

RECEIVED
FEB 25 2011
DEPARTMENT OF
WATER RESOURCES

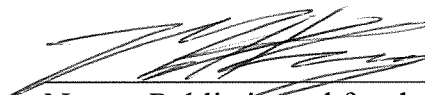
FURTHER YOUR AFFIANT SAYETH NAUGHT.

DATED this 23rd day of February, 2011.


Dana L. Hofstetter

SUBSCRIBED AND SWORN to before me this 25th day of February 2011.




Notary Public in and for the State of Idaho
Residing at: Boise
My Commission Expires: 9/9/2016

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on the 25th day of February, 2011, I caused a true copy of the foregoing AFFIDAVIT OF DANA L. HOFSTETTER to be served by the method(s) indicated on the following:

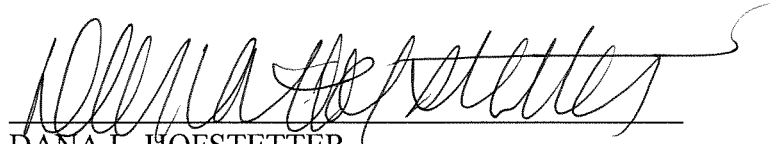
Original to:

Director
Idaho Department of Water Resources
322 East Front Street
Boise, Idaho 83702
☐ U.S. Mail ☐ Fed Ex ☒ Hand ☐ Fax

Copies to:

Jeff Peppersack
Idaho Department of Water Resources
322 East Front Street
Boise, Idaho 83702
☐ U.S. Mail ☐ Fed Ex ☒ Hand ☐ Fax

Shelley Keen
Idaho Department of Water Resources
322 East Front Street
Boise, Idaho 83702
☐ U.S. Mail ☐ Fed Ex ☒ Hand ☐ Fax



DANA L. HOFSTETTER

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 63-7533 Priority December 17, 1971 Amount 1.0 cfs ^{0.45 cfs}

THIS IS TO CERTIFY, that RAY OBENDORF
of Parma, Idaho, has complied with the terms and conditions of Permit
No. 63-7533 issued pursuant to Application for Permit dated December 17, 1971,
and has submitted proof to the Department of Water Resources on November 4, 1976,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 1.0 cfs of water from a groundwater source,
tributary to _____, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
<u>Stockwater</u>	from <u>January 1</u> to <u>December 31</u>	at <u>0.45</u> cfs and	<u>27</u> acre feet
_____	from _____ to _____	at _____ cfs and	_____
_____	from _____ to _____	at _____ cfs and	_____

(both dates inclusive)

Subject, however, to the condition that no more than 0.45 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
27 acre feet per year, said waters to be diverted within the NE 1/4 Sec. 23,
Twp. 6N, Rge. 5W, B.M. in the County of Payette

Description and location of place of use:

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
6N	5W	23													X				
		24									X								

Total number of acres irrigated _____

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 21 day of
February, 19 78.


Director

Blumberg No. 5203

EXHIBIT
A

Identification No. 13-7533
Application No. _____

APPROVED

STATE OF IDAHO
DEPARTMENT OF WATER ADMINISTRATION

APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant RAY
RAY OBENDORF 722-5733
post office address Route #1 Parma, Idaho
2. Source of water supply ground water which is a tributary of _____
3. a. Location of point of diversion is NE $\frac{1}{4}$ of SE $\frac{1}{4}$ of Section 23 Township 6 N
Range 5 W B.M. Payette County; additional points of diversion if any: _____
- b. If water is not consumed, it will be discharged into _____ at a point in _____ $\frac{1}{4}$
of _____ $\frac{1}{4}$ of Section _____ Township _____ Range _____ B.M. _____
4. Water will be used for the following purposes:
Amount 1.0 for stockwater purpose from January 1 to December 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 1.0 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. _____
drilled well 500' deep 10" casing electric motor 60 HP

b. Height of storage dam _____ feet, active reservoir capacity _____ acre feet; total reservoir
capacity _____ acre feet, materials used in storage dam: _____
Period of year during which storage will occur _____ to _____ inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is 10 inches; proposed depth of well is 500 feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use
is 1 years.
b. Estimated construction cost is \$ 11,000.
8. Description of proposed uses:
a. If water is not for irrigation: NE SE 23
(1) Give the place of use of water: NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 24 Township 6N
Range 5W B.M. _____
(2) Amount of power to be generated: _____ hp under _____ feet of head.
(3) List number of each kind of livestock to be watered 2,000 cattle

(4) Name of municipality to be served _____, or number of families to be
supplied with domestic water _____.
(5) If water is to be used for other purposes describe: _____

b. If water is for irrigation, indicate acreage in each subdivision in the tabulation below:

[illegible]

