

Identification No. 17-7007
Application No. _____

ASSIGNED TO:

Connecticut Mutual of
Hartford, Connecticut

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

APPROVED

To appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant W. L. BAKER COMPANY
post office address 205 South Main, Malad City, Idaho 83252
2. Source of water supply Subterranean which is a tributary of _____
3. a. Location of point of diversion is SW $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 7 Township 15 South
Range 33 E. B.M. Oneida County; additional points of diversion if any: _____

b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 8 cfs for Irrigation purpose from May 1st to Nov. 1st (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. Eight cubic feet per second and/or
b. 2944 acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
Deep well, Electric motor and pump discharging into subsurface
pipe line, with sprinkler system and surface irrigation

b. Height of storage dam None feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is five years.
b. Estimated construction cost is \$ 20,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: _____ $\frac{1}{4}$ of _____ $\frac{1}{4}$ of Section _____ Township _____
Range _____ B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

17 7007

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b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

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	
15 S	33 E.	7	40	40	40	40	50	50	40	40	40	40	50	40	40	40	40	40	680
15 S	33 E.	8					40	40	40	40	40	40	40	40					320
15 S	33 E.	17					40	40											80
15 S	33 E.	18	40	40			40	50											170

Total number of acres to be irrigated 1250

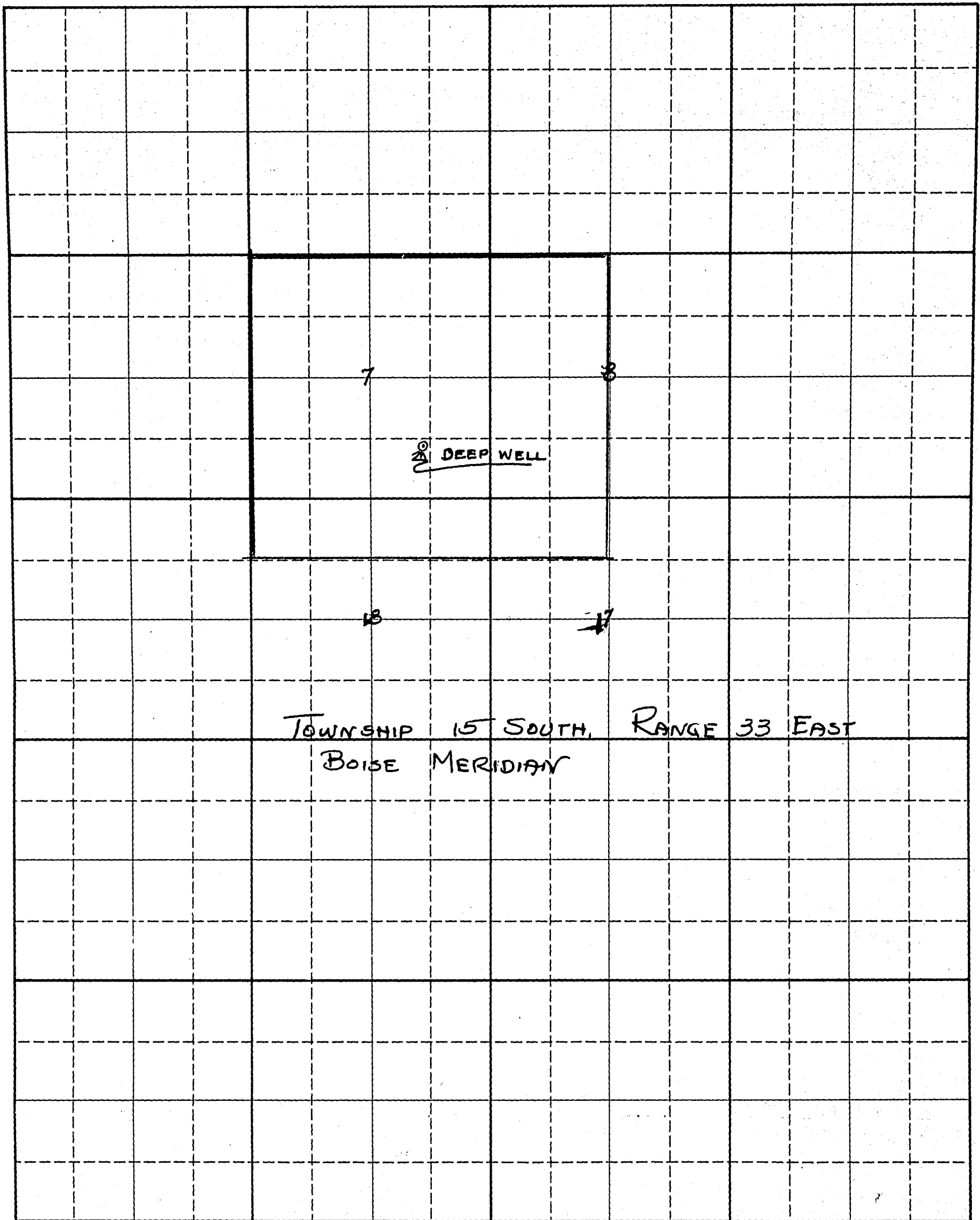
c. Describe any other water rights used for the same purposes

Two Deep wells partially serving same ground 17-20289. a. Who owns the property at the point of diversion W. L. Baker Companyb. Who owns the land to be irrigated or place of use W. L. Baker Company

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing

10. Remarks

11. Map of proposed project:



Scale: 2 inches equal 1 mile

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

W. L. BAKER COMPANY

By W. L. Baker
(Applicant) President

17 7007

17 7007

Received by TH Date 8-19-70 Time 8:00 am

Preliminary check by DR Fee \$ 55.00 # 5100

Receipted by TH Date 8-31-70

Publication prepared by dr Date 9-10-70

Published in Idaho Enterprise

Publication dates 9-17 & 9-24, 1970

Publication approved ds Date 9-30-70

Priority reduced to _____ Reason _____

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial by [Signature] 30F

APPROVED

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 17-7007, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before October 1, 19 75.

c. Other: The permit holder shall permanently install and maintain a measuring device of a type approved by the department as part of the diverting works. This permit is supplemental to all prior rights.

2. Denial of said application is for the following reasons: _____

Witness my hand this 22nd day of October, 19 70.

[Signature]
State Reclamation Engineer

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No. 17-7007 Name W. L. Baker Company

Source ground water

Point of Diversion SW 1/4 Sec. 7, T. 15S, R. 33E, B.M., Oneida County

Quantity 8.0 Use irrigation Period May 1 - Nov. 1

Quantity Use Period

Quantity Use Period

Well Size Diameter Proposed Depth Feet

Use 1250 acres

Date Forwarded 9-11-70 Date Returned 11-17-70 Received by dg

COMMENTS: Sand & Gravel aquifer. Water levels
apparently stable, quality fair DTW @ 25-40'
well depths 200-400 ft.

RECOMMENDED:

Applied: Qty. 8.0 cfs Use in. Period 5-1/11-1 AF/A 3.5 AF 4375

Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

Maximum: Qty. 25 cfs Use in Period 4-1/11-1 AF/A 3.5 AF 4375

Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

ACTION: Approved X Denied

Conditions of approval or reason for denial:

INVESTIGATION By Sh. H. Chapman Title WRAP

Date 11/12/70

17 7007

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
ASSIGNMENT OF PERMIT

RECEIVED

JUN 1 1972

Department of Water Administration

I, W. L. Baker Company, hereby assign to Connecticut Mutual,
of Hartford, Connecticut (Address)

☒ All my right, title, and interest, in and to Permit No. 17-7007
to appropriate the public waters of the State of Idaho.

CHECK ONE

☐ 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 1st day of June, 1972.

W. L. Baker Company

By: [Signature] Permit Holder President

Attest: LaDean H. Baker
Wife of Permit Holder Secretary

State of Idaho)
County of Oneida) ss.

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

Notary Public residing at _____

My commission expires 17 7007

State of Idaho)
County of Oneida) ss.

On this 1st day of June, in the year 1972, before me J. W. Crowther,
Notary Public, personally appeared W.L. Baker, President, LaDean H. Baker,
Secretary, of the corporation that executed the instrument on behalf of
said corporation, and acknowledged to me that such corporation executed
the same.

[Signature]
Notary Public for the State of
Idaho: Residing at Malad, Idaho

USE TYPEWRITER OR
BALL POINT PEN

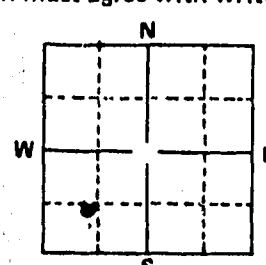
State of Idaho
Department of Water Administration

WELL DRILLER'S REPORT

State law requires that this report be filed with the State Reclamation Engineer
within 30 days after completion or abandonment of the well.

AUG 30 1972

RECEIVED

1. WELL OWNER Name <u>Baker Farms</u> Address <u>101 Baker Hall, Boise, Idaho</u> Owner's Permit No. <u>APP. 5012</u>		7. WATER LEVEL Department of Water Administration Eastern District Office Static water level <u>27</u> feet below land surface Flowing? ☐ Yes ☒ No G.P.M. flow Temperature <u>57</u> ° F. Quality Artesian closed-in pressure _____ p.s.i. Controlled by ☐ Valve ☐ Cap ☒ Plug 1972																																																																																																																																																																																																					
2. NATURE OF WORK ☒ New well ☐ Deepened ☒ Replacement ☐ Abandoned (describe method of abandoning)		8. WELL TEST DATA Department of Water Administration ☒ Pump ☐ Bailer ☐ Other Discharge G.P.M. <u>1200</u> Draw Down <u>100'</u> Hours Pumped <u>20</u>																																																																																																																																																																																																					
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4. METHOD DRILLED ☒ Cable ☐ Rotary ☐ Dug ☐ Other																																																																																																																																																																																																							
5. WELL CONSTRUCTION Diameter of hole <u>18"</u> inches Total depth <u>571</u> feet Casing schedule: ☒ Steel ☐ Concrete Thickness Diameter From To <u>250</u> inches <u>18</u> inches <u>1</u> feet <u>362</u> feet <u>254</u> inches <u>10</u> inches <u>358</u> feet <u>571</u> feet Was a packer or seal used? ☐ Yes ☒ No Perforated? ☒ Yes ☐ No How perforated? ☐ Factory ☒ Knife ☐ Torch Size of perforation <u>5/8</u> inches by <u>2</u> inches Number From To _____ perforations _____ feet _____ feet _____ perforations _____ feet _____ feet _____ perforations _____ feet _____ feet Well screen installed? ☐ Yes ☐ No Manufacturer's name _____ Type _____ Model No. _____ Diameter _____ Slot size _____ Set from _____ feet to _____ feet Diameter _____ Slot size _____ Set from _____ feet to _____ feet Gravel packed? ☐ Yes ☐ No Size of gravel _____ Placed from _____ feet to _____ feet Surface seal? ☒ Yes ☐ No To what depth _____ feet Material used in seal ☐ Cement grout ☒ Puddling clay																																																																																																																																																																																																							
6. LOCATION OF WELL Sketch map location must agree with written location.  County <u>Boise</u> <u>17 7007</u> <u>SW 1/4 Sec. 8, T. 15 S., R. 23 E.</u>		10. Work started <u>March 8</u> finished <u>May 10 '72</u>																																																																																																																																																																																																					
		11. DRILLER'S CERTIFICATION This well was drilled under my supervision and this report is true to the best of my knowledge. <u>Jack Cushman Dullin</u> 94/100 Driller's or Firm's Name Number <u>1415 So. Idaho</u> Address <u>Jack Cushman</u> 8/26/72 Signed By Date																																																																																																																																																																																																					

USE ADDITIONAL SHEETS IF NECESSARY

FORWARD THE WHITE, BLUE, AND PINK COPIES TO THE DEPARTMENT

USE TYPEWRITER OR
BALL POINT PEN

State of Idaho
Department of Water Administration

WELL DRILLER'S REPORT

State law requires that this report be filed with the State Reclamation Engineer within 30 days after completion or abandonment of the well.

RECEIVED

JUN 15 1973

1. WELL OWNER

Name Baker Farms, H.L. Baker
Address Malad, Idaho
Owner's Permit No. Apply for - 17-7007

7. WATER LEVEL

Department of Water Administration
Eastern District Office

Static water level 48 feet below land surface
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Temperature _____ ° F. Quality _____
Artesian closed-in pressure _____ p.s.i.
Controlled by ☐ Valve ☐ Cap ☐ Plug

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning)

8. WELL TEST DATA

☐ Pump ☐ Bailer ☐ Other

Discharge G.P.M.	Draw Down	Hours Pumped

3. PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test
☐ Municipal ☐ Industrial ☐ Stock

9. LITHOLOGIC LOG

Hole Diam.	Depth		Material	Water	
	From	To		Yes	No
18"	0	24	Top soil		X
18"	24	34	Brown sand	X	
11"	34	122	Blue clay		X
11"	122	137	Gravel	X	
11"	137	162	Brown clay		X
11"	162	166	Gravel	X	
11"	166	222	White clay		X
11"	222	295	Gray sandstone	X	
11"	295	297	Black sand	X	
11"	297	335	Gray sandstone	X	
11"	335	344	Gray sand	X	
11"	344	365	Gray sandstone	X	
11"	365	391	Clay white		X
11"	391	410	Gravel	X	
11"	410	465	Sandstone gray	X	
11"	465	469	Gravel	X	
11"	469	503	Gray sandstone	X	
11"	503	633	Brown sandstone - gravel	X	

4. METHOD DRILLED

☒ Cable ☐ Rotary ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Diameter of hole 18 inches Total depth 633 feet
Casing schedule: ☒ Steel ☐ Concrete
Thickness 18 inches Diameter 18 inches From 0 feet To 631-6" feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet
_____ inches _____ inches _____ feet _____ feet

Was a packer or seal used? ☐ Yes ☐ No
Perforated? ☒ Yes ☐ No
How perforated? ☐ Factory ☒ Knife ☐ Torch
Size of perforation 1/2 inches by 2 inches

Number 1425 perforations From 122 feet To 629 feet
_____ perforations _____ feet _____ feet
_____ perforations _____ feet _____ feet

Well screen installed? ☐ Yes ☒ No
Manufacturer's name _____

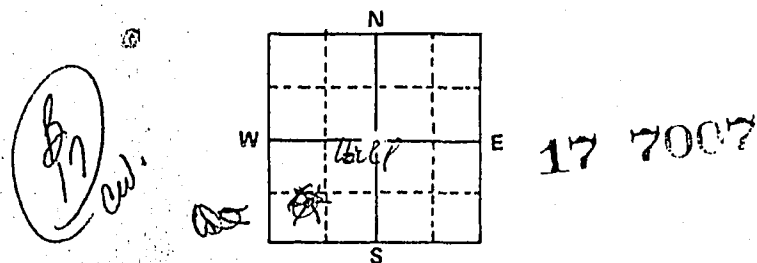
Type _____ Model No. _____
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No Size of gravel _____
Placed from _____ feet to _____ feet

Surface seal? ☒ Yes ☐ No To what depth 21 feet
Material used in seal ☒ Cement grout ☐ Puddling clay

6. LOCATION OF WELL

Sketch map location must agree with written location.



County Boise
SW 1/4 SW 1/4 Sec. 8, T. 15 N/S, R. 33 E/W

10.

Work started 2/13/73 finished 3/21/73

11. DRILLER'S CERTIFICATION

This well was drilled under my supervision and this report is true to the best of my knowledge.

