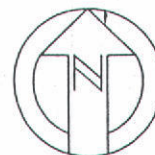
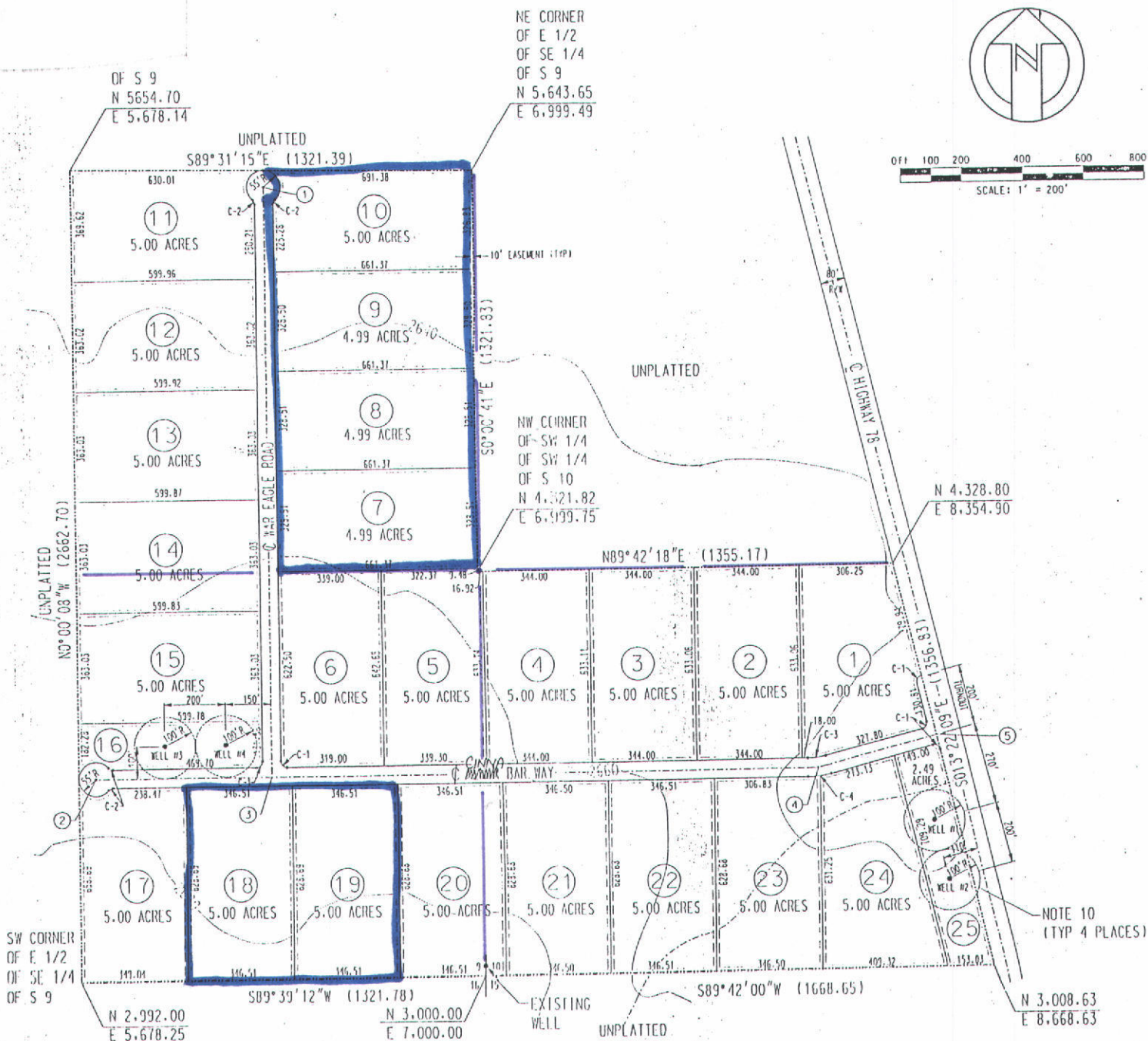


EAGLE VIEW ESTATES PRELIMINARY PLAT PLAN

SITUATED IN THE E 1/2 OF THE SE 1/4 OF
SECTION 9 AND A PORTION OF THE S 1/2 OF
THE SW 1/4 OF SECTION 10 WESTERLY OF
HWY 78 T.2 S., R. 2 W., B.M.,
OWYHEE CO., IDAHO



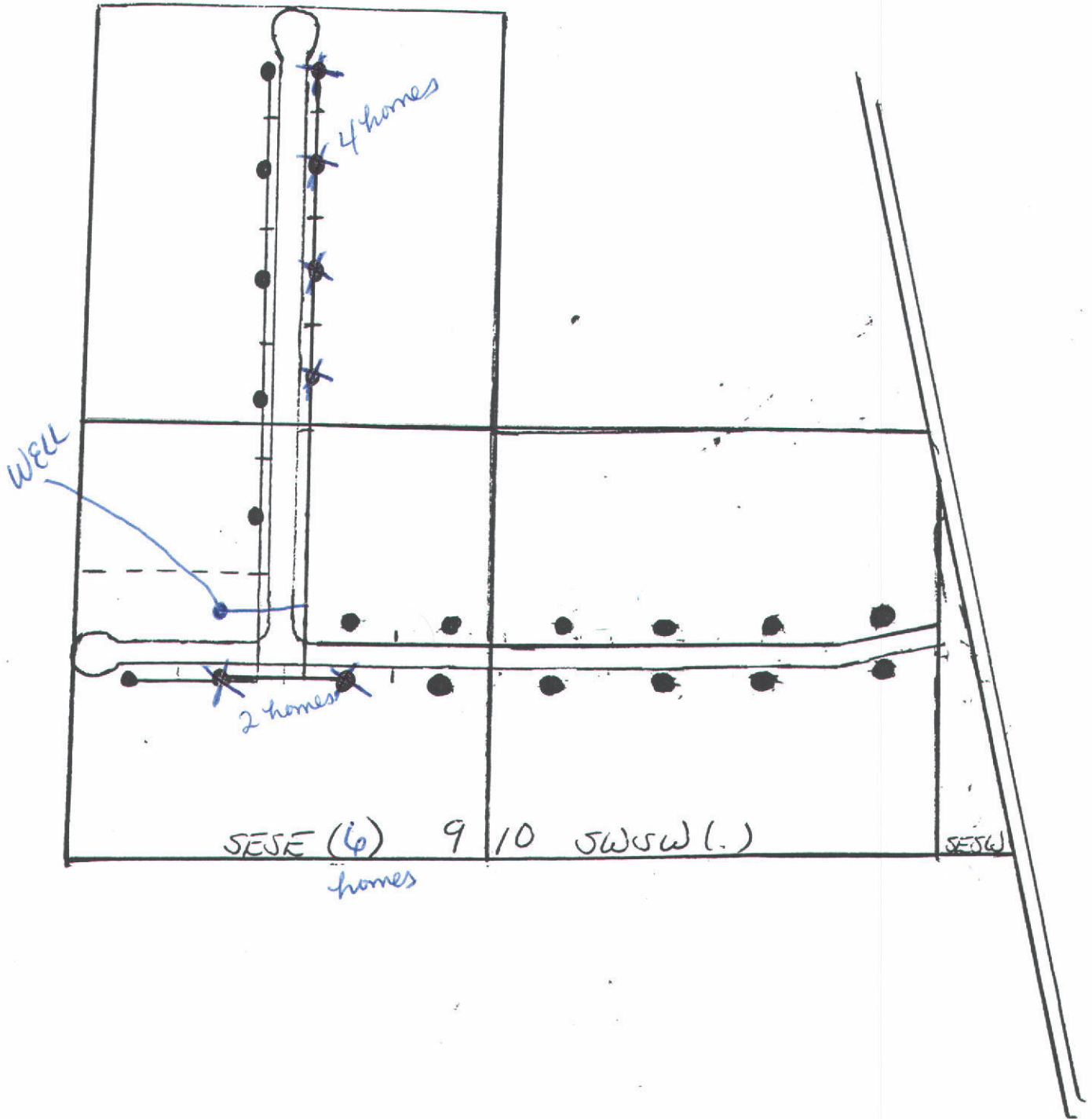
0 100 200 400 600 800 FT
SCALE: 1" = 200'



57-7593

RECEIVED
DEC 19 1994

T. 25
R. 2W



MORSEY MED

DEC 19 1994

905

903

This Sketch is for location
purposes only.
Hilli Title & Escrow Company, Inc.
assumes no liability for variations.

E25E

Sec. 9

T2S-R2W

SESE

Sec.
9

SW3SW

Sec.
10

SESW

10

907.04

907.02

907.01

15

RECORDED
DEC 19 1994

(78)

4 homes

well

2 homes

9

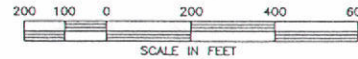
UNPLATTED

PLAT SHOWING

EAGLE VIEW ESTATES

SITUATED IN THE E $\frac{1}{2}$ OF THE SE $\frac{1}{4}$ OF
OF SECTION 9 AND THE S $\frac{1}{2}$ OF
THE SW $\frac{1}{4}$ OF SECTION 10 WESTERLY OF
HWY 78 T.2S., R.2W., B.M.,
OWYHEE CO., IDAHO

1995



NOTES

1. A PUBLIC UTILITY, DRAINAGE, AND IRRIGATION EASEMENT 10.00 FEET IN WIDTH IS HEREBY DEDICATED ADJACENT TO ALL STREETS.
2. A DRAINAGE AND UTILITY EASEMENT 10.00 FEET IN WIDTH IS HEREBY DEDICATED ALONG ALL SIDE LOT LINES UNLESS OTHERWISE NOTED. SHOULD THE LOT LINES BE ADJUSTED, THE EASEMENT SHALL MOVE WITH THE ADJUSTMENT LOT LINE PROVIDED NO UTILITIES HAVE BEEN INSTALLED WITHIN THE LIMITS OF THE EASEMENT.
3. A 30.00 FOOT ACCESS STRIP TO THE BUREAU OF LAND MANAGEMENT LAND WILL BE MADE AVAILABLE TO THE PROPERTY OWNERS WITHIN THE EAGLE VIEW ESTATES SUBDIVISION AT THE END OF BOTH ROADS.
4. LOT 6 BLOCK 2 AND LOT 9 BLK 3 ARE COMMUNITY WELL LOTS AND NOT FOR RESIDENTIAL BUILDINGS.

UNPLATTED

CURVE DATA

CURVE	DELTA	RADIUS	ARC	CHORD	TANGENT	CHORD BRG
1	90°00'00"	20	31.42	28.28	20.00	S 31°37'52"W
2	88°52'29"	20	31.02	28.01	19.61	N 31°04'07"E
3	91°07'31"	20	31.81	28.56	20.40	N 58°55'53"W
4	14°11'39"	250	61.93	61.78	31.13	N 82°36'10"E
5	14°11'39"	280	69.37	69.19	34.86	N 82°36'10"E
6	5°50'21"	310	37.00	36.98	18.52	N 78°55'31"E
7	7°21'18"	310	39.79	39.77	19.92	N 86°01'21"E
8	90°17'20"	20	31.52	28.36	20.10	S 45°09'20"E
9	89°42'40"	20	31.32	28.21	19.90	N 44°50'40"E
10	48°11'23"	20	16.82	16.33	8.94	S 66°12'19"E
11	48°11'23"	20	16.82	16.33	8.94	S 65°36'19"W
12	138°29'15"	55	132.94	102.86	145.12	S 68°14'43"E
13	137°53'31"	55	132.37	102.68	142.86	S 68°56'36"W
14	48°11'23"	20	16.82	16.33	8.94	S 24°05'01"W
15	48°11'23"	20	16.82	16.33	8.94	S 24°06'22"W
16	138°40'48"	55	133.12	102.93	145.86	S 21°08'21"W
17	137°41'58"	55	132.18	102.59	142.16	N 20°40'16"W

LEGEND

- FOUND BRASS CAP MONUMENT
- SET 5/8" IRON PIN WITH PLASTIC CAP
- SET 1/2" X 24" IRON PIN WITH PLASTIC CAP
- BOUNDARY LINE
- LOT LINE
- CENTER LINE
- BLOCK #
- LOT #



LANDMARK SURVEYING

4396 Sunday Ave. EMERY, ID 83617 (208) 365 3801



ART SCHULTZ ENGINEERING

CIVIL/STRUCTURAL CONSULTANT

1104 W FINCH DRIVE

NAMPA, IDAHO, 83651

(208) 463-0305

POINT OF BEGINNING

FOUND 1/2" IRON PIN
REPLACED WITH 2 1/2" X 3/4"
PIPE W/ ALUM MONUMENT
C.P.A.F. No. 214668

UNPLATTED

BOOK _____ PAGE _____ SHEET 1 OF 2

11/99

For Office Use Only
\$25 filing fee, 30
Receipt # 10031330
Date 2-27-04

RECEIVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

FEB 27 2004

MAR 01 2004

WATER RESOURCES
WESTERN REGION

ASSIGNMENT OF PERMIT

To change the ownership of a permit

Department of Water Resources

CHARLES S. for

I, VICKY L. HIGHTOWER, hereby assign to JAMES W. for CAROL SISCO
of, 807 E LEWIS LN., NAMPA, ID 83686 FLETCHER
(Full Address) (Phone) 57-259335 406-8049

All my right, title, and interest in and to Permit No. 557-11606 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

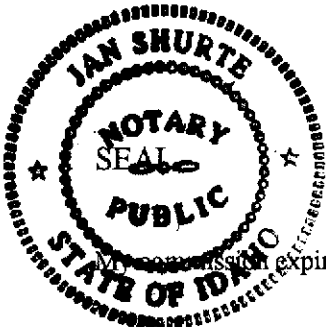
The following described portion of my right, title, and interest in and to for Permit No. _____ to appropriate the public waters of the State of Idaho.
(Describe portion of the application for permit assigned, listing the number of acres in each 40 acre subdivision, point of diversion location, and amount of the water in cubic feet per second.)

Made this 27th day of FEBRUARY, 20 04.

Charles S. Hightower
Permit Holder(s)

State of Idaho)
County of ADA)ss

On this 27th day of FEBRUARY, 20 04, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.



Jan Shurte
Notary Public residing at

9-14-2006

Mendenhall
ID

My commission expires: 9-14-2006

MICROFILMED

MAR 15 2004

RECEIVED

NOV 30 2001

WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

DEC 3 2001

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 be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 57-7593B Telephone No. (208)
2. Name of Permit Holder(s): CHARLES S. & MRS VICKY L. HIGHTOWER
3. Mailing Address: 1655 GREENACRES, BOISE ID 83709
City BOISE State ID Zip 83709
4. Source of Water: GROUNDWATER # GROUNDWATER (well), Date Drilled: mo. 8 / yr. 1997
Well Driller: RANSON WATER WELLS Drilling Permit Number: 57-97-C-0007-090
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 1 Stockwater (No. and type of stock): _____
Irrigation (No. of acres): _____ Other: _____
6. Total rate of diversion and/or volume for which proof is submitted: .02 cfs OR _____ acre-feet
7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)
(This question is **not** optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)
Measuring Device: Is a measuring device required? Yes _____ or No X
Has the measuring device been installed? Yes _____ or No _____
8. Fee Enclosed: \$ _____ (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: BLAN LINDNER Telephone Number: (208) 495-2809
Address: HC 19, BOX 34X MELBA, ID 83641
10. The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.

Signature of permit holder: _____

(include your title, if on behalf of company or organization)

Date: 11-30-01

MICROFILMED

MAY 16 2002

JAN 14 2000

For Office Use Only

\$25 Filing Fee

Receipt # CD47748Date 1-14-00CD47748

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ASSIGNMENT OF PERMIT

I, Eagle View Estates Homeowners Association, hereby assign to

RON & SANDY KITCHELL
of, HC 79 BOX 308 MELBA, ID 83641, phone _____

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

Q (for partial assignments)

The following described portion of my right, title, and interest in and to Permit No. 57-07593D 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.)

