

AMENDED

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

Ident. No. 63-33761

1. Name of applicant(s) Ruben Asumendi and /or Domingo Asumendi Phone 208-870-0992
Name connector (check one): ☐ and ☐ or ☒ and/or

Mailing address: 23032 Hwy 20-26 City Parma
State ID Zip 83660 Email: rasumedni@hotmail.com

2. Source of water supply ground water 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 #
5N	3W	30	1		NW	NW	Canyon	ground water	
5N	4W	23			SE	NE	Canyon	ground water	
5N	4W	23			NE	SE	Canyon	ground water	
5N	4W	25			NE	NE	Canyon	ground water	

4. Water will be used for the following purposes:

Amount 2.0 for irrigation purposes from 3/1 to 11/15 (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

5. Total quantity to be appropriated is (a) 2.0 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. Wells, pump to canal and divert from canal or directly to field

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 16 inches; proposed depth of well is 300 feet.

d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No

e. If well is already drilled, when? _____; drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____

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

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

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

c. Municipal; show name of municipality or the applicant's qualifications as a municipal provider. _____

d. Domestic; show number of households _____

e. Other; describe fully. _____

RECEIVED**JUN 13 2013****WATER RESOURCES
WESTERN REGION**

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	
5N	3W	30						32											32
5N	4W	22									40	40							80
5N	4W	23				40									35				75
5N	4W	25	38	40			30												108

Total number of acres to be irrigated: 295

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? Black Canyon Irrigation District
10. a. Who owns the property at the point of diversion? Applicants
- b. Who owns the land to be irrigated or place of use? Applicants
- 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. Water bearing zone to be appropriated is from 20 to 300 feet.
12. Time required for completion of works and application of water to proposed beneficial use is 5 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.

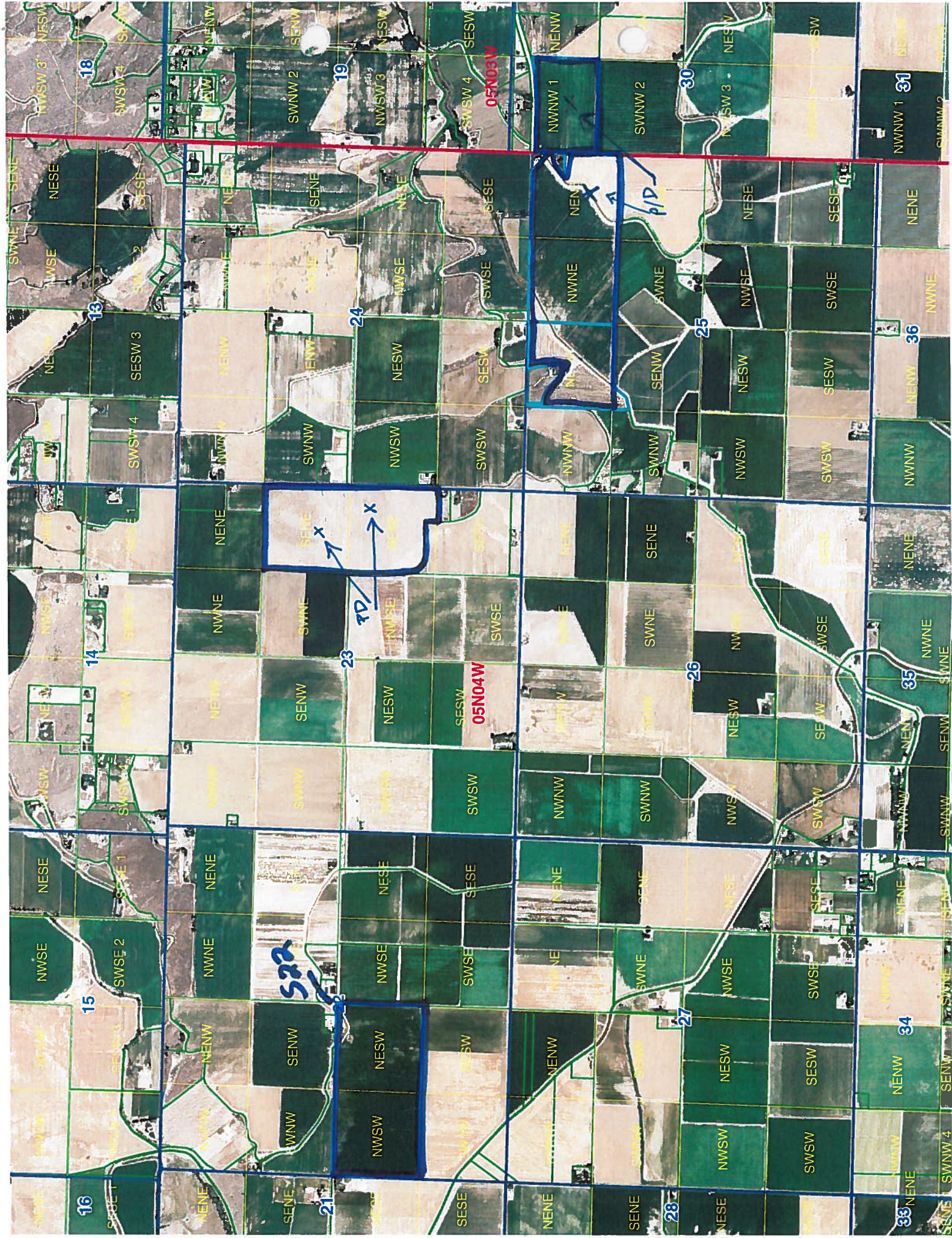
[Signature]
Signature of Applicant
Ruben Asumendi
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

