

RECEIVED

FORM 202 11/MAR 14 2016

Ident. No. 71-10953

DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

(original signature)

1. Name of applicant(s) White Cloud Ranch, LLC Phone 949-274-0199
Name connector (check one): ☐ and ☐ or ☐ and/or
Mailing address 1501 Galaxy Drive City Newport Beach
State CA Zip 92660 Email _____

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
8N	14E	4		SW	SE	SE	Custer County	Groundwater	

4. Water will be used for the following purposes:

Amount 0.04 cfs for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)

Amount 0.03 cfs for Heating purposes from 1/1 to 12/31 (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)

5. Total quantity to be appropriated is (a) 0.07 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. New domestic/heating 6-inch well.

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 6 inches; proposed depth of well is 180 feet.

d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No Per 3/10/2016 E-mail

e. If well is already drilled, when? 10/2015; drilling firm Bishop Well Drilling from Erick Powell; well was drilled for (well owner) Pioneer Cabin; Drilling Permit No. D0070478

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 household

e. Other; describe fully. Additional diversion rate for ground-source heat pump for same residence.

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.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8N	14E	4																D,G	

Total number of acres to be irrigated: NA

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?

None. There is a domestic right (71-10903) within the same QQ, but it serves another residence.

10. 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:

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

Applicant is applying for a new domestic and heating water right for a new residence. Heating water will be diverted through a heat pump and then returned to the groundwater through shallow injection well.

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

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½" 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.

Signature of Applicant

Ken Verheyen

Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

For Department Use:

Received by _____ Date 3.14.2016 Time _____ Preliminary check by _____

Fee \$ 100- Received by AM Receipt No. 5035306 Date 2/29/2016

RECEIVED

FEB 29 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

Ident. No. 71-10953

1. Name of applicant(s) White Cloud Ranch, LLC Phone 949-274-0199
Name connector (check one): ☐ and ☐ or ☐ and/or
Mailing address 1501 Galaxy Drive City Newport Beach
State CA Zip 92660 Email _____
2. Source of water supply Groundwater which is a tributary of _____
3. Location of point(s) of diversion:

TWP	RGE	SEC	Govt Lot	¼	¼	¼	County	Source	Local name or tag #
8N	14E	4		SW	SE	SE	Custer County	Groundwater	

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- Amount 0.04 cfs for Domestic purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
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(cfs or acre-feet per year)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
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5. Total quantity to be appropriated is (a) 0.07 cubic feet per second (cfs) and/or (b) _____ acre feet per year (af).
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- a. Describe type and size of devices used to divert water from the source. New domestic/heating 6-inch well.
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- c. Proposed well diameter is 6 inches; proposed depth of well is 180 feet.
- d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No *Per 3-10-14 email from Erick Powell*
- e. If well is already drilled, when? 10/2015; drilling firm Bishop Well Drilling; well was drilled for (well owner) Pioneer Cabin; Drilling Permit No. D0070478

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TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
8N	14E	4																D,G	

Total number of acres to be irrigated: NA

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- Who owns the land to be irrigated or place of use? Applicant
- If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

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Applicant is applying for a new domestic and heating water right for a new residence. Heating water will be diverted through a heat pump and then returned to the groundwater through shallow injection well.

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Signature of Applicant

Ken Verheyen

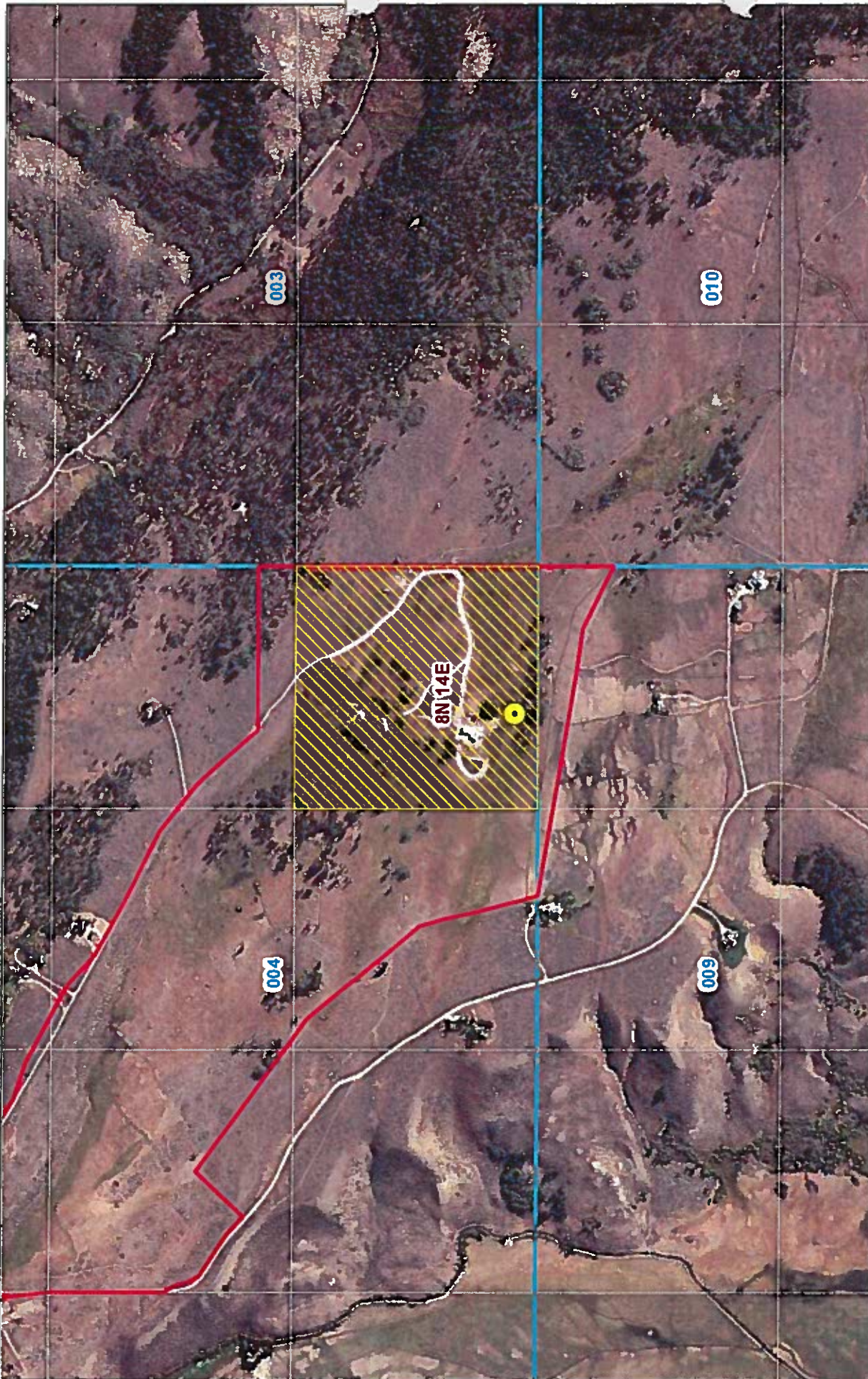
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

