

RECEIVED

AUG 30 2012

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of IdahoIdent. No. 13-78661. Name of applicant(s) HIGH DESERT ENTERPRISES, LLC Phone (208) 599-3409
Name connector (check one): ☐ and ☐ or ☐ and/orMailing address: 2150 OLD HORNET RD. City COUNCILState ID Zip 83612 Email: TWANDRAB@AOL.COM2. Source of water supply UNAMED SPRINGS/STREAM which is a tributary of COTTONWOOD CREEK

3. Location of point(s) of diversion:

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #
13S	40E	11		NW	NE		FRANKLIN	UNAMED STREAM UNAMED SPRINGS	SINKS

4. Water will be used for the following purposes:

Amount 1.0 AC FT. for STOCK WATER STORAGE purposes from 1-1 to 12-30 (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) _____ 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. UNNAMED STREAM / IN-LINE
STOCK WATER STORAGE RESERVOIRb. Height of storage dam 7 feet; active reservoir capacity 1.96 acre-feet; total reservoir capacity
1.96 acre-feet. If the reservoir will be filled more than once each year, describe the refill plan in item 11.For dams 10 feet or more in height OR reservoirs with a total storage capacity of 50 acre-feet or more, submit a separate
Application for Construction or Enlargement of a New or Existing Dam. Application required? ☐ Yes ☐ No

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

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

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

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

b. Stockwatering; list number and kind of livestock. 1000 HD. OF BEEF CATTLE - COWS/CALVES/BULLS

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. _____

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.

See below: See instructions for standard symbols.

LAT. N1092 DEG 18' 49.93" LONG. W111 DEG 45' 00.75"

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
13S	40E	11			1.0 AC FT.														1.0 AC FT.
		11			S														S

Total number of acres to be irrigated: N/A

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? _____

10. a. Who owns the property at the point of diversion? HIGH DESERT ENTERPRISES, LLC
- b. Who owns the land to be irrigated or place of use? HIGH DESERT ENTERPRISES, LLC
- 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. PLEASE SEE ATTACHED REPRESENTATION REGARDING THE DETAILED EXPLANATION OF THE STOCKWATER RESERVOIR STORAGE CAPACITY AND USE OF SAID WATER.

12. Time required for completion of works and application of water to proposed beneficial use is _____ 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] For
HIGH DESERT ENTERPRISES, LLC
 Signature of Applicant

Signature of Applicant

TERRY ANDRANE, MANAGER
 Print Name (and title, if applicable)

Print Name (and title, if applicable)

For Department Use:

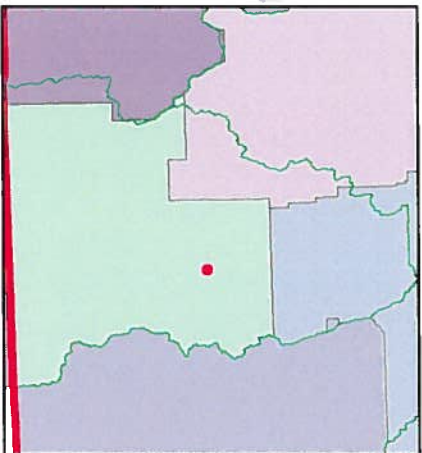
Received by _____ Date _____ Time _____ Preliminary check by _____
 Fee \$ 100.00 Received by DL Receipt No. E037964 Date 8-31-12



Idaho Department of Water Resources

Application
13-7866
(STOCKWATER STORAGE)

- Point of Diversion
- Place of Use
- State Outline
- Townships
- PLS Sections
- Quarter Quarters



0 0.0075 0.015 0.03 Miles



High Desert Enterprises, LLC
C/o Terry Andrade, Manager
2150 Old Hornet Rd.
Council, ID 83612

State of Idaho
Department of Water Resources, Eastern Region
C/o James Cefalo, Water Resources Program Manager
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

August 28, 2012

Re: Amendment to Stockwater Storage Water Right Permit No. 13-7791.

Dear James,

As per our previous telephone conversations, I am including a detailed explanation concerning our request to increase the amount of Stockwater Storage for the above referenced Permit. As per those conversations, this attached Application For Permit represents the request for an additional 1.0 AF of Stockwater Reservoir Storage capacity. The basis for said request is included in the following description.

As noted in our telephone communications, the construction of the Stockwater Storage Reservoir is part thereof an ongoing NRCS 2008 EQIP Contract; #740211110JX. The Contract specifies an excavation of 2,965 cu. yds. This includes the removal of all organic matter, shaping to the engineered design and excavation to a depth (+/- 4.00') where the soils type will act as a sealant to prevent reservoir seepage and/or leakage.

