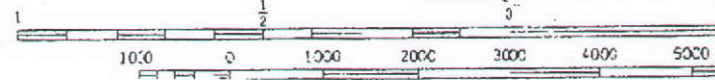


63-31632

ALLIED
SEED



SCALE 1:24 000





63-31632
3/10/03 Im

POD and POU

JUN 05 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

RECEIVED

MAR 22 2004

PROOF OF BENEFICIAL USE

Department of Water Resources

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. 63-31632 Telephone No. (208) 466-6700
2. Name of Permit Holder(s): ALUED SEED L.L.C.
3. Mailing Address: 9311 Hwy 45
City NAIMPA State ID Zip 83686
4. Source of Water: GROUNDWATER If GROUNDWATER (well), Date Drilled, mo. July yr. 2003
Well Driller: DAVIS WELL + PUMP Drilling Permit Number: TAD # 00029365
5. Use(s) (as authorized by the water right permit):
Domestic (No. of households): 1 NONE Stockwater (No. and type of stock): _____
Irrigation (No. of acres): _____ Other: FIRE PROTECTION
6. Total rate of diversion and/or volume for which proof is submitted: 4.50 cfs OR _____ acre-feet
0.02 for office never will be done
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 X
Has the measuring device been installed? Yes _____ or No X
8. Fee Enclosed: \$ 200.00 (See Fee Schedule on back of the instructions for filing proof of beneficial use)
9. Person to contact to accompany the Department representative during field examination of the water system.
Name: Juan Deluna Telephone Number: 208-466-6700
Address: 9311 Highway 45, Nampa, ID 83686
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: Gary White, secretary Date: 3/16/04
(include your title, if on behalf of company of organization)

MICROFILMED

JUL 15 2004

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 63-31632

Priority: February 18, 2003

Maximum Diversion Rate: 4.52 CFS

This is to certify, that ALLIED SEED LLC
9311 HWY 45
NAMPA ID 83686

has applied for a permit to appropriate water from:

Source: GROUND WATER

and a permit is APPROVED for development of water as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>
DOMESTIC	01/01 to 12/31	0.02 CFS
FIRE PROTECTION	01/01 to 12/31	4.50 CFS

LOCATION OF POINT OF DIVERSION:

GROUND WATER NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 16, Twp 02N, Rge 02W, B.M., CANYON County

PLACE OF USE: DOMESTIC

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N 02W 16													X				

PLACE OF USE: FIRE PROTECTION

Twp Rge Sec	NE				NW				SW				SE				
	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Totals
02N 02W 16													X				

CONDITIONS OF APPROVAL

1. Proof of application of water to beneficial use shall be submitted on or before **May 01, 2004**.
2. Subject to all prior water rights.
3. Domestic use is for office restroom facility.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.
5. Water shall not be diverted for fire protection use under this right except to fight or repel an existing fire.
6. After specific notification by the Department, the right holder shall install a suitable measuring device or shall enter into an agreement with the Department to determine the amount of water diverted from power records and shall annually report the information to the Department.
7. Water bearing zone to be appropriated is 40 to 100 feet.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 25th day of April, 2003.

MICROFILMED

JUN 13 2003

[Signature]
for KARL J DREHER, Director

AMENDED: 9w 2/25/2003 RECEIVED
APR 17 2003

APR 17 2003

RECEIVED

FORM 202
12/99

FEB 18 2003

Department of Water Resources

Ident. No.

63.31632

RECEIVED

MAR 03 2003

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

WATER RESOURCES
WESTERN REGION

Name of Applicant ALLIED SEED L.L.C. Phone (208) 466-6700
 Mailing address 9311 Hwy 45 NAMPA, ID 83686

- [illegible]

4. Water will be used for the following purposes:

Amount 4.5 for FIRE SUPPRESSION purposes from JAN 1 to DEC 31 (both dates inclusive)
(cfs or acre-feet per annum)

Amount .02 for DOMESTIC purposes from JAN 1 to DEC 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) 4.52 cubic feet per second and/or (b) _____ acre feet per annum

6. Proposed diverting works:

a. Describe type and size of devices used to divert water from the source DRILL WELL WITH ADAPTER FOR A FIRE HOSE