For Department Use:

Received by DM Date 2-29-2016 Time 1:30pm Preliminary check by
 Fee \$ 100- Received by DM Receipt No. 5035306 Date 2-29-2016



1 in = 1,000 ft

BROCKWAY ENGINEERING, PLLC
GEP - FEB. 22, 2016

NEW DOMESTIC AND HEATING WATER RIGHT APPLICATION
WHITE CLOUD RANCH, LLC
PROPOSED PLACE OF USE AND POINT OF DIVERSION
CUSTER COUNTY, IDAHO
NAIP 2015 AERIAL PHOTOGRAPH

Legend

-  New Domestic
-  Domestic/Heating POU
-  White Cloud Ranch, LLC

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
120 2nd Avenue Suite 101, PO Box 7999
Ketchum, ID 83340

Instrument # 250087

CHALLIS, CUSTER, IDAHO
03-10-2015 03:34:08 No. of Pages: 10
Recorded for: FIRST AMERICAN TITLE - KETCHUM
Lura H. Baker Fee: \$37.00
Ex-Officio Recorder Deputy: CAC

Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: 518518K (tb)

Date: March 06, 2015

For Value Received, Kenneth S. Verheyen and Tera L. Verheyen as Trustees of The Kenneth and Tera Verheyen Family Trust established December 15, 2000, as amended., hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto White Cloud Ranch, LLC, a Delaware limited liability company, hereinafter called the Grantee, whose current address is 1501 Galaxy Dr., Newport Beach, CA 92660, the following described premises, situated in Custer County, Idaho, to-wit:

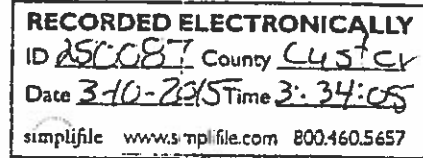
See Attached Exhibit A

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

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

RECORDING REQUESTED BY
First American Title Company

AND WHEN RECORDED MAIL TO:
First American Title Company
120 2nd Avenue Suite 101, PO Box 7999
Ketchum, ID 83340



Space Above This Line for Recorder's Use Only

WARRANTY DEED

File No.: **518518K (tb)**

Date: **March 06, 2015**

For Value Received, **Kenneth S. Verheyen and Tera L. Verheyen as Trustees of The Kenneth and Tera Verheyen Family Trust established December 15, 2000, as amended,** hereinafter called the Grantor, hereby grants, bargains, sells and conveys unto **White Cloud Ranch, LLC, a Delaware limited liability company,** hereinafter called the Grantee, whose current address is **1501 Galaxy Dr., Newport Beach, CA 92660,** the following described premises, situated in **Custer County, Idaho,** to-wit:

See Attached Exhibit A

SUBJECT TO all easements, right of ways, covenants, restrictions, reservations, applicable building and zoning ordinances and use regulations and restrictions of record, and payment of accruing present year taxes and assessments as agreed to by parties above.

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

Date: 03/06/2015

Warranty Deed
- continued

File No.: 518518K (tb)

BUYER:

**Kenneth S. Verheyen and Tera L. Verheyen
as Trustees of The Kenneth and Tera
Verheyen Family Trust established
December 15, 2000, as amended.**


Kenneth S. Verheyen, Trustee


Tera L. Verheyen, Trustee

STATE OF CALIFORNIA)
COUNTY OF ORANGE)

On this 9th day of March, 2015, before me, a Notary Public in and for said State, personally appeared **Kenneth S. Verheyen and Tera L. Verheyen**, known or identified to me to be the person(s) whose name(s) are subscribed to the within instrument as trustees of the **The Kenneth and Tera Verheyen Family Trust established December 15, 2000, as amended Trust**, and acknowledged to me that they executed the same as such trustees.

Notary Public of CALIFORNIA
Residing at: CORONA, CA
Commission Expires: 7-21-18

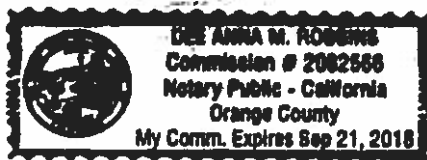


Exhibit "A"

Legal Description of A parcel of land falling within Sections 4 and 9, Township 8 North, Range 14 East, B.M., Custer County, Idaho

A parcel of land located within Sections 4 and 9, Township 8 North Range 14 East, B.M., Custer County, said parcel being shown on a Record of Survey for the Brady Ranch Tracts 06-37, 38 & 39 recorded under Instrument number 250023, records of Custer County, Idaho and being more particularly described as follows:

COMMENCING at a Brass Cap survey monument marking the Southeast Section Corner of Section 4, Township 8 North, Range 14 East, B.M., said point falling South 00°30'43" West 1320.49 feet from an Aluminum cap marking the northwest corner of USFS parcel and referenced in Survey Instrument 200364, Custer County records, Section 4, Township 8 North, Range 14 East, B.M., said point being POINT OF BEGINNING;

thence north 00°30'43" East along Section Line, 1,320.49 feet to a found aluminum cap;

thence North 00°31'45" East 206.12 feet to a point;

thence North 89°41'58" West 873.51 feet to a point common to Tracts 1666, 1668 and 06-37, said point also being a found ½" Rebar;

