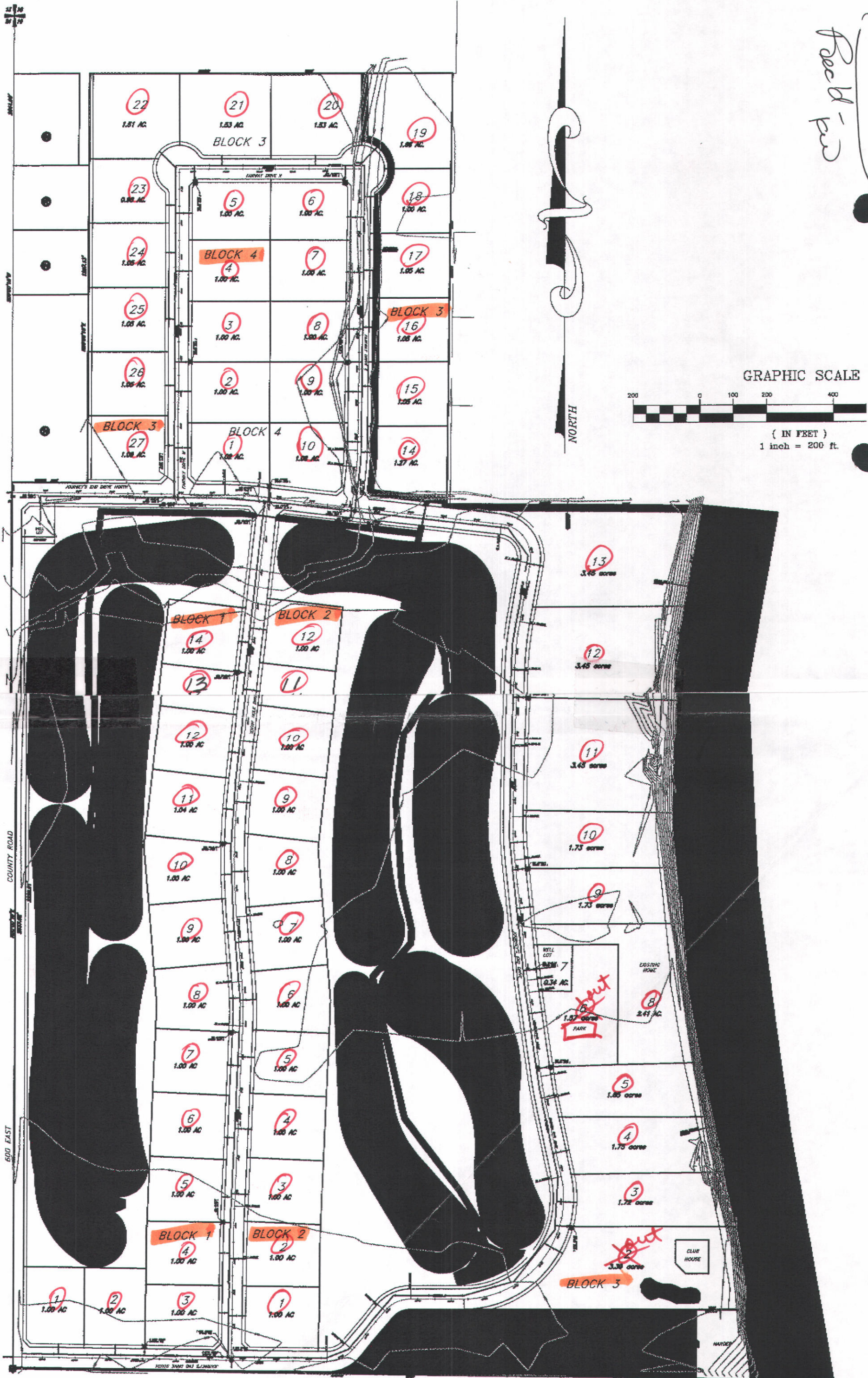
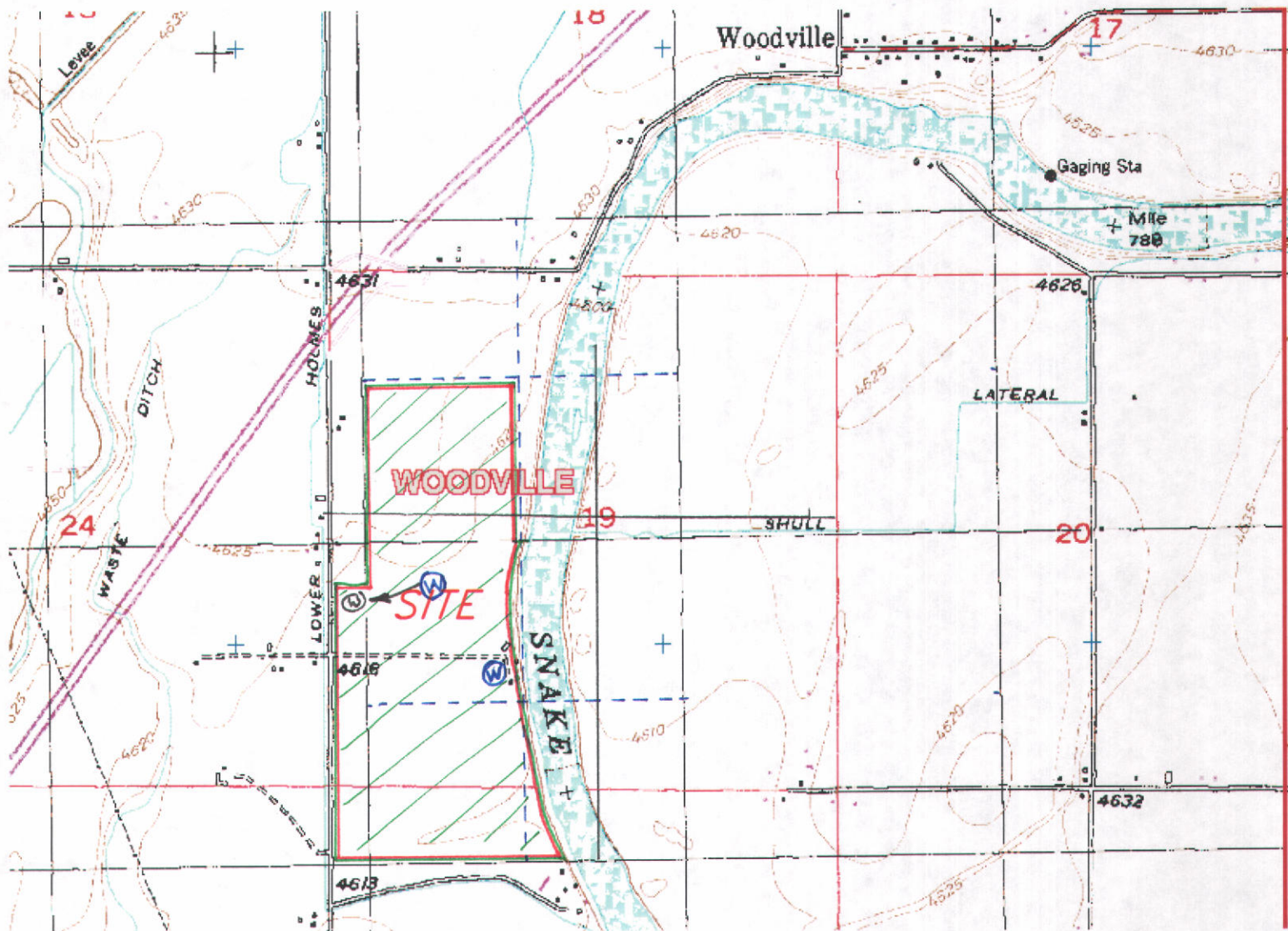
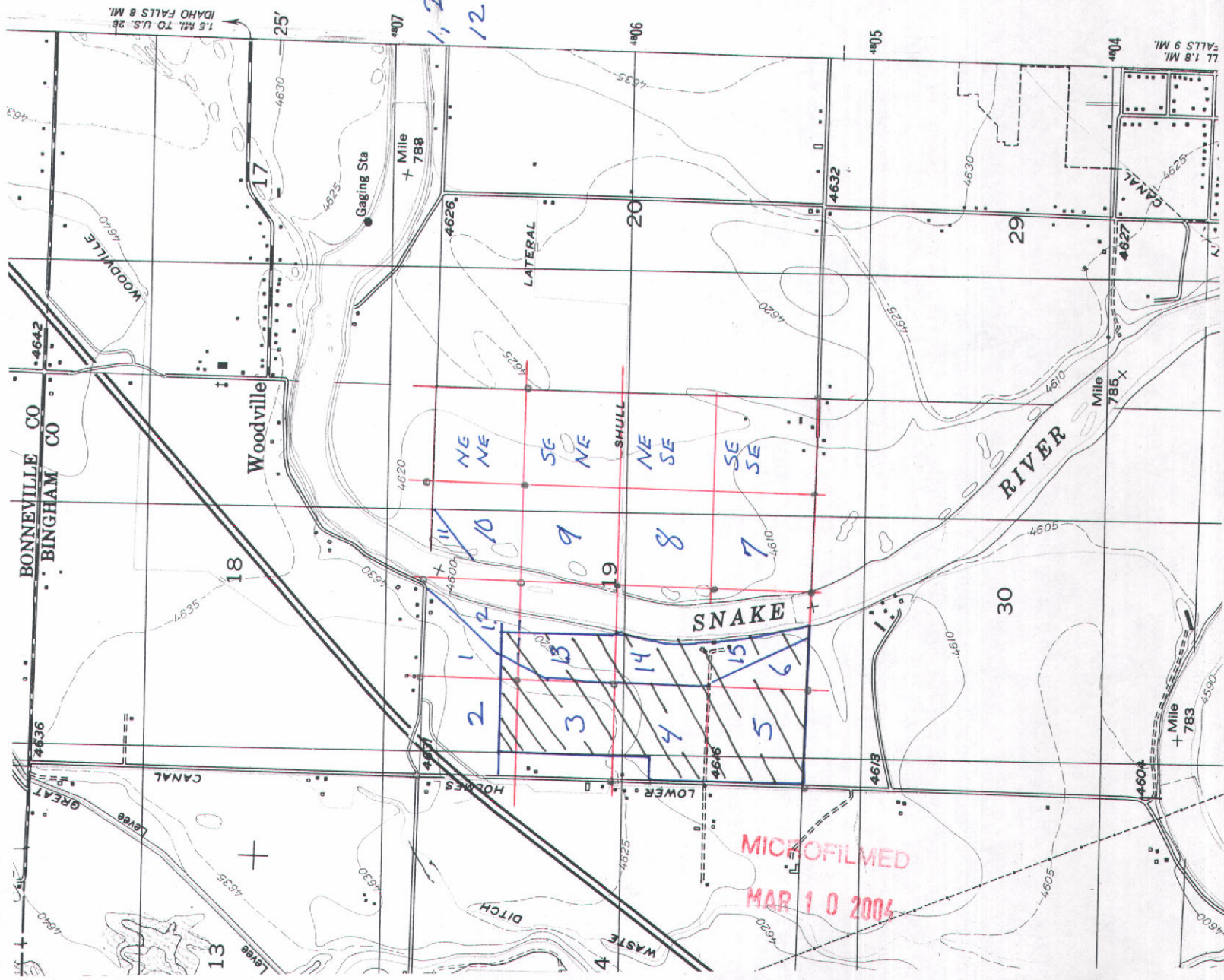




