

Gibson, Deborah

From: Rob Harris [rharris@holdenlegal.com]
Sent: Thursday, October 18, 2007 2:50 PM
To: Gibson, Deborah
Cc: 'Pinnacle Real Estate Group'
Subject: Lapsed Permit No. 22-13249



DOC101807.pdf

Deborah:

Attached is a proof of beneficial use document and associated documents for 22-13249. Originals will be sent in the mail.

Thanks,

Robert L. Harris
Holden, Kidwell, Hahn & Crapo, PLLC
1000 Riverwalk Drive, Suite 200
P.O. Box 50130
Idaho Falls, ID 83405-0130
Phone: (208) 523-0620
Fax: (208) 523-9518
E-Mail: rharris@holdenlegal.com

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-----Original Message-----

From: North Copier [mailto:northcopier@holdenlegal.com]
Sent: Thursday, October 18, 2007 3:48 AM
To: rharris@holdenlegal.com
Subject: Scanned from MFP-00024504 [Single Side_E-MAIL] 10/18/2007 02:48

Scanned from MFP-00024504.

Rob Harris

Single Side_E-MAIL

Date: 10/18/2007 02:48

Pages:8

Resolution:200x200 DPI

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(1939-1982)
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(1907-1988)

Of Counsel
Fred J. Hahn
Marie T. Tyler

*Also licensed in Wyoming
*Also licensed in Missouri and Kansas

October 18, 2007

Deborah Gibson
Administrative Assistant
Idaho Department of Water Resources
PO Box 83720
Boise, ID 83720-0098

RE: Lapsed Notice for Permit No. 22-13249

Dear Deborah:

Enclosed is a completed Proof of Beneficial Use form for Permit No. 22-13249, and the associated drilling permit. A lapse notice relating to this permit was sent to Mr. Travis Thompson on September 11, 2007. We request the permit be reinstated, as it has been appropriately developed. It appears that the lapse notice and other documentation relating to this water right were incorrectly sent to PO Box 408, Driggs, Idaho, when it should have been sent to PO Box 408, Victor, Idaho. The applicant has completed the water system in his subdivision, and requests that a field exam be performed as soon as practicable.

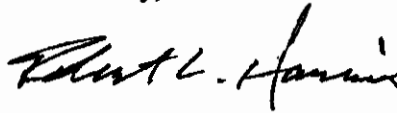
In addition, you will note that under Part 2 of the Proof of Beneficial Use form, entitled "Name of Permit Holder", we have put High Meadows, L.L.C. as the permit holder. It appears that when the permit was initially filed by Highland Meadows, L.L.C., it was filed by Mr. Travis Thompson with the understanding that the State of Idaho was going to allow Mr. Thompson's entity to take the name of Highland Meadows, LLC. It was discovered shortly thereafter that Highland Meadows was a name that was already taken, and Mr. Thompson instead formed the entity High Meadows, L.L.C., which is the name that should have been listed on the permit application. We have enclosed copies of the High Meadows, L.L.C., report from the Secretary of State's website, and also the Highland Meadows, P.U.D. Subdivision Homeowner's Association, Inc. information from the Secretary of State's website. As you can see from the 2002 report for High Meadows, L.L.C., Travis Thompson is listed as a managing member. He signed the permit application in 2002, which incorrectly listed the applicant as "Highland Meadows, L.L.C." We therefore request that the name of the permit holder be amended to High Meadows, L.L.C., rather than Highland Meadows, L.L.C..

Deborah Gibson
Idaho Department of Water Resources
October 18, 2007
Page 2 of 2

In addition, the water system has now been conveyed to the homeowner's association of the subdivision. We have sent an Assignment of Permit document to Mr. Thompson for his signature. Once we receive the completed form, we will provide it to you as soon as possible. This unsigned version of this document has been enclosed for your information.

We appreciate your kind assistance in this matter. If you have any questions or concerns, please let us know.

Sincerely,



Robert L. Harris
HOLDEN, KIDWELL, HAHN & CRAPO, P.L.L.C.

