

RECEIVED Form 202
12/98

MAY 16 2008

WATER RESOURCES
WESTERN REGION

modified 3/27/08
at IDWR office

Ident. No. 02-10350

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

AMENDED

1. Name of Applicant Jon Roadenbaugh Phone 909-592-2474
Mailing address 4004 BROWNS LANE, MARSING, ID. 83639
2. Source of water supply SNAKE RIVER which is a tributary of _____
3. Location of point of diversion is Township 3N Range 4W Sec. 17 in the _____
County: _____, B.M., OWYHEE Govt. Lot 6
additional points of diversion if any: _____

4. Water will be used for the following purposes:

- RR .88 Amount 100 for IRRIGATION purposes from 4-1 to 10-1 (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)
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)

5. Total quantity to be appropriated is (a) _____ and/or (b) 15
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 7.5 HP PUMP - 6" LINE

- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet

- c. Proposed well diameter is N/A inches; proposed depth of well is _____ feet
d. Is ground water with a temperature of greater than 85°F being sought? N/A

- 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):

- 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. _____

mailed w/ \$100⁰⁰ check
to Western Region IDWR
2735 Airport Way
Boise, ID 83705

CR #327 6/22/07

Rec'd 7/2/07

appl# 02-10350

3. 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.

[illegible]

Total number of acres to be irrigated ~~45.22~~ 43.30

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? OWNER - ROADENBAUGH
 b. Who owns the land to be irrigated or place of use? " " "
 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 8 1/2"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.

State of Idaho as herein set forth.

5/16/08 John R. Palmer

Signature of Applicant (and title, if applicable)

Received by _____ Date 5.16.08 Time _____ Preliminary check by _____
Fee \$ 150- Received by DB # W0210492 Date 5-16-08
Publication prepared by DB Date 12/30/08 Published in OWYHEE AVALANCHE
Publication approved DATE: _____ Date JANUARY 7 & 14, 2009



Pioneer Title Co.

GOING BEYOND

copy

ELECTRONICALLY RECORDED
By: Pioneer Title Company Fee: \$3.00
Insurance # 264536
Date: 4-11-08 Time: 2:27:00
County: Canyon, Idaho

100 10th Avenue South / Nampa, Idaho
83651 / (208) 466-6100

200803028

WARRANTY DEED

For Value Received **Phillip Q. Ferguson and Phyllis Christine Ferguson, husband and wife**
hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

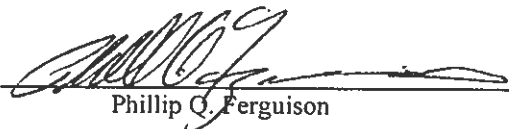
The Roadenbaugh Family Trust, Dated April 3, 1998

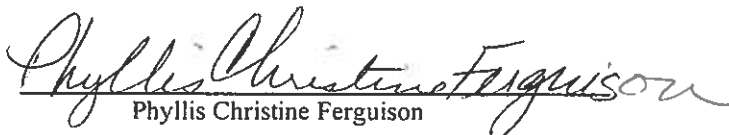
hereinafter referred to as Grantee, whose current address is 4004 Browns Lane, Marsing, ID 83639
the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: April 10, 2008


Phillip Q. Ferguson


Phyllis Christine Ferguson



Pioneer Co.

Instrument # 264556

MURPHY, OWYHEE, IDAHO

2008-04-11 02:27:00 No. of Pages: 3

Recorded for: PIONEER TITLE COMPANY/OWY

CHARLOTTE SHERBURN

Fee: 9.00

Ex-Officio Recorder Deputy mpeterson

Index To: DEED WARRANTY

Electronically Recorded by Simplifile

100 10th Avenue South / Nampa, Idaho
83651 / (208) 466-6100

200803028

WARRANTY DEED

For Value Received Phillip Q. Ferguson and Phyllis Christine Ferguson, husband and wife

hereinafter referred to as Grantor, does hereby grant, bargain, sell, warrant and convey unto

The Roadenbaugh Family Trust, Dated April 3, 1998

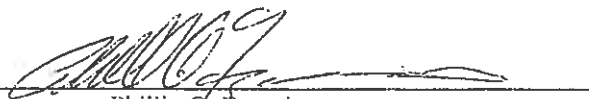
hereinafter referred to as Grantee, whose current address is 4004 Browns Lane, Marsing, ID 83639

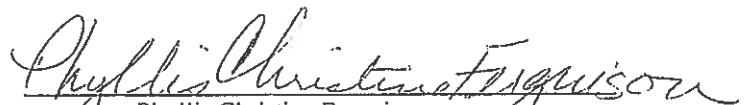
the following described premises, to-wit:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF

To HAVE AND TO HOLD the said premises, with their appurtenances unto the said Grantee, his heirs and assigns forever. And the said Grantor does hereby covenant to and with the said Grantee, that Grantor is the owner in fee simple of said premises; that said premises are free from all encumbrances except current years taxes, levies, and assessments, and except U.S. Patent reservations, restrictions, easements of record, and easements visible upon the premises, and that Grantor will warrant and defend the same from all claims whatsoever.

Dated: April 10, 2008


Phillip Q. Ferguson


Phyllis Christine Ferguson

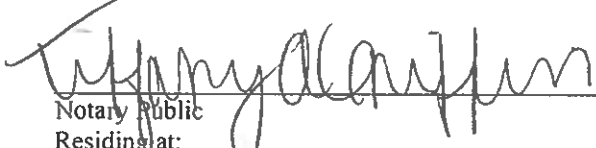
State of Idaho

SS.

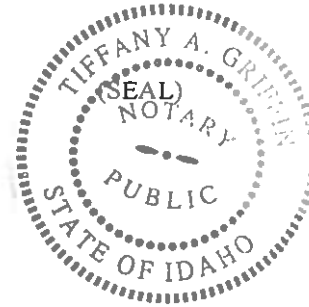
County of Owyhee

On this 10th day of April, 2008, before me, the undersigned, a Notary Public, in and for said State, personally appeared Philip Q. Ferguson and Phyllis Christine Ferguson known to me, and/or identified to me on the basis of satisfactory evidence, to be the person(s) whose name is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same.

