

RECEIVED

FORM 202
12/99

MAY 06 2011

Ident. No. 02-10462

WATER RESOURCES
WESTERN REGION

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

1. Name of Applicant Basin Land Project Phone 208-342-6524
Mailing address PO Box 1582, Boise, Idaho 83701
with copy to: John Marshall, 575 W Bannock, Suite B, Boise, ID 83702
2. Source of water supply Snake River which is a tributary of Columbia River
3. Location of point of diversion is Township 1N Range 3W Sec. 36 in the SW $\frac{1}{4}$,
SW $\frac{1}{4}$, NE $\frac{1}{4}$, Govt. Lot 7, B.M., Canyon County;
- Additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 26.00 cfs for irrigation purposes from March 1 to Nov 15 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 26.00 and/or (b) _____
cubic feet per second acre feet per annum
6. Proposed diverting works:
 - a. Describe type and size of devices used to divert water from the source Existing pump station, 7 pumps.
 - b. Height of storage dam NA feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
 - c. Proposed well diameter is NA inches; proposed depth of well is _____ feet
 - d. Is ground water with a temperature of 85°F being sought? No
 - e. If well is already drilled, when? NA ; Drilling firm _____
Well was drilled for (well owner) _____ ; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
 - a. Hydropower; show total feet of head and proposed capacity in kW. NA
 - b. Stockwatering; list number and kind of livestock. NA
 - c. Municipal; show name of municipality. NA
 - d. Domestic; show number of households. NA
 - e. Other; describe fully. NA

9. Description of place of use: **Please see attached land list.**

- 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	

Total number of acres irrigated 3715

10. Describe any other water rights used for the same purposes described above. 02-104, 02-2175A, 02-2175D, 02-2175E
02-2197A, 02-10054, 02-10055.

11. a. Who owns the property at the point of diversion? Nicholson (Applicant holds an easement)
- b. Who owns the land to be irrigated or place of use? The tenants in common owners of Applicant
- c. If the property is owned by a person other than the applicant, please describe the arrangement enabling the applicant to make this filing _____

12. Remarks: This application requests additional diversions to supplement the authorized diversions under the above-referenced water rights that are used to supply the Basin Land high-lift irrigation project. The additional diversion proposed under this Application will bring the total authorized diversion for the project to one-inch per acre. This application does not propose the irrigation of any additional acreage and therefore will not increase the consumptive use out of the Snake River.

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.) **See Attached**

BE IT KNOWN that the undersigned hereby makes this application for permit to appropriate the public waters of the State of Idaho as herein set forth.

Craig Castagneto - Pres.
Craig Castagneto
Basin Land Project.

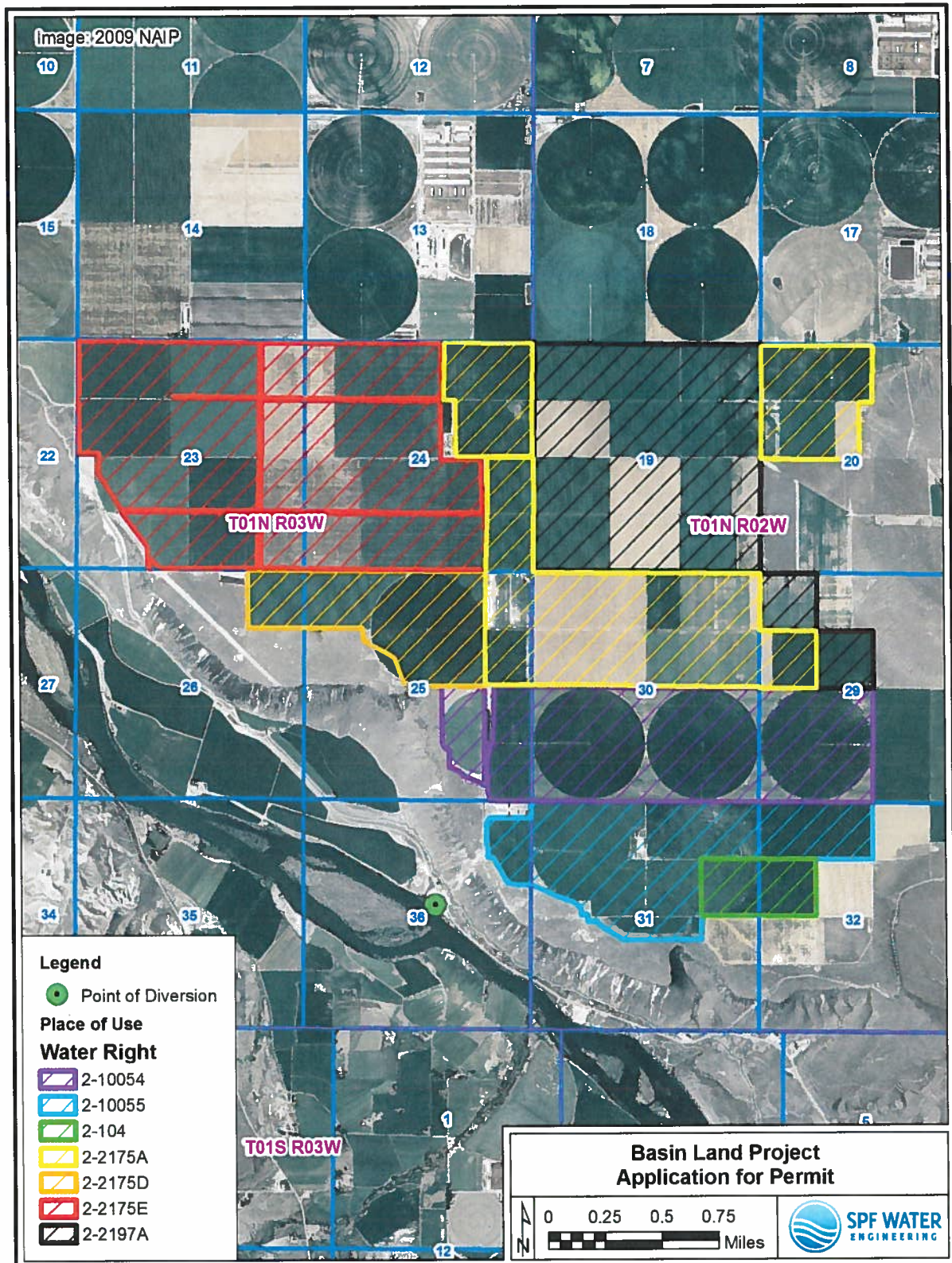
Received by SB Date 5/6/11 Time 1:59 Preliminary check by kw
Fee \$ 1130.00 Received by SB # W039194 Date 5/6/11
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

