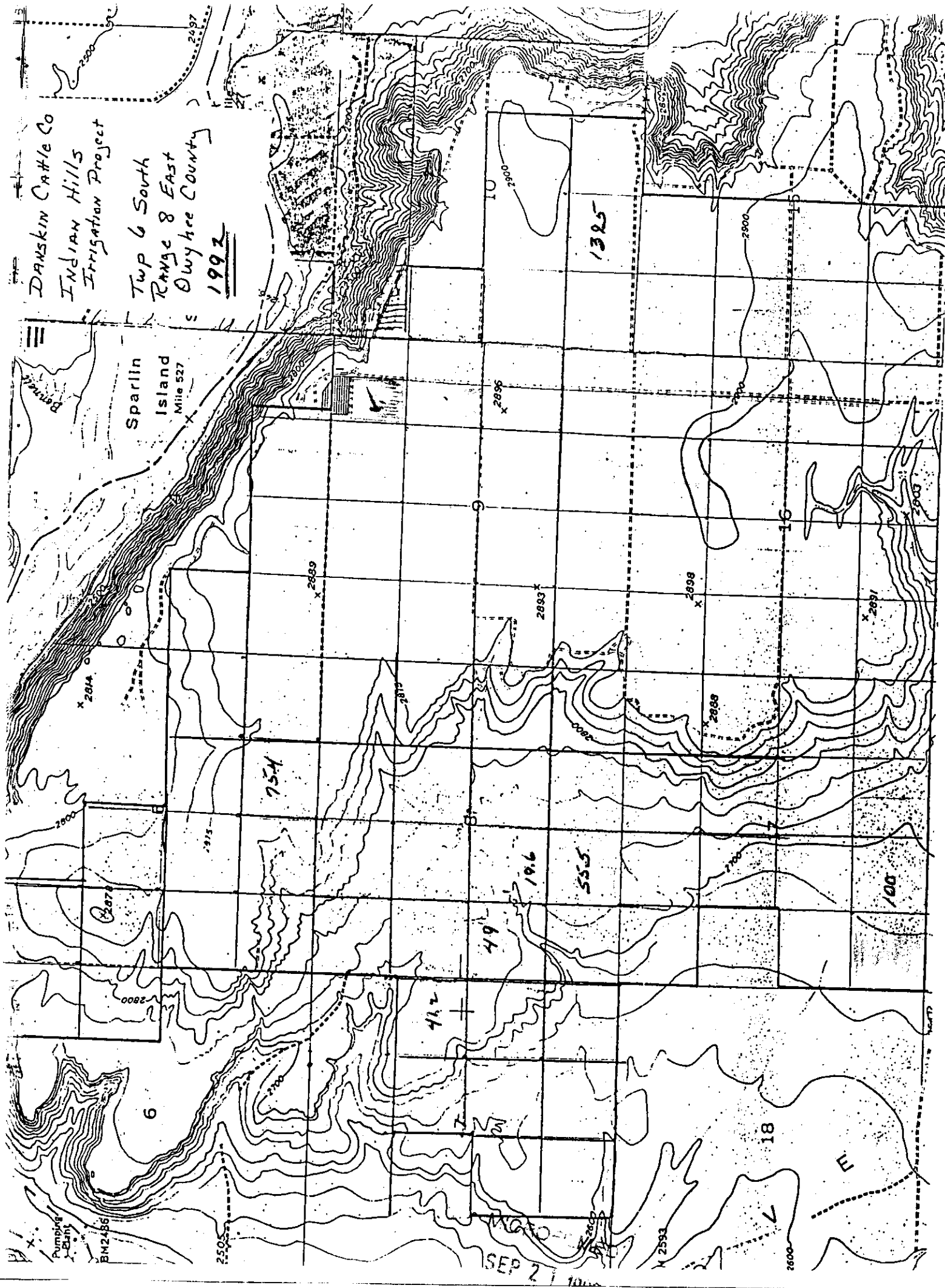

Renter
Donahoe Cattle Co.

I hereby execute this Rental Agreement on behalf of the
Idaho Water Resource Board this 12th day of May, 1993.


for R. KEITH HIGGINSON, Director
Idaho Department of Water Resources

Rec'd No. C027484

DANSKIN CATTLE CO
INDIAN HILLS
Irrigation Project
Twp 6 South
Range 8 East
Dwyhee County
1992



1992 WATER SUPPLY BANK RENTALS

as of 10-09-92
KJH

750 AF - Danskin Cattle Co.
15 AF - Idaho Power Co.
154 AF - Wes Farris
50 AF - Corey Kent
154 AF - Wes Farris (second rental)
25 AF - Lazy S. Farms

1,148 AF - TOTAL RENTED

RENTAL FEE DISTRIBUTION

<u>VOLUME</u>	<u>TOTAL FEE AMOUNT</u>	<u>TO OWNER</u>	<u>WATER ADMIN</u>	<u>WTR MGT ACCT</u>
750 AF	\$2,437.50	\$1,687.50	\$243.75	\$506.25
15	48.75	33.75	4.88	10.12
154	500.50	346.50	50.05	103.95
50	162.50	112.50	16.25	33.75
154	500.50	346.50	50.05	103.95
25	81.25	56.25	8.13	16.87
<u>1,148 AF</u>	<u>\$3,731.00</u>	<u>\$2,583.00</u>	<u>\$373.11</u>	<u>\$774.89</u>

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SEP 21 1999

MEMORANDUM

To: File 02-2339
From: L. Glen Saxton
RE: PAYMENT TO THE RIGHT HOLDER FOR RENTALS FROM THE WATER
SUPPLY BANK
Date: July 1992

The water right holder contacted Debbie Allen of IDWR and requested that any payments to the right holder for rentals of licensed water right no. 02-2339 from the Water Supply Bank be paid as follows:

Pay to: John D. and Mary Ross
11293 Greenhurst Road
Nampa, ID 83686

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SEP 21 1999

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JUL 27 1992

WATER SUPPLY BANK

RENTAL AGREEMENT

Department of Water Resources

The Idaho Water Resource Board (Board) being authorized to operate a Water Supply Bank (bank) and to contract by and through the Director of the Idaho Department of Water Resources (Director) for the use of water from the bank agrees to rent to

Fred Sarceda, 16251 Quartz Lane,
Wilder, ID 83676 - Twenty Five (25) acre feet of water to be

diverted at a rate not to exceed 1.0 cubic feet per second. The water is to be diverted between Aug 18 and Aug 27, 1992.

Upon receipt of Eighty one & 25/100 dollars, the renter will be authorized to divert water under the terms of this agreement, the adopted rules and regulations of the Water Supply Bank and the conditions attached to approval of this rental agreement.

The renter agrees to pay \$ 81²⁵ to the Idaho Water Resource Board for rental of the above described amount of water and agrees to use the water under the terms of this rental agreement as follows:

a) Renter's point of diversion:

Legal description: NENE - Sec 14, T3N, R5W

Source of Water: Snake R.

Pump HP: 40HP - PTO tractor Pump Lift: 10'

b) Renter's place of use:

Use: NENE - Sec 14, T3N, R5W

Legal description: NENE - Sec 14, T3N, R5W

Total number of acres to be irrigated: 18.6

c) Conditions of water use:

1. Use of water under this agreement is subject to all prior rights.

2. Prior to diversion of water under this rental agreement, the renter shall provide for the measurement of the water diverted under this agreement in a manner acceptable to the department.
3. Use of water under this agreement does not constitute a dedication of the water to renter's land and upon expiration of this agreement the place of use of the water shall revert to its original place of use.
4. Renter agrees to comply with all applicable state and federal laws in the use of water under this agreement.
5. Renter agrees to hold harmless the Board, the department and the state of Idaho from all liability on account of negligent acts of the renter in the use of water under this agreement.
6. Renter acknowledges and agrees that the Director may terminate diversion of water under the agreement if he determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
7. If water is to be used for irrigation under this agreement, the rate of diversion when combined with all other water rights for the same land shall not exceed 0.02 cfs for each acre of land.

Dated this 27 day of July, 1992.

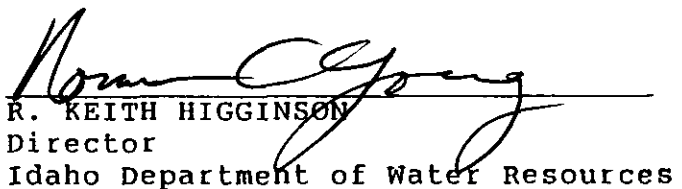


Renter

16251 Quartz Ln

Wilbur, IDA 83676
Address

I hereby execute this rental agreement on behalf of the
Idaho Water Resource Board this 27th day of July
1992.


R. KEITH HIGGINSON
Director
Idaho Department of Water Resources

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JUL 1 1992

WATER SUPPLY BANK

RENTAL AGREEMENT

Department of Water Resources

The Idaho Water Resource Board (Board) being authorized to operate a Water Supply Bank (bank) and to contract by and through the Director of the Idaho Department of Water Resources (Director) for the use of water from the bank agrees to rent to _____

Weston Farris, Box 9, Glenns Ferry, ID 83623
One hundred fifty four (154) acre feet of water to be

diverted at a rate not to exceed 7.7 cubic feet per second. The water is to be diverted between June 29 and Oct. 1., 1992.

Upon receipt of Five hundred & 50/100 _____

dollars, the renter will be authorized to divert water under the terms of this agreement, the adopted rules and regulations of the Water Supply Bank and the conditions attached to approval of this rental agreement.

The renter agrees to pay \$ 500⁵⁰ to the Idaho Water Resource Board for rental of the above described amount of water and agrees to use the water under the terms of this rental agreement as follows:

a) Renter's point of diversion:

Legal description: Lot 6, Sec 6, T6S, R8E, Lot 8, Sec 1, T6S, R7E

Source of Water: Snake River

Pump HP: 450 HP Lift: ≈ 175'

b) Renter's place of use:

Use: Irrigation

Legal description: 385 ac in parts Sec 19, T6S, R8E & Sec 24, T6S, R7E (see permit 02-7369)

Total number of acres to be irrigated: 385

c) Conditions of water use:

1. Use of water under this agreement is subject to all prior rights.

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2. Prior to diversion of water under this rental agreement, the renter shall provide for the measurement of the water diverted under this agreement in a manner acceptable to the department.
3. Use of water under this agreement does not constitute a dedication of the water to renter's land and upon expiration of this agreement the place of use of the water shall revert to its original place of use.
4. Renter agrees to comply with all applicable state and federal laws in the use of water under this agreement.
5. Renter agrees to hold harmless the Board, the department and the state of Idaho from all liability on account of negligent acts of the renter in the use of water under this agreement.
6. Renter acknowledges and agrees that the Director may terminate diversion of water under the agreement if he determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
7. If water is to be used for irrigation under this agreement, the rate of diversion when combined with all other water rights for the same land shall not exceed 0.02 cfs for each acre of land.

Dated this 27 day of June, 1992.

X Farras, Inc. Weston & Farras
Renter
Box 9
Colonus Ferry, Id 83623
Address

I hereby execute this rental agreement on behalf of the
Idaho Water Resource Board this _____ day of _____
1992.


R. KEITH HIGGINSON
Director
Idaho Department of Water Resources

WATER SUPPLY BANK

RENTAL AGREEMENT

The Idaho Water Resource Board (Board) being authorized to operate a Water Supply Bank (bank) and to contract by and through the Director of the Idaho Department of Water Resources (Director) for the use of water from the bank agrees to rent to

Betty Kent By Corey Kent - 11769 Eva Lane - Caldwell,
50 acre feet acre feet of water to be 83605

diverted at a rate not to exceed 1.3 cubic feet per second. The water is to be diverted between May 22 and October, 1992.

Upon receipt of \$ 162.50 One hundred sixty two dollars and fifty cents dollars, the renter will be authorized to divert water under the terms of this agreement, the adopted rules and regulations of the Water Supply Bank and the conditions attached to approval of this rental agreement.

The renter agrees to pay \$ 162.50 to the Idaho Water Resource Board for rental of the above described amount of water and agrees to use the water under the terms of this rental agreement as follows:

a) Renter's point of diversion:

Legal description: SE 1/4 NE 1/4 Sec. 34 T3N R4W B.M.

Source of Water: Snake River

Pump HP: 15 Lift: 20 ft.
60 inches

b) Renter's place of use:

Use: SE 1/4 NE 1/4 Sec. 34 T3N R4W B.M.

Legal description: irrigation

Total number of acres to be irrigated: 42 acres

c) Conditions of water use:

1. Use of water under this agreement is subject to all prior rights.

2. Prior to diversion of water under this rental agreement, the renter shall provide for the measurement of the water diverted under this agreement in a manner acceptable to the department.
3. Use of water under this agreement does not constitute a dedication of the water to renter's land and upon expiration of this agreement the place of use of the water shall revert to its original place of use.
4. Renter agrees to comply with all applicable state and federal laws in the use of water under this agreement.
5. Renter agrees to hold harmless the Board, the department and the state of Idaho from all liability on account of negligent acts of the renter in the use of water under this agreement.
6. Renter acknowledges and agrees that the Director may terminate diversion of water under the agreement if he determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
7. If water is to be used for irrigation under this agreement, the rate of diversion when combined with all other water rights for the same land shall not exceed 0.02 cfs for each acre of land.

Dated this 22 day of MAY, 1992.

Cory D Kent
Renter
11769 Eva Lane
Caldwell, ID 83605
Address

I hereby execute this rental agreement on behalf of the
Idaho Water Resource Board this 27th day of MAY
1992.

R. Keith Higginson
R. KEITH HIGGINSON
Director
Idaho Department of Water Resources

WATER SUPPLY BANK

RENTAL AGREEMENT

The Idaho Water Resource Board (Board) being authorized to operate a Water Supply Bank (bank) and to contract by and through the Director of the Idaho Department of Water Resources (Director) for the use of water from the bank agrees to rent to

Weston Farris, Box 9, Glenns Ferry, Id 83623

One hundred fifty four (154) acre feet of water to be diverted at a rate not to exceed 7.7 cubic feet per second. The water is to be diverted between May 19 and Oct. 1., 1992.

Upon receipt of Nine hundred + 50/100

dollars, the renter will be authorized to divert water under the terms of this agreement, the adopted rules and regulations of the Water Supply Bank and the conditions attached to approval of this rental agreement.

The renter agrees to pay \$ 500⁵⁰ to the Idaho Water Resource Board for rental of the above described amount of water and agrees to use the water under the terms of this rental agreement as follows:

a) Renter's point of diversion:

Legal description: Lot 6, Sec 6, T6S, R8E, Lot 8, Sec 1, T6S, R7E.

Source of Water: Snake River

Pump HP: 450 HP Lift: ≈ 175'

b) Renter's place of use:

Use: Irrigation

Legal description: 385 ac in parts Sec 19, T6S, R8E and Sec 24, T6S, R7E, (see permit 02-7369).

Total number of acres to be irrigated: 385

c) Conditions of water use:

1. Use of water under this agreement is subject to all prior rights.

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Rented
10 days of
water at
7.7 g/s.

MICROFILMED
SEP 21 1999

2. Prior to diversion of water under this rental agreement, the renter shall provide for the measurement of the water diverted under this agreement in a manner acceptable to the department.
3. Use of water under this agreement does not constitute a dedication of the water to renter's land and upon expiration of this agreement the place of use of the water shall revert to its original place of use.
4. Renter agrees to comply with all applicable state and federal laws in the use of water under this agreement.
5. Renter agrees to hold harmless the Board, the department and the state of Idaho from all liability on account of negligent acts of the renter in the use of water under this agreement.
6. Renter acknowledges and agrees that the Director may terminate diversion of water under the agreement if he determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
7. If water is to be used for irrigation under this agreement, the rate of diversion when combined with all other water rights for the same land shall not exceed 0.02 cfs for each acre of land.

Dated this 19th day of May, 1992.

Weston D. Farris
Renter

Box 9

Glenus, Ferry, Id 83673
Address

I hereby execute this rental agreement on behalf of the
Idaho Water Resource Board this 21st day of May
1992.

for Norman C. Young
R. KEITH HIGGINSON
Director
Idaho Department of Water Resources

Robert P. Griffin
Real Estate Specialist

(208) 383-2978

~~MICROFILMED~~

**Idaho
Power**

SEP 21 1999

Real Estate Department
P.O. Box 70
Boise, Idaho 83707

WATER SUPPLY BANK

RENTAL AGREEMENT

The Idaho Water Resource Board (Board) being authorized to operate a Water Supply Bank (bank) and to contract by and through the Director of the Idaho Department of Water Resources (Director) for the use of water from the bank agrees to rent to Idaho Power Company, P.O. Box 70, Boise, ID 83707, fifteen (15) acre feet of water to be diverted at a rate not to exceed 0.20 cubic feet per second. The water is to be diverted between May 1 and November 15, 1992.

Upon receipt of forty eight dollars and seventy five cents (\$48.75), the renter will be authorized to divert water under the terms of this agreement, the adopted rules and regulations of the Water Supply Bank and the conditions attached to approval of this rental agreement.

The renter agrees to pay \$48.75 to the Idaho Water Resource Board for rental of the above described amount of water and agrees to use the water under the terms of this rental agreement as follows:

a) Renter's point of diversion:

Legal description: NENE Sec 19, T2S, R1E, BM

Source of Water: Snake River

Pump HP: 20 HP

Lift: 20 feet

b) Renter's place of use:

Use: Irrigation

Legal description: 4 acres located in SE1/4 Sec 18, and NE1/4 Sec 19 T2S, R1E, BM

Total number of acres to be irrigated: 4

c) Conditions of water use:

1. Use of water under this agreement is subject to all prior rights.
2. Prior to diversion of water under this rental agreement, the renter shall install a totalizing meter acceptable to the department to measure the amount of water diverted under this agreement.
3. Use of water under this agreement does not constitute a dedication of the water to renter's land and upon

4 1999

WATER SUPPLY BANK

RENTAL AGREEMENT

The Idaho Water Resource Board (Board) being authorized to operate a Water Supply Bank (bank) and to contract by and through the Director of the Idaho Department of Water Resources (Director) for the use of water from the bank agrees to rent to Danskin Cattle Company c/o Bob Baker, P.O. Box 488, Mountain Home, Idaho 83647, seven hundred and fifty (750) acre feet of water to be diverted at a rate not to exceed 6.0 cubic feet per second. The water is to be diverted between March 15 and November 15, 1992.

Upon receipt of two thousand four hundred thirty seven dollars and fifty cents (\$2,437.50), the renter will be authorized to divert water under the terms of this agreement, the adopted rules and regulations of the Water Supply Bank and the conditions attached to approval of this rental agreement.

The renter agrees to pay \$ 2,437.50 to the Idaho Water Resource Board for rental of the above described amount of water and agrees to use the water under the terms of this rental agreement as follows:

a) Renter's point of diversion:

Legal description: SE1/4SE1/4 Section 4, T6S, R8E,BM.

Source of Water: Snake River

Pump HP: 1,400

Lift: About 200 feet

b) Renter's place of use:

Use: Irrigation

Legal description: Parts of ~~N1/2NE, SENE~~ Section 8, N1/2 ~~Section 9~~, all in T6S, R8E,BM. *5 1/2 5 1/4 Sec 10; SW 1/4 Sec 8; SE 1/4 SW 1/4 Sec 17*

Total number of acres to be irrigated: ~~200~~ 400

c) Conditions of water use:

1. Use of water under this agreement is subject to all prior rights.
2. Prior to diversion of water under this rental agreement, the renter shall install a totalizing meter acceptable to the department to measure the amount of water diverted under this agreement.
3. Use of water under this agreement does not constitute

a dedication of the water to renter's land and upon expiration of this agreement the place of use of the water shall revert to its original place of use.

4. Renter agrees to comply with all applicable state and federal laws in the use of water under this agreement.
5. Renter agrees to hold harmless the Board, the department and the state of Idaho from all liability on account of negligent acts of the renter in the use of water under this agreement.
6. Renter acknowledges and agrees that the Director may terminate diversion of water under the agreement if he determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
7. If water is to be used for irrigation under this agreement, the rate of diversion when combined with all other water rights for the same land shall not exceed 0.02 cfs for each acre of land.

Dated this 11th day of February, 1992.

DANSKIN CATHY CO INC
Renter

Robert C. Baker

P.O. Box 488

Address
Mountain Home, Idaho 83647

State of Idaho)
County of Elmore)

On this 11th day of February, 1992, before me the undersigned Notary Public in and for said county and state, personally appeared Robert C. Baker, known to me to be the person whose name is subscribed to within instrument and acknowledged to me that he executed the same.

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

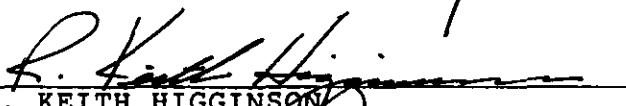
Donna J. Hickney
Notary Public in and for Idaho

Residing at: Mountain Home Id.

Commission expires: 7-22-97

83647

I hereby execute this rental agreement on behalf of the
Idaho Water Resource Board this 14TH day of FEBRUARY
1992.


R. KEITH HIGGINSON
Director
Idaho Department of Water Resources

WATER SUPPLY BANK

RENTAL AGREEMENT

The Idaho Water Resource Board (Board) being authorized to operate a Water Supply Bank (bank) and to contract by and through the Director of the Idaho Department of Water Resources (Director) for the use of water from the bank agrees to rent to Danskin Cattle Company c/o Bob Baker, P.O. Box 488, Mountain Home, Idaho, 83647, seven hundred and fifty (750) acre feet of water to be diverted at a rate not to exceed 6.0 cfs. The water is to be diverted between March 15 and November 15, 1991.

Upon receipt of two thousand four hundred thirty seven dollars and fifty cents (\$2,437.50), the renter will be authorized to divert water under the resolution authorizing the rental, the terms of this rental agreement, the adopted Water Supply Bank rules and regulations and the conditions of approval described on this rental agreement.

The renter agrees to pay \$2,437.50 to the Idaho Water Resource Board for rental of the above described amount of water and agrees to use the water under the terms of this rental agreement as follows:

a) Renter's point of diversion:

Legal description: SE1/4SE1/4 Section 4, T6S, R8E,BM.

Source of Water: Snake River.

Pump HP: 1,400

Lift: About 200 feet.

b) Renter's place of use:

Use: Irrigation

Legal description: Parts of N1/2NE, SENE Section 8, N1/2 Section 9, all in T6S, R8E,BM.

Total number of acres to be irrigated: 300

c) Conditions of water use:

1. Use of water under this agreement is subject to all prior rights.
2. Prior to diversion of water under this rental agreement, the renter shall install a totalizing meter acceptable to the department to measure the amount of water diverted under this agreement.

BEFORE THE IDAHO WATER RESOURCE BOARD
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
TO RENT WATER FROM THE WATER)
SUPPLY BANK)
_____)

RESOLUTION

WHEREAS, on March 3, 1989, the Idaho Water Resource Board (Board) accepted License No. 02-2339 into the Water Supply Bank; and,

WHEREAS, on March 14, 1990, the Danskin Cattle Company c/o Bob Baker (applicant) rented a portion of the water right (1,350 AF of water) from the bank for the 1990 irrigation season; and

WHEREAS, on July 10, 1990, the applicant proposed to continue the rental of the same amount of water from the bank for each of the next four (4) years beginning in 1991; and

WHEREAS, Water Bank Rule 4.2 requires approval of the Board for rentals encompassing periods longer than two (2) water years; and

WHEREAS, the Director of the Department of Water Resources (Director) has reviewed the rental request of the applicant and found the request to be reasonable if properly conditioned; and

WHEREAS, the Director has caused notice of the proposed rental to be advertised pursuant to Section 42-222, Idaho Code, and no objections have been received,

NOW, THEREFORE, BE IT RESOLVED:

1. That the Board authorizes the Director to approve the rental for the four (4) year period provided the rental agreement includes the following special conditions in addition to other appropriate conditions as determined by the Director:

- a) The rental period is for four (4) years beginning on March 15, 1991 and ending on November 15, 1994.
- b) The rental rate paid by the applicant shall be three dollars and twenty five cents (\$3.25) per acre foot rented (1350 acre feet per year), and the payment to the owner shall be two dollars and twenty five cents (\$2.25) per acre foot rented. Ten percent (10%) of

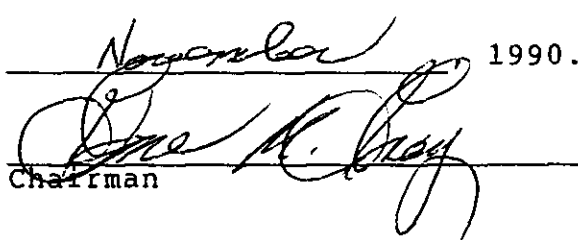
MICROFILMED

SEP 21 1999

the funds received from the rental shall be credited to the Water Administration Account and the remainder of the funds shall be credited to the Water Management Account.

- c) The applicant shall have the right to terminate the rental agreement for the remainder of the four (4) year rental period without penalty if written notice is provided to the Director or the Board on or before January 1st of any year.

Adopted this 9th day of November 1990.


Chairman

Attest: F. Don Gzdeck
Secretary

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SEP 21 1993

WATER SUPPLY BANK

RENTAL AGREEMENT

The Idaho Water Resource Board (Board) being authorized to operate a Water Supply Bank (bank) and to contract by and through the Director of the Idaho Department of Water Resources (Director) for the use of water from the bank, agrees to rent to Danskin Cattle Company c/o Bob Baker, P.O. Box 488, Mountain Home, Idaho 83647, the amount of 300 (4.5) = 1350 Acre Feet of water to be diverted at a rate not to exceed 6.0 cfs. The water is to be diverted between March 15 and November 15, 1990.

Upon receipt of three thousand three hundred and seventy five dollars (\$3,375) and approval of this application, the renter will be authorized to divert water under the terms of this agreement, the adopted rules and regulations of the Water Supply Bank and the conditions attached to approval of this rental agreement.

The renter agrees to pay \$3,375 to the Idaho Water Resource Board for rental of the above described amount of water and agrees to use the water under the terms of this rental agreement as follows:

a) Renter's point of diversion:

Legal description: SE1/4SE1/4 Section 4, T6S, R8E,BM.

Source of Water: Snake River.

Pump HP: 1,400 Lift: about 200 feet.

b) Renter's place of use:

Use: Irrigation

Legal description: Parts of N1/2NE, SENE Section 8,
N1/2 Section 9, all in T6S. R8E,BM.

Total number of acres to be irrigated: 300

c) Conditions of water use:

1. Use of water under this agreement is subject to all prior rights.
2. Prior to diversion of water under this rental agreement, the renter shall install a totalizing meter

SEP 2 1989

acceptable to the department to measure the amount of water diverted under this agreement.

3. Use of water under this agreement does not constitute a dedication of the water to renter's land and upon expiration of this agreement the place of use of the water shall revert to its original place of use.
4. Renter agrees to comply with all applicable state and federal laws in the use of water under this agreement.
5. Renter agrees to hold harmless the Board, the department and the state of Idaho from all liability on account of negligent acts of the renter in the use of water under this agreement.
6. Renter acknowledges and agrees that the Director may terminate diversion of water under the agreement if he determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
7. If water is to be used for irrigation under this agreement, the rate of diversion when combined with all other water rights for the same land shall not exceed 0.02 cfs for each acre of land.

Dated this 14 day of March, 1990.

Darwin Cattle Co
Renter
by Robert C. Baker
Box 488, Mountain Home, Idaho
Address

State of Idaho)
County of Ada)

On this 14th day of March, 1990, before me the undersigned Notary Public in and for said county and state, personally appeared Robert C. Baker, known to me to be the person whose name is subscribed to within instrument and acknowledged to me that he executed the same.

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

Robert M. Garrett
Notary Public

Residing at Boise, Idaho. Commission expires: 12-17-1993

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SEP 21 1999

I hereby execute this rental agreement on behalf of the
Idaho Water Resource Board this 14TH day of MARCH,
1990.


R. KEITH HIGGINSON
Director
Department of Water Resources

NOTED

SEP 21 1999

BEFORE THE IDAHO WATER RESOURCE BOARD
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
02-2339 TO LEASE WATER TO THE)
WATER SUPPLY BANK)

RESOLUTION

WHEREAS, John D. Ross (applicant) of Nampa, Idaho has applied to lease 11.0 cubic feet per second of water represented by License No. 02-2339 to the Water Supply Bank which is administered by the Idaho Water Resource Board (Board); and,

WHEREAS, the Director of the Department of Water Resources (Director) has investigated the water right and the application to lease the right to the water supply bank as required by Water Supply Bank Rule 3.3; and,

WHEREAS, the Director and the Board find that the requirements for leasing water into the Water Supply Bank have been met by the applicant,

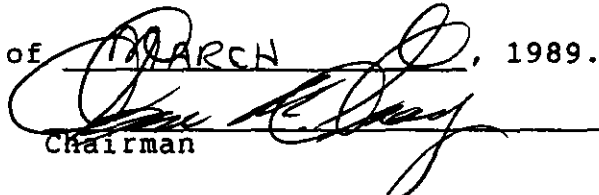
NOW, THEREFORE, BE IT RESOLVED:

1. That the Board accept License No. 02-2339 into the Water Supply Bank on a contingency basis with payment to be made to the lessor only upon lease of the right or portion thereof from the Water Supply Bank; and,

2. That the Director be authorized to lease the right or portion thereof from the Water Supply Bank in compliance with Water Supply Bank Rule 4.2; and

3. That the payment to the lessor be consistent with the Water Supply Bank rules and the rate charged for stored water rented within the Water District 01 (Upper Snake River) rental pool.

Adopted this 3RD day of MARCH, 1989.


Chairman

Attest:


Secretary

REC'D
SEP 2 1989

3. Use of water under this agreement does not constitute a dedication of the water to renter's land and upon expiration of this agreement the place of use of the water shall revert to its original place of use.
4. Renter agrees to comply with all applicable state and federal laws in the use of water under this agreement.
5. Renter agrees to hold harmless the Board, the department and the state of Idaho from all liability on account of negligent acts of the renter in the use of water under this agreement.
6. Renter acknowledges and agrees that the Director may terminate diversion of water under the agreement if he determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.
7. If water is to be used for irrigation under this agreement, the rate of diversion when combined with all other water rights for the same land shall not exceed 0.02 cfs for each acre of land.

Dated this 26 day of December, 1990.

Danskow Cattle Co
Renter Robert C. Baker
Box 488 Mtn Home
Address Idaho 83647

State of Idaho)
County of Elmore)

On this 26 day of Dec, 1990, before me the undersigned Notary Public in and for said county and state, personally appeared Robert C. Baker, known to me to be the person whose name is subscribed to within instrument and acknowledged to me that he executed the same.

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

Karen Tinsford
Notary Public in and for Idaho
Residing at: Mtn Home

Commission expires: 10 30 91

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SEP 21 1999

RECEIVED

AUG 25 1988

Water Supply Bank No. _____

Water Right No. 02-2339

RECEIVED

DEC 08 1987

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

Department of Water Resources

APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE
WATER SUPPLY BANK

Department of Water Resources

Name of Seller/Lessor Swan Falls Farms, Inc Phone 466-8870
Post office address c/o John D. Ross 3025 W. Greenhurst, Nampa,
ID 83651

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____ (Name)
in case of _____ vs _____
dated _____ in _____ county of _____ (Name of court)

b. License No. 32150 / 02-2339 issued by the Idaho Department of Water Resources.

c. Permit No. _____ issued by the Idaho Department of Water Resources.

2. Source of water Snake River tributary to Columbia River

3. Date of priority 12-7-64 Dec. 7, 1964

4. Water is used for the following purposes:

amount 11.0 cfs for Irrigation purposes from 3-15 to 11-15
amount _____ for _____ purposes from _____ to _____
amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

5. Total amount of water under right: a. 11.0 cubic feet per second
&/or
b. 2745 acre feet per annum

6. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 19
Township 2 S Range 1 E, B.M., in Ada County
Additional points of diversion, if any _____

7. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				TOTALS
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
<u>26</u>	<u>1E</u>	<u>16</u>	<u>30</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>30</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>35</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>35</u>	<u>610</u>

Microfilm of acres to be irrigated 610
FILMED
SEP 21 1999

B. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE (If the entire right is for sale or lease, omit part B.)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ 1/4 _____ 1/4, Section _____ Township _____
Range _____, B.M., _____ County
Additional points _____

3. Place of use:

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	

Total number of acres to be irrigated _____

C. ADDITIONAL INFORMATION ABOUT RIGHT, OR PORTION THEREOF, FOR SALE OR LEASE

1. Explain how the right, or portion thereof, was acquired and attach a copy of the deed to the land to which it is appurtenant or other evidence of ownership of the right.

Sheriff's sale Case # 88300 31 July 1987

2. Describe the frequency of water use under the right, or portion thereof, during the past 5 years. Attach watermaster records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture:

Yearly use water 1986
See attached power bills 1985 from
Idaho Power

3. Describe the relative availability of water to fill the right, or portion thereof. Attach evidence to support this description:

Pump from reservoir at Swan Falls

4. Describe any other water rights with the same purpose and place of use as the right, or portion thereof. Will the present place of use no longer receive water from any source?

None No water use on
Swan Falls Farm contemplated for
9/1/85.

5. Describe the anticipated effect of this sale or lease upon other water users.

None

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SEP 21 1999

10. Remarks

Lease of water should be by an annual basis - one year at a time; ~~water~~ ~~rights~~ ~~lease~~ ~~may~~ ~~be~~ ~~renewed~~ ~~by~~ ~~right~~ ~~of~~ ~~redemption~~ ~~until~~ ~~15~~ ~~July~~ ~~1988~~ - A five year term would ~~be~~ be acceptable

D. SALE/LEASE AGREEMENT

1. The water right, or portion thereof, described above is offered to the Idaho Water Resource Board:

☐ For sale

☒ For lease for the period from present to 1997

☐ As a gift to the State of Idaho.

2. The minimum payment acceptable to the Seller/Lessor is: (Include the method of determining the minimum payment)

usual charge of other water bank, upper Snake River

3. Payment contingent on subsequent sale or leasing of this right, or portion thereof, is:

☒ Acceptable

☐ Not Acceptable

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer the sale or lease of this right to the Idaho Water Resource Board.

26 Oct 1987

(Date)

20 Aug 1988

John D. Roff

(Signature of applicant)

ACTION OF THE WATER RESOURCE BOARD

This is to certify that the Board has reviewed Application to Sell or Lease a Water Right No. 02-2339

and said Application is hereby accepted into the Water Supply Bank.

Witness my hand this 3rd day of MARCH, 19 89

Gene M. Gray
Gene M. Gray, Chairman

FOR DEPARTMENT USE ONLY

8-25-88

Received by nl Date 11-23-87

Prelim. check by ms

Watermaster recommendation requested on _____ rec'd. _____

Recommended for ☒ approval ☐ denial

by ms

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SEP 21 1988

6. List any assessments, charges or fees currently being paid for the use of the water.

Name _____

7. If the water right is a permit, describe the work accomplished toward developing the right.

NA

8. If the right to the use of the water or the use of the diversion works or irrigation system is represented by shares of stock in a company or corporation, or if such works or system is owned or managed by an irrigation district, a written consent of the sale or lease must be attached.
9. Draw a map indicating the point(s) of diversion and place of use of the right, or portion thereof. Show clearly the land involved by section, township and range.

9. Draw a map indicating the point(s) of diversion and place of use of the right, or portion thereof. Show clearly the land involved by section, township and range.

[illegible]

SCALE: 2 inches equal 1 mile. Draw plan in ink.

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SEP 21 1999

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 32150/02-2339 Priority Dec. 7, 1964 Amount 11.0 cfs

THIS IS TO CERTIFY, that SWAN FALLS FARMS, INC.
of Idaho Falls, Idaho, has complied with the terms and conditions of Permit
No. 32150/02-2339 issued pursuant to Application for Permit dated December 7, 1964,
and has submitted proof to the Department of Water Resources on November 4, 1975,
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 11.0 cfs of water from the Snake River,
tributary to the Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u>	at <u>11.0</u> cfs and	<u>2,745 acre feet or</u>
	from _____ to _____	_____ cfs and	<u>4.5 af per acre</u>
	from _____ to _____	_____ cfs and	
(both dates inclusive)			

Subject, however, to the condition that no more than 11.0 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
2,745 acre feet per year, said waters to be diverted within the NE¹NE¹ of Sec. 19,
Twp. 2 S, Rge. 1 E, B. M. in the County of Ada

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	
2 S	1 E	16	30	40	40	40	30	40	40	40	40	40	35	40	40	40	40	35	610

Total number of acres irrigated 610

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 6 day of
December, 19 76.

