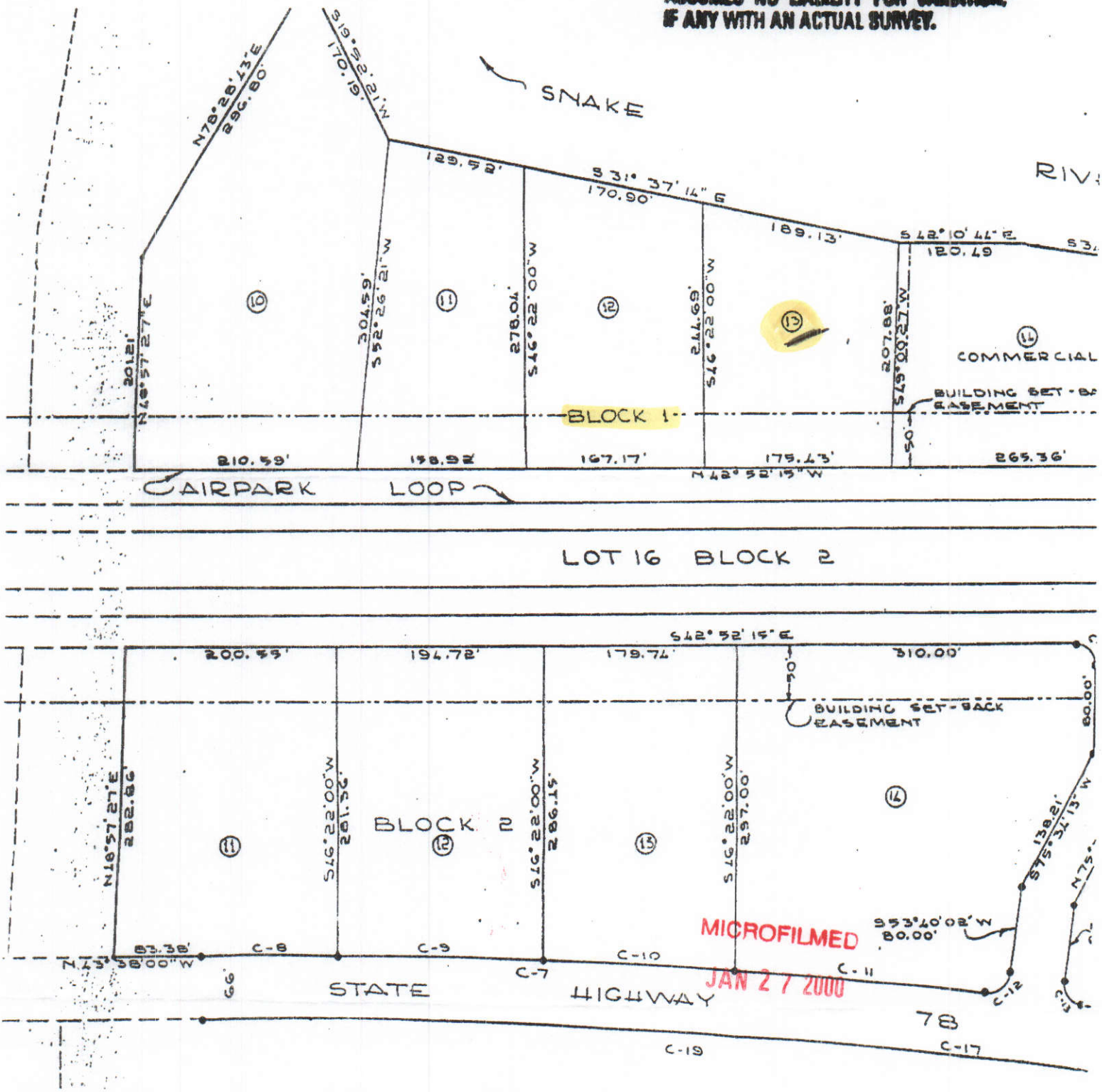
PLATE 2

SUNRISE SKY PARK

Courtesy of: OWYHEE COUNTY TITLE CO.

THIS SKETCH IS MADE SOLELY TO ASSIST IN LOCATING THE PROPERTY. THE COMPANY ASSUMES NO LIABILITY FOR VARIATION, IF ANY WITH AN ACTUAL SURVEY.



MICROFILMED
JAN 27 2000

02-07276 4/15/92 CJH

INDEX SHEET 1

SUNRISE SKY PARK

PART OF SECTIONS 16 & 21, TOWNSHIP 1 NORTH, RANGE 3 WEST OF THE BOISE MERIDIAN OWYHEE COUNTY, IDAHO

INSTRUMENT NO _____
STATE OF IDAHO)ss
COUNTY OF OWYHEE)
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF _____ AT ___ MINUTES PAST ___ O'CLOCK ___ M. THIS ___ DAY OF _____, 1991.

FEE _____ RECORDER _____ DEPUTY _____

STATE OF IDAHO)ss
COUNTY OF CANYON)

SURVEYOR'S CERTIFICATE

I, [illegible], A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE CAUSED THE SUNRISE SKY PARK SUBDIVISION TO BE SURVEYED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT THIS PLAT CORRECTLY REPRESENTS THE SURVEY AND THAT THE MONUMENTS SHOWN HEREON EXIST AS DESCRIBED.

MICROFILMED
SEP 09 1992

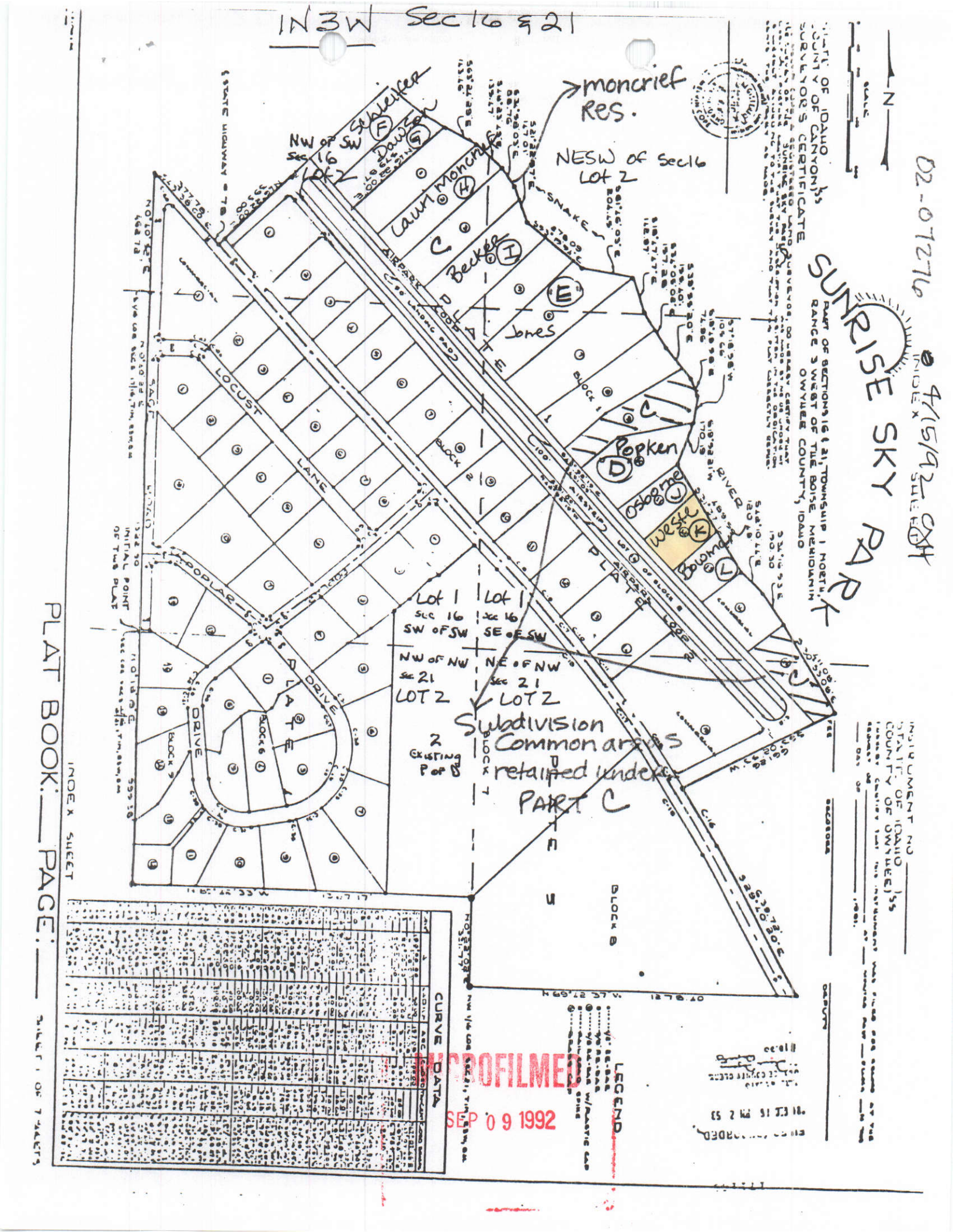
LEGEND

- ⊙ 5/8-BAR
- ⊙ 1/2-BAR
- ⊙ 1/2-BAR w/PLASTIC CAP
- RAILROAD SPIKE
- BRASS CAP

CURVE DATA

INDEX SHEET

PLAT BOOK: ___ PAGE: ___ SHEET 1 OF 7 SHEETS


IN3W Sec 16 & 21
02-07276
4/15/92
SUNRISE SKY PARK
PART OF SECTIONS 16 & 21, TOWNSHIP 1 NORTH, RANGE 3 WEST OF THE BOISE MERIDIAN OWYHEE COUNTY, IDAHO
STATE OF IDAHO)ss COUNTY OF CANYON)ss
SURVEYOR'S CERTIFICATE
N
SCALE
moncrief Res.
NESW of Sec 16 Lot 2
NW of SW Sec 16 Lot 2
Schleiker F
Dawson G
Laurl Moncrief H
Becker I
Jones E
Popken D
Osborne J
Wesle K
Bowman L
SNAKE R.
AIRPARK LOOP
AIRPARK
LOCUST LANE
POPLAR
DRIVE
BLOCK 1
BLOCK 2
BLOCK 6
BLOCK 7
BLOCK 8
Lot 1 Sec 16 SW of SW
Lot 1 Sec 16 SE of SW
NW of NW Sec 21 LOT 2
NE of NW Sec 21 LOT 2
2 EXISTING POP B
Subdivision Common areas retained under PART C
CURVE DATA
LEGEND
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PLAT BOOK ____ PAGE ____
SHEET 1 OF 2 SHEETS
MICROFILMED
SEP 09 1992

02-07276 4/15/92 CAH

INDEX SHEET 1

SUNRISE SKY PARK

PART OF SECTIONS 16 & 21, TOWNSHIP 1 NORTH, RANGE 3 WEST OF THE BOISE MERIDIAN OWYHEE COUNTY, IDAHO

INSTRUMENT NO. _____
STATE OF IDAHO)ss
COUNTY OF OWYHEE)
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF _____ AT ___ MINUTES PAST ___ O'CLOCK ___ M. THIS ___ DAY OF _____, 1991.

RECORDER DEPUTY

STATE OF IDAHO)ss
COUNTY OF CANYON)

SURVEYOR'S CERTIFICATE

I, [illegible], A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE SUNRISE SKY PARK AS SHOWN ON THIS PLAT AND MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT THE DESCRIPTION CONTAINED IN THE DEDICATION IS ACCURATE ACCORDING TO THE SURVEY AND THAT THIS PLAT CORRECTLY REPRESENTS THE SURVEY AS MADE.

[illegible] PLS 5144

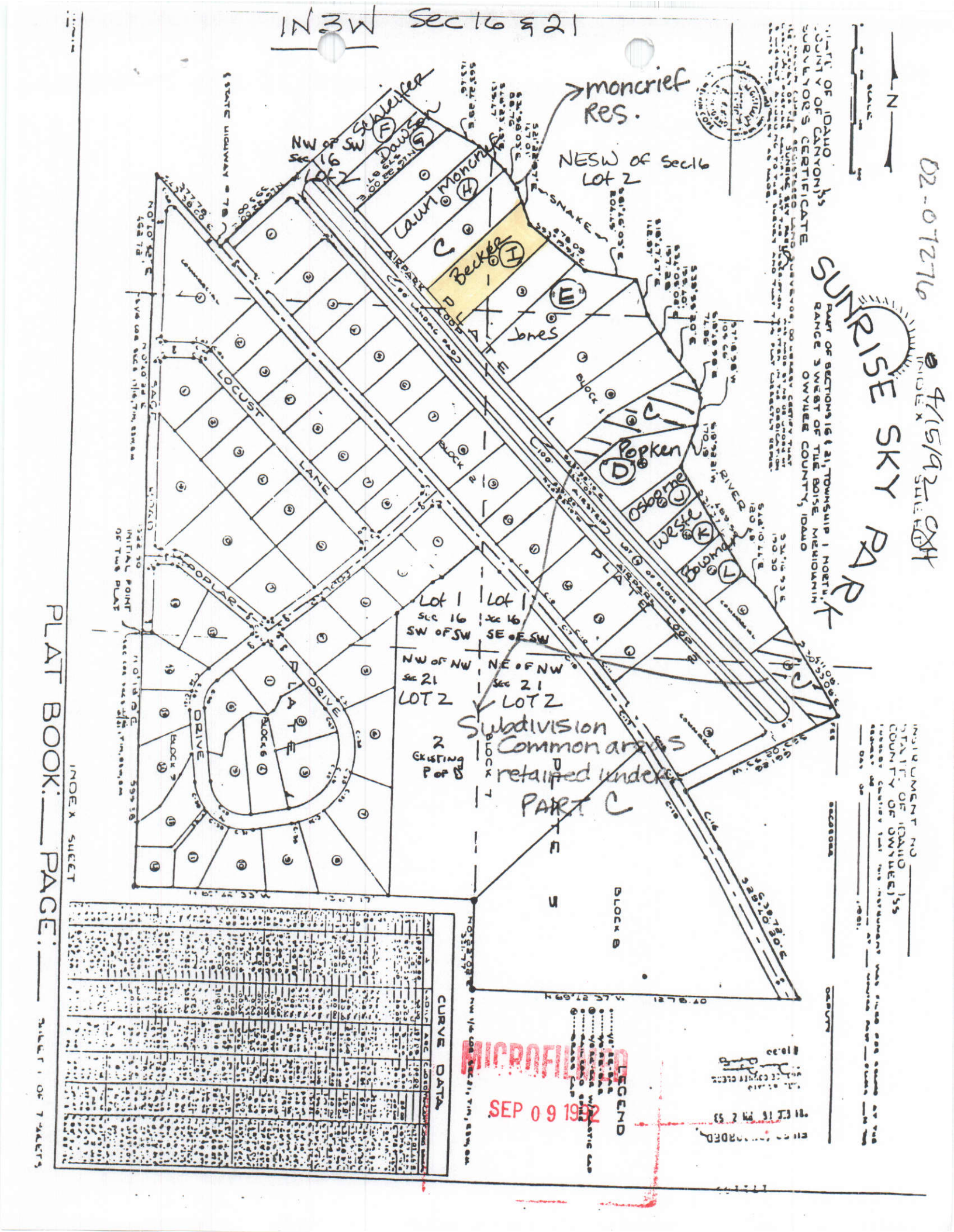
RECEIVED
SEP 09 1992

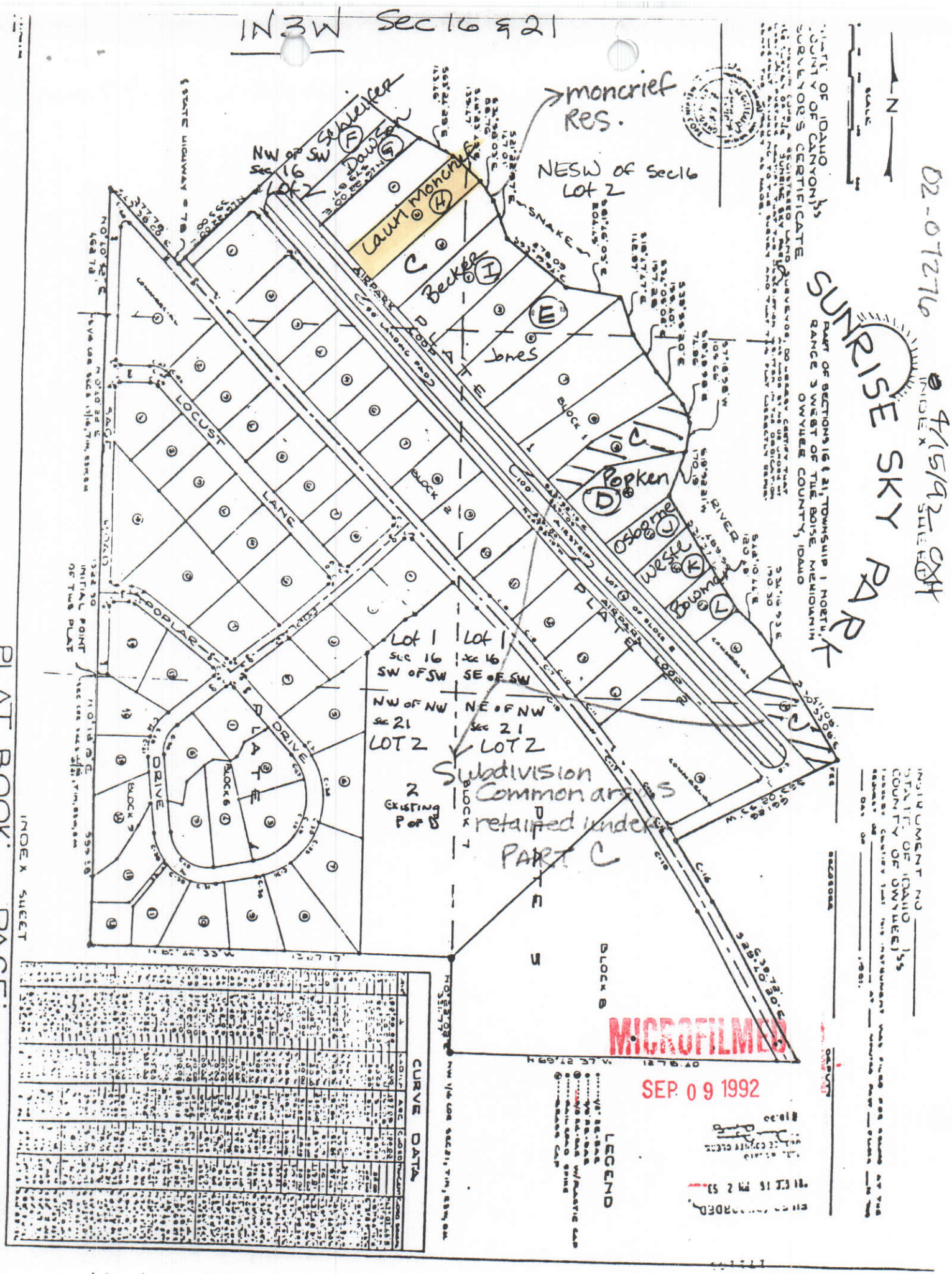
LEGEND
- 1/2" REBAR
- 1/2" REBAR
- 1/2" REBAR w/PLASTIC CAP
- RAILROAD SPIKE
- BRASS CAP

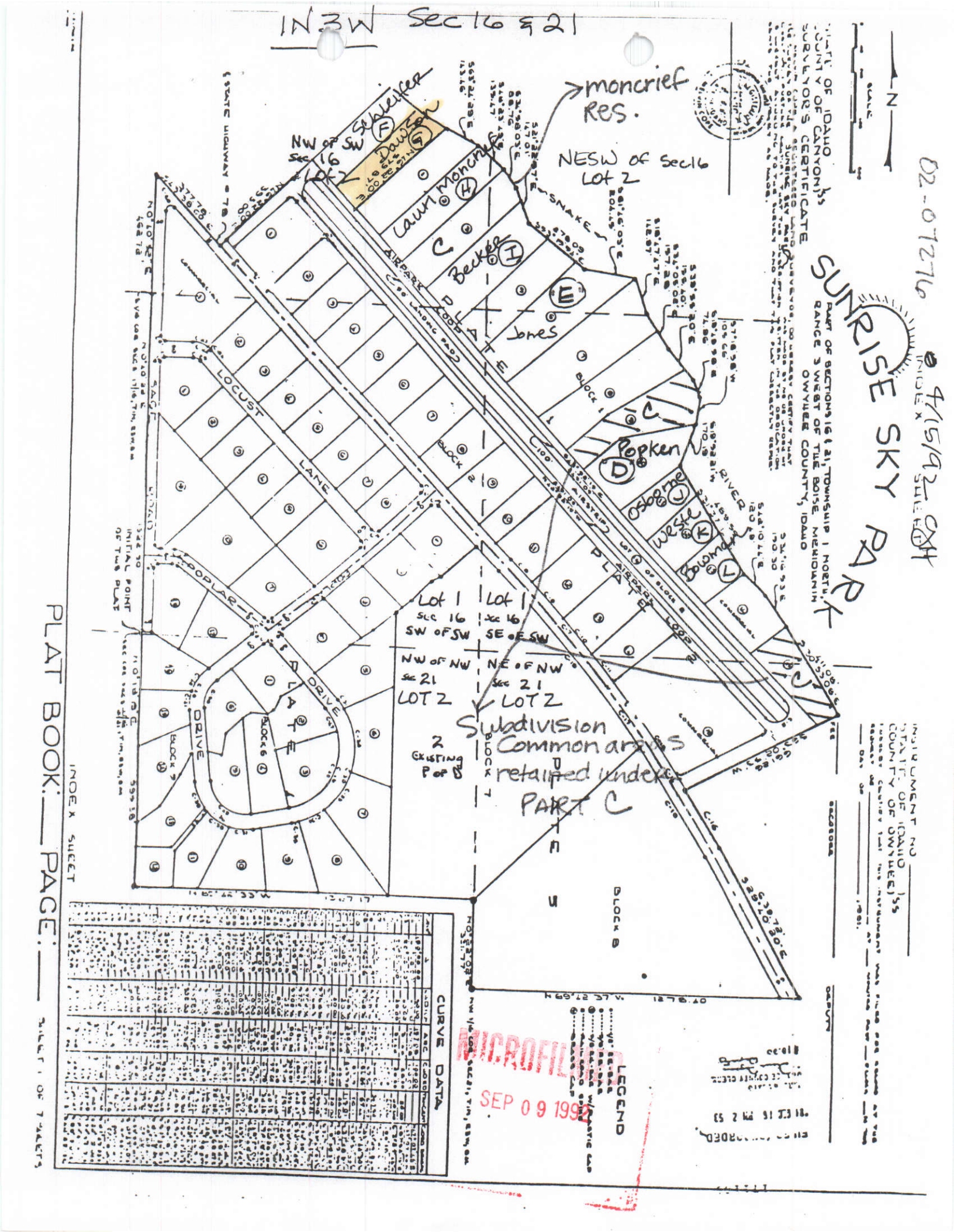
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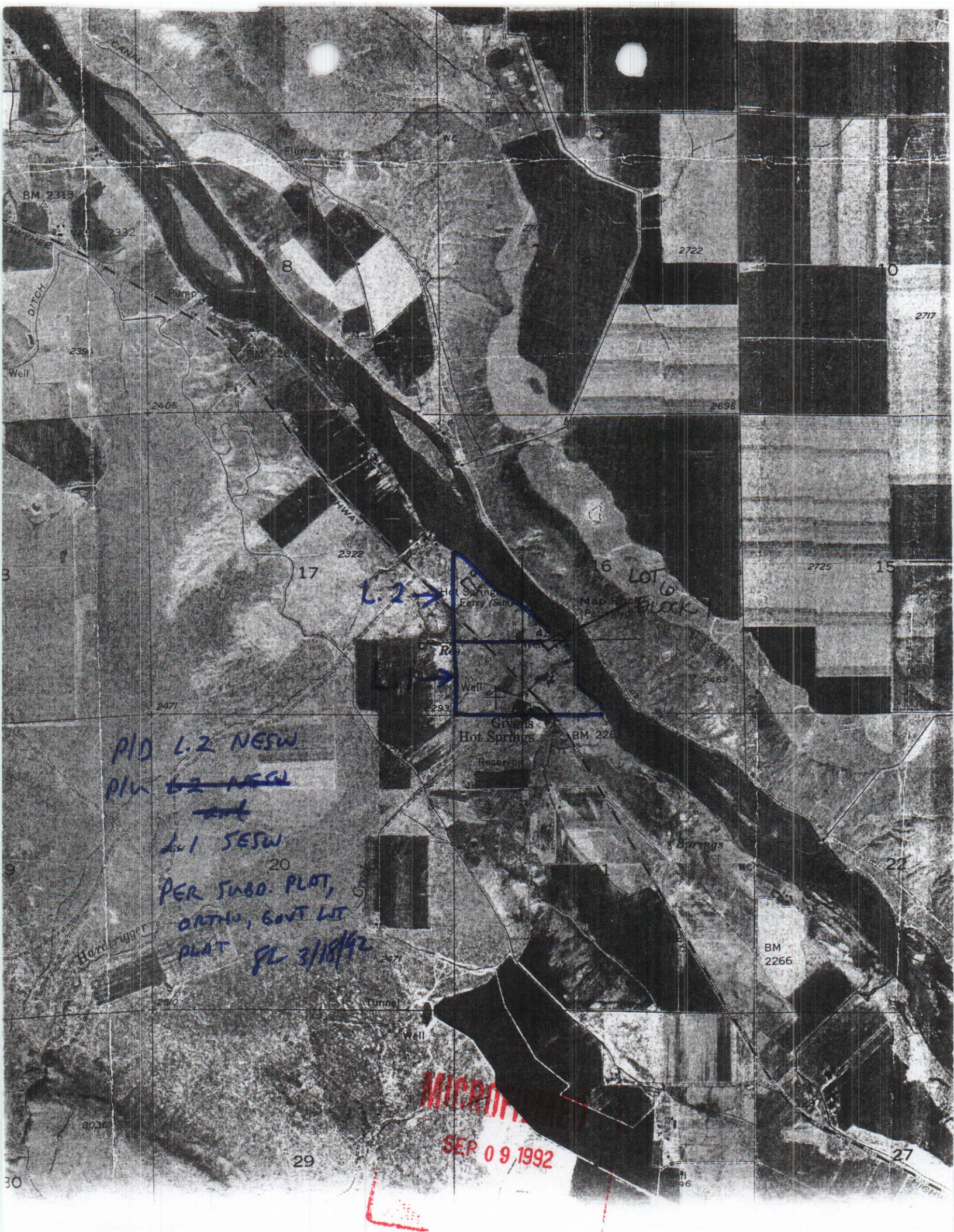
INDEX SHEET

PLAT BOOK: ___ PAGE: ___ SHEET 1 OF 7 SHEETS


1N3W Sec 16 & 21
SUNRISE SKY PARK
PART OF SECTIONS 16 & 21, TOWNSHIP 1 NORTH, RANGE 3 WEST OF THE BOISE MERIDIAN OWYHEE COUNTY, IDAHO
02-07276
4/15/92
moncrief Res.
NESW of Sec 16 Lot 2
NW of SW Sec 16 Lot 2
Schleifer
Dawson
Lawn Moncrief
Becker
Jones
Popken
Osborne
Weste
Bolomon
AIRPARK LOOP
LOCUST LANE
POPLAR DRIVE
ALAYE DRIVE
Lot 1 Sec 16 SW of SW
Lot 1 Sec 16 SE of SW
NW of NW Sec 21 Lot 2
NE of NW Sec 21 Lot 2
Subdivision Common areas retained under PART C
2 Existing POB
CURVE DATA
LEGEND
PLAT BOOK ___ PAGE ___
SHEET 1 OF 2 SHEETS
MICROFILMED
SEP 09 1992


1N3W Sec 16 & 21
SUNRISE SKY PARK
PART OF SECTIONS 16 & 21, TOWNSHIP 1 NORTH, RANGE 3 WEST OF THE BOISE MERIDIAN OWYHEE COUNTY, IDAHO
STATE OF IDAHO)ss COUNTY OF CANYON)
SURVEYOR'S CERTIFICATE
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PLAT BOOK ____ PAGE ____
SHEET 1 OF 2 SHEETS
02-07276
4/15/92 SHEET 1 OF 2
NW OF SW Sec 16 LOT 2
NESW of Sec 16 LOT 2
moncrief Res.
Schleiffer
Dawson
Lawn Moncrief
Becker
Jones
Popken
Osborne
Weste
Bowman
AIRPARK LOOP
AIRPARK PLACE
LOCUST LANE
POPLAR DRIVE
BLOCK 1
BLOCK 2
BLOCK 6
BLOCK 7
BLOCK 8
SNAKE RIVER
Lot 1 Sec 16 SW of SW
Lot 1 Sec 16 SE of SW
NW of NW Sec 21 LOT 2
NE of NW Sec 21 LOT 2
2 EXISTING POD
Subdivision Common areas retained under PART C
CURVE DATA
LEGEND
MICROFILMED
SEP 09 1992


IN 3W Sec 16 & 21
02-07276
4/15/92 CMH
SUNRISE SKY PARK
PART OF SECTIONS 16 & 21, TOWNSHIP 1 NORTH, RANGE 3 WEST OF THE BOISE MERIDIAN OWYHEE COUNTY, IDAHO
STATE OF IDAHO COUNTY OF CANYON SURVEYOR'S CERTIFICATE
INDEX SHEET
PLAT BOOK ____ PAGE ____
SHEET 1 OF 2 SHEETS
moncrief Res.
NESW of Sec 16 Lot 2
NW of SW Sec 16 Lot 2
Dawson
Laun Moncrief
Becker
Jones
Popken
Osborne
Weste
Bolomey
AIRPARK LOOP
AIRPARK PLACE
LOCUST LANE
POPLAR DRIVE
Lot 1 Sec 16 SW of SW
Lot 1 Sec 16 SE of SW
NW of NW Sec 21 LOT 2
NE of NW Sec 21 LOT 2
2 EXISTING POD
Subdivision Commonarea retained under PART C
BLOCK 1
BLOCK 2
BLOCK 6
BLOCK 7
BLOCK B
CURVE DATA
LEGEND
INSTRUMENT NO. ____
STATE OF IDAHO
COUNTY OF OWYHEE
RECORDED
MICROFILMED
SEP 09 1992



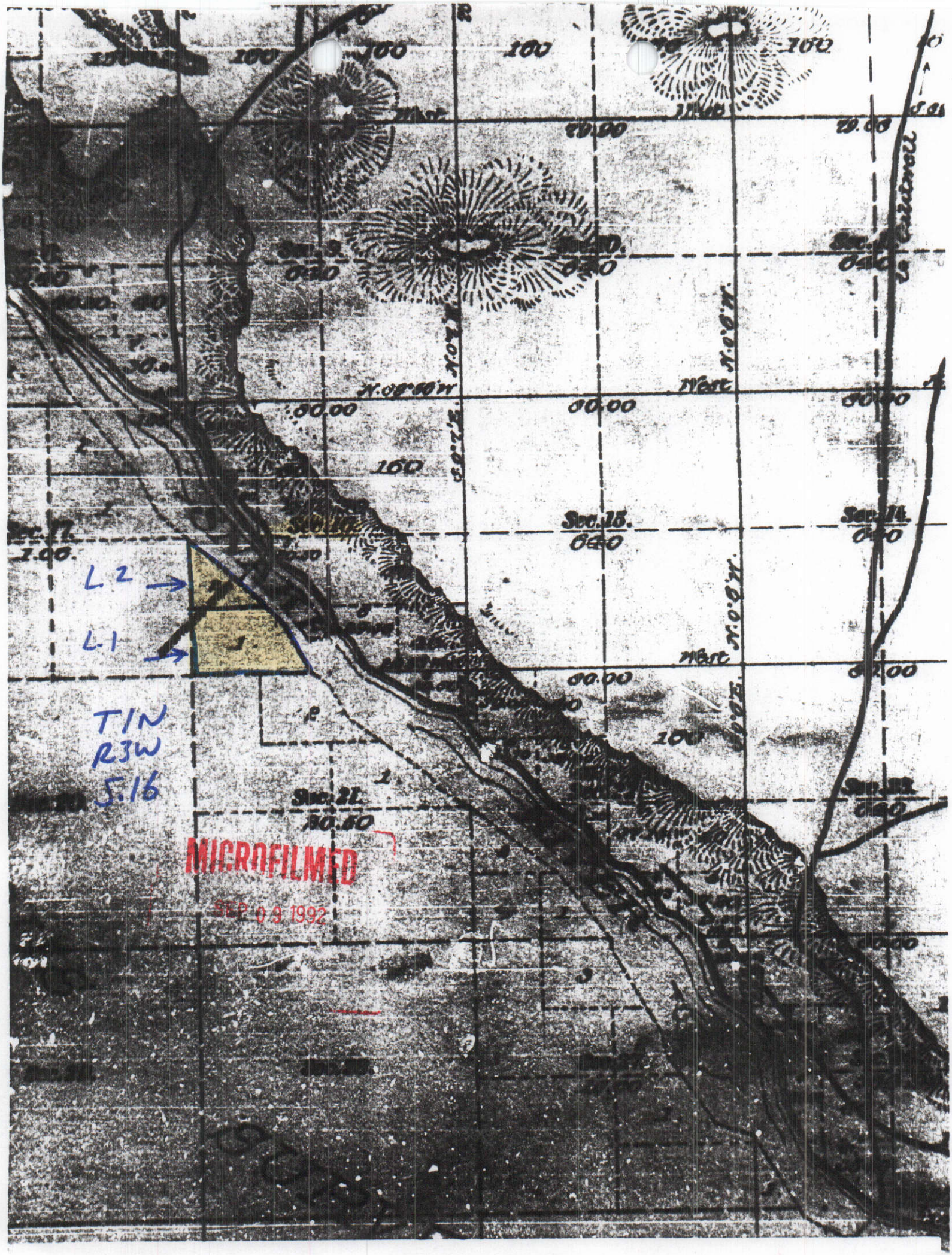
P/D L.2 NESW

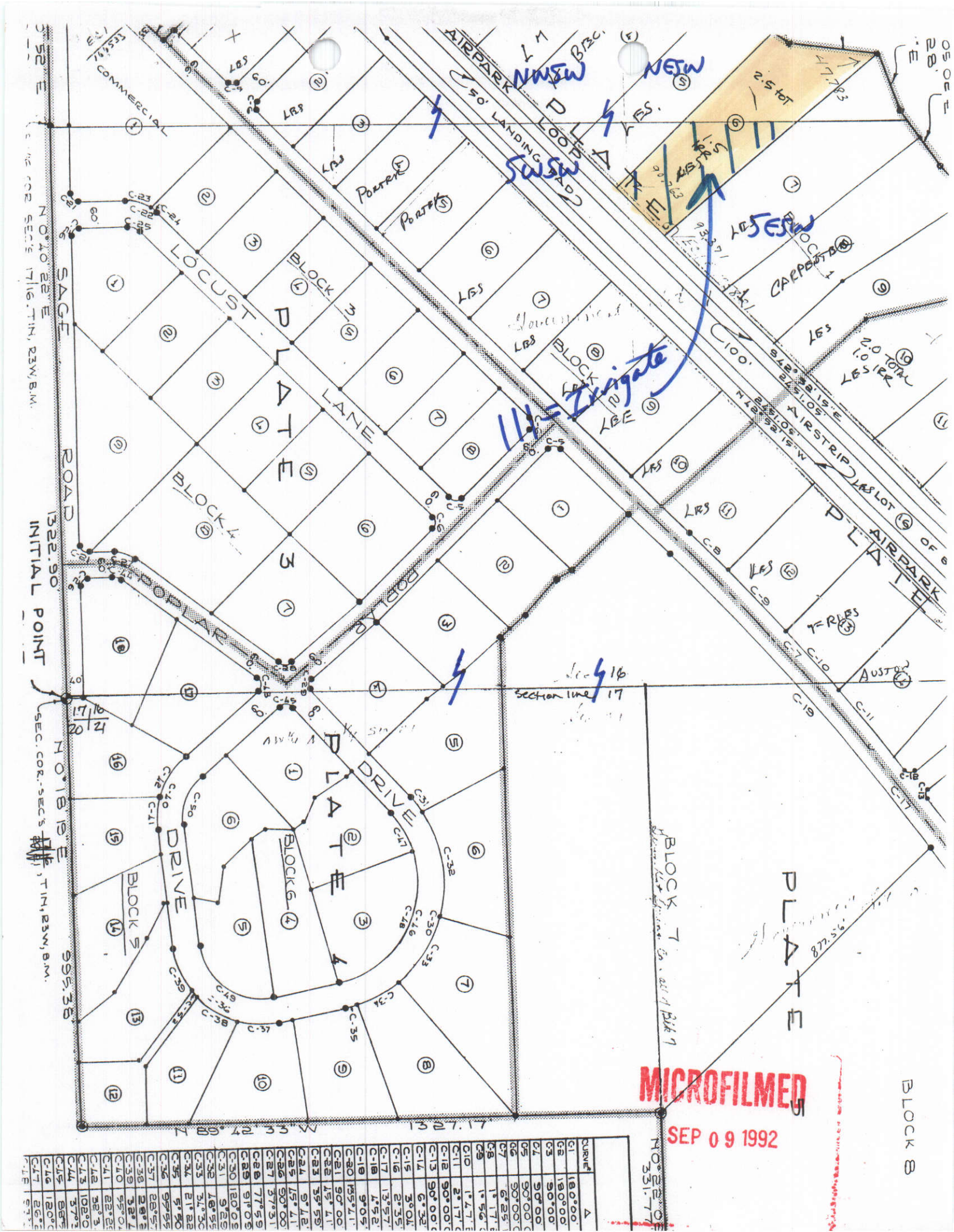
P/U ~~L2 NESW~~

~~SWSW~~

L1 SESW

PER SURVEY PLAT, ORTHO, GOVT LOT PLAT SL 3/18/92


L 2
L 1
T1N
R3W
5.16
MICROFILMED
SEP 09 1992


AIRPARK LOOP ROAD
50' LANDING STRIP
COMMERCIAL
LOCUST LANE
SAGE ROAD
POPLAR DRIVE
POPLAR DRIVE
PLAT 1
PLAT 2
PLAT 3
PLAT 4
BLOCK 1
BLOCK 2
BLOCK 3
BLOCK 4
BLOCK 5
BLOCK 7
BLOCK 8
AIRPARK PLATE
Section line
N 89° 42' 33" W
1327.17
N 0° 18' 15" E
995.36
INITIAL POINT
SEC. COR. SECS. 16, 17, 20, 21, T1N, R3W, B.M.
N 0° 40' 22" E
1322.90
SEC. COR. SECS. 16, 17, T1N, R3W, B.M.
N 0° 22' 07" E
1331.70
MICROFILMED
SEP 09 1992

THE OWYHEE AVALANCHE

P.O. BOX 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
)ss
COUNTY OF OWYHEE)

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of **The Owyhee Avalanche,** a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said **The Owyhee Avalanche** has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in said newspaper, in two (2)

(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

April 1 & 8, 1992

Signed Joe E. Aman

Subscribed and sworn to before me this 8th day of April A.D., 1992

Corine Bowling

Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires October 1997

NOTICE OF APPLICATION FOR AMENDMENT
No. 02-07276E

Notice is hereby given that permit No. 02-07276E in the name of William C. &/or Madeline S. Jones of Danville, California was filed on 1/9/1979 for the diversion of .03 cfs from Snake River with a point of diversion within Lot 1 (SESW) Sec. 16 T1N R3W to be used for irrigation purposes from 3/15 to 11/15 within portions of Lot 1 (SESW) Sec. 16 T1W R3W for 1.5 acres. (Also known as Lot 6, Block 1, Sunrise Sky Park Subdivision).

The permit holder now proposes to amend the permit by changing the point of diversion to Lot 3 (NESW) Sec. 16 T1N R3W. No change in amount of use of water.

Any protest against the approval of the proposed amendment must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before April 20, 1992.

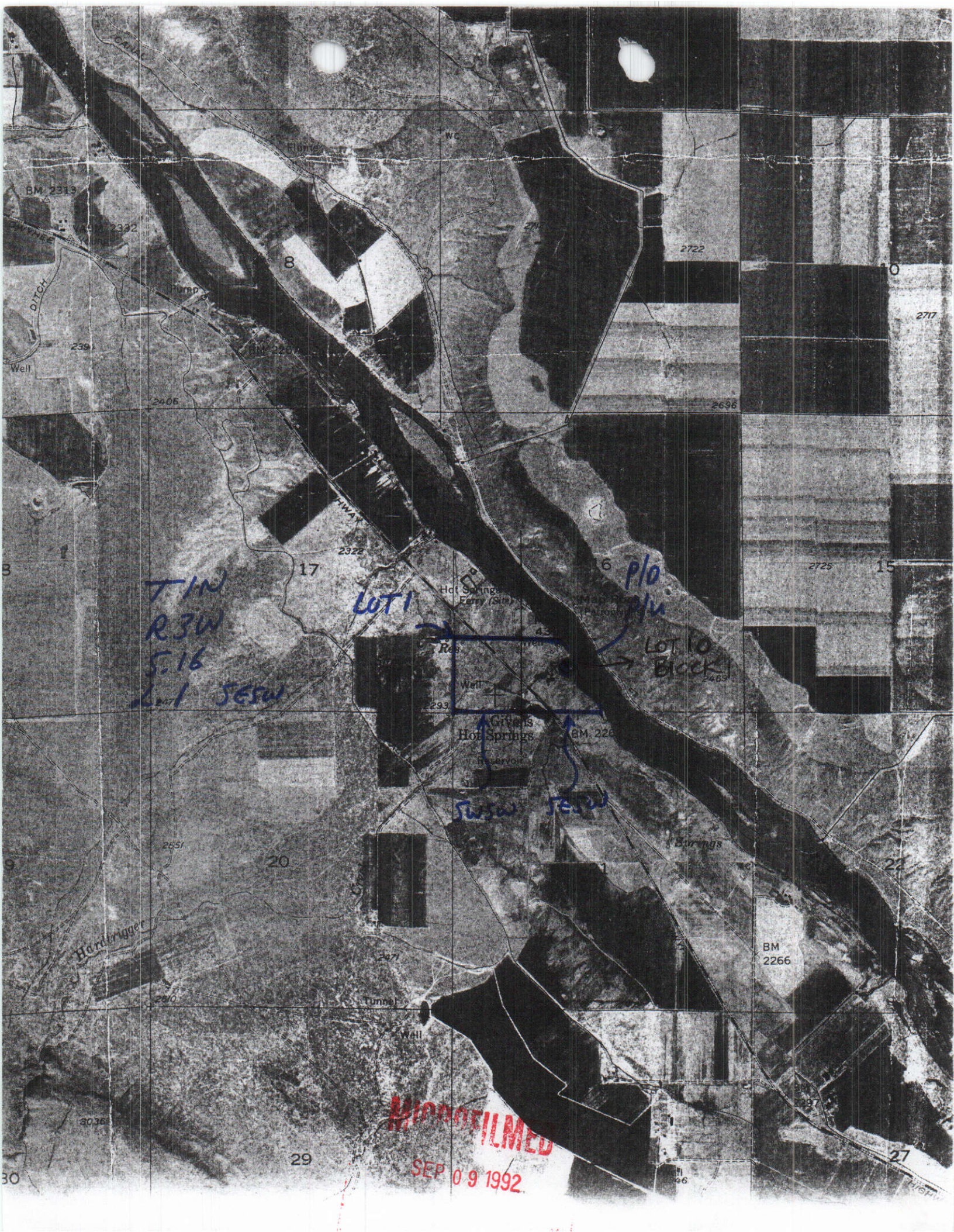
R. Keith Higginson
Director

Publish April 1 & 8, 1992

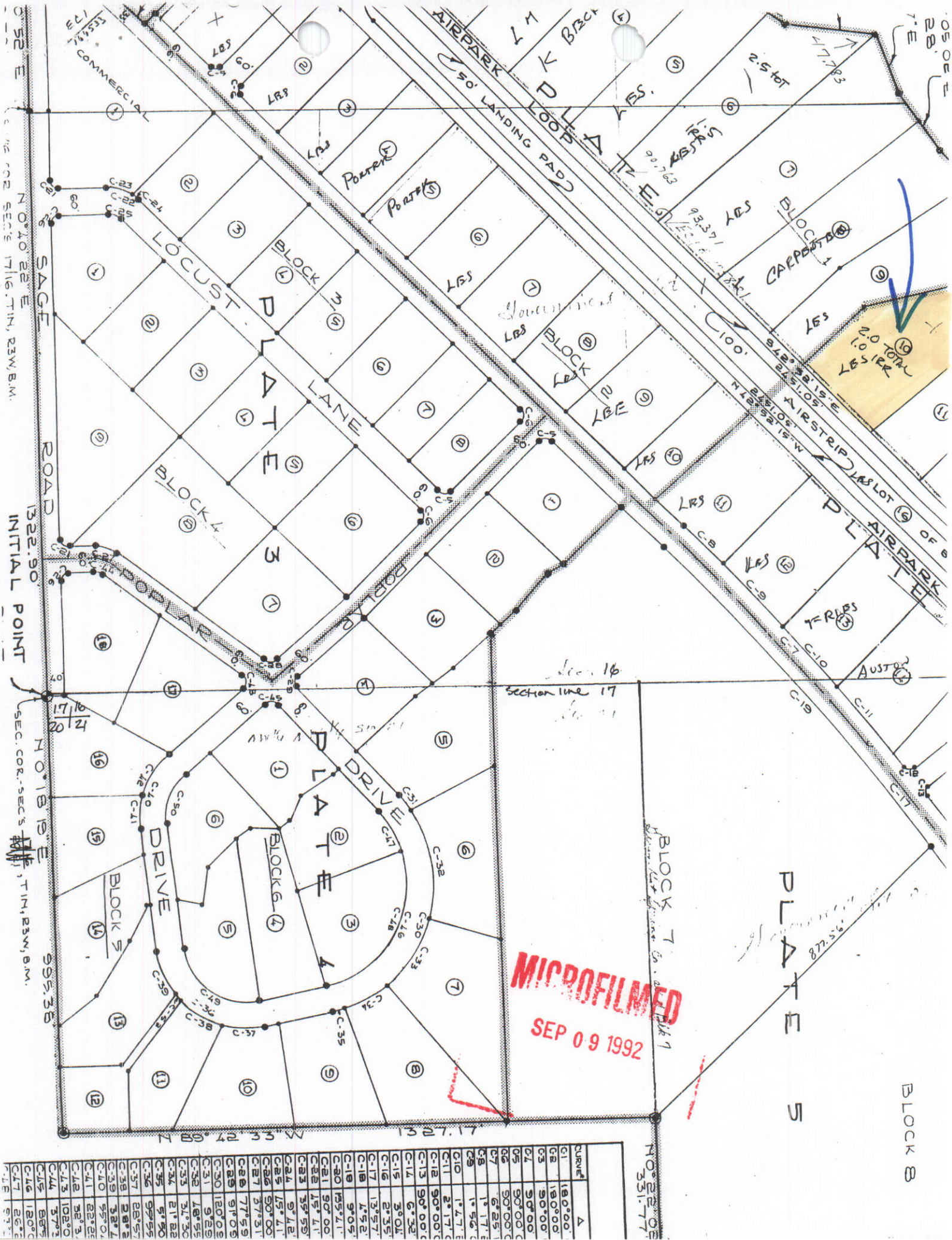
2 Not fatal (described by NESW) Ok 5/4/92

RECEIVED
MAY - 1 1992
Department of Water Resources
Western Regional Office

MICROFILMED
SEP 09 1992


T1N
R3W
S.16
Lot 1
SESW
P/O
LOT 10
BLOCK 1
Res.
Well
Givens
Hot Springs
Reservoir
BM 2266
SWSW
SESW
Hardtrigger
Tunnel
Well
Ferry (Site)
Ditch
Pump
Canal
BM 2313
BM 2332
BM 2266
Burrows
MICROFILMED
SEP 09 1992


T 1N
R 3W
S. 16
Lot 1
LOT 2
LOT 1
SWSW
SESW
SEC 9 1992


AIRPARK LOOP
50' LANDING PAD
LOCUST LANE
POPLAR ROAD
SAGE ROAD
BLOCK 1
BLOCK 2
BLOCK 3
BLOCK 4
BLOCK 5
BLOCK 6
PLAT E
DRIVE
AIRSTRIP
AIRPARK
COMMERCIAL
Section line 17
N 89° 42' 33" W
1327.17
MICROFILMED
SEP 09 1992

THE OWYHEE AVALANCHE

P.O. BOX 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
)ss
COUNTY OF OWYHEE)

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of **The Owyhee Avalanche,** a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said **The Owyhee Avalanche** has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in said newspaper, in two(2) (consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

April 1 & 8, 1992

Signed Joe E Aman

Subscribed and sworn to before me this 8th day of April A.D., 1992

Corinne Bowling

Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires October 1997

MICROFILMED

SEP 0 9 1992

NOTICE OF APPLICATION FOR AMENDMENT
No. 02-07276D

Notice is hereby given that permit No. 02-07276D in the name of Roland H. &/or Lilly Ann Popken of Melba was filed on 1/9/1979 for the diversion of .02 cfs from Snake River with a point of diversion within Lot 1, (SESW) Sec. 16 T1N R3W to be used for irrigation purposes from 3/15 to 11/15 within portions of Lot 1 (SESW) Sec. 16 T1N R3W for 1 acre. (Also known as Lot 10, Block 1, Sunrise Sky Park Subdivision).

The permit holder now proposes to amend the permit by changing the point of diversion to include two points in Lot 1 (SESW) Sec. 16 T1N R3W. No change in amount or use of water.

Any protests against the approval of the proposed amendment must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before April 20, 1992.

R. Keith Higginson
Director

Publish April 1 & 8, 1992

RECEIVED
MAY - 1 1992
Department of Water Resources
Western Regional Office

PROOF OF PUBLICATION

RECEIVED
MAY 17 1982
Department of Water Resources
Western Regional Office

STATE OF IDAHO, County of Owyhee, s.s.

I, MICK HODGES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by MICK HODGES, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 5 day of May, 1982, and the last publication being on the 12 day of May, 1982;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy - eight consecutive weeks prior to the first publication of the attached notice.

Mick Hodges
PUBLISHER

Subscribed and sworn to before me this 12 day of May, 1982.

Kyle L. Hodges
NOTARY PUBLIC

My commission expires 3-86

(SEAL)

MICROFILMED

NOTICE OF APPLICATION FOR AMENDMENT

Notice is hereby given that permit No. 02-7276 in the name of Givens Hot Springs Inc. was filed on 1/9/1979 for the diversion of 2.0 CFS from the Snake River with a point of diversion within the SESW Sec 16 T1N R3W Owyhee Co. to be used for Irrigation purposes from 3/15 to 11/15 within portions of the SWSW Sec 16 and the NW NW, SENE, W½NE Sec 21 T1N R3W.

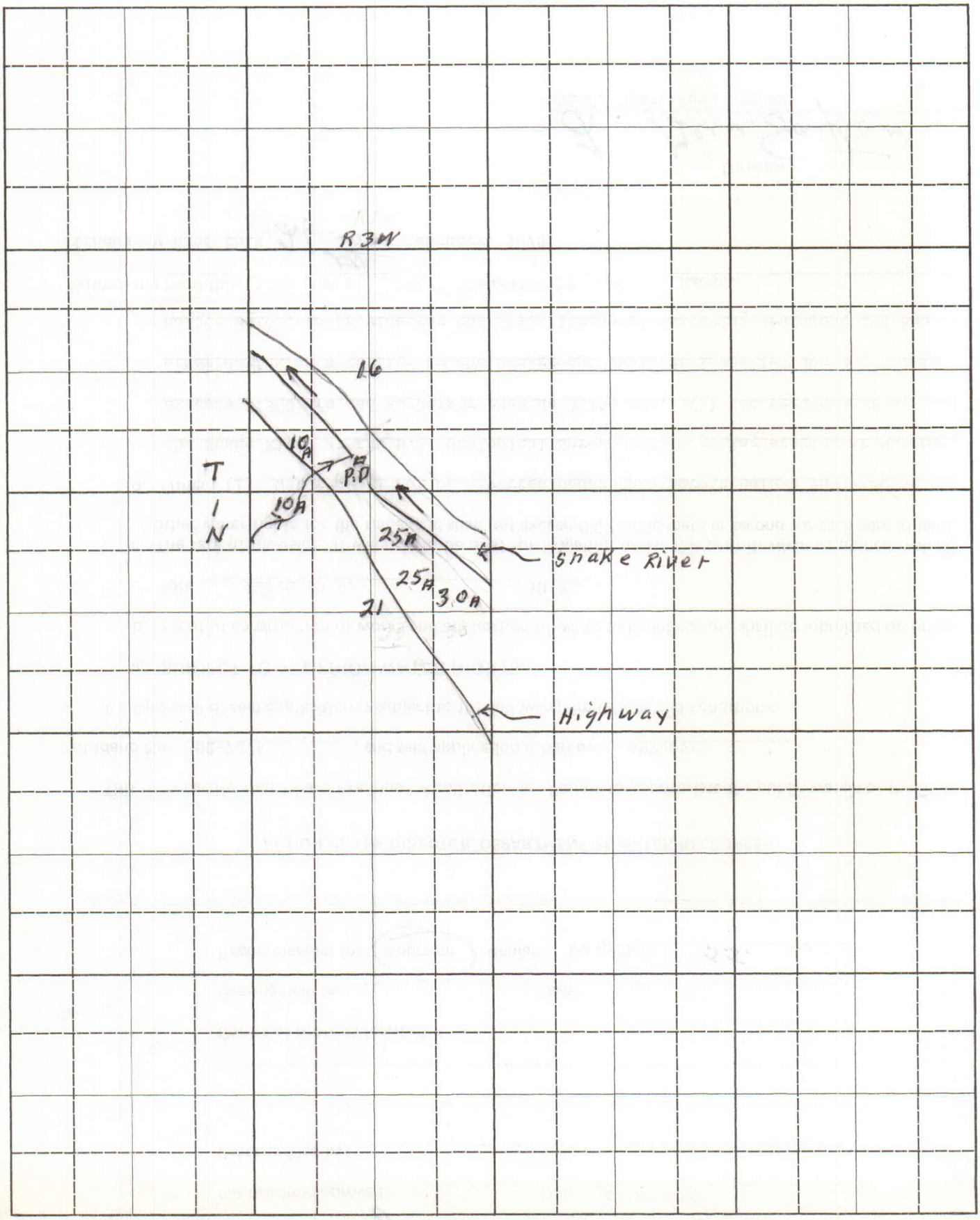
The permit holder now proposes to amend the permit by changing the point of diversion to the SESW, NWSW (2 points) Sec 16 T1N R3W and the place of use to the W½SW, SESW Sec 16 and the N½NW Sec 21 T1N R3W

Any protest against the approval of the proposed amendment must be filed with the Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before May 24, 1982.

A. Kenneth Dunn
Director

Published in the Owyhee Nugget, Marsing, Owyhee County, Id., 5/5 & 5/12/82.

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Gwens Hot Springs Inc.
by Glen Vice President

(Applicant)

MICROFILMED

PROOF OF PUBLICATION

STATE OF IDAHO
County of Owyhee } s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 18 day of January, 1979, and the last publication being on the 25 day of January, 1979;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 25 day of January, 1979.

Lorna S. Hawes
NOTARY PUBLIC

My commission expires 9-10-80

(SEAL)

RECEIVED
JAN 29 19
Department of Water Resources
Regional Office

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the following application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

57 - 7236

GIVENS HOT SPRINGS, INC.
STAR ROUTE, MELBA, ID 83641
Source: GROUNDWATER.
Date Filed: 01/09/1979
Amount: 6.00 CFS
Diversion Point: SWSW NWSW Sec. 16 T 01N R 03W NWNW SWNE Sec. 21 T 01N R 03W, OWYHEE Co.
Use: DOMESTIC (6.00 CFS) from 01/01 to 12/31
Place of Use: SESW SWSW NWSW Sec. 16 T 01N R 03W SENE SWNE NWNW NENW NFSE Sec 21 T 01N R 03W
Diversion Means: WELLS

02 - 7276

GIVENS HOT SPRINGS, INC.
STAR ROUTE, MELBA, ID 83641
Source: SNAKE RIVER
Date Filed: 01/09/1979
Amount: 2.00 CFS
Diversion Point: SESW Sec. 16 T 01N R 03W, OWYHEE Co.
Use: IRRIGATION (2.00 CFS) from 03/15 to 11/15
Place of Use: NWNE SWNE SENE NWNW Sec. 21 T 01N R 03W SWSW Sec. 16 T 01N R 03W FOR 90 ACRES.
Diversion Means: PUMPING PLANT

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83705 on or before FEBRUARY 5, 1979.

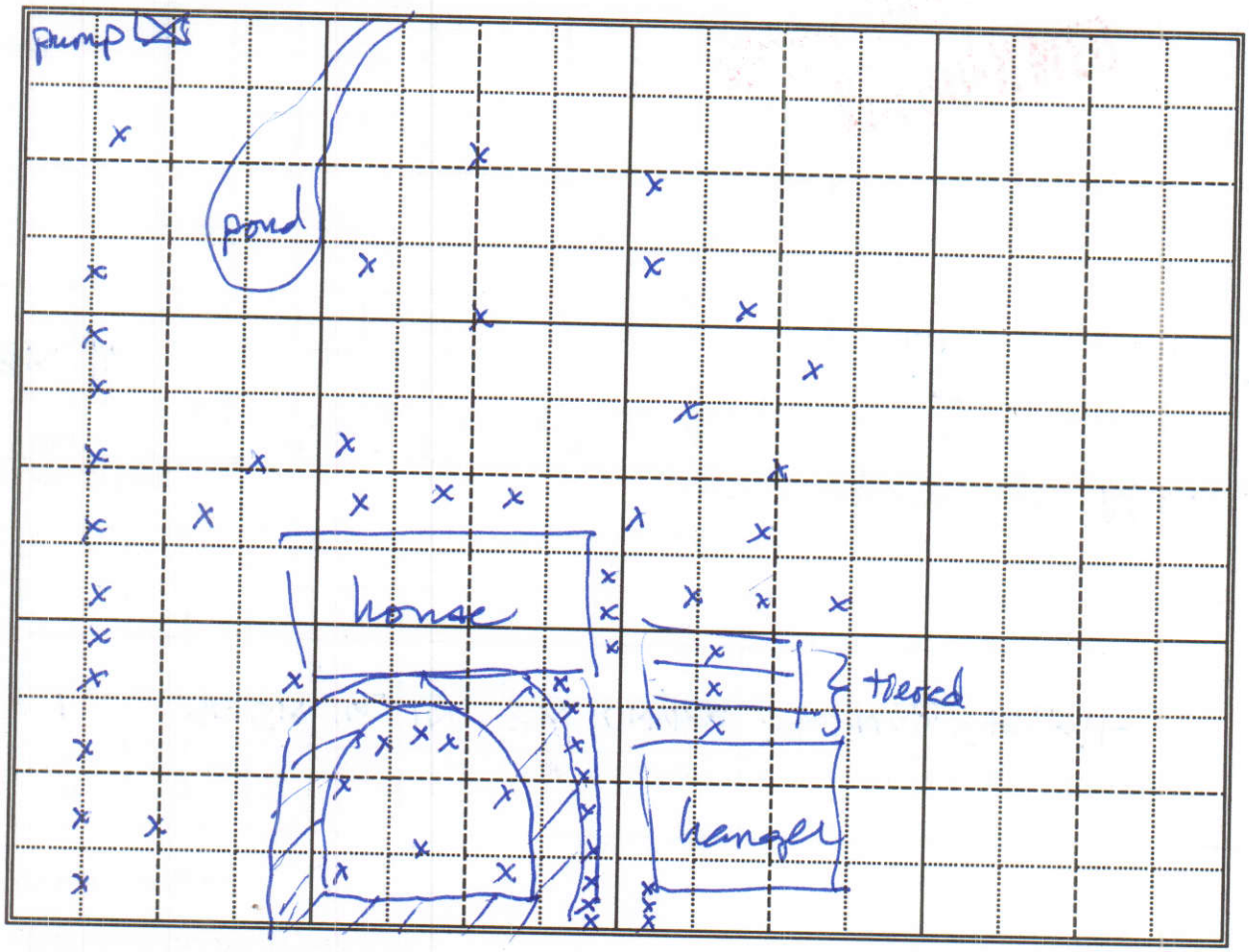
C. STEPHEN ALLRED,
Director.

Published 1/18 & 1/25/79—The Owyhee Nugget, Marsing, Owyhee County, ID.

OK
DBS

MICROFILMED

3. **Delivery System Diagram**: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____.

_____ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

_____ Aerial Photo Attached (required for irrigation of 10+ acres)

_____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Emerson	2	G923	Red Jacket	20D RSPS dd code 040742
					2"

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

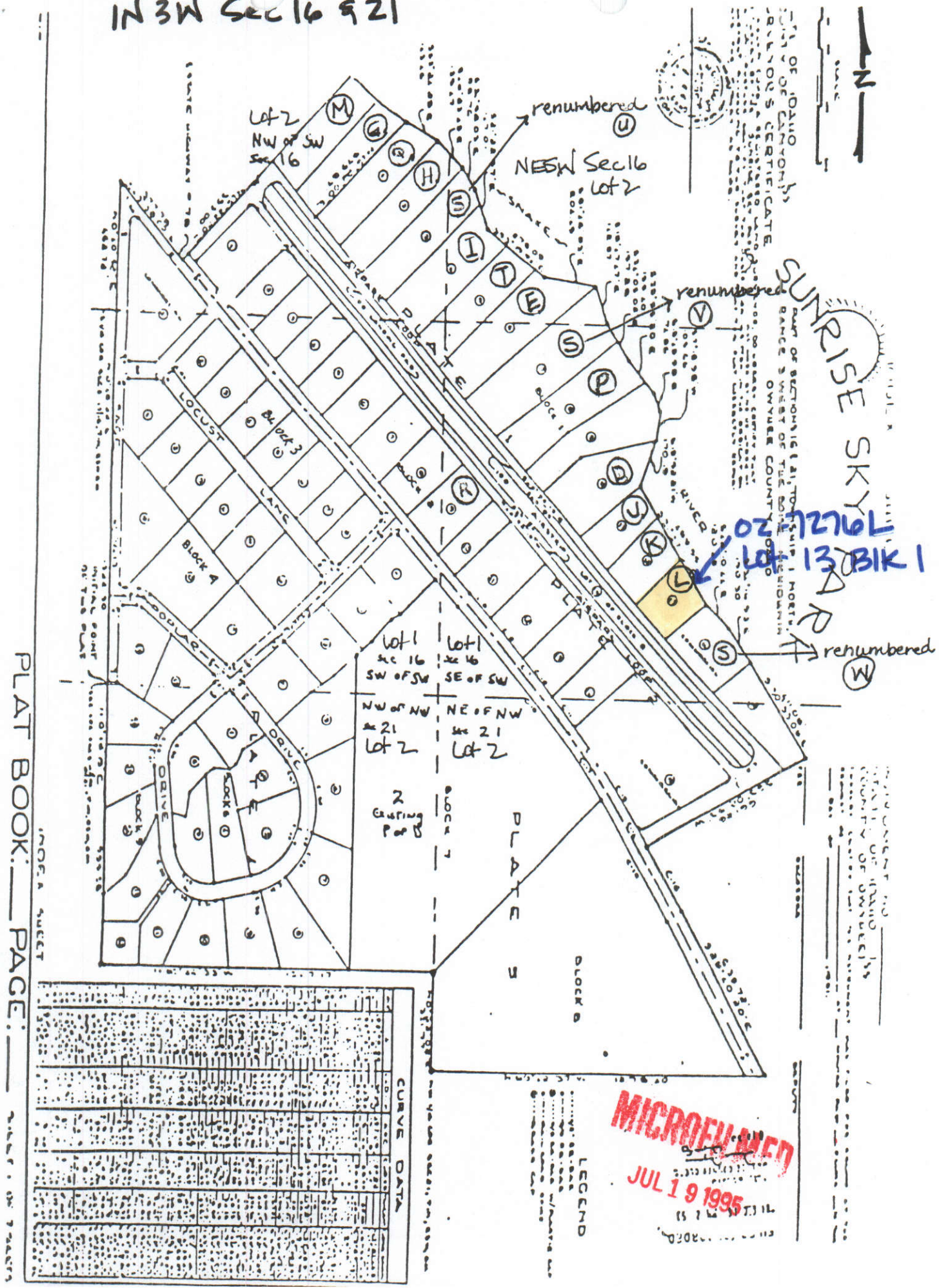
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. **Measurements:** None possible. Estimates and HP equation

PSI est 30

MICROFILMED

JUL 19 1995


02-7276 Splits D-W
1N 3W Sec 16 & 21
Lot 2 NW of SW Sec 16
renumbered U
NE SW Sec 16 Lot 2
renumbered V
renumbered W
SUNRISE SKYLINE DR
02-7276L Lot 13 Blk 1
Lot 1 Sec 16 SW of SW
Lot 1 Sec 16 SE of SW
NW of NW Sec 21 Lot 2
NE of NW Sec 21 Lot 2
LOCUST LANE
Block 3
Block 4
Block 10
Block 9
Block 8
Block 7
Block 6
Block 5
Block 2
Block 1
PLAT
PLAT B
PLAT C
PLAT D
PLAT E
PLAT F
PLAT G
PLAT H
PLAT I
PLAT J
PLAT K
PLAT L
PLAT M
PLAT N
PLAT O
PLAT P
PLAT R
PLAT S
PLAT T
PLAT U
DRIVE
LANE
CURVE DATA
LEGEND
PLAT BOOK:___ PAGE:___
MICROFILMED
JUL 19 1995





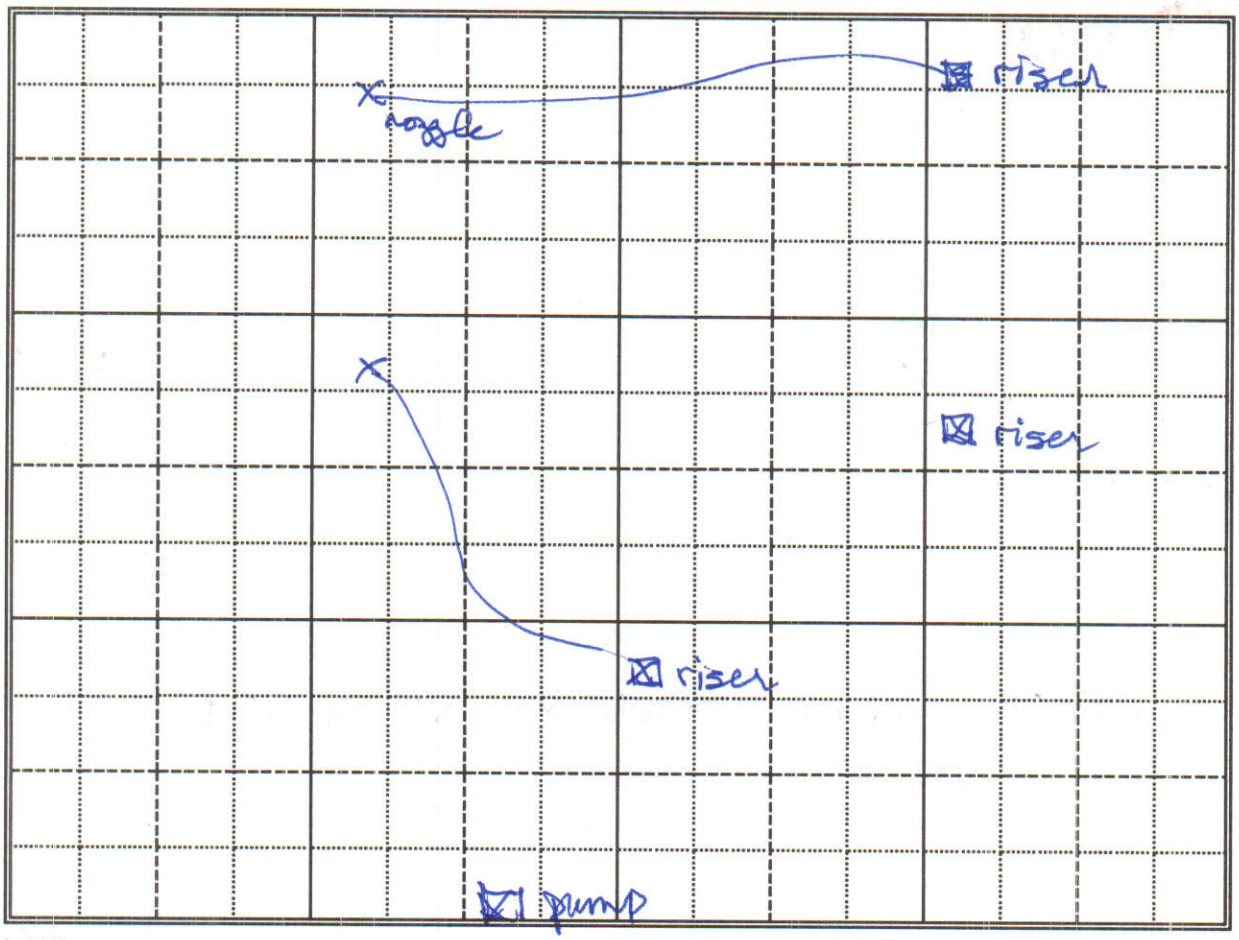
P/u, Back



P/u, front

MICROFILMED
1995

3. **Delivery System Diagram**: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = NTS

Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

Aerial Photo Attached (required for irrigation of 10+ acres)

Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	G.E	2	OFJ	Red Jacket	200 RS-PS 2"

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

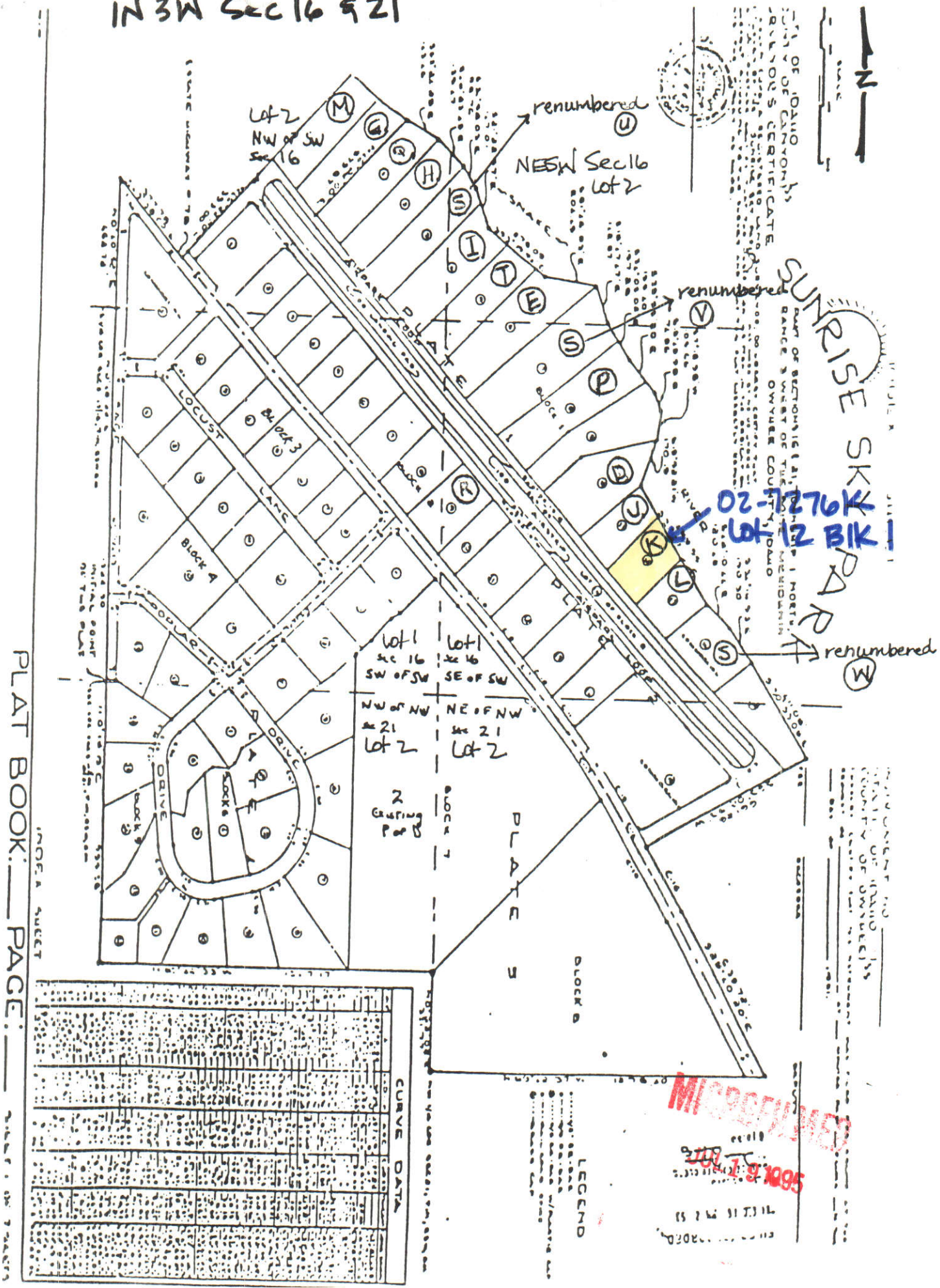
1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. **Measurements:** Discharge pressure

RECEIVED
JUL 19 1995

02-7276 Splits D-W
IN 3W Sec 16 & 21



02-727K



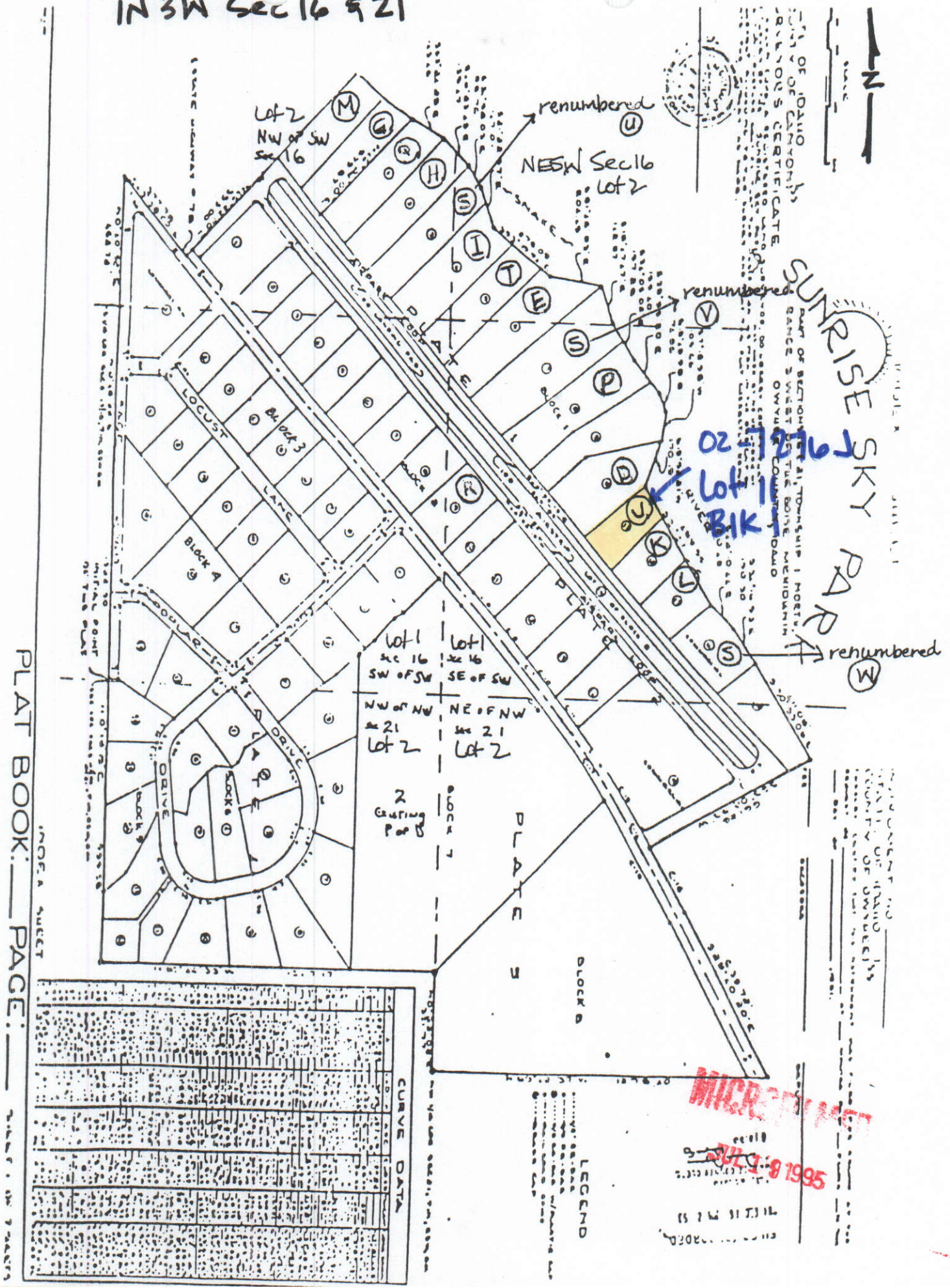
P/D



P/U

JUL 19 1995

02-7276 Splits D-W
IN 3W Sec 16 & 21



02-7276J



P/D

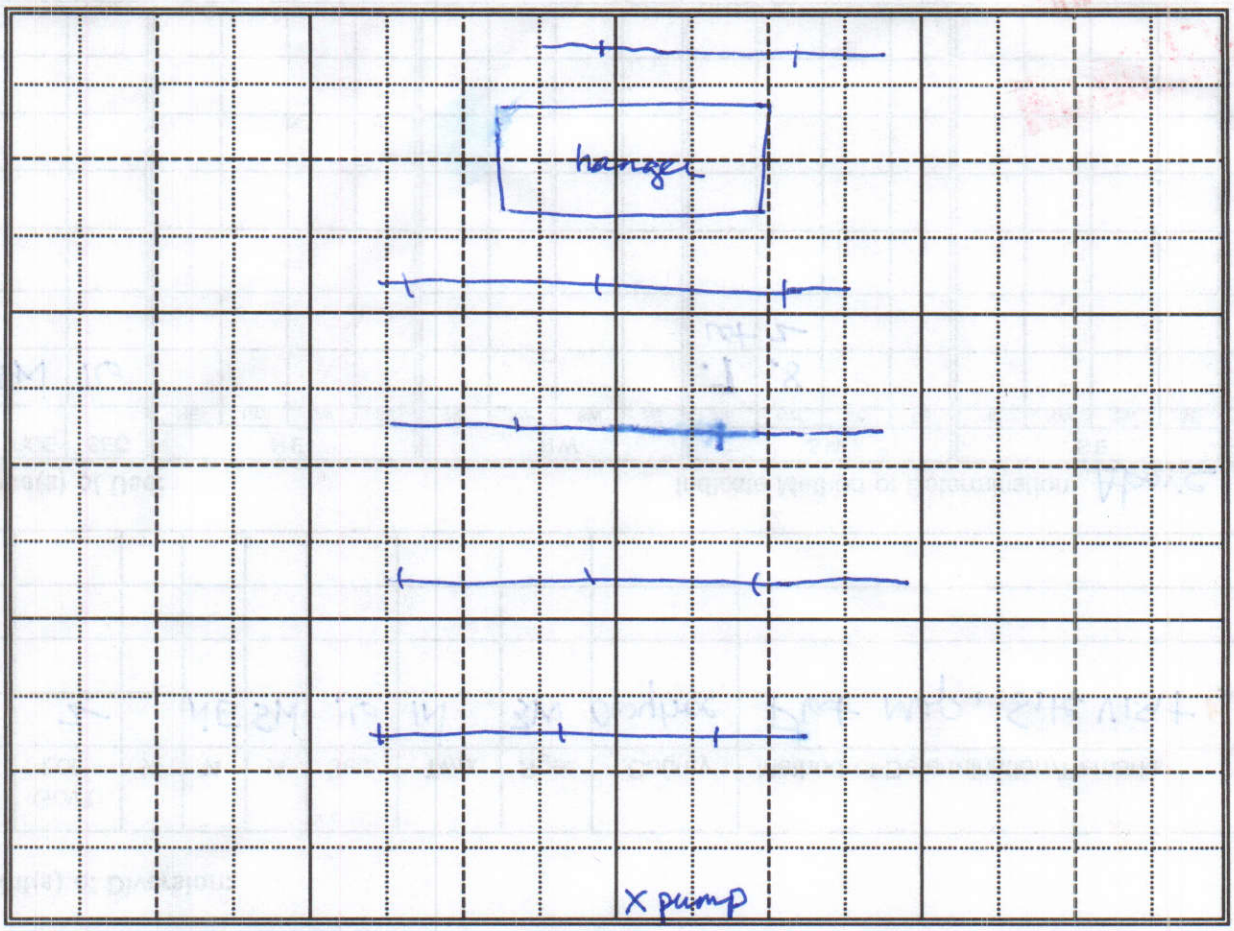


P/N

(re-seeded area
Other areas established)

RECEIVED
JUL 19 1995

3. **Delivery System Diagram**: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____.

\ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

___ Aerial Photo Attached (required for irrigation of 10+ acres)

\ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Emerson	2	G92- ?	Red Jacket	Model 200 RSP5 2"

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

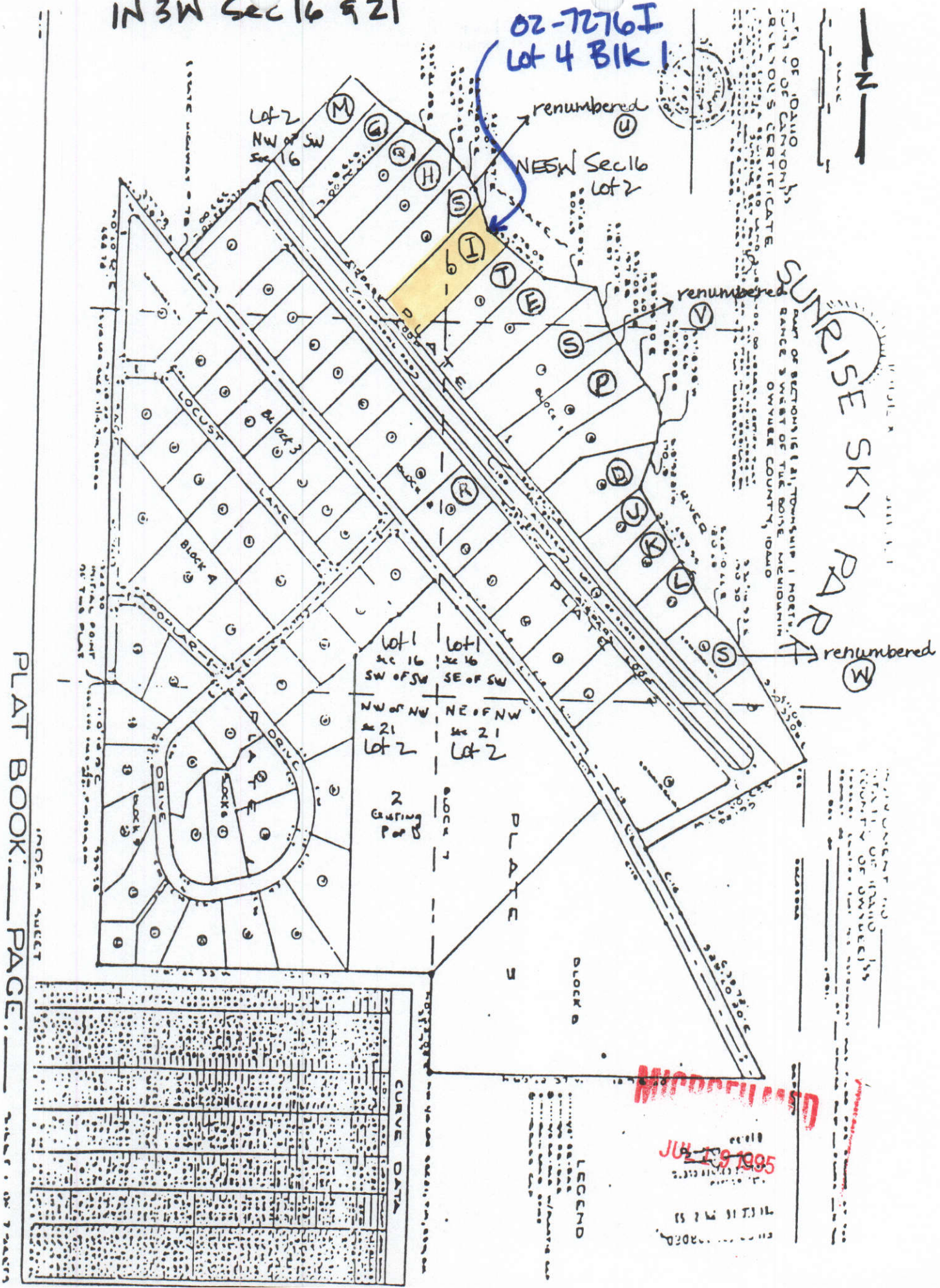
1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. **Measurements:** Discharge pressure.

RECEIVED
JUL 19 1995

02-7276 Splits D-W
IN 3W Sec 16 & 21



02-7276I

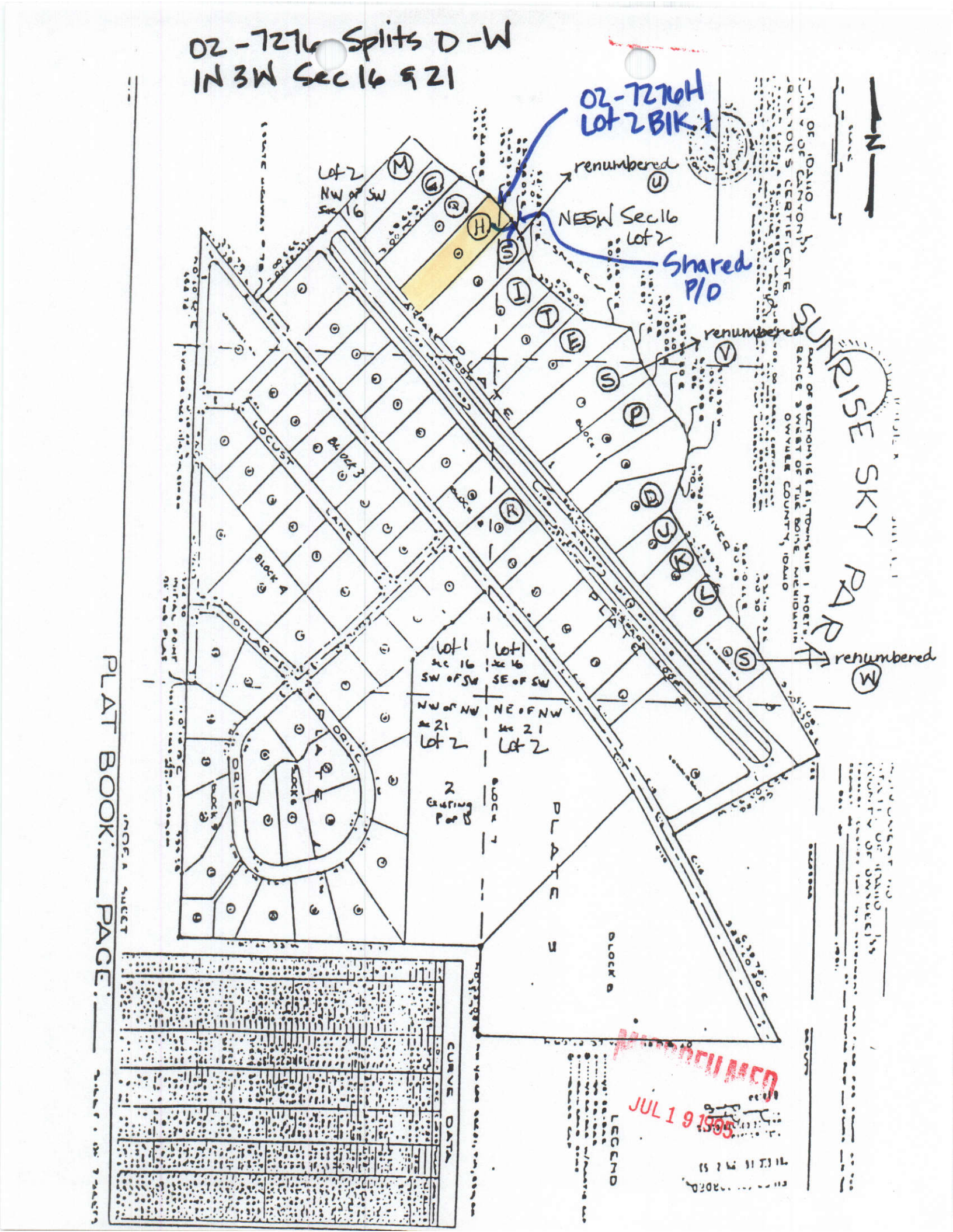


P/D



P/U

RECEIVED
JUL 19 1995


02-7276 Splits D-W
IN 3W Sec 16 & 21
02-7276H
Lot 2 Blk 1
renumbered U
NE SW Sec 16
Lot 2
Shared P/O
renumbered V
SUNRISE SKY PARK
renumbered W
Lot 2
NW of SW
Sec 16
LOCUST LANE
Block 3
Block 4
Lot 1
Sec 16
SW of SW
Lot 1
Sec 16
SE of SW
NW of NW
Sec 21
Lot 2
NE of NW
Sec 21
Lot 2
2
Existing
Par D
PLAT BOOK: ___ PAGE: ___
CURVE DATA
LEGEND
PLAT U
BLOCK D
RECORDED
JUL 19 1995

02-7276H

P/D – See 02-7276S file (Shared w/ recommended part u. – Lot 3)

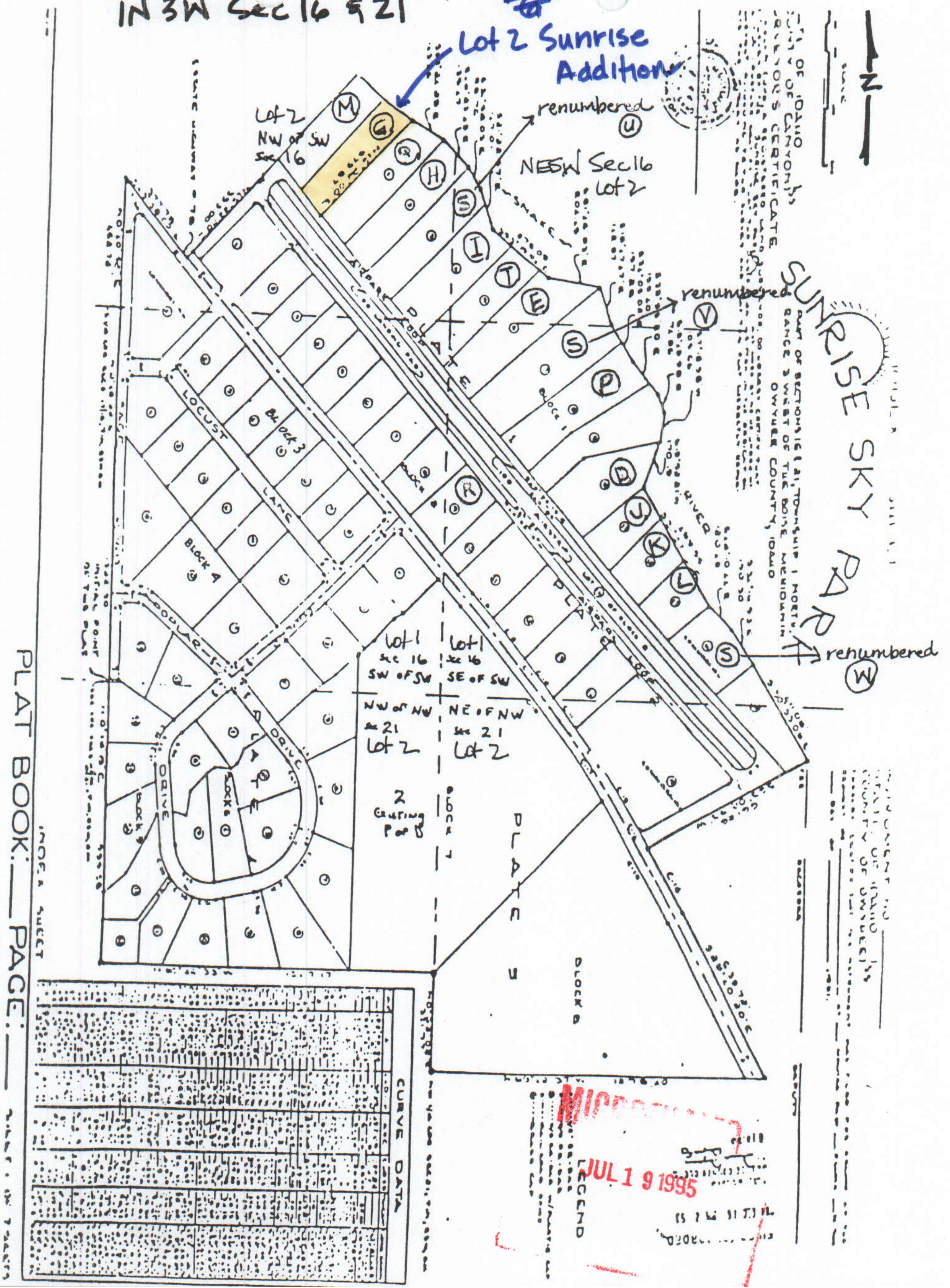


P/U
Lot 2 Blk 1

MICROFILMED
JUL 19 1995

02-7276 Splits D-W
1N 3W Sec 16 & 21

02-7276G



02-7276 G



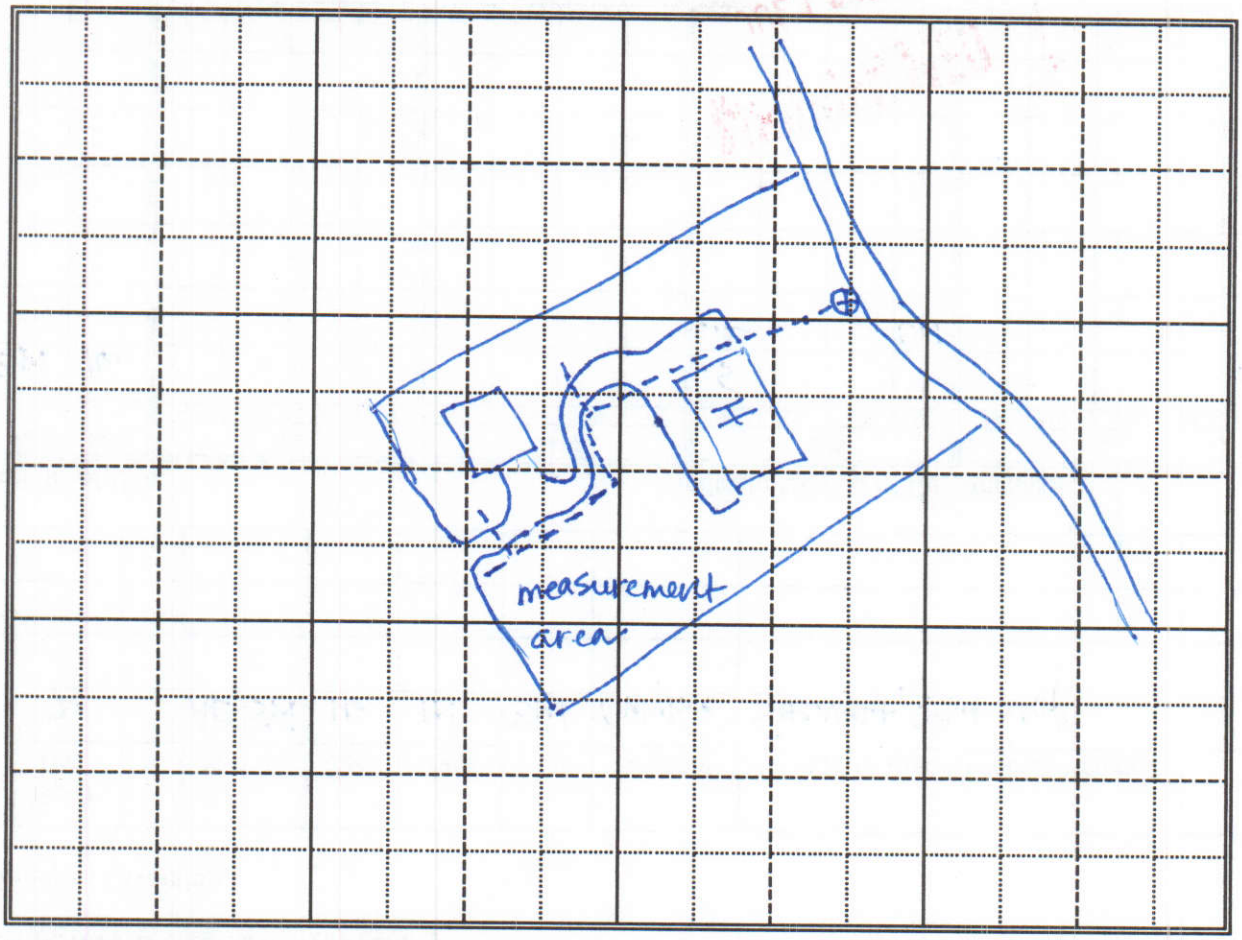
P/D



P/U

JUL 1 9 1995

3. **Delivery System Diagram**: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = ATS

\ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

___ Aerial Photo Attached (required for irrigation of 10+ acres)

\ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Sta-Rite	2.5	1893	Sta-Rite	1.5

**Code to correspond with No. on map and aerial photo*

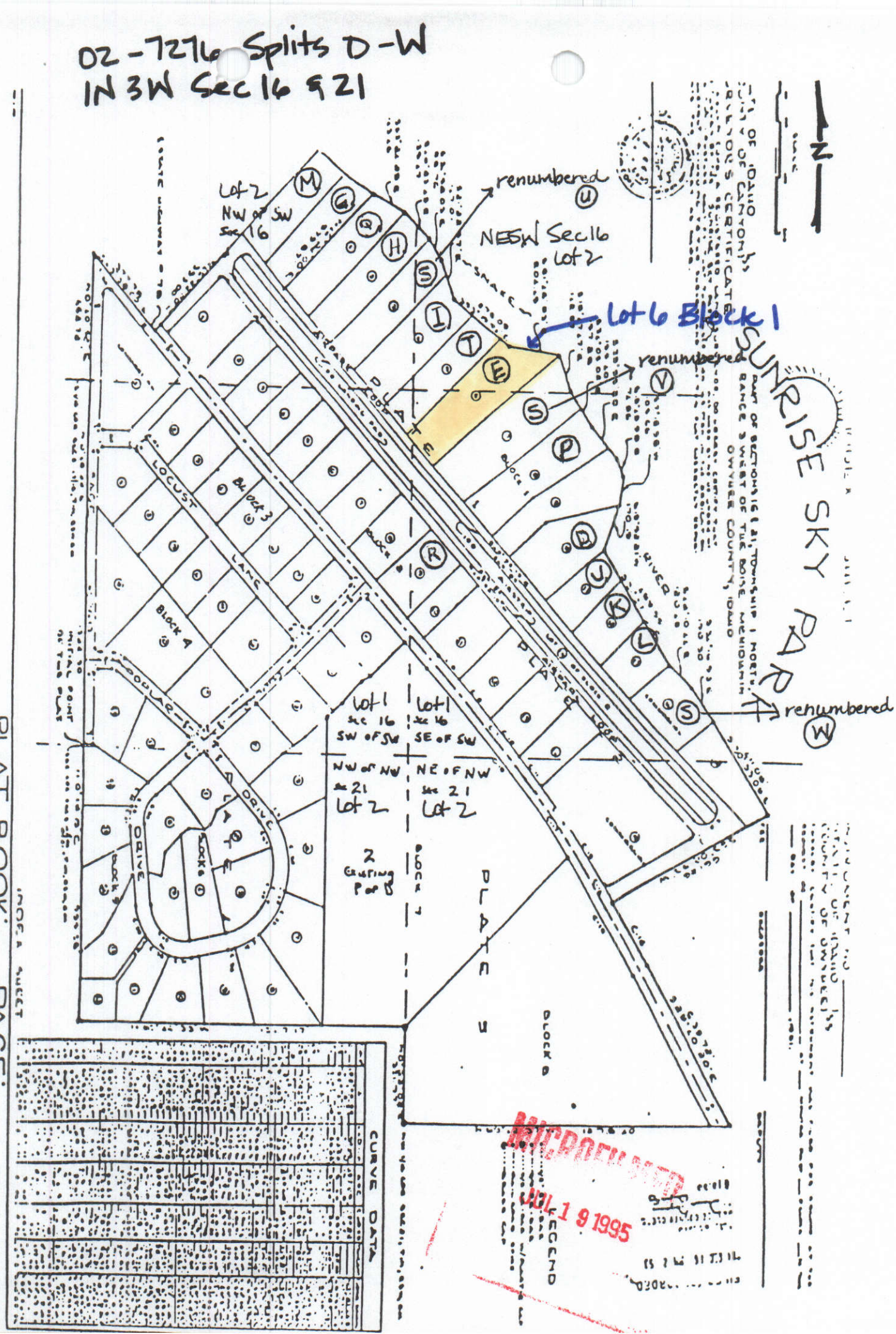
D. FLOW MEASUREMENTS

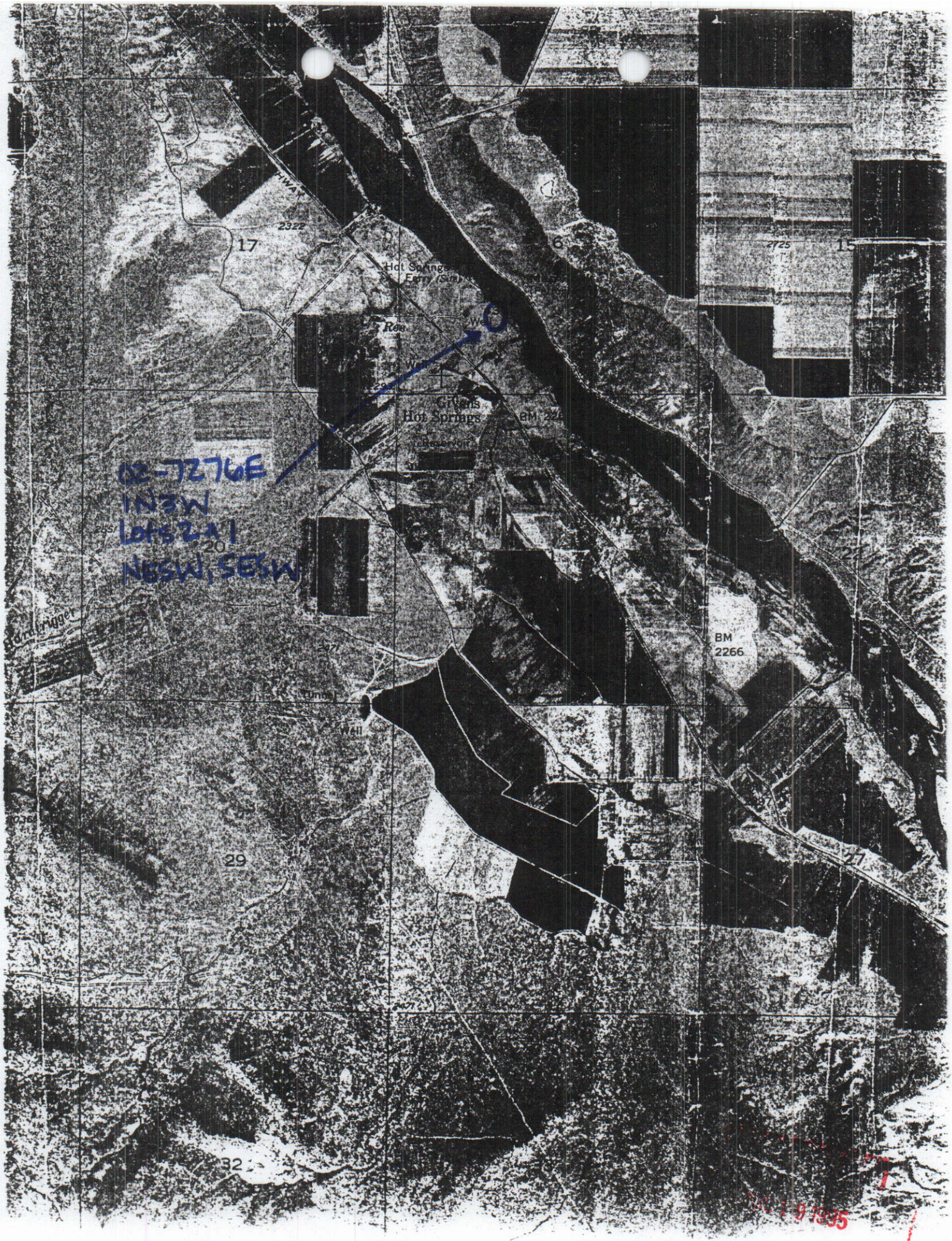
1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

RECEIVED JUL 19 1995 DIVISION OF WATER RESOURCES

2. **Measurements:** Discharge Pressure


02-7276 Splits D-W
IN 3W Sec 16 & 21
Lot 2 NW of SW Sec 16
renumbered U
NE SW Sec 16 Lot 2
Lot 6 Block 1
SUNRISE SKY PARK
renumbered V
renumbered W
LOCUST LANE
Block 3
Block 4
Lot 1 Sec 16 SW of SW
Lot 1 Sec 16 SE of SW
NW of NW Sec 21 Lot 2
NE of NW Sec 21 Lot 2
2 Existing Pad B
Block 1
Block 2
Block 5
PLAT A
PLAT B
PLAT C
PLAT D
PLAT E
PLAT U
DRIVE
CURVE DATA
PLAT BOOK: ___ PAGE: ___
MICROFILMED
JUL 19 1995
RECORDED


17
6
15
20
29
32
BM
2266
Hot Springs
Ferry (Site)
Green's
Hot Springs
Well
02-7276E
1N3W
Lots 2,4,1
N½SW¼, SE¼SW¼

02-012716E

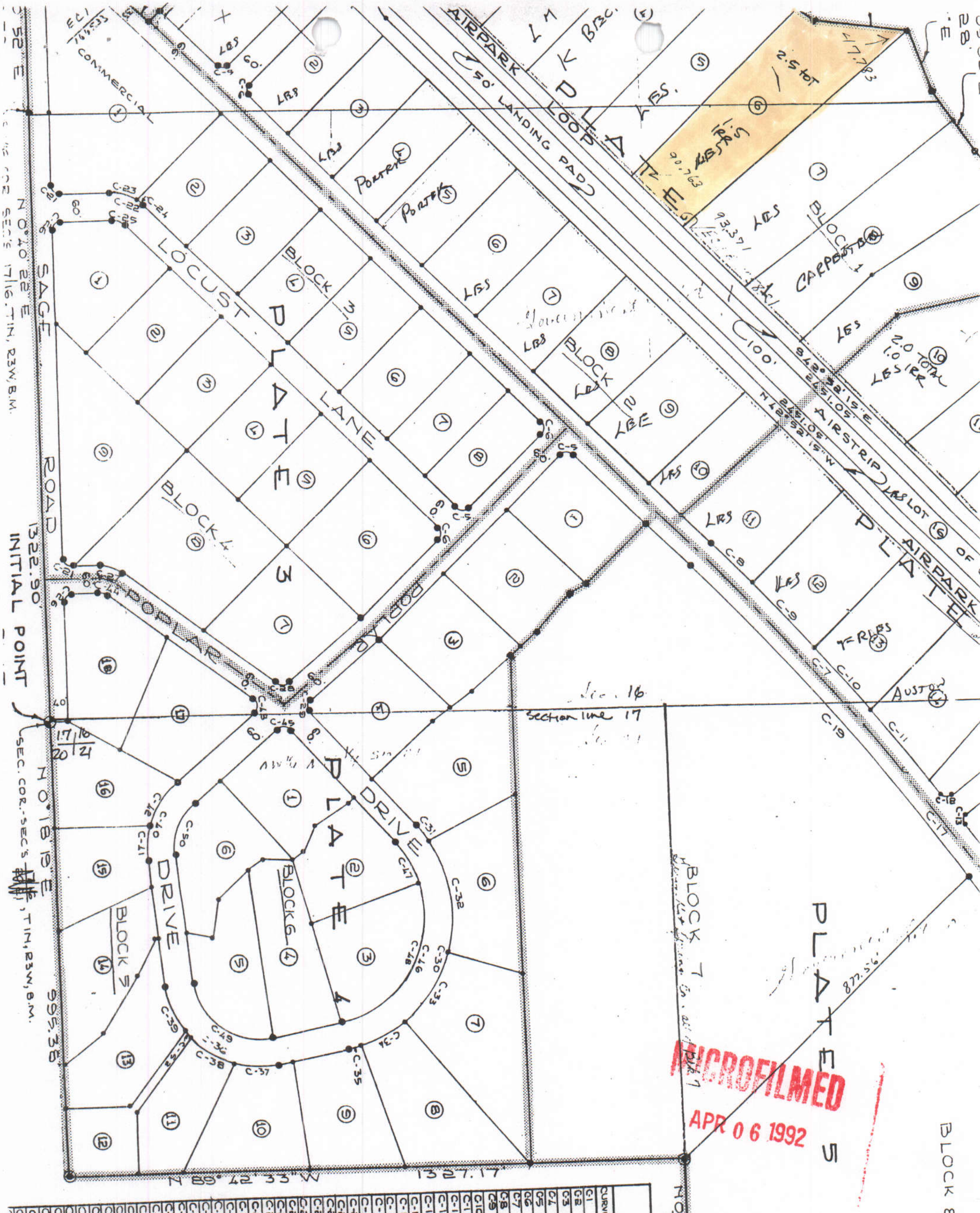


P/D



P/U.
Note alkaline spot in front. Low germination; has been reseeded.

