



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 15, 2003

Steven R. Hannula
ERO Resources Corp.
1106 N. Cole Rd, Suite C
Boise, ID 83704-8661

RE: RIGHTS IN THE WATER SUPPLY BANK ✓ 02-02240, 02-02431, 63-00361, 63-08389 AND 63-09807

Dear Mr. Hannula:

The Department has received your letter dated April 10, 2003, advising that Mark McDonough would like the above referenced water rights retained in the Water Supply Bank ("bank") through December 31, 2003. Although the rights were leased to the bank from January 1, 2003 through April 11, 2003, please consider that the rights are again leased to the bank through December 31, 2003.

As you are aware, the following conditions apply to rights that have been leased to the bank:

1. There is no payment to the owner of a right if the right is not rented from the bank.
2. While a right is in the bank, the owner of the right may not use the right even if the right is not rented.
3. A right accepted into the bank stays in the bank until the Board releases it or until the lease term expires.
4. While a water right is in the bank, forfeiture provisions are stayed.
5. Acceptance of a right into the bank does not, in itself, confirm the validity of the right or any elements of the water right.

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

Sincerely,

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

c: IDWR - W. Regional Office
Files

MICROFILMED MICROFILMED
MAY 30 2003 JUN 02 2003

ERO Resources Corp.
1106 N. Cole Rd., Suite C
Boise, ID 83704-8661
(208) 373-7983
Fax: 373-7985



Denver • Boise

www.eroresources.com
eroboise@eroresources.com

RECEIVED

APR 11 2003

Department of Water Resources

April 10, 2003

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

Dear Mr. Saxton:

Mr. Mark McDonough has asked me to contact you in his behalf with regard to water rights: 02-2240, 02-02431, 63-00361, 63-08389, and 63-09807. These water rights were in the water bank to the end of 2002. Apparently, the request to keep these water rights in the bank for 2003 never happened. Therefore, Mr. McDonough has asked me to notify you that he would like to continue including the above referenced water rights in the Idaho water supply bank through December 31, 2003.

Mr. McDonough has a new address. His new address is not yet uniformly distributed through IDWR yet and so he would like to make sure that your records reflect the new address. His address is:

P.O. Box 74
Melba, ID 83641
Telephone (208) 495-9801

Also, Mr. McDonough would like to request that his file be updated to show that Bruce Smith will be his attorney of record. Mr. Smith's address is:

Moore Smith Buxton & Turcke Chartered
225 N. 9th St, Suite 420
Boise, ID 83702

If you have any questions or need additional information please feel free to contact me.

Sincerely yours,

A handwritten signature in cursive script that reads "Steven R. Hannula".

Steven R. Hannula

cc: Mark McDonough, Bruce Smith

MICROFILMED
JUN 02 2003

MICROFILMED
MAY 30 2003



State of Idaho

DEPARTMENT OF WATER RESOURCES

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Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 26, 2002

Mark McDonough
6638 57th Ave NE
Seattle, WA 98115

**RE: 02-02240, 02-02431, 63-00361, 63-08389 and 63-09807 - TERMINATION OF
LEASE TO THE WATER SUPPLY BANK**

Dear Mr. McDonough:

Department records show that the above referenced water rights have been leased through December 31, 2002 to the Water Supply Bank ("bank") operated by the Idaho Water Resource Board.

The purpose of this letter is to advise you that the rights will be considered released from the bank on December 31, 2002, unless you advise me, in writing, prior to December 31, 2002, that you want to extend the lease period. If so, please advise me in writing designating the date to which you want the lease extended.

If you have questions, feel free to contact me. I can be reached directly at (208) 327-7955.

Sincerely,

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

c: IDWR - Regional Office

~~MICROFILMED~~
MAY 30 2003

MICROFILMED
JUN 02 2003

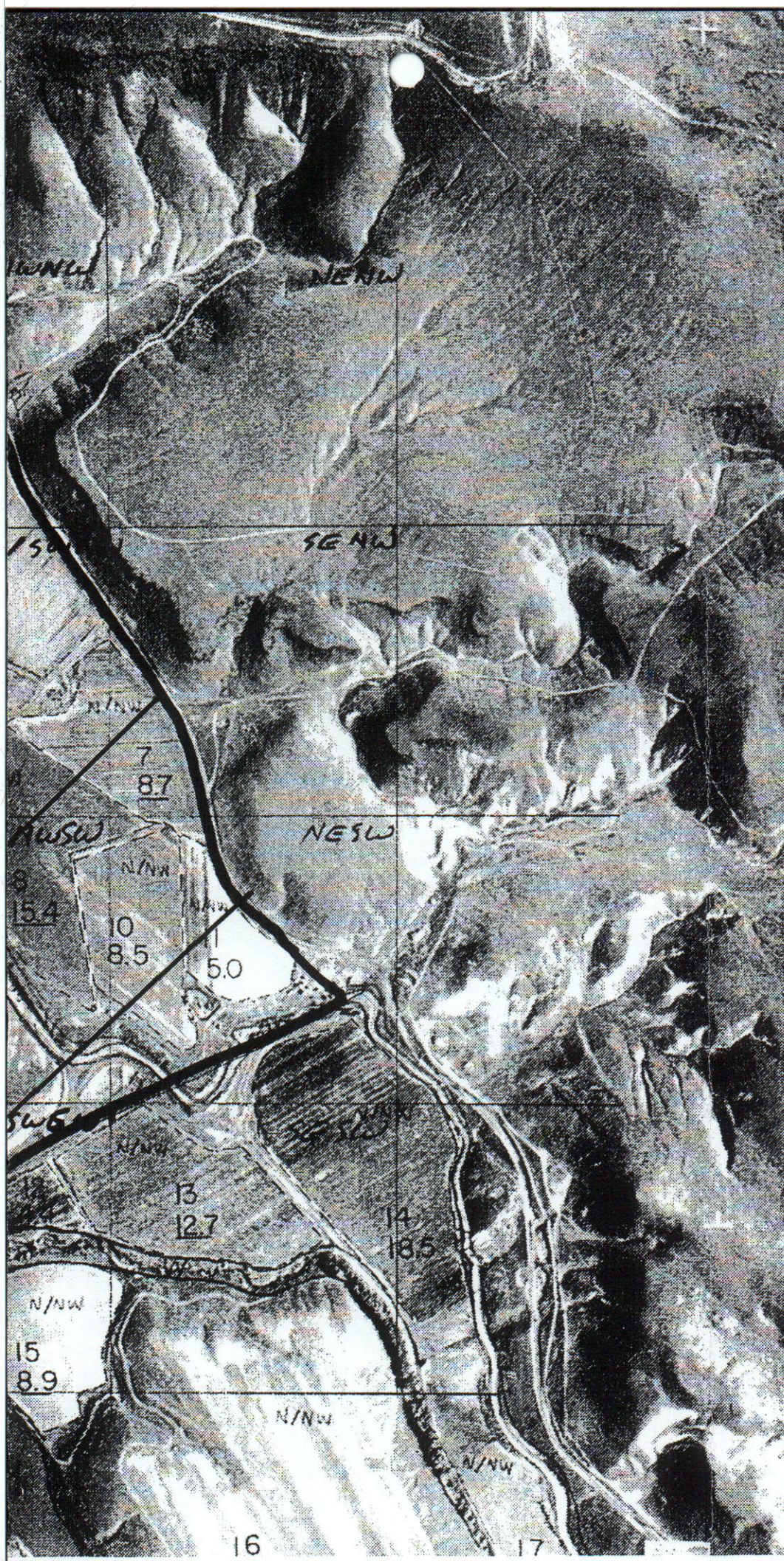
RGE 2 W
 TWP 1 S
 L.4
 L.4
 L.3
 L.2
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 Point of diversion
 23
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R. Karl Higgin
Director



JAN 09 2001





MICROFILMED
JAN 09 2001

1987 -N-18

NE SW

SW SW

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SE RE

SE RE

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FT 3890

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MARIC

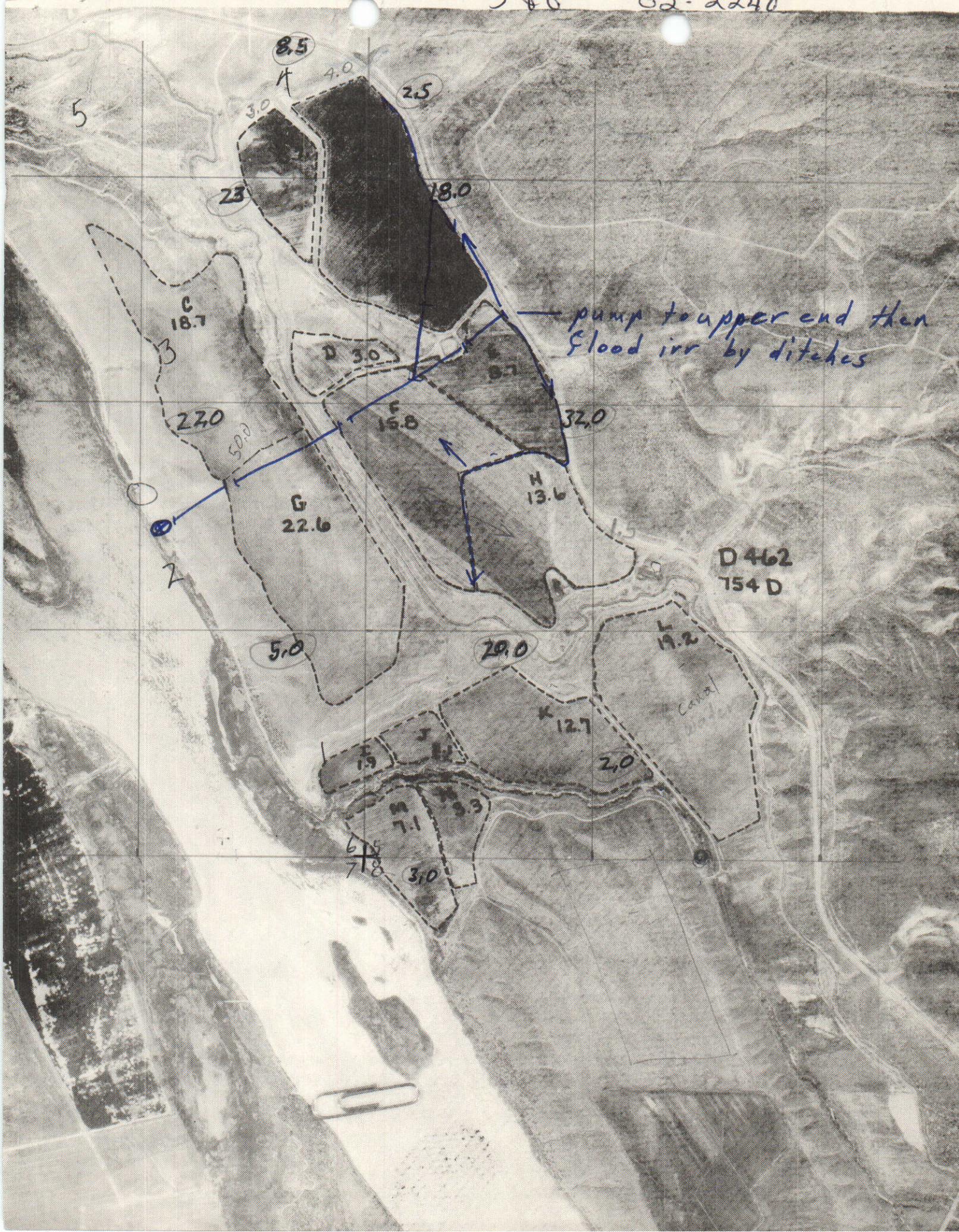
17

MARIC

CRAG MARIC

ENGLE

SE NW



DEPUTY	
WATER RIGHTS	
✓	APPROP
	DIST
	ADJ
	INVESTIGATION
	WELLS
	DAMS
	ACCOUNTING
	FILE
	RETURN TO
	DISCARD

RECEIVED

DEC 10 1968

Department of Reclamation

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,)
) ss.
County of Canyon.)

