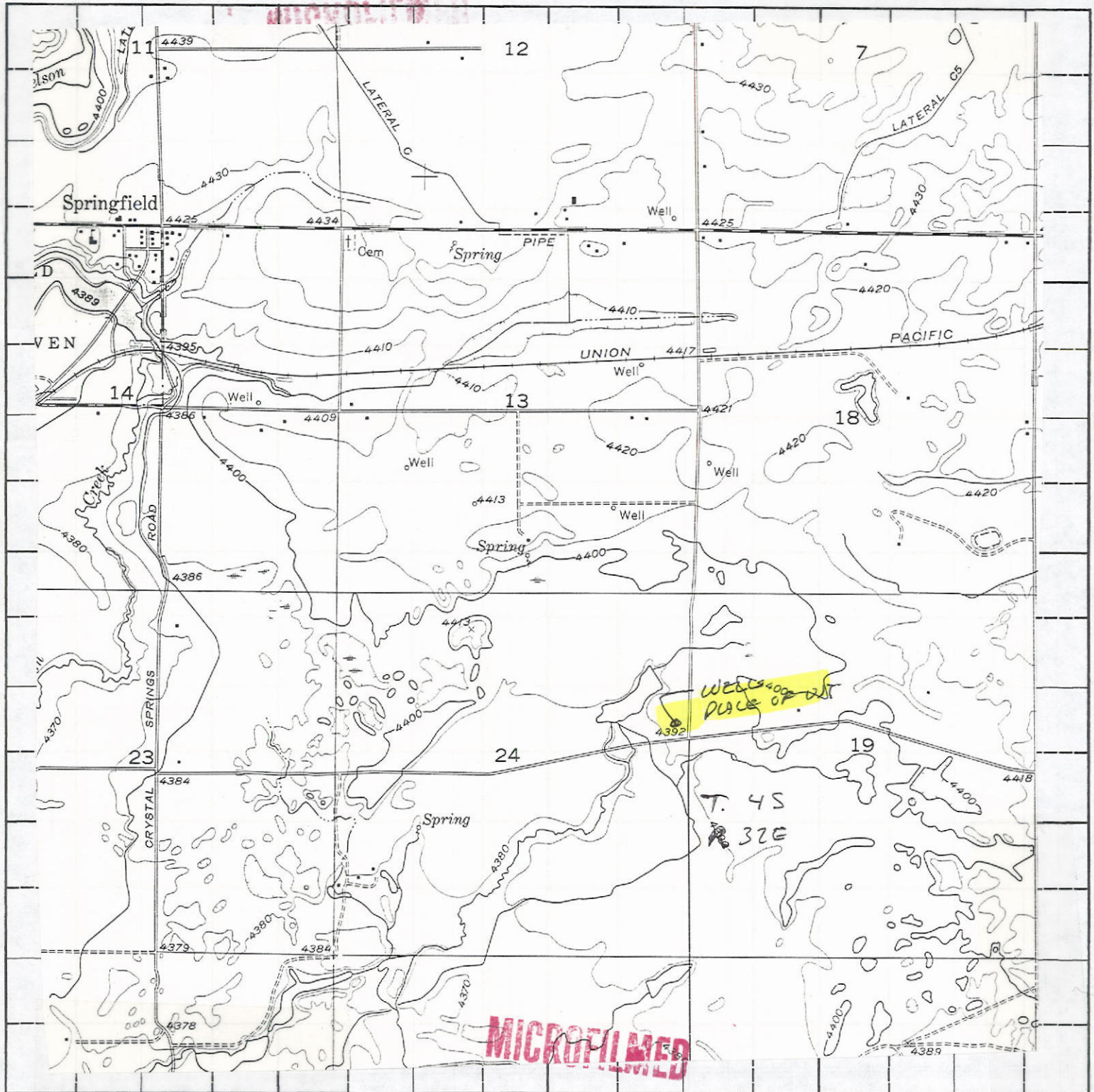


13. Map of proposed project show clearly the proposed point of diversion, place of use, section number, township and range number.



Scale: 2 inches equal 1 mile.

JUN 12 1989

BE IT KNOWN that the undersigned hereby makes application for permit to appropriate the public waters of the State of Idaho as herein set forth.

[Signature]
(Applicant)

Springfield

UNION

R32E

571

P/D & P.O.U.

24

SECRET

35-8679

FEB 24 1994



NEW PROPERTY OWNER NOTICE OF CHANGE OF WATER RIGHT OWNERSHIP

RECEIVED

JAN 13 1999

Department of Water Resources

Please print or type
(see instructions on back of page)

DATE OF CLOSING: December 23, 1998

LEGAL DESCRIPTION OF PROPERTY: Township 45 Range 32E
Section 24, 25, 26 1/4 of 1/4 of 1/4 Govt. Lot , BM.
Lot , Block , Subdivision/Townsite .
If you have additional legal descriptions, please attach separate sheet.

- ☐ Served Only by a Public Service Water Supply (all water is received from a city or company who maintains water supply system, owns the water right, and bills the customer on a regular basis)
35-07138, 35-00007, 35-00028, 35-00029, 35-02016, 35-02014,
☒ Water Right Number 35-11392, 35-11393, 35-11394, 35-00047, 35-007142, 35-04271,
Assigned by IDWR: 35-08635, 35-11390, 35-08782, 35-09068, and 35-08679

☐ Name and Address of Former Owner/Claimant(s)(Seller): North Fork Energy, Inc., Attn: Greg Lansberry
4414 S. Gekeler Lane
Boise, Idaho 83705

☐ New Owner/Claimant (Purchaser): John L. Miller

☐ New Mailing Address: P. O. Box 2260
Napa, California 94558

☐ New Telephone Number: (707) 224 - 6444

- ☒ Does the change in ownership result in a splitting of the water right owned/claimed? ☒ yes ☐ no
If yes, then describe the portion of the water right that is now owned/claimed by the new owner:

WRN's 35-04271, 35-08635, 35-08782, 35-09068 and 35-08679 are
split pursuant to the attached Special Warranty Deed.

- ☒ Attach proof of ownership, describe proof attached: See attached Warranty Deed and Special Warranty Water Rights, Well Development and Maintenance Agreement and Well Development and Maintenance Easement (proof of ownership must describe either the property conveyed or include the claim number. Proof of ownership is not required if this form is signed by the former owner/claimant.)

☒ Signature of New Owner/Claimant(s): John L. Miller Date Dec 28, '98

☒ Signature of Former Owner/Claimant(s): NORTH FORK ENERGY, INC. Date
By: , Its: Date

(Signature of former claimant(s) is not required if proof of ownership is attached.)

FOR IDWR USE ONLY:

Initial Review and Data-Entry

Date: By:

Further Action Needed:

Further Action Taken

Date: By:

Final Review and Data-Entry

Date: By:

Claim Numbers of Split, if any:

RECEIVED

FEB 11 1999

Department of Water Resources

Original to be mailed to Idaho Department of Water Resources
Copies to Former Owner and New Owner

MAY 27 1999

WHEN RECORDED, MAIL TO:

John L. Miller
P.O. Box 2260
Napa, California 94558

WARRANTY DEED

North Fork Energy, Inc., a corporation organized and existing under the laws of the State of Idaho, with its principal place of business in Bingham County, Idaho, GRANTOR, hereby CONVEYS and WARRANTS to John L. Miller, GRANTEE, of Napa County, California, for the sum of TEN DOLLARS and other good and valuable consideration, the following-described tract of land in Bingham County, Idaho:

Beginning at a point on the South line of a County Road that is South 0°13'14" West 2167.35 feet along the Section line and South 81°36'31" West 84.90 feet from the Northeast corner of said Section 24 and running thence south 81°36'31" West 1192.27 feet along said South line; thence South 78°49'32" West 1368.55 feet; thence South 79°16'11" West 402.03 feet; thence South 89°24'11" West 198.67 feet; thence South 89°59'48" West 2075.55 feet along said South line to the West line of said Section 24; thence leaving said County Road South 0°32'53" West 2618.34 feet along the Section line to the South West corner of said Section 24; thence North 89°28'36" West 1325.23 feet along a fence line; thence South 1°04'04" West 1268.04 feet along said fence; thence South 55°28'37" West 90.03 feet; thence North 89°46'17" West 958.92 feet along said fence line to the east line of a county road; thence South 5°14'03" East 199.67 feet along said east line to the Bureau of Reclamation take line; thence along said Bureau of Reclamation take line the following three (3) courses (1) North 48°14'18" East 293.73 feet; (2) thence South 41°37'41" East 168.00 feet; (3) thence South 49°20'46" West 424.73 feet; thence South 16°10'45" West 169.69 feet; thence South 56°11'16" West 256.70 feet; thence South 0°11'21" West 546.83 feet; thence South 53°20'44" East 115.52 feet along said east line to the North line of said County Road; thence South 88°50'14" East 561.72 feet along said North line; thence South 87°40'11" East 149.39 feet; thence North 89°37'03" East 1145.42 feet; thence North 80°18'38" East 264.58 feet; thence South 89°24'55" East 174.18 feet to the Bureau of Reclamation Take Line; thence along said Bureau of Reclamation Take Line the following three (3) courses (1) North 76°17'38" East 235.58 feet; (2) thence North 67°19'32" East 349.70 feet; (3) thence South 41°00'50" West 162.37 feet to the North line of a County Road; thence North 69°59'04" East 56.48 feet; thence North 59°36'35" East 521.39 feet; thence North 53°39'50" East 263.65 feet; thence North 31°17'57" East 502.46 feet; thence North 81°43'25" East 787.30 feet; thence South 89°36'24" East 702.19 feet; thence South 64°24'39" East 620.55 feet; thence South

MICROFILMED

1 NE, NE 24, 45, 32E MAY 27 1999

- 5 67°30'02" East 233.65 feet; thence South 84°26'23" East 323.64 feet; thence South 74°29'47" East 1219.71 feet; thence South 75°50'39" East 443.76 feet along said North line; thence leaving said County Road North 1°30'06" West 110.13 feet; thence North 1°26'14" West 2304.88 feet along a fence line; thence North 1°42'30" West 3088.94 feet along said fence line to the Point of Beginning.

EXCEPTING THEREFROM the following parcel:

Part of the East Half of the Section 24, Township 4 South, Range 32 East of the Boise Meridian, Bingham County, Idaho, described as follows:

Beginning at a point in an existing North-South fence line that is North 00°13'14" East 1615.08 feet along the Section line and North 89°34'12" West 33.14 feet from the Southeast corner of said Section 24 and running thence North 01°42'30" West 1509.49 feet along said existing fence line to the south line of an existing County Road; thence South 81°36'31" West 714.85 feet along said South line; thence South 02°48'39" West 834.28 feet; thence South 30°55'57" West 426.02 feet; thence South 44°54'25" West 277.78 feet; thence South 89°34'12" East 1208.22 feet to the Point of Beginning.

TOGETHER WITH:

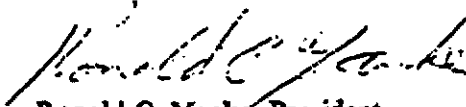
All fixtures and appurtenances located on the described and conveyed real property, including, but not limited to, one trailer home, and all other out buildings located on the property, eight (8) approximately quarter mile long Thunderbird wheeled irrigation lines, two (2) approximately quarter mile long four (4) inch diameter hand irrigation lines, all existing buried main irrigation lines, a 150 horsepower deep well pump and a 100 horsepower centrifugal pump.

AND SUBJECT TO all easements and encumbrances of record.

The officers of North Fork Energy, Inc. who sign this Warranty Deed hereby certify that this Warranty Deed and the transfer represented thereby was duly authorized under a resolution duly adopted by the board of directors of North Fork Energy, Inc. at a lawful meeting properly noticed and duly held, and attended by a quorum.

IN WITNESS WHEREOF, the GRANTOR has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 23 day of December, 1998.

NORTH FORK ENERGY, INC., Grantor


Ronald C. Yanke, President

MICROFILMED

MAY 27 1999

ATTEST:

Richard D. Heaton

Richard D. Heaton, Secretary

STATE OF IDAHO)

: ss.

COUNTY OF ADA)

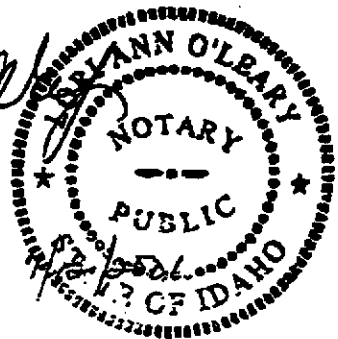
On the 13th day of December, 1998, personally appeared before me Ronald C. Yanke, who having first been duly sworn by me, did say that he is the President of North Fork Energy, Inc., that he has authority to sign the foregoing Warranty Deed on behalf of North Fork Energy, Inc. by reason of a duly and properly adopted resolution of the board of directors of North Fork Energy, Inc., and that the foregoing Warranty Deed was signed on behalf of North Fork Energy by him.

[Signature]
NOTARY PUBLIC

Residing in the State of Idaho

SEAL:

My commission exp. 7/2/2001



STATE OF IDAHO)

: ss.

