

Ident. No. 25-14186

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

To appropriate the public waters of the State of Idaho

1. Name of Applicant NEW PHASE INVESTMENTS LLC Phone 208-523-2565
Mailing address 2281 W. HEYBOND WAY, IDAHO FALLS, ID 83402
2. Source of water supply GROUNDWATER which is a tributary of _____
3. Location of point of diversion is Township 01N Range 37E Sec. 2 in the SW $\frac{1}{4}$,
NW $\frac{1}{4}$, _____ Govt. Lot _____, B.M., BONNEVILLE County;
additional points of diversion if any: _____
4. Water will be used for the following purposes:
Amount .05 CFS for COMMERCIAL purposes from 12/1 to 11/30 (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) .05 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 7 1/2 PUMP
 - b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet
 - c. Proposed well diameter is 6" inches; proposed depth of well is 160 feet
 - d. Is ground water with a temperature of greater than 85°F being sought? NO
 - e. If well is already drilled, when? 12/17/00; Drilling firm TETON WATER WORKS;
Well was drilled for (well owner) MAX BIRIE; Drilling Permit No. 0014746
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. _____
 - e. Other; describe fully. COMMERCIAL - USDA WASH POTATOS AND THEN
IMMEDIATELY SEND BACK TO GROUNDWATER

9. 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	
N	37E	2							X	X									

Total number of acres to be irrigated 0

10. Describe any other water rights used for the same purposes as described above. _____

11. a. Who owns the property at the point of diversion? NEW PHASE INVESTMENTS LLC

b. Who owns the land to be irrigated or place of use? NEW PHASE INVESTMENTS LLC

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: NON-CONSUMPTIVE USE - USDA LAB TO WASH SOIL FROM
POTATOES TO USE FOR TESTING - WATER TO THEN GO IMMEDIATELY BACK
INTO AQUARIUM AFTER SETTLING OUT SOIL PARTICLES -
VERY MINIMAL EVAPORATION

13. **MAP OF PROPOSED PROJECT REQUIRED** - Attach an 8½"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.

[Signature]
 Signature of Applicant (and title, if applicable)

Received by _____ Date 9/18/06 Time _____ Preliminary check by _____
 Fee \$ 100- Receipted by SC # ED32239 Date 9/18/06
 Publication prepared by SC Date 10/5 & 10/12/06 Published in Post Register
 Publication approved _____ Date _____

Any reference to the plat of the subdivision is to the plat recorded with the Recorder and not to this plat which is provided only to reflect the location of the property.