The development process for the reservoir encompassed the removal of all organic materials, soils excavation, installation of the over-flow structure and system, relocation and compaction of excavated soils and the construction of the dam. At the completion of this process, the NRCS Agent, Jared Campbell did a final survey of the engineered Stockwater Storage Reservoir. The data reflected the as-build conditions of the reservoir.

As a result of his engineering and analysis, Jared has recommended that we submit to amend the Stockwater Storage Water Right Permit with DWR. He has recommended that we submit to increase the storage capacity from 1.00 AF to 1.94 AF. This recommendation results in an increase of .94 AF and about one foot in the depth of the reservoir.

A copy of the email and data provided by Jared Campbell (NRCS) has been previously submitted to DWR and should be made part thereof this communication. The following details should also be noted and be made part of the record.

- 1- The use of said water in the reservoir is for Stockwater Use, not for any Use associated with Irrigation Water.

- 2- The "Application For Permit" is a result of the as-built status of the Stockwater Storage Reservoir.
- 3- The increase in the reservoir storage capacity will also benefit the wildlife, habitat and the surrounding environment.
- 4- The filling of the reservoir will occur during the spring snow melt and run-off period, not during the irrigation season thus, the reservoir is filled to capacity prior to the irrigation season.
- 5- The surface area of the reservoir is not significantly impacted by the increase in the depth and storage capacity, thus limiting additional surface evaporation. This can be viewed on the final NRCS as-built design drawing as provided.
- 6- The Unnamed Stream that is a Tributary of Cottonwood Creek which enters Cottonwood Creek at a point that is geographically below the Point-of-Diversion for the Cleveland Irrigation District and other Cottonwood Creek Water Users.
- 7- There will be no detrimental effect or negative impact to the Water Users holding Adjudicated Irrigation Water Rights below the Onieda Narrows Reservoir and Dam. Any water that is collected and channeled by the Unnamed Stream into the reservoir will simply run through, less the active use by cattle and wildlife. The design of the reservoir will allow the over-flow to re-enter the channel of the Unnamed Stream and continue downstream until the run-off terminates in the late summer.
- 8- The Unnamed Stream utilized as the conduit of the reservoir water is located and sourced by springs located on lands owned by High Desert Enterprises, LLC. The Water Right Permits associated with said springs are also held in interest by High Desert Enterprises, LLC.

We have already provided the \$100.00 filing fee for DWR departmental use in our previous mailing with data dated Aug. 17, 2012.

I thank you in advance for your cooperation.

Thank you,



Terry Andrade, Manager
High Desert Enterprises, LLC

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Search

Mail

[Today on AOL](#)[New Mail](#)[Old Mail](#)[Drafts](#)[Sent](#)[Spam](#)[Recently Deleted](#)[Saved Chats](#)[Contacts](#)[Calendar](#)[My Folders](#) [Manage Folders](#)[Reply](#) [Reply All](#) [Forward](#) [Actions](#) [Go](#) [Restore](#) [Delete](#)[Previous](#) [Next](#) [Close](#)**Pond Capacity****From:** Campbell, Jared - NRCS, Preston, ID, Preston, ID <Jared.L.Campbell@id.usda.gov>**To:** twandra3 <twandra3@AOL.com>**Cc:** Bradford, Boyd - NRCS, Preston, ID, Preston, ID <Boyd.Bradford@id.usda.gov>**Date:** Mon, Aug 13, 2012 3:48 pm[High_Desert-Pond_finished_spillway_not_cut.pdf](#)

