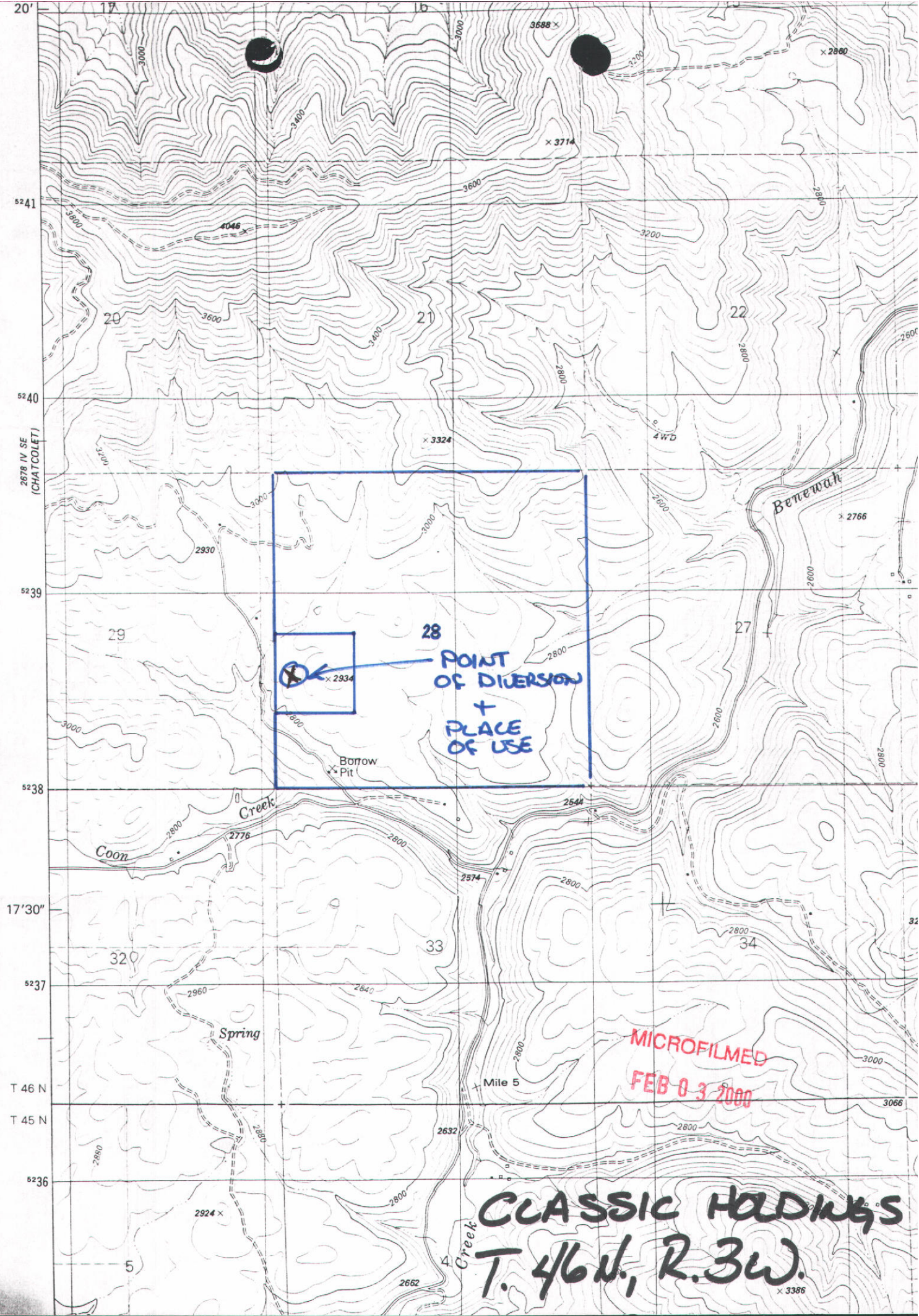




APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

by SCurtis

No.: 95-09011 Name: Billet Date: 8/25/99 Ad OK? ☒ correction published ☒ Gvmt Lts: _____

AREA OF CONCERN: - No/Yes: _____ Mor / _____ GWMA / Trust / Non-trust

PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

- > 1 year - 26A-P17
- ≤ 1 year/no proof - P16

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

- All wells (✓ WDQ3) - 046-P23
- In Basin 347 - 085
- Irr. within WD - P05 (new well location)
- WMD (✓ MAP) - North / East / West
- > 0.24 cfs/5 acres - 067
- ≤ 0.24 cfs/5 acres - No MD

WMD

- Supp irr use only - 065-079 (if GW use SW)-(keep SW)-(GW not primary irr source)
- Supp. irr + uses - 100-101
- > 0.24 cfs/5 acres - 01M (report when notified)
- ≤ 0.24 cfs/5 acres - No MD

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):

- FISH & GAME CONTACTED: - YES / NO; WHEN: _____ RESPONSE: _____
- IN/ABOVE MSF (✓ MAP) - *WB9
- IN-STREAM DEVELOPMENT - P52 (stream channel alteration)
- WD (✓ MAP & LISTING) - R04 (WD # _____)
- > 0.20 cfs - 01J-P08 (MD & LD)
- ≤ 0.20 cfs - 01H-P01 (LD), 01P or No MD (in-stream stock)
- WMD (✓ MAP)
- > 0.24 cfs/5 acres - 067 or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD
- SPRINGS/SINK, INACTIVE WD & REST OF STATE
- > 0.24 cfs/5 acres - 01M or No MD (in-stream stock or power)
- ≤ 0.24 cfs/5 acres - No MD

RIVER BASINS: (*Surface water):

- Snake R (01) - *W22 -P04, NA
- (02/03-irr) - 007 (w/ remark *WB9 if above Weiser), NA
- Payette R(65) - *W22 (regulated uses), 047-P04 (Payette Lake), NA
- Salmon R (70's) - 029 (fish screens), NA
- Weiser R (67) - 086, 087

USE:

- STORAGE (✓ 3 compo.) - 18A (in & out MD for on-stream storage)-01H-P01 (LD)/01P, 18B-P09 (>10' dam), NA
- IRR ≤ 5 acres - R66/R67/R68/R69 (0.03 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- > 5 acres - R62/R63/R64/R65 (0.02 cfs/acre + 3.0/3.5/4.0/4.5 AF)
- STOCKWATER - R37 (BLM/USFS); NA
- MINING - 054(req) -081-P10
- FISH PROPAGATION - 029(70's only)-007-042(req)-081 (WQ)-P10
- HEATING/COOLING - R07 (Injection well)
- POWER - 17H/17K(+uses)-08A-025(P18)-01N-028-081(P10)-027 (if no other cons. use); 17G (FERC) or 17M (FERG); 18B-P09; >25 cfs-P18