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

c. Proposed well diameter is 12 inches; proposed depth of well is 100 feet

d. Is ground water with a temperature of greater than 85°F being sought? NO

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. _____

c. Municipal; show name of municipality. _____

d. Domestic; show number of households. OFFICE RESTROOM FACILITY, 1

e. Other; describe fully. FIRE SUPPRESSION EMERGENCY

Company officers:

David McWilliams, President
Ron Schmidt, Vice-President
Gary White, Secretary

AMENDED

MICROFILMED

104 05 2003

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	
2N	2W	16													F				
2N	2W	16													D				

Total number of acres to be irrigated _____

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? ALLIED SEED L.L.C.
- b. Who owns the land to be irrigated or place of use? ALLIED SEED L.L.C.
- 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: DAVIS WELL AND PUMP CO.
415 N. PITT LANE NAMPA, ID
phone 466-5765. THE WATER BEARING ZONE TO BE
APPROPRIATED IS TO BE FROM 40 FEET TO ONE HUNDRED FEET.

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.

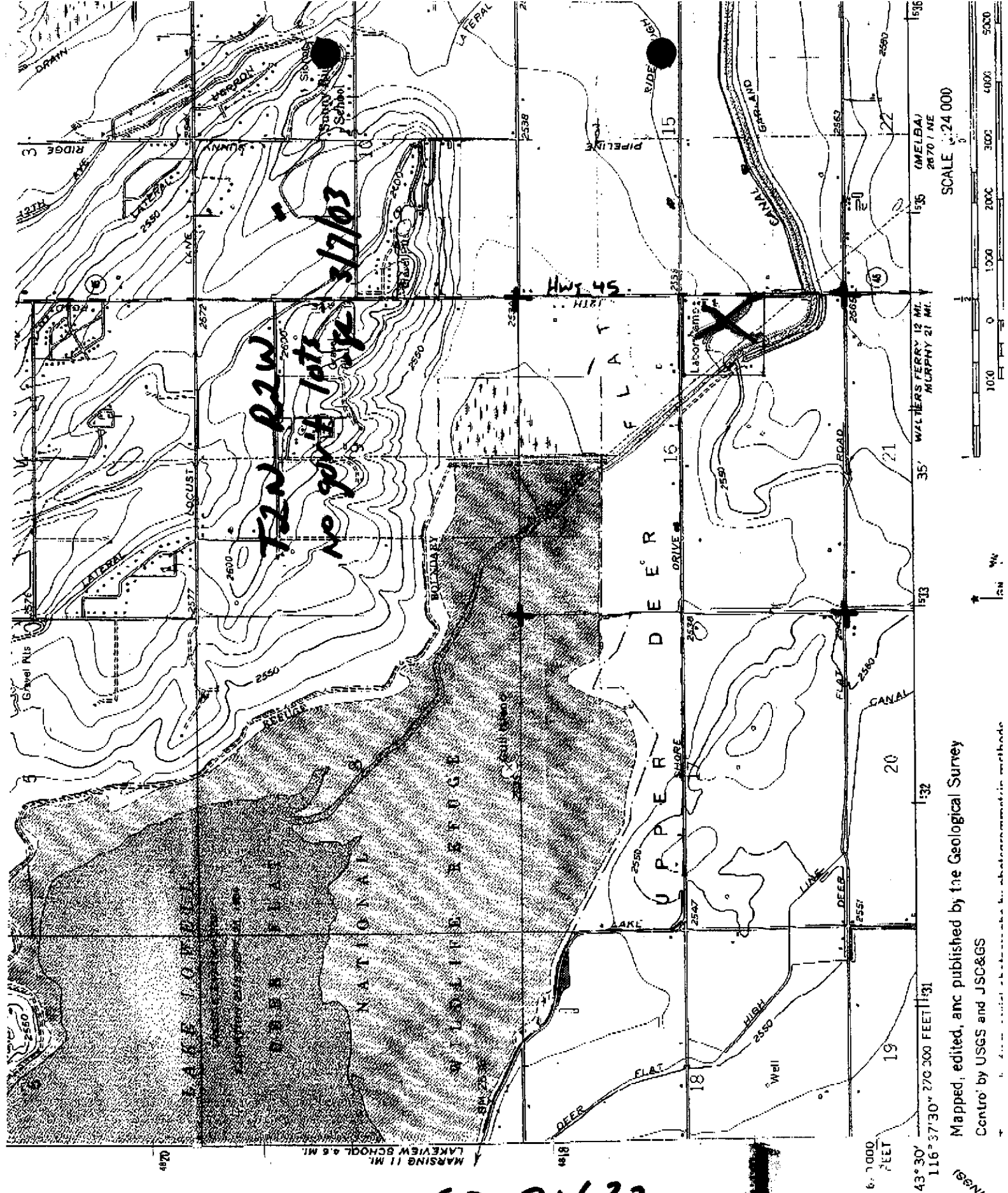
Gary White, ALLIED SEED L.L.C.
 Signature of Applicant (and title, if applicable)
SECRETARY, PRODUCTION AND WAREHOUSE ASSISTANT

