

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 57-11617

PRIORITY: June 28, 2002

Maximum Diversion Rate: 0.02 CFS

Maximum Diversion Volume: 11.4 AF

It is hereby certified that:

SUNRISE PUMPHOUSE TWO ASSN 10286 AIRPARK LP MELBA ID 83641

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated June 28, 2002, and has submitted Proof of Beneficial Use on July 09, 2003. An examination confirms water is diverted from:

SOURCE:
GROUND WATER

and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
HEATING	01/01 to 12/31	0.02 CFS	10.8 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L2 (NE¼NW¼) Sec. 21, Twp 01N, Rge 03W, B.M. OWYHEE County

PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	03W	16												X L 1					
01N	03W	21					X L 2												

PLACE OF USE: HEATING

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	03W	16												X L 1					
01N	03W	21					X L 2												

CONDITIONS OF APPROVAL

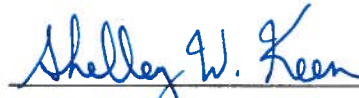
- Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
- The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.

State of Idaho
Department of Water Resources
Water Right License
WATER RIGHT NO. 57-11617

3. Low temperature geothermal water diverted under this right shall not be used for domestic purposes unless it is first used for heating purposes.
4. Rights 57-7236Q, and 57-11617 when combined shall not exceed a total diversion rate of 0.08 cfs.
5. Point of diversion is located within Tax 43, Sunrise Sky Park Subdivision.
6. Place of use is located within Tax 45, Sunrise Sky Park Subdivision.

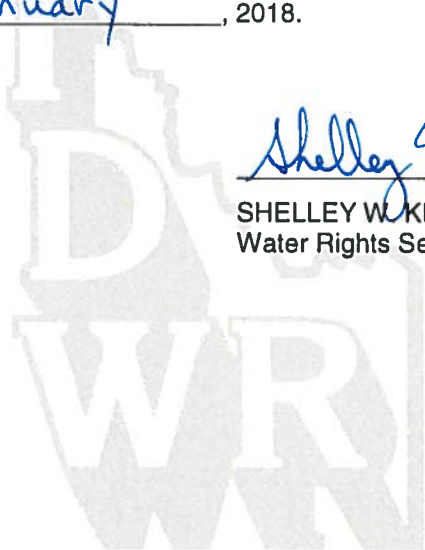
This license is issued pursuant to the provisions of Section 42-219, Idaho Code. The water right confirmed by this license is subject to all prior water rights and shall be used in accordance with Idaho law and applicable rules of the Department of Water Resources.

Signed this 9th day of January, 2018.



A handwritten signature in blue ink, reading "Shelley W. Keen", is written over a horizontal line.

SHELLEY W. KEEN
Water Rights Section Manager





State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Web Site: www.idwr.idaho.gov

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

January 11, 2018

SUNRISE PUMPHOUSE TWO ASSN
10286 AIRPARK LP
MELBA ID 83641

RE: License No. 57-11617

Issuance of License

Dear Water Right Holder(s):

The Department of Water Resources has issued the enclosed Water Right License confirming that a water right has been established in accordance with your permit. Please be sure to thoroughly review the conditions of approval and remarks listed on your license. Also enclosed is a copy of the approved application for amendment.

The license is a PRELIMINARY ORDER issued by the Department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-287-4951.

Sincerely,

Pamela Skaggs, Water Rights Supervisor
Water Right Permits Section

Enclosure(s)

CERTIFICATE OF SERVICE

I hereby certify that on January 12, 2018 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (**Approved License**) to the person(s) listed below:

RE: WATER RIGHT NO. 57-11617

**SUNRISE PUMPHOUSE TWO ASSN
10286 AIRPARK LP
MELBA ID 83641**

A handwritten signature in blue ink, reading "Darla Block", is written over a horizontal line.

Darla Block
Technical Records Specialist

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "Preliminary Order" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below:

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. **Note: the petition must be received by the department within this fourteen (14) day period.** The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after: (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its service date if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) The petition for reconsideration is disposed of; or
- (b) The petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 57-11617

RECEIVED

JAN 08 2018

DEPARTMENT OF
WATER RESOURCES

PRIORITY: June 28, 2002

Maximum Diversion Rate: 0.02 CFS
Maximum Diversion Volume: 11.4 AF

Comes now

SUNRISE PUMPHOUSE TWO ASSN 10286 AIRPARK LP MELBA ID 83641

and represents to 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. 57-11617, and requests that the permit be changed as follows:

SOURCE:
GROUND WATER

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL DIVERSION VOLUME</u>
HEATING	01/01 to 12/31	0.02 CFS	10.8 AF
DOMESTIC	01/01 to 12/31	0.02 CFS	0.6 AF

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER L2 (NE¼NW¼) Sec. 21, Twp 01N, Rge 03W, B.M. OWYHEE County