RECORDED

AUG 01 1976

Director

LEGAL INVOICE

LINES

42

CREDIT

TIMES

SKIP

CHARGES

15⁰⁵

ADD'L CHARGES

DATE AD
EXPIRES

JAN. FEB. MAR. APR. MAY JUNE JULY AUG. SEPT. OCT. NOV. DEC.

ADVERTISER

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16

ADDRESS

17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 TF

CITY

PHONE

MON. TUES. WED. THUR. FRI. SAT. SUN.

AD GIVEN BY

AD TAKER

COLUMNS

IDENTIFICATION

AMOUNT PAID

INSTRUCTION TO COMPOSITOR

STARTING DATE

CLASSIFICATION

CLASS AD NO. TIMES SKIP VERT. START

5

Lowell C. Moore

LEGAL
INVOICE

STATE OF IDAHO)

)ss.

COUNTY OF ADA)

Verna L. Johnson, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in the regular edition of The Idaho Statesman for

two insertions, beginning with the issue of November 13, 1975, and ending with the issue of November 20, 1975.

Verna L. Johnson

Subscribed and sworn to before me this 21st day of November, 1975.

Shirley E. Egan

Notary Public for Idaho, Residing at Boise, Idaho

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

02-2-1

APPLICATION No. 40288
PERMIT No. 32150
DISTRICT No.

- see assignment of*
1. Name of Applicant: Lowell C. Moore *10-21-76*
Postoffice address: Roberts County: Jefferson 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:
(b) Treasury stock:
(c) Bond to be issued:
(d) Other resources:
2. Quantity of water claimed: 12.8 cubic feet per second.
3. Source of water supply: Snake River which is a tributary of Columbia
4. Location of point of diversion: 1000' S. 550' W. feet distant from the NE
corner of Section 19, T. 2 S., R. 1 E., B.M., and is in the NE $\frac{1}{4}$ NE $\frac{1}{4}$
of section 19, T. 2 S., R. 1 E., B. M., County of Ada
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: \$ 75,000.00
8. Kind of works: Pumping Plant - pipeline, pond
26324
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 fee; width at water line feet; depth of water feet;
dimensions of flume:
Diameter of pipe 26" inches; length of conduit 7000' ~~miles~~
Average grade per mile 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.

s/ Lowell C. Moore *Applicant.*

By Byron V. Anderson *Agent.*

Date of first receipt at Department of Reclamation: 1:45 P.M. December 7, 1964

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is: 32150

Recorded in Book 112 Page 32150 Approved December 10, 1964

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 February 10, 1965 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 June 10, 1967

The whole of said work to be completed on or before December 10, 1969

Beneficial use of water appropriated in accordance herewith, to be made on or before December 10, 1975

WITNESS My hand this 10th day of December 1964

s/ CARL E. TAPPAN
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, ROBERT E. SMYLLIE, 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 10th
day of December, 1964. STATE OF IDAHO

STATE OF IDAHO

Countersigned:

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

By s/ ROBERT E. SMYLIE
Governor.

REMARKS:

14.

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 23, 1999

Crystal Vincent
ROSHOLT, ROBERTSON & TUCKER
142 3rd Ave. N
P.O. Box 1906
Twin Falls, ID 83303-1906

RE: LEASE OF LICENSE NO. 02-02339 TO THE WATER SUPPLY BANK

Dear Ms. Vincent:

This letter is notice that on December 31, 1999, License No. 02-02339 in the name of Wilson Properties, L.P. is released from the Water Supply Bank ("bank") as requested in the application to the bank. The five (5) year period of nonuse for forfeiture of a water right shall begin to accrue upon release of the right from the bank or shall continue to accrue if a period of nonuse occurred prior to the date of lease of the right to the bank.

If you have questions, please feel free to contact me.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - W. Region
File 02-02339



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

July 22, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

UNITED WATER IDAHO INC
C/O WILLIAM C LINAM
PO BOX 7488
BOISE ID 83707

RE: Permit 63-12055 & Water Right 02-02339

Dear Mr. Linam:

The accompanying order is a **preliminary order** issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the department unless a party petitions for reconsideration within fourteen (14) days after issuance as described in the enclosed information sheet.

If you have any questions regarding this matter, please call me at 208-327-7955.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocations Bureau

LGS:klt

Enclosure

cc: Jeff Fereday, Givens Pursley
Lee Sisco, Watermaster
Western Region office

MICROFILMED
SEP 21 1999

CERTIFICATE OF MAILING

I hereby certify that on the 22nd day of July, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER to the person(s) listed below:

RE: Permit 63-12055 & Water Right 02-02339

UNITED WATER IDAHO INC
C/O WILLIAM C LINAM
PO BOX 7488
BOISE ID 83707

GIVENS PURSLEY
JEFF FEREDAY
PO BOX 2720
BOISE ID 83701

LEE SISCO
WATER MASTER
6616 OVERLAND RD
BOISE ID 83709


Kari Lynn Townsend
Secretary

RECORDED
SEP 21 1999

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the Department within fourteen (14) days of the service date of the order. The Department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See section 67-5243(3), Idaho Code.

EXCEPTIONS AND BRIEFS

Within twenty-one (21) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from a preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

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SEP 21 1999

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Department in connection with a preliminary order shall be served on all other parties to the proceedings in accordance with Rules of Procedure 302 and 303.

FINAL ORDER

The Department will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Department may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of; or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

MICROFILMED
SEP 21 1999

MEMORANDUM

TO: FILE

FROM: STEVE LESTER 

DATE: JUNE 2, 1999

RE: UNITED WATER IDAHO - APPLICATION FOR EXCHANGE

The exchange proposes to divert a junior Boise River municipal right that is not normally deliverable during the summer. The water right supplying the summer flow is contracted storage from Lucky Peak Reservoir, right no. 63-03618. Apparently, about 42,000 af is released from the reservoir at about 400 cfs for fish flow releases from early June until late August.

The applicant will divert up to 11 cfs at its Marden Street site in Boise in lieu of diverting an equal amount from the Snake River irrigation right near Swan Falls. In this manner, fish flow releases will not be affected downstream from the mouth of the Boise River.

DOCUMENTS AND APPLICATION PREPARATION

The application consists of nine pages, including the two page application form plus Attachments A through D as noted below:

- A - explanation, including suggested conditions of approval
- B - license 02-02339
- C - permit 63-12055
- D - maps of P/D's at Boise and Snake Rivers.

The application was prepared by the firm of Givens Pursley LLP after consultation with IDWR administration (see Fereday's April 29 cover letter).

Preliminary review by IDWR staff suggested that the application should be revised to include the Lucky Peak right as noted in the May 21 draft legal notice. However, senior staff did not concur, and the application was published as originally filed. Statewide notices were used. Comment letters included the Boise River watermaster, Bureau of Reclamation (BOR) and Idaho Department of Fish & Game.

CURRENT RECORDS

The Snake River right appears in the database with a "water supply bank" stage and without a place of use. A 1992 database comment notes that the right remains in the water bank until 1997. The 1993 Boise River municipal right includes conditions of approval limiting the right to "moratorium limits" or no "large users." The applicant has not filed to delete these moratorium municipal limits.

MICROFILMED
SEP 2 1999

SRBA claim A02-02339 matches the original license. The claimant is Wilson Properties LP. United Water addressed possessory interest of the Snake River right via an option to purchase (Attachment A). License and claim review reveal that each acre is allotted .018 cfs with full volume (3.5/4.5 afa).

VERIFICATION & OTHER ANALYSIS

Right 63-12055 is a 1993 permit in which proof of beneficial use is due next March. Additional analysis of the permit is not needed.

Right 02-02339 is a 1964 license. Licensing occurred in 1979. The 1987 NAPP aerial photos Z8 NW and Y58 SW show clear field patterns throughout the P/U, which is most of Section 16. The patterns include four pivots plus apparent hand/wheel lines around most of the pivot margins. No irrigation color is found, indicating that the land was fallow in 1987 and perhaps a year or two before then. However, favorable SRBA recommendations would be made based on (a) 1987 field patterns and (b) evidence of an intact delivery system or other suitable protection of the right, e.g., water supply bank status.

File history for the Snake River right reveals that the right was placed in the water bank in the late 1980's. The license has been in and out of the bank since then. A five year period of non-use or non-protection of the license cannot be found. Forfeiture has not occurred.

The proposal does not appear to be a classic exchange of one usable right for another. Instead, the applicant wants to exchange an out-of-priority right (63-12055) with another right (Lucky Peak, 63-03618) while mitigating the impact on Snake River fish flows with a third right, 02-02339. Nothing in the application suggests that BOR, Lucky Peak water users or other interested parties approve of this, although the applicant's attorney stated that United Water discussed the plan with all of the local major players and met no resistance (telephone conversation with Jeff Fereday on May 21).

RECOMMENDATIONS

1. The exchange should be approved.
2. For each acre not irrigated under right 02-02339, the applicant can divert Boise River water at the rate of .018 cfs but not to exceed 4.5 afa of diversion volume nor 3.5 afa of consumptive volume.
3. Applicant's conditions of approval (Attachment A, labeled as page 4) should be considered. Boise River watermaster control must remain intact.
4. The "municipal moratorium" limits should be retained because the applicant has not filed an amendment to lift the limitations.
5. If I.C. § 42-1763B expires at the end of this year, fish flow releases will no longer be sanctioned until a new authorization occurs (resurrect BOR's transfer applications?). The exchange will be moot if fish flow releases are not allowed after this year.
6. P/U data for 02-02339 should be restored in the database but explained in Remarks or Comments.

MICROFILMED
SEP 2 1999

CONVERSATION MEMORANDUM

DATE 7/15/99

FILE Exchange

NAME OF PARTY See Below

02-02339

EMPLOYEE FL

63-12055

RE: Comments Letters -

Although not certain (no copy of letters in file), it is thought that comment letters were mailed during legal notice process. Here is a summary showing that processing should continue.

① Watermaster - was contacted 7/12/99 & he faxed his approval on same day.

② IDFG - Cindy Robertson of IDFG S.O. (334-2597) told me earlier in process that FG would file protest due to concerns about ~~precedence~~ precedent that this might set future concerns about much larger exchanges that might occur. But FG did not protest after all, & C.R. told Regional Mgr. & Western that will not challenge this exchange.

③ Bur of Reclamation - I called Jerry Gross (334-1460) & Tony Sullivan (334-1911, Fed. Attorney) on 7/12 but could not reach them. Left msg. & Tony's office* since Jerry out of town. BOR did not return the call as of today. Does not appear to be a significant concern to BOR.

CONCLUSION - comment processing ~~adequately~~ completed.

* is i.d. nature (subject matter) of my ^{SEP 21 1999} ~~2001~~

01-99

State of Idaho
Department of Water Resources

RECOMMENDATION OF WATERMASTER

Application No: 63-12055 + 02-2339 (Exchange)Applicant's Name: United Water Idaho Inc.

Watermaster's Recommendation:

- a) ☐ I do not oppose approval of this application.
- b) ☒ I do not oppose approval of this application if it is conditioned as

follows: Standard Watermaster
Conditions

- c) ☐ I oppose approval of this application for the following reasons:

- d) Additional Comment: _____

Dated this 12 day of July, 1999.Water District No: 63Lee Simon
Watermaster's Signature

Use reverse side of page if you need more space.

MICROFILMED

SEP 2 1999

7/12/99

RECEIVED

JUN 17 1999

WATER RESOURCES
WESTERN REGION

Affidavit of Publication

STATE OF IDAHO }
COUNTY OF TWIN FALLS } SS.

No 31897

I Carole Williams being first duly sworn upon oath, depose and say that I am principal clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for two consecutive weeks, commencing with the issue dated June 3, 19 99, and ending with the issue dated June 10, 19 99.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

STATE OF IDAHO
COUNTY OF TWIN FALLS

On this 16th day of June in the year of 1999, before me, a Notary Public, personally appeared Carole Williams, known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

MICROFILMED

Notary Public for Idaho

Residing at Twin Falls, Idaho.

My commission expires: 5/19/2000

SEP 21 1999

TRIBUNE PUBLISHING COMPANY, INC.
The Lewiston Morning Tribune
505 C St., P.O.Box 957
Lewiston, Idaho 83501
(208) 743-9411

LEGAL ADVERTISING INVOICE

SOLD TO: DEPT OF WATER RESOURCES
2735 AIRPORT WAY
BOISE ID 83705

Date 06/10/99 INVOICE NO. 202818
Account No. 964760
Description 202818NOTICEOFPROPOSED
Times 2 Lines 50

Tab. Lines _____

\$ 68.75

RECEIVED

JUN 16 1999

WATER RESOURCES
WESTERN REGION

NOTICE: This is an invoice of Purchase made by you. Statement will be rendered the first of the month.
Please Retain This Invoice as Your Statement Will Refer to Invoice by No. Only.

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, ss.
County of Nez Perce

Karen Lewis being duly sworn, deposes and says, I am the Legal Clerk of the Tribune Publishing Company, a corporation organized and existing under and by virtue of the laws of the State of Idaho, publishers of the LEWISTON MORNING TRIBUNE, a newspaper of general circulation published at Lewiston, Nez Perce County, Idaho; That the said Lewiston Morning Tribune is an established newspaper and has been published regularly and issued regularly at least once a day for more than 21 consecutive years next immediately preceding the first publication of this notice, and has been so published uninterrupted for said period; that the 202818NOTICEOFP attached hereto and which is made a part of this affidavit was published in the said Lewiston Morning Tribune, 2 time(s). Publication being on 06/03, or once a WEEK for 2 consecutive WEEK, the first publication thereof being on the 06/03/99, and the last publication thereof being on the 06/10/99, and said 202818NOTICEOFP was so published in the regular and entire issue of said newspaper and was not in a supplement thereof and was so published in every issue and number of the said paper, during the period and times of publication as set forth above.

Karen J. Lewis

SUBSCRIBED AND SWORN BEFORE ME THIS THE 10th

day of June 1999

Sheral M. Lantz

NOTED FILED

SEP 21 1999

Notary Public in and for the State of Idaho,
residing at Lewiston, therein
Commission Expires June 4, 03

RECEIVED

JUN 15 1999

WATER RESOURCES
WESTERN REGIONThe Idaho
Statesman

P.O. BOX 40, BOISE, IDAHO 83707-0040

LEGAL ADVERTISING INVOICE

Amount Due

\$65.04

Account Number/Trans. #		Identification	
047628 51432		NOTICE OF PROPOSED EXCHANGE OF WATER RIGHTS	
Ordered By	P.O. Number	Rate	Run Dates
SUE TAYLOR		NT	JUNE 3, 10, 1999
STATE OF IDAHO DEPT. OF WATER RESOURCES WESTERN REG. 2735 AIRPORT WAY BOISE, IDAHO 83705 - 5082		Estimated Inches 47 LINES	Real Inches
		# Affidavits 1	Legal Number 4187

PROPOSED EXCHANGE
Contracted Boise River water is released from Lucky Peak Reservoir during the summer at about 400 cfs for fish flow augmentation in the lower Snake River system. During such times the applicant wants to divert up to 11.0 cfs at the Marden St. site in exchange for not diverting an equal amount from the Snake River site near Swan Falls. This will retain up to 11.0 cfs in the lower Snake River system for fish flow augmentation downstream from the mouth of the Boise River.

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 for each application on or before June 21, 1999. The protestant must also send a copy of the protest to the applicant.

Karl J. Barker, Director

PROPOSED EXCHANGE
Contracted Boise River water is released from Lucky Peak Reservoir during the summer at about 400 cfs for fish flow augmentation in the lower Snake River system. During such times the applicant wants to divert up to 11.0 cfs at the Marden St. site in exchange for not diverting an equal amount from the Snake River site near Swan Falls. This will retain up to 11.0 cfs in the lower Snake River system for fish flow augmentation downstream from the mouth of the Boise River.

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Karl J. Barker, Director

Pub. June 3, 1999

4187

JANICE HILDRETH

, being duly

sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for TWO

☒ consecutive weekly☐ single☐ consecutive daily☐ odd skip

insertion(s) beginning with the issue of

JUNE 3

, 1999

and ending with the issue of

JUNE 10

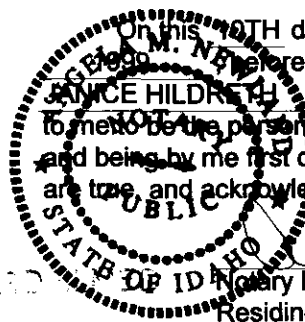
, 1999

Janice Hildreth

STATE OF IDAHO)

ss.

COUNTY OF ADA)



NOTARY

On this 10TH day of JUNE in the year of

1999, before me, a Notary Public, personally appeared JANICE HILDRETH known or identified to me to be the person whose name subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Notary Public for Idaho

Residing at:

Boise, Idaho

SEP 21 1999

My commission expires:

2/12/05

RECEIVED

JUN 18 1999

WATER RESOURCES
WESTERN REGION

Proof of Publication

The Post Register

State of Idaho
County of Bonneville

I, S. Bob Bright or Robert Park, first being duly sworn, depose and say: That I am the Production Supervisor or Asst. Prod. Supervisor of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post Register, a newspaper of general circulation, published daily at Idaho Falls, Idaho; said Post Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the First day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than twelve consecutive months and said Post Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

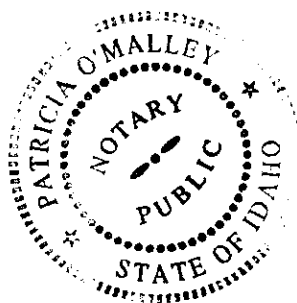
That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post Register for two consecutive (days) weeks, first publication having been made on the 3rd day of June, 1999, last publication having been made on the 10th day of June, 1999, and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Robert Park

Subscribed and sworn to before me, this 16th day of June, 1999.

Patricia O'Malley
Notary Public

My commission expires January 3, 2003



MICROFILMED

SEP 2 1999

17

**NOTICE OF PROPOSED
EXCHANGE OF WATER RIGHTS**

Notice is given that **UNITED WATER IDAHO INC.** of PO Box 7488, Boise ID 83707 has applied to the Department of Water Resources to exchange the following water rights in Ada County pursuant to I.C. § 42-240:

License #02-02339, priority 12-7-1964, 11.0 cfs from Snake River, diverted in NENE S19 near Swan Falls Dam to irrigate 610 acres in S16, all in T2S R1E.

Permit #63-12055, priority 9-8-1993, 24.8 cfs from Boise River, diverted in SENE S14 T3N R2E near Marden St. Water Treatment Plant for municipal use in applicant's service area. This junior right generally is entitled to divert during periods of higher flow and not necessarily in all years.

PROPOSED EXCHANGE

Contracted Boise River water is released from Lucky Peak Reservoir during the summer at about 400 cfs for fish flow augmentation in the lower Snake River system. During such times the applicant wants to divert up to 11.0 cfs at the Marden St. site in exchange for not diverting an equal amount from the Snake River site near Swan Falls. This will retain up to 11.0 cfs in the lower Snake River system for fish flow augmentation downstream from the mouth of the Boise River.

Any protest against approval of the proposed change must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705-5082, together with a protest fee of \$25 for each application on or before June 21, 1999. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director

Published: June 3, 10, 1999

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Karl J. Dreher, Director

Published in the Idaho Statesman, Lewiston Morning Tribune, Times News and Post Register on June 3 and 10, 1999.

MICROFILMED
SEP 21 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

2735 Airport Way, Boise, Idaho 83705

Phone: (208) 334-2190 FAX: (208) 334-2348 www.idwr.state.id.us/idwr/idwrhome.htm

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

✓
FAX TRANSMITTAL COVER SHEET

FAX # (208) 334-2348

DATE: 6/1/99

TO: Jett Fensley

FROM: Steve Lester

FAX 388-1300

DOCUMENT DESCRIPTION: WW. Exchange -
got your message, Jett. Notices to be published 1st 2 weeks of
June so watch for Thursday's paper. Things are underway at
this time.

TOTAL PAGES SENT: 01 + COVER SHEET

CONTACT: _____

copy of legal notice sent

GIVENS PURSLEY LLP

RECEIVED

APR 29 1999

Department of Water Resources

LAW OFFICES

277 North 6th Street, Suite 200
PO Box 2720, Boise, Idaho 83701
TELEPHONE: 208 388-1200
FACSIMILE: 208 388-1300

Gary G. Allen
Christopher J. Beeson
Michael C. Creamer
Thomas E. Dvorak
Roy Lewis Eiguren
Jeffrey C. Fereday
L. W. Grant III
Richard W. Jankowski
Karl T. Klein
David R. Lombardi

Kimberly D. Maloney
Kenneth R. McClure
Cynthia A. Melillo
Christopher H. Meyer
L. Edward Miller
Patrick J. Miller
Judson B. Montgomery
Angela K. Nelson
W. Hugh O'Riordan
Kenneth L. Pursley

Conley Ward
Stephanie C. Westermeier
Robert B. White

Raymond D. Givens
James A. McClure
OF COUNSEL

April 29, 1999

Norman C. Young
Idaho Department of Water Resources
1301 N. Orchard Street
Boise, ID 83729

RE: Exchange application; water right no. 02-2339 and permit no. 63-10255

Dear Norm:

I am enclosing United Water Idaho's completed application for its proposed exchange involving the Snake River water right on which it has an option and its Boise River natural flow permit. Also enclosed is a \$100 check for the filing fee. Please contact me if you have any questions about the application or if you need further documentation.

As we have discussed, this exchange accounts for that portion of the Snake River water right that would be in priority during period when the Bureau of Reclamation is making flow augmentation releases from Lucky Peak Reservoir, which is from about June 10 through August 31. We anticipate filing some other application, perhaps a water bank application, to address the use of the portions of the Snake River water right before or after this flow release period. However, such future application would be separate from this exchange application, which we hope can be processed as soon as possible. Thanks for your attention to this, Norm.

Sincerely,



Jeffrey C. Fereday

JCF/jbg
Encl.

cc: Scott Rhead
John Rosholt

RECEIVED

SEP 21 1999

C045280

4/29/1999

GIVENS PURSLEY, LLP

APPLICATION FOR EXCHANGE OF WATER	56103	229 21 1155	100.00
-----------------------------------	-------	-------------	--------

CHECK	23806	\$	100.00
-------	-------	----	--------

Region: STATE

Signature: _____

MICROFILMED
SEP 21 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

April 2, 1999

Crystal Vincent
ROSHOLT, ROBERTSON & TUCKER
142 3rd Ave. N
P.O. Box 1906
Twin Falls, ID 83303-1906

**RE: APPLICATION TO LEASE WATER RIGHT NO. 02-02339 TO THE WATER
SUPPLY BANK**

Dear Ms. Vincent:

The department has reviewed the above referenced application which you submitted to the department on February 10, 1999. Please consider that the water right offered for lease has been accepted into the bank and will be retained in the bank through December 31, 1999.

Several items to keep in mind in connection with the lease are as follows:

1. The monetary return to the owner of a right for rental of the right from the bank is \$2.25 per acre foot per year.
2. There is no payment to you if the right is not rented from the bank.
3. While in the bank, a water right may not be used by the owner, even if the right is not rented from the bank.
4. A right accepted into the bank by the Idaho Water Resource Board, stays in the bank until it is released by the Board.
5. While a water right is in the bank, forfeiture provisions are stayed.

If you have questions, please feel free to contact me.

Sincerely,



L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - W. Region

MICROFILMED

SEP 21 1999

Rosholt, Robertson & Tucker
Chartered

ATTORNEYS AT LAW

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
JOHN K. SIMPSON
NORMAN M. SEMANKO
PATRICK D. MADIGAN
TIMOTHY J. STOVER

RECEIVED

FEB 10 1999

Department of Water Resources
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

February 8, 1999

L. Glen Saxton, Chief
Water Allocations Bureau
Idaho Department of Water Resources
P. O. Box 83720
Boise ID 83720-0098

RE: Application to Lease Water Right License No. 02-02339 to the Water Supply Bank

Dear Mr. Saxton:

I have enclosed an Application to Lease Water Right License No. 02-02339 to the Water Supply Bank for the year 1999. This application is complete with signature, and accompanying documents which are the Change of Ownership, and your letter of 2/26/98 accepting this right into the water bank for the year 1998. Please conform the extra front page I have sent and return to me in the enclosed envelope I have provided.

Your attention is greatly appreciated.

Sincerely,



CRYSTAL WINNEY VINCENT
Paralegal

Enclosures

Wilsonwb

MICROFILMED

SEP 21 1999

Water Supply Bank No. _____

Water Right No. 02-02339

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE
WATER SUPPLY BANK

Name of Seller/Lessor WILSON PROPERTIES L.P. Phone 208/424-9322

Post office address PO BOX 2793 BOISE ID 83701

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
(Name)

in case of _____ vs _____

dated _____ in _____ county of _____
(Name of court)

b. License No. 32150/02-02339 Issued by the Idaho Department of Water Resources.

c. Permit No. _____ Issued by the Idaho Department of Water Resources.

2. Source of water SNAKE RIVER tributary to COLUMBIA RIVER

3. Date of priority 12/07/1964

4. Water is used for the following purposes:

amount 11.000 cfs for IRRIGATION purposes from 03/15 to 11/15

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

5. Total amount of water under right: a. 11.000 cubic feet per second
&/or
b. 2745.00 acre feet per annum

6. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 19

Township 02S Range 01E, B.M. in ADA County

Additional points of diversion, if any _____

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SEP 21 1999

7. Lands irrigated or 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	
02S	01E	16	30	40	40	40	40	30	40	40	40	40	35	40	40	40	40	35	610

Total number of acres to be irrigated 610

B. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE (If the entire right is for sale or lease, omit part B.)

- Amount of water: a. N/A cubic feet per second
&/or
b. _____ acre feet per annum
- 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	

Total number of acres to be irrigated _____

NOTED

SEP 21 1999 2

C. ADDITIONAL INFORMATION ABOUT RIGHT, OR PORTION THEREOF, FOR SALE OR LEASE

1. Explain how the seller/lessor acquired the right, or portion thereof, and attach a copy of the deed to the land to which it is appurtenant or other evidence of ownership of the right.

2. Describe the frequency of water use under the right, or portion thereof, during the past 5 years. Attach water-master records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture:

1) COPY OF LETTER ACCEPTING WATER INTO THE WATER BANK FOR 1998

2) CHANGE OF OWNERSHIP INFORMATION

3. Describe the relative availability of water to fill the right, or portion thereof. Attach evidence to support the availability:

PUMP FROM RESERVOIR AT SWAN FALLS

4. Describe any other water rights with the same purpose and place of use as the right, or portion thereof. Will the present place of use continue to receive water from any source? If so, describe.

NONE

5. If the water right is a permit, describe the work accomplished toward developing the right.

N/A

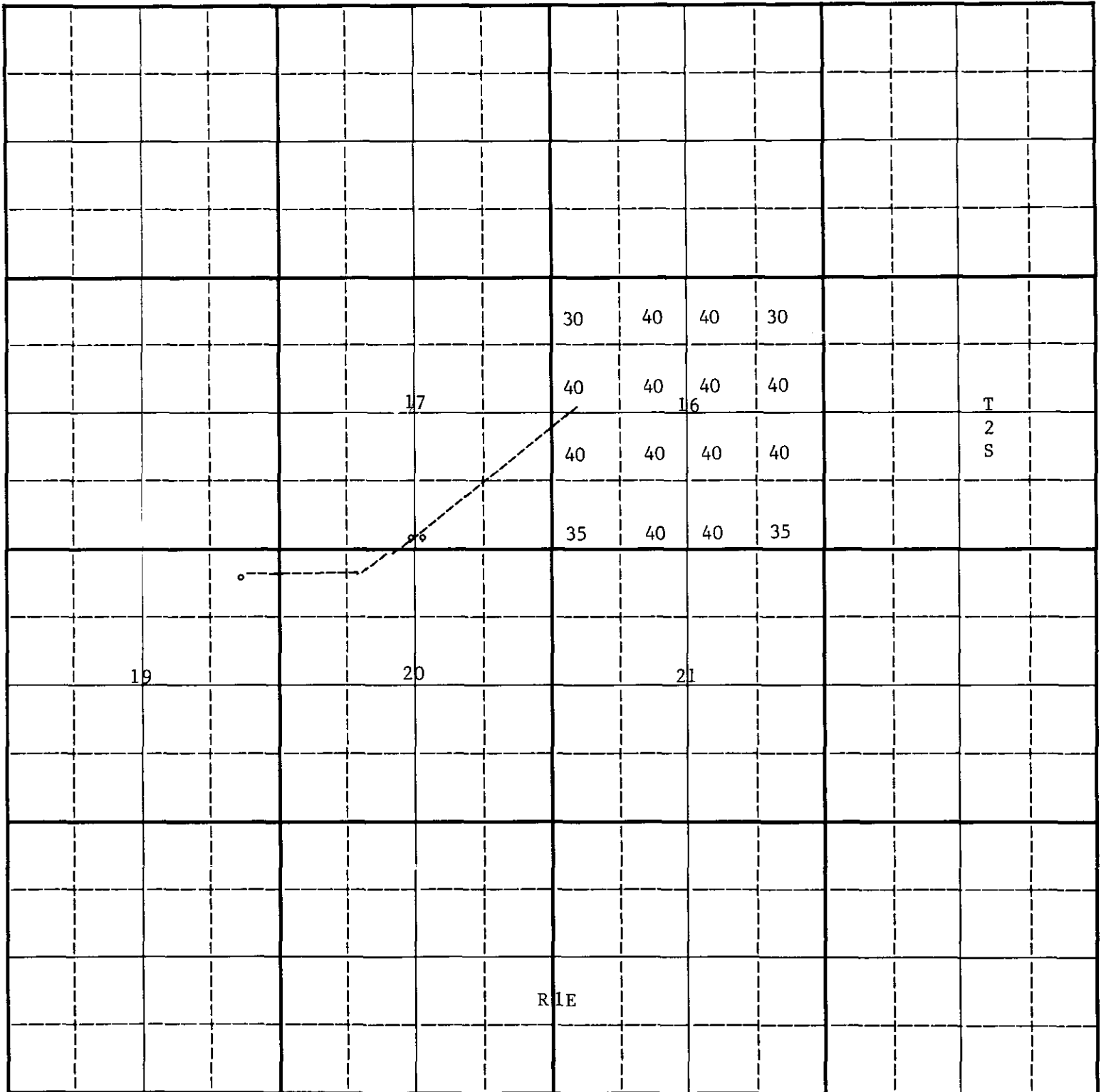
6. If the right to the use of the water or the use of the diversion works or irrigation system is represented by shares of stock in a company or corporation, or if such works or system is owned or managed by an irrigation district, a written consent of the sale or lease must be attached.

7. If the right is included in an ongoing adjudication, a copy of the claim must be provided with this application.

RECORDED

SEP 21 1999

8. Draw a map indicating the point(s) of diversion and place of use of the right, or portion thereof. Show clearly the land involved by section, township and range.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

RECORDED

SEP 21 1999

9. Remarks _____

D. SALE/LEASE AGREEMENT

1. The water right, or portion thereof, described above is offered to the Idaho Water Resource Board:

_____ For sale

X For lease for period from 2/1/1999 to 12/31/1999
(year) (year)

_____ As a gift to the State of Idaho.

2. The minimum payment acceptable to the Seller/Lessor is: (Include the method of determining the minimum payment)

FAIR MARKET VALUE/LEASE PRICES FROM COMPARABLE SOURCES (BOISE, PAYETTE, UPPER SNAKE)

3. Payment contingent on subsequent sale or leasing of this right, or portion thereof, is:

X Acceptable _____ Not Acceptable

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer the sale or lease of this right to the Idaho Water Resource Board.

2-4-99
(Date)

Charles H. Wilson
(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by _____ Date _____ Preliminary check by _____

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

1. *Chrysomelids*

SEP 21 1999



State of Idaho
RECEIVED MAY 20 1998

DEPARTMENT OF WATER RESOURCES

Western Region. 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

May 19, 1998

Re: Notice of Claim to a Water Right No. A02-02339

Wilson Properties LP
PO Box 2793
Boise ID 83702

Dear Claimant:

Enclosed is a copy of the above referenced claim which reflects the change in ownership of the land and appurtenant water rights covered under the original filing.

The Department will contact you in the future concerning any requirements that may be needed in order to process this claim for final court decree.

If you have any questions concerning the enclosed claim, please feel free to contact this office.

Sincerely,

A handwritten signature in cursive script that reads "Denise Buffington".

Denise Buffington
Records Clerk
Adjudication Section
Western Region Office

DB:d

Enclosure

cc: Rosholt, Robertson & Tucker

MICROFILMED
SEP 21 1998

IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT OF THE STATE OF IDAHO,
IN AND FOR THE COUNTY OF TWIN FALLS

IN RE THE GENERAL ADJUDICATION
OF RIGHTS TO THE USE OF WATER FROM
THE SNAKE RIVER BASIN WATER SYSTEM.

CIVIL CASE NUMBER: 39576

Ident. Number: A02-02339
Date Received: 6/21/1989
Receipt No: W003321
Received By: _____

COPY FOR
YOUR FILES

NOTICE OF CLAIM TO A WATER RIGHT
ACQUIRED UNDER STATE LAW

COPY FOR
YOUR FILES

1. Name: WILSON PROPERTIES LP
Address: PO BOX 2793
BOISE ID 83702
208-424-9322
2. Date of Priority: DEC 7, 1964
3. Source: SNAKE RIVER Trib. to: COLUMBIA RIVER
4. Point of Diversion:
- | Township | Range | Section | 1/4 of | 1/4 of | 1/4 | Lot | County |
|----------|-------|---------|--------|--------|-----|-----|--------|
| 02S | 01E | 19 | NE | NE | NE | | ADA |
5. Description of diverting works:
PUMP FROM RIVER (RESERVOIR) TO PIPELINE TO SPRINKLER SYSTEM
6. Water is used for the following purposes:
- | Purpose | From | To | C.F.S | (or) | A.F.A. |
|------------|-------|-------|--------|------|---------|
| IRRIGATION | 03/15 | 11/15 | 11.000 | | 2745.00 |
7. Total Quantity Appropriated is:
11.000 C.F.S. (and/or) 2745.00 A.F.A.
8. Total consumptive use is Acre Feet Per Annum.
9. Non-irrigation uses:
NONE
10. Place of Use:

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	01E	16	NE	NE		IRR	30.0
			NW	NE		IRR	40.0
			SW	NE		IRR	40.0
			SE	NE		IRR	40.0

A02-02339

Page

1

Date: 05/19/98

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SEP 21 1999

10. Place of Use: Continued

Township	Range	Section	1/4 of	1/4	Lot	Use	Acres
02S	01E	16	NE	NW		IRR	40.0
			NW	NW		IRR	30.0
			SW	NW		IRR	40.0
			SE	NW		IRR	40.0
			NE	SW		IRR	40.0
			NW	SW		IRR	40.0
			SW	SW		IRR	35.0
			SE	SW		IRR	40.0
			NE	SE		IRR	40.0
			NW	SE		IRR	40.0
			SW	SE		IRR	40.0
			SE	SE		IRR	35.0
						Section Acres	610.0
						Total Acres	610.0

11. Place of use in counties: ADA

12. Do you own the property listed above as place of use? YES

13. Other Water Rights Used:
NONE

14. Remarks:
THE LANDS LISTED IN THIS SRBA CLAIM IS IN THE CRP PROGRAM.
THE WATER UNDER 63-02339 IS IN THE WATER SUPPLY BANK.
THE FEE FOR THIS CLAIM REFLECTS A DEDUCTION OF \$10.00 FOR THE 02
FILING DATED 11/09/1981.
OWNERSHIP CHANGE BY DB 12/19/97.
OWNERSHIP CHANGED BY DB, PER LEGAL REVIEW BY JOHN MARSHALL, ON
5/19/98.

15. Basis of Claim: LICENSE

Water Right Number: 32150

MICROFILMED
SEP 21 1999

RECEIVED

MAY 19 1998

WATER RESOURCES
WESTERN REGION

ASSIGNMENT OF RIGHTS

PACIFIC NORTHWEST BROADCASTING CORPORATION, an Oregon corporation, hereby assigns, transfers, and conveys to WILSON PROPERTIES, L.P., an Idaho limited partnership, all of its right, title, and interest in and to Water Right A02-02339. Pacific Northwest Broadcasting Corporation warrants that it has good and marketable title to such water right, free and clear of all liens, claims, and encumbrances.

