

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4881
WATER RIGHT NO(S). 02-02269/02-02367

This is to certify that: **SOUTH ELMORE IRRIGATION CO**
PO BOX 396
MOUNTAIN HOME ID 83647

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 02-02269 :			
IRRIGATION	04/01 to 10/31	87.11 CFS	22580.0 AF
Priority: 02/19/1964			
Right No. 02-02367 :			
IRRIGATION	04/01 to 10/31	* 12.92 CFS	2584.0 AF
Priority: 03/22/1965			
TOTAL:		* 87.11 CFS	25164.0 AF

SOURCE

SNAKE RIVER

TRIBUTARY OF

COLUMBIA RIVER

LOCATION OF POINT(S) OF DIVERSION: Lot 2(NESW), Sec. 28, Township 05S, Range 07E
ELMORE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05S	06E	1	NENE 30	NWNE 30	SWNE 40	
			SENE 40	NESW 40	NWSW 40	
			SWSW 40	SESW 40	NESE 40	
			NWSE 40	SWSE 40	SESE 40	460
		3	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NESW 40	NWSW 40	
			SWSW 40	SESW 40	NESE 40	
			NWSE 40	SWSE 40	SESE 40	480
		10	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 39	SESW 39	
			NESE 40	NWSE 40	SWSE 39	
			SESE 39			636
		11	NENE 40	SWNE 40	SENE 40	
			SWSW 40	SESW 6	NESE 40	
			NWSE 40	SWSE 39	SESE 39	324

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TRANSFER NO. 4881
WATER RIGHT NO(S). 02-02269/02-02367

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
12		NENE	40	NWNE	40	
		SENE	40	NENW	40	
		SWNW	40	SENE	40	
		NWSW	40	SWSW	40	
		NESE	40	NWSE	40	
		SESE	39			639
13		NENE	40	NWNE	40	
		SENE	40	NENW	36	
		SWNW	40	SENE	40	
		NWSW	40	SWSW	40	
		NESE	40	NWSE	40	
		SESE	40			630
14		NENE	40	NWNE	40	
		SENE	40	NENW	21	
		SWNW	40	SENE	40	
		NWSW	40	SWSW	40	
		NESE	40	NWSE	40	
		SESE	40			610
15		SWNE	37	SENE	35	
		NWNW	40	SWNW	15	
		NESE	40	NWSE	40	
		SESE	40			332
16		NENE	40	NWNE	40	
		SENE	40	NENW	40	
		SWNW	40	SENE	40	
		NWSW	13	NESE	13	
22		NENE	39	NWNE	40	
		SENE	39	NESE	40	
		SWSE	40	SESE	40	
23		NENE	40	NWNE	40	
		SENE	40	NENW	40	
		SWNW	38	SENE	39	
		NWSW	38	NESE	31	
24		NENE	39	SENE	19	
		NWNW	39	SWNW	38	
		NWSW	30	NESE	40	
		SWSE	40	SESE	40	
07E 17		NESW	39	NWSW	34	
18		NESE	20			
20		SWSW	21	SESW	38	
		NWSE	40	SWSE	40	
21		NENE	40	NWNE	40	
		SENE	34	NESW	40	
22		NENW	40	NWNW	40	
		SENE	40			
						160

Total number of acres irrigated: ** 6291

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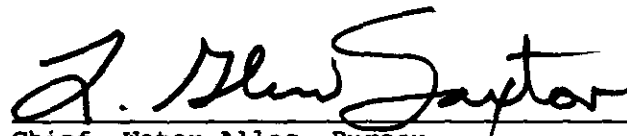
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TRANSFER NO. 4881
WATER RIGHT NO(S). 02-02269/02-02367

CONDITIONS OF APPROVAL AND REMARKS

1. A totalizing measuring device of a type approved by this Department shall be maintained as a part of the diverting works.
2. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
3. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.0 afa per acre for the lands above.
4. Approval of this transfer in no way grants any right-of-way or easement for use of a delivery system owned by person(s) other than the right owner.
5. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
6. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
7. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
- * 8. Right No. 02-02367 when combined with Right No. 02-02269 shall not exceed a total combined diversion rate of 87.11 cfs.
- ** 9. Right No. 02-02269 is limited to the irrigation of 5,645 acres in the place of use described above in a single irrigation season.
- ** 10. Right No. 02-02367 is limited to the irrigation of 646 acres in the place of use described above in a single irrigation season.

Dated this 29th day of October, 1996.


Chief, Water Alloc. Bureau

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Page 1 of STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 4881

RECEIVED

JUL 09 1996

WATER RESOURCES
WESTERN REGION

APPLICATION FOR TRANSFER OF WATER RIGHT

AMENDED

PART 1

AMENDED

RECEIVED

SEP 23 1996

Name of applicant South Elmore Irrigation CompanyPhone 208-587-4412 Jay Francis
Department of Water ResourcesPost Office address P.O. Box 396, Mountain Home, Idaho 83647

A. PURPOSE OF TRANSFER

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

☐ Change nature of use ☐ Change period of use ☐ Other

2. Describe the reason for the proposed changes
- Land that was in the C.R.P. is not being put back
-
- into production. The place of use is being transferred to land that will be added to
-
- the South Elmore Project and put into production.

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

1. Right Number	Priority	Amount (cfs/ac-ft)	Nature of Use	Period of Use
<u>02-02367</u>	<u>3/22/65</u>	<u>12.920 cfs</u>	<u>irrigation</u>	<u>3/01 to 10/31</u>
<u>02-02269</u>	<u>2/19/64</u>	<u>87.110 cfs</u>	<u>irrigation</u>	<u>3/01 to 10/31</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> to </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> to </u>

2. Total amount of water being transferred
- 1.9223
- cubic feet per second and/or
-
- acre-feet per annum.

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

4. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
<u>2</u>		<u>NE</u>	<u>SW</u>	<u>28</u>	<u>05S</u>	<u>07E</u>	<u>Elmore County</u>	

5. Lands irrigated or place of use:

Water Right No. 02-02367 - cont pgs 3-5

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
<u>05S</u>	<u>06E</u>	<u>11</u>												<u>06</u>					<u>6.0</u>
<u>05S</u>	<u>06E</u>	<u>16</u>					<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>									<u>160.0</u>
<u>05S</u>	<u>06E</u>	<u>22</u>		<u>40</u>	<u>40</u>											<u>40</u>	<u>40</u>		<u>160.0</u>
<u>05S</u>	<u>06E</u>	<u>23</u>									<u>39</u>	<u>38</u>	<u>0</u>	<u>0</u>					<u>77.0</u>
<u>05S</u>	<u>06E</u>	<u>24</u>													<u>40</u>	<u>40</u>	<u>40</u>	<u>40</u>	<u>160.0</u>
<u>05S</u>	<u>06E</u>	<u>15</u>					<u>35</u>	<u>40</u>		<u>8</u>									<u>83.0</u>

Total acres 646.0

PART 1**6. General Information:**

a. Description of diversion system Water is pumped from the Snake River and delivered to the
land through a series of relifts, pumps, ponds and pipes.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

The land now irrigated is now in the C.R.P. The land will not be returned to
production after it is out of the C.R.P., so there will be affect on the land as it
is presently being used.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No.

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

Witness my hand this day of , 19 .

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Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
05S	06E	1	30	30	40	40					40	40	40	40	40	40	40	40	460.0
05S	06E	3	40	40	40	40					40	40	40	40	40	40	40	40	480.0
05S	06E	10	40	40	40	40	40	40	40	40	40	40	39	39	40	40	39	39	636.0
05S	06E	11	40		40	40							40		40	40	39	39	318.0
05S	06E	12	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	39	639.0
05S	06E	13	40	40	40	40	36	38	40	40	40	40	40	40	40	40	36	40	630.0
05S	06E	14	40	40	40	40	21	29	40	40	40	40	40	40	40	40	40	40	610.0
05S	06E	15			37	35			15	2					40	40	40	40	249.0

Name of applicant _____ Phone _____

Post Office address _____

1. ☐ Change point of diversion ☐ Add diversion point(s) ☐ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____

2. Describe the reason for the proposed changes _____

- | 1. Right Number | Priority | Amount
(cfs/ac-ft) | Nature
of Use | Period of Use |
|-----------------|----------|-----------------------|------------------|----------------|
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |
| _____ | _____ | _____ | _____ | _____ to _____ |

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

3. Source of water _____ tributary to _____

4. Point(s) of Diversion:

[illegible]

5. Lands irrigated or place of use: Cont. Water Right No. 02-02269

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
05S	06E	16	40	40	40	40					13	13			13	13			212.0
05S	06E	22	39			39									40			40	158.0
05S	06E	23	40	40	27	40	40	40	38	39					31	13			348.0
05S	06E	24	39			19	37	39	38	19		30							221.0
05S	07E	17									39	34				21			94.0
05S	07E	18													20				20.0
05S	07E	20											21	38	40	40	40		179.0
05S	07E	21	40	40	40	34					40	37							231.0

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PART 2**A. DESCRIPTION OF RIGHT AS RECORDED:**

Water Right No. 02-02269

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/01 to 10/31	87.11 CFS	25402.5 AF

SOURCETRIBUTARY OF

SNAKE RIVER

COLUMBIA RIVER

Priority: 02/19/1964

LOCATION OF POINT(S) OF DIVERSION:NWSW , Sec. 28, Township 05S, Range 07E
ELMORE CountyPLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05S	06E	1	NENE 30	NWNE 30	SWNE 40	
			SENE 40	NESW 40	NWSW 40	
			SWSW 40	SESW 40	NESE 40	
			NWSE 40	SWSE 40	SESE 40	460
		3	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NESW 40	NWSW 40	
			SWSW 40	SESW 40	NESE 40	
			NWSE 40	SWSE 40	SESE 40	480
		10	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 39	SESW 39	
			NESE 40	NWSE 40	SWSE 39	
			SESE 39			636
		11	NENE 40	SWNE 40	SENE 40	
			SWSW 40	NESE 40	NWSE 40	
			SWSE 39	SESE 39		318
		12	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 40	NWNW 40	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 40	
			SESE 39			639
		13	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 36	NWNW 38	
			SWNW 40	SENW 40	NESW 40	
			NWSW 40	SWSW 40	SESW 40	
			NESE 40	NWSE 40	SWSE 36	
			SESE 40			630
		14	NENE 40	NWNE 40	SWNE 40	
			SENE 40	NENW 28	NWNW 39	

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Water Right No. 02-02269

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
		SWNW	40	SENW	40	
		NWSW	40	SWSW	40	
		NESE	40	NWSE	40	
		SESE	40			627
15		SWNE	37	SENE	35	
		NWSE	40	SWSE	40	232
16		NENE	40	NWNE	40	
		SENE	40	NESW	13	
		NESE	13	NWSE	13	212
22		NENE	39	SENE	39	
		SESE	40			158
23		NENE	40	NWNE	40	
		SENE	40	NENW	40	
		SWNW	38	SENW	39	
		NWSE	13			348
24		NENE	39	SENE	19	
		NWNW	39	SWNW	38	
		NWSW	30			221
07E 17		NESW	39	NWSW	34	94
18		NESE	20			20
20		SWSW	21	SESW	38	
		NWSE	40	SWSE	40	179
21		NENE	40	NWNE	40	
		SENE	34	NESW	40	231
22		NENW	40	NWNW	40	
		SENW	40			160
Total number of acres irrigated:						5645

CONDITIONS/REMARKS:

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PART 2

A. DESCRIPTION OF RIGHT AS RECORDED:

Water Right No. 02-02367

STAGE: LICENSE

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
IRRIGATION	03/01 to 10/31	12.92 CFS	2907.0 AF

<u>SOURCE</u>	<u>TRIBUTARY OF</u>
SNAKE RIVER	COLUMBIA RIVER

Priority: 03/22/1965

LOCATION OF POINT(S) OF DIVERSION:NWSW , Sec. 28, Township 05S, Range 07E
ELMORE CountyPLACE OF USE: IRRIGATION

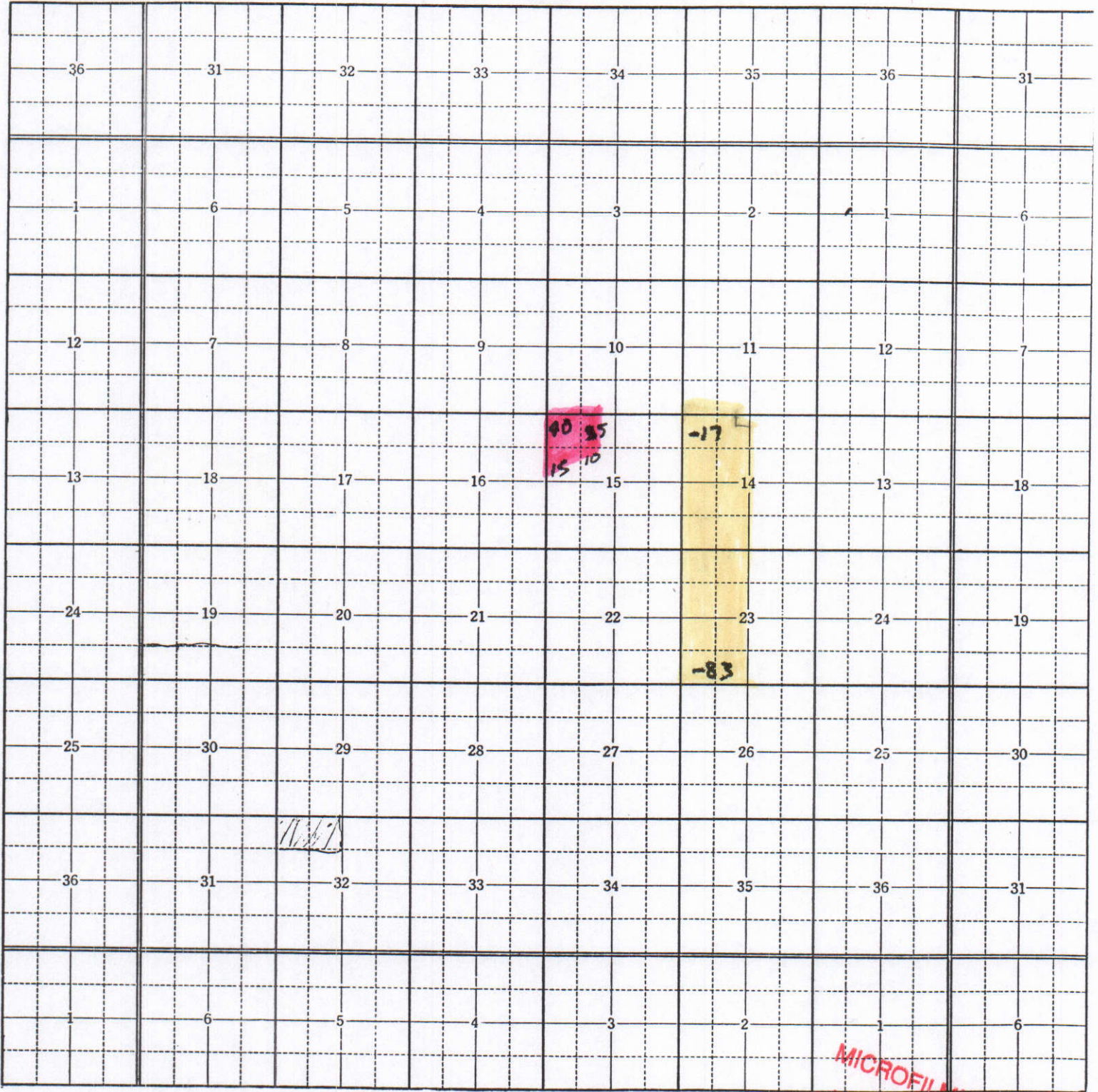
<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
05S	06E	11	SESW 6			6
		16	NENW 40	NWNW 40	SWNW 40	160
			SESW 40			160
		22	NWNE 40	SWNE 40	NWSE 40	160
			SWSE 40			160
		23	NESW 40	NWSW 40	SWSW 40	160
			SESW 40			160
		24	NESE 40	NWSE 40	SWSE 40	160
			SESE 40			160
Total number of acres irrigated:						646

CONDITIONS/REMARKS:MICROFILMED
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Township 4 Range

Township S South, Range 6 East, County Elmore, State Idaho

Island Township Plat 11



KINTZEL BLUE PRINT CO., P. O. Box 741, Casper, Wyoming

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NOV 01 1996

Property from which water is being taken.

Property to which The water is being added.

CONSENT TO TRANSFER OF WATER RIGHTS

CONSENT TO TRANSFER OF WATER RIGHTS, made this 19 day of June, 1996, by E & H Farms, Inc., an Idaho corporation, WITNESSETH:

WHEREAS the undersigned E & H Farms, Inc., is an Idaho corporation in good standing and is the owner of the west half of Section 14 and the west half of Section 23 in Township 5 South, Range 6 East, Boise Meridian, Elmore County, Idaho, and,

WHEREAS the undersigned E & H Farms, Inc., is a shareholder in South Elmore Irrigation Company, an Idaho corporation, and owns in excess of 100 shares of stock in said corporation, representing the right to water for irrigation in excess of 100 acres, and,

WHEREAS E & H Farms, Inc. has agreed to sell to Squaw Creek Farms, L.L.C., of Mountain Home, Idaho, 100 shares of common stock in South Elmore Irrigation Company and has agreed to transfer water rights appurtenant to its property in sections 14 and 23 as described above to Squaw Creek Farms, L.L.C., NOW THEREFORE;

The undersigned E & H Farms, Inc., hereby consents to the transfer of 100 shares of common stock in South Elmore Irrigation Company and water rights appurtenant to property now owned by E & H Farms, Inc. for the irrigation of 100 acres of land to Squaw Creek Farms, L.L.C.

DATED this 19 day of June, 1996.

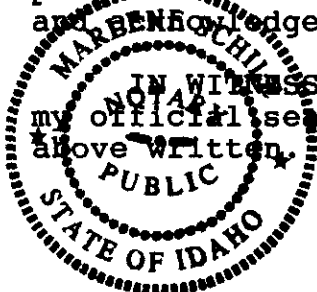
E & H FARMS, INC.

By [Signature]
Reyes F. Lopez
Its President

STATE OF IDAHO,)
) ss.
COUNTY OF ELMORE,)

On this 19 day of June, 1996, before me, the undersigned, a Notary Public in and for said State, personally appeared Reyes F. Lopez, Jr., known to me to be the President of E & H Farms, the corporation that executed the foregoing instrument or the person who executed the instrument on behalf of said corporation, and he acknowledged to me that said corporation executed the same.

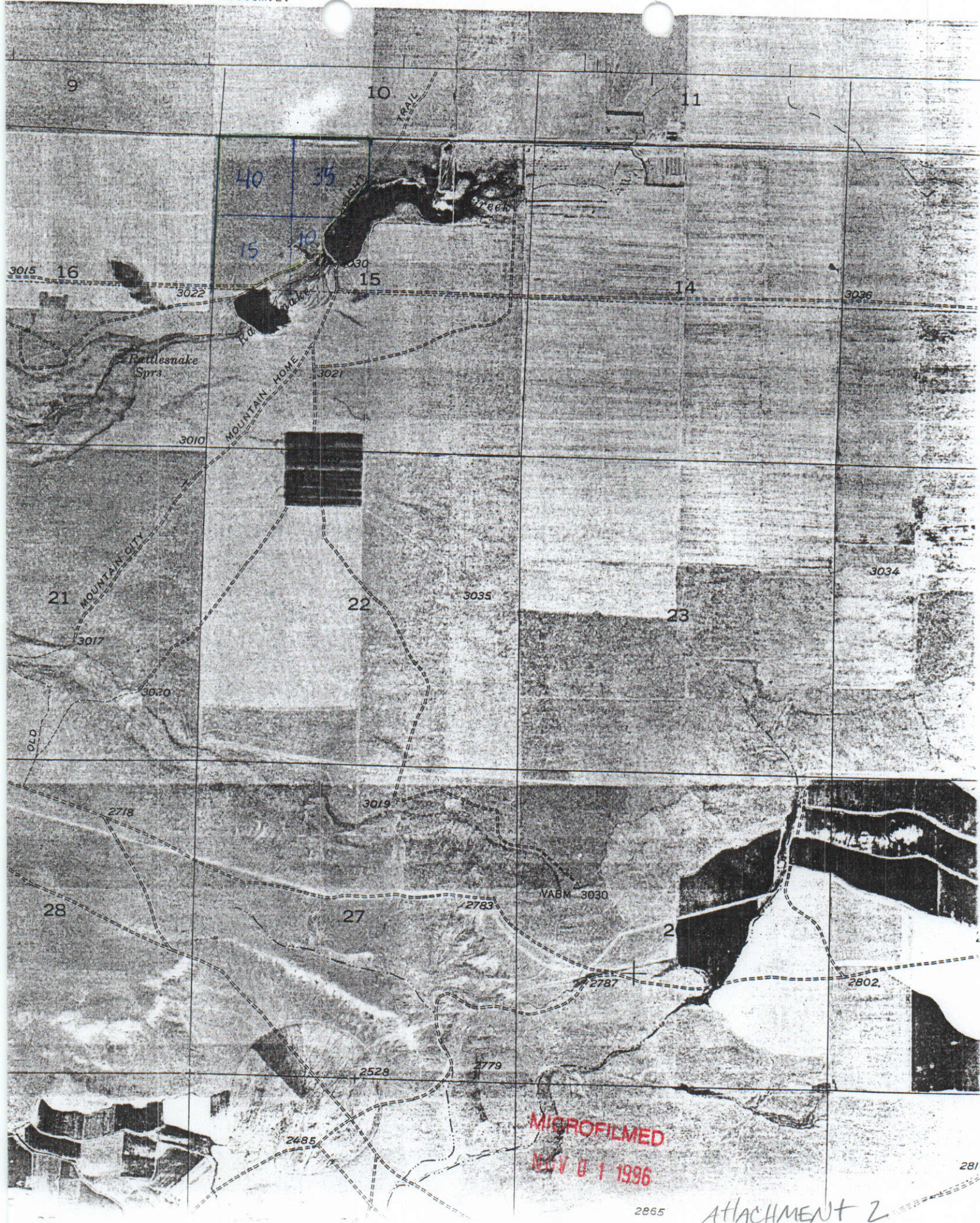
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



[Signature]
Notary Public for Idaho,
Residing at Mountain Home
My commission expires 9-22-99

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NOV 9 1 1996

ATTACHMENT 1



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

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



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

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

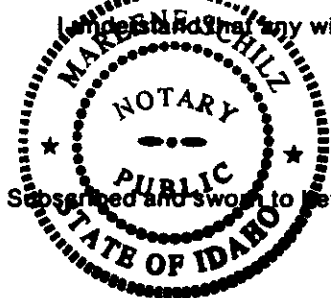
2. Quantity and quality of return flows and location of discharge:

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

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

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

SOUTH ELMORE IRRIGATION COMPANY

By Irving Kutterberg, President
(Signature of Applicant)Subscribed and sworn to before me this 1st day of July, 1996.
Markene Schilz
(Notary Public)
My commission expires 9-22-99**FOR DEPARTMENT USE ONLY**Transfer contains 11 pages and 5 attachmentsReceived by DB Date 5/14/96

Protest filed by _____

Prelim. check by 6 Fee \$100.00Receipted by DB #W020854 Date 5/14/96Published in mta Home News

Copies of protest forwarded by _____

Pub. dates August 7 & 14, 1996

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

_____ rec'd. _____ by _____

Copy of transfer sent to lien holder _____

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NOV 01 1996

HALL, FRIEDLY & WARD

A PROFESSIONAL ASSOCIATION
ATTORNEYS AT LAW
340 EAST 2ND NORTH
MOUNTAIN HOME, IDAHO 83647

PERCE HALL
JAY R. FRIEDLY
ROBERT W. WARD
CLAY M. SHOCKLEY

TELEPHONE
(208) 587-4412
FAX
(208) 587-3144

June 26, 1996

Ms. Lori Graves
Senior Water Resource Agent
Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

Re: Transfer Application, Elmore Irrigation Company

Dear Ms. Graves:

In response to your letter to South Elmore Irrigation dated May 24, 1996, I have enclosed the following additional information.

A new first page of the application showing the entire listing of both water rights as proposed.

Consent to Transfer of Water Rights signed by E & H Farms, Inc. with the notarized signature of its president, Reyes F. Lopez.

Elmore County Assessors' office print out showing the property assessed to E & H Farms, Inc., providing proof of ownership.

Copies of aerial photographs together with notes from the local ASCS office showing that crops were growing on the property prior to the enrollment in the Conservation Reserve Program.

The property removed from irrigation is 83 acres located in the south half of the Southwest Quarter and the south half of the south half of the north half of the Southwest Quarter of Section 23, Township 5 South, Range 6 East, Boise Meridian, and 17 acres located in the north half of the north half of the Northwest Quarter of Section 14, Township 5 South, Range 6 East, Boise Meridian.

The property that will be irrigated into which the water rights are being transferred is 100 acres in the Northwest Quarter of Section 15, Township 5 South, Range 6 East.

If you need any further information, please let us know.
Thank you very much for your assistance in this matter.

Sincerely yours,

Jay R. Friedly

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NOV 01 1996

ATTACHMENT 3

Print Key Output

Page 1

5763SS1 V3R1M0 940909

S1046850

06/19/96 09:19:14

Display Device : WO

User : TERI

TAX MASTER INQUIRY

PMPKEY: RP 05S06E142510 A YEAR 1995

BILL# 12928

TXPKEY: RP05S06E142510A

NAME E & H FARMS INC

CODE AREA 800
BANK FLB

ACCOUNT TYPE
OWNER 190 PUP

ADDRESS RT 1 BOX 1260

MTN HOME ID 83647

LEGAL W2 LESS TAX 1,2,4,5,
SEC 14
T5S R6E

MARKET VALUE 88,471
HARDSHIP
HOMEOWNER
NET MARKET 88,471
TAX AMOUNT 1,249.10
LESS: CIRCUIT
PLUS: SPECIALS
NET TAX BILLED 1,249.10
TAX PAYMENTS 1,249.10
TAX CANCELLED
SPEC CANCELLED
REMAINING TAX DUE

RP

A OR

NEXT BILL# RP

1995

F3=EXIT F14=OTHER CORE # F5=PAYMNT ACTIVITY F6=TRANS ACTIVITY F24=MORE

MICROFILMED
NOV 01 1996

Print Key Output

Page 1

5763SS1 V3R1M0 940909

S1046850

06/19/96 09:19:20

Display Device : WO

User : TERI

TAX MASTER INQUIRY

PMPKEY: RP 05S06E232410 A YEAR 1995

BILL# 12934

TXPKEY: RP05S06E232410A

NAME E & H FARMS INC

CODE AREA 800
BANK FLB

ACCOUNT TYPE
OWNER 190 PUP

ADDRESS RT 1 BOX 1260

MTN HOME

ID 83647

LEGAL W2

SEC. 23

TSS R6E

MARKET VALUE	70,400
HARDSHIP	
HOMEOWNER	
NET MARKET	70,400
TAX AMOUNT	993.94
LESS: CIRCUIT	
PLUS: SPECIALS	
NET TAX BILLED	993.94
TAX PAYMENTS	993.94
TAX CANCELLED	
SPEC CANCELLED	
REMAINING TAX DUE	

RP

A

OR

NEXT BILL# RP

1995

F3=EXIT F14=OTHER CORE # F5=PAYMNT ACTIVITY F6=TRANS ACTIVITY F24=MORE

NOT RECORDED

MICROFILMED
NOV 01 1996

T 614
280

CA
89
1-1

2 EL
92.0

3 EL
128.6

4 EL CRP
19.0 89-98
2-19.0

HEL
109.5

CRP
89-98
1-126
HEL
109.5

15
22

2 HE
70.0

CRP
83-98
2-70.0

3 HEL
235.5

HEL 554.1
Property to which
water will be
added.

3 2400

CRP
89-97
HEL
78.5

15 14 783

CRP
86-17
2-31.5

14 13
23 24

181.3

634.0

CRP

B-434

271

Rd 712 S. 1000

Owner Mark Sheerer
C. H. Farms Inc.

1981

318.5 Field 1 Beans / Sugar Beets - Both are Eligible
315.5 " 2 Sugar Beets / Sp Wht.
634.0

1982

Field 1 Winter Wheat
2 Wht / Sugar Beets

1983

Field 1 Sugar Beets
2 Sp Wht / CWA / Beans

1984

Field 1 Beans / CWA / Sp Wht
2 Sugar Beets

1985

Field 1 Sugar Beets
2 Sp Wht

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REPORT OF ACREAGE

USDA-ASCS

NOTE: Sect. 1374a, 7U.S.C., authorizes collection of the following data. The data will be used to determine eligibility for assistance. Furnishing this data is voluntary; however, without it assistance cannot be provided. The data may be furnished to any agency responsible for enforcing the Act.

PAGE

OF

KEY	FARM NO.	NAME AND ADDRESS	FARM- LAND	CROP- LAND	OPERATOR	OTHER INTERESTED PRODUCERS				ASSIGNMENT		
						NAME AND ADDRESS	OTHER FARMS	CROP	JOB			
1	434	MARK THOMPSON	1243	1234	NONE	3						
	B	1 RT BOX 260	022	23 24a		P22	4					
	00	MT HOME ID 8647					5					
2	434	ROCKING R FARM			1985	6						
	B	2572 CARROUSEL CIRCLE					7					
	OW	TWIN FALLS ID 83301										

SECTION I - FARM FIELD REPORT (NOTE: Gray Shaded Area to be Filled In by Reporter ONLY.)

