

Draw

14

Creek

13

McIntyre

18

Mayfield

3673

Cern

23

Slater

24

Creek

19

3470

Seven L Ranch

26

25

Draw

30

Hollow

Smith

35

36

Sand

3449

31

Gravel Pit

3418

585

(MAYFIELD SW)

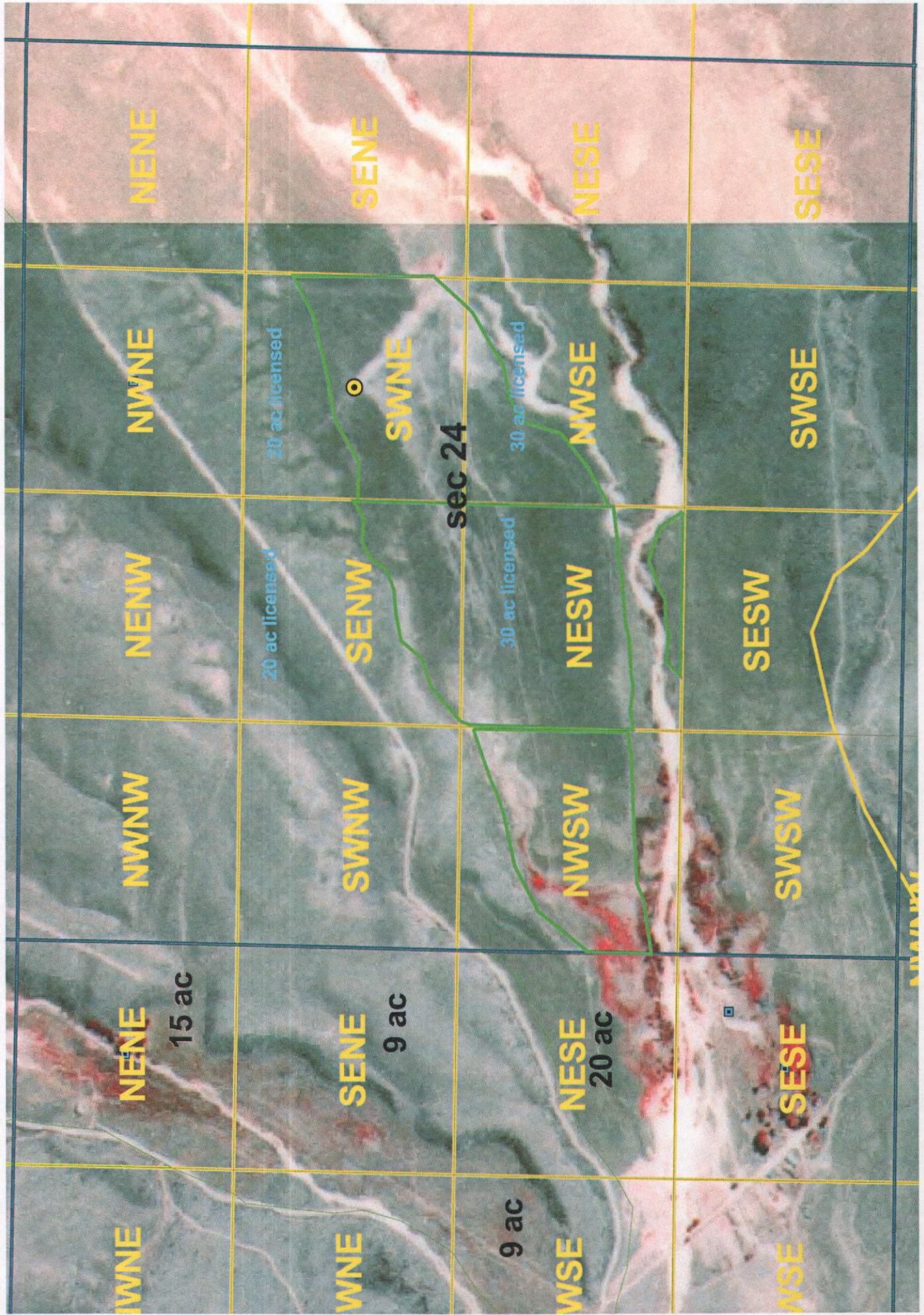
587

55' R 4 E R 5 E

Mayfield NW

1979  
4-11

SCALE-1:24,000

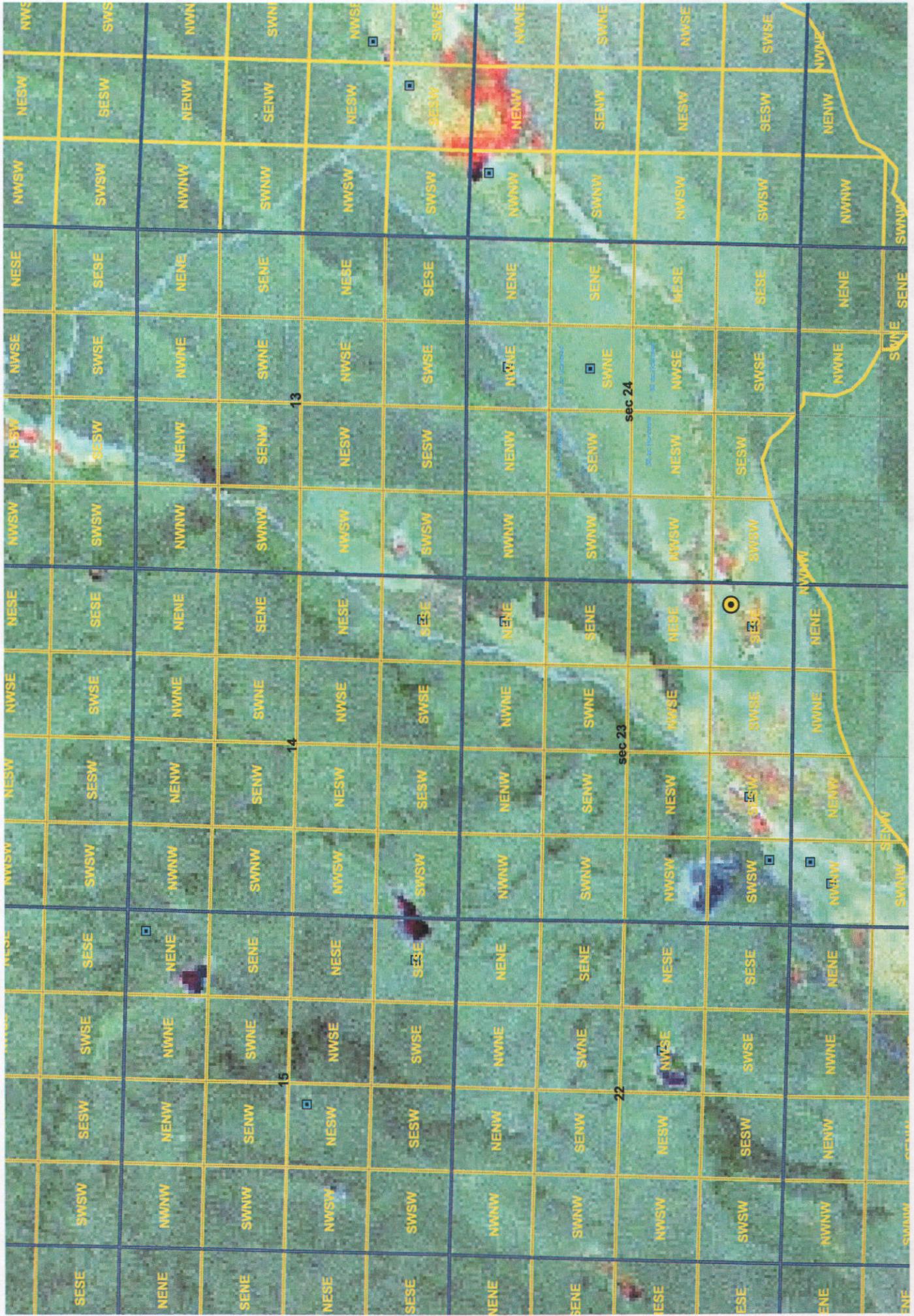


63-2654 - LICENSED IN 1946. 1987 NAPP. GREEN IS CLAIMED POU. CLAIMED ACC TRANSFER IN POU. FROM THIS AERIAL DOES NOT APPEAR THAT THE ACC TRANSFER IN POU TOOK PLACE BEFORE 1987.