Thence the following courses and distances which generally follow Brady Lane;

North 42°43'45" West 402.51 feet to an existing ½" rebar survey monument;

North 41°15'34" West 48.30 feet to an existing 5/8" rebar survey monument;

North 51°03'34" West 311.88 feet to an existing 5/8" rebar survey monument;

North 62°40'34" West 434.04 feet to an existing 5/8" rebar survey monument;

North 59°59'34" West 603.34 feet to an existing ½" rebar survey monument;

North 60°18'36" West 473.20 feet to an existing Aluminum capped survey monument;

North 57°30'31" West 494.03 feet to an existing ½" rebar survey monument, point being common to Tracts 97-29 and 06-39 as referenced in Survey Instrument 211649, Custer County Records;

North 63°35'31" West 484.48 feet to an existing 5/8" rebar survey monument;

North 61°35'55" West 203.24 feet to an existing 5/8" rebar survey monument;

North 52°04'22" West 173.35 feet to an existing 5/8" rebar survey monument;

North 80°39'23" West 263.07 feet to an existing 5/8" rebar survey monument;

South 17°51'14" West 17.62 feet crossing Brady Lane to a point on southern edge of said lane;

Thence departing Brady Lane and proceeding along the following courses and distances which generally follow Shaw Mesa Drive;

South 28°37'45" East 449.92 feet to an existing 5/8" rebar survey monument;

South 05°49'31" East 458.02 feet to an existing 5/8" rebar survey monument;

South 01°06'18" East 699.94 feet to an existing 5/8" rebar survey monument;

South 29°34'33" East 78.92 feet to an existing 5/8" rebar survey monument;

South 55°01'33" East 275.20 feet to an existing 5/8" rebar survey monument;

South 47°53'57" East 127.12 feet to an existing ½" rebar, point being common to Tracts 06-39, 02-68, 1457 & 1791;

Thence departing Shaw Mesa Drive and proceeding North 44°26'45" East 34.49 feet to an existing 5/8" rebar, common to Tracts 06-39 and 1567;

Thence North 44°31'03" East 323.36 feet along boundary common to Tracts 06-39 and 1567 to an existing Iron Pipe marking the Northeast corner of Tract 1567;

thence South 53°26'09" East 1,024.90 feet along boundary common to Tracts 06-39 and 1567, to an existing Iron Pipe common marking the corner of Tracts 06-37, 1567, and Lot 40, White Cloud Subdivision #1;

thence South 38°44'24" East 792.23 feet along boundary common to Tract 06-37 and Lots 38, 39, and 40, White Cloud Subdivision #1, to an existing iron Pipe common marking the corner of Lot 38 White Cloud Subdivision #1 and Tract 06-37;

thence South 13°30'28" East 682.18 feet along boundary common to Tract 06-37, Lots 35,36,37 and 38, White Cloud Subdivision #1, to an existing Iron Pipe marking the corner of tracts 06-37, 1785 and Lot 35 White Cloud Subdivision #1;

thence South 80°42'04" East 1,469.88 feet along the boundary common to Tracts 06-37, 1785 and 1771, to an existing 5/8" rebar survey monument marking the corner of Tracts 06-37 and 1771;

thence South 63°46'37" East 379.13 feet along boundary common to Tracts 06-37 and 1771, to an existing 1/2" rebar survey monument on the eastern section line of Section 9;

thence North 00°29'43" East 399.14 feet along the eastern section line of section 9, to the POINT OF BEGINNING.

FORMERLY DESCRIBED AS:

Parcel 1:

A fraction of the S½SE¼ of Section 4, and a fraction of the N½NE¼ of Section 9, Township 8 North, Range 14 E.B.M., Custer County, Idaho, described as follows:

Beginning at the Northeast Corner of said Section 9;

Thence S. 0°02' E. 399.5 feet;

Thence N. 64°15' W. 378.9 feet;

Thence N. 80°50' W. 1472.5 feet, more or less, to a point on the North line of said Section 9, said point being Westerly 1794.6 feet from the Northeast Corner of said Section 9;

Thence N. 13°43' W. 682.01 feet;

Thence N. 38°58' W. 791.95 feet;

Thence N. 0°02' W. to a point on the North line of the SW¼SE¼ of Section 4;

Thence East 2488.0 feet, more or less, to a point on the East line of said Section 4;

Thence S. 0°02' E. 1320.0 feet, more or less, to the Real Point of Beginning.

EXCEPT from the above described property the following described roadway:

A strip of land 10 feet in width located in the SE¼ of said Section 4, lying 5 feet right and 5 feet left of the following described center line:

Commencing at the Southeast Corner of said Section 4;

Thence N. 28°59'24" W. 1715.3 feet to the Centerline of an existing 10-foot wide dirt road, said point being the Real Point of Beginning; thence along the Centerline of said existing direct road the following 17 courses:

S. 57°17'15" E. 73.8 feet; thence

S. 46°01'35" E. 92.5 feet; thence

S. 55°42'38" E. 112.9 feet; thence

S. 47°05'32" E. 68.2 feet; thence

S. 34°55'53" E. 106.6 feet; thence

S. 16°32'32" E. 47.05 feet; thence

S. 26°40'38" W. 29.2 feet; thence

N. 84°43'53" W. 34.6 feet; thence

N. 42°34'30" W. 84.0 feet; thence

N. 53°39'40" W. 51.2 feet; thence

N. 69°27'23" W. 72.5 feet; thence

S. 65°39'53" W. 46.4 feet; thence

S. 18°29'25" W. 40.6 feet; thence

S. 13°25'20" E. 97.6 feet; thence

S. 8°38'47" W. 65.4 feet; thence

S. 21°32'43" W. 52.4 feet; thence

S. 27°57'27" W. 72.5 feet; said point being the end of this description.

AND FURTHER EXCEPTING:

A parcel of land located in the SE¼ of Section 4, Township 8 North, Range 14 E.B.M., Custer County, Idaho, more particularly described as follows:

Commencing at the Southeast Corner of said Section 4, thence N. 44°12'41" W. 1067.9 feet to the Real Point of Beginning; thence

N. 13°24'18" W. 131.4 feet; thence

N. 41°36'37" W. 143.4 feet; thence
S. 80°00'00" W. 112.7 feet; thence
S. 17°45'28" E. 214.3 feet; thence
S. 45°41'28" E. 65.9 feet; thence
N. 78°47'46" E. 131.4 feet to said point of beginning.

