

Amended
01/07/09

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Sand Severance Gravel Inc. Phone 208-462-3005
Mailing address P.O. Box 644 Garden Valley, Id. 83627 Email LynnsBackhoe@aol.com
2. Source of water supply Groundwater which is a tributary of Poyette River, South Fork
3. Location of point of diversion is Township 9N Range 4E Sec. 27, in the NE $\frac{1}{4}$, SE $\frac{1}{4}$, Govt. Lot Boise, B.M., Boise County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .67 for Mining/Industrial purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per year)
Amount 30 for Stockwater Storage purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or ~~acre-feet~~ per year)
Amount 30 for Irrigation Storage purposes from 3/15 to 10/31 (both dates inclusive)
(cfs or ~~acre-feet~~ per year)
Amount 30 for Irrigation Farm Stay purposes from 3/15 to 10/31 (both dates inclusive)
(cfs or ~~acre-feet~~ per year)
Amount .9 for Irrigation purposes from 3/15 to 10/31 (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) 1.57 and/or (b) 30 a.ft
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 25 HP Pump 3" Outlet
 - b. Height of storage dam _____ feet; active reservoir capacity 30 acre-feet;
total reservoir capacity 30 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? _____
 - e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____
7. Time required for completion of works and application of water to proposed beneficial use is 1 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. Cattle 15 hd.
 - c. Municipal; show name of municipality. _____
 - d. Domestic; show number of households. _____
 - e. Other; describe fully. Mining Wash Plant -

AMENDED

9. Description of place of use:

- If water is for irrigation, indicate acreage in each subdivision in the tabulation below.
- 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	
9N	4E	27	21		4	20									21				45
															21				

Total number of acres to be irrigated: 45

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? _____

11. a. Who owns the property at the point of diversion? Lynn & Cari Severance
b. Who owns the land to be irrigated or place of use? Lynn & Cari Severance
c. If the property is owned by a person other than the applicant, describe the arrangement enabling the applicant to make this filing: _____

12. Describe your proposal in narrative form, and provide additional explanation for any of the items above. Attach additional pages if necessary. It's a wash Plant that has all agency and County Approval