JUL 19 1995

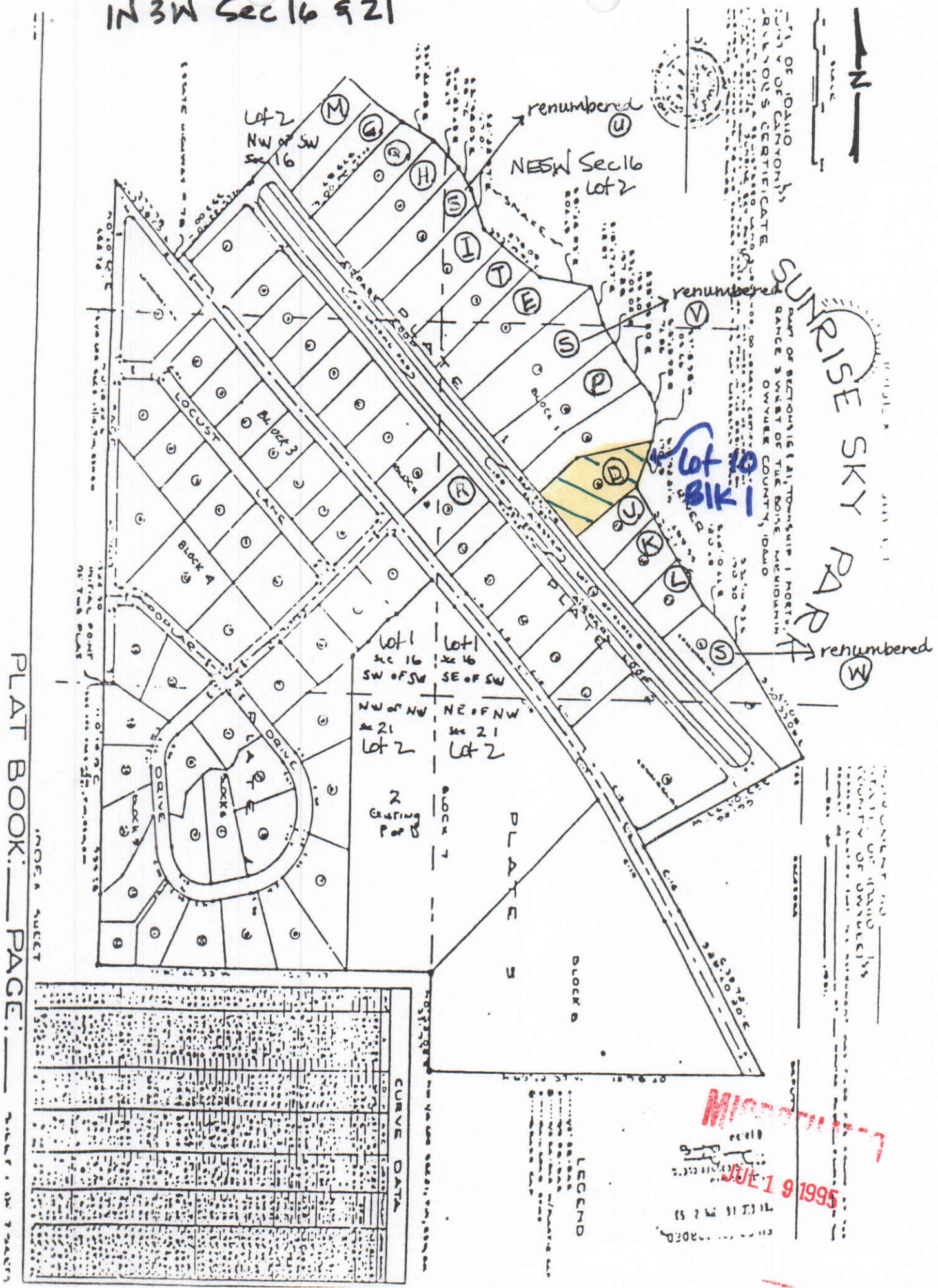


CURVE	Δ
C-1	180°00
C-2	180°00
C-3	90°00
C-4	90°00
C-5	90°00
C-6	90°00
C-7	6°25
C-8	1°17
C-9	1°56
C-10	1°47
C-11	2°17
C-12	90°00
C-13	90°00
C-14	6°3
C-15	3°0
C-16	2°35
C-17	13°57
C-18	7°25
C-19	9°05
C-20	135°17
C-21	90°00
C-22	15°47
C-23	35°55
C-24	9°47
C-25	15°47
C-26	50°0
C-27	37°3
C-28	77°5
C-29	91°0
C-30	120°0
C-31	9°2
C-32	78°5
C-33	37°3
C-34	21°2
C-35	5°5
C-36	99°5
C-37	28°5
C-38	28°
C-39	32°
C-40	55°
C-41	22°
C-42	32°
C-43	102°
C-44	37°
C-45	88°
C-46	120°
C-47	26°

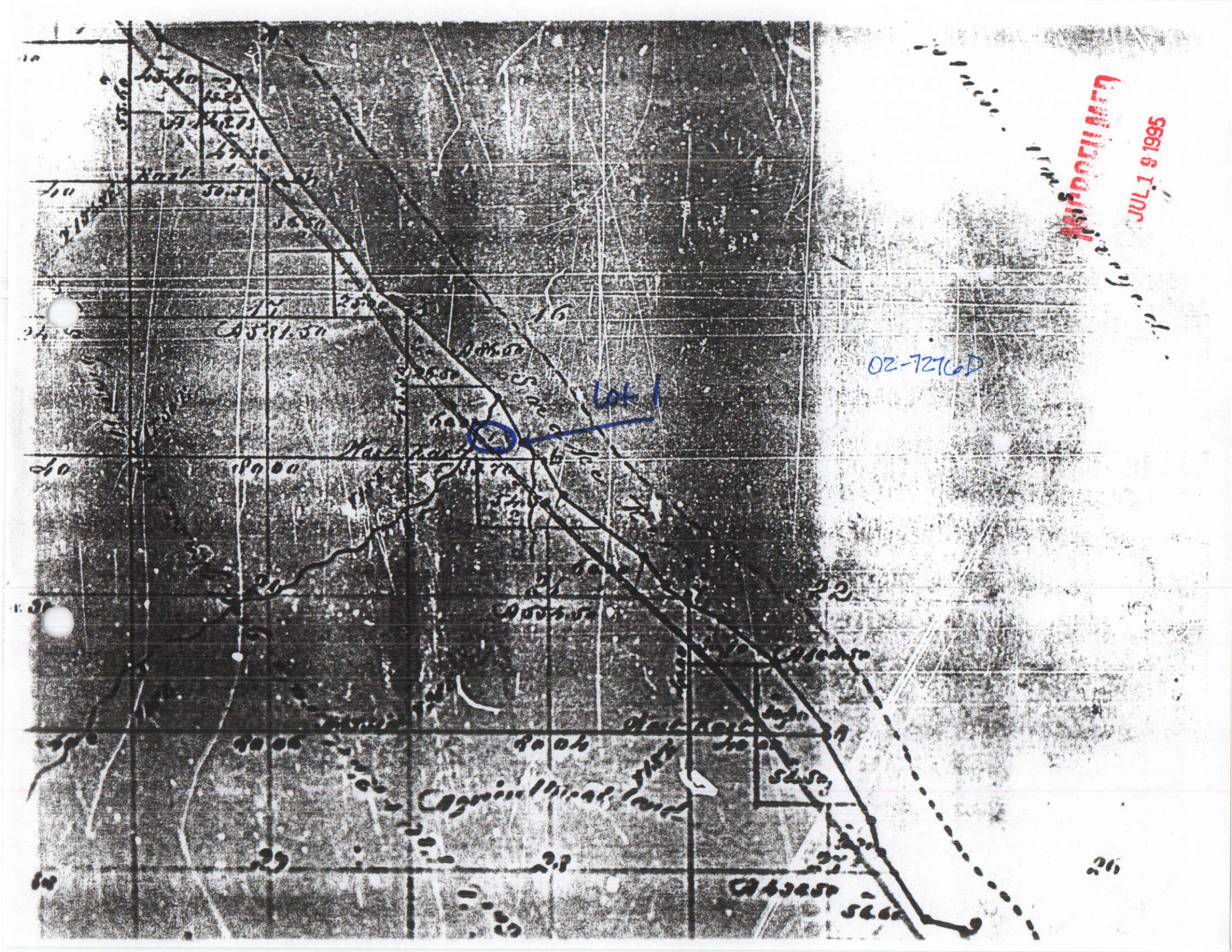

BM 2266
DITCH
Well
8
17
20
29
27
2722
2717
2725
2266
APR 06 1992


MICROFILMED
APR 06 1992

02-7276 Splits D-W
IN 3W Sec 16 & 21




17
6
15
20
29
27
32
Hot Springs Ferry (Site)
Well
Tunnel
Reservoir
Gibbens Hot Springs
BM 2266
02-7276D
1N3W
Sec 16
10+1 SESW
JUL 19 1995


Lot 1
JUL 19 1995
02-727(D

OZ-7276 D

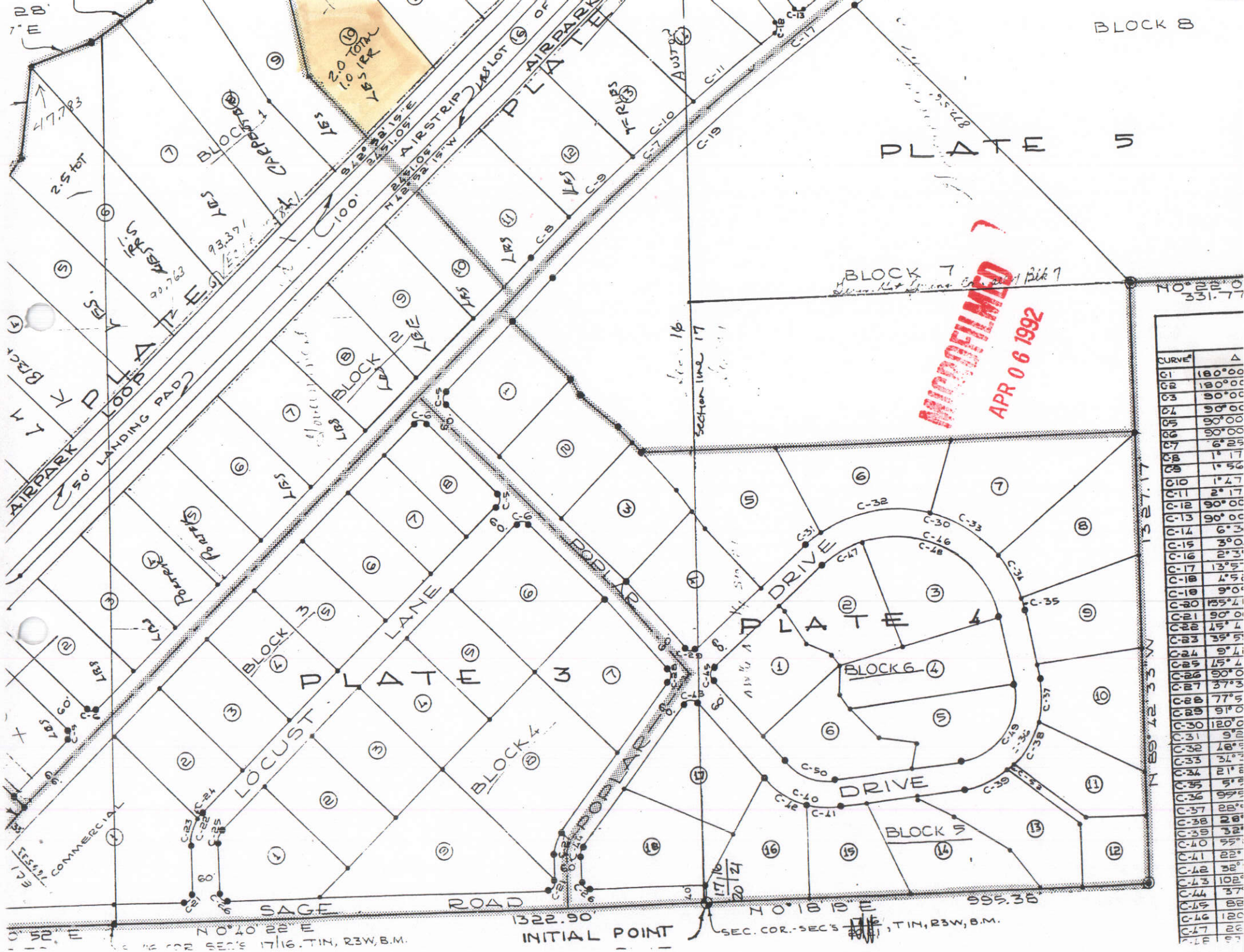


P/D



P/u
Lot 10 Blk. 1

MICROFILMED
JUL 19 1995



CURVE	Δ
C1	180°00
C2	180°00
C3	90°00
C4	90°00
C5	90°00
C6	90°00
C7	6°25
C8	1°17
C9	1°56
C10	1°47
C11	2°17
C12	90°00
C13	90°00
C14	6°3
C15	3°0
C16	2°3
C17	13°57
C18	4°58
C19	9°0
C20	135°4
C21	90°0
C22	15°4
C23	35°5
C24	9°4
C25	15°4
C26	90°0
C27	37°3
C28	77°5
C29	91°0
C30	120°0
C31	9°2
C32	16°
C33	34°
C34	21°
C35	5°
C36	99°
C37	88°
C38	28°
C39	32°
C40	55°
C41	22°
C42	38°
C43	102°
C44	37
C45	88
C46	120
C47	26


MICROFILMED
APR 06 1992


BM 2313
Ditch
Pump
Well
2722
2717
2698
2406
2322
17
Hot Springs
Hot Springs
BM 2266
20
29
27
Barrenrugger
RECEIVED
APR 06 1992

26 Oct.
1400 - 1700
Jim Osborne

ORIGINAL
PLAT
12-16-81
171169

TWO LOTS
ANNEXED
11-14-85
#187205



MICROFILMED
JUL 27 1999

Ray + Kay Fehr
Lot 9 Block 2

RESURVEY
11-4-85
#187050

RUNWAY EXTENSION
RESURVEYS
197022
187205
210139

02-07276 4/15/92 CJH

INDEX SHEET

SUNRISE SKY PARK

PART OF SECTIONS 16 & 21, TOWNSHIP 1 NORTH, RANGE 3 WEST OF THE BOISE MERIDIAN OWYHEE COUNTY, IDAHO

INSTRUMENT NO _____
STATE OF IDAHO)ss
COUNTY OF OWYHEE)
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF _____ AT ___ MINUTES PAST ___ O'CLOCK ___ M. THIS ___ DAY OF _____, 1991.

EX-OFFICIO RECORDER _____ DEPUTY _____

STATE OF IDAHO)ss
COUNTY OF CANYON)

SURVEYOR'S CERTIFICATE

I, [illegible], A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT I AM THE SURVEYOR OF THE SUNRISE SKY PARK AND THAT THE SURVEY AND PLAT AS SHOWN HEREON WAS MADE BY ME OR UNDER MY DIRECT SUPERVISION AND THAT THE PLAT CORRECTLY REPRESENTS THE SURVEY MADE.

DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT [illegible] HAVE CAUSED THE SUBDIVISION IN THE DESCRIPTION AND THE DEDICATION AS SHOWN ON THE PLAT.

ACKNOWLEDGMENT

STATE OF IDAHO)ss
COUNTY OF OWYHEE)

ON THIS ___ DAY OF _____, 1991, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE, PERSONALLY APPEARED _____ KNOWN OR IDENTIFIED TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC FOR IDAHO
RESIDING AT _____
MY COMMISSION EXPIRES _____

APPROVAL OF COUNTY COMMISSIONERS

I, THE UNDERSIGNED, CHAIRMAN OF THE BOARD OF COUNTY COMMISSIONERS IN AND FOR OWYHEE COUNTY, IDAHO, DO HEREBY CERTIFY THAT AT A REGULAR MEETING OF THE BOARD OF COUNTY COMMISSIONERS HELD ON THE ___ DAY OF _____, 1991, THIS PLAT WAS DULY ACCEPTED AND APPROVED.

CHAIRMAN, BOARD OF COUNTY COMMISSIONERS

APPROVAL OF COUNTY ENGINEER

I, THE UNDERSIGNED, COUNTY ENGINEER IN AND FOR OWYHEE COUNTY, IDAHO, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE ATTACHED PLAT OF SUNRISE SKY PARK AND THAT I AM SATISFIED THAT THE PLAT IS TECHNICALLY CORRECT.

COUNTY ENGINEER

APPROVAL OF COUNTY TREASURER

I, THE UNDERSIGNED, COUNTY TREASURER IN AND FOR OWYHEE COUNTY, IDAHO, DO HEREBY CERTIFY THAT ALL REAL PROPERTY TAXES AND ASSESSMENTS DUE AND PAYABLE FOR THE SUBDIVISION HAVE BEEN PAID IN FULL.

COUNTY TREASURER

APPROVAL OF CITY COUNCIL

I, THE UNDERSIGNED, CITY CLERK IN AND FOR THE CITY OF MURPHY, IDAHO, DO HEREBY CERTIFY THAT AT A REGULAR MEETING OF THE CITY COUNCIL HELD ON THE ___ DAY OF _____, 1991, THIS PLAT WAS DULY ACCEPTED AND APPROVED.

CITY CLERK

APPROVAL OF CITY ENGINEER

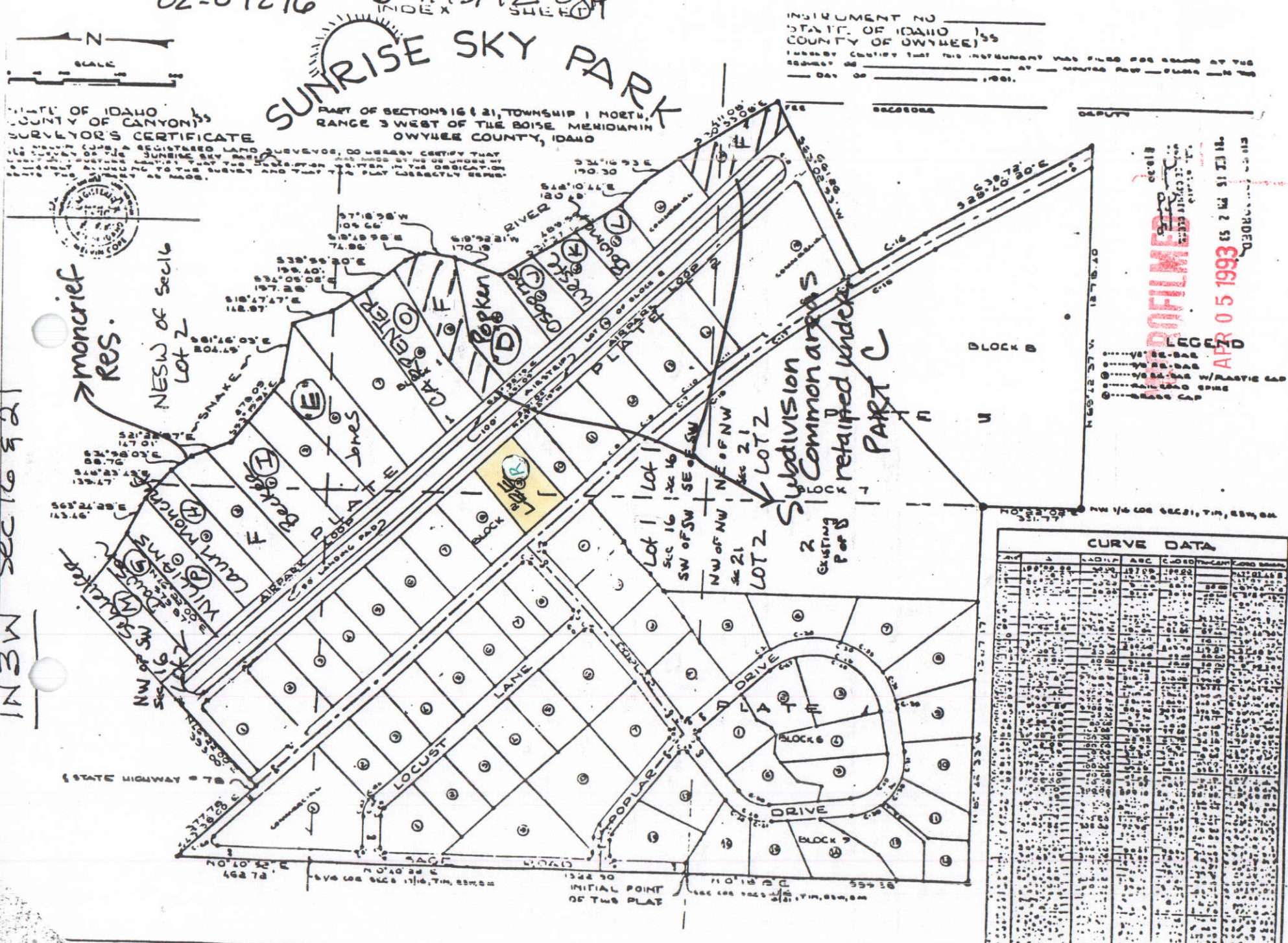
I, THE UNDERSIGNED, CITY ENGINEER IN AND FOR THE CITY OF MURPHY, IDAHO, DO HEREBY CERTIFY THAT I HAVE EXAMINED THE ATTACHED PLAT OF SUNRISE SKY PARK AND THAT I AM SATISFIED THAT THE PLAT IS TECHNICALLY CORRECT.

CITY ENGINEER

CERTIFICATE OF COUNTY RECORDER

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF _____ AT ___ MINUTES PAST ___ O'CLOCK ___ M. THIS ___ DAY OF _____, 1991.

EX-OFFICIO RECORDER _____ DEPUTY _____

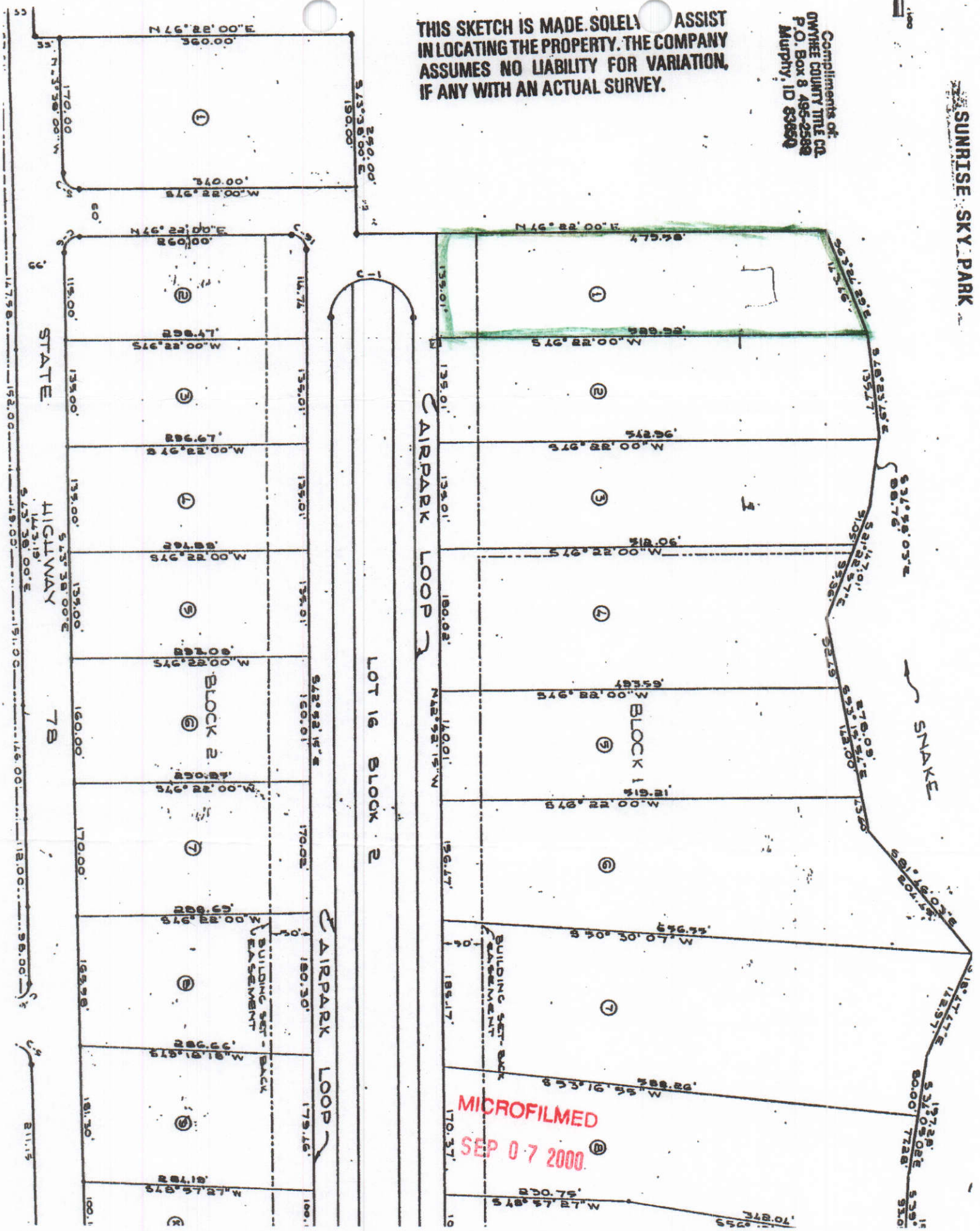


IN3W Sec 16 & 21

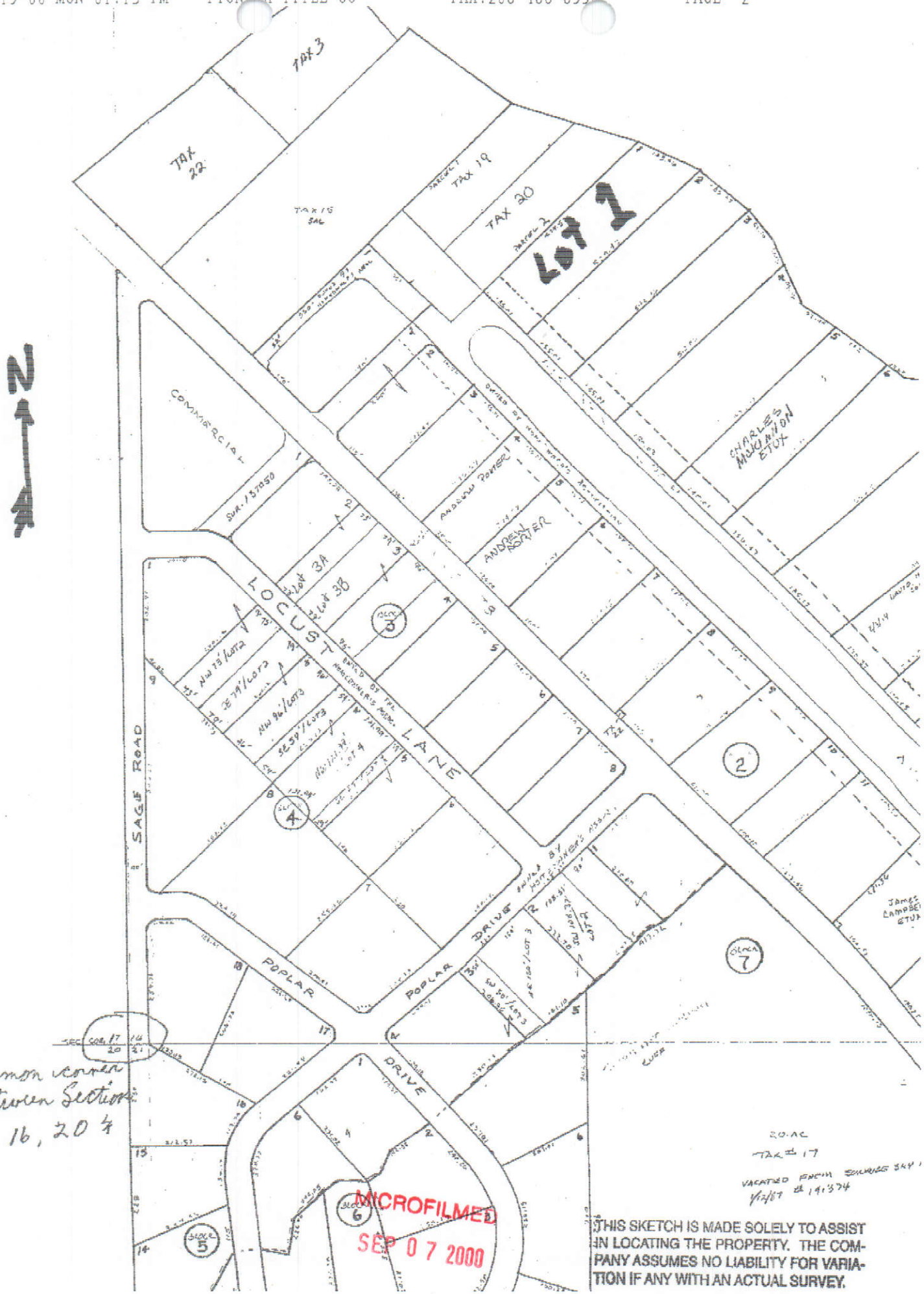
INDEX SHEET

PLAT BOOK: ___ PAGE: ___ SHEET 1 OF 7 SHEETS

MICROFILMED
APR 05 1993


THIS SKETCH IS MADE SOLELY TO ASSIST IN LOCATING THE PROPERTY. THE COMPANY ASSUMES NO LIABILITY FOR VARIATION, IF ANY WITH AN ACTUAL SURVEY.
Compliments of:
OWYHEE COUNTY TITLE CO.
P.O. Box 8 495-2588
Murphy, ID 83650
SUNRISE SKY PARK
STATE HIGHWAY 78
AIRPARK LOOP
LOT 16 BLOCK 2
BLOCK 2
BLOCK 1
SNAKE
BUILDING SET-BACK EASEMENT
MICROFILMED
SEP 07 2000

C604 4/26/00 N

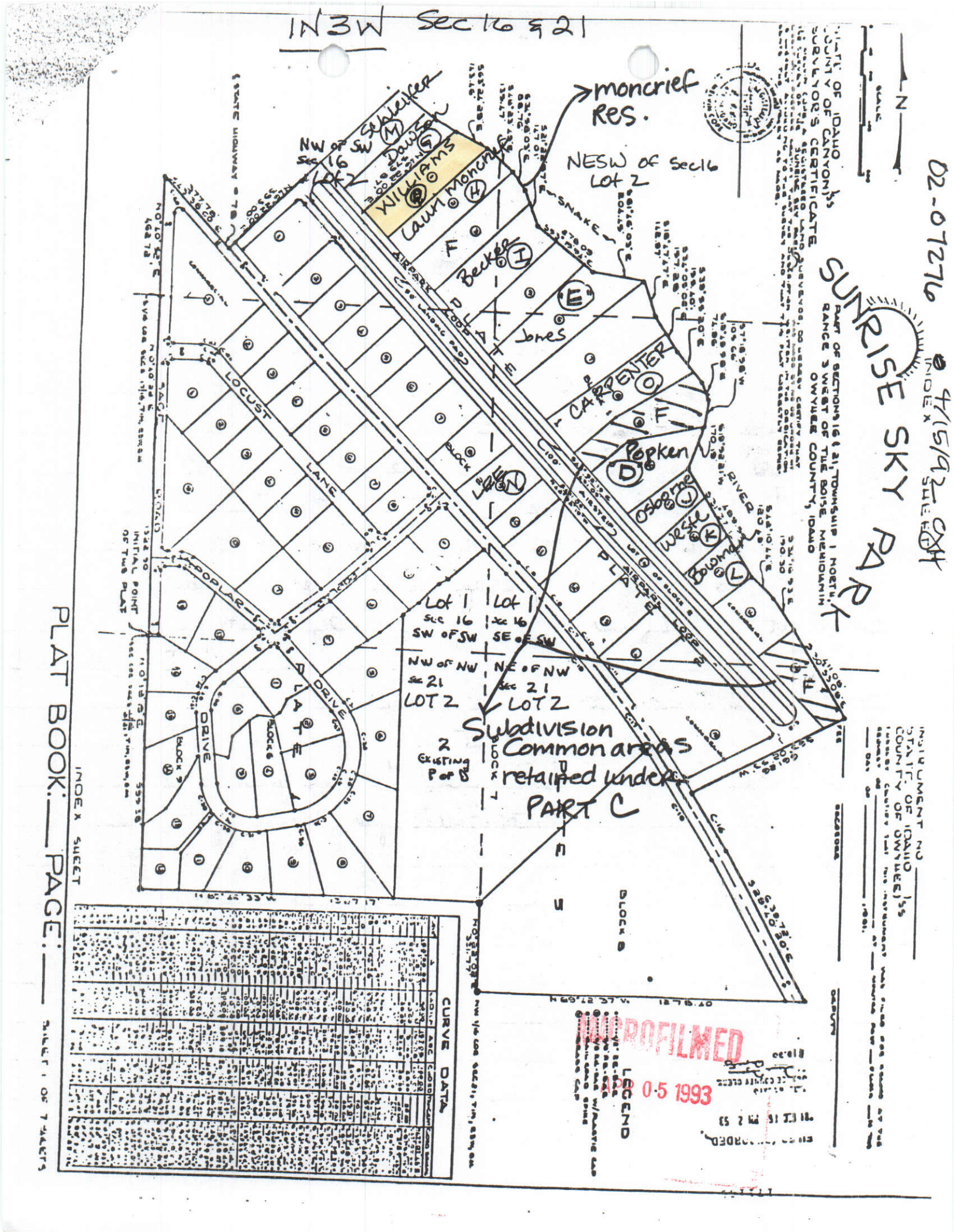


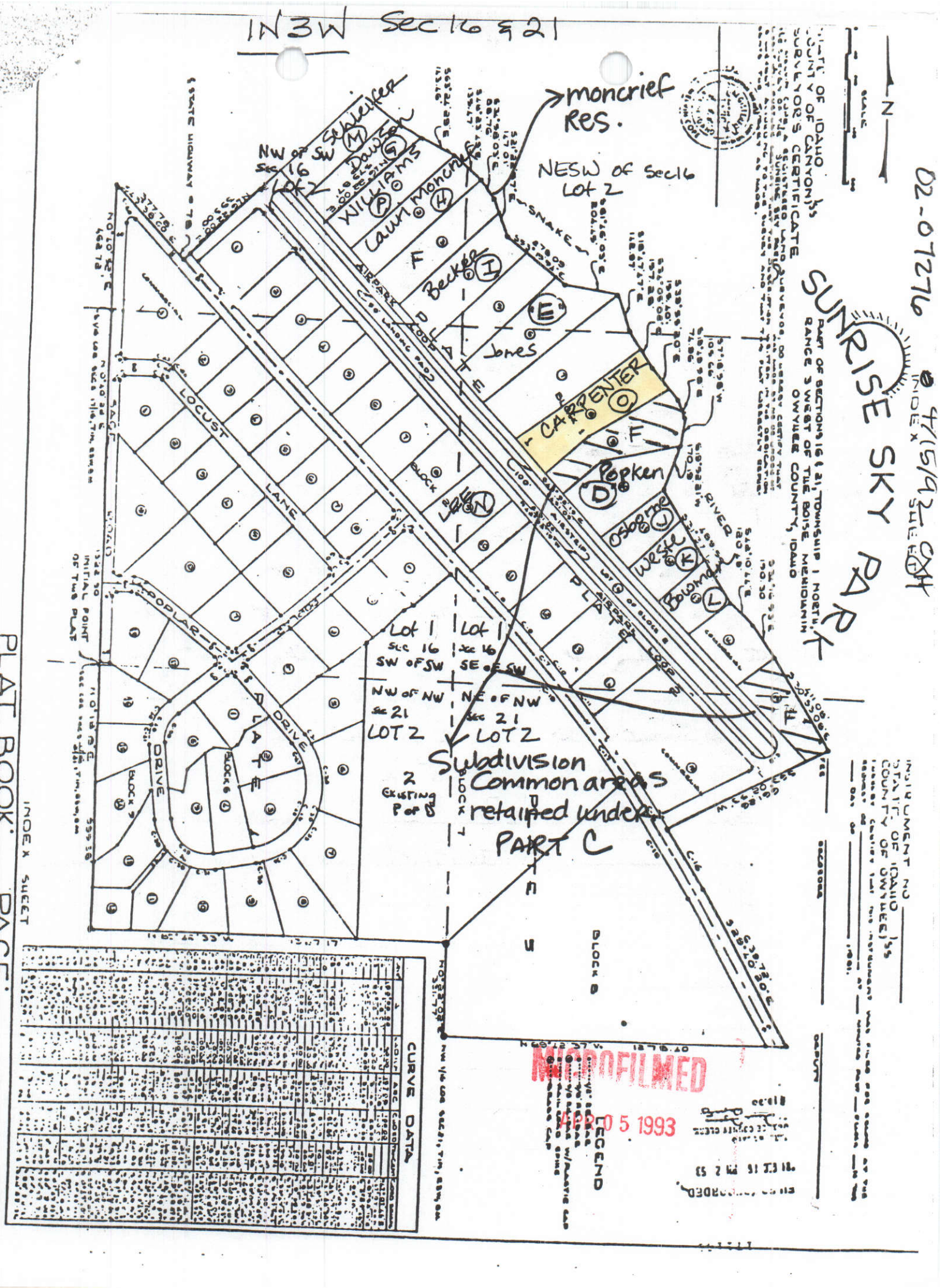
Common corner between Sections 17, 16, 20 & 21.

20 AC
TAX # 17
VACATED FROM SURVEY 344
1/2/87 # 191374

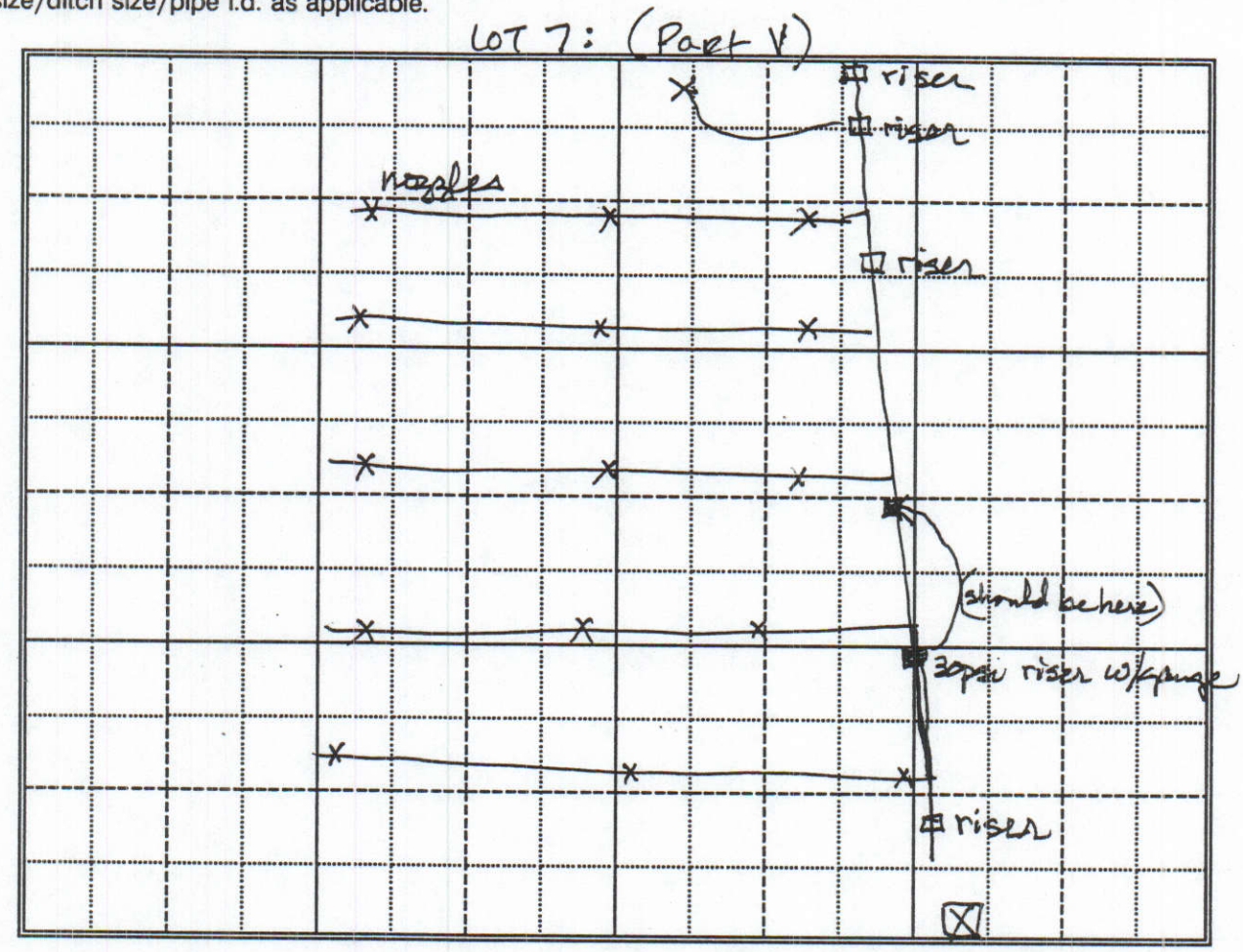
MICROFILMED
SEP 07 2000

THIS SKETCH IS MADE SOLELY TO ASSIST IN LOCATING THE PROPERTY. THE COMPANY ASSUMES NO LIABILITY FOR VARIATION IF ANY WITH AN ACTUAL SURVEY.


1N3W Sec 16 & 21
02-07276
4/15/92 CAH
INDEX SHEET
SUNRISE SKY PARK
PART OF SECTIONS 16 & 21, TOWNSHIP 1 NORTH, RANGE 3 WEST OF THE BOISE MERIDIAN OWYHEE COUNTY, IDAHO
STATE OF IDAHO COUNTY OF CANYON SURVEYOR'S CERTIFICATE
moncrief Res.
NESW of Sec 16 Lot 2
NW of SW Sec 16 Lot 2
Schleifer
Dawson
Williams
Lawn
Moncrief
Becker
Jones
Carpenter
Popken
Osborne
Wesie
Boumgart
Lot 1 Sec 16 SW of SW
Lot 1 Sec 16 SE of SW
NW of NW Sec 21 Lot 2
NE of NW Sec 21 Lot 2
Subdivision Common areas retained under PART C
2 existing POD
LOCUST LANE
POPLAR DRIVE
AIRPARK LOOP
SNAKE RIVER
BLOCK A
BLOCK B
BLOCK C
BLOCK D
BLOCK E
BLOCK F
BLOCK G
BLOCK H
BLOCK I
BLOCK J
BLOCK K
BLOCK L
BLOCK M
BLOCK N
CURVE DATA
LEGEND
MICROFILMED
APR 05 1993
PLAT BOOK: ___ PAGE: ___
INDEX SHEET
SHEET 1 OF 2 SHEETS


1N3W Sec 16 & 21
02-07276
4/15/92 SHEET 1 OF 2
SUNRISE SKY PARK
PART OF SECTIONS 16 & 21, TOWNSHIP 1 NORTH, RANGE 3 WEST OF THE BOISE MERIDIAN OWYHEE COUNTY, IDAHO
STATE OF IDAHO COUNTY OF CANYON } ss
SURVEYOR'S CERTIFICATE
INDEX SHEET
INSTRUMENT NO. _____
STATE OF IDAHO COUNTY OF OWYHEE } ss
moncrief Res.
NESW of Sec 16 Lot 2
NW of SW Sec 16 Lot 2
Schleicher
Dawson
Williams
Lawn Moncrief
Becker
Jones
CARPENTER
Popken
Osborne
Weste
Boloman
SNAKE RIVER
AIRPARK ROAD
AIRPARK PLATE
LOCUST LANE
POPLAR DRIVE
MEADOW LANE PLATE
Lot 1 SEC 16 SW OF SW
Lot 1 SEC 16 SE OF SW
NW of NW SEC 21 LOT 2
NE of NW SEC 21 LOT 2
Subdivision Common areas retained under PART C
2 EXISTING POB
BLOCK 1
BLOCK 2
BLOCK 3
BLOCK 4
BLOCK 5
BLOCK 6
BLOCK B
CURVE DATA
LEGEND
PLAT BOOK ____ PAGE ____
SHEET 1 OF 2 SHEETS
MICROFILMED
APR 05 1993

3. **Delivery System Diagram:** Indic[illegible] all major components and distances bet[illegible]n components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____.

____ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
W. Lot 14	U/K (gasoline)	2		Teel	1½" 1P855
U. Lot 3	Emerson	2		Red Jacket	2"
V. Lot 7	Emerson	2		200RS-PS Red Jacket	200RS-PS 2"

*Code to correspond with No. on map and aerial photo

model T55 ZZBGM-879

D. FLOW MEASUREMENTS

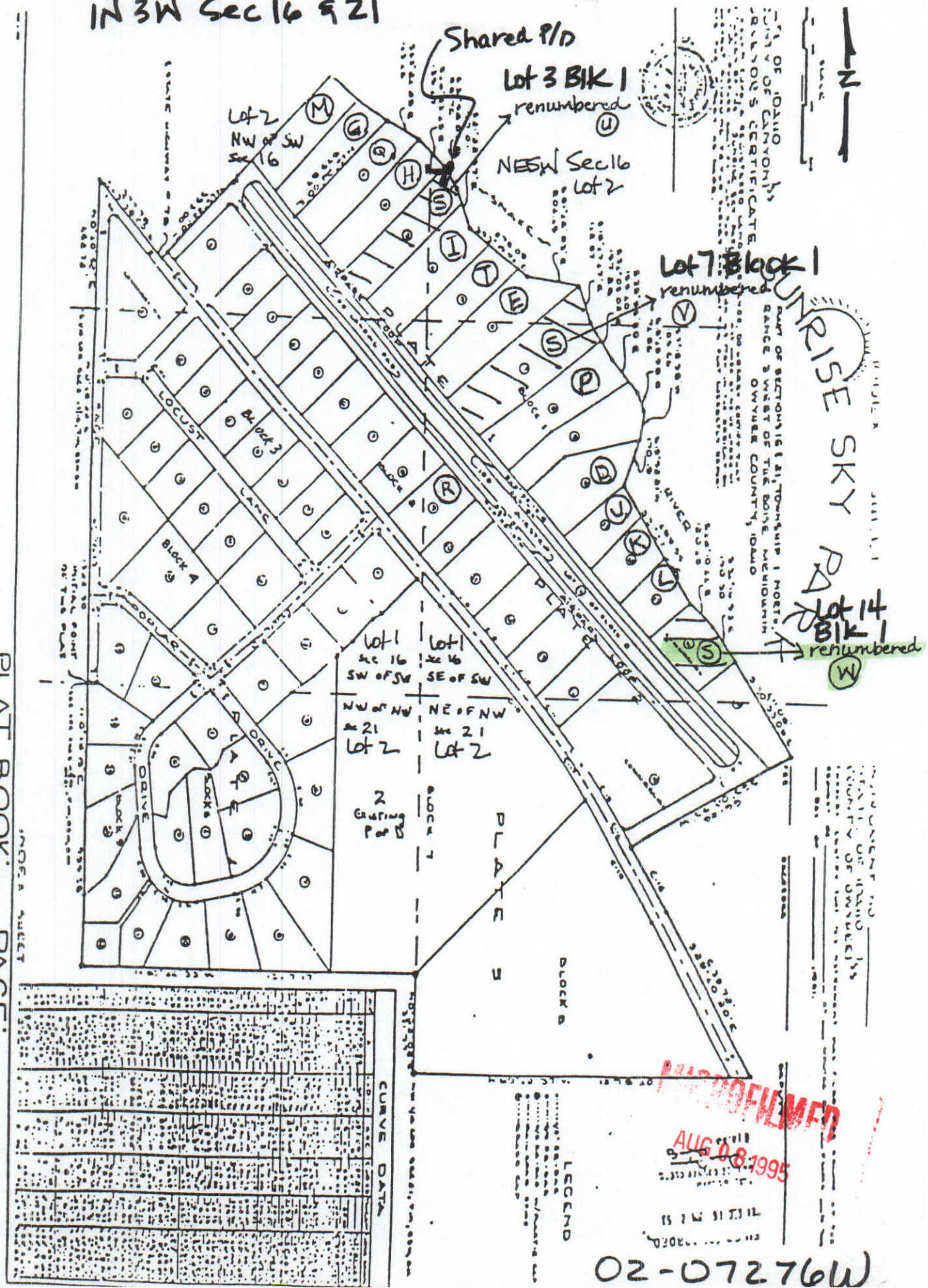
1.

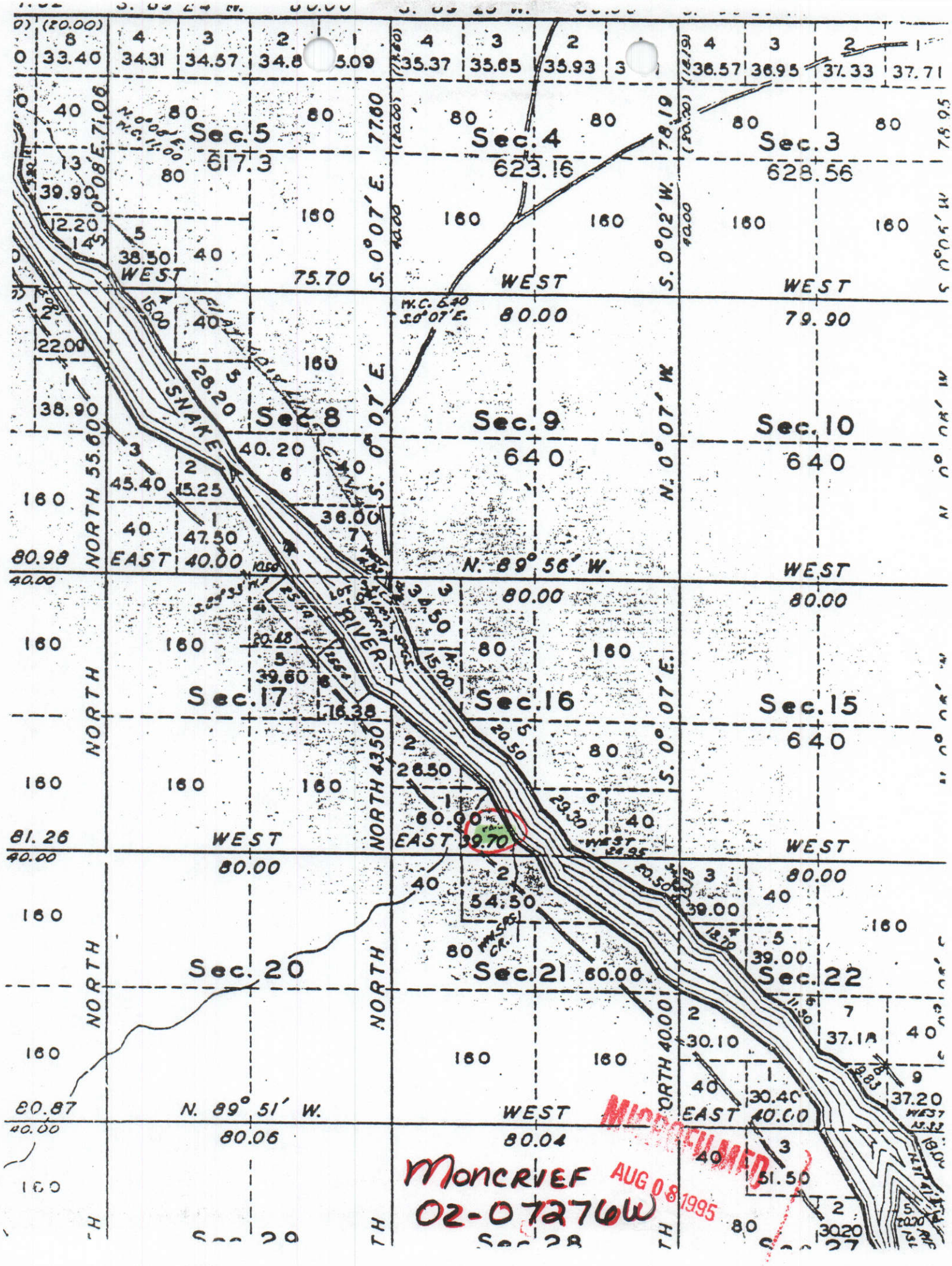
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

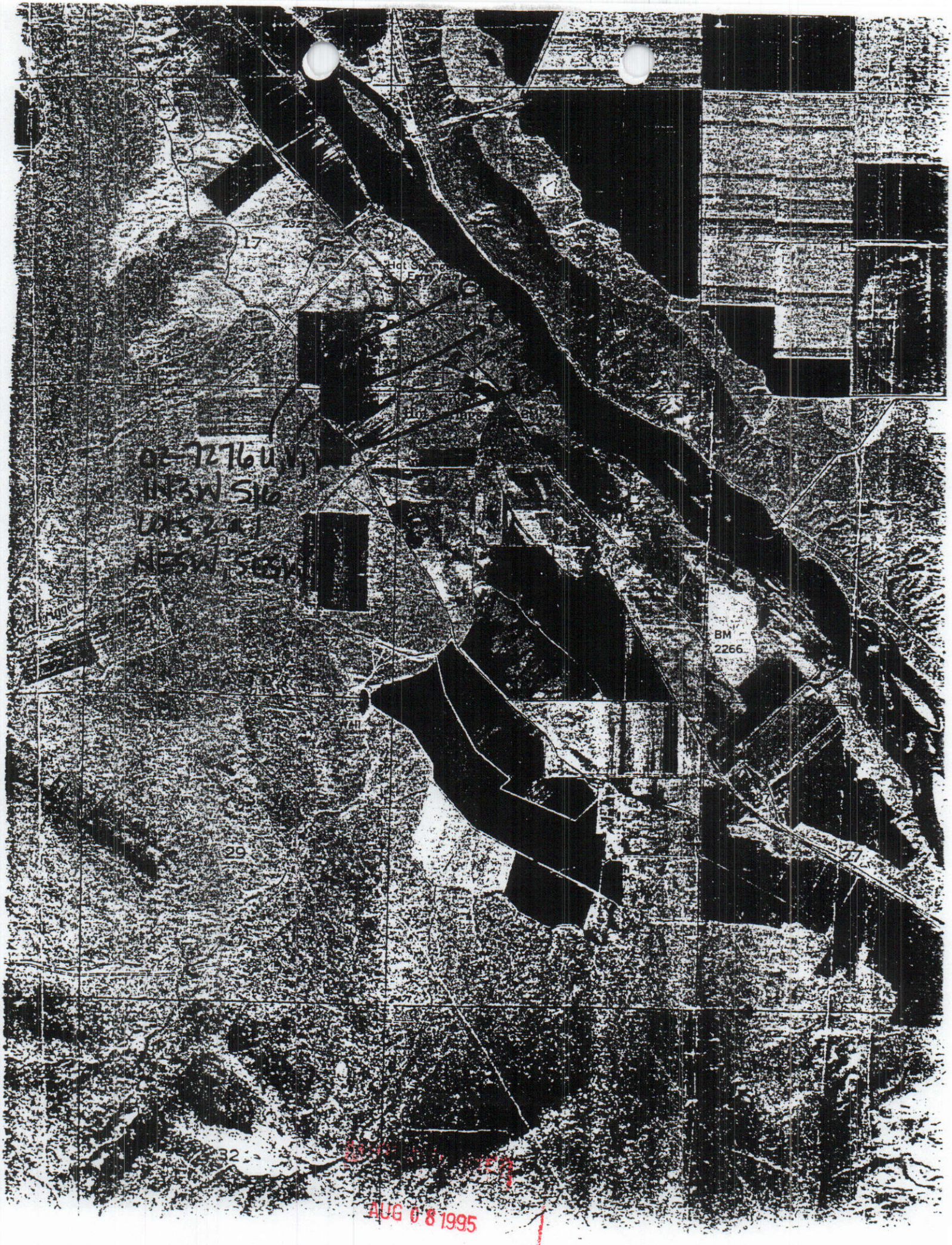
2. **Measurements:** pressure gage at system discharge

RECEIVED
AUG 08 1995

02-7276 Splits D-W
IN 3W Sec 16 & 21




Sec. 5
617.3
Sec. 4
623.16
Sec. 3
628.56
Sec. 8
Sec. 9
640
Sec. 10
640
Sec. 17
Sec. 16
Sec. 15
640
Sec. 20
Sec. 21
Sec. 22
Sec. 29
Sec. 28
SNAKE RIVER
NORTH 55.60
NORTH 43.50
NORTH 40.00
S. 0° 07' E.
N. 0° 07' W.
S. 0° 02' W.
N. 89° 56' W.
N. 89° 51' W.
WEST
EAST
MONCRIEF
02-07276W
AUG 08 1995


BM
2266
29
32
AUG 08 1995

02-7276W

Lot 14 Blk 1



P/D

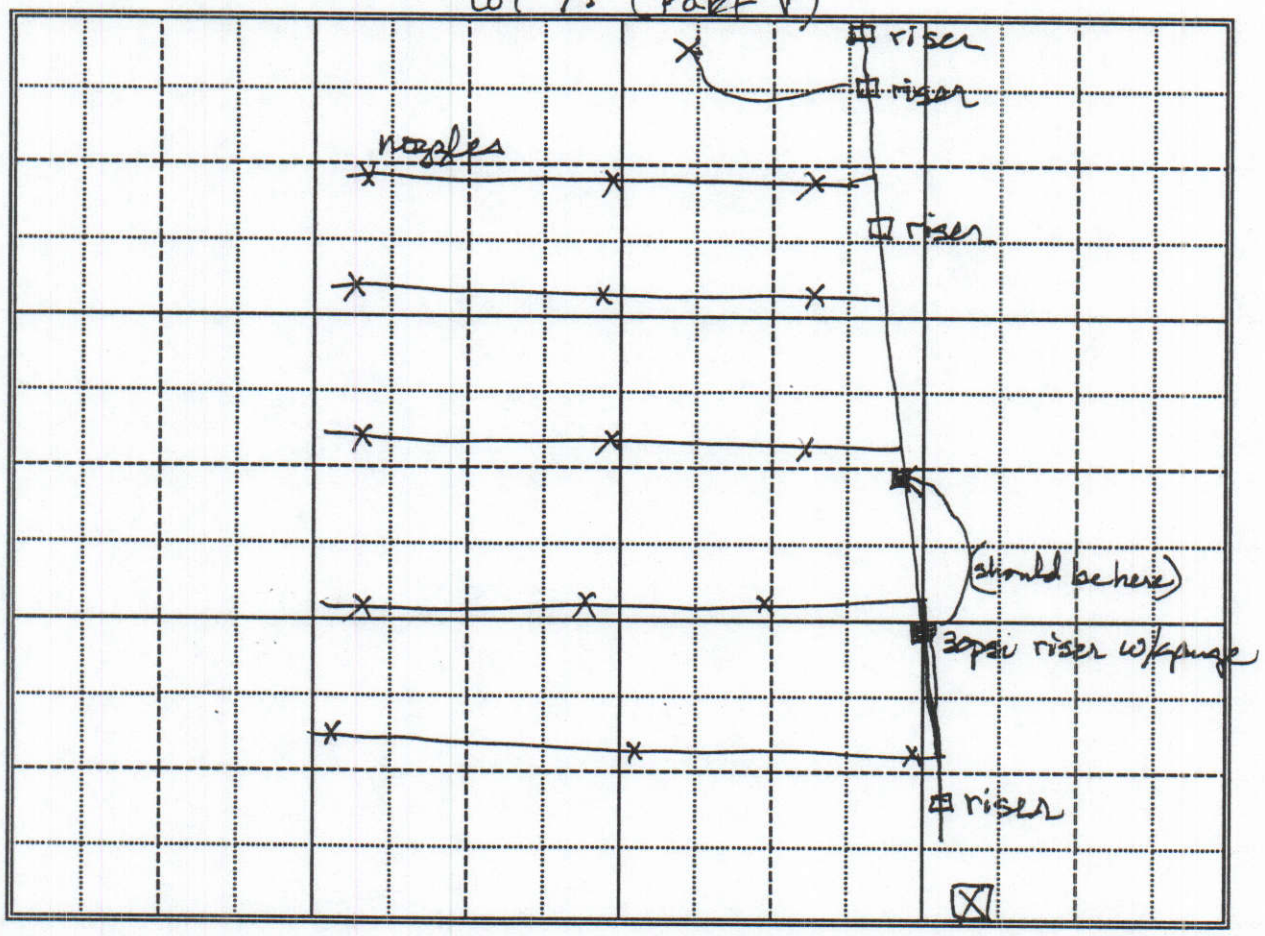


P/U
2nd Seeding

MICROFILMED
AUG 0 8 1995

3. **Delivery System Diagram:** Indic[illegible] all major components and distances bet[illegible]n components. Indicate weir size/ditch size/pipe i.d. as applicable.

LOT 7: (Part V)



Scale: 1" = _____.

____ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
V. Lot 14	W/K (gasoline)	2		Teel	1½" 1P855
U. Lot 3	Emerson	2		Red Jacket	2"
V. Lot 7	Emerson	2		200RS-PS Red Jacket	200RS-PS 2"

*Code to correspond with No. on map and aerial photo

model T55ZZBGM-879

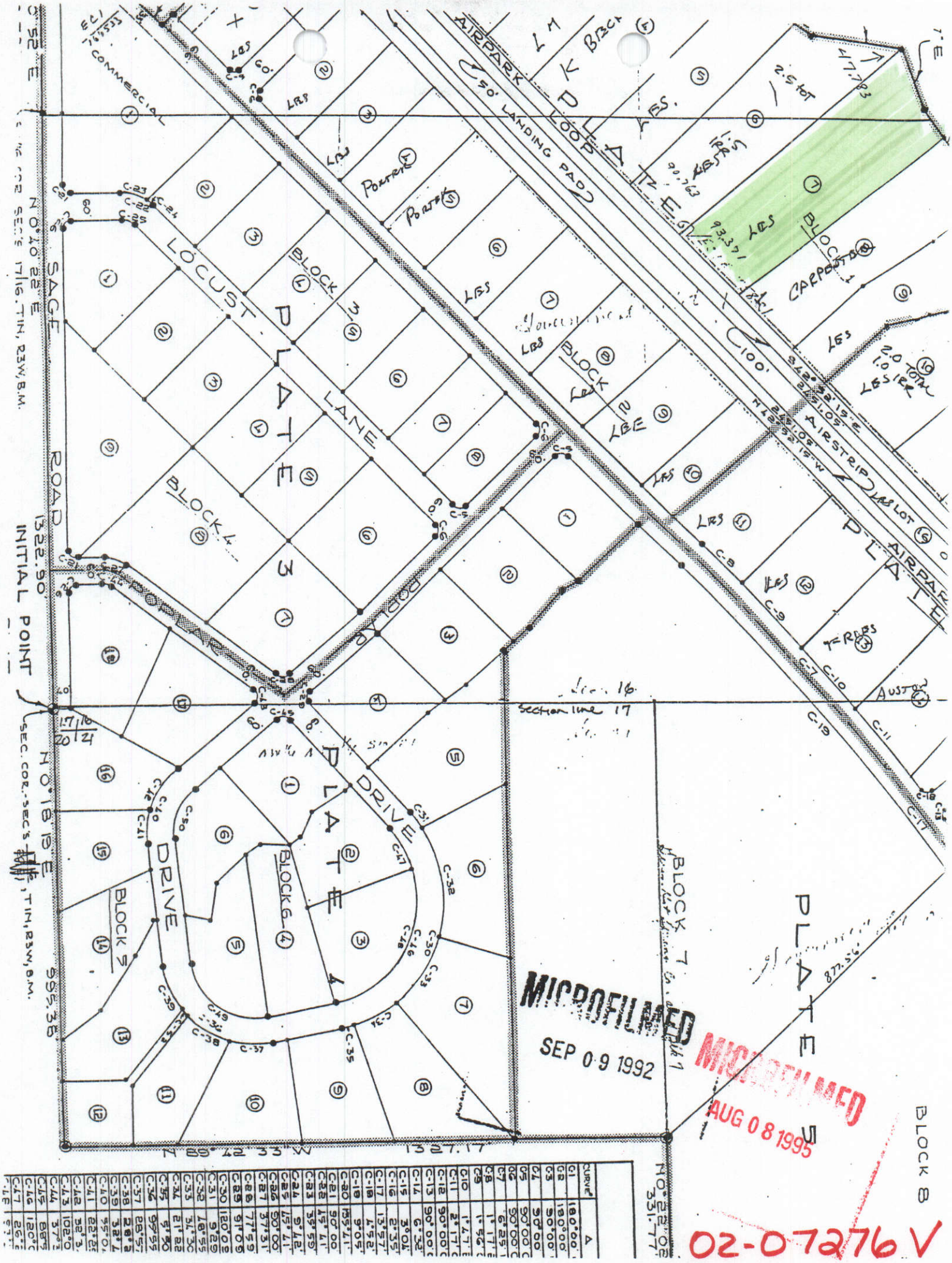
D. FLOW MEASUREMENTS

1.

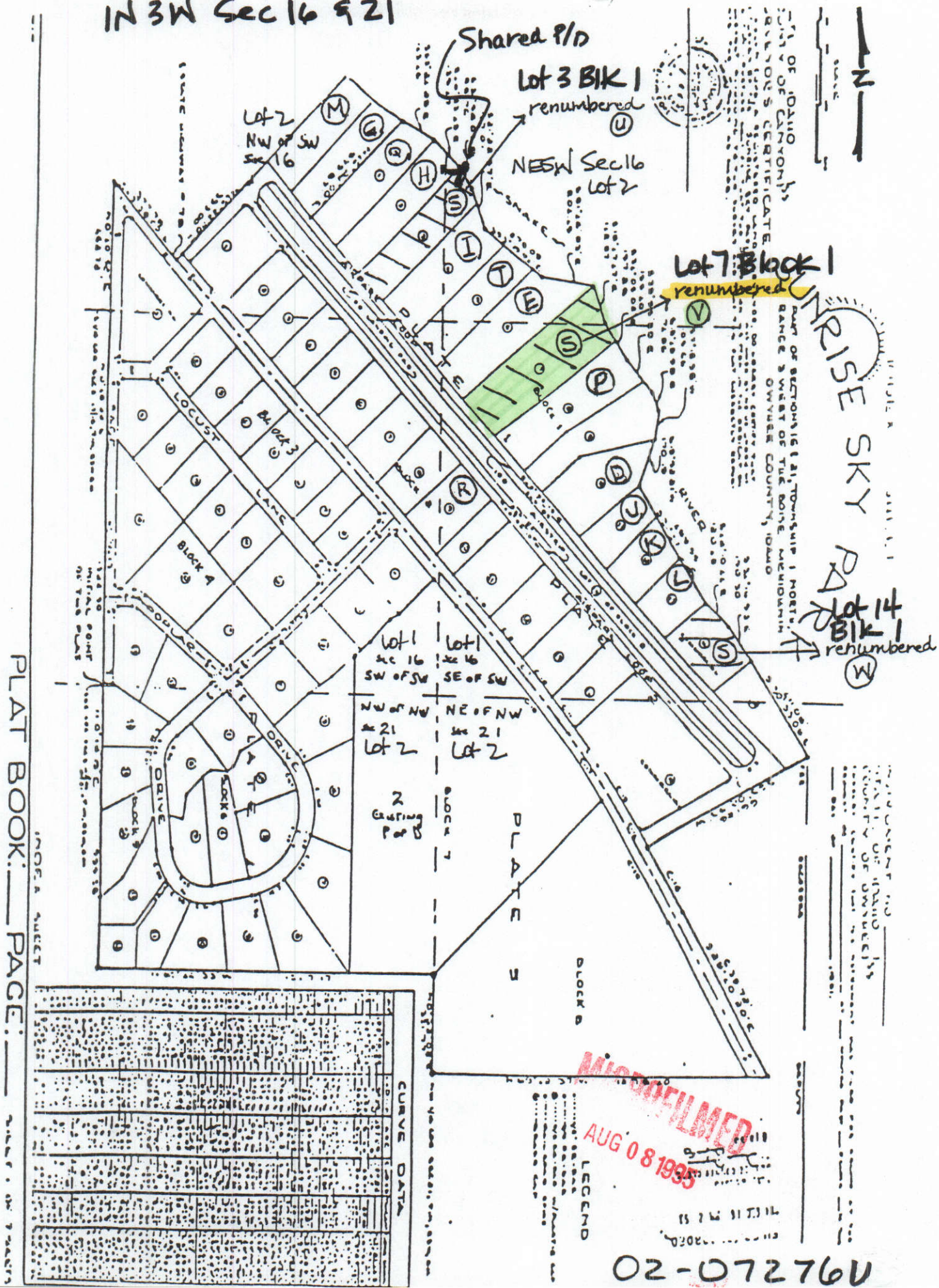
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

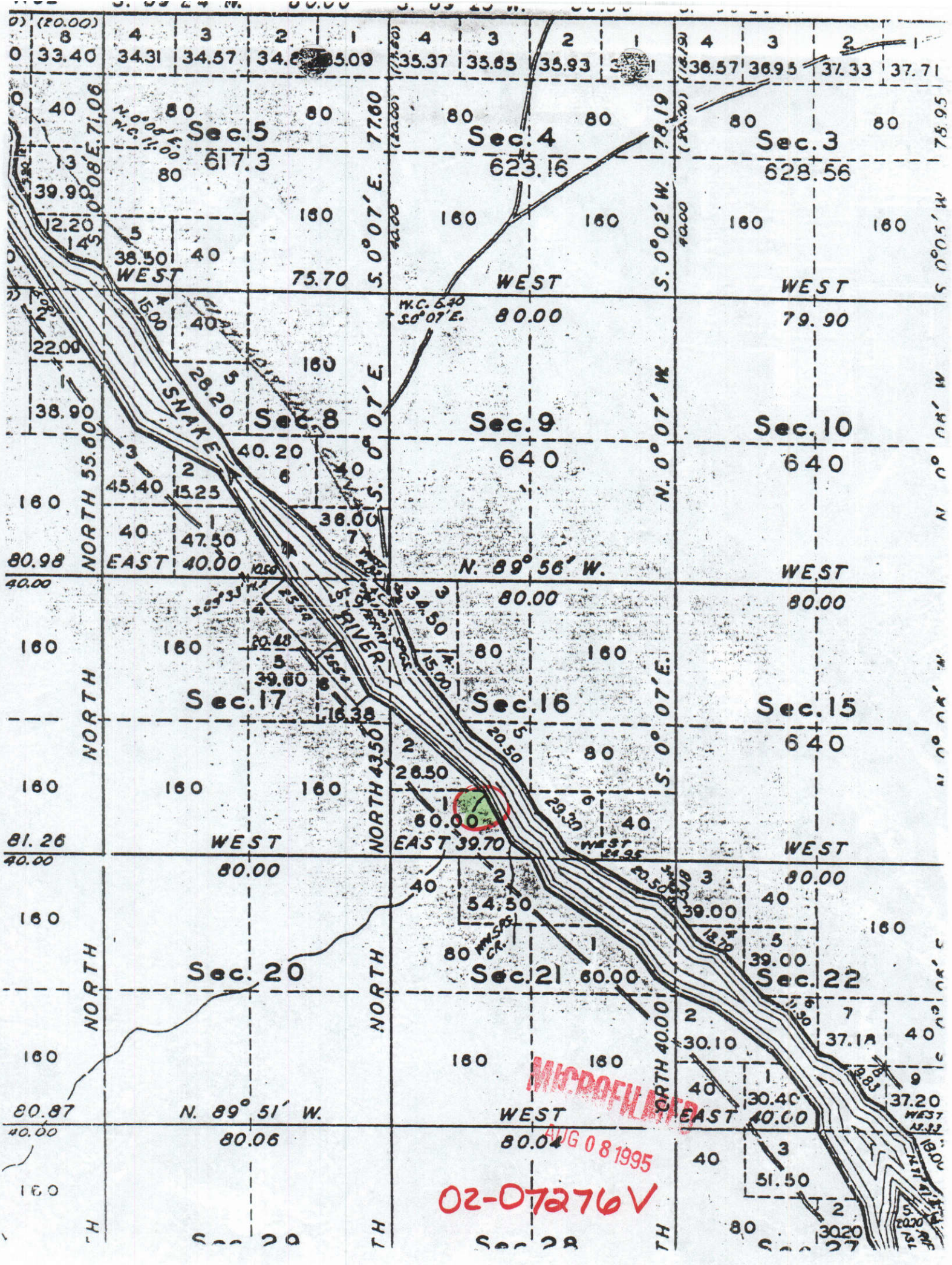
2. **Measurements:** pressure gage at system discharge

RECEIVED
AUG 08 1995


AIRPARK LOOP
50' LANDING PAD
LOCUST LANE
BLOCK 1
BLOCK 2
BLOCK 3
BLOCK 4
BLOCK 5
BLOCK 6
BLOCK 7
BLOCK 8
PLATE 1
PLATE 2
PLATE 3
PLATE 4
PLATE 5
SAGE ROAD
POPLAR
DOGWOOD
DRIVE
AIRSTRIP
COMMERCIAL
CARPORTS
AUST
Section line 17
Section line 16
N 0°40' 22" E
1322.90'
INITIAL POINT
SEC. COR. - SEC.'s 16, 17, 20, 21
T. 11 N., R. 3 W., B.M.
N 0°18' 19" E
995.36'
N 89° 42' 33" W
1327.17'
N 0°22' 02" E
331.77'
872.56'
2.5 Ac.
2.0 Ac.
1.0 Ac.
MICROFILMED
SEP 09 1992
MICROFILMED
AUG 08 1995
02-07276 V

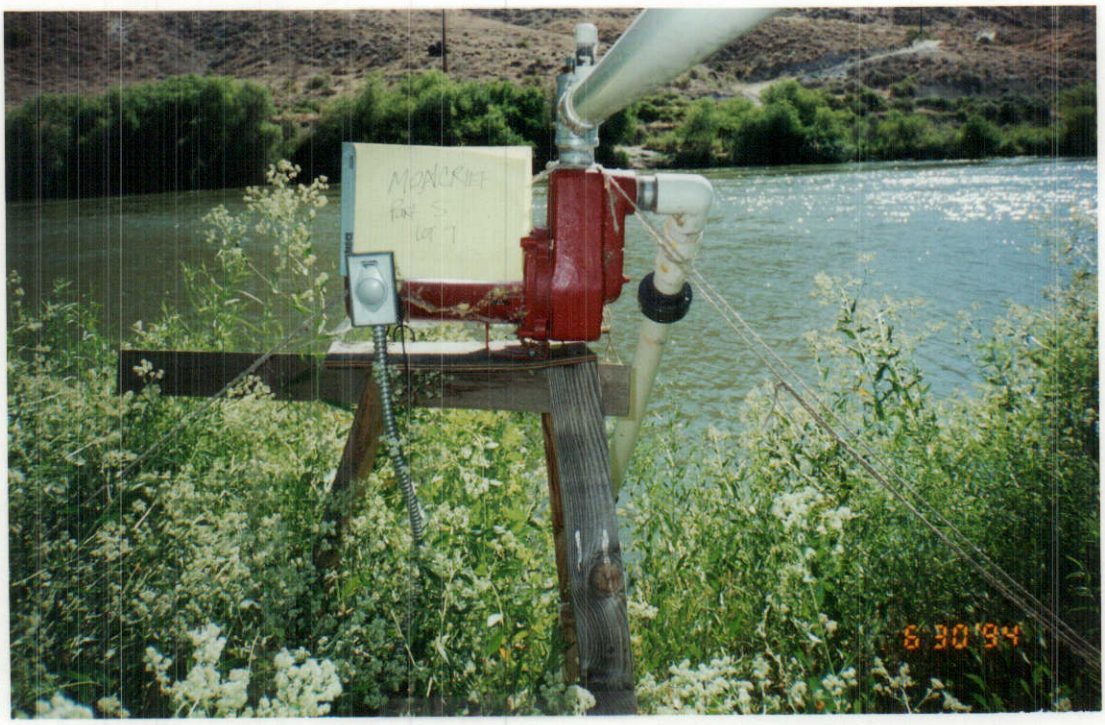
02-7276 Splits D-W
1N 3W Sec 16 & 21




Sec. 5
617.3
Sec. 4
623.16
Sec. 3
628.56
Sec. 8
Sec. 9
640
Sec. 10
640
Sec. 17
Sec. 16
Sec. 15
640
Sec. 20
Sec. 21
Sec. 22
SNAKE RIVER
NORTH 55.60
NORTH 43.50
N. 89° 56' W.
N. 89° 51' W.
WEST
EAST
S. 0° 07' E.
N. 0° 07' W.
S. 0° 02' W.
MICROFILMED
AUG 08 1995
02-07276V

02-7276V

Lot 7 Blk 1

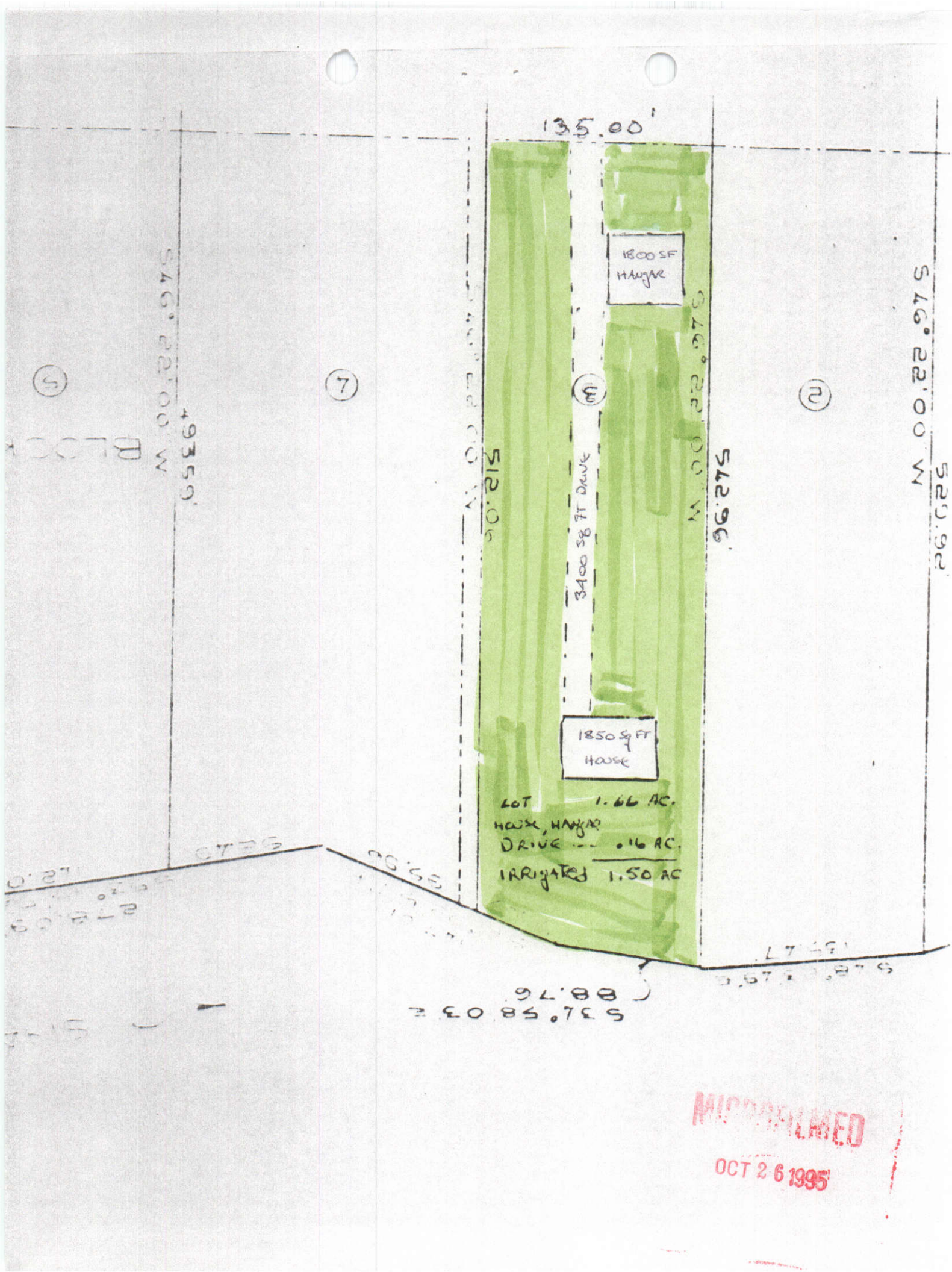


P/D



P/u
Portion in foreground has been re-seeded

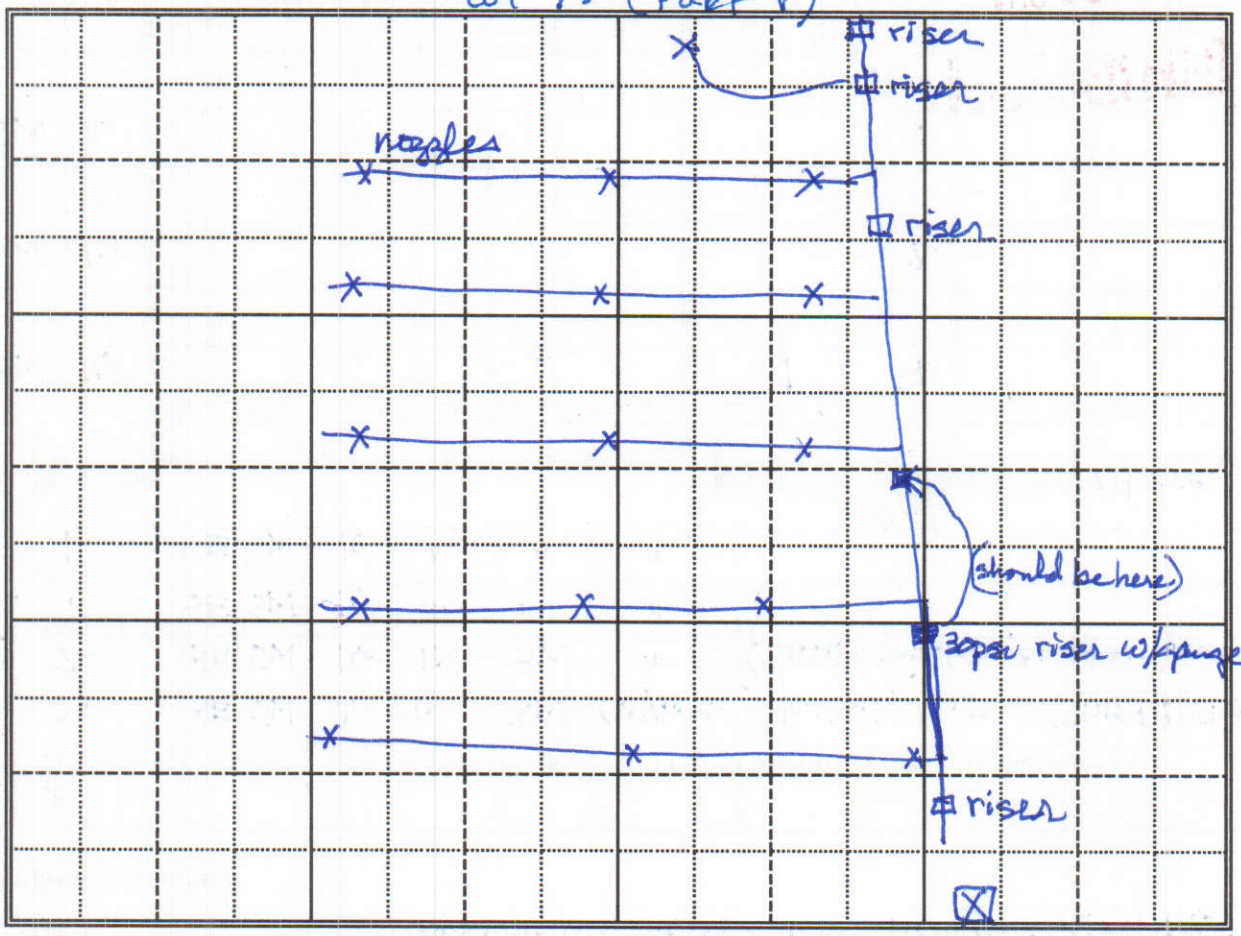
APPROVED
AUG 08 1995



MICROFILMED
OCT 26 1995

3. **Delivery System Diagram**: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.

Lot 7: (Part V)



Scale: 1" = _____.

_____ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

_____ Aerial Photo Attached (required for irrigation of 10+ acres)

_____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
W. Lot 14	W/K (gasoline)	2		Teel	1½" 1P855
U. Lot 3	Emerson	2		Red Jacket	2"
V. Lot 7	Emerson	2		200RS-PS Red Jacket	200RS-PS 2"

*Code to correspond with No. on map and aerial photo

model TS3 ZZBGM-879

D. FLOW MEASUREMENTS

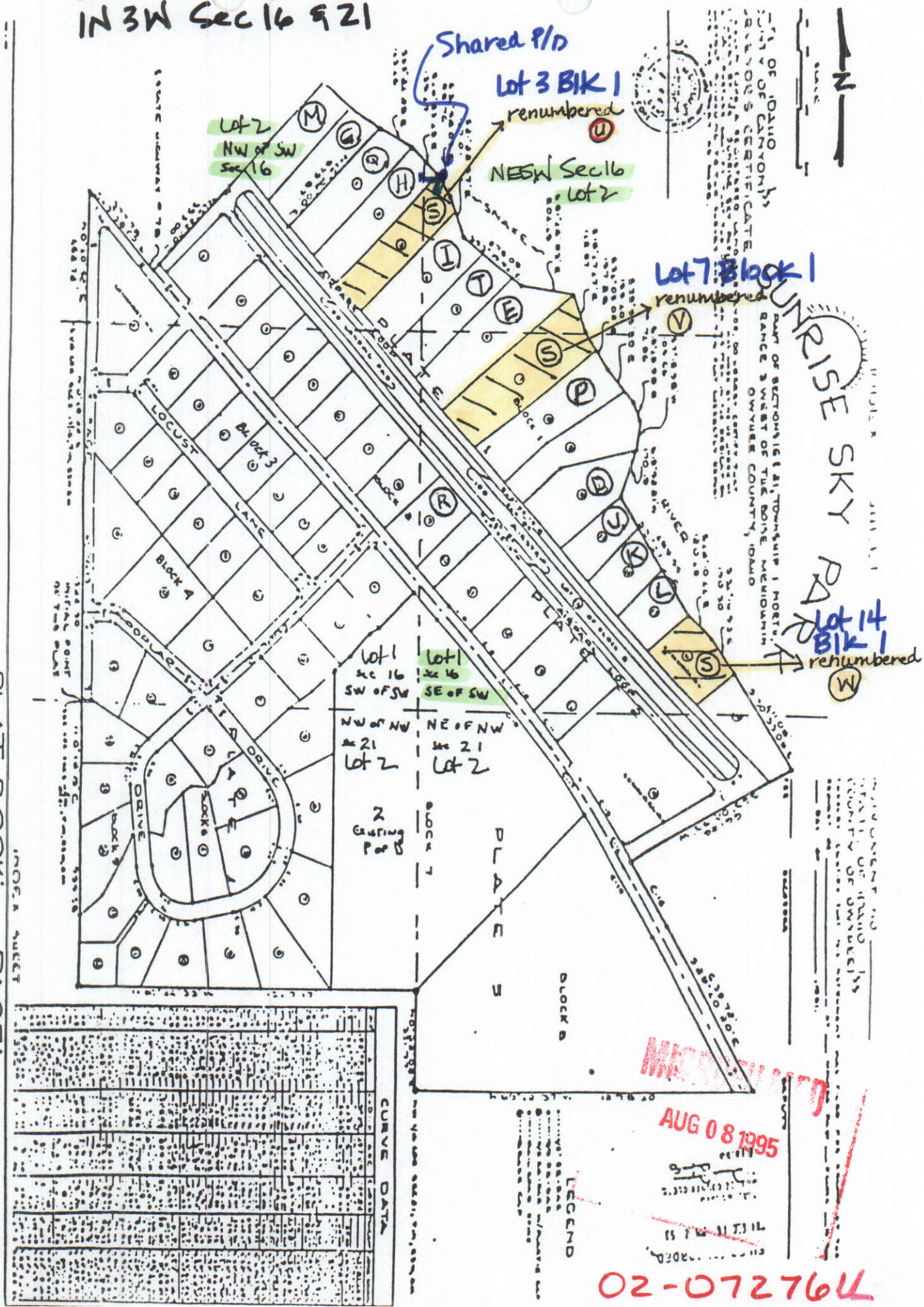
1.

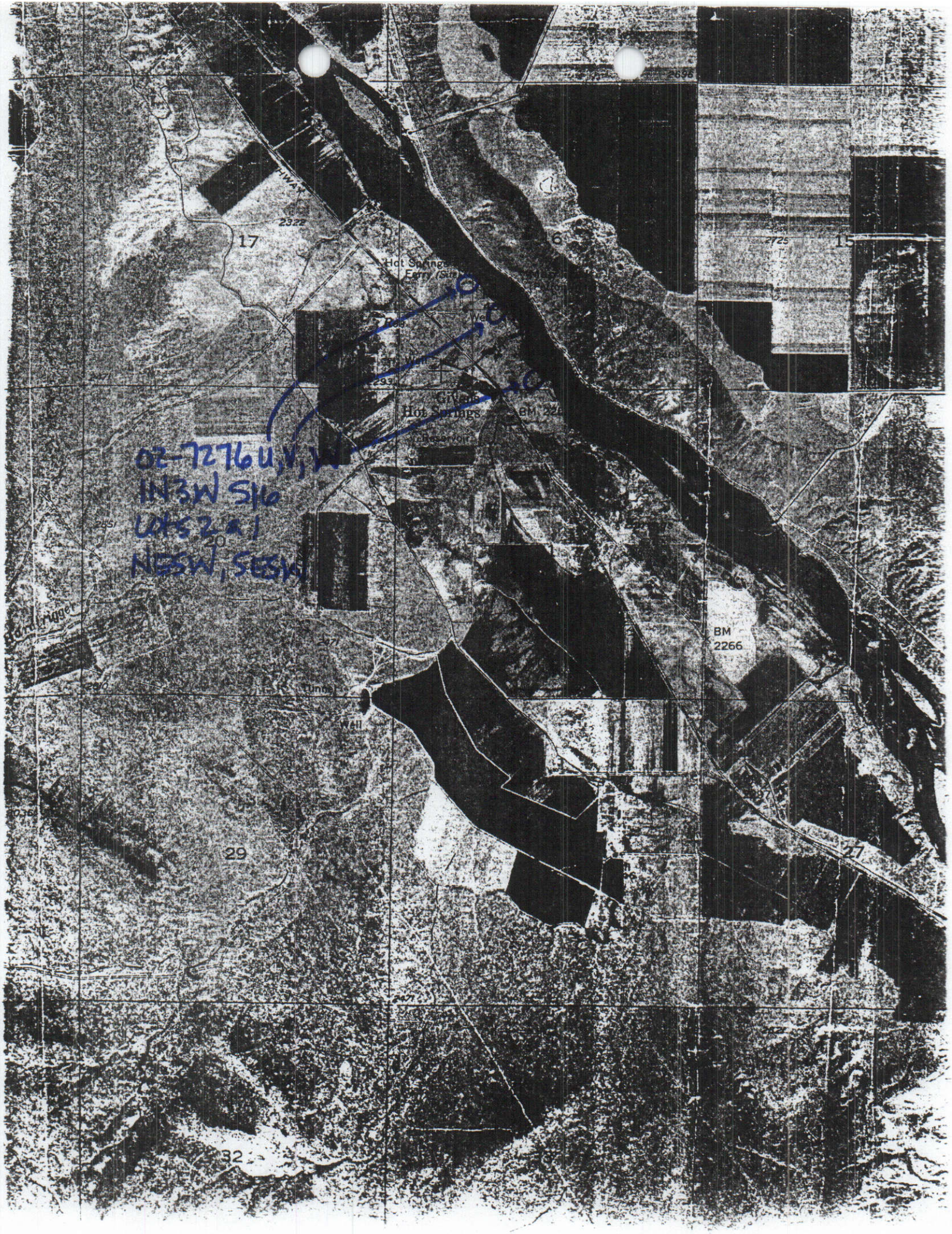
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

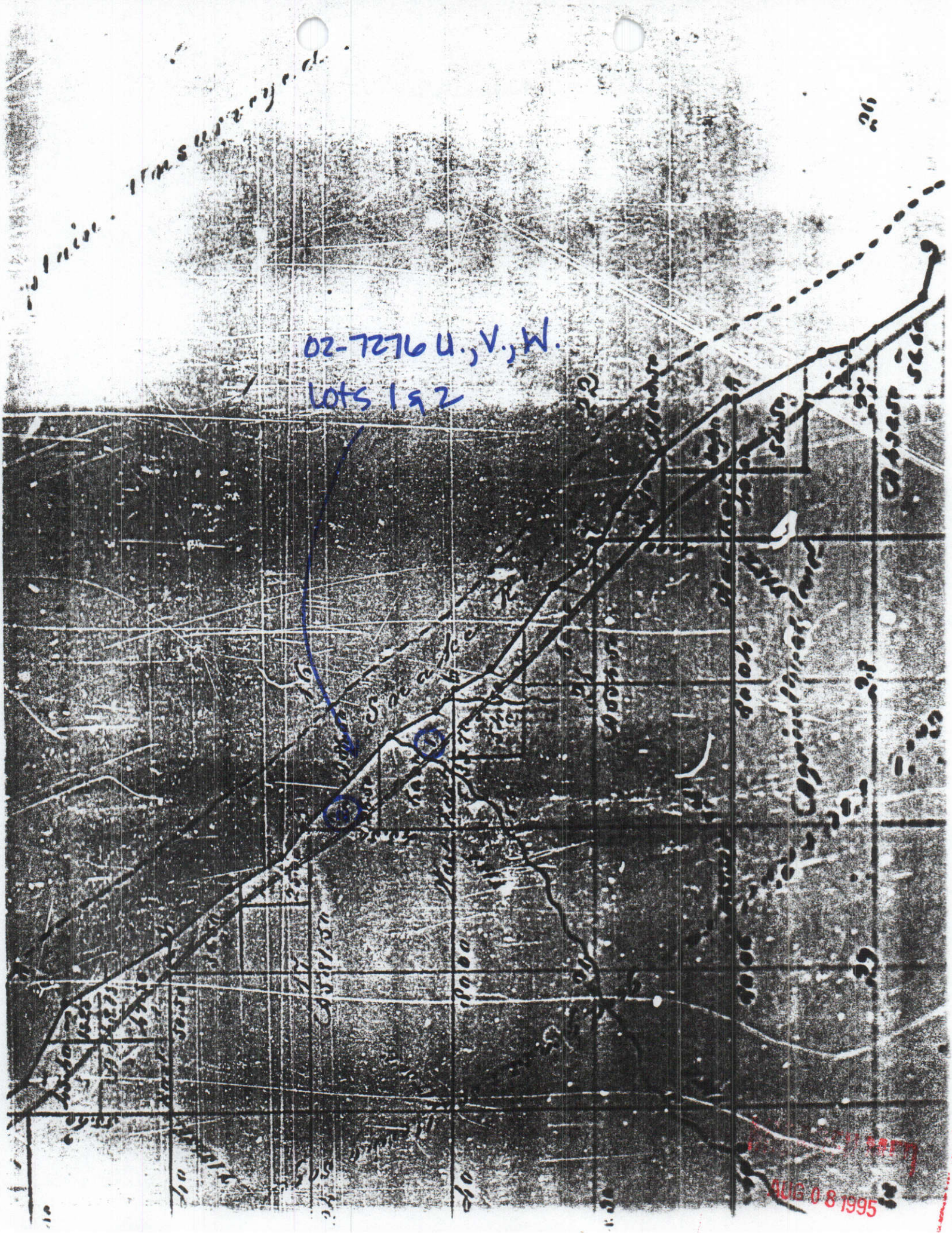
2. **Measurements:** pressure gage at system discharge

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02-7276 Splits D-W
IN 3W Sec 16 & 21

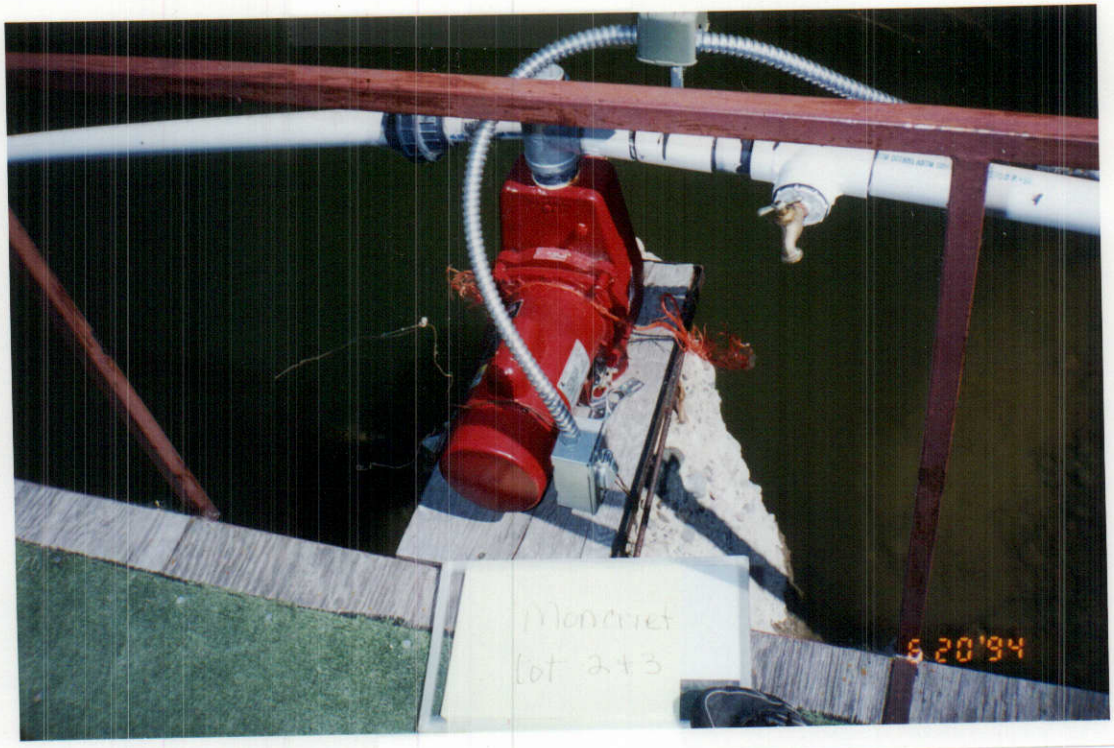



17
16
15
20
29
32
BM
2266
Hot Springs
Reservoir
Well
Tunnel
02-7276 U, V, W
1N3W S16
Lots 2 & 1
NESW, SESW


02-7276 U., V., W.
Lots 1 & 2
AUG 08 1995

02-7276 LL

Lot 3 Block 1



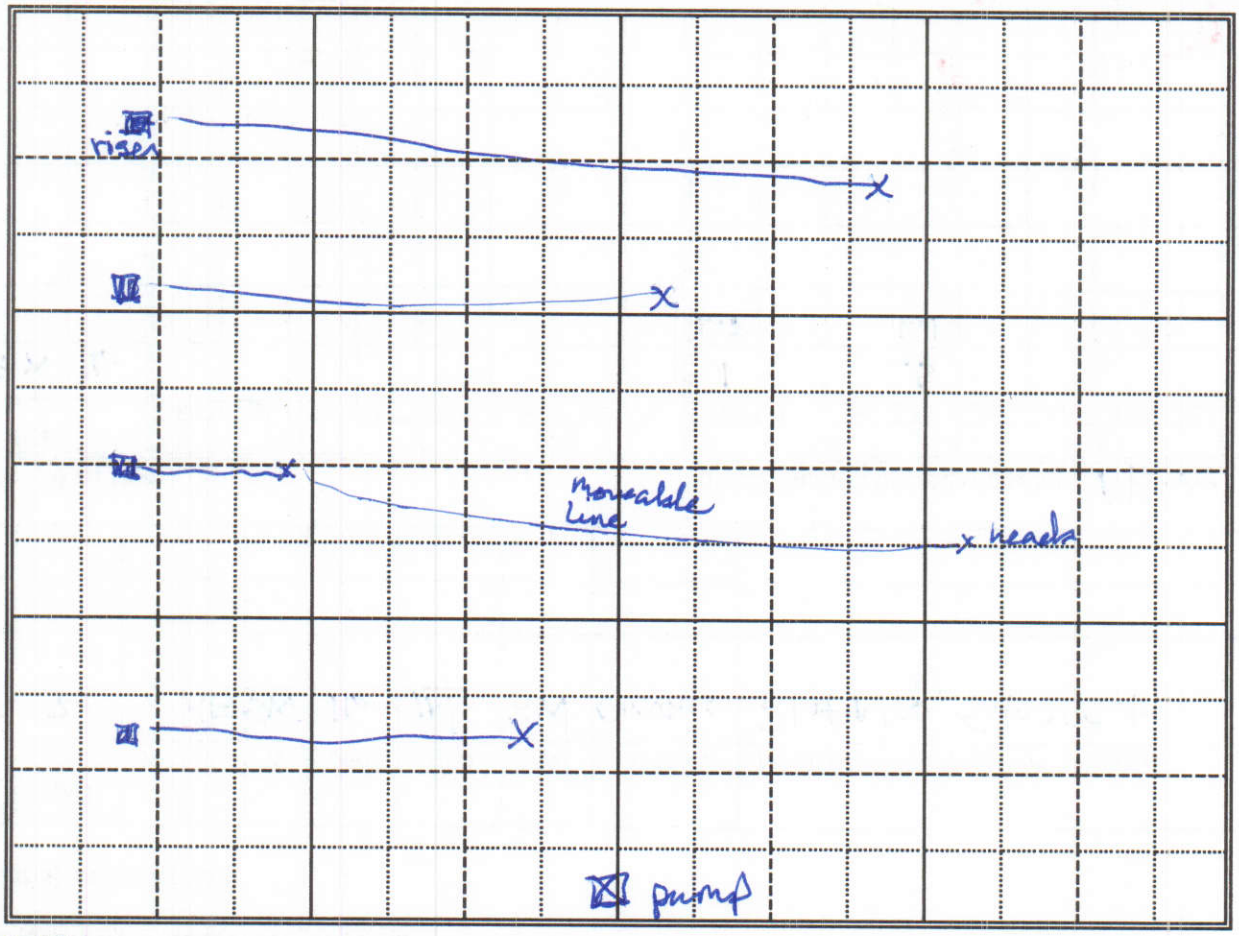
P/D
Shared w/
Part H



P/L
back yard

MICROFILMED
AUG 08 1995

3. **Delivery System Diagram**: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = NTS.

___ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

___ Aerial Photo Attached (required for irrigation of 10+ acres)

___ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Emerson	2	G923	Red Jacket	200 RSPS
					2"

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

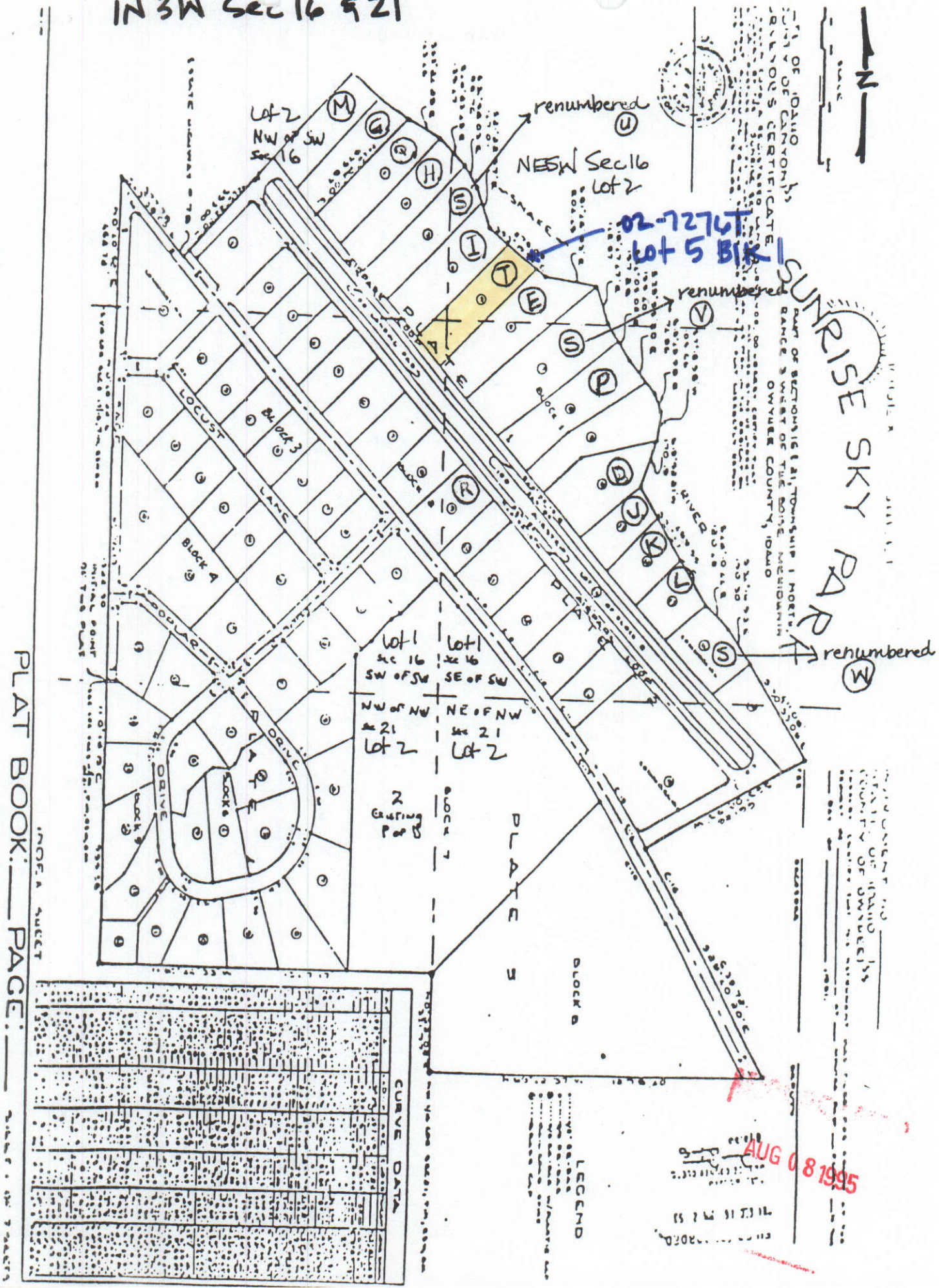
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. **Measurements:** Discharge Pressure

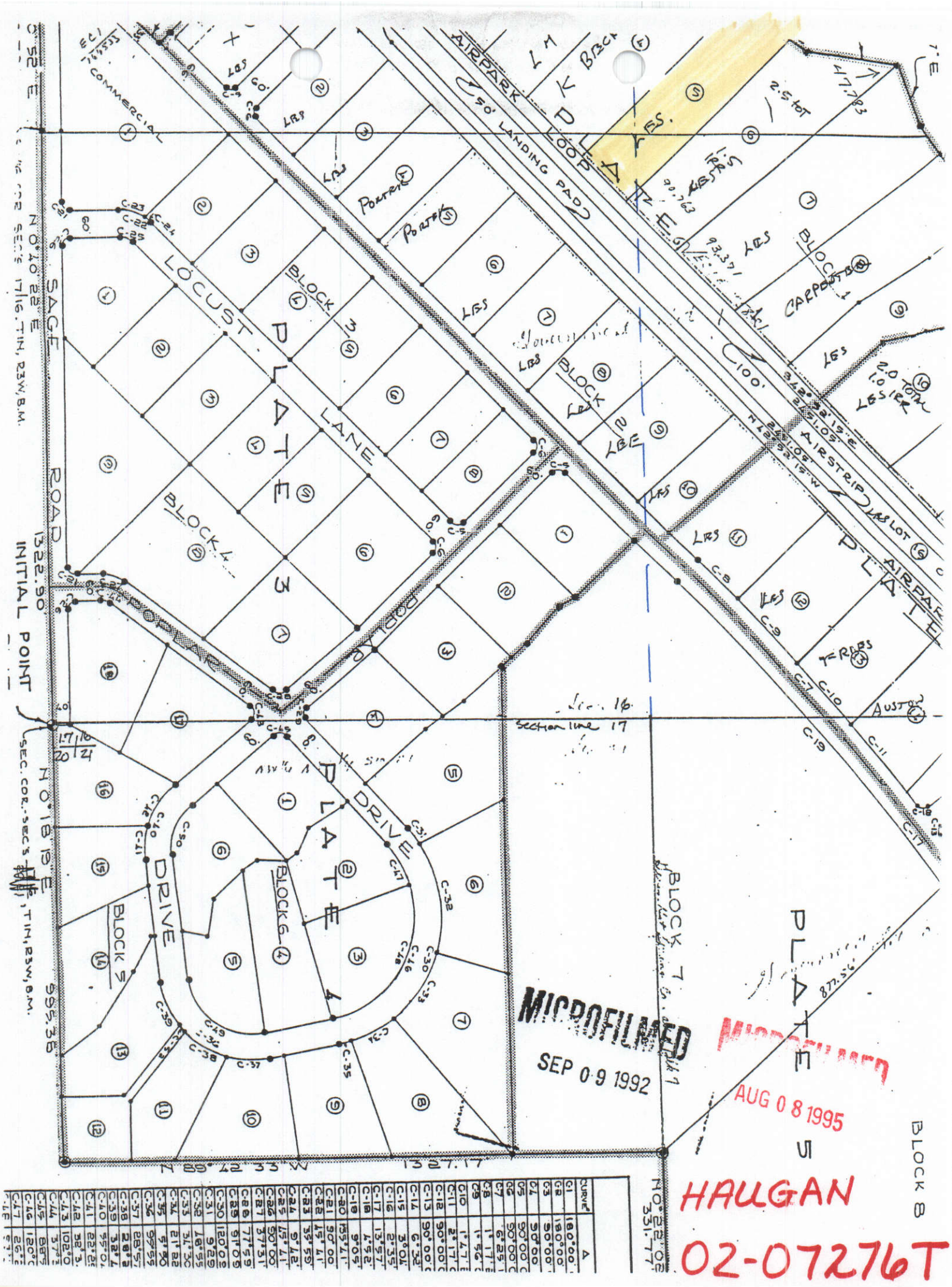
RECEIVED

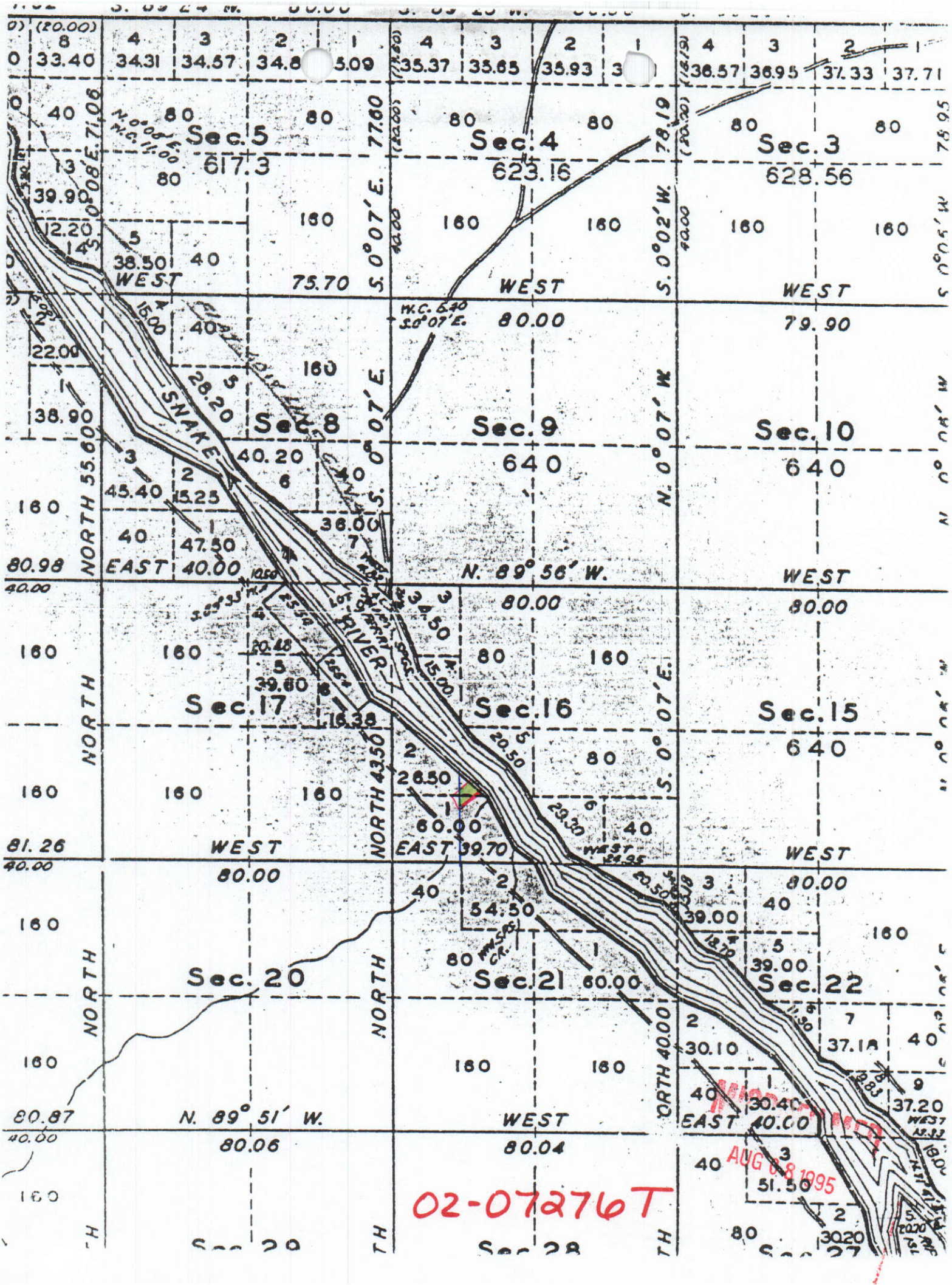
AUG 0 8 1995

02-7276 Splits D-W
1N 3W Sec 16 & 21



PLAT BOOK:___ PAGE:___


AIRPARK LOOP
50' LANDING PAD
LOCUST LANE
SAGE ROAD
BLOCK 1
BLOCK 2
BLOCK 3
BLOCK 4
BLOCK 5
BLOCK 6
BLOCK 7
BLOCK 8
PLAT 1
PLAT 2
PLAT 3
PLAT 4
PLAT 5
DRIVE
COMMERCIAL
AIRSTRIP
CARPORTS
LES
INITIAL POINT
SEC. COR. SECS. 16, 17, 20, 21, T1N, R3W, B.M.
N 0°18'19" E
595.38
N 89°42'33" W
1327.17
N 0°22'02" E
331.77
MICROFILMED
SEP 09 1992
MICROFILMED
AUG 08 1995
HAUGAN
02-07276T


Sec. 5
Sec. 4
Sec. 3
Sec. 8
Sec. 9
Sec. 10
Sec. 17
Sec. 16
Sec. 15
Sec. 20
Sec. 21
Sec. 22
SNAKE RIVER
617.3
623.16
628.56
640
640
640
N. 89° 56' W.
N. 89° 51' W.
WEST
EAST
NORTH
S. 0° 07' E.
N. 0° 07' W.
02-07276T
AUG 08 1995

02-7276T



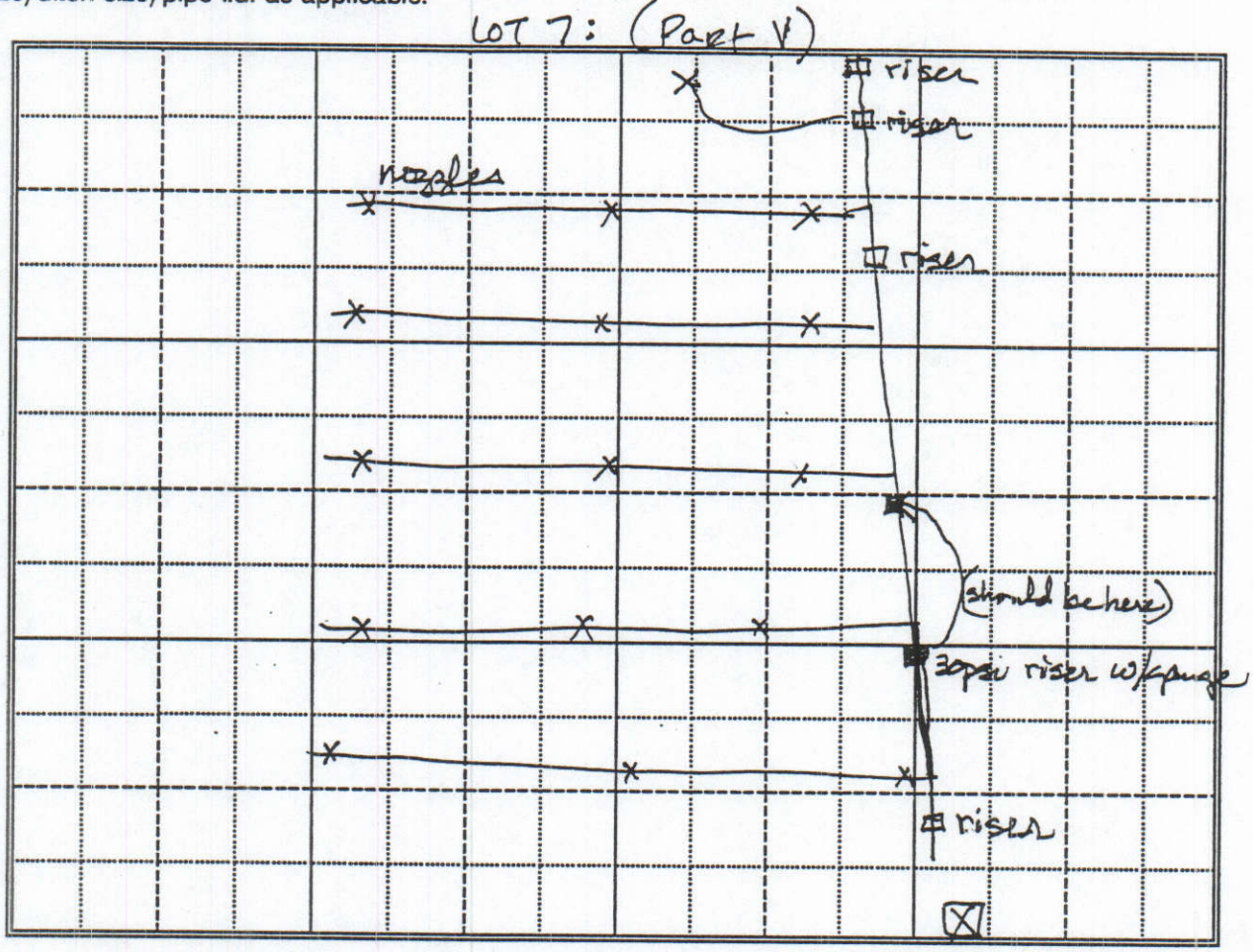
P/D



P/U

AUG 0 8 1995

3. **Delivery System Diagram:** Indic[illegible]ll major components and distances bet[illegible] components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____.

____ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
1. Lot 14	U/K (gasoline)	2		Teel	1½" 1P855
2. Lot 3	Emerson	2		Red Jacket	2"
3. Lot 7	Emerson	2		200RS-PS Red Jacket model TS5ZZBGM-879	200RS-PS 2"

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

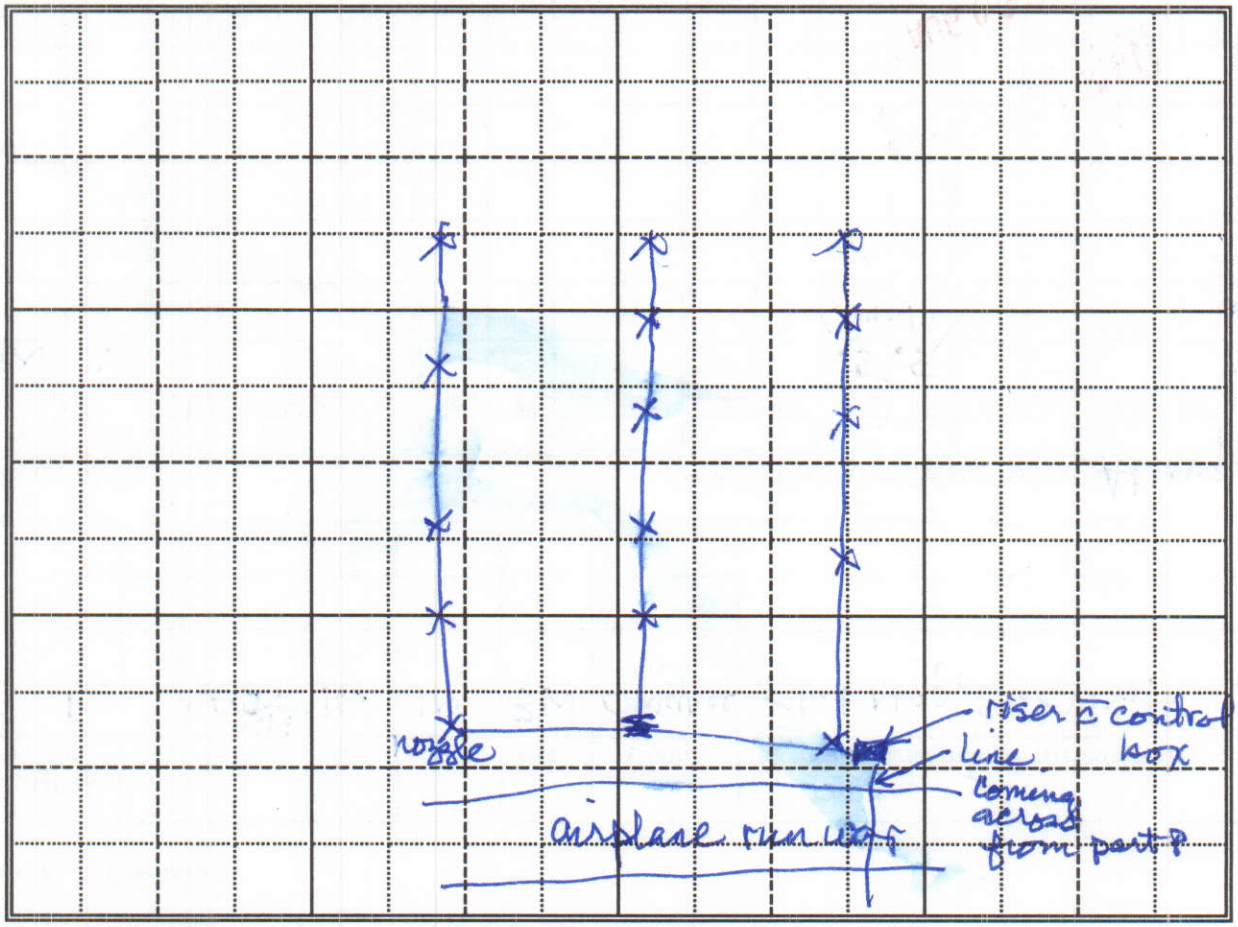
1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. **Measurements:** pressure gage at system discharge

RECEIVED AUG 08 1995 MICROFILMED OCT 26 1995

3. **Delivery System Diagram**: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = NTS.

Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

Aerial Photo Attached (required for irrigation of 10+ acres)

Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Emerson	2	Model T5522.BGM-879	Redjacket	200 RS-PS 2"

Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

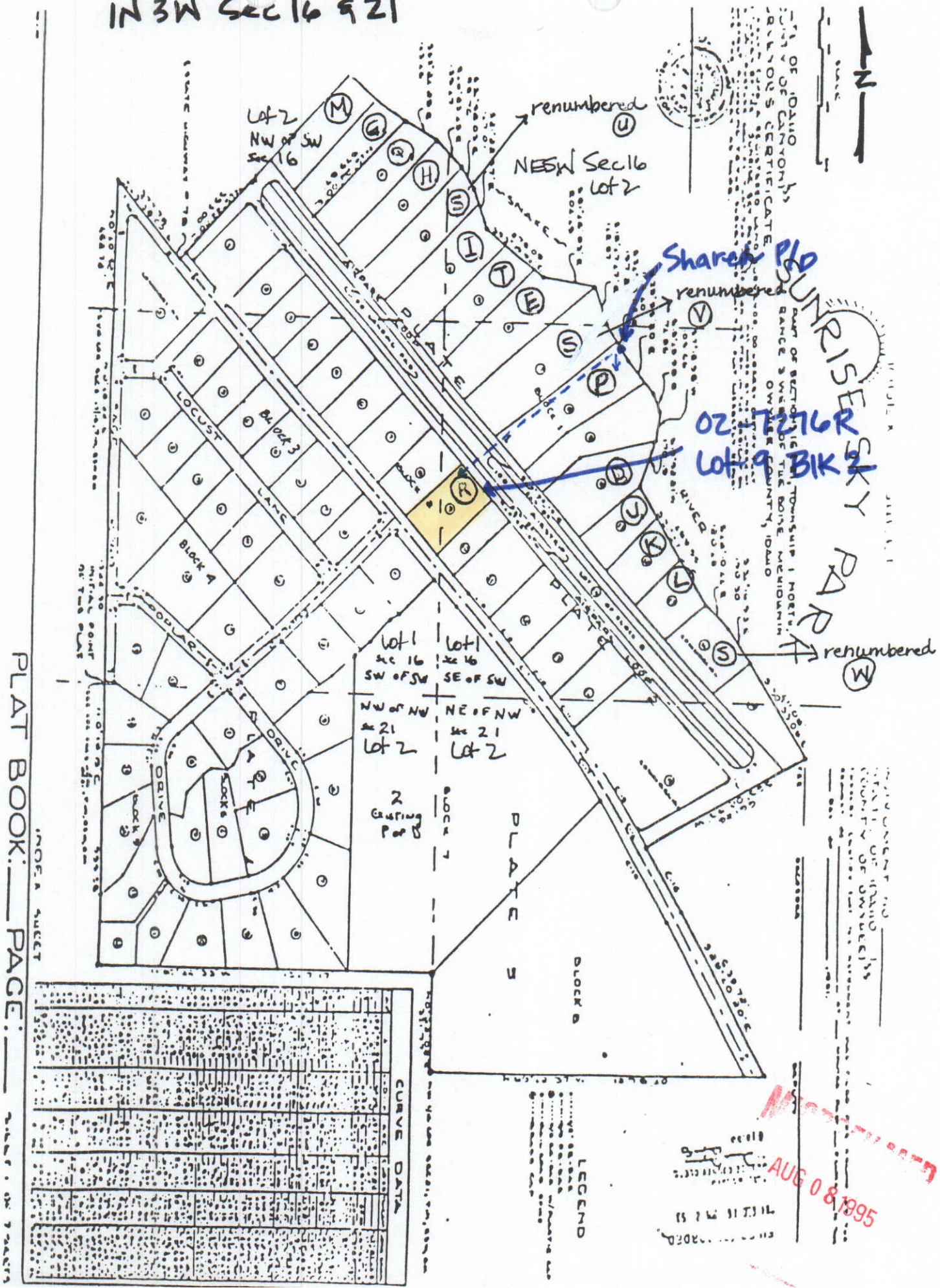
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

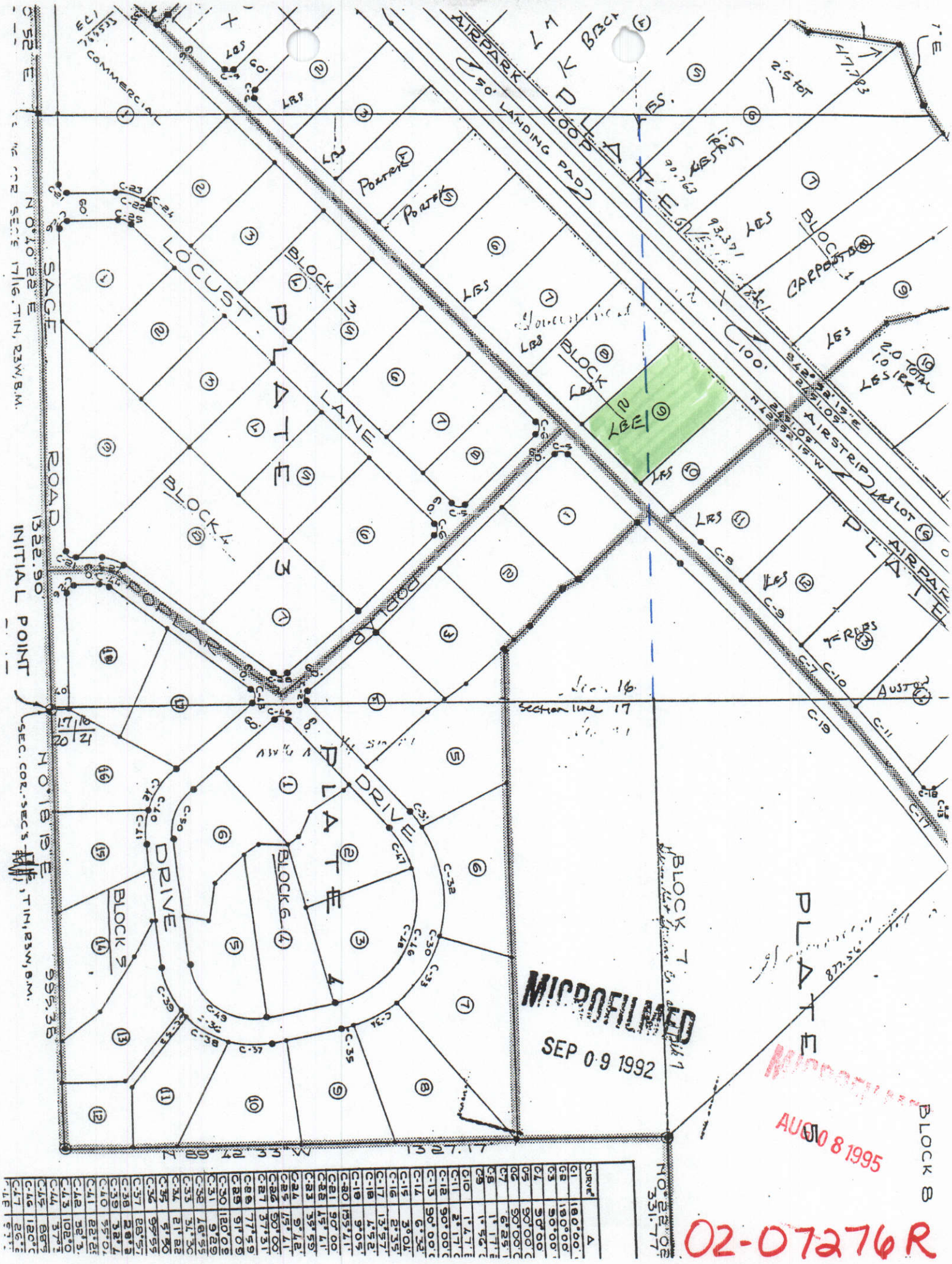
2. **Measurements:** Discharge Pressure

RECEIVED

AUG 0 8 1995

02-7276 Splits D-W
IN 3W Sec 16 & 21




AIRPARK LOOP
50' LANDING PAD
LOCUST LANE
BLOCK 1
BLOCK 2
BLOCK 3
BLOCK 4
BLOCK 5
BLOCK 6
BLOCK 7
BLOCK 8
PLAT E
DRIVE
ROAD
SAGE
COMMERCIAL
AIRSTRIP
Section line 17
INITIAL POINT
SEC. COR. SECS. 16 & 17, T1N, R3W, B.M.
N 0°10' 19" E
555.38
N 89° 27' 33" W
1327.17
N 0°22' 02" E
331.77
MICROFILMED
SEP 09 1992
AUG 08 1995
02-07276R

02-7276R

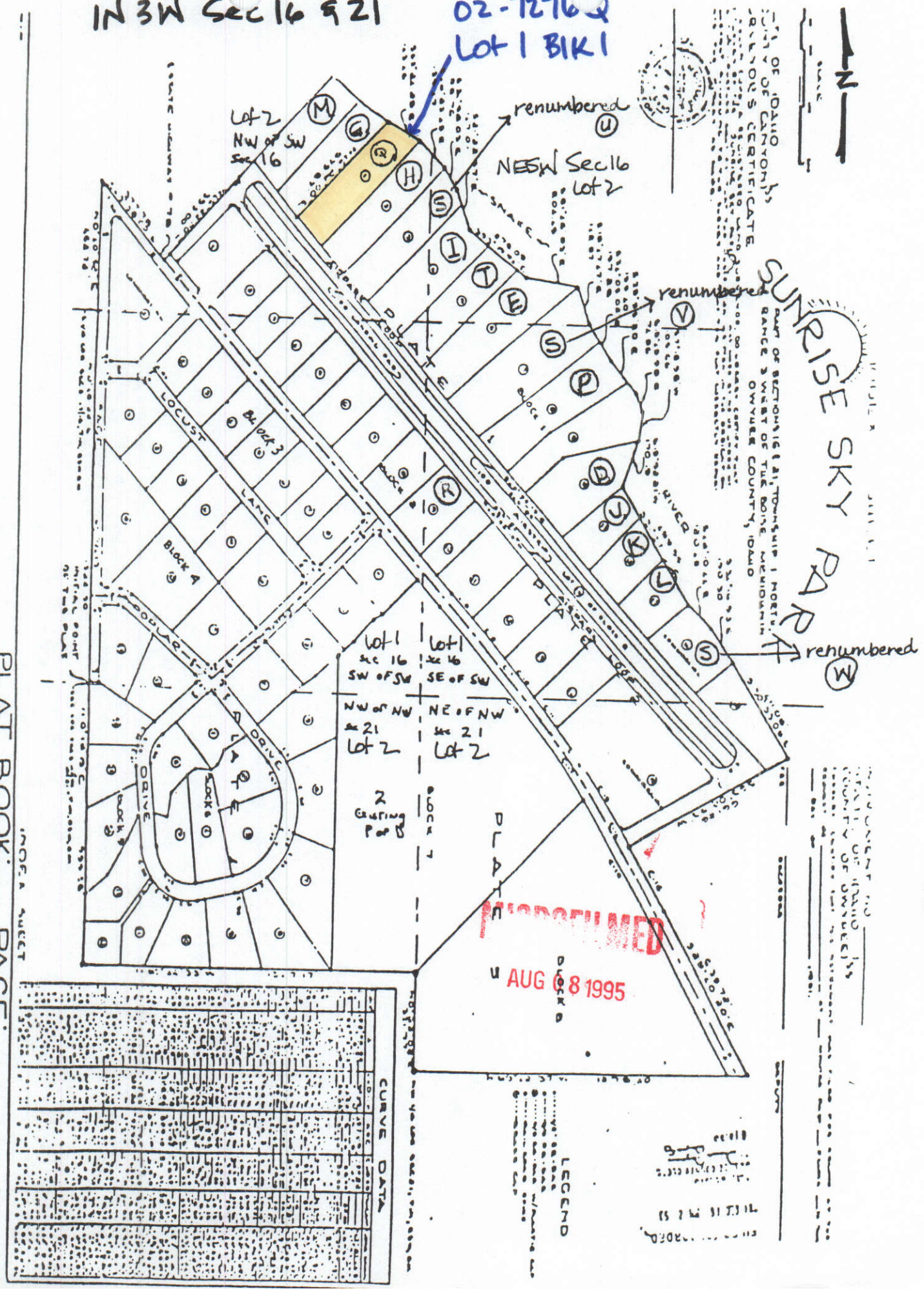
P/b : See 02-7276P



AUG 0 8 1995

02-7276 Splits D-W
IN 3W Sec 16 & 21

02-7276 Q
Lot 1 Blk 1



PREPARED
AUG 08 1995

02-7276Q

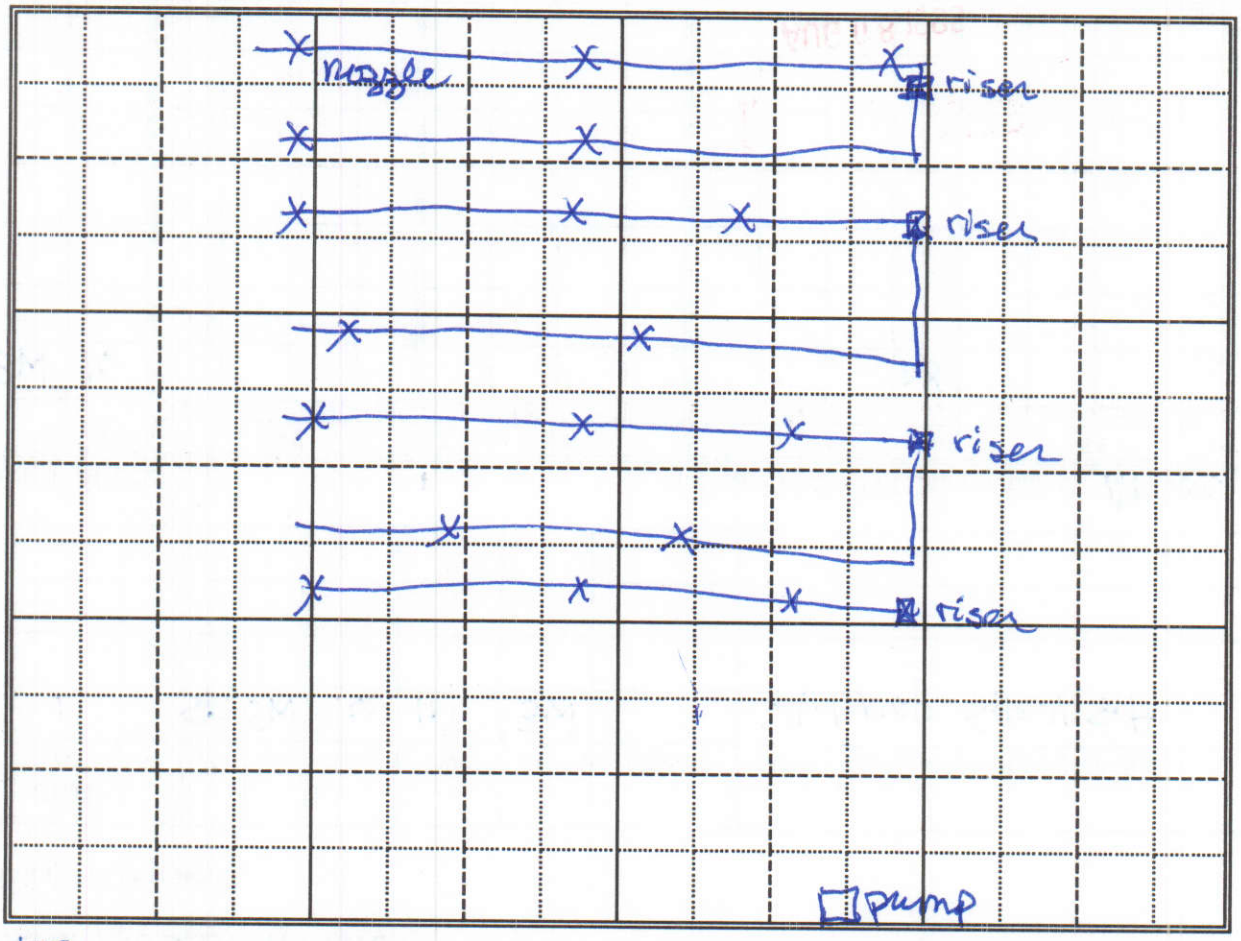


P/O

Photo of P/U did not develop...

MICROFILMED
AUG 08 1995

3. **Delivery System Diagram**: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = NTS.

___ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

___ Aerial Photo Attached (required for irrigation of 10+ acres)

___ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Emerson	2	model # TS-ZZBGM-87	Red Jacket	200 RS-PS 2"

**Code to correspond with No. on map and aerial photo*

D. FLOW MEASUREMENTS

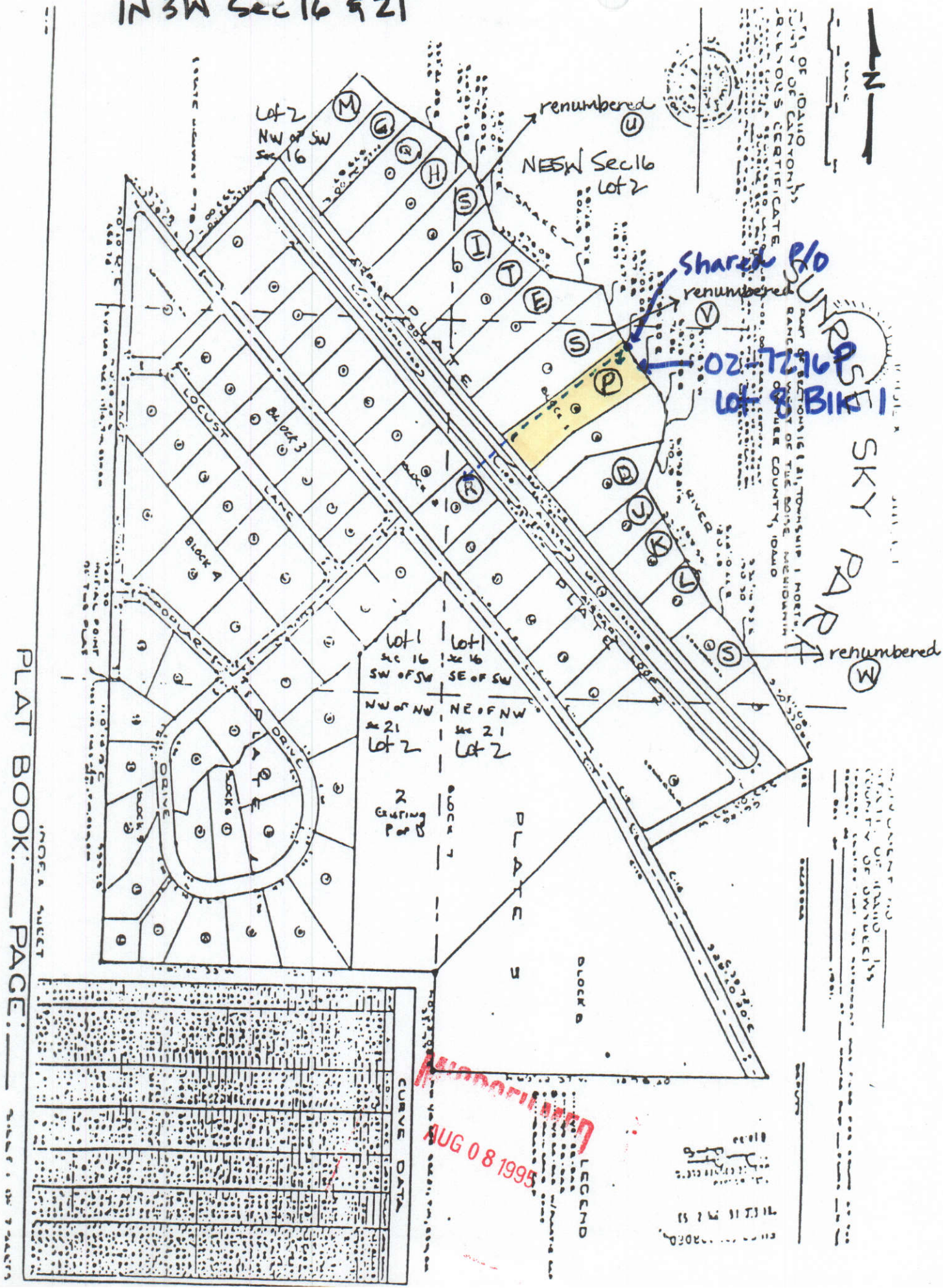
1.

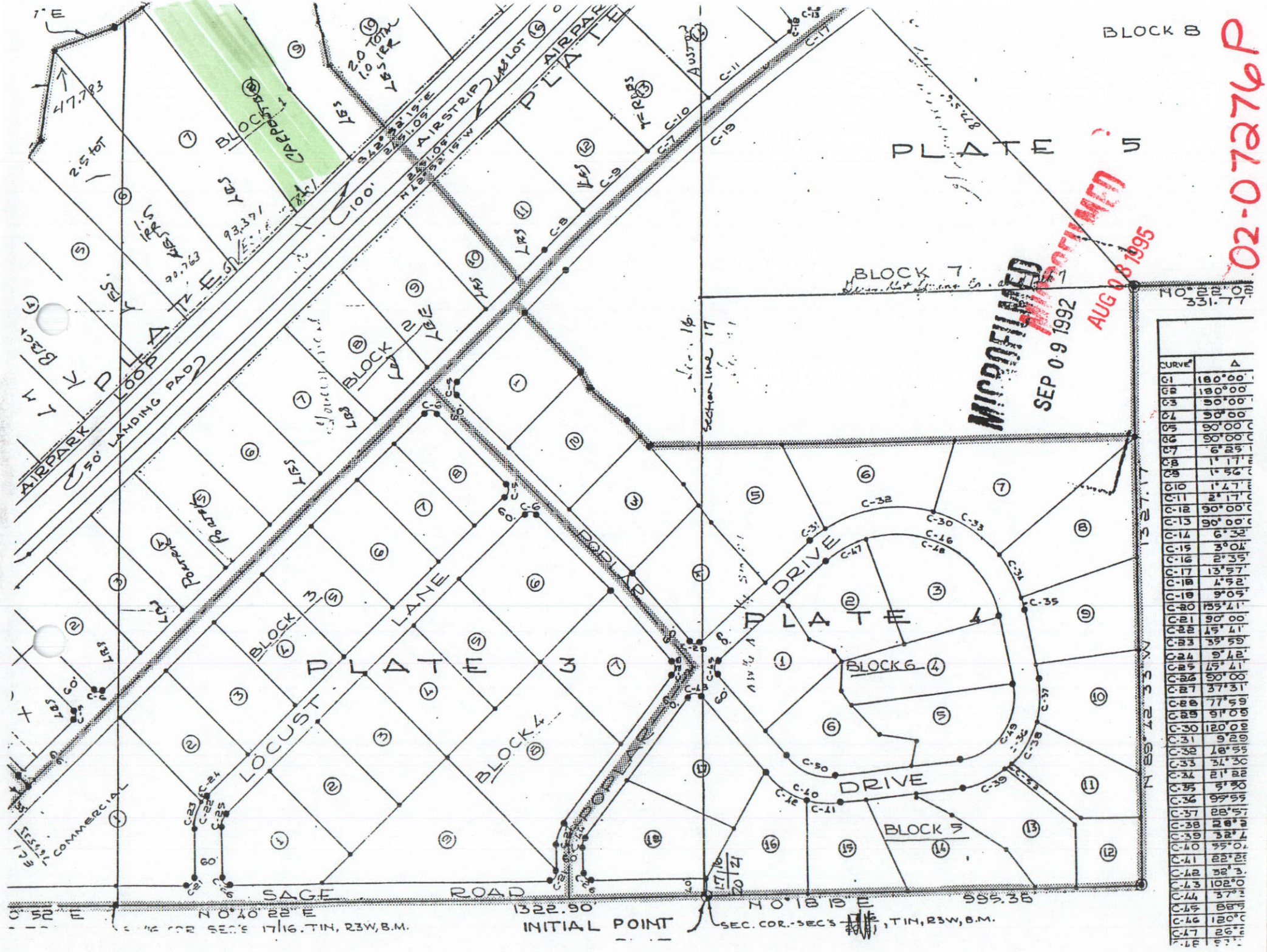
Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. **Measurements:** Discharge Pressure

AUG 0 8 1995

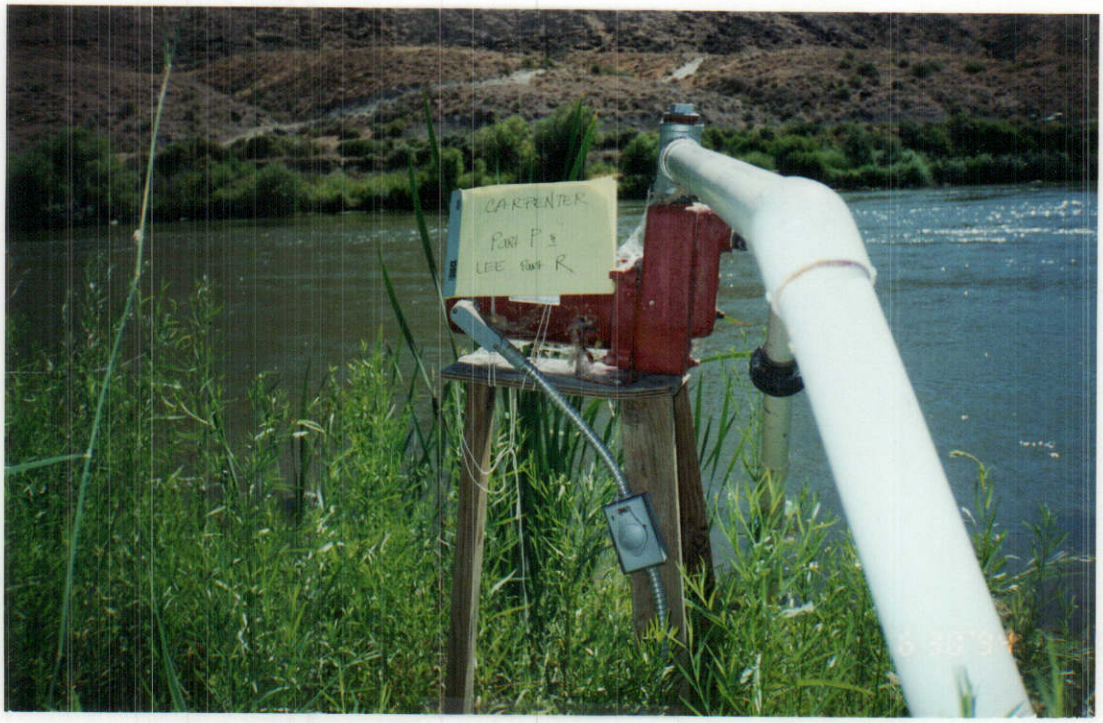
02-7276 Splits D-W
IN 3W Sec 16 & 21





CURVE	Δ
C1	180°00'
C2	180°00'
C3	90°00'
C4	90°00'
C5	90°00'
C6	90°00'
C7	6°25'
C8	1°17'
C9	1°56'
C10	1°47'
C11	2°17'
C12	90°00'
C13	90°00'
C14	6°32'
C15	3°04'
C16	2°35'
C17	13°57'
C18	4°52'
C19	9°05'
C20	135°41'
C21	90°00'
C22	45°41'
C23	35°59'
C24	9°42'
C25	45°41'
C26	90°00'
C27	37°31'
C28	77°59'
C29	91°05'
C30	120°05'
C31	9°29'
C32	18°55'
C33	34°30'
C34	21°22'
C35	5°30'
C36	99°55'
C37	28°57'
C38	26°3
C39	32°7
C40	55°0
C41	22°2
C42	32°3
C43	102°0
C44	37°3
C45	88°
C46	120°0
C47	29°2
C48	53°

02-7276P



P/D
(Shared w/
part R)



P/u

MICROFILMED
AUG 0 8 1995

WATER RIGHT NUMBER	NAME	CFS
02-07276	SPLIT INTO 02-7276A, 02-7276B & 02-7276C.	
02-07276A	JUMP , TERRY —— LAPSED JUMP , DOUGLAS	
02-07276B	GREENE , GARY A. —— LAPSED GREENE , SARAH E.	
02-07276C	SPLIT INTO PARTS F THROUGH M BY ASSIGNMENT. SEE 02-07276F.	
02-07276D	POPKEN , ROLAND H —— LICENSED POPKEN , LILLY ANN	0.02
02-07276E	JONES , WILLIAM C —— LICENSED JONES , MADELINE S	0.03
02-07276F	Split into 02-07276N/P/Q/R by assignment.	
02-07276G	DAWSON , ROBERT W —— LICENSED DAWSON , MARILYN M	0.02
02-07276H	MONCRIEF , LAURI E —— LICENSED	0.03
02-07276I	BECKER , KURT G —— LICENSED BECKER , PAMELA A	0.04
02-07276J	OSBORNE , JAMES L —— LICENSED OSBORNE , HANAKO K	0.01
02-07276K	WESTE , DON A —— LICENSED WESTE , PATRICIA L	0.02
02-07276L	BOWMAN , DAVID M —— LICENSED BOWMAN , GLENDA F	0.02
02-07276M	HOFFMAN , DAVID G	0.02
02-07276N	Split into 02-07276S & T by assignment.	
02-07276P	CARPENTER , DAVID H CARPENTER , LINDA S	0.04
02-07276Q	STALLINGS , ROBERT STALLINGS , TANA	0.03
02-07276R	LEE , G PAUL LEE , BERNADETTE	0.02
02-07276S	Right 02-07276S split into parts U, V and W at licensing.	

FILE #1

[illegible]
OCT 2 6 1995

WATER RIGHT NUMBER	NAME	CFS
02-07276T	HAUGAN , MELVIN HAUGAN , HELEN E	0.03
02-07276U	MONCRIEF , LESTER J	0.03
02-07276V	MONCRIEF , LESTER J	0.04
02-07276W	MONCRIEF , LESTER J	0.02

OCT 26 1995

RECEIVED
OCT 14 1999
WATER RESOURCES
WESTERN REGION

RECEIVED
OCT 18 1999
Department of Water Resources

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page. Incomplete forms will be returned.

1. Water Right No(s).: 02-07276L C106000

   Adjudication Claim No(s).:

2. The following REQUIRED information must be submitted with this form:

   A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

   AND

   B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually attached to your deed or on file with the county.)

   OR

   C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

3. Name and Address of Former Owner/Claimant: David Bowman
   HC79 Box 100A Melba, ID 83641

4. New Owner/Claimant(s): Edward A & Lorelei L. Dickman
   Name Connector (Check one): [ ] and, [ ] or, [ ] and/or
   New Mailing Address: Sunrise Pumphouse 2 Association
   City, State and ZIP Code: HC79 Box 100B Melba, ID 83641
   New Telephone Number: (208) 495-2212

5. Date you acquired the property: May 4, 1999

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

   Number of acres you irrigate 0 Number and type of stock N/A

   Diversion rate in CFS N/A Number of homes 1 Other uses None

   If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner or Claimant(s): Edward A Dickman
   Lorelei L Dickman

   (Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to your claims..

MICROFILMED

INSTRUCTIONS

This form has been prepared to assist new owners of property to comply with the requirements of Sections 42-248 and 42-1409(6), Idaho Code. Section 42-248 requires certain property holders to notify the Department of Water Resources (IDWR) of any change in mailing address or ownership of all or part of a water right record on file with IDWR. Section 42-1409(6) provides that new property owners must notify IDWR of any change in ownership of a water right during an adjudication of water rights. Required claims may be filed by a new owner.

Separate brochures are available from IDWR describing the adjudication of water rights and the requirement to notify IDWR of changes in ownership. Please contact your nearest IDWR office, or call 1-800-451-4129, if you would like more information or need help completing this form. Please attach additional sheets to the form if you require additional space to describe or explain any of the items on the form.

1. If there are water rights associated with the property, the seller should be able to provide you with the water right or adjudication claim number(s). Please enter these number(s) at **Item 1.** If you or the seller believes there are water rights for the property but the numbers are unknown, you may wish to contact IDWR for assistance in identifying the water rights for the property in question. If claims for the rights are required, and have not been filed, IDWR will so advise you.

2. The information described at **Item 2** is required, since IDWR cannot process the requested change without documentation of ownership. The preferred types of documentation are shown; contact IDWR if you have difficulty obtaining this information. Do not obtain a new survey for purposes of this form before contacting IDWR.

3. Please provide the name and address of the former owner of the water right and/or adjudication claim at **Item 3.**

4. The name, mailing address, and telephone number of the new owner(s) is entered at **Item 4.** Please indicate the relationship between multiple owners by using the connector 'and', 'or', or 'and/or'. If an 'and' is used, all parties must sign this form. If an 'and/or' or 'or' is used, all parties may sign. However, only one of the named parties is required to sign.

5. At **Item 5,** please provide the date the property in question was acquired. This may be the date of "closing" in the case of a real estate transaction or the date of court order for other types of ownership changes.

6. You may be purchasing only a portion of the total water right held by the seller. This means the water right held by the seller may be "split" to provide your share of the right in question. Be sure to include a description of the portion of the water right you have purchased at **Item 6.**

   Please provide as much detail as possible concerning your water right: include the number of homes, irrigated acreage if more than 1/2 acre is irrigated, type and number of stock if your right is for stockwater, etc. In the absence of information to the contrary, IDWR will assume the intent is to split the rights *proportionately.*

7. The new owner(s) must sign the form in the space(s) provided at **Item 7.** Corporations and other organizations must submit a list of directors or officers demonstrating the authority of the director or officer to sign the form.

8. There is no filing fee. When complete, you should retain a copy and return the original of the form to the IDWR office nearest you:

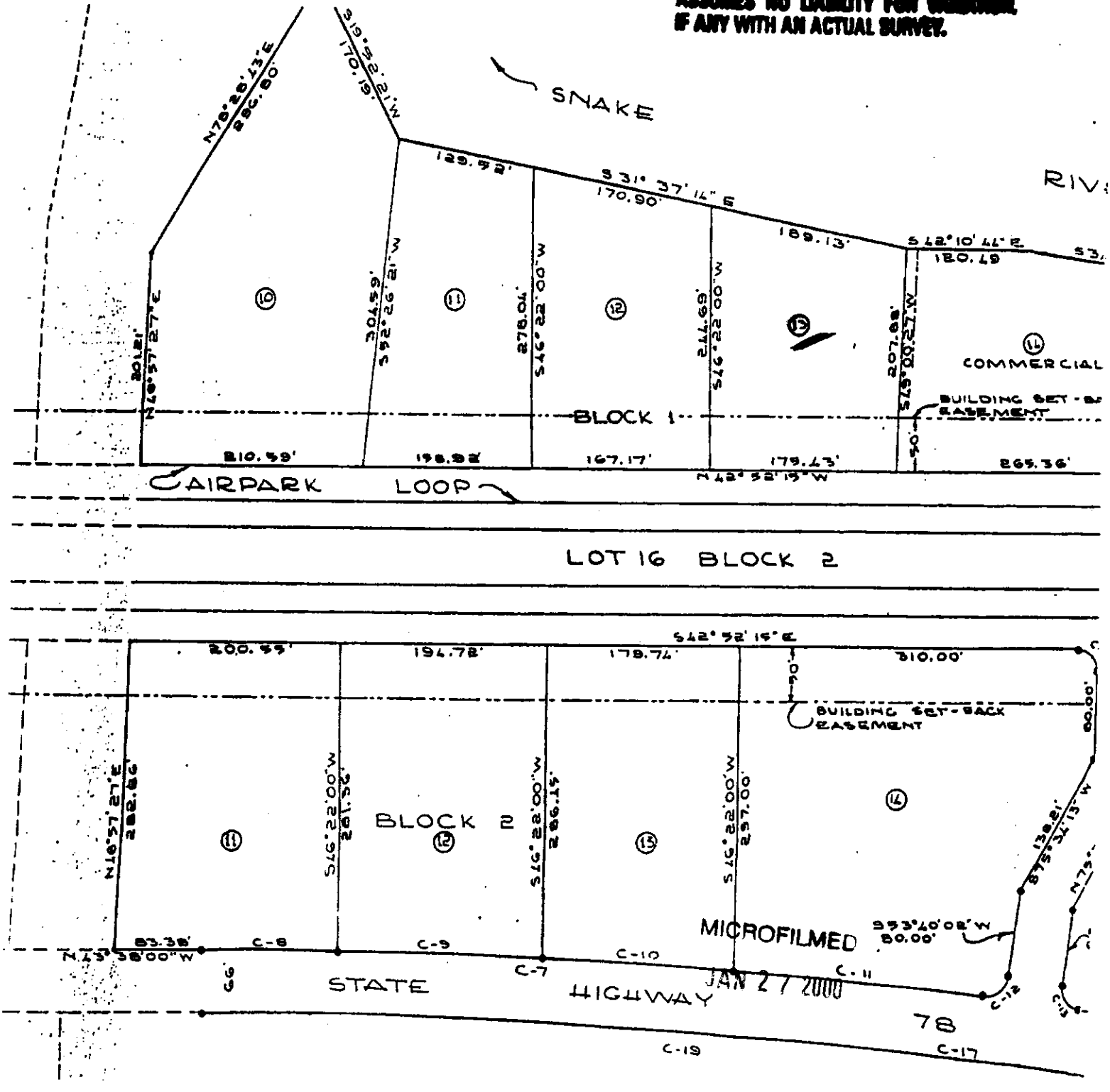
IDWR Western Region, 2735 Airport Way, Boise, ID 83705-5082 (208) 334-2190
IDWR Southern Region, 1341 Fillmore St. N., Twin Falls, ID 83301-3380 (208) 736-3033
IDWR Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814-2615 (208) 769-1450
IDWR Eastern Region, 900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 (208) 525-7161

PLATE 2

SUNRISE SKY PARK

Courtesy of: OWYHEE COUNTY TITLE CO.

THIS SKETCH IS MADE SOLELY TO ASSIST IN LOCATING THE PROPERTY. THE COMPANY ASSUMES NO LIABILITY FOR VARIATIONS, IF ANY WITH AN ACTUAL SURVEY.



WARRANTY DEED

For Value Received

Dave Bowman and Glenda Bowman, husband and wife

hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto

Edward A. Dickman and Lorelei L. Dickman, husband and wife

hereinafter referred to as Grantee, whose current address is

_____

the following described premises, to-wit:

Residential Lot 13, Block 1 of SUNRISE SKYPARK SUBDIVISION part of Government Lots 1 and 2, Section 16; Northwest Quarter of the Northwest Half, and Government Lot 2, Section 21, Township 1 North, Range 3 West, Boise, Meridian, Owyhee County, Idaho, according to the official plats on file and of record in the office of the recorder for Owyhee County, Idaho.

TOGETHER WITH twenty-two percent (22%) of the production of an 8 inch diameter well drilled March 1983 and located in the Southwest corner of Lot 15, Block 2, SUNRISE SKYPARK SUBDIVISION but not to exceed the legal quota of water for a single family domestic use established by the Idaho Department of Water Resources. The right to the above well production will be forfeit and void if twenty-two percent (22%) of the costs for maintenance and improvements voted on and aproved by owners of two-thirds (2/3) of the well production are not timley paid as arranged by two-thirds (2/3) ownership vote if and when they occur.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: May 4, 1999.

Dave Bowman

Dave Bowman

Glenda Bowman

Glenda Bowman

STATE OF IDAHO)
ss.
COUNTY OF Ada)

On This 4th day of May, in the year 1999, before me, a Notary Public in and for said State, personally appeared Dave Bowman and Glenda Bowman, known or identified to me to be the person(s) whose name(s) are subscribed to the within Instrument, and acknowledged to me that they executed the same.

Notary Public of Idaho
Residing at Boise
Commission expires: 1/26/2005

MICROFILMED
JAN 27 2000

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07276L

Priority: January 9, 1979 — Maximum Diversion Rate: 0.02 CFS; Maximum Diversion Volume: 2.3 AF

This is to certify, that DAVID M BOWMAN
GLENDA F BOWMAN
HC 79 BOX 100B
MELBA ID 83641
has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 9, 1979; and has submitted Proof of Beneficial Use on February 25, 1993. An examination indicates that the works have a diversion capacity of 0.150 cfs of water from:

SNAKE RIVER tributary to **COLUMBIA RIVER**

source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	0.02 CFS	2.3 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 1 (SESW), Sec. 16, Township 01N, Range 03W
OWYHEE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
01N	03W	16	Lot 1(SESW)	0.5			0.5

Total number of acres irrigated: 0.5

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.
6. This right when combined with all other rights shall provide no more than 4.5 afa per acre for the lands above.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07276L

CONDITIONS/REMARKS:

7. Place of use is located within Lot 13, Block 1, Sunrise Sky Park Subdivision.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 30th day of June, 1995.

Acting for KARL J. DREHER, Director



JUL 19 1995

Form 217
11/91

RECEIVED
FEB 2 4 1993
Department of Water Resources

OFFICE USE ONLY
Amt. of Fee $ 50.00
Date 2-25-93
Receipt No. C026852
Receipt by Jw

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 02-07276L Telephone No. 916-525-5533 208-495-2212

2. Name(s) of Permit Holder(s): DAVID M. BOWMAN GLENDA F. BOWMAN

3. Mailing Address: P.O. BOX 284 TAHOMA, CA, 96142 (H.C. 79 BOX 100B MELBA, ID 83641

4. Source of Water: Snake River

If **GROUNDWATER**, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:
Pump horsepower: 2 Pressure (psi): 50 Dynamic pumping level (ft.): 10'

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 0.8 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted ~~0.016~~ 0.02 cfs **OR** _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly: 2/26/93 Llg

Measuring device: Required? ___ Yes ✓ No Installed? ___ Yes ___ No

OR

Flow Measurement Port: Required? ___ Yes ✓ No Installed? ___ Yes ___ No

8. Fee Enclosed: $ 50.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

Les Monerief 495-1101
Name Telephone No.

HC 79 Box 102A, Melba, ID, 83641
Address

RECEIVED
APR 05 1993

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

1-18-93 David M Bowman Glenda F. Bowman
Date Signature (and title, if on behalf of a company or organization)

State of Idaho

Department of Water Resources

(L)

MAY 13 1992

Department of Water Resources
Western Regional Office

ASSIGNMENT OF PERMIT

I, Lester T. Moncrief, hereby assign to Dave &/or Glenda Bowman

of P.O. Box 284, Tahoma, CA 96142
Address

CHECK ONE

☐ All my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho.

☒ The following described portion of my right, title, and interest in and to Permit No. 02-7276C to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within each 40 acre subdivision, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage)

~~0.01~~ cfs for the irrigation of 0.8 acre(s) in SESW sec 16, T1NR3W, Owyhee Co, a.k.a. Lot 13 Block 1, Sunrise Skypark Subdivision, with a point of diversion to be established within Lot 13 Block 1, SESW sec 16, T1NR3W.

ok

Made this 14th day of May, 1992.

Lester J. Moncrief
Permit Holder

Georgeanne H Moncrief
Spouse of Permit Holder

State of Idaho)
) ss.
County of Owyhee)

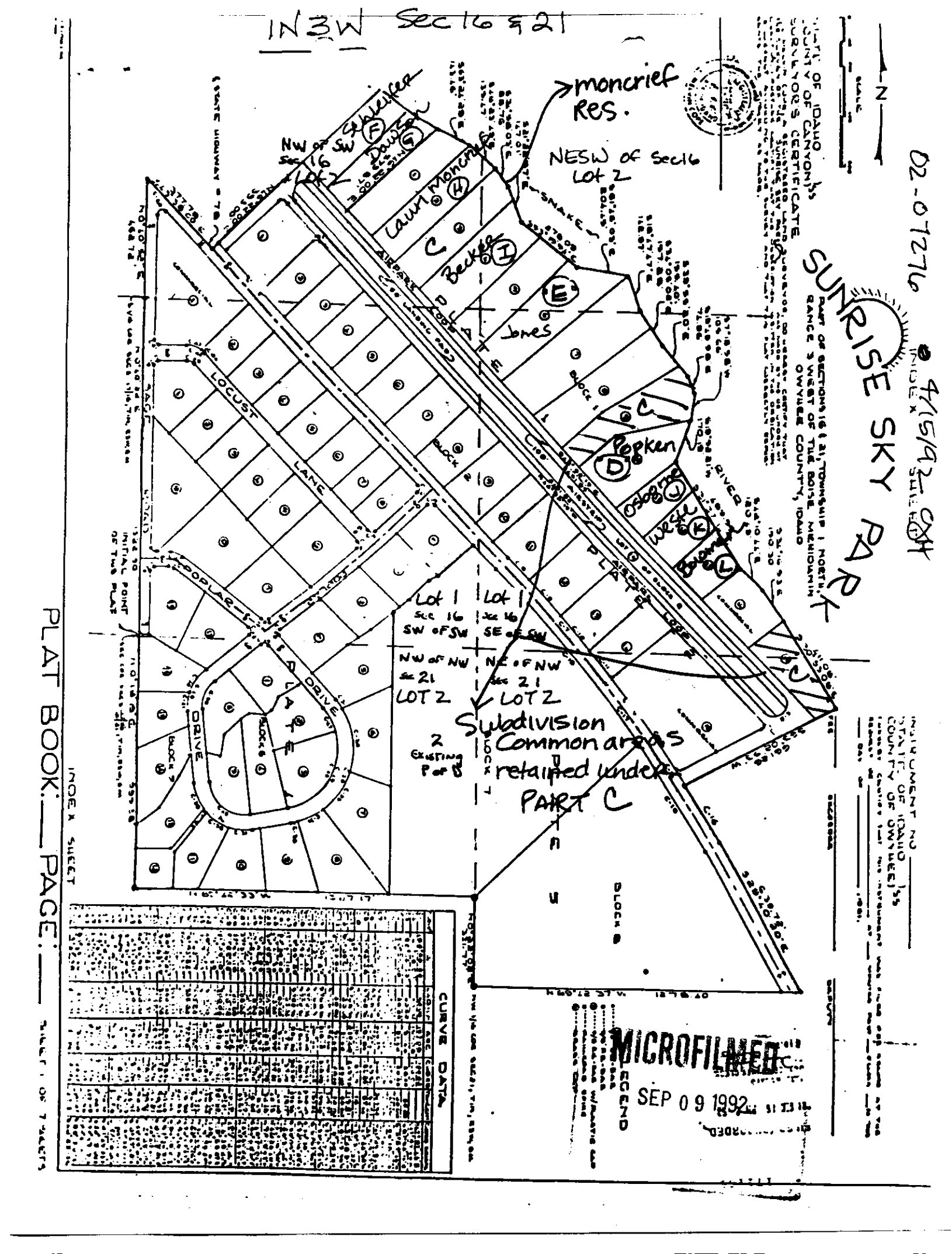
On this 14th day of May, 1992, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Nicholas K. Shea
Notary Public residing at
Murphy, Id

seal

My commission expires:
1/31/94

MICROFILMED
SEP 09 1992


IN3W Sec 16 & 21
02-07276
4/15/92
SUNRISE SKY PARK
PART OF SECTIONS 16 & 21, TOWNSHIP 1 NORTH, RANGE 3 WEST OF THE BOISE MERIDIAN OWYHEE COUNTY, IDAHO
STATE OF IDAHO } ss
COUNTY OF CANYON }
SURVEYOR'S CERTIFICATE
moncrief Res.
NESW of Sec 16 Lot 2
NW of SW Sec 16 Lot 2
Lot 1 Sec 16 SW of SW
Lot 1 Sec 16 SE of SW
NW of NW Sec 21 LOT 2
NE of NW Sec 21 LOT 2
Subdivision Common areas retained under PART C
2 EXISTING P or B
LOCUST LANE
POPLAR STREET
DRIVE
BLOCK 1
BLOCK 2
BLOCK 3
BLOCK 4
BLOCK 5
BLOCK 6
BLOCK 7
BLOCK 8
Laun Moncrief
Becker
Jones
Pepken
Osborne
Wesel
Brown
RIVER
AIRPARK
CURVE DATA
LEGEND
MICROFILMED
SEP 09 1992
PLAT BOOK ___ PAGE ___

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07276K

Priority: January 9, 1979 Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 2.3 AF

This is to certify, that DON A WESTE
PATRICIA L WESTE
PO BOX 113056
ANCHORAGE AK 99511-3056 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 9, 1979; and has submitted Proof of Beneficial Use on February 25, 1993. An examination indicates that the works have a diversion capacity of 0.090 cfs of water from:

SNAKE RIVER tributary to **COLUMBIA RIVER**

source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	0.02 CFS	2.3 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 1(SESW), Sec. 16, Township 01N, Range 03W
OWYHEE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
01N	03W	16	Lot 1(SESW)	0.5			0.5

Total number of acres irrigated: 0.5

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.
6. This right when combined with all other rights shall provide no more than 4.5 afa per acre for the lands above.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07276K

CONDITIONS/REMARKS:

7. Place of use is located within Lot 12, Block 1, Sunrise Sky Park Subdivision.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 6TH day of SEPTEMBER, 1995.

Acting for KARL J. DREHER, Director

Form 217
11/91

OFFICE USE ONLY
Amt. of Fee $ 50.00
Date 2-25-93
Receipt No. C026853
Receipt by JW

RECEIVED
FEB 2 4 1993
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 02-07276K Telephone No. 907-564-1880 WK 907-349 2580 HM

2. Name(s) of Permit Holder(s): DON A WEST

3. Mailing Address: P.O BOX 113056 ANCH AK 99511

4. Source of Water: SNAKE RIVER

If **GROUNDWATER**, Well Driller's Name: _____ Date Drilled: _____

OPTIONAL:
Pump horsepower: 2 HP Pressure (psi): 50 Dynamic pumping level (ft.): 10'

5. Extent of Use (as authorized by the permit):

Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

Irrigation 1.0 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 0.02 cfs **OR** _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

Measuring device: Required? ___ Yes ✓ No Installed? ___ Yes ___ No

OR

Flow Measurement Port: Required? ___ Yes ✓ No Installed? ___ Yes ___ No

8. Fee Enclosed: $ 50.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

LES MONCRIEF 208-495-1101
Name Telephone No.

HC 79 Box 102A MACKAY, ID 83641
Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

APR 05 1993

2-15-93 _____
Date Signature (and title, if on behalf of a company or organization)

(K)

State of Idaho

Department of Water Resources

ASSIGNMENT OF PERMIT

I, Lester J. Moreau, hereby assign to Don A. &/or Patricia L. Weste

of P.O. Box 113056, Anchorage, AK 99511-3056
Address

CHECK ONE

☐ All my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho.

☒ The following described portion of my right, title, and interest in and to Permit No. 02-7276C to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within each 40 acre subdivision, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage)

0.02 cfs for the irrigation of 1.0 acre(s) in SESW sec 16, T1NR3W, Owyhee Co., a.k.a. Lot 12 Block 1, Sunrise Skypark Subdivision, with a point of diversion to be established within Lot 12 Block 1, SESW sec 16, T1NR3W.

Made this 14th day of May, 1992.

Lester J. Moreau
Permit Holder

Georgeanne H. Moreau
Spouse of Permit Holder

State of Idaho)
) ss.
County of Owyhee)

On this 14th day of May, 1992, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Nicholas K. Ihli
Notary Public residing at
Murphy, Id

seal

My commission expires:
1/31/94

MICROFILMED
SEP 09 1992

02-07276 4/15/92 CAH

SUNRISE SKY PARK

INDEX SHEET

PART OF SECTIONS 16 & 21, TOWNSHIP 1 NORTH, RANGE 3 WEST OF THE BOISE MERIDIAN OWYHEE COUNTY, IDAHO

INSTRUMENT NO. _____
STATE OF IDAHO)ss
COUNTY OF OWYHEE)

I hereby certify that this instrument was filed for record at the request of _____ at _____ minutes past _____ o'clock _____ M. this _____ day of _____, 1992.

STATE OF IDAHO)ss
COUNTY OF CANYON)

SURVEYOR'S CERTIFICATE

I, the undersigned, a registered land surveyor, do hereby certify that the Sunrise Sky Park subdivision and the land included in the description hereon and shown on the plat thereof was surveyed and that the plat correctly represents the survey made.

APPROVED
SEP 09 1992

CURVE DATA

LEGEND

BLOCK 1
BLOCK 2
BLOCK 3
BLOCK 4
BLOCK 5
BLOCK 6
BLOCK 7
BLOCK 8

AIRPORT ROAD
LOCUST LANE
POPLAR DRIVE
SAGE DRIVE
STATE HIGHWAY # 78

Lot 1 Sec 16 SW of SW
NW of NW Sec 21 LOT 2
NE of NW Sec 21 LOT 2
Subdivision Common Area retained under Part C
2 Existing Pads

INITIAL POINT OF THIS PLAT

INDEX SHEET

PLAT BOOK: ___ PAGE: ___ SHEET 1 OF 7 SHEETS

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07276J

Priority: January 9, 1979 Maximum Diversion Rate: 0.01 CFS
Maximum Diversion Volume: 2.3 AF

This is to certify, that JAMES L OSBORNE
HANAKO K OSBORNE
HC 79 BOX 100D
MELBA ID 83641 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 9, 1979; and has submitted Proof of Beneficial Use on October 29, 1993. An examination indicates that the works have a diversion capacity of 0.040 cfs of water from:

SNAKE RIVER tributary to **COLUMBIA RIVER**

source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	0.01 CFS	2.3 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 1(SESW), Sec. 16, Township 01N, Range 03W
OWYHEE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
01N	03W	16	Lot 1(SESW)	0.5			0.5

Total number of acres irrigated: 0.5

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

[illegible] 9 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07276J

CONDITIONS/REMARKS:

7. Place of use is located within Lot 11, Block 1, Sunrise Sky Park Subdivision.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 30TH day of June, 1995.

Acting for KARL J. DREHER, Director

JUL 1

Form 217
11/91

RECEIVED
OCT 29 1993
Department of Water Resources

OFFICE USE ONLY
Amt. of Fee $ 50.00
Date 10/28/93
Receipt No. W016895
Receipt by JFW

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 02-07276J Telephone No. 495-2059
2. Name(s) of Permit Holder(s): JAMES L. OSBORNE - HANAKO K. OSBORNE
3. Mailing Address: H C 79 - Box 100 D - MELBA ID 83641
4. Source of Water: SNAKE RIVER

   If **GROUNDWATER**, Well Driller's Name: _____ Date Drilled: _____

   OPTIONAL:
   Pump horsepower: 3/4 Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

   Domestic 1 (No. of households) Stockwater _____ (No. and type of stock)

   Irrigation ~~3/4~~ 1/2 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted .01 ~~.02~~ cfs **OR** _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

   Measuring device: Required? ___ Yes ~~No~~ Installed? ___ Yes X No

   OR

   Flow Measurement Port: Required? ~~Yes~~ ___ No Installed? X Yes ___ No

8. Fee Enclosed: $ 50.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

   Jim Osborne 495-2059
   Name Telephone No.

   H C 79 - Box 100 D - MELBA - ID - 83641
   Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

RECEIVED
JAN 10 1994

10-28-93 James L. Osborne
Date Signature (and title, if on behalf of a company or organization)

Form 204
11-91

RECEIVED

JAN 4 1993

Department of Water Resources

For Office Use Only
$15 Fee Receipted by MJ
Date 1-4-93
Receipt No. C026419

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 02-07276 J

Name(s) of Permit Holder: James & Hanako OsBorne

Mailing Address: HC 79 Box 100D Mel Ba, ID 83641

Date Proof is Due 3/1/93 Telephone No. 495-2059

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

Permit holder just recently was assigned a portion of the original permit - Permit holder has done partial construction of home & trenches

Costing $

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Time limit to complete has been to short

Permit holder(s) request an extension to 11/1, 19 93.

FEE: $15.00

James L Osborne
(Signature)*
*If other than permit holder, Power of Attorney must be supplied.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

MICROFILMED

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED APR 05 1993 and the time within which to submit proof of beneficial use is extended to November 1, 1993.

Signed this 5th day January, 19 93

Chief, Water Allocation Bureau

State of Idaho

Department of Water Resources

(J)

ASSIGNMENT OF PERMIT

I, Lester J. Moncrief, hereby assign to James L. &/or Hanako K. Osborne

of HC 79 Box 100D, Melba, ID 83641
Address

CHECK ONE

☐ All my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho.

☒ The following described portion of my right, title, and interest in and to Permit No. 02-7276C to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within each 40 acre subdivision, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage)

0.01 cfs for the irrigation of ½ acre(s) in SESW sec 16, T1NR3W, Owyhee Co., a.k.a. Lot 11 Block 1, Sunrise Skypark Subdivision, with a point of diversion to be established within Lot 11 Block 1, SESW sec 16, T1NR3W.

OK

Made this 14th day of May, 1992.

Lester J. Moncrief
Permit Holder

Georgeanne K. Moncrief
Spouse of Permit Holder

State of Idaho)
) ss.
County of Owyhee)

On this 14th day of May, 1992, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

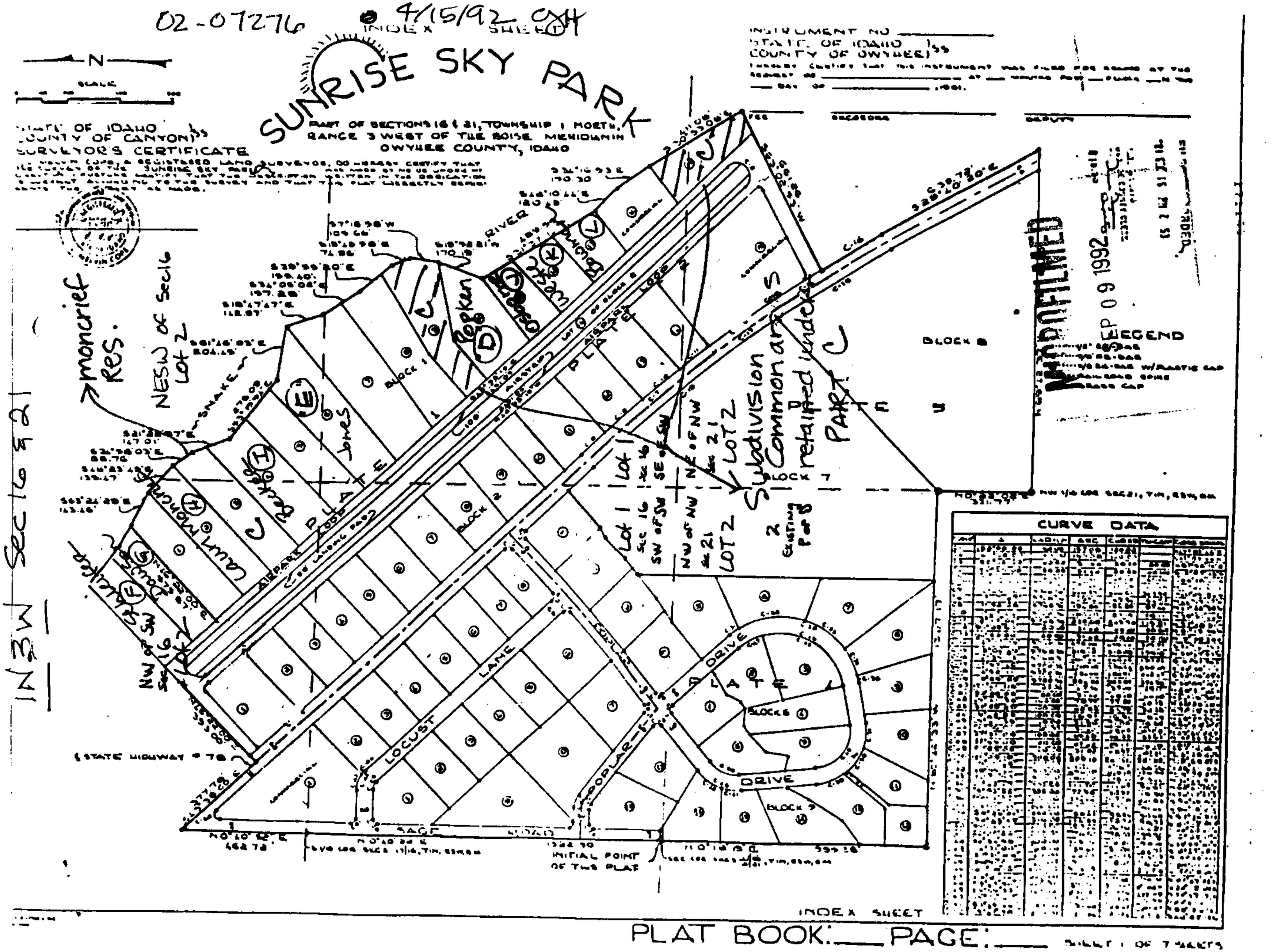
Nicholas K. Ihle
Notary Public residing at
Murphy, Id

seal

My commission expires:
1/31/94

MICROFILMED

SEP 09 1992



02-07276
4/15/92 CYH
INDEX SHEET
N
SCALE
STATE OF IDAHO)ss
COUNTY OF CANYON)
SURVEYOR'S CERTIFICATE
SUNRISE SKY PARK
PART OF SECTIONS 16 & 21, TOWNSHIP 1 NORTH,
RANGE 3 WEST OF THE BOISE MERIDIAN
OWYHEE COUNTY, IDAHO
INSTRUMENT NO
STATE OF IDAHO)ss
COUNTY OF OWYHEE)
FEE
DEPUTY
SNAKE RIVER
moncrief Res.
NESW of Sec16 Lot 2
1N 3W Sec 16 & 21
NW of SW Sec 16
BLOCK 1
BLOCK 2
BLOCK 6
BLOCK 7
BLOCK 8
AIRPARK LOOP
AIRSTRIP
PLATE
LOCUST LANE
POPLAR
DRIVE
SAGE ROAD
STATE HIGHWAY 78
Lot 1 Sec 16 SE of SW
Lot 1 Sec 16 SW of SW
NE of NW Sec 21 Lot 2
NW of NW Sec 21 LOT 2
Subdivision Common area retained under PART C
2 Existing
Roepken
Jones
Becker
Dowling
Lauth
MEGEND
SEP 09 1992
INITIAL POINT OF THIS PLAT
CURVE DATA
INDEX SHEET
PLAT BOOK: PAGE:
SHEET 1 OF 7 SHEETS

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07276I

Priority: January 9, 1979 — Maximum Diversion Rate: 0.04 CFS; Maximum Diversion Volume: 6.8 AF

This is to certify, that KURT G BECKER
PAMELA A BECKER
PO BOX 504
NEW MEADOWS ID 83654 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 9, 1979; and has submitted Proof of Beneficial Use on November 12, 1993. An examination indicates that the works have a diversion capacity of 0.180 cfs of water from:

SNAKE RIVER tributary to **COLUMBIA RIVER**

source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	0.04 CFS	6.8 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2(NESW), Sec. 16, Township 01N, Range 03W OWYHEE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES	ACRES	TOTAL
01N	03W	16	Lot 2(NESW)	0.7	Lot 2(NWSW)	0.8		1.5

Total number of acres irrigated: 1.5

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.
6. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.5 afa per acre for the lands above.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07276I

CONDITIONS/REMARKS:

7. Place of use is located within Lot 4, Block 1, Sunrise Sky Park Subdivision.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 28TH day of AUGUST, 1985.

Acting for KARL J. DREHER, Director

State of Idaho
Department of Water Resources

RECEIVED
AUG 14 1995
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 02-07276I

Date of Priority: January 9, 1979

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 6.8 AF

Comes now KURT G BECKER
PAMELA A BECKER
PO BOX 504
NEW MEADOWS ID 83654 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. 02-07276I, and requests that the permit be changed as follows:

Source: **SNAKE RIVER** tributary to **COLUMBIA RIVER**

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	0.04 CFS	6.8 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2(NESW), Sec. 16, Township 01N, Range 03W OWYHEE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES	ACRES	TOTAL
01N	03W	16	Lot 2(NESW)	0.7	Lot 2(NWSW)	0.8		1.5

Total number of acres irrigated: 1.5

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

Signed at New Meadows, Idaho, this 12th day of August, 1995.

Kurt G Becker
(Signature)

OCT 26 1995

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 02-07276I

****

FOR DEPARTMENT USE ONLY

Preliminary check by ____ Fee = 50.00 Receipted by Ruby #C033369 Date 8/14/95

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 02-07276I with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.
6. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.5 afa per acre for the lands above.
7. Place of use is located within Lot 4, Block 1, Sunrise Sky Park Subdivision.

Witness my hand this 28TH day of AUGUST, 1995.

Acting for KARL J. DREHER, Director

RECEIVED
OCT 26 1995

Form 217
11/91

RECEIVED
NOV 1 2 1993
Department of Water Resource

OFFICE USE ONLY
Amt. of Fee $ 100.00
Date 11-12-93
Receipt No. C028985
Receipt by

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 02-07276I Telephone No. (208) 347-2200
2. Name(s) of Permit Holder(s): Kurt G. Becker
3. Mailing Address: P.O. Box 504, New Meadows Idaho 83654
4. Source of Water: Snake River ~~and Groundwater~~

   If **GROUNDWATER**, Well Driller's Name: ~~existing well~~ Date Drilled: ~~not known~~

   OPTIONAL:
   Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____
5. Extent of Use (as authorized by the permit):

   Domestic 1 (No. of households) Stockwater _____ (No. and type of stock)

   Irrigation 2 (No. of acres) Other _____
6. Total rate and/or volume for which proof is submitted ~~1.00~~ 0.04 cfs **OR** _____ acre/feet
7. Refer to the approval conditions on your permit and respond accordingly:

   Measuring device: Required? ___ Yes ~~✓~~ No Installed? ___ Yes ✓ No

   OR

   Flow Measurement Port: Required? ___ Yes ~~✓~~ No Installed? ___ Yes ✓ No
8. Fee Enclosed: $ _____ (See License Fee Schedule on back of Instruction Sheet)
9. Person to contact to accompany the Department representative during field examination of the water system.

   Kurt G. Becker — 208 634-0691(W) or 347-2200(H)
   Name — Telephone No.

   P.O. Box 504, New Meadows Id 83654
   Address
10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

10/30/93 — Kurt G. Becker — JAN 10 1994
Date — Signature (and title, if on behalf of a company or organization)

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 02-07276I	)	ORDER EXTENDING
	)	PROOF OF
IN THE NAME OF KURT AND PAMELA BECKER	)	BENEFICIAL USE
	)	

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before November 1, 1993; and,

WHEREAS, notice was not given to the permit holder sixty days prior to the date that proof of beneficial use of water was due as required by Section 42-204, Idaho Code;

IT IS THEREFORE HEREBY ORDERED that the time within which to submit the proof of beneficial use of water under Permit No. 02-07276I be extended to January 1, 1994.

Dated this 12th day of October, 1993.

L. Glen Saxton

L. GLEN SAXTON
Chief, Water Allocations Bureau

MICROFILMED

JAN 10 1994

Form 20
11-91

RECEIVED
FEB 9 1993
Department of Water Resources

For Office Use Only
$15 Fee Receipted by
Date 2-9-93
Receipt No. C0260714

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of water right under the provisions of Section 42-204, Idaho Code.

Permit No. 02-07276I

Name(s) of Permit Holder: Kurt G and Pamela A. Becker

Mailing Address: Box 504, New Meadows Idaho 83654 Note New address!

Date Proof is Due March 1, 1993 Telephone No. (208) 347-2200

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

pump installed in well, water lines layed between well and building, river and perimeter of property to facilitate irrigation. Pump installed on river inlet but then removed for winter storage.

Costing $ 7000.00

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

winter weather including freezing water in River and frozen ground covered with snow.

Permit holder(s) request an extension to June 1, 1993.

FEE: $15.00

Kurt G Becker Pamela A Becker
(Signature)*
*If other than permit holder, Power of Attorney must be supplied.

MICROFILMED APR 05 1993

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to November 1, 1993.

Signed this 10th day February, 19 93

R. Thomas Saylor
Chief, Water Allocation Bureau

(I)

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

I, Lester J Moncrief, hereby assign to Kurt G. &/or Pamela A. Becker
of HC Box 21, Avery ID 83802
Address

CHECK ONE

☐ All my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho.

☒ The following described portion of my right, title, and interest in and to Permit No. 02-7276C to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within each 40 acre subdivision, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage)

0.04 cfs for the irrigation of 2.0 acre(s) in NWSW¼ of sec 11a, T1NR3W, Owyhee Co, a.k.a. Lot 4 Block 1, Sunrise Skypark Subdivision, with a point of diversion to be established within Lot 4 Block 1, NESW sec 16, T1NR3W.

Made this 14th day of May, 1992.

Lester J. Moncrief
Permit Holder

Georgianne K. Moncrief
Spouse of Permit Holder

State of Idaho)
) ss.
County of Owyhee)

On this 14th day of May, 1992, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Nicholas K Thl
Notary Public residing at
Murphy, Id

seal

My commission expires:
1/31/94

MICROFILMED

SEP 09 1992

02-072716 4/15/92 CSH

INDEX SHEET 1

SUNRISE SKY PARK

PART OF SECTIONS 16 & 21, TOWNSHIP 1 NORTH, RANGE 3 WEST OF THE BOISE MERIDIAN OWYHEE COUNTY, IDAHO

INSTRUMENT NO. _____
STATE OF IDAHO)ss
COUNTY OF OWYHEE)
I hereby certify that this instrument was filed for record at the request of _____ at _____ minutes past _____ o'clock _____ M. on this _____ day of _____, 1991.

STATE OF IDAHO)ss
COUNTY OF CANYON)

SURVEYOR'S CERTIFICATE

I, the undersigned, a registered Land Surveyor, do hereby certify that I am the owner of the Sunrise Sky Park subdivision as shown on the attached plat and that the subdivision is correctly surveyed.

N

SCALE

Moncrief Res.

NESW of Sec 16 Lot 2

Part of Lot 1 Sec 16 SW of SW

NW of NW Sec 21 LOT 2

Lot 1 Sec 16 SE of SW

NE of NW Sec 21 LOT 2

Subdivision Common areas retained under Part C

Part C

Part D

Part E

Part F

Part G

Part H

Part I

Part J

Part K

Part L

Part M

Part N

Part O

Part P

Part Q

Part R

Part S

Part T

Part U

BLOCK 1

BLOCK 2

BLOCK 3

BLOCK 4

BLOCK 5

BLOCK 6

BLOCK 7

BLOCK 8

BLOCK 9

AIRPARK ROAD

LOCUST LANE

POPLAR DRIVE

SAGE ROAD

(STATE HIGHWAY # 78)

SNAKE RIVER

INITIAL POINT OF THIS PLAT

CURVE DATA

LEGEND

SEP 09 1992

IN SW Sec 16 & 21

INDEX SHEET

PLAT BOOK: ___ PAGE: ___ SHEET 1 OF 2 SHEETS

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07276H

Priority: January 9, 1979 Maximum Diversion Rate: 0.03 CFS
Maximum Diversion Volume: 6.8 AF

This is to certify, that LAURI E MONCRIEF
HC 79 BOX 102A
MELBA ID 83641 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 9, 1979; and has submitted Proof of Beneficial Use on February 25, 1993. An examination indicates that the works have a diversion capacity of 0.150 cfs of water from:

SNAKE RIVER tributary to **COLUMBIA RIVER**

source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	0.03 CFS	6.8 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2(NESW), Sec. 16, Township 01N, Range 03W
OWYHEE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
01N	03W	16	Lot 2(NWSW)	1.5			1.5

Total number of acres irrigated: 1.5

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07276H

CONDITIONS/REMARKS:

7. Right 02-07276U is also diverted through the point of diversion described above.
8. Place of use is located within Lot 2, Block 1, Sunrise Sky Park Subdivision.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 28TH day of AUGUST, 1995.

Acting for KARL J. DREHER, Director

State of Idaho
Department of Water Resources

RECEIVED
AUG 0 8 1995
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 02-07276H

Date of Priority: January 9, 1979

Maximum Diversion Rate: 0.03 CFS
Maximum Diversion Volume: 6.8 AF

Comes now LAURI E MONCRIEF
HC 79 BOX 102A
MELBA ID 83641
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. 02-07276H, and requests that the permit be changed as follows:

Source: **SNAKE RIVER** tributary to **COLUMBIA RIVER**

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	0.03 CFS	6.8 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2(NESW), Sec. 16, Township 01N, Range 03W
OWYHEE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
01N	03W	16	Lot 2(NWSW)	1.5			1.5

Total number of acres irrigated: 1.5

Microfilmed
OCT 2 6 1995

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

Signed at HC 79 Box 102A, Melba, ID 83641, this 7th day of August, 1995.

Lauri E. Moncrief
(Signature)

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 02-07276H

****

FOR DEPARTMENT USE ONLY

Preliminary check by ____ Fee = 50.00 Receipted by JW # C03339 Date 8-8-95

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 02-07276H with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
7. Right 02-07276U is also diverted through the point of diversion described above.
8. Place of use is located within Lot 2, Block 1, Sunrise Sky Park Subdivision.

Witness my hand this 28TH day of AUGUST, 1995.

Acting for KARL J. DREHER, Director

OCT 26 1995

Form 217
11/91

RECEIVED
FEB 25 1993
Department of Water Resources

OFFICE USE ONLY
Amt. of Fee $ 50.00
Date 2-25-93
Receipt No. C026854
Receipt by

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 02-07276-H Telephone No. 208 495-1101
2. Name(s) of Permit Holder(s): Lauri E. Moncrief
3. Mailing Address: HC 79 Box 102A, Melba, ID, 83641
4. Source of Water: Snake River

   If **GROUNDWATER**, Well Driller's Name: _____ Date Drilled: _____

   OPTIONAL:
   Pump horsepower: 2 Pressure (psi): 50 Dynamic pumping level (ft.): 16'

5. Extent of Use (as authorized by the permit):

   Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

   Irrigation 1.5 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted C.C3 cfs **OR** _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

   Measuring device: Required? ___ Yes ✓ No Installed? ___ Yes ___ No

   OR

   Flow Measurement Port: Required? ___ Yes ✓ No Installed? ___ Yes ___ No

8. Fee Enclosed: $ 50.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

   Lauri Moncrief 495-1101
   Name Telephone No.

   HC 79 Box 102A, Melba, ID 83641
   Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

FILED
APR 05 1993

2/22/93 Lauri E. Moncrief
Date Signature (and title, if on behalf of a company or organization)

MAY 13 '92
Water Resources
State Office

State of Idaho

Department of Water Resources

(H)

ASSIGNMENT OF PERMIT

I, Lester J. Moncrief, hereby assign to Lauri E. Moncrief

of HC 79 Box 102A, Melba, ID 83641
Address

CHECK ONE

☐ All my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho.

☒ The following described portion of my right, title, and interest in and to Permit No. 02-7276C to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within each 40 acre subdivision, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage)

0.03 cfs for the irrigation of 1.5 acre(s) in NWSW Sec 16, T1NR3W, Owyhee Co; aka Lot 2 Block 1, Sunrise Skypark Subdivision, with a single point of diversion to be located on or near the tract line NWSW and NESW sec 16, T1NR3W

Made this 14th day of May, 1992.

Lester J. Moncrief
Permit Holder

Georgeanne H. Moncrief
Spouse of Permit Holder

State of Idaho)
) ss.
County of Owyhee)

On this 14th day of May, 1992, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

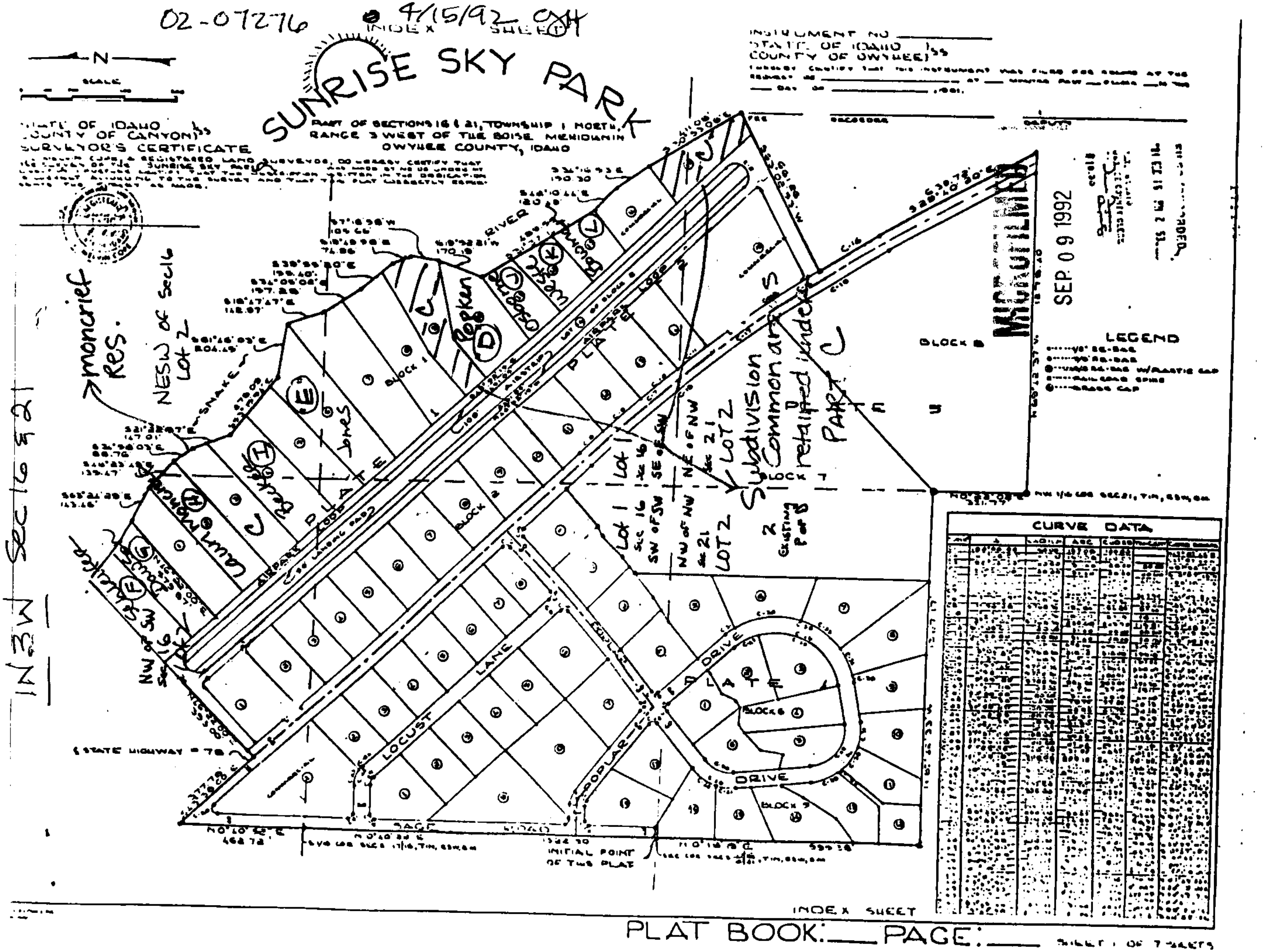
Nicholas K. Thi

seal

Notary Public residing at
Murphy, Id

My commission expires:
1/31/94

MICROFILMED
SEP 09 1992


02-07276
4/15/92 CYH
INDEX SHEET
SUNRISE SKY PARK
PART OF SECTIONS 16 & 21, TOWNSHIP 1 NORTH, RANGE 3 WEST OF THE BOISE MERIDIAN
OWYHEE COUNTY, IDAHO
N
SCALE
STATE OF IDAHO)ss
COUNTY OF CANYON)
SURVEYOR'S CERTIFICATE
INSTRUMENT NO
STATE OF IDAHO)ss
COUNTY OF OWYHEE)
SEP 09 1992
MICROFILMED
LEGEND
CURVE DATA
SNAKE RIVER
BLOCK 1
BLOCK 2
BLOCK 6
BLOCK 7
BLOCK 8
AIRPARK LOOP
LOCUST LANE
POPLAR
DRIVE
STATE HIGHWAY 78
INITIAL POINT OF THIS PLAT
Moncrief Res.
NESW of Sec16 Lot 2
1N3W Sec 16 & 21
NW of SW Sec 16
Lot 1 Sec 16 SE of SW
NE of NW Sec 21 Lot 2
Lot 1 Sec 16 SW of SW
NW of NW Sec 21 LOT 2
Subdivision Common area retained under PART C
PLATE
INDEX SHEET
PLAT BOOK: ___ PAGE: ___
SHEET 1 OF 7 SHEETS

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07276G

Priority: January 9, 1979 Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 3.6 AF

This is to certify, that ROBERT W DAWSON
MARILYN M DAWSON
HC 79 BOX 102D
MELBA ID 83641 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 9, 1979; and has submitted Proof of Beneficial Use on February 24, 1993. An examination indicates that the works have a diversion capacity of 0.180 cfs of water from:

SNAKE RIVER tributary to **COLUMBIA RIVER**

source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	0.02 CFS	3.6 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2(NWSW), Sec. 16, Township 01N, Range 03W
OWYHEE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
01N	03W	16	Lot 2(NWSW)	0.8			0.8

Total number of acres irrigated: 0.8

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

JUL 19 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07276G

CONDITIONS/REMARKS:

7. Place of use is located within Lot 2, Sunrise Addition, Sunrise Sky Park Subdivision.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 30TH day of JUNE, 1995.

Acting for KARL J. DREHER, Director

Form 217
11/91

RECEIVED
FEB 24 1993
Department of Water Resources

OFFICE USE ONLY
Amt. of Fee $ 50.00
Date 2-24-93
Receipt No. CO26835
Receipt by JW

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 02-07276G Telephone No. 495-2236

2. Name(s) of Permit Holder(s): Robert W. Dawson

3. Mailing Address: HC 79 Box 102 D Melba, ID 83641

4. Source of Water: SNAKE RIVER

   If **GROUNDWATER**, Well Driller's Name: _____ Date Drilled: _____

   OPTIONAL:
   Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

   Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

   Irrigation 1 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 0.02 cfs **OR** ~~_____~~ NA acre/feet

7. Refer to the approval conditions on your permit and respond accordingly: 2/26/93 lg

   Measuring device: Required? ___ Yes ✓ No Installed? ___ Yes ___ No

   OR

   Flow Measurement Port: Required? ___ Yes ✓ No Installed? ___ Yes ___ No

8. Fee Enclosed: $ 50.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

   Robert W. Dawson 495-2236
   Name Telephone No.

   HC 79 Box 102D Melba, ID 83641
   Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

RECEIVED
APR 05 1993

2/22/93 R W. Dawson
Date Signature (and title, if on behalf of a company or organization)

(9)

State of Idaho

Department of Water Resources

MAY 13 1992

Department of Water Resources
Western Regional Office

ASSIGNMENT OF PERMIT

I, Lester J. Moncrief, hereby assign to Robert W. &/or Marilyn M. Dawson

of HC 79 Box 102 D, Melba, ID 83641
Address

CHECK ONE

☐ All my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho.

☒ The following described portion of my right, title, and interest in and to Permit No. 02-7276C to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within each 40 acre subdivision, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage)

0.02 cfs for the irrigation of (ONE) 1.0 acre(s) in NWSW sec 16, T1NR3W, Owyhee Co.; a.k.a. unnumbered lots within the Skypark - see attachment A for description, Sunrise Skypark Subdivision, with a point of diversion to be established within the lot described by attach. A, NWSW sec 16, T1NR3W

ok

Made this 14th day of May, 1992.

Lester J. Moncrief
Permit Holder

Georgianne M. Moncrief
Spouse of Permit Holder

State of Idaho)
ss.
County of Owyhee)

On this 14th day of May, 1992, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Nicholas K Shi
Notary Public residing at
Murphy, Id

seal

My commission expires:
1/31/94

FILMED

SEP 09 1992

Attachment A

A part of Government Lot 2 (See Instrument number 187205 Owyhee County Records) PARCEL 2 located in the Northwest ¼ of the Southwest ¼ of Section 16, Township 1 North, Range 3 West of the Boise Meridian more particularily described to wit: Commencing at the Southwest corner of the Northwest ¼ of the Southwest ¼ Section 16; thence North 00° 41' 12" East 462.68 feet along the West line of said Northwest ¼ to a point on the center line of State Highway 78; thence South 43° 38' 00" East 377.78 feet along said center line; thence North 46° 22' 00" East 496.61 feet; thence South 42° 52' 15" East 125.62 feet to the INITAL POINT of this description; thence North 46° 22' 00" east 422.92 feet to high water line of the Snake River; thence South 67° 29' 25" East 136.01 feet along said high water line; thence South 46° 22' 00" West 479.58; thence North 42° 52' 15" West 124.40 feet to the INITAL POINT of this description. This tract contains 1.29 acres more of less.

SEP 09 1992

02-07276 9/15/92 CAH

INDEX SHEET (1)

SUNRISE SKY PARK

PART OF SECTIONS 16 & 21, TOWNSHIP 1 NORTH, RANGE 3 WEST OF THE BOISE MERIDIAN IN OWYHEE COUNTY, IDAHO

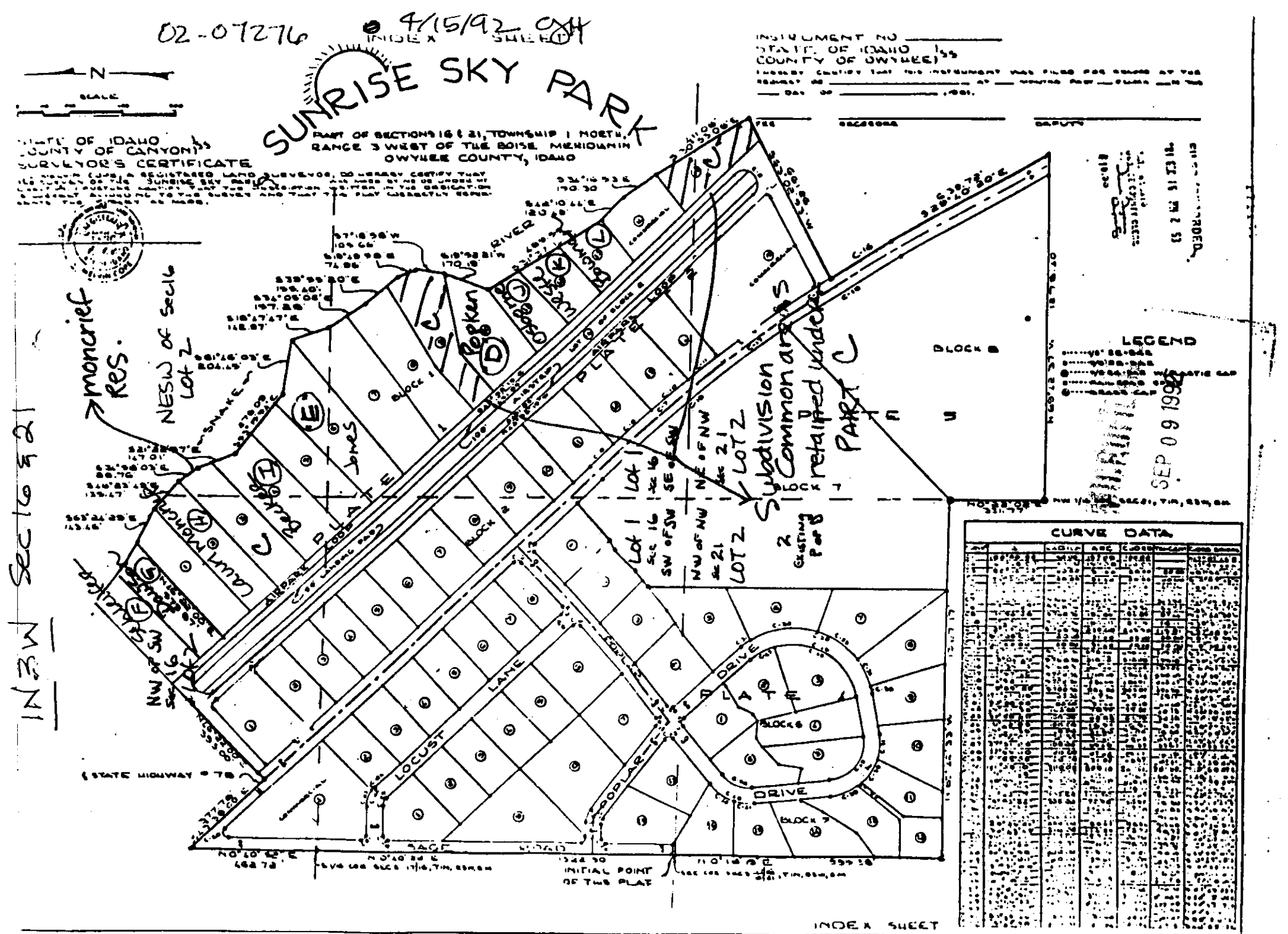
INSTRUMENT NO. _____
STATE OF IDAHO } ss
COUNTY OF OWYHEE }
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF _____ AT ___ MINUTES PAST ___ O'CLOCK ___ M. THIS ___ DAY OF _____, 1992.

STATE OF IDAHO } ss
COUNTY OF CANYON }

SURVEYOR'S CERTIFICATE

I, _____, A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT THE PLAT OF SUNRISE SKY PARK SUBDIVISION AS SHOWN BY THIS DEDICATION IS BASED ON AN ACCURATE SURVEY AND THAT ALL THE MONUMENTS SHOWN HEREON ACTUALLY EXIST AS DESCRIBED.

SEP 09 1992



IN 3W Sec 16 & 21

INDEX SHEET

PLAT BOOK: ___ PAGE: ___ SHEET 1 OF 2 SHEETS

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07276E

Priority: January 9, 1979 — Maximum Diversion Rate: 0.03 CFS; Maximum Diversion Volume: 6.8 AF

This is to certify, that WILLIAM C JONES
MADELINE S JONES
HC 79 BOX 102J
MELBA ID 83641 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 9, 1979; and has submitted Proof of Beneficial Use on October 15, 1993. An examination indicates that the works have a diversion capacity of 0.100 cfs of water from:

SNAKE RIVER tributary to **COLUMBIA RIVER**

source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	0.03 CFS	6.8 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2(NESW), Sec. 16, Township 01N, Range 03W
OWYHEE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES	ACRES	TOTAL
01N	03W	16	Lot 2(NESW)	0.5	Lot 1(SESW)	1		1.5

Total number of acres irrigated: 1.5

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

AUG 0 8 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07276E

CONDITIONS/REMARKS:

7. Place of use is located within Lot 6, Block 1, Sunrise Sky Park Subdivision.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 4TH day of AUGUST, 1995.

Acting for KARL J. DREHER, Director

AUG 08 1995

RECEIVED
AUG 0 4 1995
Department of Water Resources

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 02-07276E

Date of Priority: January 9, 1979

Maximum Diversion Rate: 0.03 CFS
Maximum Diversion Volume: 6.8 AF

Comes now WILLIAM C JONES
MADELINE S JONES

HC 79 BOX 102J
MELBA ID 83641

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. 02-07276E, and requests that the permit be changed as follows:

Source: **SNAKE RIVER** tributary to **COLUMBIA RIVER**

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	0.03 CFS	6.8 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2(NESW), Sec. 16, Township 01N, Range 03W OWYHEE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES	ACRES	TOTAL
01N	03W	16	Lot 2(NESW)	0.5	Lot 1(SESW)	1		1.5

Total number of acres irrigated: 1.5

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

Signed at Me, this 2 day of Aug, 1995.

AUG 0 8 1995

William C Jones
(Signature)
Madeline S. Jones

State of Idaho
Department of Water Resources

RECEIVED
AUG 0 4 1995
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 02-07276E

****

FOR DEPARTMENT USE ONLY

Preliminary check by ____ Fee = 50.00 Receipted by JW # C033316 Date 8-4-95

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 02-07276E with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
7. Place of use is located within Lot 6, Block 1, Sunrise Sky Park Subdivision.

Witness my hand this 4TH day of August, 1995.

Acting for KARL J. DREHER, Director

AUG 0 8 1995

Form 217
11/91

RECEIVED
OCT 19 1993
Department of Water Resources

OFFICE USE ONLY
Amt. of Fee $ 50
Date 10/15/93
Receipt No. W016862
Receipt by G

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 02-07276E Telephone No. (208) 495-2337
2. Name(s) of Permit Holder(s): WILLIAM C & MARLENE S. JONES
3. Mailing Address: HC-79 Box 102J MELBA ID 83641
4. Source of Water: SNAKE R

   If **GROUNDWATER**, Well Driller's Name: _____ Date Drilled: _____

   OPTIONAL: 1/8th" nozzles (rainbird sprinklers) 40 PSI ~40' lift
   Pump horsepower: 2.5 Pressure (psi): 40 Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

   Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

   Irrigation 1.5 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted .03 cfs **OR** _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

   Measuring device: Required? ___ Yes ~~L~~No Installed? ___ Yes ___ No

   OR

   Flow Measurement Port: Required? ~~L~~Yes ___ No Installed? ___ Yes ___ No

8. Fee Enclosed: $ 30 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

   WILLIAM C. JONES (208) 495-2337
   Name Telephone No.

   HC-79 Box 102J MELBA ID 83641
   Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

JAN 10 1994

10/15/93 William C Jones
Date Signature (and title, if on behalf of a company or organization)

Form 204
Page 1

RECEIVED
MAY 26 1992
Department of Water Resources
Western Regional Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

For Office Use Only
$15 FEE Receipted by CH
Date 5/26/92
Receipt # W014773

REQUEST FOR EXTENSION OF TIME
TO PROVIDE ADDITIONAL TIME IN WHICH TO SUBMIT PROOF OF BENEFICIAL USE FOR A WATER RIGHT PERMIT

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 02-07276E

Name(s) of Permit Holder: William C. Jones

Post Office Address: 161 Joaquin Dr Danville Ca. 94526

Telephone No. 837-3656 (510)

Date Proof is Due: 3/1/1993

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

Ground levelling has begun for home construction/landscaping. Purchase of parcel completed early 1992.

Costing $ 500-600 (levelling)

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

Recent assignment of permit, delay in loan approval for development. See also attached. Request granting remainder of litigation extension per Rita Fleck's memo.

Permit holder(s) request an extension to 3/1, 1994. (1 yr. minimum)

X William C Jones
(Signature)*

*IF OTHER THAN PERMIT HOLDER, POWER OF ATTORNEY MUST BE SUPPLIED.

FEE: $15.00

MICROFILMED
SEP 09 1992

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to November 1, 1993.

Signed this 13th day of August, 1992.

L. Gene Saxton
Chief, Water Allocation Bureau

Form 21
2/80

RECEIVED
FEB 18 1992
Department of Water Resources
Western Regional Office

Ident. No. 02-07276E

STATE OF IDAHO

APPROVED

APPLICATION FOR AMENDMENT OF A PERMIT

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

Comes now William C &/or Madeline S. Jones Phone 510-837-3656

of (address) 161 Joaquin Cir Danville Ca 94526, 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. 02-07276E, and requests that the permit and permit map be changed as follows:

1. Point of diversion: NE ¼ SW ¼, Section 16, Township 1N, Range 3W, B.M., County of Owyhee. Other points of diversion: (Govt Lot 2)

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.) (NO CHANGE)

Amount .03 (cfs or acre feet per annum) for IRR purposes from 3/15 to 11/15 (both dates inclusive)

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

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

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

3. Place of use or land to be irrigated: (NO CHANGE)

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1N	3W	16												1.5					1.5
														1.1					

Total number of acres to be irrigated = 1.5

4. a. Who owns the property at the point of diversion? Applicant

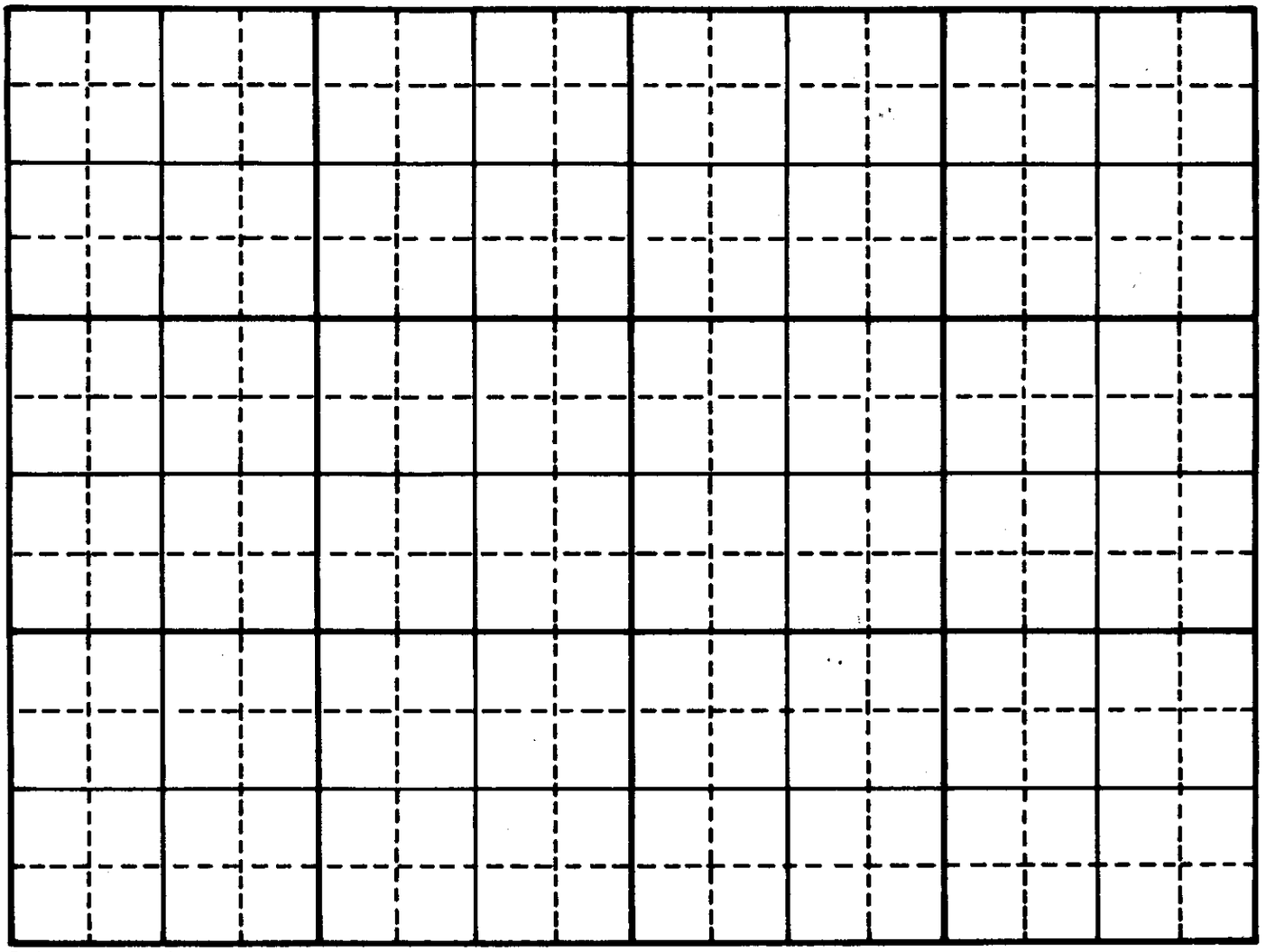
b. Who owns the land to be irrigated or the place of use? Applicant

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

MICROFILMED
SEP 09 1992

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

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



Scale: 2 inches equal 1 mile.

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

Signed at BOISE ID, this 13 day of Feb, 1992.

William E. Jones
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by SL Fee = $20.00 W014147 Receipted by GH Date 2/13/92

Publication prepared by GG Date 3/25/92 Published in Owyhee Avalanche

Publication dates 4/1 & 4/8/92

MICROFILMED

SEP 09 1992

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby approve the above referenced application for amendment. See attached sheet for the conditions of approval.

Witness my hand this 17th day of June, 1992.

L. Glen Saxton
Chief, Water Allocation Bureau

CONDITIONS OF APPROVAL

Amendment of Permit No. 02-07276E

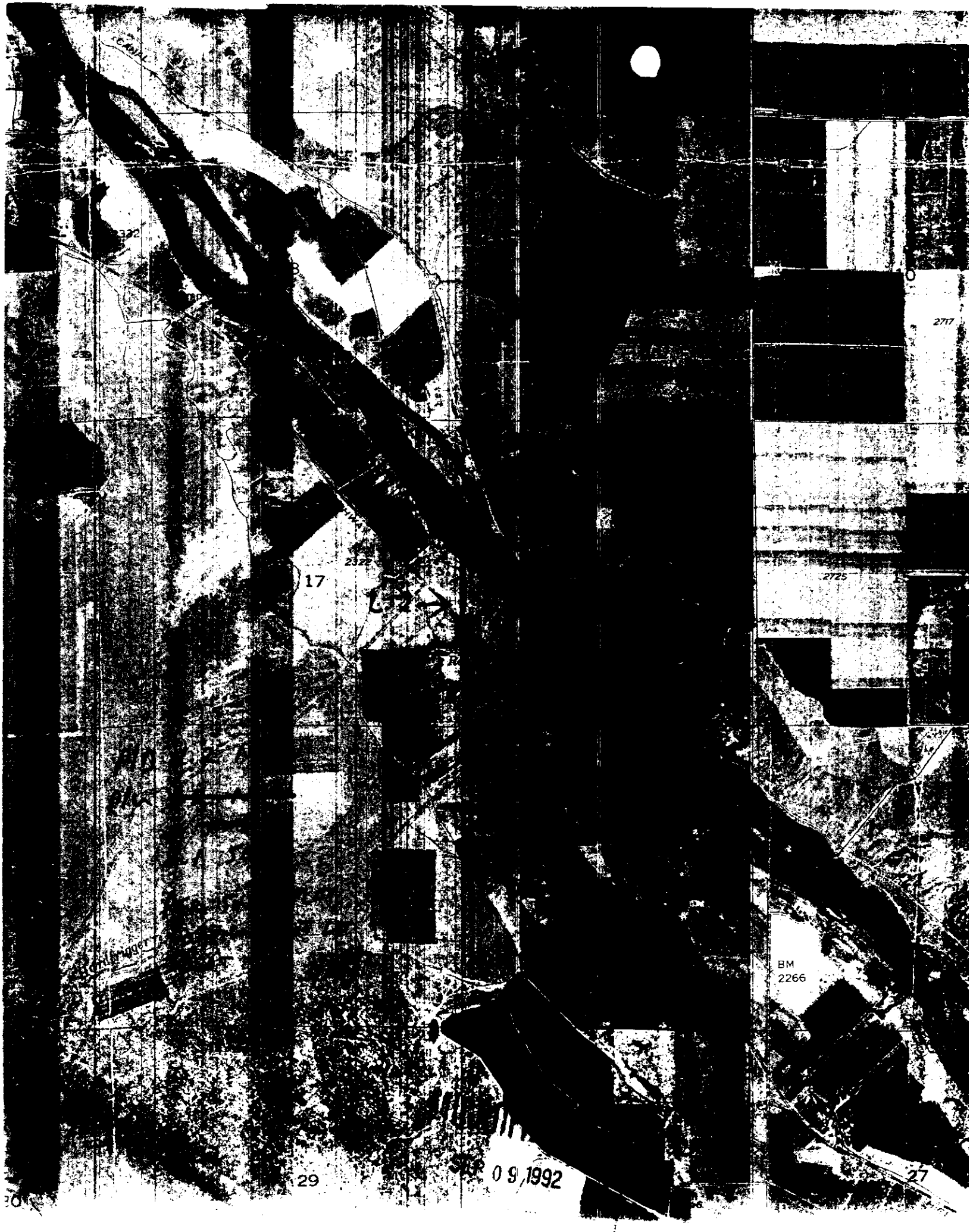
1. The previous conditions as set forth in Permit No. 02-07276 must be met.

2. The water right holder is required to beneficially use the heat in the low temperature geothermal water, as determined by the Director, before using the water for irrigation.

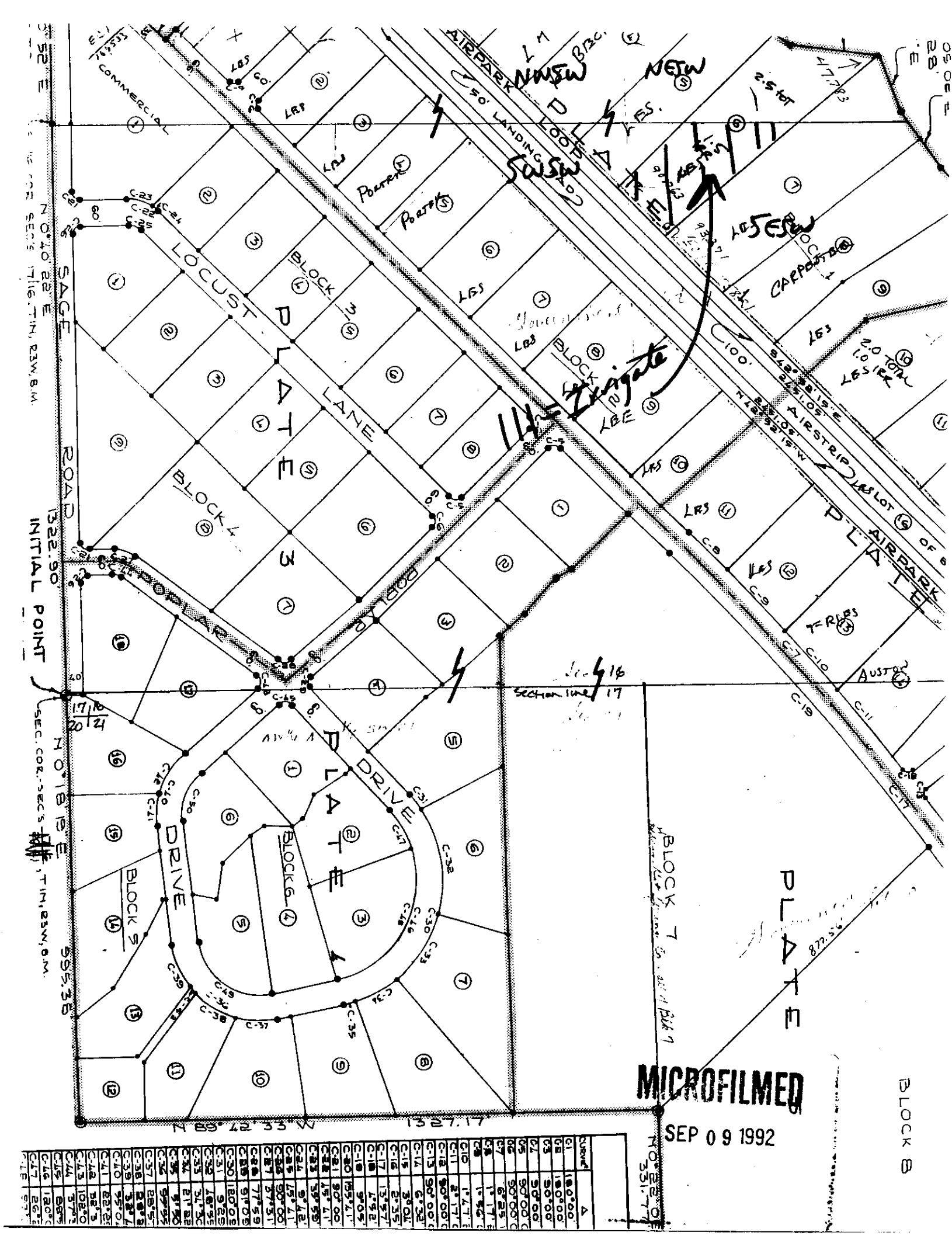
Dated this 17th day of June, 1992.