MUNICIPAL

- In restricted area? - 022, 075, 004 (+memo?)
- Irr., GW supp. to SW? - 102

DOMESTIC

- Surface water - *WB5 (Big Wood R or Boise R ↑ Star Bridge); 27A (Payette River); NA
- >1 in rest. area - 071-070
- FIRE PROTECTION - 077

LOCATION:

- BOISE FRONT LOGEO - 058 (<85° GW temp only)
- MITIGATION - 120
- 42-248 AREA - P84 (in 20/30/40/50/60/70/80 (87) basin)
- SWAN FALLS FLAG (✓ Code) -
- Trust - 051-052-053-P74 (Consumptive Uses), NA
- Non-Trust (1) - 048-049 (Consumptive Uses), NA

OWNERSHIP:

- 004 (PD/PU) _____

OTHER CONDITIONS:

STANDARD REMARKS: distilling herbs & essential oils

BENEFICIAL USE DUE: 10 /1/ 2000

COMMENTS:

15 1999

Department of Water Resources

FOR OFFICE USE ONLY
Amt. of Fee \$: 50.00
Receipt No. 0047154
Receipt By: SM
Date Received: 1/15/99

NOV 15 1999

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 who has been appointed by the department.

1. Permit No. 98-09011 Telephone No. 801 484-54312. Name(s) of Permit Holder(s): Larue Billeter3. Mailing Address: 2665 E. 3120 S. SALT Lake City, UT4. Source of Water: Groundwater
Spring turn off If GROUNDWATER (well), Date Drilled: mo. _____ / yr. _____

a. Well Driller: _____ Drilling Permit Number: _____ - _____ - _____

b. OPTIONAL:
Pump Horsepower: _____ Pressure (psi): _____ Dynamic pumping level (ft): _____

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

Domestic (No. of households): N/A Stockwater (No. and type of stock): _____Irrigation (No. of acres): 50 Other: Commercial6. Total rate of diversion and/or volume for which proof is submitted: 0.20 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 XHas the measuring device been installed? Yes _____ or No XFlow Measurement Port: Is a flow measurement port required? Yes _____ or No XHas the measurement port been installed? Yes _____ or No X8. Fee Enclosed: \$ 50.00 (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: Monty Holmes Telephone Number: 208-245-2745Address: P.O. Box 82 A St Maries, IDAHO

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

MICROFILMED

FEB 03 2000

Signature of permit holder: E. Larue Billeter Date: Nov 5, 1999
(include your title, if on behalf of company or organization)

State of Idaho
Department of Water Resources

Permit To Appropriate Water

NO. 95-09011

Priority: March 19, 1999

Maximum Diversion Rate:

0.20 CFS

This is to certify, that LA RUE BILLETER

2665 E 3120 S

SALT LAKE CITY UT 84109

has applied for a permit to appropriate water from: GROUNDWATER

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

BENEFICIAL USE

PERIOD OF USE

RATE OF DIVERSION

COMMERCIAL

01/01 to 12/31

0.20 CFS

LOCATION OF POINT(S) OF DIVERSION:

NWSW , Sec. 28, Township 46N, Range 03W
BENEWAH County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

46N 03W 28

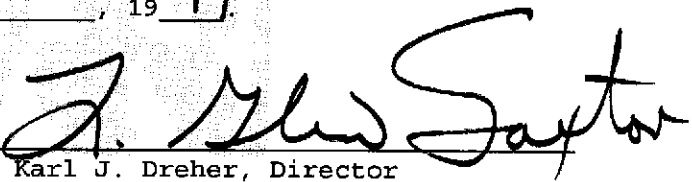
NWSW

CONDITIONS OF APPROVAL AND REMARKS

1. Proof of application of water to beneficial use shall be submitted on or before October 1, 2000.
2. Subject to all prior water rights.
3. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
4. Commercial use is for cooling condensers used in the distilling of herbs and essential oils.

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

1st day of October, 19 99


Karl J. Dreher, Director

for

MICROFILMED

FEB 03 2000

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

ASSIGNMENT OF APPLICATION FOR PERMIT

I, Classic Holding/Mary Billeter hereby assign to E.L. Mortgage/LaRue Billeter
of, 2665 E. 3120 S., Salt Lake City, UT 84109 (801-484-5431)
(Full Address) PHONE

All my right, title, and interest in and to Application for Permit
No. 95-09011 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
Application for Application for Permit No. 95-09011 to appropriate the public
waters of the State of Idaho.

Describe portion of the application 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.

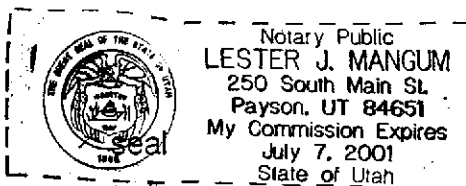
N1/2 S1/4 and S 1/2 NW 1/4 of Section 28,
Township 46 North, Range 3 West, Boise Meridian

Made this 27th day of July, 1999

Mary Billeter
Applicant

State of Utah)
County of Utah) ss

On this 27th day of July, 1999 personally appeared before me the signer of the
above instrument, duly acknowledged to me that he (she) (they) executed the same.