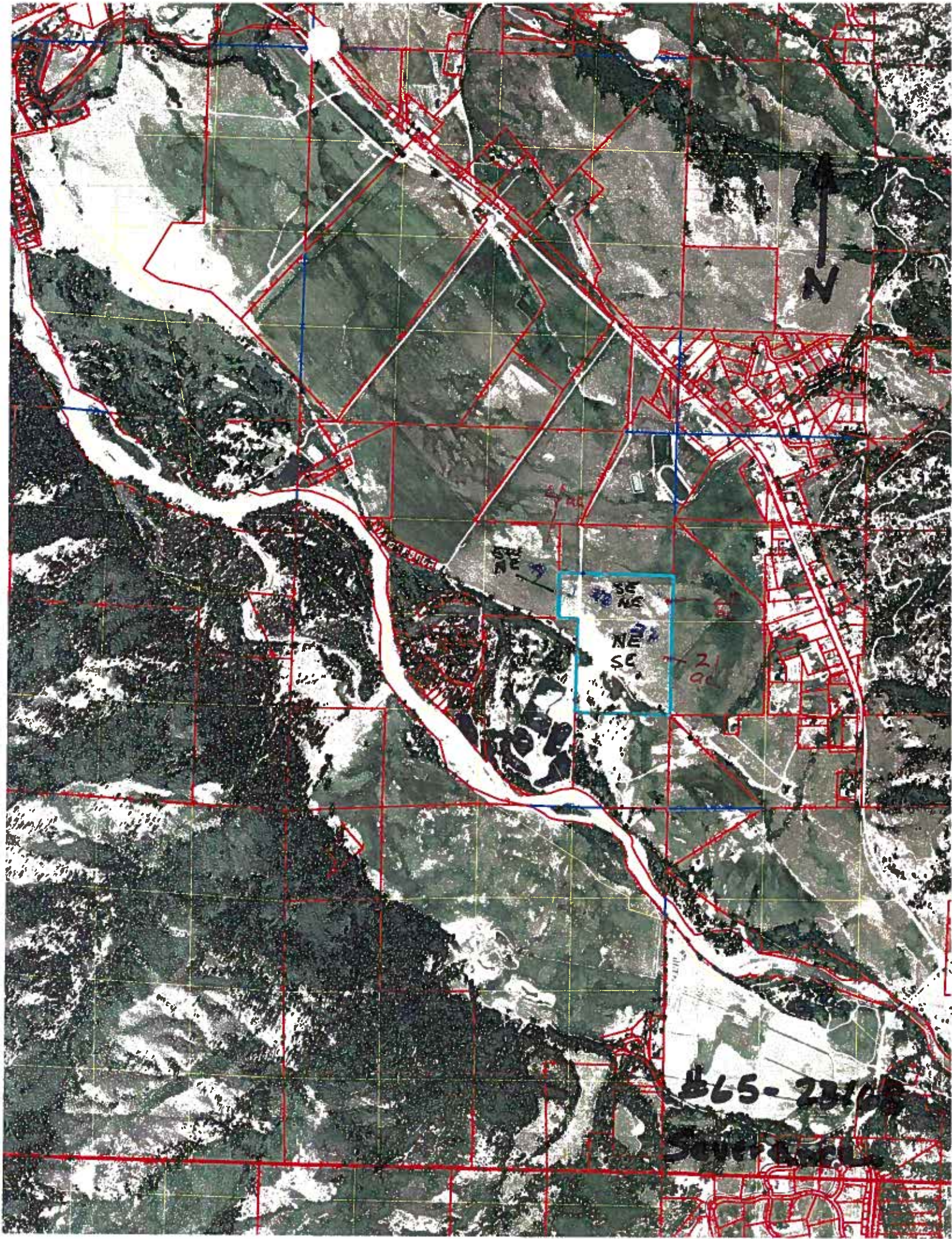
13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"x11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of a USGS 7.5 minute topographic quadrangle map is preferred.)

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.

Cari Severance Vice President Cari Severance
Lynn Severance Pres. Lynn Severance
Signature of Applicant Print Name (and title, if applicable)