TRACT NO.	FIELD NO.	CROP OR LAND USE	CROP OR LAND USE SUMMARY				KEY	SHARE	DISPOSITION	METHOD	GROSS ACRES	DEDUCTIONS		NET ACRES	INITIAL & DATE	
			Wht	Bar	Corn	Beets						AF	ACR			IDENT./MEAS.
T-367	1A	S Beets				73.2										
	2B	S Beets				246.3										
	3C	Sp Wht	157.9													
	4D	Sp Wht	169.7													
T-368	1A	S Beets				42.0										
	2A	Sp Wht	49.6													
	3A	Sp Barley		165.0												
	2B	S Beets				74.0										
2A	B	AF-Hay				80.0										
TOTAL OPERATOR REPORT			377.2	165.0	0	435.5										
TOTAL REPORTER'S REPORT																

SECTION II - OPERATOR'S CERTIFICATION

I certify to the best of my knowledge and belief that the acreages of crops and land uses listed herein are true and correct. Further, my signature constitutes authority for ASCS personnel to enter my farm for making any program determinations.

OPERATOR'S SIGNATURE



DATE

6/27/85

OPERATOR'S SIGNATURE

DATE

[illegible]

SKETCHES OR REMARKS

U.S. Government Printing Office: 1982-509-533/1020 2-1

Land designated for ACR acreage meets the cropping requirements or other eligibility requirements as applicable.

MICROFILMED
NOV 01 1996

NET 6/27/85

023

10

64.0

79.1

B434

~~4348~~

T367

S Beds

A
73.2

B

161.1

C

62.2

D

67.3

15

22

3

SP.
wht

C

57.9

F

229.6

22

3

SP.
Wht

C
157.9.

F
229.6.

023

10 64.0

79.1

B434

~~434~~

T367

S Beds

A
73.2

B
161

C
62.2

D
67.3

NOV 0 1 1962
MICROFILMED

B434
T367

R6E

SP Wht

22 27 26
69.7

MICROFILMED
NOV 0 1 1996

B434
T367

R6E

Sp Wht

22 169.7
27 26

MICROFILMED
NOV 01 1996

23
8.2

24
6.5

25
9.0

26
122.9

27
8.4

29
7.5

30
122.6

31
7.0

32
1011 68.6

4
189.0

T367
271

T370
272

1624

MICROFILMED

NOV 01 1996

1514 318.5
2223

170.3

23
8.2

24
6.5

25
9.0

26
122.9

27
8.4

29
7.5

30
122.6

31
7.0

32
1011 68.6

4
189.0

1514
T367
271

T370
272

1624

MICROFILMED

NOV 0 1 1996

1514 318.5
2223

170.3

1514
2223

5
240.0

240.0

315.5

1813

MICROFILMED
NOV 01 1996

120.7

15 14
22 23

5
240.0

7
240.0

2
315.5

22 23

1813

MICROFILMED
NOV 01 1996

120.7

AJ0749NP
No. A02-02269

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 07/19/96
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SOUTH ELMORE IRRIGATION CO PO BOX 396 MOUNTAIN HOME ID 83647 (208) 587-9881	02/19/1964	IRRIGATION	03-15 11-15	87.11 CFS	
					TOTAL DIVERSION:	87.11 CFS
					CONSUMPTIVE USE:	19698.00 AFA

Water Source: SNAKE RIVER

Tributary to: COLUMBIA RIVER

Stage: LICENSE

Point(s) of Diversion: T05S R07E S28 Lot02(NESW)

ELMORE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE							
				NENE	NWNE	SWNE	SENE	NENW	NWNW	SWNW	SENW	NESW	NWSW	SWSW	SESW	NESE	NWSE	SWSE	SESE	SUM			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:			
05S	06E	1	:			02-39	40	39	:					40	40	40	40	39	40	:	436.0		
05S	06E	3	:	01-40	02-40	40	40	:					40	40	40	40	40	40	40	:	480.0		
05S	06E	10	:	36	39	40	38	:	40	40	40	40	40	40	39	39	38	40	39	:	626.0		
05S	06E	11	:	39		39	40	:					40			39	40	39	39	:	315.0		
05S	06E	12	:	39	40	40	39	:	40	40	40	40	40	40	39	39	40	39	39	:	633.0		
05S	06E	13	:	40	40	40	39	:	39	39	40	40	40	40	40	38	40	36	40	:	631.0		
05S	06E	14	:	40	40	40	40	:	31	40	40	40	40	40	40	40	40	40	40	:	631.0		
05S	06E	15	:			40	39	:								40	40	40	40	:	239.0		
05S	06E	16	:	40	40	40	40	:					20	17		10	14			:	221.0		
05S	06E	22	:	40			40	:								40			40	:	160.0		
05S	06E	23	:	40	40	27	40	:	40	40	40	40			31	13				:	351.0		
05S	06E	24	:	37			16	:	40	39	40	20								:	227.0		
05S	07E	17	:					:					40	36			39			:	115.0		
05S	07E	18	:					:								03				:	3.0		
05S	07E	20	:					:								38	39	40		:	178.0		
05S	07E	21	:	38	39	40	34	:					40	35						:	226.0		
05S	07E	22	:					:	38	39	40	39								:	156.0		
																			TOTAL ACRES				5628.0

POU County: ELMORE

Non-Irrigation Uses: NA

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion and Source:

A02-02210 A02-02345 A02-02367 A02-02386 A02-02387 A02-02388 A02-07148 A02-07255 A02-07263 A02-07291
A02-07317

Dates: Exam Made Date:

Verified Date:

Objection Filed Date:

Misc: Water District Number: 02

Field Inspection Flag:
Presumption Flag:

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NOV 01 1996

ATTACHMENT 4

AJ0749NP
No. A02-02367

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT
(REGIONAL)

DATE: 07/19/96
PAGE: 1

=====

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	SOUTH ELMORE IRRIGATION CO PO BOX 396 MOUNTAIN HOME ID 83647 (208) 587-9881	03/22/1965	IRRIGATION	03-15 11-15	6.52 CFS	
					TOTAL DIVERSION: CONSUMPTIVE USE:	6.52 CFS 1141.00 AFA

Water Source: SNAKE RIVER

Tributary to: COLUMBIA RIVER

Stage: LICENSE

Point(s) of Diversion: T05S R07E S28 Lot02(NESW)

ELMORE County

Place of use Legal Description for: IRRIGATION

				NE				NW				SW				SE					
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
05S	06E	11	:													06				:	6.0
05S	06E	16	:							40	40	40	40							:	160.0
05S	06E	23	:											40	40	40	40			:	160.0
																				TOTAL ACRES	326.0

POU County: ELMORE

Non-Irrigation Uses: NA

Other Rights: NONE

Other Water Rights with Same Point(s) of Diversion and Source:

A02-02210 A02-02269 A02-02345 A02-02386 A02-02387 A02-02388 A02-07148 A02-07255 A02-07263 A02-07291
A02-07317

Other Water Rights Listing Overlapping Place(s) of Use:

A02-07263

Remarks: GEN THIS RT WHEN COMBINED WITH RT 02-2269 SHALL NOT EXCEED 87.11 CFS.

Dates: Exam Made Date:

Verified Date:

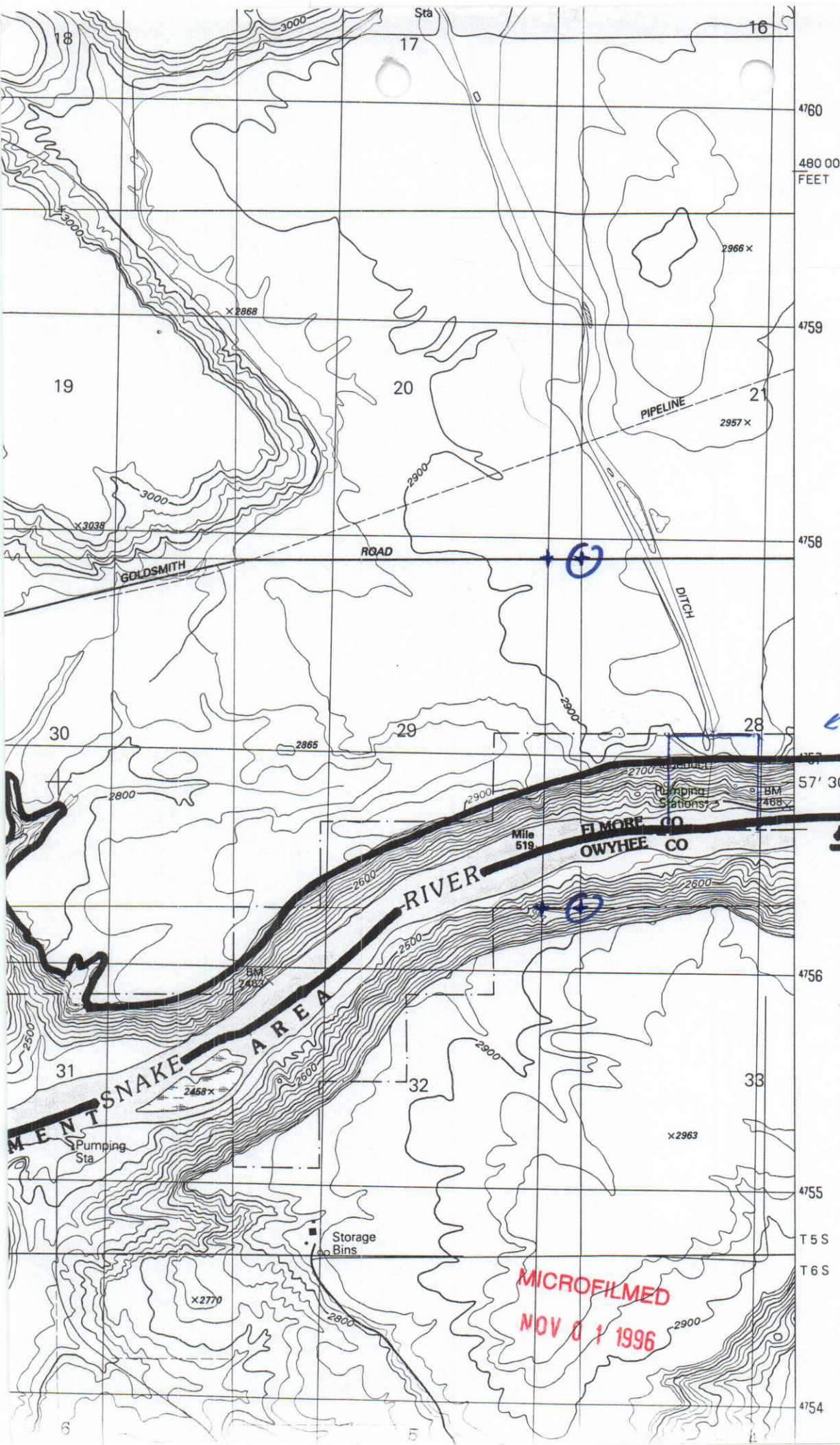
Objection Filed Date:

Misc: Water District Number: 02

Field Inspection Flag:
Presumption Flag:

MICROFILMED
NOV 0 1 1996

acres in sec
15 where
water is
being transferred
to.



4760
480 000
FEET

4759

4758

4757

4756

4755

T 5 S

T 6 S

4754

Actual pld
in NESW
-JC a/2/96

61
51

MICROFILMED
NOV 01 1996

ATTACHMENT 5

21

21

2957_x

Landing
Strip

28

VABM 2925

28

2700

2900

2468_x

MICROFILMED
NOV 01 1996

ELMORE CO

OWYHEE CO

2600

2600

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 31802/02-2269 Priority Feb. 19, 1964 Amount 87.11 cfs

THIS IS TO CERTIFY, that The Travelers Insurance Company
of Portland, Oregon, has complied with the terms and conditions of Permit
No. 31802/02-2269 issued pursuant to Application for Permit dated February 19, 1964,
and has submitted proof to the Department of Water Resources on September 9, 1968,
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 87.11 cfs of water from the Snake River,
tributary to the Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 1</u> to <u>Oct. 31</u>	at <u>87.11</u> cfs and	<u>25,402.5 acrefeet 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 87.11 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
25,402.5 acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 28,
Twp. 5 S, Rge. 7 E, B. M. in the County of Elmore

Description and location of place of use:

Twp.	Range	Sec.	NE¼				NW¼				SW¼				SE¼				Totals	
			NW¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼		
See Land List Attachment																				

Total number of acres irrigated _____

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 1 day of
August, 19 75.

Director

LAND LIST ATTACHMENT

[illegible]

Total number of acres irrigated 5,645

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

APPLICATION FOR AMENDMENT

Permit No. 31802

Comes now South Elmore Irrigation Company

of (address)

Boise, Idaho

, and represents to the State Reclamation
Engineer of the State of Idaho:

That he is the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho
No. 31802, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NW ¼ SW ¼, Sec. 28, T. 5 S,

R. 7 E, B.M. Other points of diversion None

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

mo. - day

mo. - day

For irrigation purposes from March 1 to October 31 (both dates incl.)

For purposes from to (both dates incl.)

For purposes from to (both dates incl.)

For purposes from to (both dates incl.)

3. Place of use or land to be irrigated:

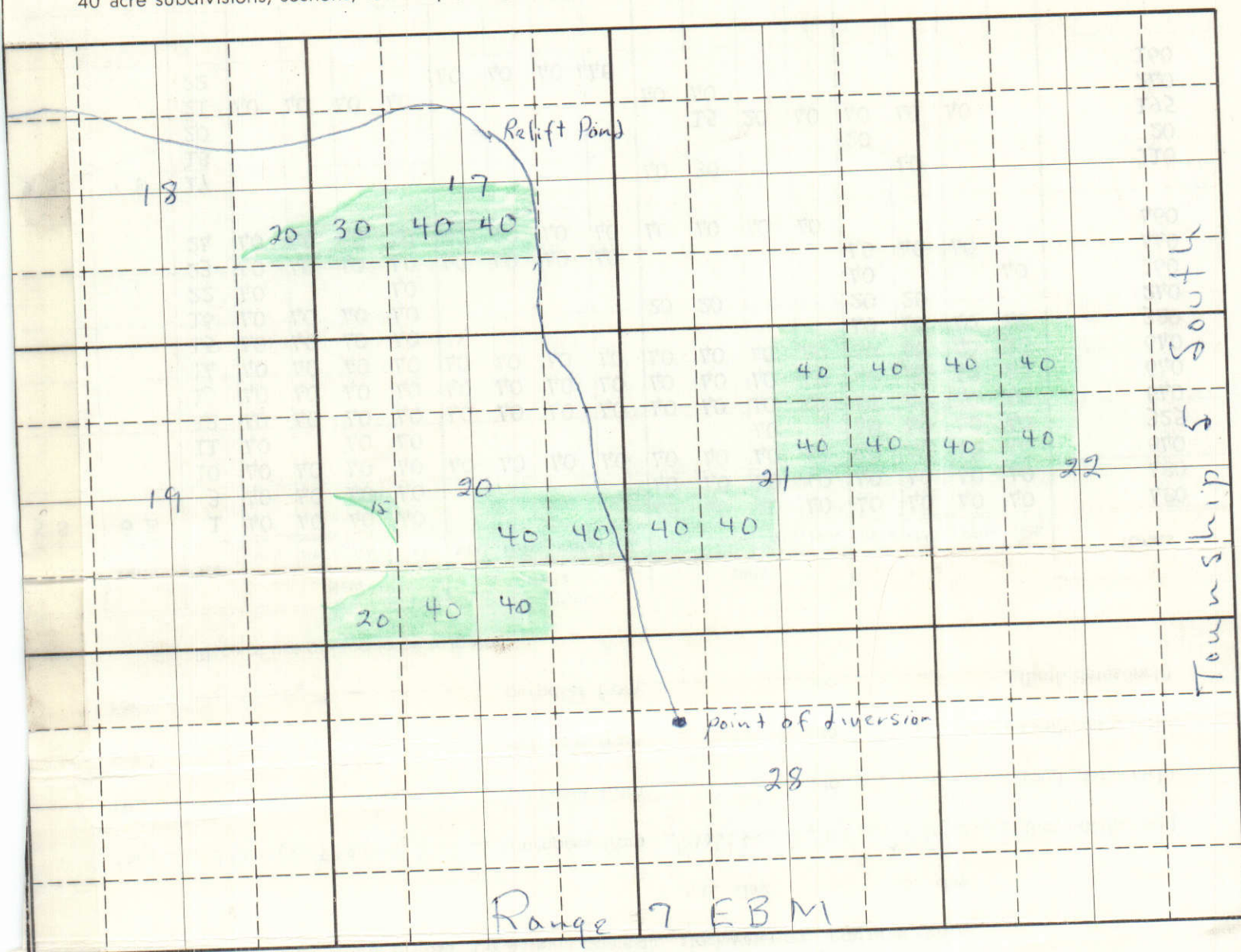
TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
5 S	6 E	1	40	40	40	40					40	40	40	40	40	40	40	40	480
		3	40	40	40	40					40	40	40	40	40	40	40	40	480
		10	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		11	40		40	40							40	5	40	40	40	40	325
		12	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		13	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		14	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		15	40	40	40	40									40	40	40	40	320
		16	40	40	40	40					20	20			20	20			240
		22	40			40									40			40	160
		23	40	40	40	40	40	40	40	40					40	40	40		440
		24	40	40	40	20	40	40	40	40	40	40	40	40					460
5 S	7 E	17									40	30				40			110
		18													20		40		20
		20										15	20	40	40	40	40		195
		21	40	40	40	40					40	40							240
		22					40	40	40	40									160

Total number of acres to be irrigated

6,190

31802

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



Scale: 2 inches equal 1 mile

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

Signed at BOISE, IDAHO, this 1st day of JULY, 1968.
South Elmore Irrigation Co.
 by [Signature] Secy.
 (signature)

ACTION OF STATE RECLAMATION ENGINEER

I, R. KEITH HIGGINSON, State Reclamation Engineer of the State of Idaho, hereby approve the above application for amendment for Permit No. 31802.

Witness my hand this 8th day of August, 1968.

[Signature]
 State Reclamation Engineer

31802

[illegible]

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
ASSIGNMENT OF PERMIT

I, South Elmore Irrigation Co., hereby assign to The Travelers Insurance Co.,
Name
of 707 S.W. Washington Street - Portland, Oregon 97205 Mortgage Loan Dept.
Address

CHECK ONE

- ☒ All my right, title, and interest, in and to Permit No. 02-2269
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. (Give that portion of the permit being assigned by describing
the land list and the point of diversion - describe by acreage within
each 40-acre subdivision.)

Made this 14th day of September, 1971.

SOUTH ELMORE IRRIGATION CO., an Idaho
Corporation

BY: B. M. Lauhere
B. M. Lauhere, President

BY: B. G. Miller
Wife of Permit Holder
B. G. Miller, Secretary

State of Idaho)
County of Ada)

ss.

On this 15th day of September, 1971, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he (she) (they) executed the same.

A. C. Huser
Notary Public residing at Boise, Idaho

My commission expires 5-8-74

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	
5 S	6 E	1	40	40	40	40					40	40	40	40	40	40	40	40	480
		3	40	40	40	40					40	40	40	40	40	40	40	40	480
		10	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		11	40		40	40							40	5	40	40	40	40	325
		12	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		13	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		14	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		15	40	40	40	40									40	40	40	40	320
		16	40	40	40	40					20	20			20	20			240
		22	40			40									40			40	160
		23	40	40	40	40	40	40	40	40					40	40	40		440
		24	40	40	40	20	40	40	40	40	40	40	40	40					480
5 S	7 E	17									40	30				40			310
		18													20				
		20										15	20	40	40	40			
		21	40	40	40	40					40	40							
		22					40	40	40	40									

Total number of acres to be irrigated

31802

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

State of Idaho
County of Ada

B.G. MILLER, Sec. of Box 1201, Boise, 83701
(name) South Elmore Irrigation Co. (address)

State of IDAHO, being first duly sworn, upon his oath deposes and says that the following information is true and correct to the best of his knowledge:

1. That he is the owner or duly authorized agent of the owner of Permit 31802
2. State source of water supply Snake River
3. The point of diversion of the water is W 1/4 of the SW 1/4 of Section 28,
Township 5 South, Range 7 E. B. M., Elmore County, Idaho
4. State for what purpose water is used irrigation
5. The amount of water used is 105.1 c. f. s. (state in what manner the quantity of water was determined and the qualifications of the person making such determination) by
counting number and size of sprinkler orifices and water pressure in lines
6. State the place of such use, and if for irrigation the description by legal subdivisions of the land so irrigated _____
7. Give description of works by which water is conducted to such place of use including the name of any canal or stream used to carry the water River pumps, penstock, ditch, well,
pumps and buried mainline to sprinkler laterals
8. The relation or understanding upon which the right to take water from the works is based is membership in South Elmore Irrigation Company
9. List all other water rights appurtenant to same place of use none
10. The date of priority to be established is April 6, 1964 2-19-64
11. Remarks _____

Bellville, Secretary
(signature)

Subscribed and sworn to before me this 9th day of September, 19 68.

W. P. Reser
(notary public)

My commission expires Jan 20, 19 69.

MICROFILMED

31802
EXAMINED
10-28-69
JWB

RECEIVED

MAR 2 1969

NOTICE OF CHANGE IN STATE
WATER PERMIT

Notice is hereby given that Permit No. 31802 in the name of South Elmore Irrigation Company of Boise, Idaho, has applied to the State Reclamation Engineer of the State of Idaho to amend the place of use of Permit No. 31802. The original place of use was given as portions of sections 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, and 34, T. 5 S., R. 7 E., B.M., totaling 6190 acres; whereas, the amended place of use is portions of sections 1, 3, 10, 11, 12, 13, 14, 15, 16, 22, 23, 24, T. 5 S., R. 6 E., and portions of sections 17, 18, 20, 21, and 22, T. 5 S., R. 7 E., B.M., totaling 6190 acres.

That any protests against the above amendment must be filed at the Department of Reclamation, Statehouse—Annex 2, Boise, Idaho, within ten (10) days from the date of last publication of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objection to the above amendment.

Dated this 10th day of February, 1969.

R. KEITH HIGGINSON
State Reclamation Engineer
First publication February 20, 1969
Last publication February 27, 1969

Department of Reclamation

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Floyd S. Waters 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 22 day
of February, 1969, and
the last publication having been made on the
...27... day of February,
1969...; every Thursday 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.

Floyd S. Waters

Subscribed and sworn to me this 27
day of February, 1969

Virna M. Waters
Notary Public

02-2269

31802

RECEIVED

1969

Department of Reclamation

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Lloyd S. Waters..... 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 27..... day

of February....., 1969, and

the last publication having been made on the

27..... day of February

1969...; every Thursday 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.

Lloyd S. Waters

Subscribed and sworn to me this 27.....

day of February....., 1969

Union M. Watson
Notary Public

02-2269

31802

RECEIVED

MAR 17 1964

Department

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Lloyd S. Skater do
solemnly swear that I am the foreman, the
publisher of the

MOUNTAIN HOME NEWS

a semi-weekly newspaper of general circulation,
published twice 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

...3.... consecutive weeks, the first publica-
tion having been made on the ..37th day
of ...February....., 1964, and
the last publication having been made on the
..13th day of ...March.....

19.64.; every Thursday 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.

Lloyd S. Skater
Subscribed and sworn to me this ..13th....

day of ...March....., 19.64..

.....Jane Lathrop.....
Notary Public

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

NOTICE IS HEREBY GIVEN,
That the Elmore Canal Company,
of Boise, Idaho, has made applica-
tion No. 39851 on the 19th day of
February, 1964, to appropriate
105.1 cubic feet per second of the
waters of Snake River for irriga-
tion purposes.

That the point of diversion is
located in NW1/4SW1/4, Section 28,
Twp. 5 S., Rge. 7 E., B. M.

That the lands to be irrigated
are 6190 acres in Sections 14, 15,
16, 17, 18, 19, 20, 21, 22, 23, 26, 27,
28, 29, 30, 34, all in Township 5
South, Range 7 East B. M.

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

Dated this 19th day of Febru-
ary, 1964.

Ralph W. Thomas
Deputy State Reclama-
tion Engineer

Date of first publication: Feb.
27, 1964.

Last date for protest: March
30, 1964.

SERVICE OF THE FOREGO-
ING, by copy, is hereby acknow-
ledged this 20th day of February,
1964.

ELMORE CANAL COMPANY
By Calvin Dworshak
ITS Assistant Secretary.

31802

RECEIVED
MAR 17 1964

Affidavit of Publication

County of Elmore }
STATE OF IDAHO } ss.

I, Lloyd S. Skater do
solemnly swear that I am the foreman, the
publisher of the

MOUNTAIN HOME NEWS

a semi-weekly newspaper of general circulation,
published twice 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

...3... consecutive weeks, the first publica-
tion having been made on the 27th day
of February, 1964, and
the last publication having been made on the
13th day of March

1964; every Thursday 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.

Lloyd S. Skater

Subscribed and sworn to me this 13th
day of March, 1964.

Jane Lathrop
Notary Public

31802

Travelers loan

31802

02-2265

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

ASSIGNED TO:

The Travelers Insurance Co.
(address in file)

APPLICATION No. 39851
PERMIT No. 31802
DISTRICT No.

LICENSE ISSUED FOR 27.11 SEC. F.
LICENSE PAGE NO.

1. Name of Applicant: Elmore Canal Co.

Postoffice address: 737, Boise

County: Ada

State: Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation: Boise - Feb. 19, 1964

(b) Amount of capital stock: 50,000 shares

(c) Amount paid in: None

(d) Names and addresses of directors: Calvin Dworshak - Boise, Idaho; Charles Shearman, Boise, Idaho; Rex Greer, Twin Falls, Idaho.

II. The financial resources of the applicant are:

(a) Cash on hand: None

(c) Bond to be issued:

(b) Treasury stock:

(d) Other resources:

2. Quantity of water claimed: 105.1

cubic feet per second.

3. Source of water supply: Snake River

which is a tributary of

4. Location of point of diversion: 221° 4020 ft; 235° 40' / 1680' feet distant from the NE corner of Section 28, T. 5 S, R. 7 E, B.M., and is in the NW 1/4 of the SW 1/4 of section 28, T. 5 S, R. 7 E, B. M., County of Elmore

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: \$ 500,000

8. Kind of works: River Pump Station Penstock Canals & Piping

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 4 fee; width at water line 9.6 feet; depth of water 2.8 feet; dimensions of flume:

Diameter of pipe 48 inches; length of conduit 31,950.6 ft. ~~mile~~
Average grade per mile 10.56 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:

Permit No. 31093 for all of Sec. 16; SW 1/4 & SE 1/4 of SW 1/4 and SW 1/4 of SE 1/4 of Sec. 17; SE 1/4 of SE 1/4, of Sec. 18; NE 1/4 of NE 1/4 of Sec. 19; and NW 1/4 of NE 1/4 and NE 1/4 & NW 1/4 of Sec. 20

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/ Elmore Canal Co. Applicant.

By Rex Greer, Vice President Agent.

Date of first receipt at Department of Reclamation: 10:30 A.M. February 19, 1964

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 31802

Recorded in Book 111 Page 31802 Approved April 6, 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 \$1000.00 to be filed on or before June 6, 1964

Work to begin on or before _____ and to continue diligently and uninterruptedly to completion, unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before **October 6, 1966**

The whole of said work to be completed on or before **April 6, 1969**

Beneficial use of water appropriated in accordance herewith, to be made on or before **April 6, 1975**

WITNESS My hand this 6th day of April, 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 6th

day of April, 19 64

STATE OF IDAHO

Countersigned:

(SEAL)

By s/ ARNOLD WILLIAMS

Secretary of State.

By s/ ROBERT E. SMYLLIE

Governor.

REMARKS: The point of diversion was located from an actual survey made on Feb. 4., 0 1964 under the supervision of Roger G. Young of Idaho Falls, an engineer licensed by the State of Idaho. The routes of canals and pipelines were located using U. S. Geological Topographical maps with a two foot contour interval.

14.

[illegible]

A S S I G N M E N T

For value received, Elmore Canal Company, an Idaho Corporation, hereinafter referred to as assignor, hereby assigns to South Elmore Irrigation Co., an Idaho Corporation, hereinafter referred to as assignee, all of its right, title and interest in and to any and all permits it now holds to appropriate the public waters of the State of Idaho.

Assignor further hereby assigns and transfers unto assignee all easements and right-of-way of every kind and nature ~~heretofore~~ heretofore held by assignor including that certain right-of-way, Serial No. Idaho 015762 granted by the United States Bureau of Land Management on the 21st day of January, 1965, and which right-of-way was granted subject to the stipulations attached thereto and made a part thereof.

Dated this 26th day of January, 1966.

ELMORE CANAL COMPANY

/s/ REX GREER, President

S E A L

State of Idaho)
) ss
 County of Ada)

On this 26th day of January, 1966, before me, the undersigned, a Notary Public in and for said State, personally appeared REX GREER, known to me to be the President of Elmore Canal Company, the corporation that executed the within and foregoing instrument and acknowledged to me that such corporation 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.

/s/ WILLIAM F. RINGERT,
 Notary Public for Idaho residing at Boise, Idaho

(S E A L)

See application for amendment in file. July 1, 1968.



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

October 25, 1996

SOUTH ELMORE IRRIGATION CO
PO BOX 396
MOUNTAIN HOME ID 83647

RE: Transfer No. 4881
Water Right Nos. 02-02269/02-02367

Dear Water Right Holder:

Enclosed is a copy of your approved Transfer of Water Right for the above referenced water rights (Transfer No. 4881). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer.

The accompanying **transfer approval** should be considered and treated as a **preliminary order** of the department issued 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 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 this 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 this 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, this preliminary order will become a final order of the agency.

If any party appeals or takes exceptions to this 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 Director. The Director retains the right to review the preliminary order on his own motion.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director 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 Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Director 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 Director 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.

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

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:ph

Enclosure

MEMORANDUM

TO: FILE NOS. 02-2269 & 02-02367

FROM: PAM SKAGGS/^{PS}STATE OFFICE

SUBJECT: TRANSFER NO. 4881

DATE: October 21, 1996

=====

Transfer No. 4881 was filed to change the place of use of 100 acres within the system under Right Nos. 02-02269 and 02-02367. Although the change was not specifically noted in the advertisement, the legal description of the point of diversion was corrected to reflect the actual location per the application; no physical change is made. 100 acres are being removed from land currently under CRP that will no longer be irrigated. Proof of irrigation prior to CRP was provided.