Parcel 2:

Township 8 North, Range 14 E.B.M., Custer County, Idaho

Section 4: Beginning at the Southeast Corner of the NE¼SE¼ of Section 4;

Thence N. 0°02' W. along the East boundary of Section 4 a distance of 210.1 feet;

Thence West 2488.0 feet;

Thence S. 0°02' E. 210.1 feet;

Thence East 2488.0 feet to the Point of Beginning.

Parcel 3:

A fraction of the N¼SE¼ of Section 4, Township 8 North, Range 14 E.B.M., Custer County, Idaho, described as follows:

Commencing at the Southeasterly corner of said Section 4;

Thence N. 0°02' W. 1530.1 feet;

Thence West 892.44 feet to the Point of Beginning and the Southeasterly corner of the tract of land herein described:

Thence continuing West 1595.56 feet;

Thence N. 0°02' W. 298.4 feet;

Thence East 1324.36 feet;

Thence S. 42°16' E. 403.23 feet to the point of Beginning.

Parcel 4:

Township 8 North, Range 14 E.B.M., Custer County, Idaho

Section 4: A strip of land, 12.0 feet wide across a portion of the NW¼SE¼ and the NE¼SW¼ of said section described as follows:

Commencing at the Southeasterly corner of said Section 4;

Thence N. 0°02' W. 1530.1 feet;

Thence West 2488.0 feet;

Thence N. 0°02' W. 286.4 feet to the Point of Beginning and the Southerly point of the right-of-way herein described:

Thence N. 85°06' W. 763.39 feet, more or less to the Northerly corner of Tract No. 1567;

Thence S. 44°20' W. along the Northwesterly boundary of Tract No. 1567 a distance of 323.28 feet, more or less, to a point of the Northerly side of the now existing road;

Thence N. 45°40' W. 12.0 feet;

Thence N. 44°20' E. 327.74 feet;

Thence S. 85°06' E. 766.83 feet to the Northwesterly corner of the Brady Tract;

Thence S. 0°02' E. 12.0 feet to the Point of Beginning.

Parcel 5:

A tract of land in the S½NW¼, NE¼SW¼, N½SE¼, and SW¼NE¼ of Section 4, Township 8 North, Range 14 E.B.M., Custer County, Idaho, described as:

Commencing at the Southeasterly corner of said Section 4; thence N. 0°02' W. along the Easterly boundary of Section 4 a distance of 1530.1 feet; thence West 879.1 feet, which point is the most Southerly corner of the land described in the Deed to Ashton J. O'Donnell, et ux., recorded February 19, 1969, as Instrument No. 126103; thence N. 42°16' W. 403.23 feet to the Point of Beginning of the tract of land herein described:

Continuing thence N. 42°16' W. 48.27 feet;

Thence N. 52°04' W. 311.7 feet;

Thence N. 63°41' W. 433.8 feet to the most Southerly corner of the land described in the Deed to Robert H. Warmack, et ux., recorded January 5, 1969, as Instrument No. 125997;

Thence N. 61°00' W. 603 feet;

Thence N. 60°43' W. 473.2 feet to the most Southerly corner of the land described in the Deed to Charles T. Reeder, et ux., recorded December 9, 1976, as Instrument No. 143300;

Thence N. 57°58' W. 494.7 feet;

Thence N. 64°10' W. 481.98 feet;

Thence N. 62°00' W. 203.5 feet;

Thence N. 53°35' W. 171.1 feet;

Thence N. 80°10' W. 298.1 feet;

Thence S. 18°02' W. 49.4 feet;

Thence S. 28°50' E. 449.2 feet;

Thence S. 7°04' E. 457.75 feet to a point which lies S. 43°26' E. 58.4 feet from the Northwest corner of the NE¼SW¼ of Section 4;

Thence S. 1°47' E. 700.74 feet;

Thence S. 30°30' E. 78.85 feet;

Thence S. 55°57' E. 275.15 feet;

Thence S. 48°36' E. 127.04 feet to the most Westerly corner of the land described in the deed to Lloyd E. Haight, et ux., recorded August 31, 1967, in Book 36 of Deeds, Page 488;

Thence N. 44°20' E. 323.28 feet;

Thence S. 53°35' E. 1012.0 feet, more or less, to a point on the Southerly boundary of the NW¼SE¼ of Section 4 and 152.0 feet East of the Southwesterly corner of the NW¼SE¼ of Section 4 which is also the Southwest corner of the land described in the Deed to J. Robb Brady, et ux., recorded September 15, 1967, in Book 36 of Deeds, Page 524;

Thence North 508.5 feet;

Thence East 1324.36 feet to the Point of Beginning.

Parcel 6:

A parcel of land located in the SE¼ of Section 4, Township 8 North, Range 14 E.B.M., Custer County, Idaho, more particularly described as follows:

Commencing at the Southeast Corner of said Section 4, thence N. 44°12'41" W. 1067.9 feet to the Real Point of Beginning; thence

N. 13°24'18" W. 131.4 feet; thence

N. 41°36'37" W. 143.4 feet; thence

S. 80°00'00" W. 112.7 feet; thence

S. 17°45'28" E. 214.3 feet; thence

S. 45°41'28" E. 65.9 feet; thence

N. 78°47'46" E. 131.4 feet to said point of beginning.

ALSO:

A strip of land 10 feet in width located in the SE¼ of said Section 4, Township 8 North, Range 14 E.B.M., Custer County, Idaho, lying 5 feet right and 5 feet left of the following described center line:

Commencing at the Southeast Corner of said Section 4;