L. GLEN SAXTON
Chief, Water Allocation Bureau

MICROFILMED
SEP 09 1992


CANAL
2322
17
2717
2725
BM
2266
29
27
0 9 1992


L2
L1
T1N
R3W
S16
MICROFILMED


AIRPARK PLATTED
50' LANDING STRIP
COMMERCIAL
LOCUST LANE
BLOCK 1
BLOCK 3
BLOCK 4
BLOCK 2
SAGE ROAD
POPLAR ROAD
DRIVE
PLATTED
AIRSTRIP
LOT 6
BLOCK 8
BLOCK 7
BLOCK 5
BLOCK 6
Frigate
Section line
INITIAL POINT
N 0°40' 22" E
322.90
N 0°18' 19" E
555.38
N 89° 42' 33" W
1327.17
N 0°22' 52" E
872.56
N 0°22' 52" E
331.70
SEC. COR. SEC'S 17/16, T1N, R3W, B.M.
SEC. COR. SEC'S 17/16, T1N, R3W, B.M.
MICROFILMED
SEP 09 1992

THE OWYHEE AVALANCHE

P.O. BOX 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
)ss
COUNTY OF OWYHEE)

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of **The Owyhee Avalanche,** a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said **The Owyhee Avalanche** has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in said newspaper, in two (2)

(consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

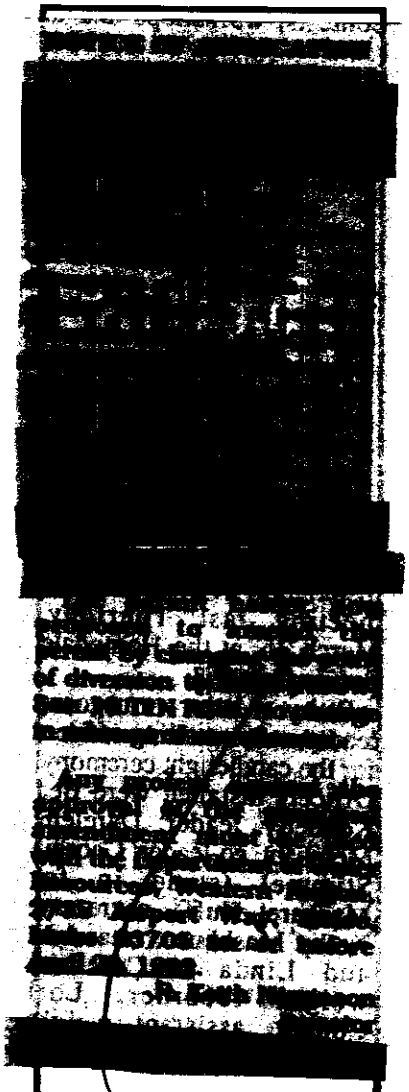
April 8, 1992

Signed Joe E. Aman

Subscribed and sworn to before me this 8th day of April A.D., 1992

Connie Bowling

Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires October 1997



2 Non fatal (described by NESW)

RECEIVED
MAY - 1 1992
Department of Water Resources
Western Regional Office

5/4/92

MICROFILMED
SEP 09 1992

State of Idaho

Department of Water Resources

ASSIGNMENT OF PERMIT

RECEIVED
FEB 13 1992
Department of Water Resources
Western Regional Office

I, Lester J. Moncrief, hereby assign to William C. &/or Madeline S. Jones
of 161 Joaquin Cir Danville Ca 94526 510-837-3656
Address

All my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho.

The following described portion of my right, title, and interest in and to Permit No. 02-07276C to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within each 40 acre subdivision, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage)

.03 cfs for the irrigation of 1.5 acres in Govt Lot 1, SESW sec 16, T1N R3W, Owyhee Co., aka Lot 6 Block one, Sunrise Sky Park Subdivision, with a point of diversion to be established within Govt Lot 2, NESW Sec 16, T1N R3W, Owyhee Co.

Made this 11th day of February, 1992.

Lester J Moncrief
Permit Holder

Georgianne H. Moncrief
Spouse of Permit Holder

State of Idaho)
ss
County of Owyhee)

On this 11th day of February, 1992, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Nicholas K Ohl
Notary Public residing at Murphy, Id

seal

MICROFILMED

My commission expires:
1/31/94

APR 06 1992

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07276D

Priority: January 9, 1979 — Maximum Diversion Rate: 0.02 CFS; Maximum Diversion Volume: 4.5 AF

This is to certify, that ROLAND H POPKEN
LILLY ANN POPKEN

HC 79 BOX 102E
MELBA ID 83641

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 9, 1979; and has submitted Proof of Beneficial Use on September 28, 1993. An examination indicates that the works have a diversion capacity of 0.150 cfs of water from:

SNAKE RIVER tributary to **COLUMBIA RIVER**

source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	0.02 CFS	4.5 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 1 (SESW), Sec. 16, Township 01N, Range 03W
OWYHEE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
01N	03W	16	Lot 1(SESW)	1			1

Total number of acres irrigated: 1

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

JUL 19 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07276D

CONDITIONS/REMARKS:

7. Place of use is located within Lot 10, Block 1, Sunrise Sky Park Subdivision.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 30TH day of June, 1995.

Acting for KARL J. DREHER, Director

Form 217

RECEIVED
SEP 28 1993
Department of Water Resources
Western Regional Office

RECEIVED
SEP 30 1993
Department of Water Resources

OFFICE USE ONLY
Amt. of Fee $ 50.00
Date 9-28-93
Receipt No. W016804
Receipt by

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 02-07276 D Telephone No. (208) 495-2149
2. Name(s) of Permit Holder(s): ROLAND H POPKEN
3. Mailing Address: HC 79 BOX 102E MERIDA ID 83641
4. Source of Water: SNAKE RIVER

   If **GROUNDWATER**, Well Driller's Name: _____ Date Drilled: _____

   OPTIONAL:
   Pump horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft.): _____

5. Extent of Use (as authorized by the permit):

   Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

   Irrigation 1.25 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted .02 cfs **OR** _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

   Measuring device: Required? ___ Yes ~~No~~ Installed? ___ Yes X No
   OR
   Flow Measurement Port: Required? ~~Yes~~ ___ No Installed? ___ Yes X No

   4 - 2.5 GPM SPRINKLERS PER VALVE

8. Fee Enclosed: $ 50.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

   ROLAND POPKEN (414) 728 8449
   Name Telephone No.

   2412 NORTH SHORE DR DELAVAN WI. 53115
   Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

JAN 10 1994

9/28/93 Roland H Popken
Date Signature (and title, if on behalf of a company or organization)

Form 204
4/86

NOV 12 1992

Department of Water Resources
Western Regional Office

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

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

For Office Use Only
$15 FEE Receipted by CJH
Date 11/12/92
Receipt # 1D0156641

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code. (see attached memo)

Permit No. 02-7276D

Name(s) of Permit Holder: Roland s/or Lilly Ann Popken

Post Office Address: HC 79 Box 102E Melba ID 83641

Telephone No. 495-2149

Date Proof is Due: 3/1/93

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

~~None~~. System plan has been drawn up.

Costing $

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

After obtaining this permit by assignment on 2/3/92, permit holder became ill & could not complete or begin construction.

Permit holder(s) request an extension to 11/1, 1993. (1 yr. minimum) (see attached memo

X R L Popken (Signature)*

*IF OTHER THAN PERMIT HOLDER, POWER OF ATTORNEY MUST BE SUPPLIED.

FEE: $15.00

RECEIVED
DEC 08 1992

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to November 1, 1993.

Signed this 17th day of November, 1992.

L. Glen Saxton
Chief, Water Allocation Bureau

NOV 12 1992

Department of Water Resources
Western Regional Office

MEMORANDUM

March 15, 1989

TO: File 02-7276C

FROM: Rita Fleck

Re: Extension of time

On February 15, 1989, the department received a request for extension of time for this permit as well as 57-7236G. With the extension request, the department received a letter and some exhibits. The exhibits are in file 02-7276.

During 1977 and up to the time Idaho Power Company filed the Swan Falls complaint, there was a moratorium against new power hook-ups. These permits were in the area affected by that moratorium.

Swan Falls dismissal	11-01-84	(10-25-84)
permit approval	- 3-01-79	(2-26-79)
length of delay	8 mo 5 yrs	

Permit construction period to June 1, 1984. First extension approved for five years based on Swan Falls ligitation to March 1, 1989. This second extension requests at least a three-year extension, but preferably five years. I recommend four years to March 1, 1993 based on due diligence.

Later, a third extension based on litigation due to Swan Falls can probably be granted for eight months per the above analysis.

In Mr. Moncreif's letter dated February 13, 1989, he discusses the need for an extension due to "litigation" over ownership of permit and assignments. Since the above-mentioned moratorium and subsequent complaint regarding ownership were concurrent, the department will not grant any additional time for the "litigation" regarding ownership.

Karen - remember the other one you processed based on this memo?
(02-7276E)
Cindy

DEC 08 1992

Form 211
2/80

RECEIVED
FEB 13 1992
Department of Water Resources
Western Region Office

Ident. No. 02-07276D

STATE OF IDAHO

APPROVED

APPLICATION FOR AMENDMENT OF A PERMIT

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

Comes now Roland H &/or Lilly Ann Popken Phone 208·495·2149

of (address) HC79 Box 102E Melba ID 83641, 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. 02-07276D, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE ¼ SW ¼, Section 16, Township 1N, Range 3W, B.M., County of Owyhee. Other points of diversion: (Govt Lot 1) This is an additional point of diversion in SESW for a total of 2 P/D's.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.) (NO CHANGE)

Amount .02 (cfs or acre feet per annum) for IRR purposes from 3/15 to 11/15 (both dates inclusive)

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

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

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

3. Place of use or land to be irrigated: (NO CHANGE)

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1N	3W	16												1.0					1.0
														1.1					

Total number of acres to be irrigated = 1.0

4. a. Who owns the property at the point of diversion? Applicant

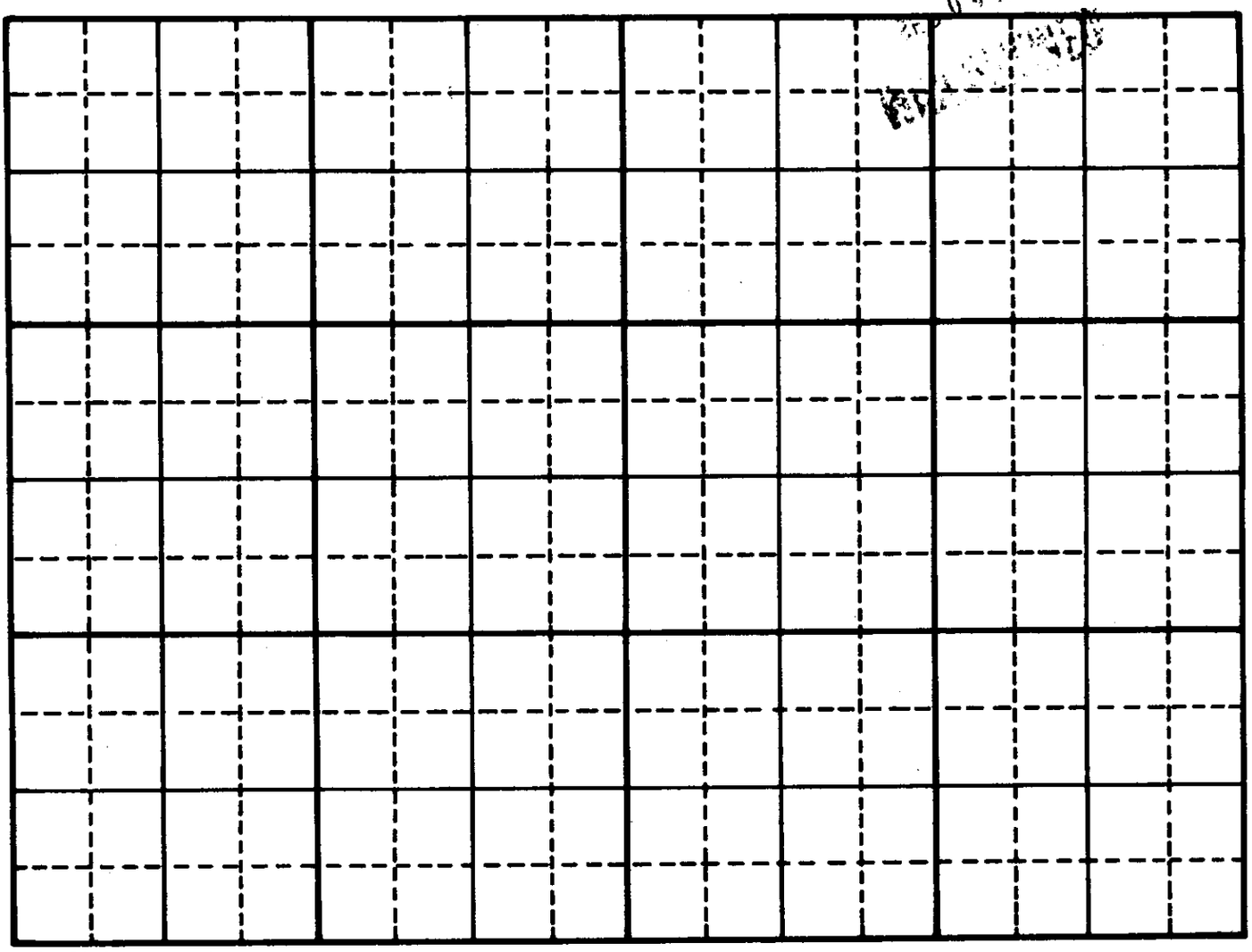
b. Who owns the land to be irrigated or the place of use? Applicant

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

MICROFILMED
SEP 08 1992

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

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



Scale: 2 inches equal 1 mile.

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

Signed at BOISE ID, this 13 day of FEB, 1992.

Renee H Payek
(Signature)

FOR DEPARTMENT USE ONLY

Preliminary check by RL Fee = $20.00 W014446 Receipted by GG Date 2/13/92

Publication prepared by GG Date 3-25-92 Published in Owyhee Avalanche

Publication dates 4/1 & 4/8/92

MICROFILMED
SEP 09 1992

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby approve the above referenced application for amendment. See attached sheet for the conditions of approval.

Witness my hand this 17 day of June 1992

L. Glen Saxton
Chief, Water Allocation Bureau

CONDITIONS OF APPROVAL

Amendment of Permit No. 02-07276D

1. The previous conditions as set forth in Permit No. 02-07276 must be met.

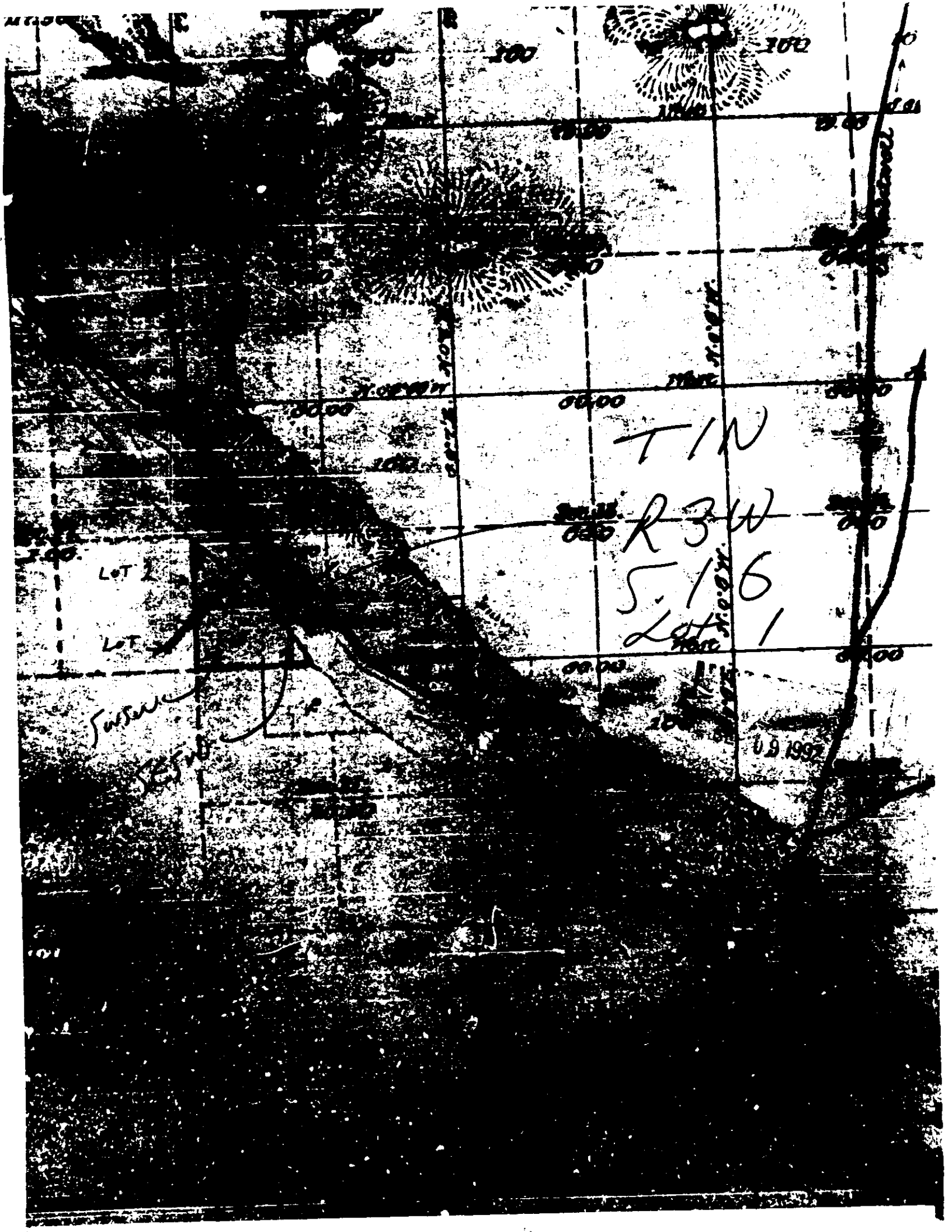
2. The water right holder is required to beneficially use the heat in the low temperature geothermal water, as determined by the Director, before using the water for irrigation.

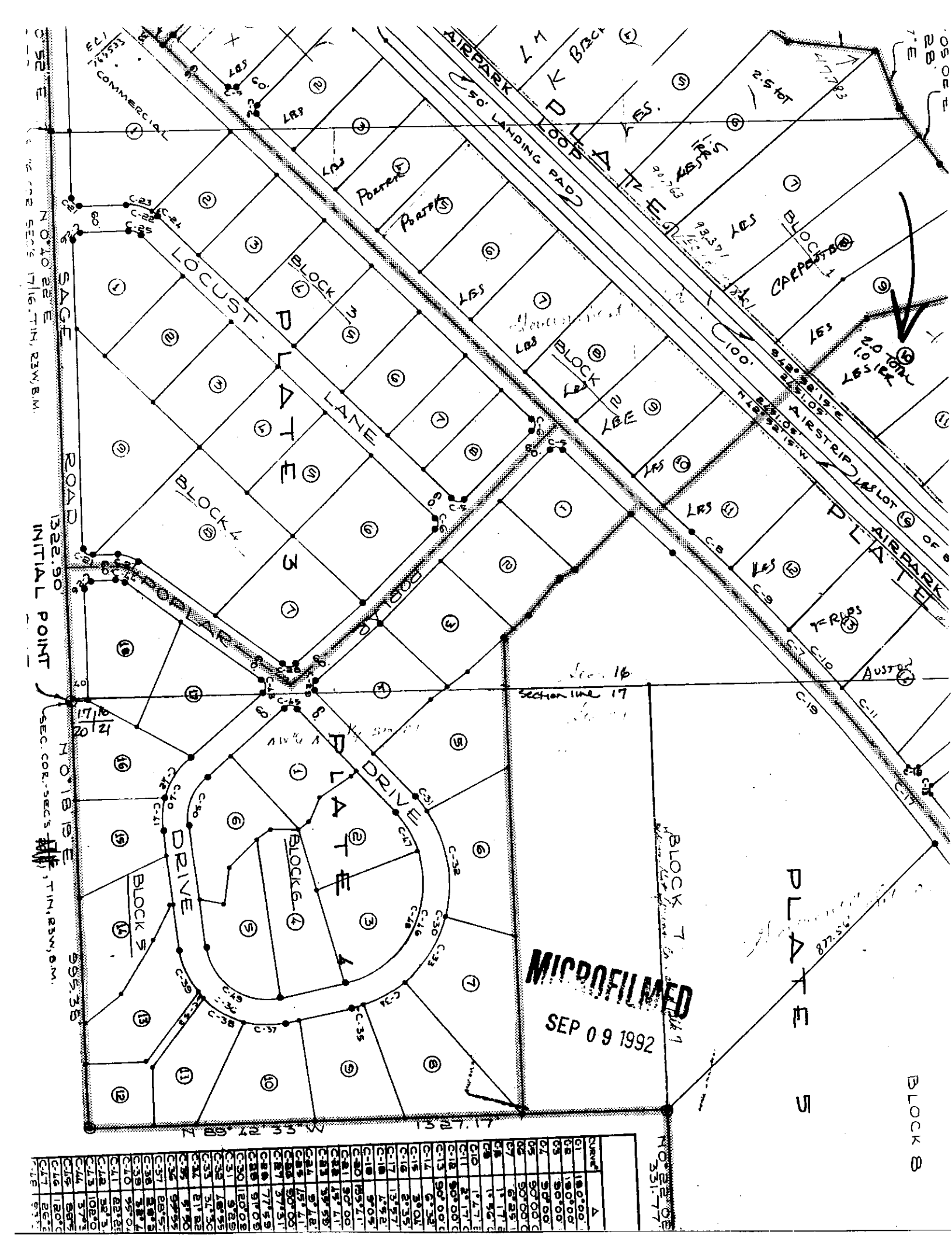
Dated this 17th day of June, 1992.

L. GLEN SAXTON
Chief, Water Allocation Bureau

RECEIVED
SEP 09 1992


2717
17
BM
2266
29
27
RECEIVED
SEP 09 1992


T 1N
R 3W
S. 16
Lot 1
LOT 2
LOT 1
SW¼SW¼
SE¼SW¼
0.9 1992


AIRPARK ESTATES
PLAT
LOCUST LANE
SAGE ROAD
POPLAR DRIVE
BLOCK 1
BLOCK 2
BLOCK 3
BLOCK 4
BLOCK 5
BLOCK 6
BLOCK 7
BLOCK 8
50' LANDING PAD
AIRSTRIP
COMMERCIAL
Section line 17
MICROFILMED
SEP 09 1992
N 89° 12' 33" W
1327.17
595.36
N 0° 18' 19" E
N 0° 40' 22" E
1322.90
INITIAL POINT

THE OWYHEE AVALANCHE

P.O. BOX 97 • HOMEDALE, ID 83628 • 208/337-4681

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
)ss
COUNTY OF OWYHEE)

I, Joe E. Aman, being first duly sworn, depose and say:

1. That I am a citizen of the United States of America, and at all times hereinafter mentioned was and now over the age of twenty-one years, not a party to nor interested in the proceedings hereinafter mentioned.

2. That during the time of the publication of the notice hereinafter mentioned, I was and now am the publisher of **The Owyhee Avalanche**, a newspaper of general circulation printed and published weekly, on Wednesday of each and every week, in the City of Homedale, County of Owyhee and State of Idaho.

3. That the said **The Owyhee Avalanche** has been printed and published continuously and uninterruptedly in said County during a period of more than seventy-eight weeks prior to the first publication of the attached notice.

4. That said notice of which a printed copy, taken from said newspaper, is hereto affixed, was published in the regular issue thereof, and not a supplement thereto, in said newspaper, in Two(2) (consecutive) calendar weekly issue(s) of said newspaper, in the following date(s):

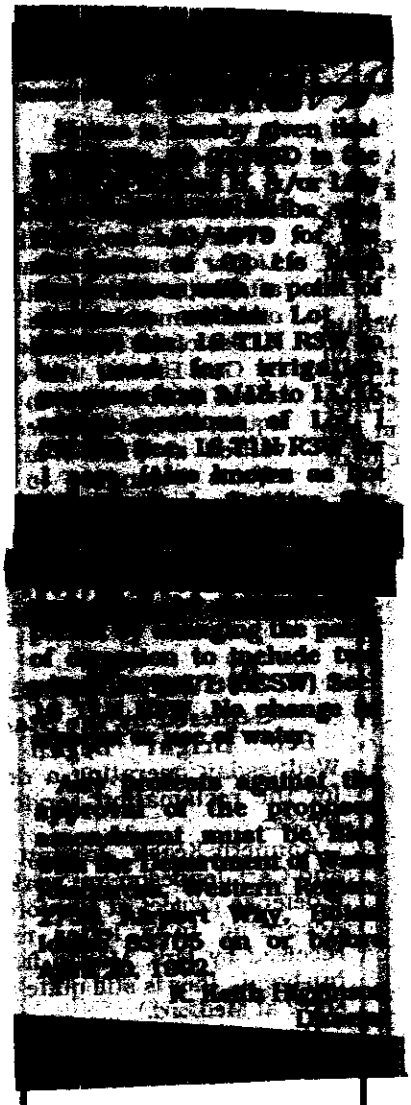
April 1 & 8, 1992

Signed Joe E. Aman

Subscribed and sworn to before me this 8th day of April A.D., 1992

Corinne Bowling

Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires October 1997



RECEIVED
MAY - 1 1992
Department of Water Resources
Western Regional Office

MICROFILMED
SEP 09 1992

State of Idaho

Department of Water Resources

ASSIGNMENT OF PERMIT

RECEIVED
FEB 13 1992
Department of Water Resources
Western Regional Office

I, Lester J. Moncrief, hereby assign to Roland H s/or Lilly Ann Popken
of HC 79 Box 102E Melba ID 83641 208-495-2149
Address

All my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho.

~ The following described portion of my right, title, and interest in and to Permit No. 02-7296C to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within each 40 acre subdivision, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage)

.02 CFS for the irrigation of 1.0 Acre in Govt Lot 1, SESW Sec 16, T1N R3W, Owyhee Co., aka Lot 10 Block 1, Sunrise Sky Park Subdivision, with a point of diversion to be established within Govt Lot 1, SESW Sec 16, T1N R3W

X Made this 11th day of February, 1992.

Lester J. Moncrief
Permit Holder

Georgianne H. Moncrief
Spouse of Permit Holder

X State of Idaho)
County of Owyhee) ss

On this 11th day of February, 1992, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Seal

Nicholas K. Thi
Notary Public residing at Murphy Id

My commission expires:
1/31/94

MICROFILMED
APR 06 1992

WATER RIGHT SPLIT

SUMMARY

ACTION	RIGHT NO.	NAME	AMOUNT CFS
~~Original Permit~~	~~02-7276~~	~~Givens Hot Springs Inc.~~	~~2.0 cfs~~
~~Partial Assignment~~	~~02-7276 A~~	~~Douglas &/or Terry Jump~~	~~0.10 cfs~~ lapsed 6/88
~~Partial Assignment~~	~~02-7276 B~~	~~Gary A. &/or Sarah E. Greene~~	~~0.06 cfs~~ LAPSED *
Partial Assignment	02-7276 C	Lester J. Moncrief	~~1.84~~ cfs 1.79
Partial Assignment	02-7276D	ROLAND H. POPKER Lilly Ann Popker	.02 cfs
Partial Assignment	02-7276E	WILLIAM C. JONES Madeline S. Jones	.03 cfs

MICROFILMED
APR 28 1989

*02-7276B routed to micro-film for Film & destroy
kw 1/3/85

RECEIVED
APR 5 1984

Form 20-4
3/81

Department of Water Resources

For Office Use Only
Fee Received 15.00
Date 4-5-84
Receipt # 33892

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

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

Douglas M Jump (Name) of Box 103-A Star Rt Melba Idaho 83641 (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 Water of the State of Idaho No. 02-7276A

That under the terms and conditions of said permit, work thereunder was required to be completed on or before June 1 rf 4-20-84 ~~Feb~~, 19 84.

That he has heretofore performed the following work described under said permit:
(This must be filled out! If no work has been completed put none.)

none

Costing $

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:

Idaho Powers Swan Falls Moratorium which prevented me from supplying electricity

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to Feb 1, 19 89.
(1 yr. minimum, 5 yrs. maximum)

NOTE
AS OF JULY 1, 1980, THERE IS A $15.00 CHARGE FOR REQUESTS FOR EXTENSION OF TIME.

Douglas M Jump
(Signature)*
*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

MICROFILMED

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to June 1, 1988.

Signed this 8th day of May, 19 84.

L. Glen Saylor
Chief, Operations Bureau

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF EXTENDING THE PROOF DUE DATE IN CONNECTION WITH PERMIT NO. 02-7276A IN THE NAME OF DOUGLAS AND/OR TERRY JUMP	ORDER

WHEREAS, on December 16, 1983, Douglas and Terry Jump were assigned a portion of Permit No. 02-7276; and,

WHEREAS, it has been determined that proper notice that proof of beneficial use was due has not been given pursuant to Section 42-218a of the Idaho Code;

IT IS, THEREFORE, HEREBY ORDERED that the time within which to submit proof of beneficial use be extended to June 1, 1984.

Dated this 3rd day of April, 1984.

L. Glen Saxton

L. GLEN SAXTON
Chief, Operations Bureau

MICROFILMED

State of Idaho
Department of Water Resources

RECEIVED
APR 28 1992
Department of Water Resources
Western Regional Office

ASSIGNMENT OF PERMIT

I, SHIRLEY W. MARSH, PRES. hereby assign to DOUGLAS &/OR TERRY JUMP
PRES. GIVENS HOT SPRINGS, INC.
of STAR ROUTE, MELBA, ID 83641
Address

CHECK ONE

☐ All my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho.

☒ The following described portion of my right, title, and interest in and to Permit No. 02-7276 to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within each 40 acre subdivision, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage)

0.10 cfs FOR 5 ACRES OF IRRIGATION IN THE NW¼SW¼, Sec. 16, TWP. 1N, RGE. 3W ALONG WITH ONE OF THE PTS. OF DIVERSION WITHIN THE NW¼SW¼, Sec. 16, TWP. 1N, RGE. 3W.

Made this 23rd day of April, 1992.

Shirley W. Marsh
Permit Holder

Spouse of Permit Holder

State of Idaho)
County of Canyon) ss.

On this 23rd day of April, 1992, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that ~~he~~ (she) ~~(they)~~ executed the same.

seal

Notary Public residing at
[redacted] Caldwell Idaho

My commission expires:
July 1994

FILED
APR 05 1993

Void

State of Idaho
Department of Water Resources

ASSIGNMENT OF PERMIT

RECEIVED
APR 29 1982
Department of Water Resources
Western Regional Office

I, SHIRLEY W. MARSH, PRES., GIVENS HOT SPRINGS, INC., hereby assign to LESTER J. MONCREIF
of SUNRISE SKY PARK, STAR ROUTE, BOX 102A, MELBA, ID 83641
Address

CHECK ONE

☐ All my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho.

☒ The following described portion of my right, title, and interest in and to Permit No. 02-7276 to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within each 40 acre subdivision, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage)

82 ACRES WITHIN THE NW¼NW¼SW¼ (12AC), SW¼NW¼SW¼ (13AC), SE¼NW¼SW¼ (6AC), SEC. 16; NW¼NW¼NW¼ (10AC), NE¼NW¼NW¼ (30AC), SEC. 21; T5S R1N, R6E BM. ALSO THE PT. OF DIVERSION IN THE SE¼NW¼SW¼, SEC. 16. BLOCKS 1-6 & 8 OF SUNRISE SKY PARK SUB, OWYHEE COUNTY, IDAHO, FOR 1.64 cfs.

Made this 23rd day of April, 19 82.

Void

Shirley W. Marsh
Permit Holder

Spouse of Permit Holder

MICROFILMED

State of Idaho)
County of ~~Ada~~ Canyon) ss.

On this 23rd day of April, 19 82, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that ~~he~~ (she) ~~(they)~~ executed the same.

seal

Notary Public residing at
Caldwell Idaho

~~My~~ commission expires:
July 1984

Void

Form 211
2/80

Ident. No. 02-7276

RECEIVED
APR 23 1982
Department of Water Resources
Western Regional Office

STATE OF IDAHO

APPLICATION FOR AMENDMENT OF A PERMIT

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

Comes now GIVENS HOT SPRINGS, INC. Phone ~~454-8649~~ Number changed

of (address) 1910 EVERETT ST., CALDWELL, ID 83605, 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. 02-7276, and requests that the permit and permit map be changed as follows:

1. Point of diversion: SE ¼ SW¼, Section 16, Township 1N, Range 3W, B.M., County of OWYHEE. Other points of diversion: NW¼SW¼SW¼ (2 PTS.), SEC. 16, TWP. 1N, RGE. 3W.

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.) NO CHANGE

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

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

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

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

3. Place of use or land to be irrigated:

TWP	RGE	SEC	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1N	3W	16										20	12	18					50
1N	3W	21					40	10											50

Total number of acres to be irrigated = 100

4. a. Who owns the property at the point of diversion? APPLICANT

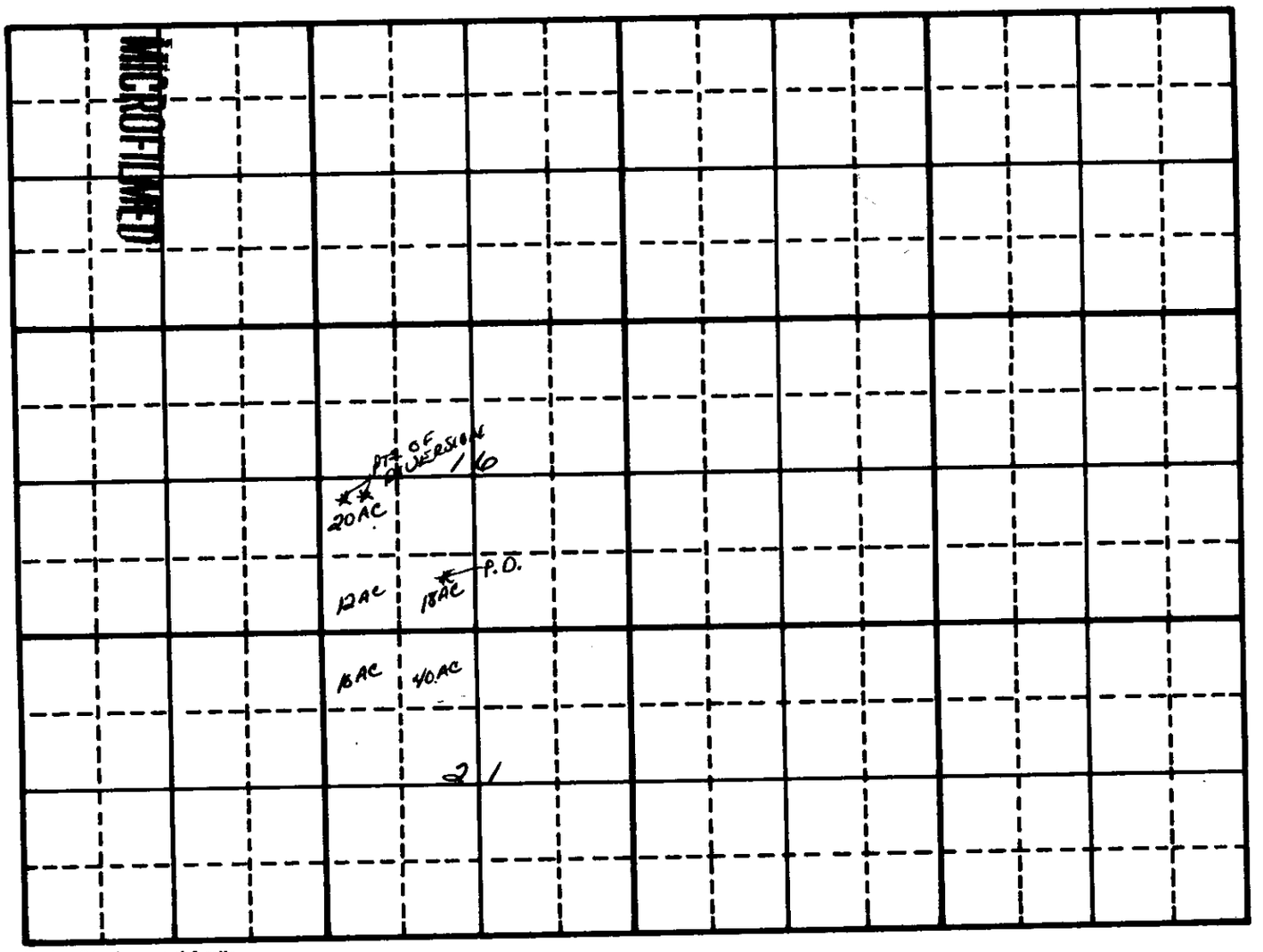
b. Who owns the land to be irrigated or the place of use? "

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: APPLICANT IS IN THE PROCESS OF SELLING THE PROPERTY - See ASSIGNMENTS.

MICROFILMED

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 Boise Idaho, this 23rd day of April, 19 82.

Clyde Brunt
VICE. PRES. (Signature)
GIVENS HOT SPRINGS, INC.

FOR DEPARTMENT USE ONLY

Preliminary check by 665 Fee = $20.00 Receipted by JC Date 4/23/82 # 22892

Publication prepared by JP Date 4/29/82 Published in Owyhee Avalanche

Publication dates 5/6 & 5/13/82

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, L. GLEN SAXTON, of the Department of Water Resources hereby

APPROVE the above Application for Amendment of Permit No. 02-7276.

Witness my hand this 10 day of June, 19 82.

David R. Tuthill Jr.
Acting Chief, Operations Bureau

J-5

PROOF OF PUBLICATION

RECEIVED
MAY 17 1982
Department of Water Resources
Western Regional Office

STATE OF IDAHO, County of Owyhee, s.s.

I, MICK HODGES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by MICK HODGES, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once a week and every week for 2 consecutive weeks, the first publication being on the 5 day of May, 1982, and the last publication being on the 12 day of May, 1982;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy - eight consecutive weeks prior to the first publication of the attached notice.

Mick Hodges
PUBLISHER

Subscribed and sworn to before me this 12 day of May, 1982.

Kyle L. Hodges
NOTARY PUBLIC

My commission expires 3-86

(SEAL)

MICROFILMED

Form 202
3/78

Ident. No. 02-7276

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

APPROVED

To appropriate the public waters of the State of Idaho

Office 454-8649
Home 466-8220

1. Name of applicant Givens Hot-springs Inc. Phone 495-2437

   Post office address Star Route, Melba, ID 83641

2. Source of water supply Snake River which is a tributary of _____

3. Location of point of diversion is SE ¼ of SW ¼ of Section 16 Township 1N

   Range 3W B.M. Owyhee County, additional points of diversion if any: _____

   _____

4. Water will be used for the following purposes:

   Amount 2.0 (cfs or acre-feet per annum) for Irrigation purposes from 3/15 to 11/15 (both dates inclusive)

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

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

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

5. Total quantity to be appropriated:

   a. 2.0 cubic feet per second and/or b. _____ acre-feet per annum.

6. Proposed diverting works:

   a. Description of ditches, flumes, pumps, headgates, etc. _____

   Pumping plant

   _____

   b. Height of storage dam _____ feet, active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet, materials used in storage dam: _____

   Period of year when water will be diverted to storage _____ (Month/Day) to _____ (Month/Day) inclusive.

   c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years *(minimum 1 year – maximum 5 years).* Estimated cost $60,000

8. Description of proposed uses:
   a. If water is **not** for irrigation:
      (1) Give the place of use of water: _____ ¼ of _____ ¼ of Section _____ Township _____

      Range _____ B.M.

      (2) Amount of power to be generated: _____ horsepower 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: _____

      _____

      _____

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

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
1N	3W	21		25	15	30		10											90
		16											10						10

Total number of acres to be irrigated 100

c. Describe any other water rights used for the same purposes as described above. None

These lands have been excluded from the Opaline Irrigation District as per District Map of 2/6/79. DBS

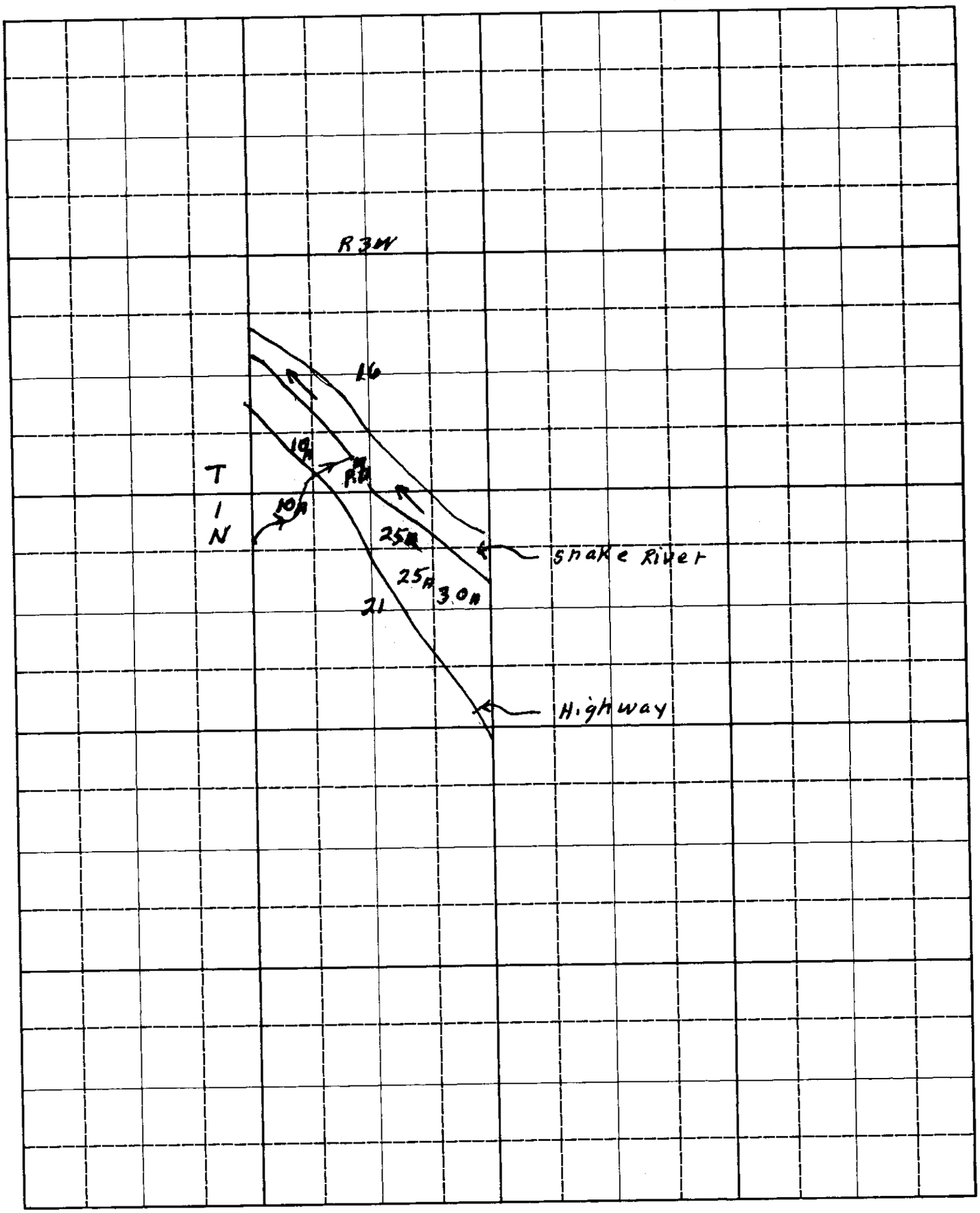
9. a. Who owns the property at the point of diversion applicant

b. Who owns the land to be irrigated or place of use applicant

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

10. Remarks

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



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.

Gwens Hot Springs Inc.
by Glen Vice President

(Applicant)

Proposed Priority 1-9-79

Received by JKN Date 1/9/79 Time 3 PM

Preliminary check by R.W.H. Fee $ 45.00

Receipted by KW Date 1-09-79 #12539

Publication prepared by KK Date 1-11-79

Published in Owyhee Knucle

Publication dates Jan. 18+25

Publication approved KK Date 2/5/79

Protests filed by: _____

Copies of protests forwarded by _____

Hearing held by _____ Date _____

Recommended for (approval) denial by DBS S.S.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 02-7276, 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 February 1, 1984.

   c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

   d. Other: (1) Water shall not be diverted under this permit unless the flow of the Snake River at the U.S. Geological Survey stream gaging station at Murphy exceeds 3,300 cfs and at Weiser exceeds 4,750 cfs. (2) An access port or other device as specified by the Department shall be installed by the permit holder holder to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Witness my hand this 26th day of February, 1979.

L. Glen Saxton

Chief, Operations Bureau

PROOF OF PUBLICATION

STATE OF IDAHO
County of Owyhee } s.s.

I, RODNEY A. HAWES, being first duly sworn, on oath says that he is the Publisher of the OWYHEE NUGGET, a newspaper of general circulation, published weekly by Rodney A. Hawes, publisher and printer thereof, at Marsing, County of Owyhee, State of Idaho;

That the annexed notice was published in said newspaper once each week and every week for 2 consecutive weeks, the first publication being on the 18 day of January, 197 9, and the last publication being on the 25 day of January, 197 9;

That the said newspaper has been published continuously and uninterruptedly in said county during a period of more than seventy-eight consecutive weeks prior to the first publication of the attached notice.

Rodney A. Hawes
PUBLISHER

Subscribed and sworn to before me this 25 day of January 197 9.

Kenneth Crane
NOTARY PUBLIC

My commission expires 9-11-80

(SEAL)

[redacted]
Notice is hereby given that the following application(s) have been received for permit to appropriate the public waters of the State of Idaho:

87 - 7276

GIVENS HOT SPRINGS, INC.
STAR ROUTE, MELBA, ID 83641
Source: GROUNDWATER.
Date Filed: 01/09/1979
Amount: 6.00 CFS
Diversion Point: SWSW NWSW Sec. 16 T 01N R 03W NWNW SWNE Sec. 21 T 01N R 03W, OWYHEE Co.
Use: DOMESTIC (6.00 CFS) from 01/01 to 12/31
Place of Use: SESW SWSW NWSW Sec. 16 T 01N R 03W SENE SWNE NWNW NENW NESE Sec 21 T 01N R 03W
Diversion Means: WELLS

02 - 7276

GIVENS HOT SPRINGS, INC.
STAR ROUTE, MELBA, ID 83641
Source: SNAKE RIVER
Date Filed: 01/09/1979
Amount: 2.00 CFS
Diversion Point: SESW Sec. 16 T 01N R 03W, OWYHEE Co.
Use: IRRIGATION (2.00 CFS) from 03/15 to 11/15
Place of Use: NWNE SWNE SENE NWNW Sec. 21 T 01N R 03W SWSW Sec. 16 T 01N R 03W FOR 90 ACRES.
Diversion Means: PUMPING PLANT

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83705 on or before FEBRUARY 5. 197[redacted]

C. ST[redacted] ALLRED,
[redacted]ector.

Published [redacted]: 1/25/79—
The Owyhee [redacted], Marsing, Owyhee Co[redacted]

OK
DJS

Shelley SVK

FYI

File 02-07276

From: DWR80::CHODG 28-JUL-1995 16:40:01 5
To: DWR01::SKEEN, DWR03::NYOUNG
CC: CHODGES
Subj: Sunrise Skypark (Moncrief)

Per Shelley's phone call regarding licensing (or not) of the various Snake River permits at Sunrise Skypark:

I've mulled this over a bit longer and decided that, as the field examiner in question, I want to take a little stronger stand. I am aware of all the issues at hand, including and especially the suspicion surrounding the development and continued use under most of these split rights. I put a good deal of thought, not to mention sweat, into sorting out, examining and recommending these rights, and am not so easily convinced that I did not see actual beneficial use.

Why must demonstrated irrigation be arbitrarily justified? If the issue was the absolute presence or absence of development, the component factors of diversion, conveyance and use may be examined. But, where all three are present, what you see should be what you get, and the criteria subsequently applied should not be so discriminatory.

Why, for instance, must irrigation be supportive of another identifiable activity (grazing, farming, domestic) to be a beneficial use? Could irrigation exist for purely aesthetic purposes, or for the general benefit to the area? Obviously, applications of water to sagebrush in Owyhee County are neither necessary nor beneficial. However, the grass which was seeded at Sunrise and which was being irrigated at the time of my exam was struggling, but would certainly not have survived at all without supplemental irrigation. And for lack of a better benefit, the neighbors of those absentee owners surely appreciated the grass cover on the empty lots as opposed to dirt and cheatgrass. The development I found was a definite enhancement over the natural vegetation.

If we cannot recognize that irrigation which does not specifically support another activity might still be a beneficial use, we are creating another endless loop of analysis and causing too many files to be shelved without being finalized. To license some and not others does not seem efficient, or fair. I believe that there is sufficient information provided for the proper licensing of all portions.

In order that you not think I'm just a malcontent, thanks again for advising me of your intended action, namely, your intent to contact certain permit holders for more information. If I am contacted by any of them, I will certainly send them your way! In the meantime, my position is unchanged.

CH

Shelley

M E M O R A N D U M

DATE: June 21, 1995

TO: Norm Young

FROM: Shelley W. Keen SWK

RE: Portions of 02-07276

==========

I am forwarding to you draft licenses for eleven (11) portions of a permit originally numbered 02-07276. I recommend without reservation that the following four portions be licensed.

02-07276D Popken
02-07276G Dawson
02-07276J Osborne
02-07276L Bowman

OK, I signed these

We have evidence from the field examiner and/or the county assessor that these four owners have built homes on their lots and that the irrigation use is for their private lawns.

I have some concern, however, about the remaining seven (7) portions. Specifically, the seven lots represented by these permits are irrigated, but they have no homes nor any other buildings on them. Moreover, there is no evidence of crop harvesting, stock grazing, etc. The field examiner even states in a memo that many of the irrigation systems were developed for absentee landowners for the sole reason of keeping their permits from lapsing. I question whether it is beneficial use of water to grow grass that is not lawn for a home, business, or public park, is not grazed by stock, and is not harvested for any reason. However, the field examiner has recommended that they be licensed. The seven portions of concern are:

02-07276H Moncrief
02-07276K Weste
02-07276P Carpenter
02-07276Q Stallings
02-07276R Lee
02-07276T Haugan
02-07276W Moncrief

Let's discuss before we take action.

NG

MEMORANDUM

TO: File 02-07276D, et.al.

FROM: Brenda Chapman

DATE: June 21, 1995

RE: Information from the Owyhee County Assessor's Office

==========

The following lots in the Sunrise Sky Park Subdivision or Sunrise Addition have either homes or hangers on them (some lots have both).

==========

BLOCK 1

Lot 3	- Home	[Part U - Moncrief]
Lot 4	- Hanger	[Part I - Becker]
Lot 6	- Home	[Part E - Jones]
Lot 10	- Home	[Part D - Popken]
Lot 11	- Home	[Part J - Osborne]
Lot 13	- Home	[Part L - Bowman]

BLOCK 2

Lot 1	- Hanger	
Lot 2	- Home	
Lot 4	- Home	
Lot 5	- Home	
Lot 6	- Hanger	[not working on any of these]
Lot 11	- Home	
Lot 12	- Hanger	
Lot 13	- Hanger	
Lot 14	- Home	

TAX NUMBERS ONLY
Sunrise Addition

19	- Home	[Hoffman - not working on this one]
20	- Home	[Part G - Dawson]

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OCT 2 6 1995

M E M O R A N D U M

DATE: June 20, 1995

TO: Brenda Chapman

FROM: Shelley W. Keen (SWK)

RE: 02-07267U, et. al.

==========

It appears that a number of the lots associated with portions of right 02-07267[illegible] have no home or any other building on them. I question whether it is really beneficial use of water to try to grow grass that is not a lawn for a home or business, is not to be grazed, and is not harvested for any reason. Therefore, I want to know which of the 15 you worked on have homes or other buildings constructed on them. Please call the county assessor to find out.

02-7276

September 10, 1992

MEMO TO FILE:

From: Carolyn Andregg

During the spring and summer of 1992, drought conditions caused record low flows in the Snake River. Twice, the flow of the Snake River fell below 4,750 cfs, the minimum stream flow at the Weiser gauge. Notices were mailed to the water user listed under this right because the priority is later than July 1, 1976, in order to protect the Snake River minimum stream flow. The following is a chronological history of the mailings.

May 19, 1992: Letter sent to water right holder informing holder of possible temporary cessation of diversion rights and notice of public meetings.

June 8, 1992: Letter sent informing water right holder directing immediate cessation of diversion of water until further notice.

June 12, 1992: Letter sent to water right holder authorizing resumption of diversion of water.

June 26, 1992: Letter sent to water right holder directing immediate cessation of diversion of water until further notice.

June 29, 1992: Letter sent to water right holder authorizing resumption of diversion of water.

MICROFILMED
DEC 08 1992

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

December 30, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

EDWARD A DICKMAN
LORELEI L DICKMAN
SUNRISE PUMPHOUSE 2 ASSN
HC 79 BOX 100B
MELBA ID 83641

RE: Water Right 02-07276L

Dear Mr. & Mrs. Dickman:

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,

Sharla Curtis

for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED

JAN 27 2000

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 3, 1995

DAVID M BOWMAN
GLENDA F BOWMAN
HC 79 BOX 100B
MELBA ID 83641

RE: WATER RIGHT NO. 02-07276L

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley Walter Keen

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

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JUL 19 1995

Lot 13 Blk 1

Form 219
6/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 12 1995
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 02-07276L

1. Owner: David M. Dave & Glenda F. Bowman Phone No. 208 495 2212

Current Address: HC 79 Box 100B Melba ID 83641

2. Accompanied by: owners EXAM DATE: 6/30/94

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Snake River tributary to Columbia R.

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Splits of 02-7276 & 57-7236, 57-7596, 7600

2. Other water rights with the same point of diversion: Above

C. DIVERSION AND DELIVERY SYSTEM

1. **Point(s) of Diversion:**

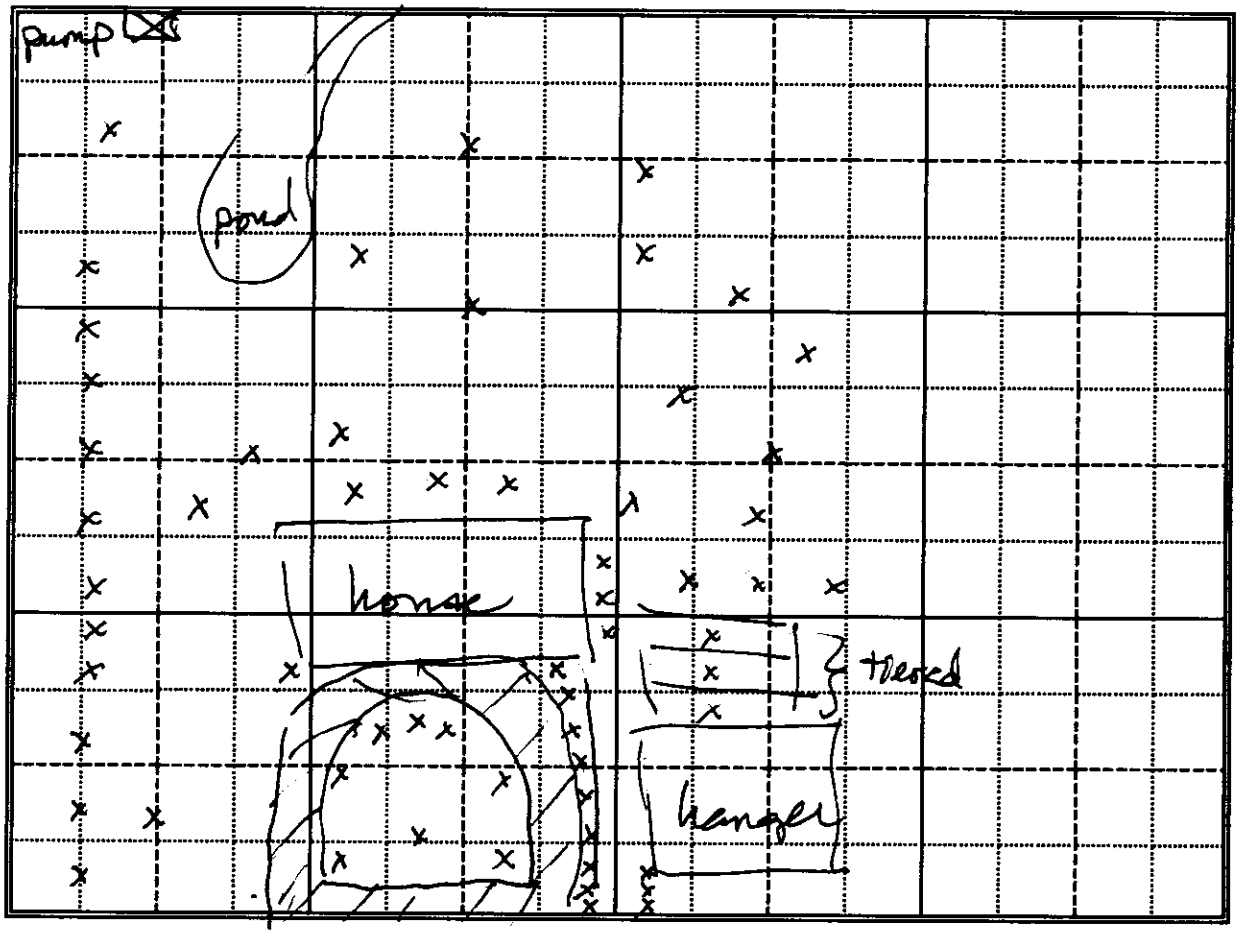
Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	1		SE	SW	16	1N	3W	Owyhee	Plat Map, Site Visit

2. **Place(s) of Use:** Indicate Method of Determination Above

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	3W	16												.5					.5
														1.1					

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JUL 19 1995

3. **Delivery System Diagram**: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____.

____ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Emerson	2	6923	Red Jacket	200 RSPS dt code 0407742
					2"

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. **Measurements:** None possible. Estimates and HP equation

PSI est 30

E. NARRATIVE/REMARKS/COMMENTS

15000 sq-ft back
~~3500~~ " front
undergrd system
5 zones w/ variable heads
rainbird type 20/45A (4) & 1 gear driven
13 fan type
irrigating .5 ac.

Because of variability in head & nozzle sizing, a physical meas. was not possible. However, the system was operated at time of visit.

P/D & P/U = Lot 13 Blk 1 Sunrise Sky Park

Overlaps do not affect permit

For more info and licensing conditions, see memo to file.

Have conditions of permit approval been met? \ yes ___ no

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JUL 19 1995

F. FLOW CALCULATIONS ____ Additional Computation Sheets Attached

Measured Method:

None

HP equation:

$$\frac{2 \times 8.8 \times .7}{10 + (30 \times 2.31)} = .15 \text{ cfs}$$

allow permit limit of .02 for portion of 1 ac

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = $.5 \times 4.5 = 2.3$

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = $.02 \times 246 \times 1.9835 = 9.8$

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 2.3

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
IRR	3/15	11/15	.02	2.3
		Totals:	.02	2.3

2. Recommended Amendments

* ___ Change P.D. as reflected above ↘ Add P.D. as reflected above ___ None

___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

I. AUTHENTICATION

Field Examiner's Name Cindy J. Hodges Date 12/12/94

Reviewer _____ Date _____ SEAL

* See attached adjustment memo. BC

Memorandum

002-01555

MEMORANDUM

TO: File 02-07276L / David Bowman

FROM: Brenda Chapman

DATE: June 16, 1995

RE: Recommendation Adjustment(s)

==========

The final licensing recommendations for the above referenced water right are based on the information below:

H. RECOMMENDATIONS

2. Recommended Amendments

☐ Change P.D.	☐ Add P.D.	☒ None
☐ Change P.U.	☐ Add P.U.	☐ Other

The exam confirms an additional point of diversion has not been added; therefore, an amendment is not necessary.

MICROFILMED
JUL 19 1995

MEMORANDUM

TO: File Nos. 02-07276 Splits D-T

FROM: Cindy Hodges

RE: B/U Examination General Information and Recommended License Conditions

GENERAL HISTORY

Permit 02-07276 was originally issued to Givens Hot Springs, for the irrigation of 100 acres. It was split early on into A, B, and C, with part C, the majority of the permit, awarded to Lester Moncrief. Parts A and B have lapsed. Part C was subsequently assigned and split on several occasions into the current parts D through T (F and N retired during split re-apportionments). Each assignment reflected the subdivision and sale of mostly riverfront lots within Sunrise Skypark, developed by Mr. Moncrief. Assignments awarded the permitted rate of 0.02 cfs per acre for lot sizes of 0.5 to 1.5 acres. At this time, Mr. Moncrief retains the balance of the permit, which has been labeled part S.

Most assignments were made in late 1992 or early 1993. Proof was due March 1, 1993, and very little beneficial use had occurred under this permit. Yet, very few new property owners were aware of the implications of the pending proof due date. According to sales agreements, each new landowner was to develop a separate system for irrigation. As many new landowners lived out of state, this would have been largely impossible and meant that many portions of the permit would have forfeited.

One of the earliest assignees came to my office quite concerned that the water right which he and many others had been promised was in jeopardy. We reviewed the file and found that, although one extension of time had already been granted to Mr. Moncrief, an additional 8 months time might be permissible based on the total time lapsed during Swan Falls litigation. This assignee requested and received the additional 8 months extension, which advanced proof due date to November 1, 1993. He lived on-site and was able to develop his system during summer 1993.

Other assignees were not so fortunate. They confronted Mr. Moncrief and were assisted in working with IDWR to obtain the additional extensions. Then, Mr. Moncrief and his staff developed and operated systems during the 1993 irrigation season for all absentee landowners, so that no assigned portion of the permit would lapse. All proofs were filed by the November 1 due date. Due to all the extenuating circumstances, Western was directed to conduct these field examinations as early as possible in 1994.

MICROFILMED
JUL 19 1996

BENEFICIAL USE EXAMINATIONS

At the time of the field examination(s) in June of 1994, we found a large array of conditions present under the various portions of this permit. All systems were in place and were being operated, either by on-site owners or by Moncrief. All lands under irrigation had been cultivated and planted, either to lawn or to mixed grasses, but with varying degrees of success. As could be expected, those lots with on-site owners had well-established lawns and obvious beneficial use. Other lots had irregular vegetation establishment and questionable beneficial use, even though regular irrigation appeared to be occurring. After visits with Mr. Moncrief and some residents, I was convinced that this was due in large part to high alkalinity in some areas which required continued soil enhancement to support any vegetation. Much seed sowed in 1993 simply failed to germinate. In fact, alkaline patches were visible in most lots and 1994 re-seeding attempts were also apparent.

Those lots not receiving the intensive care of an on-site owner had poorer stands of vegetation. However, genuine beneficial use has occurred at all sites. It would not be equitable to penalize off-site owners, since a significant effort has been made in their behalf to apply water to beneficial use and thus protect the permits. All portions of the permit will be recommended to the extent of development found.

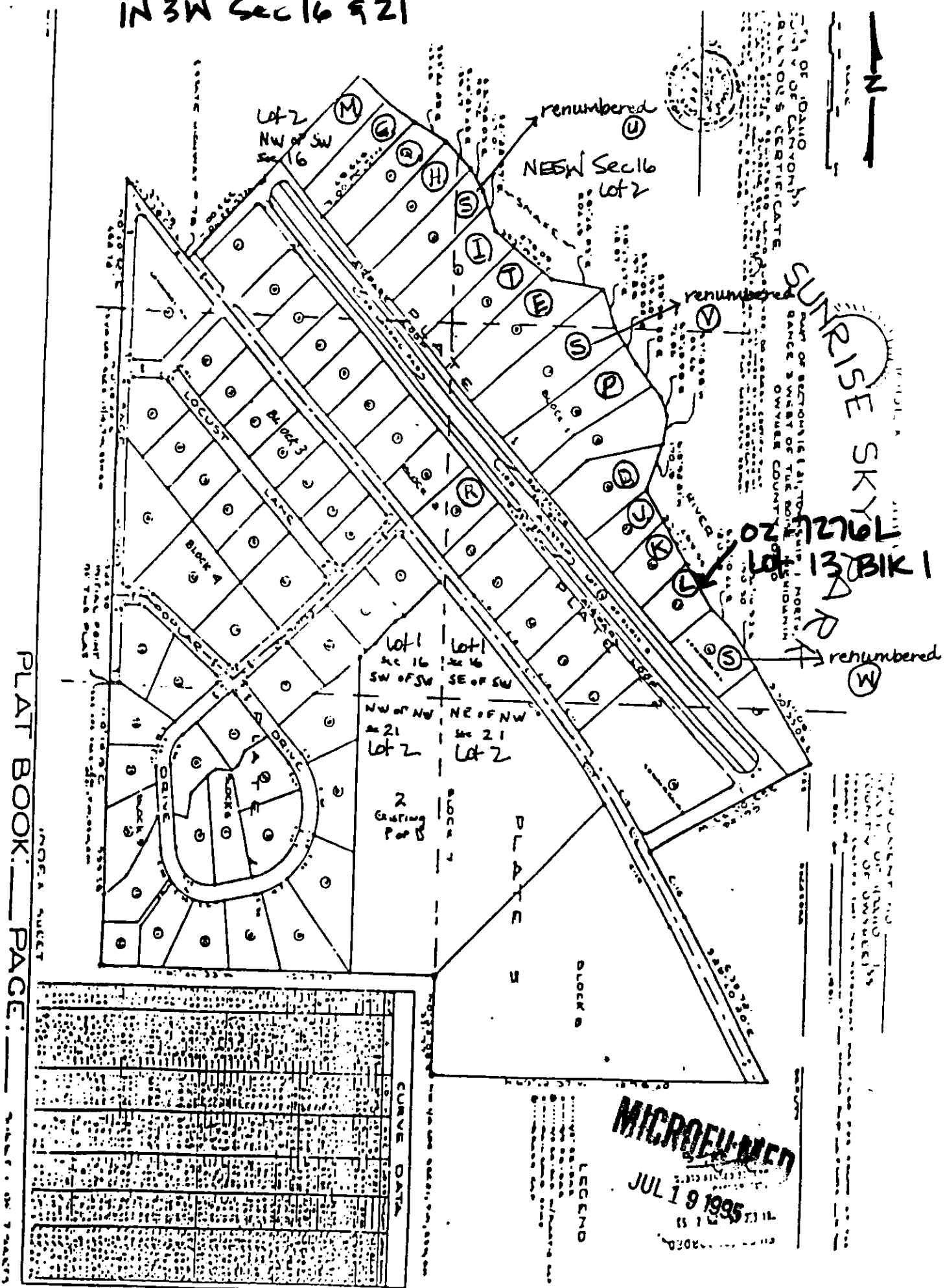
LICENSING TERMS AND CONDITIONS

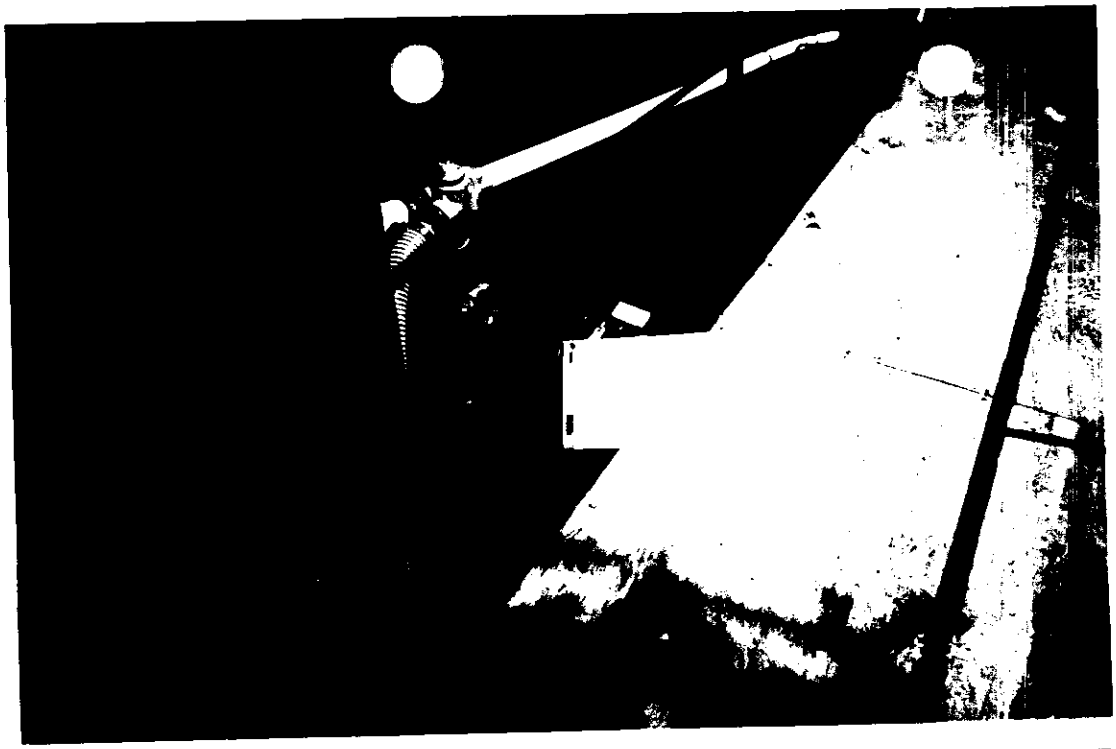
Permitted rate of flow is 0.02 cfs/acre. Most splits were assigned at a total rate of about 0.02 cfs. Each of these systems is capable of delivering at least this amount; many are oversized and can deliver much more. To avoid the potential for over-appropriation which will occur if all systems are operating at once, I suggest a specific licensing condition which requires operation on a rotational basis, so that no more than a certain number of systems are diverting at any one time. I discussed this concept with Mr. Moncrief and others. They agreed that this could be accomplished within the subdivision through the establishment of an irrigation schedule.

The first two split recipients, D and E, filed permit amendments immediately after assignment to add points of diversion unique to their portions. Because of time constraints, this exercise was generally not possible for all other split portions. Therefore, all others were treated as changes occurring within the development period, to be handled through licensing amendments. Portion S, held by Mr. Moncrief, was used to develop Mr. Moncrief's residence lot and two lots used as common area. These three systems are separate. Therefore, portion S will be recommended to be split into the next three available suffixes: U, V, and W. The balance of portion S was not developed.

MICROFILMED
JUL 19 1995

OZ-7276 Splits D-W
IN 3W Sec 16 & 21







P/u, Back



P/u, front

FILMED
9 1995

DAVE BOWMAN
GLENDA BOWMAN
PO BOX 284
TAHOMA CA 96142

March 5, 1993

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 02-07276L

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

RECEIVED
APR 05 1993

December 31, 1992

DAVE BOWMAN
GLENDA BOWMAN
PO BOX 284
TAHOMA CA 96142

RE: PERMIT NO. 02-07276L PROOF DUE NOTICE

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before March 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

CERTIFIED MAIL
NO. 139775

APPROVED
APR 05 1993

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 29, 1992

DAVE BOWMAN
GLENDA BOWMAN
PO BOX 284
TAHOMA CA 96142-0284

Re: Permit No. 02-07276L

Dear Permit Holder(s):

We acknowledge receipt of the correspondence transferring ownership of a portion of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

BRENDA L. MILLER
Water Resource Agent

BLM:cz

MICROFILMED

SEP 09 1992

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 7, 1995

DON A WESTE
PATRICIA L WESTE
PO BOX 113056
ANCHORAGE AK 995113056

RE: WATER RIGHT NO. 02-07276K

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECORDED
OCT 26 1995

RECEIVED
SEP 0 1 1995
Department of Water Resources

Idaho Dept. of Water Resources
Attn. Shelly Walter Keen

I have received your letter regarding permit # 02-07276K . I have not been to my property located in Sunrise Skypark yet this summer , however I can attest to the fact that the water in question was diverted and put to a beneficial use prior to February 15, 1993 as I had been there around that time . As you know I live in Alaska and it is not easy for me to do my own land improvement from such a distance. Therefore I contracted Les Moncrief to install electricity , pump , irrigation system and an erosion control crop on my property. I made these improvements so that I might provide erosion and fire control for the property . If that proves successful it is my intention to further invest and plant some fruit trees . We cannot grow fruit trees in Alaska and I would like to have trees old enough to produce fruit when I retire at the Skypark . Thank you for your consideration.

Sincerely,

Don A. Weste
8330 Dagan St.
Anchorage, Alaska 99502

RECEIVED
OCT 26 1995

M E M O R A N D U M

DATE: August 4, 1995

TO: File 02-07276K/P/T

FROM: Shelley W. Keen SWK

RE: Ownership and Address Changes

==========

Lauri Moncrief informed me today that some of the portions of permit 02-07276 have new owners or the owners have new addresses. The new names and addresses are on the attached fax sent to me by Ms. Moncrief.

MICROFILMED

AUG 0 8 1995

To: Shelley Walter Keen

From: Lauri Monsrief

RECEIVED
AUG 0 4 1995
Department of Water Resources

02-07276P
Dave & Linda Carpenter
P.O. Box 60
Peck, ID 83545
208 486-6204

SOLD TO →

Mike Simpson
P.O. Box 846
Ketchum, ID 83340
wk 208 726-2609

02-07276T Possible new owner
Charles (Ron) & Mary McKinnon
P.O. Box 566
Paradise, CA 95967
HM 916 872-4283

02-07276K Possible new address
Don & Patty Weste
8330 Dagan St.
Anchorage, AK 99502

APPROVED
AUG 0 8 1995

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 28, 1995

NOTICE OF INTENT TO VOID PERMIT

DON A WESTE
PO BOX 133056
ANCHORAGE AK 99511

RE: Permit No. 02-07276K

Dear Permit Holder(s):

In June of 1994, an employee of the department conducted a field inspection of the above referenced permit. The department is now reviewing the examination to determine whether or not the right can be licensed.

To perfect a water right an individual must divert the water and also apply it to a beneficial use. While the field examiner found that you have an irrigation diversion system in place, the water did not appear to be applied to a beneficial use. The particular lot represented by the above permit had no lawn or garden associated with a building. There was no evidence to the department's examiner that stock grazing had occurred on this lot, nor was there evidence that any crop harvesting had taken place.

The department will delay action for 30 days to allow you to submit any evidence you may have to show that water has in fact been beneficially used under this permit. Please bear in mind that your evidence must indicate a beneficial use prior to February 15, 1993, the date you indicated to the department that your development was completed. If such evidence is not submitted, the department may void the permit.

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

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

SWK:rl

AUG 08 1995

Lot 12 Blk 1

Form 219
6/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 12 1995
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 02-07276K

1. Owner: Don A. & Patricia L. Weste Phone No. 907-349-2580

Current Address: PO Box 113056 Anchorage AK 99511

2. Accompanied by: Lauri Moncrief EXAM DATE: 6/30/94

Address: HC 79 Box 102A Melba 83641 Phone No. 495-1101

Relationship to Permit Holder: Subdivision representative

3. Source: Snake River tributary to Columbia River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Splits of 02-7276 & 57-7236, 57-7596, 7600

2. Other water rights with the same point of diversion: Above

C. DIVERSION AND DELIVERY SYSTEM

1. **Point(s) of Diversion:**

Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	1		SE	SW	16	1N	3W	Owyhee	Plat Map, Site Visit

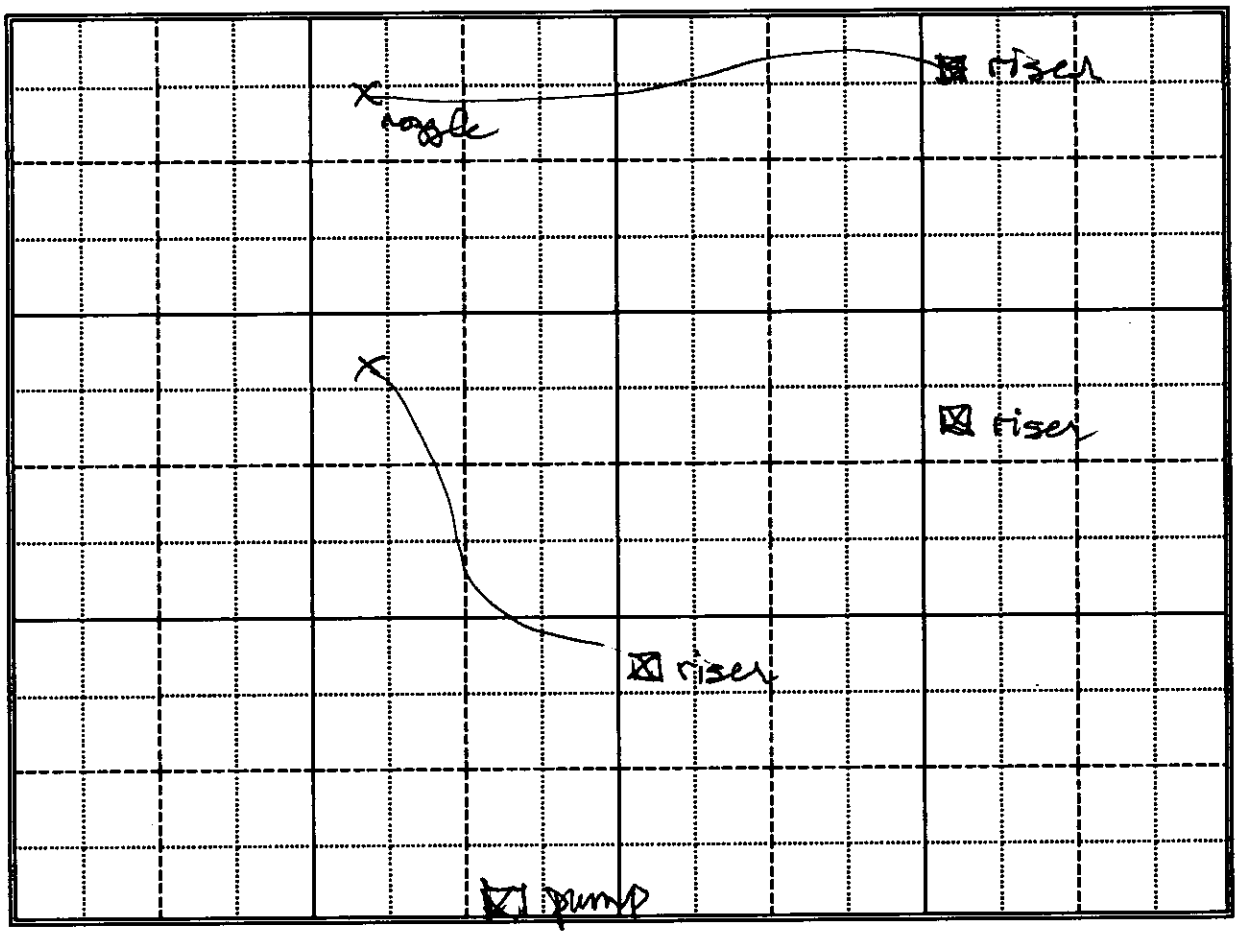
2. **Place(s) of Use:** Indicate Method of Determination Above

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	3W	16												.5					.5
														L.1					

MICROFILMED

JUL 19 1995

3. **Delivery System Diagram**: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = NTS

Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

Aerial Photo Attached (required for irrigation of 10+ acres)

Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GE	2	OFJ	Red Jacket	200 RS-PS 2"

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. **Measurements:** Discharge pressure

JUL 19 1995

E. NARRATIVE/REMARKS/COMMENTS

- 2 risers 2 offs. hose 2 birds 11/32" nozzles (?); undersized main irrigating .5 ac psi 20 (2/ok) ~~better estimate is 50 psi~~

Absentee Owner, System operated by Sunrise Sky Park; lot had irregular stand of alfalfa/grass, had been spot re-seeded.

P/D & P/U = Lot 12 Blk 1 Sunrise Sky Park

Overlaps do not affect permit.

For more information and licensing conditions see memo to file.

Have conditions of permit approval been met? \ yes ___ no

JUL 19 1995

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

2 gun type Sprinklers
Nozzle size not assessable.
Est 15 10 gpm each
$2 \times \frac{15}{10} = \frac{30}{10} = .04$ cfs

$\frac{2 \times 8.8 \times .7}{10 + (50 \times 2.31)} = .09$ cfs

allow .02 per permit, for portion of one acre.

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = .5 x 4.5 = 2.3 AFA

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = .02 x 246 x 1.9835 = 9.8 AFA

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 2.3

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
IRR	3/15	11/15	.02	2.3
		Totals:	.02	2.3

2. Recommended Amendments

* ___ Change P.D. as reflected above ___ Add P.D. as reflected above ___ None
___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

I. AUTHENTICATION

Field Examiner's Name CJ Hodges Date 12/12/94

Reviewer _____ Date _____ SEAL

* See attached memo. KE

JUL 19 1995

MEMORANDUM

TO: File 02-07276K / Don Weste

FROM: Brenda Chapman

DATE: June 16, 1995

RE: Recommendation Adjustment(s)

==========

The final licensing recommendations for the above referenced water right are based on the information below:

H. RECOMMENDATIONS

2. Recommended Amendments

☐ Change P.D. ☐ Add P.D. ☒ None

☐ Change P.U. ☐ Add P.U. ☐ Other

The exam confirms an additional point of diversion has not been added; therefore, an amendment is not necessary.

JUL 19 1995

MEMORANDUM

TO: File Nos. 02-07276 Splits D-T

FROM: Cindy Hodges

RE: B/U Examination General Information and Recommended License Conditions

GENERAL HISTORY

Permit 02-07276 was originally issued to Givens Hot Springs, for the irrigation of 100 acres. It was split early on into A, B, and C, with part C, the majority of the permit, awarded to Lester Moncrief. Parts A and B have lapsed. Part C was subsequently assigned and split on several occasions into the current parts D through T (F and N retired during split re-apportionments). Each assignment reflected the subdivision and sale of mostly riverfront lots within Sunrise Skypark, developed by Mr. Moncrief. Assignments awarded the permitted rate of 0.02 cfs per acre for lot sizes of 0.5 to 1.5 acres. At this time, Mr. Moncrief retains the balance of the permit, which has been labeled part S.

Most assignments were made in late 1992 or early 1993. Proof was due March 1, 1993, and very little beneficial use had occurred under this permit. Yet, very few new property owners were aware of the implications of the pending proof due date. According to sales agreements, each new landowner was to develop a separate system for irrigation. As many new landowners lived out of state, this would have been largely impossible and meant that many portions of the permit would have forfeited.

One of the earliest assignees came to my office quite concerned that the water right which he and many others had been promised was in jeopardy. We reviewed the file and found that, although one extension of time had already been granted to Mr. Moncrief, an additional 8 months time might be permissible based on the total time lapsed during Swan Falls litigation. This assignee requested and received the additional 8 months extension, which advanced proof due date to November 1, 1993. He lived on-site and was able to develop his system during summer 1993.

Other assignees were not so fortunate. They confronted Mr. Moncrief and were assisted in working with IDWR to obtain the additional extensions. Then, Mr. Moncrief and his staff developed and operated systems during the 1993 irrigation season for all absentee landowners, so that no assigned portion of the permit would lapse. All proofs were filed by the November 1 due date. Due to all the extenuating circumstances, Western was directed to conduct these field examinations as early as possible in 1994.

JUL 19 1995

BENEFICIAL USE EXAMINATIONS

At the time of the field examination(s) in June of 1994, we found a large array of conditions present under the various portions of this permit. All systems were in place and were being operated, either by on-site owners or by Moncrief. All lands under irrigation had been cultivated and planted, either to lawn or to mixed grasses, but with varying degrees of success. As could be expected, those lots with on-site owners had well-established lawns and obvious beneficial use. Other lots had irregular vegetation establishment and questionable beneficial use, even though regular irrigation appeared to be occurring. After visits with Mr. Moncrief and some residents, I was convinced that this was due in large part to high alkalinity in some areas which required continued soil enhancement to support any vegetation. Much seed sowed in 1993 simply failed to germinate. In fact, alkaline patches were visible in most lots and 1994 re-seeding attempts were also apparent.

Those lots not receiving the intensive care of an on-site owner had poorer stands of vegetation. However, genuine beneficial use has occurred at all sites. It would not be equitable to penalize off-site owners, since a significant effort has been made in their behalf to apply water to beneficial use and thus protect the permits. All portions of the permit will be recommended to the extent of development found.

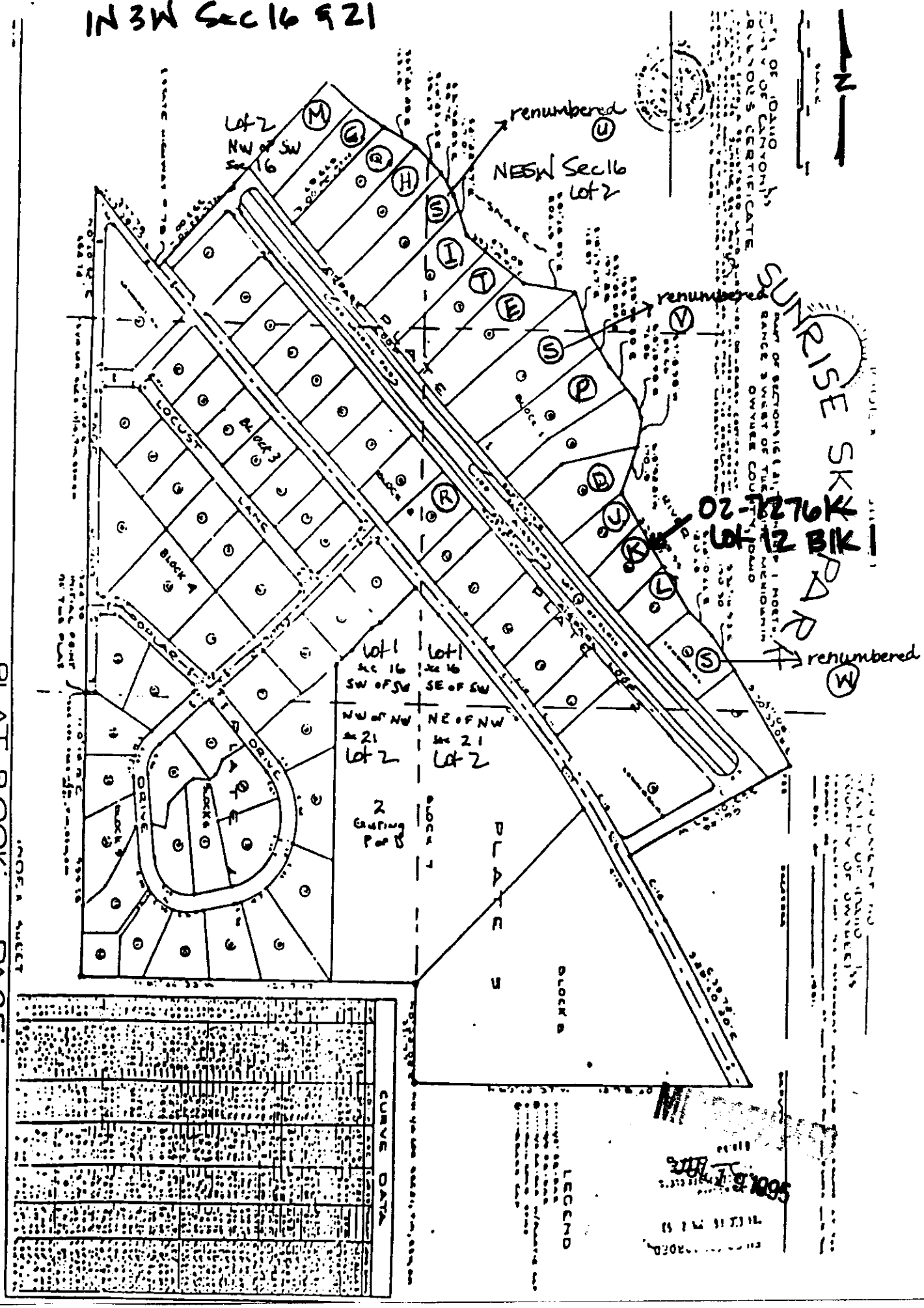
LICENSING TERMS AND CONDITIONS

Permitted rate of flow is 0.02 cfs/acre. Most splits were assigned at a total rate of about 0.02 cfs. Each of these systems is capable of delivering at least this amount; many are oversized and can deliver much more. To avoid the potential for over-appropriation which will occur if all systems are operating at once, I suggest a specific licensing condition which requires operation on a rotational basis, so that no more than a certain number of systems are diverting at any one time. I discussed this concept with Mr. Moncrief and others. They agreed that this could be accomplished within the subdivision through the establishment of an irrigation schedule.

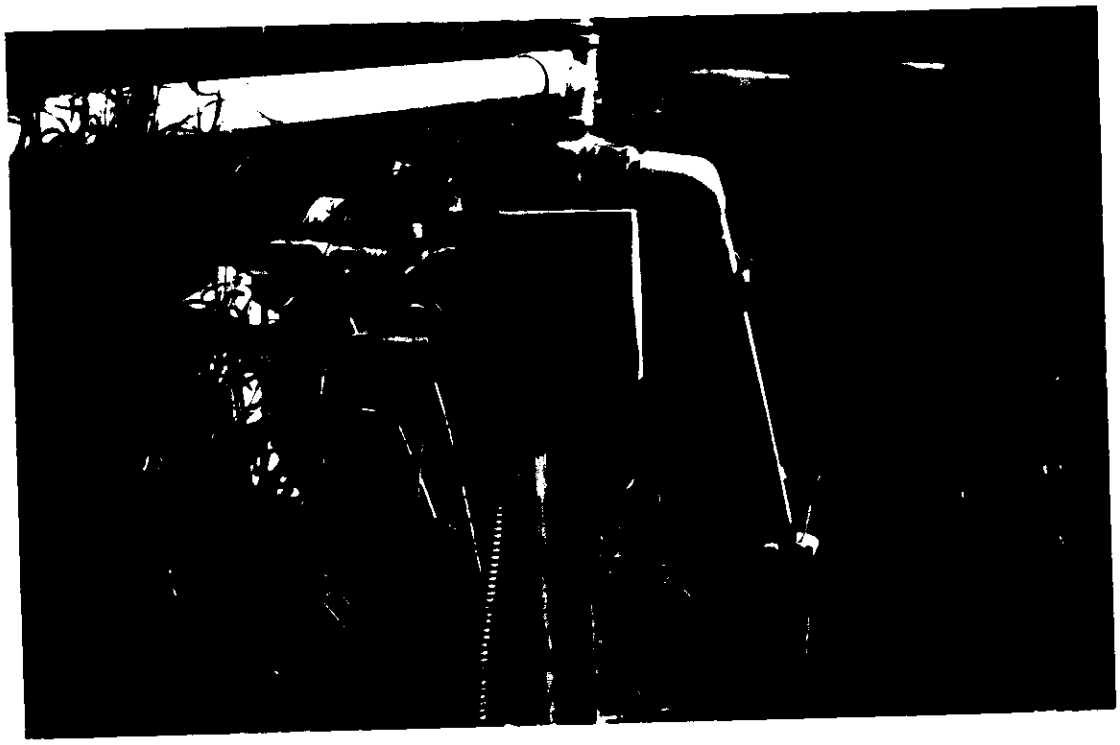
The first two split recipients, D and E, filed permit amendments immediately after assignment to add points of diversion unique to their portions. Because of time constraints, this exercise was generally not possible for all other split portions. Therefore, all others were treated as changes occurring within the development period, to be handled through licensing amendments. Portion S, held by Mr. Moncrief, was used to develop Mr. Moncrief's residence lot and two lots used as common area. These three systems are separate. Therefore, portion S will be recommended to be split into the next three available suffixes: U, V, and W. The balance of portion S was not developed.

JUL 19 1995

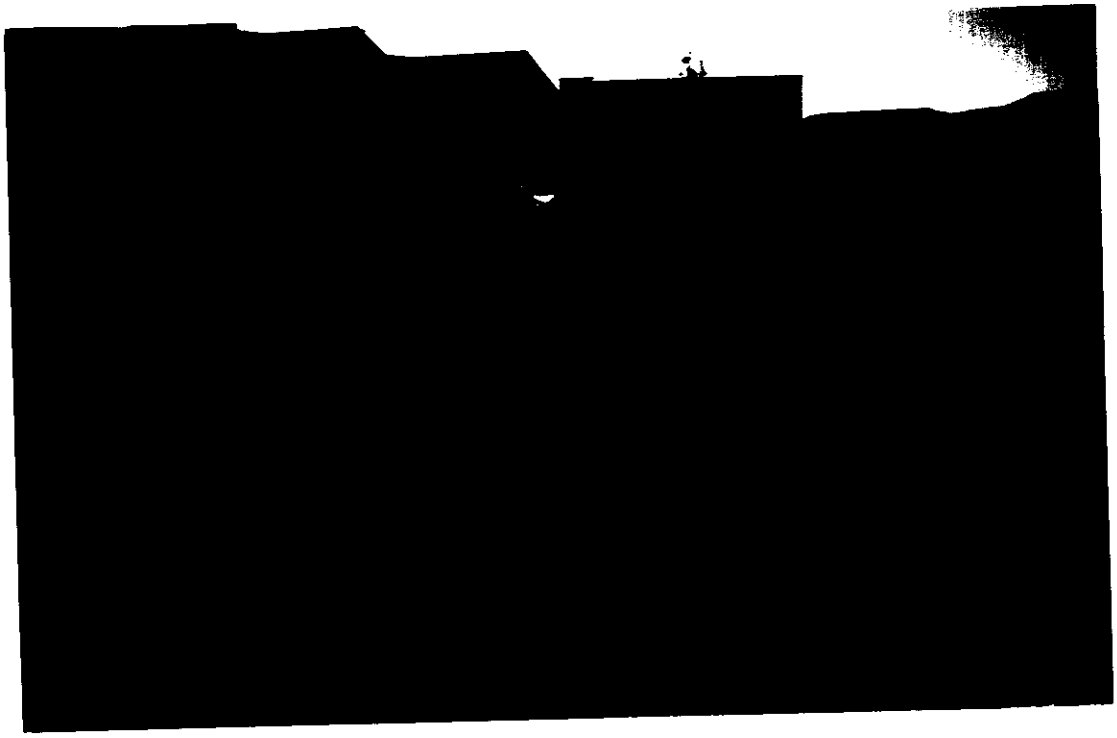
02-7276 Splits D-W
IN 3W Sec 16 9 21



02-7276 K



P/D



P/L

JUL 19 1995

March 5, 1993

DON A WESTE
PATRICIA L WESTE
PO BOX 113056
ANCHORAGE AK 995113056

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 02-07276K

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

RECEIVED
APR 05 1993

December 31, 1992

DON A WESTE
PATRICIA L WESTE
PO BOX 113056
ANCHORAGE AK 995113056

RE: PERMIT NO. 02-07276K PROOF DUE NOTICE

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before March 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

CERTIFIED MAIL
NO. 139774

APR 05 1993

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 29, 1992

DON A WESTE
PARTICIA L WESTE
PO BOX 113056
ANCHARAGE AK 99511-3056

Re: Permit No. 02-07276K

Dear Permit Holder(s):

We acknowledge receipt of the correspondence transferring ownership of a portion of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

BRENDA L. MILLER
Water Resource Agent

BLM:cz

MICROFILMED

SEP 09 1992

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 3, 1995

JAMES L OSBORNE
HANAKO K OSBORNE
HC 79 BOX 100D
MELBA ID 83641

RE: WATER RIGHT NO. 02-07276J

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley Watten Keen

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

MICROFILMED
JUL 19 1995

Lot 1 Blk 1

Form 219
6/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 1 2 1995
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 02-7276J

1. Owner: OSBORNE, James L. &/or Hanako K. Phone No. 495-2059

Current Address: HC 79 Box 100D Melba ID 83641

2. Accompanied by: Owner EXAM DATE: 6/20/94

Address: Phone No.

Relationship to Permit Holder:

3. Source: Snake River tributary to Columbia River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Splits of 02-7276 & 57-7236, 57-7596, 7600

2. Other water rights with the same point of diversion: above

C. DIVERSION AND DELIVERY SYSTEM

1. **Point(s) of Diversion:**

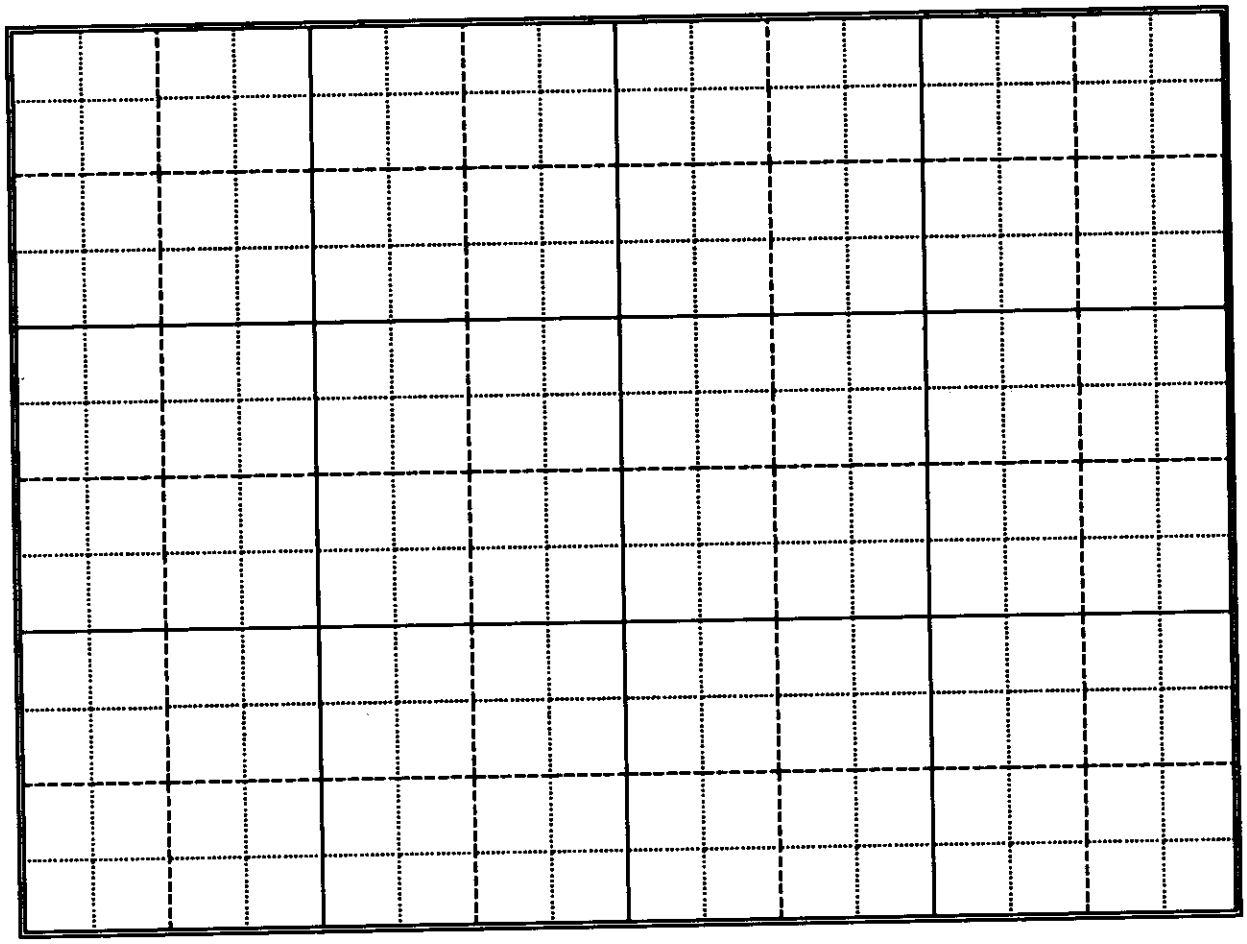
Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	1		SE	SW	16	1N	3W	Owyhee	Plat Map, Site Visit

2. **Place(s) of Use:** Indicate Method of Determination Above

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	3W	16												.5					.5
														L.1					

RECEIVED
JUL 10 1995

3. **Delivery System Diagram**: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe I.d. as applicable.



Scale: 1" = _____.

___ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

___ Aerial Photo Attached (required for irrigation of 10+ acres)

___ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Sta-Rite	3/4	1A93		2"

Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. **Measurements:** Discharge pressure, owner's info from Sprinkler Packaging

RECEIVED

OCT 19 1995

E. NARRATIVE/REMARKS/COMMENTS

18 sets, 4 nozzles per set Hunter G-Type heads
~2 gpm/head?, #4 & 5 nozzle, est 50 psi

1/2 - 3/4 ac lrng, re-seeding in front yard.
established lawn in back and in front of ranger

P/D & P/U = Lot 11 Blk 1, Sunrise Sky Park

Overlaps do not affect permit

For additional info and license conditions, see memo to file.

Have conditions of permit approval been met? \ yes ___ no

RECEIVED

JUL 19 1995

F. FLOW CALCULATIONS ____ Additional Computation Sheets Attached

Measured Method:

4 nozzles x 2 gpm = 8 gpm = .018 cfs

HP equation:

$\frac{.75 \times 8.8 \times .7}{10 + (50 \times 2.31)} = .04$ cfs

allow .01 per permit limit

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = .5 x 4.5 = 2.3 AFA

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = .01 x 246 x 1.9835 = 4.9 AFA

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 2.3

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
IRR	3/15	11/15	.01	2.3
		Totals:	.01	2.3

2. Recommended Amendments

* ___ Change P.D. as reflected above ↘ Add P.D. as reflected above ___ None

___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

I. AUTHENTICATION

Field Examiner's Name Cindy J. Hodges Date 12/12/94

Reviewer _____ Date _____

MICROFILMED SEAL

JUL 19 1995

* See attached memo. CC

MEMORANDUM

TO: File 02-07276J / James Osborne

FROM: Brenda Chapman

DATE: June 16, 1995

RE: Recommendation Adjustment(s)

==========

The final licensing recommendations for the above referenced water right are based on the information below:

H. RECOMMENDATIONS

2. Recommended Amendments

☐ Change P.D. ☐ Add P.D. ☒ None

☐ Change P.U. ☐ Add P.U. ☐ Other

The exam confirms an additional point of diversion has not been added; therefore, an amendment is not necessary.

MICROFILMED
JUL 19 1995

MEMORANDUM

TO: File Nos. 02-07276 Splits D-T

FROM: Cindy Hodges

RE: B/U Examination General Information and Recommended License Conditions

GENERAL HISTORY

Permit 02-07276 was originally issued to Givens Hot Springs, for the irrigation of 100 acres. It was split early on into A, B, and C, with part C, the majority of the permit, awarded to Lester Moncrief. Parts A and B have lapsed. Part C was subsequently assigned and split on several occasions into the current parts D through T (F and N retired during split re-apportionments). Each assignment reflected the subdivision and sale of mostly riverfront lots within Sunrise Skypark, developed by Mr. Moncrief. Assignments awarded the permitted rate of 0.02 cfs per acre for lot sizes of 0.5 to 1.5 acres. At this time, Mr. Moncrief retains the balance of the permit, which has been labeled part S.

Most assignments were made in late 1992 or early 1993. Proof was due March 1, 1993, and very little beneficial use had occurred under this permit. Yet, very few new property owners were aware of the implications of the pending proof due date. According to sales agreements, each new landowner was to develop a separate system for irrigation. As many new landowners lived out of state, this would have been largely impossible and meant that many portions of the permit would have forfeited.

One of the earliest assignees came to my office quite concerned that the water right which he and many others had been promised was in jeopardy. We reviewed the file and found that, although one extension of time had already been granted to Mr. Moncrief, an additional 8 months time might be permissible based on the total time lapsed during Swan Falls litigation. This assignee requested and received the additional 8 months extension, which advanced proof due date to November 1, 1993. He lived on-site and was able to develop his system during summer 1993.

Other assignees were not so fortunate. They confronted Mr. Moncrief and were assisted in working with IDWR to obtain the additional extensions. Then, Mr. Moncrief and his staff developed and operated systems during the 1993 irrigation season for all absentee landowners, so that no assigned portion of the permit would lapse. All proofs were filed by the November 1 due date. Due to all the extenuating circumstances, Western was directed to conduct these field examinations as early as possible in 1994.

MICROFILMED
JUL 19 1995

BENEFICIAL USE EXAMINATIONS

At the time of the field examination(s) in June of 1994, we found a large array of conditions present under the various portions of this permit. All systems were in place and were being operated, either by on-site owners or by Moncrief. All lands under irrigation had been cultivated and planted, either to lawn or to mixed grasses, but with varying degrees of success. As could be expected, those lots with on-site owners had well-established lawns and obvious beneficial use. Other lots had irregular vegetation establishment and questionable beneficial use, even though regular irrigation appeared to be occurring. After visits with Mr. Moncrief and some residents, I was convinced that this was due in large part to high alkalinity in some areas which required continued soil enhancement to support any vegetation. Much seed sowed in 1993 simply failed to germinate. In fact, alkaline patches were visible in most lots and 1994 re-seeding attempts were also apparent.

Those lots not receiving the intensive care of an on-site owner had poorer stands of vegetation. However, genuine beneficial use has occurred at all sites. It would not be equitable to penalize off-site owners, since a significant effort has been made in their behalf to apply water to beneficial use and thus protect the permits. All portions of the permit will be recommended to the extent of development found.

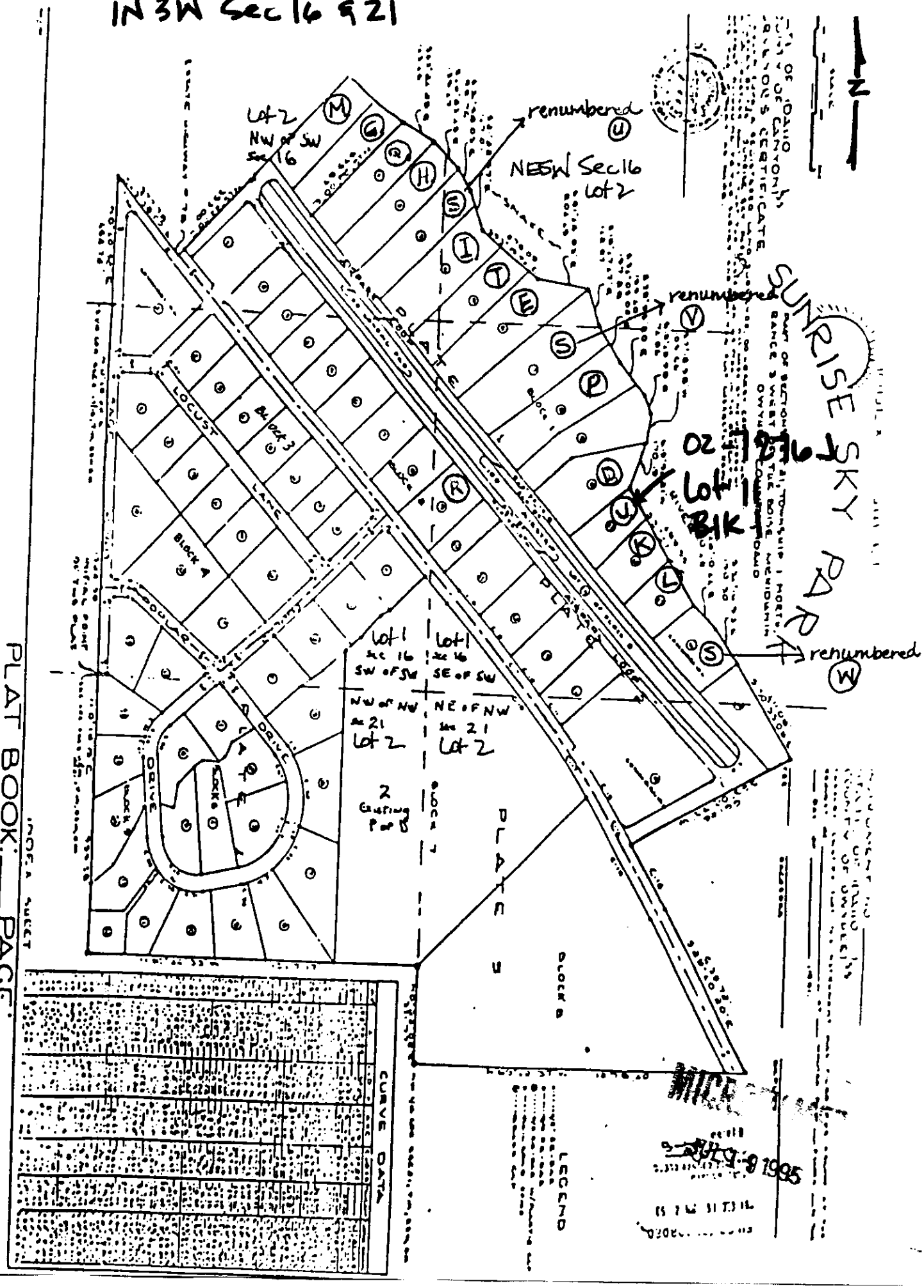
LICENSING TERMS AND CONDITIONS

Permitted rate of flow is 0.02 cfs/acre. Most splits were assigned at a total rate of about 0.02 cfs. Each of these systems is capable of delivering at least this amount; many are oversized and can deliver much more. To avoid the potential for over-appropriation which will occur if all systems are operating at once, I suggest a specific licensing condition which requires operation on a rotational basis, so that no more than a certain number of systems are diverting at any one time. I discussed this concept with Mr. Moncrief and others. They agreed that this could be accomplished within the subdivision through the establishment of an irrigation schedule.

