

State of Idaho
Department of Water Resources

Permit to Appropriate Water

NO. 47-17645

Priority: August 13, 2015

Maximum Diversion Rate: 0.06 CFS

This is to certify, that CITY OF TWIN FALLS
TROY VITEK
324 HANSEN ST E
TWIN FALLS ID 83301

has applied for a permit to appropriate water from:

Source: GROUND WATER

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>
INDUSTRIAL	01/01 to 12/31	0.06 CFS

LOCATION OF POINT(S) OF DIVERSION:

GROUND WATER	NE1/4SW1/4	Sec. 33, Twp 09S, Rge 17E, B.M.
TWIN FALLS County		

PLACE OF USE: INDUSTRIAL

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
09S 17E 33																	

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **January 01, 2018**.
2. Subject to all prior water rights.
3. Industrial use is for an odor control facility.
4. Use of water under this right shall be non-consumptive.
5. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to use power records to determine the amount of water diverted and shall annually report the information to the Department.
6. This right is for the use of trust water, and it is subject to review 5 years after its initial approval (date of permit approval) to re-evaluate the availability of trust water for the authorized use and to re-evaluate the public interest criteria for reallocating trust water.
7. This right does not grant any right-of-way or easement across the land of another.
8. Prior to the diversion and use of water under this approval, the right holder shall comply with applicable water quality monitoring and/or permitting requirements administered by the Department of Environmental Quality or the Department of Agriculture.

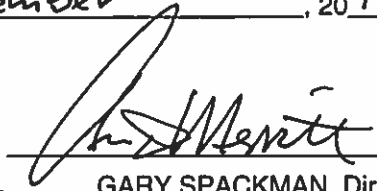
State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 47-17645

9. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 7th day of December, 2015.

FOR


GARY SPACKMAN, Director



State of Idaho
Department of Water Resources

Attachment to Permit to Appropriate Water

47-17645

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

17E



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

0 0.035 0.07 0.14 Miles





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

December 7, 2015

CITY OF TWIN FALLS
TROY VITEK
324 HANSEN ST E
TWIN FALLS ID 83301

RE: Permit No. 47-17645

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

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

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.

The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

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

If you have any questions, please contact me at 208-736-3033.

Sincerely,

A handwritten signature in black ink, appearing to read "Allen Merritt". The signature is stylized with a large, looped initial "A" and a cursive "Merritt".

Allen Merritt
Southern Region Manager

Enclosure(s)

cc: CH2M HILL

CERTIFICATE OF SERVICE

I hereby certify that on December 7, 2015 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 47-17645

**CITY OF TWIN FALLS
TROY VITEK
324 HANSEN ST E
TWIN FALLS ID 83301**

**CH2M HILL
KEVIN BOGGS
322 E FRONT ST STE 200
BOISE ID 83702**

A handwritten signature in dark ink, reading "Denise Maline", is written over a solid horizontal line.

**Denise Maline
Administrative Assistant**

EXPLANATORY INFORMATION TO ACCOMPANY A PRELIMINARY ORDER

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

(Required by Rule of Procedure 730.02)

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

REQUEST FOR HEARING

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

ORAL ARGUMENT

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

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

Bitzenburg, James

From: Kevin.Boggs@ch2m.com
Sent: Tuesday, September 22, 2015 2:07 PM
To: Bitzenburg, James
Subject: City of Twin Falls Easement Agreement
Attachments: Odor Control Facility Easement Signed by Both Parties.pdf

Hi Jim,

Here's the agreement. Please let me know if you need anything else.

Thanks,
Kevin

Kevin Boggs
Mobile. 208.340.1753
Email. Kevin.Boggs@ch2m.com
www.ch2m.com

RECEIVED

SEP 22 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

Public Easement

FOR VALUABLE CONSIDERATION, The receipt of which is hereby acknowledged, the McCOLLUM ENTERPRISES, Limited Partnership, an Idaho Limited Partnership; having lawful authority to do so, hereafter referred to as "Grantor(s)", do hereby irrevocably grant unto THE CITY OF TWIN FALLS, a Municipal Corporation, whose address is P.O. Box 1907, Twin Falls, Idaho, 83303-1907, hereafter referred to as "Grantee", an easement for the installation, operation, maintenance, repair, and/or replacement of a sanitary sewer odor control facility. The facility shall be no more than 13 feet tall, not including the discharge stack. The facility will be blended as reasonably as possible into its surroundings by a screen wall whose form will be coordinated between Grantor and Grantee prior to construction. A well supplying non-potable water shall be allowed as an appurtenance to the facility and will be the only structure located in the 35-foot by 50-foot western portion of the easement. Said easement is particularly described as:

See attached Exhibit A

Grantor agrees not to build or permit any obstruction, building or other structure, over, on, around or about said Easement right-of-way that would interfere with Grantee's right hereunder including Grantee's right of ingress and egress for maintenance and upkeep.

This agreement, together with Exhibit A if attached, covers all of the agreements by the parties hereto and the parties agree further that there are no written or verbal agreements otherwise which change or add to the terms hereof. This grant of easement is perpetual, and shall bind the parties, and their heirs, personal representatives, lawful assigns and successors in interest.