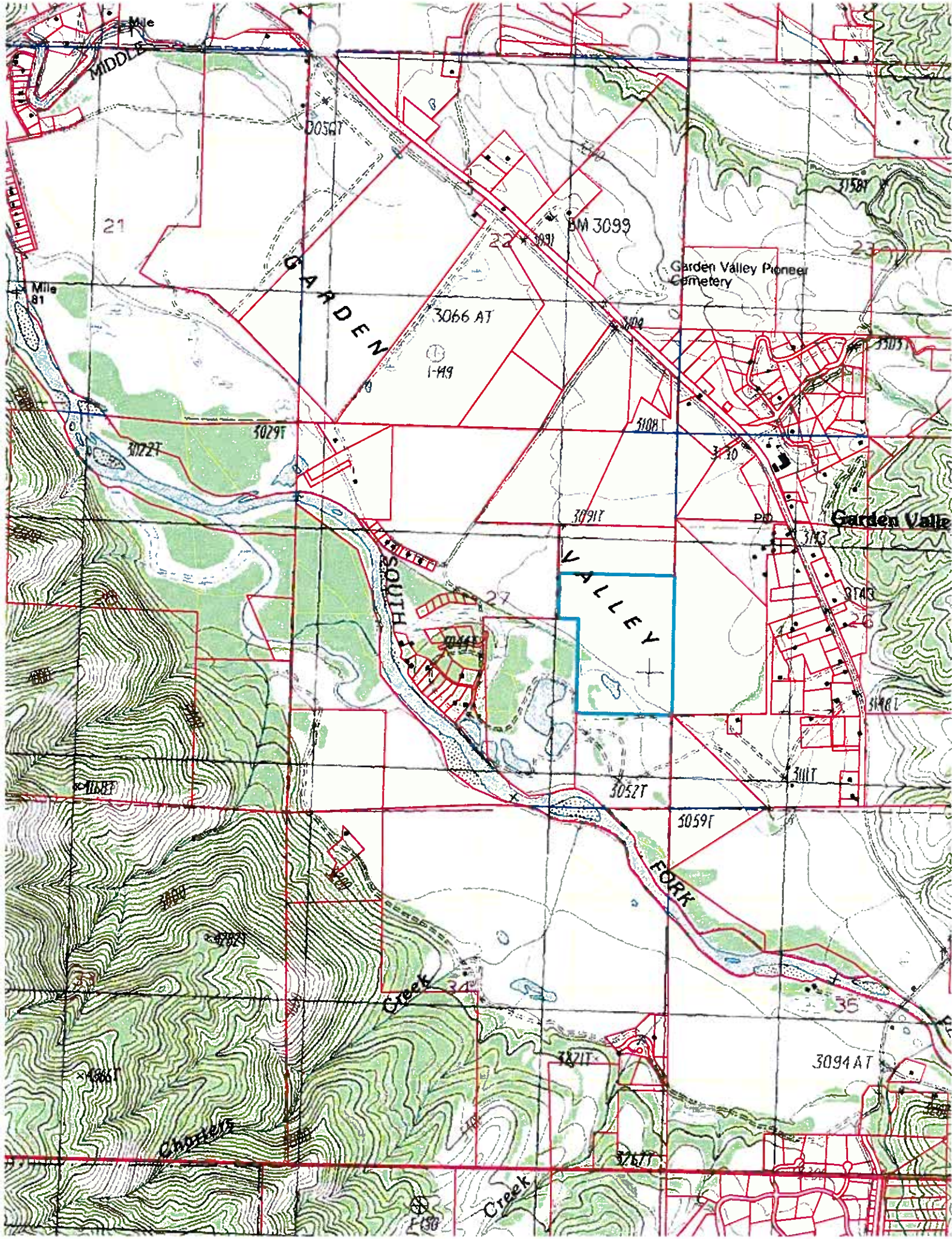
Amended Received by JFW Date 01/07/09 Time 11:00 AM. Preliminary check by JFW.

Fee \$ _____ Received by _____ Receipt No. _____ Date _____
See original



SE NE
NE SE
21 90

65-23105
Senter & Co. L.L.C.



ARTICLES OF INCORPORATION

OF

SEVERANCE SAND AND GRAVEL INCORPORATED

FILED ETT

2006 APR 13 AM 8:38

SECRETARY OF STATE
STATE OF IDAHO

The undersigned, acting as incorporator of a corporation under the Idaho Business Corporation Act, adopts the following Articles of Incorporation for such corporation:

ARTICLE I

NAME

The name of the corporation shall be SEVERANCE SAND AND GRAVEL INCORPORATED.

ARTICLE II

EXISTENCE

The existence of the corporation shall be perpetual.

ARTICLE III

PURPOSES

The purposes for which this corporation is organized is to transact all lawful business for which corporations may be incorporated under the Idaho Business Corporations Act.

ARTICLE IV

SHARES

4.1 The aggregate number of shares for which the corporation shall have authority to issue is 1,000 shares. The shares shall consist of one class. A majority of

IDAHO SECRETARY OF STATE
04/13/2006 05:00
CK: 32848 CT: 49383 BH: 949851
1 @ 100.00 = 100.00 CORP # 2

C166270

the holders of outstanding shares may vote to impose restrictions on the sale or transfer of the corporation's shares in accordance with the Bylaws. All shares shall be non-assessable. The shares shall have unlimited voting rights and are entitled to receive the net assets of the corporation upon dissolution.

4.2. The Board of Directors may, from time to time, cause the corporation to repurchase its own shares of capital stock to the extent of the unreserved and unrestricted earned surplus or capital surplus.