Received by JDH Date 2-18-03 Time 1:35 p.m. Preliminary check by 82
 Fee \$ 410.00 Receipted by JDH # 10030018 Date 2-18-03
 Publication prepared by JDH Date 3-19-03 Published in Press-trib
 Publication approved JDH Date 4-7-03

MICHAEL
 JUL 9 5 2003

63-31632

ALL-150





State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 9, 2004

ALLIED SEED LLC
9311 HWY 45
NAMPA ID 83686

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 63-31632

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. The next step in the process of developing a water right is for the department to contact you to schedule a field examination to determine and confirm the use being made of the water, and that it meets the permitted beneficial use.

Be advised that Section 42-248, Idaho Code, requires you or the owner of these water rights to maintain current ownership and address records on file with the department. Forms to file a change of ownership of a water right and/or a change in the address of the water right owner are available from any department office, or at the department's website at: www.idwr.state.id.us.

If you have questions about the field examination, please contact the **Western Regional Office** of the department in Boise at (208) 334-2190.

Sincerely,

Deborah J. Gibson
Administrative Assistant
Water Allocation Bureau

Encl.

c: IDWR - Regional Office (w/encl.)

MICROFILMED
JUL 15 2004
MICROFILMED

ANALYSIS SHEET FOR PROOF OF BENEFICIAL USE

Permit No.: 63-31632

Reviewed By: dgibson

Date: April 8, 2004

	<u>Yes</u>	<u>No</u>		<u>Yes</u>	<u>No</u>
Proof received timely?	X		Drilling permit required?	X	
License examination fee required?	X		Drilling permit No.:		D0029365
Appropriate fee submitted?	X		Drilling permit upgrade needed?		
Receipt No.:		W030068, C073182	Well driller's report filed?		
Additional Amount Due:			Measuring device required?		X
Name and address same as permit?	X		Measuring device installed?		X
Are the water uses correct?	X		Measure device waiver requested?		

Priority Calculation

Date proof received	03/22/2004
Date proof due	- 05/01/2004
Lapse notice sent	-
No. of days late	= 0
Holiday allowance	+
Priority date	+ 02/18/2003
New priority date	= 02/18/2003

Deficiencies of Actions Items

Acknowledge proof.

JUL 15 2004

February 29, 2004

ALLIED SEED LLC
9311 HWY 45
NAMPA, ID 83686

PROOF DUE NOTICE

RE: PERMIT NO. 63-31632

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before May 01, 2004. (See last page of your approval permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a completed field examination report prepared by a certified water right examiner may be used to submit the required proof.

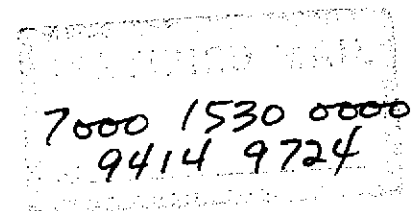
If you have not fully completed your project, and you or a previous owner of this permit have not received a prior extension of time, you may request an extension of time if the delay is for reasonable cause as provided in Section 42-204, Idaho Code. If you have been prevented from proceeding by a governmental agency or by litigation which might bring title to the water in question, more than one extension of time can be granted. An extension of time request form is enclosed for your convenience.