DATED this 12th day of February, 1998.

PACIFIC NORTHWEST BROADCASTING
CORPORATION

By Charles H. Wilson
Charles H. Wilson, President

ASSIGNMENT OF RIGHTS - 1
042498 0900

MICROFILM

SEP 21 1998

**WILSON PROPERTIES, L.P.
DIRECTORS**

Directors:

Charles H. Wilson

Drew H. Wilson

Robert P. Wilson

02139803.JAR

NOTED

SEP 21 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

November 17, 1998

John A. Rosholt
142 3rd Ave. North
P.O. Box 1906
Twin Falls, ID 83303-1906

RE: LICENSE NO. 02-02339 - WILSON PROPERTIES, L.P.

Dear Mr. Rosholt:

On February 25, 1998, you submitted an application to lease the above referenced water right to the Water Supply Bank (bank) operated by the Idaho Water Resource Board. On February 26, 1998, the department advised you that the right had been accepted into the bank.

The purpose of this letter is to notify you that after December 31, 1998, the water right will be considered automatically removed from the bank without further notification to you or to the owner of the water right unless you advise us differently. The time associated with non-use of the water right will again continue to accrue beginning on January 1, 1999.

Please feel free to contact the department if you have questions.

Sincerely,



L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

c: IDWR - W. Region

MICROFILMED

SEP 21 1999



State Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 26, 1998

John Rosholt
ROSHOLT, ROBERTSON & TUCKER
P.O. Box 1906
142 3rd Ave N.
Twin Falls, ID 83303-1906

RE: APPLICATION TO LEASE WATER RIGHT LICENSE NO. 02-02339 TO
THE WATER SUPPLY BANK

Dear Mr. Rosholt:

This letter responds to your February 20, 1998 submittal of an Application to Lease License No. 02-02339 to the Water Supply Bank (bank) on behalf of Wilson Properties L.P.

Since the Idaho Water Resource Board (Board) adopted a resolution on May 16, 1997, authorizing the Director of the department to accept offered water rights into the bank without a specific resolution from the Board accepting each offered right, please consider that the water right has been accepted into the bank through calendar year 1998.

This particular water right has been leased to the bank in the past and has been periodically partially rented from the bank. The right now has a later order of rental from the bank, however, than some other Snake River rights which are in the bank, since the right has been removed and then again leased to the bank a couple of times.

The water right will be considered automatically removed from the bank after December 31, 1998, without further notification by the department or the Board.

Several items which your client needs to keep in mind are as follows:

1. The monetary return to the owner of the water right for the rental of the right from the bank is \$2.25 per acre foot per year.
2. There is no payment to the owner of a right if the right is not rented from the bank.

MICROFILMED

SEP 21 1999

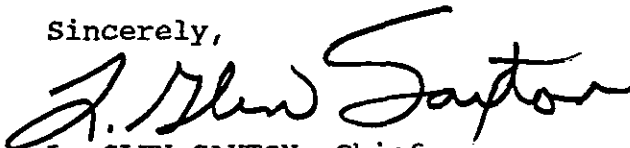
3. While in the bank, a water right may not be used by the owner, even if the right is not rented from the bank.

4. A right accepted into the bank by the Board, stays in the bank until it is released by the Board or until the term of lease expires which in this case is December 31, 1998.

5. While a water right is in the bank, forfeiture provisions are stayed.

If you have questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script, reading "L. Glen Saxton".

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - W. Region
Wayne Haas

MICROFILMED

SEP 21 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

February 26, 1998

John Rosholt
ROSHOLT, ROBERTSON & TUCKER
P.O. Box 1906
142 3rd Ave N.
Twin Falls, ID 83303-1906

**RE: APPLICATION TO LEASE WATER RIGHT LICENSE NO. 02-02339 TO
THE WATER SUPPLY BANK**

Dear Mr. Rosholt:

This letter responds to your February 20, 1998 submittal of an Application to Lease License No. 02-02339 to the Water Supply Bank (bank) on behalf of Wilson Properties L.P.

Since the Idaho Water Resource Board (Board) adopted a resolution on May 16, 1997, authorizing the Director of the department to accept offered water rights into the bank without a specific resolution from the Board accepting each offered right, please consider that the water right has been accepted into the bank through calendar year 1998.

This particular water right has been leased to the bank in the past and has been periodically partially rented from the bank. The right now has a later order of rental from the bank, however, than some other Snake River rights which are in the bank, since the right has been removed and then again leased to the bank a couple of times.

The water right will be considered automatically removed from the bank after December 31, 1998, without further notification by the department or the Board.

Several items which your client needs to keep in mind are as follows:

1. The monetary return to the owner of the water right for the rental of the right from the bank is \$2.25 per acre foot per year.
2. There is no payment to the owner of a right if the right is not rented from the bank.

MICROFILMED

SEP 21 1999

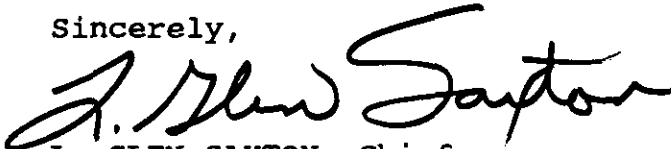
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4. A right accepted into the bank by the Board, stays in the bank until it is released by the Board or until the term of lease expires which in this case is December 31, 1998.

5. While a water right is in the bank, forfeiture provisions are stayed.

If you have questions, please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "L. Glen Saxton". The signature is fluid and cursive, with the first name "L." being small and the last name "Saxton" being larger and more prominent.

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - W. Region
Wayne Haas

MICROFILMED

SEP 21 1999

ROSHOLT, ROBERTSON & TUCKER

Chartered
ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
JOHN K. SIMPSON
PATRICK D. MADIGAN
TIMOTHY J. STOVER
NORMAN M. SEMANKO

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

RECEIVED

FEB 25 1998

Department of Water Resources

February 20, 1998

L. Glen Saxton
Chief, Water Allocation Bureau
Idaho Department of Water Resources
1301 North Orchard
Boise, Idaho 83706

Re: Application to Lease Water to the Water Supply Bank
Water Right No. 02-02339

Dear Mr. Saxton:

Enclosed is the completed and signed application to lease water to the water supply bank as referenced above. I believe all of the documents as required by IDAPA 37.02.03 are attached, however upon your review if you find that additional information is needed, please advise.

Thank you for your assistance in this matter.

Regards,


JOHN A. ROSHOLT

JAR:bh
Enclosures
02199801.JAR

MICROFILMED
SEP 21 1999

RECEIVED

FEB 25 1998

Form No. 42-1761
3-92

Department of Water Resources

Water Supply Bank No. _____

Water Right No. 02-02339

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE
WATER SUPPLY BANK

Name of Seller/Lessor Wilson Properties L.P. Phone 208-424-9322

Post office address P. O. BOX 2793 BOISE, IDAHO 83701

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
(Name)

in case of _____ vs _____

dated _____ in _____ county of _____
(Name of court)

b. License No. 32150/02-02339 Issued by the Idaho Department of Water Resources.

c. Permit No. _____ Issued by the Idaho Department of Water Resources.

2. Source of water SNAKE RIVER tributary to COLUMBIA RIVER

3. Date of priority 12/07/1964

4. Water is used for the following purposes:

amount 11.0 CFS for IRRIGATION purposes from 03/15 to 11/15

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

5. Total amount of water under right: a. 11.0 cubic feet per second
&/or

b. 2745 acre feet per annum

6. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 19

Township 02S Range 01E, B.M. in ADA County

Additional points of diversion, if any _____

MICROFILMED

SEP 21 1993

7. Lands irrigated or 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	
02S	01E	16	30	40	40	40	40	30	40	40	40	40	35	40	40	40	40	35	610

Total number of acres to be irrigated 610

B. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE (If the entire right is for sale or lease, omit part B.)

1. Amount of water: a. N/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	

Total number of acres to be irrigated _____

MICROFILMED

2 SEP 21 1999

C. ADDITIONAL INFORMATION ABOUT RIGHT, OR PORTION THEREOF, FOR SALE OR LEASE

1. Explain how the seller/lessor acquired the right, or portion thereof, and attach a copy of the deed to the land to which it is appurtenant or other evidence of ownership of the right.

2. Describe the frequency of water use under the right, or portion thereof, during the past 5 years. Attach water-master records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture:

ATTACHED: Power Costs from Idaho Power for 1985

ATTACHED: Water Supply Bank Lease 1987/1997

3. Describe the relative availability of water to fill the right, or portion thereof. Attach evidence to support the availability:

PUMP FROM RESERVOIR AT SWAN FALLS

4. Describe any other water rights with the same purpose and place of use as the right, or portion thereof. Will the present place of use continue to receive water from any source? If so, describe.

NONE

5. If the water right is a permit, describe the work accomplished toward developing the right.

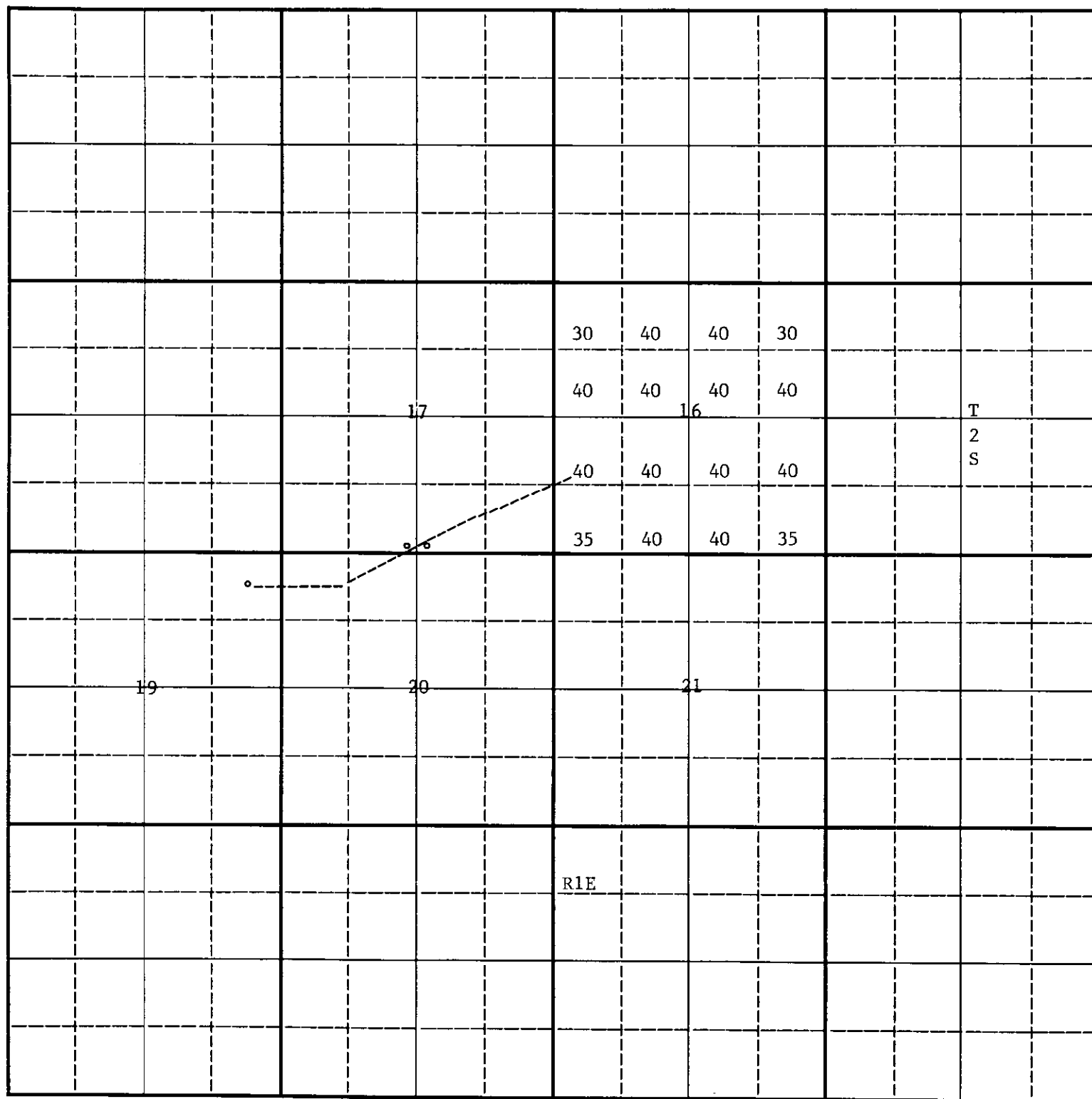
N/A

6. If the right to the use of the water or the use of the diversion works or irrigation system is represented by shares of stock in a company or corporation, or if such works or system is owned or managed by an irrigation district, a written consent of the sale or lease must be attached.

7. If the right is included in an ongoing adjudication, a copy of the claim must be provided with this application.
SRBA PROFILE REPORT ATTACHED

MICROFILMED
SEP 21 1993

8. Draw a map indicating the point(s) of diversion and place of use of the right, or portion thereof. Show clearly the land involved by section, township and range.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

MICRO FILMED

SEP 21 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. BOX 83720, Boise, Idaho 83720-0098

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

December 17, 1997

Crystal Vincent
ROSHOLT, ROBERTSON & TUCKER
P.O. Box 1906
142 3rd Ave N.
Twin Falls, ID 83303-1906

**RE: APPLICATION TO LEASE WATER RIGHT NO. 02-02339 TO THE WATER
SUPPLY BANK**

Dear Ms. Vincent:

The purpose of this letter is to advise you that the above referenced water right is no longer considered as being leased to the Water Supply Bank (bank) operated by the Idaho Water Resource Board. The application leasing the right to the bank indicated the lease would terminate in November 1997.

Hence, use of the right must be resumed or the right will be subject to the five (5) year period for forfeiture as provided in section 42-222, Idaho Code.

If you have questions, please feel free to contact me or the department.

Sincerely,

A handwritten signature in black ink, appearing to read 'L. Glen Saxton', is written over the typed name.

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - W. Region

MICROFILMED
SEP 21 1999

ROSHOLT, ROBERTSON & TUCKER

Chartered

ATTORNEYS AT LAW

JOHN A. ROSHOLT
J. EVAN ROBERTSON
JAMES C. TUCKER
GARY D. SLETTE
JERRY V. JENSEN
BRUCE M. SMITH
JOHN K. SIMPSON
PATRICK D. MADIGAN
TIMOTHY J. STOVER
NORMAN M. SEMANKO

Twin Falls Office
142 3rd Ave. North
P.O. BOX 1906
TWIN FALLS, IDAHO 83303-1906
TELEPHONE (208) 734-0700
FAX (208) 736-0041

Boise Office
1221 WEST IDAHO, SUITE 600
P.O. BOX 2139
BOISE, IDAHO 83701-2139
TELEPHONE (208) 336-0700
FAX (208) 344-6034

RECEIVED

APR 09 1997

Department of Water Resources

April 7, 1997

L. Glen Saxton
Chief, Water Allocation Bureau
Idaho Department of Water Resources
1301 North Orchard
Statehouse Mail
Boise, Idaho 83706

RE: Application to Lease Water to the Water Supply Bank
Water Right No. 02-02339

Dear Mr. Saxton:

Enclosed is the completed and signed application to lease water to the water supply bank as referenced above. I believe all of the documents as required by IDAPA 37.02.03 are attached, however upon your review if you find that additional information is needed, please advise. Thank you for your assistance in this matter.

Yours truly,


CRYSTAL WINNEY VINCENT
Legal Assistant

enclosures
04079701.CV.97

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SEP 21 1999

Water Supply Bank No. _____

Water Right No. 02-02339

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE
WATER SUPPLY BANK

RECEIVED

APR 09 1997

Department of Water Resources

Name of Seller/Lessor SWAN FALLS FARMS INC Phone 208/466-8870

Post office address c/o JOHN D ROSS, 700 ASTER AVE. NAMPA, ID 83651

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____ (Name)

in case of _____ vs _____

dated _____ in _____ county of _____
(Name of court)

b. License No. 32150/02-02339 Issued by the Idaho Department of Water Resources.

c. Permit No. _____ Issued by the Idaho Department of Water Resources.

2. Source of water SNAKE RIVER tributary to COLUMBIA RIVER

3. Date of priority 12/07/64

4. Water is used for the following purposes:

amount 11.0 CFS for IRRIGATION purposes from 03/15 to 11/15

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____
(month/day — both dates inclusive)

5. Total amount of water under right: a. 11.0 cubic feet per second
&/or
b. 2745 acre feet per annum

6. Location of point of diversion is NE $\frac{1}{4}$ of NE $\frac{1}{4}$ of Section 19

Township 02S Range 01E, B.M. in ADA County

Additional points of diversion, if any _____

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SEP 21 1999

7. Lands irrigated or 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	
02S	01E	16	30	40	40	40	40	30	40	40	40	40	35	40	40	40	40	35	610

Total number of acres to be irrigated 610

B. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE (If the entire right is for sale or lease, omit part B.)

1. Amount of water: a. N/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	

Total number of acres to be irrigated _____

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SEP 21 1999

C. ADDITIONAL INFORMATION ABOUT RIGHT, OR PORTION THEREOF, FOR SALE OR LEASE

1. Explain how the seller/lessor acquired the right, or portion thereof, and attach a copy of the deed to the land to which it is appurtenant or other evidence of ownership of the right.

2. Describe the frequency of water use under the right, or portion thereof, during the past 5 years. Attach water-master records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture:

ATTACHED: Power Costs from Idaho Power for 1985

ATTACHED: Water Supply Bank Lease 1987/1997

3. Describe the relative availability of water to fill the right, or portion thereof. Attach evidence to support the availability:

PUMP FROM RESERVOIR AT SWAN FALLS

4. Describe any other water rights with the same purpose and place of use as the right, or portion thereof. Will the present place of use continue to receive water from any source? If so, describe.

NONE

5. If the water right is a permit, describe the work accomplished toward developing the right.

N/A

6. If the right to the use of the water or the use of the diversion works or irrigation system is represented by shares of stock in a company or corporation, or if such works or system is owned or managed by an irrigation district, a written consent of the sale or lease must be attached.

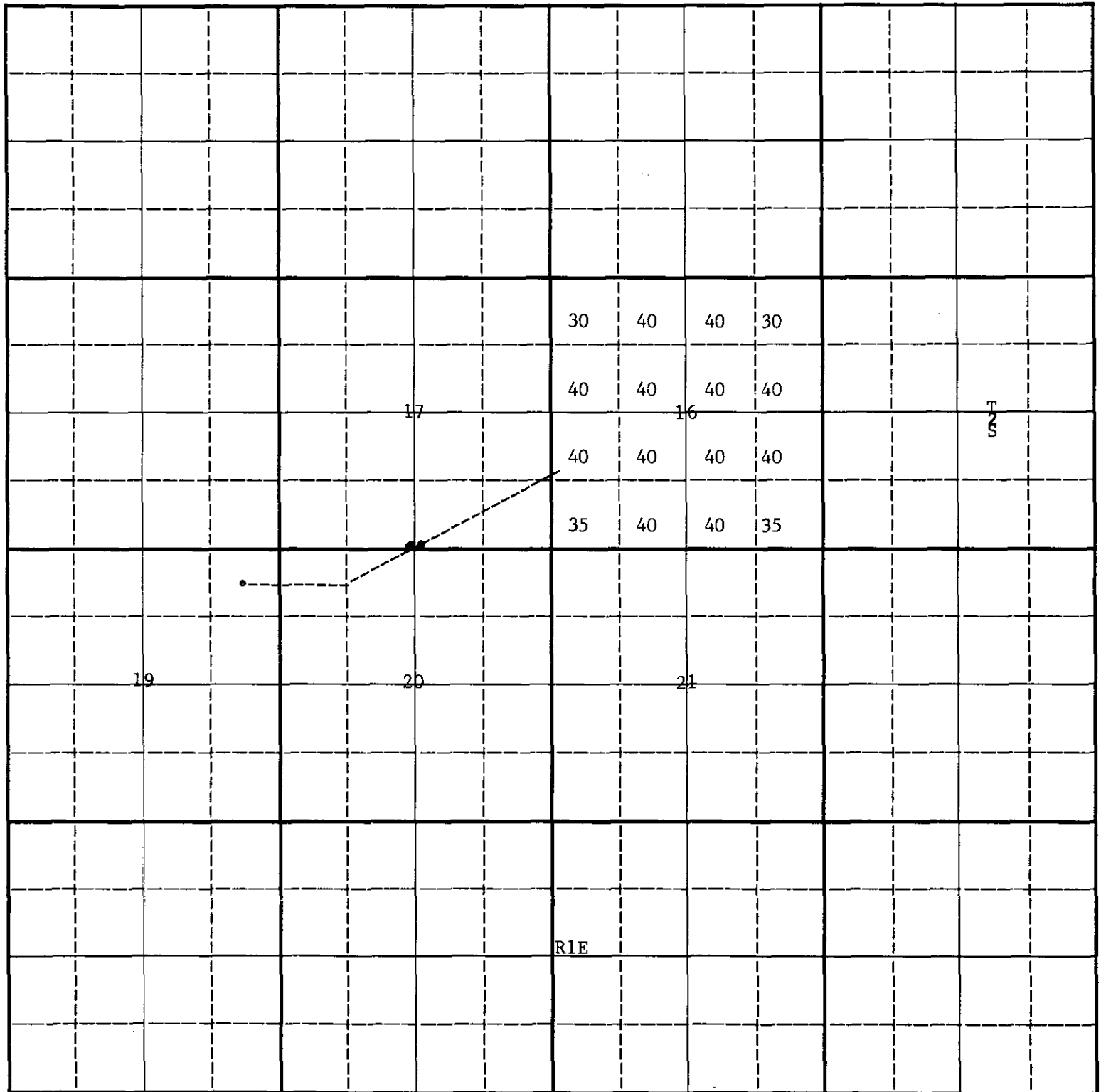
7. If the right is included in an ongoing adjudication, a copy of the claim must be provided with this application.

SRBA PROFILE REPORT ATTACHED

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SEP 21 1999

8. Draw a map indicating the point(s) of diversion and place of use of the right, or portion thereof. Show clearly the land involved by section, township and range.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

MICROFILMED

SEP 21 1999

9. Remarks _____

D. SALE/LEASE AGREEMENT

1. The water right, or portion thereof, described above is offered to the Idaho Water Resource Board:

_____ For sale
☒ For lease for period from 3/1997 to 11/1997
(year) (year)
_____ As a gift to the State of Idaho.

2. The minimum payment acceptable to the Seller/Lessor is: (Include the method of determining the minimum payment)

FAIR MARKET VALUE/LEASE PRICES FROM COMPARABLE SOURCES (BOISE, PAYETTE, UPPER SNAKE)

3. Payment contingent on subsequent sale or leasing of this right, or portion thereof, is:

☒ Acceptable _____ Not Acceptable

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer the sale or lease of this right to the Idaho Water Resource Board.

28 Mar 97
(Date)

[Signature]
(Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by [Signature] Date 4-09-97 Preliminary check by [Signature]

Watermaster recommendation requested on N/A Received _____

Recommended for _____ approval _____ denial by _____

SEP 21 1999

RECEIVED
APR 09 1997

PRINT REQUESTED BY ASCHENDREN REQUESTED AT 09:54 10/08/87

ACCT NUMBER 1133-01006-5 CUSTOMER NAME SWAN FALLS EARNST
ACCT STATUS FINALE SERV LOCATION 0010 1912SR1E1600
CONN/DISC 10/10/85 SERV CITY ST ZIP KUNA ID 83634
CIS ACTIVITY NONE PENDING RATE 24

METER INFORMATION

METER NO 39040744S S TYP D PH F SCL CONST INS/RM/CHG T-YR READ CURR PREV DEMAND
0 5 5 3 1 9 6 00240 08/18/86 86 00000 02175

RATE 24 RC 5 C READ DAYS DEM-KW ENERGY-KWH BILL AMT-MTR AREA CODE 050

RA DATE 03/30/82 0 10/10/00 0 0.00 METER

0 10/10/30 439 70.800 2,126.06 RT 02

ELC HT 1985 0 07/11/30 970 209.520 7,064.73 SER 1220

HTH VLT 0 08/09/30 1200 431.280 13,144.49 LUC PG

IRG LUSE 0 07/11/30 1200 668.440 18,833.29 JNS 99

IRG PWR 0 06/11/23 1188 313.440 9,471.73 UNGRD

MUL FAM 1 7 05/19/37 1205 198.000 5,580.55 LNDLRD 0

#APTMOB 0 04/12/00 0 0.00 APTMOB

0 04/12/00 0 0.00

CONN ED 0 12/17/07 0 0.00

KWH EST 0 12/10/30 0 0.00

MNTH MN 7 11/08/30 346 22.080 598.61

FAC CHG 0 10/10/30 804 319.200 8,722.53

RECEIVED
ESTIMATE
CHGS
CHG STAMP

Item C2

used and return
please

Department of Water Resources
Regional Office

Form No. 42-1781

APR 09 1997

Water Supply Bank No. _____

Water Right No. 02-2339

RECEIVED

AUG 25 1988

Department of Water Resources
STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Department of Water Resources

APPLICATION TO SELL OR LEASE A WATER RIGHT
TO THE
WATER SUPPLY BANK

DEC 08 1987

Department of Water Resources

Name of Seller/Lessor Swan Falls Farms, Inc Phone 466-8870
 Post office address c/o John D. Ross 3025 W. Greenhurst, Nampa,
ID 83651

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

a. Decree No. _____ Decreed to _____
 (Name)

in case of _____ vs _____

dated _____ in _____ county of _____
 (Name of court)

b. License No. 32150 / 02-2339 Issued by the Idaho Department of Water Resources.

c. Permit No. _____ Issued by the Idaho Department of Water Resources.

2. Source of water Snake River tributary to Columbia River

3. Date of priority 12-7-64 Dec. 7, 1964

4. Water is used for the following purposes:

amount 11.0 cfs for Irrigation purposes from 3-15 to 11-15

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____
 (month/day - both dates inclusive)

5. Total amount of water under right: a. 11.0 cubic feet per second
 &/or

b. 2745 acre feet per annum

6. Location of point of diversion is NE % of NE % of Section 19

Township 2S Range 1E B.M., in Ada County

Additional points of diversion, if any _____

7. Lands irrigated or place of use:

TWP.	RANGE	SEC.	NE1/4				NW1/4				SE1/4				SW1/4				TOTALS
			NE1/4	NW1/4	SE1/4	SW1/4	NE1/4	NW1/4	SE1/4	SW1/4	NE1/4	NW1/4	SE1/4	SW1/4	NE1/4	NW1/4	SE1/4	SW1/4	
<u>2S</u>	<u>1E</u>	<u>16</u>	<u>30</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>30</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>35</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>35</u>	<u>610</u>

Total number of acres to be irrigated 610

(2)

B. DESCRIPTION OF PORTION OF RIGHT FOR SALE OR LEASE (If the entire right is for sale or lease, omit part B.)

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

TWP.	RANGE	SEC.	NE 1/4				NW 1/4				SE 1/4				SW 1/4				TOTALS
			NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	NE 1/4	NW 1/4	SE 1/4	SW 1/4	

Total number of acres to be irrigated _____

C. ADDITIONAL INFORMATION ABOUT RIGHT, OR PORTION THEREOF, FOR SALE OR LEASE

1. Explain how the right, or portion thereof, was acquired and attach a copy of the deed to the land to which it is appurtenant or other evidence of ownership of the right.

Sheriff's sale Case # 88300 31 July 1987

2. Describe the frequency of water use under the right, or portion thereof, during the past 5 years. Attach watermaster records, pumping power bills, or other evidence to demonstrate that the right has not been lost through abandonment or forfeiture:

Yearly use approx 1986
See attached power costs 1985 from Idaho Power

3. Describe the relative availability of water to fill the right, or portion thereof. Attach evidence to support this description:

Pump from reservoir at Susan Falls

4. Describe any other water rights with the same purpose and place of use as the right, or portion thereof. Will the present place of use no longer receive water from any source?

None No water use on Susan Falls Farm contemplated for 9/15

5. Describe the anticipated effect of this sale or lease upon other water users.

None

SEP 21 1999

(3)

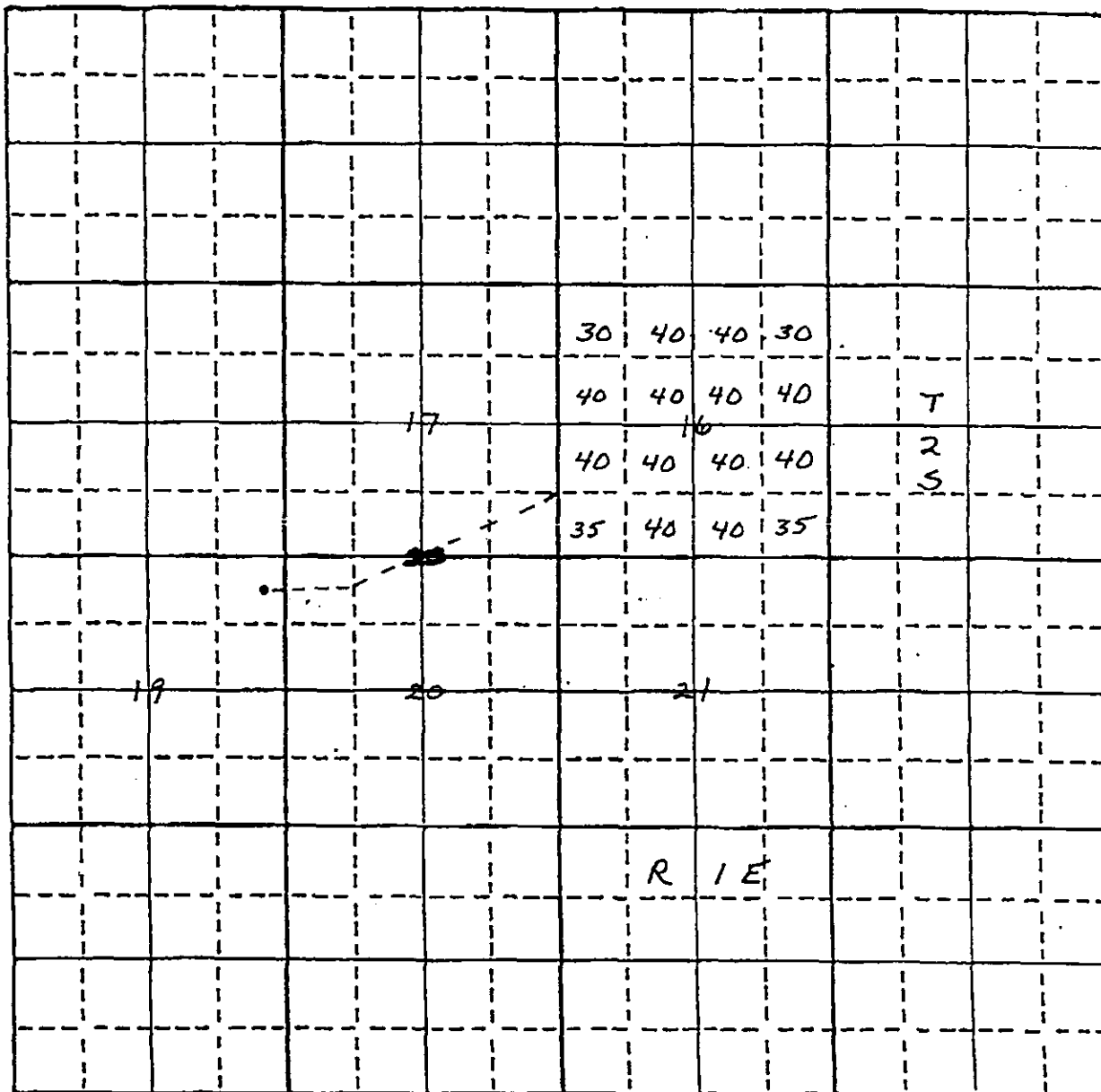
None

7. If the water right is a permit, describe the work accomplished toward developing the right.

N/A

8. If the right to the use of the water or the use of the diversion works or irrigation system is represented by shares of stock in a company or corporation, or if such works or system is owned or managed by an irrigation district, a written consent of the sale or lease must be attached.

9. Draw a map indicating the point(s) of diversion and place of use of the right, or portion thereof. Show clearly the land involved by section, township and range.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

MAR 20 1997
 SEP 21 1996

(4)

D. SALE/LEASE AGREEMENT

1. The water right, or portion thereof, described above is offered to the Idaho Water Resource Board:

☐ For sale

☒ For lease for the period from present to 1997

☐ As a gift to the State of Idaho.

2. The minimum payment acceptable to the Seller/Lessor is: (Include the method of determining the minimum payment)

usual charge of other water bank, offer Snake River

3. Payment contingent on subsequent sale or leasing of this right, or portion thereof, is:

☒ Acceptable ☐ Not Acceptable

I hereby assert that the information contained in this application is true to the best of my knowledge, and that I have the authorities necessary to offer the sale or lease of this right to the Idaho Water Resource Board.

26 Oct 1987

(Date)

20 Aug 1988

(Signature of Applicant)

ACTION OF THE WATER RESOURCE BOARD

This is to certify that the Board has reviewed Application to Sell or Lease a Water Right No. 02-2339

and said Application is hereby accepted into the Water Supply Bank.

Witness my hand this 3rd day of MARCH 19 89

Gene M. Gray, Chairman

FOR DEPARTMENT USE ONLY

8-25-88

Received by al

Date

11-23-87

Prelim. check by

1/25

Watermaster recommendation requested on

rec'd.

Recommended for

☒

approval

☐ denial

by

1/25

SEP 21 1989

AJ5009WP
No. 002-02339

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 03/21/97
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	DIAM FALLS FARMS 11293 GREENBURST RD HAYDA ID 83406 (208) 466-8870	12/07/1964	IRRIGATION	03-15 11-15	11.00 CFS	2745.00 AFA
TOTAL DIVERSION:					11.00 CFS	2745.00 AFA

Water Source: SNAKE RIVER

Tributary to: COLUMBIA RIVER

Stage: LICENSE

Point(s) of Diversion: T02S R01E S19

NENE

ADA County

Place of Use Legal Description for: IRRIGATION

				NE				NW				SW				SE				
T	R	S	:	NE	NW	SE	SW	:	NE	NW	SE	SW	:	NE	NW	SE	SW	:	SUM	
				Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac		Lt	Ac	Lt	Ac			
02S	01E	16	:	30	40	40	40	:	40	30	40	40	:	40	40	35	40	:	610.0	
TOTAL ACRES																			610.0	

POU County: ADA

Non-Irrigation Uses: NONE

Other Rights: NONE

Remarks: GEN THE LANDS LISTED IN THIS SRBA CLAIM IS IN THE CRP PROGRAM.
THE WATER UNDER 63-02339 IS IN THE WATER SUPPLY BANK.
THE FEE FOR THIS CLAIM REFLECTS A DEDUCTION OF \$10.00 FOR THE 02
FILING DATED 11/09/1981.

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number:

Field Inspection Flag: Y
Presumption Flag:

RECEIVED

APR 09 1997

Department of Water Resources

Ada County, Idaho ss

Request of

Hamilton Clark et al

TIME 8:38 A.M.

DATE 9-28-90

JOHN BASTIDA

RECORDER

By

J. Good
Deputy

9010129

RECEIVED

APR 09 1997

Department of Water Resources

SHERIFF'S DEED

THIS DEED IS MADE this 31st day of January, 1990, between VAUCHN L. KILLEEN, Sheriff of Ada County, Idaho, Transferor herein, and JOHN D. ROSS and MARY LUE ROSS, husband and wife, of Nampa, Canyon County, Idaho, Transferees herein.

RECITALS

Under and by virtue of Judgment and Decree of Foreclosure and Order of Sale filed in the District Court of the Fourth Judicial District, Ada County, Idaho, and execution thereon directed and delivered to me as sheriff of Ada County, Idaho, whereby I was commanded to sell at public auction for cash and lawful money of the United States of America the real and personal property described and referred to in said Judgment and Decree of Foreclosure and Order of Sale, situated in Ada County, Idaho, and described hereinafter, and to apply the proceeds of said sale specified in said Judgment and Decree of Foreclosure of Sale.