COUNTY OF ADA)

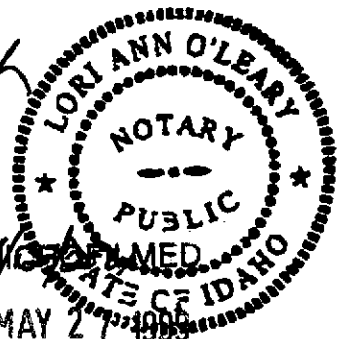
On the 23rd day of December, 1998, personally appeared before me Richard D. Heaton, who having first been duly sworn by me, did say that he is the Secretary of North Fork Energy, Inc., that the President of North Fork Energy, Inc., Ronald C. Yanke, has authority to sign the foregoing Warranty Deed on behalf of North Fork Energy, Inc. by reason of a duly and properly adopted resolution of the board of directors of North Fork Energy, Inc., and that he, Richard D. Heaton, as Secretary of North Fork Energy, Inc., has properly, and pursuant to authority duly granted to him by North Fork Energy, Inc., has signed the foregoing Warranty Deed attesting that the foregoing Warranty Deed was properly signed with authority on behalf of North Fork Energy, Inc.

[Signature]
NOTARY PUBLIC

Residing in the State of Idaho

SEAL:

My commission exp. 7/2/2001



WHEN RECORDED, MAIL TO:

John L. Miller
P.O. Box 2260
Napa, California 94558

**SPECIAL WARRANTY WATER RIGHTS DEED,
WELL DEVELOPMENT AND MAINTENANCE AGREEMENT
AND
WELL DEVELOPMENT AND MAINTENANCE EASEMENT**

North Fork Energy, Inc., a corporation organized and existing under the laws of the State of Idaho, with its principal place of business in Bingham County, Idaho, GRANTOR, hereby CONVEYS and WARRANTS to John L. Miller, or nominee, GRANTEE, of Napa County, California, for the sum of TEN DOLLARS and other good and valuable consideration, all right, title and interest in and to the following-described water rights:

Water Right Number ("WRN") 35-07141 for 4.8 cfs for the irrigation of 240 acres, as described in the Water Right License and the Snake River Basin Adjudication Claim Number ("SRBA Claim Number") A35-7141. Grantor believes this right may be reduced through the Snake River Basin General Adjudication to 4.68 cfs for the irrigation of 234 acres. Grantor makes no warranty beyond 4.68 cfs for the irrigation of 234 acres.

Water Right Number ("WRN") 35-07138 for 1.08 cfs for the irrigation of 54 acres, as described in the Water Right License. Grantor believes that SRBA Claim Number A35-07138 may be incorrect. Grantor makes no warranty except as to 1.08 cfs for the irrigation of 54 acres as described in the Water Right License.

WRN 35-00007 for the irrigation of 103 acres, as described in SRBA Claim Number A35-00007. However, Grantor believes the right may be limited to 2.1 cfs in the Snake River Basin General Adjudication. Grantor makes no warranty beyond 2.1 cfs for the irrigation of 103 acres.

WRN 35-00028 for 1.2 cfs for the irrigation of 109 acres, as described in SRBA Claim Number A35-00028.

WRN 35-00029 for .4 cfs for the irrigation of 109 acres, as described in SRBA Claim Number A35-00029.

MICROFILMED

MAY 27 1999

35-09068 is for
4.79 cfs - fish Prop.

WRN 35-02016, as described in SRBA Claim Number A35-02016. Grantor believes that the right may be reduced in the Snake River Basin Adjudication to 1.28 cfs for the irrigation of 64 acres. Grantor makes no warranty beyond 1.28 cfs and 64 acres.

WRN 35-02014, as described in the Water Right License for 1.3 cfs for irrigation as described in the Water Right License.

WRN 35-11390 for 20 cfs for fish propagation as described in SRBA Claim Number A35-11390 and as modified by Transfer Number 5055.

WRN 35-11392 for .04 cfs for the domestic use of one home.

WRN 35-11393 for .04 cfs for the domestic use of one home.

WRN 35-00047. Grantor makes no warranty whatsoever regarding WRN 35-0047.

A portion of WRN 35-007142 for the irrigation of 40 acres. Grantor makes no warranty whatsoever regarding WRN 35-007142.

TOGETHER WITH an undivided interest in the following water rights, and subject to the limitations described below:

WRN 35-04271 for 50 cfs for fish propagation as described in SRBA Claim Number A35-04271 and as modified by Transfer Number 5030.

WRN 35-08635 for .72 cfs for fish propagation as described by the Water Right License and as modified by Transfer Number 5030. Grantor believes that SRBA Claim Number A35-08635 may be incorrect. Grantor makes no warranty beyond .72 cfs.

✓ WRN 35-08782 for 4.64 cfs as described in the Water Right License and as modified by pending, unapproved Transfer Number 5345.

WRN 35-09068 for 4.79 cfs for fish propagation or 3.79 cfs for fish propagation and 1. cfs for commercial use under WRN 35-08679.

✓ WRN 35-08679 for 1.0 cfs for commercial use, as modified by Transfer Number 5030.

As to Water Right Numbers 35-04271, 35-08635, 35-08782 and 35-09068, Grantor retains the right to use the described flow for fish propagation purposes only on property retained by the Grantor located in the Northeast Quarter of Section 24, Township 4 South, Range 32 East

of the Boise Meridian, Bingham County, Idaho. Grantor's use of the water under Water Right Numbers 35-04271, 35-08635, 35-08782 and 35-09068 will be virtually non-consumptive.

As to WRN 35-08679, Grantor retains the right to consumptively use up to 1.0 cfs for commercial purposes, or file a transfer to use the water for irrigation or other consumptive purposes, on property retained by the Grantor located in the Northeast Quarter of Section 24 and the Northeast Quarter of the Southeast Quarter of Section 24, Township 4 South, Range 32 East of the Boise Meridian, Bingham County, Idaho.

All flows available for use by Grantor or Grantee under Water Right Numbers 35-04271, 35-08635, 35-08782 and 35-09068, and all flows not consumed by Grantor under WRN 35-08679, shall be discharged to Boom Creek by Grantor at the point where Boom Creek intersects the existing Bingham County road in the Northeast Quarter of Section 24, Township 4 South, Range 32 East of the Boise Meridian, Bingham County, Idaho. All water discharged by Grantor to Boom Creek shall meet all applicable state, federal and local laws, statutes, rules, regulations and ordinances, shall be free from any significant pathogens or disease which might adversely affect fish or wildlife, and shall be fit for the purposes of fish propagation, wildlife, recreation, the natural stream environment and aesthetics.

Grantor hereby conveys to Grantee a partial undivided right in and to Water Right Numbers 35-04271, 35-08635, 35-08782 and 35-09068 and 35-08679 consisting of the right to use the flow discharged by Grantor below the point described for all authorized purposes subject to any required Transfer from the Idaho Department of Water Resources and further subject to the limitations described above.

Neither Grantor nor the Grantee shall file any application for Transfer involving Water Right Numbers 35-04271, 35-08635, 35-08782, 35-09068 and 35-08679 which might in any manner diminish the quantity or quality of water available to the other.

Except as expressly stated otherwise above, Grantor warrants that it is conveying good, marketable, unencumbered title to all of the water rights described above. The same acreage may be an approved place of use for more than one water right. As part of the Snake River Basin General Adjudication, approved flows may be reduced because of this stacking of water rights. Reductions in flow as the result of stacking shall not be considered a breach of Grantor's warranties. As part of the Snake River Basin General Adjudication, small adjustments in approved acreage may be made as the result of the capacity for more precise measurements. Small reductions in acreage as the result of better measurement shall not be considered a breach of Grantor's warranties.

Water Right Number 35-04271, 35-08635, 35-08782, 35-09068 and 35-08679 and Transfer Numbers 5030, 5055 and pending Transfer Number T5345, approved a total of 10 wells to be drilled

MICROFILMED

MAY 27 1999

on property retained by Grantor located in the Northeast Quarter of Section 24, Township 4 South, Range 32 East of the Boise Meridian, Bingham County, Idaho. Three of the wells have been completed. Grantor shall continue to develop two (2) additional wells until the total authorized artesian flow from the wells under the described water right numbers and transfer numbers is obtained, or hydro geological data reasonably acceptable to Grantee indicates that additional wells would not result in a net yield from all of the wells of more than 3 cfs. Grantor shall complete the two (2) additional wells on or before August 1, 1999. While Grantor is not obligated to Grantee to develop the full ten (10) wells authorized under the described water rights and transfers, any water developed by Grantor on property belonging to Grantor located in the Northeast Quarter of Section 24, Township 4 South, Range 32 East of the Boise Meridian, Bingham County, Idaho shall first be used to satisfy the water rights and transfers that Grantor and Grantee have undivided interests in as described above before being used for any other purpose. Grantor shall submit any proof required under the described water rights and transfers and shall timely take all other steps which may be reasonable and necessary to keep the described water rights and transfers in good standing. Grantor shall reasonably operate and maintain the wells in a condition which will maximize the flow to which the Grantor and Grantee have a right under the described water rights and transfers.

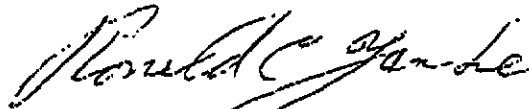
If for any reason Grantor fails to diligently and timely complete development of the two additional wells as described above, or alternatively, Grantor fails to maintain any wells developed by Grantor which are necessary to satisfy the water rights and transfers that Grantor and Grantee have undivided interests in as described above, Grantee shall have an easement and a right of ingress and egress across the property belonging to Grantor located in the Northeast Quarter of Section 24, Township 4 South, Range 32 East of the Boise Meridian, Bingham County, Idaho for the purpose of developing the two additional wells described above, or maintaining any wells developed by Grantor which are necessary to satisfy the water rights and transfers that Grantor and Grantee have undivided interests in as described above.

All of Grantor's obligations under this Special Warranty Water Rights Deed, Well Development and Maintenance Agreement and Well Development and Maintenance Easement shall run with the land and shall bind Grantors successors and assigns.

The officers of North Fork Energy, Inc. who sign this Special Warranty Water Rights Deed, Well Development and Maintenance Agreement and Well Development and Maintenance Easement hereby certify that this instrument and the agreements and transfers represented thereby was duly authorized under a resolution duly adopted by the board of directors of North Fork Energy, Inc. at a lawful meeting properly noticed and held, and attended by a quorum.

IN WITNESS WHEREOF, the GRANTOR has caused its corporate name and seal to be hereunto affixed by its duly authorized officers this 23 day of December, 1998.

NORTH FORK ENERGY, INC., Grantor


Ronald C. Yanke, President

ATTEST:

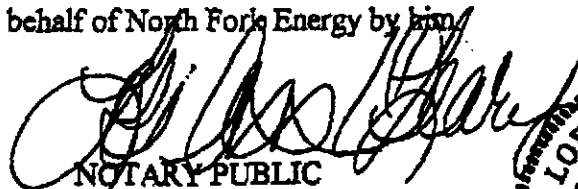

Richard D. Heaton, Secretary

STATE OF IDAHO)

: ss.

COUNTY OF ADA)

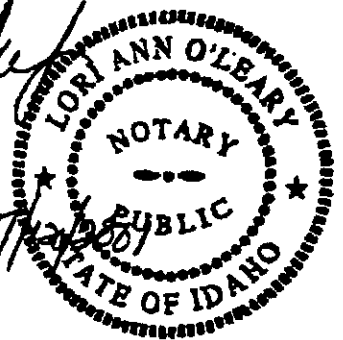
On the 23rd day of December, 1998, personally appeared before me Ronald C. Yanke, who having first been duly sworn by me, did say that he is the President of North Fork Energy, Inc., that he has authority to sign the foregoing Special Warranty Water Rights Deed, Well Development and Maintenance Agreement and Well Development and Maintenance Easement on behalf of North Fork Energy, Inc. by reason of a duly and properly adopted resolution of the board of directors of North Fork Energy, Inc., and that the foregoing instrument was signed on behalf of North Fork Energy by him.


NOTARY PUBLIC

Residing in the State of Idaho

SEAL:

The commission exp. 7/23/2001



STATE OF IDAHO)

: ss.

COUNTY OF ADA)

On the 23rd day of December, 1998, personally appeared before me Richard D. Heaton, who having first been duly sworn by me, did say that he is the Secretary of North Fork Energy, Inc., that the President of North Fork Energy, Inc., Ronald C. Yanke, has authority to sign the foregoing Special Warranty Water Rights Deed, Well Development and Maintenance Agreement and Well Development and Maintenance Easement on behalf of North Fork Energy, Inc. by reason of a duly and properly adopted

5 MICROFILMED

MAY 27 1999

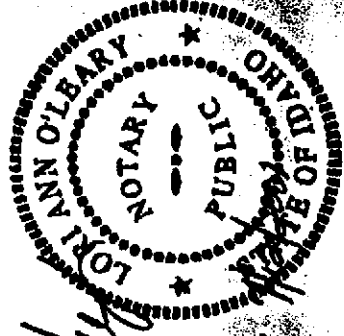
resolution of the board of directors of North Fork Energy, Inc., and that he, Richard D. Heaton, as Secretary of North Fork Energy, Inc., has properly, and pursuant to authority duly granted to him by North Fork Energy, Inc., signed the foregoing instrument attesting that the foregoing instrument was properly signed with authority on behalf of North Fork Energy, Inc.