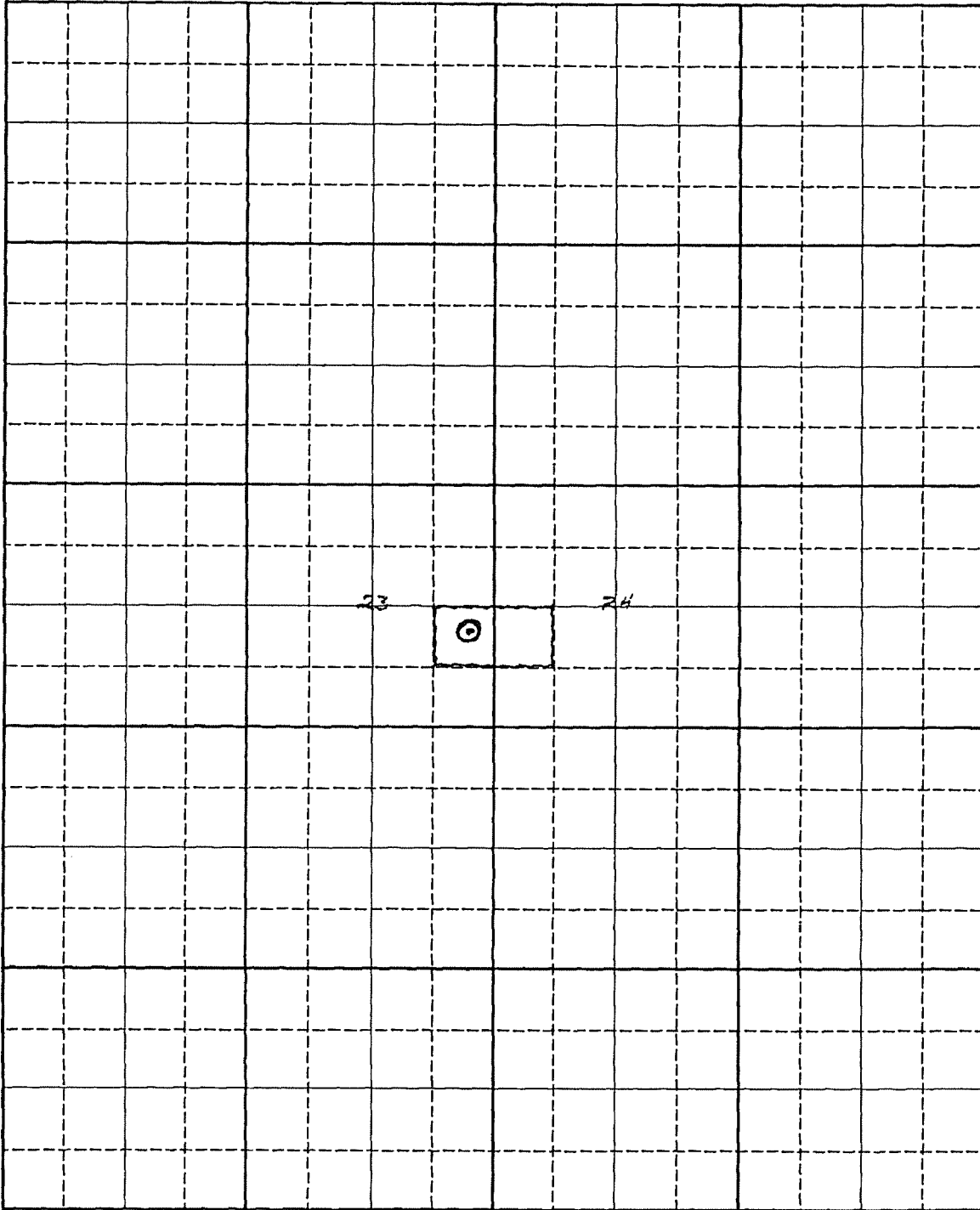
Total number of acres to be irrigated_____

c. Describe any other water rights used for the same purposes as described above. _____

9. a. Who owns the property at the point of diversion applicant
b. Who owns the land to be irrigated or place of use applicant and BLM
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing applicant has applied to the Bureau of Land Management for special use permit

10. Remarks _____

11. Map of proposed project: show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile

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

Ray Chendorf
(Applicant)

~~Proposed~~ priority 12-17-1971

Received by VB Date 17 Dec 71 Time 4:30

Preliminary check by VB Fee \$ 25.00

Received by VB Date 12-17-71 Rec'd # 8605

Publication prepared by cr Date 12-23-71

Published in Independent Enterprise

Publication dates 12-30-71 & 1-6-72

Publication approved VB Date 12-23-71

Priority reduced to 1 Reason

Protests filed by:

Copies of protests forwarded by

Hearing held by Date

Recommended for approval denial by VB

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER ADMINISTRATION

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 63-7533, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

- a. SUBJECT TO ALL PRIOR WATER RIGHTS.
- b. Proof of construction of works and application of water to beneficial use shall be submitted on or before January 1, 19 77.
- c. Other: The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

2. Denial of said application is for the following reasons:

Witness my hand this 18 day of December 19 75.