Either an acceptable proof of beneficial use submittal or an acceptable request for an extension of time must be received by this department on or before the above described proof due date. If neither is received, the department will send you a lapse notice. Within sixty (60) days of the mailing of the lapse notice, the permit will no longer be of any force nor effect.

Sincerely,

Deborah J. Gibson, Administrative Assistant
Water Allocation Bureau

Enclosures



MICROFILMED

JUN 15 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Boise, ID 83706 - P.O. Box 83720, Boise, ID 83720-0098
Phone: (208) 327-7900 Fax: (208) 327-7866 Web Site: www.idwr.state.id.us

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

April 29, 2003

ALLIED SEED LLC
9311 HWY 45
NAMPA ID 83686

RE: Permit No. 63-31632

Permit Approval Notice

Dear Permit Holder:

The Department of Water Resources has issued the enclosed permit authorizing you to establish a new water right. Please be sure to thoroughly review the conditions of approval and remarks listed on your permit.

The permit is a PRELIMINARY ORDER issued by the Department pursuant to Section 67-5243, Idaho Code. It can and will become a final order without further action by the Department unless a party petitions for reconsideration or files an exception and/or brief within fourteen (14) days of the service date as described in the enclosed information sheet.

Enclosed is a form entitled 'Instructions for Proof of Beneficial Use.' Please read the instructions carefully since you must take further action to develop this permit into a licensed water right. Also enclosed is a form entitled 'Proof of Beneficial Use.' If your project is already completed, you should complete and submit this form immediately.

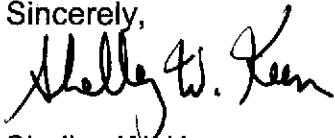
The right to drill a well is not a part of this permit to appropriate water. Beginning in July of 1987, a statute was enacted which requires a drilling permit for new well construction and deepening of existing wells. If the well(s) proposed for use under this water right permit were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Ground Water Protection Section located here at this office or our regional office nearest you.

MICROFILMED
JUN 9 5 2003

Also, please note that water right owners are required to report any change of water right ownership and/or mailing address to the Department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee. Contact any office of the Department or visit the Department's homepage on the Internet to obtain the proper forms and instructions.

If you have any questions, please contact me at 208-327-7946.

Sincerely,

A handwritten signature in black ink, appearing to read "Shelley W. Keen". The signature is fluid and cursive, with the first name being the most prominent.

Shelley W. Keen

Water Rights Supervisor

Enclosure(s)

MICROFILMED
JUN 15 2000

CERTIFICATE OF SERVICE

I hereby certify that on April 29, 2003 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO. 63-31632

**ALLIED SEED LLC
9311 HWY 45
NAMPA ID 83686**

A handwritten signature in cursive script, reading "Deborah J. Gibson", is written over a horizontal line.

**Deborah J. Gibson
Administrative Assistant**

MICROFILMED
JUN 9 5 2003

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

(To be used in connection with actions when a hearing was not held)

(Required by Rule of Procedure 730.02)

The accompanying order or approved document is a "**Preliminary Order**" issued by the department pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action of the Department of Water Resources ("department") unless a party petitions for reconsideration, files an exception and brief, or requests a hearing as further described below.

PETITION FOR RECONSIDERATION

Any party may file a petition for reconsideration of a preliminary order with the department within fourteen (14) days of the service date of this order. The department will act on a petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. See Section 67-5243(3) Idaho Code.

EXCEPTIONS AND BRIEFS

Within fourteen (14) days after (a) the service date of a preliminary order, (b) the service date of a denial of a petition for reconsideration from this preliminary order, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration from this preliminary order, any party may in writing support or take exceptions to any part of a preliminary order and may file briefs in support of the party's position on any issue in the proceeding with the Director. Otherwise, this preliminary order will become a final order of the agency.

REQUEST FOR HEARING

Unless a right to a hearing before the Department or the Water Resource Board is otherwise provided by statute, any person aggrieved by any final decision, determination, order or action of the Director of the Department and who has not previously been afforded an opportunity for a hearing on the matter may request a hearing pursuant to section 42-1701A(3), Idaho Code. A written petition contesting the action of the Director and requesting a hearing shall be filed within fifteen (15) days after receipt of the denial or conditional approval.