ARTICLE V

DIRECTORS

5.1 The Board of Directors shall consist of two directors. The names and addresses of the persons who shall serve as directors until their successors are elected and qualified are:

Lynn Severance
903 South Middle Fork Road
P.O. Box 644
Garden Valley, ID 83622

Cari Severance
903 South Middle Fork Road
P.O. Box 644
Garden Valley, ID 83622

5.2 The number of Directors may be amended in a manner provided in the Bylaws except as to the number constituting the initial Board of Directors which number has been fixed by these Articles of Incorporation. The number of Directors may be increased or decreased from time to time by amendment to or in a matter provided in these Articles of Incorporation or by the Bylaws, but no decrease in

number shall have the effect of shortening the term of any incumbent Director. No Director may be removed during his elected term of office except for cause or as otherwise provided by statute. In no case shall the number of Directors be more than five. In the absence of the Bylaws providing for the number of Directors, the number shall be the same as provided in these Articles of Incorporation. The Directors need not be shareholders unless so required by the Bylaws.

ARTICLE VI

SHAREHOLDERS

6.1 A majority of the shares entitled to vote represented in person or by proxy shall constitute a quorum at a meeting of the Shareholders.

6.2 Each outstanding share shall be entitled to one vote on each matter submitted to vote at meetings of the Shareholders except as otherwise provided in the Articles of Incorporation or Bylaws as may be amended from time to time.

6.3 As to the election of the Board of Directors the Shareholders shall have the following rights: such Shareholder shall vote the number of shares owned by that person for as many persons as there are Directors to be elected and for whose election he has the right or to accumulate his votes by giving one candidate as many votes as number of Directors multiplied by the number of his shares or by distributing his votes on the same principle among any number of candidates.

6.4 The original incorporators shall have preemptive rights to unissued shares.

ARTICLE VII

AMENDMENT OF THE ARTICLES OF INCORPORATION

7.1 The Corporation may amend its Articles of Incorporation from time to time by a five-eighths (5/8) majority vote at any annual meeting of the Shareholders, either upon consideration of a resolution for amendment adopted by the Board of Directors or upon consideration of a resolution adopted by the holders of not less than 62.5% of all shares entitled to vote at such meeting.

ARTICLE VIII

BYLAWS

8.1 The Bylaws of the Corporation shall be adopted by the Board of Directors. The power to alter, amend or repeal the Bylaws or adopt new Bylaws, subject to repeal or change by action of the Stockholders, shall be vested in the Board of Directors. The Bylaws may contain any provisions for the regulation, management or affairs of the Corporation not inconsistent with law or the Articles of Incorporation.

ARTICLE IX

PREEMPTIVE RIGHTS

9.1 Nothing in these Articles of Incorporation shall be deemed to deny the Corporation's preemptive rights with respect to shares of stock.

ARTICLE X

NOTICE

10.1 No director shall be personally liable to the Corporation or its

Shareholders for monetary damages for breach of fiduciary duty as a Director except as provided in Idaho Code § 30-1-202. To the fullest extent that the laws of the State of Idaho as they now exist or as they may hereafter be amended permit the elimination or limitation of the liability of Directors, no Director shall be liable for damages for any action taken or for failure to take any action. The private property of the stockholders, Directors, officers and employees shall be forever exempt from all corporate debts of any kind whatsoever. Any repeal or modification of this Article shall be prospective only, and shall not adversely affect any limitation on the personal liability of a Director of the Corporation existing at the time of such repeal or modification.

ARTICLE XI

NOTICE

11.1 The address of the registered office is:

903 South Middle Fork Road
P.O. Box 644
Garden Valley, ID 83622

11.2 The mailing address of the registered office is:

903 South Middle Fork Road
P.O. Box 644
Garden Valley, ID 83622

The name of the resident agent at the registered office is Lynn Severance.

The effective date of these Articles shall be April 11, 2006.

THE UNDERSIGNED, being an original incorporator and subscriber to the capital stock of the corporation, above-named, for the purposes of forming a corporation

to do business, both within and without the State of Idaho, and in pursuance of the laws of the State of Idaho, do make and file these Articles of Incorporation, hereby declaring and certifying that the facts herein stated are true, and accordingly have set their hand and seal this 11 day of April, 2006.