These two rights were developed from the same system and the second right, 02-02367, was for additional acres only. When combined with the original right it is limited to the diversion rate of 87.11 cfs licensed under 02-02269. The approval describes the single combined system serving 6291 acre permissible place of use.

Season of use and diversion volume were adjusted to current standards. Recommended conditions include totalizing measuring device, future annual reporting, irrigation overlap, right-of-way, combined limits, permissible place of use and standard transfer conditions.

MICROFILMED

NOV 01 1996

Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

FRED I. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FAJER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
GAYLE A. SORENSON, P.A.
DONALD L. HARRIS, P.A.
DALE W. STORER
MARIE T. TYLER
JOHN G. SIMMONS
ROBERT M. FOLLETT
FREDERICK J. HAHN, III
SHAN B. PERRY

U.S. BANK OF IDAHO BUILDING
330 SHOUUP AVENUE, THIRD FLOOR
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
FACSIMILE (208) 523-9518
E-MAIL HOLDNI.LAW@SRV.NET

Arthur W. Holden
(1877-1967)
Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

FAX TRANSMITTAL SHEET**DATE:** October 22, 1996**TIME:** 4:10 p.m.**TO:** Pam**FAX #:** (208) 327-7866

Idaho Department of Water Resources

FROM: Charles A. Homer**FAX #:** (208) 523-9518**ITEMS SENT:** Letter dated July 10, 1996 to Guaranty Title, Inc., UCC-3 Form, and Certificate of Satisfaction, Discharge and Release**NO. OF PAGES INCLUDING TRANSMITTAL SHEET:** 5**MESSAGE:****ORIGINALS:** Sent by Mail ☐ Kept on File ☒**If you do not receive all of the pages, please call back as soon as possible (208) 523 - 0620.**

This message is intended only for the use of the individual or entity to which it is addressed and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination or distribution of this communication to other than the intended recipient is strictly prohibited. If you have received this communication in error, please notify us immediately by collect telephone at (208) 523-0620, and return the original message to us at the above address via the U.S. Postal Service. Thank you.

Telecopier Operator

Shauna Simmons

MICROFILMED
NOV 01 1996

T# 4881

HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
GAYLE A. SORENSON, P.A.
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DALE W. STORER
MARIE Y. TYLER
JOHN G. SIMMONS
ROBERT M. FOLLETT
FREDERICK J. HAHN, III

WEST ONE BANK BLDG.
330 SHoup AVENUE, THIRD FLOOR
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518
E-MAIL HOLDNLAW@SRV.NET

Arthur W. Holden
(1877-1967)
Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

July 10, 1996

COPY

Guaranty Title, Inc.
ATTENTION: Sylvia
206 South 3rd East
Mountain Home, Idaho 83647

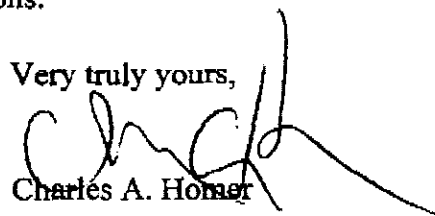
Re: John Hancock Mutual Life Insurance Company — E & H Farms

Dear Sylvia:

I am enclosing for you to record in the Elmore County Recorder's Office on the above matter, the original Release of Mortgage and Termination of UCC-1 Financing Statement. After such documents are recorded, I presume that you will provide the same to E & H Farms, Inc. I am also enclosing for you to provide directly to E & H Farms, Inc. the following documents which have now been paid in full: (i) Promissory Note, (ii) Promissory Note and Agreement, (iii) First Mortgage and (iv) Amendment to Mortgage.

Please call if you have any questions.

Very truly yours,


Charles A. Homer

Enclosures

G:\WPDATA\CAH\2270\TITLE710.LTR:jhr

MICROFILMED
NOV 01 1996

1. PLEASE TYPE THIS FORM IN BLOCK
 2. Except for pre-paid account users, enclose filing fee of \$6.00 /
 printed page. Pre-paid account users must enter Customer ID
 3. File only the original. Make copies for your file. The original will
 4. Enter only one debtor's name or assumed name per debtor block exactly as it is to be indexed. If more than four names, use an attached
 sheet. Enter individual debtor names. Last, First Middle Initial, e.g. Smith, John Alan Jr.
 5. Be sure to correctly enter the UCC-1 Financing Statement number assigned by the filing officer.
 6. One or more transactions may be made by a UCC-3. Check the appropriate boxes.

Form Approved by Pete T. Conruss, Secretary of State, UCC Division, Statehouse, Boise, ID 83720. Ph 208-334-3191

Debtor #1 (Last name, first, middle, title & mailing address) Theener Farms, A Partnership Theener, Mark E. Theener, Gerald E. & Janelle Theener, Ernest H. & Claire Route 2, Filer Idaho 83328	Debtor #3
Debtor #2 **See below for remaining Debtors	Debtor #4

Name and Address of Secured Party or Assignee of Record JOHN HANCOCK MUTUAL LIFE INSURANCE COMPANY 431 Robeson Building Church and Randolph Streets Champaign, Illinois 61820	This statement refers to UCC-1 financing statement No. 08029 (162975) filed on May 12, 19 75
Mailing Address for acknowledgement, if not Secured Party	☐ CONTINUATION. The original financing statement bearing the number shown above is still effective. ☒ TERMINATION. Secured party no longer claims a security interest under the financing statement bearing the number shown above. ☐ ASSIGNMENT. The secured party's right under the financing statement bearing the number shown above has been assigned to the Assignee shown below. ☐ AMENDMENT. Financing statement bearing the number shown above is amended as set forth below. ☐ RELEASE. Secured party releases the collateral described below from the financing statement bearing the file number shown above.

Assignment or release information:

Assignee of secured party and address:

**Flying H. Syndication, consisting of Idaho Travertine Corporation, an Idaho Corporation, having its principal place of business in Idaho Falls, Idaho; A.M.R. Corporation, an Idaho Corporation, having its principal place of business in Rexburg, Idaho; Blazon Corporation, an Arizona Corporation, qualified to do business in the State of Idaho having its principal place of business in Salt Lake City, Utah; & Redi Bilt corporation, a Utah Corporation, qualified to do business in the State of Idaho, having its principal place of business in Ogden, Utah.

Loan #158681 - Theener Farms PAID IN FULL

Signature(s) of debtor(s) (Required for all amendments except change of Secured Party name or address, change of debtor address, or notice of subordination)

Filing Office Use Only

John Hancock Mutual Life Insurance Company

1605 S. State Street, Suite 106

Champaign, IL 61820

JOHN HANCOCK MUTUAL LIFE INSURANCE COMPANY

7/3/96

Signature of Secured Party or Assignee of Record

Catherine A. Schweighart, Service Center Manager

Revised 7/91

MICROFILMED

NOV 01 1996

CERTIFICATE OF SATISFACTION, DISCHARGE AND RELEASE

No. 158681

KNOW ALL MEN BY THESE PRESENTS, that JOHN HANCOCK MUTUAL LIFE INSURANCE COMPANY, a Massachusetts corporation, having its principal place of business in the City of Boston, County of Suffolk, and State of Massachusetts, the present owner and holder of a mortgage given to secure the payment of TWO HUNDRED NINETY THOUSAND ONE HUNDRED EIGHTY NINE AND NO/100 Dollars (\$290,189.00) from THEENER FARMS, a Partnership consisting of Mark E. Theener, Gerald E. Theener and Ernest H. Theener, MARK E. THEENER, GERALD E. THEENER and JANELLE THEENER, his wife, ERNEST H. THEENER and CLAIRE THEENER, his wife, FLYING "H" SYNDICATION, consisting of IDAHO TRAVERTINE CORPORATION, AN IDAHO CORPORATION, AM.M.R. CORPORATION, an Idaho corporation, BLAZON CORPORATION, an Arizona corporation, and REDI BILT CORPORATION, a Utah corporation to JOHN HANCOCK MUTUAL LIFE INSURANCE COMPANY, dated April 15, 1975, recorded in the Office of the Recorder, for the County of Elmore, State of Idaho, in Book 66, Page 146, Document No. 162974, and modified by instrument dated June 30, 1992 and not recorded, hereby acknowledges full payment of the debt thereby secured and discharges, satisfies and releases the lien of said mortgage.

IN WITNESS WHEREOF, the said JOHN HANCOCK MUTUAL LIFE INSURANCE COMPANY has caused its corporate seal to be hereto affixed and these presents to be signed in its name and behalf by Richard Smith, its Assistant Treasurer, this 17th day of June, 1996.

Signed, sealed and delivered
in the presence of:

Sheila Jordan
Sheila Jordan Witness

Eileen Bruckner
Eileen Bruckner Witness

JOHN HANCOCK MUTUAL LIFE INSURANCE COMPANY

By Richard Smith
Richard Smith Assistant Treasurer

COMMONWEALTH OF MASSACHUSETTS)

) ss.

COUNTY OF SUFFOLK)

I, _____, Notary Public in and for said Commonwealth, do hereby certify that on the 17th day of June, 1996, Richard Smith personally appeared before me and being first duly sworn by me, severally acknowledged that he signed the foregoing document in his capacity therein set forth and declared that the statements therein contained are true.

In Witness Whereof, I have hereunto set my hand and seal the day and year before written.

MICROFILMED

NOV 01 1996

Marie C. O'Brien
Marie C. O'Brien Notary Public
My commission expires: MARIE C. O'BRIEN, Notary Public

MY COMMISSION EXPIRES AUGUST 2, 1998

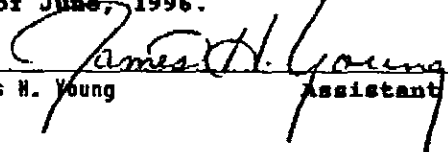
At a meeting of the Board of Directors of JOHN HANCOCK MUTUAL LIFE INSURANCE COMPANY held March 8, 1993, a quorum being present it was

VOTED: That the following officers of the Company (a) the Chairman of the Board, the President, the Vice Chairman of the Board, the Chief Financial Officer, the General Counsel, any Senior Executive Vice President, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, any Executive Managing

Director, the Treasurer, any Assistant Treasurer, or any Treasury Officer, (b) any Senior Investment Officer, any Investment Officer, any Assistant Investment Officer, or any other officer of the Agricultural Investment Department or the Bond and Corporate Finance Department holding a title of equivalent rank, or (c) any Senior Mortgage Investment Officer, any Mortgage Investment Officer, or any other officer of the Mortgage Investment Department holding a title of equivalent rank, or any one of them, are hereby authorized to execute and seal with the corporate seal, acknowledge, and deliver any and all instruments required in connection with any investment, sale or loan authorized by the Committee of Finance.

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I hereby certify that the above is a true copy of a vote passed March 8, 1993 by the Board of Directors of JOHN HANCOCK MUTUAL LIFE INSURANCE COMPANY; that the same still remains in force, and that Richard Smith is an Assistant Treasurer of the Company, this 17th day of June, 1996.

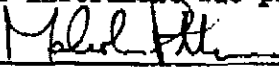

James H. Young

Assistant Secretary

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158681/Rsl/rnd

This instrument was prepared by:



JOHN HANCOCK MUTUAL LIFE INSURANCE COMPANY
JOHN HANCOCK PL, BOX 111, BOSTON, MA 02117

PAGE 2 OF 2

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MAY 01 1996

MEMORANDUM

TO: FILE NOS. 02-02269 & 02-2367

FROM: PAM SKAGGS²⁸/STATE OFFICE

SUBJECT: TRANSFER NO. 4881
SRBA CLAIMED ACRES

DATE: September 25, 1996

=====

Initial review of this transfer identified a reduction in the number of acres claimed in the SRBA under both rights in this transfer. The transfer approval should be prepared identifying the reduced, claimed acre limits.

Right No. 02-02269 reflects a minor rearrangement of acres within the licensed quarter-quarters and a reduction of 17 acres. Right No. 02-02367 eliminates acres in two sections, reducing the right by 320 acres and the associated rate of diversion. The combined rights continue to be limited to the rate identified under the senior license, 87.11 cfs.

Expedited review was requested for this application by the region staff and Reyes Lopez who will benefit from the change in acres. I contacted Jay Friedly, the applicant's attorney and designated contact, to discuss the acres issue. He was familiar with the transfer application, but thought that the amount of acres being reduced under the system was in error. His knowledge and memory of the matter were incomplete, however, and he advised me that he would request permission from the South Elmore Irrigation Company to have Sherl Chapman call and discuss the matter. Sherl is the person most knowledgeable about the SEIC water rights and has done prior work for them.

I will hold the application pending more information from the applicant.

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(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
0202269	T05S R06E S 1	30	30	40	40					40	40	40	40	40	40	40	40	
	: SNAKE RIVER																	
	:	30	30	40	40					40	40	40	40	40	40	40	40	460
A0202269	SNAKE RIVE :	02-39	40	39						40	40	40	40	39	40	40	39	436
T0202269	SNAKE RIVE :	30	30	40	40					40	40	40	40	40	40	40	40	460
6100111	RATTLESNAK :					I	I	I	I									
PLSS DATA	LEGAL LOOK :	01	02			03	04											
--86 MAP--	C39Q-Z 63 :			40	40			18	15	42	40	43	40	39	42	42	42	443
NO QTRS	MAPPING	Lot01-14	Lot02-37	Lot03-04	Lot04-03													
--86 MAP--	C73Q-Z 63 :			40	36			16	18	42	40	43	39	35	42	42	37	430
NO QTRS	MAPPING	Lot01-11	Lot02-35	Lot03-09														
0202269	T05S R06E S 3	40	40	40	40					40	40	40	40	40	40	40	40	
	: SNAKE RIVER																	
	:	40	40	40	40					40	40	40	40	40	40	40	40	480
A0202269	SNAKE RIVE :	01-40	02-40	40	40					40	40	40	40	40	40	40	40	480
T0202269	SNAKE RIVE :	40	40	40	40					40	40	40	40	40	40	40	40	480
6102215	GROUNDWATE :					38	38	40	40									156
6107007	GROUNDWATE :					38	38	40	40									156
A6107007	GROUNDWATE :					38	38	40	40									156
PLSS DATA	LEGAL LOOK :	01	02			03	04											
--86 MAP--	C39Q-Z 63 :			40	38			20	34	40	39	37	42	38	39	40	42	449
NO QTRS	MAPPING	Lot01-36	Lot02-38	Lot03-37	Lot04-19													
--86 MAP--	C73Q-Z 63 :			40	38			19	37	39	40	39	42	39	40	41	40	454
NO QTRS	MAPPING	Lot01-36	Lot02-38	Lot03-38	Lot04-21													
0202269	T05S R06E S10	40	40	40	40	40	40	40	40	40	40	39	39	40	40	39	39	
	: SNAKE RIVER																	
	:	40	40	40	40	40	40	40	40	40	40	39	39	40	40	39	39	636
A0202269	SNAKE RIVE :	36	39	40	38	40	40	40	40	40	40	39	39	38	40	39	38	626
T0202269	SNAKE RIVE :	40	40	40	40	40	40	40	40	40	40	39	39	40	40	39	39	636
--86 MAP--	C39Q-Z 63 :	39	39	40	37	39	37	40	41	38	40	37	40	41	39	39	37	623
--86 MAP--	C73Q-Z 63 :	40	39	39	38	39	37	40	41	38	41	38	39	41	39	40	37	626
0202269	T05S R06E S11	40	40	40	40					40	40	39	39	40	40	39	39	
	: SNAKE RIVER																	
	:	40	40	40	40					40	40	39	39	40	40	39	39	318
A0202269	SNAKE RIVE :	39	39	40						40	40	39	39	39	40	39	39	315
T0202269	SNAKE RIVE :	40	40	40						40	40	39	39	40	40	39	39	318
0202367	SNAKE RIVE :																	6
A0202367	SNAKE RIVE :																	6
T0202367	SNAKE RIVE :																	6
0207263	SNAKE RIVE :	39				40	34	39	40	40	40		27					299
A0207263	SNAKE RIVE :	39				40	34	39	40	40	40		27					299
--86 MAP--	C39Q-Z 63 :	35	37	40	38	37	37	40	39	38	39	41	40	38	39	39	38	615
--86 MAP--	C73Q-Z 63 :	35	37	40	38	37	38	40	39	39	40	41	38	38	40	39	38	617

02-02269 Less Acres than original (35) New Acres/AQ this right (17 Acres from S14 to S15)
02-02269 Less Acres than original (35) New Acres/AQ this right (33 Acres from S23 to S25)

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	
0202269	T05S R06E S12 SNAKE RIVER	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	39	
	:	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	39	639
A0202269	SNAKE RIVE :	39	40	40	39	40	40	40	40	40	40	39	39	39	40	39	39	633
T0202269	SNAKE RIVE :	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	39	639
--86 MAP--	C39Q-Z 63 :	40	40	40	38	41	40	38	40	39	40	38	38	39	40	38	39	628
--86 MAP--	C73Q-Z 63 :	34	41	40	33	40	40	38	40	39	40	38	38	34	40	38	35	608
0202269	T05S R06E S13 SNAKE RIVER	40	40	40	40	36	38	40	40	40	40	40	40	40	40	36	40	
	:	40	40	40	40	36	38	40	40	40	40	40	40	40	40	36	40	630
A0202269	SNAKE RIVE :	40	40	40	39	39	39	40	40	40	40	40	40	38	40	36	40	631
T0202269	SNAKE RIVE :	40	40	40	40	36	38	40	40	40	40	40	40	40	40	36	40	630
--86 MAP--	C39Q-AA 13 :	36	39	41	38	40	41	40	40	39	42	43	41	38	40	39	39	636
--86 MAP--	C73Q-AA 13 :	31	39	41	33	40	40	40	41	39	42	43	40	35	40	40	34	618
0202269	T05S R06E S14 SNAKE RIVER	40	40	40	40	21	29	40	40	40	40	40	40	40	40	40	40	
	:	40	40	40	40	28	39	40	40	40	40	40	40	40	40	40	40	627
A0202269	SNAKE RIVE :	40	40	40	40	31	40	40	40	40	40	40	40	40	40	40	40	631
T0202269	SNAKE RIVE :	40	40	40	40	28	39	40	40	40	40	40	40	40	40	40	40	627
--86 MAP--	C39Q-AA 13 :	40	40	42	42	40	42	39	39	39	42	42	40	39	40	42	40	648
--86 MAP--	C73Q-AA 13 :	42	39	41	42	40	42	39	39	39	42	42	40	39	40	42	40	648
0202269	T05S R06E S15 SNAKE RIVER	37	35	35	40	15	2							40	40	40	40	
	:	37	35	35	40	15	2							40	40	40	40	232
A0202269	SNAKE RIVE :	40	39	35	40	15	2							40	40	40	40	239
T0202269	SNAKE RIVE :	37	35	35	40	15	2							40	40	40	40	232
6100167	RATTLESNAK :	1	1															
--86 MAP--	C39Q-AA 13 :	33	12	41	39	06	04	07	23	39	26	42	40	37	40	42	37	468
--86 MAP--	C73Q-AA 13 :	36	14	42	39	06	04	09	23	39	27	43	40	37	40	42	37	478
0202269	T05S R06E S16 SNAKE RIVER	40	40	40	40					13	13			13	13			
	:	40	40	40	40					13	13			13	13			212
A0202269	SNAKE RIVE :	40	40	40	40					20	17			10	14			221
T0202269	SNAKE RIVE :	40	40	40	40					13	13			13	13			212
0202367	SNAKE RIVE :					40	40	40	40									160
A0202367	SNAKE RIVE :					40	40	40	40									160
T0202367	SNAKE RIVE :					40	40	40	40									160
6107716	RATTLESNAK :																	
--86 MAP--	C39Q-AA 13 :	42	42	41	36	41	39	43	42	26	26			15	10	05	30	420

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[illegible]

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$$40 \quad 40 : \quad 40 \quad : \quad 120$$

(WATER RIGHT NUMBERS THAT BEGIN WITH AN '*' ARE ADJUDICATION CLAIMS)
(QUARTER-QUARTERS WITH A '?' HAVE DIFFERENT ACREAGE AMOUNTS--CHECK THE DATA BASE RECORDS)

WR-NUMBER	SOURCE	NE				NW				SW				SE				SUM			
		NE		NW		SW		SE		NE		NW		SW		SE					
		Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac				
A0202210	SNAKE RIVE :													40	40			37		117	
A0202269	SNAKE RIVE :											40	36					39		115	
T0202269	SNAKE RIVE :											39	34					21		94	
--86 MAP--	C39Q-AA 13 :	06			01	08				03		37	37	39	38		05	32	34	04	244
--86 MAP--	C73Q-AA 13 :	11			01	14				03		38	37	39	37		09	28	29	08	254
0202269	T05S R07E S18 SNAKE RIVER																20				
	:																20			20	
0202210	SNAKE RIVE :																		40	40	
A0202210	SNAKE RIVE :																		40	40	
A0202269	SNAKE RIVE :																03			3	
T0202269	SNAKE RIVE :																20			20	
6100227	RATTLESNAK :			I				I	01-I	02-I											
PLSS DATA	LEGAL LOOK :								01	02			03	04							
--86 MAP--	C39Q-AA 13 :											02			02		25	18	34	37	118
NO QTRS	MAPPING	Lot01-01				Lot03-01				Lot04-01											
--86 MAP--	C73Q-AA 13 :											04			05		28	18	35	38	128
0202269	T05S R07E S20 SNAKE RIVER													21	38		40	40	40		
	:													21	38		40	40	40	179	
0202210	SNAKE RIVE :		40				40	I												80	
A0202210	SNAKE RIVE :		38				38	38												114	
A0202269	SNAKE RIVE :													21	40		38	39	40	178	
T0202269	SNAKE RIVE :													21	38		40	40	40	179	
--86 MAP--	C39Q-AA 13 :	02	40	08	11		40	40		08		34		21	35		39	42	36	04	360
--86 MAP--	C0Q-AA 13 :		38	08	11		40	40	01	09		39	01	24	37		39	41	34		362
0202269	T05S R07E S21 SNAKE RIVER		40	40	40	34						40	37								
	:	40	40	40	34							40	37							231	
A0202269	SNAKE RIVE :	38	39	40	34							40	35							226	
T0202269	SNAKE RIVE :	40	40	40	34							40	37							231	
--86 MAP--	C39Q-AA 14 :	21	13	23	27		01		08	06		41	39			02	05			186	
--86 MAP--	C73Q-AA 14 :	24	13	23	28		04		08	10		39	39			02	01			191	
0202269	T05S R07E S22 SNAKE RIVER						40	40	40	40											
	:						40	40	40	40										160	
A0202269	SNAKE RIVE :						38	39	40	39										156	
T0202269	SNAKE RIVE :						40	40	40	40										160	
--86 MAP--	C39Q-AA 14 :		02	02			39	37	37	39		04								160	
--86 MAP--	C73Q-AA 14 :						36	37	37											150	

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S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
-	02-02269	TRAVELERS INSURANCE	C	02/19/1964	L/	SNAKE RIVER	IRR	WR
-	T02-02269			02/19/1964	L/	SNAKE RIVER	IRR	WR
-	A02-02269	SOUTH ELMORE IRRIGAT	C	02/19/1964	L/	SNAKE RIVER	IRR	AJ
-	A02-02269	SOUTH ELMORE IRRIGAT	C	02/19/1964	L/	SNAKE RIVER	IRR	AJ

(Enter=Continue) (GOLD7=This Query) (GOLD8=Cancel) (Menu _____)
 Natural 2.1/7V OVR LIB=PRODLIBS Last key was ENTR

NOV 01 1996

T#4881

S E L	Water Right No.	Name Last, First	O W N	Priority Date	STG/ STS	Source	Use Desc	S Y S
-	02-02367	TRAVELERS INSURANCE	C	03/22/1965	L/	SNAKE RIVER	IRR	WR
-	T02-02367			03/22/1965	L/	SNAKE RIVER	IRR	WR
-	A02-02367	SOUTH ELMORE IRRIGAT	C	03/22/1965	L/	SNAKE RIVER	IRR	AJ
-	A02-02367	SOUTH ELMORE IRRIGAT	C	03/22/1965	L/	SNAKE RIVER	IRR	AJ

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T# 4881

MEMORANDUM

TO: FILE

FROM: STEVE LESTER 

DATE: SEPTEMBER 20, 1996

RE: RECOMMENDATIONS FOR TRANSFER NO. 4881

This relatively simple transfer is recommended for approval with standard transfer conditions, e.g. one year to complete, subject to SRBA review, etc. Also, the rate of flow for the 100 acres covered by the sum of both rights is limited to 1.92 cfs, not the 2.00 cfs suggested by purchase of 100 shares.

Regarding the point of diversion, the record is not totally clear. It appears that the recorded P/D from application through licensing stages has always been the NWSW. Note the original incomplete survey information on page 1 of the original application (see attached information). By plotting that data (it appears that at least one azimuth is missing in survey numbers), it is difficult to see that licensed P/D could have ever been correct.

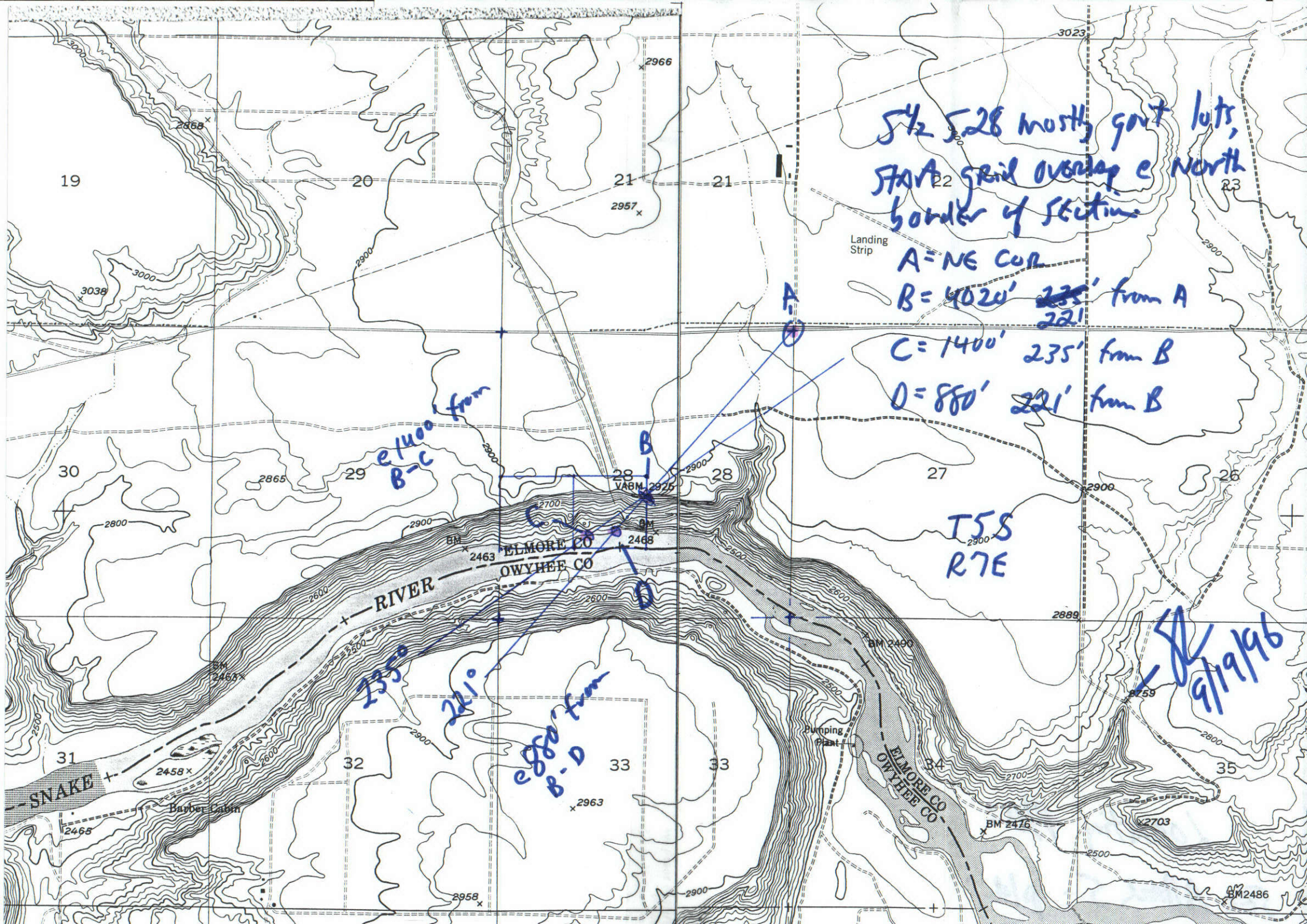
The P/D as claimed in SRBA and on page 1 of T. 4881 is NESW. Note that this legal agrees with Attachment 5 of the application: the newest topo map identifies the pump station clearly within the NESW. No information has been obtained to suggest that an actual change in location has occurred.

