

Form 202
12/99

AMENDED

Ident. No. 2-10343

Bms 3/6/08

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant TFR Partnership c/o Richard Caldwell Phone 208-378-5243
Mailing Address 45625 Manzo Drive, Indian Wells, CA 92210

2. Source of water supply SNAKE RIVER which is a tributary of COLUMBIA RIVER

3. Location of point of diversion is Township 3N Range 5W Sec. 4, in the $\frac{1}{4}$,
NW $\frac{1}{4}$, NW $\frac{1}{4}$, Govt. Lot 3, B.M., Owghen
County;

additional points of diversion, if any: T4N, R5W, Section 33, Lot 3

4. Water will be used for the following purposes:

Amount 50 A/F for Wildlife purposes from 1/1 to 12/31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount 2 cfs for diversion to storage purposes from 1/1 to 12/31 (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)

Amount for purposes from to (both dates inclusive)
(cfs or acre-feet per annum)

5. Total quantity to be appropriated is (a) 2.0 cfs and/or (b) 50
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 Mechanical pump tractor
PTO Driven or portable pump - 15-20 hp (estimated)

b. Height of storage dam N/A Excavation only feet; active reservoir capacity 50 acre-feet; total
reservoir capacity 50 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 degrees 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 2
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. Development of wildlife habitat for waterfowl/upland birds

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JUN 8 7 2007

WATER RESOURCES
WESTERN REGION

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	
4 N	5 W	32										~~Lot 4 (W)~~						X (W)	
3 N	5 W	5	X	~~Lot 1 (W)~~															
4 N	5 W	33										~~Lot 3 (W)~~	X						

Total number of acres to be filled 17.5

10. Describe any other water rights used for the same purposes as described above. None

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

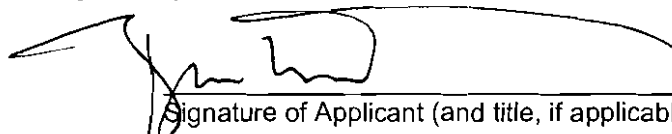
b. Who owns the land to be irrigated or place of use? Applicant

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: This project being undertaken in conjunction with U.S. Fish & Wildlife Service grant

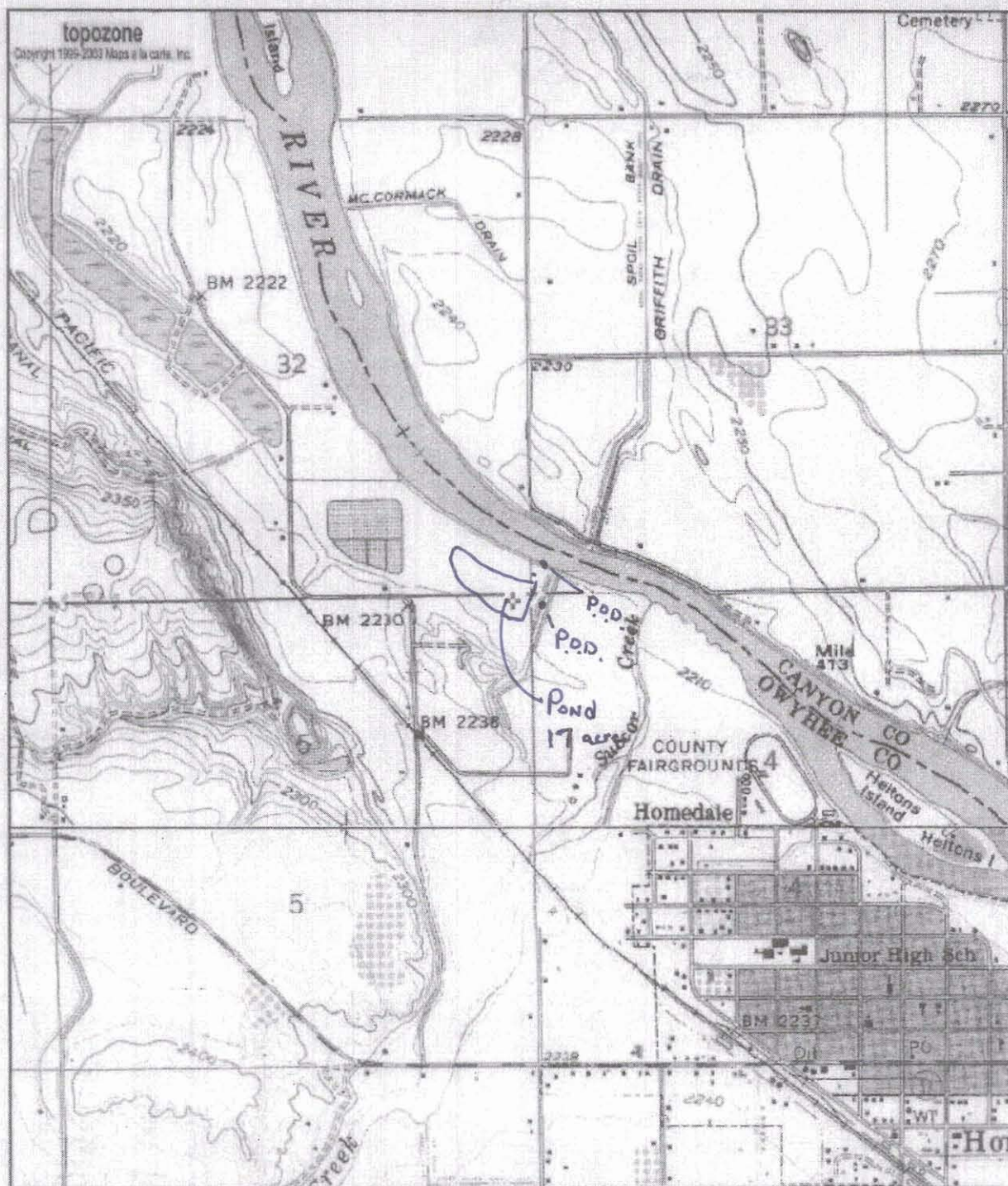
13. **MAP OF PROPOSED PROJECT REQUIRED** – Attach an 8 1/2"x 11" map clearly identifying the proposed point of diversion, place of use, section #, township & range. (A photocopy of USGS 7.5 minute topographic quadrangle map is preferred.)