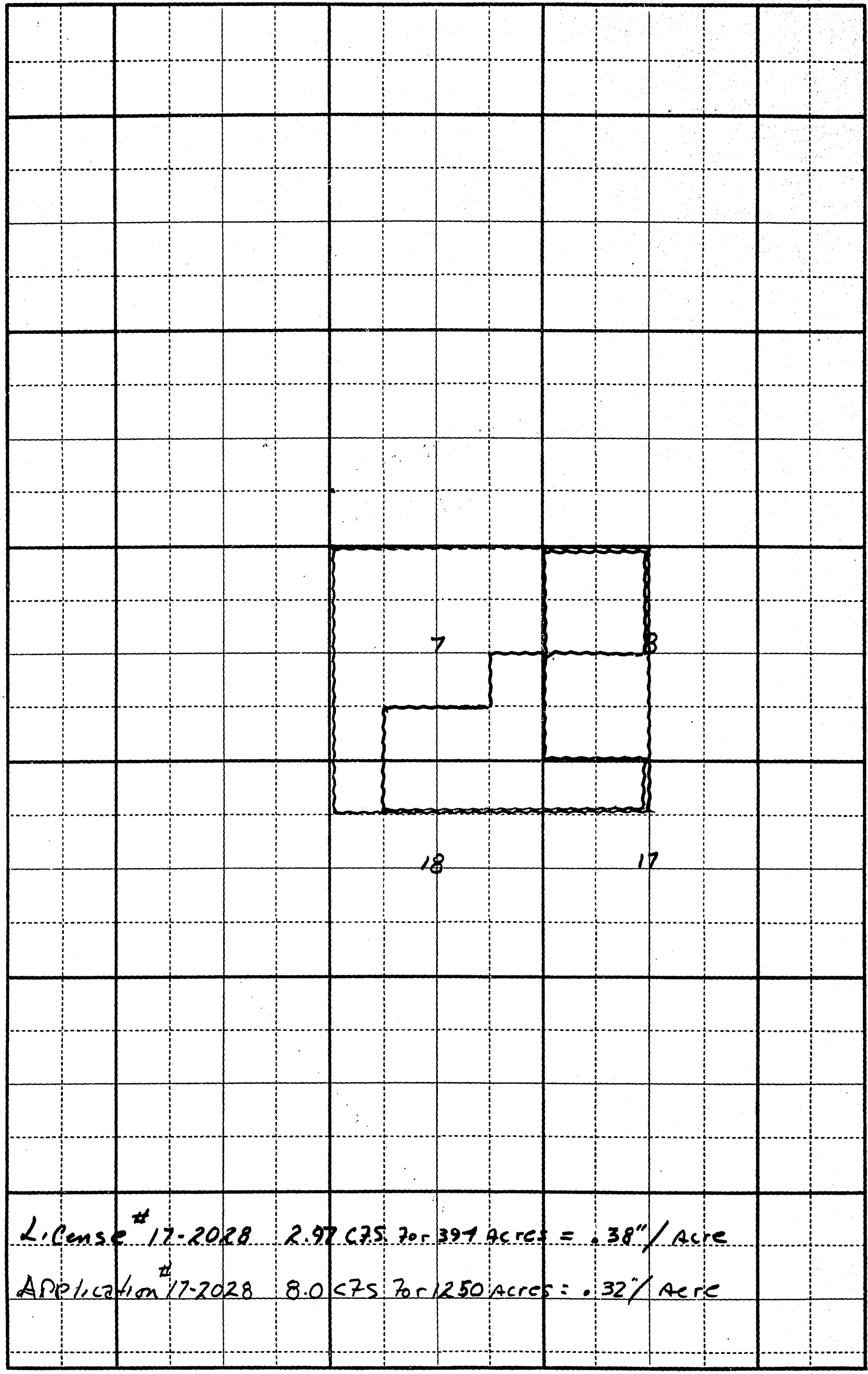
Jack Cushman Driller's or Firm's Name 94 Number
1405 So. Hwy Address
Le Roy Richards Signed By April 20, 1973 Date

USE ADDITIONAL SHEETS IF NECESSARY

FORWARD THE WHITE, BLUE, AND PINK COPIES TO THE DEPARTMENT

NAME OF APPLICANT W. L. Baker Co. 17-007

Form No. 0



L. Cense # 17-2028 2.97 CFS for 397 Acres = .38" / Acre
Application # 17-2028 8.0 CFS for 1250 Acres = .32" / Acre

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

17 2028

TYPEWRITER OR
ALL POINT PEN

State of Idaho
Department of Water Administration

WELL DRILLER'S REPORT

State law requires that this report be filed with the State Reclamation Engineer
within 30 days after completion or abandonment of the well.

WELL OWNER

Name M. L. Baker
Address Halbrook, Idaho
Owner's Permit No. Applied for 17-7007

NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning)

PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Test
☐ Municipal ☐ Industrial ☐ Stock

4. METHOD DRILLED

☒ Cable ☐ Rotary ☐ Dug ☐ Other

5. WELL CONSTRUCTION

Diameter of hole 18 inches Total depth 670 feet
Casing schedule: ☒ Steel ☐ Concrete
Thickness 250 inches Diameter 18 inches From 0 feet To 569 feet
250 inches 16 inches 562 feet 670 feet
inches inches feet feet
inches inches feet feet
inches inches feet feet

Was a packer or seal used? ☐ Yes ☐ No
Perforated? ☒ Yes ☐ No
How perforated? ☒ Factory ☒ Knife ☐ Torch
Size of perforation 5/8 inches by 3 inches
Number From To
856 perforations 120 feet 372 feet
1066 perforations 400 feet 559 feet
148 perforations 562 feet 670 feet

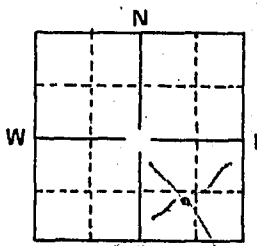
Well screen installed? ☐ Yes ☒ No
Manufacturer's name _____
Type _____ Model No. _____
Diameter _____ Slot size _____ Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No Size of gravel _____
Placed from _____ feet to _____ feet

Surface seal? ☒ Yes ☐ No To what depth 22 feet
Material used in seal ☒ Cement grout ☐ Puddling clay

6. LOCATION OF WELL

Sketch map location must agree with written location.



County Bannock
SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 7, T. 15 N/S, R. 33 E/W

7. WATER LEVEL

Static water level 53 feet below land surface
Flowing? ☐ Yes ☒ No G.P.M. flow _____
Temperature _____ ° F. Quality _____
Artesian closed-in pressure _____ p.s.i.
Controlled by ☐ Valve ☐ Cap ☐ Plug

8. WELL TEST DATA

☒ Pump ☐ Bailor ☐ Other

Discharge G.P.M.	Draw Down	Hours Pumped
<u>2700</u>	<u>277</u>	<u>12</u>

9. LITHOLOGIC LOG

Hole Diam.	Depth		Material	Water	
	From	To		Yes	No
18"	0	9	Top soil		X
	9	14	Sand & water	X	
	14	34	brown clay		X
	34	96	stiff gray clay		X
	96	128	" green clay		X
	128	140	gravel & clay	X	
	140	148	Gravel & blue clay	X	
	148	170	Gravel & brown clay	X	
	170	184	Gravel - brown clay	X	
			1 good water		
	184	194	brown clay		X
	194	195	rock ledge		X
	195	218	brown clay		X
	218	224	brown clay		X
	224	278	Clay, gravel & sandstone		X
	278	358	sand, clay - gravel & sandstone		X
	358	370	sandy clay & gravel	X	
	370	400	clay (stiff) gravel		X
	400	452	sandstone - gravel - clay		X
	452	485	gravel - clay		X
	485	493	gravel - silt		X
	493	536	sandstone		X
	536	568	sandstone - gravel	X	
	568	571	Hard gravel rock		X
	571	581	sandstone		X
	581	582	Hard rock		X
	582	616	sandstone		X
	616	649	sandstone & gravel	X	
	649	670	gravel & sandstone	X	

10.

Work started Oct. 21-70 finished Dec. 14 1970

11. DRILLER'S CERTIFICATION

This well was drilled under my supervision and this report is
true to the best of my knowledge.

Cushman & Penning 94
Driller's or Firm's Name Number 1973
1405 So. Broadway St.
Address
Lenora Corlew Feb. 12 2-71
Signed By Date

USE ADDITIONAL SHEETS IF NECESSARY

FORWARD THE WHITE, BLUE, AND PINK COPIES TO THE DEPARTMENT

Affidavit of Publication

State of Idaho
County of Oneida, ss.

Norma Champney being first duly sworn on
her oath, states: That *she* is *clerk*.....

of the Idaho Enterprise, a newspaper of general circulation in Oneida County, Idaho published weekly at Malad, in said county, that said newspaper has been published in said county uninterruptedly and continuously for over seventy-eight consecutive weeks, prior to the first publication of the annexed notice or advertisement:

That said Idaho Enterprise was at all of the times of publication of said notice a newspaper of general circulation made up of at least four pages of at least five columns each, printed from type matter or stereotyped forms of at least seventeen and three fourths inches depth, and said newspaper during all of the times of publication aforesaid had more than 200 bonafide subscribers thereto living within the county of Oneida in which said newspaper was published at regular intervals not less frequently than once a week.

That the annexed notice was published per clipping attached in the regular and entire edition of said newspaper and not in any supplement thereof for ... successive weekly issues thereof the date of the first publication being the *17* day of *Sept.*..... 19*70* the date of the last publication being the *24* day of *Sept.*..... 19*70*

Norma Champney

Subscribed and sworn to before me this *24*... day of

September....., 19 *70*...

H. D. Nagelos

Notary Public, residing at Malad, Idaho

My Commission expires the *10* day of *10*....., 19*73*

Costs: *40* lines at 13c per line first insertion \$ *5.20*

..... lines tabulated at 20c per line \$.....

10c per line each subsequent insertion \$ *4.00*

TOTAL \$ *9.20*

(Rates for legal notices are fixed by Idaho law)

NOTICE OF APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that W. L. Baker Company, 205 South Main, Malad City, Idaho, has on August 19, 1970, submitted Application No. 17-7007 to appropriate the public waters of a ground water source.

The application proposes a maximum diversion and appropriation of 8.0 cubic feet per second of water to be diverted by well, motor, pump and pipeline within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 7, T. 15S, R. 33E, B.M., Oneida County, and is to be used within all of Sec. 7; W $\frac{1}{2}$ Sec. 8; N $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 17; N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 18, T. 15S, R. 33E, B.M. for the irrigation of 1250 acres from May 1 to November 1.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Water Administration on or before October 5, 1970. Statehouse, Boise, Idaho,

R. KEITH HIGGINSON
Director

Published in the Idaho Enterprise, Malad City, Idaho, on September 17 and September 24, 1970

17 7007

E. L. SCOTT
ATTORNEY AT LAW
26 COURT STREET
MALAD CITY, IDAHO 83252
—
TELEPHONE 766-4000

RECEIVED

AUG 19 1970

Department of Water Administration

August 14, 1970

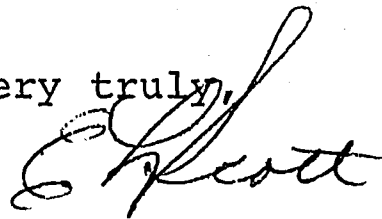
State of Idaho
Department of Reclamation
207 Statehouse
Boise, Idaho

Gentlemen:

I am enclosing Application for Permit to appropriate the Public waters of the State of Idaho, on behalf of W. L. Baker Company, together with my check in the sum of \$55.00.

Please issue the Permit and oblige.

Very truly,



E. L. Scott, Attorney

17 7007

NOTICE OF APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO

Notice is hereby given that W. L. Baker Company, 205 South Main,
Malad City, Idaho, has on August 19, 1970,
submitted Application No. 17-7007 to appropriate the public waters of
a ground water source

~~The/proposed/uses/are/~~

The application proposes a maximum diversion and appropriation of 8.0
cubic feet per second ~~acre/feet/~~ of water to be diverted by well, motor,
pump and pipeline within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 7,
T. 15S, R. 33E, B.M., Oneida County,

and is to be used within the all of Sec. 7; W $\frac{1}{2}$ Sec. 8; N $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 17;
N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 18, T. 15S, R. 33E, B.M. for the irrigation of 1250 acres
from May 1 to November 1

Any permit issued pursuant to this application will be subject to ALL PRIOR
WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest
against this application must be filed with the Idaho Department of Water Adminis-
tration on or before October 5, 1970.
Statehouse, Boise, Idaho,

R. KEITH HIGGINSON 17 7007
Director

Published in the Idaho Enterprise, Malad City, Idaho,
on September 17 and September 24, 1970

x #

September 10, 1970

Re: Application No. 17-7007 - W. L. Baker Company

Idaho Enterprise
P.O. Box 205
Malad City, Idaho 83252

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week 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 review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid."

(signature of claimant)

17 7007

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR
Enc: Legal notice

Bill submitted 9-30-70 By de

**NOTICE OF APPLICATION
FOR PERMIT TO
APPROPRIATE THE
PUBLIC WATERS OF
THE STATE OF IDAHO**

Notice is hereby given that W. L. Baker Company, 205 South Main, Malad City, Idaho, has on August 19, 1970, submitted Application No. 17-7007 to appropriate the public waters of a ground water source.

The application proposes a maximum diversion and appropriation of 8.0 cubic feet per second of water to be diverted by well, motor, pump and pipeline within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 7, T. 15S, R. 33E, B.M., Oneida County, and is to be used within all of Sec. 7; W $\frac{1}{4}$ Sec. 8; N $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 17; N $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ Sec. 18, T. 15S, R. 33E, B.M. for the irrigation of 1250 acres from May 1 to November 1.

Any permit issued pursuant to this application will be subject to ALL PRIOR WATER RIGHTS and subject to the CONTROL OF A STATE WATERMASTER. Any protest against this application must be filed with the Idaho Department of Water Administration on or before October 5, 1970. Statehouse, Boise, Idaho,

R. KEITH HIGGINSON
Director

Published in the Idaho Enterprise, Malad City, Idaho, on September 17 and September 24, 1970

17 7007

E. L. SCOTT
ATTORNEY AT LAW
26 COURT STREET
MALAD CITY, IDAHO 83252
—
TELEPHONE 766.4000

RECEIVED

SEP 17 1970

September 16, 1970
Department of Water Administration

State of Idaho
Department of Reclamation
207 Statehouse
Boise, Idaho 83707

Gentlemen:

On August 14th I mailed to you the Application of W. L. Baker Company to appropriate the Public waters of the State of Idaho. To date I haven't received the Permit to be issued thereunder.

Please advise as to when we might expect the Permit to be issued.

Thanking you, I remain,

Very truly,



E. L. Scott, Attorney

17 7007

September 22, 1970

Re: Application for Permit No. 17-7007 - W. L. Baker, and Co.

E. L. Scott, Attorney
26 Court Street
Malad City, Idaho 83252

Dear Mr. Scott:

The advertisement for this application is being published on the 17th of September, and the 24th. Ten days following the 24th of the September publication, the department can consider the application for final action. You should know the final action within a week, following that date.

If we can be of further assistance, please contact us.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:cm

17 7007

October 27, 1970

Re: Permit No. 17-7007

W. L. Baker Company
205 South Main
Malad City, Idaho 83252

Dear Sirs:

Enclosed is a copy of your approved Application for Permit No. 17-7007. We direct your attention to the conditions of approval as listed on the fourth page.

Be sure to note that a special condition requiring you to install and maintain a measuring device at your point of diversion has been placed upon your permit. We are enclosing a letter describing different types of measuring devices accepted by this office.

