

JUNAYO RANCH

Limited Partnership

General Partner
OWEN H. ORNDORFF

Limited Partner
Harvey H. Orndorff
(1918-1992)



Murphy, Idaho
Kuna, Idaho

Mailing Address
Suite 230
1087 West River Street
Boise, Idaho 83702

May 11, 2009

RECEIVED

MAY 13 2009

WATER RESOURCES
WESTERN REGION

BLM – Boise District Office
3948 Development Ave.
Boise, ID 83705

Re: Section 19 BLM Land Use Permit

Gentlemen:

Enclosed are checks for reimbursement of costs and estimated rental as requested in Buddy Green's May 7, 2009 letter.

Please call if the BLM needs additional information or has other concerns.

Very truly yours,

Owen H. Orndorff
General Partner

OHO/as
Enclosures
Cc: Angela Grimm
Buddy Green
Matt Ellsworth

RECEIVED

MAY 13 2009

WATER RESOURCES
WESTERN REGION

10648

OWEN H. ORNDORFF
DBA JUNAYO RANCH
MURPHY, ID 83650

DATE 5-11-09

92-372-1231

PAY
TO THE
ORDER OF

BLM

One-hundred-nine & ⁰⁰/₁₀₀

\$ 109.00

DOLLARS

Security Features
Included
Details on Back.

usbank

Five Star Service Guaranteed

usbank.com

FOR processing fee

[Signature]

MP

10649

OWEN H. ORNDORFF
DBA JUNAYO RANCH
MURPHY, ID 83650

DATE 5-11-09

92-372-1231

PAY
TO THE
ORDER OF

BLM

Two-hundred-fifty & ⁰⁰/₁₀₀

\$ 250.00

DOLLARS

Security Features
Included
Details on Back.

usbank

Five Star Service Guaranteed

usbank.com

FOR Rental

[Signature]

MP

SCANNED

MAY 12 2010

RECEIVED

MAY 13 2009

PERMIT

Permission is hereby granted to **Owen H. Orndorff**
 of **1087 W River Street, Suite 230, Boise, Idaho 83702**
 to use the following described lands:

Permit Number **WATER RESOURCES**
WESTERN REGION
 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**.

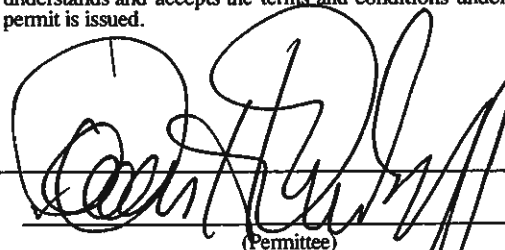
and subject to the following conditions:

- 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)

See attached Exhibit B.

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.



(Permittee)

(BLM)

Owyhee Field Manager

(Title)

(Date)