For Department Use:

Received by KW Date 6/13/13 Time 11:05 Preliminary check by _____
Fee \$ 370.00 Received by JA Receipt No. W041042 Date 4/18/2013



AMENDED

5-29-13 RA

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

Ident. No. 63-33761

1. Name of applicant(s) Ruben Asumendi Phone 208-870-0992
Name connector (check one): ☐ and ☐ or ☐ and/or

Mailing address: 23032 Hwy 20-26 City Parma

State ID Zip 83660 Email: rasumedni@hotmail.com

2. Source of water supply ground water 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 #
5N	4W	23			SE	NE	Canyon	ground water	
<u>5N</u>	<u>4W</u>	<u>23</u>			<u>NE</u>	<u>SE</u>	<u>Canyon</u>	<u>ground water</u>	

4. Water will be used for the following purposes:

Amount 2.0 ~~3.1~~ for irrigation purposes from 3/1 to 11/15 (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)

5. Total quantity to be appropriated is (a) 2.0 ~~3.1~~ 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. Well, pump to canal and redivert from canal or directly to field - will develop 1 well in one of 40's listed above.

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 16/12 inches; proposed depth of well is 300 feet.

d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ No

e. If well is already drilled, when? _____; drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____

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

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

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

c. Municipal; show name of municipality or the applicant's qualifications as a municipal provider. _____

d. Domestic; show number of households _____

e. Other; describe fully. _____

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MAY 29 2013

Superceded by App Rec'd 6/13/13

WATER RESOURCES
WESTERN REGION

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	
5N	4W	22									40	40							80
		23				40									35				75

Total number of acres to be irrigated: 155

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? Black Canyon Irrigation District

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. Water bearing zone to be appropriated is from 20 to 300 feet.