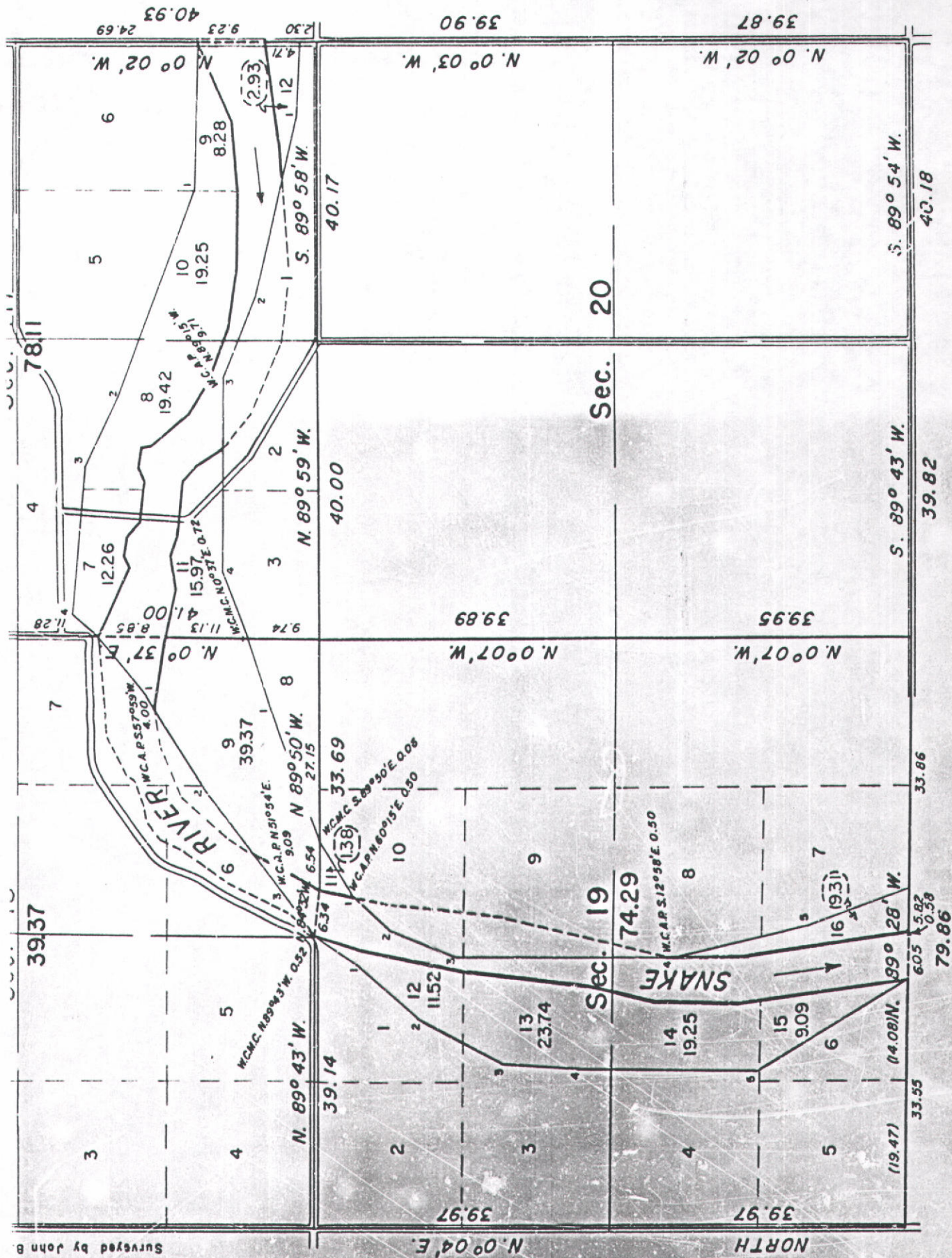


MICROFILMED
MAR 10 2004

Part of
Govt lots
1, 2, 3, 4, 5, 6,
12, 13, 14, 15



MAR 10 2004

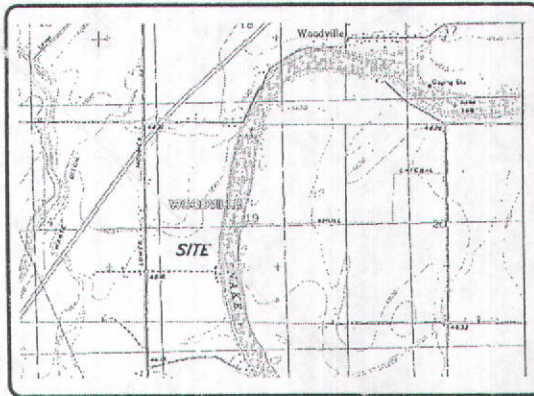


Woodbine Lane Bingham 274 acres

JOURNEY'S END GOLF COURSE COMMUNITY
Part of
Section 19, T. 1 N., R. 37 E., B.M.
BINGHAM COUNTY, IDAHO



NOT TO SCALE

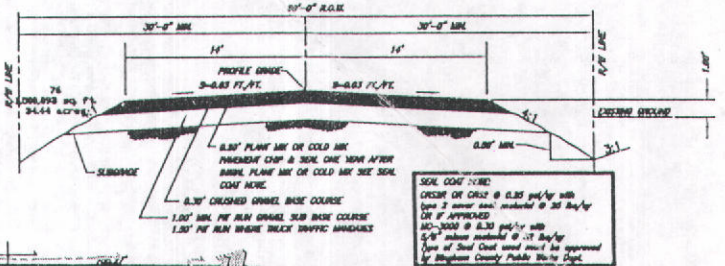


BOUNDARY DESCRIPTION

Part of the NW1/4 and the SW1/4 of Section 19, Township 1 North, Range 37 E., B.M.
Bingham County, Idaho described as:
Beginning at the NW1/4 corner of said Section 19 and running N10W1/4E 26.00 feet along
the section line thence S89W1/4E 238.00 feet thence N89W1/4E 130.13 feet thence S89W1/4E
108.13 feet thence S89W1/4E 130.13 feet more or less to the east-west boundary of said
Section 19; thence S89W1/4E 26.00 feet along said boundary to the West high
water line of the Snake River; thence along said high water line the following (1) corner
(1) thence S72W1/4E 262.00 feet (2) thence S89W1/4E 214.83 feet (3) thence S72W1/4E
4.78 feet (4) thence S72W1/4E 262.00 feet (5) thence S72W1/4E 262.00 feet thence
S89W1/4E 130.13 feet thence S89W1/4E 238.00 feet more or less to the south line of said
Section 19; thence N89W1/4E 238.00 feet along said south line to the SE corner of
Section 19; thence N89W1/4E 238.00 feet along the section line thence S89W1/4E 238.00
feet thence N89W1/4E 238.00 feet thence N89W1/4E 238.00 feet to the East line of said
Section 19; thence N89W1/4E 238.00 feet along the section line to the Point of Beginning.
Plotted number 1515 same more or less.

VICINITY MAP

STREET CROSS SECTION



EXISTING ZONING
AGRICULTURAL

REQUESTED ZONING
AGRICULTURAL / RESIDENTIAL

GEOLOGY

FLOOD PLAIN COMMUNITY PLAN NO. 180018 0185 B EFFECTIVE DATE: NOV. 15,
1979 ALL PROPERTY IN THIS PLAT IS ZONE C EXCEPT ALONG THE SNAKE RIVER
IS ZONE A

DEPTH TO WATER = 80' TO FIRST WATER
DRAINAGE = > 20" per hour
PERMEABILITY = ML to 4' depth, GP thereafter.

ADJOINERS

LOPEZ FAMILY TRUST
MARLYN J. & TESS NELSON
RICHARD W. JR. & LISA BOWD
LEE HART & DAWN HARRIS SHAWNEY
DOUGLAS & JANELLE A. HARDER
PAUL & MERRILEE ROCKS
T & A INC.

1073 E. 1500 N. TERRETON, ID. 83450
1475 N. 600 E. SHELLEY, ID. 83274
1463 N. 600 E. SHELLEY, ID. 83274
1459 N. 600 E. SHELLEY, ID. 83274
1477 N. 600 E. SHELLEY, ID. 83274
1459 N. 625 E. SHELLEY, ID. 83274
1375 N. 600 E. SHELLEY, ID. 83274