Land List

Water Right	Legal Description														
02-104	<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
	01N	02W	31		SENE	40									
			32		SWNW	39									
	Total Acres: 79														
02-2175A	<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
	01N	02W	20		NENW	38 ✓		NWNW	39 ✓		SWNW	40 ✓		SENE	32 ✓
			29		SWNW	40 ✓									
			30		NENE	40 ✓		NWNE	40 ✓		SWNE	40 ✓		SENE	40 ✓
					NENW	40 ✓	1	NWNW	40 ✓	2	SWNW	39 ✓		SENE	39 ✓
		03W	24		NENE	38		NWNE	23		SWNE	16		SENE	37
			25		NESE	34		SESE	31						
				NENE	33		SENE	34							
Total Acres: 753															
02-2175D	<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
	01N	03W	25		NENE	5		NWNE	40		SWNE	40		SENE	5
					NENW	40		NWNW	40		SENE	24			
		26		NENE	40										
Total Acres: 234															
02-2175E	<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
	01N	03W	23		NENE	37		NWNE	38		SWNE	40		SENE	37
					NENW	39		NWNW	38		SWNW	39		SENE	40
					NESW	39		NWSW	19		SWSW	2		SESE	34
					NESE	37		NWSE	39		SWSE	39		SESE	38
			24		NWNE	15		SWNE	15						
					NENW	39		NWNW	39		SWNW	39		SENE	39
					NESW	40		NWSW	39		SWSW	39		SESE	39
				NESE	4		NWSE	38		SWSE	39		SESE	7	
Total Acres: 986															
02-2197A	<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
	01N	02W	19		NENE	39 ✓		NWNE	39 ✓		SWNE	39 ✓		SENE	40 ✓
					NENW	39 ✓	1	NWNW	39 ✓	2	SWNW	40 ✓		SENE	40 ✓
					NESW	40 ✓	3	NWSW	39 ✓	4	SWSW	40 ✓		SESE	40 ✓
					NESE	39 ✓		NWSE	39 ✓		SWSE	40 ✓		SESE	40 ✓
		29		NWNW	37 ✓		SENE	39 ✓							
Total Acres: 708															

02-10054	<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
	01N	02W	29		NESW	38 ✓		NWSW	39 ✓		SWSW	40 ✓		SESW	39 ✓
			30		NESW	39	3	NWSW	39	4	SWSW	39		SESW	39
					NESE	39		NWSE	39		SWSE	39		SESE	39
		03W	25		NESE	32		NWSE	24		SWSE	10		SESE	34
Total Acres: 568															
02-10055	<u>Township</u>	<u>Range</u>	<u>Section</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>	<u>Lot</u>	<u>Tract</u>	<u>Acres</u>
	01N	02W	31		NENE	39		NWNE	39		SWNE	39			
					NENW	35	①	NWNW	39	②	SWNW	29		SENW	40
					NESW	5									
					NWSE	11									
		32		NENW	39		NWNW	39							
	03W	36		NENE	22		SENE	11							
Total Acres: 387															

Map



Borgeman, Sherry

From: Borgeman, Sherry
Sent: Wednesday, January 11, 2012 3:57 PM
To: 'rick.ward@idfg.idaho.gov'
Subject: Comment Letter for Applications 67-15074, 2-10460, 2-10461, 2-10462, 2-10463, 63-32562, 63-32608
Attachments: Comment Letter to F & G - Special.doc; 67-15074.pdf; 2-10460.pdf; 2-10461.pdf; 2-10462.pdf; 2-10463.pdf; 63-32562.pdf; 63-32608.pdf

Attached is a cover letter & copies of application(s) for your review and/or comment. If you have any questions regarding this information please feel free to contact this office.

Thank you,

Sherry Borgeman
Idaho Department of Water Resources, Western Region
208-334-2190 (ph)
208-334-2348 (fax)

January 11, 2012

STATE OF IDAHO
DEPT OF FISH & GAME
ATTN: RICK WARD
3101 S POWERLINE RD
NAMPA, ID 83686

RE: Application(s) for Permit: 67-15074, 2-10460, 2-10461, 2-10462, 2-10463, 63-32562, 63-32608

Dear Mr. Ward:

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application is enclosed for your reference. Please review the application, complete the enclosed recommendation form, and submit it to this office within 21 days.

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

The applications 63-32562 & 63-32608 appear to describe the same ditch used for several older irrigation rights. The unnamed drain flows into the Ross East End Drain, which is presumably tributary to the Boise River. However, the Ross East End Drain might be tributary to the Snake River based on topographic maps. The tributary issue can be clarified as application processing continues.

Please contact Steve Lester at this office if you need more information.

Sincerely,

Sherry Borgeman
Administrative Assistant

Enclosure(s)

Borgeman, Sherry

From: IDAHO PRESS TRIBUNE [aweaver@idahopress.com]
Sent: Thursday, January 12, 2012 9:53 AM
To: Borgeman, Sherry
Cc: aweaver@idahopress.com
Subject: APPLICATION FOR P- Ad # 601889
Attachments: AD601889_jnl.pdf

Hi Sherry,

Here is the proof, price and corrected pub dates. Let me know if I can help with anything else.

Amanda

IDAHO PRESS TRIBUNE
ORDER CONFIRMATION

Salesperson: AMANDA WEAVER

Printed at 01/12/12 08:51 by awe14

Acct #: 29512

Ad #: 601889

Status: N

1 IDAHO DEPT. OF WATER RESOURCES
WESTERN REGION
2735 AIRPORT WAY
BOISE ID 83705

Start: 01/19/2012 Stop: 01/26/2012
Times Ord: 2 Times Run: *****
LEG 3.00 X 124.00 Words: 648
Rate: L3 Cost: 583.09
Class: 0001 LEGAL NOTICES

Contact: SHERRY BORGEMAN

Phone: (208)334-2190

Fax#:

Email: Sherry.Borgeman@idwr.idaho.gov

Agency:

Descript: APPLICATION OF PERMIT

Given by: *

Created: awe14 01/12/12 07:44

Last Changed: awe14 01/12/12 08:08

COMMENTS:

COPIED from AD 372037

PUB ZONE ED TP START INS STOP SMTWTFS
IPT A 96 S 01/19,26

AUTHORIZATION

Under this agreement rates are subject to change with 30 days notice. In the event of a cancellation before schedule completion, I understand that the rate charged will be based upon the rate for the number of insertions used.

Sherry Borgeman
Name (print or type)

Sherry Borg
Name (signature)

(CONTINUED ON NEXT PAGE)

IDAHO PRESS TRIBUNE
ORDER CONFIRMATION (CONTINUED)

Salesperson: AMANDA WEAVER

Printed at 01/12/12 08:51 by awe14

Acct #: 29512

Ad #: 601889

Status: N

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

2-10460
A D CATTLE CO INC
PO BOX 1582
BOISE, ID 83701
Point of Diversion L5(SENW) S22 T01N R03W CANYON County Source SNAKE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION 3/01 to 11/15 1.88 CFS
Total Diversion: 1.88 CFS
Date Filed: 5/6/2011
Place Of Use: IRRIGATION
T01N R03W S14 NE (ALL) SE (ALL)
Total Acres: 320

2-10461
ALLEN NOBLE FARMS INC
PO BOX 1582
BOISE, ID 83701
Point of Diversion L5(SENW) S22 T01N R03W CANYON County Source SNAKE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION 03/01 to 11/15 3.76 CFS
Total Diversion: 3.76 CFS
Date Filed: 5/6/2011
Place Of Use: IRRIGATION
T01N R03W S11 NW (ALL) SW (ALL)
T01N R03W S14 NW (ALL) SW (ALL)
Total Acres: 640