Director

No. 3861

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO, }
County of Payette } ss.

Ken Crosby, being duly sworn,
deposes and says:

That he is the principal clerk of
THE INDEPENDENT ENTERPRISE, a weekly newspaper
published at Payette, in the County of Payette and State
of Idaho that said paper has been and is in general cir-
culation in the county aforesaid, and in the vicinity of Pay-
ette; that the advertisement, a copy of which is attached
hereto, was published in said newspaper once a week for
two consecutive weeks in the regular and entire
issue of said paper during the period and time of publica-
tion, and was published in the newspaper proper and not
a supplement; that said paper has been established and
regularly published for more than seventy-eight consecu-
tive weeks prior to the date of first publication of said
advertisement.

Such notice was published in the issue beginning with
December 30, 1971, and ending
with the issue of January 6, 1972
Ken Crosby

Fee \$ 11.16 pd.

Subscribed and sworn to before me this 28th day
of January, 1972

Harmon L. Robinson
Notary Public, Residing at Payette, Idaho.

My Commission Expires 11-20, 1972

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that
Ray Obendorf, Route 1, Parma,
Idaho has on December 17,
1971 submitted Application No.
63-7533 for a permit to ap-
propriate 1.0 cubic feet per
second of water from a ground
water source by means of well
and pump within the NE1/4
SE1/4, Sec. 23, T. 6N, R. 5W,
B.M., Payette County to be used
from Jan. 1 to Dec. 31 for
stockwatering purposes within
the NE1/4SE1/4, Sec. 23;
NW1/4SW1/4, Sec. 24, T. 6N,
R. 5W, B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting
of the permit must be filed
with the Idaho Department of
Water Administration, State-
house, Boise, Idaho, 83707, on
or before January 17, 1972.

R. KEITH HIGGINSON
Director

Published in the Independent
Enterprise, Payette, Idaho on
Dec. 30, 1971 and Jan. 6, 1972,
No. 3861 12-29-2tc

RECEIVED

JAN 21 1972

Department of Water Administration

Nº 3861

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STATE OF IDAHO, }
County of Payette } ss.

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That he is the principal clerk of
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culation in the county aforesaid, and in the vicinity of Pay-
ette; that the advertisement, a copy of which is attached
hereto, was published in said newspaper once a week for
two consecutive weeks in the regular and entire
issue of said paper during the period and time of publica-
tion, and was published in the newspaper proper and not
a supplement; that said paper has been established and
regularly published for more than seventy-eight consecu-
tive weeks prior to the date of first publication of said
advertisement.

Such notice was published in the issue beginning with
December 30, 19 71, and ending

with the issue of January 6, 19 72.

Fee \$ 11.16 pd.

Subscribed and sworn to before me this 28th day
of January, 19 72.

Lawrence L. Robinson
Notary Public, Residing at Payette, Idaho.

My Commission Expires 11-20, 19 72

Notice is hereby given that
Ray Obendorf, Route 1, Parma,
Idaho, has on December 17,
1971 submitted Application No.
63-7533 for a permit to ap-
propriate 1.0 cubic feet per
second of water from a ground
water source by means of well
and pump within the NE1/4
SE1/4, Sec. 23, T. 6N, R. 5W,
B.M., Payette County to be used
from Jan. 1 to Dec. 31 for
stockwatering purposes within
the NE1/4SE1/4, Sec. 23;
NW1/4SW1/4, Sec. 24, T. 6N,
R. 5W, B.M.

If issued, this permit will be
subject to all prior water rights.
Protests against the granting
of the permit must be filed
with the Idaho Department of
Water Administration, State-
house, Boise, Idaho, 83707, on
or before January 17, 1972.

R. KEITH HIGGINSON
Director

Published in the Independent
Enterprise, Payette, Idaho on
Dec. 30, 1971 and Jan. 6, 1972.
pp. 2008 12-32, etc

March 1, 1978

Re: Permit No. 63-7533

Ray Obendorf
Route #1
Parma, ID 83660

Dear Mr. Obendorf:

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw
Enclosure

RECEIVED
MAR 1 1978
JAN GROVER
WATER RIGHTS SUPERVISOR

February 2, 1978

Re: Permit No. 63-7533

Mr. Ray Obendorf
Route 1
Parma, ID 83660

Dear Mr. Obendorf:

A representative of this Department made an examination of the works covered by your Permit No. 63-7533 on March 24, 1977, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 0.45 cfs Source: groundwater

The maximum quantity diverted shall not exceed 27 acre feet per
year.

Point of diversion: NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, Twp. 6N, Rne. 5W, R.M.