Enclosures

c: Travis Thompson

FOR OFFICE USE ONLY
Amt. of Fee \$: _____
Receipt No. _____
Receipt By: _____
Date Received: _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources considers this form a statement that the permit holder(s) has/have completed all development that will occur under this permit and that water has been applied according to the provisions of the permit for the beneficial use(s) described below. This form must be accompanied by a license examination fee, when necessary, or be accompanied by a completed field examination report prepared by a certified water right examiner.

1. Permit No. 22-13249 Telephone No. 208-317-1325

2. Name of Permit Holder(s): High Meadows L.L.C.; c/o Travis Thompson

3. Mailing Address: PO Box 408

City Victor State ID Zip 83455

4. Source of Water: Groundwater If GROUNDWATER (well), Date Drilled: mo. 04 /yr. 2005

Well Driller: Denning Well Drilling Drilling Permit Number: 0035758

5. Use(s) (as authorized by the water right permit):

Domestic (No. of households): 26 Stockwater (No. and type of stock): _____

Irrigation (No. of acres): 1/2 acre/Lot Other: _____

6. Total rate of diversion and/or volume for which proof is submitted: 1.0 cfs OR _____ acre-feet

7. Measuring Device Requirement: (refer to the approval conditions on your permit and respond accordingly)

(This question is not optional. Please check either yes or no. Proofs returned not checked accordingly, will be considered incomplete)

Measuring Device: Is a measuring device required? Yes ___ or No √

Has the measuring device been installed? Yes ___ or No √

8. Fee Enclosed: \$ 100.00 (See Fee Schedule on back of the instructions for filling proof of beneficial use)

9. Person to contact to accompany the Department representative during field examination of the water system.

Name: Travis Thompson Telephone Number: 208-317-1325

Address: PO Box 408, Victor, ID 83455

10. *The information given on this form is my true statement of the extent to which the above numbered permit has been developed and water has been diverted. I agree to relinquish any undeveloped portion of the permit to the State of Idaho.*

Signature of permit holder: Robert L. Harris, Attorney Date: October 18, 2007
(Include your title, if on behalf of company or organization)

Form 238-7
6/02

IDAHO DEPARTMENT OF WATER RESOURCES WELL DRILLER'S REPORT

22

Office Use Only			
Well ID No. _____			
Inspected by _____			
Twp _____	Rge _____	Sec _____	
1/4 _____	1/4 _____	1/4 _____	
Lat: _____	: _____	Long: _____	: _____

1. WELL TAG NO. D 0035758
 DRILLING PERMIT NO. _____
 Water Right or Injection Well No. _____

2. OWNER:
 Name Highland Meadows LLC
 Address P.O. BOX 408
 City Driggs State Id Zip _____

3. LOCATION OF WELL by legal description:
 You must provide address or Lot, Blk, Sub. or Directions to well.
 Twp. 5N North ☐ or South ☐
 Rge. 45E East ☐ or West ☐
 Sec. 10 1/4 NE 1/4 S 1/4
 Gov't Lot _____
 Lat: _____ Long: _____
 Address of Well Site _____

(Give at least name of road - Distance to Road or Landmark)
 Lt. _____ Blk. _____ Sub. Name Highland Meadows Subdivision

4. USE:
☐ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☒ Other Subdivision - Domestic

5. TYPE OF WORK check all that apply (Replacement etc.)
☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD:
☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

Seal Material	From	To	Weight / Volume	Seal Placement Method
<u>Neat Cement</u>	<u>8'</u>	<u>60'</u>	<u>2yds</u>	<u>over Bore</u>
<u>Bentonite</u>	<u>0</u>	<u>8'</u>	<u>24 bags</u>	<u>over Bore</u>

Was drive shoe used? ☒ Y ☐ N Shoe Depth(s) 238
 Was drive shoe seal tested? ☒ Y ☐ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Unar	Welded	Threaded
<u>14"</u>	<u>1'</u>	<u>60'</u>	<u>.50</u>	<u>Steel</u>	☒	☐	☐	☐
<u>8"</u>	<u>1'</u>	<u>238'</u>	<u>.302</u>	<u>Steel</u>	☐	☐	☐	☐