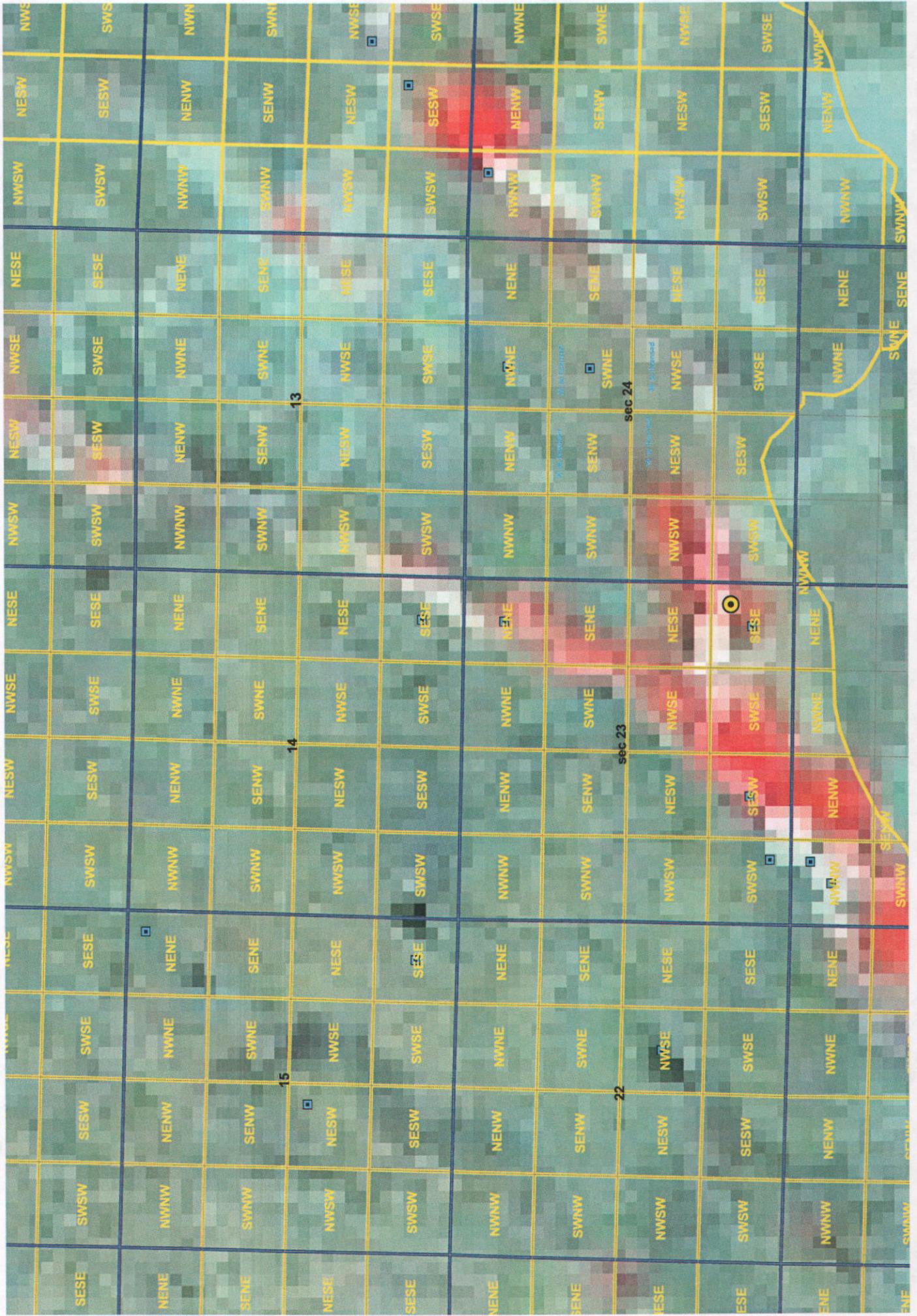


ARK PROPERTIES CLAIMS 63-2143, 63-2654, 63-2690. 2002 LANDSAT PHOTO.



ARK PROPERTIES CLAIMS 63-2143, 63-2654, 63-2690. 2001 LANDSAT PHOTO.





ARK PROPERTIES CLAIMS 63-2143, 63-2654, 63-2690. 1984 LANDSAT PHOTO.

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

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

CIVIL CASE NUMBER: 39576

Ident. Number 63-2654  
Date Received: 6/29/2006  
Receipt No: W034395  
Received By:

**NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW**

1. Name of Claimant(s)

ARK PROPERTIES LLC Phone: (208)366-7931  
11204 N BAR 21 DR  
GLENNS FERRY ID USA 83623-5033

2. Date of Priority: 12/27/1946

3. Source: GROUND WATER Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 01N      | 04E   | 24      | SW NE                 | ELMORE |      |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From  | To    | C.F.S. | (or) A.F.A |
|------------|-------|-------|--------|------------|
| IRRIGATION | 03/15 | 11/15 | 2      |            |

7. Total Quantity Appropriated is:  
2 C.F.S.

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| Township | Range | Section | 1/4 of 1/4 Lot | Use | Acres |
|----------|-------|---------|----------------|-----|-------|
|----------|-------|---------|----------------|-----|-------|

|     |     |    |    |    |               |     |
|-----|-----|----|----|----|---------------|-----|
| 01N | 04E | 24 | SW | NE | IRRIGATION    | 24  |
|     |     |    | SE | NW | IRRIGATION    | 11  |
|     |     |    | NE | SW | IRRIGATION    | 32  |
|     |     |    | NW | SE | IRRIGATION    | 11  |
|     |     |    | NW | SW | IRRIGATION    | 22  |
|     |     |    |    |    | Section Acres | 100 |
|     |     |    |    |    | Total Acres   | 100 |

11. Place of use in counties: ELMORE

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

13. Other Water Rights Used:

14. Remarks:

LICENSE INDICATES TRIB. AS INDIAN CK.

15. Basis of Claim: License

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

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

CIVIL CASE NUMBER: 39576

Ident. Number: 63-2654  
Date Received:  
Receipt No: W034395  
Received By:

NOTICE OF CLAIM TO A WATER RIGHT  
ACQUIRED UNDER STATE LAW

RECEIVED  
JUN 29 2006

WATER RESOURCES  
WESTERN REGION

1. Name of Claimant(s)

~~ARC~~ PROPERTIES LLC  
11204 N BAR 21 DR  
GLENN'S FERRY, ID 83623

Phone: (208) 366-7931

2. Date of Priority: December 27, 1946

3. Source: Ground water

Trib. to:

4. Point of Diversion:

| Township | Range | Section | 1/4 of 1/4 of 1/4 Lot | County | Type |
|----------|-------|---------|-----------------------|--------|------|
| 1N       | 4E    | 24      | SW NE                 | Elmore |      |

5. Description of diverting works:

6. Water is used for the following purposes:

| Purpose    | From | To    | C.F.S. | (or) A.F.A |
|------------|------|-------|--------|------------|
| Irrigation | 3/15 | 11/15 | 2.0    |            |