2-10462
BASIN LAND PROJECT
PO BOX 1582
BOISE, ID 83701
Point of Diversion L7(SWSWNE) S36 T01N R03W CANYON County Source SNAKE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION 03/01 to 11/15 26 CFS
Total Diversion: 26 CFS
Date Filed: 5/6/2011
Place Of Use: IRRIGATION
T01N R02W S19 (ALL)
T01N R02W S20 NW (ALL)
T01N R02W S29 NWNW SWNW SENW SW (ALL)
T01N R02W S30 (ALL)
T01N R02W S31 NE (ALL) NW (ALL) NESW NWSE
T01N R02W S32 NENW NWNW SWNW
T01N R03W S23 (ALL)
T01N R03W S24 (ALL)
T01N R03W S25 NE (ALL) NENW NWNW SENW SE (ALL)
T01N R03W S26 NENE
T01N R03W S36 NENE SENE
Total Acres: 3715

2-10463
BIGFOOT FARM LLC
DAVID PALFREYMAN MANAGER
5001 FIFESHIRE PL N
BOISE, ID 83713
Point of Diversion L5(SENW) S22 T01N R03W CANYON County Source SNAKE RIVER
Tributary COLUMBIA RIVER
Use: IRRIGATION 03/01 to 11/15 0.94 CFS
Total Diversion: 0.94 CFS
Date Filed: 5/6/2011
Place Of Use: IRRIGATION
T01N R03W S15 SE (ALL)
T01N R03W S22 NENE SENE
Total Acres: 193

63-32562
DOUG MERGES
LORI ANN MERGES
27205 WING SETTER LN
PARMA, ID 83660
Point of Diversion L7(SESW) S17 T05N R05W CANYON County Source UNNAMED
DRAIN Tributary BOISE RIVER
Use: DIVERSION TO STORAGE 01/01 to 12/31 1 CFS
Use: WILDLIFE 01/01 to 12/31 0.27 CFS
Use: WILDLIFE STORAGE 01/01 to 12/31 29 AF
Total Diversion: 1 CFS
Date Filed: 10/23/2006
Place Of Use: WILDLIFE & WILDLIFE STORAGE
T05N R05W S17 L6(NESW) L5(NWSW) L7(SESW)
Use existing irrigation ditch. Presumed tributary to Boise River via Ross East End Drain. Return flows to Ross East End Drain near wildlife pond.

63-32608
PARMA PONDS LLC
6417 PLANTATION LN
BOISE, ID 83703
Point of Diversion L7(SESW) S17 T05N R05W CANYON County Source UNNAMED
DRAIN Tributary BOISE RIVER
Use: DIVERSION TO STORAGE 01/01 to 12/31 2.8 CFS
Use: WILDLIFE 01/01 to 12/31 2.8 CFS
Use: WILDLIFE STORAGE 01/01 to 12/31 35 AF
Total Diversion: 2.8 CFS
Date Filed: 11/21/2006
Place Of Use: WILDLIFE & WILDLIFE STORAGE
T05N R05W S17 L6(NESW) L5(NWSW) L7(SESW)
Use existing irrigation ditch. Presumed tributary to Boise River via Ross East End Drain. Return flows to Ross East End Drain near wildlife ponds.

63-33593
JOHN LINDLEY
29453 GOTSCH RD
PARMA, ID 83660
Point of Diversion SENE S1 T05N R05W CANYON County Source GROUND WATER
Tributary
Use: IRRIGATION 03/01 to 11/15 1.13 CFS
Total Diversion: 1.13 CFS
Date Filed: 10/26/2011
Place Of Use: IRRIGATION
T05N R05W S1 SWNE SENE NESE
Total Acres: 57

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/WFFiling.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 February 6, 2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

January 16, 23, 2011

601889

1/19 + 1/26

Borgeman, Sherry

From: Borgeman, Sherry
Sent: Wednesday, January 11, 2012 2:47 PM
To: 'legals@idahopress.com'
Subject: Legal Notice
Attachments: Canyon Cty - Cover Letter.docx; Canyon Cty - Ad.docx

Attached is (1) legal notice being submitted for publication. If you have any questions regarding the attached information, or if you can not publish the ad on the dates indicated please contact me immediately.

Thank you,

Sherry Borgeman
Idaho Department of Water Resources, Western Region
208-334-2190 (ph)
208-334-2348 (fax)

January 11, 2012

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

RE: Application For Permit No.(s): 2-10460, 2-10461, 2-10462, 2-10463, 63-32562, 63-32608, 63-33593

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 2/6/2012. Your cooperation is appreciated.

Sincerely,

Sherry Borgeman
Administrative Assistant

Enclosure(s)

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

2-10460

A D CATTLE CO INC

PO BOX 1582

BOISE, ID 83701

Point of Diversion L5(SENW) S22 T01N R03W CANYON County Source SNAKE RIVER Tributary COLUMBIA RIVER

Use: IRRIGATION 03/01 to 11/15 1.88 CFS

Total Diversion: 1.88 CFS

Date Filed: 5/6/2011

Place Of Use: IRRIGATION

T01N R03W S14 NE (ALL) SE (ALL)

Total Acres: 320

2-10461

ALLEN NOBLE FARMS INC

PO BOX 1582

BOISE, ID 83701

Point of Diversion L5(SENW) S22 T01N R03W CANYON County Source SNAKE RIVER Tributary COLUMBIA RIVER

Use: IRRIGATION 03/01 to 11/15 3.76 CFS

Total Diversion: 3.76 CFS

Date Filed: 5/6/2011

Place Of Use: IRRIGATION

T01N R03W S11 NW (ALL) SW (ALL)

T01N R03W S14 NW (ALL) SW (ALL)

Total Acres: 640

2-10462

BASIN LAND PROJECT

PO BOX 1582

BOISE, ID 83701

Point of Diversion L7(SWSWNE) S36 T01N R03W CANYON County Source SNAKE RIVER Tributary COLUMBIA RIVER

Use: IRRIGATION 03/01 to 11/15 26 CFS

Total Diversion: 26 CFS

Date Filed: 5/6/2011

Place Of Use: IRRIGATION

T01N R02W S19 (ALL)

T01N R02W S20 NW (ALL)

T01N R02W S29 NWNW SWNW SENW SW (ALL)

T01N R02W S30 (ALL)

T01N R02W S31 NE (ALL) NW (ALL) NESW NWSE

T01N R02W S32 NENW NWNW SWNW

T01N R03W S23 (ALL)

T01N R03W S24 (ALL)

T01N R03W S25 NE (ALL) NENW NWNW SENW SE (ALL)

T01N R03W S26 NENE

T01N R03W S36 NENE SENE

Total Acres: 3715

2-10463

BIGFOOT FARM LLC

DAVID PALFREYMAN MANAGER

5001 FIFESHIRE PL N

BOISE, ID 83713

Point of Diversion L5(SENW) S22 T01N R03W CANYON County Source SNAKE RIVER Tributary COLUMBIA RIVER

Use: IRRIGATION 03/01 to 11/15 0.94 CFS

Total Diversion: 0.94 CFS

Date Filed: 5/6/2011

Place Of Use: IRRIGATION

T01N R03W S15 SE (ALL)

T01N R03W S22 NENE SENE

Total Acres: 193

63-32562

DOUG MERGES

LORI ANN MERGES

27205 WING SETTER LN

PARMA, ID 83660

Point of Diversion L7(SESW) S17 T05N R05W CANYON County Source UNNAMED DRAIN Tributary BOISE RIVER

Use: DIVERSION TO STORAGE 01/01 to 12/31 1 CFS

Use: WILDLIFE 01/01 to 12/31 0.27 CFS
Use: WILDLIFE STORAGE 01/01 to 12/31 29 AF
Total Diversion: 1 CFS
Date Filed: 10/23/2006
Place Of Use: WILDLIFE & WILDLIFE STORAGE
T05N R05W S17 L6(NESW)
Use existing irrigation ditch. Presumed tributary to Boise River via Ross East End Drain. Return flows to Ross East End Drain near wildlife pond.

