

RECEIVED

MAY 26 2010

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
NOTICE OF PROTEST

DEPARTMENT OF
WATER RESOURCES

1. Matter being protested:

Application for Transfer #75704 (Water Right #57-07400) f/b Junayo Ranch Ltd. Partnership

2. Name of protestant:

United States Department of the Interior
Bureau of Land Management
Idaho State Office
1387 South Vinnell Way
Boise, Idaho 83709

RECEIVED

MAY 28 2010

WATER RESOURCES
WESTERN REGION

3. Protestant's Representative for service (if different than protestant):

Fredric W. Price (contact person)

4. Service mailing address:

United States Department of the Interior
Bureau of Land Management
Idaho State Office (ID-933b)
1387 South Vinnell Way
Boise, Idaho 83709-1657

5. Service telephone no.:

(208) 373-3831

6. Basis of protest (including statement of facts and law upon which the protest is based):

A.) Junayo Ranch Ltd. Partnership is not authorized to use the public land described within:
T02S, R03W, S18, NESW.

B) The transfer application seeks places of use (POUs) within the legal descriptions listed below, however we believe there is a typographical error in range:

T02S, ~~R04W~~, S19, ~~Lot 1~~ (NENW) (private land) should be

T02S, R03W, S19, NENW (BLM land)

T02S, ~~R04W~~, S19, NWNW (private) should be

T02S, R03W, S19, Lot 1 (NWNW) (BLM land).

The corrections noted above place these POUs on BLM land where farming is authorized by BLM pursuant to Land Use Permit (LUP) IDI-36452.

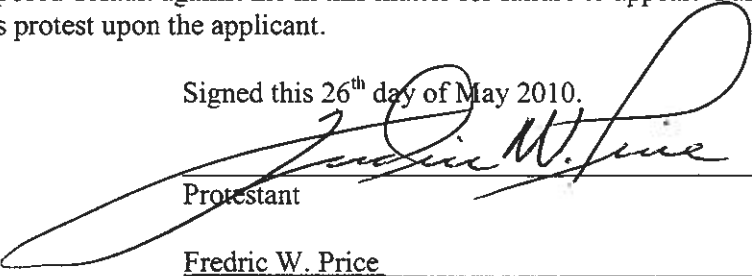
C) The terms and conditions of Land Use Permit IDI-36452 state that the permittee shall cause title to water associated with this LUP to be transferred into the sole name of the United States, if the use is to continue under this or a renewed authorization.

7. What would resolve your protest?:

- A) Amend the transfer application to remove the POU described as T02S, R03W, S18, NESW.
- B) Amend the transfer application to correct the POU descriptions in S19 to be consistent with LUP IDI-36452.
- C) Amend the transfer application to seek a split of the water right as part of the transfer process to place the authorized acres describing BLM land in the name of the United States.

I hereby, acknowledge that if I, or my designated representative, fail to appear at any regularly scheduled conference or hearing in the matter of which I have been notified at the address above, the department may issue a notice of proposed default against me in this matter for failure to appear. I also verify that I have served a copy of this protest upon the applicant.

Signed this 26th day of May 2010.


Protestant

Fredric W. Price
Protestant's Representative

Attachments:

Master Title Plat for: T02S, R03W, and enlargement of Section 18
Master Title Plat for T02S, R04W, and enlargements (2)

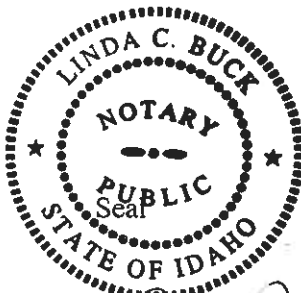
Application for Transfer #75704 for Junayo Ranch Ltd. Partnership (IDWR computer generated copy)

Application for Transfer #75704 for Junayo Ranch Ltd. Partnership (Form #222 submitted by applicant)

BLM Land Use Permit (LUP) and Land Use Permit Stipulations IDI-36452 dated April 21, 2009 with Owen H. Orndorff

NOTARY:

Subscribed and sworn to before me on this 26th day of May 2010.




Linda C. Buck
Notary Public in and for: State of Idaho
Residing at: Mountain Home, Idaho
My Commission expires: December 21, 2011

FOR DEPARTMENT USE ONLY

Received by Shan Ferrie Date: May 26, 2010 Time 3:50 AM (PM)
\$25.00 fee Received by SR7 #C090889 Date: May 26, 2010

CERTIFICATE OF SERVICE

I certify that on May 26, 2010, I served a true and correct copy of the "Protest for Application for Transfer #75704" with enclosures upon the following individuals by placing the documents in the United States mail in Boise, Idaho, postage paid, and addressed as follows:

Original to: Jeff Peppersack, Administrator
Idaho Department of Water Resources (IDWR)
Water Management Division, Idaho State Office
The Idaho Water Center
322 East Front Street
PO Box 83720
Boise, Idaho 83720-0098

Copies to: John Westra, Administrative Office Manager
Idaho Department of Water Resources (IDWR)
Western Regional Office
2735 Airport Way
Boise, ID 83705-5082

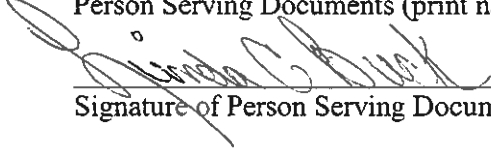
Junayo Ranch Ltd. Partnership
1087 West River Street – Suite 230
Boise, ID 83702

James Tartar, NRS Riparian Specialist
Department of the Interior, Bureau of Land Management (DOI/BLM)
National System of Public Lands, Boise District Office, Owyhee Field Office
3948 Development Avenue
Boise, ID 83705

Kelley Moore, Realty Specialist
Department of the Interior - Bureau of Land Management (DOI/BLM)
National System of Public Lands, Boise District Office, Owyhee Field Office
3948 Development Avenue
Boise, ID 83705

Linda C. Buck

Person Serving Documents (print name)