Permit issued for period

From **05/01/2009**

To **04/30/2012**

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
--	--	--

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

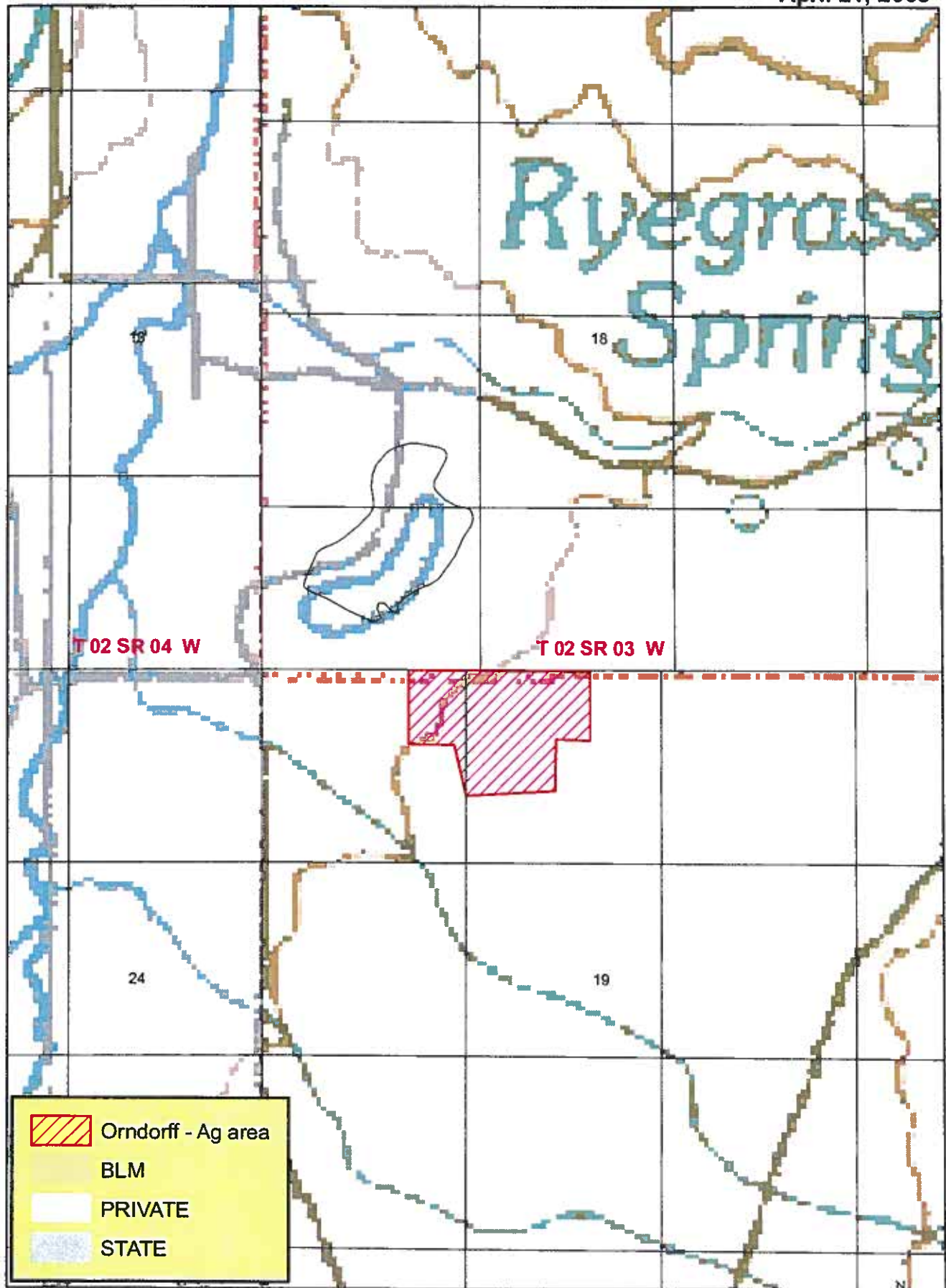
CERTIFY That the information given by me in this application is true, complete, and correct to the best of my knowledge and belief and is given in good faith.

(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.

MAY 13 2009

PERMIT

Permission is hereby granted to **Owen H. Orndorff**
 of **1087 W River Street, Suite 230, Boise, Idaho 83702**
 to use the following described lands:

Permit Number **WATER RESOURCES**
IDI-36452 **WESTERN REGION**

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

Meridian	State	County	Acres (number)
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for the purpose of **farming**.

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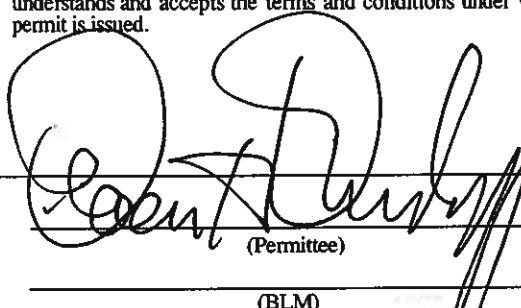
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9. Permittee must pay the BLM, in advance, the lump sum of \$ _____ for the period of use authorized by this permit or \$ **250.00 (interim)**, annually, as rental or such other sum as may be required if a rental adjustment is made.
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Permit issued for period

From **05/01/2009**

To **04/30/2012**


 (Permittee)

 (BLM)
Owyhee Field Manager

 (Title) _____ (Date)

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(February 2003)

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FORM APPROVED
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(Check appropriate box at right and explain.)

☐ Resident	☒ Partnership
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☐ Local Government	☐ State Government
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\$ 0

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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.