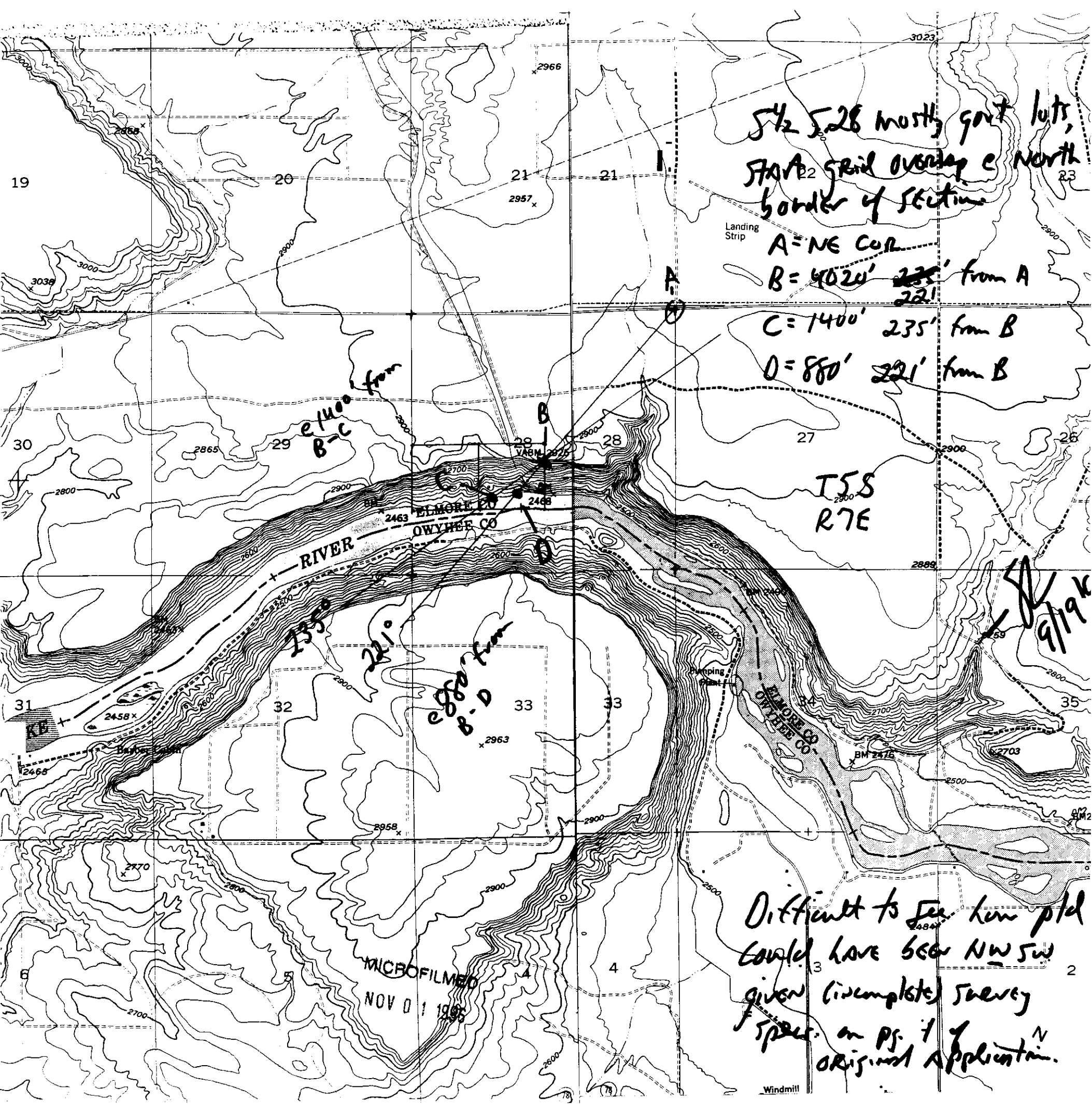
The transfer application does list the "new" P/D but does not show a P/D change in item A1, page 1. Staff review did not catch this mismatch until after advertising etc. was completed. The interested parties have been making repeated contacts with the regional office to expedite the transfer in order to complete the ground work this fall prior to the 1997 irrigation season.

There is no significant benefit to re-advertising this error in order to formally correct the record. Sufficient information available in the file might allow IDWR to issue a transfer with a corrected P/D. If not, the SRBA process can correct this situation fairly easily. If the latter option is used, the transfer cover letter should mention this oddity.

Based on a discussion of this matter with Glen Saxton today, the file is being forwarded for approval. Please expedite S.O. processing as much as possible. Calls from Mr. Reyes Lopez (seller) or Mr. Sid Wing (buyer) might reach S.O. staff during processing. Please contact me if you have any questions.

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5 1/2 528 mostly govt luts,
State grid overlap e North
border of section

A = NE Cor
B = 4020' 235' from A
C = 1400' 235' from B
D = 880' 221' from B

T5S
R7E

9/19/96

Difficult to see how pld
could have been NW SW
given (incomplete) survey
spec. on pg. 1 of
original Application.

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Windmill

SS-76-28-NE8W Lt 2

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Sec. 29
592.09

Sec. 28
563.72

Sec. 27
636.17

RIVER

31.52
N. 89° 50' W.
80.14

36.60

32.46

36.10

MEMO

DATE: 7/22/1996
FR: Lori Graves
TO: 02-02269/02-02367
RE: Transfer Review

After reviewing this transfer, it was found that the SRBA claims did not match the licenses. The water rights involve South Elmore Irrigation Co. service area and use Snake River water as their source. Rather than hold up this transfer pending SRBA review, only the acres specific to this transfer were reviewed and verified so that processing could proceed. Although the water rights exceed 10 cfs, statewide advertising is not necessary since this transfer is limited in nature, involving only 100 acres and < 2.0 cfs within the large water rights.

The 100 acres in sections 14 & 23 that the water is being transferred from are currently in CRP as of 1986 and will not be brought back into production. 17 acres are listed for transfer from the N1/2NW, where 71 acres have been claimed and 67 acres have been licensed. This mis-match is N/A since the 17 to be transferred from this tract is less than the both the claimed and licensed acres. The tracts where the other 83 acres are being transferred from in sec 23 were claimed as licensed. CFSA in Mountain Home provided proof of previous irrigation of the 100 acres prior to CRP enrollment (see attachment 3). The 100 acres in section 15, where the water is being transferred to, have not been claimed or licensed with Snake River water rights. No other water rights are used on the property where the water is being transferred from. See attached addendum for specific acres and tracts before and after proposed changes.

The SRBA claims and the transfer lists the P/D in the NESW, Lt 2, Sec 28, T5S R7E (see attachment 4). The licenses lists the P/D in the NWSW (see part 2 of transfer). The P/D is obvious on the topo map (see attachment 5) and is located in the NESW as listed on the transfer and claimed in the SRBA. *

The applicant proposes to transfer 100 shares of common stock to the new place of use (see attachment 1). Assuming that 1" equals 1 share, 100 shares exceeds the pro-rated portion of 1.92 cfs allowed for transfer (4 shares too much). Jay Freidly will be submitting an explanation regarding the extra shares along with a response to #10, part 2, which was not included in the transfer package regarding five years of non-use (per 9/17/1996 telecon).

Since this transfer does not split the water rights, the rights are retained in the name of South Elmore Irrigation Co.

* See JL's 9/20/96 memo e p/d
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9/16/96 * ADDENDUM by JL: Tracking specific acres/tract:

REDUCTION					ADDITION			
Right	Legal	before	after	change	Legal	before	after	change
02-02269	5.14 NENW	28	21	-7	5.15 SWNW	0	15	+15
	" NWNW	39	29	-10	" SENW	0	2	+2
(e .01543 cfs/acre)								
02-02367	5.23 NESW	40	39	-1	5.15 NENW	0	35	+35
	" NWSW	40	38	-2	" NWNW	0	40	+40
(e .02 cfs/acre)								
	" SWSW	40	0	-40	" SENW	0	8	+8
	" SESW	40	0	-40				
totals				-100				
								+100

before & after changes balance in acres

* to Lg's 7/22/96 memo

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STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

Cecil D. Andrus
Governor
R. Keith Higginson
Director

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



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

September 21, 1973

Re: Permit Nos. 31802/02-2269
32291/02-2367

The Travelers Insurance Co.
Mortgage Loan Department
707 S. W. Washington
Portland, Oregon 97205

Gentlemen:

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

Permit #31802/02-2269

Quantity of water diverted: 87.11 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 87.11 cfs

The maximum quantity diverted shall not exceed 25,402.5 acre feet per year.

Beneficial use: See attachment (*irrigation of 5,645 acres*)

Point of diversion: NW1/4SW1/4 Sec. 28, Twp. 5 S, Rge. 7 E, B.M.

Source: Snake River

Priority date established: February 19, 1964

Permit #32291/02-2367

Quantity of water diverted: 87.11 cfs

Amount of water that can be recognized as beneficially used under Idaho law: * 12.92 cfs

The maximum quantity diverted shall not exceed 2,907 acre feet per year.

Beneficial use: Irrigation of 646 acres within the SE1/4SW1/4, Sec. 11; NW1/4 Sec. 16; W1/2NE1/4, W1/2SE1/4 Sec. 22; SW1/4, Sec. 23; SE1/4 Sec. 24; Twp. 5 S, Rge. 6 E, B.M.

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2 2259

Rights 02-02269 & 02-02367
P/O Always has been listed (appl. license)
AS NW5W 5-28
JL 9/19/96

Point of diversion: NW1/4SW1/4 Sec. 28, Twp. 5 S, Rge. 7 E, B.M.

Source: Snake River

Priority date established: March 22, 1965

* Subject to the condition that the maximum rate of diversion shall not exceed 87.11 cfs when combined with License No. 31802/02-2269.

If you do not concur with these findings, please advise us within 10 days; otherwise, water licenses will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

cc: South Elmore Irrigation Co.
Mr. Don Reed

MICROFILMED
2 2269
NOV 01 1996

NOTICE OF PROPOSED CHANGE OF
WATER RIGHT NO. 02-02269 & 02-02367

Notice is hereby given that South Elmore Irrigation Co., PO Box 396, Mountain Home ID 83647, has applied to the Department of Water Resources to change the place of use on the following described water rights pursuant to section 42-222 of Idaho Code.

WATER RIGHTS AS LICENSED & CLAIMED IN THE SRBA:

No.	02-02269
Basis	License
Date of Priority	02/19/1964
Source	Snake River
Amount	87.11 cfs
Use	Irrigation
Point of Div	NESW, T05S R07E, Sec 28, Lt 2
Place of Use	5645 acres within S Elmore Irrig Dist service area Claimed 5628 acres in SRBA

No.	02-02367
Basis	License
Date of Priority	03/22/1965
Source	Snake River
Amount	12.92 cfs
Use	Irrigation
Point of Div	Same as above
Place of Use	646 acres within S Elmore Irrig Dist service area Claimed 326 acres in SRBA

Applicant proposes to transfer 100 acres irrigation within their service area from N1/2NW, Sec 14, and SW, Sec 23, T05S, R06E to NW, Sec 15, T05S, 06E.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705, together with a protest fee of \$25.00, on or before August 26, 1996. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher
Director

Published in the Mountain Home News August 7 and 14, 1996.

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NOV 01 1996

RECEIPT IS FROM THE STATE FILE

SD-0201-1

Idaho Department of Water Resources
Receipt Entry

Date: 07/23/96

Time: 13:58:53

Receipt No: W020854 AR No: _____ Date: 05/14/1996 Payoff Part of Acct? N

From: ROLLING STONE, INC _____ Payment Type: CK CHECK Doc No: 7497__

Remarks: _____

Description	Fund	FD	PCA	Obj	Subsid	
APPLICATION FOR TRANSFER	229	21	62105	1155		100.00
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
Total Amount:						100.00

(Enter=Inq) (GOLD1=Add/Print) (GOLD2=Change) (GOLD3=Void) (GOLD5=Laser Print)
(GOLD6=Print 2nd Copy) (GOLD7=Enter WR Nos) (GOLD8=Cancel) (Menu _____)



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

May 24, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

South Elmore Irrigation Co
% Jay Friedly
PO Box 396
Mountain Home ID 83647

RE: Transfer Application

Dear Mr. Friedly:

Our office received the South Elmore Irrigation Company (SEIC) transfer dated 5/14/1996. A preliminary analysis of the transfer determined that more clarifying information is necessary before processing can proceed.

During our telephone conversation, I told you that a current verification of the entire place of use, within SEIC boundaries, was required for the transfer filing. After talking with my supervisor, verification and accurate location of only the 100 acres appurtenant to the transfer will be sufficient.

The following is a list of the information necessary for further processing of the SEIC transfer:

An accurate legal description, by 40 acre tract, of the acres that are to be removed from irrigation, along with verification of SEIC irrigation of this land prior to CRP enrollment.

An accurate legal description, by 40 acre tract, of the acres that are to be added.

Description of the licensed place of use (enclosed).

Description of the claimed place of use (enclosed).

Proof of ownership of the right (water deed etc.) for the land from which the right is to be removed (warranty deed, tax notice, etc.).

Notarized consent of the water right owner, in this case, shareholder/property owner, consenting to the proposed change.

The front page of the transfer application needs modified to reflect the **entire** water rights as proposed (original and additional transfer applications enclosed).

*prepared & sent by
Lon Brown*

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NOV 01 1996



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

FAX (208) 334-2348

May 24, 1996

PHILIP E. BATT
GOVERNOR

South Elmore Irrigation Co
% Jay Friedly
PO Box 396
Mountain Home ID 83647

KARL J. DREHER
DIRECTOR

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An accurate legal description, by 40 acre tract, of the acres that are to be added.

Description of the licensed place of use (enclosed).

Description of the claimed place of use (enclosed).

Proof of ownership of the right (water deed etc.) for the land from which the right is to be removed (warranty deed, tax notice, etc.).

Notarized consent of the water right owner, in this case, shareholder/property owner, consenting to the proposed change.

The front page of the transfer application needs modified to reflect the **entire** water rights as proposed (original and additional transfer applications enclosed).

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NOV 01 1996

Once this information is provided, we can continue processing the transfer application. Please feel free to contact me if you have any additional questions concerning filing requirements.

Sincerely,

Lori Graves
Sr. Water Resource Agent

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NOV 01 1996

ROLLING STONE, INC.

7497

App. for transfer.

MICROFILMED

NOV 01 1996

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: W020854

Date: 5/14/1996
Time: 10:55:44

Received
From: ROLLING STONE, INC

Type of Payment	Program A cct	Amount
APPLICATION FOR TRANSFER	62105 229 21 1155	100.00
CHECK 7497		
	Total	\$ 100.00

Region: WESTERN

Signature: DBuffington

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NOV 01 1996

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	NE %	NW %	SW %	SE %	
02	02367																		
05S	06E	23									39	38	0	0					77
05S	06E	15					35	40		8									83
02	02269																		
05S	06E	14	40	40	40	40	21	29	40	40	40	40	40	40	40	40	40	40	610
05S	06E	15			37	35			10	7					40	40	40	40	249

PART 1**6. General Information:**

a. Description of diversion system Water is pumped from the Snake River and delivered to the
land through a series of relifts, pumps, ponds and pipes.

b. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? _____ Yes X No. If yes, provide a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes.

c. Describe the affect on the land now irrigated if the place of use is changed pursuant to this transfer:

The land now irrigated is now in the C.R.P. The land will not be returned to
production after it is out of the C.R.P., so there will be affect on the land as it
is presently being used.

d. Remarks:

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. _____

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

Witness my hand this _____ day of _____, 19 _____.

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NOV 01 1996

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 02-02367 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water Snake River tributary to Columbia River

4. Date or priority 3/22/65

5. Water is used for the following purpose:

amount 12.920 cfs for irrigation purposes from 3/01 to 10/31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

6. Total amount of water under right 12.920 cubic feet per second and/or _____ acre-feet per annum.

7. Point(s) of Diversion:

Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Local name for diversion
2		NE	SW	28	05S	07E	Elmore	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE ¼				NW ¼				SW ¼				SE ¼				Totals
			NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	NE ¼	NW ¼	SW ¼	SE ¼	
05S	06E	23									40	40	40	40					160

MICROFILMED
MAY 0 1 1998

Total acres 160

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

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

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

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 NOV 01 1996

Page _____ of _____

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES**

Transfer No. _____

APPLICATION FOR TRANSFER OF WATER RIGHT

PART 2

(Attach one copy for each right)

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

- a. Decree No. _____ Decreed to _____
in case of _____ vs. _____
dated _____ in _____ county of _____
- b. License No. 02-02269 issued by the Idaho Department of Water Resources.
- c. Claim No. _____ on file with the Idaho Department of Water Resources.
- d. Transfer No. _____ which produced this right.

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

☒ Tax Notice ☐ Warranty Deed ☐ Other _____

3. Source of water SNAKE RIVER tributary to COLUMBIA RIVER

4. Date or priority 2/19/64

5. Water is used for the following purpose:

amount 87.110 cfs for IRRIGATION purposes from 3/01 to 10/31
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)
amount _____ for _____ purposes from _____ to _____
(cfs/ac-ft)

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

7. Point(s) of Diversion:

Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Local name for diversion
2		NE	SW	28	05S	07E	Elmore	

8. Lands irrigated or place of use:

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
05S	06E	14	40	40	40	40	28	39	40	40	40	40	40	40	40	40	40	40	627
05S	06E	15			37	35									40	40	40	40	232

Total acres 859

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

MICROFILMED
NOV 01 1996

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

B. DESCRIPTION OF PORTION OF RIGHT BEING TRANSFERRED

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

Total acres _____

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

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

2. Point(s) of Diversion:

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

3. Lands irrigated or place of use:

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

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NOV 01 1996

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

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

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

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

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

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

SOUTH ELMORE IRRIGATION COMPANY

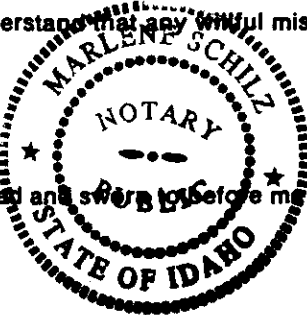
By Terry L. Kettering Pres.
(Signature of Applicant)

Subscribed and sworn to before me this _____

14th

day of

May

, 19 96.

Marlene Schilz
(Notary Public)

My commission expires

9-22-99

FOR DEPARTMENT USE ONLY

Transfer contains _____ pages and _____ attachments

Received by OBDate 5-14-96

Protest filed by _____

Prelim. check by _____

Fee \$100-Receipted by OB wa20854Date 5-14-96

Published in _____

Copies of protest forwarded by _____

Pub. dates _____

Hearing held by _____ Date _____

Watermaster recommendation requested on _____

Recommended for ☐ approval ☐ denial

_____ rec'd. _____

by _____

Copy of transfer sent to lien holder _____

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NOV 01 1996

DATE OF EXAM Aug 16, 1973

ACREAGE
Found 5645
Recommended 5645

Irrigation Requirement 4.5 Ac Ft/Ac

USE
Irrigation Q = 87.11 cfs V = 25402.5 AF/Ann. from 3/15 to 11/15
Domestic Q = _____ cfs V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ cfs V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

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

Exchange? yes _____ no ☒

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

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

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

Total Q measured 87.11 cfs Method of measurement A-Meter

Total Q recommended 87.11 cfs Meter No _____ Type _____ Condition _____

Total V recommended 25402.5 AF/Ann.

Recommended Amendments:

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

MEASUREMENT CALCULATION:

$$V = (5645)(4.5) = 25402.5 \text{ AF}$$

See Measurement Notes for Q

SYSTEM DESCRIPTION:

See Attachment

REMARKS:

This permit covers the same system as Permit # 02-2367

The total Q of both permits shall not exceed 87.11 cfs.
The total V of both permits shall not exceed 28,329.5 AF.

Examiner's Signature M. Clayton Brown Date Aug 16, 1973

Checked by _____ Date _____

Approved by _____ Date _____

2 2259

MICROFILMED
NOV 04 1976

System Description for Permits 02-2269 & 02-2367

River Diversion:

Four 1800 hp White Superior (Mod. 16VGT) 16 cyl., Natural Gas Turbine engines. Each are rated at 12,000 g.p.m. at 820 r.p.m. They were running at 800 r.p.m. during exam.

Each engine discharges into one of two 36" penstocks lifting the water 500' to a concrete ditch (16' across top, 4' across bottom, 5' deep) running a distance of seven miles.

At an intermediate point on the canal system are several holding ponds from which the water is relifted to a second canal by four 570 hp White Superior (Model 8G825) 8 cyl. Gas Engines. The water is lifted through one 36" penstock a vertical distance of 140' to the second canal.

Along the canal system are 30 relift pumps (7 on the lower canal, 23 above) which supply water to the sprinkler systems.

M. Claude Barron
Examiner

2 2269

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NOV 01 1996

02-2269

Description and location of place of use:

[illegible]

Total number of acres irrigated 6,190

2 2259

6,190

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NOV 01 1996

02-2269

Date Aug 16, 1973 DISCHARGE MEASUREMENT NOTES

River at Concrete Ditch & Bridge

10. 1 of 1 Sheets. Comp. by _____ Chk. by _____

NOV 01 1996

Form 23
2M-4-65

See New Exam Form

CB

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 31802/02-2269

REPORT ON PROOF OF South Elmore Irrigation Co., B. G. Miller

2 2269

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NOV 01 1996

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. 31802/02-2269

This proof is for 105.1 cfs

In Water District No.

1. Name of applicant South Elmore Irr. Co., B. G. Miller, Box 1201, Boise, Idaho

2. Source of water supply: Snake River

3. Location of point of diversion: Is in the NWSW of Section 28

T. 5 S. R. 7 E. County of Elmore

4. Describe works as they exist, giving dimensions and capacities of same:

River pump station, penstock canals, and piping

Pipe pumps, penstock, ditch & lift pumps,
& buried mainline to sprinkler laterals

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion:

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

5S-6E, Sec. 1 NE $\frac{1}{4}$, S $\frac{1}{4}$	480 acres	Sec. 24 N $\frac{1}{4}$, SW $\frac{1}{4}$	460 acres
" " 3' NE $\frac{1}{4}$, S $\frac{1}{4}$	480 acres	5S-7E, Sec. 17 N $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$	110 acres
" " 10' All	640 acres	" " 18 NE $\frac{1}{4}$ SE $\frac{1}{4}$	20 acres
" " 11' E $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ --	325 acres	20' W $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$	195 acres
" " XXXXXXXX All of Sec. 12, 13, 14	640+640+640=1,920		
" " 15' E $\frac{1}{4}$	320 acres	" " 21' NE $\frac{1}{4}$, N $\frac{1}{4}$ SW $\frac{1}{4}$	240 acres
" " 16' NE $\frac{1}{4}$, N $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$	240 acres	" " 22' NW $\frac{1}{4}$	160 acres
" " 22' E $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ SE $\frac{1}{4}$	160 acres	GRAND TOTAL -	6,190 acres
" " 23' N $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$	440 acres		

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

Remarks:

PERMIT NO. 31093 - All sec. 16; SW $\frac{1}{4}$, SE $\frac{1}{4}$, SW $\frac{1}{4}$, Sec. 17; SE $\frac{1}{4}$, Sec. 18; NE $\frac{1}{4}$, Sec. 19; NW $\frac{1}{4}$, NE $\frac{1}{4}$, Sec. 20.

This examination was made on the day of

2 22 (Signed)

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NOV 01 1996

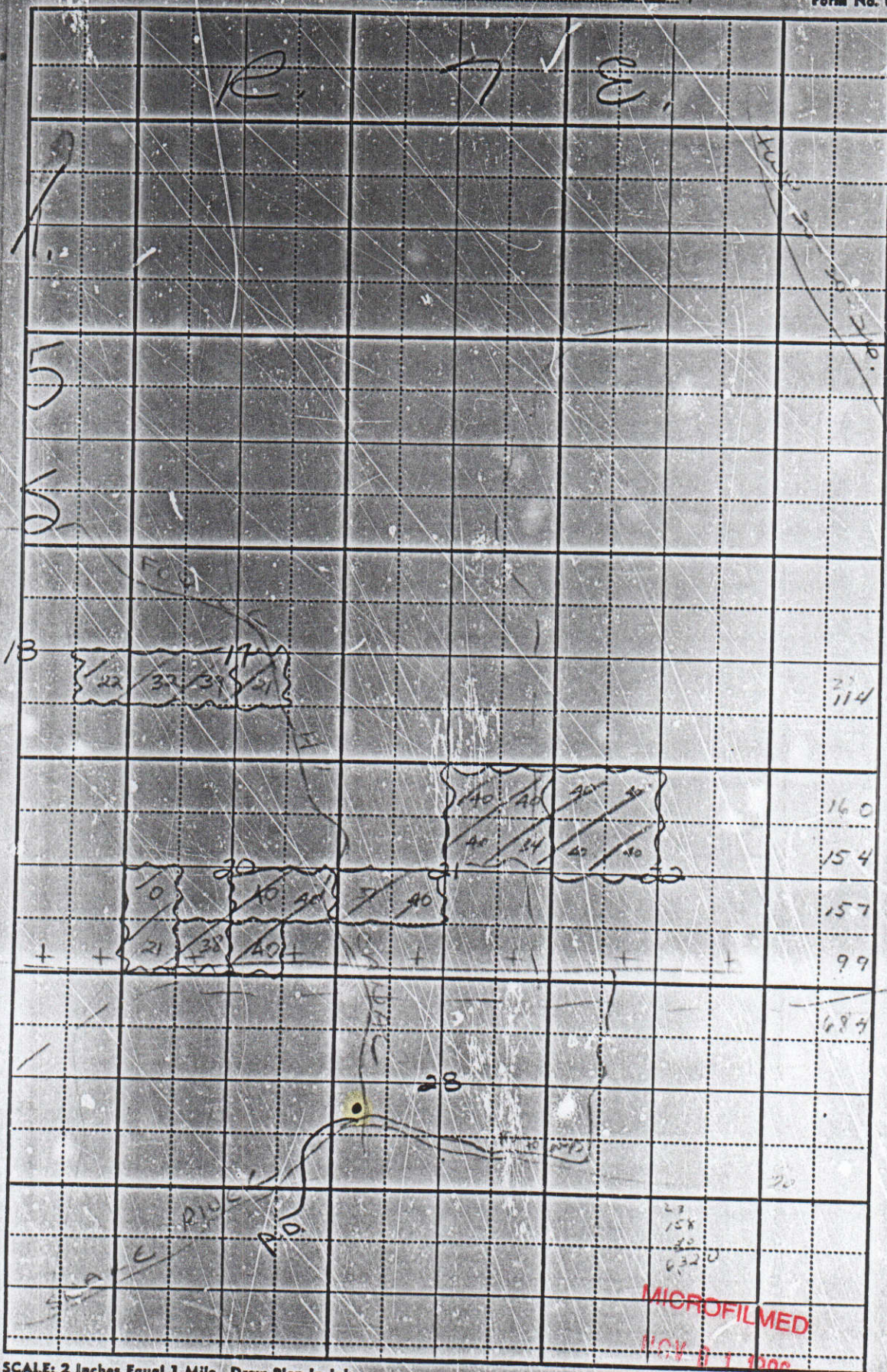
NAME OF APPLICANT

S. CUMORE IRR. CO.

PT. NO. 00-2269

131802

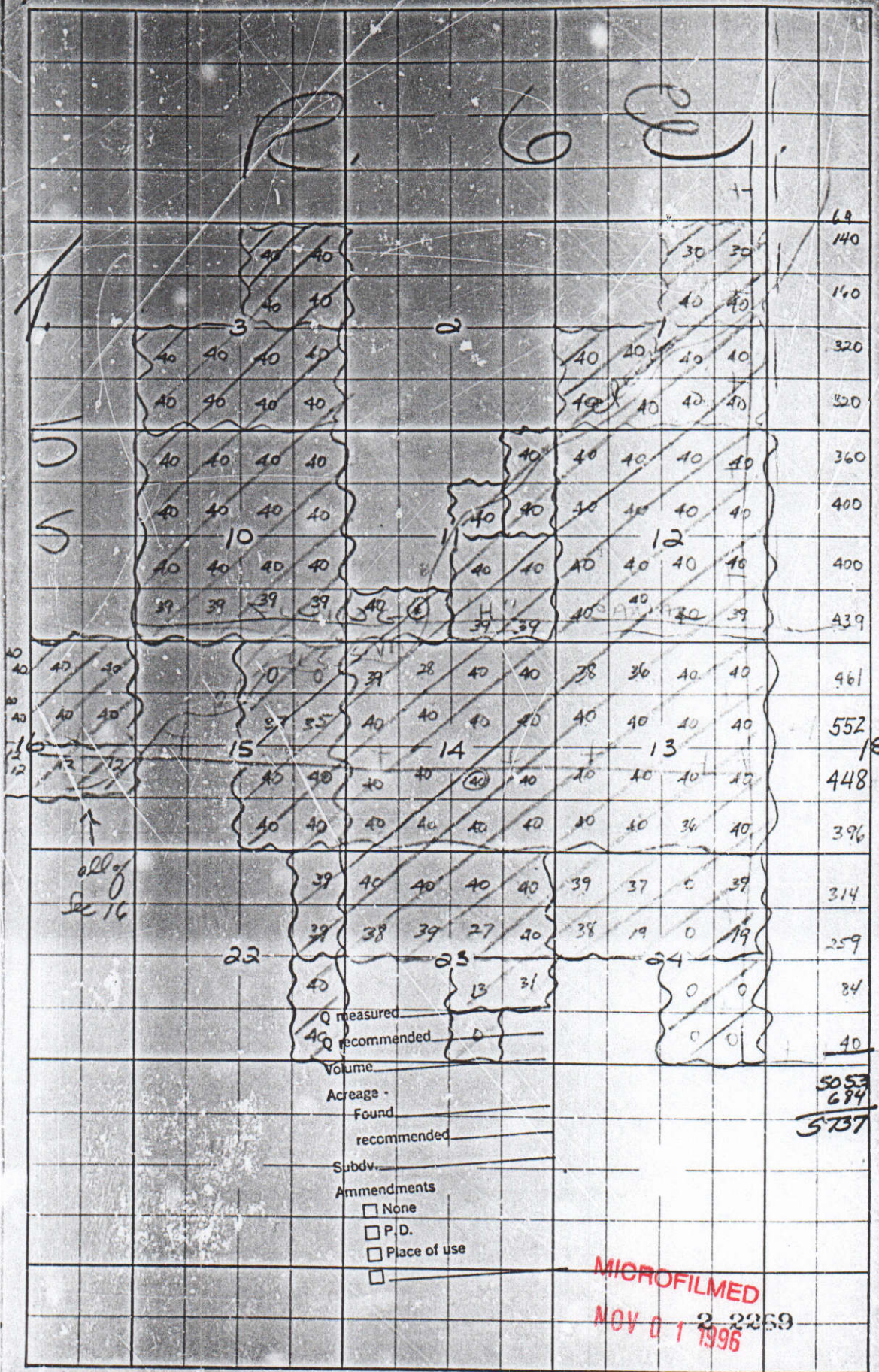
Form No. 0



MICROFILMED

NOV 3 1996

2 2269



Scale: 2 Inches Equals 1 Mile. Draw Map In Ink.