Beneficial use: Stockwater

Priority date established: December 17, 1971

If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

BOBBY D. FLEENOR
Chief, Operations Bureau

BF/cah

ACQUITTED

DATE OF EXAM 24 March 77

ACREAGE

Found _____
Recommended _____

Irrigation Requirement _____ Ac Ft/Ac

USE

Irrigation Q = 1.0 c.f.s. V = 20 AF/Ann. from 1-1 to 12-21
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____

Is water co-mingled? yes _____ no ☒

Name source: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Exchange? yes _____ no ☒

Name source exchanged with: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of injection: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Point of exchange: _____
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____ County _____

Total Q measured .45 cfs Method of measurement Estimate from test pump information

Total Q recommended .45 cfs Meter No. _____ Type _____ Condition _____

Total V recommended 20 AF/Ann $\rightarrow$ 27 AF

Recommended Amendments:

P.D. OK $Q = 2000 \text{ gal} \times 12 \text{ gal/day} \div 120 \text{ min} = 200 \text{ gpm} = .45 \text{ cfs}$
Place of Use OK $V = 2000 \text{ gal} \times 12 \text{ gal/day} \times 365 = 876000 = 27 \text{ AF}$
Other _____ W/Hm 1-31-78
None ☒

MEASUREMENT CALCULATION:

Water is used for stockwater and also to sprinkle
Paul lot cattle during dry hot weather - well tested
at 50" diversion rate into ditch. Field lot is being
expanded in size now (at time of insp)

SYSTEM DESCRIPTION:

10" well 300' deep w/ 50 HP Peerless pump Ser # 2636218
and 50 HP General Electric pump motor Mod 54634 BX/HIP
ser # 210476 discharges into 3-4" mains to water tank
storage for stock (see above)

REMARKS:

system in operation at time of exam

Examiner's Signature Quinn & Ballan Date 24 March 77

Checked by _____ Date _____

Approved by _____ Date _____

November 9, 1976

Re: Permit No. 63-7523

Ray Obendorf
Route 1
Parma, Idaho 83660

Dear Mr. Obendorf:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our District Office in **Boise.**

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

RECEIVED

NOV 3 1976

Department of Water Resources
Western Regional Office

STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

Identification No. _____

Permit No. _____

RECEIVED

NOV 4 1976

Department of Water Resources

1. a) Name of Permit Holder Ray Obendorf
b) Post Office Address Route #1 Parma, Idaho
63-7533
2. Permit Number 63-7533
3. Date of Priority that you are prepared to establish 12-17-71
4. a) Source from which water was appropriated groundwater
b) Location of the point of diversion: NE 1/4 SE 1/4, Section 23
Township 6N, Range 5W Boise Meridian, Other points of diversion: _____
5. a) The amount of water and use to which the water has been applied:
Amount 1.0 cfs for stockwater purposes from Jan. 1 to Dec. 31 incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
Amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre-feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 1.0 cfs cfs and/or acre-feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: _____
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (if from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) 10" well 506 feet deep with 50 hp turbine pump.
b) Describe the type and size of measuring device which you have installed at your point of diversion: None
c) Give well driller's name and address and the date the well was completed: B & M Equipment Co.
8. If for other than irrigation, describe the beneficial use to which you have applied the water and the place of use: Cattle water in feed lot.
NE 1/4 Sec. 23, NW 1/4 Sec. 24 T. 6N, R. 5W.

11/8/76

October 29, 1976

CERTIFIED MAIL

138046

Re: Permit No. 63-7533

Ray Obendorf
Route 1
Parma, Idaho 83660

Dear Mr. Obendorf:

One of the conditions of approval of your water Permit No. 63-7533 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before January 1, 1977. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.



R. KEITH HIGGINSON
Director

RKH:jg
Enc: Proof affidavit

December 19, 1975

Re: Permit No. 63-7533

Ray Obendorf
Route 1
Parma, ID 83660

Dear Mr. Obendorf:

Enclosed is a copy of your approved Application for Permit No. 63-7533. We direct your attention to the condition of approval as listed on the fourth page.

Please be advised that the Idaho Supreme Court has ruled that a water right initiated and/or put to beneficial use by aid of trespass on private property is invalid.

Sincerely,

BOBBY D. FLEENOR
Chief, Water Rights

BDF:rb

Enc.

RECEIVED

RECOMMENDED

CONDITIONS OF APPROVAL

☐ A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

☐ Measuring devices of a type approved by this Department shall be permanently installed and maintained at the point of diversion and the point of effluent discharge.

☐ Use of water under this permit is supplemental to all existing water rights with the same purpose and place of use.

☐ Maximum rate of diversion shall not exceed _____ c.f.s.

☐ Settling ponds shall be installed which are capable of reducing the silt load in the return water to such a level that the quality of the waters of _____ Creek will not be impaired for other beneficial uses.

☐ Return water shall be treated to insure that the effluent meets (interstate) (intrastate) stream water quality standards.

☐ Use of water under this permit is subject to control by the watermaster of State Water District No. _____, _____ River.

☐ The proposed well shall not be drilled within _____ feet of another well.