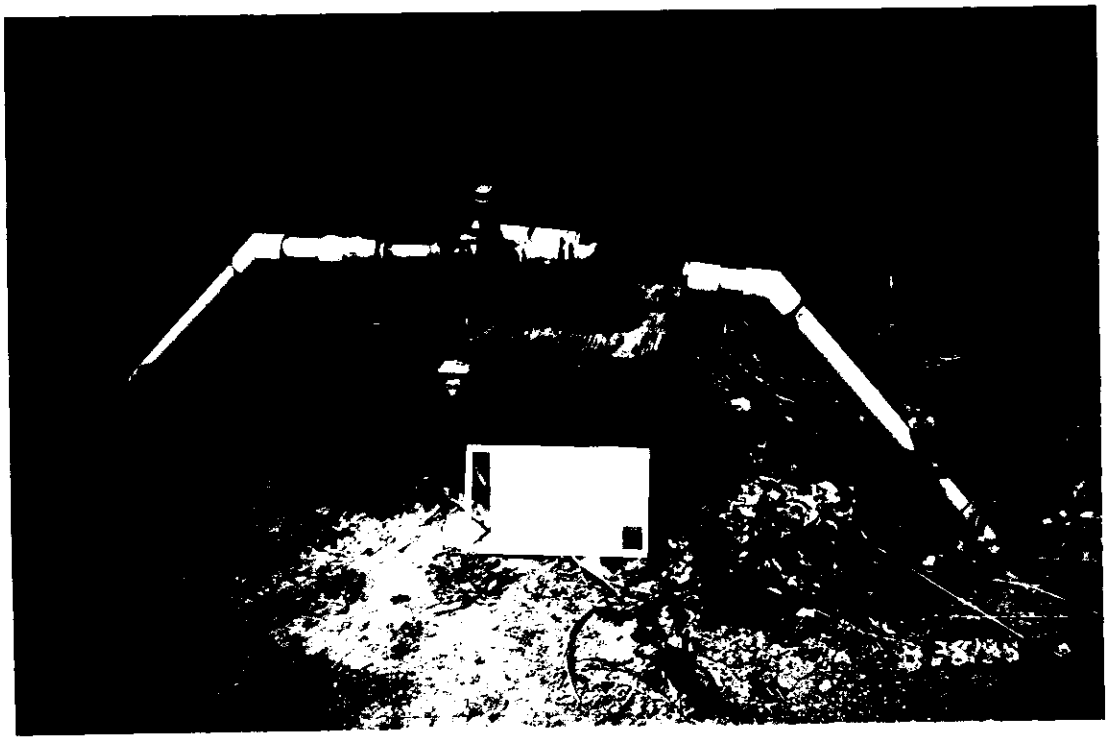
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JUL 19 1995

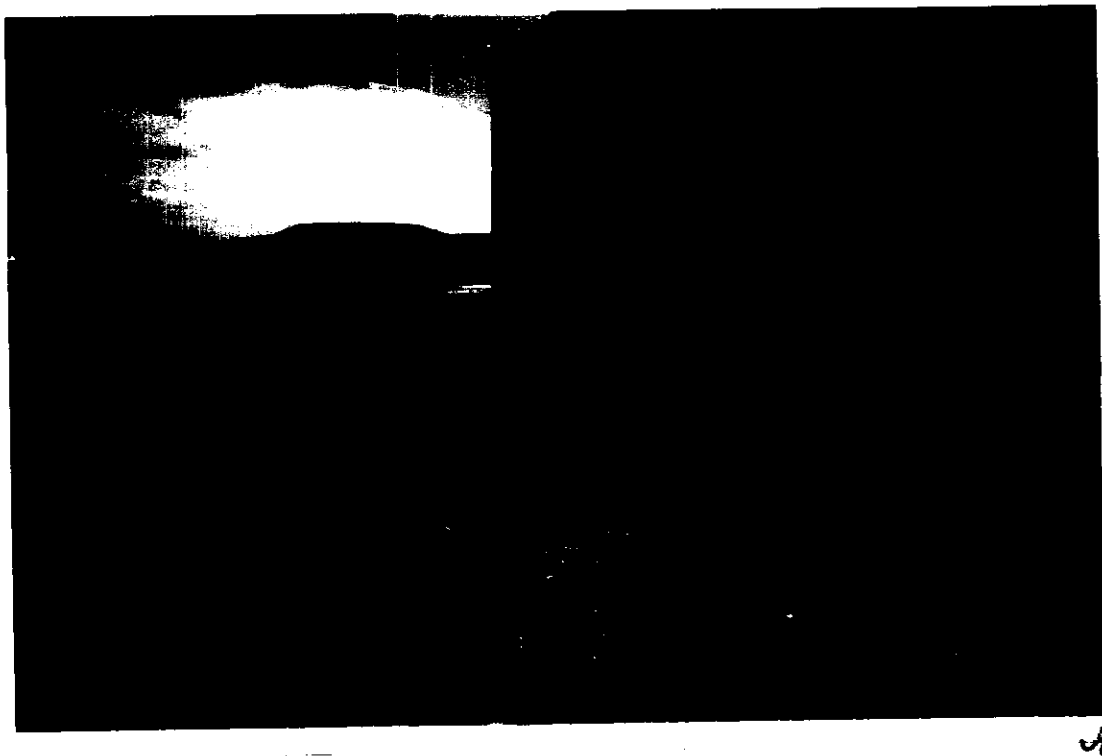
02-7276 Splits D-W
IN 3W Sec 16 & 21



02-7276J



P/D



P/N

(re-seeded area
Other areas established)

JUL 19 1995

November 4, 1993

JAMES L OSBORNE
HANAKO K OSBORNE
HC 79 BOX 100D
MELBA ID 83641

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 02-07276J

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

Karen L. Gustafson
Senior Secretary

c: IDWR - Region

RECEIVED
JAN 10 1994

August 31, 1993

JAMES L OSBORNE
HANAKO K OSBORNE
HC 79 BOX 100D
MELBA ID 83641

RE: PERMIT NO. 02-07276J

PROOF DUE NOTICE

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before November 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

CERTIFIED MAIL
NO. 140500

RECEIVED
JAN 10 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 5, 1993

James and Hanako Osborne
HC 79 Box 100D
Melba, ID 83641

Re: Permit No. 02-07276J

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to November 1, 1993. Please note that the department has granted this extension based on litigation. It is important that you work diligently toward the completion of this project during the construction period allowed. The department will not be able to grant additional requests.

If you have any questions or if I can be of any further assistance, please feel free to contact this office.

Sincerely,

Karen L Gustafson

Karen L. Gustafson
Secretary/Records Manager

Enclosure

C: IDWR-Regional Office

APR 05 1993

ANALYSIS SHEET
FOR
EXTENSION OF TIME

Permit No. 02-07276S Reviewed by KLG Date 1/4/93

BASIC INFORMATION

1/4/93 Date stamp received
yes Extension received timely
yes Fee received and receipted
yes Name and signature same as permit
no Address Change

BASIS FOR EXTENSION REQUEST

_____ Has adequate work been completed to demonstrate due diligence?
_____ Has the permit been involved in litigation?
Is supporting documentation needed to complete the file?_____ Requested?_____
_____ Is delay by a government agency?
Is supporting documentation needed to complete the file?_____ Requested?_____
_____ Is the project more than 25,000 acre feet for irrigation or 10,000 acre feet for a reservoir?

ACTION TAKEN

extend for 8 months - per Rita's memo of 3/15/89
Base on Swan Falls - Extend to 11/1/93
Inform P&I that additional extensions will not be granted

PRIORITY CALCULATION

Date extension received	NA	=	
Proof due date		=	
Number of days late		=	
Priority date		=	
New Priority Date		=	

DATA ENTRY

New Address_____
Change Proof Due Date 1/6/92 KLG
Change Priority Date_____

December 31, 1992

JAMES L OSBORNE
HANAKO K OSBORNE
HC 79 BOX 100D
MELBA ID 83641

RE: PERMIT NO. 02-07276J PROOF DUE NOTICE

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before March 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

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SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

CERTIFIED MAIL
NO. 139773

APR 05 1993

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

July 29, 1992

JAMES L OSBORNE
HANAKO K OSBORNE
HC 79 BOX 100D
MELBA ID 83641

Re: Permit No. 02-07276J

Dear Permit Holder(s):

We acknowledge receipt of the correspondence transferring ownership of a portion of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

BRENDA L. MILLER
Water Resource Agent

BLM:cz

MICROFILMED
SEP 09 1992

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 29, 1995

KURT G BECKER
PAMELA A BECKER
PO BOX 504
NEW MEADOWS ID 83654

RE: WATER RIGHT NO. 02-07276I

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

OCT 2 6 1995

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 28, 1995

KURT G BECKER
PAMELA A BECKER
PO BOX 504
NEW MEADOWS ID 83654

RE: WATER RIGHT NO. 02-07276I

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the place(s) of use description. Please review carefully and if you concur, sign the amendment and return with the $50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED
AUG 08 1995

Lot 4 Blk 1

Form 219
6/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 12 1995
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 02-07276I

1. Owner: Kurt & Pamela Becker Phone No. (208) 3477200

Current Address: PO Box 504 New Meadows ID 83654

2. Accompanied by: owner EXAM DATE: 6/30/94

Address: Phone No.

Relationship to Permit Holder:

3. Source: Snake River tributary to Columbia River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Splits of 02-7276 & 57-7236, 57-7596, 7600

2. Other water rights with the same point of diversion: Above

C. DIVERSION AND DELIVERY SYSTEM

1. **Point(s) of Diversion:**

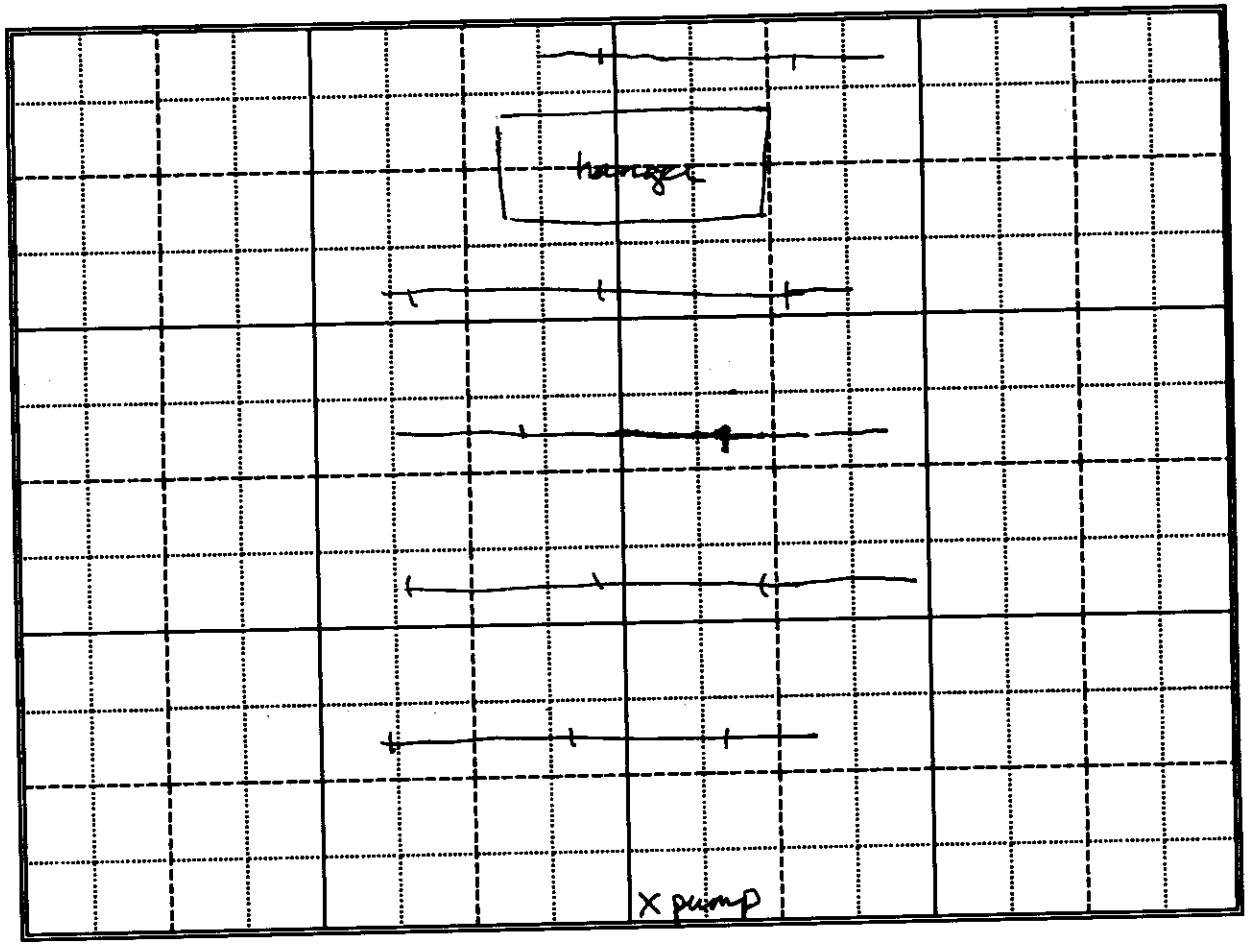
Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	2		NE	SW	16	1N	3W	Owyhee	Plat Map, Site Visit

2. **Place(s) of Use:** Indicate Method of Determination Above

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	3W	16									.7	.8							1.5
											Lot	2							

JUL 19 1995

3. **Delivery System Diagram**: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____.

\ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

___ Aerial Photo Attached (required for irrigation of 10+ acres)

\ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Emerson	2	G92[illegible]?	Red Jacket	Model 200 RSP5 2"

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. **Measurements:** Discharge pressure

RECEIVED

JUL 19 1995

E. NARRATIVE/REMARKS/COMMENTS

- System operates ~13 heads on 5 solid set risers @ 20 psi, rain bird 1½ gpl/min low gallonage P2-PJ-C (model #) low pressures; from pressure chart on pkg. 20 psi radius feet 33 GPM output 1.5, irrigating 1.5 ac (underground. Main)

Lot seeded in 93, re-seeded partial in '94. No home is present. Owner on-site day of exam.

P/D & P/U = Lot 4 Blk 1, Sunrise Sky Park

Overlaps do not affect permit

For additional info and license conditions, see memo to file.

Have conditions of permit approval been met? \ yes ___ no

RECEIVED

JUL 19 1995

F. FLOW CALCULATIONS ____ Additional Computation Sheets Attached

Measured Method:

1.5 gpm x 20 = 30 gpm = .07 cfs

HP equation!

$\frac{2 \times 8.8 \times .7}{10 + (2.31 \times 20)} = .22$ cfs

allow .04 per permit (allowing full flow for portion of 2nd acre)

(may be operating valved down)

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = 1.5 x 4.5 = 6.8 AFA

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = .04 x 246 x 1.9835 = 19.5 AFA

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 6.8

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
IRR	3/15	11/15	.04	6.8
		Totals:	.04	6.8

2. Recommended Amendments

* ___ Change P.D. as reflected above ___ Add P.D. as reflected above ___ None

___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

I. AUTHENTICATION

Field Examiner's Name Cindy J. Hodges Date 12/12/94

Reviewer _____ Date _____

SEAL

* See attached adjustment memo. RC

JUL 19 1995

MEMORANDUM

TO: File 02-07276I / Kurt Becker

FROM: Brenda Chapman

DATE: June 16, 1995

RE: Recommendation Adjustment(s)

==========

The final licensing recommendations for the above referenced water right are based on the information below:

H. RECOMMENDATIONS

2. Recommended Amendments

☐ Change P.D. ☑ Add P.D. ☐ None

☐ Change P.U. ☒ Add P.U. ☐ Other

The exam confirms an additional place of use was added.

MICROFILMED

JUL 19 1995

MEMORANDUM

TO: File Nos. 02-07276 Splits D-T

FROM: Cindy Hodges

RE: B/U Examination General Information and Recommended License Conditions

GENERAL HISTORY

Permit 02-07276 was originally issued to Givens Hot Springs, for the irrigation of 100 acres. It was split early on into A, B, and C, with part C, the majority of the permit, awarded to Lester Moncrief. Parts A and B have lapsed. Part C was subsequently assigned and split on several occasions into the current parts D through T (F and N retired during split re-apportionments). Each assignment reflected the subdivision and sale of mostly riverfront lots within Sunrise Skypark, developed by Mr. Moncrief. Assignments awarded the permitted rate of 0.02 cfs per acre for lot sizes of 0.5 to 1.5 acres. At this time, Mr. Moncrief retains the balance of the permit, which has been labeled part S.

Most assignments were made in late 1992 or early 1993. Proof was due March 1, 1993, and very little beneficial use had occurred under this permit. Yet, very few new property owners were aware of the implications of the pending proof due date. According to sales agreements, each new landowner was to develop a separate system for irrigation. As many new landowners lived out of state, this would have been largely impossible and meant that many portions of the permit would have forfeited.

One of the earliest assignees came to my office quite concerned that the water right which he and many others had been promised was in jeopardy. We reviewed the file and found that, although one extension of time had already been granted to Mr. Moncrief, an additional 8 months time might be permissible based on the total time lapsed during Swan Falls litigation. This assignee requested and received the additional 8 months extension, which advanced proof due date to November 1, 1993. He lived on-site and was able to develop his system during summer 1993.

Other assignees were not so fortunate. They confronted Mr. Moncrief and were assisted in working with IDWR to obtain the additional extensions. Then, Mr. Moncrief and his staff developed and operated systems during the 1993 irrigation season for all absentee landowners, so that no assigned portion of the permit would lapse. All proofs were filed by the November 1 due date. Due to all the extenuating circumstances, Western was directed to conduct these field examinations as early as possible in 1994.

MICROFILMED

JUL 19 1995

BENEFICIAL USE EXAMINATIONS

At the time of the field examination(s) in June of 1994, we found a large array of conditions present under the various portions of this permit. All systems were in place and were being operated, either by on-site owners or by Moncrief. All lands under irrigation had been cultivated and planted, either to lawn or to mixed grasses, but with varying degrees of success. As could be expected, those lots with on-site owners had well-established lawns and obvious beneficial use. Other lots had irregular vegetation establishment and questionable beneficial use, even though regular irrigation appeared to be occurring. After visits with Mr. Moncrief and some residents, I was convinced that this was due in large part to high alkalinity in some areas which required continued soil enhancement to support any vegetation. Much seed sowed in 1993 simply failed to germinate. In fact, alkaline patches were visible in most lots and 1994 re-seeding attempts were also apparent.

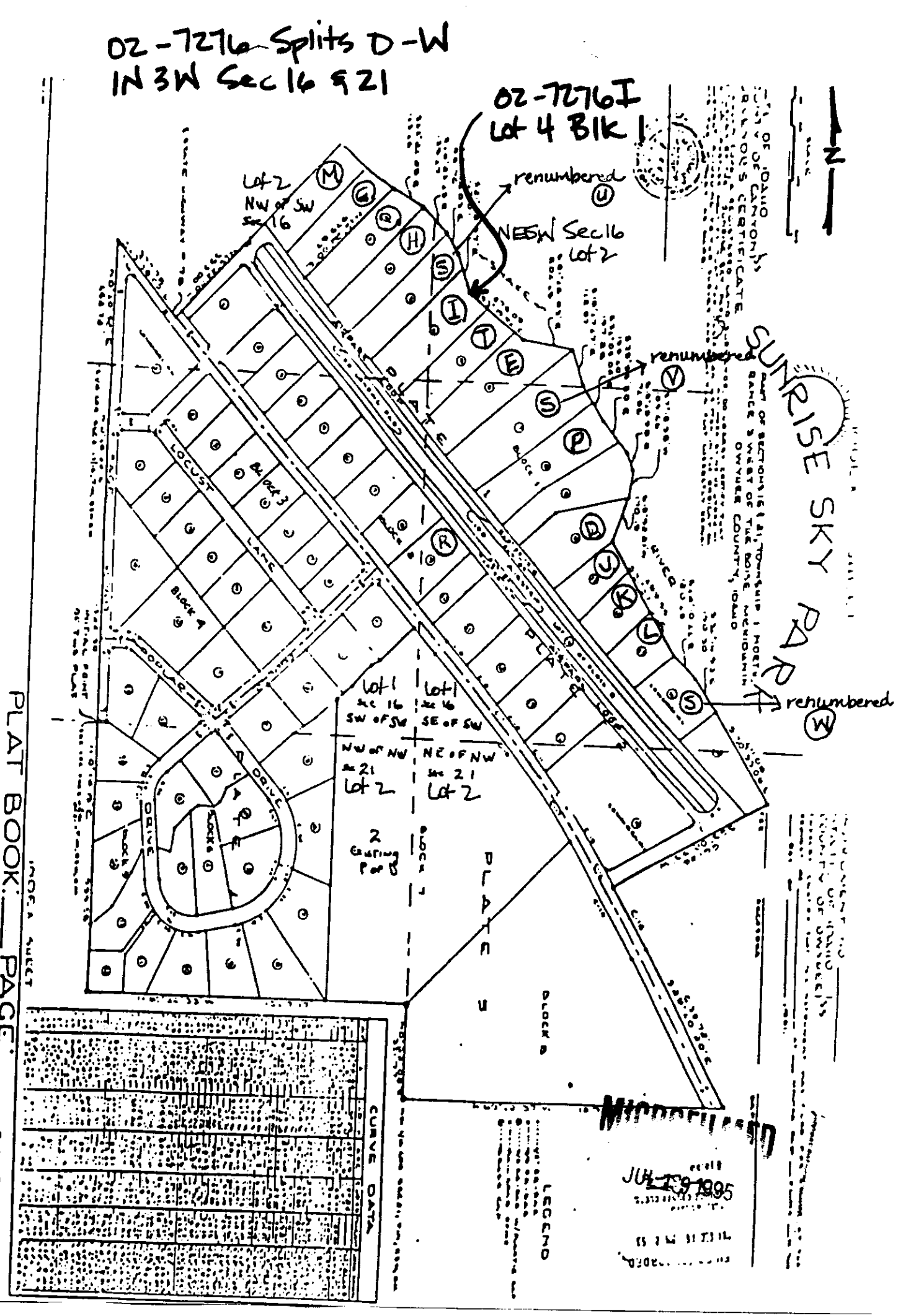
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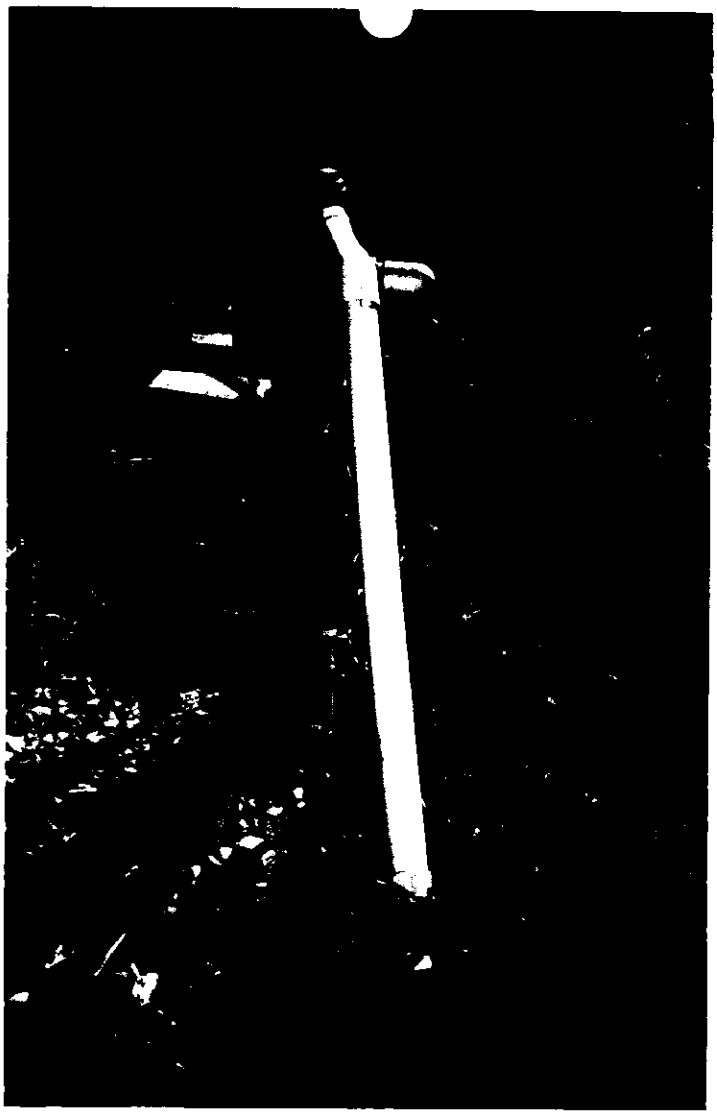
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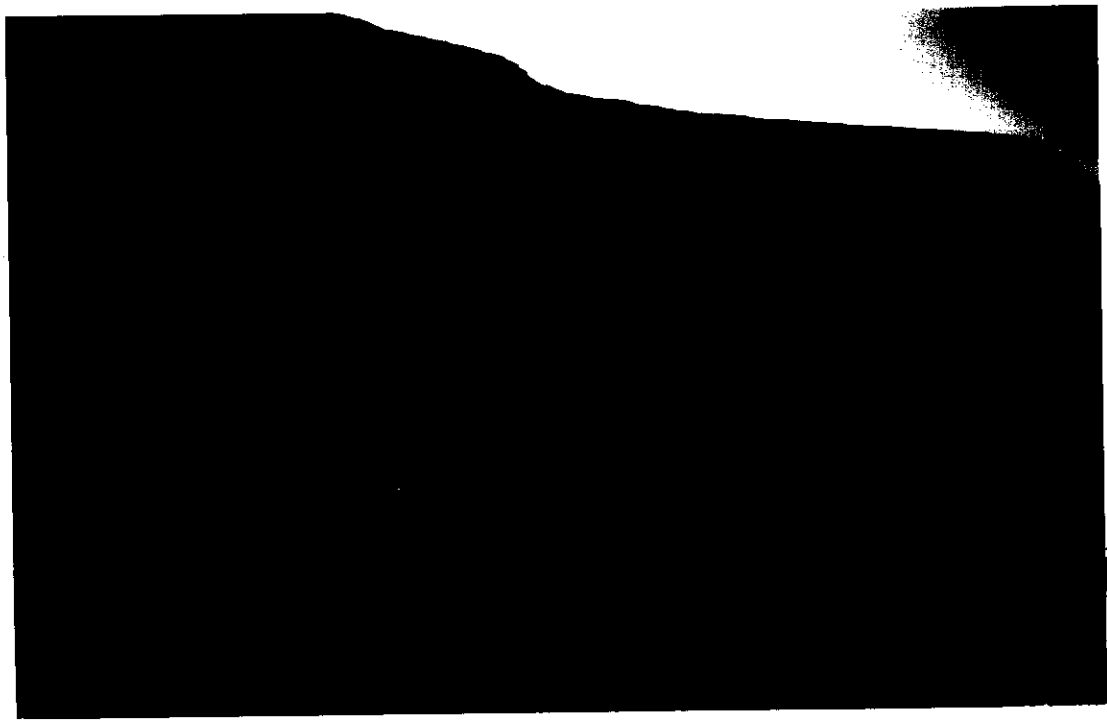
RECEIVED
JUL 19 1995


02-7276 Splits D-W
IN 3W Sec 16 & 21
02-7276I
Lot 4 Blk 1
renumbered U
NE SW Sec 16 Lot 2
Lot 2 NW of SW Sec 16
renumbered V
renumbered W
SUNRISE SKY PARK
LOCUST LANE
Lot 1 Sec 16 SW of SW
Lot 1 Sec 16 SE of SW
NW of NW Sec 21 Lot 2
NE of NW Sec 21 Lot 2
2 Existing Lots
PLAT BOOK ___ PAGE ___
CURVE DATA
LEGEND
JUL 19 1995

02-7276I



P/b



P/u

RECEIVED
JUL 19 1995

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 8, 1993

Kurt G. Becker
P.O. Box 504
New Meadows, ID 83654

Re: Permit No. 02-07276I

PROOF ACKNOWLEDGEMENT LETTER

Dear Permit Holder:

The Department is in receipt of the proof of beneficial use filed in connection with the above referenced permit.

The proof will be accepted for a diversion rate of 0.04 cfs from the Snake River. Since you will only be diverting 0.04 cfs, you will only be required to pay a $50.00 exam fee instead of the $100.00 you submitted.

Therefore, I have begun the process to refund the extra $50.00 license examination fee you submitted. The process takes between two and four weeks and will arrive under separate cover.

If you have any questions, or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Julie L. Yarbrough

JULIE L. YARBROUGH
Senior Secretary

cc: IDWR - Southern Region, Debbie Allen (fiscal)

JAN 1 0 1994

October 31, 1993

KURT G BECKER
PAMELA A BECKER
BOX 504
NEW MEADOWS ID 83654

PROOF DUE NOTICE

RE: PERMIT NO. 02-07276I

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before January 1, 1994. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

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SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

RECEIVED
JAN 10 1994

CERTIFIED MAIL
NO. 140836

State of I ho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 10, 1993

Kurt G and Pamela A Becker
Box 504
New Meadows, ID 83654

Re: Permit No. 02-07276I

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to November 1, 1993. Please note that the department has granted this extension based on litigation. It is important that you work diligently toward the completion of this project during the construction period allowed. The department will not be able to grant additional extensions.

If you have any questions or if I can be of any further assistance, please feel free to contact this office.

Sincerely,

Karen L Gustafson

Karen L. Gustafson
Secretary/Records Manager

Enclosure

C: IDWR-Regional Office

RECEIVED

APR 05 1993

December 31, 1992

KURT G BECKER
PAMELA A BECKER
HC BOX 21
AVERY ID 83802

RE: PERMIT NO. 02-07276I PROOF DUE NOTICE

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before March 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

CERTIFIED MAIL
NO. 139772

APR 05 1993

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 29, 1992

KURT G BECKER
PAMELA A BECKER
HC BOX 21
AVERY ID 83802

Re: Permit No. 02-07276I

Dear Permit Holder(s):

We acknowledge receipt of the correspondence transferring ownership of a portion of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

BRENDA L. MILLER
Water Resource Agent

BLM:cz

MICROFILMED
SEP 09 1992

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 29, 1995

LAURI E MONCRIEF
HC 79 BOX 102A
MELBA ID 83641

RE: WATER RIGHT NO. 02-07276H

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

MICROFILMED

OCT 2 6 1995

RECEIVED
AUG 0 8 1995
Department of Water Resources

Aug. 7, 1995

Shelley Walter Keen
Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706-2237

Dear Mr. Keen:

I am writing in response to your letter of July 28, 1995. I believe I have applied the irrigation water of permit 02-07276H to a beneficial use. This has been accomplished through the planting of green manure and fawn tall fescue. These ground coverings as well as the tree plantings have been grown in an attempt to improve the soil composition, prevent wind erosion, and enhance the overall appearance of my residential lot. Additionally, I have grown a variety of garden vegetables on this lot with the irrigated water. At the present time, I am irrigating a planting provided by the Idaho Fish and Game Department for the rehabitation of upland game birds. The initial beneficial use of the water was in effect prior to February 22, 1993. For all of these reasons, I respectfully request that you grant my permit for 02-07276H.

Sincerely,

Lauri Moncrief

Lauri Moncrief
HC 79 Box 102A
Melba, ID 83641

AUG 1995

M E M O R A N D U M

DATE: August 4, 1995

TO: 02-07276H

FROM: Shelley W. Keen (SWK)

RE: Licensing Amendment

==========

Lauri Moncrief met with me today to discuss permit 02-07276H. She said that she would submit a letter to explain and support the beneficial nature of the irrigation of her lot in Sunrise Sky Park.

I also hand delivered to Ms. Moncrief an application for amendment form to correct the point of diversion prior to licensing.

RECEIVED
AUG 08 1995

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 28, 1995

NOTICE OF INTENT TO VOID PERMIT

LAURI E MONCRIEF
HC 79 BOX 102A
MELBA ID 83641

RE: Permit No. 02-07276H

Dear Permit Holder(s):

In June of 1994, an employee of the department conducted a field inspection of the above referenced permit. The department is now reviewing the examination to determine whether or not the right can be licensed.

To perfect a water right an individual must divert the water and also apply it to a beneficial use. While the field examiner found that you have an irrigation diversion system in place, the water did not appear to be applied to a beneficial use. The particular lot represented by the above permit had no lawn or garden associated with a building. There was no evidence to the department's examiner that stock grazing had occurred on this lot, nor was there evidence that any crop harvesting had taken place.

The department will delay action for 30 days to allow you to submit any evidence you may have to show that water has in fact been beneficially used under this permit. Please bear in mind that your evidence must indicate a beneficial use prior to February 22, 1993, the date you indicated to the department that your development was completed. If such evidence is not submitted, the department may void the permit.

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

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

SWK:rl

RECEIVED
AUG 08 1995

Lot 2 Blk 1

Form 219
6/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 12 1995
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 02-7276H

1. Owner: MONCRIEF, LAURI E Phone No. 208-495-1101

Current Address: HC 79 Box 102A Melba ID 83641

2. Accompanied by: owner EXAM DATE: 6/20/94

Address: Phone No.

Relationship to Permit Holder:

3. Source: Snake River tributary to Columbia River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Splits of 02-7276 & 57-7236, 57-7596, 7600

2. Other water rights with the same point of diversion: above

C. DIVERSION AND DELIVERY SYSTEM

1. **Point(s) of Diversion:**

Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	2		NE	SW	16	1N	3W	Owyhee	Lot 3 Blk 1

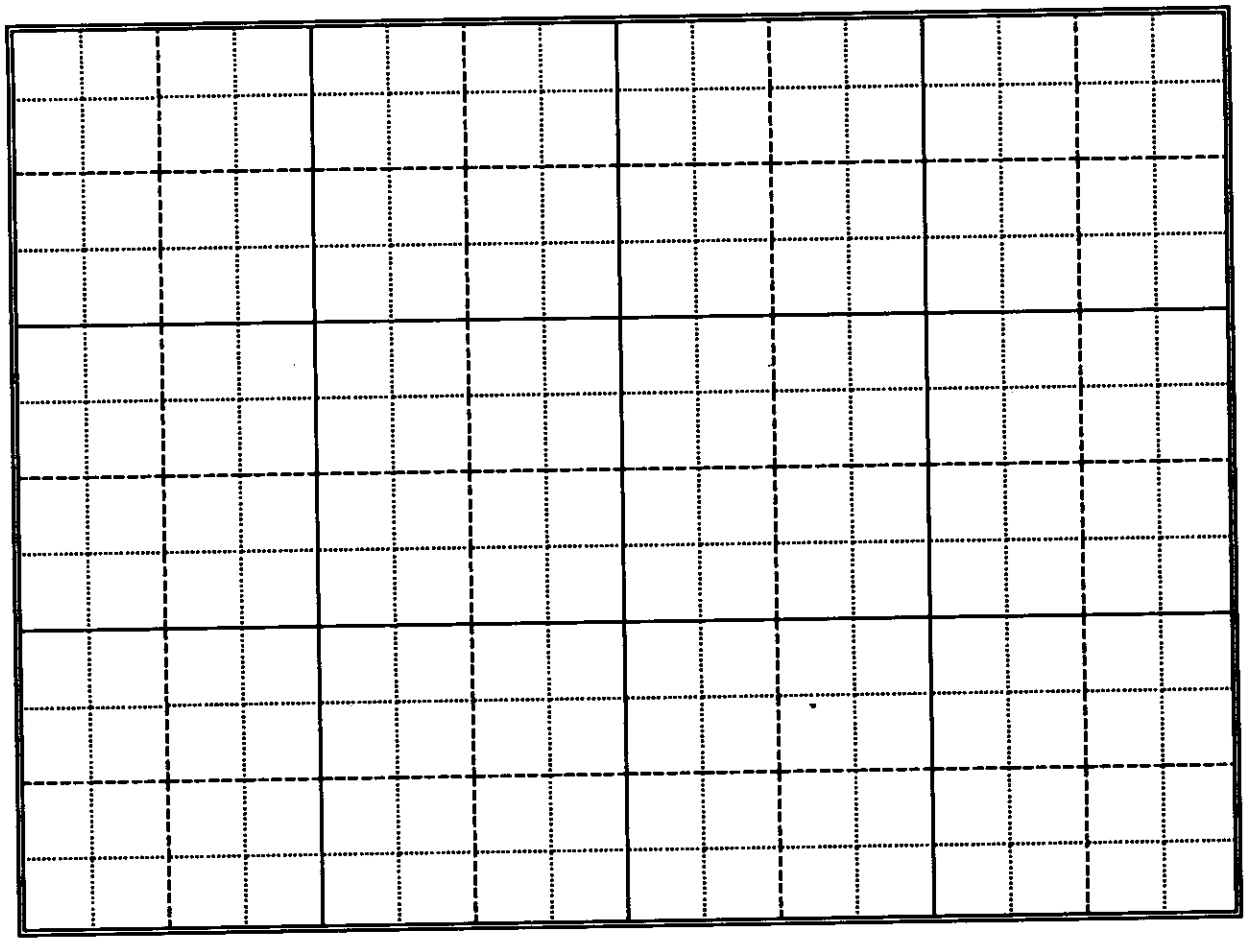
2. **Place(s) of Use:** Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	3W	16										1.5							1.5
												2.2							

MISPLACED

JUL 19 1995

3. **Delivery System Diagram**: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____.

____ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Emerson	2		Red Jacket	2"

Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. **Measurements:** Discharge Pressure

[redacted]

JUL 19 1995

E. NARRATIVE/REMARKS/COMMENTS

Same P/D as for lot 3 (under part. U (formerly S))

20 heads, 1/8" all run at once ~35 psi at discharge

has been seeded to tall (93) fescue, did not take & was re-seeded this year (94)

P/D = Lot 3 Blk 1 Sunrise Sky Park
P/U = Lot 2 Blk 1 Sunrise Sky Park

Overlaps do not affect permit, except [redacted] 02-72764 (formerly S) shared P/D.

For additional information and license conditions see memo to file.

Have conditions of permit approval been met? ✓ yes ___ no

RECEIVED

JUL 19 1995

F. FLOW CALCULATIONS

____ Additional Computation Sheets Attached

Measured Method:

* 20, 1/8" nozzles @ 35 psi = 2.77 gpm ea
20 x 2.77 = 55.4 gpm = .12 cfs

HP equation:

$\frac{2 \times 8.8 \times .7}{10 + (35 \times 2.31)} = .14$ cfs

G. VOLUME CALCULATIONS

allow .03 per permit

1. Volume Calculations for Irrigation:

$V_{I.R}$ = (Acres Irrigated) x (Irrigation Requirement) = 1.5 x 4.5 = 6.8

$V_{D.R}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = .03 x 246 x 1.9835 = 14.6

V = Smaller of $V_{I.R}$ and $V_{D.R}$ = 6.8

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
IRR	3/15	11/15	.03	6.8
		Totals:	.03	6.8

2. Recommended Amendments

* ___ Change P.D. as reflected above
___ Change P.U. as reflected above
\ Add P.D. as reflected above
___ Add P.U. as reflected above
___ None
___ Other

I. AUTHENTICATION

Field Examiner's Name Cindy J Hodges Date 12/9/94

Reviewer _____ Date _____

See attached memo. BC

SEAL

JUL 19 1995

MEMORANDUM

TO: File 02-07276H / Lauri Moncrief

FROM: Brenda Chapman

DATE: June 16, 1995

RE: Recommendation Adjustment(s)

==========

The final licensing recommendations for the above referenced water right are based on the information below:

F. FLOW CALCULATIONS

Since this point of diversion is shared with 02-07276U, the recommended capacity should be uniform. Part U's system runs at a lower psi making the capacity .01 cfs higher (.15 cfs) than when this permit's system runs at 35 psi or .14 cfs.

H. RECOMMENDATIONS

2. Recommended Amendments

☐ Change P.D.	☐ Add P.D.	☒ None
☐ Change P.U.	☐ Add P.U.	☐ Other

The exam confirms a point of diversion was deleted rather than added. (listed on or near a section line between two ¼¼'s on the permit - one of those ¼¼'s were deleted)

RECEIVED
JUL 19 1995

MEMORANDUM

TO: File Nos. 02-07276 Splits D-T

FROM: Cindy Hodges

RE: B/U Examination General Information and Recommended License Conditions

GENERAL HISTORY

Permit 02-07276 was originally issued to Givens Hot Springs, for the irrigation of 100 acres. It was split early on into A, B, and C, with part C, the majority of the permit, awarded to Lester Moncrief. Parts A and B have lapsed. Part C was subsequently assigned and split on several occasions into the current parts D through T (F and N retired during split re-apportionments). Each assignment reflected the subdivision and sale of mostly riverfront lots within Sunrise Skypark, developed by Mr. Moncrief. Assignments awarded the permitted rate of 0.02 cfs per acre for lot sizes of 0.5 to 1.5 acres. At this time, Mr. Moncrief retains the balance of the permit, which has been labeled part S.

Most assignments were made in late 1992 or early 1993. Proof was due March 1, 1993, and very little beneficial use had occurred under this permit. Yet, very few new property owners were aware of the implications of the pending proof due date. According to sales agreements, each new landowner was to develop a separate system for irrigation. As many new landowners lived out of state, this would have been largely impossible and meant that many portions of the permit would have forfeited.

One of the earliest assignees came to my office quite concerned that the water right which he and many others had been promised was in jeopardy. We reviewed the file and found that, although one extension of time had already been granted to Mr. Moncrief, an additional 8 months time might be permissible based on the total time lapsed during Swan Falls litigation. This assignee requested and received the additional 8 months extension, which advanced proof due date to November 1, 1993. He lived on-site and was able to develop his system during summer 1993.

Other assignees were not so fortunate. They confronted Mr. Moncrief and were assisted in working with IDWR to obtain the additional extensions. Then, Mr. Moncrief and his staff developed and operated systems during the 1993 irrigation season for all absentee landowners, so that no assigned portion of the permit would lapse. All proofs were filed by the November 1 due date. Due to all the extenuating circumstances, Western was directed to conduct these field examinations as early as possible in 1994.

JUL 19 1995

BENEFICIAL USE EXAMINATIONS

At the time of the field examination(s) in June of 1994, we found a large array of conditions present under the various portions of this permit. All systems were in place and were being operated, either by on-site owners or by Moncrief. All lands under irrigation had been cultivated and planted, either to lawn or to mixed grasses, but with varying degrees of success. As could be expected, those lots with on-site owners had well-established lawns and obvious beneficial use. Other lots had irregular vegetation establishment and questionable beneficial use, even though regular irrigation appeared to be occurring. After visits with Mr. Moncrief and some residents, I was convinced that this was due in large part to high alkalinity in some areas which required continued soil enhancement to support any vegetation. Much seed sowed in 1993 simply failed to germinate. In fact, alkaline patches were visible in most lots and 1994 re-seeding attempts were also apparent.

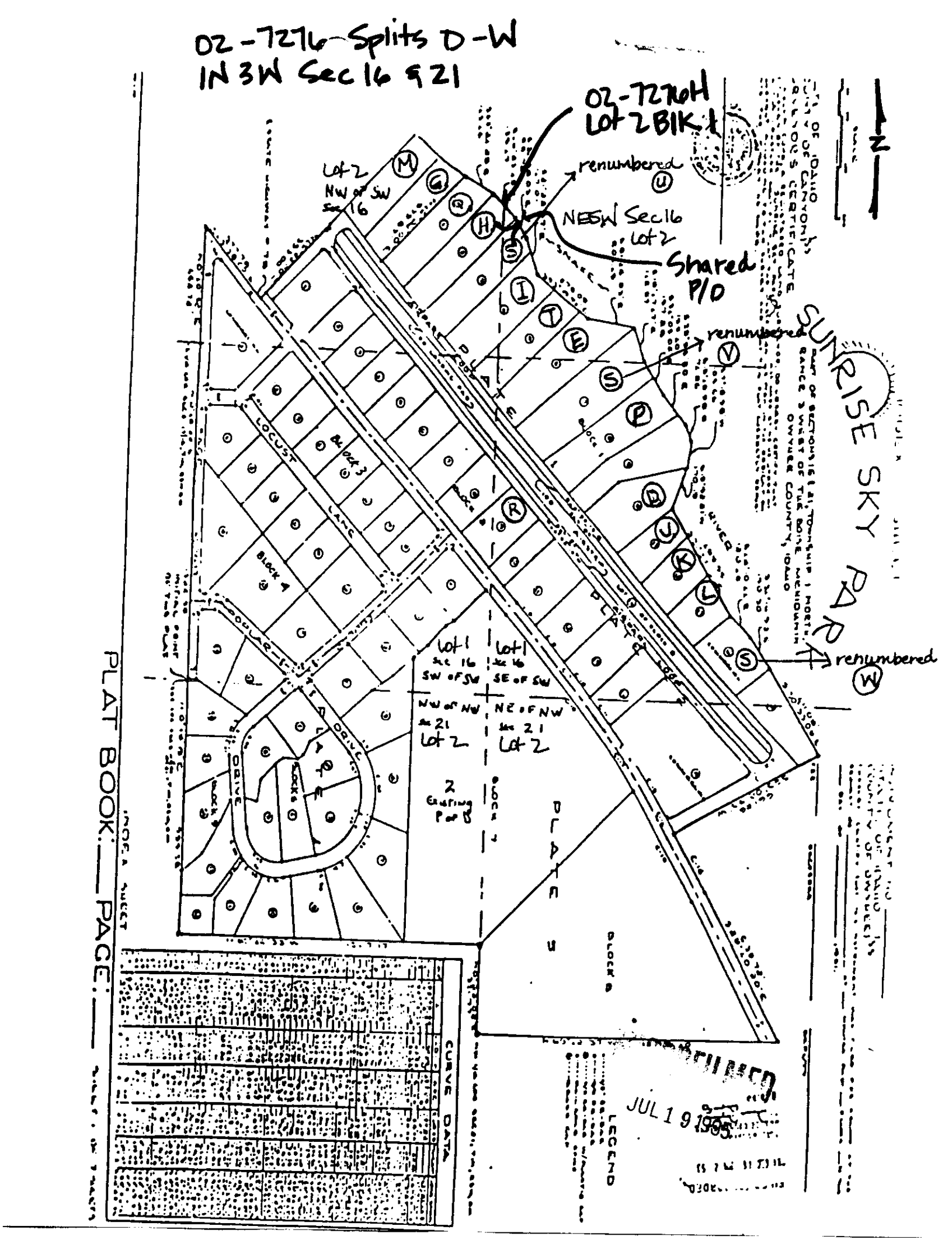
Those lots not receiving the intensive care of an on-site owner had poorer stands of vegetation. However, genuine beneficial use has occurred at all sites. It would not be equitable to penalize off-site owners, since a significant effort has been made in their behalf to apply water to beneficial use and thus protect the permits. All portions of the permit will be recommended to the extent of development found.

LICENSING TERMS AND CONDITIONS

Permitted rate of flow is 0.02 cfs/acre. Most splits were assigned at a total rate of about 0.02 cfs. Each of these systems is capable of delivering at least this amount; many are oversized and can deliver much more. To avoid the potential for over-appropriation which will occur if all systems are operating at once, I suggest a specific licensing condition which requires operation on a rotational basis, so that no more than a certain number of systems are diverting at any one time. I discussed this concept with Mr. Moncrief and others. They agreed that this could be accomplished within the subdivision through the establishment of an irrigation schedule.

The first two split recipients, D and E, filed permit amendments immediately after assignment to add points of diversion unique to their portions. Because of time constraints, this exercise was generally not possible for all other split portions. Therefore, all others were treated as changes occurring within the development period, to be handled through licensing amendments. Portion S, held by Mr. Moncrief, was used to develop Mr. Moncrief's residence lot and two lots used as common area. These three systems are separate. Therefore, portion S will be recommended to be split into the next three available suffixes: U, V, and W. The balance of portion S was not developed.

JUL 19 1995


02-7276-Splits D-W
IN 3W Sec 16 & 21
02-7276H
Lot 2 Blk 1
renumbered U
NE SW Sec 16
Lot 2
Shared P/O
renumbered V
renumbered W
SUNRISE SKY PARK
Lot 2
NW of SW
Sec 16
Lot 1
Sec 16
SW of SW
Lot 1
Sec 16
SE of SW
NW of NW
Sec 21
Lot 2
NE of NW
Sec 21
Lot 2
LOCUST LANE
PRIVATE
DRIVE
Block 3
Block 4
Block 5
Block 6
Block 8
Block 9
Block 10
2 Existing Plots
CURVE DATA
LEGEND
PLAT BOOK ___ PAGE ___
FILED
JUL 19 1995

02-7276H

P/b – See 02-7276S file (Shared w/ recommended part u. – Lot 3)



P/u
Lot 2 Blk 1

JUL 19 1995

March 5, 1993

LAURI E MONCRIEF
HC 79 BOX 102A
MELBA ID 83641

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 02-07276H

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

MICROFILMED
APR 05 1993

December 31, 1992

LAURI E MONCRIEF
HC 79 BOX 102A
MELBA ID 83641

PROOF DUE NOTICE

RE: PERMIT NO. 02-07276H

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before March 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

RECEIVED
APR 05 1993

CERTIFIED MAIL
NO. 139771

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 29, 1992

LAURI E MONCRIEF
HC 79 BOX 102A
MELBA ID 83641

Re: Permit No. 02-07276H

Dear Permit Holder(s):

We acknowledge receipt of the correspondence transferring ownership of a portion of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

BRENDA L. MILLER
Water Resource Agent

BLM:cz

MICROFILMED
SEP 09 1992

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 3, 1995

ROBERT W DAWSON
MARILYN M DAWSON
HC 79 BOX 102D
MELBA ID 83641

RE: WATER RIGHT NO. 02-07276G

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley Watte Keen

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

MICROFILMED

JUL 19 1995

Lot 2 Sunrise Addition

Form 219
6/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 12 1995
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 02-72766

1. Owner: DAWSON, Robert W s/or MarilynM Phone No. ~~495-2236~~ 495-2236

Current Address: HC 79 Box 102D Melba ID 83641

2. Accompanied by: owner EXAM DATE: 6/20/94

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Snake River tributary to Columbia R

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Splits of 02-72766, 57-7236, 57-7596, 7600

2. Other water rights with the same point of diversion: above

C. DIVERSION AND DELIVERY SYSTEM

1. **Point(s) of Diversion:**

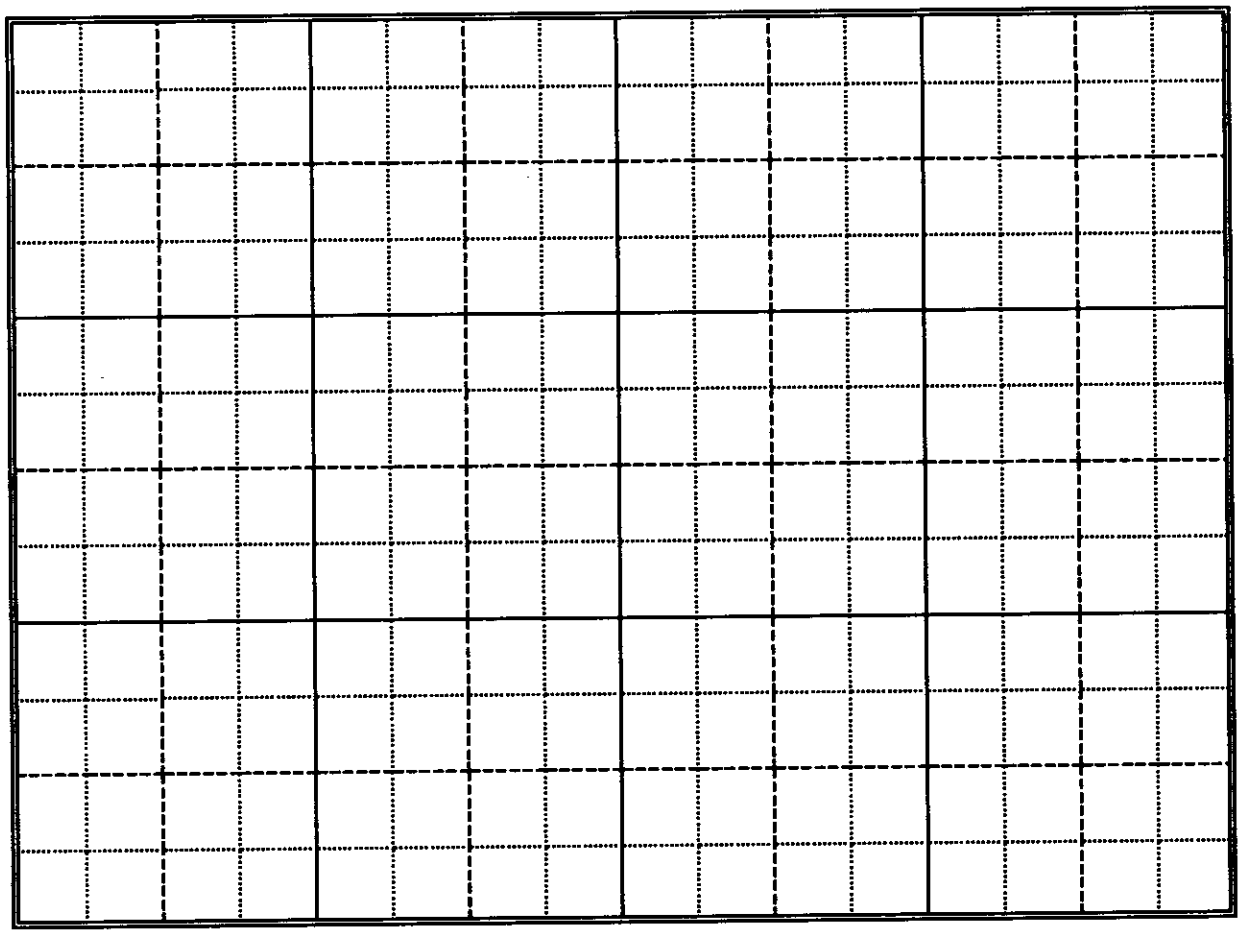
Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	2		NW	SW	16	1N	3W	Owyhee	Plat Map Site Visit

2. **Place(s) of Use:** Indicate Method of Determination Above

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	3W	16										.8							.8
												L.2							
															Mmmm				

JUL 19 1995

3. **Delivery System Diagram**: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____.

___ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

___ Aerial Photo Attached (required for irrigation of 10+ acres)

___ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	GE	2	NFJ		1½

Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. **Measurements:** Discharge pressure

RECEIVED

JUL 10 1995

E. NARRATIVE/REMARKS/COMMENTS

3 sets, pop-up impact (lawn genie) sprinklers 20 psi, 16 in operating set. also uses fountain type pop-ups in other sets. 1/8" nozzle? ≈1.5 gpm/min, per box

approx 3/4 ac total irrigation. Lot size ~ 1.1 acre.

P/D & P/U = Lot 2, Sunrise Addition, Sunrise Skypark

Overlaps do not affect permit.

For additional info, and license conditions see memo to file.

Have conditions of permit approval been met? \ yes ___ no

JUL 19 1995

F. FLOW CALCULATIONS ____ Additional Computation Sheets Attached

Measured Method:

1.5 gpm x 16 heads = 24 gpm = .05 cfs

HP equation:

$\frac{2 \times 8.8 \times .7}{10 + (20 \times 2.31)} = .2$ cfs

(may be operating valved down)

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

allow .02 cfs (for portion of 1 acre)

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = .8 x 4.5 = 3.6 AFA

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = .02 x 246 x 1.9835 = 9.8 AFA

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 3.6

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
IRR	3/15	11/15	.02	3.6
		Totals:	.02	3.6

2. Recommended Amendments

___ Change P.D. as reflected above ___ Add P.D. as reflected above ___ None

___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

I. AUTHENTICATION

Field Examiner's Name Cindy J Hodges Date 12/12/94

Reviewer _____ Date _____

SEAL

JUL 19 1995

MEMORANDUM

TO: File 02-07276G / Robert Dawson

FROM: Brenda Chapman

DATE: June 19, 1995

RE: Recommendation Adjustment(s)

==========

The final licensing recommendations for the above referenced water right are based on the information below:

H. RECOMMENDATIONS

2. Recommended Amendments

☐ Change P.D.	☐ Add P.D.	☒ None
☐ Change P.U.	☐ Add P.U.	☐ Other

The exam confirms an additional point of diversion has not been added; therefore, an amendment is not necessary.

MICROFILMED

JUL 19 1995

MEMORANDUM

TO: File Nos. 02-07276 Splits D-T

FROM: Cindy Hodges

RE: B/U Examination General Information and Recommended License Conditions

GENERAL HISTORY

Permit 02-07276 was originally issued to Givens Hot Springs, for the irrigation of 100 acres. It was split early on into A, B, and C, with part C, the majority of the permit, awarded to Lester Moncrief. Parts A and B have lapsed. Part C was subsequently assigned and split on several occasions into the current parts D through T (F and N retired during split re-apportionments). Each assignment reflected the subdivision and sale of mostly riverfront lots within Sunrise Skypark, developed by Mr. Moncrief. Assignments awarded the permitted rate of 0.02 cfs per acre for lot sizes of 0.5 to 1.5 acres. At this time, Mr. Moncrief retains the balance of the permit, which has been labeled part S.

Most assignments were made in late 1992 or early 1993. Proof was due March 1, 1993, and very little beneficial use had occurred under this permit. Yet, very few new property owners were aware of the implications of the pending proof due date. According to sales agreements, each new landowner was to develop a separate system for irrigation. As many new landowners lived out of state, this would have been largely impossible and meant that many portions of the permit would have forfeited.

One of the earliest assignees came to my office quite concerned that the water right which he and many others had been promised was in jeopardy. We reviewed the file and found that, although one extension of time had already been granted to Mr. Moncrief, an additional 8 months time might be permissible based on the total time lapsed during Swan Falls litigation. This assignee requested and received the additional 8 months extension, which advanced proof due date to November 1, 1993. He lived on-site and was able to develop his system during summer 1993.

Other assignees were not so fortunate. They confronted Mr. Moncrief and were assisted in working with IDWR to obtain the additional extensions. Then, Mr. Moncrief and his staff developed and operated systems during the 1993 irrigation season for all absentee landowners, so that no assigned portion of the permit would lapse. All proofs were filed by the November 1 due date. Due to all the extenuating circumstances, Western was directed to conduct these field examinations as early as possible in 1994.

JUL 19 1995

BENEFICIAL USE EXAMINATIONS

At the time of the field examination(s) in June of 1994, we found a large array of conditions present under the various portions of this permit. All systems were in place and were being operated, either by on-site owners or by Moncrief. All lands under irrigation had been cultivated and planted, either to lawn or to mixed grasses, but with varying degrees of success. As could be expected, those lots with on-site owners had well-established lawns and obvious beneficial use. Other lots had irregular vegetation establishment and questionable beneficial use, even though regular irrigation appeared to be occurring. After visits with Mr. Moncrief and some residents, I was convinced that this was due in large part to high alkalinity in some areas which required continued soil enhancement to support any vegetation. Much seed sowed in 1993 simply failed to germinate. In fact, alkaline patches were visible in most lots and 1994 re-seeding attempts were also apparent.

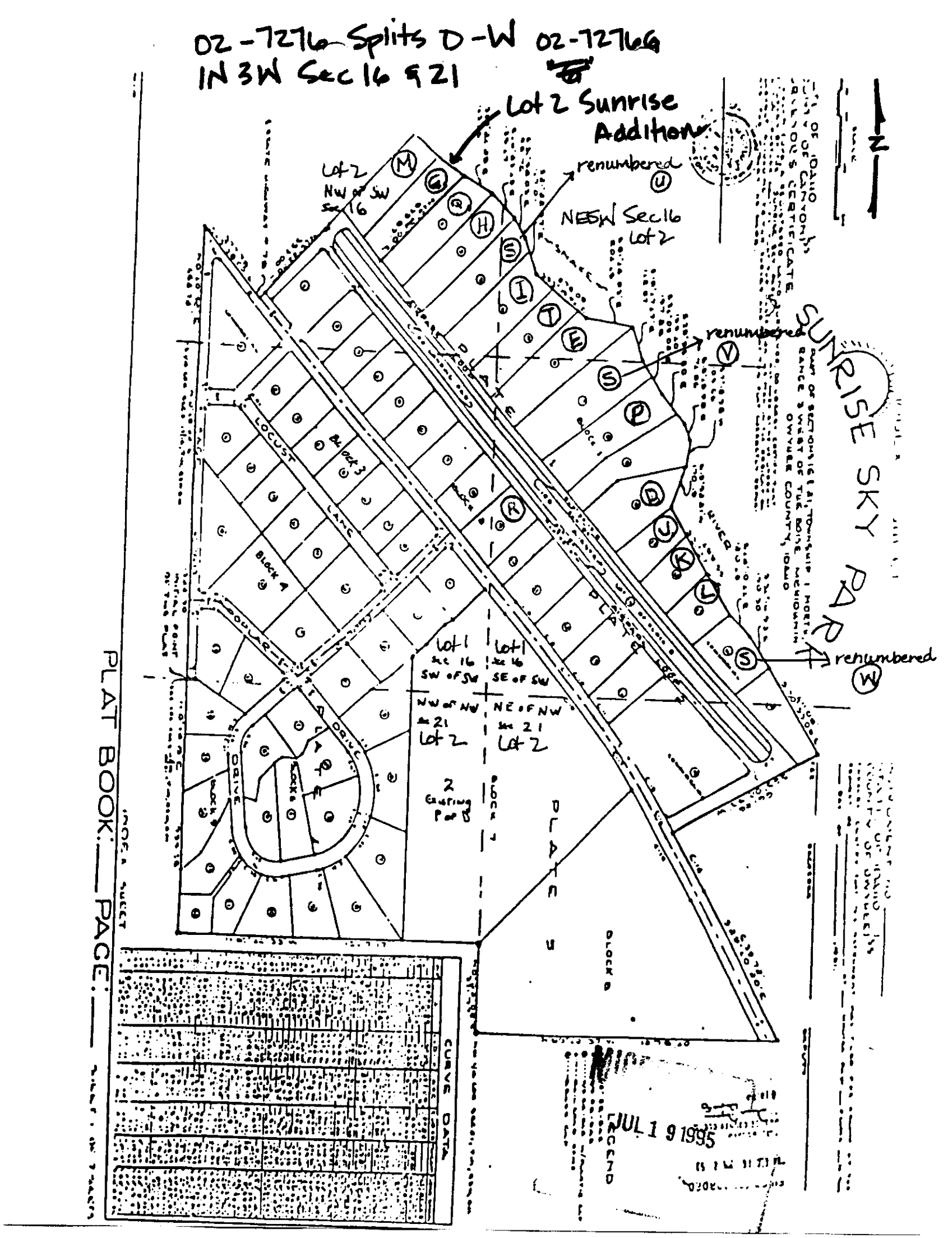
Those lots not receiving the intensive care of an on-site owner had poorer stands of vegetation. However, genuine beneficial use has occurred at all sites. It would not be equitable to penalize off-site owners, since a significant effort has been made in their behalf to apply water to beneficial use and thus protect the permits. All portions of the permit will be recommended to the extent of development found.

LICENSING TERMS AND CONDITIONS

Permitted rate of flow is 0.02 cfs/acre. Most splits were assigned at a total rate of about 0.02 cfs. Each of these systems is capable of delivering at least this amount; many are oversized and can deliver much more. To avoid the potential for over-appropriation which will occur if all systems are operating at once, I suggest a specific licensing condition which requires operation on a rotational basis, so that no more than a certain number of systems are diverting at any one time. I discussed this concept with Mr. Moncrief and others. They agreed that this could be accomplished within the subdivision through the establishment of an irrigation schedule.

The first two split recipients, D and E, filed permit amendments immediately after assignment to add points of diversion unique to their portions. Because of time constraints, this exercise was generally not possible for all other split portions. Therefore, all others were treated as changes occurring within the development period, to be handled through licensing amendments. Portion S, held by Mr. Moncrief, was used to develop Mr. Moncrief's residence lot and two lots used as common area. These three systems are separate. Therefore, portion S will be recommended to be split into the next three available suffixes: U, V and W. The balance of portion S was not developed.

JUL 19 1995


02-7276 Splits D-W 02-7276G
IN 3W Sec 16 & 21
Lot 2 Sunrise Addition
renumbered U
NE SW Sec 16 Lot 2
renumbered V
renumbered W
SUNRISE SKY PARK
Lot 2 NW of SW Sec 16
Lot 1 Sec 16 SW of SW
Lot 1 Sec 16 SE of SW
NW of NW Sec 21 Lot 2
NE of NW Sec 21 Lot 2
2 Existing Parcels
LOCUST LANE
BLOCK A
BLOCK B
BLOCK C
BLOCK D
CURVE DATA
PLAT BOOK ____ PAGE ____
JUL 19 1995
RECD

02-7276 G



P/D



P/U

JUL 1 9 1995

March 5, 1993

ROBERT W DAWSON
MARILYN M DAWSON
HC 79 BOX 102D
MELBA ID 83641

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 02-07276G

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

APR 05 1993

December 31, 1992

ROBERT W DAWSON
MARILYN M DAWSON
HC 79 BOX 102D
MELBA ID 83641

RE: PERMIT NO. 02-07276G

PROOF DUE NOTICE

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before March 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

CERTIFIED MAIL
NO. 139770

RECEIVED
APR 05 1993

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

July 29, 1992

ROBERT W DAWSON
MARILYN M DAWSON
HC 79 BOX 102D
MELBA ID 83641

Re: Permit No. 02-07276G

Dear Permit Holder(s):

We acknowledge receipt of the correspondence transferring ownership of a portion of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

BRENDA L. MILLER
Water Resource Agent

BLM:cz

FILMED
SEP 09 1992

LESTER J MONCRIEF
HC 79 BOX 102A
MELBA ID 83641

December 31, 1992

RE: PERMIT NO. 02-07276F PROOF DUE NOTICE

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before March 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

CERTIFIED MAIL
NO. 139769

MICROFILMED
APR 05 1993

MEMORANDUM

To: File 02-7276 (Moncrief portion of permit)

From: L. Glen Saxton

RE: DEVELOPMENT PERIOD - FUTURE TIME EXTENSIONS

Date: November 17, 1992

I reviewed this file with respect to extensions of time which the department has issued in the past. We have granted the one extension we can grant based on due diligence and we have granted time for the delay periods associated with litigation including Swan Falls related delays.

When proof is due on the major portion of this permit owned by Lester Moncrief (part F in the amount of 1.63 cfs) on March 1, 1993, the department can not grant another extension of time unless there has been litigation within the last development period (from March 1, 1989 to March 1, 1993) which has prevented development.

RECEIVED
DEC 08 1992

July 29, 1992

LESTER J MONCRIEF
HC 79 BOX 102A
MELBA ID 83641

RE: Permit Nos. 02-072276F and 57-07236L

Dear Mr. Moncrief:

Please note that through the assignment process, your portion of the original Permit No. 02-07276 is now Permit No. 02-07276F; and your portion of the original Permit No. 57-07236 is now Permit 57-072336L.

In future reference, please use Permit Nos. 02-07276F and 57-07236L.

If you have any questions or we can be of assistance, please feel free to call our offices.

Sincerely,

CINDY ZIMMERMAN
Clerical Specialist

MICROFILMED
SEP 09 1992

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 7, 1995

WILLIAM C JONES
MADELINE S JONES
HC 79 BOX 102J
MELBA ID 83641

RE: WATER RIGHT NO. 02-07276E

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

Enclosure

MICROFILMED
AUG 0 8 1995

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 28, 1995

WILLIAM C JONES
MADELINE S JONES
HC 79 BOX 102J
MELBA ID 83641

RE: WATER RIGHT NO. 02-07276E

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the place(s) of use description. Please review carefully and if you concur, sign the amendment and return with the $50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley Watter Keen

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

MICROFILMED

AUG 0 8 1995

Form 219
6/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 12 1995
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 02-7276E

1. Owner: JONES, William C &/or Madeline S. Phone No. 495-2337

Current Address: HC 79 Box 102 J Melba ID 83641

2. Accompanied by: Bill Jones EXAM DATE: 6/20/94

Address: _____ Phone No. _____

Relationship to Permit Holder: _____

3. Source: Snake River tributary to Columbia River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Splits of 02-7276 & 57-7236, 57-7596, 57-7600

2. Other water rights with the same point of diversion: Above

C. DIVERSION AND DELIVERY SYSTEM

1. **Point(s) of Diversion:**

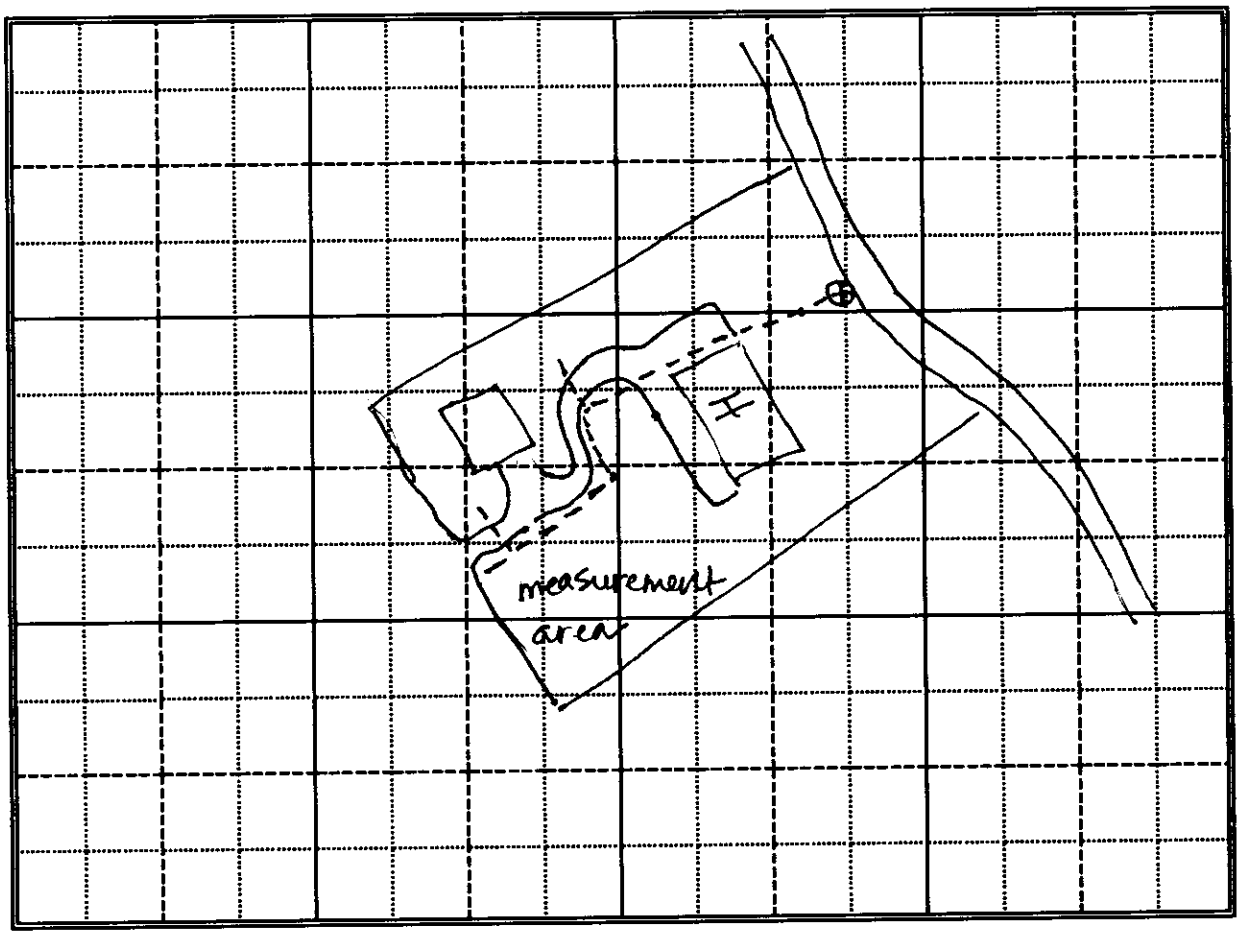
Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	2		NE	SW	16	1N	3W	Owyhee	Stevist, Plat Map

2. **Place(s) of Use:** Indicate Method of Determination _____

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	3W	16									.5			1					1.5
											1.2			1.1					

MODIFIED MAP
JUL 19 1995

3. **Delivery System Diagram**: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = NTS

\ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

___ Aerial Photo Attached (required for irrigation of 10+ acres)

\ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Sta-Rite	2.5	1093	Sta-Rite	1.5

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. **Measurements:** Discharge Pressure

JUL 19 1995

E. NARRATIVE/REMARKS/COMMENTS

Irrigates 1.5 ac with combination rainbird & Hunter Solid set, manual sets 50 PSI at pump at discharge, 30psi, mixed heads mostly 5/32"

P/D & P/U Lot 6, Blk 1 Sunrise Skypark

Overlaps are separate P/D & P/U under 02-7236. Others are different source and use. 57-7596 used for domestic/heat on this P/U, groundwater source.

See memo for additional information and licensing conditions.

Note: Strike geothermal condition. Not applicable.

Have conditions of permit approval been met? \ yes ___ no

RECEIVED
JUL 19 1995

F. FLOW CALCULATIONS discharge pressure ____ Additional Computation Sheets Attached

Measured Method:

5/32" Nozzle @ 30 psi = 4.01 gpm

12 heads/set @ 4.01 = 48.12 gpm = .10 cfs

Check: $\frac{2.5 \times 8.8 \times .7}{(50 \times 2.31)} = .13$ cfs

pump pressure

limit to .03, permit maximum

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = 1.5 x 4.5 = 6.75 = 6.8

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = .03 x 246 x 1.9835 = 14.6

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 6.8

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
IRR	3/15	11/15	.03	6.8
		Totals:	.03	6.8

2. Recommended Amendments

___ Change P.D. as reflected above ___ Add P.D. as reflected above ___ None

___ Change P.U. as reflected above ✓ Add P.U. as reflected above ___ Other

I. AUTHENTICATION

Field Examiner's Name Cindy J Hodges Date 12/4/94

Reviewer _____ Date _____

SEAL

RECEIVED

JUL 19 1995

MEMORANDUM

TO: File Nos. 02-07276 Splits D-T

FROM: Cindy Hodges

RE: B/U Examination General Information and Recommended License Conditions

GENERAL HISTORY

Permit 02-07276 was originally issued to Givens Hot Springs, for the irrigation of 100 acres. It was split early on into A, B, and C, with part C, the majority of the permit, awarded to Lester Moncrief. Parts A and B have lapsed. Part C was subsequently assigned and split on several occasions into the current parts D through T (F and N retired during split re-apportionments). Each assignment reflected the subdivision and sale of mostly riverfront lots within Sunrise Skypark, developed by Mr. Moncrief. Assignments awarded the permitted rate of 0.02 cfs per acre for lot sizes of 0.5 to 1.5 acres. At this time, Mr. Moncrief retains the balance of the permit, which has been labeled part S.

Most assignments were made in late 1992 or early 1993. Proof was due March 1, 1993, and very little beneficial use had occurred under this permit. Yet, very few new property owners were aware of the implications of the pending proof due date. According to sales agreements, each new landowner was to develop a separate system for irrigation. As many new landowners lived out of state, this would have been largely impossible and meant that many portions of the permit would have forfeited.

One of the earliest assignees came to my office quite concerned that the water right which he and many others had been promised was in jeopardy. We reviewed the file and found that, although one extension of time had already been granted to Mr. Moncrief, an additional 8 months time might be permissible based on the total time lapsed during Swan Falls litigation. This assignee requested and received the additional 8 months extension, which advanced proof due date to November 1, 1993. He lived on-site and was able to develop his system during summer 1993.

Other assignees were not so fortunate. They confronted Mr. Moncrief and were assisted in working with IDWR to obtain the additional extensions. Then, Mr. Moncrief and his staff developed and operated systems during the 1993 irrigation season for all absentee landowners, so that no assigned portion of the permit would lapse. All proofs were filed by the November 1 due date. Due to all the extenuating circumstances, Western was directed to conduct these field examinations as early as possible in 1994.

JUL 19 1995

BENEFICIAL USE EXAMINATIONS

At the time of the field examination(s) in June of 1994, we found a large array of conditions present under the various portions of this permit. All systems were in place and were being operated, either by on-site owners or by Moncrief. All lands under irrigation had been cultivated and planted, either to lawn or to mixed grasses, but with varying degrees of success. As could be expected, those lots with on-site owners had well-established lawns and obvious beneficial use. Other lots had irregular vegetation establishment and questionable beneficial use, even though regular irrigation appeared to be occurring. After visits with Mr. Moncrief and some residents, I was convinced that this was due in large part to high alkalinity in some areas which required continued soil enhancement to support any vegetation. Much seed sowed in 1993 simply failed to germinate. In fact, alkaline patches were visible in most lots and 1994 re-seeding attempts were also apparent.

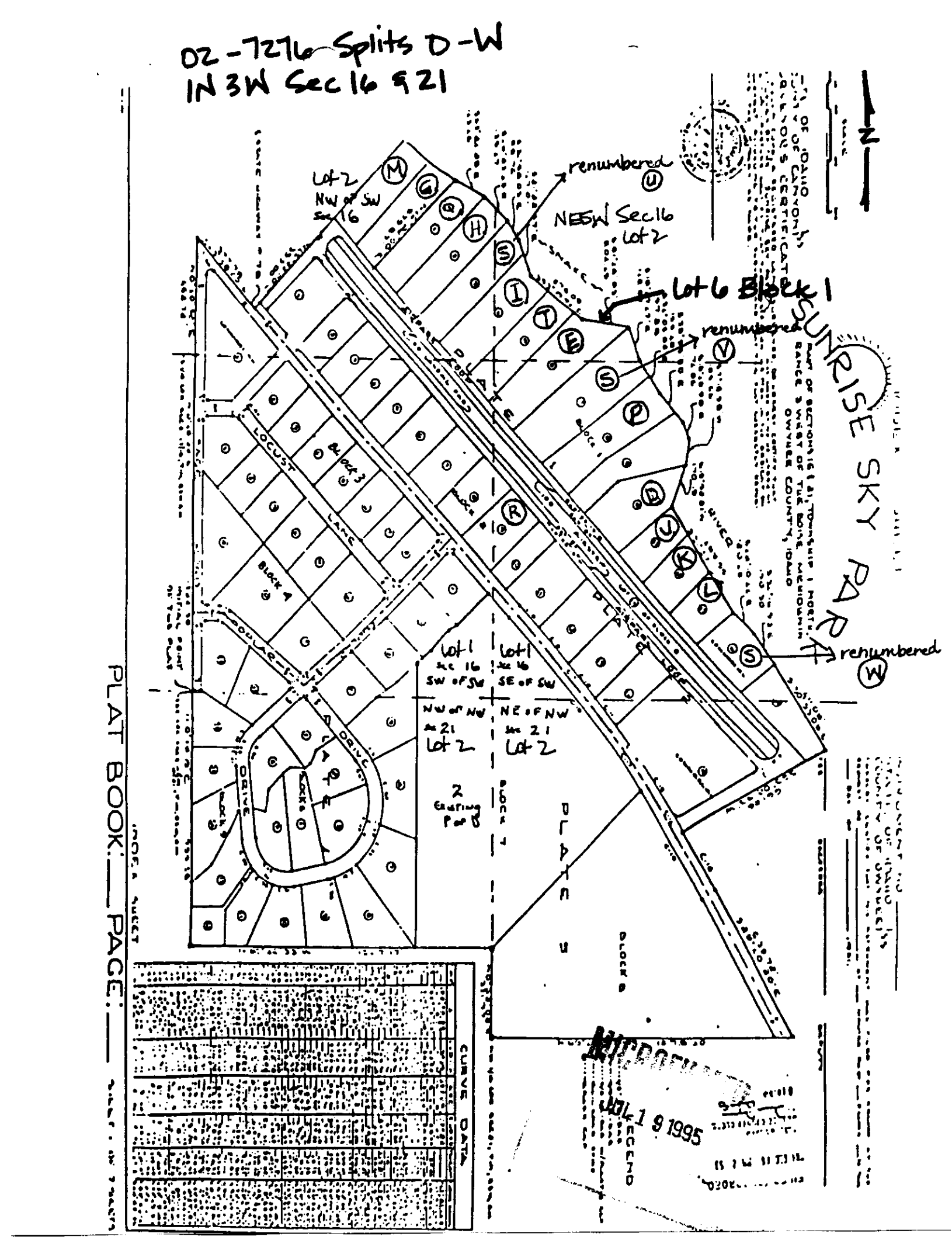
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RECEIVED
JUL 19 1995


02-7276 Splits D-W
IN 3W Sec 16 & 21
SUNRISE SKY PARK
Lot 6 Block 1
renumbered
NE&W Sec 16 Lot 2
Lot 2 NW of SW Sec 16
Lot 1 Sec 16 SW of SW NW of NW Sec 21 Lot 2
Lot 1 Sec 16 SE of SW NE of NW Sec 21 Lot 2
2 Existing Pcls
LOCUST LANE
LA ORIVE
PLAT BOOK ___ PAGE ___
CURVE DATA
RECEIVED
JUL 19 1995


BM
2266

02-01276E



P/D



P/L.
Note alkaline spot in front. Low germination; has been reseeded.

JUL 19 1995

October 22, 1993

WILLIAM C JONES
MADELINE S JONES
~~161 JOAQUIN CIR~~ HC 79, Box 102 J
~~DANVILLE CA 94526~~ Melba, ID 83641

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 02-07276E

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

I note that the permit issued to you by the department requires the installation of a flow measurement port to allow the department to determine the rate of diversion. The proof which you submitted does not show that you have installed this equipment.

The installation of the flow measurement port must be complete by the time the department representative conducts the examination of your system unless the department has rescinded the requirement prior to the field examination. In some cases, the equipment requirement can be rescinded because the equipment cannot be physically installed, is not appropriate or can be accommodated with other measuring methods.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

Karen L. Gustafson
Senior Secretary

c: IDWR - Region

JAN 10 1994

August 31, 1993

WILLIAM C JONES
MADELINE S JONES
HC 79 BOX 102J
MELBA ID 83641

PROOF DUE NOTICE

RE: PERMIT NO. 02-07276E

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before November 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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SINCERELY,

CERTIFIED MAIL
NO. 140499

Karen L. Gustafson
Secretary/Records Manager

Enclosures

JAN 10 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

August 13, 1992

William C. Jones
HC 79 Box 102J
Melba, ID 83641

Re: Permit No. 02-07276E

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to November 1, 1993. Please note that the department has granted this extension based on the Swan Falls litigation. It is important that you work diligently toward the completion of this project during the construction period allowed. The department will not be able to grant additional requests.

If you have any questions or if I can be of any further assistance, please feel free to contact this office.

Sincerely,

Karen L. Gustafson

Karen L. Gustafson
Secretary/Records Manager

Enclosure

C: IDWR-Regional Office

MICROFILMED

SEP 09 1992

MEMORANDUM

March 15, 1989

TO: File 02-7276C

FROM: Rita Fleck

Re: Extension of time

On February 15, 1989, the department received a request for extension of time for this permit as well as 57-7236G. With the extension request, the department received a letter and some exhibits. The exhibits are in file 02-7276.

During 1977 and up to the time Idaho Power Company filed the Swan Falls complaint, there was a moratorium against new power hook-ups. These permits were in the area affected by that moratorium.

Swan Falls dismissal	11-01-84	(10-25-84)
permit approval	- 3-01-79	(2-26-79)
length of delay	8 mo 5 yrs	

Permit construction period to June 1, 1984. First extension approved for five years based on Swan Falls ligitation to March 1, 1989. This second extension requests at least a three-year extension, but preferably five years. I recommend four years to March 1, 1993 based on due diligence.

Later, a third extension based on litigation due to Swan Falls can probably be granted for eight months per the above analysis.

In Mr. Moncreif's letter dated February 13, 1989, he discusses the need for an extension due to "litigation" over ownership of permit and assignments. Since the above-mentioned moratorium and subsequent complaint regarding ownership were concurrent, the department will not grant any additional time for the "litigation" regarding ownerhip.

Form 204
4/85

RECEIVED
FEB 15 1989
Department of Water Resources

For Office Use Only
$15 FEE Received by NF
Date 2/10/89
Receipt # 100555

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

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

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 02-7276-C
57-7236-G

Name(s) of Permit Holder: Lester J. Moncrief

Post Office Address: HC 79 Box 102A
Melba, ID 83641

Telephone No. (208) 495-1101

Date Proof Is Due: Permit #02-7276C March 1, 1989
Permit #57-7236G May 1, 1989

Describe what work has been completed toward the development of this water right: _____
(This must be filled out if no work has been completed, show "none".)

PLEASE SEE ATTACHED SHEETS

Costing $_____

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

PLEASE SEE ATTACHED SHEETS

Permit holder(s) request an extension to March 1, 19 94.
(1 yr. minimum)

Lester J. Moncrief
(Signature)*

FEE: $15.00 X 2 = $30.00 check enclosed

*IF OTHER THAN PERMIT HOLDER, POWER OF ATTORNEY MUST BE SUPPLIED.

ACTION OF THE DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to March 1, 1993.

Signed this 15th day of March, 19 89.

L. Glen Saxton
Chief, Water Allocation Bureau

FILED
SEP 28 1992

RECEIVED
FEB 15 1989
Department of Water Resources

February 13, 1989

Ref: Permit No. 02- 7276-C
Permit No. 57-7236-G

Gentlemen,

In January 1982 the former owner of my property deeded water rights to me (see attached exhibit A). Three months later they submitted to you partial assignments of water rights from these permits to me.

I contested the previous owners authority to apportion these water rights. My documentation proved to me I was the legal owner of the water rights.

Litigation with legal counsel continued through December 1983 when a settlement was reached (exhibit B contains confirming correspondence).

On March 7, 1984 your office informed me that the corrected assignments of the water permits had been entered of record.

A period of two years and two months elapsed that clouded the legal ownership of these water rights because of the above litigation.

In addition to the above litigation, the 1982 Idaho Supreme Court decision in the Idaho State vs Idaho Power case, the subsequent 1985 Idaho Legislative Law ratifying the Swan Falls Agreement, and the resulting Adjudication Proceedings have clouded my water right validity.

We have proceeded diligently with this land development project. $600,000.00 capital and the full time labors of three people for seven years has already been invested in this project.

Because of clouded legal ownership, water development on this project could not be completed. Water development work that has been accomplished is;

Permit No. 02- 7276-C
The original pumping station site that was washed out with high spring runoff in '85 has been rehabilitated and reinforced. A new site has been established, a pump and underground piping has been installed.

Permit No. 57-7236-G
Three low temperature geothermal artesian flow water wells have been drilled and underground piping installed.

RECORDED
FEB 19 1989

I consider the tenure of these water rights valuable and would very much appreciate keeping them valid.

Because of the time lost attributable to the afore mentioned litigations, we request an additional extention of time a minimum of three years, and preferably five years to complete this project.

Sincerely,

Lester J. Moncrief

Lester J. Moncrief

From: DWR80::HODGES -- 17-JUL-1992 10:38:42.49 --
To: DWR03::MILLER
CC: HODGES
Subj: CHANGE OF ADDRESS

See how efficient I am?

On permit #02-07276E, in the name of William Jones, would you please change the address as follows:

HC 79 Box 102J
Melba ID 83641
208-495-2149

The California address is no longer used.
This file is checked out to Karen G. for permit extension review.

Thanks....Cindy

MICROFILMED
FEB 09 1992

June 19, 1992

WILLIAM C JONES
MADELINE S JONES
161 JOAQUIN CIR
DANVILLE CA 94526

RE: Permit No. 02-07276E

Dear Water Right Holder:

Enclosed is a copy of your approved Application for Amendment submitted in connection with the above referenced permit.

If you have any questions concerning this document, please feel free to contact us.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:cz

Enclosure

MICROFILMED
SEP 09 1992

MEMORANDUM

TO: *File 02-07276E*

FROM: *Brenda*

DATE: *June 11, 1992*

RE: *Amendment Conditions*

==========

The Application for Amendment of the above referenced permit is to be approved with the following conditions:

Approved provided the conditions as set for in Permit No. 02-07276 are met.

The water right holder is required to beneficially use the heat in the low temperature geothermal water, as determined by the Director, before using the water for irrigation.

MICROFILMED

SEP 09 1992

4H

May 19, 1992

WILLIAM C JONES
MADELINE S JONES
161 JOAQUIN CIR
DANVILLE CA 94526

RE: Water Right No. 02-07276E

Dear Water Right Holder(s):

Department water right records show that you divert water from the Snake River or its tributaries under a water right that has a priority date later than December 29, 1976. This is the priority of the established minimum stream flow of the Snake River at the Weiser Gage (Weiser) in the amount of 4,750 cubic feet per second.

Because of the continuing drought conditions in the Snake River Basin, department hydrologists project that during 1992, there could be periods when the required minimum flow will not be satisfied due to low flows of the Snake River. The department urges you to not divert at a higher rate than authorized by your water right and to not use your right in any manner different than authorized. In addition, when the minimum flow will not be satisfied or is not being satisfied, you are required to cease diverting water under your water right, because your right is of later priority than the minimum stream flow at Weiser.

If the department determines the minimum flow will not be satisfied, the department will advise you and will provide as much lead time as possible in requiring that you temporarily cease your diversion of water. The greatest likelihood for this to occur is during a period from mid-June to late June.

While the department expects good cooperation from junior water right holders, water users should be aware that Section 42-352, Idaho Code, provides for penalties of up to $100 per day for unauthorized diversions of water.

The department has contacted both the Idaho Power Company and the U.S. Bureau of Reclamation with respect to the timing of storage releases from upstream reservoirs for flow enhancement

RECEIVED
SEP 09 1992

purposes. This type of coordination could minimize the impact on existing water users and reduce the need to curtail diversions.

The department has scheduled public information meetings relative to this potential regulation as follows:

Mountain Home - June 4, 1992 - 10:00 a.m. - gymnasium at North Elementary School, 290 E. 12th N.

Caldwell - June 4, 1992 - 7:00 p.m. - Ballroom in the Student Union Building, Albertson College of Idaho, 2112 Cleveland

If you have questions concerning this letter or wish to provide the name of a different contact person or address to receive department correspondence, please contact the department.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

SEP 09 1992

NOTICE OF (APPLICATION FOR AMENDMENT / AMENDED APPLICATION FOR PERMIT)

Notice is hereby given that (application / permit) No. 02-07276E in the name of William C. &/or Madeline S. Jones was filed on 1/9/1979 for the diversion of .03 cfs from Snake River with a point of diversion within the L.1 (SESW), S.16, T1N, R3W to be used for irrigation purposes from 3/15 to 11/15 within portions of L.1 (SESW), S.16, T1N, R3W, 1.5 acres (AKA L.6, Block 1, Sanders Sky Park Subd.)

The (applicant / permit holder) now proposes to amend the (application / permit) by changing the point of diversion to:

L.2 (NESW), S.16, T1N, R3W.

No change in amount or use of water.

Any protest against the approval of the proposed amendment must be filled with the Department of Water Resources, Statehouse, 450 W. State St., Boise, ID 83720 on or before _____

R. Keith Higginson
Director

Published _____

_____ and _____

MICROFILMED

SEP 09 1992

NOTICE OF APPLICATION FOR AMENDMENT
No. 02-07276E

Notice is hereby given that permit No. 02-07276E in the name of William C. &/or Madeline S. Jones of Danville, California was filed on 1/9/1979 for the diversion of .03 cfs from Snake River with a point of diversion within Lot 1 (SESW) Sec. 16 T1N R3W to be used for irrigation purposes from 3/15 to 11/15 within portions of Lot 1 (SESW) Sec. 16 T1W R3W for 1.5 acres. (Also known as Lot 6, Block 1, Sunrise Sky Park Subdivision).

The permit holder now proposes to amend the permit by changing the point of diversion to Lot 2 (NESW) Sec. 16 T1N R3W. No change in amount or use of water.

Any protest against the approval of the proposed amendment must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before April 20, 1992.

R. Keith Higginson
Director

Published in the Owyhee Avalanche on 4/1 & 4/8/1992

MICROFILMED
SEP 09 1992

March 6, 1992

WILLIAM C JONES
MAKELINE S JONES
161 JOAQUIN CIR
DANVILLE CA 94526

Re: Application for Permit No. 02-07276E

Dear Applicant(s):

We acknowledge receipt of the correspondence transferring ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

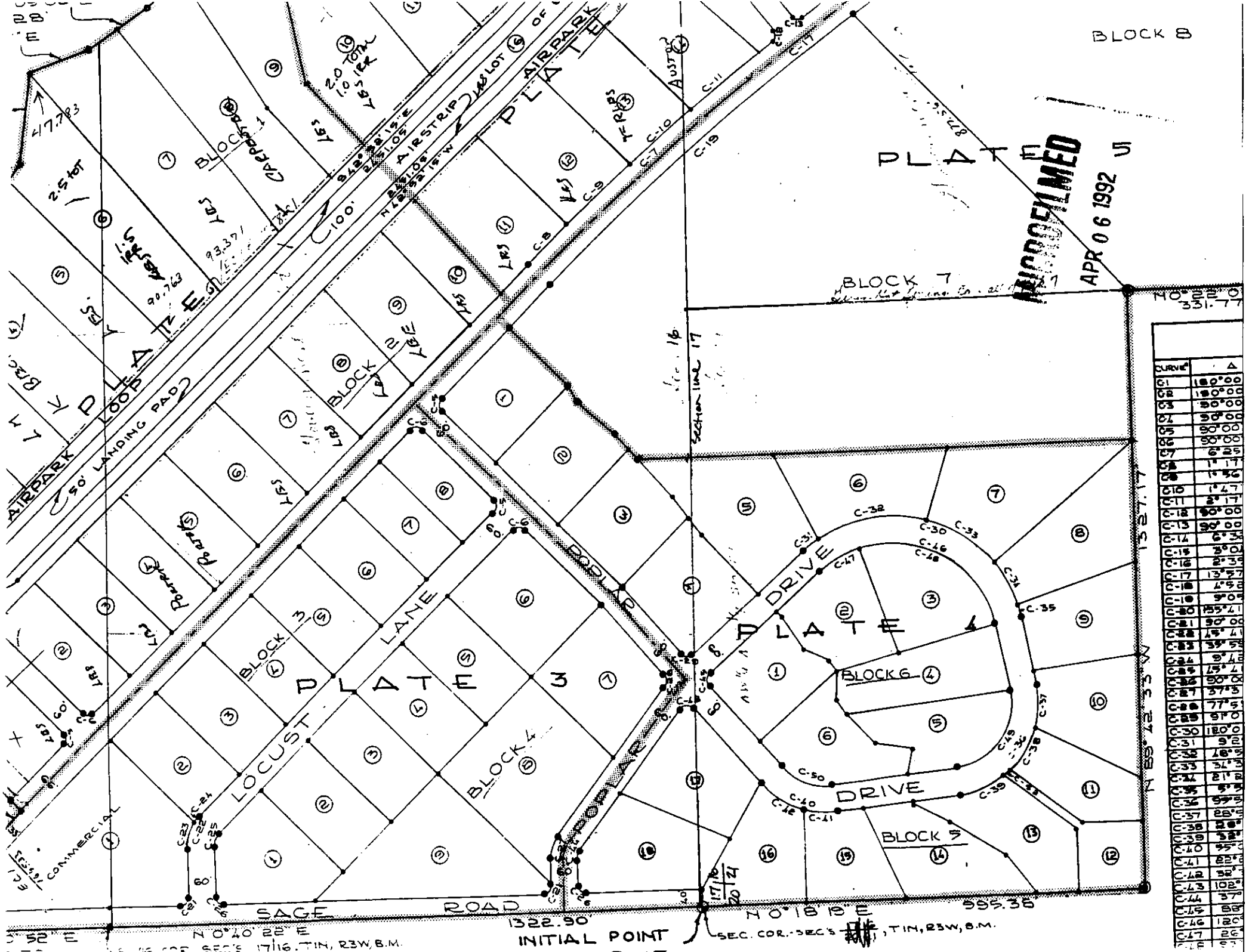
If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

BRENDA L. MILLER
Technical Records Specialist

BLM:clh

MICROFILMED
APR 06 1992


PLAT
BLOCK 8
BLOCK 7
BLOCK 6
BLOCK 5
BLOCK 4
BLOCK 3
BLOCK 2
BLOCK 1
AIRPARK LOOP
50' LANDING PAD
AIRSTRIP
POPLAR LANE
LOCUST LANE
DRIVE
DRIVE
ROAD
SAGE
COMMERCIAL
INITIAL POINT
SEC. COR. SEC'S 17/16, T1N, R3W, B.M.
N 0°40' 22" E
1322.90
N 0°18' 18" E
595.35
N 0°22' 0" E
331.77
APR 06 1992
MICROFILMED


2717
BM
2266
29
1992


MICROFILMED
APR 06 1992

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 3, 1995

ROLAND H POPKEN
LILLY ANN POPKEN
HC 79 BOX 102E
MELBA ID 83641

RE: WATER RIGHT NO. 02-07276D

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley Watte Keen

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED
JUL 19 1995

Form 219
6/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 12 1995
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 02-7276D

1. Owner: POPKEN, ROLAND & LILLY ANN Phone No. 495-2149

Current Address: HC 79 Box 102E MELBA ID 83641

2. Accompanied by: Bill Jones EXAM DATE: 6/20/94

Address: HC 79 Box 102J MELBA Phone No. 495 2337

Relationship to Permit Holder: neighbor

3. Source: Snake River tributary to Columbia

B. OVERLAP REVIEW

1. Other water rights with the same place of use: 02-7276 S, ~~B~~ P, ~~D~~ J, K, L, E & ~~R~~ R

2. Other water rights with the same point of diversion: Above, 57-7236, 57-7600, 57-7596

C. DIVERSION AND DELIVERY SYSTEM

1. **Point(s) of Diversion:**

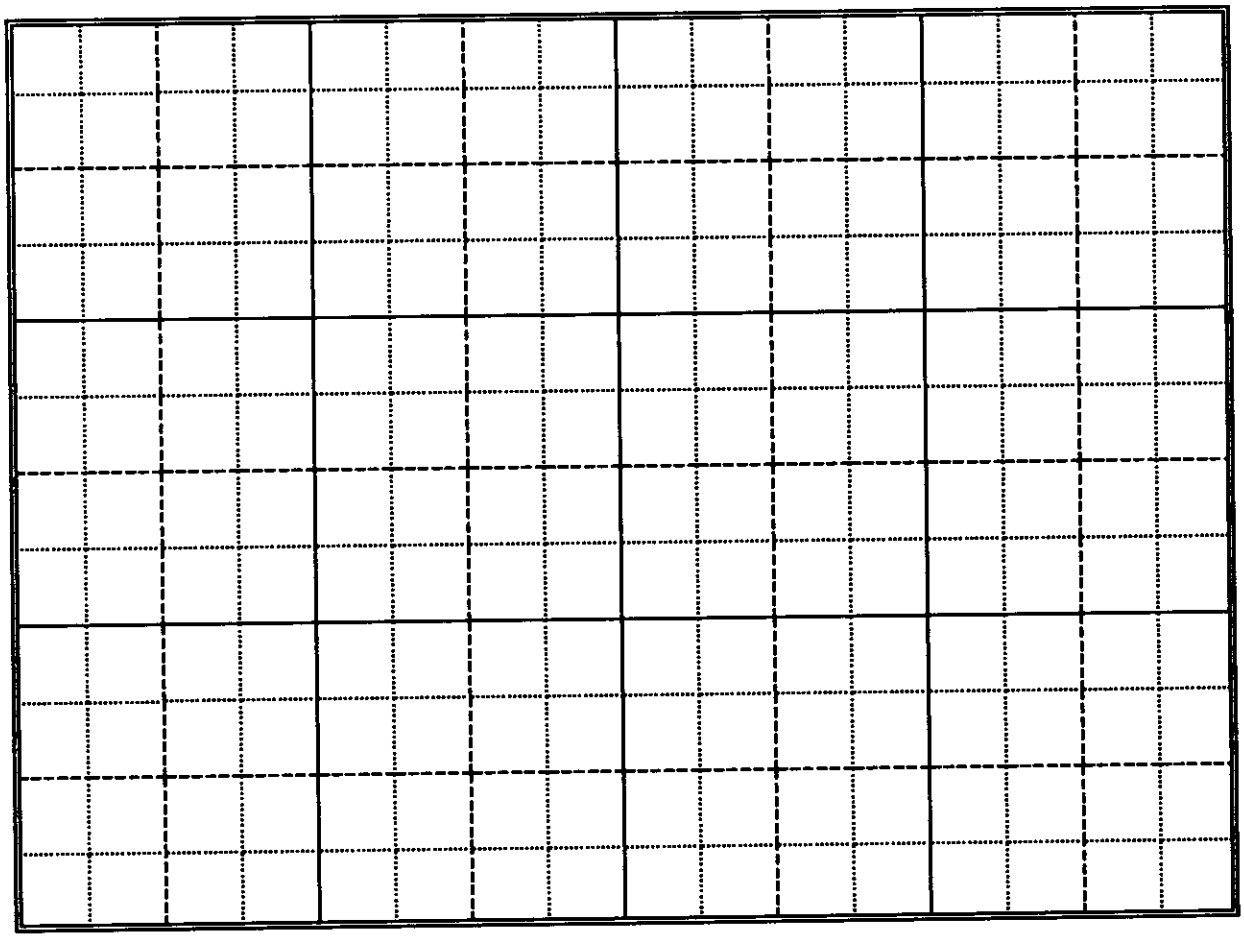
Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	1		SE	SW	16	1N	3W	Owyhee	Site Visit, Plat map

2. **Place(s) of Use:** Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	3W	16												1					1

JUL 19 1995

3. **Delivery System Diagram**: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____.

___ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

___ Aerial Photo Attached (required for irrigation of 10+ acres)

___ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Sta-Rite	2½	7192	Sta-Rite	1½

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. **Measurements:** pressure test @ discharge. Runs pump valved-down.

JUL 19 1999

E. NARRATIVE/REMARKS/COMMENTS

Hunter nozzles, ~~[redacted]~~ Stratos (low trajectory) per set
(Size 8-9 Approx 6 sets) runs 4 nozzles @ 35-40 psi
approx 1ac irrigated. Per chart: Size 8 @ 40 psi = 3.9 gpm
" 9 @ " " = 5.0 gpm
DUG = 4.5 gpm

Irrigation D/ solid-set lines on fescue & other grasses.
Pump Station uses 1½" intake from river.
Lot size = 1.8 acres. P/a aka Lot 10, Block 1, Sunrise Skypark.

Overlaps are same source, different P/D, different lands; or different source &/or uses.
See file memo for recommended conditions and general information

Have conditions of permit approval been met? \ yes ___ no

[redacted]

JUL 19 1995

F. FLOW CALCULATIONS ____ Additional Computation Sheets Attached

Measured Method: 4 heads/set x 4.5 gpm/head = 18 gpm = .04 cfs
permit limit = .02 cfs

Check: $\frac{2.5 \times 8.8 \times .7}{10 + (40 \times 2.31)} \approx .15$ cfs pump operated valved down

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = 1 x 4.5 = 4.5

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = .02 x 246 x 1.9835 = 9.8

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 4.5

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
IRR	3/15	11/15	.02	4.5
		Totals:	.02	4.5

2. Recommended Amendments

___ Change P.D. as reflected above ___ Add P.D. as reflected above \ None
___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

I. AUTHENTICATION

Field Examiner's Name Cindy J. Hodges Date 12/5/94

Reviewer _____ Date _____

SEAL

JUL 19 1995

MEMORANDUM

TO: File Nos. 02-07276 Splits D-T

FROM: Cindy Hodges

RE: B/U Examination General Information and Recommended License Conditions

GENERAL HISTORY

Permit 02-07276 was originally issued to Givens Hot Springs, for the irrigation of 100 acres. It was split early on into A, B, and C, with part C, the majority of the permit, awarded to Lester Moncrief. Parts A and B have lapsed. Part C was subsequently assigned and split on several occasions into the current parts D through T (F and N retired during split re-apportionments). Each assignment reflected the subdivision and sale of mostly riverfront lots within Sunrise Skypark, developed by Mr. Moncrief. Assignments awarded the permitted rate of 0.02 cfs per acre for lot sizes of 0.5 to 1.5 acres. At this time, Mr. Moncrief retains the balance of the permit, which has been labeled part S.

Most assignments were made in late 1992 or early 1993. Proof was due March 1, 1993, and very little beneficial use had occurred under this permit. Yet, very few new property owners were aware of the implications of the pending proof due date. According to sales agreements, each new landowner was to develop a separate system for irrigation. As many new landowners lived out of state, this would have been largely impossible and meant that many portions of the permit would have forfeited.

One of the earliest assignees came to my office quite concerned that the water right which he and many others had been promised was in jeopardy. We reviewed the file and found that, although one extension of time had already been granted to Mr. Moncrief, an additional 8 months time might be permissible based on the total time lapsed during Swan Falls litigation. This assignee requested and received the additional 8 months extension, which advanced proof due date to November 1, 1993. He lived on-site and was able to develop his system during summer 1993.

Other assignees were not so fortunate. They confronted Mr. Moncrief and were assisted in working with IDWR to obtain the additional extensions. Then, Mr. Moncrief and his staff developed and operated systems during the 1993 irrigation season for all absentee landowners, so that no assigned portion of the permit would lapse. All proofs were filed by the November 1 due date. Due to all the extenuating circumstances, Western was directed to conduct these field examinations as early as possible in 1994.

JUL 19 1995

BENEFICIAL USE EXAMINATIONS

At the time of the field examination(s) in June of 1994, we found a large array of conditions present under the various portions of this permit. All systems were in place and were being operated, either by on-site owners or by Moncrief. All lands under irrigation had been cultivated and planted, either to lawn or to mixed grasses, but with varying degrees of success. As could be expected, those lots with on-site owners had well-established lawns and obvious beneficial use. Other lots had irregular vegetation establishment and questionable beneficial use, even though regular irrigation appeared to be occurring. After visits with Mr. Moncrief and some residents, I was convinced that this was due in large part to high alkalinity in some areas which required continued soil enhancement to support any vegetation. Much seed sowed in 1993 simply failed to germinate. In fact, alkaline patches were visible in most lots and 1994 re-seeding attempts were also apparent.

Those lots not receiving the intensive care of an on-site owner had poorer stands of vegetation. However, genuine beneficial use has occurred at all sites. It would not be equitable to penalize off-site owners, since a significant effort has been made in their behalf to apply water to beneficial use and thus protect the permits. All portions of the permit will be recommended to the extent of development found.

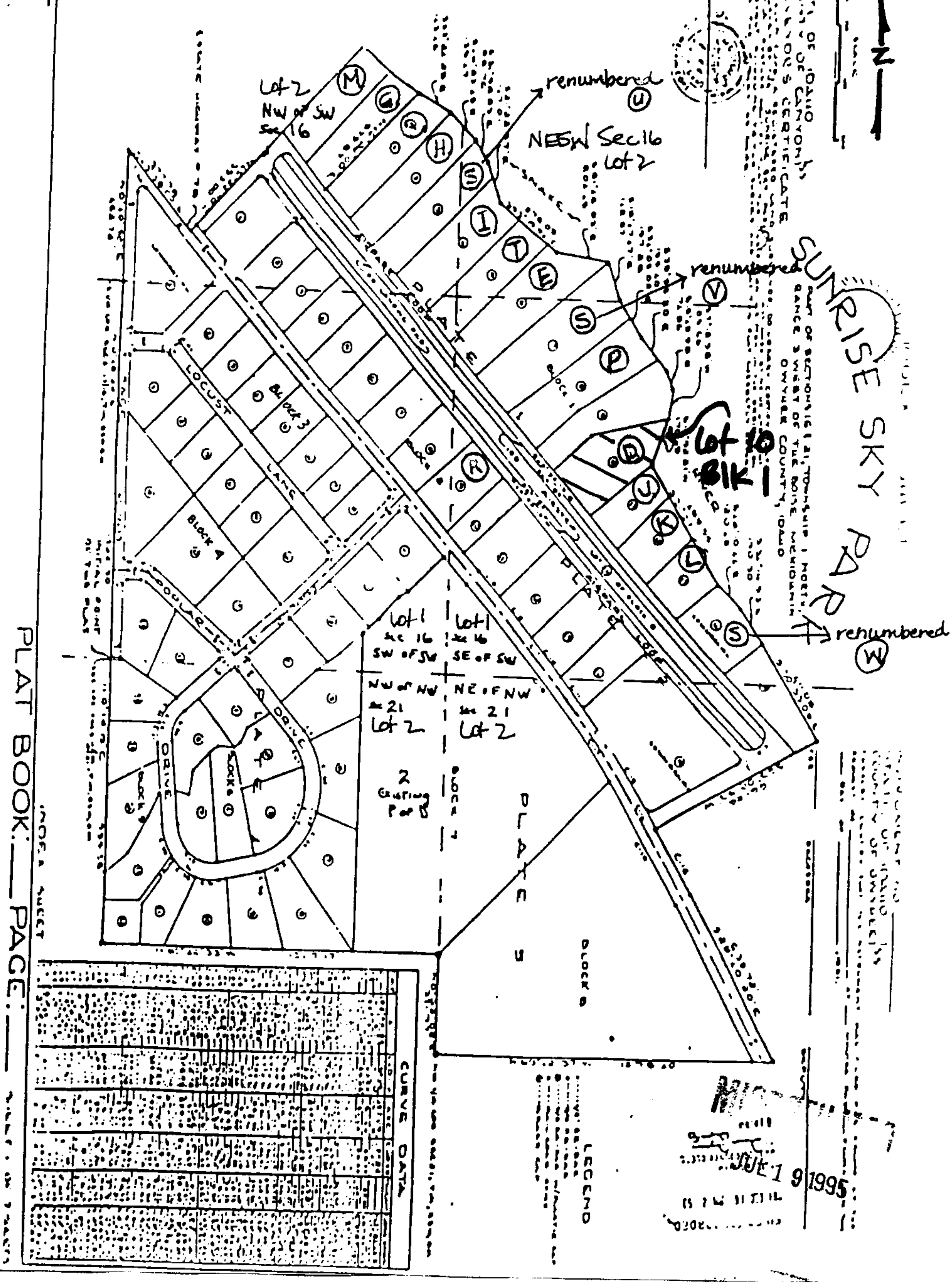
LICENSING TERMS AND CONDITIONS

Permitted rate of flow is 0.02 cfs/acre. Most splits were assigned at a total rate of about 0.02 cfs. Each of these systems is capable of delivering at least this amount; many are oversized and can deliver much more. To avoid the potential for over-appropriation which will occur if all systems are operating at once, I suggest a specific licensing condition which requires operation on a rotational basis, so that no more than a certain number of systems are diverting at any one time. I discussed this concept with Mr. Moncrief and others. They agreed that this could be accomplished within the subdivision through the establishment of an irrigation schedule.

The first two split recipients, D and E, filed permit amendments immediately after assignment to add points of diversion unique to their portions. Because of time constraints, this exercise was generally not possible for all other split portions. Therefore, all others were treated as changes occurring within the development period, to be handled through licensing amendments. Portion S, held by Mr. Moncrief, was used to develop Mr. Moncrief's residence lot and two lots used as common area. These three systems are separate. Therefore, portion S will be recommended to be split into the next three available suffixes: U, V, and W. The balance of portion S was not developed.

JUL 19 1995

02-7276-Splits D-W
1N 3W Sec 16 & 21





JUL 1 9 1995

02-7270

DOCUMENT

JUL 19 1995

02-7276 D



P/D



P/U
Lot 10 Blk. 1

JUL 19 1995

October 8, 1993

ROLAND H POPKEN
LILLY ANN POPKEN
HC 79 BOX 102E
MELBA ID 83641

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 02-07276D

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

JAN 10 1994

August 31, 1993

ROLAND H POPKEN
LILLY ANN POPKEN
HC 79 BOX 102E
MELBA ID 83641

RE: PERMIT NO. 02-07276D PROOF DUE NOTICE

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before November 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Karen L. Gustafson
Secretary/Records Manager

Enclosures

CERTIFIED MAIL
NO. 140498

JAN 1 0 1994

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 176, 1992

Roland or Lilly Ann Popken
HC 79 Box 102E
Melba, ID 83641

Re: Permit No. 02-07276D

Dear Permit Holder:

Enclosed is a copy of the approved request for extension of time. The time within which to submit proof of beneficial use is extended to November 1, 1993. Please note that the department has granted this extension based on litigation. It is important that you work diligently toward the completion of this project during the construction period allowed. The department may not be able to grant additional requests.

If you have any questions or if I can be of any further assistance, please feel free to contact this office.

Sincerely,

Karen L. Gustafson

Karen L. Gustafson
Secretary/Records Manager

Enclosure

C: IDWR-Regional Office

MICROFILMED

DEC 08 1992

June 19, 1992

ROLAND H POPKEN
LILLY ANN POPKEN
HC 79 BOX 102E
MELBA ID 83641

RE: Permit No. 02-07276D

Dear Water Right Holder:

Enclosed is a copy of your approved Application for Amendment submitted in connection with the above referenced permit.

If you have any questions concerning this document, please feel free to contact us.

Sincerely,

JIM JOHNSON
Water Rights Supervisor

JJ:cz

Enclosure

MICROFILMED
SEP 09 1992

MEMORANDUM

TO: *File 02-07276D*

FROM: *Brenda*

DATE: *June 11, 1992*

RE: *Amendment Conditions*

==========

The Application for Amendment of the above referenced permit is to be approved with the following conditions:

Approved provided the conditions as set for in Permit No. 02-07276 are met.

The water right holder is required to beneficially use the heat in the low temperature geothermal water, as determined by the Director, before using the water for irrigation.

MICROFILMED

SEP 09 1992

4H

May 19, 1992

ROLAND H POPKEN
LILLY ANN POPKEN
HC 79 BOX 102E
MELBA ID 83641

RE: Water Right No. 02-07276D

Dear Water Right Holder(s):

Department water right records show that you divert water from the Snake River or its tributaries under a water right that has a priority date later than December 29, 1976. This is the priority of the established minimum stream flow of the Snake River at the Weiser Gage (Weiser) in the amount of 4,750 cubic feet per second.

Because of the continuing drought conditions in the Snake River Basin, department hydrologists project that during 1992, there could be periods when the required minimum flow will not be satisfied due to low flows of the Snake River. The department urges you to not divert at a higher rate than authorized by your water right and to not use your right in any manner different than authorized. In addition, when the minimum flow will not be satisfied or is not being satisfied, you are required to cease diverting water under your water right, because your right is of later priority than the minimum stream flow at Weiser.

If the department determines the minimum flow will not be satisfied, the department will advise you and will provide as much lead time as possible in requiring that you temporarily cease your diversion of water. The greatest likelihood for this to occur is during a period from mid-June to late June.

While the department expects good cooperation from junior water right holders, water users should be aware that Section 42-352, Idaho Code, provides for penalties of up to $100 per day for unauthorized diversions of water.

The department has contacted both the Idaho Power Company and the U.S. Bureau of Reclamation with respect to the timing of storage releases from upstream reservoirs for flow enhancement

MICROFILMED
SEP 09 1992

purposes. This type of coordination could minimize the impact on existing water users and reduce the need to curtail diversions.