Thence N. 28°59'24" W. 1715.3 feet to the Centerline of an existing 10-foot wide dirt road, said point being the Real Point of Beginning; thence along the Centerline of said existing direct road the following 17 courses:

S. 57°17'15" E. 73.8 feet; thence

S. 46°01'35" E. 92.5 feet; thence

S. 55°42'38" E. 112.9 feet; thence

S. 47°05'32" E. 68.2 feet; thence

S. 34°55'53" E. 106.6 feet; thence

S. 16°32'32" E. 47.05 feet; thence

S. 26°40'38" W. 29.2 feet; thence

N. 84°43'53" W. 34.6 feet; thence

N. 42°34'30" W. 84.0 feet; thence

N. 53°39'40" W. 51.2 feet; thence

N. 69°27'23" W. 72.5 feet; thence

S. 65°39'53" W. 46.4 feet; thence

S. 18°29'25" W. 40.6 feet; thence

S. 13°25'20" E. 97.6 feet; thence

S. 8°38'47" W. 65.4 feet; thence

S. 21°32'43" W. 52.4 feet; thence

S. 27°57'27" W. 72.5 feet; said point being the end of this description.

Together with the following water rights filed with the Idaho Department of Water Resources:

71-10903, 71-34D, 71-35A, 71-36C and 71-4000.

MAR 04 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

LIMITED LIABILITY COMPANY AGREEMENT

OF

WHITE CLOUD RANCH, LLC

A DELAWARE LIMITED LIABILITY COMPANY

White Cloud Ranch, LLC (the "**Company**") was formed on December 22, 2014, as a limited liability company pursuant to the Delaware Limited Liability Company Act (the "**Act**"). Kenneth S. Verheyen and Tera L. Verheyen, as Trustees of the Kenneth and Tera Verheyen Family Trust, dated December 15, 2000, the sole member, hereby declares the following to be the Limited Liability Company Agreement of the Company, as of December 22, 2014:

1. **Definitions:** Unless the context otherwise requires, the following terms shall have the following meanings:

"**Act**" shall mean the Delaware Limited Liability Company Act, as the same may be amended from time to time.

"**Affiliate**" means, with respect to any Person, a Person that, directly or indirectly, controls or is controlled by or is under common control with that Person or is controlled by a principal executive officer of that Person. As used in this definition, "control" means possession, direct or indirect, of the power to direct or cause the direction of the management and policies of a Person, whether through ownership of voting interests, by contract or otherwise.

"**Agreement**" means this Limited Liability Company Agreement of the Company as this Agreement may be amended, modified or restated, from time to time.

"**Certificate**" shall mean the Certificate of Formation of the Company as filed with the Secretary of State of Delaware as the same may be amended or restated from time to time.

"**Company**" has the meaning specified in the introductory paragraph of this Agreement.

"**Person**" means any entity, corporation, company, association, joint venture, joint stock company, partnership, trust, limited liability company, limited liability partnership, real estate investment trust, organization, individual (including personal representatives, executors, and heirs of a deceased individual), nation, state, government (including agencies, departments, bureaus, boards, divisions and instrumentalities thereof), trustee, receiver or liquidator.

"**Sole Member**" means Kenneth S. Verheyen and Tera L. Verheyen, as Trustees of the Kenneth and Tera Verheyen Family Trust, dated December 15, 2000, and any successor in interest to Kenneth S. Verheyen and Tera L. Verheyen, as Trustees of the Kenneth and Tera Verheyen Family Trust, dated December 15, 2000 to the entire Sole Membership Interest.

"Sole Membership Interest" has the meaning specified in Paragraph 11 of this Agreement.

2. Name. The name of the Company formed by filing the Certificate with the Delaware Secretary of State as White Cloud Ranch, LLC.

3. Certificate. An authorized agent of the Company has filed the Certificate with the Delaware Secretary of State on December 22, 2014.

4. Purpose. The purpose of the Company is to engage in any and all lawful activities for which limited liability companies may be organized under the laws of the State of Delaware.

5. Principal Place of Business. The principal office of the Company shall be at 11100 Santa Monica Blvd., Suite 600, Los Angeles, California 90025 or at such other place as the Sole Member may determine from time to time.

6. Required Filings. Melissa Punim is hereby designated as an "authorized person" within the meaning of the Act, and has executed, delivered and filed the Certificate of Formation of the Company with the Secretary of State of the State of Delaware. Upon the filing of the Certificate of Formation with the Secretary of State of the State of Delaware and the Application to Register a Foreign Limited Liability Company with the Secretary of State of California, her powers as an "authorized person" shall cease, and Kenneth S. Verheyen shall become the designated "authorized person" and shall continue as the designated "authorized person" within the meaning of the Act. The Sole Member shall execute, acknowledge, file, record and/or publish such certificates and documents, as may be required by this Agreement or by law in connection with the formation and operation of the Company.

7. Registered Office and Registered Agent. The Company's initial registered office and initial registered agent shall be as provided in the Certificate of Formation. The registered office and registered agent may be changed from time to time by the Sole Member by filing the address of the new registered office and/or the name of the new registered agent pursuant to the Act.

8. Power of the Company. Subject to the limitations set forth in this Agreement and the Certificate, the Company shall possess and may exercise all of the powers and privileges granted to it by the Act, by any other law or by this Agreement, together with all powers incidental thereto, so far as such powers are necessary or convenient to the conduct, promotion or attainment of the purposes of the Company set forth in the Certificate.

9. Powers of the Sole Member. The Sole Member shall have the power to exercise any and all rights and powers granted to members of a limited liability company pursuant to the Act and the express terms of this Agreement.

10. Limited Liability. Except as otherwise provided by the Act, the debts, obligations and liabilities of the Company, whether arising in contract, tort or otherwise, shall be solely the debts, obligations and liabilities of the Company. The Sole Member shall not be obligated for any such debt, obligation or liability of the Company by reason of being a member of the Company.

11. Admission of Sole Member. The authorized capital of the Company is one (1) membership interest. The Sole Member has contributed to the Company the cash and/or the other property described on Exhibit "A" attached to this Agreement and incorporated into this Agreement by this reference. The Company has issued one (1) membership interest to the Sole Member (the "Sole Membership Interest"), representing a One Hundred Percent (100%) percentage interest in the Company.