☒ The issuance of this permit in no way grants any right-of-way or easement across the land of another person.

☐ The permit shall not be assigned or sold without first securing the written approval of the Department of Water Administration.

☐ This permit cannot be assigned, mortgaged, or conveyed without complying with Section 42-208, Idaho Code.

☐ Other: _____

RECEIVED

DEPARTMENT OF WATER RESOURCES
- STAFF ANALYSIS -

Item Initial Date

Application No. 63-7533

- ☒ Source
- ☒ Point of Diversion
- ☒ County
- ☒ Quantity of Water and Period of Use
- ☒ Description of Diverting Works
- ☒ Time required for B/U of water
- ☒ Place of Use or Acres Irrigated
- ☒ Map
- ☒ Signature
- ☒ Fee

(1) HS ✓

In form to receipt

(2) _____

Send Copies to:

- ☐ Idaho State Health Department
- ☐ Idaho Fish and Game Department
- ☒ Bureau of Land Management

(3) _____

- ☐ Request Special Use Permit from U.S.F.S.
- ☐ Request Easement from B.L.M.
- ☐ Request Information from Applicant

(4) HS ✓

In form for advertising

(5) _____

Platted on Map No. _____

(6) _____

Located within Water District No. _____

(7) _____

Critical groundwater area: yes _____ no ✓

(8) _____

Groundwater levels:

_____ Declining, _____ Stable, _____ Increasing

(comment) _____

(9) _____

Other rights on the same place of use N/A

(10) _____

Comments: _____

(11) _____

Affidavit of Publication received(date) _____

(12) _____

Final date for protests _____
Protests received: yes _____ no ✓

(13) _____

All requested information received from agencies or applicant: yes _____ no _____

(14) _____

Action recommended:

☒ Approve _____ Deny

_____ Proposed Priority

_____ Reason for Reduction

N O Measuring device required

☒ See attached sheet for other conditions of approval

_____ No special conditions for approval

(15) District W By HS Date 12-16-75

MICROFILMED

per BDF
12-16-75

MEMORANDUM

TO: File 63-7533

FROM: L. Glen Saxton

DATE: December 16, 1975

SUBJECT: Classification of BLM land on Application No. 63-7533

I called Mrs. Yeary, a Land Law Examiner for the BLM State Office, today.

She stated that Ray Obendorf has in the past applied for the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 24, T. 6 N, R. 5 W and that on October 10, 1975, the W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, (20 acres) Sec. 24, T. 6 N, R. 5 W was classified suitable for public sale.

L. Glen Saxton

L. GLEN SAXTON

RECEIVED

April 6, 1972

Re: Application for Permit No. 63-7533

Mr. Ray Obendorf
Route #1
Parma, Idaho 83660

Dear Mr. Obendorf:

During a final review of your application for permit, we have developed some questions as to the ownership of this land. We are not certain as to whether or not the land under your application belongs to you or to the Bureau of Land Management.

Please reply as soon as possible, in order that we can proceed with the final approval of your application for permit.

Thank you for your cooperation in this matter. If we may be of any further assistance, please do not hesitate to contact this Department.

Very truly yours,

James Booker
Appropriation Examiner

JB:cs

11-11-72

SUBJECT: Special Use Permit

I contacted the Bureau of Land Management District Office, concerning Mr. Obendorf's Special Use Permit. I was told that the Bureau of Land Management Boise District Office will not process any new applications for use of Federal Lands by the public, pending a survey of Federal Lands to determine the "highest and best" use of those lands. The survey may take a "long, long" time to complete, because of the shortage of man-power.

The land requested by Mr. Obendorf is presently up for survey and may be completed some time in the near future.


James Booker

100-443887-100

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No. 63-7533 Name Ray Obendorf

Source Groundwater

Point of Diversion NE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 23, T. 6N, R. 5W, B.M., Payette County

Quantity 1.0 Use Stockwater Period Jan. 1 - Dec. 31

Quantity Use Period

Quantity Use Period

Well Size Diameter 10 Proposed Depth 500 Feet

Use 2,000 cattle

Date Forwarded 1-20-72 Date Returned 2-23-72 Received by R.B.

COMMENTS: Water levels 3-4 miles distant show little fluctuation, however they are not necessarily correlative with this area. Inufficient data.

RECOMMENDED:

Applied: Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

Maximum: Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

ACTION: Approved Denied

Conditions of approval or reason for denial:

INVESTIGATION By Paul M. Castel Title W.C.I. - I

Date Feb. 23, 1972

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No. 63-7533 Name Ray Obendorf

Source Groundwater

Point of Diversion NE¹SE¹, Sec. 23, T. 6N, R. 5W, B.M., Payette County

Quantity 1.0 Use Stockwater Period Jan. 1 - Dec. 31

Quantity Use Period

Quantity Use Period

Well Size Diameter 10 Proposed Depth 500 Feet

Use 2,000 cattle

Date Forwarded 12-28-71 Date Returned 12-28-71 Received by R.O.