GOLF COURSE

SQUARE FEET = 2,587,464
ACRES = 59.40
2643 YARDS
PAR 35

LOTS

TOTAL ACRES = 74.33 ACRES
50 1 AC.+
5 2 AC.+
4 3 AC.+
AVERAGE LOT SIZE = 1.3 ACRES

LAND USE

GOLF COURSE =
BUILDING LOTS =
ROADS, CLUB HOUSE,
AND WELL LOTS =
TOTAL ACRES =

59.40 ACRES
74.33 ACRES
22.05 ACRES
155.78 ACRES

OWNER

EUGENE HUMPHRIES
1429 N. 600 E.
SHELLEY ID. 83274

LEGEND

- SECTION CONTROL
- UTILITY EASEMENTS ALONG THE STREET FRONTAGE
OF ALL LOTS ARE 10' UNLESS OTHERWISE NOTED.
- CONTOURS @ 2' INTERVALS
- EXISTING WELL

DEVELOPER

SHAWN ALLEN / ERIC TARKALSON

IRRIGATION

SEPTIC

PRESSURE SYSTEM ALL
LOTS W/ RISERS

INDIVIDUAL SEPTIC SYSTEM

WATER

2 COMMUNITY WELL WATER SYSTEM

REVISED 11-5-03

C:\PROJECTS\0202\PLATS\20334.0609 JOURNEYS END GOLF COURSE.dwg\0609-2.dwg 11/05/2003 03:33:59 PM HST

JOURNEY'S END GOLF COURSE COMMUNITY
BINGHAM COUNTY IDAHO
PRELIMINARY PLAT



HARPER-LEAVITT ENGINEERING, INC.
PROFESSIONAL ENGINEERS AND LAND SURVEYORS
816 N. CAPITAL BLVD., P.O. BOX 20091, BOISE, IDAHO 83706
Telephone (208) 524-0212 Fax (208) 524-0228

State of Idaho
Department of Water Resources
Permit to Appropriate Water

NO. 27-11979

Priority: November 24, 2003

Maximum Diversion Rate: 0.40 CFS

This is to certify, that SHAWN ALLEN
2107 E 49 S
IDAHO FALLS ID 83404

Or

ERIC TARKALSON
718 N 8TH ST
HAMILTON MT 59840

have 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	0.40 CFS

LOCATION OF POINTS OF DIVERSION:

GROUND WATER L4 (NW¼SW¼) Sec. 19, Twp 01N, Rge 37E, B.M., BINGHAM County
GROUND WATER L15 (SE¼SW¼) Sec. 19, Twp 01N, Rge 37E, B.M., BINGHAM 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	
01N 37E 19					X	X	X	X	X	X	X	X					
					L1	L2	L3	L3	L4	L4	L5	L6					
					L12			L13	L14			L15					

CONDITIONS OF APPROVAL

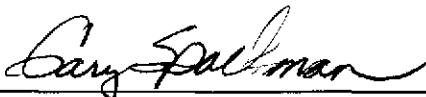
1. Proof of application of water to beneficial use shall be submitted on or before **January 01, 2009**.
2. Subject to all prior water rights.
3. Project construction shall commence within one year from the date of permit issuance and shall proceed diligently to completion unless it can be shown to the satisfaction of the Director of the Department of Water Resources that delays were due to circumstances over which permit holder had no control.
4. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code and applicable Well Construction Rules of the Department.