WITNESS MY HAND AND OFFICIAL SEAL



Notary Public
Residing at:
Commission Expires **RESIDING IN MERIDIAN, IDAHO**
MY COMMISSION EXPIRES 05-17-08



File No.: 200803028

EXHIBIT A

A parcel of land located in Government Lot 6 in Section 17, Township 3 North, Range 4 West, of the Boise Meridian, Owyhee County, Idaho, more particularly described as follows:

Beginning the corner common to Sections 17, 18, 19 and 20 of said Township and Range, said point being the Southwest corner of said Government Lot 6; thence

South 89° 05' 01" East a distance of 1337.14 feet along the South line of said Government Lot 6 to a found ½" iron pin marking the Southeast corner of said Government Lot 6; thence

North 00° 08' 48" East a distance of 646.51 feet along the Easterly line of said Government Lot 6; thence leaving said Easterly line

North 68° 46' 50" West a distance of 58.78 feet; thence

North 74° 14' 18" West a distance of 60.71 feet; thence

North 81° 43' 37" West a distance of 248.93 feet; thence

North 00° 03' 25" West a distance of 714.14 feet to a point on the Ordinary High Water Line of the Snake River; thence along said Ordinary High Water Line,

North 86° 34' 02" West a distance of 59.22 feet; thence continuing along said Ordinary High Water Line

North 72° 36' 37" West a distance of 783.28 feet; thence continuing

North 64° 04' 28" West a distance of 171.31 feet; thence leaving said Ordinary High Water Line

South 00° 35' 16" West a distance of 1725.47 feet along the Westerly line of said Lot 6 to the POINT OF BEGINNING.

TOGETHER WITH:

A 25.00 foot wide Right-of-way Easement coincident with the westerly line of the Southwest Quarter of the Northwest Quarter of Section 20, Township 3 North, Range 4 West, Boise Méridian, Owyhee County, Idaho as described in Instrument No. 196777 in the office of the Owyhee County recorder.

AND ALSO TOGETHER WITH:

A 50.00 foot wide Right-of-way Easement coincident with the westerly line of the Northwest Quarter of the Northwest Quarter of Section 20, Township 3 North, Range 4 West, Boise Méridian, Owyhee County, Idaho.

EXHIBIT A

**Ferguson to Roavenbaugh
Legal Description**

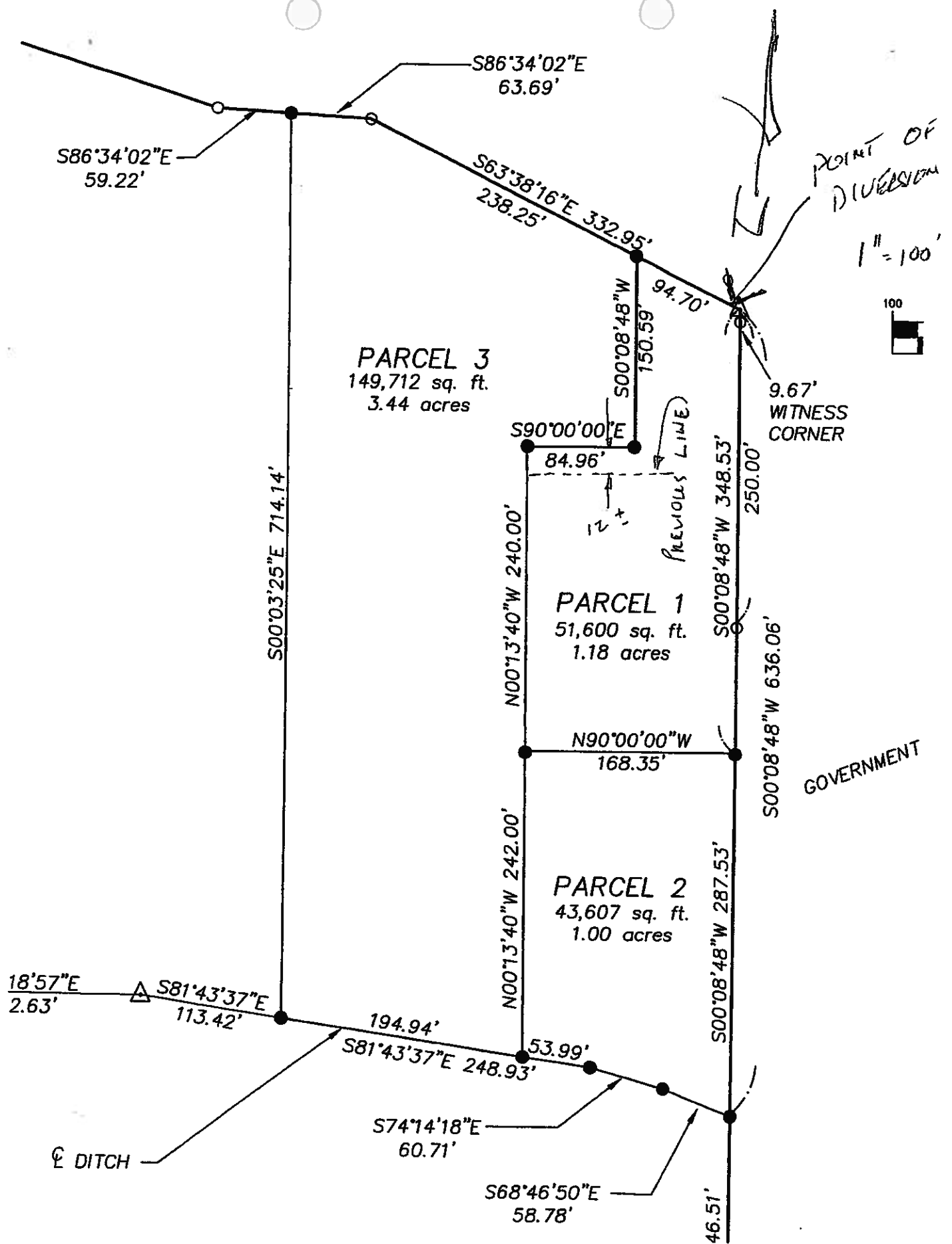
A parcel of land located in Government Lot 6 in Section 17, Township 3 North, Range 4 West, of the Boise Meridian, Owyhee County, Idaho, more particularly described as follows:

Commencing at the corner common to Sections 16, 17, 19 and 20 of said Township and Range, said point being the Southwest corner of said Government Lot 6; thence South 89°05'01" East a distance of 1337.14 feet along the South line of said Government Lot 6 to a found 1/2" iron pin marking the Southeast corner of said Government Lot 6; thence North 00°08'48" East a distance of 646.51 feet along the Easterly line of said Government Lot 6 to the **TRUE POINT OF BEGINNING**; Thence continuing along said Easterly line, North 00°08'48" East a distance of 636.06 feet to a point on the Ordinary High Water Line of the Snake River; thence along said Ordinary High Water Line, North 63°38'16" West a distance of 332.95 feet; thence continuing along said Ordinary High Water Line, North 86°34'02" West a distance of 63.69 feet; thence leaving said Ordinary High Water Line, South 00°03'25" East a distance of 714.14 feet; thence South 81°43'37" East a distance of 248.93 feet; thence South 74°14'18" East a distance of 60.71 feet; thence South 68°46'50" East a distance of 58.78 feet to the **POINT OF BEGINNING**, said point being on the Easterly line of said Government Lot 6.

Said parcel contains 5.62 acres more or less.

End of Description
Project No. 06-172
November 9, 2006





**LEGAL DESCRIPTION
PARCEL B**

A parcel of land located in a portion of Government Lot 6, Section 17, Township 3 North, Range 4 West, Boise Meridian, Owyhee County, Idaho, and more particularly described as follows:

Commencing at the Southwest Corner of said Section 17, thence along the Westerly line of said Section 17, North $00^{\circ}35'16''$ East a distance of 804.13 feet to a 5/8" iron pin; thence leaving said Westerly line, South $79^{\circ}24'40''$ East a distance of 121.35 feet to a 5/8" iron pin; thence South $80^{\circ}46'52''$ East a distance of 158.20 feet to a 5/8" iron pin; thence South $83^{\circ}40'42''$ East a distance of 122.25 feet to a 5/8" iron pin, the **TRUE POINT OF BEGINNING;**

Thence South $84^{\circ}45'17''$ East a distance of 219.37 feet to a 5/8" iron pin;

Thence South $89^{\circ}18'57''$ East a distance of 178.91 feet to a 5/8" iron pin;

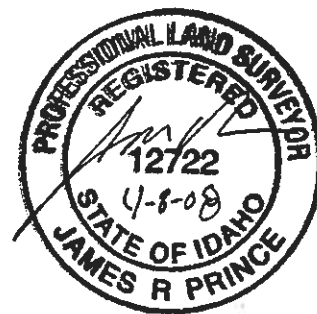
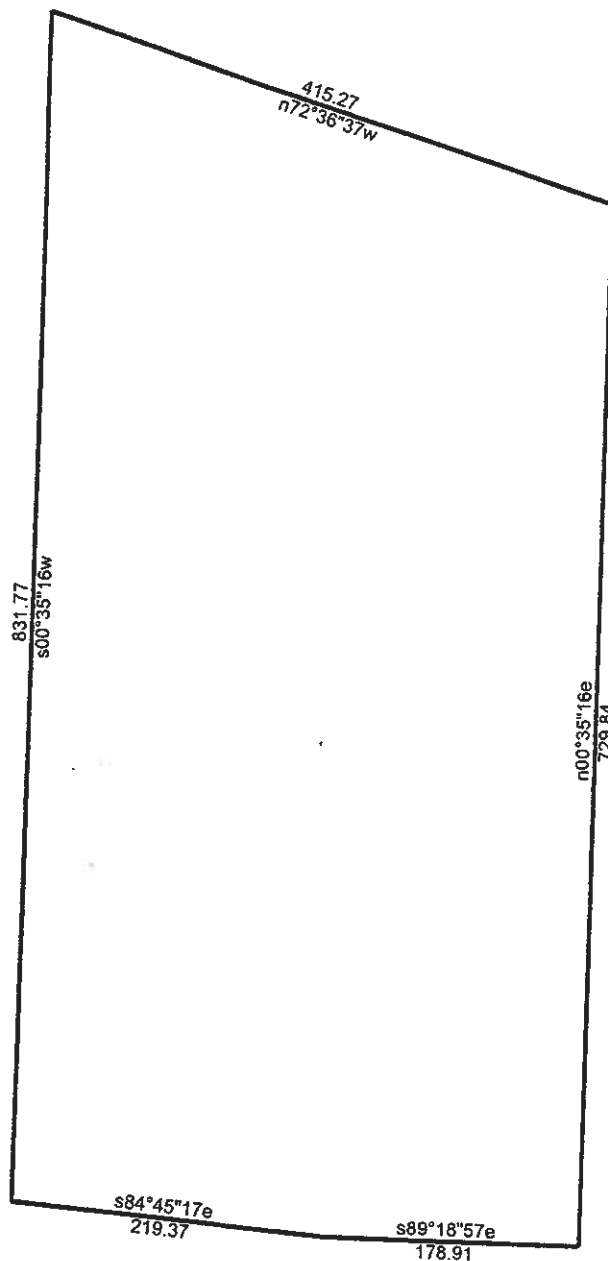
Thence North $00^{\circ}35'16''$ East a distance of 729.84 feet to a 5/8" iron pin on the Ordinary High Water Line of the Snake River;

Thence along said Ordinary High Water Line, North $72^{\circ}36'37''$ West a distance of 415.27 feet to a 5/8" iron pin;

Thence leaving said Ordinary High Water Line, South $00^{\circ}35'16''$ West a distance of 831.77 feet to the **POINT OF BEGINNING.**

Said parcel contains 7.162 acres, more or less.





