

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4994
WATER RIGHT NO(S). 35-07097/35-07098

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. 35-07097 :			
FISH PROPAGATION	01/01 to 12/31	4.00 CFS	
DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
Priority: 09/30/1969			
Right No. 35-07098 :			
FISH PROPAGATION	01/01 to 12/31	20.00 CFS	
Priority: 08/02/1969			
	TOTAL:	* 24.00 CFS	** 1.2 AF

SOURCE

GROUNDWATER
SPRINGS

SNAKE RIVER

LOCATION OF POINT(S) OF DIVERSION:

SWNW , Sec. 30, Township 04S, Range 33E
SWSWNW , Sec. 30, Township 04S, Range 33E
NWSW , Sec. 30, Township 04S, Range 33E
NWNWSW , Sec. 30, Township 04S, Range 33E
BINGHAM County

PLACE OF USE: FISH PROPAGATION

TWN RGE SEC

04S 33E 30

SWNW

NWSW

PLACE OF USE: DOMESTIC, same as FISH PROPAGATION use

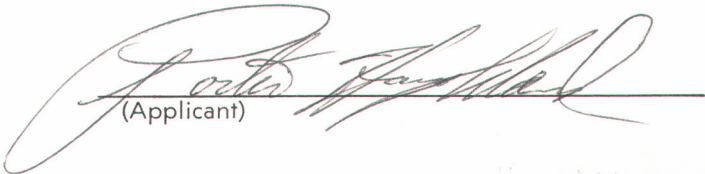
MICROFILMED
MAY 20 1997

11. Map of proposed project:

T 4 S. 0.
R 33 E
30

Scale: 2 inches equal 1 mile

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.


(Applicant)

RECEIVED

SEP 15 1969

Department of Reclamation

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

} ss.

I, Drury R. Brown do solemnly

publisher

swear that I am the publisher of The Blackfoot News which is a daily newspaper of general circulation published each day except Saturday and 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: Friday 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

Friday issue of said newspaper 2 consecutive

weeks, the first publication having been made on

the 11th day of September, 1969,

and the last publication having been made on the

18th day of Sept., 1969; 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.

Drury R. Brown

Subscribed and sworn to before me this 18th

day of September, 1969.

James Dayton

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho

My commission expires

~~June 1, 1969~~ November 10, 1972

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Houghland Farms, Springfield, Idaho, has on August 22, 1969, applied for permit under application No. 35-7098 to divert 20,0 cubic feet per second of water from an unnamed springs tributary of American Falls Reservoir. Water will be diverted by collection pipe and earth diversion dam within the NW1/4 SW1/4 and SW1/4 NW1/4, Sec. 30, T. 4S, R. 33 E, B.M., Bingham County and is to be used from January 1 to December 31 for fish propagation in the NW1/4 SW1/4 and SW1/4 NW1/4, Sec. 30, T. 4S, R. 33 E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of this notice.

R. KEITH HIGGINSON,
State Reclamation Engineer
(2151)
Pub.: 9-11 and 18

35 7098

Bill submitted
9-19-69
R.D.



Todd
Haglund
35-7098

APR 9/2/77

MICROFILMED

small concrete abutment

Fish Pond

[Signature]

Diagram of System

[illegible]

Hatching House

* Artesian well

RECEIVED

NOV 30 1970

Department of Water Administration

Spring Area

100'

6' wide

4' wide

Artesian well *

Lead Tank

100' x 8'

Pond

100' x 8'

Pond

100' x 8'

Pond

100' x 8'

150' x 8'

Pond

35 5098

Houghland Farms, Inc
Springfield, Idaho

11-27-70

Preliminary design of Hatchery

Measuring Gates

measuring Gates

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 5278
WATER RIGHT NO(S). 35-07097/35-07098

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. 35-07097 :			
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DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
Priority: 09/30/1969			
Right No. 35-07098 :			
FISH PROPAGATION	01/01 to 12/31	20.00 CFS	
Priority: 08/02/1969			
	TOTAL:	* 24.00 CFS	** 1.2 AF

SOURCE

GROUNDWATER
SPRINGS

SNAKE RIVER

LOCATION OF POINT(S) OF DIVERSION:

SENE , Sec. 25, Township 04S, Range 32E
SWNW , Sec. 30, Township 04S, Range 33E
SWSWNW , Sec. 30, Township 04S, Range 33E
NWSW , Sec. 30, Township 04S, Range 33E
NWNWSW , Sec. 30, Township 04S, Range 33E
BINGHAM County

PLACE OF USE: FISH PROPAGATION

TWN RGE SEC

04S 33E 30

SWNW

NWSW

PLACE OF USE: DOMESTIC, same as FISH PROPAGATION use

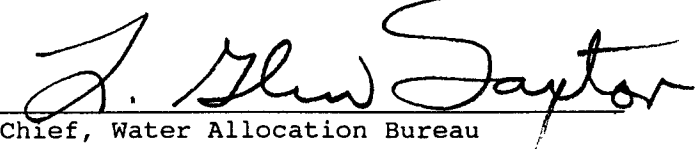
MICROFILMED
JUN 12 1998

TRANSFER NO. 5278
WATER RIGHT NO(S). 35-07097/35-07098

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this water right will be regulated by the watermaster of State Water District No. 01.
2. Right holder shall comply with the drilling permit requirements of Section 42-235, Idaho Code.
3. The right holder shall accomplish the change authorized by this transfer by April 30, 2002.
4. Failure of the right holder to comply with the conditions of this transfer is cause for the Director to rescind approval of the transfer.
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. The total instantaneous diversion of water from all points of diversion under Transfer No. 5278 shall not exceed 24.00 cfs.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of the diversion that is acceptable to the watermaster and will provide suitable control of the diversions.
8. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
- ** 9. Right Nos. 35-07097 and 35-07098 are limited to historic facility and diversion volumes as determined by the Snake River Basin Adjudication.
10. Multiple springs are located within SWSWNW and NWNWSW of S30, T04S, R33E.
11. Four wells are located within the SWNW and two wells are located within NWSW of S30, T04S, R33E.

Dated this 9th day of June, 1998


Chief, Water Allocation Bureau

MICROFILMED
JUN 12 1998

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES

TRANSFER OF WATER RIGHT

TRANSFER NO. 4994
WATER RIGHT NO(S). 35-07097/35-07098

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.

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Right No. 35-07097 :			
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DOMESTIC	01/01 to 12/31	0.04 CFS	1.2 AF
Priority: 09/30/1969			
Right No. 35-07098 :			
FISH PROPAGATION	01/01 to 12/31	20.00 CFS	
Priority: 08/02/1969			
	TOTAL:	* 24.00 CFS	** 1.2 AF

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LOCATION OF POINT(S) OF DIVERSION:

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NWSW , Sec. 30, Township 04S, Range 33E
NWNWSW , Sec. 30, Township 04S, Range 33E
BINGHAM County

PLACE OF USE: FISH PROPAGATION

TWN RGE SEC

04S 33E 30

SWNW

NWSW

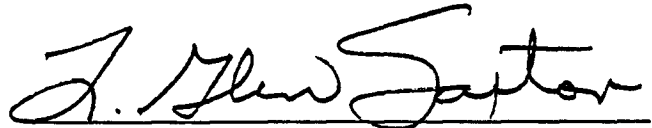
PLACE OF USE: DOMESTIC, same as FISH PROPAGATION use

TRANSFER NO. 4994
WATER RIGHT NO(S). 35-07097/35-07098

CONDITIONS OF APPROVAL AND REMARKS

1. Use of water under this transfer will be regulated by the watermaster of State Water District No. 01.
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. The total instantaneous diversion of water from all points of diversion under Transfer No. 4994 shall not exceed 24.00 cfs.
7. Prior to diversion of water under this approval, the right holder shall provide a means of measurement and lockable controlling works from all authorized points of diversion that is acceptable to the watermaster and will provide suitable control of the diversions.
8. Use of water under this approval shall comply with applicable water quality standards of the Division of Environmental Quality of the Idaho Department of Health and Welfare.
- ** 9. Right Nos. 35-07097 and 35-07098 are limited to historic facility and diversion volumes as determined by the Snake River Basin Adjudication.
10. Multiple springs are located within SWSWNW and NWNWSW of S30, T04S, R33E.
11. Four wells are located within the SWNW and three wells are located within NWSW of S30, T04S, R33E.