[Signature]
NOTARY PUBLIC

Residing in the State of Idaho

SEAL:

my commission exp. 11/20/01



MICROFILMED

MAY 27 1999

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF TRANSFER NO. 5030)
OF WATER RIGHT NOS. 35-04271,) ORDER GRANTING EXTENSION
35-08635 AND 35-08679 IN THE NAME) OF TIME TO COMPLETE TRANSFER
OF NORTH FORK ENERGY, INC.)
_____)

FINDINGS OF FACT

1. On June 30, 1997, the Department of Water Resources (Department) approved the above captioned transfer in the name of North Fork Energy, Inc. (right holder) with the following condition:

The change authorized by this approval shall be accomplished within one (1) year of the date of this approval.

2. On December 17, 1997, the Department extended the completion date to June 30, 1999.

3. On June 8, 1998, the right holder described that the changes authorized under the transfer are part of a larger project and that additional time is needed to complete the authorized changes.

CONCLUSIONS OF LAW

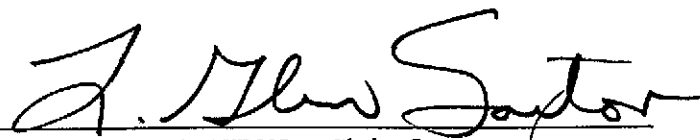
1. The right holder has shown sufficient cause why additional time is needed to accomplish the changes authorized by the transfer.

2. The Department should extend the time in which to accomplish the authorized changes.

ORDER

IT IS THEREFORE, HEREBY ORDERED that the right holder of Transfer No. 5030 is granted additional time to June 30, 2002, to complete the changes authorized by the transfer.

Dated this 9th day of June, 1998.


L. GLEN SAXTON, Chief
Water Allocation Bureau

MICROFILMED
JUN 12 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5030
WATER RIGHT NO(S). 35-04271/35-08635/35-08679

This is to certify that: NORTH FORK ENERGY INC
PO BOX 5405
BOISE ID 83705

has requested a change to the above captioned water right(s). This change in water right(s) is authorized pursuant to the provisions of Section 42-222, Idaho Code, provided the conditions listed below are met.

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>DIVERSION RATE</u>	<u>ANNUAL VOLUME</u>
Right No. 35-04271 :			
FISH PROPAGATION	01/01 to 12/31	50.00 CFS	
Priority: 06/01/1945			
Right No. 35-08635 :			
FISH PROPAGATION	01/01 to 12/31	0.72 CFS	520.3 AF
Priority: 12/17/1986			
Right No. 35-08679 :			
COMMERCIAL	01/01 to 12/31	1.00 CFS	420.5 AF
Priority: 12/26/1988			
	TOTAL:	*51.72 CFS	

SOURCE

GROUNDWATER
SPRING

BOOM CREEK

LOCATION OF POINT(S) OF DIVERSION:

** NENE , Sec. 24, Township 04S, Range 32E
NWNE , Sec. 24, Township 04S, Range 32E
SWNE , Sec. 24, Township 04S, Range 32E
SENE , Sec. 24, Township 04S, Range 32E
NWSENE , Sec. 24, Township 04S, Range 32E
BINGHAM County

PLACE OF USE: COMMERCIAL

Right No. 35-08679 :

TWN RGE SEC

04S 32E 24

SWNE

SENE

RECORDED

JUL 18 1987

TRANSFER NO. 5030
WATER RIGHT NO(S). 35-04271/35-08635/35-08679

PLACE OF USE: FISH PROPAGATIONRight Nos. 35-04271/35-08635 :TWN RGE SEC

04S 32E 24	SWNE	SENE	SWSW
	SESW		
25	NENW	NWNW	
26	NENE	SWNE	SENE

CONDITIONS OF APPROVAL AND REMARKS

1. Approval of this transfer in no way confirms claimed Right No. 35-04271.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3. The change authorized by this transfer shall be accomplished within one (1) year of the date of this approval.
4. Failure to comply with the conditions of this transfer is cause for the director to issue an order to show cause why the approval of the transfer should not be rescinded.
5. Approval of this transfer does not preclude the opportunity for review of the validity of the water right(s) in the ongoing Snake River Basin Adjudication.
6. After specific notification by the department, the right holder shall annually report the amount of water diverted to the department.
7. When water used under this right is discharged into the natural channel, settling ponds must be maintained which are capable of reducing the silt load to such a level that the quality of water will not be impaired for other beneficial uses.
8. Water used under this right when discharged into a natural channel or subsurface system shall meet Idaho Water Quality Standards.
- * 9. The total instantaneous diversion of water from all points of diversion under Transfer No. 5030 shall not exceed 51.72 cfs.
10. Prior to diversion of water under this approval, the right holder shall provide a means of measurement acceptable to the Department from all authorized points of diversion and point(s) of effluent discharge to allow determination of total diversion and discharge.
11. Use of water for fish propagation shall be non-consumptive and is subject to policies set forth in the State of Idaho Water Plan, including Policy No. 5G.
12. The use of water under Right No. 35-08679 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.

MICROFILMED

JUL 18 1997

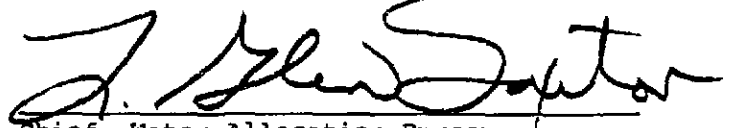
TRANSFER NO. 5030
WATER RIGHT NO(S). 35-04271/35-08635/35-08679

CONDITIONS OF APPROVAL AND REMARKS

13. The Director retains jurisdiction of Right No. 35-08679 to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
14. Commercial use is for a fish processing plant.
15. Place of use is known as Crystal Springs Trout Ranch.
- ** 16. A spring is located within NWSENE and ten (10) wells within the NE1/4, S24, T04S, R32E.

Dated this 30th day of

June, 1997.


Chief, Water Allocation Bureau

JUL 18 1997

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08679

Priority: December 26, 1988

Maximum Diversion Rate: 1.00 CFS

Maximum Diversion Volume: 420.5 AF

This is to certify, that CRYSTAL SPRINGS

PO BOX 99

SPRINGFIELD ID 83277

has complied with the terms and conditions of the permit, issued pursuant to Application for Permit dated November 28, 1988; and has submitted Proof of Beneficial Use on May 29, 1991. An examination indicates that the works have a diversion capacity of 1.740 cfs of water from a GROUNDWATER source, and a water right has been established as follows:

<u>BENEFICIAL USE</u>	<u>PERIOD OF USE</u>	<u>RATE OF DIVERSION</u>	<u>ANNUAL VOLUME</u>
COMMERCIAL	01/01 to 12/31	1.00 CFS	420.5 AF

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 24, Township 04S, Range 32E
BINGHAM County

PLACE OF USE: COMMERCIAL

TWN RGE SEC

04S 32E 24

SENE

CONDITIONS/REMARKS:

1. The maximum diversion volume is defined as the maximum allowable volume of water that may be diverted annually from the source under this right. The use of water confirmed by this right is limited to the amount which can actually be beneficially used. The maximum diversion volume may be adjusted to more accurately describe the beneficial use or to implement accepted standards of diversion and use efficiency.
2. This water right is appurtenant to the described place of use.
3. This right is subject to all prior water rights and may be forfeited by five years of non-use.
4. Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho Code, or the applicable Idaho law.
5. 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.
6. The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
7. Return flow if discharged to a subsurface system must be authorized by a separate injection well permit, and return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.
8. Commercial use is for a fish processing plant.

RECORDED

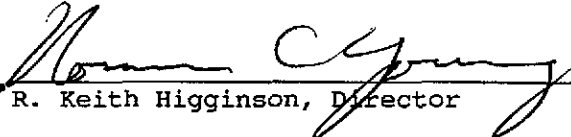
LICENSE

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

WATER RIGHT NO. 35-08679

This license is issued pursuant to the provisions of Section 42-219, Idaho Code.
Witness the seal and signature of the Director, affixed at Boise, this 22ND
day of FEBRUARY, 1994.

Acting for  R. Keith Higginson, Director

UNRECORDED

FEB 24 1994

BEFORE THE DEPARTMENT OF WATER RESOURCES
OF THE STATE OF IDAHO

IN THE MATTER OF PERMIT NO. 35-08679)
IN THE NAME OF CRYSTAL SPRINGS) ORDER OF
REINSTATEMENT)

WHEREAS, the Department issued the above-captioned permit with the condition that proof of construction of works and application of water to beneficial use (proof of beneficial use) be submitted on or before May 1, 1991; and,

WHEREAS, the Department notified the permit holder by certified mail that proof was due and instructed the permit holder of the steps to be taken to submit the proof of beneficial use; and,

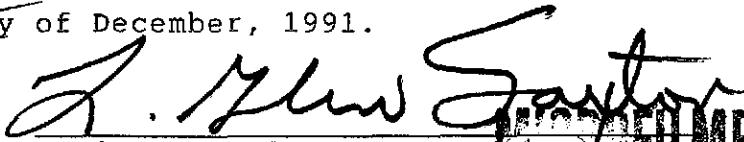
WHEREAS, the Department notified the permit holder that the permit lapsed for failure of the permit holder to submit the proof of beneficial use; and,

WHEREAS, Section 42-218a of the Idaho Code provides that a permit may be reinstated upon a showing of reasonable cause within sixty days of the date of the notice of lapsing; and,

WHEREAS, the permit holder has provided a reasonable showing why the permit should be reinstated by submitting proof of beneficial use on May 29, 1991;

IT IS, THEREFORE, HEREBY ORDERED that Permit No. 35-08679 be REINSTATED with an advance in priority to December 26, 1988.

Dated this 16th day of December, 1991.


L. GLEN SAXTON
Chief, Water Allocation Bureau

FILED

DEC 23 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
PROOF OF BENEFICIAL USE

The Idaho Department of Water Resources will consider this form as 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 or a completed field examination report prepared by a certified water right examiner who has been appointed by the department.

Permit No. 35-08679 Telephone No. 521-1090

Name(s) of Permit Holder(s): Crystal Springs C/o Mike Webster

Post Office Address: Box 129 Hamer, ID

Source of Water: Groundwater

If ground water, well driller's name: Dennings #10 Date drilled: 12/13/88

Extent of Use:

Domestic _____ (No. of households) Irrigation _____ (No. of acres)

Stockwater _____ (No. and type of stock) Other Commercial

Total rate and/or volume for which proof is submitted 1.00 cfs _____ acre/feet

Show date water was first diverted and beneficially used under this permit: Fall of 1989

One of the following may be a condition of approval of your permit:

Measuring device: Required? ☐ Yes ☐ No Installed? ☐ Yes ☐ No

OR

Flow Measurement Port: Required? ☒ Yes ☐ No Installed? ☐ Yes ☒ No (Dept. Some Meter will be used)

Fee Enclosed: \$ 100.00 (See License Examination Fee Schedule)

Person to contact to accompany the Department representative during the field examination:

Name Mike Webster Telephone No. See above

Address See above

The above information 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.

Date 5-29-91 Signature (and title if on behalf of a company or organization) [Signature]

DEC 23 1991

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR PERMIT

Ident. No. 35-8679

APPROVED

To appropriate the public waters of the State of Idaho

1. Name of applicant Crystal Springs Phone 662-5511
Post office address P.O. Box 247, Hamer, ID 83425

2. Source of water supply Groundwater which is a tributary of _____

3. Location of point of diversion is _____ 1/4 of SE 1/4 of NE 1/4, Govt. Lot _____
Sec. 24 Township 4S Range 32E B.M. Bingham County; additional
points of diversion if any: _____

4. Water will be used for the following purposes:

Amount 1.0 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)

5. Total quantity to be appropriated is (a) 1.0 and/or (b) _____
cubic feet per second acre feet per annum

6. Proposed diverting works:

a. Description of ditches, flumes, pumps, headgates, etc. well & pump

b. Height of storage dam _____ feet; active reservoir capacity _____ acre-feet; total
reservoir capacity _____ acre-feet; period of year when water will be diverted to storage:
_____ to _____ inclusive.

c. Proposed well diameter is 10" inches; proposed depth of well is 100 feet.

d. Is ground water with a temperature of greater than 90°F being sought? NO

7. Time required for the completion of the works and application for the water for proposed beneficial use is
2 years (minimum 1 year).

MICROFILMED

JUN 12 1989

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 - Cannery for fish.

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	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	
45	32E	24				C													

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? "

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: ROGER & SYBIL FERGUSON (OWNERS)

JUN 12 1989

This is a topographic map of a section of the Springfield, Missouri area. The map is divided into sections 11, 12, 13, 14, 18, 19, 23, and 24. Key features include:

- Section 11:** Located in the top left, showing the city of Springfield and the Springfield Road.
- Section 12:** Located in the top right, showing the Union Pacific Railroad and the Crystal Springs Road.
- Section 13:** Located in the center, showing the Union Pacific Railroad and the Crystal Springs Road.
- Section 14:** Located in the center left, showing the Union Pacific Railroad and the Crystal Springs Road.
- Section 18:** Located in the center right, showing the Union Pacific Railroad and the Crystal Springs Road.
- Section 19:** Located in the bottom right, showing the Union Pacific Railroad and the Crystal Springs Road.
- Section 23:** Located in the bottom left, showing the Union Pacific Railroad and the Crystal Springs Road.
- Section 24:** Located in the bottom center, showing the Union Pacific Railroad and the Crystal Springs Road.
- Landmarks:** Springfield, Union Pacific Railroad, Crystal Springs Road, Wells, Springs, and various contour lines.
- Handwritten Notes:** "WEST 1/4 4000' DIST" and "PLACE OF DIST" are written in the bottom right section (19).
- Stamp:** A large "MICROFILMED" stamp is visible at the bottom center of the map.