PARCEL B

Scale: 1 inch= 134 feet

File:

4/8/2008

Tract 1: 7.1618 Acres (311969 Sq. Feet), Closure: n73.0235w 0.01 ft. (1/170446), Perimeter=2375 ft.

- J1 s84.4517e 219.37
- J2 s89.1857e 178.91
- J3 n00.3516e 729.84
- J4 n72.3637w 415.27
- J5 s00.3516w 831.77

**LEGAL DESCRIPTION
PARCEL C**

A parcel of land located in a portion of Government Lot 6, Section 17, Township 3 North, Range 4 West, Boise Meridian, Owyhee County, Idaho, and more particularly described as follows:

Commencing at the Southwest Corner of said Section 17, thence along the Westerly line of said Section 17, North $00^{\circ}35'16''$ East a distance of 804.13 feet to a 5/8" iron pin, the **TRUE POINT OF BEGINNING**;

Thence leaving said Westerly line, South $79^{\circ}24'40''$ East a distance of 121.35 feet to a 5/8" iron pin;

Thence South $80^{\circ}46'52''$ East a distance of 158.20 feet to a 5/8" iron pin;

Thence South $83^{\circ}40'42''$ East a distance of 122.25 feet to a 5/8" iron pin;

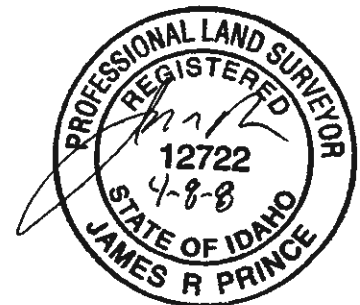
Thence North $00^{\circ}35'16''$ East a distance of 831.77 feet to a 5/8" iron pin on the Ordinary High Water Line of the Snake River;

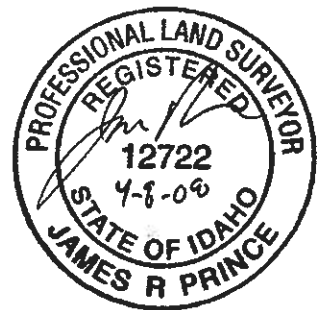
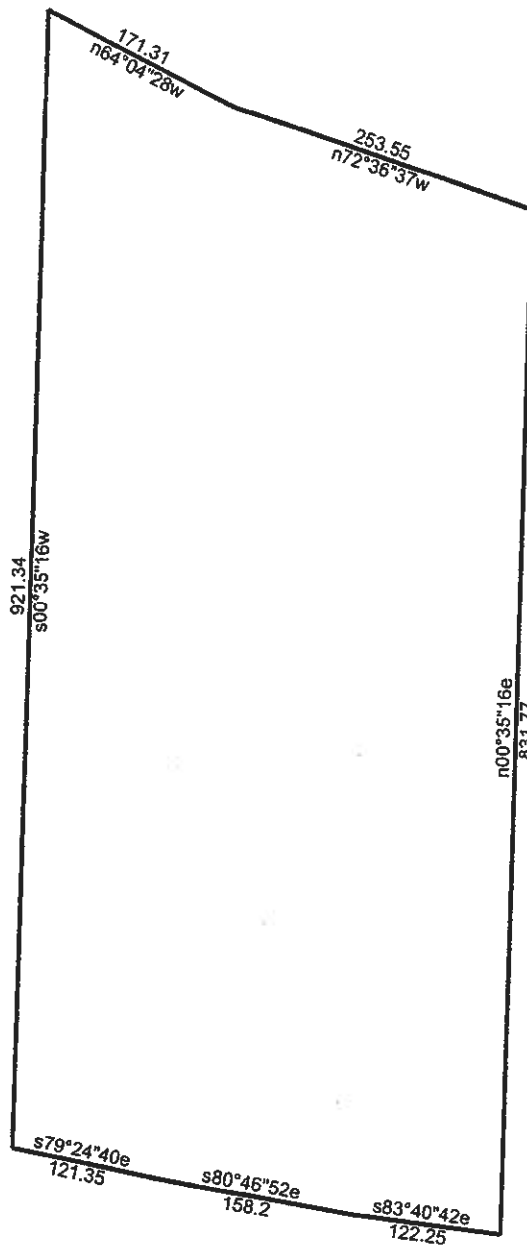
Thence along said Ordinary High Water Line, North $72^{\circ}36'37''$ West a distance of 253.55 feet to a 5/8" iron pin;

Thence continuing along said Ordinary High Water Line, North $64^{\circ}04'28''$ West a distance of 171.31 feet to a 5/8" iron pin;

Thence leaving said Ordinary High Water Line, South $00^{\circ}35'16''$ West a distance of 921.34 feet to the **POINT OF BEGINNING**.

Said parcel contains 7.955 acres, more or less.





PARCEL C

Scale: 1 inch= 155 feet

File:

4/8/2008

tract 1: 7.9551 Acres (346525 Sq. Feet), Closure: s30.3601e 0.01 ft. (1/416859), Perimeter=2580 ft.

1 s79.2440e 121.35

2 s80.4652e 158.2

3 s83.4042e 122.25

4 n00.3516e 831.77

5 n72.3637w 253.55

6 n64.0428w 171.31

07 s00.3516w 921.34

**LEGAL DESCRIPTION
PARCEL A**

A parcel of land located in a portion of Government Lot 6, Section 17, Township 3 North, Range 4 West, Boise Meridian, Owyhee County, Idaho, and more particularly described as follows:

Commencing at the Southwest Corner of said Section 17, the **TRUE POINT OF BEGINNING;**

Thence along the Westerly line of said Section 17, North $00^{\circ}35'16''$ East a distance of 804.13 feet to a 5/8" iron pin;

Thence leaving said Westerly line, South $79^{\circ}24'40''$ East a distance of 121.35 feet to a 5/8" iron pin;

Thence South $80^{\circ}46'52''$ East a distance of 158.20 feet to a 5/8" iron pin;

Thence South $83^{\circ}40'42''$ East a distance of 122.25 feet to a 5/8" iron pin;