The Transferor levied on the real and personal property described hereinafter and, after due notice, having sold the same at public auction at 10:00 a.m. on Wednesday, the 15th day of July, 1987, at public auction held according to law,

after due and legal notice given, at the front door of the Ada County Courthouse at Boise, Idaho, to JOHN D. ROSS and MARY LUE ROSS, husband and wife, as the highest bidder, for the sum of TWO HUNDRED TEN THOUSAND AND NO/100THS DOLLARS (\$210,000.00)

The Transferees, being the highest bidder and said sum of \$210,000.00 being the highest bid made at the sale mentioned above, are now the legal owner real and personal property described hereinafter and are the holders of the Certificate of Sale thereof given to Transferees by Transferor.

More than one (1) year has expired since the sale mentioned above and there has been no redemption of the real property.

By virtue of the foregoing and in considerations of the purchase money bid at sheriff's sale, receipt of which is hereby acknowledged, Transferor grants to Transferees, their heirs and assigns, all of the title, rights, estate and interest of Defendants V. MELVIN BROWN, EUGENE L. MORRIS and LOWELL MOORE, as last known directors and statutory trustees of Swan Falls Farms, Inc., a defunct Idaho corporation, free and clear of any mortgage, lien or security interest of the following named Defendants: GORDON R. TOEVS and PATRICIA R. TOEVS, husband and wife; KENNETH

E. DROULARD and MARGARET R. DROULARD, husband and wife; SWAN FALLS FARMS, also known as Swan Falls Farms or Swan Falls or Swan Falls Farms, Inc, a partnership consisting of KENNETH E. DROULARD and JOHN D. ROSS, J. ROY BROWN and MARIAN BROWN, husband and wife; ROY BROWN AND ASSOCIATES; HERBERT R. MONTIERTH and GOLDA D. MONTIERTH, also known as DARLENE or DARLENE R. MONTIERTH, husband and wife, and EDWARD RAY MONTIERTH, a single man, and RODNEY K. MONTIERTH, a single man, in the following described real and personal property:

Parcel I:

Section 16, Township 2 South, Range 1 East, Boise Meridian, Ada County, Idaho.

Parcel II:

Right of Way for irrigation pipeline as the same is granted to LOWELL C. MOORE under Grant dated May 12, 1965 and recorded March 28, 1975 as Instrument No. 7504773 over and across portions of the following described lands. said right of way being not in excess of 50 feet in width on either side of the existing pipeline as the same is located upon Map of Amended Location of Right of Way (Revised July 30, 1973) appended to Decision - Proof of Construction Accepted, dated January 11, 1974 and recorded March 28, 1975 as Instrument No. 7504774. (Said right of way having been duly assigned to SWAN FALLS FARMS, INC., an Idaho corporation, by instrument recorded April 19, 1977 as Instrument No. 7716380, records of Ada County, Idaho.)

SEP 21 1989

SE½SE½ Section 17; and N½N½ Section 20,
all in Township 2 South, Range 1 East,
Boise Meridian, Ada County, Idaho.

Parcel III:

Government Lot 1 of Section 19, Township
2 South, Range 1 East, Boise Meridian,
Ada County,

(Permission and Agreement dated April
21, 1977 from Idaho Power Company, a
Maine corporation, to Swan Falls Farms,
Inc., an Idaho corporation, recorded
April 22, 1977 as Instrument No.
7717063, providing for irrigation
pumping facilities and related
facilities located on said Government
Lot 1, Section 19, and for ingress and
egress thereto for the irrigation of
PARCEL I described above.)

Together with all and singular, the buildings,
structures, fences, pipes, pipelines, tanks, dams,
reservoirs, fixtures now or hereafter on or in said
property, and any and all water and water rights (including
but not limited to those water rights appurtenant to said
lands, or any of them, covered or evidenced by Water
License No. 32150/02-2339), ditches and ditch rights,
flumes, aqueducts, canals, appropriations, franchises, and
all other rights and privileges owned by the Mortgagor, or
belonging to, or with, leading to, in connection with, or
usually had or enjoyed in connection with the said property,
or any part thereof, and all and singular the tenements,
hereditaments and appurtenances thereunto belonging or in

SEP 21 1993

anywise appertaining, and the rents, issues and profits thereof.

PERSONAL PROPERTY:

All those certain goods and chattels located on the real property above described or on adjoining or adjacent lands or used in connection with the irrigation of the above-described lands, and being in the possession of the Mortgagor in the County of Ada, State of Idaho, to wit:

All potato storage equipment and facilities (including additions and replacements) located or to be located on, or used or to be used in connection with the real property hereinafter described and referred to as PARCEL I, including by way of example but not by way of limitation the following: scales, ventilation tubes, refrigeration and humidifying equipment, electrical panels, pumps, motors, compressors, valves, couplings, gauges, fans and fan housings, and all allied equipment.

<u>QUANTITY</u>	<u>DESCRIPTION</u>	<u>SERIAL NO.</u>
One	600 h.p. General Electric motor with Vertiline Aurora pump	KKJI030018 V76-71194
One	600 h.p. General Electric motor with Layne and Bowler Vertiline pump	ERJ515017 01903
One	400 h.p. General Electric motor with Layne and Bowler pump	DJJ418011 01902

MAILED
SEP 21 1993

One	150 h.p. Westinghouse Lifeline AC motor with Layne and Bowler Vertiline pump	7206 04683
One	150 h.p. Westinghouse Lifeline AC motor with Layne and Bowler pump	7208 01912A
Four	12 tower Raincircle center pivot electric circular pivots	
9,079 ft.	6-inch PVC mainline	
1,775 ft.	2-inch pieces PVC mainline (56 laterals) w/sprinklers	
881 ft.	2½ inch pieces PVC mainline (27 laterals) w/sprinklers	
5,650 ft.	10-inch 12-gauge wrapped steel pipe	
1,860 ft.	16-inch 12-gauge wrapped steel pipe	
5,459 ft.	20-inch 12-gauge wrapped steel pipe	
2,100 ft.	20-inch 3/8" wall bare steel pipe	

Together with any and all allied equipment, by way of example, but not limited to: Electrical panels, control boxes, wiring, pipes, valves, elbows, couplers, flanges, reducers, plugs, risers and sprinklers and together also with any and all other irrigating equipment which may hereafter be acquired or used by Mortgagor in connection with or as a part of such irrigation facilities or equipment,

RECORDED
SEP 21 1999

including all such times that may be
acquired hereafter as replacements or
substitutes for any of the items of
property hereinabove described or
referred to.

IN WITNESS WHEREOF, Transferor has executed this
Sheriff's Deed at Boise, Ada County, Idaho, this 31st day
of January, 1990.

SHERIFF OF ADA COUNTY

Vaughn L. Killeen
VAUGHN L. KILLEEN

STATE OF IDAHO)
County of Ada) ss.

On this 31st day of January, 1990, before me, the
undersigned, a Notary Public in and for said State,
personally appeared VAUGHN L. KILLEEN, known to me to be the
person whose name is subscribed to the within and foregoing
instrument and acknowledged to me that he executed the same.

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

Jim L. Batt
NOTARY PUBLIC FOR IDAHO

Residence: Boise, Idaho
My Commission Expires: 6-24-93

*SEAL

STATE OF IDAHO, COUNTY OF ADA, AS

I, David Harrison, Recorder for Ada County, do hereby certify that the Attached is a full
true and correct copy of the
original instrument recorded in the
Recorder's Office of Ada County, State of Idaho.

SHERIFF'S DEED - Page 7 & Final

28 March 1990
By Terrell J. Wohl Deputy

8200490

WARRANTY DEED

P56112

GORDON R. TOEVS and PATRICIA R. TOEVS, husband and wife, GRANTORS of the State of Idaho, hereby CONVEY, GRANT AND WARRANT TO KENNETH E. DROULARD and MARGARET R. DROULARD, husband and wife, GRANTEES of 1008 S. Oak Road, Nampa, Idaho, for the sum of Ten Dollars (\$10.00) and other good and valuable consideration, an undivided two-thirds interest in the following described tract of land in Ada County, State of Idaho:

Section 16, Township 2 South, Range 1 East, Poise-Meridian, Ada County, Idaho.

Together with all water rights appurtenant thereto.

SUBJECT TO taxes and assessments for the year 1982 and all subsequent years, together with any and all existing easements and rights of way of record.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees that they are the owners in fee simple of said premises; that said premises are free from all incumbrances, excepting those as may be hereinafter set forth, and excepting those existing of record, and that they will warrant and defend the same from all lawful claims whatsoever.

SUBJECT FURTHER to that certain mortgage made to the favor of Connecticut General Life Insurance Company of Bloomfield and recorded as Instrument #7717064, records of Ada County, Idaho, which Grantees agree, as to two-thirds thereof, to assume and pay in accordance with the terms and conditions thereof.

SUBJECT FURTHER to that certain second mortgage made to the favor of Swan Falls Farms, Inc., an Idaho corporation and recorded as Instrument #7858344, records of Ada County, Idaho, which Grantees agree, as to two-thirds thereof, to assume and pay in accordance with the terms and conditions thereof.

WITNESS the hand of said Grantors this 31st day of Dec, 1981.

Gordon R. Toevs
Gordon R. Toevs

Patricia R. Toevs
Patricia R. Toevs

RECEIVED

APR 09 1997

Department of Water Resources

WARRANTY DEED 2 1 1982

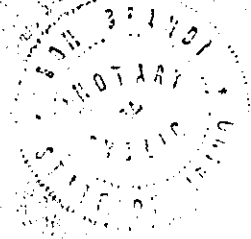
STATE OF IDAHO)
) : ss
County of Canyon)

On the 21st day of Dec, 1951 personally
appeared before me GORDON R. TOEVS and PATRICIA R. TOEVS,
husband and wife, the signers of the within instrument, who
duly acknowledged to me that they executed the same.

Residing at: Kayak, Idaho

Gordon R. Toevs
Notary Public

Commission Expires: perpetual



STATE OF IDAHO, COUNTY OF ADA, ss.

PIONEER TITL

Filed for record at the request of

30 Min past 3 o'clock P.M. this 6 day of Dec, 1952

JOHN BASTION, Recorder

By Wanda L. Karpovich Deputy

44.00 fee

STATE OF IDAHO, COUNTY OF ADA, ss.

L. J. David Harrison, Recorder for Ada County, do hereby certify that the foregoing is a full,
true and correct copy of that record.

8200490

as it appears on record in Book _____

Page _____ of the _____ State of Idaho.

Done and signed by official seal this
25 day of March, 1957

Garrett J. White
Deputy

WARRANTY DEED.



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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

April 10, 1997

Crystal Vincent
ROSHOLT, ROBERTSON & TUCKER
P.O. Box 1906
142 3rd Ave N.
Twin Falls, ID 83303-1906

**RE: APPLICATION TO LEASE WATER RIGHT NO. 02-02339 TO THE WATER
SUPPLY BANK**

Dear Ms. Vincent:

I have reviewed the above referenced application and supporting information you submitted on behalf of John D. Ross seeking to place water right No. 02-02339 into the Water Supply Bank (bank) operated by the Idaho Water Resource Board (Board). I will consider that the submittal is a response to my September 18, 1996 letter requesting that the right be retained in the Water Supply Bank until November 1, 1997. Enclosed for your information is a copy of my September 18, 1996 letter.

The department will consider that the right has been maintained in the bank as described above unless you advise me that this means of handling this matter is not sufficient. The original resolution of the Board which accepted the right into the bank on March 3, 1989 is also considered the effective authority for the continued duration of the right in the bank.

If you have questions, please feel free to contact me or the department.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: 1

c: IDWR - W. Region

MICROFILMED

SEP 21 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 18, 1996

John D. Ross
11293 Greenhurst Rd
Nampa, ID 83886

RE: LEASE OF WATER RIGHT NO. 02-02339 TO THE WATER SUPPLY BANK

Dear Mr. Ross:

Department records show that you leased the above referenced water right to the Water Supply Bank (bank) with the condition that you would remove the right from the bank at the end of 1996.

The department and the Idaho Water Resource Board will consider that the right is released from the bank on January 1, 1997, unless you advise the department that you wish to keep the right in the bank for a longer period of time.

Please recognize that once the right has been removed from the bank, IDAPA Rule 37.02.03025.08.e (Water Supply Bank Rule 25.08.e) will no longer toll the forfeiture provisions of Section 42-222(2), Idaho Code. Hence, you need to pursue efforts to resume the beneficial use of the water before a period of five (5) consecutive years of non-use accrues when the right would be forfeited. Note that if a period of non-use did not occur prior to contracting the land to which the water right is appurtenant in a federal cropland set-aside program, the five (5) year period of non-use will begin to accrue upon removal of the right from the bank. If a period of nonuse did occur before the land was contracted in a set-aside program, the period of nonuse will continue to accrue.

If you have questions, please feel free to contact the department.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: 02-02339
IDWR - W. Region

MICROFILMED
SEP 21 1999

MEMORANDUM

To: Debbie Allen
From: L. Glen Saxton *LS*
RE: WATER SUPPLY BANK RENTAL FEE
Date: March 18, 1994

On March 18, 1994, Wildish Land Co. rented 13.69 Acre Feet of water from the Board's Water Supply Bank at \$3.25 per AF and submitted a check in the amount of \$44.49 for the rental. The funds which have been receipted should be distributed as follows:

Return to the owner is \$2.25 (13.69 AF)	= \$30.80
Deposit in the Water Administration Acct per Water Bank Rule 5.1 should be 0.10 (\$44.49) 35.01	= 4.45
Remainder to Water Management Acct per Water Supply Bank Rule 40.02 35.02	= 9.24
Total	\$ 44.49

Please prepare a State Warrant in the amount of \$30.80 payable to John D. and Mary Ross, 11293 Greenhurst Rd., Nampa, ID 83686.

Attachment: 1

c: 02-2339

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SEP 21 1999

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: C029834

Date: 3/18/1994
Time: 11:19:37

Received
From: WILDISH LAND CO

Type of Payment		Program Acct	Amount
WATER SUPPLY BANK			
	55109	229 21 1205	30.80
WATER SUPPLY BANK			
	55109	229 21 1205	4.45
WATER SUPPLY BANK			
	13602	490 2 1205	9.24
		Total	
CHECK	199056		\$44.49

Region: STATE

Signature: _____

D. Wright

MICROFILMED

SEP 21 1993

WILDISH LAND CO-CONST DIVISION

P. O. B. # 7428 EUGENE, OREGON 97401

VENDOR NUMBER	INVOICE NUMBER	INVOICE AMOUNT	DISCOUNT	NET AMOUNT
S40550	H20-RENT94	44.49	0.00	44.49

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SEP 21 1993

CK #: 199056

TOTALS:

44.49

0.00

44.49



Since 1935

WILDISH STANDARD PAVING CO.

P.O. BOX 7428
EUGENE, OREGON 97401
(503) 485-1700
FAX: (503) 683-7722

March 03, 1994

RECEIVED
MAR 17 1994
Department of Water Resources

L. Glen Saxton, P.E.
Water Allocation Bureau Chief
Idaho Department of Water Resources
1301 N. Orchard
Boise, Idaho 83706

**SUBJECT: Water Supply Bank:
WATER RENTAL FEES for 1994.**

Glen:

We wish to renew our application to rent water from the Supply Bank for 1994. In 1993, we rented approximately 9.5 acre-feet from the Supply Bank. We used this water to produce aggregate and concrete for work along I-84, in Elmore and Owyhee Counties.

This season, we request to rent approximately 13.69 acre-feet from the Supply Bank to continue with our construction operations. The location and plan submitted on June 02, 1993 remains unchanged for this season except for the increase in water useage. We have enclosed attachments A & B which will provide additional details concerning our operations.

Our crushing operations will begin on April 1, 1994 and will use approximately 9.13 acre-feet of water. Our concrete production will begin August 1, 1994 and use 4.56 acre-feet of water approximately. Also, the concrete plant will be located on the Southwest side of I-84 at MP 107 for this season.

We have also enclosed a check in the amount of \$44.49 which represents rental payment for 13.69 acre-feet from the Supply Bank.

Your assistance with this application is appreciated. Thank you.

Respectfully,

WILDISH LAND CO.

Thomas M. James
Thomas M. James
Project Engineer

MICROFILMED

SEP 21 1999

Enclosures(4)



Since 1935

WILDISH STANDARD PAVING CO.

P.O. BOX 7428
EUGENE, OREGON 97401
(503) 485-1700
FAX: (503) 683-7722

MARCH 05, 1994

**APPLICATION TO RENT WATER
FROM THE
WATER SUPPLY BANK**

ATTACHMENT "A"

PRODUCTION of CONCRETE:

Source of water (i.e. point of diversion) is the Snake River. A pump station owned by Jeffrey, Robert, and Harold Blankema (Water Rights File ID# A02-07063A) located on the North bank of the Snake River in the NE 1/4 SE 1/4, Section 31, T.5 S., R.8 E., BM, Elmore County, will be used to divert the water. A turbine pump capable of 200 HP, 460 ft lift, and 1000 GPM will be installed at the pump station.

A 6" line will be attached to an existing 8" irrigation lateral located in the NW 1/4, NW 1/4, Section 19, T.5 S., R.8.E., BM, Elmore County. This property is owned by Jeffrey Blankema. The 6" line will be approximately 2.5 miles long discharging at our plant site located in the NE 1/4, NW 1/4, Section 17, BM, Elmore County. The site is located along I-84 at approximate MP 107.

The water will be used in the production of aggregates and concrete for Idaho Department of Transportation contract No. 5341, MP 103.5 to 3 Miles West of Hammett.

The total amount of water requested for use March-November 1994 is approximately 13.69 acre-feet. Maximum rate of diversion will be 200 GPM or 0.45 CFS.

MICROFILMED
SEP 21 1999



Since 1935

WILDISH STANDARD PAVING CO.

P.O. BOX 7428
EUGENE, OREGON 97401
(503) 485-1700
FAX: (503) 683-7722

MARCH 05, 1994

APPLICATION TO RENT WATER FROM THE WATER SUPPLY BANK

ATTACHMENT "B"

PRODUCTION/WASHING of AGGREGATES:

Point of Diversion will be the Indian Cove Water District Pump Station, T.6 S., R.8 E., NW 1/4, NW 1/4, Section 6, B.M., Owyhee County.

The pump station feeds irrigation canals to the South. A 4" suction pump will in turn pump water through a 4" maximum PVC waterline approximately 1/4 mile to three holding ponds. The ponds will be located in T.6 S., R.8 E., NW 1/4, NW 1/4, Section 18, B.M., Owyhee County. This property is owned by Danskin Cattle Company, 1230 N. 18 East, Mountain Home, ID 83647.

The amount of water to be rented for this operation is approximately 9.13 acre-feet.

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SEP 21 1999

11/92

Before the Idaho Water Resource Board

APPLICATION TO RENT WATER

FROM THE

WATER SUPPLY BANK

Applicant Wildish Land Co. Phone 503/485-1700

Address PO Box 7428 Eugene, OR 97201

A. DESCRIPTION OF WATER SOUGHT FOR RENTAL

1. Source of water Snake River
which is tributary to _____
2. Maximum volume of water sought 13.69 AF.
3. Maximum rate of diversion 2006PM or 0.45 cfs.

B. DESCRIPTION OF USE PROPOSED

1. Nature of use Washing of crushed aggregates & concrete production.
2. Location of point of diversion NE 1/4 SE 1/4, Section
31, Twp 5. S., Rge 8. E., B.M. Elmore County.
Additional points of diversion, if any: Indian Cove water
District pump station, T.6.S., R.8.E., NW 1/4, NW 1/4, Sec. 6,
Owyhee Cnty.
3. Season of use: From March 1994 to November 1994
4. Description of diverting works:
Pump HP 200 Lift 460' Pump type turbine
Canal name, if appropriate _____
5. Place of use:
a. If water is for irrigation, describe the number of acres
to be irrigated by 40 acre tract, section, township and
range.

Not for irrigation.

NOTIFIED

SEP 21 1999

b. If water is not for irrigation, describe the nature of the intended use and the place of use.

For aggregate production: NW 1/4, NW 1/4, T6s, R8E, Sec. 18, BM Owyhee Cnty.

For concrete production: NE 1/4, NW 1/4, Sec 17, Elmore Cnty, Along I-84 eastbound at M.P. 107.

6. Describe any other water rights used for the same purposes as the rental water sought under this application.

-None-

7. Who owns the property at the point of diversion?

See Attachments A & B

8. Who owns the property at the place of use?

See Attachments A & B

9. Are you seeking a rental for more than one (1) year? No

If so, how many years?

9. Remarks: Similar application submitted and approved in April 1993.

3/07/94
Date

Thomas M. James
Signature of applicant

FOR DEPARTMENT USE ONLY

Rec'd by Date Time

Published in Pub. dates

Protests filed by

Hearing held by Date

Action recommended

MICROFILMED

SEP 21 1993

U 9

Before the Idaho Water Resource Board

WATER SUPPLY BANK RENTAL AGREEMENT

The Idaho Water Resource Board (Board) being authorized to operate a Water Supply Bank (bank) and to contract by and through the Director of the Idaho Department of Water Resources (Director) for rental of water from the bank agrees to rent water as follows:

1. Renter: Wildish Land Co.
2. Address: P.O. Box 7428, Eugene, OR 97201.
3. Source of water: Snake River.
4. Volume of water rented 13.69 AF, Max rate 0.45 cfs.
5. Diversion period from March 1994 to November 1994.
6. Use of water: Washing of crushed aggregates and concrete production.
7. a) Renter's point of diversion:

Legal description: NE1/4SE1/4 Section 31, T5S, R8E,BM.

Pump HP: 200. Lift: 460.

Canal or conveyance works: Indian Cove irrigation district pump station.

b) Renter's place of use: NW1/4NW1/4 Section 18, T6S, R8E,BM.
8. The right from which water will be rented is 02-02339.

The undersigned renter has paid \$ 44.49 to the Board for rental of the above described water and agrees to use the water in compliance with the Water Supply Bank rules and in compliance with the conditions of water use shown below:

Conditions of water use under this agreement:

1. Use of water is subject to all prior water rights.
2. If found to be necessary by the Director, the renter shall provide for the measurement of the water diverted in a manner acceptable to the Director.
3. Use of water does not constitute a dedication of the water to renter's land and upon expiration of this agreement, the

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SEP 21 1999

place of use of the water shall revert to its original place of use and/or again be available to rent from the bank.

4. Renter agrees to comply with all applicable state and federal laws while using water.

5. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.

6. Renter acknowledges and agrees that the Director may terminate diversion of water if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.

Dated this 18th day of March, 1994.

Steven J. Wildish
Wildish Land Co.

I hereby execute this Rental Agreement on behalf of the
Idaho Water Resource Board this 18th day of March, 1994.

for R. Keith Higginson
R. KEITH HIGGINSON, Director
Idaho Department of Water Resources

WILDISH

P. O. Box 7428

Eugene, OR 97401-0428

Telephone: (503) 485-1700

Fax: (503) 683-7722

FAX TRANSMISSION COVER SHEET

Date: March 18, 1994
To: Julie Yarbrough
Fax No.: 208-327-7866
Phone No.: 208-327-7900

of Pages: 2
including cover sheet: Yes
From: Steven J. Wildish
Re: Water Supply Bank
Rental Agreement

Description of document(s) being transmitted:

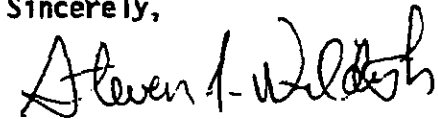
Signature page of Water Supply Bank Rental Agreement

- ☒ For your files
☐ For your information
☐ In accordance with your request
☐ Please review and comment
☐ Please telephone me
☐ Please advise me how to reply
☐ Please handle

Additional Comments/Instructions:

The attached signature page is faxed to your attention as directed by Glen Saxton. Thank you for your assistance.

Sincerely,



Steven J. Wildish
Assistant Secretary

Original Documents ☐ will follow ☒ will not follow.

Please contact Carol O. at (503) 485-1700 if there is any problem with this transmission.

PLEASE NOTE: THIS IS A CONFIDENTIAL TRANSMISSION. The documents accompanying this fax transmission may contain confidential, legally privileged information belonging to the sender. The information is intended only for the use of the individuals or entities listed above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or taking of action in reliance on the contents of this information is strictly prohibited. If you receive this transmission in error, please notify us immediately so that we may arrange for the return of the documents. Thank you.

03/18/94

12:53

1 208 327 7866

ID WATER RESOURS

001

*** ACTIVITY REPORT ***

TRANSMISSION OK

TX/RX NO.	4940
CONNECTION TEL	6p915036837722
CONNECTION ID	WILDISH
START TIME	03/18 12:52
USAGE TIME	01'19
PAGES	3
RESULT	OK

SEP 21 1999

MEMORANDUM

To: Debbie Allen
From: L. Glen Saxton
RE: WATER SUPPLY BANK RENTAL FEE
Date: February 23, 1994

On February 18, 1994, Bell Rapids Mutual Irrigation Co. rented 150 Acre Feet of water from the Board's Water Supply Bank at \$3.25 per AF and submitted a check in the amount of \$487.50 for the rental. The funds which have been receipted should be distributed as follows:

Return to the owner is \$2.25 (150 AF)	= \$337.50
Deposit in the Water Administration Acct per Water Bank Rule 5,1. should be 0.10 (\$487.50)	= 48.75
Remainder to Water Management Acct per Water Supply Bank Rule 40.02	= 101.25
Total	<u>\$ 487.50</u>

Please prepare a State Warrant in the amount of \$337.50 payable to John D. and Mary Ross, 11293 Greenhurst Rd., Nampa, ID 83686.

Attachment: 1

✓ c: 02-2339

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SEP 21 1999

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

Receipt No: S016566

Date: 2/18/1994
Time: 15:06:18

Received

From: BELL RAPIDS MUTUAL IRRIG.

Type of Payment		Program A cct	Amount
WATER SUPPLY BANK	55109	229 21 1205	337.50
WATER SUPPLY BANK	55109	229 21 1205	48.75
WATER SUPPLY BANK	13602	229 21 1205 Total	101.25
			\$487.50
CHECK	287		

Region: SOUTHERN

Signature: _____

J. E. Stanton

MICROFILMED
SEP 21 1993

11/92
RECEIVED

Before the Idaho Water Resource Board

APPLICATION TO RENT WATER

FEB 16 1994

Department of Water Resources
Southern Region Office

FROM THE

WATER SUPPLY BANK

RECEIVED

FEB 17 1994

Department of Water Resources

Applicant Bell Rapids Mutual Irrig. Phone 837-6241

Address 388 E 5900 N Haysman Id. 83332

A. DESCRIPTION OF WATER SOUGHT FOR RENTAL

1. Source of water Snake River
which is tributary to Columbia

2. Maximum volume of water sought 150 AF.

3. Maximum rate of diversion 40 cfs.

B. DESCRIPTION OF USE PROPOSED

1. Nature of use Storage to Line Tuana Trunk Line

2. Location of point of diversion ^{Lot 2} (SE 1/4 NE 1/4) Section
16, Twp 7S, Rge 13E, B.M. Twin Falls County.

Additional points of diversion, if any: _____

3. Season of use: From 2-21-94 to 2-25-94

4. Description of diverting works:

2 Pump HP 1500 Lift 585 Pump type Vert Turb

Canal name, if appropriate Fossil

5. Place of use:

b. If water is for irrigation, describe the number of acres to be irrigated by 40 acre tract, section, township and range.

Tuana Pond - water to be used to clean
pipes for Moisture Lining Project w/ll
Take approx. 2 days

Innig, right is 02-02268

MICROFILMED

SEP 21 1999

b. If water is not for irrigation, describe the nature of the intended use and the place of use.

6. Describe any other water rights used for the same purposes as the rental water sought under this application.

Bell Rapids water Lic. #

7. Who owns the property at the point of diversion?

Bell Rapids Irry. - Lease

8. Who owns the property at the place of use?

Bell Rapids Irry.

9. Are you seeking a rental for more than one (1) year? NO

If so, how many years? _____

9. Remarks: This is a one-time project for this portion of the delivery system. Lining the pipe will stop leaks & reduce friction losses. Project must be done off season

2-16-94
Date

Rick Kline, Manager
Signature of applicant

FOR DEPARTMENT USE ONLY

Rec'd by J. E. Stanton Date 2-16-94 Time 1:45 pm

Published in _____ Pub. dates _____

Protests filed by _____

Hearing held by _____ Date _____

Action recommended _____

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SEP 21 1993

WATER RIGHTS IN THE WATER SUPPLY BANK

December 1993

1) 02-2339

- Div rate - 11.0 cfs
- Source - Snake River
- Priority - Dec. 7, 1964
- Volume - 610 ac x 4.5 AFA = 2,745 AF
- Original pt of diversion just upstream from Swan Falls dam.
- Right available to rent thru 1996

2) 02-7065

- Div rate - 4.71 cfs
- Source - Snake River
- Priority - May 14, 1970
- Volume - 431 ac x 4.5 AFA = 1939.5 AF
- Original pt of diversion in Sec 22, T4S, R2EBM.
- Right available to rent thru June 12, 1997

3) 61-7404 - Div rate - 0.38 cfs

- Source - Ground water
- Priority - June 18, 1980
- Volume - 85.5 AF
- Original pt of diversion near Mtn Home, Id.
- Right available to rent thru 1996

4) 63-3148

- Div rate - 3.01 cfs
- Source - Ground water
- Priority - January 29, 1959
- Volume - 155 ac x 4.5 = 697.5 AF
- Original pt of diversion near Kuna, Id.
- Right in the bank for an indefinite period.

5) 43-02409A and 43-02409B

- Div rate - 3.2 cfs - Nathan Gardiner
- 3.2 cfs - BLM
- Source - Ground water
- Priority - April 23, 1954
- Volume -
- Point of diversion is within the Raft River Critical Ground Water area.

SEP 21 1999

RECEIVED

Before the Idaho Water Resource Board

FEB 18 1994

WATER SUPPLY BANK RENTAL AGREEMENT

Department of Water Resources
Southern Region Office

The Idaho Water Resource Board (Board) being authorized to operate a Water Supply Bank (bank) and to contract by and through the Director of the Idaho Department of Water Resources (Director) for rental of water from the bank agrees to rent water as follows:

1. Renter: Bell Rapids Mutual Irrigation Co.
2. Address: 388 E. 5900 N., Hagerman, ID 83332
3. Source of water: Snake River
4. Volume of water rented 150 AF, Max rate 40.0 cfs.
5. Diversion period from Feb. 21, 1994 to Feb. 25, 1994
6. Use of water: Clean water delivery trunk line for a mortar lining.
7. a) Renter's point of diversion:
Legal description: Lot 2 (SENE) Section 16, T7S, R13E, BM.
Pump HP: 1500 Lift: 585 feet
b) Renter's place of use:
Legal description: Tuana Pond
8. The right from which water will be rented is 02-02339.

The undersigned renter agrees to pay \$3.25 (150) = \$487.50 to the Board for rental of the above described water and agrees to use the water in compliance with the Water Supply Bank rules and in compliance with the conditions of water use shown below:

Conditions of water use under this agreement:

1. Use of water is subject to all prior water rights.
2. Prior to diversion of water, the renter shall provide for the measurement of the water diverted in a manner acceptable to the Director.
3. Use of water does not constitute a dedication of the water to renter's land and upon expiration of this agreement, the place of use of the water shall revert to its original place of use and/or again be available to rent from the bank.
4. Renter agrees to comply with all applicable state and

federal laws while using water.

5. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter while using water.

Dated this 18 day of Feb, 1994.

Rob Kuse, Manager
Bell Rapids Mutual Irrigation Co.

I hereby execute this Rental Agreement on behalf of the
Idaho Water Resource Board this 23rd day of February, 1994.

J. Keith Higginson
for R. KEITH HIGGINSON, Director
Idaho Department of Water Resources



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

June 8, 1993

Wildish Land Company
c/o Tom James
P.O. Box 7428
Eugene, Oregon 97401-0428

RE: WATER RENTAL AGREEMENT - SNAKE RIVER - IDAHO

Dear Mr. James:

Enclosed is a signed copy of the Amended Water Supply Bank Rental Agreement in connection with use of Snake River water for the reconstruction of part of Interstate I-84 in Idaho by your company.

On June 2, 1993, I sent an executed copy of the agreement to your Portland address but not to the Eugene address.

If you have questions or if I can be of further assistance, please contact me.

Sincerely,


L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: 1

c: IDWR - W. Region

MICROFILMED

SEP 21 1999

11/92

Before the Idaho Water Resource Board

WATER SUPPLY BANK RENTAL AGREEMENT
*** * AMENDED * ***

The Idaho Water Resource Board (Board) being authorized to operate a Water Supply Bank (bank) and to contract by and through the Director of the Idaho Department of Water Resources (Director) for rental of water from the bank agrees to rent water as follows:

1. Renter: Wildish Land Co.
2. Address: P.O. Box 7428, Eugene, OR 97401-0428
3. Source of water: Snake River
4. Volume of water rented 18.5 AF, Max rate 0.45 cfs.
5. Diversion period from April 1993 to December 1993.
6. Use of water Production of aggregates and concrete.
6. a) Renter's point of diversion:

Legal description: Indian Cove Water District pump station
- NW1/4NW1/4 Section 6, T6S, R8E, B.M.

Pump HP: _____ Lift: _____

- b) Renter's place of use:

Legal description: Interstate I-84, MP 103.5 to MP 109.00.

The undersigned renter has paid \$ \$ 60.13 to the Board for rental of the above described water and agrees to use the water in compliance with the Water Supply Bank rules and in compliance with the conditions of water use shown below:

Conditions of water use:

1. Use of water under this agreement is subject to all prior water rights.
2. The renter shall provide for the measurement of the water diverted under this agreement in a manner determined by and acceptable to the Director.
3. Use of water under this agreement does not constitute a dedication of the water to renter's land or use and upon expiration of this agreement, the place of use of the water shall revert to its original place of use and/or again be available to rent from the bank.

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SEP 21 1993

4. Renter agrees to comply with all applicable state and federal laws in the use of water under this agreement.

5. Renter agrees to hold the Board, the Director and the state of Idaho harmless from all liability on account of negligent acts of the renter in the use of water under this agreement.

6. Renter acknowledges and agrees that the Director may terminate diversion of water under the agreement if the Director determines there is not a sufficient water supply for the priority of the right or portion thereof being rented.

7. This agreement does not grant a right-of-way across the land of another or to use privately owned diversion and/or conveyance facilities.

Dated this 2nd day of JUNE, 1993.

Thomas M. Jones for Wilder
Renter Land Co.

I hereby execute this Amended Rental Agreement on behalf of the Idaho Water Resource Board this 2nd day of June, 1993.

R. Keith Higginson
for R. KEITH HIGGINSON, Director
Idaho Department of Water Resources

MAILED
SEP 21 1993

I-84: WEST OF HAMMETT

TO: Glen Saxton DATE: 4-20-93
 COMPANY: Dept. of Water Resources FROM: Red Gilliland
 FAX NO. 327-7866
 NUMBER OF PAGES (including this cover sheet): 7

RE:

MICROFILMED

MICROFILMED

SEP 21 1999

Mr. Steven J. Wildish
April 20, 1993
Page 2

WATER TRANSMISSION AGREEMENT

THIS WATER TRANSMISSION AGREEMENT is made and entered into this ____ day of April, 1993, by and between JEFFERY BLANKSMA, ROBERT BLANKSMA, and HAROLD BLANKSMA (hereinafter "Blanksma"), P.O. Box 106, Hammett, Idaho 83627, and WILDISH LAND CO., 3600 County Farm Road, P.O. Box 7428, Eugene, Oregon 97401 (hereinafter "Contractor").

W I T N E S S E T H :

WHEREAS, Blanksma owns a water irrigation system and water rights appurtenant thereto located in Elmore County, Idaho (hereinafter "System"); and

WHEREAS, Contractor desires to transmit water through Blanksma's System; and

WHEREAS, Contractor has or will have prior to transmission of any water through the System, the right to divert and appropriate water to be transmitted through the System which shall in no event be more than 200 gallons per minute (hereinafter "Contractor Water Rights").