Lester Mangum
Notary Public

My commission expires:

July 7, 2001

MICROFILMED

FEB 03 2000

RECEIVED
MAY 19 1999
STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho
Department of Water Resources

1. Name of Applicant CLASSIC Holdings Phone 208 245 2745
Mailing address HCOI Box 82A St. Maries ID 83861
2. Source of water supply DRIVE RANOWATER WELL which is a tributary of _____
3. Location of point of diversion is Township 46N Range 3W Sec. 28 in the NW 1/4, SW 1/4, _____ 1/4, Govt. Lot _____, B.M., Beneviah County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount 0.20 for COMMERCIAL 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)
Amount _____ for _____ purposes from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated is (a) 40 gpm 0.20 and/or (b) _____
no cubic feet per second acre feet per annum
6. Proposed diverting works: for July Aug
 - a. Describe type and size of devices used to divert water from the source 7 1/2 HP Elect pump
Submerged
 - b. Height of storage dam NA feet; active reservoir capacity NA acre-feet; total reservoir capacity NA acre-feet
 - c. Proposed well diameter is 2" inches; proposed depth of well is 415' feet
 - d. Is ground water with a temperature of greater than 85°F being sought? NO
 - e. If well is already drilled, when? Aug 97; Drilling firm percision Drilling
Well was drilled for (well owner) Classic Holdings; Drilling Permit No. 95-97-N-0068
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. NONE
 - c. Municipal; show name of municipality. NONE
 - d. Domestic; show number of households. NONE
 - e. Other; describe fully USE COOLING CONDENSERS FOR DISTILLING HERBS AND ESSENTIAL OILS

MICROFILMED

FEB 03 2000

b. If water is used for other purposes, place a symbol of the use (example: *D* for Domestic) in the corresponding place of use below. See instructions for standard symbols.

[illegible]

0

Not

~~shubow 73~~

2445

~~this filing: C/14551c H/d:045 owned by E.A. Morgan~~

PAT HOLMES 115R.

MURDER OF MARTIN LUTHER KING, JR.

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.

Pat Holmes

-95

661711

~~Date 3/31/99~~

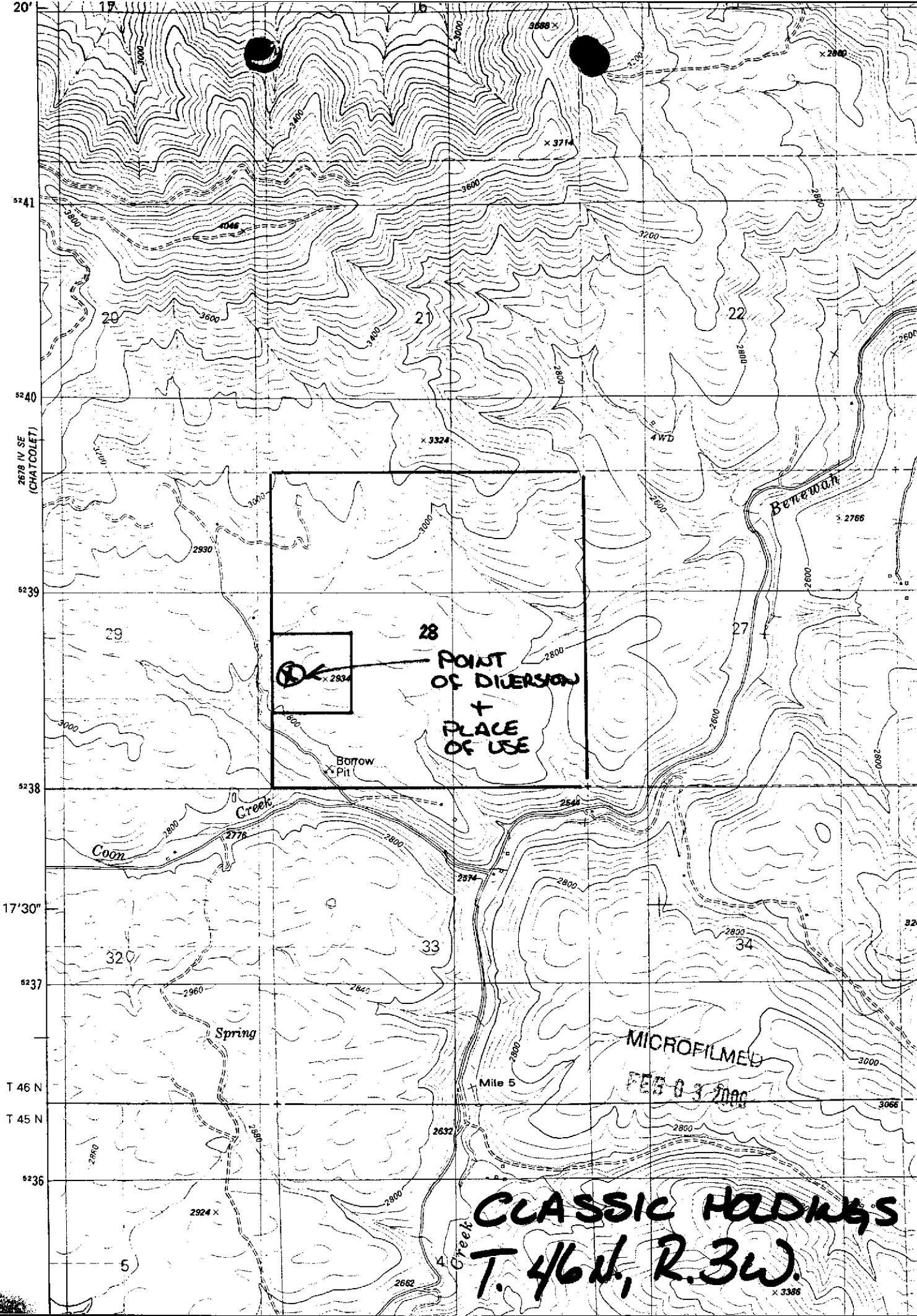
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66/68/11

ed in 5

27 Dec 1971

3-19-79



CLASSIC HOLDINGS
T. 46 N., R. 3 W.



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

January 24, 2000

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

LA RUE BILLETER
2665 E 3120 S
SALT LAKE CITY UT 84109

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 95-09011

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 conduct a field examination to determine and confirm the use being made of the water.

Be advised that Section 42-248, Idaho Code, requires you or the owner of this water right 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.

If you have questions concerning the field examination, please contact the **NORTHERN** Regional Office of the department in Coeur d' Alene at (208) 769-1450.

Sincerely,

L. GLEN SAXTON, Chief
Water Allocation Bureau

c: IDWR - Regional Office

MICROFILMED

FEB 03 2000

ANALYSIS SHEET
FOR
PROOF OF BENEFICIAL USE

Permit No. 95-0911 Reviewed by WJ Date 01-04-00

GENERAL CONSIDERATIONS

TYPES OF USE

yes Name same as permit?
yes Address same as permit?
yes Proof timely received?
If not, complete calculation below.

Correct Uses? NO

permit is for commercial use.

SOURCE OF WATER

 Surface water source

✓ Ground water source

 Drilling permit required?

 Copy in the file? Drilling Permit No.

 Amount paid for permit

 Correct?

 Well log in the file?