Terry

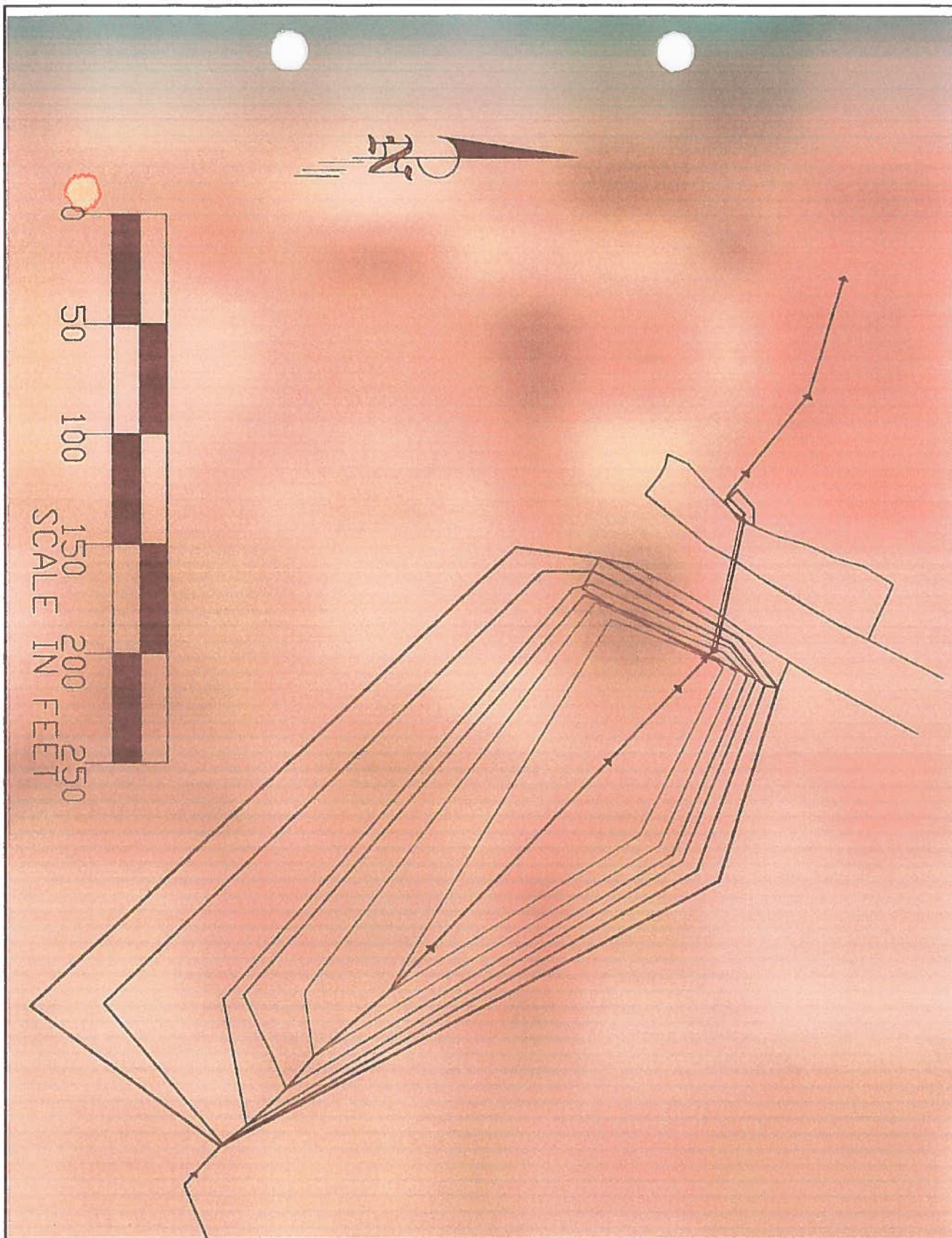
Here is what I have come up with for capacities. There is more information in these documents than you asked for so here is what you need. At 4 foot depth you will have 1.34 acre feet. At a 4.5 foot depth you will have 1.94 acre feet. My opinion is that the 4.5 foot depth is the best one to use if they will give you that large of a storage water right. The aux. spillway (rock) will be installed at the same elevation either way, the only difference would be where you cut off the CMP structure at.

Everything else looks very good.

Jared

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**HIGH DESERT
POND BUILT SPILLWAY NOT CUT
FRANKLIN COUNTY, IDAHO**

Designed **J. CAMPBELL** Date
 Drawn **8/13/2012**
 Checked _____
 Approved _____

File Name
Drawing Name
00/00/00 00:00
Sheet of

High Desert Enterprises

New Pond-After Construction

BM1= 498.060

Depth of Water

	rel. elv.	sq ft	cu ft
0 ft	485	0	
1 ft	486	8516.8	4258.4
2 ft	487	15595.6	12056.2
3 ft	488	21433.7	18514.65
4 ft	489	25486.5	23460.1
4.5 ft	489.5	31149.6	26291.65
5 ft	490	36812.7	31149.6
6 ft	491	46356.5	41584.6
		Total	131023.6
		ac ft	3.007887

Total at depth

depth	cu ft	cu yds	ac ft
1 ft	4258.4	157.7185	0.097759
2 ft	16314.6	604.2444	0.374532
3 ft	34829.25	1289.972	0.79957
4 ft	58289.35	2158.865	1.338139
4.5 ft	84581	3132.63	1.941713
5 ft	89438.95	3312.554	2.053236

