

RECEIVED

APR 18 2016

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

RECEIVED

MAY 05 2016

DEPARTMENT OF
WATER RESOURCES1. Name of applicant(s) John L. Harris and Susan Kay Harris Family TrustPhone 208-865-2435Name connector (check one): ☒ and ☐ or ☐ and/orMailing address P.O. Box 86City CarmenState Idaho Zip 83462Email win1stmd173@hotmail.com2. Source of water supply Spring which is a tributary of 4th of July Creek

3. Location of point(s) of diversion:

TWP	RGE	SEC	Cont Lat	1/4	1/4	1/4	County	Source	Local name or tag #
24N	22E	29		NW	NW		Lemhi	Spring	RECEIVED
									APR 25 2016
									DEPARTMENT OF WATER RESOURCES

4. Water will be used for the following purposes:

Amount .04 for Domestic purposes from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per year)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)5. Total quantity to be appropriated is (a) .04 cubic feet per second (cfs) and/or (b) _____ acre feet per year (af).

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source. Spring box and gravity
pipeline to household.b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity
_____ acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11. For

dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate Application for

Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No

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

d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ Noe. If well is already drilled, when? _____; drilling firm _____;
well was drilled for (well owner) _____; Drilling Permit No. _____

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

a. Hydropower: show total feet of head and proposed capacity in kW. _____

b. Stockwatering: list number and kind of livestock. _____

c. Municipal: complete and attach the Municipal Water Right Application Checklist.d. Domestic: show number of households 1

e. Other; describe fully. _____

8. 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.

5/2/16

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
24N	22E	29					☒	D	K										.04

Total number of acres to be irrigated: Less than 1/2 acre

9. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping?

yes

10. a. Who owns the property at the point of diversion? John L. Harris and Susan Kay Harris Family Trust

b. Who owns the land to be irrigated or place of use? John L. Harris and Susan Kay Harris Family Trust

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

11. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary.

We will have a springbox and gravity flow through a pipeline. Building site approximately 300 ft and about 60 ft of fall from spring to house site.

12. Time required for completion of works and application of water to proposed beneficial use is 2 years (minimum 1 year).

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2" x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.

The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.

John L. Harris Family Trust
Signature of Applicant

Susan Kay Harris Family Trust
Signature of Applicant

John L. Harris Family Trust
Print Name (and title, if applicable)

Susan Kay Harris - Family Trust
Print Name (and title, if applicable)

For Department Use:

Received by _____ Date _____ Time _____ Preliminary check by _____

Fee \$ 100.00 Received by [Signature] Receipt No. ED42021 Date 4-18-2016



RP24N22E292405
BELLAMY, DON
2013
[01|05|19]

RP24N22E293002
FOURTH OF JULY CREEK LLC
2013
[04|05]

RP24N22E293004
FOURTH OF JULY CREEK LLC
2013
[01|04|05]

RP24N22E293105
FOURTH OF JULY CREEK LLC
2013
[01|05]

RP24N22E301801
NGWERSSEN, LANCE S
2013
[01|10|31|32]

RP24N22E293003
FOURTH OF JULY CREEK LLC
2013
[04|05]

RP24N22E292403
BELLAMY, JONATHAN
2013
[04|05]