JUN 12 1989

Robert (Applicant) (married)

Proposed Priority 11/28/88

Received by S.M. Date 10-28-88 Time 4:30 pm. Preliminary check by KGW
Fee \$ 45.00 Received by S.M. # E004598 Date 11/29/1988
Publication prepared by RB Date 12-6-88 Published in The Morning News
Publication approved GW Date 3-13-89

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 35-8679, and said application is hereby APPROVED.

1. Approval of said application is subject to the following limitations and conditions:

a. SUBJECT TO ALL PRIOR WATER RIGHTS.

b. Proof of construction of works and application of water to beneficial use shall be submitted on or before May 1, 19 91.

c. The rate of diversion, if water is to be used for irrigation under this permit, when combined with all other water rights for the same land shall not exceed 0.02 cubic feet per second for each acre of land.

d. The water right acquired under this permit if for hydropower purposes shall be junior and subordinate to all rights to the use of water, other than hydropower, within the State of Idaho that are initiated later in time than the priority of this permit and shall not give rise to any right or claim against any future rights to the use of water, other than hydropower, within the State of Idaho initiated later in time than the priority of this permit.

e. Other: Permit holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.

The right to the use of water acquired under this permit shall not give rise to any right or claim against the holder of a senior right based upon the theories of forfeiture, abandonment, adverse possession, waiver, equitable estoppel, estoppel by laches or customary preference.

The Director retains jurisdiction of the permit and any license subsequently issued to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.

Permit holder shall commence the excavation or construction of diverting works within one year of the date this permit is issued and shall proceed diligently until the project is complete.

Prior to the diversion of water under this permit a flow measurement port or other device as specified by the Department shall be installed to provide for the installation of measuring equipment and the determination of the rate of diversion by the Department.

Return flow if discharged to a subsurface system must be authorized by a separate injection well permit, and return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.

MICROFILMED

JUN 12 1989

I have by hand this

11th day of

April, 1989.

J. Glen Saylor



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 5, 1999

DIRK KEMPTHORNE
GOVERNOR

KARL J. DREHER
DIRECTOR

JOHN L MILLER
PO BOX 2260
NAPA CA 94558

RE: Water Rights 35-08679/35-08782

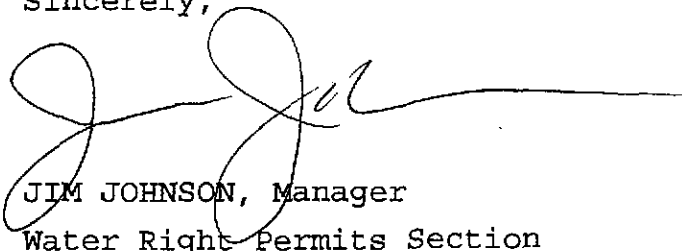
Dear Mr. Miller:

The Department is in receipt of the correspondence changing the ownership of the above referenced water rights to you. We have modified our records to reflect these changes in ownership and computer-generated reports are enclosed.

Just a reminder, because of a law that went into effect July 1, 1996, all water right owners are required to report change of address or ownership to the department within 120 days of the change. Failure to report these changes could result in a \$100 late filing fee to the water right owner. If you have other water rights that haven't had the ownership updated please contact the department as soon as possible.

If you have any questions regarding this matter, please feel free to contact me at (208) 327-7947.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosures

MICROFILMED

MAY 27 1999



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

June 9, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

NORTH FORK ENERGY INC
PO BOX 5405
BOISE ID 83705

RE: Water Rights 35-07097/35-07098 (Transfer 5278)

Dear Water Right Holder(s):

Enclosed is the copy of your approved Transfer of Water Right for the above referenced water right (Transfer 5278). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

As of July 1, 1996, all water right owners are required to report any change in water right ownership and any change of mailing address to the department.

If you have acquired any other water right or have changed your mailing address **PRIOR TO** July 1, 1996, you have until July 30, 1998, to record the ownership and/or address change with the department.

If you acquired other water rights or changed your mailing address **AFTER** July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes in a timely manner could result in a \$100 late filing fee. You can contact any office of the department for more information.

Enclosed are orders which extend the dates for completion of the changes authorized under transfers 5030 and 5055 to June 30, 2002. These orders now provide a five (5) year development period from the time the transfers were approved.

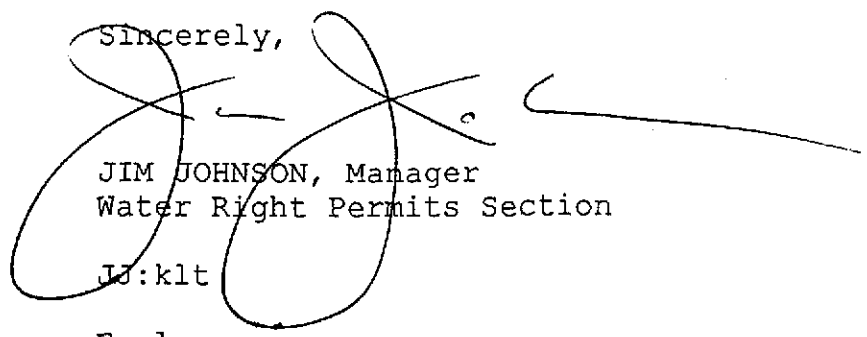
MICROFILMED

JUN 12 1998

Also enclosed is approved transfer 5278 which supersedes prior transfer 4994. The department did not issue an extension order in connection with transfer 4994, since the approval of transfer 5278 supersedes transfer 4994 and provides for an April 30, 2002 completion date.

If you have any questions regarding this matter, please call me at 208-327-7947.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosures

MICROFILMED

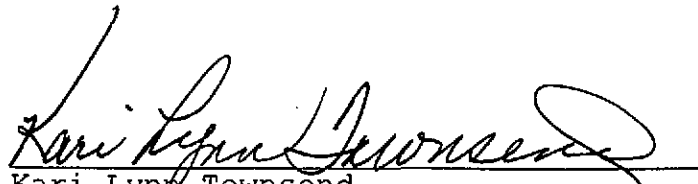
JUN 12 1998

CERTIFICATE OF MAILING

I hereby certify that on the 9th day of June, 1998, I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

WATER RIGHTS 35-07097/35-07098 (Transfer 5278)

NORTH FORK ENERGY INC
PO BOX 5405
BOISE ID 83705


Kari Lynn Townsend
Secretary

MICROFILMED

JUN 12 1998



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 7, 1997

PHILIP E. BATT
GOVERNOR

NORTH FORK ENERGY INC
PO BOX 5405
BOISE ID 83705

KARL J. DREHER
DIRECTOR

RE: Water Right No. 35-04271/35-08635/35-08679 (Transfer No. 5030)

Dear Water Right Holder(s):

Enclosed is a copy of your approved Transfer of Water Rights for the above referenced water rights (Transfer No. 5030). Please be sure to thoroughly read the Conditions and Remarks listed on the transfer with particular attention to Condition No. 10. Also, please be advised that the accompanying transfer approval should be considered and treated as a **preliminary order** of the department issued pursuant to section 67-5243, Idaho Code. Enclosed are instructions for responding to **Preliminary Orders** if you are in disagreement with the approved transfer.

As of July 1, 1996, all water right owners are required to report any change in water right ownership and any change of mailing address to the department.

If you have acquired any other water right or have changed your mailing address **PRIOR TO** July 1, 1996, you have until July 30, 1998, to record the ownership and/or address change with the department.

If you acquired other water rights or changed your mailing address **AFTER** July 1, 1996, you must notify the department within 120 days of the change.

Failure to report these changes in a timely manner could result in a \$100 late filing fee. You can contact any office of the department for more information. If you have any questions concerning your water right listed above you can contact me at (208) 327-7947.

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

Enclosures

MONO-FILED

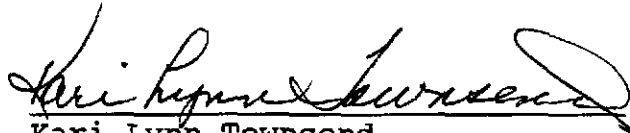
JUL 18 1997

CERTIFICATE OF MAILING

I hereby certify that on the 7th day of July, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing **TRANSFER APPROVAL** to the person(s) listed below:

WATER RIGHT NOS. 35-04271/35-08635/35-086797 (Transfer No. 5030)

NORTH FORK ENERGY INC
PO BOX 5405
BOISE ID 83705


Kari Lynn Townsend
Secretary

RECEIVED

JUL 18 1997

MEMORANDUM

TO: FILE NOS. 35-04271/08635/08679

FROM: PAM SKAGGS^{PS}/STATE OFFICE

SUBJECT: TRANSFER NO. 5030

DATE: June 30, 1997

=====

Transfer No. 5030 adds points of diversion and source, and changes the place of use under Right Nos. 35-04271, 35-08635 and 35-08679. The transfer reflects the addition of multiple new artesian wells in an attempt to restore the original discharge rates and describes the place of use as it currently exists.

Both groundwater and spring are identified as sources under each right. The combined system provides water for fish propagation and commercial use at a fish hatchery and processing plant known as Crystal Springs Trout Ranch. No new uses were added to any of the rights.

Recommended conditions include relative licensing conditions (trust water, discharge/water quality, nonconsumptive), drilling permit requirements, multiple wells/measuring devices, future annual reporting, non-confirmation of claim, and standard transfer conditions.

MICROFILMED

JUL 18 1997

MEMORANDUM

TO: FILE 35-8679

FROM: PAM SKAGGS

RE: TRANSFER # 5030

DATE: 3/28/97

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 35-4271.

ENCLOSURE

JUN 10 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

March 26, 1997

CHARLES E BROCKWAY
706 SUNRISE BLVD NORTH
TWIN FALLS ID 83301

RE: Water Right No. 35-08679

Dear Dr. Brockway:

Skip Jones forwarded to me a copy of your letter requesting an amendment to licensed right 35-08679, which was issued in the name of Crystal Springs. On the application submitted by Crystal Springs in 1988 the requested diversion rate was 1.0 cfs for commercial purposes. I have enclosed a copy of the application for your inspection. As you know, a license cannot be issued for more than the application requested.

My suggestion for getting the fish propagation use covered by a water right would be to file an application for permit and ask that it be processed under provision no. 6 of the "non-trust water area" moratorium. That provision allows for approval of nonconsumptive uses of water. Skip tells me that you have already prepared documentation to support your position that the additional diversion will have no impact on the Snake River.

Also, in your letter you said that your client, North Fork Energy Inc., is the new right holder. Please ask your client to complete the enclosed ownership change notification form and return it with the supporting documentation as soon as possible.

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

Respectfully,

Shelley Walter Keen
Water Rights Supervisor

c: S. Jones

Enclosures

ENCLOSURE

JUL 18 1997

Post-It™ brand fax transmittal memo 7671		# of pages > 2
To	Shelley Keen	
From	H.W. JONES	
Co.	IOWR	
Dept.	Phone # 525-7161	
Fax #	Fax #	

March 5, 1997

MAR 10 1997

Department of Water Resources
Eastern Region

Mr. Harold Jones
Idaho Dept. of Water Resources
900 North Skyline Drive
Idaho Falls, ID 83402-6105

Subject: Request for Correction of Beneficial Use Application and Field Exam
Water Right License 35-08679

Dear Mr. Jones:

Water right 37-08679 was applied for on December 26, 1988 for water from a well near the Crystal Springs Trout Company processing plant near Springfield, Idaho with the intent to use the flow in the processing plant and for fish propagation. The well was drilled in 1989 by Vollmer Drilling and a pump test performed by the driller showed an artesian flow of 2150 gpm (4.79 cfs). The plumbing on the well allows the use of water in the processing plant or directly into the spring fed stream which flows through the raceways for fish propagation. Water can flow from the well to the processing plant and then to the stream or directly to the stream through an underground pipeline.

The proof of beneficial use form was completed by Mike Webster, an employee of the Crystal Springs Trout Company, on May 29, 1991. Mr. Webster has indicated that, when he filed the application and Proof of Beneficial Use form he was under the impression that only the water for the processing plant was being claimed. Subsequently, when Harold Jones of your office conducted the beneficial use field examination, only water flowing from the well to the processing plant was measured and the pipe flowing from the well directly to the stream was not measured. Consequently, even though the beneficial use exam flow measurement in one pipe was 1.74 cfs, the right was licensed only for 1.0 cfs which was the inadvertently claimed amount for fish processing.

I had previously measured the flow and inadvertently measured only the water flowing to the processing plant. However, on July 29, 1996, I measured the flow from the well including both pipes at 2.28 cfs. Also, on November 5, 1996, Mr. Steve Garrison of your office measured the total well flow at 2.74 cfs. Both measurements are lower than the reported flow as reported by the well driller in 1989 which is consistent with the trend in spring flow and artesian well flows and pressures in the area. A hydrologic report by Brockway Engineering indicates that flows from the spring system comprising the flow in the stream feeding the main hatchery raceways decreased approximately 37 percent between 1989 and 1996. This

CHARLES E.
BROCKWAY,
PH.D., P.E.

CHARLES G.
BROCKWAY,
PH.D., E.I.T.