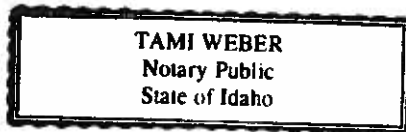
Lynn Severance
Lynn Severance

Cari Severance
Cari Severance

STATE OF IDAHO)
) SS.
COUNTY OF Boise)

On this 11 day of April 2006, before me, the undersigned, a notary public in and for said state, personally appeared Lynn Severance, known to me to be the person whose name is subscribed to the within and foregoing instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

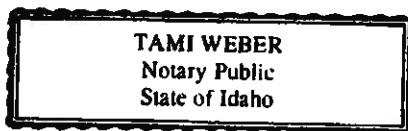


Tami Weber
Notary Public for the State of Idaho
Residing at Boise, Idaho
My commission expires: February 10, 2011
MY COMMISSION EXPIRES
BONDED THRU NOTARY PUBLIC UNDERWRITERS

STATE OF IDAHO)
) SS.
COUNTY OF Boise)

On this 11 day of April 2006, before me, the undersigned, a notary public in and for said state, personally appeared Cari Severance, known to me to be the person whose name is subscribed to the within and foregoing instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.



Tami Weber
Notary Public for the State of Idaho
Residing at Boise, Idaho
My commission expires: _____

Ident. No. 65-23168

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant Lynn Severance Phone 208-462-3005
Mailing address P.O. Box 644 Garden Valley, Id 83622

2. Source of water supply ground water which is a tributary of _____

3. Location of point of diversion is Township 9N Range 4E Sec. 27 in the E 1/2 SE 1/4,
_____, _____, Govt. Lot _____, B.M., Boise County;

additional points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 0.67 for Mining purposes from 3-15 to 10/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for Stockwater storage purposes from 1-1 to 12-31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount .9 for Irrigation from storage purposes from 3-15 to 10/31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)

initial _____
Date _____

5. Total quantity to be appropriated is (a) 1.57 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source 25 HP pump 3" outlet

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity 30 x 100 x 10 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? _____

e. If well is already drilled, when? _____; Drilling firm _____;
Well was drilled for (well owner) _____; Drilling Permit No. _____

7. Time required for completion of works and application of water to proposed beneficial use is _____ years (minimum 1 year)

8. Description of proposed uses (if irrigation only, go to item 9):

- Hydropower; show total feet of head and proposed capacity in kW. _____
- Stockwatering; list number and kind of livestock. Cows 15
- Municipal; show name of municipality. _____
- Domestic; show number of households. _____
- Other; describe fully. Washing gravel, irrigation, livestock

RECEIVED

SEP 10 2007

WATER RESOURCES
WESTERN REGION

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	
9N	4E	27													5				
															J				
															M				

Total number of acres to be irrigated 45

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

11. a. Who owns the property at the point of diversion? Lynn Severance

b. Who owns the land to be irrigated or place of use? Lynn Severance

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

12. Remarks: _____

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.

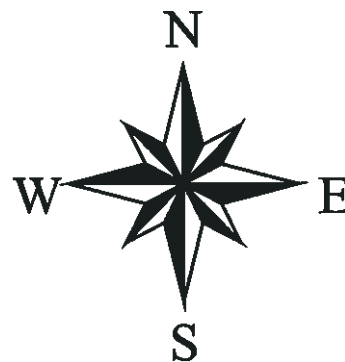
Lynn Severance
Signature of Applicant (and title, if applicable)

Received by SB Date 9-10-2007 Time 2:00 PM Preliminary check by _____
Fee \$ 290.00 Receipted by SB # W035813 Date 9-10-07
Publication prepared by _____ Date _____ Published in _____
Publication approved _____ Date _____

Section 27 T9N R4E

0.2 0 0.2 0.4 Miles

-  Sections
-  QQ
-  Boise taxlots
-  GCDB09N04E GCDB
-  Application POD
-  Administrative BasinsAdminbas.shp



65-23168

Buffington, Denise

From: Buffington, Denise
Sent: Thursday, January 29, 2009 3:32 PM
To: 'waterdist65@srvinet.com'
Subject: Comment Letter
Attachments: 65-23168 & 23170 Letter to WD65.doc; 65-23168 App.pdf; 65-23170 App.pdf

Please review the attached information and comment as necessary. Please contact our office if you have any questions regarding the attached information.