Very truly yours,

C. Stephen Allred
Deputy Director

CCA:kh

Enclosures: Copy of permit
Receipt No. 5100 for \$55
2 informational letters

cc. E. L. Scott
Attorney at Law
26 Court Street
Malad City, Idaho 83252

17 7007

E. L. SCOTT
ATTORNEY AT LAW
26 COURT STREET
MALAD CITY, IDAHO 83252
TELEPHONE 766.4000

RECEIVED

OCT 30 1970

Department of Water Administration

October 28, 1970

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

Re: Application for Permit No. 17-7007
W. L. Baker Company

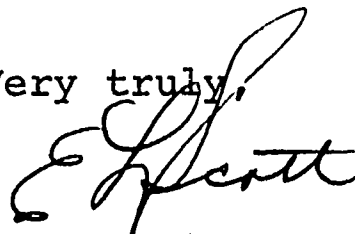
Att: Donald W. McEldowney
Appropriation Supervisor

Dear Mr. McEldowney:

Referring to your letter of September 22, 1970, it would seem that the Department should be in a position now to give me the final action taken in regard to the above identified application.

Thanking you, I remain,

Very truly,



E. L. Scott, Attorney

17 7007

April 3, 1972

Re: License No. 17-2028
Permit Nos. 17-2045,
17-7007

Mr. C. Lyle Smith
Post Office Box #488
Logan, Utah 84321

Dear Mr. Smith:

Pursuant to your telephone request, please find enclosed a copy of the above referenced license and permits and also the amendment in connection with Permit No. 17-2045.

The fee for these copies will be \$2.75.

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

Very truly yours,

James Booker
Appropriation Examiner

JB:CS

Enc: referenced copies

17 7007

J. W. CROWTHER
ATTORNEY AT LAW

ONEIDA COUNTY
PROSECUTING ATTORNEY

RECEIVED

JUN 1 1972

Department of Water Administration
60 NORTH MAIN MALAD CITY, IDAHO
PHONE 86-W

June 1, 1972

State of Idaho
Department of Reclamation
Boise, Idaho

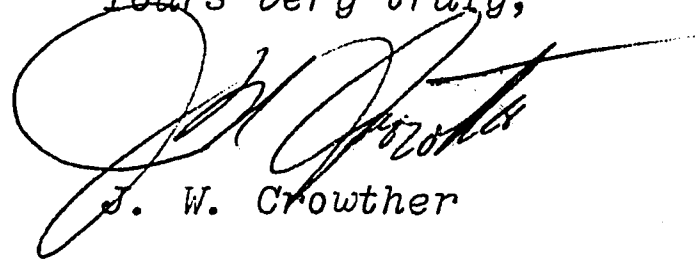
Gentlemen:

We are enclosing herewith, permit assignments executed by W. L. Baker Company pertaining to permits Nos. 17-2045 and 17-7007.

Would you please file these for your record and acknowledge receipt thereof, and verify that these permits are still in good standing.

Thank you for your earliest assistance.

Yours very truly,


J. W. Crowther

JWC/cj

17 7007

June 13, 1972

Re: Permits No. 17-7007 & 17-2045

Mr. J. W. Crowther
Attorney-at-Law
60 North Main
Malad City, Idaho 83252

Dear Mr. Crowther:

We acknowledge receipt of the assignments whereby W. L. Baker Company assigned the above referenced permits to Connecticut Mutual of Hartford, Connecticut. The assignments have been recorded and the Department's records changed accordingly.

Please be advised that these permits are in good standing at this time. Proof of beneficial use of water is due on or before October 1, 1975, under Permit No. 17-7007. Proof of beneficial use has been submitted for Permit No. 17-2045 and a field examination is pending before a license can be issued.

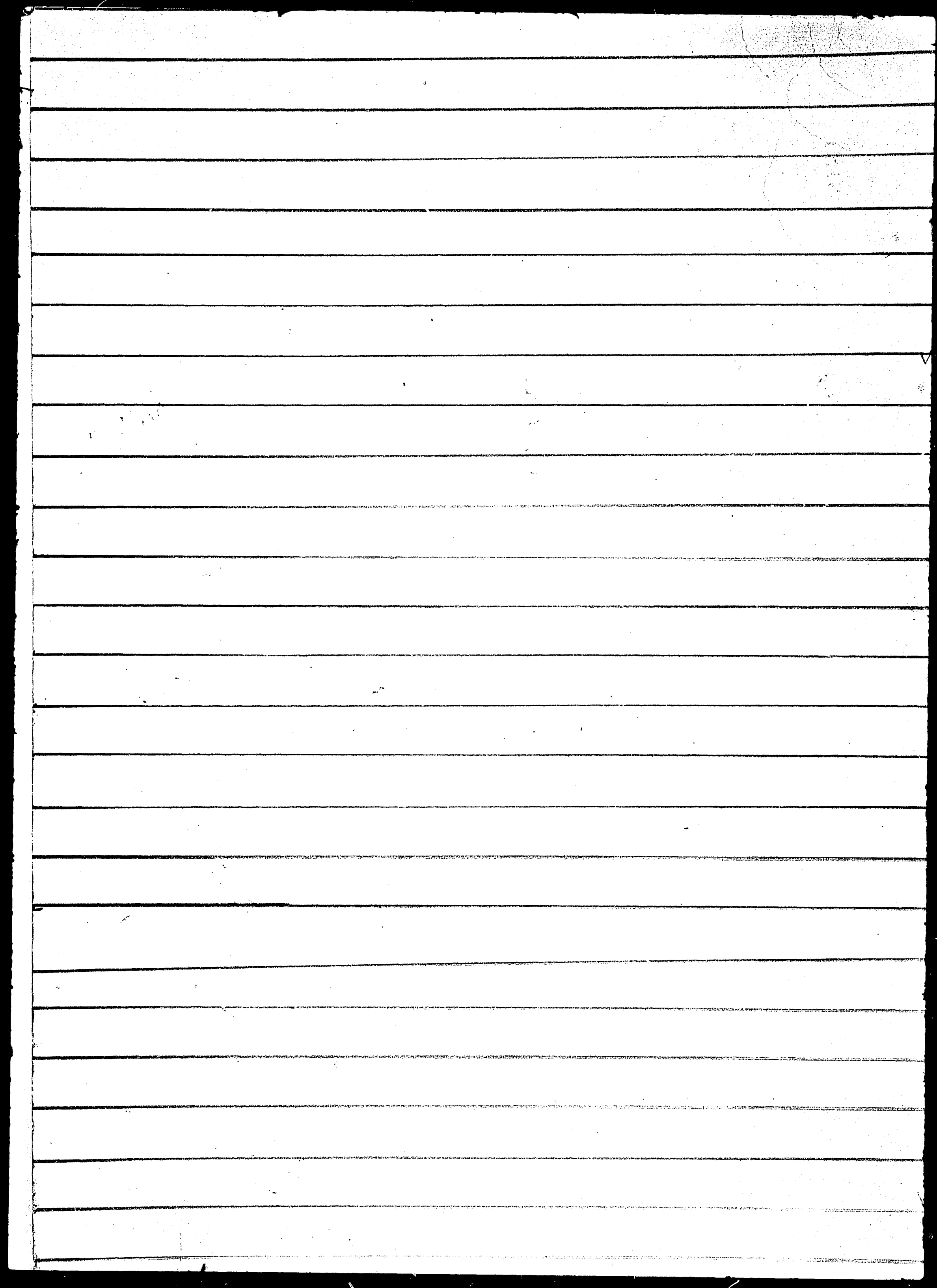
Sincerely,

BOBBY D. FLEENOR
Assistant Director

BDF:DR

bc: Eastern District Office

17 7007



BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE
STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 17-7007
IN THE NAME OF CONNECTICUT MUTUAL
LIFE INSURANCE COMPANY

ORDER OF REINSTATEMENT

WHEREAS, on August 19, 1970, the W. L. Baker Company filed with the Department of Water Resources (formerly the Department of Water Administration) an application for permit to appropriate 8.00 cubic feet per second of groundwater to be diverted from a point within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, Twp. 15S, Rge. 33E, B.M., Oneida County, to be used for irrigation purposes; and,

WHEREAS, on October 22, 1970, the Department approved said application and issued Permit No. 17-7007 with the condition that proof of construction of works and application of water to beneficial use be submitted to the Department on or before October 1, 1975; and,

WHEREAS, on June 2, 1972, the permit holder assigned all his right, title and interest in and to Permit No. 17-7007 to the Connecticut Mutual Life Insurance Company; and,

WHEREAS, on August 1, 1975, the Department notified the permit holder that Permit No. 17-7007 proof of beneficial use was due and instructed the permit holder as to the steps to be taken to make said proof; and,

WHEREAS, on October 1, 1975, Permit No. 17-7007 automatically lapsed for failure to submit proof of beneficial use; and,

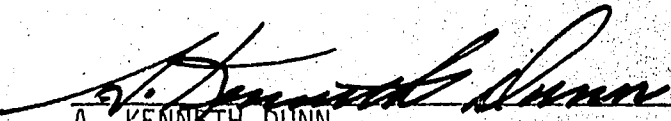
WHEREAS, on October 6, 1975, the Department received the required proof of beneficial use of water; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within 60 days from the date of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing as to why said permit should be reinstated;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 17-7007 be REINSTATED and the priority be advanced to August 24, 1970.

Dated this 2nd day of October, 1975.


A. KENNETH DUNN
Administrator, Operations Division

jfr

RECEIVED

● Connecticut Mutual Life INSURANCE COMPANY, SINCE 1846 AUG 11 1975

140 Garden Street, Hartford, Connecticut 06115 Tel: (203) 549-4111 Department of Water Resources

Mortgages - Agricultural

August 7, 1975

Mr. R. Keith Higginson
State of Idaho.
Department of Water Resources
Statehouse
Boise, ID 83720

RE: Permit #17-7007

Dear Sir:

We are sending your 8-1-75 letter to our office in Nampa, Idaho for handling.

Would you kindly forward all future correspondence regarding water permits in which this Company may have an interest to:

Note:
All correspondence →

Mr. Rodney H. Moore, Manager
Connecticut Mutual Life Insurance
Company
P.O. Box 53
Nampa, ID 83651

Your assistance is appreciated.

Very truly yours,

Agricultural Investment Division

Bruce D. Bartlett
Bruce D. Bartlett

BDB:rmb
cc - R. H. Moore



August 1, 1975

CERTIFIED MAIL

26 998

Re: Permit No. 17-7007

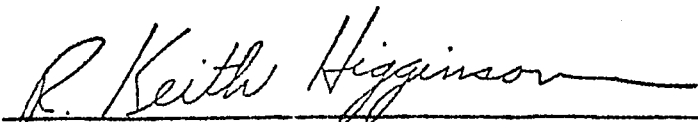
Connecticut Mutual
140 Garden Street
Hartford, Connecticut

Gentlemen:

One of the conditions of approval of your water Permit No. 17-7007 (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 1, 1975. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

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

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



R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

cc: W. L. Baker Company
205 South Main
Malad City, ID 83252

cc: E. L. Scott, Attorney
26 Court St.
Malad City, ID 83252

cc: J. W. Crowther
60 W. MAIN, MALAD CITY, ID 83252

PS Form 3811, Nov. 1973

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1 and 2.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

☐ Show to whom and date delivered.....	15¢
☐ Show to whom, date, & address of delivery..	35¢
☐ DELIVER ONLY TO ADDRESSEE and show to whom and date delivered.....	65¢
☐ DELIVER ONLY TO ADDRESSEE and show to whom, date, and address of delivery	85¢

2. ARTICLE ADDRESSED TO:

Connecticut Mutual Life Ins Co

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	26998	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE

U. Bennett

4. DATE OF DELIVERY

AUG 6 1975

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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

- Complete Items 1 and 2 on reverse side.
- Moisten gummed ends and attach to back of article.

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



RETURN
TO



DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED

SEP 23 1975

Department of Water Resources

Identification No. _____

Permit No. 17-7007

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder W. L. BAKER COMPANY
b) Post Office Address 205 South Main St., Malad City, Idaho 83252
2. Permit Number 17-7007
3. Date of Priority that you are prepared to establish August 19, 1970
4. a) Source from which water was appropriated Subterranean
b) Location of the point of diversion: SW 1/4 SE 1/4, Section 7
Township 15 South, Range 33 East Boise Meridian, Other points of diversion:
5. a) The amount of water and use to which the water has been applied:
Amount 7 c.f.s. for Irrigation purposes from May 1st to Nov. 1st 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 7 c.f.s., 2576 acre ft. 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: W. L. Baker, He is a farmer and irrigator for some 55 years. Water was measured through the sprinkler system and quantity of water discharged determined by number of sprinkler heads used.
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) Water is pumped from a subterranean source, 5 stage 14" turbine pump with 12" column and discharge, powered by a 350 h.p. electric motor; 18" well casing; depth of well is 670'.

b) Describe the type and size of measuring device which you have installed at your point of diversion: None installed. Applicant has been unable to purchase a 12" device to accomodate the diversion works. Not certain this size is manufactured.

c) Give well driller's name and address and the date the well was completed: Cushman & Denning of 1405 South Broadway, Blackfoot, Idaho. The well was completed December 14, 1970
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

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

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
15	33	7	40	40	40	40	50	50	40	40	40	40	50	40	40	40	40	40	680
15	33	8					40	40	40	40	40	40	40	40					320
15	33	17					40	40											80
15	33	18	40	40			40	50											170

Total number of acres irrigated 1250

10. Remarks: _____

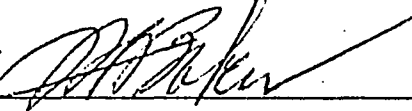
The above information is a true statement of the extent to which the above numbered permit has been developed.

W. L. BAKER COMPANY

September 20, 1975

(Date)

By



(Signature)

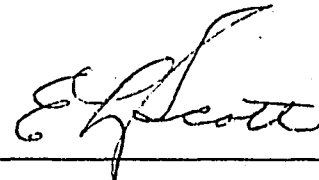
President

State of Idaho)

) ss.

County of Oneida)

On this 20th day of September, 1975, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.



Notary Public residing at Malad, Idaho

My commission expires Life



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

STATE HOUSE BOISE, IDAHO 83720

September 24, 1975

Re: Permit No. 17-7007

W. L. Baker Company
205 South Main Street
Malad City, Idaho 83252

Gentlemen:

We are herewith returning your proof affidavit received in this office on September 23, 1975.

On June 1, 1972, your company assigned all their right, title and interest to and in Permit No. 17-7007 to the Connecticut Mutual Life Insurance Company. Therefore, an officer or a representative of the Connecticut Mutual Life Insurance Company must sign the proof affidavit and submit to this office.

We are enclosing a blank affidavit form for you to forward to their office at Box 53, Nampa, Idaho, to Mr. Rodney Moore, Manager.

Be sure to note that the proof affidavit must be returned on or before October 1, 1975 or the permit will automatically lapse.

Sincerely,

D. DARLENE REICH
Water Rights Supervisor

DDR:JFR

Enclosures

● Connecticut Mutual Life INSURANCE COMPANY, SINCE 1843

140 Garden Street, Hartford, Connecticut 06115

OCT 6 1975
Tel: (203) 549-1415

RECEIVED
Department of Water Resources 312 13th Avenue S.
P.O. Box 53
Nampa, Idaho 83651
Tel: (208) 466-0419

Rodney H. Moore, A.R.A., Manager
Nampa Idaho Office
Agricultural Investments

October 2, 1975

D. Darlene Reich
Water Rights Supervisor
Idaho Dept. of Water Resources
State House
Boise, Idaho 83720

Re: Permit No. 17-7007
Loan #96145-H, Baker
Onida County, Idaho

Dear Darlene;

As per our telephone conversation, enclosed please find the Proof of Application of Water to Beneficial Use form for the above captioned water permit. This form was originally completed by The W.L. Baker Company and has been retyped and signed by me for Connecticut Mutual.