5 acres of irrigation located within T02S, R02W, S 9, NE 1/4 SE 1/4
from an additional point of diversion to be located in T02S, R02W, S 9, NE 1/4 SE 1/4.
Place of use also known as Lot 9, Blk. 1, Eagle View Estates Subdivision.
.10 CFS

Becomes 57-07593D

Made this 22nd day of July, 1998.

Melba S. Lindner

Eagle View Estates Homeowners Assn

State of Idaho)

County of Canyon) ss

On this 22nd day of July, 1998, personally appeared before me the signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Kitchell Assign.
7/22/98.

Melba, Idaho

Notary Public residing at

Angie Pine

Signature of Notary Public

MICROFILMED

My commission expires: 01-16-06

MAY 10 2002

RECEIVED

DEC 2 1999

 STATE OF IDAHO
 DEPARTMENT OF WATER RESOURCES

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 under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 57-07593Name(s) of Permit Holder: EAGLE VIEW ESTATES HOMEOWNERS ASSOCIATION #3Mailing Address: HC 79 BOX 323, MELBA, ID 83641
 Date Proof is Due: 12-1-99 Telephone No. 495-2809
DEBRA LINDNER, TREAS

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".)

THE WELL & WATER SYSTEM ARE DEVELOPED TO
6 SIX LOTS. 4 HOMES ARE CURRENTLY USING
DOMESTIC WATER.

Costing \$ 21,000

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

2 ADDITIONAL HOMES WILL BE BUILT & WILL
USE DOMESTIC WELL. ADDITIONAL WELLS
MUST BE DRILLED FOR IRRIGATION USE

 Permit holder(s) request an extension to 12-1, 19 2004.

FEE: \$50.00

Debra Lindner, authorized agent
 (Signature)*

*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 December 1, 2003.

IT IS FURTHER ORDERED that the permit be REINSTATED and the date is priority is advanced to September 8, 1994.

 Signed this 8th day of December, 19 99

MICROFILMED

J. M. Sawyer
 Chief, Water Allocation Bureau

DEC 24 1999

P

RECEIVED
DEC 01 1999
WATER RESOURCES
WESTERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED
DEC 6 1999

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 under the provisions of Section 42-204, Idaho Code in which to complete development of a water right.

Permit No. 57-07593B
Name(s) of Permit Holder: CHARLES S OR VICKY L HIGHTOWER
Mailing Address: 7655 GREEN ACRES, BOISE, ID 83709
Date Proof is Due: 12-1-1999 Telephone No. 362-0445

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".)

WELL HAS BEEN DRILLED, WATERLINE INSTALLED
TO LOT. NO HOME BUILT AT THIS TIME - NEED
EXTENSION TO BUILD HOME.

Costing \$ 15,000

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

UNABLE TO COMPLETE HOME BUILDING AFTER
COMPLETING WELL DRILLING & PLUMBING IN
TIME ALLOWED. NEED EXTENSION TO ^{BUILD AND} HOOK-UP HOME.

Permit holder(s) request an extension to 12-1, 192001.

FEE: \$50.00

Vicky L Hightower
(Signature)*

*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 December 1, 2001.

MICROFILMED

Signed this 8th day of December, 1999

DEC 28 1999

[Signature]
Chief, Water Allocation Bureau

7/94

RECEIVED

AUG 13 1999

Department of Water Resources

For Office Use Only

\$25 Filing Fee

Receipt # 00255/2

Date 7-28-99

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ASSIGNMENT OF PERMIT

I, Eagle View Estates Homeowners Association, hereby assign to
CHARLES S. & VICKY L. HIGHTOWER
of, 7655 GREEN ACRES BOISE 09, phone 362-0445.

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

Q (for partial assignments)

The following described portion of my right, title, and interest in and to
Permit No. 57-07593 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.)

5 acres of irrigation located within T02S, R02W, S 9, NE 1/4 SE 1/4
from an additional point of diversion to be located in T02S, R02W, S 9, NE 1/4 SE 1/4.
Place of use also known as Lot 10, Blk. 1, Eagle View Estates Subdivision.
.10 CFS - IRRIG (becomes 57-07593B)
.018 - DOM.

Made this _____ day of _____, 19____.

Melba S. Lindner

Eagle View Estates Homeowners Assn

State of Idaho

County of Canyon) ss

On this 2nd day of July, 19 99, personally appeared before me the signer(s) of the
above instrument, who duly acknowledged to me that he (she) (they) executed the same.

Melba S. Lindner

Notary Public residing at

seal

Angie Davis
Signature of Notary Public

My commission expires: 01-16-06

MICRO

AUG 2

B-Assignment

7/94

RECEIVED

MAY 13 1999

Department of Water Resources

For Office Use Only

\$25 Filing Fee

Receipt # C045431

Date 5/13/99

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
ASSIGNMENT OF PERMIT

We, Alan Lindner, Debra Lindner, Charles S. Hightower, &/or Vicky L. Hightower,
hereby assign to Eagle View Estates Homeowners Association No. 3
of, He 79 BOX 323 MELBA, ID., phone: (208) 495-2809.
dsf 83641

All our right, title, and interest in and to Permit No. 57-07593 to
appropriate the public waters of the State of Idaho.

Made this 4th day of May, 1997.

Alan Lindner
Alan Lindner

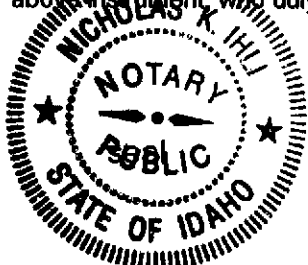
Debra Lindner
Debra Lindner

Charles S. Hightower
Charles S. Hightower

Vicky L. Hightower
Vicky L. Hightower

State of Idaho }
County of Burley } ss

On this 4th day of May, 1997, 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 (printed) residing at (town)

Nicholas K. IHLI
Signature of Notary Public

My commission expires: 1/31/2000

C - Assignment

State of Idaho
Department of Water Resources
Permit To Appropriate Water

NO. 57-07593

Proposed Priority: September 7, 1994 Maximum Diversion Rate: 0.71 CFS

This is to certify, that **ALAN LINDNER**
DEBRA LINDNER
CHARLES S HIGHTOWER
VICKY L HIGHTOWER
HC 79 BOX 34X
MELBA ID 83641

has applied for a permit to appropriate water from: **GROUNDWATER**

and a permit is **APPROVED** for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
IRRIGATION	03/15 to 11/15	0.60 CFS
DOMESTIC	01/01 to 12/31	0.11 CFS
	Totals	0.71 CFS

LOCATION OF POINT(S) OF DIVERSION: SESE , Sec. 9, Township 02S, Range 02W
OWYHEE County

PLACE OF USE: IRRIGATION

<u>TWN</u>	<u>RGE</u>	<u>SEC</u>	<u>ACRES</u>	<u>ACRES</u>	<u>ACRES</u>	<u>TOTAL</u>
02S	02W	9	NESE 20	SESE 10		30

Total number of acres irrigated: 30

PLACE OF USE: DOMESTIC, same as IRRIGATION use

CONDITIONS/REMARKS:

1. Proof of construction of works and application of water to beneficial use shall be submitted on or before **December 1, 1999**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Prior to the diversion of water under this right a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.
5. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
6. A well drilled pursuant to this permit must be located at least 500 feet from any existing well. Well spacing closer than 500 feet must be approved by the Department of Water Resources.
7. Construction of the well must comply with Idaho well construction standards.

APPROVED
DEC 13 1994

State of Idaho
Department of Water Resources

Permit To Appropriate Water

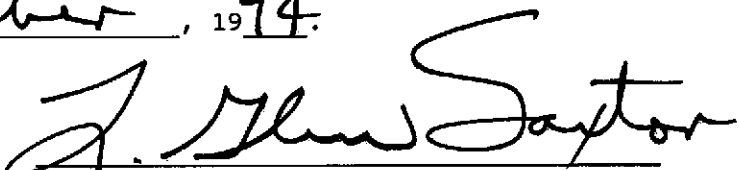
NO. 57-07593

CONDITIONS/REMARKS:

8. The rate of diversion of water for irrigation under this right and all other water rights on the same land shall not exceed 0.03 cubic feet per second for each acre of land.
9. Point of diversion is located within Lot 16, Eagle View Subdivision.
10. Domestic use is for 6 homes.
11. The domestic use authorized under this permit shall not exceed 13,000 gallons per day per dwelling in accordance with Section 42-111, Idaho Code.
12. Places of use are located within Lots 7-10, 18-19, Eagle View Subdivision.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code.
Witness the signature of the Director, affixed at Boise, this

12th day of December, 1994.

for 
R. Keith Higginson, Director

8-1-1994
DEC 18 1994

RECEIVED

NOV 28 1994

RECEIVED

SEP 07 1994

Ident. No. 57-07593

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

AMENDED

Department of Water Resources

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: ALAN LINDNER 208-495-2809
Address: HC 79 BOX 34X
MELBA ID 83641
AND/OR
Name: DEBRA LINDNER 208-495-2809
Address: HC 79 BOX 34X
MELBA ID 83641
AND/OR
Name: CHARLES S HIGHTOWER 208-495-2809
Address: HC 79 BOX 34X
MELBA ID 83641
AND/OR
Name: VICKY L HIGHTOWER 208-495-2809
Address: HC 79 BOX 34X
MELBA ID 83641

2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: SESE Sec. 9, Township 02S, Range 02W
OWYHEE County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	0.600		
DOMESTIC	01/01	12/31	0.110		

5. Total quantity to be appropriated is:
0.710 CFS (and/or) AF

6. Proposed diverting works:

- a. Description of ditches, flumes, pumps, headgates, etc.
1 WELL, PUMP & PIPELINES WITH 3/4" LINES TO 6 HOMES
- b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.
- c. Proposed well diameter is 10 inches; proposed depth of well is 350 feet.
- d. Is groundwater with a temperature greater than 85F being sought? NO
- e. If well is already drilled, when?
Drilling Firm
Well was drilled for

DEC 19 1994

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 year(s).

8. Place of Use: IRRIGATION

TWN RGE SEC	ACRES	ACRES	ACRES	TOTAL
02S 02W 9	NESE 20	SESE 10		30

Total number of acres irrigated: 30

Place of Use: DOMESTIC, same as IRRIGATION use

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:

Domestic use is for 6 homes.

11. Map of proposed point of diversion and place of use attached? []

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.

10. Rindner
Applicant

Received by CZ Date 9/7/94 Time 3PM Preliminary check by _____

Fee \$ 50⁰⁰ ^{Readvertisement} Receipted by Ruby # C034219 Date 9/7/94

Publication prepared by _____ Date _____ Published in _____

Publication approved _____ Date _____

DEC 18 1994

Comments: Date: 6/29/1994 User-ID: LESTER

Subject:
ADDITIONAL APPLICATION

Applicants have similar application for nearby subd. (57-07594).

Comments: Date: 8/ 5/1994 User-ID: SLESTER

Subject:
AMENDMENT

Applicants reduced filing from 2 integrated wells serving 12 homes and 6 acres to a single well for 6 homes and 3 acres. This "amendment" is one not requiring add'l. fee or re-advertising. The portion deleted from application is shown on another filing for same applicants, 57-07597. This office was informed by applicants that the change would simply the process with DEQ. A refund should not be issued for change from .29 cfs to .17 cfs since original amount was advertised and required higher fee to complete the advertising.

9/7/94; CZIMMER; The applicants amended their application to increase irrigation to 30 acres; 6 homes at 5 acres each. Priority date has been advanced to date of this amendment.

DEC 18 1994

RECEIVED

AUG 17 1994

Ident. No. 57-07593

Department of Water Resources

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

"AMENDED"

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name: CHARLES S HIGHTOWER 208-495-2809
Address: HC 79 BOX 34X
MELBA ID 83641
AND/OR
Name: VICKY L HIGHTOWER 208-495-2809
Address: HC 79 BOX 34X
MELBA ID 83641
AND/OR
Name: ALAN LINDNER 208-495-2809
Address: HC 79 BOX 34X
MELBA ID 83641
AND/OR
Name: DEBRA LINDNER 208-495-2809
Address: HC 79 BOX 34X
MELBA ID 83641
AND/OR
Name: ~~DEBRA LINDNER~~ 208-000-0000
Address: ~~HC 79 BOX 34X~~
~~MELBA ID 83641~~

Problems
with data
entry, base
corrected
6/29/94 - JZ

2. Source: GROUNDWATER Trib. to:
3. Location of Point of Diversion: SESE Sec. 9, Township 02S, Range 02W
OWYHEE County

4. Water will be used for the following purposes:

Purpose	From	To	CFS	(or)	AF
IRRIGATION	03/15	11/15	0.120	.06	
DOMESTIC	01/01	12/31	0.170	.11	

5. Total quantity to be appropriated is:

0.290 CFS (and/or) AF
.17

DEC 10 1994

6. Proposed diverting works:

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

12 WELLS, PUMP & PIPELINES WITH 3/4" LINES TO HOMES

b. Height of storage dam feet; active reservoir capacity
acre-feet; total reservoir capacity acre-feet; period of
year when water will be diverted to storage: to inclusive.

c. Proposed well diameter is 6 inches; proposed depth of well is 350 feet.

d. Is groundwater with a temperature greater than 85F being sought? NO

* per Applicant's Amendment (Reduction) 7/17/94, See initiated changes
on original. Base updated 8/5/94. -JZ

e. If well is already drilled, when?
Drilling Firm
Well was drilled for

7. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 year(s).

8. Place of Use: IRRIGATION

TWN	RGE	SEC		ACRES		ACRES		ACRES	TOTAL
02S	02W	9		NESE	2	SESE	7		9
Total number of acres irrigated:									9

Place of Use: DOMESTIC, same as IRRIGATION use

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:

~~Two points of diversion located in SESE, S09, T02S, R02W.~~
Domestic use is for 1/2 homes.

11. Map of proposed point of diversion and place of use attached? []

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.

See original

Applicant

Received by JS Date 6/13/94 Time 1:45 Preliminary check by JL

Fee \$ 45 Receipted by JS # W017588 Date 6/13/94

Publication prepared by AT Date 6-29-94 Published in *Amateur Avalanche*

Publication approved AT Date 8-5-94

- See Comments

DEC 19 1994

* per applicant's amendment (redaction) 7/17/94 - see original for initiated changes.
D'Arcy updated 8/5/94 - JL.

Comments: Date: 6/29/1994 User-ID: LESTER

Subject:
ADDITIONAL APPLICATION

Applicants have similar application for nearby subd. (57-07594).

SD-0420-2
MODIFY RECORD

Idaho Department of Water Resources
Modify Comment

Date: 08/05/94
Time: 11:16:33

Water Right Number: 57-07593

Comment Date: 8/ 5/1994 User ID: SLESTER

Subject: AMENDMENT

Applicants reduced filing from 2 integrated wells serving 12 homes and 6 acres to a single well for 6 homes and 3 acres. This "amendment" is one not requiring add'tl. fee or re-advertising. The portion deleted from application is shown on another filing for same applicants, 57-07597. This office was informed by applicants that the change would simplify the process with DEQ. A refund should not be issued for change from .29 cfs to .17 cfs since original amount was advertised and required higher fee to complete the advertising.