12. Time required for completion of works and application of water to proposed beneficial use is 5 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

Ruben Asumendi

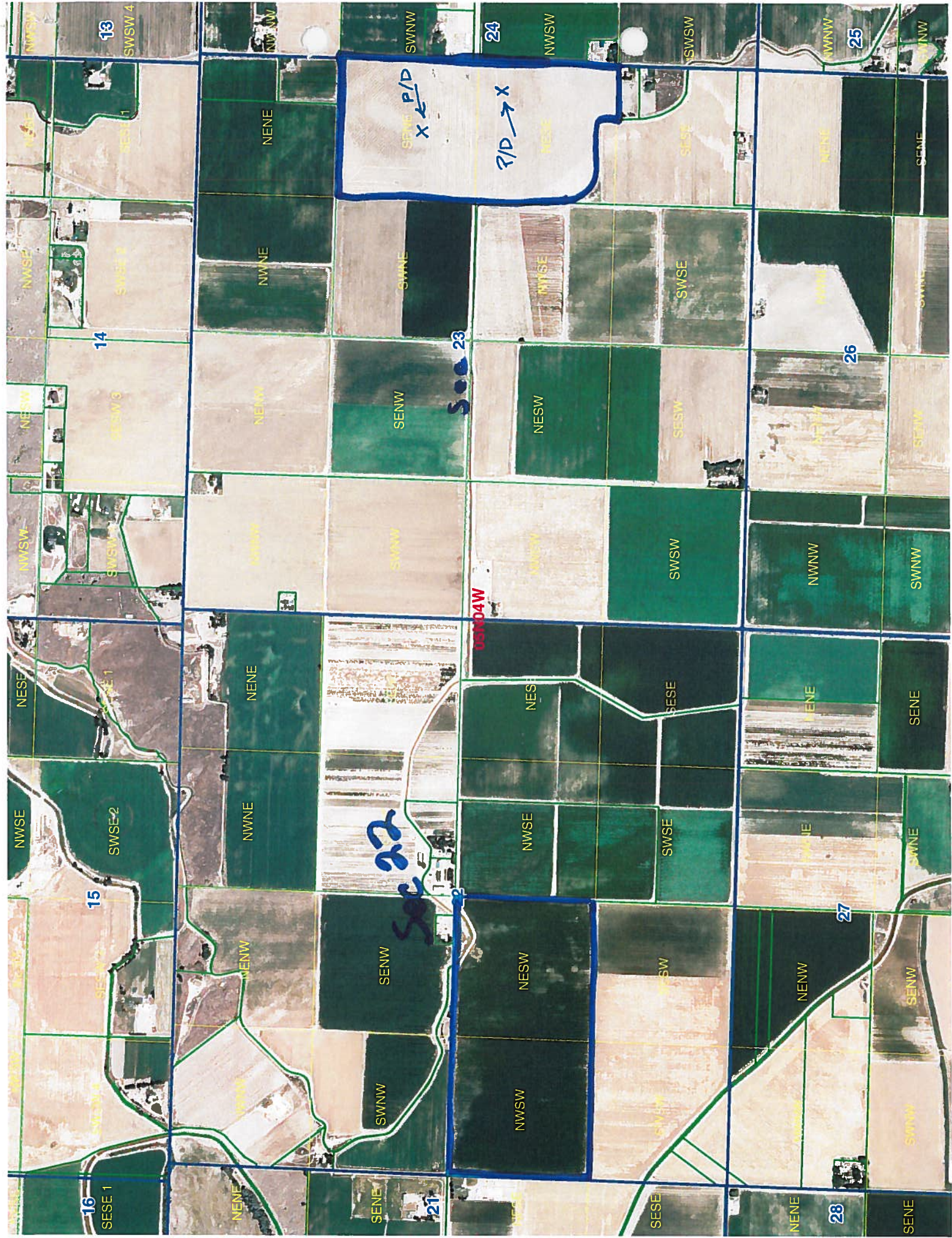
Print Name (and title, if applicable)

Signature of Applicant

Print Name (and title, if applicable)

For Department Use:

Received by KW Date 5/29/13 Time 2:00 Preliminary check by KW
 Fee \$ 370.00 Received by JA Receipt No. W041042 Date 4/18/2013