7. Total Quantity Appropriated is:

2.0 cfs

8. Total consumptive use:

9. Non-irrigation uses:

10. Place of use:

| TWP | RNG | SEC | NE ¼ |     |     |     | NW ¼ |     |     |     | SW ¼ |     |     |     | SE ¼ |     |     |     | totals |
|-----|-----|-----|------|-----|-----|-----|------|-----|-----|-----|------|-----|-----|-----|------|-----|-----|-----|--------|
|     |     |     | NE¼  | NW¼ | SW¼ | SE¼ |        |
| 1N  | 4E  | 24  |      |     | 24  |     |      |     |     | 11  | 32   | 22  |     |     |      | 11  |     |     | 100    |
|     |     |     |      |     |     |     |      |     |     |     |      |     |     |     |      |     |     |     |        |
|     |     |     |      |     |     |     |      |     |     |     |      |     |     |     |      |     |     |     |        |
|     |     |     |      |     |     |     |      |     |     |     |      |     |     |     |      |     |     |     |        |
|     |     |     |      |     |     |     |      |     |     |     |      |     |     |     |      |     |     |     |        |

Total number of acres irrigated 100

11. Place of use in counties: **Elmore**

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

13. Other Water Rights Used:

14. Remarks: **Accomplished change in place of use pursuant to Idaho Statute §42-1425.**

15. Basis of Claim: **License**

16. Signature(s)

(a.) By signing below, I/We acknowledge that I/We have received, read and understand the form entitled "How you will receive notice in the Snake River Basin Adjudication." (b.) I/We do \_\_\_\_\_ do not  wish to receive and pay a small annual fee for monthly copies of the docket sheet.

Number of attachments: \_\_\_\_\_

For Organizations:

I do solemnly swear or affirm that I am MANAGER of \_\_\_\_\_ Title

ARK PROPERTIES LLC, that I have signed the foregoing Organization

document in the space below as MANAGER of Title

ARK PROPERTIES LLC and that the statements contained in the Organization

foregoing document are true and correct.

[Signature]  
Signature of Authorized Agent

MANAGER - ARK PROPERTIES LLC  
Title and Organization

6/27/06  
Date

State of Idaho )  
County of ELMORE ) SS.

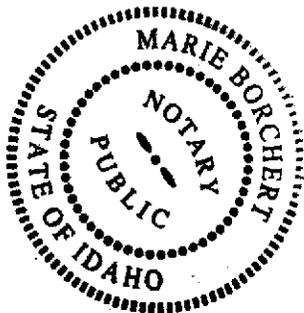
Subscribed and sworn (or affirmed) before me this 28  
of JUNE 2006

Marie Borchert

Notary Public

Residing at \_\_\_\_\_

My commission Expires Residing at Mountain Home, Idaho  
My Commission Expires 05-18-11





D. I object to the following elements as recommended in the Director's Report. (Please check the appropriate box(es).

1.  **Name and Address**  
Should be: \_\_\_\_\_
2.  **Source**  
Should be: \_\_\_\_\_
3.  **Quantity**  
Should be: \_\_\_\_\_
4.  **Priority Date**  
Should be: \_\_\_\_\_
5.  **Point of Diversion**  
Should be: \_\_\_\_\_
6.  **Instream Flow Beginning and Ending Point**  
Should be: \_\_\_\_\_
7.  **Purpose(s) of Use**  
Should be: \_\_\_\_\_
8.  **Period of Year**  
Should be: \_\_\_\_\_
9.  **Place of Use**  
Should be: \_\_\_\_\_
10.  **I object because:**
  - This water right Should not exist.
  - This water right was not recommended, but Should be recommended with The elements described above.

E. **REASONS SUPPORTING OBJECTION(S):** Water Right should be  
recommended as claimed  
\_\_\_\_\_  
\_\_\_\_\_

F.

VERIFICATION (must be completed)

State of Idaho )  
County of Ada ) ss.

Bruce M. Smith, duly sworn, upon oath, deposes and says:  
(Name of person filing objection)

That I am the party/claimant filing this objection, as defined by I.C. §§ 42-1401A(1) and (6) or that I am the attorney for the party/claimant objecting and that I have read this objection, know its contents and believe that the statements are true to the best of my knowledge.

(Signature of person filing objection)

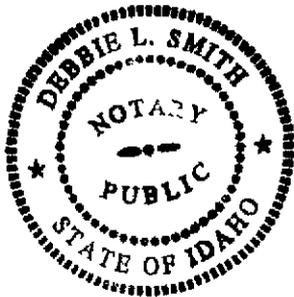
*[Handwritten signature]*

(Attorney signing in representative capacity)

Subscribed and sworn to before me on: June 19, 2007

*[Handwritten signature]*

Notary Public for Idaho  
Residing at: Boise, ID  
My Commission Expires: 6/8/2013



## INSTRUCTIONS FOR MAILING

You must mail the objection to the Clerk of the court. **FAX filings will not be accepted.**  
You must also send a copy to all the parties listed below in the Certificate of Mailing.

### G. CERTIFICATE OF MAILING

I certify that on June 19, 2007, I mailed the original and copies of this objection, including all attachments, to the following persons:

1. Original to:

Clerk of the District Court  
Snake River Basin Adjudication  
253 Third Avenue North  
PO Box 2707  
Twin Falls, ID 83303-2707

2. One copy to the claimant of the water right at the following address:

Name: John McCallum / Ark Properties

Address: 11204 N. Bar 21 Drive

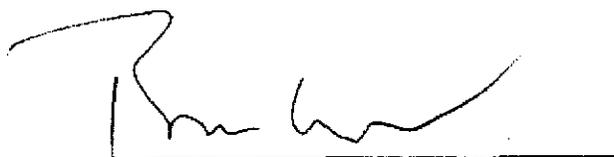
Glenns Ferry, ID 83623

3. Copies to:

IDWR Document Depository  
PO Box 83720  
Boise, ID 83720-0098

United States Department of Justice  
Environment & Nat'l Resources Div  
550 W. Fort Street, MSC 033  
Boise, ID 83724

Chief, Natural Resources Division  
Office of the Attorney General  
PO Box 44449  
Boise, ID 83711-4449



Signature of objector or attorney  
mailing on Objector's behalf

09/14/2006

IDAHO DEPARTMENT OF WATER RESOURCES  
PRELIMINARY RECOMMENDATION OF WATER RIGHTS ACQUIRED UNDER STATE LAW

RIGHT NUMBER: 63-2654  
NAME AND ADDRESS: ARK PROPERTIES LLC  
11204 N BAR 21 DR  
GLENN'S FERRY ID 83623-5033

SOURCE: GROUND WATER TRIBUTARY:

QUANTITY: 2.000 CFS

PRIORITY DATE: 12/27/1946

POINT OF DIVERSION:  
T01N R04E S24 SWNE Within ELMORE County

PURPOSE AND PERIOD OF USE:

| <u>PURPOSE OF USE</u> | <u>PERIOD OF USE</u> | <u>QUANTITY</u> |
|-----------------------|----------------------|-----------------|
| IRRIGATION            | 03/15 11/15          | 2.000 CFS       |

PLACE OF USE: IRRIGATION Within ELMORE County

|               |      |       |               |      |       |
|---------------|------|-------|---------------|------|-------|
| T01N R04E S24 | SWNE | 24.00 | T01N R04E S24 | SENE | 11.00 |
| T01N R04E S24 | NESW | 32.00 | T01N R04E S24 | NWSW | 22.00 |
| T01N R04E S24 | NWSE | 11.00 |               |      |       |

100 ACRES TOTAL

OTHER PROVISIONS NECESSARY FOR DEFINITION OR ADMINISTRATION OF THIS WATER RIGHT:

This partial decree is subject to such general provisions necessary for the definition of the rights or for the efficient administration of the water rights as may be ultimately determined by the Court at a point in time no later than the entry of a final unified decree. Section 42-1412(6), Idaho Code.