(ENTER=Continue/Exit) (Gold2=Update) (Gold3=Delete) (Gold4=Prev) (Gold5=Next)

DEC 19 1994

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

JUL 22 1994

WATER RESOURCES
WESTERN REGION

11
AMENDED
11

NO ADVERTISING
FOR REDUCED USE
- SL 7/26/94

To appropriate the public waters of the State of Idaho

CHARLES S. &/or VICKY L. HIGHTOWER &/or

1. Name of applicant LINDNER, ALAN & DEBRA Phone 495-3809

Post office address HC 79 Box 34X MELBA, ID 83641

2. Source of water supply GROUNDWATER which is a tributary of ~~SNAKE RIVER~~

3. Location of point of diversion is — 1/4 of SE 1/4 of SE 1/4, Govt. Lot —

Sec. 9 Township 2S Range 2W B.M. OWYHEE County; additional

points of diversion if any: ~~TWO POINTS OF DIVERSION~~ dsl 7-17-94

4. Water will be used for the following purposes:

Amount .17 for DOMESTIC purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .06 for IRRIGATION purposes from 8-15 to 11-15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per annum)
Amount — for — purposes from — to — (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) .39.17 and/or (b) —
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. ONE WELL WITH PIPELINE
& 3/4" HOOR-UPS TO EACH HOME. dsl 7-17

b. Height of storage dam — feet; active reservoir capacity — acre-feet; total
reservoir capacity — acre-feet; period of year when water will be diverted to storage:
— to — inclusive.

c. Proposed well diameter is 6" inches; proposed depth of well is 350 feet.

d. Is ground water with a temperature of greater than 90°F being sought? NO

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).

DEC 19 1994

ORIGINAL

8. Description of proposed uses (if irrigation only, go to item 9):

- a. Hydropower; show total feet of head and proposed capacity in KW. _____
- b. Stockwatering; list number and kind of livestock. _____
- c. Municipal; show name of municipality. _____
- d. Domestic; show number of households. 60 HOMES 7-17-94
- e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
25	2W	9													2AC			21	3
															(4 HOMES)			(2 HOMES)	
															ds			7-17	

Total number of acres to be irrigated 3

10. Describe any other water rights used for the same purposes as described above. NONE

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

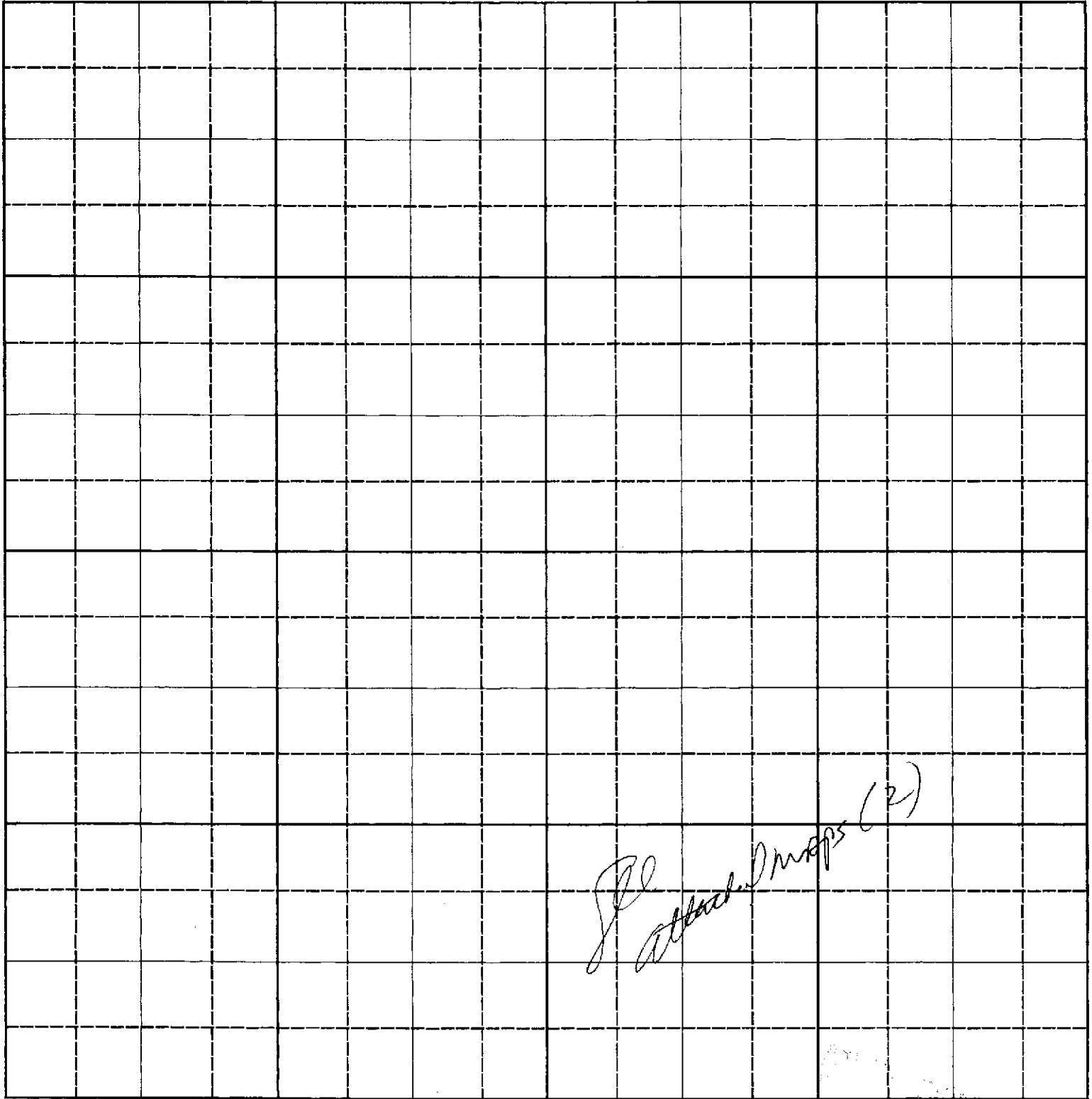
b. Who owns the land to be irrigated or place of use? 11

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

12. Remarks: _____

DEC 19 1994

13. 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.

Alena S. Lindner
(Applicant)

DEC 18 1994

VR (AMENDED APP) 7-22-94 11:30 AM ← NO ADD'L FEE NEEDED
Received by Jr Date 6-13-94 Time 1:45 PM Preliminary check by SL
Fee \$ 45 Received by Jr # W017588 Date 6-13-94
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

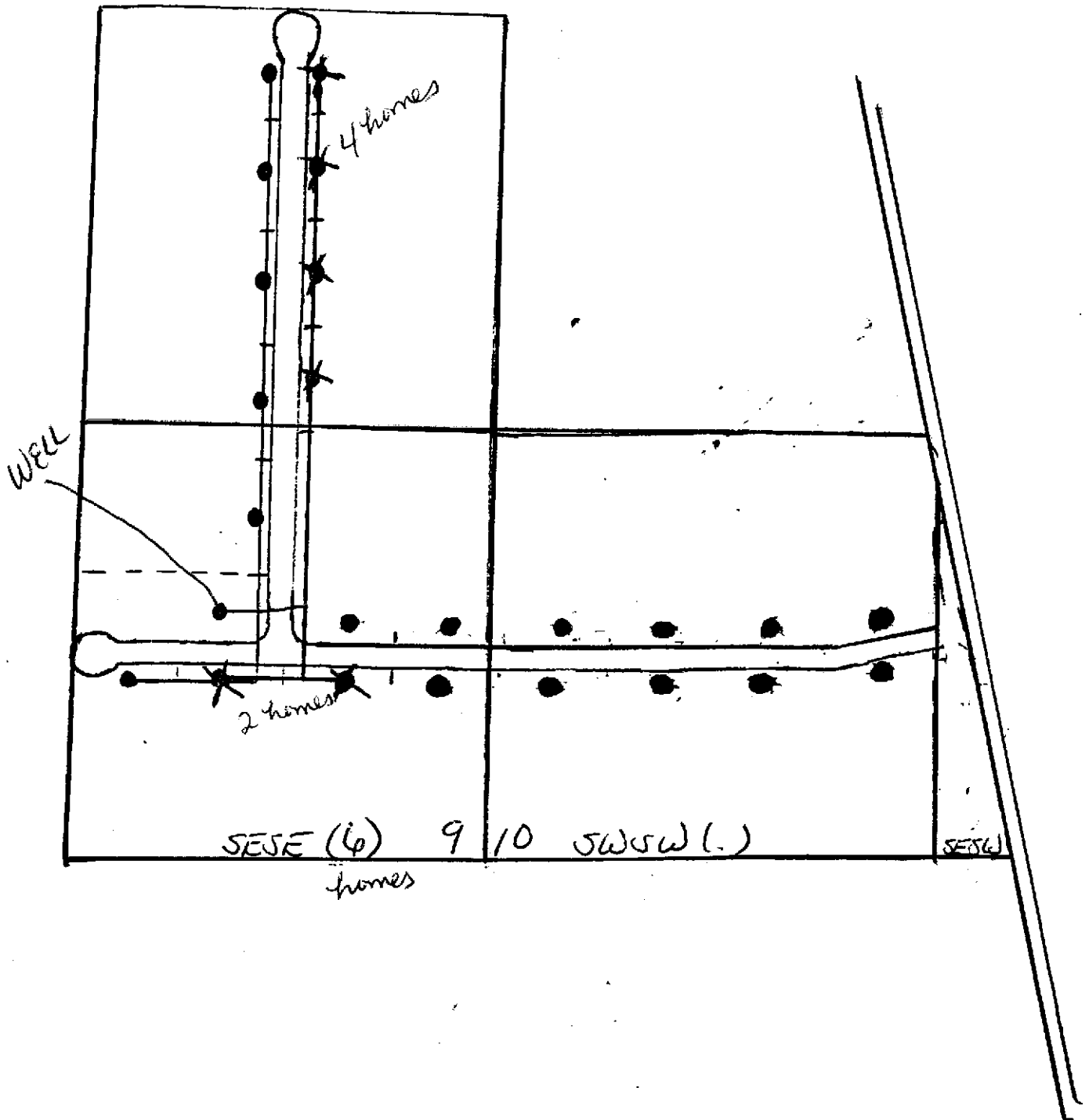
This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. _____, and said application is hereby _____.

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 _____, 19 ____.
- 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. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.
- e. Other:

DEC 19 1994

T. 25
R. 2W



DEC 18 1994

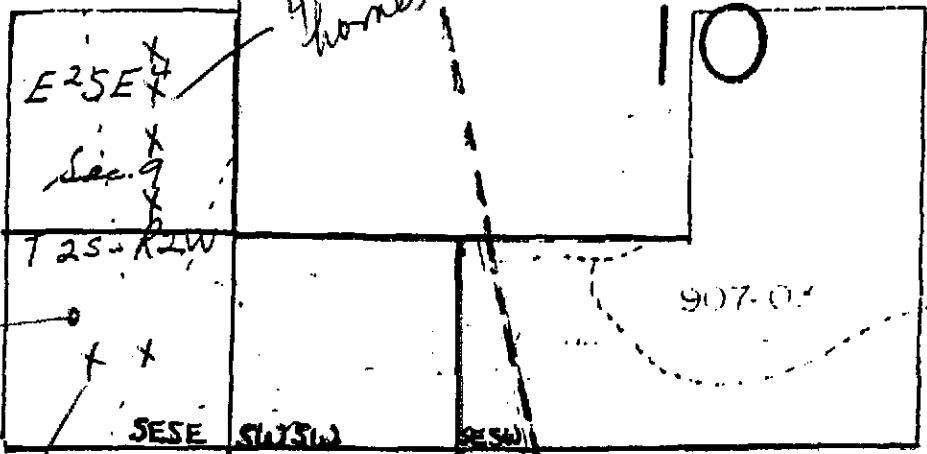
905

903

This Sketch is for location
purposes only.
Illi Title & Escrow Company, Inc.
assumes no liability for variations.

9

10



907-01

907-02

907-03

15

(70)

WARNING

CANCELLED OR LAPSED

This permit has been officially CANCELLED or LAPSED.

Ninety days following the date of official action this file will be DESTROYED.



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 1, 2004

JAMES W FLETCHER
CAROL SISCO FLETCHER
807 E LEWIS LN
NAMPA ID 83686-8841

Part B

RE: Change of Ownership for Water Right Permits 57-7593B and 57-11606

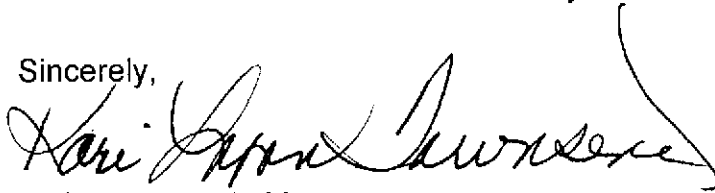
Dear Water Right Holder(s):

The department acknowledges receipt of correspondence changing ownership of the above referenced water right permits to you. The department has modified its records to reflect the changes in ownership and has enclosed computer-generated reports 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 this office if you have any questions regarding this matter.

Sincerely,

for 
Jeff Peppersack, Manager
Water Right Permits Section

JP:klt

Enclosures

MAILED 11

MAR 4 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

September 30, 2003

RON KITCHELL
SANDY KITCHELL
HC 79 BOX 308
MELBA, ID 83641

PROOF DUE NOTICE

RE: PERMIT NO. 57-7593D

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 December 01, 2003. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed 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,

A handwritten signature in blue ink, appearing to read 'Deborah J. Gibson', is written over a horizontal line.

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures

CERTIFIED MAIL

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

1501 North Orchard Street, P.O. Box 83720

Boise, Idaho 83720-0098



7000 1670 0011 3314 1997

Return Service Requested



Unclaimed

RECEIVED

OCT 22 2003

Department of Water Resources

NAME

1st Notice

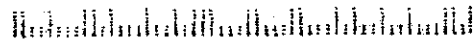
2nd Notice

10/10/03
10/15/03
10/17/03

MICROFILMED

MAR 16 2004

83720/0098



September 30, 2003

RON KITCHELL
SANDY KITCHELL
HC 79 BOX 308
MELBA, ID 83641

PROOF DUE NOTICE

RE: PERMIT NO. 57-7593D

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 December 01, 2003. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

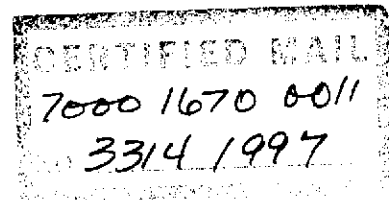
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental 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,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures



MICROFILMED

MAR 16 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

March 13, 2002

RON KITCHELL
SANDY KITCHELL
HC 79 BOX 308
MELBA ID 83641

RE: Change of Ownership for Water Right 57-7593D

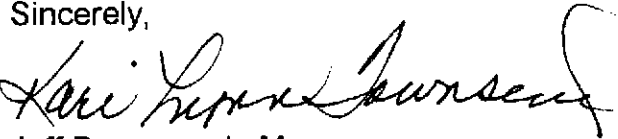
Dear Water Right Holder(s):

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 this office if you have any questions regarding this matter.

Sincerely,


Jeff Peppersack, Manager
Water Right Permits Section

JP:klf

Enclosures

MICROFILMED
MAY 16 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 6, 2001

CHARLES S HIGHTOWER
VICKY L HIGHTOWER
7655 GREENACRES
BOISE ID 83709

Re: Proof of Beneficial Use for 57-07593B

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 that the use being made meets the permitted beneficial use.

Upon review of your proof, I see that you paid an examination fee. However, a groundwater right with a diversion rate of .04 cfs or less is exempt from paying the fee. Therefore, I will request that your \$50.00 be refunded to you. A check will be issued by the State of Idaho in approximately 7-10 business days and mailed to you under separate cover.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office.