Verla Harker
of Nampa, Canyon County, Idaho, being first duly sworn,
deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. That I am the Principle Clerk of the Idaho Free Press, a daily, (except Sunday) newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

November 28; December 5, 1968

Verla Harker

Subscribed and sworn to before me this.....

5th day of December, 1968

Adam J. K...

Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRES JUNE 23, 1971

NOTICE OF APPROVED APPLICATION FOR WATER

Notice is hereby given that Rex S. Jensen, Melba, Idaho has received an approved permit No. 31482 to divert 6.0 cubic feet per second of water from the Snake River, tributary of the Columbia River. The priority to be established under this permit is October 25, 1963. Water will be diverted by pump, motor, pipeline, and ditches within Lot 1 (SE1/4SE1/4), sec. 6, T. 1 S, R. 2 W, B.M., Canyon County and is to be used for irrigation purposes in the S1/2NE1/4, Lot 2 (NW1/4 NE1/4), Lot 3 and 4 (N1/2NW1/4), SE1/4 NW1/4, N1/2SE1/4, SW1/4SE1/4, sec. 5; Lot 4 and 5 (N1/2 NE1/4), Lot 3 (SW1/4 NE 1/4), sec. 6, T. 1 S, R. 2 W, and the S1/2SE1/4, lots 3 and 4 (W1/2SW1/4), Lot 5 (SE1/4 SW1/4), sec. 3; S1/2SW1/4, sec. 32, T. 1, N, R. 2 W, B.M. Any protests against the intent of the permit must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation
Engineer
November 28; December 5, 1968

31482

RECL. ENGR.	
DEPUTY	
WATER RIGHTS	
AP. ROP	
DIST.	
ADJ.	
INVESTIGATION	
WELLS	
DAMS	
ACCOUNTING	
FILE	
RETURN TO	
DISCARD	

RECEIVED

DEC 9 1968

Department of Reclamation

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Two Times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

November 28; December 5, 1968

Verla Harker

Subscribed and sworn to before me this

5th day of December, 1968

Adam J. [Signature]

Notary Public, Residing at Nampa, Idaho

MY COMMISSION EXPIRE JUNE 23, 1971

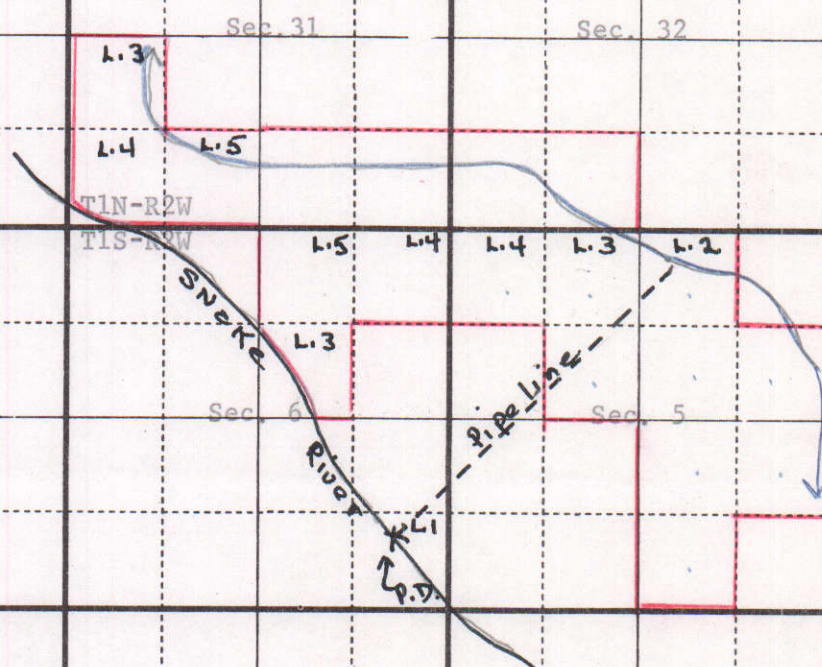
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R. KEITH HIGGINSON
State Reclamation
Engineer

November 28; December 5, 1968

31482



Permit Map No. 31482
As Approved
CARL E. TAPPAN
State Reclamation Engineer
OCT 31 1963

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 31482/02-2240 Priority Oct. 25, 1963 Amount 2.25 cfs

THIS IS TO CERTIFY, that REX S. JENSEN
of Melba, Idaho, has complied with the terms and conditions of Permit
No. 31482/02-2240 issued pursuant to Application for Permit dated October 25, 1963,
and has submitted proof to the Department of Water Resources on October 17, 1974,
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 4.0 cfs of water from the Snake River,
tributary to the Columbia River, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Irrigation</u>	from <u>March 15</u> to <u>Nov. 15</u> at <u>2.25</u> cfs and	<u>507 acre feet or</u>	
	from _____ to _____ cfs and	<u>4.5 af per acre</u>	
	from _____ to _____ at _____ cfs and		
	(both dates inclusive)		

Subject, however, to the condition that no more than 2.25 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
507 acre feet per year, said waters to be diverted within the Lot 2 (NE $\frac{1}{4}$ SE $\frac{1}{4}$) of
Sec. 6, Twp. 1 S, Rge. 2 W, B.M. in the County of Canyon

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
1 S	2 W	5					L.4 2.5	18			1.5	32							54.0
		6	L.4 8.5		L.3 23										L.3 22			L.1 5	58.5

Total number of acres irrigated 112.5

02-2451
COVERS SAME
AREA RM

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 16 day of
October, 19 76.

Director

APPLICATION FOR AMENDMENT

Permit No. 31482/02-2240

Comes now Rex S. Jensen of (address)

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho No. 31482/02-2240, and requests that the permit and permit map be changed as follows:

(Lot 2)

1. Point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 6 Twp. 1 S
Rge. 2 W, B. M., County of Canyon. Other points of diversion:

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

Amount NO CHANGE for purposes from to (both dates inclusive)

Amount for purposes from to (both dates inclusive)

Amount for purposes from to (both dates inclusive)

Amount for purposes from to (both dates inclusive)

(cfs or acre feet per annum)

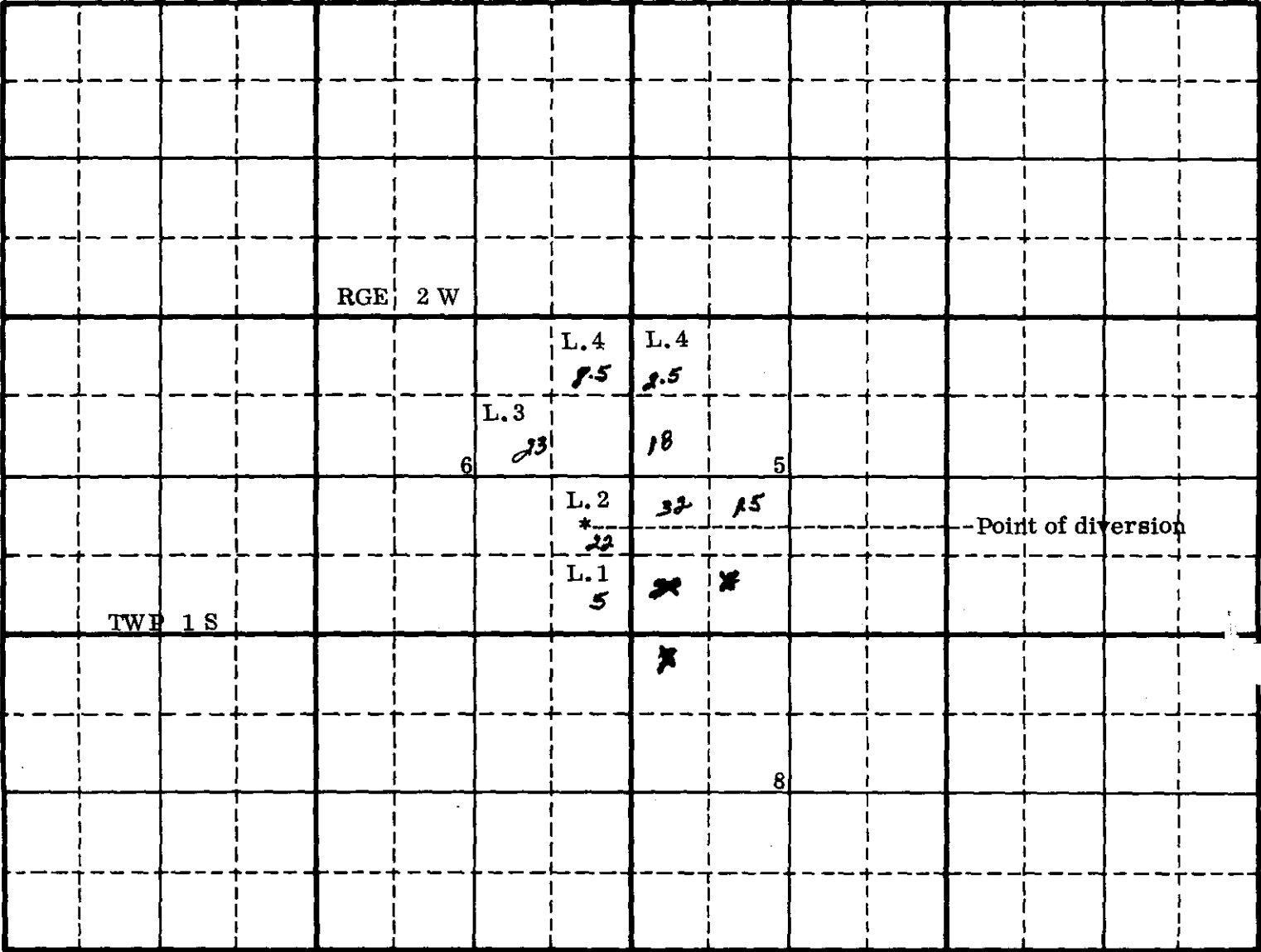
3. Place of use or land to be irrigated:

[illegible]

Total number of acres to be irrigated

~~187.5~~
112.5

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



Scale: 2 inches equal 1 mile

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

Signed at 4:30 PM, this 17 day of October, 19 76.
R. Keith Higginson
(signature)

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

I, R. KEITH HIGGINSON, Director of the Department of Water Resources hereby approve the foregoing application for amendment for Permit No. 31482/02-2240.

Witness my hand this 16 day of October, 19 76.
R. Keith Higginson
Director

02-22-10

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

APPLICATION No. 39590
PERMIT No. 31482
DISTRICT No.