ORAL ARGUMENT

If the Director grants a petition to review the preliminary order, the Director shall allow all parties an opportunity to file briefs in support of or taking exceptions to the preliminary order and may schedule oral argument in the matter before issuing a final order. If oral arguments are to be heard, the Director will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Director orders otherwise, all oral arguments will be heard in Boise, Idaho.

CERTIFICATE OF SERVICE

All exceptions, briefs, requests for oral argument and any other matters filed with the Director in connection with the preliminary order shall be served on all other parties to the proceedings in accordance with IDAPA Rules 37.01.01302 and 37.01.01303 (Rules of Procedure 302 and 303).

FINAL ORDER

The Director will issue a final order within fifty-six (56) days of receipt of the written briefs, oral argument or response to briefs, whichever is later, unless waived by the parties or for good cause shown. The Director may remand the matter for further evidentiary hearings if further factual development of the record is necessary before issuing a final order. The department will serve a copy of the final order on all parties of record.

Section 67-5246(5), Idaho Code, provides as follows:

Unless a different date is stated in a final order, the order is effective fourteen (14) days after its issuance if a party has not filed a petition for reconsideration. If a party has filed a petition for reconsideration with the agency head, the final order becomes effective when:

- (a) the petition for reconsideration is disposed of, or
- (b) the petition is deemed denied because the agency head did not dispose of the petition within twenty-one (21) days.

APPEAL OF FINAL ORDER TO DISTRICT COURT

Pursuant to sections 67-5270 and 67-5272, Idaho Code, if this preliminary order becomes final, any party aggrieved by the final order or orders previously issued in this case may appeal the final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,
- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

The appeal must be filed within twenty-eight (28) days of this preliminary order becoming final. See section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

IDAHO DEPARTMENT OF WATER RESOURCES
APPROPRIATION APPLICATION ANALYSIS SHEET

RECEIVED

APR 17 2003

Department of Water Resources

Initial review by JZ Date 3/7/03 Application # 63-31632

REQUIRED INFORMATION

- SEE bottom of front pg. of Appl.* *
- ☒ Name (If applicant is a corporation or partnership, the names and addresses for the director, officers, and other partners must be included)
- ☒ Address
- ☒ Source (See USGS Quad for names of water sources)
- ☒ Point of Diversion (10 acres for spring, lot & block descriptions for Subdivisions, local name)
- ☒ County
- ☒ Quantity (Flow and/or Volume)
- ☒ Period of use
- ☒ Nature of proposed use (Include description of use)
- ☒ Description of diverting works
- ☒ Time required for beneficial use of water
- ☒ Place of use or acres irrigated
- ☒ Map (Show T, R, S, QQ &/OR QQQ)
- ☒ Subdivision plat (for > 1 home in restricted area ≥ 5 homes in non-restricted area)
- ☒ Signature (If applicant is corporation, partnership, or municipality, title of signatory is required)
- ☒ Correct fee paid
- Government Lots
N P/D
P/U

ADDITIONAL INFORMATION

Yes **ADVERTISE REMARKS (Yes or No)**

YES NO

- ☒ ☐ Overlapping place of use (Describe source and relationship to present application on next page)
- ☒ ☐ Overlapping point of diversion } *but none for proposed well & proposed uses*
- ☒ ☒ Critical groundwater area
- ☒ ☒ Ground water management area
- ☒ ☒ 1992 moratorium
- ☒ ☒ Surface water source, IDFG letter needed
- ☒ ☒ Protected river or minimum flow reach, notify water planning bureau
- ☒ ☒ E-mail to Dam Safety staff (for any storage)
- ☒ ☒ Mitigation plan Check any that apply
- ☒ ☒ Immediate = acceptable plan required and submitted
- ☒ ☒ Future = open areas, acceptance of condition of approval is in file
- ☒ ☒ Send power requirement letter &/or fish farm requirement letter
- ☒ ☒ Power residency affidavit
- ☒ ☒ Diversion greater than 5 cfs or 500 af or irrigation greater than 200 acres (if YES, attach Large Diversion supplementary analysis sheet)
- ☒ ☒ REQUEST ADDITIONAL INFORMATION FROM THE APPLICANT
- NONCONSUMPTIVE use proposed*