Forfeited/abandoned due to non-use from 1979 to 1987.

EXPLANATORY MATERIAL: BASIS OF CLAIM - License

Forfeited/abandoned: This is included for a claim based on a decree or license that is proposed to be disallowed on the basis that the water right no longer exists because forfeiture of the right by nonuse was confirmed and a defense to forfeiture was not confirmed, or because abandonment of the right was confirmed.

**Music, Vicky**

---

**From:** Bruce M. Smith [BMS@msbtlaw.com]  
**Sent:** Friday, September 01, 2006 3:06 PM  
**To:** Music, Vicky  
**Cc:** Scott King (E-mail)  
**Subject:** RE: ARK Properties claims

Thanks for the reminder Vicky—On 3616 and 3617, I found out the numbers are 600-900 depending on the type of cattle they have—cow/calf or yearlings. I suspect using the higher number would be better for my client in that it is still below the additional information number. On the other info, I have my request for info in but have not heard back. I will follow up to see where they are in terms of gathering the data. Thanks Bruce

-----Original Message-----

**From:** Music, Vicky [mailto:Vicky.Music@idwr.idaho.gov]  
**Sent:** Friday, September 01, 2006 3:00 PM  
**To:** Bruce M. Smith  
**Cc:** Scott King (E-mail)  
**Subject:** RE: ARK Properties claims

Bruce and Scott -

It has been nearly 2 weeks since your 8/20/2006 e-mail, Bruce, in which you stated you needed a couple more days to provide the information I requested. I have an in-house deadline to have all of my recommendation prepared for the Preliminary Directors' Report. That deadline is 9/22/2006, and if I do not have all of the information I need regarding the Ark Properties claims at least a week before that, I will disallow them. The Notice of Error procedure will hopefully provide the time you need to gather the info.

Vicky Music

-----Original Message-----

**From:** Bruce M. Smith [mailto:BMS@msbtlaw.com]  
**Sent:** Sunday, August 20, 2006 1:44 PM  
**To:** Music, Vicky; Scott King (E-mail); Bruce M. Smith  
**Subject:** RE: ARK Properties claims

Vicky—Scott and I are trying to get this to you by tomorrow but a couple extra days would help us if that's ok. We're doing as much as we can to get the info. Some of it may not be available at this time. Bruce

-----Original Message-----

**From:** Music, Vicky [mailto:Vicky.Music@idwr.idaho.gov]  
**Sent:** Wednesday, August 02, 2006 11:07 AM  
**To:** Scott King (E-mail); Bruce M. Smith  
**Subject:** ARK Properties claims

Good morning Bruce and Scott -

I have begun my review of 63-2100, 63-2143, 63-2654, 63-3616, 63-3617, and 63-2690. These are all for licenses with priority dates ranging from 1909 to 1948. I need additional information before I can recommend these claims. For instance, item 5 "Description of diverting works" of the irrigation claims were incomplete. Also, none of the claims included maps of the places of use and points of diversion. Given that these licenses range from 58 to 97 years old and that the maps in the licenses files are not sufficiently detailed to allow

**Music, Vicky**

---

**From:** Bruce M. Smith [BMS@msbtlaw.com]  
**Sent:** Thursday, August 03, 2006 3:38 PM  
**To:** Music, Vicky; Scott King (E-mail)  
**Cc:** Bruce M. Smith  
**Subject:** RE: ARK Properties claims

Scott—Please give me a call and we'll work through getting this info for Vicky. Bruce

-----Original Message-----

**From:** Music, Vicky [mailto:Vicky.Music@idwr.idaho.gov]  
**Sent:** Wednesday, August 02, 2006 11:07 AM  
**To:** Scott King (E-mail); Bruce M. Smith  
**Subject:** ARK Properties claims

Good morning Bruce and Scott -

I have begun my review of 63-2100, 63-2143, 63-2654, 63-3616, 63-3617, and 63-2690. These are all for licenses with priority dates ranging from 1909 to 1948. I need additional information before I can recommend these claims. For instance, item 5 "Description of diverting works" of the irrigation claims were incomplete. Also, none of the claims included maps of the places of use and points of diversion. Given that these licenses range from 58 to 97 years old and that the maps in the licenses files are not sufficiently detailed to allow me to determine specific acres irrigated, I need maps of the claimed irrigated acres and the points of diversion. I have listed the information specifically needed for each claim below.

63-2100

- 1- narrative description or map of diversion and delivery works
- 2 - description of domestic use
- 3 - pou map of 15 acres claimed and point of diversion

63-2143

- 1- narrative description or map of diversion and delivery works
- 2 - description of domestic use
- 3 - pou map of 15 acres claimed and location of points of diversion
- 4 - a 5th point of diversion was claimed. When was this pod added?

63-2654

- 1- narrative description or map of diversion and delivery works
- 2 - pou map of 100 acres claimed and location of point of diversion
- 3 - the claim indicates that an accomplished transfer in place of use occurred. I need a description and date of this claimed change.

63-2690

- 1- narrative description or map of diversion and delivery works
- 2 - description of domestic use
- 3 - pou map of 25 acres claimed and location of point of diversion

63-3616

- 1- narrative description or map of diversion and delivery works - same earthen dam as originally

licensed?

2 - number and type of stock

63-3617

1- narrative description or map of diversion and delivery works - same earthen dam as originally licensed?

2 - number and type of stock

The preliminary directors report is tentatively scheduled to go out in about 8 weeks so I need this information by August 21, 2006. Thanks.

Vicky L. Music

Sr. Water Resource Agent

Adjudication Bureau

IDWR/Western Region

2735 Airport Way

Boise, Idaho 83705-5082

(208) 334-2190



RECEIVED

JUN 29 2006

WATER RESOURCES  
WESTERN REGION

June 29, 2006

Idaho Department of Water Resources  
Western Regional Office  
2735 Airport Way  
Boise, ID 83705-5082

Attention: Jan Shurte

*Subject: Ark Properties LLC Claims*

Dear Jan,

Enclosed on behalf of Ark Properties LLC are six SRBA claims to waters in the Indian Creek area. Please contact Bruce Smith or me with any questions or requests for additional information.

Sincerely,

Scott N. King, P.E.  
Senior Project Engineer

cc: Bruce Smith  
John McCallum / Ark Properties LLC

File: 310.0060

IDAHO DEPARTMENT OF WATER RESOURCES  
Adjudication Claim Report 63-2654

WATER RIGHT NUMBER: 63-2654

|                   |  |
|-------------------|--|
| <u>Owner Type</u> | <u>Name and Address</u>  |
| Original Owner    | JAMES O BECK   |
| Current Owner     | MAYFIELD STAGE, ID<br>ARK PROPERTIES LLC<br>11204 N BAR 21 DR<br>GLENN'S FERRY, ID 83623-5033<br>(208)366-7931 |

Priority Date: 12/27/1946  
 Basis: License  
 Status: Active

Source Tributary

GROUND WATER

|                         |             |           |                       |                      |
|-------------------------|-------------|-----------|-----------------------|----------------------|
| <u>Beneficial Use</u>   | <u>From</u> | <u>To</u> | <u>Diversion Rate</u> | <u>Annual Volume</u> |
| IRRIGATION              | 03/15       | to 11/15  | 2,000 CFS             |                      |
| <u>Total Diversion:</u> |             |           | 2,000 CFS             |                      |

Location of Point(s) of Diversion

GROUND WATER SW1/4NE1/4 Sec. 24, Twp 01N, Rge 04E, B.M.  
 ELMORE County

Place of Use  
 IRRIGATION

*from box to these 3 AQ*

|                  |     |     |               |    |    |    |                      |    |    |    |               |    |    |    |    |    |    |    |        |
|------------------|-----|-----|---------------|----|----|----|----------------------|----|----|----|---------------|----|----|----|----|----|----|----|--------|
| Twp              | Rge | Sec | NE            |    |    |    | NW                   |    |    |    | SW            |    |    |    | SE |    |    |    | Totals |
| 01N              | 04E | 24  | NE            | NW | SW | SE | NE                   | NW | SW | SE | NE            | NW | SW | SE | NE | NW | SW | SE | 100.0  |
|                  |     |     | 24.0          |    |    |    | 11.0 32.0 22.0       |    |    |    | 11.0          |    |    |    |    |    |    |    |        |
| Total Acres: 100 |     |     | <i>20 11C</i> |    |    |    | <i>20 30 11C 11C</i> |    |    |    | <i>30 11C</i> |    |    |    |    |    |    |    |        |

Conditions of Approval:

- LICENSE INDICATES TRIB. AS INDIAN CK.