63-32608

PARMA PONDS LLC
6417 PLANTATION LN
BOISE, ID 83703
Point of Diversion L7(SESW) S17 T05N R05W CANYON County Source UNNAMED DRAIN Tributary BOISE RIVER
Use: DIVERSION TO STORAGE 01/01 to 12/31 2.8 CFS
Use: WILDLIFE 01/01 to 12/31 2.8 CFS
Use: WILDLIFE STORAGE 01/01 to 12/31 35 AF
Total Diversion: 2.8 CFS
Date Filed: 11/21/2006
Place Of Use: WILDLIFE & WILDLIFE STORAGE
T05N R05W S17 L6(NESW) L5(NWSW) L7(SESW)
Use existing irrigation ditch. Presumed tributary to Boise River via Ross East End Drain. Return flows to Ross East End Drain near wildlife ponds.

63-33593

JOHN LINDLEY
29453 GOTSCH RD
PARMA, ID 83660
Point of Diversion SENE S1 T05N R05W CANYON County Source GROUND WATER Tributary
Use: IRRIGATION 03/01 to 11/15 1.13 CFS
Total Diversion: 1.13 CFS
Date Filed: 10/26/2011
Place Of Use: IRRIGATION
T05N R05W S1 SWNE SENE NESE
Total Acres: 57

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 February 6, 2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director
Published on 1/19/2012 and 1/26/2012

Borgeman, Sherry

From: Borgeman, Sherry
Sent: Wednesday, January 11, 2012 2:51 PM
To: 'klewis@lmtribune.com'
Subject: Legal Notice
Attachments: Nez Perce Cty - Cover Letter.docx; 2-10462 Ad.docx

Attached is (1) legal notice being submitted for publication. If you have any questions regarding the attached information, or if you can not publish the ad on the dates indicated please contact me immediately.

Thank you,

Sherry Borgeman
Idaho Department of Water Resources, Western Region
208-334-2190 (ph)
208-334-2348 (fax)

January 11, 2012

LEGAL NOTICE DEPARTMENT
LEWISTON TRIBUNE
505 C ST PO BOX 957
LEWISTON, ID 83501

RE: Application For Permit No.(s): 2-10462

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 2/6/2012. Your cooperation is appreciated.

Sincerely,

Sherry Borgeman
Administrative Assistant

Enclosure(s)

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

2-10462

BASIN LAND PROJECT

PO BOX 1582

BOISE, ID 83701

Point of Diversion L7(SWSWNE) S36 T01N R03W CANYON County Source SNAKE RIVER Tributary COLUMBIA RIVER

Use: IRRIGATION 03/01 to 11/15 26 CFS

Total Diversion: 26 CFS

Date Filed: 5/6/2011

Place Of Use: IRRIGATION

T01N R02W S19 (ALL)

T01N R02W S20 NW (ALL)

T01N R02W S29 NWNW SWNW SENW SW (ALL)

T01N R02W S30 (ALL)

T01N R02W S31 NE (ALL) NW (ALL) NESW NWSE

T01N R02W S32 NENW NWNW SWNW

T01N R03W S23 (ALL)

T01N R03W S24 (ALL)

T01N R03W S25 NE (ALL) NENW NWNW SENW SE (ALL)

T01N R03W S26 NENE

T01N R03W S36 NENE SENE

Total Acres: 3715

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 February 6, 2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on 1/19/2012 and 1/26/2012

Borgeman, Sherry

From: Borgeman, Sherry
Sent: Wednesday, January 11, 2012 2:51 PM
To: 'legals@magicvalley.com'
Subject: Legal Notice
Attachments: Twin Falls Cty - Cover Letter.docx; 2-10462 Ad.docx

Attached is (1) legal notice being submitted for publication. If you have any questions regarding the attached information, or if you can not publish the ad on the dates indicated please contact me immediately.

Thank you,

Sherry Borgeman
Idaho Department of Water Resources, Western Region
2735 Airport Way
Boise, ID 83705
208-334-2190 (ph)
208-334-2348 (fax)

January 11, 2012

LEGAL NOTICE DEPARTMENT
TIMES NEWS
PO BOX 548
TWIN FALLS, ID 83303-0548

RE: Application For Permit No.(s): 2-10462

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 2/6/2012. Your cooperation is appreciated.

Sincerely,

Sherry Borgeman
Administrative Assistant

Enclosure(s)

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

2-10462

BASIN LAND PROJECT

PO BOX 1582

BOISE, ID 83701

Point of Diversion L7(SWSWNE) S36 T01N R03W CANYON County Source SNAKE RIVER Tributary COLUMBIA RIVER

Use: IRRIGATION 03/01 to 11/15 26 CFS

Total Diversion: 26 CFS

Date Filed: 5/6/2011

Place Of Use: IRRIGATION

T01N R02W S19 (ALL)

T01N R02W S20 NW (ALL)

T01N R02W S29 NWNW SWNW SENW SW (ALL)

T01N R02W S30 (ALL)

T01N R02W S31 NE (ALL) NW (ALL) NESW NWSE

T01N R02W S32 NENW NWNW SWNW

T01N R03W S23 (ALL)

T01N R03W S24 (ALL)

T01N R03W S25 NE (ALL) NENW NWNW SENW SE (ALL)

T01N R03W S26 NENE

T01N R03W S36 NENE SENE

Total Acres: 3715

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 February 6, 2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on 1/19/2012 and 1/26/2012

Borgeman, Sherry

From: Borgeman, Sherry
Sent: Wednesday, January 11, 2012 2:50 PM
To: 'cvonborstel@postregister.com'
Subject: Legal Notice
Attachments: Bonneville Cty - Cover Letter.docx; 2-10462 Ad.docx

Attached is (1) legal notice being submitted for publication. If you have any questions regarding the attached information, or if you can not publish the ad on the dates indicated please contact me immediately.

Thank you,

Sherry Borgeman
Idaho Department of Water Resources, Western Region
208-334-2190 (ph)
208-334-2348 (fax)

January 11, 2012

LEGAL NOTICE DEPARTMENT
POST-REGISTER
PO BOX 1800
IDAHO FALLS, ID 83402

RE: Application For Permit No.(s): 2-10462

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 2/6/2012. Your cooperation is appreciated.

Sincerely,

Sherry Borgeman
Administrative Assistant

Enclosure(s)

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

2-10462

BASIN LAND PROJECT

PO BOX 1582

BOISE, ID 83701

Point of Diversion L7(SWSWNE) S36 T01N R03W CANYON County Source SNAKE RIVER Tributary COLUMBIA RIVER

Use: IRRIGATION 03/01 to 11/15 26 CFS

Total Diversion: 26 CFS

Date Filed: 5/6/2011

Place Of Use: IRRIGATION

T01N R02W S19 (ALL)

T01N R02W S20 NW (ALL)

T01N R02W S29 NWNW SWNW SENW SW (ALL)

T01N R02W S30 (ALL)

T01N R02W S31 NE (ALL) NW (ALL) NESW NWSE

T01N R02W S32 NENW NWNW SWNW

T01N R03W S23 (ALL)

T01N R03W S24 (ALL)

T01N R03W S25 NE (ALL) NENW NWNW SENW SE (ALL)

T01N R03W S26 NENE

T01N R03W S36 NENE SENE

Total Acres: 3715

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/WRI-filing.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 February 6, 2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on 1/19/2012 and 1/26/2012

Borgeman, Sherry

From: Borgeman, Sherry
Sent: Wednesday, January 11, 2012 2:49 PM
To: 'legals@idahostatesman.com'
Subject: Legal Notice
Attachments: Ada Cty - Cover Letter.docx; Ada Cty - Ad.docx

Attached is (1) legal notice being submitted for publication. If you have any questions regarding the attached information, or if you can not publish the ad on the dates indicated please contact me immediately.