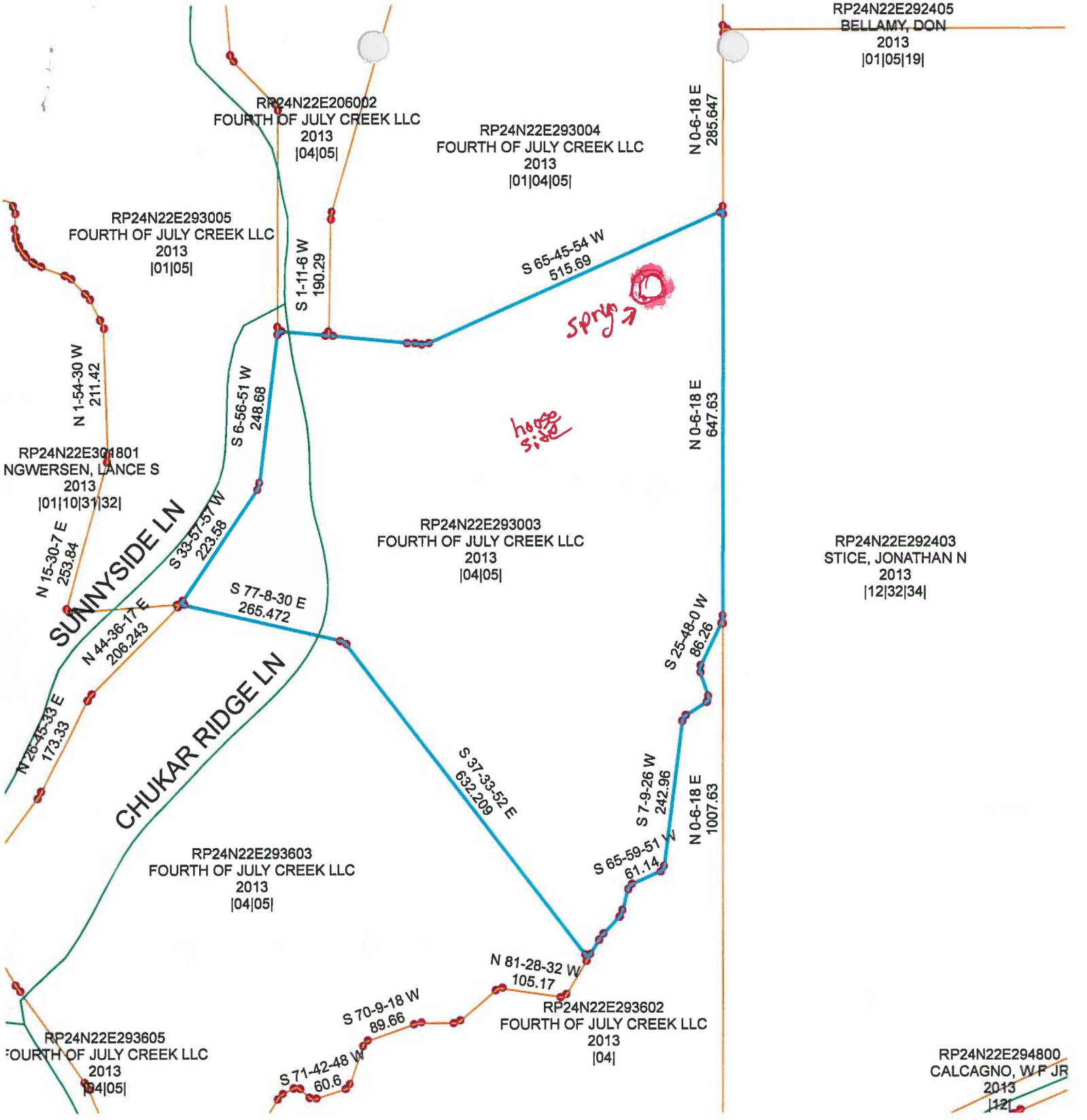
SUNNYSIDE LN

CHUKAR RIDGE LN

RP24N22E293003
FOURTH OF JULY CREEK LLC
2013
[04|05]

RP24N22E293003
FOURTH OF JULY CREEK LLC
2013
[04|05]

RP24N22E293600
FOURTH OF JULY CREEK LLC
2013
[04|05]





State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

June 28, 2016

JOHN L HARRIS & SUSAN KAY HARRIS FAMILY TRUST
PO BOX 86
CARMEN, ID 83462

Application For Permit No. 75-14842

Dear Applicant(s):

The Department of Water Resources has received your water right application. Please refer to the number referenced above in all future correspondence regarding this application.