TO HAVE AND TO HOLD, said easement unto Grantee, its successors and assigns this eleventh day of May, 2015.

MCCOLLUM ENTERPRISES, LIMITED PARTNERSHIP

BY: W. DAVID McCOLLUM
GENERAL PARTNER
DATE: _____

BY: JOSEPH D. McCOLLUM, JR.
GENERAL PARTNER
DATE: May 18, 2015

Received as an attachment
to email dated 9-22-15
Jim Boyer 11-30-15

STATE OF IDAHO

County of

On this _____ day of _____, before me, a Notary Public, personally appeared W. David McCollum known or identified to me to be the General Partner in McCollum Enterprises, Limited Partnership, an Idaho limited partnership, and the partner who subscribed said partnership name to the foregoing instrument and acknowledged to me that he executed the same in said partnership name.

Notary Public for Idaho

Residing in

Commission expires

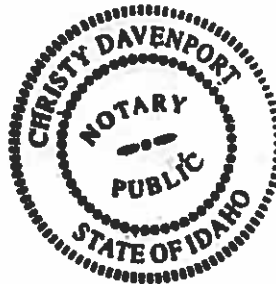
STATE OF IDAHO

County of

On this 11 day of MAY, before me, a Notary Public, personally appeared Joseph D. (J.D.) McCollum, Jr. known or identified to me to be the General Partner in McCollum Enterprises, Limited Partnership, an Idaho limited partnership, and the partner who subscribed said partnership name to the foregoing instrument and acknowledged to me that he executed the same in said partnership name.



Notary Public for Idaho
Residing in DAVENPORT, ID
Commission expires 8/20



RECEIVED

SEP 22 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

Public Easement

FOR VALUABLE CONSIDERATION, The receipt of which is hereby acknowledged, the McCOLLUM ENTERPRISES, Limited Partnership, an Idaho Limited Partnership; having lawful authority to do so, hereafter referred to as "Grantor(s)", do hereby irrevocably grant unto THE CITY OF TWIN FALLS, a Municipal Corporation, whose address is P.O. Box 1907, Twin Falls, Idaho, 83303-1907, hereafter referred to as "Grantee", an easement for the installation, operation, maintenance, repair, and/or replacement of a sanitary sewer odor control facility. The facility shall be no more than 13 feet tall, not including the discharge stack. The facility will be blended as reasonably as possible into its surroundings by a screen wall whose form will be coordinated between Grantor and Grantee prior to construction. A well supplying non-potable water shall be allowed as an appurtenance to the facility and will be the only structure located in the 35-foot by 50-foot western portion of the easement. Said easement is particularly described as:

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This agreement, together with Exhibit A if attached, covers all of the agreements by the parties hereto and the parties agree further that there are no written or verbal agreements otherwise which change or add to the terms hereof. This grant of easement is perpetual, and shall bind the parties, and their heirs, personal representatives, lawful assigns and successors in interest.

TO HAVE AND TO HOLD, said easement unto Grantee, its successors and assigns this 22nd day of May, 20 15.

McCOLLUM ENTERPRISES, LIMITED PARTNERSHIP


BY: W. DAVID McCOLLUM
GENERAL PARTNER

DATE: 5/2/15

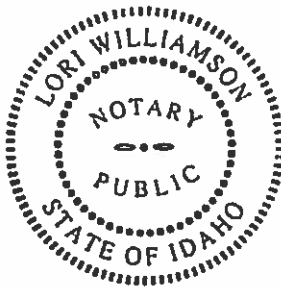
BY: JOSEPH D. McCOLLUM,
GENERAL PARTNER

DATE: _____

STATE OF IDAHO
County of Twin Falls

On this 7 day of May 2015, before me, a Notary Public, personally appeared W. David McCollum known or identified to me to be the General Partner in McCollum Enterprises, Limited Partnership, an Idaho limited partnership, and the partner who subscribed said partnership name to the foregoing instrument and acknowledged to me that he executed the same in said partnership name.

Lori Williamson
Notary Public for Idaho
Residing in Twin Falls
Commission expires 1/28/2016



STATE OF IDAHO
County of

On this ____ day of _____, before me, a Notary Public, personally appeared Joseph D. (J.D.) McCollum, Jr. known or identified to me to be the General Partner in McCollum Enterprises, Limited Partnership, an Idaho limited partnership, and the partner who subscribed said partnership name to the foregoing instrument and acknowledged to me that he executed the same in said partnership name.

Notary Public for Idaho
Residing in
Commission expires

L 2538

CERTIFICATE OF LIMITED PARTNERSHIP

To the Secretary of State of Idaho, 4 04 PM '94
Statehouse, Boise, Idaho 83720
SECRETARY OF STATE



RECEIVED

SEP 22 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

1. The name of the limited partnership is: McCollum Enterprises, Limited Partnership
(Must include, without abbreviation, the words "Limited Partnership.")