Remarks:

Comments:

*PI4 - forfeited/abandoned from 1979-1987*

---

**MEMORANDUM TO CLAIM FILE**

---

**TO: CLAIM FILE NOS. 63-2100, 63-2143, 63-2654 AND 63-2690**  
**FROM: VICKY L MUSIC, SR WATER RESOURCE AGENT, IDWR / WESTERN REGION**  
**SUBJECT: BASIS FOR DISALLOWAL**  
**DATE: 9/14/2006**  
**CC:**

---

These claims are for rights licensed anywhere from 58 to 97 years ago. The claims were filed 6/29/2006, 3 months before the Preliminary DR for Basin 63, Part 3, was scheduled to be mailed. I need additional information before I can recommend these.

On August 2, 2006, I sent a detailed email to Bruce Smith, claimant's attorney, and Scott King, claimant's consultant, describing the information I needed for each claim. A copy of the email is in the file. Generally, all of the claims were incomplete and no map of the acres irrigated is attached. The maps in the license files are not detailed enough to determine the place of use and it is reasonable to assume that the diversion and delivery systems have been updated sometime in the 58 – 97 years since these licenses were issued. Also, the licensing exams have evolved to be much more detailed in the last 58-97 years. I reviewed available aerials but they do not indicate as much irrigation as claimed.

After receiving the email, Bruce Smith called me to discuss. He didn't understand why we needed the information given these were licensed rights. I explained to him that we do not just automatically "rubber stamp" or recommend a licensed right in the SRBA. They must go through a review, especially given the age of these licenses. I explained that the claims generated by the consultant did not provide information about the delivery systems or the specific location of the acres claimed as irrigated. The claim forms must be complete, and the standard forms issued by IDWR specifically state that a map, topo or aerial of the POU and POD must be attached.

I sent a reminder email to Bruce and Scott on 9/1/06 letting them know about my deadline for recommendations for the Prelim DR. I have not received the requested information by today. Hence, my basis for disallowal is that I cannot conduct a claims review and make a recommendation based on the information in the file.

**VLM**



585

(MAYFIELD SW)

