

RECEIVED

MAR 02 2009

WATER RESOURCES
WESTERN REGIONSTATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant UM DIAMOND RANCH LLC Phone 307-465-2390
Mailing address 570 Dry Creek Rd. Upton Wyo. 82730 Email UMDIAMOND@MINDSPRING.COM
2. Source of water supply groundwater which is a tributary of NA
3. Location of point of diversion is Township 5N Range 4W Sec. 11, in the SW $\frac{1}{4}$,
SW $\frac{1}{4}$, NW $\frac{1}{4}$, Govt. Lot _____, B.M., CANYON County;
additional points of diversion if any: NA
4. Water will be used for the following purposes:
Amount 2.0 CFS for irrigation purposes from MAR 15 to NOV 15 (both dates inclusive)
(cfs or acre-feet per year)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per year)
5. Total quantity to be appropriated is (a) 2.0 and/or (b) _____
cubic feet per second acre feet per year
6. Proposed diverting works:
a. Describe type and size of devices used to divert water from the source 60-75 HP Elec Turbine
- b. Height of storage dam NA feet; active reservoir capacity NA acre-feet;
total reservoir capacity NA acre-feet
- c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet
- d. Is ground water with a temperature of greater than 85°F being sought? NO
- e. If well is already drilled, when? NA; Drilling firm NA;
Well was drilled for (well owner) NA; Drilling Permit No. NA
7. Time required for completion of works and application of water to proposed beneficial use is 5 years (minimum 1 year)
8. Description of proposed uses (if irrigation only, go to item 9):
a. Hydropower; show total feet of head and proposed capacity in kW. _____
b. Stockwatering; list number and kind of livestock. _____
c. Municipal; show name of municipality. _____
d. Domestic; show number of households. _____
e. Other; describe fully. _____

9. Description of place of use:

- a. If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- b. If water is used for other purposes, place a symbol of the use (example: D for Domestic) in the corresponding place of use below. See instructions for standard symbols.

TWP	RGE	SEC	NE				NW				SW				SE				TOTALS
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
① 5N	4W	10				25													25
① 5N	4W	11						23	22	10	20								75

Total number of acres to be irrigated: 100

10. Describe any other water rights used for the same purposes as described above. Include water delivered by a municipality, canal company, or irrigation district. If this application is for domestic purposes, do you intend to use this water, water from another source, or both, to irrigate your lawn, garden, and/or landscaping? NA

11. a. Who owns the property at the point of diversion? UM Diamond Ranch, LLC
- b. Who owns the land to be irrigated or place of use? SAME
- c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: NA

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. This application replaces permit # 63-31828 (Application) Everything in their application is the same as the previous one please attach the previous submit map from application for permit # 63-31828

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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

UM Diamond Ranch by Jerry Mohler
Signature of Applicant

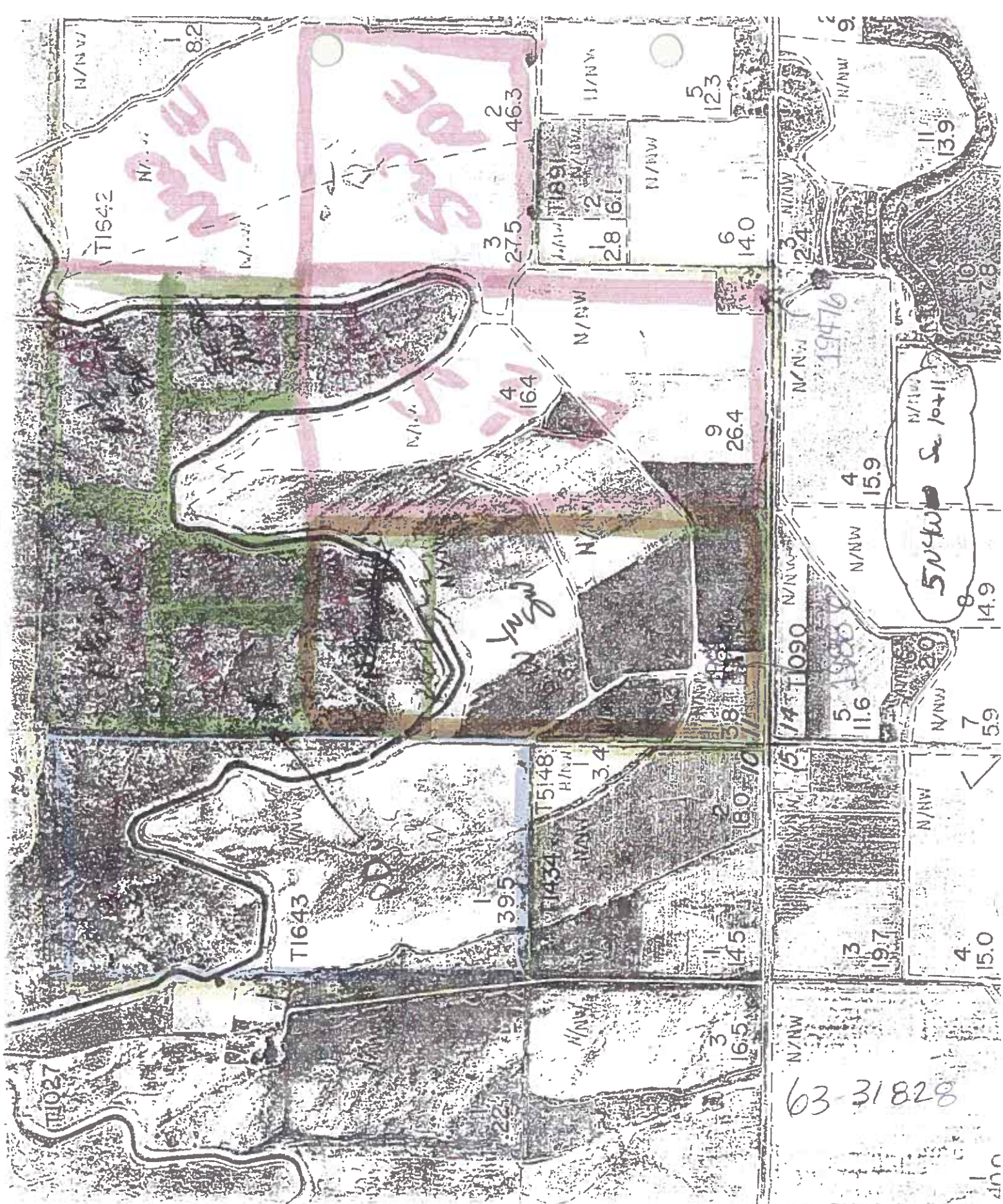
Jerry Mohler
Print Name (and title, if applicable)