HEYREND INDUSTRIAL PARK

DIVISION NO. 2

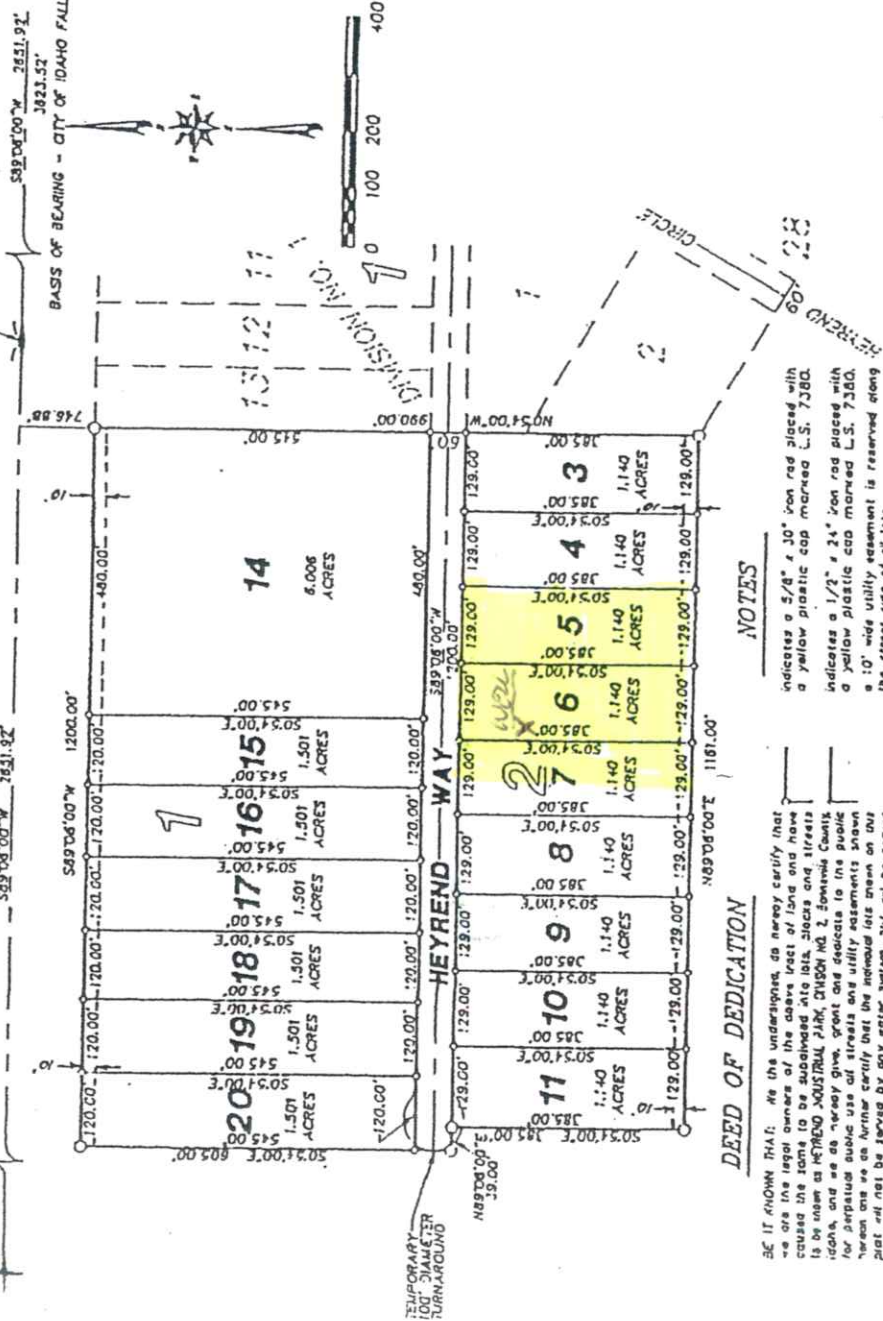
Bonneville Land & Title

497 N. Capital Ave. • P.O. Box 51690 • Idaho Falls, ID 83405-1690 • (209)

N.W. COR. SEC. 2,
T. 1 N., R. 37 E. 3 M.
(INST. NO. 466625)

N. 1/4 COR. SEC. 2,
T. 1 N., R. 37 E. 3 M.
(INST. NO. 809896)

N.E. COR. SEC. 2,
T. 1 N., R. 37 E. 3 M.
(INST. NO. 748693)



BOUNDARY DESCRIPTION

Part of the Northwest 1/4 of Section 2, Township 1 North, Range 37 East of the Boise Meridian described as follows:

Beginning at the Northwest corner of Lot 12, Block 1 of the 1st amended plat of Heyrend Industrial Park, Division No. 1, Bonneville County, Idaho, said Northwest corner being a point that is 5.8915' 00" N, 382.132' 00" E from the City Monumented Section line and 3.034' 00" E, 746.88' 00" N from the Northwest corner of said Section 2, and running thence 5.8915' 00" N, 1200.00' 00" E; thence 5.034' 00" E, 803.00' 00" E; thence 5.8915' 00" N, 39.00' 00" E; thence 5.034' 00" E, 383.00' 00" E; thence 5.8915' 00" N, 1161.00' 00" E to the West line of Heyrend Industrial Park, Division No. 1, Bonneville County, Idaho; thence N.034' 00" W, 990.00' 00" E along said West line to the point of beginning containing 26.978 acres.

ACKNOWLEDGEMENT

STATE OF IDAHO)
COUNTY OF BONNEVILLE)

On this 10th day of April, 1998, before me a Notary Public, personally appeared David E. Benton and David E. Benton, known to me to be the partners in the corporate and partnership name to the foregoing instrument, and acknowledged to me that they execute the same in said partnership name.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.



David E. Benton
Notary Public for State of Idaho
Residing at: Idaho Falls, Id.
My commission expires: 11-04-96

RECORDER'S CERTIFICATE

STATE OF IDAHO)
COUNTY OF BONNEVILLE)
Recorded and filed in the office of Benton Engineering
INSTRUMENT NO. 91553

Date: Dec 17, 1998 Time: 1:41 am Fee: 11.00

David E. Benton
Recorder



NOTES

Indicates a 5/8" x 30" iron rod placed with a yellow plastic cap marked L.S. 7380.

Indicates a 1/2" x 24" iron rod placed with a yellow plastic cap marked L.S. 7380.

a 10" wide utility easement is reserved along the street side of all lots.

Indicates lot area in acres.

The County will not maintain roads until constructed to County standards and officially accepted.

Private driveway easements shall be constructed and easement easements maintained as shown on the appropriate instrument, and shall be shown in the office of the County Engineer.