COMMENTS: D/W approx. 300 feet. Primary aquifer is sand & gravel at 275-310 feet. Specific capacity of nearby well is 40. Water levels show some slight fluctuation but no net decline. Appears that aquifer should be capable of supporting some additional development.

RECOMMENDED:

Applied: Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

Maximum: Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

Qty. Use Period AF/A AF

ACTION: Approved ✓ Denied

Conditions of approval or reason for denial:

INVESTIGATION By Paul M. Costello Title W.R.I. - I

Date Dec. 28, 1971

February 3, 1972

Re: Application for Permit No. 63-7533

Mr. Ray Obendorf
Route #1
Parma, Idaho 83660

Dear Mr. Obendorf:

Before we can make the final approval of your application, it will be necessary for you to submit some evidence of right-of-way or easement from the Bureau of Land Management.

Upon receipt of a copy of the Bureau of Land Management's letter, we will complete the processing of your application for Permit for final approval.

If we can be of further assistance in this matter, please contact this Department.

Very truly yours,

James Booker
Appropriation Examiner

JB:cs

January 20, 1972

Re: Application for Permit No. 63-7533 - Ray Obendorf

Independent Enterprise
Box 348
Payette, Idaho 83661

Gentlemen:

Would you please submit an affidavit of publication and certified bill in connection with the above referenced item. The legal notice was to have been published in your paper on December 30th, 1971 and January 6th, 1972.

Your cooperation in this matter is greatly appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/BB

December 23, 1971

Re: Application No. 63-7533 - Ray Obendorf

Independent Enterprise
Box 348
Payette, Idaho 83661

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted, assuming the notice is correct. If we have any corrections, we will notify you before the first publication. 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. In order to receive payment, the following certification must appear on the bill:

"I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

(signature of claimant)

Very truly yours,

Fred Eisenbarth
Appropriation Examiner

FE:cr

Enc: Legal Notice

NOTICE OF APPLICATION FOR WATER PERMIT

Notice is hereby given that Ray Obendorf, Route 1,
Parma, Idaho
has on December 17, 1971 submitted Application No. 63-7533
for a permit to appropriate 1.0 cubic feet per second ~~some feet per second~~
of water from a ground water source
by means of well and pump
within the NE 1/4 Sec. 23, T. 6N, R. 5W, B.M., Payette County

to be used from Jan. 1 to Dec. 31
for stockwatering purposes

within the NE 1/4 Sec. 23; NE 1/4 Sec. 24, T. 6N, R. 5W, B.M.

If issued, this permit will be subject to all prior water rights. Protests against the granting of the permit must be filed with the Idaho Department of Water Administration, Statehouse, Boise, Idaho, 83707, on or before January 17, 1972.

R. KEITH HIGGINS

Director

Published in the Independent Enterprise, Payette, Idaho
on Dec. 30, 1971 and Jan. 6, 1972.

RECEIVED
AUG 22 2007
WATER RESOURCES
WESTERN REGION

**STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF CHANGE IN WATER RIGHT OWNERSHIP**

Please print or type. Attach pages with additional information. Instructions are included at the end of this form. Incomplete forms will be returned.

1. Please list the water right number(s) and/or adjudication claim number(s) (if any) for each water right to be changed. List just the adjudication claim number if there is no corresponding water right record on file with the department. Indicate, by checking in the space provided (under the "split" heading), if the change in ownership is limited to a portion of a water right in which case IDWR will produce new water right number(s) for the split(s).

Water Right No(s).	Adjudication Claim No(s).	Split(s)	Water Right No(s).	Adjudication Claim No(s).	Split(s)
<u>63-3182</u>	<u>63-3182</u>	<u> </u>	<u>63-31841</u>	<u>63-21841 (63-7349)</u>	<u> </u>
<u>63-3583</u>	<u>63-3583</u>	<u> </u>	<u>63-31842</u>	<u>63-31842 (63-7349)</u>	<u> </u>
<u>63-7177</u>	<u>63-7177</u>	<u> </u>	<u>63-31854</u>	<u>63-31854 (63-3308)</u>	<u> </u>
<u>63-7533</u>	<u>63-7533</u>	<u> </u>	<u>63-31855</u>	<u>63-31855 (63-3308)</u>	<u> </u>
<u>63-31839</u>	<u>63-31839 (63-7903)</u>	<u> </u>	<u>63-21624</u>	<u> </u>	<u> </u>
<u>63-31840</u>	<u>63-31840 (63-7903)</u>	<u> </u>	<u>63-21614</u>	<u>63-21614</u>	<u> </u>