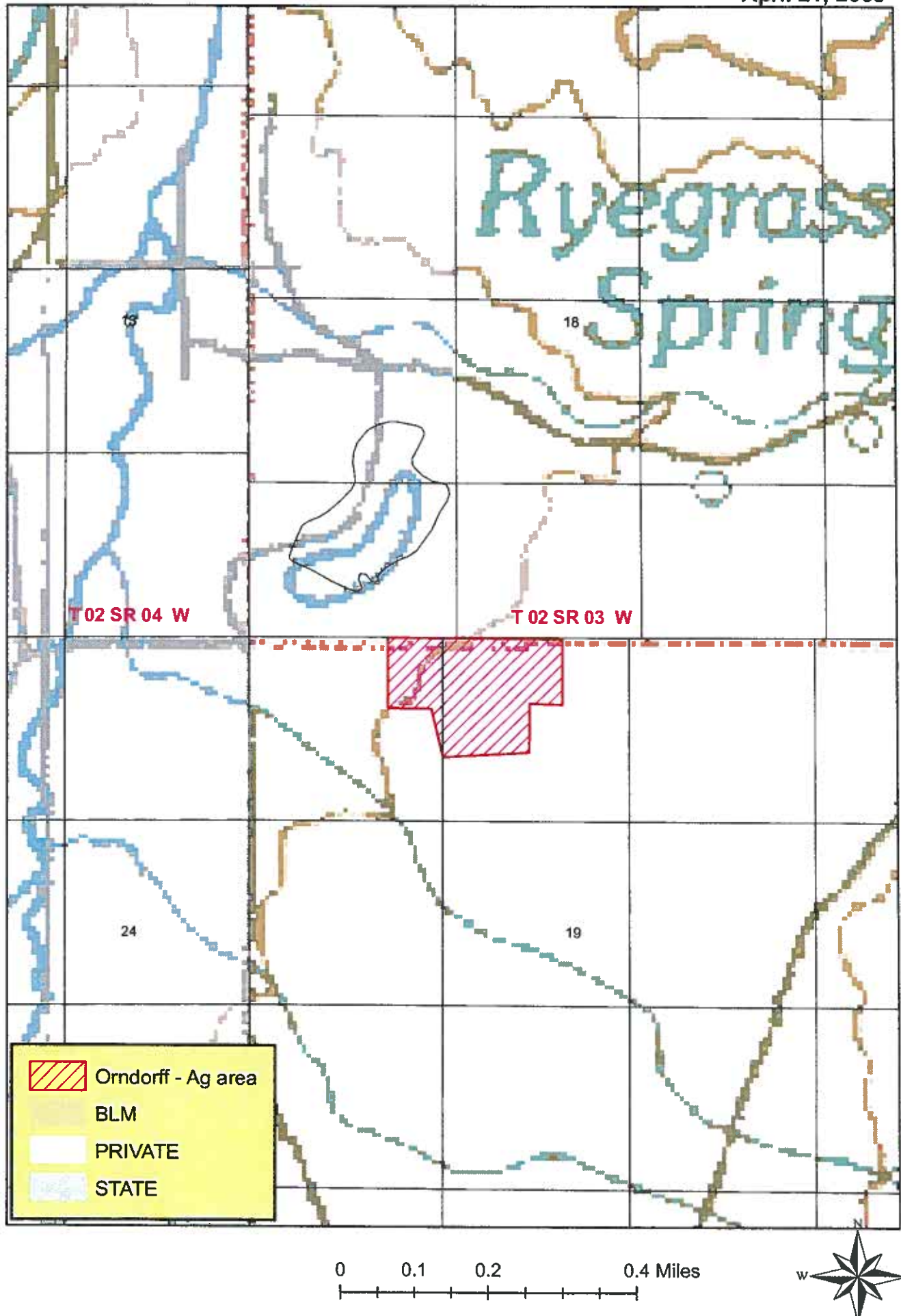
[Signature]
(Signature of Applicant)

4/15/09

(Date)

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

RECEIVED

MAY 13 2009



United States Department of the Interior

BUREAU OF LAND MANAGEMENT

Owyhee Field Office

20 First Avenue West

Marsing, Idaho 83639

WATER RESOURCES
WESTERN REGION



In Reply Refer To:

IDI-36452

2920

MAY 7 2009

CERTIFIED MAIL #7005 0390 0006 6873 1821
RETURN RECEIPT REQUESTED

RECEIVED

MAY 11 2009

Owen H. Orndorff
1087 W River Street, Suite 230
Boise ID 83702

Dear Mr. Orndorff:

We received the Land Use Permit (permit) application you filed on April 17, 2009. This application has been assigned serial number IDI-36452. Please refer to that number in future correspondence when inquiring about this permit.

Processing Fee Determined

Federal regulations at 43 CFR 2920.6, state that the reimbursement of costs shall be in accordance with the provisions of 43 CFR 2804.14. According to the regulations contained in 43 CFR 2804.14, BLM is required to be reimbursed for the costs incurred in processing an application. We have determined that the appropriate processing category for your application is Category 1. The nonrefundable processing fee for a Category 1 is \$109.00.

Land Use Permit Offered

Land Use Permit IDI-36452 will be approved for the 3-year period from May 1, 2009 through April 30, 2012. Enclosed are two copies of the permit. Please review the permit and sign **both** copies in the space marked with the red ✓.