Signature of Person Serving Documents

May 26, 2010

Date

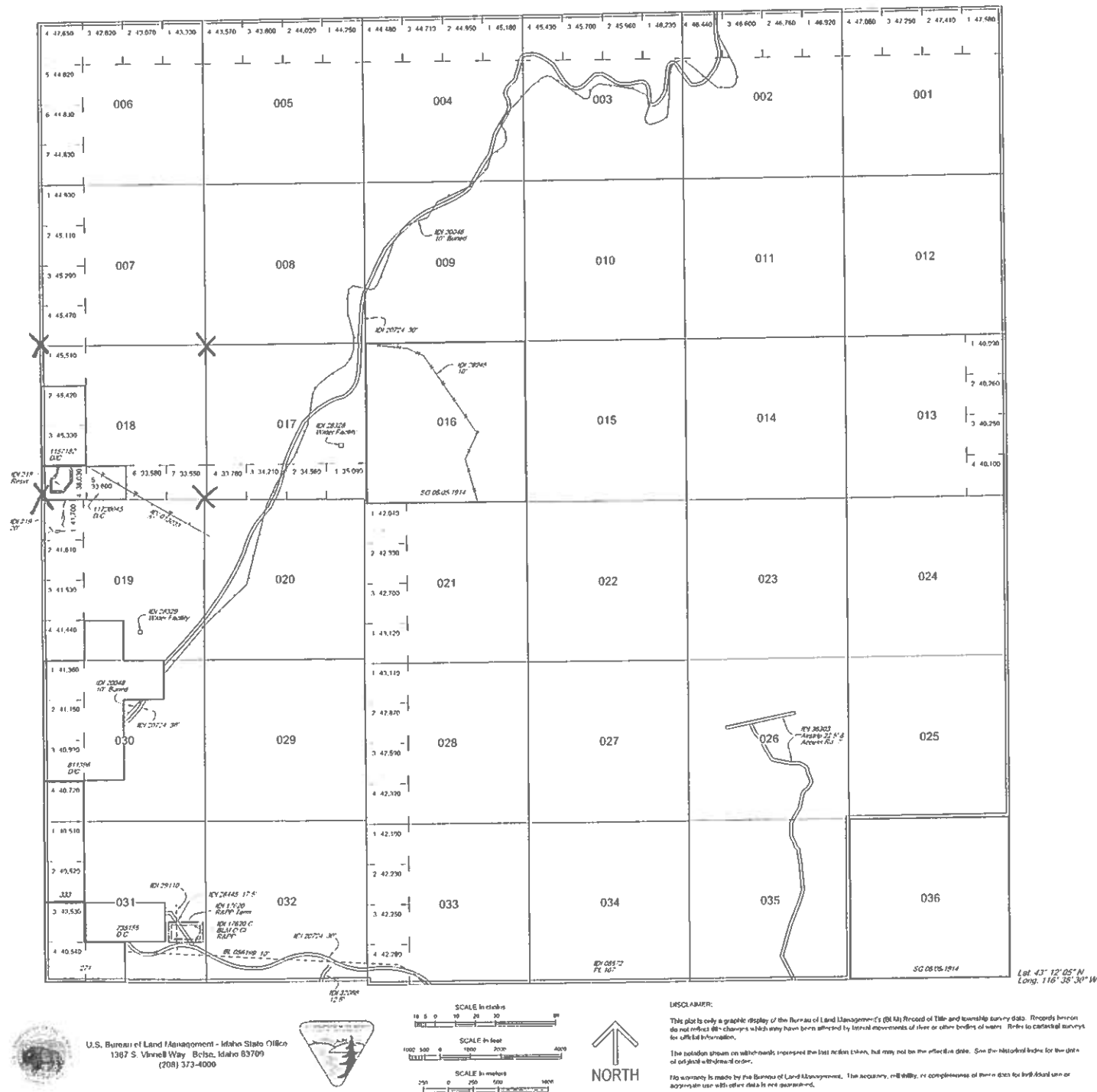
STATUS OF PUBLIC DOMAIN
LAND AND MINERAL TITLES[illegible]

DOI 17620 R&PP Landfill L&P Form 01/09/1987
Sec 31. S2NESE

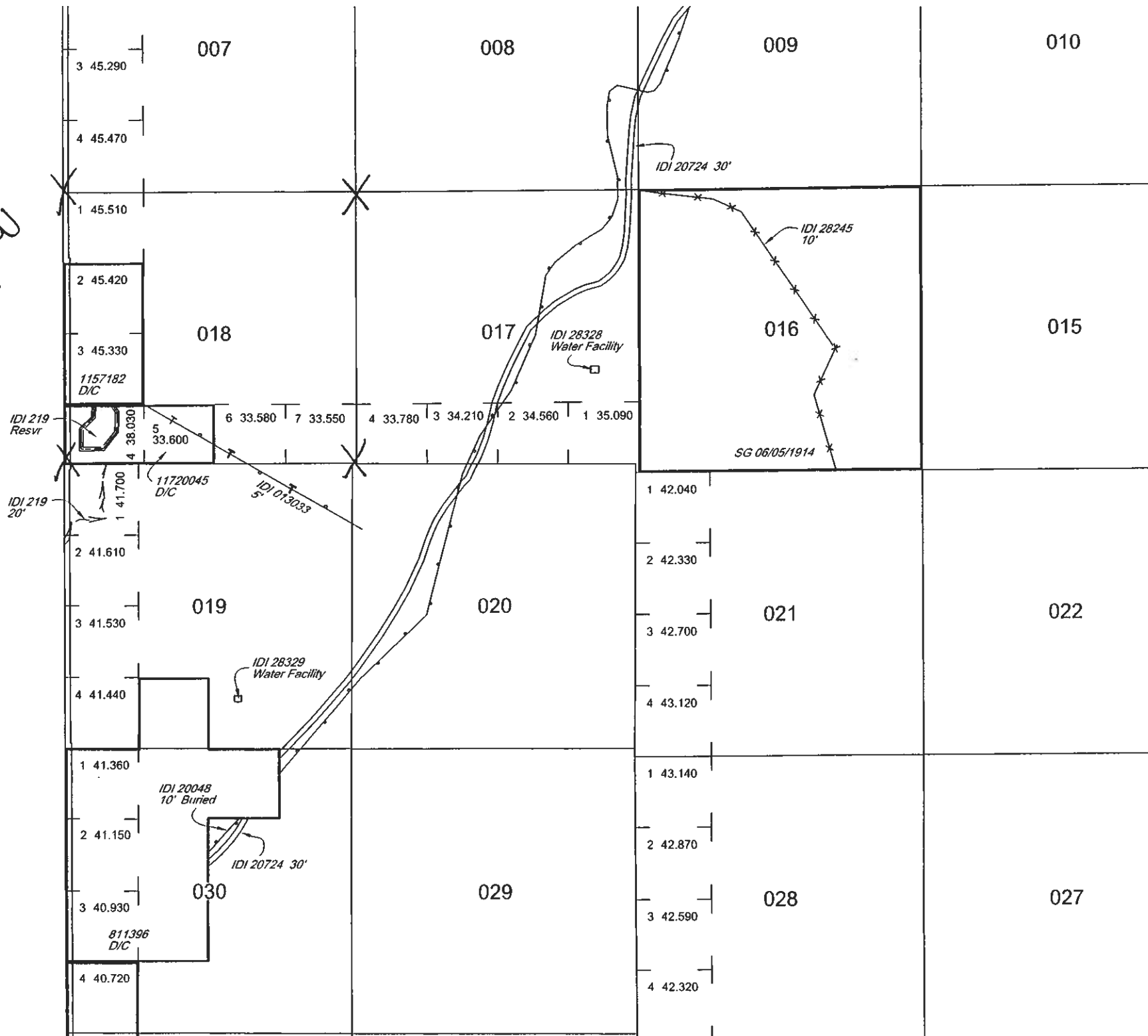
FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED LAND REFER TO INDEX OF
ANSCCELLANEOUS DOCUMENTS