2. The name and business address of the registered agent are:

Joseph D. McCollum, Jr., 1110 Warm Springs Ave., Boise, Idaho 83701
(not a P.O. Box)

3. The name and business address of each general partner are:

Name

Address

J. D. McCollum Rural Rt. 3, P. O. Box 112, Twin Falls, Idaho
83301

(If more space is needed, continue in item 6.)

4. The latest date on which the partnership will dissolve is: December 31, 2030

5. Other matters (optional):

6. Signatures of all general partners:

J. D. McCollum

Secretary of State use only

IDAHO SECRETARY OF STATE

19940922 0900 29334 2

CX #: 20197 CUST# 20522

CORP

1@ 100.00= 100.00

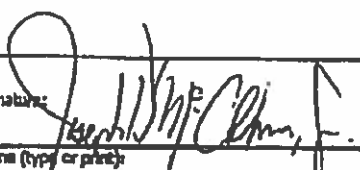
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SEP 22 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

01/03/2014 13:59 FAX

001/002

No. L 2538	Reinstatement Annual Report Form ADMIN TERMINATED 12/17/2013		2. Registered Agent and Office (NOT A P.O. BOX) JOSEPH D MCCOLLUM, JR. 1110 WARM SPRINGS AVE BOISE ID 83712																					
Return to: SECRETARY OF STATE 450 N 4th STREET PO BOX 83720 BOISE, ID 83720-0080	1. Mailing Address: Current in this box if needed. MCCOLLUM ENTERPRISES, LIMITED PARTNERSHIP JOSEPH D MCCOLLUM, JR. 1110 WARM SPRINGS AVE BOISE ID 83712		3. New Registered Agent Signature.																					
REINSTATEMENT FEE DUE: \$30.00																								
4. Limited Partnerships: Enter Names and Business Addresses of general partners. <table border="1"> <thead> <tr> <th>General Partners</th> <th>Name</th> <th>Street or PO Address</th> <th>City</th> <th>State</th> <th>Country</th> <th>Postal Code</th> </tr> </thead> <tbody> <tr> <td>W. David McCollum</td> <td></td> <td>199 Canyon Springs Rd.</td> <td>Twin Falls</td> <td>ID</td> <td>USA</td> <td>83301</td> </tr> <tr> <td>Joseph D. McCollum, Jr.</td> <td></td> <td>1110 Warm Springs Ave.</td> <td>Boise</td> <td>ID</td> <td>USA</td> <td>83712</td> </tr> </tbody> </table>				General Partners	Name	Street or PO Address	City	State	Country	Postal Code	W. David McCollum		199 Canyon Springs Rd.	Twin Falls	ID	USA	83301	Joseph D. McCollum, Jr.		1110 Warm Springs Ave.	Boise	ID	USA	83712
General Partners	Name	Street or PO Address	City	State	Country	Postal Code																		
W. David McCollum		199 Canyon Springs Rd.	Twin Falls	ID	USA	83301																		
Joseph D. McCollum, Jr.		1110 Warm Springs Ave.	Boise	ID	USA	83712																		
5. Organized Under the Laws of: IDAHO L 2538		6. Signature:  Date: 11/3/14 Name (Type or Print): Joseph D. McCollum, Jr. Title: G.P.																						
Issued 01/03/2014 by DKL																								

INSTRUCTIONS FOR THE IDAHO ANNUAL REPORT FORM

OWNERSHIP

Order No. T030626

WARRANTY DEED

For Value Received

CANYON SPRINGS, a Joint Venture

the grantor(s), do(es) hereby Grant, Bargain Sell, and Convey unto

MCCOLLUM ENTERPRISES LIMITED, an Idaho Limited Partnership

the grantee(s), whose current address is: P.O. Box 112, Twin Falls, ID 83303

the following described real estate, situated in TWIN FALLS County, Idaho, to-wit:

SEE ATTACHED EXHIBIT A

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee(s), his/her/their heirs and assigns forever. And the said Grantor(s) do(es) hereby covenant to and with the said Grantee(s), that he/she/they are the owner(s) 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 he/she/they will warrant and defend the same from all lawful claims whatsoever.

Dated: August 1, 2003

CANYON SPRINGS, a Joint venture

Joseph D. McCollum

[Signature]

State of IDAHO

County of TWIN FALLS

On this 1st day of Aug, in the year 2003, before me, the undersigned, personally appeared Joseph D. McCollum (with David R. McCollum), known or identified to me to be the person(s) whose name(s) is/are subscribed to the within instrument as Canyon Springs, a Joint Venture and acknowledged to me that he/she/they executed the same.

WITNESS my hand and official seal.