NOW, THEREFORE, the parties agree as follows:

1. Water Transmission: Blanksma agrees to transmit approximately, but not to exceed, 200 gallons per minute of Contractor Water Rights through the System. Blanksma will install

WATER TRANSMISSION AGREEMENT, p. 2

MICROFILMED

SEP 21 1999

WILDISH

04/20/93 11:35 503 683 7722

04. 20. 93. 03:22PM *WILDISH LAND CO.

P 02 0004/000

Mr. Steven J. Wildish
April 20, 1993
Page 3

at or near the end of the main line a restrictor valve and orifice which will restrict the flow of Contractor's water out of the Blankema System to a maximum of 200 gallons per minute.

2. Power Costs: Blankema agrees to be responsible for the power cost for the transmission of Contractor's water when the Blankema System is operative. If the Blankema System has not been activated by the time that Contractor needs to transmit water, or is deactivated while Contractor needs to transmit Contractor's water, Contractor will be responsible for the power costs for such transmission.

3. Interruption of Service: At all times under this Agreement, Blankema shall use it's best efforts to limit interruption in water transmission to the Contractor, but Blankema shall not be liable or responsible for interruptions in the transmission of Contractor's water if caused by acts or omissions outside the reasonable control of Blankema, or the interruption is caused by a permitted interruption under this Agreement. Contractor recognizes that Blankema may have to shut down the System for maintenance, power outages, or other reasons beyond the reasonable control of Blankema. Further, upon at least seven (7) days prior written notice to Contractor from Blankema, Blankema will not transmit water to Contractor at such time as Blankema is introducing chemicals including fertilizers into the System.

WATER TRANSMISSION AGREEMENT, p. 3

RECORDED

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Mr. Steven J. Wildish
April 20, 1993
Page 4

Blankema agrees to use its best efforts to limit the down time of the System during chemical and fertilizer application to a period not to exceed thirty-six (36) hours per shut down.

4. Term of the Agreement: The effective date of this agreement shall be when all of the conditions precedent set forth in paragraph 6 below are satisfied, and shall continue through November 30, 1994. Notwithstanding the foregoing, Contractor shall not be permitted to transmit Contractor's water through the System between November 30, 1993 and March 15, 1994. Further, it is likely that Blankema will not be transmitting Blankema water through the System prior to April 1 or after November 10 during the term of this contract and therefore, the electrical cost of pumping and transmitting Contractor's water when Blankema is not on the System and using the System shall be the sole cost of Contractor. Further, Blankema shall warrant that there will be approximately 80 PSI of pressurization of the System at the point of Contractor's diversion of Contractor water at the diversion valve at or near the end of the System.

5. Consideration: Contractor agrees to pay, upon the execution hereof, Blankema's reasonable costs incurred in its legal services relating to this matter up to the sum of FIVE HUNDRED and no/100 DOLLARS (\$500.00). Upon satisfaction of the conditions precedent set forth in paragraph 6 below, and prior to transmission WATER TRANSMISSION AGREEMENT, p. 4

RECORDED

SEP 21 1999

Mr. Steven J. Wildish
April 26, 1993
Page 5

of any of Contractor's water, Contractor shall pay to Blankens the sum of TWENTY FIVE THOUSAND and no/100 DOLLARS (\$25,000.00).

6. Conditions Precedent: Contractor agrees to provide, prior to any rights of Contractor hereunder the following:

(a) A letter, acceptable to Blankens and its counsel from the Idaho Department of Water Resources which represents that the water rights of Blankens related to or appurtenant to the System shall not in any way be effected, impaired, or modified by reason of diversion and transmission of Contractor's water through the System;

(b) A letter from the Idaho Department of Water Resources, acceptable to Blankens which acceptance shall not be unreasonably withheld, setting forth Contractor's rights to divert water from the Snake River in an amount of 200 gallons per minute during the term of the contract;

7. Further Restrictions: Contractor shall have no right to go upon the property of Blankens except from the closest public right-of-way to the diversion valve at the end of the System, and Contractor agrees to use that access only for the purpose of turning on and off the diversion valve. Contractor shall not have any right to install an auxiliary pump on the Blankens property, or in any way go upon, damage, or alter the Blankens property, except for the opportunity to hook the

WATER TRANSMISSION AGREEMENT, p. 5

MICROFILMED

SEP 21 1993

04.20.93.03:22PM *WILDISH LAND CO. 11:58 0503 683 1722 WILDISH
P.O.B.

Contractor's pipe into the end of the System at the diversion valve.

8. Release, Waiver and Indemnify: Contractor hereby releases Blankema from any claims that have arisen, could arise, or could in any way be related to Blankema's agreement to transmit Contractor's water except of defaults of Blankema under this Agreement. Contractor agrees to indemnify and hold Blankema harmless from any claims, causes of action, damages, liabilities and attorney's fees relating to any claims by Contractor or third party in any way related to provisions contained herein, except for claims caused by defaults of Blankema hereunder. Further, and without limitation, Contractor waives any claim for the quality of water provided through the System.

9. Attorney's Fees: In the event suit is instituted to enforce any provisions of this Agreement, the prevailing party shall be entitled to recover reasonable attorneys' fees plus court costs from the losing party.

10. Integration: This Agreement, together with any other documents executed concurrently herewith, is integrated and contains the entire agreement of the parties. No representations, inducements, promises or agreements, oral or otherwise, not embodied herein or therein, shall be of any force or effect upon the execution hereof, except to the extent that the same are
WATER TRANSMISSION AGREEMENT, p. 6

REC'D
SEP 21 1993

Mr. Steven J. Wildish
April 20, 1993
Page 7

contained in the documents executed to effectuate the intent of the parties.

IN WITNESS WHEREOF, the parties hereto have executed this agreement as of the day and year first above written.

BLANKSMA:

Jeffery Blankensma
JEFFERY BLANKSMA

ROBERT BLANKSMA

Harold Blankensma by Jeffery Blankensma
HAROLD BLANKSMA

CONTRACTOR:

WILDISH LAND CO.

By
Its

Steven J. Wildish
Asst. Secretary

WATER TRANSMISSION AGREEMENT, p. 7

REC-11

SEP 21 1993

P 07

04.20.93 03:22PM *WILDISH LAND CO.
WILDISH 6503 683 7722

MEMORANDUM

To: Debbie Allen
From: L. Glen Saxton *LS*
RE: WATER SUPPLY BANK RENTAL FEE RECEIVED FROM DANSKIN
CATTLE CO.
Date: May 12, 1993

On May 12, 1993, Danskin Cattle Co. rented 600 Acre Feet of water from the Board's Water Supply Bank at \$3.25 per AF and submitted a check in the amount of \$1,950 for the rental. The funds which have been receipted should be distributed as follows:

Return to the owner is \$2.25 (600 AF) = \$1,350

Deposit in the Water Administration Acct
per Water Bank Rule 5,1. should be
0.10 (1,950) = 195

Remainder to Water Management Acct per
Water Supply Bank Rule 5,2. = 405

Total \$1,950

Please prepare a State Warrant in the amount of \$1,350 payable to John D. and Mary Ross, 11293 Greenhurst Rd., Nampa, ID 83686.

Attachment: 1

c: 02-2339

MICROFILMED
SEP 21 1999

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

Receipt No: 0027484

Date: 5/12/1993
Time: 09:45:39

Received
From: DANSETH CATTLE CO

Type of Payment		Program A cct	Amount
WATER SUPPLY BANK	55109	229 21 1205	1,350.00
WATER SUPPLY BANK	55109	229 21 1205	195.00
WATER SUPPLY BANK	13602	490 2 1205	405.00
		Total	\$1,950.00

CHECK 7378

Region: STATE

Signature: 

MICROFILMED
SEP 21 1999



Since 1935

THOMAS M. JAMES
Project Engineer

WILDISH LAND CO.

NE Corner Hwy 30 & Main
P.O. Box 87
Hammett, ID 83627-0087
Phone: (208) 366-7544
Fax: (208) 366-2653

HOME OFFICE
P.O. BOX 7428
Eugene, OR 97401-0428
Phone: (503) 485-1700
Fax: (503) 683-7722

RECEIVED
SEP 21 1999

MEMORANDUM

To: Debbie Allen
From: L. Glen Saxton *LS*
RE: WATER SUPPLY BANK RENTAL FEE RECEIVED FROM WILDISH LAND
CO.
Date: April 20, 1993

On April 20, 1993, Wildish Land Co. rented 18.5 Acre Feet of water from the Board's Water Supply Bank at \$3.25 per AF and submitted a check in the amount of \$60.13 for the rental. The funds which have been receipted should be distributed as follows:

Return to the owner is \$2.25 (18.5 AF)	= \$41.63
Deposit in the Water Administration Acct per Water Bank Rule 5,1. should be 0.10 (\$60.13)	= 6.01
Remainder to Water Management Acct per Water Supply Bank Rule 5,2.	= 12.49
Total	<u>\$ 60.13</u>

Please prepare a State Warrant in the amount of \$41.63 payable to John D. and Mary Ross, 11293 Greenhurst Rd., Nampa, ID 83686.

Attachment: 1

c: 02-2339

MICROFILMED

SEP 21 1993

WILDISH LAND CO.

I-84: WEST OF HAMMETT

P. O. BOX 87
HAMMETT, ID. 83627-0087
PHONE: (208)366-7544
FAX: (208)366-2653

TO: GLEN SAXTON

DATE: 4-15-93

COMPANY: DEPT OF WATER RESOURCES

FROM: TOM JAMES

FAX NO. 327-7866

NUMBER OF PAGES (including this cover sheet): 6

RE: APPLICATION TO RENT WATER FROM THE SUPPLY BANK

GLEN, AS DISCUSSED ON 4-12-93; WE HAVE COMPLETED THE "APPLICATION TO RENT WATER". PLEASE REVIEW AND CALL IF YOU HAVE QUESTIONS.

Time is of the essence; the BLM needs a copy of the approved Rent agreement in order to process our WATERLINE permit application. WE would like to have water flowing by April 26, if possible. The BLM needs at least a week to give their approval.

A copy of our agreement with Jell Blanksma will be forwarded to you ASAP. It is now being reviewed by ^{MICROFILMS} LAWYERS.

Thank you!

SEP 2 1 1995

11/92

Before the Idaho Water Resource Board

APPLICATION TO RENT WATER

FROM THE

WATER SUPPLY BANK

Applicant WILDISH LAND CO. Phone (503)485-1700

Address P. O. BOX 7428, EUGENE, OREGON 97401-0428

A. DESCRIPTION OF WATER SOUGHT FOR RENTAL

1. Source of water SNAKE RIVER

which is tributary to -

2. Maximum volume of water sought 18.5 AF.

3. Maximum rate of diversion 0.45 cfs.

B. DESCRIPTION OF USE PROPOSED

1. Nature of use TEMPORARY PRODUCTION OF AGGREGATE AND CONCRETE

2. Location of point of diversion NE 1/4 SE 1/4, Section 31, Twp T5S, Rge R8E, B.M. ELMORE County.

Additional points of diversion, if any: NONE

3. Season of use: From APRIL 1993 to NOVEMBER 1993

4. Description of diverting works:

Pump HP 200 Lift 460 Pump type TURBINE

Canal name, if appropriate N/A

5. Place of use:

a. If water is for irrigation, describe the number of acres to be irrigated by 40 acre tract, section, township and range.

NOT FOR IRRIGATION

MICROFILMED

SEP 21 1994

04.15.93 03:13 PM P04

the intended use and the place of use.
WATER TO BE USED IN THE PRODUCTION OF AGGREGATES AND CONCRETE.
PRODUCTION SITE LOCATED APPROXIMATELY 2 1/2 MILES FROM POINT
OF CONNECTION (SEE MAP).

6. Describe any other water rights used for the same purposes
as the rental water sought under this application.

NONE

7. Who owns the property at the point of diversion?
WATER RIGHTS FILE ID #A02-07063A
JEFFREY, ROBERT AND HAROLD BLANKSMA, HAMMETT, IDAHO

8. Who owns the property at the place of use?
DEPARTMENT OF INTERIOR - BUREAU OF LAND MANAGEMENT

9. Are you seeking a rental for more than one (1) year? YES
If so, how many years? 8 MOS. (APR-NOV93); 9 MOS. (MAR-NOV94)

9. Remarks: SEE ATTACHED SHEET.

Date

4/15/93

Signature of applicant

Steven J. Wildish

FOR DEPARTMENT USE ONLY

Rec'd by _____ Date _____ Time _____

Published in _____ Pub. dates _____

Protests filed by _____

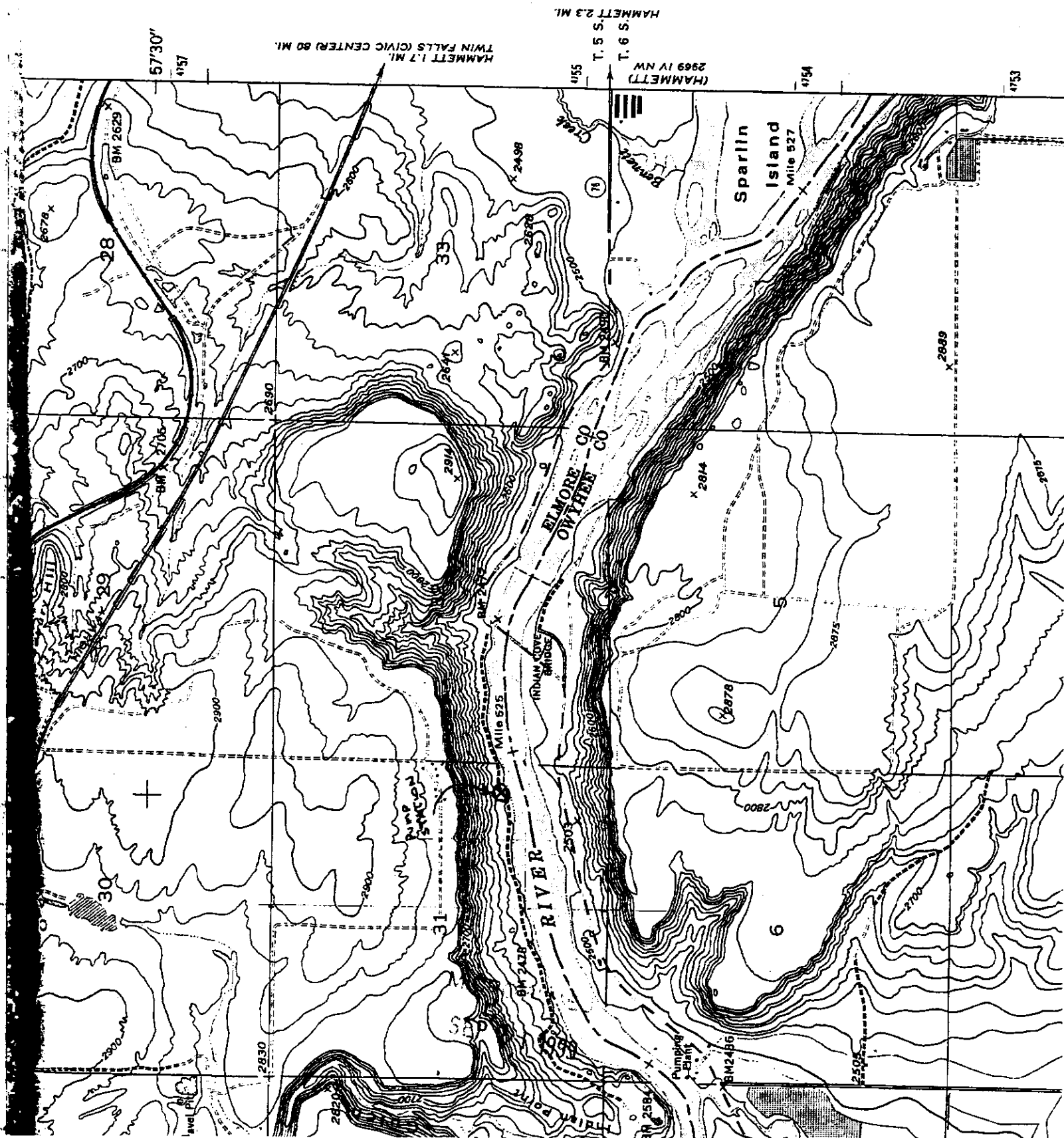
Hearing held by _____ Date _____

Action recommended _____

MICROFILMED

SEP 21 1999

04.15.93 02:13 PM P05



MP 103.5 - 109
W. HAMMETT
ITD #5341

AGGREGATE'S
CONCRETE PRODUCTION
PLANT SITES
MP 107

INDIAN COVE
IDA
7.5 MINUTE SERIES
NE/4 INDIAN COVE

2870 11 SE
(REVERSE)

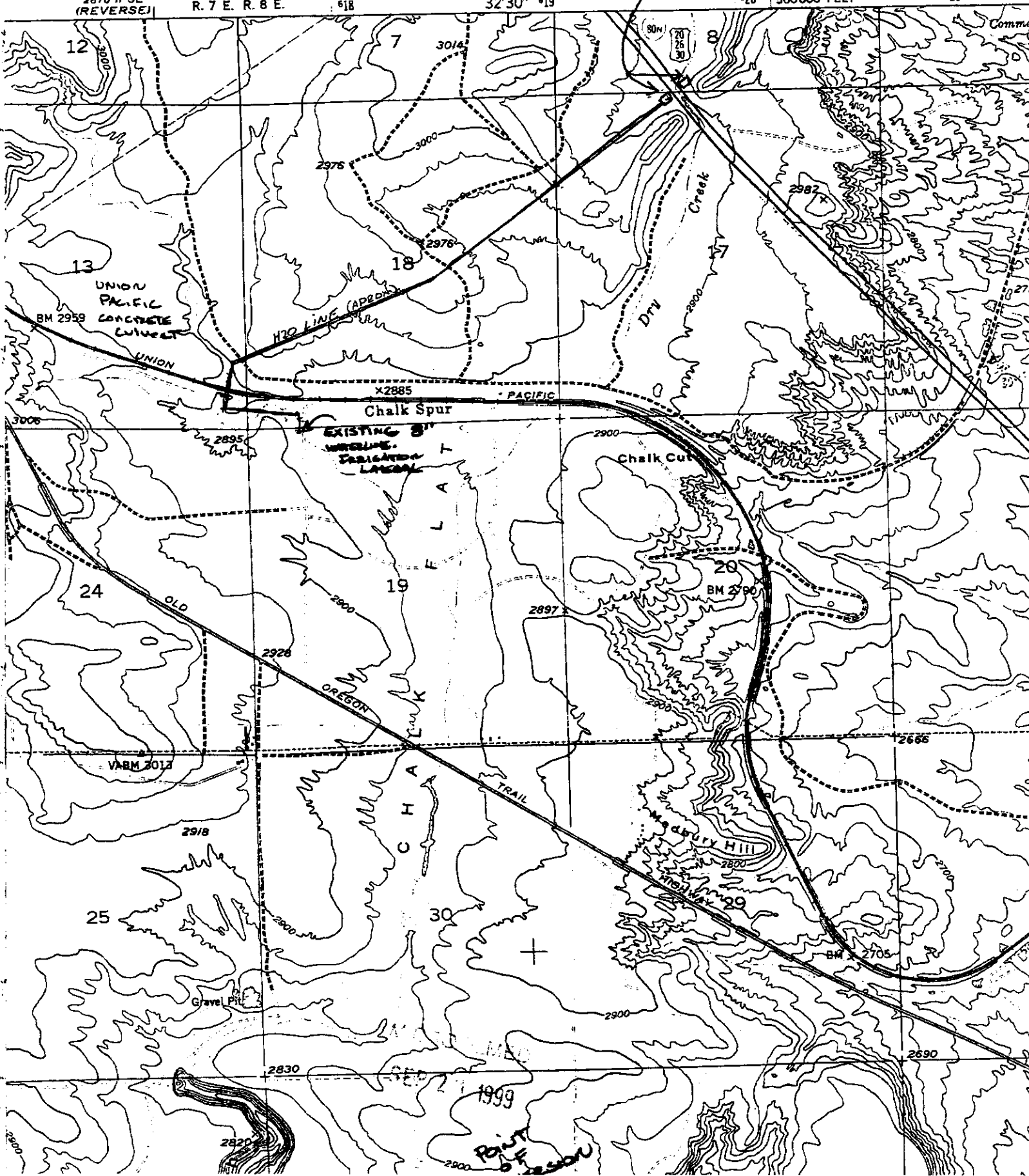
R. 7 E. R. 8 E.

618

32'30" 619

620 560000 FEET

621



MEMORANDUM

To: Debbie Allen
From: L. Glen Saxton *LS*
RE: WATER BANK RENTAL - LAZY S. FARMS
Date: July 27, 1992

On this date, Lazy S. Farms rented 25 Acre Feet of water from the Board's Water Supply Bank at \$3.25 per AF and submitted a check in the amount of \$81.25 for the rental. The funds which have been receipted should be distributed as follows:

Return to the owner is \$2.25 (25 AF) = \$ 56.25

Deposit in the Water Administration Acct
per Water Bank Rule 5,1. should be
0.10 (\$81.25) = 8.13

Remainder to Water Management Acct per
Water Supply Bank Rule 5,2. = 16.87

Total \$ 81.25

Please prepare a state warrant in the amount of \$56.25 payable to John D. and Mary Ross, 11293 Greenhurst Road, Nampa, ID 83686.

Attached is a copy of receipt no. C025039.

Attachment: 1

c: 02-2339

MICROFILMED

SEP 21 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 27, 1992

Lazy S. Farms
c/o Fred Sarceda
16251 Quartz Lane
Wilder, ID 83676

RE: WATER SUPPLY BANK RENTAL

Dear Mr. Sarceda:

Enclosed for your records is a receipt for the eighty one dollars and twenty five cents (\$81.25) you submitted for the rental of twenty five (25) acre feet of water from the Water Supply Bank. Also enclosed is a signed copy of the Rental Agreement.

At a diversion rate of 1.0 cubic feet per second (450 gallons per minute) you will divert the 25 acre feet rented in 12.5 days if you divert the water 24 hours per day.

If you have questions, please feel free to contact the department.

Sincerely,

A handwritten signature in cursive script, reading 'L. Glen Saxton'.

L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: 2

c: IDWR - W. Region

MICROFILMED

SEP 21 1999

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

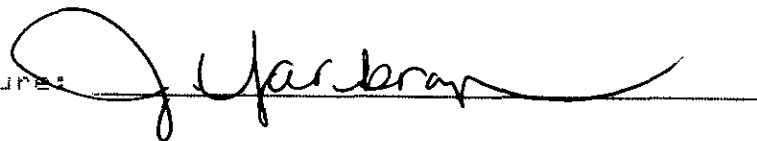
Receipt No. D025039

Date: 7/27/1992
Time: 13:36:13

Received
From: LAZY S FARMS

Type of Payment		Program A cct	Amount
WATER SUPPLY BANK	55109	229 21 1205	56.25
WATER SUPPLY BANK	55109	229 21 1205	8.13
WATER SUPPLY BANK	13602	490 2 1205	16.87
		Total	
CHECK	2445		\$81.25

Region: STATE

Signature: 

MICROFILMED

SEP 21 1999



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 26, 1992

Weston Farris
P.O. Box 9
Glenns Ferry, ID 83623

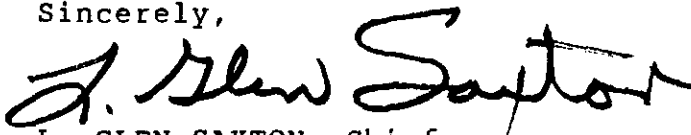
RE: WATER SUPPLY BANK RENTAL

Dear Mr. Farris:

Enclosed is a partially completed rental agreement form which you need to sign and return to the department. This agreement is in connection with your second rental of water which the department receipted on June 9, 1992. I have previously sent a copy of this agreement to you for signature but have not received it back.

Please promptly sign and return the agreement in an envelope specifically marked to my attention. If you have questions, my direct phone number is 327-7955.

Sincerely,


L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: Agreement

MICROFILMED
SEP 21 1999

MEMORANDUM

To: Debbie Allen
From: L. Glen Saxton *LS*
RE: SECOND RENTAL FEE RECEIVED FROM WESTON FARRIS
Date: July 1, 1992

On June 9, 1992, Weston Farris rented 154 Acre Feet of water from the Board's Water Supply Bank at \$3.25 per AF and submitted a check in the amount of \$500.50 for the rental. The funds which have been receipted should be distributed as follows:

Return to the owner is \$2.25 (154 AF) = \$346.50

Deposit in the Water Administration Acct
per Water Bank Rule 5,1. should be
0.10 (\$500.50) = 50.05

Remainder to Water Management Acct per
Water Supply Bank Rule 5,2. = 103.95

Total \$500.50

Please prepare a state warrant in the amount of \$346.50 payable to John D. Ross, 1615 12th Ave, Suite A, Nampa, ID 83651.

Pay from code PCA-55109.

This is the second rental of water from the bank this year by Farris. The amount of water rented is identical to the amount rented on May 19, 1992. Attached is a copy of the receipt.

Attachment: 1

c: 02-2339

MICROFILMED

SEP 2 1999

Mr. Sexton,

Please take care of water
purchase of additional 154
acre feet of water from water
bank, as per phone call.

Thank you

Wes Farnes

MICROFILMED

SEP 21 1999

MEMORANDUM

To: Debbie Allen
From: L. Glen Saxton *LS*
RE: RENTAL FEE RECEIVED FROM WESTON FARRIS
Date: May 22, 1992

On May 22, 1992, Corey Kent rented 50 Acre Feet of water from the Board's Water Supply Bank at \$3.25 per AF and submitted a check in the amount of \$162.50 for the rental. The funds which have been receipted should be distributed as follows:

Return to the owner is \$2.25 (50 AF) = \$112.50

Deposit in the Water Administration Acct
per Water Bank Rule 5,1. should be
0.10 (\$162.5) = 16.25

Remainder to Water Management Acct per
Water Supply Bank Rule 5,2. = 33.75

Total \$162.50

Please prepare a state warrant in the amount of \$112.50 payable to John D. Ross, 1615 12th Ave, Suite A, Nampa, ID 83651.

c: 02-2339

REC'D - 11/20/92

SEP 21 1992

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

Receipt No. 024258

Date: 5/22/1992
Time: 16:31:49

Received
From: KENT, CORY

Type of Payment		Program A cct .	Amount
WATER SUPPLY BANK	55109	229 21 1205	112.50
WATER SUPPLY BANK	55109	229 21 1205	16.25
WATER SUPPLY BANK	13602	490 2 1205	<u>33.75</u>
		Total	
CHECK	1		\$162.50

Region: STATE

Signature: _____

MICROFILMED
SEP 21 1999

MEMORANDUM

To: Debbie Allen
From: L. Glen Saxton *WJS*
RE: RENTAL FEE RECEIVED FROM WESTON FARRIS
Date: May 21, 1992

On May 19, 1992, Weston Farris rented 154 Acre Feet of water from the Board's Water Supply Bank at \$3.25 per AF and submitted a check in the amount of \$500.50 for the rental. The funds which have been recieved should be distributed as follows:

Return to the owner is \$2.25 (154 AF) = \$346.50

Deposit in the Water Administration Acct
per Water Bank Rule 5,1. should be
0.10 (\$500.50) = 50.05

Remainder to Water Management Acct per
Water Supply Bank Rule 5,2. = 103.95

Total \$500.50

Please prepare a state warrant in the amount of \$346.50 payable to John D. Ross, 1615 12th Ave, Suite A, Nampa, ID 83651.

c: 02-2339

MICROFILMED

SEP 21 1993

M E M O R A N D U M

DATE: MAY 21, 1992
TO: WATER BANK WATER RENTAL FILE
FROM: NORM YOUNG *NY*
RE: WES FARRIS REQUEST TO RENT FROM BOARD'S BANK

The Ross right (Dec. 7, 1964 priority) that has been in the Board's water bank for several years would provide 2745 acre feet per year at a licensed diversion rate of 4.5 acre feet per year. The following amounts have been rented from this right for this season:

Danskin Cattle Co.	750 af
IPCO	15 af

Farris has requested 154 af to provide 10 days of water to supplement his existing post 1976 permit in case the flow at Weiser falls below 4750. He has a large investment in a potato crop that could be seriously damaged if he could not irrigate for a several day period when the crop needs it.

0030
SEP 21 1993

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

Receipt No: 0024226

Date: 5/19/1992
Time: 15:18:55

Received
From: FARRIS, INC.

Type of Payment	Program Acct	Amount
WATER SUPPLY BANK	55109 229 21 1205	346.50
WATER SUPPLY BANK	55109 229 21 1205	50.05
WATER SUPPLY BANK	13602 490 2 1205	
	Total	103.95 <i>new</i>
CHECK 0194		\$500.50

Region: STATE

Signature: D. Burdick

ALCO RD 11/22/92
SEP 21 1993

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resource

Receipt No: D024088

Date: 5/11/1992
Time: 14:51:21

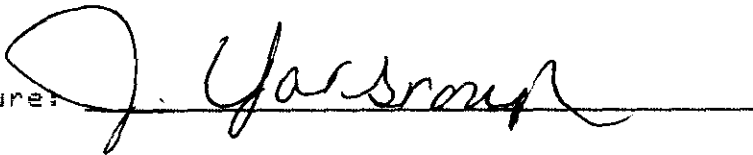
Received From: GRIFFIN, ROBERT ID. POWER

Type of Payment		Program A cct	Amount
WATER SUPPLY BANK	13602	490 2 1205	10.12
WATER SUPPLY BANK	55109	229 21 1205	4.88
WATER SUPPLY BANK	55109	229 21 1205	33.75
		Total	

\$48.75

CHECK 103

Region: STATE

Signature: 

MICROFILMED

SEP 21 1999

MEMORANDUM

To: Debbie Allen
From: L. Glen Saxton
RE: RENTAL FEE RECEIVED FROM IDAHO POWER COMPANY
Date: May 8, 1992

On May 7, Idaho Power Company rented 15 AF of water from the Board's Water Supply Bank at \$3.25 per AF and submitted a check in the amount of \$48.75 for the rental. The funds should be distributed as follows:

Return to the owner is \$2.25 (15 AF) = \$33.75

Deposit in the Water Administration Acct
per Water Bank Rule 5,1. should be
0.10 (\$48.75) = 4.88 ✓

Remainder to Water Management Acct
per Water Supply Bank Rule 5,2. = 10.12

Total \$48.75

Please prepare a state warrant in the amount of \$33.75 payable to John D. Ross, 1615 12th Ave, Suite A, Nampa, ID 83651.

c: 02-2339

MICROFILMED
SEP 21 1999

MEMORANDUM

To: Debbie Allen
From: L. Glen Saxton
RE: RENTAL FEE RECEIVED FROM IDAHO POWER COMPANY
Date: May 8, 1992

On May 7, 1992, Idaho Power Company rented 15 AF of water from the Board's Water Supply Bank at \$3.25 per AF and submitted a check in the amount of \$48.75 for the rental. The funds should be distributed as follows:

Return to the owner is \$2.25 (15 AF) = \$33.75

Deposit in the Water Administration Acct
per Water Bank Rule 5,1. should be
0.10 (\$48.75) = 4.88

Remainder to Water Management Acct
per Water Supply Bank Rule 5,2. = 10.12

Total \$48.75

Please prepare a state warrant in the amount of \$33.75 payable to John D. Ross, 1615 12th Ave, Suite A, Nampa, ID 83651.

c: 02-2339

MICROFILMED

SEP 2 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 14, 1992

Danskin Cattle Co.
c/o Bob Baker
P.O. Box 488
Mountain Home, ID 83647

RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK - 1992

Dear Mr. Baker:

This office acknowledges receipt of the check in the amount of \$2,437.50 which you submitted to the department for the rental of 750 acre feet of water from the Snake River during the 1992 irrigation season. Enclosed is a receipt for the check.

Also enclosed is a conformed copy of the Water Rental Agreement for your records. Please note that one of the conditions of the agreement is that you are required to install and maintain a totalizing water meter prior to diversion of water.

Please feel free to contact me if you have questions.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: 2

c: IDWR - W. Region

MICROFILMED

SEP 21 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 14, 1992

John D. Ross
1615 12th Ave, Suite A
Nampa, ID 83651

RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK - LICENSE 02-2339

Dear Mr. Ross:

The department has requested the issuance of a state warrant in the amount of \$1,687.50 as your payment for the rental of 750 Acre Feet of the above referenced water right from the Water Supply Bank managed by the Idaho Water Resource Board.

The net return to you is based on \$2.25 per acre foot of water rented. The warrant will be issued by the Auditor's office within the next 30 days.

If additional amounts of the water right are rented during the 1992 irrigation season, additional payments will be made to you.

Please feel free to contact the department if you have questions.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: Accounting Sec.

RECEIVED

SEP 21 1999

MEMORANDUM

To: Debbie Allen
From: L. Glen Saxton *LL*
RE: RENTAL FEE FROM DANSKIN CATTLE COMPANY
Date: February 14, 1992

The check in the amount of \$2,437.50 received from the Danskin Cattle Company on February 12, 1992, is for the rental of 750 AF of water from the Board's Water Supply Bank during the 1992 irrigation season and is based on a rental rate of \$3.25 per AF.

The funds should be deposited as described below:

Return to the owner is \$2.25 (750 AF) = \$1,687.50

Deposit in the Water Administration Acct
per Water Bank Rule 5,1. is
0.10 (2,437.50) = 243.75

Remainder to Water Management Acct
per Water Supply Bank Rule 5,2. = 506.25

Total \$2,437.50

Please prepare a state warrant in the amount of \$1,687.50 payable to John D. Ross, 1615 12th Ave, Suite A, Nampa, Id 83651.

As I understand your procedure, you first deposit the \$1,687.50 and the \$243.75 in the Water Administration Account and then pay the \$1,687.50 from the account.

c: File 02-2339

RECEIVED

SEP 21 1999

DANSKIN CATTLE CO.

P. O. BOX 488 587-4069
MOUNTAIN HOME, ID 83647

6649

FEB 12 1992

92-6/1241

PAY
TO THE
ORDER OF

State Water Resource Board

\$2437⁵⁰

Twenty four hundred thirty seven and 50/100 DOLLARS

**First
Security
Bank**

First Security Bank of Idaho
P.O. Box 7069
Boise, Idaho 83730

FOR

Rahmt C. Rah

⑈006649⑈ ⑆124100064⑆003 02024 36⑈



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

January 28, 1992

Danskin Cattle Co.
c/o Robert C. Baker
P.O. Box 488
Mountain Home, ID 83647

RE: REQUEST TO RENT WATER FROM THE WATER SUPPLY BANK - 1992

Dear Mr. Baker:

I have reviewed your letter dated January 15, 1992 in which you advise you want to rent 750 acre feet from the Water Supply Bank for the 1992 irrigation season.

Enclosed is a Rental Agreement for the 1992 irrigation season which you need to review, sign and return to me together with a rental payment of \$2,437.50. This amount is equivalent to \$3.25 per acre foot which was the rental rate during 1991. Please send the payment to my attention in order that I can be sure it is properly deposited in department accounts.

Please feel free to contact the department if you have questions.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: 1

c: IDWR - W. Region

MICROFILMED

SEP 21 1999

RECEIVED
JAN 16 1992

Department of Water Resources

ROBERT C. BAKER
P.O. BOX 488
MOUNTAIN HOME, IDAHO 83647
208-587-4069

January 15, 1992

Mr. L. Glen Saxton, Chief
Water Allocation Bureau
Idaho Department of Water Resources
1301 North Orchard Street
Statehouse Mail
Boise, Idaho 83720-9000

RE: Rental of water from the Water Supply Bank - 02-2339

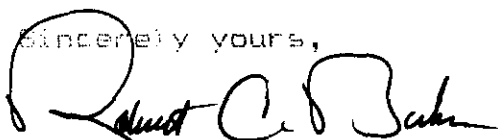
Dear Glen:

In reply to your inquiry of December 20, 1991, it appears our requirements will be approximately the same as last year. During the 1991 irrigation season we rented 750 acre feet of water from the water bank instead of the full 1350 authorized.

Please reserve 750 acre feet from Water Bank for our use during the 1992 irrigation season.

Pray for rain.

Sincerely yours,



Robert C. Baker
Danskin Cattle Co.