1. Name of Applicant: Rex S. Jensen

Postoffice address: Melba

County: Canyon

State: Idaho

I. If applicant is a corporation, give:

(a) Date and place of incorporation:

(b) Amount of capital stock:

(c) Amount paid in:

(d) Names and addresses of directors:

II. The financial resources of the applicant are:

(a) Cash on hand:

(b) Treasury stock:

(c) Bond to be issued:

(d) Other resources:

2. Quantity of water claimed: 6.0

cubic feet per second.

3. Source of water supply: Snake River

which is a tributary of Columbia River

4. Location of point of diversion:

feet distant from the

corner of Section , T. , R. , B.M., and is in the Lot 1 (SE $\frac{1}{4}$ SE $\frac{1}{4}$)

of section 6 , T. 1 S , R. 2 W , B. M., County of Canyon

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: \$ 15,000

8. Kind of works: pipeline, ditches, pump and motor

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 2 fee; width at water line 4 feet; depth of water 1 $\frac{1}{2}$ feet;
dimensions of flume:

Diameter of pipe 14 inches; length of conduit 3 miles.

Average grade per mile 5'/mi. feet.

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

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

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

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

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

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

Rex S. Jensen

Applicant.

By s/ Harley M. McDowell
B

Agent.

Date of first receipt at Department of Reclamation: 8:00 A.M. October 25, 1963

Returned to applicant for correction:

Corrected application received:

Approval of State Reclamation Engineer

The number of this permit is 31482

Recorded in Book 110 Page 31482 Approved October 31, 1963

This is to certify that I have examined the within application for a permit to appropriate the public waters of the State of Idaho, and hereby approve the same, subject to the following limitations and conditions:

Bond in the sum of \$ _____ to be filed on or before _____

Work to begin on or before December 31, 1963

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 May 1, 1966

The whole of said work to be completed on or before October 31, 1968

Beneficial use of water appropriated in accordance herewith, to be made on or before October 31, 1974

WITNESS My hand this 31st day of October, 1963

s/ RALPH W. THOMAS, Deputy
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.....31st.....

day of October, 1963.

STATE OF IDAHO

Countersigned:

(SEAL)

Bv s/ ARNOLD WILLIAMS

By s/ ROBERT E. SMYLLIE

Governor.

Secretary of State.

REMARKS: This permit is for the irrigation of deeded lands

14.

[illegible]



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 17, 2001

Sheri L. Chapman
ERO Resources Corp
1106 N. Cole Rd, Suite C
Boise, ID 83704-8661

RE: MARK MCDONOUGH - RIGHTS IN WATER SUPPLY BANK

Dear Mr. Chapman:

This letter acknowledges that water right nos. ~~63-08389~~, 02-02431, 63-00361, 63-08389 and 63-09807 in the name of Mark McDonough will be retained in the Water Supply Bank through December 31, 2002 as you have requested.

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

Sincerely,

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

c: IDWR - W. Region

MICROFILMED

JAN 09 2001

ERO Resources Corp.
1106 N. Cole Rd., Suite C
Boise, ID 83704-8661
(208) 373-7983
Fax: 373-7985



Denver • Boise

www.eroresources.com
eroboise@eroresources.com

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DEC 14 2001

Department of Water Resources

December 12, 2001

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

Dear Mr. Saxton:

Mr. Mark McDonough has asked me to contact you in his behalf with regard to your letter of November 5, 2001 relating to water rights in the water supply bank numbered: 02-2240, 02-02431, 63-00361, 63-08389, and 63-09807. Mr. McDonough has asked me to notify you that he would like to continue including the above referenced water rights in the Idaho water supply bank through December 31, 2002. If you have any questions or need additional information please feel free to contact me.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Sherl L. Chapman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Sherl L. Chapman

SLC:sw

cc: Mark McDonough

MICROFILMED

JAN 09 2001

Consultants in
Natural Resources
and the Environment



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
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DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

November 5, 2001

Mark McDonough
6638 57th Avenue NE
Seattle, WA 98115

RE: RIGHTS IN THE WATER SUPPLY BANK - 02-02240, 02-02431, 63-00361, 63-08389 AND 63-09807

Dear Mr. McDonough:

Department records show that the above referenced water rights have been leased to the Water Supply Bank ("bank") operated by the Idaho Water Resource Board through December 31, 2001.

The purpose of this letter is to advise you that the rights will be considered released from the bank on December 31, 2001, unless you advise me, in writing, prior to December 31, 2001, that you want the rights retained in the bank for an extended period. If so, please respond by letter and designate the date to which you want the rights retained in the bank.

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

Sincerely,

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

c: IDWR – Regional Office

MICROFILMED

JAN 03 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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January 18, 2001

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

Sheri L. Chapman
ERO Resources Corp.
1106 N. Cole Rd, Suite C
Boise, ID 83704-8661

RE: RIGHTS IN THE WATER SUPPLY BANK - 02-02240, 02-02431, 63-00361, 63-08389 AND 63-09807

Dear Mr. Chapman:

The Department has received your recent letter advising that Mark McDonough would like the above referenced water rights retained in the Water Supply Bank ("bank") for an additional year, through December 31, 2001.

As you are aware, the following conditions apply to rights that have been leased to the bank:

1. There is no payment to the owner of a right if the right is not rented from the bank.
2. While a right is in the bank, the owner of the right may not use the right even if the right is not rented.
3. A right accepted into the bank stays in the bank until the Board releases it or until the lease term expires.
4. While a water right is in the bank, forfeiture provisions are stayed.

Please consider that the rights will be retained in the bank through December 31, 2001 unless the rights are released earlier by the Board upon a request from the owner of the rights.

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

Sincerely,

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

MICROFILMED

c: IDWR - Regional Office

JAN 09 2001

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Denver • Boise

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RECEIVED

JAN 17 2001

Department of Water Resources

January 15, 2001

Glen Saxton
Idaho Department of Water Resources
P.O. Box 83720
Boise, Idaho 83720-0098

RE: ERO Project No. 1466 - Mark McDonough

Dear Mr. Saxton:

Mr. Mark McDonough has asked me to notify you and request that you include his water rights in the Idaho water supply bank for the calendar year 2001. The water rights effected are the same as those that were in the water supply bank last year, numbered: 02-02240, 02-02431, 63-00361, 63-08389, and 63-09807.

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

Sincerely yours,

A handwritten signature in black ink, appearing to read "Sherl", written over the "Sincerely yours," text.

Sherl L. Chapman

SLC:sw

MICROFILMED

JAN 03 2001

Consultants in
Natural Resources
and the Environment



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

November 2, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Mark McDonough
6638 57th Avenue NE
Seattle, WA 98115

RE: RIGHTS IN THE WATER SUPPLY BANK – 02-02240, 02-02431, 63-00361, 63-08389 AND 63-09807

Dear Mr. McDonough:

Department records show that the above referenced water rights have been accepted into the Water Supply Bank operated by the Idaho Water Resource Board. Department records also show that when the rights were leased to the bank, the intent was to take the rights out of the bank on December 31, 2000.

The purpose of this letter is to advise you that the rights will be considered released from the bank on December 31, 2000, unless you advise me in writing that you would like to have the right(s) retained in the bank for an extended period. If so, please designate the date to which you want the retention extended.

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

Sincerely,

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

c: IDWR – Regional Office

MICROFILMED
149 03 2001



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

June 21, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

MARK MCDONOUGH
6638 57TH AVENUE NE
SEATTLE WA 98115

RE: APPLICATION TO LEASE WATER RIGHT NOS. 02-02240, 02-02431, 63-00361, 63-08389 AND 63-09807 TO THE WATER SUPPLY BANK

Dear Mr. McDonough:

The department has reviewed the above referenced applications which you submitted to the department on June 20, 2000.

Please consider that the water rights offered for lease have been accepted into the Water Supply Bank ("bank") through January 1, 2001. Several items to keep in mind in connection with the lease are as follows:

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

While not related to the lease of the rights to the bank, my review of department files shows that you apparently have not filed a Snake River Adjudication Claim on water right no. 63-08389. You probably should file such a claim with the department.

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

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: Regional Office
Adjudication Bureau

MICROFILMED

JAN 03 2001

Water Supply Bank No. _____

Water Right No. _____

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

Name of Seller/Lessor Mark McDonough Phone 206-522-5739

Post office address 6638 57th Avenue NE, Seattle, WA 98115

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

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

in case of _____ vs _____

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

b. License No. 02-02240 Issued by the Idaho Department of Water Resources.

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

2. Source of water Snake River tributary to Columbia River

3. Date of priority 10/25/1963

4. Water is used for the following purposes:

amount 2.25 cfs for Irrigation purposes from 3/15 to 11/15

amount _____ for _____ purposes from _____ to _____

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

5. Total amount of water under right: a. 2.25 cubic feet per second
&/or
b. 507 acre feet per annum

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

Township 1S Range 2W, B.M. in Canyon County

Additional points of diversion, if any NONE

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JAN 03 2001

7. Lands irrigated or place of use:

[illegible]

Total number of acres to be irrigated 105

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

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

3. Place of use:

[illegible]

Total number of acres to be irrigated _____

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2 JAN 9 3 2001

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

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

Applicant purchased the land to which the right is appurtenant. See Attachment A

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

The property has been in federal set aside for the past 20 years. See Attachment B

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

This right is on the main stem Snake River and has never been called since initiation.

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

63-00361; 63-08389; 02-02431; 63-09807

The land will not be irrigated.

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

N/A

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

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

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JUN 9 3 2001

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

[illegible]

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

MICROFILMED
JAN 3 2 1981

144 22 2074

9. Remarks _____

D. SALE/LEASE AGREEMENT

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

_____ For sale
XXX For lease for period from May 15, 2000 to January 1, 2001
(year) (year)
_____ As a gift to the State of Idaho.

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

Existing water bank rate.

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

XXX Acceptable _____ Not Acceptable

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

May 14 2000 Mark Mc Donough
(Date) (Signature of applicant)

FOR DEPARTMENT USE ONLY

Received by WJ Date 6-20-00 Preliminary check by WJ

Watermaster recommendation requested on _____ Received _____

Recommended for _____ approval _____ denial by _____

MICROFILMED

JAN 8 2001 5

ATTACHMENT "A"

X RECORDS SHOWING OWNERSHIP
OF PROPERTY

THU, FEB 24, 2000, 2:58 PM

MODE:F ACTION:L PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT TRQK101

REAL PROPERTY INQUIRY

01 OR28211-000- -0 176-00 SCH136	01	49,800	60.00
	05	1,900	55.50
MC DONOUGH, ROXY E ETAL	10	18,000	1.00
	19		3.50
	31	93,200	
	32	6,800	
6638 57TH AVE NE SEATTLE WA 98115			
05-1S-2W NW N1/2 SW, SWNW	TOTAL	169,700	120.00
	SURVEY	INST	
	DRAIN	DR VALUE	APPR BWL
	CLASS R3	REAP 99	MAN 98 UNIT 1
11035 MAP ROCK RD, ME	PARCEL	OR01S02W053900	H/O N C/B N
SEE R28210	PRIOR ACCOUNT	9R28211-000- -0	
	02 MH on Property	NO	
	03 Traits	04 Companion Sheet	

LOGON ID: PLAT.TAX

PORT ID: 255

GROUP: USERA

QUICK709E L4 TRQK101() QDESIGN709E HP2392 (c) COGNOS INCORPORATED.