13

SWSW 4

SESE 1

14

SWSW 2

SESW 3

15

SWSE 2

16

SESE 1

24

NWSW

SENE
P/D
X

P/D → X

Sec 23

US104W

Sec 22

SESW

SWNW

SENE

21

25

NWNW

SENE

26

NWNW

SENE

27

SESW

SWNW

28

SENE

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APR 18 2013

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of IdahoIdent. No. 63-337611. Name of applicant(s) Ruben Asumendi Phone 208-870-0992
Name connector (check one): ☒ and ☐ or ☐ and/orMailing address: 23032 Hwy 20-26 City ParmaState Idaho Zip 83660 Email: rasumedni@hotmail.com2. Source of water supply Ground water which is a tributary of n/a

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
5n	04w	23			se	ne	Canyon	ground water	

4. Water will be used for the following purposes:

Amount 3.1 for irrigation purposes from 3/1 to 11/15 (both dates inclusive)
(cfs or acre-feet per year)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)5. Total quantity to be appropriated is (a) 3.1 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. Well, pump to canal and redirect from canal or directly to field

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 ☐ Noc. Proposed well diameter is 16/12 inches; proposed depth of well is 300 feet.d. Is ground water with a temperature of greater than 85°F being sought? ☐ Yes ☒ Noe. If well is already drilled, when? _____; drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____

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

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

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

c. Municipal; show name of municipality or the applicant's qualifications as a municipal provider. _____

d. Domestic; show number of households _____

e. Other; describe fully. _____

Superseded by App Rec'd 5/29/2013

8. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
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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	
05n	04w	23													40			35	75
5n	4w	22					40	40											80

Total number of acres to be irrigated: 155

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? Black canyon irrigation District

10. a. Who owns the property at the point of diversion? Applicants
- b. Who owns the land to be irrigated or place of use? _____
- 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. water gone is from 20 to 300 ft

12. Time required for completion of works and application of water to proposed beneficial use is 5 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

Print Name (and title, if applicable)



Signature of Applicant

Ruben Asumendi

Print Name (and title, if applicable)

For Department Use:

Received by JA Date 4/18/2013 Time 1:16 Preliminary check by _____

Fee \$ 370.00 Received by JA Receipt No. W641042 Date 4/19/2013



Department of
Water Resources

Transfer Application Internet Mapping



[Help](#) [Other Maps](#) [Water Resources Home](#) [Idaho.gov](#)



Department of
Water Resources

Transfer Application Internet Mapping



[Help](#) [Other Maps](#) [Water Resources Home](#) [Idaho.gov](#)

Sommer, Rachel

From: Sommer, Rachel
Sent: Thursday, June 13, 2013 12:32 PM
To: 'LEGALS@IDAHOPRESS.COM'
Subject: Legal Ad
Attachments: Canyon Cover Letter.docx; Canyon Legal Ad.docx

Good Afternoon Leann Nobella,

Please see the attached ad for publication on 6/20/2013 & 6/27/2013.

Please confirm these are okay to publish as shown.

Thank you very much,

Rachel Sommer

Administrative Assistant
IDWR, Western Region
Office: 208-334-2190
Fax: 208-334-2348
rachel.sommer@idwr.idaho.gov

June 13, 2013

LEGAL NOTICE DEPARTMENT
PRESS TRIBUNE
PO BOX 9399
NAMPA, ID 83652

RE: Application For Permit No's: 63-33761, 63-33779 & 63-33787.

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 7/8/2013. Your cooperation is appreciated.

Sincerely,

Rachel Sommer
Administrative Assistant

Enclosures

The following applications have been filed to appropriate the public waters of the State of Idaho:

63-33761

RUBEN ASUMENDI
DOMINGO ASUMENDI
23032 HWY 20 26
PARMA, ID 83660
Points of Diversion NESE SENE S23 T05N R04W CANYON County Source GROUND WATER
Point of Diversion L1(NWNW) S30 T05N R03W CANYON County Source GROUND WATER
Point of Diversion NENE S25 T05N R04W CANYON County Source GROUND WATER
Use: IRRIGATION 03/01 to 11/15 2 CFS
Total Diversion: 2 CFS
Date Filed: 4/18/2013
Place Of Use: IRRIGATION
T05N R03W S30 L1(NWNW)
T05N R04W S22 NESW NWSW
T05N R04W S23 SENE NESE
T05N R04W S25 NENE NWNE NENW
Total Acres: 295
Water bearing zone to be appropriated is from 20 to 300 feet.