SEE ATTACHED: Form - O.

INSTRUCTIONS TO EXAMINERS

1. Always carefully note the location of the point of diversion and accurately plat same.
2. When proof is for beneficial use, carefully check up the number of acres actually irrigated in each forty and accurately plat same.
3. Make a map showing the correct location of streams and ditches, and the irrigated lands, and any adjacent permanent landmarks, such as towns, lakes, large streams and public roads.
4. If any unusual conditions are discovered, make plain statement of them under remarks.
5. Always see the holder, if possible, and go over the whole ground with him and make your report only upon actual existing facts and conditions.
6. Give general characteristics of soils, topography, and crops raised.

Contact - GALE CHANEY - HAMMETT - 366-2155

Permit No. 31802/02-2269

Examination for b/u - S. Elmore Irr. Co., B.G. Miller

County Elmore

Quantity: 105.1 cfs Sec. 28 T5 S R 7E

Source: Snake River

P.D.: NW1/4 SW1/4, Sec. 28, 5S-7E

Use: irrigation

Extension:

Prevent:

Completion of Work:

Other Rights:

Filed: 2-19-64 Made: 10-17-68

Due: 4-7-75 Priority: 2-19-64

DEKX

CHKD Jns
B B Jns

EXAMINATION RECORDS	
DATE	4/14/73
By	Contact Gale Chaney
By	Hammett 366-2155
By	making a map
By	
By	
By	
By	
By	
By	

MICROFILMED
NOV 11 1996

2 2259

Trans loan

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

APPLICATION No. 39851
PERMIT No. 31802
DISTRICT No.

1. Name of Applicant: **Elmore Canal Co.**
Postoffice address: **737, Boise** County: **Ada** State: **Idaho**
I. If applicant is a corporation, give:
(a) Date and place of incorporation: **Boise - Feb. 19, 1964**
(b) Amount of capital stock: **50,000 shares**
(c) Amount paid in: **None**
(d) Names and addresses of directors: **Calvin Dworshak - Boise, Idaho; Charles Shearman, Boise, Idaho; Rex Greer, Twin Falls, Idaho.**
II. The financial resources of the applicant are:
(a) Cash on hand: **None** (c) Bond to be issued:
(b) Treasury stock: (d) Other resources:
2. Quantity of water claimed: **105.1** cubic feet per second.
3. Source of water supply: **Snake River** which is a tributary of
4. Location of point of diversion: **221° 40' 20" ft; 235° 40' 16" ft** distant from the **NE**
corner of Section **28**, T. **5 S**, R. **7 E**, B.M., and is in the **NW 1/4** of the **SW 1/4**
of section **28**, T. **5 S**, R. **7 E**, B.M., County of **Elmore**
5. Water is to be used for **Irrigation**
6. If for raising, 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
distant from the corner of Section , T. , R. , B.M., in the
of Section , T. , R. , B.M.
7. Estimated cost of works: \$ **500,000**
8. Kind of works: **River Pump Station Penstock Canals & Piping**
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
11. Ditch: Width at bottom **4** feet; width at water line **9.6** feet; depth of water **2.8**
dimensions of flume:
Diameter of pipe **48** inches; length of conduit **31,980.6 ft.**
Average grade per mile **10.56** feet.

MICROFILMED
NOV 9 1996

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 31802

Recorded in Book 111 Page 31802 Approved April 6, 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 \$1000.00 to be filed on or before June 6, 1964

Work to begin on or before and to continue diligently and uninterruptedly to completion,

unless temporarily interrupted by circumstances over which permit holder has no control.

One-fifth of the work above specified to be completed on or before October 6, 1966

The whole of said work to be completed on or before April 6, 1969

Beneficial use of water appropriated in accordance herewith, to be made on or before April 6, 1975

WITNESS My hand this 6th day of April, 1964

s/ CARL E. TAFTAN

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 6th

day of April, 1964

STATE OF IDAHO

Countersigned:

(SEAL) By s/ ARNOLD WILLIAMS

By s/ ROBERT E. SMYLLIE

Governor.

Secretary of State.

REMARKS: The point of diversion was located from an actual survey made on Feb. 4, 1964 under the supervision of Roger O. Young of Idaho Falls, an engineer licensed by the State of Idaho. The routes of canals and pipelines were located using U. S. Geological Topographical maps with a two foot contour interval.

14.

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	
5 S	7 E	14																	80
		15	40	30	20	40	20	20	40	40	40	40	40	40	40	40	40	40	570
		16	20	40	40	40	30	35	40	40	40	40	40	40	40	40	40	40	605
		17			40	40					40	30	40	40	40	40	40	40	390
		18													20	20	40	40	120
		19	40																40
		21	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		22	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		23		40	40		40	40	40	40	40	40	40	40	40	40	40	40	440
		25					40	40	40	40	40	40	40	40					320
		27	40	40	40	40	40	40	40	40	40	40		35	40	40	40	40	595
		28	40	40	40	20	40	40	40	40									300
		29	40	40	40	40	40	40	40	40									320
		30	40	35	40	40	40	40	40	40	35	40	35						425
		34	40	40	25	20													125
		20	40	40	40	40	40	40	40	40		20	40		40	40	40	40	580

Total Number of Acres to be irrigated

3190

MICROFILMED

NOV 11 1966

**NOTICE OF PROPOSED
CHANGE OF WATER RIGHTS
NOS: 02-02269 & 02-02367**

Notice is hereby given that South Elmore Irrigation Co., P.O. Box 396, Mountain Home, ID 83647, has applied to the Department of Water Resources to change the place of use on the following described water rights pursuant to Section 42-222 of Idaho Code.

**WATER RIGHTS AS
LICENSED & CLAIMED
IN THE SRBA:**

No.: 02-02269.
Basis: License.
Date of Priority: 02/19/1964.
Source: Snake River.
Amount: 87.11 cfs.
Use: Irrigation.
Point of Div.: NESW, T05S R07E, Sec. 28, Lt. 2.
Place of Use: 5645 acres within S. Elmore Irrig. Dist. service area.
Claimed 5628 acres in SRBA.
No.: 02-02367.
Basis: License.
Date of Priority: 03/22/1965.
Source: Snake River.
Amount: 12.92 cfs.
Use: Irrigation.
Point of Div.: Same as above.
Place of Use: 646 acres within S. Elmore Irrig. Dist. service area.
Claimed 326 acres in SRBA.
Applicant proposes to transfer 100 acres irrigation within their service area from N1/2NW, Sec. 14, and SW, Sec. 23, T05S, R06E to NW, Sec. 15, T05S, R06E.

Any protest against approval of the proposed change of water right application must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, ID 83705, together with a protest fee of \$25.00, on or before August 26, 1996. The protestant must also send a copy of the protest to the applicant.

Karl J. Dreher, Director
Published in the Mountain Home News
August 7 and 14, 1996.

RECEIVED

AUG 19 1996

WATER RESOURCES
WESTERN REGION

RECEIVED

AUG 16 1996

Affidavit of Publication

County of Elmore } ss.
STATE OF IDAHO }

I, Coleen W. Swenson, 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 publication thereof; was published in said newspaper for

2 consecutive weeks, the first publi-

cation having been made on 7th day of

August, 1996, and the last publi-

cation having been made on the 14th day of

August, 1996; 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 MOUNTAIN 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.

Coleen W. Swenson

Subscribed and sworn to me this 14th day of
August, 1996

Brenda McGeech
Notary Public

Residing in Mountain Home, Elmore County, Idaho. My commission expires 11-16-98.

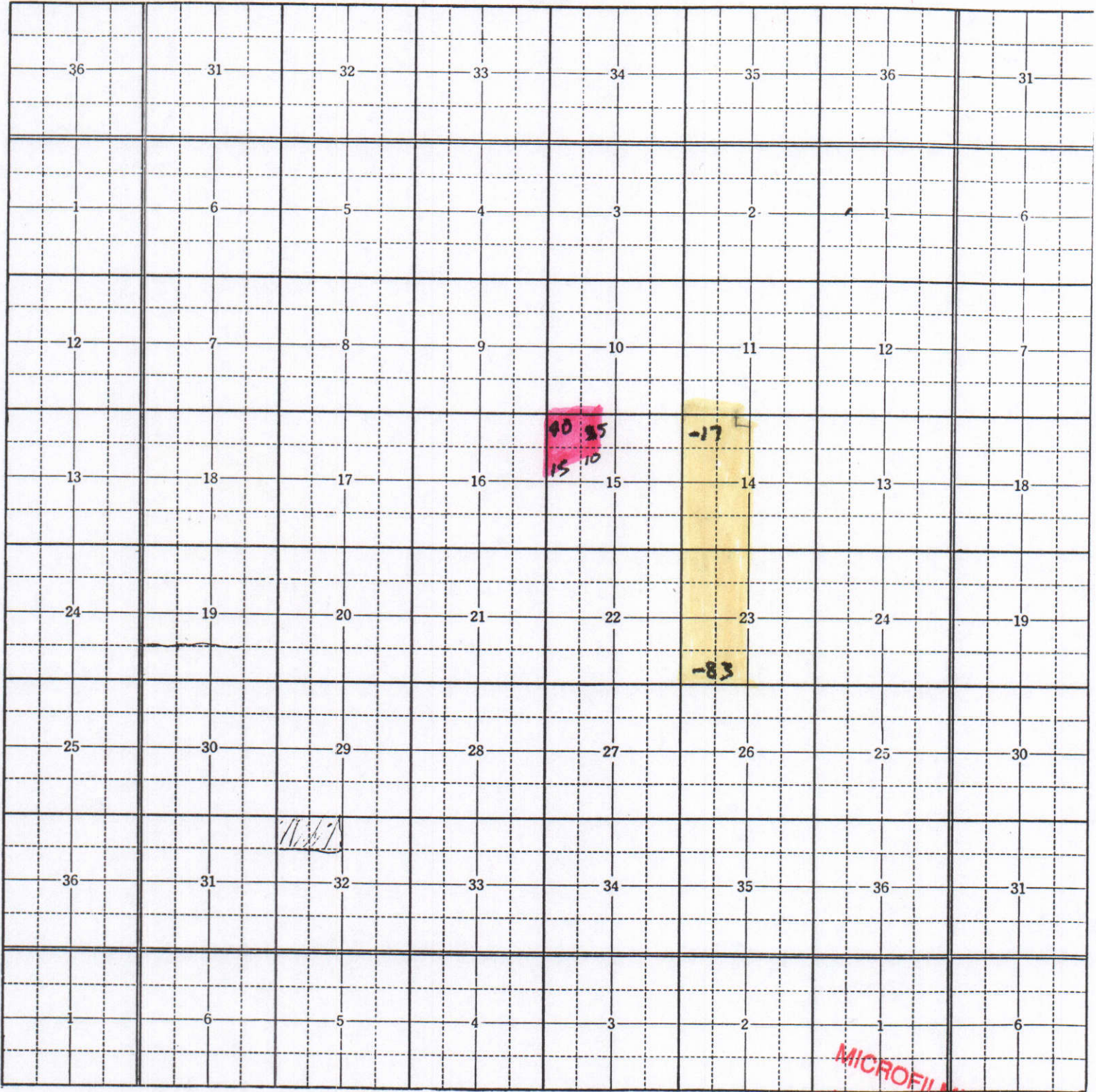
MICROFILMED

NOV 01 1996

Township 4 Range

Township S South, Range 6 East, County Elmore, State Idaho

Island Township Plat 11



KINTZEL BLUE PRINT CO., P. O. Box 741, Casper, Wyoming

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NOV 01 1996

Property from which water is being taken.

Property to which The water is being added.

T 614
280

CA
89
1-1

2 EL
92.0

3 EL
128.6

4 EL CRP
19.0 89-98
2-19.0

HEL
109.5

CRP
89-98
1-126
HEL
109.5

15
22

2 HE
70.0

CRP
83-98
2-70.0

3 HEL
235.5

HEL 554.1
Property to which
water will be
added.

3 2400

HEL

CRP
89-97
78.5

15 14 783

CRP
86-17
2-35.5

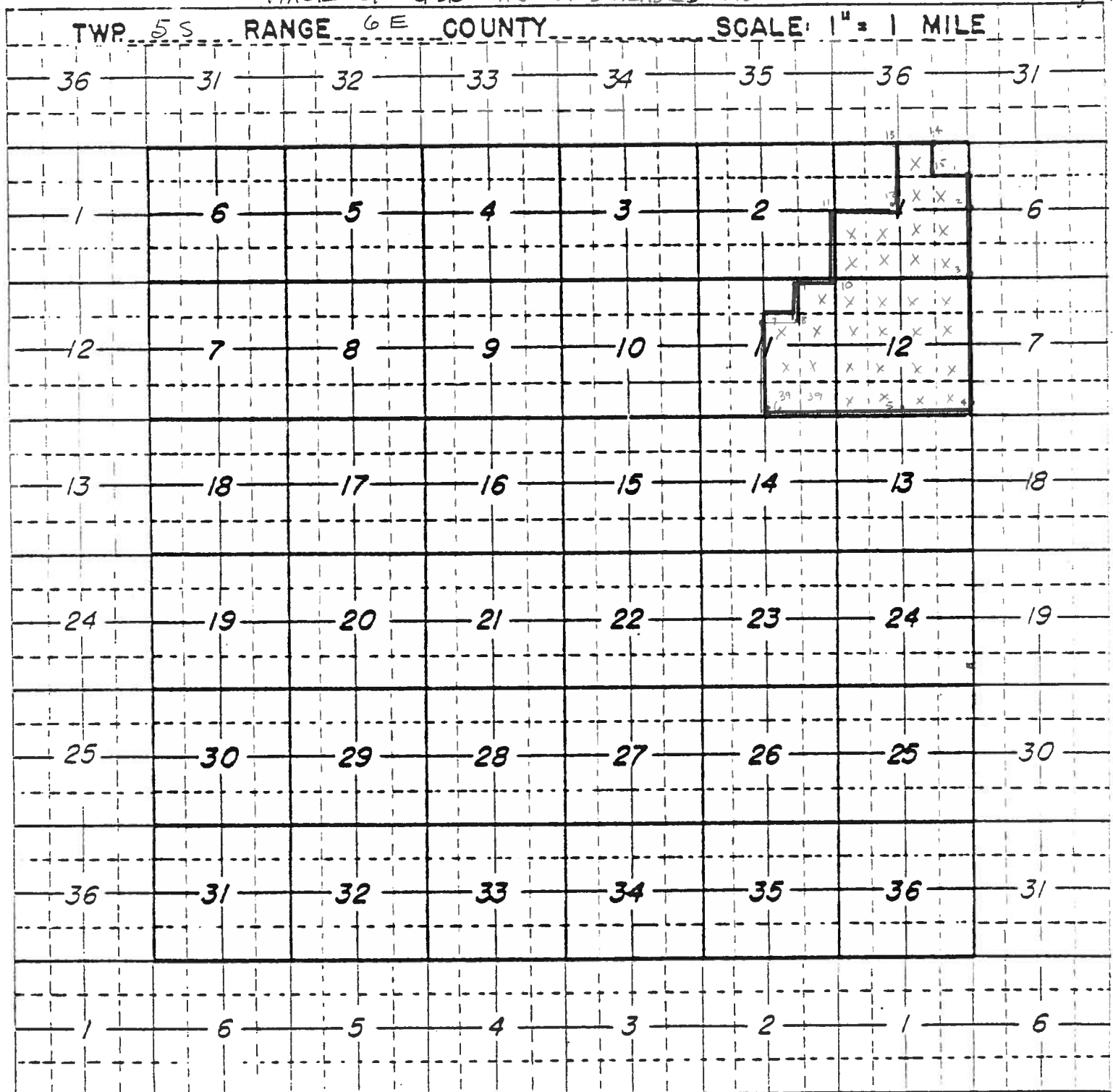
14 13
23 24

181.3

PLACE OF USE AS DESCRIBED IN LETTER DATED 4/30/81

TWP. 5 S RANGE 6 E COUNTY

SCALE: 1" = 1 MILE



MICROFILMED



State of Idaho
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

April 1, 1996

CHARLES A HOMER
HOLDEN, KIDWELL, HAHN, & CRAPO, P.L.L.C.
PO BOX 50130
IDAHO FALLS, ID 83405

RE: E & H Farms / S. Elmore Irr. Co. / Elmore Canal Co.

Dear Mr. Homer:

This letter is in response to your correspondence with IDWR's Idaho Falls office of March 11, 1996. The property in question is in IDWR's Western region, consequently your letter was forwarded to our office for review.

At this time we have no Application for Transfer on file from South Elmore Irrigation Company. This office has received a recent telephonic inquiry about moving some shares of this Company, but no action has been taken to date. An approved Application for Transfer from this department is required to move Company shares from one quarter-quarter to another quarter-quarter.

We will retain your letter on file. Please note that Applications for Transfer in Elmore County are advertised on the first and third Wednesdays of the month in the Mountain Home News' legal advertisements.

If you have any questions or need additional information, please do not hesitate to contact this office.

Sincerely,

Maria Minicucci

Sr. Water Agent, Adjudication Bureau

MM/m

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NOV 01 1996

MEMORANDUM

RECEIVED

MAR 13 1996

WATER RESOURCES
WESTERN REGION

TO: Attn: Maria Minicucci¹⁷
Western Regional Office

FROM: Mary Baldwin
Southern Region

DATE: March 12, 1996

SUBJECT: Possible App. for Transfer

Per your telephone request, we are sending the attached information regarding a possible App. for Transfer in Basin 61 in the name of E & H Farms, Inc.

Thanks for your help.

3/13

Steve - Do we know about the proposed transfer? I could not find any records for E & H Farms in TOSR ROBE S.14, or in WRX, or for John Hancock in either location of the WR data base. I could not locate anything in the AI data base either but I thought I would run this past you before I sent a reply.

MARIA

3/16 Maria

I recall a recent telephone call - no names - @ the idea of moving some S. Glenside Irrig. Co. shares - which would require a transfer. But nothing has been filed yet. I've kept copy of this & placed in my "Possible Appls." folder in case we get such a filing.

As you probably know: irrig company - must file transfer to move shares to other Co's
irrig district - not required to file transfer to do same.

MICROFILMED

NOV 01 1996

-Steve

Law Offices
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

FRED J. HAHN
KENT W. FOSTER
ROBERT E. FARNAM
WILLIAM D. FALER
STEPHEN E. MARTIN
CHARLES A. HOMER
GARY L. MEIKLE
GAYLE A. SORENSON, P.A.
DONALD L. HARRIS, P.A.
DALE W. STORER
MARIE T. TYLER
JOHN G. SIMMONS
ROBERT M. FOLLETT
FREDERICK J. HAHN, III

WEST ONE BANK BLDG.
330 SHOUP AVENUE, THIRD FLOOR
P.O. BOX 50130
IDAHO FALLS, IDAHO 83405

TELEPHONE (208) 523-0620
TELEFAX (208) 523-9518

Arthur W. Holden
(1877-1967)
Robert B. Holden
(1911-1971)
Terry L. Crapo
(1939-1982)
William S. Holden
(1907-1988)

RECEIVED

MAR 13 1996

WATER RESOURCES
WESTERN REGION

March 11, 1996

RECEIVED

MAR 12 1996

Department of Water Resources
Southern Region

State of Idaho
Department of Water Resources
222 Shoshone Street East
Twin Falls, Idaho 83301-6105

Re: John Hancock Mutual Life Insurance Company - E & H Farms, Inc.

Gentlemen:

Our firm represents John Hancock Mutual Life Insurance Company ("John Hancock"). John Hancock is the mortgagor named on that certain Mortgage which was recorded on the 12th day of May, 1975, as Instrument No. 162974, records of Elmore County, Idaho. Such Mortgage encumbers the following described property located in Elmore County, Idaho (the "Property"):

Township 5 South, Range 6 East, Boise Meridian, Elmore County, Idaho.

Beginning at the North $\frac{1}{4}$ corner of Section 14, Township 5 South, Range 6 East, Boise Meridian, Elmore County, Idaho; running thence South $0^{\circ}0'23''$ East 560.00 feet to the REAL POINT OF BEGINNING; thence South $0^{\circ}0'23''$ East 4,712.49 feet to the South $\frac{1}{4}$ corner of Section 14, thence South $0^{\circ}07'06''$ West 5,412.34 feet to the South $\frac{1}{4}$ corner of Section 23; thence North $87^{\circ}01'24''$ West 2,696.04 feet to the Southwest corner of Section 23; thence North $0^{\circ}23'11''$ East 5,279.40 feet to the Northwest corner of Section 23; thence North $0^{\circ}03'43''$ East 5,279.29 feet to the Northwest corner of Section 14; thence North $0^{\circ}03'43''$ East 17.53 feet; thence North $89^{\circ}46'10''$ East 1,976.68 feet; thence South $0^{\circ}00'23''$ East 35.70 feet; thence

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NOV 01 1996

South 0°00'23" East 580.00 feet; thence South 89°42'14" East 300.00 feet; thence North 0°00'23" West 20.00 feet; thence South 89°42'14" East 385.00 feet to the REAL POINT OF BEGINNING.

EXCEPTING THEREFROM the following described property:

Township 5 South, Range 6 East, Boise Meridian, Elmore County, Idaho.

Beginning at the North quarter corner of Section 14; thence North 89°42'14" West 1,109.23 feet along the North boundary of Section 14 to a point, said point lies South 89°42'14" East 1,552.48 feet from Northwest corner of Section 14; thence South 00°00'23" East 145.83 feet to the REAL POINT OF BEGINNING; thence South 00°00'23" East 145.20 feet; thence South 89°42'14" East 300.00 feet; thence North 00°00'23" West 145.20 feet; thence North 89°42'14" West 300.00 feet to the REAL POINT OF BEGINNING.

INCLUDING: A 25.00 foot wide roadway easement with centerline described as follows:

Beginning at the North quarter corner of Section 14; thence North 89°42'14" West 1,109.23 feet along the North boundary of Section 14 to a point, said point lies South 89°42'14" East 1,552.48 feet from Northwest corner of Section 14; thence South 00°00'23" East 145.83 feet; thence South 89°42'14" East 220.00 feet to the REAL POINT OF BEGINNING of the centerline of said 25.00 foot wide roadway easement; thence North 00°17'46" East 179.66 feet to the ending point.

ALSO EXCEPTING THEREFROM the following described property:

MICROFILMED
NOV 01 1996

Township 5 South, Range 6 East, Boise Meridian, Elmore County, Idaho.

Beginning at the North quarter corner of Section 14; thence North 89°42'14" West 1,109.23 feet to a point, said point lies South 89°42'14" East 1,552.48 feet from the Northwest corner of Section 14; thence South 00°00'23" East 291.03 feet, to the REAL POINT OF BEGINNING; thence South 00°00'23" East 145.20 feet; thence South 89°42'14" East 300.00 feet; thence North 00°00'23" West 145.20 feet; thence North 89°42'14" West 300.00 feet to the REAL POINT OF BEGINNING.

John Hancock also has possession of the following stock certificates issued by South Elmore Irrigation Company which have been assigned to John Hancock: (i) Certificate No. 5 for 318.725 shares and (ii) Certificate No. 14 for 318.725 shares. John Hancock has now obtained a Foreclosure Judgment to foreclose its mortgage on the Property. However, John Hancock has agreed with E & H Farms, Inc. that it will not proceed with the foreclosure sale and will release its mortgage on the Property if certain agreed upon amounts are paid to John Hancock prior to May 15, 1996.

It is our understanding that E & H Farms, Inc. now intends to file an application to change the place of usage for a portion of the water rights which are appurtenant to the Property. Also, we have been advised that in connection with the proposed transfer of water rights, E & H Farms, Inc. intends to pay to John Hancock the amounts required to obtain the release of the John Hancock Mortgage and Judgment. E & H Farms, Inc. has advised us that the Idaho Department of Water Resources will not begin processing the proposed transfer of water rights without some type of approval or consent from John Hancock. Therefore, we are writing at this time to advise you that John Hancock does not object to E & H Farms, Inc. beginning the process to obtain approval for the proposed transfer of water rights. Provided, however, John Hancock will not agree to any change or modification of the water rights which are appurtenant to the Property unless and until John Hancock's Mortgage and Judgment are satisfied and released of record. We presume that the Department of Water Resources may process the proposed transfer of water rights and condition any approval of such transfer on the satisfaction and release of the John Hancock Mortgage and Judgment. If the proposed transfer of water rights is approved subject to the release of the John Hancock Mortgage and Judgment, then presumably E & H Farms, Inc. and John Hancock can set up

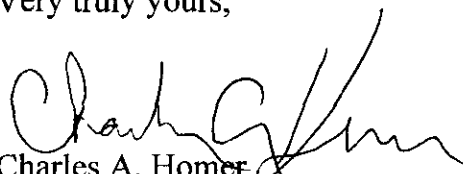
MICROFILMED

NOV 01 1996

a closing wherein the John Hancock Mortgage and Judgment are satisfied simultaneous with the transfer of the water rights.

As previously mentioned, John Hancock is not by this letter consenting to any such transfer of the water rights appurtenant to the Property and such water rights are not to be transferred or modified without the prior satisfaction and release of the John Hancock Mortgage and Judgment. Please place our firm on the mailing list of any and all notices which may be published or issued pertaining to any such proposed transfer of water rights. If you need any additional information from our office pertaining to this matter, please contact us at your convenience.

Very truly yours,


Charles A. Homer

cc: Elwood Kintner

Jay Friedly

G:\WPDATA\CAH\2270\DWR0307.LTR:jbt

MICROFILMED
NOV 01 1996



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

May 6, 1981

Thomas G. Walker, Jr.
P.O. Box 1892
401 2nd Street North, Suite 106
Twin Falls, Idaho 83301

Dear Mr. Walker,

In response to your letter of April 30, 1981 inquiring as to whether licenses 02-2367 and 02-2269 were appurtenant to the land as described, I have found the following:

License 02-2269 is for irrigation of 5,645 acres of which a portion thereof, overlaps the legal description you provided. Therefore, your client would have an interest in insuring that a portion of this license is included in the ongoing Snake River Adjudication.

License 02-2367 does not cover any land within the legal description you provided and therefore your client would not have an interest in it, unless a transfer of the place of use of this right to the described legal description was anticipated.

The Snake River Adjudication is on-going pursuant to Chapter 14, Idaho Code, and as a licensed water right owner your client needs to file Notice of Claim to a Water Right as described in Section 42-1409, Idaho Code.

If you have any questions in this regard I suggest that you contact Mr. Don Shaff, in our Western Region Office, who is supervising the Snake River Adjudication. His address is 92 S. Cole Rd., Boise, Idaho 83705, phone 334-2190.

If I can be of further assistance please let me know.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

MICROFILMED

RECEIVED

JUN 19 1981

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
ASSIGNMENT OF PERMIT

Department of Water Resources

I, The Travelers Insurance Company, hereby assign to South Elmore Irrigation Co.,
Name
of _____
Address

CHECK ONE

- ☒ All my right, title, and interest, in and to Permit No. 02-2269
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. (Give that portion of the permit being assigned by describing
the land list and the point of diversion - describe by acreage within
each 40-acre subdivision.)

Made this 24th day of March, 19 81.

The Travelers Insurance Company
BY: [Signature]
Permit Holder
Emil A. Schmitt, Regional Manager

Wife of Permit Holder

State of Idaho Oregon)
County of Multnomah) ss.

On this 24th day of March, 19 81, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he ~~(she)~~ executed the same.

Servyee A. Paul
Notary Public residing at Portland,
Oregon

My commission expires 1-10-84

MICROFILMED

RECEIVED

THOMAS G. WALKER, JR.

CHARTERED
LAWYER

P.O. BOX 1892 • 401 2ND STREET NORTH • SUITE 106
TWIN FALLS, IDAHO 83301
TELEPHONE (208) 734-9600

MAY 4 1981

Department of Water Resources

April 30, 1981

02-2567
02-2269

Idaho State Department of
Water Resources
Statehouse
Boise, Idaho 83720

Attn: Jim Johnson

Dear Mr. Johnson:

I am the closing attorney in a real estate transaction involving the following described property in Elmore County:

Beginning at the Northeast corner of Section 1, Township 5 South, Range 6 East, Boise Meridian, Elmore County, Idaho; thence South $0^{\circ}15'48''$ East 1,314.54 feet along the Section line to the Real Point of Beginning, said point also lies North $0^{\circ}15'48''$ West 1,314.54 feet along the Section line from the East Quarter corner of said Section 1; thence South $0^{\circ}15'48''$ East 1,314.54 feet to the East Quarter corner of said Section 1; thence South $0^{\circ}17'23''$ East 2,628.91 feet; thence South $0^{\circ}23'14''$ East 5,031.95 feet; thence South $89^{\circ}23'31''$ West 2,610.18 feet; thence to a point of curve with a delta of $1^{\circ}3'13''$ and an R of 5,437.89 feet and an L of 100.00 feet and a C of 100.00 feet and a T of 50.00 feet; thence North $89^{\circ}33'16''$ West 5,274.86 feet; thence North $0^{\circ}34'31''$ West 3,787.47 feet; thence South $89^{\circ}35'40''$ East 1,332.83 feet; thence North $0^{\circ}32'50''$ West 1,317.33 feet; thence South $89^{\circ}33'30''$ East 1,333.48 feet; thence North $0^{\circ}08'35''$ East 2,632.86 feet; thence South $89^{\circ}14'38''$ East 2,658.15 feet; thence North $0^{\circ}04'00''$ West 2,630.96 feet; thence South $89^{\circ}12'00''$ East 1,324.27 feet; thence South $0^{\circ}09'54''$ East 1,315.01 feet; thence South $89^{\circ}13'19''$ East 1,326.52 feet to the Real Point of Beginning.