DEED OF DEDICATION

BE IT KNOWN THAT: We the undersigned, do hereby certify that we are the legal owners of the above tract of land and have caused the same to be subdivided into lots, blocks and streets to be known as HEYREND INDUSTRIAL PARK, DIVISION NO. 2, Bonneville County, Idaho, and we do hereby give, grant and dedicate to the public for perpetual public use all streets and utility easements shown hereon and we do further certify that the individual lots shown on this plat will not be served by any water system, but will be served by an individual well and well agreement.

IN WITNESS WHEREOF: We have hereunto set our signatures this 10th day of April, 1998.

David E. Benton
David E. Benton

David E. Benton
David E. Benton

IRRIGATION WATER RIGHTS

The property included in this plat has petitioned for and been returned from of future irrigation water rights.

Date: April 14, 1998 Inst. No. 91553

IDAHO DEPARTMENT OF WATER RESOURCES WELL DRILLER'S REPORT

Office Use Only
Inspected by _____
Twp _____ Rge _____ Sec _____
1/4 _____ 1/4 _____ 1/4 _____
Lat: _____ Long: _____

1. WELL TAG NO. D 0014746
DRILLING PERMIT NO. 76-7687
Other IDWR No. _____

2. OWNER:
Name Ag Parts/Max Ririe
Address P.O. Box 50796
City Idaho Falls State ID Zip 83405

3. LOCATION OF WELL by legal description:

Sketch map location must agree with written location.

N
W * E
S

Twp. 1 North ☒ or South ☐
Rge. 37 East ☒ or West ☐
Sec. 2 Center 1/4 NW 1/4
Gov't Lot _____ County Bonneville
Lat: _____ Long: _____
Address of Well Site Heyrend Ind. Park #2
City Idaho Falls

(Give at least name of road + Distance to Road or Landmark)

Lt. 546 Blk. 2 Sub. Name _____

4. USE:

☒ Domestic ☐ Municipal ☐ Monitor ☐ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

5. TYPE OF WORK check all that apply (Replacement etc.)

☒ New Well ☐ Modify ☐ Abandonment ☐ Other _____

6. DRILL METHOD

☒ Air Rotary ☐ Cable ☐ Mud Rotary ☐ Other _____

7. SEALING PROCEDURES

SEAL/FILTER PACK				AMOUNT	METHOD
Material	From	To	Sacks or Pounds		
Bentonite	0	20	300	overbore	

Was drive shoe used? ☐ Y ☒ N Shoe Depth(s) _____

Was drive shoe seal tested? ☐ Y ☐ N How? _____

8. CASING/LINER:

Diameter	From	To	Gauge	Material	Casing	Liner	Welded	Threaded
<u>8"</u>	<u>12</u>	<u>20</u>	<u>250</u>	<u>Steel</u>	☒	☐	☒	☐
<u>6"</u>	<u>12</u>	<u>160</u>	<u>250</u>	<u>Steel</u>	☒	☐	☒	☐

Length of Headpipe _____ Length of Tailpipe _____

9. PERFORATIONS/SCREENS

Perforations _____ Method _____
Screens _____ Screen Type _____

From	To	Slot Size	Number	Diameter	Material	Casing	Liner
						☐	☐
						☐	☐

10. STATIC WATER LEVEL OR ARTESIAN PRESSURE:

110 ft. below ground Artesian pressure _____ lb.
Depth flow encountered _____ ft. Describe access port or control devices: _____

11. WELL TESTS:

☐ Pump ☐ Bailor ☒ Air ☐ Flowing Artesian

Yield gal./min.	Drawdown	Pumping Level	Time
<u>207</u>			<u>1 hr.</u>

Water Temp. _____ Bottom hole temp. _____

Water Quality test or comments: _____

Depth first Water Encounter 130'

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

Bore Dia.	From	To	Remarks: Lithology, Water Quality & Temperature	Y	N
<u>10"</u>	<u>0</u>	<u>2</u>	<u>Topsoil</u>		
<u>10"</u>	<u>2</u>	<u>10</u>	<u>Gravel</u>		
<u>10"</u>	<u>10</u>	<u>16</u>	<u>Dirt</u>		
<u>8"</u>	<u>16</u>	<u>20</u>	<u>Basalt</u>		
<u>8"</u>	<u>20</u>	<u>90</u>	<u>Basalt</u>		
<u>90</u>	<u>90</u>	<u>92</u>	<u>Gravel</u>		
<u>92</u>	<u>92</u>	<u>135</u>	<u>Basalt</u>		
<u>135</u>	<u>135</u>	<u>142</u>	<u>Gravel</u>		
<u>142</u>	<u>142</u>	<u>148</u>	<u>fractured basalt</u>		
<u>148</u>	<u>148</u>	<u>160</u>	<u>Basalt</u>		

RECEIVED RECEIVED

JAN 02 2001 DEC 26 2000

Department of Water Resources
Department of Water Resources Eastern Region

Completed _____ Depth 160' (Measurable)
Date: Started 12/13/00 Completed 12/17/00

13. DRILLER'S CERTIFICATION

We certify that all minimum well construction standards were complied with at the time the rig was removed.