MICROFILMED

SEP 21 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

December 20, 1991

Danskin Cattle Co.
c/o Robert C. Baker
P.O. Box 488
Mountain Home, ID 83647

RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK - 02-2339

Dear Mr. Baker:

During the 1991 irrigation season, you rented 750 acre feet of water from the Water Supply Bank operated by the Idaho Water Resource Board (Board). As you know, in a resolution the Board authorized the Director of the department to rent water to you during a 4-year period ending on November 15, 1994.

The resolution authorized the rental of up to 1,350 acre feet of water per year. During the 1991 irrigation season, you rented 750 acre feet instead of the maximum of 1,350 authorized. Although the rental price per acre foot for 1992 is not yet known, please advise the department of the amount of water in Acre feet you wish to rent during 1992. The department can then start preparing the rental agreement which can be finalized once the rental rate charged in Water District No. 1 is known.

Please feel free to contact the department if you have questions.

Sincerely,

A handwritten signature in black ink, reading 'L. Glen Saxton'. The signature is written in a cursive, flowing style. Below the signature, the name and title are printed in a standard font.
L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - W. Region

MICROFILMED

SEP 21 1993



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 19, 1991

Danskin Cattle Co.
c/o Bob Baker
P.O. Box 488
Mountain Home, ID 83647

RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK - 02-2339

Dear Mr. Baker:

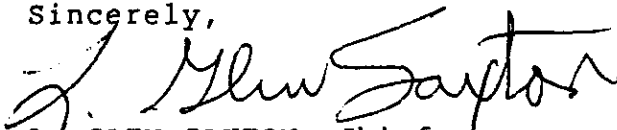
As a follow-up to your telephone request today, I have reviewed the water right file referenced above.

My review shows that you have submitted the required rental amount which authorizes you to divert seven hundred and fifty (750) acre feet of water from the Snake River between March 15, 1991 and November 15, 1991.

I would have sent you a confirmation letter such as this in late December 1990 when you returned the revised rental agreement and rental fee but the water right file was not routed to me at that time.

Please feel free to contact me if you have additional questions.

Sincerely,


L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - W. Region

MICROFILMED

SEP 21 1999

EXPENDITURE VOUCHER

AUDITOR USE

AGENCY USE

3815
Date 01/07/91
Code 193002

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME DEPT. OF WATER RESOURCES

Document No. 2087539	
Pre-Audit	Date JAN 9 1991
Warrant No.	

PAY
TO

JOHN D. ROSS
1515 12TH AVE, SUITE A
NAMPA, ID 83651

CHECK ONE:

(1) MISCELLANEOUS EXPENDITURE
() STATE CONTRACT

() PURCHASE ORDER

() MISCELLANEOUS
ENCUMBRANCE REQUISITION

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	05 10 180	1238	5090		WATER RENTAL PER L. GLEN SAXTON WR# 02-2339 1/ 2/91 1687.50	1,687.50	
TOTAL						1,687.50	

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service, that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

Date

Head of Agency or Institution

State Auditor



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

January 2, 1991

John D. Ross
1615 12th Ave, Suite A
Nampa, ID 83651

RE: RENTAL OF WATER FROM THE WATER SUPPLY BANK - LICENSE 02-2339

Dear Mr. Ross:

The department has requested a state warrant in the amount of \$1,687.50 as your payment for the rental of 750 Acre Feet of the above referenced water right which you have placed in the Water Supply Bank managed by the Water Resource Board. The net return to you is based on \$2.25 per acre foot as compared with a return of \$2.00 per acre foot last year. The warrant will be issued by the Auditor's office within the next 30 days.

If additional amounts of the water right are rented during the 1990 irrigation season, additional payments will be made to you.

Please feel free to contact me if you have questions.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: Accounting Sec.

RECEIVED
SEP 21 1993

12/31/1990

DANSKIN CATTLE CO.

WATER BANK PRINCIPAL	510180 1238 6490	1,931.25
WATER BANK INTEREST	130730 3945 6490	506.25
CHECK	5957	\$2,437.50

Region: STATE

Signature: _____

ACCT 1011
SEP 21 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 20, 1990

RECEIVED
DEC 28 1990

Danskin Cattle Co.
c/o Bob Baker
P.O. Box 488
Mountain Home, ID 83647

Department of Water Resources

RE: REQUEST TO RENT WATER FROM THE WATER SUPPLY BANK

Dear Mr. Baker:

Returned is your check in the amount of \$2,437.50 together with a revised Rental Agreement form for the rental of 750 AF of water from the Board's Water Supply Bank. Please sign the Rental Agreement and submit it together with the returned check to the department. The reason for returning the check for the time being is for accounting purposes. Please send the agreement and check to my attention.

Please feel free to contact the department if you have questions.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: 2

Glenn.

Thanks for your help.

DEC 21 1990

DEC 21 1990



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

December 20, 1990

Danskin Cattle Co.
c/o Bob Baker
P.O. Box 488
Mountain Home, ID 83647

RE: REQUEST TO RENT WATER FROM THE WATER SUPPLY BANK

Dear Mr. Baker:

Returned is your check in the amount of \$2,437.50 together with a revised Rental Agreement form for the rental of 750 AF of water from the Board's Water Supply Bank. Please sign the Rental Agreement and submit it together with the returned check to the department. The reason for returning the check for the time being is for accounting purposes. Please send the agreement and check to my attention.

Please feel free to contact the department if you have questions.

Sincerely,

A handwritten signature in cursive script, reading 'L. Glen Saxton'.

L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: 2

NOV 21 1990

DEC 21 1990

ROBERT C. BAKER
P.O. BOX 488
MOUNTAIN HOME, IDAHO 83647
208-587-4069

December 17, 1990

Mr. Norman C. Young
Administrator - Water Management Division
Idaho Department of Water Resources
1301 North Orchard
Boise, Idaho 83706

Dear Mr. Young:

I recently received notification from the Idaho Water Resource Board regarding approval of our application to lease water from the Idaho State Water Bank. However, upon assessing my water needs and irrigation efficiencies, it appears that I will not need the entire amount I requested. I have revised my cropping program from previous years and thus less water will be required.

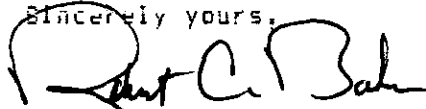
I would like to modify my request at this time in compliance with the resolution adopted by the Board downward to 750 acre feet for the 1991 irrigation season.

I understand you have been contacted by Sherl Chapman regarding this matter and I likewise have spoken to Glen Saxton to appraise him of this request.

I am enclosing the Rental Agreement for modification and my check for \$2437.50 in payment of the 1990 rental of 750 acre feet of water at the stated rate of \$3.25 per acre foot.

If you have any questions or need additional information, please don't hesitate to contact me at your convenience.

Sincerely yours,



Danskin Cattle Co.
Robert C. Baker, partner

RECEIVED

DEC 21 1990



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

December 12, 1990

Danskin Cattle Co.
c/o Bob Baker
P.O. Box 488
Mountain Home, ID 83647

RE: REQUEST TO RENT WATER FROM THE WATER SUPPLY BANK

Dear Mr. Baker:

On November 15, 1990, the department corresponded with you in connection with your request to rent water from the Board's Water Supply Bank. I asked that you complete and return a Rental Agreement together with the rental fee in the amount of \$4,387.50 for the 1991 water year. To date, you have not responded.

In the resolution of the Board which accepted your request to rent water, the Board included a condition that you have the right to terminate the rental agreement if you provide written notice to the Board before January 1st of any year. In this regard, you either need to advise the Board before January 1st that you are not interested in renting the water so the Board can seek other renters or you need to submit the rental fee before January 1, 1991.

Please return the completed Rental Agreement and rental fee marked to my attention. Also feel free to contact the department if you have questions.

Sincerely,

A handwritten signature in black ink, reading "L. Glen Saxton".
L. GLEN SAXTON, Chief
Water Allocation Bureau

RECEIVED

DEC 20 1990



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - (208) 327-7900

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

November 15, 1990

Robert C. Baker
P.O. Box 488
Mountain Home, ID 83647

RE: REQUEST TO RENT WATER FROM THE WATER SUPPLY BANK

Dear Mr. Baker:

Enclosed is a resolution adopted by the Idaho Water Resource Board on November 9, 1990 in connection with your request to rent water from the Water Supply Bank. Also enclosed is a Rental Agreement for your signature. Please sign the Rental Agreement before a Notary Public and return the signed agreement together with the rental fee marked to my attention.

The rental fee for 1,350 acre feet for water year 1991 at \$3.25 per acre foot totals \$4,387.50.

Please feel free to contact the department if you have questions.

Sincerely,

L. Glen Saxton
L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: 2

NOV 20 1990

SEP 21 1999

BEFORE THE IDAHO WATER RESOURCE BOARD
OF THE
STATE OF IDAHO

IN THE MATTER OF APPLICATION)
TO RENT WATER FROM THE WATER)
SUPPLY BANK)
_____)

RESOLUTION

WHEREAS, on March 3, 1989, the Idaho Water Resource Board (Board) accepted License No. 02-2339 into the Water Supply Bank; and,

WHEREAS, on March 14, 1990, the Danskin Cattle Company c/o Bob Baker (applicant) rented a portion of the water right (1,350 AF of water) from the bank for the 1990 irrigation season; and

WHEREAS, on July 10, 1990, the applicant proposed to continue the rental of the same amount of water from the bank for each of the next four (4) years beginning in 1991; and

WHEREAS, Water Bank Rule 4.2 requires approval of the Board for rentals encompassing periods longer than two (2) water years; and

WHEREAS, the Director of the Department of Water Resources (Director) has reviewed the rental request of the applicant and found the request to be reasonable if properly conditioned; and

WHEREAS, the Director has caused notice of the proposed rental to be advertised pursuant to Section 42-222, Idaho Code, and no objections have been received,

NOW, THEREFORE, BE IT RESOLVED:

1. That the Board authorizes the Director to approve the rental for the four (4) year period provided the rental agreement includes the following special conditions in addition to other appropriate conditions as determined by the Director:

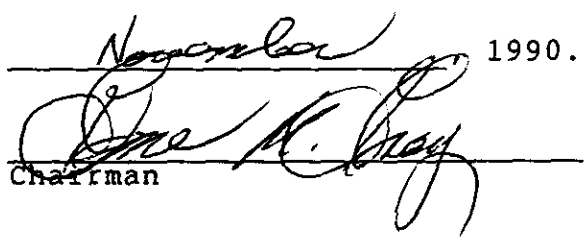
- a) The rental period is for four (4) years beginning on March 15, 1991 and ending on November 15, 1994.
- b) The rental rate paid by the applicant shall be three dollars and twenty five cents (\$3.25) per acre foot rented (1350 acre feet per year), and the payment to the owner shall be two dollars and twenty five cents (\$2.25) per acre foot rented. Ten percent (10%) of

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SEP 21 1999

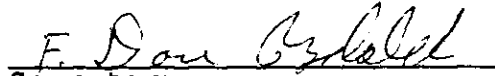
the funds received from the rental shall be credited to the Water Administration Account and the remainder of the funds shall be credited to the Water Management Account.

- c) The applicant shall have the right to terminate the rental agreement for the remainder of the four (4) year rental period without penalty if written notice is provided to the Director or the Board on or before January 1st of any year.

Adopted this 9th day of November 1990.


Chairman

Attest:


Secretary

MICROFILMED
SEP 21 1999

August 28, 1990

Mountain Home News
P. O. Drawer O
Mountain Home, ID 83647

Gentlemen:

Re: Legal Publication

Enclosed is a copy of a legal notice we wish to have published once a week for two consecutive weeks. Please run the publication on September 6, and 13, 1990.

Please include an affidavit of publication with the billing. Also, send the billing to this address, attention: Rita.

If there are any problems with advertising the notices as requested please contact me at 372-7900.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED
SEP 21 1999

August 28, 1990

The Idaho Statesman
P. O. Box 40
Boise, ID 83707

Gentlemen:

Re: Legal Publication

Enclosed is a copy of a legal notice we wish to have published once a week for two consecutive weeks. Please run the publication on September 6, and 13, 1990.

Please include an affidavit of publication with the billing. Also, send the billing to this address, attention: Rita.

If there are any problems with advertising the notices as requested please contact me at 372-7900.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED
SEP 21 1999

NOTICE OF PROPOSED RENTAL OF
WATER RIGHT NO. 02-2339

Notice is hereby given pursuant to Section 42-222, Idaho Code and Water Bank Rule 4.2 that the Danskin Cattle Company has submitted a request to the Idaho Water Resource Board to rent a portion of Water Right No. 02-2339 from the Water Supply Bank for a four (4) year period starting in 1991. The proposed rental is for 1,350 acre feet of water to be diverted from the Snake River within the SESE Section 4, T6S, R8E,BM at a rate not to exceed 6.0 cfs for the irrigation of 300 acres within parts of Sections 8 and 9, T6S, R8E,BM.

Licensed right 02-2339 provides a rate of diversion of 11.0 cfs of water from the Snake River within the NENE Section 19, T2S, R1E,BM. for the irrigation of 610 acres within Section 16, T2S, R1E,BM. The priority of the right is December 7, 1964.

Any protest against the proposed rental must be filed with the Idaho Department of Water Resources, 1301 N. Orchard St, Boise, ID 83720 on or before September 24, 1990.

R. KEITH HIGGINSON, Director

RECORDED
SEP 21 1990

**NOTICE OF PROPOSED RENTAL
OF WATER RIGHT NO. 02-2339**

Notice is hereby given pursuant to Section 42,222, Idaho Code and Water Bank Rule 4.2 that the Dans-kin Cattle Company has submitted a request to the Idaho Water Resource Board to rent a portion of Water Right No. 02-2339 from the Water Supply Bank for a four (4) year period starting in 1991. The proposed rental is for 1,350 acre feet of water to be diverted from the Snake River within the SESE Section 4, T6S, R8E, BM, at a rate not to exceed 6.0 cfs for the irrigation of 300 acres within parts of Sections 8 and 9, T6S, R9E, BM.

Licensed right 02-2339 provides a rate of diversion of 11.0 cfs of water from the Snake River within the NENE Section 19, T2S, R1E, BM for the irrigation of 610 acres within Section 16, T2S, R1E, BM. The priority of the right is December 7, 1964.

Any protests against the proposed rental must be filed with the Idaho Department of Water Resources, 1301 N. Orchard St., Boise, ID 83720 on or before September 24, 1990.

R. Keith Hippinson, Director
Pub. Sep. 6,13, 1990 6471

Debbie Holsclaw

, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for 2

☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of September 6, 1990

and ending with the issue of September 13, 1990

STATE OF IDAHO)

ss.

COUNTY OF ADA)

13th

September

On this _____ day of _____ in the year of
1990

before me, a Notary Public, personally appeared
Debbie Holsclaw, known or identified to
me to be the person whose name subscribed to the within instrument,
and being by me first duly sworn, declared that the statements therein
are true, and acknowledged to me that she executed the same.

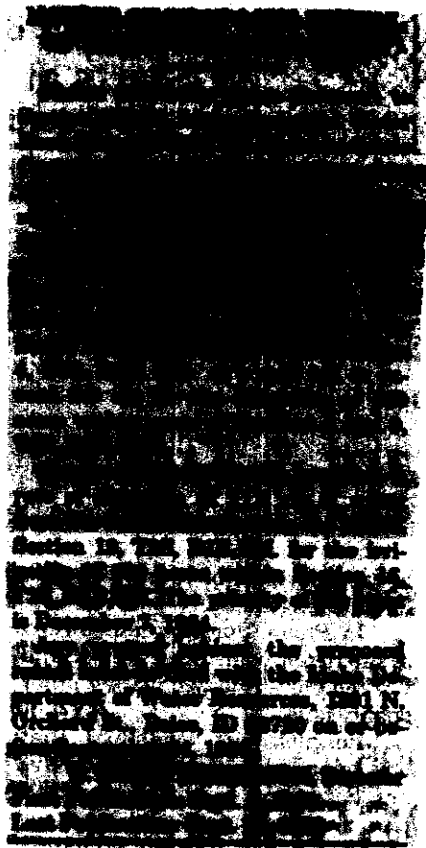
[Signature]
Notary Public for Idaho

Residing at Boise, Idaho

My commission expires: 12/93

MICROFILMED

SEP 21 1999



Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Mike Thornberry.... do
solemnly swear that I am the foreman, or
publisher of the

MOUNTAIN HOME NEWS

a weekly newspaper of general circulation,
published once a week at MOUNTAIN HOME,
IDAHO, that the notice attached hereto and
which is a part of the proof of publication
thereof, was published in said newspaper for

2..... consecutive weeks, the first publica-

tion having been made on the 5th... day

of September..., 1990 and

the last publication having been made on the

12th day of September..

19 90...; every Wednesday issue of the paper

during the period and time of publication and
that the notice was published in the newspaper
proper and not in a supplement thereof.

And I further swear that the said MOUN-
TAIN HOME NEWS has been continuously and
uninterruptedly published in said Elmore County
during a period of 78 consecutive weeks prior
to the first publication of the attached notice.

Mike Thornberry...

Subscribed and sworn to me this 13th...

day of September..., 1990

Oletha D. Sue
Notary Public

MICROFILMED

SEP 21 1999

MEMORANDUM

To: Wayne Haas
From: L. Glen Saxton *LS*
RE: REQUEST TO RENT WATER FOR A 4 YEAR PERIOD
Date: July 23, 1990

On July 6, 1990, Robert Baker submitted a request to rent a portion of Water right no. 02-2339 from the Water Supply Bank for a four (4) year period. The conditions associated with the request are shown in the letter.

The Board has approved a one year rental for Mr. Baker for the 1990 irrigation season. The rental consists of 1,350 AF of water from this right to be diverted from the Snake River at a rate not to exceed 6.0 cfs for the irrigation of 300 acres.

At this point, the Board should be advised of the request and that the request appears to be reasonable.

Water Bank Rule 4,2. requires that the Director give notice of a rental request which involves more than a 2 year period. Upon preliminary approval by the Board, the Director will proceed to give the required notice of the intended lease. Perhaps this request can be brought to the attention of the Board in the upcoming work session on August 2, 1990.

MICROFILMED
SEP 21 1999

ROBERT C. BAKER
P.O. BOX 488
MOUNTAIN HOME, IDAHO 83647
208-587-4069

July 6, 1990

RECEIVED
JUL 10 1990

Mr. Keith Higginson, Director
Idaho Department of Water Resources
1301 North Orchard
Boise, Idaho 83706

Department of Water Resources

Dear Mr. Higginson:

Danskin Cattle Company hereby makes application to lease six (6) cubic feet per second of water right #02-2339 from the Idaho Water Supply Bank. We would propose the following conditions for the lease as a continuance of that lease negotiated with the Board and presently in effect dated March 14, 1990:

1. Initial period of use would begin March 15, 1991, for the 1991 irrigation season.
2. Total length of the lease would be four (4) years.
3. Applicant would have the right to terminate the lease without penalty during the lease period upon written notice by January 1 of each year.
4. Payment for the water shall be at the same rate as paid for water in the Water District 01 Water Bank and shall be determined annually.

We respectfully urge the Director to process this application in order to allow adequate time to make reasonable farming decisions for 1991 to 1995 irrigation seasons.

Sincerely yours,

Bob Baker

Robert C. Baker
Danskin Cattle Co.

cc: Sherl Chapman

MICROFILMED
JUL 21 1999

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

SHERL L. CHAPMAN
410 S. Orchard, Suite 144
Boise, ID 83705
344-6690

BEFORE THE IDAHO WATER RESOURCE BOARD

APPLICATION TO LEASE WATER
FROM THE WATER SUPPLY BANK

RECEIVED

JUL 10 1990

Department of Water Resources

Name of applicant Danskin Cattle Company Phone 208-587-4069

Post office address c/o Bob Baker, P.O. Box 488, Mountain Home, ID 83647

A. DESCRIPTION OF WATER RIGHT TO BE LEASED

1. Source of water supply Snake River

which is a tributary to Columbia River

2. Water right No. 02-2339 County Ada

3. Maximum rate of flow 11.0 cfs; maximum volume 2745 afa.

B. DESCRIPTION OF USE PROPOSED BY APPLICANT

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

2. Location of point of diversion is SE 1/4 of SE 1/4 of Section 4

Township 6S Range 8E B.M. Owyhee County, additional points of
diversion if any: None

3. Water will be used for the following purposes:

Amount 6.0 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)

4. Total quantity to be leased:

a. 6.0 cubic feet per second and/or b. 2250 acre-feet per annum.

5. Proposed diverting works:

Pump horsepower 1400 total lift 700'±

headgate N/A canal name if appropriate: N/A

MICROFILMED
SEP 21 1994

6. Description of uses:

a. If water is not for irrigation: N/A

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

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

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

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

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

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
6S	8E	8	23	3		10													36
6S	8E	9	14	38	39	19	38	38	39	39									264

Total number of acres to be irrigated 300

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

7. a. Who owns property at the point of diversion DOI, Bureau of Land Management

b. Who owns the land to be irrigated or place of use Applicant

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing _____

Applicant is holder of right-of-way from BLM for irrigation

facilities.

8. Remarks _____

DANSON Cattle Co
Applicant Mont C. Dahn

Received by _____ Date _____ Time _____ Publication prepared by _____ Date _____

Published in _____ Publication dates _____

Publication approved _____ Date _____ Protests filed by _____

Copies of protests forwarded by _____ Hearing held by _____ Date _____

Recommended for approval denial by _____

SEP 21 1938

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Lease of Water from the Water Bank, and said application is hereby _____.

1. Approval of said applicaiton for lease of water is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Subject to watermaster control.
- c. The use of leased water by the lessee shall be supplemental to other water rights held by lessee for beneficial use on his lands.
- d. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- e. Diversion of water under this lease must cease if injury to other water rights is determined by the Director.

ACCEPTANCE OF CONDITIONED LEASE
Approval by Lessee

I hereby accept and agree to abide by the conditions of approval to lease _____ of water right No. _____ from the Water
(amount)
Supply Bank between _____ and _____.

I further agree to remit \$ _____ to the Idaho Water Resource Board for full payment for the lease of _____ of water right No. _____
(amount)
for the period _____ to _____.
(date)

Signature

REC'D - FILE
4 -
SEP 21 1990

EXPENDITURE VOUCHER

AUDITOR USE

STATE OF IDAHO
Office of State Auditor

AGENCY USE

8518
Date 03/21/90
Code 193002

VENDOR: If you require additional information regarding this payment, please contact the State agency listed below.

AGENCY NAME: DEPT. OF WATER RESOURCES

Document n/u.	
Pre-Audit	Date
Warrant No.	

PAY
TO

JOHN D. ROSS
1615 12TH AVE. RD. SUITE A
NAMPA, ID 83651

CHECK ONE:

(1) MISCELLANEOUS EXPENDITURE
() STATE CONTRACT

() PURCHASE ORDER

() MISCELLANEOUS
ENCUMBRANCE REQUISITION

PAYMENT: () PARTIAL () FINAL

Encumbrance Reference No.

LINE No.	PROGRAM	FUND	ACCT.		DESCRIPTION	LINE AMOUNT	AGENCY USE
			Maj	Min			
1	09 10 180	1238	8190		LEASE WATER/SUPPLY BNK PER RITA FLECK WR #02-2339 3/20/90 2700.00	2,700.00	
TOTAL						2,700.00	

NOTE: Final payment must be accompanied by a receiving copy

TO STATE AUDITOR

Request is hereby made that a warrant be authorized and drawn in payment of the item or items described above. I hereby certify that the items described were ordered by proper authority; that they are necessary in the public service; that the items have been received and accounted for, and that the account as stated is correct and just.

AUDITOR'S CERTIFICATE

I hereby certify that the above account is in proper form; that totals carried hereon are correct; that receipts when required by law or regulation of the State Board of Examiners covering items for which reimbursement is asked are submitted herewith; and that there are funds in the state treasury and balances in appropriation accounts out of which the same may be lawfully paid.

SEP 21 1999

Date

Head of Agency or Institution

State Auditor

C015570

11/19/1990

DANSKIN CATTLE CO.

WATER SUPPLY BANK	510180 1238 6490	3,037.50
WATER SUPPLY BANK	130730 3945 6490	337.50

CHECK	5469	\$3,375.00
-------	------	------------

Region: STATE

Signature: _____

MICROFILMED

SEP 21 1999

RECEIPT
For Monies Paid
to the
IDAHO DEPARTMENT OF WATER RESOURCES

Corrected receipts

Receipt No: 0015570

Date: 03/20/90
Time: 11:50:46

Received
From:

DANSKIN CATTLE CO.
Type of Payment

Program Acct Class

Amount

WATER SUPPLY BANK

0910180 1238 6490

\$3,375.00

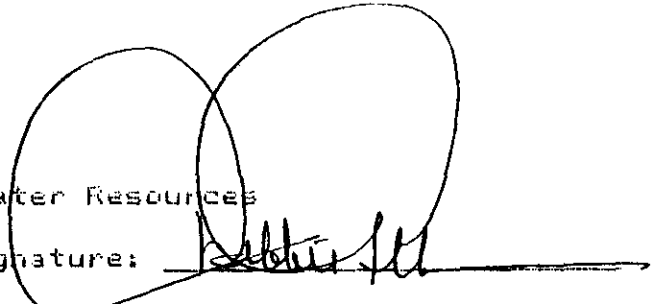
Total

\$3,375.00

CHECK 5469

Idaho Department of Water Resources

Region: STATE

Signature: 

MICROFILMED
SEP 21 1999

MEMORANDUM

DATE: March 20, 1990

TO: FISCAL SECTION

FROM: Rita Fleck

RE: WATER SUPPLY BANK

Please request the Auditor's Office to issue a warrant to John D. Ross for water leased from the Water Supply Bank. Attached is a copy of a letter which provides more detail.

c: file 02-2339

ENCLOSURE

SEP 21 1990

March 20, 1990

John D. Ross
1615 12th Ave. Road, Suite A
Nampa, ID 83651

RE: APPLICATION TO LEASE WATER FROM WATER SUPPLY BANK - LICENSE
02-2339

Dear Mr. Ross:

The department has requested a state warrant in the amount of \$2,700.00 for the lease of water represented by the above referenced water right which you have placed in the Water Supply Bank operated by the Idaho Water Resource Board. The amount of the warrant is based upon the usual rate of return to the water users in the Upper Snake River system which is \$2.00 per acre foot for the 1,350 acre feet rented from the bank. The warrant will be issued by the Auditor's Office within the next 30 days.

Rule 5. of the Water Supply Bank Rules and Regulations provides that ten percent (10%) of the funds obtained through the rental of water from the bank be credited to the Water Administration Account provided by Section 42-238a, Idaho Code, and any other funds obtained be credited to the Water Management Account provided by Section 42-1760, Idaho Code. These deductions have been accounted for providing a net warrant in the amount of \$2,700.00.

Please feel free to contact the department if you have questions. My direct phone number is 327-7955.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: 1

c: IDWR - W. Region
Fiscal Sec.

MAILED

SEP 21 1990

March 12, 1990

John D. Ross
1615 12th Avenue Road, Suite A
Nampa, ID 83651

Dear Mr. Ross:

RE: APPLICATION TO LEASE WATER FROM WATER SUPPLY BANK - LICENSE
02-2339

On March 1, 1990, an application to lease a portion of the above referenced water right from the water supply bank was submitted to the Idaho Water Resource Board.

The application requests the lease of 1,350 acre feet of the right for the coming water year. The lease price will be \$2.50 per acre foot. Water Supply Bank Rule 5. provides that ten percent (10%) of the funds obtained through lease of water from the Water Supply Bank shall be credited to the Water Administration account.

Upon completion of review of the application and the execution of a lease agreement with the applicant, the department will forward a state check to you.

Please feel free to contact the department if you have questions. My direct phone number is 327-7955.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

LGS:rf

c: IDWR - W. Region

4270-11-10
587 2 1990

MEMORANDUM

To: File 02-2339
From: L. Glen Saxton *LS*
RE: EVALUATION - WATER SUPPLY BANK RULE 4.1
Date: March 9, 1990

Water Bank Rule 4.1 requires the Director is required to evaluate the application of Danskin Cattle Company with respect to the following:

- a. The purposes of the Act.
- b. Whether there will be injury to other water rights.
- c. Whether the proposal will constitute an enlargement of the right.
- d. Whether the same beneficial use will be made of the water right.
- e. Whether the water supply in the Water Supply Bank is sufficient for the use intended.
- f. Whether the proposal is in the local public interest and will result in application of the water to beneficial use.

With respect to the criteria, the Director finds as follows:

- a. The application of Danskin Cattle Company is compatible with the purposes of the Act creating the Water Supply Bank.
- b. There will not be injury to other water users.
- c. The proposal will not enlarge the original water right.
- d. The same beneficial use will be made of the water right.
- e. There is sufficient water in the Water Supply Bank for the proposed use.
- f. The proposal is in the public interest and will result in application of the water to beneficial use.

MICROFILMED
SEP 21 1990

BEFORE THE IDAHO WATER RESOURCE BOARD

RECEIVED
MAR 01 1990

Department of Water Resources

APPLICATION TO LEASE WATER

FROM THE WATER SUPPLY BANK

Name of applicant Danskin Cattle Company Phone 208-587-4069
Post office address c/o Bob Baker
P.O. Box 488, Mountain Home, Idaho 83647

A. DESCRIPTION OF WATER RIGHT TO BE LEASED

1. Source of water supply Snake River
which is a tributary to Columbia River
2. Water right No. 02-2339 County Ada
3. Maximum rate of flow 11.0 cfs; maximum volume 2745 afa.

B. DESCRIPTION OF USE PROPOSED BY APPLICANT

1. Source of water supply Snake River which is a tributary of Columbia River
2. Location of point of diversion is SE 1/4 of SE 1/4 of Section 4
Township 6S Range 8E B.M. Owyhee County, additional points of
diversion if any: None

3. Water will be used for the following purposes: IRRIGATION

Amount 6 for 1500 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)

4. Total quantity to be leased:

a. 6.0 cubic feet per second and/or b. 1500 acre-feet per annum.

5. Proposed diverting works:

Pump horsepower 1400 total lift 200'±

headgate canal name if appropriate:

6. Description of uses:

a. If water is not for irrigation: N/A

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

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

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

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

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

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

TWP	RANGE	SEC.	NE%				NW%				SW%				SE%				TOTALS
			NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	NE%	NW%	SW%	SE%	
6S	8E	8	23	3	-	10													36
6S	8E	9	14	38	39	19	38	38	39	39									265

Total number of acres to be irrigated 300

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

7. a. Who owns property at the point of diversion Bureau of Land Management
b. Who owns the land to be irrigated or place of use Applicant
c. If the property is owned by a person other than the applicant, describe
the arrangement enabling the applicant to make this filing _____
Applicant is holder of right-of-way from BLM for irrigation facilities.

8. Remarks _____

Dawson Cattle Co by
Applicant Leah C. S. Sater, partner

Received by W Date 3-1-90 Time _____ Publication prepared by _____ Date _____

Published in _____ Publication dates _____

Publication approved _____ Date _____ Protests filed by _____

Copies of protests forwarded by _____ Hearing held by _____ Date _____

Recommended for approval denial by _____

MICROFILMED
SEP 21 1999

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Lease of Water from the Water Bank, and said application is hereby_____.

1. Approval of said applicaiton for lease of water is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Subject to watermaster control.
- c. The use of leased water by the lessee shall be supplemental to other water rights held by lessee for beneficial use on his lands.
- d. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.
- e. Diversion of water under this lease must cease if injury to other water rights is determined by the Director.

ACCEPTANCE OF CONDITIONED LEASE
Approval by Lessee

I hereby accept and agree to abide by the conditions of approval to lease _____ of water right No. _____ from the Water
(amount)
Supply Bank between _____ and _____.

I further agree to remit \$ _____ to the Idaho Water Resource Board for full payment for the lease of _____ of water right No. _____
(amount)
for the period _____ to _____.
(date)

Signature

MIS 42-11150
SEP 21 1966

April 12, 1989

John D. Ross
1615 12th Avenue Road, Suite A
Nampa, ID 83651

RE: APPLICATION TO THE WATER SUPPLY BANK - LICENSE 02-2339

Dear Mr. Ross:

This letter is a follow-up to my last letter dated March 7, 1989.

The department has completed the advertisement of the availability of the above referenced water right for lease from the water supply bank operated by the Idaho Water Resource Board. The advertisement appeared in mid-March in the Times News published in Twin Falls, the Post Register published in Idaho Falls and the Idaho Statesman published in Boise.

To my knowledge, prospective water users have not yet made application to lease water from the water supply bank. Upon application to lease water from the bank, the department will advise you accordingly.

Please feel free to contact the department if you have questions.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: W. Region

MICROFILMED

SEP 2 1989

Affidavit of Publication

Nº 19618

STATE OF IDAHO,
COUNTY OF TWIN FALLS } ss.

I, Linda Capps McShure being first duly sworn upon
oath, depose and say that I am Print Clerk of the TIMES-NEWS,
published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of
the notice of advertisement, as per clipping attached, was published in the regular and
entire issue of said newspaper, and not in any supplement thereof, for Two
consecutive Weeks, commencing with the issue dated
March 16, 1989, and ending with the issue dated
March 23, 1989.

STATE OF IDAHO
COUNTY OF }

On this 23 day of March in the year of 1989, before me,
a Notary Public, personally appeared Linda Capps McShure
known or identified to me to be the person whose name subscribed to the within instru-
ment, and being by me first duly sworn, declared that the statements therein are true,
and acknowledged to me that he executed the same.

MICROFILMED

SEP 21 1999

Heva R. Feltman
Notary Public for Idaho

Residing at Twin Falls County, Idaho
My commission expires: 5/19/94

1, effective February 16,
at Sunday, and the Twin
rich newspapers prior to
county continuously and
months, and said TIMES-
spaper except Saturday,
lication under said name

2, Thursday of each week
order of any court of com-
y, will be published; and
1, and in each issue there-
be published.

McShure
23 day of

Affidavit of Publication

Nº 19618

STATE OF IDAHO,
COUNTY OF TWIN FALLS }

ss.

I, Linda Capps McShure being first duly sworn upon oath, depose and say that I am Print Clerk of the TIMES-NEWS, published daily, at Twin Falls, Idaho, and do solemnly swear that a copy of the notice of advertisement, as per clipping attached, was published in the regular and entire issue of said newspaper, and not in any supplement thereof, for Two consecutive Weeks, commencing with the issue dated March 16, 1989, and ending with the issue dated March 23, 1989.

And I do further certify that said newspaper is a consolidation, effective February 16, 1942, of the Idaho Evening Times, published theretofore daily except Sunday, and the Twin Falls News, published theretofore daily except Monday, both of which newspapers prior to consolidation had been published under said names in said city and county continuously and uninterruptedly during a period of more than twelve consecutive months, and said TIMES-NEWS, since such consolidation, has been published as a daily newspaper except Saturday, until July 31, 1978, at which time said newspaper began daily publication under said name in said city and county continuously and uninterruptedly.

And I further certify that pursuant to Section 60-108 Idaho Code, Thursday of each week has been designated as the day on which legal notice by law or by order of any court of competent jurisdiction within the state of Idaho, to be published weekly, will be published; and that at the head of the editorial column of said combined newspapers, and in each issue thereof, Thursday is announced as the day on which said legal notices will be published.

Linda Capps McShure
Subscribed and sworn to before me on this 23 day of March, 1989.

Lura R. Feltman

Notary Public in and for the County of Twin Falls,
State of Idaho, residing at Twin Falls, Idaho

**FOIL CASE FR. THE
WATER SUPPLY BANK**

MAR 24 1989

Notice is hereby given that Licensed water right 02-2339 has been accepted into the Water Supply Bank by the Idaho Water Resource Board and is available for lease from the Water Supply Bank pursuant to provisions of Section 42-1761, et. seq., Idaho Code, and the Water Supply Bank rules and regulations.

The right provides a rate of diversion of 11.0 cubic feet per second for the irrigation of 610 acres and bears a priority of December 7, 1964. The maximum annual volume diverted under this right is 2,745 acre feet.

The water is available for lease on a year to year basis or for a longer period not to extend beyond the 1996 water year. The cost of the leased water will be consistent with the rate for stored water rented from the Upper Snake River rental pool which is approximately \$2.50 per acre foot diverted.

Applications to lease the water are available from the Director, Idaho Department of Water Resources at 1301 N. Orchard St., Boise, ID 83720 or from the department's regional offices. Applications received in the office of the Director on or before 5:00 p.m. April 3, 1989, will be considered.