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 6-7-07 Time 12:00 PM Preliminary check by AD
Fee \$ 250.- Receipted by DB # W035485 Date 6-7-07
Publication prepared by DB Date 3/26/2008 Published in OWYHEE AVALANCHE
Publication approved _____ Date APRIL 2 & 9, 2008

AMENDED 3/6/08 - ADDITIONAL \$ PAID 3/13/08 W036249



0 0.3 0.6 0.9 1.2 1.5 km
0 0.2 0.4 0.6 0.8 1 mi

UTM 11 503936E 4830769N (NAD27)
USGS Wilder (ID) Quadrangle
Projection is UTM Zone 11 NAD83 Datum

* M
G
M=15.655
G=0.033

20:1 TO 50:1
VARY SIDESLOPES

SECTION A-A'

SCALE: 1 INCH = 100 FEET

OUTLET
INSTALL WATER CONTROL STRUCTURE

NOTES:

ELEVATIONS ARE ASSUMED AND BASED ON A
TEMPORARY BENCHMARK OF 100.00 FEET.

CONTOUR INTERVAL = 1 FOOT

WATER SURFACE = 77.0'

POND BOTTOM - 72.0'

AREA WITHIN FENCED AREA = 40 ACRES

TOTAL INUNDATED AREA = 17.5 ACRES

0'-1' WATER DEPTH = 6.6 ACRES (38%)

1'-2' WATER DEPTH = 2.3 ACRES (13%)

2'-3' WATER DEPTH = 5.3 ACRES (30%)

3'-4' WATER DEPTH = 0.9 ACRES (5%)

ISLAND AREA (ABOVE MAX. WATER) = 4750 SQ. FT. (0.11 ACRES)

UPLAND AREA = 22.5 ACRES

WATER VOLUME AT MAX. DEPTH = 44 ACRE-FEET

TOTAL EXCAVATION = 43,318 C.Y.

RESTORE/ESTABLISH GOOD GRASS/FORB COVER
IN ENTIRE UPLAND AREA ADJACENT TO POND.
LIVESTOCK GRAZING TO BE EXCLUDED

-PIPE INLET

PIPE OUTLET-

—INSTALL NEW FENCE
TOTAL LENGTH = 2700 FEET

Scale in Feet



2-10343

[illegible]

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MAY 21 2007

MSB & T, CTD.

May 17, 2007

Mr. Bruce Smith
Moore, Smith, Buxton and Turcke, Chartered
950 West Bannock Street, Suite 520
Boise, ID 83702

Dear Mr. Smith:

I am the Partner managing the Wetlands Restoration Project in Homedale, Idaho for TFR(I), a California General Partnership (referred to in this letter as "TFR"). This letter is to verify that you are counsel to TFR and are authorized to sign the Application for Rental from the Water Bank and the Application for a Permit to Appropriate Water for TFR.

Sincerely,

A handwritten signature in black ink, appearing to read "John", with a long, sweeping horizontal line extending to the right.

John Gingerich, Partner
TFR(I), a California General Partnership