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MAR 10 2004

State of Idaho
Department of Water Resources
Permit to Appropriate Water
NO. 27-11979

5. Domestic use is for 59 homes and does not include lawn, garden, landscape, or other types of irrigation.
6. Place of use is located within Lots 1-14, Blk. 1; 1-12, Blk. 2; 3-5, 8-27, Blk. 3; 1-10, Blk. 4; Journeys End Golf Course Community.
7. The domestic use authorized under this right shall not exceed 13,000 gallons per day per home.
8. The right holder shall measure and annually report diversions of water and/or other pertinent hydrologic and system information as required by Section 42-701, Idaho Code.
9. The use of water under this right shall not give rise to any claim against the holder of a senior water right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

This permit is issued pursuant to the provisions of Section 42-204, Idaho Code. Witness the signature of the Director, affixed at Boise, this 21st day of January, 2004.



Acting for KARL J DREHER, Director

MICHOULINE
MAR 10 2004

Ident. No. 27-11979

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

RECEIVED

JAN 13 2004

To appropriate the public waters of the State of Idaho

Department of Water Resources

1. Name of Applicant SHAWN ALLEN and/or ERIC TARKALSON Phone 406-363-2899
Mailing address 458 Highway 39 North, Hamilton MT 59840
2. Source of water supply Ground Water which is a tributary of _____
3. Location of point of diversion is Township 1N Range 37E Sec. 19, in the NW ¼, SW ¼, _____ ¼, Govt. Lot E1N 37E 19 SWSW, B.M., Bingham County;
additional points of diversion if any: _____

4. Water will be used for the following purposes:

- Amount .40 for Domestic purposes from 1 Jan to 31 Dec (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) .40 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

- a. Describe type and size of devices used to divert water from the source 2 Wells to a common distribution system for inhouse use only. Irrigation will be with shares of Woodville Canal Co.
b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total reservoir capacity _____ acre-feet
c. Proposed well diameter is 10" inches; proposed depth of well is 300' feet
d. Is ground water with a temperature of greater than 85°F being sought? NO
e. If well is already drilled, when? NO; 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. 59 homes
e. Other; describe fully. _____

RECEIVED

JAN 24 2004

MICHOITLINED

MAR 10 2004

Department of Water Resources
P.O. Box 1600
Boise, Idaho 83726-0001

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	
1N	37E	19					D	D	D	D	D	D	D	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? 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: Applicant has 274 shares of Woodville Canal Co water. This will be used as irrigation for the homes & golf course.

Govt lots 1, 2, 3, 4, 5, 6 & 12, 13, 14, 15

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.

Kim H. Leavitt
Signature of Applicant (and title, if applicable)

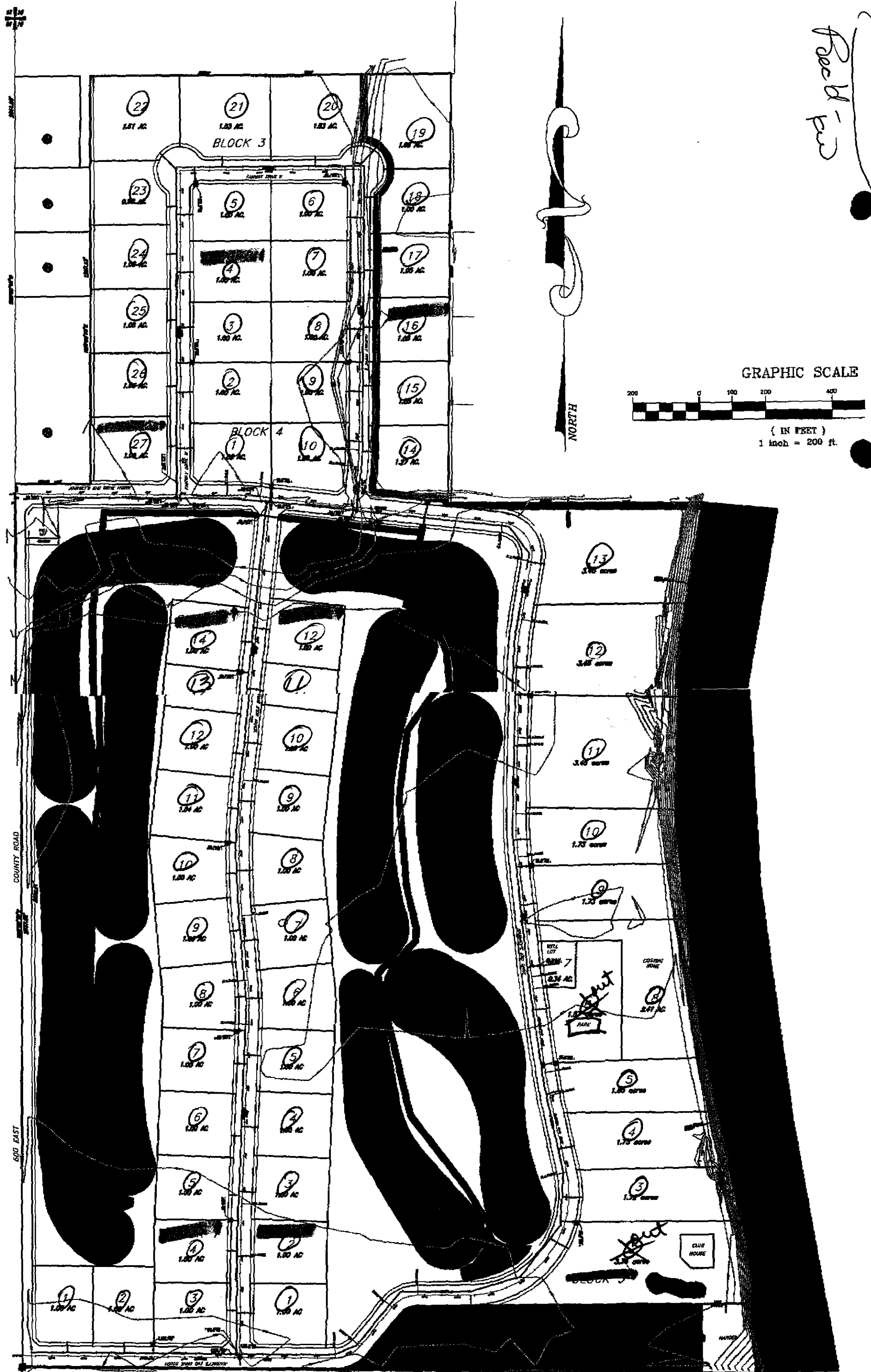
Power of Attorney 11/24/03

Received by SC Date 11/24/03 Time _____ Preliminary check by LEAVITT, KIM
Fee \$ 250.00 Receipted by SC # E029385 Date 11/26/03
Publication prepared by SC Date 12/18 & 12/29/03 Published in Morning News
Publication approved SC Date 12/31/04