MICROFILMED

FEB 29 2001

THU, FEB 24, 2000, 2:56 PM

MODE:F ACTION:L PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT TRQK101

REAL PROPERTY INQUIRY

01 OR28209-000- -0 176-00 SCH136	01	41,100	48.00
	05	1,000	30.00
MC DONOUGH, ROXY E ETAL	19		2.00
6638 57TH AVE NE SEATTLE WA 98115			
05-1S-2W SW S1/2 SW1/4	TOTAL	42,100	80.00
MAP ROCK RD, ME	SURVEY	INST	
SEE R28213	DRAIN	DR VALUE	APPR MKB
	CLASS	REAP 99 MAN	UNIT 0
	PARCEL	OR01S02W056000	H/O N C/B N
	PRIOR ACCOUNT	9R28209-000- -0	
	02 MH on Property	NO	
	03 Traits	04 Companion Sheet	

LOGON ID: PLAT.TAX

PORT ID: 255

GROUP: USERA

QUICK709E L4 TRQK101() QDESIGN709E HP2392 (c) COGNOS INCORPORATED.

MICROFILMED

JAN 09 2001

THU, FEB 24, 2000, 3:09 PM

MODE:F ACTION:L PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT TRQK101

REAL PROPERTY INQUIRY

01 OR28216-000- -0 176-00 SCH136	01	31,800	55.00
MC DONOUGH, ROXY E ETAL	05	800	24.00
6638 57TH AVE NE SEATTLE WA 98115			
06-1S-2W NE LT 2, SENE	TOTAL	32,600	79.00
MAP ROCK RD, ME	SURVEY	INST	
SEE R28215	DRAIN	DR VALUE	APPR MKB
	CLASS	REAP 99 MAN	UNIT 0
	PARCEL	OR01S02W061800	H/O N C/B N
	PRIOR ACCOUNT	9R28216-000- -0	
	02 MH on Property	NO	
	03 Traits	04 Companion Sheet	

LOGON ID: PLAT.TAX PORT ID: 255 GROUP: USERA
QUICK709E L4 TRQK101() QDESIGN709E HP2392 (c) COGNOS INCORPORATED.

MICROFILMED
189 0 3 2001

THU, FEB 24, 2000, 3:08 PM

MODE:F ACTION:L PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT TRQK101

REAL PROPERTY INQUIRY

01 OR28213-000- -0 176-00	SCH136	01	4,700	14.00
MC DONOUGH, ROXY E ETAL		05	100	2.89
6638 57TH AVE NE				
SEATTLE WA 98115				
06-1S-2W SE		TOTAL	4,800	16.89
LT 1				
MAP ROCK RD, ME		SURVEY	INST	
SEE R28209		DRAIN	DR VALUE	APPR MKB
		CLASS	REAP 99 MAN	UNIT 0
		PARCEL	OR01S02W069100	H/O N C/B N
		PRIOR ACCOUNT	9R28213-000- -0	
		02 MH on Property	NO	
		03 Traits	04 Companion Sheet	

LOGON ID: PLAT.TAX

PORT ID: 255

GROUP: USERA

QUICK709E L4 TRQK101() QDESIGN709E HP2392 (c) COGNOS INCORPORATED.

MICROFILMED

JAN 09 2001

THU, FEB 24, 2000, 3:11 PM

MODE:F ACTION:L PRESS {01 RETURN} TO VIEW ANOTHER ACCOUNT TRQK101

REAL PROPERTY INQUIRY

01 0R28215-000- -0 176-00	SCH136	01	14,800	20.00
		05	2,200	64.90
MC DONOUGH, ROXY E ETAL				
6638 57TH AVE NE SEATTLE WA 98115				
06-1S-2W NE		TOTAL	17,000	84.90
LT 3,4 & 5 LS W 220' & LS				
TX 98878 & LS TX 98879		SURVEY	INST	
		DRAIN	DR VALUE	APPR MKB
		CLASS	REAP 99 MAN	UNIT 0
MAP ROCK RD, ME		PARCEL	0R01S02W060101	H/O N C/B N
SEE R28216		PRIOR ACCOUNT	9R28215-000- -0	
		02 MH on Property	NO	
		03 Traits	04 Companion Sheet	

LOGON ID: PLAT.TAX

PORT ID: 255

GROUP: USERA

QUICK709E L4 TRQK101() QDESIGN709E HP2392 (c) COGNOS INCORPORATED.

MICROFILMED

JAN 03 2001

Phone 454-7431

CHARLES JOHNSON
CANYON COUNTY ASSESSOR
1115 ALBANY ST RM 343
CALDWELL, ID 83605

THIS IS NOT A BILL
ASSESSMENT NOTICE

0R28217-000- -0

PRESORTED
FIRST-CLASS MAIL
U S POSTAGE PAID
CALDWELL, ID 83605-3542
PERMIT NO 4

CATEGORY DESCRIPTION
IRRIGATED PASTURE
DRY GRAZING
WASTE

Tax Code	176-00	05/24/2000
LOTS/ACRES	MARKET VALUE	
5.00	1,500	
32.97	1,100	
1.03		

Taxes are based on the
valuation listed on this statement
FOR ANY QUESTIONS
PLEASE NOTIFY THE
ASSESSOR'S OFFICE BEFORE

JUNE 20, 2000
REGULAR ROLL

Total Market Value:

2,600

PARCEL #

~~NUNE, LESS TAX 3,~~

SEC 08-1S-2W NE

0R01802W080900

PROPERTY ADDRESS HWY 4S, NE

PRIOR YEAR

CURRENT YEAR

Mail To:

VALUE:

2,600

2,600

TAX:

PRIOR YEAR

ESTIMATED

34.76

34.76

See back for details.

MC DONOUGH, MARK A
6638 57TH AVE NE
SEATTLE WA 98115

DO NOT PAY ESTIMATE

52



Phone 454-7431

CHARLES JOHNSON
CANYON COUNTY ASSESSOR
1115 ALBANY ST RM 343
CALDWELL, ID 83605

THIS IS NOT A BILL
ASSESSMENT NOTICE

0R28222-000- -0

PRESORTED
FIRST-CLASS MAIL
U S POSTAGE PAID
CALDWELL, ID 83605-3542
PERMIT NO 4

CATEGORY DESCRIPTION
IRRIGATED AGRICUL
IRRIGATED PASTURE
DRY GRAZING

Tax Code	176-00	05/24/2000
LOTS/ACRES	MARKET VALUE	
31.80	12,600	
7.40	2,300	
25.90	900	

Taxes are based on the
valuation listed on this statement

FOR ANY QUESTIONS
PLEASE NOTIFY THE
ASSESSOR'S OFFICE BEFORE

JUNE 20, 2000
REGULAR ROLL

Total Market Value:

15,800

PARCEL #

~~LT 4, NENH,~~

SEC 08-1S-2W NW

0R01802W082700

PROPERTY ADDRESS MAP ROCK RD, NE

PRIOR YEAR

CURRENT YEAR

Mail To:

VALUE:

15,800

15,800

TAX:

PRIOR YEAR

ESTIMATED

211.14

211.14

See back for details.

MC DONOUGH, MARK A
6638 57TH AVE NE
SEATTLE WA 98115

DO NOT PAY ESTIMATE

MICRO



*...rm Service
Agency*

2200 East Chicago Street
Caldwell, Idaho 83605
Phone (208) 454-8695
Fax (208) 454-1037

May 2, 2000

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

ATTACHMENT B

FEDERAL SET ASIDE DOCUMENTATION

Dear Mr. Chapman:

Mark McDonough requested that we send a letter concerning Farm Number 2916, Tract 3890 with a legal description of Sections 5 & 6 Township 1S and Range 2W.

This farm has been participating continuously in USDA ASCS and FSA farm programs for more than 20 years:

- Production Adjustment Program (CU for Payment Acres)
- CRP (Conservation Reserve Program) for 10 years
- Production Flexibility Program

Attached is copy of the aerial photography.

If you have any questions, give me a call.

Sincerely,

Lary D Silver

by Patricia M Watkins Acting CEO

Lary D. Silver

County Executive Director

cc. Mark McDonough

USDA is an Equal Opportunity Employer

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JAN 03 2001

MAY 3 2000

ATTACHMENT B

FEDERAL SET ASIDE DOCUMENTATION

MICROFILM

1000



ATTACHMENT C

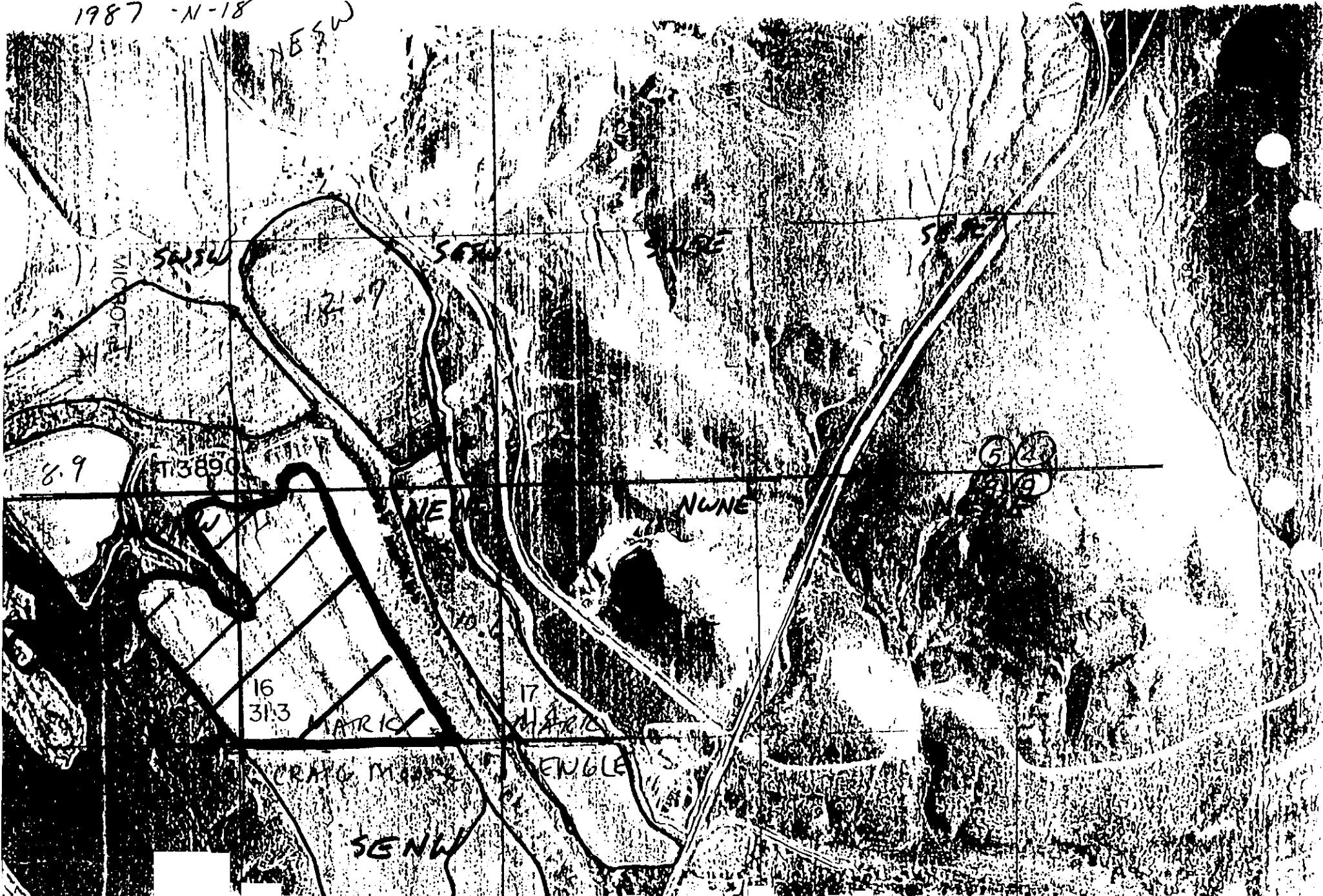
BOUNDARY OF LAND COVERED BY WATER
RIGHTS SUBMITTED TO IDAHO WATER BANK

MICROFILMED

1988

1987 - N-18

NE SW



WR5809NP
No. 02-02240

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 06/21/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	REX S. JENSEN MELBA ID	10/25/1963	IRRIGATION	03/15 11/15	2.250 CFS	507.00 AFA
TOTAL DIVERSION:					2.250 CFS	507.00 AFA

Water Source: SNAKE RIVER

Tributary to: COLUMBIA RIVER

Stage: LICENSE

Point(s) of Diversion: T01S R02W S06 Lot 02(NESE)

CANYON 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	Lt	Ac	: SUM		
01S	02W 5	:								:	04-03	18				:	02	32		:	55.0	
01S	02W 6	:	04-09			03-23				:						:	02-22			01-05	:	59.0
TOTAL ACRES																			:	114.0		

Pou County: CANYON

Conditions of Approval:

016 - See remarks for additional conditions of approval.