I trust this will complete the necessary work so this permit may be processed and a Water License can be issued covering this water right.

Sincerely yours;

Rodney H. Moore

Rodney H. Moore

RHM:rhM

cc: W. L. Baker Co.
Ag-Land Mortgage Co.

CM

Identification No. _____

Permit No. 17-7007

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

OCT 6 1975 *dk jr*

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Department of Water Resources

1. a) Name of Permit Holder W. L. BAKER COMPANY
b) Post Office Address 205 South Main Street, Malad City, Idaho 83252
2. Permit Number 17-7007
3. Date of Priority that you are prepared to establish August 19, 1970
4. a) Source from which water was appropriated Subterranean
b) Location of the point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7
Township 15 South, Range 33 East Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 7 c.f.s. for Irrigation purposes from May 1st to Nov. 1st 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 7 c.f.s., 2576 acre ft. 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: W. L. Baker, He is a farmer and irrigator for some 55 years. Water was measured through the sprinkler system and quantity of water discharged determined by number of sprinkler heads used.
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) Water is pumped from a subterranean source, 5 stage 14" turbine pump with 12" column and discharge, powered by a 350 h.p. electric motor; 18" well casing; depth of well is 670'.
b) Describe the type and size of measuring device which you have installed at your point of diversion: None installed. Applicant has been unable to purchase a 12" device to accommodate the diversion works. Not certain this size is manufactured.
c) Give well driller's name and address and the date the well was completed: Cushman & Denning of 1405 South Broadway, Blackfoot, Idaho. The well was completed December 14, 1970.
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: _____

Exam typed 10-6-75 *Ex*

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

T	R	SEC.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTAL
			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	
15	33	7	40	40	40	40	50	50	40	40	40	40	50	40	40	40	40	40	680
15	33	8					40	40	40	40	40	40	40	40					320
15	33	17					40	40											80
15	33	18	40	40			40	50											170

Total number of acres irrigated 1250

10. Remarks: _____

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

CONNECTICUT MUTUAL LIFE INSURANCE CO.

October 1, 1975

(Date)

By: Rodney H. Moore

Northwest District Manager
(Signature)

State of Idaho)

County of Canyon) ss.

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

Edith E. Gray

Notary Public residing at Nampa,
Idaho

My commission expires June 22, 1978



STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

STATE HOUSE BOISE, IDAHO 83720

October 6, 1975

Re: Permit No. 17-7007

Connecticut Mutual Life Insur. Co.
Attn: Rodney Moore, Manager
Box 53
Nampa, Idaho 83651

Dear Mr. Moore:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit. Enclosed is an Order of Reinstatement; please note that the priority has been advanced to August 24, 1970.

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 during the irrigation season that he makes the examination so that you may show him the system.

We note that in reviewing this proof affidavit it is indicated that a measuring device is not installed as required by the conditions of approval of your permit. This measuring device must be installed before the next irrigation season or your water rights cannot be confirmed by the issuance of a license. Perhaps, you should contact our Eastern District Office for possible assistance in locating a suitable measuring device.

If you have any questions regarding the exam also contact our Eastern District in Idaho Falls.

Sincerely,

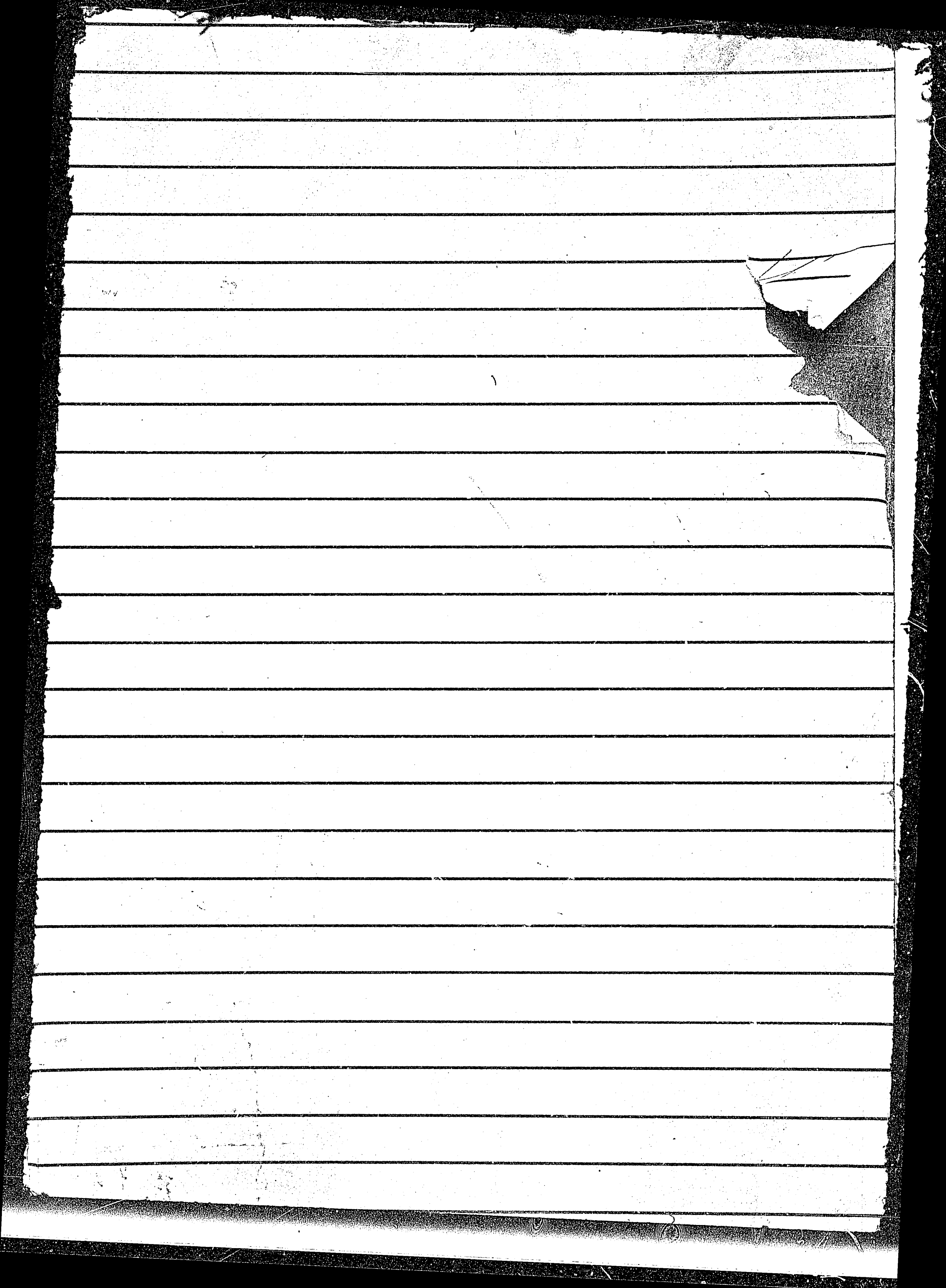
D. DARLENE REICH
Water Rights Supervisor

DDR:JFR

Encl.

cc: W. L. Baker Company
205 South Main Street
Malad City, ID 83252

Eastern District Office
1515 Lincoln Road
Idaho Falls, ID 83401



PS Form 3811, Nov. 1973

RETURN RECEIPT REGISTERED, INSURED AND CERTIFIED MAIL

1. SENDER: Complete items 1 and 2.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

☐ Show to whom and date delivered..... 15¢

☐ Show to whom, date, & address of delivery.. 35¢

☐ DELIVER ONLY TO ADDRESSEE and show to whom and date delivered..... 65¢

☐ DELIVER ONLY TO ADDRESSEE and show to whom, date, and address of delivery 85¢

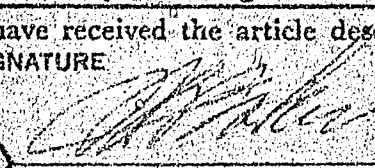
2. ARTICLE ADDRESSED TO:

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	27065	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE 

4. DATE OF DELIVERY 8-4-75 POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

1-7-100-7 GPO : 1974 O - 524-803

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

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

- Complete items 1 and 2 on reverse side.
- Moisten gummed ends and attach to back of article.

1372
PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE \$300



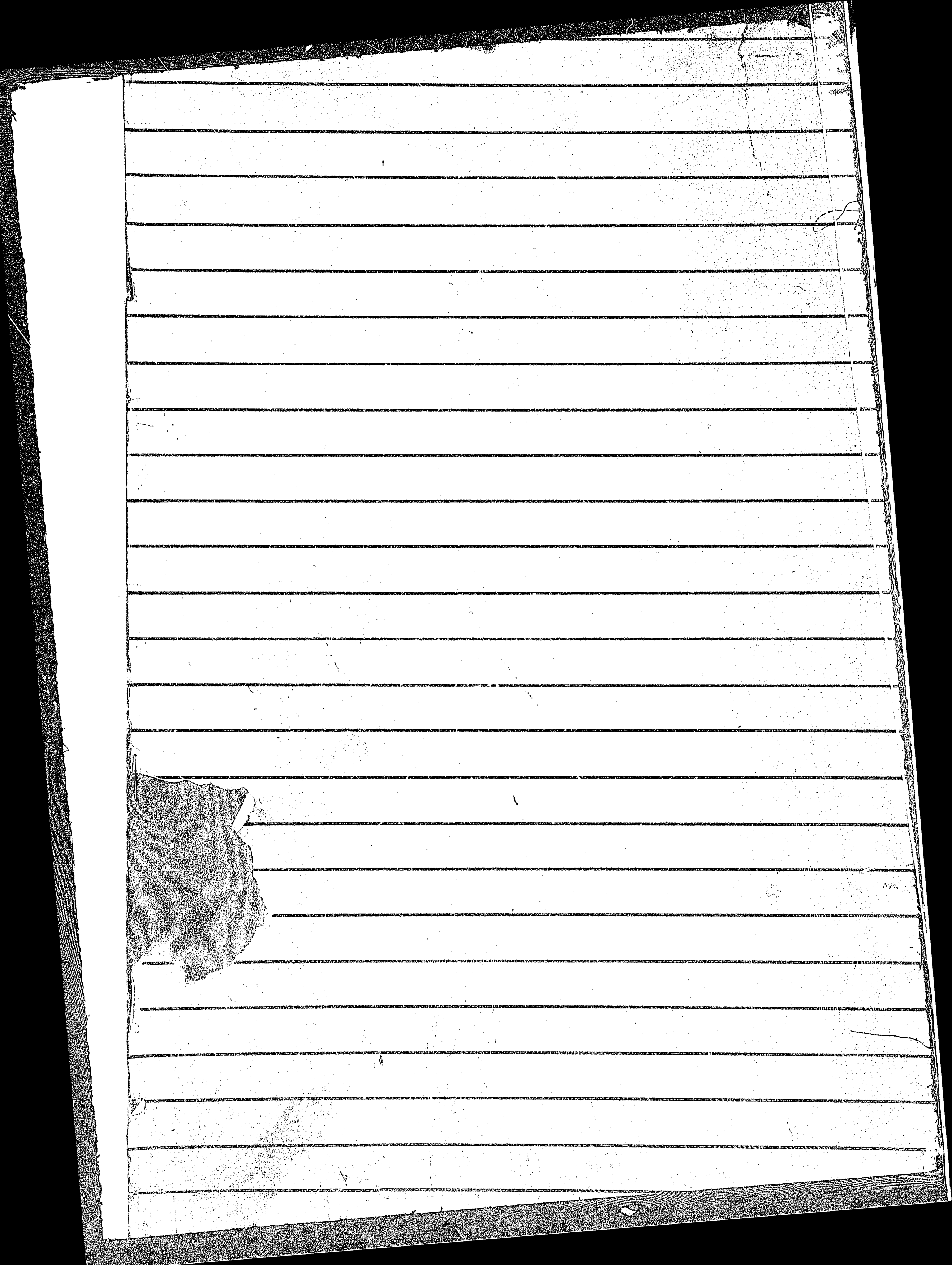
**RETURN
TO**



DEPARTMENT OF WATER RESOURCES

SPATCHNOISE

BOISE, IDAHO 83725



RECEIVED
DEC 18 1978

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

Department of Water Resources
Eastern District Office

To provide additional time in which to submit
proof of beneficial use on a water right permit

Gary L. Baker of W. L. Baker Co., Star Route, Holbrook,
(Name) (Address)

State of Idaho, deposes and says:

That he is the holder, or the duly authorized agent of the holder*, of Permit to Appropriate the Public
Waters of the State of Idaho No. 17-7007.

That under the terms and conditions of said permit, work thereunder was required to be completed on or
before _____, 19____. Proof of beneficial use has been filed; request
withdrawal of proof

That he has heretofore performed the following work described under said permit: _____

Well, pump and motor have been installed, mainlines for sprinklers have been
placed. Power has been brought in.

Costing \$ 75,000.00

That he is unable to complete the remainder of the work within the required time for the following
reasons, to-wit: Center pivots have not yet been purchased and/or installed. Proof
was filed prematurely to satisfy the loan requirements of the lien holder. Due
to insufficient time and prohibitively high cost, an extension of time is needed to
complete the work.

Wherefore, he asks that the Department of Water Resources extend the time for the completion of
obligations under said permit to January 1, , 19 84.

Gary L. Baker
(Signature)*

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be DENIED, pursuant to
letter dated January 15, 1979.

Signed this 16 day of January, 19 79.

G. Stephen Allred
G. STEPHEN ALLRED
Director

* IF OTHER THAN HOLDER, Power of Attorney must be supplied.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

JUN 8 1978

Department of Water Resources

POWER OF ATTORNEY

The undersigned holder of Permit/Application No. 17-2045 and 17-7007 of the Department of Water Resources of the State of Idaho hereby nominates Gary L. Baker, Secretary-Treasurer, whose address is W. L. Baker Company, Star Route, Holbrook, ID 83242, as attorney-in-fact, with full authority to act for and on behalf of the undersigned in matters pertaining to the above numbered permits or applications. Such acts shall be limited to the submission of proofs of completion of works and beneficial use of water.

Dated this 2nd day of June, 1978.

Carmella L. Parnell
James Wright

CONNECTICUT MUTUAL LIFE INSURANCE COMPANY

By: James Wright
Investment Officer

STATE OF CONNECTICUT }
COUNTY OF HARTFORD } ss.

On this 2nd day of June, 1978, personally appeared before me the signer of the above instrument, who duly acknowledged to me that he executed the same.

SEAL

Bruce D. Bartlett
Notary Public
residing at Higganum, Connecticut

My Commission expires:

March 31, 1980

very light copy

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

POWER OF ATTORNEY

RECEIVED

DEC 11 1978

Department of Water Resources
Eastern District Office

The undersigned holder of Permit/Application No. 17-2045 and 17-7007 of the Department of Water Resources of the State of Idaho hereby nominates Gary L. Baker, Secretary-Treasurer, whose address is W. L. Baker Company, Star Route, Holbrook, ID 83302, as attorney-in-fact, with full authority to act for and on behalf of the undersigned in matters pertaining to the above numbered permits or applications. Such acts shall be limited to the submission of proofs of completion of works and beneficial use of water.