Thank You,

Denise Buffington
Administrative Assistant
Dept of Water Resources
Western Region

1/29/2009

January 29, 2009

RON SHURTLEFF, WATERMASTER 65
102 N MAIN
PAYETTE ID 83661

Re: Application for Permit No(s). 65-23168 & 65-23170

Dear Watermaster:

Attached are copies of one or more applications that may be of interest to you.

Please complete the necessary recommendation form(s) and return to this office within 21 days of the date of this letter. Regional review of unprotested applications can be completed as soon as the final protest period is past; your prompt response to this request is appreciated so that your recommendation can be considered during regional review.

If after 21 days from the date of this letter the Department has not received your written recommendation, the Department will presume you do not oppose approval of the application and you have no comments for the Department to consider.

However, possible approval of the application(s) will include conditions of approval about standard controls for uses in your water district (lockable, measureable diversion works, etc).

Please contact this office at 334-2190 if you have any questions regarding the application(s).

Sincerely,

Denise Buffington
Administrative Assistant

Enclosure Copy of Applications(s)

Buffington, Denise

From: Buffington, Denise

Sent: Thursday, January 29, 2009 3:28 PM

To: 'nicholas.scheidt@idwr.idaho.gov'

Subject: Comment Letter

Attachments: 65-23168 & 23170 Letter to IDWR Planning Bureau.doc; 65-23168 App.pdf; 65-23170 App.pdf

Please review the attached information and comment as necessary. Please contact our office if you have any questions regarding the attached information.

Thank You,

Denise Buffington
Administrative Assistant
Dept of Water Resources
Western Region

1/29/2009

January 29, 2009

IDAHO DEPT OF WATER RESOURCES
ATTN: NICK SCHEIDT, PLANNING BUREAU
322 E FRONT ST
PO BOX 83720
BOISE ID 83720-0098

Re: Application for Permit No(s). 65-23168 & 65-23170

Dear Mr. Scheidt :

Attached are copies of one or more applications that may be of interest to you. Please contact the applicant(s) if you have concerns about the application(s).

If you desire to file a formal protest against approval of the application(s), a written protest along with the \$25.00 protest fee for each application protested must be received in this office by February 23, 2009.

Please contact this office at 208-334-2190 if you have any questions regarding the application(s).

Sincerely,

Denise Buffington
Administrative Assistant

Enclosure

Buffington, Denise

From: Buffington, Denise
Sent: Thursday, January 29, 2009 3:02 PM
To: 'cclay@idl.idaho.gov'
Subject: Comment Letter
Attachments: 65-23168 Letter to Id Dept of Lands.doc; 65-23168 App.pdf

Please review the attached information and comment as necessary. Please contact our office if you have any questions regarding the attached information.

Thank You,

Denise Buffington
Administrative Assistant
Dept of Water Resources
Western Region

1/29/2009

January 29, 2009

CHRIS CLAY
ID DEPT OF LANDS
PO BOX 83720
BOISE ID 83720

Re: Water Right Application(s) 65-23168

Dear Mr. Clay:

Attached are copies of one or more applications that may be of interest to you. Please review the application(s) and submit any comments you may have.

This office normally completes the processing of an application within a six-week period and is required to take final action shortly thereafter. However, if your agency desires to file a formal protest against the approval of any of these applications, your written protest along with the \$25.00 protest fee for each application protested, must be received in this office by February 23, 2009.

If you have any questions regarding these applications, please contact this office at 334-2190.