587

588  
R. 4 E. R. 5 E

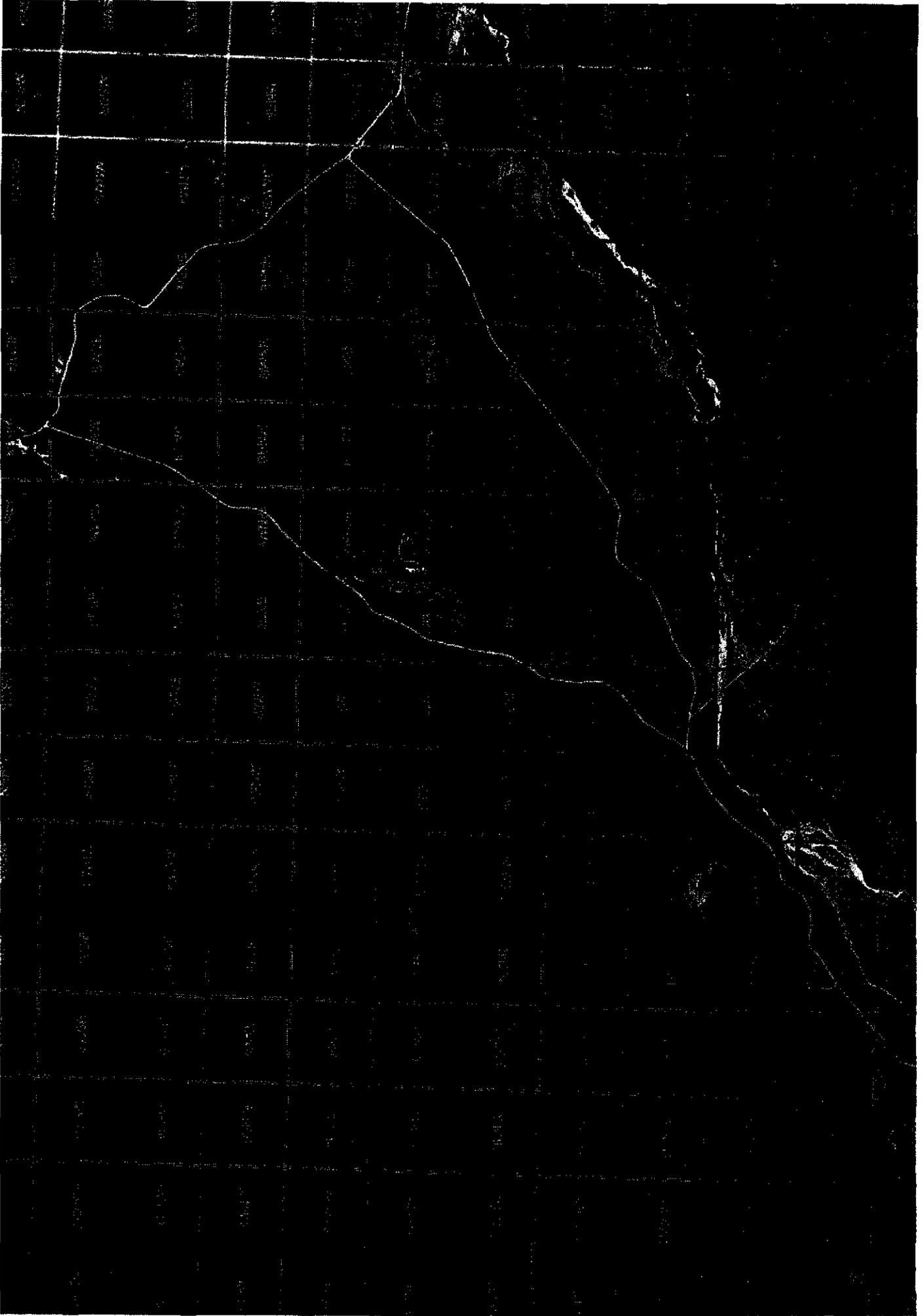
Mayfield NW

1979  
4-11

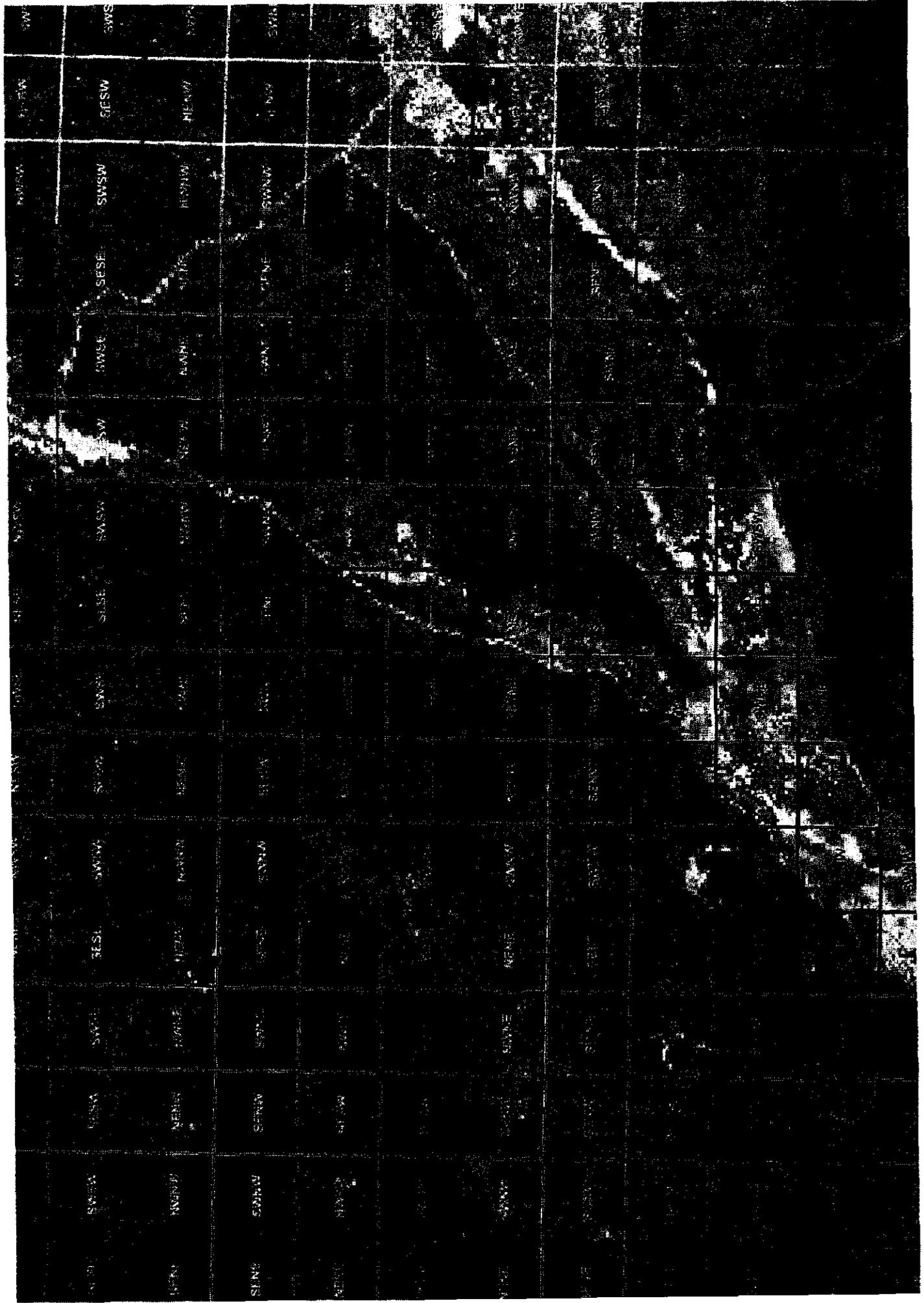
SCALE-1:24,000







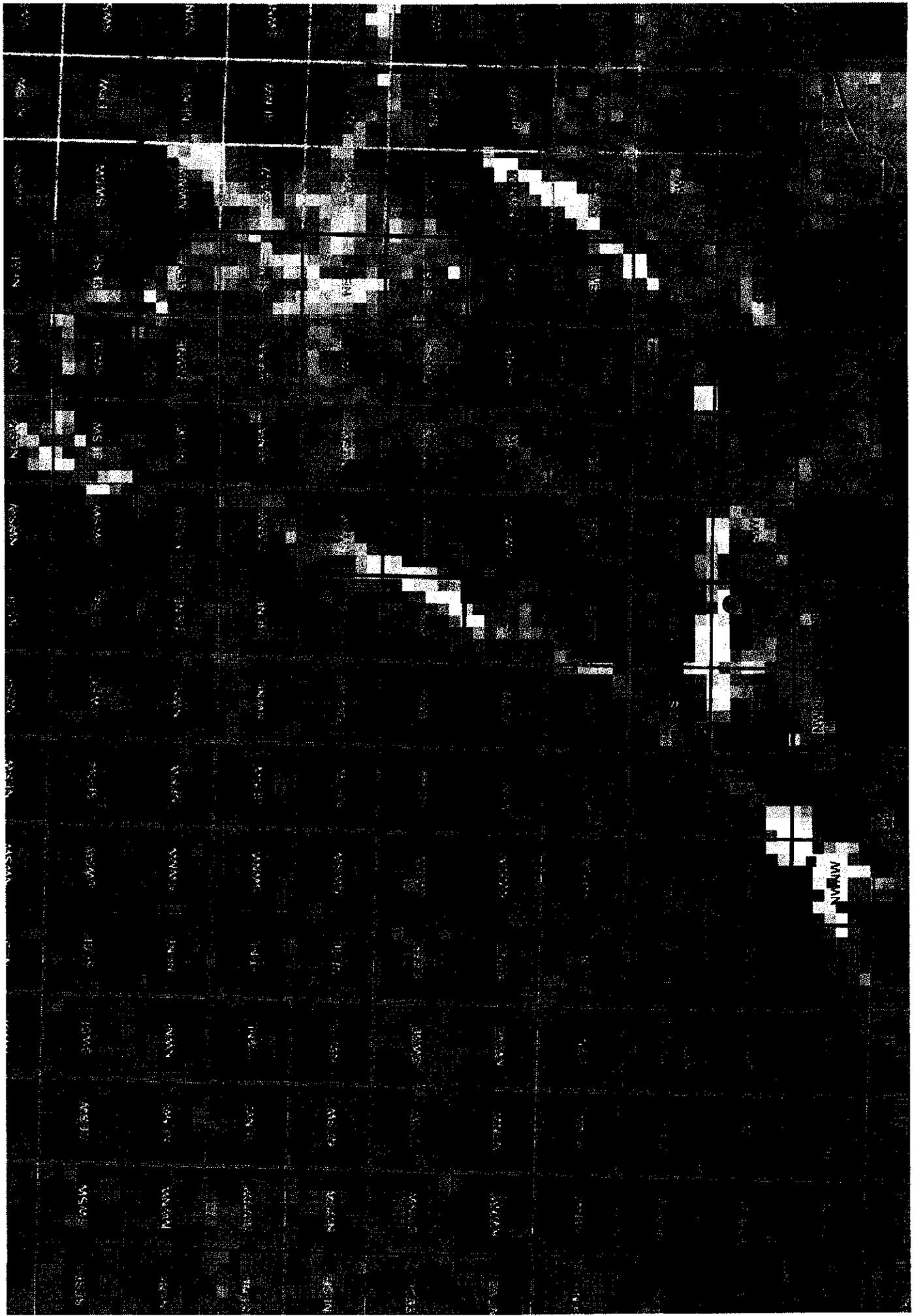
ARK PROPERTIES CLAIMS 63-2143, 63-2654, 63-2690. 2002 LANDSAT PHOTO.



ARK PROPERTIES CLAIMS 63-2143, 63-2654, 63-2690. 2001 LANDSAT PHOTO.



ARK PROPERTIES CLAIMS 63-2143, 63-2654, 63-2690. 2000 LANDSAT PHOTO.



ARK PROPERTIES CLAIMS 63-2143, 63-2654, 63-2690. 1984 LANDSAT PHOTO.