MICROFILMED

MAR 10 2004

Jan. 16, 2004 11:07AM
 2085240229
Reed -



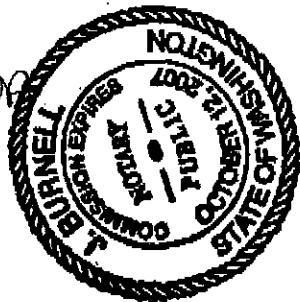
Journey's End Golf Course
Shawn Allen, CEO
P.O. Box 436
Shelley, ID. 83274
(406) 360-1988

To Whom It May Concern:

I, Shawn Allen, give power of attorney to Kim Leavitt of Harper-Leavitt Engineers, to sign for the water right application for the wells @ the Journey's End Golf Course located in Shelley, ID.

Dated this 15 day of January, 2004.

J. Burnell
Spokane, WA
10-12-07

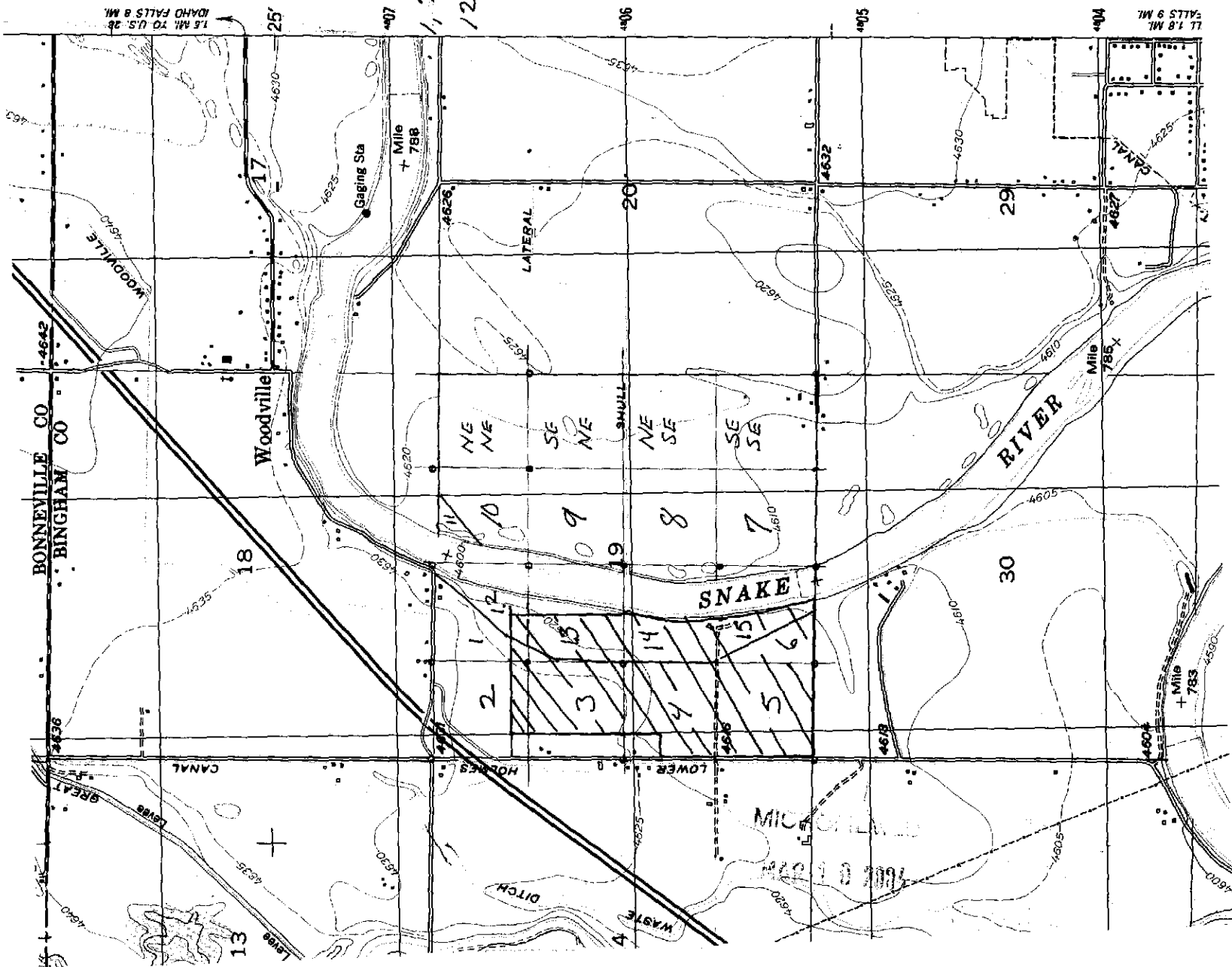


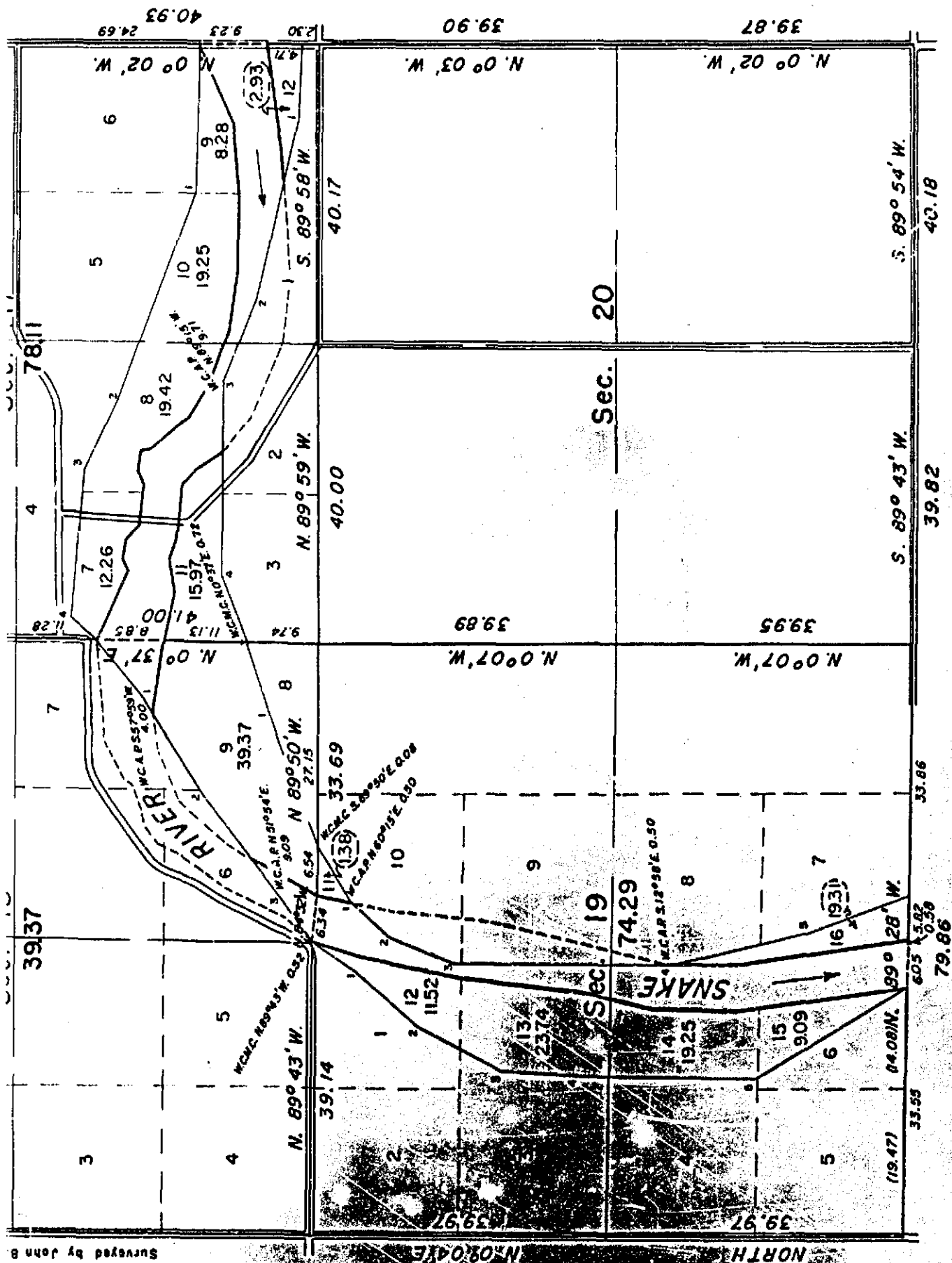

Shawn Allen

MICROFILMED

MAR 9 9 2004

Part of
Govt lots
1, 2, 3, 4, 5, 6,
12, 13, 14, 15

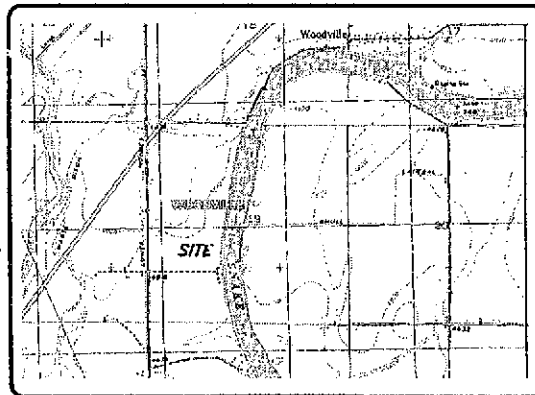




Surveyed by John B.

NORTH

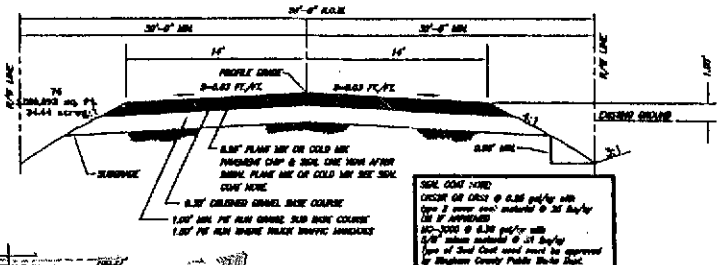
JOURNEY'S END GOLF COURSE COMMUNITY
Part of
Section 19, T. 1 N., R. 37 E., B.M.
BINGHAM COUNTY, IDAHO



BOUNDARY DESCRIPTION

[illegible]

VICINITY MAP



EXISTING ZONING
AGRICULTURAL

REQUESTED ZONING
AGRICULTURAL / RESIDENTIAL

GEOLOGY

FLOOD PLAIN COMMUNITY PANEL NO. 16001B 0165 B EFFECTIVE DATE: NOV. 15, 1979 ALL PROPERTY IN THIS PLAT IS ZONE C EXCEPT ALONG THE SNAKE RIVER IS ZONE A

DEPTH TO WATER = 80' TO FIRST WATER
DRAINAGE =
PERMEABILITY = > 20" per hour
SOIL TYPE = till to 4' depth, GP thereafter.

ADJOINERS

LOPEZ FAMILY TRUST
MARLYN J. & TESS NIELSO
RICHARD W. JR. & LISA BOND
LEE HART & DAWN MARIE SHUMWAY
DOUGLAS & JANELLE A. HARDER
PAUL & MERRILEE RICKS
T & A INC.

1073 E. 1500 N. TERRETON, ID. 83450
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1477 N. 800 E. SHELLEY, ID. 83274
1459 N. 825 E. SHELLEY, ID. 83274
1373 N. 800 E. SHELLEY, ID. 83274

GOLF COURSE

SQUARE FEET = 2,587,464
ACRES = 59.40
2643 YARDS
PAR 35

LOTS

TOTAL ACRES = 74.33 ACRES

50	1 AC. +
5	2 AC. +
1	3 AC. +

AVERAGE LOT SIZE = 1.3 ACRES

LAND USE

GOLF COURSE =
BUILDING LOTS =
ROADS, CLUB HOUSE,
AND WELL LOTS =
TOTAL ACRES =