Dated this 2nd day of June, 1978.

Carmella L. Dineen

CONNECTICUT MUTUAL LIFE INSURANCE COMPANY

John H. Light

By:

James (Bill) Dineen
Investment Officer

STATE OF CONNECTICUT)

ss.

COUNTY OF HARTFORD)

On this 2nd day of June, 1978, personally appeared before me the signer of the above instrument, who duly acknowledged to me that he executed the same.

SEAL

James S. Sweeney

Notary Public

Residing at Higganum, Connecticut

My Commission expires:

March 31, 1980

make copy for file

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION
POWER OF ATTORNEY

The undersigned holder (s) of Permit (Application) No. 17-2045
17-7007 of the
Department of Water Administration of the State of Idaho hereby nominates W. L. Baker
Company, whose address is Malad, Idaho 83252,
as attorney-in-fact, with full authority to act for and on behalf of the undersigned in all
matters pertaining to the above numbered permit or application. Such acts shall include,
but not be limited to, the filing of application, receiving of all notices, the signing and
filing of applications for extension of time and for amendment of said Permit, and the
submission of proofs of completion of works and beneficial use of water.

Dated this 9th day of August, 19 78.

CONNECTICUT MUTUAL LIFE INSURANCE CO.

BY: [Signature]

Vice President

CONNECTICUT
STATE OF ~~IDAHO~~)
County Hartford) ss

On this 9th day of August, 19 78, 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

My Commission expires:

March 31, 1980

INTER-DEPARTMENT MEMO — 1

FROM

Jan

TO

file

SUBJECT

DATE

5/15/78

Cyam returned to Region
this date for re-epam

SIGNATURE

AG-LAND MORTGAGE COMPANY

P. O. Box 411

Twin Falls, Idaho 83301
Office: 208-734-5380

1430 Filer Avenue East

ELBERT G. DAVIS, A.R.A.
Residence: 208-734-5699

RECEIVED

J. L. RASMUSSEN, A.R.A.
Residence: 208-733-1417

JUN 8 1978

June 5, 1978

Department of Water Resources

State Of Idaho
Department of Water Resources
373 West Franklin
Boise, Idaho 83301

Re. Permits #17-2045 and 17-7007

Gentlemen:

Enclosed please find a Power of Attorney for W. L. Baker Co. on
Permit #17-2045 and Permit #17-7007.

Sincerely,

Jack Rasmussen
Jack Rasmussen

cc: Rodney Moore
Gary L. Baker

November 6, 1978

Re: Permit No.'s 17-2045 / 17-7007

W. L. Baker Co.
Malad
Idaho 83252

Gentlemen:

On June 8, 1978, this office received as Assignment Form assigning the above referenced permits to Connecticut Mutual Life Insurance Company and, also, a Power-of-Attorney Form giving the power-of-attorney to Gary L. Baker, Sec.-Treas., W. L. Baker Company.

It appears that the Assignment and Power-of-Attorney submitted on October 30, 1978, are the same as was previously submitted. The Power-of-Attorney Form does only designate W. L. Baker Company rather than Gary L. Baker, therefore, we will file this in our files to supercede the other. However, we are returning the Assignment Form to you as it is a duplicate.

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

Sincerely,

JAN GROVER
Water Rights Supervisor

JG:lr

Enclosure

MEMORANDUM

PERMITS NO. 17-2045 & 17-7007

On November 30, 1978, Gary and Ned Baker visited our regional office in order to request withdrawal of proof and extension of time on Permits 17-2045 and 17-7007. The following is a brief account of the history and present status of work completed under these permits.

17-2045

The original well under this permit was drilled in 1959. It proved to be an adequate producer of groundwater for five years. Consequently, proof of beneficial use was filed as it became desirable to finalize the water right and to obtain a license. Shortly after proof was filed, the well caved in and filled with sand. Well drillers were consulted and it was determined that it would be impossible to effect repairs. The first replacement well was drilled in 1964 and proved to be another "sand well" which immediately caved in, never proving good. The second replacement well attempt was made in 1971 and again turned out to be identical to the 1964 well. *what's later?*

Due to lack of funds, another well was not attempted until 1975. This time a special well rig was brought in from Nevada so that the well could be gravel packed to keep out the sand and to prevent caving. The cost of this well alone was \$50,000 and it, like the others, never proved good.

The permit holder would like to withdraw proof of beneficial use and secure an additional five years time to develop a productive well. To date, the Bakers have invested a total of \$500,000 on the construction of their irrigation system and are committed to develop an adequate amount of water for its proper operation.

As the development is located within a critical groundwater area, it would be impossible for the Bakers to secure a replacement for their permit if it was recommended for cancellation. Although a large period of time has already elapsed

since the permit was first issued, I feel that these circumstances are unique and unusual. Due to the tremendous amount of capital already invested, together with the permit holder's enduring commitment to develop adequate water, I feel that the permit holder should be allowed to withdraw proof and be granted a five year extension of time. The Bakers are again in a position financially to drill another well, but are reluctant to commence further work until they have received response from Boise on the status of their application for extension of time.

To date, three attempts to replace the original well have been made, three and one-quarter miles of mainline have been buried, thirty-two wheelmoves have been purchased and installed, power has been brought in, access roads have been constructed, the land has been cleared and/or broken out, and booster pumps have been purchased and installed, all at a cost of \$500,000. The systems under this permit, together with Permit No. 17-7007, are presently under revision, the wheelmoves are being replaced with center pivot sprinklers.

17-7007

To date, the Bakers have completed construction of a well, pump, and motor. It is intended that this system be tied in with Permit No. 17-2045 and that the delivery system be revised from wheelmoves to center pivot sprinklers.

Mr. Baker, having power of attorney from the permit holder (Connecticut Mutual Life Insurance Company), is requesting withdrawal of proof and an extension of time for the following reasons:

1. The lending institution required the filing of proof of beneficial use prematurely in order to secure their interest in the water right and related property value.

2. The delivery system is presently under revision (wheelmoves being replaced by center pivots) and the revised system is dependent upon the development of the total quantity of water under both permits (17-2045 and 17-7007).

done - 10-1-76
submitted
10-6-76

3. Due to insufficient time and prohibitively high costs, withdrawal of proof and an extension of time are needed.

Anthony R. Kozlowski

ANTHONY R. KOZLOWSKI
Water Resource Agent - Eastern Region

January 15, 1979

Mr. Gary L. Baker
W. L. Baker Company
Star Route
Holbrook, ID 83243

Dear Mr. Baker:

Re: Permit Nos. 17-2045 and 17-7007

The requests for extension of time on Permit Nos. 17-2045 and 17-7007 that you submitted to the department on December 18, 1978 must be denied under the provisions of Section 42-218, Idaho Code, which states:

"The department shall grant no extension unless the application therefor be filed with it prior to the date upon which the proof of beneficial use was required to be made under the original terms of the permit."

A review of the permit files indicate that proof of beneficial use has been submitted on both permits and both permits have been examined by department personnel but the examinations could not be completed. Then it appears that a re-examination was scheduled by our Eastern Region but that also has not been completed.

Your efforts to replace the caved in well indicates that you have diligently proceeded to complete your project and water rights. Therefore no extension of time is necessary for you to drill a replacement well and apply the water to beneficial use if it is completed prior to the re-examination of your project. If a replacement well is completed before the re-examination then it can be recognized in the water right license issued on your permit.

Please contact this office or our Eastern Regional Office if we can be of further assistance to you or if you have any questions.

Sincerely,

L. GLEN SAXTON
Chief, Operations Bureau

cc: Eastern Regional Office

FROM *Caroline S. Allen*

DATE 3-6-79

TO WHOM IT MAY CONCERN:

SUBJECT Permit 17-7007

Note: Acreages in lots are not correct.
Below are correct tract, lot & acreages from microfiche.

158 335 7	NWNW	Lot 1	48.82
	SWNW	Lot 2	49.04
	NWSW	Lot 3	49.24
	SWSW	Lot 4	49.46

~~158 335 18~~

Caroline S. Allen
SIGNATURE

STATE OF IDAHO

LICENSING

RECEIVED

APPLICATION FOR AMENDMENT OF A PERMIT

JUN 28 1982
Department of Water Resources

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

Comes now Connecticut Mutual Life Insurance Co. Phone _____
of (address) Hartford, CT, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 17-7007, and requests that the permit and permit map be changed as follows:

1. Point of diversion: GL 1 NW 1/4 NW 1/4, Section 18, Township 15S, Range 33E, B.M.,
County of Oneida. Other points of diversion: _____
SW 1/4 SE 1/4, Sec. 7, Twp. 15S, Rge. 33E

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

Amount 8.0 for irrigation purposes from 4/1 to 11/1 (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

3. Place of use or land to be irrigated:

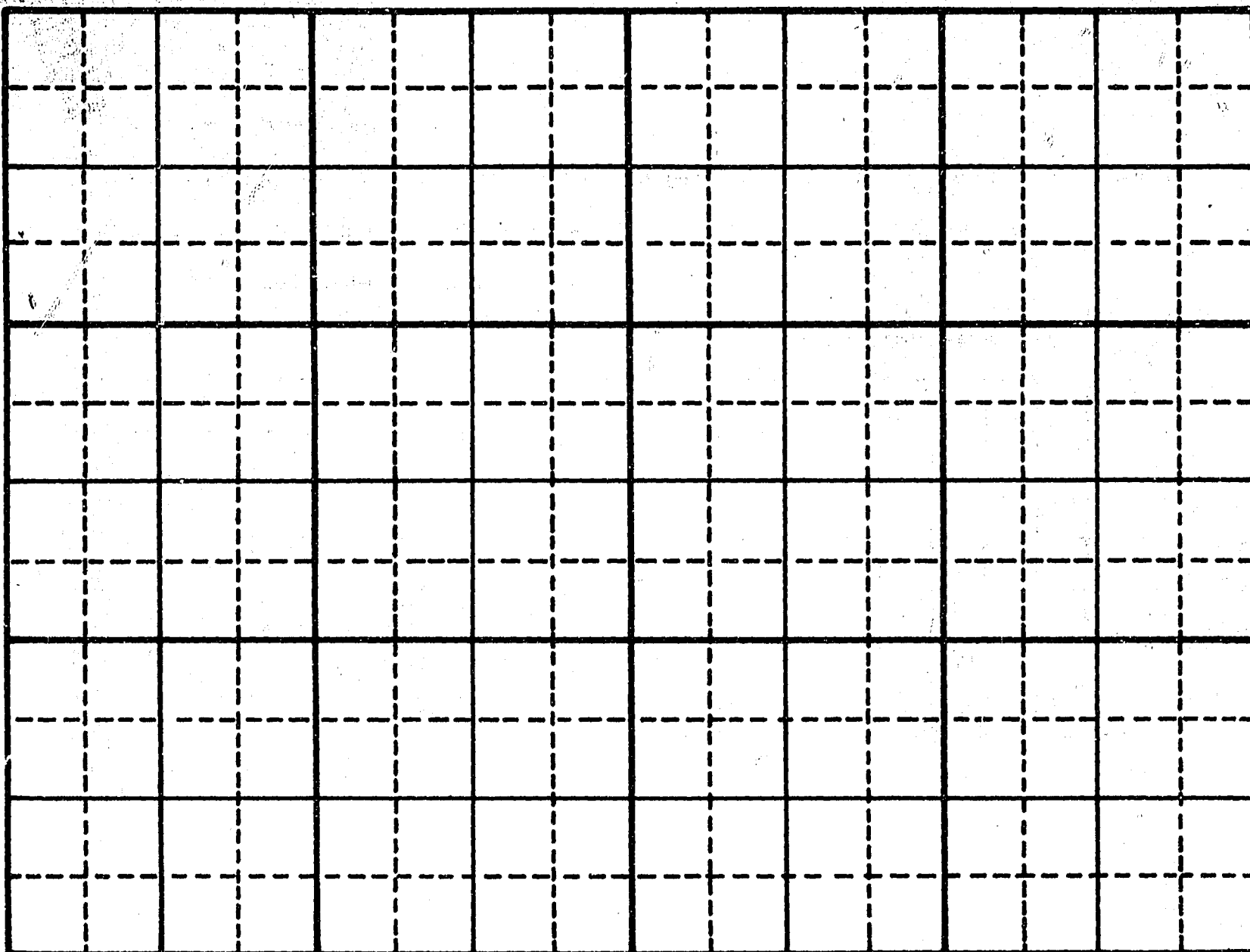
TWP	RGE	SEC	NE 1/4				NW 1/4				SW 1/4				SE 1/4				TOTALS
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
15S	33E	7	36	26	40	40	39	GL 1 39	GL 2 48	40	40	GL 3 44	GL 4 42		31	33			498
		8			20	19	28	39	40	40	23	40			14	21			284
		18						GL 1 47											47

Total number of acres to be irrigated = 829

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

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

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



Scale: 2 inches equal 1 mile.

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

Signed at Hellbrook State, this 23 day of January, 19 82.

Gary F. Baker
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by Jen Fee = \$20.00

Received by ag Date 2-25-82 # 21791

Publication prepared by N/A Date _____

Published in _____

Publication dates _____

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, A. KENNETH DUNN, of the Department of Water Resources hereby
APPROVE the above Application for Amendment of Permit No. 17-7007.

Witness my hand this 26th day of February, 19 82.

Ron C. Young
For the Director

DRT

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

(late proof)
License of Water Right No. 17-7007 Priority August 24, 1970 Amount 8.0 cfs

THIS IS TO CERTIFY, that Connecticut Mutual Life Insurance Co.
of Hartford, CT, has complied with the terms and conditions of Permit
No. 17-7007 issued pursuant to Application for Permit dated August 19, 1970,
and has submitted proof to the Department of Water Resources on October 6, 1975,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 11.48 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Irrigation	from <u>April 1</u> to <u>November 1</u>	at <u>8.0</u> cfs and	<u>2901.5</u> acre feet
	from _____	at _____ cfs and	_____
	from _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 8.0 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
2901.5 acre feet per year, said waters to be diverted within the GL 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$), Section 18,
SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 7, Twp. 15S, Rge. 33E in the County of Oneida

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				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 $\frac{1}{4}$	
15S	33E	7	36	40	40	39	39	48	40	40	44	42	33		498
		8		20	19	28	39	40	40	23	40	14	21		284
		18					L.1 47								47

Total number of acres irrigated 829

This right when combined with Licenses 17-2028, 17-2030 and 17-2045 shall provide
no more than 0.02 cfs per acre nor more than 3.5 afa per acre for the lands above.
This right when combined with License 17-2045 shall provide no more than the total
capacity of 11.48 cfs.

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 26th day of
February, 19 82.