**IDAHO DEPARTMENT OF WATER RESOURCES  
ADJUDICATION CLAIM POU REVIEW REPORT  
ADJUDICATION CLAIM NUMBER: 63-2654**

07/14/2006

1

| Right # | Type        | Twp | Rge | Sec | QQ | Q  | Lot | Purpose of Use | Acres/Total | Name                    |
|---------|-------------|-----|-----|-----|----|----|-----|----------------|-------------|-------------------------|
| 2654    | Claim       | 01N | 04E | 24  | SW | NE |     | IRRIGATION     | 24/100      | ARK PROPERTIES LLC      |
| 2654    | Water Right | 01N | 04E | 24  | SW | NE |     | IRRIGATION     | 20/100      | JAMES O BECK            |
| 2654    | Claim       | 01N | 04E | 24  | SE | NW |     | IRRIGATION     | 11/100      | ARK PROPERTIES LLC      |
| 2654    | Water Right | 01N | 04E | 24  | SE | NW |     | IRRIGATION     | 20/100      | JAMES O BECK            |
| 2654    | Claim       | 01N | 04E | 24  | NE | SW |     | IRRIGATION     | 32/100      | ARK PROPERTIES LLC      |
| 2654    | Water Right | 01N | 04E | 24  | NE | SW |     | IRRIGATION     | 30/100      | JAMES O BECK            |
| 29423   | Water Right | 01N | 04E | 24  | NE | SW |     | STOCKWATER     |             | SAND SPRINGS RANCH & CO |
| 2654    | Claim       | 01N | 04E | 24  | NW | SW |     | IRRIGATION     | 22/100      | ARK PROPERTIES LLC      |
| 29423   | Water Right | 01N | 04E | 24  | NW | SW |     | STOCKWATER     |             | SAND SPRINGS RANCH & CO |
| 2654    | Claim       | 01N | 04E | 24  | NW | SE |     | IRRIGATION     | 11/100      | ARK PROPERTIES LLC      |
| 2654    | Water Right | 01N | 04E | 24  | NW | SE |     | IRRIGATION     | 30/100      | JAMES O BECK            |
| 29423   | Water Right | 01N | 04E | 24  | NW | SE |     | STOCKWATER     |             | SAND SPRINGS RANCH & CO |



## State of Idaho License and Certificate of Water Right

Water License No. 19983 Amount 2 second feet  
 Water District No. \_\_\_\_\_ Priority December 27, 1946

THIS IS TO CERTIFY that JAMES O. BECK  
 of Mayfield, Idaho, made application for a permit to appropriate the  
 public waters of the State of Idaho, dated December 27, 1946; that Permit No. 19983  
 was issued under said application; that Certificate of Completion of works, with a carrying capacity of  
2 second feet, was issued thereunder on March 21, 1947, showing that said works  
 were completed on the 17th day of March, 1947; and that on the 5th  
 day of May, 1947,

JAMES O. BECK

of Mayfield, 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 Indian Creek, for the purpose of irrigation  
under Use Permit No. 19983 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  
8 of Licenses at page 4415, on the 28th day of April, 1948;  
 The right hereby confirmed dates from December 27, 1946;

The Point of Diversion is located  
 in the SW 1/4 NE 1/4, Sec. 24, Tp. 1 N., R. 4 E., B. M. Elmore 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 Two (2) cubic feet per second.

Description and location of use:

| Twp.                                 | Range | Sec. | Forty-acre Tract | No. Acres<br>Described in Permit | No. Acres<br>Actually Irrigated |
|--------------------------------------|-------|------|------------------|----------------------------------|---------------------------------|
| 1 N.                                 | 4 E.  | 24   | SW 1/4 NE 1/4    | 20                               | 20                              |
|                                      |       |      | SE 1/4 NW 1/4    | 20                               | 20                              |
|                                      |       |      | NE 1/4 SW 1/4    | 30                               | 30                              |
|                                      |       |      | NW 1/4 SE 1/4    | 30                               | 30                              |
| Number of Acres Actually Irrigated - |       |      |                  |                                  | 100                             |

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  
28th day of April, 1948.

/s/ MARK R. KULP  
*State Reclamation Engineer*

(SEAL)

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

BOISE, IDAHO

REPORT OF ENGINEER

Permit No. 19983

This proof is for beneficial use In Water District No.

1. Name of applicant James O. Beck

2. Source of water supply: Subterranean (well)

3. Location of point of diversion: Is in the NE 1/4 SE 1/4 of Section 24 T. 1 N. R. 4 E. County of Elmore

4. Describe works as they exist, giving dimensions and capacities of same: A drilled well 48 feet deep, cased with 12 inch casing and equipped with a deep well Pomona Pump having a 6 inch discharge.

5. Water is used for: Irrigation

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

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

SW 1/4 NE 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4, NW 1/4 SE 1/4 Section 24, Township 1 North, Range 4 East, B.M.

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

8. What large stream would the water here appropriated finally reach? None

Remarks: At time of this examination the pump was running with a periodic discharge of 30 seconds on and 13 seconds off, indicating inadequate present supply for size of the installation.

This examination was made on the 25th day of July, 1947

(Signed) F. A. Tolman Examiner

19983

**APPLICATION FOR PERMIT**  
**To Appropriate the Public Waters of the State of Idaho**

63-2654

Application No. 27552  
 Permit No. 19983  
 District No.

1. Name of Applicant: JAMES O. HECK

Postoffice address: Mayfield

County: Elmore

State: Idaho

I. If applicant is a corporation, give:

- (a) Date and place of incorporation:
- (b) Amount of capital stock:
- (c) Amount paid in:
- (d) Names and addresses of directors:

II. The financial resources of the applicant are:

- (a) Cash on hand:
- (b) Treasury stock:
- (c) Bonds to be issued:
- (d) Other resources:

2. Quantity of water claimed: Two (2) cubic feet per second.

3. Source of water supply: 12" well- 48' deep  
Underground water pumped from/ which is a tributary of Indian Creek

4. Location of point of diversion: feet distant from the  
 corner of Section , T. , R. , B.M., and is in the NE  $\frac{1}{4}$  SE  $\frac{1}{4}$   
 of Section 24 , T. 1 N. , R. 4 E. , B. M., County of Elmore

5. Water is to be used for Irrigation

6. If for mining, milling, power or manufacturing purposes, give:

- (a) Point of use of water: feet distant from corner of Section  
 T. , R. , B. M., in the of Section , T. , R. , B. M.
- (b) Amount of power generated: H.P., under feet head.
- (c) Water is to be returned to at a point feet  
 distant from the corner of Section , T. , R. , B. M., in the  
 of Section , T. , R. , B. M.

7. Estimated cost of works: \$ 2,159.50- (Drill well \$909.50; motor and pump, \$1,050.00; electric line \$200.00

8. Kind of works: 12" drilled well-48' deep- 8" direct connected Pomona pump

9. Height of dam feet; length of dam at top feet; length of dam at bottom  
 feet; material used in dam:

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

11. Ditch: Width at bottom 2 feet; width at water line 3 feet; depth of water 1  $\frac{1}{2}$  feet;

dimensions of flume:

Diameter of pipe inches; length of conduit 3/4 miles.

Average grade per mile 5.28 feet.

12. The time required for the completion of such work is None years.

13. The time required for the complete application of the water to the proposed use is None additional years.

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

14-A. Existing water rights and/or valid permits appurtenant to the lands to be irrigated are:

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

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

JAMES O. BECK Applicant.

By Agent.

Date of first receipt at Department of Reclamation: 11:00 A. M. December 27, 1946

Returned to applicant for correction:

Corrected application received:

### Approval of State Reclamation Engineer

The number of this permit is 19983

Recorded in Book 72 Page 19983 Approved January 10, 1947

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

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

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

One-fifth of the work above specified to be completed on or before

The whole of said work to be completed on or before April 10, 1947

Beneficial use of water appropriated in accordance herewith, to be made on or before April 10, 1947

Witness my hand this 10th day of January, 1947

MARK R. KULP  
State Reclamation Engineer.

IN TESTIMONY WHEREOF, We, C. A. ROBINS, Governor of the State of Idaho, and J. D. PRICE, Secretary of State of the State of Idaho, have caused this instrument to be executed in the name of the State of Idaho, and caused the Great Seal of the State of Idaho to be hereunto affixed, this 10th day of January, 1947.