MICROFILMED

Idaho State Department of
Water Resources
Page 2
April 30, 1981

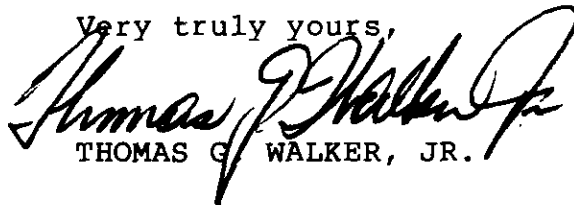
EXCEPTING THEREFROM: a 30 foot road right of way parallel and adjacent to the East boundary of said tract, and a 30 foot general purpose utility and road right of way easement parallel and adjacent to the South boundary of said tract, and a 30 foot road right of way easement parallel and adjacent to the North boundary of said tract located in Section 1.

I have been informed that two water licenses have been issued with respect to this property, namely: Number 02-2367 and Number 02-2269. I am also aware that a Snake River Surface Water Adjudication case is pending in the District Court of the Fourth Judicial District of the State of Idaho in and for the County of Ada, under Civil No. 73804, as disclosed by Lis Pendens recorded February 27, 1981 as Instrument No. 200844, records of Elmore County, Idaho.

Would you kindly inform me in writing whether the foregoing water licenses are in fact appurtenant to the above described real property and further that these water licenses are part of the subject matter of the foregoing adjudication? It is my understanding that if the licenses are part of the subject matter of the litigation, those rights will be adjudicated as provided by Idaho Law.

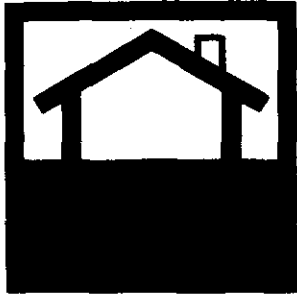
Thank you very much for your help in this matter.

Very truly yours,


THOMAS G. WALKER, JR.

TGW:jlh

MICROFILMED



**marketing
associates**
realtors - builders

RECEIVED

MAR 27 1981

Department of Water Resources

March 26, 1981

Department of Water Resources
State of Idaho
450 West State
Boise, ID 83700

Attn: Bobby Fleenor

Dear Mr. Fleenor:

We are herewith enclosing a photocopy of the Assignment of Water License No. 02-2269 executed by the Travelers Insurance Company to the South Elmore Irrigation Company in connection with the G & B Land & Cattle Company farm in Elmore County, Idaho.

The original copy of this assignment has been sent to the South Elmore Irrigation Company and a photocopy is also being sent to the attorneys for the purchasers of this farm.

Sincerely,

Jack C. McCall
Jack C. McCall

Encl.
/mm

RECEIVED

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

ASSIGNMENT OF PERMIT

I, The Travelers Insurance Company, hereby assign to South Elmore Irrigation Co.,
Name
of _____,
Address

CHECK ONE

- ☒ All my right, title, and interest, in and to Permit No. 02-2269
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. (Give that portion of the permit being assigned by describing
the land list and the point of diversion - describe by acreage within
each 40-acre subdivision.)

Made this 24th day of March, 19 81.

The Travelers Insurance Company

BY: [Signature]

Permit Holder

Emil A. Schmitt, Regional Manager

Wife of Permit Holder

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

On this 24th day of March, 19 81, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged
to me that he ~~(she)(they)~~ executed the same.

[Signature]
Notary Public residing at Portland,
Oregon

My commission expires 1-10-84

MICROFILMED

September 18, 1975

Re: License No. 31802/02-2269
32291/02-2367

The Travelers Insurance Company
Attn: Helen M. Neville
707 S.W. Washington St.
Portland, Oregon 97205

Dear Mrs. Neville:

This office has received your letter requesting release of the assignments in connection with the above referenced licenses.

Please be advised that the Department has no procedure for changing the name on a license once it has been issued. When a license is issued it becomes appurtenant to the land and ownership is automatically conveyed with the land unless it is withheld in the sales transaction. Therefore, the owner of the land controls the license.

We will, however, place your letter in our files for future reference. Your enclosures are herewith returned.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

ddr
Enclosures



THE TRAVELERS

1975

Real Estate Investment Department
Agricultural Division
Emil A. Schmitt, Regional Manager

Department of Water Resources

August 6, 1975

Mr. R. Keith Higginson, Director
State of Idaho
Department of Water Resources
State House
Boise, Idaho 83720

Re: Permits No. 02-2269 & 02-2367
Loan No. 190464 8 - Flying H Farms

Dear Mr. Higginson:

Our loan in connection with the captioned Water Permits has been paid in full. We ask that you please release the Assignments of the enclosed Licenses.

Very truly yours,

THE TRAVELERS INSURANCE COMPANY

Helen M. Neville

(Mrs.) Helen M. Neville
Administrative Assistant

HMN/hn

Enclosures

cc: Mr. William F. Ringert
Area Mgr. Don Reed

MICROFILMED



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

STATE HOUSE BOISE, IDAHO 83720

August 1, 1975

Re: Permits No. 02-2269 & 02-2367
The Travelers Insurance Company

Mr. William F. Ringert
Anderson, Kaufman, Anderson & Ringert
P.O. Box 2773
Boise, Idaho 83701

Dear Mr. Ringert:

You recently requested extensions of time on the South Elmore Irrigation Company's project covered by the above referenced permits.

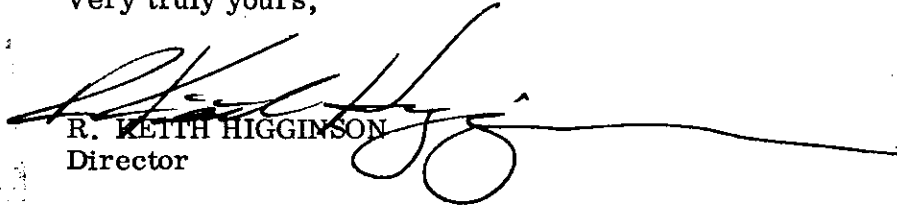
We agree with the statement in your June 20, 1975, letter that the project is of sufficient size to have qualified for an extension of time. However, an extension was not requested and, to the contrary, the permit holder on September 9, 1968, for Permit 02-2269 and November 30, 1971, for Permit 02-2367 submitted affidavits that the project was completed and the water was being used to the full anticipated amount.

On August 16, 1973, the Department conducted a field examination of the project with a representative of the Irrigation Company present. It wasn't until after the determination by our examiner that the output of the pumps was less than the permitted amount that dissatisfaction over the amount of water available was expressed. We can, therefore, see no basis for granting an extension of time on the project. The amount of water produced by the pumps was apparently felt to be sufficient when the proofs of beneficial use were filed in 1968 and 1971.

Your request for extensions of time on Permits 02-2269 and 02-2367 are, therefore, hereby denied.

The licenses on these permits have been issued this date; copies are enclosed for your files.

Very truly yours,


R. KEITH HIGGINSON
Director

RKH:dr
Enclosures
cc: Travelers Insurance Company
South Elmore Irrigation Company

ANDERSON, KAUFMAN, ANDERSON AND RINGERT
CHARTERED
LAWYERS

EUGENE H. ANDERSON (1902-1972)
SAMUEL KAUFMAN
RICHARD ANDERSON
WILLIAM F. RINGERT
D. BLAIR CLARK
ANDREW M. HARRINGTON

IDAHO BUILDING
BOISE, IDAHO 83701

AREA CODE 208
TELEPHONE 342-4591
POST OFFICE BOX 2773

June 20, 1975

Mr. Bobby D. Fleenor
Chief, Water Rights
Idaho Department of Water Resources
Statehouse
Boise, Idaho 83720

Re: South Elmore Irrigation Company
Permit No. 31802/02-2269
Permit No. 32291/02-2367

Dear Mr. Fleenor:

Conversion of the South Elmore Irrigation Company irrigation system from natural gas power to electrical power is substantially completed and the officials of the Company indicate to me that the conversion has resulted in increased delivery capacity.

It appears to me that, because the gas-powered pumps apparently were unable to utilize the full capacity of the transmission facilities, the conversion to electrical power should be regarded as additional construction for the purpose of bringing the system as close as possible to full capacity. Since the system diverts more than 25,000 acre feet in each irrigation season and the diversion is for a project of more than 5,000 acres, it seems to me that the above numbered permits would qualify for a one-year extension for completion of construction and application of the water to beneficial use. If the five-year period for completion of works is regarded as being in effect with respect to these permits, then the extension for completion of works would be seven years from April 6, 1969 under Permit 31802 and seven years from March 26, 1970 for Permit No. 32291.

Therefore, on behalf of South Elmore Irrigation Company, request is hereby made for an extension to April 6, 1976 for

Mr. Bobby D. Fleenor

-2-

June 20, 1975

completion of works and application to beneficial use under Permit No. 31802 and for an extension to March 26, 1977 for completion of works and application to beneficial use under Permit No. 32291.

Yours very truly,

ANDERSON, KAUFMAN, ANDERSON & RINGERT

By


William F. Ringert

WFR:am

cc: South Elmore Irrigation Company

June 2, 1975

Memo

To: files

From: Bob Fleenor

Subject: ^{Telephone} Conversation concerning final licensing action

Bill Ringert, attorney for South Elmore Irrigation District, requested a additional 30 days in which to review the proposed licensing of permits

May 9, 1975

Re: Permits No. 31802/02-2269 & 32291/02-2367
Travelers Insurance Company
(South Elmore Irrigation Co.)

Mr. William F. Ringert
Anderson, Kaufman, Anderson & Ringert
P.O. Box 2773
Boise, Idaho 83701

Dear Mr. Ringert:

Pursuant to your letter of March 27, 1975, the Department has withheld issuance of water licenses in connection with the above referenced permits.

Please be advised that unless we hear from you by June 1, 1975, licenses will be issued as set forth in our letter of September 21, 1973.

Sincerely,

D. Darlene Reich
Water Rights Supervisor

ddr

March 17, 1975

Re: Permits No. 31802/02-2269
32291/02-2367

The Travelers Insurance Company
Mortgage Loan Department
707 S.W. Washington
Portland, Oregon 97205

Gentlemen:

Enclosed please find a copy of our letter dated September 21, 1973. Pursuant to the request of Mr. Alfred C. Kiser on October 5, 1973, the Department withheld issuance of the water licenses.

As there has been no further correspondence regarding this matter, please be advised that unless we hear from you within 15 days of the date of this letter that the licenses will be issued as set forth in our September, 1973, letter.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:DR
Enclosures

cc: South Elmore Irrigation Co.

ANDERSON, KAUFMAN, ANDERSON AND RINGERT
CHARTERED
LAWYERS

EUGENE H. ANDERSON (1902-1972)
SAMUEL KAUFMAN
RICHARD ANDERSON
WILLIAM F. RINGERT
D. BLAIR CLARK
ANDREW M. HARRINGTON

IDAHO BUILDING
BOISE, IDAHO 83701

March 27, 1975

RECEIVED

MAR 28 1975

Department of Water Resources
AREA CODE
TELEPHONE 342-4591
POST OFFICE BOX 2773

Mr. Bobby D. Fleenor
Chief, Water Rights
Idaho Department of Water Resources
Statehouse
Boise, Idaho 83720

Re: Permits No. 31802/02-2269
32291/02-2367

Dear Mr. Fleenor:

I wrote as attorney for South Elmore Irrigation Co. and with regard to the licensing of the above numbered water permits.

The correspondence among yourself, A. C. Kiser and the Travelers Insurance Company during the period from September 21, 1973 to March 17, 1975, has been referred to me today.

I realize that this matter has been pending for some time and that the Department undoubtedly would like to bring it to a close. However, I need some time to examine the irrigation system and the lands covered by the permits, and I request that you defer action on these permits until April 30, 1975, to allow me time to analyze the situation.

Most of the land irrigated under the two permits has changed hands several times in recent years. However, most of the land is now occupied by various farmers who have purchased the land for their own use and who will, perhaps, be more vitally concerned with completing the licensing procedure.

Yours very truly,

ANDERSON, KAUFMAN, ANDERSON & RINGERT

By



William F. Ringert

WFR:se

Total number of acres irrigated 5645



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

September 25, 1974

Re: Permit No.'s 02-2269 & 02-2367 - The Travelers Insurance Co.

Kent Jolley
P. O. Box 306
Rexburg, ID 83440

Dear Mr. Jolley:

Enclosed are copies of the above referenced permits along with copies of the approved amendments issued for each permit. Also enclosed are copies of our latest correspondence concerning these filings, which cover the land now being irrigated by Flying H Ranch.

If you have any questions, or need further assistance in this matter, please do not hesitate to contact us.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:JG

Enc: Copy of Permit No. 02-2269
Copy of amendment
Copy of Permit No. 02-2367
Copy of amendment
Copy of correspondence

WATER RESOURCE BOARD:	John F. Streiff Chairman	George L. Yost Vice-Chairman	Donald R. Kramer Secretary	Edwin C. Schlender Member
	Franklin Jones Member	M. Reed Hansen Member	Scott W. Reed Member	Joseph H. Nettleton Member

October 11, 1973

Re: Permit No.'s 02-2269 & 02-2367

Alfred C. Kiser, Lawyer
5000 Fairview Ave.
Boise, Idaho 83704

Dear Mr. Kiser:

Your October 5 request to delay the issuance of licenses for Permit No.'s 02-2269 and 02-2367 has been received.

A representative of the Irrigation Company was present during the examination, and it was our impression that the system was operating at ~~its~~ maximum capacity. However, we will delay the licensing of these permits until we hear further from you.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

20 12 1973

ALFRED C. KISER
LAWYER
5000 FAIRVIEW AVENUE
BOISE, IDAHO 83704

AREA CODE 208
PHONE 244-7857

October 5, 1973

Mr. Bobby D. Fleenor
Assistant Director
State of Idaho
Dept. of Water Administration
614 State Street
Statehouse - Annex 2
Boise, Idaho 83720

Dear Mr. Fleenor:

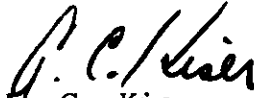
Re: Permit Nos. 31802/02-2269
32291/02-2367

I write in response to your letter of September 21, 1973 addressed to the Travelers Insurance Co. regarding the above permits.

It appears that the South Elmore Irrigation Co. system was not being operated in the usual and normal manner when a representative of your office made measurements of the amount of water being diverted pursuant to such permits.

Please do not proceed with issuing the water license for such permits until I have had an opportunity to check into this matter and review it further with you.

Yours very truly,


A. C. Kiser

jj

Enc.

cc: Flying H. Farms

2 2269

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION



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

Cecil D. Andrus
Governor
R. Keith Higginson
Director

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

September 21, 1973

Re: Permit Nos. 31802/02-2269
32291/02-2367

The Travelers Insurance Co.
Mortgage Loan Department
707 S. W. Washington
Portland, Oregon 97205

Gentlemen:

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

Permit #31802/02-2269

Quantity of water diverted: 87.11 cfs

Amount of water that can be recognized as beneficially used under Idaho law: 87.11 cfs

The maximum quantity diverted shall not exceed 25,402.5 acre feet per year.

Beneficial use: See attachment (*irrigation of 5,645 acres*)

Point of diversion: NW1/4SW1/4 Sec. 28, Twp. 5 S, Rge. 7 E, B.M.

Source: Snake River

Priority date established: February 19, 1964

Permit #32291/02-2367

Quantity of water diverted: 87.11 cfs

Amount of water that can be recognized as beneficially used under Idaho law: * 12.92 cfs

The maximum quantity diverted shall not exceed 2,907 acre feet per year.

Beneficial use: Irrigation of 646 acres within the SE1/4SW1/4, Sec. 11; NW1/4 Sec. 16; W1/2NE1/4, W1/2SE1/4 Sec. 22; SW1/4, Sec. 23; SE1/4 Sec. 24; Twp. 5 S, Rge. 6 E, B.M.

Point of diversion: NW1/4SW1/4 Sec. 28, Twp. 5 S, Rge. 7 E, B.M.

Source: Snake River

Priority date established: March 22, 1965

* Subject to the condition that the maximum rate of diversion shall not exceed 87.11 cfs when combined with License No. 31802/02-2269.

If you do not concur with these findings, please advise us within 10 days; otherwise, water licenses will be issued as set forth in this letter.

Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF/bjg

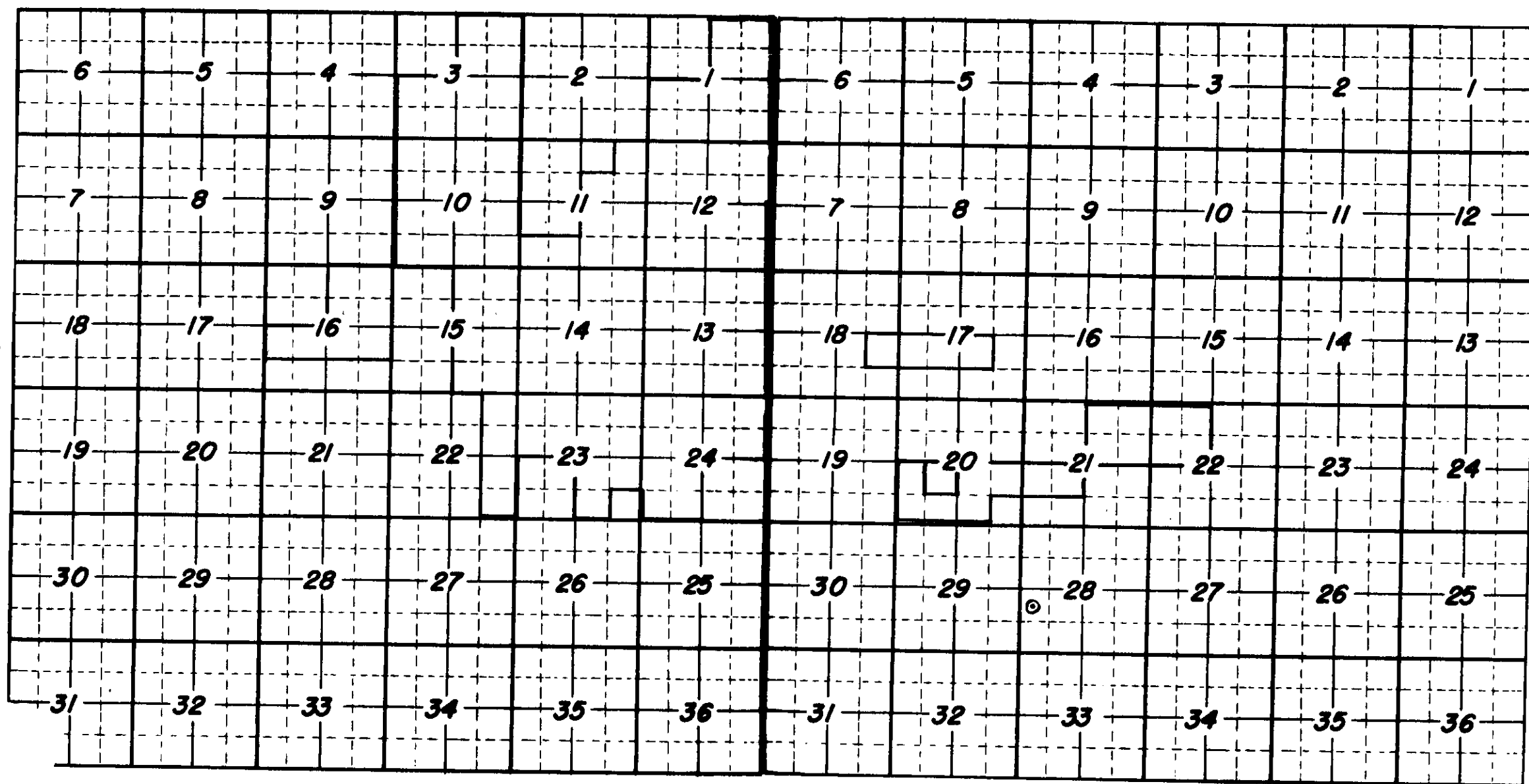
cc: South Elmore Irrigation Co.
Mr. Don Reed

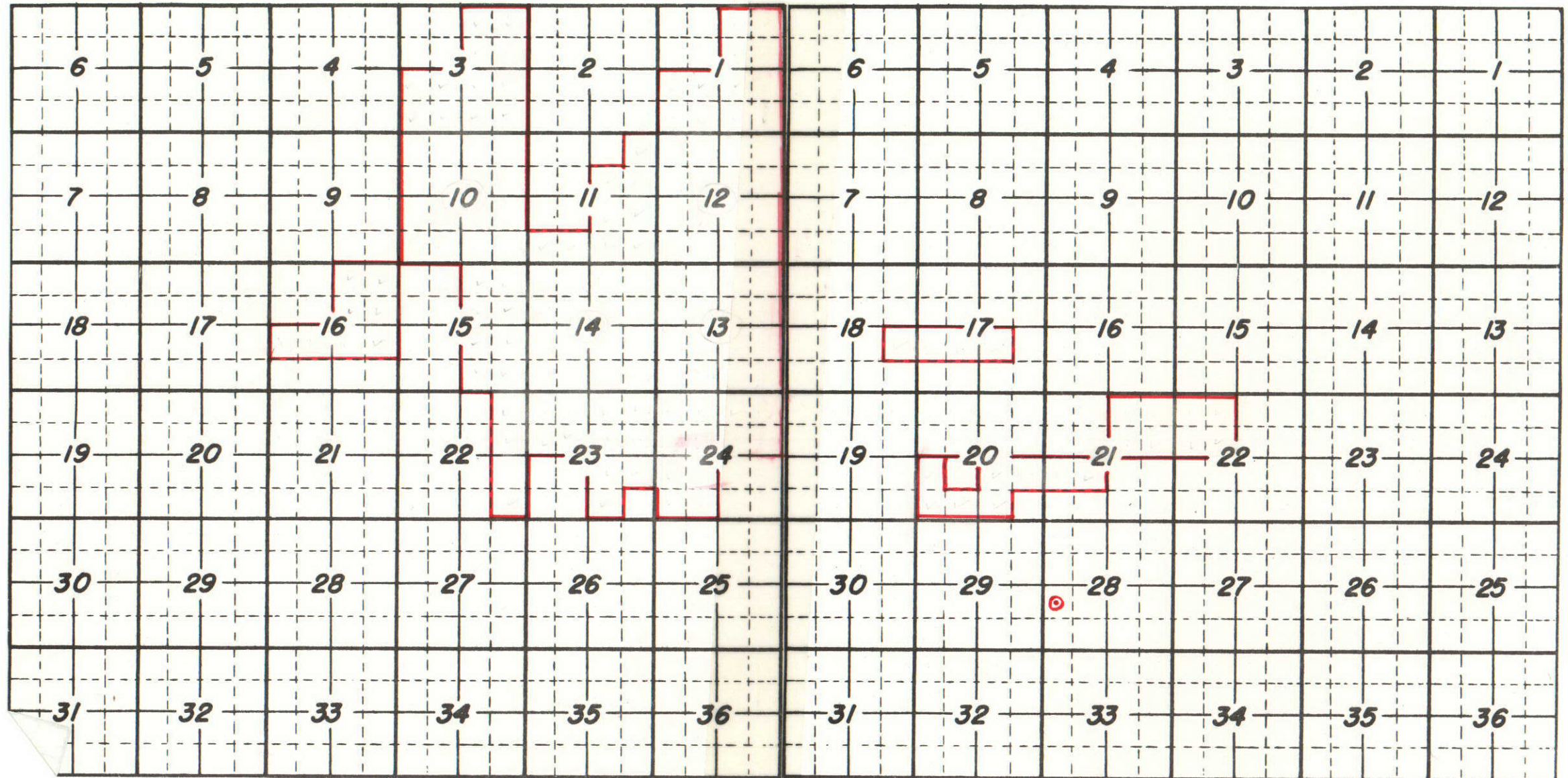
Description and location of : time of use:

[illegible]

FIELD REPORT

- TOTAL ACREAGE**
- _____

T.
5
S

T.
5
S.

02-2269

[illegible]

Total number of acres irrigated 6,190

System Description for Permits 02-2269 & 02-2367

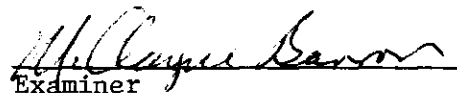
River Diversion:

Four 1800 hp White Superior (Mod. 16VGT) 16 cyl., Natural Gas Turbine engines. Each are rated at 12,000 g.p.m. at 820 r.p.m. They were running at 800 r.p.m. during exam.

Each engine discharges into one of two 36" penstocks lifting the water 500' to a concrete ditch (16' across top, 4' across bottom, 5' deep) running a distance of seven miles.

At an intermediate point on the canal system are several holding ponds from which the water is relifted to a second canal by four 570 hp White Superior (Model 8G825) 8 cyl. Gas Engines. The water is lifted through one 36" penstock a vertical distance of 140' to the second canal.

Along the canal system are 30 relift pumps (7 on the lower canal, 23 above) which supply water to the sprinkler systems.


Examiner

2 2269

Permits # 02-2367
02-2269

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Date Aug 16, 1973 **DISCHARGE MEASUREMENT NOTES**

S. E/more

River at Concrete Ditch & Bridge

[illegible]

To. 1 of 1 Sheets. Comp. by _____ Chk. by _____

DATE OF EXAM Aug 16, 1973

ACREAGE
Found 5645
Recommended 5645

Irrigation Requirement 4.5 Ac Ft/Ac

USE
Irrigation Q = 87.11 c.f.s. V = 25402.5 AF/Ann. from 3/15 to 11/15
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

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

Exchange? yes _____ no ☒

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

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

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

Total Q measured 87.11 cfs Method of measurement A-Meter

Total Q recommended 87.11 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 25,402.5 AF/Ann.

Recommended Amendments:

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

MEASUREMENT CALCULATION:

$V = (5645)(4.5) = 25402.5 \text{ A.F.}$

See Measurement Notes for Q

SYSTEM DESCRIPTION:

See Attachment

REMARKS:

This permit covers the same system as Permit # 02-2367

The Total Q of both permits should not exceed 87.11 cfs
The Total V of both permits should not exceed 28,309.5 A.F.

Examiner's Signature M. Clayton Barron Date Aug 16, 1973

Checked by _____ Date _____

Approved by _____ Date _____

*See New Exam Form
CB*

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE

REPORT OF EXAMINER

PERMIT NO. 31802/02-2269

REPORT ON PROOF OF South Elmore Irrigation Co., B. G. Miller

2 2269

NAME OF APPLICANT. Q/100 F. MORE L.R. 20

62-5564
/318-2
Form No. 0



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

2 2259

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
BOISE, IDAHO
REPORT OF EXAMINER

Permit No. 31802/02-2269

This proof is for 105.1 cfs In Water District No.

1. Name of applicant South Elmore Irr. Co., B. G. Miller, ^{Secy.} Box 1201, Boise, Idaho

2. Source of water supply: Snake River

3. Location of point of diversion: Is in the NWSW of Section 28
T. 5 S. R. 7 E County of Elmore

4. Describe works as they exist, giving dimensions and capacities of same:

River pump station, penstock canals, and piping

River pumps, penstock, ditch & relief pumps,
& buried mainline to sprinkler laterals.

5. Water is used for: irrigation

6. State whether or not water has been turned into works of diversion:

7. List legal subdivisions of lands to be irrigated. If proof is for beneficial use, give exact number of acres under cultivation in each forty-acre tract. (Describe manner and place of use if other than irrigation):

5S-6E, Sec. 1	NE $\frac{1}{4}$, S $\frac{1}{4}$	480 acres	Sec. 24	N $\frac{1}{4}$, SW $\frac{1}{4}$	460 acres
"	3' NE $\frac{1}{4}$, S $\frac{1}{4}$	480 acres	5S-7E, Sec. 1	N $\frac{1}{4}$ SW $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$	110 acres
"	10' All	640 acres	"	18 NE $\frac{1}{4}$ SE $\frac{1}{4}$	20 acres
"	11' E $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$	--325 acres	20' W $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$		195 acres
"	XXXXXXXXX All of Sec. 12, 13, 14 640+640+640=1,920				
"	15' E $\frac{1}{4}$	320 acres	21' NE $\frac{1}{4}$, N $\frac{1}{4}$ SW $\frac{1}{4}$		240 acres
"	16' NE $\frac{1}{4}$, N $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$	240 acres	22' NW $\frac{1}{4}$		160 acres
"	22' E $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{4}$ SE $\frac{1}{4}$	160 acres	GRAND TOTAL - 6,190 acres		
"	23' N $\frac{1}{4}$, N $\frac{1}{4}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$	440 acres			

(Submit map on attached plat, showing location and details of above description.)