For the Director

J. J. DRS

MAPS TOO

LARGE TO

FILM —

SEE FILE

TOTAL ACREAGE 1750

Rge 33E

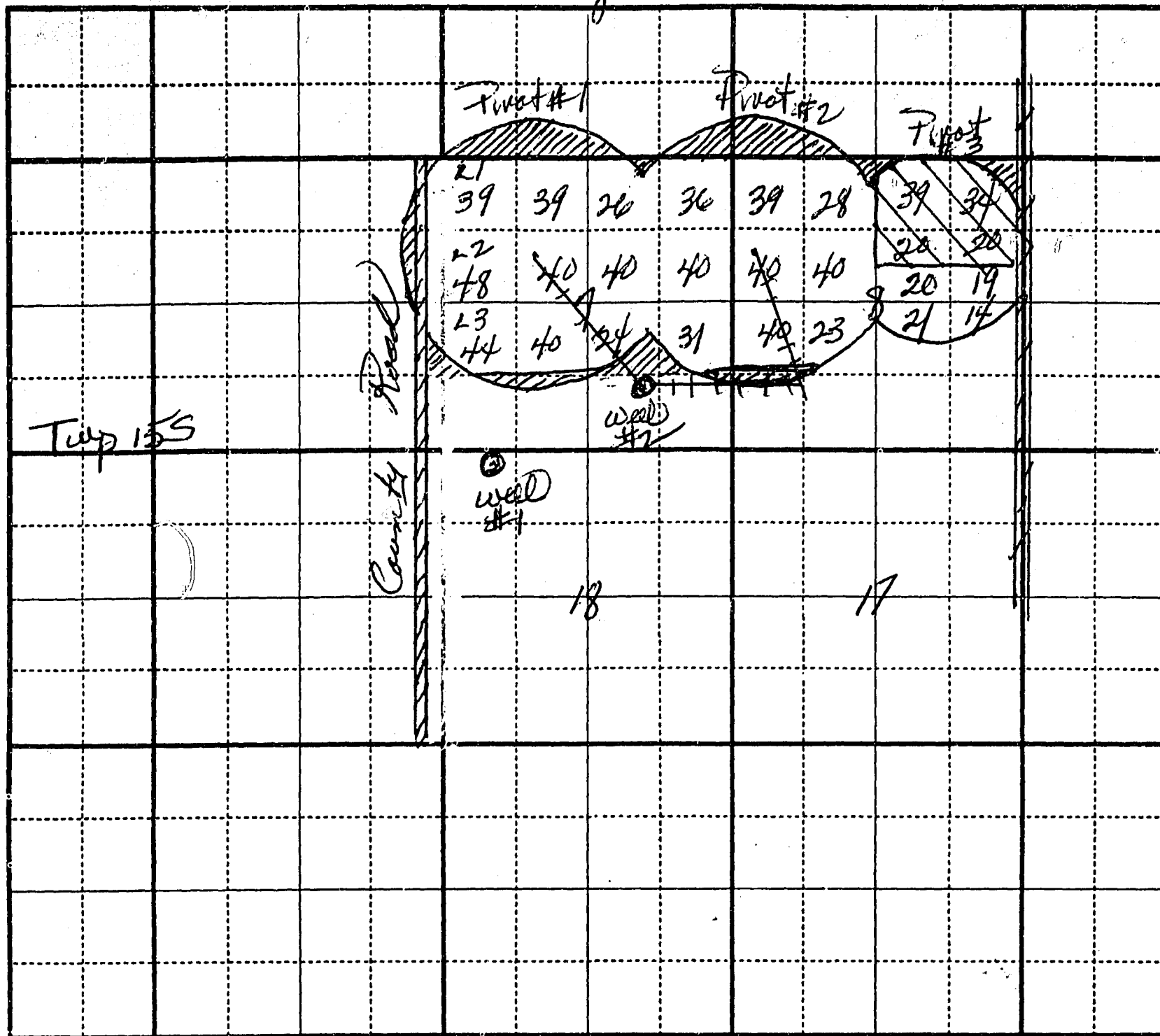
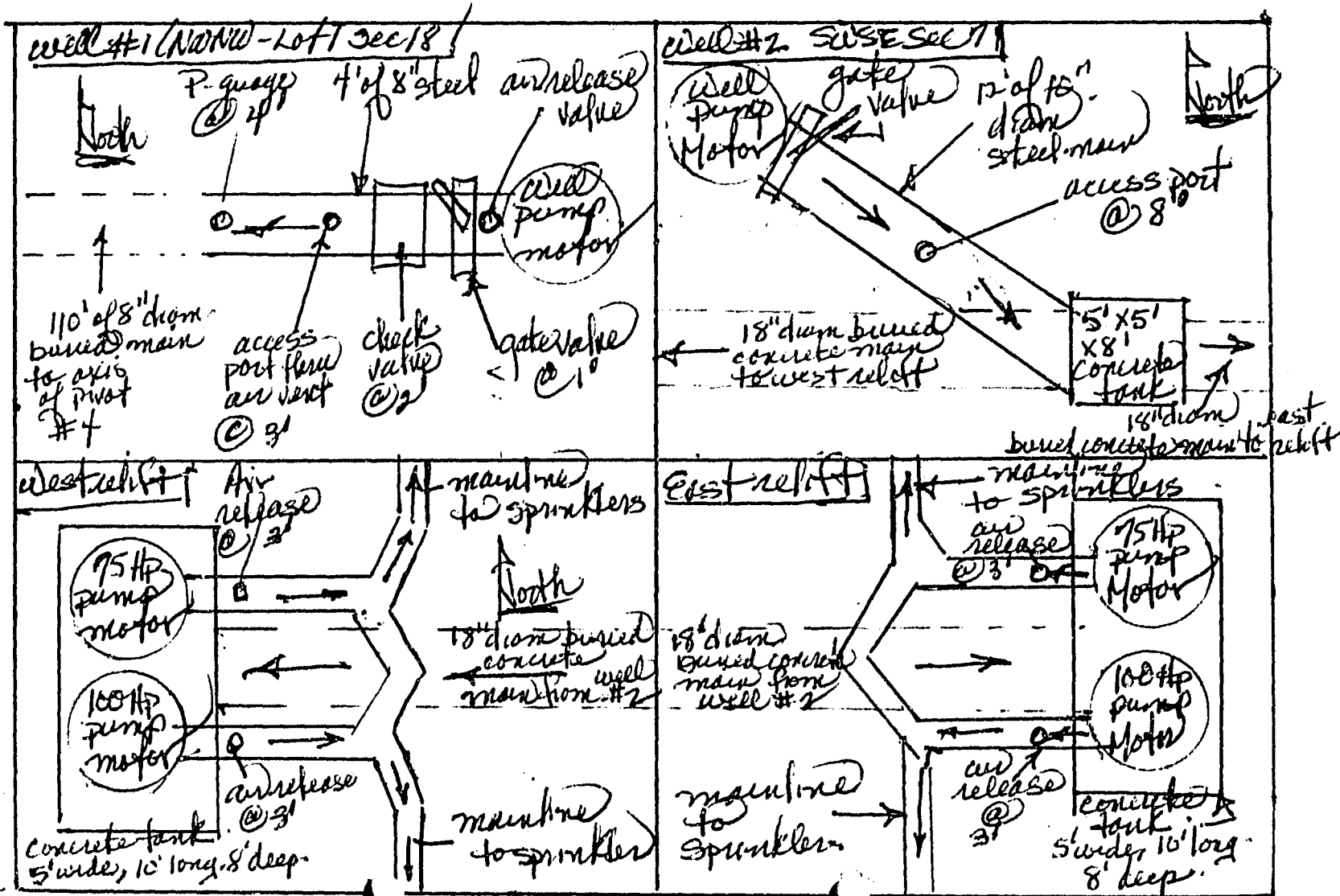


Diagram of System



113a covered by

1-17-2030

113a covered by

DATE OF EXAM

25th day of July, 1979

ACREAGE

Found

1335

Recommended

737

Irrigation Requirement

3.5

Ac Ft/Ac

USE

Irrigation Q = 8.00 c.f.s.

V =

2558.5

AF/Ann. from

May 1

to

Nov. 1

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:

n/a

twp. N/S, Rge

E/W, B.M., Sec.

Sub.

1/4

1/4

County

Exchange? yes

no ☒

Name source exchanged with:

n/a

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

11.48

Method of measurement

Annubar

Total Q recommended

8.00

Meter No.

80 meter

Type

well #1 - 7.48
well #2 - 12.00

Condition

shd.

Total V recommended

2558.5 AF/yr

Recommended Amendments:

P.D.

Place of Use

Other

None

See rough draft amendment

MEASUREMENT CALCULATION:

Well #1 (ANNUBAR) $Q = (\text{pipe I.D.})^2 (\text{C/T of H}_2\text{O}) = (7.731)^2 (3.85) (\sqrt{60})$

$= (59.77) (3.85) (7.75) = 1783.39 \text{ gpm} = 3.97 \text{ cfs.}$

Well #2 - (SWSE SECT.) $(12)^2 (3.85) (\sqrt{37}) = (144) (3.85) (6.08) = 3370.75$

$= 7.51 \text{ cfs}$ $Q_{\text{total}} = 11.48 \text{ cfs}$ CAPACITY

SYSTEM DESCRIPTION:

$V = 73/2 \times 3.5 \text{ AF/yr} = 2558.5 \text{ AF/yr}$

$1.9835 \text{ AF/cfs} \times 183 \text{ cfs} \times 8.00 = 2903.8 \text{ AF/yr}$

See reverse side for system description

REMARKS:

System shown operated and described by
The Baker Brothers
Noted 17-2045 from some wells

Examiner's Signature

Anthony R. Kozlowski

Date

2-13-80

Checked by

John D. Corns

Date

4/10/80

Approved by

John

Date

12/3/81

System description. Well #1 - NUNW-LOT1-S2018 T155R33E

Well #1 - Groundwater is diverted by a 30 H.P. 3ph U.S. Motors "Holloshaft" vertical induction pump motor S/n-1218089 and by a Wirthkop vertical turbine pump S/n 9357.

Well #2 - SUB E sec 1, T155R.33E

Groundwater is diverted by a 350 H.P. 3ph U.S. Motors "Holloshaft" vertical induction pump motor S/n-T14292849 and by a Layne & Bowler "Vertiline" vertical turbine pump m/n 14 RH - S/n-D30120. Water is open discharged from well #2 into a 1/2 mi long 18" diam buried concrete mainline. The water is then relifted from the main by 2 relift stations.

East relift station - Both stations consist of 2 relift pumps - north - 75 H.P. south 100 H.P. However the 75 H.P. pump alone will relift all of the available water.

A. North pump - water is relifted by a 75 H.P. 3ph U.S. Motors "Holloshaft" vertical induction pump motor ID# R2842-01-170 R2023381 and by a Layne & Bowler vertical turbine pump #44705.

B. South pump - Water is relifted by a 100 H.P. 3ph U.S. Motors "Holloshaft" vertical induction pump motor ID# R2849-00-171-GR 2038919 and by a Layne & Bowler "Vertiline" vertical turbine pump m/n - 14 RLM S/n D35759A.

West relift station

A. North pump - 75 H.P. 3ph U.S. Motors "Holloshaft" vertical induction pump motor 3ph. ID# R2842-01-170-R2021530 and by a Layne & Bowler vertical turbine pump #44704.

B. South pump - 100 H.P. 3ph U.S. Motors "Holloshaft" vertical induction pump motor. ID# R2849-00-171-G R2036114 and by a Layne & Bowler "Vertiline" vertical turbine pump S/n D35759 m/n 14 RLM.

Irrigation by three center pivot sprinklers. Pivots #1, #2, and #3 - see layout diagram.

Pivot #1 - 15 tower Valley m/n 5871, 1901' + 280' corner catcher

Pivot #2 - 15 tower Valley m/n 5871, 1901' + 280' corner catcher

Pivot #3 - 11 tower Valley m/n 5871-1519' + 280' corner catcher

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES*Rough Draft*

APPLICATION FOR AMENDMENT OF A PERMIT

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

Comes now Connecticut Mutual Life Ins Co.
of (address) 912 13th St. Ave. Nampa, Id 83651, and represents to the
Director of the Idaho Department of Water Resources:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho
No. 17-7007, and requests that the permit and permit map be changed as follows:

- ① Point of diversion: NW 1/4 NW 1/4, Section 18, Township 15S, Range 33E, B.M.,
County of Oneida. Other points of diversion: SWSE SW 1/4, T 15S. R 33E. B.M. Oneida

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

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre feet per annum)

③ Place of use or land to be irrigated:

TWP	RGE	SEC	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	
15S	33E	7	36	26	40	40	39	39	48	40	40	44			31	24			447
		8			20	19	28	39	40	40	23	40			14	21			284

Total number of acres to be irrigated = 73/a

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

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



Signed at _____, this _____ day of _____, 19____.

(Signature)

Preliminary check by _____ Fee = \$20.00 Received by _____ Date _____

Publication prepared by _____ Date _____ Published in _____

Publication dates _____

I, _____, Director of the Department of Water Resources hereby

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

Director

License and Certificate of Water Right

Water License No. G-24337

Amount 2.97 c.f.s.

Water District No.

Priority July 30, 1953

THIS IS TO CERTIFY that W. L. BAKER
of Holbrook, Idaho, made application for a permit to appropriate the
public waters of the State of Idaho, dated July 30, 1953; that Permit No. G-24337
was issued under said application; that Certificate of Completion of works, with a carrying capacity of
2.97 second feet, was issued thereunder on October 23, 1958, showing that said works
were completed on the 4th day of August, 1958; and that on the 4th
day of August, 1958, W. L. BAKER

of Malad & Holbrook, State of Idaho, made proof to the satisfaction of the
State Reclamation Engineer of Idaho, of the right to use the waters of a well

, a tributary of subterranean, for the purpose of Irrigation
, under Use Permit No. G-24337 of the Department of Reclamation
and that said right to the use of said waters has been perfected in accordance with the laws of Idaho,
and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume

10 of Licenses at page 6474, on the 23rd day of October, 1958;

The right hereby confirmed dates from July 30, 1953;

The Point of Diversion is located

in the SE 1/4 SW 1/4, Sec. 8, Tp. 15 S., R. 33 E., B. M. County Oneida

That the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall
not exceed 2.97 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
15 S.	33 E.	8	NE 1/4 SW 1/4	---	35
			NW 1/4 SW 1/4	---	40
			SW 1/4 SW 1/4	---	40
			SE 1/4 SW 1/4	---	32
		7	NE 1/4 SE 1/4	---	27
			S 1/4 SE 1/4	---	25
			SE 1/4 SE 1/4	---	25
			SE 1/4 SW 1/4	---	8
		18	NE 1/4 NE 1/4	---	40
			NW 1/4 NE 1/4	---	40
			NE 1/4 NW 1/4	---	10
		17	NE 1/4 NW 1/4	---	32
			NW 1/4 NW 1/4	---	40
		Total number of acres irrigated			394

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place
of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this

23rd day of October, 1958.

/s/ Geo. H. Carter
State Reclamation Engineer.

(SEAL)

17-2028

17 20

License and Certificate of Water Right

Water License No. 6-24742

Amount 2.08 second feet

Water District No.

Priority March 4, 1954

THIS IS TO CERTIFY that STEPHEN L. SMITH of Malad City, Idaho, made application for a permit to appropriate the public waters of the State of Idaho, dated March 4, 1954; that Permit No. 6-24749 was issued under said application; that Certificate of Completion of works, with a carrying capacity of 2.08 second feet, was issued thereunder on November 8, 1956, showing that said works were completed on the 1st day of March, 1956; and that on the 1st day of March, 1956,

STEPHEN L. SMITH of Malad City, State of Idaho, made proof to the satisfaction of the State Reclamation Engineer of Idaho, of the right to use the waters of a well ~~contributory~~ (subterranean flow), for the purpose of irrigation, under Use Permit No. 4-24742 of the Department of Reclamation and that said right to the use of said waters has been perfected in accordance with the laws of Idaho, and is hereby confirmed by the State Reclamation Engineer of Idaho and entered of record in Volume 9 of Licenses at page 5860, on the 8th day of November, 1956; The right hereby confirmed dates from March 4, 1954;

The Point of Diversion is located in the NW 1/4 NE 1/4, Sec. 8, Tp. 15 N., R. 33 E., B. M. Oneida County

That the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually needed and beneficially used for said purposes, and shall not exceed 2.08 cubic feet per second.