If you have questions concerning the field examination, please contact the **Western** Regional Office of the department in Boise at (208) 334-2190. If you have any questions regarding the refund or the processing of this proof, please contact me at (208) 327-7953.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office
Fiscal

MICROFILMED

MAY 16 2002

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 57-7593B

Reviewed By: dgibson

Date: December 5, 2001

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?	X	
License examination fee required?		X	Drilling permit No.:		
Appropriate fee submitted?		X	Drilling permit upgrade needed?		
Receipt No.:			Well driller's report filed?		
Additional Amount Due:			Measuring device required?	X	
Name and address same as permit?			Measuring device installed?		X
Are the water uses correct?		X	Measure device waiver requested?		X

Priority Calculation

Date proof received		11/30/2001
Date proof due	-	12/01/2001
Lapse notice sent	-	
No. of days late	=	0
Holiday allowance	+	
Priority date	+	09/07/1994
New priority date	=	09/07/1994

Deficiencies of Actions Items

Permitholder paid the exam fee, which is waived, refund that back to them. Acknowledge proof on only the domestic right. The waterline is only subbed into the lot for the domestic use, the house has not been built. They were granted one extension of time, therefore, another extension is not available. They have applied for a separate permit for the irrigation right, which was not developed under this permit.

September 30, 2001

VICKY L HIGHTOWER
CHARLES S HIGHTOWER
7655 GREEN ACRES
BOISE, ID 83709

PROOF DUE NOTICE

RE: PERMIT NO. 57-7593B

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 December 01, 2001. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed 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.

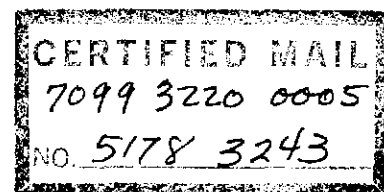
Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures

MICROFILMED

MAY 16 2002



STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
DRILLING PERMIT

Relationship: Owner/Operator
Name: CHARLES HIGHTOWER
Address: HC 79 BOX 34X
MELBA ID 83641

Relationship: Owner/Operator
Name: VICKY HIGHTOWER
Address: HC 79 BOX 34X
MELBA ID 83641

Relationship: Owner/Operator
Name: ALAN LINDER
Address: HC 79 BOX 34X
MELBA ID 83641

Relationship: Owner/Operator
Name: DEBRA LINDNER
Address: HC 79 BOX 34X
MELBA ID 83641

Proposed Well Location: Township 02S, Range 02W, Section 9, SE, SE
OWYHEE County

Street Address of Well Site: Hwy 78 1/2 mile past MM 20 Toward Murphy
MURPHY ID

Lot, Block, and Subdivision: Lot 16, Block 2, Subdivision Eagle View Estates
Proposed Use of Well: Multiple Residence, Irrigation

Well Construction Information:

- A. Replacement
- B. Proposed Surface Diameter: 6 Inches. Proposed Maximum Depth 275 Feet
- C. Anticipated Bottom Hole Temperature: 85F and less

Construction Start Date: 03/22/2000

Anticipated Well Drilling Company: RANSOM WATER WELLS (No. 575)

Applicant's Signature: _____

Date 3/21/00

Title: _____

Representative

MICROFILMED

MAY 16 2002

ACTION OF THE DEPARTMENT OF WATER RESOURCES

This permit is Approved on Tuesday, March 21, 2000.

If approved, this permit authorizes the construction or modification of a well subject to the following conditions. **READ CAREFULLY!**

CONDITIONS OF APPROVAL:

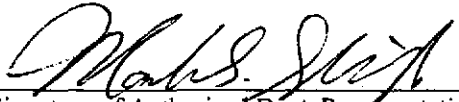
1. This drilling permit is valid for two (2) months from the approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.
2. This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required prior to construction of this well. The local Health Department should be contacted for septic tank/drainfield locations. Domestic wells must not be drilled closer than 100' from any drainfield and 50' from any septic tank. Public Water Supply wells must not be drilled closer than 100' from any drainfield or septic tank.
3. The well shall be constructed by a driller currently licensed in the state of Idaho who must maintain a copy of the drilling permit at the drilling site.
4. Approval of this drilling permit does not authorize trespass on the land of another party.
5. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
6. This drilling permit does not represent a right to divert and use the water of the State of Idaho.
7. If a bottom hole temperature of 85 Degrees F (29.44 oC) or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.
8. Idaho Code, S 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "Digline" (DigLine is a one-call center for utility notification) not less than 2 working days prior to the start of any excavation for this project. The "Dig Line " Number for your area is &DIG-LINE-NUMBER
9. Please be advised that this drilling permit should be considered and treated as a preliminary permit. If you are in disagreement with this preliminary permit you have fourteen (14) days of the service date of this permit to petition the Department for reconsideration pursuant to Section 67-5243, Idaho Code.
10. Pursuant to Section 42-238(4), Idaho Code. All repairs and/or abandonments must meet the requirements of the Department's Rules and Regulations for Well Construction Standards.
11. As this is a replacement well, the well being replaced shall be abandoned by a plan approved by the Dept. which meets State minimum construction standards 2,12,1.
12. Abandonment of this well shall consist of pulling the casing and backfilling the well bore with a high solids bentonite, of a volume to fill 5 linear feet of well bore at intervals of no greater than 50 feet. The bentonite should be placed juxtaposed to aquitards or zones of low permeability. The balance of the well bore up to within 18 feet of land surface will be filled with roadmix or pit run gravel which is known to not be contaminated.
13. A granular bentonite or bentonite chips may be poured from the surface at the manufacturers recommended rate or no greater than 50 pounds in five minutes. The pour shall be sifted over a 1/4 mesh screen to reduce the introduction of fines, unless the well casing/bore is completed in the vadose zone ie (above the water table). Care shall be taken to ensure that if casing/screen is being pulled, that the pour does not extend up into the bottom casing string. To ensure that the pour is reaching the intended depth, tagging with a sinker bar or other appropriate device shall be done at regular intervals ie. (after each section of casing/screen is pulled or at 30' intervals). Care shall be taken to ensure that the bentonite chosen has a slow rate of hydration, with a manufactures recommendation for placement by gravity through a standing water column of the depth intended.
14. The screened, perforated, filterpacked or otherwise open and commingled strata which are to be produced from, shall be of similar hydraulic head, temperature and quality. If there are notable

MICROFILMED

MAR 26 2002

variations encountered as the well is drilled and/or developed, the Department will be notified for evaluation.

15. This well supplies water to 57-7593B,C,D. Which is lots 7,8,9,10,18,19.


Signature of Authorized Dept. Representative


Title

C048504

MICROFILMED

1968 16 2202

SD-0605-2 Township: 02S Range: 02W Section: 9		Act: SESE Lot:	
S	L R	STATE	O S
E	O D Water	Name	W T Priority
L Tract	T V Right No.	Last, First	N G Date
			Max # Records 4
			Total
			Diversion
SESE	57-07593B	HIGHTOWER, VIC	C P 09/07/1994 GROUNDWATER 0.12
		LINDNER, ALAN	O
		LINDNER, DEBRA	O
SESE	57-07597	HIGHTOWER, CHA	C P 10/18/1994 GROUNDWATER 0.71
		HIGHTOWER, VIC	O
		LINDNER, ALAN	O
		LINDNER, DEBRA	O
SESE	57-07593C	EAGLE VIEW EST	C P 09/08/1994 GROUNDWATER 0.47
		HIGHTOWER, VIC	O
		EAGLE VIEW EST	C
		HIGHTOWER, CHA	O
		LINDNER, ALAN	O
SESE	57-07593D	LINDNER, DEBRA	O P 09/08/1994 GROUNDWATER 0.12
		HIGHTOWER, CHA	O
		HIGHTOWER, VIC	O

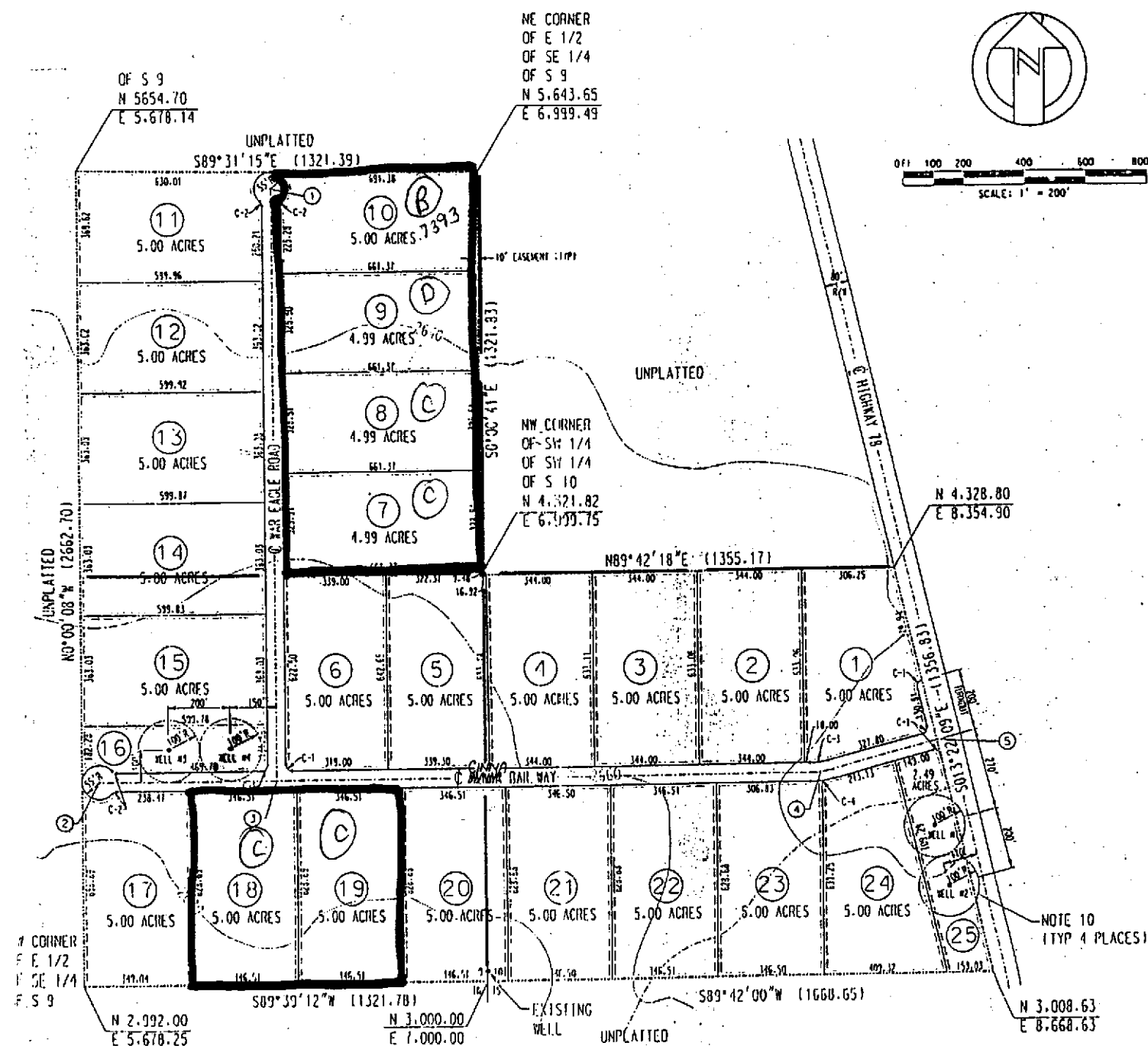
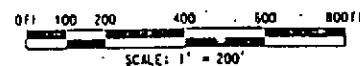
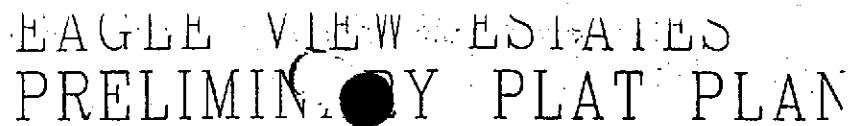
(Enter=Continue)

(GOLD 7=This Query)

(Menu _____)

MICROFILMED

MAY 16 2002



57-7593

MICROFILMED

7-1-2000

DEC 19 1994

1. DRILLING PERMIT NO. 5797-C-0097-010
Other IDWH No. 53-07593

2. OWNER. Alan Landner
Name
Address 11677 E. 34th
City Denver State CO Zip 80231

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N
 W E S
 Twp. 2 North ☐ or South ☒
 Rge. 2 East ☐ or West ☒
 Sec. 9 SE $\frac{1}{4}$ SE $\frac{1}{4}$ $\frac{1}{4}$
 Gov't Lot _____ County Wayne
 10 acres 40 acres 160 acres

Address of Well Site 14-111 98.5 MI. E. P45
14 MI. N. Toward Murphy (Give at least name of road + Distance to Road or Landmark)
 L1. 6 Bk. 2 Sub. Name Eagle View 98.5

4. PROPOSED USE:

☐ Domestic ☒ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other Fan Co Houses

5. TYPE OF WORK

☒ New Well ☐ Modify or Repair ☐ Replacement ☐ Abandonment

6. DRILL METHOD

☐ Mud Rotary ☒ Air Rotary ☒ Cable ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
Beat site	0	30	~~750~~ 450 #	Over mine

Was drive shoe used? ☐ Y ☐ N Shoe Depth(s) _____
Was drive shoe seal tested? Y ☐ N ☐ How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6"	1	240	12	Steel	☐	☐	☒	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

☒ Perforations Method _____
☒ Screens Screen Type PLASTIC-0020

From	To	Slot Size	Number	Diameter	Material	Casing	Linear
235	490	Small	16	Linear		☐	☒
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

Depth flow encountered _____ ft. Describe access port or control devices:

11. WELL TESTS:

☐ Pump	☐ Bailer	☐ Air	☐ Flowing Artesian
-------------------------------	---------------------------------	------------------------------	---

Yield gal./min.	Drawdown	Pumping Level	Time
35	2.20	230	24 hr.

Water Temp. 62 Bottom hole temp. 71

Water Quality test or comments: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment) Water

[illegible]

13. DRILLER'S CERTIFICATION

I/We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Kinson Water Wells Firm No. 575

Firm Official Ken Hanson Date 8-28-77

and
Supervisor or Operator D. J. [Signature] Date 8-15-97

(Sign once if Firm Official & Operator)

FORWARD WHITE COPY TO WATER RESOURCES

MICROFILMED

443 : 6 2009



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

December 8, 1999

KARL J. DREHER
DIRECTOR

Charles and Vicky Hightower
7655 Green Acres
Boise ID 83709

RE: Permit No. 57-07593B

Dear Permit Holder:

I have enclosed a copy of the approved request for extension of time submitted in connection with the above referenced permit, which extends the time within which to submit proof of beneficial use to **December 1, 2001**. Please note that the department granted the extension based on due diligence. It is important that you work diligently towards completion of this project since the department **will not** be able to grant additional extension requests based on due diligence.

Section 42-248, Idaho Code, which became effective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact this office or any regional office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

Please contact me at (208)327-7953, if you have any questions regarding this matter.

Sincerely,

JULIE L. YARBROUGH, Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

MICROFILMED

DEC 29 1999

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 57-07593B Reviewed by JY Date 12-8-99

BASIC INFORMATION

12-1-99 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

yes 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 Recommend extend to Dec. 1, 2001, on basis of due diligence.

PRIORITY CALCULATION

Date extension received	_____	=	_____
Proof due date	_____	=	_____
Number of days late	_____	=	_____
Priority date	_____	=	_____
New Priority Date	_____	=	_____

DATA ENTRY

New Address X
Change Proof Due Date 12-1-2001
Change Priority Date X



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

December 8, 1999

KARL J. DREHER
DIRECTOR

EAGLE VIEW ESTATES HOMEOWNERS ASSN 3
HC 79 BOX 323
MELBA ID 83641

RE: Permit No. 57-07593

Dear Permit Holder:

I have enclosed a copy of the approved request for extension of time submitted in connection with the above referenced permit, which extends the time within which to submit proof of beneficial use to **December 1, 2003**. Please note that the department granted the extension based on due diligence. It is important that you work diligently towards completion of this project since the department **will not** be able to grant additional extension requests based on due diligence.

Be advised that since the extension request was received after the proof due date, it was necessary for the department to reinstate the permit and advance the date of priority to **September 8, 1994**.