Date Requested _____ Date Response Received _____

* Registered @ IDOS website, filing # W12490 per 3/7/03 check

PROCESSING

APPLICATION #

63-31632

YES NO

☒ ☒ In form for advertising
☒ ☒ Statewide advertising (> 10 cfs &/or 1000 af)
☒ ☒ Fee amount, receipt number, and date recorded on application

SEND COPIES TO NOTE IF E-MAIL COMMENT LETTER USED

YES NO

☐ ☒ I.D. Environmental Quality
☐ ☒ I.D. District Health
☐ ☒ I.D. Fish & Game
☐ ☒ I.D. Lands

YES NO

☐ ☒ US BLM
☐ ☒ US Forest Service
☐ ☒ Water Dist #
☐ ☒ Water Planning Bureau
☐ ☒ Other

FINAL REGIONAL PROCESSING REVIEW

YES NO

☒ ☐ Affidavit of publication received
☒ ☐ Application published correctly? If not, record action taken
☒ ☐ Publication dates and paper recorded on application
☐ ☒ Final date for protest 4-7-03
☐ ☒ Protests received
☐ ☒ Recommendations attached
☒ ☐ Measuring device required
☐ ☒ Water delivered by water master? District #
☒ ☐ Special conditions of approval or cover letter

standard cond. fins, nonconsumptive use, does not include
landscaping irrigation, 40'-100' w.b. zone.
discussed with Gary Spaldeman, who concurs.

Recommended Date of Priority

2-18-2003

Recommendation

☒ Approve☐ Deny

by

JL Latta

Date

4/15/03

ADDITIONAL INFORMATION☒ See attached proof report, note any Legal Notice Remarks &/or Comments☒ See attached shapefile

AMENDED BEFORE ADVERTISING, NO EXPANSION, NO AMENDMENT FEE REQUIRED
OR EFFECT ON priority date.

IDAHO DEPARTMENT OF WATER RESOURCES

Water Application Report 63-31632

WATER RIGHT NUMBER: 63-31632

<u>Owner Type</u>	<u>Name and Address</u>
Current Owner	ALLIED SEED LLC 9311 HWY 45 NAMPA, ID 83686 (208)466-6700

Priority Date: 02/18/2003

Basis:

Status: Active

<u>Source</u>	<u>Tributary</u>
GROUND WATER	

<u>Beneficial Use</u>	<u>From</u> <u>To</u>	<u>Diversion Rate</u>	<u>Annual Volume</u>
DOMESTIC	01/01 to 12/31	0.020 CFS	
FIRE PROTECTION	01/01 to 12/31	4.500 CFS	
	<u>Total Diversion:</u>	4.520 CFS	

Location of Point(s) of Diversion

GROUND WATER	NE1/4SE1/4	Sec. 16, Twp 02N, Rge 02W, B.M.
CANYON County		

Place of Use

DOMESTIC

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	02W	16																	X

FIRE PROTECTION

Twp	Rge	Sec	NE				NW				SW				SE				Totals
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
02N	02W	16																	X

Conditions of Approval:Remarks:

IDAHO DEPARTMENT OF WATER RESOURCES
Water Application Report 63-31632

Comments:1. slester 3/7/2003 **Legal Notice Remarks**

Comment: Water bearing zone to be appropriated is from 40 to 100 feet for a nonconsumptive use.

2. slester 3/7/2003 **Comment/Analysis**

Comment: Domestic use is for an office restroom facility. Fire protection is considered nonconsumptive. Total use proposed is nonconsumptive and does not include landscape irrigation for the office. Application can be processed in Basin 63 without a need to address immediate or future mitigation.