A legal notice of the application has been prepared and is scheduled for publication in the RECORDER HERALD on 7/7/2016 and 7/14/2016. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

If the application is protested, you will be sent a copy of each protest. All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, the Department will process your application and notify you of any action taken on the application. If your application is approved, the Department will send you a copy of the permit.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jean Hersley'.

Jean Hersley
Technical Records Specialist

Hersley, Jean

From: Hersley, Jean
Sent: Tuesday, June 28, 2016 8:56 AM
To: rhlegals@custertel.net
Subject: Legal Notice for Notice of Proposed Change of Water Right and Applications to appropriate the public waters of the State of Idaho

A COPY WILL BE FAXED TO YOU ALSO. Thank you. Jean
June 28, 2016

208-756-2222 Page 1

Legal Notice Department

Recorder Herald
PO Box 310
Salmon ID 83467

RE: Legal Ad for your paper

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office, PO Box 83720, Boise, Idaho, 83720-0098 before July 25, 2016. Your cooperation is appreciated.

Sincerely

Jean Hersley
Technical Records Specialist II
IDWR State Office
322 E Front St
Boise ID 83720
208-287-4942
jean.hersley@idwr.idaho.gov

**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80936**

KAREN A DOWTON and SYDNEY M DOWTON, PO BOX 7, ELLIS, ID 83235; has filed Application No. 80936 for changes to the following water rights within LEMHI County(s): Right No(s). 73-2170; to see a full description of these rights and the proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. The purpose of the transfer is to change a portion of the above rights as follows:

To change the point of diversion to SWSW, Sec 16, T15N, R21E for 1.60 cfs from the Pahsimeroi River adjacent to the place of use. For additional information concerning the property location, contact IDWR State office at (208) 287-4800; or for a full description of the transfer, please see <http://www.idwr.idaho.gov/WaterManagement/WaterRights/WaterRightTransfers/resources.htm> Protests may be submitted based on the criteria of Idaho Code Sec. 42-222. Any protest against the proposed change must be filed with the Department of Water Resources, 322 E Front St, PO Box 83720, Boise ID 83720-0098 together with a protest fee of \$25.00 for each application on or before 7/25/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 7/7/2016 and 7/14/2016

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

75-14842

JOHN L HARRIS & SUSAN KAY HARRIS FAMILY TRUST
PO BOX 86
CARMEN, ID 83462
Point of Diversion SENWNW S29 T24N R22E LEMHI County
Source SPRING Tributary FOURTH OF JULY CREEK
Use: DOMESTIC
01/01 to 12/31

0.04 CFS

Total Diversion:

0.04 CFS

Date Filed: 4/18/2016

Place Of Use: DOMESTIC

T24N R22E S29 NWNW

This application proposes the diversion and use of water from a tributary of the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because it is for domestic purposes.

75-14843

CAMERON L ROLLE

TIMOTHY D CARROLL

10 W INFANGER CT

SALMON, ID 83467

Point of Diversion L1(NENE) S1 T20N R21E LEMHI County

Source GROUND WATER

Use: DOMESTIC

01/01 to 12/31

0.04 CFS

Use: IRRIGATION

04/01 to 10/31

0.12 CFS

Total Diversion:

0.16 CFS

Date Filed: 5/26/2016

Place Of Use: DOMESTIC and IRRIGATION

T20N R21E S1 L1(NENE)

Total Acres: 4

This application proposes the diversion and use of water from ground water tributary to the Salmon Wild & Scenic River. The decreed minimum stream flow rights for the federal Wild & Scenic Rivers are subordinate to certain categories of water use and to specific amounts of water use established after the minimum stream flow. The water use proposed in this application will benefit from the subordination provision because the diversion rate 0.16 will be applied to the subordination amounts specified in the decree for the Wild & Scenic River listed above.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact the State office at (208) 287-4800; or for a full description of the right(s), please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, State Office, 322 E Front St, PO Box 83720, Boise, ID 83720 together with a protest fee of \$25.00 for each application on or before 7/25/2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 7/7/2016 and 7/14/2016



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

June 28, 2016

IDAHO DEPARTMENT OF FISH & GAME
ATTN: TOM BASSISTA
4279 COMMERCE WAY
IDAHO FALLS ID 83401

RE: Application for Transfer No.: Application for Transfer No.: 80936 Water Right No. 73-2170
Application for Permit No. 75-14842 and 75-14843

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right applications for permit and transfers. You can find copies of the applications at: <http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

This office can publish notice of the applications and transfers as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the application.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jean Hersley', is written over a light blue circular stamp.