12. Additional Capital Contributions. The Sole Member shall not be required to make any additional capital contributions to the Company. The Sole Member may, however, make additional capital contributions to the Company in such amounts and at such times as it desires, in its sole and absolute discretion.

13. Management. Management of the Company shall be vested exclusively in the Sole Member. The Sole Member shall have the power to do any and all acts necessary, convenient or incidental to or for the furtherance of the purposes described in the Certificate, including all powers, statutory or otherwise, possessed by members of a limited liability company under the Act. The Sole Member, acting alone, shall have the authority to bind the Company.

14. Officers. The Sole Member may, from time to time, as it deems advisable, appoint one or more individuals as officers of the Company and assign titles (including, without limitation, President, Vice President, Secretary and Treasurer) to any such individual. Unless the Sole Member decides otherwise, if the title is one commonly used for officers of a business corporation formed under the Delaware Corporation Law, the assignment of that title shall constitute the delegation to that individual of authority and duties that are normally associated with that office. Any delegation pursuant to this Paragraph 14 may be revoked or modified at any time by the Sole Member.

15. Assignments. The Sole Member may assign its Sole Membership Interest in whole or in part. If the Sole Member transfers all of his Sole Membership Interest pursuant to this Paragraph 15, the transferee shall be admitted to the Company as the Sole Member upon his, her or its execution of an instrument signifying his, her or its agreement to be bound by the terms and conditions of this Agreement. Such admission shall be deemed to be effective upon the transfer, and upon such admission, the transferor Sole Member shall cease to be a member of the Company.

16. Termination, Dissolution and Involuntary Transfers. In the event a Terminating Event (as hereinafter defined) shall occur with respect to the Sole Member of the Company, the Company shall not be dissolved, and, in the event of a bankruptcy or dissolution of the Sole Member, the personal representative or trustee (or successor-in-interest) of the Sole Member shall be an assignee of the Sole Member's interest in the Company, having any and all rights that such bankrupt or dissolved Sole Member had under this Agreement, and shall, simultaneously therewith, become the substituted Sole Member of the Company and the operation and business of the Company shall continue in accordance with this Agreement; provided, however, that any such bankrupt or dissolved Sole Member's successor-in-interest shall be liable for all of its obligations as a Sole Member. As soon as possible following the Terminating Event, the Sole Member shall execute a Certificate of Cancellation in such form as shall be prescribed by the

Delaware Secretary of State and file the Certificate as required by the Act. As used herein, the term "Terminating Event" shall mean the death, retirement, incapacity, bankruptcy, resignation, dissolution (for any reason whatsoever) or other event that terminates the continued membership of the Sole Member of the Company.

17. Exculpation; Indemnification by the Company. To the maximum extent permitted by law, the Sole Member shall not be liable to the Company or to any other Person for any loss, damage or claim incurred by reason of any act or omission performed or omitted to be performed by the Sole Member in good faith on behalf of the Company in the conduct of the business or affairs of the Company. Further to the maximum extent permitted by law, the Company shall defend, indemnify and hold harmless the Sole Member and, if the Sole Member so elects by notice to any such other Person, any of the Sole Member's Affiliates and members, and any of his or their respective shareholders, members, directors, officers, employees, agents, attorneys or Affiliates, from and against any and all liabilities, losses, claims judgments, fines, settlements and damages incurred by the Sole Member, or by any such Person, arising out of any claim based upon any acts performed or omitted to be performed by the Sole Member, or by any such other Person, on behalf of the Sole Member, in connection with the organization, management, business or property of the Company, including costs, expenses and attorneys' fees (which may be paid as incurred) expended in the settlement or defense of any such claim.

18. Amendment. This Agreement may be amended or modified only in a writing signed by the Sole Member.

19. Severability. Every term and provision of this Agreement is intended to be severable, and if any term or provision of this Agreement is illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the legality or validity of the remainder of this Agreement.

20. No Third-Party Rights. No Person, other than the Sole Member and any Person entitled to indemnification pursuant to Paragraph 17 shall have any legal or equitable rights, remedies or claims under or in respect to this Agreement, and no Person, other than the Sole Member and any Person entitled to indemnification pursuant to Paragraph 17 shall be beneficiary of any provision of this Agreement.

21. Governing Law. This Agreement shall be governed by and construed under the laws of the State of Delaware, excluding any conflict of law rule or principle that might refer the governance or construction of this Agreement to the law of another jurisdiction.

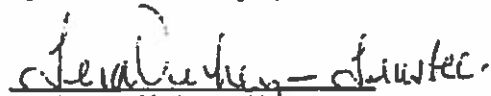
IN WITNESS WHEREOF, the Sole Member has caused this Agreement to be executed
as of the date first written above.

SOLE MEMBER

Kenneth and Tera Verheyen Family
Trust, dated December 15, 2000



By: Kenneth S. Verheyen, Trustee



By: Tera L. Verheyen, Trustee

EXHIBIT "A"

CAPITAL CONTRIBUTION, ADDRESS AND PERCENTAGE INTEREST

OF SOLE MEMBER

<u>Name</u>	<u>Address</u>	<u>Capital Contribution</u>	<u>Percentage Interest</u>
Kenneth and Tera Verheyen Family Trust, dated December 15, 2000	11100 Santa Monica Blvd, Suite 600 Los Angeles, California, 90025		100%

Delaware

PAGE 1

The First State

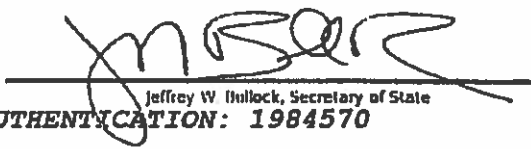
I, JEFFREY W. BULLOCK, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF FORMATION OF "WHITE CLOUD RANCH, LLC", FILED IN THIS OFFICE ON THE TWENTY-SECOND DAY OF DECEMBER, A.D. 2014, AT 7:43 O'CLOCK P.M.

