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SEP 15 2010

WATER RESOURCES  
WESTERN REGION

Should questions arise during the processing of this application please contact:  
ERO Resources Corp. (208) 373-7983

Fee \$50  
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Received by SRJ  
Date 9/28/10

STATE OF IDAHO  
DEPARTMENT OF WATER RESOURCES

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SEP 17 2010

APPLICATION FOR AMENDMENT OF A PERMIT DEPARTMENT OF WATER RESOURCES

Name of Applicant Kenneth and/or Sharon AschenbrennerPhone 208-870-4402Mailing address 6995 S. Ridgewood Rd., Nampa, ID 83687

Email \_\_\_\_\_

I am the owner and holder of Permit to Appropriate the Public Waters of the State of Idaho No. 63-33260, and request that the permit and map be amended and/or changed as follows:

Purpose of Amendment: Change point of diversion Add point of diversion

X Change place of use Change nature of use Change period of use Other

1. Point of diversion: 1/4 SE 1/4 NW 1/4, Section 4, Township 2N, Range 1W, B.M.,

County of Ada. Other points of diversion \_\_\_\_\_

2. Period and nature of use: (irrigation, domestic, stockwatering, industrial, etc.)

Amount 0.8 for Irrigation purposes from 3/01 to 11/15 (both dates inclusive)  
(cfs or acre feet per year) (water use) (Begin Month) (End month)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre feet per year) (water use) (Begin Month) (End month)

Amount \_\_\_\_\_ for \_\_\_\_\_ purposes from \_\_\_\_\_ to \_\_\_\_\_ (both dates inclusive)  
(cfs or acre feet per year) (water use) (Begin Month) (End month)

3. Place of use or land to be irrigated:

| Twp | Rge | Sec | NE |    |    |    | NW  |    |    |    | SW |    |    |    | SE |    |    |    | Totals |
|-----|-----|-----|----|----|----|----|-----|----|----|----|----|----|----|----|----|----|----|----|--------|
|     |     |     | NE | NW | SW | SE | NE  | NW | SW | SE | NE | NW | SW | SE | NE | NW | SW | SE |        |
| 2N  | 1W  | 4   |    |    |    |    | 1.9 |    |    | 36 |    |    |    |    |    |    |    |    | 37.9   |
|     |     |     |    |    |    |    |     |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |     |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |     |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |     |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |     |    |    |    |    |    |    |    |    |    |    |    |        |
|     |     |     |    |    |    |    |     |    |    |    |    |    |    |    |    |    |    |    |        |

Total number of acres to be irrigated 37.9

4. a. Who owns the property at the point of diversion? Applicant

b. Who owns the land to be irrigated at the place of use? Applicant plus authorization via agreement

c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing:

An agreement between Aschenbrenner and landowner of the land in gov't lot 3 allows Aschenbrenner to irrigate and use his own water and water right, at the convenience of Aschenbrenner.

Complete the following map by showing land and point of diversion as proposed by this amendment.  
Show ¼ ¼, section, township, range and ditches. (The smallest subdivision represents 40 acres.)

Scale: 2 inches equal 1 mile

I hereby request approval of this change subject to the fact that no one will be injured by the change, and that the change will be made at my own risk.

Signed this 10 day of Sept, 20 10.

Kenneth Ashburn

Permit Holder Signature (and title, if for a company or organization)

### ACTION OF THE DEPARTMENT OF WATER RESOURCES

Preliminary check by \_\_\_\_\_ Publication prepared by \_\_\_\_\_ Date \_\_\_\_\_

Published in \_\_\_\_\_ Publication dates \_\_\_\_\_

I, \_\_\_\_\_, of the Department of Water Resources hereby

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

SIGNATURE



### Layout of 63-33260

Ada County, Idaho  
Sec 4 T2N, R1W

### Legend

- Water Features
- Water Distribution
- Irrigated Acres

0 200 400  
Feet

Image Source: NAIP 2009



### Figure 1

Aschenbrenner  
License Exam for Permit 63-33260

Prepared for: IDWR  
Date: July 2010

**ERO**

ERO Resources Corp.

Lease Agreement for Aschenbrenner and Kasel

This Agreement is between Ken and/or Sharon Aschenbrenner of 6995 S. Ridgewood Road, Nampa, Idaho 83687 (Aschenbrenner) and Don Kasel of 6500 S. Ridgewood Road, Nampa, Idaho 83687 (Kasel)

As the result of the Aschenbrenner purchase of 40 acres in the SE1/4 NW1/4 Sec 4 T2N, R1W B.M. from Kasel, a property boundary was made on the quarter-quarter section line between the SE1/4 NW1/4 and government lot #3 of Sec 4, which left 2.2 acres of Kasel property on the south side of the drain ditch located near the south edge of government lot #3 that is contiguous with Aschenbrenner land. It is hereby agreed that Aschenbrenner will continue to farm the Kasel property south of the drain ditch as a matter of convenience for both parties.

It is further agreed that Kasel will not gain any right, title or ownership interest to the Aschenbrenner well or water right(s) used on the Kasel property under the terms of this Lease Agreement.

Ken Aschenbrenner      Aug 5/10  
Ken Aschenbrenner      Date

Don Kasel      Aug 5/10  
Don Kasel      Date