LICENSE EXAMINATION FEE

MEASURING DEVICE

yes Required?
50 Amount Submitted
yes Correct?

 Required?
 Installed?
 Waiver requested?

PRIORITY CALCULATION

Date proof received	<u> </u>	<u> </u>
Date proof due	<u> </u>	- <u> </u>
No. of days late	<u> </u>	= <u> </u>
Priority Date	<u> </u>	+ <u> </u>
New Priority Date	<u> </u>	<u> </u>

DEFICIENCIES OR ACTION ITEMS

*need comment to explain difference
in source use of water ✓
none/ack proof*

DATA ENTRY

New Address

Proof Made 11-15-99

RECEIVED

JAN 20 2000

Department of Water Resources

January 10, 2000

L. Glen Saxton, Chief, Water Allocation Bureau
State of Idaho
Department of Water Resources
1301 North Orchard Street
P.O. Box 83720
Boise, ID 83720-0098

RE: PERMIT NO. 95-09011

Dear Mr. Saxton:

In response to your letter dated January 4, 2000, please allow me to specify the water uses. The ground water that we are hoping to obtain a permit for is for an irrigation pond that we have developed to retain spring runoff from snow shed.

For the past two years, this water has been used solely for irrigation for farm land. Three to four years ago, we were using runoff water from the pond for distillation purposes. We are not using runoff water from the irrigation pond for the distillery any longer. We are using water from an existing well on the farm to operate the distillery.

Please feel free to visit the farm to verify the information I have provide herein.

I hope this has clarified and resolved any questions you had in regards to our water usage.

Sincerely,



LaRue Billeter
2665 E. 3120 S.
Salt Lake City, UT 84109

MICROFILMED

FEB 03 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

January 4, 2000

LaRue Billeter
2665 E. 3120 S.
Salt Lake City, UT 84109

RE: PROOF OF BENEFICIAL USE - PERMIT NO. 95-09011

Dear Mr. Billeter:

Returned is the proof of beneficial use which you submitted to the department on November 15, 1999 in connection with the above referenced permit. The proof is not acceptable, since it shows a surface water source of water for the irrigation of 50 acres. The permit authorized the use of groundwater from a well for commercial purposes. The commercial use was further described as for cooling condensers used in the distilling of herbs and essential oils.

Please provide an explanation within fourteen days of the differences. The department is willing to refund the license examination fee or to credit the fee toward the appropriate proof upon your response and explanation. Please direct your response to my attention and identify the permit number on the correspondence.

If you have questions, please feel free to contact me.

Sincerely,

L. GLEN SAXTON, P.E.
Chief, Water Allocation Bureau

c: IDWR - N. Region

MICROFILMED

FEB 03 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

October 4, 1999

LA RUE BILLETER
2665 E 3120 S
SALT LAKE CITY UT 84109

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

PERMIT APPROVAL NOTICE

RE: PERMIT NO. 95-09011

Dear Permit Holder:

The Department of Water Resources (IDWR) 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 IDWR pursuant to section 67-5243, Idaho Code. It can and will become a final order without further action by IDWR unless a party petitions for reconsideration or files an exception and/or brief 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 right were drilled or deepened after July 1, 1987, a separate drilling permit must be obtained from this Department. Please contact the Groundwater Protection Section located here at this office or our regional office nearest you.

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

Sincerely,

Shelley W. Keen
Water Rights Supervisor

SK:klt
Enclosures

MICROFILMED

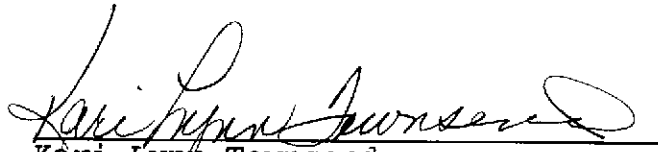
FEB 03 2000

CERTIFICATE OF MAILING

I hereby certify that on the 4th day of October, 1999, I mailed a true and correct copy, postage prepaid, of the foregoing PRELIMINARY ORDER (Approved Permit) to the person(s) listed below:

Water Right No. 95-09011

LA RUE BILLETER
2665 E 3120 S
SALT LAKE CITY UT 84109


Kari Lynn Townsend
Secretary

MICROFILMED

FEB 03 2000

Responding to Preliminary Orders Issued by the Idaho Department of Water Resources

The Idaho Department of Water Resources (Department) issues water right permits, licenses, and transfers as preliminary orders pursuant to section 67-5243, Idaho Code. A preliminary order can and will become a final order without further action of the department unless a party petitions for reconsideration or files an exception and/or brief 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 the 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 twenty-one (21) 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 a 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. Otherwise, a preliminary order will become a final order of the Department.

If any party appeals or takes exceptions to a preliminary order, opposing parties shall have twenty-one (21) days to respond to any party's appeal. Written briefs in support of or taking exceptions to the preliminary order shall be filed with the Department. The Department retains the right to review the preliminary order on its own motion.

ORAL ARGUMENT

If the Department grants a petition to review a preliminary order, the Department 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 Department will within a reasonable time period notify each party of the place, date and hour for the argument of the case. Unless the Department orders otherwise, all oral arguments will be heard in Boise, Idaho.

MICROFILMED

FEB 03 2000

CERTIFICATE OF SERVICE

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

FINAL ORDER

The Department 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 Department 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

FEB 03 2000

MEMORANDUM

TO: File 95-09011

FROM: Sharla

DATE: September 30, 1999

RE: Telecon

In a telephone conversation with LaRue Billeter, she explained that this business is a multi-level marketing business. The products are sold in numerous states. I told LaRue that the Secretary of State's office has no DBA filing for E. L. Mortgage.

Mary Billeter (aka Mary Young) is LaRue's daughter; LaRue is the one who owns the property. This is why the assignment was filed to change the water right application into LaRue's name (and E.L. Mortgage which is the name LaRue is operating under as indicated in LaRue's letter of 7/7/99). I asked LaRue if it would be acceptable to her for us to process the assignment into her name alone and leave off her "operating" name to avoid further confusion and problems with registered dba's and she said she had no problem with that.

With the application in an individual name, Water Appropriation Rule 035.03.b.i. is no longer an issue and the application can be processed.