706 SUNRISE
BOULEVARD
NORTH

TWIN FALLS,
IDAHO 83301

208•733•0938
208•734•2580

FAX: 736•1746

MICROFILMED

JUL 18 1997



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

Harold Jones IDWR 03/05/97 Page 2

observation is consistent with the trend in flow from Spring Creek as measured by the USGS gage Spring Creek at Buckskin Road which has decreased by approximately 18 percent between 1986 and 1996.

Based on the oversight in the application filing and the Proof of Beneficial Use form and subsequent licensing for 1.0 cfs for commercial fish processing only, I am requesting, on behalf of the current right holder, North Fork Energy Inc., that the licensed amount be increased to 4.79 cfs for fish propagation and commercial processing. This is based on the flow measurement of 4.79 cfs by Mr. Vollmer who utilized a pipe orifice meter for the measurement. There is no question that all of the flow of the well has been utilized for the intended purposes since it was completed.

As you know, the well flows into the raceways and ultimately through Boom Creek and other facilities to American Falls Reservoir. This right is non-consumptive and there is therefor no impact on American Falls space holders or downstream Snake River natural flow rights

Sincerely,



C. E. Brockway, P.E.

cc: B. Beymer-Crystal Springs Ranch

Enclosures: Statement of Comments and Evidence by Mike Webster
Hydrologic Report-Brockway Engineering.
Proof of Beneficial Use Form
Letter from Ken Vollmer

MICROFILMED

JUL 18 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

February 22, 1994

CRYSTAL SPRINGS
PO BOX 99
SPRINGFIELD ID 83277

RE: WATER RIGHT NO. 35-08679

Dear Water Right Holder(s):

Enclosed herewith is a copy of the Water Right License issued on the above referenced permit.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jim Johnson', with a long horizontal line extending to the right.

JIM JOHNSON
Water Rights Supervisor

JJ:dc

Enclosure

RECEIVED

FEB 24 1994

WR0749NP
No. L35-08679

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/10/94
PAGE: 1

OWNER CODE	NAME & ADDRESS	PRIORITY DATE	WATER USE	USE PERIOD FROM TO	DIVERSION RATE	DIVERSION VOLUME
C	CRYSTAL SPRINGS PO BOX 99 SPRINGFIELD ID 83277 (208) 328-2226	12/26/1988	COMMERCIAL	01-01 12-31	1.00 CFS	420.50 AFA
TOTAL DIVERSION:					1.00 CFS	420.50 AFA

Water Source: GROUNDWATER

Tributary to:

Stage: LICENSE

Point(s) of Diversion Capacity: 1.74 CFS

Point(s) of Diversion: T04S R32E S24 SENE BINGHAM County

Place of use Legal Description for: COMMERCIAL

				NE				NW				SW				SE			
T	R	S	:	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac	Lt	Ac
04S	32E	24	:																

Pou County: BINGHAM

Conditions of Approval:

- 048 - 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.
- 049 - The Director retains jurisdiction of the right to incorporate the use into a water district, require streamflow augmentation or other action needed to protect prior surface water and groundwater rights.
- 09C - Return flow if discharged to a subsurface system must be authorized by a separate injection well permit, and return flow if discharged to a surface water system shall meet Idaho Water Quality Standards.

Remarks: Commercial use is for a fish processing plant.

Dates: App. Received: 11/28/1988 Priority Date: 12/26/1988 (Priority Date Advanced.)
Proof Due Date: 05/01/1991 Proof Made Date: 05/29/1991 (Proof Received Late.)
Exam Made Date: 05/28/1992 Exam Sent to S.O.: 04/28/1993
Licensed Date:

Misc: Water District Number: Field Exam Fee:

Comments: Date: 09/30/1991 User-ID: SKAGGS Subject: LAPSE DELAY
PROOF RECEIVED

Date: 12/04/1991 User-ID: GUSTAFSO Subject: 20 day call up

WR0749NP
No. L35-08679

IDAHO DEPARTMENT OF WATER RESOURCES
WATER RIGHT PROFILE REPORT

DATE: 02/10/94
PAGE: 2

Comments: Date: 12/04/1991 User-ID: GUSTAFSO Subject: 20 day call up
20 day call up - letter to driller - need a well log

Audit: 02/10/94 CHAPMAN

LICENSE REVIEW CHECKLIST

Permit # 35-8679 Date 2-10-94 Brenda Chapman

NAME	Yes ☒ No ☐	Or Address Change? <u>CHECK</u>
PRIORITY DATE	☒ ☐	Advance? <u>YES</u> Advanced to: <u>12-26-88</u>
	☒ ☐	Order to Reinstate Needed? <u>DONE</u>
	☐ ☒	Incorrect Fee for rate recommended?
SOURCE	☐ ☒	Changes? Clarification of Originally Intended source
	☐ ☒	Notice of Intent to Void - Source change.
P/D	☐ ☒	Amendment Needed? _____
	☐ ☒	Overlap(s) _____
P/U	☐ ☒	Amendment Needed? _____
	☐ ☒	Overlap(s) _____
TOTAL CFS	☒ ☐	Measurement <u>YES</u> Theoretical only _____ <u>Sonic meter Q = 782.1 gpm or 1.74 CFS</u>
Allowable Amount: <u>Permit limit @ 1 CFS</u>		
Capacity of System: <u>1.74</u>		
TOTAL VOLUME		Season of Use: <u>1-1 to 12-31 (8 hrs a day)</u>
	☐ ☒	Calculations: <u>782 gpm x 60 x 8 x 365 = 325850 = 420.5</u>
		Flow limit: <u>1.00 x 365 x 1.9835 = 723.9</u>
USES	☐ ☒	Change(s) in Nature of Use? _____
	☐ ☒	Amendment Needed? _____
REMARKS	☐ ☒	Multiple P/Ds in 1/4 1/4? _____
	☐ ☒	Special Overlap _____
CONDITIONS	☐ ☒	Measuring/Locking Devices _____
	☐ ☒	W/Master Control - District _____
	☐ ☒	Irrigation Overlap _____
	<u>09C</u> ☐ ☒	Water Quality _____
	☒ ☐	Other <u>NON TRUST (048/049)</u>

COMMENTS: _____

RECOMMENDED <u>Commercial</u>	CFS <u>1.0</u>	DIV VOL <u>420.5</u>	LICENSE ☒
_____	_____	_____	1ST AMEND LETTER ☐
_____	_____	_____	2ND AMEND LETTER ☐

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
BENEFICIAL USE FIELD REPORT

RECEIVED
MAY 03 1993

Department of Water Resources

A. GENERAL INFORMATION

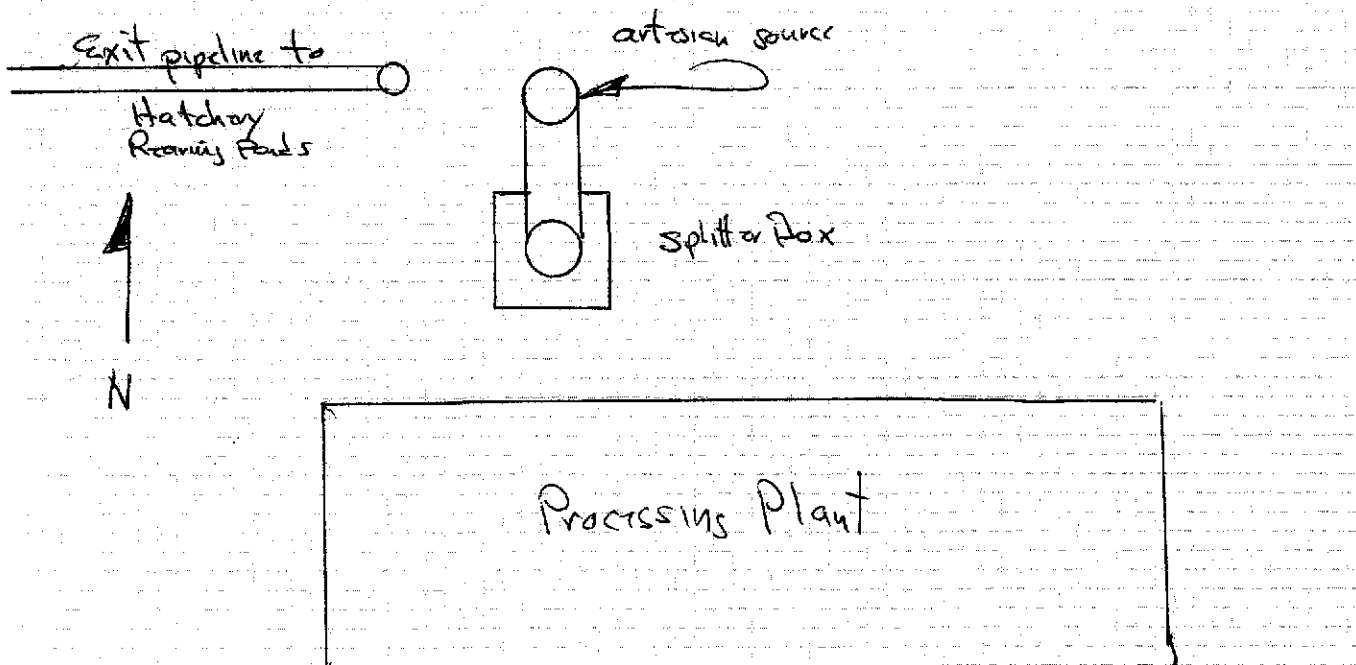
1. Owner: Crystal Springs Trout Ranch Permit No. 35-08679
Current Address: P.O. Box 99 Springfield, ID 83277 Phone No. _____
2. Accompanied by: Jerry Foster EXAM. DATE: 5-28-92
Address: Same as above Phone No. 328-2226
Relationship to Permit Holder: General Mgr.
3. Source: Groundwater tributary to Boam Creek

B. OVERLAP REVIEW

1. Other water rights with same place of use: None ☐ Copies Attached
2. Other water rights with same point of diversion: None ☐ Copies Attached ☐ Copies of Field Exam's Attached

C. SYSTEM DESCRIPTION

1. **Diversion System Diagram:** Indicate all major components and distances between components. Indicate weir size/ditch size/pipe i.d. as applicable. ☐ Alternative diagram attached



Scale: 1" = _____

2. ☒ Copy of U.S.G.S. Quadrangle Attached Showing location(s) of point(s) of diversion and place(s) of use (required). ☐ Aerial Photo Attached (required for irrigation of 10 acres or more).
☐ Photo of Diversion and System Attached (required for all but single household domestic groundwater, and stockwater).

RECORDED
FEB 24 1994

System Description (continued)

3. **Narrative:** Description (As operating at time of measurement. Indicate pressure, number of sprinklers, etc.)

Well (Artesian) to Fish processing plant. Approx 600,000 lbs of fish produced each year. Water from plant will go into Hatchery to the west & then exits into Boom Creek.

☐ See Remarks on page 4 for continuation

4.

Well or Diversion Identification No.*	Motor Make	Hp	Motor Serial No.	Pump Make	Pump Serial No. or Discharge Size
Artesian					

*Code to correspond with No. on map and aerial photo

5. **Point(s) of Diversion:**

Ident. No.	Gov't. Lot	1/4	1/4	1/4	Sec.	Twp.	Rge.	County	Method of Determination/Remarks
			SE	NE	24	4S	32E	Bingham	USGS

6. **Place(s) of Use:**

Indicate Method of Determination

Twp.	Rge.	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4				Totals
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	
4S	32E	24				C													

Do not use this space

FEB 24 1994

Do not use this space

D. FLOW MEASUREMENTS

☐ Additional Data Sheets Attached

1.

Measurement Equipment	Type	Make	Model No.	Serial No.	Size	Calib. Date
Sonic Meter		Tymer-Flite		149743		

2. Measurements:

E. FLOW CALCULATIONS

☒ Additional Computation Sheets Attached

1. Measured Method:

782.1 gpm average on Sonic Meter

$782.1 / 448.8 = 1.74 \text{ cfs}$

2. Alternate Method for Checking Purposes:

F. PUMP EFFICIENCY DATA (Optional)

Discharge Pressure: _____ psi x 2.31 = _____ ft (1); Dynamic pumping level: _____ ft (2)

Total Head: (1) + (2) = _____ (3) ; Flow rate: _____ cfs (4)

Water HP: (3) x (4) ÷ 8.8 = _____ (5)

Meter Input KW: 3.6 x _____ KH x _____ CTR or _____ MULT x _____ PTR x _____ N/ _____ T = _____ (6)

Meter Input HP: (6) x 1.34 = _____ (7)

Panel Input KW: _____ Ave PF x _____ Ave Volts x _____ Ave Amps x .001732 = _____ (6)

Panel Input HP: (6) x 1.34 = _____ (7) Efficiency: (5)/(7) x 100 = _____ %

G. VOLUME CALCULATIONS

1. Volume Calculations for Irrigation:

$V_{I.R.} = (\text{Acres Irrigated}) \times (\text{Irrigation Requirement}) =$ _____

$V_{D.R.} = [\text{Diversion Rate (cfs)}] \times (\text{Days in Irrigation Season}) \times 1.9835 =$ _____

$V = \text{Smaller of } V_{I.R.} \text{ and } V_{D.R.} =$ _____

2. Volume Calculations for Other Uses:

UNRECORDED

$$C = 782.1 \frac{\text{g}}{\text{min}} \times \frac{60 \text{ min.}}{\text{hr.}} \times \frac{8 \text{ hrs.}}{\text{day}} \times \frac{365 \text{ days}}{\text{yr.}} = \frac{1,370,240}{325,850} = 420.5 \text{ afa}$$

FEB 24 1994

[The page contains faint horizontal lines, suggesting it was part of a lined document or notebook.]