Sincerely,

Denise Buffington
Administrative Assistant

Enclosure

Buffington, Denise

From: Buffington, Denise
Sent: Thursday, January 29, 2009 2:57 PM
To: 'rward@idfg.idaho.gov'
Subject: Comment Letter
Attachments: 65-23168 & 23170 Letter to IDFG.doc; 65-23168 App.pdf; 65-23170 App.pdf

Please review the attached information and comment as necessary. Please contact our office if you have any questions regarding the attached information.

Thank You,

Denise Buffington
Administrative Assistant
Dept of Water Resources
Western Region

1/29/2009

January 29, 2009

RICK WARD
ENVIRONMENTAL STAFF BIOLOGIST
ID DEPT FISH & GAME SOUTHWEST REGION
3101 S POWERLINE RD
NAMPA ID 83686

Re: Water Right Application(s) 65-23168 & 65-23170

Dear Mr. Ward:

Attached are copies of one or more applications that may be of interest to your agency. Please contact the applicant(s) if your agency has concerns about the application(s). It is not necessary to provide agency comments to the Idaho Department of Water Resources (IDWR), although your comments are welcome if you think IDWR would benefit from them.

If your agency desires to file a formal protest against approval of the application(s), a written protest along with the \$25.00 protest fee for each application protested must be received in this office by February 23, 2009.

Please contact this office at 334-2190 if you have any questions regarding the application(s).

Sincerely,

Denise Buffington
Administrative Assistant

Enclosure

Buffington, Denise

From: Buffington, Denise
Sent: Wednesday, January 28, 2009 2:40 PM
To: editor@idahoworld.com
Subject: Legal Notices
Attachments: Boise County Ads - Cover Letter.RTF; 65-23168 Ad.RTF; 65-23170 Ad.RTF; X-fer 75262 Ad.doc

Attached please find (3) legal notices being submitted for publication. Please contact me if you have any questions or if you are not able to run the ads on the dates listed.

Thank You,

Denise Buffington
Administrative Assistant
Dept of Water Resources
Western Region

1/28/2009

January 28, 2009

Legal Notice Department
IDAHO WORLD
PO BOX 99
GARDEN VALLEY ID 83622

RE: Application for Permit No. 65-23168 & 65-23170

AND

RE: Transfer No. 75262
Water Right No(s). 65-23292

Dear LEGAL NOTICE DEPARTMENT:

Enclosed you will find a legal notice which we wish to have published in your newspaper 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 02/23/2009. Your cooperation is appreciated.

Sincerely,

Denise Buffington
Administrative Assistant

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

65-23168

SEVERANCE SAND & GRAVEL INC
PO BOX 644
GARDEN VALLEY ID 83622

Point(s) of Diversion NESE S27 T09N R04E BOISE County Source GROUND WATER

Tributary To SOUTH FORK PAYETTE RIVER

Use: IRRIGATION	03/15 To 10/31	0.9 CFS	
Use: IRRIGATION STORAGE	03/15 To 10/31		30 AFA
Use: IRRIGATION FROM STORAGE	03/15 To 10/31		30 AFA
Use: STOCKWATER STORAGE	01/01 To 12/31		30 AFA
Use: INDUSTRIAL	01/01 To 12/31	0.67 CFS	
Total Diversion:	1.57 CFS		30 AFA

Date Filed: 09/10/2007

Place Of Use: STOCKWATER STORAGE

T09N R04E S27 NESE

Place Of Use: IRRIGATION

T09N R04E S27 SWNE SENE NESE

Number of Acres 45

Place Of Use: INDUSTRIAL

T09N R04E S27 NESE

Place Of Use: IRRIGATION STORAGE

T09N R04E S27 NESE

Place Of Use: IRRIGATION FROM STORAGE

T09N R04E S27 SWNE SENE NESE

Number of Acres 45

Remark: INDUSTRIAL USE IS FOR A GRAVEL WASH PLANT

Permits will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec 42-203A, Idaho Code.

Any protest against the approval of this application must be filed with the Director, Dept. of Water Resource, Western Region, 2735 Airport Wy, Boise ID 83705 together with a protest fee of \$25.00 for each application on or before 02/23/2009. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director

Published on February 4th & 11th, 2009