MICROFILMED

FEB 13 2000

APPLICATION FOR PERMIT
STATE OFFICE ANALYSIS

No.: 95-09011 Name: Biller Date: 8/25/99 Ad OK? ☒ ☒ Gvmt Lts: by S. Curtis

AREA OF CONCERN: - No/Yes: _____ Mor/ _____ GWMA/Trust/Non-trust

PROTESTED: - 020 (Protest Agreement) or *W19 (Order)

SYSTEM COMPLETED:

> 1 year

≤ 1 year/no proof

GROUNDWATER: (✓ FLO-CH)

DRILLING PERMIT

All wells (✓ WDQ3)

In Basin 34?

Irr. within WD

WMD (✓ MAP)

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

WMD

Supp. irr. use only

Supp. irr. + uses

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

SURFACE WATER: (✓ FLO-CH) (Surface water that doesn't sink is regulated):

FISH & GAME CONTACTED: - YES / NO; WHEN: _____ RESPONSE: _____

IN ABOVE MSF (✓ MAP)

IN-STREAM DEVELOPMENT

WD (✓ MAP & LISTING)

> 0.20 cfs

≤ 0.20 cfs

WMD (✓ MAP)

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

SPRINGS/SINK, INACTIVE WD & REST OF STATE

> 0.24 cfs/5 acres

≤ 0.24 cfs/5 acres

RIVER BASINS: (*Surface water):

Snake R (01)

(02/03-irr)

Payette R (65)

Salmon R (70's)

Weiser R (67)

USE:

STORAGE (✓ 3 compo.)

IRR ≤ 5 acres

> 5 acres

STOCKWATER

MINING

FISH PROPAGATION

HEATING/COOLING

POWER

MUNICIPAL

In restricted area?

Irr., GW supp. to SW?

DOMESTIC

Surface water

> 1 in rest. area

FIRE PROTECTION

LOCATION:

BOISE FRONT LOGEO

MITIGATION

42-248 AREA

SWAN FALLS FLAG (✓ Code)

Trust

Non-Trust (1)

OWNERSHIP:

OTHER CONDITIONS:

STANDARD REMARKS:

BENEFICIAL USE DUE:

COMMENTS:

- 26A-P17

- 046

- 085

- P05 (new well location)

- North / East / West

- 067

- No MD

- 065-079 (if GW use SW)-(keep SW)-(GW not primary irr source)

- 100-101

- 01M (report when notified)

- No MD

- 067 or No MD (in-stream stock or power)

- No MD

- 01M or No MD (in-stream stock or power)

- No MD

- 067 or No MD (in-stream stock or power)

- No MD

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- No MD

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- No MD

- 067 or No MD (in-stream stock or power)

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RECEIVED

AUG 02 1999

Department of Water Resources

July 20, 1999

Cindy Zimmerman, Water Resource Agent
Department of Water Resources
1301 North Orchard Street
P.O. Box 83720
Boise, ID 83720-0098

RE: Application for Permit No. 95-09011

Dear Ms. Zimmerman:

My name is Mary Billeter, and I am the owner of Classic Holding. The only asset of Classic Holding was the ranch on the Benewah, for which this water permit was issued.

We sold the ranch to E.L. Mortgage/LaRue Billeter, so Classic Holding no longer has that asset. It was incorrect to state that Classic Holding no longer exists—it simply does not have any assets.

Enclosed is the assignment to E.L. Mortgage/LaRue Billeter. Although you have the Utah address for E.L. Mortgage, the ranch address remains the same.

Thank you for your assistance in this matter.

Sincerely,



Mary Billeter
Classic Holding, Owner

MICROFILMED

FEB 03 2002



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

July 6, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

E. LaRue Billeter
E. L. Mortgage
2665 E 3120 S
Salt Lake City UT 84109

Re: Application for Permit No. 95-09011

Dear Mr. Billeter,

I am in receipt of your letter dated June 7, 1999 identifying you as the legal owner of the place of use identified under this application and identifying that Classic Holdings no longer exists.

In Idaho, an application for permit is the personal property of the applicant or permit holder. In this case, this application is the personal property of Classic Holdings. Change of ownership of the application does not automatically occur with the change of ownership of the real property. However, the owner of record or their legal representative may assign the application to you. I have enclosed an "Assignment of Application for Permit" form for this use. I have also enclosed a copy of the application for your reference.

Since your June 7, 1999 letter stated that Classic Holdings no longer exists, the department cannot issue a permit on this application to Classic Holdings. If you intend to pursue development of groundwater for commercial cooling condensers as identified on the application, then the application needs to be in your name. If you are unable to get a legal representative of Classic Holdings to complete the assignment, then this application will need to be withdrawn or denied and you will need to file another application in your name.

I will hold will hold further processing on this application for 30 days pending your response. If I do not receive a response from you within the 30-day period, I will proceed with denying this application.

If you have any questions, you may contact me directly at (208) 327-7944 or by electronic mail at czimmerm@idwr.state.id.us.

Respectfully,

Cindy Zimmerman
Water Resource Agent

Enclosures

MICROFILMED

JUL 9 3 2001

RECEIVED

JUN 09 1999

Department of Water Resources

E. L. Mortgage
E. LaRue Billeter
2665 E. 3120 So.
Salt Lake City, UT 84109

June 7, 1999

State of Idaho
Department of Water Resources
1301 North Orchard Street
PO Box 83720
Boise, Idaho 83720-0098
Att: Cindy Zimmerman

Dear Ms. Zimmerman,

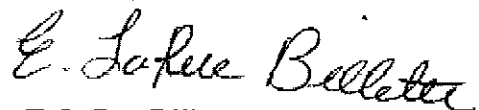
I received your letter that was sent to St. Maries. In October of 1997, a final balloon payment was due. As the owners of the ranch were unable to make the payment, I made the payment and that property was deeded to me.

I am the legal owner of the St. Maries property and have an agreement with Young Living whereby they are to continue their research and are responsible for the financial operation of the farm.

Classic Holding no longer exists and I am the sole owner of this property and am operating under the name of E. L. Mortgage.

If you have any questions, please feel free to write me at the above address or continue your correspondence with Monty Holmes, the manger of the ranch in St. Maries.

Sincerely,



E. LaRue Billeter
E. L. Mortgage

MICROFILMED

FEB 03 2000



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, P.O. Box 83720, Boise, Idaho 83720-0098

Phone: (208) 327-7900 FAX: (208) 327-7866

May 25, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

Classic Holdings
HC 01 Box 82A
St Maries ID 83861

RE: Application for Permit No. 95-09011

Dear Sirs:

I received the above application for permit for domestic use for final review. However, due to the requirement of Water Allocation Rule 035.03.b.i., I need a list of the names, titles, and addresses of all the officers and/or partners of Classic Holdings and E.L. Mortgage.