Thank you,

Sherry Borgeman
Idaho Department of Water Resources, Western Region
208-334-2190 (ph)
208-334-2348 (fax)

January 11, 2012

LEGAL NOTICE DEPARTMENT
IDAHO STATESMAN
PO BOX 40
BOISE, ID 83707

RE: Application For Permit No.(s): 2-10462, 63-33575

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 2/6/2012. Your cooperation is appreciated.

Sincerely,

Sherry Borgeman
Administrative Assistant

Enclosure(s)

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

2-10462

BASIN LAND PROJECT

PO BOX 1582

BOISE, ID 83701

Point of Diversion L7(SWSWNE) S36 T01N R03W CANYON County Source SNAKE RIVER Tributary COLUMBIA RIVER

Use: IRRIGATION 03/01 to 11/15 26 CFS

Total Diversion: 26 CFS

Date Filed: 5/6/2011

Place Of Use: IRRIGATION

T01N R02W S19 (ALL)

T01N R02W S20 NW (ALL)

T01N R02W S29 NWNW SWNW SENW SW (ALL)

T01N R02W S30 (ALL)

T01N R02W S31 NE (ALL) NW (ALL) NESW NWSE

T01N R02W S32 NENW NWNW SWNW

T01N R03W S23 (ALL)

T01N R03W S24 (ALL)

T01N R03W S25 NE (ALL) NENW NWNW SENW SE (ALL)

T01N R03W S26 NENE

T01N R03W S36 NENE SENE

Total Acres: 3715

63-33575

BLAINE GEIGER

BOBBI JO GEIGER

5453 WILLEAN LN

EAGLE, ID 83616

Point of Diversion NENW S29 T05N R01E ADA County Source GROUND WATER Tributary

Point of Diversion SENW S29 T05N R01E ADA County Source GROUND WATER Tributary

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

Use: IRRIGATION 03/01 to 11/15 0.2 CFS

Total Diversion: 0.2 CFS

Date Filed: 9/16/2011

Place Of Use: IRRIGATION

T05N R01E S29 NENW SENW

Place Of Use: DOMESTIC

T05N R01E S29 NENW

Total Acres: 10

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 February 6, 2012. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director

Published on 1/19/2012 and 1/26/2012

John Marshall Law PLLC

575 W Bannock, Suite B
Boise, ID 83702

phone 208-991-2701
fax 208-906-8043
john@jmarshalllaw.com

December 23, 2011

Via Email

Kay Walker
Sr. Water Resources Agent
Idaho Department of Water Resources
2735 Airport Way
Boise, Idaho 83705-5082

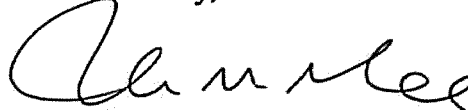
Re: Permit Application Nos. 02-10460, 02-10461 and 10462

Dear Kay:

This responds to your letter dated November 28, 2011, concerning the permit applications referenced above. In response to your inquiry about how the applications would provide an additional increment of beneficial use, each of the applications seeks to fill a gap in the diversion rate needed and actually used to accomplish the irrigation beneficial use authorized by the primary decreed rights for the lands identified in the applications at issue here. Our review of the underlying rights during the SRBA adjudication process revealed that these licensed-based rights were either in error and/or that system improvements had been made that increased the diversion rate available to accomplish the authorized irrigation beneficial use after the licenses were issued. The binding effect of licenses in the adjudication, the 1971 mandatory permit date and the unavailability of an enlargement right under I.C. § 42-1426 for a diversion rate increase foreclosed any opportunity to align the original water rights with the on-the-ground manner in which the irrigation beneficial use is accomplished. Accordingly, the applicants need to obtain new water rights to cover their peak irrigation diversions.

Concerning Basin Land Project's absence from the Idaho Secretary of State records, this is because the Basin Land Project is a tenancy in common, which is not legally required to register with the Secretary of State to exist. The tenancy in common agreement that creates the Basin Land Project is attached for your reference.

Sincerely,



John M. Marshall

Enclosure:

Cc: Garrick Baxter

INSTRUMENT

724207

EXC
#16

TENANCY-IN-COMMON AGREEMENT

THIS AGREEMENT is made this 31st day of January, 1974, by and between PETRO G. ELIOPULOS and JANET G. ELIOPULOS, husband and wife, and CELIA ELIOPULOS, a widow; ROBERT L. NANCOLAS and ROSEMARY L. NANCOLAS, husband and wife; GORDON P. TIEGS and PATRICIA A. TIEGS, husband and wife; CHARLES D. PINTLER and CAROL L. PINTLER, husband and wife; SCOTTCO, INC., a corporation; and ALLEN NOBLE FARMS, INC., a corporation.

WHEREAS, each of the parties to this agreement have entered into separate contracts to purchase from BASIN LAND CO. certain farm property located in Canyon County, Idaho, and which farm property for each party is separately described in "Exhibit A" hereof, and

WHEREAS, Basin Land Co. has previously developed a water delivery system for bringing water from the Snake River to said farm land, and

WHEREAS, the parties desire to agree among themselves to use, operate and maintain a common water delivery system for development of their farm lands and for the sharing of the costs of such use, operation and maintenance,

NOW THEREFORE, IT IS MUTUALLY AGREED by the parties, and each of them:

1. TENANTS IN COMMON: The parties and each of them, shall be tenants in common in and to all interests in the real and personal property for the diversion of water from the Snake River and for delivery of that water to the farm lands described in "Exhibit A" hereof.
2. NAME: This tenancy in common shall be known, designated and referred to as the "Basin Land Project".
3. UNDIVIDED OWNERSHIP: All of the easements, rights of

way, pumping station or stations, pumps, motors, penstocks, pipes and pipelines, electrical panels, facilities and equipment, canals, ditches, control facilities, and other personal property and all rights thereto shall be owned and held by the parties hereto as tenants in common in undivided interests as hereinafter specified in "Exhibit B" hereof, based on each parties number of irrigated acres.

4. FUTURE ACQUISITION: Each of the parties hereto shall pay his proportionate share of all costs of any future acquisition, construction or installation of the real and personal property acquired or hereafter acquired by the Basin Land Project, and the pro rata share of each party shall be the same as his undivided fractional interest in the property comprising the assets of the Basin Land Project. Such payments to be made by each of the parties shall be made as and when such payments become due and payable.

5. EXPENSES: Each of the parties hereto shall pay his proportionate share of all expense required to manage, administer, operate, repair, maintain and use the water delivery system, including the cost of electricity for pumping water through said water delivery system.