Section 42-248, Idaho Code, which became effective on July 1, 1996, requires you or the owner of this water right to maintain current ownership and address records on file with the department. Please contact this office or any regional office of the department for the proper form to file a change of ownership of a water right and/or a change in the address of the owner.

Please contact me at (208)327-7953, if you have any questions regarding this matter.

Sincerely,

JULIE L. YARBROUGH, Administrative Assistant
Water Allocation Bureau

Enclosure

c: IDWR - Regional Office

MICROFILMED
DEC 23 1999

Post
A

ANALYSIS SHEET FOR EXTENSION OF TIME

Permit No. 57-07593 Reviewed by [Signature] Date 12-8-99

BASIC INFORMATION

12-2-99 Date stamp received
NO Extension received timely
YES Fee received and receipted
YES Name and signature same as permit
NO Address Change

BASIS FOR EXTENSION REQUEST

YES 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

*Reinstate + advance priority to Sept 8, 1994.
Recommend extend to Dec. 1, 2003, on basis of due diligence.*

PRIORITY CALCULATION

Date extension received	<u>12-2-99</u>	=	_____
Proof due date	<u>12-1-99</u>	=	_____
Number of days late	<u>1</u>	=	_____
Priority date	<u>9-7-94</u>	=	_____
New Priority Date	<u>9-8-94</u>	=	_____

DATA ENTRY

New Address X
Change Proof Due Date 12-1-2003
Change Priority Date 9-8-94

September 30, 1999

VICKY L HIGHTOWER
CHARLES S HIGHTOWER
7655 GREEN ACRES
BOISE ID 83709

PROOF DUE NOTICE

RE: PERMIT NO. 57-07593B

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 December 1, 1999.

(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,

JULIE L. YARBROUGH
Senior Secretary

Enclosures

"B"
Proof
Notice

20000930



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

August 19, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

CHARLES S HIGHTOWER
VICKY L HIGHTOWER
7655 GREEN ACRES
BOISE ID 83709

RE: ASSIGNMENT OF PERMIT 57-07593B

Dear Mr. & Mrs. Hightower:

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

In order to add a point of diversion, an Amendment of Permit is required. An Application for Amendment of a Permit form is enclosed for your convenience.

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

Enclosures

MICROFILMED

AUG 23 1999



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

May 14, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

EAGLE VIEW ESTATES HOMEOWNERS ASSN #3
HC 79 BOX 323
MELBA ID 83641

RE: ASSIGNMENT OF PERMIT 57-07593

Dear Permit Holder(s):

We acknowledge receipt of the correspondence changing ownership of the above referenced water right to you. We have modified our computer records to reflect this change in ownership. A computer generated report is enclosed for your information.

Also, 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 to the department. If you have acquired a water right or have changed your mailing address **PRIOR** TO July 1, 1996, you have until July 30, 1998, to notify the department. If you acquire a water right or change your mailing address **AFTER** July 1, 1996, you must notify 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 to obtain the proper reporting form.

If you have any questions regarding this matter, please feel free to contact us.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Jim Johnson', written over a horizontal line.

JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosure

original

FROM CINDY ZIMMERMAN

DATE 5/13/99
RECEIVED

TO FILES. 57-7593/7594/7597/7598/7607

MAY 13 1999

SUBJECT OFFICERS.

Department of Water Resources

The officers of Eagle View Estates Home Owners Assoc(s) are:

~~THE~~

TODD COOPER - PRESIDENT

SANDY KITCHELL - ~~VICE~~ SECRETARY

CARL MONDRAGON - VICE

DEBRA LINDNER - TREASURER

MICROFILMED

JUN 09 1999

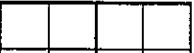
Cindy Zimmerman
SIGNATURE

1. DRILLING PERMIT NO. 57-97-C-0007-010
Other IDWR No. 57-07593

2. OWNER: Alan Lander
Name Alan Lander
Address HC 79 Box 34A
City Medford State Id Zip 83404

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.



Twp. 2 North ☐ or South ☒
 Rge. 2 East ☐ or West ☒
 Sec. 9, SE 1/4 SE 1/4 _____ 1/4 _____
10 acres 40 acres 160 acres
 Gov't Lot _____ County CLAY

Address of Well Site Highway 18 1/2 mi. East
on rd 20 Toward Murphy City Murphy
 (Give at least name of road + Distance to Road or Landmark)
 Lt. 6 Blk. 2 Sub. Name Eagle-View-Est.

4. PROPOSED USE:

☐ Domestic ☒ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other Flan 6 Houses

5. TYPE OF WORK

☒ New Well ☐ Modify or Repair ☐ Replacement ☐ Abandonment

6. DRILL METHOD

☐ Mud Rotary ☒ Air Rotary ☒ Cable ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK			AMOUNT	METHOD
Material	From	To	Sacks or Pounds	
Best white	0	20	~~750~~ 450 #	Over hole

Was drive shoe used? ☐ Y ☐ N Shoe Depth(s) _____
Was drive shoe seal tested? Y ☐ N ☐ How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
6"	#1	240	32	Steel	☐	☐	☒	☐
					☐	☐	☐	☐
					☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

☒ Perforations Method _____
☒ Screens Screen Type PLASTIC-CC20

From	To	Slot Size	Number	Diameter	Material
235	490	Small	100	2.00	Aluminum

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

Depth flow encountered _____ ft. Describe access port or control devices:

11. WELL TESTS:

☐ Pump ☐ Bailer ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
35	220	230	24 hr

Water Temp. _____ Bottom hole temp. _____

Water Quality test or comments: _____

12. LITHOLOGIC LOG: (Describe repairs or abandonment)

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
8	1	3	Top Soil		✓
8	3	20	CLAY		✓
8	20	45	LOVE ROCK		✓
8	45	60	BLACK-Sand		✓
8	50	95	BLACK-Sand		✓
8	95	100	CLAY		✓
8	150	195	SANDY CLAY		✓
6	195	270	Schale (Blue) & CLAY		✓
6	270	295	CLAY-with-Sand-Strip	✓	✓
6	295	400	Blue CLAY & Schale		✓
6	400	425	(LITTLE) Sand		Some
6	425	450	CLAY		Some
6	450	470	CLAY & SOME-SAND-Strip		Some
RECEIVED SEP 25 1997 Department of Water Resources RECEIVED SEP 17 1997 WATER RESOURCES WESTERN REGION SEP 16 1997 Department of Water Resources Completed Depth 490 (Measurable) Date: Started 3-1-97 Completed 8-20-97					

13. DRILLER'S CERTIFICATION

g) We certify that all minimum well construction standards were complied with at the time the rig was removed.

Firm Name Kinson Water Wells Firm No. 575

Firm Official Ken R. Rasmussen Date 8-29-97

and _____

Supervisor or Operator W. A. K. K. K. Date 8-15-97

(Sign once if Firm Official & Operator)



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

January 26, 1996

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

DEBRA LINDNER
HC 79 BOX 34X
MELBA ID 83641

RE: Permit Nos. 57-07593/07594/07597/07598/07607

Dear Debra;

I recently received your correspondence of January 10, 1996 regarding the updated numbering of lots and blocks within Eagle View Estates Subdivision as identified on the final plat. I have added a copy of the correspondence to each of the files.

Thank you for keeping us updated and good luck on your development.

Respectfully,

Cindy Zimmerman
Water Resource Agent

JAN 30 1996

DEBRA LINDNER
HC 79 BOX 34X
MELBA, ID 83641
(208)495-2809
JANUARY 10, 1996

RECEIVED
JAN 16 1996

Department of Natural Resources

IDWR
CINDY ZIMMERMAN
1301 NORTH ORCHARD
STATEHOUSE MAIL
BOISE, ID 83720

RE: WATER RIGHT PERMITS FOR EAGLE VIEW ESTATES SUBDIVISION

DEAR CINDY,

WHEN WE ORIGINALLY FILED FOR THE PERMITS FOR WATER RIGHTS FOR EAGLE VIEW ESTATES SUBDIVISION, THE LOT NUMBERS FOR THE SUBDIVISION WERE BASED ON THE PRELIMINARY PLAT. NOW THAT THE FINAL PLAT IS COMPLETE, EVERYTHING REMAINS THE SAME, EXCEPT FOR THE LOT NUMBERS. THE CHANGES ARE AS FOLLOWS:

PERMIT NO. 57-07593 FOR LOTS 7-10, 18-19 ARE NOW FOR BLOCK 1 LOTS 7-10, BLOCK 3 LOTS 2-3. THE WELL WILL BE LOCATED ON BLOCK 2 LOT 6.

PERMIT NO. 57-07594 FOR LOTS 1-5 ARE NOW FOR BLOCK 1 LOTS 1-5. THE WELL IS LOCATED ON BLOCK 3 LOT 9.

PERMIT NO. 57-07597 FOR LOTS 11-15 & 17 ARE NOW BLOCK 2 LOTS 1-5 & BLOCK 3 LOT 1. THE WELL IS LOCATED ON BLOCK 2 LOT 6.

PERMIT NO. 57-07598 FOR LOTS 20-24 ARE NOW BLOCK 3 LOTS 4-8. THE WELL IS LOCATED ON BLOCK 3 LOT 9.

PERMIT NO. 57-07607 FOR LOT 6 IS NOW BLOCK 1 LOT 6. THE WELL IS LOCATED ON BLOCK 3 LOT 9.

ENCLOSED PLEASE FIND A COPY OF THE APPROVED FINAL PLAT. IF YOU HAVE ANY QUESTIONS CONCERNING THIS MATTER, PLEASE CONTACT ME AT THE ABOVE ADDRESS OR PHONE NUMBER.

SINCERELY,

Debra Lindner

RECEIVED
JAN 30 1996

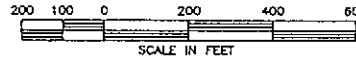
UNPLATTED

PLAT SHOWING

EAGLE VIEW ESTATES

SITUATED IN THE E 1/2 OF THE SE 1/4 OF
OF SECTION 9 AND THE S 1/2 OF
THE SW 1/4 OF SECTION 10 WESTERLY OF
HWY 78 T.2S., R.2W., B.M.,
OWYHEE CO., IDAHO

1995



NOTES

1. A PUBLIC UTILITY, DRAINAGE, AND IRRIGATION EASEMENT 10.00 FEET IN WIDTH IS HEREBY DEDICATED ADJACENT TO ALL STREETS.
2. A DRAINAGE AND UTILITY EASEMENT 10.00 FEET IN WIDTH IS HEREBY DEDICATED ALONG ALL SIDE LOT LINES UNLESS OTHERWISE NOTED. SHOULD THE LOT LINES BE ADJUSTED, THE EASEMENT SHALL MOVE WITH THE ADJUSTMENT LOT LINE PROVIDED NO UTILITIES HAVE BEEN INSTALLED WITHIN THE LIMITS OF THE EASEMENT.
3. A 30.00 FOOT ACCESS STRIP TO THE BUREAU OF LAND MANAGEMENT LAND WILL BE MADE AVAILABLE TO THE PROPERTY OWNERS WITHIN THE EAGLE VIEW ESTATES SUBDIVISION AT THE END OF BOTH ROADS.
4. LOT 6 BLOCK 2 AND LOT 9 BLK 3 ARE COMMUNITY WELL LOTS AND NOT FOR RESIDENTIAL BUILDINGS.

UNPLATTED

CURVE DATA

CURVE	DELTA	RADIUS	ARC	CHORD	TANGENT	CHORD BEG
1	90°00'00"	20	31.42	28.28	20.00	S 31°37'52"W
2	88°52'29"	20	31.02	28.01	19.61	N 31°04'07"E
3	91°07'31"	20	31.81	28.56	20.40	N 58°55'53"W
4	14°11'39"	250	61.93	61.78	31.13	N 82°36'10"E
5	14°11'39"	250	69.37	69.19	34.88	N 82°36'10"E
6	8°50'21"	310	37.00	36.96	18.52	N 78°55'31"E
7	7°21'18"	310	39.79	39.77	19.62	N 88°01'21"E
8	90°17'20"	20	31.52	28.36	20.10	S 45°09'20"E
9	89°42'40"	20	31.32	28.21	19.90	N 44°50'40"E
10	48°11'23"	20	16.82	16.33	8.94	S 66°12'19"E
11	48°11'23"	20	16.82	16.33	8.94	S 65°38'19"W
12	138°28'15"	55	132.94	102.88	145.12	S 69°14'45"E
13	137°53'31"	55	132.37	102.58	142.88	S 68°56'38"W
14	48°11'23"	20	16.82	16.33	8.94	S 24°05'01"W
15	48°11'23"	20	16.82	16.33	8.94	N 24°05'22"W
16	138°40'48"	55	133.12	102.93	145.86	S 21°06'21"W
17	137°41'58"	55	132.18	102.59	142.16	N 20°40'16"W

LEGEND

- FOUND BRASS CAP MONUMENT
- SET 5/8" IRON PIN WITH PLASTIC
- SET 1/2" X 24" IRON PIN WITH PI
- BOUNDARY LINE
- LOT LINE
- CENTER LINE
- [] BLOCK #
- () LOT #



LANDMARK SURVEYING

4365 Sandy Ave. SWEET, ID 83617 (208) 365 3807



ART SCHULTZ ENGINEERING

CIVIL/STRUCTURAL CONSULTANT

1104 W FINCH DRIVE

NANPA, IDAHO, 83651

(208) 463-0305

POINT OF BEGINNING

FOUND 1/2" IRON PIN
REPLACED WITH 2 1/2" X 24"
PIPE W/ ALUM. MONUMENT
C.P.B.F. No. 214688

S 89°42'00"W 2638.63 (BASIS OF BEARING)

BOOK ____ PAGE ____ SHEET 1 OF 2

subdivision plat
re-numbered

CURVE DATA

CURVE	DELTA	ARC	CHORD	TANGENT	CHORD BRG
1	20°00'00"	20	31.42	28.28	20.00
2	88°52'31"	20	31.02	28.01	19.61
3	81°07'31"	20	31.81	28.56	20.40
4	14°11'39"	250	61.93	61.78	31.13
5	14°11'39"	260	69.37	69.19	34.06
6	6°50'21"	310	37.00	36.88	18.52
7	7°21'18"	30	38.70	39.77	19.92
8	90°17'20"	20	31.52	28.36	20.10
9	89°42'40"	20	31.32	28.21	19.90
10	48°11'23"	20	16.82	16.33	8.94
11	48°11'23"	20	16.82	16.33	8.94
12	138°29'15"	55	132.94	102.68	145.12
13	137°53'31"	55	132.37	102.68	142.68
14	48°11'23"	70	16.82	16.33	8.94
15	48°11'23"	70	16.82	16.33	8.94
16	138°40'48"	55	133.12	102.93	145.88
17	137°41'58"	55	132.18	102.59	142.16



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

December 14, 1994

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

CHARLES S HIGHTOWER
VICKY L HIGHTOWER
ALAN LINDNER
DEBRA LINDNER
HC 79 BOX 34X
MELBA ID 83641

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 57-07593

Dear Permit Holder(s):

Enclosed is a copy of your approved application for permit. Please be sure to thoroughly review the "CONDITIONS/REMARKS:" listing on the permit.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a "Proof Due Notice" approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

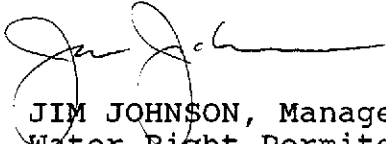
If a well has not already been constructed you are required to obtain a "drilling permit" from the department. The right to drill a well is not a part of this permit to appropriate water.