OWNER

EUGENE HUMPHRIES
429 N 600 E
SHELLEY ID 83274

LEGEND

SECTION CONTROL

UTILITY EASEMENTS ALONG THE STREET FRONTAGE
OF ALL LOTS ARE 10' UNLESS OTHERWISE NOTED.

CONTOURS @ 2' INTERVALS

EXISTING WELL

DEVELOPER

SHAWN ALLEN / ERIC YARKALSON

IRRIGATION

PRESSURE SYSTEM AL
LOTS W/ RISERS

SEPTIC

INDIVIDUAL SEPTIC SYSTEM

WATER

2. COMMUNITY WELL WATER SYSTEM

JOURNEY'S END GOLF COURSE COMMUNITY
MINAMI COUNTY IDAHO
PRELIMINARY PLAT

HE

HARPER-LEAVITT ENGINEERING, INC.
PROFESSIONAL ENGINEERS AND LAND SURVEYORS

ONE N. CANNON AVE., P.O. BOX 88881, DOWD HILLS DOWD 83408
TEL. 461-7700 FAX 461-8888



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

January 21, 2004

SHAWN ALLEN
2107 E 49 S
IDAHO FALLS ID 83404

ERIC TARKALSON
718 N 8TH ST
HAMILTON MT 59840

RE: Permit No. 27-11979

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.

As a permit owner you must commence the excavation or construction of the diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The date shown under condition no. 1 is the date when the project must be completed.

The Department will send you a 'Proof Due Notice' approximately 60 days prior to the above referenced date requesting you to file either a Proof of Beneficial Use form or a Request for Extension of Time form.

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

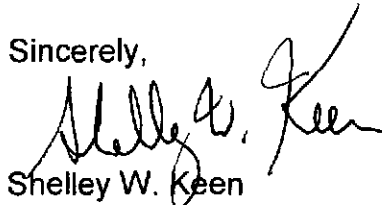
MAR 10 2004

Please note that one of the conditions of approval on your permit requires that you measure your diversion and record other important hydrologic and physical features and report them annually to the Department. The Department will shortly send you further information about measuring devices, flow estimation using power records, and annual reporting forms. If you have questions about the measuring and reporting requirements, please call the Department at (208) 327-7900 and ask for someone in the Water Distribution Section.