Kay Gabica
Notary Public
Residing At Twin Falls, Idaho
Commission Expires: 4-4-07



Twin Falls County, Idaho
Recorded for:
TWIN FALLS TITLE
03:28pm Aug. 01, 2003
2003-020120
No. of Pages: 4 Fee: \$12.00
KRISTINA GLASCOCK
County Clerk
Deputy JM

RECEIVED

SEP 22 2015

DEPT OF WATER RESOURCES
SOUTHERN REGION

EXHIBIT A

Township 9 South, Range 17, East of the Boise Meridian, Twin Falls County, Idaho

Sections 28, 29, 32 and 33: A tract of land being more particularly described as follows:

BEGINNING at the Southeast corner of said Section 33;

THENCE North 1°07'50" East a distance of 1,318.58 feet to the Northeast corner of said Southeast Quarter of the Southeast Quarter, the Southeast corner of Government Lot 4 and the TRUE POINT OF BEGINNING;

THENCE South 89°40'19" West a distance of 294.60 feet along the Southerly boundary of said Lot 4;

THENCE North 75°44'00" West a distance of 800.00 feet;

THENCE North 85°31'00" West a distance of 254.70 feet;

THENCE North 0°47'43" East a distance of 210.81 feet;

THENCE South 90°00'00" West a distance of 557.59 feet;

THENCE North 0°00'00" East a distance of 333.27 feet;

THENCE North 82°30'00" West a distance of 1,400.00 feet;

THENCE South 0°00'00" West a distance of 566.60 feet to a point on the South rim of the Snake River Canyon;

THENCE Westerly along said canyon rim South 64°43'17" West a distance of 110.33 feet;

THENCE North 32°33'00" West a distance of 124.60 feet;

THENCE North 45°02'00" West a distance of 342.70 feet;

THENCE North 73°26'00" West a distance of 314.20 feet to a point where the southerly rim of the Snake River Canyon intersects the Easterly boundary of the Northwest Quarter of the Southwest Quarter of said Section 33;

THENCE North 0°13'47" East a distance of 530.39 feet to the Northeast corner of said Northwest Quarter of the Southwest Quarter;

THENCE South 89°38'51" West a distance of 1,330.94 feet to the Northwest corner of said Northwest Quarter of the Southwest Quarter;

THENCE North 0°00'47" East a distance of 917.40 feet along the Westerly boundary of said Section 33 and the Easterly boundary of said Section 32 to a point on the North side of an access road in the Snake River Canyon;

THENCE along said access road the following courses and distances:

North 44°56'59" West a distance of 108.43 feet;

THENCE North 48°51'46" West a distance of 249.26 feet;

THENCE North 42°08'07" West a distance of 220.95 feet to a point on the Southerly boundary of the Northeast Quarter of the Northeast Quarter of said Section 32;

THENCE North 89°51'03" West a distance of 917.51 feet to the Southwest corner of said Northeast Quarter of the Northeast Quarter;

THENCE North 0°00'30" West a distance of 1,320.69 feet to the Northwest corner of said Northeast Quarter of the Northeast Quarter of said Section 32;

THENCE North 0°00'30" West a distance of 872.90 feet along the Westerly boundary of the Southeast Quarter of the Southeast Quarter of said Section 29 to the South bank of the Snake River;

THENCE Easterly along said South bank the following courses and distances:

South 79°12'58" East a distance of 384.22 feet;

THENCE South 72°24'41" East a distance of 398.92 feet;

THENCE South 61°34'12" East a distance of 246.19 feet;

THENCE South 59°05'10" East a distance of 221.09 feet;

THENCE South 65°30'35" East a distance of 183.49 feet;

THENCE South 62°52'39" East a distance of 169.29 feet;

THENCE South 59°08'13" East a distance of 287.56 feet;
 THENCE South 53°08'43" East a distance of 253.70 feet;
 THENCE South 54°16'25" East a distance of 269.09 feet;
 THENCE South 61°30'00" East a distance of 277.20 feet;
 THENCE South 70°00'00" East a distance of 462.00 feet;
 THENCE South 66°00'00" East a distance of 330.00 feet;
 THENCE South 52°10'13" East a distance of 107.78 feet;
 THENCE South 53°30'00" East a distance of 110.05 feet;
 THENCE South 47°00'00" East a distance of 184.80 feet;
 THENCE South 52°30'00" East a distance of 145.20 feet;
 THENCE South 40°30'00" East a distance of 330.00 feet;
 THENCE South 19°00'00" East a distance of 153.86 feet;
 THENCE leaving said South bank South 61°31'00" West a distance of 586.76 feet;
 THENCE South 22°46'00" West a distance of 117.89 feet;
 THENCE South 29°52'00" East a distance of 440.90 feet;
 THENCE South 64°25'00" East a distance of 104.00 feet;
 THENCE South 82°12'30" East a distance of 50.88 feet;
 THENCE North 0°00'00" East a distance of 56.91 feet;
 THENCE North 45°13'30" East a distance of 224.10 feet;
 THENCE South 71°35'30" East a distance of 233.60 feet to a point on the Easterly boundary of Government Lot 3 of said Section 33;
 THENCE South 0°55'30" West a distance of 621.78 feet to the Southwest corner of said Government Lot 33;
 THENCE South 89°58'56" East a distance of 1,070.54 feet along the Southerly boundary of said Government Lot 3 and the Northerly boundary of Government Lot 5 to an angle point;
 THENCE South 61°41'21" East a distance of 432.28 feet to a corner common to Government Lots 5 and 8 of said Section 33;
 THENCE North 76°30'00" East a distance of 983.40 feet along the Northerly boundary of said Government Lot 8;
 THENCE North 72°15'00" East a distance of 277.20 feet to the Northeast corner of said Government Lot 8;
 THENCE South 1°07'50" West a distance of 99.25 feet along the Easterly boundary of said Government Lot 8;
 THENCE South 1°02'05" West a distance of 725.08 feet to the Southeast corner of said Government Lot 8 and the Northeast corner of Government Lot 4 of said Section 33;
 THENCE South 53°08'14" West a distance of 254.68 feet;
 THENCE South 60°02'00" West a distance of 145.65 feet;
 THENCE South 64°30'16" West a distance of 140.15 feet;
 THENCE South 81°24'38" West a distance of 399.72 feet;
 THENCE South 0°55'00" West a distance of 52.70 feet;
 THENCE South 76°34'32" East a distance of 660.45 feet;
 THENCE South 85°32'07" East a distance of 193.91 feet to the Southeast corner of said Government Lot 4 and the TRUE POINT OF BEGINNING.