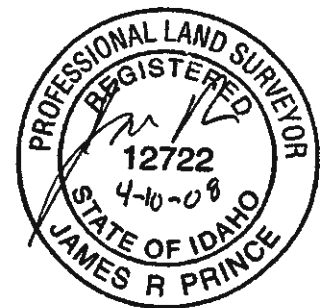
Thence South $84^{\circ}45'17''$ East a distance of 219.37 feet to a 5/8" iron pin;

Thence South $89^{\circ}18'57''$ East a distance of 178.91 feet to a 5/8" iron pin;

Thence North $00^{\circ}35'16''$ East a distance of 729.84 feet to a 5/8" iron pin on the Ordinary High Water Line of the Snake River;

Thence along said Ordinary High Water Line, South $72^{\circ}36'37''$ East a distance of 114.47 feet to a 5/8" iron pin;

Thence continuing along said Ordinary High Water Line, South $86^{\circ}34'02''$ East a distance of 122.91 feet to a 5/8" iron pin;



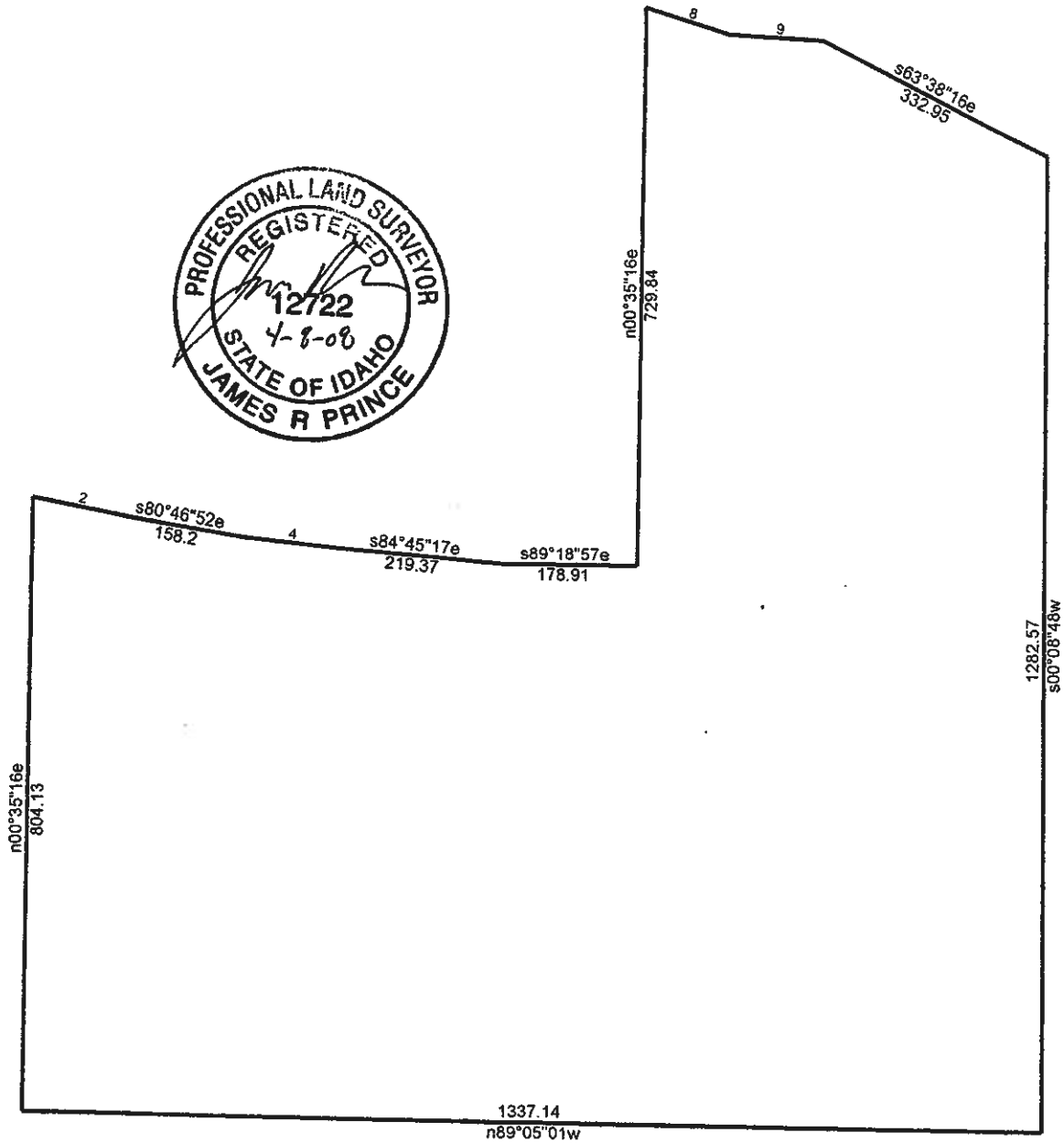
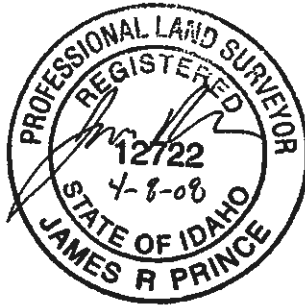
Page 2

Thence continuing along said Ordinary High Water Line, South $63^{\circ}38'16''$ East a distance of 332.95 feet to a $5/8''$ iron pin;

Thence leaving said Ordinary High Water Line, South $00^{\circ}08'48''$ West a distance of 1282.57 feet to a $5/8''$ iron pin marking the Southeast corner of said Government Lot 6;

Thence along the Southerly line of said Section 17, North $89^{\circ}05'01''$ West a distance of 1337.14 feet to the **POINT OF BEGINNING**.

Said parcel contains 30.921 acres, more or less.



PARCEL A

4/8/2008

Scale: 1 inch= 230 feet

File:

Tract 1: 30.9213 Acres, Closure: n84.3702w 0.03 ft. (1/173141), Perimeter=5524 ft.