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,



Shelley W. Keen

Water Rights Supervisor

SWK:klt

Enclosure(s)

MICROFILMED

MAR 10 2004

CERTIFICATE OF SERVICE

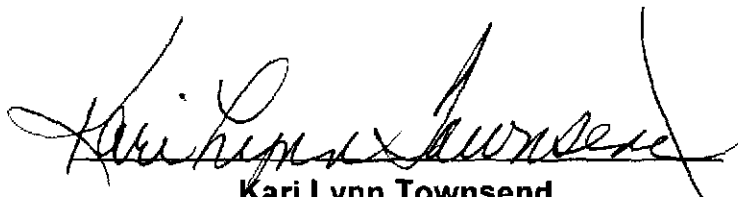
I hereby certify that on January 21, 2004 I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER(Approved Permit) to the person(s) listed below:

RE: WATER RIGHT NO.

27-11979

**ERIC TARKALSON
718 N 8TH ST
HAMILTON MT 59840**

**SHAWN ALLEN
2107 E 49 S
IDAHO FALLS ID 83404**



**Kari Lynn Townsend
Secretary**

MICROFILMED

MAR 10 2004

**EXPLANATORY INFORMATION
TO ACCOMPANY A
PRELIMINARY ORDER**

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 Idaho Water Resource Board (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.

MICROFILMED
MAR 18 2004

Comment Report

27-11979

1. kwalker 1/16/2004 Application Review

Comment: During review of this application I had to call the engineering company to request a copy of power of attorney since application was signed by someone other than the applicants. I also requested something in writing to show the current mailing addresses for the applicants since I could not determine where the region had gotten their information concerning the addresses that had been data entered. I also had to call and request information concerning the lot and block information shown on the preliminary plat in the file. The engineering firm sent me an updated plat which was used to identify the lots and blocks to be included on this approval.

2. kwalker 1/16/2004 Point of Diversion

Comment: While making GIS shapes for the points of diversion under this application I found that the point located in Lot 15 was located in the SESW, S19 rather than SWSW, S19 as submitted. Since the Government Lot is actually the legal description and it was shown correctly on the application I corrected the 40 acre tract description without regional approval or readvertisement.

MICHAEL MED
JAN 16 2004

Reed
rw



HARPER - LEAVITT ENGINEERING, INC.

CIVIL, GEOTECHNICAL & STRUCTURAL ENGINEERING, MATERIALS TESTING & LAND SURVEYING

Fax Cover Sheet

To: Kay Walker - IDWR

From: D. Ryan Briggs

Fax: 327-7886

Pages: 1 of 3

CC: file

Project: Journeys End

Date: 1/16/2004

Proj. #: 2.0334.0609

Re: Updated Lot Numbers

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

• **Comments:**

If you have any more questions or would like to discuss the project further, please feel free to give me a call.

Thanks,

Harper-Leavitt Eng. Inc.

A handwritten signature in black ink, appearing to read 'D. Ryan Briggs'.

D. Ryan Briggs P.E.
ryanb@hleinc.com

MICROFILMED

MAR 10 2004

**HARPER – LEAVITT ENGINEERING, INC.**

CIVIL, GEOTECHNICAL & STRUCTURAL ENGINEERING, MATERIALS TESTING & LAND SURVEYING

Fax Cover Sheet

To: Kay Walker - IDWR	From: D. Ryan Briggs
Fax: 327-7866	Pages: 1 of 2
CC: file	Project: Journeys End
Date: 1/15/2004	Proj. #: 2.0334.0609
Re: Power of Attorney	

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

• Comments:

Attached is the Power of Attorney that you requested.

The addresses that we have on file are as follows:

Shawn Allen – 2107 E 49th South, Idaho Falls ID 83404

Eric Tarkalson – 718 N 8th, Hamilton MT 59840

Thanks,

Harper-Leavitt Eng. Inc.

A handwritten signature in black ink, appearing to read 'D. Ryan Briggs'.

D. Ryan Briggs P.E.
ryanb@hleinc.com

RECEIVED

JAN 13 2004

Department of Water Resources

Dist for Staffing _____
Submitted for advertising _____

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT ANALYSIS PERMIT

INITIAL REVIEW BY James J. [Signature] DATE 12-2-2004 APPLICATION NO. 27-11979

REQUIRED INFORMATION:

- ☒ Name (if applicant is a corporation or partnership, names must be provided for the director, officers, & other partners.)
☒ Address
☒ Source (See USGS Quad for names of water sources)
☒ Point of Diversion (10 acres for spring, lot & block descriptions for subdivision, local name, flow and/or volume)
☒ 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
☒ Signature (If applicant is corp., partnership, or municipality, title of signatory is required)
☒ Fee
☒ Yes _____ No* In form to receipt

ADDITIONAL INFORMATION:

- _____ Overlapping place of use (Describe source & relationship to present application on the back)
_____ Overlapping point of diversion
_____ Yes ☒ No Critical groundwater area
_____ Yes ☒ No Groundwater management area
_____ Yes ☒ No Send dam safety information
_____ Yes ☒ No Send fish farm requirement letter
_____ Yes ☒ No Power residency affidavit
_____ Yes ☒ No Within trustwater boundary (If yes, attach trust water supplementary analysis sheet)
☒ Yes ☒ No Public Water System
_____ Yes ☒ No Planning section review
_____ Yes ☒ No Moratorium Hold file
_____ See reverse side for additional information

*REQUEST THE FOLLOWING ADDITIONAL INFORMATION FROM THE APPLICANT

_____ Date Requested _____

PROCESSING:

- ☒ Yes _____ No In form for advertising
_____ Yes ☒ No Statewide advertising
☒ Yes _____ No Fee amount, receipt date & No. recorded on application

SEND COPIES TO:

- ☒ Id Dept of Environmental Quality Boate/10 _____ U.S. BLM
_____ Id Dept of Fish & Game _____ U.S. Forest Service
_____ Id Dept of Lands _____ Water District
_____ Adjudication Bureau Unit _____ Other _____

FINAL REGIONAL PROCESSING REVIEW:

☒ Yes	☐ No	Affidavit of publication received
☒ Yes	☐ No	Application published correctly. If not, record action taken
☒ Yes	☐ No	Publication dates & paper, recorded on application
☐ Yes	☒ No	Protests received
☐ Yes	☐ No	Final date for protest
☐ Yes	☐ No	Protests, dates, resolution of protest, recorded on application
☐ Yes	☐ No	Recommendations attached
☐ Yes	☐ No	Measuring device required
☐ Yes	☐ No	Access port required
☐ Yes	☐ No	Will water be delivered by watermaster? If yes, what District
☐ Yes	☐ No	Special conditions of approval or cover letter below.