100, 5000.000, 5000.000, 500.000,
 101, 5042.083, 4847.105, 498.060, BM 1
 102, 5066.093, 4856.095, 500.004, N GATE
 103, 4845.055, 4922.062, 491.090, GL
 104, 4842.065, 4928.105, 490.073, GL
 105, 4841.002, 4934.107, 489.091, GL
 106, 4838.024, 4939.063, 488.082, GL
 107, 4850.077, 4950.017, 486.070, GL
 108, 4843.074, 4942.070, 487.075, GL
 109, 4833.007, 4936.016, 489.073, GL
 110, 4819.095, 4928.063, 490.041, GL
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 115, 4710.017, 5120.052, 487.092, GL
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 160, 4847.101, 4942.084, 487.051, TOE
 161, 4860.046, 4949.015, 487.040, TOE
 162, 4871.112, 4955.105, 486.115, TOE

HD 4.txt

Depth 0' = 485 = 0 ft²
 1' = 486 = 8516.8 ft²
 2' = 487 = 15595.6 ft²
 3' = 488 = 21433.7 ft²
 4' = 489 = 25486.5 ft²
 5' = 490 = 36812.7 ft²
 6' = 491 = 46356.5 ft²

Dam Height = 492
 Aux. Spillway = 490.5
 Spillway = 489.5
 Depth = 4.5 ft

1.95 Ac. Ft.

Dam Height = 492
 Aux. Spillway = 490.5
 Spillway = 489.0
 Depth = 4 ft

1.34 Ac. Ft.

HD 4.txt

163,4884.073,4962.056,486.046,TOE
164,4897.036,4968.117,486.057,TOE
165,4910.011,4974.113,487.105,TOE
166,4979.027,4934.054,493.067,TOE
167,4966.013,4926.111,491.036,TOE
168,4953.086,4922.027,489.073,TOE
169,4940.034,4916.095,488.026,TOE
170,4926.023,4912.076,486.102,TOE
171,4914.033,4907.020,486.001,TOE
172,4905.100,4900.025,484.110,TOE
173,4895.106,4890.000,486.102,TOE
174,4885.013,4879.057,486.044,TOE
175,4876.065,4875.024,487.014,TOE
176,4875.062,4880.023,489.012,TOE
177,4872.010,4885.037,491.035,TOE
178,4910.101,4905.013,484.103,INV SPILL
179,4902.064,4896.047,484.025,POOL
180,4908.021,4891.034,484.115,POOL
181,4915.092,4899.025,485.081,POOL
182,4915.077,4907.045,485.110,POOL
183,4907.096,4903.091,485.096,POOL
184,4911.031,4902.000,484.102,POOL
185,4903.052,4894.037,483.113,CHNL
186,4897.044,4964.031,485.033,INLT

High Desert Enterprises, LLC
C/o Terry Andrade, Manager
2150 Old Hornet Rd.
Council, ID 83612

State of Idaho
Department of Water Resources, Eastern Region
C/o James Cefalo, Water Resources Program Manager
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

August 17, 2012

Re: Change of name Title and Address.

Dear James,

As per our previous telephone conversation, High Desert Enterprises, LLC does hereby request the following changes;

-Name Style; High Desert Enterprises, LLC

-Physical Ranch Address; 12292 North Hwy. 34
Preston, ID 83632

-Mailing Address; High Desert Enterprises, LLC
C/o Terry Andrade
2150 Old Hornet Rd.
Council, ID 83612

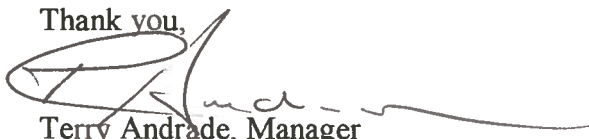
-email; twandra3@aol.com

-Telephone; (208) 599-3409 Cell
(208) 253-0087 Home

Please utilize this data for all State of Idaho Water Right Permits/Licenses associated with High Desert Enterprises, LLC.

Please advise if additional information is required.

Thank you,



Terry Andrade, Manager
High Desert Enterprises, LLC

RECEIVED

AUG 31 2012

Department of Water Resources
Eastern Region

High Desert Enterprises, LLC
C/o Terry Andrade, Manager
2150 Old Hornet Rd.
Council, ID 83612

State of Idaho
Department of Water Resources, Eastern Region
C/o James Cefalo, Water Resources Program Manager
900 North Skyline Drive, Suite A
Idaho Falls, ID 83402-1718

August 29, 2012

Re: High Desert Enterprises, LLC Documents; Documentation referencing Name Style Change and Transfer of Ownership.

Dear James,

As per your request, we respectfully submit documents that appropriately designate and certificate the transfer of ownership and name style. The documents are designated and labeled A; B; C; D for the purpose of identification.