Dated this 23rd day of April, 1997.


Chief, Water Alloc. Bureau

100-100000
100-100000

State of Idaho
Department of Water Resources

RECEIVED
FEB 19 1982
MAR 5 1982
Department of Water Resources
Eastern District Office

ASSIGNMENT OF PERMIT

I, Houghland Farms, Inc., hereby assign to Aetna Life Insurance Company
of 151 Farmington Avenue, Hartford, Connecticut, 06156.
Address

CHECK ONE

- ☒ All my right, title, and interest in and to Permit No. 35-7098
to appropriate the public waters of the State of Idaho.
☐ This assignment is given as security for a loan in connection with
a mortgage upon the land to which the water is appurtenant.
The following described portion of my right, title, and interest in and to Permit
No. _____ to appropriate the public waters of the State of Idaho.

(Describe that portion of the permit being assigned by listing the acreage within
each 40 acre subdivision, the point of diversion and the amount of water in cubic
feet per second for direct diversion, or acre feet for storage)

Made this 22nd day of March, 19 79.

Houghland Farms Inc
Permit Holder

Spouse of Permit Holder

State of Idaho)
County of Bingham) ss.

On this 22nd day of March, 19 79, personally
appeared before me the signer(s) of the above instrument, who duly acknowledged to me
that he (she) (they) executed the same.

seal

Dwight E. Baker
Notary Public residing at
Idaho Falls

My commission expires:

12-3-79

State of Idaho
Department of Water Resources

WATER RIGHT LICENSE

License of Water Right No. 35-7098 Priority August 22, 1969 Amount 20.00 cfs

THIS IS TO CERTIFY, that HOUGHLAND FARMS
of Springfield, Idaho, has complied with the terms and conditions of Permit
No. 35-7098 issued pursuant to Application for Permit dated August 22, 1969,
and has submitted proof to the Department of Water Resources on October 28, 1975,
that he has applied water to a beneficial use; an examination by the Department indicates that the works have a
capacity for the diversion of 26.64 cfs of water from unnamed springs,
tributary to American Falls Reservoir, and that the permit holder has applied to a beneficial use and
established a right to use water as follows:

Beneficial Use	Period of Use	Rate of Diversion	Annual Volume
Fish Propagation	from <u>Jan. 1</u> to <u>Dec. 31</u>	at <u>20.00</u> cfs and <u>N/A</u>	
	from _____ to _____	at _____ cfs and _____	
	from _____ to _____	at _____ cfs and _____	

(both dates inclusive)

Subject, however, to the condition that no more than 20.00 cfs of water be diverted at any one time, and
that the amount of water so diverted and to which such right is entitled and confirmed is for the purpose
aforementioned and is limited to the amount which can actually be beneficially used and shall not exceed
N/A acre feet per year, said waters to be diverted within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 30,
Twp. 4S, Rge. 33E, B.M., in the County of Bingham

Description and location of place of use:

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				Totals
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
4S	33E	30						X			X								

Total number of acres irrigated _____

A measuring device of a type approved by the Department shall be maintained as
part of the diverting works.

NOTE: Modifications to or variance from this license must be made within the limits of Section 42-222, Idaho
Code, or the applicable Idaho Law. This right may be forfeited by five years of non-use.

The right to the use of the water hereby confirmed is restricted and appurtenant to the lands or place of use
herein described, as provided by the laws of Idaho.

Witness the seal and signature of the Director, affixed at Boise, Idaho, this 24 day of

April, 1975.


Director

Identification No.

35-7098

Application No.

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

APPROVED

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Houghland Farms,
post office address Springfield, Idaho 83277
2. Source of water supply unnamed springs which is a tributary of American Falls Res.
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 30 Township 4S
Range 33E B.M. Bingham County; additional points of diversion if any: SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 30, T. 4S, R. 33E, B.M.
- b. If water is not consumed, it will be discharged into Channel of Am. Falls at a point in NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 30 Township 4S Range 33E B.M. Bingham Res.
4. Water will be used for the following purposes:
Amount 20.0 for fish prop. purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre-feet per annum)
Amount for purpose from to (both dates inclusive)
(cfs or acre-feet per annum)
Amount for purpose from to (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 20.0 cubic feet per second and/or
b. acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Collection pipe, earth diversion dam

b. Height of storage dam 9 feet, active reservoir capacity 1 acre feet; total reservoir capacity 1 acre feet, materials used in storage dam: earth
Period of year during which storage will occur Jan. 1 to Dec. 31 inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is inches; proposed depth of well is feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years.
b. Estimated construction cost is \$ 1,000.00.
8. Description of proposed uses:
a. If water is **not** for irrigation:
(1) Give the place of use of water: SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Section 30 Township 4S
Range 33E B.M.
(2) Amount of power to be generated: hp under feet of head.
(3) List number of each kind of livestock to be watered

(4) Name of municipality to be served , or number of families to be supplied with domestic water .
(5) If water is to be used for other purposes describe: Fish propagation.