8. What large stream would the water here appropriated finally reach?

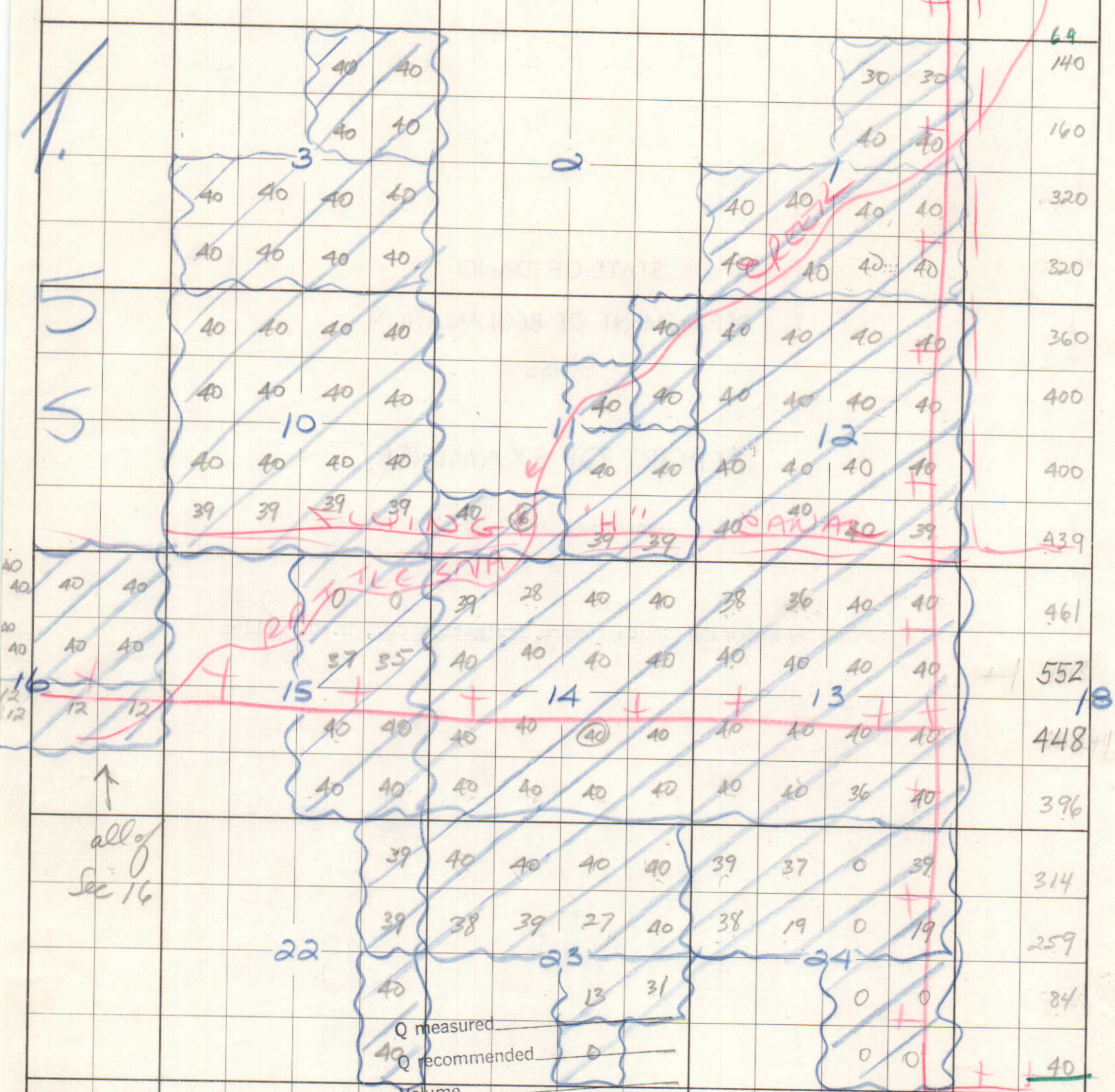
Remarks:

PERMIT NO. 31093 - All Sec. 16; SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$,
SWSE $\frac{1}{4}$, Sec. 17; SESE $\frac{1}{4}$, Sec. 18; NE-NE $\frac{1}{4}$, Sec. 19;
NWNE $\frac{1}{4}$, NENW, Sec. 20.

This examination was made on the day of , 19

2 22 (Signed) Examiner.

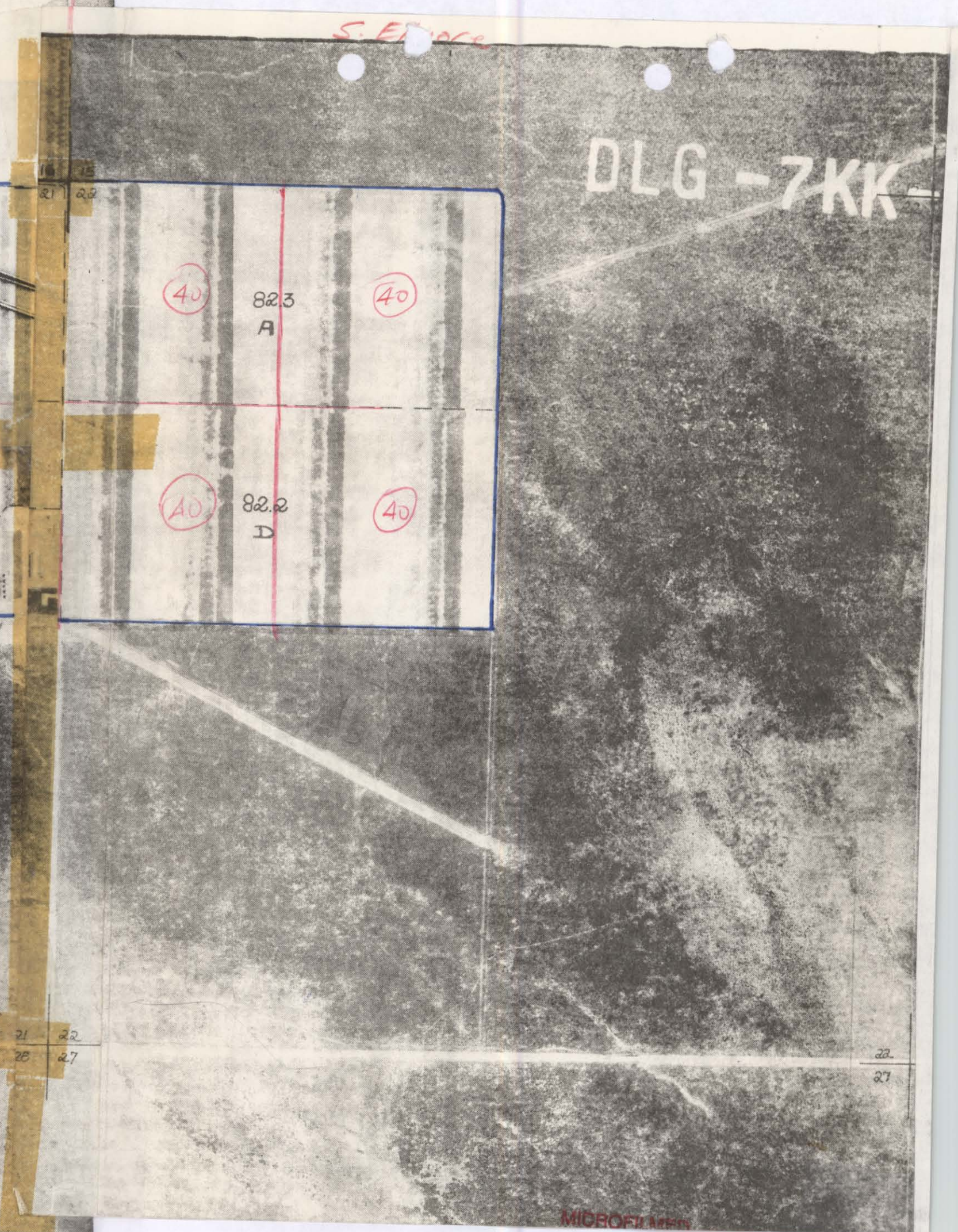
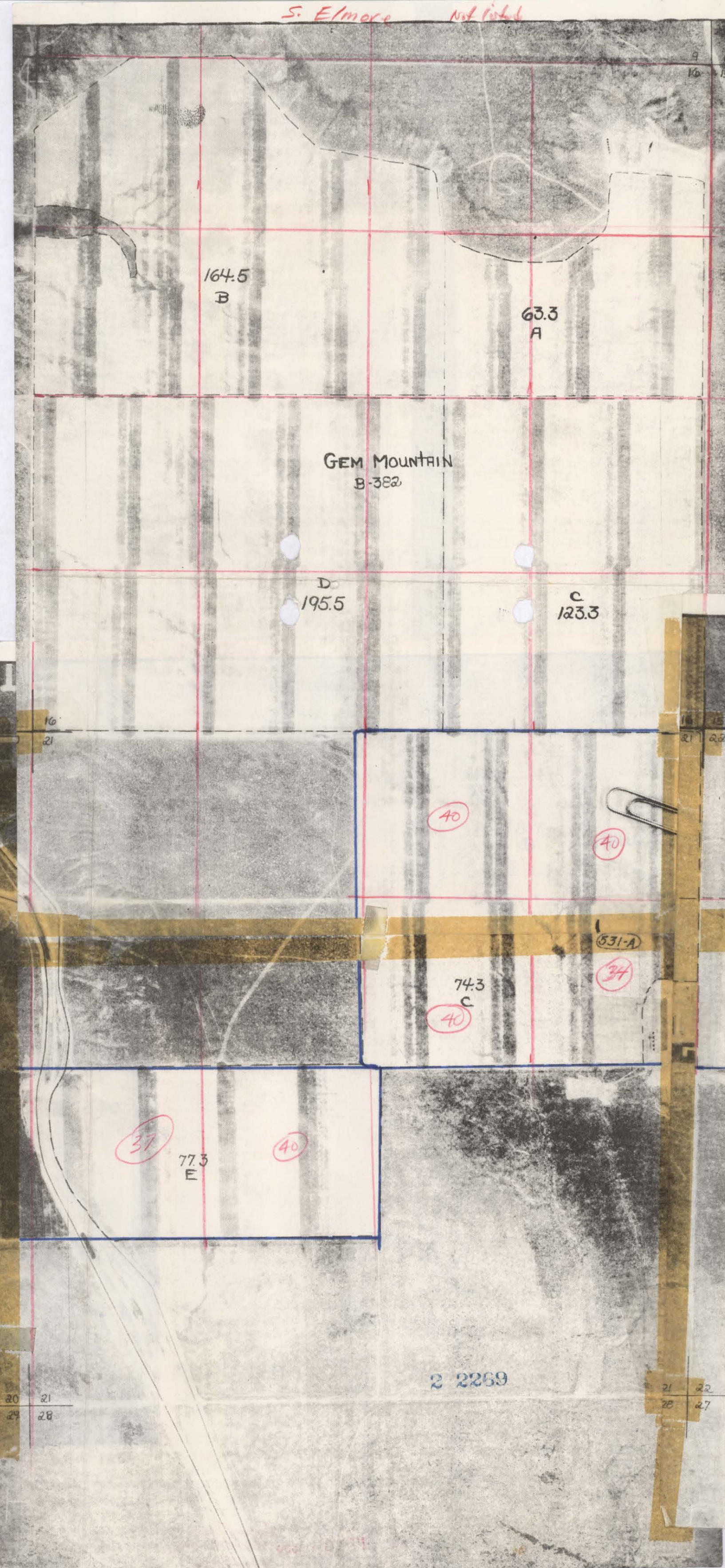
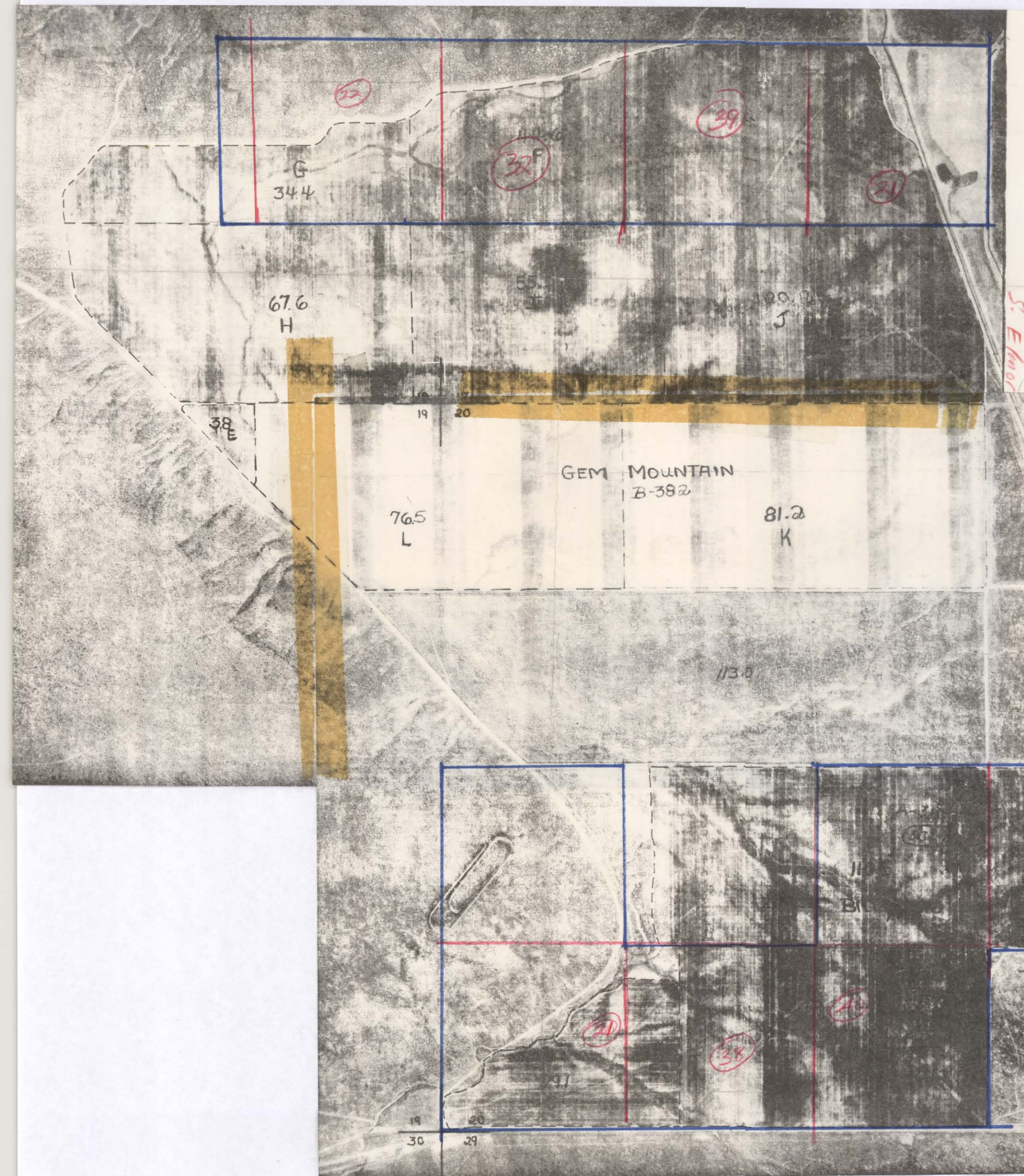
R. 6 E.

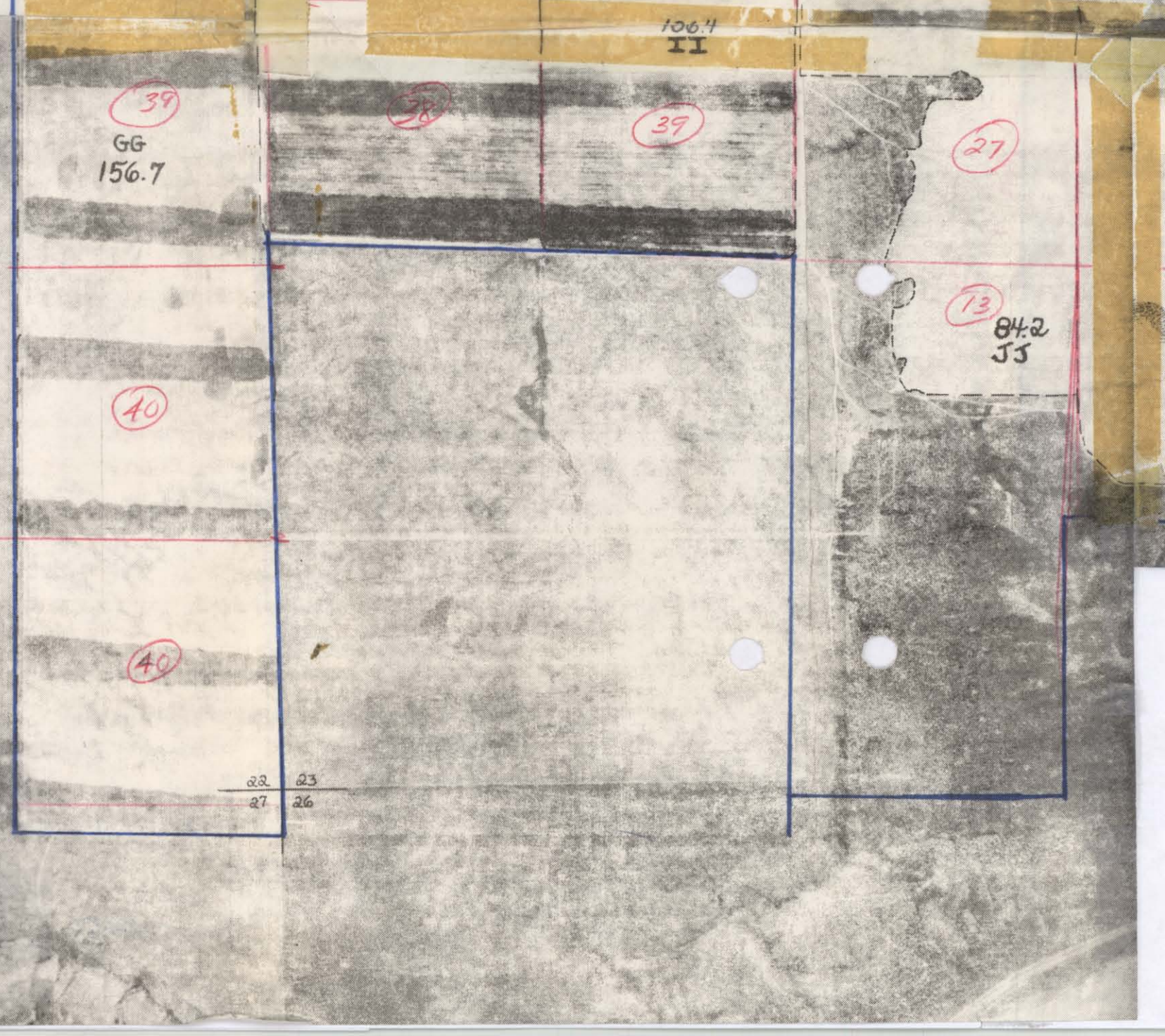
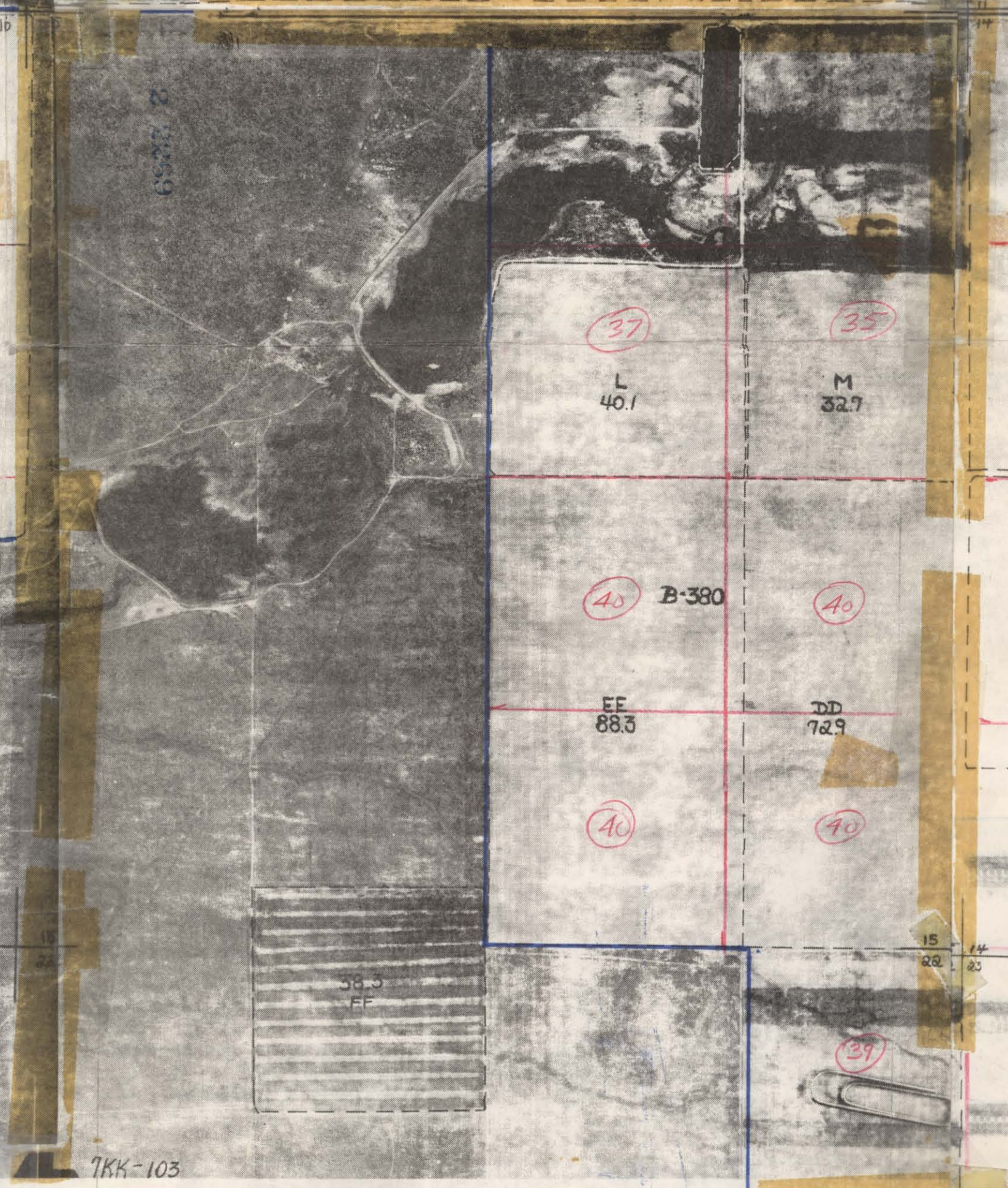
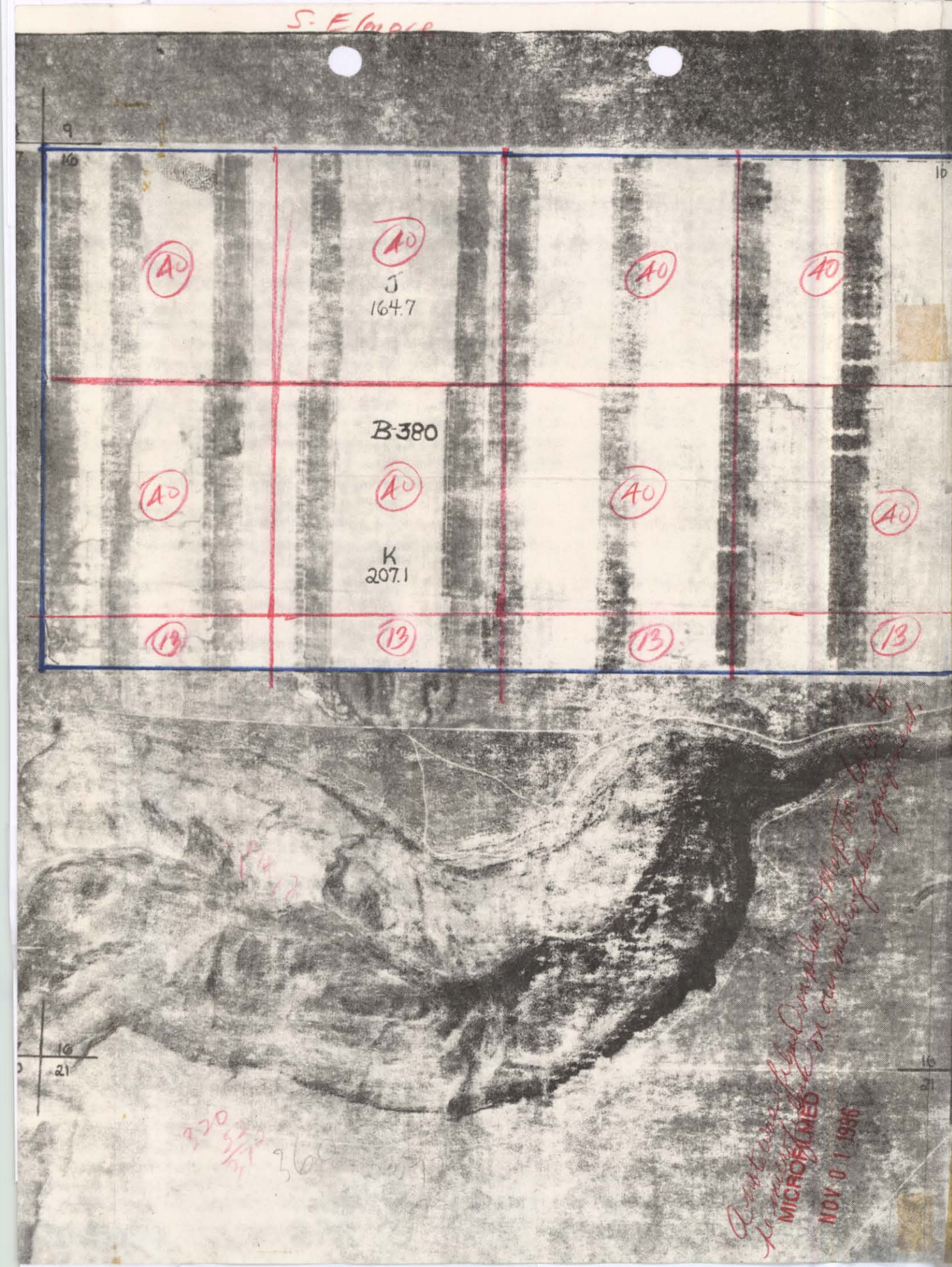
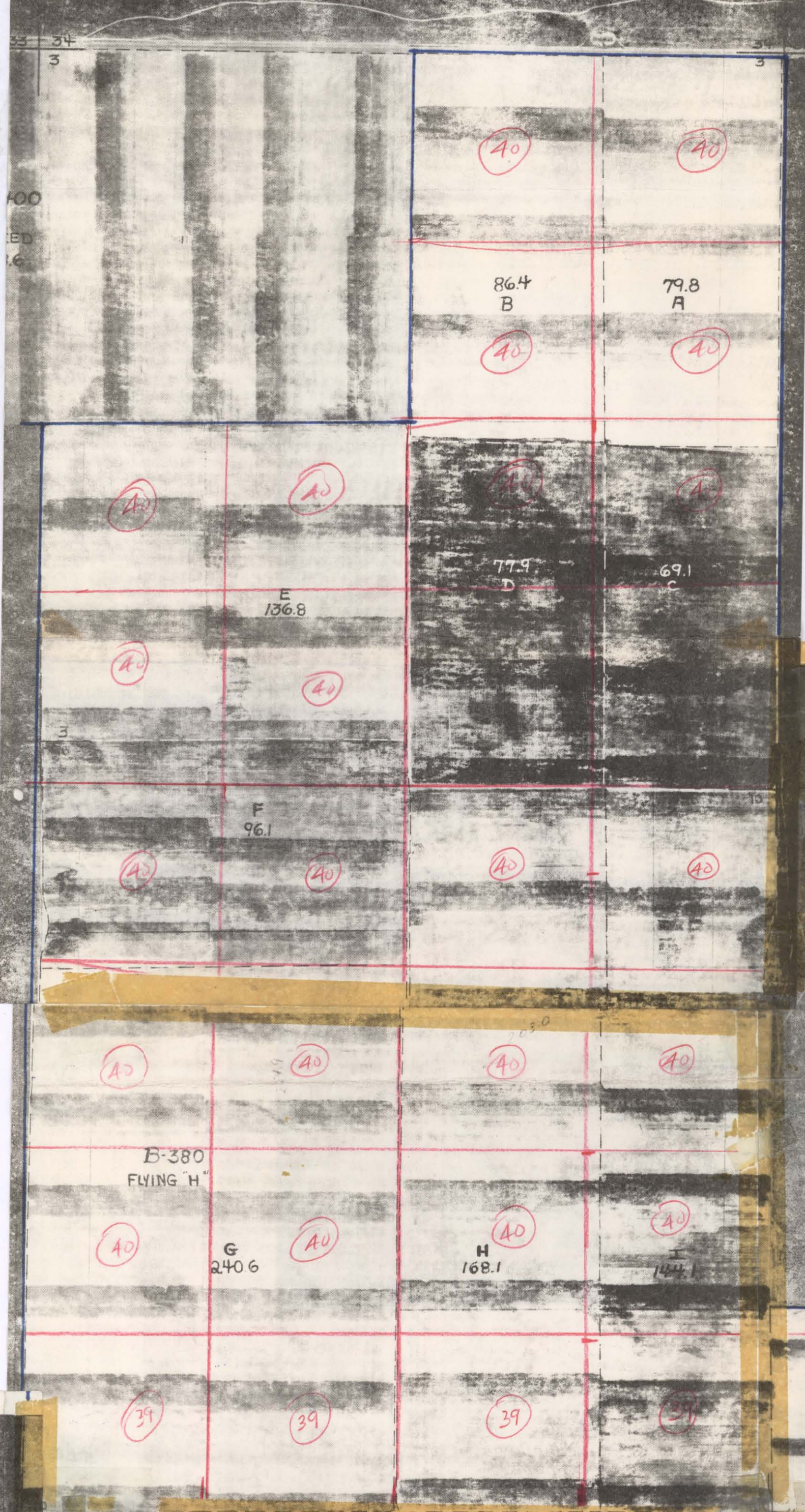


Q measured _____
Q recommended _____
Volume _____
Acreage -
Found _____
recommended _____
Subdv. _____
Ammendments
☐ None
☐ P.D.
☐ Place of use
☐ _____

2 2269

2 2259





STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

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



R. Keith Higginson
Director

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

October 5, 1971

Re: Permits No. 02-2269, 02-2345, 02-2365, 02-2367

Mr. J. H. Sackett, Mgr.
Farm Loan Division
The Travelers Insurance Co.
707 S.W. Washington St.
Portland, Oregon 97205

Dear Mr. Sackett:

We acknowledge receipt of the assignments in connection with the above referenced permits. The assignments have been recorded and the Department's records changed accordingly; we are enclosing copies of the permits and assignments for your files.