For Department Use:

Received by DB Date 3-2-09 Time 2:00 PM Preliminary check by KW

Fee \$ 290- Received by DB Receipt No. W037220 Date 3-2-09

① ground above the canal only



IDAHO PRESS TRIBUNE
AD AUTHORIZATION

Salesperson: KATHERINE HOLMQUIST

Printed at 11/30/09 08:39 by \$LOGIN

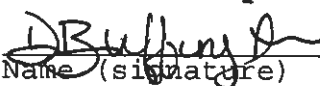
Acct#: 29512 Ad#: 107857 Status: N
1 IDAHO DEPT. OF WATER RESOURCES Start: 12/03/09 Stop: 12/10/09
2735 AIRPORT WAY Times Ord: 2 Times Run: ****
BOISE ID 83705 LEG 3.00 X 27.00 Words: 171
Contact: DENISE BUFFINGTON Rate: L3 Cost: 128.16
Phone: (208)334-2190 Class: 0001 LEGAL NOTICES
Fax#: Descript: 63-33184
Email: Denise.Buffington@idwr.idaho.gov Given by: *
Agency: Created: kho14 11/30/09 08:35
Last Changed: kho14 11/30/09 08:38

PUB ZONE ED TP START INS STOP SMTWTFS
IPT A 96 S 12/03,10

AUTHORIZATION

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

Name (print or type)



Name (signature)

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

63-33184

V M DIAMOND RANCH LLC
570 DRY CREEK RD
UPTON, WY 82730

Point of Diversion SWSWNW S11 T05N R04W CANYON County Source GROUND WATER
Tributary

Use: IRRIGATION 03/01 to 11/15 2 CFS

Total Diversion: 2 CFS

Date Filed: 3/2/2009

Place Of Use: IRRIGATION

T05N R04W S10 SENE

T05N R04W S11 SWNW SENW NESW NWSW

Total Acres: 100

Water bearing zone to be appropriated is from 200 to 400 feet.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Idaho Code § 42-211. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 12/21/2009. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director
Published on 12/3/2009 and 12/10/2009

107857

✓ ok

E-mailed
newspaper 12/1.

Buffington, Denise

From: Buffington, Denise
Sent: Tuesday, November 24, 2009 4:23 PM
To: 'Legals'
Subject: Legal Notice - Canyon County
Attachments: Canyon County - Cover Letter.Doc; 63-33184 Ad.doc

Attached please find (1) legal notice being submitted for publication. Please contact me if you have any questions or if you are not able to run the ad on the dates requested.

Thank you in advance,

Denise Buffington
Administrative Assistant
Dept of Water Resources
Western Region

November 24, 2009

LEGAL NOTICE DEPARTMENT

PRESS-TRIBUNE
PO BOX 9399
NAMPA, ID 83652

RE: Application For Permit No(s).: 63-33184

Dear Legal Notice Department:

Please publish the enclosed legal notice on the dates indicated (once a week for two consecutive weekly issues). If you cannot publish the notice on the proposed dates, please contact us immediately.

An affidavit of publication must be submitted to the Department along with the publication bill. Please send the affidavit and bill to this office before 12/21/2009. Your cooperation is appreciated.