I will hold further processing on your application for 30 days pending your response. Please submit this information as quickly as possible within the 30-day period to prevent any further undue delay in processing your application.

If you have any questions, you may contact me directly at (208) 327-7944 or by electronic mail at czimmerm@idwr.state.id.us.

Sincerely,

A handwritten signature in cursive script that reads "Cindy Zimmerman".

Cindy Zimmerman
Water Resource Agent

MICROFILMED

FEB 06 2001

FROM *Cindy Zimmerman*

DATE *May 25, 1999*

TO *File 95-09011*

SUBJECT *Corporate Officers*

Per Sec. of State's office, neither Classic Holdings nor EL Mortgage are registered corporations in Idaho.

I have mailed a letter for compliance to Rule 035.03.b.i.

MICROFILMED

FEB 03 2000

Cindy Zimmerman

SIGNATURE

RECEIVED

IDAHO DEPARTMENT OF WATER RESOURCES
APPROXIMATION APPLICATION ANALYSIS SHEET

MAY 19 1999

APPLICATION # 95-09011

INITIAL REVIEW

Department of Water Resources

APPLICANT: CLASSIC HOLDINGS BY: AB DATE: 3/22/99

ITEM REQUIRED INFORMATION

1. (X) Name and Address
2. (X) Source
3. (X) Point of Diversion & County
4. (X) Quantity
 - (X) Nature of Proposed Use
 - (X) Period of Use
5. (X) Total Quantity
6. (X) Description of diverting works
7. (X) Time required for b/u
8. (X) Proposed use
9. (X) Place of use or acres irrigated
10. (X) Other water Rights
11. (X) Ownership
12. (X) Map
 - (X) Signature
 - (X) Fee (Amt, receipt, acknowledgement)

*** Send info sheet Y() N()

ADDITIONAL INFORMATION

(Yes) (No)

- X Field check: by _____
- Field report attached _____
- Analysis Supp. attached (>5cfs/500af) _____
- Water delivered by water master? _____
- Water District # _____

PROCESSING

- (Yes) (No) PRIORITY DATE: 3/19/99
- X (Include Moratorium Remark)
- X Statewide Advertising: (Diversion rate greater than 10 cfs or 1,000 af).

ADVERTISE IN: BENICIA County

LETTERS SENT REQUESTING:

- () Dam Information () Fish Information
- () Power Information () Other: N/A

INFORMATION RECEIVED:

- () Dam Information () Fish Information
- () Power Information () Other: N/A

GROUNDWATER SECTION

WD Permit No.'s:	Type:	Fees	Receipt No.	Upgrade Needed?
<u>95 97 0068</u>	Dom. <u>X</u> Non-Dom. <u> </u>	Paid \$ <u>75-</u>	<u>AD11457</u>	Y (<u> </u>) N (<u> </u>)
<u> </u>	Dom. <u> </u> Non-Dom. <u> </u>	Paid \$ <u>125</u>	<u>0012445</u>	Y (<u> </u>) N (<u> </u>)
<u> </u>	Dom. <u> </u> Non-Dom. <u> </u>	Paid \$ <u> </u>	<u> </u>	Y (<u> </u>) N (<u> </u>)

- Groundwater management area
- Critical ground water area
- Well Drilling Permit required
- Well Drilling Application and Fees received
- Well Drilling Application approved?

Remarks: _____

FINAL REGIONAL PROCESSING/REVIEW

(Yes) (No)

- Notice of pending void order issued. Final order response date: / /
- Further information required from applicant
- Affidavit of publication received
- X Application published correctly. If not, record action taken: readv. 4/21+28/99
- Publication dates and paper recorded on application | Sr. Agent initial AB
- Protests received, Final protest date: 4/26/99
- Measuring device required 5/10/99
- Measuring port required
- Special conditions:

Special conditions of approval supplement and/or cover letter attached:

Approval Recommended by: ABDate: 5/12/99

Affidavit of Publication

STATE OF IDAHO

County of Benewah, ss.

Cynthia Ann Hammes, being first duly sworn on oath, deposes and says that she is vice president of The Corporation, owner of the St. Maries Gazette Record, a weekly newspaper printed and published at St. Maries, Benewah County, State of Idaho; the St. Maries Gazette Record is a newspaper having general circulation in Benewah County, State of Idaho, and has been continuously and uninterruptedly published in Benewah County, State of Idaho, during a period of more than seventy-eight consecutive weeks prior to the first publication of the notice of advertisement herein.

That the notice, of which the one hereto attached is a true copy, was published in said newspaper for a period of 2 issues, the first publication being on the 21st day of April, 1999 and the last on the 28th day of April, 1999.

That said newspaper was regularly distributed to its subscribers during the time of the same period; that said notice was published in the regular and entire issue of said paper.

Dated this 28th day of April, 1999.

Cynthia Ann Hammes

STATE OF IDAHO)

COUNTY OF BENEWAH)

On this 28th day of April, in the year of 1999 before me, a Notary Public, personally appeared Cynthia Ann Hammes, known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

Notice of correction

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 95-09011 in the name of CLASSIC HOLDINGS, HC01 BOX 82A, ST. MARIES, ID 83861, was incorrectly advertised on April 7 and 14, 1999. The PLACE OF USE was incorrectly advertised as being in the NWSW OF T40N R03W SEC 28, BENEWAH County, whereas correctly it should read NWSW OF T46N R03W SEC 28 BENEWAH County.

(For additional information concerning the property location, call the Northern Regional Office at 769-1450.)

Any protests against the approval of the above-referenced correction must be filed with the applicant and with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, ID 83814, together with a protest fee of \$25.00 on or before May 10, 1999.

KARL J. DREHER, Dir.

4332-April 21-28

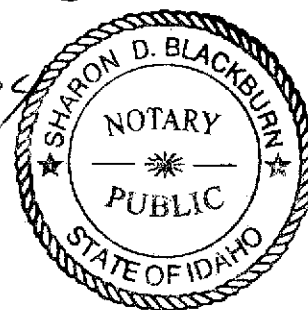
Sharon D. Blackburn

Notary Public for Idaho

Residing at St. Maries, Idaho

My commission expires:

Nov. 6, 2004



MICROFILMED

FEB 03 2000

RECEIVED

APR 29 1999

IDWR/North

April 14, 1999

St Maries Gazette
Legal Notices Department
127 S Seventh Street
St Maries ID 83861

Re:

Gentlemen:

Enclosed you will find a legal Notice of Correction which we wish to have published on the dates indicated (once a week for two consecutive weekly issues) in your newspaper. If you cannot publish the notice on the proposed dates, please contact us immediately.