1 n00.3516e 804.13
2 s79.2440e 121.35
3 s80.4652e 158.2
4 s83.4042e 122.25
5 s84.4517e 219.37
6 s89.1857e 178.91
7 n00.3516e 729.84
8 s72.3637e 114.47
9 s86.3402e 122.91

10 s63.3816e 332.95
11 s00.0848w 1282.57
12 n89.0501w 1337.14

FORM 202
12/99Ident. No. 2-10350

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT
To appropriate the public waters of the State of Idaho

1. Name of Applicant JOHN ROADENBAUGH Phone 909-592-2474
Mailing address 4004 BROWNS LANE, MARSING, ID. 83639
2. Source of water supply SNAKE RIVER which is a tributary of _____
3. Location of point of diversion is Township 3 N Range 4 W Sec. 17 in the _____
_____, _____, Govt. Lot 6, B.M., OWYHEE County;
- additional points of diversion if any: _____
4. Water will be used for the following purposes:
- | | | | |
|------------------------------|-----------------------|---|------------------------|
| Amount <u>100</u> | for <u>IRRIGATION</u> | purposes from <u>4-1</u> to <u>10-1</u> | (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) | | | |
| 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) | | | |
5. Total quantity to be appropriated is (a) _____ and/or (b) 15
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 7.5 HP PUMP - 6" LINE
- b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
- c. Proposed well diameter is N/A inches; proposed depth of well is _____ feet
- d. Is ground water with a temperature of greater than 85°F being sought? N/A
- 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. _____
 - Municipal; show name of municipality. _____
 - Domestic; show number of households. _____
 - Other; describe fully. _____

RECEIVED

JUL 02 2007

WATER RESOURCES
WESTERN REGION

— superseded —

3. 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	
3N	4W	17									6		37.3						

Total number of acres to be irrigated ~~45.67~~ 43.30

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

GEM

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

OWNER - ROADENBAUGH

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

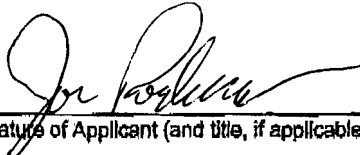
" " " "

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

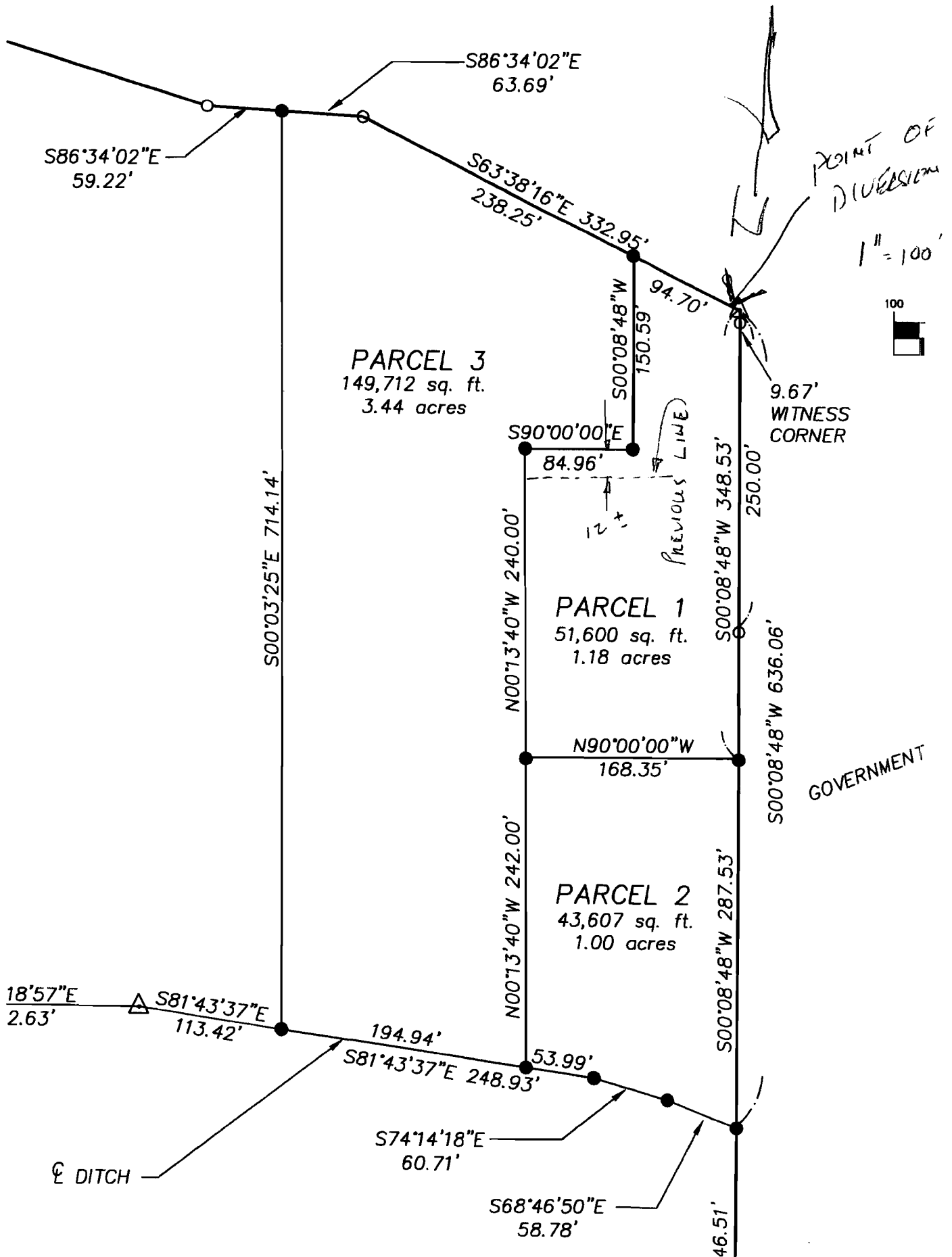
12. Remarks:

13. MAP OF PROPOSED PROJECT REQUIRED - Attach an 8 1/2"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.


 Signature of Applicant (and title, if applicable)