Description and location of use:

Twp.	Range	Sec.	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
15 S	33 E	8	NE 1/4 NE 1/4	40	35
			E 1/4 NE 1/4	40	40
			SW 1/4 NE 1/4	40	20
			S 1/4 NE 1/4	40	20
Total Number of Acres Actually Irrigated					115

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described, as provided by the laws of Idaho.

WITNESS the seal and signature of the State Reclamation Engineer, affixed at Boise, Idaho, this 8th day of November, 1956.

(SEAL)

State Reclamation Engineer.

Right 17-7007 is as follows:

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
155	33E	7	40	40	40	40	50	50	40	40	40	40	50	40	40	40	40	40	680
155	33E	7	36	26	40	40	39	39	48	40	40	44	(42)	31	24				447
		8			20	19	40	40	40	40	40	40	40	40					320
		8					28	39	40	40	23	40			14	21			284
		17					40	40											80
		18	40	40			40	50											170
							(47)												

Red = Lands covered by permit

Blue = Lands recommended by Field Examiner

Total number of acres to be irrigated =

1250

731

The circled tracts would be the 98 acres omitted for 17-2045 and are covered by Permit No. 17-7007. *ok*

Field Exam 731 acres

Add 98 acres

829 acres

less than permit original allowed *ok*

** Calculations for 17-2045

System Capacity 11.48 cfs

Q = Allow 4.03 as per permit

V = 393 X 3.5 = 1375.5 or 4.03 X 1.9835 X 214 = 1710.6 af *ok*

** Calculations for 17-7007

System Capacity 11.48 cfs

Q = Allow 8.0 cfs as per permit

V = 829 acres X 3.5 = 2901.5 or 8.0 X 1.9835 X 214 = 3395.8 af

Remomend both rights be limited to the capacity of the system. *ok*

Rc $\frac{12/3}{81}$

Jim 1/19/82

OVERLAP REVIEW FOR WATER RIGHTS 17-7007 d 17-2045

License 17-2028 Groundwater P/D SESW Section 8, T 15S, Rge 33E
P/U See attached license copy

License 17-2030 Groundwater P/D NWNE Section 8, T 15S, Rge 33E
P/U See attached License copy

Recommend conditioning limit of .02 cfs/ac and 3.5 afa as they are different (systems) P/d's but some lands are the same as the files in question (17-7007 & 17-2045) OK

Reasons for changing the acres as recommended on Field Exam for 17-2045

In my review of the field exam for 17-2045, I have noted that the examiner is recommending 491 total acres. The permit allows for only 428 acres. To correct this, I have review and compiled the following information:

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	
15S	33E	7											12	27	9	40	40		119
15S	33E	7											42	36	9	40	39		175
		8									35	40	40	32			4		147
		8											39	32					83
		17					32	40											72
		17					38	38											76
		18	40	40			10	47											90
		18	37	39			34												

Red = Lands covered by Permit
Blue = Lands Recommended by Field Examiner
Total number of acres to be irrigated = 428

The circled tracts should be omitted for this report. Total 98 acres OK

Field Exam 491 acres
omit 98 acres
393 acres to be licensed on 17-2045

* The 4 acres in Section 8 (SWSE) could be added by an amendment without expanding the right.

Whereas, by omitting the 98 acres as stated, we could add them to right 17-7007 without an expansion. Both rights (17-2045 & 17-7007) have the same P/D's (system). OK



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

January 18, 1982

RE: Permit No. 17-7007

Gary L. Baker
W. L. Baker Co.
Star Route
Holbrook, ID 83243

Dear Mr. Baker:

A representative of this Department made an examination of the works covered by your Permit No. 17-7007 and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 8.0 cfs Source: groundwater

The maximum quantity diverted shall not exceed 2901.5 acre feet
per year.

Point of diversion: Government Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$), Sec. 18, Twp. 15S, Rge.

33E; SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 7, Twp. 15S, Rge. 33E; Oneida County

Beneficial use: Irrigation of 829 acres within the N $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$,
Sec. 7; S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, Sec. 8; NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 18; Twp. 15S, Rge. 33E

Priority date established: August 24, 1970 (late proof)

In order for the Department to issue the above license, it will be necessary for you to amend the permit to correspond with the findings of the field examiner. We are enclosing a partially completed amendment form for your use in this matter.

Please sign the amendment application and return it to this office along with a \$20.00 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,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw
Enclosure



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

March 4, 1982

RE: Permit Nos. 17-2045 and 17-7007

Gary L. Baker
W. L. Baker Co.
Star Rt.
Holbrook, Id. 83243

Dear Mr. Baker:

Enclosed herewith are copies of your water right licenses issued on the above-referenced permits along with copies of your approved applications for amendment. Also enclosed is Departmental Receipt No. 21791 in the amount of \$40.00.

Should you have any questions regarding these documents, please feel free to contact our office.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ/pms
Enclosures



RECEIVED

JAN 10 1985

First American Title Company Department of Water Resources

P.O. BOX 580, 156 WEST JUDICIAL STREET, BLACKFOOT, IDAHO 83221
TELEPHONE (208) 785-0320

January 9, 1985

Department of Water Resources
Statehouse
Boise, Idaho 83720

RE: W. L. Baker Company

Gentlemen:

Attached is a copy of the recorded Mortgage Deed and Security Agreement between W. L. Baker Company, a corporation, and Connecticut Mutual Life Insurance Company, a Connecticut Corporation, for filing with your department inasmuch as the lender is securing certain water licenses.

Please confirm the filing with this office as soon as possible.

Thank you.

Very truly yours,

Terrece Hopkins
Escrow Officer

th
Enclosure

Connecticut Mutual

LIFE INSURANCE COMPANY

Established in 1846

Hartford, Connecticut

108876

28 Day Dec 1984

At 4:55 O'clock P.M.

Oneida Co. Recorder

Fee \$4.00 Deputy

Recorded at Request of E. J. Smith

MORTGAGE DEED and SECURITY AGREEMENT

This Indenture, made this 28th day of December, 1984, between

W. L. BAKER COMPANY, a corporation

hereinafter called the Mortgagor, whether one or more than one, and the Connecticut Mutual Life Insurance Company, a corporation organized and existing under the laws of the State of Connecticut, and having its Home Office and principal place of business in the City of Hartford, State of Connecticut, hereinafter called the Mortgagee,

Witnesseth That:

The Mortgagor, for and in consideration of the sum of ONE MILLION FOUR HUNDRED TWENTY-FIVE THOUSAND AND 00/100 Dollars (\$1,425,000.00), in lawful money of the United States, to him in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said Mortgagee, its successors and assigns, forever, the following described property situated in the County of Oneida, in the State of Idaho, to-wit:

PARCEL 1:
Township 14 South, Range 32 E.B.M., Oneida County, Idaho
Section 35: NE $\frac{1}{4}$; E $\frac{1}{2}$ NW $\frac{1}{4}$; E $\frac{1}{2}$ SE $\frac{1}{4}$
Section 36: NW $\frac{1}{4}$

PARCEL 2:
Township 15 South, Range 32 E.B.M., Oneida County, Idaho
Section 2: E $\frac{1}{2}$ E $\frac{1}{2}$ (the same being Lot 1; SE $\frac{1}{4}$ NE $\frac{1}{4}$ and E $\frac{1}{2}$ SE $\frac{1}{4}$)
Section 11: N $\frac{1}{2}$

PARCEL 3:
Township 15 South, Range 32 E.B.M., Oneida County, Idaho
Section 12: SW $\frac{1}{4}$
Section 13: N $\frac{1}{2}$ NW $\frac{1}{4}$

PARCEL 4:
Township 15 South, Range 32 E.B.M., Oneida County, Idaho
Section 25: W $\frac{1}{2}$; W $\frac{1}{2}$ SE $\frac{1}{4}$; T-3163: A fraction of the NE $\frac{1}{4}$, containing 160 acres, more or less, EXCEPTING the East 2 rods deeded to The County of Oneida on March 1, 1972, found of record on film as Instrument No. 89941, records of Oneida County, Idaho.
Section 26: SE $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$; ALSO, the NE $\frac{1}{4}$ NE $\frac{1}{4}$ and the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 26 lying East of the Reservoir site of the Pratt Irrigation Co.

CONTINUED ON PAGE 2

PARCEL 5:

Township 15 South, Range 33 E.B.M., Oneida County, Idaho
Section 8: NE1/4

PARCEL 6:

Township 15 South, Range 32 E.B.M., Oneida County, Idaho
Section 12: E1/2
Section 16: W1/2

Township 15 South, Range 33 E.B.M., Oneida County, Idaho
Section 6: SE1/4
Section 7: All
Section 8: W1/2; SE1/4
Section 17: N1/2NW1/4
Section 18: N1/2NE1/4; NE1/4NW1/4; Lot 1

PARCEL 7:

Township 15 South, Range 32 E.B.M., Oneida County, Idaho
Section 16: E1/2

Conveying with the above described land any and all water rights and irrigation ditches belonging or in anywise appurtenant thereto, and especially including, but not limited to, the following: All of the water of those certain wells situated on the above described premises, and Water Licenses No. 17-7007, 17-2028, 17-2030 and 17-2045 of the Department of Water Resources of the state of Idaho. Mortgagor covenants and agrees to keep and maintain same in good standing and to comply with all provisions, rules and regulations in force respecting same. In the event of the foreclosure or other enforcement of this instrument, Mortgagor agrees to perform all acts necessary, if any, to vest Mortgagee with all of the right, title and interest of Mortgagor in and to said water and water rights.

Together with a security interest which is hereby granted by Mortgagor to Mortgagee in and to the following motors, pumps and irrigation equipment now owned or hereafter acquired by Mortgagor and located on the above-described real estate, including, but not limited to, Collateral described on Exhibit A attached hereto and made a part hereof, and further including all additions, accessions, replacements, improvements, repairs and substitutions to said Collateral and the proceeds thereof. The foregoing grant to the security interest is intended to be within the meaning of the Uniform Commercial Code as adopted by the State of Idaho, and Mortgagor agrees to execute and deliver to Mortgagee as Mortgagor may be directed by the Mortgagee such financing statements and further assurances as Mortgagee may deem necessary to perfect and preserve the lien hereof on the Collateral described herein or intended to be subject hereto, and Mortgagor authorizes such statements and assurances and the Mortgage and Security Agreement to be recorded and re-recorded, filed and re-filed at such places and times as may be required by law to so create, perfect, and preserve the lien hereof against said Collateral.

LaDean N. H. Baker, Nelden Baker, Jay Baker and Gary Baker hold the majority stock interest in and control of W.L. Baker Company, and this Mortgage and Security Agreement is given and accepted upon the express provision that should any of said shareholders sell, transfer, relinquish or lose any of their interest in or control of W.L. Baker Company, its successors or assigns, either voluntarily or by operation of law, or should any additional stock be issued in the name of any other party without prior written consent of the Mortgagee, then Mortgagee may accelerate all or any part of the indebtedness secured hereby and thereafter enforce the collection of said debt as herein provided or in any other manner provided by law. The holder of the Note securing this Mortgage and Security Agreement may impose or require such conditions, requirements and modifications denying such consent, including without limitation, the approval of any purchase or transferee, the reduction of the balance of the Note securing this Mortgage and Security Agreement, in whole or in part, and/or the modification of the terms of the Note securing the Mortgage and Security Agreement and/or the Mortgage and Security Agreement securing the Note. This clause shall not prohibit the transfer among or between the persons named above or to any member of the immediate family of any of the above named shareholders. Notwithstanding the foregoing, any such transfer not requiring consent or any transfer made with consent shall not release such stock and any owner thereof from the restrictions set forth above.

GLB
L.H.B.

EXHIBIT A

100 H.P. U.S. Motor, Serial No. 1185248; Peerless Pump, Serial No. 165549

350 H.P. U.S. Motor, Serial No. J1429849, Layne & Bowler Pump, Serial No. D30120

100 H.P. G.E. Motor, Serial No. LNJ1116129, Johnson Pump, Serial No. C404TP16-B

100 H.P. U.S. Motor, Serial No. 1278089, Wintroath Pump, Serial No. 9357

Approximately 11,000 feet 8" x 10" P.V.C. buried MAINLINE

1 Valley 14-Tower and Corner Pivot System Serial No. 30063

1 Valley 14-Tower and Corner Pivot System Serial No. 30065

1 Valley 10-Tower and Corner Pivot System Serial No. 30006

1 Valley 10-Tower and Corner Pivot System Serial No. 25331

1 Valley 7-Tower and Corner Pivot System Serial No. 025427

1 Valley 7-Tower and Corner Pivot System Serial No. 025428

*QLB
L.H.B.*

Together with all and singular the buildings, structures, fences, pipes, pipe lines, tanks, dams, reservoirs, pumps, pumping equipment and all other improvements and fixtures now or hereafter on or in said property, and any and all water and water rights, ditches and ditch rights, flumes, aqueducts, canals, appropriations, franchises, and all other rights and privileges owned by the Mortgagor, or belonging to, or with, leading to, connected with, or usually had or enjoyed in connection with the said property, or any part thereof, whether or not hereinabove expressly mentioned or described, and all and singular the tenements, hereditaments and appurtenances thereto belonging, or in anywise appertaining, and the rents, issues and profits thereof: **To have and To Hold** unto the Mortgagee, its successors or assigns, forever.

The condition of this conveyance is such that:

This Mortgage is given to secure the payment of a promissory note bearing even date herewith in the principal sum of ONE MILLION FOUR HUNDRED TWENTY-FIVE THOUSAND AND 00/100 Dollars, executed by the Mortgagor and payable to the Mortgagee at its Home Office in instalments, the last of which shall be due and payable on November 1, 1994, with interest on said principal sum and on all unpaid balances thereof, all as provided in said note;

And Whereas, the Mortgagor has covenanted and agreed, and does hereby covenant and agree to and with the Mortgagee as follows:

That he has a valid and unencumbered title in fee simple to said property and all improvements thereon and has the right to convey the same; that he will not suffer or permit said property to become subject to any lien or encumbrance that shall have precedence of this Mortgage; that he will render such further assurance of said title as may be requested by the Mortgagee; that he will warrant and defend said title unto the Mortgagee against the claims and demands of all persons whomsoever; and that he will pay all of said sums of money specified in said note, promptly as they become due and all taxes, assessments and other charges that may be levied or assessed on said property and all taxes that may be levied or assessed upon this Mortgage or to the holder of said note on account thereof, when and as the same shall become due and payable;

That he will keep the buildings and other improvements now or hereafter located upon said property constantly insured against loss or damage by fire and windstorm and against such other hazard or hazards as may reasonably be required from time to time by the Mortgagee, in a company or companies approved by the Mortgagee, and cause all policies of insurance to be so written that the loss, if any, covered by said policies, shall be paid to the Mortgagee, or its assigns, as their interests may appear, and deposit with the Mortgagee all of said policies, and that the Mortgagee may, at its option, renew or procure all required insurance upon said property, in any sum not exceeding the insurable value thereof, and the Mortgagor agrees to pay all premiums therefor;

That he will keep the buildings upon said lands continuously occupied and used, and will not permit the same to become vacant during the continuance of this Mortgage; that he will keep all improvements on the property in good repair;

Now, therefore, if the Mortgagor shall pay all and every sum of money specified in said note, and shall in all other respects fully carry out and comply with the covenants herein set forth and enumerated, this conveyance shall be void. But if the Mortgagor shall fail to pay any of said sums of money as specified, or any insurance premiums as hereinabove set forth, or any taxes, assessments or other charges of any nature whatsoever, due or to become due upon the property hereby conveyed or upon any of the water rights hereby mortgaged, or in any other respect shall fail to comply with any of the covenants and agreements herein or in said note set forth, then, as often as such failure of payment or breach of covenant shall occur, the Mortgagee may at any time thereafter declare the whole of the principal sum, or so much thereof as at the time of such declaration may remain unpaid, with all unpaid interest accrued thereon, together with all sums with interest accrued thereupon paid by the Mortgagee under any agreement contained in this Mortgage, to be at once due and payable, and the Mortgagee may at any time after such failure of payment or breach of covenant, as aforesaid, proceed to foreclose this Mortgage and to compel payment to be made of the full amount due and payable.