5662897 8100

141576248

You may verify this certificate online
at corp.delaware.gov/authver.shtml




Jeffrey W. Bullock, Secretary of State
AUTHENTICATION: 1984570

DATE: 12-23-14

State of Delaware
Secretary of State
Division of Corporations
Delivered 07:46 PM 12/22/2014
FILED 07:43 PM 12/22/2014
SRV 141576248 - 5662897 FILE

STATE of DELAWARE
LIMITED LIABILITY COMPANY
CERTIFICATE of FORMATION

First: The name of the limited liability company is

White Cloud Ranch, LLC

Second: The address of its registered office in the State of Delaware is

615 S. DuPont Highway in the City of Dover

Zip code 19901. The name of its Registered agent at such address is

National Corporate Research, Ltd.

Third: (Use this paragraph only if the company is to have a specific effective date of dissolution: "The latest date on which the limited liability company is to dissolve is _____.")

Fourth: (Insert any other matters the members determine to include herein.)

In Witness Whereof, the undersigned have executed this Certificate of Formation this

22nd day of December, 2014.

By: Melissa Punim
Authorized Person (s)

Name: Melissa Punim

27020



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 31, 2016

WHITE CLOUD RANCH LLC
1501 GALAXY DR
NEWPORT BEACH, CA 92660

RE: Application For Permit No. 71-10953

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 **CHALLIS MESSENGER** on **4/7/2016** and **4/14/2016**. Protests to this application may be submitted for a period ending ten (10) days after the second publication (**April 25, 2016**).

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,

Denise Maline
Administrative Assistant

cc:

BROCKWAY ENGINEERING PLLC
C/O ERICK POWELL
2016 N WASHINGTON ST STE 4
TWIN FALLS, ID 83301

Maline, Denise

From: Maline, Denise
Sent: Thursday, March 31, 2016 11:40 AM
To: Challis Messenger
Subject: LEGAL NOTICE
Attachments: Challis Messenger cover letter.docx; Challis Messenger Ad.doc

Attached please find (1) legal notice being submitted for publication on April 7th & 14th, 2016. Please feel free to contact me if you have any questions, or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Maline
Administrative Assistant
Idaho Dept of Water Resources, Southern Region
650 Addison Ave W, Ste 500
Twin Falls, ID 83301
(208) 736-3033
denise.maline@idwr.idaho.gov



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

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C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 31, 2016

LEGAL NOTICE DEPARTMENT
CHALLIS MESSENGER
PO BOX 405
CHALLIS, ID 83226

RE: Application For Permit No.(s): 71-10953

Dear Legal Notice Department:

Please publish the enclosed legal notice 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 before April 25, 2016. Your cooperation is appreciated.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)

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

71-10953

WHITE CLOUD RANCH LLC

1501 GALAXY DR

NEWPORT BEACH, CA 92660

Point of Diversion SWSESE S4 T08N R14E CUSTER County Source GROUND WATER Tributary

Use: DOMESTIC 01/01 to 12/31 0.04 CFS

Use: HEATING 01/01 to 12/31 0.03 CFS

Total Diversion: 0.07 CFS

Date Filed: 2/29/2016

Place Of Use: DOMESTIC & HEATING

T08N R14E S4 SESE

Application for permit proposes to divert 0.04 cfs for domestic use and 0.03 cfs for non-consumptive heating use from an existing well for a new residence. The proposed point of diversion and place of use are located approximately 11.9 miles south and 5.4 miles east of the intersection of State Highways 75 and 21 in Stanley. Water for heating will be returned to the aquifer after use.

This application proposes the diversion and use of water tributary to a federally designated 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 uses proposed in this application will benefit from the subordination provision because they are for domestic and non consumptive purposes.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Southern Region office at (208) 736-3033; or for a full description of the right(s), please see www.idwr.idaho.gov/WaterManagement/WaterRights/#New_Listings. 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, Southern Region, 650 Addison Ave W, Ste 500, Twin Falls, ID 83301 together with a protest fee of \$25.00 for each application on or before April 25, 2016. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on April 7th & 14th, 2016



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 31, 2016

WATER DISTRICT #71
C/O CINDY YENTER
650 ADDISON AVE W, STE 500
TWIN FALLS, ID 83301

Via hand-delivery

RE: Application For Permit No.(s): 71-10953

Dear Cindy:

A copy of the above referenced application is enclosed. Please review the application, then complete the enclosed recommendation form as necessary, and return it to this office within 21 days of the date of this letter.

If the application is approved, IDWR will include appropriate standard conditions of approval for a water right located within a water district, such as regulation by the watermaster, lockable controlling works, and/or measuring devices. Any special conditions or other concerns you have related to this application should be specifically addressed in your recommendation.

IDWR's regional offices can finish reviewing an unprotested application as soon as the protest period has past. Your prompt response to this request will ensure that your recommendation can be considered. If IDWR has not received your written recommendation within 21 days from the date of this letter, IDWR will presume that you do not oppose approval of the application and that you have no comments for IDWR to consider.

Sincerely,

Denise Maline
Administrative Assistant

Enclosure(s)



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

MAR 14 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

March 10, 2016

Mr. Jim Bitzenburg
Idaho Department of Water Resources
650 Addison Ave. West, Suite 500
Twin Falls, ID 83301-5858

Re: Application for Permit no. 71-10953

Dear Jim,

Enclosed with letter is the original signed application for permit no. 71-10953 submitted by White Cloud Ranch, LLC.

Cordially,

G. Erick Powell, P.E.

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

Bitzenburg, James

From: Erick Powell [erick.powell@brockwayeng.com]
Sent: Thursday, March 10, 2016 4:32 PM
To: Bitzenburg, James
Cc: Ken Verheyen
Subject: Application for Permit no. 71-10953

Dear Jim,

On behalf of Ken Verheyen and White Cloud Ranch, I'm formally responding to your two letters that you sent regarding the White Cloud Ranch, LLC application for water right permit. These letters were dated March 3, 2016 and March 4, 2016.