The above described tract is subject and includes use of an easement for the purpose of ingress, egress and public utilities over a strip of land 30 feet in width running through the above described parcel. Said easement having been granted to the City of Twin Falls by Instrument No. 501363 in the miscellaneous records of Twin Falls County, Idaho.

EXCEPTING THEREFROM:

Township 9 South, Range 17 East of the Boise Meridian, Twin Falls County, Idaho

Section 33: A parcel of land located in the West one-half of the Northwest Quarter being more particularly described as follows:

BEGINNING at the Northwest corner of said Northwest Quarter of Section 33;
THENCE South 24°02'32" East a distance of 1,189.98 feet to the Northerly corner of said parcel and the TRUE POINT OF BEGINNING;
THENCE South 68°37'52" East a distance of 105.00 feet;
THENCE South 22°17'45" East a distance of 200.00 feet;
THENCE South 21°22'15" West a distance of 75.61 feet;
THENCE North 68°37'45" West a distance of 243.09 feet;
THENCE North 21°22'15" East a distance of 220.28 feet to the TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:

Township 9 South, Range 17 East of the Boise Meridian, Twin Falls County, Idaho

Section 33: A parcel of land located in the Southeast Quarter of the Northwest Quarter being more particularly described as follows:

BEGINNING at the Southeast corner of said Southeast Quarter of the Northwest Quarter, also being the center of Section 33;
THENCE North 0°55'30" East a distance of 461.78 feet along the Easterly boundary of said Southeast Quarter of the Northwest Quarter to the TRUE POINT OF BEGINNING;
THENCE North 49°23'40" West a distance of 321.27 feet;
THENCE North 45°13'30" East a distance of 35.00 feet;
THENCE South 71°35'30" East a distance of 233.60 feet;
THENCE South 0°55'30" West a distance of 160.00 feet to the TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:

Township 9 South, Range 17 East of the Boise Meridian, Twin Falls County, Idaho

Section 33: A parcel of land located in the Southwest Quarter of the Northwest Quarter being more particularly described as follows:

BEGINNING at a point South 7°24'20" East a distance of 1,808.86 feet from the Section corner common to Sections 28, 29, 32 and 33, said point also being the TRUE POINT OF BEGINNING;
THENCE South 21°22'15" West a distance of 178.77 feet to the Westerly property corner;
THENCE South 47°18'30" East a distance of 214.69 feet to the Southerly property corner;
THENCE North 21°22'15" East a distance of 256.83 feet to the Easterly property corner;
THENCE North 68°37'45" West a distance of 200.00 feet to the TRUE POINT OF BEGINNING.

ALSO EXCEPTING THEREFROM:

Those portions described in the Deed to the City of Twin Falls, recorded February 21, 1980 as Instrument No. 777547.