Sincerely,

Denise Buffington
Administrative Assistant

Enclosure(s)

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

63-33184

V M DIAMOND RANCH LLC
570 DRY CREEK RD
UPTON, WY 82730

Point of Diversion SWSWNW S11 T05N R04W CANYON County Source GROUND WATER Tributary

Use: IRRIGATION 03/01 to 11/15 2 CFS

Total Diversion: 2 CFS

Date Filed: 3/2/2009

Place Of Use: IRRIGATION

T05N R04W S10 SENE

T05N R04W S11 SWNW SENW NESW NWSW

Total Acres: 100

Water bearing zone to be appropriated is from 200 to 400 feet.

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Idaho Code § 42-211. Any protest against the approval of this application must be filed with the Director, Dept. of Water Resources, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 12/21/2009. The protestant must also send a copy of the protest to the applicant.

GARY SPACKMAN, Interim Director
Published on 12/3/2009 and 12/10/2009

Walker, Kay

From: vmdranch@mindspring.com
Sent: Wednesday, November 18, 2009 12:09 PM
To: Walker, Kay
Subject: application for permit #63-33184

Kay, in reponse to your letter dated October 26, 2009 the following information is being forwarded to you:

1 question:

Based on the research of well logs in the area, Down Right Drilling estimated the proposed well will be drilled to a water bearing zone between 200 to 400ft.

#2 question:

yes, VM Diamond Ranch has shares with Black Canyon Irrigation District for property owned "below" the "D" line canal. This application is for property "above" the "D" line canal which is outside the boundaries of the district.

Hopefully this fully answers your questions. If not please message me for additional information.

Jerry Mobley



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way • Boise, Idaho 83705-5082

Phone: (208) 334-2190 • Fax: (208) 334-2348 • Web Site: www.idwr.idaho.gov

C. L. "BUTCH" OTTER
Governor

GARY SPACKMAN
Interim Director

October 26, 2009

VM DIAMOND RANCH LLC
570 DRY CREEK RD
UPTON WY 82730

RE: Application for Permit No. 63-33184

Gentlemen:

We are in the process of reviewing the above referenced application for permit that you submitted in March of 2009. In order to finalize our review we need some additional information from you. I attempted to e-mail you on Friday but I don't know if it got through or not, so I am following up with this letter.

In order to continue processing the application we need to have information regarding the following:

1. Please specify the water bearing zone you plan to develop when you dig the proposed well under this filing.
2. Do you have shares with Black Canyon Irrigation District for this property? It appears that the property is within their boundaries and you may have access. The response to this will determine if this will be a supplemental well or not. I am sorry I had the wrong irrigation district in the e-mail I had sent to you.

Please submit the requested information within the next 30 days for application processing to continue. You may seek additional time to provide the information by making a written request to delay or interrupt processing. A response including the requested information, or a request for more time to seek the information, must be received within thirty (30) days. The application may be voided without a timely written reply.

Please let me know if you need more information. Thank you for your attention to this matter.

Sincerely,

KAY WALKER
Sr. Water Resource Agent

Walker, Kay

From: vmdranch@mindspring.com
Sent: Friday, October 23, 2009 3:10 PM
To: Walker, Kay
Subject: Re: Application for Permit 63-33184

I apologize for this automatic reply to your email.

To control spam, I now allow incoming messages only from senders I have approved beforehand.

If you would like to be added to my list of approved senders, please fill out the short request form (see link below). Once I approve you, I will receive your original message in my inbox. You do not need to resend your message. I apologize for this one-time inconvenience.

Click the link below to fill out the request:

<https://webmail.atl.earthlink.net/wam/addme?a=vmdranch@mindspring.com&id=1n1rof4x33N13qU1>

done -
don't know
if it worked
or not -

Walker, Kay

From: Walker, Kay
Sent: Friday, October 23, 2009 3:10 PM
To: vmdranch@mindspring.com
Cc: Walker, Kay
Subject: Application for Permit 63-33184

Mr. Mobley:

We are in the process of reviewing the above referenced application for water right permit you submitted on March 2, 2009. We find we need a little bit more information before we can advertise the application. If you would address the following, we can then proceed.

1. We need to know the water bearing zone you plan to appropriate with the well you plan to drill.
2. We need to know if you own shares in ^{Black Canyon} Boise Kuna Irrigation District for this property.

Please respond to the above items so we can get this application advertised. Thank you for your attention to this matter.

Sincerely,

Kay Walker
Sr. Water Resource Agent
(208)334-2190

ops

RECEIVED

MAR 02 2009

WATER RESOURCES
WESTERN REGION

VM DIAMOND RANCH



570 Dry Creek Road, Upton Wyoming
TELEPHONE 307-465-2390 • FACSIMILE 307-465-2399
E-MAIL vmdranch@mindspring.com

Feb. 26, 2009

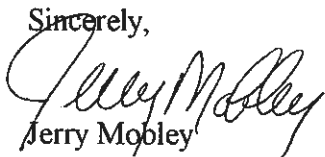
RE: Application of permit

To: John Westra

Enclosed is my application for an irrigation well permit. This application replaces well permit #63-31828 that was ordered "voided" dated August 26, 2008.

All future correspondence should be addressed to VM Diamond Ranch, 570 Dry Creek Road, Upton Wyoming 82730. Our telephone # is 307-465-2390.

Sincerely,


Jerry Mobley