- A. Page one High Desert Enterprises, LLC General Partnership Agreement documenting the change in name style on Dec. 18, 1995 from the original High Desert Enterprises Partnership beginning Feb. 26, 1991.
- B. APPLICATION FOR REGISTRATION OF LIMITED LIABILITY PARTNERSHIP; High Desert Enterprises, LLP, dated Dec. 18, 1995.
- C. APPLICATION OF ORGANIZATION LIMITED LIABILITY COMPANY; High Desert Enterprises, LLC dated June 6, 2005.
- D. CORRECTED QUITCLAIM DEED, dated Aug. 25, 2006.

I presume that the copies of these documents will evidence the change in ownership as per your request. If you require additional information, please contact me at your earliest convenience.

We thank you for your time and cooperation with regard to these matters.

Thank you,


Terry Andrade, Manager
High Desert Enterprises, LLC

**HIGH DESERT ENTERPRISES, LLP
GENERAL PARTNERSHIP AGREEMENT**

THIS AGREEMENT, dated Dec. 18 1995, by and among
TERRENCE WILLIAM ANDRADE and CHRISTOPHER BRIAN MAISEL, who covenant and
agree as follows:

1. **Name of Business.** The parties do hereby form a general partnership which shall transact business under the name of High Desert Enterprises, LLP
2. **Partnership Business.** The partnership shall engage in the business of for the purpose of acquisition, ownership, management and sale of real property and in such other businesses of a similar or related nature as may be determined by the Managing Partners.
3. **Place of Business.** The place of business of the partnership shall be located at 1987 E. Riverdale Road, Preston, Idaho or at such other location or locations as the Managing Partners may from time to time designate.
4. **Term.** The term of the partnership began on February 26, 1991 in accordance with the provisions of that certain partnership agreement executed on that date. This partnership agreement shall continue until terminated as provided herein, and is intended to replace and supersede the referenced prior agreement.

**APPLICATION FOR REGISTRATION OF
LIMITED LIABILITY PARTNERSHIP**

To the Secretary of State of Idaho
PO Box 83720
Boise, ID 83720-0080

DEC 18 2 39 PM '95
SECRETARY OF STATE
STATE OF IDAHO



The undersigned partnership hereby applies for registration as a Limited Liability Partnership, and submits the following information pursuant to section 53-343A, I.C.

1. The name of the partnership is HIGH DESERT ENTERPRISES, LLP.
2. It's principal office is located at 1987 E. RIVERDALE ROAD, PRESTON, IDAHO
83263.
3. It's registered office in Idaho is located at 1987 E. RIVERDALE ROAD, PRESTON,
IDAHO 83263, and the name of the registered
agent at that address is TERRENCE WILLIAM ANDRADE.
4. The partnership is organized in the state of IDAHO.
5. The nature of it's business is AGRICULTURE / OUTFITTING / REAL ESTATE INVEST.
6. The name(s) and address(es) of at least one partner:

<u>Name</u>	<u>Address</u>
<u>TERRENCE WILLIAM ANDRADE</u>	<u>1987 E. RIVERDALE ROAD</u> <u>PRESTON, IDAHO 83263</u>
<u>CHRISTOPHER BRIAN MAISEL</u>	<u>12286 N. HWY 34</u> <u>PRESTON, ID 83263</u>

7. Other matters (optional):
- _____
- _____

8. Signature(s) of at least one partner listed
in item 6.


TERRENCE WILLIAM ANDRADE

File in duplicate

Secretary of State use only

COL

IDAHO SECRETARY OF STATE
DATE 12/18/1995 0900 23031

CK #: 1644 CUST# 63088

ORGAN LLP

1e 100.00= 100.00

13 - 7866

#:



ARTICLES OF ORGANIZATION LIMITED LIABILITY COMPANY

(Instructions on back of application)

2005 JUL - 1 11:01 AM

1. The name of the limited liability company is:

HIGH DESERT ENTERPRISES, L.L.C.

2. The street address of the initial registered office is:

1651 GRAVEYARD POINT ROAD, HOMEDALE, ID 93628

and the name of the initial registered agent at the above address is:

TERRENCE W. ANDRADE

3. The mailing address for future correspondence is:

1651 GRAVEYARD POINT ROAD, HOMEDALE, ID 93628

4. Management of the limited liability company will be vested in:

Manager(s) ☐ or Member(s) ☒ (please check the appropriate box)

5. If management is to be vested in one or more manager(s), list the name(s) and address(es) of at least one initial manager. If management is to be vested in the member(s), list the name(s) and address(es) of at least one initial member.