Received by DB Date 7-2-07 Time 3:00 PM Preliminary check by _____
 Fee \$ 100- Received by DB # W035583 Date 7-2-07
 Publication prepared by _____ Date _____ Published in _____
 Publication approved _____ Date _____



2-10350

EXHIBIT A

**Ferguson to Roavenbaugh
Legal Description**

A parcel of land located in Government Lot 6 in Section 17, Township 3 North, Range 4 West, of the Boise Meridian, Owyhee County, Idaho, more particularly described as follows:

Commencing at the corner common to Sections 16, 17, 19 and 20 of said Township and Range, said point being the Southwest corner of said Government Lot 6; thence South 89°05'01" East a distance of 1337.14 feet along the South line of said Government Lot 6 to a found 1/2" iron pin marking the Southeast corner of said Government Lot 6; thence North 00°08'48" East a distance of 646.51 feet along the Easterly line of said Government Lot 6 to the **TRUE POINT OF BEGINNING**; Thence continuing along said Easterly line, North 00°08'48" East a distance of 636.06 feet to a point on the Ordinary High Water Line of the Snake River; thence along said Ordinary High Water Line, North 63°38'16" West a distance of 332.95 feet; thence continuing along said Ordinary High Water Line, North 86°34'02" West a distance of 63.69 feet; thence leaving said Ordinary High Water Line, South 00°03'25" East a distance of 714.14 feet; thence South 81°43'37" East a distance of 248.93 feet; thence South 74°14'18" East a distance of 60.71 feet; thence South 68°46'50" East a distance of 58.78 feet to the **POINT OF BEGINNING**, said point being on the Easterly line of said Government Lot 6.

Said parcel contains 5.62 acres more or less.

End of Description
Project No. 06-172
November 9, 2006





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

DAVID R. TUTHILL, JR.
Director

December 31, 2008

GEM IRRIGATION DISTRICT
PO BOX 67
HOMEDALE ID 83628

Re: Application No(s). 2-10350

To Whom It May Concern:

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 January 26, 2009.

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

Sincerely,

A handwritten signature in black ink that reads "Denise Buffington". The signature is written in a cursive, flowing style.

Denise Buffington
Administrative Assistant

Enclosure

Buffington, Denise

From: Buffington, Denise
Sent: Wednesday, December 31, 2008 10:24 AM
To: 'rward@idfg.idaho.gov'
Subject: Comment Letters
Attachments: 2-10350 & 65-23169 Comment letter to IDFG.doc; 02-10350 App.pdf; 65-23169 App.pdf

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

Thank You,

Denise Buffington
Administrative Assistant
Dept of Water Resources
Western Region
(208) 334-2190

12/31/2008

December 31, 2008

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

Re: Water Right Application(s) 2-10350 & 65-23169

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 January 26, 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: Tuesday, December 30, 2008 3:02 PM
To: owyheeavalanche@cableone.net
Subject: Legal Notices
Attachments: Owyhee County Ads - Cover Letter.RTF; 57-11754 Ad.RTF; 02-10350 Ad.RTF; 57-11715 Ad.RTF; 57-11748 Ad.RTF

Attached please find (4) legal notices being submitted for advertising. Please contact me immediately if you have any questions or if you are not able to run the notices on the dates listed.

Thank You,

Denise Buffington
Administrative Assistant
Dept of Water Resources
Western Region

12/30/2008

December 30, 2008

Legal Notice Department

OWYHEE AVALANCHE

PO BOX 97

HOMEDALE ID 83628

RE: Application for Permit No. 2-10350, 57-11715, 57-11748 & 57-11754

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 01/26/2009. 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:

2-10350

JON ROADENBAUGH
4004 BROWNS LN
MARSING ID 83639

Point(s) of Diversion L6 (NWSW) S17 T03N R04W OWYHEE County Source SNAKE RIVER
Tributary To COLUMBIA RIVER

Use: IRRIGATION 03/01 To 11/15 0.88 CFS

Total Diversion: 0.88 CFS

Date Filed: 07/02/2007

Place Of Use: IRRIGATION

T03N R04W S17 NWSW Lot 6 SWSW Lot 6

Number of Acres 43.3

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 01/26/2009. The protestant must also send a copy of the protest to the applicant.

DAVID R. TUTHILL, JR., Director

Published on January 7th & 14th, 2009



State of Idaho
DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082
PHONE: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

RECEIVED
NOV 26 2008
WATER RESOURCES
WESTERN REGION

C.L. "BUTCH" OTTER, Governor
DAVID R. TUTHILL, JR., Director

October 30, 2008

JON ROADENBAUGH
4004 BROWNS LANE
MARSING ID 83639

Re: Application for Permit 02-10350

Dear Applicant:

We are in the process of reviewing the above application for permit and find that we have questions that need to be addressed. We see that you were in our office on March 27th and amended this application. Unfortunately, there are still some items on the form that must be completed. Enclosed, for your information, is a copy of the application form.

- Letter of 11-25-08 - talk to John.*
1. The application states, and our records show, that you have Gem Irrigation District (GID) water on your property which comes out of the Snake River. In our review it was determined that GID's water rights, from the Snake River, provide three-quarters of an inch per acre and they have an additional application for permit filed which may add more Snake River water to their system. We are wondering why you want to place a pump in the river for your property if you already have access to Snake River water. If we were to process this application we would only be able to allow one-quarter of an inch per acre for your land since there are already water rights from this source available for use. You should also be aware that when the Snake River is regulated, in the future, a right with a 2008 priority date would be one of the first water rights to be cut.
 2. We need to have item 5 completed to show the total quantity proposed to be appropriated.
 3. We need to know how much time you need to complete the system, if the application is approved, under item 7. You can request from 1 to 5 years for development.

Requested 5 yrs. on copy

Please submit the requested information for application processing to continue.

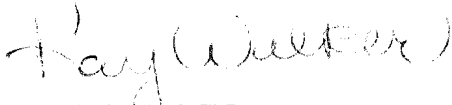
fw 12-15-08

You may seek additional time to provide the information by making a written request to interrupt processing for up to six months. Your response including the requested information or a request for more time to seek the information must

be received within 30 days of the date of this letter, or by December 1, 2008. The application will be voided without a timely written reply.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you need more information. Thank you for your attention to these matters.