Dates:	App. Received:	Priority Date:	10/25/1963
	Proof Due Date:	Proof Made Date:	
	Exam Made Date:	Exam Sent to S.O.:	
	Licensed Date:	02/13/1979	

Misc: Water District Number: Field Exam Fee:

Audit: 11/13/81 04/30/88 CONVERT 02/06/98 CLEARFLD

MICROFILMED
1999 6 3 2PM

AJ5809NP
No. A02-02240

IDAHO DEPARTMENT OF WATER RESOURCES
ADJUDICATION CLAIM PROFILE REPORT

DATE: 06/21/00
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	MARK MC DONOUGH 6638 57TH AVENUE NE SEATTLE WA 98115 (208) 522-5739	10/25/1963	IRRIGATION	03-15 11-15	2.250 CFS	507.00 AFA
TOTAL DIVERSION:					2.250 CFS	507.00 AFA
CONSUMPTIVE USE:						399.00 AFA

Water Source: SNAKE RIVER

Tributary to: COLUMBIA RIVER

Stage: LICENSE

Point(s) of Diversion: T01S R02W S06 Lot02(NESE)

CANYON 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	:	Lt	Ac	Lt	Ac	Lt	Ac	:	SUM
01S	02W	5	:									:	04-03	18			02	32			:							:	55.0
01S	02W	6	:	04-09				03-23				:									:	02-22				01-05		:	59.0
TOTAL ACRES																									:	114.0			

POU County: CANYON

Other Rights: 02-2431, 63-0361, 63-9807.

Conditions of Approval:
016 - See remarks for additional conditions of approval.

Dates: Exam Made Date: Verified Date: Objection Filed Date:

Misc: Water District Number: Field Inspection Flag:
Presumption Flag:

Audit: 06/04/92 HARRIS 03/29/95 POST-STD

MICROFILMED
1999 03 29



Ground and Surface Water Quality of Northwest Gooding County Water Quality Monitoring Results

Gary Bahr, Rick Carlson, Kirk Campbell



Technical Results Summary #4

Preliminary Project Summary

May 10, 2000

Introduction

Recent and historical ground water monitoring indicate that nitrate and bacteria has contaminated a shallow aquifer northwest of Bliss, Idaho (Figure 1). Past monitoring of a spring (Butler Spring) fed by this shallow aquifer has shown that elevated nitrate and bacteria levels have been present since at least 1994. The Twin Falls Office of the Division of Environmental Quality (DEQ) sampled and detected nitrate at various levels in the Butler Spring in October 1994 (11.1 milligrams per liter (mg/L)) and August 1995 (8.0 mg/L). The highest count of total coliform bacteria was 52 CFU/100 milliliters (ml) in October 1994. In July 1999, the Butler Spring again was sampled by DEQ and found to have nitrate at 18.5 mg/L. More recent monitoring of the spring in November 1999 by the Idaho State Department of Agriculture (ISDA) measured nitrate concentrations at 11.8 mg/L. Recent nitrate concentrations at the spring exceeded the EPA Maximum Contaminant Level (MCL) for drinking water of 10 mg/L.

Several potential (current and historical) sources for contamination of the shallow aquifer are in the general area. Immediately east of the Butler spring is a dairy operation (Bosma Dairy), which began operation in April 1995. Prior to this period, a cattle feeding operation was located at this dairy site for numerous years. Also to the east of the spring and covering much of the surrounding area are irrigated agricultural croplands, cattle grazing lands, and a number of rural homes. Another dairy operation (Wybenga Dairy) is at the eastern-most extent of the project area.

Purpose of the Project

The goals of this project are to further characterize the water quality of the area, determine source(s) of contaminants, and work to prevent further contamination. ISDA is coordinating efforts with the Idaho Department of Water Resources (IDWR), and DEQ to reach these goals. These agencies and residents in the area would like to determine relative contaminant contributions from the potential sources up gradient from the spring. The information will be used to make regulatory and voluntary changes to practices that are

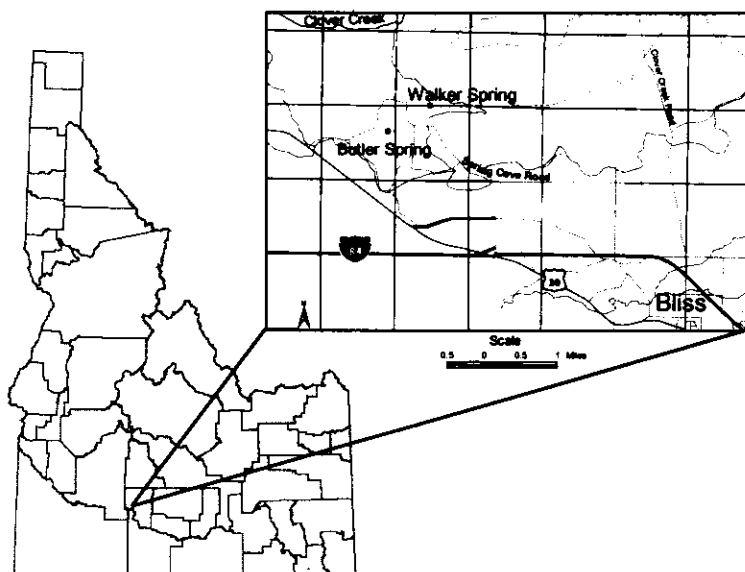


Figure 1. Northwest Gooding County project area.

potentially contributing to the problem. ISDA is the lead water quality agency for this project.

Results

ISDA sampled and tested springs, canals, ponds, lagoons, ground water wells, and soils in the project area for a variety of parameters including nitrate, bacteria, and nitrogen isotopes. Quarterly monitoring was conducted in November 1999 and in February 2000. The Butler and Walker Springs have been sampled nearly every two weeks since November 1999. Monitoring is planned to continue through November 2000. Results of primarily November 1999 ISDA monitoring are presented in this summary.

Nitrate

For the initial monitoring event (November 1999), 16 wells, five surface water sites, and the Butler and Walker Springs were sampled and tested in the project area. Thirteen of the 16 wells showed positive detections for nitrate. The highest nitrate concentration determined from a well sample was 7.6 mg/L at a location in the central portion of the project area (Figure 2). The majority of nitrate concentrations found in sampled domestic wells were between 5.0 – 7.6

mg/L. There were no well samples with nitrate levels over the EPA MCL of 10 mg/L. Canal and pond sample sites showed negligible concentrations of nitrate.

From the first to second quarterly sampling, one well went up ~ 2 mg/L and one well went down ~ 2 mg/L. Three wells were not resampled due to various factors. Biweekly monitoring of the Butler Spring indicated a steady decline in nitrate concentrations. In November 1999, the Butler Spring was 11.8 mg/L for nitrate (Figure 2). The spring was at 10.5 mg/L for nitrate in early December 1999. The most recent nitrate concentration tested at the spring was 8.7 mg/L (March 16, 2000). In November 1999, the Walker Spring was 6.9 mg/L for nitrate and in February 2000 increased to 16.8 mg/L.

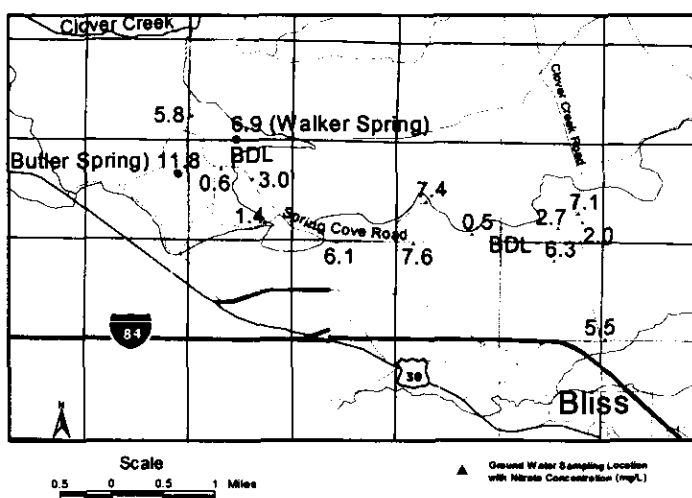


Figure 2. Nitrate concentrations in ground water from ISDA testing during November 1999.

Nitrogen Isotopes

Nitrogen isotopes are often useful in determining sources of nitrate. Common sources of nitrate entering ground water are from applied commercial fertilizers, animal or human waste, precipitation, or organic nitrogen within the soil. Each of these nitrate source categories has a distinguishable isotopic signature (i.e., $^{15}\text{N}/^{14}\text{N}$ ratio). Table 1 displays typical ratio values of $^{15}\text{N}/^{14}\text{N}$ for major sources of potential nitrogen contamination.

During the initial monitoring event (November 1999), ISDA collected samples from the two spring sites and five surface water sites for evaluation of nitrogen isotopes ($\delta^{15}\text{N}-\text{NO}_3$), oxygen isotopes ($\delta^{18}\text{O}$), and deuterium ($\delta^2\text{H}$). At the completion of this report, results of nitrogen isotope testing were the only ones available from the laboratory. Of the sites tested, only the Butler Spring, Bosma Lagoon, and Walker Spring had sufficient nitrate concentrations for nitrogen isotope analysis.

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JAN 03 2001

Table 1. Typical $\delta^{15}\text{N}-\text{NO}_3$ ranges for nitrogen sources.

Potential Contaminant Source	$\delta^{15}\text{N}-\text{NO}_3$ (o/oo)
Commercial Fertilizer	-4 to +4
Animal or human waste	Greater than +10
Precipitation	-3
Organic nitrogen in soil	+4 to +9

(Seiler, R.L., 1996, Methods for identifying sources of nitrogen contamination of ground water in valleys in Washoe County, Nevada: U.S. Geological Survey Open-File Report 96-461, 20 p.)