2. The following **REQUIRED** information must be submitted with this form:
- A. The appropriate **FILING FEE**. See instructions for fee amounts.
- B. A copy of the most recent **DEED, TITLE POLICY, CONTRACT OF SALE** or other legal document indicating your ownership of the property and water right(s) or claim(s) in question, **WITH ATTACHED LEGAL DESCRIPTION**.
- C. Either of the following (if necessary to clarify division of water rights or other complex property descriptions):
PLAT OF PROPERTY or **SURVEY MAP** clearly showing the location of the point(s) of diversion and place of use of your water right(s) and/or adjudication claim(s) (these are on file with the county Planning and Zoning or Recorder's Office).
OR
- D. If your water right(s) and/or adjudication claim(s) is for ten or more acres of irrigation, you must submit a USDA Farm Service Agency or equivalent **AERIAL PHOTO** with the irrigated acres outlined and point(s) of diversion clearly marked. The **AERIAL PHOTO** should be submitted in place of the **PLAT OF PROPERTY** or **SURVEY MAP**.

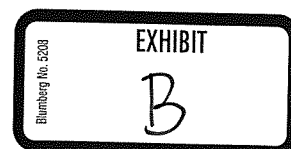
3. Name and Address of Former Owner/Claimant(s) Jim D. Scarrow
3184 South 1900 East, Wendell, Idaho 83355

4. New Owner/Claimant(s) Basin and Range Resource Company, LLC
Name Connector (Check one): ☐ and, ☐ or, ☐ and/or

New Mailing Address 3480 G.S. Richards Blvd., #101

City, State and ZIP Code Carson City, NV 89703

New Telephone Number (775) 885-5000



5. Date you acquired the property

July 18, 2007

6. If the change in ownership affects the entire water right for each water right or adjudication claim number listed in line 1, then skip this line and go to line 7. If the change in ownership divides the water right(s) among multiple owners, you must describe, in detail, your portion of each water right after the change. Fill in the appropriate spaces in the box(es) below to describe your water right(s) after the change (you may copy this page, if necessary). If your quantity of water is greater than a proportionate split, you must attach documentation to show justification for a larger amount. If you are not sure how to identify your portion of the original water right or adjudication claim records, please contact the nearest IDWR office for assistance.

DESCRIPTION OF YOUR PORTION OF WATER RIGHT (If the right will not be split, skip this area and proceed to line 7)		
Water Use	Diversion Rate or Volume (cubic feet per second or acre-feet per annum)	Description (acres, number and type of stock, homes, etc)
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		
Water Right and/or Adjudication Claim Number		
Irrigation		
Stock		
Domestic		
Other		
Totals		

For Snake River Basin Adjudication Claims: Please attach a Notice of Appearance completed by your attorney, if you wish IDWR to correspond with him/her for all matters related to your claims.

7. Signature(s) of New Owner(s) or Claimant(s) Dorothy Annian-Palmer 8/22/07
 Dorothy Annian-Palmer
 President, Vidler Water Company, Inc., Managing Member,
 Basin and Range Resource Company, LLC
 (title if applicable)

(title if applicable)

IT IS IMPORTANT TO FILE THIS COMPLETED FORM AT THE APPROPRIATE IDWR OFFICE, WITH PAYMENT OF THE FILING FEE AND THE OWNERSHIP DOCUMENT(S), AS REFERRED TO IN LINE 2.

For IDWR Office Use Only:

Received by _____ Date _____
 Received by _____ Date _____
 Processed by _____ AJ Date _____

Receipt Amt. _____
 Receipt No. _____
 WR _____ Date _____

346561

Instrument # 346561

PAYETTE COUNTY

2007-07-13

03:06:00 No. of Pages: 2

Recorded for: AMERITITLE

BETTY J DRESSEN

Ex-Officio Recorder Deputy

Index to: WARRANTY DEED



0021831

Order No.: C0718385

WARRANTY DEED

FOR VALUE RECEIVED,

JIM SCARROW, ALSO KNOWN AS JIM D. SCARROW, AN UNMARRIED MAN

the Grantor, does hereby grant, bargain sell and convey unto

BASIN AND RANGE RESOURCE COMPANY, LLC, A NEVADA LIMITED
LIABILITY COMPANY

whose current address is 3480 G.S. RICHARDS BLVD. #101, CARSON CITY, NV 89703

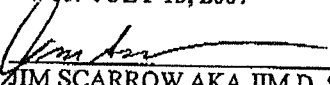
the Grantee, the following described premises, in Payette County, Idaho, TO WIT:

SEE ATTACHED EXHIBIT "A" FOR LEGAL DESCRIPTION

TOGETHER WITH ALL WATER AND WATER RIGHTS, DITCHES AND DITCH
RIGHTS USED THEREON OR APPURTENANT THERETO, INCLUDING, BUT
NOT LIMITED TO: Water Right Nos. 63-3182, 63-3583, 63-7177, 63-7533, 63-7903
(split into Nos. 63-31839 and 63-31840), 63-7349 (split into Nos. 63-31841 and 63-
31842), 63-3308 (split into Nos. 63-31854 and 63-31855) and 63-21624.