You should be aware that you are located within a drainage basin where surface water diversions are regulated by a watermaster. It is possible that diversion of groundwater under your permit may cause a reduction of surface water flow. Siting your well

DEC 19 1994

as far as possible from surface water channels and casing your well so that groundwater tributary to surface water flows are not diverted will reduce the potential for the watermaster to regulate your water use.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:dc

Enclosure

1994

APPLICATION FOR PERMIT
STATE OFFICE REVIEW
by Cindy Zimmerman

No.: 57-7503 Name: Lindner/Hightower Date: 12/5/94 Correct Fee? ☒

AREA OF CONCERN? - No/Yes _____ Mor _____ GWMA Trust/Non-trust

SYSTEM COMPLETED:

No - 268-P17

Complete in 1 year - P16

Yes

Proof not submitted - P16

Proof submitted - NA

GROUNDWATER:

+ 0.2 cfs <FLO-CH> - 01G (new), 01K (existing), No MD

- 0.2 cfs - No MD <FLOW CHART>

Drilling Permit:

Included w/permit - Permit No. _____, P99

Existing well - NA (pre 7/1/87)

No WD permit? - 046-46A(Irr)-46B-P23 (post 7/1/87)

SURFACE WATER: not in WD - T17 (+.2 w/pump), No MD <FLOW CHART>

LOCATION:

Water District(~~dem~~) - WD No. _____

*Surface water - 005 (req) 01J-P08 <FLOW CHART>

(doesn't sink) or 01H-P01 <FLOW CHART>; No MD

Groundwater - P05 (new irrigation well)

In stream channel - 030 (stream channel alteration)

Irr Dist/Canal Co. - 023 (Twin Falls area)

Drainage Districts - 024

Flood Control Dist. - 063

Boise Front (63) - 058 (-85° GW temp only)

Swan Falls Flag - B <SEE CONDITION CODE CHART>

Trust - 051-052-053-P74 (Consumptive Uses), NA

Non Trust <1> - 048-049 (Consumptive Uses), NA

RIVER BASINS (*Surface water):

Boise R(63) - 05A (if WD), 11E (non-domestic use), NA

Payette R(65) - 064(consump. use), 047-P04(Payette Lake), NA

Snake R(01/02/03) - 11A-P04 (01), 061-P07 (02/03 No WD Cond.), NA

USE:

Fish Propagation - 07A-042 (req) & 010/06A/09E(WQ)-P10

044 (N 1000 Spr)

Irrigation - 03A/057, 803(if GW use SW 1st)(+5A PU comp), NA

Power - 08A-17K-025-027(req); 01F(MD)-P19; 09E(WQ)-P10;

+25 cfs-P18; 17G(FERC) or 17M(FERC); 18B-P09

Mining - 054 (req) & 06A/010/09E-P10

Storage(✓ 3 compo.) - 18A(multi MD in WD), 18B-P09 (+10' dam), NA

Domestic (surface) - 021(Boise R ↑ L Peak), 064(Payette R), NA

OWNERSHIP:

Non land owner - 004 (PD/PU)

PROTESTED: - 020(Prehearing agreement)/W19(See Order)

OTHER CONDITIONS:

REMARKS: - 01W01/6 ② W04 ③ P/D in 416 Eagle View Subd.
④ P/U lot 7-10, 18-19, Eagle View Subd.

BENEFICIAL USE DUE: - 12-1-1999

COMMENTS:

25 2W 5.9

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

INITIAL REVIEW BY: SL DATE: 6/28/94 APPLICATION: 57-07593

REQUIRED INFORMATION

Name: (If applicant is a corporation or partnership, names and addresses for the director, officers, and other partners must be included.)
Address:
Source: (See USGS Quad for names of water sources)
Point of Diversion: (10 acres for spring, lot & block descriptions for Subdivisions, local name)
County:
Quantity: (flow and/or volume)
Period of use:
Nature of proposed use: (Include description of use)
Description of diverting works:
Time required for beneficial use of water:
Place of use or acres irrigated:
Map:
Signature: (If applicant is corp., partnership, or municipality, title of signatory is required)
Fee:
Yes ☐ No* In form to receipt:

Gov't. Lots:
N P/D
P/U

RECEIVED
AUG 17 1994

ADDITIONAL INFORMATION

Department of Water Resources

YES	NO	
☒	☐	Overlapping place of use: (Describe source & relationship to present application on the back.)
☒	☐	Overlapping point of diversion:
☐	☐	Field check required: Field check by: _____
☐	☐	Field report attached:
☐	☐	Critical groundwater area:
☐	☐	Groundwater management area:
☐	☐	1992 moratorium
☐	☐	Copy to SCA staff (perennial stream, non-pump diversion):
☐	☐	Send dam safety information:
☐	☐	Send power requirement letter:
☐	☐	Send fish farm requirement letter:
☐	☐	Power residency affidavit:
☐	☐	Power efficiency form:
☐	☐	Within trust water boundary: (If yes, attach Trust Water Supplementary Analysis Sheet.)
☐	☐	Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres: (If yes, attach Large Diversion supplementary analysis sheet.)
☐	☐	<u>*REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT</u>

DATE REQUESTED: _____
Additional information on reverse side: ☒

RECEIVED
NOV 28 1994

Department of Water Resources

PROCESSING

APPLICATION

57-07593

YES NO

☒ ☐
☐ ☒
☒ ☐

In form for advertising:

Statewide advertising: (> 10 cfs &/or 1000 af)

Fee amount, receipt number and date recorded on application:

SEND COPIES TO

YES NO

☒ ☐
☐ ☒
☐ ☒
☐ ☒

I.D. Health and Welfare

I.D. Fish and Game

I.D. Lands

Adjudication Bureau

YES NO

☐ ☒
☐ ☒
☐ ☒
☐ ☒

U.S. BLM

U.S. Forest Svc.

Water Dist. #

Other

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☐
☒ ☐

Affidavit of publication received:

Application published correctly: If not, record action taken.

☐ ☒
☐ ☒
☐ ☒
☐ ☒
☐ ☒
☐ ☒
☐ ☒

Publication dates and paper recorded on application:

Protests received. Final date for protest

7-25-94

Protest dates, resolution of protest recorded on application:

Recommendations attached: Approve, Dis

Measuring device required:

Measuring port required:

Water delivered by water master? District #

Special conditions of approval or cover letter:

26A (Allow 5 yrs), 46

See below for additional information

Recommended Date or Priority 6/13/1994 → Amended: 9/7/1994

Recommended by: Dis

Date 8/15/1994

Amended: 11/28/1994

STATE OFFICE REVIEW

See below for additional information. By Date

ADDITIONAL INFORMATION

57-07597 is add'l. Filing for adjacent well, Lomas's area
 deleted from 57-07593. See appl. 'Comments'.

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 7-0-21

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

Oct. 5-12, 1994

Signed

Joe E. Aman

Subscribed and sworn to me this 12th day of Oct. A.D., 19 94

C. B. B. B.

Notary Public in and for the State of Idaho
Residing at Homedale, Idaho
Commission expires October 7, 1997

NOTICE OF AMENDED APPLICATION FOR PERMIT

Notice is hereby given that application No. 57-07593 in the name of Charles and/or Vicky Hightower and/or Alan and/or Debra Lindner was filed on 6/13/94 and modified on 7/22/94 for the diversion of 0.17 cfs from ground water with a point of diversion within SESE Section 9, T02S R02W, to be used for 6 homes and 3 acres irrigation within NESE and SESE Section 9, T02S R02W.

The applicant now proposes to amend the application by increasing the number of irrigated acres to 30 and the total rate of flow to 0.71 cfs.

Any protest against the approval of the proposed amendment must be filed with the Department of Water Resources, 2735 Airport Way, Boise ID 83705, together with a protest fee of \$25.00, on or before October 24, 1994. The protestant must also send a copy of the protest to the applicant.

R. Keith Higginson
Director

Publish October 5 & 12, 1994

RECEIVED

NOV 01 1994

WATER RESOURCES
WESTERN REGION

State of Idaho
Department of Water Resources

AMENDMENT ANALYSIS SHEET

INITIAL REVIEW BY: Cyt

Right Number 57-7593 Applicant Undner/Hightower

Purpose of Amendment: ☐ Change point of diversion. ☐ Add diversion point(s).

☒ Increase amount. ☐ Change place of use. ☒ Other add acres

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 to 9/7/94
 - ☒ Ownership of point of diversion and place of use.
 - ☒ Map.
 - ☒ Signature (must be permit holder).
 - ☒ Fee. See SL memo, 9/9/94
 - ☒ Existing water rights from the same source, amended place of use. NONE
 - ☒ Right number(s) 57-7594, 97, 98 all different wells, P/W's
 - ☒ Yes ☐ No Should amendment be advertised?
 - ☒ Yes ☐ No Should date of priority be delayed? If yes, to what date? 9/7/94
- DWR 03: Vault - st

FINAL REGIONAL PROCESSING REVIEW:

- ☐ Affidavit of publication received.
- ☐ Amendment published correctly.
- ☐ Protests processed.
- ☐ Approve.
- ☐ Deny.

Conditions _____

By _____ Date _____

STATE OFFICE PROCESSING:

- ☐ Amendment correct and complete. By _____ Date _____
- ☐ Approved copy sent to applicant and to Region. By _____ Date _____

POINT OF DIVERSION AND STREAM INDEX INFORMATION

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX

TRACT	SEC	TWP	RGE	gov't lot	rediv. (R)	REACH
-------	-----	-----	-----	--------------	---------------	-------

IDAHO STREAM CODE INDEX

NOTICE OF AMENDED APPLICATION FOR PERMIT

Notice is hereby given that application No. 57-07593 in the name of Charles and/or Vicky Hightower and/or Alan and/or Debra Lindner was filed on 6/13/94 and modified on 7/22/94 for the diversion of 0.17 cfs from ground water with a point of diversion within SESE Section 9, T02S R02W, to be used for 6 homes and 3 acres irrigation within NESE and SESE Section 9, T02S R02W.

The applicant now proposes to amend the application by increasing the number of irrigated acres to 30 and the total rate of flow to 0.71 cfs.

Any protest against the approval of the proposed amendment must be filed with the Department of Water Resources, 2735 Airport Way, Boise ID 83705, together with a protest fee of \$25.00, on or before October 24, 1994. The protestant must also send a copy of the protest to the applicant.

R Keith Higginson
Director

Published in the Owyhee Avalanche on October 5 and 12, 1994.

DEC 13 1994

INTER-DEPARTMENT MEMO--1

FROM Steve L.

DATE 9/9/94

TO File, 57-07593 & 57-07594

SUBJECT FEES

Originally	57-07593	.29 cts	6/13/94	\$45	reduced to .17 cts
	57-07594	.27 cts	6/13/94	\$45	reduced to .17 cts

NOW	57-07593	.71 cts	9/7/94	\$50	Amend. fee paid
AMENDED	57-07594	.61 cts	9/7/94	\$50	Amend. fee paid

DEC 19 1994

Add'l. fee for .20-1.00 cts category: previously \$45, now \$100 but no
add'l. fee required since not changing fee category from

SIGNATURE

original to amended version - Amendment is for action initiated
 prior to fee increase for cts category.

-82

MEMORANDUM

RECEIVED

SEP 08 1994

WATER RESOURCES
WESTERN REGION

DATE: September 7, 1994

TO: Western Region

THRU: Jim Johnson

FROM: Cindy Zimmerman

SUBJECT: Amendment of Application for Permit No. 57-07593, 7594

=====

Alan & Debra Lindner came into the State Office today to amend the above application. This amendment increases the number of acres irrigated and corresponding rate of diversion. The date of priority has been advanced to reflect receipt of the amendment. Amendment fees for republication have been received.

I am returning the file to you for re-advertisement.

DEC 19 1994

Thanks,

Cindy

INTER-DEPARTMENT MEMO

APP. FOR PERMIT NOS.
TO: 57-07593 & 57-07594

SUBJECT: AMENDMENT OF BOTH APPLICATIONS FOR PERMIT

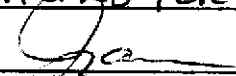
FROM: JAN QHURKE

DATE: _____

APPLICANT PHONED STATING THEY WISH TO AMEND THE ABOVE APPLICATIONS BY REDUCING THE # OF HOMES TO 6 EACH & # OF ACRES TO 3 EACH - ^(1/2 AC EACH LOT) ^{*ALSO LIMITING EACH APPLICATION TO ONE WELL EACH.} I SENT THE ORIGINAL APPLICATIONS TO THE APPLICANT TO CHANGE, INITIAL & DATE. I ALSO SENT NEW MAP COPIES FOR THEM TO COMPLETE FOR EACH APPLICATION SHOWING WHICH WELL WILL SERVE WHICH 6 HOMES & 3 ACRES. I THEN SENT 2 NEW APPLICATION FORMS - EACH FOR THE REMAINING WELLS WITH ONE FOR 5 HOMES & 2.5 ACRES & ONE FOR 6 HOMES & 3 ACRES. WILL END UP WITH 4 APPLICATIONS - ONE FOR EACH WELL - 3 SERVING 6 HOMES & 3 ACRES EACH & ONE FOR 5 HOMES & 2.5 ACRES FOR A TOTAL OF

() For your information

() Response required


signature

23 HOMES & 11.5 ACRES - SAME TOTAL AS 1ST 2 APPLICATIONS. SHOULD NOT NEED TO READVERTISE FIRST TWO APPLICATIONS SINCE THEY ARE BEING REDUCED. NO CHANGE IN WELLS.

COPY OF ORIGINAL APP. FOR PERMIT
IN FILE.

DEC 19 1994

RECEIVED

SEP 07 1994

Department of Water Resources

Art Schultz, P. E.
Civil/Structural Engineer
1620 S. Robinson Blvd.
Nampa, Idaho 83687

Alan and Debra Lindner
HC79 Box 34X
Melba, Idaho 83641

Subject: OWYHEE ESTATES SUBDIVISION

The intent of this letter is to provide the scope of work of the subject project, to clarify the services to be provided and the expected cost to produce engineered construction drawings, design reports and surveying services.

Scope of Work

The property to be subdivided consists of two separate parcels described as follows:

1. 02 S 02 W 097200 Robert O'Malley ETUX
E TO SE 80 Acres
2. 02 S 02 W 106000 Robert O'Malley ETUX
S TO SW W/HWY 47.5 Acres

The southern boundary of the property is at or near the southern boundaries of sections 9 and 10. The eastern boundary of the property lies along State Highway 78.

The subdivision shall occur in two phases:

- Phase 1. The 47.5 acre parcel and the eastern half of the southern 40 acre portion of the 80 acre parcel will be divided into twelve, 5-acre lots and one well lot. The well lot will contain two wells located at least 100 feet apart. A gravel roadway will bisect the property westerly toward the western half of the southern 40 acres of the 80 acre parcel. A temporary cul-de-sac will be provided at the end of the roadway.
- Phase 2. The remaining 60 acres of the 80 acre parcel will be divided into eleven, 5-acre lots and one well lot. Similar to Phase 1, the well lot will contain 2 wells located at least 100 feet apart. The gravel road from phase 1 will continue westerly until it reaches the western boundary of the 80

SEP 19 1994

acre parcel. Access to Bureau of Land Management (BLM) property will be provided at this location. A permanent cul-de-sac will be provided at the west end of the road. The temporary easement for the cul-de-sac from phase 1 will be removed and the land restored and returned to the adjacent property owners. Midway of the east and west boundaries of this parcel, a "tee" intersection for a northerly gravel road will be provided. The roadway will continue north toward the northern boundary of the 80 acre parcel. A permanent cul-de-sac will be provided at the end of the roadway, with access to BLM property.

About 21 feet north of the intersecting corners of sections 9, 10, 15, and 16, there exists a 10" diameter well. There are no existing well logs for this well. It is understood that adjacent property ownership will not be obtained such that the well can be used as a community well. Any other use for this well is outside the scope of this proposal.

A conceptual sketch is provided at the end of this proposal as reference to the above discussion.

Pursuant to Article II, Section B, of the Subdivision Regulations for Owyhee County (SROC), 5-acre or larger subdivisions with no street or road dedications other than dedications widening existing streets, are not regulated by the SROC ordinances and therefore, do not apply to the subdivision in this proposal.