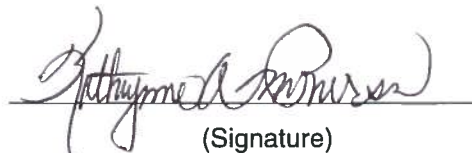
PLACE OF USE: DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	03W	16												X L 1					
01N	03W	21					X L 2												

PLACE OF USE: HEATING

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
01N	03W	16												X L 1					
01N	03W	21					X L 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 this 4th day of 2018, ~~2017~~


(Signature)

State of Idaho
Department of Water Resources
APPLICATION FOR AMENDMENT
(For Licensing Purposes)
WATER RIGHT NO. 57-11617

FOR DEPARTMENT USE ONLY

Preliminary check by TR Fee = \$100.00 Receipted by TR # C104510 Date 1/8/2018

ACTION OF THE DEPARTMENT OF WATER RESOURCES

The Idaho Department of Water Resources hereby approves the above Application for Amendment for Permit No. 57-11617 with the following:

CONDITIONS OF APPROVAL

1. Domestic use is for 1 home and does not include lawn, garden, landscape, or other types of irrigation.
2. The Director retains jurisdiction to require the right holder to provide purchased or leased natural flow or stored water to offset depletion of Lower Snake River flows if needed for salmon migration purposes. The amount of water required to be released into the Snake River or a tributary, if needed for this purpose, will be determined by the Director based upon the reduction in flow caused by the use of water pursuant to this permit.
3. Low temperature geothermal water diverted under this right shall not be used for domestic purposes unless it is first used for heating purposes.
4. Rights 57-7236Q, and 57-11617 when combined shall not exceed a total diversion rate of 0.08 cfs.
5. Point of diversion is located within Tax 43, Sunrise Sky Park Subdivision.
6. Place of use is located within Tax 45, Sunrise Sky Park Subdivision.

This amendment is issued pursuant to the provisions of Section 42-211, Idaho Code.

Signed this 9th day of January, 2018.


SHELLEY W. KEEN
Water Rights Section Manager

State of Idaho
Department of Water Resources

Attachment to Water Right License

57-11617

This map depicts the DOMESTIC and HEATING place of use boundary for this water right at the time of this approval and is attached to the approval document solely for illustrative purposes.



- Point of Diversion
- Place Of Use Boundary
- Townships
- PLS Sections

0 0.035 0.07 0.14 Miles



Edl, Michele

From: douglas owens <douglaspowens@live.com>
Sent: Monday, January 08, 2018 5:47 PM
To: Edl, Michele
Cc: Kathrynne McPherson; jandpblackwell@gmail.com
Subject: RE: signature authority

In response to your email this date, I do not opposes issuance of water rights , as indicated in your email, to Ms. Kathrynne McPherson. Further more, The same opinion is true for Jack Blackwell, Dan Denney, and Ed Dickman

Michele, we hope you enjoyed the holiday season just give me a call if we have any additional responsabiletetes.regarding water rights. We wish you and your crew the very best for 2018.....doug

Sent from [Mail](#) for Windows 10

From: [Edl, Michele](#)
Sent: Monday, January 8, 2018 5:07 PM
To: [douglas owens](#)
Cc: [Kathrynne McPherson](#); [jandpblackwell@gmail.com](#)
Subject: signature authority

Douglas Owens,

The Idaho Secretary of State's (IDSOS) website still shows you as the registered agent and president, Jack Blackwell as the secretary and Kathryn McPherson as a director of the Sunrise Pumphouse Two Association, Inc. See the insert directly below.

No. C 106000													
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	1. Mailing SUNRISE PUMPHOUSE TWO ASSOCIAT DOUGLAS P OWENS 10386 AIRPORT LOOP MELBA ID 83641												
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional). <table border="0"> <tr> <td>Office Held</td> <td>Name</td> </tr> <tr> <td>PRESIDENT</td> <td>DOUGLAS P OWENS</td> </tr> <tr> <td>DIRECTOR</td> <td>ED DICKMAN</td> </tr> <tr> <td>DIRECTOR</td> <td>KATHRYNNE MCPHERSON</td> </tr> <tr> <td>DIRECTOR</td> <td>PAULETT DENNY</td> </tr> <tr> <td>SECRETARY</td> <td>JACK BLACKWELL</td> </tr> </table>		Office Held	Name	PRESIDENT	DOUGLAS P OWENS	DIRECTOR	ED DICKMAN	DIRECTOR	KATHRYNNE MCPHERSON	DIRECTOR	PAULETT DENNY	SECRETARY	JACK BLACKWELL
Office Held	Name												
PRESIDENT	DOUGLAS P OWENS												
DIRECTOR	ED DICKMAN												
DIRECTOR	KATHRYNNE MCPHERSON												
DIRECTOR	PAULETT DENNY												
SECRETARY	JACK BLACKWELL												
5. Organized Under the Laws of: ID C 106000	6. Annual Report must be signed.* Signature: Douglas P Owens Name (type or print): Douglas P Owen												
Processed 05/23/2017 * Electronically provided signatures are ac													

Updates to the IDSOS registration are not due until April 30, 2018 but I need to make a solid connection between the old and new Sunrise Pumphouse Two Association's authority.