1. Recommended Amounts

Beneficial Use	Period of Use		Rate of Diversion Q (cfs)	Annual Volume V (afa)
	From	To		
Commercial	1/1	12/31	1.00	420.5
Totals:			1.00 cfs	420.5 afa

☐ Change P.D. as reflected above ☐ Add P.D. as reflected above ☒ None
☐ Change P.U. as reflected above ☐ Add P.U. as reflected above ☐ Other

Field Examiner's Name Harold Jones & Gary Nuss
Signature [Signature]
Certification Date _____
Field Report Preparation Date _____

CONSULTANT SEAL

K. Licensing recommendation shall be prepared by an Idaho Department of Water Resources employee on a computer printout attached hereto.

RECEIVED

FEB 24 1994

AUT ZERO

MM-DD HH:MM
05-26 11:07

MODE SELECT
INPUT

OUTER DIAMETER
11.2005 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
0.2500 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
8.779 IN U

MODE SELECT
TO CHECK

0400.0 MMSEC
100.05 % TO

MODE SELECT
TO CHECK

ZERO MODE
AUT ZERO

AO SPAN RANGE
1-RANGE

AO SPAN UNIT
E GPM

AO SPAN DATA L
00000.00E 06PM

AO SPAN DATA LER
00000.00E 06PM

AO SPAN DATA L
70000.00E 06PM

ZERO MODE
AUT ZERO

DAMPING SET
50 SEC

05-26 11:2200 *R
+463.886E 26PM

05-26 11:2300 *R
+465.471E 26PM

05-26 11:2300 *R
+466.527E 26PM

05-26 11:2300 *R
+467.848E 26PM

05-26 11:2300 *R
+468.905E 26PM

05-26 11:2400 *R
+471.010E 26PM

05-26 11:2400 *R
+472.075E 26PM

05-26 11:2400 *R
+473.132E 26PM

05-26 11:2500 *R
+474.453E 26PM

ave 46925.7
782.19 gph

35-08679

35-8679

PTJ8

MEASUREMENT
TAPE
35-8679

AUT ZERO

MM-DD HH:MM
05-26 11:07

MODE SELECT
INPUT

OUTER DIAMETER
11.2385 IN

PIPE MATERIAL
? CS,SS

WALL THICKNESS
0.2530 IN

INNER LINING
? NO LING.

KIND OF FLUID
? WATER

SENSOR MOUNTING
? U

TYPE OF SENSOR
? SMALL

DATA CHANGE
? NO

SPACING
8.779 IN U

MODE SELECT
T0 CHECK

0400.0 MMSEC
100.05 % T0

MODE SELECT
T0 CHECK

ZERO MODE
AUT ZERO

AO SPAN RANGE
1-RANGE

AO SPAN UNIT
E GPM

AO SPAN DATA L
00000.00E 00GPM

AO SPAN DATA LER
00000.00E 00GPM

AO SPAN DATA L
70000.00E 00GPM

ZERO MODE
AUT ZERO

DAMPING SET
50 SEC

05-26 11:2200 *R
+463.866E 26PH

05-26 11:2300 *R
+465.471E 26PH

05-26 11:2300 *R
+466.527E 26PH

05-26 11:2300 *R
+467.848E 26PH

05-26 11:2300 *R
+468.905E 26PH

05-26 11:2400 *R
+471.918E 26PH

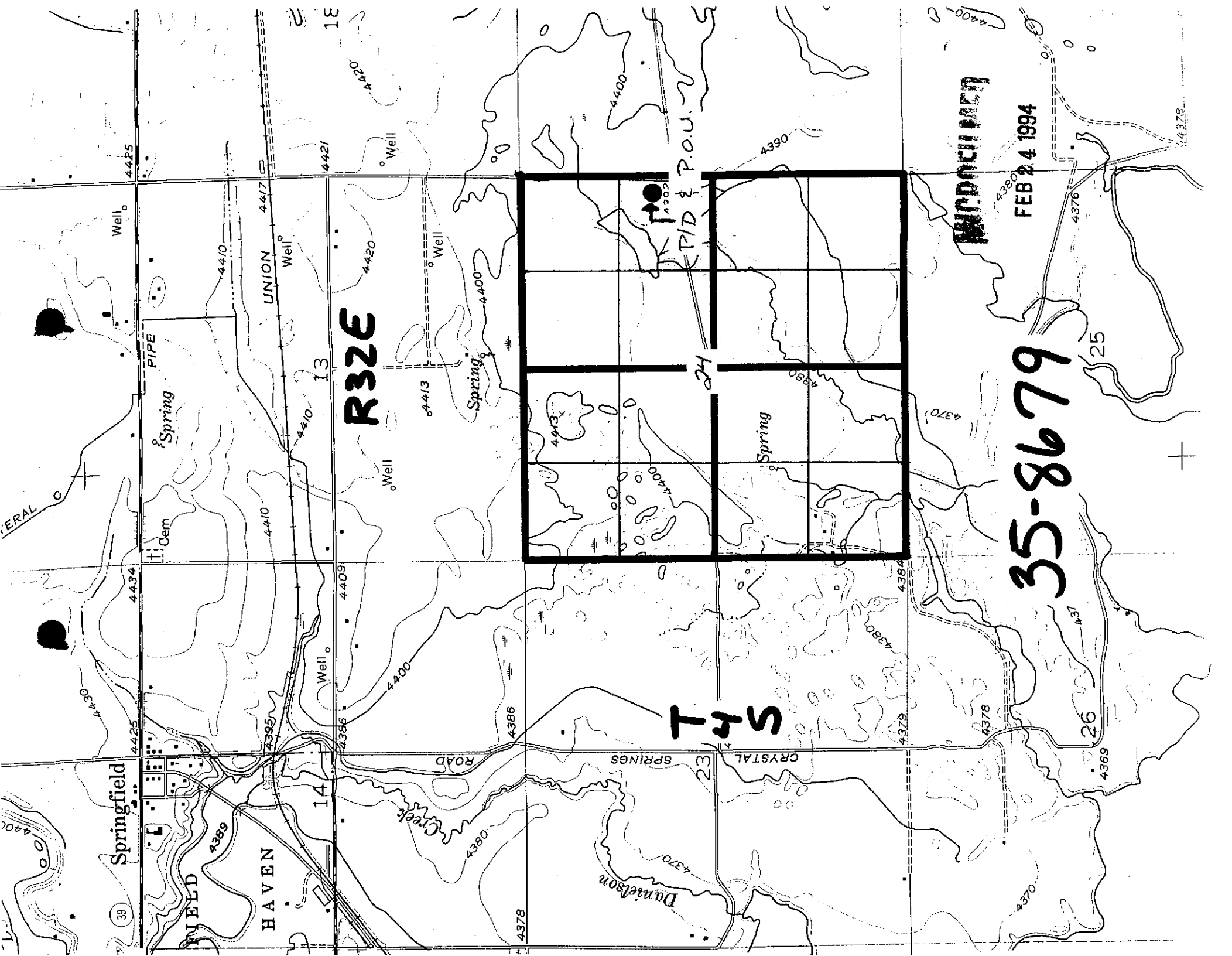
05-26 11:2400 *R
+472.875E 26PH

05-26 11:2400 *R
+473.132E 26PH

05-26 11:2500 *R
+474.453E 26PH

ave 46925.7
782.19PH

75-08679



Springfield

FIELD

HAVEN

R32E

S41

35-8679

FEB 24 1994

INDIAN

P.O.U.

December 20, 1991

CRYSTAL SPRINGS
C/O MIKE WEBSTER
BOX 129
HAMER ID 83425

PROOF ACKNOWLEDGMENT LETTER

RE: PERMIT NO. 35-08679

Dear Permit Holder:

The department acknowledges receipt of the proof of beneficial use form submitted for the above referenced permit. Enclosed is an order advancing the priority of the permit since the proof was received after the proof due date. 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.

If you have questions concerning this matter, please feel free to contact the EASTERN Regional Office in Idaho Falls at (208)525-7161.

Sincerely,

Karen L. Gustafson
Secretary/Records Manager

c: IDWR - Region

Enclosure

RECEIVED
DEC 23 1991

ANALYSIS SHEET
for
PROOF OF BENEFICIAL USE

Permit No. 35-8679

Date 6-12-91

GENERAL CONSIDERATIONS

- ☒ Name same as permit?
NO Address same as permit? If no, indicate below.
NO Proof timely received? If no, complete priority advancement below.

SOURCE OF WATER

- ☐ Surface water source
☒ Ground water source
☒ Drill permit req'd?
☒ Copy in file? Drill permit no. 35-88-E-065
100.00 Amt paid for drilling permit? ☒ Correct?
NO Well log in file?

Feb 1989

LICENSE EXAMINATION FEE

- ☒ Required?
100.00 Amount submitted?
☒ Correct amount?

MEASURING DEVICE

- ☒ Measuring device or access port required?
☒ Installed?
☒ Waiver requested or needed?

DEFICIENCIES OR ACTION ITEMS

add charge H. 6-18-91
med w.c. driller 383

proof acceptable

PRIORITY CALCULATION

Date proof received May 29, 1991 149
Date proof due May 1, 1991 - 121
No. of days late = 28
Priority date Nov 28, 1988 + 332
NEW PRIORITY DATE Dec 26, 1988 = 360

proof made

12/20/91 KLG

12/13/91 KLG

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources
within 30 days after the completion or abandonment of the well.

1. WELL OWNER

Name Crystal Springs Trout Ranch
Address Hamm Ln. 83425
Owner's Permit No. 35-88-EC65

7. WATER LEVEL

Static water level _____ feet below land surface.
Flowing? ☒ Yes ☐ No G.P.M. flow _____
Artesian closed-in pressure 18 p.s.i.
Controlled by: ☒ Valve ☐ Cap ☐ Plug
Temperature _____ OF. Quality _____

2. NATURE OF WORK

☒ New well ☐ Deepened ☐ Replacement
☐ Abandoned (describe method of abandoning) _____

8. WELL TEST DATA

☐ Pump ☐ Bailor ☐ Air ☒ Other Flowing

Discharge G.P.M.	Pumping Level	Hours Pumped
<u>1600</u>	<u>0</u>	<u>8</u>

3. PROPOSED USE

☐ Domestic ☐ Irrigation ☐ Test ☐ Municipal
☐ Industrial ☐ Stock ☐ Waste Disposal or Injection
☒ Other FISH HATCHERY (specify type)

4. METHOD DRILLED

☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary
☒ Cable ☐ Dug ☐ Other _____

5. WELL CONSTRUCTION

Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
<u>.250</u> inches	<u>14"</u> inches	<u>0</u> feet	<u>30'</u> feet
<u>.250</u> inches	<u>10"</u> inches	<u>+1</u> feet	<u>250'</u> feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☒ Yes ☐ No
Was a packer or seal used? ☐ Yes ☒ No
Perforated? ☒ Yes ☐ No

How perforated? ☐ Factory ☒ Knife ☐ Torch
Size of perforation 1/4 inches by 2 inches

Number	From	To
<u>200</u> perforations	<u>253</u> feet	<u>243</u> feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ No

Manufacturer's name N/A

Type _____ Model No. _____
Diameter _____ Slot size 1/8" Set from _____ feet to _____ feet
Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No ☐ Size of gravel _____
Placed from _____ feet to _____ feet

Surface seal depth 110' Material used in seal: ☒ Cement grout
☐ Puddling clay ☐ Well cuttings

Sealing procedure used: ☐ Slurry pit ☐ Temp. surface casing
☒ Overbore to seal depth

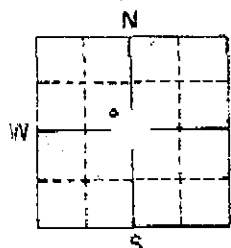
Method of joining casing: ☐ Threaded ☒ Welded ☐ Solvent
Weld

☐ Cemented between strata

Describe access port Top of well

6. LOCATION OF WELL

Sketch map location must agree with written location.



Subdivision Name _____

Lot No. _____ Block No. _____

County Bingham

SE 1/4 NW 1/4 Sec. 30, T. 45, S. R. 32 E.

10.

Work started June 10, 1988 finished June 25, 1988

11. DRILLERS CERTIFICATION

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

Firm Name Volmer Drilling Firm No. 383
Box 2 Aberdeen, ID
Address 83210 Date 06/28/88

Signed by (Firm Official) [Signature]
and
(Operator) [Signature]

WELL DRILLER'S REPORT

State law requires that this report be filed with the Director, Department of Water Resources within 30 days after the completion or abandonment of the well.

1. WELL OWNERName CRYSTAL SPRINGS TRUST RANCHAddress HANSEN T. 83425Owner's Permit No. 35-88-E065**7. WATER LEVEL**

Static water level _____ feet below land surface.