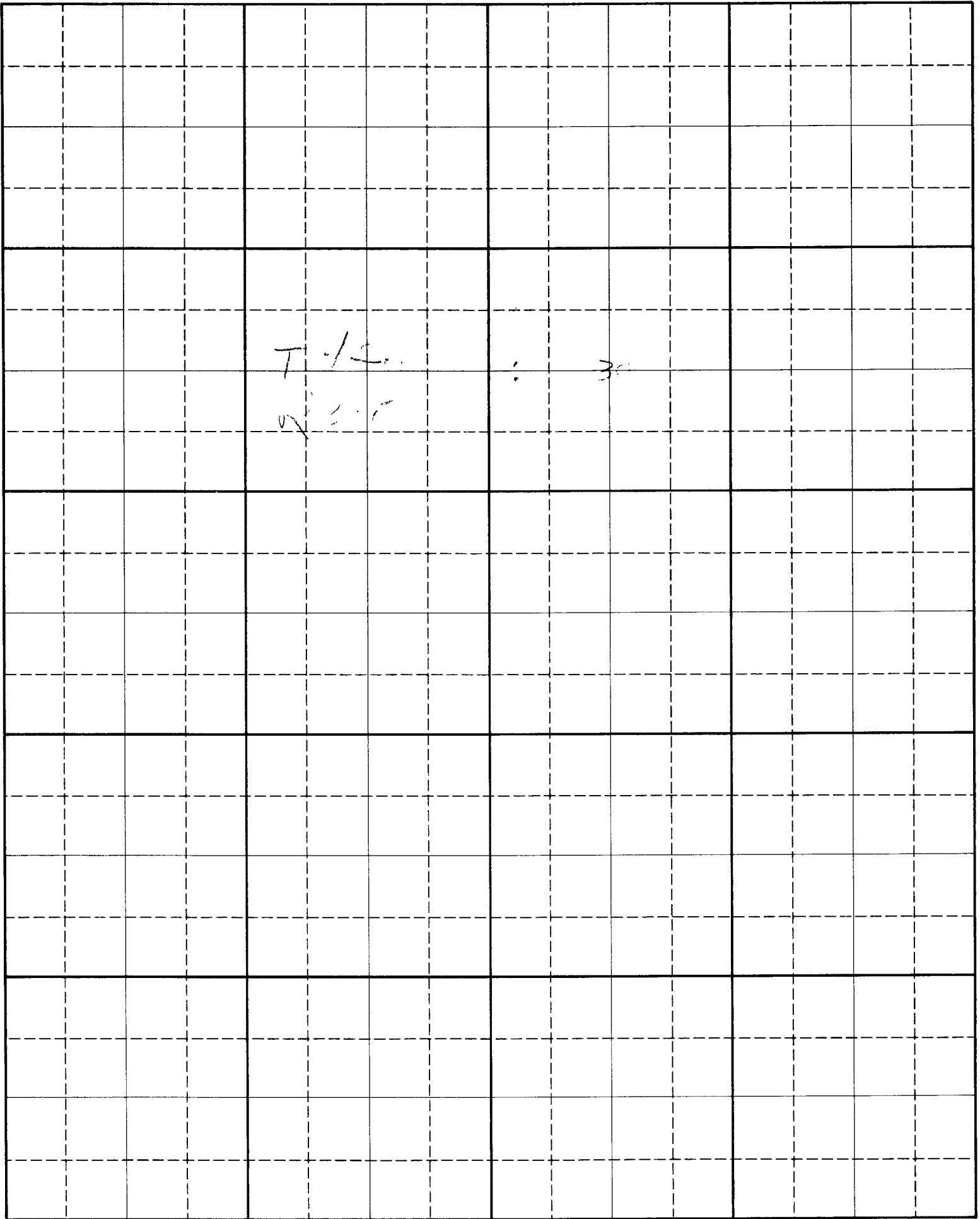
35 7098

c. Describe any other water rights used for the same purposes _____
None

Total number of acres to be irrigated _____

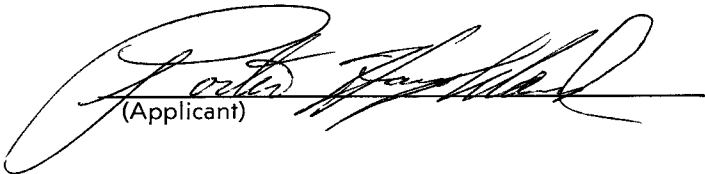
10. Remarks

11. Map of proposed project:



Scale: 2 inches equal 1 mile

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.


(Applicant)

3604 58

Received by Devi Date 8-22-69 Time 3:15 PM

Preliminary check by John Fee \$ 100 =

Received by ef Date 8.22.09

Publication prepared by 22 Date 22

Published in:

Publication dates.

Priority reduced to _____ Reason _____

Protests filed by:

Copies of protests forwarded by-

Hearing held by _____ Date _____

Recommended for approval denial

ACTION OF STATE RECLAMATION ENGINEER

This is to certify that I have examined Application for Permit to appropriate the public waters of the State of Idaho No. 35-7098, 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 January 1, 1976.

c. Other: The permit holder shall permanently install and maintain as part of the

~~diverting works measuring devices of a type approved by the department. This permit is supplemental to all prior rights.~~

2. Denial of said application is for the following reasons:

Witness my hand this 15th day of January 19 71.

~~State Reclamation Engineer~~

DEPARTMENT OF WATER ADMINISTRATION

STAFF ANALYSIS

Application No.	35-7098		Name	Houghland Farms	
Source	Unnamed springs, trib. to American Falls Resv.				
Point of Diversion	NW $\frac{1}{4}$ SW $\frac{1}{4}$ & SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 30, T. 4S, R. 33E, B.M., Bingham				
	County				
Quantity	20.0	Use	FISH PROPAGATION	Period	Jan. 1 - Dec. 31
Quantity		Use		Period	
Quantity		Use		Period	
Well Size		Diameter		Proposed Depth	
Use	fish propagation - see data in 35-7097				
Date Forwarded	9-22-70		Date Returned	9-28-70	
			Received by	Dunn	

COMMENTS: *Documentation: Depth of flow in raceway - 2.5 ft*
The depth of the ponds are unknown. Based on a
water change of 2.5 ft per hour for the raceways, requirement is 17.3
water requirements for ponds could bring water requirements
to amount applied for.

RECOMMENDED:

Applied: Qty.		Use		Period		AF/A		AF	
Qty.		Use		Period		AF/A		AF	
Qty.		Use		Period		AF/A		AF	
Maximum: Qty.		Use		Period		AF/A		AF	
Qty.		Use		Period		AF/A		AF	
Qty.		Use		Period		AF/A		AF	

ACTION: Approved _____ Denied _____

Conditions of approval or reason for denial: _____

ENGINEERING	By	<i>A. H. Dunn</i>	Title	<i>Asst Dir</i>
			Date	<i>9-28-70</i>

AFFIDAVIT of PUBLICATION

County of Bingham

State of Idaho

} ss.

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Houghland Farms, Springfield, Idaho, has on August 22, 1969, applied for permit under application No. 85-7098 to divert 20,000 cubic feet per second of water from an unnamed tributary of American Falls Reservoir. Water will be diverted by collection pipe and open diversion dam within the NW1/4 SW1/4 and SW1/4 NW1/4, Sec. 30, T. 4S, R. 33E, B. 1E, Bingham County and to be used from January 1 to December 31 for fish propagation in the NW1/4 SW1/4 and SW1/4 NW1/4, Sec. 30, T. 4S, R. 33E, B. 1E.

Any protest against this application must be filed with the Department of Reclamation within ten days from the date of this notice.

R. KEITH HIGGINS,
State Reclamation Engineer
(215)
Pub. 9-11 and 18

I, Drury R. Brown do solemnly

swear that I am the publisher of The Blackfoot News which is a daily newspaper of general circulation published each day except Saturday and 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: Friday 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

Friday issue of said newspaper 2 consecutive

weeks, the first publication having been made on

the 11th day of September, 1969,

and the last publication having been made on the

18th day of Sept., 1969; 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.

Drury R. Brown

Subscribed and sworn to before me this 18th

day of September, 1969.

George Dayton

Notary Public for the State of Idaho,
Residing at Blackfoot, Idaho,
My commission expires

~~XXXXX 1969~~ November 10, 1972

35 7098

*215 submitted
7-19-69
R.H.*



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.

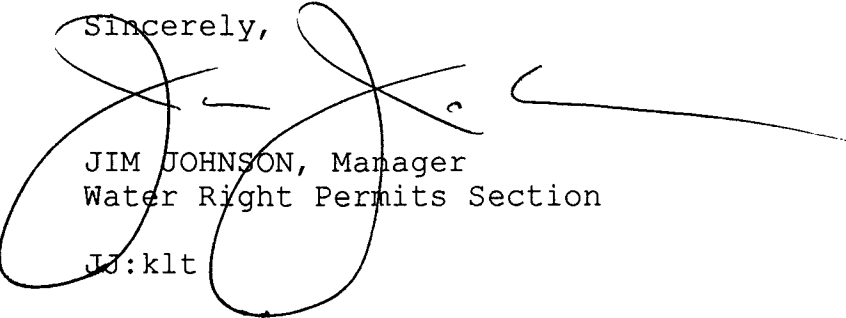
MICROFILMED

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

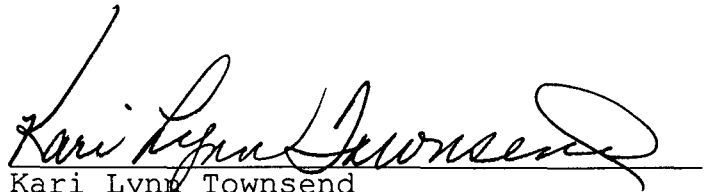
JUN 12 1998

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

June 9, 1998

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RONALD D CARLSON
WATERMASTER
900 N SKYLINE
IDAHO FALLS ID 83402

RE: TRANSFER OF WATER RIGHTS 35-07097/35-07098 (Transfer 5278)

Dear Ron:

Enclosed is a copy of the recently approved Transfer of Water Rights for the above referenced water right (Transfer 5278) in the names of North Fork Energy Inc.

Also enclosed is a copy of the reviewers notes.

If you have any questions, please call me at (208) 327-7947.

Sincerely,

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

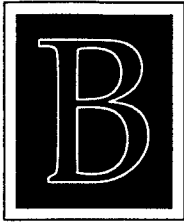
JIM JOHNSON, Manager
Water Permits Section

JJ:klt

Enclosures

MICROFILMED

JUN 12 1998



BROCKWAY
ENGINEERING
P.L.L.C.