Please send the Affidavit of Publication, and the bill, to this office before May 10, 1999.

Thank you.

Sincerely,

Dianne Ball
Administrative Assistant

Enclosure

MICROFILMED

FEB 03 2000

NOTICE OF CORRECTION

NOTICE IS HEREBY GIVEN THAT APPLICATION FOR PERMIT NO. 95-09011 in the name of CLASSIC HOLDINGS, HC01 BOX 82A, ST MARIES, ID 83861, was incorrectly advertised on APRIL 7 AND 14, 1999.

The PLACE OF USE was incorrectly advertised as being in the NWSW of T40N R03W SEC 28, BENEWAH County, whereas correctly it should read NWSW of T46N R03W SEC 28, BENEWAH County.

(For additional information concerning the property location, call the Northern Regional Office at 769-1450.)

Any protests against the approval of the above-referenced correction must be filed with the applicant and with the Director, Dept. of Water Resources, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Id. 83814, together with a protest fee of \$25.00 on or before MAY 10, 1999.

KARL J. DREHER, Dir.

Published in the ST MARIES GAZETTE on APRIL 21 AND 28/1999.

MICROFILMED

FEB 03 2006

RECEIVED

APR 15 1999

IDWR/North

Affidavit of Publication

STATE OF IDAHO

County of Benewah, ss.

Cynthia Ann Hammes, being first duly sworn on oath, deposes and says that she is vice president of The Corporation, owner of the St. Maries Gazette Record, a weekly newspaper printed and published at St. Maries, Benewah County, State of Idaho; the St. Maries Gazette Record is a newspaper having general circulation in Benewah County, State of Idaho, and has been continuously and uninterruptedly published in Benewah County, State of Idaho, during a period of more than seventy-eight consecutive weeks prior to the first publication of the notice of advertisement herein.

That the notice, of which the one hereto attached is a true copy, was published in said newspaper for a period of 2 issues, the first publication being on the 7th day of April, 1999 and the last on the 14th day of April, 1999.

That said newspaper was regularly distributed to its subscribers during the time of the same period; that said notice was published in the regular and entire issue of said paper.

Dated this 14th day of April, 1999

Cynthia Ann Hammes

STATE OF IDAHO)

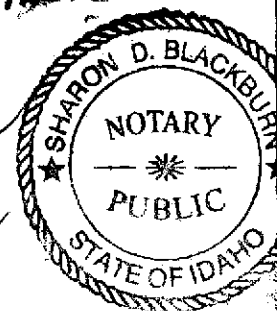
COUNTY OF BENEWAH)

On this 14th day of April, in the year of 1999 before me, a Notary Public, personally appeared Cynthia Ann Hammes, known or identified to me to be the person whose name subscribed to the within instrument, and being by first duly sworn, declared that the statements therein are true, and acknowledged to me that she executed the same.

*Readvertised
4/21+28*

Sharon D. Blackburn
Notary Public for Idaho
Residing at St. Maries, Idaho

My commission expires: Nov. 6, 2004



Water rights application
NOTICE OF APPLICATION FOR

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

95-09011
CLASSIC HOLDINGS
HC01, BOX 82A
ST. MARIES, ID 83861
Source: GROUNDWATER
Division P1: NWSW Sec 28 T 46N R 03W in BENEWAH County.
Use: COMMERCIAL (0.200 CFS)
Total Diversion: (0.200 CFS)
Date Filed: 3/19/1999
In BENEWAH COUNTY
T40N R03W S28NWSW
For additional information concerning the property location, call the Northern Regional Office at (208) 769-1450.

The permit(s) will be subject to all prior water rights. Protests must be filed with the applicant and with the Director, Dept. of Water Resources, Northern Region, 1910 Northwest Blvd., Suite 210, Coeur d'Alene, Idaho 83814, together with a protest fee of \$25.00 on or before APRIL 26, 1999.
KARL J. DREHER, Director
4319—April 7-14

MICROFILMED
APR 23 2000

95-09011

CLASSIC HOLDINGS
HC01 BOX 82A
ST MARIES, ID 83861

Source: GROUNDWATER

Diversion Pt: NWSW Sec 28 T 46N R 03W in BENEWAH County.

Use: COMMERCIAL (0.200 CFS)
Total Diversion: (0.200 CFS)

Date Filed: 3/19/1999

In: BENEWAH County
T40N R03W S28 NWSW

46N

MICROFILMED

FEB 13 2000

March 31, 1999

Classic Holdings
HC01 Box 82A
St Maries ID 83861

Re: Water Appropriation Application No. 95-09011

Gentlemen:

The Idaho Department of Water Resources hereby acknowledges receipt of the above referenced Application for Permit to appropriate the Public Waters of the State of Idaho.

To assist us in providing you with prompt, accurate service, please refer to the above referenced number in all future matters concerning this water right application. Enclosed for your file is Receipt Number N012691.

Your appropriation application is currently being prepared for advertising in the local county newspaper. This advertisement will be published for two consecutive weeks followed by a waiting period of ten days to allow for the submittal of protests. Normal processing time is approximately 3 to 4 months, if the application is not protested.

If the application is not protested, it will be forwarded to Boise to be considered for approval by the Director. State office personnel will then conduct a complete review, and you will be notified by mail of the outcome. However, if the application is protested during this waiting period, you will be sent a copy of the protest and instructions to aid you in resolving the protest without a hearing. All protests must be resolved before approval of the application can be made, so if the protestant does not voluntarily withdraw the protest, this department will conduct a conference and/or hearing on the matter.

You will receive your approved Application for Permit and instructions on filing the Proof of Beneficial Use from our State office in Boise.

If your source is groundwater, a Well Drilling Permit is required for all wells constructed after July 1, 1987.

A "Domestic" well drilling permit should be obtained for a rate of diversion of up to 18 gallons per minute (0.04 CFS) and a daily volume of up to 2,500 gallons per day. The cost for this permit is \$75.00. For any other use, including multiple homes, or municipal, etc., the Drilling Permit fee is \$200. These Permits can be obtained by your driller, also. It is sometimes possible to upgrade an existing Domestic Drilling Permit by submitting a fee for the difference. This, however, depends on the individual well.