Name

Address

TERRENCE W. ANDRADE

1651 GRAVEYARD POINT ROAD

HOMEDALE, ID 93628

6. Signature of at least one person responsible for forming the limited liability company:

Signature: Terrence W. Andrade

Typed Name: TERRENCE W. ANDRADE

Capacity: Member

Signature _____

Typed Name: _____

Capacity: _____

Secretary of State use only

© 2005 Idaho LLC form for articles of organization.pdf
Revised 07/2002

Web Form

IDAHO SECRETARY OF STATE
06/06/2005 05:00
CK: 13712 CT: 23891 BH: 814200
1 @ 100.00 = 100.00 ORGAN LLC # 2

13- 7866

13- 7066

W40068

235209 1-4

Recorded at the request of
STEVEN R. FULLER

____ a.m. SEP 22 2006 p.m. ^{3:05}

V. ELLIOTT LARSEN, RECORDER
By Shauna Geddes Deputy
FRANKLIN COUNTY, IDAHO

CORRECTED QUITCLAIM DEED

FOR VALUE RECEIVED

HIGH DESERT ENTERPRISES, an Idaho General Partnership, Terrence W. Andrade and Christopher B. Maisel, General Partners,

does hereby convey, release, remise and forever quit claim unto

HIGH DESERT ENTERPRISES, L.L.C., an Idaho Limited Liability Company,

whose current address is: 1651 Graveyard Point Road, Homedale, ID 83263

the following described premises, in Franklin County, Idaho, to-wit:

DATED: 8-25-06

HIGH DESERT ENTERPRISES

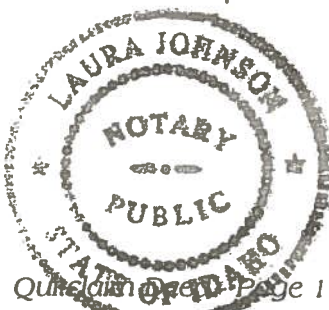
By: 
TERRY W. ANDRADE
General Partner

By: 
CHRISTOPHER B. MAISEL
General Partner

STATE OF IDAHO)

County of Owyhee)

On this 25th day of August, 2006, before me, a Notary Public in and for said State, personally appeared **TERRY W. ANDRADE**, known or identified to me to be a general partner of HIGH DESERT ENTERPRISES, that executed the instrument or the person who executed the instrument on behalf of said Partnership and acknowledged to me that such Partnership executed the same.




NOTARY PUBLIC FOR THE STATE OF IDAHO
Residing at: Owyhee County
Comm. Exp: 8/15/07

STATE OF IDAHOCounty of Franklin

On this 22nd day of September, 2006, before me, a Notary Public in and for said State, personally appeared **CHRISTOPHER B. MAISEL**, known or identified to me to be a general partner of HIGH DESERT ENTERPRISES, that executed the instrument or the person who executed the instrument on behalf of said Partnership and acknowledged to me that such Partnership executed the same.

SUZANNE HALLIDAY
NOTARY PUBLIC
STATE OF IDAHO

Suzanne Halliday
NOTARY PUBLIC FOR THE STATE OF IDAHO
Residing at: Sun Lake IDAHO
Comm. Exp: 8-11-09

EXHIBIT "A"

Township 13 South, Range 40 East of the Boise Meridian, Franklin County, Idaho

- Section 1 SE1/4, SW1/4NE1/4, E1/2NW1/4, SE1/4SW1/4.
- Section 2 GOVERNMENT LOT FOUR (4), SW1/4 NW1/4, SW1/4, W1/2SE1/4, except, Beginning at the Southwest corner of the SW1/4 said Section 2, running thence East 260 feet; thence Northwesterly to a point 520 feet North of place of beginning; thence South 520 feet to place of beginning.
- Section 3 NE1/4SE1/4, ALSO, Beginning at the Northeast corner of the SE1/4SE1/4 said Section 3, running thence West 360 feet; thence Southeasterly to a point 800 feet South of place of beginning, thence North 800 feet to place of beginning.
- ALSO, Commencing at the Northeast corner of said Section 3, running thence South 160 rods, thence West 60 rods, more or less, to Grace-Preston Highway, thence in a Northeasterly direction following said highway to place of beginning.
- ALSO, commencing at the Southeast corner of the NW1/4SE1/4 of said Section 3, running thence West 310 feet, more or less, to Grace-Preston Highway, thence following along said highway in a Northeasterly direction to a point 810 feet, more or less, North of point of beginning, thence South 810 feet, more or less, to point of beginning.
- Section 11 S1/2, E1/2NE1/4, East 72 rods of SW1/4NE1/4.
- Section 12 N1/2, SW1/4, W1/2SE1/4, NE1/4SE1/4.
- Section 13 N1/2NW1/4.
- Section 14 W1/2NE1/4, NE1/4NE1/4, NW1/4SE1/4, W1/2.
- Section 15 E1/2SE1/4, NE1/4NE1/4.
- Section 21 SE1/4SE1/4.
- Section 22 N1/2NE1/4, S1/2SW1/4, S1/2SE1/4.
- Section 27 NE1/4, N1/2NW1/4, SW1/4NW1/4, N1/2SW1/4.
- Section 28 E1/2NE1/4.