Company Name Veston Water Works Firm No. 586

Firm Official [Signature] Date 12/20/00

and Driller or Operator [Signature] Date 12/20/00

(Sign once if Firm Official & Operator)

WARRANTY DEED

MAX H. RIRIE and MARDEAN RIRIE, husband and wife, as GRANTOR,

for good and valuable considerations, the receipt of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto

NEW PHASE INVESTMENTS, LLC, an Idaho Limited Liability Company, as GRANTEE,

whose address is 2281 W. Heyrend Way, Idaho Falls, ID 83402 and Grantee's successors and assigns, all of the following described real property, to-wit:

Lots 5 and 6, Block 2, Heyrend Industrial Park, Division No. 2, to the City of Idaho Falls, County of Bonneville, State of Idaho, according to the recorded plat thereof.

AND ALSO the East 1/2 of Lot 7, said Block 2, being more particularly described as follows: Beginning at the Northeast corner of said Lot 7 and running thence S89°06'00"W along the North line of Lot 7, 64.5 feet; thence S0°54'00"E 385.0 feet to the South line of Lot 7; thence N89°06'00"E along the South line of Lot 7, 64.5 feet to the Southeast corner thereof; thence N0°54'00"W along the East line of Lot 7, 385.0 feet to the point of beginning.

SUBJECT TO the 2004 and subsequent years general taxes and assessments, all existing patent reservations, easements, right of ways, protective and restrictive covenants, zoning ordinances and applicable building codes, laws and regulations.

TOGETHER WITH any and all improvements, water and ditch rights, easements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and any reversion, remainder, rents, issues, and profits thereof.

Grantor, for himself and his successors and assigns, does hereby warrant and agree to forever defend the Grantee, and Grantee's successors and assigns, in the quiet and peaceful possession of said premises against the lawful claims of any and all persons.

In construing this Deed and where the context so requires, the singular includes the plural, and the masculine, the feminine and neuter.

Dated: July 2, 2004

Max H. Ririe
Max H. Ririe

MarDean Ririe
MarDean Ririe

STATE OF IDAHO)

) ss

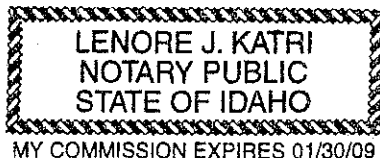
COUNTY OF Bonneville)

On July 2, 2004, before me, the undersigned, personally appeared
Max H. Ririe and MarDean Ririe

known or identified to me to be the person(s) whose name(s) is/are subscribed to
the within instrument, and acknowledged to me that he/she/they executed the same.

Notary Public for the State of Idaho

Commission Expiration Date: _____



INSTRUMENT NO.	<u>1157277</u>
DATE	<u>7-02-04</u>
INST. CODE	<u>205</u>
IMAGED PGS	<u>1</u>
FEE	<u>3.00</u>
STATE OF IDAHO	) ss
COUNTY OF BONNEVILLE	)
I hereby certify that the within instrument was recorded.	
Ronald Longmore, County Recorder	
By	<u>WFB</u>
Deputy	
Request of	<u>AMT</u>

AmeriTitle



IDAHO SECRETARY OF STATE Viewing Business Entity

Ben Ysursa, Secretary of State

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NEW PHASE INVESTMENTS LLC

2281 W HEYREND WAY
IDAHO FALLS, ID 83402

Type of Business: LIMITED LIABILITY COMPANY

Status: EXISTING, NOTDET SENT 01 Jun 2006

State of Origin: IDAHO

Date of 03 May 2004

Origination/Authorization:

Current Registered Agent: WINSTON V BEARD
2105 CORONADO ST
IDAHO FALLS, ID 83404

File Number: W30376

Date of Last Annual Report: 08 Jun 2006

Amendments:

Amendment filed 03 May 2004 ARTICLES OF
ORGANIZATION

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Amendment filed 24 Sep 2004 OTHER - CHGE TO MANAGERS &
CHGE ONE MANAGERS
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