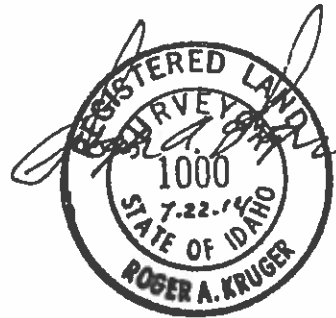
EXHIBIT A
ODOR CONTROL FACILITY

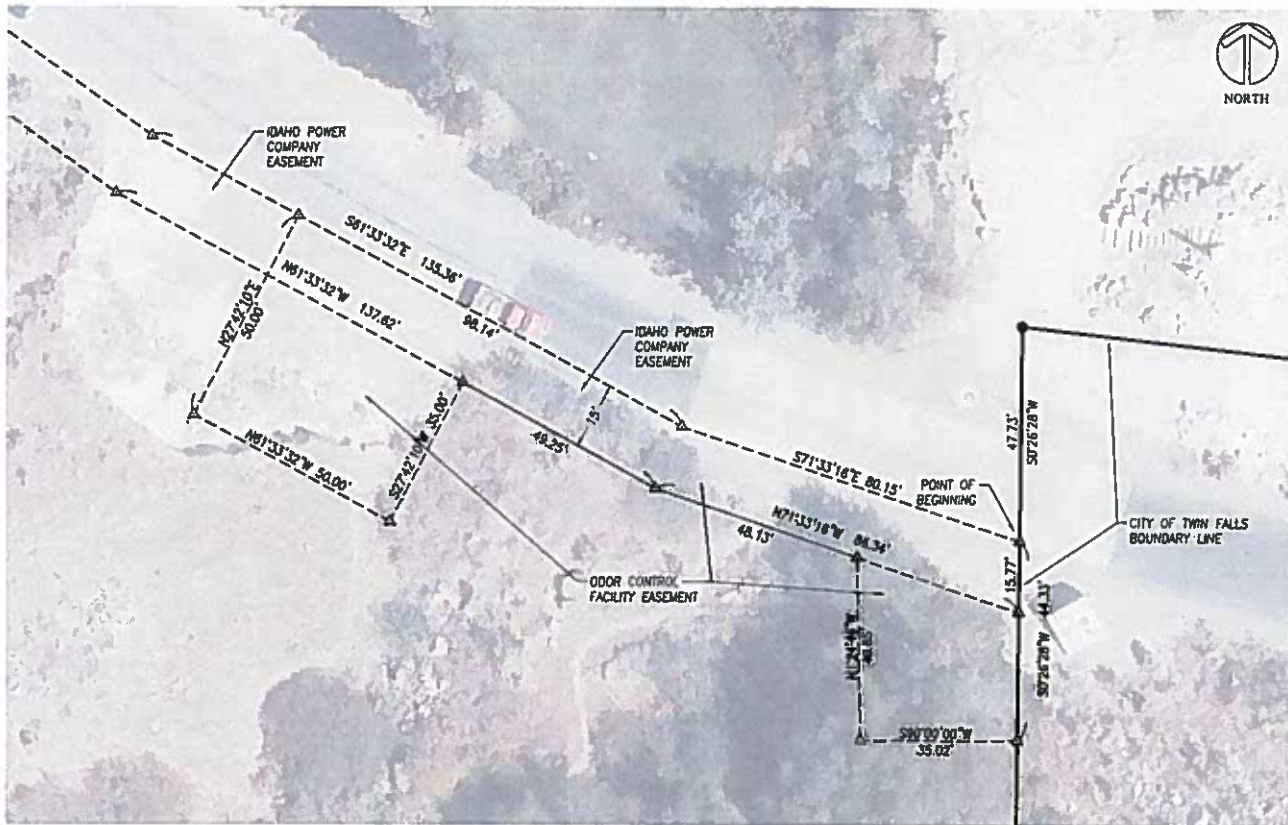
An easement located in a portion of the NE¼SW¼ of Section 33, Township 9 South, Range 17 East, Boise Meridian, Twin Falls County, Idaho, being more particularly described as follows:

Commencing at the Southeast corner of Section 33. Said point lies North 89°59'27" East 2638.59 feet from the South Quarter corner of Section 33. Thence North 01°30'56" East 1913.98 feet along the East boundary of Section 33 to the Northeast corner of Government Lot 4. Thence North 83°34'48" West 3288.03 feet to the Northwest corner of that parcel of land deeded to the City of Twin Falls as deed instrument #777547. Thence South 00°26'28" West 47.73 feet along the West boundary of said Twin Falls parcel to the REAL POINT OF BEGINNING.

Thence continuing South 00°26'28" West 44.33 feet along the West boundary of said Twin Falls parcel.

Thence South 90°00'00" West 35.02 feet
Thence North 01°24'46" West 40.65 feet
Thence North 71°33'16" West 48.13 feet
Thence North 61°33'32" West 49.25 feet
Thence South 27°42'10" West 35.00 feet
Thence North 61°33'32" West 50.00 feet
Thence North 27°42'10" East 50.00 feet
Thence South 61°33'32" East 98.14 feet
Thence South 71°33'16" East 80.15 feet to the REAL POINT OF BEGINNING.