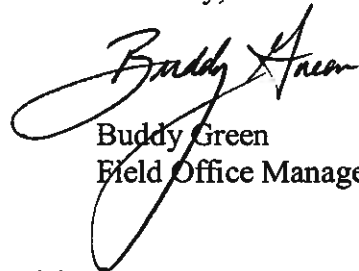
Rental Due

Rent for use of public lands must be paid in advance of such use and prior to issuance of the permit. Interim rental in the amount of \$250.00 for the first year of the permit is now due and payable. We have requested an appraisal to determine fair market rental for this permit. When the appraisal is completed, we will inform you of any adjustment to the rental amount.

The processing and rental fees and **both** copies of the permit should be returned to the BLM Boise District Office, 3948 Development Avenue, Boise, Idaho 83705, within 30 days. When we receive **BOTH** copies of the signed permit and the processing and rental fees, as discussed above, we will sign the permit and return one copy to you. Please remember the permit is not valid until signed by the authorized officer of this office.

If you have any questions, please contact Kelley Moore, Realty Specialist, at (208) 384-3339.

Sincerely,



Buddy Green
Field Office Manager

Enclosures

Processing Fee Category Determination Decision

Form 1842-1

Two Unsigned Land Use Permits, IDI-36452

**ROW Processing Fee Category Determination Decision
For FLPMA and MLA Rights-of-Way**

Application Serial Number: IDI-36452

Applicant: Owen Orndorff

Address: 1087 W. River Street, Suite 230
Boise, Idaho 83702

Application For: Land Use Permit

Location: T. 2 S., R. 3 W., section 19: Lot 1, NENW

Pre-Application Meeting Held: No ☒ Yes

Land Use Plan Conformance? No Yes ☒

Estimated Processing Requirements:

Type of ROW: FLPMA MLA

NEPA Action Required: EIS EA DNA CE/CX

Personnel Needed for Processing

Estimated Processing Hours

Realty Specialist/Land Law Examiner	6
Cultural/Paleontological Resources	
T&E Species	
Wildlife/Fisheries	
Air/Water/Soils	
Recreation/Visual	
Range	
Fluids/Minerals	
Administration/Contracting	
Manager	1
Other	
Other	
TOTAL HOURS	7

The appropriate Processing Category for this application is Category I. The Processing fee for this Category is \$ 109.00. Processing fees for Categories 1-4 are non-refundable. See enclosed table for Category definitions and fee schedule.

Prepared By: Kathy Moon
Realty Specialist

5/4/09
Date

Approved By: Buddy Aarn
Authorized Officer

5/7/09
Date

**Calendar Year 2009 Cost Recovery Processing and Monitoring Fee
Schedule for FLPMA and MLA Rights-of-Way Actions**

Processing Category	Federal Work Hours Involved	Processing and Monitoring fee per application as of January 1, 2009. To be adjusted annually for changes in the IPD-GDP.
1. Applications for new grants, assignments, renewals, and amendments to existing grants.	Estimated Federal work hours are $>1 \leq 8$.	\$109
2. Applications for new grants, assignments, renewals, and amendments to existing grants.	Estimated Federal work hours are $> 8 \leq 24$.	\$386
3. Applications for new grants, assignments, renewals, and amendments to existing grants.	Estimated Federal work hours are $> 24 \leq 36$.	\$726
4. Applications for new grants, assignments, renewals, and amendments to existing grants.	Estimated Federal work hours are $> 36 \leq 50$.	\$1,040
5 Master agreements.	Varies.	As specified in the agreement.
6. Applications for new grants, assignments, renewals, and amendments to existing grants.	Estimated Federal work hours are > 50 .	Full reasonable costs (FLPMA) Full actual costs (MLA)

Appeal Information

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition (request) pursuant to regulation 43 CFR 2801.10 or 43 CFR 2881.10 for a stay (suspension) of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

Enclosure
BLM Form 1842-1

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

INFORMATION ON TAKING APPEALS TO THE INTERIOR BOARD OF LAND APPEALS

DO NOT APPEAL UNLESS

1. This decision is adverse to you,
AND
2. You believe it is incorrect

IF YOU APPEAL, THE FOLLOWING PROCEDURES MUST BE FOLLOWED

1. NOTICE OF
APPEAL.....

A person who wishes to appeal to the Interior Board of Land Appeals must file in the office of the officer who made the decision (not the Interior Board of Land Appeals) a notice that he wishes to appeal. A person served with the decision being appealed must transmit the *Notice of Appeal* in time for it to be filed in the office where it is required to be filed within 30 days after the date of service. If a decision is published in the FEDERAL REGISTER, a person not served with the decision must transmit a *Notice of Appeal* in time for it to be filed within 30 days after the date of publication (43 CFR 4.411 and 4.413).