R. KEITH HIGGINSON
Director

Pub. MAR. 16, 23, 1989

2122

STATE OF IDAHO)
) ss.
COUNTY OF ADA)

Debbie Richards, being duly sworn, deposes and says: That she is the Principal Clerk of The Idaho Statesman, a daily newspaper printed and published at Boise, Ada County, State of Idaho, and having a general circulation therein and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto; that said notice was published in The Idaho Statesman in conformity with Section 60-108, Idaho Code as amended, for 2
☒ consecutive weekly ☐ consecutive daily ☐ single ☐ odd skip

insertion(s) beginning with the issue of March 16, 19 89
and ending with the issue of March 23, 19 89

Debbie Richards

Subscribed and sworn to before me this 23rd

day of March, 19 89

MICROFILMED

SEP 21 1989

John Lee 12/93

Notary Public for Idaho, Residing at Boise, Idaho

44-38861-155

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Subscribed and sworn to before me, this ...27th day of ...March..., 19.89.

day of March, 1989.
Clark Napier
 Notary Public

My commission expires ..September.. 30,, 19.. 94

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69-10-110-1101

MICROFILMED

SEP 21 1999

Proof of Publication The Post-Register

State of Idaho, }
County of Bonneville } ss

I, Ted Delezene, first being duly sworn, depose and say: That I am the Foreman of The Post Company, a corporation of Idaho Falls, Bonneville County, Idaho, publishers of The Post-Register, a newspaper of general circulation, published daily, except Saturday, at Idaho Falls, Idaho; said Post-Register being a consolidation of the Idaho Falls Times, established in the year 1890, The Idaho Register, established in the year 1880 and the Idaho Falls Post, established in 1903, such consolidation being made on the 1st day of November, 1931, and each of said newspapers have been published continuously and uninterruptedly, prior to consolidation, for more than seventy-eight (78) weeks and said Post-Register having been published continuously and uninterruptedly from the date of such consolidation, up to and including the last publication of notice hereinafter referred to.

That the notice, of which a copy is hereto attached and made a part of this affidavit, was published in said Post-Register for two consecutive weeks, first publication having been made on the 16th day of March 19. 89., last publication having been made on the 23rd day of March 19. 89., and that the said notice was published in the regular and entire issue of said paper on the respective dates of publication, and that such notice was published in the newspaper and not in a supplement.

Subscribed and sworn to before me, this ... 27th ... day of March 19. 89..

Ted Delezene
.....
Clonk Napier
.....
Notary Public

My commission expires .. September. 30,, 19.. 94.

NOTICE OF THE BOARD OF LAND
The Board of Land has been organized and is now in session. It has the honor to announce that it has received from the United States Department of the Interior a grant of 110 acres of land for the purpose of establishing a public school. The land is situated in the County of Bonneville, State of Idaho. The grant was made on the 7th day of March, 1904. The land is now being offered for sale at public auction. The sale will be held on the 1st day of April, 1904. The land is being offered for sale at the price of \$100 per acre. The land is being offered for sale in lots of 10 acres each. The land is being offered for sale in lots of 10 acres each. The land is being offered for sale in lots of 10 acres each.

Approved under this title is 2,345 acres of land.

The land is being offered for sale at public auction.

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SEP 21 1999

C9-10-110-1161
N



State of Idaho

DEPARTMENT OF WATER RESOURCES

(208) 327-7900

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720 - [REDACTED]

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 9, 1989

The Idaho Statesman
P. O. Box 40
Boise, ID 83707

Gentlemen:

Re: Legal Publication

Enclosed is a copy of a legal notice we wish to have published once a week for two consecutive weeks. Please run the publication on March 16 and 23, 1989.

Please include an affidavit of publication with the billing. Also, send the billing to this address, attention: Rita.

If there are any problems with advertising the notices as requested please contact me at 372-7900.

Sincerely,

A handwritten signature in cursive script that reads "Rita I. Fleck".

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED

SEP 21 1999



State of Idaho

DEPARTMENT OF WATER RESOURCES

(208) 327-7900

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

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

March 9, 1989

Post Register
P. O. Box 1800
Idaho Falls, ID 83401

Gentlemen:

Re: Legal Publication

Enclosed is a copy of a legal notice we wish to have published once a week for two consecutive weeks. Please run the publication on March 16 and 23, 1989.

Please include an affidavit of publication with the billing. Also, send the billing to this address, attention: Rita.

If there are any problems with advertising the notices as requested please contact me at 372-7900.

Sincerely,

A handwritten signature in cursive script that reads "Rita I. Fleck".

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED
SEP 21 1989

NOTICE OF WATER FOR LEASE
FROM THE WATER SUPPLY BANK

Notice is hereby given that Licensed water right 02-2339 has been accepted into the Water Supply Bank by the Idaho Water Resource Board and is available for lease from the Water Supply Bank pursuant to provisions of Section 42-1761, et. seq., Idaho Code, and the Water Supply Bank rules and regulations.

The right provides a rate of diversion of 11.0 cubic feet per second for the irrigation of 610 acres and bears a priority of December 7, 1964. The maximum annual volume diverted under this right is 2,745 acre feet.

The water is available for lease on a year to year basis or for a longer period not to extend beyond the 1996 water year. The cost of the leased water will be consistent with the rate for stored water rented from the Upper Snake River rental pool which is approximately \$2.50 per acre foot diverted.

Applications to lease the water are available from the Director, Idaho Department of Water Resources at 1301 N. Orchard St., Boise, ID 83720 or from the department's regional offices. Applications received in the office of the Director on or before 5:00 p.m. April 3, 1989, will be considered.

R. KEITH HIGGINSON, Director

Published on March 16 and 23, 1989.

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SEP 21 1999

March 7, 1989

John D. Ross
1615 12th Avenue Road, Suite A
Nampa, ID 83651

RE: APPLICATION TO THE WATER SUPPLY BANK - LICENSE 02-2339

Dear Mr. Ross:

On March 3, 1989, the Idaho Water Resource Board accepted the above referenced application into the Water Supply Bank. Enclosed is a copy of the resolution enacted in connection with the application.

The following steps associated with the application are for the department to advertise the availability of the water and receive applications which propose to lease part or all of the water. Applications for the water must be evaluated with respect to injury to other rights, enlargement of the original right and the local public interest. In order to evaluate these three criteria, the department likely will publish notice of applications proposing to lease water from the bank before approving the applications.

The department will keep you advised as this process progresses. Please feel free to call me if you have questions. My direct phone number as of March 6, 1989 will be 327-7955.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

Encl: 1

c: W. Region

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SEP 21 1999

STAFF ANALYSIS SHEET
APPLICATION TO WATER SUPPLY BANK

02-2339

Water right identification number.

- ☒ Evidence to show that the right is recorded.
- ☒ Proof of ownership of the right.
- ☒ Evidence to show that the right has not been abandoned or forfeited.

N/A Evidence to demonstrate relative availability of water.

N/A Written consent of company, corporation or irrigation district if applicable.

- ☒ Rental rate provided.
- ☒ Application not contrary to the state water plan.
- ☒ Application is in the local public interest.

☐ Purchase proposal.

☒ ^{or}
Rental proposal.

☒ Rent on a contingency basis.

☐ Other basis. Describe annual rental or for 5 yr
period not to extend beyond the 1996 water yr.

☐ Board authorize director to announce the availability of the water.

☐ Announcement of water availability drafted.

- Must contain a date by which applications must be submitted.
- Can conduct a lottery or auction if applications exceed amount available.

Note: 10 % of the funds obtained from the sale or lease of water

shall be credited to the Water Administration account.

Reviewed by WZ Date Feb 89

NOTES

PRESENTATION TO THE IWRB

Dept has received an application to place the water right

1. Water Supply Bank Features

- a) Created in 1979 - Policy #11 - State Water Plan.
- b) Purpose is to encourage efficiency and to develop a water market.

2. Water Right Offered

- a) Description of the right:
 - _ Licensed right.
 - Snake River source in Swan Falls dam backwater.
 - 11.0 cfs for the irrigation 610 acres.
 - December 7, 1964 priority.
- b) Land under the license is in a set aside program (CRP) through the 1996 water year.

3. Water Bank Rule 3.2 and 3.5 requires the Board to make certain findings with respect to applications to the Water Supply Bank. Dept staff have reviewed the app with respect to the rules and finds as follows:

- Evidence of right - License issued by department.
- Proof of ownership - Sheriff's deed.
- Evidence that the right has been used - 1985 pump records.
- Relative availability of water - OK since diversion is above Swan Falls Dam and has been subordinated to by IPCO.
- Consent of canal company - not applicable.
- Reasonable value of water - W.D. 01 rental pool rates for a year to year lease.
- Beneficial effect - Water plan compliance.

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SEP 21 1999

- Application is in the local public interest.
 - Other applications - none.
 - Fund sufficiency - contingency acquisition basis is recommended.
4. If the Board accepts the right into the Water Supply Bank, IDWR announces the availability of water through a legal advertisement.
 5. Process for leasing from the bank.
 - a) Applications to lease the water are submitted to IDWR.
 - b) IDWR then reviews the applications with respect to injury, enlargement and local public interest.
 - c) Rule 4.2 - Director may lease for one (1) water year without giving notice under 42-222, I.C.
 - d) Longer rental periods require notice.
 - e) The likely process, however, will be to give notice to potential lessors (by advertisement) to offer bids on an annual basis, then to provide legal notice under Section 42-222, Idaho Code, when the new place of use and point of diversion are known.
 6. The applicant was unable to attend this meeting, since he is out of the state.
 7. Pending resolution and application for signature.

Miscellaneous Notes:

- Water year is October 1 to September 30.
- Rental rate in Water District 1 is about \$2.50/acre-foot

MICRO-UMED

SEP 21 1999

MEMORANDUM

To: Water Bank Application File 02-2339
From: L. Glen Saxton *LS*
RE: ANALYSIS OF APPLICATION 02-2339 TO LEASE A WATER RIGHT TO
THE WATER SUPPLY BANK
Date: February 7, 1989

Water Supply Bank Rule 3.2 describes certain information which needs to be submitted with a completed application to the water supply bank including the following:

- 1) Evidence to show that the right is recorded.
- 2) Proof of ownership of the right.
- 3) Evidence to show that the right has not been lost through abandonment or forfeiture.
- 4) Evidence to demonstrate the relative availability of water under the right.
- 5) Written consent of companies or irrigation districts to use diversion and/or conveyance works.

Water Supply Bank Rule 3.3 requires that the Director review applications to the water supply bank for completeness and acceptability and to brief the Board on the merits of the proposed transaction. Rule 3.5 allows approval of an application by the Board upon making the following findings:

- 3.5.1 That the applicant is the owner of the right.
- 3.5.2 That all necessary consents have been filed.
- 3.5.3 That the evidence submitted does not show that the right has been lost through abandonment or forfeiture.
- 3.5.4 The reasonable value of the right to be acquired.
- 3.5.5 That the acquisition of the right will not be contrary to the state water plan.

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SEP 2 1999

- 3.5.6 That the application is in the local public interest.
- 3.5.7 The dates upon which applications, equal in all other respects, were filed.
- 3.5.8 That there are sufficient funds on hand to acquire the right for the bank or that the right should be acquired on a contingency basis.

With respect to Rule 3.3, review of the application submittal shows that the right is licensed, the ownership of the applicant is represented by a Sheriff's Certificate of Sale, and that water was used during the 1985 irrigation season. Water should be available for the right, since the diversion is above Swan Falls dam and has been subordinated to by IPCO. The applicant says he owns the diversion and conveyance works from the source to the place of use.

With respect to Rule 3.3, a review of the information available shows that the applicant is the owner of the right and the diversion and conveyance works, the right appears to be valid, a rate comparable to the the rate charged for stored water in Water District 1 is agreeable to the applicant, the application does not appear to be contrary to the state water plan, and appears to be in the local public interest. Other applications for consideration by the Board have not been filed. Since there are not funds on hand to acquire the right for the bank, the right should be acquired on a contingency basis with payment to the lessor only after water is subsequently leased from the bank.

The right appears to meet the criteria for acceptance into the water supply bank.

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SEP 21 1983

MEMORANDUM

To: Wayne Haas
From: L. Glen Saxton
RE: APPLICATION 02-2339 TO THE WATER SUPPLY BANK
Date: February 8, 1989

The agenda for the next Board meeting scheduled for March 3, 1989 should provide for consideration of an application to place licensed water right 02-2339 in the Water Supply Bank submitted by John D. Ross of Nampa, Idaho.

The right provides for the diversion of 11.0 cfs of water from the Snake River upstream approximately 1/2 mile from Swan Falls dam and has a December 7, 1964 priority. The land to which the right is appurtenant is in the CRP land set aside program.

Mr. Ross will not be able to attend the Board meeting, since he will be out of state.

c: Norm Young

MICROFILMED
SEP 21 1999

1615 12th Ave. Rd. Suite A.
Nampa, Idaho 83686

January 31, 1989

ms
L. Glen Saxton, Chief
Water Allocation Bureau
State of Idaho
Department of Water Resources
1301 North Orchard St.
Statehouse Mail
Boise, Idaho 83720

Dear Mr. Saxton:

This is to confirm that I would appreciate your accepting the water rights to my farm into the Water Supply Bank as stated on my application. Unfortunately, I will not be in the State on the 3rd of March and thus will be unable to attend the Water Supply Bank Meeting on that date. A lease of any water rights are limited to 8 years as the CRP program will expire at the end of that period.

Sincerely yours,

John D. Ross
John D Ross

JDR/jrs

RECEIVED

FEB 02 1989

MICROFILMED

SEP 21 1999

Department of Water Resources

January 24, 1989

John D. Ross
1615 12th Avenue Road, Suite A
Nampa, ID 83651

RE: APPLICATION TO THE WATER SUPPLY BANK - LICENSE 02-2339

Dear Mr. Ross:

My last correspondence with you in connection with the above referenced matter was dated September 13, 1988. As I indicated in that letter, the application is now being reviewed for presentation to the Idaho Water Resource Board for acceptance into the Water Supply Bank. The application will be one of the agenda items at the next Board meeting scheduled for March 3, 1989 at the Department of Water Resource office, 1301 North Orchard Street in Boise. You should plan to attend this meeting to answer any questions the Board may have.

I would appreciate a brief letter confirming your continued interest in having the water right accepted into the water supply bank.

Please feel free to call me at 334-7955 if you have questions.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: W. Region

MODIFIED

SEP 21 1999

RECEIVED

AUG 25 1988

John D Ross, M.D.
Peter E. Jensen, M.D.

1615 12th Avenue Road
Suite A

Department of Water Resources Nampa, Idaho 83651
(208) 467-4406

August 22, 1988

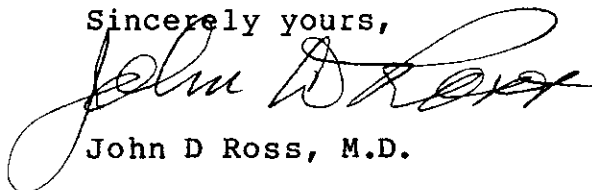
L. Glen Saxton
Chief, Operations Bureau
State of Idaho
Department of Water Resources
1301 North Orchard St.
Statehouse Mail
Boise, Idaho 83720

Dear Mr. Saxton:

I have enclosed application to establish my water rights at Swan Falls Farm in the State water bank so that water rights will not be lost while the farm is under ACRP Program.

I stated that I own the system from the reservoir to the farm and no drainage or irrigation company is involved. The water rights can be leased for an annual period or for 5 years at a time but not to extend beyond the 1996 water year. The rate of lease would be comparable to that charged by upper Snake River water banks.

Sincerely yours,



John D Ross, M.D.

JDR/jrs

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SEP 21 1988

RECEIVED

AUG 25 1988

Department of Water Resources

RECEIVED

AUG 25 1988

RECEIVED

NOV 23 1987

Department of Water Resources

Thomas A. Miller
Richard F. Goodson
HAWLEY TROXELL ENNIS & HAWLEY
P.O. Box 1617
Boise, Idaho 83701
Telephone: (208) 344-6000

Attorneys for Plaintiff

Department of Water Resources
Western Regional Office

RECEIVED

DEC 08 1987

Department of Water Resources

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

CONNECTICUT GENERAL LIFE INSURANCE
COMPANY, a Connecticut corporation,

Plaintiff,

vs.

SWAN FALLS FARMS, INC., a defunct
Idaho corporation; V. MELVIN BROWN,
EUGENE L. MORRIS and LOWELL MOORE,
as last known Directors and Statutory
Trustees of Swan Falls Farms, Inc.,
a defunct Idaho corporation; GORDON
R. TOEVS and PATRICIA R. TOEVS,
husband and wife; JOHN D. ROSS and
MARY LUE ROSS, husband and wife;
KENNETH E. DROULARD and MARGARET R.
DROULARD, husband and wife; SWAN FALLS
FARMS, also known as Swan Falls Farm
or Swan Falls Farms, Inc., a partner-
ship consisting of Kenneth E.
Droulard and John D. Ross; J. ROY
BROWN and MARIAN BROWN, husband and
wife; ROY BROWN AND ASSOCIATES;
HERBERT R. MONTIERTH and GOLDA D.
MONTIERTH, also known as Darlene or
Darlene R. Montierth, husband and
wife, and EDWARD RAY MONTIERTH, a
single man, and RODNEY K. MONTIERTH, a

Case No. 88300

SHERIFF'S CERTIFICATE
OF SALE

SHERIFF'S CERTIFICATE OF SALE - 1

MICROFILMED

SEP 21 1988

C1

single man; and any and all unknown)
owners, or unknown heirs or unknown)
devisees of any deceased person)
claiming any interest in the property)
which is the subject of this action,)
referred to for convenience by the)
fictitious names or designations of)
"DOES I through II,")

Defendants.)

Under and by virtue of Judgment and Decree of Foreclosure and Order of Sale filed in the above entitled Court on May 27, 1987, and execution thereon directed and delivered to me as Sheriff of the County of Ada, State of Idaho, whereby I was commanded to sell at public auction for cash in lawful money of the United States of America the real and personal property described and referred to in said Judgment and Decree of Foreclosure and Order of Sale, situated in Ada County, Idaho, and particularly described on EXHIBIT 1 attached hereto and made a part hereof, and to apply the proceeds of said sale specified in said Judgment and Decree of Foreclosure and Order of Sale.

I, Vaughn Killeen, Sheriff of Ada County, State of Idaho, do hereby certify that I duly sold all the said described real and personal property on Wednesday, the 15th day of July, 1987, commencing at 10:00 a.m. on said day, at public auction held according to law, after due and legal notice given, at the front door of the Ada County Courthouse at Boise, Idaho, to JOHN D. ROSS AND MARY LOU ROSS, husband and wife, Defendants herein, for the total sum of \$210,000.00 (including my fees and

expenses), said parties being the highest bidder and said sum being the highest bid made at said sale.

Said real and personal property was sold subject to the usual statutory one year right of redemption from the date of sale.

DATED this 31st day of July, 1987.

VAUGHN KILLEEN
Sheriff of Ada County, Idaho

By Dale Woodcock
Deputy Sheriff

STATE OF IDAHO)
County of Ada) ss.

On this 31st day of July, 1987, before me, Rita Weatherby, the undersigned, a Notary Public in and for said State, personally appeared Dale Woodcock, known or identified to me to be the person whose name is subscribed to the foregoing instrument as Deputy Sheriff of Ada County, Idaho, and acknowledged to me that he executed the same as Deputy Sheriff of Ada County, Idaho, on behalf of Vaughn Killeen, Sheriff of Ada 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.

Rita Weatherby
Notary Public for Idaho,
Residing at Meridian, Idaho
My commission expires on April 10, 1991

September 13, 1988

John D. Ross
1615 12th Avenue Road
Suite A
Nampa, ID 83651

RE: APPLICATION TO THE WATER SUPPLY BANK - LICENSE 02-2339

Dear Mr. Ross:

The department has received the above referenced application which you submitted to the water supply bank. A preliminary review of the application indicates that the application is in form to present to the Idaho Water Resource Board for consideration of acceptance into the water supply bank. As information is prepared for presenting the request to the Board, however, the department may need to contact you for additional information to address the items in Rule 3. of the Water Bank rules and regulations (copy enclosed).

An explanation of the subsequent procedure after acceptance of a water right into the bank may be of interest to you. The department publishes a legal notice announcing the availability of the water. Interested parties may then submit applications to the director for use of the water. If more applications are received than there is available water, a lottery can be conducted. The director then evaluates the applications with respect to the following:

1. Whether there will be injury to other water rights.
2. Whether the proposal will enlarge the water right.
3. Whether the same beneficial use of the water will be made.
4. Whether the water supply is sufficient for the intended use, and
5. Whether the proposal is in the local public interest.

The director then may give notice of an intended lease. This is commonly accomplished through a legal advertisement.

As we recently discussed by telephone, the 1988 irrigation season is essentially over. For this reason, I propose to recommend to the Board that the application be accepted into the bank with the understanding that the availability of rental of water under the right not be announced until early 1989 (perhaps late January or early February). In this manner the announcement will occur prior to the 1989 irrigation season. Unless I hear from you to the contrary, this is the approach the department will follow.

MICROFILMED

SEP 21 1988

John D. Ross

-2-

September 13, 1988

You also should be aware that Rule 5. of the Water Bank Rules and Regulations provides that 10% of the amount received from renting out of the bank shall be credited to the Water Administration Account. This amount essentially offsets advertising and handling incurred by the department.

As a note of interest, legislative changes to Section 42-222, Idaho Code, enacted last session now protect water rights from being forfeited through non use in connection with CRP lands without the necessity of filing an application to avoid forfeiture of a water right or placing the water right in the water supply bank as was the previous case.

Please feel free to contact me if you have questions. My direct phone number is 334-7955.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

Encl.

c: W. Region

MICROFILMED
SEP 21 1999

RECEIVED
AUG 22 1988

Department of Water Resources

PRINT REQUESTED BY ASCHENBREN REQUESTED AT 09:54 10/06/87

ACCT NUMBER-- 1133-010063-5 CUSTOMER NAME [REDACTED]
ACCT STATUS-- FINALED SERV LOCATION 0010 19T2SR1E1600 *
CONN/DISC---- 10/10/85 SERV CTYSTZIP KUNA ID 83634 *
CIS ACTIVITY- NONE PENDING RATE----- 24

***** METER INFORMATION *****
METER NO S TYP D PH F-SCL CONST INS/RM/CHG T-YR READ CURR PREV DEMAND
39040744SD 5 5 3 9.6 00240 08/18/86 86 00000 02175

RATE 24 RC 5		* C READ DAYS	DEM-KW	ENERGY-KWH	BILL AMT-MTR	*ARFA CODE 050
RA DATE 03/30/82	* 0 10/10 00	0	0	0	0.00	METER
	* 0 10/10 30	439		70.800	2.126.06	
ELC HT-	* 0 09/10 30	874		209.520	7.066.73	RT-02
HTH VLT 0	* 0 08/09 30	1200		431.280	13.144.49	360 1228M
IRG USE	* 0 07/11 30	1200		648.640	18.833.29	100-00
LRG PWR	* 0 06/11 23	1188		313.440	9.471.73	288 13 832
MUL FAM 1	* 7 05/19 37	1205		198.000	5.580.55	UNGRD--
#APTMOR	* 0 04/12 00	0	0	0.00	0.00	INDLRD-- 0
	* 0 04/12 00	0	0	0.00	0.00	APTMOR-
CONN LD	* 0 12/17 07	0	0	0	3.50	RECEIVED
KWH EST	* 0 12/10 30	0	0	0	15.00	ESTONT-
MNTH MN	* 7 11/08 30	346		22.080	598.61	CHGS-
FAC CHG	* 0 10/10 30	804		319.200	8.722.53	100-00

Ifem C2

need pay - new
water - new
base

MICROFILMED
SEP 21 1999
Department of Water Resources
Western Regional Office

July 21, 1988

Swan Falls Farms, Inc.
c/o John D. Ross
3025 W. Greenhurst
Nampa, ID 83651

RE: APPLICATION TO THE WATER SUPPLY BANK - RIGHT 02-2339

Dear Mr. Ross:

On December 8, 1987, the law firm of Ringert, Clark, et. al. submitted the above referenced application on your behalf for the department's consideration. In a subsequent conversation in December 1987, D. Blair Clark of the law firm advised the department that there was a right of redemption on the land until July 15, 1988. For this reason the department agreed to hold the application without action until after July 15, 1988.

Upon checking with Mr. Clark on July 19, 1988, I was advised that he no longer represents you in this matter.

Returned is the application, the copy of the Sheriff's Certificate of Sale and information related to power consumption.

If you have a interest in resubmitting the application, there is additional information which must be provided before the application can be considered. Please feel free to contact me for the specifics if you wish.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

Encl: 3

c: W. Region

RECEIVED

AUG 01 1988

January 4, 1988

D. Blair Clark
Ringert, Clark, et. al.
599 W. Bannock St.
Boise, ID 83701

RE: APPLICATION TO THE WATER SUPPLY BANK - 02-2339 (SWAN FALLS
FARMS, INC.)

Dear Mr. Clark:

This office acknowledges receipt of the above referenced application which you forwarded to this office on December 8, 1987. I apologize for the late response to the submittal which is due to the relocation of our office.

As a follow up to our telephone conversation on December 30, 1987, the department will not present the application to the Idaho Water Resource Board for their consideration until sometime after July 15, 1988, which is the last date by which the ownership of the right can be redeemed by the prior owners.

At your request, the department is willing to hold the application without action until July 15, 1988. At that time, the file will be called up to determine the ownership status.

Please feel free to contact me, if you have questions.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

RECEIVED

AUG 01 1988

Ringert, Clark, Harrington, Reid, Christenson & Kaufman

CHARTERED
LAWYERS

WILLIAM F. RINGERT
D. BLAIR CLARK
ANDREW M. HARRINGTON
JAMES G. REID
JEFFREY R. CHRISTENSON
JAMES P. KAUFMAN
MICHAEL J. GAFFNEY
LAURA E. BURRI
LEA C. ADAMS

SAMUEL KAUFMAN (1921-1986)

599 WEST BANNOCK STREET
P.O. BOX 2773
BOISE, IDAHO 83701
TELEPHONE (208) 342-4591

December 31, 1987

RECEIVED
JAN 04 1987

W
Glenn Saxton
Idaho Department of Water Resources
1301 N. Orchard
Boise, ID 83706

Department of Water Resources

Re: Ross

Dear Glenn:

Confirming our conversation of December 30, please submit the lease application for Dr. Ross' water rights after the redemption period has elapsed on July 15, 1988.

Thank you for your cooperation.

Yours very truly,

D. Blair Clark

D. Blair Clark

DBC/t

MICROFILMED

AUG 01 1988

Ringert, Clark, Harrington, Reid, Christenson & Kaufman

CHARTERED
LAWYERS

WILLIAM F. RINGERT
D. BLAIR CLARK
ANDREW M. HARRINGTON
JAMES G. REID
JEFFREY R. CHRISTENSON
JAMES P. KAUFMAN
MICHAEL J. GAFFNEY
LAURA E. BURRI
LEA C. ADAMS

599 WEST BANNOCK STREET
P.O. BOX 2773
BOISE, IDAHO 83701
TELEPHONE (208) 342-4801

SAMUEL KAUFMAN (1921-1986)

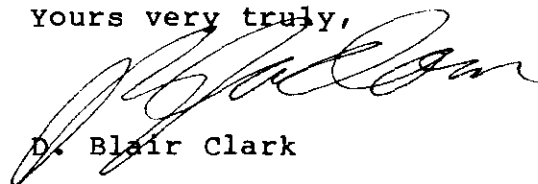
November 19, 1987

State of Idaho
Department of Water Resources
2735 Airport Way
Boise, ID 83705

To Whom it May Concern:

I am enclosing herewith, an Application to Sell or Lease a Water Right to the Water Supply Bank for Swan Falls Farms, Inc. Please process the same and if you have any questions, please call.

Yours very truly,



D. Blair Clark

DBC/t
Encl.
cc: John Ross

RECEIVED
DEC 08 1987

Department of Water Resources

RECEIVED
NOV 23 1987

Department of Water Resources
Western Regional Office

RECEIVED

AUG 01 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

November 5, 1986

Dr. Kenneth E. Droulard
P.O. Drawer D
Nampa, ID 83651

Re: License No. 02-2339

Dear Dr. Droulard:

Enclosed pursuant to your telephone request is an application to sell or lease a water right to the water supply bank. Also enclosed is a copy of License No. 02-2339 and a copy of the Rules and Regulations for the operations of the water supply bank.

If the Department can be of further assistance, please feel free to contact us.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

1s

Enclosures

cc: Western Region

RECEIVED

AUG 01 1988

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 32150/02-2339 Priority Dec. 7, 1964 Amount 11.0 cfs

THIS IS TO CERTIFY, that LOWELL C. MOORE
of Roberts, Idaho, has complied with the terms and conditions of Permit
No. 32150/02-2339 issued pursuant to Application for Permit dated December 7, 1964,
and has submitted proof to the Department of Water Resources on November 4, 1975,
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 11.0 cfs of water from the Snake River,
tributary to the Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u> at <u>11.0</u> cfs and	<u>2,745 acre feet or</u> <u>4.5 af per acre</u>	
	from _____ to _____ at _____ cfs and		
	from _____ to _____ at _____ cfs and		

(both dates inclusive)

Subject, however, to the condition that no more than 11.0 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
2,745 acre feet per year, said waters to be diverted within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 19,

Twp. 2 S, Rge. 1 E, B. M. in the County of Ada

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
2 S	1 E	16	30	40	40	40	40	30	40	40	40	40	35	40	40	40	40	35	610

Total number of acres irrigated 610

*Re-issued in the
name of Swan Falls
Irrigation
12-6-76
H*

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 22 day of
October, 19 76.

Director

State of Idaho
Department of Water Resources
ASSIGNMENT OF PERMIT

RECEIVED

OCT 23 1976

Department of Water Resources

I, Lowell C. Moore, hereby assign to Swan Falls Farms Inc.
of P. O. Box 1181, Idaho Falls, Idaho
Address

CHECK ONE

☒ All my right, title, and interest in and to Permit No. 32150/02-2339
to appropriate the public waters of the State of Idaho.

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

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

Made this 21st day of October, 19 76.

Lowell C. Moore
Permit Holder

Geraldine Moore
Spouse of Permit Holder

State of Idaho)
County of Bonneville) ss.

On this 21 day of Oct, 19 76, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (~~she~~) (~~they~~) executed the same.

seal

Norm Thompson
Notary Public residing at
Idaho Falls Idaho

My commission expires:

MICROFILMED

December 6, 1976

Re: Permit No. 32150/02-2339

Swan Falls Farms, Inc.
P.O. Box 1181
Idaho Falls, ID 83401

Gentlemen:

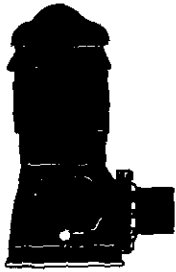
Enclosed herewith is a copy of the water right license issued on the above referenced permit.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:mef

Enc.



Mel Brown

C O M P A N Y

IRRIGATION PUMPS & SPRINKLERS

AREA CODE 208
DIAL 522-7001

Branch Offices at:
TWIN FALLS, IDAHO
MOUNTAIN HOME, IDAHO

IDAHO LICENSED C. E. NO. 646
WYOMING LICENSED C. E. NO. 696
CALIFORNIA LICENSED C. E. NO. 5947
SOUTH DAKOTA LICENSED C. E. NO. 1575

SOUTH UTAH AVENUE
P. O. BOX 1181
IDAHO FALLS, IDAHO
83401

12-1-76

RECEIVED

DEC 6 1976

Department of Water Resources

Bobby D. Flannor
State of Idaho
Dept of Water Resources
Statehouse
Boise, Ida 83720

Dear Bob -

Enclosing water license we talked
about on the phone.

Will appreciate getting it in the name
of Swan Falls Farms as soon as
possible

Thanks.

Eugene L. Mooney
Sect. Treas.

RECORDED

October 25, 1976

Re: Permit No. 32150/02-2339

Lowell C. Moore
Box 207
Roberts, ID 83444

Dear Mr. Moore:

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

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:mef

Enc.

*Copy
returned 12-6-76*

MICROFILMED

September 24, 1976

Mr. Lowell C. Moore
Box 207
Roberts, Idaho 83444

Dear Mr. Moore:

A representative of this Department has made an examination of the works covered by your Permit No. 32150/02-2339 and has found the following:

Quantity of water diverted: ~~9.48~~ cfs ^{11.0} Source: Snake River

Amount of water that can be recognized as beneficially used under Idaho law: ~~9.48~~ cfs ^{11.0}

The maximum quantity diverted shall not exceed 2,745 acre feet, or 4.5 af per acre, per year.

Point of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 19, Twp. 2 S, Rge. 1 E, B.M.

Beneficial use: Irrigation of 610 acres in all of Sec. 16, Twp. 2 S, Rge. 1 E, B.M.

Priority date established: December 7, 1964

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

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

RE-EXAM

MICROFILMED

FIELD REPORT

3. Water will be used for the following purposes:

4. Total amount to be appropriated:

Max Rate of Diversion 12.80 cubic feet per second and annual volume _____ AF/Annum.

5. Location of Point(s) of Diversion:

Township 2S N/S, Range 1E E/W, B.M., Section 19, Subdivision NE ¼ NE ¼, Ada
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ ¼ _____ ¼, _____
County

Township _____ N/S, Range _____ E/W, B.M., Section _____, Subdivision _____ ¼ _____ ¼, _____
County

Other Points of Diversions:

Description of diverting works: 1,000 hp (600 and 400 hp pumps) and sprinklers

Measuring device required: yes ☐ no ☒

6. Lands to be irrigated or place of use.

TOTAL ACREAGE _____ **640**

Permit No. 02-2339
Examination for b/u

MICROFILMED

Rge. 25

T
I
E

30	40	40	30
40	40	40	40
40	40	40	40
40	40	40	40
35	40	40	35

Diagram of System

BIG GUN.[®] 100 SERIES



P.S.I.	Nozzle 6"		Nozzle 7"		Nozzle 8"		Nozzle 9"	
	GPM	DIA	GPM	DIA	GPM	DIA	GPM	DIA
50	74	225'	100	245'	130	265'	165	280'
60	81	240'	110	260'	143	280'	182	295'
70	88	250'	120	275'	155	295'	197	310'
80	94	260'	128	285'	165	305'	210	325'
90	100	270'	135	295'	175	315'	223	335'
100	106	280'	143	305'	185	325'	235	345'
110	111	290'	150	315'	195	335'	247	355'



BIG GUN.[®] 150 SERIES



P.S.I.	Nozzle 7"		Nozzle 8"		Nozzle 9"		Nozzle 10"		Nozzle 11"		Nozzle 12"		Nozzle 13"	
	GPM	DIA	GPM	DIA	GPM	DIA	GPM	DIA	GPM	DIA	GPM	DIA	GPM	DIA
50	100	250'	130	270'	165	290'	205	310'	255	330'	300	345'	350	360'
60	110	265'	143	285'	182	305'	225	325'	275	345'	330	365'	385	380'
70	120	280'	155	300'	197	320'	245	340'	295	360'	355	380'	415	395'
80	128	290'	165	310'	210	335'	260	355'	315	375'	380	395'	445	410'
90	135	300'	175	320'	223	345'	275	365'	335	390'	405	410'	475	425'
100	143	310'	185	330'	235	355'	290	375'	355	400'	425	420'	500	440'
110	150	320'	195	340'	247	365'	305	385'	370	410'	445	430'	525	450'
120	157	330'	204	350'	258	375'	320	395'	385	420'	465	440'	545	460'

TYPICAL NOZZLE
TYPICAL DISTRIBUTION PATTERN
TABLE ABOVE NOZZLE 9" DIA.