6. WATER RIGHTS: Each of the parties hereto shall own and hold separately the water permit or license transferred to each by Basin Land Co. Said permit or license was issued by the Department of Water Administration, State of Idaho, for the water that was previously appropriated by Basin Land Co. for use on the farm land purchased by each of the parties. The permit no. and amount of acre feet of each party is described in Exhibit C hereof.

7. DELIVERY OF WATER: The delivery of water through the Basin Land Project shall be governed by this agreement. In the

event the delivery of water is reduced for any reason, including pump failure, acts of nature, and water shortage, then the water delivered to each party shall be reduced proportionately. For Example, if a party is entitled to 1000 acre feet of water and the delivery of water is reduced 10%, then the water delivered to such person be reduced 10% or to 900 acre feet.

8. EASEMENTS: Each of the parties hereto shall grant unto the other tenants in common any easements or rights of way over and across his land necessary for the construction, operation and maintenance of any portion of the water delivery system in order that said water delivery system can be extended throughout the entire Basin Land Project. Each party further agrees to grant to the applicable county, highway district or other political entity having jurisdiction, authority and control over, and responsibility for, roads within the project boundaries, easements or rights of way 25 feet in width lying along each side of a section line or half-section line or sixteenth line, or any other easements and rights of way over and across his land, for the purpose of constructing and maintaining public roads having a minimum width of 50 feet. No party shall be required to grant any such easement or right of way which would unreasonably interfere with, or render more burdensome, the operation of that party's irrigation system. Each party further agrees to grant to the applicable power company, telephone company, gas company or other authorized public utility, such easements and rights of way over and across his land as shall be required for any power line, telephone line, gas line or other utility line or facility necessary for furnishing public utility service for and to any lands within the boundaries of the project.

9. MANAGEMENT: The management of Basin Land Project shall

be vested in seven (7) directors, who shall have the power and authority to make all management decisions required in conducting the business of the project. The initial directors of the project shall be selected at a meeting of the parties hereto to be held on the 15th day of the first calendar month following the calendar month in which this agreement becomes effective, and the directors shall be selected annually thereafter at a meeting of the parties hereto, or their respective successors in interest, to be held on or about the 15th day of February of each year. The incumbent directors shall cause ten (10) days' notice of the time and place of each such annual meeting to be given in writing to all of the parties hereto or to any successors in interest who have filed a mailing address in writing with the directors.

General policies and procedures shall be determined at the annual meeting for the guidance of the directors.

The parties hereto, or their respective successors in interest, shall be entitled to cast one vote for each acre of irrigated land owned by the party and served by said irrigation system. Voting by the owners of the system as to all matters shall be cumulative; as provided by the laws of the State of Idaho for the election of directors of corporations.

10. SYSTEM'S SCOPE: The project shall have no duty to provide, maintain or care for any water delivery facilities, equipment or ditches of individual parties hereto. The project's duties shall extend to and include wiers and bases of booster pumps, but shall not include the booster pumps, even though located in the project's canals and ponds where individual parties take delivery of the water.

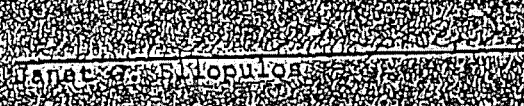
11. SYSTEM DESCRIBED: The Basin Land Project water delivery system from the Snake River to the various points of diversion to the farm lands of each of the parties is described in Exhibit D hereof.

12. ASSESSMENTS: The Board of Directors shall have the power to make assessments upon each party to this agreement for future acquisitions, and for expenses. Each party shall pay the assessment when due. In the event a party fails to pay an assessment when due, then the assessment shall be deemed by the parties to be a lien on the real property of the delinquent party. Such lien shall secure payment of any costs, expenses and attorney fees incurred in collecting any delinquent assessment, whether suit be required or not. If a party fails to pay an assessment when it is due, then suit may be brought immediately in the name of the tenancy in common to enforce the lien for such assessment.

13. BINDING EFFECT: Upon being executed and acknowledged, this agreement shall bind, and the benefits hereof shall inure to the heirs, personal representatives, successors and assigns of the respective parties hereto.

IN WITNESS WHEREOF, the parties have hereunto subscribed their names, or caused their names to be hereunto subscribed, as of the day and year herein first above written.


Patricia G. Eldropoulos


Janice G. Eldropoulos


Carol Eldropoulos


Robert M. Nancollas


Rosemary M. Nancollas


Judith R. Nancollas


Patricia M. Nancollas

EXHIBIT "A"

ELIOPULOS FARM PROPERTY:

PARCEL I: Northeast Quarter, Northwest Quarter of the Southeast Quarter, Northeast Quarter of the Southwest Quarter; East one-half of the Northwest Quarter; Lots 1 and 2, Section 31, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho;

PARCEL II: West one-half of the Northwest Quarter, Northeast Quarter of the Northwest Quarter, Section 32, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho;

PARCEL III: Lot 8, Northwest Quarter of the Northeast Quarter, Southeast Quarter of the Northeast Quarter, Northeast Quarter of the Northeast Quarter, Section 36, Township 1 North, Range 3 West of the Boise Meridian, Canyon County, Idaho;

EXCEPT: BEGINNING at the Section corner common to Sections 25 and 36, Township 1 North, Range 3 West and Sections 30 and 31, Township 1 North, Range 2 West, the true point of beginning; Thence North $89^{\circ}58'$ West a distance of 1,043.0 feet to an iron pin; thence South $0^{\circ}41'$ East a distance of 404.0 feet to an iron pin; thence South $89^{\circ}58'$ East a distance of 1,043.0 feet to an iron pin; thence North $0^{\circ}41'$ West a distance of 404.0 feet to the TRUE POINT OF BEGINNING.

ROBERT L. NANCOLAS and
ROSEMARY L. NANCOLAS

PARCEL I: Southeast Quarter of the Northwest Quarter; West one-half of the Northwest Quarter of Section 29, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho;

PARCEL II: Northeast Quarter, East one-half of the Northwest Quarter; Lots 1 and 2 of Section 30, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho;

PARCEL III: Northeast Quarter, East one-half of the Northwest Quarter; Northwest Quarter of the Northwest Quarter of Section 25, Township 1 North, Range 3 West of the Boise Meridian, Canyon County, Idaho;

PARCEL IV: Northeast Quarter of the Northeast Quarter of Section 26, Township 1 North, Range 3 West of the Boise Meridian, Canyon County, Idaho;

GORDON P. TIEGS and
PATRICIA A. TIEGS

PARCEL I: Southwest Quarter of Section 29, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho;

PARCEL II: Southeast Quarter; East one-half of the Southwest Quarter, Lots 3 and 4 in Section 30, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho;

PARCEL III: Southeast Quarter of Section 25, Township 1 North, Range 2 West of the Boise Meridian, Canyon County, Idaho.

CHARLES D. PINTLER and
CAROL L. PINTLER

Township 1 North, Range 2 West, Boise Meridian, Section 19, Lots 3 and 4; E $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$;

Township 1 North Range 3 West, Boise Meridian, Section 24, all that portion of SE $\frac{1}{4}$ lying East of Basin Land Co. and Hatte Butte Mutual Canal Co. canals as now located.

ALLEN NOBLE FARMS, INC.

Township 1 North, Range 3 West, Boise Meridian, Section 23, All; Section 24, All, EXCEPT that portion of SE $\frac{1}{4}$ and NE $\frac{1}{4}$ lying East of the Basin Land Co. and Hatte Butte Mutual Canal Co. canals as now located.