The department has scheduled public information meetings relative to this potential regulation as follows:

Mountain Home - June 4, 1992 - 10:00 a.m. - gymnasium at North Elementary School, 290 E. 12th N.

Caldwell - June 4, 1992 - 7:00 p.m. - Ballroom in the Student Union Building, Albertson College of Idaho, 2112 Cleveland

If you have questions concerning this letter or wish to provide the name of a different contact person or address to receive department correspondence, please contact the department.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

MICROFILMED
SEP 09 1992

NOTICE OF (APPLICATION FOR AMENDMENT) / (AMENDED APPLICATION FOR PERMIT)

Notice is hereby given that (application / permit) No. 02-07276D

in the name of Roland H. s/or Lilly Ann Popken

was filed on 1/9/1979 for the diversion of .02 cfs

from Snake River

with a point of diversion within the L.1 (SESW), S.16, T1N, R3W

to be used for irrigation

purposes from 3/15

to 11/15 within portions of L.1 (SESW), S.16,

T1N, R3W, (AKA L.10, Block 1, Sunrise Sky Park Subd.)

1 Acre

The (applicant / permit holder) now proposes to amend the (application / permit)

by changing the point of diversion to include

two points in L.1 (SESW), S.16, T1N, R3W.

No change in amount or use of water.

Any protest against the approval of the proposed amendment must be filled with the Department of Water Resources, Statehouse, 450 W. State St., Boise, ID 83720 on or before _____

R. Keith Higginson
Director

Published _____

_____ and _____

MICROFILMED

SEP 09 1992

NOTICE OF APPLICATION FOR AMENDMENT
No. 02-07276D

Notice is hereby given that permit No. 02-07276D in the name of Roland H. &/or Lilly Ann Popken of Melba was filed on 1/9/1979 for the diversion of .02 cfs from Snake River with a point of diversion within Lot 1 (SESW) Sec. 16 T1N R3W to be used for irrigation purposes from 3/15 to 11/15 within portions of Lot 1 (SESW) Sec. 16 T1N R3W for 1 acre. (Also known as Lot 10, Block 1, Sunrise Sky Park Subdivision).

The permit holder now proposes to amend the permit by changing the point of diversion to include two points in Lot 1 (SESW) Sec. 16 T1N R3W. No change in amount or use of water.

Any protest against the approval of the proposed amendment must be filed with the Department of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 on or before April 20, 1992.

R. Keith Higginson
Director

Published in the Owyhee Avalanche on 4/1 & 4/8/1992

MICROFILMED
SEP 09 1992

March 6, 1992

ROLAND H POPKEN
LILLY ANN POPKEN
HC 79 BOX 102E
MELBA ID 83641

Re: Application for Permit No. 02-07276D

Dear Applicant(s):

We acknowledge receipt of the correspondence transferring ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

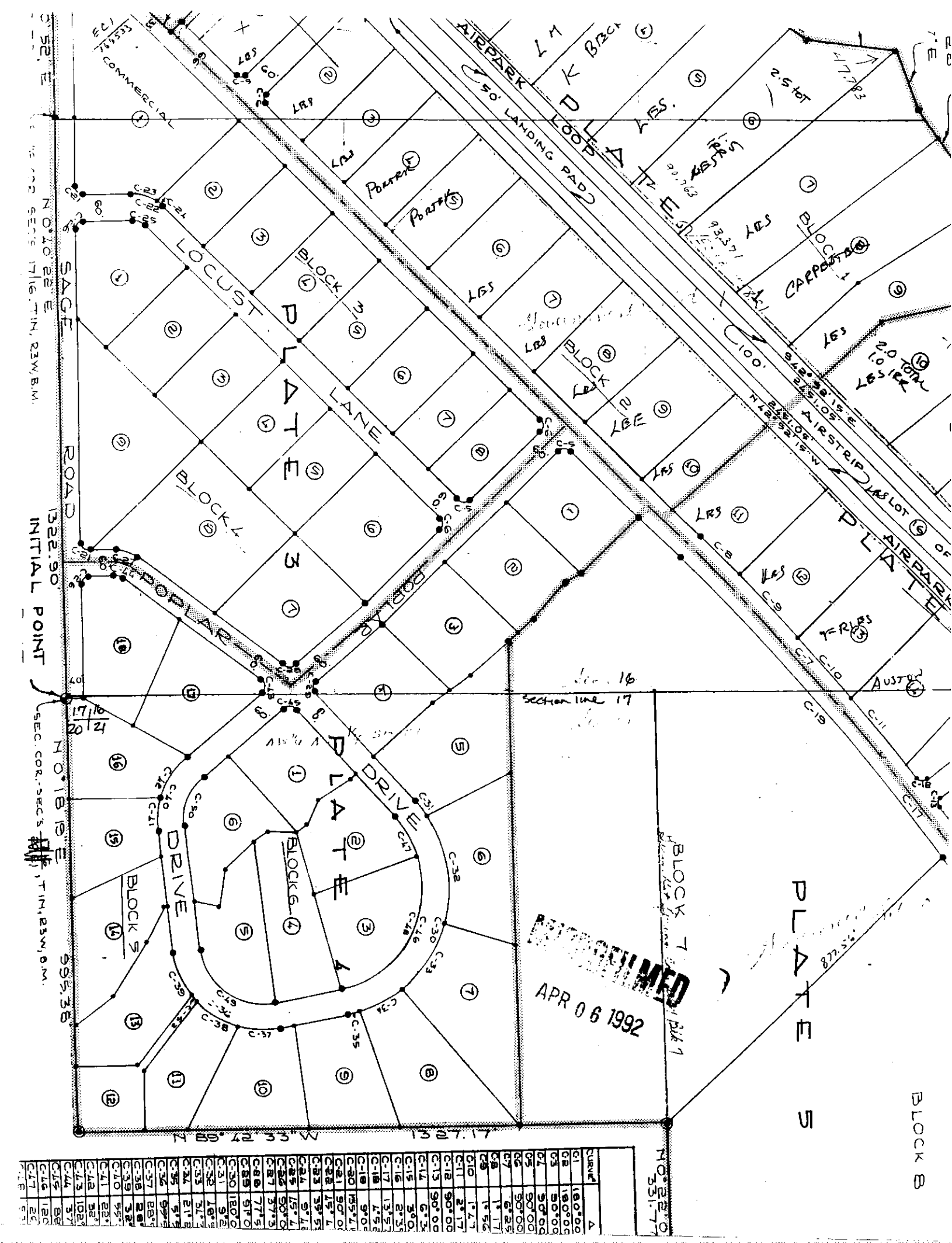
If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

BRENDA L. MILLER
Technical Records Specialist

BLM:clh

APR 06 1992


PLAT E
PLAT E 2
PLAT E 3
PLAT E 4
PLAT E 5
BLOCK 1
BLOCK 2
BLOCK 3
BLOCK 4
BLOCK 5
BLOCK 6
BLOCK 7
BLOCK 8
LOCUST LANE
POPLAR DRIVE
DRIVE
ROAD
AIRPARK LOOP
50' LANDING PAD
AIRSTRIP
COMMERCIAL
Section line 17
INITIAL POINT
N 0°40'22" E
322.90
N 0°18'19" E
995.38
N 89°42'33" W
1327.17
N 0°22'22" E
331.7
N 0°40'22" E
N 0°18'19" E
APR 06 1992


RECEIVED
APR 06 1992


17
29
27
BM
2265

02-7276 B

lapsed on

6/1/84 —

This portion of 02-7276

was routed for

film & destroy on

1/3/85.

KW

UNCLASSIFIED

JAN 10 1994

CONVERSATION MEMORANDUM

DATE 2-28-84

FILE 02-7276

NAME OF PARTY Lester Moncrief

EMPLOYEE Jim Johnson

RE: Mr Moncrief called today and requested assistance in filling out the request for extension of time, which I did. He said he would mail it tomorrow since the mail had already gone out today. He was concerned that the request would not reach Base by 3-1-84 and would be willing to hand deliver it. I informed him that we would not advance his priority date if we received the request a few days after March 1.

CONVERSATION MEMORANDUM

DATE 2/15/84

FILES 02-7276 & 57-7236

NAME OF PARTY Lori Moncrief

EMPLOYEE Jim Johnson

RE: On this date, Lori Moncrief called in reference to the above permits. She is the daughter of Lester Moncrief and was helping her father in his compliance to my letter of 12/29/83. She stated that Mr. Moncrief had no objection to the splitting of the water permits as now on record with the Department. She also stated that they had not been able to contact Mr. Greene and therefore were not able to obtain an assignment of permit.

The Department also was unable to correspond with Mr. Greene and therefore it appears that Mr. Greene's portion of the water right will be cancelled.

In light of the past dispute over the ownership of the permits, Mr. Moncrief could perhaps have been justified to request that the Department void the assignment to Greene from Marsh because the assignment was processed prior to Mr. Moncrief's knowledge that the assignment had been made. However, Mr. Moncrief had no objection to the Department cancelling Mr. Greene's portion of the water rights IF MR. GREENE FAILS TO RESPOND TO DEPT. CORRESPONDANCE

Additionally, the proof due notice for permit 02-7276 sent on 12/1/83 was mailed to the name of the original permit holder who rather than submitting proof to beneficial use, came in to the Department on or about 12/29/83 and submitted a letter signed by William F. Yost which clarified the ownership of the permit dispute.

After talking with Lori Moncrief it is clear that her father did not understand that the correspondence by the Department on 12/1/83 was requesting him to submit a proof to beneficial use statement. According to Ms. Moncrief, her father has completed some of the development under permit 02-7276 but has not yet completed it. He will be requesting an extension of time in which to submit proof.

Based upon the history of this right, if Mr. Moncrief can return the extension request before March 1, 1984, the priority date on his permit should not be advanced.

MICROFILMED

February 16, 1984

RE: Permit Nos. 02-7276

Lester J. Moncrief
Sunrise Sky Park
Star Route, Box 102A
Melba, ID 83641

Dear Mr. Moncrief:

Enclosed is a Request for Extension of Time form which you should fill out, sign, and return with a $15.00 filing fee on or before March 1, 1984.

If you have any questions, please let us know.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

Enclosures

December 29, 1983

RE: Permit No's. 02-7276 and 57-7236

Lester J. Moncrief
Sunrise Sky Park
Star Route, Box 102A
Melba, ID 83641

Dear Mr. Moncrief:

This letter is written to inform you of a visit to this office made by Mr. Marsh in reference to the above stated permits.

As you recall, the Department received from Mr. Marsh on April 23, 1982, three assignments of permit documents for both of the said permits. Mr. Marsh had assigned partial ownership of these permits to 1: Douglas &/or Terry Jump (0.10 cfs, permit 02-7276, Snake River, and 0.02 cfs for domestic, permit 57-7236, groundwater), 2: Gary &/or Sarah E. Greene (0.06 cfs, permit 02-7276, Snake River, and 0.04 cfs, permit 57-7236, groundwater) and 3: yourself (1.64 cfs, permit 02-7276, Snake River, and 1.48 cfs, permit 57-7236, groundwater). The balance remaining unassigned is still owned by Mr. Marsh (0.20 cfs, permit 02-7276, Snake River, and 2.27 cfs, permit 57-7236, groundwater).

On May 12, 1982, the Department sent notice of the assignments and copies of the permits to all four parties for permit 57-7276. The assignments received for permit 02-7276 had not yet been processed at that time.

On about June 15, 1982, you called the Department stating that you had understood that when you bought the property from Mr. Marsh, all of the water under the said rights belonged to you and on August 1, 1982, we received a letter from you with a copy of anWarranty Deed showing that all water rights had been, it appeared, conveyed to you.

On November 8, 1982, I wrote a letter to Shirley Marsh with a copy of the letter sent to all of the affected parties summarizing the chain of events and requested that the ownership question be resolved before May 1, 1984.

On December 1, 1983, this office sent a proof due notice for permit 02-7276 to all of the affected parties.

On December 16, 1983, Mr. Marsh came to this office with a letter from Mr. Yost (attorney). Mr. Yost stated in his letter that he had telephone communications with you and that you were agreeable to accepting the assignment of an addition .56 cfs for domestic and 1.39 for heating from permit 57-7236. On this day Mr. Marsh also submitted an assignment for permit 02-7276 which replaced an earlier assignment of ownership to you. The new assignment assigned you 1.84 cfs for irrigation of 92 acres, which reflects the stated agreement reached between you and Mr. Marsh per Mr. Yost's letter.

In summary, our files now contain three assignments for permit 02-7276 (Snake River). The ownership of this right is as follows:

Lester J. Moncrief	1.84 cfs	Right 02-7276
Gary A. &/or Sarah Greene	0.06 cfs	Right 02-7276
Douglas &/or Terry Jump	0.10 cfs	Right 02-7276

Permit 57-7236 now shows the following ownership and proportions:

Lester J. Moncrief	1.48	Domestic
	3.65	Heating
	3.65	Total
Lester J. Moncrief	0.56	Domestic
	1.39	Heating
	2.04	Total domestic
	5.04	Total heating
Gary A. &/or Sarah Greene	0.02	Domestic
	0.04	Heating
	0.04	Total
Douglas &/or Terry Jump	0.02	Domestic
	0.04	Heating
	0.04	Total
Shirley W. Marsh	0.36	Domestic
	0.88	Heating
	0.88	Total

Mr. Marsh informed me that the portion of the two permits he had assigned to Gary A. &/or Sarah E. Greene is now owned by you.

Since the Department had already sent Mr. Greene acknowledgement of the assignment for permit 57-7236, we recommend that you obtain an assignment from him to you for his portion of the permit.

Also, you should have him assign his portion of permit 02-7276 to you. Once this is done, your ownership of these permits should be complete.

You should be aware of one other thing: the proof due notice letter for permit 02-7276 sent to Mr. Greene was returned to this office with no response.

You should try to obtain the assignment before February 1, 1984. If the assignment and proof to beneficial use statement of extension of time request is not received by the said date, the portion of the permit assigned to Mr. Greene will be cancelled.

If you nave any questions or if we can be of any assistance in this matter, please let us know.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

cc; Eldon Marsh

Form 204-p
6/82

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

COMMENCEMENT OF WORKS

Permit No. 02 - 7276

Name(s) of Permit Holder(s): Lester J. McKenzie

Post Office Address: Star Route Box 102 A

Melba, Id 83641 Tel. No. 495 1101

☒ I hereby certify that construction of diversion works for the above referenced permit began on March 28, 1983 (date). I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diverting works on the above referenced project has not yet begun due to the following reason beyond my control*:

RECEIVED
APR 05 1993

*Note: A financing difficulty is not an acceptable reason.

4-15-93
Date

Lester J. McKenzie
Signature of Permit Holder

Surface Development
Star Route Box 102 A
Melba Id 83641



RECEIVED
APR 18 1983

DEPARTMENT OF WATER RESOURCES

IDAHO DEPARTMENT OF WATER RESOURCES
STATEHOUSE
BOISE, IDAHO 83720

RECEIVED
APR 05 1993

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

December 1, 1983

CERTIFIED MAIL
138197

Givens Hot Springs, Inc.
c/o Shirley W. Marsh
1910 Everett St.
Caldwell, ID 83605

Dear Mr. Marsh:

Re: Permit No. 02-7276

PROOF DUE NOTICE

On November 8, 1982, Mr. Jim Johnson of this department wrote you a letter concerning ownership of the above referenced permit. At that time he indicated that our records were not clear regarding permit ownership and that this department is not in a position to act as a mediator in this issue. He requested further information for ownership clarification.

To date, we have received no further information on this matter, so we are still unsure of the true owner(s) of the permit. Therefore, we are serving complete notice of the requirement to submit proof of beneficial use to all parties shown in the file that may have ownership in the permit, including yourself as last recorded representative of Givens Hot Springs, Inc.; Douglas and/or Terry Jump; Lester J. Moncrief; and Gary A. and/or Sarah E. Greener. Please be advised that proof of the extent of beneficial use of water under Permit No. 02-7276 must be submitted to this office on or before February 1, 1984. Enclosed in the mailing to each party is a postcard which may be used to submit the required proof. Evidence demonstrating ownership of the water right or a portion thereof must either accompany or follow submittal of proof by any of the parties identified above.

If the project is not fully completed a request for an extension of time in which proof may be submitted by any of the parties. Ownership of the permit must be demonstrated to obtain an approval of this document. An extension of time request form is enclosed for your covenience.

Either the beneficial use postcard or a request for an extension of time must be received by this department on or before February 1, 1984. If neither is

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received, the department will send each of the parties a lapse notice. Within sixty days of the mailing of the lapse notices, the permit will no longer be of any force or effect.

Sincerely,

Rita I. Fleck

RITA I. FLECK
Secretary/Records Manager

Enclosures

cc: Douglas &/or Terry Jump — Certified Mail No. 138198
Lester J. Moncrief — Certified Mail No. 138199
Gary A. &/or Sarah E. Greener — Certified Mail No. 138200

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- ate of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

November 8, 1982

RE: Permit Nos. 02-7276 and 57-7236

Shirley W. Marsh
1910 Everett St.
Caldwell, ID 83605

Dear Mr. Marsh:

On April 23, 1982, the Department received seven assignments of permit forms from you in which you divided ownership of Permits 02-7276 and 57-7236 between Gary A. &/or Sarah E. Greener, Douglas &/or Terry Jump, Lester J. Moncrief and yourself. On May 12, 1982, the Department sent letters of acknowledgement to each of the above that the assignments had been received and sent each a copy of Permit No. 57-7236.

Before sending the acknowledgement of assignment letters for Permit No. 02-7276 we received a call on about June 14, 1982, from Lester Moncreif in which he stated that he disagreed with the partial assignment of Permit No. 57-7236. On September 24, 1982, the Department received from Mr. Moncrief a copy of a warranty deed dated January 4, 1982, which includes reference to water permits, both surface and groundwater, being conveyed from you to Mr. Moncrief. This information raises a question as to who is the proper owner of the said water permits.

In Idaho, water permits are considered personal property, and any change in permit ownership is the business of the permit owner and the new owner or owners. The Department is not in a position to serve as a mediator in this issue and can only acknowledge change in ownerships that occur.

Since the apparent conflict in ownership has been brought to our attention we feel that this information should be passed on to all of the affected parties, with the suggestion that this matter be resolved as quickly as possible as the proof to beneficial use of water under these permits is due May 1, 1984.

We will be happy to answer any questions that we can.

Sincerely,

cc: Douglas &/or Terry Jump
Gary A. &/or Sarah E. Greener
Lester Moncrief

JIM JOHNSON
Water Distribution Supervisor

JJ:kw

FILMED

CONVERSATION MEMORANDUM

DATE 10-29-82

FILE 57-7236 & 02 7276

NAME OF PARTY ELDON (MARSH ?) 454-9446

EMPLOYEE Jim Johnson

RE: I contacted the above in reference to the assignment made by SHIRLEY MARSH TO Lester Monerief. The purpose of the phone call was to determine if Shirley Marsh could provide additional information concerning the assignments.

The above stated that it was his understanding that only the portion of the water right appurtenant to the land sought by each party was changing ownerships. I told him what Mr Monerief had felt and he responded by saying that Shirley Marsh had only intended to exclude part of the water permits and not all of the permits as the warranty deed appeared to state.

Elden informed me the that he and Monerief were currently in dispute over water or a different matter and were communicating only through each others attorneys.

At this point time : an obvious dispute over permit ownership and the authority of Shirley Marsh to assign the permits that the Dept received and acknowledged may be in question.

MICROFILMED

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

September 15, 1982

RE: Permit Nos. 02-7276 and 57-7236

Lester J. Moncrief
Sunrise Skypark
Star Route, Box 102A
Melba, ID 83641

Dear Mr. Moncrief:

Thank you for providing copies of the Warranty Deed showing your ownership of both the land and water rights. Since we have already received assignments from Shirley Marsh assigning parts of both permits, 02-7276 and 57-7236 to other parties we must request that you also provide documents that have been signed by Shirley Marsh conveying the ownership of the permits to you. Perhaps all you have to do is to make copies of the second page of the Warranty Deed. The Earnest Money Agreement is evidence that all of the water rights were included but cannot be used as final proof that the water rights were in fact included when the sale was made.

If you have any questions, please let me know.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:kw

MICROFILMED

re, 82-7276
87-7-4

TO File

From Jan

I tried to call the orginial permit holder on this date but the number 454-8649 has been given to a new person 466-8220 - has been disconnected.

195-2437 is the Given's Hot Springs number which is closed until 9-29-82. Follow-up should be made then

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INTER-DEPARTMENT MEMO — 1

FROM Robyn

DATE 9/2

TO Jim

SUBJECT 02-7276, 57-7236

You might want to take a look at these. Since one file has the assignment already processed, what do we do now? How do we handle the other file?

SIGNATURE

RECEIVED
AUG 3 1982
Department of Water Resources

Aug. 1, 1982

Robyn Carlson
Dept. of Water Resources
Statehouse
Boise, Idaho 83720

Re: Assignment of Permits No. 02-7276 and 57-7236

Dear Madam,

I received your letter of July 29, 1982. This letter is a response to your letter plus additional information.

Please find enclosed copies of three documents all to do with my purchase of 120 acres from Shirley Marsh. Each of these documents plus an additional sales agreement contract have the same language pertinent to the transfer of water rights with the sale of this property (circled in red).

Copies of the then executed and approved water right permits were given to me with both the earnest money and sales contract closings. There is no mention of a partial or prorated assignment, nor was one ever discussed or approved by me.

I have always had the understanding that the entire two (2) permits were to be assigned to me.

Please notice that I have referred to 2 permits. All correspondence received from you deals only with permit No. 02-7276. I have received no communication from you pertinent to permit No. 57-7236. This permit was also to be assigned to me.

Sincerely,

L. J. Moncrief

Lester J. Moncrief
Sunrise Skypark
Star Route Box 102A
Melba, Idaho 83641

QUITCLAIM DEED

FOR VALUE RECEIVED ELDON R. MARSH, hereinafter called the first party, does by these presents remise, release and forever QUITCLAIM unto LESTER J. MONCRIEF and GEORGEANNE H. MONCRIEF, husband and wife, hereinafter called the second parties, and to their heirs and assigns, all title which first party now has or may hereafter acquire, in the following described real property situated in Owyhee County, State of Idaho, to-wit:

All of Block 1 through Block 6 Inclusive EXCEPTING therefrom Lot 1, Block 2 Sunrise Sky Park, part of Government Lot 1 and 2, Section 16, and NW1/4NW1/4 and Government Lot 2 of Section 21, Township 1 North, Range 3 West B.M., Owyhee County, Idaho according to the office plat thereof on file and of record in the office of the Recorder for Owyhee County, Idaho

ALSO
All of Block 8 Sunrise Sky Park, part of Government Lot 2 Section 21, Township 1 North, Range 3 West, B.M., Owyhee County, Idaho according to the office plat thereof on file and of record in the office of the Recorder for Owyhee County, Idaho, EXCEPTING therefrom a parcel described as follows:

Commencing at the Southwest corner of NE1/4NW1/4 Section 21, T1North Range 3 West B.M., the INITIAL POINT of this description; thence North 0°22'02" East 45.00 feet, along the West line of the NE1/4NW1/4; thence South 89°42'37" East 1176.22 feet, parallel with the South line of NE1/4NW1/4; thence South 29°40'20" East 51.94 feet, to a point on the said South line, said point being North 89°42'37" West 124.59 feet from the Southeast corner of NE1/4NW1/4; thence North 89°42'37" West 1202.22 feet, along the said South line to the INITIAL POINT OF THIS description.

Together with 90 acres of Opaline Irrigation Water and all water rights of Snake River or ground water applied for or for which permits have been granted.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the second parties, and to their heirs and assigns forever.

IN WITNESS WHEREOF, the said first party has hereunto set his hand and seal.

DATED: 1-4, 1992.

MICROFILMED

Eldon R. Marsh

STATE OF IDAHO)
:ss
County of Canyon)

On the 4 day of January, 1982 personally appeared before me ELDON R. MARSH, the signer of the within instrument, who duly acknowledged to me that he executed the same.

Residing at: Nampa, Idaho

Notary Public
Commission Expires: life

MICROFILMED

WARRANTY DEED

SHIRLEY W. MARSH, a married woman dealing with her sole and separate property, GRANTOR of Caldwell, Idaho, hereby CONVEYS, GRANTS AND WARRANTS TO LESTER J. MONCRIEF and GEORGEANNE H. MONCRIEF, husband and wife, GRANTEES of _____, _____, _____, for the sum of Ten Dollars ($10.00) and other good and valuable consideration, the following described tracts of land in Owyhee County, State of Idaho:

Real Property located in Owyhee County, Idaho according to the Plat of Sunrise Sky Park, on file and of record in the office of the Owyhee County Recorder, Owyhee County, Idaho, described as follows:

All of Blocks 1 through and including 6, excepting therefrom Lot 1, Block 2; and all of Block 8 excepting therefrom a part of the Northeast 1/4 of the Northwest 1/4 of Section 21, Township 1 South, Range 3 West of the Boise Meridian in Owyhee County, Idaho, more particularly described to wit:

Commencing at the Southwest corner of the said Northeast 1/4 of the Northwest 1/4, the INITIAL POINT of this description; thence North 0°22'02" East 45.00 feet, along the West line of the said Northeast 1/4 of the Northwest 1/4; thence South 89°42'37" East 1176.22 feet, parallel with the South line of the said Northeast 1/4 of the Northwest 1/4; thence South 29°40'20" East 51.94 feet, to a point on the said South line, said point being North 89°42'37" West 124.59 feet from the Southeast corner of the said Northeast 1/4 of the Northwest 1/4; thence North 89°42'37" West 1202.22 feet, along the said South line to the INITIAL POINT of this description. This exception contains 1.229 acres, more or less, and is subject to all existing rights of way and easements.

Together with 90 acres of Upaline Irrigation Water and all water rights of Snake River or ground water applied for or for which permits have been granted.

SUBJECT TO taxes and assessments for the year 198[illegible] and all subsequent years, together with any and all existing easements and rights of way of record.

TO HAVE AND TO HOLD the said premises with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee that she is the owner in fee simple of said premises; that said premises are free from all incumbrances, excepting those as may be hereinafter set

MICROFILMED

QUITCLAIM DEED

FOR VALUE RECEIVED ELDON R. MARSH, hereinafter called the first party, does by these presents remise, release and forever QUITCLAIM unto LESTER J. MONCRIEF and GEORGEANNE H. MONCRIEF, husband and wife, hereinafter called the second parties, and to their heirs and assigns, all title which first party now has or may hereafter acquire, in the following described real property situated in Owyhee County, State of Idaho, to-wit:

Real Property located in Owyhee County, Idaho according to the Plat of Sunrise Sky Park, on file and of record in the office of the Owyhee County Recorder, Owyhee County, Idaho, described as follows:

All of Blocks 1 through and including 6, excepting therefrom Lot 1, Block 2; and all of Block 8 excepting therefrom a part of the Northeast 1/4 of the Northwest 1/4 of Section 21, Township 1 South, Range 3 West of the Boise Meridian in Owyhee County, Idaho, more particularly described to wit:

Commencing at the Southwest corner of the said Northeast 1/4 of the Northwest 1/4, the INITIAL POINT of this description; thence North 0°22'02" East 45.00 feet, along the West line of the said Northeast 1/4 of the Northwest 1/4; thence South 89°42'37" East 1176.22 feet, parallel with the South line of the said Northeast 1/4 of the Northwest 1/4; thence South 29°40'20" East 51.94 feet, to a point on the said South line, said point being North 89°42'37" West 124.59 feet from the Southeast corner of the said Northeast 1/4 of the Northwest 1/4; thence North 89°42'37" West 1202.22 feet, along the said South line to the INITIAL POINT of this description. This exception contains 1.229 acres, more or less, and is subject to all existing rights of way and easements.

Together with 90 acres of Opaline Irrigation Water and all water rights of Snake River or ground water applied for or for which permits have been granted.

TO HAVE AND TO HOLD, All and singular the said premises, together with the appurtenances, unto the second parties, and to their heirs and assigns forever.

IN WITNESS WHEREOF, the said first party has hereunto set his hand and seal.

DATED: _____, 19_____.

MICROFILMED

REAL ESTATE PURCHASE AND SALE AGREEMENT

RE 21
Revised 4/77

(With Earnest Money Provision)

THIS CONTRACT CONTROLS THE TERMS OF SALE OF THE PROPERTY

READ CAREFULLY BEFORE SIGNING: IF ANY QUESTION, CONSULT YOUR ATTORNEY.

Nampa, Idaho October 5, 1981

L. J. MONCRIEF

(hereinafter called "Buyer") agrees to purchase, and the undersigned Seller agrees to sell the following described real estate hereinafter referred to as "premises" located in the County of Owyhee, State of Idaho, commonly known as New Enterprise Subdivision

legally described as All of Blocks 1 through and including Block 6, except Lot 1, Block 2. All of Block 8 except the parcel described as 45' in width by 1,278.2' long along the South boundary of Block 8; All in Sections 16 & 21, T1N, R3W, B.M.

(A FULL AND COMPLETE LEGAL DESCRIPTION MUST BE INSERTED, ATTACHED OR WRITTEN ON THE REVERSE HEREOF PRIOR TO EXECUTION BY SELLER. Buyer hereby authorizes broker to insert over his signature the correct legal description of the premises if unavailable at time of signing, or to correct the legal description previously entered if erroneous or incomplete.)

1. TOTAL PURCHASE PRICE is Three Hundred Twenty Six Thousand Forty Dollars-------- DOLLARS ($ 326,040.00) payable as follows:

A. Earnest Money

a. Buyer deposits and receipt is acknowledged of Five Thousand--------------- Dollars ($5,000.00) Dollars evidenced by ☐ Cash, ☐ Personal Check, ☐ Cashiers Check, ☐ Note due, paid or delivered as earnest money in part payment of the purchase price for the premises.

b. Buyer further agrees on or before ------- day of ----------, 19--, to pay or deliver as additional earnest money in part payment of the purchase price for the premises -- Dollars ($ ------------------) evidenced by ( ) Cash, ( ) Personal Check, ( ) Note due, or ----------

c. All Earnest Money and this agreement shall be held by Marsh Agency Trust Account for the benefit of the parties hereto.

B. Balance of purchase price to be paid as follows:

$95,000.00 cash payable on or before December 20, 1981; $71,040.00 payable by Buyer to Seller at the rate of $600 per acre for partial releases as provided Buyer by Seller, said payments to be made directly between the parties, and said payments to be applied to the $71,040.00 sum herein, which sum shall bear no interest; $30,000.00 by Buyer agreeing to pay that sum as currently owed by Seller to Inland Engineering, Caldwell, Idaho, for surveying and platting expense; the balance of $125,000.00 shall be carried by Seller on an escrow title-retaining contract, said sum of bear interest at the rate of 12% per annum from November 1, 1981 and to be payable as specified in the Addendum...

2. Buyer's offer is made subject to the acceptance of Seller on or before twelve o'clock midnight of October 15, 1981. If Seller does not accept this agreement within the time specified, the earnest money shall be refunded to Buyer on demand.

3. Title of Seller is to be conveyed by Warranty deed, unless otherwise provided, and is to be marketable and insurable except for rights reserved in federal patents, state or railroad deeds, building or use restrictions, building and zoning regulations and ordinances of any governmental unit, and rights of way and easements established or of record. Liens, encumbrances or defects to be discharged by Seller may be paid out of purchase money at date of closing. Any liens, encumbrances or defects which are to be discharged or assumed by Buyer or to which title is taken subject to (not otherwise set forth above) are See attached Addendum.

4. The parties designate Owyhee Title company to ... the necessary ... and commitment for title insurance at the sellers expense as required by this agreement.

5. It is hereby agreed that the "closing agent" for the transaction represented by this agreement shall be Marsh Agency. The closing date shall be on or before the date of the $95,000.00 cash payment due hereunder from Buyer. Where not otherwise provided in this agreement or escrow, the parties shall each pay one half of said closing agents fee.

6. Within ... days after acceptance by seller, or upon removal of any liens, encumbrances or defects to title by Seller as provided herein, whichever is later, Buyer and Seller shall deposit with the "closing agent" all funds and instruments to complete the sale in accordance with terms and conditions hereof. Upon receipt of the items specified in the preceding sentence the closing agent shall close this transaction.

7. All attached floor coverings, attached television antenna, attached plumbing, bathroom and lighting fixtures, window screens, screen doors, storm windows, storm doors, shades, venetian blinds, curtain rods, trees, plants, shrubbery, water heating apparatus and fixtures, attached fireplace equipment, awnings, ventilating, cooling and heating systems including built in and "drop in" ranges, (but excepting all other ranges) fuel tanks and irrigation fixtures and equipment, all water and water rights, and ditches and ditch rights appurtenant thereto that are now on or used in connection with the premises shall be included in the sale unless otherwise provided herein.

The following items of property now on the premises are specifically excluded from the sale: None

The following items of personal property are specifically included in the sale: 90 acres of Opaline Irrigation Water, and Seller will transfer any and all water rights of Snake River or ground water applied for or for which permits have been granted.

Taxes and water assessments (using the last available assessment as a basis), rents, insurance premiums, interest and reserves on liens, encumbrances or obligations assumed and utilities shall be pro-rated as of the 1st day of November 1981 or on the date of closing, whichever shall last occur. Buyer shall pay for fuel in tank, the amount to be determined by the supplier at Seller's expense.

8. Seller shall deliver possession of the premises to Buyer xxxxxxxxxxxxxxxxxxxxxxx on the date that xxxxxxxxx xxxxxxxxxxxxxxxxxxxxx $95,000.00 due hereunder is paid

9. The parties agree that this agreement contains the following additional terms and conditions:

See attached Addendum

The provisions contained on the reverse side of this page shall also constitute part of the agreement of the parties. Each of the parties acknowledges reading this agreement in full.

Listing Broker   Selling Broker   By

Buyer   Buyer's Address

Buyer   Buyer's Phone

On this date ... I/We hereby approve and accept the sale set forth in the above agreement and agree to carry out all the terms thereof on the part of the Seller and the undersigned further agrees to pay a commission of ... % of selling price or, ... DOLLARS ($ ...) to the above broker for services. In the event earnest money is forfeited it shall be apportioned to the Seller and Brokers equally after payment of costs set out in the above agreement provided the amount to brokers does not exceed the agreed commission. I/We further acknowledge receipt of a true copy of this agreement with the complete legal description of the premises inserted and signed by both parties.

Shirley V. Marsh

Seller   Seller's Address

Seller   Seller's Business Ph   Seller's Residence Ph

A true copy of the foregoing agreement, signed by the Seller and containing the complete legal description of the premises is hereby received on this ... day of ..., 1981.

STATE OF IDAHO

County of ...

On this ... day of ..., before me, ..., a Notary Public in and for said State, personally appeared ... known to me to be the person(s) whose name(s) subscribed to the foregoing ...

... I have hereunto set my hand ...

MICROFILMED

July 29, 1982

Lester J. Moncreif
Sunrise Sky Park
Star Route
Box 102A
Melba, ID 83641

RE: Assignment of Permit No. 02-7276

Dear Mr. Moncreif,

On April 23, 1982 the department received three assighmgnts for the above referenced permit from Shirley W. Marsh, President of Givens Hot Springs, Inc. One of which assigned you part of the Permit. Then about June 15, 1982 Jim Johnson from our department received a telephone call from you in regards to the assignment. You disagreed with what was being assigned and said you would send a Sales Contract for justification.

As of this writting we have not hear back from you.

If youhave not heard from you by August 10, 1982, we will assume that the assignments are correct and process them. If you have questions, please contact me at 334-4123.

Sincerely,

Robyn Carlson
Technicial Records Specialist

Form No. 211a
11/78

State of Idaho

Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: GLS

Right Number 02-7276 Applicant Givens Hot Springs, Inc.

Purpose of Amendment: ☐ Change point of diversion. ☒ Add diversion point(s).

☐ Increase amount. ☒ Change place of use. ☐ Other _____

CHECK:

- ☑ Description of amended point(s) of diversion.
- ☑ Amount, nature and period of use. If increased, delay date of priority.
- ☑ Description of amended places of use. If expanded, delay date of priority.
- ☑ Ownership of point of diversion and place of use.
- ☑ Map.
- ☑ Signature (must be permit holder).
- ☑ Fee.
- ☐ Existing water rights from the same source, amended place of use.
- ☐ Right number(s) _____
- ☑ Yes ☐ No Should amendment be advertised?
- ☐ Yes ☑ No Should date of priority be delayed? If yes, to what date? _____

FINAL REGIONAL PROCESSING REVIEW:

- ☑ Affidavit of publication received. 5/17/82
- ☑ Amendment published correctly. Owyhee Nugget 5/6 & 5/13/82 20.00/22892
- ☐ Protests processed.
- ☑ Approve.
- ☐ Deny.

Conditions _____

By DBS Date 5/25/82

STATE OFFICE PROCESSING:

- ☑ Amendment correct and complete. By _____ Date 6-8-82
- ☐ Approved copy sent to applicant and to Region. By _____ Date _____

RECEIVED
JUN 0 1 1982
Department of Water Resources

MICROFILMED

NOTICE OF (APPLICATION FOR AMENDMENT) (~~AMENDED APPLICATION FOR PERMIT~~)

Notice is hereby given that (~~application~~) (permit) No. 02-7276

in the name of Givens Hot Springs Inc.

was filed on 1/9/1979 for the

diversion of 2.0 cfs from The Snake River

with a point of diversion within the SESW Sec 16 T1N R3W ~~Owyhee Co.~~ to be used for Irrigation

~~_____~~ purposes from 3/15

to 11/15 within portions of the SWSW Sec 16

~~and the NWNW, SENE, W½NE~~ Sec 21 T1N R3W.

The (~~applicant~~) ( ) (permit holder) now proposes to amend the

~~(application)~~ ( ) by changing the point of diversion to the (permit)

SESW, NWSW (2 points) Sec 16 T1N R3W and the place of use to the

W½SW, SESW Sec 16 and the N½NW Sec 21 T1N R3W

Any protest against the approval of the proposed amendment must be filed with the Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83709 on or before

May 24, 1982.

A. Kenneth Dunn
~~C. STEPHEN ALLRED,~~
Director

Published 5/6 and 5/13/82

MICROFILMED

State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS
Governor

C. STEPHEN ALLRED
Director

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 384-2215

February 26, 1979

Re: Permit No. 02-7276

Givens Hot-springs, Inc.
Star Route
Melba, Idaho 83641

Gentlemen:

Your approved copy of your Application for Permit is enclosed and we direct your attention to the conditions of approval on the fourth page.

Please note the special condition requiring you to install an access port or other device to provide for the installation of measuring equipment by the Department. The Department will provide the specifications for the installation to you.

Note also that water shall not be diverted under this permit unless a base flow of the Snake River at the U. S. Geological Survey stream gaging station at Murphy exceeds 3,300 c.f.s. and at Weiser exceeds 4,750 c.f.s. In addition, there are many applications for permit for the use of Snake River water that are prior to your permit. These applications have been filed for the irrigation of land that the applicants are attempting to obtain under the Federal Land Laws such as Desert Entry and Carey Act. If these lands are developed, and if the base flow is maintained, then no water would be available for this permit. Therefore, you should carefully consider these facts before you make any expenditures for the construction of your system.

The exercise of this permit may also be affected by the court's determination of water rights in the case of Idaho Power Company v. State of Idaho, et al., Civil No. 62237, currently pending before the District Court of Ada County.

Idaho Power officials tell us that because of Case No. U-1006-124 filed before the Idaho Public Utilities Commission, Idaho Power Company is asking the District Court of Ada County to determine whether the Power Company's water rights on the Snake River are protected against subsequent upstream appropriations in the waters of the Snake River and surface and subterranean tributaries between Milner Dam and Hells Canyon.

access port 8/9/79 letter sent Patty Byington

MICROFILMED

Since the use of water under your permit may affect the flows in this reach of the Snake River, the final decision in Idaho Power Company v. State of Idaho, et al. (Ada County Civil No. 62237) may determine to what extent the exercise of your permit may be subject to the water rights of Idaho Power.

While the Ada County court is examining this question, Idaho Power Company has not filed a specific protest to your permit. However, the Department of Water Resources has been advised that the Power Company is not waiving any of its rights to contest or limit the exercise of your permit or a subsequent license or water right.

If you have any questions, please let us know.

Sincerely,

DAVID R. TUTHILL, JR.
Supervisor, Water Allocations Section

DRT:lr

Enclosure

02-7276

STAFF REVIEW - STATE OFFICE

1. V.P. Name vs. Signature
2. S.R. Source
3. ✓ Point of Diversion
4. 2.0 Amnt. & Period of Use
5. ✓ Descrip. of Diverting Wrks.
6. 5 Time req. for Proof of B/U
7. N/A Place of Use for other than irrig.
8. ✓ Place of Use for irrigation (add acres)
9. A Property Owner at Pt. of Div. & Pl. of Use
10. ✓ Map
11. AS Fee & Rec't. No.

Copies Sent To:

- No Idaho Health Department
- ✓ Idaho Fish & Game Dept.
- Bureau of Land Management
- No U.S.F.S.
- ✓ Dept. of Lands
- Other

Dam Safety Information N/A (Goes to Permit Section)

Check:

Critical G.W. Area ____ yes ✓ no

Other rights on same land See 8(5)c. comment - no other rights platted

Withdrawals of all protests received N/A yes ____ no

Conditions:

ID Power Co. Letter - Snake R. Same

ID Power Co. Letter - G.W. & Tribs. No

Snake River Condition Yes

" " Letter

Payette River Letter No

Priority Date 1/9/79

Water Quality #16 No

Water Quality #10 ____

intrastate ___ interstate ___

Meas. Dev. or Sc. Meas. Yes

Totalizing meter No

Supplemental No

Right-of-Way Cond. No

Watermaster Cond. ~~Yes~~ No

Wtr. Dist No. ____

Meas. Dev. Cond. for apps within a Water Dist. ____

John
Reviewer

2/23/79
Date

MICROFILMED

CONVERSATION MEMORANDUM

DATE 23 Jan 79

FILE 02-7276

NAME OF PARTY Teddy Gammett

EMPLOYEE Ernie Ballou

RE: Mr. Gammett is a member of the Opaline Irr. Dist Board. He said all the lands listed under this application were covered w/ water from this system. However they had no objection to the permit but he felt it would give 2" per acre to the land.

Opaline Irrig. Dist. 02-2072

MICROCOPY

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES
Western Region

92 South Cole Road
Boise, Idaho 83705
(208) 384-2190

JANUARY 11, 1979

Owyhee Nugget
Marsing, ID 83639

Gentlemen:

Enclosed you will find a legal notice which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. We have allowed ample time for you to submit a galley proof to this office for review 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. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before FEBRUARY 5, 1979.

Yours truly,

Karla Knecht
Secretary

Encl.

MICROFILMED

NOTICE OF APPLICATION FOR WATER RIGHT

Notice is hereby given that the followins application(s) have been submitted for permit to appropriate the public waters of the State of Idaho:

If issued, the permit(s) will be subject to all prior water rights. Protests against the granting of any permit must be filed with the Director of the Idaho Department of Water Resources, 92 S. Cole Road, Boise, Idaho 83705 on or before FEBRUARY 5, 1979.

C. STEPHEN ALLRED

Director

Published 1/18 & 1/25/79.

MICROFILMED

02-2226

GIVENS HOT-SPRINGS INC.

STAR ROUTE, MELBA, ID 83641

Source: SNAKE RIVER

Date Filed: 01/09/1979

Amount: 2.00 CFS

Diversion Point: SESW Sec 16 T 01N R 03W, OWYHEE Co.

Use: IRRIGATION (2.00 CFS) from 03/15 to 11/15

Place of Use: NWNE SWNE SENE NWNW Sec 21 T 01N R 03W SWSW Sec 16 T 01N R 03W
FOR 90 ACRES

Diversion Means: PUMPING PLANT

MICROFILMED

WATER RIGHT NUMBER	NAME	CFS
02-07276	SPLIT INTO 02-7276A, 02-7276B & 02-7276C.	
02-07276A	JUMP , TERRY JUMP , DOUGLAS	
02-07276B	GREENE , GARY A. GREENE , SARAH E.	
02-07276C	SPLIT INTO PARTS F THROUGH M BY ASSIGNMENT. SEE 02-07276F.	
02-07276D	POPKEN , ROLAND H POPKEN , LILLY ANN	0.02
02-07276E	JONES , WILLIAM C JONES , MADELINE S	0.03
02-07276F	Split into 02-07276N/P/Q/R by assignment.	
02-07276G	DAWSON , ROBERT W DAWSON , MARILYN M	0.02
02-07276H	MONCRIEF , LAURI E	0.03
02-07276I	BECKER , KURT G BECKER , PAMELA A	0.04
02-07276J	OSBORNE , JAMES L OSBORNE , HANAKO K	0.01
02-07276K	WESTE , DON A WESTE , PATRICIA L	0.02
02-07276L	BOWMAN , DAVID M BOWMAN , GLENDA F	0.02
02-07276M	HOFFMAN , DAVID G — VOIDED	0.02 FILE #2
02-07276N	Split into 02-07276S & T by assignment.	
02-07276P	SIMPSON , MICHAEL W — LICENSED	0.04
02-07276Q	STALLINGS , ROBERT — LICENSED STALLINGS , TANA	0.03
02-07276R	LEE , G PAUL — LICENSED LEE , BERNADETTE	0.02 OCT 2 6 1995
02-07276S	Right 02-07276S split into parts U, V and W at licensing.	

WR5747NP

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHTS NUMBER INDEX

DATE: 09/05/
PAGE:

WATER RIGHT NUMBER	NAME	CFS
02-07276T	HAUGAN , MELVIN HAUGAN , HELEN E — licensed	0.03
02-07276U	MONCRIEF , LESTER J — licensed	0.03
02-07276V	MONCRIEF , LESTER J — licensed	0.04
02-07276W	MONCRIEF , LESTER J — licensed	0.02

MICROFILMED
OCT 3 5 1995

Fo. .. 42-248/42-1409(6) July, 2000

RECEIVED
NOV 20 2000
WATER RESOURCES
WESTERN REGION

RECEIVED
NOV 21 2000
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided, if the change in ownership is limited to a portion of a water right in which case division of the existing water right or adjudication claim record will be required.

Water Right No(s).	Adjudication Claim No(s).	Split	Water Right No(s).	Adjudication Claim No(s).	Split
02-07276W					

2. The following **REQUIRED** information must be submitted with this form:

   A. The appropriate **FILING FEE.** See instructions for fee amounts.

   B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION.**

   C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
   PLAT OF PROPERTY or SURVEY MAP clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are usually attached to your deed or on file with the county).

   OR

   If your water right(s) and/or adjudication claim(s) are for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant(s): LESTER J MONCRIEF

   HC 79 BOX 102A MELBA ID 83641

4. New Owner/Claimant(s): Donald L. & Sherry E. Jones

   Name Connector (Check one): [ ] and, [ ] or, [X] and/or

   New Mailing Address: HC 79 Box 100A

   City, State and ZIP Code: Melba, ID 83641

   New Telephone Number: (208) 495-2406

5. Date you acquired the property: March 28, 1997

MICROFILMED
JAN 08 2001

6. **If the change in ownership affects the entire water right for each water right or adjudication claim number listed in item 1, THEN SKIP THIS ITEM AND GO TO ITEM 7.** If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (one water right per box, you may copy this page as necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation		
Stock		
Domestic		
Other _____		
Total		

DESCRIPTION OF YOUR PORTION OF WATER RIGHT
(If the right(s) will not be split, skip this area and proceed to item 7)

Water Right and/or Adjudication Claim Number _____

Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Irrigation		
Stock		
Domestic		
Other _____		
Total		

7. Signature of New Owner(s) or Claimant(s) (include title if applicable) Donald L. Lemon

Sherry E. Jones

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

MICROFILMED

For Office Use Only
Received by DB Date 11-20-00 Fee $25 —
Receipted by DB Date 11-20-00 Receipt No. W027169
Processed by _____ AJ Date _____ WR _____ Date _____

JAN 08 2001

MAKE CHECK PAYABLE TO:
BARBARA WRIGHT TAX COLLECTOR
OWYHEE COUNTY COURTHOUSE
MURPHY, ID 83650
208-495-1158 OR 337-5522

2000 TAX BILL/RECEIPT

BILL# 1870 CODE AREA 16-00
BANK CODE TRAN

PARCEL NUMBER
RP005600010140A

	1ST HALF DUE		2ND HALF DUE		FULL DUE
TAX	740.38	TAX	740.38	TAX	1,480.76
LATE		LATE		LATE	
INT		INT		INT	
COST		COST		COST	
TOT		TOT		TOT	

L	24,800
I	143,265
TOT MV	168,065
HM-	50,000
NET MV	118,065
TOT ACS	1.240

JONES SHERRY E TRUST
JONES DONALD & SHERRY TRUSTEE
HC 79 BOX 100A
MELBA ID 83641

TAXING DISTRICT	RATE	AMOUNT
STATE	.000000000	
COUNTY	.004132678	487.92
SCHOOL 363	.007172474	846.82
GEM H/W 3	.000378572	44.70
MARS-HOME CEM	.000109763	12.96
M-R-W FIRE	.000579009	68.36
DISTRICT TOTAL	.012372496	1,460.76
SOLID WASTE FEE		20.00
AMOUNT DUE		1,480.76

LOT 14 BLOCK 1
SUNRISE SKY PARK SUB
16 1N 3W

MICROFILMED
JAN 08 1981

[redacted]

★ ★ ★IMPORTANT★ ★ ★
PLEASE READ BOTH FRONT AND BACK
★ ★ ★ MONTHLY PAYMENTS ARE ACCEPTED ★ ★ ★
PAYMENTS RECEIVED WITH A DELINQUENCY WILL BE APPLIED TO THE OLDEST DELINQUENT YEAR.
TO AVOID LATE CHARGES, PAYMENTS MUST BE RECEIVED OR POSTMARKED BY THE DUE DATE.
KEEP TOP PORTION FOR YOUR RECORDS.
PERSONAL CHECKS ARE YOUR RECEIPT SUBJECT TO BANK CLEARANCE.

ENCLOSE RIGHT STUB FOR 1ST HALF OR FULL PAYMENT
LEFT STUB IS FOR SECOND HALF PAYMENT IN JUNE

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07276W

Priority: January 9, 1979 Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 4.5 AF

This is to certify, that LESTER J MONCRIEF
HC 79 BOX 102A
MELBA ID 83641 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 9, 1979; and has submitted Proof of Beneficial Use on February 25, 1993. An examination indicates that the works have a diversion capacity of 0.150 cfs of water from:

SNAKE RIVER tributary to **COLUMBIA RIVER**

source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	0.02 CFS	4.5 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 1(SESW), Sec. 16, Township 01N, Range 03W
OWYHEE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
01N	03W	16	Lot 1(SESW)	1			1

Total number of acres irrigated: 1

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07276W

CONDITIONS/REMARKS:

7. Place of use is located within Lot 14, Block 1, Sunrise Sky Park Subdivision.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 28TH day of August, 1995.

Acting for KARL J. DREHER, Director

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07276V

Priority: January 9, 1979 — Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 9.0 AF

This is to certify, that LESTER J MONCRIEF
HC 79 BOX 102A
MELBA ID 83641 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 9, 1979; and has submitted Proof of Beneficial Use on February 25, 1993. An examination indicates that the works have a diversion capacity of 0.110 cfs of water from:

SNAKE RIVER tributary to **COLUMBIA RIVER**

source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	0.04 CFS	9.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2(NESW), Sec. 16, Township 01N, Range 03W
Lot 1(SESW), Sec. 16, Township 01N, Range 03W
OWYHEE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
01N	03W	16	Lot 1(SESW)	2			2

Total number of acres irrigated: 2

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07276V

CONDITIONS/REMARKS:

7. Single point of diversion located on or near line between NESW and SESW, S16, T01N, R03W.
8. Place of use is located within Lot 7, Block 1, Sunrise Sky Park Subdivision.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 28TH day of AUGUST, 1995.

Acting for KARL J. DREHER Director

RECEIVED
AUG 0 8 1995
Department of Water Resources

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 02-07276V

Date of Priority: January 9, 1979

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 9.0 AF

Comes now LESTER J MONCRIEF
HC 79 BOX 102A
MELBA ID 83641
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. 02-07276V, and requests that the permit be changed as follows:

Source: **SNAKE RIVER** tributary to **COLUMBIA RIVER**

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	0.04 CFS	9.0 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2(NESW), Sec. 16, Township 01N, Range 03W
Lot 1(SESW), Sec. 16, Township 01N, Range 03W
OWYHEE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
01N	03W	16	Lot 1(SESW)	2			2

Total number of acres irrigated: 2

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

Signed at SUNRISE-SKYPARK, this 8 day of AUGUST, 1995.

APPROVED

L. J. Moncrief
(Signature)

OCT 2 6 1995

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 02-07276V

****

FOR DEPARTMENT USE ONLY

Preliminary check by ____ Fee = 50.00 Receipted by JW # C033338 Date 8-8-95

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 02-07276V with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
7. Single point of diversion located on or near line between NESW and SESW, S16, T01N, R03W.
8. Place of use is located within Lot 7, Block 1, Sunrise Sky Park Subdivision.

Witness my hand this 28TH day of AUGUST, 1995.

Acting for KARL J. DREHER, Director

OCT 26 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07276U

Priority: January 9, 1979 — Maximum Diversion Rate: 0.03 CFS; Maximum Diversion Volume: 6.8 AF

This is to certify, that LESTER J MONCRIEF
HC 79 BOX 102A
MELBA ID 83641 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 9, 1979; and has submitted Proof of Beneficial Use on February 25, 1993. An examination indicates that the works have a diversion capacity of 0.150 cfs of water from:

SNAKE RIVER tributary to **COLUMBIA RIVER**

source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	0.03 CFS	6.8 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2(NESW), Sec. 16, Township 01N, Range 03W
OWYHEE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
01N	03W	16	Lot 2(NWSW)	1.5			1.5

Total number of acres irrigated: 1.5

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07276U

CONDITIONS/REMARKS:

7. Right 02-07276H is also diverted through the point of diversion described above.
8. Place of use is located within Lot 3, Block 1, Sunrise Sky Park Subdivision.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 28TH day of August, 1995.

Acting for KARL J. DREHER, Director

RECEIVED
AUG 0 8 1995
Department of Water Resources

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 02-07276U

Date of Priority: January 9, 1979

Maximum Diversion Rate: ~~0.02~~ 0.03 CFS
Maximum Diversion Volume: ~~4.5~~ 6.9 AF

Comes now LESTER J MONCRIEF
HC 79 BOX 102A
MELBA ID 83641 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. 02-07276U, and requests that the permit be changed as follows:

Source: **SNAKE RIVER** tributary to **COLUMBIA RIVER**

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	0.02 CFS	4.5 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2(NESW), Sec. 16, Township 01N, Range 03W OWYHEE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
01N	03W	16	Lot 2(NWSW)	1 1/2			1 1/2

Total number of acres irrigated: 1 1/2

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

Signed at SUNRISE SKYPARK, this 8 day of Aug, 1995.

Les Moncrief
(Signature)

OCT 2 6 1995

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 02-07276U

****

FOR DEPARTMENT USE ONLY

Preliminary check by ____ Fee = 50.00 Receipted by JW # C033338 Date 8-8-95

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 02-07276U with the following;

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.
6. This right when combined with all other rights shall provide no more than ~~.02~~ .0225 cfs per acre nor more than 4.5 afa per acre for the lands above.
7. Right 02-07276H is also diverted through the point of diversion described above.
8. Place of use is located within Lot 3, Block 1, Sunrise Sky Park Subdivision.

Witness my hand this 28TH day of AUGUST, 1995.

Acting for KARL J. DREHER, Director

OCT [illegible]

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07276T

Priority: January 9, 1979 — Maximum Diversion Rate: 0.03 CFS; Maximum Diversion Volume: 6.8 AF

This is to certify, that CHARLES MC KINNON
MARY MC KINNON
PO BOX 3035
PARADISE CA 95967 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 9, 1979; and has submitted Proof of Beneficial Use on February 25, 1993. An examination indicates that the works have a diversion capacity of 0.130 cfs of water from:

SNAKE RIVER tributary to **COLUMBIA RIVER**

source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	0.03 CFS	6.8 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2(NESW), Sec. 16, Township 01N, Range 03W OWYHEE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES	ACRES	TOTAL
01N	03W	16	Lot 2(NESW)	1	Lot 1(SESW)	0.5		1.5

Total number of acres irrigated: 1.5

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07276T

CONDITIONS OF APPROVAL AND REMARKS

6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
7. Place of use is located within Lot 5, Block 1, Sunrise Sky Park Subdivision.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 11TH day of OCTOBER, 1995.

Acting for KARL J. DREHER, Director

RECEIVED
OCT 0 6 1995
Department of Water Resources

State of Idaho
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 02-07276T

Date of Priority: January 9, 1979

Maximum Diversion Rate: 0.03 CFS
Maximum Diversion Volume: 6.8 AF

Comes now CHARLES MC KINNON
MARY MC KINNON
PO BOX 3035
PARADISE CA 95967 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. 02-07276T, and requests that the permit be changed as follows:

Source: **SNAKE RIVER** tributary to **COLUMBIA RIVER**

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	0.03 CFS	6.8 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2(NESW), Sec. 16, Township 01N, Range 03W OWYHEE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES	ACRES	TOTAL
01N	03W	16	Lot 2(NESW)	1	Lot 1(SESW)	0.5		1.5

Total number of acres irrigated: 1.5

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

Signed at Paradise, CA this 3rd day of October, 1995.

OCT 2 6 1995

(Signature)

State of Idaho
Department of Water Resources

RECEIVED
OCT 0 6 1995
Department of Water Resources

APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 02-07276T

****

FOR DEPARTMENT USE ONLY

Preliminary check by ___ Fee = 50.00 Receipted by RT #C03368 Date 10/6/95

ACTION OF THE DEPARTMENT OF WATER RESOURCES

I, Karl J. Dreher, of the Department of Water Resources hereby approve the above Application for Amendment for Permit No. 02-07276T with the following;

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.
7. Place of use is located within Lot 5, Block 1, Sunrise Sky Park Subdivision.

Witness my hand this 11TH day of OCTOBER, 1995.

Acting for KARL J. DREHER, Director

OCT 2 6 1995

7/94

RECEIVED
SEP 0 5 1995
Department of Water Resources
No $

RECEIVED
SEP 1 8 1995
Department of Water Resources

For Office Use Only
$25 Filing Fee
Receipt # C033566
Date 9-18-95

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT

I, _____, hereby assign to Charles/Mary McKinnon

of, P.O. Box 3035 Paradise, CA 95967 (Full Address) 916- 877-8480 (Phone)

All my right, title, and interest in and to Permit No. 02-07276T to appropriate the public waters of the State of Idaho.

Or (for partial assignments)

The following described portion of my right, title, and interest in and to Permit No._____ to appropriate the public waters of the State of Idaho. (Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision, point of diversion location, and the amount of water in cubic feet per second.)

_____

_____

_____

Made this 29th day of Aug, 1995.

Melvin Haugan
Permit Holder
Helen E. Haugan

State of Idaho)
) ss
County of _____)

On this 29 day of Aug, 1995, 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
seal WASILLA ALASKA

My commission expires: 19 JAN 99

RECEIVED
OCT 26 1995

Form 217
11/91

RECEIVED
FEB 25 1993
Department of Water Resources

OFFICE USE ONLY
Amt. of Fee $ 50.00
Date 2-25-93
Receipt No. 002685
Receipt by

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 02-07276 ET Telephone No. 907 745 3891
2. Name(s) of Permit Holder(s): MELVIN + HELEN HAUGAN
3. Mailing Address: 5350 DUNBAR Rd. WASILLA, AK 99654
4. Source of Water: SNAKE RIVER

   If **GROUNDWATER**, Well Driller's Name: _____ Date Drilled: _____

   OPTIONAL:
   Pump horsepower: 2 HP Pressure (psi): 50 Dynamic pumping level (ft.): 10'
5. Extent of Use (as authorized by the permit):

   Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

   Irrigation 1.5 (No. of acres) Other _____
6. Total rate and/or volume for which proof is submitted 0.03 cfs **OR** _____ acre/feet
7. Refer to the approval conditions on your permit and respond accordingly:

   Measuring device: Required? ___ Yes ✓ No Installed? ___ Yes ___ No

   OR

   Flow Measurement Port: Required? ___ Yes ✓ No Installed? ___ Yes ___ No
8. Fee Enclosed: $ _____ (See License Fee Schedule on back of Instruction Sheet)
9. Person to contact to accompany the Department representative during field examination of the water system.

   LES MONCRIEF
   Name HC79 Box 102A MELBA, IDAHO 83641 Telephone No. (208) 495-1101
   Address
10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

APPROVED
APR 05 1993

8 Feb 93 Melvin Haugan
Date Signature (and title, if on behalf of a company or organization)

RECEIVED
FEB 2 3 1993
Department of Water Resources

State of Idaho
Department of Water Resources

PART/ T

ASSIGNMENT OF PERMIT

I, Lester J. Moncrief, hereby assign to Melvin &/or Helen E. Haugan
of 5350 Dunbar Dr., Wasilla, AK 99687
Address

CHECK ONE

☐ All my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho.

☒ The following described portion of my right, title, and interest in and to Permit No. 02-07276N to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within each 40 acre subdivision, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage)

0.03 cfs for the irrigation of 1.5 acre(s) in SW¼ of sec 16, T1NR3W, Owyhee Co., a.k.a. Lot 5 Block 1, Sunrise Skypark Subdivision, with a point of diversion to be established within Lot 5 Block 1, NESW sec 16, T1NR3W.

Made this 22 day of FEBRUARY, 1993.

Lester J. Moncrief
Permit Holder

Georgianne V. Moncrief
Spouse of Permit Holder

State of Idaho)
County of Owyhee) ss.

On this 22nd day of February, 1993, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that ~~he (she)~~ (they) executed the same.

Nicholas K. Thiel
Notary Public residing at
Murphy, Id

seal

My commission expires:
1/31/94

MICROFILMED
APR 05 1993

ORIGINAL

DOCUMENTATION

FOR RIGHT NO. 02-07276S

Before

BEING SPLIT INTO

PARTS U-W

AT LICENSING

RECEIVED

OCT 2 6 1995

Form 217
11/91

RECE :D
FEB 2 5 1993
Department of Water Resources

OFFICE USE ONLY
Amt. of Fee $ 50.00
Date 2-25-93
Receipt No. C02ie855
Receipt by

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 02-07276RES Telephone No. (208) 495-1101
2. Name(s) of Permit Holder(s): LESTER J. MONCRIEF
3. Mailing Address: HC 79 BOX 102A MELBA, ID 83641
4. Source of Water: SNAKE RIVER

   If **GROUNDWATER**, Well Driller's Name: _____ Date Drilled: _____

   OPTIONAL:
   Pump horsepower: 2 Pressure (psi): 50 Dynamic pumping level (ft.): 10'
5. Extent of Use (as authorized by the permit):

   Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

   Irrigation 5 1/2 (No. of acres) Other _____
6. Total rate and/or volume for which proof is submitted 0.11 cfs **OR** _____ acre/feet
7. Refer to the approval conditions on your permit and respond accordingly:

   Measuring device: Required? ___ Yes ✓ No Installed? ___ Yes ___ No

   OR

   Flow Measurement Port: Required? ___ Yes ✓ No Installed? ___ Yes ___ No
8. Fee Enclosed: $ 50.00 (See License Fee Schedule on back of Instruction Sheet)
9. Person to contact to accompany the Department representative during field examination of the water system.

   LES MONCRIEF
   Name
   HC79 Box 102A
   MELBA, IDAHO 83641 Telephone No.
   (208) 495-1101
   Address
10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

APR 0 5 1993

2-22-93 Les Moncrief
Date Signature (and title, if on behalf of a company or organization)

Form 204
4/86

RECEIVED
FEB 15 1989
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

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

For Office Use Only
$15 FEE Receipted by CF
Date 2/16/89
Receipt # 005525

The Idaho Department of Water Resources will consider this form as a request that the permit holder(s) be granted an additional period of time in which to complete development of a water right under the provisions of Section 42-204, Idaho Code.

Permit No. 02-7276~~A R M~~ S
57-7236-G

Name(s) of Permit Holder: Lester J. Moncrief

Post Office Address: HC 79 Box 102A

Melba, ID 83641 Telephone No. (208) 495-1101

Date Proof is Due: Permit #02-7276C March 1, 1989
Permit #57-7236G May 1, 1989

Describe what work has been completed toward the development of this water right:
(This must be filled out! If no work has been completed, show "none".)

PLEASE SEE ATTACHED SHEETS

Costing $

The permit holder(s) has been unable to complete the remainder of the work for the following reasons:

PLEASE SEE ATTACHED SHEETS

Permit holder(s) request an extension to March 1, 19 94.
(1 yr. minimum)

Lester J. Moncrief
(Signature)*

*IF OTHER THAN PERMIT HOLDER, POWER OF ATTORNEY MUST BE SUPPLIED.

FEE: $15.00 x 2 = $30.00 check enclosed

MICROFILMED

ACTION OF THE DEPARTMENT OF WATER RESOURCES

APR 28 1989

IT IS HEREBY ORDERED that the above request for extension of time be APPROVED and the time within which to submit proof of beneficial use is extended to March 1, 1993.

Signed this 15th day of March, 19 89.

L. Glen Saxton
Chief, Water Allocation Bureau

Form 204
3/81

For Office Use Only
Fee Received 15.00
Date 3-2-84
Receipt # 33790

RECEIVED
MAR 1 1984
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

REQUEST FOR EXTENSION OF TIME

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

Lester J. Moncrief (Name) of Star Route Box 102A, Melba, ID 83641 (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 Water of the State of Idaho No. 02-7276C.

That under the terms and conditions of said permit, work thereunder was required to be completed on or before March 1, 19 84.

That he has heretofore performed the following work described under said permit: The underground power to the point of diversion has been installed at a cost of $12,000. The access road to the point of diversion and the landfill, riprap, and excavation at the pumping station site has been completed at a cost of $5,000. Commenced work

Costing $ Total $17,000

That he is unable to complete the remainder of the work within the required time for the following reasons, to-wit:

Please see attached sheet

Wherefore, he asks that the Department of Water Resources extend the time for the completion of obligations under said permit to March 1, 19 89.
(1 yr. minimum, 5 yrs. maximum)

NOTE
AS OF JULY 1, 1980, THERE IS A $15.00 CHARGE FOR REQUESTS FOR EXTENSION OF TIME.

Lester J. Moncrief
(Signature)*
*IF OTHER THAN HOLDER, Power of Attorney must be supplied.

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

IT IS HEREBY ORDERED that the above application for extension of time be APPROVED and the time within which to submit the statement of beneficial use is extended to March 1, 1989.

Signed this 15th day of March, 19 84.

L. Glen Saxton
Chief, Operations Bureau

SUNRISE SKY PARK
STAR ROUTE
BOX 102 A
MELBA, IDAHO 83641
(208) 495-1101

RECEIVED
MAR 1 1984
Department of Water Resources

I am developing a residential skypark. On April 23, 1982, I was assigned the water rights to permit no. 02-7276 by Shirley W. Marsh. This means that 3 years and 3 months time to claim the water rights had already elapsed. Due to the nature of the project, I have had to complete preliminary work before being able to make beneficial use of the Snake River water. This work amounts to $150,000 constructing an aircraft runway, roads, underground power and telephone, and design engineering. Also, the status of Idaho Power water right litigation and its influence on our project still remains unsettled.

MICROFILMED

State of Idaho

Department of Water Resources

ASSIGNMENT OF PERMIT

ELDON R MARSH

I, [redacted], hereby assign to Lester J. Moncrief

Vice Pres. Givens Hot Springs, Inc.

of Sunrise Sky Park, Star Route, Box 102A, Melba, Idaho 83641

Address

CHECK ONE

☐ All my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho.

☒ The following described portion of my right, title, and interest in and to Permit No. 02-7276 to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within each 40 acre subdivision, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage)

92 acres within the NWSW (12 acres), SWSW (12 acres), SESW (18 acres) Sec. 16; NENW (40 acres), NWNW (10 acres), Sec. 21, T. 1N R. 3W.

Also, the point of diversion in the SESW, Sec. 16, Blocks 1-6 and 8 of the Sunrise Sky Park Sub., Owyhee Co., for 1.84 cfs.

Made this 16th day of December, 1983.

GIVENS HOT SPRINGS, INC.

by Eldon R Marsh

Permit Holder

Spouse of Permit Holder

State of Idaho)
ss.
County of Ada)

On this 16 day of December, 1983, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

seal

Notary Public residing at Boise, Idaho

My commission expires:

life

MICROFILMED

RECEIVED
APR 0 8 1998
Department of Water Resources

Form 42-1413(42-1407)(6) 10/1/96

RECEIVED
APR 0 6 1998
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO

IDAHO DEPARTMENT OF WATER RESOURCES

NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.

Incomplete forms will be returned.

1. Water Right Number(s) 02-07276R

   Adjudication Claim Number(s) _____

2. The following REQUIRED information must be submitted with this form.

   A. A copy of the most recent DEED, TITLE POLICY, CONTRACT OF SALE, or other legal document indicating your ownership of the property and water rights or claims in question, WITH ATTACHED LEGAL DESCRIPTION.

   AND

   B. PLAT OF PROPERTY or SURVEY MAP for parcel of ten acres or less. (These are usually on file with the county.)

   OR

   C. For water rights or adjudication claims involving ten or more irrigated acres, a USDA Farm Service Agency (formerly ASCS) AERIAL PHOTO with irrigated acres outlined and point(s) of diversion clearly marked.

MICROFILMED
JUL 27 1999

3. Name and Address of Former Owner/Claimant(s) G. Paul Lee
   Bernadette Lee

4. New Owner/Claimant(s) Ray & Kay Fehr

Name connector (Check one): [ ] AND, [ ] OR, [ ] D/OR

New Mailing Address 760 W 4500 S.

City, State and ZIP Code Roy UT 84067

New Telephone Number (801) 731 - 7398

5. Date you acquired the property December 1997

6. If you have acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). If this applies, describe in detail your portion of each water right or adjudication claim in the spaces below. If necessary, attach additional pages.

Number of acres actually irrigated _____ Number and type of stock _____

Diversion rate in CFS 0.02 (cubic feet per second) Number of homes _____ Other uses _____

If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

7. Signature of New Owner/Claimant(s) Ray Fehr Date 3 Apr. 1-98

Kay Fehr Date Apr. 3, 1998

(Corporations or other organizations must submit a list of directors/officers demonstrating authority to sign form.)

8. For Snake River Basin Adjudication Claims: If you are represented by an attorney and you want IDWR to correspond directly with your attorney for all matters related to your claims, please attach a Notice of Appearance completed by your attorney.

MICROFILMED

JUL 27 1999

APR 0 6 1998

WATER RESOURCES
WESTERN REGION

23779

WARRANTY DEED

FILED-RECORDED

'98 JAN 14 PM 3 00

For Value Received

Paul Lee and Bernadette Lee, husband and wife

hereinafter referred to as Grantor, does hereby grant, bargain, sell, and convey unto

JIM HUSLEY JR.
OWYHEE COUNTY RECORDER
BY
DEPUTY

RAY Fehr and Kay Fehr, husband and wife

hereinafter referred to as Grantee, whose current address is

1760 W. 4500 S., Roy, UT 84067

REQUEST OF
FEE

the following described premises, to-wit:

Lot 9 of Block 2 of SUNRISE SKYPARK part of Government Lot 1 and 2, Section 16, NE1/4 NW1/4 and Government Lot 2, Section 21, Township 1 North, Range 3 West, B.M., Owyhee County, Idaho, according to the official plat thereof on file and of record in the office of the Recorder for Owyhee County, Idaho.

THIS IS BEING RE-RECORDED TO CORRECT THE GRANTEE*S NAME SPELLING.

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: December 15, 1997.

Paul Lee

Bernadette Lee

REQUEST OF

JIM HUSLEY JR.
OWYHEE COUNTY RECORDER
BY
DEPUTY

'97 DEC 19 AM 11 55

FILED-RECORDED

223580

STATE OF ~~IDAHO~~ WASHINGTON)
) ss.
COUNTY OF Clark)

On This 17TH day of December, in the year 1997, before me, a Notary Public in and for said State, personally appeared Paul Lee and Bernadette Lee, known or identified to me to be the person(s) whose name(s) are subscribed to the within Instrument, and acknowledged to me that they executed the same.

VALERIE J. DARROW
NOTARY PUBLIC
STATE OF WASHINGTON
COMMISSION EXPIRES
APRIL 1, 2001

Notary Public of ~~Idaho~~ WASHINGTON
Residing at VANCOUVER
Commission expires: 04-01-2001

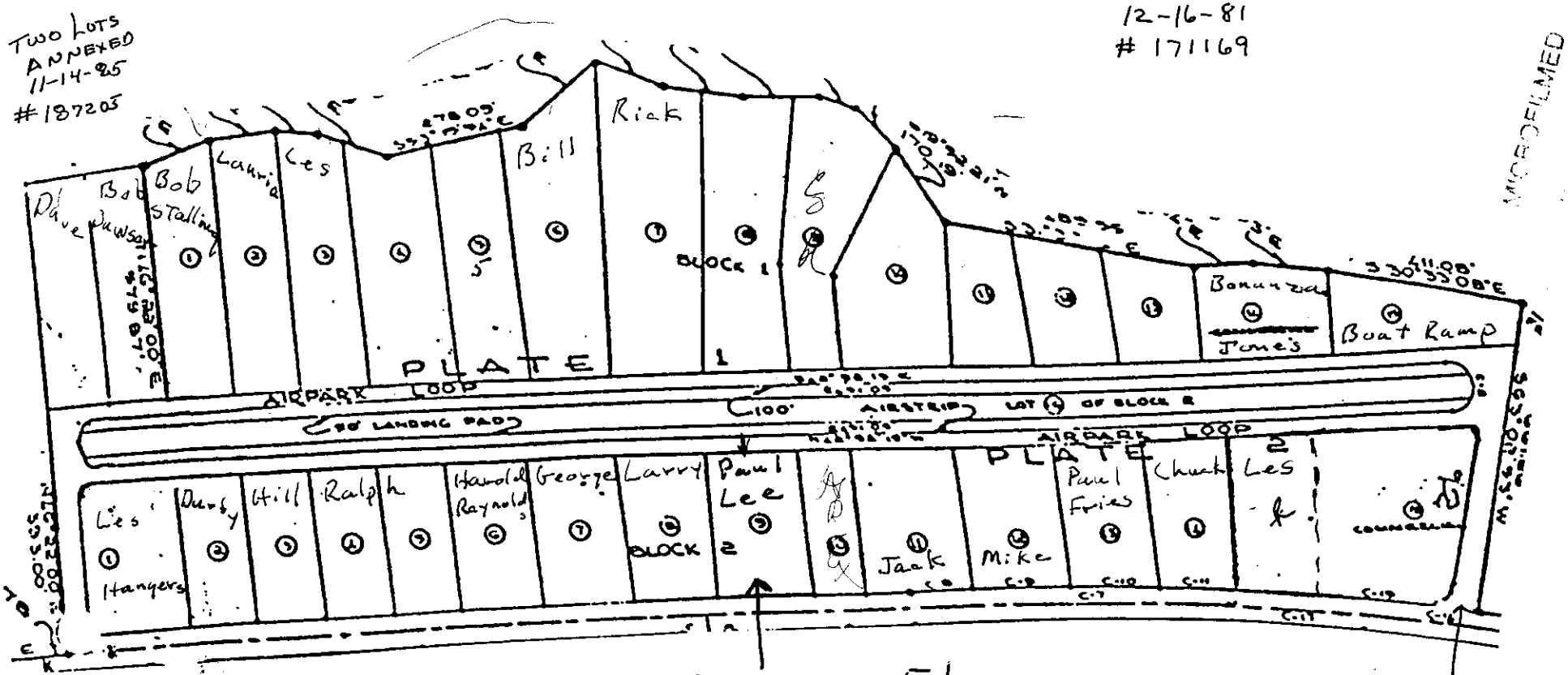
MICROFILMED

JUL 27 1999

2 ac +
1400 - 1700
Jim Osborne

ORIGINAL
PLAT
12-16-81
171169

TWO LOTS
ANNEXED
11-14-85
#187205



MICROFILMED
JAN 27 1999

Ray + Kay Fehr
Lot 9 Block 2

RESURVEY
11-4-85
#187050

RUNWAY EXTENSION
RESURVEYS
197022
187205
210139

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07276R

Priority: January 9, 1979 — Maximum Diversion Rate: 0.02 CFS; Maximum Diversion Volume: 4.5 AF

This is to certify, that G PAUL LEE
BERNADETTE LEE
20903 NE 212TH AVE
BATTLEGROUND WA 98604 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 9, 1979; and has submitted Proof of Beneficial Use on February 25, 1993. An examination indicates that the works have a diversion capacity of 0.150 cfs of water from:

SNAKE RIVER tributary to **COLUMBIA RIVER**

source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	0.02 CFS	4.5 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 1(SESW), Sec. 16, Township 01N, Range 03W
OWYHEE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES	ACRES	TOTAL
01N	03W	16	Lot 1(SWSW)	0.5	Lot 1(SESW)	0.5		1

Total number of acres irrigated: 1

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.
6. This right when combined with all other rights shall provide no more than .02 cfs per acre nor more than 4.5 afa per acre for the lands above.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07276R

CONDITIONS/REMARKS:

7. Right 02-07276P is also diverted through the point of diversion described above.
8. Place of use is located within Lot 9, Block 2, Sunrise Sky Park Subdivision.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 28TH day of AUGUST, 1985.

Acting for KARL J. DREHER, Director

Form 37
11/91

OFFICE USE ONLY
Amt. of Fee $ 50.00
Date 2-25-93
Receipt No. C026849
Receipt by JW

RECEIVED
FEB 2 4 1993
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 02-07276 ~~&~~ R Telephone No. 206 687-4146
2. Name(s) of Permit Holder(s): G. Paul and/or Bernadette Lee
3. Mailing Address: 20903 NE 212th Ave. Battleground Wa. 98604
4. Source of Water: Snake River

   If **GROUNDWATER**, Well Driller's Name: _____ Date Drilled: _____

   OPTIONAL:
   Pump horsepower: 2HP Pressure (psi): 50 Dynamic pumping level (ft.): 10'

5. Extent of Use (as authorized by the permit):

   Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

   Irrigation 1.0 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 0.02 cfs **OR** _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

   Measuring device: Required? ___ Yes ✓ No Installed? ___ Yes ___ No

   OR

   Flow Measurement Port: Required? ___ Yes ✓ No Installed? ___ Yes ___ No

8. Fee Enclosed: $ 50.00 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

   LES MONCRIEF
   Name HC79 Box 102A Telephone No.
   MELBA, IDAHO 83641
   (208) 495-1101
   Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

APR 05 1993

2-12-93 G. Paul Lee / Bernadette Lee
Date Signature (and title, if on behalf of a company or organization)

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 02-07276R IN THE NAME OF G PAUL OR BERNADETTE LEE	ORDER EXTENDING PROOF OF BENEFICIAL USE

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before March 1, 1993; and,

WHEREAS, notice was not given to the permit holder sixty days prior to the date that proof of beneficial use of water was due as required by Section 42-204, Idaho Code;

IT IS THEREFORE HEREBY ORDERED that the time within which to submit the proof of beneficial use of water under Permit No. 02-07276Q be extended to April 1, 1993.

Dated this 12th day of January, 1993.

L. GLEN SAXTON
Chief, Water Allocations Bureau

APR 05 1993

DEC 22 1992

Department of Water Resources
Western Regional Office

State of Idaho
Department of Water Resources

(R)

ASSIGNMENT OF PERMIT

I, LESTER J. MONCRIEF, hereby assign to G. PAUL &/OR BERNADETTE LEE

of 20903 N.E. 212TH AVE. BATTLE GROUND, WA 98604
Address

CHECK ONE

☐ All my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho.

☒ The following described portion of my right, title, and interest in and to Permit No. 02-7276F to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within each 40 acre subdivision, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage)

0.02 CFS FOR THE IRRIGATION OF 1 ACRE IN S½ SW SEC. 16 T1N R3W OWYHEE COUNTY AKA LOT 9 BLOCK 2 SUNRISE SKYPARK SUBDIVISION WITH A SINGLE POINT OF DIVERSION TO BE ESTABLISHED WITHIN LOT 8 BLK 1 SE SW SECTION 16 T1N R3W

Made this 18th day of December, 1992.

Lester J. Moncrief
Permit Holder

Georgeanne K. Moncrief
Spouse of Permit Holder

State of Idaho)
) ss.
County of Owyhee)

On this 18 day of December, 1992, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Nicholas K. Ihli
Notary Public residing at
Murphy, Id

seal

My commission expires:
1/31/94

MICROFILMED

APR 05 1993

02-07276 4/15/92 CAH

INDEX SHEET

SUNRISE SKY PARK

PART OF SECTIONS 16 & 21, TOWNSHIP 1 NORTH, RANGE 3 WEST OF THE BOISE MERIDIAN
OWYHEE COUNTY, IDAHO

N

SCALE

STATE OF IDAHO)
COUNTY OF CANYON) ss

SURVEYOR'S CERTIFICATE

INSTRUMENT NO. _____
STATE OF IDAHO)
COUNTY OF OWYHEE) ss

I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF _____ AT ___ MINUTES PAST ___ O'CLOCK ___ M. THIS ___ DAY OF _____, 1993.

RECORDER DEPUTY

APR 05 1993 at 2 PM 11 23 M.

RECORDED

LEGEND

- ⊙ 1/2" REBAR
- ⊙ 1/2" REBAR w/PLASTIC CAP
- ⊙ RAILROAD SPIKE
- ⊙ ALUMINUM CAP

Moncrief Res.

NESW of Sec 16
Lot 2

SNAKE RIVER

Lot 1 Sec 16 SW of SW
NW of NW Sec 21 LOT 2

Subdivision Commandments retained under Part C

2 Existing Parcels

Lot 1 Sec 16 SE of SW
NE of NW Sec 21 LOT 2

BLOCK 7

BLOCK 8

BLOCK 6

BLOCK 5

AIRPARK PLAT

AIRPARK ROAD

CUB LANDING PAD

LOCUST LANE

POPLAR

SAGE ROAD

DRIVE

DRIVE

STATE HIGHWAY # 78

INITIAL POINT OF THIS PLAT

CURVE DATA

IN 3W Sec 16 & 21

INDEX SHEET

PLAT BOOK: ___ PAGE: ___

SHEET 1 OF 7 SHEETS

Form 42-248/42-1409(6) March 26,1999

STATE OF IDAHO
IDAHO DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

Please print or type. Attach pages with additional information. Instructions are on the back of this page.
Incomplete forms will be returned.

RECEIVED
APR 2 8 2000
Department of Water Resources

1. Water Right No(s).: 02-07276Q

   Adjudication Claim No(s).:

2. The following **REQUIRED** information must be submitted with this form:

   A. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water rights or claims in question, **WITH ATTACHED LEGAL DESCRIPTION.**

   AND

   B. **PLAT OF PROPERTY** or **SURVEY MAP** showing the location of the place of use of the water right(s) or claim(s). (These are usually attached to your deed or on file with the county.)

   OR

   C. If your water right or adjudication claim is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The AERIAL PHOTO should be submitted in place of the PLAT OF PROPERTY or SURVEY MAP.

3. Name and Address of Former Owner/Claimant: ROBERT STALLINGS - TANA STALLINGS
   303C PITLANE NAMPA ID 83687

4. New Owner/Claimant(s): John & NINA LEAKOS
   Name Connector (Check one): [ ] and, [ ] or, [X] and/or
   New Mailing Address: HC 79 Box 102C
   City, State and ZIP Code: MEIBA, ID 83641-9639
   New Telephone Number: (208) 495-1396

5. Date you acquired the property: 9-21-1999

6. **Did you acquire all of the former owner's property? If you did, skip this item and go to item 7.** If you acquired only a portion of the former owner's property, IDWR may need to split the water right(s) or adjudication claim(s). Describe in detail your portion of each water right or adjudication claim in the spaces in the box below **only if the water right(s) or claim(s) need to be split between owners.** If necessary, attach additional pages. If a water right or adjudication claim is being split and you are not sure how to identify your portion of the original right or claim, please contact the nearest IDWR office for assistance.

   Number of acres you irrigate with this water right 1 Number and type of stock _____

   Diversion rate in CFS 0.03 Number of homes you acquired _____ Other uses _____

7. Signature of New Owner(s) or Claimant(s): John T Leakos
   Nina K Leakos

   Corporations or other organizations must submit a list of directors and/or officers demonstrating authority to sign form.

8. For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him or her for all matters related to [illegible]

MICROFILMED

[illegible] 2000

WARRANTY DEED

FOR VALUE RECEIVED ROBERT I. STALLINGS and TANA L. STALLINGS, husband and wife

the Grantors, do hereby grant, bargain, sell and convey unto JOHN T. LEAKOS and NINA V. LEAKOS, husband and wife

the Grantees, whose address is , ,

the following described premises, to-wit:

Lot 1, Block 1, SUNRISE SKYPARK, part of Government Lots 1 and 2.

Section 16: Northwest Quarter of the Northwest Quarter and Government Lot 2, Section 21, Township 1 North, Range 3 West, Boise Meridian, Owyhee County, Idaho according to the official plat thereof filed December 16, 1981 as Instrument No. 171169, Owyhee County Records.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantors do hereby covenant to and with the said Grantees, that they the owners in fee simple of said premises; that said premises are free from all encumbrances; except for general taxes and assessments for the year 1999 and subsequent years, covenants, conditions, restrictions and easements of record; and that they will warrant and defend the same from all lawful claims whatsoever.

DATED: September 20, 1999

Robert I. Stallings
ROBERT I. STALLINGS

Tana L. Stallings
TANA L. STALLINGS

STATE OF IDAHO
COUNTY OF CANYON

On this 20 day of SEPTEMBER, 1999, before me, a notary public, personally appeared ROBERT I. STALLINGS AND TANA L. STALLINGS, known or identified to me to be the person(s) who(se) name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

AMY McCLINTOCK NOTARY PUBLIC STATE OF IDAHO

Amy McClintock
Notary Public
Residing at NAMPA
My commission expires: 4/20/2000

PIONEER TITLE COMPANY
OF CANYON COUNTY

100 10TH AVE SOUTH
NAMPA, IDAHO 83651

423 SOUTH KIMBALL
CALDWELL, ID 83605

MICROFILMED

SEP 07 2000

WARRANTY DEED
STALLINGS/LEAKOS

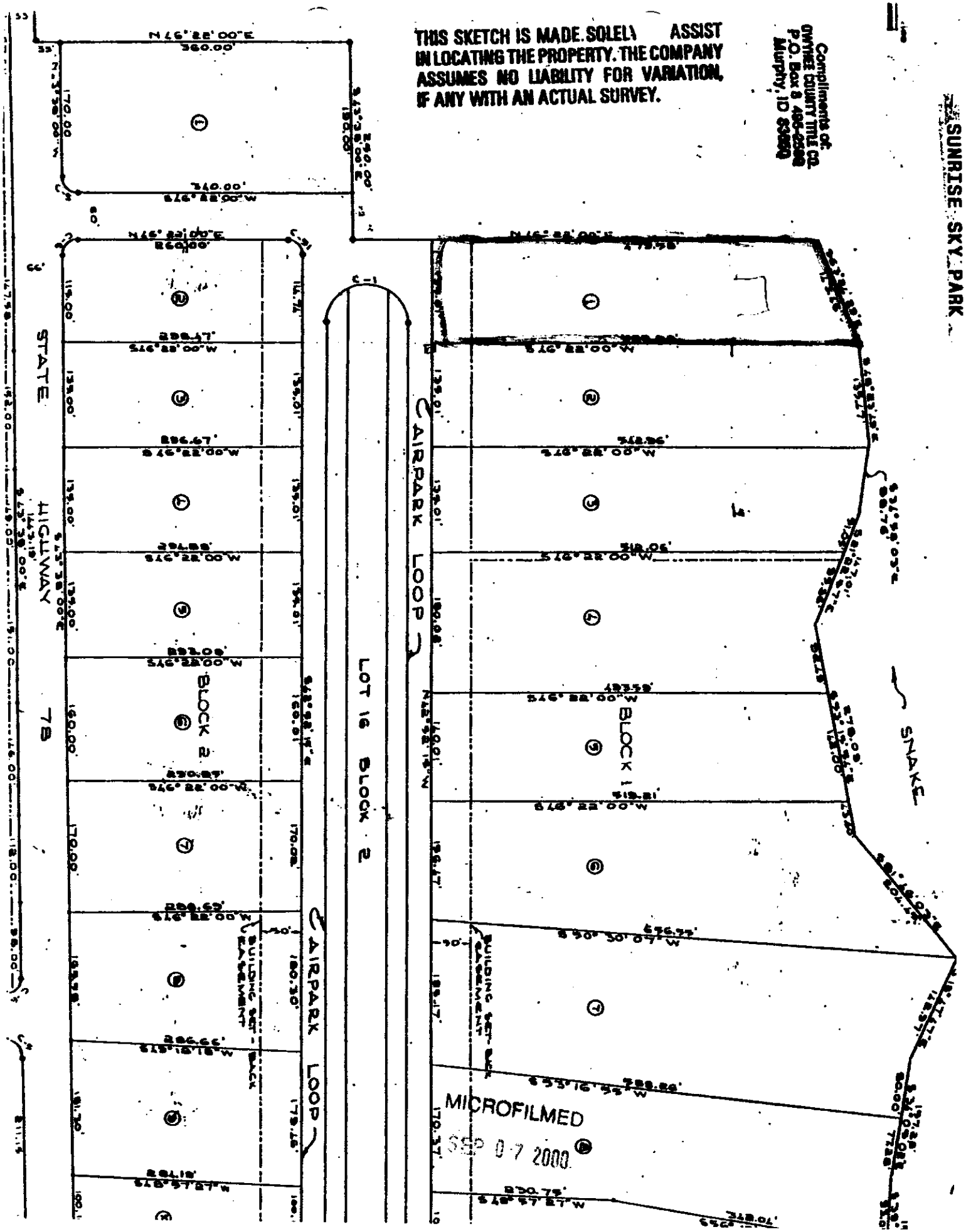
EXHIBIT "A"

Lot 1 of Block 1 of SUNRISE SKYPARK part of Government Lot 1 and 2, Section 16; NW1/4 NW1/4 and Government Lot 2, Section 21, Township 1 North, Range 3 West, Boise Meridian, Owyhee County, Idaho according to the official plat thereof filed December 16, 1981 as Instrument No. 171169, Owyhee County Records.

229917

FILED - RECORDED
99SEP 21 PM 4:06

MICROFILMED
SEP 07 2000


THIS SKETCH IS MADE SOLELY ASSIST IN LOCATING THE PROPERTY. THE COMPANY ASSUMES NO LIABILITY FOR VARIATION, IF ANY WITH AN ACTUAL SURVEY.
Compliments of:
OWYHEE COUNTY TITLE CO.
P.O. Box 8 495-2588
Murphy, ID 83650
SUNRISE SKY PARK
STATE HIGHWAY 78
AIRPARK LOOP
LOT 16 BLOCK 2
BLOCK 2
BLOCK 1
SNAKE
BUILDING SET-BACK EASEMENT
MICROFILMED
SEP 07 2000

C604 4/26/00 N

Pioneer Title Company of Canyon County
Owyhee County Office
100 10th Ave S
Nampa, ID 83651
Phone: 208-466-6100 Fax 208-466-6558

Fx 327-7866

FACSIMILE TRANSFER

TO: Kari Lynn Townsend
Water Resources

RE: Leakos, John T., & Nina V.
File No. Water Right No. 02-07276Q

INCLUDING THIS COVER SHEET WE ARE TRANSMITTING 4 **PAGES**

DATE: 6-19-00

TIME: 2:00 P.M.

SENDER: Mike Thill

If there has been a problem with this transmission, please contact us at the number above.

attached is a copy of the original Warranty Deed from Proncief. This is how it has always been. The refrences to both Sections 16 & 21 is to clarify where the subdivision is located not the location of the specific Lot 1. If have attached a copy of the assessors map showing the corner common to Sec 17, 16, 20 & 21. It would appear that Lot 1 is in fact Lot 2 of Section 16. I can see where people could be confused as the Subd covers parts of 2 Sections. You folks have been exercising through this description for years now. P.S. I just received a Copy of the Water Right Licence. Lot 1 could very well be a part of Section 2 which would be correct.

If any other questions or clarification you need please give me a call.

TITLE INSURANCE * ESCROW CLOSINGS * LONG TERM ESCROWS

MICROFILMED
SEP 07 2000



Common corner between Sections 17, 16, 20 & 21.

20 AC
TAX # 17
VACATED FROM SOUTHERN PAY
4/2/87 & 1/3/74

THIS SKETCH IS MADE SOLELY TO ASSIST IN LOCATING THE PROPERTY. THE COMPANY ASSUMES NO LIABILITY FOR VARIATION IF ANY WITH AN ACTUAL SURVEY.

WARRANTY DEED

LESTER J. MONCRIEF AND GEORGEANNE H. MONCRIEF, husband and wife, GRANTORS, hereby CONVEY, GRANT AND WARRANT TO RICHARD CARL WILLIAMS and KORLYN K. WILLIAMS, husband/wife, GRANTEES of Box 870390, Wasilla, AK 99687 for the sum of Ten Dollars ($10.00) and other good and valuable consideration, the following described tracts of land in Owyhee County, State of Idaho:

Lot(s) 1 of Block 1 of SUNRISE SKYPARK part of Government Lot 1 and 2, Section 16; NW¼NW¼ and Government Lot 2, Section 21, Township 1 North, Range 3 West, B.M. Owyhee County, Idaho, according to the official plat thereof on file and of record in the office of the Recorder for Owyhee County, Idaho.

Together with one acre of Opaline Irrigation District Water.

Together with all water, water rights, ditches and rights of way for ditches appurtenant thereto or in anywise appertaining; together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

SUBJECT TO taxes and assessments for the year 1984 and all subsequent years, together with any and all existing easements and rights of way of record.

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

WITNESS the hand of said Grantors this 1st day of November, 1984.

Lester J. Moncrief

Lester J. Moncrief

Georgeanne H. Moncrief

Georgeanne H. Moncrief

STATE OF IDAHO)
: ss
County of Canyon)

On the 1st day of November, 1984 personally appeared before me LESTER J. MONCRIEF and GEORGEANNE H. MONCRIEF, husband and wife, the signers of the within instrument, who duly acknowledged to me that they executed the same.

Linda R. Hall

Notary Public for Idaho

MICROFILMED

SEP 07 2000

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07276Q

Priority: January 9, 1979 — Maximum Diversion Rate: 0.03 CFS; Maximum Diversion Volume: 4.5 AF

This is to certify, that ROBERT STALLINGS
TANA STALLINGS
303 CENTRAL PIT LN
NAMPA ID 83687 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 9, 1979; and has submitted Proof of Beneficial Use on February 25, 1993. An examination indicates that the works have a diversion capacity of 0.120 cfs of water from:

SNAKE RIVER tributary to **COLUMBIA RIVER**

source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	0.03 CFS	4.5 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 2(NWSW), Sec. 16, Township 01N, Range 03W
OWYHEE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
01N	03W	16	Lot 2(NWSW)	1			1

Total number of acres irrigated: 1

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.
6. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.5 afa per acre for the lands above.

AUG 08 1995

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07276Q

CONDITIONS/REMARKS:

7. Place of use located within Lot 1, Block 1, Sunrise Sky Park Subdivision.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 2ND day of August, 1995.

Acting for KARL J. DREHER, Director

C6/93

State of Idaho
DEPARTMENT OF WATER RESOURCES

RECEIVED
DEC 28 1994
WATER RESOURCES
WESTERN REGION

ASSIGNMENT OF PERMIT
To change the ownership of a permit

I, RICHARD C &/or KORLYN WILLIAMS, hereby assign to Robert and Tana Stallings
(Permit Holder)
of ~~225 S. Phillippi #107 Boise ID 83705 (2023) 1998~~
AS OF 2/15/95 → 303 C. PIT LANE NAMPA ID 83687 (Full Address) (208) 466 4599

All my right, title, and interest in and to Permit No. 02-7276Q to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision, point of diversion location, and the amount of water in cubic feet per second.

RECEIVED
JAN 27 1995
Department of Water Resources

Made this 23 day of December, 1994.

Richard C Williams
Korlyn K. Williams
Permit Holder(s)

State of Idaho)
ss
County of NEZ PERCE

On this 23 day of DECEMBER, 1994, personally appeared before me the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

Notary Public

SEAL

MAR 22 1995
Signature

My commission expires: 8/28/99

W018544 $25.00
Pd. 1/26/95
by Bob Stallings

Form 217
11/91

OFFICE USE ONLY
Amt. of Fee $ 50.00
Date 2-25-93
Receipt No. 0026850
Receipt by

RECEIVED
FEB 24 1993
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 02-07276 Telephone No. (907) 376-2722
2. Name(s) of Permit Holder(s): Dick + Kaylyn Williams
3. Mailing Address: Box 870390 Wasilla, AK 99687
4. Source of Water: Snake River

   If **GROUNDWATER**, Well Driller's Name: _____ Date Drilled: _____

   OPTIONAL:
   Pump horsepower: 2 Pressure (psi): 50 Dynamic pumping level (ft.): 10'

5. Extent of Use (as authorized by the permit):

   Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

   Irrigation 1.5 (No. of acres) Other _____

6. Total rate and/or volume for which proof is submitted 0.03 cfs **OR** _____ acre/feet

7. Refer to the approval conditions on your permit and respond accordingly:

   Measuring device: Required? ___ Yes ~~X~~ No Installed? ___ Yes ___ No

   OR

   Flow Measurement Port: Required? ___ Yes ~~X~~ No Installed? ___ Yes ___ No

8. Fee Enclosed: $ 50 (See License Fee Schedule on back of Instruction Sheet)

9. Person to contact to accompany the Department representative during field examination of the water system.

   Les Moncrief (208) 495-1101
   Name Telephone No.

   HC 79 Box 102A Malta, ID 83342
   Address

10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

APR 05 1993

1-6-93 Richard C. William Kaylyn K. Williams
Date Signature (and title, if on behalf of a company or organization)

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 02-07276Q	)	ORDER EXTENDING
	)	PROOF OF
IN THE NAME OF RICHARD OR KORLYN WILLIMAS	)	BENEFICIAL USE
	)	

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before March 1, 1993; and,

WHEREAS, notice was not given to the permit holder sixty days prior to the date that proof of beneficial use of water was due as required by Section 42-204, Idaho Code;

IT IS THEREFORE HEREBY ORDERED that the time within which to submit the proof of beneficial use of water under Permit No. 02-07276P be extended to April 1, 1993.

Dated this 12th day of January, 1993.

L. Glen Saxton

L. GLEN SAXTON
Chief, Water Allocations Bureau

MICROFILMED

APR 05 1993

RECEIVED
DEC 22 1992

State of Idaho
Department of Water Resources

(Q)

ASSIGNMENT OF PERMIT

Department of Water Resources
Western Regional Office

I, Lester J. Moncrief, hereby assign to Richard C. &/or Korlyn Williams
of P.O. Box 870390, Wasilla, AK 99687
Address

CHECK ONE

☐ All my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho.

☒ The following described portion of my right, title, and interest in and to Permit No. 02-7276E to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within each 40 acre subdivision, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage)

0.03 cfs for the irrigation of 1.5 acre(s) in NWSW sec 16, T1NR3W, Owyhee Co, aka Lot 1 Block 1, Sunrise Skypark Subdivision, with a point of diversion to be established within Lot 1 Block 1, NWSW sec 16, T1NR3W

Made this 18th day of December, 1992.

Lester J. Moncrief
Permit Holder

Georgeanne H. Moncrief
Spouse of Permit Holder

State of Idaho)
County of Owyhee) ss.

On this 18th day of December, 1992, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Nicholas K. Ohl
Notary Public residing at
Murphy, Id

seal

My commission expires:
1/31/94

MICROFILMED
APR 05 1993

RECEIVED
DEC 29 1992
Department of Water Resources
Western Regional Office

02-07276 4/15/93 CJH

INDEX SHEET

SUNRISE SKY PARK

PART OF SECTIONS 16 & 21, TOWNSHIP 1 NORTH, RANGE 3 WEST OF THE BOISE MERIDIAN OWYHEE COUNTY, IDAHO

INSTRUMENT NO. _____
STATE OF IDAHO)ss
COUNTY OF OWYHEE)
I HEREBY CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD AT THE REQUEST OF _____ AT ___ MINUTES PAST ___ O'CLOCK ___ M. THIS ___ DAY OF _____, 1993.

STATE OF IDAHO)ss
COUNTY OF CANYON)

SURVEYOR'S CERTIFICATE

I, _____, A REGISTERED LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE SUNRISE SKY PARK AS SHOWN ON THE ATTACHED PLAT AND THAT THIS PLAT CORRECTLY REPRESENTS SAID SURVEY AND THAT THIS PLAT IS IN CONFORMITY WITH THE REQUIREMENTS OF THE OWYHEE COUNTY SUBDIVISION ORDINANCE.

DATED THIS ___ DAY OF _____, 1993.

APPROVED

BY THE OWYHEE COUNTY PLANNING AND ZONING COMMISSION THIS ___ DAY OF _____, 1993.

_____ CHAIRMAN

ATTEST: _____ SECRETARY

APPROVED

BY THE OWYHEE COUNTY BOARD OF COMMISSIONERS THIS ___ DAY OF _____, 1993.

_____ CHAIRMAN

ATTEST: _____ CLERK

APR 05 1993

LEGEND

- ⊙ SET 5/8" REBAR
- ⊙ SET 5/8" REBAR w/PLASTIC CAP
- ⊙ FOUND REBAR
- ⊙ FOUND REBAR w/PLASTIC CAP
- ⊙ FOUND ALUMINUM CAP

CURVE DATA

Moncrief Res.

NESW of Sec 16 Lot 2

Lot 1 Sec 16 SE of SW

NW of NW Sec 21 LOT 2

Subdivision Commonarea retained under Part C

2 Existing Parcels

NW of SW Sec 16

IN 3W Sec 16 & 21

AIRPARK ROAD

CROW LANDING ROAD

LOCUST LANE

POPLAR COURT

DRIVE

BLOCK 1

BLOCK 2

BLOCK 3

BLOCK 4

BLOCK 5

BLOCK 6

BLOCK 7

BLOCK 8

STATE HIGHWAY 78

INITIAL POINT OF THIS PLAT

INDEX SHEET

PLAT BOOK: ___ PAGE: ___ SHEET 1 OF 7 SHEETS

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07276P

Priority: January 9, 1979

Maximum Diversion Rate: 0.04 CFS
Maximum Diversion Volume: 8.1 AF

This is to certify, that MICHAEL W SIMPSON
PO BOX 846
KETCHUM ID 83340-0846 has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated January 9, 1979; and has submitted Proof of Beneficial Use on February 25, 1993. An examination indicates that the works have a diversion capacity of 0.090 cfs of water from:

SNAKE RIVER tributary to **COLUMBIA RIVER**

source, and a water right has been established as follows:

BENEFICIAL USE	PERIOD OF USE	RATE OF DIVERSION	ANNUAL VOLUME
IRRIGATION	03/15 to 11/15	0.04 CFS	8.1 AF

LOCATION OF POINT(S) OF DIVERSION: Lot 1(SESW), Sec. 16, Township 01N, Range 03W
OWYHEE County

PLACE OF USE: IRRIGATION

TWN	RGE	SEC		ACRES	ACRES	ACRES	TOTAL
01N	03W	16	Lot 1(SESW)	1.8			1.8

Total number of acres irrigated: 1.8

CONDITIONS OF APPROVAL AND REMARKS

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount that can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. Water shall not be diverted under this right unless the flow of the Snake River exceeds established downstream minimum stream flows.
6. This right when combined with all other rights shall provide no more than .03 cfs per acre nor more than 4.5 afa per acre for the lands above.

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 02-07276P

CONDITIONS OF APPROVAL AND REMARKS

7. Right 02-07276R is also diverted through the point of diversion described above.
8. Place of use is located within Lot 8, Block 1, Sunrise Sky Park Subdivision.

This license is issued pursuant to the provisions of Section 42-219, Idaho Code. Witness the seal and signature of the Director, affixed at Boise, this 3RD day of OCTOBER, 1995.

Acting for KARL J. DREHER, Director

7/94

For Office Use Only
$25 Filing Fee
Receipt # C033479
Date 8/31/95

RECEIVED
AUG 31 1995
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ASSIGNMENT OF PERMIT

I, David H. Carpenter Linda S. Carpenter, hereby assign to Michael W. Simpson
of, P.O. Box 846 Ketchum, Id. 83340 (208) 726-2158
(Full Address) (Phone)

All my right, title, and interest in and to Permit No. 02-07276P to appropriate the public waters of the State of Idaho.

Or (for partial assignments)

The following described portion of my right, title, and interest in and to Permit No. 02-07276P to appropriate the public waters of the State of Idaho. (Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision, point of diversion location, and the amount of water in cubic feet per second.)

IRRIGATION 2.0 ACRES 0.04 CFS point of diversion Snake River

Made this 28th day of August, 19 95.

X David H. Carpenter
X Linda S. Carpenter
Permit Holder

State of Idaho)
) ss
County of Nez Perce)

On this 28th day of August, 1995, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Ann Thurman
Notary Public residing at
Reub ID 83543

seal

My commission expires: 11-14-96

OCT 26 1995

Form 217
11/91

OFFICE USE ONLY
Amt. of Fee $ 50.00
Date 2-25-93
Receipt No. C026851
Receipt by JW

RECEIVED
FEB 24 1993
Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

1. Permit No. 02-072760P Telephone No. 907 696-2277
2. Name(s) of Permit Holder(s): David H. Carpenter + Linda S Carpenter
3. Mailing Address: PO Box 770732 Eagle River, AK 99577
4. Source of Water: Snake River

   If **GROUNDWATER**, Well Driller's Name: _____ Date Drilled: _____

   OPTIONAL:
   Pump horsepower: 2 HP Pressure (psi): 50 Dynamic pumping level (ft.): 10'
5. Extent of Use (as authorized by the permit):

   Domestic _____ (No. of households) Stockwater _____ (No. and type of stock)

   Irrigation 2.0 (No. of acres) Other _____
6. Total rate and/or volume for which proof is submitted 0.04 cfs **OR** _____ acre/feet
7. Refer to the approval conditions on your permit and respond accordingly:

   Measuring device: Required? ___ Yes ✓ No Installed? ___ Yes ___ No

   OR

   Flow Measurement Port: Required? ___ Yes ✓ No Installed? ___ Yes ___ No
8. Fee Enclosed: $ 50.00 (See License Fee Schedule on back of Instruction Sheet)
9. Person to contact to accompany the Department representative during field examination of the water system.

   LES MONCRIEF
   Name — HC79 Box 102A, MELBA, IDAHO 83641 — Telephone No. (208) 495-1101
   Address
10. The above information is my true statement of the extent to which the above numbered permit has been developed and I relinquish any undeveloped portion of the permit to the state of Idaho.

APR 05 1993

2-13-93 David H. Carpenter
Date — Signature (and title, if on behalf of a company or organization)

BEFORE THE DEPARTMENT OF WATER RESOURCES

OF THE

STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 02-07276P	)	ORDER EXTENDING
	)	PROOF OF
IN THE NAME OF DAVID OR LINDA CARPENTER	)	BENEFICIAL USE
	)	

WHEREAS, the Department has issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use be submitted on or before March 1, 1993; and,

WHEREAS, notice was not given to the permit holder sixty days prior to the date that proof of beneficial use of water was due as required by Section 42-204, Idaho Code;

IT IS THEREFORE HEREBY ORDERED that the time within which to submit the proof of beneficial use of water under Permit No. 02-072760 be extended to April 1, 1993.

Dated this 12th day of January, 1993.

L. Glen Saxton

L. GLEN SAXTON
Chief, Water Allocations Bureau

RECEIVED

APR 05 1993

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DEC 22 1992
Department of Water Resources
Western Regional Office

State of Idaho
Department of Water Resources

Part P

ASSIGNMENT OF PERMIT

I, Lucien J. Moncrief, hereby assign to David H. and/or Linda S. Carpenter

of P.O. Box 770732, Eagle River, AK 99577
Address

CHECK ONE

☐ All my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho.

☒ The following described portion of my right, title, and interest in and to Permit No. 02-7276F to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within each 40 acre subdivision, the point of diversion and the amount of water in cubic feet per second for direct diversion, or acre feet for storage)

0.04 cfs for the irrigation of 2 acre(s) in SESW sec 16, T1NR3W, Owyhee Co. a.k.a. Lot 8 Block 1, Sunrise Skypark Subdivision, with a point of diversion to be established within Lot 8 Block 1, SESW sec 16, T1NR3W.

Made this 18th day of December, 1992.

Lucien J. Moncrief
Permit Holder

Georgeanne V. Moncrief
Spouse of Permit Holder

State of Idaho)
County of Owyhee) ss.

On this 18th day of December, 1992, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

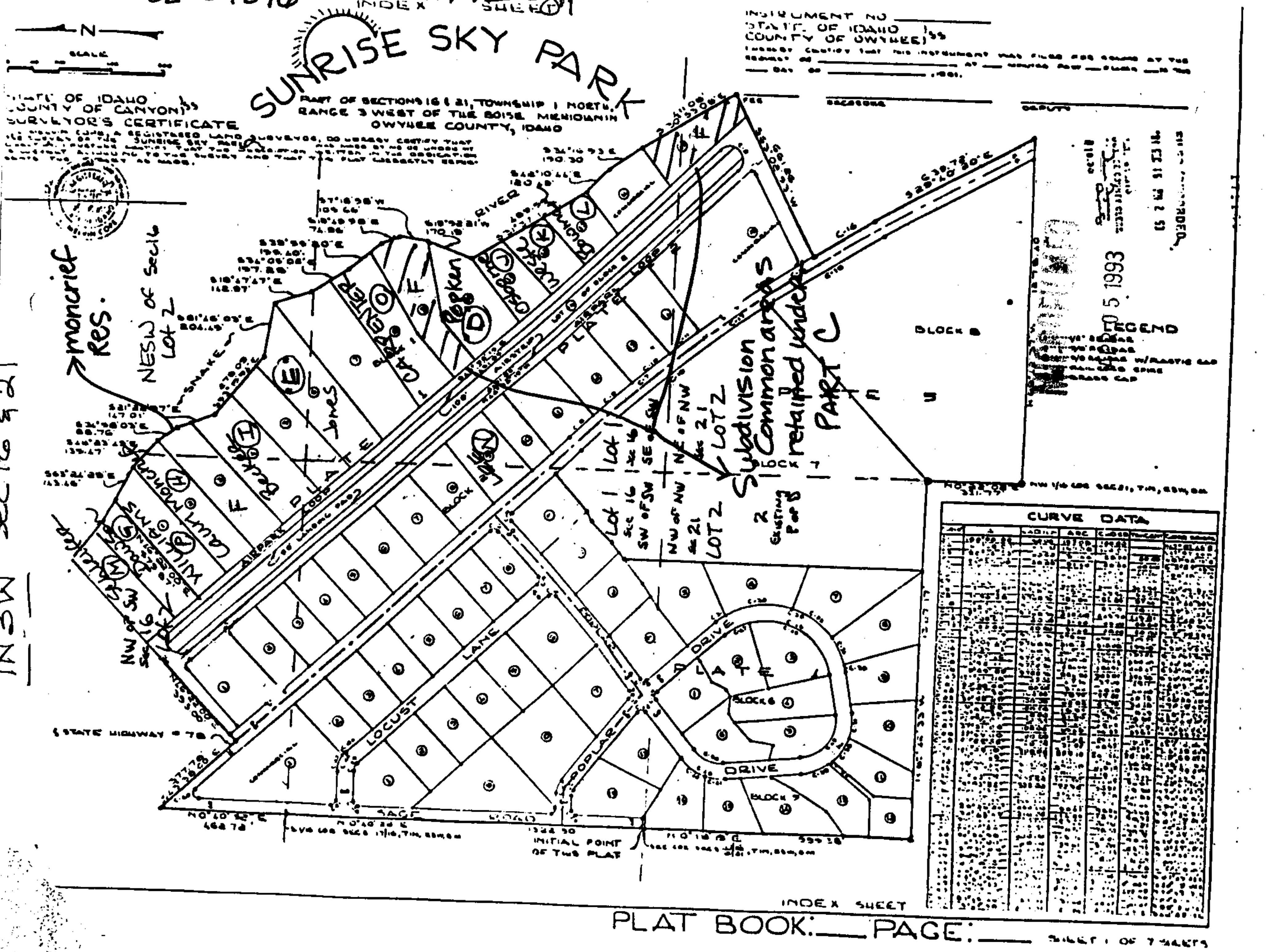
Nicholas K Thiel
Notary Public residing at
Murphy, Id

seal

My commission expires:
1/31/94

MICROFILMED
APR 05 1993

02-07276 7/15/92 CAH



02-7276

September 10, 1992

MEMO TO FILE:

From: Carolyn Andregg

During the spring and summer of 1992, drought conditions caused record low flows in the Snake River. Twice, the flow of the Snake River fell below 4,750 cfs, the minimum stream flow at the Weiser gauge. Notices were mailed to the water user listed under this right because the priority is later than July 1, 1976, in order to protect the Snake River minimum stream flow. The following is a chronological history of the mailings.