P.S.I.	Ring 86"		Ring 97"		Ring 108"		Ring 118"		Ring 126"		Ring 134"		Ring 141"	
	GPM	DIA	GPM	DIA	GPM	DIA	GPM	DIA	GPM	DIA	GPM	DIA	GPM	DIA
50	100	245'	130	265'	165	285'	205	300'	255	320'	300	335'	350	350'
60	110	260'	143	280'	182	300'	225	315'	275	335'	330	350'	385	365'
70	120	270'	155	290'	197	310'	245	330'	295	350'	355	365'	415	380'
80	128	280'	165	300'	210	320'	260	340'	315	360'	380	380'	445	395'
90	135	290'	175	310'	223	330'	275	350'	335	370'	405	390'	475	405'
100	143	300'	185	320'	235	340'	290	360'	355	380'	425	400'	500	415'
110	150	310'	195	330'	247	350'	305	370'	370	390'	445	410'	525	425'
120	157	315'	204	335'	258	360'	320	380'	385	400'	465	420'	545	435'



BIG GUN.[®] 200 SERIES



P.S.I.	Nozzle 105"		Nozzle 12"		Nozzle 13"		Nozzle 14"		Nozzle 15"		Nozzle 16"		Nozzle 175"		Nozzle 19"	
	GPM	DIA	GPM	DIA	GPM	DIA	GPM	DIA	GPM	DIA	GPM	DIA	GPM	DIA	GPM	DIA
60	250	345'	330	375'	385	390'	445	410'	515	430'	585	445'	695	470'	825	495'
70	270	360'	355	395'	415	410'	480	430'	555	450'	630	465'	755	495'	890	515'
80	290	375'	380	410'	445	430'	515	450'	590	470'	675	485'	805	515'	950	535'
90	310	390'	405	425'	475	445'	545	465'	625	485'	715	505'	855	535'	1005	555'
100	325	400'	425	440'	500	460'	575	480'	660	500'	755	520'	900	550'	1060	575'
110	340	410'	445	450'	525	470'	605	495'	695	515'	790	535'	945	565'	1110	590'
120	355	420'	465	460'	545	480'	630	505'	725	530'	825	550'	985	580'	1160	605'
130	370	425'	485	465'	565	485'	655	515'	755	540'	860	560'	1025	590'	1210	620'



P.S.I.	1 1/2" Ring (1.29" actual)		1 1/2" Ring (1.46" actual)		1 1/2" Ring (1.56" actual)		1 1/2" Ring (1.66" actual)		1 1/2" Ring (1.74" actual)		1 1/2" Ring (1.83" actual)		2" Ring (1.93" actual)	
	GPM	DIA	GPM	DIA	GPM	DIA	GPM	DIA	GPM	DIA	GPM	DIA	GPM	DIA
50	230	325'	300	355'	350	370'	410	390'	470	405'	535	420'	640	435'
60	250	340'	330	370'	385	390'	445	410'	515	425'	585	440'	695	455'
70	270	355'	355	385'	415	405'	480	425'	555	440'	630	455'	755	475'
80	290	370'	380	400'	445	420'	515	440'	590	455'	675	470'	805	490'
90	310	380'	405	415'	475	435'	545	455'	625	470'	715	485'	855	505'
100	325	390'	425	425'	500	445'	575	465'	660	480'	755	500'	900	520'
110	340	400'	445	435'	525	455'	605	475'	695	490'	790	510'	945	535'
120	355	410'	465	445'	545	465'	630	485'	725	500'	825	520'	985	545'
130	370	415'	485	450'	565	470'	655	490'	755	505'	860	525'	1025	550'



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985.78 x
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 3943.1200*

Total GPM for
pivots

TOTAL GALLONS PER MINUTE 1100.000
 - PIVOT PRESSURE ~~90.000~~ 47 psi
 TOTAL LENGTH 1300.000
 FRICTION FACTOR C 120.000
 CONSTANT CN 0.105
 NUMBER OF OUTLETS 79
 NUMBER OF TOWERS 12
 DISTANCE TO FIRST TOWER 105.000
 DISTANCE BETWEEN TOWERS 105.000

PIPE ID PIPE LENGTH
 6.3750 1300.000

OUTLET NUMBER	DISTANCE FROM PIVOT	SPRINKLER NUMBER	NOZZLE SIZE(S)	GPM NEEDED	PSI AVAILABLE	PSI ACTUAL	GPM DELIVERED	
1	17.50	1020	5/64 ←	0.722	89.429	89.429	1.489	0.83 gpm
2	52.50	1020	3/32	2.165	88.289	88.289	2.426	1.80 gpm
3	87.50	1020	7/64	3.608	87.154	87.154	3.242	2.44
4	122.50	1020	9/64	5.051	86.025	86.025	5.496	4.04
5	157.50	1020	5/32	6.494	84.906	84.906	6.638	4.98
6	192.50	1030	9/64 X 3/32	7.937	83.799	83.799	7.493	5.85
7	227.50	1030	3/16	9.380	82.707	82.707	9.181	7.18
8	262.50	1030	3/16 X 3/32	10.824	81.632	81.632	11.489	9.04
9	297.50	1030	7/32	12.267	80.578	80.578	12.284	9.88
10	332.50	1030	3/16 X 1/8	13.710	79.546	79.546	13.356	10.6
11	367.50	1030	13/64 X 1/8	15.153	78.540	78.540	14.645	10.6
12	402.50	1030	7/32 X 1/8	16.596	77.560	77.560	16.372	13.3
13	437.50	1030	15/64 X 1/8	18.039	76.610	76.610	18.306	14.5

OUTLET NUMBER	DISTANCE FROM PIVOT	SPRINKLER NUMBER	NOZZLE SIZE(S)	GPM NEEDED	PSI AVAILABLE	PSI ACTUAL	GPM DELIVERED	
14	472.50	1030	1/4 X 1/8	19.482	75.692	75.692	19.880	16.2 gpm
15	507.50	1066	7/32 X 3/16	20.926	74.807	74.807	20.992	13.9
16	542.50	1066	7/32 X 3/16	22.369	73.958	73.958	20.872	13.9
17	577.50	1030	7/32 X 1/8	15.726	73.146	73.146	15.899	13.3
18	589.20	1030	5/32 X 3/32	8.086	72.883	72.883	8.233	6.84
19	600.80	1030	5/32 X 3/32	8.246	72.626	72.626	8.218	6.84
20	612.50	1030	3/16	8.442	72.372	72.372	8.588	7.18
21	624.20	1030	3/16	8.567	72.122	72.122	8.574	7.18
22	635.80	1030	3/16	8.726	71.879	71.879	8.559	7.18
23	647.50	1030	3/16	8.925	71.638	71.638	8.545	7.18
24	659.20	1030	11/64 X 3/32	9.047	71.402	71.402	9.371	7.87
25	670.80	1030	11/64 X 3/32	9.207	71.173	71.173	9.356	7.87
26	682.50	1030	11/64 X 3/32	9.407	70.946	70.946	9.341	7.87
27	694.20	1030	11/64 X 3/32	9.527	70.724	70.724	9.326	7.87
28	705.80	1030	11/64 X 3/32	9.687	70.509	70.509	9.312	7.87
29	717.50	1030	11/64 X 3/32	9.890	70.296	70.296	9.298	7.87
30	729.20	1030	3/16 X 3/32	10.008	70.089	70.089	10.646	9.04
31	740.80	1030	3/16 X 3/32	10.167	69.887	69.887	10.631	9.04
32	752.50	1030	3/16 X 3/32	10.372	69.689	69.689	10.616	9.04

OUTLET NUMBER	DISTANCE FROM PIVOT	SPRINKLER NUMBER	NOZZLE SIZE(S)	GPM NEEDED	PSI AVAILABLE	PSI ACTUAL	GPM DELIVERED	
33	764.20	1030	3/16 X 3/32	10.488	69.496	69.496	10.601	9.04
34	775.80	1030	3/16 X 3/32	10.648	69.310	69.310	10.587	9.04
35	787.50	1030	3/16 X 3/32	10.854	69.126	69.126	10.573	9.04
36	799.20	1030	7/32	10.969	68.948	68.948	11.363	9.88
37	810.80	1030	7/32	11.128	68.776	68.776	11.349	9.88
38	822.50	1030	7/32	11.337	68.608	68.608	11.335	9.88
39	834.20	1030	7/32	11.449	68.444	68.444	11.321	9.88
40	845.80	1030	7/32	11.608	68.287	68.287	11.308	9.88
41	857.50	1030	7/32	11.819	68.133	68.133	11.296	9.88
42	869.20	1030	3/16 X 1/8	11.929	67.985	67.985	12.348	10.6
43	880.80	1030	3/16 X 1/8	12.089	67.842	67.842	12.335	10.6
44	892.50	1030	3/16 X 1/8	12.249	67.703	67.703	12.322	10.6
45	904.10	1030	3/16 X 1/8	12.409	67.570	67.570	12.310	10.6
46	915.80	1030	3/16 X 1/8	12.623	67.441	67.441	12.298	10.6
47	927.50	1030	3/16 X 1/8	12.729	67.317	67.317	12.287	10.6
48	939.10	1030	3/16 X 1/8	12.889	67.199	67.199	12.276	10.6
49	950.80	1030	13/64 X 1/8	13.105	67.084	67.084	13.535	11.9
50	962.50	1030	13/64 X 1/8	13.210	66.975	66.975	13.523	11.9
51	974.10	1030	13/64 X 1/8	13.369	66.870	66.870	13.513	11.9

OUTLET NUMBER	DISTANCE FROM PIVOT	SPRINKLER NUMBER	*NOZZLE SIZE (S)	GPM NEEDED	PSI AVAILABLE	PSI ACTUAL	GPM DELIVERED	
52	985.80	1030	13/64 X 1/8	13.588	66.770	66.770	13.503	11.9
53	997.50	1030	13/64 X 1/8	13.690	66.674	66.674	13.493	11.9
54	1009.10	1030	13/64 X 1/8	13.850	66.584	66.584	13.484	11.9
55	1020.80	1030	13/64 X 1/8	14.070	66.498	66.498	13.475	11.9
56	1032.50	1030	13/64 X 1/8	14.170	66.416	66.416	13.467	11.9
57	1044.10	1030	7/32 X 1/8	14.330	66.339	66.339	15.142	13.3
58	1055.80	1030	7/32 X 1/8	14.553	66.266	66.266	15.133	13.3
59	1067.50	1030	7/32 X 1/8	14.651	66.197	66.197	15.125	13.3
60	1079.10	1030	7/32 X 1/8	14.811	66.133	66.133	15.118	13.3
61	1090.80	1030	7/32 X 1/8	15.035	66.072	66.072	15.111	13.3
62	1102.50	1030	7/32 X 1/8	15.131	66.016	66.016	15.105	13.3
63	1114.10	1030	7/32 X 1/8	15.291	65.963	65.963	15.099	13.3
64	1125.80	1030	7/32 X 1/8	15.518	65.915	65.915	15.093	13.3
65	1137.50	1030	7/32 X 1/8	15.612	65.870	65.870	15.088	13.3
66	1149.10	1030	7/32 X 1/8	15.771	65.829	65.829	15.083	13.3
67	1160.80	1030	7/32 X 1/8	15.999	65.792	65.792	15.079	13.3
68	1172.50	1030	15/64 X 1/8	16.093	65.758	65.758	16.959	14.5
69	1184.10	1030	15/64 X 1/8	16.251	65.727	65.727	16.956	14.5
70	1195.80	1030	15/64 X 1/8	16.482	65.699	65.699	16.952	14.5

OUTLET NUMBER	DISTANCE FROM PIVOT	SPRINKLER NUMBER	NOZZLE SIZE(S)	GPM NEEDED	PSI AVAILABLE	PSI ACTUAL	GPM DELIVERED
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71	1207.50	1030	15/64 X 1/8	16.573	65.675	65.675	16.949 14.5
72	1219.10	1030	15/64 X 1/8	16.732	65.653	65.653	16.946 14.5
73	1230.80	1030	15/64 X 1/8	16.964	65.635	65.635	16.944 14.5
74	1242.50	1030	15/64 X 1/8	17.053	65.618	65.618	16.941 14.5
75	1254.10	1030	15/64 X 1/8	17.212	65.605	65.605	16.940 14.5
76	1265.80	1030	15/64 X 1/8	17.447	65.594	65.594	16.938 14.5
77	1277.50	1030	15/64 X 1/8	17.533	65.584	65.584	16.937 14.5
78	1289.10	1030	15/64 X 1/8	17.082	65.577	65.577	16.936 14.5

NUMBER OF END GUNS = 2

END GUN GPM = 62.724

END GUN NOZZLE SIZE = 1/2 X 11/64

END GUN NUMBER = 15-83

GPM DELIVERED = 1110.591

155.1 gpm

DATE OF EXAM 8-20-76

ACREAGE
Found 610
Recommended 610

Irrigation Requirement 4.5 Ac Ft/Ac

USE
Irrigation Q = 11.00 ~~9.48~~ c.f.s. V = _____ AF/Ann. from _____ to _____
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 X

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

Exchange? yes _____ no X

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 9.48 11.00 Method of measurement pressure gage estimate

Total Q recommended 9.48 11.00 Meter No. _____ Type _____ Condition _____

Total V recommended 2745.0 AF

Recommended Amendments:

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

MEASUREMENT CALCULATION:

Total Q 4 Big Guns 150 series @ 47psi = 155.1 gpm
plus 4 pivots total output 2943.12 gpm ÷ 448.8 = 8.78 cfs
+ .7 cfs for hand lines
9.48 cfs

total V = 9.48 X 245 day X 1.46 = 4598.748 AF
610 X 4.5 = 2745 AF

SYSTEM DESCRIPTION:

diverting from Snake River with General Electric 600 HP motor serial # KKJ1030015
and Aurora verti-line pump # V76-711 and General Electric 400 HP motor
serial # DJJ 418011 and Layne Bowler verti-line pump serial # 01902 both
pumping into 20' - also with two 150 HP Westington Hox booster pumps
pump #1 - serial # 7206 with Layne & Bowler verti-line pump serial # 01912A
Booster pump #2 serial # 7206 with Layne & Bowler verti-line pump serial # 04683

REMARKS:

Also have stand by ⁴⁰⁰ 600 HP General Electric motor serial # EKJ515017 and Layne
Bowler verti-line pump serial # 01903 - Running 4 Rain circle center pivot
with 12 towers - sold by Mel Brown co. (Idaho Falls) - Center pivot pressure
52 psi, 47 psi - 42 psi - was able to measure 3 pivots only - all three pumps
running from river - 8 psi = 47 for 4 pivots

Examiner's Signature Peter Chamberlain Date 8-26-76

Checked by JLS Date 8-27-76

Approved by _____ Date _____



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

January 8, 1976

Re: Permit No. 02-2339

Lowell C. Moore
Box 207
Roberts, Idaho 83444

Dear Mr. Moore:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit. We also acknowledge receipt of the affidavit submitted as proof of beneficial use for this permit.

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

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

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:JFR

RECEIVED
JAN 14 1976

Identification No. _____

Permit No. 02-2339

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Lowell C. Moore
b) Post Office Address Box 207, Roberts, Idaho
2. Permit Number 32150/02-2339
3. Date of Priority that you are prepared to establish December 7, 1964
4. a) Source from which water was appropriated Snake River
b) Location of the point of diversion: NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 19
Township 2 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 _____ 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 not quite 12.8 cfs as listed on permit 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: Has not been measured
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) 1,000 hp (600 hp & 400 hp pumps) and sprinklers
b) Describe the type and size of measuring device which you have installed at your point of diversion: N/A
c) Give well driller's name and address and the date the well was completed: _____
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

Exam typed / - 1 - 2 By

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
2S	1E	16	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640

Total number of acres irrigated 640

10. Remarks: _____

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

Nov. 4, 1975

(Date)

Samuel C. Moore

(Signature)

State of Idaho)

) ss.

County of Ada)

On this 4th day of November, 19 75, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (~~she~~) (~~they~~) executed the same.

Marcia L. Brown

Notary Public residing at _____

Boise, Idaho

My commission expires 8-10-79



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

December 18, 1975

Re: Permit No. 32150/02-2339

Mr. Lowell C. Moore
Box 207
Roberts, Idaho 83444

Dear Mr. Moore:

As of this date, we have not yet received the affidavit of publication to be submitted in connection with the above referenced permit.

We cannot schedule a field examination, or issue a license until this affidavit of publication is received.

Please submit the affidavit within 10 days in order that this permit may remain in good standing with our office.

Sincerely,

D. Darlene Reich
D. DARLENE REICH
Water Rights Supervisor

DDR:JFR

Darlene Reich -

I'm sorry about the delay in getting the affidavit of Publication to you sooner. I assumed that you had received it from the paper Direct.

Thanks

Lowell C. Moore

December 18, 1975

Re: Permit No. 32150/02-2339

Mr. Lowell C. Moore
Box 207
Roberts, Idaho 83444

Dear Mr. Moore:

As of this date, we have not yet received the affidavit of publication to be submitted in connection with the above referenced permit.

We cannot schedule a field examination, or issue a license until this affidavit of publication is received.

Please submit the affidavit within 10 days in order that this permit may remain in good standing with our office.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:JFR

RECEIVED
DEC 21 1975
WATER RIGHTS DIVISION
BOISE, IDAHO

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Lowell C. Moore, Roberts, Idaho
_____ has received an approved Permit No.
32150/02-2339 issued by the Idaho Department of Water Resources authorizing the diversion storage of 12.80 cubic feet per second ~~acre feet~~
~~per second~~ of water from Snake River tributary of Columbia River.
The priority to be established under this permit is December 7, 1964
and the permit was approved December 10, 1964.

Water is to be diverted by pumping plant (and sprinklers
from a point within the NE 1/4, Sec. 19, Twp. 2S, Rge. 1E, B.M., Ada County
_____ to be used for irrigation purposes
in ~~the~~ All of Section 16, Twp. 2S, Rge. 1E, B.M.

Proof of the application of the water to beneficial use was ~~is to be~~
submitted to the Department on or before November 4, 1975. Any protest
against the issuance of the license for the above referenced permit should
be filed with the Idaho Dept. of Water Resources, State Capitol, Boise, Idaho,
83720, 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

Published in the Idaho Statesman
on November 13 and November 20, 1975.

Permit No. 32150/02-2339

Director:

You are hereby authorized to have the above notice published at my expense
in the Idaho Statesman of Boise, Idaho;
published in the county in which the works are situated.

Lowell C. Moore
(Signature)

Roberts, Idaho
(Address)

November 4, 1975
(Date)

NOTICE OF EXISTING WATER PERMIT

Notice is hereby given that Lowell C. Moore, Roberts, Idaho

has received an approved permit No.

32150 issued by the Idaho State Reclamation Department authorizing the diversion ~~storage~~ of 12.8 cubic feet per second ~~acre feet per annum~~ of water from Snake River tributary of Columbia River.

subject to all prior rights. The priority to be established under this permit is
December 7, 1964 and the permit was approved December 10, 1964.

Water is to be diverted by a pumping plant, pipeline and pond
from a point within the NE~~1~~NE~~4~~, Sec. 19, T. 2S, R. 1E, B.M.,

Ada County

to be used for irrigation
all of
in/ [redacted] Sec. 16, T. 2S, R. 1E, B.M.

Proof of the application of the water to beneficial use is to be submitted to the Department on or before December 10, 1975. 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 Idaho Daily Statesman, Boise, Idaho _____ on _____

and



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

STATE HOUSE BOISE, IDAHO 83720

November 4, 1975

Re: Permit No. 32150/02-2339

Lowell C. Moore
Roberts,
Idaho 83444

Dear Mr. Moore:

We have caused the legal notice for the above referenced permit to be published in the Idaho Statesman on November 13, and November 20, 1975.

You will be required to submit an affidavit of publication to this office. The affidavit may be obtained from the above mentioned newspaper upon payment of the publication fee. We have asked the newspaper to bill you direct.

Sincerely,

Janice Rohm
JANICE ROHM
Secretary

JR

November 4, 1975

Re: Permit No. 32150/02-2339

Idaho Statesman
Box 40
Boise, Idaho 83701

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 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 this office immediately.

The expense of the publication is to be paid by:

Lowell C. Moore
Roberts, Idaho
83444

to whom you should furnish an affidavit of publication.

Very truly yours,

JANICE ROEM
Secretary

JR

- SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
☐ Show to whom, date, & address of delivery.. 35¢
☐ RESTRICTED DELIVERY.
 Show to whom and date delivered..... 65¢
☐ RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	27262	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

4.

DATE OF DELIVERY

10-6-75

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S
INITIALS

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

**PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300**



SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on reverse side.
- Moisten gummed ends and attach to back of article.

**RETURN
TO**



**DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83722**

October 1, 1975

CERTIFIED MAIL

27262

Re: Permit No. 32150 (new no. 02-2339)

Lowell C. Moore
Roberts,
Idaho 83444

Dear Mr. Moore:

One of the conditions of approval of your water Permit No. 02-2339 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before December 10, 1975. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

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

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



R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 32150)

in the name of Lowell C. Moore)

Roberts, 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,

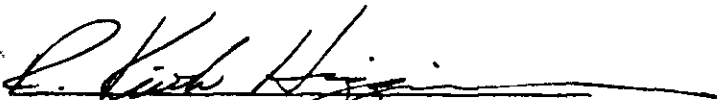
WHEREAS, on August 1, 1968, the Department of Reclamation adopted Rules of Practice
and Procedures for the processing of such permits issued prior to May 31, 1967; and,

WHEREAS, Permit No. 32150 was issued previous to that date;

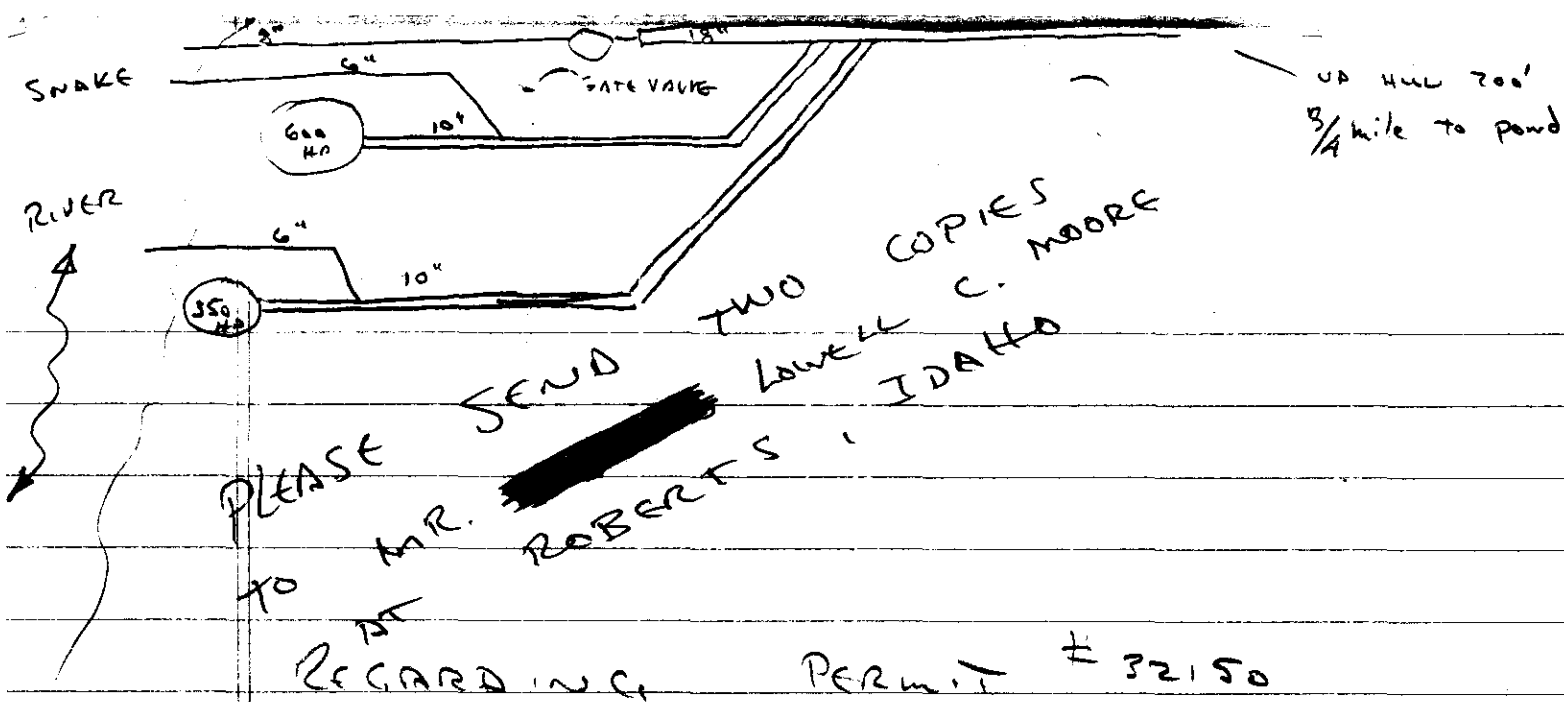
NOW THEREFORE, the requirements for completion of the above-numbered permit are
hereby modified to conform to the adopted Rules of Practice and Procedures as follows:

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 December 10, 1975. The per-
mit 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 18TH day of July, 1969.


R. KEITH HIGGINSON
State Reclamation Engineer

32150
02-2339



PLEASE SEND TWO COPIES
TO MR. ~~ROBERTS~~ LOWELL C. MOORE
ROBERTS, IDAHO

REGARDING PERMIT # 32150

MR. LOWELL C. MOORE,
ROBERTS, IDAHO

AN EXAMINATION WAS MADE ON
8-25-67 AS REQUESTED BY
MR. LOWELL C. MOORE.

MR. LOWELL C. MOORE & BRAS. PRESENT DURING EXAM.

FOUND AS FOLLOWS:

PD - NE 1/4 NE 1/4 SEC 19, T25, R1E,
(SNAKE RIVER AT SWAN FALLS)

1) 350 HP 3 PH 2300 VOLT OPERATING AT 80 AMP
1367598

LAYNE & BOWLER PUMP # 5.572

2) 600 HP US ELECTRICAL 3 PH 2300 V
126-139 amp RANGE OPERATING AT 100 AMP.

LAYNE & BOWLER PUMP # 5.573

32150

SPARKING METER MEASUREMENT TAKEN AT END OF

DISCHARGE AT STORAGE POND: 1 REV IN 16 SEC. OR 6.25 cfs
OR 3.125" — FOR IRRIGATION OF 640 ACRES - SEC 16 25, 1E.

8-25-67

Dean Reynolds

July 15, 1969

RE: Permit No. 32150

Lowell C. Moore
Roberts
Idaho

Dear Mr. Moore:

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, stating that you have been issued a permit [REDACTED]. 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 it upon request at any time.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

sc
Enc: Order
Adv. Package

32150

October 3, 1967

Re: Permit No. 32150

Lowell C. Moore
Roberts, Idaho 83444

Dear Mr. Moore:

Please regard this letter as a follow-up to the conversations you had with the Department of Reclamation last week regarding examination of the above referenced permit.

The examination of your permit that was conducted on August 25, 1967, by the Department of Reclamation was a courtesy examination and is not binding. The Department of Reclamation cannot re-examine your permit at this time as you have requested.

When you submit proof of completion of the works as required on or before December 10, 1969, or if you submit on that date, proof of completion of works and application of water to beneficial use, the Department of Reclamation will cause a field examination of the lands and systems under this permit to be conducted following the receipt of the required proof.

You should understand that the original examination conducted as a courtesy is not binding in any connection with Permit No. 32150.

Please contact us if you have any further questions on the matter.

Very truly yours,

Donald W. McEldowney
Water Rights Clerk

DWM:dj

August 28, 1967

Mr. Lowell C. Moore
Roberts, Idaho

Dear Mr. Moore:

Enclosed you will find two copies of the the report of the
examination on permit 32150, as requested.

Very truly yours,

Donald W. McElowney
Water Rights Clerk

DWM:ks

Enclosure: exam reports

32150

Re: Permit No. 32150
Mr. Lowell C. Moore
Roberts, Idaho

An examination was made on August 25, 1967 as requested by
Mr. Lowell C. Moore. Found as follows:

P.D. - NE1/4, Section 19, T. 2 S, R. 1 E, B.M.
(Snake River at Swan Falls)

1. 350 HP U.S. Electric motor, 3 ph 23000 V
#1367598, 77.8 amp - 35 amp range, operating
at 80 amp, Layne & Bowler pump #51572
2. 600 HP U.S. electric motor, 3 ph 2300 V
#1309248, 126 - 139 amp range, operating at
100 amp, Layne & Bowler pump #51573

Spalling meter measurement taken at end of discharge
at storage ponds:

1 rev. in 16 sec. or 6.25 c.f.s. or 312.5 inches

For irrigation of 540 acres - Section 16, T. 2 S, R. 1 E, B.M.

Tests made by: Dean Reynolds, Department of Reclamation

32150

32150

*General
Corr*

November 15, 1966

Re: Application for Permit
Lowell C. Moore

Irrigation Engineering & Sales Company
Box 277
Nampa, Idaho

Gentlemen:

Returned herewith is your application to appropriate the public waters of the State of Idaho.

At this time, we can no longer hold your application to appropriate 80.0 c.f.s. of the waters of the Snake River without proper filing fee.

If you so desire, you may resubmit your application with proper filing fees of \$24.75 plus \$1.00 for the copy of your application which will be sent to the Bureau of Land Management upon approval of your desert entry.

Please contact us if we may be of further assistance.

Very truly yours,

Donald M. McEldowney
Field Examiner

DMM:nw

Enclosure: Application

32150

December 16, 1964

Re: Permit No. 32150

Mr. Lowell C. Moore,
Reberts, Idaho.

Dear Mr. Moore:

We enclose Permit No. 32150 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. 32556 which was issued covering payment in the amount of \$ 8.00 for the filing fee of the above mentioned permit. ~~This receipt~~ was issued to Byron V. Anderson of Nampa, Idaho.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk

32150

ROBERT E. SMYLLIE
Governor



CARL E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
107 STATE HOUSE
BOISE, IDAHO 83701

December 29, 1964

Re: Application for Permit
Lowell C. Moore

Irrigation Engineering & Sales Co.
Box 277
Nampa, Idaho

Dear Sir:

Returned herewith is the application for permit to divert 80.0 c.f.s. from Snake River, with attached check for \$26.75, filing fees and copies.

We understand that the local board decided against the release of the Reclamation withdrawal and the case is now referred to the Secretary of the Interior. This land will not be available in the near future.

An application for the Desert Land Entries water permit will be considered when the lands have been declared agricultural by the Bureau of Land Management.

Very truly yours,

A handwritten signature in cursive script that reads 'Ralph W. Thomas'.

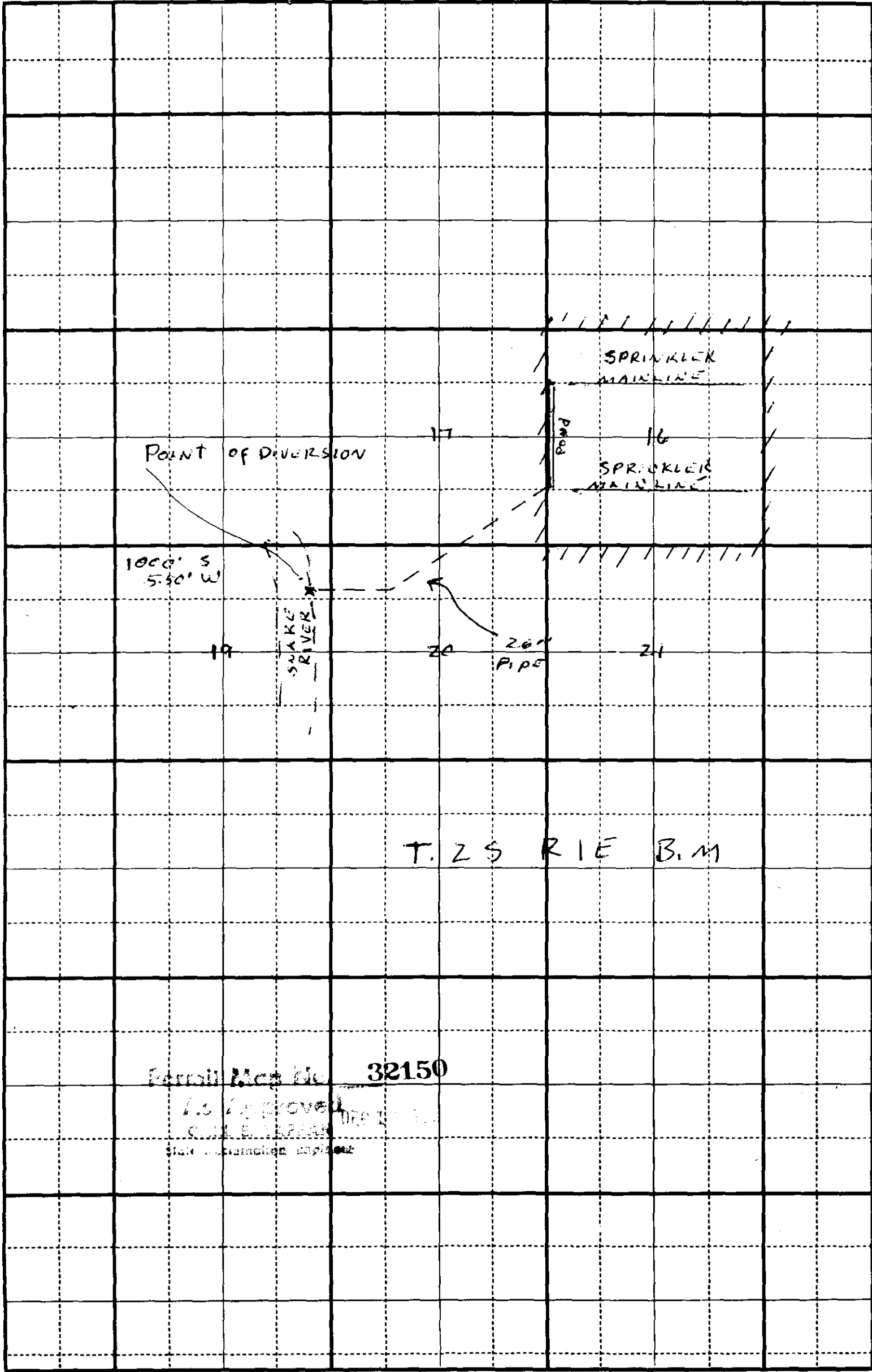
RALPH W. THOMAS, Deputy
State Reclamation Engineer

Enc. application with
attached check

32150

NAME OF APPLICANT LOWE C. MOORE

Form No. 0



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

32150

9. IWRB Financial Program
 - a. Atlanta Water Association Request to Modify Loan
 - b. Annual Report to Governor and Legislature
 - c. Approval of IWRB Rules and Regulations
10. Status Report on Reserved Water Right Negotiations - Dave
11. Application to Place Licensed Water Right 02-2339 in the Water Supply Bank
12. Director's Report
13. Items Board Members May Wish to Present

* * * *

March 2, 1989 - 8:30 a.m. Board Work Session to Discuss IWRB Duties and Responsibilities and IDWR Work Activities--Department of Water Resources Second Floor Conference Room, Boise, Idaho.



State of Idaho
DEPARTMENT OF WATER RESOURCES

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

Sapten

CECIL D. ANDRUS

GOVERNOR

R. KEITH HIGGINSON

DIRECTOR

NOTICE OF MEETING AND AGENDA

FOR

Meeting No. 2-89 of the Idaho Water Resource Board

March 3, 1989

**March 3, 1989 - 8:30 a.m. Board Convenes at Idaho Department of Water
Resources Second Floor Conference Room 1301
N. Orchard St., Boise, Idaho**

A G E N D A

1. Roll Call
2. Welcome New Board Member
3. Approval of 1-89 Minutes of January 20, 1989 Board Meeting
4. Public Comment - Board Will Allocate a Period of Time (Not to Exceed 30 Minutes) for the Public to Address the Board on Subjects Not Specifically Shown as an Agenda Item
5. Status Report on Galloway Project
6. Comprehensive State Water Planning
 - a. Basin Meetings
 - b. Petitions for Exemption
 - (1) Island Park Hydropower Project
 - (2) Forest Service Stream Channel Alteration-- Henry's Fork
 - c. SCR 115 -
Designating Certain Segments of the Boise River as an Interim Protected Waterway
 - d. Resolution to Allow Chairman to Appoint Hearing Officer
 - e. Subscription News List
 - f. Advisory Committee
 - g. Clarification of Dates in Comprehensive Planning Bill
7. Bear River Basin
 - a. Legislation to Create Task Force in Utah and Idaho
 - b. Corps of Engineers Recon Report on Bear River Basin
 - ✓ c. Oneida Narrows Project
 - d. Public Meeting--Bear River Basin
8. Minimum Stream Flows
Status Report

OVER