Plus attached legal description of building site.

SCOTTCO, INC.

Township 1 North, Range 2 West, Section 19, Lots 1 and 2, E $\frac{1}{4}$ NW $\frac{1}{4}$; NE $\frac{1}{4}$; Section 20: NW $\frac{1}{4}$;

Township 1 North, Range 3 West, Section 24, All that portion of the NE $\frac{1}{4}$ lying East of the rights of way of the Basin Land Project and Hatte Butte Mutual Canal Company canals as now located.

LEGAL DESCRIPTION - BUILDING SITE

ALLEN NOBLE FARMS, INC.

A tract of land in the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, township 1 North, Range 3 West, B.M. in Canyon County, Idaho, more particularly described as follows:

Beginning at the Section corner common to Sections 25 and 36, Township 1 North, Range 3 West and Sections 30 and 31, Township 1 North, Range 2 West, the true point of beginning;

Thence North 89°58' West a distance of 1,043.0 feet to an iron pin;

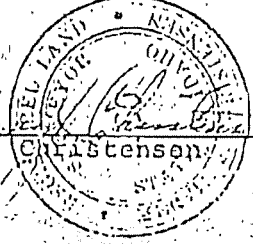
Thence South 0°4' East a distance of 404.0 feet to an iron pin;

Thence South 89°58' East a distance of 1,043.0 feet to an iron pin;

Thence North 0°4' West a distance of 404.0 feet to the true point of beginning.

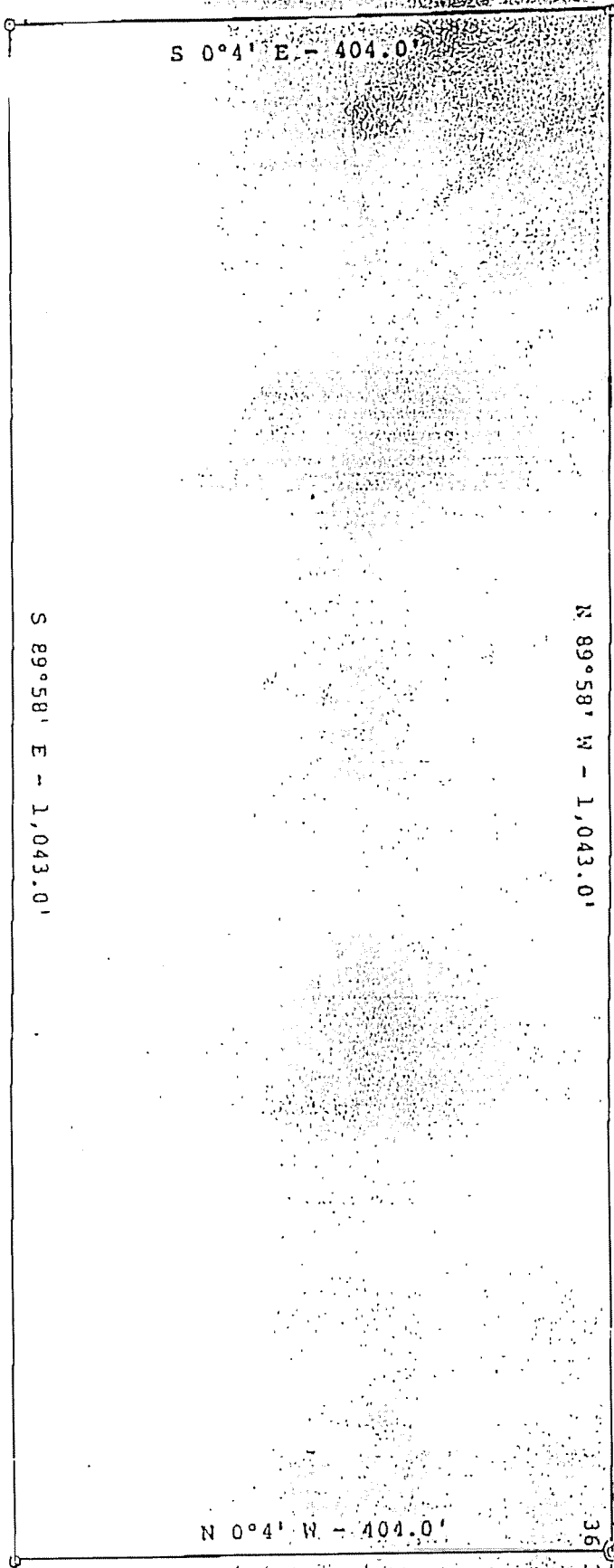
Containing 9.67 acres.

The above legal description was compiled from an actual field survey made by me December 27, 1973.


Mervin J. Christenson



LEGEND
© --- Section Corner
○ --- 4"x24" Steel Pin
Scale: 1" = 100'



BUILDING SITE
HASIN LAND
COMPANY, INC.
T. 1 N., R. 3 W., B. M.

N 89°58' W - 1,043.0'

S 89°58' E - 1,043.0'

S 0°41' E - 404.0'

N 0°41' W - 404.0'

25-30
36 31

EXHIBIT B

UNIT #1 - ELIOPULOS, PETRO G. and JANET G. and CELIA

464 = 12.58
3700

UNIT #2 - TIEGS, GORDON P. and PATRICIA A.

571 = 15.48
3700

UNIT #3 - HANCOLAS, ROBERT L. and ROSEMARY L.

745 = 20.18
3700

UNIT #4 EAST - PINTLER, CHARLES D. and CAROL J.

380 = 10.31
3700

UNIT #4 WEST - ALLEN & NOBLE FARMS, INC.

465 = 12.60
3700

UNIT #5 WEST - ALLEN & NOBLE FARMS, INC.

497 = 13.41
3700

UNIT #5 EAST - SCOTT CO., INC.

578 = 15.60
3700

WFOC being No. 33012-002-3197. - 211. Albany, December 14, 1963. Albany: 45, 61 P. F. S. (when sent with Permit 03-21175) -

THIS IS TO CERTIFY that _____ DASH LAND COMPANY, INC.
of _____ California, Idaho _____ made application for a permit to appropriate the public waters of
the State of Idaho, dated December 17, 1962 _____ that Permit 399116/02-2167 _____ was issued pursuant
to said application; that the proposed work was completed on or about _____ February 1963 _____
with a storage or carrying capacity of _____ 63.02 _____ said work consisted of _____
pumps, conduits, and distribution system _____ and location _____ April 1, 1963 _____

proof was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of _____ c.f.s.
or 16,000 acre feet per annum when combined with 02-2175 _____ when combined
with _____ c.f.s. per season, with a maximum rate of diversion of _____ c.f.s. from per cent of the water, with
of _____ Snake River _____ of _____ Columbia River _____ Permit 02-2

for the purpose of _____ from _____ April 1, _____ to _____ October 31, _____
and for _____ from _____ to _____ and for _____
_____ from _____ to _____

of 1943 which had been made in accordance with the laws of Idaho, and is hereby confirmed by the State Police, Madison, Idaho, and entered in the records of the Idaho Department of Public Safety, on this 1st day of November, 1943.

Journal of Management Inquiry 22(1) 3-16
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DOI: 10.1177/1056492613500000
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and that the amount of the fee shall be paid with right of appeal and subject to review, for the purposes of this Act, in an administrative process established by the Commission, and shall not exceed \$1,000 (one thousand) per year, or \$1,000 (one thousand) per session when combined with 42-2175.