Date of priority recommend

11/24/03

By: *Roger K. Damm*

Date:

1/06/04

STATE OFFICE REVIEW:

By:

Date:

ADDITIONAL INFORMATION:

LOCAL PUBLIC INTEREST:

Comments received from:

☐ City	☐ Id Fish & Game	☐ Irrigation District
☐ County	☐ Id Health & Welfare	☐ Canal Company
☐ Reservations	☐ Div. Of Environment	☐ Other

Project impacts/implications report

COMMENTS

DEPT. OF WATER RESOURCES
900 N. Skyline Drive, Suite A
Idaho Falls, Idaho 83402-1718
Phone: (208) 525-7161
Fax: (208) 525-7177

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

27-11979

SHAWN ALLEN
2107 East 49 South
Idaho Falls, Idaho 83404
ERIC TARKALSON
718 North 8th Street
Hamilton, MT. 59840

Point(s) of Diversion: L4 (NWSW) S19
T01N R37E and L15 (SWSW) S19
T01N R37E, Bingham County.
Source: GROUNDWATER
Use: DOMESTIC 01/01 to 12/31 0.4
CFS

Total Diversion: 0.4 CFS
Date Filed: 11/24/2003
Place Of Use: DOMESTIC
T01N R37E S19
NENW NWNW SWNW SENW NESW
NWSW SWSW SESW
Permits will be subject to all prior water
rights. Protests may be submitted based
on the criteria of Section 42-203A, Idaho
Code.

Any protest against the approval of this
application must be filed with the
Director, Dept. of Water Resource,
Eastern Region, 900 N. Skyline Drive,
Suite A, Idaho Falls, Idaho, 83402,
together with a protest fee of \$25.00 for
each application on or before January 5,
2004.

The protestant must also send a copy of
the protest to the applicant.

KARL J. DREHER
Director

(#794)

Pub.: 12/18, 24

RECEIVED

DEC 31 2003

Department of Water Resources
Eastern Region

Legals

AFFIDAVIT OF PUBLICATION

County of Bingham)

ss

State of Idaho)

I, Jacqueline Graham do solemnly
swear that I am the Legal
Coordinator of The Morning News,
which is a daily newspaper of
general circulation, published each
day except Sunday at Blackfoot,
Bingham County, Idaho, said
newspaper having been so published
at Blackfoot, aforesaid for more than
one year past; that said newspaper
heretofore complied with all the
provisions of Chapter 154 of the
Sessions Laws of Idaho of 1911,
approved March 11, 1911, and duly
designated, pursuant to law, a
particular day of the week as the day
on which legal notices required by
law or by the order of any Court of
competent jurisdiction within the
State of Idaho shall be published to-
wit: of each week; that the notice
attached hereto and which is a part
of this affidavit and part of the proof
of publication was published in said
issue of said

newspaper 2 consecutive Weeks
the first publication having been
made on the 18 day of Dec
2003, and the last publication having
been made on the 24 day of
Dec 2003; that said notice was
published in the regular and entire
issue of every number of the paper
as aforesaid during the period and
time of publication, and that notice
was published, in the newspaper and
not in a supplement.

Jacqueline Graham

On this 24 day of Dec, in
the year of 2003, before me a Notary
Public of the State, personally
appeared Jacqueline Graham,
known or identified to me to be the
person whose name is subscribed to
the within instrument, and being by
me the first duly sworn, declared that
the statements therein are true, and
acknowledged to me the
executed the same.

Notary Public for the State of Idaho
Residing at Blackfoot, Idaho
My Commission Expires
June 19, 2004
Affidavit Processing Fee.....\$5.00



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 10, 2003

STATE OF IDAHO
DEPT OF ENVIRONMENTAL QUALITY
444 HOSPITAL WAY #300

POCATELLO, ID 83201

Application to Permit No. 27-11979

STATE OF IDAHO :

The Department of Water Resources is seeking written comment and/or recommendations from your agency regarding the above referenced water right application. A copy of the application is enclosed for your reference.

This office can publish notice of the application as soon as the initial review is completed; therefore, your prompt response to this request is appreciated. If your agency desires to formally protest the approval of this application, you may do so after the notice is published by filing a written protest along with a \$25.00 filing fee within 10 days after final publication.

Please contact this office if you have any questions regarding the application.

Sincerely,

W Roger Warner
Water Rights Supervisor

Enclosure(s)

WRW:sc

MICROFILMED
MAR 10 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 10, 2003

SHAWN ALLEN
2107 EAST 49 SOUTH
IDAHO FALLS ID 83404

ERIC TARKALSON
718 NORTH 8TH STREET
HAMILTON MT 59840

RE: Application for Permit No 27-11979

Dear Applicant(s):

The Department of Water Resources acknowledges receipt of your water right application. Please refer to the above referenced number in all future correspondence regarding this application.

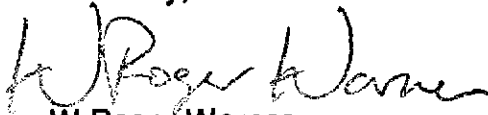
A legal notice of the application has been prepared and is scheduled for publication in the Morning News on December 18 and 25, 2003. Submittal of protests to this application will be allowed for a period ending ten days after the second publication.

If the application is protested you will be sent a copy of the protest(s). All protests must be resolved before the application can be considered for approval. If the protest(s) cannot be resolved voluntarily, the Department will conduct a conference and/or hearing on the matter.

If the application is not protested, it will be forwarded to our State Office in Boise for final processing. The State Office will notify you of any action taken on the application and will send you a copy of the permit if approved.

Please feel free to contact this office if you have any questions.

Sincerely,


W Roger Warner
Water Rights Supervisor

WRW:sc

MICROFILMED

MAR 9 3 2004



State of Idaho

DEPARTMENT OF WATER RESOURCES

900 N. Skyline Dr., Suite A, Idaho Falls, ID 83402-1718 • Phone: (208) 525-7161 FAX: (208) 525-7177

EASTERN REGION

DIRK KEMPTHORNE
Governor

KARL J. DREHER
Director

December 10, 2003

Legal Notice Department
MORNING NEWS
PO BOX 70
BLACKFOOT ID 83221

RE: Application for Permit No. 27-11979

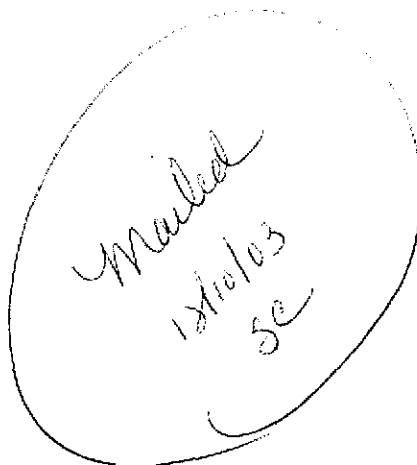
Dear LEGAL NOTICE DEPARTMENT:

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 January 5, 2004. Your cooperation is appreciated.

Sincerely

Sharla Cox
Administrative Assistant



MICROFILMED

MAR 9 2004

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

27-11979

SHAWN ALLEN
2107 EAST 49 SOUTH
IDAHO FALLS ID 83404
ERIC TARKALSON
718 NORTH 8TH STREET
HAMILTON MT 59840

Point(s) of Diversion: L4 (NWSW) S19 T01N R37E and L15 (SWSW) S19 T01N R37E, BINGHAM County
Source GROUND WATER

Use: DOMESTIC 01/01 To 12/31 0.4 CFS

Total Diversion: 0.4 CFS

Date Filed: 11/24/2003

Place Of Use: DOMESTIC

T01N R37E S19 NENW NWNW SWNW SENW NESW NWSW SWSW SESW

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, Eastern Region, 900 N Skyline Dr Ste A, Idaho Falls ID 83402 together with a protest fee of \$25.00 for each application on or before January 5, 2004. The protestant must also send a copy of the protest to the applicant.

KARL J DREHER, Director

Published on December 18 and 25, 2003

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MAR 10 2004