Deliverables

Construction Drawings

It is expected that 3 construction drawings will be required for this subdivision, numbered and titled as follows:

DRAWING NUMBER	TITLE
1005-94-001	PRELIMINARY/FINAL PLAT SHOWING OWYHEE ESTATES SUBDIVISION.
1005-94-002	WATER SYSTEM IMPROVEMENT PLANS FOR OWYHEE ESTATES SUBDIVISION SHEET 1 OF 2.
1005-94-003	WATER SYSTEM IMPROVEMENT PLANS FOR OWYHEE ESTATES SUBDIVISION SHEET 2 OF 2.

DEC 19 1994

Engineering Design Report

In addition to construction drawings, engineering design reports must be submitted to various agencies have jurisdiction over subdivision planning.

The engineering report will discuss items such as design of the community drinking water and irrigation supply (irrigation for one half acre per lot), the ability of the area to handle septic systems with recommended drain field sizes.

Design and specification references include the latest editions of:

1. Idaho Criteria for Design Flows in a Residential Drinking Water System.
2. Idaho Regulations for Public Drinking Water Systems.
3. Idaho Criteria for Sizing Pressure Tanks.
4. Idaho Standards for Public Works Construction.
5. Applicable Sections of the American Water Works Association (AWWA).
6. Recommended Standards for Water Works (RSWW). Also known as the Ten State Standards.
7. Minimum Criteria for Construction on Private Property.

Surveying

Property boundary corner pins will be placed after final plat approval has been given. The centerline of the gravel roadway will be staked at a minimum of 100 foot stations, at low and high points, and at the "tee" intersection. At completion of the survey, a Record of Survey for the 25 new lots within the Owyhee Estates Subdivision will be recorded with Owyhee County and the State of Idaho.

Interface With Agencies

To obtain approval for this subdivision, it is expected that interface will need to be made with the following agencies:

1. Owyhee County Commissioners (County Approval)
Contact: Dick Bass
Phone: 495-2891
2. Owyhee County Highway District (Roadway Design)
Contact: Ernie Bahem
Phone: 495-2817
3. South West District Health (Well and Septic Approval)
Contacts: Randy Grove or Guy Manley, Caldwell

DEC 19 1994

Phone: 454-7608
 Contact: Dan Woolery, Payette
 Phone: 642-9321

4. Hibbs Analytical Laboratory (Water Testing) Boise
 Phone: 343-7830
5. County Building Inspection (Plumbing and Well House)
 Contact: Mark Stimmel, Homedale
 Phone: 337-4218
6. Idaho Department of Transportation, (Roadway Maintenance)
 Contacts: Dwayne "Stubby" Gibbons, Darrel Brown, Marsing
 Phone: 896-4485
7. Department of Environmental Quality (Water System Report)
 Contact: Monty Marcus, Boise-Treasure Valley Area Office.

The engineer will provide copies of engineering drawings and reports to the appropriate agencies.

Service or Expenses Specifically Not Included

Services or expenses specifically not included shall consist of, but not be limited to:

1. Fees for permitting, water rights applications, and plat recordings.
2. Testing fees for water or soils samples.
3. Cost of Back hoe for soil test pits.
4. Cost of construction or materials.

Terms of Payment

The cost to provide the engineering and surveying services described above which are required to subdivide approximately 127.5 acres into 25 lots will be \$630.00 per lot for a total of \$15750.00. Schedule of payment shall be as follows:

Milestone	Payment	
Begin Project	\$ 1575.00	10% Retainer
Preliminary Plat Approval	\$ 3150.00	30% Minus Retainer
Final Plat Approval	\$ 4725.00	30%
Survey Staking Complete	\$ 4725.00	30%
Phase 1 Constr. Inspections	\$ 1575.00	10%
	=====	=====
Total	\$15750.00	100%

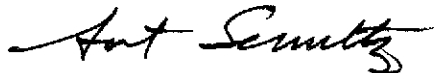
DEC 19 1994

Liability

Although every effort will be made such that no costs are incurred as a result of an error or omission made by the engineer, the surveyor, or the agent on our behalf of the engineer or surveyor, liability of any costs created by those errors or omissions must be limited to those fees for services rendered between milestone payments. Proper communication by all parties involved will minimize the probability of any errors or omissions.

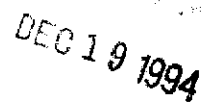
Thank you for the opportunity to provide this proposal for your subdivision project. If you agree with the scope of work and the terms of payment for the above proposal, please sign at the end of this sheet where indicated. Work on the Preliminary Plat will commence immediately upon receipt of the retainer. Should you have any questions regarding this proposal, please call me during the day at 386-5858, or evenings and weekends at 465-7948.

Sincerely,



Art Schultz, P.E.

DEC 19 1984



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 2 (two)

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

July 6 and 13, 1994

Signed

Joe E. Aman

Subscribed and sworn to before me this 13th day of July A.D., 1994

Edna B. Overton

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

NOTICE OF APPLICATION FOR WATER RIGHT

The Following application(s) have been filed to appropriate the public waters of the State of Idaho:

57-07593

HIGHTOWER, VICKY L
HIGHTOWER, CHARLES S
LINDNER, ALAN
LINDNER, DEBRA
HC 79 BOX 34X
MELBA, ID 83641
Source: GROUNDWATER
Diversion Pt: SESE Sec 9 T
02S R 02W in OWYHEE
County.

Use: IRRIGATION (.120 CFS)
DOMESTIC (.170 CFS)
Total Diversion: (.290 CFS)
Date Filed: 6/13/1994
In: OWYHEE County
T02S R02W S09 NESE SESE
6.0 ACRES TOTAL

57-07594

HIGHTOWER, CHARLES S
HIGHTOWER, VICKY L
LINDNER, ALAN
LINDNER, DEBRA
HC 79 BOX 34X
MELBA, ID 83641
Source: GROUNDWATER
Diversion Pt: SESW Sec 10 T
02S R 02W in OWYHEE
County.

Use: IRRIGATION (.110 CFS)
DOMESTIC (.160 CFS)
Total Diversion: (.270 CFS)
Date Filed: 6/13/1994
In: OWYHEE County
T02S R02W S09 SESE
S10 SWSW
5.5 ACRES TOTAL

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise, Idaho 83705 together with a protest fee of \$25.00 on or before JULY 25, 1994. The protestant must also send a copy of the protest to the applicant.

R. KEITH HIGGINSON,
Director

Publish July 6 & 13, 1994



IDAHO DEPARTMENT
OF HEALTH AND WELFARE

DIVISION OF
ENVIRONMENTAL QUALITY

RECEIVED

JUL 08 1994

WATER RESOURCES
WESTERN REGION

WTR R. F. L.

1420 North Hilton, Boise, ID 83706-1260, (208) 334-0550

Cecil D. Andrus, Governor

July 7, 1994

HIGHTOWER.IWR

David R. Tuthill, P.E. *DR*
Manager, Western Regional Office
Idaho Dept. of Water Resources
2735 Airport Way
Boise, ID 83705

RE: IDWR - Public Waters Appropriation Permit
Permit Nos. 57-7593 and 57-7594

Dear Mr. Tuthill:

It is not clear as to whether these systems will be combined with an adjacent subdivision water supply. However, since the project has over 10 connections, the project must be conducted under the design and supervision of an Idaho registered professional engineer. The process to follow is:

1. The engineer must submit a preliminary site evaluation based on proximity of pollution sources. We will evaluate the proposal, conduct a site inspection, and issue a written site approval if warranted. The applicant should give his consultant the enclosed checklist.
2. Detailed plans and specifications must be submitted to this office for review. The well may not be drilled until all approvals are obtained from both the Division of Environmental Quality (DEQ) and the Idaho Department of Water Resources (IDWR). The last approval will come from DEQ; we will not issue approval until final approvals of both IDWR permits (appropriation permit and well drilling permit) have been submitted.
3. This will be a Public Water System if it has over 15 connections and/or serves 25 people. A Public Water System must have one (1) source of water for less than twenty-five (25) connections and two (2) sources for twenty-five (25) or more connections.

We will pay particular attention to the following items:

1. Construction must be done under the general supervision of the professional engineer. The contract assuring this must be submitted with the application.
2. Numerous water quality parameters must be tested as soon as the well is completed.

Sincerely,

Jack M. Gantz
Jack M. Gantz, P.E.
Senior Water Quality Engineer

cc: Charles &/or Vicky Hightower, Applicants

Received
JUL 10 1994

February 16, 1994

WSA.FL

RE:

Preliminary Well Site Assessment

Dear _____:

A new well site must be approved by the Department, prior to drilling, per the IDAHO RULES PUBLIC DRINKING WATER SYSTEMS (IRPDWS), Section 08550,02.n. We require a preliminary well site assessment before we schedule a field visit. The written documentation shall include:

- A. A completed copy of the attached WELL SITING CHECKLIST. Note that 1) the Checklist does not have a page 8, and 2) that we recommend but do not yet require, the time of travel calculations.
- B. In order to maximize your flexibility in using this checklist, we ask that you provide a cover letter with a written certification that, in your opinion, the site is appropriate for a new Public Water System source. Comment specifically on the likelihood that the well could be classified as groundwater under the direct influence of surface water (GWDI).

Additional comments:

- A. In making this determination you should review the following documents to your satisfaction:
 - 1. The attached IDAHO WELLHEAD PROTECTION PLAN - DRAFT.
 - 2. The IRPDWS.
- B. You should also be aware that the following proposed regulations may impact the design and operation of ground water sources. We encourage you to voice your opinions during the upcoming public comment period.
 - 1. Disinfectants and Disinfection By-products (D/DBP Rule)
 - 2. Ground Water Disinfection Rule (GWDR)

As always, please feel free offer suggestions to improve or simplify our checklists.

Sincerely,

Monty G. Marchus, P.E.
Water Quality Engineer

MM:cm

attachment:

PC: _____

RECEIVED
FEB 20 1994

SUMMARY

IDAHO WELLHEAD PROTECTION PLAN - DRAFT

GRAM SUMMARY, PURPOSE, DEVELOPMENT AND GENERAL POLICIES

The Wellhead Protection Program was established by the Safe Drinking Water Act Amendments of 1986, Section 1428. There are seven components of wellhead protection that a state plan needs to include:

- Specify the roles and duties of state agencies, local governments, and public water supply systems;

- Define wellhead protection areas;

- Identify all potential sources of contamination within wellhead protection areas;

- Manage all potential sources of contamination within wellhead protection areas;

- Address contingency plans in the event of loss of water supplies due to contamination;

- Address wellhead protection measures for new wells; and

- Include public participation.

The Wellhead Protection Program is also mandated to developed by the Idaho Ground Water Quality Plan, 1992, Policy II-A.

The purpose of the program is to prevent the contamination of drinking water that is supplied by ground water.

The Idaho Wellhead Protection Plan was developed by the Wellhead Protection Workgroup and a subgroup called the Technical Task Force. The Wellhead Protection Workgroup is made of representatives of other state agencies, EPA, city, county, businesses, and citizen's groups. Guidelines for the program will be developed from the plan.

The Idaho Wellhead Protection Program is voluntary for local governments to implement.

The Idaho Wellhead Protection Plan will be reviewed and updated as needed by the Wellhead Protection Workgroup and Technical Task Force.

Local wellhead protection plans will be reviewed by the Idaho Division of Environmental Quality to the extent of available resources and staff. The purpose of the review is to provide feedback and advice to the local entity submitting the plan. This review does not ensure that monitoring waiver benefits or any other benefits will be issued. Approval of plans for the purpose of issuing benefits must come from the program staff issuing the benefit.

DEC 19 1994

WELLHEAD PROTECTION AREA DELINEATION

The primary purpose for wellhead protection areas in Idaho is to prevent contamination of drinking water. Prevention actions include use of land use ordinances, implementation of Best Management Practices, and public education.

The secondary purpose for wellhead protection areas in Idaho is to provide a response action area. Response actions would be used when prevention is not successful. Response actions include cleanup of contamination problems, modifying Best Management Practices if necessary, ensuring adequate time to respond to a spill, ensuring adequate time to install water treatment devices and ensuring time to find interim or alternate sources of drinking water supplies.

Wellhead protection applies to both public and non-public water wells and springs.

There are two main approaches to delineating wellhead protection areas:

Basic Approach	Zone IA:	Minimum distance of 50' for wells, 100' for springs
	Zone IB:	2 year Time of Travel, calculated fixed radius
	Zone II:	5 year Time of Travel, calculated fixed radius

The basic approach uses general aquifer data and peak pumping rate. See Figure 1 and Table 1.

Refined Approach:	Zone IA:	Minimum distance of 50' for wells, 100' for springs
	Zone IB:	2 year Time of Travel, semi-analytical, analytical and numerical modeling
	Zone II:	5 year Time of Travel, semi-analytical, analytical, and numerical modeling
	Zone III:	Known recharge areas and flow boundaries, hydrogeologic mapping

The refined approach uses site specific data.

There is an exception to the general refined approach guidelines.

Refined Exception:	Zone IA:	Minimum distance of 50' for wells, 100' for springs
	Zone II:	2 year Time of Travel, semi-analytical, analytical and numerical modeling
	Zone III:	Known recharge areas and flow boundaries, hydrogeologic mapping.

If a local government wants to use the refined exception, they must meet some conditions. The local plan needs to include:

prevention plans that substantiate that ground water quality will be protected in the shorter time frame;

plans to provide alternate water supplies to meet the shorter time frame; and

EMENT OF POTENTIAL SOURCES OF CONTAMINATION

There should be an appropriate level of management throughout the wellhead protection area. Management should be progressively more stringent closer to the wellhead.

Zone IA: Prohibit all potential sources of contamination

Zone IB: Progressively more stringent management than in Zones II and III and may involve restricting or prohibiting some activities. Source monitoring is highly recommended.

Zone II: An appropriate level of management using tools such as operation standards and design standards.

Zone III: An appropriate level of management. Source monitoring is highly recommended.