[illegible]

Total number of

of the water body confirmed by local authorities and the local community. The results provided by the model are:

(Vinay) and revision of Global Declaration Eng

[illegible]

State of Idaho

EXHIBIT C

WATER LICENSE

Water license (No. 30435/02-2176) Priority February 15, 1902 Amount 40,02 c.f.s. (when combined with Permit 02-2107)

THIS IS TO CERTIFY that BASIN LAND COMPANY, INC.

of Caldwell, Idaho made application for a permit in appropriate the public waters of the State of Idaho, dated February 15, 1902 that Permit 30435/02-2176 was issued pursuant

to said application, that the proposed works were completed on or about May 11, 1902 with a storage or carrying capacity of 40,02 c.f.s. said works consisting of

numbs, minora, and sprinkler system

and that on April 1, 1902 a record was made to the satisfaction of the State Reclamation Engineer, of the beneficial use of 12,000 c.f.s. per 16,000 acre feet per annum, which combined with 02-2107 when combined acre feet per annum with a maximum rate of diversion of 30,02 c.f.s. of the waters of Snake River

for the purpose of Irrigation from April 1, 1902 to October 1, 1902

and for from

from

and for

of said waters has been made in accordance with the laws of Idaho, and hereby confirmed by the State Reclamation Engineer and entered in the records of the Idaho Department of Reclamation the point of diversion

located in Louisa (Saw) Canyon

other additional point of diversion

in the Canyon

and hereby confirmed

of said point of diversion

combined with Permit 02-2107

combined with Permit 02-2107

combined with Permit 02-2107

combined with Permit 02-2107

combined with Permit 02-2107

combined with Permit 02-2107

combined with Permit 02-2107

combined with Permit 02-2107

combined with Permit 02-2107

combined with Permit 02-2107

combined with Permit 02-2107

combined with Permit 02-2107

combined with Permit 02-2107

combined with Permit 02-2107

combined with Permit 02-2107

combined with Permit 02-2107

combined with Permit 02-2107

combined with Permit 02-2107

combined with Permit 02-2107

combined with Permit 02-2107

TWP.	RANGE	SEC.	1875				1876				1877				1878				TOTAL
			100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	100	
1 S	3 W	23	40	40	40	40	40	40	37	40	40	40	40	40	40	40	40	40	538
		24	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		25	35	40	40	36	40	40		10					37	20	10	33	347
		26	40																40
		28	40				41												38
2 N	2 W	29	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	40	640
		30							40										40
		31	40	40	40		40	40	27	40						40			640
		32					40	40											40
		33						40	40										40
		34					38	40	40	41									40

Total number of acres irrigated by 2711536

The right to the use of the water hereby confirmed is limited to the lands owned and held by the

provided by the laws of Idaho.

Witness the seal and signature of the State of Idaho this 1st day of April 1902.

Attest my hand and official seal this 1st day of April 1902.

[Signature]

[Signature]

EXHIBIT "D"

LIST OF IRRIGATION EQUIPMENT
BASIN LAND PROJECT

- 6- 600 H.P., U.S., Vertical Electric Motors, Serial #1301749, #1301751, #130537, #1329718, #1427039, #7001571.
- 5 - 14", Worthington, Short Coupled, Vertical Turbine Pumps, Serial #8273, #8274, #8275, #8276, #10660.
- 1 - 14", Layne, Short Coupled, Vertical Turbine Pump, Serial #54498.
- 2 - 350 H.P., U.S., Vertical Electric Motors, Serial #1277263, #1271637.
- 2 - 10", Layne, Short Coupled, Vertical Turbine Pumps, Serial #44628, #44626.
- 6 - 14", Manifold Discharge Assemblies, Complete with Gate Valves, Check Valves, Couplers, Flanges, Pressure Gauges, Flow Meters and Miscellaneous Fittings.
- 2 - 10", Manifold Discharge Assemblies, Complete with Gate Valves, Check Valves, Couplers, Flanges, Pressure Gauges, Flow Meters and Miscellaneous Fittings.

Together with all necessary control systems, switch panels, wiring, suction and discharge assemblies, cones, bowls, column, shatting, oil tubing, valves, couplers, reducers, pressure gauges, air relief valves, fittings, flanges, etc., used in conjunction with or pertaining to the above listed pumps, motors, and manifold assemblies;

Together with:

1680' - 10", Buried Steel Penstock; all wiers and bases for booster pumps, all Canals, Ponds, and Easements appurtenant to the Basin Land Co. water delivery system.

Together with an Easement, right of way 40 feet wide, the center line of which is described as follows:

COMMENCING at the Northeast corner of Lot 7 of Section 36, Township 1 North, Range 3 West of the Boise Meridian, Canyon County, Idaho; thence South 70 feet along the East line of said Lot 7 to the INITIAL POINT: Thence South 52°20' West 400 feet; thence South 44°25' West 350 feet; thence South 50°18' West 178.5 feet; thence South 44°5' West 174.5 feet; to the center line of the Southwest end of the pump in-let structure; thence South 44°5' West 105.5 feet in an open channel to the end point in the bank of Snake River.

EXHIBIT "D"

7 2 4 2 0 7

FILED

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WALTER FRY
CIVIL RIGHTS RECORDED

57 Hilda Stewart

7-11-64

Stanner, Julie
... Little

22

Feb 17.50

Petro G. Chipulac, et al
et al

9

Petro D. Cipullos, et al
et al

Stomach in Corn, agree-
to water

27 Counties



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

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

November 28, 2011

A-D CATTLE CO INC AND
ALLEN NOBLE FARMS AND
BASIN LAND PROJECT
PO BOX 1582
BOISE ID 83701

RE: Applications for Permit Nos. 02-10460 (A-D Cattle Co. Inc.), 02-10461 (Allen Noble Farms) and 02-10462 (Basin Land Project)

Dear Applicants:

Your recent applications for permit regarding the Snake River for irrigation purposes are being reviewed. To assist this office in completing the initial processing steps, please submit additional information required by I. C. § 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:

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.

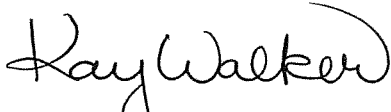
In this situation, only the following item needs to be addressed. Since these applications are for adding a marginal rate of flow to existing water rights, we would request that you provide an explanation of how water proposed to be diverted under these applications would provide an additional increment of beneficial use of water that is in the local public interest.

We also notice that Application for Permit 02-10462 may need to be assigned to an entity that is authorized to conduct business in Idaho. We have checked the Secretary of State's website and do not find that "Basin Land Project" has registered with them. It would be helpful if this applicant was qualified to do business in Idaho since they will be involved with other water user's rights. We have enclosed an "Assignment of Application for Permit" form in case you wish to assign the application to a party that is authorized to do business by the Secretary of State. There is no fee for submittal of this form.

Please submit the requested information to allow final evaluation of your application to be completed. You may seek additional time to provide the information by making a written request to interrupt processing for up to six months. Your response or a request for more time to seek the information must be received within the next ninety (90) days. The application will be voided without a timely written reply.

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 have questions in regard to this request. 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

KW:k
Enclosures

Cc: John Marshall
575 W Bannock, Suite B
Boise, ID 83702