Hydraulics

Hydrology

Water Resources

RECEIVED

JUN 08 1998

Department of Water Resources

June 4, 1998

Mr. Glen Saxton
Idaho Dept. of Water Resources
1301 N. Orchard Street
Boise, Idaho 83706-2237

Subject: Request for additional Time to Complete Changes Authorized
by Transfers 4994, 5030 and 5055

Dear Glen

The transfers for North Fork Energy Inc. which we recently discussed require a significant endeavor to complete the works required by the original conditions of the order. As you may recall, the three transfers contemplated the drilling of up to 16 new artesian wells to bring the flow from the springs and existing artesian wells to historically permitted levels. Transfers 4944, 5030, and 5055 allowed up to one year from the data of signing of the order to complete the development. This resulted in original completion dates of April 23, 1998, June 30, 1998 and June 30, 1998 respectively for the transfers. Application was made on August 19, 1997 for a reconsideration of the time to complete the works and an order was issued on December 17, 1997 granting an extension of time only on Transfer 5030 to June 30 1999.

North Fork Energy Inc., recognizing that drilling of this number of wells is a major task, purchased a well drilling rig, hired a licensed driller, and has proceeded to develop the wells as fast as possible. These wells are large diameter (24 inch) wells and are drilled in the artesian system. Casing, grouting, and drilling procedures are considerably more time consuming and meticulous when aquifer separation and protection are required in the artesian environment.

To date, North Fork Energy has drilled 5 wells out of the 15 contemplated under all three transfers. It has required approximately 2 months per well which is excellent progress considering the nature of the drilling, size of hole, and the fact that a percussion drill is being used rather than a rotary rig. It is estimated that the cost of each well, including amortization of the equipment, materials and labor has averaged about \$15,000 per well. This is a considerable savings over contracted drilling but is still a significant investment to date and the projected costs may exceed \$150,000 to complete.

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

CHARLES G.
BROCKWAY,
PH.D.

2016 NORTH
WASHINGTON
STREET • SUITE 4

TWIN FALLS,
IDAHO 83301

208•736•8543

FAX: 736•8506

MICROFILMED

JUN 12 1998

The following table shows the progress made within the last 11 months toward completing the work.

Table: Well Drilling Activities North Fork Energy Inc. June 1997-May 1998

Transfer No and Local Name	Existing Wells	Authorized Wells	Newly Drilled	Remaining
4944 Third Place	4	7	2	1
5030 Home Place	2	10	3	5
5055 Birdcage/Traile r	1	5	0	4
Total	7	22	5	10

I believe the Company has proceeded diligently and certainly intends to complete the project, but will not be able to complete the works in the currently allotted time. The progress to date has been faster than expected and I anticipate that the remaining drilling will not progress nearly as fast. Even at the accelerated pace that has been achieved to date, drilling the remaining 10 wells would require two more years. I am therefore requesting, on behalf of North Fork Energy, that the time to complete the works be extended to June 30, 2002. With reasonable progression and finances available, this extension is not unreasonable.

If you have any questions please call me at 208 736 8543

Sincerely,



C. E. Brockway, P.E.

cc: B. Beymer
G. Landsberry:

MICROFILMED

JUN 12 1998

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

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

PETITION FOR RECONSIDERATION

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

EXCEPTIONS AND BRIEFS

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

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

ORAL ARGUMENT

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

MICROFILMED

JUN 12 1998

CERTIFICATE OF SERVICE

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

FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

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

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

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

MICROFILMED

JUN 12 1998

MEMORANDUM

TO: Files 35-07097 & 35-07098

FROM: Pam Skaggs^{CS}/State Office

SUBJECT: Transfer 5278

DATE: June 5, 1998



Transfer 5278 was filed to change a groundwater point of diversion under Rights 35-07097 and 35-07098.

This transfer is a modification of previously approved Transfer 4994. When the applicant was ready to begin drilling the new well proposed in the NWSW, S30, T04S, R33E, it was found that the location of power lines precluded use of that site. By moving beyond the power lines the point of diversion needed to be relocated within SENE, S25, T04S, R32E.

Conditions are recommended the same as the previous transfer with minor changes to the location of the wells. Conditions include watermaster control, drilling permit requirements, multiple points of diversion/measuring devices, water quality, facility volumes and standard transfer conditions.

MICROFILMED

JUN 12 1998



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

April 28, 1997

NORTH FORK ENERGY INC
PO BOX 5405
BOISE ID 83705

PHILIP E. BATT
GOVERNOR

KARL J. DREHER
DIRECTOR

RE: Water Right No. 35-07097/35-07098
Transfer No. 4994

Dear Water Right Holder:

The accompanying **transfer approvals** should be considered and treated as **preliminary orders** of the department issued pursuant to section 67-5243, Idaho Code. They can and will become final orders without further action of the Department unless a party petitions for reconsideration and/or files a brief as described below:

PETITION FOR RECONSIDERATION

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

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

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FINAL ORDER

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

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

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

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

APPEAL OF FINAL ORDER TO DISTRICT COURT

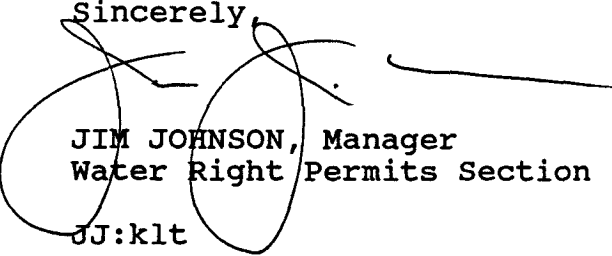
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- i. A hearing was held,
- ii. The final agency action was taken,

- iii. The party seeking review of the order resides, or
- iv. The real property or personal property that was the subject of the agency action is located.

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

Sincerely,



JIM JOHNSON, Manager
Water Right Permits Section

JJ:klt

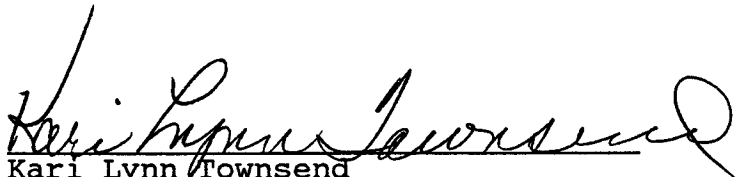
Enclosure

CERTIFICATE OF MAILING

I hereby certify that on the 28th day of April, 1997, I mailed a true and correct copy, postage prepaid, of the foregoing **PRELIMINARY ORDERS (APPROVED TRANSFERS)** to the person(s) listed below:

WATER RIGHT NO(S): 35-07097/35-07098

NORTH FORK ENERGY INC
PO BOX 5405
BOISE ID 83705


Kari Lynn Townsend
Secretary

MEMORANDUM

TO: FILE 35-7098

FROM: PAM SKAGGS

RE: TRANSFER # 4994

DATE: 2/7/97

Original Transfer Application, Form and correspondence
regarding the above referenced Transfer is located within
file # 35-7097.

MICROFILMED

MAY 20 1997



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

March 12, 1979

Houghland Farms, Inc.
Springfield, ID 83227

Gentlemen:

As requested in a phone call to this office, I have enclosed a copy of Water Right License No. 35-7098.

Permit Nos. 35-7097 and 35-7138 are still in permit form. Affidavits have been submitted as proof to beneficial use. Before licensing, a field examination must be made by a representative of this department.

Permit Nos. 35-7139 and 35-7140 are still in permit form. Field examinations have been made, and the permits are in the process of being licensed. A copy of the license will be sent to you when completed.

If you have any questions or need further assistance, please do not hesitate to contact us.

Sincerely,

Roberta Garrett
Records Supervisor

Enclosure



State of Idaho

DEPARTMENT OF WATER RESOURCES

STATE OFFICE, 373 W. Franklin Street, Boise, Idaho

JOHN V. EVANS

Governor

C. STEPHEN ALLRED

Director

Mailing address:

Statehouse

Boise, Idaho 83720

(208) 384-2215

April 26, 1978

Re: Permit No. 35-7098

Houghland Farms, Inc.
Springfield,
Idaho 83277

Gentlemen:

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

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw
Enclosure





STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

John V. Evans
Governor

C. Stephen Allred
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

April 3, 1978

Re: Permit No. 35-7098

Houghland Farms, Inc.
Springfield,
Idaho 83277

Gentlemen:

A representative of this Department made an examination of the works covered by your Permit No. 35-7098 on September 1, 1977, and has found the following:

Amount of water that can be recognized as beneficially used under
Idaho law: 20.0 cfs Source: unnamed springs

The maximum quantity diverted shall not exceed n/a acre feet per year.