May 19, 1992: Letter sent to water right holder informing holder of possible temporary cessation of diversion rights and notice of public meetings.

June 8, 1992: Letter sent informing water right holder directing immediate cessation of diversion of water until further notice.

June 12, 1992: Letter sent to water right holder authorizing resumption of diversion of water.

June 26, 1992: Letter sent to water right holder directing immediate cessation of diversion of water until further notice.

June 29, 1992: Letter sent to water right holder authorizing resumption of diversion of water.

MICROFILMED
DEC 08 1992
AUG 08 1995

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

December 5, 2000

DONALD L JONES
SHERRY E JONES
HC 79 BOX 100A
MELBA ID 83641

RE: Change of Ownership for Water Right 02-07276W

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records. Also enclosed is a receipt for the $25.00 filing fee.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,

jp Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MICROFILMED

JAN 0 8 2001

State of Idaho
DEPARTMENT OF WATER RESOURCES
Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

November 16, 2000

RECEIVED
NOV 20 2000
Department of Water Resources

DON JONES
SHERRY JONES
HC 79 BOX 100A
MELBA ID 83641

RE: Snake River Basin Adjudication (SRBA)
Water Right No. 02-07276W

Dear Property Owner(s):

We have been advised you may be the new owner of the property with the water right referenced above. Enclosed is a profile report for your review.

Before we can modify our records to reflect your ownership of this water right, we need to have the enclosed Notice of Change of Water Right Ownership form completed. Please follow the instructions on the back of the form and return to our office with all of the required information.

If you have any questions regarding this letter, please feel free to contact our office.

Sincerely,

Denise Buffington

Denise Buffington
Office Specialist 1
Adjudication Section
Western Region

DB:db

Enclosures

MICROFILMED
JAN 08 2001

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 29, 1995

LESTER J MONCRIEF
HC 79 BOX 102A
MELBA ID 83641

RE: WATER RIGHT NOS. 02-07276U/02-07276V/02-07276W

Dear Water Right Holder:

Enclosed are copies of the Water Right Licenses issued on the above referenced permits along with a copies of your approved Applications for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

SWK:rl

enc.

MICROFILMED

OCT 2 6 1995

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AUG 0 8 1995
Department of Water Resources

Aug. 7, 1995

Shelley Walter Keen
Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706-2237

Dear Mr. Keen:

I am in receipt of your July 28, 1995, letter. I believe I have applied the water for permits 02-07276V and 02-07276W to a beneficial use. Both lots were cleared and planted with fawn tall fescue. This ground covering was used to prevent wind erosion, improve the soil composition and enhance the overall appearance of these residential lots. An important additional usage of the water has been to keep the vegetation moist so that fire control in this residential subdivision is maintained. Subsequent plantings have slowly become established as the alkaline soil has begun to be neutralized. These beneficial uses of the water were in effect prior to the February 22, 1993, date. For all of these reasons, I respectfully request that you grant permits for 02-07276V and 02-07276W.

Sincerely,

Les J. Moncrief
HC 79 Box 102A
Melba, ID 83641

OCT 2 6 1995

M E M O R A N D U M

DATE: August 4, 1995

TO: 02-07276U/V/W

FROM: Shelley W. Keen SWK

RE: Meeting with Lester Moncrief

==========

Lester Moncrief met with me today to discuss permits 02-07276U/V/W. He said that he would submit a letter to explain and support the beneficial nature of the irrigation on his lots in Sunrise Sky Park.

I also hand delivered to Mr. Moncrief an application for amendment form to correct the point of diversion of 02-07276V prior to licensing.

We also discussed the one acre place of use recommended by the examiner for 02-07276U. Mr. Moncrief believes that the license should be issued for 1.5 acres. He says the lot is 1.66 acres, with all but about 0.1 acre irrigated. The 0.1 acre, according to Mr. Moncrief, is occupied by his house, a hangar, and a driveway. I asked Mr. Moncrief to submit some evidence or documentation to support his position.

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AUG 08 1995

State of Idano
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 28, 1995

NOTICE OF INTENT TO VOID PERMIT

LESTER J MONCRIEF
HC 79 BOX 102A
MELBA ID 83641

RE: Permit Nos. 02-07276V AND 02-07276W

Dear Permit Holder(s):

In June of 1994, an employee of the department conducted a field inspection of the above referenced permit. The department is now reviewing the examination to determine whether or not the right can be licensed.

To perfect a water right an individual must divert the water and also apply it to a beneficial use. While the field examiner found that you have an irrigation diversion system in place, the water did not appear to be applied to a beneficial use. The particular lot represented by the above permit had no lawn or garden associated with a building. There was no evidence to the department's examiner that stock grazing had occurred on this lot, nor was there evidence that any crop harvesting had taken place.

The department will delay action for 30 days to allow you to submit any evidence you may have to show that water has in fact been beneficially used under this permit. Please bear in mind that your evidence must indicate a beneficial use prior to February 22, 1993, the date you indicated to the department that your development was completed. If such evidence is not submitted, the department may void the permit.

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

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

SWK:rl

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AUG 08 1995

Lots 3, B 7, & 14 Blk 1

Form 219
6/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 12 1995
Department of Water Resources

NCLL PLAT

A. GENERAL INFORMATION

Permit No. 02-7276S

1. Owner: MONCRIEF, LESTER J Phone No. 495-1101

Current Address: HC 79 Box 102A Malta ID 83641

2. Accompanied by: Lauri Moncrief EXAM DATE: 6/20/94

Address: above Phone No.

Relationship to Permit Holder: daughter

3. Source: Snake River tributary to Columbia River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Splits of 02-7276 & 57-7236, 57-7596, 57-7600

2. Other water rights with the same point of diversion: Above

C. DIVERSION AND DELIVERY SYSTEM RECOMMEND SPLITS TO 3 SEPARATE SYSTEMS:

1. **Point(s) of Diversion:**

Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
U.	2		NE	SW	16	1N	3W	Owyhee	Site visit, Plat (This P/D shared w/ Part H)
V.	2		NE	SW	16	1N	3W	"	Single point on or near tract line
	1		SE	SW	16	"	"	"	
W.	1		SE	SW	16	"	"	"	

2. **Place(s) of Use:** Indicate Method of Determination Above

	TWP	RGE	SEC	NE				NW				SW				SE				Totals
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
U.	1N	3W	16										1		H					1
V.	1N	3W	16												2					2
W.	1N	3W	16												1					1

RECEIVED
AUG 08 1995

E. NARRATIVE/REMARKS/COMMENTS

T. Lot 14 – 30 psi, 1, 3/16" Nozzle each-gun-type 210 x 18 = .9 ac, allow 1 ac

U. Lot 3 – 30 psi 11/32" nozzle, 2 nozzles operating, 1 ac, 4 sets + misc hoses w/some leakage (maybe 40 psi?) approx 1 ac

P/D also used on lot 2

V. Lot 7 – 1 risers with flex. hose, 4 perm riser & solid set line off 2" external main nonhead w/ 1/8" nozzle
– 19 heads
30 psi @ top & 30 psi @ bottom
Irrigating approx. 2 AC

No other development under permit. Riverfront lots #9 & 15, Block 1, not developed. Balance of permit lost.

Overlaps w/other Spurts under 02-7276, Other P/D's and P/U except 02-7276U/02-7276H – Shared diversion also irrigates lot 2 Blk 1. and all 57- spurts

P/D & P/U lot 3 Block 1, Sunrise Skypark.

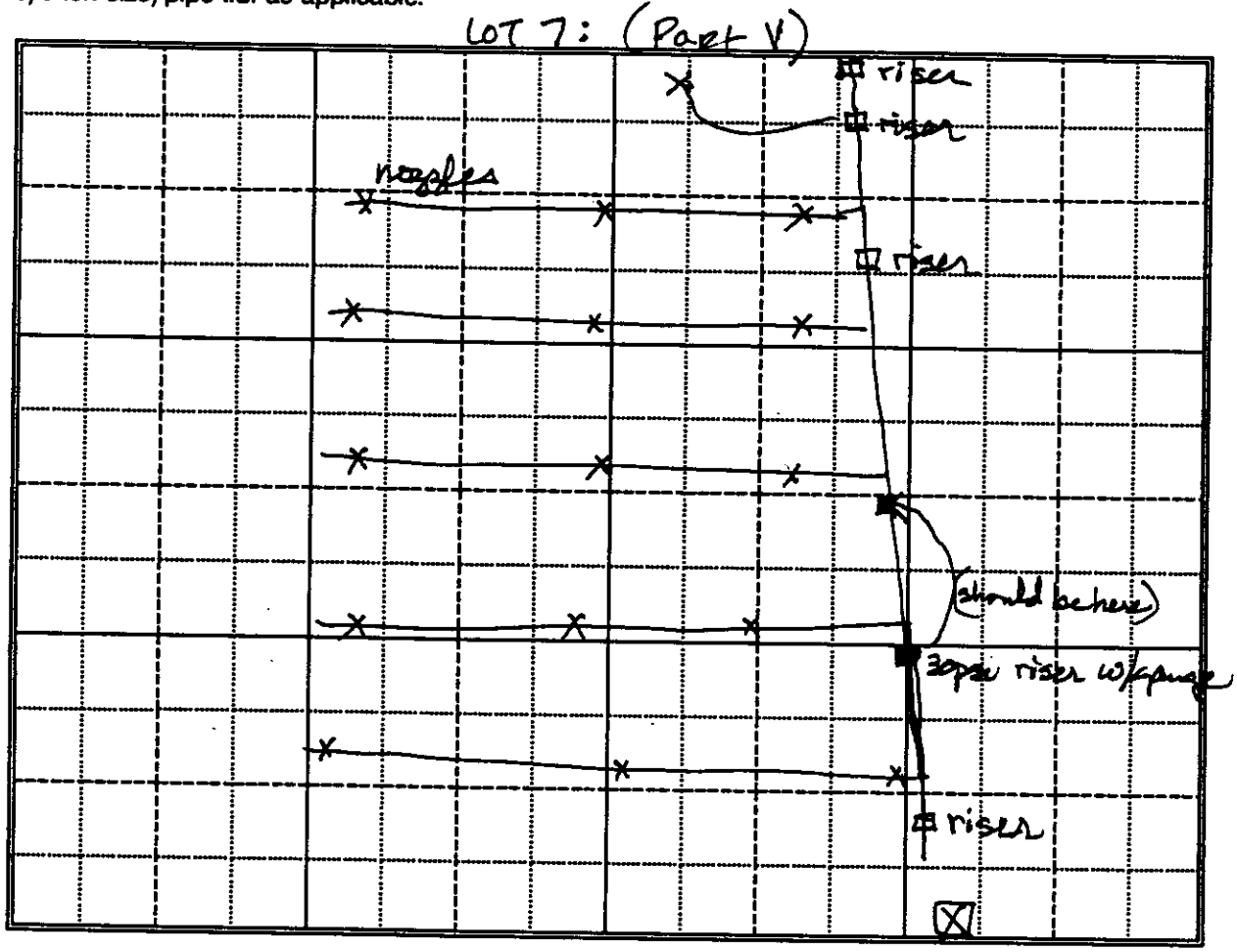
For additional information and license conditions See memo.

Part U: P/D & P/U = lot 3 Blk 1 Sunrise Skypark
Part V: P/D & P/U = lot 7 Blk 1 " "
[redacted]: P/D & P/U = lot 14 Blk 1 " "

Have conditions of permit approval been met? ✓ yes ___ no

RECEIVED
AUG 08 1995

3. **Delivery System Diagram:** Indic. , all major components and distances bet. n components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____.

____ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
W. Lot 14	U/K (gasoline)	2		Teel	1½" 1P855
U. Lot 3	Emerson	2		Red Jacket	2"
V. Lot 7	Emerson	2		200RS-PS Red Jacket	200RS-PS 2"

*Code to correspond with No. on map and aerial photo

model T55ZZBGM-879

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. **Measurements:** ~~pressure gage at system discharge~~

AUG 08 1995

F. FLOW CALCULATIONS

Measured Method: ____ Additional Computation Sheets Attached

U. & W: gun type sprinklers, Nozzle Size can't be assessed.

All pumps: HP equation

$\frac{2 \times 8.8 \times .7}{10 + (30 \times 2.31)} = .15$ cfs

V: 19, 1/8" Nozzles @ 30 psi, each 2.56 gpm

19 x 2.56 = 48.64 gpm = .11 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = see below

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = _____

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = _____

2. Volume Calculations for Other Uses:

U.: 1ac x 4.5 = 4.5 V_R .02 x 246 x 1.9835 = 9.8 V_D

V.: 2ac x 4.5 = 9.0 V_R .04 x 246 x 1.9835 = 19.5 V_D

W.: 1ac x 4.5 = 4.5 V_R .02 x 246 x 1.9835 = 9.8 V_D

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
U. IRR	3/15	11/15	.02	4.5
V. IRR	3/15	11/15	.04	9.0
W. IRR	3/15	11/15	.02	4.5
		Totals:		

2. Recommended Amendments

___ Change P.D. as reflected above ↘ Add P.D. as reflected above ___ None

___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

I. AUTHENTICATION

Field Examiner's Name Cindy J Hodges Date 12/9/94

Reviewer _____ Date _____

SEAL

AUG 08 1995

MEMORANDUM

TO: File Nos. 02-07276 Splits D-T

FROM: Cindy Hodges

RE: B/U Examination General Information and Recommended License Conditions

GENERAL HISTORY

Permit 02-07276 was originally issued to Givens Hot Springs, for the irrigation of 100 acres. It was split early on into A, B, and C, with part C, the majority of the permit, awarded to Lester Moncrief. Parts A and B have lapsed. Part C was subsequently assigned and split on several occasions into the current parts D through T (F and N retired during split re-apportionments). Each assignment reflected the subdivision and sale of mostly riverfront lots within Sunrise Skypark, developed by Mr. Moncrief. Assignments awarded the permitted rate of 0.02 cfs per acre for lot sizes of 0.5 to 1.5 acres. At this time, Mr. Moncrief retains the balance of the permit, which has been labeled part S.

Most assignments were made in late 1992 or early 1993. Proof was due March 1, 1993, and very little beneficial use had occurred under this permit. Yet, very few new property owners were aware of the implications of the pending proof due date. According to sales agreements, each new landowner was to develop a separate system for irrigation. As many new landowners lived out of state, this would have been largely impossible and meant that many portions of the permit would have forfeited.

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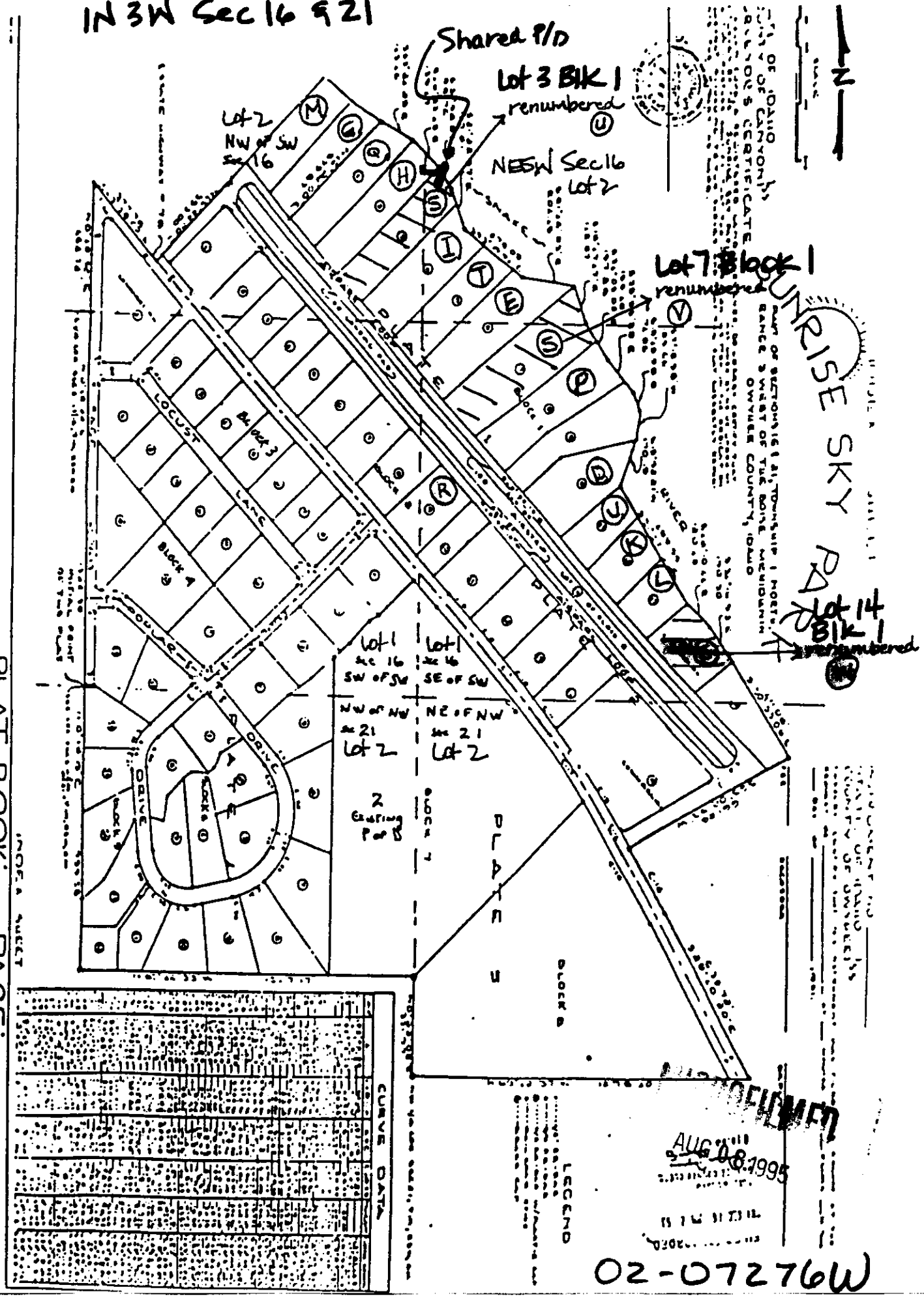
LICENSING TERMS AND CONDITIONS

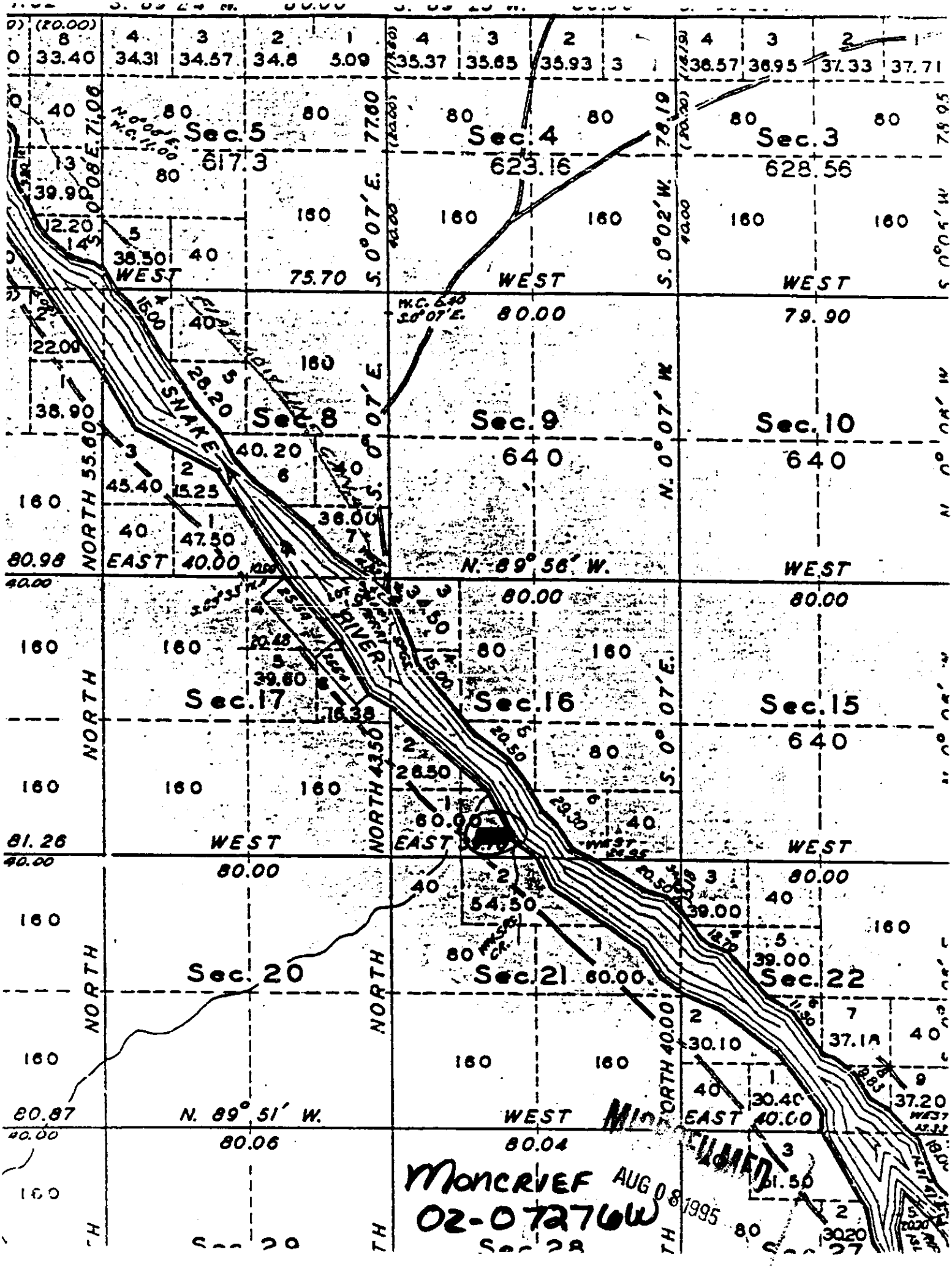
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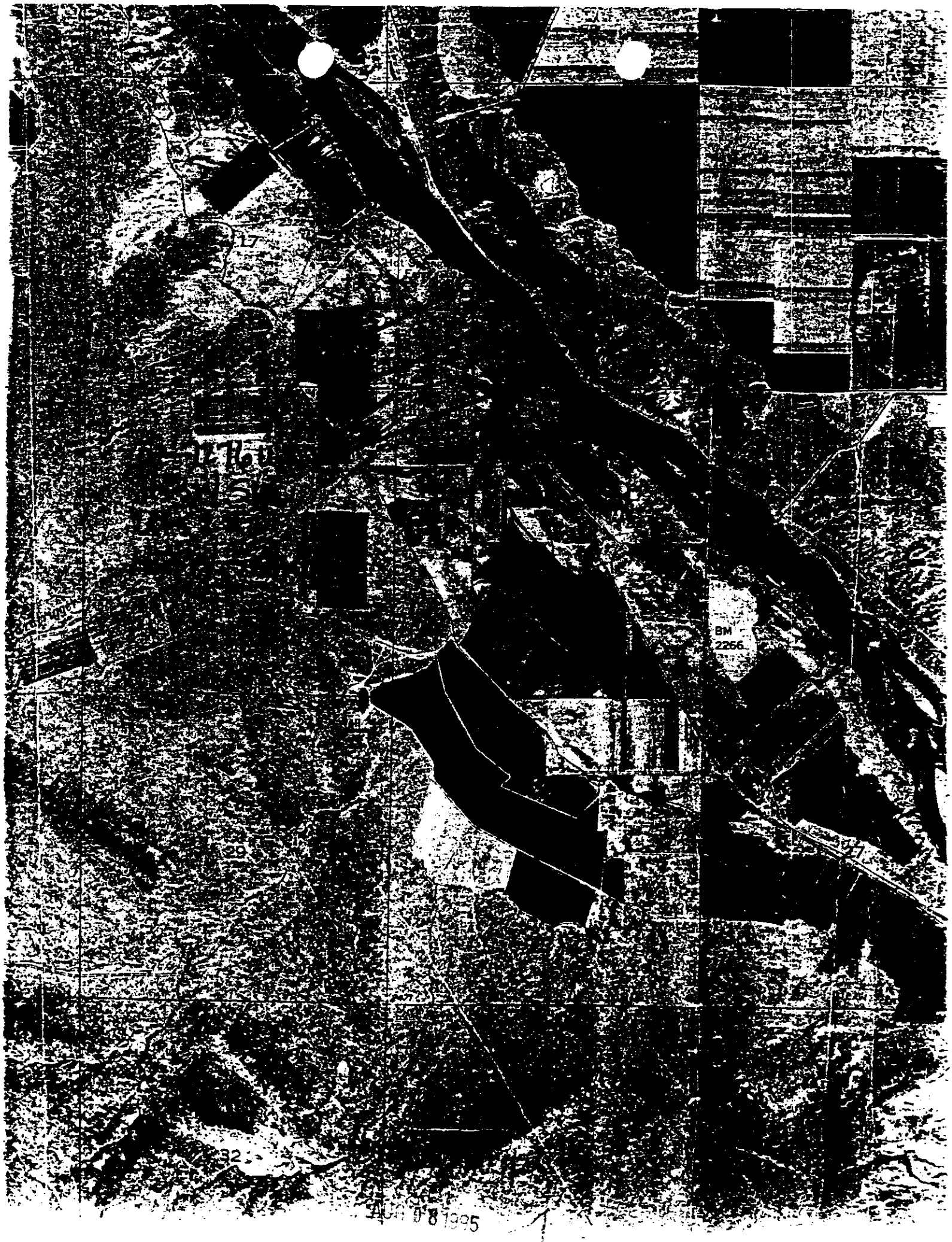
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AUG 08 1995

02-7276 Splits D-W
IN 3W Sec 16 & 21

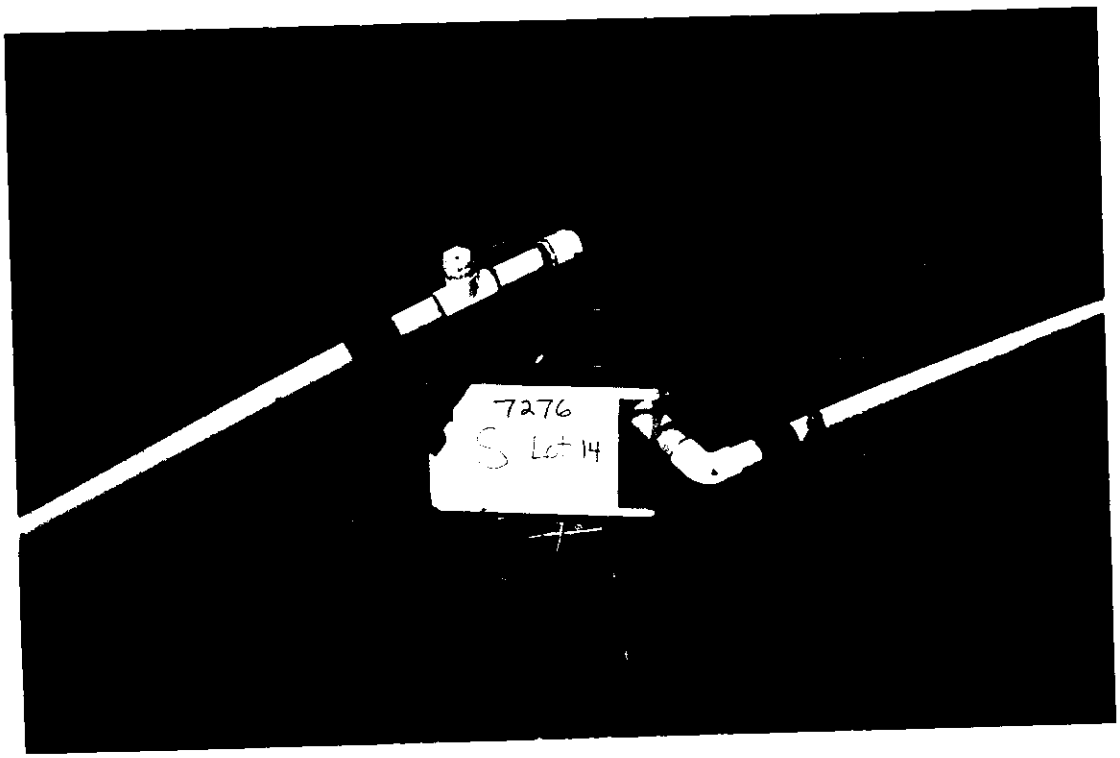



Sec. 5
Sec. 4
Sec. 3
Sec. 8
Sec. 9
Sec. 10
Sec. 17
Sec. 16
Sec. 15
Sec. 20
Sec. 21
Sec. 22
617.3
623.16
628.56
640
640
SNAKE RIVER
NORTH 55.60
NORTH 43.50
NORTH 40.00
S. 0° 07' E.
S. 0° 02' W.
N. 0° 07' W.
N. 89° 56' W.
N. 89° 51' W.
WEST
EAST
Moncrief
AUG 08 1995
02-0727GW


BM
2266

02-7276N

Lot 14 Blk 1



P/D



P/N
2nd Seeding

RECEIVED
AUG 0 8 1995

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 29, 1995

LESTER J MONCRIEF
HC 79 BOX 102A
MELBA ID 83641

RE: WATER RIGHT NOS. 02-07276U/02-07276V/02-07276W

Dear Water Right Holder:

Enclosed are copies of the Water Right Licenses issued on the above referenced permits along with a copies of your approved Applications for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

SWK:rl

enc.

OCT 2 6 1995

RECEIVED
AUG 0 8 1995
Department of Water Resources

Aug. 7, 1995

Shelley Walter Keen
Department of Water Resources
1301 N. Orchard St.
Boise, ID 83706-2237

Dear Mr. Keen:

I am in receipt of your July 28, 1995, letter. I believe I have applied the water for permits 02-07276V and 02-07276W to a beneficial use. Both lots were cleared and planted with fawn tall fescue. This ground covering was used to prevent wind erosion, improve the soil composition and enhance the overall appearance of these residential lots. An important additional usage of the water has been to keep the vegetation moist so that fire control in this residential subdivision is maintained. Subsequent plantings have slowly become established as the alkaline soil has begun to be neutralized. These beneficial uses of the water were in effect prior to the February 22, 1993, date. For all of these reasons, I respectfully request that you grant permits for 02-07276V and 02-07276W.

Sincerely,

Les J. Moncrief
HC 79 Box 102A
Melba, ID 83641

OCT 3 6 1995

M E M O R A N D U M

DATE: August 4, 1995

TO: 02-07276U/V/W

FROM: Shelley W. Keen SWK

RE: Meeting with Lester Moncrief

==========

Lester Moncrief met with me today to discuss permits 02-07276U/V/W. He said that he would submit a letter to explain and support the beneficial nature of the irrigation on his lots in Sunrise Sky Park.

I also hand delivered to Mr. Moncrief an application for amendment form to correct the point of diversion of 02-07276V prior to licensing.

We also discussed the one acre place of use recommended by the examiner for 02-07276U. Mr. Moncrief believes that the license should be issued for 1.5 acres. He says the lot is 1.66 acres, with all but about 0.1 acre irrigated. The 0.1 acre, according to Mr. Moncrief, is occupied by his house, a hangar, and a driveway. I asked Mr. Moncrief to submit some evidence or documentation to support his position.

FILMED
AUG 08 1995

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 28, 1995

NOTICE OF INTENT TO VOID PERMIT

LESTER J MONCRIEF
HC 79 BOX 102A
MELBA ID 83641

RE: Permit Nos. 02-07276V AND 02-07276W

Dear Permit Holder(s):

In June of 1994, an employee of the department conducted a field inspection of the above referenced permit. The department is now reviewing the examination to determine whether or not the right can be licensed.

To perfect a water right an individual must divert the water and also apply it to a beneficial use. While the field examiner found that you have an irrigation diversion system in place, the water did not appear to be applied to a beneficial use. The particular lot represented by the above permit had no lawn or garden associated with a building. There was no evidence to the department's examiner that stock grazing had occurred on this lot, nor was there evidence that any crop harvesting had taken place.

The department will delay action for 30 days to allow you to submit any evidence you may have to show that water has in fact been beneficially used under this permit. Please bear in mind that your evidence must indicate a beneficial use prior to February 22, 1993, the date you indicated to the department that your development was completed. If such evidence is not submitted, the department may void the permit.

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

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

SWK:rl

RECEIVED
AUG 08 1995

Lots 3, 7, & 14 Blk 1

Form 219
6/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 12 1995
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 02-7276S

1. Owner: MONCRIEF, LESTER J Phone No. 495-1101

Current Address: HC 79 Box 102A Malta ID 83641

2. Accompanied by: Lauri Moncrief EXAM DATE: 6/20/94

Address: above Phone No.

Relationship to Permit Holder: daughter

3. Source: Snake River tributary to Columbia River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Splits of 02-7276 & 57-7236, 57-7596, 57-7600

2. Other water rights with the same point of diversion: Above

C. DIVERSION AND DELIVERY SYSTEM RECOMMEND SPLITS TO 3 SEPARATE SYSTEMS:

1. **Point(s) of Diversion:**

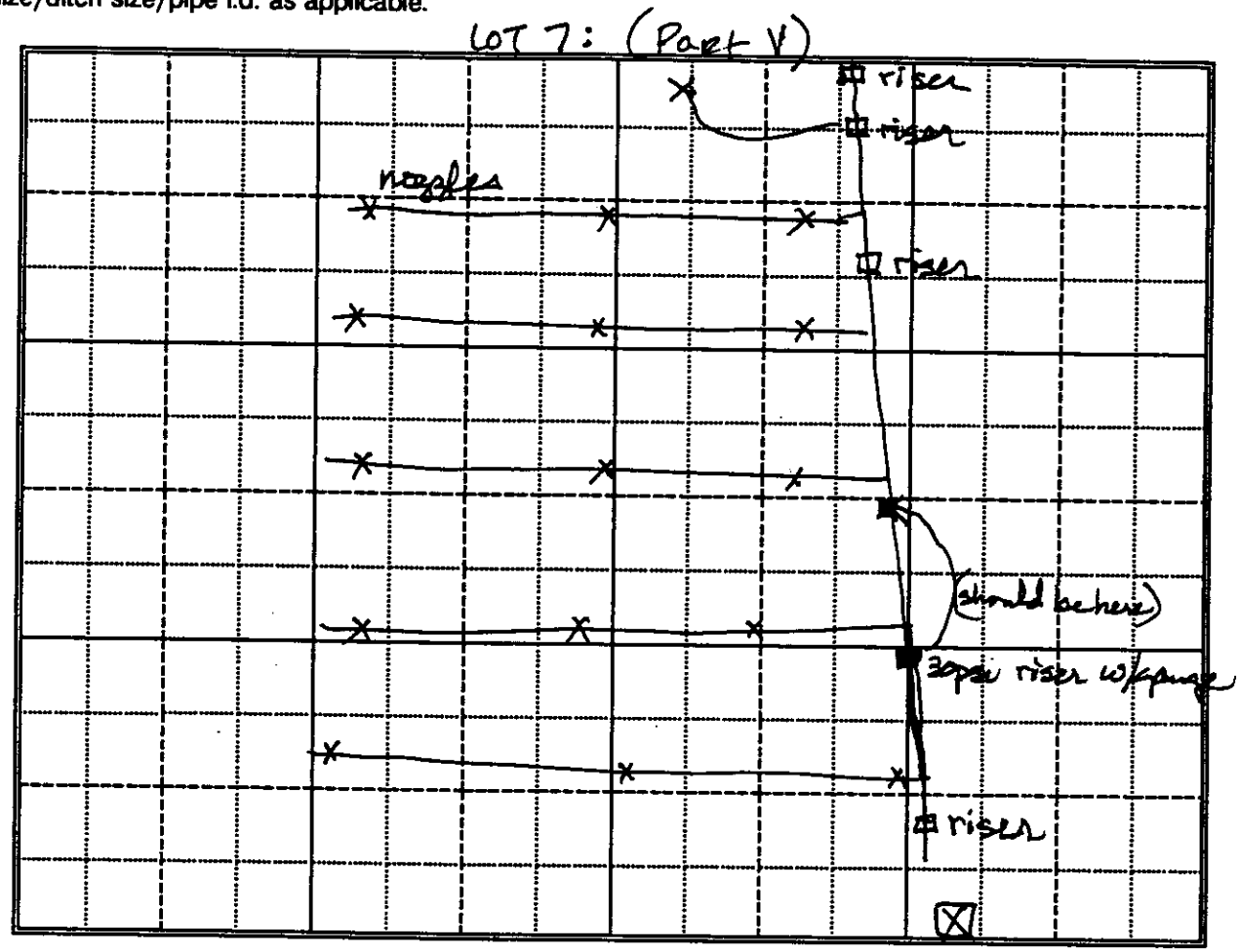
Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
U.	2		NE	SW	16	1N	3W	Owyhee	Site Visit, Plat (This P/D shared w/ Part H)
[illegible]	2		NE	SW	16	1N	3W	"	Single point on or near tract line
	1		SE	SW	16	"	"	"	
W.	1		SE	SW	16	"	"	"	

2. **Place(s) of Use:** Indicate Method of Determination Above

	TWP	RGE	SEC	NE				NW				SW				SE				Totals
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
U.	1N	3W	16										1		1					1
V.	1N	3W	16												2					2
W.	1N	3W	16												1					1

RECEIVED
AUG 08 1995

3. **Delivery System Diagram:** Indic[illegible] all major components and distances bet[illegible]n components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____.

____ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

	Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
V.	Lot 14	U/K (gasoline)	2		Teel	1½" 1P855
U.	Lot 3	Emerson	2		Red Jacket	2"
W.	Lot 7	Emerson	2		200RS-PS Red Jacket	200RS-PS 2"

*Code to correspond with No. on map and aerial photo

model T55ZZBGM-879

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. **Measurements:** ~~pressure gage at system discharge~~ AUG 08 1995

E. NARRATIVE/REMARKS/COMMENTS

W. Lot 14 – 30 psi, 1, 3/16" Nozzle each-gun-type 210 x 18 = .9 ac, allow 1 ac

U. Lot 3 – 30 psi 11/32" nozzle, 7 nozzles operating, 1 ac, 4 sets + misc hoses w/some leakage (maybe 40 psi?)

P/D also used on lot 2 approx 1 ac

V. Lot 7 – 1 risers with flex. hose, 4 perm risers & solid set line off 2" external main nonhead w/ 1/8" nozzle
– 19 heads
30 psi @ top + 30 psi @ bottom
Irrigating approx. 2 AC

No other development under permit. Riverfront lots #9 & 15, ~~Lot~~ Block 1, not developed. Balance of permit lost.

Overlaps w/other Sputs under 02-7276, Other P/D's and P/U except and all 57 nguts
02-7276W/02-7276H – Shared diversion also irrigates lot 2 Blk 1.
~~P/D & P/U lot 3 Block 1, Sunrise Skypark.~~

For additional information and license conditions See memo.

Part U: P/D & P/U = lot 3 Blk 1 Sunrise Skypark
Part V: P/D & P/U = lot 7 Blk 1 " "
Part W: P/D & P/U = lot 14 Blk 1 " "

Have conditions of permit approval been met? ✓ yes ___ no

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AUG 08 1995

F. FLOW CALCULATIONS

Measured Method: _____ Additional Computation Sheets Attached

U. & W: gun type sprinklers. Nozzle size can't be assessed.

All pumps: HP equation

$\frac{2 \times 8.8 \times .7}{101 + (30 \times 2.31)} = .15$ cfs

V: 19, 1/8" Nozzles @ 30 psi, each 2.56 gpm

19 x 2.56 = 48.64 gpm = .11 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R}$ = (Acres Irrigated) x (Irrigation Requirement) = see below

$V_{D.R}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = _____

V = Smaller of $V_{I.R}$ and $V_{D.R}$ = _____

2. Volume Calculations for Other Uses:

U.: 1ac x 4.5 = 4.5 V_R .02 x 246 x 1.9835 = 9.8 V_D

V.: 2ac x 4.5 = 9.0 V_R .04 x 246 x 1.9835 = 19.5 V_D

W.: 1ac x 4.5 = 4.5 V_R .02 x 246 x 1.9835 = 9.8 V_D

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
U. IRR	3/15	11/15	.02	4.5
V. IRR	3/15	11/15	.04	9.0
W. IRR	3/15	11/15	.02	4.5
		Totals:		

2. Recommended Amendments

___ Change P.D. as reflected above ✓ Add P.D. as reflected above ___ None

___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

I. AUTHENTICATION

Field Examiner's Name Cindy J Hodges Date 12/9/94

Reviewer _____ Date _____

SEAL AUG 08 1995

MEMORANDUM

TO: File Nos. 02-07276 Splits D-T

FROM: Cindy Hodges

RE: B/U Examination General Information and Recommended License Conditions

GENERAL HISTORY

Permit 02-07276 was originally issued to Givens Hot Springs, for the irrigation of 100 acres. It was split early on into A, B, and C, with part C, the majority of the permit, awarded to Lester Moncrief. Parts A and B have lapsed. Part C was subsequently assigned and split on several occasions into the current parts D through T (F and N retired during split re-apportionments). Each assignment reflected the subdivision and sale of mostly riverfront lots within Sunrise Skypark, developed by Mr. Moncrief. Assignments awarded the permitted rate of 0.02 cfs per acre for lot sizes of 0.5 to 1.5 acres. At this time, Mr. Moncrief retains the balance of the permit, which has been labeled part S.

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AUG 08 1995

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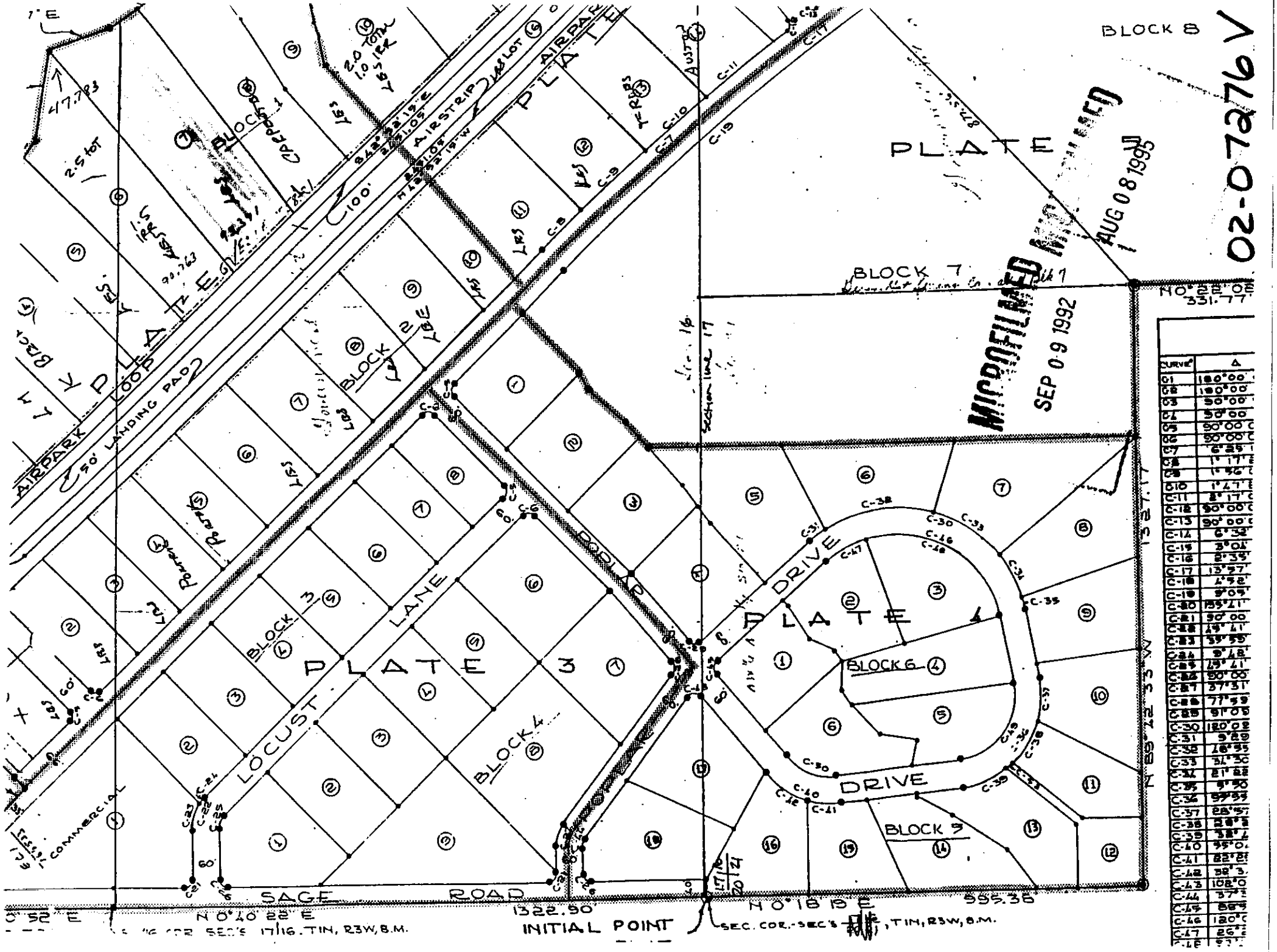
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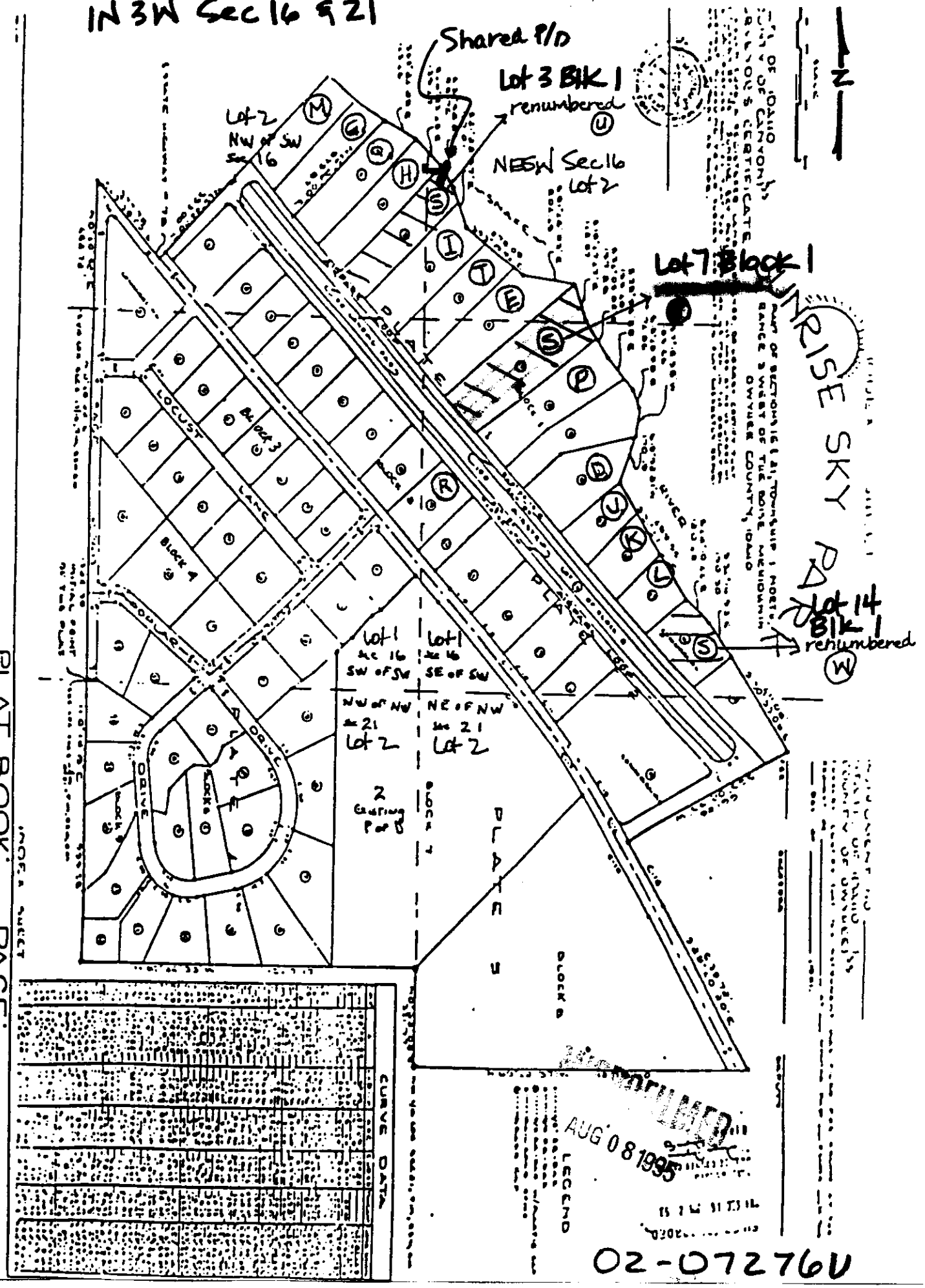
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AUG 08 1995

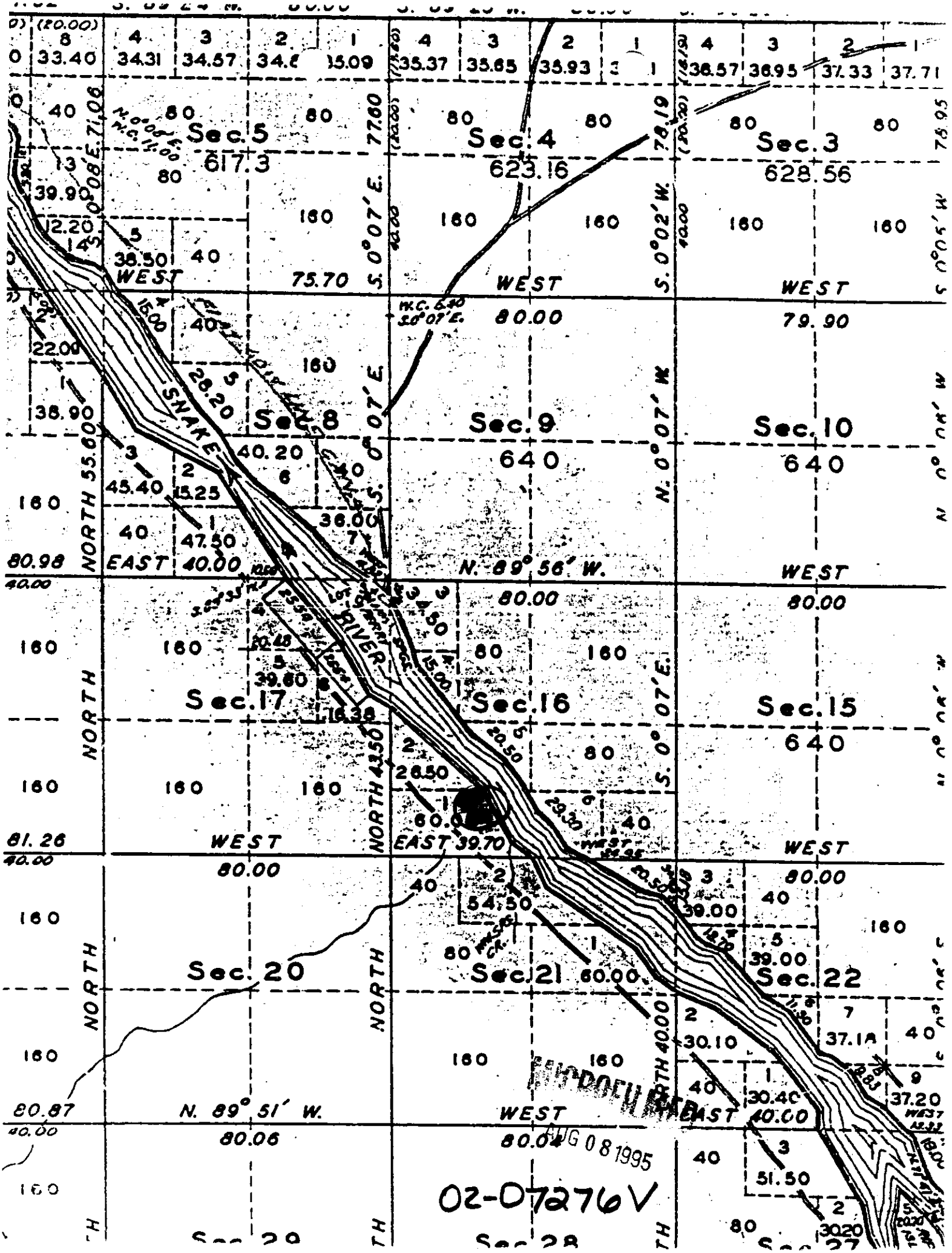

02-07479
BLOCK 8
PLATE
MISCELLANEOUS
AUG 08 1995
BLOCK 7
SEP 09 1992
N0°22'0E
331.77
AIRPARK LOOP
50' LANDING PAD
BLOCK 2
PLATE 3
LOCUST LANE
POPLAR
BLOCK 3
BLOCK 4
PLATE 4
DRIVE
BLOCK 6
DRIVE
BLOCK 5
SAGE ROAD
N0°40'22"E
1322.90
INITIAL POINT
N0°18'9"E
595.38
N89°42'33"W
1327.17
SEC. COR. SEC'S 17/16, T1N, R3W, B.M.
SEC. COR. SEC'S 17/16, T1N, R3W, B.M.
AIRSTRIP
AIRPARK
COMMERCIAL
CURVE
Δ

02-7276 Splits D-W
IN 3W Sec 16 & 21



PLAT BOOK ____ PAGE ____

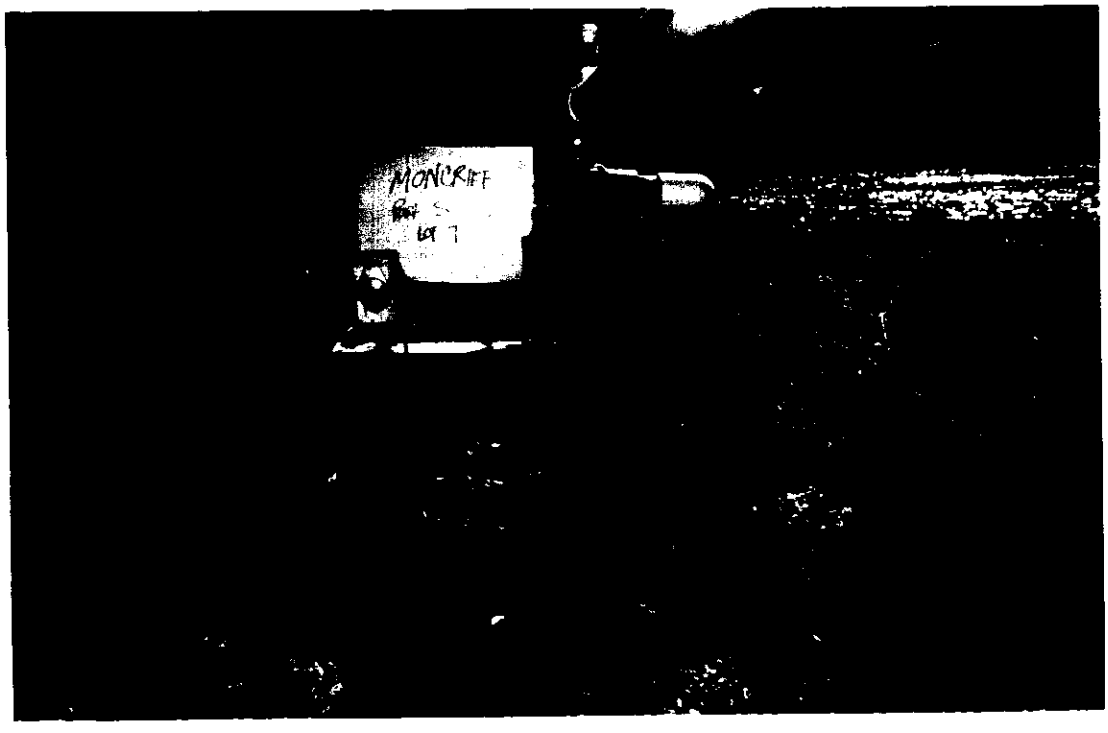
02-07276V


Sec. 5
617.3
Sec. 4
623.16
Sec. 3
628.56
Sec. 8
Sec. 9
640
Sec. 10
640
Sec. 17
Sec. 16
Sec. 15
640
Sec. 20
Sec. 21
Sec. 22
SNAKE
RIVER
NORTH
WEST
EAST
N. 89° 56' W.
N. 89° 51' W.
AUG 08 1995
02-07276V

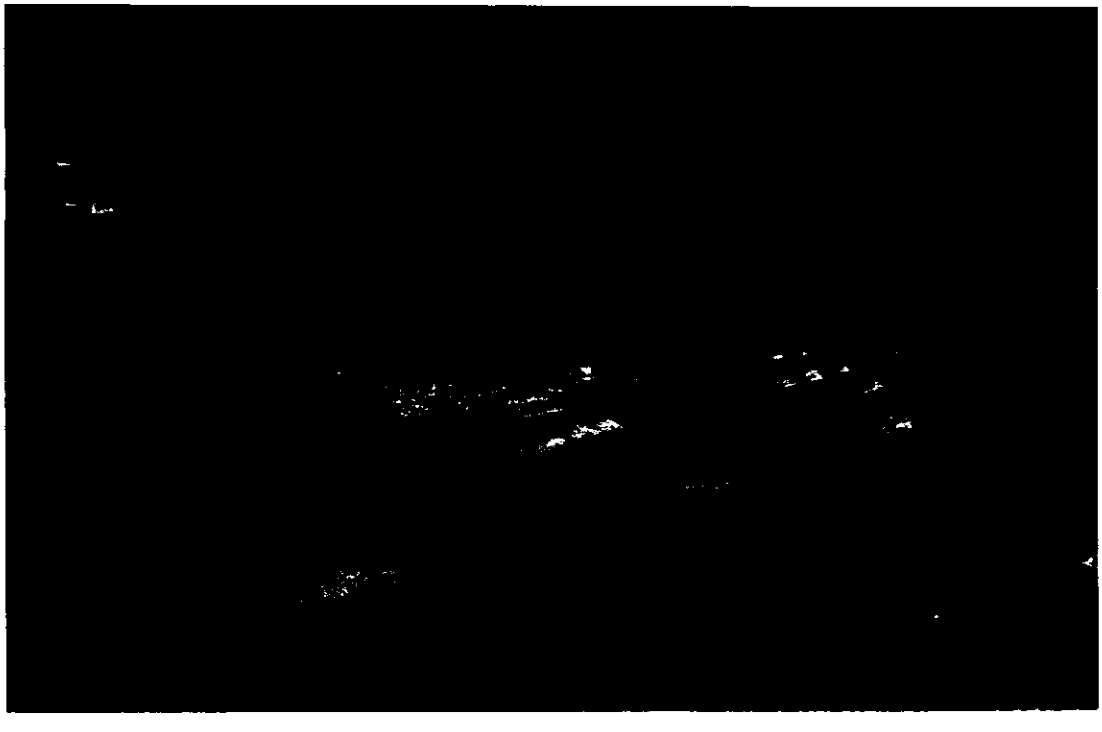

BM
2266

02-7276V

Lot 7 Blk 1



P/O



P/U
Portion in foreground has been re-seeded

AUG 08 1995

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 29, 1995

LESTER J MONCRIEF
HC 79 BOX 102A
MELBA ID 83641

RE: WATER RIGHT NOS. 02-07276U/02-07276V/02-07276W

Dear Water Right Holder:

Enclosed are copies of the Water Right Licenses issued on the above referenced permits along with a copies of your approved Applications for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

SWK:rl

enc.

MICROFILMED
OCT 26 1995

MEMORANDUM

DATE: August 17, 1995

TO: File 02-07276U / Lester J. Moncrief

FROM: Brenda Chapman

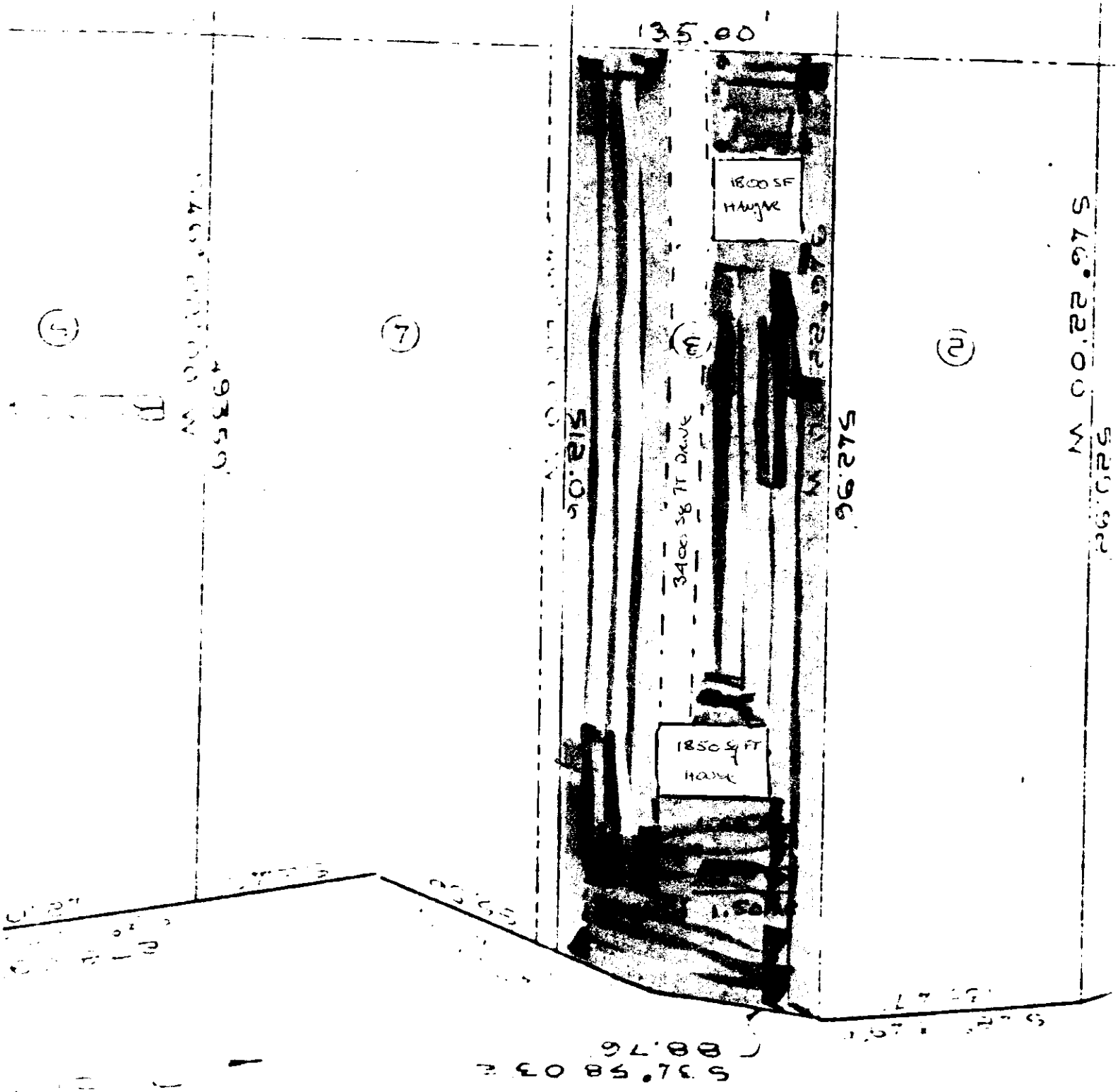
RE: Amended Licensing Recommendation

==========

The recommendation to increase the acreage to 1.5 acres on the proposed license for the above referenced permit is being made.

The examiner stated there is "approximately" 1 acre of irrigation for this part, indicating an actual measurement was not done. The picture included in the exam shows only the home and backyard. Also, the plat map included in the exam did not include each lot's dimensions. There is nothing specific enough in the exam to discredit the information supplied by Mr. Moncrief.

RECEIVED
OCT 26 1995


135.00'
1800 SF
House
512.96'
50.21'
340 SF TF Drive
1850 SQ FT
House
(1)
(2)
(3)
(7)
S 76° 22' 07" W
522.92'
S 37° 58' 03" E
97.88'

OCT 2 S 1995

M E M O R A N D U M

DATE: August 4, 1995

TO: 02-07276U/V/W

FROM: Shelley W. Keen SWK

RE: Meeting with Lester Moncrief

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Lester Moncrief met with me today to discuss permits 02-07276U/V/W. He said that he would submit a letter to explain and support the beneficial nature of the irrigation on his lots in Sunrise Sky Park.

I also hand delivered to Mr. Moncrief an application for amendment form to correct the point of diversion of 02-07276V prior to licensing.

We also discussed the one acre place of use recommended by the examiner for 02-07276U. Mr. Moncrief believes that the license should be issued for 1.5 acres. He says the lot is 1.66 acres, with all but about 0.1 acre irrigated. The 0.1 acre, according to Mr. Moncrief, is occupied by his house, a hangar, and a driveway. I asked Mr. Moncrief to submit some evidence or documentation to support his position.

RECEIVED
AUG 08 1995

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 28, 1995

LESTER J MONCRIEF
HC 79 BOX 102A
MELBA ID 83641

RE: WATER RIGHT NO. 02-07276U

Dear Water Right Holder(s):

The above referenced water right is in the process of being licensed. However, before a license can be issued, your permit must be amended to depict your water right as it has actually been developed.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects a change in the location of the point(s) of diversion. Please review carefully and if you concur, sign the amendment and return with the $50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED
AUG 08 1995

Lots 3, 7, & 14 Blk 1

Form 219
6/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 12 1995
Department of Water Resources

(NOW PART U)

A. GENERAL INFORMATION

Permit No. 02-7276S

1. Owner: MONCRIEF, LESTER J Phone No. 495-1101

Current Address: HC 79 Box 102A Malta ID 83641

2. Accompanied by: Lauri Moncrief EXAM DATE: 6/20/94

Address: above Phone No.

Relationship to Permit Holder: daughter

3. Source: Snake River tributary to Columbia River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Splits of 02-7276 & 57-7236, 57-7596, 57-7600

2. Other water rights with the same point of diversion: Above

C. DIVERSION AND DELIVERY SYSTEM

RECOMMEND SPLITS TO 3 SEPARATE SYSTEMS:

1. **Point(s) of Diversion:**

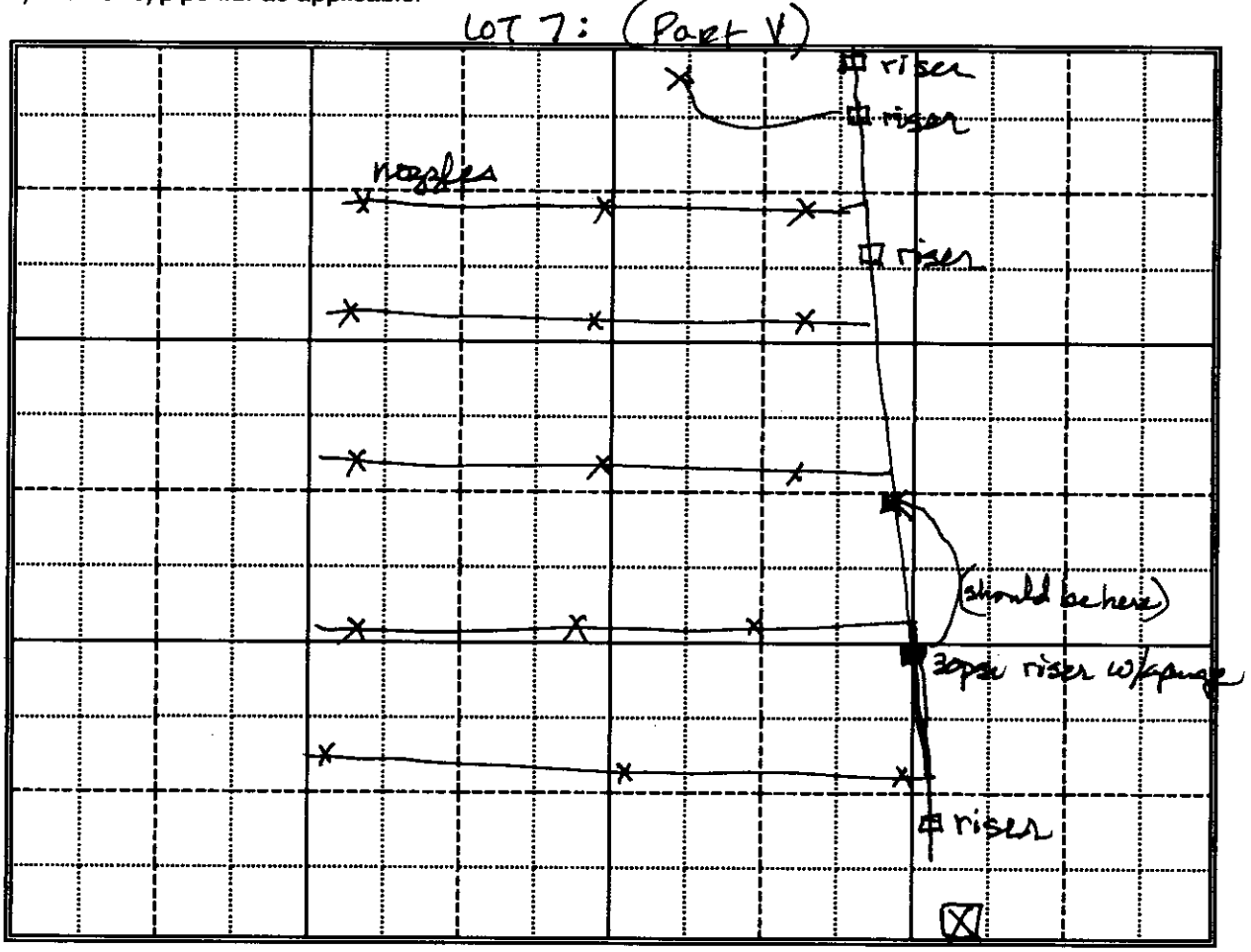
Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
U.	2		NE	SW	16	1N	3W	Owyhee	Site visit, Plat (This P/D shared w/ Part H)
V.	2		NE	SW	16	1N	3W	"	Single point on or near tract line
	1		SE	SW	16	"	"	"	
W.	1		SE	SW	16	"	"	"	

2. **Place(s) of Use:** Indicate Method of Determination Above

	TWP	RGE	SEC	NE				NW				SW				SE				Totals
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
U.	1N	3W	16										1		1					1
V.	1N	3W	16												2					2
W.	1N	3W	16												1					1

RECEIVED
AUG 08 1995

3. **Delivery System Diagram**: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____.

_____ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

_____ Aerial Photo Attached (required for irrigation of 10+ acres)

_____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
W. Lot 14	W/K (gasoline)	2		Teel	1½" 1P855
U. Lot 3	Emerson	2		Red Jacket	2"
V. Lot 7	Emerson	2		200RS-PS Red Jacket	200RS-PS 2"

*Code to correspond with No. on map and aerial photo

model T55ZZP6M-274

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. **Measurements:** pressure gage at system discharge

AUG 0 8 1995

E. NARRATIVE/REMARKS/COMMENTS

W. Lot 14 – 30 psi, 1, 3/16" Nozzle each-gun-type 210 x 18 = .9 ac, allow 1 ac

U. Lot 3 – 30 psi 11/32" nozzle, 2 nozzles operating, 1 ac, 4 sets + misc hoses
w/ some leakage (maybe 40 psi?)
approx 1 ac
P/D also used on lot 2

V. Lot 7 – 1 risers with flex. hose, 4 perm risers
Solid set line off 2" external main
nonhead w/ 1/8" nozzle
– 19 heads
30 psi @ top + 30 psi @ bottom
Irrigating approx. 2 AC

No other development under permit. Riverfront lots #9 & 15, Block 1, not developed. Balance of permit lost.
Overlaps w/other Spurts under 02-7276, and all 57- spurts
02-7276W/02-7276H – Shared diversion also irrigates lot 2 Blk 1. Other P/D's and P/U except
~~P/D & P/U lot 3 Block 1, Sunrise Skypark.~~

For additional information and license conditions
See memo.

Part U: P/D & P/U = lot 3 Blk 1 Sunrise Skypark
Part V: P/D & P/U = lot 7 Blk 1 " "
Part W: P/D & P/U = lot 14 Blk 1 " "

Have conditions of permit approval been met? ✓ yes ___ no

AUG 08 1995

F. FLOW CALCULATIONS ____ Additional Computation Sheets Attached

Measured Method:

U. & W: gun type sprinklers, Nozzle Size can't be assessed.

All pumps: HP equation

$\frac{2 \times 8.8 \times .7}{10 + (30 \times 2.31)} = .15$ cfs

V: 19, 1/8" Nozzles @ 30 psi, each 2.56 gpm

19 x 2.56 = 48.64 gpm = .11 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R}$ = (Acres Irrigated) x (Irrigation Requirement) = see below

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = _____

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = _____

2. Volume Calculations for Other Uses:

U.: 1ac x 4.5 = 4.5 V_R .02 x 246 x 1.9835 = 9.8 V_D

V.: 2ac x 4.5 = 9.0 V_R .04 x 246 x 1.9835 = 19.5 V_D

W.: 1ac x 4.5 = 4.5 V_R .02 x 246 x 1.9835 = 9.8 V_D

H. RECOMMENDATIONS

1. Recommended Amounts

	Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
U.	IRR	3/15	11/15	.02	4.5
V.	IRR	3/15	11/15	.04	9.0
W.	IRR	3/15	11/15	.02	4.5
			Totals:		

2. Recommended Amendments

___ Change P.D. as reflected above ↘ Add P.D. as reflected above ___ None

___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

I. AUTHENTICATION

Field Examiner's Name Cindy J Hodges Date 12/9/94

Reviewer _____ Date _____

SEAL

AUG 0 8 1995

MEMORANDUM

TO: File Nos. 02-07276 Splits D-T

FROM: Cindy Hodges

RE: B/U Examination General Information and Recommended License Conditions

GENERAL HISTORY

Permit 02-07276 was originally issued to Givens Hot Springs, for the irrigation of 100 acres. It was split early on into A, B, and C, with part C, the majority of the permit, awarded to Lester Moncrief. Parts A and B have lapsed. Part C was subsequently assigned and split on several occasions into the current parts D through T (F and N retired during split re-apportionments). Each assignment reflected the subdivision and sale of mostly riverfront lots within Sunrise Skypark, developed by Mr. Moncrief. Assignments awarded the permitted rate of 0.02 cfs per acre for lot sizes of 0.5 to 1.5 acres. At this time, Mr. Moncrief retains the balance of the permit, which has been labeled part S.

Most assignments were made in late 1992 or early 1993. Proof was due March 1, 1993, and very little beneficial use had occurred under this permit. Yet, very few new property owners were aware of the implications of the pending proof due date. According to sales agreements, each new landowner was to develop a separate system for irrigation. As many new landowners lived out of state, this would have been largely impossible and meant that many portions of the permit would have forfeited.

One of the earliest assignees came to my office quite concerned that the water right which he and many others had been promised was in jeopardy. We reviewed the file and found that, although one extension of time had already been granted to Mr. Moncrief, an additional 8 months time might be permissible based on the total time lapsed during Swan Falls litigation. This assignee requested and received the additional 8 months extension, which advanced proof due date to November 1, 1993. He lived on-site and was able to develop his system during summer 1993.

Other assignees were not so fortunate. They confronted Mr. Moncrief and were assisted in working with IDWR to obtain the additional extensions. Then, Mr. Moncrief and his staff developed and operated systems during the 1993 irrigation season for all absentee landowners, so that no assigned portion of the permit would lapse. All proofs were filed by the November 1 due date. Due to all the extenuating circumstances, Western was directed to conduct these field examinations as early as possible in 1994.

0 8 1995

BENEFICIAL USE EXAMINATIONS

At the time of the field examination(s) in June of 1994, we found a large array of conditions present under the various portions of this permit. All systems were in place and were being operated, either by on-site owners or by Moncrief. All lands under irrigation had been cultivated and planted, either to lawn or to mixed grasses, but with varying degrees of success. As could be expected, those lots with on-site owners had well-established lawns and obvious beneficial use. Other lots had irregular vegetation establishment and questionable beneficial use, even though regular irrigation appeared to be occurring. After visits with Mr. Moncrief and some residents, I was convinced that this was due in large part to high alkalinity in some areas which required continued soil enhancement to support any vegetation. Much seed sowed in 1993 simply failed to germinate. In fact, alkaline patches were visible in most lots and 1994 re-seeding attempts were also apparent.

Those lots not receiving the intensive care of an on-site owner had poorer stands of vegetation. However, genuine beneficial use has occurred at all sites. It would not be equitable to penalize off-site owners, since a significant effort has been made in their behalf to apply water to beneficial use and thus protect the permits. All portions of the permit will be recommended to the extent of development found.

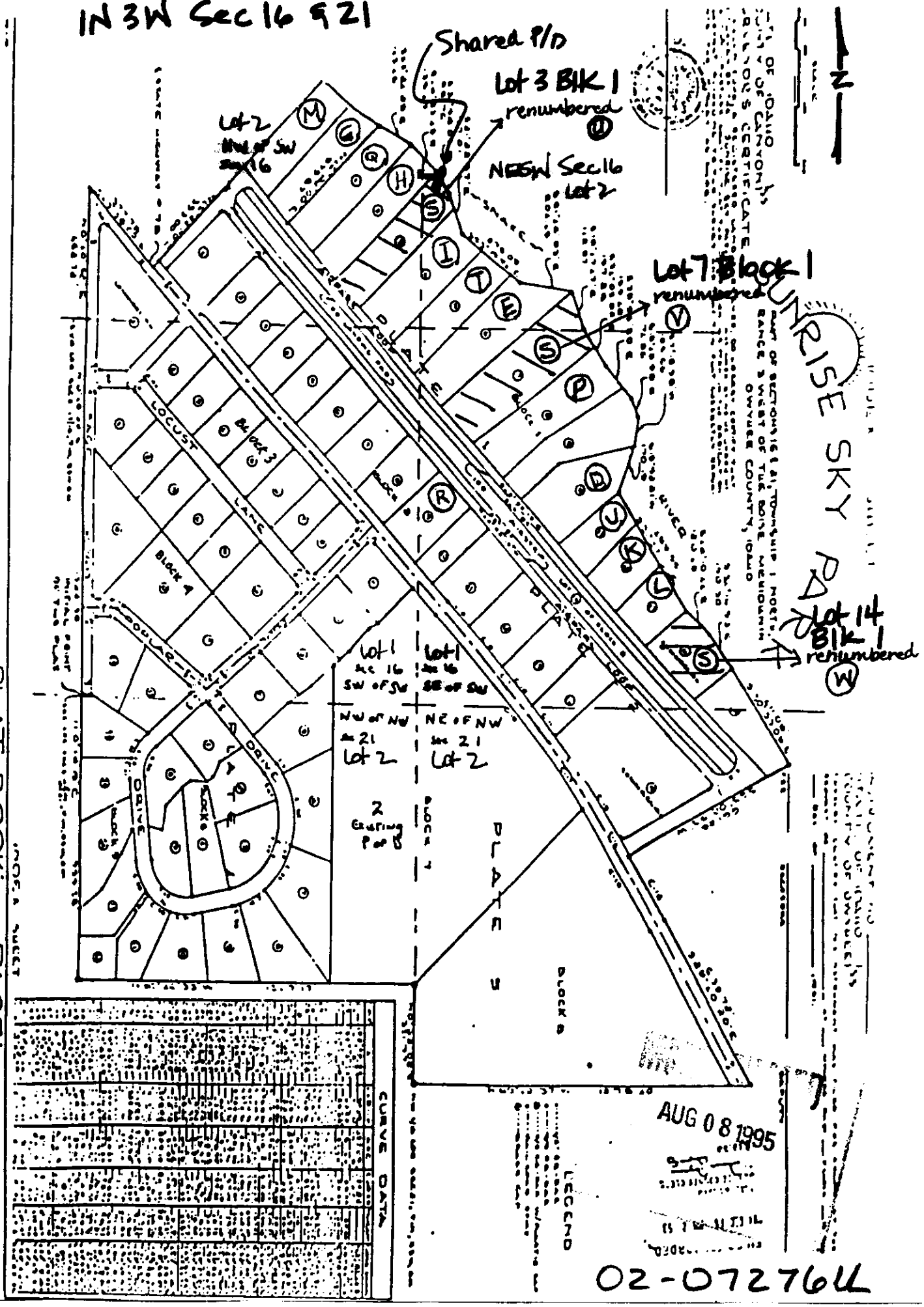
LICENSING TERMS AND CONDITIONS

Permitted rate of flow is 0.02 cfs/acre. Most splits were assigned at a total rate of about 0.02 cfs. Each of these systems is capable of delivering at least this amount; many are oversized and can deliver much more. To avoid the potential for over-appropriation which will occur if all systems are operating at once, I suggest a specific licensing condition which requires operation on a rotational basis, so that no more than a certain number of systems are diverting at any one time. I discussed this concept with Mr. Moncrief and others. They agreed that this could be accomplished within the subdivision through the establishment of an irrigation schedule.

The first two split recipients, D and E, filed permit amendments immediately after assignment to add points of diversion unique to their portions. Because of time constraints, this exercise was generally not possible for all other split portions. Therefore, all others were treated as changes occurring within the development period, to be handled through licensing amendments. Portion S, held by Mr. Moncrief, was used to develop Mr. Moncrief's residence lot and two lots used as common area. These three systems are separate. Therefore, portion S will be recommended to be split into the next three available suffixes: U, V, and W. The balance of portion S was not developed.

AUG 08 1995

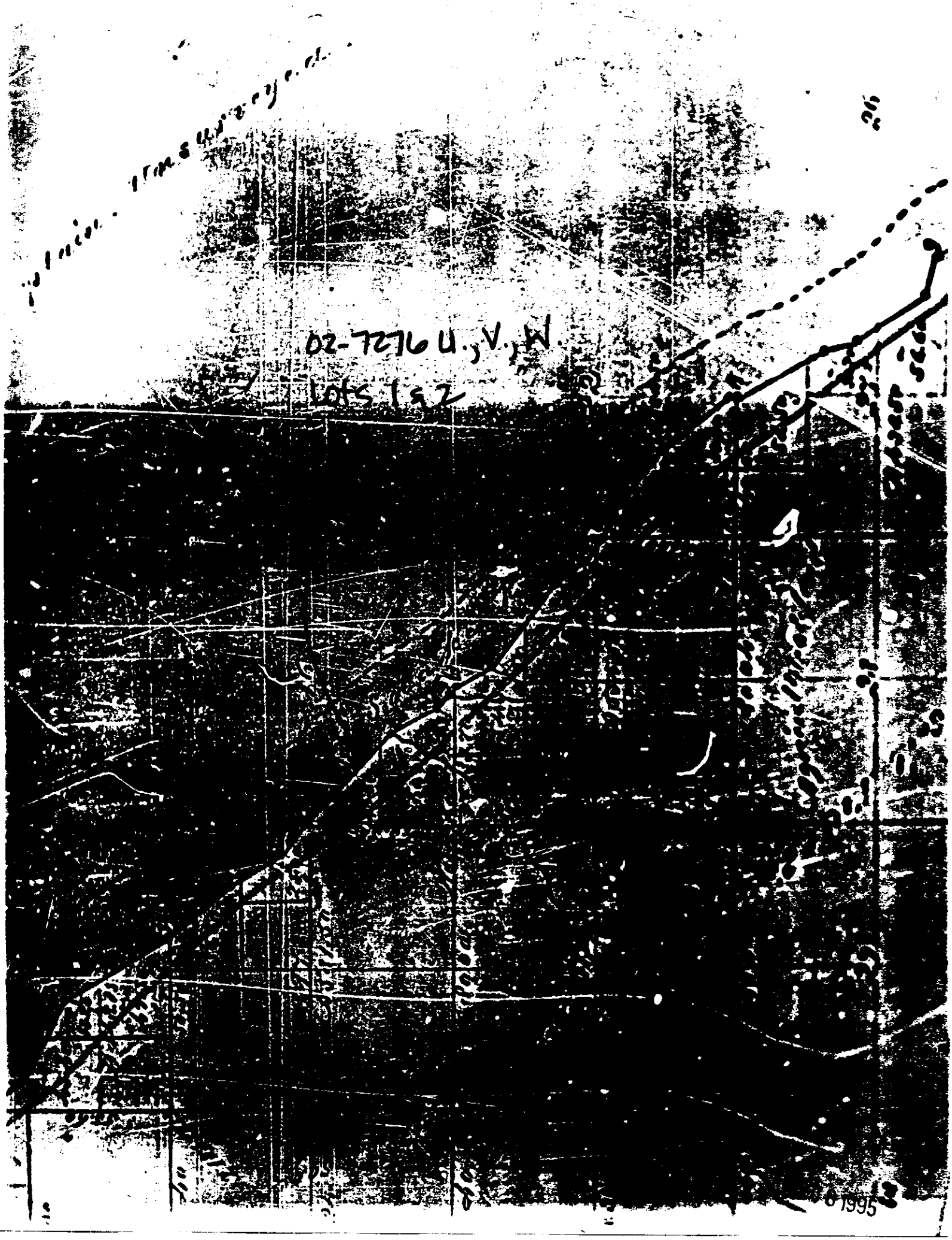
02-7276 Splits D-W
IN 3W Sec 16 & 21



PLAT BOOK ___ PAGE ___

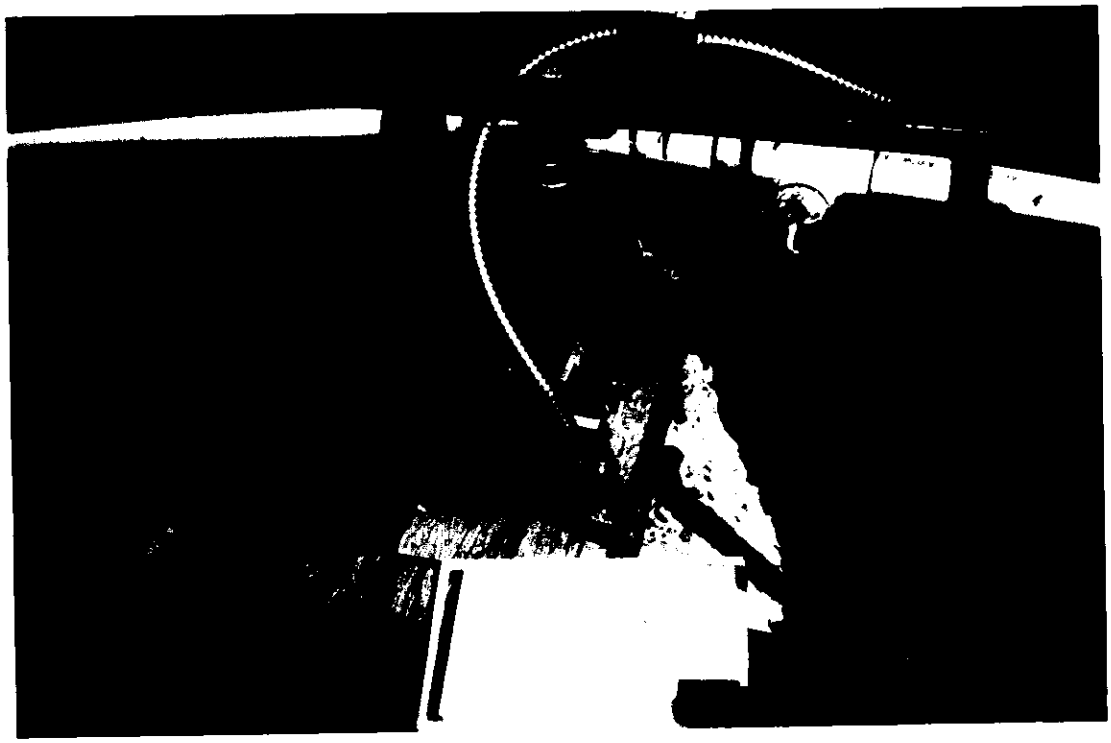
02-07276LL


17
BM
2266
32


02-7276 U.,V.,W.
Lots 1 & 2
6 1995

02-7276 U

Lot 3 Block 1



P/D
Shared w/
Part H



P/u
back yard

RECEIVED
AUG 08 1995

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 11, 1995

CHARLES MC KINNON
MARY MC KINNON
PO BOX 3035
PARADISE CA 95967

RE: WATER RIGHT NO. 02-07276T

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit along with a copy of your approved Application for Amendment.

Should you have any questions regarding these documents, please contact me.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED
OCT 26 1995

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

September 22, 1995

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

CHARLES MC KINNON
MARY MC KINNON
PO BOX 3035
PARADISE CA 95967

RE: PERMIT NO. 02-07276T

Dear Water Right Holders:

We acknowledge receipt of the correspondence transferring ownership of Permit 02-07276T to you. We have modified our computer records to reflect this change in ownership.

The permit is being reviewed for licensing. However, before a license can be issued, your permit must be amended to correspond with the findings of the Department's field examiner.

The enclosed Application for Amendment contains information that will be included on the license when it is issued. The amendment reflects the correct location of the point of diversion and the places of use. Please review carefully and if you concur, sign the amendment and return with the $50.00 filing fee within 14 days.

The last page of the Application for Amendment form contains a list of CONDITIONS/REMARKS proposed for the license when it is issued. These conditions/remarks may be modified upon further administrative review.

If you do not concur, or if you have any questions about this information, please contact me as soon as possible. My telephone number is (208) 327-7946.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

OCT 2 6 1995

RECEIPT
For Monies Paid
to the
Idaho Department of Water Resources

Receipt No: C033566

Date: 9/18/1995
Time: 13:14:37

Received
From: GOLD NUGGET OIL CO.

Type of Payment		Program Acct		Amount
ASSIGNMENT OF PERMIT 02-07276T	56103	229 21 1155		25.00
CHECK	13844	Total	$	25.00

Region: STATE

Signature: J Wyatt

RECEIVED
OCT 26 1995

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

September 5, 1995

CHARLES MC KINNON
MARY MC KINNON
PO BOX 3035
PARADISE CA 95967-3035

RE: Assignment of Permit No. 02-07276T

Dear Mr. & Mrs. McKinnon:

I recently received an 'Assignment of Permit' form on the above referenced permit assigning the permit to you.

As of July 1, 1994, the assignment of a permit must be accompanied by a $25.00 filing fee. Assignments of permits are not acceptable without filing fees.

I am returning the assignment to you, please resubmit the assignment with the filing fee to my attention at the above address.

If you have any questions or require assistance, please contact me directly at (208) 327-7944.

Respectfully,

Cindy Zimmerman
Water Resource Agent

Enclosure

OCT 3 6 1995

M E M O R A N D U M

DATE: August 21, 1995

TO: File 02-07276T

FROM: Shelley W. Keen SWK

RE: Phone call from Charles McKinnon

==========

Charles McKinnon called from 916-872-4283 to inform me that he is the owner of the property on which permit 02-07276T was developed. He said he has an assignment form and will contact the permit holders to have the assignment completed. I told him I would expect the assignment within the next couple of weeks.

Permit 02-07276T is one of the portions of 02-07276 for which the beneficial use has been questioned. Mr. McKinnon assured me that the diversion and application of water to planted grass under his permit allows for dust control, increased soil productivity, and fire protection.

We also discussed the need for a licensing amendment to correct the point of diversion.

OCT - 5 1995

M E M O R A N D U M

DATE: August 4, 1995

TO: File 02-07276K/P/T

FROM: Shelley W. Keen SWK

RE: Ownership and Address Changes

==========

Lauri Moncrief informed me today that some of the portions of permit 02-07276 have new owners or the owners have new addresses. The new names and addresses are on the attached fax sent to me by Ms. Moncrief.

RECEIVED
AUG 0 8 1995

To: Shelley Walter Keen

From: Lauri Monerief

RECEIVED
AUG 0 4 1995
Department of Water Resources

02-07276P
Dave & Linda Carpenter
P.O. Box 60
Peck, ID 83545
208 486-6204

SOLD TO →

Mike Simpson
P.O. Box 846
Ketchum, ID 83340
wk 208 726-2609

02-07276T Possible new owner
Charles (Ron) & Mary McKinnon
P.O. Box 566
Paradise, CA 95967
HM 916 872-4283

02-07276K Possible new address
Don & Patty Waste
8330 Dagan St.
Anchorage, AK 99502

AUG 0 8 1995

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 28, 1995

NOTICE OF INTENT TO VOID PERMIT

MELVIN HAUGAN
HELEN HAUGAN
5350 DUNBAR RD
WASILLA AK 99654

RE: Permit No. 02-07276T

Dear Permit Holder(s):

In June of 1994, an employee of the department conducted a field inspection of the above referenced permit. The department is now reviewing the examination to determine whether or not the right can be licensed.

To perfect a water right an individual must divert the water and also apply it to a beneficial use. While the field examiner found that you have an irrigation diversion system in place, the water did not appear to be applied to a beneficial use. The particular lot represented by the above permit had no lawn or garden associated with a building. There was no evidence to the department's examiner that stock grazing had occurred on this lot, nor was there evidence that any crop harvesting had taken place.

The department will delay action for 30 days to allow you to submit any evidence you may have to show that water has in fact been beneficially used under this permit. Please bear in mind that your evidence must indicate a beneficial use prior to February 8, 1993, the date you indicated to the department that your development was completed. If such evidence is not submitted, the department may void the permit.

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

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

SWK:rl

AUG

Lot 5 Blk 1

Form 219
6/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 12 1995
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 02-07276T

1. Owner: Helen E & Melvin HAUGAN Haugan Phone No. 907-745-3891

Current Address: 5350 DUNBAR RD WASILLA AK. 99654

2. Accompanied by: Lauri Moncrief EXAM DATE: 6/30/94

Address: HC79 Bx 102A Melba 83641 Phone No. 459 1101

Relationship to Permit Holder: Subdivision Representative

3. Source: Snake River tributary to Columbia River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Splits of 02-7276 & 57-7236, 57-7596, 7600

2. Other water rights with the same point of diversion: Above

C. DIVERSION AND DELIVERY SYSTEM

1. **Point(s) of Diversion:**

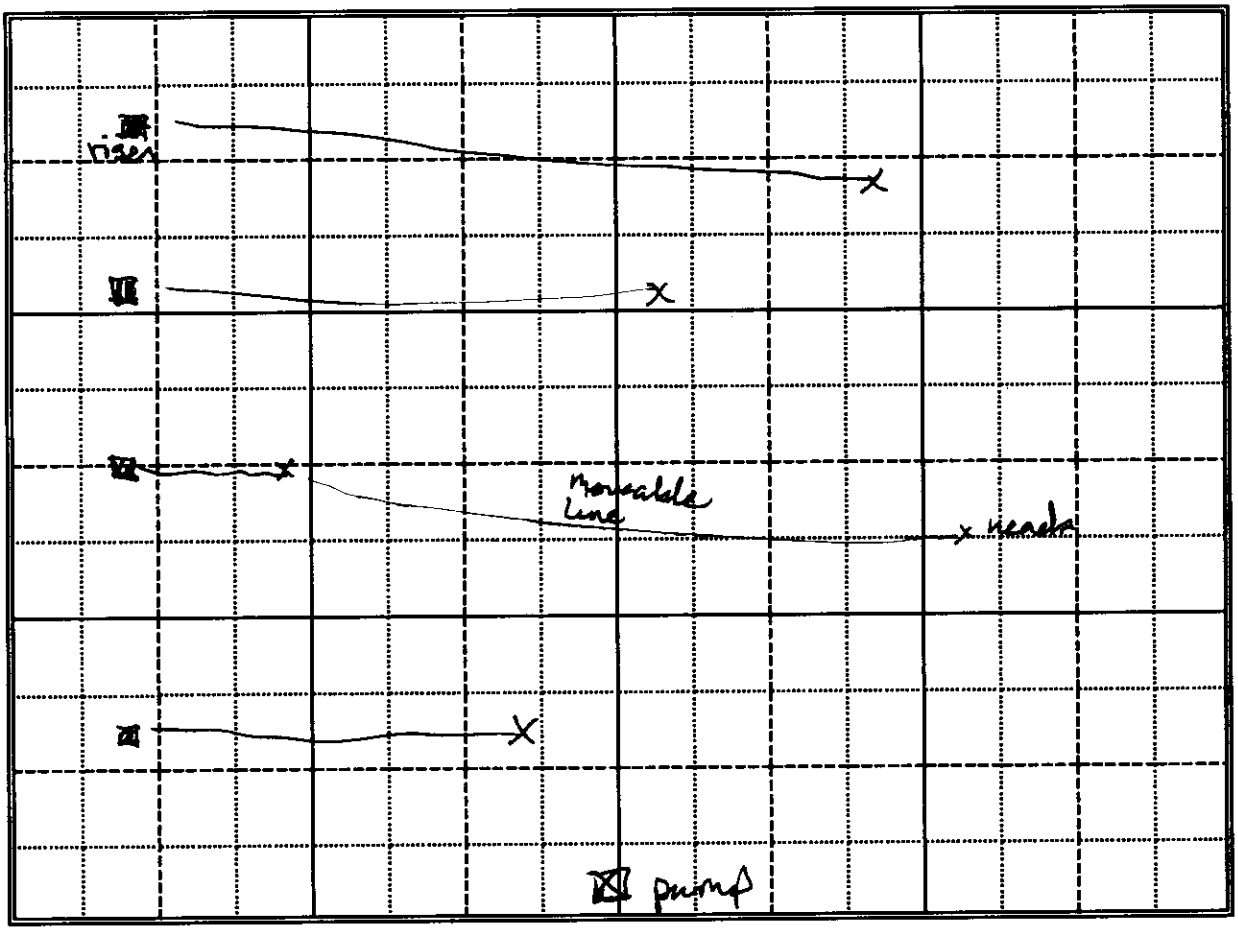
Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	2		NE	SW	16	1N	3W	Owyhee	Plat Map, Site Visit

2. **Place(s) of Use:** Indicate Method of Determination Above

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	3W	16									1			.5					1.5
											1.2			1.1					

AUG 08 1995

3. **Delivery System Diagram**: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = NTS.

___ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

___ Aerial Photo Attached (required for irrigation of 10+ acres)

___ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Emerson	2	G923	Red Jacket	200 RSPS
					2"

Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. **Measurements:** Discharge Pressure

AUG 0 8 1995

E. NARRATIVE/REMARKS/COMMENTS

- Riser off main & line to moveable heads 11/32 nozzle rain bird type /. 16-67 model ; 20 psi 5-6 risers irrigating 1.5

Absentee owner. System operated by Sunrise Sky Park.

P/O & P/A = Lot 5 Blk 1 Sunrise ~~Sky~~ Sky Park.

Overlaps do not affect permit

For more information and license conditions See memo to file.

Have conditions of permit approval been met? \ yes ___ no

RECEIVED

AUG 08 1995

F. FLOW CALCULATIONS ____ Additional Computation Sheets Attached

Measured Method:

11/32" nozzle @ 20 psi = 15 gpm

15 gpm x 4 = 60 gpm = .13 cfs

HP equation:

$\frac{2 \times 8.8 \times .7}{10 + (20 \times 2.31)} = .22$ cfs

allow .03 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R}$ = (Acres Irrigated) x (Irrigation Requirement) = 1.5 x 4.5 = 6.8

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = .03 x 246 x 1.9835 = 14.6

V = Smaller of $V_{I.R}$ and $V_{D.R.}$ = 6.8

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
IRR	3/15	11/15	.03	6.8
		Totals:	.03	6.8

2. Recommended Amendments

___ Change P.D. as reflected above ___ Add P.D. as reflected above ___ None

___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

GY

I. AUTHENTICATION

Field Examiner's Name Cindy J Hodges Date 12/16/94

Reviewer _____ Date _____ SEAL

AUG 0 8 1995

MEMORANDUM

TO: File Nos. 02-07276 Splits D-T

FROM: Cindy Hodges

RE: B/U Examination General Information and Recommended License Conditions

GENERAL HISTORY

Permit 02-07276 was originally issued to Givens Hot Springs, for the irrigation of 100 acres. It was split early on into A, B, and C, with part C, the majority of the permit, awarded to Lester Moncrief. Parts A and B have lapsed. Part C was subsequently assigned and split on several occasions into the current parts D through T (F and N retired during split re-apportionments). Each assignment reflected the subdivision and sale of mostly riverfront lots within Sunrise Skypark, developed by Mr. Moncrief. Assignments awarded the permitted rate of 0.02 cfs per acre for lot sizes of 0.5 to 1.5 acres. At this time, Mr. Moncrief retains the balance of the permit, which has been labeled part S.

Most assignments were made in late 1992 or early 1993. Proof was due March 1, 1993, and very little beneficial use had occurred under this permit. Yet, very few new property owners were aware of the implications of the pending proof due date. According to sales agreements, each new landowner was to develop a separate system for irrigation. As many new landowners lived out of state, this would have been largely impossible and meant that many portions of the permit would have forfeited.

One of the earliest assignees came to my office quite concerned that the water right which he and many others had been promised was in jeopardy. We reviewed the file and found that, although one extension of time had already been granted to Mr. Moncrief, an additional 8 months time might be permissible based on the total time lapsed during Swan Falls litigation. This assignee requested and received the additional 8 months extension, which advanced proof due date to November 1, 1993. He lived on-site and was able to develop his system during summer 1993.

Other assignees were not so fortunate. They confronted Mr. Moncrief and were assisted in working with IDWR to obtain the additional extensions. Then, Mr. Moncrief and his staff developed and operated systems during the 1993 irrigation season for all absentee landowners, so that no assigned portion of the permit would lapse. All proofs were filed by the November 1 due date. Due to all the extenuating circumstances, Western was directed to conduct these field examinations as early as possible in 1994.

AUG 08 1995

BENEFICIAL USE EXAMINATIONS

At the time of the field examination(s) in June of 1994, we found a large array of conditions present under the various portions of this permit. All systems were in place and were being operated, either by on-site owners or by Moncrief. All lands under irrigation had been cultivated and planted, either to lawn or to mixed grasses, but with varying degrees of success. As could be expected, those lots with on-site owners had well-established lawns and obvious beneficial use. Other lots had irregular vegetation establishment and questionable beneficial use, even though regular irrigation appeared to be occurring. After visits with Mr. Moncrief and some residents, I was convinced that this was due in large part to high alkalinity in some areas which required continued soil enhancement to support any vegetation. Much seed sowed in 1993 simply failed to germinate. In fact, alkaline patches were visible in most lots and 1994 re-seeding attempts were also apparent.

Those lots not receiving the intensive care of an on-site owner had poorer stands of vegetation. However, genuine beneficial use has occurred at all sites. It would not be equitable to penalize off-site owners, since a significant effort has been made in their behalf to apply water to beneficial use and thus protect the permits. All portions of the permit will be recommended to the extent of development found.

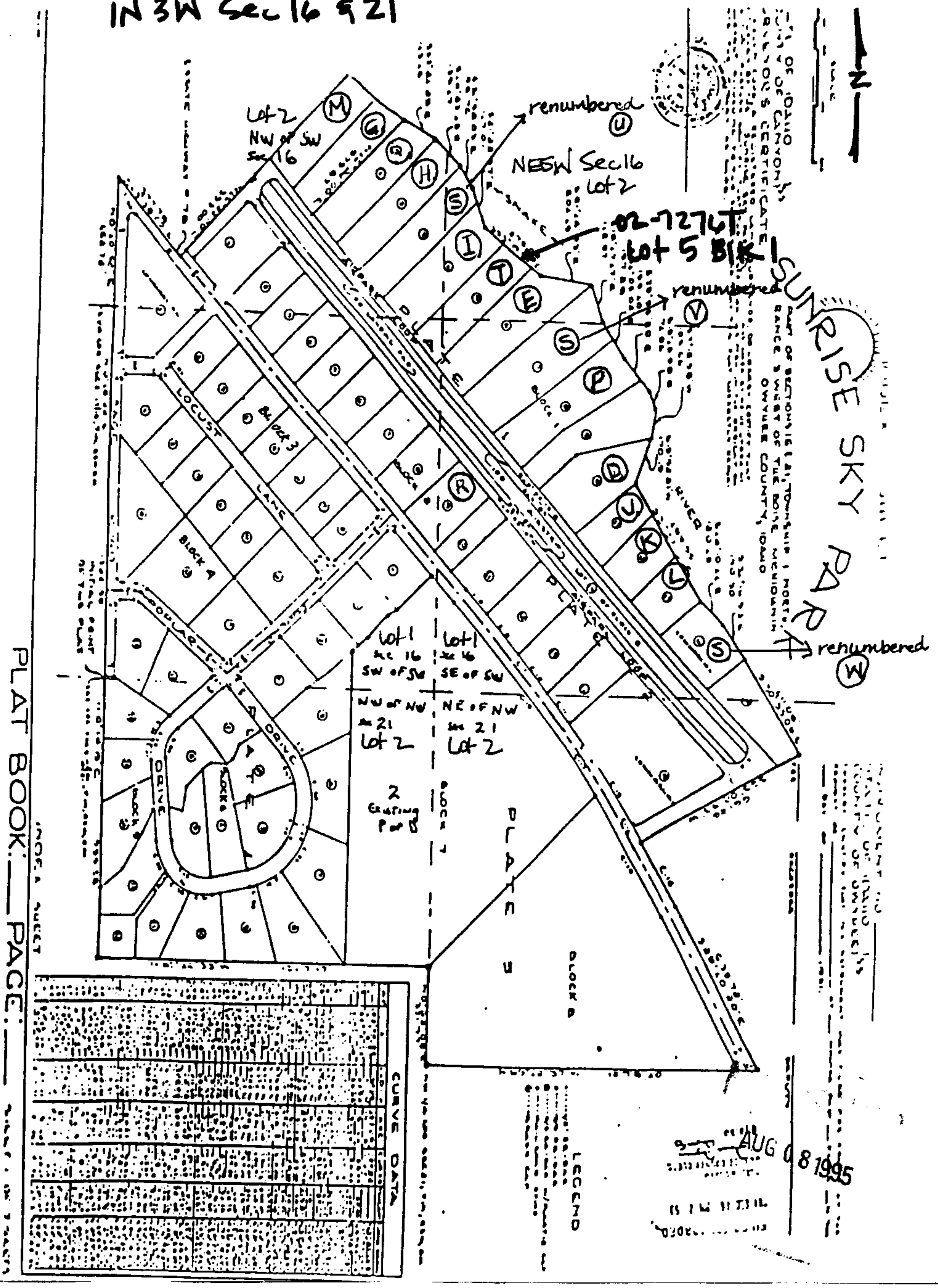
LICENSING TERMS AND CONDITIONS

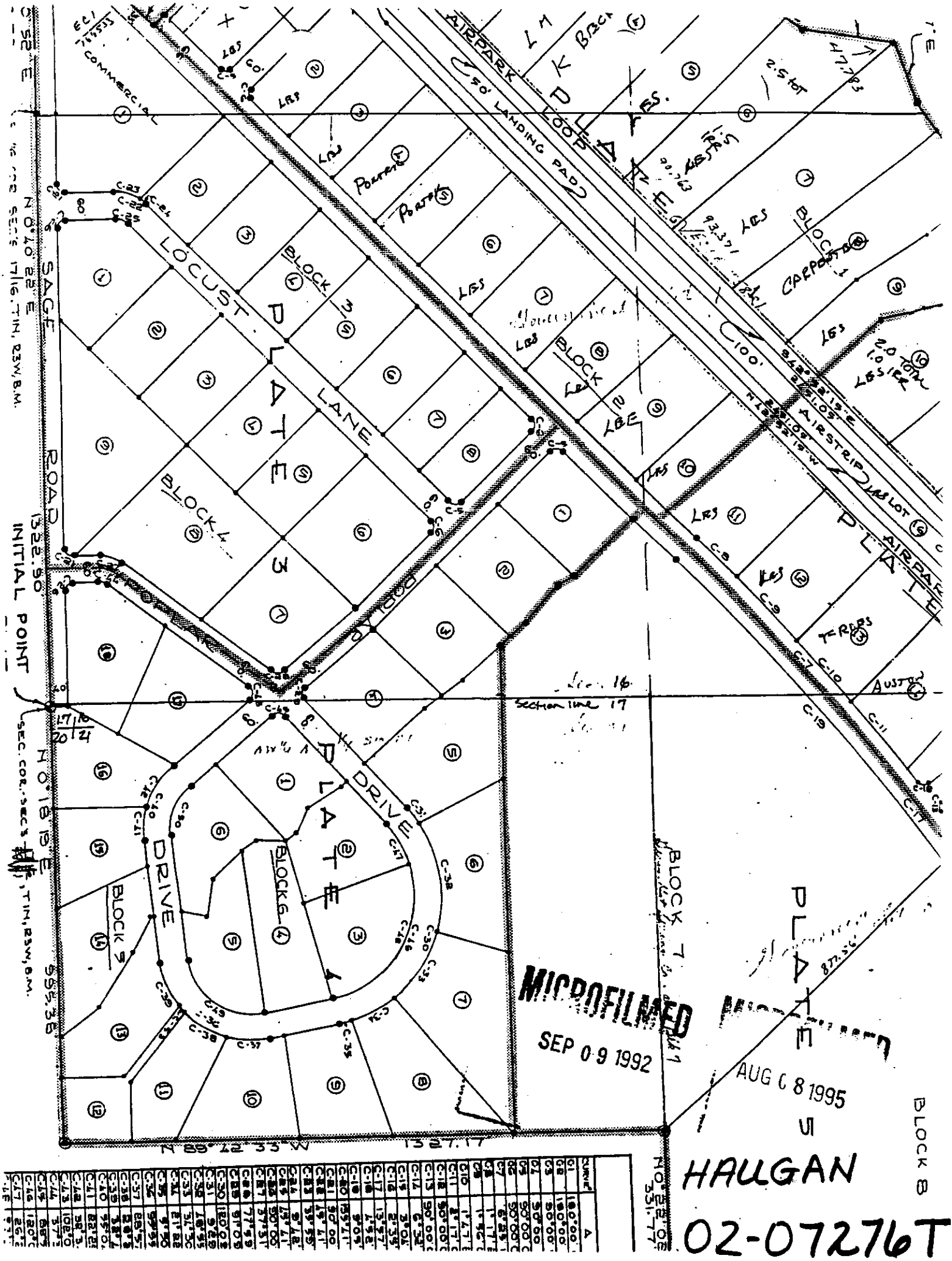
Permitted rate of flow is 0.02 cfs/acre. Most splits were assigned at a total rate of about 0.02 cfs. Each of these systems is capable of delivering at least this amount; many are oversized and can deliver much more. To avoid the potential for over-appropriation which will occur if all systems are operating at once, I suggest a specific licensing condition which requires operation on a rotational basis, so that no more than a certain number of systems are diverting at any one time. I discussed this concept with Mr. Moncrief and others. They agreed that this could be accomplished within the subdivision through the establishment of an irrigation schedule.

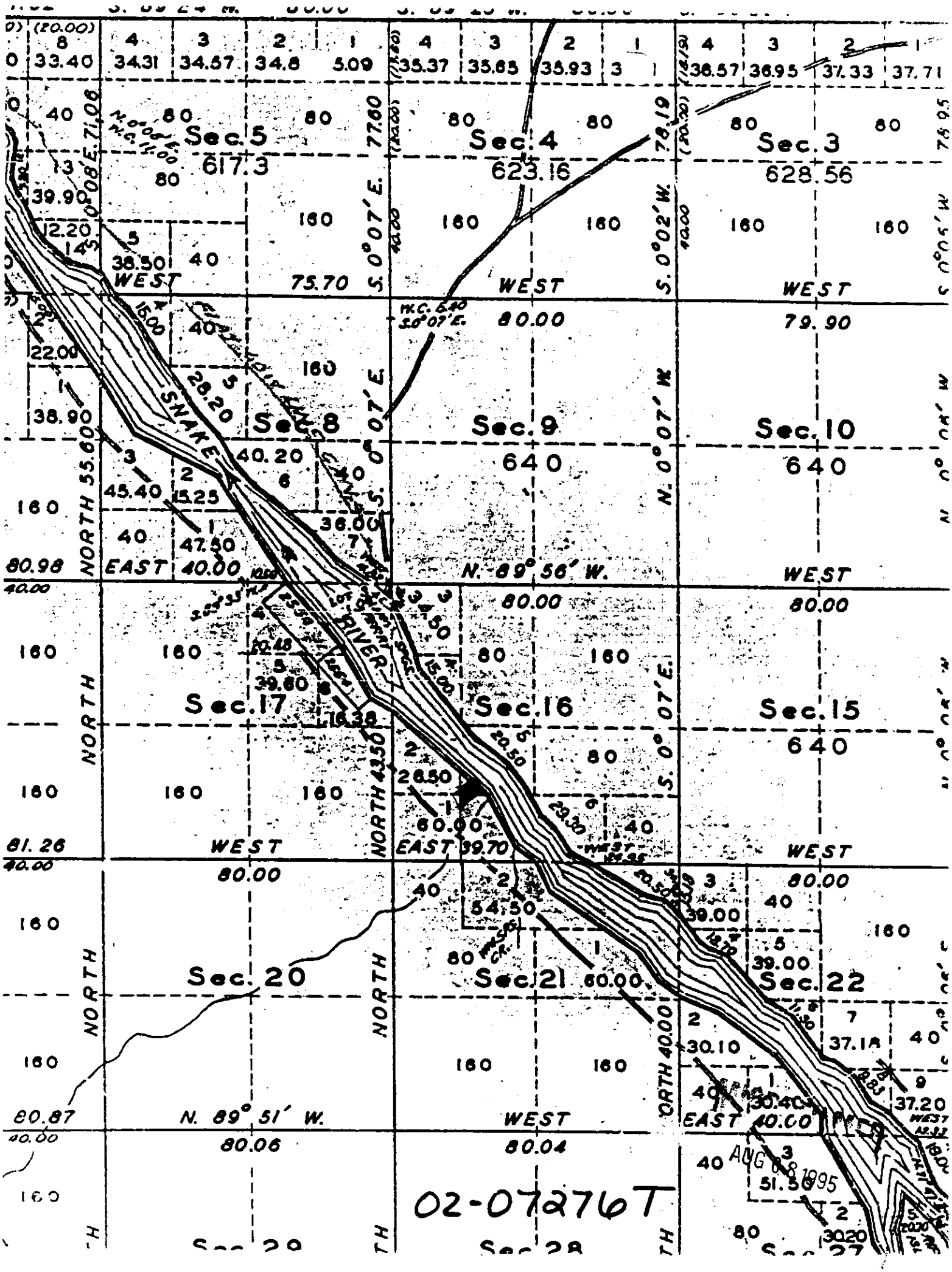
The first two split recipients, D and E, filed permit amendments immediately after assignment to add points of diversion unique to their portions. Because of time constraints, this exercise was generally not possible for all other split portions. Therefore, all others were treated as changes occurring within the development period, to be handled through licensing amendments. Portion S, held by Mr. Moncrief, was used to develop Mr. Moncrief's residence lot and two lots used as common area. These three systems are separate. Therefore, portion S will be recommended to be split into the next three available suffixes: U, V, and W. The balance of portion S was not developed.