63-33779

DEL MONTE MEAT CO INC
21696 STATELINE RD
WILDER, ID 83676
Point of Diversion L1(NWNW) S14 T04N R06W CANYON County Source ALLEN DRAIN Tributary SNAKE RIVER
Use: IRRIGATION 03/01 to 11/15 1.04 CFS
Use: STOCKWATER 01/01 to 12/31 0.24 CFS
Total Diversion: 1.28 CFS
Date Filed: 5/17/2013
Place Of Use: IRRIGATION & STOCKWATER
T04N R06W S14 NENW L1(NWNW) L2(SWNW) SENW
Total Acres: 52

63-33787

MIYASAKO FARMS LLP
PO BOX 1060
HOMEDALE, ID 83628-1060
Point of Diversion SESW S11 T03N R04W CANYON County Source GROUND WATER
Use: IRRIGATION 03/01 to 11/15 2.96 CFS
Total Diversion: 2.96 CFS
Date Filed: 6/5/2013
Place Of Use: IRRIGATION
T03N R04W S11 NENW SENW NESW SWSE
Total Acres: 148
Water bearing zone to be appropriated is from 230 to 500 feet. This well currently being drilled as replacement well for right 63-11220, well will be used for supplemental irrigation under 63-11220 & this application.

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Western Region office at (208) 334-2190; or for a full description of the right(s), please see www.idwr.idaho.gov/apps/ExtSearch/WRFiling.asp. Protests may be submitted based on the criteria of Idaho Code § 42-203A. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Way, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 7/8/2013. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on 6/20/2013 and 6/27/2013



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

June 4, 2013

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

RUBEN ASUMENDI
DOMINGO ASUMENDI
23032 HWY 20/26
PARMA ID 83660

Re: Applications for Permit Nos. 63-33761 and 63-33762

Dear Applicants:

I have discussed your revised applications with my supervisor and even though you have reduced the amount of water under these applications, he would like the additive amount not to exceed 2.0 cfs between the two filings. Because the proposed wells for these applications are within a mile of each other, we still need you to respond to the following items from Water Appropriation Rules 40.040.05c through 40.040.05g (copy attached) :

1. Effect on existing water rights and how you propose to develop your system to avoid injury to senior water users
2. Sufficiency of water supply
3. Financial resources

We have included another list of consultants that you might consider contacting for assistance in preparing a response to our request.

Please submit the requested information for application processing to continue. Your written response, including the response to the rules identified above, is needed within the next thirty (60) days. You may seek additional time to provide the information if necessary. The applications will be voided without a timely written reply. Refunds are not available for voided applications.

IDWR rules, forms and other information are available on the Internet at www.idwr.idaho.gov. Please feel free to contact me at (208)334-2190 if you need more information. Thank you for your attention to these matters.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Water Appropriation Rules 40.05.c through 40.05.g

c. Information relative to the effect on existing water rights, Section 42-203A(5)(a), Idaho Code, shall be submitted as follows:

- i. For applications appropriating springs or surface streams with five (5) or fewer existing users, either the identification number, or the name and address of the user, and the location of the point of diversion and nature of use for each existing water right shall be submitted.
- ii. For applications appropriating groundwater, a plat shall be submitted locating the proposed well relative to all existing wells and springs and permitted wells within a one-half mile radius of the proposed well.
- iii. Information shall be submitted concerning any design, construction, or operation techniques which will be employed to eliminate or reduce the impact on other water rights.

d. Information relative to sufficiency of water supply, Section 42-203A(5)(b), Idaho Code, shall be submitted as follows:

- i. Information shall be submitted on the water requirements of the proposed project, including, but not limited to, the required diversion rate during the peak use period and the average use period, the volume to be diverted per year, the period of year that water is required, and the volume of water that will be consumptively used per year.
- ii. Information shall be submitted on the quantity of water available from the source applied for, including, but not limited to, information concerning flow rates for surface water sources available during periods of peak and average project water demand, information concerning the properties of the aquifers that water is to be taken from for groundwater sources, and information on other sources of supply that may be used to supplement the applied for water source.

e. Information relative to good faith, delay, or speculative purposes of the applicant, Section 42-203A(5)(c), Idaho Code, shall be submitted as follows:

- i. The applicant shall submit copies of deeds, leases, easements or applications for rights-of-way from federal or state agencies documenting a possessory interest in the lands necessary for all project facilities and the place of use or if such interest can be obtained by eminent domain proceedings the applicant must show that appropriate actions are being taken to obtain the interest. Applicants for hydropower uses shall also submit information required to demonstrate compliance with Sections 42-205 and 42-206, Idaho Code.
- ii. The applicant shall submit copies of applications for other needed permits, licenses and approvals, and must keep the department apprised of the status of the applications and any subsequent approvals or denials.

f. Information Relative to Financial Resources, Section 42-203A(5)(d), Idaho Code, shall be submitted as follows:

- i. The applicant shall submit a current financial statement certified to show the accuracy of the information contained therein, or a financial commitment letter along with the financial statement of the lender or other evidence to show that it is reasonably probable that financing will be available to appropriate the water and apply it to the beneficial use proposed.
- ii. The applicant shall submit plans and specifications along with estimated construction costs for the project works. The plans shall be definite enough to allow for determination of project impacts and implications.

g. Information Relative to Conflict with the Local Public Interest, Section 42-203A(5)(e), Idaho Code, shall be submitted as follows:

The applicant shall seek comment and shall submit all letters of comment on the effects of the construction and operation of the proposed project from the governing body of the city and/or county and tribal reservation within which the point of diversion and place of use are located, the Idaho Department of Fish and Game, the Idaho Department of Environmental Quality, and any irrigation district or canal company within which the proposed project is located and from other entities as determined by the director.



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

May 17, 2013

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

RUBEN ASUMENDI
DOMINGO ASUMENDI
23032 HWY 20/26
PARMA ID 83660

Re: Applications for Permit Nos. 63-33761 and 63-33762

Dear Applicants:

The above applications for permit regarding ground water are being processed. To assist the Idaho Department of Water Resources (IDWR) in completing the initial processing steps, please submit additional information required by Idaho Code § 42-203A(5)(a-e) for "large diversion projects." This requirement includes the following items discussed in Water Appropriation Rule 40, Rule Subsections 040.05c through 040.05g (copy attached):

1. effect on existing water rights
2. sufficiency of water supply
3. good faith, delay or speculative purposes
4. financial resources
5. local public interest.

Because these applications are in close proximity to each other and for a large amount of water when combined (7.5 cfs) we need you to respond to the following items. We have included a list of consultants that you might consider contacting for assistance in preparing a response to our request.

1. Effect on existing water rights and how you propose to develop your system to avoid injury to senior water users
2. Sufficiency of water supply
3. Financial resources

In a review of these applications it is noted that the place of use descriptions do not agree with the maps submitted. I have prepared amended application forms for your signatures.

We have also noticed that the 80 acres in Section 22 has been filed on in both of the applications. You may want to remove the 80 acres from one of these applications so that it is not confusing. It is also noted that you have not completed item 10 (b) on both applications. We notice that the 80 acres in Sec. 22 are owned by Carol Murgioitio and the land in Section 30 is owned by Rodney Petersen. We need you to complete items

Ruben owns now

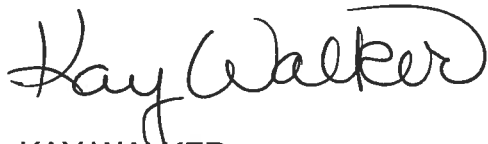
10(b) and 10(c) on both forms. You should also explain your connection to Asumendi Holdings on Application No. 63-33762 for the land in Sec. 25. I have included a copy of both of the applications as originally submitted for your convenience.