Point of diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 30, Twp. 4S, Rge. 33E, B. M.

Beneficial use: Fish propagation within the NW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 30, Twp. 4S, Rge. 33E, B. M.

Priority date established: August 22, 1969

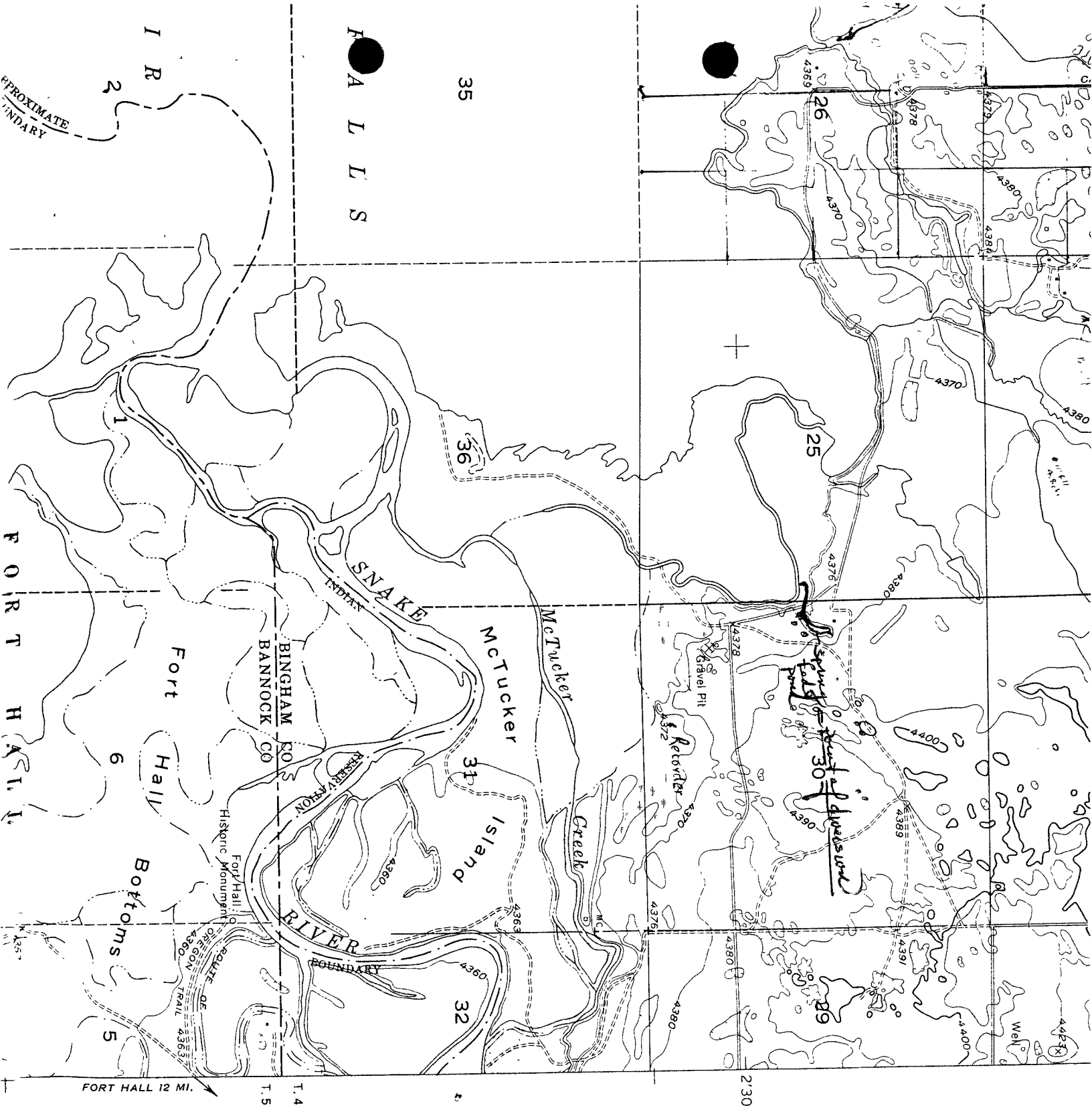
If you do not concur with these findings please contact us within 10 days, otherwise a water license will be issued as set forth above.

Sincerely,

JAN GROVER
Water Rights Supervisor

JG/kw

RECEIVED



Fort Hall
Highland
35-7098

AKC 9/2/77

MINI-RECORD

RECEIVED

NOV 10 1975

328-2260

Department of Water

Phone **Eastern District Office**

3. Water will be used for the following purposes:

Other uses: _____

- Max Rate of Diversion 20.00 cubic feet per second and annual volume _____ AF/Annum.

- Township_____N/S, Range_____E/W, B.M., Section_____, Subdivision_____1/4_____1/4, _____
County_____

Other Points of Diversions: _____

Description of diverting works: natural springs feed pond and stream

Measuring device required: yes ☒ no ☐

6. Lands to be irrigated or place of use.

[illegible]