FILE REF: 10080020550000100000.dwg	
CONVERTED TITF: 04/24/2009	BY: LFM
LAST UPDATED: 04/24/2009	BY: LFM
QADOC #1:	QADOC #2:
POSTED TO PUBLIC RECORDS:	April 24, 2009
	BY:
PUBLIC/HARD SURVEY SYSTEM (FESS):	
BLM OLDS ACQUIRED:	04/24/2005
OTHER:	N/A
PROJECTED COORDINATE SYSTEM:	UTM ZONE 11N, NAD 1983
NOTES:	
USE PLATS:	

1. 2 S
 R. 3 W



T02S
R03W
S18



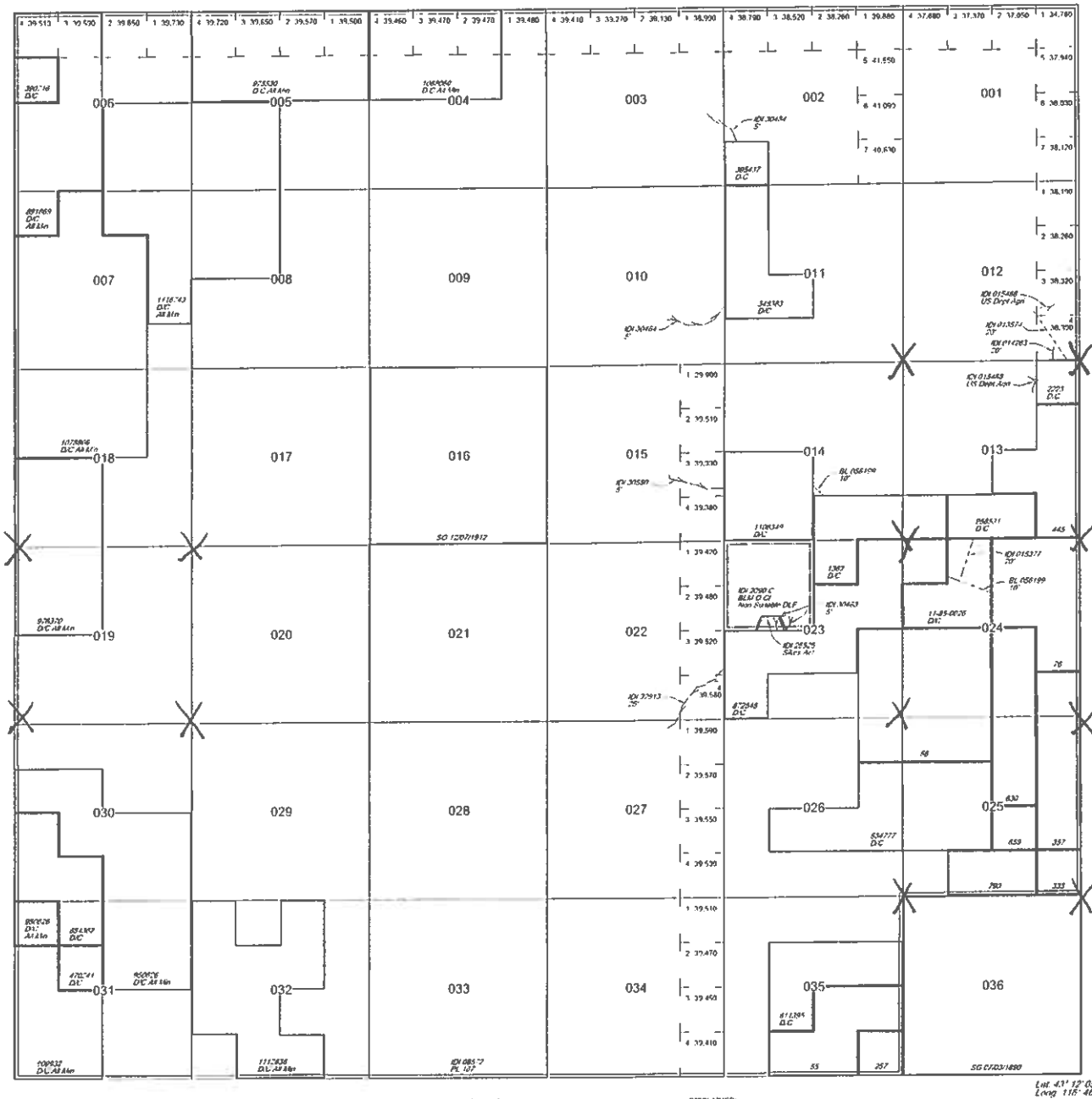
OWYHEE COUNTY 073
BOISE DISTRICT SEC. 9

MT PLAT[illegible]

Sec 23. INV

FOR ORDERS EFFECTING DISPOSAL OR USE OF
UNIDENTIFIED (AND REFER TO INDEX OF
MISCELLANEOUS DOCUMENTS

T/A REF: 808067052040404100000 dms	
COVERED REF: 06/21/2008	BY: JCB
LAST UPDATED: 04/06/2009	BY: LFM
DWID #:	QADIC #2:
POSTED TO PUBLIC RECORDS:	By: A=H 8, 2009
PUBLIC LAND SURVEY SYSTEM PRESS	
B/LM ACQUIS ACQUIRED:	04/26/2005
OTHER:	N/A
PROJECTED COORDINATE SYSTEM: UTM ZONE 11L HAD 1983	
NOTE:	
USE PLATS:	



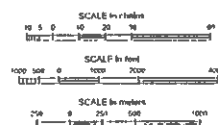
DISCLAIMER:

This plot is only a graphic display of the Bureau of Land Management's (BLM) Record of Title and township survey data. Records herein do not reflect the changes which may have been affected by lateral movements of rivers or other bodies of water. Refer to cadastral surveys for official information.

No warranty is made by the Bureau of Land Management. The accuracy, reliability, or completeness of these data for individual uses or aggregation with other data is not guaranteed.