Dates and Other Information:

Application Received Date: 2/18/2003
Application Denied Date:
Last Date of Beneficial Use:
Extension End Date:
Protest Deadline Date:
Number of Protests: 0
Enlargement Use Priority Date:
Enlargement Statute Priority Date:
State or Federal:
Owner Name Connector:
Water District Number:
Generic Max Rate Per Acre:
Generic Max Volume Per Acre:
Application Type: New Appropriation
Applicant Remarks: Davis Well & Pump Co., Nampa.
Other Water Rights: none
Time to Complete Works: 1
Transfer Affected Description:
Transfer Affected Contracts:
Old Transfer Number:
Transfer Reason:
Transfer Return Flows:
Swan Falls Trust or Nontrust:
Swan Falls Dismissed:
DLE Act Number:
Carey Act Number:
Mitigation Plan: False

63-31632
3/10/03 lm

POD and POU

JUN 05 2003

AFFIDAVIT OF PUBLICATION

STATE OF IDAHO)
) SS.
County of Canyon)

Rae L. Barbosa
of Nampa, Canyon County, Idaho, being
first duly sworn, deposes and says:

1. That I am a citizen of the United States, and at all times hereinafter mentioned was over the age of eighteen years, and not a party to the above entitled action.
2. That I am the Principal Clerk of the Idaho Press-Tribune, a daily newspaper published in the City of Nampa, in the County of Canyon, State of Idaho; that the said newspaper is in general circulation in the said County of Canyon, and in the vicinity of Nampa and Caldwell, and has been uninterruptedly published in said County during a period of seventy-eight consecutive weeks prior to the first publication of this notice, a copy of which is hereto attached.
3. That the notice, of which the annexed is a printed copy, was published in said newspaper 2 time(s) in the regular and entire issue of said paper, and was printed in the newspaper proper, and not in a supplement.
4. That said notice was published the following:
03/20/2003, 03/27/2003

Rae L. Barbosa

STATE OF IDAHO)
County of Canyon)

On the 27th day of March in the year of 2003
before me, a Notary Public, personally appeared.
Rae L. Barbosa,
known or identified to me to be the person
whose name is subscribed to the within
instrument, and being by me first duly sworn,
declared that the statements therein are true, and
acknowledge to me that he/she executed the same.

Rebecca L. Thompson

Notary Public for Idaho
Residing at Nampa
My commission expires April 19, 2008

e0100285 04511286
1 Idaho Dept. of Water Resourc
2735 Airport Way
BOISE ID 83705

LEGAL NOTICE

The following application(s) have
been filed to appropriate the public
waters of the State of Idaho:
63-31632

ALLIED SEED LLC ✓
9311 HWY 45
NAMPA ID 83686
Point(s) of Diversion
NESE
S16 T02N R02W
CANYON County
Source GROUND WATER
Use: DOMESTIC
01/01 To 12/31
0.02 CFS
Use: FIRE PROTECTION
01/01 To 12/31
4.5 CFS
Total Diversion: 4.52 CFS
Date Filed: 02/18/2003
Place Of Use: DOMESTIC
T02N R02W S16
NESE
Place Of Use: FIRE PROTECTION
T02N R02W S16
NESE

Remark: Water bearing
zone to be appropriated is from 40 to
100 feet for a nonconsumptive use.

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

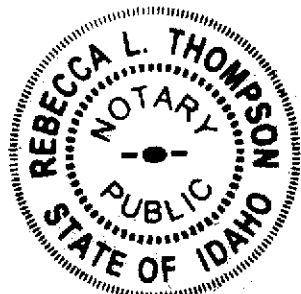
Any protest against the approval of
this application must be filed with the
Director, Dept. of Water Resource,
Western Region, 2735 Airport Wy,
Boise ID 83705 together with a pro-
test fee of \$25.00 for each applica-
tion on or before 04/07/2003. The
protestant must also send a copy of
the protest to the applicant.

KARL J DREHER, Director
March 20, 27, 2003 04511286

RECEIVED

MAR 28 2003

WATER RESOURCES
WESTERN REGION



MICROFILMED

MAR 28 2003



ALLIED SEED, LLC.

RECEIVED

FEB 20 2003

WATER RESOURCES
WESTERN REGION

February 18, 2003

Dan Nelson
Idaho Department of Water Resources
2735 Airport Way
Boise, ID 83705

Dear Dan,

Thank you for helping me with the correct choice of options. This document should be file with the water right permit application for Allied Seed, LLC that was forwarded to your office last week. Please let know if I can do anything else to expedite the approval of our application.