Nitrogen isotope testing of Butler Spring water returned a $\delta^{15}\text{N}-\text{NO}_3$ value of 3.7 (o/oo), which is within the range of -4 to +4 for commercial fertilizer as reported by Seiler (1996) (Table 2). At the Walker Spring, in November 1999, the $\delta^{15}\text{N}-\text{NO}_3$ result was 5.7 o/oo falling within an organic nitrogen range as indicated by Seiler (1996) (Table 2). The Walker Spring $\delta^{15}\text{N}-\text{NO}_3$ result could be influenced by the environmental conditions present at the sampling site where there is open water flowing over soil, vegetative debris, and possible historical wildlife and domestic animal waste.

The nitrogen isotope test from the November 1999 sampling of the Bosma Dairy, lined lagoon returned a $\delta^{15}\text{N}-\text{NO}_3$ value of 16.7 o/oo. This value is indicative of an animal or human waste signature and falls 6.7 o/oo above the minimum level of 10 o/oo reported by Seiler (1996) (Table 2).

Table 2. N^{15} isotope results from the November 2-3 & 18, 1999 sampling event.

Sampling Location	Sampling Date	NO_3-N (mg/L)	$\delta^{15}\text{N}-\text{NO}_3$ (o/oo)
Bosma Lagoon	11/2/99	6.9	16.7
Butler Spring	11/2/99	9.9	3.7
Walker Spring	11/2/99	5.5	5.7
Faulkner Pond	11/2/99	0.2	NM*
Y-8 Canal	11/2/99	<0.1	NM*
y-8 Downstream	11/18/99	<0.1	NM*
Northside Canal	11/2/99	<0.1	NM*

NM* = Not Measured (tested but not able to measure).

Bacteria

November 1999, bacteria results indicate little bacterial contamination in ground water wells in the project area. A sampled well ~ 2.5 miles east of the Butler Spring had an elevated total coliform detection. This could be a reflection of the piping system and infrequent use. A domestic and livestock well located ~ 0.5 miles northwest of Walker Spring also had a detection of total coliform.

The canal system, Faulkner Pond, Walker Spring, and the Bosma Dairy lagoon all had bacterial detections.

The Butler Spring had no detections of bacteria in November 1999. However, the Butler Spring is routinely chlorinated, which places some doubt on testing results from specific sampling events. The Walker Spring had counts of 900/100 ml for total coliform, 50/100 ml for e-coli form, and 24/100 ml for fecal coliform bacteria.

Ground Water Flow

Horizontal ground water flow directions in the project area were determined for the shallow aquifer by measuring static water levels in shallow wells of the project in late November 1999. Static water level measurements were used to determine ground water elevations that were subsequently contoured to develop a shallow aquifer ground water flow map (Figure 3).

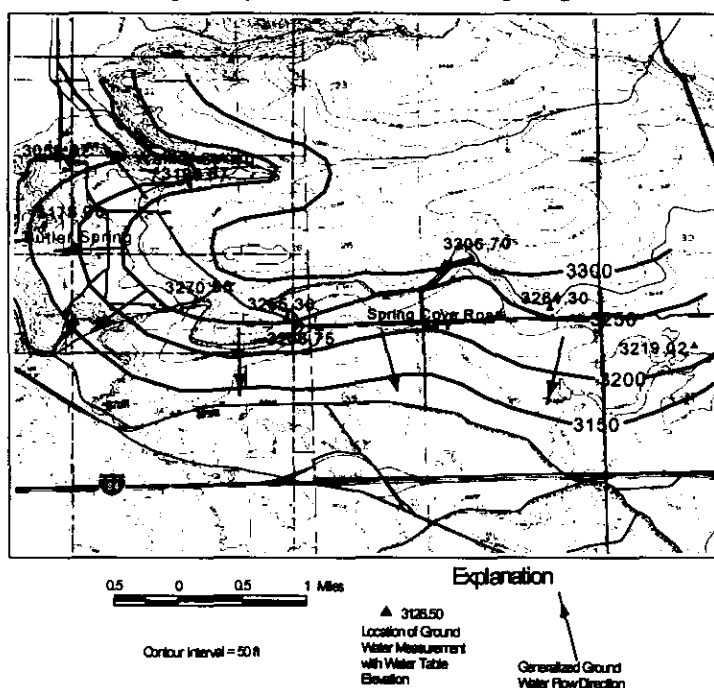


Figure 3. Water table contour map of shallow aquifer.

Results of this analysis indicate that general ground water flow is to the west in the vicinity of the Butler Spring. Results also indicate ground water flow directions tend to mimic the grade of local topography. In general, ground water flow in the central and eastern portions of the project area is to the south.

Conclusions

Wells and springs in the project area were elevated in nitrate, but canal and pond waters were not. Of the samples taken in November 2000, the Butler Spring had the highest concentration of nitrate (11.8 mg/L). However, shallow wells sampled as part of this project and the Walker Spring had nitrate concentrations greater than 5 mg/L. Wells having less than 5mg/L nitrate were comparatively deeper.

On November 2, 1999, the Butler Spring $\delta^{15}\text{N-NO}_3$ laboratory result of 3.7 ‰ suggests the major source of nitrate to be from commercial fertilizer. Based on the general ground water flow direction, it is likely that the source(s) of nitrate contamination to the Butler Spring is somewhere from the east within the project area. However, determination of contaminant sources in the project area will require further monitoring and evaluation. Implementation of the project is scheduled to continue for a complete year (Nov. 1999 - Oct. 2000).

Quarterly sampling will continue to take place at the various surface and ground water sampling sites. The Butler and Walker Springs will be sampled on a bi-weekly basis. Additional samples will be taken every two weeks at the springs and at select wells quarterly for possible isotope testing. These tests will further assist in determining sources of nitrate contamination. Depth to ground water measurements will be taken in the middle of the irrigation season, and a new ground water flow map will be created by ISDA. ISDA, in partnership with DEQ and IDWR, will continue to conduct further assessment of all water quality, quantity, and soils data collected. ISDA will continue to work with producers and land owners in the area to implement the project.

Recommendations

ISDA recommends a variety of actions to be taken by landowners, producers, and agencies to prevent further contamination of the aquifer in the project area. The ISDA recommends that:

- Agricultural producers in the area with irrigation systems conduct nutrient, and irrigation water management evaluations. Agency staff from at least ISDA and possibly other agencies can assist with these efforts.
- Producers follow the Natural Resources Conservation Service (NRCS) Nutrient Management Standard (590).
- Dairy and nondairy livestock operation continue to manage animal waste in a manner not to impact ground water. Ground water protection measures are necessary when storing, handling, hauling, and applying animal waste. For technical assistance, ISDA Technical Services Engineers and certified nutrient management planners can assist.

ISDA will continue to follow the monitoring plan and implement this project for one full year to try and determine source(s) of contamination to waters within the project area.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

June 21, 2000

DIRK KEMPTHORNE
GOVERNOR

RECEIVED

KARL J. DREHER
DIRECTOR

MARK MCDONOUGH
6638 57TH AVENUE NE
SEATTLE WA 98115

JUN 21 2000

Department of Water Resources

RE: APPLICATION TO LEASE WATER RIGHT NOS. ~~02-02240~~, 02-02431, 63-00361, 63-08389 AND 63-09807 TO THE WATER SUPPLY BANK

Dear Mr. McDonough:

The department has reviewed the above referenced applications which you submitted to the department on June 20, 2000.

Please consider that the water rights offered for lease have been accepted into the Water Supply Bank ("bank") through January 1, 2001. Several items to keep in mind in connection with the lease are as follows:

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

While not related to the lease of the rights to the bank, my review of department files shows that you apparently have not filed a Snake River Adjudication Claim on water right no. 63-08389. You probably should file such a claim with the department.

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

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: ✓ Regional Office
Adjudication Bureau

MICROFILMED

October 18, 1976

Re: Permit No. 31482/02-2240

Rex S. Jensen
Melba,
Idaho 83641

Dear Mr. Jensen:

Enclosed herewith is a copy of the water right license issued on the above referenced permit.

Also enclosed is a copy of the approved application for amendment along with receipt no. 5895 in the amount of \$10.00.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:mef

Enc.

September 24, 1976

Mr. Rex S. Jensen
Melba,
Idaho 83641

Dear Mr. Jensen:

A representative of this Department has made an examination of the works covered by your Permit No. 31482/02-2240 and has found the following:

Quantity of water diverted: 4.0 cfs Source: Snake River

Amount of water that can be recognized as beneficially used under
Idaho law: 2.75 cfs

The maximum quantity diverted shall not exceed 619 acre feet, or
4.5 af per acre, per year.

Point of diversion: Lot 2 (NE $\frac{1}{4}$ SE $\frac{1}{4}$), Sec. 6, Twp. 1 S, Rge. 2 W,
B. M., Canyon County

Beneficial use: Irrigation of 137.5 acres within the W $\frac{1}{2}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$,
Sec. 5; NE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 6; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 8; all
in Twp. 1 S, Rge. 2 W, B. M.

Priority date established: October 25, 1963

Our examiner found the point of diversion and place of use to be different from that described under your permit, therefore, it will be necessary to amend the permit before a water license is issued. Enclosed is a partially completed application for amendment for your use in this matter.

Please sign the amendment application and return it to this office along with a \$10.00 filing fee within 30 days in order that we might issue your license as set forth above. If you do not concur with these findings or have any questions, please contact us within the 30-day period.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

Enclosure

FIELD REPORT

Department of Water Resources

Tributary to Columbia River

Permit No. 31482/02-2240

Examination for b/u

[illegible]

DATE OF EXAM 8/5/76

ACREAGE
Found 112.5
Recommended 112.5

Irrigation Requirement 4.5 Ac Ft/Ac

USE
Irrigation Q= 2.25 c.f.s. V= 507 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 X

Name source:
twp. N/S, Rge E/W, B.M., Sec. , Sub. 1/4 1/4 County 108.5

Exchange? yes no X

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

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

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

Total Q measured 4.00 cfs Method of measurement Flowmeter

Total Q recommended 2.25 cfs Meter No. Pygmy Meter # 926 Type Condition

Total V recommended 507

Recommended Amendments:

P.D. should be moved to NESE (Gort Lot 2) Sec 6
Place of Use SW 1/4 and SW NW 1/4 Sec 5 and Lot 1+2 Sec 6 and
Other NW NW Sec 8
None

MEASUREMENT CALCULATION:

Pygmy Meter # 926 in open ditch, meas. at 4.00 cfs

SYSTEM DESCRIPTION:

2 pumps at river. ① U.S. Motor 30 HP Serial # 3467208 on Kayne
pump # 96439 into 8" discharge pipe ② U.S. Motor 60 HP
Serial # 3455052 into 10" discharge then into 10" main
line. Pumps pump from a sump, fed by a 36" culvert
from Snake River.