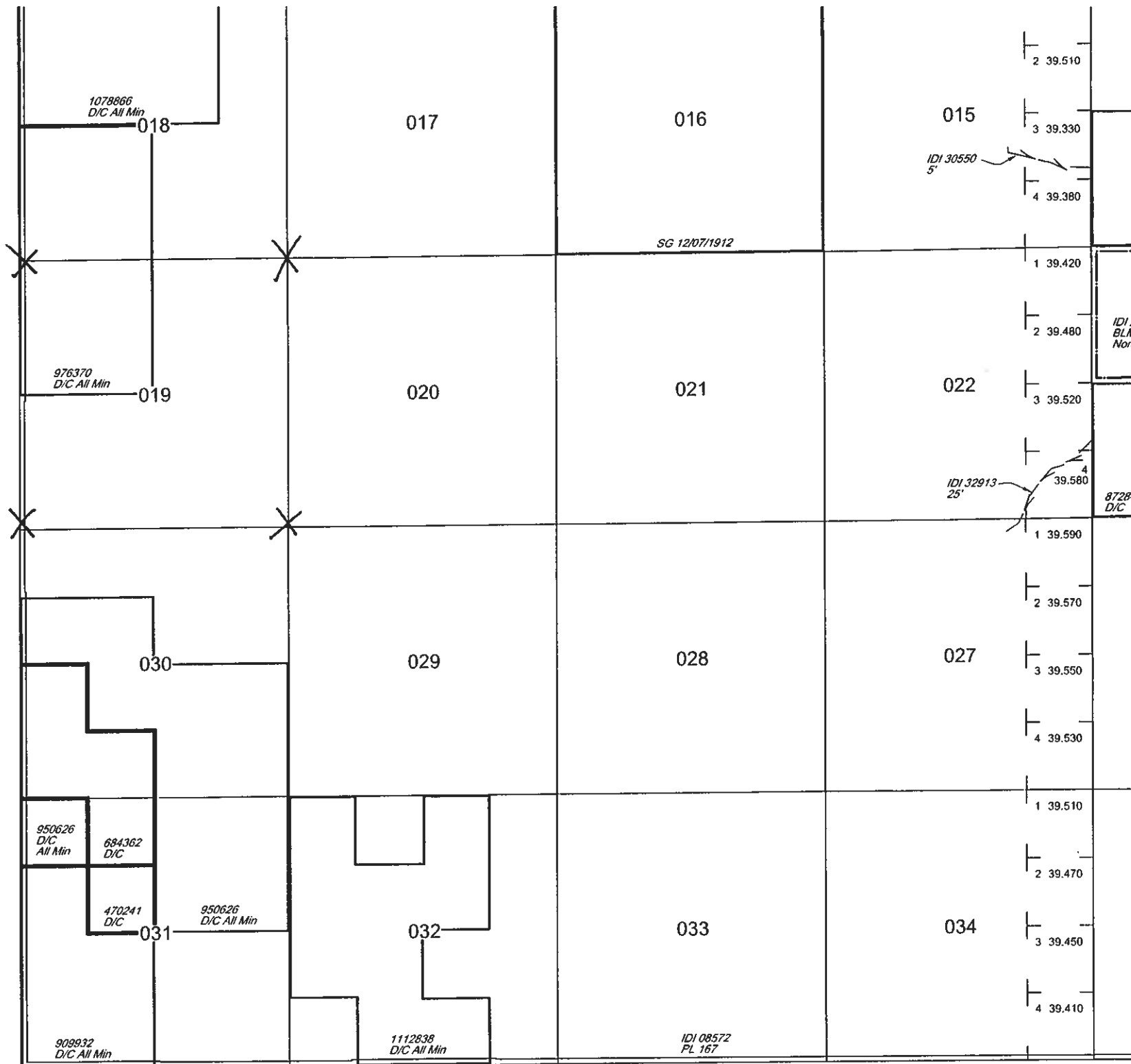


U.S. Bureau of Land Management - Idaho State Office
1387 S. Vivian Way Boise, Idaho 83709
(208) 373-4000



Printed Name
T. Z. S.
R. A. W.

T02S
R04W
S19



JUNAYO RANCH LTD PARTNERSHIP

BOISE ID 83702, has filed Application No. 75704 for changes to the following water rights within

County: OWYHEE

Applicant's Statement of Purpose: To correct records error in water right coverage of currently irrigated public land in Sec 19, T2S, R3W.

Purpose of Transfer	Water Right Number
Change Place of Use	57-7400

Right No. 57-7400

Priority Jan 13 1984 12:00AM

Source REYNOLDS CREEK,

Use IRRIGATION FROM STOR(71 acres) 150 AFA, DIVERSION TO STORAGE 4.6 CFS, IRRIGATION STORAGE(343 acres) 150 AFA,

Total Amount 4.6 CFS 150 AFA

Point(s) of Diversion

Township	Range	Section	QQQ	QQ	Quarter	GovernmentLotNumber
02S	04W	25		NE	NE	

Place Of Use

Place of Use Legal Description: IRRIGATION FROM STORAGE OWYHEE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
02S	03W	18		NESW	2	3	NWSW	15	4	SWSW	2			
	04W	13		SENE	9									
		24		NENE	22		NWNE	4		SWNE	3		SENE	14

Total Acres: 71

The purpose of the transfer is to change the above rights as follows:

Proposed Right No. 57-7400

Priority Jan 13 1984 12:00AM

Source REYNOLDS CREEK,

Use IRRIGATION STORAGE(343 acres) 150 AFA, IRRIGATION FROM STOR(91 acres) 150 AFA, DIVERSION TO STORAGE 4.6 CFS,

Total Amount 4.6 CFS 150 AFA

Township	Range	Section	QQQ	QQ	Quarter	GovernmentLotNumber
02S	04W	25		NE	NE	

Place Of Use

Place of Use Legal Description: IRRIGATION STORAGE OWYHEE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
02S	03W	18		NESW		3	NWSW		4	SWSW			SESW	

Place of Use Legal Description: IRRIGATION FROM STORAGE OWYHEE County

Township	Range	Section	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres	Lot	Tract	Acres
02S	03W	18		NESW	2	3	NWSW	15	4	SWSW	2			
	04W	13		SENE	9									
		19	1	NENW	15		NWNW	5						
		24		NENE	22		NWNE	4		SWNE	3		SENE	14

Total Acres: 91

RECEIVED

JUN 17 2009

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 75704WATER RESOURCES
WESTERN REGION**MINIMUM REQUIREMENTS CHECKLIST**
TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

An application for transfer must be prepared in accordance with the minimum requirements listed below to be acceptable for processing by the Department. Incomplete applications will be returned. The instructions, fee schedule, Part 2A reports and additional Part 2B forms are available from any Department office or on the Department's website at <http://www.idwr.idaho.gov>.

Check whether each item below is *attached* (Yes) or *not applicable* (N/A) for the proposed transfer.

Yes N/A * Means the item is always required and must be included with the application.

- ☒ * Completed Application for Transfer of Water Right form, Part 1.
- ☒ * Signature of applicant(s) or applicant's authorized representative on Application for Transfer Part 1. Include evidence of authority labeled Attachment #3 (see below) if signed by representative.
- ☒ * Application for Transfer Part 2A. Attach a Part 2A report describing each water right in the transfer as currently recorded.
- ☐ ☒ Complete and attach an Application for Transfer Part 2B for each water right for which only a portion is proposed to be changed through this transfer application
- ☒ * Application for Transfer Part 3A is always required (see Attachment #7a below); Parts 3B and 3C must be completed for transfer applications proposing to change the nature of use of the water right(s) or proposing changes to supplemental right(s).
- ☒ * Correct fee submitted with transfer application form. (Fee schedule is on website and instructions for application for transfer.)