If you have any questions or if I can be of any assistance please feel free to contact me at this office.

Sincerely,

ALLEN BEARDSLEE
Senior Water Resources Agent

MICROFILMED

FEB 03 2000

AB:db

December 29, 1998

Mr. Monty Holman
Classic Holdings
HCO1 Box 82A
St Maries ID 83861

RE: Water Rights

Dear Mr. Holman:

We are writing after receiving your upgrade fee in the amount of \$125.00 for your Well Drilling Permit Number 95-97-N-0068.

After researching our water right records, we do not show that a water right filing has been submitted by you within the legal description listed on the above drilling permit.

Therefore, I have enclosed an Application for Permit and a set of instructions for you for establishing water rights for your well.

If you have any questions, please feel free to contact me at this office.

Sincerely,

Allen Beardslee
Sr. Water Resource Agent

MICROFILMED
FEB 8 9 2000

95-09011

Classic Holdings

RECEIVED

9-29-98

SEP 30 1998

NORTHERN REGION
IDWR

Tom:

As per our phone call
concerning updating our will
from domestic to commercial
sorry it has taken so long to
get this handled. we went into
harvest time + things got busy
As heck hope this is what
is needed to get us on
your good side + make it
legal

thank you

Mandy Holman

Classic Holdings

HC01 Box 82A

St Maries ID 83861

208-245-2745 MICROFILMS

FEB 03 2008

Classic Holdings
HCOI Box 82K? *OK + aff*
St Marics ID 83861 *Swed*



RECEIVED

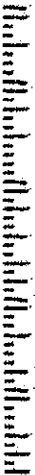
MAR 19 1983

IDWPR/North

1983 3 19 1000

RECEIVED

Dept of Water Resources
1910 North west Blvd
C.D.A ID 83814



ATT A1 Beardsley

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLING PERMIT NUMBER INDEX

WD0731NP
(00-0731)

PERMIT NUMBER	OWNER CODE	NAME & ADDRESS	TWP	RGE	SEC	TRACT	LOT	COUNTY	ACC FLG
95-97-N-0068-000	0	CLASSIC HOLDINGS MONTE HOLMES HC 01 BOX 82A ST MARIES, ID 83861 (208) 245-2745	46N	03W	28	NW 34		BENEWAH	L

Subdivision Well Site Location and Description:
Subdivision Name: Lot(s):
Well Site Address: BENEWAH RD TO COON CREEK RD, APPROX 4 MI. SEE REMARKS Block(s):
City, State: ST MARIES, ID

Proposed Use of Well: Domestic Proposed Casing Diameter: 6 In. Proposed Depth: 650 Ft.
Anticipated Bottom Hole Temperature: 85F or Less

Well Use Comments:

Driller License No: 0958

Firm Name: PRECISION DRILLING INC
Official: JAMES DAVID CARMEN

Permit Status: Filled

Verbal Issue Date:	Receipt No.	Receipt Date	Fee
Date Received: 07/10/1997	M011457	07/22/1997	\$ 450.00
Date Approved: 07/24/1997	M012445	09/30/1998	125.00
Proposed Start Date: 07/09/1997		NOT ON FILE	
Extension Date:		NOT ON FILE	
Extension Expiration:		NOT ON FILE	

Specific Conditions:

Permit Remarks: TAKE BENEWAH ROAD APPROXIMATELY 5 MILES RIGHT ON COON CREEK ROAD
APPROXIMATELY 4 MILES.
WD UPGRADE FEE PAID 9/30/98 - \$125.00

Conditions of Approval: This drilling permit is valid for two (2) months from the approval date for the start of construction and is valid for one (1) year from the approval date for completion of the well unless an extension has been granted.

This permit does not constitute an approval of the District Health Department or the Idaho Department of Health and Welfare which may be required prior to construction of this well. The local Health Department should be contacted for septic tank/drainfield locations. Domestic wells must not be drilled closer than 100' from any drainfield and 50' from any septic tank. Public Water Supply wells must not be drilled closer than 100' from any drainfield or septic tank.

The well shall be constructed by a driller currently licensed in the state of Idaho who must maintain a copy of the drilling permit at the drilling site.

MICROFILMED

FEB 03 2000

WD0731NP
(00-0731)

IDAHO DEPARTMENT OF WATER RESOURCES
WELL DRILLING PERMIT NUMBER INDEX

DATE: 04/20/99
PAGE: 2

WELL DRILLING PERMIT NUMBER INDEX: Permit No. 95-97-N-0068-000 (cont'd)

Conditions of Approval: Approval of this drilling permit does not authorize trespass on the land of another party.

This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.

This drilling permit does not represent a right to divert and use the water of the State of Idaho.

If a bottom hole temperature of 85 Degrees F (29.44 oC) or greater is encountered, well construction shall cease and the well driller and the well owner shall contact the Department immediately.

Idaho Code, S 55-2201 - 55-2210 requires the applicant and/or his contractors to contact "Digline" (Digline is a one-call center for utility notification) not less than 2 working days prior to the start of any excavation for this project. The "Dig Line" Number for your area is 1- - - - -.

The use of water from this well is for Domestic purposes only which includes irrigation of up to 1/2 acre of land with all combined uses not to exceed 13,000 gallons per day (42-111[A]), or for Domestic uses other than for homes, organization camps, public campgrounds or livestock where the diversion rate and volume does not exceed .04 cfs and 2500 gpd (42-111[B]).

WELL DRILLER'S LOG REPORT

Drilling Permit No: 95-97-N-0068-000 Water Right No: 95-09011
Log Status: Pending Data Review Injection Permit No:

Nature of Work:	NEW WELL	Construction Method:	ROTARY AIR	Number of Monitor Wells:
Casing Diameter:	6 In.	Static Water Level:	2 Ft.	Actual Start Date: 07/13/1997
Depth of Casing:	32 Ft.	Temperature:	F.	Well Finish Date: 07/14/1997
Total Depth:	510 Ft.	Production Rate:	75.00 GPM	Log Received Date: 07/21/1997
Screen Installed?	No			Certification Date: 07/15/1997
Violation Flag:				Field Inspection Date:
Well Log Remarks:	5" STEEL FROM 1 TO 500'.			

Inspector:

MICROFILMED
FEB 03 2000