REMARKS:

Examiner's Signature JL Jiver Date 8/31/76

Checked by JLJ Date 9-15-76

Approved by Date

October 24, 1974

Re: Permit No. 31482/02-2240

Rex S. Jensen
Melba,
Idaho 83641

Dear Mr. Jensen:

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

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

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

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG



SENDER: Be sure to follow instructions on other side

PLEASE FURNISH SERVICE(S) INDICATED BY CHECKED BLOCK(S)

(Additional charges required for these services)

☐ Show address
where delivered

☐ Deliver ONLY
to addressee

RECEIPT

Received the numbered article described below

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

①

X *Rev. J. J. [unclear]*

25862

②

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

X

Mrs. J. J. [unclear]

DATE DELIVERED

SHOW WHERE DELIVERED *(Only if requested, and include ZIP Code)*

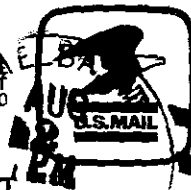
8/2/74

③

02-2240

U.S. POSTAL SERVICE
OFFICIAL BUSINESS

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



Postmark of Delivering Office

SENDER INSTRUCTIONS

Print in the space below your name, address, including ZIP Code.

- If special services are desired, check block(s) on other side.
- Moisten gummed ends and attach to back of article.

PS Form 3811
June 1973

DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

August 1, 1974

CERTIFIED MAIL

25862

Re: Permit No. 31482/02-2240

Rex S. Jensen
Melba,
Idaho 83641

Dear Mr. Jensen:

One of the conditions of approval of your water Permit No. 31482/02-2240 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before October 31, 1974. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

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

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

R. KEITH HIGGINSON
Director

Enc: Proof affidavit

MICROFILMED

Identification No. _____

Permit No. _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 17 1974

Department of Water Resources

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Rex S. Jensen
b) Post Office Address Melba, Idaho
2. Permit Number 31482/02-2240
3. Date of Priority that you are prepared to establish October 25, 1963
4. a) Source from which water was appropriated Snake River
b) Location of the point of diversion: (Lot 1) SE ¼ SE ¼, Section 6
Township 1S, Range 2W Boise Meridian, Other points of diversion:

5. a) The amount of water and use to which the water has been applied:
Amount 6.0 for irrigation purposes from Mar. 15 to Nov. 15 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 6.0 cfs cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: _____

6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____

b) Describe the agreement or understanding by which you take water from the works: _____

7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) pipeline, ditches, pump & motor

b) Describe the type and size of measuring device which you have installed at your point of diversion: _____
None required

c) Give well driller's name and address and the date the well was completed: _____

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

Exam typed 10/24/74 by js

MICROFILMED

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

T	R	SEC.	NE¼				NW¼				SW¼				SE¼				TOTAL
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1S	2W	5		L.2 40	40	40	L.3 40	L.4 40		40					40	40	40		360
		6	L.4 40	L.5 40	L.3 40														120
1N	2W	31									L.3 40	L.4 40	L.5 40				40	40	200
		32										40	40						80

Total number of acres irrigated 760

10. Remarks: _____

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

10-17-74 (Date)

Rex S. Green (Signature)

State of Idaho)

County of Ada) ss.

On this 17th day of October, 19 74, 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 Loisa, Idaho

My commission expires Jan 19, 1977

INSTRUCTIONS TO DELIVERING EMPLOYEE

☐ Show to whom, date, and
address where delivered

☐ Deliver ONLY
to addressee

(Additional charges required for these services)

RECEIPT

Received the numbered article described below.

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

20294

1

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED *(only if requested)*

9-20-68

3

31482

POST OFFICE DEPARTMENT
OFFICIAL BUSINESS

PERMIT FOR PRIVATE USE TO AVOID
PENALTY OF POSTAGE, \$700

POSTMARK OF
DELIVERING OFFICE

INSTRUCTIONS: Show name and address below and
complete instructions on other side, where applicable.
Moisten gummed ends, attach and hold firmly to back
of article. Print on front of article RETURN
RECEIPT REQUESTED.

RETURN
TO

NAME OF SENDER

STREET AND NO. OR P.O. BOX

POST OFFICE, STATE, AND ZIP CODE

Department of Reclamation
Annex #2 Statehouse
Boise, Idaho 83707

31482

655-16-71248-10

Apr. 1967

POD Form 3811

STATEMENT

RECEIVED

The Idaho Free Press

P. O. Box 130 — Nampa, Idaho Department of Reclamation

Date December 5, 1968

RECEIVED

Department of Reclamation

Statehouse Annex 2

DEC 9 1968

Boise, Idaho

Department of Reclamation

~~NOTICE OF APPLICATION FOR WATER-51-7026~~
~~MERLE S. & GENEVIEVE S. GOULD~~

38 lines 2 days - November 28;
December 5, 1968

1 day @ .14 per col. line	\$5.32
1 day @ .10 per col. line	3.80
	<u>9.12</u>

This bill should be for. Comm'r No. 31482 which was paid 12/7/68 by the applicant.

31482

DON SAMUELSON
GOVERNOR



STATE OF IDAHO

DEPARTMENT OF RECLAMATION
STATEHOUSE - ANNEX 2
BOISE, IDAHO 83707

R. KEITH HIGGINSON
State Reclamation Engineer

RECEIVED

DEC 17 1968

Department of Reclamation

December 16, 1968

Re: Permit No. 31482 - ~~Rex Jensen~~
Application No. 63-7026-Gould

Idaho Free Press
Nampa, Idaho

Gentlemen:

We have received two bills which we are enclosing. On the bill for Permit 31482, there has been a subtraction of \$6.96 which according to these bills is for the Gould application for water.

The Department is prepared to pay the bill for the Gould publication for \$6.96, but the \$2.16 must be obtained from Mr. Jensen.

The Department is therefore, returning the bills as the balance is not to be paid by the Department. We thank you for your cooperation and if you have any further questions, please contact the Department.

Very truly yours,

Donald W. McEldowney

Donald W. McEldowney
Appropriation Examiner

DWM: TG

Enc: two bills

*The \$ 2.16 has been obtained from
Mr. Jensen.*

31482

December 16, 1968

Re: Permit No. 31482- Rex Jensen
Application No. 63-7026-Gould

Idaho Free Press
Nampa, Idaho

Gentlemen:

We have received two bills which we are enclosing. On the bill for Permit 31482, there has been a subtraction of \$6.96 which according to these bills is for the Gould application for water.

The Department is prepared to pay the bill for the Gould publication for \$6.96, but the \$2.16 must be obtained from Mr. Jensen.

The Department is therefore, returning the bills as the balance is not to be paid by the Department. We thank you for your cooperation and if you have any further questions, please contact the Department.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:TG

Enc: two bills

December 16, 1968

Re: Permit No. 31482

Rex S. Jensen
Malba, Idaho

Dear Mr. Jensen:

We acknowledge receipt of the affidavit of publication submitted in connection with the above referenced permit. Since proof of beneficial use of the water is not due until October 31, 1974, the Department will notify you sixty days in advance of this date as to further requirements. We wish to advise you, however, that when you have fulfilled the requirements under this permit you may submit proof.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:TG

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,)
County of Canyon.) ss.

NOTICE OF APPROVED
APPLICATION FOR WATER

Notice is hereby given that Rex S. Jensen, Melba, Idaho has received an approved permit No. 31482 to divert 6.0 cubic feet per second of water from the Snake River, tributary of the Columbia River. The priority to be established under this permit is October 25, 1963. Water will be diverted by pump, motor, pipeline, and ditches within Lot (SE1/4SE1/4), sec. 6, T. 1 S, R. 2 W, B.M., Canyon County and is to be used for irrigation purposes in the S1/2NE1/4, Lot 2 (NW1/4 NE1/4), Lot 3 and 4 (N1/2NW1/4, SE1/4 NW1/4, N1/2SE1/4, SW1/4SE1/4, sec. 6; Lot 2 and 3 (N1/2 NE1/4), Lot 4 (SW1/4 NE1/4), sec. 6, T. 1 S, R. 2 W, and the S1/2SE1/4, lots 3 and 4 (W1/2SW1/4), Lot 5 (SE1/4 SW1/4), sec. 3; S1/2SW1/4, sec. 3, T. 1 S, R. 2 W, B.M. Any protests against the intent of the permit must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation

Verla Harker
of Nampa, Canyon County, Idaho, being first duly sworn,
deposes and says:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. That I am the Principle Clerk of the Idaho Free Press, a daily, (except Sunday) newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

November 28; December 5, 1968

Subscribed and sworn to before me this

5th day of December, 1968

Notary Public, Residing at Nampa, Idaho

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO,)
County of Canyon.) ss.

Verla Harker
of Nampa, Canyon County, Idaho, being first duly sworn,
deposes and says:

NOTICE OF APPROVED
APPLICATION FOR WATER

Notice is hereby given that Rex S. Jensen, Melba, Idaho has received an approved permit No. 31482 to divert 6.6 cubic feet per second of water from the Snake River, tributary of the Columbia River. The priority to be established under this permit is October 25, 1963. Water will be diverted by pump, motor, pipeline, and ditches within Lot 1 (SE1/4SE1/4), sec. 6, T. 1 S, R. 2 W, B.M., Canyon County and is to be used for irrigation purposes in the S1/2NE1/4, Lot 2 (NW1/4 NE1/4), Lot 3 and 4 (N1/2NW1/4), SE1/4 NW1/4, N1/2SE1/4, SW1/4SE1/4, sec. 5, Lot 4 and 5 (N1/2 NE1/4), Lot 3 (SW1/4 NE1/4), sec. 6, T. 1 S, R. 2 W, and the S1/2SE1/4, lots 3 and 4 (W1/2SW1/4), Lot 5 (SE1/4SW1/4), sec. 31, S1/2SW1/4, sec. 32, T. 1 N, R. 2 W, B.M. Any protests against the intent of the permit must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation
Engineer
November 23, December 5, 1968

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was over the age of twenty-one years, and not a party to the above entitled action.

2. That I am the Principle Clerk of the Idaho Free Press, a daily, (except Sunday) newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of the notice, a copy of which is hereto attached.

3. That the notice, of which the annexed is a printed copy, was published in said newspaper

Two Times in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.

4. That said notice was published the following dates:

November 28; December 5, 1968

Subscribed and sworn to before me this

5th day of December, 1968

Cedron J. Lee

Notary Public, Residing at Nampa, Idaho

NOTARY COMMISSION EXPIRES JUNE 23, 1971

STATEMENT

The Idaho Free Press

P. O. Box 130 — Nampa, Idaho, 83651

Date December 5, 1968

Rex S. Jensen

Melba, Idaho

CORRECTED STATEMENT

NOTICE OF APPROVED APPLICATION FOR WATER 31482
REX S. JENSEN

38 lines 2 days ~ November 28;
December 5, 1968

1 day @ .14 per col. line	\$5.32
1 day @ .10 per col. line	<u>3.80</u>
	9.12

Payed Dec. 4	<u>6.96</u>
Balance	2.16

Paid 12/7/68
J. E. Bruner

31482

63-4026
Dec-9-68

The Idaho Free Press

Published Daily Except Sunday

P. O. BOX 88 NAMPA, IDAHO, 83651

AREA CODE 208
466-7891

RECEIVED

NOV 25 1968

Department of Reclamation

Na

NOTICE OF APPROVED APPLICATION FOR WATER

Notice is hereby given that Rex S. Jensen, Melba, Idaho has received an approved permit No. 31482 to divert 6.0 cubic feet per second of water from the Snake River, tributary of the Columbia River. The priority to be established under this permit is October 25, 1963. Water will be diverted by pump, motor, pipeline, and ditches within Lot 1 (SE1/4SE1/4), sec. 6, T. 1 S, R. 2 W, B.M., Canyon County and is to be used for irrigation purposes in the S1/2NE1/4, Lot 2 (NW1/4NE1/4), Lot 3 and 4 (N1/2NW1/4), SE1/4, NW1/4, N1/2SE1/4, SW1/4SE1/4, sec. 5; Lot 4 and 5 (N1/2NE1/2), Lot 3 (SW1/4NE1/4), sec. 6, T. 1 S, R. 2 W, and the S1/2SE1/4, lots 3 and 4 (W1/2SW1/4), Lot 5 (SE1/4SW1/4), sec. 31; S1/2SW1/4, sec. 32, T. 1 S, R. 2 W, B.M.