Sincerely,

A handwritten signature in cursive script that reads "Kay Walker".

KAY WALKER
Sr. Water Resource Agent

Enclosure

JON ROADENBAUGH

4004 BROWNS LANE
MARSING, ID 83639
909-592-2474
JON@AEROSPUN.COM

RECEIVED

NOV 26 2008

WATER RESOURCES
WESTERN REGION

November 25, 2008

KAY WALKER
SR. WATER RESOURCE AGENT
DEPT. OF WATER RESOURCES
2735 AIRPORT WAY
BOISE, ID 83705-5082

DEAR MS. WALKER:

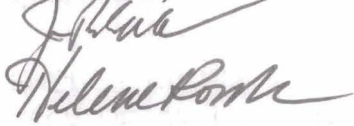
WE ARE APPLYING FOR A PERMIT TO PUMP SNAKE RIVER WATER TO OUR PROPERTY BECAUSE WE ARE AT THE END OF THE LINE BEFORE THE WATER RETURNS TO THE RIVER.

BECAUSE OF THIS, WE GET DIRTY WATER AND OFTEN TIMES NOT ENOUGH WATER. WE RECEIVE DIVERSION WASTE WATER THAT IS SANDY, DIRTY, AND HAS RUNOFF FROM OTHER FIELDS. WE WOULD PREFER TO HAVE RELATIVELY CLEAN AND ABUNDANT WATER TO IRRIGATE OUR FIELDS BY PUMPING FROM THE SNAKE RIVER.

WE ALSO ARE CURRENTLY USING WELL WATER TO IRRIGATE OUR LAWNS, TREES, AND PLANTS AND A PUMP FROM THE RIVER WOULD BE OBVIOUSLY PREFERABLE.

WE HAVE ATTACHED A COPY OF THE PERMIT WHICH I FEEL IS COMPLETE AS WELL AS A COPY OF YOUR LETTER. I HOPE THIS SATISFIES YOUR QUESTIONS.

SINCERELY,



JON AND HELENE ROADENBAUGH

RECEIVED
Form 202
12/88

MAY 16 2003

WATER RESOURCES
WESTERN REGION

mod. jud 3/27/08
at IDWR offices

Ident. No. 02-10350

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant JOHN ROADENBAUGH Phone 909-592-2474
Mailing address 4004 BROWNS LANE, MARSING, ID. 83639
2. Source of water supply SNAKE RIVER which is a tributary of _____
3. Location of point of diversion is Township 3N Range 4W Sec. 17 in the _____ 1/4,
_____ 1/4, _____ 1/4 Govt. Lot 6 B.M., OWYHEE County;
additional points of diversion if any: _____

4. Water will be used for the following purposes:

RR .88 Amount 1.88 for IRRIGATION purposes from 4-1 to 10-1 (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)
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)

5. Total quantity to be appropriated is (a) _____ and/or (b) 15 1" PER ACRE
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 7.5 HP PUMP - 6" LINE

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet

c. Proposed well diameter is N/A inches; proposed depth of well is _____ feet

d. Is ground water with a temperature of greater than 85°F being sought? N/A

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 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. _____

mailed w/ \$100⁰⁰ check

CR #327 6/22/07

to Western Region IDWR

Rec'd 2/2/10

2735 Airport Way
Boise, ID 83705

appl# 02-10350

3. 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	
3N	4W	17					8	8			6	37.3							

Total number of acres to be irrigated ~~43.30~~ 43.30

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

GEM

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

OWNER - ROADENBAUGH

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

" " "

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 8 1/2"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.

John P. [Signature] 5/16/08 *John P. [Signature]*
 Signature of Applicant (and title, if applicable)

Received by _____ Date 5-16-08 Time _____ Preliminary check by _____
 Fee \$ 150- _____ Received by DB # 45026492 Date 5-16-08
 Publication prepared by _____ Date _____ Published in _____
 Publication approved _____ Date _____

COPY



State of Idaho

DEPARTMENT OF WATER RESOURCES

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

PHONE: (208) 334-2190 FAX: (208) 334-2348 www.idwr.idaho.gov

C.L. "BUTCH" OTTER, Governor
DAVID R. TUTHILL, JR., Director

October 30, 2008

JON ROADENBAUGH
4004 BROWNS LANE
MARSING ID 83639

Re: Application for Permit 02-10350

Dear Applicant:

We are in the process of reviewing the above application for permit and find that we have questions that need to be addressed. We see that you were in our office on March 27th and amended this application. Unfortunately, there are still some items on the form that must be completed. Enclosed, for your information, is a copy of the application form.

1. The application states, and our records show, that you have Gem Irrigation District (GID) water on your property which comes out of the Snake River. In our review it was determined that GID's water rights, from the Snake River, provide three-quarters of an inch per acre and they have an additional application for permit filed which may add more Snake River water to their system. We are wondering why you want to place a pump in the river for your property if you already have access to Snake River water. If we were to process this application we would only be able to allow one-quarter of an inch per acre for your land since there are already water rights from this source available for use. You should also be aware that when the Snake River is regulated, in the future, a right with a 2008 priority date would be one of the first water rights to be cut.
2. We need to have item 5 completed to show the total quantity proposed to be appropriated.
3. We need to know how much time you need to complete the system, if the application is approved, under item 7. You can request from 1 to 5 years for development.

Please submit the requested information for application processing to continue. You may seek additional time to provide the information by making a written request to interrupt processing for up to six months. Your response including the requested information or a request for more time to seek the information must

be received within 30 days of the date of this letter, or by December 1, 2008. The application will be voided without a timely written reply.

IDWR forms and other information are available on the Internet at www.idwr.idaho.gov. Please contact me at 208-334-2190 if you need more information. Thank you for your attention to these matters.

Sincerely,

A handwritten signature in black ink that reads "Kay Walker". The signature is written in a cursive style with a large, stylized "K" and "W".

KAY WALKER
Sr. Water Resource Agent

Enclosure