Best Regards,

Gary White

kr

*I did not receive this until after I
sent my 2/20/03 letter
-JR*

MICHAEL WOOD

FEB 20 2003

9311 Highway 45 • Nampa, Idaho 83686

phone: 208-466-6700 • toll free: 888-252-7573 • fax: 208-466-9074 • www.alliedseed.com



State of Idaho

DEPARTMENT OF WATER RESOURCES

Western Region, 2735 Airport Way, Boise, Idaho 83705-5082 - (208) 334-2190

FAX (208) 334-2348

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

February 20, 2003

GARY WHITE
ALLIED SEED LLC
9311 HWY 45
NAMPA ID 83686

Re: Application for Permit

Dear Mr. White:

Enclosed is your recently submitted application for permit. A few items need attention before this office can process the application. Please complete the following items to make your application complete enough for processing to occur.

- ✓ • Add your title to the signature line at the end of the application.
- ✓ • Identify the other officers of the company.
- ✓ • Suggest listing the well location to the 40-acre $\frac{1}{4}$ $\frac{1}{4}$ (NESE) instead of the 10-acre tract as currently shown (SENESE). This might prevent unnecessary follow up filings along with additional expense in the future.
- ✓ • Answer items 6d and 7 (minimum time is 1 year and maximum is 5 years).
- ✓ • In item 12, Remarks, list the water bearing zone to be appropriated ("from ___ to ___ feet"). You might need to discuss this with your well driller to get a good estimate.

✓ Please make your revisions to the original application and return it within thirty (30) days of the date of this letter. If the information is not timely submitted, the application will be removed from the records of this agency. This office will try to expedite the application once returned as you requested. Thank you for your attention to these matters.

Sincerely,

Steve Lester
Water Rights Supervisor

Enclosure

MICROFILMED

JUN 9 5 2003



ALLIED SEED, LLC.

RECEIVED

FEB 18 2003

WATER RESOURCES
WESTERN REGION

February 14, 2003

Department of Water Resources
Water Rights Supervisor, Western Region
Attn: Mr. Steve Lester
2735 Airport Way
Boise, ID 83705

Dear Mr. Lester:

Enclosed please find the water right permit application along with the fee of \$410.00. On behalf of Allied Seed, LLC, I am requesting expeditious approval of this application.

The well is for the purpose of emergency fire protection. As part of a Canyon County building permit for Allied Seed, LLC, the well is being provided at the request of the Upper Deer Flat Fire Department located at 9500 Missouri Avenue, Nampa, Idaho, 83686.

Thank you for your prompt attention to this matter.

Best regards,

Gary White
Allied Seed, LLC

Cc: David McWilliams

REC'D
JUN 15 2003

9311 Highway 45 • Nampa, Idaho 83686

phone: 208-466-6700 • toll free: 888-252-7573 • fax: 208-466-9074 • www.alliedseed.com

March 12, 2003

Legal Notice Department

Press-Tribune

PO Box 9399

Nampa ID 83652

RE: Application for Permit No. 63-31632

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 04/07/2003. Your cooperation is appreciated.

Sincerely

Sue Taylor
Senior Secretary

RECEIVED

MAR 13 2003

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

63-31632

ALLIED SEED LLC
9311 HWY 45
NAMPA ID 83686

Point(s) of Diversion NESE S16 T02N R02W CANYON County Source GROUND WATER

Use: DOMESTIC 01/01 To 12/31 0.02 CFS

Use: FIRE PROTECTION 01/01 To 12/31 4.5 CFS

Total Diversion: 4.52 CFS

Date Filed: 02/18/2003

Place Of Use: DOMESTIC

T02N R02W S16 NESE

Place Of Use: FIRE PROTECTION

T02N R02W S16 NESE

Remark: Water bearing zone to be appropriated is from 40 to 100 feet for a nonconsumptive use.

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 04/07/2003. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published in the Press-Tribune on March 19 and 26, 2003.

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MAR 18 2003