Jean Hersley
Technical Records Specialist II

Enclosure(s)

c: Dept of Fish & Game- Salmon office



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

June 28, 2016

IDAHO DEPARTMENT OF ENVIRONMENTAL QUALITY
900 NORTH SKYLINE SUITE B
IDAHO FALLS ID 83402

RE: Application for Transfer No.: 80936 Water Right No. 73-2170
Application for Permit No. 75-14842 and 75-14843

Dear Interested Party:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right transfer and applications for permit. You can find copies of the applications at: <http://www.idwr.idaho.gov/apps/ExtSearch/WRAJSearch/WRADJSearch.aspx>.

This office can publish notice of the applications and transfers as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of these applications, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the application.

Sincerely,

Jean Hersley
Technical Records Specialist II

Enclosure(s)

Hersley, Jean

From: Hersley, Jean
Sent: Tuesday, June 28, 2016 9:15 AM
To: Yenter, Cindy; Clark, Cynthia (Bridge)
Subject: Application for Transfer and Applications for Permit

Transfer number 80936 for water right 73-2170 and Applications for Permit number 75-14842 and 75-14843 will be advertised on July 7 and 14 with the protest end date as July 25, 2016. If you have any comments or concerns, please let me know before the protest end date. Thank you.

*Jean Hersley
Idaho Dept Water Resources
Technical Records Specialist II
208-287-4942*

MEMORANDUM

Date: May 31, 2016
To: Water Right File 75-14842
From: Steven Visosky
Re: Application for Permit Review

Applicant

Application for permit 75-14842 was filed by John L Harris and Susan K Harris Family Trust on 4-18-2016. The application was returned as the legal description of the application did not match the map submitted with the application. The amended application was received on 5-5-2016. The priority date should be 4-18-2016 as the application was complete and the corrected information was returned within 30 days.

According to Lemhi County taxlot information updated on 2-24-2016, the property described on the application is owned by Fourth of July Creek LLC. A phone conversation with Susan Harris on 5-26-2016 verified that the applicant had purchased the property after the taxlot information was last updated with Lemhi County. The applicant submitted a warranty deed confirming ownership of the property.

Source & POD

The proposed source of water is from a spring located on the property owned by the applicant. A spring box and gravity pipeline will be used to divert the water to a single household. The building site of the house is approximately 300 feet from the spring with 60 feet of fall.

This surface water is within the Wild and Scenic Watersheds of the Salmon River. According to Application Processing Memo No. 70, Water delivery No. 3, all surface water rights and ground water rights diverted from hydraulically connected to the Wild and Scenic River reaches upstream from the ending points will be recorded, tracked, and administered as anticipated under the provisions of the Wild and Scenic Agreement.

The applicant was sent an IDWR's additional local public interest information request on 5-26-2016 and an email on 5-27-2016 stated the applicant had nothing further to add to their application.

Use

The proposed use of the application is domestic use for one house and up to 0.5 acre of irrigation around the house. A phone call with Susan Harris on 5-26-2016 clarified the 0.5 acre of irrigation from the spring will be in addition to the 5 acre water right (75-137 see Overlap analysis) already in existence at the property. Susan Harris stated that the irrigation from the spring will only be done around the home which is above the surface water ditch.

POU

The place of use (POU) for domestic use is a single residence on land owned by the applicant. The

POU is not currently within a water district.