Flowing? ☒ Yes ☐ No G.P.M. flow 1600Artesian closed-in pressure 018 p.s.i.Controlled by: ☐ Valve ☐ Cap ☐ PlugTemperature 56 °F. Quality GOOD**2. NATURE OF WORK**☒ New well ☐ Deepened ☐ Replacement☐ Abandoned (describe method of abandoning) _____**8. WELL TEST DATA**☐ Pump ☐ Bailer ☐ Air ☐ Other _____

Discharge G.P.M.	Pumping Level	Hours Pumped
<u>1600</u>	<u>0</u>	<u>3 Flowing</u>

3. PROPOSED USE☐ Domestic ☐ Irrigation ☐ Test ☐ Municipal☐ Industrial ☐ Stock ☐ Waste Disposal or Injection☒ Other FISL (specify type)**4. METHOD DRILLED**☐ Rotary ☐ Air ☐ Hydraulic ☐ Reverse rotary☒ Cable ☐ Dug ☐ Other _____**5. WELL CONSTRUCTION**Casing schedule: ☒ Steel ☐ Concrete ☐ Other _____

Thickness	Diameter	From	To
<u>.250</u> inches	<u>14"</u> inches	<u>0</u> feet	<u>30'</u> feet
<u>.250</u> inches	<u>10"</u> inches	<u>+1</u> feet	<u>319'</u> feet
_____ inches	_____ inches	_____ feet	_____ feet
_____ inches	_____ inches	_____ feet	_____ feet

Was casing drive shoe used? ☒ Yes ☐ NoWas a packer or seal used? ☐ Yes ☒ NoPerforated? ☒ Yes ☐ NoHow perforated? ☐ Factory ☒ Knife ☐ TorchSize of perforation 1/4 inches by 3 inches

Number	From	To
<u>200</u> perforations	<u>185</u> feet	<u>313</u> feet
_____ perforations	_____ feet	_____ feet
_____ perforations	_____ feet	_____ feet

Well screen installed? ☐ Yes ☒ NoManufacturer's name N/AType N/A Model No. _____

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Diameter _____ Slot size _____ Set from _____ feet to _____ feet

Gravel packed? ☐ Yes ☒ No ☐ Size of gravel: _____

Placed from _____ feet to _____ feet

Surface seal depth 108 Material used in seal: ☒ Cement grout☐ Puddling clay ☐ Well cuttingsSealing procedure used: ☐ Slurry pit ☐ Temp. surface casing☒ Overbore to seal depthMethod of joining casing: ☐ Threaded ☒ Welded ☐ Solvent

Weld

☐ Cemented between strataDescribe access port TOP OF WELL**9. LITHOLOGIC LOG**

Hole Diam.	Depth		Material	Water	
	From	To		Yes	No
16"	0	12	TOP SOIL		
16"	12	30	LAUA		
14"	30	74	LAUA CLAY, BLK. CO.		
14"	74	110	CLAY & SAND		
10"	110	120	SAND		
10"	120	138	CLAY		
10"	138	156	SAND		
10"	156	183	CLAY		
10"	183	290	SAND & GRAVEL & CLAY		
10"	290	311	GRAVEL & SAND		
10"	311	313	GRAVEL		
10"	313	319	CLAY		

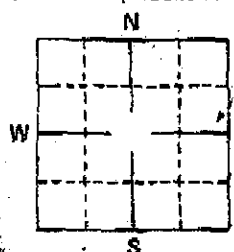
CEMENTED 14" CASING FROM 30'
UP TO TOP OF WELLCEMENTED 10" FROM 108' TO
TOP OF WELL & COVERED 14"
CASING**RECEIVED**

DEC 10 1991

Department of Water Resources

10.Work started 5/15/89 finished 5-29-89**6. LOCATION OF WELL**

Sketch map location must agree with written location.

Subdivision Name MICROFILMEDLot No. _____ Block No. DEC 23 1991

County _____

SE 1/4 NE 1/4 Sec. 30, T. 4 N. S. R. 32 E. D.**11. DRILLERS CERTIFICATION**

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

Firm Name Volunteer Drilling Firm No. 383P.O. Box 2 ABSTRACTAddress Tahoe 83210 Date 06/28/89Signed by (Firm Official) Ronald H. Hallman

and:

(Operator) Ronald H. Hallman

Public FAX™ International
COMMUNITY
FAX :
CENTER

This document has been sent from:

Tel. # () _____

Agent # _____

"INSTANT MAIL" TRANSMISSION FORM**TO:**Name: Karen Gustafson

Company: _____

Street: _____

City: _____

State: _____

DATE 12/10/91 TIME 11:10

FAX#: _____

PHONE#: _____

ZIP: _____

FROM:Name: Wallace Well Drilling

Company: _____

Street: _____

City: _____

State: _____ Zip: _____

TOTAL # OF PAGES INCL.

THIS PAGE: _____

PHONE#: _____

Return FAX# _____

(If Any)

SPECIAL INSTRUCTIONS:These are the drilling
logs from Crystal Springs Trout ranch**BILLING INFORMATION**

- ☐ TO DOMESTIC FAX (D.D. OPT.) :
☐ RECIPIENT P/U AT RECEIVE STATION :
☐ DELIVER TO RECIPIENT (DOMESTIC) :
☐ TO INTERNATIONAL FAX (D.D. OPT.) :
☐ DELIVER TO RECIPIENT (INTERN'L) :
 (CALL PFI FOR RATES)

1ST PAGE ADD'L OVER TOTAL

\$				
\$				
\$				
\$				
\$				

SN

RN

Public FAX™ OFFICE ONLY

LIMITS OF LIABILITY

Public FAX™ International provides network services that enable customers to fax materials to both private and public fax locations.

Due to the independent status of the Public FAX™ International Network, Public FAX™ International cannot be held liable for the failure of an independent operator to perform a service function.

In the event of errors, omissions, inaccuracy, delays or interruptions in the information transmitted or received, Public FAX™ International and its agents are financially liable only for a full refund of the actual transmission charges. This refund will be in lieu of any consequential damages (including loss of sale, income, profits, attorney's fees or any other damages) or remedies against Public FAX™ International and/or its agents.

DEC 23 1991



State of Idaho
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000
Phone: (208) 327-7900 FAX: (208) 327-7866

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

December 4, 1991

Kenneth Vollmer
Vollmer Well Drilling
P.O. Box Z
Aberdeen, ID 83210

Re: Permit No. 35-08679 - Crystal Springs
Drilling Permit No. 35-88-E-065
Drilling Date: December 1988
Proposed Location: 4S, 32E, Section 24, SE1/4,
NE1/4.

In the department's review of the proof of beneficial use submitted in connection with the above referenced permit, the department was not able to locate a well log which should have been submitted 30 days after completion of the construction of this well.

While it is possible that you have submitted the log, we have been unable to locate it. Please supply me with another copy. Also, please supply me with a copy of the drilling permit as well. Please address any correspondence directly to me. Your response should be received within 20 days of the date of this mailing.

This information is needed before the department can proceed further with the examination of the permit holders system and the eventual issuance of a license of water right.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson

Karen L. Gustafson
Secretary/Records Manager

C: Permit Holder

MICROFILMED

DEC 23 1991

INTER-DEPARTMENT MEMO

TO: FileSUBJECT: well logFROM: KarenDATE: 11/20/91

Per Mr. Webster-Volmer drilled - not Henning
contact Mr. Vollmer - he did drill - I cannot
locate log - he will send me a copy

MICROFILMED

DEC 23 1991

☐ For your information☐ Response required

KAG

signature

State of Idaho
Department of Water Resources

DRILLING PERMIT

(Authorizing Construction of a Well)*

RECEIVED

DEC 1 1988

Department of Water Resources
Eastern District Office

1. Applicant CRYSTAL SPRINGS PAK
2. Address P.O. Box 247
Hammer IDA Telephone 662-5511
☒ Well Owner ☐ Well Operator ☐ Other, specify _____
3. Proposed well location SE 1/4 NE 1/4, or Gov't lot No. _____,
Sec. 24, Twp. 4S, Rge. 32E, County Bingham,
Lot, block and subdivision _____
4. Proposed use of well: (Check all that apply)
☐ Domestic ☐ Stockwater ☐ Monitoring
☐ Irrigation ☐ Industrial ☐ Municipal
☐ Injection ☒ Other, Specify Commercial - Fish Cannery
5. Well construction information:
☒ New well ☐ Deepen ☐ Replace
Proposed surface diameter 10" Maximum depth 100 +
Anticipated bottom hole temperature: _____
☒ 85°F or less (Cold water well)
☐ 85°F to 212°F (Low temp. geothermal well)
☐ 212°F or more (Geothermal well)
6. Anticipated construction start date _____
7. Well Driller (if known) _____
Address _____
8. Applicant's signature [Signature] **RECORDED** **MICROFILMED**
Title MANAGER
Date 11-25-88 **FEB 23 1991** **JUN 12 1989**

* After other pre-requisite approvals have been obtained.

* Fee is \$10 for single family domestic. Other uses may be \$100, \$50 or \$10

ACTION OF IDWR

☒ Approved☐ Denied

The approval of this permit authorizes the construction of a well as described on this application subject to the conditions on this permit.

GENERAL CONDITIONS:

1. The well must be constructed in compliance with the applicable statutes, specific conditions of approval shown on the water right permit, injection well permit, transfer or amendment and the rules and regulations of the Department for water appropriation, injection wells and well construction standards.
2. This drilling permit is valid for two (2) months from its date of issuance for the start of construction and is valid for one (1) year from the date of issuance for completion of the well unless an extension has been granted.
3. This permit does not constitute the approval of the District Health Department or the Idaho Department of Health and Welfare which may be required before construction of this well.
4. 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.
5. Issuance of this drilling permit does not authorize trespass on the land of another party.
6. This permit does not constitute other local, county, state or federal approvals which may be required for construction of a well.
7. This drilling permit does not represent a right to divert and use the water of the State of Idaho.

SPECIFIC CONDITIONS:

Dated this 11th day of April, 1989

Signed J. Glen Sartor
Title Chief, Water Alloc. Bur.

Received by RS-OK Fee \$100⁰⁰ Date OK 12-13-88 EC05206
Receipt No. _____ Commission start extension to _____
Extension approved by _____

MICROFILMED

MICROFILMED

JUN 12 1989

DEC 23 1991



State of Idaho

DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street, Statehouse Mail, Boise, Idaho 83720-9000

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

CECIL D. ANDRUS
GOVERNOR

R. KEITH HIGGINSON
DIRECTOR

November 12, 1991

Crystal Springs
c/o Mike Webster
P.O. Box 129
Hamer, ID 83425

Re: Permit No. 35-08679

Dear Permit Holder:

In the department's review of the proof of beneficial use submitted in connection with the above referenced permit, the department was not able to locate a drilling permit which should have been applied for before construction of your well began. We have also been unable to locate a well log which should have been submitted by your well driller 30 days after completion of the construction of your well.

If you have a drilling permit or a copy of the well log, please provide this office with a copy of each. If you do not have a copy of the well log, please contact your driller and ask that he submit a copy. In your return letter, please be sure to show the above referenced permit number on any documents. Also, please address any correspondence directly to me. Your response, with both forms attached, should be received within 20 days of the date of this mailing.

This information is needed before the department can proceed further with the examination of your system and the eventual issuance of a license of water right.

If you have any questions or if I can be of any further assistance, please feel free to contact me.

Sincerely,

Karen L. Gustafson
Karen L. Gustafson
Secretary/Records Manager

MICROFILMED

DEC 23 1991

CRYSTAL SPRINGS
P O BOX 519
REXBURG ID 83440

May 3, 1991

LAPSE NOTICE

RE: PERMIT NO. 35-08679

Dear Permit Holder:

You are hereby notified that under the provisions of Section 42-218A, Idaho Code, the above referenced permit has lapsed and is of no further force nor effect. The department provided the proper forms to you in our proof due notice dated February 28, 1991. No further construction or additional development is authorized under this permit unless it is reinstated.

The permit can only be reinstated if you submit an acceptable proof of beneficial use or an acceptable request for extension of time to the department within sixty (60) days of the mailing of this lapse notice. An acceptable proof of beneficial use submittal must include the examination fee or a completed field examination report. A request for extension of time must be accompanied by a fifteen dollar (\$15) fee.

Enclosed again for your use are a proof of beneficial use form and a request for extension of time form. Please note that only one extension of time can be granted unless the project has not been completed because of lack of a necessary approval by a government agency or by litigation which may bring title to the water in question.

L. GLEN SAXTON
Chief, Water Allocation Bureau

LGS:rf

Enclosures

CERTIFICATION OF MAILING

I hereby certify that on 5-8-91
a copy/an original of this document was
deposited in the United States mail,
postage prepaid addressed to the
individual(s) named above.

RECEIVED

DEC 23 1991

INTER-DEPARTMENT MEMO

TO: 35-8679
FROM: Rita Fleck

SUBJECT: Returned Mail
DATE: 3-13-91

Per Diane Clemons of Oliver Ferguson
Companies, (mother of ^{company} Crystal Springs)
the address of Crystal Springs is P.O. Box
519, Keshburg, Ind 83440

I'm forwarding the notice to this
address

MICROFILMED

DEC 23 1991

- ☐ For your information
☐ Response required

signature

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

1301 North Orchard Street
Boise, Idaho 83706-2237

DEC 23 1991

PRIME

RETURNED
TO
SENDER

REASON CHECKED

Unclaimed _____ Refused _____

Addressee unknown _____

Insufficient Address _____

No such street _____ number _____

No such office in state _____

Do not remain in this envelope

*Box closed
moved
forward
exp.*

RECEIVED

MAR 05 1991

Department of Water Resources



138112
February 28, 1991

CRYSTAL SPRINGS
P.O. BOX 247
HAMER, ID 83425

PROOF DUE NOTICE

RE: PERMIT NO. 35-08679

Dear Permit Holder:

One of the conditions of approval of the above referenced water permit was that proof of the extent of your beneficial use must be submitted to this office on or before May 1, 1991. (See last page of your approved permit or your last approved extension request.) Enclosed is a form which when accompanied by the license examination fee or a complete field examination report prepared by a certified water right examiner may be used to submit the required proof.