235209 44

Township 13 South, Range 41 East of the Boise Meridian, Franklin County, Idaho

Section 7 GOVERNMENT LOTS TWO (2) AND THREE (3). ALSO, Commencing at the Northwest corner of the SE1/4NW1/4 of said Section 7, running thence South 160 rods; thence East 11.5 rods to Oneida Narrows Reservoir, thence North 361 feet; thence North 49°57' East 106 feet; thence North 17°21' East 82.5 feet; thence North 34°50' East 339 feet; thence North 77°56' East 346.4 feet; thence North 42° East 138.6 feet; thence North 76°59' East 305.3 feet; thence North 76°49' East 170.5 feet; thence North 57°56' East 76.8 feet; thence North 33°18' East 146 feet; thence North 25°59' East 122.5 feet; thence North 29°31' East 115.2 feet; thence North 37° East 308 feet; thence North 25°13' East 271 feet; thence North 20°34' East 182.1 feet; thence North 19°28' East 119.8 feet; thence North 0°32' East 133.6 feet; thence North 12°36' West 195.8 feet; thence North 21°43' West 16.5 feet to North line of SW1/4NE1/4 of said Section 7; thence West 124 rods, more or less, to place of beginning.

EXCEPTING THEREFROM portions deeded to UTAH POWER AND LIGHT COMPANY, in Book 18 of Deeds, page 413, recorded November 18, 1915, records of Franklin County, Idaho.

EXCEPTING THEREFROM all oil, gas, geothermal and other minerals as conveyed to BOW VALLEY PETROLEUM INC., by MINERAL DEED recorded December 24, 1984, as Microfilm Instrument No. 168128.

Township 12 South, Range 40 East of the Boise Meridian, Franklin County, Idaho

Section 36 SW1/4, EXCEPTING THEREFROM portions deeded to STATE OF IDAHO for Highway purposes. ALSO EXCEPTING THEREFROM all mineral rights as reserved in STATE OF IDAHO DEEDS recorded May 11, 1970, as Microfilm Instrument No. 126006 and 126007, records of Franklin County, Idaho.

EXCEPTING THEREFROM: Lots 1, 2 and 3 as set forth in that certain survey plat dated December 15, 1994 and recorded as Instrument No. 192488 in the land records of Franklin County, Idaho.

TOGETHER WITH that certain easement and right-of-way for construction, maintenance and use of a roadway for access purposes as described in a "Deed Granting Easement" recorded February 28, 1991 as Instrument No. 183129 in the land records of Franklin County, Idaho.

THIS DEED IS BEING RECORDED TO CORRECT THE LEGAL DESCRIPTION ON THAT CERTAIN QUITCLAIM DEED DATED JAN 11, 1994 AND RECORDED APRIL 25, 1994 AS INSTRUMENT NO 233481 IN THE RECORDS OF FRANKLIN COUNTY, IDAHO.

RECEIVED

AUG 20 2012

Department of Water Resources
Eastern RegionSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR AMENDMENT OF A PERMIT

Fee is \$100 per § 42-221C, Idaho Code

Applicant(s) HIGH DESERT ENTERPRISES, LLC Phone (208) 599-3909
Name connector (check one): ☐ and ☐ or ☐ and/orMailing address 2150 OLD HORNET RD. City COUWELL
State ID Zip 83612 Email: TARANORAS @ AGG.COMI am the owner of Water Appropriation Permit No. 13-7791 and request that the permit be amended as follows:

- ☐ Change point of diversion ☐ Add point of diversion ☐ Change period of use
☐ Change nature of use ☐ Change place of use ☒ Other INCREASE STOCKWATER STORAGE WATER RIGHT

1. Point of diversion: ☒ No changes to point(s) of diversion. Skip item #1 and proceed to #2.
☐ Attach Eastern Snake Plain Aquifer analysis if this proposes to change a point of diversion affecting the ESPA.