The first letter outlined several items that you requested additional clarification regarding. It is my intent to provide you with the information that you requested so that this permit application can continued to be processed. The items that you requested are as follows:

1. Mr. Verheyen provided necessary documentation that he is authorized to sign on behalf of White Cloud Ranch, LLC.
2. Groundwater with temperature greater than 85 degrees F is not being sought. The well has already been drilled, and the water temperature is less than 85 degrees F.
3. The domestic portion of this water right permit application does include ½-acre of irrigation per Idaho Code 42-111(a).
4. The shallow injection well has not been fully designed, including its exact location. The injection well will consist of perforated pipes in a buried distribution system. The groundwater will be diverted through a heat pump, heat will be removed, water will be injected back into the aquifer. No consumption of water will occur. IDWR can condition the permit to ensure that the Shallow Injection Well Inventory Form will be filed with IDWR when the design is complete and prior to the use of the shallow injection well. The lack of a final design should not prevent the water right permit application from being processed.
5. The pond is not part of the heating water right. White Cloud Ranch will not put effluent heating water into the pond. The effluent water will be returned to the aquifer via a shallow injection well.

The second letter discussed the opportunity for White Cloud Ranch, LLC to provide additional information regarding this permit application and local public interest concerns for ESA species recovery. The permit application seeks domestic and heating use of groundwater. Domestic water use is authorized by Idaho Code 42-111(a). The heating component is non-consumptive and will be returned to the aquifer via a shallow injection well. The net impact to the aquifer from the heating water extraction and injection will be zero. Therefore, there is no adverse impact to the ESA species recovery from the application for permit for heating water right.

Regards,
Erick

G. Erick Powell, Ph.D., P.E.
Brockway Engineering, PLLC
2016 Washington Street North, #4
Twin Falls, Idaho 83301
Office: 208-736-8543
erick.powell@brockwayeng.com

All information, calculations, maps, drawings, or other documents transmitted via email are preliminary unless explicitly stated in the email text or in the documents themselves.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858
Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 4, 2016

White Cloud Ranch, LLC
1501 Galaxy Drive
Newport Beach, CA 92660

RE: Application to Appropriate Water in the Upper Salmon River Basin 71-10953, recently filed

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 Shelley Keen at 208-287-4947, or email him at shelley.keen@idwr.idaho.gov. For applications in administrative basins 71 or 72, you may also contact IDWR's Southern Region office in Twin Falls at 208-736-3033.

Sincerely,



Jim Bitzenburg
Water Resource Agent

Cc: Erick Powell, Brockway Engineering



State of Idaho

DEPARTMENT OF WATER RESOURCES

Southern Region • 650 Addison Ave W, Suite 500 • Twin Falls, Idaho 83301-5858

Phone: (208) 736-3033 • Fax: (208) 736-3037 • Website: www.idwr.idaho.gov

C.L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Director

March 3, 2016

White Cloud Ranch, LLC
1501 Galaxy Drive
Newport Beach, CA 92660

RE: Additional information required for Application to Appropriate Water 71-10953, recently filed

Dear Water Right Applicant:

On February 29, 2016 our office received from you an Application to Appropriate Water for domestic and heating purposes near Stanley, Idaho. Upon review of the Application, it appears that several items need to be clarified before we can continue processing the application. I spoke briefly this morning with your representative, Erick Powell of Brockway Engineering, so he is aware of these issues.

- The Application is in the name of White Cloud Ranch, LLC and is signed by Ken Verheyen. We will need documentation confirming that Mr. Verheyen is authorized to sign on behalf of White Cloud Ranch, LLC.
- Item 6. d., concerning the temperature of the water being sought, was not answered. Is ground water with a temperature of greater than 85° F being sought?
- Will you want the ½ acre of irrigation that is usually associated with a domestic right?
- We would like more details describing the "shallow injection well" that will be used to return the heating water to the aquifer- depth, location, and type (bored or drilled, dug, improved sinkhole, or subsurface fluid distribution system). In addition, the Department requires that a Shallow Injection Well Inventory Form be filed no later than 30 days prior to the commencement of construction of each new shallow injection well. A one-time processing fee of \$75 is required to be submitted with each inventory form. Forms are available on the IDWR public website.
- Finally, there is a newly constructed pond on the new home site. Mr. Powell indicated that the pond is for the distribution of surface water irrigation rights appurtenant to the surrounding White Cloud Ranch, LLC property. There are limits to the volume of the pond for this purpose and a good source of information on whether or not a storage water right is required can be found on the IDWR public website under Water Rights> About Water Rights> Frequently Asked Questions> Do I need a water right for water storage (such as ponds and reservoirs)? Keep in mind that the pond would not be an appropriate conduit to return the heating water to the aquifer.

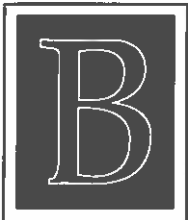
Please submit the requested information within 30 days to avoid the possibility of priority date adjustment or voiding of the application by the Department. If you have any questions, feel free to call me at the above number or I can be reached by email at: james.bitzenburg@idwr.idaho.gov. Thank you for your assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Jim Bitzenburg", with a stylized, looping flourish at the end.

Jim Bitzenburg
Water Resource Agent

Cc: Erick Powell, Brockway Engineering



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

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FEB 29 2016

DEPT OF WATER RESOURCES
SOUTHERN REGION

February 24, 2016

Mr. Allen Merritt
650 Addison Avenue West, Suite 500
Twin Falls, ID 83301-5858

Re: White Cloud Ranch, LLC Application for Permit for Domestic and
Heating
Project No. 1285-01-2014

Dear Allen,

Enclosed with this letter is an application for permit in behalf of White Cloud Ranch, LLC. The application for permit seeks to obtain a domestic and heating water right for a new residence on the property. The new residence will be heated with a groundwater source heat pump and effluent water will be returned to the aquifer through a shallow injection well. Water used for heating will not be consumptive.

We have enclosed the permit application fee of \$100. If you have any additional questions, please do not hesitate to contact me.

Sincerely,



G. Erick Powell, Ph.D., P.E.

enclosed

cc: Ken Verheyen

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., P.E.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506