EASEMENT EXHIBIT
CH2M HILL
CITY OF TWIN FALLS ODOR CONTROL FACILITY

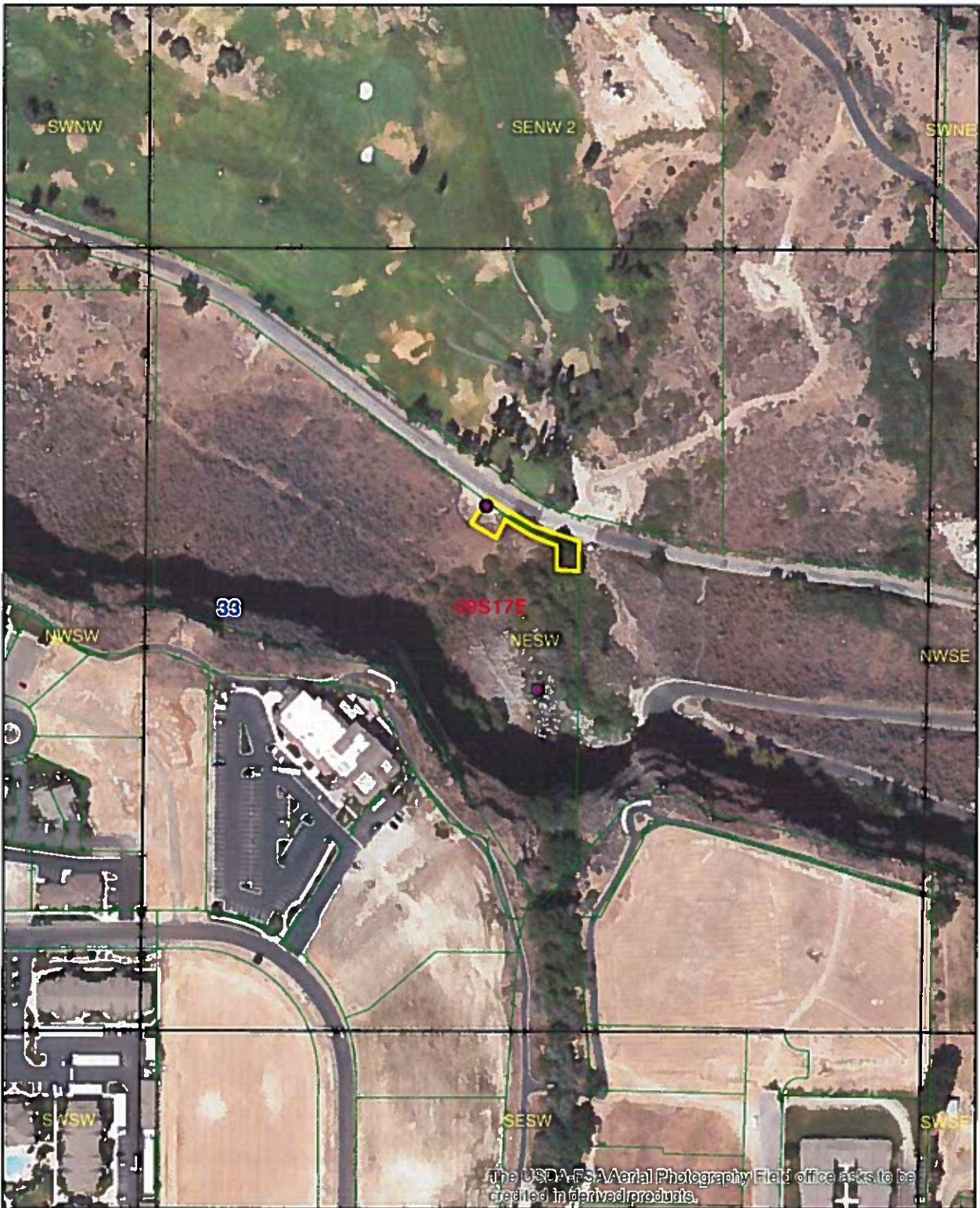
REV 6-12-14

NO.	DATE	DESCRIPTION	BY	CHKD
1	6/12/14	ISSUED FOR PERMIT	EHM	CH2M
2	6/12/14	REVISION	EHM	CH2M
3	6/12/14	REVISION	EHM	CH2M
4	6/12/14	REVISION	EHM	CH2M
5	6/12/14	REVISION	EHM	CH2M

EXH

47-17645

City of Twin Falls, Odor Control Facility



*** Proof of Publication ***

RECEIVED

SEP 21 2015

Twin Falls Times-News
132 Fairfield St W, Twin Falls, Idaho 83301

DEPT OF WATER RESOURCES
SOUTHERN REGION

RUBY AUFDERHEIDE, being duly sworn, deposes and says: That she is the Principal Clerk of the Times-News, a daily newspaper printed and published at Twin Falls, Twin Falls County, State of Idaho, and having a general circulation therein, and which said newspaper has been continuously and uninterruptedly published in said County during a period of twelve consecutive months prior to the first publication of the notice, a copy of which is attached hereto: that said notice was published in the Times-News, in conformity with Section 60-108, Idaho Code, as amended, for:

2 Insertions

ID DEPARTMENT OF WATER RESOURCES
650 ADDISON AVE W, STE 500
TWIN FALLS, ID 83301

ORDER NUMBER 8077

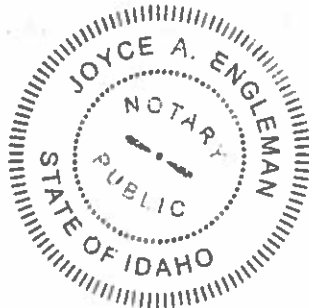
Ruby Aufderheide
(Legals Clerk)

STATE OF IDAHO)
SS

COUNTY OF TWIN FALLS)

On this 10th day of Sept in the year of 2015 before me, a Notary Public, personally appeared before me Ruby Aufderheide known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Joyce A. Engleman
Notary Public FOR Idaho
Residing at: Twin Falls, Idaho
My Commission expires: 6/28/19