Length of Headpipe _____ Length of Tailpipe _____
 Packer ☐ Y ☐ N Type _____

9. PERFORATIONS/SCREENS PACKER TYPE

Perforation Method Johnson Wirewrap (Stainless)
 Screen Type & Method of Installation Lowered Wire Packer

From	To	Slot Size	Number	Diameter	Material	Casing	Unar
<u>238'</u>	<u>250'</u>	<u>20/30"</u>	<u>12</u>	<u>8"</u>	<u>Stainless</u>	☐	☐

10. FILTER PACK

Filter Material	From	To	Weight / Volume	Placement Method

11. STATIC WATER LEVEL OR ARTESIAN PRESSURE:
35' ft. below ground Artesian pressure _____ lb.
 Depth flow encountered _____ ft. Describe excess port or control devices: _____

12. WELL TESTS:

☐ Pump ☐ Bailor ☐ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time

Water Temp. _____ Bottom hole temp. _____
 Water Quality test or comments: _____

13. LITHOLOGIC LOG: (Describe repairs or abandonment) Water

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
<u>14"</u>	<u>0'</u>	<u>20'</u>	<u>GRAVELS</u>		☒
<u>14"</u>	<u>20'</u>	<u>40'</u>	<u>GRAVELS</u>	☒	
<u>14"</u>	<u>40'</u>	<u>60'</u>	<u>GRAVELS</u>	☒	
<u>8"</u>	<u>60'</u>	<u>65'</u>	<u>SANDY CLAY</u>		☒
<u>8"</u>	<u>65'</u>	<u>100'</u>	<u>SANDY GRAVELS</u>	☒	
<u>8"</u>	<u>100'</u>	<u>120'</u>	<u>GRAVELS (small)</u>	☒	
<u>8"</u>	<u>120'</u>	<u>140'</u>	<u>GRAVELS (small)</u>	☒	
<u>8"</u>	<u>140'</u>	<u>160'</u>	<u>GRAVELS (small)</u>	☒	
<u>8"</u>	<u>160'</u>	<u>180'</u>	<u>GRAVELS (LARGE)</u>	☒	
<u>8"</u>	<u>180'</u>	<u>200'</u>	<u>GRAVELS (LARGE)</u>	☒	
<u>8"</u>	<u>200'</u>	<u>230'</u>	<u>GRAVELS (small)</u>	☒	
<u>8"</u>	<u>230'</u>	<u>250'</u>	<u>GRAVELS (mixed)</u>	☒	

Completed Depth 250' (Measurable)
 Date: Started 11-18-04 Completed 4-28-05

14. DRILLER'S CERTIFICATION
 I/we certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Depping Well Drilling Firm No. 518
 Principal Driller David Depping Date 4-28-05
 and _____
 Driller or Operator II _____ Date _____
 Operator I Paul Depping Date 2/17/05
 Principal Driller and Rig Operator Required,
 Operator I must have signature of Driller/Operator II.

FORWARD WHITE COPY TO WATER RESOURCES



IDAHO SECRETARY OF STATE Viewing Business Entity

Ben Ysursa, Secretary of State

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HIGH MEADOWS L.L.C.

515 TAURUS DR
REXBURG, ID 83440

Type of Business: LIMITED LIABILITY COMPANY

Status: EXISTING, ANREPT SENT 01 Dec 2006

State of Origin: IDAHO

Date of Origination/Authorization: 22 Feb 2001

Current Registered Agent: C E GUMMOW
515 TAURUS DR
REXBURG, ID 83440

File Number: W14520

Date of Last Annual Report: 11 Dec 2006

Amendments:

Amendment filed 22 Feb 2001 ARTICLES OF
ORGANIZATION

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Amendment filed 11 Sep 2002 REINSTATEMENT

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Annual Reports:

Report for year 2007 ANNUAL REPORT

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Report for year 2006 ANNUAL REPORT

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Report for year 2005 ANNUAL REPORT

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Report for year 2004 ANNUAL REPORT

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Report for year 2002 REINSTATEMENT

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Report for year 2001 UNDELIVERABLE

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Comments, questions or suggestions can be emailed to: sosinfo@sos.idaho.gov