Possible management tools

Regulatory:

- Zoning ordinances
- Subdivision ordinances
- Site plan review
- Design standards
- Operating standards
- Source prohibitions
- Best Management Practices
- Permits

Non-regulatory:

- Purchase of property or development rights
- Public education
- Ground water monitoring
- Household hazardous waste collection
- Water conservation
- Best Management Practices
- Guidelines
- Management plans

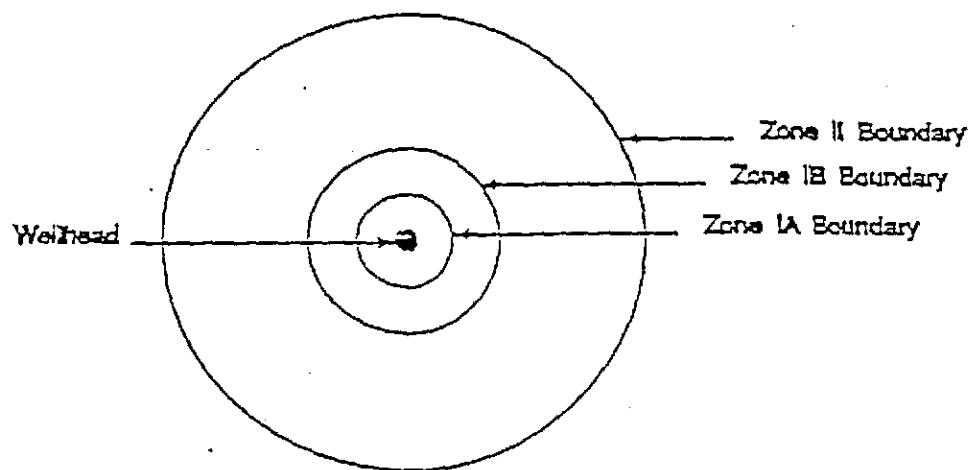


Figure 1 - Wellhead protection zones for basic wellhead protection areas

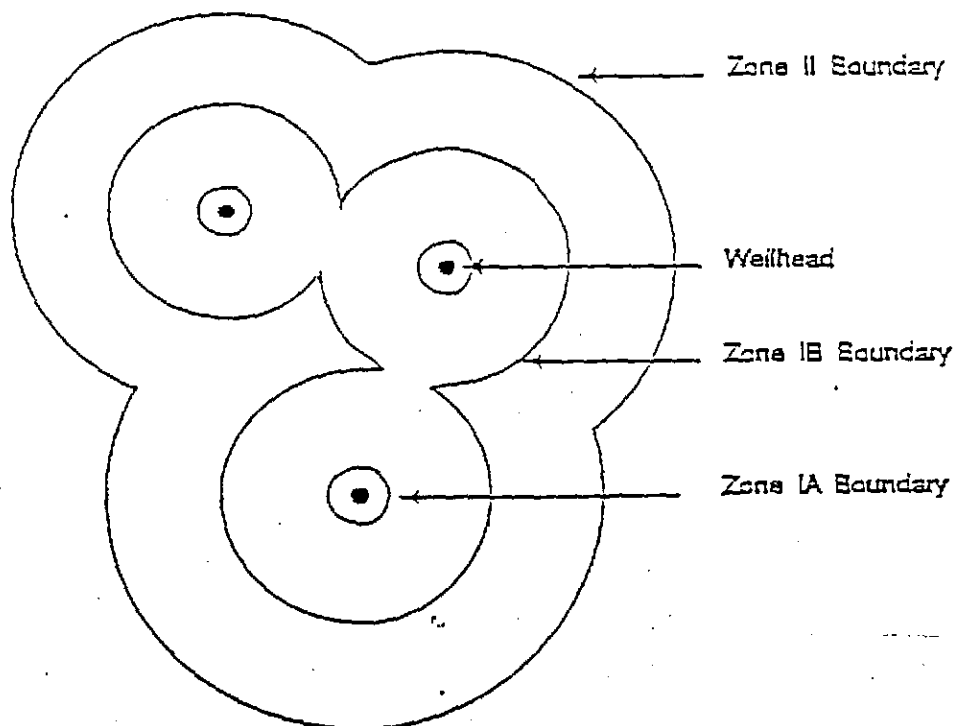


Figure 2 - Wellfield concept using the basic delineation approach

MIXED VOLCANICS/SEDIMENTARY ROCKS - PRIMARILY SEDIMENTARY ROCKS										
PUMP RATE	50 GPM	100 GPM	500 GPM	1000 GPM	2000 GPM	3000 GPM	4000 GPM	5000 GPM	6000 GPM	7000 GPM
2 YEAR TOT	200'	200'	400'	600'	900'	1000'	1300'	1600'	1800'	2000'
5 YEAR TOT	300'	400'	700'	1000'	1300'	1700'	1900'	2200'	2500'	2700'

MIXED VOLCANICS/SEDIMENTARY ROCKS - PRIMARILY VOLCANIC ROCKS										
PUMP RATE	50 GPM	100 GPM	500 GPM	1000 GPM	2000 GPM	3000 GPM	4000 GPM	5000 GPM	6000 GPM	7000 GPM
2 YEAR TOT	3200'	3300'	3400'	3600'	3900'	4200'	4500'	4800'	5000'	5400'
5 YEAR TOT	8200'	8200'	8400'	8600'	9000'	9300'	9700'	10000'	10000'	11000'

GPM = Gallons per minute

TOT = Time of Travel

DEC 15 1991

CATEGORY II <i>Sources designed to store, treat, and/or dispose of substances; discharge through unplanned release.</i>	
Source	Examples/Related Business
Landfills	Industrial hazardous waste Industrial non-hazardous waste Municipal sanitary
Open dumps	Abandoned dumps Illegal dumps
Residential disposal	Trash burning residue Waste oil disposal
Surface Impoundments	Food processing Industrial processing Sewage lagoons
Waste tailings	Acid mine drainage Mine tailings
Waste piles	Asphalt and construction debris Agricultural wastes Animal wastes Community compost piles Food processing wastes Wood wastes
Materials stockpiles	Animal feed piles Battery storage Coal storage Fertilizer piles Junkyards Road salt storage Scrapyards
Graveyards	Human burial (embalming chemical contamination)
Animal burial	Animal burial

DEC 10 1984

CATEGORY II (Continued)	
<i>Sources designed to store, treat, and/or dispose of substances, discharge through unplanned release</i>	
Source	Examples/Related Business
Containers or hazardous, non-hazardous, and non-waste materials, continued	Rust proofing shops Textile and apparel producers Transportation maintenance shops Wood treatment facilities
Open burning sites	Trash burning areas Pesticide container disposal Firefighter training sites
Detonation sites	Military facilities Ordnance disposal
Radioactive disposal sites	Federal facilities Mining wastes Preprocessing sites
CATEGORY III	
<i>Sources designed to retain substances during transport or transmission</i>	
Source	Examples/Related Business
Pipelines	Geothermal lines Petroleum lines Sewer lines Slurry lines
Materials transport/transfer	Transfer stations Vehicles carrying hazardous materials or waste

DEC 18 1994

CATEGORY IV <i>Sources discharging substances as a consequence of other planned activities</i>	
Source	Examples/Related Business
Irrigation practices	Ag return water
Pesticide/fertilizer applications	Agriculture lands Cemeteries Demossing of irrigation canals Golf courses Lawns Parks Transportation corridors
Animal feeding operations	Animal clinics Aquaculture Dairies Feedlots Kennels Poultry farms Race tracks Zoos
De-icing salt applications	Airports Transportation corridors
Urban runoff	French drains Infiltration basins Storm wells
Percolation of atmospheric pollutants	Acid rain
Mining	Mine site runoff Ore processing by cyanidation

DEC 19 1994

WELL SITING CHECKLIST:

Step I Administrative Information

- A. Date Received _____
- B. Name & Location of Project _____
- C. Is this Project New_____ or an Addition_____
- D. Owners Name, Address & Phone _____
- E. Consulting Engineers Name, Firm's Name, Address & Phone _____
- F. Others Name, Address & Phone _____
- G. DEQ and/or PWS No. _____
- H. DEQ Address & Phone
Division of Environmental Quality
Southwest Idaho Regional Office
1420 North Hilton
Boise, Idaho 83706-1260
- I. 7th District Health Contact & Phone _____

RECEIVED
FEB 10 1994

Step II Local Information

A. Land Use:

- | | | |
|----|--------------------------|--------------|
| a. | ☐ | Residential |
| b. | ☐ | Commercial |
| c. | ☐ | Industrial |
| d. | ☐ | Agricultural |
| e. | ☐ | Range |
| f. | ☐ | Forest |
| g. | ☐ | Mining |

B. Type of Terrain:

- | | | |
|----|--------------------------|----------|
| a. | ☐ | Plain |
| b. | ☐ | Plateau |
| c. | ☐ | Desert |
| d. | ☐ | Valley |
| e. | ☐ | Flat |
| f. | ☐ | Slope |
| g. | ☐ | Foothill |
| h. | ☐ | Mountain |

C. Geology

- a. Type of Top Soil
- b. Depth of Top Soil
- c. Type of Intermediate Zone Material

7/13/83

d. Depth to Water Table

e. Aquifer Type per Figure 2.18a

- | | | |
|----|--|---|
| 1. | | Eastern Snake River Plain Basalt |
| 2. | | Unconsolidated Alluvium |
| 3. | | Mixed Volcanic & Sedimentary - Primarily Volcanic |
| 4. | | Minor Aquifer |

f. Get Existing Well Logs

RECEIVED
DEC 19 1994

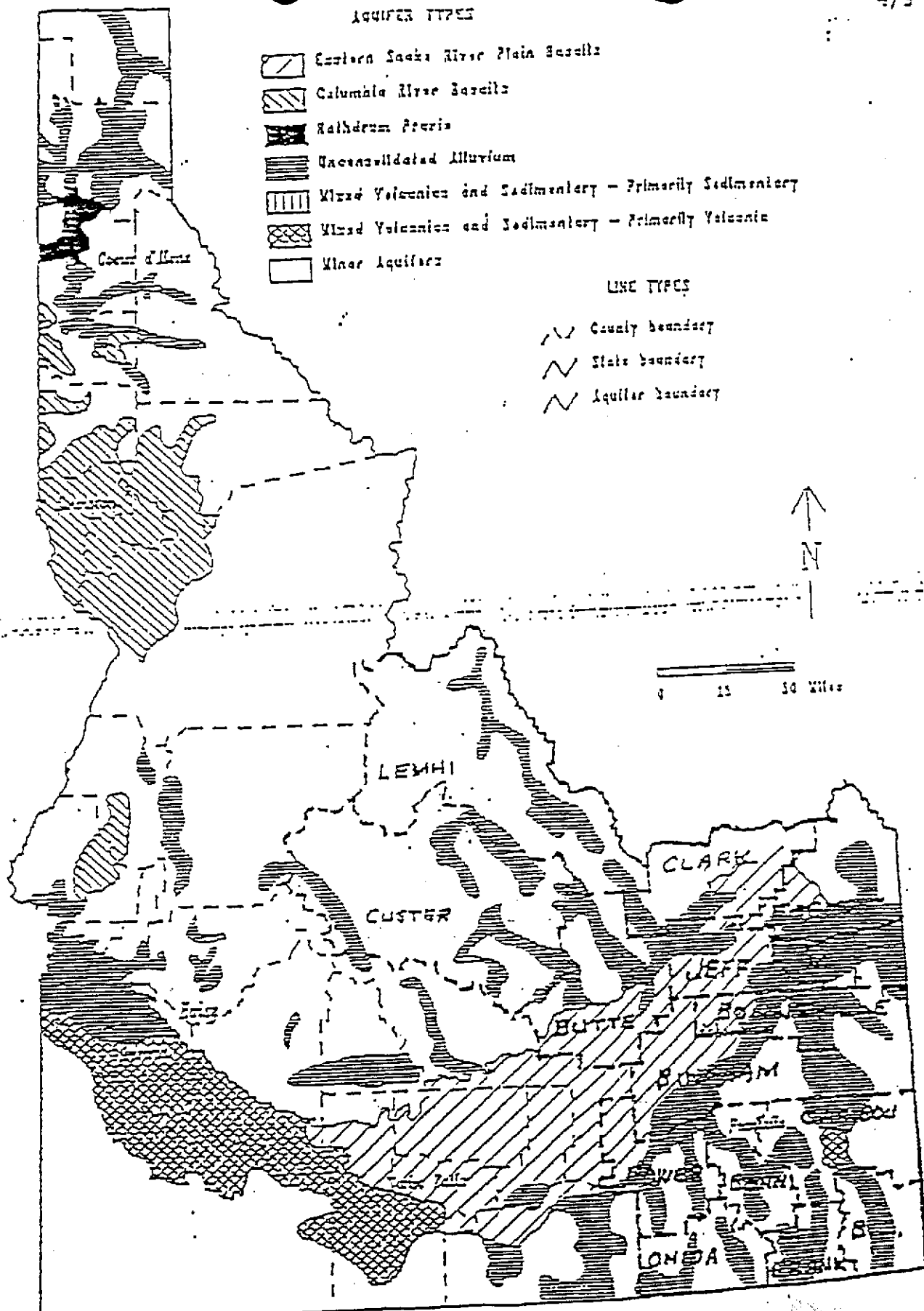


Figure 2.18a. Aquifer types in Idaho.
(Copied from Well Head Protection in Idaho; sponsored by IDHW-DEQ,
in cooperation with Idaho Water Resources Institute, Univ. of Idaho.)

Dec 10 1994

- a. Slope Direction
- b. Slope Grade
- c. Surface Flow To or Away

WELL SITE		
A	B	C

Sources of Contamination: Estimated Direction (DIR), Horizontal Distance (HD) & Vertical Distance (VD) From the Well Site to the Nearest Part of an Existing or Proposed Contaminate.

- a. Septic System
- b. Privy
- c. Sewer Line
- d. Livestock
- e. Lake, Pond, Reservoir
- f. River or Stream
(100 year Floodplain)
- g. Canal or Ditch
- h. Airborne Contaminates
- i. Surface Contaminates
- j. Buried Contaminates
- k. Other

[illegible]

C. Get Subdivision Plat or Survey

DEC 10 1994

Well Head Protection Using Basic Approach

pumping Rate in G.P.M. _____

pump Type per Page 3/9

calculated Radii per Tables 4.1a & 4.1b

Zone IA Minimum Radius Wells 50', Springs 100'

Zone IB 2-Year Time of Travel _____ Radius

Zone II 5-Year Time of Travel _____ Radius

DEC 19 1994

Table 4.1a. Basic delineation, calculated radii.

E. SNAKE RIVER PLAIN BASALTS										
PUMP RATE	50 GPM	100 GPM	500 GPM	1000 GPM	2000 GPM	3000 GPM	4000 GPM	5000 GPM	6000 GPM	7000 GPM
2 YEAR TOT	1800'	1800'	2000'	2300'	2700'	3100'	3500'	3900'	4200'	4600'
5 YEAR TOT	4400'	4400'	4700'	5000'	5600'	6000'	6500'	6900'	7300'	7700'

COLUMBIA RIVER BASALTS										
PUMP RATE	50 GPM	100 GPM	500 GPM	1000 GPM	2000 GPM	3000 GPM	4000 GPM	5000 GPM	6000 GPM	7000 GPM
2 YEAR TOT	300'	400'	900'	1300'	2200'	2900'	3700'	4500'	5300'	6000'
5 YEAR TOT	400'	600'	1300'	2000'	2900'	3700'	4600'	5400'	6200'	7000'

UNCONSOLIDATED ALLUVIUM										
PUMP RATE	50 GPM	100 GPM	500 GPM	1000 GPM	2000 GPM	3000 GPM	4000 GPM	5000 GPM	6000 GPM	7000 GPM
2 YEAR TOT	6500'	6600'	7100'	7700'	8800'	10000'	11000'	12000'	13000'	14000'
5 YEAR TOT	16000'	16000'	17000'	18000'	19000'	20000'	21000'	22000'	23000'	24000'

GPM = Gallons per minute

TOT = Time of Travel

(Copied from Well Head Protection in Idaho; sponsored by IDWR-DEQ, in cooperation with Idaho Water Resources Research Institute, Univ. of Idaho.)

Site Evaluation

all Site A Evaluation

Well Site B Evaluation

Well Site C Evaluation

DEC 18 1994



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190
FAX (208) 334-2348

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

June 30, 1994

IDAHO DEPT OF HEALTH & WELFARE
DIV OF ENV QUALITY
SWIRO
1420 N HILTON
BOISE, ID 83706

Re: Applications for Permit Nos. 77-7337, Warm Lake
Recreational Water District; 63-12116, East Lizard Butte
Water Co.; 57-7594 & 57-7593, Charles &/or Vicky
Hightower; 65-13515 & 65-13515, Idaho Mountain Properties

Dear Sir:

Enclosed are a copies of the above-referenced applications
for permit which may be of interest to your agency. Please
review the applications and submit any comments you may have.

This office normally completes the processing of an
application within a six-week period and is required to take
final action shortly thereafter, however, if your agency
desires to file a formal protest against the approval of this
application(s), your written protest must be received in this
office by July 25, 1994.

If you have any questions regarding the applications,
please contact this office.

Sincerely,

DAVID R. TUTHILL, JR., P. E.
Manager, Western Regional Office

DRT:st

Enclosure(s):

DEC 18 1994

57-07593

HIGHTOWER, VICKY L
HIGHTOWER, CHARLES S
LINDNER, ALAN
LINDNER, DEBRA
HC 79 BOX 34X
MELBA, ID 83641

Source: GROUNDWATER

Diversion Pt: SESE Sec 9 T 02S R 02W in OWYHEE County.

Use: IRRIGATION (.120 CFS)
DOMESTIC (.170 CFS)
Total Diversion: (.290 CFS)

Date Filed: 6/13/1994

In: OWYHEE County
T02S R02W S09 NESE SESE

6.0 ACRES TOTAL

6/13/1994