Please submit the requested information for application processing to continue. We see that these wells would be for supplemental use when your irrigation district water is not available. If you wish to try to develop these wells this irrigation season we can put the applications on the "fast track" and advertise while you are collecting the required information after you return the amended application forms. Please advise how you would like us to proceed.

Your written response, including the response to the rules identified above, is needed within the next thirty (30) days. You may seek additional time to provide the information if necessary. The applications will be voided without a timely written reply. Refunds are not available for voided applications.

IDWR rules, forms and other information are available on the Internet at www.idwr.idaho.gov. Please feel free to contact me at (208)334-2190 if you need more information. Thank you for your attention to these matters.

Sincerely,

A handwritten signature in black ink that reads "Kay Walker". The signature is fluid and cursive, with the first name "Kay" and last name "Walker" clearly distinguishable.

KAY WALKER
Sr. Water Resource Agent

Enclosures:

Water Appropriation Rules 40.05c through 40.05g
List of Consultants
Amended Application forms
Applications as submitted

Water Appropriation Rules 40.05.c through 40.05.g

c. Information relative to the effect on existing water rights, Section 42-203A(5)(a), Idaho Code, shall be submitted as follows:

i. For applications appropriating springs or surface streams with five (5) or fewer existing users, either the identification number, or the name and address of the user, and the location of the point of diversion and nature of use for each existing water right shall be submitted.

ii. For applications appropriating groundwater, a plat shall be submitted locating the proposed well relative to all existing wells and springs and permitted wells within a one-half mile radius of the proposed well.

iii. Information shall be submitted concerning any design, construction, or operation techniques which will be employed to eliminate or reduce the impact on other water rights.

d. Information relative to sufficiency of water supply, Section 42-203A(5)(b), Idaho Code, shall be submitted as follows:

i. Information shall be submitted on the water requirements of the proposed project, including, but not limited to, the required diversion rate during the peak use period and the average use period, the volume to be diverted per year, the period of year that water is required, and the volume of water that will be consumptively used per year.

ii. Information shall be submitted on the quantity of water available from the source applied for, including, but not limited to, information concerning flow rates for surface water sources available during periods of peak and average project water demand, information concerning the properties of the aquifers that water is to be taken from for groundwater sources, and information on other sources of supply that may be used to supplement the applied for water source.

e. Information relative to good faith, delay, or speculative purposes of the applicant, Section 42-203A(5)(c), Idaho Code, shall be submitted as follows:

i. The applicant shall submit copies of deeds, leases, easements or applications for rights-of-way from federal or state agencies documenting a possessory interest in the lands necessary for all project facilities and the place of use or if such interest can be obtained by eminent domain proceedings the applicant must show that appropriate actions are being taken to obtain the interest. Applicants for hydropower uses shall also submit information required to demonstrate compliance with Sections 42-205 and 42-206, Idaho Code.

ii. The applicant shall submit copies of applications for other needed permits, licenses and approvals, and must keep the department apprised of the status of the applications and any subsequent approvals or denials.

f. Information Relative to Financial Resources, Section 42-203A(5)(d), Idaho Code, shall be submitted as follows:

i. The applicant shall submit a current financial statement certified to show the accuracy of the information contained therein, or a financial commitment letter along with the financial statement of the lender or other evidence to show that it is reasonably probable that financing will be available to appropriate the water and apply it to the beneficial use proposed.

ii. The applicant shall submit plans and specifications along with estimated construction costs for the project works. The plans shall be definite enough to allow for determination of project impacts and implications.

g. Information Relative to Conflict with the Local Public Interest, Section 42-203A(5)(e), Idaho Code, shall be submitted as follows:

The applicant shall seek comment and shall submit all letters of comment on the effects of the construction and operation of the proposed project from the governing body of the city and/or county and tribal reservation within which the point of diversion and place of use are located, the Idaho Department of Fish and Game, the Idaho Department of Environmental Quality, and any irrigation district or canal company within which the proposed project is located and from other entities as determined by the director.