Attachments to Application - Label each attachment with the corresponding number shown below as Attachment #1-9.

- ☐ ☒ #1 If the applicant is a business, partnership, organization, or association, and not currently registered in the State of Idaho as a business entity, attach documentation identifying officers authorized to sign or act on behalf of right holder. (See Part 1.)
- ☐ ☒ #2a Water Right ownership documentation if Dept. records do not show the transfer applicant as the current water right owner.
- ☐ ☒ #2b If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s).
- ☐ ☒ #3 Documentation of authority to make the change if the applicant is not the water right owner.
- ☐ ☒ #4 Power of Attorney or documentation providing authority to sign or act on the applicant's behalf. (See Part 1.)
- ☐ ☒ #5 If the transfer application proposes to change the point of diversion for a water right affecting the Eastern Snake Plain Aquifer (ESPA), attach the results of an ESPA analysis and a detailed mitigation plan to offset any depletions to hydraulically connected reaches of the Snake River. ESPA transfer spreadsheet and model grid labeled cells are available on the Department's website at http://www.idwr.idaho.gov/water_rights.
- ☐ ☒ #6 Notarized statement of agreement or a statement on official letterhead signed by an authorized representative from each lien holder or other entity with financial interest in the water right(s) or land affected by the proposed transfer. (See Part 1.5.c.)
- ☒ * #7a Attach a map identifying the proposed point(s) of diversion, place(s) of use, and water diversion and distribution system details as described on the application. Include legal description labels. If only a portion of the right is proposed to be changed, identify the current location of the part of the existing right(s) proposed to be changed. (See Part 3A.)
- ☒ ☐ #7b If the transfer application proposes to change the place or purpose of use of an irrigation right attach a Geographic Information System (GIS) shape file, or an aerial photo or other image clearly delineating the location and extent of existing acres and changes to the place of use.
- ☐ ☒ #8a If the transfer application proposes to change the nature of use or period of use for one or more rights, provide documentation describing the extent of historic beneficial use for the water rights proposed to be transferred and document how enlargement will be avoided. (See Part 3B.)
- ☐ ☒ #8b If the transfer application proposes to change the place of use of a supplemental irrigation right, provide documentation regarding the historic use of the supplemental right(s) and availability or reliability of the primary right(s) being supplemented, both before and after the proposed change. (See Part 3C.)
- ☐ ☐ #9 Other. Please describe: _____

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STATE OF IDAHO
DEPARTMENT OF WATER RESOURCESTransfer No. 75704JUN 17 2009 APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1WATER RESOURCES
WESTERN REGION
Name of Applicant(s) Junayo Ranch LTD PartnershipPhone (208)343-8880Mailing address 1087 W River St. Ste. 230 Boise, ID 83702

Email _____

- ☐ If applicant is not an individual and not registered to do business in the State of Idaho, attach documentation identifying officers authorized to sign or act on behalf of the applicant. Label it **Attachment #1**.
- ☐ Attach water right ownership documentation if Department records do not show the transfer applicant as the current water right owner. Label it **Attachment #2a**.
- ☐ If the ownership of the water right will change as a result of the proposed transfer to a new place of use, attach documentation showing land and water right ownership at the new place of use. Include documentation for all affected land and owner(s). Label it **Attachment #2b**.
- ☐ Attach documentation of authority to make the proposed change if the applicant is not the water right owner. Label it **Attachment #3**.

Provide contact information below if a consultant, attorney, or any other person is representing the applicant in this transfer process.

☐ No Representative

Name of Representative _____

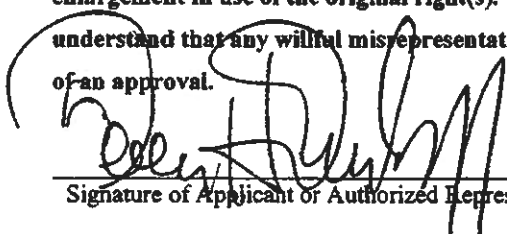
Phone _____

Mailing address _____

Email _____

- ☐ Send all correspondence for this application to the representative and not to the applicant.
- OR
- ☐ Send original correspondence to the applicant and copies to the representative.
- ☐ The representative may submit information for the applicant but is not authorized to sign for the applicant.
- OR
- ☐ The representative is authorized to sign for the applicant. Attach a Power of Attorney or other documentation providing authority to sign for the applicant and label it **Attachment #4**.

I hereby assert that no one will be injured by the proposed changes and that the proposed changes do not constitute an enlargement in use of the original right(s). The information contained in this application is true to the best of my knowledge. I understand that any willful misrepresentations made in this application may result in rejection of the application or cancellation of an approval.


 Signature of Applicant or Authorized Representative

General Partner
 Print Name and Title if applicable

6/12/09
 Date

Signature of Applicant or Authorized Representative

Print Name and Title if applicable

Date

A. PURPOSE OF TRANSFER

- ☐ Change point of diversion ☐ Add diversion point(s) ☒ Change place of use
☐ Change nature of use ☐ Change period of use ☐ Other _____
- Describe your proposal in narrative form, including a detailed description of non-irrigation uses to justify amounts transferred (i.e. number of stock, etc.), and provide additional explanation of any other items on the application. Attach additional pages if necessary and label it **Part 1A.2**. To correct records error in water right coverage of currently irrigated public land in Section 19 T2S R3W.

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

B. DESCRIPTION OF RIGHTS AFTER THE REQUESTED CHANGES. IF THE RIGHTS ARE BEING SPLIT, DESCRIBE PORTIONS TO BE CHANGED AS THEY WOULD APPEAR AFTER THE REQUESTED CHANGES.

1.	Right Number	Amount (cfs/ac-ft)	Nature of Use	Period of Use	Source & Tributary
All or Part ☒ ☐	57-7400:	4.6 cfs	Div. to Storage	11/15 to 3/15	Reynolds Cr & Snake Rv
☐ ☐		150.0 ac-ft	Irrigation Storage	1/1 to 12/31	Reynolds Cr & Snake Rv
☐ ☐		150.0 ac-ft	Irr. from Storage	3/15 to 11/15	Reynolds Cr & Snake Rv
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	
☐ ☐				to	

Total authorized under rights 4.6 cfs and/or 150.0 ac-ft

2. Total amount of water proposed to be transferred or changed 4.6 cubic feet per second and/or 150.0 acre-feet per annum.