AUG 08 1995

02-7276 Splits D-W
1N 3W Sec 16 & 21



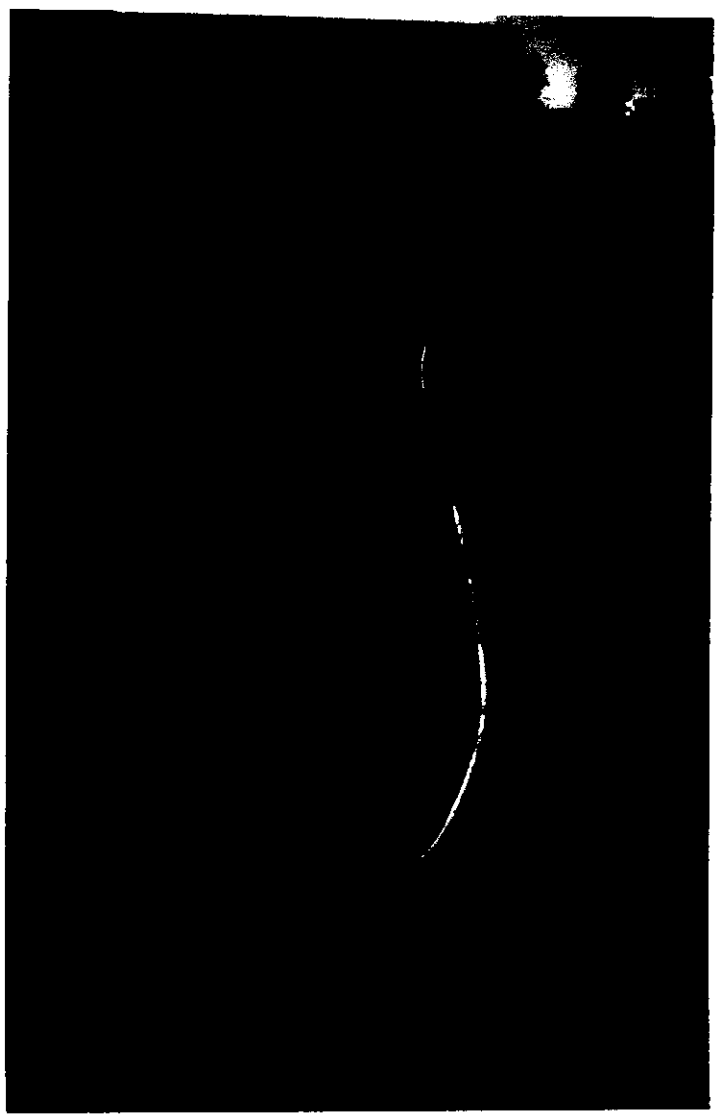

PLAT
LOCUST LANE
BLOCK 1
BLOCK 2
BLOCK 3
BLOCK 4
BLOCK 5
BLOCK 6
BLOCK 7
BLOCK 8
SAGE ROAD
DRIVE
AIRPARK LOOPS
AIRSTRIP
C100'
50' LANDING PAD
CARPORTS
T-HANGARS
AUST
Section line 17
INITIAL POINT
SEC. COR., SECS. 17/16/20/21
N 0°18'19" E 955.38
N 89°12'33" W 1327.17
N 0°40'22" E 1316.7'
MICROFILMED
SEP 09 1992
AUG 08 1995
HAUGAN
02-07276T


Sec.5
617.3
Sec.4
623.16
Sec.3
628.56
Sec.8
Sec.9
640
Sec.10
640
Sec.17
Sec.16
Sec.15
640
Sec.20
Sec.21
Sec.22
SNAKE RIVER
NORTH 55.60
NORTH 43.50
S. 0° 07' E.
N. 0° 07' W.
S. 0° 02' W.
N. 89° 56' W.
N. 89° 51' W.
WEST
EAST
02-07276T
AUG 08 1995

02-7276T



P/D



P/U

AUG 0 8 1995

March 5, 1993

MELVIN HAUGAN
HELEN E HAUGAN
5350 DUNBAR DR
WASILLA AK 99687

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 02-07276T

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

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APR 05 1993

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR
R. KEITH HIGGINSON
DIRECTOR

February 26, 1993

MELVIN HAUGAN &/or
HELEN E HAUGAN
5350 DUNBAR DR
WASILLA AK 99687

Re: Permit No. 02-07276T

Dear Permit Holder(s):

We acknowledge receipt of the correspondence transferring ownership of a portion of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

Cindy Zimmerman

for BRENDA L. MILLER
Water Resource Agent

BLM:cz

APR 05 1993

ORIGINAL

DOCUMENTATION

FOR RIGHT NO. 02-07276S

Before

BEING SPLIT INTO

PARTS U-W

AT LICENSING

RECEIVED
OCT 26 1995

Lots 3, B 7, & 14 Blk 1

Form 219
6/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 12 1995
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 02-7276S

1. Owner: MONCRIEF, LESTER J Phone No. 495-1101

Current Address: HC 79 Box 102A Malta ID 83641

2. Accompanied by: Lauri Moncrief EXAM DATE: 6/20/94

Address: above Phone No.

Relationship to Permit Holder: daughter

3. Source: Snake River tributary to Columbia River

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Splits of 02-7276 & 57-7236, 57-7596, 57-7600

2. Other water rights with the same point of diversion: Above

C. DIVERSION AND DELIVERY SYSTEM RECOMMEND SPLITS TO 3 SEPARATE SYSTEMS:

1. Point(s) of Diversion:

Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
U.	2		NE	SW	16	1N	3W	Owyhee	Site visit, Plat (This P/D shared w/ Part H)
V.	2		NE	SW	16	1N	3W	"	Single point on or near tract line
	1		SE	SW	16	"	"	"	
W.	1		SE	SW	16	"	"	"	

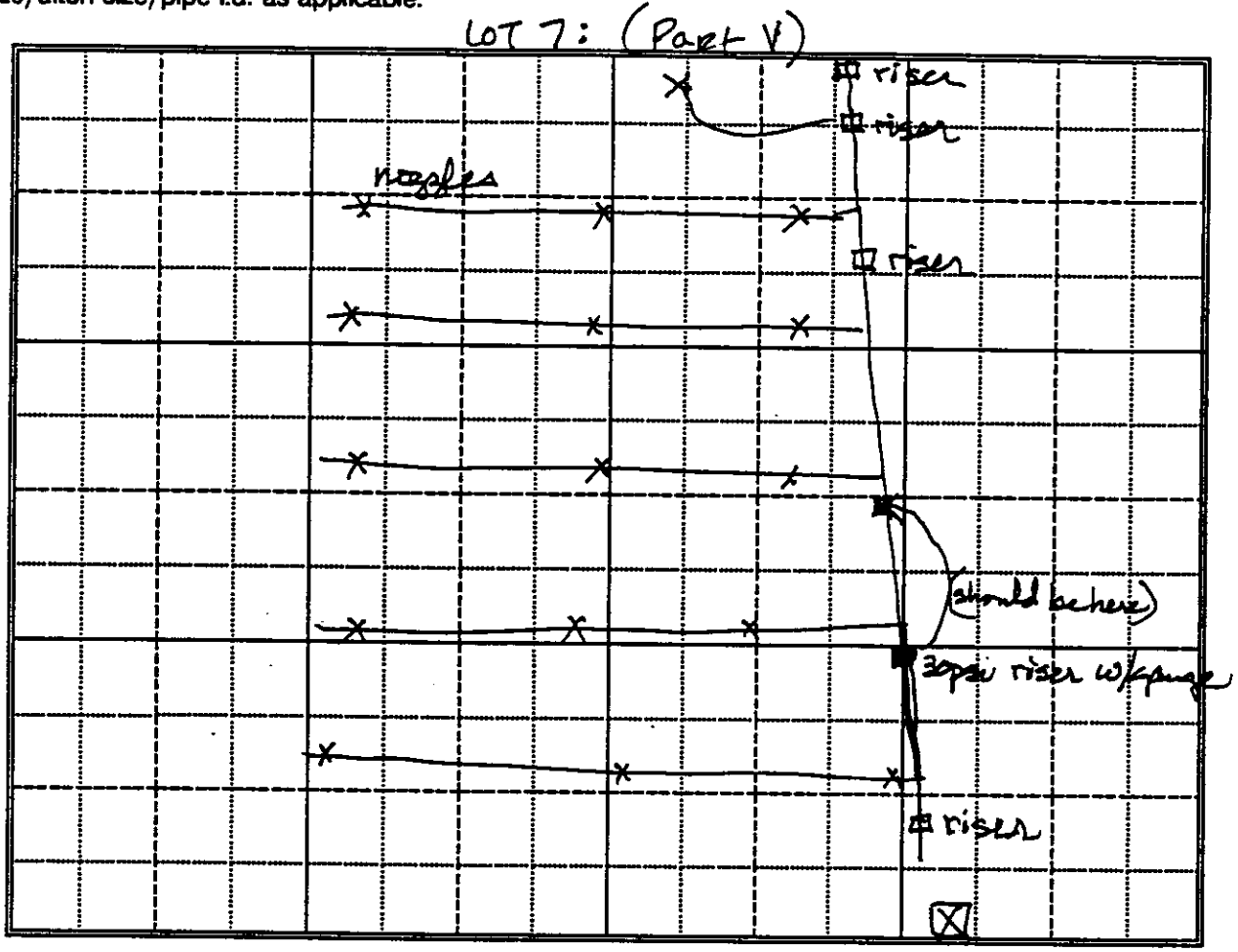
2. Place(s) of Use: Indicate Method of Determination Above

	TWP	RGE	SEC	NE				NW				SW				SE				Totals
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
U.	1N	3W	16										1		1					1
V.	1N	3W	16												2					2
W.	1N	3W	16												1					1

AUG 08 1995 OCT 26 1995

SEE PARTS U, V & W

3. **Delivery System Diagram:** Indic[illegible]ll major components and distances bet[illegible] components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____.

____ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

____ Aerial Photo Attached (required for irrigation of 10+ acres)

____ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
1. Lot 14	W/K (Gasoline)	2		Teel	1½" 1P855
2. Lot 3	Emerson	2		Red Jacket	2"
3. Lot 7	Emerson	2		200RS-PS Red Jacket	200RS-PS 2"

*Code to correspond with No. on map and aerial photo

model TS5ZZB6M-879

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. **Measurements:** ~~pressure gage at System discharge~~

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OCT 26 1995

E. NARRATIVE/REMARKS/COMMENTS

W. Lot 14 – 30 psi, 1, 3/16" Nozzle (rain-gun-type) 210 x 18 = .9 ac, allow 1 ac

U. Lot 3 – 30 psi 11/32" nozzle, 7 nozzles operating, 1 ac, 4 sets + misc hoses w/some leakage (maybe 40 psi?)

approx 1 ac

P/D also used on lot 2

V. Lot 7 – 1 risers with flex. hose, 4 perm riser & solid set line off 2" external main nonhead w/ 1/8" nozzle

– 19 heads

30 psi @ top & 30 psi @ bottom

Irrigating approx. 2 AC

No other development under permit. Riverfront lots #9 & 15, ~~&~~ Block 1, not developed. Balance of permit lost.

Overlaps w/other Spurts under 02-7276, other P/D's and P/U except and all 57-nguts

02-7276W/02-7276H – Shared diversion also irrigates lot 2 Blk 1.

~~P/D & P/U lot 3 Block 1, Sunrise Skypark.~~

For additional information and license conditions See memo.

Part U: P/D & P/U = Lot 3 Blk 1 Sunrise Skypark

Part V: P/D & P/U = Lot 7 Blk 1 " "

Part W: P/D & P/U = Lot 14 Blk 1 " "

Have conditions of permit approval been met? ✓ yes ___ no

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AUG 08 1995

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OCT 26 1995

F. FLOW CALCULATIONS

Measured Method: _____ Additional Computation Sheets Attached

U. & W: gun type sprinklers. Nozzle size can't be assessed.

All pumps: HP equation

$\frac{2 \times 8.8 \times .7}{10 + (30 \times 2.31)} = .15$ cfs

V: 19, 1/8" Nozzles @ 30 psi, each 2.56 gpm

19 x 2.56 = 48.64 gpm = .11 cfs

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

V_{LR} = (Acres Irrigated) x (Irrigation Requirement) = See below

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = _____

V = Smaller of V_{LR} and $V_{D.R.}$ = _____

2. Volume Calculations for Other Uses:

U.: 1ac x 4.5 = 4.5 V_R .02 x 246 x 1.9835 = 9.8 V_D

V.: 2ac x 4.5 = 9.0 V_R .04 x 246 x 1.9835 = 19.5 V_D

W.: 1ac x 4.5 = 4.5 V_R .02 x 246 x 1.9835 = 9.8 V_D

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
U. IRR	3/15	11/15	.02	4.5
V. IRR	3/15	11/15	.04	9.0
W. IRR	3/15	11/15	.02	4.5
		Totals:		

2. Recommended Amendments

___ Change P.D. as reflected above ↘ Add P.D. as reflected above ___ None

___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

I. AUTHENTICATION

Field Examiner's Name Cindy J Hodges Date 12/9/94

Reviewer _____ Date _____

AUG 08 1995 SEALED

OCT 26 1995

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 26, 1993

LESTER MONCRIEF
HC 79 BOX 102A
MELBA ID 83641

Re: Permit No. 02-07276S

Dear Permit Holder(s):

We acknowledge receipt of the correspondence transferring ownership of a portion of the above referenced water right No. 02-07276 to Melvin &/or Helen E Haugan. We have modified our computer records to reflect that change in ownership. Please note that your portion of the water right is now identified as 02-07276S.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

Cindy Zimmerman

CINDY ZIMMERMAN
Clerical Specialist

BLM:cz

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APR 05 1993

RECEIVED
DEC 22 1992

Department of Water Resources
Western Regional Office

Dec. 21, 1992

Cindy Hodges
Dept. of Water Resources
Western Region
2735 Airport Way
Boise, ID 83705-5082

Dear Cindy:

Enclosed are three additional permit assignments to be apportioned from permit #02-7276C. I believe these will be the last of the assignments to be made. Thank you for your assistance!

Sincerely,

Lauri Moncrief

Lauri Moncrief
495-1101
HC 79 Box 102A
Melba, ID 83641

Brenda: I kept copies @ Western. If you letter differently, let me know & I will correct!

Cindy

APR 05 1993

4H

May 19, 1992

LESTER J. MONCRIEF
HC 79 BOX 102A
MELBA ID 83641

RE: Water Right No. 02-07276C

Dear Water Right Holder(s):

Department water right records show that you divert water from the Snake River or its tributaries under a water right that has a priority date later than December 29, 1976. This is the priority of the established minimum stream flow of the Snake River at the Weiser Gage (Weiser) in the amount of 4,750 cubic feet per second.

Because of the continuing drought conditions in the Snake River Basin, department hydrologists project that during 1992, there could be periods when the required minimum flow will not be satisfied due to low flows of the Snake River. The department urges you to not divert at a higher rate than authorized by your water right and to not use your right in any manner different than authorized. In addition, when the minimum flow will not be satisfied or is not being satisfied, you are required to cease diverting water under your water right, because your right is of later priority than the minimum stream flow at Weiser.

If the department determines the minimum flow will not be satisfied, the department will advise you and will provide as much lead time as possible in requiring that you temporarily cease your diversion of water. The greatest likelihood for this to occur is during a period from mid-June to late June.

While the department expects good cooperation from junior water right holders, water users should be aware that Section 42-352, Idaho Code, provides for penalties of up to $100 per day for unauthorized diversions of water.

The department has contacted both the Idaho Power Company and the U.S. Bureau of Reclamation with respect to the timing of storage releases from upstream reservoirs for flow enhancement purposes. This type of coordination coul[illegible] the impact on

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SEP 09 1992

existing water users and reduce the need to curtail diversions.

The department has scheduled public information meetings relative to this potential regulation as follows:

Mountain Home - June 4, 1992 - 10:00 a.m. - gymnasium at North Elementary School, 290 E. 12th N.

Caldwell - June 4, 1992 - 7:00 p.m. - Ballroom in the Student Union Building, Albertson College of Idaho, 2112 Cleveland

If you have questions concerning this letter or wish to provide the name of a different contact person or address to receive department correspondence, please contact the department.

Sincerely,

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:klg

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SEP 09 1992

PAM - TO FILE

State of Idaho
DEPARTMENT OF WATER RESOURCES

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

April 13, 1992

LESTER J MONCRIEF
HC 79 BOX 102A
MELBA ID 83641

RE: Partial Assignments of Snake River Permit 02-07276C

Dear Mr. Moncrief:

On April 3, Ms. Pamela Skaggs of our State Office called me to relay that you had some questions about the partial assignments of your Snake River water right permit #02-07276C. She indicated that you would like to receive a letter discussing these and subsequent assignments. I apologize for the delay in my response.

A water right permit is considered personal property until perfected, at which time the license becomes appurtenant to the land. When a permit is split, the portion which is changing ownership must be assigned to the new owner. Each partial permit shares the same priority date and conditions of development as the original permit. Each new permit holder is responsible for the development and proof filing on only that portion of the permit assigned to him or her. Proof of development of one part does not constitute proof of development of any other part; likewise, lapse of one part does not affect other parts. Licenses are issued for each partial permit independent of the status of any other parts of the original permit.

When Mr. Popkin and Mr. Jones received their respective assignments of your permit 02-07276C, two separate water right permits, 02-07276D and 02-07276E, were created. Your permit 02-07276C was modified by reducing total acreage and flow in amounts equal to the amounts allotted to those permits. Permits 02-07276D and 02-07276E both have the same 1-9-1979 priority and 3-1-1993 proof due dates as your permit. However, it is up to Mr. Popkin and Mr. Jones to develop and file proof on their respective portions.

Additionally, in order to divert the flows under their permits, Mr. Popkin and Mr. Jones each needed to establish points of diversion separate from the one listed on your permit. Since these two points are in excess of the one point of diversion specified on your permit, an amended permit was required in each case, even for the new point of diversion which falls within the same quarter/quarter section as your point of diversion. Amended permits must be advertised. We advertised the amendments under Mr. Popkin's and Mr. Jones' names because proper assignment forms had been submitted and possessory interest had been established for each parcel served by the a[illegible]

MICROFILMED

SEP 09 1992

As each riverfront parcel is sold, and as you assign more portions of your permit, the process I have described will have to be repeated. However, any remaining portion of your permit 02-07276C will not be affected by either the amendment advertising or the actions of those to whom you have assigned portions of the permit, except that flow and acreage amounts in 02-07276C will be adjusted as each additional portion is split off.

I might caution you that the proof due date on your permit and any subsequent split portions remains 3-1-1993. It is unlikely that the Department will issue any further extensions of time to you or any assignees. Any development under this permit, or any portion of the permit, which is not completed by 3-1-1993 may be forfeited.

I would be happy to assist with any future assignments of this permit. Please feel free to give my name to any potential purchasers. It would also help me to know what part of the permit you have developed or anticipate developing.

Sincerely,

Cindy Hodges

Cindy Hodges
Sr. Water Resource Agent

cc: [redacted]
File 02-07276C

MICROFILMED
SEP 09 1992

March 17, 1989

Lester J. Moncrief
HC 79, Box 102A
Melba, ID 83641

Dear Mr. Moncrief:

Re: Permit Nos. 02-7276C and 57-7236G

Enclosed are copies of the approved requests for extensions of time. The time within which to submit the proof of beneficial use form (proof) for permit No. 02-7276C is extended to March 1, 1993 and the proof due date for permit No. 57-7276G is extended to May 1, 1994.

If you have any questions or concerns regarding these permits, please feel free to contact this office.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosures

MICROFILMED
APR 28 1989

MEMORANDUM

March 15, 1989

TO: File 02-7276C

FROM: Rita Fleck

Re: Extension of time

On February 15, 1989, the department received a request for extension of time for this permit as well as 57-7236G. With the extension request, the department received a letter and some exhibits. The exhibits are in file 02-7276.

During 1977 and up to the time Idaho Power Company filed the Swan Falls complaint, there was a moratorium against new power hook-ups. These permits were in the area affected by that moratorium.

Swan Falls dismissal	11-01-84	(10-25-84)
permit approval	- 3-01-79	(2-26-79)
length of delay	8 mo 5 yrs	

Permit construction period to June 1, 1984. First extension approved for five years based on Swan Falls ligitation to March 1, 1989. This second extension requests at least a three-year extension, but preferably five years. I recommend four years to March 1, 1993 based on due diligence.

Later, a third extension based on litigation due to Swan Falls can probably be granted for eight months per the above analysis.

In Mr. Moncreif's letter dated February 13, 1989, he discusses the need for an extension due to "litigation" over ownership of permit and assignments. Since the above-mentioned moratorium and subsequent complaint regarding ownership were concurrent, the department will not grant any additional time for the "litigation" regarding ownerhip.

MICROFILMED

APR 28 1989

RECEIVED
FEB 15 1989
Department of Water Resources

February 13, 1989

Ref: Permit No. 02- 7276-C
Permit No. 57-7236-G

Gentlemen,

In January 1982 the former owner of my property deeded water rights to me (see attached exhibit A). Three months later they submitted to you partial assignments of water rights from these permits to me.

I contested the previous owners authority to apportion these water rights. My documentation proved to me I was the legal owner of the water rights.

Litigation with legal counsel continued through December 1983 when a settlement was reached (exhibit B contains confirming correspondence).

On March 7, 1984 your office informed me that the corrected assignments of the water permits had been entered of record.

A period of two years and two months elapsed that clouded the legal ownership of these water rights because of the above litigation.

In addition to the above litigation, the 1982 Idaho Supreme Court decision in the Idaho State vs Idaho Power case, the subsequent 1985 Idaho Legislative Law ratifying the Swan Falls Agreement, and the resulting Adjudication Proceedings have clouded my water right validity.

We have proceeded diligently with this land development project. $600,000.00 capital and the full time labors of three people for seven years has already been invested in this project.

Because of clouded legal ownership, water development on this project could not be completed. Water development work that has been accomplished is;

Permit No. 02- 7276-C
The original pumping station site that was washed out with high spring runoff in '85 has been rehabilitated and reinforced. A new site has been established, a pump and underground piping has been installed.

Permit No. 57-7236-G
Three low temperature geothermal artesian flow water wells have been drilled and underground piping installed.

MICROFILMED
APR 28 1989

I consider the tenure of these water rights valuable and would very much appreciate keeping them valid.

Because of the time lost attributable to the afore mentioned litigations, we request an additional extention of time a minimum of three years, and preferably five years to complete this project.

Sincerely,

Lester J. Moncrief

Lester J. Moncrief

APR 28 1989

EXHIBIT A

WARRANTY DEED

SHIRLEY W. MARSH, a married woman dealing with her sole and separate property, GRANTOR of Caldwell, Idaho, hereby CONVEYS, GRANTS AND WARRANTS TO LESTER J. MONCRIEF and GEORGEANNE H. MONCRIEF, husband and wife, GRANTEES of 5084 Birch Creek Dr., Ogden, Utah 84403, for the sum of Ten Dollars ($10.00) and other good and valuable consideration, the following described tracts of land in Owyhee County, State of Idaho:

All of Block 1 through Block 6 Inclusive EXCEPTING therefrom Lot 1, Block 2 Sunrise Sky Park, part of Government Lot 1 and 2, Section 16, and NW1/4NW1/4 and Government Lot 2 of Section 21, Township 1 North, Range 3 West B.M., Owyhee County, Idaho according to the office plat thereof on file and of record in the office of the Recorder for Owyhee County, Idaho

ALSO
All of Block 8 Sunrise Sky Park, part of Government Lot 2 Section 21, Township 1 North, Range 3 West, B.M., Owyhee County, Idaho according to the office plat thereof on file and of record in the office of the Recorder for Owyhee County, Idaho, EXCEPTING therefrom a parcel described as follows:

Commencing at the Southwest corner of NE1/4NW1/4 Section 21, T1North Range 3 West B.M., the INITIAL POINT of this description; thence North 0°22'02" East 45.00 feet, along the West line of the NE1/4NW1/4; thence South 89°42'37" East 1176.22 feet, parallel with the South line of NE1/4NW1/4; thence South 29°40'20" East 51.94 feet, to a point on the said South line, said point being North 89°42'37" West 124.59 feet from the Southeast corner of NE1/4NW1/4; thence North 89°42'37" West 1202.22 feet, along the said South line to the INITIAL POINT OF THIS description.

Together with 90 acres of Opaline Irrigation Water and all water rights of Snake River or ground [illegible] for or for which permits have been granted.

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

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantees, their heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantees that she is the owner in fee simple of said premises; that said premises are free from all incumbrances, excepting those as may be hereinafter set

MICROFILMED
APR 28 1989

forth, and excepting those existing of record, and that she will warrant and defend the same from all lawful claims whatsoever.

WITNESS the hand of said Grantor this 4 day of Jan, 1982.

Shirley W. Marsh

STATE OF IDAHO)
:ss
County of Canyon)

On the 4 day of January, 1982 personally appeared before me SHIRLEY W. MARSH, the signer of the within instrument, who duly acknowledged to me that she executed the same.

Notary Public
Residing at: Nampa, Idaho Commission Expires: Life



171549

**** WARRANTY DEED ****

FILED/RECORDED

'82 JAN 26 AM 11 06

BARBARA JAYO
OWYHEE COUNTY CLERK
BY Julia Prescott

Shirley W. Marsh

to

Lester J. Moncrief et ux

REQUEST OF: OTC

FEE: 4.00

Recorded	✓
Compared	✓
Ind. Direct	✓
Ind. Reverse	✓
Bk. & Pg. B.	
Bk. & Pg. R.	
Assigned	
Released	

MICROFILMED
APR 28 1989

[redacted]

State of Idaho
DEPARTMENT OF WATER RESOURCES
STATE OFFICE: 450 W. State Street, Boise, Idaho

JOHN V. EVANS
Governor

A. KENNETH DUNN
Director

EXHIBIT B

Mailing address:
Statehouse
Boise, Idaho 83720
(208) 334-4440

November 8, 1982

RE: Permit Nos. 02-7276 and 57-7236

Shirley W. Marsh
1910 Everett St.
Caldwell, ID 83605

Dear Ms. Marsh:

On April 23, 1982, the Department received seven assignments of permit forms from you in which you divided ownership of Permits 02-7276 and 57-7236 between Gary A. &/or Sarah E. Greener, Douglas &/or Terry Jump, Lester J. Moncrief and yourself. On May 12, 1982, the Department sent letters of acknowledgement to each of the above that the assignments had been received and sent each a copy of Permit No. 57-7236.

Before sending the acknowledgement of assignment letters for Permit No. 02-7276 we received a call on about June 14, 1982, from Lester Moncreif in which he stated that he disagreed with the partial assignment of Permit No. 57-7236. On September 24, 1982, the Department received from Mr. Moncrief a copy of a warranty deed dated January 4, 1982, which includes reference to water permits, both surface and groundwater, being conveyed from you to Mr. Moncrief. This information raises a question as to who is the proper owner of the said water permits.

In Idaho, water permits are considered personal property, and any change in permit ownership is the business of the permit owner and the new owner or owners. The Department is not in a position to serve as a mediator in this issue and can only acknowledge change in ownerships that occur.

Since the apparent conflict in ownership has been brought to our attention we feel that this information should be passed on to all of the affected parties, with the suggestion that this matter be resolved as quickly as possible as the proof to beneficial use of water under these permits is due May 1, 1988.

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APR 28 1989

We will be happy to answer any questions that we can.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

cc: Douglas &/or Terry Jump
Gary A. &/or Sarah E. Greener
Lester Moncrief

JJ:kw

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

September 15, 1982

RE: Permit Nos. 02-7276 and 57-7236

Lester J. Moncrief
Sunrise Skypark
Star Route, Box 102A
Melba, ID 83641

Dear Mr. Moncrief:

Thank you for providing copies of the Warranty Deed showing your ownership of both the land and water rights. Since we have already received assignments from Shirley Marsh assigning parts of both permits, 02-7276 and 57-7236 to other parties we must request that you also provide documents that have been signed by Shirley Marsh conveying the ownership of the permits to you. Perhaps all you have to do is to make copies of the second page of the Warranty Deed. The Earnest Money Agreement is evidence that all of the water rights were included but cannot be used as final proof that the water rights were in fact included when the sale was made.

If you have any questions, please let me know.

Sincerely,

Jim Johnson

JIM JOHNSON
Water Distribution Supervisor

JJ:kw

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APR 28 1989

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

December 1, 1983

CERTIFIED MAIL
138197

Givens Hot Springs, Inc.
c/o Shirley W. Marsh
1910 Everett St.
Caldwell, ID 83605

Dear Mr. Marsh:

Re: Permit No. 02-7276

PROOF DUE NOTICE

On November 8, 1982, Mr. Jim Johnson of this department wrote you a letter concerning ownership of the above referenced permit. At that time he indicated that our records were not clear regarding permit ownership and that this department is not in a position to act as a mediator in this issue. He requested further information for ownership clarification.

To date, we have received no further information on this matter, so we are still unsure of the true owner(s) of the permit. Therefore, we are serving complete notice of the requirement to submit proof of beneficial use to all parties shown in the file that may have ownership in the permit, including yourself as last recorded representative of Givens Hot Springs, Inc.; Douglas and/or Terry Jump; Lester J. Moncrief; and Gary A. and/or Sarah E. Greener. Please be advised that proof of the extent of beneficial use of water under Permit No. 02-7276 must be submitted to this office on or before February 1, 1984. Enclosed in the mailing to each party is a postcard which may be used to submit the required proof. Evidence demonstrating ownership of the water right or a portion thereof must either accompany or follow submittal of proof by any of the parties identified above.

If the project is not fully completed a request for an extension of time in which proof may be submitted by any of the parties. Ownership of the permit must be demonstrated to obtain an approval of this document. An extension of time request form is enclosed for your covenience.

Either the beneficial use postcard or a request for an extension of time must be received by this department on or before February 1, 1984. If neither

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APR 28 1989

received, the department will send each of the parties a lapse notice. Within sixty days of the mailing of the lapse notices, the permit will no longer be of any force or effect.

Sincerely,

Rita I. Fleck

RITA I. FLECK
Secretary/Records Manager

Enclosures

cc: Douglas &/or Terry Jump Certified Mail No. 138198
Lester J. Moncrief Certified Mail No. 138199
Gary A. &/or Sarah E. Greener Certified Mail No. 138200

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APR 28 1989

William F. Yost

ATTORNEY AT LAW

1120 6TH STREET SO.
P.O. BOX 453
NAMPA, IDAHO 83651
TELEPHONE (208) 466-9222

December 16, 1983

Mr. Jim Johnson
Water Distribution Supervisor
Department of Water Resources
State of Idaho
Statehouse
Boise, Idaho 83720

Dear Mr. Johnson:

Enclosed herewith please find an assignment of permit for Permit 57-7236B. You will recall that this matter started in the fall of 1982 when Mr. Les Moncrief raised a question concerning the allocations of the water under this permit. He had been issued permits for 1.48CFS and 3.65CFS and you have accomplished that assignment within your office. He raised a question about the equality of the assignment of the permit, and thereafter continued negotiations have been had between the parties which have now resulted in a settlement of the assignment of this water. You will note in the assignment that is accompanying this letter that an additional .56CFS and 1.39CFS are now assigned to Mr. Les Moncrief.

Prior to writing this letter, I have been in telephone communications with Mr. Moncrief, and he does accept this assignment to solve his particular concerns in the matter. He did remind me of one additional problem, and that is with regard to the Snake River Water under Permit 02-7276. Previously, Shirley W. Marsh did assign to Mr. Moncrief 82 acres of this water (.82), and since then has lodged with your office a second assignment for an additional 10 acres (.10). We would remind you that now that this ground water has been settled between the parties that you not forget to create the assignment and the proration of that additional 10 acres of water for the benefit of Mr. Moncrief.

MICROFILMED

APR 28 1989

COPY

Thank you for your consideration.

Very truly yours,

William F. Yost

WFY:ct
cc: Mr. Les Moncrief
Mr. and Mrs. Eldon Marsh

MICROFILMED
APR 28 1989

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

December 29, 1983

RE: Permit No's. 02-7276 and 57-7236

Lester J. Moncrief
Sunrise Sky Park
Star Route, Box 102A
Melba, ID 83641

Dear Mr. Moncrief:

This letter is written to inform you of a visit to this office made by Mr. Marsh in reference to the above stated permits.

As you recall, the Department received from Mr. Marsh on April 23, 1982, three assignments of permit documents for both of the said permits. Mr. Marsh had assigned partial ownership of these permits to 1: Douglas &/or Terry Jump (0.10 cfs, permit 02-7276, Snake River, and 0.02 cfs for domestic, permit 57-7236, groundwater), 2: Gary &/or Sarah E. Greene (0.06 cfs, permit 02-7276, Snake River, and 0.04 cfs, permit 57-7236, groundwater) and 3: yourself (1.64 cfs, permit 02-7276, Snake River, and 1.48 cfs, permit 57-7236, groundwater). The balance remaining unassigned is still owned by Mr. Marsh (0.20 cfs, permit 02-7276, Snake River, and 2.27 cfs, permit 57-7236, groundwater).

On May 12, 1982, the Department sent notice of the assignments and copies of the permit to all four parties for permit 57-7236. The assignments received for permit 02-7276 had not yet been processed at that time.

On about June 15, 1982, you called the Department stating that you had understood that when you bought the property from Mr. Marsh, all of the water under the said rights belonged to you and on August 1, 1982, we received a letter from you with a copy of a Warranty Deed showing that all water rights had been, it appeared, conveyed to you.

On November 8, 1982, I wrote a letter to Shirley Marsh with a copy of the letter sent to all of the affected parties summarizing the chain of events and requested that the ownership question be resolved by [illegible] 1984.

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APR 28 1989

On December 1, 1983, this office sent a proof due notice for permit 02-7276 to all of the affected parties.

On December 16, 1983, Mr. Marsh came to this office with a letter from Mr. Yost (attorney). Mr. Yost stated in his letter that he had telephone communications with you and that you were agreeable to accepting the assignment of an addition .56 cfs for domestic and 1.39 for heating from permit 57-7236. On this day Mr. Marsh also submitted an assignment for permit 02-7276 which replaced an earlier assignment of ownership to you. The new assignment assigned you 1.84 cfs for irrigation of 92 acres, which reflects the stated agreement reached between you and Mr. Marsh per Mr. Yost's letter.

In summary, our files now contain three assignments for permit 02-7276 (Snake River). The ownership of this right is as follows:

Lester J. Moncrief	1.84 cfs	Right 02-7276
Gary A. &/or Sarah Greene	0.06 cfs	Right 02-7276
Douglas &/or Terry Jump	0.10 cfs	Right 02-7276

Permit 57-7236 now shows the following ownership and proportions:

Lester J. Moncrief	1.48	Domestic
	3.65	Heating
	3.65	Total
Lester J. Moncrief	0.56	Domestic
	1.39	Heating
	2.04	Total domestic
	5.04	Total heating
Gary A. &/or Sarah Greene	0.02	Domestic
	0.04	Heating
	0.04	Total
Douglas &/or Terry Jump	0.02	Domestic
	0.04	Heating
	0.04	Total
Shirley W. Marsh	0.36	Domestic
	0.88	Heating
	0.88	Total

FEB
V
G

Mr. Marsh informed me that the portion of the two permits he had assigned to Gary A. &/or Sarah E. Greene is now owned by you.

Since the Department had already sent Mr. Greene acknowledgement of the assignment for permit 57-7236, we recommend that you obtain an assignment from him to you for his portion of the permit.

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APR 28 1989

Also, you should have him assign his portion of permit 02-7276 to you. Once this is done, your ownership of these permits should be complete.

You should be aware of one other thing: the proof due notice letter for permit 02-7276 sent to Mr. Greene was returned to this office with no response.

You should try to obtain the assignment before February 1, 1984. If the assignment and proof to beneficial use statement of extension of time request is not received by the said date, the portion of the permit assigned to Mr. Greene will be cancelled.

If you have any questions or if we can be of any assistance in this matter, please let us know.

Sincerely,

JIM JOHNSON
Water Distribution Supervisor

JJ:sc

cc: Eldon Marsh

MICROFILMED
APR 28 1989

December 31, 1988
138815

LESTER J. MONCRIEF
STAR RT. BOX 102A
MELBA, ID 83641

PROOF DUE NOTICE

RE: PERMIT NO. 02-07276C

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before March 1, 1989. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully compeleted your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED
APR 28 1989

March 22, 1984

Lester J. Moncrief
Star Route, Box 102A
Melba, ID 83641

Dear Mr. Moncrief:

Re: Permit No. 02-7276C

Enclosed is a copy of the approved request for extension of time. The time within which to submit the statement of beneficial use postcard is extended to March 1, 1989.

In connection with the development of a water right under this permit, the Department wishes to call to your attention an Idaho Supreme Court decision issued in November 1982 which likely could affect your future use of water.

The decision in the case of Idaho Power Company vs the State of Idaho, et al stated in part that Idaho Power Company's use of water for power generation purposes at the Swan Falls dam on the Snake River is not subordinated to upstream depletion by later-in-time uses. The question of whether Idaho Power's 8,400 cfs water right at Swan Falls dam has been diminished by subsequent development, however, was remanded back to district court for determination. The findings of the district court could restrict water availability or require compensation to Idaho Power Company for uses developed later in time than Idaho Power Company's water right at Swan Falls dam.

Sincerely,

RITA I. FLECK
Secretary/Records Manager

Enclosure

MICROFILMED

S. .e 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

EXTENSION OF TIME

March 6, 1984

Lester J. Moncrief
Star Route, Box 102A
Malba, ID 83641

PERMIT NO.
02-7276

We are in receipt of the ~~$15~~ extension fee for Extension(s) of Time to provide additional time in which to submit proof of beneficial use on a water right permit.

Your request for extension(s) of time is being reviewed by staff. You will be informed of our decision when review has been completed.

Enclosed is our receipt No.
33790.

Roberta Garrett
Records Supervisor

Enclosure

MICROFILMED

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

June 28, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

RAY FEHR
KAY FEHR
1760 W 4500 S
ROY UT 84067

RE: Water Right 02-07267R

Dear Mr. & Mrs. Fehr:

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,

Kari Lynn Jamison

for L. GLEN SAXTON, Chief
Water Allocations Bureau

LGS:klt

Enclosure

cc: IDWR-Western Region

MICROFILMED

JUL 27 1999

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 29, 1995

G PAUL LEE
BERNADETTE LEE
20903 NE 212TH AVE
BATTLEGROUND WA 98604

RE: WATER RIGHT NO. 02-07276R

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

OCT 2 6 1995

August 7, 1995

Dept of Wate. Resources
att: Shelley Keen

G. Paul Lee
19700 NE 157th Ave.
BattleGround, Wa. 9860

Lot 9 Block 2
Sunrise Sky Park

RECEIVED
AUG 14 1995
Department of Water Resources

Dear Shelley:

I am in receipt of your July 28, 1995 letter. I believe we have made beneficial use of the river water on my lot for Permit # 02-07276R. We roto tilled the complete area in the Fall of 1993 fertilized and seeded a Hybrid Rye grass. In the Spring we planted a row of Japanese Black Pines on the West line. This Property is our dream retirement and we are planning on building a home there. Please allow us an Opportunity to continue to improve and irrigate our land Thank you

RECEIVED
OCT 26 1995

Respectfully
G. Paul Lee
& Bernadette.

August 7, 1995

Dept of Wate. Resources
attn: Shelley Keen

G. Paul Lee
19700 NE 157th Ave.
BattleGround, Wa. 98604

Lot 9 Block 2
Sunrise Sky Park

Dear Shelley:

I am in receipt of your July 28, 1995 letter. I believe we have made beneficial use of the river wate. on my lot for Permit # 02-07276R. We roto tilled the complete ae in the Fall of 1993 fertilized and seeded a Hybrid Rye grass. In the Spring we planted a row of Japanese Black Pines on the West line. This property is our dream retirement and we are planning on building a home ther. Please allow us an Opportunity to continue to improve and irrigate our land Thank you.

Respectfully
G. Paul Lee
& Bernadette.

State of Idano
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 28, 1995

NOTICE OF INTENT TO VOID PERMIT

G PAUL LEE
BERNADETTE LEE
20903 NE 212TH AV
BATTLEGROUND WA 98604

RE: Permit No. 02-07276R

Dear Permit Holder(s):

In June of 1994, an employee of the department conducted a field inspection of the above referenced permit. The department is now reviewing the examination to determine whether or not the right can be licensed.

To perfect a water right an individual must divert the water and also apply it to a beneficial use. While the field examiner found that you have an irrigation diversion system in place, the water did not appear to be applied to a beneficial use. The particular lot represented by the above permit had no lawn or garden associated with a building. There was no evidence to the department's examiner that stock grazing had occurred on this lot, nor was there evidence that any crop harvesting had taken place.

The department will delay action for 30 days to allow you to submit any evidence you may have to show that water has in fact been beneficially used under this permit. Please bear in mind that your evidence must indicate a beneficial use prior to February 12, 1993, the date you indicated to the department that your development was completed. If such evidence is not submitted, the department may void the permit.

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

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

SWK:rl

RECEIVED
AUG 0 8 1995

Form 219
6/92

of 9 Blk 2

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 12 1995
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 02-07276R

1. Owner: Bernadette & G. Paul Lee Phone No. 206 687 4146
Current Address: 20903 NE 212th Ave Battleground WA 98604
2. Accompanied by: Lani Moncrief EXAM DATE: 6/30/94
Address: HC 79 Box 102A Melba Phone No. 495-1101
Relationship to Permit Holder: Subdivision representative
3. Source: Snake River tributary to Columbia R

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Splits of 02-7276 & 57-7236, 57-7596, 7600
2. Other water rights with the same point of diversion: Above

C. DIVERSION AND DELIVERY SYSTEM

1. **Point(s) of Diversion:**

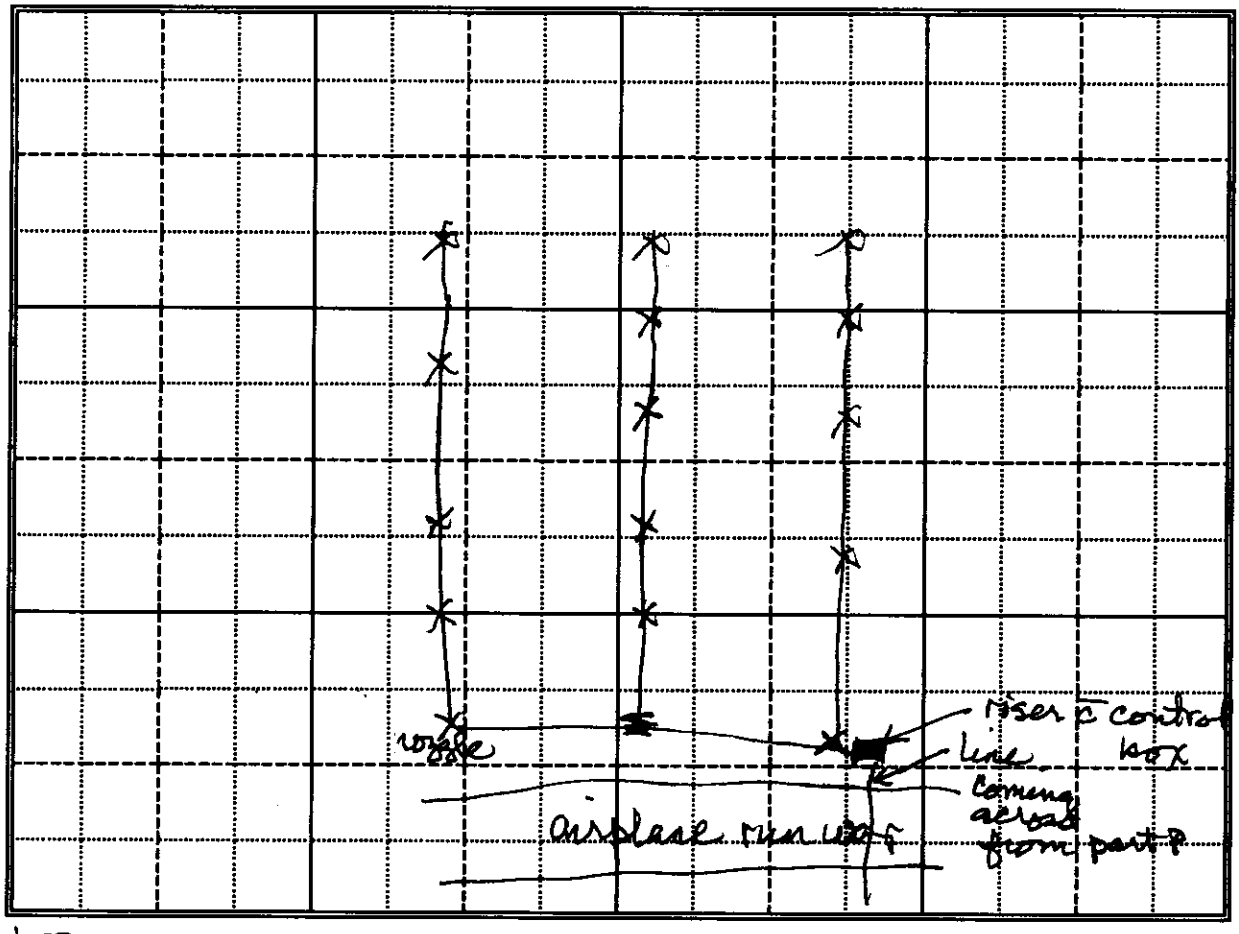
Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	1		SE	SW	16	1N	3W	Owyhee	Plat Map, Site Visit

2. **Place(s) of Use:** Indicate Method of Determination Above

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	3W	16											.5	.5					1
													(lot 1)						

RECEIVED
AUG 08 1995

3. **Delivery System Diagram**: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = NTS

Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

Aerial Photo Attached (required for irrigation of 10+ acres)

Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Emerson	2	Model T5522BGM-879	Red Jacket	200 ZS-PS 2"

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. **Measurements:** Discharge Pressure

AUG 0 8 1995

E. NARRATIVE/REMARKS/COMMENTS

-same info as part P for pump - extension w/line going under the run-way (airplane)
15 nozzles, 1/8" nonname nozzles (3 nozzles nonop.)
3 lines
22 psi @ top & 22 psi @ bottom
irrigating 1 ac.

Poor stand of grass - was seeded twice.
Absentee owner. System operated by Sunrise SkyPark.

P/D = Lot 8 Blk 1, Sunrise SkyPark
P/U = Lot 9 Blk 2, Sunrise SkyPark

Overlaps do not affect permit, except 02-7276P, which shares the P/D.

For more information and license conditions, see memo to file.

Have conditions of permit approval been met? \ yes ___ no

AUG 08 1995

F. FLOW CALCULATIONS ____ Additional Computation Sheets Attached

Measured Method:

~~12~~ 1/8" nozzles @ 22 psi = 2.25 gpm

12 nozzles x 2.25 gpm/nozzle = 27 gpm

↓ = .06 cfs

3 of 15 were not operating

HP equation:

$\frac{2 \times 8.8 \times .7}{15 + (22 \times 2.31)} = .18$ cfs

G. VOLUME CALCULATIONS

allow .02 for 1 ac

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = 1 x 4.5 = 4.5

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = .02 x 246 x 1.9835 = 9.8

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 4.5

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
IRR	3/15	11/15	.02	4.5
		Totals:	.02	4.5

2. Recommended Amendments

✳ ___ Change P.D. as reflected above ___ Add P.D. as reflected above ___ None

___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

I. AUTHENTICATION

Field Examiner's Name Cindy J Hodges Date 12/16/94

Reviewer _____ Date _____ SEAL

✳ See attached adjustment memo. BC

AUG 08 1995

MEMORANDUM

TO: File 02-07276R / G. Paul Lee

FROM: Brenda Chapman

DATE: June 15, 1995

RE: Recommendation Adjustment(s)

==========

The final licensing recommendations for the above referenced water right are based on the information below:

H. RECOMMENDATIONS

2. Recommended Amendments

☐ Change P.D. ☐ Add P.D. ☒ None

☐ Change P.U. ☐ Add P.U. ☐ Other

The exam confirms an additional point of diversion has not been added; therefore, an amendment is not necessary.

RECEIVED
AUG 08 1995

MEMORANDUM

TO: File Nos. 02-07276 Splits D-T

FROM: Cindy Hodges

RE: B/U Examination General Information and Recommended License Conditions

GENERAL HISTORY

Permit 02-07276 was originally issued to Givens Hot Springs, for the irrigation of 100 acres. It was split early on into A, B, and C, with part C, the majority of the permit, awarded to Lester Moncrief. Parts A and B have lapsed. Part C was subsequently assigned and split on several occasions into the current parts D through T (F and N retired during split re-apportionments). Each assignment reflected the subdivision and sale of mostly riverfront lots within Sunrise Skypark, developed by Mr. Moncrief. Assignments awarded the permitted rate of 0.02 cfs per acre for lot sizes of 0.5 to 1.5 acres. At this time, Mr. Moncrief retains the balance of the permit, which has been labeled part S.

Most assignments were made in late 1992 or early 1993. Proof was due March 1, 1993, and very little beneficial use had occurred under this permit. Yet, very few new property owners were aware of the implications of the pending proof due date. According to sales agreements, each new landowner was to develop a separate system for irrigation. As many new landowners lived out of state, this would have been largely impossible and meant that many portions of the permit would have forfeited.

One of the earliest assignees came to my office quite concerned that the water right which he and many others had been promised was in jeopardy. We reviewed the file and found that, although one extension of time had already been granted to Mr. Moncrief, an additional 8 months time might be permissible based on the total time lapsed during Swan Falls litigation. This assignee requested and received the additional 8 months extension, which advanced proof due date to November 1, 1993. He lived on-site and was able to develop his system during summer 1993.

Other assignees were not so fortunate. They confronted Mr. Moncrief and were assisted in working with IDWR to obtain the additional extensions. Then, Mr. Moncrief and his staff developed and operated systems during the 1993 irrigation season for all absentee landowners, so that no assigned portion of the permit would lapse. All proofs were filed by the November 1 due date. Due to all the extenuating circumstances, Western was directed to conduct these field examinations as early as possible in 1994.

AUG 08 1995

BENEFICIAL USE EXAMINATIONS

At the time of the field examination(s) in June of 1994, we found a large array of conditions present under the various portions of this permit. All systems were in place and were being operated, either by on-site owners or by Moncrief. All lands under irrigation had been cultivated and planted, either to lawn or to mixed grasses, but with varying degrees of success. As could be expected, those lots with on-site owners had well-established lawns and obvious beneficial use. Other lots had irregular vegetation establishment and questionable beneficial use, even though regular irrigation appeared to be occurring. After visits with Mr. Moncrief and some residents, I was convinced that this was due in large part to high alkalinity in some areas which required continued soil enhancement to support any vegetation. Much seed sowed in 1993 simply failed to germinate. In fact, alkaline patches were visible in most lots and 1994 re-seeding attempts were also apparent.

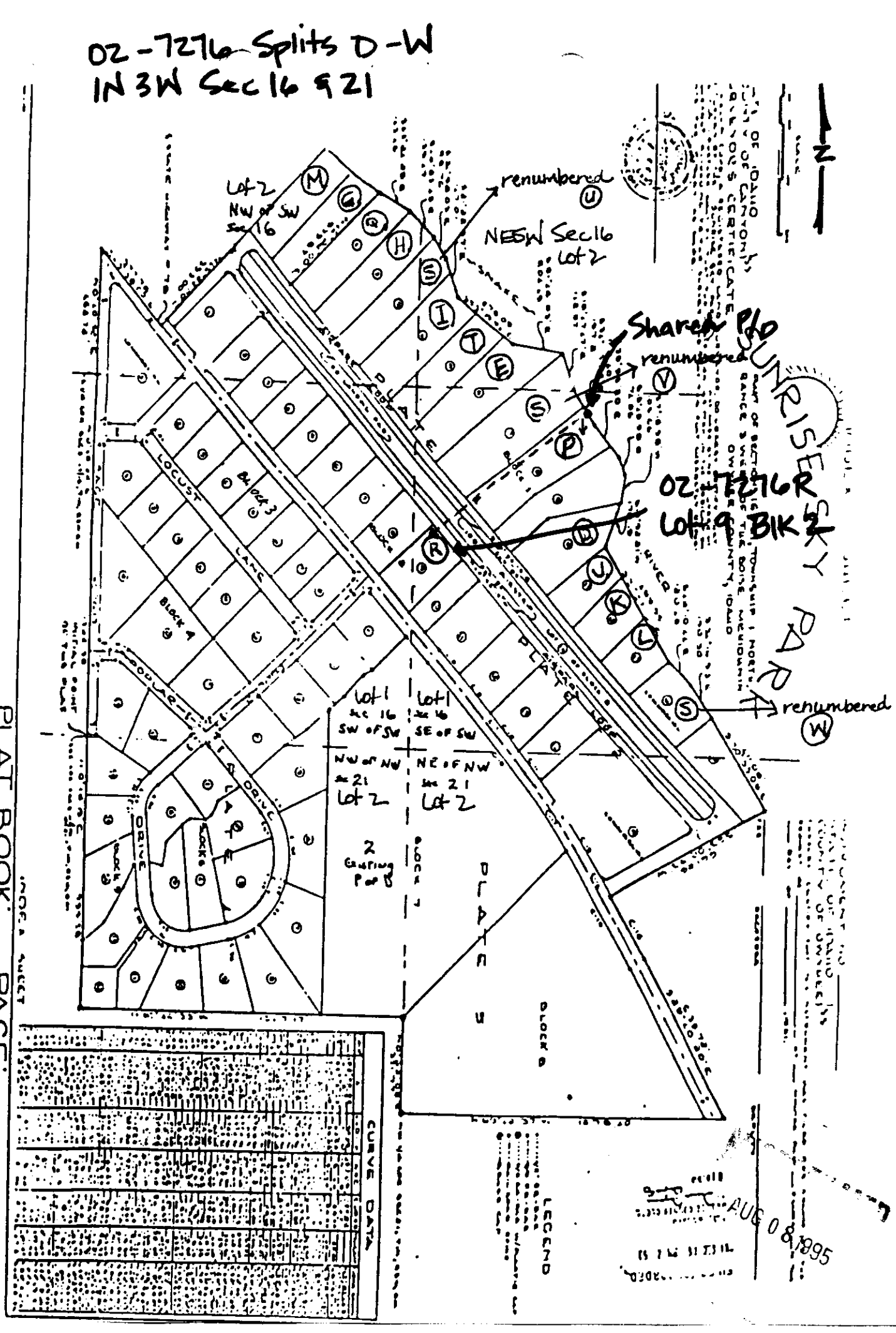
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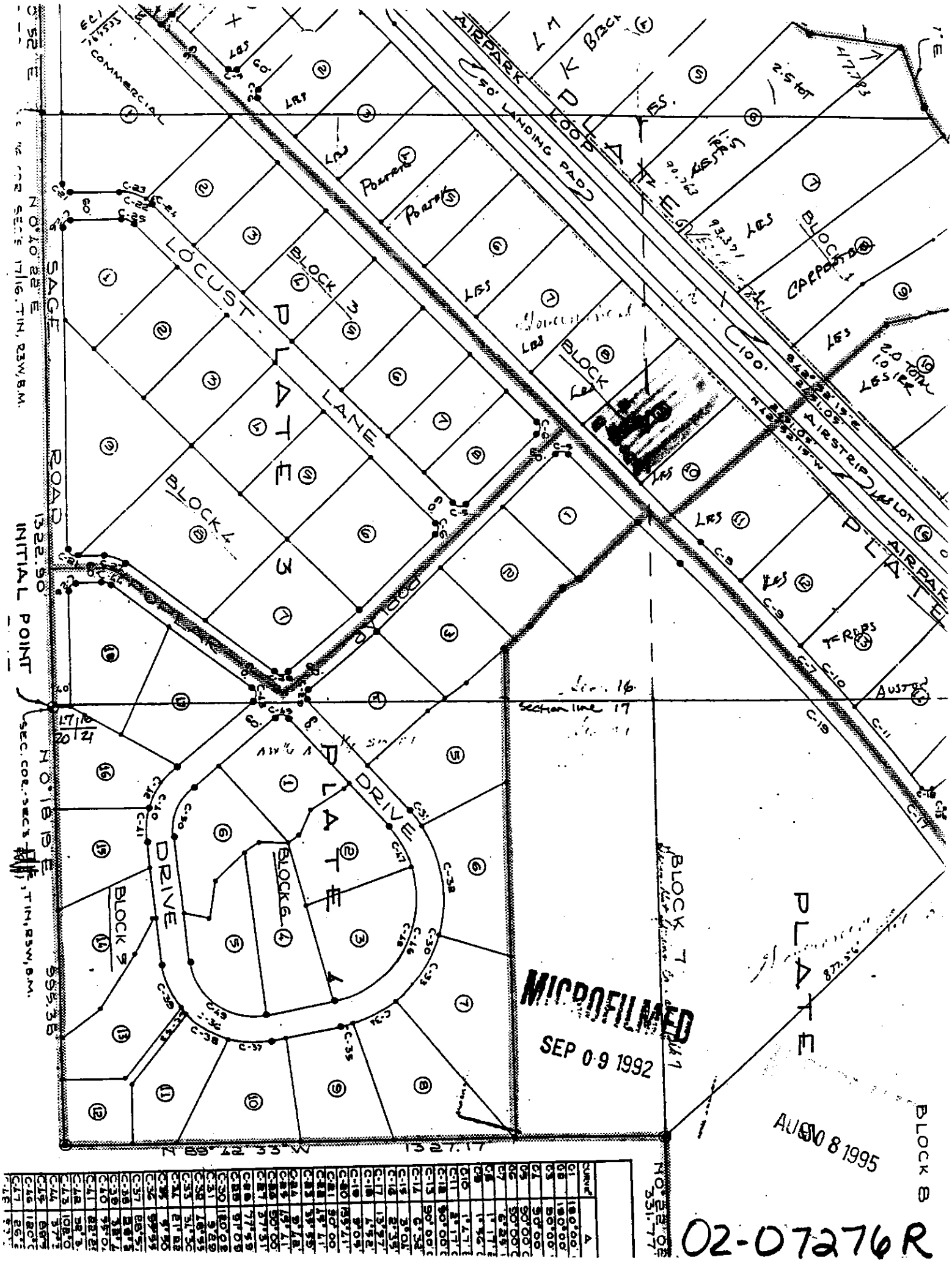
LICENSING TERMS AND CONDITIONS

Permitted rate of flow is 0.02 cfs/acre. Most splits were assigned at a total rate of about 0.02 cfs. Each of these systems is capable of delivering at least this amount; many are oversized and can deliver much more. To avoid the potential for over-appropriation which will occur if all systems are operating at once, I suggest a specific licensing condition which requires operation on a rotational basis, so that no more than a certain number of systems are diverting at any one time. I discussed this concept with Mr. Moncrief and others. They agreed that this could be accomplished within the subdivision through the establishment of an irrigation schedule.

The first two split recipients, D and E, filed permit amendments immediately after assignment to add points of diversion unique to their portions. Because of time constraints, this exercise was generally not possible for all other split portions. Therefore, all others were treated as changes occurring within the development period, to be handled through licensing amendments. Portion S, held by Mr. Moncrief, was used to develop Mr. Moncrief's residence lot and two lots used as common area. These three systems are separate. Therefore, portion S will be recommended to be split into the next three available suffixes: U, V, and W. The balance of portion S was not developed.

AUG 08 1995


02-7276 Splits D-W
IN 3W Sec 16 9 21
Lot 2 NW of SW Sec 16
renumbered U
NE SW Sec 16 Lot 2
Shared P&D
renumbered V
02-7276R Lot 9 Blk 2
SUNRISE SKY DR
renumbered W
Lot 1 Sec 16 SW of SW
Lot 1 Sec 16 SE of SW
NW of NW Sec 21 Lot 2
NE of NW Sec 21 Lot 2
2 Existing Pads
LOCUST LANE
Block 3
Block 4
Block 5
Block 6
Block 7
Block 8
LOCUST LANE CIRCLE
LOCUST LANE DRIVE
PLAT BOOK ___ PAGE ___
CURVE DATA
LEGEND
AUG 08 1995


AIRPARK LOOP
50' LANDING PAD
COMMERCIAL
LOCUST LANE
BLOCK 1
BLOCK 2
BLOCK 3
BLOCK 4
BLOCK 5
BLOCK 6
BLOCK 7
BLOCK 8
CARPORT
AIRSTRIP
SAGE ROAD
DRIVE
PLAT E
Section line 17
Sec. 16
N 89° 12' 33" W
1327.17
N 0° 18' 15" E
N 0° 10' 22" E
MICROFILMED
SEP 09 1992
AUG 08 1995
02-07276R

02-7276R

P/D : See 02-7276P



AUG 08 1995

March 5, 1993

G PAUL LEE
BERNADETTE LEE
20903 N E 212TH AVE
BATTLE GROUND WA 98604

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 02-07276R

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

APR 05 1993

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 31, 1993

G Paul and/or Bernadette Lee
20903 NE 212th Avenue
Battle Ground, WA 98604

PROOF DUE NOTICE

RE: Permit No. 02-07276R

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request from is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

Sincerely,

Karen L Gustafson

Karen L. Gustafson
Secretary/Records Manager
Enclosures

CERTIFIED MAIL
NO. 139860

APR 05 1993

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 12, 1993

G Paul and/or Bernadette Lee
20903 NE 212th Avenue
Battle Ground, WA 98604

Re: Permit No. 02-07276R

Dear Permit Holder:

We acknowledge receipt of the correspondence transferring ownership of a portion of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

We have also enclosed an order extending the proof of beneficial use due date to April 1, 1993. The Department will notify you 60 days in advance as to the proper steps to take in order to prove beneficial use or request an extension of time.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L Gustafson

Karen L. Gustafson
Secretary/Records Manager

CC: IDWR - Regional Office

APR 05 1993

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098
Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

August 23, 2000

JOHN LEAKOS
NINA LEAKOS
HC 79 BOX 102C
MELBA ID 83641-9639

RE: Change of Ownership for Water Right 02-07276Q

Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right to you. The department has modified its records to reflect the change in ownership and has enclosed a computer-generated report for your records.

Please note that as of July 1, 1996, water right owners are required to report any change of water right ownership and any change of mailing address of the owner of a water right to the department. Notice of the change must be provided to the department within 120 days of the change. Change reporting forms are available from any office of the department.

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

Sincerely,

for Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosure

MICROFILMED
SEP 0 7 2000

M E M O R A N D U M

DATE: August 4, 1995

TO: 02-07276Q

FROM: Shelley W. Keen SWK

RE: License issued to Robert Stallings

==========

Robert Stallings visited with me on August 2, 1995, to discuss the beneficial use of water diverted onto his lot in Sunrise Sky Park. Although Mr. Stallings has no intention of building a home on his lot for about 10 years, and the subdivision covenants will not allow grazing animals, Mr. Stallings asserted that there is some beneificial use for aesthetics and erosion control associated with irrigating his lot. Based on his written statement, a license has been issued.

RECEIVED
AUG 08 1995

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

August 2, 1995

ROBERT STALLINGS
TANA STALLINGS
303 CENTRAL PIT LN
NAMPA ID 83687

RE: WATER RIGHT NO. 02-07276Q

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley Walter Keen

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

RECEIVED
AUG 08 1995

Idaho Dept. of Water Resources
1301 N. Orchard
Boise, ID 83706

RE: Permit No. 02-07276Q

Dear Sir:

I am writing in regard to your letter dated July 28, 1995. I feel that I have put the water to beneficial use by planting fescue grass to control wind erosion and to enhance the aesthetic value of the property. I planted the grass in 1993, cleared the remaining weeds in 1994, and used the irrigation system. Grass was not mowed, but was allowed to reseed itself this spring instead.

Sincerely,

Robert D. Stallings

Bob Stallings

RECEIVED
AUG 0 2 1995
Department of Water Resources

RECEIVED
AUG 0 8 1995

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 28, 1995

NOTICE OF INTENT TO VOID PERMIT

ROBERT STALLINGS
TANA STALLINGS
303C ~~PIT LANE~~ CENTRAL PIT LANE
NAMPA ID 83687

RE: Permit No. 02-07276Q

Dear Permit Holder(s):

In June of 1994, an employee of the department conducted a field inspection of the above referenced permit. The department is now reviewing the examination to determine whether or not the right can be licensed.

To perfect a water right an individual must divert the water and also apply it to a beneficial use. While the field examiner found that you have an irrigation diversion system in place, the water did not appear to be applied to a beneficial use. The particular lot represented by the above permit had no lawn or garden associated with a building. There was no evidence to the department's examiner that stock grazing had occurred on this lot, nor was there evidence that any crop harvesting had taken place.

The department will delay action for 30 days to allow you to submit any evidence you may have to show that water has in fact been beneficially used under this permit. Please bear in mind that your evidence must indicate a beneficial use prior to January 6, 1993, the date you indicated to the department that your development was completed. If such evidence is not submitted, the department may void the permit.

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

RECEIVED
AUG 08 1995

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

SWK:rl

Lot 1 Blk 1

Form 219
6/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 12 1995
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 02-7276Q

1. Owner: ~~WILLIAMS~~ Robert &/or Tana Stallings (~~STALLINGS~~) Phone No. 208-466-4599

Current Address: 303 CENTRAL PIT LANE NAMPA ID 83687

2. Accompanied by: Lauri Moncrief EXAM DATE: 6/20/94

Address: HC 79 Box 102A Melba 83641 Phone No. 495 1101

Relationship to Permit Holder:

3. Source: Snake River tributary to Columbia R.

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Splits of 02-7276 & 57-7236, 57-7516, 7600

2. Other water rights with the same point of diversion: Above

C. DIVERSION AND DELIVERY SYSTEM

1. **Point(s) of Diversion:**

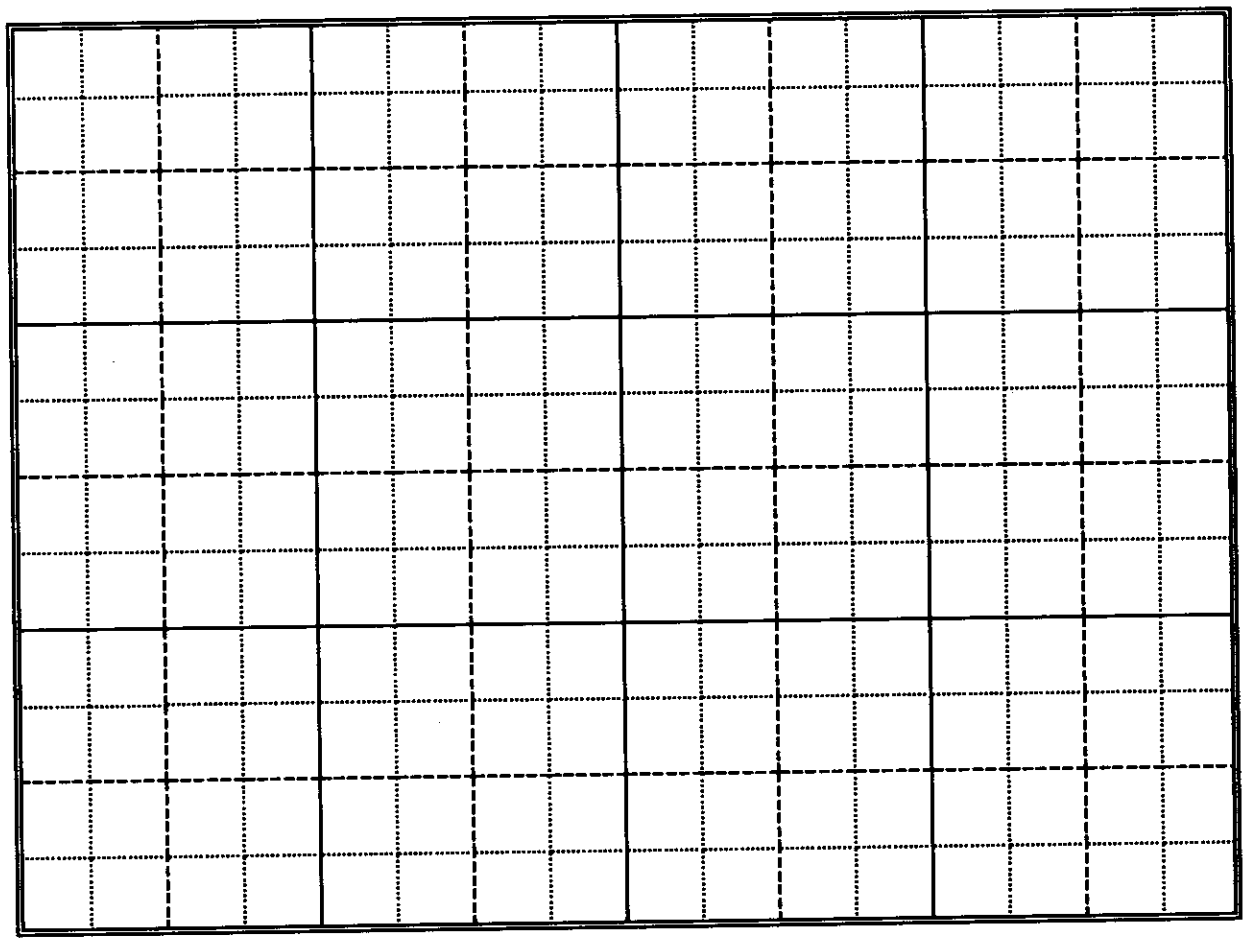
Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	2		NW	SW	16	1N	3W	Owyhee	Plat Map, Site Visit

2. **Place(s) of Use:** Indicate Method of Determination

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	3W	16										1							1
												L-1							
												AUG 08 1995							

* Is Gov't Lot 2 ?

3. **Delivery System Diagram**: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = _____.

___ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

___ Aerial Photo Attached (required for irrigation of 10+ acres)

___ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Emerson	2		Red Jacket 200 RSPS	2"

*Code to correspond with No. on map and aerial photo

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. **Measurements:** Discharge pressure

AUG 08 1995

E. NARRATIVE/REMARKS/COMMENTS

18 heads, impact, all run at once 1/8", 38 psi

has been seeded to fescue, did not take & has been re-seeded. Approx 1 ac. Absentee owner. System operated in '93 & 94 by Sunrise Sky Park

P/D & P/U = Lot 1 Blk 1 Sunrise Sky Park

Overlaps do not affect permit

For more info and license conditions, see memo to file.

New ownership shown based on assignment rec'd 1/26/95. CJ

Have conditions of permit approval been met? \ yes ___ no

AUG 08 1995

F. FLOW CALCULATIONS ____ Additional Computation Sheets Attached

Measured Method:

1/8" nozzle @ 40 psi = 2.96 gpm
18 heads x 2.96 gpm/head = 53.28 gpm
= .12 cfs

HP equation:

$$\frac{2 \times 8.8 \times .7}{10 + (40 \times 2.31)} = .12 \text{ cfs}$$

allow .03 per permit limit

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = 1 x 4.5 = 4.5

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = .03 x 240 x 1.9835 = 14.6

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 4.5

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
IRR	3/15	11/15	.03	4.5
		Totals:		

2. Recommended Amendments

___ Change P.D. as reflected above ___ Add P.D. as reflected above ___ None
___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

I. AUTHENTICATION

Field Examiner's Name Cindy J Hodges Date 12/12/94

Reviewer _____ Date _____

SEAL

AUG 0 8 1995

MEMORANDUM

TO: File 02-07276Q / Robert Stallings

FROM: Brenda Chapman

DATE: June 16, 1995

RE: Recommendation Adjustment(s)

==========

The final licensing recommendations for the above referenced water right are based on the information below:

C. DIVERSION AND DELIVERY SYSTEM

2. Place of Use: Is in Government Lot 2.

H. RECOMMENDATIONS

2. Recommended Amendments

☐ Change P.D. ☐ Add P.D. ☒ None

☐ Change P.U. ☐ Add P.U. ☐ Other

The exam confirms an additional point of diversion has not been added; therefore, an amendment is not necessary.

MICROFILMED

AUG 0 8 1995

MEMORANDUM

TO: File Nos. 02-07276 Splits D-T

FROM: Cindy Hodges

RE: B/U Examination General Information and Recommended License Conditions

GENERAL HISTORY

Permit 02-07276 was originally issued to Givens Hot Springs, for the irrigation of 100 acres. It was split early on into A, B, and C, with part C, the majority of the permit, awarded to Lester Moncrief. Parts A and B have lapsed. Part C was subsequently assigned and split on several occasions into the current parts D through T (F and N retired during split re-apportionments). Each assignment reflected the subdivision and sale of mostly riverfront lots within Sunrise Skypark, developed by Mr. Moncrief. Assignments awarded the permitted rate of 0.02 cfs per acre for lot sizes of 0.5 to 1.5 acres. At this time, Mr. Moncrief retains the balance of the permit, which has been labeled part S.

Most assignments were made in late 1992 or early 1993. Proof was due March 1, 1993, and very little beneficial use had occurred under this permit. Yet, very few new property owners were aware of the implications of the pending proof due date. According to sales agreements, each new landowner was to develop a separate system for irrigation. As many new landowners lived out of state, this would have been largely impossible and meant that many portions of the permit would have forfeited.

One of the earliest assignees came to my office quite concerned that the water right which he and many others had been promised was in jeopardy. We reviewed the file and found that, although one extension of time had already been granted to Mr. Moncrief, an additional 8 months time might be permissible based on the total time lapsed during Swan Falls litigation. This assignee requested and received the additional 8 months extension, which advanced proof due date to November 1, 1993. He lived on-site and was able to develop his system during summer 1993.

Other assignees were not so fortunate. They confronted Mr. Moncrief and were assisted in working with IDWR to obtain the additional extensions. Then, Mr. Moncrief and his staff developed and operated systems during the 1993 irrigation season for all absentee landowners, so that no assigned portion of the permit would lapse. All proofs were filed by the November 1 due date. Due to all the extenuating circumstances, Western was directed to conduct these field examinations as early as possible in 1994.

RECEIVED
AUG 08 1995

BENEFICIAL USE EXAMINATIONS

At the time of the field examination(s) in June of 1994, we found a large array of conditions present under the various portions of this permit. All systems were in place and were being operated, either by on-site owners or by Moncrief. All lands under irrigation had been cultivated and planted, either to lawn or to mixed grasses, but with varying degrees of success. As could be expected, those lots with on-site owners had well-established lawns and obvious beneficial use. Other lots had irregular vegetation establishment and questionable beneficial use, even though regular irrigation appeared to be occurring. After visits with Mr. Moncrief and some residents, I was convinced that this was due in large part to high alkalinity in some areas which required continued soil enhancement to support any vegetation. Much seed sowed in 1993 simply failed to germinate. In fact, alkaline patches were visible in most lots and 1994 re-seeding attempts were also apparent.

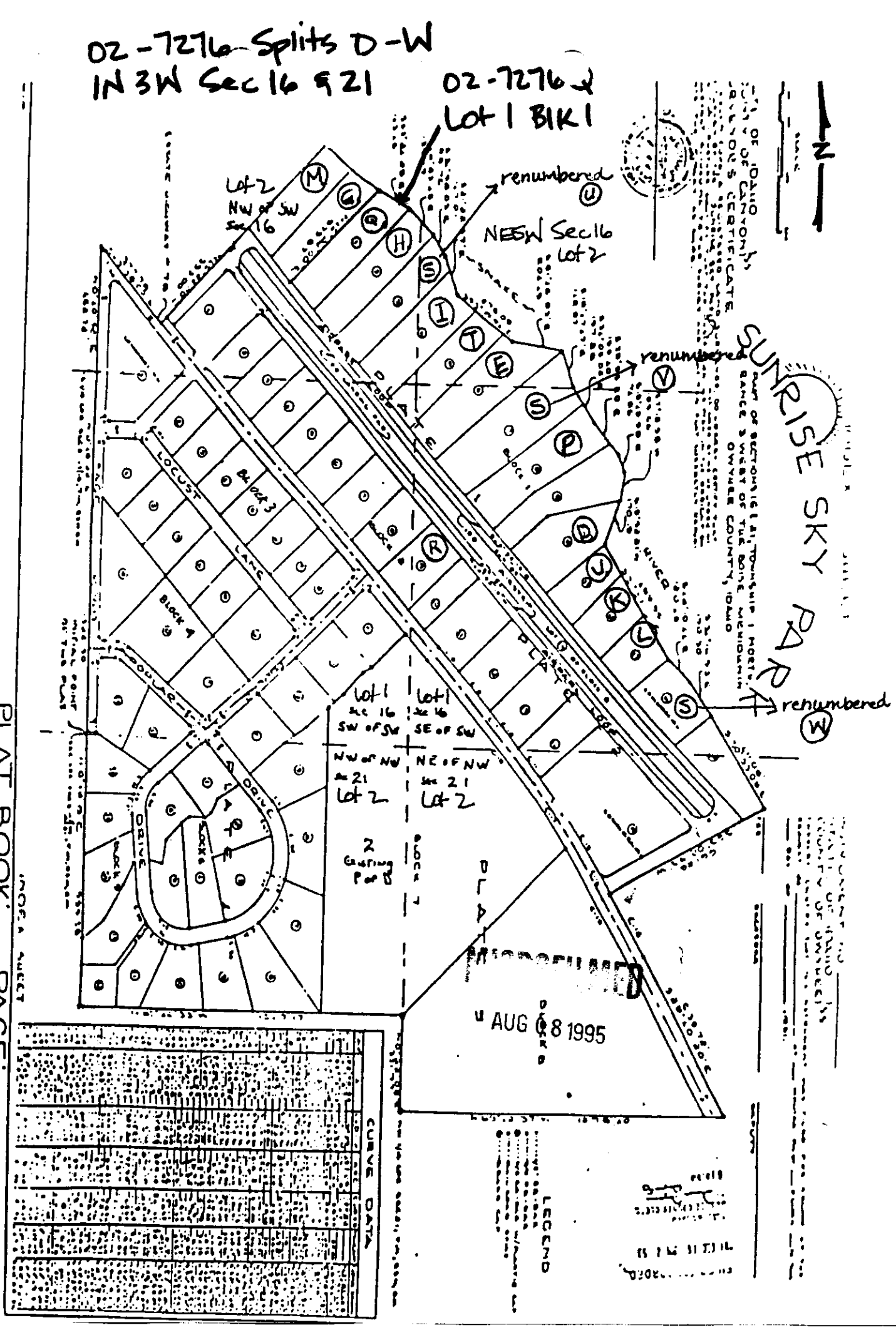
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LICENSING TERMS AND CONDITIONS

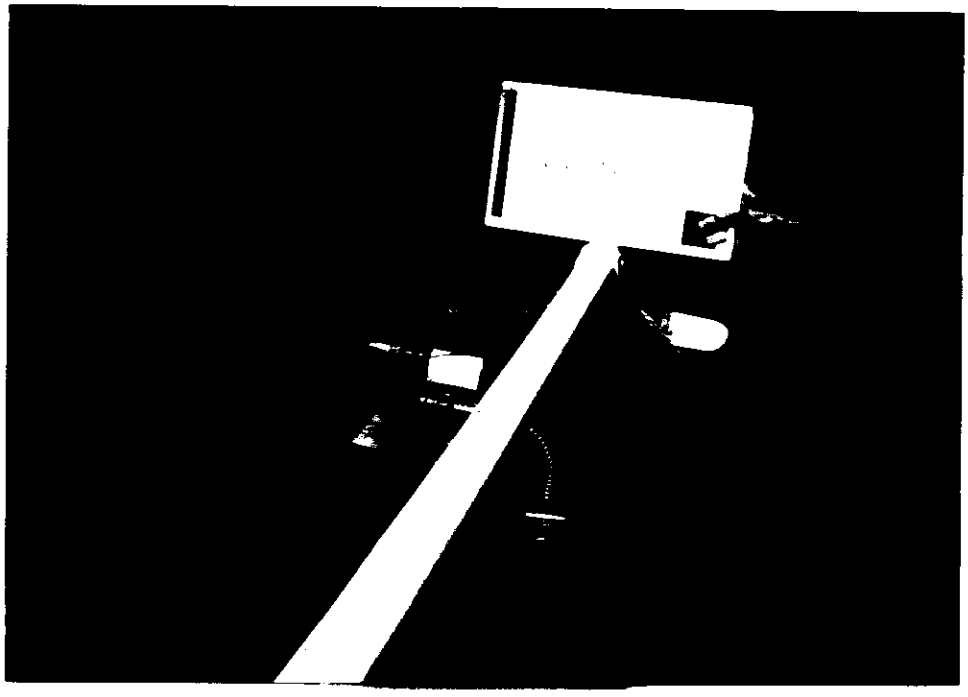
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AUG 0 8 1995


02-7276-Splits D-W
IN 3W Sec 16 & 21
02-7276-X
Lot 1 Blk 1
Lot 2 NW of SW Sec 16
renumbered U
NE SW Sec 16 Lot 2
renumbered V
renumbered W
SUNRISE SKY PARK
LOCUST LANE
Block 3
Block 4
Lot 1 Sec 16 SW of SW
Lot 1 Sec 16 SE of SW
NW of NW Sec 21 Lot 2
NE of NW Sec 21 Lot 2
2 Existing Pads
AUG 08 1995
PLAT BOOK ___ PAGE ___
CURVE DATA
LEGEND

02 7276Q



P/D

Photo of P/N did not develop. . .

MICROFILMED

AUG 0 8 1995

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 14, 1995

Robert Stallings
Tana Stallings
303C Pit Lane
Nampa, ID 83687

RE: Permit No. 02-07276Q

Dear Robert and Tana,

This letter is to confirm that the assignment of ownership on the above referenced water right is satisfactory. We have modified our computer records to reflect this change in ownership.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

JIM JOHNSON, Manager
Water Right Permits Section

JJ:rl

RECEIVED
MAR 22 1995

March 5, 1993

RICHARD C WILLIAMS
KORLYN WILLIAMS
PO BOX 870390
WASILLA AK 99687

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 02-07276Q

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

APR 05 1993

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 31, 1993

Richard C or Korlyn Williams
PO Box 870390
Wasilla, AK 99687

PROOF DUE NOTICE

RE: Permit No. 02-07276Q

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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Sincerely,

Karen L Gustafson

Karen L. Gustafson
Secretary/Records Manager
Enclosures

CERTIFIED MAIL
NO. 139859

RECEIVED

APR 05 1993

State of I. .ho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 12, 1993

Richard C or Korlyn Williams
PO Box 870390
Wasilla, AK 99687

Re: Permit No. 02-07276Q

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If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L Gustafson

Karen L. Gustafson
Secretary/Records Manager

CC: IDWR - Regional Office

RECEIVED
APR 05 1993

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

October 3, 1995

MICHAEL W SIMPSON
PO BOX 846
KETCHUM ID 833400846

RE: WATER RIGHT NO. 02-07276P

Dear Water Right Holder(s):

Enclosed is a copy of the Water Right License issued on the above referenced permit. If you have any questions, please contact me within 10 days of receipt of this license.

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:rl

Enclosure

MICROFILMED

OCT 2 6 1995

M E M O R A N D U M

DATE: October 3, 1995

TO: File 02-07276P

FROM: Shelley W. Keen SWK

RE: Beneficial Use

==========

I recommend that license 02-07276P be issued despite no response to my July 28, 1995, letter. The field examiner has indicated that she believes strongly that water has been put to beneficial use on this property. Also, a number of other lot owners with similar diversion systems have responded to my letter by saying that the diversion and application of water to planted grass under allows for dust control, increased soil productivity, and fire protection.

OCT 3 6 1995

RECEIVED
AUG 3 1 1995
Department of Water Resources

AUGUST 29, 1995

IDAHO DEPT OF WATER RESOURCES
SHELLEY WALTER KEEN
WATER RIGHTS SUPERVISOR

DEAR MR. KEEN,

I HAVE ENCLOSED THE ASSIGNMENT OF PERMIT FORM, TRANSFERRING PERMIT NO. 02-07276P FROM DAVE AND LINDA CARPENTER TO MICHAEL SIMPSON.

I PURCHASED THIS PROPERTY FROM THE CARPENTERS IN MARCH OF THIS YEAR.

I HAVE ALSO INCLUDED THE ASSIGNMENT FEE OF $25.00.

IF YOU HAVE ANY QUESTIONS, OR NEED ANYTHING FURTHER FROM ME, PLEASE CALL AT (208)726-2158, OR BY MAIL AT P.O. BOX 846 KETCHUM, ID. 83340.

SINCERELY,
Michael W. Simpson
MICHAEL W. SIMPSON

MICHAEL W. SIMPSON
P.O. BOX 846
KETCHUM, ID. 83340

M E M O R A N D U M

DATE: August 4, 1995

TO: File 02-07276K/P/T

FROM: Shelley W. Keen SWK

RE: Ownership and Address Changes

==========

Lauri Moncrief informed me today that some of the portions of permit 02-07276 have new owners or the owners have new addresses. The new names and addresses are on the attached fax sent to me by Ms. Moncrief.

RECEIVED
AUG 08 1995

To: Shelley Walter Keen

From: Lauri Moncrief

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AUG 0 4 1995
Department of Water Resources

02-07276P
Dave & Linda Carpenter
P.O. Box 60
Peck, ID 83545
208 486-6204

SOLD TO →

Mike Simpson
P.O. Box 846
Ketchum, ID 83340
wk 208 726-2609

02-07276T Possible new owner
Charles (Ron) & Mary McKinnon
P.O. Box 566
Paradise, CA 95967
HM 916 872-4283

02-07276K Possible new address
Don & Patty Weste
8330 Dagan St.
Anchorage, AK 99502

AUG 0 8 1995

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

July 28, 1995

NOTICE OF INTENT TO VOID PERMIT

DAVID H CARPENTER
LINDA S CARPENTER
PO BOX 770732
EAGLE RIVER AK 99577

RE: Permit No. 02-07276P

Dear Permit Holder(s):

In June of 1994, an employee of the department conducted a field inspection of the above referenced permit. The department is now reviewing the examination to determine whether or not the right can be licensed.

To perfect a water right an individual must divert the water and also apply it to a beneficial use. While the field examiner found that you have an irrigation diversion system in place, the water did not appear to be applied to a beneficial use. The particular lot represented by the above permit had no lawn or garden associated with a building. There was no evidence to the department's examiner that stock grazing had occurred on this lot, nor was there evidence that any crop harvesting had taken place.

The department will delay action for 30 days to allow you to submit any evidence you may have to show that water has in fact been beneficially used under this permit. Please bear in mind that your evidence must indicate a beneficial use prior to February 13, 1993, the date you indicated to the department that your development was completed. If such evidence is not submitted, the department may void the permit.

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

Sincerely,

Shelley Walter Keen
Water Rights Supervisor

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AUG 08 1995

SWK:rl

Lot 8 Blk 1

Form 219
6/92

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

BENEFICIAL USE FIELD REPORT

RECEIVED
JUN 12 1995
Department of Water Resources

A. GENERAL INFORMATION

Permit No. 02-07276P

1. Owner: Linda S. & David H. Carpenter Phone No. 907-696-2277

Current Address: PO Bx 770732 Eagle River AK 99577

2. Accompanied by: Lauri Moncrief EXAM DATE: 6/30/94

Address: HC 79 Box 102A Melba 83641 Phone No. 495-1101

Relationship to Permit Holder: Subdivision representative

3. Source: Snake River tributary to Columbia R.

B. OVERLAP REVIEW

1. Other water rights with the same place of use: Splits of 02-7276 & 57-7236, 57-7596, 7600

2. Other water rights with the same point of diversion: Above

C. DIVERSION AND DELIVERY SYSTEM

1. **Point(s) of Diversion:**

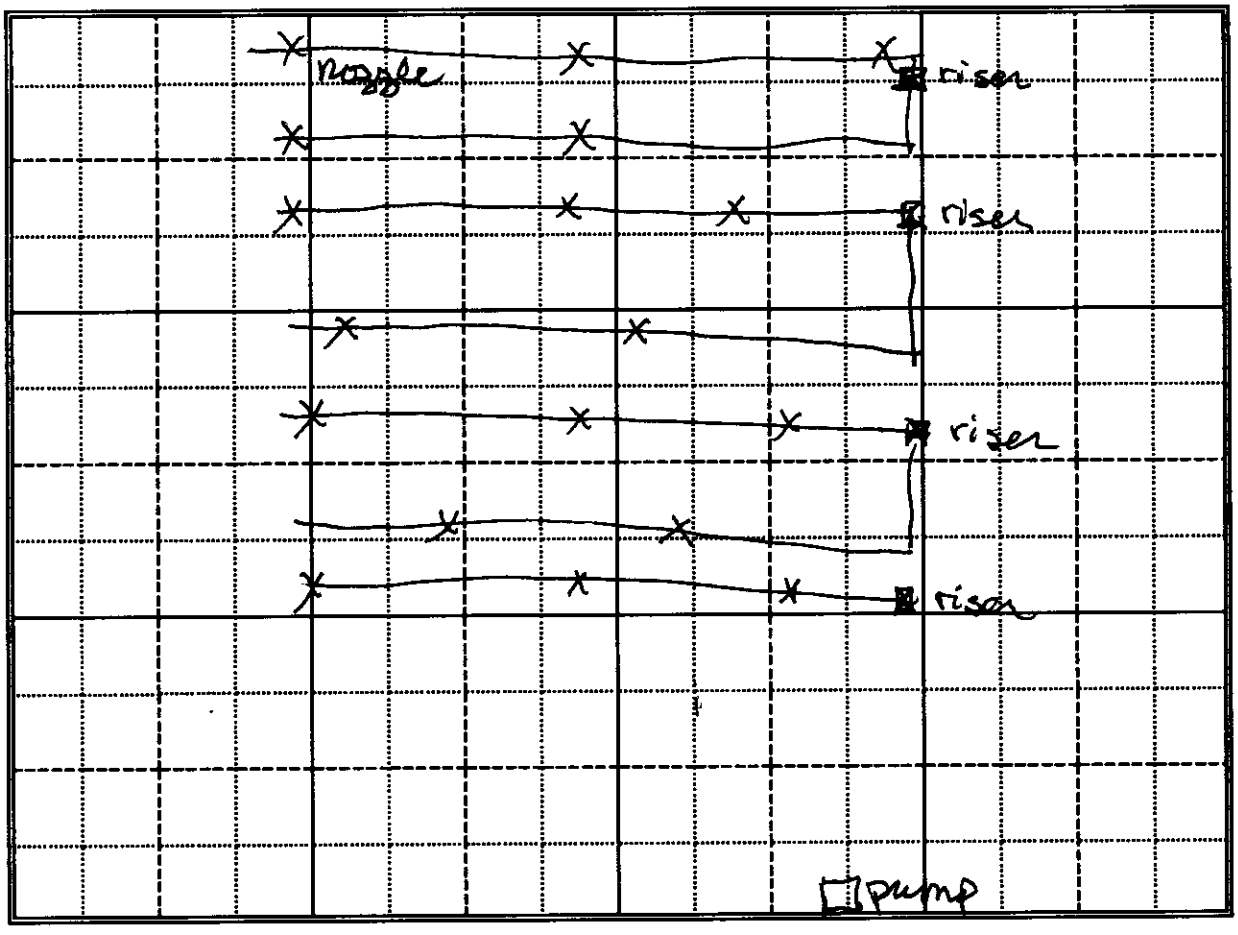
Ident No.	Gov't Lot	¼	¼	¼	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
	1		SE	SW	16	1N	3W		Plat Map, Site Visit

2. **Place(s) of Use:** Indicate Method of Determination Above

TWP	RGE	SEC	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
1N	3W	16												1.8					1.8

AUG 08 1995

3. **Delivery System Diagram**: Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable.



Scale: 1" = NTS

__ Copy of USGS Quadrange Attached Showing location(s) of point(s) of diversion and place(s) of use (required).

__ Aerial Photo Attached (required for irrigation of 10+ acres)

__ Photo of Diversion and System Attached

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
	Emerson	2	model # TS5Z2BGM8F	Red Jacket	200 RS PS 2"

**Code to correspond with No. on map and aerial photo*

D. FLOW MEASUREMENTS

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date

2. **Measurements:** Discharge Pressure

AUG 0 8 1995

E. NARRATIVE/REMARKS/COMMENTS

underground main to
4 risers 7 lines (perm.)/solid set
18 nozzles 1/8" nonname nozzle
~~20~~ psi top, 25 psi bottom
irrigating 1.8 ac.

Absentee owner - germination in 1993 was poor, but system was operated by Sunrise Sky Park. A portion was re-seeded in '94 - Still having alkalinity problems on this lot.

P/D & P/U = Lot 8 Blk 1 Sunrise Sky Park

Overlaps do not affect permit, except for 02-7276R, shares same P/D.

For more information and license conditions see memo to file.

Have conditions of permit approval been met? \ yes ___ no

AUG 0 8 1995

F. FLOW CALCULATIONS _____ Additional Computation Sheets Attached

Measured Method:

1/8" nozzles @ 23 psi ≈ 2.25 gpm

18 heads x 2.25 gpm/head = 40.5 gpm = .09 cfs

HP equation

$\frac{2 \times 8.8 \times .7}{10 + (25 \times 2.31)} = .18$ cfs

allow .04 per permit limit

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.}$ = (Acres Irrigated) x (Irrigation Requirement) = 1.8 x 4.5 = 8.1 AFA

$V_{D.R.}$ = [Diversion Rate (cfs)] x (Days in Irrigation Season) x 1.9835 = .04 x 246 x 1.9835 = 19.5

V = Smaller of $V_{I.R.}$ and $V_{D.R.}$ = 8.1

2. Volume Calculations for Other Uses:

H. RECOMMENDATIONS

1. Recommended Amounts

Beneficial Use	Period of Use From	Period of Use To	Rate of Diversion Q (cfs)	Annual Volume V (afa)
IRR	3/15	11/15	.04	8.1
		Totals:	.04	8.1

2. Recommended Amendments

* ___ Change P.D. as reflected above ___ Add P.D. as reflected above ___ None

___ Change P.U. as reflected above ___ Add P.U. as reflected above ___ Other

I. AUTHENTICATION

Field Examiner's Name Cindy J Hodges Date 12/12/94

Reviewer _____ Date _____

* See attached memo. BC

SEAL

AUG 08 1995

MEMORANDUM

TO: File 02-07276P / David Carpenter

FROM: Brenda Chapman

DATE: June 16, 1995

RE: Recommendation Adjustment(s)

==========

The final licensing recommendations for the above referenced water right are based on the information below:

H. RECOMMENDATIONS

2. Recommended Amendments

☐ Change P.D.	☐ Add P.D.	☒ None
☐ Change P.U.	☐ Add P.U.	☐ Other

The exam confirms an additional point of diversion has not been added; therefore, an amendment is not necessary.

AUG 0 8 1995

MEMORANDUM

TO: File Nos. 02-07276 Splits D-T

FROM: Cindy Hodges

RE: B/U Examination General Information and Recommended License Conditions

GENERAL HISTORY

Permit 02-07276 was originally issued to Givens Hot Springs, for the irrigation of 100 acres. It was split early on into A, B, and C, with part C, the majority of the permit, awarded to Lester Moncrief. Parts A and B have lapsed. Part C was subsequently assigned and split on several occasions into the current parts D through T (F and N retired during split re-apportionments). Each assignment reflected the subdivision and sale of mostly riverfront lots within Sunrise Skypark, developed by Mr. Moncrief. Assignments awarded the permitted rate of 0.02 cfs per acre for lot sizes of 0.5 to 1.5 acres. At this time, Mr. Moncrief retains the balance of the permit, which has been labeled part S.

Most assignments were made in late 1992 or early 1993. Proof was due March 1, 1993, and very little beneficial use had occurred under this permit. Yet, very few new property owners were aware of the implications of the pending proof due date. According to sales agreements, each new landowner was to develop a separate system for irrigation. As many new landowners lived out of state, this would have been largely impossible and meant that many portions of the permit would have forfeited.

One of the earliest assignees came to my office quite concerned that the water right which he and many others had been promised was in jeopardy. We reviewed the file and found that, although one extension of time had already been granted to Mr. Moncrief, an additional 8 months time might be permissible based on the total time lapsed during Swan Falls litigation. This assignee requested and received the additional 8 months extension, which advanced proof due date to November 1, 1993. He lived on-site and was able to develop his system during summer 1993.

Other assignees were not so fortunate. They confronted Mr. Moncrief and were assisted in working with IDWR to obtain the additional extensions. Then, Mr. Moncrief and his staff developed and operated systems during the 1993 irrigation season for all absentee landowners, so that no assigned portion of the permit would lapse. All proofs were filed by the November 1 due date. Due to all the extenuating circumstances, Western was directed to conduct these field examinations as early as possible in 1994.

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AUG 0 8 1995

BENEFICIAL USE EXAMINATIONS

At the time of the field examination(s) in June of 1994, we found a large array of conditions present under the various portions of this permit. All systems were in place and were being operated, either by on-site owners or by Moncrief. All lands under irrigation had been cultivated and planted, either to lawn or to mixed grasses, but with varying degrees of success. As could be expected, those lots with on-site owners had well-established lawns and obvious beneficial use. Other lots had irregular vegetation establishment and questionable beneficial use, even though regular irrigation appeared to be occurring. After visits with Mr. Moncrief and some residents, I was convinced that this was due in large part to high alkalinity in some areas which required continued soil enhancement to support any vegetation. Much seed sowed in 1993 simply failed to germinate. In fact, alkaline patches were visible in most lots and 1994 re-seeding attempts were also apparent.

Those lots not receiving the intensive care of an on-site owner had poorer stands of vegetation. However, genuine beneficial use has occurred at all sites. It would not be equitable to penalize off-site owners, since a significant effort has been made in their behalf to apply water to beneficial use and thus protect the permits. All portions of the permit will be recommended to the extent of development found.

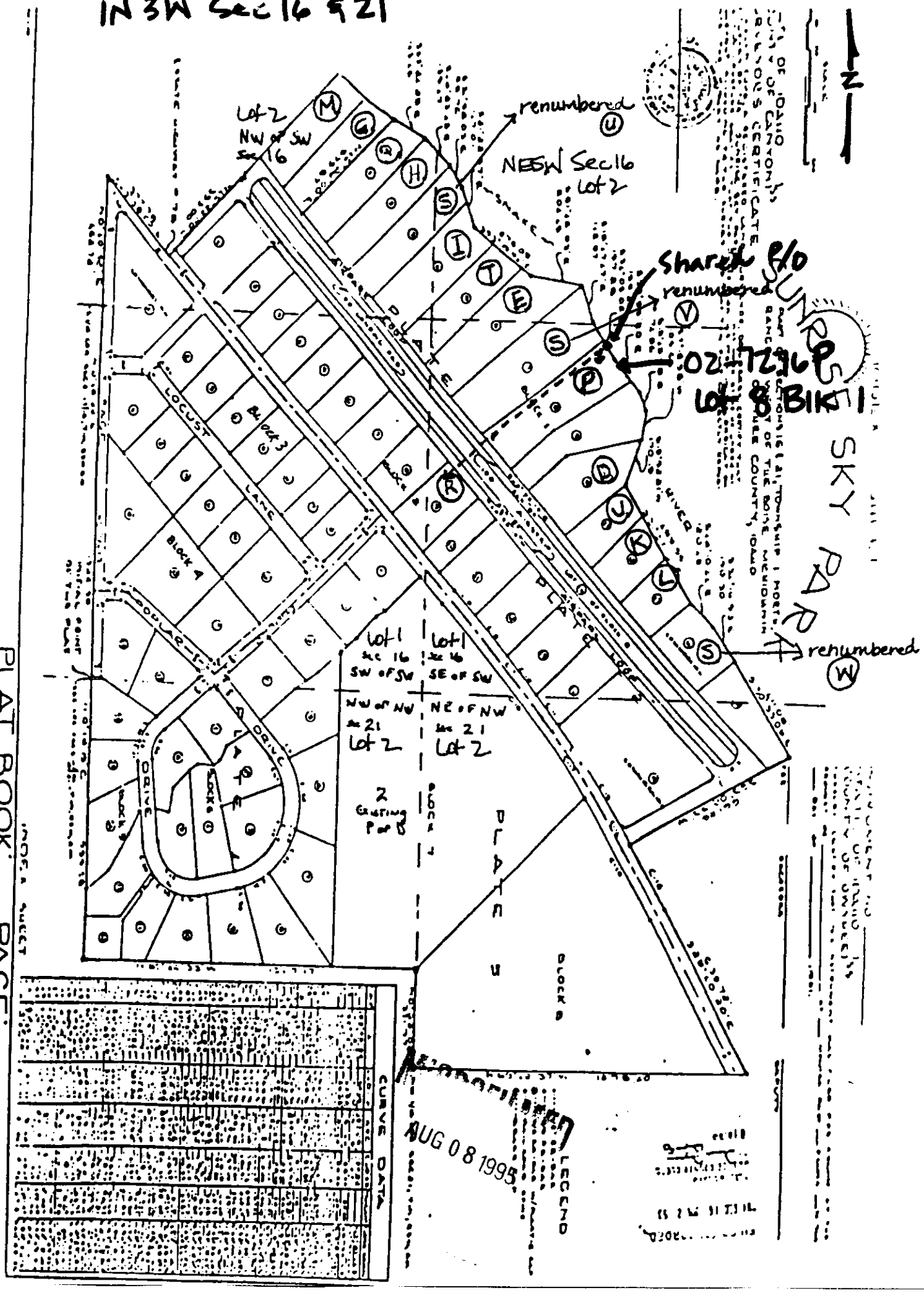
LICENSING TERMS AND CONDITIONS

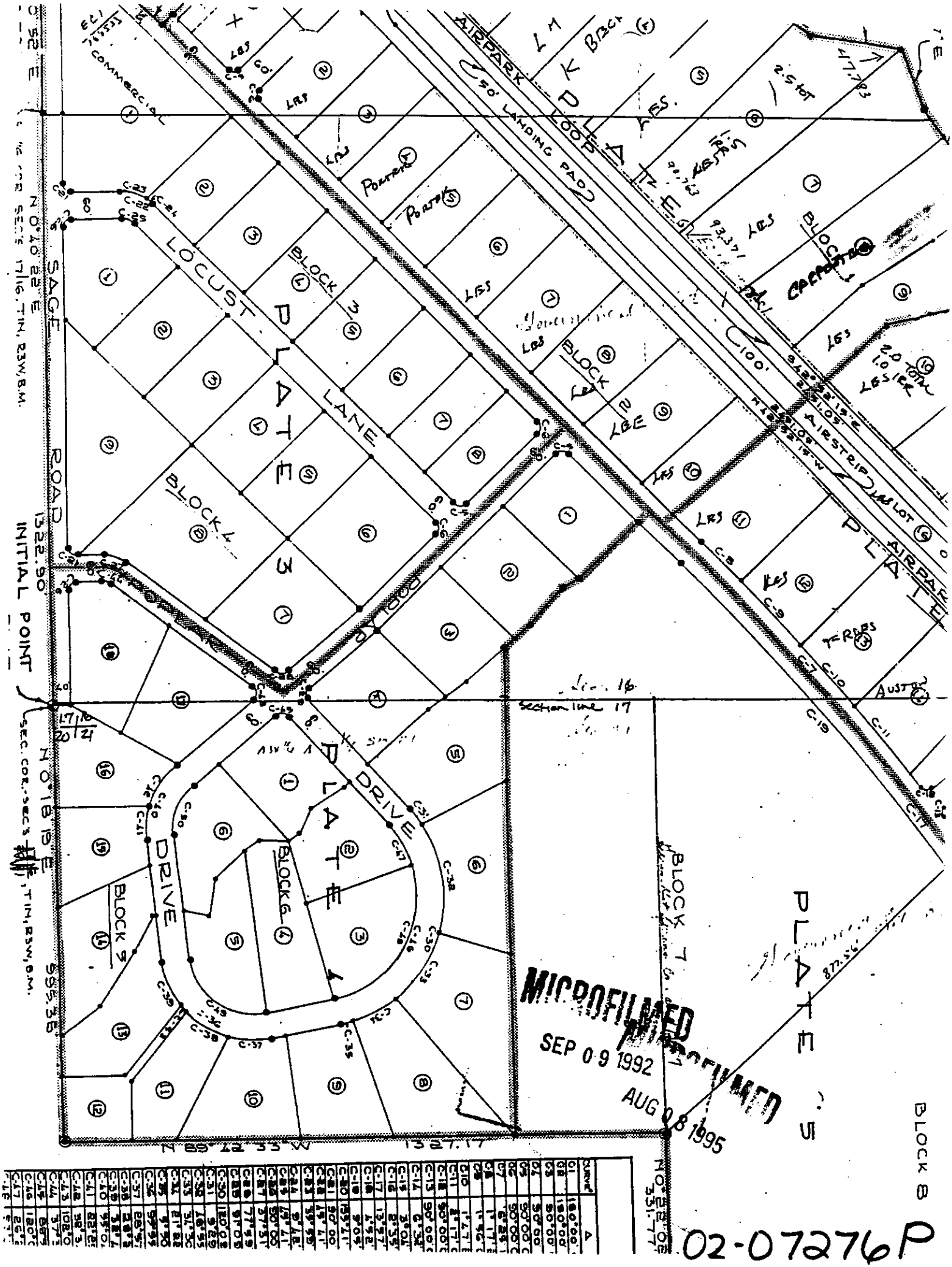
Permitted rate of flow is 0.02 cfs/acre. Most splits were assigned at a total rate of about 0.02 cfs. Each of these systems is capable of delivering at least this amount; many are oversized and can deliver much more. To avoid the potential for over-appropriation which will occur if all systems are operating at once, I suggest a specific licensing condition which requires operation on a rotational basis, so that no more than a certain number of systems are diverting at any one time. I discussed this concept with Mr. Moncrief and others. They agreed that this could be accomplished within the subdivision through the establishment of an irrigation schedule.

The first two split recipients, D and E, filed permit amendments immediately after assignment to add points of diversion unique to their portions. Because of time constraints, this exercise was generally not possible for all other split portions. Therefore, all others were treated as changes occurring within the development period, to be handled through licensing amendments. Portion S, held by Mr. Moncrief, was used to develop Mr. Moncrief's residence lot and two lots used as common area. These three systems are separate. Therefore, portion S will be recommended to be split into the next three available suffixes: U, V, and W. The balance of portion S was not developed.

AUG 08 1995

02-7276 Splits D-W
IN 3W Sec 16 & 21

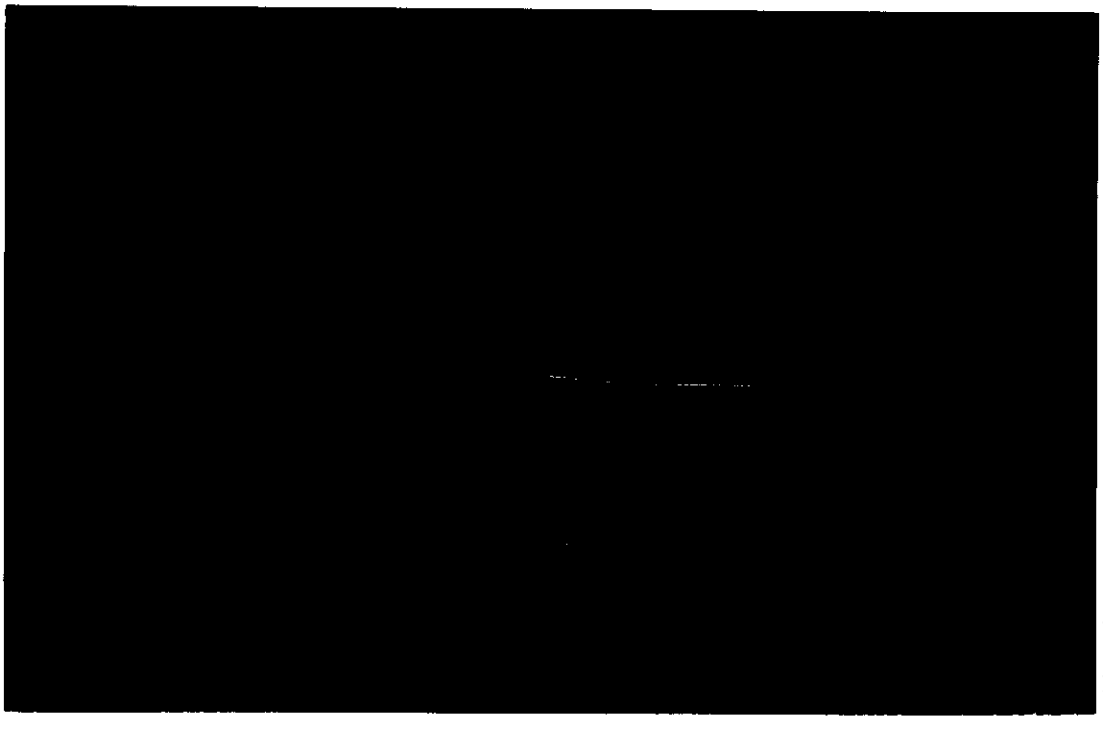



PLATTE
AIRPARK LOOP
50' LANDING PAD 2
AIRPARK
LOCUST LANE
BLOCK 1
BLOCK 2
BLOCK 3
BLOCK 4
BLOCK 5
BLOCK 6
BLOCK 7
BLOCK 8
BLOCK 9
BLOCK 10
BLOCK 11
BLOCK 12
BLOCK 13
BLOCK 14
SAGE ROAD
DRIVE
COMMERCIAL
AIRSTRIP
LOT 9
Section line 17
INITIAL POINT
SEC. COR. SECS. 16, 17, 20, 21 T1N, R5W, B.M.
N 0°18' 15" E 555.36'
N 89° 12' 33" W 1327.17'
N 0°40' 22" E 1322.90'
SEC. COR. SECS. 17/16, T1N, R5W, B.M.
MICROFILMED
SEP 09 1992
AUG 08 1995
02-07276P

02-7276P



P/D
(Shared w/ part R)



P/U

MICROFILMED
AUG 0 8 1995

March 5, 1993

DAVID H CARPENTER
LINDA S CARPENTER
PO BOX 770732
EAGLE RIVER AK 99577

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 02-07276P

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to conduct a field examination to determine and confirm the use being made of the water.

If you have questions concerning this matter, please feel free to contact the WESTERN Regional Office in Boise at (208)334-2190.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

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APR 05 1993

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 31, 1993

David H or Linda S Carpenter
PO Box 770732
Eagle River, AK 99577

PROOF DUE NOTICE

RE: Permit No. 02-07276P

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before April 1, 1993. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request from is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

Sincerely,

Karen L Gustafson

Karen L. Gustafson
Secretary/Records Manager
Enclosures

CERTIFIED MAIL
NO 139858

APR 05 1993

State of Idaho
DEPARTMENT OF WATER RESOURCES
1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

January 12, 1993

David H or Linda S Carpenter
PO Box 770732
Eagle River, AK 99577

Re: Permit No. 02-07276P

Dear Permit Holder:

We acknowledge receipt of the correspondence transferring ownership of a portion of the above referenced water right to you. We have modified our computer records to reflect this change in ownership.

We have also enclosed an order extending the proof of beneficial use due date to April 1, 1993. The Department will notify you 60 days in advance as to the proper steps to take in order to prove beneficial use or request an extension of time.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L Gustafson

Karen L. Gustafson
Secretary/Records Manager

CC: IDWR - Regional Office

MICROFILMED

APR-05-1993