No. W 14520 Return to: SECRETARY OF STATE 700 WEST JEFFERSON PO BOX 83720 BOISE, ID 83720-0080 NO FILING FEE IF RECEIVED BY DUE DATE	Due no later than Feb 28, 2003 Annual Report Form 1. Mailing Address: Care of this box for the principal: HIGH MEADOWS LLC. 515 TAURUS DR REXBURG, ID 83440	2. Registered Agent and Office NO PO BOX C E GUMMOW 515 TAURUS DR REXBURG, ID 83440 3. New Registered Agent Signature																		
4. Limited Liability Companies: Enter Names and Addresses of Managers. <table border="0"> <tr> <td><u>Office held</u></td> <td><u>Name</u></td> <td><u>Street or P.O. Address</u></td> <td><u>City</u></td> <td><u>State</u></td> <td><u>Zip</u></td> </tr> <tr> <td>MANAGING MEMBER</td> <td>C.E. GUMMOW</td> <td>515 TAURUS DR</td> <td>REXBURG</td> <td>ID</td> <td>83440</td> </tr> <tr> <td>MANAGING MEMBER</td> <td>TRAVIS THOMPSON</td> <td>PO BOX 408</td> <td>VICTOR</td> <td>ID</td> <td>83455</td> </tr> </table>			<u>Office held</u>	<u>Name</u>	<u>Street or P.O. Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>	MANAGING MEMBER	C.E. GUMMOW	515 TAURUS DR	REXBURG	ID	83440	MANAGING MEMBER	TRAVIS THOMPSON	PO BOX 408	VICTOR	ID	83455
<u>Office held</u>	<u>Name</u>	<u>Street or P.O. Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>															
MANAGING MEMBER	C.E. GUMMOW	515 TAURUS DR	REXBURG	ID	83440															
MANAGING MEMBER	TRAVIS THOMPSON	PO BOX 408	VICTOR	ID	83455															
5. Organized Under the Laws of: IDAHO W 14520	6. <u>Signature</u> <u>C.E. Gummow</u> / 2-6-02 <u>Name (Print)</u> <u>C.E. GUMMOW</u> <u>Title</u> <u>MANAGING MEMBER</u>																			

Issued 12/02/2002

Do Not Tape or Staple



IDAHO SECRETARY OF STATE Viewing Business Entity

Ben Ysursa, Secretary of State

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HIGHLAND MEADOWS P.U.D. SUBDIVISION HOMEOWNERS' ASSOCIATION, INC.

PO BOX 408
VICTOR, ID 83455

Type of Business: CORPORATION, GENERAL NON PROFIT**Status:** GOODSTANDING, ANREPT SENT 01 Nov 2006**State of Origin:** IDAHO**Date of Origination/Authorization:** 26 Jan 2004**Initial Registered Agent:** TRAVIS THOMPSON
443 N HWY 33
TETONIA, ID 83452**Organizational ID / Filing Number:** C152805**Number of Authorized Stock Shares:****Date of Last Annual Report:** 17 Nov 2006**Amendments:****Amendment filed 26 Jan 2004** INCORPORATION[\[Help Me Print/View TIFF \]](#)
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For Office Use Only
\$25.00 Filing Fee
Receipt # _____
Date _____

State of Idaho
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF PERMIT
To Change the Ownership of a Permit

I, Travis Thompson, member of High Meadows, L.L.C., hereby assign to Highland of PO Box 408, Victor, Idaho 83455, 208-317-1325

All my right, title, and interest in and to Permit No. 22-13249 to appropriate the public waters of the State of Idaho.

OR (for partial assignments)

The following described portion of my right, title, and interest in and to Permit No. _____ to appropriate the public waters of the State of Idaho.

Describe portion of the permit assigned listing the number of acres in each 40 acre subdivision, point of diversion location, and the amount of water in cubic feet per second.

Made this ____ day of October, 2007.

Travis Thompson, Member

State of Idaho)
)ss
County of Teton)

On this ____ day of October, 2007, personally appeared before me the signer of the above instrument, duly acknowledged to me that he/she/they executed the same.

(seal)

Notary Public
Residing at: _____
My commission expires: _____