POU/POD overlap analysis

Application for permit 75-14842 directly overlaps a portion of decreed water right 75-137 that is currently owned by Fourth of July Creek LLC. The applicant has filed a change of ownership for this decreed water right of five acres of irrigation from a different source (Fourth of July Creek). It was implied by Susan Harris during a phone conversation that the irrigation from the spring will be a separate irrigation system from the irrigation covered under water right 75-137. This information should be confirmed during the examination of the licensing process.

Mapping tools and phone conversation with Susan Harris confirms no other water rights are diverted from the spring listed as the source on this application. Susan also verified in an email that the spring is located in the SENWNW.

State of Idaho
Department of Water Resources
Application For Permit
75-14842



0 0.035 0.07 0.14 Miles

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



This map was attached to email dated 5/27
to Susan Harris confirming the QQQ of the Spring. S.V 5/27/16

Visosky, Steven

From: John Harris [win1stmdl73@hotmail.com]
Sent: Friday, May 27, 2016 4:20 PM
To: Visosky, Steven
Subject: RE: Application for permit requested information

The spring is in the SE of the NWNW. We have nothing further to add to our application. Thank you, Susan Harris

From: Steven.Visosky@idwr.idaho.gov
To: win1stmdl73@hotmail.com
Subject: Application for permit requested information
Date: Fri, 27 May 2016 20:51:41 +0000

Dear John and Susan Harris,

I am currently processing your application for permit 75-14842 for domestic use from a spring. Water diverted from a spring is to be described to the nearest 10 acre tract. Your application only describes the spring location to the QQ (NWNW). Could you please look at the attached map and see if I put the point of diversion from the spring in the approximate correct location and let me know if it is in the SE (South East) or the NE (North East) of the NWNW. We will need this information to properly advertise you application.

I have also attached a copy of the letter that was sent yesterday regarding your application in the Upper Salmon River Basin. This letter and a response is required for all new applications in the Upper Salmon River Basin. Please let me know if you have anything further you would like to add to your application before advertising. If you have nothing further to add, you can let me know via email and we will move forward with processing your application.

Please let me know if you have any questions.

Steven Visosky

*Water Resource Agent
Idaho Department of Water Resources
322 E Front St
PO Box 83720
Boise ID 83720-0098
Phone (208) 287-4933
Fax (208) 287-6700
steven.visosky@idwr.idaho.gov*



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

May 26, 2016

JOHN L. HARRIS AND SUSAN KAY HARRIS FAMILY TRUST
PO BOX 86
CARMEN ID 83462

RE: Application to Appropriate Water in the Upper Salmon River Basin 75-14842

Dear Water Right Applicant:

The Department of Water Resources' (IDWR) records show you filed an application to establish a new use of water in the upper Salmon River basin. Idaho Code § 42-203A(5) requires IDWR to determine whether each water right application satisfies all the criteria necessary for appropriating water in Idaho. One statutory criterion requires IDWR to determine the local public interest relative to the proposed water use. Idaho Code § 42-202B(3) defines the local public interest as "the interests that the people in the area directly affected by a proposed water use have in the effects of such use on the public water resource." The local public interest has many facets, including the effects of a proposed water use on aquatic habitat for fish and wildlife resources.

The upper Salmon River basin is home to stocks of chinook salmon, sockeye salmon, steelhead trout, and bull trout, all of which are listed as threatened or endangered under the Endangered Species Act (ESA). Since the early 1990s, local water users, conservation districts, and federal and state agencies have cooperated to implement conservation measures intended to protect and restore habitat for ESA-listed species in the upper Salmon River watershed. For example, at the request of local water users the Idaho Legislature directed the Idaho Water Resource Board (IWRB) to establish a minimum stream flow in the lower Lemhi River for fish passage. The minimum stream flow is maintained through a water supply bank and temporary or permanent acquisition of additional water supplies by willing buyers from willing sellers.