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 orders modify Permits No. 02-2365 and 02-2367 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 newspaper as prescribed by the Department. If you will complete and return the enclosed advertising authorizations, we will cause the notices to be published. Please note that proof of beneficial use is due on or before March 26, 1976, under these two permits.

As to the status of the other two permits, proof of beneficial use is due on or before January 21, 1976, under Permit No. 02-2345 and Permit No. 02-2269 is ready to be licensed as soon as the Department has conducted a field examination.

If you have any questions regarding these permits or if we may be of further assistance, please contact us.

Very truly yours,

BOBBY D. FLEENOR
Assistant Director

BDF:DR
Enclosures

2 2269

THE TRAVELERS

THE TRAVELERS INSURANCE COMPANY

MORTGAGE LOAN DEPARTMENT
J. H. SACKETT, MANAGER, FARM DIVISION



PORTLAND OREGON OFFICE
707 S.W. Washington Street
PORTLAND, OREGON 97205
Telephone: 224-5770

September 23, 1971

Department of Water Administration

State of Idaho
Department of Water Administration
Annex 2, Statehouse
Boise, Idaho 83707

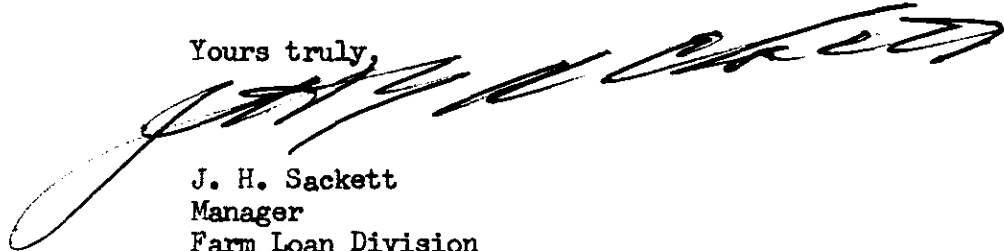
Re: Our Loan #190464
Flying H Farms, Inc. and
Hood Engineering Corp.
P. O. Box 5426
Boise, Idaho 83705

Gentlemen:

Enclosed are Assignments which we hold in connection with our real estate loan on the property served by the permits indicated. We hope to have the permits developed into licenses at the earliest possible date.

Would you please file these Assignments so that the permits may not be transferred.

Yours truly,



J. H. Sackett
Manager
Farm Loan Division

JHS:tap
Enclosure

cc: MLR Reed

2 2259

September 9, 1971,

Re: Permit No. 02-2269

Mr. Al Kizer
5000 Fairview
Boise, Idaho

Dear Mr. Kizer:

Pursuant to your telephone request of September 8, 1971, please find enclosed a copy of the proof of beneficial use in connection with the above referenced permit.

If we may be of any assistance to you in this, or any other matter, please do not hesitate to contact this office.

Very truly yours,

Dorian Clay
Appropriation Examiner

DC:CS

Enclosure

2 22 1

?????

Send correspondence to:

Mr. B. G. Miller
Box 1201
Boise, Idaho

02-2269
31802

October 15, 1969

Re: Permit No. 31802/02-2269 - South Elmore Irrigation Company

B. G. Miller
Box 1201
Boise, Idaho

Dear Mr. Miller:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit.

Before a license can be issued, a field examination must be made by a representative from this Department.

We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination. If someone other than yourself should be contacted, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

31802
02-2269

October 9, 1969

Re: Permit No. 31802/02-2269
South Elmore Irrigation Company

B. G. Miller
Box 1201
Boise, Idaho

Dear Mr. Miller:

As of this date, we have not received the affidavit of publication submitted in connection with the above referenced permit. Without this affidavit no license can be issued on the permit.

Therefore, we recommend you obtain this affidavit from the Mountain Home News, Mountain Home, Idaho, as soon as possible and submit it to us. Your prompt attention to this matter would be appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

31802
02-2269

October 9, 1969

Re: Permit No. 31802/02-2269
South Elmore Irrigation Co.

M. O. Clements
Route 4, Sunny Ridge Road
Nampa, Idaho 83651

Dear Mr. Clements:

Enclosed please find a copy of our letter of September 5, 1969, to which we have never received an answer. It is imperative that we receive an answer to our inquiry, so we may continue to process the permits held by the South Elmore Irrigation Company.

Your prompt attention to this matter would be greatly appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

Enc. Our letter of 9-5-69 (copy)

31802
02-2269

September 5, 1969

Re: Permit No. 31802/02-2269 - South Elmore Irrigation Company

M. O. Clements
Route 4, Sunny Ridge Road
Nampa, Idaho 83651

Dear Mr. Clements:

In researching our files, we find your name given as Power of Attorney for the South Elmore Irrigation Company. As we have correspondence that must reach these people, we would appreciate your giving us their address.

Also, to date we have not received the affidavit of publication to be submitted in connection with the above referenced permit. The publication dates were February 20 and February 27, 1969, in the Mountain Home News, Mountain Home, Idaho. As many newspapers do not keep copies of these advertisements, we suggest that you or another member of the firm contact them as soon as possible.

Any assistant you could give us would be greatly appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

31802
02-2269

September 5, 1969

Re: Permit No. 31802 (New No. 02-2269)- South Elmore Irrigation Co.

B. G. Miller
Box 1201
Boise, Idaho

Dear Mr. Miller:

As of this date, we have not received the affidavit of publication submitted in connection with the above reference permit. The permit was advertised the weeks of February 20 and February 27, 1969, in the Mountain Home News.

Many newspapers do not keep copies of these advertisements. Proof of Beneficial Use is not required until April 6, 1975, but without the affidavit we are not able to license the permit. If you are unable to obtain the affidavit, you will again have to pay the cost of advertising.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:JMB

LAST REQUEST

31802
02-2269

July 11, 1969

Re: Permit No. 31802

South Elmore Irrigation Co.
Box 1201
Boise, Idaho 83701

Gentlemen:

As of this date we have not yet received the affidavit of publication to be submitted in connection with the above referenced permit. Proof of beneficial use is not required until April 6, 1975, however, many newspapers do not keep copies of these advertisements in their files. We, therefore, recommend that you obtain this affidavit from the Mountain Home News, Mountain Home, Idaho, and submit it to the Department as soon as possible. This insures that when you are ready to submit proof of beneficial use there will be no unnecessary delay or added expense.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR
LAST REQUEST

31802
02-2269

DON SAMUELSON
GOVERNOR



R. KEITH HIGGINSON
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

July 7, 1969

RECEIVED

JUL 10 1969

Re: Permit No. 31802
South Elmore Irrigation Co.

Department of Reclamation

Elmore County Assessor's Office
Mountain Home,
Idaho

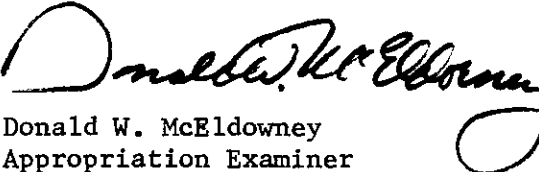
Gentlemen:

Could you please help us in obtaining the name and address of the present owner of the following land description:

NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, T. 5 S, R. 7 E, B.M., Elmore
County

Any help you can give in this matter will greatly be appreciated.

Very truly yours,


Donald W. McEldowney
Appropriation Examiner

No record of any Ownership on this property in this Office.

DWM:DR


Ron Ross, Assessor

31802
02-2269

July 7, 1969

Re: Permit No. 31802
South Elmore Irrigation Co.

Elmore County Assessor's Office
Mountain Home,
Idaho

Gentlemen:

Could you please help us in obtaining the name and address of the present owner of the following land description:

NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 28, T. 5 S, R. 7 E, B.M., Elmore
County

Any help you can give in this matter will greatly be appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

31802

May 13, 1969

Re: Permit No. 31802

South Elmore Irrigation Co.
Box 1201
Boise, Idaho 83701

Gentlemen:

As of this date we have not yet received the affidavit of publication to be submitted in connection with permit no. 31802. You should be aware that many newspapers do not keep copies of these advertisements for their files. We, therefore, recommend that you obtain this affidavit as soon as possible from the Mountain Home News, Mtn. Home, Idaho, and submit it promptly to the Department. Please be advised that a license will not be issued until we are in receipt of this affidavit.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:DR

31802

March 4, 1969

Re: Permit No. 31802
South Elmore Irrigation Company

Mountain Home News
Mountain Home, Idaho

Gentlemen:

Enclosed please find the bill requesting payment for the legal which was published concerning the above referenced permit. Also please find enclosed a copy of our letter to you of February 10, 1969. This letter informs you that you may obtain payment from the South Elmore Irrigation Company, Boise, Idaho. We have also enclosed the affidavit of publication which you forwarded to this Department.

We are returning the bill as the Department is not responsible for the payment of the bill and wish to inform you that the Department has researched its files and found the address of 2105 W. Commerce Avenue, Boise, Idaho. You may forward the bill along with the affidavit to this address to obtain payment.

We are sorry that we have caused you this inconvenience and hope that this address may help you obtain payment.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:TG
Enc: bill
affidavit
letter of 2-10-69

31802

BOISE
FEB 11 1969
IDAHO
06

8/202

Boise, Idaho

RETURN
TO
WRITER



February 10, 1969

Re: Permit No. 31802

Mountain Home, News
Mountain Home, Idaho

Gentlemen:

Enclosed is a legal notice which we wish to have published for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit 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 can not publish the notice on the proposed dates, please contact the Department of Reclamation immediately.
South Elmore

The expense of the publication is to be paid by _____
Irrigation Company, Boise, Idaho

_____ ,
to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg

Enc: legal notice

RE: South Elmore Irrigation Company

NOTE: The permit holder is required to obtain an affidavit of publication from the above referenced newspaper and to submit it to the Department at once.

resent cc: South Elmore Irrigation Co.
2105 W. Commerce Avenue
Boise Idaho

31802

NOTICE OF CHANGE IN STATE WATER PERMIT

Notice is hereby given that Permit No. 31802 in the name of South Elmore Irrigation Company of Boise, Idaho, has applied to the State Reclamation Engineer of the State of Idaho to amend the place of use of Permit No. 31802. The original place of use was given as portions of sections 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, and 34, T. 5 S., R. 7 E., B. M., totaling 6190 acres; whereas, the amended place of use is portions of sections 1, 3, 10, 11, 12, 13, 14, 15, 16, 22, 23, 24, T. 5 S., R. 6 E., and portions of sections 17, 18, 20, 21, and 22, T. 5 S., R. 7 E., B. M., totaling 6190 acres.

That any protests against the above amendment must be filed at the Department of Reclamation, Statehouse--Annex 2, Boise, Idaho, within ten (10) days from the date of last publication of this notice, and such protest shall state the name and address of the protestant, and shall clearly set forth his objection to the above amendment.

Dated this 10th day of February, 1969.

R.KEITH HIGGINSON
State Reclamation Engineer

First date of publication February 20, 1969

Last date of publication February 27, 1969

Published in the Mountain Home News, Mountain Home, Idaho on

February 20 and February 27, 1969.

31802

DON SAMUELSON
GOVERNOR



RECEIVED

JAN 30 1969

R. KEITH HIGGINSON
State Reclamation Engineer

Department of Reclamation

STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

January 16, 1969

RECL. ENGR.	
DEPUTY	
WATER RIGHTS	
AD. PROP.	
DIST.	
ADJ.	
ADMINISTRATION	
INS.	
PLANNING	
FILE	
RETURN TO	
RECEIVED	

Re: Permit No. 31802

South Elmore Irrigation Company
2105 W. Commerce Avenue
Boise, Idaho

Gentlemen:

We have received your affidavit submitted as proof on the above referenced permit. We have prepared the field exam which is to be made, however, after the field examination we will need an affidavit of publication from the Mountain Home News, Mountain Home, Idaho, showing the Department that notice of the amendment has been published.

We have enclosed a proposed notice which the Department will cause to be published for two consecutive weekly issues of the newspaper if you will sign the authorization form which is also enclosed.

If you have any questions, please contact the Department.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:TG

Enc: notice
authorization

Mail enclosed to

31802

(This completed form authorizes the Department of Reclamation to publish the required notice at your expense.)

State Reclamation Engineer:

You are hereby authorized to have the attached notice published at my expense in the Idaho Daily Statesman of Boise, Idaho; published in the county in which the works are situated.

*Mountain Home News,
Mountain Home
Idaho*

Salt Lake Irrigation Co.
(signature) by [Signature]
Secretary.
(address) Box 1701, Boise, Idaho 83701
(date)

In case of canals or other works designed to divert and carry more than 50 cubic feet of water per second, the following certificate must be signed by a well known and competent engineer when proof is for completion of works.

I hereby certify that the facts set forth in the attached notice are true.

Engineer

31802

January 16, 1969

Re: Permit No. 31802

South Elmore Irrigation Company
2105 W. Commerce Avenue
Boise, Idaho

Gentlemen:

We have received your affidavit submitted as proof on the above referenced permit. We have prepared the field exam which is to be made, however, after the field examination we will need an affidavit of publication from the Mountain Home News, Mountain Home, Idaho, showing the Department that notice of the amendment has been published.

We have enclosed a proposed notice which the Department will cause to be published for two consecutive weekly issues of the newspaper if you will sign the authorization form which is also enclosed.

If you have any questions, please contact the Department.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:EG
Enc: notice
authorization

31802

October 12~~7~~ 1968

Re: Permit No. 31802

South Elmore Irrigation Company
2105 W. Commerce Avenue
Boise, Idaho 83707

Gentlemen:

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 those 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 and are now submitting proof of beneficial use. 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. McElowney
Appropriation Examiner

DWM:tg
Enc: Order
Advertisement
Acknowledgement

31802

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 31802)

in the name of **South Elmore Irrigation**)

Company, 2105 W. Commerce Ave., Boise, 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. 31802 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 April 6, 1975. The permit holder should be aware that failure to complete one-fifth (1/5) of the works within one-half (1/2) of the time originally set for Completion of Works may be grounds for cancellation at the instance of the Department.

Dated this _____ day of _____, 19____.

31802

October 17, 1968

Re: Permit No. 31802

South Elmore Irrigation Company
2105 W. Commerce Avenue
Boise, Idaho 83707

Gentlemen:

We acknowledge receipt of your affidavit submitted as proof of beneficial use ~~on application~~ for permit 31802.

Before a license can be issued a field examination must be made by a representative from this department.

We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system. If someone other than you should be contacted by the examiner, please advise.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DEM:tg

NOTE: The Department must be receipt of an affidavit of publication before your permit may be processed further.

31802

August 21, 1968

RE: Permit 31802

South Elmore Irrigation Company
2105 W. Commerce Avenue
Boise, Idaho 83707

Gentlemen:

Enclosed herewith is a copy of the amendment your representative submitted to this office for recording. The original has been placed in our files.

Departmental Receipt No. W-426 is also enclosed. This receipt is in the amount of \$5.00, which covers the recording fee.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRR:ejw

Enclosure

31802

SPECIAL POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that South Elmore Irrigation Co., an Idaho corporation, hereby appoints M. O. Clements, of Route 4, Nampa, Idaho, its attorney in fact for the purpose of giving testimony by deposition on its behalf as owner of Water Permit No. 31802 issued by the Department of Reclamation of the State of Idaho, which said permit is now held and owned by the said South Elmore Irrigation Co., which deposition shall be with respect to completion of works and application of water to beneficial use as required by the statutes for the State of Idaho for obtaining a water license under said Permit No. 31802, giving and granting unto its said attorney in fact full power and authority to do all things and acts required for the completion of said deposition and in any other matters pertaining to the making of proof of completion of works and application of water to beneficial use under said Permit No. 31802.

IN WITNESS WHEREOF, South Elmore Irrigation Co. has caused these presents to be executed by its officers hereunto duly authorized by resolution of its board of directors this 1st day of March, 1968.

SOUTH ELMORE IRRIGATION CO.

By *Dan Lauther*

ATTEST:

B. S. S. S.

31802

STATE OF IDAHO)
) SS
COUNTY OF ADA)

On this 8th day of July, 1968, before me,
the undersigned, a Notary Public in and for said State, personally
appeared Max Lathrop & B.G. Miller, known to me to be the *Vice president*
and secretary, respectively,
~~Secretaries~~ of South Elmore Irrigation Co., the corporation
that executed the within and foregoing instrument, and acknowledged
to me that such corporation 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.

W. J. Fenn
Notary Public for State of Idaho
Residing at Boise, Idaho

ANDERSON, KAUFMAN, ANDERSON AND RINGERT

LAWYERS

IDAHO BUILDING

BOISE, IDAHO 83701

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

AREA CODE 208
TELEPHONE 342-4591
POST OFFICE BOX 2773

July 15, 1968

Mr. R. Keith Higginson
State Reclamation Engineer
State House - Annex #2
Boise, Idaho

RECEIVED

JUL 16 1968

Department of Reclamation

Re: Permit No. 31802

Dear Mr. Higginson:

Herewith is Special Power of Attorney from South Elmore Irrigation Co., under which M. O. Clements is authorized to make proof of completion of works and of application of water to beneficial use under the above numbered permit. Please file this Special Power of Attorney in the records of your office pertaining to Permit No. 31802.

Yours very truly,

ANDERSON, KAUFMAN, ANDERSON & RINGERT

By

William F. Ringert
William F. Ringert

WFR:nh
Enc.

31802

July 9, 1968

Re: Application for Amendments

South Elmore Irrigation Company
P. O. Box 1201
Boise, Idaho 83701

Gentlemen:

Please be advised that before the Department of Reclamation may begin processing the application for amendments, we require an application fee of \$5.00 for each amendment. This would be a total of \$10.00. Your prompt remittance is appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:ks

Enclosure: none

31802

June 25, 1968

RE: Permit 31802

Al Kaiser
5000 Fairview Avenue
Boise, Idaho

Dear Mr. Kaiser:

As you will see from the enclosed correspondence we have been unable to locate the assignor and the assignee on the above referenced permit. Mr. W. F. Ringert has given us your name. Would you please let us know what information you might have on these companies so we can update our records.

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosures

31802

June 11, 1968

RE: Permit 31802

Rex Greer
President
Elmore Canal Company
P.O. Box 737
Boise, Idaho

Dear Mr. Greer:

Enclosed herewith is a copy of the assignment your company submitted to this office naming South Elmore Irrigation Company owner of the above referenced permit. This assignment has been recorded but we are unable to mail the South Elmore's copy of this agreement for lack of address. Would you please furnish us with the same?

Very truly yours,

M. RUSSELL BOSCH
Administrative Assistant

MRB:ejw

Enclosure

31802

31802

ASSIGNMENT

For value received, Elmore Canal Company, an Idaho Corporation, hereinafter referred to as assignor, hereby assigns to South Elmore Irrigation Co., an Idaho Corporation, hereinafter referred to as assignee, all of its right, title and interest in and to any and all permits it now holds to appropriate the public waters of the State of Idaho.

Assignor further hereby assigns and transfers unto assignee all easements and rights-of-way of every kind and nature heretofore held by assignor including that certain right-of-way, Serial No. Idaho 015762 granted by the United States Bureau of Land Management on the 21st day of January, 1965, and which right-of-way was granted subject to the stipulations attached thereto and made a part thereof.

Dated this 26th day of January, 1966.

ELMORE CANAL COMPANY

by Rex Greer
Rex Greer, President

DMC

STATE OF IDAHO)
 ss.
COUNTY OF ADA)

On this 26th day of January, 1966, before me, the undersigned, a Notary Public in and for said State, personally appeared REX GREER, known to me to be the President of ELMORE CANAL COMPANY, the corporation that executed the within and foregoing instrument, and acknowledged to me that such corporation 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.

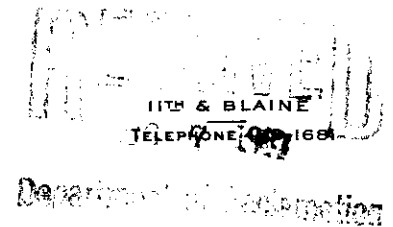
William F. Rungt
Notary Public for Idaho
Residing at Boise, Idaho

31802

WM. J. BRAUNER
WAYNE P. FULLER
JIM R. DOOLITTLE

BRAUNER, FULLER & DOOLITTLE
ATTORNEYS AND COUNSELORS AT LAW
POST OFFICE BOX 130
CALDWELL, IDAHO 83605

August 4, 1967



Department of Reclamation
State House
Boise, Idaho

Attention: Russell M. Bosch

Re: Travelers Loan #P-343
Farm Development Corp.

Gentlemen:

Previously we wrote to you on July 17 to make an inquiry about certain land and certain water permits in connection with three Travelers loans.

This letter is to inform you that Travelers Insurance Company has acquired an interest in and to the water permit hereinafter listed and hereby requests that the Department notify Travelers Insurance Co., 421 S. W. Sixth Avenue, Portland, Oregon, before any assignment or alteration or modification of the permit is allowed. This does not intend to prevent any assignment of the permit which would place it in the name of South Elmore Irrigation Company. The permit Travelers has acquired an interest in is permit no. 31802. This permit relates to a loan made to Farm Development Corporation.

Very truly yours,
BRAUNER, FULLER & DOOLITTLE

Wayne P. Fuller
Wayne P. Fuller

WPF/lg

31802

October 16, 1964

RE: Permit No. 31802

Dworshak and Webb
Attorneys and Counselors at Law
Box 737
Boise, Idaho

Gentlemen:

Enclosed is departmental receipt No. 32480 in the amount of \$3.00 covering the fee for the certified photo copy of the above numbered permit which was mailed to you previously.

Thank you.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(Mrs.) Edna P. Rule
Chief Clerk

EPR:mr

Enc. receipt

31802

April 15, 1964

Re: Permit No. 31802
Elmore Canal Company

Elmore Canal Company
Box 737,
Boise, Idaho.

Gentlemen:

We enclose Permit No. 31802 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. 32091 which was issued covering payment in the amount of \$ 31.25 for the filing fee of the above mentioned permit.

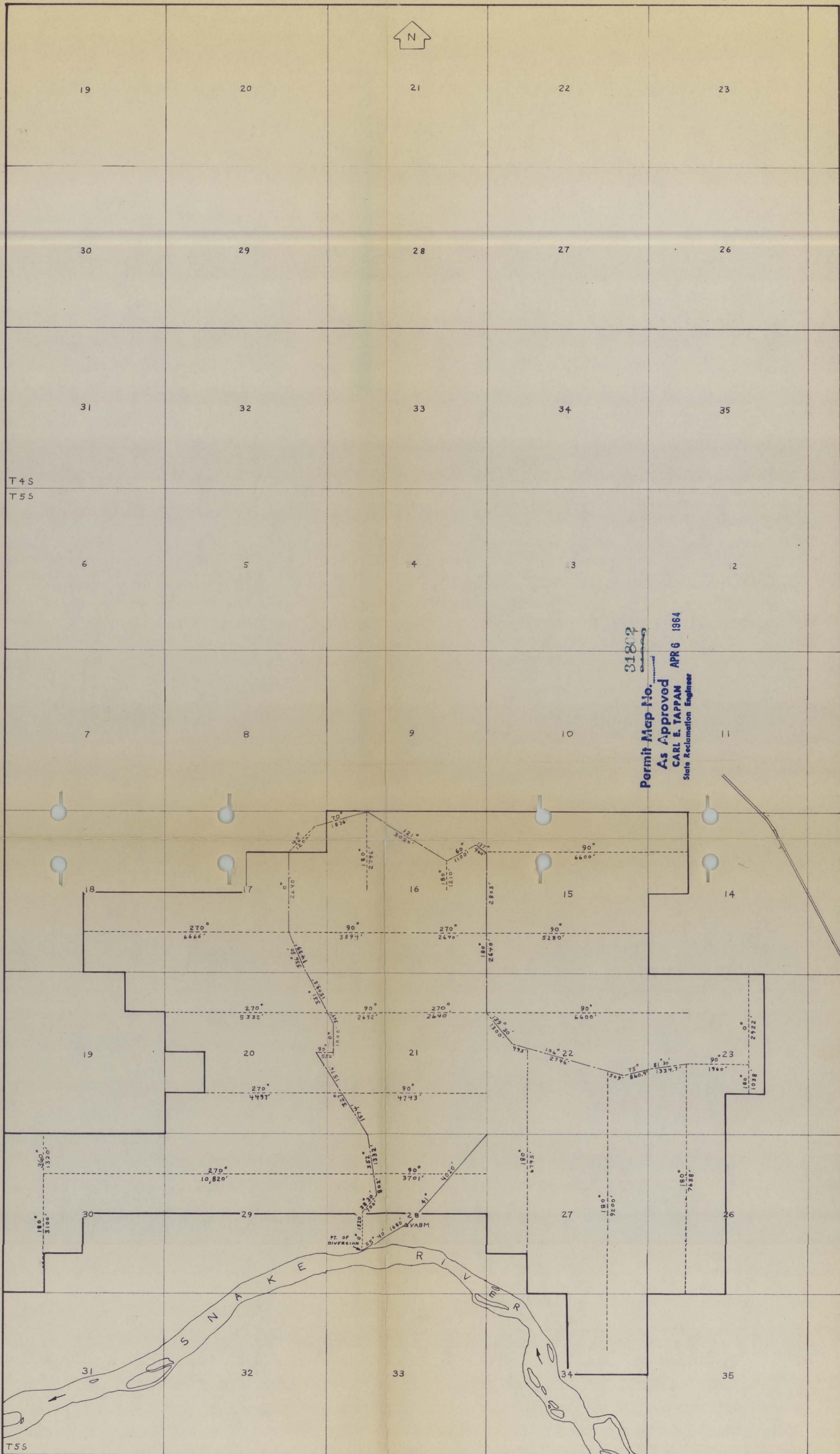
Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl.
EPR:pmk

31802



31802
Permit Map No. 31802
As Approved
CARL E. TAPPAN APR 6 1964
State Reclamation Engineer

LEGEND

SCALE 1:24000

- CANAL
- PIPELINE
- ROAD
- PERIMETER

CERTIFICATE OF ENGINEER
I, R. G. YOUNG, OF IDAHO FALLS, AN ENGINEER
LICENSED BY THE STATE OF IDAHO, DO HEREBY CERTIFY
THAT THIS MAP CORRECTLY REPRESENTS THE WORK
DESCRIBED IN THE ACCOMPANYING APPLICATION.

Roger L. Young
ENGINEER

Elmore Canal Co.

31802

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

NOTICE IS HEREBY GIVEN, That the Elmore Canal Company, of Boise, Idaho, has made application No. 39851 on the 19th day of February, 1964, to appropriate 105.1 cubic feet per second of the waters of Snake River for irrigation purposes.

That the point of diversion is located in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 28, Twp. 5 S., Rge. 7 E., B. M.

That the lands to be irrigated are 6190 acres in Sections 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 34, all in Township 5 South, Range 7 East B. M.

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

Dated this 19th day of February, 1964.

Ralph Thomas

Deputy State Reclamation Engineer

Date of First Publication: Feb. 27, 1964

Date of Last Publication: MARCH 12, 1964

Last date for Protest: March 30, 1964

SERVICE OF THE FOREGOING, by copy, is hereby acknowledged this 20TH
day of FEBRUARY, 1964

ELMORE CANAL COMPANY

By

Colin Kuroda
ITS Assistant Secretary

31802

DWORSHAK & WEBB
ATTORNEYS AND COUNSELORS AT LAW
POST OFFICE BOX 737
SIMPLIST BUILDING
BOISE, IDAHO 83701

CALVIN DWORSHAK
JAY L. WEBB

March 9, 1964

TELEPHONE: 344-7848
AREA CODE 208

MAR 17 1964

Mr. Ralph W. Thomas
Deputy State Reclamation Engineer
107 State House
Boise, Idaho 83701

DEPT. OF RECLAMATION

Re: Application No. 39851

Dear Mr. Thomas:

I am enclosing herewith original of Notice of
Application for Permit, together with Affidavit of Publication.

Very truly yours,


Calvin Dworshak

CD/s

31802

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

NOTICE IS HEREBY GIVEN, That the Elmore Canal Company, of Boise, Idaho, has made application No. 39851 on the 19th day of February, 1964, to appropriate 105.1 cubic feet per second of the waters of Snake River for irrigation purposes.

That the point of diversion is located in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 28, Twp. 5 S., Rge. 7 E., B. M.

That the lands to be irrigated are 6190 acres in Sections 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 34, all in Township 5 South, Range 7 East B. M.

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

Dated this 19th day of February, 1964.

Deputy State Reclamation Engineer

Date of First Publication: _____

Date of Last Publication: _____

Last date for Protest: March 30, 1964

SERVICE OF THE FOREGOING, by copy, is hereby acknowledged this _____
day of _____, 1964

ELMORE CANAL COMPANY

By

ITS _____

31802

February 19, 1964

Re: Application No. 39851

Elmore Canal Company
P. O. Box 737
Boise, Idaho

Dear Sir:

Enclosed are three copies of a legal notice. Complete the three copies by showing dates of publication and acknowledge service of the notice. Send the original to a paper published in Elmore County for publication in three successive weekly issues, first publication to be within ten (10) days of receipt of notice. Return one copy to this office and retain one copy for your file.

File Affidavit of Publication in this office immediately after the third publication of the notice.

Very truly yours,

RALPH W. THOMAS, Deputy
State Reclamation Engineer

RT:ew

Enc. 3 copies of notice

31802