The Mortgagor hereby further expressly agrees that if he shall fail to pay any taxes, assessments, insurance premiums or other charges payable by him as hereinbefore agreed, as and when the same shall become due and payable, or suffer said property to become subject to any lien or encumbrance having precedence to this Mortgage, as hereinbefore provided against, the Mortgagee may, at its option, make payment thereof and the amounts so paid, with interest thereon at the rate of 16 per annum, shall be added to and become a part of the debt secured by this Mortgage, without waiver, however, of any rights of the Mortgagee arising from the breach of any of said covenants.

In the event suit is instituted to foreclose this Mortgage, the Mortgagee may recover therein as attorney fees such sum as the court may adjudge reasonable in addition to the costs and disbursements allowed by the Code of Civil Procedure of the State of Idaho, together with the cost of any abstract of title or evidence of title procured and used in such proceeding and covering said property.

The Mortgagor agrees that in the event suit is instituted to effect such foreclosure, the Mortgagee shall, as a matter of right and without regard to the sufficiency of the security or of waste or danger of misapplication of any of the properties of the Mortgagor, be entitled forthwith to have a receiver appointed of all the property hereby mortgaged, and the Mortgagor hereby expressly consents to the appointment of a receiver by any court of competent jurisdiction and expressly stipulates, covenants and agrees that such receiver may remain in possession and control of the mortgaged property until the final determination of such suit or proceeding.

The rents, royalties, bonuses and benefits under any existing and/or future oil, gas or mineral lease of any of the property hereby conveyed are hereby assigned to the Mortgagee as additional security for the payment of the indebtedness hereby secured. The Mortgagor shall have the right to collect and retain such rents, royalties, bonuses and benefits until default hereunder or under the note hereby secured. In case of any such default, the Mortgagee is hereby granted the unconditional right and power, at its option, at any time while such default remains outstanding, to demand, receive and collect such rents, royalties, bonuses and benefits and apply same toward payment of the indebtedness hereby secured. The Mortgagee shall not be bound hereby to demand, receive or collect any of such rents, royalties, bonuses or benefits, and shall not be responsible for failure to exercise the rights hereby granted. Failure of the Mortgagee to exercise such rights after the happening of a default shall not be construed as a waiver of such rights in the event of a subsequent default.

The Mortgagor hereby further agrees, upon request by the Mortgagee, to assign to the Mortgagee, as additional and collateral security for the payment of the indebtedness hereby secured, any and all leases of the mortgaged property, or any part thereof, hereafter made, and that no such lease shall be assigned to any party other than the Mortgagee without first obtaining the written consent of the Mortgagee to any such assignment.

Mortgagor further covenants and agrees to comply with all federal, state and local laws and regulations with regard to the protection of the environment, including, without limitation, both Federal and State Air and Water Quality Standards and Noise Abatement Regulations and local zoning ordinances.

The Mortgagor hereby further mortgages, assigns and transfers to the Mortgagee all of his right, title and interest in and under the following described leases, permits and allotments, to-wit:

together with all renewals thereof and together with all buildings, structures, fences, windmills, pumps, pumping equipment, pipes, pipe lines, wells, tanks, dams, reservoirs and other improvements of every nature and description, now or hereafter located on the lands covered by said leases, permits or allotments, or any part thereof, and all water and water rights located thereon or appurtenant thereto. The Mortgagor covenants that he is the lawful owner and holder of said leases, permits and allotments and that the same are free from encumbrance and have not been assigned; that he will procure renewals thereof upon or prior to the expiration date thereof and execute any instrument deemed by the Mortgagee necessary to effect an assignment or waiver of such renewals to the Mortgagee; that he will pay all rents and other charges and perform all acts and things necessary to preserve and keep in good standing all of said leases and permits and any renewals thereof; that he will take no action which would adversely affect any of his rights or his preference status thereunder and that in the event of the foreclosure of this Mortgage, he will waive all claims for preference in any such rights upon demand from the purchaser of the mortgaged property at foreclosure sale or any successor to such purchaser; that the lands covered by said leases, permits and allotments and renewals thereof, shall at all times be operated in conjunction with the lands hereby mortgaged and that neither shall be transferred to any other person separately from the other; and that, in case of the failure of the Mortgagor to pay all rents and other charges payable under the terms of any of said leases, permits or allotments, the Mortgagee may, at its option, make payment thereof and any amount so paid, with interest thereon at the rate of 16 per annum, shall be a part of the principal debt, and shall be secured by this Mortgage and a lien on the fee owned property hereby mortgaged.

The Mortgagor further covenants and agrees that in the event title in fee simple to any of the lands covered by the aforesaid leases, permits or allotments shall hereafter be acquired by the Mortgagor, it is understood and agreed that such lands shall, upon such acquisition, become subject to the lien of this Mortgage to the same extent as though such lands had originally been included herein as part of the fee owned lands hereby mortgaged, and, further that all of the terms, covenants, conditions, and stipulations of this Mortgage applicable to the fee owned lands hereby mortgaged, shall extend and be applicable to any such lands hereafter so acquired.

It is mutually understood and agreed that all words used in the singular number in this Mortgage shall be deemed to include the plural and the masculine gender shall include the feminine and/or neuter, as the context may require. It is further understood and agreed that all of the provisions hereof shall extend to and be binding upon the Mortgagor and the heirs, devisees, personal representatives, successors and assigns of the Mortgagor, and shall inure to the benefit of the Mortgagee, and its successors or assigns.

In Testimony Whereof, W. L. BAKER COMPANY, a corporation, hereinabove designated as mortgagor, has hereunto set its hand and seal on the day and year first hereinabove written.

Executed in the presence of:

W. L. BAKER COMPANY

BY: *Lo Dean H. Baker* (SEAL)
President

BY: *Gary J. Baker* (SEAL)
Secretary

(SEAL)

(SEAL)

STATE OF Idaho }
COUNTY OF..... } ss.

On this..... day of November....., 19 84.....
before me, the undersigned....., a Notary Public in and
for the County of Bingham....., State of Idaho, personally appeared

the signer.... of the above instrument, known to me to be the person.... whose name.... is
subscribed to the within instru-
ment, and acknowledged to me that 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.

My Commission Expires:

Notary Public in and for the County of

Residence of Notary Public:

....., State of Idaho.

STATE OF Idaho }
COUNTY OF..... } ss.

On this..... day of....., 19.....
before me....., a Notary Public in and
for the County of....., State of Idaho, personally
appeared..... and.....
husband and wife, the signers of the above instrument, known to me to be the persons whose names are subscribed to
the within instrument, and acknowledged to me that they 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.

My Commission Expires:

Notary Public in and for the County of

Residence of Notary Public:

....., State of Idaho.

STATE OF Idaho

COUNTY OF Oneida } ss.

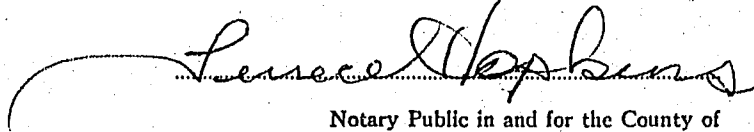
On this 28th day of December, 1984, before me,

the undersigned
Oneida, a Notary Public in and for the County of
Oneida, State of Idaho, personally appeared LaDean H. Baker &
Gary L. Baker, known to me to be the President and Secretary
that executed the foregoing instrument or the person who executed the instrument on behalf of said Corporation,
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.

My Commission Expires:

11-22-86



Notary Public in and for the County of

Oneida, State of Idaho.

Residence of Notary Public:

.....

January 24, 1985

RE: License Nos. 17-2028, 17-2030, 17-2045 & 17-7007

First American Title Co.
Attn: Terrece Hopkins
P.O. Box 530
156 W. Judicial St.
Blackfoot, ID 83221

Dear Ms. Hopkins:

Our office acknowledges receipt of Assignment of the above referenced water rights. However, in reviewing the files I find that the water rights are Licenses.

In Idaho, a licensed water right is considered real property and is acquired when the property to which it is appurtenant to is purchased. Proof of owning the land is proof of owning the water right license.

Therefore, I have put the Assignment into the files for future reference only and no other action will be taken. I have also enclosed copies of the Licenses for your records.

If you have any questions please feel free to contact our office.

Sincerely,

KAY WALKER
Chief Clerk

KW:sc
Enclosures

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4993
WATER RIGHT NO(S). 17-02028/17-02030/17-02045/17-07007

This is to certify that: VERN DUFFIN
MARILYN DUFFIN
2142 S 2800 W
ABERDEEN ID 83210

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. 17-02028 : IRRIGATION Priority: 07/30/1953	04/15 to 10/15	2.97 CFS	1078.1 AF
Right No. 17-02030 : IRRIGATION Priority: 03/04/1954	04/15 to 10/15	2.08 CFS	402.5 AF
Right No. 17-02045 : IRRIGATION Priority: 07/24/1959	04/15 to 10/15	*4.03 CFS	626.4 AF
Right No. 17-07007 : IRRIGATION Priority: 08/24/1970	04/15 to 10/15	*8.00 CFS	2198.0 AF
	TOTAL:	**16.53 CFS	**4305.0 AF

SOURCE

GROUNDWATER

LOCATION OF POINT(S) OF DIVERSION:

SWSE , Sec. 7, Township 15S, Range 33E
NWNE , Sec. 8, Township 15S, Range 33E
SESW , Sec. 8, Township 15S, Range 33E
NWNW , Sec. 18, Township 15S, Range 33E
ONEIDA County

TRANSFER NO. 4993
WATER RIGHT NO(S). 17-02028/17-02030/17-02045/17-07007

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>
15S	33E	7	NENE 34	NWNE 19	SWNE 40	
			SENE 40	NENW 39	Lot 1(NWNW) 33	
		Lot 2(SWNW)	47	SENE 40	NESW 37	
		Lot 3(NWSW)	35	Lot 4(SWSW) 40	SESW 31	
			NESE 33	NWSE 18	SWSE 39	
			SESE 36			561
		8	NENE 30	NWNE 38	SWNE 40	
			SENE 39	NENW 22	NWNW 39	
			SWNW 40	SENE 40	NESW 18	
			NWSW 40	SWSW 34	SESW 36	
			NESE 14	NWSE 21		451
		17	NENW 35	NWNW 33		68
		18	NENE 34	NWNE 37	NENW 34	
		Lot 1(NWNW)	45			150
Total number of acres irrigated:						***1230

CONDITIONS OF APPROVAL AND REMARKS

1. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
2. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
3. 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.
4. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion which will allow determination of the total rate of diversion.
- **5. The total instantaneous diversion of water from all points of diversion under Transfer No. 4993 shall not exceed 16.53 cfs, nor total combined annual volume of 4305.0 af at the field headgate.
- *6. Right Nos. 17-02045 and 17-07007 when combined shall not exceed the total combined diversion rate of 11.48 cfs.
- ***7. Right No. 17-02028 is limited to the irrigation of 394.0 acres in the place of use described above in a single irrigation season.
- ***8. Right No. 17-02030 is limited to the irrigation of 115.0 acres in the place of use described above in a single irrigation season.
- ***9. Right No. 17-02045 is limited to the irrigation of 385.0 acres in the place of use described above in a single irrigation season.
- ***10. Right No. 17-07007 is limited to the irrigation of 829.0 acres in the place of use described above in a single irrigation season.

PAGE 3

TRANSFER NO. 4993
WATER RIGHT NO(S). 17-02028/17-02030/17-02045/17-07007

CONDITIONS OF APPROVAL AND REMARKS

- ***11. Right Nos. 17-02028 and 17-02045 shall not exceed the combined irrigation of 487.0 acres in the place of use described above in a single irrigations season.
- ***12. Right Nos. 17-02028 and 17-07007 shall not exceed the combined irrigation of 1022.0 acres in the place of use described above in a single irrigation season.
- ***13. Right Nos. 17-02028, 17-02045 and 17-07007 shall not exceed the combined irrigation of 1115.0 acres in the place of use described above in a single irrigation season.
- 14. The right holder shall cease irrigation of 111.0 licensed acres previously authorized under these rights, and consolidate use of water on the remaining 1230.0 acre pivot system.
- 15. Two points of diversion are located within NWNE, S08, T15S, R33E.

Dated this 10th day of October, 1997.


Chief, Water Allocation Bureau

MEMORANDUM

TO: FILE 17-7007

FROM: PAM SKAGGS

RE: TRANSFER # 4993

DATE: 2/7/97

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 17-2028.



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

October 16, 1997

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

VERN DUFFIN
MARILYN DUFFIN
2142 S 2800 W
ABERDEEN ID 83210

RE: Water Rights 17-02028/17-02030/17-02045/17-07007
(Transfer 4993)

Dear Water Right Holder(s):

Enclosed is the copy of your approved Transfer of Water Rights for the above referenced water rights (Transfer 4993). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfers.

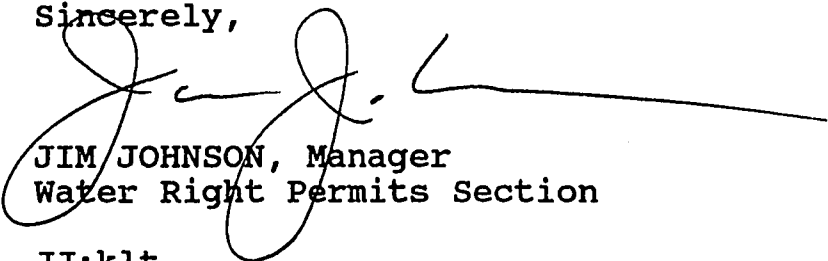
As of July 1, 1996, all water right owners are required to report any change in water right ownership and any change of mailing address to the department.

If you have acquired any other water right or have changed your mailing address **PRIOR TO** July 1, 1996, you have until July 30, 1998, to record the ownership and/or address change with the department.

If you acquired other water rights or changed your mailing address **AFTER** July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes in a timely manner could result in a \$100 late filing fee. You can contact any office of the department for more information. If you have any questions concerning your water right listed above you can contact me at (208) 327-7947.

Sincerely,


JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

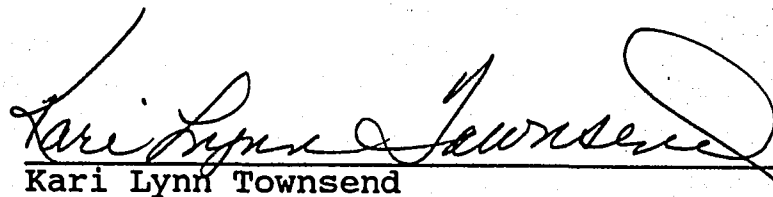
Enclosures

CERTIFICATE OF MAILING

I hereby certify that on the 16th day of October, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

WATER RIGHTS 17-02028/17-02030/17-02045/17-07007
(Transfer 4993)

VERN DUFFIN
MARILYN DUFFIN
2142 S 2800 W
ABERDEEN ID 83210


Kari Lynn Townsend
Secretary