3. Point(s) of Diversion:

- ☒ No changes to point(s) of diversion are proposed-the following chart is therefore not completed. (Proceed to #4.)
☐ Attach Eastern Snake Plain Aquifer analysis if this transfer proposes to change a point of diversion affecting the ESPA.
 Label it Attachment #5.

New ?	Lot	¼	¼	¼	Sec	Twp	Rge	County	Source	Local name or tag #

4. Place of use: (If irrigation, identify with number of acres irrigated per ¼ ¼ tract.)

- ☐ No changes to place of use are proposed-the following chart is therefore not completed. (Proceed to #5.)

Twp	Rge	Sec	NE ¼				NW ¼				SW ¼				SE ¼				Acre Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02S	03W	18									2.0	15.0	2.0						19.0
												L3	L4						
02S	04W	13				9.0													9.0
02S	04W	19					15.0	5.0											20.0
							L1												
02S	04W	24	22.0	4.0	3.0	14.0													43.0

Total Acres (for irrigation use) 91.0

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

APPLICATION FOR TRANSFER OF WATER RIGHT
PART 1 Continued

5. General Information:

- a. Describe the complete diversion system, including how you will accommodate a measuring device and lockable controlling works should they be required now or in the future: Gravity ditch, storage dam and reservoir (Tyson Reservoir), ditches; pump & pipeline
- b. Who owns the property at the point(s) of diversion? John & Catherine Romero
If other than the applicant, describe the arrangement enabling the applicant to access the property for the diversion system: Easement to Junayo Ranch LTD Partnership
- c. Are the lands from which you propose to transfer the water right subject to any liens, deeds of trust, mortgages, or contracts? If yes, ☐ Attach a notarized statement from the holder of the lien, deed of trust, mortgage or contract agreeing to the proposed changes on official letterhead signed by an authorized representative. Label it Attachment #6. List the name of the entity and type of lien: NOT ~~APPLICABLE~~ APPLICABLE
- It is the applicant's responsibility to provide notice to lien holder, trustee, mortgagor, or contract holder of the proposed changes that may impact or change the value of the water rights or affected real property. Any misrepresentation of legal encumbrance on this application may result in rejection of the application or cancellation of an approval.
- d. Describe the effect on the land now irrigated if the place or purpose of use is changed pursuant to this transfer: Land currently irrigated will continue to be irrigated. Transfer proposes addition of 20 acres currently irrigated with storage water from Tyson Reservoir. I.C. § 42-222 allows for an increase in the number of acres irrigated in no other water rights are injured.
- e. Describe the use of any other water right(s) for the same purpose or land, or the same diversion system as right(s) proposed to be transferred at both the existing and proposed point(s) of diversion and place(s) use: Several other water rights of Junayo Ranch LTD Partnership for the current place of use, point of diversion, and use on file with the Department. No existing water rights for irrigation of the additional 20 acres in Section 19 T2S R4W proposed for addition to the current place of use.

f. To your knowledge, has/is any portion of the water right(s) proposed to be changed:

Yes No

- ☐ ☒ undergone a period of five or more consecutive years of non-use,
☐ ☒ currently leased to the Water Supply Bank,
☐ ☒ currently used in a mitigation plan limiting the use of water under the right, or
☐ ☒ currently enrolled in a Federal set-aside program limiting the use of water under the rights?

If yes, describe: _____

**IDAHO DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT
PART 2A**

Current Water Right No.: 57-7400

Current Owner: JUNAYO RANCH LTD PARTNERSHIP

Priority Date: 1/13/1984

Origin: Water Right

Status: Active

Basis: License

Source		Tributary	
REYNOLDS CREEK		SNAKE RIVER	
Beneficial Use	From To	Diversion Rate	Annual Volume
IRRIGATION FROM STORAGE	03/15 to 11/15		150 AF
DIVERSION TO STORAGE	11/15 to 03/15	4.6 CFS	
IRRIGATION STORAGE	01/01 to 12/31		150 AF
	Total Diversion	4.6 CFS	150 AF
Location of Point(s) of Diversion			
REYNOLDS CREEK		NE1/4NE1/4	Sec. 25, Twp 02S, Rge 04W B.M.
OWYHEE County			

Place of Use

IRRIGATION FROM STORAGE Within OWYHEE County

T02S R03W S18	NESW	2.00	T02S R03W S18	Lot 3	NWSW	15.00
T02S R03W S18	Lot 4	SWSW	2.00	T02S R04W S13	SENE	9.00
T02S R04W S24	NENE	22.00	T02S R04W S24	NWNE	4.00	
T02S R04W S24	SWNE	3.00	T02S R04W S24	SENE	14.00	

Total Acres: 71

Place of Use: IRRIGATION STORAGE same as IRRIGATION FROM STORAGE

Place of Use: DIVERSION TO STORAGE same as IRRIGATION FROM STORAGE

Conditions of Approval:

1. Storage facility known as Tyson West.
2. X36 Rights 57-00252, 57-01070, 57-02325, 57-07040, 57-07472 and 57-07532 are also diverted through the point of diversion described above.
3. X35 Rights 57-00249, 57-01073, 57-07040, 57-00252, 57-01070, 57-02296, 57-02325, 57-07472, 57-07532 and 57-07400 when combined shall not exceed the irrigation of 160 acres.
4. R40 The storage of water under this right is contingent upon continued certification by the Department of Water Resources under the dam safety provisions of the Idaho Code, authorizing storage.
5. R63 This right when combined with all other rights shall provide no more than 0.02 cfs per acre nor more than 3.5 afa per acre at the field headgate for irrigation of the lands above.
6. Rights 57-02325, 57-07040, and 57-07400 are limited to a total annual combined storage capacity of 160 af.
7. R04 Use of water under this water right will be regulated by the watermaster of State Water District No. 57R.
8. Rights 57-00252, 57-01070, 57-02325, 57-07040, 57-07472, 57-07532 and 57-07400 when combined shall not exceed a total diversion rate of 4.6 cfs.