Pursuant to the Snake River Water Rights Agreement of 2004, Idaho has been developing a long term conservation plan for the benefit of ESA-listed species in the Lemhi River basin. Improving conditions in flow-limited river reaches and streams is a fundamental component of the Lemhi plan. In addition to IDWR, numerous state agencies, including the Office of Species Conservation, Idaho Department of Fish and Game, Idaho Department of Environmental Quality, Idaho Soil and Water Conservation Commission, and Idaho Department of Lands, have committed and continue to commit significant resources toward this objective under the following programs:

- Columbia Basin Water Transactions Program
- National Marine Fisheries Service Pacific Coastal Salmon Recovery Fund
- U. S. Fish & Wildlife Service Aquatic Species Conservation Fund
- Salmon and Clearwater River Basins Habitat Fund
- 2008 Columbia Basin Fish Accords

A myriad of habitat restoration projects are being constructed/implemented in other parts of the upper Salmon River basin. These projects have been coordinated with the local communities and water users through the Upper Salmon River Basin Watershed Program and predecessor programs, including the model watersheds. Furthermore, the Snake River Water Rights Agreement of 2004 contemplates the development of additional conservation plans for other upper Salmon River basin watersheds. Accordingly, the draft Comprehensive State Water Plan under revision by the IWRB contains policies for the Salmon River basin that focus on the protection and restoration of instream habitat for ESA-listed species through voluntary participation in conservation programs.

Because of the ESA-listed species recovery efforts in the upper Salmon River basin, IDWR must determine on a case-by-case basis whether it is in the local public interest to authorize proposed water uses that would further deplete flow-limited stream reaches.

Pursuant to Rule 40.04.c of the Water Appropriation Rules (IDAPA 37.03.08.040.04.c), the applicant has the ultimate burden of persuasion regarding the items that must be evaluated in connection with each water right application. Before proceeding further with your application, IDWR requests you submit additional information about how your proposal invokes any local public interest concerns for ESA species recovery.

Within 30 days, please submit any additional information you believe IDWR may need to evaluate and determine the local public interest in the water you propose to divert and use. If IDWR has not received a response from you within 30 days, IDWR will assume you have no comment regarding the local public interest, and processing of your application will resume with the information currently on file. Processing will include public notice and the potential for formal protests by other interested parties. Applications that are not in the local public interest will be denied. If you wish to withdraw your application before it is processed, please notify IDWR in writing.

If you have any questions, please call me at 208-287-4951, or email me at pam.skaggs@idwr.idaho.gov.

Sincerely,



For Pamela Skaggs
Water Rights Supervisor



WARRANTY DEED

Alliance Title & Escrow Corp. Order No.:308489

FOR VALUE RECEIVED

Fourth of July Creek, L.L.C., an Idaho Limited Liability Company

the grantor(s), do(es) hereby grant, bargain, sell and convey unto

John L. Harris and Susan Kay Harris, Trustees of the John L. Harris and Susan Kay Harris Family Trust dated 3/23/2015

whose current address is

**PO Box 86
Carmen, ID 83462**

the grantee(s), the following described premises, in Lemhi County, Idaho, TO WIT:

See attached Exhibit "A"

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee(s), that (s)he is/are the owner(s) in fee simple of said premises; that they are free from all encumbrances Except: Current Year Taxes, conditions, covenants, restrictions, reservations, easements, rights and rights of way, apparent or of record.

And that (s)he will warrant and defend the same from all lawful claims whatsoever.

*Document showing ownership submitted
by applicant on 5/26/16 S.V. 1 of 3*

Dated: April 7, 2016

Fourth of July Creek, L.L.C., an Idaho Limited Liability Company

Bill Allen
Bill Allen, Managing Member

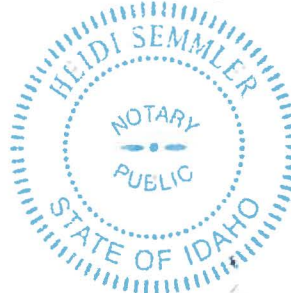
Jordan P. Smith
Jordan P. Smith, Managing Member