PUBLISHED ON: 09/03/2015, 09/10/2015

TOTAL AD COST: 323.28

FILED ON: 9/10/2015

✓ OK DM 9-22-2015

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

47-17639

TWIN FALLS SCHOOL DISTRICT #411

201 MAIN AVE W

TWIN FALLS, ID 83301-6103

Point of Diversion NESEW S28 T10S R17E TWIN FALLS

County Source GROUND WATER Tributary

Use: COOLING 01/01 to 12/31 0.38 CFS

Use: HEATING 01/01 to 12/31 0.38 CFS

Total Diversion: 0.38 CFS

Date Filed: 7/2/2015

Place Of Use: HEATING, COOLING

T10S R17E S28 SESW

The application seeks to appropriate 0.379 cfs of groundwater for heating and cooling uses associated with the new South Hills Middle School to be built north of East 3600 North Rd. and 0.43 miles east of Washington St. South, on the south side of Twin Falls. A new well will be drilled at the site and water will be diverted, used, and reinjected at the site.

47-17645

CITY OF TWIN FALLS

TROY VITEK

324 HANSEN ST E

TWIN FALLS, ID 83301

Point of Diversion NESW S33 T09S R17E TWIN FALLS County

Source GROUND WATER Tributary

Use: INDUSTRIAL 01/01 to 12/31 0.06 CFS

Total Diversion: 0.06 CFS

Date Filed: 8/13/2015

Place Of Use: INDUSTRIAL

T09S R17E S33 NESW

Application for permit seeks to divert 0.06 cfs for Industrial use from a new well in the Snake River Canyon located 0.6 mile west and 0.4 mile north of the intersection of Blue Lakes Boulevard and Pole Line Road in Twin Falls. Water will be used for Industrial purposes in an odor control facility for the City of Twin Falls wastewater collection system and then discharged to the Snake River.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80315

OAK VALLEY LAND CO LLC, 468 S 800 W, BURLEY, ID 83318, has filed Application No. 80315 for changes to the following water rights within CASSIA County(s): Right No(s). 45-14307, 45-14309, 45-14311. The purpose of the transfer is to change a portion of the above rights as follows: Transfer proposes drilling a new well for commercial and stockwater uses at a new dairy facility located approximately 5.4 to 6.0 mi. south and 6.0 to 6.5 mi. west of the Overland and Main St. intersection in Burley. The new well and two existing wells will divert up to 1.61 cfs and 337.4 AF for uses associated with the new dairy.

NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80339

WESTERN MORTGAGE & REALTY CO, PO BOX 3110, PASCO, WA 99302-3110, has filed Application No. 80339 for changes to the following water rights within MINIDOKA County(s): Right No(s). 36-13320. The purpose of the transfer is to change a portion of the above rights as follows: The application proposes adding commercial use as a beneficial use to an existing 0.11 cfs stock water right, moving the existing point of diversion to an existing well in an adjacent 40 acre tract (approximately 800 feet away), adding an existing well as a second point of diversion in the previously mentioned 40 acre tract, and changing the place of use to adjacent lands to reflect actual locations of use on property located approximately 13.5 miles north and 3.5 miles west of Rupert.



**NOTICE OF PROPOSED CHANGE OF WATER RIGHT
TRANSFER NO. 80346**

✓
SAND SPRINGS LP, PO BOX 8, DUNDEE, IL 60118; has filed Application No. 80346 for changes to the following water rights within GOODING County(s): Right No(s). 36-15159, 36-16858, 36-2016, 36-7136, 36-7163, 36-7452, 36-7453. The purpose of the transfer is to change a portion of the above rights as follows: Application proposes creating a 1556.6 acre permissible place of use for a water right that allows for the diversion of 3.30 cfs from springs tributary to Sand Springs Creek, two water rights that allow for the diversion of 2.84 cfs from Sand Springs Creek, and four water rights that allow for the diversion of 10.63 cfs of groundwater. The proposed permissible place of use is located on property approximately 3.2 to 4.7 miles south and 4.9 to 7.3 miles west of the center of Wendell. The application also proposes to add the existing point of diversion from Sand Springs Creek as an authorized point of diversion for the water right that currently allows for the diversion of water from springs tributary to Sand Springs Creek. This added point of diversion is located downstream of where the springs flow into Sand Springs Creek. The application proposes using up to 16.77 cfs from the various rights sources to irrigate up to 1,013.0 acres within the proposed 1556.6 acre permissible place of use.

Permits will be subject to all prior water rights. For additional information concerning the property locations, contact Southern Region office at (208) 736-3033; or for a full description of the rights &/or proposed transfer, please see www.idwr.idaho.gov/apps/wr/QueryNewTransfers/QueryNewTransfers.aspx. For additional information on new permits, please see www.idwr.idaho.gov/WaterManagement/WaterRights/#NewListings. Protests may be submitted based on the criteria of Sec 42-222 and 42-203A, Idaho Code. Any protest against the approval of this application(s) 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 September 21, 2015. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on September 3rd & 10th, 2015

✓ OK DM 9-22-2015