Licensed Date: 6/28/2002

Total Acres (for irrigation use) _____

Transfer contains 7 pages and 1 attachments.
Received by SB Date 6-17-09 Prelim. Check by SB Date 4/6/2010
Fee Paid \$410. Date 6-17-09 Received by SB Receipt # W037575
Add'l Fee Paid _____ Date _____ Received by _____ Receipt # _____

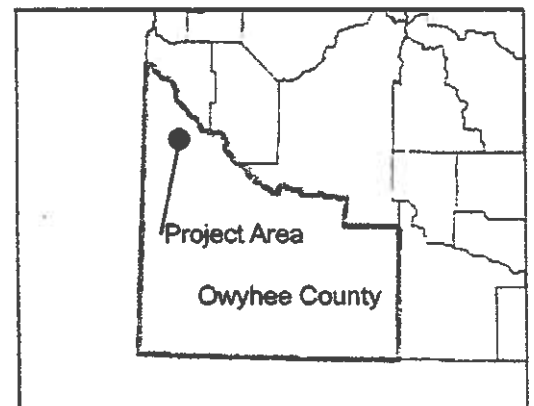
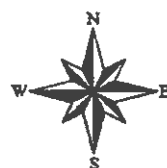
Attachment # 7a & #7b : Transfer Map



0 0.125 0.25 0.5 0.75 1 1.25 1.5 Miles

Legend

- 57_7400_POD
- Additional_Acres_57_7400_POU
- 57_7400_Existing_POU
- Township/Range
- Sections
- QQ



PERMIT

Permission is hereby granted to **Owen H. Orndorff**
of **1887 W River Street, Suite 230, Boise, Idaho 83702**
to use the following described lands:

RECEIVED
OWYHEE FIELD
2009 MAY 13
Permit Number
IDI-36452

TOWNSHIP	RANGE	SECTION	SUBDIVISION
2 S.	3 W.	19	Lot 1, NE¼NW¼

Meridian	State	County	Acres (number)
Boise	Idaho	Owyhee	20 ±

for the purpose of farming.

and subject to the following conditions:

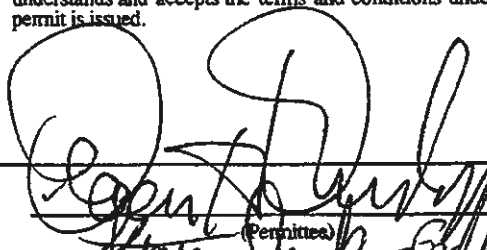
- This permit is issued for the period specified below. It is revocable at the discretion of the BLM, at any time upon notice. This permit is subject to valid adverse claims heretofore or hereafter acquired.
 - This permit is subject to all applicable provisions of the regulations (43 CFR 2920) which are made a part hereof.
 - This permit may not be assigned without prior approval of the BLM.
 - Permittee must not enclose roads or trails commonly in public use.
 - Authorized representatives of the Department of the Interior, other Federal agencies, and State and local law officials will at all times have the right to enter the premises on official business.
 - Permittee must pay the United States for any damage to its property resulting from the use.
 - Permittee must notify the BLM of address change immediately.
 - Permittee must observe all Federal, State, and local laws and regulations applicable to the premises and to erection or maintenance of signs or advertising displays including the regulations for the protection of game birds and game animals, and must keep the premises in a neat, orderly, and sanitary condition.
 - Permittee must pay the BLM, in advance, the lump sum
 - Special conditions (attach additional sheets, if necessary)
- of \$ _____ for the period of use authorized by this permit or \$ 250.00 (interim) _____, annually, as rental or such other sum as may be required if a rental adjustment is made.
- Use or occupancy of land under this permit will commence within _____ months from date hereof and must be exercised at least _____ days each year.
 - Permittee must take all reasonable precautions to prevent and suppress forest, brush, and grass fires and prevent pollution of waters on or in the vicinity of the lands.
 - Permittee must not cut any timber on the lands or remove other resources from the land without prior written permission from the BLM. Such permission may be conditioned by a requirement to pay fair market value for the timber or other resources.
 - Permittee agrees to have the serial number of this permit marked or painted on each advertising display or other facility erected or maintained under the authority of such permit.
 - This permit is subject to the provisions of Executive Order No. 11246 of September 24, 1965, as amended, which sets forth the Equal Opportunity clauses. A copy of this order may be obtained from the BLM.
 - Permittee acknowledges, by signing below, that he/she knows, understands and accepts the terms and conditions under which this permit is issued.

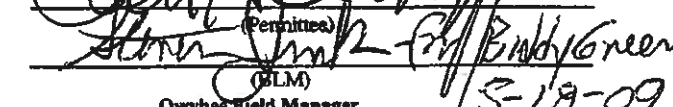
See attached Exhibit B.

Permit issued for period

From 05/01/2009

To 04/30/2012


(Owen H. Orndorff)
(BLM)
Owyhee Field Manager
(Title)


(BLM)
5-18-09
(Date)

INSTRUCTIONS

- Submit, in duplicate, to any local office of the Bureau of Land Management having jurisdiction of the lands.
- Applications for Land Use Permits will not be accepted unless a notification of the availability of the land for non-BLM use (*Notice of Realty Action*) has been published in the Federal Register and for 3 weeks thereafter in a newspaper of general circulation. This provision does not apply in those situations where the publication of a (*Notice of Realty Action*) has been waived by the BLM.
- If the annual rental exceeds \$250 dollars per year; costs of processing the application must be paid by the applicant in advance.
- The BLM may require additional information to process an application. Processing will be deferred until the required information is furnished by the applicant.

Form 2920-1
(February 2005)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
LAND USE APPLICATION AND PERMIT
(Sec. 302(b) of P.L. 94-579, October 21, 1976, 43 U.S.C. 1732)

FORM APPROVED
OMB NO. 1004-0009
Expires: December 31, 2007

FOR BUREAU OF LAND MANAGEMENT (BLM) USE ONLY

Application Number

1. Name (first, middle initial, and last) Owen H. Orndorff	Address (include zip code) 1087 W River St., Ste 230 Boise, ID 83702	Phone (include area code) 208-343-8880
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2. Attach map or sketch showing public lands for which you are applying

3. Proposed date(s) of use: from January 1 to December 31

4. Give legal basis for holding interest in lands in
the State of Idaho
(Check appropriate box at right and explain.)

☐ Resident	☒ Partnership
☐ Corporation	☐ County
☐ Local Government	☐ State Government
☐ Other	

5. Are the lands now improved, occupied or used? ☒ Yes ☐ No (If "yes," describe improvements and purposes, identify users and occupants.)
Farm ground which was part of a cooperative farm wildlife
agreement. Ground is in Section 19 as shown on attached BLM map.

6. Do you need access to the land? ☐ Yes ☒ No (Describe needed or existing access)Existing access is through private ground or road on BLM
property.

7a. What do you propose to use the lands for?

Farm ground

b. What improvements and/or land development do you propose? (To complete application processing, engineering and construction drawings
may be required)

None, work has previously been done under agreements with BLM.

c. What is the estimated capital cost?

\$ 0

d. What is the source of water for the proposed use?