State of Idaho} ss
County of Lemhi}

On this 6th day of April, 2016, before me, Heidi Semmler, a Notary Public in and for said state, personally appeared Jordan P. Smith known or identified to me to be the Managing Member in the Limited Liability Company known as Fourth of July Creek, L.L.C., an Idaho Limited Liability Company who executed the foregoing instrument, and acknowledged to me that he/she executed the same in said LLC name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Heidi Semmler
Heidi Semmler
Notary Public for the State of Idaho
Residing at: Salmon, ID
Commission Expires: May 19, 2021



State of Idaho} ss
County of Lemhi}

On this 7th day of April, 2016, before me, Heidi Semmler, a Notary Public in and for said state, personally appeared Bill Allen known or identified to me to be the Managing Member in the Limited Liability Company known as Fourth of July Creek, L.L.C., an Idaho Limited Liability Company who executed the foregoing instrument, and acknowledged to me that he/she executed the same in said LLC name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Heidi Semmler
Heidi Semmler
Notary Public for the State of Idaho
Residing at: Salmon, ID
Commission Expires: May 19, 2021



Document showing ownership submitted
by applicant on 5/26/16 S.V. 2 of 3

PARCEL "D"

A PARCEL OF LAND LOCATED IN THE WEST HALF NORTHWEST QUARTER OF SECTION 29, T. 24 N., R. 22 E., BOISE MERIDIAN, LEMHI COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION 20, FROM WHICH THE WEST QUARTER CORNER OF SECTION 20 BEARS N. 00° 08' 31" E., A DISTANCE OF 2628.16 FT., THE BASIS OF BEARING OF THIS DESCRIPTION, RUN THENCE S. 40° 15' 26" E., A DISTANCE OF 1073.32 FT., TO THE POINT OF BEGINNING;

THENCE S. 84° 52' 12" E., A DISTANCE OF 153.81 FT.;

THENCE N. 65° 29' 20" E., A DISTANCE OF 515.69 FT., TO A POINT ON THE EASTERLY BOUNDARY OF SAID WEST HALF NORTHWEST QUARTER;

THENCE S. 00° 10' 16" E., ALONG SAID BOUNDARY A DISTANCE OF 1182.55 FT.;

THENCE S. 89° 49' 44" W., A DISTANCE OF 212.42 FT. TO A POINT ON THE CENTERLINE OF 4TH OF JULY CREEK;

THENCE N. 37° 50' 04" W., A DISTANCE OF 632.21 FT.;

THENCE N. 77° 24' 42" W., A DISTANCE OF 265.48 FT.;

THENCE N. 33° 41' 32" E., A DISTANCE OF 223.61 FT.;

THENCE N. 06° 40' 17" E., A DISTANCE OF 248.68 FT.;

THENCE S. 84° 52' 12" E., A DISTANCE OF 80.79 FT., TO THE POINT OF BEGINNING.

*Document showing ownership submitted
by applicant on 5/26/16 S.V.*



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

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

GARY SPACKMAN
Director

C.L. "BUTCH" OTTER
Governor

April 25, 2016

JOHN L HARRIS & SUSAN KAY HARRIS FAMILY TRUST
PO BOX 86
CARMEN, ID 83462

RE: Application for Permit

Dear Applicant(s):

The Department of Water Resources has received your water right application. Preliminary review of the application indicates that it is incomplete and cannot be accepted for processing. We are returning your application to allow you to complete the necessary items. The required information is described below:

- The Place of Use or acres irrigated was not provided correctly. You marked the place of use was in the NENW of Township 24N, Range 22E, Section 29. According to the map you provided, the place of use is located in the NWNW of Township 24N, Range 22E, Section 29. If this was an error, please correct this on the application, initial and date your correction and return to the Department to the address above. If this wasn't an error, please provide another map showing the correct location of the place of use.

If the Department does not hear from you in 30 days, we will request a refund and return your filing fee.

Please feel free to contact me at (208) 287-4942 if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads "Jean Hersley".

Jean Hersley
Technical Records Specialist II