I sent the amendment for licensing purposes form to Kathrynne McPherson and an electronic copy of the amendment and cover letter to Jack Blackwell on December 21, 2017. I have received the amendment form signed by Kathy McPherson, and payment of the processing fee. I did not receive a response from Jack Blackwell. I intend to submit the water right license as it has been amended, to the Water Rights Section Manager for his signature and subsequent issuance of a license for 57-11617.

As the current president and registered agent of The Sunrise Pumphouse Two Association, Inc. are you opposed to issuance of this water right license?

Regards,
 Michele Edl
 208-287-4946



Virus-free. www.avast.com

No. C 106000	Due no later than Apr 30, 2017 Annual Report Form		2. Registered Agent and Address (NO PO BOX)			
Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE			DOUGLAS P OWENS 10286 AIRPORT LOOP MELBA ID 83641			
	1. Mailing Address: Correct in this box if needed. SUNRISE PUMPHOUSE TWO ASSOCIATION, INC. DOUGLAS P OWENS 10386 AIRPORT LOOP MELBA ID 83641		3. <u>New</u> Registered Agent Signature:*			
4. Corporations: Enter Names and Business Addresses of President, Secretary, and Directors. Treasurer (optional).						
Office Held	Name	Street or PO Address	City	State	Country	Postal Code
PRESIDENT	DOUGLAS P OWENS	10386 AIRPARK LOOP	MELBA	ID	USA	83641
DIRECTOR	ED DICKMAN	10300 AIRPARK LOOP	MELBA	ID	USA	83641
DIRECTOR	KATHRYNNE MCPHERSON	10364 AIR PARK LOOP	GIVINS HOT SPRINGS	ID	USA	08364
DIRECTOR	PAULETT DENNY	10368 AIRPARK LOOP	MELBA	ID	USA	08364
SECRETARY	JACK BLACKWELL	10286 AIRPARK LOOP MELBA	IDAHO	ID	USA	08364
5. Organized Under the Laws of: ID C 106000		6. Annual Report must be signed.* Signature: Douglas P Owens Name (type or print): Douglas P Owens Date: 05/23/2017 Title: President				
Processed 05/23/2017		* Electronically provided signatures are accepted as original signatures.				



State of Idaho

DEPARTMENT OF WATER RESOURCES

322 East Front Street • P.O. Box 83720 • Boise, Idaho 83720-0098

Phone: (208) 287-4800 • Fax: (208) 287-6700 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

December 21, 2017

SUNRISE PUMPHOUSE TWO ASSN
C/O KATHRYNNE MCPHERSON
10364 AIRPARK LP
MELBA ID 83641

RE: Water Right Permit No. 57-11617

Dear Permit Holder(s):

The Department of Water Resources is reviewing the permit(s) referenced above prior to issuing water right license(s). By issuing a license, the Department confirms the extent of development that has been established in compliance with the terms of the permit.

The examiner who verified your water use reported that certain elements of the permit(s) have been developed differently than described on your permit(s). Changes that do not increase the authorized use of water under the permit(s) can be requested and approved in accordance with Section 42-211, Idaho Code. Before license(s) can be issued, your permit(s) must be amended to depict your water use as it was actually developed.

Based on the examiner's report, the following elements were developed differently than described on your permit(s):

☐ Point(s) of Diversion

☒ Place(s) of Use

☐ Other

The enclosed Application for Amendment form(s) depicts the elements of the water right(s) as they will appear on the license(s) when issued. Please review the amendment form(s) carefully. If you concur with the information presented, please sign and return the form(s) with the \$100.00 filing fee within 14 days.

If you have any questions, please call me at 208-287-4946.

Sincerely,

Michele Edl
Water Resource Agent Sr.

Enclosure(s): Application for Amendment
c: Jack Blackwell

Edl, Michele

From: Edl, Michele
Sent: Wednesday, December 20, 2017 12:50 PM
To: 'Kathrynne McPherson'
Cc: 'jandpblackwell@gmail.com'
Subject: permit amendment
Attachments: DOC.pdf

Kathrynne McPherson,

My supervisor finished reviewing my field exam report and license recommendations for Right 57-11617 just before lunch. The amendment documents will be sent from this office to you rather than to Jack Blackwell, either later this afternoon or tomorrow morning.

I have attached an 'early bird' copy of those documents to this email for you and Mr. Blackwell to preview.

Happy Christmas!

Michele Edl