2. WHERE TO FILE

NOTICE OF APPEAL.....

Department of the Interior, Bureau of Land Management, Boise District Office, 3948 Development Avenue, Boise ID 83705

WITH COPY TO
SOLICITOR.....

Department of the Interior, Office of the Solicitor, University Plaza, 960 Broadway Avenue, Suite 400, Boise ID 83706

3. STATEMENT OF REASONS

Within 30 days after filing the *Notice of Appeal*, file a complete statement of the reasons why you are appealing. This must be filed with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. If you fully stated your reasons for appealing when filing the *Notice of Appeal*, no additional statement is necessary (43 CFR 4.412 and 4.413).

WITH COPY TO
SOLICITOR.....

Department of the Interior, Office of the Solicitor, University Plaza, 960 Broadway Avenue, Suite 400, Boise ID 83706

4. ADVERSE PARTIES.....

Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor or Field Solicitor having jurisdiction over the State in which the appeal arose must be served with a copy of: (a) the *Notice of Appeal*, (b) the Statement of Reasons, and (c) any other documents filed (43 CFR 4.413).

5. PROOF OF SERVICE.....

Within 15 days after any document is served on an adverse party, file proof of that service with the United States Department of the Interior, Office of Hearings and Appeals, Interior Board of Land Appeals, 801 N. Quincy Street, MS 300-QC, Arlington, Virginia 22203. This may consist of a certified or registered mail "Return Receipt Card" signed by the adverse party (43 CFR 4.401(c)).

6. REQUEST FOR STAY.....

Except where program-specific regulations place this decision in full force and effect or provide for an automatic stay, the decision becomes effective upon the expiration of the time allowed for filing an appeal unless a petition for a stay is timely filed together with a *Notice of Appeal* (43 CFR 4.21). If you wish to file a petition for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Interior Board of Land Appeals, the petition for a stay must accompany your *Notice of Appeal* (43 CFR 4.21 or 43 CFR 2801.10 or 43 CFR 2881.10). A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the *Notice of Appeal* and Petition for a Stay must also be submitted to each party named in this decision and to the Interior Board of Land Appeals and to the appropriate Office of the Solicitor (43 CFR 4.413) at the same time the original documents are filed with this office. If you request a stay, you have the burden of proof to demonstrate that a stay should be granted.

Standards for Obtaining a Stay. Except as otherwise provided by law or other pertinent regulations, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards: (1) the relative harm to the parties if the stay is granted or denied, (2) the likelihood of the appellant's success on the merits, (3) the likelihood of immediate and irreparable harm if the stay is not granted, and (4) whether the public interest favors granting the stay.

Unless these procedures are followed, your appeal will be subject to dismissal (43 CFR 4.402). Be certain that all communications are identified by serial number of the case being appealed.

NOTE: A document is not filed until it is actually received in the proper office (43 CFR 4.401(a)). See 43 CFR Part 4, Subpart B for general rules relating to procedures and practice involving appeals.

43 CFR SUBPART 1821--GENERAL INFORMATION

Sec. 1821.10 Where are BLM offices located? (a) In addition to the Headquarters Office in Washington, D.C. and seven national level support and service centers, BLM operates 12 State Offices each having several subsidiary offices called Field Offices. The addresses of the State Offices can be found in the most recent edition of 43 CFR 1821.10. The State Office geographical areas of jurisdiction are as follows:

STATE OFFICES AND AREAS OF JURISDICTION:

Alaska State Office ----- Alaska
Arizona State Office ----- Arizona
California State Office ----- California
Colorado State Office ----- Colorado
Eastern States Office ----- Arkansas, Iowa, Louisiana, Minnesota, Missouri
and, all States east of the Mississippi River
Idaho State Office ----- Idaho
Montana State Office ----- Montana, North Dakota and South Dakota
Nevada State Office ----- Nevada
New Mexico State Office ----- New Mexico, Kansas, Oklahoma and Texas
Oregon State Office ----- Oregon and Washington
Utah State Office ----- Utah
Wyoming State Office ----- Wyoming and Nebraska

(b) A list of the names, addresses, and geographical areas of jurisdiction of all Field Offices of the Bureau of Land Management can be obtained at the above addresses or any office of the Bureau of Land Management, including the Washington Office, Bureau of Land Management, 1849 C Street, NW, Washington, DC 20240.

(Form 1842-1, September 2006)