TOTAL ACREAGE _____

ARK 9/2/77

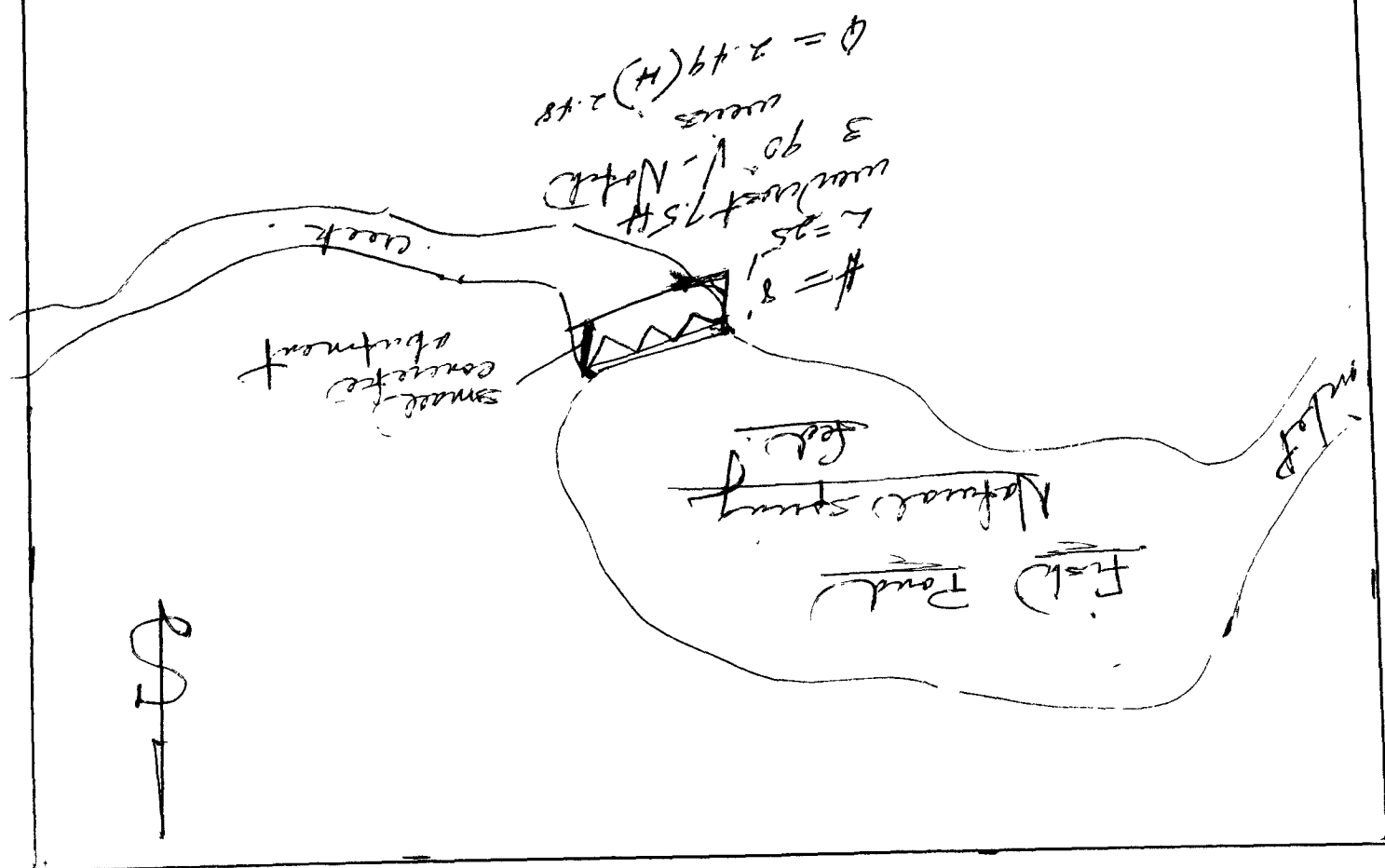


Diagram of System

[illegible]

DATE OF EXAM 9/1/77

ACREAGE
Found n/a
Recommended n/a

Irrigation Requirement n/a Ac Ft/Ac

USE

Irrigation Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Domestic Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Livestock Q = _____ c.f.s. V = _____ AF/Ann. from _____ to _____
Fish Propagation Q = 20.00 cfs, V = non-consumptive
from Jan 1 Dec 1 14,479.55 Aft/yr.

Is water co-mingled? yes _____ no X

Name source: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Exchange? yes _____ no X

Name source exchanged with: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of injection: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Point of exchange: n/a
twp. _____ N/S, Rge _____ E/W, B.M., Sec. _____, Sub. _____ 1/4 _____ 1/4 _____
County _____

Total Q measured 26.64 cfs Method of measurement Weirs

Total Q recommended 20.00 cfs Meter No. n/a Type 90° V Notch Condition good - new

Total V recommended non-consumptive V = 14479.55 Aft/yr

Recommended Amendments:

Place of Use _____
Use _____
None

MEASUREMENT CALCULATION:

H for each of the three weirs was 1.67 ft or 20 inches.
 $Q = 2.49[(H)]^{2.48}$, $Q = 8.88 \text{ cfs} \times 3 = 26.64 \text{ cfs}$
 $V = \text{non-consumptive } 20 \text{ cfs} \times 7.9835 \times 365 = 14479.55$

SYSTEM DESCRIPTION:

ARK 9/1/77
Spring water is backed up by a 25' long 8' high concrete
abutment to form a large pond where fish are raised,
water is allowed to pass downstream
through 3 weirs positioned side by side in the
top of the diversion.

REMARKS:

System shown & described by Porter Houghland.
Rainbow trout are raised.

Examiner's Signature Anthony R. Kizlowski Date 9/1/77

Checked by Ernest M. Carlson Date 11/18/77

Approved by _____ Date _____

August 15, 1977

RE: Permit No. 35-7098

Houghland Farms, Inc.
c/ Porter Houghland, Pres.
Springfield, Idah 83277

Dear Mr. Houghland:

Personnel from this office have attempted to complete the field examination necessary to finalize the water permit and collect data required for the licensing of your well.

A measuring device of a type approved by this Department has not been installed at the point of diversion, and because of this non-compliance the priority date that you have established for this ground-water source may be in jeopardy.

This office will hold the field report until September 14, 1977. If at that time we have not received notification that the measuring device has been purchased and/or installed, we will forward our findings to the State Office for final action. If the measuring device has been installed, please contact me to set up an appointment to do a re-exam.

Compliance with the conditions on your permit is the only way a license can be issued pursuant to the Idaho Code for your water right development and the land included under the above referenced permit.

If you have any questions concerning this matter, please contact me.

Very truly yours,

ANTHONY R. KOZLOWSKI
Water Resource Agent

ARK:CD

MICROFILMED

November 5, 1975

Re: Permit No. 35-7098

Houghland Farms
Springfield,
Idaho 83277

Gentlemen:

We acknowledge receipt of the affidavit submitted as proof of beneficial use for the above referenced permit.

Before a license can be issued, a field examination must be made by a representative of this Department. We cannot tell just when this examination will be made, but our examiner will try to contact you at the time he makes the examination so that you may show him the system.

If you have any questions regarding the field examination, please contact our District Office in **Idaho Falls.**

Sincerely,

D. Darlene Reich
Water Rights Supervisor

DDR:JG

RECEIVED RECEIVED

OCT 17 1975

OCT 28 1975

Department of Water Resources
Eastern District Office

Department of Water Resources
Eastern District Office

STATE OF IDAHO
DEPARTMENT OF RECLAMATION

Identification No. _____

Permit No. 35-7098

PROOF OF APPLICATION OF WATER TO BENEFICIAL USE

1. a) Name of Permit Holder Houghland Farms, Inc.
b) Post Office Address Springfield, Idaho
2. Permit Number 35-7098
3. Date of Priority that you are prepared to establish 8-22-1969
4. a) Source from which water was appropriated Unnamed springs
b) Location of the point of diversion: NW 1/4 SW 1/4, Section 30
Township 4 S, Range 33 E, Boise Meridian, Other points of diversion:
SW 1/4 NW 1/4 Sec. 30, Twp. 4 S. R. 33 E.B.M.
5. a) The amount of water and use to which the water has been applied:
amount 20.0 c.f.s. for Fish prop. purposes from Jan 1, to Dec. 31 incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
amount _____ for _____ purposes from _____ to _____ incl.
(cfs and/or acre feet per annum) (Month-Day) (Month-Day)
b) Total amount appropriated 20.0 cfs and/or acre feet per annum
c) Describe how and by whom measurement of rate of flow or amount of storage was made and the qualifications of the person making the measurement: None
6. If the means of diversion and conveyance are owned by someone other than the Permit Holder:
a) Give the name or description of the canal, ditch or other works by which the water is conducted to the place of use: _____
b) Describe the agreement or understanding by which you take water from the works: _____
7. a) Briefly describe the works for diverting and conveying the water to the place of use, (If from a subterranean source, give the pump size, motor size, size of well casing, depth of well; if from surface water, give brief description of diversion structure and/or canal or ditch) Natural Springs feed pond and stream
b) Describe the type and size of measuring device which you have installed at your point of diversion: Cipoletti Wier
c) Give well drillers name and address and date the well was completed None

IDAHO DEPARTMENT OF WATER ADMINISTRATION
EASTERN DISTRICT OFFICE
C. HOLMES
BOISE FALLS, IDAHO 83401

Exam typed 11-3-75 by ja

msb

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivi-

:uois

:uois

9. Irrigation uses: Describe the lands irrigated by giving the acreages irrigated within each 40 acre subdivi-

:uois

:uois

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼			
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼
TOTALS			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼

Total number of acres irrigated.

10. Remarks:

The above information is a true statement of the extent to which the above numbered permit has been developed.

(Date)

SL-41-01

(Signature)

Handwritten: *Handwritten Name here*
(Signature)

State of Idaho)
County of Bingham) ss.

County of Bingham)
ss.

On this 12th day of October, 1975, personally appeared before me the
signer(s) of the above instrument, who duly acknowledged to me that he (she) (they) executed the same.

My commission expires _____

2 f. 17

Notary Public residing at Blackfoot, ID.

James B. Smith
Notary Public residing at *Blackfoot*

● **SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☐ Show to whom and date delivered..... 15¢
☐ Show to whom, date, & address of delivery.. 35¢
☐ RESTRICTED DELIVERY.
 Show to whom and date delivered..... 65¢
☐ RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

STATIONERY

3. ARTICLE DESCRIPTION:

REGISTERED NO. | CERTIFIED NO. | INSURED NO.