Twp	Rge	Sec	Govt Lot	1/4	1/4	1/4	County	Source	Local name or tag #

2. Period and nature of use: ☒ No changes to period and/or nature of use. Skip item #2 and proceed to #3.
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year) (water use) (month/day) (month/day)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year) (water use) (month/day) (month/day)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year) (water use) (month/day) (month/day)
- Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year) (water use) (month/day) (month/day)

3. Place of use or land to be irrigated: ☒ No changes to place of use. Skip item #3 and proceed to #4.

Twp	Rge	Sec	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	

Total number of acres to be irrigated _____

4. **Property ownership:**

☒ No changes to point of diversion and/or place of use. Skip item #4 and proceed to #5.

- a. Who owns the property at the point of diversion? _____
- 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:

5. **Describe the proposed change in narrative form:**

PLEASE SEE ATTACHED LETTER AND NRCS
DOCUMENTS

6. **Map:**

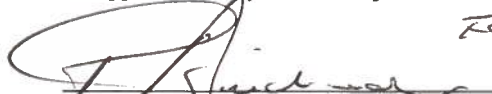
☒ The point(s) of diversion and/or the place of use are not amended, therefore a map is not attached.

Attach a map showing the proposed point(s) of diversion and/or place(s) of use. Clearly label the map with township, range, section, and ¼ ¼ of section information. A photocopy of a USGS 7.5 minute topographic quadrangle is commonly used, or the *Map Tool* available on the Department website provides a satisfactory template for creating the required map (<http://maps.idwr.idaho.gov/TransferApplicationLayouts/Map>).

7. **Signature:**

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

FOR: HIGH DESERT ENTERPRISES, LLC


Signature of applicant or authorized agent

TERRY ANORADE 8-17-12
Print name (and title, if applicable) Date

Signature of applicant or authorized agent

Print name (and title, if applicable)

Date

FOR DEPARTMENT USE ONLY

Received by _____

Date _____

Received by _____

Date _____

Receipt No. _____

Reviewed by _____

Date _____



State of Idaho

DEPARTMENT OF WATER RESOURCES

Eastern Region, 900 North Skyline Drive, Suite A • Idaho Falls, Idaho 83402-1718

Phone: (208) 525-7161 • Fax: (208) 525-7177 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

September 12, 2012

HIGH DESERT ENTERPRISES LLC
2150 OLD HORNET RD
COUNCIL, ID 83612

Application For Permit No. 13-7866

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 PRESTON CITIZEN on September 19 and 26, 2012. Protests to this application may be submitted for a period ending ten (10) days after the second publication.

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

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

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

Sincerely,

Sharla Cox
Administrative Assistant

Cox, Sharla

From: Cox, Sharla
Sent: Thursday, September 13, 2012 8:23 AM
To: 'Caribou County Sun (ccsun10@aol.com)'
Subject: Legal Notice for your paper
Attachments: Caribou County Sun E-Mail.rtf

Contacts: Caribou County Sun

Sharla

Sharla Cox
Administrative Assistant
Idaho Department of Water Resources
900 N. Skyline Dr. Ste. A
Idaho Falls ID 83402
208-525-7161 - telephone
208-525-7177 - fax
sharla.cox@idwr.idaho.gov

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

13-7866

HIGH DESERT ENTERPRISES LLC

2150 OLD HORNET RD

COUNCIL, ID 83612

Point of Diversion NWNE S11 T13S R40E

FRANKLIN County

Source UNNAMED STREAM Tributary COTTONWOOD CREEK

Use: STOCKWATER STORAGE

01/01 to 12/31 1 AF

Total Diversion: 1 AF

Date Filed: 8/30/2012

Place Of Use: STOCKWATER STORAGE

T13S R40E S11 NWNE

Permits will be subject to all prior water rights. For additional information concerning the property location, contact Eastern Region office at (208) 525-7161. 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, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before October 9, 2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Director

Published on September 19 and 26, 2012



Idaho Department of Water Resources

MEMORANDUM

File: 13-7866
Date: September 4, 2012
Subject: Voided Application for Amendment of a Permit

The applicant had followed the engineering plans when he constructed the stockwater storage pond but the actual capacity was more than 13-7791 permitted. The applicant needed to file for more storage volume.

Originally High Desert Enterprises, LLC had submitted an amendment for permit 13-7791 but decided to file another permit for the additional stockwater storage. Since 13-7791 had been recently permitted, the applicant didn't want to jeopardize the permit with an amendment. The application for amendment of 13-7791 has been voided and will be added to 13-7866 file along with the supplemental documentation the applicant submitted.