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

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

SINCERELY,

Rita Fleck
Secretary/Records Manager

Enclosures

MICROFILMED

DEC 23 1991

Crystal Springs

Box 519

Rexburg ID

83440



RECEIVED

APR 24 1989



MICROFILMED

DEC 23 1991

IDAHO DEPARTMENT OF WATER RESOURCES
Department of Water Resources
STATEHOUSE
BOISE, IDAHO 83720

Microfilm

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
COMMENCEMENT OF WORKS

Permit No. 35-08679

Name(s) of Permit Holder(s): CRYSTAL SPRINGS

Post Office Address: Box 247 HAMER ID. 83425

Tel. No. 356-3813

☒ I hereby certify that construction of diversion works for the above referenced permit began on 4-20-89. I understand that I must continue to develop the water system with due diligence to maintain a valid permit.

☐ I hereby certify that construction of diversion works on the above referenced project has not yet begun due to the following reason beyond my control*:

*Note: A financing difficulty is not an acceptable reason.

4-20-89
Date

[Signature]
Signature of Permit Holder

S T A T E O F I D A H O
D E P A R T M E N T O F W A T E R R E S O U R C E S

Statehouse
Boise, Idaho 83720
(208) 334-7900
April 14, 1989

CRYSTAL SPRINGS
P.O. BOX 247
HAMER, ID 83425

P E R M I T A P P R O V A L N O T I C E

RE: PERMIT NO. 35-08679

Dear Permit Holder:

Enclosed is a copy of your approved application for permit. We direct your attention to the conditions of approval on the final page.

Also enclosed is a copy of the approved drilling permit submitted in connection with this water right.

You should be aware that the groundwater you propose to divert is located within a drainage basin where surface waters are regulated during the months of low flow. It is possible that diversion of groundwater may have an adverse impact on these surface water flows. Information available to us at this time does not warrant refusing to issue permits in your area, but we do caution that diversions of groundwater are not allowed to deplete flows available for surface water users with earlier priority dates. Siting your well as far from surface sources as possible and casing out upper water producing zones may reduce the potential of interference.

Section 42-235, Idaho Code, requires that a "drilling permit" must be obtained from the department for all wells constructed after July 1, 1987. A drilling permit is a separate permit that must be issued in addition to your permit to appropriate water. Commencement of well construction or diversion of water under your permit to appropriate water is prohibited unless a drilling permit is obtained.

Be sure to note the special condition requiring you to install a measuring device, or a flow measurement port to provide for the installation of measuring equipment by the Department. Enclosed please find a list of measuring device options, and specifications for the installation of the flow measurement port.

MICROFILMED

JUN 12 1989

Please note the requirement that as a permit holder you must commence the excavation or construction of diverting works within one year of the date the permit was issued, and you must proceed diligently until the project is completed. The enclosed blue card must be completed and returned to this office as soon as you commence construction, no later than one year from the date the permit was approved.

We have enclosed 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 license.

Sincerely,

GARY SPACKMAN, Supervisor
Water Right Permits Section

GS: SC
Enclosures

MICROFILMED

JUN 12 1989

February 13, 1989

David or Brenda Stolworthy
1320 N. 375 E.
Shelley, ID 83274

Application for Permit No. 35-08689

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification No. 35-08689. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the Morning News. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this 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 about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

RECORDED

JUN 12 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

FEBRUARY 8, 1989

THE MORNING NEWS
P.O. BOX 70
BLACKFOOT, ID 83221

Gentlemen:

Enclosed you will find a legal notice 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.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before MARCH 6, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

MAILED

JUN 12 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

JUN 12 1989

35-08679

CRYSTAL SPRINGS
P.O. BOX 247
HAMER, ID 83425

Source: GROUNDWATER

Diversion Pt: SENE Sec 24 T 04S R 32E

Use: COMMERCIAL (1.000 CFS)

Date Filed: 11/28/1988

In: T04S R32E S24 SENE

MICROFILMED

JUN 12 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before MARCH 6, 1989.

R. Keith Higginson, Director

Published 2/16/1989 & 2/23/1989

MICROFILMED

JUN 12 1989

January 3, 1989

The Morning News
P.O. Box 70
Blackfoot, Idaho 83221

RE: Application for Permit No. 35-08679; Crystal
Springs

Gentlemen:

Would you please submit an affidavit of publication
and certified bill in connection with the above
referenced application. The legal notice was to
have been published in your paper on December 15,
and December 22, 1988.

Your cooperation in this matter is greatly
appreciated.

Sincerely,

Rita Bodell
Office Secretary

MICROFILMED

JUN 12 1989

*Called 2-3-89 (Terry)
Could not find record
of this being published.
Will re-submit
(RB)*

December 8, 1988

Department of Health & Welfare
Division of Environment
150 N. 3rd.
Pocatello, ID 83201

RE: Application for Permit No. 35-08679

Dear Sir:

This office is currently in the process of publishing notice that the above application was filed with the Department of Water Resources. Since the application may be of interest to you, a copy is enclosed for your examination. Comments concerning the application should be addressed to the applicant with a copy forwarded to this office. Protests objecting to granting a permit should be directed to this Department and received by January 2, 1989. Final action will be taken by this office shortly after this date, provided there are no protests lodged against the applications.

Respectfully submitted,

Harold W. Jones
Water Rights Supervisor

HWJ/rb
Enclosure

MICROFILMED

JUN 12 1989

December 7, 1988

Crystal Springs
P.O. BOX 247
Hamer, ID 83425

Application for Permit No. 35-08679

Dear Water Right Applicant:

The Department of Water Resources acknowledges receipt of your water right application for permit. The application has been assigned identification No. 35-08679. Please refer to this number in all further correspondence.

This office is currently in the process of advertising the application in the MORNING NEWS. The advertisement will be published for two consecutive weeks, and a period of ten days following the second publication will be allowed for the submittal of protests.

If the application is protested, you will be sent a copy of the protest. The protest must be resolved before the application is approved or denied. If the protest is not resolved voluntarily, this 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 about five weeks. State office personnel will conduct a complete review prior to final processing of the application and will notify you of the outcome of this review. When a permit is issued, you will be sent a copy. A typical processing time for an unprotested application is about eight weeks.

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

Sincerely,

HAROLD W. JONES
Water Rights Supervisor

HWJ/rb

MICROFILMED

JUN 12 1989

DEPT. OF WATER RESOURCES
150 Shoup Ave., Suite 15
Idaho Falls, Idaho 83402

**NOTICE OF APPLICATION
FOR WATER RIGHT**

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

27-07453

EASTERN IDAHO GRAZING ASSOC.
c/o Leah Jones
P.O. Box 308
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt.: NENW, Sec. 31, T. 04S, R. 39E.
Use: STOCKWATER (.040 CFS)
Date Filed: 2/01/1989
In: T04S, R39E, S31, NENW

27-07454

EASTERN IDAHO GRAZING ASSOC.
c/o Leah Jones
P.O. Box 308
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt.: NENW, Sec. 21 T. 04S, R. 39E.
Use: STOCKWATER (.040 CFS)
Date Filed: 2/01/1989
In: T04S, R39E, S21, NENW

27-07455

EASTERN IDAHO GRAZING ASSOC.
c/o Leah Jones
P.O. Box 308
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt.: NESE, Sec. 22, T. 04S, R. 39E.
Use: STOCKWATER (.040 CFS)
Date Filed: 2/01/1989
In: T04S, R39E, S22, NESE.

35-08062

SCHITTER, LENARD
Rt. 1, Box 74
Aberdeen, Idaho 83210
Source: GROUNDWATER
Diversion Pt.: LOT 3 (NENW), Sec. 1 T, 06S, R. 30E.
Use: IRRIGATION (7.960 CFS)
Date Filed: 11/30/1982
In: T06S, R30E, S01, Lot 2 (NWNE), SWNW, NWSE, SWNE, Lot 3 (NENW) Lot 4, (NWNW), SENW, NESW, NWSW, 398.0 ACRES TOTAL.

35-08063

SCHITTER, LENARD
Rt. 1, Box 74
Aberdeen, Idaho 83210
Source: GROUNDWATER
Diversion Pt.: NWSW, Sec. 2, T. 06S, R. 30E.
Use: IRRIGATION (6.960 CFS)
Date Filed: 11/30/1982
In: T06S, R30E, S02, SWNE, NESW, NESE, SENE, NWSW, NWSE, SWNW, SWSW, SWSE, SENW, SESW, SESE. 448.0 ACRES TOTAL.

35-08064

Diversion Pt.: NENE, Sec. 17, T. 06S, R. 31E.
Use: IRRIGATION (.100 CFS); STOCKWATER (.020 CFS); DOMESTIC (.040

CFS).

Date Filed: 5/24/1983
In: T06S, R31E, S17, NENE. 5.0 ACRES TOTAL.

35-08593

DEMPSTER, DONALD
1184 South 2700 West
Sterling, Idaho 83210
Source: GROUNDWATER
Diversion Pt.: NESE, Sec. 32, T. 04S, R. 31E.
Use: IRRIGATION (2.400 CFS)
Date Filed: 6/14/1985
In: T04S, R31E, S32, SENE, NESE, SESE, 120.0 ACRES TOTAL.

35-08595

GRIFFIN FARMS, INC.
c/o Rodney A. Griffin
365 N. 200 W.
Blackfoot, Idaho 83221
Source: GROUNDWATER
Diversion Pt.: SWNW, Sec. 11, T. 01S, R. 33E.
Use: IRRIGATION (3.120 CFS)
Date Filed: 6/21/1985
In: T01S, R33E, S11, NENW, NWSW, NWNW, SWSW, SWNW, SESW, SENW. 247.0 ACRES TOTAL.

35-08679

CRYSTAL SPRINGS
P.O. Box 247
Hamer, Idaho 83425
Source: GROUNDWATER
Diversion Pt.: SENE, Sec. 24, T. -4S, R. 32E.
Use: COMMERCIAL (1.000 CFS)
Date Filed: 11/28/1988
In: T04S, R32E, S24, SENE.

35-08689

STOLWORTHY, Brenda
STOLWORTHY, David
1320 N. 375 E.
Shelley, Idaho 83274
Source: GROUNDWATER
Diversion Pt.: NESWSE, Sec. 27, T. 01N, R. 36E.
Use: DOMESTIC (.040 CFS); IRRIGATION (.060 CFS).
Date Filed: 1/20/1989.
In: T01N, R36E, S27, SWSE, 3.0 ACRES TOTAL.

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code, and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho, 83402, on or before MARCH 6, 1989.

R. KEITH

MICROFILMED

(276)
Pub.: 2/16, 23

RECEIVED

MAR 3 1989

Department of Water Resources
Eastern District Office

AFFIDAVIT of PUBLICATION

County of Bingham)

State of Idaho)

I, Michael Bell do solemnly

Publisher
swear that I am the Publisher 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 1933, approved March 11, 1933, 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 or said

newspaper two consecutive weeks

the first publication having been made on the 16th day of February, 1989; and the last publication having been made on the 23rd day of February, 1989; 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.

On this 28th day of February, in the year 1989, before me a Notary Public of said State, personally appeared

Michael Bell
known or identified to me to be the person whose name is subscribed to the within instrument, and being by me first duly sworn, declared that the statements therein are true, and acknowledged to me that he executed the same.

Ray Dwyer
Notary Public for the State of Idaho,

Residing at Blackfoot, Idaho

My commission expires

November 10, 1988

November 10, 1994

Affidavit Processing Fee..... \$5.00

JUN 12 1989

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
Eastern Region
150 Shoup Ave., Suite 15

Idaho Falls, Idaho 83402
(208) 525-7161

DECEMBER 6, 1988

THE MORNING NEWS
P.O. BOX 70
BLACKFOOT, ID 83221

Gentlemen:

Enclosed you will find a legal notice 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.

An affidavit of publication must be submitted to the Department along with the publication bill. Your cooperation is appreciated.

Please send the affidavit of publication and publication billing to this office before JANUARY 2, 1989.

Yours truly,

Rita Bodell
Secretary

Encl.

MICROFILMED

JUN 12 1989

NOTICE OF APPLICATION FOR WATER RIGHT

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

MICROFILMED

JUN 12 1989

35-08679

CRYSTAL SPRINGS
P.O. BOX 247
HAMER, ID 83425

Source: GROUNDWATER

Diversion Pt: SENE Sec 24 T 04S R 32E

Use: COMMERCIAL (1.000 CFS)

Date Filed: 11/28/1988

In: T04S R32E S24 SENE

MICROFILMED

JUN 12 1989

The permit(s) will be subject to all prior water rights. Protests may be submitted based on the criteria of Sec. 42-203A, Idaho Code and/or the new public interest criteria of Sec. 42-203C, Idaho Code. Protests must be filed with the Director, Dept. of Water Resources, 150 Shoup Ave., Suite 15, Idaho Falls, Idaho 83402 on or before JANUARY 2, 1989.

R. Keith Higginson, Director

Published 12/15/1988 & 12/22/1988

MICROFILMED

JUN 12 1989