Countersigned: STATE OF IDAHO  
 (SEAL) By J. D. CY PRICE Secretary of State. By C. A. ROBINS Governor.

Remarks:

14.

| Twp. | Range | Sec. | NE 1/4   |        |        |        | NW 1/4 |        |        |        | SW 1/4 |        |        |        | SE 1/4 |        |        |        | Totals |
|------|-------|------|--|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|--------|
|      |       |      | NE 1/4   | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 | NE 1/4 | NW 1/4 | SW 1/4 | SE 1/4 |        |
| 1 N. | 4 E.  | 24   | 20   |        |        |        | 20     |        |        |        | 30     |        |        |        | 30     |        |        |        | 100    |
|      |       |      | <p style="text-align: center;">PERMIT NO. 19983<br/>Certificate of Completion of Works</p> <p>To All Whom it may Concern:<br/>           This is to certify that JAMES O. BECK, of Mayfield, County of Elmore, and State of Idaho, the holder of Permit No. 19983, issued upon Application No. 27552, bearing date of priority of December 27, 1946, authorizing the diversion of Two (2) second feet of the waters of a well (subterranean), County of Elmore, State of Idaho, for irrigation purposes, has fully complied with the provisions of the laws of the State of Idaho relating to the proof of completion of the works of diversion set out and described in said Permit; that said works are adequate for diverting and conveying to the place of intended use Two (2) second feet of the waters of said well; that the point of diversion of said waters is in the NE 1/4 SW 1/4 Section 24, Township 1 North, Range 4 East, B.M.; and that the lands proposed to be irrigated by the use of said water are described as follows, to-wit: SW 1/4 NE 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4, NW 1/4 SE 1/4 Section 24, Township 1 North, Range 4 East, B.M.<br/>           Witness my hand this 21st day of March, A. D. 1947.</p> <p style="text-align: right;">MARK R. KULP<br/>State Reclamation Engineer</p> <p>Proof of completion of works made March 17, 1947<br/>           Certificate of completion of works issued March 21, 1947</p> <p style="text-align: center;">APPROVAL OF STATE RECLAMATION ENGINEER</p> <p>I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby extend the time for the making of proof of beneficial use under Permit to appropriate the Public Waters of the State of Idaho, No. 19983, to May 5, 1947.<br/>           Witness my hand this 17th day of March, 1947.</p> <p style="text-align: right;">MARK R. KULP<br/>State Reclamation Engineer</p> |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |        |

APPLICATION FOR AMENDMENT TO PERMIT TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF IDAHO  
No. 19983

Comes now, James O. Beck, and represents to the State Reclamation Engineer of the State of Idaho:

That he is the owner and holder of Permit to appropriate the Public Waters of the State of Idaho, No. 19983.

That the point of diversion is described in said Permit as being located in the NE $\frac{1}{4}$  SE $\frac{1}{4}$  Section 24,  
Twp. 1 N., Range 4 E., B.M.

That he now requests that the point of diversion be changed to a point located in the SW $\frac{1}{4}$  NE $\frac{1}{4}$  Section 24,  
Twp. 1 N., Range 4 E., B.M.

That his reasons for desiring to make such change are as follows: Location wrong in original application.

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

Signed at Boise, Idaho, this 8th day of April, 1948.

JAMES O. BECK

Date of receipt at Department of Reclamation April 26, 1948

APPROVAL OF STATE RECLAMATION ENGINEER

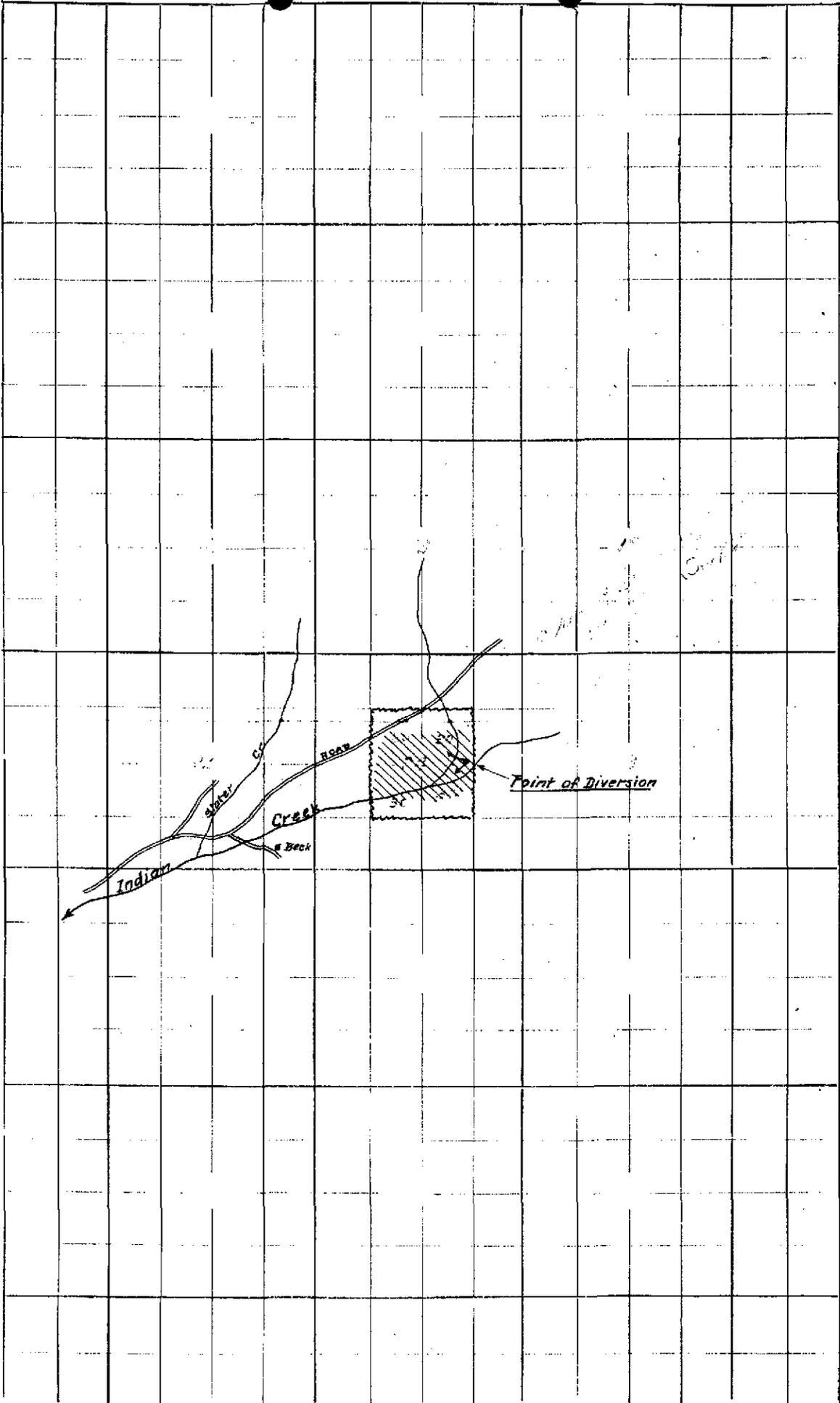
I, Mark R. Kulp, State Reclamation Engineer of the State of Idaho, hereby approve the above and foregoing application for amendment to Permit to appropriate the Public Waters of the State of Idaho, No. 19983. This approval constitutes a new permit and is issued as an amendment to the original permit to which it refers, and of which it becomes a part, and said application is approved only insofar as the rights of others will not be adversely affected thereby.

MARK R. KULP

State Reclamation Engineer

LICENSE ISSUED FOR 2 SEC. FT.

P. 4415



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

19983