Any protests against the intent of the permit must be filed with the Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation
Engineer
November 28; December 5, 1968

Above is a proof of your copy as it will appear in our paper beginning _____, unless we hear from you prior to that time concerning any corrections or changes.

DECLASSIFIED
DATE 01-21-2001
BY 60322 UCBAW

Notice is hereby given that ~~Rex S. Jensen, Melba, Idaho~~

has received an approved permit No. 31482 to divert 6.0 cubic feet per second of water from

~~the Snake River, tributary of the Columbia River~~

_____ . The priority to be established
under this permit is October 25, 1963 .

Water will be diverted by ~~pump, motor, pipeline, and ditches~~

_____ within ~~the~~ ^{the} Lot 1 (~~SE/SE/~~),
 sec. 6, T. 1 S, R. 2 W, B.M., Canyon County

and is to be used for ~~irrigation purposes~~

in the ~~S¹/₂NE¹/₄, Lot 2 (NW¹/₄NE¹/₄), Lot 3 and 4 (N¹/₂NW¹/₄), SE¹/₄NW¹/₄, N¹/₂SE¹/₄, SW¹/₄SE¹/₄,
sec. 5; Lot 4 and 5 (N¹/₂NE¹/₄), Lot 3 (SW¹/₄NE¹/₄), sec. 6, T. 1 S, R. 2 W, and
the S¹/₂SE¹/₄, Lots 3 and 4 (W¹/₂SW¹/₄), Lot 5 (SE¹/₄SW¹/₄), sec. 31, S¹/₂SW¹/₄, sec. 32,
T. 1 N, R. 2 W B.M.~~

Department of Reclamation within ten days from the last date of publication of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the ~~Idaho Statesman, Boise, Idaho~~ The Idaho Free
on ~~Press, Nampa, Idaho~~
November 28 December 5, 1968

State Reclamation Engineer: Permit No. 31482

You are hereby authorized to have the attached notice published at my expense
in the The Idaho Free Press of Nampa, Idaho;
published in the county in which the works are situated.

he works are situated.

✓ [Signature]
(signature)

(address) Melba
7200 1st St

(date) Nov. 12/68

31482

November 18, 1968

Re: Permit No. 31482
Rex S. Jensen

The Idaho Free Press
316 10th Avenue South
Nampa, 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.

The expense of the publication is to be paid by Rex S. Jensen,
Melba, Idaho
to whom you should furnish an affidavit of publication.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

DWM:tg

Enc: Legal Notice

cc: Rex S. Jensen

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.

314 82

IDAHO LAND & APPRAISAL SERVICE

HARLEY M. McDOWELL
E. J. McDOWELL
MGR. OWNERS

MERVIN J. CHRISTENSEN
(LICENSED SURVEYOR)

JOSEPH J. THACKABERRY

ROBERT W. SMITH

224 IDAHO BLDG.

BOISE, IDAHO 83701

P. O. Box 2100 1603

PHONE 344-2547

ALL PROPERTY APPRAISALS
CUSTOM DRAFTING, MAPPING
LAND PURCHASES
OIL AND GAS LEASES

GRAZING MANAGEMENT
FEDERAL LAND APPLICATIONS
WATER FILINGS & PROOF
STATE LAND LEASES & ASSIGNS

November 12, 1968

RECEIVED

NOV 18 1968

Department of Reclamation

Mr. R. Keith Higginson
State Reclamation Engineer
Idaho Department of Reclamation
Statehouse - Annex 2
Boise, Idaho 83707

RE: Permit 31482, Rex S. Jensen

Dear Mr. Higginson:

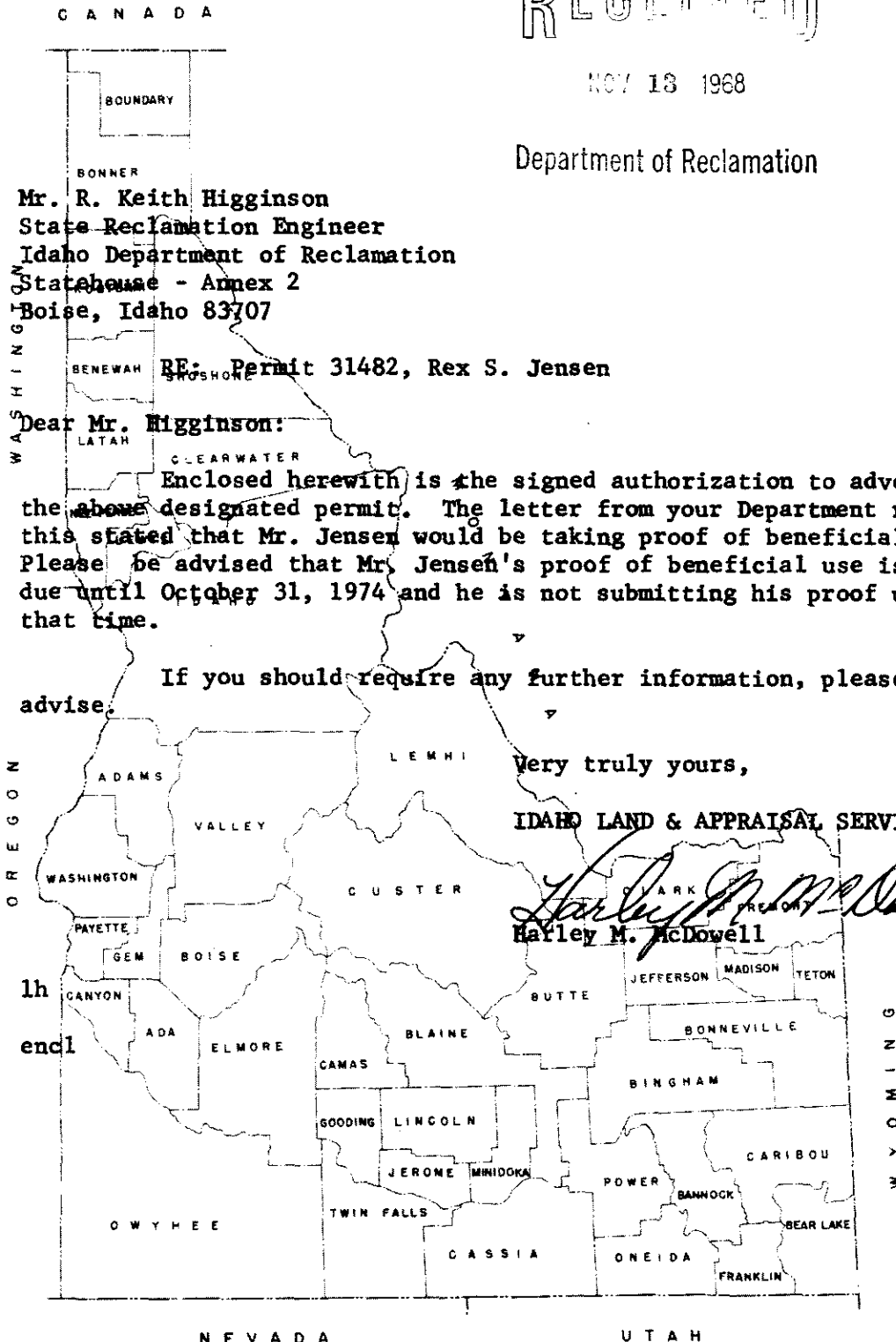
Enclosed herewith is the signed authorization to advertise the above designated permit. The letter from your Department requesting this stated that Mr. Jensen would be taking proof of beneficial use. Please be advised that Mr. Jensen's proof of beneficial use is not due until October 31, 1974 and he is not submitting his proof until that time.

If you should require any further information, please advise.

Very truly yours,

IDAHO LAND & APPRAISAL SERVICE

Harley M. McDowell
Harley M. McDowell



lh
encl

31482

BEFORE THE STATE RECLAMATION ENGINEER

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 31482)

in the name of Rex S. Jensen, Melba,)

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. 31482 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 October 31, 1974. 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 18th day of September, 19 68.

Jack A. Barnett, Deputy
State Reclamation Engineer

31482

September 10, 1968

Re: Permit No. 31482

Rex S. Jensen
Melba, Idaho 83641

Dear Mr. Jensen:

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. McEldowney
Appropriation Examiner

DWM:tg

enclosure: Order
Advertising package

cc: Idaho Land and Appraisal

31482

November 12, 1963

Re: Permit No. 31482
Rex S. Jensen

Mr. Harley M. McDowell,
Idaho Land & Appraisal Service,
Box 2161,
Boise, Idaho.

Dear Mr. McDowell:

We enclose Permit No. 31482 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. 31881 which was issued covering payment in the amount of \$6.25 for the filing fee of the above mentioned permit.

Very truly yours,

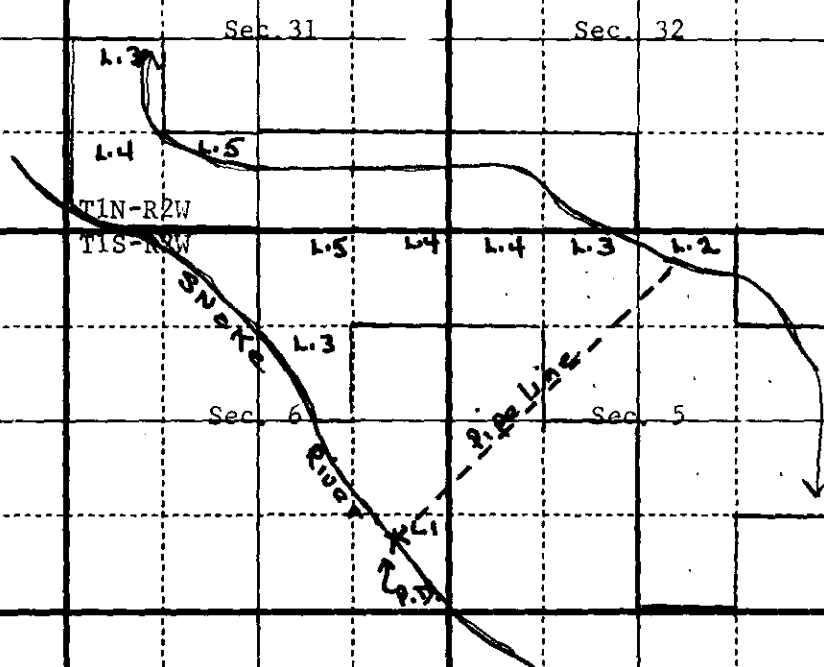
CARL E. TAPPAN
State Reclamation Engineer
By

(MRS.) EDNA P. RULE
Chief Clerk

Encl. - Permit
Receipt
EPR:pmk

cc: Rex S. Jensen
Melba, Idaho

31482



Permit Map No. 31482
 As Approved
 CARL E. TAPPAN
 State Reclamation Engineer
 OCT 31 1963