13820

(Always obtain signature of addressee or agent)

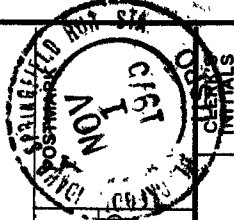
I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

4. DATE OF DELIVERY

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:



CLERK'S
INITIALS

me

UNITED STATES POSTAL SERVICE

OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

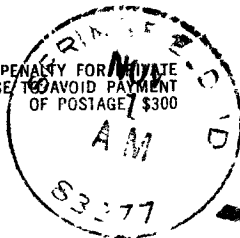
- Complete items 1, 2, and 3 on reverse side.
- Moisten gummed ends and attach to back of article.

RETURN
TO



DEPARTMENT OF WATER RESOURCES
CAPITOL HOUSE
BOISE, IDAHO 83720

PENALTY FOR NON-USE
TO AVOID PAYMENT
OF POSTAGE \$300





STATE OF IDAHO

DEPARTMENT OF WATER RESOURCES

Cecil D. Andrus
Governor

R. Keith Higginson
Director

Statehouse
Boise, Idaho 83720
(208) 384-2215

October 31, 1975

CERTIFIED MAIL

#138020

Re: Permit No. 35-7097 & 35-7098

Houghland Farms
Springfield,
Idaho 83277

Gentlemen:

One of the conditions of approval of your water Permit No. 35-7097, 35-7098 (see last page of your approved permit) was that evidence of the extent of development be submitted as proof of application of water to beneficial use to this office on or before January 1, 1976. Enclosed is an affidavit form which must be used to submit the required proof of beneficial use.

If you have not fully completed your project, and you have not previously received an extension of time, you may request an extension of time provided the delay is for reasonable cause as indicated in Section 42-204, Idaho Code, amended. If you have been prevented from proceeding by a governmental agency or by litigation, more than one extension of time can be granted.

Either the beneficial use affidavit or a request for an extension of time must be received by this Department on or before the above mentioned date, otherwise the permit will lapse and be of no further force or effect.

R. KEITH HIGGINSON
Director

COPY

RKH:jg

Enc: Proof affidavit (2)

WATER RESOURCE BOARD:

John F. Streiff
Chairman

Franklin Jones
Member

George L. Yost
Vice Chairman

M. Reed Hansen
Member

Donald R. Kramer
Secretary

Scott W. Reed
Member

Edwin C. Schlender
Member

Joseph H. Nettleton
Member

January 22, 1971

Re: Permit Nos. 35-7097 and 35-7098

C
Houghland Farms
Springfield,
Idaho 83277

Gentlemen:

Enclosed are copies of your approved Applications for Permit Nos. 35-7097 and 35-7098. We direct your attention to the conditions of approval as listed on the fourth page.

P Be sure to note that a special condition requiring you to install and maintain a measuring device at your points of diversion has been placed upon your permits. We are enclosing a letter describing different types of measuring devices accepted by this office.

Very truly yours,

Y
BOBBY D. FLEENOR
Assistant Director

BDF:kh

Enclosures: Copy of Permit No. 35-7097
Copy of Permit No. 35-7098
2 informationa letters

35 7098

Identification No. 35-7098
Application No. _____

STATE OF IDAHO
DEPARTMENT OF RECLAMATION
APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Idaho
(TYPE OR PRINT IN INK)

1. Name of applicant Houghland Farms,
post office address Springfield, Idaho 83277
2. Source of water supply unnamed springs which is a tributary of American Falls Res.
3. a. Location of point of diversion is NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 30 Township 4S
Range 33E B.M. Bingham County; additional points of diversion if any: _____
SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 30, T. 4S, R. 33E, B.M.
- b. If water is not consumed, it will be discharged into Channel of Am. Falls Res. at a point in NW $\frac{1}{4}$
of SW $\frac{1}{4}$ of Section 30 Township 4S Range 33E B.M. Bingham
4. Water will be used for the following purposes:
Amount 20.0 for fish prop. purpose from Jan. 1 to Dec. 31 (both dates inclusive)
(cfs or acre feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
Amount _____ for _____ purpose from _____ to _____ (both dates inclusive)
(cfs or acre-feet per annum)
5. Total quantity to be appropriated:
a. 20.0 cubic feet per second and/or
b. _____ acre feet per annum.
6. Proposed diverting works:
a. Description of ditches, flumes, pumps, headgates, etc. Collection pipe, earth diversion dam

b. Height of storage dam 9 feet, active reservoir capacity 1 acre feet; total reservoir capacity 1 acre feet, materials used in storage dam: earth
Period of year during which storage will occur Jan. 1 to Dec. 31 inclusive.
(Mo. Day) (Mo. Day)
c. Proposed well diameter is _____ inches; proposed depth of well is _____ feet.
7. a. Time required for the completion of the works and application of the water to the proposed beneficial use is 5 years
b. Estimated construction cost is \$ 1,000.00
8. Description of proposed uses:
a. If water is **not** for irrigation:
SW NW
(1) Give the place of use of water: NW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 30 Township 4S
Range 33E B.M.
(2) Amount of power to be generated: _____ hp under _____ feet of head
(3) List number of each kind of livestock to be watered _____

(4) Name of municipality to be served _____, or number of families to be supplied with domestic water _____
(5) If water is to be used for other purposes describe: Fish propagation.

35-7098



R. Keith Higginson
Director

Water Rights Administration
Water Resource Investigations
Dam and Reservoir Safety
Water Well Drilling
Flood Plain Management
Irrigation and
Flood Control Districts

STATE OF IDAHO

DEPARTMENT OF WATER ADMINISTRATION

Statehouse — Annex 2
Boise, Idaho 83707
(208) 384-2215

December 10, 1970

Re: Applications for Permit Nos. 35-7097
35-7098

Mr. Porter Houghland
HOUGHLAND FARMS
Springfield, Idaho 83277

Dear Mr. Houghland:

Thank you for supplying the justification in connection with a fish propagation.

We would request one additional item before the Department issues your permits. We are enclosing a front copy of each of the applications, and it is noted under item 3b that information is requested concerning the point at which water will be discharged, if not consumed, and into what the water will be discharged.

Will you please identify the discharge point and what the water will be discharged into for each of the applications? The Department can immediately take action on your applications.

Your cooperation in this matter has been appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM/DG

Enc: copies of first pages of above referenced applications

35 7098

Idaho Bank & Trust Co.

Member Federal Deposit Insurance Corporation

BOX 750 - BLACKFOOT, IDAHO 83221

H. B. FITZPATRICK
VICE PRESIDENT

November 27, 1970

To Whom It May Concern:

The attached copy of a financial statement on Houghland Farms, Inc. is a pro forma market value statement which shows a greater net worth of this corporation than does their operating statement.

These people have been customers of our bank for many years. At the present time we have agreed to extend them credit up to one million dollars.