Private reservoir storage owned by Junayo Ranch
Limited Partnership

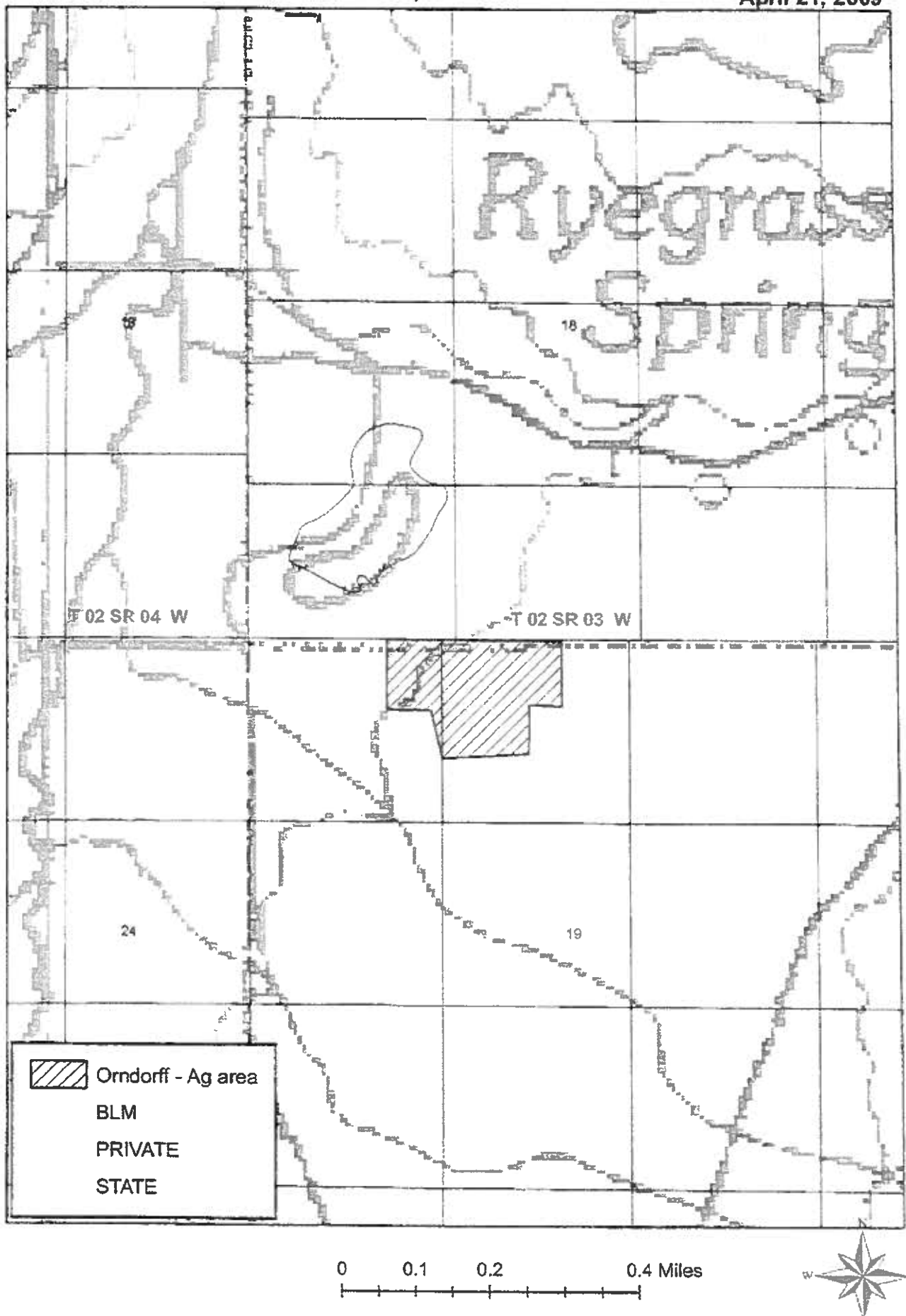
CERTIFY That the information given by me in this application is true, complete, and correct to the best of my knowledge and belief and is given in good faith.

(Signature of Applicant)

(Date)

Title 18 U.S.C. Section 1001, makes it a crime for any person knowingly and willfully to make to any department or agency of the United States
any false, fictitious, or fraudulent statements or representations as to any matter within its jurisdiction.

(Continued on page 2)



LAND USE PERMIT STIPULATIONS

1. Title to water associated with this Land Use Permit (LUP) shall continue to be legally authorized by the Idaho State Department of Water Resources (IDWR). Failure of the holder to remain in compliance with IDWR requirements regarding the use of water to the satisfaction of the Bureau of Land Management (BLM) Authorized Officer will result in the automatic termination of this LUP in accordance with 43 CFR 2920.9-3. No rights to the public lands accrue due to their description as the place of use in conjunction with a water right beyond those described specifically by this LUP nor beyond the term of this LUP.
2. The permittee shall cause title to water associated with this LUP to be transferred to the sole name of the United States at the end of three years from the issuing date of the LUP if the use is to continue under this or a renewed authorization.
3. The permittee shall control all common and noxious weeds using a herbicide approved for use in the Final Environmental Impact Statement "Vegetation Treatment on Public Lands."
4. Rental based upon fair market value shall be paid annually in advance of the anniversary date of the permit.
5. If this LUP is cancelled or expires, the public land shall be reseeded by the permittee to the satisfaction of the Authorized Officer of the Bureau of Land Management (BLM) within one year of the cancellation or expiration date with a seed mixture to be approved of by an Authorized Officer.
6. No additional disturbance, structures, appurtenances or improvements shall be placed upon the land unless approved in writing by the Authorized Officer, in advance of construction or placement.
7. The United States retains the right to authorize use of the permitted area for other compatible uses (including the subsurface and air space).
8. The permittee shall notify the authorized officer of any change of mailing address.
9. Any cultural and/or paleontological resource (fossil(s) or historic or prehistoric site or object) discovered by the permittee or any person working on his behalf, on public or Federal land shall be immediately reported to the authorized officer. Permittee shall suspend all operations in the immediate area of such discovery until written authorization to proceed is issued by the authorized officer. An evaluation of the discovery will be made by the authorized officer to determine appropriate values. The permittee will be responsible for the cost of evaluation and any decision as to proper mitigation measures will be made by the authorized officer after consulting

with the permittee.

10. The permittee shall indemnify the United States against any liability for damage to life or property arising from the occupancy or use of public lands under this grant or permit.
11. This permit is subject to an annual compliance check.
12. Permittee shall not exceed the bounds of this permit without authorized officers consent.
13. The permittee will take precautions to prevent fires on the surrounding public lands.
14. As directed by the Authorized Officer the Holder shall be responsible for control of noxious weed species that result or would result from the construction, use, or maintenance of their grant.

If herbicides are used the Holder shall comply with all applicable Federal and State laws and regulations. Herbicides shall be used only in accordance with their registered uses within the limitations imposed by the Secretary of the Interior. Prior to the use of herbicides, the Holder shall obtain from the authorized officer written approval of a Herbicide Use Proposal Plan showing the type and quantity of herbicide to be used, weed(s) to be controlled, method of application, and any other information deemed necessary by the authorized officer.

Applicator(s) shall hold a current State of Idaho applicator's license or be under the direct supervision of a licensed applicator.

For areas and acres treated the Holder shall submit to the BLM a completed "BLM Pesticide Application Record" form.

Other control methods include but are not limited to annual mowing.