TO HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, its heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that they are free from all encumbrances EXCEPT those to which this conveyance is expressly made subject and those made, suffered or done by the Grantee; and subject to all existing patent reservations, easements, right(s) of way, protective covenants, zoning ordinances, and applicable building codes, laws and regulations, general taxes and assessments, including irrigation and utility assessments (if any) for the current year, which are not due and payable, and that Grantor will warrant and defend the same from all lawful claims whatsoever. Whenever the context so requires, the singular number includes the plural.

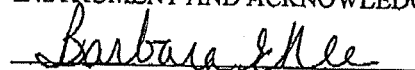
Dated: JULY 13, 2007


JIM SCARROW AKA JIM D. SCARROW

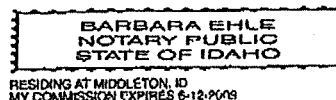
7/18/07

STATE OF IDAHO
COUNTY OF CANYON

ON THIS 18 OF JULY, 2007, BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC PERSONALLY APPEARED, JIM SCARROW AKA JIM D. SCARROW, KNOWN TO ME OR PROVEN TO ME ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON(S) WHOSE NAME(S) IS/ARE SUBSCRIBED TO THE WITHIN INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME.

NOTARY PUBLIC
RESIDING AT:
MY COMMISSION EXPIRES:

(SEAL)



Order No. 0021831

346561

EXHIBIT "A"

Parcel 1

Township 6 North, Range 5 West, B.M., Payette County, Idaho:

Section 13: SW1/4SW1/4;

Section 14: S1/2S1/2;

Section 15: SE1/4SE1/4;

Section 23: N1/2NW1/4, N1/2NE1/4;

Section 24: NW1/4NW1/4

Parcel 2

Section 22: N1/2NE1/4, E1/2NW1/4, E1/2SW1/4, SE1/4NE1/4, SE1/4, SW1/4NE1/4;

Parcel 3

Section 23: S1/2NE1/4, S1/2NW1/4, E1/2NW1/4SW1/4, N1/2NW1/4NW1/4SW1/4,
S1/2SW1/4NW1/4SW1/4, N1/2SE1/4SW1/4, NE1/4SW1/4, N1/2SE1/4, N1/2SW1/4SE1/4;

S1/2NW1/4NW1/4SW1/4, N1/2SW1/4NW1/4SW1/4

Section 24: SW1/4NW1/4, W1/2NW1/4SW1/4

All located in Township 6 North, Range 5 West, B.M., Payette County, Idaho

Basin and Range Resource Company, LLC

Dana L. Hofstetter, ISB No. 3867
HOFSTETTER LAW OFFICE, LLC
608 West Franklin Street
Boise, ID 83702
Telephone: (208) 424-7800
Facsimile: (208) 424-8774

**IN THE DISTRICT COURT OF THE FIFTH JUDICIAL DISTRICT
OF THE STATE OF IDAHO, IN AND FOR THE COUNTY OF TWIN FALLS**

In Re SRBA	)	Subcase Nos. 63-3182, 63-3583,
	)	63-7177, 63-7533, 63-31839,
	)	63-31840, 63-31841, 63-31842,
Case No. 39576	)	63-31854, 63-31855, 63-21624,
	)	and 63-21614
_____	)	

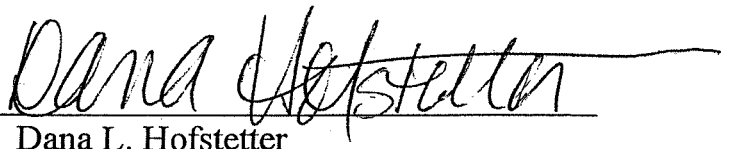
NOTICE OF APPEARANCE

Dana L. Hofstetter of Hofstetter Law Office, LLC enters an appearance as attorney of record for Basin and Range Resource Company, LLC, in the above-referenced subcases, and requests that copies of all documents be served upon Ms. Hofstetter at the address above.

DATED this 22nd day of August, 2007.

HOFSTETTER LAW OFFICE, LLC

By


Dana L. Hofstetter

Idaho Department of Water Resources Receipt

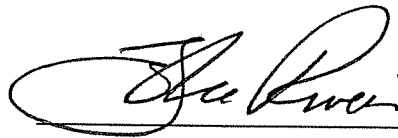
Receipt ID: W035766

Payment Amount	\$25.00	Date Received	8/22/07 4:42	Region	WESTERN
Payment Type	Check	Check Number	2342		
Payer	HOFSTETTER LAW OFFICE, LLC				

Comments WROC #63-21614

Fee Details

Amount	Description	Fund	Fund Detail	PCA	Subobject
\$25.00	OWNERSHIP CHANGES/SECURITY INTERESTS	0229	21	62140	1155



Signature Line (Department Representative)

LESLIE RIVERS