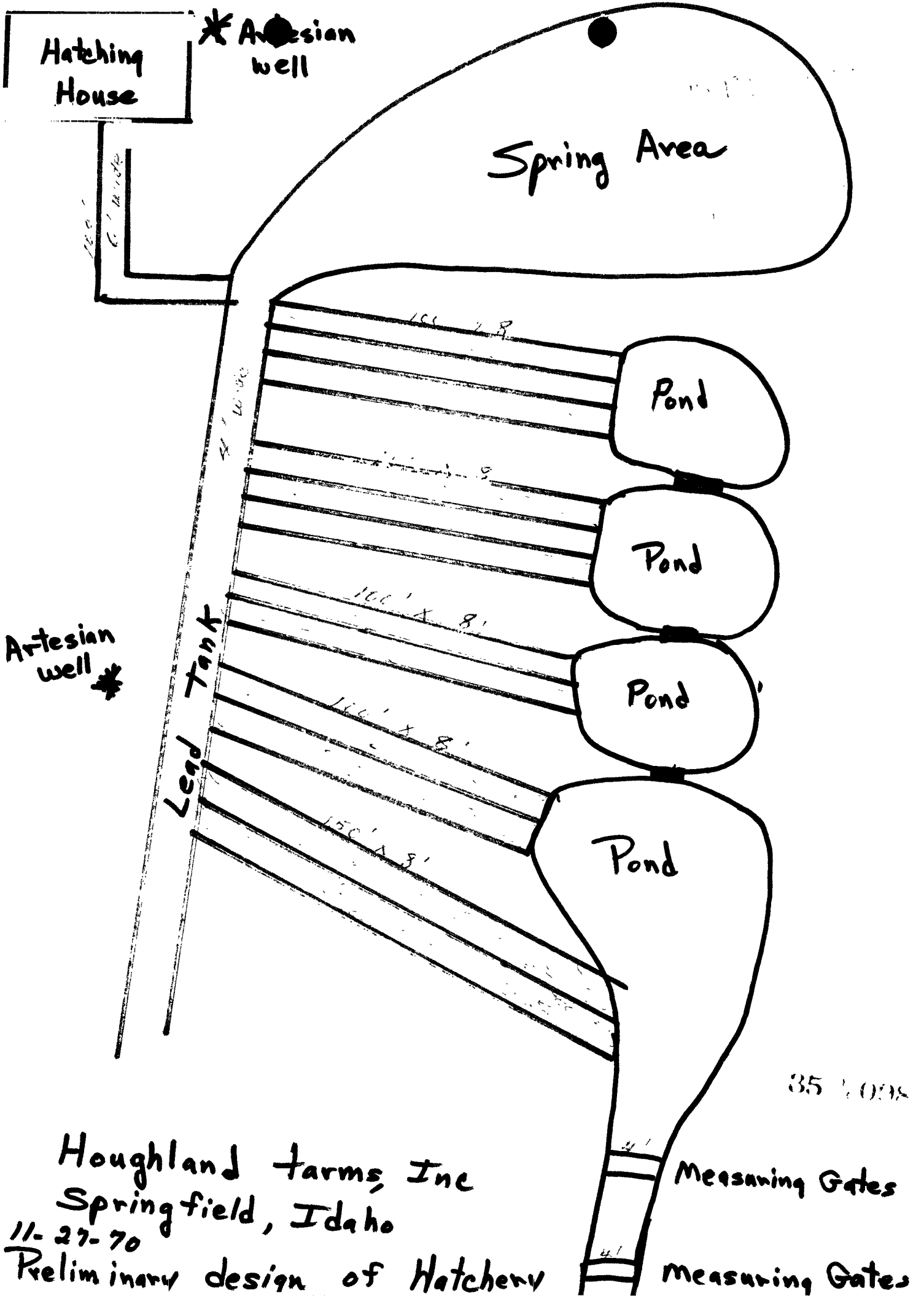
We feel they are financially able to do most anything they decide to undertake. We recommend them to you very highly.

Sincerely yours,

H. B. Fitzpatrick
Vice President

HBf/plg

35 7000



Hatching House

* Artesian well

Spring Area

Pond

Pond

Pond

Pond

Artesian well *

Lead Tank

35

Measuring Gates

measuring Gates

Houghland Farms, Inc
Springfield, Idaho

11-27-70

Preliminary design of Hatchery

RECEIVED

JUN 1969

Department of Agriculture

Justification;

One second ft. of water for approximately 10,000 lbs. of production. We expect to produce 200,00 lbs of fish per year.

Estimated schedule of construction:

Beginning of construction	June 1, 1969
Completion of project	June 1, 1971

35 7098

November 5, 1970

Re: Applications for Permit No. 35-7097 & 35-7098

Houghland Farms
Springfield,
Idaho 83277

Gentlemen:

On October 21, 1970, the Department requested additional information in connection with the above referenced applications for permit.

Please be advised that if we have not received a reply from you on or before December 1, 1970, your applications will be voided pursuant to Section 42-204 of the Idaho Code.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:DR

CERTIFIED MAIL # 22336

35 7098

October 21, 1970

Re: Application for Permit NO. 35-7098
35-7097

Houghland Farms
Springfield, Idaho

Gentlemen:

In order to complete the processing of your application, we will require some additional information. Please submit the total dimensions of each of the ponds, so that we may determine the volume required per pond. Also, please advise us as to the number of water changes you plan to make.

Your assistance in this matter is appreciated.

Very truly yours,

Donald W. McEldowney
Appropriation Supervisor

DWM:cm

35 7098

October 22, 1969

Re: Application for Permit No. 35-7098

C
Houghland Farms
Springfield
Idaho

Gentlemen:

O
In order to further consider your application for permit, we will require additional information not included with your application.

- P
Y
1. A financial statement indicating the resources available to complete the project as described in the application (see Section 42-203, IC).
 2. A preliminary design of the hatchery facilities, indicating the size of raceways, general layout, the size of pipelines or other diversion works and such other information as will fully describe the method and means of diversion and verify the need for the quantity of water you have asked to appropriate.
 3. A justification, based upon the preliminary design and the estimated production of the hatchery, for the amount of water requested.
 4. An estimated schedule of construction giving dates for the start of construction, the finish of construction, and the date that full operation of the hatchery is anticipated.

You should be aware that all applications, if approved, will require the installation and maintenance of adequate measuring devices, both at the point of diversion and the point of return of the water to the creek. These devices must be of a type approved by the Department of Reclamation; they can be of any generally recognized standard measuring device type. You should include the installation of these devices in your preliminary plans for construction.

35 7098

Page 2
October 22, 1969
Houghland Farms

I would appreciate receiving this information by November 23, 1969.
Thank you for your cooperation.

Very truly yours,

Donald W. McEldowney
Appropriation Examiner

C
DWM:sc
O
P
Y

35 7098

September 4, 1969

Re: Application for Permit No. 35-7097)
35-7098 - Houghland Farms

Blackfoot News
Box 70
Blackfoot, Idaho 83221

Gentlemen:

Enclosed you will find a legal notice which we wish to have published once a week for two consecutive weekly issues of your newspaper. We have inserted the publication dates allowing ample time for you to submit us a galley proof for review before publication.

After sending us a galley proof, proceed with the publication on the dates we have inserted assuming the notice is correct. If we have any corrections, we will notify you before the first publication date. If you cannot publish the notice on the proposed dates please contact us immediately.

An affidavit of publication must be submitted to the Department of Reclamation, along with the publication bill. In order to receive payment, the following certification must appear on the bill:

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of same has been paid.

Signature of claimant

Very truly yours,

Donald W. McElweeney
Appropriation Examiner

DWM:DR
Enc: Legal notices (2)

35 7098

OVER

NOTICE OF APPLICATION
FOR WATER

Notice is hereby given that Houghland Farms, Springfield, Idaho, has on August 22, 1969, applied for permit under application No. 35-7098 to divert 20,0 cubic feet per second of water from an unnamed springs tributary of American Falls Reservoir. Water will be diverted by collection pipe and earth diversion dam within the NW1/4 SW1/4 and SW1/4 NW1/4, Sec. 30, T. 4S, R. 33 E, B.M., Bingham County and is to be used from January 1 to December 31 for fish propagation in the NW1/4 SW1/4 and SW1/4 NW1/4, Sec. 30, T. 4S, R. 33 E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of this notice.

R. KEITH HIGGINSON,
State Reclamation Engineer
(2151)
Pub.: 9-11 and 18

35 7098

NOTICE OF APPLICATION FOR WATER

Notice is hereby given that Houghland Farms, Springfield, Idaho,
has on August 22, 1969,
applied for permit under application No. 35-7098
to divert ~~under~~ 20.0 cubic feet per second ~~acre/foot~~
of water from an unnamed springs tributary of American Falls Reservoir .
Water will be diverted by collection pipe and earth diversion dam
within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 30, T. 4S, R. 33E, B.M., Bingham County
and is to be used from January 1 to December 31 for fish propagation
in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ and SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 30, T. 4S, R. 33E, B.M.

Any protest against this application must be filed with the Department of Reclamation within ten days from the last date of this notice.

R. KEITH HIGGINSON
State Reclamation Engineer

Published in the Blackfoot News, Blackfoot, Idaho
on September 11 and September 18, 1969

35 7098